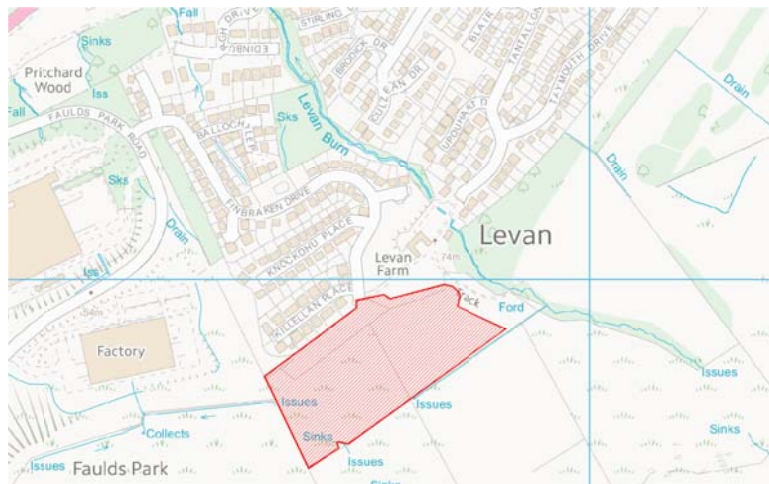


Report To:	The Planning Board	Date:	4th February 2015
Report By:	Head of Regeneration and Planning	Report No:	14/0372/IC Plan 02/15
			Local Application Development
Contact Officer:	Guy Phillips	Contact No:	01475 712422
Subject:	Erection of 26 detached dwellinghouses, including formation of access roads and landscaping works at Levan Farm, Gourock		

SITE DESCRIPTION

The site is an area of open countryside on the hillside above Gourock. It extends to approximately 4.1ha and is immediately to the south of the Levan Farm steading and the residential area accessed from Finbracken Drive.

Finbracken Drive is accessed from the steeply sloping Faulds Park Road, and continues to rise up the hillside. The application continues this rise towards the brow of the hill.



PROPOSAL

The application relates to Area 1 of the Levan Farm Masterplan referred to in Condition 4 of outline planning permission IC/01/0003, granted in 2006. In 2009 permission was granted to extend this outline planning permission for a further three years. At this time planning permission was also granted to delete condition 5 of the 2006 permission which required the adoption of the road network within Levan Farm Phase 1, including the link road for emergency vehicles between Finbracken Drive and Tantallon Avenue. In August 2012 planning permission in principle for the residential development of the 22ha site was extended for a period of a further three years. This permission relates to a residential development of a 22ha site, of which this application is the first phase of 4.1ha.

This first phase proposes the construction of 26 four bedroom detached houses accessed from an extension of Finbracken Drive with two cul-de-sacs extending westwards from it. There are nine detached house types in the development. On the first cul-de sac off the extended Finbracken Drive, four houses are proposed in "end-on" configuration. They back onto the rear gardens of houses in Killellan Place. On the next cul-de-sac there is development on both sides of the street with 17 houses, also in "end-on" configuration. Development on the extension to Finbracken Drive is limited to four houses on the north/east side of the street. These houses are set below street level, with the roof ridges running approximately parallel to street level. Generally, the houses have been arranged to maximise views towards the Clyde Estuary.

Due to the sloping character of the site, the houses are all of split level design and built over three floors. Each has a double garage (either detached or integral) and driveway parking. Finishing materials comprise stone, render, slate, timber and lead.

The proposed layout incorporates a large area of open space along its south-western edge. A burn runs north-east to south-west through this open space terminating in a sustainable urban drainage system (SUDS) pond at its north-west corner. Landscaping details submitted confirm that two areas of woodland planting are to be formed within the open space, comprising thicket planting. The submitted plans further indicate that play provision shall be outwith the phase of development under consideration in this report.

Accompanying the planning application are a Supporting Planning Statement, a Design & Access Statement, a Drainage Strategy Report, a Noise Assessment, a Landscape Design Statement & Maintenance Schedule Report and a Transport Compliance Statement.

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 ENV3 - Safeguarding and Enhancing the Green Network

Inverclyde Council will support, safeguard and where practicable, enhance Green Network links in accordance with Supplementary Guidance on the Green Network.

The provision of the Green Network should be a core component of any master plan or Local Development Framework. Where development proposals would encroach upon or undermine the green network, alternative routes and green space will be expected to be provided or enabled. The

Council will also seek to complete the following Green Network links as shown on the Proposals Map:

- (a) Custom House Quay, Greenock - Clyde Muirshiel Regional Park
- (b) Victoria Harbour, Greenock - Clyde Muirshiel Regional Park
- (c) Coronation Park, Port Glasgow - Clyde Muirshiel Regional Park
- (d) Spango Valley (Valley Park) - Clyde Muirshiel Regional Park
- (e) Inverclyde Coastal Route: Inverkip Power Station - Ardgowan Road/Brueacre Road
- (f) Kempock Point, Gourrock and James Watt Dock - Graving Dock, Greenock

Policy ENV8 - Water Quality and the Water Related Environment

Proposals for all developments should have regard to their potential impact on the water environment, and specifically to the Clyde Area Management Plan (2009 - 2015) (and future reviews) which supplements the River Basin Management Plan for Scotland. In particular there should be no deterioration to the quality of any water body, and where possible sustainable improvements will be sought. In this regard the Scottish Environment Protection Agency (SEPA) will be consulted by the Council where appropriate. The culverting of watercourses should be avoided wherever possible. Where culverts currently exist, they should be opened up as part of any development, if appropriate and practicable.

Policy INF2 : Energy Efficiency

Support will be given to all new buildings designed to ensure at least 10% of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and operation of low and zero carbon generating technologies. The percentage will increase to at least 15% by the end of 2016.

Other solutions will be considered where:

- (a) it can be demonstrated that there are significant technical constraints to using on-site low and zero-carbon generating technologies; and
- (b) there is likely to be an adverse impact on the historic environment.

Excluded from this requirement are:

- (c) buildings that have an intended life of less than 5 years; or
- (d) stand-alone ancillary buildings of less than 50 sq m; or
- (e) buildings which will not be heated or cooled other than for the purposes of frost protection.

Note: It is recognised that Building Standards may change during the lifetime of this Plan. The requirements are therefore percentages of the Building Standard in operation at the time applications are determined.

Policy INF4 - Reducing Flood Risk

Development will not be acceptable where it is at risk of flooding, or increases flood risk elsewhere. There may be exceptions for infrastructure if a specific location is essential for operational reasons and the development is designed to operate in flood conditions and to have minimal impact on water flow and retention.

All developments at risk of flooding will require to be accompanied by a Flood Risk Assessment (FRA) and should include a freeboard allowance, use water resistant materials where appropriate and include suitable management measures and mitigation for any loss of flood storage capacity.

Note: refer to Glossary for FRA and other technical terms.

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.

PAAN3 "Private & Public Open Space in New Residential Development" applies.

CONSULTATIONS

Head of Environmental and Commercial Services - No objections, including upon the issue of flood risk. All houses within the development have off-road parking for three or more cars. The roads within the development are potentially adoptable. The spine road should have 2m wide footways on either side. The cul-de-sacs should have a 5.5m wide carriageway with 2.0m wide footways on either side or shared surfaces with 2.0m wide verges either side.

Head of Safer and Inclusive Communities - No objections subject to planning conditions to control the spread of Japanese Knotweed and potential ground contamination and advisory notes on waste storage, external lighting, construction noise, drainage, vermin, CDM Regulations, surface water and seagulls.

Council's Landscape Advisors- Overall the landscape proposals are fit for purpose, if somewhat lacking in diversity.

Scottish Environment Protection Agency West - No objections.

PUBLICITY

The application was advertised as there are no premises on neighbouring land.

SITE NOTICES

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

PUBLIC PARTICIPATION

Eight written representations have been received. They raise objections to the proposal. The objectors are concerned that:

- The road fabric and road safety on Finbracken Drive and residents amenity shall be compromised by construction traffic. Finbracken Drive is difficult for vehicles to travel in winter conditions and is under strain from the amount of vehicles which travel on it. A temporary construction route should be formed as was done to construct the Persimmon and Charles Church houses following completion of the first phase by Cala Homes. Residents may block Finbracken Drive, as they did previously, if there is an attempt to use it as a construction route.
- Parked school buses and lorries associated with the Faulds Park industrial estate create congestion on Faulds Park Road.
- The emergency vehicle access through Levan Farm should be opened up to improve access for residents.
- A stream running through the site must be dealt with appropriately and not cause problems with excess water downstream.

- There is no market requirement for the proposed houses.
- Light and privacy of houses on Killellan Place shall be compromised.
- A new park, community centre and improved telecommunication networks should be provided.
- The proposed house designs are unsympathetic to those existing.
- There is a risk of coalescence of settlements between Gourrock and Greenock.

ASSESSMENT

The outline planning permission for this site followed the Inquiry Reporter's acceptance of the applicant's objection to the Inverclyde Local Plan: First Review Final Draft, published in 2002, and subsequently considered at the Local Plan Inquiry in 2004. The Inquiry Reporter recommended that the site be included within a larger site for up to 150 houses, and this was accepted by the Council by being incorporated in Policy H5 of the Local Plan. The Plan was adopted in 2006, supporting residential development of the site.

The Local Plan was superseded by the Local Development Plan in August 2014. Policy RES3 of the Local Development Plan is consistent with policy H5 of the former Local Plan in identifying a site with a capacity for 150 houses. On this basis, the principle of residential development of this site is compliant with planning policy.

The 2006 outline planning permission has fourteen conditions attached, and was accompanied by a Master Plan and Landscape Strategy Plan. Condition 4 of the outline planning permission requires development to proceed substantially in accordance with these plans. Overall, the acceptability of the detail of this development rests on the assessment of the planning conditions attached to the 2006 permission and reflected in the subsequent renewal of permission in 2009 and 2012. The assessment of compliance with the conditions is done with reference to associated policies in Local Development Plan.



Condition 1 reserves the siting, design and details of buildings, details of access arrangements and details of landscaping. Policy RES1 seeks to safeguard and, where practicable enhance residential amenity and character. Proposals for new residential development require to meet a range of criteria. The relevant criteria in this instance are (a) compatibility with the character and amenity of the area; (d) accordance with the Council's adopted roads guidance and Designing Streets, the Scottish Government's policy statement; and (f) having regard to Supplementary Guidance on Planning Application Advice Notes. The Council's PAAN3 on Private & Public Open Space In New Residential Development is also of relevance.

Considering compatibility with the character and amenity of the area, I note that the size of plots and separation between houses exceed that in the adjoining residential area and that that the proposed houses are of varied individual design, employing natural materials in their external finish. That said, it is a feature of the proposed layout that most of the houses are constructed close to the street and, as a result there is a departure from the design guidance in PAAN3 as the

minimum front garden length of 6m is not met. I am however satisfied that this is satisfactorily compensated by the provision of wide side gardens and the positioning of houses to avoid direct window intervisibility. This combined with the site slope, aims to maximise views between gaps in the houses towards the Clyde Estuary. Accordingly, I consider this departure from design guidance to be acceptable. While I note representations from neighbours in Killellan Drive, separation between the nearest houses in the development and their houses meet the design guidance in the Council's PAAN3.



Considering the requirement to comply with the Council's Roads Development Guide and the Scottish Government's "Designing Streets" I note that the Head of Environmental & Commercial Services raises no objections to the proposal. I note the letters of objection, but Finbracken Drive is an adopted road and any traffic, including construction traffic may make use of it. The link constructed between Tantallon Avenue and Finbracken Drive is for use by emergency vehicles in emergency situations only when access by Faulds Park Road is blocked. Overall, I am satisfied that assessed against the Local Development Plan, the detail submitted in respect of condition 1 is acceptable.

Condition 2 requires the application for matters specified by condition to be submitted within three years of planning permission in principle being granted. The renewal of the permission ensures compliance. Condition 3, which relates to the commencement of development is linked to the timing in condition 2.

Condition 4 requires development to proceed substantially in accordance with the Landscape Strategy Plan and the Levan Farm Master Plan, which were to be amended to incorporate the recommendations of a golf course architect to address stray golf balls from Gourrock Golf Club, the provision of a public access route along the Levan Burn, and the provision of public access routes to the countryside adjoining the western and southern site boundaries. The proposed first phase of development meets the requirement insofar as applicable. Gourrock Golf Club is not adjacent to this development phase, the Levan Burn is not within it, and the proposed layout affords access to the countryside to the west. Policy ENV3 seeks to safeguard and enhance the Green Network and advises that the Green Network should be a key component of any master plan. As such access to the countryside from this part of the development is unimpeded, and with there being requirements elsewhere within the larger housing site for this provision, I am in agreement with the Supporting Planning Statement's conclusion that the proposal makes a positive contribution to the Central Scotland Green Network.

Condition 5 was deleted by planning permission 09/0066/IC granted in May 2009.

Condition 6 requires development to proceed in accordance with Bat & Bird Impact assessment 2005. The Supporting Planning Statement confirms that this shall be done.

Condition 7 requires the agreement of flood attenuation proposals before development commences. There are no objections to the proposal and Drainage Strategy report from SEPA and the Council's flooding officer.

Condition 8 requires noise attenuation proposals to protect the Faulds Park industrial development from noise complaints. There are no objections to the proposal and submitted Environmental Noise Assessment from the Head of Safer & Inclusive Communities.

Condition 9 requires the site to be landscaped substantially in accordance with Landscape Strategy Plan and the inclusion of an equipped play area. In examining the Strategy, PAAN3 further requires open space to be provided at a ratio of 1.64ha per 1000 population. The proposed layout meets this requirement. It is also noted in the Supporting Planning Statement that a centrally located play area is to be provided in a subsequent phase of the development in accordance with the Masterplan. With reference to criterion (b) of Policy RES1, the Council's landscape advisors confirm that the landscape proposals are fit for purpose. Key to the overall landscape setting of the houses, I consider, is the amenity afforded to the setting of the houses by the thicket planting proposed along the south-western boundary of the north-westernmost cul-de-sac.

Condition 10 requires that development should not commence until maintenance details for landscaping have been agreed. The Council's landscape advisors have offered no objections to the proposed maintenance regime contained within the submitted Landscape Design Statement & Maintenance Schedule Report. This meets the terms of Policy RES1(b). In ensuring the long term amenity of the area, compatible with Policy RES1 condition 11 requires that a bond be submitted to cover the costs of implementing the approved scheme of landscaping. The applicant has agreed to submit a bond.

Condition 12 reserves the choice of finishing materials. While I am content with the generalities of the proposed finishing materials, I consider it prudent to reserve their precise choice by a further condition.

Condition 13 restricts the overall number of houses in the area of the outline planning permission to 150. This first phase of 26 houses accords with this requirement.

Condition 14 requires details of any areas proposed for exclusion from statutory access rights to be agreed by the Planning Authority before commencement of development. No exclusions are proposed.

While the proposal meets the conditions of the outline planning permission, I also note the following with reference to the Local Development Plan.

- Policy RES1 (e) requires the provision of adequate services. No service providers object to the details of the development.
- Policy ENV8 requires developments to have regard to their potential impact on the water environment. SEPA's non-objection to the proposal, I consider determines that policy ENV8 is satisfied.
- Policy INF2 requires all new buildings to be designed with low and zero carbon generating technologies. The Supporting Planning Statement confirms that the proposed houses will meet this policy.
- Policy INF4 advises that development will not be acceptable where it is at risk of flooding or increases flood risk elsewhere. SEPA and the Council's flooding officer have raised no objections to the application and the accompanying Drainage Strategy Report.
- Policy INF5 requires developments to be drained by appropriate Sustainable Urban Drainage Systems (SUDS). The proposal incorporates a SUDS pond in the burn passing through the open space on the west side of the site.

It rests now to consider outstanding points raised in letters of representation. I can advise that the marketability of the proposed houses is not a material planning consideration; there is no requirement for a community centre stemming from the conditions attached to the outline planning permission for the site; there is no responsibility from the developer towards telecommunications networks and there is no proposal to extend the site any nearer to Greenock outwith the site boundary first approved in 2006 and as reflected in the Local Development Plan.

Overall, I consider that the proposal merits support.

RECOMMENDATION

That the application be granted subject to conditions

1. 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.
2. 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.
3. 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 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.
4. 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.
5. 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 material's source, volume, intended use and verification of chemical quality (including soil-leachate and organic content etc) with plans delineating placement and thickness.
6. No development shall commence until samples of all external materials have been submitted to and approved in writing by the Planning Authority: development thereafter shall proceed utilising the approved materials unless the Planning Authority gives its prior written approval to any alternatives.
7. The landscaping scheme hereby approved shall be completed in the first planting season following completion of the 26 houses and any specimens which in the subsequent 5 years

die, become diseased or are damaged shall be replaced in the next planting season unless the Planning Authority gives its prior written approval to any alternatives.

8. No development shall commence until a bond to cover the cost of implementing the approved landscaping scheme has been concluded with the Planning Authority.

Reasons

1. To help arrest the spread of Japanese Knotweed in the interests of environmental protection.
2. To satisfactorily address potential contamination issues in the interests of environmental safety.
3. To provide verification that remediation has been carried out to the Authority's satisfaction.
4. To ensure that all contamination issues are recorded and dealt with appropriately.
5. To protect receptors from the harmful effects of imported contamination.
6. To ensure a continuity of finishing materials in this part of Gourock.
7. To ensure a quality landscape setting for the development.
8. To ensure the provision of the approved landscaping scheme.

Stuart Jamieson
Head of Regeneration and Planning

BACKGROUND PAPERS

1. Application form
2. Application plans
3. Local Development Plan
4. PAAN 3 Private and Public Open Space In New Residential Development
5. Supporting Planning Statement
6. Landscape Design Statement & Maintenance Schedule Report
7. Design & Access Statement
8. Drainage Strategy Report
9. Environmental Noise Report
10. Transport Compliance Statement
11. Planning permission IC/01/003
12. Planning permission 09/0066/IC
13. Planning permission 09/0162/IC
14. Planning Permission 12/0166/IC



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