

Report To: The Planning Board

Date: 2 April 2025

**Report By: Director
Environment and Regeneration**

Report No: 24/0190/IC

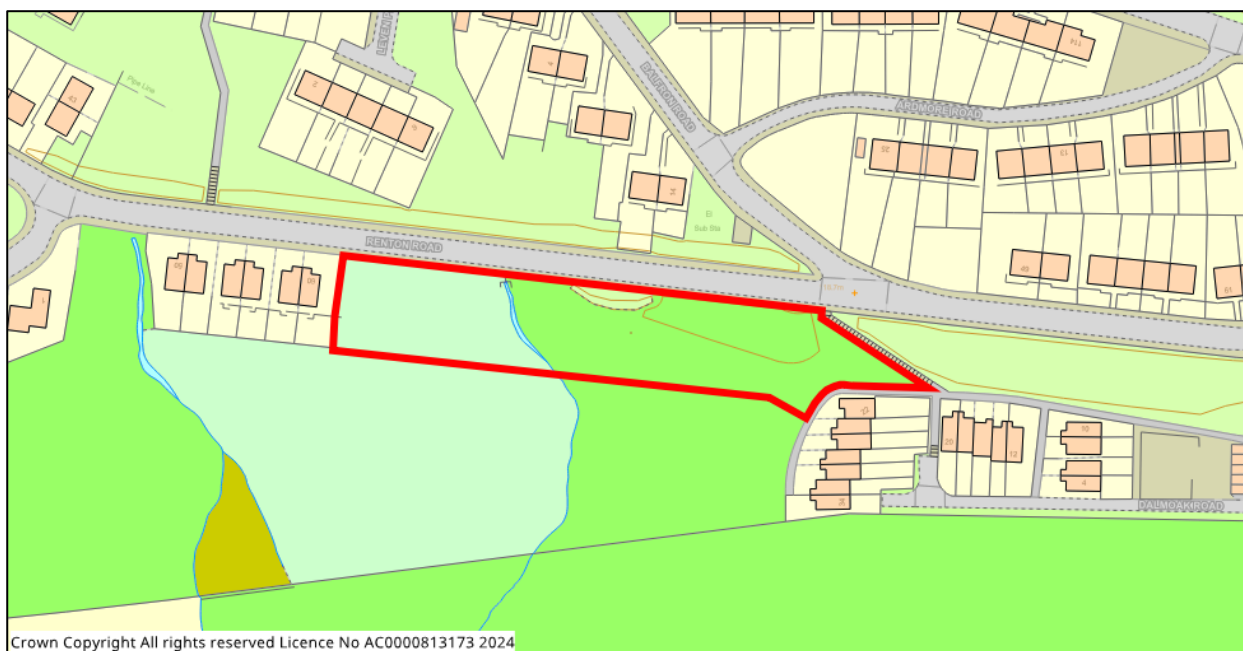
**Local Application
Development**

Contact Officer: David Sinclair

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Subject: Erection of 4 no two-storey semi-detached dwellinghouses, 4 no two-storey terrace dwellinghouses and three-storey flatted block (containing 9 flats) with associated parking and accesses onto Renton Road; associated engineering works to lower ground levels and erect retaining walls and landscaping at

Land adjacent to and to the east of 60 Renton Road, Greenock.



SUMMARY

- The proposal is acceptable when assessed against the Development Plan, which comprises: National Planning Framework 4; the adopted 2019 Inverclyde Local Development Plan; and the proposed 2021 Inverclyde Local Development Plan.
- EIGHT representations including SIX objections have been received raising concerns over: habitat loss, flooding and sewerage impacts, road congestion, daylight, impacts on views and conflicts with title deeds.
- The consultation from the Head of Service – Roads and Transportation raises concerns over inadequate parking for a fully private development.
- The recommendation is to GRANT PLANNING PERMISSION subject to conditions, subject to the conclusion of a legal agreement requiring 6 of the flatted units to be developed for use solely for amenity housing.

SITE DESCRIPTION

The application site is an area of open ground, with rough vegetation, on the hillside to the south of Renton Road, Greenock. The site contains a north facing slope and extends to approximately 0.35ha. A stream runs through the site that disappears under Renton Road through a culvert. The site contains trees of differing ages, mostly Willow with some Cherry also present, split in three groups comprising six trees towards the west site boundary, three trees around 3-4m in height along the east side of the stream and three trees 3-6m in height around 35-40m east of the stream. The shrub layer is a mixture of gorse and broom and the ground level is mostly comprised of nettles, willowherb, bramble and fern.

The site adjoins Renton Road to the north, with unmaintained open space and two-storey residential housing beyond; a public access stair to the east with a maintained grassed slope beyond, a row of two-storey terraced dwellings to the south-east on Dalmoak Road which are staggered in height, two-storey semi-detached dwellings to the west on Renton Road, and open countryside to the south.

PLANNING APPLICATION HISTORY

Historically, parts of the application site contained three-storey tenement housing which was demolished in the late 1970s. A former Baird Homes housing development was initially approved in April 1980 under IC/79/322. On this permission, most of the application site was to form a structural embankment with housing directly south of the site on top of the embankment between Luss Avenue and Dalmoak Road, with the western portion of the site containing road access to these houses. This permission was never implemented. A "Phase 1" development granted in February 1981 under IC/80/406 marked the eastern third of the site as Public Open Space and indicated the remaining area was to be included under a separate detailed planning application to be submitted for phase 2, however it ended up being excluded from the "Phase 2" development built to the west of the site in the 1980s. More recently, planning permission was granted in August 2012 under 11/0111/IC for seven detached three-storey townhouses within the site along Renton Road. This consent was never implemented.

PROPOSAL

Planning permission is sought for the erection of 17 residential units comprising four 3-bed, two-storey semi-detached houses, four 3-bed, two-storey terraced houses and one three storey flatted block containing nine flats, with three dwellings on each floor, along with associated parking, landscaping and areas of open space. From west to east along Renton Road, the site is to comprise: two semi-detached dwellings; four terraced dwellings; an area of open space surrounding the existing burn; two semi-detached dwellings; and the three-storey flatted building, with parking located on the east side of the building and further open space to the south and east of the building. In order accommodate the characteristics of the site it is proposed to incorporate engineering ground works.

Vehicular access will be taken directly from Renton Road, with all houses containing driveways with off-street parking for 2 cars. The off-street parking area on the east side of the flats is to contain 14 parking spaces. Two further on-street parking spaces are proposed along the north side of the open space area adjoining the burn. Bins will be stored within the rear curtilage of the houses and within the ground floor of the flatted building, with a separate rear access. Cycle parking will also be provided to the rear of the block of flats.

The flatted block is proposed to contain one 1-bedroom unit, six 2-bedroom units and two 3-bedroom units and will be set back from the footway by between 1.7m and 3.4m. The flatted block is to contain front and rear pitched roofs to a height of approximately 13.5m, a frontage approximately 22.1m in width, and an off-set front facing gable between 4.5m and 12.6m from the west side elevation which extends forwards of the remainder of the building. The terraced dwellings are to contain front and rear facing pitched roofs, covered entrances on the principal elevation and stairs up to front doors. A shared access is to run through the middle of the terrace to provide access between front and rear curtilages for the middle two houses. The semi-

detached dwellings are to contain 'T' shaped pitched roofs, with front and rear gables on the west house and a side gable on the east house.

Proposed finishing materials to be used throughout include red clay roof tiles; a mixture of buff coloured brick and off-white render walls; white uPVC windows with buff-coloured windowsills; and light grey coloured uPVC doors with timber effect frames.

The rear curtilages of the houses will comprise stepped terraces bound by 1.8m high timber fencing. Planting is proposed along front curtilage side boundaries, in front of the flats and around a new footpath through the open space containing the burn. The majority of existing trees around the site will require removal, with planting proposed to include six trees around the stream and five trees towards the east of the site. A retaining wall approximately 3.1m in height is proposed to the south of the car park, with stepped retaining walls to the rear of the buildings.

The application is supported by a Design Statement, Open Space Statement, Statement of Community Benefit, Flood Risk Assessment (FRA), Drainage Impact Assessment (DIA), Preliminary Ecological Appraisal and Site Investigation Report.

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 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.

c) 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 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.
- 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.

Policy 12

- a) Development proposals will seek to reduce, reuse or recycle materials in line with the waste hierarchy.
- 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 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

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.

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.

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.

Policy 20

a) Development proposals that result in fragmentation or net loss of existing blue and green infrastructure will only be supported where it can be demonstrated that the proposal would not result in or exacerbate a deficit in blue or green infrastructure provision, and the overall integrity of the network will be maintained. The planning authority's Open Space Strategy should inform this.

b) Development proposals for or incorporating new or enhanced blue and/or green infrastructure will be supported. Where appropriate, this will be an integral element of the design that responds to local circumstances.

Policy 22

c) Development proposals will:

- i. not increase the risk of surface water flooding to others, or itself be at risk.
- ii. manage all rain and surface water through sustainable urban drainage systems (SUDS), which should form part of and integrate with proposed and existing blue-green infrastructure. All proposals should presume no surface water connection to the combined sewer;
- iii. seek to minimise the area of impermeable surface.

d) Development proposals will be supported if they can be connected to the public water mains. If connection is not feasible, the applicant will need to demonstrate that water for drinking water purposes will be sourced from a sustainable water source that is resilient to periods of water scarcity.

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 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 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 35 - Open Spaces and Outdoor Sports Facilities

Proposals for new or enhanced open spaces, which are appropriate in terms of location, design and accessibility, will be supported.

Development proposals that will result in the loss of open space which is, or has the potential to be, of quality and value, will not be permitted, unless provision of an open space of equal or enhanced quality and value is provided within the development or its vicinity.

Outdoor sports facilities will be safeguarded from development except where:

- a the proposed development is ancillary to the principal use of the site as an outdoor sports facility, or involves only a minor part of the facility and would not affect its use for sport and training;
- b the facility to be lost is to be replaced by a new or upgraded facility of comparable or better quality, which is convenient for the users of the original facility and maintains or improves overall playing capacity in the area; or
- c a relevant strategy demonstrates a clear excess of provision to meet current and anticipated demand, and the development would not result in a reduction in the overall quality of provision.

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 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 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 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 36 – Safeguarding Green Infrastructure

Proposals for new or enhanced open spaces, which are appropriate in terms of location, design and accessibility, will be supported.

Development proposals that will result in the loss of open space which is, or has the potential to be, of quality and value, will not be permitted, unless provision of an open space of equal or enhanced quality and value is provided within the development or its vicinity.

Outdoor sports facilities will be safeguarded from development except where:

- a) the proposed development is ancillary to the principal use of the site as an outdoor sports facility, or involves only a minor part of the facility and would not affect its use for sport and training;
- b) the facility to be lost is to be replaced by a new or upgraded facility of comparable or better quality, which is convenient for the users of the original facility and maintains or improves overall playing capacity in the area; or
- c) a relevant strategy demonstrates a clear excess of provision to meet current and anticipated demand, and the development would not result in a reduction in the overall quality of provision.

Development that would result in the loss of a core path, right of way or other important outdoor access route will not be permitted unless acceptable alternative provision can be made.

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 should be provided in accordance with the National Roads Development Guidelines. Application proposes 8 3-bedroom houses. The application shows 2 parking spaces per house and 2 visitor parking spaces on-street within the layby. This is acceptable.
- If an element of the flatted development is to be considered as amenity housing evidence should be provided to support this. Parking requirement within the National Guidelines for amenity housing is 0.5 spaces per dwelling + 0.3 spaces visitor parking per dwelling, however, we seek 1 space per dwelling to prevent overspill parking onto surrounding roads. The application proposes 6 amenity dwellings which require 6 spaces. The 3 private dwellings have 2 or 3 bedrooms which require 6 spaces plus 1 visitor space. The total parking for the flatted unit is 13 spaces (6 spaces for amenity and 7 for private). If no evidence is provided the whole site will be considered private and will require 18 spaces plus 3 visitor spaces (21 in total).
- Reduced parking provision of 1 space per dwelling would only apply to amenity housing and any private housing (including affordable housing) would require the full parking provision. For amenity housing to apply there must be a legal agreement in effect to ensure this is the only use for the development or elements of the development throughout its lifespan.
- The cycle parking requirement for the flatted property is 9 bicycle parking spaces. Application shows a shelter for 9 cycles which is acceptable.
- The minimum dimensions of the driveway should be 6.0m x 3.0m for one of the parking spaces and 6.0m x 2.5m 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 on-street visitor parking spaces shall be a minimum of 5.5m x 2.9m.
- Driveway access should meet the road at 90 degrees, be fully paved and the gradient should not exceed 10%.
- The car park for the flatted development shall be fully paved, meet the road at 90 degrees and have a maximum gradient of 10%. The parking spaces shall be a minimum of 5.0m x 2.5m with a minimum aisle width of 6.0m.
- The applicant shall demonstrate that a visibility splay of 2.4m x 20.0m x 1.05m can be achieved from each driveway and the access to the car park. This shall be maintained in perpetuity.
- The applicant shall provide a footway along the frontage of the site on Renton Road. The layout shall be submitted for approval by the Roads Service.
- A Section 56 Agreement will be required for any works on the public road network.
- FRA notes the site is low risk from pluvial flooding and fluvial flooding. Regular maintenance of the culvert screen, providing mitigation to any risk of flooding from exceedance and blockage, is stated as “intended to be adopted by the developer”. This will need clarification as to the maintenance of said screen in perpetuity. FRA also notes that overland flows may pose a flood risk due to the steep nature of the land to the south of the site. Recommendations for cut-off drains in the form of filter or french drains discharging to the watercourse noted. FRA has been self-certified and signed by a senior member of staff who is chartered. The FRA has also been independently checked by a senior member of the organisation separate from the designer who is a chartered engineer.
- Surface Water Management Plan is acceptable and has been self-certified and independently checked, although submitted certificates are superseded being from the previous guidance document (December 2015). Current documents are Certificate A1 and B1 from guidance document (March 2024). For the purposes of this application and on this occasion the superseded certificates will be accepted. Drawing J977-PWD-DR-C-1500 rev D notes an existing surface water sewer being diverted outwith the redline boundary, please provide confirmation of approval to divert from Scottish Water.

Public Protection Manager – Advises as follows:

- There are two/three small watercourses shown to traverse the site, all flowing north, and are within the Craigieknowe Burn catchment. Significant aquifer in soil and bedrock are not indicated to underlie the site, with groundwater pathways to potential aquifer receptors 50m north (downgradient) of the site. Shallow soil, no peat deposits indicated in the area. Bedrock is Mugearite (volcanic formations). UKHSA indicate Low radon potential at this location, no further action required in this regard.
- Some terraced ground scaping, historical development and Scottish Water storage reservoir tank (disused). Landfill 225m northeast (unregistered) and 850m west (unregistered). Records indicate 6 WWII bomb strikes within 250m (to the north) of the study area, none within site.
- The Ardmore Point (2023) report identifies possible contamination and ground gas sources associated with unknown made ground deposits and further exploratory investigation is proposed.
- Conditions recommended in respect of Japanese Knotweed, Environmental Investigation and Risk Assessment, discovery of contamination and waste storage.
- Advisory notes recommended in respect of: PAN33 Advisory; site drainage; Construction (Design & Management) Regulations 2015 (CDM 2015); surface water, the design and construction of buildings in relation to gulls; external lighting; and sound insulation.

Education Services – Based on currently available information, the school estate will be able to accommodate additional pupils from this development in the future.

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.

There is currently sufficient capacity in the Greenock Water Treatment Works to service the development. There is currently sufficient capacity for a foul only connection in the Inverclyde Waste Water Treatment works to service the development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Scottish Environmental Protection Agency (SEPA) – No objection to the proposed development on flood risk grounds.

Scotia Gas Networks – An enquiry has been undertaken via the ‘line search before you dig’ portal which produced a map indicating that a low-pressure gas main runs underneath the footway on Renton Road adjoining the north of the 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 the 13th September 2024 due to the proposal being contrary to the Development Plan and there being neighbouring land with no premises situated on it.

SITE NOTICES

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

PUBLIC PARTICIPATION

The application was the subject of neighbour notification. Eight representations were received, two neutral and six objecting to the proposals. Grounds for objection are summarised as follows:

Amenity concerns

- Proximity between new houses and existing.
- Loss of daylight to neighbouring house.

Design concerns

- Not in fitting with the area as all houses.
- There are no other 3 storey flats on Renton Road or surrounding area.
- Height difference between existing houses and development could cause slippage.
- Height of side fences.
- Houses would be okay if moved further away from adjoining properties.

Environmental concerns

- Taking away much needed green space which wildlife use.
- There is a fox den in the area.
- Local bat population uses trees as a shelter/home.
- Disturbance to wildlife, including protected species including bats and many birds.
- Last bit of green land in an already highly populated area.
- Gateway for wildlife and bee population.

Flooding and drainage concerns

- Capacity of existing sewage system.
- May cause potential flooding to properties below proposed site.
- Bog land possible flooding issue in future.

Traffic and road safety concerns

- Congestion on an already busy street with parked cars.
- Construction of additional houses could compromise road safety.
- Increased number of vehicles with new houses would likely cause traffic congestion and parking issues.
- Narrow roads and limited off-street parking in Shandon Place could exacerbate traffic problems.
- Increased road congestion on a bus route.
- Disruptions from construction process, including increased construction traffic and displacement of essential services.
- Consideration should be contingent on implementation of improvements such as street widening.

Other concerns

- Public safety must be prioritised.
- Devaluation of existing properties.
- Loss of fantastic river views.
- Possible land ownership conflicts.
- Not suitable to build on as has been rejected before 3 times.
- Concerns over future development as plans numbered as phase 1a and show further development to east of the site.
- Concerns over future development causing movement to nearby houses.
- The applicant is using an out-of-date local plan.
- Application states no trees on the site which is incorrect.
- The planning committee should undertake a site visit.

ASSESSMENT

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); the adopted and draft Planning Application Advice Notes (PAAN) 3 on "Private and Public Open Space Provision in New Residential Development"; the consultation responses; the representations; the applicant's supporting information; and the planning history of the site.

The site is not identified in Schedule 3 of the proposed LDP which lists housing development opportunity sites, nor is it identified in the Housing Land Audit for future development. As the proposal is for over 4 units, the site would be classed as a windfall site and included in the housing land audit.

The proposal is for 17 residential units, 6 of which would be flatted 'affordable' units. This generally complies with the provisions of Policy 16 of NPF4 subject to the proposed mix of units being appropriate for the area and relevant controls being put in place to secure the delivery and ascertain the tenure of the affordable units.

Location of Development and Policy Context

The site is a mixture of greenfield and historic brownfield land located within the existing urban area. It has largely naturalised to form an area of amenity open space within the existing settlement boundary. The proposed development is not identified as open space in either the adopted LDP or the proposed LDP. It should, however, have been included as, at 0.35ha, it is over the 0.2ha limit to be shown on the Proposals Map.

The Spatial Development Strategy of both the adopted and proposed Local Development Plans direct residential development to existing built-up areas in the first instance. The site is within the existing Greenock settlement boundary in the adopted LDP and within an identified residential

area in the proposed LDP. As such the proposal site is considered to accord in general terms with the Spatial Development Strategy.

Policy 20 of the proposed LDP 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 houses will be considered in greater detail below against other relevant development plan policies and guidance.

In terms of the relevant policies in NPF4, Policy 1 requires consideration of the global climate and nature crises to be given to all development. Policy 2 requires proposals to be designed to minimise lifecycle greenhouse gas emissions and be able to adapt to current and future risks from climate change. Policy 3 requires consideration of impacts on biodiversity and the natural environment. Policy 9 supports the redevelopment of brownfield land, considering the biodiversity value of any naturalisation and states that greenfield sites will not be supported unless allocated for development or explicitly supported by Policies in the LDP. Policy 13 encourages development in locations which support sustainable travel. Policy 15 supports local living, considering the existing settlement pattern and the level and quality of interconnectivity of the development with the surrounding area and local facilities. Policy 16 requires proposals not on land allocated for housing within the LDP to have an agreed timescale for build-out, to be consistent with the plan spatial strategy and other relevant policies and be for a smaller scale opportunity within an existing settlement boundary or, be for the delivery of affordable housing as part of a local authority supported affordable housing plan.

Policy 14 of NPF4 and Policy 1 of both LDPs refer to qualities relating to successful places. The qualities of being Pleasant, Connected, Distinctive and Sustainable under Policy 14 and the qualities of being 'Distinctive', 'Resource Efficient', 'Easy to Move Around', 'Safe and Pleasant' and 'Welcoming' under Policy 1 are relevant to this proposal. In the adopted LDP, the relevant factors of being 'Distinctive' are whether the proposal reflects local architecture and urban form; and uses native species in landscaping to create habitats for native wildlife. In the proposed LDP, the relevant factors of being 'Distinctive' are whether the proposal respects landscape setting and character, and urban form; reflects local vernacular/architecture and materials; and uses native species in landscaping to create habitats for native wildlife. To be considered 'Resource Efficient', the proposal should make use of existing buildings and previously developed land; incorporate nature-based solutions; incorporate low and zero carbon energy-generating technology; and provide space for the separation and collection of waste. The relevant factors of being 'Easy to Move Around' are being well connected and recognising the needs of pedestrians and cyclists. To be considered 'Safe and Pleasant', the proposal should avoid conflict with adjacent uses, enable natural surveillance of spaces and buildings, 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 terms of the relevant policies in both LDPs, as the application is for a new housing development within the settlement boundary, Policies 6, 7, 8, 9, 10 and 11 of the adopted LDP and Policies 6, 7, 9, 10, 11, 12, 18 and 20 of the proposed LDP are applicable.

Policy 18 of the proposed LDP supports new housing development on sites identified in Schedule 3 and on other appropriate sites within residential areas. The site is not identified in Schedule 3 however is within a residential area and has access to associated amenities and transport links.

Whilst it is acknowledged that planning permission has been granted in the past for residential development at this location, the proposals require to be considered against Policies in the most up to date Development Plan and the provisions in Policy 35 of the adopted LDP and Policy 36 of the proposed LDP relate to a range of open spaces including formal parks, more local parks, playing fields and areas of open space within the urban area which provide amenity or habitat value. Policy 35 of the adopted LDP and Policy 36 of the proposed LDP state that development proposals that will result in the loss of open space which is, or has the potential to be, of quality and value, will not be permitted. The significant question here is whether the open space of the proposed development site is or has the potential to be of quality or value.

Open Space and Green Network

The area is unmaintained amenity open space within the settlement boundary which is unlikely to be used for any formal open space due to the topography. It currently provides access to the wider rural area of Clyde Muirshiel Regional Park to the south, however, should the site be developed, access could still be taken from the open space further to the west towards Luss Avenue. The inclusion of a new footpath across the site with new areas of seating would offer greater opportunities for use of the open space by nearby residents and improve access to the Regional Park area and this can be considered to enhance the open space, as required under Policy 35 of the adopted LDP and Policy 36 of the proposed LDP.

In considering the impacts of the proposal on biodiversity and geodiversity (Policy 3 of NPF4 and Policy 33 of both LDPs), the site is identified as a non-designated site in both LDPs. The site is currently naturally regenerated, providing informal habitat networks to the nearby green areas. In support of the application, a Preliminary Ecological Appraisal was undertaken which confirmed that there is no evidence of protected species using the site, and that none of the trees on the site have any potential to be used by roosting bats. The proposal is unlikely to impact on protected species, with the exception of nesting birds. The advice given in the Appraisal in respect of nesting birds is noted and can be addressed by condition, should planning permission be granted.



View along Renton Road facing east, taken opposite the north-west corner of the site

Should the site be developed, there would remain maintained and unmaintained amenity open space to the north, south and east of the site. The gap site around the culvert would allow connectivity across the site to be preserved for wildlife access and would provide habitat opportunities. In considering the impacts of tree removal, whilst acknowledging that a number of trees will require to be removed to accommodate the proposal, sufficient areas of open space would be provided within the site to allow for an appropriate replanting scheme which would maintain the existing level of tree coverage across the site. The site does not contain any notable or veteran trees which would warrant retention as part of any planning permission granted for the proposal. The provision of replacement trees for ones removed can be addressed by condition as part of the final landscaping scheme. Any replacement trees should be native species as these are best suited for enhancing the overall biodiversity of the site and creating a suitable habitat for

native wildlife, in accordance with the qualities of being 'Distinctive' and 'Resource Efficient' in Policy 1 of both LDPs. This can be addressed in the final landscaping scheme should planning permission be granted. The inclusion of a wildflower meadow with butterfly banking and bee boxes, wetland planting and bird boxes alongside tree planting will positively contribute towards the enhancement of biodiversity within and around the site. The siting and design of the proposal is considered to take account of local landscape character and connectivity between habitat areas and can be supported under Policy 3 of NPF4 and Policy 33 of both LDPs.

NPF4 Policy 20 states that loss of green infrastructure will only be supported if it does not result in or exacerbate a deficit in blue or green infrastructure provision. The provision of suitable open spaces offers green infrastructure within the proposal, as required under Policy 20 of NPF4 and the integration of green infrastructure alongside new development will allow the proposal to accord with Policy 36 of the adopted LDP and Policy 37 of the proposed LDP.

Design and Layout

In considering the proposed layout, both PAAN 3s identify the site as small scale infill and flatted infill. In terms of private garden ground requirements, 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. The front gardens are to be between 6.4m and 6.9m in length, with greater set back distances than houses to the west on Renton Road, however this will allow off-street parking in front of the houses. The rear gardens are similar in size to neighbouring properties on Renton Road at around 9m in length and can be considered suitable subject to final details on landscaping.

For the flatted building, this should reflect the existing scale of buildings and townscape in the immediate environs. Open space need only be provided where surplus land is available following the provision of any off-street parking required. The development is to be excavated into the existing landform, which will reduce the height and overall massing of the flatted building, bringing the roofline to a similar level as houses on Dalmoak Road to the south-east of the site. The proposed layout and scale of the development can be considered to reflect the urban form of the area, as required by the quality of being 'Distinctive'.

In considering amenity impacts in terms of overshadowing, I note the concerns raised in the objections over the proximity of proposed dwellings to existing residences and impacts on daylight. Impacts on neighbouring houses have 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 side facing ground floor kitchen window and first floor windows at 60 Renton Road, which will face towards the side of the westmost semi-detached dwelling at a distance of approximately 2.9m for the kitchen window and 6.1m for upstairs windows. The guidance advises that if the VSC is greater than 27% then enough skylight will reach the windows of the existing building. Where the VSC is between 15% and 27%, special measures such as larger windows or changes to room layout are usually needed to provide adequate daylight. With the site being undeveloped, all windows have an existing VSC of 40%, with no impediment to daylight. The VSC levels with the proposal in place will be reduced to 36% for the two upstairs windows and 20% for the kitchen window. Although levels of daylight from this kitchen window will be reduced to a level which would be noticed by occupants if it were the only source of natural light to this room, it is noted that the kitchen contains a second, larger window on the rear elevation which is not impacted by the development, and this will significantly reduce loss of daylight to this room, allowing the proposal to be implemented without resulting in unacceptable loss of light to any neighbouring houses.

In considering window intervisibility and the potential for overlooking conflicts, the houses are to contain side facing bathroom windows and the flatted development is to contain side facing windows on both east and west elevations. The drawings submitted indicate obscure glazing is to be provided in the bathroom windows to prevent an invasion of privacy between properties and this can be secured by condition should planning permission be granted. The east facing windows in the flatted building are sufficiently distant from nearby buildings to meet the window intervisibility guidance and do not overlook any private/rear garden areas. The west facing kitchen

windows are to be positioned forwards of the ridge line of the adjoining dwellinghouse, and the roof will prevent rear garden areas from being overlooked. The inclusion of side facing windows on the flatted properties offers views along Renton Road, enabling greater natural surveillance of the street frontage, in accordance with the quality of being 'Safe and Pleasant' in Policy 1 of both LDPs.

In terms of public open space provision, both PAAN 3s state that public open space and play provision are not required for small scale infill and flatted infill development. Taking the above into consideration, the proposal stands to accord with both PAAN 3s. The choice of finishing materials proposed for the buildings can be considered appropriate for a residential setting. Subject to a condition confirming the final choice of all finishing materials, the proposal can be considered to reflect local architecture and materials, as required in the quality of being 'Distinctive' in Policy 14 of NPF4 and Policy 1 of both LDPs.

Flooding, Drainage and Contamination

In assessing potential impacts on flooding, the site contains a stream which flows through the site and areas around the stream are identified at risk of surface water flooding on SEPA's flood maps. In this respect, the applicant has submitted a Flood Risk Assessment (FRA) which demonstrates that the risk of flooding to the proposed development is low and that mitigation measures will be required to address risk of flooding on Renton Road and downstream of the site. The Head of Service – Roads and Transportation, within her capacity as Council's Flooding Officer, is satisfied that suitable mitigation measures identified within the FRA can be implemented to ensure the development does not increase flood risk to the new development or surrounding areas. It is noted that SEPA raises no objection to the development on flood risk grounds and based on the above, the proposed is considered to accord with Policy 8 of the adopted LDP and Policy 9 of the proposed LDP, as well as meeting criterion b) of NPF4, Policy 2, through being sited and designed to adapt to future risks from climate change.

Regarding site drainage, the Head of Service – Roads and Transportation advises that the Surface Water Management Plan submitted is acceptable. Regarding water connections Scottish Water has no objection to the proposal and advises that there is currently capacity to service the development. Diversion of the existing sewerage line outwith the site boundary as well as the points raised in the consultation response from Scottish Water are matters to be addressed between the applicant and Scottish Water. These can be added as advisory notes should planning permission be granted. Taking into consideration the above assessment the proposal can be supported under Policy 22 of NPF4, 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, the Council's Public Protection Manager has been consulted. The conditions recommended are considered appropriate to address Japanese Knotweed and other ground contamination matters and ensure no contaminated materials are imported onto the site and can be included should planning permission be granted. This will allow the proposal to comply with Policy 9 of NPF4, Policy 16 of the adopted LDP and Policy 17 of the proposed LDP.

Turning to matters of waste management, the Council's Public Protection Manager has requested a condition should planning permission be granted for detailed specification of waste containers and their storage. The proposed drawings indicate separate areas for waste storage at the rear of each dwellinghouse and that bin stores will be incorporated inside the flatted building. The implementation of suitable waste and recyclable containers will allow the proposal to accord with Policy 12 of NPF4 and Policy 7 of both LDPs, as well as meeting the quality of being 'Resource Efficient' in Policy 1 of both LDPs through providing space for the separation and collection of waste at source.

Low Carbon Infrastructure

To be considered 'Sustainable' in Policy 14 of NPF4 and 'Resource Efficient' in Policy 1 of both LDPs, the development needs to incorporate low and zero carbon energy-generating technology. 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 design statement submitted indicates the development aims to reduce CO2 emissions through material sustainability, thermal performance, renewable integration and energy-efficient features. The exact details of the measures to be implemented can be secured by condition to ensure the requirements in Policy 6 of both LDPs are met throughout the development.

Policy 10 of the adopted LDP and Policy 11 of the proposed LDP require proposals to include electric vehicle charging infrastructure, having regard to the requirements in the Supplementary Guidance on Energy. The guidance note on Energy 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 comply with Policy 10 of the adopted LDP and Policy 11 of the proposed LDP. Based on the above, the proposal can meet the qualities of being 'Sustainable' in Policy 14 of NPF4 and 'Resource Efficient' in Policy 1 of both LDPs through incorporating low and zero carbon technologies and utilising sustainable design. 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.



View from easternmost point of site, facing west across site.

Transport and Connectivity

In considering accessibility (Policy 13 of NPF4, Policy 10 of the adopted LDP and Policy 11 of the proposed LDP), the site is considered well connected to public transport nodes, with bus stops on Renton Road along the northern site boundary and Whinhill railway station being located approximately 1.05km from the site. The drawings indicate that a secure cycle parking shelter is to be installed at the rear of the flats to provide safe, secure and convenient cycle parking and the provision of this facility can be secured by condition should planning permission be granted. The site is accessible by walking or cycling to some local facilities, with the nearest primary school and play area being within 600m and 120m from the site respectively. Based on the above, the proposal can be considered to contribute towards local living, as required under Policy 15 of NPF4. The development does not impact on any local public access routes and can be

considered to recognise the needs of pedestrians and cyclists, meeting the qualities of being Connected in Policy 14 of NPF4 and 'Easy to Move Around' in Policy 1 of both LDPs. Furthermore, the proposal will accord with Policy 13 of NPF4, Policy 10 of the adopted LDP and Policy 11 of the proposed LDP.

Traffic, Parking and Road Safety

With regard to Policy 11 of the adopted LDP and Policy 12 of the proposed LDP and the impacts on traffic and parking on the street scene, the concerns raised in the objections over traffic congestion, road safety and impacts on the established bus route are noted. In considering these points and policies, the consultation response from the Head of Service – Roads and Transportation advises that sufficient parking is provided for the houses. For the flats, she has identified the provision of 14 parking spaces to be insufficient for a private development which requires a minimum of 21 parking spaces and objects to the proposal being granted for use solely as a private development on these grounds, however, notes that the parking provision would be sufficient for a mixture of private and amenity housing. Should the flatted building be solely for private housing, this would result in an unacceptable shortfall of parking spaces, negatively impacting on traffic and parking on the street scene and as such, would be contrary to Policy 11 of the adopted LDP and Policy 12 of the proposed LDP and fail to meet the quality of being 'Safe and Pleasant' in Policy 1 of both LDPs.

Following further discussions with the applicant, they have indicated that they would be agreeable to transferring six of the flatted units to a Registered Social Landlord (RSL) for occupation as amenity housing and have identified an RSL that would be interested in taking on the units upon completion. The applicant is, however, unable to provide sufficient evidence at this stage to satisfy the requirements of the Head of Service – Roads and Transportation. In order to satisfy the requirements of the Head of Service – Roads and Transportation and to accord with Policy 11 of the adopted LDP and Policy 12 of the proposed LDP in terms of parking, a legal agreement will be required to ensure that the six units in question will be occupied solely for amenity housing. Only upon the conclusion of such an agreement can it be considered appropriate to grant planning permission for this proposal.

Should such an agreement be met to secure amenity housing within the flatted block, the provision of the parking spaces indicated can be considered sufficient to minimise traffic and parking on the street scene, in accordance with meeting the quality of being 'Safe and Pleasant'. The provision of the parking spaces can be controlled by condition should planning permission be granted.

Based on the above assessment, the proposal can be implemented without creating conflict with adjacent uses in terms of noise; smell; vibration; dust; air quality; flooding; invasion of privacy or overshadowing, as required to meet the quality of being 'Safe and Pleasant' in Policy 1 of both LDPs. The proposal can be successfully integrated into the existing community and meets the quality of being 'Welcoming'. The proposal can be considered to have an acceptable impact on the character, appearance and amenity of the surrounding area and is therefore in accordance with Policy 20 of the proposed LDP.

The proposal makes use of land within the identified settlement boundaries, will not impact on the delivery of any Priority Places and Projects identified in the LDP, can be considered to be sustainable development, and can be implemented to include affordable housing, as required under Policy 18 of the proposed LDP.

Other matters raised in consultation responses

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

Other matters raised in representations

Turning to points raised in the representations not yet addressed, any land ownership disputes are civil matters to be addressed and resolved between the parties involved and are not material

planning considerations. Impacts on neighbouring property values and the loss of any views are not material planning considerations and can have no bearing on the outcome of this application. Any congestion during building works caused by construction traffic is more appropriately controlled under the remit of the Head of Service – Roads and Transportation and is not a material planning consideration. The concerns raised in respect of future development to the east of the application site require to be considered under a separate application specific to that site and are of no relevance to this application. The point relating to the planning committee undertaking a site visit can be determined by the Board.

Conclusion

The proposed development is in a sustainable location and strongly accords with Development Plan Policies that direct development to previously developed sites within urban areas in the first instance before Green Belt sites. It would be compatible with neighbouring uses and contribute to the housing land requirement, including provision of affordable accommodation. The site makes use of vacant land within the Greenock settlement boundary with good access to public transport which would contribute to the sustainability of the development and be appropriate for adhering to the 20-minute neighbourhood principle in NPF4, Policy 15.

The proposal would contribute to the housing land supply and would accord with national policies for delivering housing. It can be considered consistent with the plan spatial strategy and other relevant policies including local living and 20 minutes neighbourhoods and is within an existing settlement boundary and therefore can be supported under Policy 16 of NPF4.

The significant question here is whether the open space of the proposed development site is or has the potential to be of quality or value. The site does not offer great quality or value as public open space due to its overgrown nature and topography and the proposal would afford opportunities for use by local residents, through the provision of improvements to areas within the site which are to remain as open space. The provision of public usable space for a development of this size is considered to be acceptable and the range of landscaping measures proposed would be welcome contributions to biodiversity within the site and ensures that the proposal does not result in overdevelopment of the site. The proposal allows for connectivity to be retained between nearby open spaces and can be considered to have an acceptable impact on the climate and nature crises, as required under Policy 1 of NPF4.

In conclusion, the proposal can be implemented in a manner which accords with Policies 1, 2, 3, 9, 12, 13, 14, 15, 16, 20 and 22 of NPF4, Policies 1, 6, 7, 8, 9, 10, 16, 33, 35 and 36 of the adopted Local Development Plan and Policies 1, 6, 7, 9, 10, 11, 17, 18, 20, 33, 36 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 11 of the adopted Local Development Plan and Policy 12 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. As set out above, it is considered that, in this instance, the shortfall in parking supply and the need for that to be addressed by securing the transfer of a number of units within the site to a Registered Social Landlord (RSL) for the site to be occupied as a mixture of private and amenity housing to be a material consideration which, unless resolved would warrant refusal of the application.

As the applicant is not a Registered Social Landlord and it is not possible for a Registered Social Landlord to secure the necessary funding from the Scottish Government to take on housing units without there being planning permission in place, there needs to be a secure mechanism in the form of a Legal Agreement in place prior to planning permission being granted. This would be required in order to afford the Registered Social Landlord the capability of being able to secure the necessary funding and agreement to take on a number of units within the site for amenity housing, addressing the existing shortfall in parking supply. Planning permission should be granted subject to conditions upon the conclusion of such an agreement.

RECOMMENDATION

That following the conclusion of a Legal Agreement securing the provision of amenity housing on the site.

Planning permission shall 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.

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

2. No tree works or vegetation clearance shall occur on site from March through September (inclusive) each year unless otherwise agreed in writing by the Planning Authority prior to clearance works commencing. In the event that clearance is proposed between March to September (inclusive), a nesting bird survey shall be carried out by an experienced ecologist covering the proposed clearance area prior to each stage of tree felling and vegetation clearance and shall be submitted to and approved in writing by the Planning Authority before those clearance works commence. Once written approval has been given, the works themselves shall be carried out within a specified and agreed timescale.

Reason: To ensure the appropriate protection of breeding birds.

3. Notwithstanding the details set out on drawing 2351_1A_007, 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 all trees, shrubs and hedges which are to be planted as part of the development. All soft landscaping approved shall be planted during the first planting season following the first residential property hereby permitted being occupied.

Reason: 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.

4. 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.

Reason: To ensure the maintenance and management of the approved landscaping scheme in the interests of visual amenity.

5. Any trees, shrubs, hedges or areas of 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.

Reason: To allow the landscaping scheme to become established, in the interests of visual amenity.

6. Development shall not commence until details of all external materials for all buildings, boundary treatments, walls, paving and hard surfacing within the site have been submitted to and approved in writing by the Planning Authority. Development thereafter shall proceed utilising the approval materials unless an alternative is agreed in writing by the Planning Authority.

Reason: To ensure the external materials are appropriate in the interests of visual amenity.

7. For the avoidance of doubt obscure glazing shall be fitted to all bathroom windows which are to be constructed on side facing elevations of the houses hereby approved. The

windows shall contain obscure glazing at all times thereafter, unless otherwise agreed in writing by the Planning Authority.

Reason: In the interests of privacy.

8. Development shall not commence until details of a survey for the presence of Japanese Knotweed has been 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.

Reason: To help arrest the spread of Japanese Knotweed in the interests of environmental protection.

9. 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.

Reason: To satisfactorily address potential contamination issues in the interests of human health and environmental safety.

10. 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.

Reason: 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.

11. 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.

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

12. Development shall not commence until details of the containers to be used to store waste materials and recyclable materials produced on the premises as well as where the containers are to be located have been submitted to and approved in writing by the Planning Authority. The approved containers shall be implemented on site for their respective residential unit prior to the first occupation of each residential unit and thereafter retained on site for use.

Reason: To protect the amenity of the immediate area, prevent the creation of nuisance due to odours, insects, rodents or birds.

13. All residential units hereby approved 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 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. The approved details for each residential unit shall be installed and made operational prior to the first occupation of each respective residential unit.

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

14. 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.

Reason: To ensure adequate provision is made to encourage the use of electric vehicles.

15. The car parking hereby approved for the flatted building shall contain a minimum of three electric vehicle charging points to be made accessible for the charging of electric vehicles at all times following first occupation of the flatted building. Details demonstrating how this will be achieved shall be submitted to and approved in writing by the Planning Authority prior to the construction of the flatted building being commenced.

Reason: To ensure adequate provision is made to encourage the use of electric vehicles.

16. For the avoidance of doubt, a secure cycle parking shelter capable of accommodating a minimum of nine cycle parking spaces shall be installed within the curtilage of the flatted building. Full details of the cycle parking shelter shall be submitted to and approved in writing by the Planning Authority prior to installation. The approved design shall be subsequently implemented on site and made available for occupant use within 3 months of the first occupation of the flatted property, unless an alternative is agreed in writing with the Planning Authority.

Reason: To ensure safe, secure and convenient cycle storage is provided to meet the needs of users and reduce car dependency, in accordance with Policy 13 of NPF4 and the quality of being Connected in Policy 14 of NPF4.

17. The houses hereby approved shall not be occupied until the associated off-street parking spaces and pedestrian access as shown on approved drawing 2351_1A_005 Revision A have been provided within each respective plot.

Reason: To ensure suitable parking provision for the new development in the interests of road safety.

18. All driveways shall meet the road at 90 degrees, shall be fully paved and driveway gradients shall not exceed 10%.

Reason: To ensure the provision of usable parking spaces and to prevent loose material from being carried onto the adjoining public footway.

19. The visibility splays shown on approved drawing number 2351_1A_006 Revision C shall be cleared from obstruction prior to the first use of each respective access and shall remain clear of obstruction at all times thereafter, unless otherwise agreed in writing by the Planning Authority.

Reason: In the interest of road safety.

20. All roads and footways within the application site shall be completed to a final wearing course and the two on-street parking spaces shown on approved drawing 2351_1A_005

Revision A shall be formed and made available for use within 4 weeks of the last of the dwellinghouses hereby permitted being occupied.

Reason: To ensure the provision of safe access facilities following construction.

21. The flatted residences hereby approved shall not be occupied until the associated off-street parking area shown on approved drawing 2351_1A_005 Revision A has been constructed. The parking area shall be made available for use at all times thereafter in conjunction with the flatted building unless otherwise agreed in writing by the Planning Authority.

Reason: To ensure suitable parking provision for the new development in the interests of road safety.

22. For the avoidance of doubt, the car park for the flatted development shall be fully paved, meet the road at 90 degrees and have a maximum gradient of 10%. The parking spaces shall be a minimum of 5.0m x 2.5m and a minimum aisle width of 6.0m shall be provided.

Reason: To ensure the provision of usable parking spaces and to prevent loose material from being carried onto the adjoining public footway.

23. The approved visibility splays as shown on drawing 2351_1A_006 Revision C shall be kept free of obstruction at all times.

Reason: In the interests of road safety.

24. All surface water run off shall be contained and managed within the site both during construction and following completion of the development.

Reason: To ensure the development does not increase the risk of flooding to adjoining sites or the adjoining public road network.

25. Development shall not commence until an agreed timescale for build-out has been submitted to and approved in writing by the Planning Authority. Development shall be undertaken in accordance with the approved details, unless otherwise agreed in writing by the Planning Authority.

Reason: To comply with the requirements in Policy 16 of National Planning Framework 4 in terms of ensuring the contribution towards affordable housing is achieved.

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.