

---

<b>Report To:</b>	<b>The Planning Board</b>	<b>Date:</b>	<b>2 November 2011</b>
<b>Report By:</b>	<b>Head of Regeneration and Planning</b>	<b>Report No:</b>	<b>11/0172/IC Plan 11/11  Local Application Development</b>
<b>Contact Officer:</b>	<b>Guy Phillips</b>	<b>Contact No:</b>	<b>01475 712422</b>
<b>Subject:</b>	<b>Construction of 42 Terraced &amp; Semi Detached Houses, including a new access road at vacant former school site between Banff Road and Nairn Road, Greenock</b>		

## **BACKGROUND**

At the October meeting of the Planning Board, consideration of the above planning application was continued for a site visit to allow Members to consider the site and its environs. The site visit was undertaken on 27 October 2011.

## **SITE DESCRIPTION**

The former Springfield Primary School at the north end of Berwick Road, Greenock extends to approximately 1.29ha and slopes downwards from west to east. To the west the site is bound in part by the rear of houses on Banff Road and by Banff Road itself. To the east are houses fronting Nairn Road and to the north west are the side gables of houses at Caithness Road. All neighbouring housing is of two storey, semi detached and terraced design, finished in render with grey and red concrete roof tiles.

Access to the site is from an inshot of Berwick Road. There are four two storey semi detached and three, two storey terraced houses to either side.

## **PROPOSAL**

It is proposed to construct 42 terraced and semi detached, two and three bedroom houses, finished in facing brick, render and concrete roof tiles. Two terraces each of four houses, on the west side of the site front Banff Road. The remaining 34 houses take access via the inshot from Berwick Road. Due to the sloping topography, retaining walling is proposed through the site from north to south, including between the rear of existing and new properties at Banff Road and the inshot off Berwick Road. The rear gardens of the houses on the east side of the site, backing onto the existing Nairn Road houses, are to be formed with gently sloping, low terraces, up to approximately 250mm high.

## **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 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 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.

#### 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.

## CONSULTATIONS

**Head Of Environmental And Commercial Services** - There is no off road parking on the inshot off Berwick Road accessing the development. This length of road is subject to a high demand for on road parking and consequently is reduced to one lane over its length by on road parking. In order to prevent congestion and confrontation to the detriment of road safety off road parking should be provided for the 9 houses in this length of road. This Service recommends the application is refused on the grounds road safety would be prejudiced unless 9 off road parking spaces are provided.

It is further advised by the Head of Environmental and Commercial Services that the Flood Risk Assessment submitted with the planning application is acceptable. He further notes that the developer will install field drains behind the retaining walls to catch surface run-off and they will also install an extra length of wall to further protect the houses on Nairn Road from flooding. The proposed run off is 25% less than the existing and with the attenuation on site the surface water flow into the culverts has been reduced by 80%.

**Head Of Safer And Inclusive Communities** - No objections subject to standard contaminated land conditions and advisory notes regarding bin storage, lighting and noise from construction.

**Land Use Consultants** - Clarification on how the provision of playspace will be addressed is required. The provision of private garden space is considered appropriate for the size and type of

development. The proposal would benefit from increased tree planting, inclusion of hedging and clarification of shrub planting.

**Scottish Water** - No objections.

## **PUBLICITY**

The application was advertised in the Greenock Telegraph on 15th July 2011 as there are no premises on neighbouring land.

## **SITE NOTICES**

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

## **PUBLIC PARTICIPATION**

81 objection letters have been received.

The objectors to the proposal are concerned that:-

Site layout/use

- The site should be used to form a play area. The proposed layout contains no play area.
- Too many houses are proposed.

Impact on neighbouring houses

- Walling and drainage is to be constructed to the rear of properties on Nairn Road.
- Housing, walling and fencing to the rear of Nairn Road shall block sunlight. The houses should be built at a lower level.
- The proximity to existing houses on Banff Road shall adversely affect privacy.
- Views from neighbouring houses shall be adversely affected.
- There is doubt over what will happen with the garden boundary treatment of existing houses.
- Property values shall be adversely affected.
- Water supply pressure shall be adversely affected.
- Neighbours may incur maintenance costs for landscaping within the site.

Traffic

- Increased traffic shall adversely affect road safety, prevent children from playing on street and slow emergency vehicles.
- The only access to the site is via Berwick Road.
- There shall be pedestrian traffic through Caithness Road.

Nature conservation

- There are nesting birds in trees in adjoining properties.
- There are bats in the area.

Social issues

- Occupancy of the proposed housing requires to be controlled.
- There are no primary school or nursery facilities in the area.
- The site has been the subject of tipping in the past.

- Tenants shall engage in anti social behaviour.
- An area of open space at Nairn Road shall be used as a gathering place for youths.

#### Procedure

- Neighbour notification does not allow sufficient time for consideration of revised plans.
- A flood risk assessment requires to be carried out to address flooding issues from the site.
- Residents were not consulted by the applicant on what should be built on the site.
- Application plans on the internet do not provide sufficient detail.
- The key on the site layout plan refers to a house type which does not appear on the plan.

#### Site construction

- There shall be nuisance from noise, dust and hours of construction. Upheaval from site works has the potential to make neighbours ill.
- There has been alleged damage to kerbing from vehicles associated with site investigation works.
- Construction works shall put pressure on parking.

### **ASSESSMENT**

The material considerations in the determination of this planning application are the Local Plan, the Council's PPAN 3 "Private & Public Open Space Provision In New Residential Development", the consultation responses and the written representations.

Policy H1 of the Local Plan seeks to safeguard and, where practicable, enhance residential amenity and character. The best measure, I consider, as to whether or not the proposal achieves that aim is to assess it against the Council's PPAN3 and Local Plan policies DC1, H8 and H11.

Firstly, I will address garden sizes. PPAN3 advises that, in the case of large scale infill developments, minimum garden sizes of 6m front, 9m rear and 2m from side gable to side boundary should apply. The proposed layout satisfies this standard. Indeed, the rear/private garden areas throughout the development vary between approximately 12 and 16m in depth. The PPAN advises that the Council will give consideration to requirements for toddler play provision when the developer provides rear/private garden ground considerably in excess of the 9m depth. The garden sizes are such a size that specific toddler play provision is not required outwith individual residents gardens.

Looking at overall open space and play area provision, the PPAN advises that 1.64ha of open space should be provided per 1000 population. On the basis of 208 bed spaces, there is a requirement for 0.34ha of open space. Approximately 1.7ha is proposed but there is no play provision. Where developments are located in close proximity to established parks or play areas, the Council may, in appropriate cases, consider as an alternative to on site provision of play equipment, the supplementing, at the expense of the developer, of existing play equipment in the nearby park or play area. The applicant has confirmed that land in their ownership at the nearby Angus Road (which is being cleared of housing) shall be retained as open space to serve the Larkfield area. The PPAN further advises that a bond to cover the cost of maintenance and replacement over a 10 year period shall be required. Given the limited open space provision in this instance, however, I consider that a bond is not required.

Overall, I am therefore satisfied that the density of development and open space/play provision is appropriate for the location and meets the Council's guidelines established in PPAN3 and in turn Policy H11.

Moving on to consider the specifics of the proposed design, Policy H8 advises that proposals for residential development required to satisfy a range of development management criteria including:-

(a) compatibility with the character and amenity of an area in terms of land use, density, design and materials used.

- The area is wholly residential in character, containing housing of similar scale and design to that proposed. Garden sizes are of comparable size to those in the area. I am further satisfied that the proposed mix of facing brick, render and concrete roof tiles is sympathetic to the finishes of adjoining properties.

(b) visual impact of development on the site and its surroundings.

- Given the similarity in scale and design of the proposed housing to that surrounding I consider impact on visual amenity to be positive. The relationship of the proposed housing on the sloping site to adjoining housing is typical of numerous housing developments throughout Greenock. The relationship to houses in Nairn Road, in particular, has been satisfactorily addressed by the provision of generously sized back gardens which have been formed into a series of gently sloping, low terraces. There is an approximately 23m separation between the rear of the Nairn Road houses and the rear of the houses in the proposed development, thus mitigating the impact of the increase in height between the properties and obviating any potential impact on privacy. Visual impact from retaining walls within back gardens on the western part of the site is outwith the public domain.

(c) landscaping proposals.

- There are no objections from the Council's landscape advisors and I am satisfied that the queries they have raised can be satisfactorily addressed by condition.

(f) assessment against the Council's Roads Development Guide with regard to road design, parking and traffic safety.

- The Head of Environmental and Commercial Services recommends that planning permission be refused in the absence of off street parking for the existing 9 houses on the Berwick Road inshot. The applicant has provided off street parking within the development in accordance with the Roads Development Guide, and it is not the role of the planning application process to use compliant applications to resolve problems caused by other non compliant developments. It is inappropriate to require the provision of off street parking for vehicles not directly associated with the development. Indeed Scottish Executive Circular 4/1998 clearly informs that such a condition would fail the test of relevance. While the concerns of the Head of Environmental and Commercial Services are valid, I recognise that the inshot served for many years as a vehicular access to the former Springfield Primary School, the existing houses in the Berwick Road inshot have never benefitted from off street car parking and as a publicly adopted road any issue of obstructive parking can be controlled by traffic regulation order or by road design adjustments. Furthermore, the combination of the narrow road and on street parking combine to "influence driver behaviour to reduce vehicle speed appropriate for the local context", identified as a key consideration in the Scottish Government's Policy Statement on Designing Streets.

(g) provision of adequate services.

- There are no objections from Scottish Water.
- Regarding primary school and nursery provision, Inverclyde Council are currently undertaking a rationalisation process and it is for this process to assess need and location of schools and nurseries.

Overall, I am therefore satisfied that the proposal is acceptable now to consider if there are other material considerations that determine a recommendation against Local Plan policy. Excepting the remarks of the Head of Safer and Inclusive Communities previously considered, there are no

detrimental consultation replies. I agree with the observations of the Head of Safer and Inclusive Communities that the issue of potential contamination can be satisfactorily addressed by conditions.

Regarding the issues raised by the objectors and not covered by my assessment against the Local Plan, social issues of occupancy and perceived anti social behaviour from tenants, site construction issues, loss of view and property values are not material Town Planning considerations. In response to concerns over procedural aspects of the application, statutory neighbour notification timescales have been adhered to, the application plans have been correctly presented on the internet, there is no requirement for the applicant to engage in pre application public consultation, and the anomaly in the site layout drawing has been corrected. There are no trees within the site to provide accommodation for breeding birds, nor are there any structures which would provide roosts for bats. Regarding the boundary treatment adjoining neighbouring gardens, it is desirable that new fencing is not erected against existing fencing/hedges and the applicant is in agreement that this issue should be addressed on a plot by plot basis, reserved by condition.

## **RECOMMENDATION**

That the application be granted subject to conditions

### Conditions

1. No development shall commence until samples of all external materials have been submitted to and approved in writing by the Planning Authority; development thereafter shall proceed utilising the approved materials, unless the Planning Authority gives its prior written approval to any alternatives.
2. No development shall commence until fully detailed boundary treatment proposals have been submitted to and approved in writing by the Planning Authority.
3. No development shall commence until fully detailed landscaping proposals have been submitted to and approved in writing by the Planning Authority. The approved scheme of landscaping shall be completed within the first planting season following the completion of the 42 houses hereby approved and any specimens which in the subsequent 5 years die, become diseased or are damaged shall be replaced in the next planting season with a similar specimen, unless the Planning Authority gives its prior written approval to any alternative.
4. The land in the applicant's ownership at Angus Road, Greenock, identified in the approved plan shall be retained as public open space in perpetuity.
5. 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.
6. 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.

7. 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.
8. 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.
9. 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.

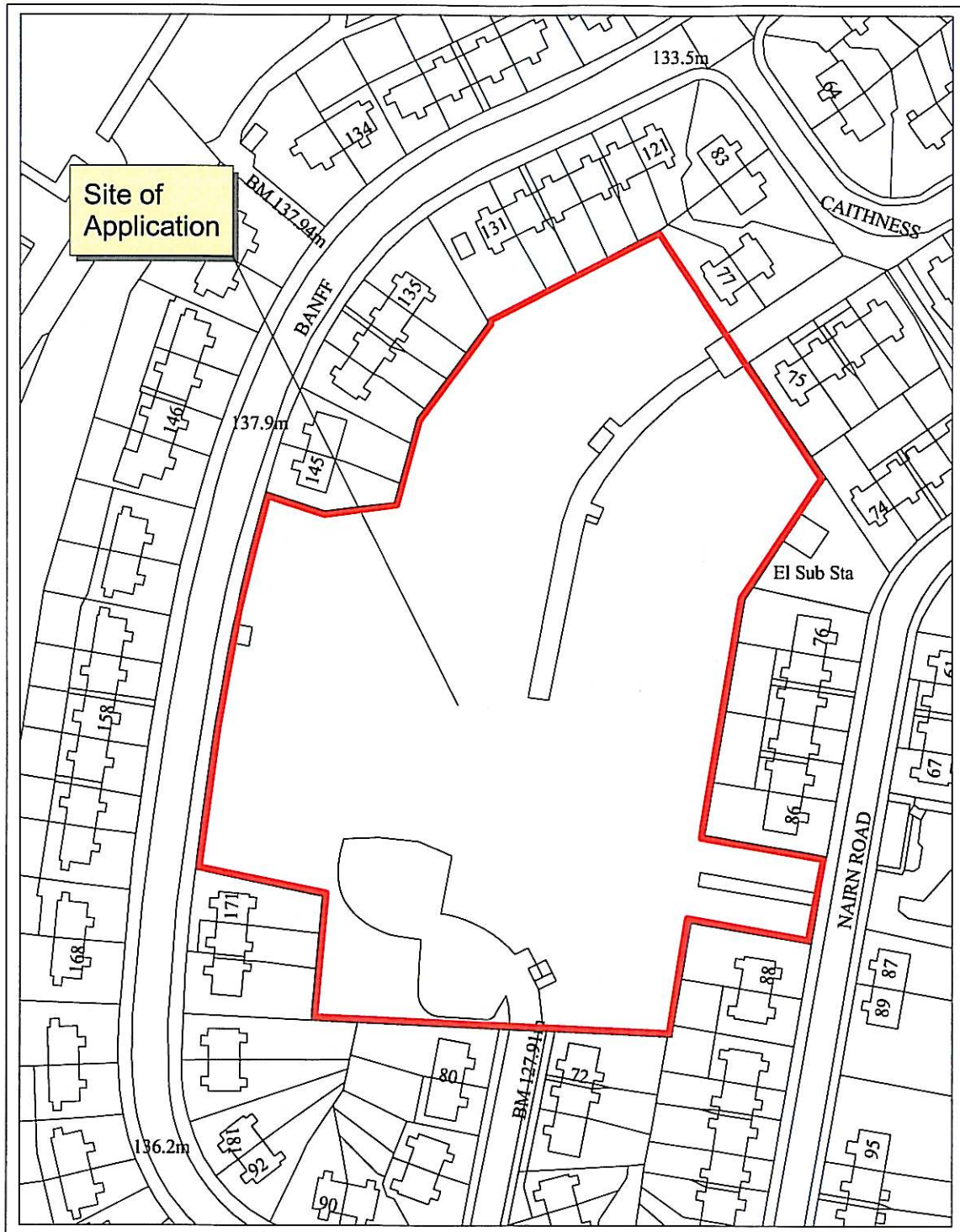
#### Reasons

1. To ensure a continuity of finishing materials in this part of Greenock.
2. To ensure the provision of a quality boundary treatment regime throughout the development and to avoid conflict with the boundary treatment of adjoining gardens.
3. To ensure the provision of a quality and sustainable landscape scheme.
4. Due to the shortfall in open space provision within the site and to accord with the design guidance in the Council's PPAN3.
5. To help arrest the spread of Japanese Knotweed in the interests of environmental protection.
6. To satisfactorily address potential contamination issues in the interests of environmental safety.
7. To provide verification that remediation has been carried out to the Authority's satisfaction
8. To ensure that all contamination issues are recorded and dealt with appropriately.
9. 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. Consultation responses
6. Written representations



Drawing No. 11/0172/IC Banff Road/Nairn Road, Greenock.

Drawn by: JML

Date: 20:09:11



Crown Copyright. (100023421) (2011)  
ALL RIGHTS RESERVED

Inverclyde  
council

regeneration and planning