

Report To: The Planning Board

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Report By: Head of Regeneration and Planning

Report No: 12/0150/IC
Plan 11/12

Major Application
Development

Contact Officer: David Ashman

Contact No: 01475 712416

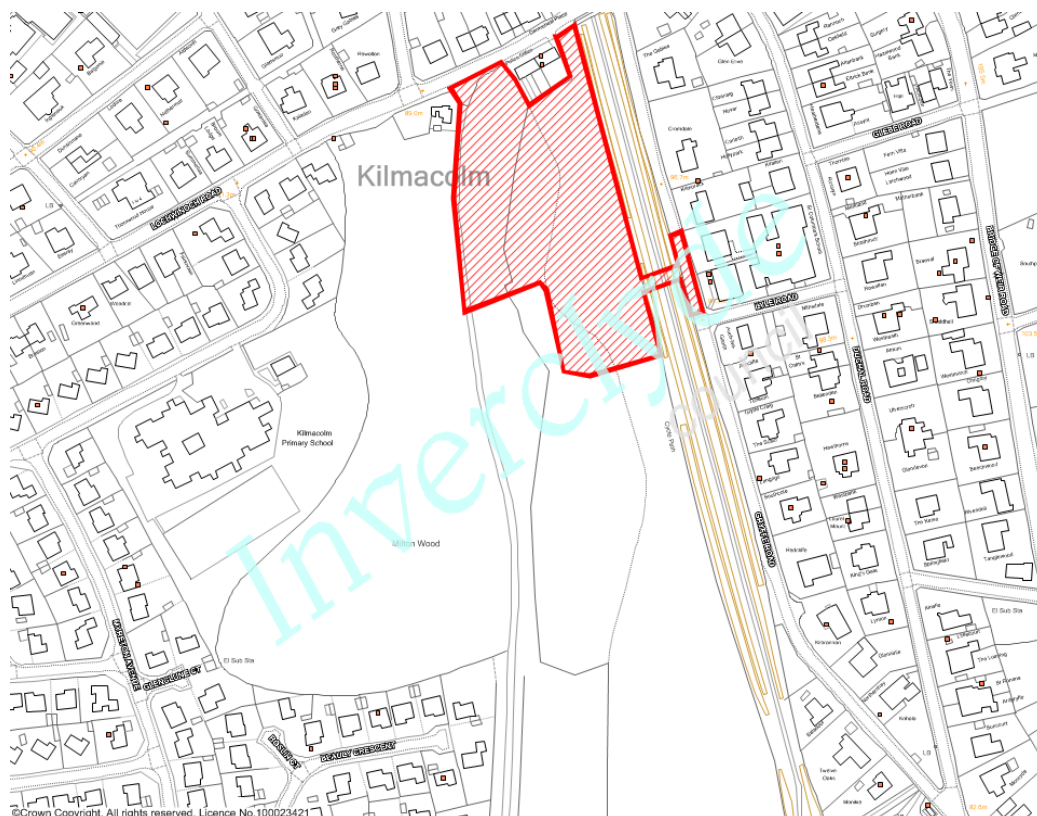
Subject: Planning permission in principle for new school development, access road, associated parking and infrastructure, community car park and pedestrian footbridge at

Milton Wood, South of Lochwinnoch Road, Kilmacolm

SITE DESCRIPTION

The application site, extending to 1.77 hectares and forming part of the Duchal Estate, is located to the south of the former police station and houses on Lochwinnoch Road and is immediately west of the former Glasgow - Kilmacolm railway line, now part of the national cycle network. To the south is the wider expanse of Duchal Estate.

Comprising formerly grazed land and a section of Milton Wood, the site also includes a core path providing entry to the Duchal Estate. The two distinct areas are divided by a partly dilapidated stone wall field boundary. There is a line of mature trees along the eastern site boundary. The southern boundary is undefined on site.



PROPOSAL

St. Columba's School currently operates from two sites within Kilmacolm. Planning permission in principle is sought for the development of a third site at Lochwinnoch Road. The application is supported by a Design and Access Statement, a Transportation Assessment, a Phase 1 Habitat Survey, a Bat Survey, a Phase 1 and 2 Geo-Environmental Investigation and a Socio-Economic Impact Assessment.

Indicative plans show:

- School buildings illustrated in the Design and Access Statement as being up to 3 storeys high.
- An outdoor play area and classroom.
- 42 car parking places for senior school staff.
- 37 car parking spaces for community use, including a pedestrian entrance between the former police station and the bridge over the national cycle route on Lochwinnoch Road.
- An upgraded access (consisting of a two way road with a footway on the eastern edge and a service verge to the west) at the existing entrance to the Duchal Estate on Lochwinnoch Road.
- A new set of gateposts at the Lochwinnoch Road entrance to the Estate.
- A pedestrian bridge across the national cycle route linking the existing Senior School campus at Duchal Road to the new facilities.
- Traffic calming measures on Gryffe Road.

STRATEGIC DEVELOPMENT PLAN

This application is a 'major development', so it requires having regard to the recently published Glasgow and the Clyde Valley Strategic Development Plan, approved by Scottish Ministers in May 2012. The GCV SDP includes under its philosophy and principles a Sustainable Location Assessment (Diagram 4 of the Plan), which provides a guide to the assessment of development proposals that are not in support of the SDP's Spatial Development Strategy. As this development proposal is in the City Region Green Belt, the application requires to be assessed with respect to its potential impact on this aspect of the SDP's sustainable development strategy. The Local Plan policies relevant to this assessment, including those addressing Green Belt and Countryside issues, are outlined below.

Also of relevance to this application is the SDP Strategic Support Measure 8 'Green Infrastructure: an economic necessity', which requires applications such as this one to have regard to the multi-functional role of the Green Belt/Green Network and the contribution it makes to the quality of life and economic competitiveness of the City Region. In reviewing the designation and boundaries of the Green Belt regard should be had to its role in ensuring key environmental objectives are achieved, as a means to:

- directing planned growth to the most appropriate locations;
- protecting open space and sustainable access; and
- protecting the natural roles of the environment in terms of, among other things, biodiversity.

LOCAL PLAN POLICIES

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 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 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 HR19 - Historic Gardens and Designed Landscapes

Development on sites in Inverclyde included in the Inventory of Historic Gardens and Designed Landscapes in Scotland (refer to Supplementary Document SD No 8) will normally be permitted only where there is no adverse impact on the resource.

Local Plan Policy LR1- Safeguarding Open Space

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

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

Local Plan Policy LR6 - Inverclyde Access Strategy

Inverclyde Council, as Planning Authority, will seek to protect and promote the 'core path network' (both existing and proposed) and the other key themes of the adopted Inverclyde Access Strategy, where these do not conflict with other Local Plan policies, in particular DS8 and DS10.

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 - 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 UT1 - Sustainable Use of Existing Infrastructure

Inverclyde Council, as Planning Authority, will seek to direct new development to areas where connections to existing service infrastructure and public utilities are available, and will work with developers, public utility companies and other providers of service infrastructure to ensure that the most efficient use is made of existing infrastructure. The Council will also encourage continued investment in existing infrastructure, with a view to improving service provision.

Local Plan Policy UT3 - Sustainable Urban Drainage Systems

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

CONSULTATIONS

Head of Environmental and Commercial Services - The road serving the school may be adopted and should be constructed in accordance with the Roads Development Guide. Flood Risk has been addressed but a Drainage Impact Assessment will be required. The proposed bus stops could obstruct visibility: the bus facilities could be relocated within the development. The extent of traffic calming proposed should be reduced.

Scottish Natural Heritage - Although statutory protected species may be affected, the impacts are expected to be in line with the necessary legislative requirements. Further surveys will be necessary at a later date prior to the commencement of construction work. A multifunctional "Green Network" linking the site into the wider area is suggested. A condition restricting vegetation clearance works outwith March to July is required. Consideration should be given to the provision of bat boxes to provide roosting opportunities.

Head of Safer and Inclusive Communities - No objection. Conditions or advisory notes are proposed in respect of Japanese Knotweed, contaminated land, the proposed biomass boiler, cooking odours, waste storage and disposal, external lighting, noise levels and site drainage.

Scottish Gas Networks - Recommend minimum distances for excavations from nearby mains.

Scottish Water - No objection.

Historic Scotland - Although the proposal will impact on this part of Duchal House Designed Landscape it is not significant enough to warrant an objection. In the formulation of detailed designs for the new buildings, the visual impact of buildings on views in and out of the Designed Landscape should be carefully considered. Details relating to the increased use and the upgrading of the original drive and new car parking, including materials and lighting must be carefully considered to minimise their impact on the Designed Landscape. It is also recommended that a full tree survey is carried out and a landscape management plan is produced to ensure the long-term management of the mature broadleaf trees that form such an important element of this part of the estate. Given the historic importance of this part of the Designed Landscape, the applicant may wish to consider retention of the original stone dyke as part of the plans.

Scottish Environment Protection Agency West - No objection. Conditions are requested with respect to foul drainage connection and SUDS.

PUBLICITY

The application was advertised in the Greenock Telegraph on 18th May 2012 as it is contrary to the development plan and as there are no premises on neighbouring land.

SITE NOTICES

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

PUBLIC PARTICIPATION

The application was the subject of newspaper advertisement and neighbour notification. Representations from 1,454 people have been received; 430 objecting, 1012 in support and 12 taking a neutral stance.

The points of objection, in summary, include:-

Policy issues

- The application site is within the Green Belt.
- The application site is within a Site of Importance for Nature Conservation.

- The proposal is contrary to policies DS8, DS10, HR2, HR10, HR19, LR1, LR6 and TA7 of the Inverclyde Local Plan and strategic policies 6, 9 and 12 of the Glasgow and Clyde Valley Structure Plan.
- It is contrary to the guidance within the Scottish Planning Policy (paras 129-130 and 159-163).
- It will set the precedent for the piecemeal erosion of the Green Belt.
- The proposal pre-empts adoption of the Local Development Plan.
- The proposal is contrary to aims of Designing Places and Designing Streets as the proposal puts cars before people.

Traffic related issues

- The provision of the new road into the site will be to the detriment of pedestrian safety, particularly as this constitutes a “safer route to schools”.
- The school access does not have to be to adoptable standard.
- School crossing patrols should be provided on Lochwinnoch Road and across the new access road.
- Congestion on Lochwinnoch Road from current traffic and on-street parking will be worsened by the combination of the proposed new access and traffic entering and leaving the site, including construction traffic.
- Access to residential properties will be adversely affected.
- Not all traffic movement on Lochwinnoch Road has been addressed.
- The junction of Gryffe Road and Lochwinnoch Road should be improved.
- A roundabout at the site of the old police station should be created to access the site thus avoiding disturbance to the existing Milton Wood access track.
- Additional traffic will accelerate deterioration of the roads.
- The proposal will interfere with loading and unloading arrangements to the detriment of adjacent businesses, especially if on-street parking and loading restrictions are introduced.
- Pollution from additional traffic in the vicinity will be to the detriment of human and wildlife health.
- Access should be taken from Gryffe Road or the other end of Duchal Estate.
- The proposed pedestrian footbridge should be a road bridge to help avoid congestion on Lochwinnoch Road and avoid compromising the “safe route to schools”.
- The railway bridge has not been subject to an engineer’s report and may not be able to handle the additional traffic.
- Need for the proposed public car park has not been demonstrated; it will not be used by the public as it is too remote from the shops.
- Despite the information provided by the school, parents will use the new school building’s car park and the community car park as a drop off point.
- Use of the community car park after school hours may not be safe.
- The existing footways on Lochwinnoch Road are already unsafe to use.
- The Transport Assessment does not consider future traffic growth.
- The Travel Plan presented cannot be enforced.
- Unless the Council controls the school roll through a Section 75 Agreement the Transport Assessment’s traffic volume figures are unreliable.

Community benefit issues

- More than 50% of the pupils and their parents are from outwith Kilmacolm and the local shops do not benefit from their support.
- As the school does not cater for all sections of Kilmacolm society it is of little benefit to the community.
- The Council cannot guarantee that the “community car park” will always be only for the use of the wider community, so it should not be regarded as a community benefit.

Residential amenity issues

- Adverse impacts on privacy of residents whose rear gardens back onto the site.

Environmental issues

- The proposal will adversely impact on Milton Wood with the loss of more trees than the applicant states; this will change the quiet and natural environment of this resource which is used by all of the community for various purposes.
- Destruction of natural habitat and adverse impacts on wildlife.
- Adverse impact on a designated Historic Garden and Designed Landscape.
- A three storey building is out of character with the village and will have a detrimental effect on the existing skyline and the woodland setting.
- The wildlife survey was carried out at the wrong time of the year (in winter when wildlife is absent). The Council's own supplementary document SD2 on the nature conservation page paints a different picture.
- The proposal will not further the conservation of biodiversity under the Nature Conservation (Scotland) Act 2004.
- Concerns over the impact on natural drainage.
- Noise from construction.
- Potential pollution of the River Gryffe and localised flooding.
- Loss of trees will contribute to global warming.

Miscellaneous issues

- The proposed vehicular access will open up an area to the south of the site for residential development, partly evidenced by the unnecessarily long access.
- No economic benefit to Kilmacolm has been demonstrated by the applicant.
- Previous rejection of Cala Homes proposal for the same site at a public inquiry in the 1990s sets a precedent for refusal.
- Community use of the school buildings would undermine use of the new village community centre.
- The new village centre facilities mean that community use of the school buildings will not be required.
- Adverse impacts on services such as gas, electricity and drainage which are already under pressure.
- The proposal is only one phase of a 20 year development plan which would lead to extended ongoing disruption.
- The proposal will only benefit a select few families. The real public interest is in the retention of this natural resource.
- The proposal will compromise the intentions behind this designed estate, fracturing the relationship between Duchal House and the Lodge House.
- The school and its pupils do not interact well with the village, comprising largely pupils from outwith the village who are dropped off and picked up each day.
- The school cannot guarantee their roll will not increase at sometime in the future (which would be to the detriment of education standards), nor that the use of the "community car park" can be controlled; hence the supporting statements cannot be relied upon.
- A footbridge over Gryffe Road is wholly inappropriate in a village setting.
- Increased litter will result.
- There are other site development options including the former Balrossie School (as a fee paying school they are not catchment area restricted).
- Little weight should be given to the views of those who do not live in Kilmacolm and are not affected by developments.
- Future loitering issues.
- Alternative sources of funding repairs to Duchal House should be sought.
- The existing school owned houses in Gryffe Road could be used.
- Construction work will keep people away from the centre of the village damaging the economy.
- The school has broken promises to the public before about use of facilities.
- Closure of the cycle path during construction will deter visitors and shop customers.
- The proposal will deter tourists.
- How can the Council ensure proceeds from the sale of the land will exclusively be used for Duchal House repairs?

- Development of a previously undeveloped site to the rear of residential properties could encourage criminal activity.

The points of support, in summary, include:-

Economic and Community benefits

- Approval of the proposal will help to retain the biggest employer in Kilmacolm to the economic benefit of the village in terms of employment, spending in local shops and outsourcing of local suppliers.
- The school is supportive of the local community with children involved in charity events, such as raising funds for Quarriers', litter pick-ups etc.
- The construction process will bring a short term employment boost.
- Availability of school facilities outwith school hours for community use.
- The associated community car park will help reducing congestion in the village centre.
- The proposal will help with the modernisation of the village.
- Retention of the school through its modernisation is to the benefit of the prestige of Inverclyde.

Traffic/pedestrian safety issues

- The central location of the school extension will encourage walking to school reducing reliance on vehicular travel.
- Staff parking at the new school will relieve congestion and improve traffic flow around Gryffe Road, Duchal Road and Lyle Road.
- The location of drop-off and pick-up points for children and the stopping points for school buses are unchanged; there will be no additional congestion on Lochwinnoch Road.
- No increase in the school roll means no increase in vehicular traffic.
- It will help to address existing parking problems in Duchal Road.
- It will reduce pedestrian traffic between the Senior and Junior schools at peak hours helping to improve pedestrian safety.
- Provision of a school crossing attendant at Duchal Avenue will improve safety.

Environmental issues

- The proposal will open up this part of the village for the enjoyment of the wider community; improved access encouraging more people to use the Woods.
- The carefully thought out nature of the development will not significantly impact on Milton Wood (only 4 trees are to be removed).

Consequences of refusal

- Refusal of permission could result in loss of the school, which would adversely impact on the community through the loss of some families and the beneficial linkages of the school to the community (e.g., voluntary work by pupils).
- Follow on effects including the devaluation of properties.
- Loss of income for local shops and other business.
- Loss of employment.

Miscellaneous issues

- Improvement of the educational experience of future pupils by making the school fit for the 21st Century.
- Following previous refusals this is the only site with close proximity to the school that can be developed.
- The new school will be easier for disabled people to use.
- It accords with the Council's aim of increasing the quality of educational facilities.

- Precedent: the Council has built Inverclyde Academy, the new Gourock Primary School and, earlier, Kilmacolm Primary School on green belt sites. Why should St Columba's be denied improvements?
- The proposal accords with the Council's aim of endorsing improvements to educational facilities.
- The land is in private estate ownership and the public does not have any right to access.
- Finance raised from the sale of the ground is to be reinvested in repairs for the upkeep of the listed buildings and the on-going upkeep of land around Kilmacolm.

Those taking a neutral stance include the following observations:-

- Efforts should be made linking new paths to the National Cycle Route 75 to and from the south side of Lochwinnoch Road bridge (steps possible), south across fields to the school's sports/hockey pitches, and existing residential development to the west of these fields.
- A contribution should be sought from the school towards daily litter nuisance often encountered close to schools.
- A condition should be imposed on any planning permission requiring the provision of a road crossing attendant on Lochwinnoch Road at school opening and closing time.
- Construction traffic should not operate at current school opening and closing times.
- A condition should be imposed requiring that the new school facility is not used as a drop-off point by parents.
- The use of the new access road by walkers should be secured.
- If planning permission is granted there should be controls to ensure that the vacant residential properties on Gryffe Road in the ownership of the school revert to residential use.
- Improvements to the Gryffe Road / Lochwinnoch Road junction should be sought by the Council as part of the application.
- Could speed controls be introduced on Gryffe Road, close to the school pitches?
- Replacement habitat for the trees lost as a result of the development should be provided and the effects on the SINC minimised.

BACKGROUND

St. Columba's School currently operates from two sites within Kilmacolm. The Junior School is located in Knockbuckle Road and the Senior School is based in Duchal Road. Planning permission in principle is sought for the development of a third site at Lochwinnoch Road.

The applicant suggests that there is no intention to increasing the school roll; the proposals are to improve facilities for existing pupils and teachers. At present there is a transitus year between the Junior and Senior Schools, during which pupils walk between the two sites throughout the day. Approval of the application would help address this. The consequential building rationalisation will also allow removal of some of the poorer quality buildings within the existing campuses, improving the environment for the school and neighbouring residential properties.

It is noted that the new facilities will allow for evening and weekend community use.

This is not the first time that St. Columba's School has sought to develop. There is a history of redevelopment within both the Junior and Senior School grounds, and most recently the desire to provide additional accommodation proposed the demolition of two houses on Gryffe Road. Planning permission was refused on the grounds of adverse impact on immediate neighbours.

As for the application site, it and the entire Milton Wood area has been the subject of a number of proposals for housing development over the last 20 years. A proposal by Cala Homes for residential development was refused by the Council and on appeal to the then Scottish Executive in 1993. In 2004, another proposal by Cala Homes to include the entire Milton Wood area as a proposed housing site, including for affordable homes, was considered at the Public Local Inquiry into the current Inverclyde Local Plan. The proposal was rejected, although the Inquiry Reporter concluded that the land at the north east corner of Milton Wood (broadly this subject site), has the potential capacity to be developed without any significant adverse effect

on the landscape character of the village. At the same time but too late for consideration by the Reporter was an alternative option by Cala Homes to develop Milton Wood for a mix of uses, to accommodate a school extension for St. Columba's alongside a smaller housing development.

More recently, under the 'call for sites' for the forthcoming Local Development Plan, the Main Issues Report published St. Columba's School proposals for development on this site. The representations received on this proposal and other suggested development sites in Kilmacolm were reported to the Safe, Sustainable Communities Committee in October 2011.

ASSESSMENT

The Inverclyde Local Plan continues to accord with the Strategic Development Plan at a local level. As the application site is within the Green Belt (Local Plan policy DS8) and is an area of amenity open space (Local Plan policy LR1) there is a presumption against development, it has to be considered whether there are exceptional or mitigating circumstances that would justify allowing the development to proceed. The key determining issues in this respect are the educational, economic and social impacts of the school, the school's locational requirements, the effects on landscape character and amenity of the area, the natural heritage resource and site designations (Milton Wood SINC and the Historic Garden and Designed Landscape), visual amenity, vehicular and pedestrian traffic issues, the built heritage and residential amenity. In assessing these a range of material considerations require to be considered including the Strategic Development Plan, the Inverclyde Local Plan, Scottish Planning Policy, Planning Advice Note 1/2011 (Planning and Noise), the Scottish Historic Environment Policy, the applicant's supporting information, the consultation responses and the public representations.

Educational, economic and social impact

The Council's School Estate Management Plan aims to ensure that schools are fit for purpose to meet current and future educational needs. A programme has been rolled out over several years and has involved the redevelopment and renovation of existing premises and the construction of new buildings. This programme has been driven forward and fully supported by the planning process, which has and may not discriminate between sector providers. In this respect, the principle of ensuring that this private sector school is fit for purpose to meet current and future educational needs is one that the planning system supports, no matter where the pupils may travel from to attend.

Scottish Planning Policy requires planning authorities to take account of the economic benefits of development. There is an established economic and social relationship between the village and the School. The applicant has produced a Socio-Economic Assessment which examines this link. It considers the current economic impacts and benefits of the School, the additional economic impacts and benefits of the construction, and the benefits of the proposal over the longer term. Currently the School creates employment opportunities, helps create expenditure from staff, pupils and parents in the local area (letters of support from local shopkeepers testify to this) and purchases from some local suppliers (extending to Inverclyde more generally). Approval will help safeguard and protect the longer term viability and sustainability of the School and maintain the contribution it makes to the local economy. This is in line with the Community Planning Partnership's Economic Regeneration Strategy. As is evident elsewhere, pupils and parents have greater expectations, not only in the standards of opportunity, but also in the quality of school facilities. The alternative of limiting the provision of facilities in a physically constrained campus may contract the School's operation with the possibility of a reduction in the School roll, staff numbers and a real term loss of expenditure in the village.

The community presently has use of the School facilities outwith normal school hours; particular use is made of the playing fields on Gryffe Road. It is the applicant's intention to develop this relationship with new facilities being made available for drama studies, theatrical performance and meetings, events or conferences. Interaction between the school pupils and the village is also highlighted. I note concern expressed that this may conflict with the recently developed Cargill Centre, but I see no reason why the two facilities cannot complement each other.

I accept the overall conclusions of the assessment that there are economic and social benefits that arise from the presence of the School; approval of the proposal would help secure these for the longer term and is in accordance with Scottish Planning Policy.

Locational requirements

The School considers the construction of new buildings as essential to being fit for purpose. It is accepted that the existing sites have been extended to capacity and that additional land is required for the purposes of development. The site selected is, however, amenity open space within the Green Belt so it has to be considered whether or not a case can be made under criterion (c) of policy DS10 of the Local Plan. This allows development where there is a specific locational need that cannot be accommodated elsewhere. The existing Senior School campus will remain in use so it is important that any site has a close geographic link to enable sustainable and safe movement of pupils between buildings.



A site on Gryffe Road, immediately adjacent to the Senior School, was previously considered. Permission was refused due to impact on residential amenity, largely dictated by the tight constraints of the site and the position of neighbouring houses. Sites free from such issues are limited and there are no obvious alternative candidates in the village. Indeed, this is not an issue exclusive to Kilmacolm. Except where existing sites are redeveloped, schools are increasingly directed to sites on the fringes of towns and villages and onto previously undeveloped land. I am satisfied that there is no other site in the village within reasonable walking distance of the School and suitable for redevelopment. The former Balrossie School site suggested by several objectors is not considered to be an option for this reason. On this basis greenfield development opportunities have to be considered. The application site is within close proximity to the Senior School and the introduction of traffic calming measures on Gryffe Road, which are yet to be finalised, and the bridge link from the site to the Senior School will encourage safe pedestrian movements. Given support for the principle of facilitating fit for purpose schools, I consider that a specific locational need has been justified and that the principle of this development is acceptable in the Green Belt. I am also satisfied that finding a site in Kilmacolm for the school is compliant with Scottish Planning Policy which encourages authorities to support indigenous businesses.

Despite establishing the principle there are nevertheless other issues that require to be considered, any of which may deem the practicality of development inappropriate. Issues relating to natural heritage, landscape and visual amenity are highlighted in Local Plan policy DS10.

Landscape character and amenity (criterion (f))

The landscape character of the area is defined by undulating land consisting of a mix of semi-improved grassland and unmaintained mature woodland. The application site is situated on a narrow wedge of this landform, reaching into the heart of Kilmacolm. The introduction of buildings will undeniably alter the natural appearance of the application site. Development will, however, be concentrated on the village edge in close proximity to other buildings. The wider landscape, and the greater part of Milton Wood, will remain undisturbed. Indeed the character of Kilmacolm, which benefits from the countryside wedging its way into the village, will still in the most part be retained. Pedestrian access along the core path at the entrance to the Duchal Estate and into the Duchal Woods will continue to facilitate access to the countryside from Lochwinnoch Road. I conclude that within the context of the wider landscape any change is not considered significant enough alone to merit refusal of the proposal.

Natural heritage resource (criterion (g))

There are two natural heritage resource designations covering the site: Duchal House Historic Garden and Designed Landscape and the Duchal Estate Site of Importance for Nature Conservation (SINC).

The advice of Historic Scotland was sought on the Historic Garden and Designed Landscape and with reference to the Scottish Historic Environment Policy. Although the proposal will have a significant impact on this part of the designation Historic Scotland did not consider it significant enough to warrant an objection. I am therefore satisfied that the proposal is acceptable with reference to policies HR1 and HR19.

A Habitat Survey has been considered by Scottish Natural Heritage which incorporates the area covered by the SINC. Although there may be impacts upon statutory protected species, SNH expects the impacts to be in line with the necessary legislative requirements. Indeed, the woodland will benefit from active management to encourage biodiversity (it is presently dominated by sycamore and rhododendron which is leading to a reduction in biodiversity value). There are no natural heritage issues which alone suggest that the site may not be developed subject to controls on development. In this respect, Historic Scotland and Scottish Natural Heritage have suggested any planning permission should be conditional on the timing of tree removal and the provision of bat boxes and a woodland management plan.

Biodiversity issues have been addressed in the applicant's submissions and have been accepted in principle by SNH. I do not consider policy HR2 to be relevant as it refers to the preparation of the Local Biodiversity Action Plan.

Impact on drainage and possible flood risk has been considered with information submitted to the Head of Environmental and Commercial Services. He accepts that there is no additional flood risk as a consequence of this development but requests that a Drainage Impact Assessment is the subject of a condition. This will allow detailed consideration of drainage arrangements from the proposed buildings and hard surfaces once these have been proposed as part of detailed plans. The drainage information submitted to date and accepted by SEPA and the Head of Environmental and Commercial Services does not suggest that there are any real concerns over potential pollution of Gryffe Water or the creation of localised flooding.

As a planning application in principle, there are limits to the extent that other natural environment impacts can be assessed. Even so, although the applicant suggests that only 4 trees would be removed observations suggest that it is likely to be more due to the network of tree roots that may be affected during road construction. I am, nevertheless, satisfied that most of Milton Wood will remain undisturbed. Furthermore there is the opportunity to secure re-planting and a woodland management programme to help ensure the long term retention of this part of Milton Wood and assist biodiversity. This approach is appropriate with reference to Local Plan policy HR10.

While the timing of the wildlife survey has not caused undue concern to SNH, I note that it is keen for further surveys to be carried out before development starts to provide a more

contemporary assessment of the situation. Extension of “green network” linkages can be considered at a later detailed application stage.

Overall I am satisfied that the Local Plan and the Scottish Planning Policy on natural heritage matters have been addressed; though there will inevitably be some disturbance of the natural environment, particularly to the parts of the site that are subject to heritage designation, this alone does not merit refusal of the proposal.

Visual amenity (criterion (h))

The greatest likely visual impact is from the proposed new buildings and is best assessed from the key public vantage points of Lochwinnoch Road and Gryffe Road. Although without detail, it is anticipated that some Lochwinnoch Road residents and passers-by will be able to view the nearest of the proposed buildings to the rear of the former police station and associated houses. The applicant advises that the use of the topography will result in the building appearing to be 2 storeys when viewed from Gryffe Road. Some Gryffe Road residents and passers-by will also view the buildings and the connecting bridge over the cycle route. Users of Milton Wood would also experience these changes although I am conscious that their presence is transitory.



The exact form of the buildings will only be known upon submission of a detailed application. The applicant has, however, provided massing diagrams and photomontages which provide an outline of the anticipated buildings. The applicant states that the buildings are to be “embedded” into the ground with the intention that the highest three storey building will read as two storeys from Gryffe Road. The buildings will be recessed from Lochwinnoch Road by approximately 90 metres and from Gryffe Road by approximately 35 metres.

Any new development will have an impact on visual amenity. Although the site is currently undeveloped, the presence of new buildings in close proximity to the built-up area will result in these being read as part of the urban fabric. Matters such as the quality of the design and finishes to the buildings may be more properly addressed as part of a later, detailed planning application. Nevertheless, on the basis of the submitted information the recessed nature of the proposed development from public vantage points, the intervening buildings and mature soft landscaping will help ameliorate the visual impact of the proposed buildings. It is important that a soft landscaping scheme be secured as part of any planning permission to help further mitigate visual impact in the longer term.

On balance, I am satisfied that an assessment of the relevant criteria in policy DS10 does not prevent this application being favourably assessed on the grounds of locational need and with reference to the impact on landscape character and amenity, natural heritage resources and visual amenity. Consideration has to be given, however, to the other key determining issues; traffic impact, built heritage and residential amenity.

Traffic and pedestrian issues and safety

No noticeable increase in pollution levels is anticipated, nor is any consequential sudden deterioration of the road surface. For the same reason strengthening of the railway bridge on Lochwinnoch Road is not a concern. There will, nevertheless, be a change in vehicular movements.

Vehicle and pedestrian movements within the site will consist of school staff, service vehicles, pupils and users of the community car park. The applicant has indicated that pupils will continue to be dropped off in the streets surrounding the existing school building.

Most movements will occur during the normal working day during school term time. I accept that the community car park has potential to act as an "overspill" for the village centre but most drivers seek a more central parking opportunity. I also accept that it may be used by some staff and Senior School pupils. This should not detract from the potential community benefit and I see no need for the Council to formally restrict parking within it. As a considerable number of the village centre shops are within approximately 250 metres it is within reasonable walking distance, but it may prove more popular with those using the core footpath. Demand for long term on street parking associated with the School in Gryffe Road, Lyle Road and Duchal Road may be relieved but there will be more movement near the site entrance on Lochwinnoch Road. This brings the issue of traffic and pedestrian safety into consideration. A transportation assessment was submitted as part of the application, examining in particular issues associated with vehicle movements on Lochwinnoch Road.

I note the representations on the potential for congestion, vehicle and pedestrian safety, and references to existing footways, especially with reference to school children and the elderly crossing the at the proposed upgraded access to the Duchal Estate. The consultation with the Head of Environmental and Commercial Services identifies no need for a roundabout or for improved access at the junction of Gryffe Road and Lochwinnoch Road, or for loading restrictions on Lochwinnoch Road. The provision of a new patrol crossing over the proposed vehicular entrance to the school or Lochwinnoch Road can be assessed after opening and once travel patterns have been identified.

Although the applicant has indicated that the parking and drop-off strategy is based upon relocation of staff parking to the proposed development site with pupil drop-off continuing at the existing school, I agree with comments that the school cannot prevent the community car park being used as a drop-off point. What is more important, however, is that the site will be able to cope with that eventuality. I note that there are no objections from the Head of Environmental and Commercial Services and that he has expressed no concerns over the Transport Assessment. This is based on the school being sited to make best use of sustainable transport modes and the School's existing Travel Plan, which aims to manage the private car traffic to the extension as well as the existing school in order to minimise any impact. He also notes that should the school roll increase contrary to the School's stated intent, the new road junction design can accommodate up to a four fold increase in the projected vehicular movements.

I note the comments of the Head of Environmental and Commercial Services that bus facilities should be located within the site, but this would create a small number of extra unnecessary traffic movements at the junction with Lochwinnoch Road and be contrary to the applicant's proposed "drop off" strategy.

I also do not consider that the proposal is contrary to Designing Places and Designing Streets; it does not put cars before people. The proposed layout has specific pedestrian linkages both onto Lochwinnoch Road and Gryffe Road, the latter clearly prioritising pedestrian traffic. Indeed, considering public transport, cycling and walking, the site is well served in close proximity to the village centre, public bus services and the national cycle route. This complies with the relevant criteria of Local Plan policies TA2 and TA7. Given the level difference between the development site and the cycle route, I do not believe it would be practical for a graded direct connection to be made. Currently, pedestrians can use the core path forming the Duchal Estate entrance

which will remain, albeit that it will have a more formal appearance over approximately the first 130 metres. I am comfortable that the aims of policy LR6 are not compromised by the proposal.

Overall, vehicular and pedestrian activity will inevitably impact upon the character and amenity of the area but not, I consider, to the extent that refusal of the application would be merited on these points alone. I am also satisfied that the Head of Environmental and Commercial Services considers the road safety aspects of the proposal as acceptable.

Built heritage

The application site forms part of the Duchal Estate, the centre point of which is Duchal House. It is an "A" listed building, an indication of the significance it plays in the built heritage of Scotland and Inverclyde in particular. There have been discussions over several years as to how the future of the property can be secured but proposals to date would have resulted in unacceptable departures from the Local Plan. One of the four Dimensions of Strategy in the Local Plan is to ensure a quality environment. Two key aspects of this which are relevant to the current proposal are the need to protect, conserve and enhance the built heritage and to prevent unnecessary development in the Green Belt. While a Section 75 Agreement connecting a requirement that funds from the land transaction be linked to renovation work at Duchal House cannot be imposed, I am comforted by the receipt of a letter from the Estate indicating that "a significant amount" of the funds raised from the sale of the land to the School will be for "the enhancement of Duchal Estate and the woodland at the North Lodge". The proposal would, on this basis, be of benefit to one of the stated aims of the Local Plan in protecting, conserving and enhancing heritage. This would be supportive of policy HR1.

Residential amenity

The greatest negative impact on residential amenity will be on occupiers of the former police houses and future occupiers of the former police station; view, noise from vehicular and pedestrian movements and construction activity, illumination from lighting and privacy impacts also have to be assessed. Lochwinnoch Road and Gryffe Road residents will also experience some of the above effects.

There is no doubt that for short periods at the beginning and end of the school day, activity and the potential disturbance from both vehicular and pedestrian activity will be intense. This does not, however, make this development unacceptable. Schools, by their very nature, are located in residential areas and the wider community benefits of schools in sustainable locations where pupils have the option of walking is to be supported.

Immediate neighbours in the former police buildings concerns will also be heightened by the existing situation of open landscape and lack of activity to the rear. It is an established principle that there is no right to a view over or enjoyment from another's property and it is not the role of the planning system to protect such interests. Decisions have to be taken in the wider public interest.

Noise will be intermittent due to normal school hours, holiday periods and the "overspill" nature of the community car park. Noise from school children's outdoor activity will, on the basis of the proposed layout, largely be ameliorated by the buildings within the site and the distance from neighbouring residences.

The construction period is also likely to be a period of disturbance, but planning permission cannot be refused on this basis. In accordance with Planning Advice Note 1/2011, it can be regulated through the Control of Pollution Act 1974 and the Pollution and Prevention Control Act 1999. Conditions can be set out in advance of the commencement of works with the Head of Safer and Inclusive Communities.

A detailed application will provide the opportunity to consider specifics such as details of illumination. Considering the principle however, it would be appropriate that the access road and the community car park be lit in the interests of public safety and to help address any concerns over possible criminal activity. This will bring a degree of illumination which is not

already present. A combination of the correct use of hoods on light standards and, in the case of the access road, the trees within this part of Milton Wood, will help reduce any perceived light overspill nuisance. I also note that the applicant intends to carry out tree planting to the rear of the former police houses and station which will, as it matures, provide a further element of screening.

Subject also to a detailed application, the distance between the nearest windows of the school and those of the occupants of the former police buildings will be approximately 75 metres and the distance to houses on Gryffe Road approximately 50 metres. I am satisfied that there is adequate distance to avoid privacy issues. There will, however, be pedestrian activity to the side of the former police buildings and the car park to the rear where presently there is little or none. Planting to the side of these properties is also appropriate to further reduce impact. Such provision can be the subject of conditions.

Overall, while recognising the significant changes in amenity faced by a limited number of immediate neighbours, the principle of developing a school next to residential properties is acceptable.

Summary

In reaching a conclusion, I recognise that there are competing public interests between the retention of the Green Belt, including this part of Milton Wood, and helping to secure the future presence of St Columba's School and the social and economic benefits it brings to the village. I appreciate that, for those living in the immediate vicinity, walkers and other users of the core path, the environment over this relatively short stretch will change. Nevertheless the land on which the buildings and bridge will be constructed does not form part of the SINC and is low grade formerly grazed land. Disturbance to the Milton Wood SINC is limited to a small part of the overall Wood. The greater part of Milton Wood, which stretches into the Duchal Estate, will remain undisturbed and Kilmacolm will retain this distinctive open space wedge that brings the countryside into the heart of the village. The approval of this application will not impact on the wider intent of the Strategic Development Plan but the development of this site for educational purposes is a departure from the Inverclyde Local Plan. Although a specific location requirement justifying Green Belt development has been identified, it does not safeguard open space as required by Policy LR1. On balance, I do not consider this to be a significant departure from the Development Plan. It is considered that the positive benefits of the proposed development with respect to the local economy, social linkages to the School and conservation of heritage outweigh the limited impact on the natural resource. The greater public interest will be served by the granting of planning permission in principle.

In reaching this decision I note other issues raised in representation including loitering, the addresses of supporters of the proposal, possible increases in the school roll, alternative sources of funding for repairs to Duchal House, previous proposals or initiatives by the School, ownership of Duchal Estate, possible future housing development in the Duchal Estate, perceptions surrounding valuations of residential properties, financial contributions by the School to litter clearance or patrol crossings, the suspension of construction work at school opening and closing times, controlling the re-use of vacant properties in Gryffe Road, former structure plan policies, the requirements of non-planning legislation, the potential for setting a precedent for development in the Green Belt, premature consideration pending adoption of the forthcoming Local Development Plan, temporary closure of the cycle path, the potential impact on tourism and speed controls elsewhere in the village, none of which persuade me that planning permission should be refused.

RECOMMENDATION

That the application be granted subject to the following conditions:

Conditions

1. That permission is not given for the layout shown. Prior to the start of development full details shall be provided of the following:

- (a) the means of pedestrian and vehicular access to the site;
 - (b) all internal roads;
 - (c) all car parks;
 - (d) all buildings to be erected;
 - (e) a scheme of soft and hard landscaping;
 - (f) all lighting;
 - (g) all drainage arrangements;
 - (h) all walls and fences;
 - (i) all boundary treatment;
 - (j) the pedestrian bridge over the national cycle route.
2. That notwithstanding the terms of condition 1 above, vehicular and pedestrian access shall be taken from Lochwinnoch Road with the exception of the pedestrian footbridge which shall be connected to Gryffe Road.
 3. That prior to the first of the buildings hereby permitted being brought into use, all roads, car parks and pedestrian accesses, including the bridge connecting to Gryffe Road, shall be constructed, finished to final wearing course and shall be lit where required by the Planning Authority.
 4. That notwithstanding the terms of condition 1 above, the plans shall include provision for replacement tree planting within Milton Wood to replace those trees to be removed on a three for one basis and boundary definition in the form of tree planting and a fence or wall around the southern and eastern boundaries of the former police houses and station on Lochwinnoch Road.
 5. That any of the areas of planting approved under the terms of condition 1 above that die, become diseased, are removed or damaged within 5 years of planting shall be replaced within the following year with others of a similar size and species.
 6. That prior to the start of development, a management and maintenance scheme for the landscaping approved in terms of condition 1 above shall be submitted to and approved in writing by the Planning Authority. The approved scheme shall be adhered to thereafter unless otherwise agreed in writing by the Planning Authority. This shall include a dedicated Woodland Management Plan for the area of Milton Wood forming part of this application.
 7. That prior to any construction work starting on site, tree protection measures in accordance with Trees in Relation to Design, Demolition and Construction - Recommendations, currently 5837:2012, shall be erected and not removed during the course of construction work
 8. That any clearance of vegetation within the application site shall take place outwith the bird breeding season of March to July.
 9. That bat boxes shall be provided and installed within one month of the first of the school buildings hereby permitted being brought into use. The scheme shall be agreed in writing by the Planning Authority in conjunction with Scottish Natural Heritage.
 10. That prior to their use on the buildings, full details of all facing materials including samples shall be submitted to and approved in writing by the Planning Authority. Development shall proceed thereafter using these materials unless alternatives are otherwise agreed in writing by the Planning Authority.
 11. That all surface water drainage from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems Manual (C697) (CIRIA 2007). Before development commences, details shall be submitted to and approved in writing by the Planning Authority of the maintenance regime for the water detention areas.

12. That notwithstanding the terms of condition 1 above, a Drainage Impact Assessment shall be submitted with any application for matters specified by conditions.
13. 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.
14. That the development shall not commence until a risk assessment of all pollutant linkages, including any necessary remediation strategy with timescale for implementation, 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.
15. 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.
16. 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.
17. 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.
18. That prior to their construction, full details shall be submitted of the proposed gateposts at the entrances to the Duchal Estate.
19. That construction work shall not take place outwith the hours of 7.30am to 6.30pm, Monday to Friday and 9.30am to 4pm on Saturdays. Furthermore no noise generating work shall take place on public holidays.
20. That an air quality impact assessment shall be submitted to and approved in writing by the Planning Authority should a biomass boiler form part of any detailed planning application.
21. The development shall not commence until a detailed specification regarding the collection, treatment and disposal of cooking odours has been submitted to and approved by the Planning Authority. Such specification shall include precise details on the location of equipment used for the cooking and heating of food, canopies, grease filters, rates of air movement over the canopy, make-up air, air disposal points etc.

22. The applicant shall submit to the Planning Authority 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 development shall not commence until the above details are approved in writing by the Planning Authority and the equipment and any structural changes are in place.
23. All external lighting on the application site should comply with the Scottish Government Guidance Note "Controlling Light Pollution and Reducing Lighting Energy Consumption".
24. That any application for matters specified by conditions shall include a Green Network strategy linking the site into the wider area.

Reasons

1. To allow for assessment of all these matters.
2. To define the acceptable vehicular and pedestrian accesses.
3. To ensure the safe use of the facilities.
4. In the interests of biodiversity and neighbouring privacy.
5. To ensure retention of the approved landscaping scheme in the interests of visual amenity.
6. To ensure the approved scheme is maintained in the interests of visual amenity and biodiversity.
7. To ensure retention of the trees not to be removed.
8. In the interests of biodiversity.
9. In the interests of biodiversity.
10. To control the use of facing materials in the interests of visual amenity.
11. To control runoff from the site to reduce the risk of flooding.
12. To allow detailed assessment of the drainage implications for the proposed development.
13. To help arrest the potential spread of Japanese Knotweed in the interests of environmental protection.
14. To satisfactorily address potential contamination issues in the interests of environmental safety.
15. To provide verification that remediation has been carried out to the Planning Authority's satisfaction.
16. To ensure that all contamination issues are recorded and dealt with appropriately.
17. To protect receptors from the harmful effects of imported contamination.
18. To allow for assessment of the visual impact of these structures.
19. In the interests of residential amenity.

20. To protect the amenity of neighbouring properties and help avoid adverse air pollution problems.
21. To protect the amenity of the immediate area and prevent the creation of odour nuisance.
22. To protect the amenity of the immediate area, prevent the creation of nuisance due to odours, insects, rodents or birds.
23. To protect the amenity of the immediate area, the creation of nuisance due to light pollution and to support the reduction of energy consumption.
24. In the interests of biodiversity and in accordance with the National Planning Framework 2.

Stuart Jamieson
Head of Regeneration and Planning

BACKGROUND PAPERS

1. Application form and plans.
2. Applicant's supporting information.
3. Inverclyde Local Plan.
4. Scottish Planning Policy.
5. Scottish Historic Environment Policy.
6. Planning Advice Note 1/2011.
7. Consultee responses.
8. Letters of Representation.



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