
Report To:	The Planning Board	Date:	6th January 2010
Report By:	Head of Planning and Housing	Report No:	08/0311/IC Plan 01/10
			Local Application Development
Contact Officer:	Jane Shields	Contact No:	01475 712423
Subject:	Mixed development comprising 6 industrial units and 28 flats at Drumfrochar Road, Greenock.		

BACKGROUND

At the November Board meeting this application was continued to allow the Head of Planning & Housing to consult with the owner of the housing on Drumfrochar Road, across from the application site, on their plans for the houses and to allow the Board to consider the application in the light of information from the East Central Strategy Group. It was also required that the Head of Planning & Housing arrange to make available to Members the flood risk and drainage impact assessment.

UPDATE

The views of the East Central Strategy Group, which includes River Clyde Homes who own the property directly across Mearns Street, has been sought. At their meeting on 12 November the Group wished it to be noted that while not objecting to housing in principle, the developer should take on board the preference of existing residents for front and back door housing.

As requested by Members, the Flood Risk and Drainage Impact Assessment as supplied by the applicant has been made publicly viewable on Inverclyde Planning Online.

In all other respects my report to the Planning Board on 4 November 2009 remains unchanged (copy attached).

RECOMMENDATION

That subject to the applicant entering into a Section 75 Agreement restricting the occupancy of the proposed flats to housing association tenants and preventing commencement of the flats on site until such time as an agreement has been signed with a housing association, the application be granted subject to conditions

Conditions

1. That the development to which this permission relates must be begun within 3 years from the date of this permission.
2. That prior to the start of development, details of a survey for the presence of Japanese Knotweed shall be submitted to and approved, in writing, by the Planning Authority and that, for the avoidance of doubt; this shall contain a methodology and treatment statement where any is

found. Development shall not proceed until treatment is completed as per the methodology and treatment statement. Any variation to the treatment methodologies will require subsequent approval by the Planning Authority prior to development starting on site.

3. That the development shall not commence until a risk assessment, including any necessary remediation strategy 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 acceptable codes of practice. The remediation strategy shall include verification/validation methodologies. This may be incorporated as part of a ground condition report and should include an appraisal of options.
4. That on completion of remediation and verification/validation works and prior to the site being occupied, the developer shall submit a Completion Report for approval, in writing, by the Planning Authority, confirming that the works have been carried out in accordance with the remediation strategy. 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 imported/disposed/reused materials relevant to the site.
5. That the presence of any previously unrecorded contamination or variation to reported ground conditions that becomes evident during site works shall be brought to the attention of the Planning Authority within one week. Consequential amendments to the Remediation Strategy shall not be implemented unless it has been submitted to and approved, in writing, by the Planning Authority.
6. That no material shall be imported onto the site until written details of the source of the imported material has been submitted to and approved, in writing, by the Planning Authority. The details which shall be submitted no later than four weeks prior to the material being imported onto the site shall include; the source of the imported material, any potential source(s) of contamination within 50 metres of the source of the material to be imported and verification analysis information. The material must not be imported on to the site until written approval has first been received from the Planning Authority. The material from the source agreed only shall be imported in strict accordance with these agreed details.
7. That all surface water drainage from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems Manual (C697) (CIRIA 2007). Before development commences, details shall be submitted to and approved, in writing, by the Planning Authority of the maintenance regime for the water detention areas.
8. A sightline of 2.5m X 35m X 1.05m shall be provided at the junction of the access with Mearns Street and a sightline of 4.5m X 35m X 1.05m shall be provided at the junction of the access with Lynedoch Street.
9. Written confirmation must be provided from Scottish Water relative to the foul and surface water being accepted into their system.
10. That samples of all facing and roofing materials shall be submitted to and approved, in writing, by the Planning Authority prior to work commencing.
11. That prior to work commencing a scheme of hard and soft landscaping shall be submitted to and approved by the Planning Authority. The scheme shall include;
 - a) the height and design of all new walls, bin stores and fences,
 - b) external finish to the parking areas, service area and landscaped areas,
 - c) soft landscaping works to include the schedules of plants to comprise species, plant size and the proposed numbers/density,
 - d) existing and finished ground levels in relation to a fixed datum preferably ordnance,

- e) existing landscape features and vegetation to be retained and in case of damage, restored,
- f) programme for completion and subsequent maintenance.

Reasons

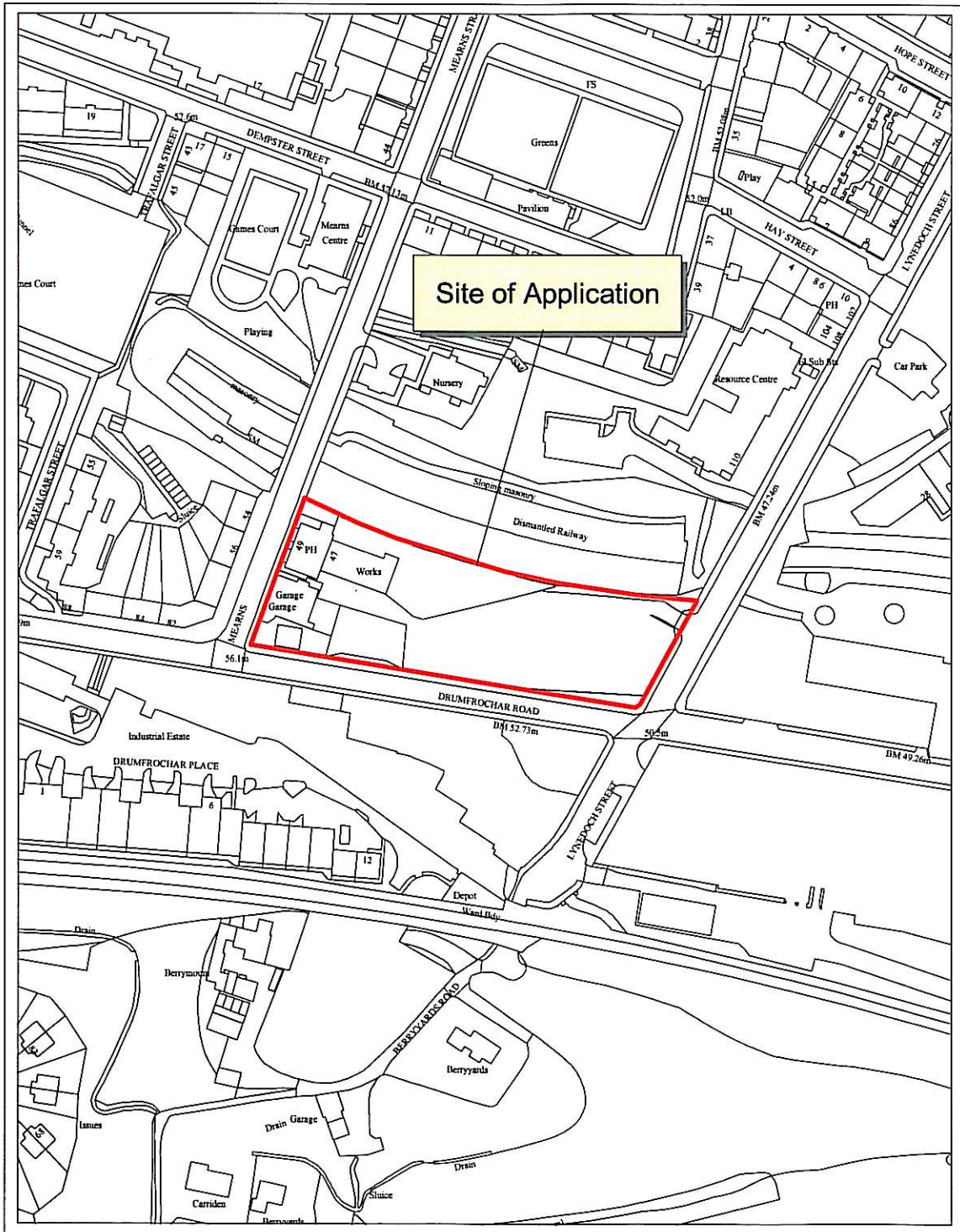
1. To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
2. To help arrest the spread of Japanese Knotweed in the interests of environmental protection.
3. To satisfactorily address potential contamination issues in the interests of environmental safety.
4. To provide verification that remediation has been carried out to the authority's satisfaction
5. To ensure that all contamination issues are recorded and dealt with appropriately.
6. To protect receptors from the harmful effects of imported contamination.
7. To control runoff from the site to reduce the risk of flooding.
8. in the interests of safety on the public road.
9. To control drainage of water from the site and help prevent flooding.
10. To ensure that the external finishes are appropriate for the site.
11. To ensure that appropriate landscaping is incorporated within the development.

F. K WILLIAMSON

Head of Planning and Housing

BACKGROUND PAPERS

1. Application Form.
2. Application Plans.
3. Consultation responses.
4. Inverclyde Local Plan.
5. Flood Risk Assessment and Drainage Impact Assessment.
6. Environmental Investigation.



Drawing No. 08/0311/IC
 Drumfrochar Road, Greenock
 Drawn by: IAC
 Date: 08:12:09



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Inverclyde
 council
 planning and housing

APPENDIX 1

Report To:	The Planning Board	Date:	4th November 2009
Report By:	Head of Planning and Housing	Report No:	08/0311/IC Plan 11/09
			Local Application Development
Contact Officer:	Jane Shields	Contact No:	01475 712423
Subject:	Mixed development comprising 6 industrial units and 28 flats at Drumfrochar Road, Greenock.		

SITE DESCRIPTION

The application site lies on the north side of Drumfrochar Road, due west of Lynedoch Street and due east of Mearns Street. To the north of the site lies a disused railway line. The site comprises of former industrial land (Tate and Lyle), a vacant and derelict office building and a former garage now used for car valeting/car wash.

PROPOSAL

It is proposed to develop the western part of the site, currently occupied by the derelict office building and car valeting /car wash centre, for housing (28 flats), and to develop the remainder of the site for light industrial purposes. A Flood Risk and Drainage Impact Assessment and an Environmental Investigation have been submitted with the application.

The submitted plans indicate two bedroom flats, all contained within a four storey building, fronting Mearns Street and taking vehicular access from Mearns Street. To the rear of the flats 28 car parking spaces and bin storage areas are to be provided, along with a landscaped strip of ground to separate the housing area from the industrial units. Further landscaping is to be provided at the front of the flats. The applicant has confirmed that the flats are intended for "affordable housing" and is willing to enter into a Section 75 Agreement restricting occupancy. The external finishes are indicated as red facing brick, grey coloured concrete roof tiles and white UPVC framed windows.

The proposed industrial part of the site is to contain 6 units, located close to Drumfrochar Road, with vehicular access being taken from Lynedoch Street. The car parking and service area will be at the rear of the units. A landscaped strip is to separate the industrial units from Drumfrochar Road. The external finishes to the industrial units are to comprise of facing block and grey cladding.

In January 2006 planning permission was refused for a housing development on this site (ref: IC/04/304). The reasons for refusal were:

1. The proposal is contrary to Policy Ia of the Inverclyde Local Plan, as the site is identified for industrial purposes and the plan seeks to maintain an adequate supply of land for industrial development.
2. The proposal is in a location identified for business, industrial and other employment generating development in Policy B2 of the Inverclyde Local Plan, First Review, Final Draft.

3. The proposal will have an adverse impact on the supply of land for business, industrial and employment generating development and, as such, is unacceptable with reference to Policy B10 of the Inverclyde Local Plan, First Review, Final Draft.

LOCAL PLAN POLICIES

Policy SA3 Greenock East Business Area

Inverclyde Council, as Planning Authority, will support the development of sites within the Greenock East Business Area identified on the Proposals Map as SA3, in accordance with the following planning policy framework.

Land Uses

Area A: Regent Street (fmr BT Depot)

Area A is identified on the Proposals Map as a mixed use area (MD) and the following land uses will be acceptable:

- (a) Business, Office, General Industrial and/or Storage & Distribution (Use Classes 4, 5 or 6), applying the provisions of Policy B2; or
- (b) Uses compatible with the mixed (business) and light industrial nature of the area, including the Sale or Display of Motor Vehicles; or
- (c) Residential Institutions (Use Class 8); or
- (d) Housing (Use Class 9) and use as Residential Flats; or
- (e) Community Uses (Use Class 10).

Area B: Baker Street (east and west)

- (f) Business, General Industrial and/or Storage and Distribution (Use Classes 4, 5 or 6), applying the provisions of Policy B1; and
- (g) Uses compatible with the mixed (business) and light industrial nature of the area.

Area C: Former Tate & Lyle Works, Drumfrochar Road

Area C is identified on the Proposals Map as a mixed use area (MD) and the following land uses will be acceptable:

- (h) Business, General Industrial and/or Storage and Distribution (Use Classes 4, 5 or 6), applying the provisions of Policy B2; or
- (i) Uses compatible with the mixed (business) and light industrial nature of the area, including the Sale or Display of Motor Vehicles; or
- (j) Residential Institutions (Use Class 8); or
- (k) Community Use (Use Class 10).

Area D: Land Between Railway Lines, south of Drumfrochar Road

- (l) Public Open Space; and
- (m) Environmental Improvement and new access (footpath and cycle links).

Additional Considerations

(n) Land will be reserved for the Greenock Town Centre Relief Road re-alignment and associated landscaping, at Baker Street and Drumfrochar Road, in accordance with Policy TA13, as indicated on the Proposals Map.

(o) The solum of the railway line to Ocean Terminal will be protected to allow it to be reopened, in accordance with Policy TA10, as indicated on the Proposals Map.

Design

(p) New buildings and the re-aligned road route should include suitable landscaping. A landscaped area should be created on either side of the re-aligned road to enhance the main through route.

(q) Development on Area A should be to a high standard of design to reflect its visibility from the main transport routes of both road and rail. A high quality street frontage will be

required for any new development on Regent Street to reflect its location on a main transport route.

Access

(r) No direct access should be taken from the re-aligned road to serve premises. Once the road re-alignment takes place the former route of Baker Street should be used as a service access road along with Dellingburn Street, Scott Street, Lynedoch Street and Cartsburn Street.

Local Plan Policy - Policy B2 Mixed (Business) Use Areas

Development proposals, in addition to the preferred Use Classes 4, 5 or 6, that would contribute to permanent employment creation or be clearly supportive of the operation of existing businesses in the area, will be supported in those areas labelled 'B2' within the 'Business and Industrial Areas' identified on the Proposals Map, provided they are not usually associated with Town Centre uses. All such proposals will require to be assessed against the following criteria:

- (a) impact on the character of the area and the operation of established businesses;
- (b) infrastructure, transportation, environmental and design considerations;
- (c) impact on the overall supply of land for business and industry; and
- (d) relevant policies of the Local Plan.

CONSULTATIONS

Head of Environmental Services – No objections, subject to conditions to control surface water run off.

Scottish Water - No objections.

Head Of Safer Communities - Contaminated land standard planning conditions should be imposed.

PUBLICITY

The application was advertised in the Greenock Telegraph on 7th August 2009 as a Departure from the Local Plan and as there are no premises on neighbouring land.

SITE NOTICES

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

PUBLIC PARTICIPATION

No representations have been received.

ASSESSMENT

The material considerations in the assessment of this application are the Local Plan Policies and the consultation responses.

The proposed industrial use of the site is in keeping with the character of the area and the surrounding businesses. The proposed landscaped strip and the varied facade to the industrial units will ensure that an acceptable frontage is presented to Drumfrochar Road. The erection of the six industrial units for light industrial purposes therefore fully accords with Policies SA3 and B2 of the Local Plan.

The proposed residential use on the smaller part of the site is contrary to Policy SA3 as residential use is not listed as acceptable. The provisions of Policy B2 also apply and that allows for other uses but only those which can create permanent employment or support existing businesses in the area. Residential uses would not achieve either of these aims. However, in favour of the proposals I note that the western end of the site lies opposite an established residential area where four storey flats exist. The proposal would therefore be sympathetic with the area to the west and would accord with the future aspirations for the redevelopment of the wider area (Drumfrochar/Broomhill) for residential purposes. I am satisfied that the integrated development of business and residential on this site allows for a proper building and land use relationship between the two, ensuring that both business and residential can co-exist beneficially as neighbours. It also ensures that access to the industrial units is exclusively from Lynedoch Street, reducing the potential conflict between residential and industrial traffic in Mearns Street. I am therefore satisfied that this is an acceptable departure from the Local Plan.

The consultation responses present no impediment to development; however, conditions and notes are required in respect of possible contaminated land and flood prevention, in addition to landscaping details and external finishes.

As the development is for "affordable housing" (housing association), with car parking provided on this basis, this application requires to be the subject of a Section 75 Agreement. The agreement should also require evidence of a contract with a housing association prior to the commencement of work on site.

RECOMMENDATION

That subject to the applicant entering into a Section 75 Agreement restricting the occupancy of the proposed flats to housing association tenants and preventing commencement of the flats on site until such time as an agreement has been signed with a housing association, the application be granted subject to conditions

Conditions

1. That the development to which this permission relates must be begun within 3 years from the date of this permission.
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Reasons

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