

<b>Report To:</b>	<b>The Planning Board</b>	<b>Date:</b>	<b>2nd September 2015</b>
<b>Report By:</b>	<b>Head of Regeneration and Planning</b>	<b>Report No:</b>	<b>15/0150/IC Plan 09/15</b>
			<b>Local Application Development</b>
<b>Contact Officer:</b>	<b>Guy Phillips</b>	<b>Contact No:</b>	<b>01475 712422</b>
<b>Subject:</b>	<b>Residential development of 3 blocks, containing 15 flats, with associated road, parking and landscaping at Cowal View, Gourrock</b>		



### **SUMMARY**

- The proposal accords with the Inverclyde Development Plan.
- Nineteen written representations have been received; fourteen expressing support and five objecting to planning permission being granted.
- There have been no adverse comments from consultees.
- The recommendation is to **GRANT PLANNING PERMISSION**

## **SITE DESCRIPTION**

The site, which extends to approximately 0.5ha, is on the south side of Cowal View and is within the grounds of Gourrock Golf Club. It slopes up from the street and has recently been cleared of vegetation and excavated. A steep embankment along the east boundary rises to meet the golf course and car park. A burn flows from north to south, parallel to the west (rear) boundary. To the north-west, fronting Cowal View is a two storey house. Across Cowal View are the rear gardens of houses fronting Glenberrie Place.

## **PROPOSAL**

It is proposed to form a cul-de-sac off Cowal View and to construct three pitched roof, three storey blocks. Each block contains 5 flats with four two bedroom apartments on the ground and first floors and one three bedroom second floor apartment. All flats are equipped with balconies. Due to the topography of the site, the proposed layout incorporates underbuilding and retaining walling. The principal finishing materials are grey concrete roof tiles, grey cladding panels and reconstituted stone. Thirty four car parking spaces are proposed for the 15 flats.

## **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.

PAAN3 "Private and Public Open Space In New Residential Development" applies.

Policy ENV2 - Assessing Development Proposals in the Green Belt and the Countryside

Development in the Green Belt will only be considered favourably 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 Notes.

#### Policy ENV4 - Safeguarding and Enhancing Open Space

Inverclyde Council will support, safeguard and where practicable, enhance:

- (a) areas identified as 'Open Space' on the Proposals Map; and
- (b) other areas of open space of value in terms of their amenity to their surroundings and to the community, and their function as wildlife corridors and Green Network links.

### CONSULTATIONS

**Scottish Environment Protection Agency West** – Revised plans relocate a proposed area of car parking away from a nearby burn, which is consistent with the requirements of Scottish Planning Policy.

**Head of Environmental and Commercial Services** – No objections to the layout of the site and the parking space provision. A condition should be attached requiring that a visibility splay of 2.4m x 43m x 1.05m be maintained at the site access.

**Head of Safer and Inclusive Communities** – No objections subject to the attachment of conditions to control the spread of Japanese Knotweed and to prevent harm from potential ground contamination and the issuing of advisory notes on waste storage, external lighting, construction noise, sound insulation, site drainage, vermin, CDM Regulations, surface water and seagulls.

### 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

Nineteen written representations have been received; fourteen expressing support and five objecting to planning permission being granted.

Representations in favour of the proposal consider that:

- The diversity of housing stock in Gourock shall be improved.
- There is a demand for flats.
- Young professionals shall be attracted and existing residents afforded an opportunity to downsize.
- The proposal is an economic use of land.
- Infrastructure is capable of supporting the development.
- Use of public transport shall be encouraged.
- The site is currently a wasted development opportunity and affords spectacular views.
- The development is consistent with the surrounding area and golf course.

- The site shall be cleaned up.
- The proposal provides support for the golf club.

Parties objecting to the proposal are concerned that:

- The proposed buildings are out of scale with other houses in this part of Gourrock where there are no other flats, thus setting a precedent.
- Road safety shall be adversely affected.
- Japanese Knotweed requires to be eradicated.
- A development of flats has previously been refused in Turnberry Avenue.
- Planning permission was previously granted for houses on the site and was in keeping with existing houses.
- Gourrock is well served by flatted properties.

## ASSESSMENT

The material considerations in the determination of this planning application are the planning history of the site, the Local Development Plan, the Council's PAAN 3 "Private & Public Open Space in New Residential Development", the consultation responses and the written representations.

In October 2010 the Council's Local Review Body granted planning permission in principle for a development of three houses on the site. In October 2013 planning permission was granted to extend the time period for commencement of development by an additional three years. The approved site varies from this application, with the boundary being extended marginally to the south (rear) and at the east (side) on the embankment parallel to the golf club's car park.



The Local Development Plan reflects the planning permission in principle. Land within the site granted planning permission in principle is covered by policy RES1 which seeks to safeguard residential amenity and character and requires proposals for new residential development to be assessed against and satisfy a range of criteria. The relevant criteria in this instance are: (a) compatibility with the character and amenity of the area, (b) details of proposals for landscaping, (d) accordance with the Council's adopted roads guidance and the Scottish Government's policy statement Designing Streets (e) provision of adequate services and (f) having regard to Supplementary Guidance on Planning Application Advice Notes.

Potential conflict with compatibility with the character and amenity of the area arises from the height and scale of the proposed blocks and the overall number of flats proposed. Development in this part of Gourrock is of predominantly two storey design. There are, however, detached houses in the nearby Turnberry Avenue which are of similar scale. The only house adjoining the site is to its west, and while I am aware that it is within the applicant's control. I am nevertheless content that the orientation and separation from the three buildings provides a satisfactory relationship. The setback positions of the three blocks from Cowal View, screening provided by topography and landscaping and design incorporating a third level which is of reduced scale and with a change in finishing material combine to satisfy me that the overall scale of the development has been sensitively designed to fit with its surroundings. The submitted layout incorporates generous areas of landscaping and parking provision in excess of 200% and, I consider, creates a spacious residential environment compatible with the scale and amenity of this part of Gourrock satisfying criterion (a) of Policy RES1.



The submitted layout incorporates fully detailed landscaping proposals which illustrate substantial and varied planting throughout the development, with emphasis upon the site entrance and embankment at the boundary with the golf club car park. While I consider it prudent to attach a condition requiring completion of planting within the first planting season following completion of the flats, I am content that the proposal satisfies criterion (b) of Policy RES1.



There are no objections to the proposal from the Head of Environmental & Commercial Services with no adverse impact upon road safety anticipated. The proposal accords with the Council's adopted roads guidance and the Scottish Government's policy statement Designing Streets and, accordingly, it satisfies criterion (d) of Policy RES1.

Criterion (e) is satisfied; the site is within an established urban area, with no adverse consultation responses and with the provision of adequate services.

PAAN3 "Private & Public Open Space in New Residential Development" categorises the development as "flatted infill"; flats should reflect the existing scale of buildings and townscape in the immediate environs and open space need only be provided where surplus land is available following the provision of any off-street parking required. My favourable assessment of the scale of the proposed flats and their spacious layout against criterion (a) of Policy RES1 ensures that it is also satisfactory with reference to PAAN3. Accordingly, the proposal satisfies criterion (f) of Policy RES1.

The additional areas of land outwith that boundary are within the Golf Club land; these are designated as Open Space within the Green Belt and are subject to Policies ENV2 and ENV4. They are, however, small. The triangle of land bound by the burn at the south (rear) of the site is used for landscaping and parking spaces while the land along the east side of the site is landscaping to separate the development and the golf club car park above. I am content that the removal of these small areas will have no adverse impact, either visually or functionally, upon open space and its enjoyment by golfers. Accordingly, I am content that while there are departures from Policies ENV2 and ENV4, these minor incursions do not dilute the value of open space within the Green Belt in this location, and that combined with the assessment against policy RES1, the intent of the Local Development Plan is met.

In response to the objectors' concerns not covered by my assessment against the Local Development Plan, the Head of Safer & Inclusive Communities is content that the spread of Japanese Knotweed can be satisfactorily controlled by the attachment of a condition; the dismissal of an appeal for the erection of flats in a plotted development of detached houses in Turnberry Avenue is not comparable to the proposal under consideration; the planning permission in principle granted previously for the erection of three houses does not preclude granting of planning permission for the fifteen flats under consideration in this report; no

precedent is created as any other planning application for flats in the area shall be considered on its own merits; and the marketability of flats in Gourrock is not a determining factor.

The consultation responses present no impediment to planning permission being granted and I have no objections to the attachment of conditions and advisory notes as recommended by the Head of Environmental & Commercial Services and the Head of Safer & Inclusive Communities. I also note that the planning application is accompanied by a Bat Potential Roost Assessment. It concludes that there are no trees within or adjacent to the site which have features suitable for use by roosting bats.

Overall, I consider that the proposal merits support.

## **RECOMMENDATION**

That the application be granted subject to the following 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 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.
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. A visibility splay of 2.4m x 43m x 1.05m above ground level shall be provided at the junction with Cowal View prior to any of the flats (hereby approved) being occupied and, thereafter, maintained in perpetuity.
8. None of the flats hereby approved shall be occupied until parking spaces have been formed in accordance with drawing 289.04.03a.
9. The approved landscaping scheme in drawing 289.04.03a shall be completed in the first planting season following completion of the 15 flats, hereby approved, and any specimens that in the subsequent 5 years die, become diseased or are damaged shall be replaced in the next planting season with a similar specimen, unless the Planning Authority gives its prior written approval to any alternative.

#### 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. In the interests of road safety on Cowal View.
8. To prevent overspill parking onto Cowal View and in the interests of road safety.
9. To ensure the provision of a sustainable and quality landscape setting.

Stuart Jamieson  
Head of Regeneration and Planning

Local Government (Access to Information) Act 1985 – Background Papers. For further information please contact Guy Phillips on 01475 712422.