

Report To: The Planning Board

Date: 7 August 2024

Report By: Director, Environment and Regeneration

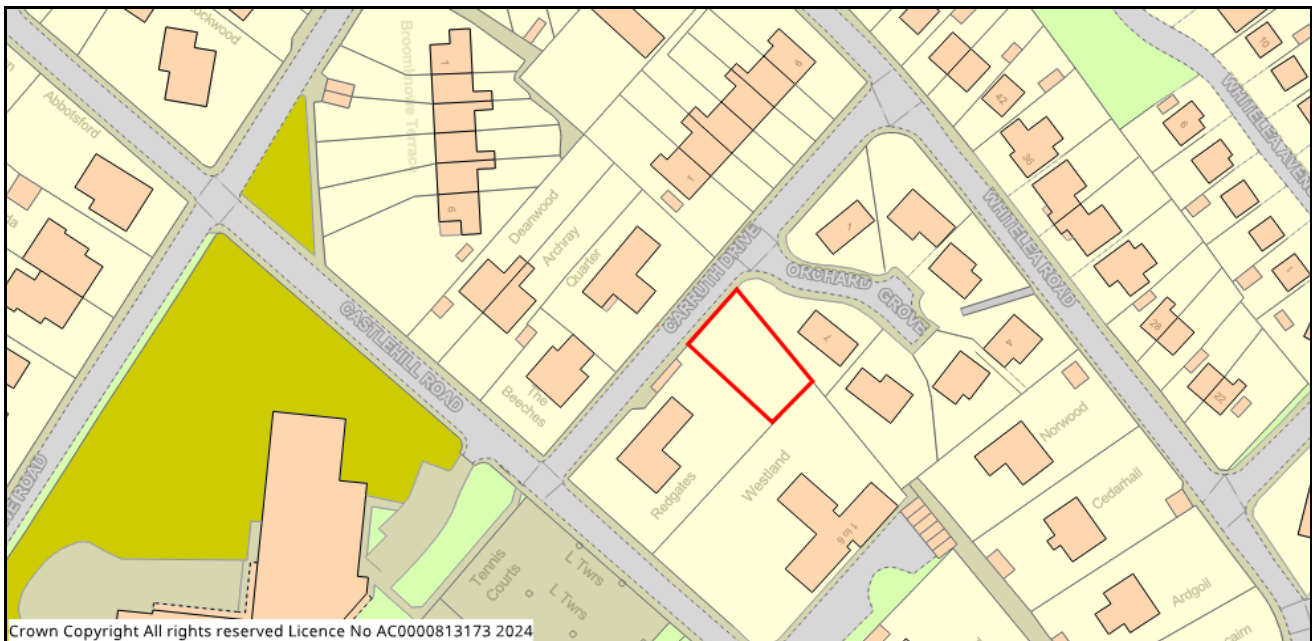
Report No: 24/0022/IC

Local Development Application

Contact Officer: Maria Porch

Contact No: 01475 712416

Subject: Sub-division of rear garden and erection of detached dwellinghouse at Redgates, Castlehill Road, Kilmacolm



SUMMARY

- The proposal complies with National Planning Framework 4, the adopted 2019 Inverclyde Local Development Plan and the proposed 2021 Inverclyde Local Development Plan.
- There have been 6 representations objecting to the proposals. The objections to the proposal can be summarised as: overdevelopment; being out of character with surrounds; lack of supporting imagery; overlooking potential; tree removal; and road safety.
- Consultation responses present no impediment to the development.
- The recommendation is to GRANT PLANNING PERMISSION subject to conditions.

Drawings may be viewed at:

[24/0022/IC | Sub-division of rear garden and erection of detached dwellinghouse | Redgates Castlehill Road Kilmacolm PA13 4EL \(inverclyde.gov.uk\)](#)

BACKGROUND

At the June 2024 meeting of the Planning Board the application was continued for a site visit, which was held on 9th July 2024, to allow Members the opportunity to consider the site and its environs.

SITE DESCRIPTION

The application site is part of the rear garden of the detached house known as Redgates that is located at the junction of Castlehill Road and Carruth Drive. There are a variety of house types/designs in the surrounding area.

The application site is part of the lawn at the rear of the property and this part of the lawn generally slopes down towards the boundary wall with 7 Orchard Grove as well as towards Carruth Drive. There are three broadleaf trees in the application site including a tall mature tree at the corner of the site closest to Orchard Grove.

There is a stone wall along the side and rear boundaries of the property. The wall along Carruth Drive varies in height between approximately 1.8m and 2.4m. There is a metal ornamental gate at the side of the house onto Carruth Drive adjacent to an outbuilding that has a monopitch roof.

Towards the corner of the site adjacent to Orchard Grove there is a break in the stone wall where there is a timber fence. This was previously the access to a garage that was at the end of the garden. The access is also evident on available on-line street view images from 2009 to 2011.

PREVIOUS PLANNING APPLICATION

Planning Permission in Principle 22/0221/IC was granted subject to conditions on 2nd December 2022 to sub-divide the rear garden and for the erection of a detached dwellinghouse at this site.

PROPOSAL

It should be noted that the current application is for Full Planning Permission rather than for the Approval of Matters Specified in Conditions following the granting of Planning Permission in Principle.

Planning permission is sought for the erection of a detached house at the rear of the garden adjacent to the boundary with 7 Orchard Grove. The identified application site is 492 square metres in area. Access to the proposed house is to be taken from Carruth Drive with a new vehicular access being formed in the stone wall. The submitted drawings indicate that along the frontage of the site there is to be a reformed low stone wall with stone piers and a gate. Stone from the existing wall is indicated as being recycled to construct the new wall.

The plans submitted propose a house of two and a half storeys in height, including accommodation within the roof space comprising a bedroom/cinema room, a landing, a bathroom and storage space. The house is indicated to be 9.791m in length by 12.6m in width and positioned back from the inner side of the boundary wall along Carruth Drive by 8.28m. There is to be two storey projection extending out from the front of the house by 1.46m which incorporates the front door into the house at ground floor level. There is to be a patio area at the rear of the house. The house is also indicated as being 2.08m at its closest point to the boundary wall with 7 Orchard Grove, 9m from the side boundary wall with the property known as Westland and 2m from a proposed boundary fence to delineate the site from the rear garden of Redgates. The proposed fence to delineate the site from the rear garden of Redgates is indicated as being 2m high.

A recessed balcony is also proposed at the rear elevation at first floor level, identified as being off Bedroom 4, which would extend to approximately 1.8m in length at a width of 4.3m. There is to be a glass balustrade on the rear elevation. At the side of the recessed balcony there are to be windows which are to have opaque glass.

Finishing materials are to be primarily smooth render with anthracite zinc panelling detailing and buff split face stone on the base course, around cills and on the chimney. The roof would be finished in concrete roof tiles and windows, fascias and rainwater goods in black coloured uPVC. On the front projection, materials would include feature glazing in aluminium framed black anthracite with walls finished in anthracite zinc. Solar panels are proposed on the rear roof slope below six rooflights.

The submitted plans indicate that all of the trees on site are to be removed although the applicant has suggested that the mature tree at the corner of the site closest to Orchard Grove could remain with a degree of pruning. The submitted proposed site plan also indicates screen planting along the frontage of the site behind the new wall/fence.

Parking is indicated on the proposed site plan as being at the front of the proposed house to be finished in permeable porous paving, with an electric vehicle charging station indicated at the side of the house adjacent to the new boundary with Redgates.

DEVELOPMENT PLAN POLICIES

National Planning Framework 4

The material considerations in the assessment of this application are: National Planning Framework 4 (NPF4); 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; and the consultation responses.

NPF4 contains 33 policies and the following are considered relevant to this application.

Policy 1 Tackling the climate and nature crisis

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

Policy 2 Climate mitigation and adaption

- 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 13

- b) Development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and investment hierarchies and where appropriate they:
 - i. provide direct, easy, segregated and safe links to local facilities via walking, wheeling and cycling networks before occupation;
 - ii. will be accessible by public transport, ideally supporting the use of existing services;

- iii. integrate transport modes;
- iv. provide low or zero-emission vehicle and cycle charging points in safe and convenient locations, in alignment with building standards;
- v. supply safe, secure and convenient cycle parking to meet the needs of users and which is more conveniently located than car parking;
- vi. are designed to incorporate safety measures including safe crossings for walking and wheeling and reducing the number and speed of vehicles;
- vii. have taken into account, at the earliest stage of design, the transport needs of diverse groups including users with protected characteristics to ensure the safety, ease and needs of all users; and
- viii. adequately mitigate any impact on local public access routes.

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.

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 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 environment

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

Policy 9 - Surface and Waste Water Drainage

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

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

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

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

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

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

Policy 10 - Promoting Sustainable and Active Travel

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

- 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.

Planning Application Advice Note (PAAN) 2 on "Single Plot Residential Development"; **Planning Application Advice Note (PAAN) 3** on "Private and Public Open Space Provision in New Residential Development"; and **Planning Application Advice Note (PAAN) 5** on "Outdoor Seating Areas" 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.

*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 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.

Draft Planning Application Advice Note (PAAN) 2 on "Single Plot Residential Development"; **Draft Planning Application Advice Note (PAAN) 3** on "Private and Public Open Space Provision in New Residential Development"; and **Draft Planning Application Advice Note (PAAN) 5** on "Outdoor Seating Areas" apply.

CONSULTATIONS

Public Protection Manager – advises of no comments in relation to Food and Health or Air Quality. Recommends conditions relating to contamination that becomes evident during site works; external lighting; and sound insulation should have regard to advice and standards contained in the current Scottish Building Regulations.

Scottish Water - No objection to this planning application, however the applicant should be aware that this does not confirm that the proposed development can currently be serviced. Scottish Water has carried out a Capacity review and can confirm the following that there is currently sufficient capacity in the Greenock Water Treatment Works to service the development.

This proposed development will be serviced by Erskine Waste Water Treatment Works. Scottish Water is unable to confirm capacity currently so to allow full appraisal of the proposals it is suggested that the applicant completes a Pre-Development Enquiry (PDE) Form and submits it directly to Scottish Water.

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

- Parking should be provided in accordance with the National Guidelines.
- The minimum dimensions of the driveway should be 3m wide by 6.0m long per parking space.
- The driveway should be fully paved and the gradient should not exceed 10%.
- The driveway should be no closer than 10.0m from the adjacent junction.
- The applicant shall demonstrate that they can achieve a visibility splay of 2.4m x 20.0m x 1.05m. This shall be agreed with Roads Service.
- A Section 56 Agreement is required for the footway crossover to the driveway.
- All surface water run-off is to be contained within the site and be limited to that of greenfield run-off.
- Confirmation of Scottish Water acceptance to the proposed development should be submitted for approval.

PUBLICITY

The nature of the proposal did not require advertisement.

SITE NOTICES

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

PUBLIC PARTICIPATION

The application was subject to neighbour notification and six representations objecting to the application have been received. The grounds of objection can be summarised as follows:

- There is a significant difference between the original and current plans in terms of boundaries and footprint.
- Concerned at the massing of the development, creating overcrowding and the porch area is significantly out of character with the street's properties.
- Would be useful to include with the photographs an indication of what the proposed house would look like in the environment using 3D CAD models superimposed onto the photographs as the road is sloped.
- Neighbouring property would be significantly impacted in terms of light and being overlooked from the front elevation.
- The existing tree appears to be being removed from the plot which would impact on bats and biodiversity. Is the tree not covered by a Tree Preservation Order.
- The proposed dwelling would cause light pollution to adjacent properties.
- Previous plans showed a bungalow development for the site.
- The road is hazardous.

The Kilmacolm Civic Trust objects to the application as the current proposal would see a 50% increase in the scale of the dwelling originally approved, creating a dominating effect and overlooking. The development would require the removal of a mature tree and parking is insufficient for the scale of development.

ASSESSMENT

The material considerations in the assessment of this application are: National Planning Framework 4 (NPF4); the adopted Inverclyde Local Development Plan; the proposed Inverclyde Local Development Plan; the adopted and draft Planning Application Advice Notes (PAAN) 2, 3 and 5 on "Single Plot Residential Development", "Private and Public Open Space Provision in New Residential Development" and "Outdoor Seating Areas" respectively; the visual impact; the impact on residential amenity; the consultation responses; and the previous planning permission.

Location of Development and Policy Context

The site is garden space 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, 13 and 15 of NPF4. 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 Kilmacolm 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 20 of the proposed Local Development Plan requires development within residential areas to be assessed with regard to impact on the amenity, character and appearance of the area. The surrounding area is residential in character in which there are a variety of house types and styles. The proposal is not considered to be out of this general context although the position and potential design of the house will be considered in greater detail below against other relevant development

plan policies and guidance. Policy 18 of the proposed Local Development Plan supports new housing development on sites identified in Schedule 3 and on other appropriate sites within residential areas. The site however is not identified in Schedule 3. Notwithstanding the site is within the existing urban area and in proximity to the centre of Kilmacolm. The proposal is therefore considered to result in local living to accord with the terms of Policy 16 of NPF4.

Policy 14 of NPF4 and Policy 1 of both the adopted and proposed Local Development Plans refer to qualities relating to successful places. The qualities of being Pleasant, Distinctive and Sustainable under Policy 14 of NPF4 are relevant. In addition, Policy 1 of both 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 and through contributing positively to historic building and places (expanded to “respect landscape setting and character, and urban form” and “reflect local vernacular/architecture and materials” in the proposed Local Development Plan); “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 from Carruth Drive to the site with 'Redgates' in the background

The built form in the vicinity of the application site comprises a variety of house designs with their front elevations at different distances set back from the roads that they front onto. The private garden spaces and separation distances between houses also differ significantly. The proposed house is to be located on a downward gradient as the site slopes northerly along Carruth Drive. Whilst elevated from 7 Orchard Grove, the house would be set below the ridge line of Redgates and it is not considered that this would create a dominating effect. On the approaches to the site the existing houses assist in screening the proposed house to reduce its overall visual impact. Although there may be a contrast in appearance between the proposed house and the existing houses the proposal would not be significantly out of character with the area in general design

terms. The proposal would in general terms be considered to reflect the urban form and accord with the quality of being “Distinctive”, meeting the requirements of Policy 1 of both the adopted and proposed Local Development Plans.

Design and Layout

The principle of a dwellinghouse on this site has been established under Planning Permission in Principle 22/0221/IC and this planning permission is a material consideration in determining the current application. The details of the dwellinghouse and its position in the site would however be applied for in any subsequent application(s) for the Approval of Matters Specified in Conditions. Condition 8 v) of Planning Permission in Principle 22/0221/IC required the details of the dwellinghouse to be applied for to be no more than two storeys high. The current application is for a two and a half storey dwellinghouse although it generally appears as a two storey house when viewed from the front and is in a similar position within the site as indicated in 22/0221/IC.

In assessing the design, both PAAN 3s consider the proposal as a small-scale single plot infill development and advises that small-scale infill developments should accord with the established density and pattern of development in the immediate vicinity with reference to front and rear garden sizes and distances to plot boundaries. In all instances the minimum window to window distances should be achieved.

Both the adopted and draft PAAN2 and PAAN3 advise on plot sizes for residential development and on private garden ground respectively. Both of these PAANs refer to the plot and garden sizes reflecting those in the locality as well as according with established density and pattern of development. The distance to garden boundaries should also reflect the immediate locality, together with the established street front building line. Height, roof design, use of materials and colours should reflect the immediate locality.

With regard to the plot size, it is appropriate to consider this in the context of the adjacent plots. There are a variety of plot sizes in the surrounding area and the proposed plot would not be out of context with this general character. The proposed site is indicated as being 492 square metres and is comparable in size to some plots in Orchard Grove and the property known as The Beeches. Even when including the indicated proposed driveway/parking spaces the proposal does not represent overdevelopment of the site and it is considered there will be a sufficient amount of ground associated with the proposed house. It is also considered that the remaining rear garden area of Redgates, identified as being 488 square metres, is reasonably large and therefore sufficient in size.

Full details of the materials to be used on the exterior of the house can be addressed by a planning condition should permission be granted.

PAAN2 indicates that ground level window positions should comply with the window intervisibility guidance. The windows on the side elevation of the proposed house face towards a proposed boundary fence and it is further proposed to install obscure glazed windows on this elevation to prevent overlooking. The specification of this glazing can be addressed by a planning condition should permission be granted. It would further be prudent to impose a condition on any consent given, restricting the formation of any further openings on the side elevations of the proposed dwelling at upper floor levels, should consent be issued. Given the position of the proposed house relative to the immediate neighbouring houses it is not considered there will be excessive shadows cast or for this to occur for prolonged periods that would result in an adverse loss of light to neighbouring properties. These aspects of the proposal are considered to accord with the quality of being “Safe and Pleasant” under Policy 1 of both the adopted and proposed Local Development Plans.

With regard to the proposed recessed balcony which is to be located on the rear elevation of the building, this would not be readily visible from general public view and would be a secondary feature relative to the house in both scale and position. Taking into account its position and scale, it

is considered that the proposal does not impact on the urban form of the area. In considering the impacts of the proposal on the character and appearance of the building and on neighbouring amenity under Policy 20 of the proposed LDP, the impacts primarily relate to the appearance of the construction, possible activity and noise, and any implications for privacy. In considering these, the guidance given in both PAAN 5s on "Outdoor Seating Areas" is applicable to the assessment.

Firstly, in considering the appearance, both PAAN 5s state that the design and position shall be appropriate to the architectural design of the house. The recessed balcony is to be positioned on rear elevation of the house and as such it is considered that it will have an acceptable impact on the overall design of the building. Recessed The proposal can be considered to reflect local architecture, materials and urban form and respects landscape setting and character, meeting the quality of being 'Distinctive' in Policy 1 of both LDPs and Policy 16 of NPF4.

In considering possible activity and noise, both PAAN 5s state that balconies should be restricted in size to allow for limited seating and the enjoyment of wider views. Covering an area of approximately 7.74 square metres, the recessed balcony is considered to be limited in size and not of a scale which would afford the opportunity of undertaking a wide range of activities over extensive periods throughout the day and evening. It therefore complies with both PAAN 5s in this regard.

With regard to implications on privacy, both PAAN 5s require screening to be provided where positioned within 9 metres of the garden boundary and where there is a view of the neighbouring private/rear garden area. Screening may not be required in cases where there is no increase in the intervisibility between and the overlooking of neighbours. Given where the recessed balcony it located it is not consider4d that additional screening is required. However the inclusion of the windows at the side requires the indicated opaque glass to be installed to avoid overlooking into the rear garden area of Redgates. This can be addressed by a planning condition.

Low Carbon Infrastructure

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 20% by the end of 2022 and 25% by the end of 2025 respectively) 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. The provision of electric vehicle charging facilities, which would be one trickle charging point in this instance, can also 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.

Drainage

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. The specified details of the proposed drainage have been agreed with the Head of Service - Roads and Transportation and therefore the proposal complies with Policy 9 of the adopted Local Development Plan and Policy 10 of the proposed Local Development Plan.

Site Accessibility

In considering the accessibility requirements in criterion a) of Policy 10 of the adopted Local Development Plan and Policy 11 of the proposed Local Development Plan, the principle of a dwellinghouse at this location has been established in Planning Permission in Principle 22/0221/IC. The proposed dwellinghouse will have similar levels of connectivity to local amenities as the existing dwellinghouses in the area and therefore can be considered to accord with Policy 10 of the adopted Local Development Plan and Policy 11 of the proposed Local Development Plan. The proposed can be considered to meet the qualities of being Connected in Policy 14 of NPF4 and 'Easy to Move Around' in Policy 1 of both LDPs, as well as meeting the requirements in Policy 13 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 roads network and in particular for the development to comply with the Council's parking standards. The Head of Service – Roads and Transportation has not raised any objections to the proposal in terms of traffic generation or its impact on the roads network. The Head of Service – Roads and Transportation has advised that the requisite amount of off-street parking is provided in the proposed driveway. The other advice from the Head of Service – Roads and Transportation regarding sightlines, dimensions and gradient of the driveway as well as the surfacing material of the driveway can be addressed by planning conditions if the application is approved. The proposal in terms of managing its impact on the roads network is considered to accord with Policy 11 of the adopted Local Development Plan and Policy 12 of the proposed Local Development Plan as well as minimising parking in the street scene to accord with the quality of being "Safe and Pleasant" under Policy 1 of both the adopted and proposed Local Development Plans. The applicant will have to comply separately with any requirements of Scottish Water to connect to their infrastructure. The requirement for a Section 56 Agreement for any new footway crossover is a matter to be addressed via separate legislation.

Representations

With regard to the objections that have been received and not already considered above, the following comments are made. The comments made regarding differences in the submitted drawings to the previous application relate to two separate planning applications which have each to be considered in their own merits. It is not a requirement for the applicant to provide 3D images in order to give consideration to a planning application. The trees within the application site boundary are not covered by a Tree Preservation Order and are therefore not protected. Any potential impact on protected species is regulated by separate legislation. In consultation with Public Protection, no comments have been made with regard to light pollution impact from the proposed house.

Conclusion

The proposed house would contribute to the housing land supply and would accord with national policies for delivering housing.

The site is identified in both Local Development Plans as being within a residential area within the Kilmacolm settlement boundary. The site is within walking distance of 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 Policy 15 of NPF4.

The dwellinghouse is not considered to result in overdevelopment of the site and can be considered to have acceptable regard to the character, appearance and amenity of the area, in accordance with Policy 20 of the proposed Local Development Plan. The proposal can be implemented without creating conflict with neighbouring uses, in accordance with the quality of being 'Safe and Pleasant', is compatible with the surrounding residential area and can be integrated into the surrounding community, meeting the quality of being 'Welcoming' in Policy 1 of both Local Development Plans. As the proposal meets all relevant qualities of successful places, it stands to accord with Policy 14 of NPF4 and Policy 1 of both Local Development Plans.

In conclusion, the proposal accords with Policies 1, 2, 9, 13, 14, 15 and 16 of NPF4, Policies 1, 6, 9, 10, 11 and 16 of the adopted Local Development Plan and Policies 1, 6, 10, 11, 12, 18 and 20 of the proposed Local Development Plan. Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise. The proposal is in accordance with the relevant Plan Policies and there are no material considerations that outweigh the 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.

To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended).

2. Prior to the commencement of any construction works on site, the applicant/developer shall submit for the written approval of the Planning Authority, full details of all facing materials to be used on the proposed dwelling, retaining walls and hard surfacing within the site. Only the approved materials shall be used thereafter unless a variation is approved in writing by the Planning Authority.

In the interests of visual amenity.

3. Development shall not commence until details and location of all walls and fences to be erected on the site have been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

To ensure the development is acceptable in appearance.

4. Development shall not commence until detailed levels, diagrams and sections, showing the existing and proposed levels throughout the site and finished floor levels in relation to a fixed datum point have been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be constructed in accordance with the approved levels, diagrams and sections.

To ensure that the levels are acceptable at this location.

5. Prior to the commencement of any development works on site, the applicant/developer shall provide for the written approval of the Planning Authority, the full specification of all opaque glazing to be installed at first floor level on the side elevations as indicated on drawing AL(0)51 Rev C. Thereafter and for the lifetime of the development, the opaque glazing to the finally approved specification shall be installed and retained in position.

In the interests of the privacy.

6. For the avoidance of doubt no further windows shall be installed on the side elevations above ground floor level, other than those shown on drawing AL(0)51 Rev C, without planning permission being granted.

In the interests of the privacy.

7. Prior to the commencement of development, confirmation of connection to Scottish Water's Network shall be submitted to and approved in writing by the Planning Authority.

To ensure Scottish Water's acceptance of the drainage regime for the application site and in the interests of the provision of a satisfactory drainage regime.

8. 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, details of which shall be submitted to and approved in writing by the Planning Authority prior to the commencement of any construction works on site. Thereafter the approved low and zero carbon generating technologies shall be implemented in their approved form before the occupation of the dwellinghouse.

To comply with the requirements of Section 72 of the Climate Change (Scotland) Act 2009.

9. 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 relating to the proposed Electric Vehicle Charging Point. Thereafter the approved details shall be implemented on site in their approved form before the first occupation of the dwellinghouse.

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

10. In the event of any suspected contamination 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 has been submitted to and approved by the Planning Authority.

To ensure that all contamination issues are recorded and dealt with appropriately.

11. Development shall not commence until full details of all soft landscaping within the application site has been submitted to and approved in writing by the Planning Authority. Any planting that is damaged, removed, becomes diseased or dies within 5 years of planting shall be replaced within the following planting season with others of a similar size and species.

To ensure the provision and retention of an appropriate landscaping scheme.

12. Any vegetation/tree removal and tree pruning to be carried out in association with the construction of the dwellinghouse hereby approved shall take place outwith the bird breeding season (March to August inclusive).

In the interests of wildlife protection.

13. Prior to occupation of the dwellinghouse hereby approved, the applicant/developer shall provide a visibility splay of 2.4m x 20.0m x 1.05m at the vehicular access into the site. Thereafter the visibility splay shall be retained for the lifetime of the development.

In the interests of pedestrian and traffic safety.

14. For the avoidance of doubt, the driveway shall be fully paved and the gradient shall not exceed 10%.

In the interests of road safety.

Stuart Jamieson
Director, Environment and Regeneration

Local Government (Access to Information) Act 1985 – Background Papers. For further information please contact Maria Porch on 01475 712416.