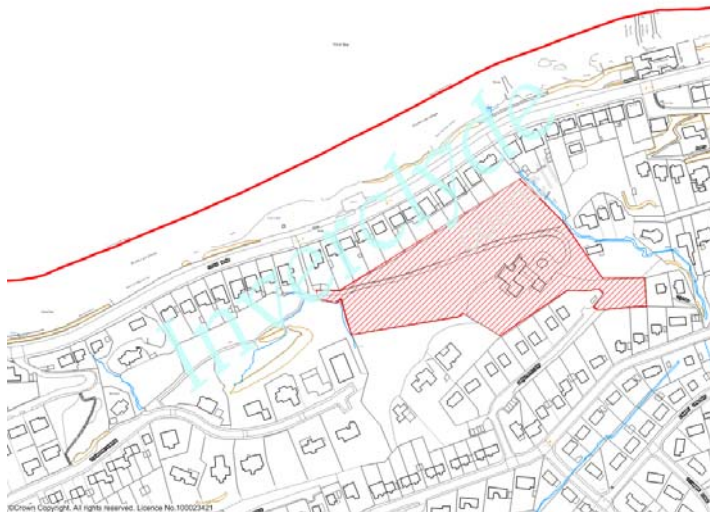


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<b>Report To:</b>	<b>The Planning Board</b>	<b>Date:</b>	<b>1 May 2013</b>
<b>Report By:</b>	<b>Head of Regeneration and Planning</b>	<b>Report No:</b>	<b>13/0031/IC Plan 05/13</b>
			<b>Local Application Development</b>
<b>Contact Officer:</b>	<b>Guy Phillips</b>	<b>Contact No:</b>	<b>01475 712422</b>
<b>Subject:</b>	<b>Erection of a boiler house at Shambala, Cloch Road, Gourrock</b>		

## **SITE DESCRIPTION**

Shambala is a detached house occupying a large wooded site on the hillside to the south of Cloch Road, Gourrock. To the north the site is bound by the rear gardens of houses on Cloch Road, to the east by houses on Moorfield Road, to the south by the rear gardens of houses on Cowal Crescent and to the west by the residential development at Turnberry Avenue. The site is covered by a tree preservation order.



## **PROPOSAL**

It is proposed to construct a concrete boiler house containing a biomass heating system which operates by burning wood chips. The flat roofed boiler house is to be sited approximately 20m to the east of Shambala and is excavated into an embankment. It has a floor area of approximately 40 square metres and varies in height from ground level to approximately 4m. A stainless steel flue projects approximately 1.3m above the highest point of the building. Two storm damaged Birch trees are proposed to be removed to facilitate construction and a Japanese Larch has already been

removed. Screen planting, incorporating compensatory replanting for the removed trees, is to be provided to reduce visual impact on Moorfield Road, approximately 20m to the east.

Submitted with the planning application is a bat survey. No affected trees have features that would indicate a bat roost or potential bat roost and their removal will not be detrimental to bats foraging.

## **LOCAL PLAN POLICIES**

### Local Plan Policy H1 - Safeguarding the Character and Amenity of Residential Areas

The character and amenity of existing residential areas, identified on the Proposals Map, will be safeguarded and, where practicable, enhanced. New residential development will be acceptable, in principle, subject to other relevant Local Plan policies.

### Local Plan Policy 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.

## **CONSULTATIONS**

**Scottish Natural Heritage** - It would be in order to request a bat survey if the proposals in the planning application involve the felling of any mature trees.

**Head Of Safer And Inclusive Communities** - If the plant is operated as per the manufacturer's recommendations there should be no issues of smoke, odour or noise. The boiler is designed to operate using approved fuels meeting European standards and with a certain moisture content. Biomass plants are designed not to create smoke/odour. The plant requires approval by the Council under Clean Air Act legislation, shall be monitored on a 24/7 basis and there is a maintenance regime to ensure it operates correctly. Conditions do, however, require to be attached to control the spread of Japanese Knotweed and any potential ground contamination. Explanatory notes should also be attached on the operation of the boiler, control of construction noise, site drainage, CDM Regulations and seagulls.

## **PUBLICITY**

The application was advertised in the Greenock Telegraph on 15th February 2013 as there are no premises on neighbouring land.

## **SITE NOTICES**

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

## **PUBLIC PARTICIPATION**

Six written representations have been received.

The objectors are concerned that:

- There shall be a loss of trees.
- Consideration requires to be given to the height and maintenance of any structure or trees.
- Screen planting shall take years to become effective.
- A tree has been removed without permission.
- Views from adjoining properties on Cowal Crescent shall be adversely affected.
- There shall be nuisance from air pollution. The material to be burnt cannot be controlled.
- The proposal introduces a boiler of industrial scale to a residential area, putting properties at risk from fire and explosion.
- There shall be noise nuisance.
- Bats shall be disturbed by the construction works.
- Disruption of natural drainage may adversely impact properties on Cloch Road.
- The external finish and stainless steel flue are out of character with the area.
- The location plan first submitted with the planning application omitted an adjoining house at Moorfield Road.
- The applicant did not consult with neighbours prior to the submission of the planning application.

## **ASSESSMENT**

The material considerations in the determination of this planning application are the Local Plan, the consultation response, the bat survey and the written representations.

Policy H1 of the Local Plan seeks to safeguard and, where practicable, enhance residential amenity and character. Potential impacts upon residential amenity and character are visual impact, smoke and noise. While the impact of a new building on loss of wider views from within houses and gardens is not a matter that can be considered in this assessment, I can take into account the appropriateness or otherwise of the building design. I note that steep slopes, distance and tree cover combine to determine that the only houses potentially affected are those approximately 20m to the east at Moorfield Road. The houses front at right angles to the proposed boiler house. Intervening tree cover augmented by additional screen planting combine to reduce visual impact. While the boiler house elevation facing Moorfield Road is not large, I am never-the-less, concerned that its concrete and stainless steel finishes are not what is expected in a residential area. I am however satisfied that this issue can be satisfactorily addressed by a condition reserving the choice of external finishes. This can ensure the materials and colours that will reduce the visual surprise and help the building to blend in with those around.

Key to the assessment of the impacts of smoke and noise are the observations of the Head of Safer & Inclusive Communities. He advises there should be no issues of smoke, odour or noise and that biomass plant and I am in agreement with the conditions and explanatory notes he suggests be attached.

Policy HR1 advises that development that would adversely affect trees covered by a tree preservation order will not normally be permitted. Exceptions will only be made in a range of circumstances including where, (e) the developer has demonstrated that the impact of the development on the environment will be minimised. The applicant proposes to plant three trees to replace one recently removed and the two storm damaged examples proposed to be removed. While the recent removal of a single tree without consent is regrettable, I consider the proposal to be an appropriate management of the designated Tree Preservation Order, in accordance with Policy HR9. Overall, I consider the proposal has a neutral impact upon the designated Tree Preservation Order and that it is in accordance with Policy HR1. The loss of trees can have an impact on bats and I note that the results of the bat survey indicate no objections to the building or tree loss.



In response to the objectors' concerns not covered by my assessment against the Local Plan, I note the concern of potential impact on subterranean water courses and this may be addressed by condition. Risk of fire and explosion is a matter considered by the boiler manufacturer and the Health & Safety Executive and should not form part of this planning assessment.

Finally, commenting on procedural matters, the submitted Ordnance Survey location plan is up to date for the houses constructed in Moorfield Road and is acceptable for the purpose of the application. It should also be noted that there is no requirement for the applicant to consult with neighbours; neighbour notification is now undertaken by the Council in accordance with statutory procedures on the submission of the application.

Overall, I consider the proposal meets the aim of Local Plan Policy H1 of safeguarding residential amenity and character and that it merits support.

## **RECOMMENDATION**

That the application be granted subject to conditions

Conditions

1. No permission is given to the concrete wall finish and stainless steel flue finish noted in docquetted drawings 2246-E-003 and 2246-E-002 and no development shall commence until a wall finish and flue colour have been submitted to and approved by the Planning Authority:

development thereafter shall proceed utilising the approved wall finish and flue colour unless the Planning Authority gives its prior written approval to any alternatives.

2. 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.
3. That the presence of any ground contamination that becomes evident during site works shall be brought to the attention of the Planning Authority within one week. Consequential remediation work shall not be implemented unless a report has been submitted to and approved, in writing by the Planning Authority.
4. That no fill or landscaping material shall be imported onto the site until written details of the source and intended reuse of the imported materials has been submitted for approval, in writing by the Planning Authority. The report shall characterise the chemical quality (including soil-leachate and organic content etc), volume and source of the imported materials with corresponding cross-sections and plans indicating spatial distribution and depth/thickness of material placement within the development site. The material from the source agreed only shall be imported in strict accordance with these agreed details.
5. That prior to commencement on site, a drainage impact assessment to evaluate the effects of natural drainage resulting from the development shall be submitted to and approved in writing by the Planning Authority. Development shall not proceed until any identified works are completed. Any variation to identified works will require subsequent approval by the Planning Authority prior to development starting on site.

#### Reasons

1. To ensure a choice of external finishes appropriate to the residential character of this part of Gourrock.
2. To help arrest the spread of Japanese Knotweed in the interests of environmental protection.
3. To ensure that all contamination issues are recorded and dealt with appropriately.
4. To protect receptors from the harmful effects of imported contamination.
5. To assess and, if required, control the impact of changes to the natural drainage system.

Stuart Jamieson  
Head of Regeneration and Planning

#### BACKGROUND PAPERS

1. Application form and plans.
2. Inverclyde Local Plan
3. Consultation responses
4. Written representations.
5. Bat Survey



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