
Report To:	The Planning Board	Date:	1st June 2011
Report By:	Head of Regeneration and Planning	Report No:	11/0028/IC
			Local Application Development
Contact Officer:	David Ashman	Contact No:	01475 712416
Subject:	Construction of 29 terraced houses including all ancillary works at Cumberland Road, Greenock		

SITE DESCRIPTION

The application site consists of approximately 1 hectare of ground currently occupied by four 4-storey blocks of flats fronting onto Cumberland Road, south of the Cumberland Road/Auchmead Road junction. The flats are in the process of being vacated in preparation for future development of the site.

The site is bound to the east by rows of terraced residential properties on the opposite side of Cumberland Road, to the west by a mix of terraced residential properties and St. Andrew's Church, to the south by amenity space and to the north by four storey blocks of flats. The wider area is largely residential in nature.

PROPOSAL

The applicant seeks planning permission for the development of 29 houses. These are set out in terraced and semi-detached arrangements in 6 blocks perpendicular to Cumberland Road with each property having its own front and rear garden ground. There is to be a narrow intervening strip of landscaped open space between the gables which "front" onto Cumberland Road. A feature wall/fence combination will provide rear garden privacy from Cumberland Road. Elsewhere rear garden boundaries and the common boundary with the adjacent church will be defined by a 1.8 metre high timber fence. Three culs-de-sac run off Cumberland Road providing dedicated off street parking spaces for the housing. The properties fronting Auchmead Road have their own driveways.

The houses are of contemporary design, largely finished in a textured facing brick but with incidental white render panelling. Interlocking grey slate roofing tiles are to be used with smaller lead/zinc trimmings to the roof and dormer edges.

LOCAL PLAN POLICIES

Local Plan Policy H1 - Safeguarding the Character and Amenity of Residential Areas

The character and amenity of existing residential areas, identified on the Proposals Map, will be safeguarded, and where practicable, enhanced. New residential development will be acceptable, in principle, subject to other relevant Local Plan policies.

Local Plan Policy H2 - Redevelopment of Brownfield Sites

The redevelopment of brownfield sites for housing and community uses will be supported, in principle, in the residential areas identified on the Proposals Map, except where:

- (a) an alternative use of greater priority or greater social or economic/employment benefit is identified; or
- (b) an alternative use is identified through an agreed area renewal initiative; or
- (c) it would result in unacceptable loss of locally valued amenity open space; or
- (d) the terms of Policy H8 (residential development control) or other relevant policies are not satisfactorily addressed.

Local Plan Policy H8 - The Character and Amenity of Residential Areas

Proposals for residential development that are acceptable in principle in terms of the Development Strategy of the Local Plan will still be required to satisfy the following development control criteria:

- (a) compatibility with the character and amenity of an area in terms of land use, density, design and materials used;
- (b) visual impact of development on the site and its surroundings;
- (c) landscaping proposals;
- (d) open space proposals (see also Policy H11 and guidance in Policy DC1);
- (e) proposals for the retention of existing landscape or townscape features of value on the site;
- (f) assessment against the Council's Roads Development Guidelines 1995 with regard to road design, parking and traffic safety;
- (g) provision of adequate services; and
- (h) accommodation of, in appropriate cases, the requirements of bus operators regarding road widths, lay-bys and turning areas.

Local Plan Policy H11 - Residential Development Proposals and Open Space Provision

Inverclyde Council, as Planning Authority, requires developers of new housing to make provision for public open space, play areas and private garden ground, or a comparable financial contribution towards either the provision of, or maintenance and improvement of, existing play equipment in a park or play area in the vicinity of the development, in accordance with the Inverclyde Council Planning Practice Advice Note 3.

Local Plan Policy DS1 - Preference for Development on Brownfield Sites

A sustainable settlement strategy will be encouraged by having a clear preference for all new development to be located on brownfield land within the urban areas of existing towns and smaller settlements.

Local Plan Policy DS5 - Promotion of Quality in New Building Design and in Townscape/Landscaping

The urban environment and built heritage of Inverclyde will be protected and enhanced through controls on development that would have an unacceptable impact on the quality of this resource. Quality in new building design and landscaping will be encouraged to enhance Inverclyde's townscapes.

Local Plan Policy UT1 - Sustainable Use of Existing Infrastructure

Inverclyde Council, as Planning Authority, will seek to direct new development to areas where connections to existing service infrastructure and public utilities are available, and will work with developers, public utility companies and other providers of service infrastructure to ensure that the

most efficient use is made of existing infrastructure. The Council will also encourage continued investment in existing infrastructure, with a view to improving service provision.

Local Plan Policy UT3 - Sustainable Urban Drainage Systems

Inverclyde Council, as Planning Authority, will encourage the inclusion of Sustainable Urban Drainage Systems in appropriate developments, and where included will require agreement to be reached in respect of the continual maintenance of the proposed system prior to planning permission being granted.

CONSULTATIONS

Head Of Environmental And Commercial Services - Surface runoff to be addressed within the development. Maximum driveway gradient not to exceed 10%. Footways fronting the development will require to be re-surfaced. Drainage impact assessment, SUDS and surface water drainage details required. Confirmation of Scottish Water's acceptance is also requested.

Head Of Safer And Inclusive Communities - No objections subject to conditions in respect of contaminated land issues and advisory notes.

Scottish Water - No objection. Some advisory notes are suggested.

Land Use Consultants – There is insufficient information on western boundary levels to determine whether or not retaining walls are required. Tree survey information is required to determine which trees are to remain. The quality of the landscaping scheme on Cumberland Road will be important.

PUBLICITY

The application was advertised in the Greenock Telegraph on 11th March 2011 as there are no premises on neighbouring land.

SITE NOTICES

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

PUBLIC PARTICIPATION

The application was the subject of neighbour notification and press advertisement. 17 objections have been received, 16 of which are pro forma. The points of objection may be summarised as follows:

1. A title deed shows that the land around the flats is mostly land open to the general public. It is only the drying greens that are specifically allocated to the flats.
2. No communal areas will be left for children to play.
3. Redevelopment of two schools have removed communal play areas and playing fields.
4. The proposed development has an "open prison" appearance. This will devalue existing adjacent properties.
5. The intensive traffic use on Cumberland Road, combined with a lack of play facilities for children, has not been taken into account.
6. The parking needs of the objectors has not been taken into account.
7. There has not been sufficient public consultation.
8. The proposal is not sympathetic to the existing housing layout.

ASSESSMENT

The material considerations in determination of this application are the Local Plan, the consultation responses and the letters of representation.

As the proposed houses are to be located on the site of existing residential development and the use of the site for residential purposes is long established, it follows that compliance with policies H1 and DS1 is achieved. With respect to policy H2, there are no other alternative uses of economic or employment benefit, or an agreed area renewal initiative, suitable for the site.

The issue of locally valued amenity open space requires detailed consideration at this stage as it is raised by objectors. The open space currently found on the site has no formal designation. It consists of incidental areas of soft landscaping (mostly maintained grass occasionally populated by mature trees) and hard surfaced parking courts with drying greens which form a setting for the blocks of flats. The open space has a clear relationship to the flatted blocks and is not of either the scale or location designed to encourage active play by children. Although it is visible to others in the vicinity its role is bound by the relationship to the flats. It is appropriate that any redevelopment of the site will require a reassessment of the function and form of that open space. Its value should be assessed in this context and the loss of its present form is not sufficient reason alone for refusal of planning permission. I therefore conclude that the proposed development is supportable with reference to policy H2.

Policy H8 provides the main assessment criteria for new residential development and is relevant to the current proposal. I regard the proposal as compatible with the character and amenity of the area in terms of land use and density. To the south of the application site there are examples of terraced properties running perpendicular to both Cumberland Road and Norfolk Road. The proposed layout is similar. With respect to design and materials, the proposal is a more contemporary response and both aspects are appropriate. On this basis compliance with policy DS5 has been achieved. The visual impact of the development on the site and its surroundings is regarded as acceptable. This relates not only to the form of the development, design and materials used but also the frontage treatment to Cumberland Road. There is to be an intervening area of soft landscaping and an appropriate boundary treatment between the houses which gable end onto Cumberland Road. The treatment of these gable ends has been well considered with appropriate animation and punctuation of the gables. As a brownfield redevelopment site which does not have any designated open space of its own at the present time, there is no specific requirement to provide such open space as part of the proposals. Nevertheless, the abovementioned landscaping adjacent to Cumberland Road and an approximately 900 square metres of designated open space to the south of the proposed houses is a welcome provision. There are no townscape or landscape features of value on the site at present that I regard as of sufficient value to merit refusal of the application. Although some mature trees will be lost as a result of the development I note that the landscape proposals identify replanting. I also note that the Head of Environmental and Commercial Services has no concerns in respect of meeting the requirements of the Roads Development Guide. As a brownfield site, there are nearby service connections which will address this issue. The requirements of policy UT1 will therefore be addressed. Finally, the application site is on a bus route with existing stops, hence no specific layby provision is required. Overall, I therefore consider that the proposal satisfies the assessment criteria of policy H8.

Turning to policy H11, I have addressed the issue of public open space within the above assessment of policy H8. The requirements for garden space provision around the individual dwellings have been met within the proposed layout. On the matter of play provision, although the scale of this development does not justify a dedicated equipped play area, the application is one of four submitted by the applicant for the Larkfield renewal area. Cumulatively, the number of houses to be provided exceeds 100 and I therefore consider that it is appropriate to seek a contribution from the applicant towards the provision of a reasonably centrally located play area to serve all of these developments. There have been ongoing discussions with the Council's Head of Environmental and Commercial Services over the precise location for such a facility and whilst this is yet to be finalised the search area is located centrally to all the applicant's development sites

within what is reasonable walking distance. A contribution of £75,000 from the applicant has been secured and this is being administered by the Head of Legal and Democratic Services. I therefore regard the requirements of policy H11 as having been met.

With respect to policy UT3, the Council's Flooding Officer is satisfied in principle over drainage arrangements and is content for remaining matters to be dealt with by condition requiring a drainage impact assessment.

I am therefore satisfied that the proposal accords with the Local Plan. It remains to be considered, however, if any material considerations suggest that planning permission should not be granted. In this respect I shall now refer to the consultation replies that have not yet been addressed in the above policy analysis and the representations made by members of the public.

The remaining issues raised by the Head of Environmental and Commercial Services on driveway gradients, surface water interception and re-surfacing of footways may be addressed by conditions. The Head of Safer and Inclusive Communities seeks the imposition of conditions in respect of potential site contamination. With respect to the comments submitted by the Council's Landscape Consultants, the applicant has confirmed that retaining walls may be required. It is appropriate to attach a condition to control their location, detailing and height. With respect to trees, I accept that, if planning permission is granted this will become a development site. Experience suggests that the attempted retention of mature trees within an urban brownfield site is difficult and often results in the removal of the trees at a later and more problematic time.

Turning to those objections from members of the public that I have not already addressed, title deeds stipulations and the effect of development on the valuation of adjacent properties are not material planning considerations. If there is a legal issue this has to be resolved independent of any planning decision. The redevelopment of two nearby schools is also not material to consideration of the current proposal. Notwithstanding this, the objectors' concerns relate to the availability of playing facilities and in this respect school playing fields are available for post-school hours community use. The level of traffic on Cumberland Road and the relationship to availability of play facilities for children is acknowledged through the requirement for the applicant to provide a contribution towards an off-site play facility. The objectors have referred to their parking needs not being taken into account. The application may not reasonably be refused on the grounds that the informal parking opportunities of adjacent residents, who have no direct relationship with the site but who currently park on it, would be lost. Finally, although the proposal is not similar to the existing development, it is, as noted earlier, characteristic of the area and on this basis, is regarded as acceptable.

There are no other relevant material planning considerations and none of those I have assessed suggest that this development, which accords with the Local Plan, should not be supported subject to the imposition of relevant conditions.

There are, however, other matters that I require to highlight. Firstly, the applicant has agreed to make a contribution of £75,000 towards the provision of an equipped play area in a location to be determined by the Head of Regeneration and Planning in consultation with the Head of Environmental and Commercial Services. This figure requires to be secured before the planning permission is issued. A bond will also require to be lodged to cover the costs of implementation of the approved landscaping scheme and no development should take place until it has been lodged. This matter may be dealt with by condition. Finally, I note that there are public footways which currently pass through the site and that these will require to be formally stopped up before the planning permission can be implemented. This matter may also be addressed by condition.

RECOMMENDATION

It is recommended that that delegated powers be granted to the Head of Regeneration and Planning to grant planning permission subject to the following conditions and following receipt of a contribution of £75,000 towards play provision at a location deemed appropriate by the Head of Regeneration and Planning in consultation with the Head of Environmental and Commercial Services.

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 their use, samples of all facing materials shall be submitted to and approved in writing by the Planning Authority, including materials to be used on walls.
3. That any trees, shrubs or areas of grass which die, are removed, damaged or become diseased within five years of completion of the landscaping shall be replaced within the following year with others of a similar size and species.
4. That all soft landscaping shall be completed prior to the last of the dwellinghouses hereby permitted being occupied.
5. That details of the maintenance and management programme for all areas of soft and hard landscaping shall be submitted to and approved in writing by the Planning Authority prior to the start of development. The programme shall commence upon the start of development.
6. 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.
7. 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.
8. 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 be 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.
9. 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.

10. That no material shall be imported onto the site until written details of the source of the imported material has been submitted for approval, 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.
11. 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 of the maintenance regime for the water detention areas shall be submitted to and approved in writing by the Planning Authority.
12. That prior to each dwellinghouse hereby permitted being occupied, all roads and footways leading to it shall be surfaced to a sealed base wearing course.
13. That prior to the last of the dwellinghouses hereby permitted being occupied, all roads and footways within the application site shall be completed to a final sealed wearing course.
14. That following formation of the accesses into the site from Cumberland Road, the footway fronting Cumberland Road shall be resurfaced to a sealed wearing course level approved in writing by the Head of Environmental and Commercial Services.
15. That development shall not commence until a Stopping-Up Order, in respect of footpaths crossing the site, has been confirmed.
16. That prior to the start of development a Drainage Impact Assessment shall be submitted to and approved in writing by the Planning Authority.
17. That driveways shall not exceed a gradient of 10%.
18. That no development shall commence until a bond to cover the costs of the implementation of the approved soft landscaping scheme has been lodged with the Council.
19. That notwithstanding the details shown on the approved plans, permission is not hereby given for any retaining walls. Prior to the commencement of construction, full details shall be submitted to and approved in writing by the Planning Authority of the location and height of all retaining walls.

Reasons

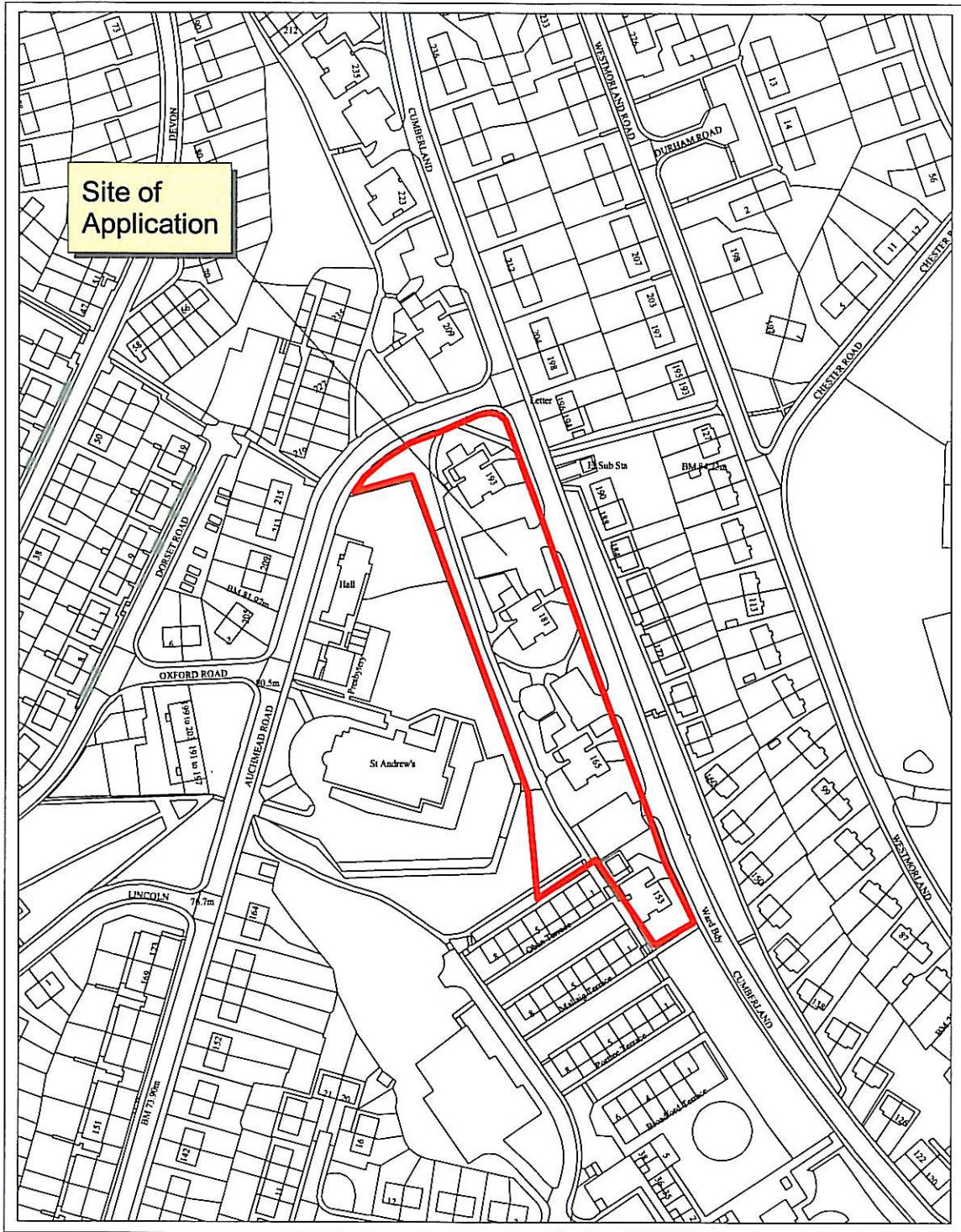
1. To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
2. To enable the Planning Authority to retain effective control of facing materials in the interests of visual amenity.
3. To ensure the retention of the approved planting scheme in the interests of visual amenity.
4. To ensure the provision of a visually acceptable environment.
5. In the interests of visual amenity.
6. To help arrest the spread of Japanese Knotweed in the interests of environmental protection.

7. To satisfactorily address potential contamination issues in the interests of environmental safety.
8. To provide verification that remediation has been carried out to the Authority's satisfaction.
9. To ensure that all contamination issues are recorded and dealt with appropriately.
10. To protect receptors from the harmful effects of imported contamination.
11. To control runoff from the site to reduce the risk of flooding.
12. To ensure the provision of acceptable safe access facilities during construction.
13. To ensure the provision of acceptable safe access facilities following construction.
14. In the interests of public safety.
15. To ensure that the footpaths may be legally stopped up to allow development to proceed.
16. To ensure the adequacy of drainage arrangements.
17. To ensure use of the driveways in the interests of traffic safety.
18. To ensure the provision of the approved landscaping scheme.
19. To allow assessment of the visual impact of the proposed retaining walls on future residents.

Stuart Jamieson
Head of Regeneration and Planning

BACKGROUND PAPERS

1. Application form and plans.
2. Inverclyde Local Plan.
3. Consultation replies.
4. Letters of representation.



Drawing No. 11/0028/IC Cumberland Road, Greenock.

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