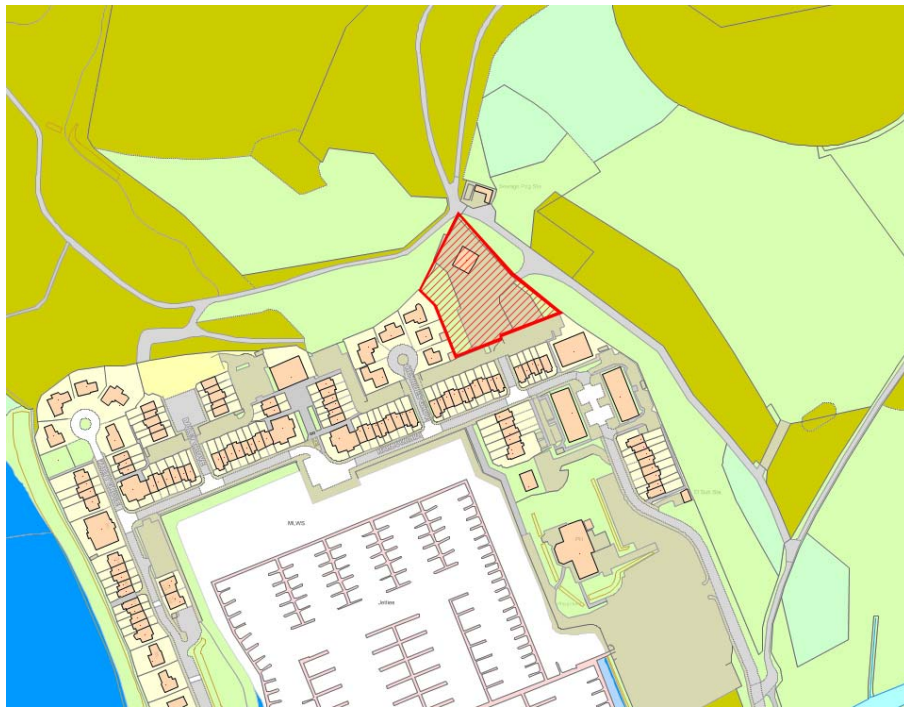

Report To:	The Planning Board	Date:	5 February 2014
Report By:	Head of Regeneration and Planning	Report No:	13/0263/IC Plan 02/14 Local Application Development
Contact Officer:	David Ashman	Contact No:	01475 712416
Subject:	Erection of 23 residential dwellings consisting of eleven no. two storey terraced houses and twelve no. apartments in one single three storey block, and ancillary works at Malin Grove, Harbourside, Inverkip		

SITE DESCRIPTION

The application site is the one remaining undeveloped cul-de-sac within the residential development at Kip Marina. Located at the north-east corner of the site, it is presently used as the site compound. It is bound to the north by Ardgowan Estate, to the south-west by detached dwellings within Hebrides Grove and to the south-east by parking courts associated with townhouses and flatted apartments fronting onto Harbourside.



PROPOSAL

The applicant proposes to amend the approved layout within this part of Harbourside from detached dwellinghouses approved under planning permission IC/00/139 to 23 units, consisting of 11 two storey terraced houses and 12 flatted apartments in one three storey block.

Recent experience leads the applicant to conclude that large detached houses are not presently marketable, consequently without a change the site will be likely to remain undeveloped for a considerable period of time. Elsewhere within the wider Harbourside development townhouses and flatted dwellings are presently being marketed successfully and permission is therefore sought to remix the proposed development to include smaller residential units.

DEVELOPMENT 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 H5 - Housing Development Opportunities

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

Local Plan Policy 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.

Planning Practice Advice Note No.3 "Private and Public Open Space Provision in New Residential Development" applies.

PROPOSED LOCAL DEVELOPMENT PLAN POLICIES

Policy RES1 - Safeguarding the Character and Amenity of Residential Areas

The character and amenity of residential areas, identified on the Proposals Map, will be safeguarded and where practicable, enhanced. Proposals for new residential development will be assessed against and have to satisfy the following criteria:

- (a) compatibility with the character and amenity of the area;
- (b) details of proposals for landscaping;

- (c) proposals for the retention of existing landscape or townscape features of value on the site;
- (d) accordance with the Council's adopted roads guidance and Designing Streets, the Scottish Government's policy statement;
- (e) provision of adequate services; and
- (f) having regard to Supplementary Guidance on Planning Application Advice Notes.

Policy RES3 - Residential Development Opportunities

Residential development will be encouraged and supported on the sites and indicative locations included in Schedule 6.1 and indicated on the Proposals Map. An annual audit of the housing land supply will monitor and review, and where necessary, augment the Effective Land Supply, to maintain a minimum five year's supply in accordance with the GCV SDP and SPP guidance.

Planning Application Advice Note No.3 "Private and Public Open Space Provision in New Residential Development" applies.

CONSULTATIONS

Scottish Water - Assessment is required of the impact of this development on the existing infrastructure. The water and wastewater networks may have to be improved to ensure there is no loss of service to existing customers.

Head of Environmental and Commercial Services - There should be 1 space per dwelling located outwith the road boundary. All parking spaces on the road are unacceptable as obstructive parking will occur in front of the terraces making the spaces on the opposite side of the road difficult to access. The development should also be served by a 2 metre wide footway with lighting.

Head of Safer and Inclusive Communities - No objection, subject to conditions in respect of Japanese Knotweed, contaminated land, waste storage containers and controls on external lighting. Advisory notes are suggested in respect of times and methods of working to minimise noise disruption from the site, site drainage and gull control.

Transport Scotland - No objection subject to the condition that no works may commence on site until the outstanding remedial works at the trunk road junction and trunk road footbridge (currently under discussion between the applicant and Transport Scotland) are completed to the satisfaction of the Trunk Road Authority.

PUBLICITY

The nature of the proposal did not require advertisement.

SITE NOTICES

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

PUBLIC PARTICIPATION

8 objections, 1 letter of support and 1 neutral representation have been received. The points of objection may be summarised as follows:

Traffic related issues

- Malin Grove will not be able to cope with the additional traffic.
- The road geometry at the entry point to Malin Grove is substandard.
- The walls at the entry point to Malin Grove are too high and the increase in traffic levels this proposal would adversely impact on traffic safety.

- The increased traffic raises the potential for accidents at the nearest "blind" right angles corner on Harbourside.
- The site cannot accommodate the level of parking required.
- Connection to the A78 will become more dangerous.
- Transport assessment and travel plans should be provided.
- Access to the site should be taken from the construction road and not through Harbourside.

General infrastructure related issues

- No lighting is shown on the plans.
- Concerns about sewer issues.
- No details of SUDS.

Amenity

- The proposal is not in keeping with the lower density residential development.
- The plans should not be allowed to be changed as neighbours bought their properties in the expectation of a level of neighbouring amenity.
- The proposed dwellings are not in keeping with those existing in the vicinity.
- The existing trees within the site should be protected.
- The proposed fencing is not in keeping with the rest of the development.
- Development of the site has been slow and this would further delay eventual completion.
- The proposed house mix will "de-value" the development.

The one letter of support hopes that construction work will be completed more quickly than on previous phases.

A further letter queried if Malin Grove or the boundary walls at the entrance to it would be altered and if a dead tree would be removed.

ASSESSMENT

The material considerations in determination of this application are the Local Plan, the proposed Local Development Plan, the Scottish Government's Policy Statement for Scotland: Designing Streets, the consultation replies and the representations.

As the proposal is for residential development within an area identified under Policy H1 of the Local Plan as residential in nature, it is acceptable in principle. Furthermore, the application site is within an area specifically identified for residential development within the schedules associated with Policy H5 of the Local Plan and Policy RES3 of the Local Development Plan. The developer is seeking to change the housing mix whilst still ensuring that there will be a clear architectural link to the remainder of the development through consistency of design and material finishes. Through assessment of the plans I am satisfied that, in general terms, this will be achieved.

Nevertheless, further assessment is required against the relevant criteria of Policy H8 to determine whether or not the details of the proposal are acceptable. I can comment on each of the criteria as follows:

- (a) Compatibility with the character and amenity of an area in terms of land use, density, design and materials used. There is little variation from the previous approval or developments in the vicinity with respect to land use, design and materials, although the density represents an increase on the previous proposal. When considered in the context of the wider Harbourside development, the proposed density is characteristic. There are several examples of flatted blocks, some at a higher density than is proposed. Furthermore within Harbourside the original housing mix has been varied. Bailey Grove, for example, consists wholly of townhouses although the original permission envisaged the development of

detached villas. The proposed terraced blocks are at no greater density than the existing blocks of townhouses.

- (b) Visual impact of the development on the site and its surroundings. The proposed development has been set out in such a way as to minimize the visual impact on the existing neighbouring properties, with the lower level terraces concentrated adjacent to existing developments and the flatted block located at the northernmost part of the site, distant from existing dwellings. The flatted block forms an end stop on Malin Grove, in the same way that flatted blocks have been used on Harbourside and at Harbour Square. I consider that the visual impact will be acceptable on this basis.



- (c) Landscaping proposals. The proposed landscaping is satisfactory in principle. Details of implementation may be addressed by condition on a grant of planning permission.
- (d) Open space proposals. The proposed layout meets the requirements of PPAN3 and PAAN3 with the exception of plot 505 with respect to garden depth. A compensatory larger side/rear garden area is provided and there is to be no development to the rear of the plot. On this basis I consider that the proposal is acceptable. I also note that proposals according with PPAN3 are supported by policy DC1 of the Local Plan.
- (e) Proposals for the retention of existing landscape or townscape features of value on the site. There are no features of value.
- (f) Assessment against the Council's Roads Development Guidelines 1995 with regard to road design, parking and traffic safety. The Head of Environmental and Commercial Services is satisfied that an adequate number of parking spaces have been provided as the level of provision was revised upwards during processing of the application. Concern is expressed about the position of some of the spaces, especially those located within the public road and not located to the front of houses. It is feared that the absence of parking spaces to the front of plots 506-511 will lead to obstructive parallel parking on the road. Whilst I note these concerns a balance has to be struck between an engineered layout and a development which is aesthetically pleasing. Indeed the Scottish Government advisory document "Designing Streets" indicates that "creating good streets is not principally about creating successful traffic movement: it is about creating successful places". I consider that the proposed layout achieves this, in accord with criterion (d) of Policy RES1 of the proposed Local Development Plan. Furthermore, as this development is a cul-de-sac with no through traffic I consider that concerns over on-street parking carry less weight than

would be the case with a through route. There is considerable passive supervision of the parking spaces from the overlooking flats which adds to the sense of security for residents. This increases the likelihood that the parking spaces will be used. The road geometry complies with the Roads Development Guide.

- (g) Provision of adequate services. Servicing of the site will be completed by the applicant. I note that the applicant will have to liaise with Scottish Water to ensure that there is capacity for the proposed development.
- (h) Accommodation of, in appropriate cases, the requirements of bus operators regarding road widths, lay-bys and turning areas. Access for bus operators is not required.

In view of the above assessment I conclude that the proposal accords with policy H1 of the Local Plan and, it follows, with Policy RES1 of the Local Development Plan. Notwithstanding compliance with policy it remains to be determined if there are any material considerations which suggest that planning permission should not be granted.

With respect to the consultation responses not yet addressed, the remaining concerns in respect of Japanese Knotweed, site contamination, waste storage containers, external lighting and trunk road remedial works may be the subject of conditions on a grant of planning permission. Turning to the points of objection, Transport Scotland has not expressed concerns over connection to the A78. The level of development proposed does not require to be the subject of a transport assessment or a travel plan. The applicant has confirmed that the construction route will not be via the existing Harbourside road but will be taken through the existing haul route through neighbouring ground. The issue of lighting will be addressed through the subsequent roads construction consent application whilst it is a standard conditional requirement of planning permission that SUDS be used to address surface water discharge.

On issues of aesthetics, as this is a site which has long been identified for development, which includes the clearing of all vegetation, it would be inappropriate to now seek retention of the remaining trees within the site. The proposed fencing style has been changed since the application was originally submitted and now accords with that in the rest of the development.

It is appreciated that development of the site has been slow, which has been dictated in part by economic conditions. By marketing dwellings that there is more confidence in selling, however, this will help to bring development of the wider marina area to a close. How the proposal will impact on the valuation of existing properties is not a material planning consideration.

I therefore find no material considerations suggesting that planning permission should not be granted and therefore consider that planning permission should be granted subject to conditions.

RECOMMENDATION

That the application be granted subject to the following conditions:-

Conditions

1. Notwithstanding the provisions of Classes 1A-4A of the Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2011, Classes 6C to 6H of the Town and Country Planning (General Permitted Development) (Domestic Microgeneration) (Scotland) Order 2009, as amended, and Class 7 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, as amended, an application for planning permission will be required in respect of

- 1) the enlargement, improvement or other alteration of a dwellinghouse

- 2) the provision within the curtilage of a dwellinghouse, of any building or enclosure, swimming or other pool required for purposes incidental to the enjoyment of the dwellinghouse, or alteration of such a building or enclosure
- 3) the erection or provision within the curtilage of a dwellinghouse of a container for the storage of oil or liquid petroleum gas
- 4) the installation or alteration of a satellite antenna on a dwellinghouse or within the curtilage of a dwellinghouse
- 5) the erection, construction or alteration of a gate, fence, wall or other means of enclosure
- 6) the painting of the exterior of any building or works, and
- 7) the installation or alteration on any building or other structure other than a dwellinghouse, of a microwave antenna and any structure intended for the support of a microwave antenna.

2. That full details of external finishes and colours shall be submitted to and approved in writing by the Head of Regeneration and Planning before these materials are used. Development thereafter shall be implemented in accordance with the approved details unless alternatives are agreed in writing.
3. That the footways, the road and the parking and manoeuvring areas shall be completed to final wearing course prior to occupation of the last of the dwellings hereby permitted.
4. 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.
5. That prior to the start of development, details of a survey for the presence of Japanese Knotweed shall be submitted to and approved in writing by the Planning Authority and that, for the avoidance of doubt, this shall contain a methodology and treatment statement where any is found. Development shall not proceed until treatment is completed as per the methodology and treatment statement. Any variation to the treatment methodologies will require subsequent approval by the Planning Authority prior to development starting on site.
6. That the development shall not commence until an environmental investigation and risk assessment, including any necessary Remediation Strategy with timescale for implementation, of all pollutant linkages has been submitted to and approved, in writing by the Planning Authority. The investigations and assessment shall be site-specific and completed in accordance with acceptable codes of practice. The remediation strategy shall include verification/validation methodologies. This may be incorporated as part of a ground condition report and should include an appraisal of options.
7. That on completion of remediation and verification/validation works and prior to the site being occupied, the developer shall submit a Completion Report for approval, in writing, by the Planning Authority, confirming that the works have been carried out in accordance with the remediation strategy. This report shall demonstrate that no pollutant linkages remain or are likely to occur and include (but not be limited to) a collation of verification/validation certificates, analysis information, remediation lifespan, maintenance/aftercare information and details of imported/disposed/reused materials relevant to the site.
8. That the presence of any previously unrecorded contamination or variation to reported ground conditions that becomes evident during site works shall be brought to the attention of the Planning Authority within one week. Consequential amendments to the Remediation Strategy shall not be implemented unless it has been submitted to and approved, in writing, by the Planning Authority.
9. The use of the development shall not commence until the applicant has submitted a completion report for approval, in writing by the Planning Authority, detailing all fill or landscaping material imported onto the site. This report shall contain information of the

materials source, volume, intended use and verification of chemical quality (including soil-leachate and organic content etc) with plans delineating placement and thickness.

10. That 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 in place.
11. All external lighting on the application site should comply with the Scottish Government Guidance Note "Controlling Light Pollution and Reducing Lighting Energy Consumption".
12. That any of the trees, bushes or other areas of planting hereby approved which die, are removed, damaged or become diseased within 5 years of planting shall be replaced within the following year with others of a similar size and species.
13. That no works may commence on site until the outstanding remedial works at the trunk road junction and trunk road footbridge (to be agreed between the applicant and Transport Scotland) are completed to the satisfaction of the Trunk Road Authority.

Reasons

1. To enable the Head of Regeneration and Planning to retain control over works otherwise permitted thereby ensuring the setting of the landscape of Ardgowan House, the marina and rural environment in general is protected from unsympathetic development.
2. To ensure continuity in finishes.
3. To ensure the provision of adequate walking, parking and manoeuvring areas.
4. To control runoff from the site to reduce the risk of flooding.
5. To help arrest the potential spread of Japanese Knotweed in the interests of environmental protection.
6. To satisfactorily address potential contamination issues in the interests of environmental safety.
7. To provide verification that remediation has been carried out to the Planning Authority's satisfaction.
8. To ensure that all contamination issues are recorded and dealt with appropriately.
9. To protect receptors from the harmful effects of imported contamination.
10. To protect the amenity of the immediate area, prevent the creation of nuisance due to odours, insects, rodents or birds.
11. To protect the amenity of the immediate area, the creation of nuisance due to light pollution and to support the reduction of energy consumption.
12. To ensure retention of the approved landscaping scheme in the interests of visual amenity.
13. To ensure essential remedial works are undertaken.

Stuart Jamieson
Head of Regeneration and Planning

BACKGROUND PAPERS

1. Application form and plans.
2. Inverclyde Local Plan.
3. Proposed Inverclyde Local Development Plan.
4. Consultation replies.
5. Representations.



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