

Ref: CM

Date: 28 November 2023

A meeting of the Planning Board will be held on Wednesday 6 December 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 5 December 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.	Continued Planning Application Report by Director, Environment & Regeneration on a continued application 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
3.	Planning Applications Reports by Director, Environment & Regeneration on applications for planning permission as follows:	
(a)	Mrs Jane Barrs Erection of detached dwellinghouse (change to the design and position of the house at the west side of the site approved under previous planning permission IC/91/157): Land adjacent to 31A Cowal View, Gourrock (23/0038/IC)	p
(b)	Linear Living Scotland Limited Proposed residential development comprising 6 detached dwellings with associated roads, parking and landscaping: Land adjacent to 24 Rosemount Place, Gourrock (23/0036/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.

Please note: this meeting may be recorded or live-streamed via YouTube and the Council's internet site, where it will be capable of repeated viewing. At the start of the meeting the Provost/Chair will confirm if all or part of the meeting is being recorded or live-streamed.

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

Report To: The Planning Board

Date: 6 December 2023

**Report By: Director
Environment and 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 following the conclusion of a Legal Agreement relating to the payment of a commuted sum.

Drawings may be viewed at:

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

BACKGROUND

At the November 2023 meeting of the Planning Board the application was continued to enable the Director of Environment and Regeneration to discuss, with the applicant, play park provision and related matters. Following discussions with the applicant, it has been agreed that a commuted sum is to be provided by the applicant in lieu of any formal play provision within the application site. The commuted sum is to be allocated to the upgrading of the existing play park located between Sir Michael Street, Greenock and Ann Street, Greenock, which is sited approximately 300 metres north-east of the site. The commuted sum is to be secured through an agreement under Section 69 of the Local Government (Scotland) Act 1973.

The report below has been updated accordingly to include consideration of this matter.

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. Both PAAN 3s state that where developments are located in close proximity to established parks or play areas, the Council may, in appropriate cases, consider as an alternative to on-site provision of play equipment the supplementing, at the expense of the developer, of existing play equipment in the nearby park or play area. There is existing play provision at Sir Michael Street, Greenock, approximately 300m from the site which will provide play opportunities for new residents within an acceptable walking distance from the site. A contribution towards the provision, maintenance or improvement of existing play provision is appropriate in this case given the shortfall. The applicant is also agreeable to this approach. Procedurally, this can be addressed by the conclusion of a legal agreement prior to issuing planning permission. 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.

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 however this can be addressed by the payment of a commuted sum to be used to upgrade a play park nearby.

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 subject to the conclusion of a legal agreement relating to a commuted sum towards off-site play provision 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: 6 December 2023

Report By: Director, Environment and Regeneration

Report No: 23/0038/IC

**Local Application
Development**

**Contact
Officer:** Colin Lamond

Contact No: 01475 712422

Subject: Erection of detached dwellinghouse (change to the design and position of the house at the west side of the site approved under previous planning permission IC/91/157)
at
land adjacent to 31A Cowal View, 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=RQ85ERIMMDX00>

SITE DESCRIPTION

The application site is irregular in shape and is located at a bend in Cowal View. The site is approximately 1310sqm in size and is on a slope that rises in a general north to south direction. 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 approximately 71m Above Ordnance Datum. The site is bounded on its north side by Cowal View, and Gourrock Golf Course to the south.

There is an unnamed watercourse that flows along the west side of the site, before turning west. The site to the immediate west is a reasonably large area of vacant land which has largely rewilded and a planning application for six dwellinghouses has been applied for under 23/0036/IC for this land. The wider area is residential in nature with variety of dwellinghouse including flats to the east of the proposed site.

There is a detached dwellinghouse immediately to the east of the site at 31A Cowal View. The application site includes a driveway access at the west side of 31A Cowal View that runs up to and around to the rear of the existing house.

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.

Planning permission was granted on 28th June 1991 for the erection of two detached houses at this location (IC/91/157). One of the approved houses was to be located towards the front of the site and the other towards the rear of the site, each house with its own separate driveway access. The house that has been constructed at 31A Cowal View is one of the houses approved under IC/91/157. It should be noted that although planning permission IC/91/157 was granted a number of years ago the second house towards the rear of the site could still be constructed. This is because the relevant planning legislation only requires an approved development to be commenced and does not actually require the development to be completed.

PROPOSAL

Planning permission is now sought for the erection of a split-level detached house with a pitched roof that is to contain three bedrooms. The proposed house differs from the house granted under IC/91/157 in terms of its position in the site and its design and appearance. The house previously approved was to be two storeys and located further towards the rear of the site.

The footprint of the proposed house is to be rectangular and the house is to be aligned in a general north to south direction. The house is to be approximately 20m long and approximately 8.8m wide excluding a small entrance vestibule on the west facing elevation at ground floor level. The proposed house is to be approximately 23m from Cowal View, approximately 2m from the east boundary. The west boundary of the site tapers and the west facing elevation of the proposed house (excluding the small projection at ground floor level) varies from approximately 3.5m to approximately 6m from this boundary. The highest part of the house is to be at its north side where it has the appearance of a two storey house. This part of the house is to be approximately 8.2m high. There is to be a recessed balcony area on the north facing elevation at first floor level that is to be the width of the house. The submitted plans also indicate a patio running along the north facing elevation at ground floor level as well as a patio along the rear elevation of the house. The rear part of the house is single storey and is approximately 5.4m high.

The main external materials are to be stone on the front elevation, white coloured render on the side and rear elevations with grey coloured tiles on the roof. The doors and windows are to be grey in colour. The side elevation (west) is to have a small entrance vestibule with two small upper windows. On the east elevation there is to be a side door and two small windows at the lower floor level with two small windows on the upper floor level with solar panels on the roof. The rear elevation is to have a door and two sets of windows.

There is to be a driveway access at the north end of the site at the bend on Cowal View with two parking spaces at the north-west side of the driveway. The driveway however does not lead directly up to the proposed house itself rather it is to be connected to the house by paths.

A retaining wall is proposed between the proposed dwellinghouse and the existing house at 31A Cowal View. The retaining wall will be approximately 1m high and run most of the length of the proposed dwelling house. The finish on the wall is proposed to match the dwellinghouse.

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

- a) Development proposals will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible.
- b) Proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development. Applications for individual householder development, or which fall within scope of (b) above, are excluded from this requirement.
- 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 4

- a) Development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment, will not be supported.
- e) The precautionary principle will be applied in accordance with relevant legislation and Scottish Government guidance.
- f) Development proposals that are likely to have an adverse effect on species protected by legislation will only be supported where the proposal meets the relevant statutory tests. If there is reasonable evidence to suggest that a protected species is present on a site or may be affected by a proposed development, steps must be taken to establish its presence. The level of protection required by legislation must be factored into the planning and design of development, and potential impacts must be fully considered prior to the determination of any application.

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

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.

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.

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.

ADOPTED 2019 LOCAL DEVELOPMENT PLAN POLICIES

Policy 1 - Creating Successful Places

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

Policy 6 - Low and Zero Carbon Generating Technology

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

Other solutions will be considered where:

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

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

Policy 8 - Managing Flood Risk

Development proposals will be assessed against the Flood Risk Framework set out in Scottish Planning Policy. Proposals must demonstrate that they will not: a) be at significant risk of flooding (i.e. within the 1 in 200 year design envelope); b) increase the level of flood risk elsewhere; and c) reduce the water conveyance and storage capacity of a functional flood plain.

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

Policy 9 - Surface and Waste Water Drainage

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

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

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

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

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

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

Policy 10 - Promoting Sustainable and Active Travel

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

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

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

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

Policy 11 - Managing Impact of Development on the Transport Network

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

Policy 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.

The **Planning Application Advice Note (PAAN) 2** on "Single Plot Residential Development" and **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 2 and demonstrated in a design-led approach. Where relevant, applications will also be assessed against the Planning Application Advice Notes and Design Guidance for New Residential Development Supplementary Guidance. When assessing proposals for the development opportunities identified by this Plan, regard will also be had to the mitigation and enhancement measures set out in the Strategic Environmental Assessment Environmental Report.

Policy 6 - Low and Zero Carbon Generating Technology

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

Other solutions will be considered where:

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

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

Policy 9 - Managing Flood Risk

Development proposals will be assessed against the Flood Risk Framework set out in Scottish Planning Policy. Proposals must demonstrate that they will not: a) be at significant risk of flooding (i.e. within the 1 in 200 year design envelope); b) increase the level of flood risk elsewhere; and c) reduce the water conveyance and storage capacity of a functional flood plain.

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

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 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 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.

The **Draft Planning Application Advice Note (PAAN) 2** on "Single Plot Residential Development" and **Draft Planning Application Advice Note (PAAN) 3** on "Private and Public Open Space Provision in New Residential Development" apply.

CONSULTATIONS

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

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

- Parking should be provided in accordance with the National Guidelines based on the number of bedrooms. The applicant has demonstrated the provision of two off street parking spaces, which is appropriate for a three bedroom property.
- The minimum dimensions of one space on the driveway should be 3m width by 6m length. The second should be 2.5m width by 6m.
- The driveways should be paved and be a maximum gradient of 10%.
- A visibility splay of 2m x 20m x 1.05m. This must include the neighbouring property.
- Forward visibility splay of 43m when waiting to turn right from Cowal View (towards the driveway).
- Surface water must be contained within the site.
- The footpaths within the site shall be a minimum of 2.0m wide.

Public Protection Manager - advises of no comments to make in relation to Food and Health or Air Quality. Recommends conditions relating to: if Japanese Knotweed be found, works should cease

and a remediation plan should be submitted for approval; external lighting should conform to Scottish Government guidance; and sound insulation should comply with Building Regulations.

Scottish Power – advises no objection to the proposal but have stated that LV cables may be close to the proposed site and any requirement to re-route cables will be at the applicant's expense.

PUBLICITY

The application was advertised in the Greenock Telegraph on 24th February 2023 as there are no premises on neighbouring land.

SITE NOTICES

This type of application does not require a site notice.

PUBLIC PARTICIPATION

The application was subject to neighbour notification and 12 representations were received of which 9 object and 3 are in support. The grounds of objection are summarised as follows:

- The proposed dwelling will lead to an increase in traffic during the construction period
- The development of the site will cause flooding, which in addition, may damage existing properties
- Ingress and egress from the site could be unsafe for vehicles
- The proposal requires a better traffic management plan
- Loss of trees
- Adverse impacts on the bird breeding season
- Adverse impacts on wildlife habitats
- Adverse effects from the stripping and removal of soil
- Amenity impacts from overlooking (towards Cowal Court)

The grounds of support are summarised as follows:

- Good quality design
- An appropriate addition to the local streetscape
- Positive visual impact

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 Notes (PAAN) 2 and 3 on "Single Plot Residential Development" and "Private and Public Open Space Provision in New Residential Development" respectively; the visual impact; the impact on residential amenity; the previous planning permission; and the consultation responses.

National Planning Framework 4

NPF4 was adopted by the Scottish Ministers on 13th February 2023. NPF3 and SPP no longer represent Scottish Ministers' planning policy.

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.

The site is brownfield land in the existing urban area and therefore is a sustainable location that is considered to be consistent with the terms of Policies 1, 2, 9 and 15 of National Planning Framework 4.

Policy 1 of National Planning Framework 4 requires that development proposal take account of the global climate and nature crisis. The proposed development is primarily an amendment to the previous planning permission IC/91/157, which remains extant. The amended design and position of the proposed dwellinghouse is considered to be an efficient use of the site.

In terms of Policy 2, development proposals should minimise greenhouse gas emissions and be designed to adapt to climate change risks. Should permission be granted a condition will be added to the consent to ensure the submission of details of low and zero carbon generating technologies. A further condition will be added requiring the installation of an electric vehicle charging point. The impact of the development in terms of flood risk shall be considered in more detail below.

Policy 15 promotes local living, including where feasible 20 minute neighbourhoods. There is no requirement for the provision of open space or play areas for this scale of development. The site is in the existing urban area and services are considered locally accessible by sustainable methods such as walking, cycling and Cowal View is a bus route. The proposed development is considered to accord in general terms with Policy 15 of National Planning Framework 4.

Policy 16 focuses on delivering new homes that are designed to a high standard and located in sustainable places. The proposal also broadly satisfies other relevant policies, as required by Policy 16 (f). The proposed dwellinghouse also is a smaller scale development within an existing settlement boundary. It should be noted that the principle of a second dwellinghouse on the site has been established by the extant consent IC/91/157.

Local Policy

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 Gourrock as identified under Policy 20 of the proposed Local Development Plan. As such this site is considered to be in a sustainable location and therefore the proposal accords in general terms with the Spatial Development Strategy.

Policy 1 of the adopted and proposed Local Development Plans 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.



View of site towards the site access and existing house at 31A Cowal View from the junction of Carnoustie Avenue with Cowal View

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 surrounding area. The proposed development would therefore not be incompatible 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 position and design is such that the proposed dwellinghouse is considered to relate well to the neighbouring property at 31A Cowal View and the proposed dwellinghouses at the land to the west. Plot 4 of planning application 23/0036/IC is approximately 10m from the dwelling proposed under this application. Satisfactory distances between the properties, combined with the orientation of the proposed dwellinghouse, ensure that there is no adverse impact on privacy.

Both the adopted and draft Planning Application Advice Note (PAAN) 2 on “Single Plot Residential Development” indicates that such development is often beneficial, providing additional houses in sustainable locations and removing derelict and untidy sites from the street scene. The advice indicates that: the plot size should reflect those in the locality; the proportion of the built ground to garden ground should reflect that in the locality; the distance of the building to garden boundaries should reflect that in the locality; the established street front building line should be followed; and the proposed building height, roof design, use of materials and colours should reflect those in the locality. Advice is also given on window positions and the level of car parking should accord with the National Roads Development Guide.

There are a variety of house designs and sizes of plots in the locality, with houses being constructed on sloping sites. The site layout is considered to show the house to plot ratio being in proportion without resulting in overdevelopment and therefore accords in general terms with both the adopted and draft PAAN2. It is considered the pattern of development proposed and urban form is acceptable under the terms of both the adopted and draft PAAN2.

The guidance also recommends side windows be 9m from the site boundary. Plots 3 and 4 of planning application 23/0036/IC are 8.6m and 9m from the boundary and Plot 4 is to be 1.5m from

the boundary. Window distances will be approximately 10m between the closest dwellinghouses of the respective proposed developments.

The guidance indicates that boundary treatments should be considered to protect mutual privacy. It should be noted that the proposed dwellinghouses at the land to the west are to have two narrow first floor windows to the kitchen and dining area whilst this application proposes two narrow upper floor windows on the side elevation. As window intervisibility is limited in scope it is considered that the privacy between Plot 4 of 23/0036/IC and this proposed dwelling is not unacceptably compromised.



View of exiting driveway within the site towards Cowal View

The side elevation of the proposed dwellinghouse will also face 31A Cowal View and is approximately 10m away. The side elevation of the proposed dwellinghouse is to have window openings to a dressing area and bathroom. There are no window openings to habitable rooms such as main bedroom spaces, living areas or dining areas. The principal elevation of the proposed dwelling is towards the Clyde estuary. Although there is some potential overlooking between the proposed property and 31A Cowal View this is not considered significant or unacceptable.

Planning Application Advice Note (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 a front and rear garden 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. As the site is on a slope, useable rear gardens would be expected for the plot without steep gradients, which is achieved by the split-level design of the dwelling. Therefore there is to be a portion of level usable garden space to the rear.

In terms of Policy 6 of both the adopted and proposed Local Development Plans with regard to reducing carbon dioxide emissions, it is expected that the dwelling would eventually be constructed

to 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 Local Development Plan and Policy 9 of the proposed Local Development Plan 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 at the side of the site but the catchment area is too small for SEPA to include in mapping and records. SEPA does not object as the applicant has evidenced through a modelling approach and design flows that no significant risk from flooding is likely.

In terms of Policy 9 of the adopted Local Development Plan and Policy 10 of the proposed Local Development Plans the development does not require to have a Sustainable Urban Drainage System (SUDS) as the proposal is for a single dwellinghouse.

Policy 33 of the adopted and proposed Local Development Plans 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. A survey undertaken for the adjacent site (applied for under 23/0036/IC) found the plants and possible habitats are typical of a suburban location and no evidence of protected species was 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.

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 but a precautionary approach should be taken in relation to protected species. Suitable conditions can be added to any permission.

Other relevant Local Development Plan policies

Regarding other policies that are relevant to the consideration of this application, Policy 6 of both the adopted and proposed Local Development Plans seeks to ensure that all new buildings are energy efficient and that at least 15% and 20% respectively of the carbon dioxide emissions standard (rising to at least 25% by the end of 2025) reduction set by Scottish Building Standards is met through the installation and operation of low and zero carbon generating technologies. If planning permission is granted the requirement for low and zero carbon generating technologies can be addressed by a planning condition with the details submitted for further approval. This will also ensure compliance with the terms of Policies 1 and 2 of NPF4.

Policy 8 of the adopted Local Development Plan and Policy 9 of the proposed Local Development Plan relate the managing flood risk. Policy 9 of the adopted Local Development Plan and Policy 10 of the proposed Local Development Plan require that where waste water drainage is required, it must be demonstrated that the development can connect to the existing public sewerage system or where such a connection is not feasible, a temporary wastewater drainage system can be supported if, i) a public connection will be available in future, either through committed sewerage infrastructure or pro-

rata developer contribution, and ii) the design of, and maintenance arrangements for the temporary system meets the requirements of SEPA, Scottish Water and Inverclyde Council as appropriate.

Although the site is not identified on the indicative Flood Risk maps produced by SEPA as being at risk from flooding, this is primarily because small watercourses are not included in SEPA mapping. However, there are potential flood issues resulting from development in proximity to small watercourses. SEPA requested further details from the applicant to evidence that the site is not at risk of flooding. SEPA confirmed that they are satisfied that the applicant has evidenced that flood risk is negligible.

Policy 10 of the adopted Local Development Plan and Policy 11 of the proposed Local Development Plan relate to promoting sustainable and active travel as well as the requirement for electric vehicle charging facilities. Development proposals, proportionate to their scale and proposed use, are required to provide safe and convenient opportunities for walking and cycling access with the site, and where practicable, include links to the wider walking and cycling network.

The proposals allow internal movement as well as connecting directly to the path network outwith the site. This is considered to accord with the terms of Policy 10 of the adopted Local Development Plan and Policy 11 of the proposed Local Development Plan.

In terms of electric vehicle charging facilities the requirement would be one trickle charging point. This requirement can be addressed by a planning condition in order to comply with the terms of Policy 10 of the adopted Local Development Plan and Policy 11 of the proposed Local Development Plan as well as Policy 14 b) iv) of NPF4.

Policy 11 of the adopted Local Development Plan and Policy 12 of the proposed Local Development Plan relate to managing the impact of development on the transport network. The Head of Service – Roads and Transportation has not raised any objections regarding the impact of this development on the roads network. The site is located within the settlement boundary and would benefit from access to public transport, although some reliance on private transport is likely. The proposal does not have any significant implications for Policy 11 of the adopted Local Development Plan and Policy 12 of the proposed Local Development Plan.

It is considered there is sufficient space within this application site to provide the requisite parking spaces for a single residential unit with three bedrooms. This has been confirmed by the Head of Service – Roads and Transportation. Should planning permission be granted planning conditions can be used regarding: the size of parking spaces as advised in the consultation response; the gradient of the access within the site and the formation and maintenance of the visibility splays at the vehicular access. The proposal is therefore acceptable against the terms of Policy 11 of the adopted Local Development Plan and Policy 12 of the proposed Local Development Plan.

Policy 33 of both the adopted and proposed Local Development Plans indicate that an applicant should establish whether a protected species is present, identify how it may be affected and ensure the development is planned and designed so as to avoid or minimise such impact. An ecological survey for the adjacent site concluded that the site was of low ecological value. The ground cover could indicate that ground nesting birds have some habitat potential within the site. It would therefore be prudent to attach a planning condition relating to bird breeding protection.

Consultation Responses

In terms of other matters raised in the consultation responses that have not been considered above the advice from the Head of Service - Roads and Transportation regarding the requirement for a Roads Construction Consent and Roads Bond can be addressed by advisory notes.

Similarly, the advice from the Public Protection Manager regarding external lighting and sound insulation are more appropriately dealt with as advisory notes.

Representations

With regards to the objections that have been received and not already considered in the assessment above the following comments are made. It is suggested that the development would lead to an increase in traffic during construction. The construction of a single dwelling is not a significant construction undertaking, nor are the effects long term in nature and does not warrant refusal of the application on the basis of this. It is considered the site access is satisfactory, from a safety perspective, subject to the attachment of a condition regarding visibility splays. The trees proposed to be felled and are not of high amenity value and are not covered by a Tree Preservation Order. The site has low ecological value. However, some species are mobile and it is considered prudent to protect bird species as there is a reasonable belief that the ground cover and features of the site may have the potential to support such species. There is no evidence to suggest that soil removal would impact adversely on neighbouring uses. SEPA have concluded that the presence of the watercourse does not indicate that the site is at a demonstrable risk from flooding. Amenity impacts, including overlooking, have been assessed and there is no unacceptable impact on the privacy of neighbouring residential properties.

Overall Conclusion

A second dwellinghouse on this site already has planning permission and this application relates to a change in orientation, position and design of the dwellinghouse.

In conclusion, the change in position, orientation and design of the proposed dwellinghouse are considered acceptable when assessed against the relevant policies of National Planning Framework 4 as well as the adopted and proposed Local Development Plans, including guidance in the relevant PAANs. 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 dwellinghouse 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 confirmation of connection to Scottish Water's Network has been submitted to and approved in writing by the Planning Authority.
6. For the avoidance of doubt visibility splays of 2m x 20m x 1.05m shall be maintained at all times at the vehicular entrance to the site with Cowal View.
7. Prior to the commencement of development confirmation of SEPA's acceptance and proof of CAR licence shall be submitted for approval.

8. 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.

9. 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.

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

11. For the avoidance of doubt the 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 the dwellinghouse. Thereafter the approved low and zero carbon generating technologies shall be implemented in their approved form before the occupation of the dwellinghouse.

12. For the avoidance of doubt: the driveway shall have a gradient of 10% or less and the footpaths within the site shall be a minimum of 2.0m wide.

13. Development shall not commence until details of a forward visibility splay of 43m when turning right into the proposed driveway has been submitted to and approved in writing by the Planning Authority.

14. Following approval under Condition 13 above the off-street parking spaces and driveway as shown on drawings A1280-BP01 Rev A and A1280-BP02 Rev A shall be constructed and available for use prior to the first occupation of the dwellinghouse.

15. Development shall not commence until details/plans of the bin stores/containers to be used to store waste materials and recyclable materials at the dwellinghouse as well as details of the areas where such containers are to be located have been submitted to and approved in writing by the Planning Authority. Following approval the bin stores/containers shall be implemented on site by first occupation of the dwellinghouse.

16. In the event of any suspected contamination or Japanese Knotweed being discovered, site works shall cease with immediate effect and the matter brought to the attention of the Planning Authority: thereafter, site works may not recommence until a Remediation Scheme (to be submitted for the prior written approval of the Planning Authority) has been completed to the satisfaction of the Planning Authority in writing.

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 that the development has a public water connection.
6. In the interests of road safety.
7. To ensure SEPA's acceptance of the drainage regime and its discharge
8. To protect the existing trees so that they continue to contribute to the environmental quality of the area.
9. To ensure protection of the environment of breeding birds.
10. In the interests of sustainable development and to accord with the Inverclyde Council Supplementary Guidance on Energy.
11. In the interests of sustainable development and to accord with the Inverclyde Council Supplementary Guidance on Energy.
12. In the interests of roads safety.
13. In the interests of roads safety.
14. In the interests of roads safety.
15. In the interests of residential amenity.
16. To ensure that any contamination and Japanese Knotweed concerns are managed appropriately.

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.

Report To: The Planning Board

Date: 6 December 2023

Report By: Director, Environment and Regeneration

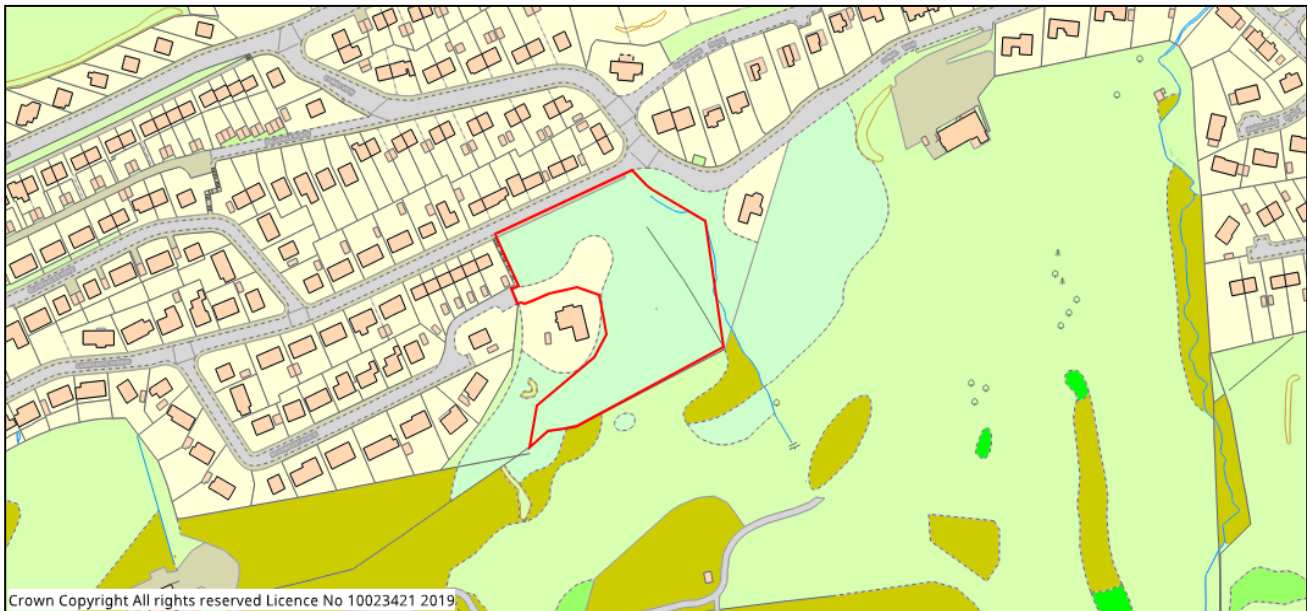
Report No: 23/0036/IC

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.