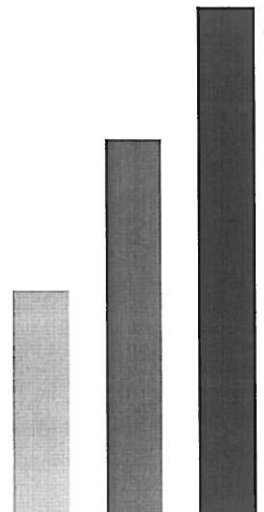


Agenda 2013

Planning Board

For meeting on:

I	May	2013
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A meeting of the Planning Board will be held on Wednesday 1 May 2013 at 3 pm within the Municipal Buildings, Greenock.

ELAINE PATERSON
Head of Legal and Democratic Services

BUSINESS

1. **Apologies, Substitutions and Declarations of Interest**
2. **Continued Planning Applications**
Reports by Head of Regeneration & Planning on continued applications for planning permission as follows:-
 - (a) **Mr E Reimann**
Erection of two flatted dwellings:
Corner of Finnart Street and Fox Street, Greenock (11/0231/IC)
 - (b) **A McWaters**
Erection of detached dwellinghouse on the corner of Bentinck Street and Welbeck Street together with the formation of new off-street parking spaces for 111 and 113 Eldon Street: 111-113 Eldon Street, Greenock (13/0044/IC)
3. **Planning Applications**
Reports by Head of Regeneration & Planning on applications for planning permission as follows:-
 - (a) **Tenants**
Alterations to shopfronts, fascia boards and roller shutters to facilitate shopfront refurbishment:
22, 24, 28, 30/32 and 34 Dubbs Road, Port Glasgow (13/0071/IC)
 - (b) **Inverclyde Council**
Temporary placement of hutments:
Sacred Heart Primary School, Westmorland Road, Greenock (13/0052/IC)
 - (c) **Mr Hawthorne**
Erection of a boiler house:
Shambala, Cloch Road, Gourock (13/0031/IC)

4. **PLANNING APPEALS**

- (a) Report by Head of Regeneration & Planning intimating the notification of a planning appeal at Shielhill Farm, Dunrod Road, Inverkip
- (b) Report by Head of Regeneration & Planning intimating the outcome of a planning appeal at the site of the demolished Ramada Jarvis Hotel, Cloch Road, Gourrock

Enquiries to - **Rona McGhee** - Tel 01475 712113

Report To: The Planning Board

Date: 1 May 2013

Report By: Head of Regeneration and Planning

**Report No: 11/0231/IC
PLAN05/13**

**Local Application
Development**

Contact Officer: James McColl

Contact No: 01475 712462

**Subject: Erection of two flatted dwellings at
Corner of Finnart Street and Fox Street, Greenock**

BACKGROUND

At the April meeting of the Planning Board, consideration of the above planning application was continued for a site visit to allow Members to consider the site and its environs. The site visit was undertaken on 11 April 2013.

SITE DESCRIPTION

The application site, currently vacant and overgrown, is located on the corner of Finnart Street and Fox Street, Greenock. The Jardine Burn currently flows through the site, entering and exiting the site via a culvert. Residential properties lie adjacent and directly across Finnart and Fox Streets. A play park is directly south of the site on Fox Street. The site is located within the Greenock West End Conservation Area.



PROPOSAL

It is proposed to erect a new building accommodating two flats each over two floors. The lower flat is proposed on the basement and ground floors, with the upper flat at first floor and attic levels. The new building, which is 11.5 metres high at the tallest point, has a footprint of approximately 160 square metres. External materials comprise of cream render walls, a slate roof and white uPVC windows. The entrance will be from Fox Street and off street parking for 6 cars will be formed.

LOCAL PLAN POLICIES

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

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

Local Plan Policy H8 - The Character and Amenity of Residential Areas

Proposals for residential development that are acceptable in principle in terms of the Development Strategy of the Local Plan will still be required to satisfy the following development control criteria:

- (a) compatibility with the character and amenity of an area in terms of land use, density, design and materials used;
- (b) visual impact of development on the site and its surroundings;
- (c) landscaping proposals;
- (d) open space proposals (see also Policy H11 and guidance in Policy DC1);
- (e) proposals for the retention of existing landscape or townscape features of value on the site;
- (f) assessment against the Council's Roads Development Guidelines 1995 with regard to road design, parking and traffic safety;
- (g) provision of adequate services; and
- (h) accommodation of, in appropriate cases, the requirements of bus operators regarding road widths, lay-bys and turning areas.

Local Plan Policy HR1 - Designated Environmental Resources and Built Heritage

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

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

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

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

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

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

Local Plan Policy HR12 - Impact of Development Within Conservation Areas

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

Local Plan Policy UT4 - Reducing Flood Risk

Inverclyde Council will seek to reduce the risk of the flooding of non-agricultural areas by resisting development on functional flood plains. Where development is proposed for an area considered to be at risk from flooding, the Council will:

- (a) require the preparation of a Flood Risk Assessment (FRA) and Drainage Impact Assessment (DIA);
- (b) seek the incorporation of flood prevention measures able to cope with, as a minimum, a 1 in 200 year rainfall event, depending on the type of development proposed, taking into consideration predicted climate change and sea level changes in the period to 2050, or justification as to why this standard of protection is not required;
- (c) consult with SEPA where development is likely to result in a material increase in the number of buildings at risk from flooding; and
- (d) require Clyde waterfront and coastal development to be protected against coastal flooding to a level of 5 metres above the ordnance datum.

Flood prevention measures and sea defences should not increase the risk of flooding elsewhere or have an adverse impact on the natural or built environment. For planning permission to be granted, the Council will require agreement to be reached in respect of the continual maintenance of flood prevention infrastructure and sea defences associated with the proposed development.

CONSULTATIONS

Head of Environmental and Commercial Services - No objections on road safety or parking grounds. The flood risk assessment and works to the Jardine Burn are acceptable subject to conditions requiring the submission for approval of a maintenance scheme for the burn, culvert and culvert grill. The Roads Development Guide considers the appropriate provision for two 4 bedroom flats to be either 6 allocated and 0.2 unallocated (on street) space or 4 allocated and 1 (on street) space. The proposed plan indicates 6 off street parking spaces. The proposed car parking complies with the Guidelines.

Head of Safer and Inclusive Communities - No objections but conditions relating to contaminated land, Japanese Knotweed and sound insulation (due to the position adjacent to the electricity sub-station) are recommended.

Scottish Environment Protection Agency – No objection.

PUBLICITY

The application was advertised in the Greenock Telegraph as a development affecting a conservation area.

SITE NOTICES

A site notice was posted for development affecting a conservation area.

PUBLIC PARTICIPATION

The application was subject of neighbour notification. Seven objections were received.

The concerns raised can be summarised as follows:

- The new building is out of keeping and not appropriate for the conservation area location.
- The new vehicular entrance to Fox Street will prejudice road and pedestrian safety.
- On street parking may increase.
- Existing residents on Fox Street will be unable to park their cars outside their houses.
- Proper flow reading for the Jardine Burn is required.
- The building could be converted into four flats in the future.
- The existing trees on the site enhance the area and these will be removed.

I will consider these concerns in my assessment.

ASSESSMENT

The material considerations in the determination of this planning application are the Inverclyde Local Plan, the Council's Planning Practice Advice Note (PPAN) 2 on Single Plot Residential Development, the Scottish Historic Environment Policy (SHEP), Scottish Government Planning Advice Note (PAN) 71 Conservation Area Management, the impact on the existing streetscape and wider conservation area, the impact on residential amenity, the consultation responses and the objections received.

Policy H8 of the Local Plan provides the main assessment criteria for new residential development. Policies HR11 and HR12 provide criteria for the assessment of development proposals within conservation areas. Proposals are encouraged where they are sympathetic to the existing character, pattern of development and appearance of the area. When assessing conservation area development proposals, consideration should be given to the impact they will have on the wider landscape, especially when viewed from adjacent transport routes and vantage points accessible to the public. The SHEP seeks to ensure that the historic environment, including designated conservation areas, is preserved and enhanced. PAN 71 advises that physical change in conservation areas does not necessarily need to replicate its surroundings. The challenge is to ensure that all new development respects, enhances and has a positive impact on the area.

This part of the Conservation Area features a variety of building designs including tenement flats, Victorian villas and detached bungalows. The primary external materials are sandstone and render. The detailing and materials of the new building seeks to reflect traditional architecture with a vertical emphasis to the design, window banding and sandstone detailing and the use of cream render and a slate roof. Contextual drawings submitted indicate that despite being 4 storeys and 11.5 metres high and due to the site being below street level, the building will not be as dominant as the adjacent sandstone villa. This accords with the general pattern of development which sees roof heights reducing along Finnart Street from the tenement flats to the bungalow on the opposite corner of Finnart Street and Fox Street. It is also proposed to retain the existing brick wall to Finnart Street and Fox Street. I consider that the windows within the proposed building should replicate a sash and case appearance due to the building design and conservation area location and this

requirement can be met by way of planning condition. Overall, I am satisfied that the new building is appropriate in terms of design themes, proportions and materials, and that the character and appearance of the Conservation Area will be preserved.



Trees are an important feature of the Conservation Area and I note objections regarding the removal of the existing trees. I do not consider that the overgrown nature of the site contributes positively to the streetscape and on balance the removal of the trees will have an acceptable visual impact. The drawings submitted indicate new planting will be implemented and a planning condition can ensure new landscaping suitable for the conservation area setting.

I note concern that the new vehicular entrance will compromise road and pedestrian safety, however the Head of Environmental and Commercial Services offers no objection. Six off street parking spaces are provided behind the wall on the corner of the road junction. Despite the location within the site, the boundary wall will substantially screen views of the parked vehicles and ensure that they do not form a dominant feature. Appropriate parking is provided and I do not concur with the view that the proposal will unacceptably impact on the parking arrangements of neighbours. While I note concern that there is potential to sub divide the building into additional flats, any future proposal for a development of this nature would be subject of the requirement to submit a planning application for consideration and cannot be taken into account in assessing the impact on roads, parking and neighbours.

I am satisfied that the impact on the privacy to neighbouring property from windows within the new building is acceptable. The provision of a suitable screening fence to the boundary with 131 Finnart Street will address overlooking from the windows at basement and ground floor level, the closest of which is approximately 5 metres from the boundary. There is no conflict from the first floor windows and the windows of 131 Finnart Street. The shape of the site will result in views across the corners of the neighbouring garden from a first floor bedroom window, however unacceptable loss of privacy across large sections of the neighbouring garden to the detriment of the privacy of the residents does not occur. The window to window distance with the properties across Fox Street is approximately 28 metres, in excess of the minimum standard. The positioning of the building within the site would also have an acceptable impact on the daylight and sunlight to neighbouring property when assessed against the indicators set out by the BRE Trust, with any small loss of evening sunlight to 131 Finnart Street being within acceptable limits. Indeed, the distance of windows from boundaries reflects a building in large grounds.

The Head of Safer and Inclusive Communities offers no objections but conditions relating to contaminated land, Japanese Knotweed and sound insulation given the position adjacent to the electricity sub-station are recommended for any approval.

With respect to policy UT4, the initial proposal for the culverting and diversion of the Jardine Burn within the site led to a SEPA objection. Additional information on the flow of the burn and flood risk was provided and whilst the burn will still be diverted, it will remain partly as an open channel. This allowed SEPA to remove their objection. The Head of Environmental and Commercial Services is satisfied that there is no flood risk and conditions requiring a maintenance scheme for the burn, culvert and culvert grill are appropriate for any approval.

In conclusion, I am satisfied that the proposed development respects the established pattern of development within the Conservation Area in terms of location, design and materials. The proposal presents no conflict with the relevant criteria of policies H1, H8, H14, HR1, HR11, HR12 and UT4 of the Inverclyde Local Plan, the aims of the SHEP which seeks to enhance or preserve the historic environment and PAN 71 which seeks to manage change in conservation areas.

RECOMMENDATION

That the application be granted subject to the following conditions:

1. Prior to the commencement of work on site, samples of all external finishes inclusive of the surfacing of areas of hardstanding, shall be submitted to and approved in writing by the Planning Authority. Development shall then proceed utilising the approved materials unless an alternative is agreed in writing by the Planning Authority.
2. Prior to the commencement of work on site full details and the window specification shall be submitted to and approved in writing by the Planning Authority. Development shall then proceed utilising the approved specification unless an alternative is agreed in writing by the Planning Authority. For the avoidance of doubt, the windows shall feature a stepped profile to mimic the appearance of a sash and case window.
3. Prior to the commencement of works on site, a landscaping scheme shall be submitted to and approved in writing by the Planning Authority. The landscaping scheme shall then be implemented and maintained as approved at all times thereafter.
4. Prior to the commencement of work on site, details of all boundary treatments together with samples of all finishing materials shall be submitted to and approved in writing by the Planning Authority. Development shall then proceed as approved unless an alternative is agreed in writing by the Planning Authority. For the avoidance of doubt, the boundary wall to Finnart Street and Fox Street shall be retained.
5. The parking area for the new properties hereby permitted shall be completed and be available for the use to the satisfaction of the Planning Authority prior to the occupation of the new dwellinghouse.
6. All surface water run off shall be intercepted on site.
7. That development shall not commence on site until a maintenance scheme for the burn, culvert and culvert grill is submitted to and approved in writing by the Planning Authority. Maintenance shall then be undertaken in accordance with the approved scheme for all times thereafter.
8. That development shall not commence until full details of the containers to be used to store waste materials and recyclable materials produced on the premises and how they will be stored on site have been submitted to and approved in writing by the Planning Authority. These containers shall then be stored as approved at all times thereafter.
9. 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.

10. 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.
11. 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.
12. 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.
13. That no material shall be imported onto the site until written details of the source of the imported material have 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.
14. Sound insulation must be installed during construction to ensure that noise from the electrical sub station is within Noise Rating Curve 20 between the hours of 23:00 and 07:00 when measured within any bedroom of the new dwellings hereby permitted.

Reasons

1. To ensure the external materials are appropriate for the existing streetscape in this part of the Greenock West End Conservation Area.
2. To ensure a window design appropriate for this part of the Greenock West End Conservation Area.
3. To ensure appropriate landscaping within the site.
4. To ensure appropriate boundary treatment.
5. To ensure off street parking is available for these properties and to prevent overspill parking, in the interest of road safety.
6. To ensure surface water does not encroach onto the public road, in the interests of road safety.

7. To ensure an appropriate maintenance scheme for the burn, culvert and grille to prevent flooding.
8. To ensure the provision of suitable refuse and recycling storage and a visually acceptable environment.
9. To help arrest the spread of Japanese Knotweed in the interests of environmental protection.
10. To satisfactorily address potential contamination issues in the interests of environmental safety.
11. To provide verification that remediation has been carried out to the Planning Authority's satisfaction.
12. To ensure that all contamination issues are recorded and dealt with appropriately.
13. To protect receptors from the harmful effects of imported contamination.
14. To protect the amenities of occupiers of premises from unreasonable noise and vibration levels.

Stuart Jamieson
Head of Regeneration and Planning

BACKGROUND PAPERS

1. Application forms
2. Application plans
3. Inverclyde Local Plan
4. PPAN 2
5. Scottish Historic Environment Policy
6. Scottish Government Planning Advice Note 71 (Conservation Area Management)
7. Consultation responses
8. Objections received



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Report To: The Planning Board

Date: 1 May 2013

Report By: Head of Regeneration and Planning

Report No: 13/0044/IC
PLAN05/13

Local Application
Development

Contact Officer: James McColl

Contact No: 01475 712462

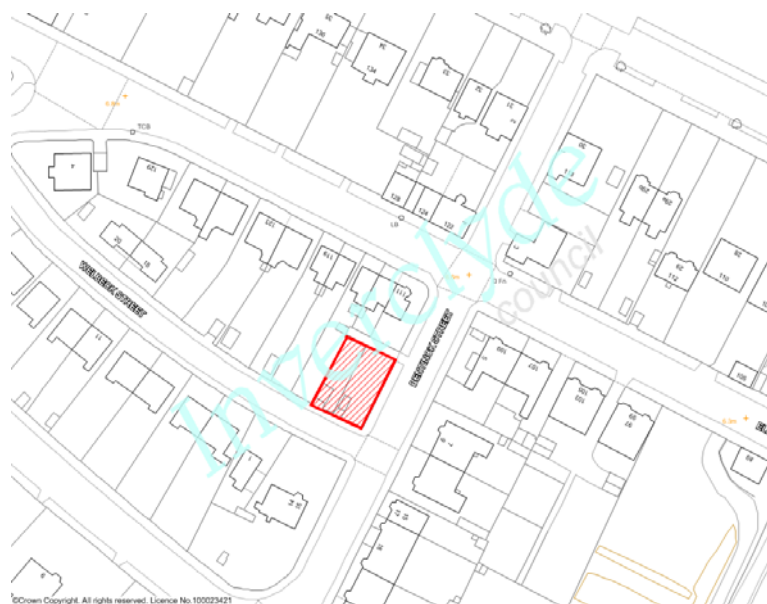
Subject: Erection of detached dwellinghouse on the corner of Bentinck Street and Welbeck Street together with the formation of new off street parking spaces for 111 and 113 Eldon Street at 111 - 113 Eldon Street, Greenock

BACKGROUND

At the April meeting of the Planning Board, consideration of the above planning application was continued for a site visit to allow Members to consider the site and its environs. The site visit was undertaken on 11 April 2013.

SITE DESCRIPTION

111 and 113 are two of a terrace of 3 houses on Eldon Street. An unusual arrangement exists where an access from Bentinck Street to a garage for the end terraced house (no. 115) divides the rear gardens of 111 and 113 Eldon Street. The application site is the rear section of garden south of the access lane. It has frontages onto Bentinck Street and Welbeck Street, is surrounded by housing and is located within the Greenock West End Conservation Area. The plot extends to approximately 390 square metres.



PROPOSAL

It is proposed to erect a new 4 bedroom house, approximately 8.5 metres high and with a footprint of approximately 120 square metres. External materials will comprise a white render, an imitation slate roof tile and uPVC windows with a stepped profile. The house has a double aspect frontage to both Bentinck Street and Welbeck Street. The boundary of the plot will be formed with an 1800 mm high timber fence.

A new off street parking space for 113 Eldon Street will be formed adjacent to the new dwelling fronting Bentinck Street. Parking for 111 Eldon Street will be located within the remaining rear garden of this property also fronting Bentinck Street. The existing lane providing access to the garage for no. 115 remains unaffected.

LOCAL PLAN POLICIES

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

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

Local Plan Policy H8 - The Character and Amenity of Residential Areas

Proposals for residential development that are acceptable in principle in terms of the Development Strategy of the Local Plan will still be required to satisfy the following development control criteria:

- (a) compatibility with the character and amenity of an area in terms of land use, density, design and materials used;
- (b) visual impact of development on the site and its surroundings;
- (c) landscaping proposals;
- (d) open space proposals (see also Policy H11 and guidance in Policy DC1);
- (e) proposals for the retention of existing landscape or townscape features of value on the site;
- (f) assessment against the Council's Roads Development Guidelines 1995 with regard to road design, parking and traffic safety;
- (g) provision of adequate services; and
- (h) accommodation of, in appropriate cases, the requirements of bus operators regarding road widths, lay-bys and turning areas.

Local Plan Policy H14 - Proposals for the Sub-Division of Dwelling Plots

Proposals for residential development within the curtilage of an existing developed plot will be acceptable only where they:

- (a) provide a safe and convenient means of access for the vehicles and pedestrians of both the existing and proposed dwelling in accordance with the Council's Roads Development Guidelines 1995; and
- (b) do not conflict with the established character and development pattern of an area with particular regard to garden ground, scale and position of buildings and spacing between buildings.

Local Plan Policy HR1 - Designated Environmental Resources and Built Heritage

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

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

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

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

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

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

Local Plan Policy HR12 - Impact of Development Within Conservation Areas

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

Local Plan Policy DC1 - Development Control Advice

Inverclyde Council, as Planning Authority, will support applications for planning, listed building and advertisement consent, where applicable, which accord with the principles established in the Council's Planning Practice Advice Notes.

PPAN2 - Single Plot Residential Development applies.

CONSULTATIONS

Head of Environmental and Commercial Services – No objections. The maximum driveway gradient should not exceed 10% and all surface water should be intercepted within the site. The Roads Development Guide considers the appropriate provision for a 4 bedroom house to be either 3 allocated and 0.1 unallocated (on street) space or 2 allocated and 0.5 (on street) space. The proposed plan indicates 2 off street parking spaces, but the driveway can accommodate 3 cars. The existing houses at 111 and 113 Eldon Street each has one off street space in a garage, both accessed from Welbeck Street. The garages will be removed and each house will receive one new off street space accessed from Bentinck Street. The proposed car parking complies with the Guidelines.

Head of Safer and Inclusive Communities – No objections but conditions relating to contaminated land and Japanese Knotweed are recommended.

Scottish Water – No objections.

PUBLICITY

The application was advertised in the Greenock Telegraph as development affecting a conservation area.

SITE NOTICES

A site notice was posted for a development affecting a conservation area.

PUBLIC PARTICIPATION

The application was subject of neighbour notification. Twenty two objections have been received.

The concerns raised can be summarised as follows:

1. The design and materials of the new property are inappropriate for the conservation area.
2. The new plot and resulting plot of the donor houses will be too small.
3. The new house is too large for the plot.
4. The development does not respect the existing pattern of development.
5. Overdevelopment may occur.
6. Sunlight to neighbouring property will be reduced.
7. Trees and shrubs within the existing garden will require to be removed.
8. The new house will lead to a loss of privacy to neighbouring property.
9. An increase in parking may occur in an area which is already very congested and existing on street parking will be lost.
10. No traffic impact assessment has been submitted.
11. Further bedrooms not shown on the drawings may be formed in the attic.
12. The existing tree on the public road may be damaged by the development.
13. The existing tree on the public road is misrepresented in the submission.
14. The development is contrary to the Inverclyde Local Plan.
15. There is an abundance of houses for sale in the local area.
16. The development is within the Green Belt.
17. Wildlife, including bats, will be affected.
18. Water pressure may be affected and sewers may block.
19. Flooding may occur.
20. Loss of open space would occur.
21. Disruption during construction may occur.
22. Previous similar planning applications have been refused.
23. A precedent would be created for further similar development.

I will consider these concerns in my assessment.

ASSESSMENT

The material considerations in the determination of this planning application are the Inverclyde Local Plan, the Council's Planning Practice Advice Note (PPAN) 2 on Single Plot Residential Development, the Scottish Historic Environment Policy (SHEP), Scottish Government Planning Advice Note (PAN) 71 Conservation Area Management, the impact on the existing streetscape and wider conservation area, the impact on residential amenity, the consultation responses and the objections received.

Considering the sub-division of the plot, Policy H14 of the Local Plan sets out the criteria for the assessment of such proposals. PPAN 2 also identifies the criteria for assessment of proposals for single house plots. Whilst the predominant building pattern within the area features properties on Eldon Street with rear gardens extending to Welbeck Street, and properties on Welbeck Street with rear gardens extending to Octavia Terrace, there are numerous examples of properties built within

corner plots and at/adjacent to road junctions, including the nearby junction of Eldon Street and Bentinck Street and extending along Welbeck Street from the junction with Eldon Place. The small front garden is typical of those in the vicinity and suitable private rear garden ground is provided. Overall, this proposal therefore accords with the existing pattern of development. Furthermore, I am satisfied that the resulting plots of the donor houses, although small, are similar to others nearby. I am satisfied that this plot in both size and location is typical of numerous others in this part of the conservation area. The principle of the subdivision of the plot is therefore acceptable in terms of policy H14 and PPAN 2.

Considering design, Policies HR11 and HR12 provide criteria for the assessment of development proposals within conservation areas. Proposals are encouraged where they are sympathetic to the existing character, pattern of development and appearance of the area and when assessing conservation area development proposals, consideration should be given to the impact they will have on the wider landscape, especially when viewed from adjacent transport routes and vantage points accessible to the public. PPAN 2 advises that on single plots, development should follow the scale, design and detailing of existing buildings. The SHEP seeks to ensure that the historic environment, including designated Conservation Areas, is preserved and enhanced. PAN 71 advises that physical change in conservation areas does not necessarily need to replicate its surroundings. The challenge is to ensure that all new development respects, enhances and has a positive impact on the area.

The proposed new dwelling with an L shaped footprint and entrance on the corner of Bentinck Street and Welbeck Street provides a strong frontage to both streets. The scale and massing of the building accords with the established pattern of development on Bentinck Street and the detailing and vertical emphasis of the building responds to the locality. Whilst adjacent buildings in Bentinck Street are finished in sandstone, a variety of materials are found within the area including rendered finishes, and the use of white render on the proposed house is appropriate in this context. A mock slate tile is also proposed and the requirement to submit a material sample by way of a condition can ensure that the tile is appropriate and creates the appearance of a traditional slate roof. Overall, I am satisfied that the new dwelling proposed takes cognisance of design themes, proportions and materials found in this section of the Conservation Area, the character and appearance of which will be preserved.



Considering boundary treatment, I am concerned that the use of an 1800 mm high timber fence, particularly to the Bentinck Street and Welbeck Street frontage is inappropriate for the Conservation Area location. The boundary treatment to Bentinck Street and Welbeck Street should take the form of a lower wall finished to match the new dwelling. This requirement can be met by way of a planning condition.

Moving on to parking, the new off street spaces created for 111 and 113 Eldon Street, including the new opening in the boundary wall to 111 Eldon Street will be visually acceptable. The requirement to submit samples of the finishing material to the driveway will ensure that the material is appropriate for the Conservation Area.

The window to window relationship with the new dwelling and existing properties at 111 and 113 Eldon Street meets the minimum standard of 18 metres. The window to window distance with the properties across Bentinck Street is approximately 25 metres. The property across Welbeck Street is further distant. The positioning of the building would have an acceptable impact on the daylight to neighbouring property and any small loss of evening sunlight to neighbouring property at 7 and 9 Bentinck Street would be within acceptable limits when assessed with reference to the indicators set out by the BRE Trust.

The Head of Environmental and Commercial Services is satisfied with the access and parking arrangements of the new house and the compensatory parking spaces proposed for 111 and 113 Eldon Street. As the proposal will not generate a significant increase in traffic, a traffic assessment is not appropriate. The Head of Environmental and Commercial Services does not require a flood risk assessment to be submitted and the requirement to ensure all surface water is intercepted within the site can be met by way of a condition. The Head of Safer and Inclusive Communities offers no objections but conditions relating to contaminated land and Japanese Knotweed are recommended for any approval.

In the objections received, the refusal of previous similar planning applications in the vicinity is raised. There have been no recent applications of a similar nature for neighbouring properties on Eldon Street however a house plot to the rear of 14/16 Bentinck Street, fronting Octavia Terrace was refused planning permission in 1991 due to the potentially unacceptable impact on the amenity of neighbouring residents and for failing to respect the established character of the Conservation Area. A previous planning application for the erection of a house within the rear garden of 111 Eldon Street was withdrawn by the applicant prior to determination and, as such, no decision was made on the application. I note concerns that granting permission in this case would create a precedent for future development on Welbeck Street. This is a unique corner plot and this approval would not set a precedent for other sites. Any future planning applications submitted will be considered on their own merit.

Concern is also raised with regard to the proximity of the tree on Bentinck Street adjacent to the application site, and the potential for the roots being damaged during any works on site. Trees at this location are afforded protection by the Conservation Area status and therefore consideration must be given as to whether any undue damage would be likely to occur. The proposed new house is not located directly under the canopy of the tree. Furthermore, the tree appears to have been historically pollarded which will have inhibited root spread. The key roots of the tree will be close to the base of the trunk and will be largely under the road and footpath. Any roots which do encroach towards the application site would be minor fibrous roots. As the main roots would not be damaged by the development, the tree should not suffer any damage. The positioning of the tree does not impact on the proposed driveway and the use of the new driveway would have no greater impact on the tree than existing passing traffic. Whilst I note concern that the tree is not properly represented on the drawings submitted, it is drawn to be indicative only, with the type, maturity and positioning of the tree to be established during a site visit to inform the assessment of the application.

Assessing the outstanding points included within the objections received, the existing ornamental trees and shrubs within the garden are typical of that found in any domestic garden and their removal alone would not impact on the character and appearance of the Conservation Area or local wildlife. There is no suitable habitat for bats within the development site. Scottish Water offer no objections on the grounds of water supply or sewerage. Any perceived short term disruption during construction would not warrant the refusal of the application. The number of houses currently for sale locally has no bearing on the assessment of this application. The site is located within an existing residential area and is not classed as Green Belt.

In conclusion, I am satisfied that the proposed development respects the established pattern of development within the Conservation Area in terms of location, plot size, plot layout, design and materials. The proposal presents no conflict with policies H1, H8, H14, HR1, HR11 and HR12 of the Inverclyde Local Plan, PPAN 2 on Single Plot Residential Development, the aims of the SHEP which seeks to preserve the historic environment and PAN 71 which seeks to manage change in conservation areas.

RECOMMENDATION

That the application be granted subject to the following conditions:

1. Prior to the commencement of work on site, samples of all external finishes inclusive of the surfacing of areas of hardstanding, shall be submitted to and approved in writing by the Planning Authority. Development shall then proceed utilising the approved materials unless an alternative is agreed in writing by the Planning Authority.
2. Prior to the commencement of work on site, details of all boundary treatments together with samples of all finishing materials shall be submitted to and approved in writing by the Planning Authority. Development shall then proceed as approved unless an alternative is agreed in writing by the Planning Authority. For the avoidance of doubt, the boundary treatment to Bentinck Street and Welbeck Street shall take the form of a wall, no greater than 1 metre in height and finished to match the new dwelling.
3. The proposed new off street parking spaces for 111 and 113 Eldon Street shall be created and be available for the use by these properties to the satisfaction of the Planning Authority prior to the commencement of works to erect the new dwellinghouse hereby permitted.
4. The driveway for the new dwellinghouse hereby permitted shall be completed and be available for use to the satisfaction of the Planning Authority prior to the occupation of the new dwellinghouse.
5. The maximum driveway gradient shall not exceed 10%.
6. All surface water run off shall be intercepted on site.
7. 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.
8. That the presence of any previously unrecorded contamination or unexpected ground conditions that becomes evident during site works shall be brought to the attention of the Planning Authority within one week. Consequential requirements for remediation works shall not be implemented unless a strategy report has been submitted to and approved, in writing by the Planning Authority.
9. 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.

Reasons:

1. To ensure the external materials are appropriate for the existing streetscape in this part of the Greenock West End Conservation Area.
2. To ensure appropriate boundary treatment.
3. To ensure off street parking is available for these properties in the interest of road safety.
4. To ensure that an appropriate driveway is completed and to prevent overspill parking, in the interest of road safety.
5. To ensure a usable driveway, in the interest of road safety.
6. To ensure surface water does not encroach onto the public road, in the interests of road safety.
7. To help arrest the spread of Japanese Knotweed in the interests of environmental protection.
8. To ensure that all contamination issues are recorded and dealt with appropriately.
9. To protect receptors from the harmful effects of imported contamination.

Stuart Jamieson
Head of Regeneration and Planning

BACKGROUND PAPERS

1. Application forms
2. Application plans
3. Inverclyde Local Plan
4. PPAN 2
5. Scottish Historic Environment Policy
6. Scottish Government Planning Advice Note 71 (Conservation Area Management)
7. Consultation responses
8. Objections received



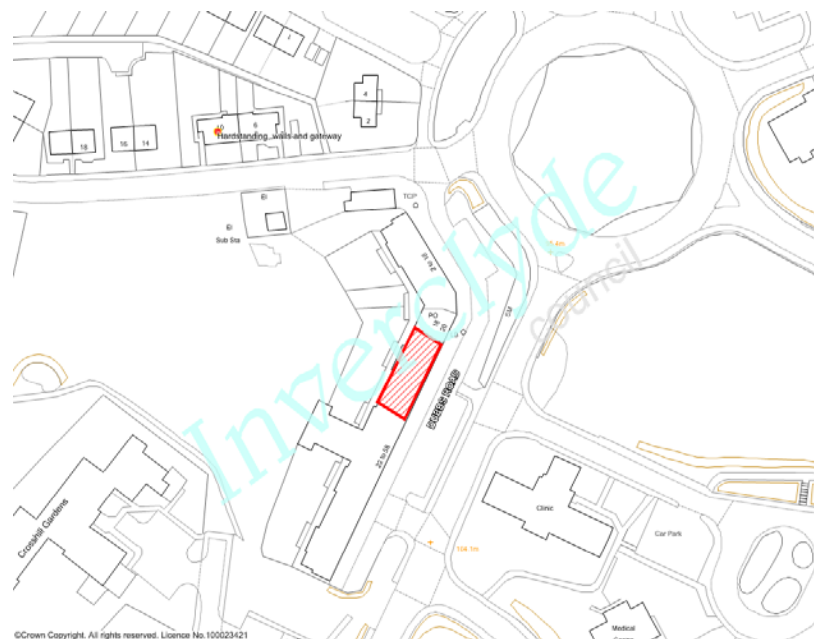
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Report To:	The Planning Board	Date:	1st May 2013
Report By:	Head of Regeneration and Planning	Report No:	13/0071/IC Plan 05/13
			Local Application Development
Contact Officer:	James McColl	Contact No:	01475 712462
Subject:	Alterations to shopfronts, fascia boards and roller shutters to facilitate shopfront refurbishment at 22, 24, 28, 30/32 and 34 Dubbs Road, Port Glasgow		

SITE DESCRIPTION

The application relates to five premises comprising two hairdressers, a café, a bakers and retail shop within the shopping parade at Dubbs Road, Port Glasgow. The premises feature a variety of different shopfronts and are located within the ground floor of a three storey building. The upper floors are in residential use.



PROPOSAL

It is proposed to undertake a general refurbishment of the shopfronts including replacement windows and doors, new ceramic tiling to the stallrisers and new projecting fascia sign boxes. The existing roller shutters will be replaced or refurbished to a painted finish as required, and the shutter boxes will be relocated behind the new projecting fascia signs.

LOCAL PLAN POLICIES

Local Plan Policy R1- Designated Centres

The following Centres are designated:

1. Town Centres, as defined on the Proposals Map:

- (a) Greenock, subdivided into a 'Central Shopping Area' and 'Outer Mixed/Commercial Area';
- (b) Port Glasgow;
- (c) Gourock; and

2. Local Centres, as defined or indicated on the Proposals Map:

- (a) Kilmacolm (defined);
- (b) Dubbs Road, Port Glasgow (defined);
- (c) Sinclair Street, Greenock;
- (d) Belville Street, Greenock;
- (e) Lynedoch Street, Greenock;
- (f) Barrs Cottage (Inverkip Road/ Dunlop Street), Greenock;
- (g) Ravenscraig (Cumberland Walk), Greenock;
- (h) Cardwell Road, Gourock (defined);
- (i) Main Street, Inverkip;
- (j) Ardgowan Road, Wemyss Bay;
- (k) By Station/Pier, Wemyss Bay.

Inverclyde Council, as Planning Authority, will seek to assist urban regeneration and sustainable travel patterns. This will be achieved by encouraging each Centre to serve its own retail and service catchments without detriment to other Centres and to the overall roles of Greenock, Port Glasgow and Gourock as the principal Centres serving the Authority.

Local Plan Policy R2 - Support for Designated Centres

The designated Centres identified in Policy R1 will be protected, enhanced and developed, where resources allow, through a range of initiatives aimed at achieving the following:

- (a) encouraging a diversity of retail, leisure, civic, public administration, office, residential and other uses, of the type which the Council, as Planning Authority, considers to be appropriate to the development of the individual Centres, in order to support their vitality and viability, particularly through mixed use developments and through the use of upper floors of commercial premises;
- (b) identifying and promoting opportunities for new development and for the redevelopment and reuse of existing premises, both within and on the edge of the defined Centres;
- (c) improving the quality of the urban environment through implementing programmes for the improvement of individual properties, the streetscape and open spaces;
- (d) improving accessibility and integration of services by bus, train, ferry and taxi;
- (e) improving accessibility for pedestrians and cyclists through the provision of safe and convenient facilities and routes both into and within the town centres;
- (f) managing provision of freight access and of car, motorcycle and cycle parking for residents, visitors, workers and shoppers in accordance with an approved strategy;

- (g) managing traffic flows to minimise congestion and pollution and to give priority to the disabled, pedestrians, cyclists, public transport and service vehicles; and
- (h) developing Town Centre Action Plans in partnership with other agencies.

Local Plan Policy R18 - Shopfront Design

Inverclyde Council, as Planning Authority, will require new shopfronts to be compatible with the development site and its surroundings and to take cognisance of Planning Practice Advice Note No. 12 on Shopfront Design or any other relevant standards.

Local Plan Policy DC1 - Development Control Advice

Inverclyde Council, as Planning Authority, will support applications for planning, listed building and advertisement consent, where applicable, which accord with the principles established in the Council's Planning Practice Advice Notes.

PPAN12 - Shopfront Design applies.

CONSULTATIONS

None required.

PUBLICITY

The application was advertised in the Greenock Telegraph on 22nd March 2013 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 subject of neighbour notification and a press advertisement. No representations have been received.

ASSESSMENT

The material considerations in the determination of this application are the Inverclyde Local Plan, the Council's Planning Practice Advice Note (PPAN) 12 on Shopfront Design, and the impact on the existing building and wider streetscape.

The site lies within the Dubbs Road Local Centre, as defined by the Local Plan. Policy LR2 supports proposals that improve the quality of the urban environment through implementing programmes that upgrade individual properties, and Policy R18 supports proposals where new shopfronts are compatible with the development site and its surroundings and take cognisance of Planning Practice Advice Note No. 12 on Shopfront Design. Policy DC1 also supports applications which accord with the guidance contained within PPAN 12.

Assessing the proposal, I note that the existing shopfronts are receiving a full overhaul. This involves the installation of new timber doors and shop windows to four premises and the installation of new uPVC doors to match the existing uPVC windows within the fifth premises. These works are visually appropriate and maintain the original proportion and shopfront design. It is further proposed to refurbish the stallrisers with new black brick effect ceramic tiles. This will have a positive visual appearance and create a level of consistency and uniformity between shopfronts.

PPAN 12 provides advice on the installation of roller shutters and states that roller shutter boxes should be recessed behind the fascia or sub-fascia and that the shutters should be latticed grilled. The existing roller shutters are of a solid appearance, are in poor condition and mostly feature an external shutter box. To improve the visual appearance, it is proposed to refurbish, or replace where necessary, the existing solid shutters to a painted finish. They will also be relocated, with the top of the shutters positioned at fascia level. Due to the construction of the building, it is not possible to locate a shutter box behind the fascia, consequently it is proposed to form a new projecting fascia sign box which also conceals the roller shutter housing. This arrangement has the effect of concealing the shutter box as PPAN12 intends. Whilst the use of latticed grilled shutters with a high degree of transparency is preferred by PPAN 12, I acknowledge the security needs of the area and the presence of existing solid roller shutters. Subject to a condition to retain control over the colour of the painted finish of the shutters, I am satisfied that the continued use of solid shutters can therefore be justified in this instance. Finally, the formation of the new sign box at fascia level has two functions. Firstly, it provides for a consistency and uniformity between the existing shopfronts and secondly allows the shutter housing to be concealed. I am satisfied that, as far as is practicable, the design has taken cognisance of PPAN12.



In conclusion the benefit to the overall positive benefit to both the visual impression of the shopfronts and the appearance of the wider shopping parade accords with the aims of policies R2 and R18 of the Inverclyde Local Plan.

RECOMMENDATION

That the application be granted subject to the following conditions:

1. That prior to the commencement of works on site, full details of the colour of the painted finish of the roller shutters shall be submitted to and approved in writing by the Planning Authority. The shutters shall then be finished in the approved colour and maintained in that colour at all times thereafter unless an alternative is agreed in writing by the Planning Authority.
2. That prior to the commencement of works on site, full details of the colour of new window frames and doors shall be submitted to and approved in writing by the Planning Authority. The window frames and doors shall then be finished in the approved colour and maintained in that colour at all times thereafter unless an alternative is agreed in writing by the Planning Authority.

Reasons

1. To ensure an appropriate finish to the roller shutters.
2. To ensure an appropriate finish to the window frames and doors.

Stuart Jamieson
Head of Regeneration and Planning

BACKGROUND PAPERS

1. Application forms and plans
2. Inverclyde Local Plan



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Report To: The Planning Board

Date: 1 May 2013

Report By: Head of Regeneration and Planning

**Report No: 13/0052/IC
Plan 05/13**

**Local Application
Development**

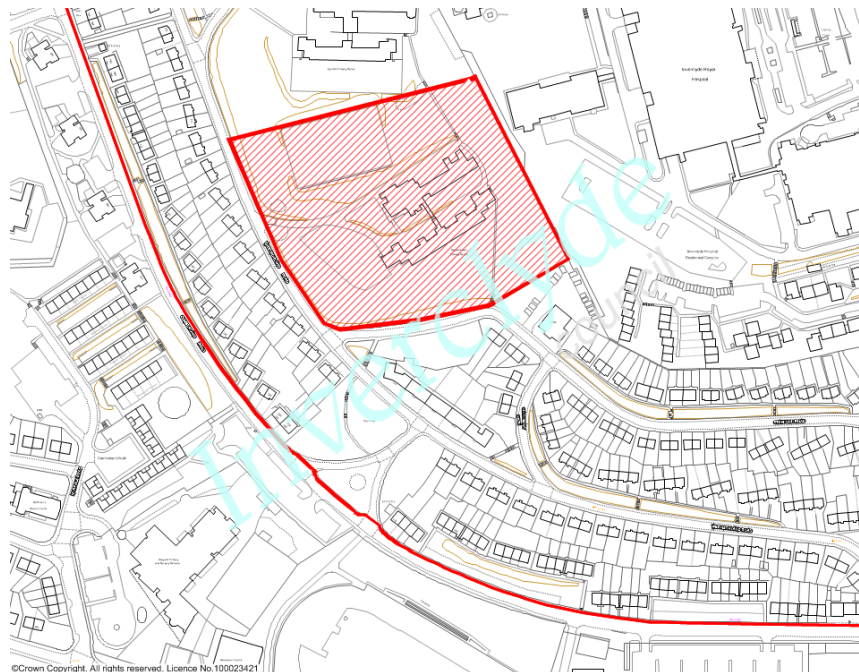
Contact Officer: Guy Phillips

Contact No: 01475 712422

**Subject: Temporary placement of hutments at
Sacred Heart Primary School, Westmorland Road, Greenock**

SITE DESCRIPTION

The Sacred Heart Primary School occupies an elevated position on the east side of Westmorland Road, Greenock. To the north it is bound by Earnhill Primary School, to the east by Inverclyde Royal Hospital and to the south by Stafford Road.



PROPOSAL

It is proposed to site two temporary classroom units to the west of the school building for a 12 month period. The increased accommodation is required while Ardgowan Primary is temporarily re-located for the duration of refurbishment and upgrading works at its school building in Newton Street. The temporary classrooms are of single storey, shallow pitched roof design with a painted wall finish and floor areas of approximately 133 square metres and 100 square metres.

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.

CONSULTATIONS

Head Of Environmental And Commercial Services - No objections

Head Of Safer And Inclusive Communities - No objections subject to the attachment of a condition to control potential contamination and explanatory notes on external lighting, CDM Regulations and seagulls.

PUBLICITY

The application was advertised in the Greenock Telegraph on 1st March 2013 as there are no premises on neighbouring land.

SITE NOTICES

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

PUBLIC PARTICIPATION

No written representations have been received.

ASSESSMENT

The material considerations in the determination of this planning application are the Local Plan and the consultation responses.

Policy H1 of the Local Plan seeks to safeguard and, where practicable, enhance residential amenity and character. The temporary classrooms are of functional design and, while visible from outwith the site, they are positioned close to the existing school building and away from the site boundary to avoid prominence and overlooking of housing.



There are no objections on road safety grounds from the Head of Environmental & Commercial Services and I am in agreement with the conditions recommended by the Head of Safer & Inclusive Communities to prevent harm from potential ground contamination.

Overall I consider that 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

1. The temporary classrooms hereby approved shall be removed at the expiry of 12 months from the commencement of their siting and that any works required to re-instate the site shall be completed 3 months thereafter.
2. That the presence of any suspected contamination that becomes evident during site works shall be brought to the attention of the Planning Authority within one week. Consequential remediation actions shall not be implemented unless it has been submitted to and approved, in writing by the Planning Authority.

Reasons

1. Due to the temporary nature of the proposal and to ensure the reinstatement of the site.
2. To ensure that all contamination issues are recorded and dealt with appropriately.

Stuart Jamieson
Head of Regeneration and Planning

BACKGROUND PAPERS

1. Application form and plans.
2. Inverclyde Local Plan.
3. Consultation responses.

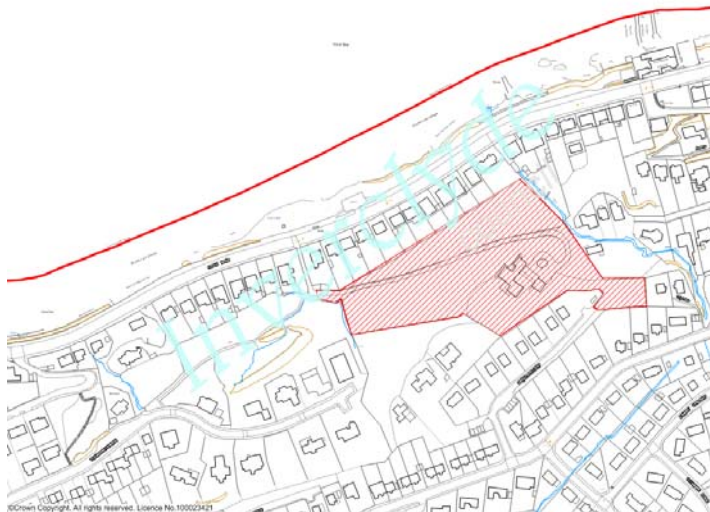


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Report To:	The Planning Board	Date:	1 May 2013
Report By:	Head of Regeneration and Planning	Report No:	13/0031/IC Plan 05/13
			Local Application Development
Contact Officer:	Guy Phillips	Contact No:	01475 712422
Subject:	Erection of a boiler house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

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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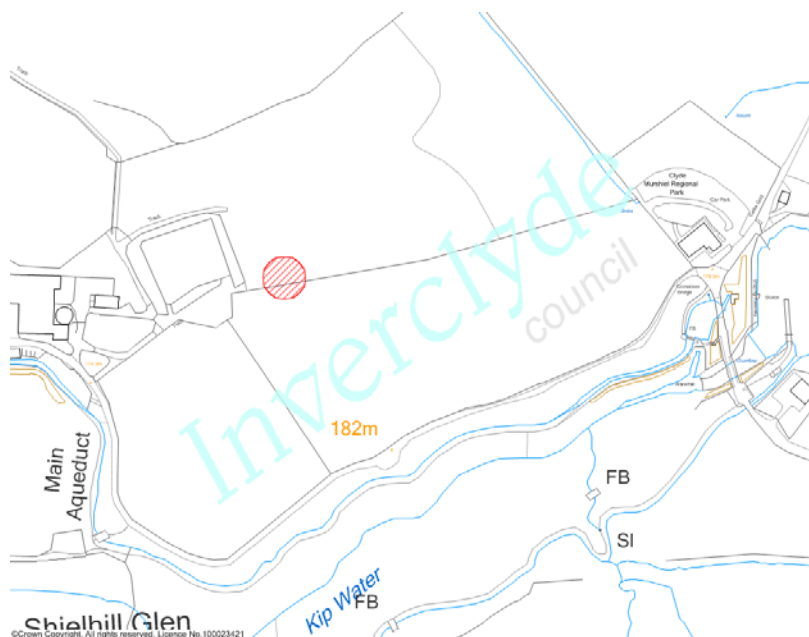
Report To:	The Planning Board	Date:	1 May 2013
Report By:	Head of Regeneration and Planning	Report No:	12/0286/IC Plan 05/13
			Local Application Development
Contact Officer:	Guy Phillips	Contact No:	01475 712422
Subject:	Notification of Planning Appeal: Erection of 1No 50Kw 34.378 metre high wind turbine at Shielhill Farm, Dunrod Road, Inverkip		

INTRODUCTION

In January 2013 planning permission was refused for the erection of a wind turbine at Shielhill Farm, Dunrod Road, Inverkip following a site visit by the Planning Board. Planning permission was refused as:

A combination of height and scale, proximity to Dunrod Road, the Greenock to Overton Cut (designated as a Core Footpath, to encourage the public into the countryside and as an Outstanding Area of Regional Industrial Archaeological Significance), Dunrod Hill and The Cut Visitor Centre combine to create an unexpected and dominant feature in this part of Clyde Muirshiel Regional Park contrary to:-

- a. Policy UT6 of the Inverclyde Local Plan, criteria (a) and (b);
- b. Interim Inverclyde Local Plan Policy UT6A, criterion (c);
- c. Interim Inverclyde Local Plan Policy UT6B, criterion (f); and
- d. Inverclyde Local Plan Policy HR1, criterion (b).



NOTIFICATION OF APPEAL

Notification has been received that an appeal against the refusal has been lodged with the Scottish Government. The appeal is to be considered by written submissions.



RECOMMENDATION

The Board notes the position.

Stuart Jamieson
Head of Regeneration and Planning

BACKGROUND PAPERS

Planning application 12/0286/IC



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Report To:	The Planning Board	Date:	1 May 2013
Report By:	Head of Regeneration and Planning	Report No:	12/0199/IC Plan 05/13
			Local Application Development
Contact Officer:	David Ashman	Contact No:	01475 712416
Subject:	Notification of Planning Appeal Decision: Construction of 38 flatted dwellings with associated access/site entrance; access road; car parking; lock-ups and landscaping at Site of demolished Ramada Jarvis Hotel, Cloch Road, Gourrock		

INTRODUCTION

In December 2012 planning permission was granted for the construction of 38 flatted dwellings at the site of the demolished Ramada Jarvis Hotel, Cloch Road, Gourrock. Permission was granted subject to conditions deemed necessary to ensure that the development as implemented accurately reflects that approved and that on completion the site is finished and maintained to an appropriate standard, including condition 6 which stated:

“That no development shall commence until a bond to cover the costs of implementation of the approved soft landscaping scheme has been lodged with the Council.”

This condition was the subject of an appeal to the Scottish Ministers and considered by written submissions.



NOTIFICATION OF APPEAL DECISION

The Reporter considered the validity of the condition against the tests of relevance to planning, relevance to the development permitted, enforceability and precision and determined that the condition met the criteria. He was unable to support the appellant's claim that the requirement is onerous or unreasonable as no evidence was submitted in respects of costs and the difficulty in

finding bond providers. This left him to assess whether the condition may be considered necessary.



The Reporter took the position that all failures of the development process cannot be laid at the door of the planning system and the planning system cannot be used to resolve all problems. He noted that the condition is intended to guard against risk, and in doing so he questioned the likelihood and consequences. He acknowledged that developers do occasionally get into financial difficulty and that this should not be dismissed, but was swayed by the size of the site and extent of landscaping, the condition of the existing site and the responsibilities of those living in the incomplete development, to quote:

“Even in the worst case, where little or no landscaping had been done, the consequences would be of limited scope and the open areas would be in no worse condition than their present, derelict, state. Responsibility would then rest with the property owners, who would be expected to safeguard their interests when purchasing.”

He concluded that while the condition might have been appropriate for a large development with an extensive landscaping content it is not in his view necessary for a small residential scheme. Accordingly he deleted the condition.

RECOMMENDATION

The Board notes the position.

Stuart Jamieson
Head of Regeneration and Planning

BACKGROUND PAPERS

1. Planning application 12/0199/IC
2. Reporter's decision letter dated 12 April 2013.

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