
Report To:	The Planning Board	Date:	7th September 2011
Report By:	Head of Regeneration and Planning	Report No:	11/0081/IC Plan 09/11 Local Application Development
Contact Officer:	Mike Martin	Contact No:	01475 712412
Subject:	Renewal of planning permission for erection of 28 dwellings (IC/04/447R) at Bridgend, Inverkip.		

SITE DESCRIPTION

The application site lies on the east side of the A78 Trunk Road at the north edge of Inverkip Village and adjoins the bowling green to the south. It is situated within the Inverkip Village Conservation Area. It currently comprises a self contained grouping of 17 houses accessed directly from the main road. To the immediate rear of this housing lies the associated garden ground, outbuildings and amenity space. A track follows the edge of the housing development towards the south, and on the east of the site forms the boundary.

PROPOSAL

The proposal is to erect 28 linked dwellings to the rear of the existing housing. These would be predominantly 2 storey in height with two feature sections of 3 storey. The units comprise a mixture of 2 and 3 bedroom flats, a group of four 3 bedroomed town houses and one 4 bedroomed townhouse. The design is traditional in scale and character with pitched roof construction and features pend access. Externally the proposed materials are wet dash render with slate effect roofing and white upvc windows. The development would form an L shape, thus creating a central core which would comprise shared amenity space, vehicular access and parking areas for the proposed and existing housing. Access from the A78 road would be repositioned to the southern edge of the site and as a result of the development the area immediately in front of the existing houses facing the main road would form amenity space to be allocated to these dwellings.

In September 2005 planning permission was refused for the erection of 28 houses at Bridgend, Inverkip. This decision was subsequently overturned and planning permission was granted in April 2006. The applicant is seeking to renew this planning permission for a further period of 3 years.

DEVELOPMENT PLAN POLICIES

Strategic Policy 1 – Strategic Development Locations

Priority shall be given to investment in the following locations, as identified on the Key Diagram and Diagram 4, in order to maximise the scale of urban renewal in particular to support the Metropolitan Flagship Initiatives identified in Joint Policy Commitment 1 and to sustain rural communities:

(a) Town Centres

- (b) Urban Renewal Areas
- (c) Community Growth Areas
- (d) Rural Investment Areas
- (e) Joint Transport Priorities
- (f) Green Network Priorities

Glasgow and the Clyde Valley Green Belt

The Metropolitan Development Strategy requires the continued designation and safeguarding of the Glasgow and the Clyde Valley Green Belt within which there is a presumption against the spread of built up areas and the encroachment of development into the countryside. Local Plans shall define the detailed boundaries and policies to safeguard the Green Belt (as identified on Diagram 9 to take account of the requirements of SPP 21 Green Belts).

Strategic Policy 9 – Assessment of Development Proposals

In order to accord with the Structure Plan, development proposals will require to satisfy the following criteria. Any proposal which fails to meet these criteria will be regarded as a departure from the development plan and will be required to be justified against the criteria in Strategic Policy 10. These criteria are complementary, and the fulfilment of one criterion does not over-ride the need to satisfy the others.

- A. That the case for any development which exceeds the thresholds set out in Schedule 9 has been established in the terms of:
 - (i) the ten-year marketable land supply for industrial and business development;
 - (ii) the assessment of housing proposals (except on urban brownfield sites) against the demand and effective supply of owner occupied housing land in the relevant housing market area, Schedule 6(b)(i), and planned programmed output in the appropriate Sub-market or Housing Market Areas in Schedule 6(b)(ii); or
 - (iii) a requirement identified in a local plan (Schedule 6(b)(iii)) for affordable housing as defined and categorised in PAN 74; or
 - (iv) the criteria set out in Schedule 6(c)(i) and the requirements identified in Schedule 6(c)(iv); or
 - (v) the assessment of aggregate mineral extraction proposals (except extensions to existing workings) against the ten year supply and demand within the Structure Plan Area; or
 - (vi) its relationship to the requirements for waste management facilities set out in the Glasgow and Clyde Valley Area Waste Plan.

- B That the location of the development is appropriate in terms of the need to:
 - (i) safeguard and avoid the diversion or displacement of investment from the development locations identified in Strategic Policies 1, 5, 6 and 8;
 - (ii) promote Urban Regeneration by:
 - (a) giving preference to the use of brownfield urban land rather than greenfield land or open space;
 - (b) safeguarding the Glasgow and Clyde Valley Green Belt, Strategic Policy 1;
 - (iii) safeguard and promote the vitality and viability of town centres identified in Schedule 1(a) by:
 - (a) locating major office development within or adjoining the Strategic Business Centres identified in Schedule 5(a);
 - (b) taking a sequential approach to proposals for retail, office (Class 2), cultural and leisure development as set out in Schedule 6(c)(ii);
 - (iv) safeguard the environmental resources listed in Schedule 7 or identified in local plans (including regard to landscape character and quality);
 - (v) avoid isolated and sporadic development in the Green Belt and the wider countryside;
 - (vi) promote Sustainable Transport by:
 - (a) the application of the Hierarchy of Accessibility as set out in Schedule 3(a)(i);
 - (b) the application of criteria for sustainable locational choices as set out in Schedule 3(a)(ii);

- (c) the safeguarding of the routes for Strategic Transport Network development proposals (Schedule 4);
- (vii) implement the waste management hierarchy as defined in the National Waste Strategy and priorities identified in the Area Waste Plan;
- (viii) avoid the risk of flooding from all sources throughout the relevant water and drainage catchment area and safeguard the storage capacity of the functional flood plain;
- (ix) avoid negative impact upon Health and Safety;
- (x) contribute to the implementation of the Air Quality

Local Plan Policy DS8 - Green Belt

There is a presumption against development in the designated Green Belt, as identified on the Proposals Map. Proposals will only be considered favourably in exceptional or mitigating circumstances and where the criteria for development in Policy DS10 for the 'Countryside' can be satisfied.

Local Plan Policy DS10 - Countryside

Development within the countryside (including the Green Belt) will be permitted only where it can be supported with reference to the following criteria:

- (a) it is required for the purposes of agriculture and forestry;
- (b) it is a recreation, leisure or tourism proposal which is appropriate for the countryside and contributes to the social and economic development of the area;
- (c) there is a specific locational requirement for the use and it cannot be accommodated on an alternative site;
- (d) it entails appropriate re-use of vacant buildings which it would be desirable to retain for their historic or architectural character; or
- (e) it forms part of an establishment or institution standing in extensive grounds; and
- (f) it does not adversely impact on the landscape character;
- (g) it does not adversely impact on the natural heritage resource;
- (h) it does not adversely affect the visual amenity of the area and is capable of satisfactory mitigation;
- (i) there is a need for additional land for development purposes, provided it takes account of the requirements of the Structure Plan; and
- (j) it complies with other relevant Local Plan policies.

Local Plan Policy DS11 - Clyde Muirshiel Regional Park

Clyde Muirshiel Regional Park will be safeguarded by having regard to Local Plan policies DS8 and/ or DS10 and in accordance with the Planning Practice Advice Notes Nos. 5 and 6, under Policy DC1.

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 HR1 - Designated Environmental Resources and Built Heritage

Development that would adversely affect, directly or indirectly, the natural or built heritage resources listed in Schedule 9.1 and where indicated, on the Proposals Map, will not normally be permitted.

Having regard to the designation of the environmental resource and built heritage, exceptions will only be made where:

- (a) Sites of Special Scientific Interest (SSSI) will not be compromised;
- (b) visual amenity and townscape will not be compromised;
- (c) no other site, identified in the Local Plan as suitable, is available;
- (d) the social and economic benefits of the scheme outweigh the total or partial loss of the environmental resource;
- (e) the developer has demonstrated that the impact of the development on the environment will be minimised; and
- (f) the loss can be compensated by habitat creation/site enhancement elsewhere, and where there are satisfactory arrangements to achieve this.

Local Plan Policy HR11 - Development Within and Adjacent to Conservation Areas

Development proposals both within and adjacent to Conservation Areas will be acceptable where they are sympathetic to the existing character, pattern of development and appearance of the area and the following matters are satisfactorily addressed, as appropriate:

- (a) siting and orientation of new buildings;
- (b) overall design and style;
- (c) scale of building, extension or alteration;
- (d) design details;
- (e) finishing materials; and
- (f) landscaping and boundary materials.

Local Plan Policy HR12 - Impact of Development Within Conservation Areas

When assessing Conservation Area development proposals (both within and adjacent to it) consideration will be given to the impact they will have on townscape and the wider landscape, especially when viewed from adjacent transport routes and vantage points accessible to the public.

Policy HR15 - The Setting of Listed Buildings

Development will be required to have due regard to the effects on the setting of, and principal views from, Listed Buildings and shall be without detriment to their principal elevations and the main approaches to them.

CONSULTATIONS

Head of Environmental and Commercial Services - no objections subject to conditions regarding flood prevention measures.

Head of Safer and Inclusive Communities - no objections subject to conditions relating to environmental controls, public health and noise control.

Transport Scotland - no objections subject to conditions relating to access design and visibility splays.

Scottish Environment Protection Agency – no objections subject to conditions relating to drainage.

Historic Scotland, Clyde Muirshiel Regional Park, West of Scotland Archaeology Service and Scottish Civic Trust – no objections.

PUBLICITY

The application was advertised in the Greenock Telegraph on 8th April 2011 as a Development affecting a Conservation Area; as a Development affecting the setting of a Listed Building; as it is contrary to the Development Plan; and as there are no premises on neighbouring land.

SITE NOTICES

A site notice was posted on 8th April 2011 for Development affecting a Conservation Area, and affecting the setting of a Listed Building.

PUBLIC PARTICIPATION

Two letters of representation have been received. One is an objection from the Inverkip and Wemyss Bay Community Council, while the other comprises comments from the Strathclyde Passenger Transport Executive.

The points of objection made by the Inverkip and Wemyss Bay Community Council are:-

1. Adverse impact upon the character and appearance of Bridgend including its listed building element and location within the Conservation Area
2. Adverse impact upon the Historic Designed Landscape of Ardgowan
3. Unsuitability of road access

The Strathclyde Passenger Transport Executive indicate that concerns have been raised by Strathclyde Police with regard to buses stopping on this section of the A78 and that this practice requires to cease. The renewal of consent should be subject to a planning condition requiring the provision of suitable bus stop facilities, including the provision of lay-bys on both A78 carriageways to allow the safe stopping of service buses.

ASSESSMENT

The determining factor in the assessment of the application is the appeal decision. The Reporter accepted that the proposal, encroaching into the Green Belt, was in conflict with both Structure and Local Plan Policy, but required to assess the overall compatibility of the proposal with the plans recognising other policies. He considered the proposed land use as residential is appropriate. Viewed within the concept of a courtyard development he found the density acceptable, reflecting the form of existing buildings within the overall environment which would be considerably improved, whilst integrating well into the existing landscape form. He was satisfied that the development would not only preserve, but enhance the Conservation Area and is sympathetic to the character of the listed building. Accordingly the Reporter found no conflict with Local Plan policies relative to residential amenity and the built and historic environment. On balance he considered the breach of

policy resulting from a small portion of the site encroaching into the Green Belt would not be materially detrimental to its function or character and appearance, and as such any concern in this regard is substantially outweighed by the environmental benefits arising.

On the matter of road safety, the Reporter noted that the development would meet sightline requirements at the proposed junction with the A78 and, on balance, considered there to be no material impact on road safety.

The appeal was accordingly sustained, with planning permission being granted subject to conditions requiring a phased development, the prior external refurbishment of existing buildings, road junction improvements and further approval of external building materials, landscaping and bat protection (if found necessary after survey).

In so far as the relevant Structure Plan Policies have not changed in the intervening period and there have been no material changes to the relevant policies between the Final Draft Local Plan 2002 and the now adopted Inverclyde Local Plan 2005, there are no reasons to justify withholding a renewal of the original permission.

While I note the points of objection, these are similar to issues previously addressed by the Reporter. Consultation responses have indicated additional requirements relating to the provision of bus layby(s) and flooding/drainage. The applicant offers no objection to the imposition of additional conditions.

RECOMMENDATION

That the application be granted subject to conditions.

Conditions

1. That before the development hereby permitted starts, full details and samples of all materials to be used on the elevations and roofs of the buildings, including windows, and also the proposed boundary treatments shall be submitted to and approved by the Planning Authority.
2. That before the development hereby permitted begins full details of hard and soft landscaping works shall be submitted to and approved in writing by the Planning Authority; details of the work shall include:
 - (i) existing and finished ground levels in relation to a fixed datum;
 - (ii) existing landscaping features and vegetation to be retained, and in the case of damage, restored;
 - (iii) a programme for the completion and subsequent maintenance of soft landscape works.
3. Any planting implemented as part of the approved landscape scheme which in the opinion of the Planning Authority is dying, severely damaged or diseased within five years of planting shall be replaced by species of similar specification to those originally planted.
4. No existing trees or shrubs being lopped, topped, felled, removed or disturbed in any way without the prior written consent of the Planning Authority.
5. Existing trees both within the development site and the boundary of the site which are not to be felled or lopped as part of the proposals are to be protected in line with British Standards 5837 – Guidelines for Trees in relation to Construction. No development shall take place until details of tree protection measures have been submitted to and approved in writing by the Planning Authority.
6. No tree felling, lopping or scrub clearance shall take place within the main bird breeding season, March to June inclusive.

7. That before the development hereby permitted starts a suitably qualified surveyor, approved by the Planning Authority in consultation with Scottish Natural Heritage, shall survey the site for the presence of bats. A report from this survey shall be submitted to the Planning Authority for approval, in consultation with Scottish Natural Heritage. Any protection measures approved shall be implemented to the satisfaction of the Planning Authority in consultation with Scottish Natural Heritage.
8. That before construction works begin on the development hereby permitted, a phasing plan incorporating the details of the comprehensive external refurbishment relating to the existing houses at Bridgend including the grade B Listed Buildings be submitted to and approved by the Planning Authority and before the first of the new residential units hereby permitted is occupied, these works shall be completed.
9. The proposed means of access to the Trunk Road shall be located as shown on Drawing No. 411/PL/02C and shall be to a design approved by the Planning Authority in consultation with Roads Authority. It shall be in accordance with the Design Manual for Roads and Bridges and the Specification for Highway Works. No part of the development shall commence until the new access is formed and the existing accesses are closed off.
10. Visibility splays shall be provided on each side of the new access to the satisfaction of the local Planning Authority. These splays are the triangles of ground bounded on two sides by the first 4.5 metres of the centreline of the access driveway (the set back dimension) and the nearside trunk road carriageway measured 215 metres (the y dimension) in both directions from the intersection of the access with the trunk road. In a vertical plane, nothing shall obscure visibility measured from a driver's eye height of between 1.05 metres and 2 metres positioned at the set back dimensions to an object of between 0.26 metres and 1.05 metres anywhere along the y dimension.
11. There shall be no drainage connections to the trunk road drainage system.
12. The road serving the development will require to be to adoptable standard and will require a Construction Consent.
13. Prior to the commencement of development on site, design calculations for the proposed soakaway shall be submitted to and approved in writing by the Planning Authority. Prior to the occupation of the first house on site, the approved soakaway shall be constructed and be fully operational.
14. Prior to the commencement of development on site, a copy of communications with the relevant authorities (Scottish Water and SEPA) regarding the site discharge of foul and surface water along with roads drainage details shall be submitted to and approved in writing by the Planning Authority. Prior to the occupation of the first house on site, the approved drainage Scheme shall be constructed and be fully operational.
15. 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.
16. That the development shall not commence until an environmental investigation and 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.

17. 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.
18. 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 for approval, in writing by the Planning Authority.
19. That no fill or landscaping material shall be imported onto the site until written details of the Source and intended reuse of the imported materials has been submitted for approval, in writing by the Planning Authority. The report shall characterize the chemical quality (including soil – leachate and organic content etc), volume and source of the imported materials with corresponding cross sections and plans indicating spatial distribution and depth / thickness of material placement within the development site. The material from the source agreed only shall be imported strict accordance with these agreed details.
20. The applicant shall submit to the Head of Regeneration & Planning a detailed specification of the containers to be used to store waste materials and recyclable materials produced on the premises as well as specific details of the areas where such containers are to be located. The use of the residential accomodation shall not commence until the above details are approved in writing by the Head of Regeneration & Planning and the equipment and any structural changes are in place.
21. All external lighting on the application site should comply with the Scottish Government Guidance Note “Controlling Light Pollution and Reducing Lighting Energy Consumption”.
22. The applicant or their main contractor shall consult with the Head of Safer and Inclusive Communities prior to the commencement of works to agree times and method of working in relation to possible noise disruption from the site.
23. Prior to the occupation of the first residential unit within the development, provision shall be made for bus stopping on the A78 in the vicinity of the site to the satisfaction of the Planning Authority in consultation with the Trunks Road Authority and SPT.

Reasons

1. To ensure the proposed materials are acceptable in the interests of visual amenity.
- 2-5. To ensure the provision of adequate landscaping on the site, in the interests of visual amenity.
- 6-7. To ensure species protection and to comply with the requirements of the Conservation (Natural Habitats) Regulations 1994.
8. To ensure the appropriate phased development of this site in conjunction with the comprehensive external refurbishment of the existing properties at Bridgend, including the Grade B Listed Building, in the interest of securing the heritage value of the site.

9. To minimise interference with the safety and free flow traffic on the trunk road and to ensure the standard of access complies with the current design standards.
10. To ensure that the drivers of vehicles leaving the site are able to see and be seen by vehicles on the trunk road and join the traffic stream safely.
11. To ensure that the efficiency of the existing drainage network is not affected.
12. To ensure the provision of adequate vehicular access facilities.

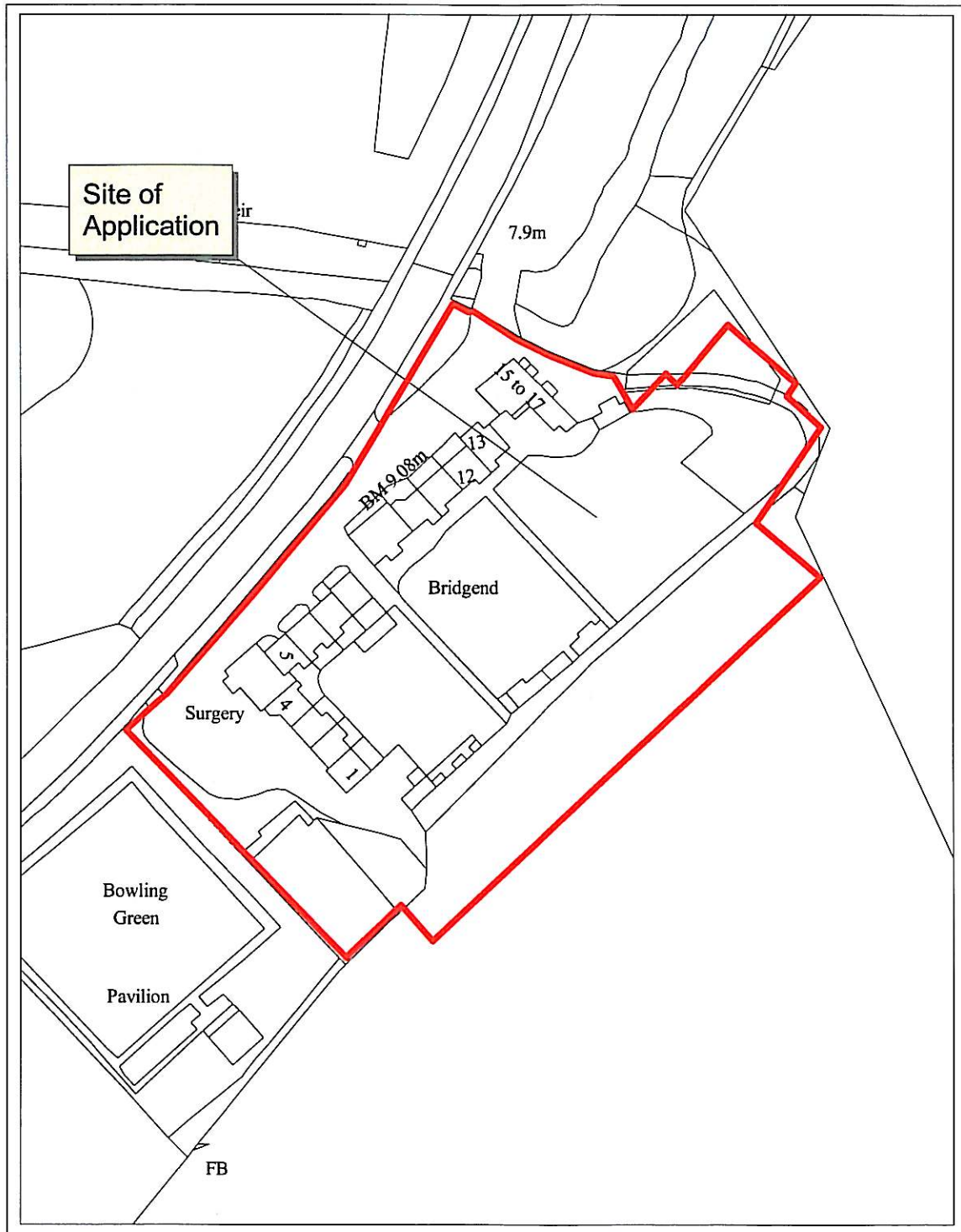
- 13&14. To prevent flooding of the application site and adjoining land.

15. To help arrest the spread of Japanese Knotweed in the interests of environmental protection.
16. To satisfactorily address potential contamination issues in the interests of environmental safety.
17. To provide verification that remediation has been carried out to the authority's satisfaction.
18. To ensure that all contamination issues are recorded and dealt with appropriately.
19. To protect receptors from the harmful effects of imported contamination.
20. To protect the amenity of the immediate area, prevent the creation of nuisance due to odours, insects, rodents or birds.
21. To protect the amenity of the immediate area, the creation of nuisance due of to light pollution and to support the reduction of energy consumption.
22. To minimise noise disruption.
23. To allow the safe stopping of service buses and to ensure that the development proposals are in line with Scottish Government planning guidance on sustainable travel.

Stuart Jamieson
Head of Regeneration and Planning

Background Papers

1. Application Forms
2. Application Plan
3. Glasgow and Clyde Valley Joint Structure Plan
4. Inverclyde Local Plan
5. Scottish Government Planning Appeal Decision 4th April 2006
6. Letters of Representation.
7. Consultation Responses.



Drawing No. 11/0081/IC Bridgend, Inverkip.

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