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<b>Report To:</b>	<b>The Planning Board</b>	<b>Date:</b>	<b>4 June 2014</b>
<b>Report By:</b>	<b>Head of Regeneration and Planning</b>	<b>Report No:</b>	<b>14/0041/IC Plan06/14</b>
			<b>Local Application Development</b>
<b>Contact Officer:</b>	<b>James McColl</b>	<b>Contact No:</b>	<b>01475 712462</b>
<b>Subject:</b>	<b>Erection of 33 dwellinghouses, alterations to detention basin and relocation of play area (amendment to planning permission IC/06/008) at Inverkip 8 And 9, Hill Farm, Inverkip</b>		

## SITE DESCRIPTION

The site is a 1.39 hectare area of ground located within the Stewart Milne section of the Hill Farm housing development in Inverkip. Located on a north facing hill side, it is currently rough grassland and scrub with small trees to the periphery. A single mature tree is located within the site. A housing development which is presently under construction lies to the north and east of the site and the Berfern Plantation lies to the south and west.

The sustainable urban drainage system (SUDS) arrangement adjacent to plot 149 is also considered as part of the application.



## PROPOSAL

Planning permission was granted in May 2007 for residential development at Hill Farm. Play provision comprising an equipped play area and a SUDS area was also proposed adjacent. A

further planning permission was granted in December 2010 to amend the house types and introduce 4 additional plots within Areas 8 and 9 of the site. This permission included plots 159 – 163.

The previous approval approved 5 plots with open hillside on the application site. This application now proposes to erect 33 dwellings comprising a mix of detached and terraced properties on this site. The proposed dwellings will be two storey and each property will have a private front and rear garden area. Externally, the proposed dwellings will be finished in a range of facing brick, render and roof tiles which will accord with the general palette of colours within the wider development. Garden boundaries between plots will be defined by a 450 mm metre high timber fence with side and rear boundaries defined with an 1800 mm high timber screen fence. All properties will feature a private driveway with the exception of plots 238 – 242 where dedicated off street parking will be provided adjacent to the turning head. Various retaining walls are proposed within the site, to a maximum height of 4.5 metres.

It is further proposed to relocate a proposed play area and amend the SUDS arrangement adjacent to plot 149 to include a detention pond with increased capacity to accommodate the increased number of dwellings.

## **DEVELOPMENT PLAN POLICIES**

### **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 H6 - Hill Farm, Inverkip**

Inverclyde Council, as Planning Authority, will include site ho67 adjacent to the settlement of Inverkip at Hill Farm as land release from the Green Belt, as indicated on the Proposals Map, on condition that that part of the planning consent (indicated on the Proposals Map) is revoked and that development of the remainder of Hill Farm is subject to a masterplan/development brief, to be agreed in advance by the Council.

The release of site ho67 will be conditional on the masterplan providing for:

- i the necessary road improvements at the Brueacre Interchange or a financial contribution towards these;
- ii open space and landscaping in accordance with Policy H11 and Planning Practice Advice Note 3;
- iii the funding of community facilities for neighbourhood and community use;
- iv a pedestrian link, including footbridge, to Inverkip Station and a 'park and ride' facility to the south of the railway line; and
- v mitigation of any adverse impact on the landscape.

### **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 H11 - Residential Development Proposals and Open Space Provision

Inverclyde Council, as Planning Authority, requires developers of new housing to make provision for public open space, play areas and private garden ground, or a comparable financial contribution towards either the provision of, or maintenance and improvement of, existing play equipment in a park or play area in the vicinity of the development, in accordance with the Inverclyde Council Planning Practice Advice Note 3.

#### Local Plan Policy DS5 - Promotion of Quality in New Building Design and in Townscape/Landscaping

The urban environment and built heritage of Inverclyde will be protected and enhanced through controls on development that would have an unacceptable impact on the quality of this resource. Quality in new building design and landscaping will be encouraged to enhance Inverclyde's townscapes.

#### Local Plan Policy DS8 - Green Belt

There is a presumption against development in the designated Green Belt, as identified on the Proposals Map. Proposals will only be considered favourably in exceptional or mitigating circumstances and where the criteria for development in Policy DS10 for the 'Countryside' can be satisfied.

#### Local Plan Policy UT3 - Sustainable Urban Drainage Systems

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

#### Local Plan Policy HR18 - Development Affecting Archaeological Sites

Development on or adjacent to Scheduled Ancient Monuments, other archaeological sites and industrial archaeological resources, will normally only be permitted where there is no adverse impact on the resource. Where development is permitted affecting sites of archaeological importance, conditions will be attached to planning consents to allow for excavation and recording before or during development. The Council will require developers to fund such works.

#### 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.

PPAN3 - 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.

#### Policy RES4 - Provision of Affordable Housing

Residential developments of 20 or more dwellings on the prescribed sites in Schedule 6.1 will require developers to contribute towards meeting the affordable housing requirements identified in the Glasgow and the Clyde Valley Housing Need and Demand Assessment for Inverclyde. Provision is to be delivered by developers in accordance with Supplementary Guidance on Affordable Housing through the following means:

- (a) a benchmark of 25% Affordable Housing Contribution or another agreed percentage on specified 'quota sites'; or failing that and in exceptional circumstances:
  - (i) off-site provision within the same HMA/HNDA sub area\*; or
  - (ii) commuted payments in lieu of on- or off-site provision;
- (b) allocated Registered Social Landlord sites in the effective land supply; and
- (c) greenfield land release for a negotiated Affordable Housing Contribution, subject to assessment in accordance with the GCV SDP Strategy Support Measure 10 and Policy RES3.

\* Note: refer to Supplementary Guidance, Annex 1.

#### Policy ENV2 - Green Belt and the Countryside

Development in the Green Belt will only be considered favourable in exceptional or mitigating circumstances, while development in the Countryside will only be considered favourably where it can be supported with reference to the following criteria:

- (a) it is required for the purposes of agriculture, forestry or, where appropriate, renewable energy (refer Policy INF1); or
- (b) it is a recreation, leisure or tourism proposal which is appropriate for the countryside and has an economic, social and community benefit (refer to Policy ECN6); or
- (c) there is a specific locational requirement for the use and it cannot be accommodated on an alternative site (refer Policies INF3 and INF7); or

- (d) it entails appropriate re-use of redundant habitable buildings, the retention of which is desirable for either their historic interest or architectural character or which form part of an establishment or institution standing in extensive grounds (refer to Policy RES7); and
- (e) it does not adversely impact on the natural and built heritage, and environmental resources;
- (f) it does not adversely impact on landscape character;
- (g) it does not adversely impact on prime quality agricultural land;
- (h) it does not adversely impact on peat land with a high value as a carbon store;
- (i) it does not adversely affect the visual amenity of the area and is capable of satisfactory mitigation;
- (j) there is a need for additional land for development purposes, provided it takes account of the requirements of the Strategic Development Plan; and
- (k) it has regard to Supplementary Guidance on Planning Application Advice.

#### Policy INF5 - Sustainable Urban Drainage Systems

Proposed new development should be drained by appropriate Sustainable Urban Drainage Systems (SUDS) designed in accordance with the CIRIA SUDS Manual (C697) and, where the scheme is to be adopted by Scottish Water, the Sewers for Scotland Manual Second Edition. Where the scheme is not to be adopted by Scottish Water, the developer should indicate how the scheme will be maintained in the long term.

Where more than one development drains into the same catchment a co-ordinated approach to SUDS provision should be taken where practicable.

#### Policy HER6 - Development Affecting Archaeological Sites

Development which will have an adverse effect on Scheduled Monuments or their setting will only be permitted in exceptional circumstances and where it is satisfactory having regard to Historic Scotland's 'Managing Change in the Historic Environment' guidance note series. Development on or adjacent to other archaeological sites, as included on the Council's database of sites of archaeological importance, will normally be permitted only where there is no adverse impact on the resource.

Where development is permitted affecting these sites of archaeological importance, conditions will be attached to planning permissions to allow for excavation and recording before or during development. Any survey reports or works sought by the Council will require to be funded by the developer.

PAAN3 - Private and Public Open Space Provision in New Residential Development applies.

### **CONSULTATIONS**

**Head of Environmental and Commercial Services** - No objections.

**Head of Safer and Inclusive Communities** – Conditions relating to contaminated land and provision of waste containers are recommended.

**Transport Scotland** – No objections.

**Scottish Water** – No objections.

**Scottish Environment Protection Agency West** – No objections.

**Archaeology consultant** - The wider housing development results in the original landscape setting of the enclosure previously identified being entirely lost. Preservation in situ of buried archaeology within such a setting would also be difficult. The methodology of excavation, post-excavation and publication set out in the written scheme of investigation submitted is accepted as appropriate. A condition requiring that this is implemented to ensure the enclosure and all associated features are fully excavated and a programme of post-excavation undertaken, culminating in the publication of the site thus preserving the site by record, is advised.

## **PUBLICITY**

The application was advertised in the Greenock Telegraph on 7th March 2014 as there are no premises on neighbouring land.

## **SITE NOTICES**

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

## **PUBLIC PARTICIPATION**

Twelve objections have been received in connection with the proposal.

The concerns raised can be summarised as follows:

- The number of houses proposed within this area of land is a significant increase from the original approval.
- Increased traffic and parking will occur to the detriment of road safety.
- The roads within the development are narrow and will not cope with the increased traffic.
- Additional traffic calming is required.
- Residents with commercial vehicles may park them within the visitor parking spaces.
- The safety and wellbeing of residents will be compromised.
- The safety of children within the development will be seriously compromised.
- The increased number of houses will lengthen construction period on site causing additional noise and nuisance.
- Play parks proposed have not yet been constructed on site.
- Existing trees may be damaged.
- The introduction of terraced properties is not in keeping with the prestigious development.
- The value of existing property will be reduced.
- The developer did not advise purchasers within the development that building plans may change.
- The increase in the number of properties is for financial gain.
- Existing residents have not been notified of the proposals.

I will consider these concerns in my assessment.

## **ASSESSMENT**

The material considerations in determination of this application are the Inverclyde Local Plan, the proposed Inverclyde Local Development Plan, Planning Practice Advice Note (PPAN) 3 and the proposed Planning Application Advice Note (PAAN) 3 on Private and Public Open Space Provision in New Residential Development, the planning history of the site, the visual appearance of the proposed development and impact on existing streetscapes, the impact on neighbouring amenity and the consultation responses.

The house building is wholly within the boundaries of the Hill Farm housing development granted planning permission in 2007. Accordingly the principle of erecting 33 houses is supported by both the Local Plan and the proposed Local Development Plan. Policy H5 of the Local Plan supports and encourages residential development within sites included in Schedule 7.1, and as indicated on the proposals map. Policy RES3 of the proposed Local Development Plan supports developments indicated in Schedule 6.1. The application site is listed in Schedule 7.1 of the Local Plan and Schedule 6.1 of the proposed Local Development Plan as a housing development opportunity. Policy H6 of the Local Plan advises on the requirements for an overall masterplan for the development of Hill Farm. This requirement was addressed in the original planning permission.

The proposed play area is within the site of 2007 planning permission in the area identified for woodland management. The previous planning permission identified a similar encroachment in the woodland area approximately 100 metres from the proposed play area. This area, although within the original application site, is identified as Green Belt in the Local Plan and the proposed Local Development Plan due to there being no house building proposals within it. The consequence is that the play area makes a minor incursion into the Green Belt. However, recognising both that a play area was positioned to complement the recreational value of the woodland and that the principle of the positioning of the play area to the south of the new dwellings has already been established, I am satisfied that this development does not compromise the intent of the Green Belt policy DS8 of the Local Plan or policy ENV2 of the proposed Local Development Plan.



It rests now to consider the detail of the proposal. Policies H8, H11 and DS5 of the Local Plan, reflected by RES1 of the proposed Local Development Plan and supported by PPAN3 and PAAN3, provide the main assessment criteria for new residential development.

I regard the proposal as compatible with the character and density of the previously approved development which this proposal forms a continuation of. Design and materials reflect the wider residential development, and the introduction of terraced properties adds variety to the streetscape. There is no planning requirement or basis for this development to comprise exclusively of detached and semi detached houses.

The requirements for garden space provision around the individual dwellings have been met within the proposed layout, with rear garden gradients typically between 1 in 8 and 1 in 10. Topography

within the site is addressed with a retaining wall to the rear boundary of the plots adjoining the previously approved dwellings on the lower cul-de-sac. The retaining wall ranges typically from between approximately 2 and 3 metres with a short section rising to 4.5 metres. The wall is not visually prominent in the streetscape, and there are various retaining walls throughout the wider Hill Farm development.

There also appropriate open space provision is provided within the wider development. Play provision was also provided as part of the original permission, and it is proposed to relocate a play area to a new position to the rear of the proposed plots 232 – 237, accessed via the new turning head and a footpath from between plots 226 and 159. Subject to a condition requiring details of the equipment to be provided within the relocated play area, this is considered acceptable. I note the concerns raised that the proposed play parks have yet to be constructed within the wider development, and I can confirm that ongoing monitoring of the site will ensure that the implementation of the play parks is undertaken in accordance with previous permissions and enforcement action could be taken to ensure this if required.

This application will have no impact on proposed tree planting overall or the wider woodland management plan. The loss of a single tree previously to be retained will be required to allow development. Overall, it is considered that the loss of one tree has an acceptable visual impact. Additional planting will be required in the area to the rear of plots 157 – 158 and 225 and 226 where the play area was previously proposed. This can be addressed by way of a condition.

Overall, I consider that the wider visual impact of the development on the site and its surroundings is acceptable with the proposed dwellings providing an appropriate street frontage. I also note that the plot fronting the turning head takes account of its position with a dual frontage, to the further benefit the appearance of the development. Considering wider views towards the site, the topography and woodland backdrop will ensure that the new dwellings do not form a dominant feature when viewed from more distant vantage points within Inverkip. I am also satisfied that the proposed development will not unacceptably impact on the amenity of existing residents.

Considering traffic, parking and road safety, concerns raised regarding the increase in traffic and that the roads within the development are narrow and unsuitable are not shared by the Head of Environmental and Commercial Services who has no concerns in respect of meeting the requirements of the Roads Development Guide and offers no objections on this, or on road safety grounds. The parking requirements set out in the Roads Development Guide are also met, and it should be noted that the type of vehicles which can be parked within the visitor parking spaces is not a matter controlled by way of planning legislation. I also note Transport Scotland offers no objection to increased traffic accessing the A78 Trunk Road via the Brueacre junction. The proposal is therefore acceptable with reference to traffic, parking and road safety. With the railway station adjacent to the wider development, there are no specific requirements for this development to provide for public transport.

Overall, I therefore consider that the proposal satisfies the assessment criteria of Local Plan policies H8, H11 and DS5, RES1 of the proposed Local Development Plan and PPAN3 and PAAN3.

Policy RES4 sets out the requirements for affordable housing within residential developments of 20 or more dwellings. As there was no requirement for affordable housing set out in the original permission for the Hill Farm development, it is considered that it would be inappropriate to require the introduction of such at this late stage of the overall development.

The proposal includes alterations to the SUDS arrangement to provide a detention pond to allow for additional capacity within the sustainable urban drainage system and with respect to policy UT3 of the proposed Plan and INF5 of the adopted Plan, the Head of Environmental and Commercial Services has not identified any flood risk and is satisfied with the drainage arrangements. Scottish Water and SEPA also offer no objections to the proposal.



A condition applied to the original planning permission for the Hill Farm development required an archaeological evaluation within the site. This was implemented and revealed an enclosure of significant archaeology, a possible prehistoric cremation cemetery, within the south western corner of the site. It was agreed that this archaeology would be preserved in situ, rather than being excavated and recorded. As it is now proposed to develop this area, details of an excavation and recording of the archaeology on site have now been submitted. The Council's Archaeological consultant advises that the wider housing development results in the original landscape setting of the enclosure being entirely lost. Preservation in situ of buried archaeology within such a setting would also be difficult, but the methodology of excavation, post-excavation and publication set out in the written scheme of investigation is appropriate. A condition requiring that this is implemented to ensure the enclosure and all associated features are fully excavated and a programme of post-excavation undertaken, culminating in the publication of the site is advised. This condition satisfies the requirements of policy HR18 of the Local Plan and policy HER6 of the proposed Local Development Plan.

I am therefore satisfied that the proposal accords with the Local Plan and proposed Local Development Plan. It remains to be considered, however, if any material considerations suggest that planning permission should not be granted. In this respect I shall now refer to the consultation replies that have not yet been addressed in the above policy analysis.

The Head of Safer and Inclusive Communities offers no objections subject to the imposition of conditions in respect of potential site contamination and provision of waste containers for new residents. The site comprises part of a wider development site and there are no issues of biodiversity value to be addressed.

Examining the outstanding points raised in the representations, revisions to housing development proposals during construction reflecting market changes frequently happen and these changes require to be considered on merit. Whilst it is acknowledged that the increase in the number of dwellings will cause the construction period on site to lengthen, the hours of construction are controlled via the Head of Safer and Inclusive Communities via separate legislation to ensure the construction has an acceptable impact on residents already living within the development. Any perceived reduction in property value is not a material planning consideration nor is the economics of the development. Concern that the developer did not advise purchasers that building plans may change is a civil matter to be discussed between the parties involved. Finally, moving to procedural matters, the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 require that a neighbour notification is issued to any premises within 20 metres of the application site and in accordance with the legislation a press notice was placed in the Greenock Telegraph.

## **RECOMMENDATION**

That the application be granted subject to the following conditions:

1. That prior to their use, samples of all facing materials to the dwellinghouses and retaining walls together with paving and hardstanding shall be submitted to and approved in writing by the Planning Authority. Works shall then proceed utilising the approved materials, or any alternative agreed in writing by the Planning Authority.
2. That prior to the commencement of work on site full details of a landscaping scheme and programme for completion shall be submitted to and approved by the Planning Authority. Development shall then proceed as approved unless any alternative agreed in writing by the Planning Authority. For the avoidance of doubt, this landscaping scheme will address the area to the rear of plots 157 – 158 and 225 – 226 where the play area was previously proposed.

3. That any trees, shrubs or areas of grass which die, are removed, damaged or become diseased within five years of completion of the landscaping shall be replaced within the following year with others of a similar size and species.
4. That details of maintenance and management for the landscaping approved in terms of condition 2 above shall be submitted to and approved in writing by the Planning Authority prior to the start of construction of the development hereby permitted. Management and maintenance shall commence upon completion of the landscaping.
5. That all soft landscaping shall be completed within 4 weeks of the last of the dwellinghouses hereby permitted being occupied.
6. Prior to the commencement of works on site, full details of the specification of the equipment within the proposed play area shall be submitted to and approved in writing by the Planning Authority.
7. On the completion of the fifth dwellinghouse hereby permitted, the play area shall be completed and made available for use via the proposed pathway accessing between plots 226 and 159, to the satisfaction of the Planning Authority. The play area shall then remain available for use at all times thereafter, unless otherwise agreed in writing by the Planning Authority.
8. That clearance of vegetation within the application site shall take place outwith the bird breeding season of March to July.
9. That driveways shall not exceed a gradient of 10%.
10. That prior to each dwellinghouse hereby permitted being occupied, all new roads and footways leading to it shall be surfaced to a sealed base course.
11. That within 4 weeks of the last of the dwellinghouses hereby permitted being occupied, all roads and footways within the application site shall be completed to a final sealed wearing course.
12. That prior to the commencement of development on site, the methodology of excavation, post-excavation and publication set out in the written scheme of investigation shall be implemented to the satisfaction of the Planning Authority. The Planning Authority together with any Archaeological adviser it appoints shall, if requested, be afforded access to the site at all reasonable times to observe work in progress.
13. 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 requirements for remediation work shall not be implemented unless a Remediation Strategy Report has been submitted to and approved, in writing by the Planning Authority.
14. 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 and 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.
15. That prior to the occupation of the first dwellinghouse hereby permitted, the specification of waste and recycling containers together with details of the areas where such containers are to be located shall be submitted to and approved in writing by the Planning Authority.

## Reasons

1. To enable the Planning Authority to retain effective control of facing and finishing materials in the interests of visual amenity.
2. To ensure the provision of an appropriate landscaping scheme.
3. To ensure the retention of the approved landscaping scheme in the interests of visual amenity.
4. To ensure the maintenance of the approved landscaping scheme in the interests of visual amenity.
5. To ensure the provision of a visually acceptable environment.
6. To ensure a properly equipped play area.
7. To ensure the provision of a properly equipped play area within an appropriate timescale.
8. In the interest of biodiversity.
9. To ensure use of the driveways in the interests of traffic safety.
10. To ensure the provision of acceptable safe access facilities during construction.
11. To ensure the provision of acceptable safe access facilities following construction.
12. To ensure the enclosure and all associated features will be fully excavated, recovered and recorded.
13. To ensure that all contamination issues are recorded and dealt with appropriately.
14. To protect receptors from the harmful effects of imported contamination.
15. To ensure suitable bin provision for the new dwellinghouses.

Stuart Jamieson  
Head of Regeneration and Planning

## BACKGROUND PAPERS

1. Application Form
2. Application Plans
3. Inverclyde Local Plan
4. Proposed Inverclyde Local Development Plan
5. Planning Practice Advice Note (PPAN) 3
6. Proposed Planning Application Advice Note (PAAN) 3
7. Consultations Responses
8. Letters of Representation



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