
Report To:	The Planning Board	Date:	1st June 2011
Report By:	Head of Regeneration and Planning	Report No:	11/0074/IC Plan06/11
			Local Application Development
Contact Officer:	Guy Phillips	Contact No:	01475 712422
Subject:	Development of 8 new build houses, including detached and semi-detached units with associated parking and formation of a new access road at Barr's Brae, Port Glasgow		

SITE DESCRIPTION

The site is a rough hillside on the south west side of Barr's Brae, Port Glasgow. It is triangular shaped, extends to approximately 0.32ha and slopes up steeply from the street. It also slopes upwards from north west to south east. To the south west, at higher level, the site is bound by two storey houses fronting Dougliehill Road. To the north west are split level two/three storey houses fronting Dougliehill Terrace. Across Barr's Brae is an area of landscaped open space.

PROPOSAL

Planning permission in principle is sought for the construction of eight houses, with a road access from Barr's Brae. An indicative layout has been submitted, portraying a one way road formed parallel to Barr's Brae to provide access for six semi-detached and two detached houses. The houses are at an approximate thirty degree angle to the access road and parallel to the houses on Dougliehill Road. Topography dictates that the houses be of split level construction.

LOCAL PLAN POLICIES

Local Plan Policy LR1- Safeguarding Open Space

Inverclyde Council, as Planning Authority, will support, safeguard and where practicable enhance:

- (a) areas identified as 'Open Space' on the Proposals Map;
- (b) other areas of open space of value in terms of their amenity to their surroundings and to the community and their function as wildlife corridors or wedges; and
- (c) where appropriate, encourage other relevant and compatible development for the purposes of leisure, recreation and sport.

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 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 DC1 - Development Control Advice

Inverclyde Council, as Planning Authority, will support applications for planning, listed building and advertisement consent, where applicable, which accord with the principles established in the Council's Planning Practice Advice Notes. PPA3 addresses "Private and Public Open Space in New Residential Areas."

CONSULTATIONS

Head Of Environmental And Commercial Services – No objections subject to access taking the form of a potentially adoptable road with either a 5.5m wide carriageway, or 4.1m carriageway with passing places. If it is to take the form of a shared surface, 2.0m wide verges/service strips will be required on either side, or a 2.0m wide footway adjacent to the housing with a 2.0m verge on the opposite side. A visibility splay of 2.5 x 90.0 x 1.05m high should be achieved at the junction of the proposed access with Barr's Brae. All works should be in accordance with the Council's Roads Development Guide. The access to the development is a one way system. A Traffic Road Order will require to be promoted prohibiting driving in one direction.

The Flood Risk Assessment is acceptable in principle. An advisory note should be added to the planning application stating a Detailed Flood Risk Assessment will be required for detailed planning permission.

Head Of Safer And Inclusive Communities - No objections subject to standard contaminated land conditions and, due to the proximity to Port Glasgow Industrial Estate, a condition requiring a noise impact assessment.

PUBLICITY

The application was advertised in the Greenock Telegraph on 8th April 2011 as it is contrary to the

development plan and as an owner of part of the application site could not be identified by the applicant.

SITE NOTICES

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

PUBLIC PARTICIPATION

Nine written representations have been received. The objectors are concerned that :-

1. Dougliehill would become over developed and the site should be retained as a play area.
2. The natural landscape of the hillside should be protected.
3. Natural drainage would be adversely affected.
4. Barrs Brae contains a blind corner and is prone to black ice. Road safety would be adversely affected.
5. Barrs Brae suffered damage from the drainage of the Mill Dam.
6. No ground maintenance programme is in place for the site.
7. The structural stability of neighbouring houses at Dougliehill Road would be adversely affected with a potential for landslip.
8. Houses in Dougliehill Road would suffer a loss of view.
9. The value of neighbouring houses would be adversely affected.
10. There would be a loss of wildlife habitat.
11. Construction traffic from an ongoing residential development at Morray Road is creating road safety hazards

ASSESSMENT

The determining issues in the determination of this planning application are the Local Plan, the Council's PPAN3 "Private & Public Open Space in New Residential Developments", the planning history of the site, the consultation responses and the relevant points raised in the written representations. Comments raised by objectors on lack of ground maintenance, ground stability, loss of view, property value and construction traffic are not matters to be considered in assessing the planning merits of this proposal.

The site lies within an area designated as Open Space in the adopted Local Plan, deriving from planning permission in 1980 identifying the site as a play area for the Dougliehill development. The proposal is therefore contrary to Policy LR1' Safeguarding Open Space'.

A survey of all open space in Inverclyde was carried out in 2010 to identify both the quality and quantity available. This survey established that the open space at Barr's Brae is a steep strip of semi-natural scrubland with no formalised use other than as a buffer between the road on Barr's Brae and the houses on Dougliehill Road. The site is, however, within land identified as play areas in the 1980 planning permission for housing development at Dougliehill. Policy H11 of the Local Plan requires developers of new housing to make provision for public open space and play areas in accordance with the Council's PPAN 3 "Private & Public Open Space In New Residential Developments". The PPAN advises that public open space be provided at the indicative ratio of 1.64ha per 100 population. There are 158 flats and houses within the site granted planning permission in 1980 and allowing for an average occupancy of 2 persons, there is a requirement for 0.5ha of open space. The open space provided in 1980 is approximately 1.97ha and, consequently, there is an excess provision of approximately 1.47ha. The application site extends to approximately 0.32ha and developing it continues to leave an excess provision. Policy DC1 advises that applications for planning permission which accord with the design principles established in the Council's PPANs will be supported.

In further support to the principle of development is the planning permission granted in 1997 for the 10 houses adjoining the northwest boundary of the site and fronting Dougliehill Terrace. The

houses constructed there are also within the land identified as play areas in the 1980 planning permission. As such, I consider a precedent for development on the land identified as play areas in the 1980 planning permission to have been established.

There is also a local park opposite the site on the east side of Barr's Brae, accessible open countryside immediately to the south and west and a footpath/cycle route to the north. With this provision, the loss of application site as open space would not, I consider, greatly affect the overall amenity of the area.

Given the poor quality of the open space comprising the application site, its inaccessible nature and the surplus open space provision for the Dougliehill housing development I consider there is a justification for departing from policy LR1 of the Local Plan.

Policy H1 seeks to safeguard, and where practicable, enhance residential amenity and character. The best measure of whether or not the proposal satisfies this aim is to assess it against policy H8. Policy H8 advises that proposals for residential development that are acceptable in terms of the Development Strategy of the Local Plan will still be required to satisfy a range of development control criteria. The relevant criteria to the application in principle are:-

- (a) compatibility with the character and amenity of an area in terms of land use, density, design and materials used. Given the residential character of this part of Port Glasgow, I am satisfied the proposed land use is appropriate. While the application is in principle, the indicative layout submitted serves to demonstrate that a density similar to that adjoining can be achieved. Design and materials are matters to be considered at reserved matters stage.
- (d) open space proposals. My favourable assessment against policy LR1, above, satisfactorily addresses the issue of impact upon existing open space provision at Dougliehill. However, further consideration requires to be given to PPAN3 "Private & Public Open Space In New Residential Developments". The PPAN advises that for small scale infill developments new development should accord with the established pattern and density of development in the immediate vicinity. The indicative layout submitted with the application serves to demonstrate that the proposed house plots are larger than those adjoining to the south west. Overall, I consider the indicative layout to demonstrate that the site can be developed for eight houses without harm to the established pattern and density in the area.
- (e) assessment against the Council's Roads Development Guidelines 1985 with regard to road design, parking and traffic safety. There are no objections from the Head of Environmental & Commercial Services on road safety grounds.

Overall, I consider the principle of residential development merits support.

RECOMMENDATION

That the application be granted subject to conditions.

Conditions

1. This permission is granted under the provisions of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 on an application for planning permission in principle and further approval of the Council or of the Scottish Ministers on appeal shall be required with respect to the under mentioned matters hereby reserved before any development is commenced:
 - a. the siting, design and external appearance of any building(s) to which the planning permission or the application relates;
 - b. details of the access arrangements;
 - c. details of landscaping of the site, including play provision.

2. In the case of matters specified by conditions application for approval must be made before:
 - a. the expiration of 3 years from the date of the grant of planning permission in principle; or
 - b. the expiration of 6 months from the date on which an earlier application for such approval was refused; or
 - c. the expiration of 6 months from the date on which an appeal against such refusal was dismissed; whichever is the latest; and provided only one such application may be made in the case after the expiration of the three year period mentioned in sub paragraph (a) above.
3. That the development to which this permission relates must be begun not later than the expiration of 3 years from the date of this permission or within 2 years from the final approval of matters specified by conditions, whichever is the later.
4. No development shall commence until a detailed Flood Risk Assessment has been submitted to and approved in writing by the Planning Authority; development thereafter shall proceed in accordance with the approved Flood Risk Assessment.
5. No development shall commence until a noise survey has been submitted to and approved in writing by the Planning Authority: development thereafter shall proceed in accordance with any requirements of the approved noise survey.
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.

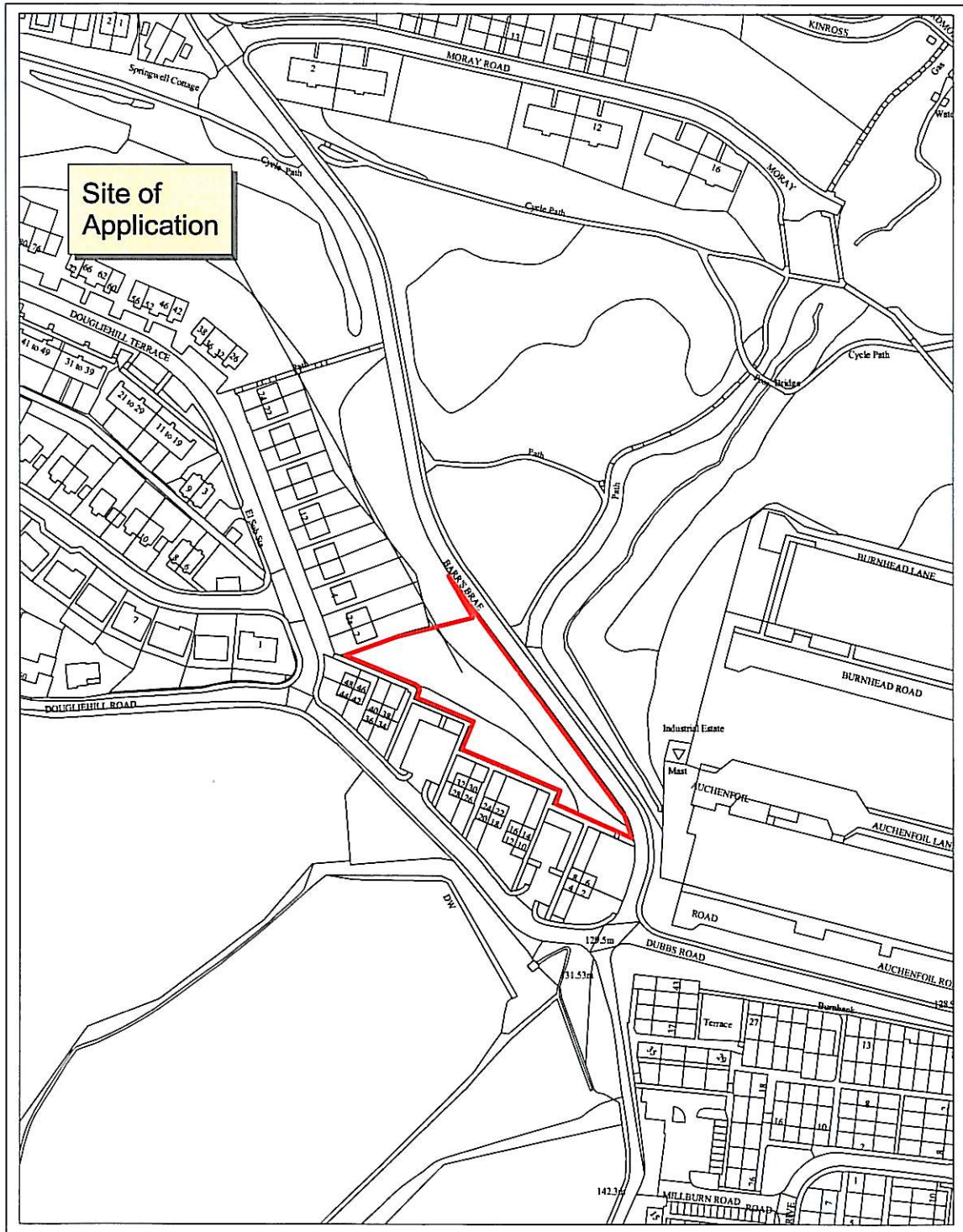
Reasons

- 1-3. To comply with Section 59 of the Town and Country Planning (Scotland) Act 1997.
4. To prevent harm from flooding.
5. To prevent harm from noise.
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.

Stuart Jamieson
Head of Regeneration and Planning

BACKGROUND PAPERS

1. Application form
2. Application plans
3. Inverclyde Local Plan
4. Inverclyde Council PPAN3
5. Planning permissions IC/97/349 and IC/80/398
6. Planning application 11/0073/IC



Drawing No. 11/0074/IC Barr's Brae, Port Glasgow.

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