
Report To:	The Planning Board	Date:	2nd November 2011
Report By:	Head of Regeneration and Planning	Report No:	09/0175/IC Plan 11/11
			Major Application Development
Contact Officer:	David Ashman	Contact No:	01475 712416
Subject:	Mixed use "Urban Village" development including residential, business, community use and small scale retail at Inverkip Power Station		

SITE DESCRIPTION

Inverkip Power Station and its grounds extend to 43 hectares in a prominent coastal location between Inverkip and Wemyss Bay. The power station is sited on an expanse of generally level ground directly fronting the coast and with a backdrop of tree cover including the western parts of the Wemyss Plantation (protected by a Tree Preservation Order). Culverted sections of the Brueacre Burn run through the site.

Beyond the plantation are the northern reaches of Wemyss Bay and the A78 trunk road. Access to the site is from the Brueacre Interchange.

PROPOSAL

Planning permission in principle is sought for a comprehensive redevelopment of the site with the intended creation of a mixed use village. A development framework sets out general principles and guidelines for building aimed at creating a village reflective of others along the coast, characterised by a mix of house types and development densities and with a population level that sustains a variety of local facilities. Site analysis and early community consultation identified a number of key elements central to the successful redevelopment of the site which are summarised as:

- Securing a mixed use development of a brownfield site
- Creating a new village by the sea with the potential for a local shop, business space, community facilities and safe and pleasant open spaces
- A green network that reinforces and protects key landscape elements
- A movement network to provide connections to and through the site between Wemyss Bay and Inverkip
- Creation of an attractive place that responds to its outstanding coastal and landscape setting

The resulting development framework identifies four discrete neighbourhoods across the site set around a centrally located area of open space developed around Brueacre Burn. These neighbourhoods will vary in nature and density, with contrasting street patterns and a mix of local retail, community and recreational facilities, residential, a series of business spaces and a small

pub/restaurant concentrated in the “Main Street” and “Harbourside” neighbourhoods. “The Hill” and “Streets and Lanes” neighbourhoods are exclusively residential. Along the front is a sea walk providing key linkages through the site. The “Streets and Lanes” neighbourhood is located north of the burn, with the “Main Street”, “Hill” and “Harbourside” neighbourhoods to the south and set within and adjacent to the Wemyss Plantation. In all, the development area is only 50% of the total site area.

The approximate site areas and identified development densities are as follows:

Main Street:	4.9ha; 40 units/ha
Harbourside:	1.4ha; 35 units/ha
Streets and lanes:	10.7ha; 25 units/ha
The Hill:	5.7ha; 28 units/ha

Access will be from the Brueacre Interchange with the formation of a new roundabout within the site to facilitate effective traffic management. A road network will be developed within the site with the provision of bus stops close to the site entrance to help encourage the use of public transport.

The development provides the opportunity to effectively manage the Wemyss Plantation and other trees through a woodland management plan.

The application is supported by a series of technical documents, including an environmental statement, a transport assessment and an ecological statement. The transport assessment identifies improvements required to the road transport network in order to deal with the impact of the proposed development on traffic flows, particularly on the A78.

LOCAL PLAN POLICIES

Policy SA5 - Inverkip Power Station

Inverclyde Council, as Planning Authority, will support the redevelopment of the Inverkip Power Station site, identified on the Proposals Map as SA5, by having regard to the implementation of the Development Strategy, and subject to a Masterplan/Development Brief, to be agreed in advance by the Council. The Masterplan should take cognisance of the following mixed use planning policy framework.

Land Uses

The preferred strategy is for the development of an ‘urban village’, wherein the following uses will be permitted:

- (a) Leisure: Watersports Facility and other Outdoor Recreation (Use Class 11), Hotel (Use Class 7), Food and Drink (Use Class 3) and Public House;
- (b) Community Facilities (Use Class 10);
- (c) Houses (Use Class 9) and use as Residential Flats;
- (d) Neighbourhood Retail (Use Class 1); and
- (e) Employment: Financial, Professional and Other Services (Use Class 2) and Business (Use Class 4).

Siting and Design

The following siting and design guidelines will be applied:

- (f) new development will be restricted to previously developed areas and the established landscape framework should be retained;
- (g) the design and layout of buildings and the materials used in their construction should take cognisance of the coastal and rural nature of the area; and
- (h) the layout of uses should encourage links to develop between the site and the village of Wemyss Bay.

Access

- (i) the principal road access should be taken from the Brueacre Interchange, which will be required to be improved (Schedule 5.1);
- (j) a direct vehicular link should be formed between the site and Wemyss Bay;
- (k) pedestrian and cycle links should be established to/from Wemyss Bay, and also within the site, including provision made for the extension of the Inverclyde Coastal Route ;
- (l) the site should be served by public transport; and
- (m) visitor car parking should be provided throughout the site.

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 H5 - Housing Development Opportunities

Inverclyde Council, as Planning Authority, will support and encourage residential development on the sites, indicative locations and 'New Neighbourhoods' included in Schedule 7.1 and indicated on the Proposals Map.

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 DS6 - Promotion of a Sympathetic Approach to Enhance the Environment of the Coastline

The riparian environment and scenic setting of Inverclyde's developed and undeveloped coastline will be safeguarded by promoting development only where adequate and sustainable sea defences are included in the proposal and where it will enhance, and not detract from, this unique asset.

Local Plan Policy DS7 - Promotion of the Integration of Transport and Land Use Planning

The integration of transport and land use planning will assist the sustainable settlement strategy through: assessing the transportation implications of proposed developments; directing new developments to locations accessible by a choice of means of transport; and protecting and promoting the development of transport infrastructure which supports the sustainable movement of people and freight.

Local Plan Policy TA1 - Promotion of Sustainable Transport

Inverclyde Council, through the policies of this Plan, will support the development of an integrated transport system and encourage the use of sustainable forms of transport to help reduce the use of the private car and the movement of freight by road.

Local Plan Policy TA2 - Accessibility of Major Developments

Inverclyde Council, as Planning Authority, will seek to reduce the need to travel by private car by directing new major travel-generating developments to locations accessible by walking, cycling and public transport. Developers may be required to submit Transport Assessments and Green

Transport Plans demonstrating that such developments will be easily accessed by means other than the private car.

Local Plan Policy TA4 - Managing the Strategic Road Network

Inverclyde Council, as Planning Authority, will seek to manage development that would affect traffic flow on the strategic road network within Inverclyde, so as to allow essential road traffic to undertake journeys as efficiently as possible.

Local Plan Policy - TA7 Promotion of Walking and Cycling

In order to increase the use of walking and cycling as a means of transport, Inverclyde Council will require that:

- (a) major destinations, including town and local centres, educational establishments, centres of employment and public transport nodes, are accessible and linked by clearly signposted, and well lit and direct footpaths and cycle routes; and
- (b) the needs of cyclists and pedestrians are recognised in new developments and considered in Green Transport Plans.

Local Plan Policy TA8 - Improving Accessibility

Inverclyde Council, as Planning Authority, will require proposals for major trip-generating developments in areas difficult to access by public transport to be accompanied by a commitment by the developer to introduce and sustain public transport improvements within that area.

Local Plan Policy TA9 - Developer Contributions

Inverclyde Council, as Planning Authority, will, for major trip-generating developments, seek contributions from the developer towards pedestrian, cycle, public transport and highway improvements, which have been identified as necessary through an associated transport assessment.

Policy TA12 - Impacts on Capacity of Trunk Roads

Where the travel generated by a proposed development results in a significant impact on the flow or safety of traffic on a trunk road, the developer will be expected to mitigate this impact. Such mitigation should initially focus on reducing the private car travel demand of the development, and only after all practicable measures to achieve this have been taken will infrastructure improvements to cope with the additional traffic be considered. Infrastructure improvements to the trunk road will be required to provide 'no net detriment' to flow and safety. Direct access onto the A8(T) or A78(T) from a new development will only be acceptable where:

- (a) it is necessary for a development of major economic benefit to Inverclyde, and where the Scottish Executive and the Council are satisfied that the road will continue to function effectively; or
- (b) it would result in a net improvement to the functioning of the trunk road.

Local Plan Policy H10 - Development Proposals for Community Facilities

Proposals for the development of new community facilities, for the expansion, rationalisation or upgrading of existing facilities or the reuse and/or redevelopment of redundant facilities and/or grounds will be considered on their merit and have regard to the following criteria, as and when appropriate:

- (a) the town centre sequential test;

- (b) compatibility with neighbouring uses in terms of the scale of development and the nature of the activity proposed;
- (c) the impact on zoned and locally valued amenity open space;
- (d) the impact of the volume, frequency and type of traffic likely to be generated by the proposal;
- (e) infrastructure availability;
- (f) social and economic benefits;
- (g) the cumulative impact of such facilities on an area; and
- (h) other relevant Local Plan policies.

Local Plan Policy R6 - Town Centre/Retail Development Opportunities

Inverclyde Council, as Planning Authority, will support and encourage the development of town centre uses on the sites included in Schedule 8.1 and as identified on the Proposals Map, including Greenock Town Centre Inset Map G.

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 HR9 - Tree Preservation Orders

Inverclyde Council will continue to manage works within designated Tree Preservation Orders. Where it is considered necessary, for amenity reasons, to protect other trees or woodland areas, the Council will promote new Tree Preservation Orders.

Local Plan Policy HR10 - Planting and Management of Trees and Woodlands

Inverclyde Council will ensure trees and woodland throughout Inverclyde are protected and enhanced through:

- (a) promoting the planting of broad leaved and native species;
- (b) protecting and promoting the positive management of hedgerows, street trees and any other trees considered to contribute to the amenity of the area;
- (c) protecting and promoting the positive management of ancient and semi natural woodlands; and
- (d) encouraging the planting of appropriate trees as an integral part of new development.

Local Plan Policy LR7 - Strategic Route: Glasgow to Inverclyde

Inverclyde Council supports and will protect the strategic Glasgow to Inverclyde Route. Proposed extensions to this route to enhance the 'core path network' will be supported, taking into account potential conflicts of users and land uses. An alternative route will be secured in the event of the

reopening of the Glasgow Central-Bridge of Weir-Kilmacolm railway line, which formerly occupied part of this strategic route.

Local Plan Policy LR8 - Inverclyde Coastal Route

Inverclyde Council supports and will seek to complete the Inverclyde Coastal Route (footpath and cycleway), as part of the 'core path network' throughout Inverclyde. Developers will be required to make appropriate provision in submitting planning applications, particularly in the four coastal Special Development Areas, identified in the Plan.

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 UT2 - New Infrastructure

Proposals for the development of new, or extensions to existing, utilities and service infrastructure, will be considered favourably subject to assessment against:

- (a) impact on residential amenity;
- (b) impact on Inverclyde's built heritage and natural environmental resources;
- (c) impact on the landscape;
- (d) impact of any associated noise, smell or hazard; and
- (e) other relevant Local Plan policies.

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

Scottish Government Directorate for the Built Environment - Due to their possible future involvement the Scottish Executive could not comment.

Transport Scotland - No objection subject to conditions in respect of modifications to the trunk road, slip road and provision of a roundabout at the northern junction with Inverkip Main Street as per the Transport Assessment submitted by W S Atkins, the formation of the cycle route within the site, and the provision of bus stops.

Head Of Environmental And Commercial Services - It is accepted that the development is not forecast to generate a significant impact on the A78 or the local road network and that the road alterations identified will address local roads issues. A series of comments are made on detailed design issues to be addressed at the detailed application stage.

Strathclyde Partnership for Transport - Reservations expressed over the ability of bus services to penetrate site. A Section 75 Agreement is required to subsidise early bus operations. Safe and secure cycle facilities should be provided at Inverkip Railway Station.

Architecture And Design Scotland - Generally supportive subject to consideration of the possible negative effect of road design on the "gateway" into the site, links to schools and public transport

links, community provision and the relationship to Wemyss Bay, landscape design, sustainability and the procurement processes (ensuring that high quality development is achieved).

Scottish Environment Protection Agency West - The proposed discharge of surface water to the water environment is to be in accordance with the principles of the SUDS Manual (c697; CIRIA; March 2007). The masterplan will require to be revised to remove reference to online SUDS ponds. Conditions should be applied requiring a detailed flood risk assessment, detailed design of the restored Brueacre Burn demonstrating that the channel is sized appropriately to contain a 1:200 year flood event, and finished floor levels above the 1:200 year flood event level. The existing sea wall and rock revetment is satisfactory for flood defence purposes subject to inspection.

Head Of Safer And Inclusive Communities - Recommends imposition of conditions covering air quality impact assessment, potential emissions and environmental impacts of proposed developments, contaminated land investigation and treatment of Japanese Knotweed. Other matters such as litter disposal facilities and lighting control may be addressed through advisory notes.

Scottish Water - No objection. Various technical matters will remain to be addressed by the applicant directly with Scottish Water.

Scottish Natural Heritage – There is sufficient information on European Protected Species for the Council to determine the application. SNH has no objection subject to conditions relating to barn owl and otter habitat and mitigation/management, the long-term conservation management of the remaining woodland and the implementation of natural heritage mitigation measures identified in the Environmental Statement. Any permission must refer to the proposed mitigation strategy of the applicant, set out in a supporting document.

Royal Society For The Protection Of Birds - Concerns about impacts on nesting birds. Retention of the jetty or part of it as an ecological habitat is requested. The provision of nesting boxes as an alternative may be acceptable.

Biodiversity Officer - Conditions are recommended in proposing a Woodland Management Plan for the remaining areas of woodland; habitat enhancement of the waterfront areas for eider ducks to roost (to compensate for the loss of the jetty); the provision of at least 25 nest boxes for Black Guillemots; the provision of 10 nesting ledges for Shags with a further 20 factored in if the initial 10 are successful. Details will be required of maintenance arrangements for the nest boxes/ledges.

Inverkipp and Wemyss Bay Community Council – Object to the proposal until the required upgrading of Brueacre Interchange is carried out; infrastructure of community services is lacking for the additional development; the proposal for 780 house units is overdevelopment; and, the excessive number of houses will disadvantage business and commercial interests.

Head Of Education - No requirement for a new primary school provided that the rate of house building does not exceed 60 houses per annum in the first 5 years and 100 houses per annum in the second 5 years.

Scottish Gas Networks - Minimum distances are set for working in the proximity of pipes.

PUBLICITY

The application was advertised in the Edinburgh Gazette and Greenock Telegraph on 3rd July 2009 due to the submission of an environmental impact assessment and as there are no premises on neighbouring land.

SITE NOTICES

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

PUBLIC PARTICIPATION

25 representations were received, 22 of which oppose the proposals. The points of objection may be summarised as follows:

Transport

- Concerns that the current road infrastructure, including the A78 will not cope with the increased levels of traffic associated with the development.
- The existing road network will not be able to cope with demolition traffic. Removal of materials by sea is suggested.
- Pedestrian and cycle links to Wemyss Bay will only be achieved at the expense of the privacy of existing residents and will create a security problem.
- Public transport will require further support to cope.

Nature Conservation

- The possible removal of the Wemyss Plantation (the use of protective fencing and transfer of this land to the Council is suggested).
- The proposal will not protect local amenity and biodiversity.
- Concerns that the Environmental Statement does not address contamination of the site from oil and other fuels.
- Objections to built development overstepping the existing built-up part of the site and the impact on the Wemyss Plantation.

Procedure

- Lack of consultation with the community.
- Access to information associated with the application was limited due to advanced neighbour notification by the applicant.
- The original condition of planning permission for the power station required a return to Green Belt land when the station was to be demolished.
- The site should be returned to Green Belt.

Visual impact

- Loss of view and privacy due to new houses in close proximity to existing residences.
- The power station should remain as a local landmark.

Facilities

- A new primary and secondary school will be required.
- A new leisure centre should be built as part of the proposals.

Housing market

- Opposition to the construction of flats due to no perceived market.
- Effect of new housing on property values.

The points made by those in support of the application may be summarised as follows:

- It will result in an increase in revenue to the local economy.

- Handled correctly, it could be a positive development in Inverclyde's regeneration.
- A contribution could be sought to improving the A78.

It is suggested that if permission is to be granted then the following should be secured:

- Improvements to slip roads including the introduction of street lighting and new road surfaces.
- Improved public transport access and infrastructure.
- Reduced numbers of residential properties (from the 780 identified in the Transport Assessment) but increased numbers of industrial units.
- Increased provision for leisure facilities.
- Opportunities to access the waterfront for maritime sailing opportunities should be realised.

ASSESSMENT

The material considerations in determination of this application are the Local Plan, national planning guidance, the consultation replies, the letters of representation and the applicant's supporting information. Before assessing the proposal against the Local Plan, it is appropriate to consider the planning history.

Proposals for redevelopment date back more than ten years. Discussions were first held with representatives of Scottish Power in 1999, which at that time retained the site as a 'strategic reserve' source of power and had no plans to decommission the site. The position changed and in consultation with Planning officials, a masterplanning document was submitted by Scottish Power as part of the emerging Final Draft Local Plan, published in April 2002. Four written objections were made on the proposal to identify the Power Station site as a 'Special Development Area' in the Local Plan, and discussion at the Local Plan Inquiry held in April/May 2004 was limited to its role in the overall supply of housing land. Despite the Reporter's recommendation, in January 2005 the Council decided to take Inverkip Power Station out of the Local Plan.

This decision resulted in months of discussion and negotiation with Scottish Power and their representatives. This involved presentations to elected members and a masterplanning document 'Inverkip Power Station – A New Sustainable Neighbourhood' (August 2005), leading to a change of view. This opened the way for the site be re-instated in the Local Plan in September 2005, albeit with further modifications, including reference to a maximum dwellings figure of 400 units. Amendments and safeguards covered the overall development concept; the timing of the removal of the power plant and a commitment to timescales for any development on the site (clearance beginning in 2007, anticipated commencement in 2012). This led to a fresh round of objections (from some 40 members of the public and Inverkip & Wemyss Bay Community Council, the latter reiterating their objections). In November 2005, the Council concluded that the substance of these objections were neither new, material nor significant, and agreed to move to adopt the Local Plan, which it did in January 2006.

Subsequent to adoption, Scottish Power undertook extensive community consultation through late 2006 and the first half of 2007. There followed a quiet period of reconsideration by Scottish Power in advance of the submission of a planning application in June 2009.

Overall and in broad terms, the planning permission in principle application and supporting masterplan document for Inverkip Power Station is in accord with Local Plan Policy SA5. The acceptable land uses covered in Policy SA5 (a) to (e) are in accord with the Plan's development framework. In addition, the cross-references made to other parts of the Local Plan and the justifications presented for the developments proposed are also in accordance with other relevant Local Plan policies.

An important consideration in identifying the power station site for the Local Plan in 2005 was to emphasise the timeframe of the proposal and to acknowledge that it could at first sight appear to run counter to one of the overall aims of the Plan; redressing the west-east imbalance of residential development. A long lead-in time was explicitly stated in Policy SA5, recognising that demolition, land preparation, the need to prepare a masterplan and obtain planning permission would make 2012 the earliest start on site, with houses not occupied until at least 2013/14.

With housebuilding not practicable on the site over the short term, it was considered that the development would not compromise the priority of regeneration along the Greenock-Port Glasgow waterfront. Events have confirmed this, although the economic downturn and recession since late 2007 has not helped maintain momentum and the pace of regeneration achieved.

The recession has also delayed this proposal. At this stage it can be expected that the timeframe envisaged in 2005 has now been pushed back at least a further 3 years, with the likelihood that it will be 2014/15 at the earliest before house completions are achieved on site. Moreover, given the build rate on a site this size is likely to be no more than 40-50 per annum (with a limit of 60 houses per annum in the first 5 years being an education provision requirement), it will take at least 12-14 years to build out. At these annual rates, it is unlikely that this development will seriously impact on the rest of the Inverclyde Housing Market Area.

The market sectors likely to be targeted for this site are unlikely to be in competition with that of 'The Harbours' or James Watt Dock, Greenock, for example. Nor are the New Neighbourhoods of Port Glasgow and south west Greenock likely to be attractive to potential residents of this site. If the corporate aim of reversing depopulation is to be achieved through housing-led regeneration, then a wide range of different housing sites in different localities will be vital to Inverclyde's future prosperity, and this renewal cannot be achieved overnight. Rather, regeneration remains generational in its timescale and large sites such as this provide the means and continuing flexibility to achieve the 'step-change' that is needed for the area.

A key outstanding issue is the stipulation under Local Plan Policy H5 and expressed in Schedule 7.1(a), ref 'ho71' that, "Inverkip Power Station should have a maximum capacity of 400 housing units". It is clear from the development framework and other supporting documentation presented with the application that the site has a capacity considerably greater than this stated maximum. The overall assessment of the site's capacity for housing and in particular that used for the Transport Assessment is based on a capacity of up to a maximum of 780 dwelling units, but this is considered an over estimate of the potential. If densities are limited to the lower figures identified in the Development Framework, a capacity of approximately 640 is more likely.

Putting aside actual housing numbers, discussions with the applicant have focused on the key principle of placemaking. There is no doubt that the physical size of the site has the potential to accommodate in excess of the 780 houses against which constraints were assessed. This is clearly a long term development site, stretching well beyond the Local Plan period and placed well behind other established sites in the east of Inverclyde in terms of availability. Focus has been placed on recognising the constraints of the infrastructure, with particular emphasis on roads and education while at the same time creating a sustainable place. Clearly there is a need to balance the development of a sustainable village, recognise infrastructure constraints and allow for other windfall developments along the A78 corridor. It is not considered appropriate to permit development up to the tested capacities, but to encourage the Development Framework principles. This design led approach has produced evidence that a village of approximately 640 houses can be developed on the site in a desirable manner and with acceptable impact on services if density limitations of 40/ha (Main Street), 35/ha (Harbourside), 28/ha (The Hill) and 25/ha (Streets and Lanes) are set.

Looking closely at the Development Framework, the proposal sets out development potential for residential (houses and flats), a public house, a hotel, neighbourhood retailing, offices and businesses. All these accord with acceptable uses identified by policy. The principles of siting and design detailed in the Development Framework accord with those in adopted policy; largely

restricted to previously developed areas, the existing landscaping framework is retained and the indicative layout demonstrates the ability to develop pedestrian and cycle linkages with Wemyss Bay. It has also been demonstrated that access can be achieved. The principal road access is to be from Brueacre Interchange with some required improvements; pedestrian and cycle links are possible to Wemyss Bay from within the site and also linking through the site along the identified Inverclyde Coastal Route, and provision can be made for public transport penetration.

There are some aspects of Policy SA5 that it is not possible to address at this stage, such as the detailed design and layout of buildings and the specific materials to be used in their construction. These are matters to be considered at a subsequent detailed application stage. There are other requirements that detailed site investigation suggests may not be possible due to site topography and the designated Wemyss Plantation Tree Preservation Order, the key one being a direct vehicular link to existing development within Wemyss Bay. Nevertheless, I am satisfied that the Development Framework generally takes account of and complies with the requirements of Policy SA5.

Beyond the site specific requirements of Policy SA5, there are plan wide policies that are applicable.

The re-use of a brownfield site ensures accordance with Policy DS1. Inverkip Power Station is included within Schedule 7.1 to Policy H5 and, as such, is a site for which the Council has indicated its support and encouragement of residential development.

Although the quality of the proposed new buildings, the townscape and the landscape cannot be properly assessed until the submission of detailed proposals, the Development Framework document provides sufficient illustration and explanation to confirm that promotion of quality in new building design and townscape/landscaping required by Policy DS5 can be achieved. Similarly, although details will follow on in subsequent detailed applications, there is sufficient information contained within the framework document, in the environmental statement and visible on site to suggest that compliance with Policy DS6 (sympathetic approach to enhance the coastline) will be achieved.

Policy DS7 seeks the integration of transport and land use planning and consideration of the sustainable and transportation implications of the development. Potential non vehicular linkages to Wemyss Bay have previously been considered. I also note that there are park and ride facilities at both stations (an additional park and ride facility with an associated railway bridge is under construction within the Stewart Milne/Redrow Homes Hill Farm development). Furthermore, the Development Framework identifies the provision of bus stops. Taking all these together I am satisfied that development will facilitate a variety of transport modes which will help to reduce reliance on private transport. Such an approach accords with the aims of policies DS7, TA1, TA2, TA7 and TA8.

Policy TA9 seeks developer contributions towards pedestrian, cycle, public transport and highway improvements. A contribution towards highway improvements has been offered and bus stop facilities will be accommodated. Furthermore, the applicant has indicated a willingness to contribute cycle storage facilities at Inverkip and Wemyss Bay stations although it has not been possible to secure the agreement of Network Rail.

Impacts on the strategic road network, particularly the A78 trunk road have been considered in the Transport Assessment and its associated indices. Improvements identified are the upgrading of the Brueacre Interchange on-slip roads, the provision of an access roundabout within the application site and the provision of a new roundabout at the northern connection of Inverkip Main Street to the trunk road. I am therefore satisfied that policies TA4 and TA12 can be complied with. The provision of the new off-site roundabout will be secured by condition and through Transport Scotland, given the public ownership of the land required for the works.

Policies H10 and R6 relate to the establishment of community and town centre/retail development opportunities respectively. The proposals map identifies the site as a community development opportunity and the proposed development would, in principle, support such a development. The nature of the opportunity will be developed through the later submission of detailed plans. Furthermore, although it is not possible to identify the precise numbers of houses and businesses/offices to be developed on the site at this stage, it is likely that a small neighbourhood retail development opportunity may be supported. Indeed, as anticipated by the Local Plan such a facility should be positively welcomed in the interests of sustainability in reducing the need to travel for small basic level goods.

Policies HR1, HR9 and HR10 all relate to trees. I am satisfied that the Development Framework shows due care and attention. With reference to policies HR9 and HR10, I am satisfied that securing a woodland management plan will help to secure its longevity.

Policy LR8 supports completion of the Coastal Route as part of the core path network throughout Inverclyde. As coastal developments progress the Council has consistently secured the surfacing of routes through developments and established either linkages to existing paths or protected the possibility of linkages to further development on adjacent land. The Development Framework identifies the need for such route provision and connections as part of the development strategy for the site and I am satisfied, therefore, that the requirements of this policy will be met. As part of the Glasgow to Inverclyde Strategic Route it follows that the aims of Policy LA7 will also be addressed.

Finally, turning to infrastructure concerns, as the site is to be cleared of its present development there will in reality be little opportunity to re-use existing infrastructure and the site will require to be fully serviced. Hence, considering policies UT1 and UT2 together, connections will require to be made to existing infrastructure outwith the site. The utility suppliers have raised no objection. Assessment against the criteria in Policy UT2 may be more comprehensively carried out when detailed planning applications are submitted. The same principle applies to sustainable urban drainage considerations under Policy UT3. I note, in the meantime, that both SEPA and the Head of Environmental and Commercial Services are satisfied that the supporting information provided by the applicant addresses concerns at this stage of the development proposal.

In all aspects other than site capacity, I am satisfied that the proposed development accords in principle with Local Plan policy. However, given the infrastructure capacity of the site including consideration of road, traffic and education provision capacity, I am satisfied that the potential to create a high quality, sustainable village on a brownfield site in one of Scotland's most attractive coastal settings provides justification for supporting this departure from the development plan.

I am further satisfied that the proposal is largely in accord with the overall aim of the SPP in helping promote sustainable economic growth, in promoting positive coastal planning, housing choice, appropriately scaled economic development, protection of the natural environment, the promotion of open space and associated physical activity, addressing potential flooding and drainage issues, and taking cognisance of transport related issues. Nevertheless, beyond policy considerations, it remains to be assessed if there are any material considerations which suggest that permission should not be granted. I will firstly assess the detailed consultation responses.

Architecture and Design Scotland (A+DS), whilst supporting the principle of the development have made a number of representations not previously addressed. On the visual impact of the proposed access arrangements, the illustrations in the Framework Document are indicative. Traffic flow has to be managed, there will only be one vehicular access to and from the A78 and the eventual access solution will not be considered in isolation but with reference to the quality of landscape design. I am supportive of the principles set out in the Framework Document of a soft eastern border to the proposed neighbourhoods and the creation of a central recreational space. I consider, however, that there may be the opportunity to secure "fingers" of planting penetrating into the proposed neighbourhoods, although this is a matter that may be more properly addressed at the detailed application stage. Overall I am satisfied that the Council has sufficient control through the

granting of conditional permission to ensure that the comments of A+DS, where appropriate, can be facilitated.

Issues raised by SEPA can be addressed by condition. I note comment on a required revision to the Development Framework to correct the current inclusion of online SUDS ponds and that the applicant has accepted the surface water drainage strategy will have to refer to offline SUDS ponds. This matter may also be addressed by condition.

As the upgrade to the roads network will be required in the early phases of development I consider that Inverkip and Wemyss Bay Community Council's concerns on this aspect of the proposal will be addressed. The framework document identifies a neighbourhood where commercial and business interests may be developed, including a live/work themed development.

There have been considerable discussions with the Head of Education over the ability of existing schools to accommodate any increase to the school roll as a result of the development. Wemyss Bay Primary School, as a non-denominational school was recently refurbished and expanded with the proposed development in mind. Presently, children from Wemyss Bay are bussed to St Ninian's Primary in Gourrock, the nearest denominational primary. The Head of Education has confirmed that provided development on the site is controlled by phasing, specifically the numbers of house completions per year, then St Ninian's can accommodate the anticipated growth which will tie in with the planned extension to the school within the next four years. The restriction would be not more than an average of 60 house completions per year for the first five years of the development and not more than 100 house completions per year after that (assuming an overall total not exceeding 780 units). The applicant has agreed to this phasing and the matter can be addressed by condition.

With respect to the comments of the Royal Society for the Protection of Birds, the applicant has confirmed that as a matter of safety the entire jetty requires to be removed. The alternative nest box provision may be secured by condition.

The requirement of Strathclyde Partnership for Transport that a Section 75 Agreement be drawn up to subsidise future bus operations is regarded as unreasonable and not one that I consider merits support. It is more important to ensure accessibility of the site to bus services and I am satisfied that once access improvement works are carried out the entrance to the site, and as development progresses on the site, there will be sufficient numbers of passengers to encourage penetration by bus services. Cycle storage has been addressed previously in this report.

I am therefore satisfied that all consultee replies have either been addressed or may be addressed.

Turning to the representations and those matters not already addressed above, the biodiversity of the site and potential contaminants have been considered in the Environmental Statement and the relevant consultees have expressed their overall satisfaction with its contents. There are no biodiversity issues that suggest permission should be refused.

On consultation with the community and the adequacy of neighbour notification, I am satisfied that the pre-application consultations undertaken by the applicant was appropriate and enabled public comment. Neighbour notification was undertaken under old regulations by the applicant and online access to plans and other supporting documents was only restricted for a limited time period prior to the application being validated. I am satisfied that the right to make comment in accordance with legislative requirements was facilitated.

It is acknowledged that although built development will not, according to the information submitted with the application, be limited to the existing developed parts of the site, this does not merit refusal of the application and was anticipated in the narrative associated with Policy SA5. Of greater importance is to ensure that features of the site that merit protection, primarily the Wemyss Plantation, are largely protected and that development takes place on the site that is appropriate to

amenity. The extent of any intrusion into the Wemyss Plantation will be considered and assessed at the detailed application stage.

I note concern over the potential impact of cycle and pedestrian linkages on the privacy of existing adjacent residents in Wemyss Bay and fears over security issues related to use of the proposed routes. I consider that if development is to take place then linkages to Wemyss Bay and its community facilities have to be achieved in the interests of sustainability. The detail of these linkages and their design and illumination to help create an environment that will encourage their usage will be addressed at the detailed application stage.

Concerns over the marketability of flatted residences, perceived effects on property valuations and loss of view from neighbouring residences are not material planning considerations. Privacy concerns for existing residences will be addressed once detailed site layouts are submitted at a later stage.

Although the return of the site to the Green Belt has been mentioned by some objectors, such considerations were addressed prior to adoption of the current Local Plan and are not material to consideration of the application. Similarly, the retention of a disused power station solely as a local landmark is contrary to the Local Plan.

With respect to the comments in support of the application, I consider that most of these have already been addressed. A requirement to assess the possibilities of ensuring that access to the waterfront can be created in the interests of watersport provision may be addressed by condition although this will have to be considered against flood protection requirements.

Overall, therefore, I consider that no issues have been raised by those making representations that suggest that planning permission should be refused. Other matters may be addressed by conditions.

RECOMMENDATION

That the application be granted subject to the following 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:
 - a. the siting, design and external appearance of any building(s) to which the planning permission or the application relates;
 - b. the siting, design and external appearance of any fences and walls;
 - c. details of the access arrangements;
 - d. details of all hard and soft landscaping of the site, including play provision, and arrangements for their management and maintenance;
 - e. details of the cycleways and walkways including lighting arrangements;
 - f. details of the proposed community facility/facilities.

The above details shall be submitted prior to the start of development on the site or, where relating to a character area, prior to the start of development within that area.

2. That prior to the commencement of development on site a phasing plan shall be submitted to and approved in writing by the Planning Authority and that, for the

avoidance of doubt, it shall be based on a general pattern of development beginning with a central core and progressing outwards. The phasing plan shall specify the following:

- a. the sequence in which the character areas are to be developed, including any overlap;
 - b. the completion of the sea walk prior to occupation of the first dwellinghouse within the site including any inspection programme and repairs/building or re-building programme;
 - c. the phasing of a woodland management plan relative to character area provision.
3. That prior to the commencement of development on each of the character areas, detailed development/design briefs for each area shall be submitted to and approved in writing by the Planning Authority. These shall follow the general guidance contained within the approved Planning and Development Framework document, dated June 2009. Development shall, thereafter, follow the approved briefs.
 4. That the maximum densities within the character areas shall be as follows:
 - a. "Main Street" shall not exceed 40 units per hectare
 - b. "Harbourside" shall not exceed 35 units per hectare
 - c. "The Hill" shall not exceed 28 units per hectare
 - d. "Streets and Lanes" shall not exceed 25 units per hectare
 5. That the rate of housing construction within the development shall not exceed 60 units (all types) per 12 month period within the first 5 years and 100 dwellings per year thereafter, beginning with construction of the first dwelling.
 6. That no residential or non-residential premises within any of the character areas shall be occupied until the access road and roundabout from Brueacre Interchange are constructed to final wearing course level.
 7. That within each character area no dwelling, commercial premises, office or other workplace shall be occupied or brought into use until the road and footway(s) serving the property is completed to base course level.
 8. That within each character area, the road and footway(s) serving each dwelling, commercial premises, office or other workplace shall be completed to final wearing course level upon occupation of the final unit within the relevant street.
 9. That prior to the commencement of any part of the development hereby permitted, infrastructure modifications to the A78(T) Brueacre Northbound on-slip (generally as indicated in Atkins Figure Number 8.2 of the Proposed Brueacre Transport Assessment Final Report, January 2010) shall be implemented to the satisfaction of the Planning Authority in consultation with Transport Scotland-TRNMD.
 10. That prior to the commencement of any part of the development hereby permitted, infrastructure modifications to the A78(T) Brueacre Southbound on-slip (generally as indicated in Atkins Figure Number 8.3 of the Proposed Brueacre Transport Assessment Final Report, January 2010) shall be implemented to the satisfaction of the Planning Authority in consultation with Transport Scotland-TRNMD.
 11. That prior to occupation of any part of the development hereby permitted, infrastructure modifications to the A78(T) staggered crossroads formed by the intersection of the power station access road with the A78 northbound on and off-slips to a new 5 arm roundabout (generally as indicated in Atkins Figure Number 8.4 of the proposed Brueacre Transport Assessment Final Report, January 2010) shall be implemented to

the satisfaction of the Planning Authority in consultation with Transport Scotland-TRNMD.

12. That prior to occupation of any part of the development hereby permitted infrastructure modifications to the A78(T)/Inverkip Main Street (north) priority ghost island junction (generally as indicated in Atkins Figure Number 8.5 of the Proposed Brueacre Transport Assessment Final Report, January 2010) to form a new 3 arm roundabout shall be implemented to the satisfaction of the Planning Authority in consultation with Transport Scotland-TRNMD.
13. That prior to occupation of any part of the development hereby permitted, the part of the footpath and cycleway within the application site (generally as indicated in Atkins Figure Number 3.2 of the Proposed Brueacre Transport Assessment Final Report, January 2010) shall be implemented to the satisfaction of the Planning Authority in consultation with Transport Scotland-TRNMD.
14. That prior to occupation of any part of the development hereby permitted, a pair of bus stops (generally as indicated in Atkins Figure Number 5.3 of the Proposed Brueacre Transport Assessment Final Report, January 2010) shall be implemented to the satisfaction of the Planning Authority in consultation with Transport Scotland-TRNMD.
15. That prior to the commencement of development, a woodland management plan in respect of all woodland within the site shall be submitted to and approved in writing by the Planning Authority. This shall be based on a full arboricultural survey of the site carried out by a suitably qualified arboriculturalist. The approved woodland management scheme shall come into effect upon the commencement of development of the site.
16. That those trees to be retained shall be protected by measures in accordance with British Standard BS5837, erected before development starts within 100 metres of the affected trees. The protection measures shall be retained thereafter until the written approval of the Planning Authority for their removal is obtained.
17. That the first application for matters specified by conditions shall be accompanied by a full detailed flood risk assessment.
18. 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.
19. That a Construction Method Statement (CMS) and an Environmental Management Plan (EMP) shall be submitted to and approved in writing by the Planning Authority prior to development commencing on site. This shall include a programme for water quality monitoring in the Brueacre Burn.
20. That prior to the commencement of development the detailed design of the restored Brueacre Burn shall be provided demonstrating that the channel is sized appropriately to contain the 1 in 200 year flood event.
21. That all finished floor levels are to be above the 1 in 200 year flood level plus and appropriate freeboard as recommended by the Council's Head of Environmental and Commercial Services.
22. 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.

23. 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.
24. 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.
25. 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.
26. 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.
27. That prior to the commencement of development, a detailed barn owl mitigation and management plan based on contemporary information regarding the species' usage of the site shall be submitted to and approved in writing by the Planning Authority in consultation with Scottish Natural Heritage. The plan shall take effect upon approval by the Planning Authority.
28. That the full range of natural heritage measures identified in the Environmental Statement shall be adopted upon the commencement of development.
29. That prior to the commencement of development, the applicant shall submit details of a plan for the habitat enhancement of an area for eider ducks to roost with access discouraged by fencing and planting. The plan shall take effect upon approval by the Planning Authority.
30. That prior to the commencement of development, the applicant will provide details of at least 25 nest boxes for Black Guillemots within the application site. Details will also be provided and agreed in writing with the Planning Authority of a timetable for their implementation and maintenance/replacement arrangements.

31. That prior to the commencement of development, the applicant will provide details of 30 nesting ledges for Shags within the application site. Details will also be provided and agreed in writing with the Planning Authority of a timetable for their implementation and for the avoidance of doubt this will consist of two phases: the first phase to incorporate 10 ledges, the second phase to incorporate the remaining 20.
32. That no trees are to be felled or bushes removed during the bird breeding season of March to August.
33. That any subsequent application(s) for matters specified by condition shall be accompanied by details of a landscaping bond where these applications relate to either landscaping within any of the character areas or landscaping associated with the overall site infrastructure. The bond(s) shall be lodged with the Planning Authority prior to the start of development on the site or, where relating to a character area, prior to the start of development within that area.
34. That prior to completion of the overall site infrastructure or, where relating to a character area and occupation of the last house or commercial/business unit within that area, the associated approved landscaping scheme shall be implemented in full.
35. That any of the trees, areas of grass or shrubs approved as part of the landscaping scheme that die, become diseased, are damaged or removed within 5 years of planting shall be replaced with others of a similar size and species within the following planting season.
36. That the applicant shall liaise with Scottish Gas Networks over the position of mains within the site and that, for the avoidance of doubt, excavations shall not take place within 0.5 metres of a low pressure system, 2 metres of a medium pressure system and 3 metres of an intermediate pressure system.
37. That prior to the start of development, possible locations for the provision of a public access slipway shall be investigated and incorporated into the detailed proposals should a suitable access point be found.

Reasons

1. To comply with Section 59 of the Town and Country Planning (Scotland) Act 1997.
2. To ensure that the proposed village evolves from a central core and proceeds in a manner that ensures the safe and controlled development of the site.
3. To ensure continuity in the development of the site, to ensure an appropriate design, layout and environment is achieved, and to draw an appropriate relationship between the residential, business, commercial, community and retail components of the development.
4. To ensure an appropriate density is established within each character area of the development in order to facilitate the establishment the sense of place proposed by the Planning and Development Framework.
5. To ensure that development proceeds at a rate that will allow the existing school network to absorb the increased educational demand.
6. To ensure the provision of the appropriate road infrastructure before occupancy proceeds.

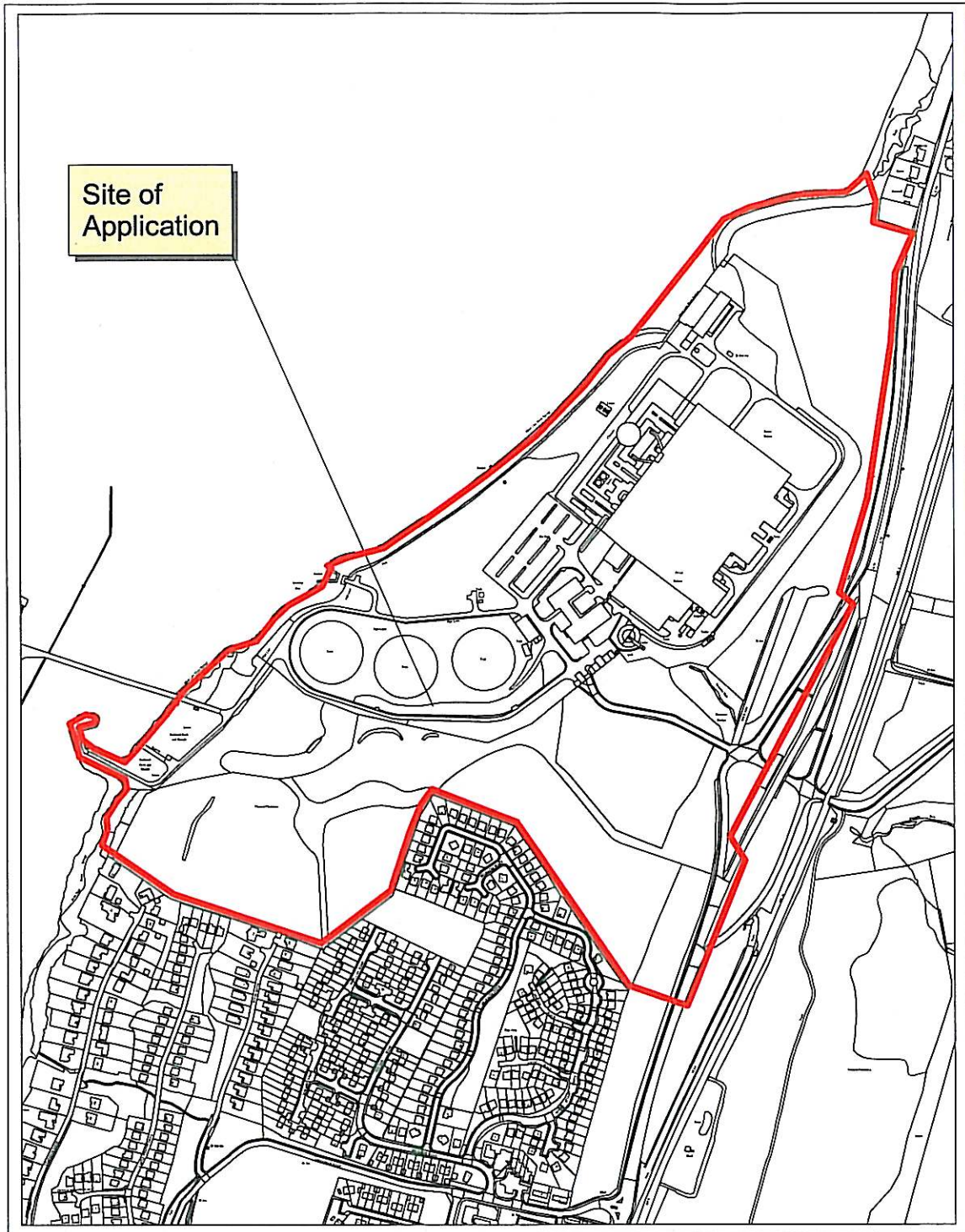
7. To ensure the provision of adequate vehicular and pedestrian access facilities for this stage of the development.
8. To ensure the provision of adequate vehicular and pedestrian access facilities for this stage of the development.
9. To minimise interference with the safety and free flow of the traffic on the trunk road.
10. To minimise interference with the safety and free flow of the traffic on the trunk road.
11. To minimise interference with the safety and free flow of the traffic on the trunk road.
12. To minimise interference with the safety and free flow of the traffic on the trunk road.
13. To ensure that facilities are provided for the pedestrians and cyclists generated by the development.
14. To ensure that facilities are provided within 400 metres walking distance for access to public transport networks without interfering with the safety and free flow of traffic on the trunk road.
15. To ensure the longer term retention of the woodland and to ensure that this is on a sound arboricultural basis.
16. To ensure protection of the trees during construction in the interests of long term visual amenity.
17. To ensure that the application site is protected from flooding from the River Clyde.
18. To control runoff from the site to reduce the risk of flooding.
19. To ensure that the ecological value of the Brueacre Burn can be maintained.
20. To reduce the risk of flooding within the application site.
21. To reduce the risk of flooding within the application site.
22. To help arrest the spread of Japanese Knotweed in the interests of environmental protection.
23. To satisfactorily address potential contamination issues in the interests of environmental safety.
24. To provide verification that remediation has been carried out to the Authority's satisfaction.
25. To ensure that all contamination issues are recorded and dealt with appropriately.
26. To protect receptors from the harmful effects of imported contamination.
27. In the interests of wildlife and to ensure works are not in breach of the Wildlife and Countryside Act 1981.
28. In the interests of retaining the ecology of the area.
29. In the interests of wildlife and to ensure works are not in breach of the Wildlife and Countryside Act 1981.

30. In the interests of wildlife conservation.
31. In the interests of wildlife conservation.
32. In the interests of wildlife and to ensure works are not in breach of the Wildlife and Countryside Act 1981.
33. To ensure the securing of appropriate landscaping for each stage of the development
34. To ensure that the approved landscaping scheme is implemented.
35. To ensure the integrity of the approved landscaping scheme in the interests of visual amenity.
36. To ensure protection of the gas mains in the interests of public safety.
37. To encourage the development of watersports.

Stuart Jamieson
Head of Regeneration and Planning

BACKGROUND PAPERS

1. Application form
2. Application plans
3. Supporting information
4. Inverclyde Local Plan
5. Scottish Planning Policy
6. Consultation replies
7. Letters of representation



Drawing No. 09/0175/IC Inverkip Power Station.

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