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Our ref: LDP-350-1

11 June 2014

Dear Ron Gimby

**INVERCLYDE LOCAL DEVELOPMENT PLAN
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT PLANNING)
(SCOTLAND) REGULATIONS 2008
SUBMISSION OF THE REPORT OF THE EXAMINATION**

We refer to our appointment by the Scottish Ministers to conduct the examination of the above plan. Having satisfied ourselves that the authority's consultation and engagement exercises conformed with their participation statement, our examination of the plan commenced on 01 January 2014. We have completed the examination, and now submit our report, enclosing one bound and one unbound copy.

Before carrying out the examination into the issues raised in representations we carried out an assessment of the council's conformity with its participation statement under Section 19(4) of the Town and Country Planning (Scotland) Act 1997 (as amended). We concluded that the council's actions with regard to consultation and involvement of the public at large as respects the proposed plan had conformed with its statement.

In our examination we considered the 27 issues arising from over 300 unresolved representations, which were identified by the authority. In each case we have taken account of the summaries of the representations and the responses, as prepared by the authority, the representations themselves and responses to further information requests. We have set out our conclusions and recommendations in relation to each issue in our report.

The examination process also included a comprehensive series of unaccompanied site inspections and, for some issues we requested additional information from the authority and other parties. We did not require to hold any hearings or formal inquiries.

Subject to the limited exceptions as set out in Section 19 of the Town and Country Planning (Scotland) Act 1997 and in the Town and Country Planning (Grounds for Declining to Follow Recommendations) (Scotland) Regulations 2009, the authority is

now required to make the modifications to the plan as set out in our recommendations.

The authority should also make any consequential modifications to the text or maps which arise from these modifications. Separately, the authority will require to make any necessary adjustments to the final environmental report and to the report on the appropriate assessment of the plan.

A letter will be issued to all those who submitted representations to inform them that the examination has been completed and that the report has been submitted to the authority. It will advise them that the report is now available to view at the DPEA website at:

<http://www.dpea.scotland.gov.uk/CaseDetails.aspx?id=94351>

and at the authority's office at Inverclyde Council, Municipal Buildings, Clyde Square, Greenock PA15 1LY and that it will also be posted on the authority's website at:

<http://www.inverclyde.gov.uk/Planning-and-the-Environment/Planning/Development%20Plan/Development%20Plan%20Review>

and a copy will be available for viewing in the following libraries:

- Central Library
- Gourock Library
- Inverkip and Wemyss Bay Library
- Kilmacolm Library
- South West Library
- Port Glasgow Library
- The Watt Library

The Watt LibraryThe documents relating to the examination should be retained on the authority's website for a period of six weeks following the adoption of the plan by the authority.

It would also be helpful to know when the plan has been adopted and would appreciate being sent confirmation of this in due course.

Stephen Hall
REPORTER

Trevor Croft
REPORTER

Richard Bowden
REPORTER

REPORT TO INVERCLYDE COUNCIL

INVERCLYDE LOCAL DEVELOPMENT PLAN EXAMINATION

Reporters: Mr Stephen Hall BA(Hons) BPI MRTPI
Mr T A Croft BSc DipTRP ARSGS FRSA MRTPI
Mr Richard Bowden BSc(Hons) M.Phil MRTPI

Date of Report: 11 June 2014

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Inverclyde Local Development Plan

Examination of Conformity with the Participation Statement

1. Section 12(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) states that a person appointed to examine a proposed strategic development plan “is firstly to examine ... the extent to which the strategic development planning authority’s actions with regard to consultation and the involvement with the public at large as respects the proposed plan have conformed with (or have been beyond the requirements of) the participation statement of the authority which was current when the proposed plan was published under section 10(1)(a).” Paragraph 110 of Circular 6/2013: Development Planning indicates that in this assessment the appointed person is only expected to refer to existing published documents such as the participation statement, the report on conformity and any representations relating to the authority’s consultation and public involvement activities.

2. The proposed Inverclyde Local Development Plan was published in May 2013. The development plan scheme current at that time was published in March 2013.

3. The participation statement is included at pages 6 to 9 of the development plan scheme. In that section are included the measures the authority proposed to take to involve councillors, community councils, key agencies and other stakeholders, including the general public, at the various stages of plan preparation. The participation statement includes measures already taken at the main issues report stage, but our examination is limited to a consideration of conformity with what was proposed for the proposed plan stage. The participation statement sets out both a number of particular actions that the authority would carry out at this stage, and some more general commitments applying to the plan preparation period as a whole. Among the general commitments are:

- a) putting in place arrangements for the participation to be as inclusive, open and transparent as possible;
- b) providing information as early as possible and in a form that allows for full consideration;
- c) providing communication through a range of formats and at a range of locations, particularly utilising electronic means, especially through the council’s website and a dedicated local development plan e-mail address;
- d) considering and reporting representations to the council at the appropriate stages and in good time; and
- e) seeking to involve as wide a range of parties as is practicable, including the public sector, private sector, community groups, voluntary organisations and single interest organisations.

4. Among the specific actions are:

- a) providing information on-line;
- b) publishing contact details;
- c) notification of contacts by letter;
- d) press adverts;

e) depositing and publicising documents in libraries and offices; and

f) meetings and correspondence with stakeholders.

5. The report on conformity with the participation statement was published in November 2013, and submitted to Ministers along with the proposed plan. It sets out the manner in which authority's actions in regard to the participation conformed with, or went beyond the requirements of, the proposals (listed above) contained in the development plan scheme. We are not aware that the authority's consultation or public involvement activities have been raised in any representations on the proposed plan.

6. Having considered the report on conformity, I found that the authority had consulted on the plan and involved the public in the way it said it would in its participation statement, in accordance with section 12(2) of the Act. Being satisfied, we therefore proceeded to examine the proposed strategic development plan.

Stephen Hall

10 January 2013

| | | |
|---|---|---------------------------|
| Issue 1 | Climate Change | |
| Development plan reference: | Chapter 2, Policy SDS1 | Reporter: Stephen Hall |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| Persimmon Homes (20) Inverclyde Renewables LLP (22) | | |
| Provision of the development plan to which the issue relates: | Policy SDS1 - purpose and scope of policy, 'Climate Mitigation and Adaptation – Reducing Carbon and Energy Use' | |
| Planning authority's summary of the representation(s): | | |
| <u>Persimmon Homes</u> (20) The development plan is not the right place for policies which relate to Buildings Standards matters. Energy efficiency and carbon reduction can be dealt with entirely through Building Standards, however the development plan should rightly concern itself with matters relating to site planning. | | |
| <u>Inverclyde Renewables LLP</u> (22) The sustainability theme which underpins the LDP is noted and the desire to contribute towards the Scottish Government's climate change targets. There is also recognition that there are technologies which can make a positive contribution to the aims and objectives of the policy. There is an opportunity for the Council to show their full support for development which mitigates climate change by setting out a presumption in favour of such development in the policy in order to underpin the remainder of the LDP, and demonstrate the commitment to tackling climate change. | | |
| Modifications sought by those submitting representations: | | |
| <u>Persimmon Homes</u> (20) Policy SDS1 should be removed from this policy (sic) along with any related text. | | |
| <u>Inverclyde Renewables LLP</u> (22) Policy SDS1 should be reworded, with text being inserted into the policy following "assisting in achieving renewable energy targets". The text to be inserted is "by establishing a positive planning policy framework for renewable energy developments". | | |

Summary of responses (including reasons) by planning authority:

Persimmon Homes (20)

The intention of the Sustainable Development Strategy (SDS) policies is to set the context within which all development proposals will be considered. Dealing with the reduction of greenhouse gas emissions, Policy SDS1 is the highest level policy in the Plan and along with other sustainable objectives, links to other LDP policies, including Policy INF1 'Renewable Energy Developments'. This policy is applicable to all relevant developments and aims to support a range of renewable energy technologies by guiding them to the right places.

Inverclyde Renewables LLP (22)

Policy SDS1 is very clear in its aim to support renewable energy targets in line statutory requirements. It is considered that the LDP policy framework is a positive one which balances the promotion of development with the requirement for protection and conservation in certain areas. To single out renewable energy developments as being within a 'positive planning policy framework' would suggest that other developments are secondary. Policy INF1 also expresses support for having renewable energy developments in appropriate locations.

No modifications recommended.

Reporter's conclusions:

1. Concern is expressed that Policy SDS1 is unnecessary as it covers matters that should properly be addressed through building standards. However, paragraph 41 of Scottish Planning Policy is clear that the need to mitigate and adapt to climate change should be taken into account throughout the planning system. I therefore conclude that it is appropriate for the plan to include an overarching policy on this topic.

2. Of the individual matters included within the policy, most are clearly relevant to the planning system, for instance identifying sites for waste management facilities, protecting peatland from development, and delivering development patterns that encourage sustainable travel. It is the reference to improving the energy efficiency of buildings that most obviously overlaps with the role of the building standards regime. In terms of the potential role of the planning system, paragraph 39 of Scottish Planning Policy states that planning decisions on the design of new development should "encourage energy efficiency through the orientation and design of buildings, choice of materials, and the use of low and zero carbon generating technologies". Thus there is support in national policy for the planning system taking a role in promoting energy efficiency. Overall I am satisfied that Policy SDS1 is appropriately worded and does not stray into areas that should be dealt with only by the building standards system. See also Issue 19 regarding Policy INF2 – Energy Efficiency.

3. It is suggested that Policy SDS1 should establish more explicitly a positive planning framework for renewable energy developments. As currently worded the policy promotes the plan's assistance in achieving renewable energy targets. This statement broadly conforms with the statement in paragraph 184 of Scottish Planning Policy that authorities should support the development of a range of renewable energy technologies. Further detail is provided in Policy INF1, which supports development required for the generation

of renewable energy so long as it avoids significant adverse effects. The plan is to be read as a whole, and given that this further detail is provided elsewhere, I consider the existing statement in SDS1 to be sufficiently clear and positive for this overarching policy. The appropriateness of the wording of Policy INF1 is considered further under Issue 18.

Reporter's recommendations:

No modifications

| | | |
|---|---|---------------------------|
| Issue 2 | A Sustainable Spatial Strategy | |
| Development plan reference: | Chapter 2, Policies SDS5 & SDS8, paragraphs 2.44, 2.50 and 2.56 | Reporter: Stephen Hall |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| <p>Mr Alan Connell (3) Sanmina SCI (10) Ms Ann Ferris (11) Mr Archibald Brown (12) & Friends of Milton Wood (FoMW) Mr Billy Pickett (14) Mr Bryon Evans (17) & FoMW Mr David Eagle (24) Mr David Walker (27) Mrs Donna Pickett (30) & FoMW Mr Graham Biggart (32) Mrs Isobel Evans (38) & FoMW Mr & Mrs Crighton (45) Mrs Lynda Connell (52) Mactaggart & Mickel Homes Ltd (55) Mr Ralph Leishman (62) Ms Rosemary Biggart (65) Duchal Estate (73) Ms Susan Biggart (76)</p> | | |
| Provision of the development plan to which the issue relates: | Policy of urban containment and defining the inner Green Belt boundary, with particular reference to the settlement of Kilmacolm. | |
| Planning authority's summary of the representation(s): | | |
| <p><u>Mr Alan Connell</u> (3) <u>Ms Ann Ferris</u> (11) <u>Mr Archibald Brown</u> (12) & FoMW <u>Mr Billy Pickett</u> (14) <u>Mr Bryon Evans</u> (17) & FoMW <u>Mr David Walker</u> (27) <u>Mrs Donna Pickett</u> (30) & FoMW <u>Mr Graham Biggart</u> (32) <u>Mrs Isobel Evans</u> (38) & FoMW <u>Mrs Lynda Connell</u> (52) <u>Mr Ralph Leishman</u> (62) <u>Ms Rosemary Biggart</u> (65) <u>Ms Susan Biggart</u> (76)</p> <p>All the above submitted support for paragraphs 2.44 and 2.50 (in full).</p> | | |

Mr Graham Biggart (32)

The continuing protection of Kilmacolm's Greenbelt, as evidenced by the rejection earlier this year of a planning proposal that included a substantial school building, community car park and two-lane, paved road accessing these developments, and which threatened a distinctive Greenbelt wedge, has been welcomed by the community.

Delighted and relieved to note the continued protection of Green Belt in Kilmacolm and of Milton/Duchal Woods and its immediate surroundings. I find it particularly heartening, bearing in mind the history of continual pressure on this area and its surrounding environs for development.

Sanmina SCI (10)

Urban containment is the most appropriate way for the Council to approach their spatial strategy when there are so many sites such as Spango Valley that can be brought forward to meet the requirements of issues such as housing land supply.

Mr David Eagle (24)

The current LDP draft as it relates to Kilmacolm greenbelt is inconsistent with the council's own policies and does a poor job of balancing the needs of our village community with the financial desires of the developers and the various landowners. The council should do much more to ensure the protection of our valuable greenbelt and produce a revised plan which takes on board the opinions and ideas expressed in my submission (refer **Issues 5 & 6**), and better adheres to its own and Scottish Government planning policies.

Mr & Mrs Crighton (45)

In relation to representations submitted under **Issue 4** relating to Policy RES7 and Policy ENV2, it is submitted that there are consequential changes required to **Policy SDS5**, noting the caveat in the Scottish Government definition on 'Brownfield Land' in the Green Belt and Countryside areas, is suitable for development, while it is suggested Policy SDS5 is narrowly concerned with brownfield land within urban settlements only.

Mactaggart & Mickel Homes Ltd (55)

In relation to paragraph 2.44: If, through the LDP, economic growth throughout the LA area is promoted as well as regeneration of waterfront areas, this will require a mix of economic and housing growth through support for existing sites and the re-allocation of sites no longer considered effective through the HLS Audit and LDP preparation process.

There is a clear and direct two-way relationship between housing growth and increasing employment opportunities. To maintain a prosperous economy the Council must encourage both. House building creates both direct and indirect short term employment in terms of construction and longer term employment in terms of increasing the local labour supply and the need to provide services to meet the needs of the additional households. A successful house building industry helps to strengthen local economies and reduces unemployment. As an example Mactaggart & Mickel Homes Ltd has an excellent record of appointing apprentices and retaining them within the Firm.

Land will have to be allocated to meet the affordable housing shortfalls identified through

the *Glasgow and the Clyde Valley Strategic Development Plan* (2012) and *Glasgow and the Clyde Valley Housing Need and Demand Assessment* (HNDA) (June 2011).

In relation to paragraph 2.50 (in relation to Kilmacolm & Quarrier's Village): as written, paragraph 2.50 creates a circular conflict. Affordable housing need is localised by nature and Kilmacolm is highlighted as a problem area for such housing and affordability in general. Well designed and laid out housing and associated uses could overcome landscape setting issues identified in the paragraph. However, without further housing growth – whether it be private or affordable – there will continue to be a lack of demand for public transport infrastructure and services and vice versa. It is wrong for the Proposed Plan to state that Kilmacolm has insufficient infrastructure to deal with further allocations. If this is a reference to public transport only, as stated above, new development will help to resolve that issue. Infrastructure covers a much wider range of matters and there are no other restrictions highlighted in Kilmacolm that would prevent new housing development.

Objection to Figure 2.3 'Spatial Strategy and Place Making' : this strategy actively encourages development to be restricted in Kilmacolm, this is unacceptable in a plan led system.

In relation to paragraph 2.56: Residential development of (Old Hall site) will have a minimal impact on Green Belt objectives at this location, development will form a natural extension to development fingers while not effecting (sic) the green wedges that come into the heart of the village allowing the village to maintain its green links. The opportunity for Brownfield development is severely limited in communities such as Kilmacolm; therefore, land is required to be removed from the Green Belt to allow development. As stated in SPP paragraph 159, "Green Belt designation should be used to direct development to suitable locations, not to prevent development from happening."

SPP states that green belt boundaries in LDPs should reflect long term settlement strategy and ensure that settlements are able to accommodate planned growth. Inner boundaries should not be drawn too tightly around the urban edge, but where appropriate should create an area suitable for planned development between the existing settlement edge and green belt boundary. Boundaries should also take into account the need for development in smaller settlements within the green belt, and where appropriate leave room for expansion.

Duchal Estate (73)

Whilst acknowledging the provision in the Plan of a wide range of sustainable locations for new investment and development, including the seven 'MAC' policy areas, and that the Council considers with regards to small or new opportunities for investment, that these are in place too, it is stated that Kilmacolm, as one of the settlements within Inverclyde set aside from the Clyde Coast, it should be identified also for growth and investment. It is claimed that Kilmacolm, for the third Local Plan review, is not identified for development or investment. This, despite the population being some 5% of the overall population of Inverclyde. Kilmacolm is an attractive area and a desirable place to live. It is also evident that there is an immediate requirement for affordable housing and indeed, smaller retirement properties.

A case is made for Kilmacolm, like other settlements within the Renfrewshire Rural Area, where sites that are considered sustainable and effective and can be developed, should be released from the Green Belt. The example of Shillingworth in Renfrewshire is noted in this

respect, as is Quarrier's Village in Inverclyde, where it is stated the latter has benefitted from residential development releases over recent Local Plan reviews.

Modifications sought by those submitting representations:

Mr David Eagle (24)

No need for any Green Belt release around Kilmacolm: remove sites 'r60' and 'r64' from Schedule 6.1 and reinstate the Green Belt to its current position (refer also to **Issues 7(.1)** and **8**).

Mr & Mrs Crighton (45)

Amend Policy SDS5 to accord with recommended changes to policies RES7 and ENV2, so that it is not solely concerned with brownfield land within the urban area (refer also to **Issue 9(.4)**).

Mactaggart & Mickel Homes Ltd (55)

Duchal Estate (73)

Need to increase the housing land supply, including the number of Effective Sites, and particularly in the Kilmacolm/Quarrier's Village part of the Renfrewshire SHMA (refer also to **Issue 5**).

Mactaggart & Mickel Homes Ltd (55)

Remove the label 'Restrict Development Footprint' in Figure 2.3, page 20.

Include the Old Hall site, off Quarry Drive, Kilmacolm in Schedule 6.1 and release as a housing development opportunity, to contribute to an increase in the Effective land supply (refer to **Issue 9(.2)**).

Duchal Estate (73)

Include the Police House Field, Milton Wood, off Lochwinnoch Road, Kilmacolm in Schedule 6.1 and release as a housing development opportunity, to contribute to an increase in the Effective land supply (refer to **Issue 9(.1)**).

Summary of responses (including reasons) by planning authority:

Mr & Mrs Crighton (45)

Policy SDS5: the purpose and intent of the SDS policies is to establish the 'big picture' spatial or development strategy for the LDP, one of its central aims being a preference for all appropriate development to be within the designated urban area, in sustainable locations after having conducted a Green Belt review (CD27). It is therefore inappropriate in such a 'higher-level' policy to include those special and indeed exceptional circumstances where development will be found to be permissible in the Green Belt and/or Countryside. Policies for dealing with these circumstances are covered in the relevant chapters of the LDP, sitting under and expanding in more detail on the Spatial Strategy chapter, for example Policies RES7 and ENV2 in chapters 6 and 8 respectively.

Mactaggart & Mickel Homes Ltd (55)

Figure 2.3: similarly, the purpose of this figure is to set out in graphic form (as encouraged by the 2006 Act (CD17)), the main elements of the Spatial Strategy. Inevitably in such a diagram, a short hand is required with the labels to describe the main dimensions of Spatial Strategy.

Mr David Eagle (24)

Mactaggart & Mickel Homes Ltd (55)

Duchal Estate (73)

A spatial strategy is the ‘higher-level’ land use planning and development framework expected in the emerging new LDPs. Its purpose is, in the Scottish Government’s well-quoted phrase, to indicate “where development should take place and identify those areas that should not be developed.” In doing so, a whole range of social, economic and in particular, environmental factors are taken into consideration, in coming to a final, balanced view, of where development land should be allocated to meet stated objectives.

It is the view of the Council that the overwhelming preference for development remains within those areas where there is both a need for development, primarily in terms of regeneration and urban renewal, and where there is the (wasted) land resource that is vacant, derelict and underused land. The LDP’s Spatial Strategy describes these sustainable development aims and the MAC and APC policy areas give further spatial expression to the Strategy. The Reporter’s conclusions from the 2004 LPI (CD16) are relevant in this respect, referring to the settlement strategy then, as it relates to Kilmacolm, that while “there is a need to sustain a balance between the containment and growth of urban development on a long term basis (this) relates to the stability and endurance of green belt policies and not necessarily to each individual settlement” (Volume 2: Housing, page 98, para 7.158A).

A small number of adjustments to the adopted Local Plan Green Belt around Kilmacolm have been considered sufficient to accommodate the anticipated build rate in this area over the Plan Period, without adversely impacting on the landscape setting and in particular, undermining the sensitive green wedges that penetrate into the heart of Kilmacolm (refer also to **Issues 4 & 5**).

Mactaggart & Mickel Homes Ltd (55)

Duchal Estate (73)

It is inappropriate in terms of overall assessed demands and needs for housing, to have an equality of land release to meet these requirements: that would be the antithesis of development planning and the first principle of the Scottish Government’s objective for development plans. The planning system and this Council through this LDP is as much concerned with safeguarding and protecting, where necessary, the best of its natural and built heritage, and valued landscapes, as it is making provision in the right locations for development. It is the Council’s view that Kilmacolm and Quarrier’s Village within their landscape and countryside settings are more important to protect than making adjustments and releasing land for development, when importantly there is no strategic and incontrovertible requirement to do so.

The ‘green wedges’ are vital to retaining the setting of Kilmacolm, including the Old Hall

site and the proposed extensive development in Milton Wood. The full responses to the representations made on Milton Wood and Old Hall are covered under **Issue 9(1) & (.2)**, respectively.

The scale of affordable housing need identified in the Glasgow and the Clyde Valley Housing Need and Demand Assessment (GCV HNDA), June 2011 (CD67), translated into Housing Supply Targets (HSTs) and expressed as a land requirement in the LDP, is outlined under **Issue 4** (refer to Background Report: Inverclyde LHS 2011-2016, Part 3, Chapter 8 (CD31)). Suffice to say here, both the limited scale of that requirement in the sub area 'Kilmacolm & Quarrier's Village' and the absence of any recognised mechanism to deliver it in accordance with other policy objectives, i.e. to provide land sufficient for affordable homes alone, necessitates a land supply solely to support that need. The introduction of Policy RES4 'Affordable Housing Provision' is designed to remove this impediment, together with the land supply identified in the LDP. Given the landscape and environmental factors noted above, this relatively marginal scale of need does not justify the scale of greenfield release that would be necessary and advocated by a number of representees, since this would be out of all proportion to the outcome of the GCV HNDA (CD67), in relation to both private and affordable housing requirements in this SHMA and the Inverclyde HMA.

Duchal Estate (73)

Kilmacolm has not been 'devoid of development': over the last 10 years to 2012/13, an average of 14 dwellings per annum has been completed (and before the downturn in 2008 over a similar period, it was 24 per annum). These house completions represent 8% of the Inverclyde total, while Kilmacolm and Quarrier's Village account for 5% of total population/households, and all but a few have been beyond the settlement boundaries.

Mactaggart & Mickel Homes Ltd (55)

Duchal Estate (73)

The level of housing development required to encourage the necessary investment in the public transport infrastructure would be of such a scale that it would undermine the landscape setting of Kilmacolm, with releases for development required on some if not all of the green wedges. This is completely unacceptable and unnecessary, given there is no strategic requirement for this scale of housing development at this time.

The foundation of the settlement strategy in this locality requires what has been presented in this LDP: a tightly drawn Green Belt boundary that was found to have merit and purpose at the 2004 LPI (refer to Volume 2: Housing, page 98, para 7.158) (CD16). Insofar as the overall housing land requirement has not changed significantly since, there is no case for amending the Green Belt in such a radical way when there is no need to find 'room for expansion', at least under the current *Glasgow and the Clyde Valley Housing Need and Demand Assessment* (GCV HNDA), June 2011 (CD67), for the period to 2025. Given there is no such requirement it would be inappropriate and without precedent to release such a scale of land in such a location for what is, effectively, an unrealistic view of future housing demand.

No modifications recommended.

Reporter's conclusions:

Paragraph 2.44 – greenfield land

1. In opposing the proposed plan's statement in paragraph 2.44 that greenfield housing land release is not required, Mactaggart and Mickel Homes Limited argue the economic benefits of housebuilding. These arguments are largely valid, but the plan will support the achievement of these benefits if it delivers a generous supply of effective land to meet identified housing needs. Scottish Planning Policy requires that an effective housing land supply is identified to meet the requirement, but does not require any particular amount of this to be on greenfield land. Indeed paragraph 80 of Scottish Planning Policy prefers the redevelopment of brownfield sites to development on greenfield sites. As a generalisation it may be that greenfield land tends to be less constrained than brownfield sites. However if the planning authority can demonstrate that its brownfield allocations are effective, then the economic benefits of housebuilding should accrue just as they would for greenfield development. The overall adequacy of the supply is considered under Issue 5, where the reporter concludes that the authority has adequately justified its housing land supply approach. I therefore conclude that no change to paragraph 2.44 is required.

Paragraph 2.50 – Kilmacolm and Quarrier's Village

2. Several representations listed under this issue are principally concerned with land at Kilmacolm. The merits of individual sites in this village are discussed under Issues 7.1, 8, 9.1, 9.2, 9.3 and 9.5. The overall adequacy of the housing land supply is discussed under Issue 5, and affordable housing is discussed under Issue 6.

3. In terms of the general strategy for Kilmacolm and Quarriers Village, paragraph 2.50 of the proposed plan stresses the limits to growth in these settlements. In justifying the approach of restricting growth in Kilmacolm, paragraph 2.50 references landscape, environmental and built heritage considerations and an absence of public transport infrastructure as constraints to growth. While well-designed and located development will not necessarily damage environmental interests, I agree with the authority that Kilmacolm is less well-served by public transport than many other parts of Inverclyde. Wider requirements for new housing development are discussed under Issue 5, but the scale of development that would be likely to be required in order to secure a meaningful step change in public transport provision appears to be beyond either what is required or what is contemplated by those promoting development sites.

4. There is no requirement to distribute development around the plan area in strict proportion to current population distribution. In any event I note the authority's evidence that the proportion of Inverclyde's house completions that has taken place in Kilmacolm has exceeded the proportion of Inverclyde's population that resides in the village. While there may be a case for some limited expansion of Kilmacolm, I therefore conclude that the wider strategy for the village, as expressed in paragraph 2.50, is reasonable

5. It is not necessary or appropriate to make a specific reference in the plan to the protection of Milton Woods in Kilmacolm. These woods are shown as falling within various environmental designations on the proposals map, and are therefore offered a fair degree of protection by the plan as it stands. It would also be inconsistent with the approach taken elsewhere in the plan to distinguish this particular site with a specific reference.

Policy SDS5 – Development within the urban area

6. It is suggested that Policy SDS5 should support development on rural as well as urban brownfield sites. Paragraph 80 of Scottish Planning Policy states the national preference for developing rural and urban brownfield sites ahead of greenfield land. However, the focus of Policy SDS5 is on the particular benefit of focussing development on existing communities. The plan identifies this as a sustainable model of development that will contribute towards reduced greenhouse gas emissions (presumably through limiting the need to travel). The policy is not about the wider benefits of brownfield development, which might apply more equally to rural and urban sites, such as making efficient use of land and existing infrastructure.

7. In this context I consider that the wording of Policy SDS5 is appropriate. Whatever the potential benefits of developing rural brownfield sites, such sites will be limited in number in Inverclyde, and not form a major component of the spatial strategy that requires to be covered in this overarching section of the plan. Policies dealing specifically with development in the countryside are contained elsewhere in the plan and discussed elsewhere in this report (see Issue 4).

Paragraph 2.56/ Policy SDS8 – green belt

8. Policy SDS8's restriction on development in the green belt will apply to green belt as identified in this plan. Sites allocated for development will generally be removed from the green belt by the plan. Therefore this particular policy should not be interpreted as restricting the expansion of settlements into the countryside where this occurs in a plan-led fashion. Rather the policy serves to protect the green belt and wider countryside from inappropriate development that is not promoted through the plan. No change is therefore required.

Figure 2.3 – spatial strategy

9. Figure 2.3 seeks to restrict the development footprint around Kilmacolm and Quarrier's Village. Objection is made that such an approach is unacceptable in a plan-led system. However I do not consider it unusual for the spatial strategy of a development plan to balance areas where development is to be promoted and areas where development is to be restrained. Indeed paragraph 11 of Scottish Planning Policy states that development plans should indicate where development should happen and where it should not. In this context Figure 2.3's general approach of indicating areas where development is to be restricted is reasonable. The justification for the particular approach around Kilmacolm and Quarrier's Village is stated in paragraph 2.50 of the proposed plan and discussed above. This is not to say that some development adjacent to these settlements may not be justifiable: the merits of individual sites are discussed elsewhere in this report, as referred to above.

Reporter's recommendations:

No modifications

| | | |
|---|--|-------------------------------|
| Issue 3 | Transport | |
| Development plan reference: | Chapter 5 pages 33-35 Policies TRA1, TRA2, TRA3 & TRA4 Proposals Map B Chapter 3 page 21 Policy MAC1-7 | Reporter: Stephen Hall |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| Ms Alison Clark (7) Councillor David Wilson (28) Cardwell Bay & Greenock West Community Council (37) Kilmacolm Civic Trust (63) SportScotland (68) Kilmacolm Community Council (71) Stuart McMillan MSP (75) | | |
| Provision of the development plan to which the issue relates: | Transport and Connectivity | |
| Planning authority's summary of the representation(s): | | |
| Sustainable Access | | |
| Ms Alison Clark (7) | | |
| Objects to the Proposed and Potential Sustainable Access road, which runs through Ardgowan Road, Wemyss Bay and along Brueacre Road into the development site at Inverkip Power Station. There is a primary school on Ardgowan Road and fear for the safety of the children attending this school if it is used as an access for the development. | | |
| Stuart McMillan MSP (75) | | |
| Concerned with the limited number of access points to the river from within Inverclyde. There is significant development potential of using the river for tourism that would be enhanced by better access points. It would be worth stressing the opportunities for such developments within the Local Development Plan to encourage their establishment. | | |
| Car Parking | | |
| Kilmacolm Civic Trust (63) | | |
| The civic trust identified the need for more long-term car parking in Kilmacolm in 2010 to help maintain the economic viability of the centre of the village in line with SD3 Place Making of Sustainable Communities and Environmental Heritage (assume that this refers to LDP policy SDS3 – Place Making). The Council should therefore commit to finding and funding such a site under Policy TRA3. | | |
| Kilmacolm Community Council (71) | | |
| Policy TRA3 states the Council will 'safeguard the land necessary for ... the Council's Parking Strategy' but there is no suggestion of such safeguarding in Kilmacolm. Current | | |

parking opportunities are already under pressure and this is likely to become worse and have an adverse effect on the viability of the Village centre. Extra pressure will be due to: any development at Balrossie being heavily car dependent for access to the Village; residential development in the replacement Institute Building will increase demand for residential parking at the centre; and more regular enforcement of the existing regulations. The application for development by St Columba's would have helped resolve the problem but was rejected.

Cardwell Bay & Greenock West Community Council (37)

Object to residential development opportunity site r46 'Cove Road (Tarbet Street)'. Site should be designated for car parking, particularly in light of the proposals for a marina, which would cause serious parking issues.

Councillor David Wilson (28)

Long term parking in Kilmacolm will come under pressure due to:

- The 2 hour limit in the Lochwinnoch Road car park
- Potential new residential development in the old Institute building in centre
- Change of use of flats to offices in centre
- Potential new residential development at Balrossie

The 2 hour limit is necessary to maintain turnover and encourage the vitality and viability of the centre. A relief car park could be provided behind the old police station (Kilmacolm) as part of the community benefits of enabling.

Traffic implications of residential sites

Cardwell Bay & Greenock West Community Council (37)

Note that little account is taken of the traffic situation where housing sites are allocated, for example there is no indication of infrastructure improvements to support the development at Levan Farm.

Modifications sought by those submitting representations:

Sustainable Access

Ms Alison Clark (7)

Remove access road to Inverkip Power Station from Ardgowan Road/Brueacre Road.

Stuart McMillan MSP (75)

Stress opportunities for access points to the Clyde for small crafts within the Local Development Plan.

Car Parking

Kilmacolm Civic Trust (63)

Include an additional parking action in Policy TRA3 to finding and funding a site for long term parking in Kilmacolm.

Kilmacolm Community Council (71)

The plan should identify and safeguard a site for a long term car parking in Kilmacolm.

Cardwell Bay & Greenock West Community Council (37)

Residential development opportunity site r46 Cove Road (Tarbet St) deleted and the site designated for car parking.

Councillor David Wilson (28)

Under the community benefits of enabling, the land behind the old police station owned by Duchal Estate, could be used as a relief car park (see also **Issue 17**).

Traffic implications of residential sites

Cardwell Bay & Greenock West Community Council (37)

None specified.

Summary of responses (including reasons) by planning authority:

Sustainable Access

Ms Alison Clark (7)

The proposed access identified on the Proposals Map, which links Inverkip Power Station to Ardgowan Road/Brueacre Road, has been incorporated in the LDP to complete the Inverclyde Coastal Route (Policy TRA2) for pedestrians/cyclists only and so will have no safety implications for the pupils of the Primary School on Ardgowan Road.

Recommend no modifications.

Stuart McMillan MSP (75)

Understand the desire to have access points to the river promoted through the plan, but do not propose to make changes to identify specific points through Policy TRA2. It is considered that the existing LDP policies, together with the Supplementary Guidance on Local Development Frameworks (CD5), which identifies the Major Areas of Change, allows for, and guides access to the river in appropriate locations, and these will be considered through the normal planning application process.

Recommend no modifications.

Car Parking

Kilmacolm Civic Trust (63), Kilmacolm Community Council (71) & Cardwell Bay, Greenock West Community Council (37) & Councillor David Wilson (28)

The Council is updating its parking strategy as indicated as an action in the Local Transport Strategy (2009) (CD28). Any requirement for new car parks identified from this will be taken forward through revisions to the Action Programme that accompanies the Local Development Plan. Do not propose to change the Plan at this stage to identify any parking sites in Kilmacolm or at Cove Road.

It is not proposed to release the site behind the old police house, off Lochwinnoch Road in Kilmacolm for housing, and therefore a car park at this location would not be appropriate (refer to **Issue 9(1)**).

Traffic implications of residential sites

Cardwell Bay & Greenock West Community Council (37)

The detailed traffic implications of the development of the Residential Development Opportunity sites included in the LDP will be addressed once a planning application has been submitted and details of the number of dwellings and parking provision is known. For the purposes of the LDP however an indicative capacity for each has been included in Schedule 6.1.

Recommend no modifications.

Reporter's conclusions:

1. The concerns expressed about the sustainable access route at Wemyss Bay appear to be based on a misunderstanding this route will serve to provide vehicular access to the former Inverkip Power Station site. In fact the route is intended to form a part of the green network completing this part of the Inverclyde Coastal Route. While parts of the route follow existing streets, the route is designed for the use of walkers and cyclists and so should not have adverse safety implications.
2. Part of the reason for the confusion may be the lack of specific reference to this proposal in Policy ENV3, despite this being the part of the plan that the proposals map key directs the user to. I therefore conclude that the Inverkip proposed route (and, for completeness two other proposed sections of the Coastal Route) should be included in Policy ENV3. A minor error in Figure 8.2 also requires to be rectified.
3. Several representations address the matter of parking in Kilmacolm. Various factors are itemised which I accept may increase parking demand in the village. However the evidence before me does not demonstrate that this demand is so great that a new car park is necessarily required. It may be that existing parking facilities are sufficient to cater for any increased demand, or could be managed differently. The only possible site that has been suggested for a new car park, at Lochwinnoch Road, was associated with a planning application that has been refused. There is no certainty that this is necessarily the best site for a new car park. In the light of these considerations, I conclude that the authority's approach of investigating this matter further through its emerging parking strategy is the most practical way forward. The arguments raised in representations to the proposed plan

can be considered through this process. I note that Policy TRA3 commits the council to safeguard the land necessary for the review of the parking strategy. I take this commitment to extend to identifying and safeguarding any land in Kilmacolm should this be shown to be necessary through the review.

4. The potential use of the allocated residential development opportunity site at Cove Road, Gourrock (r46) for parking, as opposed to housing, is discussed under Issue 7.4. The wider concerns expressed in this representation relating to the need for more parking opportunities in this part of Gourrock could profitably be considered by the council as part of its emerging parking strategy.

5. Regarding Sportscotland's proposed amendment to Policy TRA 2, this matter has been resolved by the authority through a non-notifiable pre-examination modification agreed with Sportscotland. The matter therefore falls outwith the scope of the examination.

6. The suggestion that Inverclyde would benefit from more access points to the river for the launching of small recreational craft may be accurate. The proposed plan already addresses the needs and opportunities for facilities for recreational boating to some extent. Paragraph 4.21 highlights the importance of sailing and boating to economic development. Policy ECN6 provides a framework for considering development proposals, if these were considered to be tourist facilities. Two opportunity sites for marinas are identified in Schedule 4.2 at Gourrock Bay and The Harbours, Greenock. These are reflected in the local development frameworks for these areas of change, which the authority intends to adopt as supplementary guidance. It may be that it would also be worthwhile to pursue less formal facilities for smaller craft such as kayaks, but it is not clear what practical opportunities exist to provide such access points or whether funding is required or available to deliver them. Overall I conclude that these are matters for the council to reflect on, possibly through the next review of the local development plan.

Reporter's recommendations:

I recommend that the following modifications be made:

1. Add the following text to the end of Policy ENV3: "(e) Inverclyde Coastal Route: Inverkip Power Station – Ardgowan Road/ Brueacre Road; Kempock Point, Gourrock; and James Watt Dock – Graving Dock, Greenock".
2. Identify the three links mentioned above with a letter (e) on Figure 8.2.
3. Adjust the key to Figure 8.2 to show existing links as the green dashed line, and proposed and potential links as the black dashed line.

| | | |
|--|---|---------------------------|
| Issue 4 | Housing Development Strategy | |
| Development plan reference: | Chapter 2, Policies SDS5, SDS7 & SDS8; and Chapter 6, Policies RES2 & RES7; Policy MAC1-7 (Chapter 3) | Reporter: Stephen Hall |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| Scottish Water (1) Sanmina SCI (10) Persimmon Homes (20) Cllr David Wilson (28) Ms Helen Spragg (33) Mr & Mrs Crighton (45) Mactaggart & Mickel Homes Ltd (55) Kilmacolm Civic Trust (63) Duchal Estate (73) | | |
| Provision of the development plan to which the issue relates: | Preference for brownfield development and sustainable locations for regeneration and renewal | |
| Planning authority's summary of the representation(s): | | |
| <u>Scottish Water</u> (1) Para 6.23: there are clear benefits to be realised from utilising existing gap and brownfield sites, the most obvious being quicker access to existing infrastructure provision; however, we appreciate that this is not always appropriate or practical and to emphasise that Scottish Water strongly support the maximum utilisation of existing infrastructure capacity; however, Scottish Water is also fully committed to providing strategic capacity to meet the needs of domestic growth within Scotland, with a Ministerially approved mechanism for triggering such investment being in place. <u>Sanmina SCI</u> (10) Policy SDS5 & Policy SDS7: Sanmina SCI welcomes the promotion of the regeneration and re-use of brownfield land within the urban area. Agrees that this promotes a sustainable pattern of development for the area. Also welcomes the fact that appropriate new investment and development will be directed towards the Major Areas of Change. Urban containment is the most appropriate way for the Council to approach their spatial strategy when there are so many sites such as the Spango Valley site which can be brought forward to meet the requirements of issues such as housing land supply. Welcome the identification of Spango Valley when referring to the use of brownfield land for housing renewal and urban consolidation ... (and) ... the use of this previously developed land to enhance the amenity of the local area with new development, including the much needed housing development that is required for the area. | | |

Persimmon Homes (20)

Policy RES7 (and in association, Policy ENV2): Whilst understanding the principles of greenbelt and its importance to controlling settlement growth and spatial planning, the greenbelt can also be utilised for development if excessive pressure is being placed on settlements for growth.

Cllr David Wilson (28)

Contamination is such on brownfield sites that in the main they are uneconomic to develop. Recent initiated Inverclyde Council reports on Riverside Inverclyde have 'holed the Waterfront initiative below the line'.

Policy MAC1-7: agree to the inclusion in the Plan of all MAC locations.

Ms Helen Spragg (33)

There are so many brown sites throughout Inverclyde now that so many houses have been pulled down that there is no need to spoil a beautiful green area (*unspecified*). No new homes are needed, Inverclyde has a falling population.

Mr & Mrs Crighton (45)

Policy RES7 (and in association, Policy ENV2): the Proposed Plan states in paragraph 6.19 that it aims to provide a good range, choice and distribution of housing sites, mostly in sustainable brownfield locations and is also supportive of small groups of houses in the Green Belt. The most relevant policy for the representation is RES7, which seems to support small groups of dwellings in the Green Belt but this is not clear due to the way the policy is written.

It would be helpful if the word or after "...dwellings not adjoining the urban area" were made bold in order to distinguish between small groups of dwellings and the redevelopment of large redundant buildings. To make the policy more clear a recommended addition is proposed (refer to modifications sought below).

It is claimed this will not lead to large amounts of development in the Green Belt as there is a limited amount of brownfield land within it. This development at Valley View Farm is in accord with policies H4 and H17 in the current adopted Plan, which likewise permit small groups of dwellings in the Green Belt under certain circumstances, including the redevelopment of large redundant institutions, including derelict sites. There are few such institutions in the Green Belt, so it must be that this policy envisaged such institutions to include former waterworks.

Likewise, **Policy ENV2** refers to development in the Green Belt. The representation site would be compatible with this policy and RES7 as we have proposed to clarify it. Further to the above policies, there will be consequential changes to other policies e.g. RES2, where part of the opening paragraph would require to be removed to make clear that it applies to all brownfield land. The end of this policy should cross-refer to policies RES7 and ENV2 to make clear that brownfield development is supported subject to the criteria in these policies. A similar amendment is required for **Policy SDS5** (refer to **Issue 2**).

Mactaggart & Mickel Homes Ltd (55)

Para 6.18: Support for brownfield development in principle is acceptable but, to the complete exclusion of greenfield opportunities is wholly unacceptable given the Scottish Government requirement, through Scottish Planning Policy, to provide a full range and choice of housing sites and tenures and to meet housing requirements in full.

Kilmacolm Civic Trust (63)

Paragraphs 6.14, 6.17 & 6.48, Schedule 6.1 and Proposals Map, under the title 'Housing Needs': KCT is pleased to see from the Proposals Map that the great majority of the proposals by housing developers for release of land in the Green Belt surrounding Kilmacolm and within Quarriers village has been disallowed. The Civic Trust has fought very hard over many years, including those leading up to the adoption of the current and still extant Inverclyde LDP (*sic*), against attempts by developers to have the boundaries of the two villages enlarged. We have also fought very hard to ensure that the two Green Belt lungs that extend into the heart of Kilmacolm from the north and the south are preserved. We shall continue to fight any attempts by developers to have their Main Issues Report and Post-Main Issues Report aspirations reinstated.

Policy RES7: KCT welcomes the continued support of the policy of presumption **against** residential development beyond the settlement boundaries (Green Belt in the case of Kilmacolm). That said, achieving a development that is in keeping with the rural environment, is appropriate. Policy RES7 is brought into sharp focus in the case of the various developments that have taken place over the last few years on the site of North Dennistoun Farm, Kilmacolm, where the footprint of the new buildings bears no resemblance to that of the buildings which comprised the original farm. The case of the former ARP station on Lochwinnoch Road is also mentioned as an example (planning permission having been granted in December 2010 for the site, LDP ref. 'r62'), where the policy of replication through replacement is too restrictive, and gives rise to a total lack of flexibility.

In light of the above KCT feel that there should be more scope for a more general interpretation along the lines of Policy HER1, and in light of this, KCT suggest a change of wording in Policy RES7, criterion (a). It is considered that the suggested change would allow the design of something traditionally rural in feel and more in character with the countryside setting (refer to detailed comments in the KCT submission in relation to the housing proposal granted planning permission on LDP site ref. 'r62' noted above).

Duchal Estate (73)

Referring to the Council's conclusion that there is no requirement for strategic release of greenfield land for housing on the edge of settlement boundaries to accommodate the assessed land requirement, it is stated that this observation is contrary to Scottish Government guidance in para 47 under the Housing Land Audits, which concentrates on effective development land, clearly suggesting that large brownfield sites that are contaminated or have prohibitive upfront development costs, should be supported by the release of greenfield sites where there is demand for housing, which are effective and which can be constructed within a short time period.

In order to comply with the SPP and to take account of the economic climate and

opportunities to encourage investment and development, introduction of new greenfield sites for housing across Inverclyde has the potential to bring additional people into the area, help sustain and potentially increase the population within Inverclyde in compliance with the key objectives of the GCV SDP. It is the case that certain greenfield sites which are suitable locations (inner greenbelt) can supply effective development sites and be policy compliant.

Modifications sought by those submitting representations:

Persimmon Homes (20)

Policy RES7: point (f) should be replaced with: “(f) is justified as a sustainable location for development and is a logical extension to an existing settlement where there is an identified need for development or a shortfall in the 5 year effective land supply.”

Policy ENV2: point (j) should be replaced with: “(j) is justified as a sustainable location for development and is a logical extension to an existing settlement where there is an identified need for development or a shortfall in the 5 year effective land supply.”

Mr & Mrs Crighton (45)

Valley View Farm site to be taken out of the Green Belt and identified as a residential development opportunity, or

propose changes to **Policy RES7** to read:

“Small groups of dwellings on brownfield land in the Green Belt will be acceptable provided that –

- (a) The proposal does not detract from the openness of the Green Belt
- (b) The proposal serves the purposes of the Green Belt by bringing a net benefit by, for example, clearing up dereliction and/or improving the appearance of a site.

Development of new dwellings within the Countryside will be supported if the proposal is for the redevelopment of large habitable redundant buildings...” and changes to **Policy RES2** to read:

“Development on brownfield sites for housing and community use, will be supported where it accords with Policy RES1 and RES5, except where:

- (a) an alternative use of greater priority or significant social and/or economic/employment benefit is identified; or
- (b) an alternative use is identified through an agreed area renewal initiative (refer Policy SDS7); or
- (c) it would result in an unacceptable loss of designated and locally valued open space (refer Policy ENV4)

Proposals should also accord with Policies RES7 and ENV2...” and

Amend **Policy SDS5**, to be consistent with the above, which is narrowly concerned with brownfield land within urban settlements.

Kilmacolm Civic Trust (63)

Policy RES7: point (a) delete 'character of the existing one to be replaced', to read: "..... where the proposed building is sympathetic to the character, pattern of development and appearance of the area."

Duchal Estate (73)

Infer from this representation that 'effective' greenfield sites in suitable (inner Green Belt) locations - unspecified in the representation apart from client's landownership in Kilmacolm – and where there is a demand for housing, should be released for development.

Summary of responses (including reasons) by planning authority:

Persimmon Homes (20)

Ms Helen Spragg (33)

Mactaggart & Mickel Homes Ltd (55)

The housing requirements presented in the approved *Glasgow and the Clyde Valley Strategic Development Plan* (May 2012) (CD15), are based on the *Glasgow and the Clyde Valley Housing Need and Demand Assessment* (June 2011) (CD67). Following the Examination on the SDP, modifications were introduced, primarily in this respect with the introduction of the caveat 'Preliminary and Indicative' against the relevant Schedules (8, 9 & 11a), and a new paragraph 4.86a inserted, to provide advice to the eight constituent local authorities in the determination of their respective Housing Supply Targets (HSTs). Following other relevant guidance, Local Housing Strategy (2008), SPP (2010) (CD20) and PAN 2/2010 (CD22), these HSTs were in turn set against the most recent annual housing land supply audit and a final Housing Land Requirement (split by tenure - Private and Affordable sectors), was presented in the LDP: Proposed Plan. Reference should be made to Table 6.1 for a summary, with more details provided in Affordable Housing Provision Supplementary Guidance (CD4), Inverclyde Local Housing Strategy 2011-2016 , Part 3, Chapter 8 (CD31) and Background Report 'Updated 2012 Housing Land Supply Audit' (CD34).

Persimmon Homes (20)

Mactaggart & Mickel Homes Ltd (55)

Duchal Estate (73)

The housing land supply, summarised in Tables 6.1 and 6.2 of the LDP, demonstrates clearly that there is a generous land supply (the Established Land Supply), with land allocated more than adequate to meet the assessed HSTs and well above-trend historic build rates in Inverclyde. The assessed Effective Land Supply is also more than sufficient to meet anticipated build rates over the 7-year Plan Period, 2012/13 to 2019/20 (**Note:** liaison with Homes for Scotland (HfS) on the draft 2012 HLS Audit occurred over October/November 2012, but HfS was unable to conclude on the number of disputed sites and the exercise was finally 'agreed by default' in March 2013. Through this audit a considerable number of sites were reviewed and removed from the land supply, while it is only the new additional sites introduced post March 2012 into the LDP that have not been audited.) And, almost all of these new LDP sites are not programmed as Effective, but have been added to the Established Supply.

There is no question therefore that this land supply audit was carried out fully in accordance with SPP (CD20) guidance and PAN 2/2010 (CD22) requirements, and in the

Council's view, there is a wide range, choice, distribution and location of sites across the Inverclyde HMA, and in consultation with Renfrewshire Council, a similar adequacy for the Renfrewshire SHMA. Moreover, it is maintained that given the scale of housing development opportunities allocated in the LDP, there will be no land supply constraint when the economy and the housing market improves, to the Council and its Partners' objective of arresting and reversing population decline from Inverclyde.

Persimmon Homes (20)

Agree with representation made and the course of action the Council should take if there were 'excessive pressures' but there is not (i.e. outcome of the GCV HNDA (CD67) and the conclusion that there is a more than sufficient land supply to meet the assessed HSTs). What is critical to the position in Inverclyde in the anticipated continuing difficult economic and housing market conditions, is the qualifier (after PAN 2/2010 (CD22)), that there is a 'sufficient land supply which is effective, or likely to be capable of becoming effective', (refer to paragraph 6.26 of the LDP), and which also accords with our agreed position with Homes for Scotland over the last few year's HLS Audits, that while the challenging market conditions prevail, it is sensible to take a 10 year view of the land supply.

Mactaggart & Mickel Homes Ltd (55)

It is incorrect to say that the land supply is all brownfield to the complete exclusion of green field opportunities, with a good distribution of large sites available to cater for a wide range of house types and market sectors across the Inverclyde HMA, at Levan Farm and Cloch Road, west Gourrock, Strone Farm in Greenock, and Park Farm on the eastern edge of Port Glasgow.

As indicated above in regard to the relationship between the HNDA housing requirement outcomes, the derived HSTs and the HLS (refer to the summary of this position in Table 6.1 of the LDP), it is neither appropriate nor necessary to meet the SDP 'preliminary and indicative' housing requirements in full, as these are not the relevant figures against which to judge whether the LDP has an adequate effective, and established land supply, to meet anticipated and programmed completions, over the Plan Period, and beyond (refer to summary in Table 6.2 of the LDP).

The anticipated longevity of the current economic situation, agreed with Homes for Scotland (HfS), has been taken into account in the programming of the land supply, and in assessing that supply beyond the 7-year time horizon to 10 years. On this basis, it is concluded that there is more than sufficient sites that are currently effective, or capable of becoming effective (to quote PAN 2/2010 (CD22)) from the Established Land Supply, to meet anticipated demand and need in full. As the most recent response from HfS on the draft Inverclyde Housing Land Audit 2013 (CD35) states, "There has been no fundamental change in market conditions in the last 12 months (The) broader economy remains sluggish, with very slow growth in Scotland other than the North-East (and) In that context, the programming in Housing Land Audits should continue to be conservative."

Cllr David Wilson (28)

Duchal Estate (73)

There is no evidence to substantiate the claim that, in the main most large brownfield sites are contaminated or have prohibitive upfront costs and are uneconomic to develop. The 2012 HLS Audit (CD33), after liaison with Homes for Scotland, includes many such sites

over many years have been agreed as being effective. The major turnaround in the redevelopment of the Inverclyde Waterfront over the years 2004-08, and in many large sites within Greenock and Port Glasgow where the Area Renewal Strategy has been implemented for over 10 years, has been on what initially were considered to be 'difficult and uneconomic' brownfield sites.

The response to the continuing downturn in the economy and housing market is not to release what would be in the main less sustainable sites in the Green Belt, since such sites are just as likely to remain undeveloped while the main constraint is not land, but development finance on the supply side and mortgage finance on the demand side.

Mr & Mrs Crighton (45)

It is not considered necessary to make the modifications proposed to Policy RES7 to assist with the clarity of the policy's intent, and therefore the additional consequential changes to Policies ENV2 and SDS5. In relation to the representations submitted with respect to Valley View Farm, refer to **Issue 9(4)**.

In relation to the other modifications sought above under this Issue, no modifications are recommended. Where appropriate, refer to **Issues 9(1) and 9(2)** dealing with the specific sites submitted along with these broad policy objections.

Kilmacolm Civic Trust (63)

Regarding the recommended change to the wording of Policy RES7, while it is agreed that this change has merit, it would not adequately change the meaning and intention of the policy sufficiently to justify the change, so with that in mind, the policy in our view remains effective as proposed. However, if the Reporter was minded to recommend a change to the policy to that suggested by Kilmacolm Civic Trust, the Council would not be adverse to comply with such a recommendation.

Reporter's conclusions:

1. A number of representations under this issue question the focus of the proposed plan (as expressed for instance in paragraph 6.18) on brownfield development. It is argued such sites are mainly uneconomic to develop, or need to be balanced with greenfield release.
2. Scottish Planning Policy requires that an effective housing land supply is identified to meet the housing requirement, but does not require any particular balance to be struck between brownfield and greenfield development. Indeed paragraph 80 of Scottish Planning Policy prefers the redevelopment of brownfield sites to development on greenfield sites. As a generalisation it may be that greenfield land tends to be less constrained than brownfield land. However if the planning authority can demonstrate that sufficient of its brownfield allocations are effective, then the requirements of national policy are met. In the light of the conclusions reached at Issue 5 regarding the overall adequacy of the supply, I therefore conclude that there is no need to amend the strategy of the proposed plan to concentrate housing development on brownfield land.
3. Regarding whether any new homes are required at all, the Glasgow and Clyde Valley Housing Need and Demand Assessment provides evidence that a level of new housebuilding is required in Inverclyde. Housing requirements (albeit caveated) are

included in the Glasgow and the Clyde Valley Strategic Development Plan, with which the local development plan must be consistent. I therefore conclude that it is appropriate for the proposed plan to include some provision for new housebuilding. The level of the housing requirement is considered more fully under Issue 5.

4. Turning to the wording of specific policies, it is argued that the application of Policy RES2 should not be limited to residential and renewal areas, but should be extended to cover all brownfield land. It is clear from paragraph 80 of Scottish Planning Policy that brownfield land may be so-called even if it is located in a rural area. However Policy RES2 is presented within the context of the proposed plan's wider strategy of urban containment. The aim of this appears to be not only to make efficient use of land, but also to contribute to more sustainable communities and reduce greenhouse gas emissions (presumably through limiting the need to travel). The policy is therefore inherently aimed at promoting urban development.

5. In my view it is reasonable for the authority to apply different policy tests to urban and rural brownfield sites. While a general (although caveated) presumption in favour of residential re-use of urban sites is reasonable, such an approach to rural brownfield sites would carry more risks. For instance the ongoing openness of some rural brownfield sites could have landscape benefits that would outweigh the advantages of developing them. This distinction is most easily achieved by including separate policies in the plan. The principal policy for assessing residential proposals in the countryside is RES7, and it appears this policy is intended to complement RES2: one policy being for rural proposals, the other for urban. This is a reasonable approach for the plan to take, but, given this understanding, I consider that the title of Policy RES2 does not assist the ease of use of the plan. It would benefit from being modified to clarify that this policy applies specifically to urban brownfield sites.

6. A number of representations relating to Policy RES7 have been made, including, firstly, a suggested further criterion relating to sustainable settlement extensions where there is an identified need or a shortfall in the five-year land supply. Such a criterion would act as a 'safety valve' allowing housing need and demand to be met in the event of unexpected difficulties in achieving sufficient development on the established land supply. It would be aimed at facilitating reasonably significant housing developments that could have a meaningful impact on the wider housing land supply.

7. Should such developments proceed they would be likely to be of a type that would occasion the removal of land from the green belt or countryside designation at the next plan review. This appears very different from the types of development envisaged currently by RES7. These are smaller scale and appear to be of types that could potentially co-exist with an ongoing green belt/ countryside designation for the site. In a similar vein, a related representation calls for such a criterion also to be added to Policy ENV2: Green belt and the countryside. Again, the focus of this policy is on small scale proposals that could potentially be compatible with ongoing green belt/ countryside status. The focus of any 'safety valve' policy would be the delivery of an adequate housing land supply rather than the ongoing management of the green belt/ countryside. If such a policy were required, this would therefore be better included as a separate policy in the Housing chapter of the plan rather than as an adjunct to either Policy RES7 or Policy ENV2.

8. In any event, paragraph 72 of Scottish Planning Policy expects the housing land requirement to be met through land allocations. Paragraph 75 mentions the release of future phases in circumstances where the five-year supply is not being maintained, but

Scottish Government policy does not directly support the use of ‘safety valve’ policies. While it may be that such policies have a role in certain circumstances, this report’s conclusion at Issue 5 regarding the housing land supply is that adequate provision has been made in the plan to meet the housing land requirement. I therefore conclude that a ‘safety valve’ clause is not required in this plan.

9. The clarity of Policy RES7 has been criticised, and it is the case that the wording of this policy is long and complex. Ease of understanding is not aided by its being formed of a single multi-clause sentence, its grammar being somewhat confused, and the use of some ambiguous terms. I therefore consider that some modest reworking of the policy is required in order to make its meaning clear.

10. It has also been suggested that a new category of acceptable development is added to this policy relating to residential development on rural brownfield land. While the remediation of such brownfield sites will often be desirable, the benefit of achieving this through new build development needs to be balanced against factors including the potential reduction in the essential open character of the green belt or countryside. Regarding green belts, paragraph 163 of Scottish Planning Policy lists examples of development that may be acceptable and does not include brownfield residential development. However, paragraph 80 of Scottish Planning Policy contains some support for the redevelopment of rural brownfield sites. The glossary to the Glasgow and the Clyde Valley Strategic Development Plan notes that ‘a brownfield site should not be presumed to be suitable for development, especially in Green Belt and other countryside areas’.

11. While circumstances can be envisaged where a significant environmental improvement could justify the development of a brownfield site in the green belt, such circumstances are likely to be uncommon. It is not necessary for the plan to contain policies to apply to all possible circumstances. Also it may be more appropriate for the plan to address particularly environmentally damaging brownfield sites in rural areas through identifying specific development opportunities than through a policy mechanism. This is the approach taken for instance to the former ARP station at Lochwinnoch Road, Kilmacolm (site r62). On balance therefore I conclude that it is not necessary to include an additional criterion relating to rural brownfield land in Policy RES7. The particular potential merits of development at Valley View Farm are discussed under Issue 9.4.

12. Criterion (a) of Policy RES7 currently requires the character of replacement dwellings in the green belt to reflect the character of the existing building. Kilmacolm Civic Trust argues that this approach is inappropriate where the existing buildings are out of character to the location. The authority acknowledges that this argument has merit. I agree that in such circumstances a change to a design more appropriate to the area would be preferable. I therefore recommend an amended policy wording similar to that suggested by the representee.

Reporter’s recommendations:

I recommend that the plan be modified by

1. Amending the title of Policy RES2 to ‘Development on Urban Brownfield Sites’.
2. Amending Policy RES7 to read:

“Policy RES7 - Residential Development in the Green Belt and Countryside

The development of new dwellings in the Green Belt and Countryside, as identified on the Proposals Map, will only be supported if the proposal is for either:

- (1)** a single or small group of dwellings not adjoining the urban area; or
- (2)** the conversion of redundant non-residential buildings, that are for the most part intact and capable of conversion for residential use without recourse to substantial demolition and rebuilding.

In addition, all proposals must fall within one of the following categories:

(a) demolition and replacement of habitable dwellings which cannot otherwise be brought up to acceptable building standards and where the proposed building reflects the scale of the existing building and is sympathetic to the character, pattern of development and appearance of the area; or

(b) *[as in Proposed Plan]*

(c) conversion of redundant non-residential buildings, where *[continue as in Proposed Plan]*

[Criteria (d) and (e) as in Proposed Plan]

Further detailed policy relating to this type of development is contained in the Supplementary Guidance on Planning Application Advice Notes.”

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| Issue 5 | Housing Land Supply and Residential Development Opportunities | |
| Development plan reference: | Chapter 6, Policy RES3, paras 6.14 -6.31; Schedule 6.1 and Tables 6.1 & 6.2 | Reporter: Trevor Croft |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| Sanmina SCI (10) Persimmon Homes (20) Mr David Eagle (24) Cllr David Wilson (28) Mactaggart & Mickel Homes Ltd (55) Duchal Estate (73) | | |
| Provision of the development plan to which the issue relates: | Housing Land Supply: its effectiveness, generosity and All-tenure Housing Supply Targets | |
| Planning authority's summary of the representation(s): | | |
| <p><u>Sanmina SCI</u> (10)</p> <p>Policy RES3: welcomes the proposal in the policy for an annual housing land audit to monitor, review, and where necessary augment the housing land supply.</p> <p><u>Persimmon Homes</u> (20)</p> <p>Policy RES3: reference is made first to the <i>Glasgow and the Clyde Valley Strategic Development Plan (GCV SDP)</i>, approved by Scottish Ministers in May 2012, after the publication of the Inverclyde LDP Main Issues Report a year earlier. While the <i>GCV SDP</i> Reporter noted that the land requirement within the SDPA area to 2025 was reasonable, in terms of the housing land supply to meet that requirement, the modification to the SDP (paragraph 4.86a, page 50) is relevant and quoted in full: "Such variations could be demonstrated from further analysis to meet some of the identified needs or demands."</p> <p>Turning to the situation in Inverclyde, it is stated that there is a total land requirement of 5,400 homes (private and affordable housing) to 2025, identified in the SDP which equates to an annual housing land requirement of 337 homes. However, it is stated the Council has not demonstrated any analysis in relation to their reasoning for deviating from the targets set within the SDP, as required in accordance with the approved SDP (referring to para 4.86a).</p> <p>Referring to <i>Affordable Housing Provision Supplementary Guidance</i>, page 19, Table 2 (refer also Issue 6), the Council has confirmed that the existing supply, inclusive of the new LDP sites, will be capable of delivering 240 all tenure units per annum (1,670), for the period 2012-2019. In comparison, the SDP requirement of 337 units per annum is stated (2,359 units), which it is claimed would result in a shortfall of 97 units per annum (689</p> | | |

units), between 2012-2019.

Evidence is presented from the *Supplementary Guidance* document on completions over the past 3 years to suggest the Council have not sought to allocate sufficient units to sustain the level of housing completions achieved over this 3 year period and therefore not 'planning for growth'. SPP is referred to in relation to the planning system identifying a "generous supply of land for the provision of a range of housing in the right places." It is concluded that by planning for 240 units per annum, the Council are effectively planning for a reduction in the rate of house building within their area.

It is claimed that Inverclyde has not got, as stated in the LDP, 'a sufficient land supply which is effective, or likely to be capable of becoming effective, to meet the assessed Housing Supply Targets (HSTs) to 2020, and a more than generous supply to meet the estimated all-tenure housing requirement over the longer term planning horizon, to 2025.' Nor has the Council illustrated the provision of a generosity allowance, as required in SPP.

It is also claimed that having stated that 'sites in the audit are predominantly brownfield in accordance with SPP' that this is not in accordance with SPP, which "advocates the release of a range and choice of housing sites in sustainable locations."

Policy RES3: contrary to the policy, the Council will not maintain a five year supply of housing land based on the existing land supply and the new LDP releases. It is stated "to suggest that (the Council) will seek to 'maintain' the five years supply is somewhat contradictory to the level of housing which has been released" concluding, should the Plan be adopted in its current form there will not be a five year supply of housing land.

It is also noted that a Draft Housing Land Supply Audit has been used as part of the review of the existing land supply, and having not been reviewed by Homes for Scotland, means there is unconfirmed market data and potentially an inaccurate HLS Audit.

Mr David Eagle (24)

Private Housing: given the LDP states there is 'no need for large scale strategic release to meet Inverclyde's housing requirements', and (i) there are vast areas of non-greenbelt land that could be used for housing; (ii) Renfrewshire is projecting a declining population; and (iii) with 2,500 planned for the former Royal Ordnance Factory at Bishopton (just five miles from Kilmacolm), there is no pressure for green belt release coming from Renfrewshire HMA. Any need in Kilmacolm would hence be of a strictly local nature.

The LDP projects a need for 65 new private homes in Kilmacolm. This requirement is highly questionable given that (i) there is ample provision for new, typically lower priced private housing elsewhere in Inverclyde and Renfrewshire; (ii) the village's overall population is static and (iii) the LDP plan for 'affordable housing' is based on a premise that many people currently in private housing in Kilmacolm will move to new, smaller properties in the village, thus freeing up a ready supply of larger private homes.

It is contended that Kilmacolm has a very low population density (30-50% lower than Gourock, Houston, Lochwinnoch or Kilbarchan) and there remains ample opportunity for development in large gardens in the village (i.e. within the existing settlement boundaries) without affecting its character by destroying the surrounding greenbelt. Relaxing the council's rules on infill development (e.g. regarding access) would help facilitate the building of between 50-65 new private homes without developing in the green belt.

Cllr David Wilson (28)

Policy RES3, Schedule 6.1(b): agrees to the inclusion of all the sites identified in Schedule 6.1(b), with the exception of Smithy Brae (site ref. no. 60).

Mactaggart & Mickel Homes Ltd (55)

Chapter 2, paragraph 2.50 (Kilmacolm & Quarrier's Village): referring to affordable housing need, it is claimed this is localised by nature and Kilmacolm is highlighted as a problem area for such housing and affordability in general. Well designed and laid out housing and associated uses could overcome landscape setting issues identified in the paragraph. However, without further housing growth – whether it be private or affordable – there will continue to be a lack of demand for public transport infrastructure and services and vice versa. It is wrong for the Proposed Plan to state that Kilmacolm has insufficient infrastructure to deal with further allocations. If this is a reference to public transport only, as stated above, new development will help to resolve that issue. Infrastructure covers a much wider range of matters and there are no other restrictions highlighted in Kilmacolm that would prevent new housing development. Refer also to **Issue 6**.

Chapter 6, Table 6.1: it is stated that the LDP as expressed in Table 6.1 does not meet the requirement to maintain a five year land supply at all times. Whilst the overall supply may, in theory, balance out at the end of the 15 year period under consideration there is a clear shortfall in provision of new affordable housing in the first and second LDP period (2011-16 and 2016-20) – in excess of 1,000 units depending on output and land supply.

There is a clear failure to provide sufficient housing overall to meet need in these two periods. It is stated there are no significant environmental constraints in the area that would prevent the housing land requirement being met in full. For clarification, it is stated “Green Belt is a policy and not an environmental designation.”

It is claimed the land supply is ‘back to front’ in that the LDP would appear to be relying on large scale land release coming later in the LDP period to compensate for early supply failures. This does not comply with SPP requirements to maintain a five year supply at all times. The LDP is failing to deliver the scale of housing required by tenure, numbers and locations from day one and that this is unacceptable in a plan-led system where the LDP in this case provides the vehicle to address housing land supply problems. Further land must be identified on deliverable sites in marketable locations such as Kilmacolm to provide for local housing need.

Chapter 6, Schedule 6.1: it does not appear that the Council has carried out a full assessment of every residential allocation made in the LDP against the requirements set out in paragraph 55 of PAN 2/2010.

Chapter 6, Table 6.2: it is claimed in relation to the Renfrewshire SHMA that an effective land supply of only 42% of the total established supply, and only 20% of the affordable housing supply of 50 units, and 57% of a private supply of only 70, is wholly unacceptable in a plan-led system. In such a system land identified for residential development must be effective and deliverable.

This is wholly unacceptable in the context of Kilmacolm where the LDP acknowledges a housing supply and affordability issue.

The LDP requires to de-allocate land that has little or no prospect of development and allocate land that is deliverable to make up the shortfall arising. This will result in a balancing out of the figures and percentages in Table 6.2 of the LDP.

Release of the Old Hall site for approx 70-80 units, and associated uses would contribute, in part, to meeting the overall housing requirement in a sustainable and accessible location. This site alone would represent up to a 53% increase in affordable housing provision based on the figures for the Renfrewshire SHMA alone, according to Table 6.2.

Chapter 6, Schedule 6.1(b): it is claimed that none of the housing figures add up correctly. Total capacity is 117 units and not 120 as stated. The affordable housing supply adds up to 45 and not 50 as stated. 35 of the 72 private sector sites identified are non-effective, representing 49% non-effective. It is also claimed that the seven year timescale, 2012/13 to 2019/20 does not comply with SPP and PAN requirements to maintain a five year housing land supply at all times in the HMA or LDP area. It is contended that all sites in the schedule be reviewed and assessed properly against the criteria set out in paragraph 55 of PAN 2/2010. Sites that have little prospect of coming forward must be deleted and land such as that at Old Hall, Kilmacolm be brought forward as a replacement to ensure a marketable and deliverable five year housing land supply is maintained for the local area.

Chapter 6, para 6.30: states that residential development opportunities are identified for some 120 dwelling units, of which around 40% are suitable to address the affordable need identified in the LHS. The correct figure identified is 117 and not 120 units, furthermore, of the 120 units, 49% are non-effective.

Chapter 6, para 6.31: it is considered unacceptable that the Council expect affordable housing needs in Kilmacolm to be met through 'windfall' development, rather the Council should be properly planning for the needs of Kilmacolm through the LDP. (Refer also to **Issue 6**).

Duchal Estate (73)

Proposals for the Police House Field site, Milton Wood, Kilmacolm include a mix of house types and tenures, including a suggested 30% affordable housing contribution on the site (refer to **Issue 9 (.1)** for full details).

It is stated that there is no (Council) strategic plan to cater for the requirement for an increasing number of elderly households, certainly not in Kilmacolm. If Inverclyde Council is to move towards a sustainable development strategy, then areas such as Kilmacolm, which have been devoid of investment over many years, require allocated development sites, including affordable housing and retirement properties. This will comply with the overall objectives of the LDP by encouraging growth and investment, stemming population decline and safeguarding and enhancing the local environment.

Modifications sought by those submitting representations:

Persimmon Homes (20)

Policy RES3: in order for the Council to take action and identify additional allocations capable of meeting the housing need requirement in full and that contribute to maintaining a 5 year supply at all times, Policy RES3 should have an additional sentence: "Where a shortfall in the effective five year land supply emerges, actions should be taken to rectify

this by approving appropriate planning applications on sustainable unallocated sites.”

Revisit the Housing Land Supply Audit and determine the effectiveness of sites with Homes for Scotland (HfS).

Mr David Eagle (24)

No releases in the Green Belt for housing development (private or affordable), but relax planning controls for infill and backland development (within large garden grounds) to meet any forecast housing demand.

Cllr David Wilson (28)

Removal of Smithy Brae site (r60) – refer **Issue 8**.

Mactaggart & Mickel Homes Ltd (55)

Revisit the Housing Land Supply Audit and determine the effectiveness of sites with Homes for Scotland (HfS).

Addition of Old Hall site for housing development, with a capacity for between 70 and 80 homes, with unspecified Affordable Housing Contribution.

Duchal Estate (73)

Addition of Police House Field site, Milton Wood, Kilmacolm for housing development, including a mix of house types and tenures, and a suggested 30% affordable housing contribution.

Include a ‘Strategic Plan’ (sic) for Elderly Housing Requirements in the LDP.

Summary of responses (including reasons) by planning authority:

Persimmon Homes (20)

The criticism of the Council concerning its ability to take action through Policy RES3, which states “Where a shortfall in the effective five year land supply emerges, actions should be taken to rectify this by approving appropriate planning applications on sustainable unallocated sites”, is considered to be misplaced. Policy RES3 is quite clear in its intentions in this respect, building on the approved *Glasgow and the Clyde Valley Strategic Development Plan*, Strategic Support Measure No. 10 (CD15) and Scottish Government guidance and advice in SPP 2010 (CD20) and PAN 2/2010 (CD22), stating “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.” Therefore, it is considered Policy RES3 deals with this specific objection about what action should be taken by the Council to address an inadequate effective land supply. Moreover, the policy is in place so that when required, there should be no land supply constraint in assisting with the Council and Partners’ objective of arresting and reversing population decline from Inverclyde.

Past completions over the 3 years noted was distorted by the historically high RSL’s re-provisioning programme, which will not be repeated. It is more appropriate to consider a

longer time period to ascertain the trend rate of build in this sector, and therefore the overall total.

Persimmon Homes (20)

Mactaggart & Mickel Homes Ltd (55)

With reference to the Updated 2012 HLS Audit (CD34), the majority of sites have been audited by HfS (October/November 2012, but not concluded until March 2013); it is only the new LDP sites that are not, but have been now in advance of the Examination and therefore will be before the adoption of the LDP. Almost all of these new LDP sites are not programmed as Effective, but have been added to the Established Supply. If economic and housing market conditions were to improve, these together with other sites will be brought forward and most likely programmed as Effective, pre 2019/20. It is considered more appropriate and relevant to move the position forward in this way, to use the publication of a LDP to bring forward new sites and at the same time reflect better the changes in effectiveness and deliverability under current depressed housing market conditions. This also better aligns the base year of the new LDP with its anticipated adoption date of summer 2014. Therefore, criticism that our Audit is not in accordance with paragraph 55 of PAN 2/2010 (CD22) is rejected.

The housing land requirement in the LDP is filtered through the derivation of Housing Supply Targets (HSTs) (applying the aforementioned para 4.86a of the approved 2012 *Glasgow and the Clyde Valley Strategic Development Plan (GCV SDP)* (CD15), so would not expect it to be the same as the outcome figures (not 'targets') presented in the SDP as a 'preliminary and indicative' housing requirement.

Regarding evidence for the derivation of the HSTs, it is accepted the source of the calculations should have been made more explicit, but they are available in the Background Report referenced along with the publication of the Proposed Plan – *Inverclyde Local Housing Strategy 2011-2016, Part 3, Chapter 8 'Housing Supply Targets'* (CD31).

Mr David Eagle (24)

Criticism of the projected need for 65 new private homes is misplaced, since no projection is presented, rather the figure refers to the estimated capacity of the land supply. The suggestion that more capacity should be found through infill, including within the large gardens of the large houses in Kilmacolm is not an acceptable way in itself to plan for more new private homes. The LDP and its supporting SG on PAANs (CD8) provides policy guidance on this type of development and while historically, this type of development is acceptable and has made a contribution and will continue to do so, it is by its very nature 'windfall' development and could not provide a reliable source of supply alone.

Mactaggart & Mickel Homes Ltd (55)

Criticism of the 7-year plan period not being in accordance with SPP (CD20) and PAN 2/2010 (CD22) 5-year timeframe is unfounded; this is the well-practised procedure of discounting the first two years ahead of the expected adoption date of the Local Plan (now LDP), in order to have a genuine five year supply at that stage, and to accord with the timeframe of the relevant Strategic Plan (now 2012 GCV SDP) (CD15).

Table 6.1 and the relative balance of land supply/provision across the three time periods

reflects prevailing housing market conditions and the expectation that these conditions are not likely to improve over the early part of the effective plan period, to 2019/20. Given this generally accepted position, over the last 3-4 years, it has been agreed with Homes for Scotland (HfS), that there is value in having a longer, 10 year horizon of land supply. As the most recent response from HfS on the draft Inverclyde Housing Land Audit 2013 (CD35) states, "There has been no fundamental change in market conditions in the last 12 months (The) broader economy remains sluggish, with very slow growth in Scotland other than the North-East (and) In that context, the programming in Housing Land Audits should continue to be conservative."

The main constraint on house building is not land supply, but the economic and financial circumstances affecting both the supply and demand sides of the housing market.

The LDP's Housing Supply Targets (HSTs) as noted above, reflect the reality of the current economic situation and poor housing market conditions, but land is available, with both extant sites and new LDP allocations: it is our view that the former will return as effective once the housing market picks-up, i.e. there is a more than adequate supply of established land to bring forward when the economy and the financial position improves and finance and funding are made available to both developers to build and householders to get a mortgage, to meet both needs and demands.

The low level of house completions has little to do with 'supply failures', rather the prevailing economic downturn and poor housing market conditions are the reason for the so called 'back to front' land supply. The judgements made for the HSTs and the programming of the land supply is a realistic attempt to deal with the current depressed conditions but at the same time, outlining a future pick-up in demand towards the latter part of the 7-year Plan Period. To quote "identifying 'deliverable' sites in 'marketable' locations such as Kilmacolm to provide for local needs" (sic) would be counter-productive and extremely damaging not only to the settlement, but also do little to assist a return to the significant regeneration and renewal benefits that were underway over the rest of Inverclyde before the economic recession in 2008.

In addition to the above, SPP (CD20) or PAN2/2010 (CD22) does not state that it is a requirement to release land on an individual settlement level. Kilmacolm and Quarrier's Village are but one small part of the larger Renfrewshire SHMA, which has an adequate surplus of land to meet forecast housing requirements.

The claim that it is 'wholly unacceptable' that more land within the Kilmacolm & Quarrier's Village part of the Renfrewshire SHMA should be effective is unsupported in policy guidance, and that 'the LDP requires to de-allocate land that has little or no prospect of development and allocate land that is deliverable to make up the shortfall arising', would do little to overcome the much greater constraint facing the house building industry and potential house buyers currently: an absence of development funding and mortgage finance, respectively.

Comments on the figures presented in Schedule 6.1(b), and associated paragraphs that they do not add up ignore the footnote (page 51 of LDP), clearly stating that the figures are rounded-up for ease of reference. It is inappropriate in any case to present dwelling capacities to the last digit, given that many of the sites across the authority have indicative capacities and on some sites, the stated capacity will be subject to some revision. To submit representations on this level of detail suggests a misunderstanding of the planning for housing, especially over the three time frames presented. Having said that, if looking

solely at the position in one/two small settlements, as is the case here, it is perhaps understandable that small differences may matter, but that brings us back to the appropriate market scale that housing should be planned for, i.e. HMA/SHMA, not individual settlement level.

It is claimed to be unacceptable that the Council expect affordable housing needs in Kilmacolm to be met through 'windfall' development. This is not the case. The LDP statement simply reflects actual development history in the settlement, where a considerable number of new completions have come through windfall and there is no reason to expect this to change. That is not to suggest the Council expects this to be to the exclusion of allocated sites in a plan-led system. It is perhaps worth noting that the Scottish Government in its draft consultation on SPP (2013) (CD21), has asked whether 'windfall' should be counted towards achieving a 'generous' land supply, given the experience of this contribution across the country, ranging from 20-30% in different authorities.

Duchal Estate (73)

The response to the proposals for the Police House Field site, Milton Wood, Kilmacolm for housing development is in **Issue 9 (.1)**.

The most appropriate document for a 'Strategic Plan' to deal specifically with elderly housing requirements is the Inverclyde Local Housing Strategy 2011-2016 (CD31), which indeed deals with the particular needs of this age group. The LHS 2011-2016, in its assessment of these needs, as outcomes from the GCV HNDA (CD67) and in the Council's determination of its HSTs, has been taken fully into account in the conclusions reached on the adequacy of the land supply and in the extent to which it provides a full range of choice of sites for different household sizes and types.

Recommend no modifications be made under these representations.

Reporter's conclusions:

Persimmon Homes (20)

1. Looking first at the specific wording of policy RES3, this representation requests the addition of wording to support the approval of appropriate planning applications on sustainable unallocated sites. The whole purpose of the local development plan is to allocate sites for future direction, setting out locations for development that have been carefully considered through the plan preparation process, including public consultation. As a general principle these sites should be developed first unless there are sound reasons for departing from this through the introduction of new sites.

2. An example of this may be where, for sound reasons, an allocated site is unable to be developed, meaning it is ineffective, and has to be replaced by another. In cases of housing development, sites are most likely to be put forward on greenfield land. Where such applications are made for unallocated sites there are general policies in the plan to indicate how these should be handled.

3. The council's proposed wording of policy RES3 states that an annual audit of the housing land supply will monitor and review, and where necessary augment, the effective land supply to maintain a minimum of five years supply, in accordance with the strategic development plan and Scottish Planning Policy guidance. I consider this provides a

satisfactory framework for addressing any shortfall in the housing land supply, and there is no reason for a specific reference to planning applications. No modification is necessary, therefore, in this respect.

4. With regard to the issue of a generous housing land supply, Scottish Planning Policy makes clear at paragraphs 70 and 71 that the delivery of housing through the development plan to support the creation of sustainable mixed communities depends on such a supply. It adds that this will give the flexibility necessary for the continued development of new houses even if unpredictable changes in the effective supply occur.

5. Paragraph 70 also says that the scale, nature and distribution of the housing requirements for an area identified in the local housing strategy and development plan should be based on the outcome of the housing need and demand assessment. Paragraph 72 provides, in city regions, for the strategic development plan to identify the housing land requirement for the plan area and indicate where land should be allocated in local development plans to meet requirements up to 12 years beyond the predicted year of approval of the plan, and an indication of the possible scale and location of housing land up to year 20.

6. The Glasgow and Clyde Valley Strategic Development Plan sets out at schedule 11A an indicative all tenure housing requirement for Inverclyde between 2008/9 and 2020 of 5,200 houses. A further 200 would be required from 2020 to 2025, giving an overall total of 5,400. As all tenure figures these aggregate the requirements for both private sector and affordable housing needs.

7. Paragraph 4.86 of the strategic plan states that these figures should be treated as indicative as a number of important caveats apply, particularly in relation to the methodologies used for calculating the figures. It leaves it for these to be considered in the preparation of local authorities' local housing strategies and development plans. It allows for the strategic plan figures to be varied, provided any variation is justified by the planning authorities.

8. The proposed plan sets out at table 6.1 a comparison of housing need and demand assessment, housing supply targets and local development plan provision broken down for various periods between 2011/12 and 2024/25. This table is the same as table 1(b) in annex 1 of the supplementary guidance on affordable housing, which sets out the evidence base for the affordable housing policy, whilst including figures for overall supply. Table 1(b) is more comprehensive than table 6.1 in that it includes more detailed referencing as to sources. For example explanatory notes (1), (2) and (3) of table 6.1 are actually found under table 6.2, and notes (4) and (5) do not appear to be in the proposed plan main volume but are under table 1(b) in the supplementary guidance. This is confusing to say the least.

9. At first sight the proposed plan housing land supply figures appear to differ from those in the strategic plan. Direct comparison is difficult as the time periods are different by three years, which may account for the difference of 270 houses. Irrespective of this there does not appear to be the generous allocation required under Scottish Planning Policy and referred to in this representation.

10. To clarify this I sought further information from the council. In response the council says there is no definitive guidance in Scottish Planning Policy (2010) to assist interpretation of what 'generosity' means. The consultative draft policy (2013) requested,

however, a consultation response to an additional margin of 10 to 20% land supply, over and above the housing supply target. The new policy has yet to be issued at the time of writing, but Inverclyde Council has queried the validity of this margin and says this approach to the allocation of housing land in the development plan is questionable, especially in the current economic climate and depressed housing market.

11. Despite this the council accepts the case for having a 'margin' of additional land. In its response to my request it has prepared a paper on the generous supply, supported by four additional papers relating to its methodology for its housing land supply targets and audits. These are too long and complex to summarise but can be consulted with the examination papers. It is helpful however to repeat the council's observations in summing up its evidence drawn from the latest audits:

Affordable Sector

- Based on an assumed build rate of 100 per annum (HST), there is just over 5 years supply using the updated 2012 land supply (i.e. LDP); this increases to 8 years using the latest 2013 HLS Audit, reflecting the slightly improved funding position. In terms of a percentage margin of 'generosity', the latter would be at least 16%.
- Based on an assumed build rate of 80/85 per annum (Trend), there is more than 6 years supply using the updated 2012 land supply (i.e. LDP); increasing to some 9.5 years using the latest 2013 HLS Audit and therefore, considerable 'generosity' of some 100%.
- Looking at the Established Supply in the LDP of 1,650, based on the HST, there is over 16 years supply, or 65% 'generosity'.

Private Sector

- Based on an assumed build rate of 150/180 per annum (HST), there is over 7 years supply using the updated 2012 land supply (i.e. LDP); but due to the continuing poor market conditions, less than 7 years supply using the latest 2013 HLS Audit, so in effect an insufficient land supply and no margin for 'generosity'.
- Based on an assumed build rate of 110 per annum (Trend), there is over 10 years supply using the updated 2012 land supply (i.e. LDP); reducing to 9 years supply using the latest 2013 HLS Audit. Under this assumption, there is a 'generous land supply' of over 30%.
- Looking at the Established Supply in the LDP of 3,450, based on the HSTs, there is over 20 years supply, or over 100% 'generosity'.

12. Looking at the established land supply the council concludes:

- For the **Private Sector** especially, there is a very generous land supply (3,450): on the assumption that if completions were to increase to pre-recession levels, 200 per annum over the medium to long term, there is 17 years supply;
- For the **Affordable Sector**, similarly on the assumption of 100 per annum, there is also 17 years supply; therefore,
- For **All-Tenure**, some 300 completions per annum would last 17 years with a total capacity of some 5,100 units.

13. Finally it adds the following points:

(i) Policy RES3 as proposed includes provisions for the release of additional land if the annual land supply audit finds there to be an insufficient effective supply, as noted by me above.

(ii) There is the likely prospect of negative household change in Inverclyde, negating the case made in representations for additional land release to meet demand. There will continue to be a requirement to provide marketable sites attractive to private house builders, supporting the overall strategy of the Development Plan, and sites for affordable housing in sustainable locations to address the backlog and new needs arising.

(iii) The council and its partners are engaged in reversing the population decline, but the longevity of depopulation from Inverclyde makes it clear this will not be easy to achieve. Releasing more land on the urban fringe for housing in the Inverclyde Housing Market Area (which in any case is very limited in scope due to topographical, physical and environmental constraints), is not going to increase the build rate in the current housing market and will not help the rate of urban regeneration and area renewal. The focus on brownfield development has been transforming the main urban areas of Greenock and Port Glasgow for over 10 years and through this, changing not only the image and perception of Inverclyde but the reality of a better living and working environment. It will only be through a more concerted push on the sustainable development strategy of the proposed plan that planning can assist in helping to reverse the net out migration.

14. I note also Homes for Scotland's comments, set out above, that in the context of prevailing market conditions (in the specific context of Inverclyde) the programming in housing land audits should continue to be conservative.

15. Drawing all these points together I am satisfied the council has based its proposals for the development plan housing land supply figures on unusually comprehensive assessments. Whilst perhaps not following the somewhat simplistic approach suggested in the draft Scottish Planning Policy of simply adding a percentage figure to the calculated requirements to achieve a generous supply, in the absence of any persuasive evidence to the contrary, I am satisfied that in the specific circumstances of Inverclyde the proposed plan contains a generous supply of housing land. No modification is needed in this respect.

Persimmon Homes (20)

Mactaggart & Mickel Homes Ltd (55)

16. The background to the derivation of the housing land supply figures and their relationship to the housing needs and demand assessment and housing supply targets are dealt with above. I have found the council's work in preparing these figures to be particularly comprehensive.

17. The council comments that most of the new sites brought forward into the plan are designated as part of the established, rather than effective supply. I have recorded above how policy RES3 makes provision for sites to be brought forward if necessary, following annual auditing, to augment the effective land supply. I consider this a realistic way of ensuring a continuing five year land supply.

18. Also above I have considered the relationship between the strategic development plan's 'indicative' figures and those used in the proposed plan. I am satisfied with the council's explanation of why these differ, noting particularly the different time frames in each case. No further modifications are required in respect of these representations.

Mr David Eagle (24)

19. I am not certain the council is correct in describing this representation's proposal for the use of large gardens (or 'backland') development as 'more capacity'. As I understand it this would be 'replacement' capacity for sites to be deleted from the green belt.

20. Various proposed sites around Kilmacolm with related green belt matters are considered under issues 7.1, 8, 9.1, and 9.2, to which references should be made. The reporter's conclusions on these take into account my findings that no further land is required for housing and recommend that no modifications be made. In particular no modifications are proposed to changes to the green belt boundary.

21. I agree with the council that it would be inappropriate to have a backland development policy that formed part of the housing land supply. Where such development is proposed it can be dealt with through appropriate plan policies. If applications are successful they would effectively be windfall developments. Whilst the council has made some allowance for this in its figures it should not form a major part of the supply figures. No modification is necessary.

Mactaggart & Mickel Homes Ltd (55)

22. I agree with the council's comments about the time periods for the projection of housing figures. Supporting paragraph 6.26 makes clear the seven year framework for the plan, which allows two years from 2012/13 up to the planned adoption in 2014. This then leaves an effective five year plan period in accordance with Scottish Planning Policy.

23. As noted above the council has attached some importance to specific local economic conditions in Inverclyde, together with a longer term pattern of population levels, including out migration. As also referred to above, Homes for Scotland has agreed that within this context the programming in housing land audits should continue to be conservative. That said, as already noted, policy RES3 makes provision for bringing sites forward in the event of annual audits showing a shortfall in the five year supply.

24. Within this context the council has outlined the problem of good marketable sites with planning permission that are not being brought forward for development. I accept the council's explanation that the judgements made for the housing supply targets and the programming of land is a realistic attempt to deal with the current depressed conditions. This explains the apparent 'back to front' figures in table 6.1, in which the allocations appeared skewed to the latter period of long term development between 2020/21 and 2024/25. This can easily be reversed under policy RES3 in the event of the economy picking up at a faster rate than expected.

25. The site at Old Hall is dealt with under issue 9.2, where the reporter has taken into account my findings that no further land allocations are necessary. In the event of a change in circumstances there is nothing to stop a developer coming forward with an application for planning permission for this site, to be dealt with under appropriate plan policies. Any shortfall in housing land identified through the annual audit may well be a material consideration in assessing such sites.

26. Matters relating to affordable housing, including the use of windfall sites to address this, are dealt with under issue 6.

27. Regarding criticisms of columns of figures not adding up, I note the council's explanation. A note at the end of schedule 6.1, under the heading Source, states that all

capacities are rounded at sub area/settlement level. This explains any apparent discrepancies.

28. No modifications are required in relation to these representations.

Duchal Estate (73)

29. Matters relating to the Police House Field site are dealt with under issue 9.1. In considering this the reporter recommends no modifications, taking into account my finding that no further housing land needs to be identified.

30. I note the council has taken into account the needs of the elderly in its overall conclusions on the housing land supply. In the case of the private sector it would be for developers to come forward with specific proposals to address this need. Alternatively the council may identify public sector need, but there is no need for any modification to the plan regarding this.

Cllr David Wilson (28)

31. The site at Smithy Brae is dealt with under issue 8. Following a comprehensive assessment the reporter recommends no modification to the proposed plan.

Reporter's recommendations:

No modifications

| | | |
|---|--|---------------------------|
| Issue 6 | Affordable Housing | |
| Development plan reference: | Chapter 6, Policy RES4, paras 6.30 -6.39; and Schedule 6.1 | Reporter: Trevor Croft |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| Persimmon Homes (20) Mr David Eagle (24) Clydeport Operations Ltd. (25) Mr John Watson (46) Mactaggart & Mickel Homes Ltd (55) Duchal Estate (73) | | |
| Provision of the development plan to which the issue relates: | Affordable Housing Policy and Provision | |
| Planning authority's summary of the representation(s): | | |
| <p><u>Persimmon Homes</u> (20)</p> <p>Policy RES4: advocating an affordable housing contribution of greater than 25% of the total capacity will not serve to attract house builders to Inverclyde and will hinder the economic growth of the area. The revised SPP is proposing a maximum contribution of 25% Affordable Housing and it is proposed that this is implemented within Inverclyde to reflect ongoing market conditions unless sites are allocated solely for the purpose of affordable housing.</p> <p><u>Mr David Eagle</u> (24)</p> <p>Affordable Housing: commenting on the LDP's conclusion that the need for affordable housing is low and comes from smaller households, largely in the 60+ age range, it is questioned whether 'affordable housing' is necessary for this cohort: rather those households choosing to 'down-size' will have the means to buy in the local market and not need such housing.</p> <p>Referring to the LDP (Affordable Housing Provision SG), the lower quartile value for housing in Kilmacolm is £102,000. Land Registry data indicates that 38% of Kilmacolm sales in the last year have been at a figure below the Scottish average. Kilmacolm is expensive in Inverclyde terms, but the averages are skewed by a small number of extremely expensive houses – it is claimed affordable homes are already available in reasonable quantities.</p> <p>Questions the need for 45 new 'affordable' homes in Kilmacolm, especially as the LDP confirms there is negligible 'net migration'. Believes the true need is minimal and definitely not large enough or certain enough to warrant "sacrificing our precious greenbelt. Nobody should be left in any doubt that once land has been removed from the greenbelt it will be</p> | | |

fully developed, irrespective of whether the council's assumptions on the need for affordable housing turn out to be correct or not."

Assuming there is a need for 45 new affordable homes in Kilmacolm, it is suggested they could be accommodated without impacting on the greenbelt, as follows, by:

- (i) adding the housing use in the Institute redevelopment to the LDP and ensuring that it is all 'affordable', providing c. 10 units;
- (ii) ensuring the Balrossie site takes its fair share of affordable housing (10 homes, based on council policy). In the event this is not practical, levy a charge on each house in order to subsidise affordable housing at Smithy Brae (again in line with policy); and
- (iii) using the Gasworks site (Smithy Brae) to accommodate 10-20 affordable homes plus a number of private homes. Given the 'affordable' balance in the LDP of 30:12, a smaller scheme could equally have a mix of say, 14:5 and be economically viable. If the 'levy' approach is used at Balrossie, this mix could be changed to (say) 20:2, or even 25 affordable homes. (Refer to **Issue 8** for further comments in relation to the development of the Smithy Brae site).

Clydeport Operations Ltd (25)

Policy RES4, Schedule 6.1: objection submitted to the application of this policy as it relates to two MAC policy areas (MAC1 and MAC2), and to residential development opportunity sites within these areas, listed in Schedule 6.1 as: 'Victoria/East India Harbour' (r33), and 'James Watt Dock (East) (r14) and James Watt Dock/Garvel Island (r15).

In relation to **Victoria/East India Harbour**, it is stated that because the site was granted outline planning permission in January 2006, for mixed use including residential, and a detailed permission for 88 residential units was subsequently approved, that under the conditions specified in Policy RES4 (and Supplementary Guidance on 'Affordable Housing Provision'), that the site is exempt from the policy. The grant of planning permission in both cases was for open market private housing, with no provision to be made for affordable housing. The affordable housing quota of 60 units (25 % of the indicative total of 240), for site r33 in Schedule 6.1 is therefore objected to and should be '0'.

Turning to **James Watt Dock (East) and James Watt Dock/Garvel Island**, a similar case is presented, with outline planning permission granted in 2010, which included a Masterplan / Urban Design Framework for a mixed use development comprising housing and a range of other uses. A detailed permission also exists for residential flats to the west of the Sugar Warehouses. In both cases, no reference was made specifically to affordable housing.

Concern is raised over the affordable housing quota introduced through Policy RES4 (and Supplementary Guidance on 'Affordable Housing Provision'), to the two sites in the LDP that apply to the Policy MAC2 area: sites r14 and r15. With regard to site 'r14', this is identified as a housing site providing for 86 affordable homes, representing 100% of the indicative capacity. It is important to note however, that site 'r14' was included in the planning consent granted in 2010 and it is therefore submitted that the 86 affordable units contribute to the overall affordable housing provision required at the James Watt Dock site.

In relation to site 'r15', with an indicative capacity of 500 units, it is submitted that no affordable housing provision should be required. Taking the two sites together, 86 of the

total 586 would represent an affordable housing contribution of some 15%. This level is considered to be acceptable given the significant amount of investment put in to remediate the former industrial area and for the regeneration of the area. It is submitted that the higher affordable contribution will render the development unviable and will place serious doubts on its continued regeneration.

Inverclyde currently has an abundance of affordable housing and as such ongoing development and infrastructure works at James Watt Dock 'should not be further burdened' by a requirement to provide affordable housing.

In view of the above, the affordable housing contribution of site 'r15' should be '0' and Schedule 6.1 should be amended to being a private tenure (effective) site with no affordable housing provision.

Mr John Watson (46)

Affordable Housing: the only definition of affordable housing demand in relation to Kilmacolm is in the footnote to Schedule 6.1(b) (in AHP SG), "Households in need are small in size and are aged 35 years+, in particular 60 years+." This does not identify where these people currently live and what tenure of house they occupy, but if they are owner occupiers moving to a smaller house, then affordability is not the main issue but one of supply of particular type of houses.

Referring to the needs of older people, SPP3, HNDA Guidance (2008) and draft SPP (2013) are quoted to maintain 'specialist housing requirements' and other particular needs (e.g. sheltered housing), should not pursued through affordable housing policies, these being an inappropriate and too insensitive an approach. This is shown by the Council failing to apply its own policy on affordable housing in a consistent and coherent way.

Policy RES4: it is claimed that the Council does not apply the policy on its own and other sites, and (i) there is no evidence presented as to what the level of affordable housing demand is, and therefore why more than 25% is required; (ii) the policy is not pursued with any consistency; (iii) the Council does not apply it to its own sites (e.g. former library/institute building); concluding (iv) that meeting the affordable target is not so important and or the Council wants to maximise the sale of its asset without "any pesky affordable housing policy to adhere to. Either way the policy is not being practised by the very Council promoting it."

The Council should include the former library/institute building in its *Updated 2012 HLS Audit, (Background Report, April 2013)*, and apply its affordable housing policy to it, especially as this site is ideally located for 'households small in size and aged 35 years +, in particular 60 years +.'

The Council does not apply its Policy RES4 to Balrossie or the former Quarry sites (site refs r63 & r64) – for more detail, refer to **Issue 7(.1)**.

The conclusion drawn is that the Council is not prepared to support development and promote its Affordable Housing Policy on its own sites, but instead wishes to see more green belt developed to achieve an unquantified need that should in any event be better met by defining it more accurately and meeting it more appropriately.

Green Belt Release for Affordable Housing (and Policy RES4): referring back to the Main Issues Report and the then approved *Glasgow and the Clyde Valley Joint Structure Plan (2006)*, it is stated that there is no evidence given as to why the new Policy RES4 should be more successful than previous attempts, and as to why the release of green belt is no longer solely for affordable housing.

It is claimed the main reason for sites having not been developed would be the economic crash with loss of borrowing capacity for developers and house buyers. Indeed, some of the developers of other sites within Kilmacolm are now in receivership since gaining planning permission. The revival of the housing market should be the prerequisite to test the developability of existing sites before adding extra greenbelt land to make them more commercially attractive.

Mactaggart & Mickel Homes Ltd (55)

Affordable Housing: (in relation to paragraph 2.50 and to Kilmacolm & Quarrier's Village): affordable housing need is localised by nature and Kilmacolm is highlighted as a problem area for such housing and affordability in general. Well designed and laid out housing and associated uses could overcome landscape setting issues identified in the paragraph. However, without further housing growth – whether it be private or affordable – there will continue to be a lack of demand for public transport infrastructure and services and vice versa. It is wrong for the Proposed Plan to state that Kilmacolm has insufficient infrastructure to deal with further allocations. If this is a reference to public transport only, new development will help to resolve that issue. Infrastructure covers a much wider range of matters and there are no other restrictions highlighted in Kilmacolm that would prevent new housing development.

Chapter 6, para 6.31: it is considered unacceptable that the Council expect affordable housing needs in Kilmacolm to be met through 'windfall' development, rather the Council should be properly planning for the needs of Kilmacolm through the LDP.

Duchal Estate (73)

Proposals for the Police House Field site, Milton Wood, Kilmacolm include a suggested 30% affordable housing contribution on the site (refer to **Issue 9(1)** for full details).

Modifications sought by those submitting representations:

Persimmon Homes (20)

Policy RES4: wording should be changed throughout the document (referring to Supplementary Guidance 'Affordable Housing Provision', page 9, Policy RES4), and in the LDP (in Policy RES4, criterion (a)), to reflect a maximum contribution of 25% Affordable Housing on sites of over 20 units.

Mr David Eagle (24)

Addition of the former library/institute building in the centre of Kilmacolm as a housing development opportunity, in Schedule 6.1, and solely for affordable housing; changes in the affordable housing contributions on other sites, including Balrossie and Smithy Brae; and no release of housing sites in the Green Belt. Refer also to **Issue 7(1)**.

Clydeport Operations Ltd. (25)

RES4, Schedule 6.1: the affordable housing contribution, 'the quota' for 'Victoria/East India Harbour' (site ref. 'r33'), and for James Watt Dock/Garvel Island (site ref. 'r15'), should be removed and the Schedule amended to reflect this position. Refer also to **Issue 7(.3)**.

Mr John Watson (46)

Addition of the former library/institute building in the centre of Kilmacolm as a housing development opportunity, in Schedule 6.1; request that Council applies its affordable housing policy to the Balrossie site (r63) and the former Quarry (r64); and no release of sites in the Green Belt for housing. Refer to **Issue 7(.1)**.

Mactaggart & Mickel Homes Ltd (55)

Addition of Old Hall site, Kilmacolm for housing development, with unspecified Affordable housing contribution (refer to **Issue 9(.2)**).

Duchal Estate (73)

Addition of Police House Field site, Milton Wood, Kilmacolm for housing development, including suggested 30% affordable housing contribution (refer to **Issue 9(.1)**).

Summary of responses (including reasons) by planning authority:

Background

Supplementary Guidance on Affordable Housing has been prepared as part of the LDP.

Persimmon Homes (20)

Criticism of the approach and policy on affordable housing needs is wanting to have it both ways: on the one hand the Council is criticised for not meeting needs in full (our derived HSTs), yet on the other, having promoted a new policy response, it is claimed this will hamper development.

The development of policy for the LDP pre-dates the Scottish Government's Consultation Draft SPP 2013 (CD21). The existing benchmark level of 25% contribution for affordable housing provision in SPP 2010 (CD20) is a reasonable one, so stipulation as outlined in the Draft 2013 SPP of 'up to 25%' is neither helpful nor appropriate. Because circumstances do vary greatly over the country, across city regions and indeed within an area the size of Inverclyde, there should be an acceptance of variation around the benchmark level, with local authorities having the scope to negotiate with developers a higher or lower contribution, depending on the prevailing economic circumstances, housing market conditions and levels of identified need. Negotiation on a site-by-site basis should be the accepted approach and there is a good case for having affordable housing policies to allow for this flexibility. It cannot be emphasised enough that the 2013 SPP (CD21) is still at the draft consultation stage and may not be confirmed in the finalised version.

The approach to addressing the affordable housing needs in Inverclyde is considered to be both promotional and pragmatic, in light of ongoing market conditions, with the introduction of the benchmark 25% quota policy **and** the allocation of sites solely for the RSLs to build

affordable homes. For the latter, the allocated sites are in the main surplus Council land and approved by the Council to do so.

Mr David Eagle (24)

Criticism of the evaluation of the need for affordable housing in Kilmacolm and the view that 'true need' is minimal and because of this, the adjustments made to the Green Belt are considered unacceptable: the Green Belt adjustments made are minor, comprising only two in Kilmacolm, and while it is accepted that the scale of need is small, uncertain in its make-up and not easily quantified, this representation provides no evidence to support the view that 'true need' is even less or 'minimal'.

Mr David Eagle (24)

Mr John Watson (46)

Comments on 'down-sizing' have been taken out of context and presented as if that were the only reason for promoting sites in Kilmacolm for affordable housing. Only a very small part of the assessed need for affordable homes in Kilmacolm is estimated to arise from owner-occupiers, rather it arises largely from the private rented sector (sources: *Glasgow and Clyde Valley Housing Need and Demand Assessment* (June 2011) (CD67), and *Inverclyde Local Housing Strategy 2011-2016* (November 2011) (CD31). As this is a small part of the housing 'market' in Kilmacolm, this is the reason numbers are small.

The relevance of 'down-sizing' to housing provision is in the way this could free-up larger family houses to enable those that can afford it, to move and stay in Kilmacolm, or attract new residents in. Where these predominantly elderly householders down-size, that need not be within Kilmacolm, as like other households moving, their first choice in relocating to a new home will be within the Renfrewshire SHMA, or indeed further afield, depending on their own particular circumstances. A part of the land supply and therefore expected provision being made in the LDP for Kilmacolm would provide opportunities for such households to remain in Kilmacolm.

Presenting alternative sites and the means to provide for the 'assumed need for affordable housing', it is acknowledged that a different balance of 'Affordable: Private Tenure' could be negotiated on the Smithy Brae site (with Green Belt adjustment or not), and while acknowledging the case for inclusion of the former Kilmacolm Institute building as a housing development opportunity into the LDP, it is also accepted this could provide for up to 100% affordable dwellings. With regard to the Balrossie site, it is clearly stated in *Affordable Housing Provision Supplementary Guidance*, page 10, para 4.8 (CD4), that allocated 2005 Local Plan (CD13) sites with the benefit of planning permission, including those lapsed, do not automatically qualify under the quota policy. A retrospective change to the planning status of a site in most cases would be a breach of an owner/developers' rights and expose the Council to likely legal challenge and considerable costs. The location of Balrossie detached from Kilmacolm is also not the most suitable for meeting affordable housing needs.

Mr John Watson (46)

It is incorrect to state that the only definition of affordable housing is as quoted from the *Affordable Housing Provision Supplementary Guidance* (CD4). Affordable housing need is evidenced from those households in need within the private and to some extent, social rented sectors, not from those currently occupying houses too large for their own needs.

Under-occupancy is not a criterion, despite the wishes of some (sic).

It is also inaccurate to suggest that there is no overlap between older people and affordability issues and that particular and/or specialist housing requirements should be assessed separately from affordable housing policy in general. In that respect the Council is not failing to apply its own policy in a consistent and coherent way. In referring to sites where it is claimed this is so, e.g. the former Kilmacolm Institute, former Quarry site and Balrossie (as above), there is a misunderstanding of the degree to which the policy can be applied (refer above). At the same time, the Leperstone Avenue site is ignored in this submission, as are the Council's intentions at Smithy Brae and many other Council sites earmarked for 100% affordable homes in the rest of Inverclyde. (Refer to CD1, CD4, CD32, CD32a & CD32b).

Criticism of the Green Belt releases to make provision for affordable homes – there is only one, comprising an additional estimated capacity of less than 20 dwellings – it is claimed that there is no evidence to suggest this will be any more successful than the previous policy in the *Glasgow and the Clyde Valley Joint Structure Plan (2006)* (CD14), of releasing land in the Green Belt solely for this need: this point is made with particular reference to Smithy Brae, which has been released for a very particular reason (refer to **Issue 8**).

The criticism made of the Council releases, that the main issue facing undeveloped sites is the economic situation, with loss of borrowing capacity for developers and house buyers, is not disputed. What is disputed is the opportunity presented with a new LDP to look afresh at some sites and in some cases longstanding constraints over their development (e.g. Smithy Brae), and present a new set of circumstances under which they can be brought forward beyond the current economic downturn, planning further ahead than the next 5 years.

Mactaggart & Mickel Homes Ltd (55)

Affordable housing need, like any other need, may be local in origin but need not be addressed locally. According to SPP 2010 (CD20) and PAN02/2010 (CD22), the relevant geography for provision is the Housing Market Area (HMA) /Sub-housing Market Area (SHMA) level, or over a wider local authority sub-area, where appropriate. This 'market area' is dependant on what type of housing / tenure is being provided. The suggestion that the level of affordable housing required in Kilmacolm would resolve the issue of insufficient demand to make improvements to public transport belies the proposal being put forward. This is little different from the 2004 proposals for this site and where in the 2004 LPI (CD16) Reporter's words, "the Trojan Horse of mainstream private development" is the main reason for developer interest in Kilmacolm, not meeting the affordable needs of the local population.

Throughout the Old Hall submission there is considerable ambiguity in the proposed housing development, with a lack of clarity over whether and how much 'affordable housing' is part of the mix, this extending to the overall numbers proposed for the site (between 70 to 80 unit capacity). This is all the more noticeable given the criticism of the Council and its lack of exact numbers, and mention too of 'associated uses', unspecified. (Refer also to **Issue 4 and 9(2)**).

It is claimed to be unacceptable that the Council expect affordable housing needs in Kilmacolm to be met through 'windfall' development. This is not the case. The LDP statement simply reflects actual development history in the settlement, where a

considerable number of new completions have come through windfall and there is no reason to expect this to change. That is not to suggest the Council expects this to be to the exclusion of allocated sites in a plan-led system. It is perhaps worth noting that the Scottish Government in its draft consultation on SPP (2013) (CD21), has asked whether 'windfall' should be counted towards achieving a 'generous' land supply, given the experience of this contribution across the country, ranging from 20-30% in different authorities. (Refer also to **Issue 5**).

Duchal Estate (73)

The response to the proposals for the Police House Field site, Milton Wood, Kilmacolm for housing development, including suggested 30% affordable housing contribution, is in **Issue 9(1)**.

Clydeport Operations Ltd. (25)

It is acknowledged that Policy RES4 and the specification of sites eligible under the policy (outlined in full in the Supplementary Guidance 'Affordable Housing Provision', page 10, paragraphs 4.8 & 4.9 (CD4)) excludes ".... sites with the benefit of an extant planning permission for residential development," However, the Supplementary Guidance goes on to state, " ... although where a permission is revised or renewed resulting in an increase in the number of dwelling units of 20 or more, the policy will apply and relate to the additional number of units on the site."

In light of this Supplementary Guidance, looking at each site in turn, the following is maintained.

(1) Victoria/East India Harbour: both the planning permissions are now lapsed and no progress has been made with the construction of residential units on the site since 2006. Over recent years, discussions have continued between the Council and the owners on the prospects for the site in light of the economic climate for investment in such a site and the likely timing of residential development with an improvement in the housing market. Meanwhile, pre-application discussions around potential changes to the consented masterplan have been underway, with the possibility of amendments being made in the development mix, to reflect the prevailing investment climate.

There is clearly a case to be made in view of this time lag, during which time the Council has acted on more up-to-date evidence on the scale of housing need and demand (source: *Glasgow and the Clyde Valley Housing Need and Demand Assessment* (June 2011) (CD67) and *Inverclyde Local Housing Strategy 2011-2016*, November 2011 (CD31)), for the site and its contribution to meeting the housing requirements outlined in the LDP to be re-assessed. In addition, the central location of the site makes it particularly suitable for the development of affordable housing.

(2) James Watt Dock/Garvel Island: the planning permissions in this case are extant due to investment made on access roads and other infrastructure related to the use of the dock as a marina. Therefore, according to Policy RES4 the larger master-planned site 'r15' should not be eligible for the 'quota approach' to the delivery of affordable homes. However, like the Harbours site, the more up-to-date *GCV HNDA* (CD67) and Council's *LHS* (CD31) applies. Contrary to the submission made, there is no good reason why a site of this scale and significance in a relatively central, inner urban waterfront locality should have as little as a 15% affordable housing contribution, and concentrated on one small site,

when the overall development framework lends itself to a mixed use / mixed tenure site, in accordance with aims expressed in SPP (CD20).

It is also highly likely that the development framework/masterplan for the site will be revised and amended over the coming years, particularly given the scale and complexity of the site and the expectation that it will be developed in a number of phases over a period of some 10-15 years. Depending on the final mix of house types, densities and the market that the site is promoted to, there is considerable potential for the indicative dwelling capacity assigned to the site to be over-conservative. There is a distinct possibility that revised housing numbers could be as high as 800, possibly even more. If that were to be the case, and mindful that the 500 figure is indicative, the working 'benchmark' of 25% should remain in place, until at least the next stage when detailed applications will come through and when decisions on tenure can be negotiated and confirmed.

Looked at this way, the indicative affordable housing contribution of 125 units is also conservative, and over time such a benchmark should not undermine the economic viability of the development. To the contrary, the marketing of this exciting waterfront development at this location as a genuine mixed use, mixed tenure (including potentially mid-market rented accommodation), should only enhance its chances of success, attracting households into Inverclyde from the wider Greater Glasgow HMA, while at the same time assisting the Council address the housing requirements of Inverclyde. Promoted in this way, the site has potentially a major part to play in assisting the Council and its Partners objective of arresting and reversing the population decline from Inverclyde.

In response to the claim that 'Inverclyde currently has an abundance of affordable housing', there may very well be an above average proportion of low to lower-middle market properties in the owner occupied sector, but the sector as a whole in Inverclyde is above the Glasgow City Region average, with over 65% of all households owner-occupiers. Moreover, the new LDP is concerned with the future and the fact that there is a backlog of housing need now, and forecast to increase over the next 10 years, as evidence by the *GCV HNDA* (June 2011) (CD67).

It is considered that the application of a 'benchmark 25% affordable contribution' under the above circumstances is reasonable, bearing in mind also that it is clear in the LDP (and expanded upon in the Supplementary Guidance on Affordable Housing Provision (CD4)), that the affordable housing contribution will be open to negotiation on a site-by-site basis at the time of the submission of detailed planning applications.

Recommend no modifications be made under these representations.

Reporter's conclusions:

Persimmon Homes (20)

1. As the council points out the 25% benchmark figure for affordable houses (as set out in policy RES4) is based on the current Scottish Planning Policy at paragraph 88. However the new draft Scottish Planning Policy states at paragraph 97 that the level of affordable housing contribution should generally be no more than 25%.

2. The council has made a comprehensive assessment of its housing needs in line with Scottish Planning Policy. In many respects the area has special circumstances, and these are dealt with under issue 5. Given that the new Scottish Planning Policy has not yet been

finalised, and that the use of the word ‘generally’ allows some flexibility, I am satisfied that the local requirements justify the use of the benchmark rather than maximum figure.

3. The council states that negotiations with developers would be on a site by site basis. There may well be cases where the finally agreed figure would be less than 25%. Given the circumstances in Inverclyde I am not persuaded that evidence has been provided to support any modification.

Mr David Eagle (24)

4. This representation is concerned more with the proposed loss of greenbelt land in Kilmacolm rather than directly with affordable housing. Matters relating to the green belt around Kilmacolm are considered in response to various representations under issues 7.1, 8, 9.2 and 20. In none of these cases does the reporter recommend any modifications.

5. I am satisfied that the plan’s proposed numbers for affordable housing in general, and on specific sites, as set out in schedule 6.1, are properly derived from the strategic development plan and the housing needs and demand assessment. No further evidence has been provided in this representation to persuade me that any modification is necessary.

Mr David Eagle (24)

Mr John Watson (46)

6. These representations again relate specifically to Kilmacolm. As set out above I am satisfied that the plan’s proposed numbers for affordable housing in general, and on specific sites, as set out in schedule 6.1, are properly derived from the strategic development plan and the housing needs and demand assessment.

7. In addition the supplementary guidance on affordable housing provision (CD4), which will form part of the local development plan, explains fully the background and justification for the figures in the proposed plan. Section 4 of the guidance sets out a detailed explanation of how policy RES 4 is derived, including its preferred approach to meeting affordable needs with on-site provision.

8. With regard to Kilmacolm (and Quarrier’s village) provision is made mainly on two sites, at Leperstone Avenue and Smithy Brae, with 15 and 30 units respectively. Whilst the council acknowledges that other sites could have been chosen, or a different balance of affordable units provided on each site, I am satisfied that the council has considered the matters carefully. The evidence before me does not provide any justification for modifying its proposals.

Mr John Watson (46)

9. This representation is selective in its commentary on affordable housing and does not look at the whole picture. Affordable housing is set out in Scottish Planning Policy, paragraph 86 as “...defined broadly as housing of a reasonable quality that is affordable to people on modest incomes.” This is carried forward unchanged to the draft policy at paragraph 94.

10. The supplementary guidance contains 28 pages of detailed assessment, and sets out at annex 1 the affordable requirement based on the Glasgow and Clyde Valley housing

need and demand assessment. This sets out a total requirement for Kilmacolm and Quarrier's Village of 50 affordable houses and this is reflected in the proposed plan at schedule 6.1(b). I am satisfied that this meets not just the requirements of Scottish Planning Policy, but is in line with the figures set out in the strategic development plan, which itself allows some latitude to cope with local circumstances. I have not been provided with any evidence to justify a modification to the proposed plan.

Mactaggart & Mickel Homes Ltd (55)

11. The thrust of this representation is the inclusion of the Old Hall site at Kilmacolm for housing. This is not the first time it has been considered. In the case of this report the site is considered under issue 9.2, and the reporter finds no justification for any modification.

12. In addition he notes that as a general principle it is not appropriate to modify, through the examination process, those parts of development plans that are proposed to be rolled forward unchanged from the existing adopted plan unless circumstances have clearly changed. This is particularly the case for matters considered in previous examinations or inquiries.

13. In this case the council has noted that the suitability of this land for development was a subject of the inquiry into objections to the Inverclyde Local Plan First Review in 2004. The reporter at that time concluded that the site should only be released if a requirement for affordable housing or enabling development was established and another site proved unsuitable. This is still not the case here.

14. It is misleading to say the plan states the need for affordable housing in Kilmacolm to be met through windfall development. Paragraph 6.31 says that the: "...expectation is that the *new sites identified* and those that are likely to come forward through 'windfall' over the time frame of the plan, will be expected to provide for affordable homes as a higher negotiated proportion than the benchmark's 25% of the site's total capacity." (My italics).

15. This is merely stating that this policy will apply to windfall as well as designated sites. Reference to schedule 6.1(b) shows a total allocation for Kilmacolm and Quarrier's Village of 50 affordable sector houses over the whole plan period. Of these 45 are accounted for by two sites at Leperstone Avenue (15), and Smithy Brae (30), as already noted above. This hardly demonstrates a dependency on windfall sites. A need for any modification has not been made.

Duchal Estate (73)

16. This matter is dealt with under issue 9.1, and the reporter has recommended no modifications to the plan. I have no reason to differ from these conclusions.

Clydeport Operations Ltd. (25)

17. Whilst noting the council's comments above, the affordable housing elements of these two sites have been dealt with under issue 7.3. In considering this the reporter recommends that no modifications are made. I have no reason to differ from these conclusions.

Reporter's recommendations:

No modifications.

| | | |
|--|---|-------------------------------|
| Issue 7(.1) | Housing Sites in Proposed Plan – Kilmacolm and Quarrier’s Village | |
| Development plan reference: | Chapter 6, Policy RES3, Schedule 6.1 | Reporter: Stephen Hall |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| Mr David Eagle (24) Cllr David Wilson (28) Mr John Watson (46) Mr Julian Barr (47) Mr & Mrs Perry (56) Kilmacolm Civic Trust (63) Kilmacolm Community Council (71) Mr & Mrs Owen (77) | | |
| Provision of the development plan to which the issue relates: | Residential Development Opportunities | |
| Planning authority’s summary of the representation(s): | | |
| <p>Leperstone Avenue, Kilmacolm (r59)</p> <p><u>Cllr David Wilson</u> (28), <u>Kilmacolm Civic Trust</u> (63)</p> <p>Supports the identification of the site as a residential development opportunity.</p> <p><u>Mr Julian Barr</u> (47), <u>Mr & Mrs Owen</u> (77)</p> <p>Comments that the proposed development blocks off farm access to the fields at the back of the garages, as well as a well used pathway for walkers. The proposed development builds over the turning space on Leperstone Avenue, and is only wide enough for parking on one side of the street. Questions whether a feasibility study has been done into the impact of increased traffic on this road, because of the state of potholes, with young children currently having a safe place to play. There are well established trees with a rookery to the east of the substation. Will strongly object to any building which overlooks or blocks out sunlight to their properties. There will also be additional demand on water and sewerage systems.</p> <p>Former Balrossie School, Kilmacolm (r63)</p> <p><u>Cllr David Wilson</u> (28)</p> <p>Supports the identification of the site as a residential development opportunity.</p> | | |

Mr & Mrs Perry (56), Kilmacolm Civic Trust (63), Kilmacolm Community Council (71)

The infrastructure of Kilmacolm cannot cope with additional housing, with current problems of traffic congestion and parking. It is unfair to those living in the village and the occupiers of new housing to build at Balrossie.

While KCT has consistently supported the repair and retention of Balrossie House itself, it objects to the manner in which the developer is proposing to achieve this ie through 'enabling' development.

The proposed layout of the housing is suburban, and combined with the scale of the new proposal and car parking, means that the heritage values of the place and its setting will be materially harmed. The development proposal does not accord with English Heritage Guidance on enabling development, as it fragments the management of those aspects of the place that are crucial to sustaining its significance. The planning application does not provide details of a financial nature which are required to assess an 'enabling' development of this nature, including costs associated with the repair work. The site is in the Green Belt and inappropriate for development, as a case for enablement has not been made.

KCC does recognise the desirability for some development at Balrossie, while recognising that the development of this site for housing is hard to square with other policies in the Plan.

Note: *representations made in relation to Balrossie as a site for affordable housing are covered in **Issue 6**.*

Former Quarry, Port Glasgow Road, Kilmacolm (r64)

Cllr David Wilson (28)

Supports the identification of the site as a residential development opportunity.

Mr David Eagle (24), Mr John Watson (46), Kilmacolm Civic Trust (63)

Questions why the site has been removed from the Green Belt contrary to policies, why has the assumption been made that only a part of the site will be developed and why has the Council changed its historical position on this development. The reasons for including the house in the Green Belt has not changed, including avoiding ribbon development, clearly defined boundary and the difficulty of road access.

The impact of developing three houses at the former Quarry site outweighs the benefits. If the access is taken from the Cemetery Road it would be open for the developer to build more than three houses. The ability to build individual houses can continue within the large gardens of the many large established houses in the village. The former Quarry site has been the subject of four previous attempts to develop the site, and each have been refused. There is no clear, proven need to utilise Green Belt land for private housing development, with plenty of houses in the village on the market, in addition to those with planning permission.

Development of this site would change one of the key gateways to Kilmacolm in a detrimental manner. It would constitute ribbon development and lead to renewed attempts

to develop the 'Plots'.

Modifications sought by those submitting representations:

Leperstone Avenue, Kilmacolm (r59)

Cllr David Wilson (28), Kilmacolm Civic Trust (63)

Proposes no change to the LDP.

Mr Julian Barr (47), Mr & Mrs Owen (77)

Require all concerns to be addressed in the proposed development.

Former Balrossie School, Kilmacolm (r63)

Cllr David Wilson (28)

Proposes no change to the LDP.

Mr & Mrs Perry (56)

The Council should give up this plan as unworkable.

Kilmacolm Civic Trust (63)

None specified.

Kilmacolm Community Council (71)

None specified.

Former Quarry, Port Glasgow Road, Kilmacolm (r64)

Cllr David Wilson (28)

Proposes no change to the LDP.

Mr David Eagle (24)

Produce a revised plan which takes on board opinions and ideas expressed above and adheres to its own and Scottish Government policies.

Mr John Watson (46)

The Council should review the supplementary guidance on back plot development.

Kilmacolm Civic Trust (63)

None specified, but assume that KCT feel the site should be removed from the listed Residential Development Opportunities.

Summary of responses (including reasons) by planning authority:

Leperstone Avenue, Kilmacolm (r59)

Background – the site is owned by Inverclyde Council and is surplus to requirements. It was identified in the adopted Inverclyde Local Plan (CD13) as a Housing Opportunity site (ho77). The Council has committee approval to masterplan the site, including consideration of an alternative option for self build purposes, and the subsequent marketing of the site (CD51).

Cllr David Wilson (28), Kilmacolm Civic Trust (63), Mr Julian Barr (47), Mr & Mrs Owen (77)

The Leperstone Avenue site is currently in the Housing Land Supply 2012 (CD33) and draft 2013 (CD35), and has been since 2003. It is also within the village boundary as defined in the adopted Local Plan (CD13), and is identified as a Housing Development Opportunity. The site is currently an informal, unmaintained area of naturally regenerated woodland, containing poor quality, non native species.

The site currently has no environmental protection designations, although any issues relating to trees and wildlife will be considered once a planning application has been submitted. A planning application will also address the existing farm access, the turning head, parking matters and issues of privacy, and the development will require to adhere to building standards in regard to issues of daylighting. Consultation with Scottish Water and SEPA will be undertaken in regard to demand on water and sewerage systems and any objections will be addressed during the consideration of the planning application.

Recommend no modifications.

Former Balrossie School, Kilmacolm (r63)

Background – the site was identified in the adopted Inverclyde Local Plan (CD13) as a Housing Opportunity site (ho78). The planning permission for 40 dwellings on the site (approved September 2007) has now lapsed (CD53) and a new application, also for 40 dwellings, but on a larger site (see enclosed map), has yet to be determined.

Cllr David Wilson (28), Mr & Mrs Perry (56), Kilmacolm Civic Trust (63), Kilmacolm Community Council (71)

The proposal for 40 dwellings was granted planning permission in 2007 (CD53) and was considered an acceptable development in the Green Belt which would retain the 'B' listed Balrossie House and bring the building back into use.

Any issues regarding infrastructure, traffic and parking matters will be considered during the assessment of the planning application, as will all matters relating to the heritage values.

Consideration of a similar type of development has previously been undertaken in Inverclyde without the benefit of enabling policies in the local plan or guidance. Examples where development in the Green Belt associated with the retention and conversion of a listed building has been permitted include at Auchenbothie House, Port Glasgow Road (to the north west of Kilmacolm), the former Bridge of Weir Hospital to the east of Quarriers Village and Langhouse near Inverkip. All of these are grade 'B' listed buildings which have

been successfully converted, together with new housing developed in the Green Belt.

Recommend no modifications.

Former Quarry, Port Glasgow Road, Kilmacolm (r64)

Background – the former Quarry site was refused planning permission for the erection of three dwellings in November 2001, and dismissed on appeal in May 2002 (CD54). It was again refused planning permission in January 2004, and again in March 2010 (CD54). The site was also the subject of an objection to the 2004 LPI (CD16) where the owner was seeking to include the site within the settlement boundary. The reporter recommended that there be no modification to the Plan.

Cllr David Wilson (28), Mr David Eagle (24), Mr John Watson (46), Kilmacolm Civic Trust (63)

The site is an irregular, overgrown site that was formerly used as a stone quarry. That part of the site which was quarried is approximately level with the adjacent Port Glasgow Road, while the northern and western edges are raised. SPP (CD20) states that Green Belt designation should provide “clarity and certainty” on where development will and will not take place. The development potential of the former Quarry site has been the subject of much debate over many years, and will continue to be so, until a productive use for the site is found.

A Green Belt Review (CD27) was undertaken for the entire LDP area, including Kilmacolm, taking into account the settlement pattern of the village (green wedges with development along arterial routes), and seeking to use, as advised in SPP (CD20), strong visual or physical landscape features such as rivers, tree belts, railways or main roads. The most obvious visual feature in this part of the village is not the current boundary (western edge of the last house on Port Glasgow Road), but the road leading up to the cemetery.

Development at this location would not therefore be out of character with the village pattern, it would create an end stop for development in the village and the site itself makes no significant contribution to the Green Belt.

Although it is acknowledged that the ‘Plots’ site on Port Glasgow Road has also been the subject of much debate over many years over whether development should occur or not, there is no other similarity between the Plots site and the former Quarry site, as the planning cases for and against development are quite different. The Quarry site has been rejected in the past primarily to avoid ribbon development, while the Plots site has been rejected for reasons of local amenity and loss of rural aspect. Any proposed development on the plots would be considered on its merits. (Reference to **Issue 9(.3)**)

It is acknowledged that the proposed policy for this site has changed from that of the adopted Local Plan (CD13). The intention of a Local Plan review is to give consideration to the current circumstances and opinions relating to each site, with the decision being taken not always consistent with previous decisions. In this particular instance the decision taken has been finely balanced, where a reasonable case can be made for both the inclusion of the site within the settlement boundary and its retention in the Green Belt.

Recommend no modifications.

Reporter's conclusions:

Leperstone Avenue, Kilmacolm

1. The site constitutes a well-contained wooded 'dell' on the north-eastern fringe of the built-up area of Kilmacolm. The trees are generally of small stature and limited individual value, though some more impressive specimens are present in the north-western part of the site. An apparently well-used track leads from Leperstone Avenue to the north-eastern corner of the site where it gives access to open countryside.
2. It is generally not appropriate to modify parts of plans that have been rolled forward from previous plans unless circumstances have clearly changed. In this context I note that this site was identified as a housing site in the 2005 Inverclyde Local Plan. Beyond the passage of time (which may, for instance, have allowed for some additional tree growth to have occurred), I am not aware of any significant changes in circumstances that would render the site less acceptable for development today than it was in 2005.
3. While the loss of trees that must be associated with the development of this site would be unfortunate. I am confident that through the development management process it should be possible to retain trees on the steeper land around the periphery of the site which is likely to be less suitable for development and adjoins the open countryside. This would assist in maintaining a strong green belt boundary. It should also be possible to achieve a satisfactory development while retaining the valuable larger trees in the north-western part of the site.
4. In landscape terms the site is mainly low-lying but slopes steeply uphill in the south and east of the site. The elevated rural area to the east and south is characterised by more gently sloping and undulating terrain. This topography will largely screen any development from views from the countryside around Kilmacolm. Any retention of boundary trees would enhance this screening. To the north, west and south-west the site is contained by existing development. Overall the site fits well within the landform of this part of Kilmacolm.
5. Concerns have been raised that the existing farm access and vehicle turning area should be retained after any development, and that any new building should not overshadow or overlook existing property. These are valid planning issues, but do not, to my mind, throw the principle of development at this location into question. Rather, these are matters of detail that appear to be capable of resolution through the development management process.
6. Concerns are also expressed regarding increased traffic on Leperstone Road and Leperstone Avenue. Around 40 houses currently take access from this cul-de-sac, and the proposal is to add an additional 15 to this number. 55 houses is quite a high number to access from a single junction especially as the roads themselves are relatively narrow. However I do not consider this concern to be so serious as to render the site unsuitable for housing, or to outweigh the advantages of this site for development. It is the responsibility of Inverclyde Council as roads authority to keep these roads in a reasonable standard of repair.
7. There is no indication that existing water and sewerage systems are not adequate to cater for this level of development.
8. Overall I conclude, for the reasons set out above, that the site is suitable for housing

development and therefore that no change is required to the plan.

Former Balrossie School, Kilmacolm

9. This rural site west of Kilmacolm is situated in the green belt and constitutes disused former school buildings and some adjoining land. The buildings are category B listed and still in a reasonable standard of repair. Planning consent has now lapsed for a proposal on a slightly larger site than that shown in the plan for 40 dwellings. 14 of these were to be formed from conversion and alteration of the existing buildings, and 26 were to be new-build. There is a current undetermined application to build 40 units (7 conversion, 33 new-build) over a much larger area of the former school grounds.

10. The benefits of converting the former school for residential use are not in dispute. While the proposed plan does not stipulate how the estimated site capacity of 40 is to be achieved, it is clear that this figure assumes an element of new-build development. The authority has confirmed in response to a further information request that the capacity for conversions alone would only be 14 units. The justification for the significant new-build component in this green belt location appears to be as 'enabling development' to secure the restoration of the listed building. The existing policies of the proposed plan make no provision for such enabling development in green belt areas, but I have introduced a new policy to cover these circumstances under Issue 17 of this report.

11. The precise amount of enabling development that may be justifiable to secure the restoration of the school building, and whether this is, in the words of a representee, a 'price worth paying' given the potential impact on the openness of the green belt and the otherwise unsustainable location, is beyond the scope of this examination. These matters will be considered by the authority when it comes to determine the current application in the context of the emerging or adopted local development plan including the new policy on enabling development. However I do need to satisfy myself that the capacity of 40 units given for this site in Schedule 6.1 of the proposed plan is a reasonable estimate.

12. It is generally not appropriate to modify parts of the plan that have been rolled forward from the previous plan unless circumstances have clearly changed. This site was included in the adopted Inverclyde Local Plan with a capacity of 40 units. Since then a planning approval (albeit on a slightly larger site) has confirmed that an acceptable scheme of this capacity is possible. The non-implementation of that scheme and the subsequent application for development of a much larger area may put in question the viability of the initial scheme. However there may be many reasons for the non-implementation of the initial scheme including the unusual economic conditions of recent years.

13. As stated above, it is beyond the scope of this examination to consider in detail the amount of enabling development that may be justifiable on this site. But given the terms of the adopted plan and the earlier consent, I am prepared to support the 40 unit capacity being carried forward into the local development plan. I therefore conclude that no change is required to the proposed plan. However it should be noted that I reach this view on the basis set out above and not on any consideration of the actual amount of enabling development that may ultimately be justifiable in the context of individual applications.

Former Quarry, Port Glasgow Road, Kilmacolm

14. This small site on the north-western fringe of Kilmacolm is largely occupied by a disused flat-floored and steep-backed quarry, now overgrown with rough grass and other

low vegetation. It is prominently located on Port Glasgow Road at the main entrance to the village from the north-west. To the north-west of the site is the access road to the cemetery, beyond which sits the single house of Auchenbothie Lodge. To the south-east sits the last of a continuous row of houses on the north side of Port Glasgow Road stretching from this point into the centre of the village. To the north-east and south-west of the site is open countryside designated as green belt.

15. Port Glasgow Road is already characterised by ribbon development on its northern side which serves to extend the urban influence of Kilmacolm into open countryside/ green belt in an unfortunate way. The development of this site would exacerbate this situation. The authority argues that Cemetery Road would form a stronger green belt boundary than the current urban edge. I agree that this is the case, but the overall effect of development at the quarry would harm the open character of the remaining green belt to some degree. On the other hand Port Glasgow Road at this point already presents something of an urban character, due to the quasi-industrial character of the quarry itself and the presence of pavements and street lighting.

16. I also place significant weight on the desirability of finding a productive use for this land, which currently presents a neglected and unattractive appearance at this important gateway location. It seems to me unlikely that the site will be returned to agricultural or other rural use, and in these circumstances development is a good option for securing the site's remediation.

17. Regarding concerns about overdevelopment of the site, or skyline development, these are matters that can be satisfactorily addressed at the development management stage. The site is capable of being developed without triggering these concerns and therefore the principle of development is acceptable in these regards.

18. I also note the concerns about the potential impact on Auchenbothie Lodge. I agree that this is a reasonably attractive building, but the configuration of the quarry site and the presence of Cemetery Road means that any new building should remain at some distance from it. It is therefore unlikely that buildings on the quarry site would have an overbearing effect on Auchenbothie Lodge. An appropriate relationship between Auchenbothie Lodge and the new development can be secured at the development management stage.

19. It has been suggested that the site should be limited to the development of affordable housing. Given that paragraph 88 of Scottish Planning Policy states a 25% contribution as the benchmark for private sector affordable housing contributions, a requirement for 100% on this site would not be justifiable. Indeed given that Policy RES4 of the Proposed Plan only seeks affordable housing contributions from sites of 20 or more units, it is unlikely that this site will be required to provide any affordable houses.

20. I agree with the authority that the decision as to whether this site should be developed or remain in the green belt is finely balanced. However in my view the advantages of allowing this site to be put to a productive use outweigh the harm that would be caused by a relatively modest extension of ribbon development into open countryside. I conclude therefore that this housing opportunity site should remain in the plan and that no modification is required.

Reporter's recommendations:

No modifications

| | | |
|---|---|-----------------------------|
| Issue 7(.2) | Housing Sites in Proposed Plan – Port Glasgow | |
| Development plan reference: | Chapter 6, Policy RES3, Schedule 6.1 | Reporter: Richard Bowden |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| Clydeport Operations Limited (25) Mr James Delaney (39) Ms Mary McCully (54) Mr Simon Hutton (70) | | |
| Provision of the development plan to which the issue relates: | Residential Development Opportunities | |
| Planning authority's summary of the representation(s): | | |
| <p>Lower Mary Street, Port Glasgow (r10)</p> <p><u>Mr James Delaney (39)</u>, <u>Mr Simon Hutton (70)</u></p> <p>Objects to the Ardgowan Street part of the site for the development of housing as it contains a sewage works and a heavily wooded area, with paths providing easy access for school children to local amenities, access to bus stops and to Port Glasgow town centre, as well as dog walkers. There are hundreds of houses in the Kingston Dock area and this is the only piece of woodland in the central area. The site also contains a burn and local wildlife, including owls, bats, squirrels and foxes. The site should benefit from a TPO (Reference – Issue 15).</p> <p>Former Broadstone Hospital, Port Glasgow (r11)</p> <p><u>Ms Mary McCully (54)</u></p> <p>The site is unsuitable for building, especially at the present time. The area has been a permanent building site for the past twenty years as a result of various developments, redevelopments and renovations. It is a danger to passers by with trees and plants growing on the wall. The road is narrow and has suffered from contractor's traffic and was originally intended to be closed off. The corner with Mackie Avenue is unsuitable for the traffic that uses it. (Reference - Issue 15).</p> | | |
| Modifications sought by those submitting representations: | | |
| <p>Lower Mary Street, Port Glasgow (r10)</p> <p><u>Mr James Delaney (39)</u></p> <p>Reclassification of the site as Green Belt with tree protection orders.</p> | | |

Mr Simon Hutton (70)

The site is unsuitable for any form of development and should benefit from tree preservation orders.

Former Broadstone Hospital, Port Glasgow (r11)

Ms Mary McCully (54)

The site is unsuitable for building and the green space aspect should be considered in its future planning.

Summary of responses (including reasons) by planning authority:

Lower Mary Street, Port Glasgow (r10)

Background – the site is the subject of a planning application for the erection of 46 dwelling houses comprising flats, semi-detached and terraced houses together with associated roads and landscaping works. This follows earlier discussions with an RSL for the construction of affordable homes (social rented and shared ownership houses), having been identified as a priority in the Council's SHIP (CD32, 32a & 32b) for the re-housing of residents from Clune Park, Port Glasgow. (Refer also to **Issue 15** on TPOs.)

Mr James Delaney (39), Mr Simon Hutton (70)

The site is within the urban area in the adopted Local Plan (CD13) and is part of a Major Area of Potential Change (Special Area) where a variety of primarily town centre uses are considered acceptable. The site currently has no environmental protection designations and consideration of the retention of those trees on the site will be addressed during consideration of the planning application. The planning application will also be required to address the existing sewage works that is located on the western edge of the site, access to the town centre and other facilities and the significance of any wildlife on the site.

An opportunity to comment or object to the detailed housing proposals is available as part of the planning application process.

Recommend no modifications.

Former Broadstone Hospital, Port Glasgow (r11)

Background – the site is owned by Inverclyde Council and is surplus to requirements. The site is being marketed by the Council (CD30), although there is currently no known developer interest in this site. (Refer also to **Issue 15** on TPOs.)

Ms Mary McCully (54)

The site is currently identified within the general residential policy area in the adopted Local Plan (CD13) where the character and amenity of existing residential areas will be safeguarded. It is not protected by any environmental designations. An opportunity to comment or object to any detailed proposals will be available when a planning application is received. All matters dealing with traffic, access and the suitability of surrounding roads will be addressed at this stage, and will require to meet the standards required by the

roads authority. At present no details are known.

Recommend no modifications.

Reporter's conclusions:

Lower Mary Street, Port Glasgow

1. This partially cleared, brownfield site is within the urban area and although there are mature trees on the central part of it there are no formal environmental protection designations in place here. Indeed, the whole site is in a designated Major Area of Potential Change (Special Area) identified in the local plan. This means that the site is deemed suitable for a variety of town centre uses, including housing. Immediately to the south of the site there are tenement flats and to the north-east and north-west respectively there are major new retail stores with associated car parking. Furthermore, I note that the site is being promoted for residential development opportunities in the proposed plan and indeed is now the subject of a planning application for housing development.
2. It is in this context that the representations object to the designation of the site for residential use. Their concerns are based on the amenity value of the existing mature trees in an area with few other trees - and they draw attention to a path crossing the site, local wildlife interests, and a sewage works on its western edge.
3. Whilst the representations have raised valid matters of concern, I am satisfied that the planning authority has not overlooked or disregarded these in its determination of the most appropriate designation of this particular site and its environs. This is evident because the planning authority has indicated that in processing and determining the planning application lodged for the site, due consideration will be given to securing additional affordable housing and addressing a number of other issues. In particular they highlight the complications posed by the sewage works; the value of retention of trees and taking account of any significant wildlife interests on the site; as well as access to the town centre.
4. I conclude that this overall approach by the planning authority should provide a new beneficial use for most, if not all, of this brownfield site whilst incorporating sufficient safeguards to address the issues raised by the objectors. I am most concerned that in evaluating any development proposals for the site as a whole, particular attention should be paid to retaining all or as many as possible of the mature trees that characterise the middle part of the site and contribute significantly to the amenity of the wider locale. These trees should be protected not only for their visual amenity, in an area that is generally lacking in such natural features, but also with a view to safeguarding the ecology and wildlife interests.
5. The representations also refer to the fact that there are other housing development proposals in the nearby Kingston Dock area. That, however, is not sufficient reason to not designate or allow residential use on the site in question as the council has an obligation to meet its overall housing needs targets, including with regard to securing the provision of affordable housing.

Former Broadstone Hospital, Port Glasgow

6. This broadly flat, rectangular former hospital site has become overgrown by

regenerating vegetation. The site concerned, which is in council ownership, is defined by substantial stone boundary walls and residential roads to the north and south. It is surrounded by housing developments, comprising mostly villas as well as a block of sheltered housing operated by River Clyde Homes immediately to the east of it, and a local school.

7. Marketing of the site for residential use has not generated developer interest to date. Nevertheless, based on the available evidence, I have no reason to take issue with the strategy of the planning authority to continue to promote this site for housing development, given the residential character and amenity of the surrounding area that should be safeguarded from other potentially less compatible uses. This strategy is reflected in the site's designation within the proposed plan.

8. Whilst the representation raises a number of issues concerning the neglect and general poor state of the site today, in my view these concerns do not provide sufficient justification to modify the plan. Instead they underline the need for the site to be developed as a matter of priority. The planning authority has indicated that the local access issues, including road narrowing, that have been highlighted by the objector are amongst matters that would be addressed in detail when any proposals for the site were being considered through the processing of a planning application. This should ensure that satisfactory standards of road safety are met.

9. In summary, I conclude that whilst it is unfortunate that the site has not yet been taken up for housing development, this remains the most appropriate use for the land in question in its local context - and so it should be promoted as such in the development plan and marketed accordingly. I am also satisfied that the detailed planning concerns raised by the objector could be satisfactorily addressed when any proposal for the site is put forward through the lodging of a planning application, for detailed consideration and determination by the planning authority.

Reporter's recommendations:

No modifications

| | | |
|---|---|-----------------------------|
| Issue 7(.3) | Housing Sites in the Proposed Plan - Greenock | |
| Development plan reference: | Chapter 6, Policy RES3, Schedule 6.1 | Reporter: Richard Bowden |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| NHS Greater Glasgow and Clyde Valley (4) Belville Community Association (6) Cllr Ciano Rebecchi (21) Clydeport Operations Limited (25) Ms Diane Rebecchi (29) Cllr Innes Nelson (36) Cardwell Bay & Greenock West Community Council (37) Greenock Unit Trust (43) Mrs Lilian Newman (51) Braeside Resident and Tenant's (61) Stuart McMillan MSP (75) | | |
| Provision of the development plan to which the issue relates: | Residential Development Opportunities | |
| Planning authority's summary of the representation(s): | | |
| <p>James Watt Dock/Garvel Island, Greenock (r15)</p> <p><u>Clydeport Operations Limited</u> (25)</p> <p>Supports the continued identification of James Watt Dock as a Major Area of Change, suitable for a mix of uses. However objects to the reference to the word 'flats' in the permitted land uses (SD - Supplementary Guidance on Local Development Frameworks), and considers that it should be amended to read 'residential'. Also objects to the inclusion of Policy RES4 and the associated Supplementary Guidance on the provision of affordable housing as it relates to this site, on the basis that James Watt Dock should be considered against the outline planning consent which was granted in 2010, where sites r14 and r15 were included. Site r14 is identified as a housing site with 86 affordable housing units, which represents 100% of the indicative capacity of the site. No affordable housing provision should be required for site r15, which has a capacity of 500. This would therefore represent an affordable housing provision for the James Watt Dock site (total of 586 residential units) of some 15%.</p> <p>Given that the site in question is a former industrial area and has required a significant amount of investment in remediation and resources committed to the site, there should be no further requirement to provide affordable housing, over and above affordable provision on site r14.</p> <p><i>Note: the Affordable Housing part of this representation is covered under Issue 6.</i></p> | | |

Garvald Street, Greenock (r18)

Belville Community Association (6), Mrs Lilian Newman (51)

Concerns about the proposed density and loss of greenspace. It would appear that there is already an agreement for the development of housing on this site with 45 proposed houses to be built on the green space of Burnhill Street and in Lauriston Park. This is not in the local plan. An opportunity should be taken to have private or mixed development on the site. The decision has been taken to cram as many affordable houses as possible on the site.

Victoria/East India Harbour, Greenock (r33)

Clydeport Operations Limited (25)

Supports the continued identification of this site as a Major Area of Change, suitable for a mix of uses including residential, retail, tourism, heritage and leisure uses (reference to Issue5). However objects to the inclusion of Policy RES4 and the associated Supplementary Guidance on the provision of affordable housing as it relates to this site on the basis that the investment in remediation and infrastructure works already completed on the site should be taken into consideration when seeking affordable housing contributions

Note: the Affordable Housing part of this representation is covered under **Issue 6**.

Union Street, Greenock (r37)

Clydeport Operations Limited (25)

Seeks the identification of this site as a mixed use development site, including residential, commercial and a major element of retail. Given the prevailing economic and market conditions, this will allow for flexibility at this key location, and encourage development to come forward at the earliest opportunity (note: refer also to Town Centre **Issue 10**).

Cardwell Bay & Greenock West Community Council (37)

Concerned that the housing planned for the Union Street site is too dense.

Former Greenock Academy, Greenock (r38)

Cardwell Bay & Greenock West Community Council (37)

Concerned that the housing planned for the Greenock Academy site is too dense.

Former Holy Cross School, Greenock (r39)

Cardwell Bay & Greenock West Community Council (37)

The site should not be developed as there are drainage issues which affect properties further down.

Former Ravenscraig School, Greenock (43)

Cllr Ciano Rebecchi (21)

The site should be used for one bedroom houses or an old people's residential home.

Former St Gabriel's School, Greenock (r44)

Cllr Ciano Rebecchi (21), Ms Diane Rebecchi (29)

Part of the site should be used for sheltered housing and part for a play area.

Braeside Resident and Tenant's (61)

Concerns over the loss of open and green spaces, as well as play areas and recreational facilities in the Braeside area.

The Council has done nothing to protect or enhance open spaces over the past 10 years, including the loss of football parks, swing parks and grassed areas (note: refer also to Open Space **Issue 14**).

Valley Park, Spango Valley, Greenock (r45)

Greenock Unit Trust (43)

Support for the mixed use allocation at Spango Valley.

Cllr Ciano Rebecchi (21), Cllr Innes Nelson (36), Mr Stuart McMillan MSP (75)

The recession is stopping companies from expanding. Any houses on the site would be liable to flooding and traffic would increase on the A78, which is already at capacity. There are road safety issues regarding access to buses on the opposite side of the road and there is a history of accidents on the road. Housing on this site would be of a satellite nature, leading to increased journeys by car. The industrial area would become less secure with the introduction of housing, and therefore be less attractive to industry. Being a former lakebed, subsidence issues could lead to insurance difficulties for new housing. Residential properties in close proximity to industrial development could suffer from noise and other industrial activity, while the industrial areas and the farms in the area could become victims of nuisance and vandalism from the housing areas.

Modifications sought by those submitting representations:

James Watt Dock/Garvel Island, Greenock (r15)

Clydeport Operations Limited (25)

Schedule 6.1 should be altered to state that the number of affordable housing units applicable to site r15 is 0.

Garvald Street, Greenock (r18)

Belville Community Association (6), Mrs Lilian Newman (51)

Prefer to keep some of the greenspace which has proved an amenity to the area since the original demolition. An opportunity exists for this area to have private or mixed (housing)

development.

Victoria/East India Harbour, Greenock (r33)

Clydeport Operations Limited (25)

Request that the LDP acknowledges the site as an effective housing site which does not require to contribute to the provision of affordable housing.

Union Street, Greenock (r37)

Clydeport Operations Limited (25)

The site should be designated as a mixed use development site, with uses to include residential, commercial and a major element of retail, in addition to being identified within the Greenock Town Centre designation in the emerging LDP.

Cardwell Bay & Greenock West Community Council (37)

The density of the housing site should reflect nearby areas.

Former Greenock Academy, Greenock (r38)

Cardwell Bay & Greenock West Community Council (37)

The density of the housing site should reflect nearby areas and should adopt a similar topography to existing buildings ie no high flats bordering the roads and only permitted where the existing school building is.

Former Holy Cross School, Greenock (r39)

Cardwell Bay & Greenock West Community Council (37)

The site should be landscaped as a community area and viewpoint, complementing the Lyle Hill monument.

Former Ravensraig School, Greenock (43)

Cllr Ciano Rebecchi (21)

Identify site for one bedroom houses or an old people's residential home.

Former St Gabriel's School, Greenock (r44)

Cllr Ciano Rebecchi (21), Ms Diane Rebecchi (29)

Identify part of the site for sheltered housing and part for a play area.

Braeside Resident and Tenant's (61)

Removal of site from the Plan and kept as an open space or used for community play area/garden.

Valley Park, Spango Valley, Greenock (r45)

Greenock Unit Trust (43)

No change is proposed.

Cllr Ciano Rebecchi (21)

Retain site as an industrial site until the next review of the local plan.

Cllr Innes Nelson (36), Mr Stuart McMillan MSP (75)

Retain site as an industrial site.

Summary of responses (including reasons) by planning authority:

James Watt Dock/Garvel Island, Greenock (r15)

Background – planning permission in principle for a mixed use development comprising housing, commercial, business, hotel, marina, landscaped public open space, access roads and off street car parking at James Watt Dock was granted in January 2010 (CD55), with work having commenced on the site.

Clydeport Operations Limited (25)

The support for this site as a Major Area of Change in the LDP is welcomed. It is acknowledged that the site has had some investment, but this is little different to other urban brownfield sites where some investment/remediation is also required.

The central location of the James Watt Dock site makes it particularly suitable for the development of affordable housing (refer to **Issue 6 on Affordable Housing**).

Recommend no modifications.

Garvald Street, Greenock (r18)

Background – pre-application discussions have taken place for the development of the site by an RSL (refer to CD32a & 32b), although a planning application has not yet been received.

Belville Community Association (6), Mrs Lilian Newman (51)

The site is a brownfield one within the urban area and has previously been developed for residential purposes. When the planning application is received it will address matters of open space and density, with any new proposal requiring to accord with Supplementary Guidance on PAANs (no 3 on Private and Public Open Space Provision in New Residential Development) (CD8).

Recommend no modifications.

Victoria/East India Harbour, Greenock (r33)

Background – an outline and a detailed planning permission (2006) for the Victoria/East India Harbour site for 200 and 88 flats, respectively, have now expired and no outstanding planning permission exists.

Clydeport Operations Limited (25)

Welcome the support for this site as a Major Area of Change in the LDP. It is acknowledged that the site has had some investment, but this is little different to other urban brownfield sites where some investment/remediation is also required. The detailed planning permission for 88 flats was not renewed and has now expired and any new planning application will require to accord with the relevant policies at that time. The central location of the Victoria/East India Harbours site makes it particularly suitable for the development of affordable housing (refer to **Issue 6** on **Affordable Housing**).

Recommend no modifications.

Union Street, Greenock (r37)

Background – On 2 October 2013 Clydeport Operations Limited submitted for planning permission in principle for the erection of a supermarket, associated car parking, access roads and landscaping following the demolition of existing buildings on this site. The application has not yet been determined.

Clydeport Operations Limited (25)

Part of this site was identified as a housing opportunity site in the adopted Local Plan (CD13), with the remainder being within the Town Centre – Outer Mixed/Commercial Area. A town centre boundary review was undertaken for the LDP (CD38), with the outcome being that the boundary has been drawn to the east of the Union Street site, excluding it and other parts of the West End from the town centre designation (refer to **Issue 10**). The nature of this area is more residential than the mix of uses characteristic of a town centre, with the amenity of this particular area requiring more sensitivity in any assessment of development proposals than a town centre location.

There is no requirement to identify any retail sites in this area (refer also to **Town Centre Policy Issue 10**). The site also presents an excellent opportunity for a centrally located, sustainable, quality residential development and has been identified as such in Schedule 6.1 of the LDP.

Cardwell Bay & Greenock West Community Council (37)

When a planning application for the site is submitted it will address matters relating to density, where adjacent and nearby residential properties will be taken into account.

Recommend no modifications.

Former Greenock Academy, Greenock (r38)

Background – the site is owned by Inverclyde Council and has been declared surplus to requirements. The site has not been marketed.

Cardwell Bay & Greenock West Community Council (37)

The residential capacity of the site, as identified in Schedule 6.1 of the LDP, is indicative. When a planning application is submitted, matters relating to density will be addressed, as will the relationship of the development to the topography of the site.

Recommend no modifications.

Former Holy Cross School, Greenock (r39)

Background – the site is owned by Inverclyde Council and has been declared surplus to requirements. The site has not been marketed.

Cardwell Bay & Greenock West Community Council (37)

When a planning application is submitted, appropriate consultation will be undertaken, and all matters relating to drainage, including its impact on existing properties, will be addressed.

Recommend no modifications.

Former Ravenscraig School, Greenock (43)

Background – the site is owned by Inverclyde Council and has been declared surplus to requirements. The site is currently being marketed for development, although a closing date has not yet been set.

Cllr Ciano Rebecchi (21)

The type of housing developed on the site will be addressed following the submission of a planning application, with consideration being given to the specifics of the location and adjacent and nearby housing.

Recommend no modifications.

Former St Gabriel's School, Greenock (r44)

Background – the site is owned by Inverclyde Council and has been declared surplus to requirements. The site has not been marketed.

Cllr Ciano Rebecchi (21), Ms Diane Rebecchi (29)
Braeside Resident and Tenant's (61)

The type of housing developed on the site will be considered at the time of marketing and will also be addressed during consideration of a planning application. If appropriate, the amount of open space required and inclusion of play areas will be identified in the marketing/planning brief, and addressed in a subsequent planning application, which in turn will require to accord with Supplementary Guidance on PAANs (No. 3 on Private and Public Open Space Provision in New Residential Development) (CD8).

Recommend no modifications.

Valley Park, Spango Valley, Greenock (r45)

Background – the site has been the subject of pre-application discussions with the owner and a draft Development Framework (CD44) has been produced. A planning application is expected to be submitted in the first quarter of 2014. An Integrated Green Infrastructure Design Study for Spango Valley (CD45) was also published which aims to integrate green infrastructure into the design and masterplanning of new or regenerated places.

Greenock Unit Trust (43)

Welcome support for the mixed use proposal at Spango Valley.

Cllr Ciano Rebecchi (21), Cllr Innes Nelson (36), Mr Stuart McMillan MSP (75)

The Spango Valley area has an over abundance of business/industrial land, which is more than sufficient to accommodate the expansion of existing business or new business wishing to locate in the area. This is evidenced through the 2012 Industry and Business Land Supply (CD36), where a site of 16.95ha at Spango Valley has been identified as a marketable site, and remains as a Business and Industrial Development Opportunity in Schedule 4.1 of the LDP.

Early discussions have also be held with the owners of the more easterly half of the Spango Valley site, and a draft Development Framework (CD44) has been drawn up which is likely to be the basis for an anticipated planning application in spring next year. The masterplan proposals consolidate the existing business areas on the site, while also providing an opportunity for new industry/business as well as a site for residential development. The relative scale of the existing business and proposed residential areas are such that they would, in part, be self sustaining (local commercial development also included within the masterplan area), with sufficient separation/buffer zones ensuring compatibility. It is acknowledged that housing in this location would have a satellite nature to it, being in a relatively peripheral area, although good transport links, including a railway station, are in place.

Flooding, traffic and road safety matters will all be addressed at the planning application stage, with flooding matters also being informed by the Integrated Green Infrastructure Design Study (CD45).

Recommend no modifications.

Reporter's conclusions:

James Watt Dock/Garvel Island Greenock (r15)

1. The site in question is a major area of former docklands and associated industrial land that is surplus to operational requirements. It also includes an area that is earmarked for reclamation from the adjoining waterfront. There is no disagreement that this whole site, occupying a major area of the Greenock waterfront close to the town centre, is identified as a Major Area of Change that is suitable for a mix of uses, including residential development. The planning authority notes that planning permission in principle for a mixed use development comprising housing, commercial and leisure uses and associated parking was approved in January 2010 - and its implementation has commenced on site.

2. The only issue raised in the representations concerns the requirement set out in Schedule 6.1 regarding affordable housing for this r15 site. This schedule shows a total capacity of 500 houses of which 125 are expected to be affordable– with the other 375 being for private sector housing. In summary, the objector argues that as all of the nearby dockland site r14 (James Watt Dock (East)) is earmarked to contribute a total of 86 affordable units – representing its total capacity - this should relieve the r15 site from making any contribution to affordable housing provision, particularly when this site has significant remediation costs associated with its redevelopment.

3. Based on the available evidence, in my view the arguments put forward in the representations are not sufficiently persuasive to justify waiving the standard affordable housing requirements set out in the allocation for this particular brownfield site. As the planning authority points out, whilst there are significant remediation costs associated with the redevelopment of the site in question this is often the case with urban brownfield sites. Furthermore, as the council notes the r15 site is centrally located, close to the town centre and well suited for affordable housing. Finally, it is standard for each allocated housing site to make its own contribution to affordable housing provision rather than be the subject of some form of bartering or cross-subsidy whereby one site's contribution offsets the liability of another site in terms of affordable housing provision.

4. In summary, I conclude that the plan is justified in setting out an expectation that the standard 25% of 500 units on the site should be affordable housing provision.

Garvald Street, Greenock (r18)

5. This sloping site of cleared and largely neglected open ground close to the centre of Greenock is in an established residential area. There is no disagreement that this brownfield site, which was formerly in residential use, is suitable for new housing development. I note that discussions between the council and a Registered Social Landlord (RSL), about how this might proceed, have led to a planning application for 45 houses being lodged by the local housing association. The only concerns raised in representations relate to matters of open space provision and residential density, rather than the principle of housing development at this location.

6. I am satisfied that the planning authority has properly addressed the issues of concern by pointing out that details on housing density and open space provision would be amongst the matters for detailed consideration and agreement in response to the planning application made here, as elsewhere. I note that in addition to the policies in the proposed development plan on such matters there is associated supplementary guidance on open space provision in new residential developments that would also be taken into consideration by the planning authority in determining the planning application. Based on all of these considerations I conclude that there is no justification to modify the plan in response to the representations lodged.

Victoria/East India Harbour, Greenock (r33)

7. This site is an L shaped area of former docklands and associated industrial land that is surplus to operational requirements. The area is immediately to the north of the main A8 road linking Greenock with Glasgow. It is also very close to the town centre and adjoins the recently completed Beacon Arts Centre development on the waterfront. The representation supports the site in question being identified in the new plan as a Major Area of Change that is suitable for a mix of uses, including residential development as well

as retail, leisure and cultural uses. The planning authority notes that planning permission granted in 2006 for housing development here has expired and there are currently no outstanding permissions or planning applications in place.

8. The only issue raised in the representations concerns the requirement set out in Schedule 6.1 regarding affordable housing for this site. This schedule shows a total capacity of 240 houses of which 60 are expected to be affordable units – with the other 180 being for private sector housing. In summary, the objector argues that this brownfield site should be exempt from making any contribution to affordable housing provision, as the land concerned has significant remediation costs associated with its redevelopment.

9. Based on the available evidence, in my view the arguments put forward in support of this representation are not persuasive. As the planning authority points out, whilst there would be significant remediation costs associated with redevelopment of the site in question this is often the case with urban brownfield sites. Furthermore, as the council notes, the site is centrally located, and so is well suited to the provision of affordable housing.

10. In summary, I conclude that the plan is justified in setting out an expectation that the standard 25% of any housing development on the site should be in the form of affordable housing provision.

Union Street, Greenock (r37)

11. I note that part of the site in question, which is located to the west of the town centre, was designated in the adopted local plan as a housing opportunity site – with the remainder being shown at that time as within the Town Centre Outer Mixed/Commercial Area. The council states that following a town centre boundary review for the new local development plan this boundary was revised. In summary, the whole of the site in question is now earmarked for exclusion from the newly defined town centre when the plan is adopted.

12. In this context, the representation seeks to ensure that a flexible approach to development of the site is still taken. In particular the objector contends that the site should now all be designated for mixed uses to include residential, commercial and a major element of retail – and argues that it should still be included within the town centre boundary when the plan is adopted. I note that a planning application by the objector was lodged in October 2013 seeking approval in principle for the erection of a supermarket with associated parking and landscaping on this site. That application is not yet determined by the planning authority.

13. Based on my site visit and a review of the available documentation, I am in agreement with the council that the site in question is in a predominantly residential area. There are a few business premises, including offices, a hotel and a coffee shop, located nearby including in some of the traditional stone villas and tenement buildings along Union Street. Nevertheless the character of the site and its immediate surrounding area does not have the appearance or feel of being part of the town centre that is located further to the east.

14. In this context - and despite the presence of some storage and other commercial activities on part of the objection site and nearby - I conclude that the town centre boundary review appears reasonable in concluding that no part of the site concerned should be designated as within the town centre when the local development plan is

approved. Furthermore, I agree with the planning authority that any development proposals for this site should be carefully assessed taking into consideration the predominantly residential character and amenity of the immediate locality. This would address the concern raised by the local community council regarding the density of development that might be appropriate here.

15. I also have no reason or basis to question the council's assertion that there is no requirement to identify within the new plan any retail development sites in this particular area. In summary, for the reasons outlined I conclude that the planning authority is justified in asserting that the objection site, given its location, presents an excellent opportunity for new residential development with an indicative capacity of 60 units, as signified by its inclusion in Schedule 6.1 of the new plan.

Former Greenock Academy (r38)

16. This slightly elevated, sloping site is currently occupied by school buildings. It is owned by the council and designated for housing development. In particular it is listed in Schedule 6.1 as having an indicative capacity for 40 housing units, as well as possibly another 15 units off-site. The only unresolved representation does not question the principle of housing development on the school site. Instead it seeks this to be restricted to where the school buildings are presently situated and in a form that reflects the housing nearby – urging that it should not be developed as blocks of flats.

17. I note that whilst the school premises here have been declared by the council as “surplus to requirements”, the site has not yet been marketed. The issues raised in the representation relating to density and building form, appear to be aimed at safeguarding the residential amenity of the surrounding area. I am satisfied that this valid concern is one amongst a range of matters that would be given due consideration by the planning authority when any planning application for development of the site is lodged. Accordingly, I conclude that there is no justification for amending the terms of the local development plan allocation for this site that is simply identifying the site for housing development in principle.

Former Holy Cross School, Greenock (r39)

18. The only unresolved representation in this case takes issue with the proposed designation for 15 houses of this cleared, former school site – as listed in Schedule 6.1. In particular, the local community council argues that this elevated, plateau site set on a steep hillside should not be developed at all for housing, partly on the basis that this would result in significant drainage issues affecting other properties further downhill. The representation seeks re-designation of the site in question as open space for community use to provide a viewpoint that would complement the nearby Lyle Hill Monument located at the top of the same hill.

19. I note that this prominent site – located on a sharp bend in the road leading up to the Lyle Hill Monument and beyond to Greenock town centre - has been declared by the council as “surplus to requirements” but it has not yet been marketed. Whilst the council has stated that drainage matters – including likely impacts on nearby properties - would be addressed when any planning application is lodged, it has not commented on the alternative suggestion of re-designating the site altogether for community use rather than housing.

20. Whilst the site concerned has previously been developed as a school, following its closure those buildings and associated structures have all been demolished – leaving only a few areas of hardstanding. Furthermore, over the passage of time the cleared site, has begun to grow over and now, when viewed from Lyle Road, it resembles part of the wider area of open space to the north of it.

21. Setting aside possible drainage issues for a moment, I am in agreement with those making representations that it would be more appropriate if the site concerned was retained and developed as some form of open space for community use and amenity, given its prominence on an open hillside. This would better safeguard the setting of the other monuments located further up the same hill that are accessed via Lyle Road, which passes directly by the site in question. Furthermore, such an approach would ensure that this section of Lyle Road itself provides the strong and defensible edge of built development in the immediate locality.

22. The council has offered no arguments against such a re-designation of the site as open space, apart from stating that any drainage issues associated with a housing development here could be resolved if and when a planning application was lodged. I foresee no insurmountable drainage issues arising from the site's retention and promotion as open space.

23. I am satisfied that the resulting loss of 15 housing units from Schedule 6.1 would not be materially detrimental to the overall provision of housing land allocated in the new plan to meet local and strategic housing requirements over the plan period.

24. Accordingly, I conclude that the site should be re-designated for open space for amenity use when the plan is adopted.

Former Ravenscraig School, Greenock (r43)

25. This former school site, which adjoins residential areas and a secondary school, is identified as a housing opportunity site in Schedule 6.1 where it is listed as having an indicative capacity for 20 units – all in the form of affordable housing.

26. The site, which is owned by the council, has been declared “surplus to requirements” for educational purposes and is now being marketed for housing development. The only unresolved representation does not question the principle of residential development on the site but seeks this to be in the form of one-bedroomed houses or as a residential home for older people.

27. I agree with the council that there is insufficient justification to amend the proposed development plan in response to the detailed suggestions made in the representation. In any event there is no locus for the planning authority to prescribe the content of planning applications being promoted by developers. Nevertheless, when processing any application that is lodged – and also in pre-application discussions - there will be an opportunity for the form and detailed content of any proposed development to be considered by the planning authority in the local context. At that stage following consultation with the developer, there would be scope for the proposed scheme to be potentially reviewed and revised if appropriate, prior to any final submission and formal determination of the planning application.

Former St Gabriel's School, Greenock (r44)

28. There are 3 unresolved representations in respect of the proposed allocation of this particular former school site for 20 affordable housing units. The elevated, sloping site is now cleared ground that adjoins other open space surrounded by existing houses. Two of representations argue that part of the site should be used for sheltered housing with the remainder being promoted as a play area. The other representation seeks the site's deletion as a housing site and for the land to all be retained as open space and play areas. This arises from concerns about the loss of open and green spaces in the Braehead area. The site, which is owned by the council, has been declared "surplus to requirements" but has not yet been marketed.

29. In response to the representations the council contends that the issues of open space provision will be considered as part of a marketing/planning brief for the land in question and then in respect of any planning application being lodged. It also points out that proposals would also be expected to accord with supplementary guidance on private and public open space provision for new residential developments. I am satisfied that this approach would satisfactorily address the matters raised – and conclude that this is an appropriate way forward. I note that there is a significant area of public open space adjoining the site in question that would be unaffected by the allocation in question. Based on the available evidence, therefore, I conclude that there is no justification for completely removing the r44 designation from Schedule 6.1 of the proposed development plan.

Valley Park, Spango Valley, Greenock (r45)

30. The site in question is a low lying block of undeveloped, neglected open ground located between a school immediately to the east and major office and research premises to the west. The site in question is proposed for mixed use development. There is one letter of support for this designation whilst the other representations seek its retention as an industrial site, at least until the plan is next reviewed.

31. I note that the site has been the subject of pre-application discussions involving the landowner and the council - and a draft development framework has been produced. This aims to integrate green infrastructure into any scheme promoted here through a planning application expected in 2014. The council confirms that other matters, such as flooding and access, would also be addressed in detail as part of the processing of any planning application.

32. Based on the available evidence, I am satisfied that the planning authority is taking a logical and constructive approach to securing appropriate development for this particular site - in the context of the neighbouring land uses and the prevailing difficult market conditions in respect of business and industrial land in the area. I also share the reservations expressed about the problems that might be associated with housing development of this low lying, poorly drained site that would be isolated from other housing. This is exacerbated by the proximity of the A78 road that forms the northern boundary of the site. This main road acts as a barrier separating this site from the housing areas to the north that are on higher ground. In summary, I conclude that the council is justified in arguing that there should be no modification to the proposed designation in the new development plan in response to the representations lodged.

Reporter's recommendations:

No modifications apart from the re-designation of the former Holy Cross School site (r39) as open space instead of it being proposed for residential development – and for its removal from Schedule 6.1 (as well as making consequential changes to the tables summarising housing land allocation totals).

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| Issue 7(.4) | Housing Sites in the Proposed Plan – Gourock and Wemyss Bay | |
| Development plan reference: | Chapter 6, Policy RES3, Schedule 6.1 | Reporter: Richard Bowden |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| Mr Barry MacPhail (13) Cllr Ciano Rebecchi (21) Scottish Power (23) Inverkipp and Wemyss Bay Community Council (31) Mr Henry Craig (34) Cllr Innes Nelson (36) Cardwell Bay & Greenock West Community Council (37) Mrs Patricia Mulholland (58) Merchant Homes (60) Stuart McMillan MSP (75) Mr & Mrs Ramsay (80) | | |
| Provision of the development plan to which the issue relates: | Residential Development Opportunities | |
| Planning authority's summary of the representation(s): | | |
| Cove Road (Tarbet Street), Gourock (r46) <u>Cardwell Bay & Greenock West Community Council</u> (37) Object to the Cove Road site being designated as residential. Believe it should be designated as car parking for residents and visitors to alleviate problems of illegal parking, congestion and social decline. It will complement the neighbouring area identified for marina facilities. | | |
| Riverside Gardens, Gourock Bay (r47) <u>Cardwell Bay & Greenock West Community Council</u> (37) Believe that the scale of the development at Riverside Gardens is out of character with the waterside landscape, is a gross overdevelopment and will contribute to further road and parking issues. Recommend a significant reduction in the number of dwellings planned. | | |
| Kempock House, Kirn Drive, Gourock (r50) <u>Mr Henry Craig</u> (34), <u>Mrs Patricia Mulholland</u> (58) No objections to the development of this site, but have reservations regarding the type and scale of the development. The new development would be ideal for retirement cottages, | | |

but should be similar and in keeping with the surrounding area, and take account of the problem of heavy traffic in an already congested road system. The site is marshy and drainage may be a problem for nearby households. There will be a loss of trees and wildlife and there could be a loss of privacy because the area is slightly raised. Kirn Drive is very busy and traffic jams could occur during construction. Questions whether the schools in the catchment area will be able to accommodate new families.

Mr & Mrs Ramsay (80)

Welcome the new project on this site, although have questions regarding a mutual hawthorn hedge, and the accuracy of the location of the Ash Burn on the plan.

Cloch Road, Gourock (r51)

Mr Barry MacPhail (13)

Expresses concern about extra traffic generated by the development of this site.

Merchant Homes (60)

The designated residential development opportunity boundary should be expanded westwards to reflect the land ownership of the developer. The boundary identified on the LDP would seriously compromise the viability of the Phase 2 proposals and removes an area which was to be utilised for landscaping and the creation of an appropriate setting at this gateway approach to Gourock.

Levan Farm, Gourock (r52)

Mr Barry MacPhail (13)

Expresses concern about extra traffic generated by the development of this site.

Former Inverkip Power Station (r57)

Cllr Ciano Rebecchi (21), Cllr Innes Nelson (36), Stuart McMillan MSP (75)

The increased capacity of the site to 600 houses would lead to overdevelopment in an area which lacks local services. The previous Local Plan capacity of 400 should not be exceeded. Would support the mixed use potential of the site, but have some concerns with the residential development increasing from 400 to 600. Development would also create problems with local services and transport connections with the A78.

Inverkip and Wemyss Bay Community Council (31)

Support the capacity of 600 houses, and a mix of private and affordable houses on the former Inverkip Power Station site, being a reduction from the previous Plan, in addition to the urban village proposal with public access to the coastal path. However concern is expressed about the serious impact on the local roads network (A78), as there is only one access road proposed which will increase congestion and dangers of speeding traffic.

Scottish Power (23)

Supports the continued allocation of the site as a major area of change.

Modifications sought by those submitting representations:

Cove Road (Tarbet Street), Gourock (r46)

Cardwell Bay & Greenock West Community Council (37)

The site should be designated as car parking for residents and visitors.

Riverside Gardens, Gourock Bay (r47)

Cardwell Bay & Greenock West Community Council (37)

There should be a significant reduction in the number of dwellings planned.

Kempock House, Kirn Drive, Gourock (r50)

Mr Henry Craig (34), Mrs Patricia Mulholland (58)

All the relevant issues raised at the previous consultation must be taken into consideration, particularly the additional heavy traffic.

Mr & Mrs Ramsay (80)

None specified.

Cloch Road, Gourock (r51)

Mr Barry MacPhail (13)

Further traffic studies should be undertaken after completion of the new road works at Kempock Street, Gourock to establish what effect the works have had on congestion, and if not significantly reduced, there should be no new development that increases traffic on the A770.

Merchant Homes (60)

Give consideration to extending the boundary of site r51 westwards to reflect land ownership.

Levan Farm, Gourock (r52)

Mr Barry MacPhail (13)

Further traffic studies should be undertaken after completion of the new road works at Kempock Street, Gourock to establish what effect the works have had on congestion, and if not significantly reduced, there should be no new development that increases traffic on the A770.

Former Inverkip Power Station (r57)

Cllr Ciano Rebecchi (21), Stuart McMillan MSP (75)

A reduction from 600 to 400 houses, in line with the adopted Plan, is sought.

Cllr Innes Nelson (36)

A reduction from 600 to 400 houses, in line with the adopted Plan, is sought, or less if changes can be made, or returned to the Green Belt.

Inverkip and Wemyss Bay Community Council (31)

Seeking developer contributions to cover a new roundabout or traffic lights.

Scottish Power (23)

Proposes no change to the LDP.

Summary of responses (including reasons) by planning authority:

Cove Road (Tarbet Street), Gourock (r46)

Background - the site is owned by Inverclyde Council but has not been actively marketed.

Cardwell Bay & Greenock West Community Council (37)

The Cove Road (Tarbet Street) site is in the Housing Land Supply 2012 (CD33) and draft 2013 (CD35), and has been since 1998. It is a prominent vacant corner site adjacent to a row of two storey semi detached sandstone villas in Cove Road. There are also residential properties on the opposite side of Tarbet Street from the site, and its development for residential purposes would be the most appropriate use.

The development of this site for the purposes of car parking for residents and visitors has the potential to create significant disturbance for the nearby residents, particularly if access was taken from Cove Road. All traffic would pass by all properties in Cove Road, a narrow, residential cul-de-sac with parking on one side only. Traffic and congestion would increase significantly, particularly if used by visitors to the area. Access to the site could also be taken from Tarbet Street, where disturbance to Cove Road residents would be less significant.

The Cove Road site would be greatly improved from an urban design perspective with development on the site, filling an unsightly vacant site, rather than being used for an open car park. A residential development would be required to incorporate the appropriate level of off-street car parking.

Illegal parking and congestion that currently occurs are matters to be addressed through traffic management and, where appropriate, enforcement, and not through the LDP.

Recommend no modifications.

Riverside Gardens, Gourock Bay (r47)

Cardwell Bay & Greenock West Community Council (37)

Background – the Gourock Bay area is one of seven Major Areas of Change identified in the LDP and is the subject of Supplementary Guidance on Local Development Frameworks (CD5). The area has been identified for a mix of marina and residential use, combined with ancillary leisure, tourism and sports facilities, similar to the adopted Local Plan.

It is acknowledged that any development at Riverside Gardens will require to have regard to the high quality of the environment setting, and that views in and out of the site will need to be protected. Development opportunities for this area are highlighted in Supplementary Guidance on Local Development Frameworks (CD5), and include a mix of uses associated with the potential for water based activities.

It should be noted that the numbers identified in Schedule 6.1 for this housing site are indicative, with the numbers being dependant upon the detailed proposals. The number included in Schedule 6.1 for Riverside Gardens, 120, reflects the potential for a medium to high density development in this reasonably central location, contributing towards a more sustainable approach to development.

Concerns regarding roads and parking matters will be addressed at the planning application stage, with all proposals requiring to accord with the appropriate roads guidelines for development.

Recommend no modifications.

Kempock House, Kirn Drive, Gourock (r50)

Background – the site is owned by Inverclyde Council and is currently on the market. No closing date has yet been set.

Mr Henry Craig (34), Mrs Patricia Mulholland (58)

Mr & Mrs Ramsay (80)

The Council welcomes the support for the principle of development on this site.

The nature of the housing to be developed on the site has yet to be determined, but it should be noted that Schedule 6.1 of the LDP identifies it as a 'quota' site having a capacity of 40 units, with a benchmark 25% being proposed to be affordable housing.

Matters relating to drainage, traffic, trees, wildlife and privacy will be addressed at the planning application stage when the detailed proposals are known.

The capacity of the site is 40, and is of a level that would not have a significant impact on the local schools within the area, all of which have capacity to accommodate the number of pupils that a development of this scale would produce.

Recommend no modifications.

Cloch Road, Gourock (r51)

Background – planning permission was granted for phase 1 (38 flats) in December 2012 (CD56), and construction is underway. Pre application discussions have also been held for development of the larger site, although agreement has not been reached and a planning application not yet submitted. The Green Belt boundary at this location was changed from the adopted Local Plan to the new LDP to incorporate a larger potential development site, as indicated in the Green Belt Review (CD27).

Mr Barry MacPhail (13), Merchant Homes (60)

The site is identified in Schedule 6.1 of the LDP as having a total capacity of 80 units. Of the 80 units, 38 have planning permission and are currently under construction. The remaining part of the site will be considered when a planning application is submitted, and it will require to address all matters relating to traffic and be in accordance with the appropriate roads guidelines for development. It should be noted that the proposed road works at Kempock Street, Gourock, which received planning permission in March 2013 (CD65), are intended to improve accessibility, manage traffic flow and integration of the Pierhead with the town centre and create public open space.

The developer, Merchant Homes, is seeking an enlarged site to be identified as Residential Development Opportunity r51 in the LDP, in order to accommodate Phase 2 of their proposals. However it is felt that this is neither required nor desirable, as all of the land in their ownership is within either Policy RES3 (Residential Development Opportunities) or Policy RES1 (Safeguarding the Character and Amenity of Residential Areas). The principle of housing on the land in the ownership of Merchant Homes is therefore accepted in the LDP.

The Merchant Homes site narrows toward the west, and the opportunity for development becomes more restrictive. There remains however a requirement to provide land for amenity open space and SUDs as part of their Phase 2 proposals, as well as landscaping to enhance the entrance to this most westerly entrance to Gourock. It is particularly important to ensure that a sufficient area of the site is given over to landscaping at this key entrance into the town, and until agreement has been reached with the developer over the extent of land to be landscaped and that to be developed, the area should remain within Policy RES1. It should be noted that in recognition that this part of the site should be landscaped by the developer of the Cloch Road site, the land in question was removed from the Green Belt, as shown in the Green Belt Review (CD27) and incorporated into the settlement boundary for Gourock.

Recommend no modifications.

Levan Farm, Gourock (r52)

Background - the site was recommended as a Housing Opportunity site by the Reporter following the Local Plan Inquiry in 2004 (CD16) and accepted by the Council and included as ho57 in the adopted Local Plan (CD13). The site currently has planning permission in principle for a residential development, a permission which has been renewed twice since October 2006. The most recent planning permission was granted in August 2012.

Mr Barry MacPhail (13)

The site has planning permission in principle and the LDP identifies this site as a housing development opportunity. The site is included in Schedule 6.1 of the LDP as having a total capacity of 150 units. However there is no indication when the site will be developed, but when a planning application is received, it will be required to address all matters relating to traffic and be in accordance with the appropriate roads guidelines for development.

Recommend no modifications.

Former Inverkip Power Station (r57)

Background – a planning application in outline for a mixed use ‘Urban Village’ development was submitted in June 2009, but remains undetermined due to ownership issues which require to be resolved by the applicant.

Cllr Ciano Rebecchi (21), Inverkip and Wemyss Bay Community Council (31),
Cllr Innes Nelson (36), Stuart McMillan MSP (75)
Scottish Power (23)

The adopted Local Plan (CD13) identifies the former Inverkip Power Station site as having an indicative ‘maximum capacity of 400 dwelling units’. However this indicative figure pre-dates subsequent discussions between the owner’s agent and the planning service on a design led approach to the capacity of the agreed developable parts of the site, culminating in a planning application in outline being submitted in June 2009, supported by a Planning and Development Framework (CD46). The framework document demonstrates how the site can be developed on ‘urban village principles’ using ‘character areas’, which are generally restricted to the previously developed areas using the landform sloping down to the coast. On the basis of this submission and pre-application discussions, it has been concluded that the capacity can be increased to 600. This figure has been accepted by both Transport Scotland and the Council’s Environmental and Commercial Services (Roads), as stated in the draft Report of Handling (not submitted to Planning Board because of ownership issues) (CD47).

The LDP’s Supplementary Guidance – Local Development Frameworks (CD5) identifies the opportunity for uses other than housing on this site, including neighbourhood retail, business (‘live-work’ accommodation), hotel, marina, as well as a coastal path and access network. Much of the existing woodland would remain, part of which is covered by a TPO and a SINC. New woodland and improvements to watercourses are also included in the proposal.

Any new access that is required to be provided for the development will be the responsibility of, and at the cost to the developer of the site.

Recommend no modifications.

Reporter’s conclusions:

Cove Road, (Tarbet Street), Gourock (r46)

1. This relatively small, rectangular site on the corner of Tarbet Street and Cove Road, is close to the access road for the nearby Dunoon ferry terminal. Nevertheless, it is situated

between residential villas to the east and a much newer block of sheltered housing immediately to the west on the opposite side of Tarbet Street. The site is undeveloped waste ground with a boundary wall along Tarbet Street. I note that the site has been designated for residential development since 1998.

2. The only representation contends that instead of it being allocated for residential development for 10 housing units in Schedule 6.1, the site in question should be used for car parking. It is argued that this would alleviate parking problems encountered by local residents and visitors that leads to illegal parking and congestion as well as other associate problems in the local area.

3. I share the concerns expressed by the council that if the site was re-allocated for a car park accessed from Cove Street this would cause disturbance for nearby residents and generate access problems, exacerbated by Cove Road being a narrow, cul-de-sac. The council acknowledges that there would be less disturbance to Cove Road residents if access was taken from Tarbet Street.

4. There is no disagreement that from an urban design perspective development of this site – for whatever purpose – would be a benefit as it would transform what has become an unsightly vacant plot alongside the main vehicular route to and from the ferry terminal. On balance, I am persuaded by the case put forward by the planning authority that the better solution in land use and urban design terms would be for the site to be developed for housing. As the council points out, an appropriate level of off-street parking would have to be incorporated into any housing scheme here in order to avoid generating further illegal parking and congestion in this particular locality. Existing problems in that regard are matters for traffic management and enforcement where appropriate.

Riverside Gardens, Gourock (r50)

5. Most of this broadly triangular site today comprises a surface car park with a wedge of open space to the east of it, all of which is within one of the 7 Major Areas of Change identified in the proposed plan. I note that this particular one is identified for a mix of marina and residential uses, together with ancillary leisure, tourism and sports uses. In summary, this is comparable to what is proposed in the adopted local plan.

6. The site in question is bounded to the south by residential developments including a very modern sheltered housing development and an operational passenger railway line. To the north - beyond the trees, footpath and lighting that mark the site boundary - is the main access road leading along the waterfront to the nearby Gourock ferry terminal. The site concerned is designated for residential development and shown in Schedule 6.1 for 120 units of which 30 would be in the form of affordable housing.

7. Whilst not taking issue with the principle of housing development on the site, the only representation contends that the scale of development proposed would be out of character with the waterfront landscape and would represent over-development of the site – as well as exacerbating existing road traffic and parking issues affecting the area.

8. In response, the planning authority points out that this site, as well as being within a designated Major Area of Change is also the subject of Supplementary Guidance on Local Development Frameworks. This means that any development on this site will be required to have close regard to its setting and protect local views, as well as taking into consideration the other major waterfront developments envisaged for neighbouring sites

and wider sustainability principles.

9. In this context I am satisfied that the proposed plan is justified in earmarking the site in question for residential development at a medium to high density. This would also reflect its central location, being not far from the town centre. Furthermore, I am persuaded that the potential concerns raised with regard to roads, access and parking would be addressed in detail by the planning authority prior to permission being granted for any development of this site. The assessment should also reflect its strategic location along the main access corridor leading to the main ferry terminal. In summary, I conclude that, based on the available evidence, there is no justification to modify the plan in response to the representations lodged.

Kempoch House, Kirn Drive, Greenock (r50)

10. This neglected area of waste land, interspersed with regenerating trees and bushes on the site of the former Kempoch House, is surrounded by houses in an established residential area. The flat site, which is in council ownership, is being marketed for housing – in line with its designation for 40 residential units in Schedule 6.1. I am not aware of any progress made in securing its sale.

11. The two representations lodged do not object to housing being promoted here but express concerns about the form and density of the residential development that would be appropriate given the local ground conditions and the congested local road system, particularly along Kirn Drive. They also raise other issues of potential concern in respect of privacy for nearby residents, wildlife conservation and local school capacity – and conclude by recommending that the site would be ideal for retirement cottages.

12. As the planning authority points out, the matters of concern raised in the representations would all be addressed as part of the development control process when any planning application is lodged for determination. Meanwhile, it is noted that there is spare capacity at the local schools to accommodate additional demand likely to arise from residential development of the scale anticipated on this site. Accordingly, I conclude that there is no justification for modifying the proposed plan in response to the particular concerns expressed.

Cloch Road, Gourock (r51)

13. The allocation of this elongated waterfront site on the western edge of Gourock envisages 2 phases of residential development comprising in total 80 units. I noted on my site visit that implementation work is already well in hand on the Phase 1 component with 2 blocks of flatted apartments to provide 38 flats. One of the representations expresses concern about the traffic generation associated with this allocation along the A770 road that runs alongside the site. In contrast, the other representation, from the landowner and developer here, seeks an extension to the western boundary of the site shown in the proposed plan to match the land ownership boundary and with a view to improving the viability of the Phase 2 proposals and their landscape setting.

14. The council confirms that it is in pre-application discussions regarding the Phase 2 development on the larger part of the site in question – but no planning application has been submitted to date. The planning authority states that when such an application is lodged matters such as access and traffic generation will be assessed against standard guidelines. I note that the greenbelt boundary at this location has been changed in the

proposed plan from that shown in the adopted local plan. This was in order to accommodate this particular allocation within a correspondingly revised town boundary.

15. Based on the available information, I agree with the council that an extension westwards of the site now allocated is neither necessary nor desirable. This is because, as the planning authority confirms, housing development and safeguarding of the character and amenity of this residential area are all matters that are accepted in principle on the land in question within the ownership of the developer. Furthermore, it is evident that the site concerned tapers towards the west, making development there more restrictive. Nevertheless, amenity open space and SUDS drainage associated with the Phase 2 allocation can still to be achieved there satisfactorily as part of the Phase 2 development.

16. Based on all of these considerations, I conclude that there is no merit in or justification for modifying the proposed plan in response to the concerns expressed by the representations.

Levan Farm, Gourock (r52)

17. This large, wedge-shaped site comprises open sloping fields located on the southern edge of an existing new housing estate on the outer edge of Gourock. It also adjoins the western boundary of Gourock golf course. Schedule 6.1 identifies this allocation as being for 150 houses that would form Phase 3 of the Levan Farm residential development. The earlier phases of this housing have already been built. The only representation lodged expresses concern regarding the extra traffic generated by this proposed Phase 3 development – and urges further studies to also take account of existing traffic problems, including along the A770 road. I acknowledge the validity of the concerns being expressed regarding traffic generation. I also find that there is a potential issue to be addressed regarding the access to the site in question - as that is likely to be via the network of local roads serving houses that have recently been built as part of the earlier phases of the Levan Farm scheme.

18. I note that this particular site emerged as a recommendation by the Reporter following the local plan inquiry in 2004 that was then accepted as an allocation by the council. The planning permission in principle subsequently granted for the site has been renewed twice since 2006, most recently in August 2012. There is no indication, however, as to when the site will be developed, I am satisfied that all relevant matters including access and traffic generation would all be considered in detail as part of the processing of the required planning application to finalise the details of the proposal. The planning authority confirms that at that time any permission granted in this case would have to be in accordance with the appropriate roads guidelines for development.

19. Accordingly, I conclude that there is insufficient justification to modify the proposed plan in response to the concerns expressed in the representation.

Former Inverkip Power Station (r57)

20. This large coastal site comprises the land formally occupied by the Inverkip Power Station that is no longer operational. Indeed the site is almost all now cleared of the built infrastructure associated with this former use. It is designated in the proposed plan as a Major Area of Change and the site is identified in Schedule 6.1 for an indicative total of 600 houses of which 150 would be affordable units. The entrance to the site can be accessed from the former power station's dedicated, grade separated junction off the main A78 coast

road linking Greenock with Wemyss Bay. At present the site itself, which is effectively screened from that road and from the housing areas to the south by extensive woodlands along its boundaries, is not readily accessible. This is because the landowners have in place a barrier system controlling entry – presumably related to health and safety of the site in its present state of decommissioning as a power station.

21. Some of those making representations support mixed use of the site but are concerned that the enlarged scale of the proposed allocation – up from 400 in the adopted local plan – would amount to overdevelopment of the site. Their concerns relate to the lack of local services in the area and traffic connections to the A78 road. If no satisfactory reduction in the scale and impact of the development is possible they would prefer the site to be returned to the green belt. The local community council, however, supports the allocation of 600 units including the proposed element of affordable units. Nevertheless they also express concerns about the impact on the road network, in particular the A78. In that context they suggest seeking developer contributions for a new roundabout or traffic lights at the A78 junction.

22. The council states that whilst a planning application in outline for a mixed use urban village was submitted in 2009, this remains undetermined due to outstanding land ownership issues that are still to be resolved. That application was in accord with a Planning and Development Framework that confirmed that the developable areas of the sloping site could accommodate in total around 600 units rather than the 400 previously proposed in the adopted local plan.

23. I note that those findings on capacity have been supported in principle by Transport Scotland and by the local Roads Authority. I also note that the Local Development Framework that acts as supplementary guidance to the proposed new plan also identifies opportunities for other uses that would be complementary to the housing, including neighbourhood retail, business and hotel and leisure uses as well as a marina and a coastal path. Furthermore, those plans would leave unaffected most of the existing woodland – which is partly designated as a Site of Importance for Nature Conservation and in some cases protected by Tree Preservation Orders. Finally, the planning authority confirms that the costs of any road access improvements required to serve the proposed new development would have to be borne by the developer.

24. Based on all of the above considerations I am satisfied that there are adequate safeguards and measures already in place to address the concerns raised in the unresolved representations. Accordingly, I conclude that there is insufficient justification to either reduce the indicative allocation of 600 houses as part of a mixed use development allocation in the new plan or to modify the plan in other ways in response to the representations lodged.

Reporter's recommendations:

No modifications

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| Issue 8 | Smithy Brae, Kilmacolm | |
| Development plan reference: | Chapter 6, Policy RES3, Schedule 6.1 (b), Policy RES4, Policy SDS8 and Policy ENV2 | Reporter: Stephen Hall |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| <div>Ms Alda Clark (5)</div> <div>Ms Catherine Harbon (19)</div> <div>Mr David Eagle (24)</div> <div>Cllr David Wilson (28)</div> <div>Mr James Fraser-Campbell (40)</div> <div>Ms Johanna Iannetta (41)</div> <div>Mr John Watson (46)</div> <div>Ms Katrin Eagle (48)</div> <div>Mr Mark Beverstock (53)</div> <div>Mr & Mrs Stevenson (57)</div> <div>Kilmacolm Civic Trust (63)</div> <div>Mr Ross Wood (67)</div> <div>Kilmacolm Community Council (71)</div> <div>Dr Tom Fyfe (79)</div> | | |
| Provision of the development plan to which the issue relates: | Green Belt boundary adjustment to enable housing development opportunity site, Smithy Brae (LDP ref. r60) to be developed with a mix of dwelling types and tenure, including provision for affordable housing. | |
| Planning authority's summary of the representation(s): | | |
| Traffic, Access and Parking | | |
| <div>Ms Alda Clark (5), Ms Catherine Harbon (19), Mr James Fraser-Campbell (40), Ms Johanna Iannetta (41), Mr John Watson (46), Ms Katrin Eagle (48), Mr & Mrs Stevenson (57), Kilmacolm Civic Trust (63), Mr Ross Wood (67), Kilmacolm Community Council (71), Dr Tom Fyfe (79)</div> <div>Concern that the proposed increase in houses at Smithy Brae would not be able to take the traffic produced by the development as it is too steep and narrow. The traffic problems, including construction traffic, created by the proposed development would be a danger to both pedestrians and motorists. The road itself is in disrepair from the 31 homes that use it, and with the burn and services that run under the road, it cannot accommodate heavy traffic. Other users of Smithy Brae include BT (telephone exchange), the chapel on a Sunday, and possibly parking and delivery required as part of the redevelopment of the Institute site.</div> <div>Kilmacolm is already congested and parking is a daily problem. The exit and entry to the proposed site are problematic due to traffic flow, the number of converging junctions and poor road marking, and causes problems during the winter months. Development on the Smithy Brae site could also lead to potential further demands to allow traffic to exit onto Whitelea Crescent and Gibson Lane.</div> | | |

Flooding

Ms Alda Clark (5), Mr David Eagle (24), Mr & Mrs Stevenson (57)

Smithy Brae has a burn running under it and flooding is a problem. The Green Belt part of the proposed development site is a flood plain which acts as an overflow for water from two streams, with the situation being much worse if the land was developed.

Wildlife and Amenity

Mr David Eagle (24), Ms Katrin Eagle (48), Mr & Mrs Stevenson (57), Kilmacolm Community Council (71)

While the site of the former gasworks would be improved by development, it is not bad enough to warrant the destruction of the Green Belt to achieve this. The site is swiftly reverting to nature. This area of Green Belt is an attractive strip of countryside extending into the heart of the village, allowing wildlife close to houses, children exploring and sledging in the winter and people walking their dogs. Concern about the impact on wildlife, the loss of a recreation area and the impact on access to the cycle track.

Substantial development at this location would be detrimental to the attractive rural character of the area, Smithy Brae being one of the attractive green wedges leading into the village. There would also be a loss of outlook and views towards village centre.

Precedent

Mr James Fraser-Campbell (40), Mr & Mrs Stevenson (57), Kilmacolm Civic Trust (63), Dr Tom Fyfe (79)

Green Belt release here would establish a dangerous precedent, lead to renewed attempts to have land released in this area and threaten the green wedge of countryside extending to the heart of the village.

Green Belt

Ms Catherine Harbon (19), Mr David Eagle (24), Ms Katrin Eagle (48), Mr Mark Beverstock (53), Mr Ross Wood (67)

Objection to the proposals to build on Green Belt land around Kilmacolm, the Smithy Brae site in particular, as it goes against SDP and LDP guidelines and policy for Green Belt land specifically, including RES7. The nature of the village would be permanently damaged and goes against policy SDS8 which states that there is a presumption against the spread of the built up area into the designated green belt.

Scottish Executive SPP 21 states that there is a strong presumption against inappropriate development in the green belt. Appropriate uses include agriculture, woodland and forestry, horticulture and recreational use. Other uses may still be considered appropriate if a national priority or to meet an established need, on the basis that no other suitable site being available. It has not been demonstrated that no other suitable sites are available.

The proposed change to the Green Belt boundary has not been made clear, or properly

justified.

Financial Considerations

Mr David Eagle (24), Kilmacolm Civic Trust (63), Kilmacolm Community Council (71)

Since the financial crash, development in the village has massively slowed down, and the developer of the approved part of the Smithy Brae site has gone into liquidation. There is an extant planning permission for 23 dwellings on part of the site, and the fact that this development has not yet started is due to the economic situation rather than the flawed nature of the existing permission. Very little other development has taken place in the village over the same period.

The case the developer has made for lopping off a proportion of the southern tip of the Green Belt lung is unconvincing – the costs need to be scrutinised. In addition the contamination issues on the site require remediation and this cost should be reflected in the land price.

The proposed development is predicated on the release of Green Belt land for no good reason, apart from commercial gain for the developer.

Housing Supply/Affordable Housing

Ms Catherine Harbon (19), Mr David Eagle (24), Mr John Watson (46), Ms Katrin Eagle (48), Mr Mark Beverstock (53)

There is no need for further housing in Kilmacolm, with various brownfield sites offering a significant number of new homes. The LDP states that there is no justification for major housing development. It also states that there is no requirement for strategic release of Greenfield land for housing on the edge of the urban settlement boundaries. A large proportion of new housing in Kilmacolm has also been omitted from the LDP, the former Institute building being an example.

Affordable housing does not meet the definition of appropriate uses in the Green Belt, and the exceptional need for affordable housing in Kilmacolm has not been established. Neither has it been demonstrated that no other suitable sites are available.

The target market for the proposed development is adequately catered for within the local area.

The use of affordable housing to meet the needs of the elderly is inappropriate and too insensitive an approach to a very particular need. The Council's use of data in the Supplementary Guidance on Affordable Housing is contradictory, paragraph 3.5 suggesting high rental levels in Kilmacolm, with table 1 showing otherwise.

The Council does not apply the affordable housing policy on its own or other sites, examples being the former library site (former Institute building), Balrossie and the former Quarry site.

Miscellaneous

Mr Mark Beverstock (53)

Notes that the LDP Working Group meeting of 7 March 2013 agreed to the release of Smithy Brae, but does not have the authority to do so. No basis for this decision was given. The overall context of the meeting was that there was no need for strategic release of housing land, but Kilmacolm required some flexibility of supply – not an exceptional reason.

Kilmacolm Civic Trust (63)

There will be negligible community benefit.

The concept of development at Smithy Brae is ill thought through as it does not take into account the redevelopment of the old Community Centre with which this site was originally linked in the Post-Main Issues Report

Mr David Eagle (24), Mr John Watson (46)

The need to release Green Belt to enable development is inappropriate, and it is not clear what policy framework permits this other than for historical estates.

All previous attempts to develop this site and adjacent areas have been rejected by the government's Inquiry Reporter, in support of the Council's position.

Cllr David Wilson (28)

Disagrees with the identification of Smithy Brae (site r60) as a residential development opportunity site.

Ms Catherine Harbon (19)

Any traffic control measures put in place on Smithy Brae would be in opposition to the Council's conservation area plans.

Sustainable transport links (Chapter 5 of the LDP) are not in place, with no provision to put them in place, especially considering the targeted market of Renfrewshire's SHM.

Modifications sought by those submitting representations:

Ms Alda Clark (5), Mr David Eagle (24), Cllr David Wilson (28), Mr James Fraser-Campbell (40), Ms Johanna Iannetta (41), Ms Katrin Eagle (48), Mr & Mrs Stevenson (57), Kilmacolm Civic Trust (63), Mr Ross Wood (67), Dr Tom Fyfe (79)

No specific modifications stated, but assume the removal of the Green Belt part of the proposed Smithy Brae site is sought.

Ms Catherine Harbon (19)

The release of Green Belt land at the Smithy Brae site is dropped from the LDP and the housing stock is reviewed.

Mr John Watson (46)

Delete extension of site r60 into the Green Belt. Retain as 23 houses. Identify whether this

should be reserved in all or part for the elderly as a specialist housing group but not as affordable.

Mr Mark Beverstock (53)

The change in designation of Green Belt land for the site at Smithy Brae should be removed from the development plan.

Kilmacolm Community Council (71)

The residential development opportunity at Smithy Brae should be limited to the area and the number of new dwellings envisaged in the existing permission.

Summary of responses (including reasons) by planning authority:

Background and General Statement

The adjacent former Institute building has recently been sold by the Council for a mix of commercial and residential development. The part of the site currently within the settlement boundary has been the subject of two planning applications, one for 4 mews cottages (approved in May 2007; now lapsed) and one for 2 semi detached houses and 21 flats (refused in October 2007 and approved on appeal in May 2008; also now lapsed) (CD58). Neither has been developed because of the significant difficulties relating to the area, despite the planning approvals being in place. It is the Council's view that an extension to the overall development footprint will enable the site to be developed, and in a more comprehensive manner. There is an opportunity to remove a problematic site (contamination, flooding, poor access, derelict building) with only a relatively minor incursion into the Green Belt. It would bring a multi ownership site together and result in a single cohesive development. There is also an opportunity to provide a significant proportion of affordable housing in a suitable central location for 'starters' and potentially, some units to assist downsizing for the elderly. This site is the most sustainable location for new housing in Kilmacolm, being very close to the village centre and all its facilities.

Traffic, Access and Parking

Comments from the Council's Roads Service, as stated in the Post-MIR consultation document (CD11) stated that junction improvements would be required and that other potential access points would need to be investigated further. All traffic matters and the capacity of the road and junction would be dealt with at the planning application stage, and would influence the number of units permitted. All users of Smithy Brae would benefit from an improved and safer road, potentially adopted by the Council. Car parking for new housing would meet the standards required by the roads authority, and with the construction of a new road, other parking would be formalised.

Flooding

A flood risk assessment would require to be submitted at the planning application stage, as stated in the Post-MIR consultation document (CD11). Development on the Smithy Brae site provides an opportunity to remove the existing flooding problem at this location, to the benefit of existing and future residents.

Wildlife and Amenity

There are no nature conservation designations currently on the site. The opportunity to access the countryside for recreation purposes at this part of the village would remain, including access to the cycle track, and this would be addressed in the consideration of the planning application. Most of the green wedge at this part of the village would be retained, thus maintaining the character of the settlement.

Precedent

This release is for a very specific purpose – to remove a blighted site from the centre of Kilmacolm, although it also provides an opportunity to develop a sustainable residential site to meet affordable housing requirements. It is the Council's view that it does not set a precedent for the release of other Green Belt sites for residential development in Kilmacolm. The Council has been sent an email from the major landowner of this proposed development site, gifting the remaining Green Belt land to the community. This proposal would be taken forward by the applicant and landowner if the site is identified for development in the LDP.

Green Belt

The principle of Green Belt release remains, with this release being for a very specific purpose – to remove a blighted site from the centre of Kilmacolm. The development of this site would address very specific problems associated with the site – contamination, flooding, poor access and a derelict building. A significant green wedge would be retained at this location.

The relevant Scottish Government policy on Green Belt is SPP paragraphs 159-164 (CD20), and this states, amongst other things, that Green Belt boundaries identified in LDPs should “ensure that settlements are able to accommodate planned growth. Inner boundaries should not be drawn too tightly around the urban edge, but where appropriate should create an area suitable for planned development between the existing settlement edge and green belt boundary. Boundaries should also take into account the need for development in smaller settlements within the green belt, and where appropriate leave room for expansion” (Paragraph 162). The proposal at Smithy Brae accords with the SPP (CD20) in this regard, being an area of planned development.

Financial Considerations

It is acknowledged that the current financial situation has not assisted in progressing with the development of sites for residential purposes, but it is the view of the Council that the non-development of this site is primarily down to the piecemeal nature of the previous proposals, the multi ownership and an underestimation of the costs associated with the removal of contamination. There is an opportunity here to bring the site together as one single, cohesive development for the benefit of the village.

Housing Supply/Affordable Housing

The response to these matters is included in two Schedule 4s, **Issue 5** on Housing land Supply and Residential Development Opportunities and **Issue 6** on Affordable Housing.

Miscellaneous

The LDP Members Officers working group, the membership of which included members of all representative parties and representing most wards, is not a decision making group, but was set up as a sounding board for officers to gauge opinion on policy matters as the LDP evolved. Over a four year period, it has met on average 3 times per year and has performed a very useful platform for discussion. The Council's Environment and Regeneration Committee took the decision to approve the LDP (CD1a) (prior to 31 March 2012 decisions on the LDP were taken by the Safe, Sustainable Communities Committee), including the identification of Smithy Brae as a Residential Development Opportunity site.

The community will benefit by the removal of an unsightly and problematic site, in addition to the provision of affordable housing and potentially some housing for downsizing, which could free-up some larger properties for both existing residents and 'in-comers'. Local residents and users of Smithy Brae will also benefit by improved access.

The Post MIR consultation document (CD11) identified the Smithy Brae site together with the former Institute site as a single potential development site, as this reflected the developer's original proposal. The Council however was obliged to market the former Institute building to achieve the best financial return, and the property was subsequently sold to another party.

The term 'enabling' is used within the LDP in association with the Gardens and Designed Landscapes policy. However there is nothing to stop an applicant using the term for the development of other sites and the Council will assess any application on its merits. This has happened on a number of occasions in the past, for example at Auchenbothie House, off Port Glasgow Road, near Kilmacolm.

A larger site within this green wedge in Kilmacolm was subject to an objection to the Inverclyde Local Plan, but was withdrawn prior to the 2004 LPI. However, the intention of a Local Plan review is to give consideration to the current circumstances and opinions relating to each site, with the decision being taken not always consistent with previous decisions. In this particular instance the decision taken was on the basis of the removal of a blighted site in a central, sustainable location, with significant benefits to the local community.

The proposed conservation area has yet to be approved and if a controlled junction is needed it should not detract from the status of the area.

The location of the Smithy Brae site is the most sustainable for development in Kilmacolm, being very close to the village centre with all its amenities, and within easy walking distance of bus stops.

Recommend no modifications.

Reporter's conclusions:

1. The southern part of this central site within Kilmacolm comprises an overgrown former gasworks site and derelict cottage; the northern part comprises agricultural grazing land. A number of issues arise in considering the site's suitability for housing development.

2. The overall need for housing, and for affordable housing in particular, in Inverclyde is discussed at Issues 5 and 6. The conclusions reached under those issues indicate that, while the Smithy Brae site could make a small but valuable contribution to wider general and affordable housing needs, its release is not essential for the meeting of those needs. That said, the site may be expected to improve the range and choice of land available. However the principle justification for the release of this site is related to local and site-specific factors. The existence or emergence of other sites in Kilmacolm (such as the former institute site) capable of accommodating housing therefore has a limited bearing on the desirability of allocating the Smithy Brae site.
3. Regarding affordable housing, I note that although the site is apparently privately-owned, schedule 6.1 of the plan indicates that 30 units out of the overall capacity of 42 will be affordable, a percentage contribution of 71%. This appears high given that paragraph 88 of Scottish Planning Policy identifies 25% as a benchmark figure for affordable housing contributions. However I am prepared to accept that a higher-than-normal contribution may be supported here as the opportunity to provide more affordable housing is one of the main justifications for releasing this green belt site. General affordable housing matters are discussed in more detail at Issue 6.
4. Several representees refer to discussions that have indicated that housing on the site will be aimed at elderly people. However, this suggestion does not form part of the proposed plan and so it is beyond the scope of this examination to consider this aspect.
5. Regarding both flooding and road access, the planning authority has pointed to statements in the post-main issues report consultation document that these matters would be subject to further assessment. While I accept that this will be both wise and necessary, there nevertheless needs to be a degree of confidence at this stage that the site is reasonably capable of being developed if the allocation is to be carried forward into the adopted plan.
6. That the site has been subject to flooding in the past is not in dispute. Indeed large parts of the site were waterlogged at the time of my site inspection. The evidence of representees that there are a number of sources of water entering the site also appears to be well-founded. Equally, I have no reason to doubt the planning authority's evidence (which is largely unchallenged) that flood risk could be reduced through improvements to the culverts draining the site, and that these improvements could be delivered as part of the development of the wider site. However, I agree with some representees that the existing drainage issues may not be a severe problem currently given the undeveloped nature of the site. Therefore I do not consider the drainage works required to render the site capable of development to be a 'planning gain' in their own right. But equally I do not consider the current drainage issues to be an insurmountable obstacle to development.
7. Concerns have been expressed regarding vehicular access. Smithy Brae itself is in a poor condition, but appears wide enough to handle some additional traffic. The surfacing of the road could be addressed as part of the development. Access to the A761 is via a complex five-way junction. The authority has mentioned the possibility that signalisation will need to be introduced to manage the efficient and safe movement of vehicles. It has also raised the possibility of other access points being utilised, presumably from Whitelea Court, Whitelea Crescent or Gibson Lane. Overall there is clearly some uncertainty remaining about how this site will be accessed. While I have seen no compelling evidence that would lead me to conclude that the site is not capable of being safely accessed, it is also the case that some access options could have a negative effect on some existing

residents.

8. It is also suggested that traffic lights at the Smithy Brae entrance would harm the character of the proposed conservation area in this part of the village, and would encourage people to take undesirable alternative routes. While traffic lights are rarely attractive in themselves, they are a common feature of many conservation areas around Scotland. There is also no certainty that traffic lights will be required. Regarding the creation of incentives to use alternative routes, this is a matter that the roads authority will need to consider when assessing the need for traffic lights, the phasing of these, and other potential traffic management measures in the village. Overall I do not consider that the concerns expressed regarding possible traffic lights are sufficient in themselves to render the Smithy Brae site unsuitable for development.

9. The northern part of the site is designated as green belt in the existing adopted local plan. Paragraph 161 of Scottish Planning Policy states that it is for local development plans to establish the detailed boundaries of the green belt. It also allows development plans to release land previously designated as green belt where this is considered necessary. It is therefore within the gift of this plan to redraw the green belt boundary at this point, though the reasons for doing so need to be adequately justified. Once land has been taken out of the green belt, the green belt policies that previously protected it from certain types of development no longer apply.

10. Regarding the green belt boundary, in the existing adopted local plan this follows the rear boundaries of the residential curtilages to the east and west of the site, and a fenceline in front of the derelict cottage to the south. The current boundary does not therefore use strong visual or physical landscape features as sought by paragraph 162 of Scottish Planning Policy. The proposed new boundary will cut through existing fields, and so will not follow a strong visual or physical landscape feature either. However there may be opportunities to create a stronger green belt boundary as part of the landscaping of the new development. Overall I do not consider that the proposed new green belt boundary will be any weaker than the existing one.

11. The site forms a part of a wedge of open countryside running into the heart of the village from the north. As a whole this wedge of open space is a valuable asset to the village, giving a semi-rural character particularly to Port Glasgow Road. However the proposed development is not a prominent part of this northern wedge. It is not visible in any significant public views from central parts of the village. It can be viewed at some considerable distance from Port Glasgow Road to the north, though it is partially hidden by the nature of the topography. In these views from the north, development would be seen against a background of existing housing. Development would affect the rear outlook of some houses around the immediate periphery of the site, but generally I find the site to be well-contained by the existing urban area and the local topography. Overall I do not consider that development would significantly harm the enjoyment of the northern green wedge as most residents of, and visitors to, Kilmacolm experience it.

12. Some representees question the argument that further new development is required to enable the remediation of flooding, contamination and dereliction issues on the site. It is argued that an existing permitted redevelopment scheme on the brownfield part of the site has stalled due to the general economic downturn rather than any excessive site specific costs. I cannot determine with certainty the reasons why the existing permitted scheme has not been built. It may be due to a combination of factors. However I do consider this to be a marketable location where I would normally expect development to proceed unless

there were significant constraints.

13. Scottish Planning Policy only refers to enabling development in the context of the restoration of listed buildings. However, equally, there is no prohibition on applying the enabling concept more widely, though any benefits sought from development would need to meet the tests set out in Circulars 4/1998 (Use of Conditions in Planning Permissions) and 3/2012 (Planning Obligations and Good Neighbour Agreements).

14. In response to a further information request, the planning authority has submitted an abnormal costs schedule supplied by the developer. Some items on this list, i.e. the upgrading of Smithy Brae and of the culvert, would arguably not be required but for the development, and so cannot confidently be said to confer a wider benefit. However the most expensive items, relating to decontamination and capping, would represent a planning gain.

15. In response to a further information request, the authority submitted evidence regarding the contamination of the former gasworks part of the site. This demonstrates that significant contaminants are present. While the undeveloped and vegetated nature of the site may currently limit dangers to human health, these cannot be ruled out, particularly because the site is centrally located within the village and close to a watercourse. I agree with the planning authority that the removal of this potential health hazard would be beneficial, and that development would provide one means of achieving this.

16. Regarding recreational use of the site, for instance for children's play and dog walking, I have no reason to doubt that this does occur on an informal basis. However no formal recreational designation applies to the site, and there was no evidence at my site inspection that recreational use was in any way encouraged. It may be expected that any open land on the urban fringe will be used informally by local residents to some extent. However I am not persuaded that any such use of this land represents a significant reason not to develop the site.

17. Similarly it is not unlikely that the site has some local wildlife value. The presence of the watercourse and regenerating woodland would make this probable, though these features are largely contained within the existing settlement boundary. The area of existing green belt that is proposed for development would appear to have less wildlife value, being open grazing land not dissimilar to much other land in the area. No wildlife designations apply to the site, and to some extent it should be possible to retain some of the features that are of value to wildlife as part of any development scheme.

18. It is argued that Kilmacolm is unsuitable for further development due to poor public transport connections. The planning authority themselves make this point in paragraph 2.50 of the proposed plan. I agree that, in line with paragraph 80 of Scottish Planning Policy, new housing locations should take account of accessibility by a choice of transport options. But I do not consider that this means there should be a total prohibition on any new development in substantial existing settlements such as Kilmacolm. To allow settlements to grow and change, there is a place for some relatively modest developments, such as is proposed at Smithy Brae, to proceed despite other settlements having better public transport connections.

19. In conclusion, the development of this site would not be straightforward. There are a number of constraints including flooding, contamination and access, and it is not in all cases clear just how severe these constraints may be. Certainly there will be a number of

unusual costs associated with development: costs which are not associated with some other potential development sites in the village. However, the justification for identifying this site is particular and site-specific, and largely relate to remedying the very constraints that make the development of the site so challenging.

20. While on the one hand the problems that this development is intended to resolve do not all appear to be as significant as the planning authority maintains, on the other, the potential damage caused by the development has also been overstated. This is not a case of choosing the 'best' site in Kilmacolm for development, and indeed I am not tasked with making the plan as good as it can be, but with modifying those parts that are clearly inappropriate or insufficient (paragraph 117, Circular 6/2013: Development Planning). I am satisfied that the allocation will achieve certain benefits (most notably the remediation of contaminated land) and will not cause an unacceptable harm to the green belt, the character of the area, or other interests. On this basis, I conclude that no modification to the plan is required.

Reporter's recommendations:

No modification

| | | |
|--|---|------------------------|
| Issue 9 (.1) | Housing Sites Not Included in the Proposed Plan: Milton Wood (Police House Field site), Kilmacolm | |
| Development plan reference: | Chapter 6, Policy RES3, Schedule 6.1(b) and Policy RES7 | Reporter: Stephen Hall |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| <p>Duchal Estate (73)</p> <p>Mr Alan Connell (3)</p> <p>Ms Ann Ferris (11)</p> <p>Mr Archibald Brown (12) & Friends of Milton Wood (FoMW)</p> <p>Mr Billy Pickett (14)</p> <p>Mr Bryon Evans (17) & FoMW</p> <p>Mr David Walker (27)</p> <p>Mrs Donna Pickett (30) & FoMW</p> <p>Mr Graham Biggart (32)</p> <p>Mrs Isobel Evans (38) & FoMW</p> <p>Mrs Lynda Connell (52)</p> <p>Mr Ralph Leishman (62)</p> <p>Ms Rosemary Biggart (65)</p> <p>Ms Susan Biggart (76)</p> | | |
| Provision of the development plan to which the issue relates: | Objection to the omission of housing development opportunity at Milton Wood, Kilmacolm | |
| Planning authority's summary of the representation(s): | | |
| <p><u>Duchal Estate</u> (73)</p> <p>Policy RES3: representation is made against this policy as it does not identify the proposed residential development on the former police house field, within Milton Wood, off Lochwinnoch Road, Kilmacolm.</p> <p>Schedule 6.1: requested that the 'police house field' site be identified in the Schedule and indicated on the Proposals Map. This requires the release of the 'police house field' from the Green Belt (under Policy ENV2), as it is stated that this field is the 'optimum site for development', as it is in close proximity to Kilmacolm service centre.</p> <p>Policy RES7: the case is presented (in a supporting Planning Statement), that the police house field, part of Duchal Estate, is not considered an area of land that constitutes the character of greenbelt. An area to the south of the proposed field is brownfield due to its former use as a sewage treatment works, and a Landscape Assessment is submitted demonstrating that the area (in part), is suitable for development purposes.</p> <p>The site is considered effective and acceptable in terms of landscape setting, traffic, ground conditions, habitat surveys, and free from environmental and site constraints.</p> | | |

The majority of the site has previously been tested through a planning application, albeit for different uses (a substantial school development, with new access and community car park), where Inverclyde Council Planning Department recommended approval of development at this location. There were no objections from any statutory consultees, including Scottish Natural Heritage.

In summary, the proposal is considered to be of lesser impact despite being spread over a wider area. In detail (but still indicative), the residential part of the proposal is for some 42 houses, comprising 20 general needs 'family housing' (3, 4 & 5 bedrooms, the latter numbering five and described as 'high end'); 30% affordable housing (12 homes); and a number (10) 'barrier-free' retirement properties/bungalows for local needs.

The development footprint is largely confined to the 'open' field of rough pasture land, avoiding the woodlands to the west, which coincides with the designated SINC. The Planning Statement also refers to the previous school application and its proposal for a community car park, which this proposal also includes, and a network of footpaths and the 'opportunity to include playing fields' to the south, a use acceptable as a greenbelt use. The latter is lacking detail at this stage, but can be 'dealt with at any future application stage'.

Mr Alan Connell (3)
Ms Ann Ferris (11)
Mr Archibald Brown (12) FoMW
Mr Billy Pickett (14)
Mr Bryon Evans (17) & FoMW
Mr David Walker (27)
Mrs Donna Pickett (30) & FoMW
Mr Graham Biggart (32)
Mrs Isobel Evans (38) & FoMW
Mrs Lynda Connell (52)
Mr Ralph Leishman (62)
Ms Rosemary Biggart (65)
Ms Susan Biggart (76)

All of the above have signed a supporting statement on the Sustainable Spatial Strategy of the LDP and in particular the defining of the inner Green Belt boundary around Kilmacolm (summarized in their support for paragraphs 2.44 and 2.50 (in full)). It is therefore inferred that those representees not members of Friends of Milton Wood are also against the release of Green Belt at Milton Wood.

Mr Archibald Brown (12) FoMW
Mr David Walker (27)
Mr Graham Biggart (32)
Ms Susan Biggart (76)

Mr Billy Pickett (14)
Mrs Donna Pickett (30) & FoMW
Ms Rosemary Biggart (65)

The above seven representors have also submitted representations that cover the following matters relating specifically to protecting the Green Belt designation at Milton Wood.

The continuing protection of Kilmacolm's Greenbelt, as evidenced by the rejection earlier this year of a planning proposal that included a substantial school building, community car

park and two-lane, paved road accessing these developments, and which threatened a distinctive Greenbelt wedge, has been welcomed by the community. This Green Belt wedge within Milton woods has been a continual target of planning proposals over the last 25 years. This distinctive, well-loved landmark is visible from the majority of the village and carries a number of levels of protection, including SINC and Green Belt status. It is part of the Core Path Scheme and is included in Historic Scotland's Gardens and Designed Landscapes inventory.

In January this year, a Tree Preservation Order (TPO) was drafted and submitted by the group known as "Friends of Milton Woods", to ensure the ongoing protection of the area known as Milton/Duchal Woods.

Delighted and relieved to note the continued protection of Green Belt in Kilmacolm and of Milton/Duchal Woods and its immediate surroundings. It is particularly heartening, bearing in mind the history of continual pressure on this area and its surrounding environs for development.

It is a unique landscape within the heart of the village, used by the local and wider community on a regular basis for recreation, while supporting a safe environment for local children, giving them access to the countryside and promoting recreational and educational use.

The Council supported Core Path gives access to a wildlife corridor through the centre of the village; the entrance alone is a well-known historic landmark, and 'anyone that visits or has lived in the village recognises the distinctive nature of the entrance.' The Woods are a tourist attraction and the walkers and recreational visitors bring trade to the village. Also, with the historic centre of the village under consideration for a Conservation Area within its heart, why just protect the centre when the woods are the background of the village and provide the community with its distinctive rural ambiance.

Modifications sought by those submitting representations:

Duchal Estate (73)

Remove the Police House Field, Lochwinnoch Road, by Milton Wood, part of Duchal Estate from the Green Belt and allocate the site as a residential development opportunity in Schedule 6.1, under Policy RES3, and amend the Proposals Map accordingly.

All other representations listed above (13): no modifications sought.

Summary of responses (including reasons) by planning authority:

The response to this objection to the LDP by Duchal Estate is informed by the planning history of the site, including the most recent planning application for a school development for St. Columba's School, and associated car park and access off Lochwinnoch Road (refused in January 2013) (CD59). The following Background Reports are of relevance:

* LPI 2004 (CD16)

* Head of Regeneration and Planning's Report on the St. Columba School proposals to the Planning Board, January 2013 and Council decision (CD59)

And also, refer to **Issue 15 on Tree Preservation Orders**.

The proposal submitted is considered to be “of lesser impact despite being spread over a wider area.” This is a curious statement since the potential extent of the proposed development extends the full length of the Green Belt wedge from the centre of Kilmacolm to the boundary of the SINC, south of the corresponding residential area to the west. This is the main reason for those in support of the LDP objecting to any development on Milton Wood. It is inappropriate therefore, to compare this housing development proposal with the school proposals that were refused by the Council in January 2013, in terms of both scale and use.

The claims of lesser impact presumably relate to the proposed development footprint being largely confined to the ‘open’ field of rough pasture land, avoiding the woodlands to the west, but the entire site coincides with the designated SINC. Developing the ‘police house field’ will compromise the entire amenity and landscape value of this sensitive wedge, especially when viewed from the north and the Lochwinnoch Road entrance, and the full length of the Sustrans (walking/cycling) route running along the east of the site.

It is acknowledged that some of the residential components of the proposal, in particular the 30% affordable housing contribution of 12 homes and the estimated 10 ‘barrier-free’ retirement properties/bungalows for local needs, would contribute to the affordable housing requirements in the *Glasgow and the Clyde Valley Housing Need and Demand Assessment* (June 2011) (CD67) and subsequently identified for this Sub Area in the Inverclyde LHS 2011-2016 (CD31). However, it is considered that there is adequate provision identified in the LDP.

Reflecting on the Reporter’s conclusions following the 2004 LPI (CD16), and noting too the Reporter’s comment that ‘very little has changed since 1993’, and indeed again since, Milton Wood remains ‘important to the landscape setting of Kilmacolm’. Having said that, it is acknowledged that the conclusions reached on the affordable housing element of the proposal at that time for Milton Wood (refer to Volume 2: Housing, page 150, paragraphs 7.363-364 (CD16)), was that the north eastern part of the site had potential capacity without adverse effect on the landscape.

Since the LPI, the Council has brought forward Policy RES4 to allow for exceptional release of the Green Belt for the sole purpose of meeting local affordable housing requirements, without the need for a much larger and unnecessary level of development, such as the full 42 site capacity being proposed. Policy RES4, together with the supporting Supplementary Guidance (CD4), should sit alongside Strategy Support Measure No.10 in the *Glasgow and the Clyde Valley Strategic Development Plan (2012)* (CD15), and is intended to provide a similar, but arguably more robust basis for ensuring land release solely for affordable housing needs where considered necessary, to that in the former *Glasgow and the Clyde Valley Joint Structure Plan (2006)* (CD14), and in accordance with Scottish Government SPP (2010) (CD20) and PAN 2/2010 (CD22). However, the proposed affordable housing provision in the LDP is considered adequate (refer to **Issue 6**).

In a similar way that very little had changed in terms of the importance of this Green Belt wedge between 1993 and 2004, little has changed with respect to the need to develop a much larger site than would be necessary to meet the actual needs identified, i.e. for more affordable homes, not ‘high end’ general needs housing. The Reporter for the 2004 LPI made specific reference to this approach, stating “no secret is made of the fact that any such need (for affordable housing) can only reasonably be funded by the provision of a substantially greater number of mainstream private houses – a sort of ‘Trojan Horse’

situation, often described as ‘enabling development’” [refer to Volume 2: Housing, page 82, para 7.87 (CD16)]. The potential adverse environmental and landscape implications of planning for affordable housing in smaller settlements such as Kilmacolm explains why Policy RES4 has been drafted in the way it has, to obviate such an outcome. Taking this into account and in terms of land release, the development proposed would be considerable in terms of impact, compared to the school proposal.

As the proposed development stands currently, extending over an extensive area of Milton Wood to accommodate up to 42 dwellings, it is recommended no modifications be made in relation to this objection to the omission of the ‘police house field’, Milton Wood, Kilmacolm.

Reporter’s conclusions:

1. The Police House Field site is centrally positioned within Kilmacolm, giving ready access by foot to the various services and amenities of the village. It forms part of a wedge of rural land extending from the open countryside to the south of Kilmacolm into the centre of the village. A narrow western strip is wooded and contains an access drive to Duchal House. The eastern part of the site is open and contains two areas of different character. The northern part is a narrow area of unimproved grassland with some regeneration of trees along its western edge. This part is generally more elevated with marked undulations and some exposed rock. The southern part is a wider more level field of wet semi-improved grassland. To the south the site is enclosed by woods of the Ducal Estate. The eastern boundary is formed by a former railway line (now a cycle path) which runs into a deep cutting alongside the north of the site. To the west lies further woodland and an existing housing estate.

2. As a general principle it is not appropriate to modify, through the examination process, those parts of development plans that are proposed to be rolled forward unchanged from the existing adopted plan unless circumstances have clearly changed. This is particularly the case for matters considered in previous examinations or inquiries. The suitability of this land for development was considered at the inquiry into objections to the Inverclyde Local Plan First Review in 2004. The conclusion at that time was that if a need arose that could not be met elsewhere, serious consideration should be given to allocating the north-eastern part of the site for affordable housing. More recently an application for a school extension on the northern part of the site has been refused. Further information has been submitted to this examination in support of development that may not have been available at the time of the 2004 inquiry.

3. Wider housing land supply issues are discussed under Issue 5. The need for affordable housing is discussed under Issue 6. The conclusions at those issues indicate that no additional land is required for mainstream or affordable housing, beyond what is already allocated in this local development plan. Therefore the circumstances mentioned in the conclusions of the 2004 inquiry have still not arisen. However, as alluded to in representations, Policies RES4 and RES3 of the Proposed Plan provide a mechanism for the exceptional release of greenfield land for affordable housing in the future, should this prove necessary.

4. The site is currently designated as green belt in the existing adopted local plan. It is well enclosed by woodland and existing development. Though higher parts of the site are visible in long distance views from the south, these views place the site very much within the context of the built-up area of Kilmacolm. I do not therefore consider that development would represent a serious intrusion into the wider countryside.

5. However I note that the purposes for green belts described in paragraph 159 of Scottish Planning Policy include to ‘protect and enhance the quality, character and landscape setting and identity of towns’. In this regard I consider that the two rural wedges that run into Kilmacolm from the south and north (essentially this site and the land to the south-west of Port Glasgow Road) are important in maintaining the semi-rural character that is an attractive characteristic of the village. The Police House Field site is visible in important public views from the centre of the village (from Lochwinnoch Road). Although the frontage onto Lochwinnoch Road is narrow, it nevertheless serves to give a valuable sense of connection to the rural landscape. Views from Gryffe Road are somewhat screened by a stone wall and trees growing alongside the cycle path, but a sense of openness remains.

6. Overall I conclude that the green belt designation for this land is justified, and should be maintained in the absence of a demonstrable need for development.

7. In my view it is the ongoing openness of the northern-eastern part of the site that is of most importance due to this being the area that is visible from the centre of the village and which therefore contributes most to the semi-rural character of the settlement. I also note the finding of the submitted habitats survey that the species rich grassland in this area is the habitat with the most nature conservation interest on the site. The rocky knolls in this area are attractive features in themselves, and while probably not presenting insurmountable obstacles to development, a significant amount of rock excavation would be likely to be required in order to achieve a satisfactory development platform (as noted in the submitted development appraisal).

8. By contrast the south-eastern part of the site, while further from the centre of the village, may have more potential for development in the long term, being more level, less prominent, apparently of less ecological interest, and potentially capable of less disruptive access arrangements from Gryffe Road. While development in this area would be highly visible from the cycle path, this would be at a point where an urban character is already established by development to the east.

9. The drive running through the woodland in the western side of the site provides an access route to more woodland and the surrounding countryside from the centre of the village. The route was being well-used at the time of my site inspection. Development would not be incompatible with the retention of this route, though it would detract from the quiet enjoyment of the route to some extent.

10. I note the evidence presented that much of the woodland in the western part of the site consists of non-native trees and has suffered from poor management. Nevertheless my experience on visiting the site was of an attractive woodland that contributed significantly to the semi-rural character of this part of Kilmacolm and to this important access route to the wider countryside. With careful design I have no doubt that an access road could be constructed between the existing drive and the open land further to the east without excessive damage to the overall quality of the woodland. However I do not consider that new built development should occur in the wooded area, even if a need for such development were established. To the east of the northern part of the main woodland strip is an area of more scattered trees encroaching on the open land to the east. This area may have more development potential in the long term providing the individual trees that are of most value are protected.

11. Regarding wildlife, the western wooded part of the site is designated as a site of importance for nature conservation. However the evidence of the habitats survey is that the north-eastern area of unimproved grassland may in fact have the most nature conservation interest. I am satisfied that both these areas have some biodiversity value. While this value might not be sufficient on its own to rule out development potential, it does militate against the suitability of these areas for a housing allocation. I do note, however, the Duchal Estate's suggestion that development could largely be restricted to the unwooded areas.

12. Regarding historical heritage, the wooded area on the west of the site is included in the Inventory of Gardens and Designed Landscapes as part of the Duchal Estate. The formal driveway through this area forms a northern access to Duchal House. While I understand that this access route was added in the nineteenth century, after the original estate was laid out, the existence and form of this route is nevertheless of historical interest. However, provided this route and associated woodland were maintained, I doubt that sensitively designed development on the open land to the east would have any significant adverse impact on this interest feature.

13. A conservation area is proposed for the central part of Kilmacolm, around The Cross. The proposed boundary does not include any part of the Police House Field site, but extends as far as the bridge over the former railway line, immediately to the north-east of the site. As already established, a part of the character of Kilmacolm is the semi-rural impression created by the village's two significant green wedges. This character is less apparent in the very heart of the village where the conservation area is proposed. However the Police House Field is the only part of either green wedge that is visible from the proposed conservation area and so has some value in ensuring that the wider semi-rural character of the village remains apparent even in the village centre. I therefore conclude that the ongoing openness of the site will contribute, to some degree, to the character of the proposed conservation area.

14. The effect development would have on tourism has been cited by some representees. I do not dispute that there is a level of tourist interest in visiting Kilmacolm, and the national cycle route in particular may be expected to draw visitors from beyond the local area. I have already concluded that development would be likely to harm the semi-rural character of the village. This might therefore have a negative impact on a visitor's experience. However I have not seen convincing evidence that Milton Woods themselves are a particular tourist draw or that the sensitive development of this particular site would be likely to significantly dent tourist numbers.

15. The physical development of this site is not wholly straightforward, involving somewhat tortuous access arrangements and a likely need for significant rock excavation. However I have no doubt that this is a marketable location that would attract interest from housebuilders. I am therefore satisfied that, if allocated, the site would be likely to prove effective.

16. Some elements of planning gain are suggested that could be delivered alongside the development of this land; these being a community car park and woodland management. While I am prepared to accept that these items may provide a wider benefit, there is a limited connection between them and the proposed housing development. Rather, these items appear to be presented more as an unrelated incentive to gain support for housing development. I have therefore given these offers little weight in my consideration of this issue.

17. In conclusion I consider that the main concern regarding the proposed development of this site is the detrimental effect this would have on the semi-rural character of Kilmacolm. This concern applies particularly to the northern and wooded parts of the site. Given that no over-riding need for development has been demonstrated, and the advice in paragraph 117 of Circular 6/2013: Development Planning that I should only recommend a modification where the proposed plan is clearly inappropriate or insufficient, I conclude that no change to the plan is required.

Reporter's recommendations:

No modifications

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| Issue 9(.2) | Housing Sites Not Included in the Proposed Plan: Old Hall, off Quarry Drive, Kilmacolm | |
| Development plan reference: | Chapter 6, Policy RES3, Schedule 6.1(b) and Policy ENV1 (Chapter 8) | Reporter: Stephen Hall |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| <div>Alan Connell (3) Ann Ferris (11) Friends of Milton Wood (Archibald Brown) (12) Billy Pickett (14) Friends of Milton Woods (Bryon Evans) (17) David Walker (27) Friends of Milton Wood (Donna Pickett) (30) Graham Biggart (32)</div> <div>Friends of Milton Woods (Isobel Evans) (38) Lynda Connell (52) Mactaggart & Mickel Homes Ltd. (55) Ralph Leishman (62) Rosemary Biggart (65) Susan Biggart (76)</div> | | |
| Provision of the development plan to which the issue relates: | Objection to the omission of housing development opportunity at Old Hall, off Quarry Drive, Kilmacolm. | |
| Planning authority's summary of the representation(s): | | |
| <p><u>Mactaggart & Mickel Homes Ltd. (55)</u></p> <p>Representation is lodged to Policy RES3 and Policy ENV1 in relation to the Green Belt boundary at Old Hall, Kilmacolm, and objection submitted to the non allocation of the site as a residential development opportunity in the LDP: Proposals Map B.</p> <p>The Old Hall site should be included as a residential development opportunity in Schedule 6.1, as it is 'wholly effective and deliverable'. The site extends to 3.9 hectares and has 'the capacity to accommodate mainstream and affordable housing', of approximately 70-80 houses. It is virtually flat or gently sloping and an almost self-contained pair of fields, 'that give onto the roundabout on Wateryetts Drive'. A planning statement and full landscape analysis of the site in a supporting document is included in the submission.</p> <p>The supporting document makes reference to housing need assessments in 2004 and 2008 and referring to the LDP: Proposed Plan states that it "rightly recognises that housing affordability remains a problem in Kilmacolm." It is maintained, "Given the various constraints on the delivery of affordable housing, market housing, can, and often does, act as enabling development to fund the development of new affordable housing. In order to achieve delivery of affordable housing, the LDP must allocate land for both affordable and market housing. Land for affordable housing, plus enabling development, is most likely to be found within the Green Belt, as there are no other locations available in communities such as Kilmacolm."</p> <p>In relation to paragraph 2.56 (and Policy SDS8), the Old Hall site should be removed from the Green Belt. Residential development on this site will have minimal impact on the Green Belt, forming a natural extension to the development fingers while not affecting the green wedges, allowing the village to maintain its green links. The opportunity for brownfield</p> | | |

development is severely limited in Kilmacolm, therefore land is required to be removed from the Green Belt to allow development. As stated in SPP, Green Belt designation should direct development to suitable locations, not prevent it.

SPP further states that green belt boundaries in LDPs should reflect long term settlement strategy and ensure that settlements are able to accommodate planned growth. Inner boundaries should not be drawn too tightly around the urban edge, but where appropriate should create an area suitable for planned development between the existing settlement edge and green belt boundary (SPP, para 162). Boundaries should also take into account the need for development in smaller settlements within the green belt, and where appropriate leave room for expansion.

The Old Hall site's designated Green Belt boundary follows the rear gardens of the houses along Port Glasgow Road and Springwood Drive. The site fulfils neither the green belt purpose of protecting the landscape setting of the town: 'it is an almost hidden site'; nor that of protecting and giving access to open space: 'there is no public access to the site'.

SPP suggests that green belt boundaries should follow strong visual or physical features such as rivers, tree belts and main roads, and hedges and field boundaries (such as the green belt around this site), rarely provide a robust boundary.

There is a natural strong boundary along the line of the mature tree belt past the cemetery, and along the tree belt to Planetreeyetts Farm that meets the criteria set out in SPP. Realigning the boundary to here would provide a natural long term defensible boundary rounding off the form of the village and reducing ribbon development, It would release an effective and sustainable development site and provide an area of 'white land' between Old Hall and the cemetery (outwith the green belt but protected by countryside policies) which would leave room for expansion in a future plan period without revisiting the green belt boundaries.

Alan Connell (3)

Ann Ferris (11)

Archibald Brown (Friends of Milton Wood (12)

Billy Pickett (14)

Bryon Evans (Friends of Milton Wood) (17)

David Walker (27)

Donna Pickett (Friends of Milton Wood (30)

Graham Biggart (32)

Isobel Evans (Friends of Milton Wood) (38)

Lynda Connell (52)

Ralph Leishman (62)

Rosemary Biggart (65)

Susan Biggart (76)

All of the above submitted support for the retention of the current Green Belt boundary of Kilmacolm and Quarrier's Village, to ensure the nature of the area whilst protecting the heritage and feel of the villages. It is inferred therefore that these representations are against any release of Green Belt at Old Hall.

| Modifications sought by those submitting representations: | | |
|--|--|------------------------------|
| <u>Mactaggart & Mickel Homes Ltd.</u> (55) | | |
| Remove site at 'Old Hall' from the Green Belt and allocate it as a residential development opportunity in Schedule 6.1 and on the Proposals Map. | | |
| <u>Alan Connell</u> (3) | <u>Donna Pickett</u> (Friends of Milton Wood) (30) | <u>Rosemary Biggart</u> (65) |
| <u>Ann Ferris</u> (11) | <u>Graham Biggart</u> (32) | <u>Susan Biggart</u> (76) |
| <u>Archibald Brown</u> (Friends of Milton Wood) (12) | <u>Isobel Evans</u> (Friends of Milton Wood) (38) | |
| <u>Billy Pickett</u> (14) | | |
| <u>Bryon Evans</u> (Friends of Milton Wood) (17) | <u>Lynda Connell</u> (52) | |
| <u>David Walker</u> (27) | <u>Ralph Leishman</u> (62) | |
| All of the representations listed above (13): no modification sought. | | |
| Summary of responses (including reasons) by planning authority: | | |
| <p>The response to this objection to the LDP by Mactaggart & Mickel Homes Ltd is informed by the planning history of the site, including the LPI of 2004 (CD16) and a more recent planning application for the same site (which was refused in September 2004) (CD60).</p> <p>Reflecting on the history of proposals for housing development on this site and the Reporter's conclusions following the 2004 LPI (CD16), and noting too that the strategic requirement for housing land release remains unchanged [source: <i>Glasgow and the Clyde Valley Housing Need and Demand Assessment</i> (June 2011) (CD67)], there is no justification for the release of this site for between 70-80 dwellings to accommodate general needs (private sector) housing and an unspecified number of 'affordable homes' in the Renfrewshire SHMA.</p> <p>The supporting document, having rehearsed out of date housing need studies between 2004 and 2008, suggests, because of "various constraints on the delivery of affordable housing, market housing, can, and often does, act as enabling development to fund the development of new affordable housing." It is claimed that in order to achieve delivery of affordable housing, the LDP must allocate land for both affordable and market housing and that this land "is most likely to be found within the Green Belt, as there are no other locations available in communities such as Kilmacolm." In this regard, it is incorrect to state that no other locations (sites) are available in Kilmacolm and other communities within the relevant SHMA, Renfrewshire, to provide for such demands, and in the Inverclyde HMA, for such needs.</p> <p>Since the LPI, the Council has brought forward Policy RES4 to allow for, among other initiatives to assist affordable housing provision across the authority, a policy for targeted sites for development by RSLs and for exceptional land release from the Green Belt for the sole purpose of meeting local affordable housing requirements. The latter aspect above of Policy RES4 is designed expressly for this type of situation where it would be quite unjustified and inappropriate to develop a much larger and unnecessary amount of land, such as the full 70-80 site capacity being proposed, to deliver a much smaller requirement</p> | | |

for affordable homes. The Reporter for the 2004 LPI made specific reference to this possibility, stating “no secret is made of the fact that any such need (for affordable housing) can only reasonably be funded by the provision of a substantially greater number of mainstream private houses – a sort of ‘Trojan Horse’ situation, often described as ‘enabling development’” [refer to Volume 2: Housing, page 82, para 7.87 (CD16)]. The potential adverse environmental and landscape implications of planning for affordable housing in smaller settlements such as Kilmacolm explains why Policy RES4 has been drafted in the way it has, to avoid such an outcome.

It is in this context of release specifically for affordable housing requirements, that another conclusion of the 2004 LPI Reporter on the affordable housing element of the proposal at that time for Old Hall (refer to Volume 2: Housing, pages 156-158, paragraphs 7.389-397 (CD16)), expressed the opinion ‘that only if a greenfield site is required for affordable housing and the north eastern part of the Milton Wood site is considered unsuitable, should consideration be given to Old Hall’.

Policy RES4, together with the supporting Supplementary Guidance (CD4), is intended to work alongside Strategy Support Measure No.10 in the *Glasgow and the Clyde Valley Strategic Development Plan* (2012) (CD15), to provide a similar basis, but arguably more robust policy for ensuring land release solely for affordable housing needs where considered necessary, to that in the former *Glasgow and the Clyde Valley Joint Structure Plan* (2006) (CD14). Taken together, these policy levers are in accord with Scottish Government SPP (2010) (CD20) and PAN 2/2010 (CD22) and should obviate under most circumstances any need for such ‘enabling development’. Irrespective of this, the proposed affordable housing provision in the LDP is considered adequate (refer to **Issue 6**).

Little has changed with respect to the claim that, to provide for affordable homes in Kilmacolm a much larger release of Green Belt land is necessary to meet the actual needs identified, i.e. for more affordable homes, not open market private sector housing. In terms of the latter, the conclusion of the *Glasgow and the Clyde Valley Strategic Development Plan* (2012) (CD15) is that there is more than adequate land to provide for assessed private sector requirements, to 2025, within the relevant SHMA – Renfrewshire.

Little has changed also since 2004 in terms of the importance of the Green Belt boundary in this locality to suggest that the development of Old Hall would lead to a more sustainable and permanent boundary. It is not accepted that the site, because it is ‘almost hidden’ would have less landscape impact than the two principle green wedges. The two fields comprising the site cover a fairly large area, so the suggestion that this is some ‘natural extension of a gap site’ is incorrect. For those residents living adjacent on Port Glasgow Road and Springwood Drive, there would be a similar level of impact to those residents affected by any development of the green wedges.

There is no clear justification presented for establishing what is claimed to be a more permanent, defensible Green Belt boundary further out to the cemetery to accommodate this development. Mention is made of there being no public access to this part of the Green Belt, but SPP does not say that this is a necessary function of green belts. However, it was clear at the time of the 2004 LPI that this underused farmland is used by local residents to walk their dogs and ride horses. And in relation to the accesses shown to the proposed site in the supporting document, it should be noted that the land immediately to the north west of the roundabout on Wateryetts Drive adjacent to the site, is designated Open Space in the Proposed Plan, with ready access to the fields now.

The Green Belt Review (CD27) undertaken for the LDP made clear in its guiding principles the inappropriate ‘blanket approach’ outlined in SPP (CD20) to defining green belts around settlements, and in particular smaller settlements surrounded by green belt. The identification of ‘white land’ is relevant and appropriate as a general principle in defining green belt boundaries where for example, there is pressure for development and in areas of growth. But, this is not so for all settlements. In settlements such as Kilmacolm and Quarrier’s Village, the view taken by the Council is that the environment and landscape setting is of great value in the determination of those matters relevant to the LDP’s settlement strategy and in any case, areas of ‘white land’ are not appropriate while there is no strategic requirement for release for housing. For further justification for the validity of the Council’s approach to defining the inner Green Belt boundary in the way it has, refer to the Reporter’s Report on the 2004 LPI, Volume 2: Housing, page 98, para 7.158/158A (CD16).

The case presented for an even more extensive area of ‘white land’, including the countryside out to what is claimed to be “a natural strong boundary along the line of the mature tree belt past the cemetery, and along the tree belt to Planetreeyetts Farm (to leave room for expansion in a future plan period without revisiting the green belt boundaries”, is contrary therefore, to the underlying principle considered appropriate and necessary to safeguard the landscape setting of Kilmacolm. The foundation of the settlement strategy in this locality requires what has been presented in the LDP: a tightly drawn Green Belt boundary that was found to have merit and purpose at the 2004 LPI. Insofar as the housing land requirement has not changed significantly since, there is no case for amending the Green Belt in such a radical way when there is no need to find ‘room for expansion’, at least under the current *Glasgow and the Clyde Valley Housing Need and Demand Assessment’s* (CD67) timeframe, to 2025. With no requirement for strategic release, it would be inappropriate and without precedent to release such a scale of land in such a location for what is, effectively, an unrealistic view of future housing demand.

As the proposed development currently stands, extending over an area at Old Hall considerably more extensive than that which could be appropriate to contribute to any affordable housing provision for Kilmacolm, it is recommended no modifications be made in relation to this objection to the omission of the Old Hall site, Kilmacolm.

Reporter’s conclusions:

1. This 3.9 hectare site in the north of Kilmacolm constitutes relatively level grazing land. It is bounded on the south-east and south-west sides by the existing urban area and to the north by agricultural land that rises towards a cemetery and a line of trees. Two tree-covered knolls form existing attractive features within the site. Northern parts of it are visible in longer distance views but always within the context of the existing urban area. Generally the site is well-contained.
2. No particular development constraints have been brought to my attention, and the site appears capable of being safely and conveniently accessed. I therefore consider that the site would be likely to be an effective housing site, should its allocation be found to be appropriate.
3. As a general principle it is not appropriate to modify, through the examination process, those parts of development plans that are proposed to be rolled forward unchanged from the existing adopted plan unless circumstances have clearly changed. This is particularly

the case for matters considered in previous examinations or inquiries. In this case I note that the suitability of this land for development was a subject of the inquiry into objections to the Inverclyde Local Plan First Review in 2004. The reporter at that time concluded that the site should only be released if a requirement for affordable housing or enabling development was established and another site proved unsuitable.

4. Regarding whether any significant change in circumstances has occurred, wider housing land supply issues are discussed under Issue 5. The need for affordable housing is discussed under Issue 6. The conclusions at those issues indicate that no additional land is required for mainstream or affordable housing, beyond what is already allocated in this local development plan. The strategic context is now supplied by the Glasgow and the Clyde Valley Strategic Development Plan, but no provisions of this have been brought to my attention beyond those relating to housing supply. These are again covered under Issues 5 and 6. No other potential changes in circumstances since 2004 have been brought to my attention.

5. Regarding landscape considerations, as indicated above, the site is relatively well contained by existing development. While development on parts of it would be visible in long distance views, this would not be particularly intrusive given the topography and urban fringe context. The site does not form part of one of the main green wedges into Kilmacolm, and it is not visible from the village centre or prominent from any of the main roads into the village. The openness of the site does however allow attractive open views of the surrounding countryside to be had from Wateryetts Drive, and the site currently provides a pleasant aspect for houses around its immediate periphery. But overall I do not consider that a significant adverse landscape impact would arise from the site's development. Development could provide an opportunity to create a stronger green belt boundary in this location.

6. Though the site has no formal recreational designation and access to it does not appear to be positively encouraged, a clear footpath does cross the site indicating some use is made of it by local people.

7. Due to its limited landscape impacts and apparent freedom from development constraints, the site clearly has potential as an option for housing development at such a time as an outstanding need or demand for such development emerges. However that time is not now, and on this basis I conclude that the site should not be allocated for the time being.

8. As well as seeking the allocation of this land for housing, Mactaggart and Mickel Homes Ltd also seek the removal of a larger area of land from the green belt. The existing green belt boundary in this area is relatively weak, being formed by the rear boundaries of residential properties, and a post-and-wire fence separating the green belt from designated open space to the south-east. The mature tree belts north of Cemetery Road and the cemetery itself, and around Planetreeyetts Farm, are proposed as an alternative green belt boundary. These tree belts are undoubtedly more akin to 'strong visual or physical landscape features' as envisaged in paragraph 162 of Scottish Planning Policy as being the preference for green belt boundaries.

9. Such a realignment would remove a very large area of land from the green belt. However paragraph 159 of Scottish Planning Policy states that green belt designation should provide clarity and certainty on where development will and will not take place. A stated purpose of green belts is to 'direct planned growth to the most appropriate

locations'. While 'white land' may be left between the built-up area and the green belt 'where appropriate' to allow room for expansion, in this case I am not satisfied that all of this larger area of land is ever likely to be required or suitable for development. On this basis I conclude that although the suggested alternative boundary is physically stronger, it would create too large an area of 'white land' between the green belt and the settlement boundary. The green belt boundary should therefore remain unchanged.

Reporter's recommendations:

No modifications

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| Issue 9(.3) | Housing Sites Not Included in the Proposed Plan: ‘The Plots’, Port Glasgow Road, Kilmacolm | |
| Development plan reference: | Chapter 6, Policy RES3, Schedule 6.1(b) and Policy RES7 | Reporter: Stephen Hall |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| <div>Alan Connell (3)</div> <div>Ann Ferris (11)</div> <div>Archibald Brown (Friends of Milton Wood) (12)</div> <div>Billy Pickett (14)</div> <div>Bryon Evans (Friends of Milton Wood) (17)</div> <div>David Walker (27)</div> <div>Councillor David Wilson (28)</div> <div>Donna Pickett (Friends of Milton Wood) (30)</div> <div>Graham Biggart (32)</div> <div>Isobel Evans (Friends of Milton Wood) (38)</div> <div>Mr Kenneth Davie, on behalf of co-owners of ‘the Plots’ (49)</div> <div>Lynda Connell (52)</div> <div>Ralph Leishman (62)</div> <div>Rosemary Biggart (65)</div> <div>Susan Biggart (76)</div> <div>Dr Tom Fyfe (79)</div> | | |
| Provision of the development plan to which the issue relates: | Objection to the omission of housing development opportunity at ‘The Plots’, Port Glasgow Road, Kilmacolm. | |
| Planning authority’s summary of the representation(s): | | |
| <div>In support of ‘the Plots’ site being included as a residential development opportunity site in the Local Development Plan</div> <div>Cllr David Wilson (28)</div> <div>Add Plots site (MIR site ref. no. 6) Port Glasgow Road.</div> <div>Mr Kenneth Davie, on behalf of 6 owners of ‘the Plots’ (49)</div> <div>The identification of ‘the Plots’ site is sought as a residential development opportunity in the Local Development Plan and its removal from the Green Belt.</div> <div>Site was previously put forward by planning officials as an opportunity site for housing release in 2002/03 as part of the Local Plan process. The site was objected to by several elected members and not included by the Reporter at Inquiry. The site was put forward again by some of the owners at the Main Issues Report stage. This representation is being made on behalf of all the co-owners.</div> <div>As the site has been excluded from the Proposed Plan, it is necessary to examine this exclusion in the context of housing need. The most significant conclusions arising from the review of Inverclyde Housing Land Requirements is that there is no need for large scale strategic sites at this time, but for appropriate, well located and effective sites. Research has indicated there is a specific ‘housing need’ issue in Kilmacolm for downsizing from larger properties, creating a demand for smaller accommodation closer to facilities, which ‘the plots’ is ideally placed to meet, as indicated by the stated desire of 2 of the owners to</div> | | |

move there if they were released for development.

The effectiveness of sites is critical to the deliverability of the land supply and a range of sites require to be provided if the aims and objectives of the LDP are to be achieved. A number of recent examinations for other authorities have concluded that additional short term sites are required to augment the land supply, to deliver a 5 year supply and deliver land in the short term. The 'Plots' site is considered to be effective in terms of Government advice in PAN 2/2010 and is a more appropriate location for release than the former Quarry site on Port Glasgow Road (r64). Each Suggested Development Site in the MIR was assessed against a set of criteria to establish their suitability for inclusion in the Proposed Plan, 'the Plots' site satisfies all these criteria.

The co-owners have indicated that, if successful, they intend to construct houses individually or through the sale of the site to a small house builder and these houses would be compatible with the character and amenity of the area in terms of Policy RES1. An attached photo montage shows how the development would fit comfortably within the street scene.

A subsequent email (dated 14 November 2013) from Mr Davie states that all co-owners have agreed that the site would not be developed on a plot-by-plot basis.

Support Policy RES3, but object to the lack of reference in Schedule 6.1 to 'the Plots' site for self build plots and accordingly seek its inclusion along with an amendment to the Proposals Map to show the site as a residential development opportunity, cross-referenced to Schedule 6.1.

Against the inclusion of 'the Plots' site as a residential development opportunity

Dr Tom Fyfe (79)

Glad to note the Council has maintained the current Green Belt edge along Port Glasgow Road. Release of any of the plots would create a dangerous precedent with a risk of ribbon development all the way up Port Glasgow Road, as all the houses on the east side of the road have plots on the west side that could be released.

In favour of the current Green Belt boundary at Kilmacolm

Alan Connell (3)

Bryon Evans (Friends of Milton Wood) (17)

Isobel Evans (Friends of Milton Wood) (38)

Ann Ferris (11)

David Walker (27)

Lynda Connell (52)

Archibald Brown

Donna Pickett (Friends of Milton Wood) (30)

Ralph Leishman (62)

(Friends of Milton Wood) (12)

Rosemary Biggart (65)

Billy Pickett (14)

Graham Biggart (32)

Susan Biggart (76)

All of the above submitted support for the retention of the current Green Belt boundary of Kilmacolm and Quarrier' Village, to ensure the nature of the area whilst protecting the heritage and feel of the villages. It is inferred therefore that these representations are against any release of the 'Plots' site.

| Modifications sought by those submitting representations: | | | | | | | | | | | | | | | | | | | | |
|---|--|---|-------------------------|--|---|------------------------|--------------------------|---------------------------|--|--|----------------------------|---------------------------|----------------------------|------------------------------|--|--|---------------------------|--|--|-------------------------|
| <p><u>Cllr David Wilson</u> (28)</p> <p>Add 'Plots' site, Port Glasgow Road to the land supply.</p> <p><u>Mr Kenneth Davie, on behalf of 6 owners of 'the Plots'</u> (49)</p> <p>The inclusion of 'the Plots' site in Schedule 6.1, along with an amendment to the Proposals Map to show the site as a residential development opportunity, cross-referenced to Schedule 6.1.</p> <table> <tr> <td><u>Alan Connell</u> (3)</td><td><u>Bryon Evans</u> (Friends of Milton Wood) (17)</td><td><u>Isobel Evans</u> (Friends of Milton Wood) (38)</td></tr> <tr> <td><u>Ann Ferris</u> (11)</td><td><u>David Walker</u> (27)</td><td><u>Lynda Connell</u> (52)</td></tr> <tr> <td><u>Archibald Brown</u> (Friends of Milton Wood) (12)</td><td><u>Donna Pickett</u> (Friends of Milton Wood) (30)</td><td><u>Ralph Leishman</u> (62)</td></tr> <tr> <td><u>Billy Pickett</u> (14)</td><td><u>Graham Biggart</u> (32)</td><td><u>Rosemary Biggart</u> (65)</td></tr> <tr> <td></td><td></td><td><u>Susan Biggart</u> (76)</td></tr> <tr> <td></td><td></td><td><u>Dr Tom Fyfe</u> (79)</td></tr> </table> <p>All of the above named individuals, request no modification.</p> | | | <u>Alan Connell</u> (3) | <u>Bryon Evans</u> (Friends of Milton Wood) (17) | <u>Isobel Evans</u> (Friends of Milton Wood) (38) | <u>Ann Ferris</u> (11) | <u>David Walker</u> (27) | <u>Lynda Connell</u> (52) | <u>Archibald Brown</u> (Friends of Milton Wood) (12) | <u>Donna Pickett</u> (Friends of Milton Wood) (30) | <u>Ralph Leishman</u> (62) | <u>Billy Pickett</u> (14) | <u>Graham Biggart</u> (32) | <u>Rosemary Biggart</u> (65) | | | <u>Susan Biggart</u> (76) | | | <u>Dr Tom Fyfe</u> (79) |
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| | | <u>Susan Biggart</u> (76) | | | | | | | | | | | | | | | | | | |
| | | <u>Dr Tom Fyfe</u> (79) | | | | | | | | | | | | | | | | | | |
| Summary of responses (including reasons) by planning authority: | | | | | | | | | | | | | | | | | | | | |
| <p>The response to this objection to the LDP by Mr Kenneth Davie on behalf of 6 owners of 'the Plots' site is informed by the planning history of the site, including the LPI in 2004 (CD16) and a recent planning application for the erection of a bungalow by Mr & Mrs Hammond, refused in February 2010 (CD61).</p> <p><u>Cllr David Wilson</u> (28)</p> <p>It is not intended to include 'the Plots' site as a residential development opportunity in the Local Development Plan, for the reasons outlined below.</p> <p><u>Mr Kenneth Davie on behalf of 6 owners of 'the Plots'</u> (49)</p> <p>A review of a development plan provides an opportunity to give consideration to the current circumstances and opinions relating to each site submitted for development, with the decision being taken not always consistent with previous decisions. In some instances the decision taken has been finely balanced.</p> <p>In this instance, it is acknowledged that the proposed policy for 'the Plots' site, retaining its Green Belt status, differs from that of the Council's planning officials some 10 years ago. However, the settled view of the Council for this LDP remains consistent with the Council's decision taken in advance of the Local Plan Inquiry in 2004, to retain the 'Plots' site in the Green Belt, a position upheld by the Reporter (CD16), recommending that the 'Plots' remain in the Green Belt.</p> <p>Given the above, the circumstances under which the Council's planning officials recommended the removal of the 'Plots' from the Green Belt and identified it as a housing</p> | | | | | | | | | | | | | | | | | | | | |

site 10 years ago, is not particularly relevant to the current proposal.

Having undertaken a Green Belt review for the preparation of the LDP (refer to Background Report, (CD27)), it was concluded that this site does perform a particularly valuable role in its current open condition. It allows the presence of the wider green wedge to be viewed from the road, in addition to that stretch of Port Glasgow Road further north towards the entrance of Kilmacolm, so that the countryside and 'rural feel' that penetrates into Kilmacolm is enhanced greatly at this location, by having this 'gap' in the built-up west side of the road. Reflecting on the Reporter's conclusions at the 2004 LPI (CD16), "it is reasonably clear that (the site) forms part of the northern 'sensitive wedge' illustrated in figure 3.6 of the Local Plan and that the open character of this part of Port Glasgow Road would be lost" if it were to be developed. Perhaps most telling was the observation that "it is the 2 detached houses to the north west that provide the anomaly, not the (Plots) site."

The representation to remove the 'Plots' site from the Green Belt and identify it as a residential development opportunity (in Schedule 6.1(b) of the LDP), places considerable emphasis on claiming to have reached an agreed position among all the 'Plots' owners on how to develop the site. Despite Mr Davie's 14 November email contradicting his original statement that the houses could be constructed individually, there is no certainty that if this site were to be released for development, it would be developed as one entity. This would require all the plots to be developed as one project with overall control vested in one developer.

Reflecting on what would be required of all the owners to secure the necessary quality development at this sensitive location, it is considered questionable that such a proposal could be achieved, but which is essential if it were to enhance the site and justify the removal of this singularly attractive 'gap' on the west side of Port Glasgow Road. It cannot therefore be considered an effective site in terms of PAN 2/2010 (CD22), due to these issues linked to multiple ownership.

The *Glasgow and the Clyde Valley Housing Need and Demand Assessment* (GCV HNDA), June 2011 (CD67) did conclude that there is a small requirement for homes suitable to house elderly +60 years age households (refer **Issue 6**), but that 'housing need' need not be accommodated within the settlement of Kilmacolm, rather the appropriate market geography is either the Renfrewshire SHMA or the rest of Inverclyde, depending on the housing provider and tenure of provision. Given the site is in the form of individual plots in separate ownerships, it is not well-suited to provide a site to meet wider housing needs, as it is considered unlikely that it could be developed as one. Until it can be clearly demonstrated that the whole site can be brought together as one development opportunity and built-out as one, there remains considerable doubt that this site could contribute to meeting the assessed housing need requirements.

Alternatively, as the name suggests, the site could be developed as individual plots, but the likelihood of that being able to be done on a consistent design/ architectural manner is remote. Any development on this basis is likely not only to be undertaken over a relatively long period but also by virtue of such a time-lag, would also likely have an adverse impact on the landscape setting of this part of Kilmacolm.

The determining factor over whether this site should be developed or otherwise is the importance of retaining the open gap at this location at the entrance to Kilmacolm. A secondary factor is the remaining doubts over whether a firm commitment can be

maintained from all the plot owners to its development for housing as one project under one developer. In the absence of an unequivocal agreement across all owners and the view that that would undermine the prospect of a quality, integrated development, the Council retains its current position, that Kilmacolm is best served by retaining the 'Plots' site in the Green Belt.

Recommend no modification be made in relation to this representation.

Reporter's conclusions:

1. This site constitutes open agricultural land to the west side of Port Glasgow Road, one of the main arterial roads into Kilmacolm. To the south of the site, residential development extends along Port Glasgow Road into the centre of the village. To the north are two further dwellings, beyond which Port Glasgow Road is free of development on its south-western side. On the eastern side of Port Glasgow Road are residential properties which overlook the site and the open countryside beyond. To the west of the site is further open agricultural land sloping down into a shallow valley. This land constitutes one of the green wedges that are characteristic of Kilmacolm. The 'Plots' site currently forms an integral part of this green wedge. A small burn runs through the site approximately north to south.
2. It is generally not appropriate to modify parts of the plan that have been rolled forward from the previous plan or to make changes that have been rejected at a previous inquiry, unless circumstances have clearly changed. In considering the merits of this site, I have been conscious that its development potential has been formally considered several times before, including at the local plan inquiry into the Inverclyde Local Plan First Review in May 2004. The reporter at that time concluded that even high quality development would not justify the loss of rural aspect that is a feature of the site. I am not aware of any significant changes in circumstance that have occurred relative to this site since that time beyond the updated housing land supply context to which I refer below.
3. Regardless of the reported views of some planning officers in the past, my task is to consider the content of the proposed plan as it has been presented and to reach a judgement as to whether this requires to be changed based on the evidence before me.
4. The openness of the site allows attractive views to be had from Port Glasgow Road across Kilmacolm's northern green wedge and to open countryside to the north-west. Due to the distance (around 120 metres) between the houses to the south and to the north, the site does not appear as a gap in an otherwise built-up frontage, but as an integral part of the agricultural/ landscape block between Port Glasgow Road and the former railway line in the valley to the west. In this context the houses to the north appear as a somewhat isolated group. Particular value can be ascribed to the ongoing openness of the site due to its being located on one of the main roads into Kilmacolm. It is therefore regularly visible to a large number of people travelling on this road and plays an important role in contributing to the rural character of the village.
5. I accept that development of this site could contribute towards meeting housing needs within Kilmacolm and across Inverclyde and the wider housing market area. However, given the suggested capacity of only around eight houses, any such contribution would be small and not sufficient to justify the loss of this valuable open land. In any event, should a demonstrable need for further housing land release in Kilmacolm emerge, I consider that there are other sites more suitable for accommodating that need than 'the Plots'. I also note that the presence of the burn running through the site could constrain development to

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| <p>some degree.</p> <p>6. I note the material submitted regarding the potential for high quality development, through development on either a co-ordinated or plot-by-plot basis. However while I have no reason to doubt that a high standard of design could be achieved, this would not be sufficient to overcome the in-principle objection to the loss of openness of this land.</p> <p>7. For the reasons set out above, I conclude that this land should not be developed and consequently that no modification to the plan is required.</p> |
| <p>Reporter's recommendations:</p> |
| <p>No modification</p> |

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| Issue 9(.4) | Housing Sites Not Included in the Proposed Plan: Valley View Farm, Dougliehill Road, by Port Glasgow | |
| Development plan reference: | Chapter 6, Policy RES3, Schedule 6.1(a) and Policy RES7 | Reporter: Richard Bowden |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| Mr & Mrs Crighton (45) | | |
| Provision of the development plan to which the issue relates: | Objection to the omission of housing development opportunity at Valley View Farm, Dougliehill Road, by Port Glasgow | |
| Planning authority's summary of the representation(s): | | |
| <p><u>Mr & Mrs Crighton</u> (45)</p> <p>Objection relates to a vacant and derelict brownfield site on the site of the Dougliehill Waterworks to the south of Port Glasgow.</p> <p>The objectors are seeking the removal of the site from the Green Belt and identification as a residential development opportunity in the Plan to allow them to gain planning permission for a small housing development in their grounds, and/or the clarification/amendment of the LDP policies so that such an application would be in accord with policy. Feel that the development is already in accord with policy, but if the Council disagree, suggest amendments to Policies RES7 and RES2.</p> <p>The site is in the Green Belt, close to but detached from Port Glasgow, and has been a waterworks since the 19th century. More recently, the tank reservoir was moved, and its former site and associated buildings are now occupied by the objector's houses. The remainder of the site was used as a poultry farm and egg production unit by the objectors, but this business failed leaving the site with a poor appearance that detracts from the amenities of the Green Belt. The Scottish Agricultural College has since concluded such as business is not viable on the site, nor is it suitable for agriculture. It is also too large to be a garden for the objectors. The site is on the Council's Contamination Register and meets the definition of derelict land in the current local plan.</p> <p>The proposal is for infill development between the existing houses and the new tank that will form a group with the existing buildings and fit into the landscape. It has been designed in line with the Council's Design Guidance for Rural Housing and the new PAAN on New Houses in the Countryside. The proposed development will clear up the derelict appearance and, with peripheral planting, will provide a benefit to the amenity of the surrounding Green Belt while not being very visible from outside the site and not visible at all from the Port Glasgow Riverside.</p> <p>Do not agree with the analysis of the site in the SEA accompanying the MIR. The site is largely contained and not visible in the main from outwith the site (although the existing houses are visible from the riverside): it is not subject to flooding (report attached): the site</p> | | |

is brownfield with no conservation interest, therefore there is no impact on flora and fauna.

Agree the proposed housing will be positive for population and human health and that sympathetic development and landscaping will make it acceptable in terms of landscape impact. The number of houses that can be accommodated on the site is limited by Douglichill Road and a bus service is available within a 14 minute walk. The negative impacts identified have not stopped sites being allocated for housing elsewhere.

Recognise that, as per SPP, brownfield land in the Green Belt is not always acceptable for development, however both the draft and current SPPs state that brownfield development is preferable to greenfield in both urban and rural settings. SPP also states that the supply of housing land should be generous and provide choice, encourages small scale housing in rural areas, and directs local authorities to apply 'proportionate' standards to access roads in order to enable small developments. Similarly, the draft SPP and NPF both encourage the redevelopment or reuse of derelict and vacant land.

Guidance contained in the Coalition Government's NPPF on brownfield development in the Green Belt, along with a supporting statement from the Secretary of State, is referenced. Examples of Scottish appeals where development was allowed on brownfield sites in the Green Belt are also attached.

The SDP encourages the re-use of brownfield land in the Clyde Corridor, including Inverclyde, and Schedule 10 identifies a shortfall of affordable housing in Inverclyde.

The Adopted Local Plan identifies the large amount of derelict land as a major weakness for Inverclyde. While paragraph 3.33 states that unnecessary development in the Green Belt should be prevented, this implies that necessary development is acceptable. This development is necessary in that it will provide a desirable planning outcome by improving the appearance of the former waterworks and remedying the dereliction. Policy DS9 identifies degraded urban fringe land in the Green Belt, like the representation site, as a problem and recommends 'greening'. The implementation of this policy will require cross-subsidy from development, such as that proposed.

The Proposed Plan aims to provide a good range, choice and distribution of housing sites, mostly in sustainable brownfield locations and is also supportive of small groups of houses in the Green Belt (paragraph 6.19). Policy RES7 seems to support small groups of dwellings in the Green Belt but this is not clear due to the way the policy is written. It would be helpful if the word "or" after "...dwellings not adjoining the urban area" were made bold in order to distinguish between small groups of dwellings and the redevelopment of large redundant buildings.

Recommend a further addition to make it clearer when small groups of dwellings on brownfield land in the Green Belt will be acceptable. This is a development of H4 and H17 in the Adopted Plan and its effect will be limited by the small amount of brownfield land available within the Green Belt. Policy H4 refers to the re-use or redevelopment of large redundant institutions in the Greenbelt and Countryside, but as there are few such institutions, this must include former waterworks.

Policy ENV2 also refers to development in the Green Belt. The representation site would be compatible with this policy and RES7 with the proposed clarifications. There would also be consequential changes to other policies e.g. RES2, where it would need to be made clear that it applies to all brownfield land and RES7 and ENV2 should be cross-referred at

the end to make clear that brownfield development is supported subject to the criteria in these policies. A similar amendment is required for SDS5 to apply to brownfield land in all locations.

Modifications sought by those submitting representations:

Site and surrounding development taken out of the Green Belt and identified as a residential development opportunity, or

changes to **Policy RES7** to read:

“Small groups of dwellings on brownfield land in the Green Belt will be acceptable provided that –

- (c) The proposal does not detract from the openness of the Green Belt
- (d) The proposal serves the purposes of the Green Belt by bringing a net benefit by, for example, clearing up dereliction and/or improving the appearance of a site.

Development of new dwellings within the Countryside will be supported if the proposal is for the redevelopment of large habitable redundant buildings...” and

Changes to **Policy RES2** to read:

“Development on brownfield sites for housing and community use, will be supported where it accords with Policy RES1 and RES5, except where:

- (d) an alternative use of greater priority or significant social and/or economic/employment benefit is identified; or
- (e) an alternative use is identified through an agreed area renewal initiative (refer Policy SDS7); or
- (f) it would result in an unacceptable loss of designated and locally valued open space (refer Policy ENV4)

Proposals should also accord with Policies RES7 and ENV2...” and

Amend **Policy SDS5**, which is narrowly concerned with brownfield land within urban settlements.

Summary of responses (including reasons) by planning authority:

Background - the response to this objection to the LDP by Mr and Mrs Crighton is informed by the planning history of the site, including planning permission for a free range egg production unit, a static home and future owners dwelling, an amendment to this application in relation to the siting and design of the dwellinghouse and an application for discharge of occupancy restriction and subsequent appeal (CD62).

Taking each of the substantive points in turn.

(1) There are currently no sites on the ‘Inverclyde Register for Determined Contaminated Land Sites’ (CD29).

(2) The SEA (CD3) analysis identifying potential flooding issues was based on advice from

the Council's Roads Service, which is responsible for flooding within Inverclyde. The assessment of impact on the landscape is based on the visibility of the current house from the Inverclyde waterfront, where it is highly visible for continuous stretches along the A8 trunk road, when travelling from Greenock east into Port Glasgow. As stated, all sites that were previously undeveloped or fall within the Green Belt were assessed as having a negative impact on biodiversity, flora and fauna even where they are not covered by an environmental designation, as they are more likely to be used as a habitat or corridor by wildlife.

(3) Responding to the claim the site is 'rural brownfield' and the use of SPP to make a case for its development for housing, SPP (CD20) guidance on location and design of new development states that:

- (a) development should be directed to sites within existing settlements where possible;
- (b) sites should contribute to the Spatial Strategy and policies of the development plan; and
- (c) be relatively accessible.

This site meets none of these criteria. The rural development section of SPP (CD20) is not relevant as it is concerned with settlements detached from the urban area and its aim is to maintain the viability of communities and support rural businesses. This site does not qualify as rural in the terms of this section of SPP (CD20) as the relevant nearest community is urban Port Glasgow, the site being only slightly detached from the edge of this settlement. Curiously, the submission also identifies the site as 'urban fringe', which is an accurate description.

(4) It is maintained that planning legislation from other parts of the country is superfluous in relation to this objection and is not relevant.

(5) The *Glasgow and the Clyde Valley Strategic Development Plan's* (GCV SDP) (CD15) support of brownfield development is supported by Inverclyde Council in its sustainable spatial strategy of the LDP. The spatial strategy makes clear the preference for all appropriate development to be on brownfield land within the built-up area of the defined settlements of the authority, and that a number of key locations – the MAC policy areas, of which a number are in the strategic 'Clyde Corridor' – are also defined in the LDP's spatial strategy. Under no logical reading of this strategy could the objection site be included.

(6) The reference to the *GCV SDP's* Schedule 10 (CD15) and the need for affordable housing is not relevant, as there is no suggestion in the submission that the housing development proposed is for anything other than for private sale. Moreover, the location of the site on the urban fringe would be unsuited for most households seeking an affordable home.

(7) The development proposed is also not necessary for the stated purpose of 'tidying a large garden', as it is not the purpose of planning to permit development for this reason. It is perfectly possible to improve the appearance of the site without the development proposed and through related environmental improvements. It is suggested that it is entirely in the interests of the owner's own residential amenity to remove surplus buildings and structures associated with the former poultry business, without requiring assistance for formal landscaping.

(8) Reference to Policy DS9 in the adopted Local Plan (CD13) is not relevant as it recommends greening and access initiatives to be taken forward by the Lower Clyde Greenspace partnership, the Joint Authority for the Clyde Muirshiel Regional Park and the Inverclyde Access Strategy. Moreover, it states in the supporting text (paragraph 4.25) that those initiatives that have been carried out, and new ones, are expected to be done in such a way as to have the 'additional benefit of focusing development activity on existing urban areas, thereby assisting urban regeneration and protecting the Green Belt from unwarranted development.' This clearly indicates that this policy is not designed to promote development in the Green Belt in order to 'enable' greening to take place for its own sake.

(9) The representation site is not a sustainable brownfield location. It is not accessible by a range of means of transport and it is not within easy reach of local facilities. However, paragraph 6.48 of the Proposed Plan recognises there may be exceptional circumstances where a departure from the general principle against new housing development outwith the settlement boundaries could be appropriate for small land releases, and these would be assessed through Policy RES7.

(10) Reference is made to policies H4 and H17 of the adopted Local Plan (CD13), commenting that Policy RES7 is a development of these policies. This is correct however Policy H17 (and paragraph 7.101 of the adopted Local Plan), clearly states that this policy applies to large institutions and other buildings in the Green Belt such as schools, hospitals and hotels. Many of these buildings have been redeveloped and converted since the adopted Local Plan was published so there are now few such institutions remaining in the Green Belt. This does not mean that other former uses in the Green Belt and Countryside, such as necessary infrastructure including waterworks, should now be considered under this policy, or its proposed equivalent, Policy RES7. There is clearly a distinction to be drawn between utilities infrastructure that had/have a locational requirement to be sited in specific locations, and former large residential and other institutions, which generally had/have built structures with the potential for refurbishment and conversion to new uses, including residential.

(11) It is considered that policies RES2 and RES7 are perfectly clear and unambiguous, and similarly Policy SDS5, which is clear in its intention in being an authority-wide, 'strategic' statement, without need for any qualification.

Recommend no modifications be made under these representations.

Reporter's conclusions:

1. I note that the representation seeks, firstly, for the Valley View Farm site to be removed from the green belt and instead to be shown in the proposed new plan as a residential opportunity site. I have assessed the case made in those particular respects, as set out below. Other changes to the plan that are also being sought as part of the same representation are policy based - in particular with regard to Policies RES 7, ENV 2, RES 2 and SDS 5 of the plan. All of those policy considerations are dealt with elsewhere in this report – with Policies RES 7, ENV 2 and RES 2 coming under Issue 4 and Policy SD5 being considered as part of Issue 2.

2. The case being put forward for the site to be removed from the green belt and re-allocated as a residential opportunity site in the plan is based largely on consideration of the earlier uses and present state of the site in question, together with its geographical relationship to the existing built-up area of Port Glasgow to the north and east. There is no

disagreement regarding the historical development of the site, starting in the nineteenth century when it was used as a waterworks.

3. More recently there has been a relocation eastwards of the tank reservoir and associated waterworks structures to a smaller adjoining site. That adjacent site is now operated by Scottish Water as its Douglichill Treated Water Pumping Station (TWP). The western boundary fence of this Scottish Water property forms the eastern edge of the site now in question.

4. The site now in question, following cessation of its use as a waterworks, has since accommodated a poultry farm and a house owned by the objectors. With the subsequent closure of the poultry business the only permanent structure now standing on the site concerned is the detached house. The remainder of the site is unmaintained open ground with some dilapidated open structures and rubbish mounds. When I made my site visits on different days of the week this site appeared to be partly in use for commercial vehicle parking and layover of materials associated with a scaffolding business. Immediately to the west of the site is another detached house and outbuildings that trade as Douglichill Dog Boarding Kennels.

5. The above mentioned are the only built structures in use along this part of Douglichill Road – the area all around being generally undeveloped moorland, apart from the site of a former farmhouse building further to the west that is now only a crumbling ruin. The road itself, which is narrow and in a very bad state of repair, runs broadly parallel with the River Clyde and provides a very poor quality link across the high level wilderness plateau area between the upper reaches of Port Glasgow and its golf club to the east with outlying parts of Greenock further to the west.

6. In summary, the representation contends that the now redundant area of land adjoining the house on the objection site is too large to be all garden ground and is not suitable for agricultural use. Accordingly, in the view of the objectors this derelict, but contained brownfield site should no longer be part of the green belt but instead should be more usefully designated as a residential opportunity site with peripheral planting – arguing that this would improve the amenity of the surrounding green belt area whilst not being very visible locally. Furthermore, it is contended that brownfield sites such as this should be preferred for development over green field sites in urban and rural areas. The representation acknowledges that the site concerned is detached from Port Glasgow but states that it is located close to the built-up area.

7. In this context I note, firstly, that being situated on the northern edge of an elevated plateau above Port Glasgow, the large detached house on the site is clearly visible from large sections of the River Clyde waterfront and from along sections of the main A8 road corridor that links Port Glasgow with Greenock and beyond. Indeed, whilst not visible from close-by, this house appears as an incongruous, isolated structure that breaks the skyline when viewed from many places in and around the Port Glasgow area that are located close to the River Clyde.

8. I agree with the council that the site in question, being located outwith and detached from any settlement, does not meet the criteria of the local development plan or the strategic development plan with regard to new development. Indeed both of those plans state a preference for the development of brownfield sites *within* settlements over green field sites. The fact that the aspiration of the objector - for development of the site concerned for housing - would, in the process, tidy up a largely unused area that is not

required for garden ground, is not sufficient reason to change its designation from green belt land.

9. I note that there are some detailed disagreements between the parties about the current state of the site and potential physical constraints that might affect its development potential – for example regarding flood risk. These potential concerns, however have not been critical to my overall assessment of the suitability of the site for housing, in principle. As the council points out, beneficial environmental improvements to this site are not dependant on its re-designation in the plan, as now being sought in the representations.

10. I note and endorse the efforts being made by the council, through various initiatives, to focus development on existing urban areas to assist their regeneration and protect the green belt from unwarranted developments. This site is accessed by a narrow, metalled but poorly maintained rural road immediately to the south of it. At the site there is some boundary planting of bushes and trees that provide a degree of screening of the site from that road. Once again, however, these are not sufficient reasons to remove the site from the green belt or to justify its promotion as a residential development opportunity – whether inside or outwith the green belt.

11. Most importantly, I agree with the council that the site concerned is not a suitable brownfield location for new residential development, for a number of reasons in addition to those outlined above. Firstly, as well as being clearly outwith and isolated from the settlement boundary it is remote from community services and facilities. Furthermore, it is not readily accessible by a range of means of transport. Douglihill Road, as well as being in poor condition is essentially single track and has no footways or lighting.

12. These factors in combination make the site an unsustainable location for new housing development generally and totally inappropriate for affordable housing. The fact that the site was previously developed – as a waterworks and then a poultry farm that has ceased to be operational – does not override these concerns regarding the inappropriateness of the site's location for new housing development.

13. I am also concerned about the fact that the site sits on the edge of an elevated ridge high above the main settlement of Port Glasgow. In particular, I would have strong reservations about any new housing development proposed along that plateau edge that, like the existing house on the site, would be unduly prominent and unacceptably incongruous on the skyline when viewed from along the Clyde riverfront corridor. Once again the fact that the site would not be particularly visible more locally, because of the immediate land configuration, is not sufficient reason to disregard the more distant but nevertheless important skyline visibility issues that have been identified.

14. Whilst retention of its green belt designation in the plan would not rule out all forms of development on the site, proposals would have to be considered on their particular merits on a case-by-case basis through the lodging and determination of a planning application. At that time an assessment would be made by the local planning authority in the context of the policies of the development plan - as well as taking into account other material considerations including national planning policy and associated guidance. Meanwhile, for the reasons outlined by the council and based on the other considerations I have highlighted, I conclude that there is insufficient justification to remove the site from the green belt or for it to be re-designated as a residential opportunity site in the proposed plan.

Reporter's recommendations:

No modifications to the plan.

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| Issue 9(.5) | Housing Sites Not Included in the Proposed Plan: Urban Sites: Dunvegan Avenue, Gourrock Barr's Brae, Port Glasgow Gillburn Road, Kilmacolm Former Kilmacolm Institute, The Cross, Kilmacolm | |
| Development plan reference: | Chapter 6, Policy RES3, Schedule 6.1 | Reporter: Richard Bowden Stephen Hall |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| Mr Shaun Law (16) Ms Catherine Harbon (19) Mr David Eagle (24) Mr John Watson (46) Ms Katrin Eagle (48) Mr Timoney (59) Kilmacolm Civic Trust (63) Kilmacolm Community Council (71) | | |
| Provision of the development plan to which the issue relates: | Housing sites not included in the Plan at: Dunvegan Avenue, Gourrock Barr's Brae, Port Glasgow Gillburn Road, Kilmacolm Former Kilmacolm Institute, The Cross, Kilmacolm | |
| Planning authority's summary of the representation(s): | | |
| <p>Dunvegan Avenue, Gourrock</p> <p><u>Mr Shaun Law (16)</u></p> <p>The site is currently a vacant area of ground in Dunvegan Avenue, Gourrock. The site has been refused planning permission in principle twice in the past four years, once for three dwellings and once for two, and both on the basis that the loss of open space would be detrimental to the area. The site was originally proposed as an area of public open space when the houses were constructed in 1977, although no details were submitted, nor conditioned. The site has never been laid out as an area of open space, nor was a maintenance or management agreement sought by the Council. It is understood that Inverclyde Council cut the grass on this land until recently, but that practice has now ceased.</p> <p>The site provides no useful value to the community, having no play facilities and not being maintained. Since acquiring the site in 2009, the owner has been served a notice by the Council requiring the proper maintenance of the land. The retention of this site as public open space is an anomaly on the part of the Planning Authority, and the public have no legal rights to enter onto the land. It is therefore absurd for the Planning Authority to indicate that the site cannot be developed as it “would remove an area where children can</p> | | |

play safely”.

Barr’s Brae, Port Glasgow

Mr Timoney (59)

The site has been the subject of two separate planning applications, the first dismissed at appeal in February 2012, and the second currently subject to a local review by the Council.

The site is considered to be an effective housing site and should be included as a housing allocation in the LDP. The reasons for the dismissal of the appeal on this site in February 2012, have been addressed by the most recent scheme through the reduction of the visual impact, and represents a materially different scheme to the one considered by the reporter. However the application was still refused planning permission on the basis of the loss of an area of open space and the perceived adverse visual impact the proposed development might have on a Sustrans cycle way. The planning case officer was satisfied by all other technical matters.

The attached Planning Statement explains the background, context and concept of the proposal. The 14 dwellings shown on the application are indicative only, as is the number of storeys.

The land is defined as open space, but not used as such. It is unmanaged scrubland with little or no amenity interest. The owner is willing to give ownership of the area adjoining Douglass Terrace to the residents for communal open space or private rear gardens, in addition to providing a financial contribution for future management.

It is accepted that the new development will be visible from the cycle way, but is doubtful whether users will consider that their experience has been significantly impaired. The impact for cyclists will be limited, and walkers will have a view filtered by retained landscape.

The site is considered to be effective in relation to the seven requirements set out in the PAN on Affordable Housing and Housing Land Audits (2/2010). There is market interest in this site, and development could be delivered in the near future assisting Inverclyde to meet its five year housing land requirement.

Gillburn Road, Kilmacolm

Kilmacolm Civic Trust (63)

The plot of land at the intersection of Moss Lane and Gillburn Road would be an ideal site for meeting the affordable housing requirement for small households of 35 years plus and 60 years plus (for downsizing).

Former Kilmacolm Institute, The Cross, Kilmacolm

Ms Catherine Harbon (19)
Mr David Eagle (24)
Mr John Watson (46)
Ms Katrin Eagle (48)
Kilmacolm Community Council (71)

The old institute building on the corner of Lochwinnoch Road and Port Glasgow Road has been omitted from the LDP. It was owned by Inverclyde Council, sold to a developer and 10/11 dwellings are expected to be developed. The timing and precise form of the redevelopment remains uncertain, but it should be taken into consideration, as it accounts for a major proportion of the suggested housing – proposed number of dwellings in the Renfrewshire SHM over the duration of the LDP is 120. Ensuring that this proposed development includes affordable housing would eliminate the need for greenbelt release. Although the site is relatively small, the HLS Audit, paragraph 7 (reference??) refers to the different approach taken for small sites in Kilmacolm and Quarriers Village due to each site, however small, being of greater significance in these settlements.

***Note:** detailed representations made in relation to the Kilmacolm Institute as a site for affordable housing are covered in **Issue 6**.*

Modifications sought by those submitting representations:

Dunvegan Avenue, Gourock

Mr Shaun Law (16)

The area of ground at Dunvegan Avenue, Gourock should be included within Policy RES3 as a Residential Development Opportunity and included in Schedule 6.1 as a site to provide two residential units.

Barr's Brae, Port Glasgow

Mr Timoney (59)

The site should be included as a housing allocation in the LDP.

Gillburn Road, Kilmacolm

Kilmacolm Civic Trust (63)

This site should be added to the Plan.

Former Kilmacolm Institute, The Cross, Kilmacolm

Ms Catherine Harbon (19)
Mr David Eagle (24)
Mr John Watson (46)
Ms Katrin Eagle (48)
Kilmacolm Community Council (71)

The housing stock should be reviewed and the site should be counted and scored against the total of 120 new dwellings in the HLS (refer also to **Issues 5 and 6**).

Summary of responses (including reasons) by planning authority:

Dunvegan Avenue, Gourock

Background – a planning application for 1 house was refused planning permission in September 2000, an outline application for 3 houses was refused in March 2009 and an application in principle was refused for 2 houses in November 2010 (CD63).

Mr Shaun Law (16)

The capacity of the site is below the PAN 02/2010 (CD22) threshold size for inclusion in a land audit and would not normally be incorporated into the list of residential development opportunities identified in Schedule 6.1. The site is within a residential policy area in the LDP, being covered by Policy RES1, which seeks to safeguard the character and amenity of residential areas. The principle of housing on the site is therefore acceptable, subject to the criteria laid out in the policy, including the compatibility with the character and amenity of the area. While the previous planning applications for this site have been refused on loss of open space and amenity grounds, any future consideration of development on the site should correctly be addressed through a planning application.

Recommend no modifications.

Barr's Brae, Port Glasgow

Background – planning permission in principle was refused in October 2011 and dismissed on appeal in February 2012 (CD64). Another application was refused in March 2013 and dismissed at the Local Review Body (LRB) in August 2013 (CD64). The most recent planning decision was upheld at the LRB on the basis of the character and amenity of the existing residential area, the land being identified as open space on the Local Plan and the adverse impact on the cycle track.

Mr Timoney (59)

The site is identified as open space in the adopted Local Plan, and following the Open Space Review for the LDP (CD42), it remains as an area considered to be of value to the community for its amenity and its function as a wildlife corridor. The impact of a housing development at this location would be detrimental to the visual amenity of nearby residents and to users of the adjoining cycle path. Both planning applications were recently dismissed at appeal and it is considered by the Council that nothing has changed in the interim.

In conclusion, the Council does not propose to include the site at Barr's Brae, Port Glasgow in Schedule 6.1 of the LDP.

Gillburn Road, Kilmacolm

Kilmacolm Civic Trust (63)

The site has not been submitted to the Council by its owner or an interested developer for

inclusion as a Residential Development Opportunity site in the LDP. The site is however covered by policy RES1, which seeks to safeguard the character and amenity of residential areas, in the LDP and would, in principle, be appropriate for a residential development. Assessment against the relevant criteria in the policy, including compatibility with the character and amenity of the area, would be required.

Recommend no modifications.

Former Kilmacolm Institute, The Cross, Kilmacolm

Background – Inverclyde Council, the owners of the property, have been marketing this site since 2010, and have very recently agreed to sell the property for development. No planning applications have yet been received.

Ms Catherine Harbon (19)

Mr David Eagle (24)

Mr John Watson (46)

Ms Katrin Eagle (48)

Kilmacolm Community Council (71)

The former Institute site is within the village centre and has been marketed unsuccessfully in the past. It was not included in Schedule 6.1 of the LDP as a Residential Development Opportunity site because of the uncertainty that it would be developed within the plan period. The site should therefore be considered as windfall, however if the Reporter is so minded, this development opportunity could be included in Schedule 6.1.

Reporter's conclusions:

Dunvegan Avenue, Gourrock

1. This relatively flat, small rectangular plot of undeveloped land is surrounded by detached villas developed in the late 1970s that now form part of a larger residential housing estate on the hillside above Gourrock. I note that whilst the site in question was originally proposed as an area of open space it was never laid out for that purpose and the council no longer maintains it even as a simple grassed area. Today the site is a neglected, unmanaged area of open ground – and appears to be not in use for any purpose as each of the surrounding houses has its own private garden area.

2. In this context the planning authority acknowledges that the principle of residential development on this vacant site would be acceptable and I accord with that view. Attention is drawn, however, by the council to the fact that the number of houses that could be accommodated on the site in question falls below the thresholds set out in government guidance for inclusion in housing land audits. That also applies to the minimum size for residential development opportunities to be listed in Schedule 6.1 and shown on the development plan settlement map.

3. On this basis I find that the planning authority is fully justified in not identifying this particular site as a housing development opportunity site in the plan. I also conclude that the planning authority is correct in stating that, given the limited scale of the site, any proposal for its residential development should be considered on its merits through the lodging and processing of a planning application.

Barr's Brae, Port Glasgow

4. I note that the site concerned is a wedge of sloping ground that adjoins a former rail line that is now a recreational walking and cycling route forming part of the Sustrans national route network. This site forms part of a corridor of designated open space in the adopted local plan for the area. Furthermore, based on the Open Space Review undertaken for the preparation for the local development plan review, the planning authority has concluded that this site continues to be of value to the community for its amenity and its function as a wildlife corridor. No substantive evidence to the contrary has been drawn to my attention and its value in this regard, as part of the green network of open spaces, was evident to me on my site inspection.

5. Against this background, I note that in recent years the site in question has been repeatedly refused planning permission for housing development by the planning authority and on appeal. In support of the case now being made for the site to be allocated for housing in the local development plan the representation argues, firstly, that the site is unmanaged scrubland and of no amenity value – and also contends that the concerns expressed by the Reporter when dismissing a planning appeal relating to this site in 2012 have been largely addressed by new revised proposals for housing here. I do not find the arguments put forward in the representations persuasive in either of those matters, based on the available evidence lodged and my own site visit. Whilst noting the suggestion that the number of houses might be reduced marginally and their impact lessened by careful site planning - including excavations and introduction of retaining walls and retaining some existing landscape features – I do not regard those measures as sufficient to satisfactorily address the fundamental concerns highlighted by the planning authority with regard to housing development at this location.

6. Furthermore, I conclude that the planning authority is justified in seeking to safeguard this important landscape corridor, which is of significant value and importance to both local residents and visitors using the recreational route that passes here – as well as in ecological terms as a wildlife corridor. Accordingly, I conclude that there is insufficient reason to re-designate the site in question from what is currently proposed by the council for the new local development plan. In summary, I conclude that, for the reasons set out by the planning authority, this land should not be included as a housing development site in Schedule 6.1 of the Local Development Plan.

Gilburn Road, Kilmacolm

7. This is a heavily overgrown gap site within the urban area of Kilmacolm. The trees on the site provide some amenity and, in all likelihood, wildlife value, but are not particularly fine specimens in themselves. I expect that more detailed consideration would show this to be an acceptable site for some development of an appropriate scale.

8. However, to be allocated as a housing site in the local development plan, paragraph 72 of Scottish Planning Policy indicates that sites need to be effective (i.e. available for the construction of housing) or capable of becoming effective within ten years. In this case there is no indication that the current owner of the site has any intention of releasing it for development. The site may therefore fail the 'ownership' criterion of effectiveness described at paragraph 55 of Planning Advice Note 2/2010: Affordable Housing and Housing Land Audits. On this basis I conclude that it was not unreasonable for the planning authority to have excluded this site from the schedule of residential development opportunities.

Former Kilmacolm Institute, The Cross, Kilmacolm

9. There appears to be no dispute that this site in the centre of Kilmacolm is suitable for residential use. Evidence submitted by Kilmacolm Civic Trust in response to a further information request in relation to Issue 8 indicates that a planning application for this site incorporating 13 housing units and two commercial units has now been submitted. This application gives an indication that the Institute site is capable of being an effective housing site within the lifetime of the plan. Its capacity appears to be larger than several of the sites that are included in Schedule 6.1. There is therefore a good case for including the Institute site in Schedule 6.1.

10. However my recommendations are required to be precise, and there remains some uncertainty in my mind as to the final capacity, tenure and timescale of the development. These are details that are required for inclusion in Schedule 6.1. I therefore conclude that the Institute site should not be included in this iteration of the plan.

11. I do not consider that this decision has any material bearing on other parts of the plan. In particular the treatment of the general housing land supply and of affordable housing in the proposed plan has been found to be acceptable at Issues 5 and 6. I also consider the justification for the release of the Smithy Brae site to be mainly specific to that site, and not primarily connected to a 'housing numbers' argument that might be affected by identifying additional releases elsewhere.

12. Any proposals for residential development at the former Institute can be adequately considered against Policy RES2 and other relevant policies of the plan.

Reporter's recommendations:

No modifications

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| Issue 10 | Town Centre Policy | |
| Development plan reference: | Chapter 7: Greenock Town Centre boundaries (paragraph 7.17, Proposals Map C) Subdivision of Greenock Town Centre, Policies TCR1 & TCR5 The sequential approach, Policies TCR2 & TCR6 Retail Policy: Policy TCR7, paragraph 7.33 and Policy TCR8 Retail floorspace supply and town centre / retail development opportunities, Schedule 7.1 | Reporter: Richard Bowden |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| Asda Stores Limited (2) Clydeport Operations Limited (25) Gallagher Developments (18) Aldi Stores Ltd. (72) | | |
| Provision of the development plan to which the issue relates: | Town Centres and Retailing | |
| Planning authority's summary of the representation(s): | | |
| <p>Greenock Town Centre Boundaries</p> <p><u>Asda Stores Limited (2)</u></p> <p>Policy TCR1 shows Greenock Town Centre, including the Central and Outer Areas, as the strategic priority at the top of the hierarchy of centres. The identification of sub-divisions within Greenock Town Centre and the restriction of uses that might be acceptable in them are contrary to Scottish Planning Policy and its overall aims and objectives. It is inappropriate for the Plan to contain policies that oppose legitimate town centre uses in certain sub-divisions of a strategic town centre, particularly for Policy TCR5 to specifically exclude Class 1 retail use from any part of Greenock Outer Area. This is inconsistent with Scottish Planning Policy and the policy of the Strategic Development Plan.</p> <p><u>Clydeport Operations Limited (25)</u></p> <p>The extension of Greenock Town Centre boundary is sought to include the residential development opportunity site r37, and for this site to be designated for mixed use including residential, commercial and a major element of retail, to promote and encourage investment and development in a similar approach to the extension at Port Glasgow Town Centre. The site was identified within Greenock town centre as a residential development site within an Outer Mixed/Commercial Area in the existing Inverclyde Local Plan (adopted 2006).</p> | | |

The site is a key location in close proximity to Greenock Ocean Terminal, where 40 cruise ships are scheduled to visit in 2013 bringing a large number of tourists to Greenock. Given the prevailing economic and market conditions, a flexible approach to development must be adopted to encourage development to come forward at the earliest opportunity and return a disused former industrial site to an active and beneficial use, enhancing the local area and resulting in environmental improvements helping create a destination welcoming to tourists and residents.

The sequential approach

Asda Stores Limited (2)

The proposed Plan fails to adequately reflect the identification of the whole of Greenock Town Centre as a Strategic Centre in the Strategic Development Plan and Policy TCR2 does not properly reflect the sequential approach as set out in Scottish Planning Policy. There is no sound basis for identifying Greenock Central Area as the preferred location for retail development while relegating Greenock Outer Area to third place. This splitting of the town centre can be seen to undermine Greenock Town Centre's strategic role. National and strategic policy indicate major retail developments are appropriate first and foremost in or on the edge of strategic centres, it is therefore illogical for TCR2 to indicate that such development should take place in Gourock or Port Glasgow Town Centres ahead of the Outer Area of Greenock Town Centre.

Gallagher Developments (18)

Policy TCR2 is not consistent with draft national policy contained in Scottish Planning Policy. TCR2 states that priority should first be given to sites in Greenock Central Area with the effect that any development proposals in Port Glasgow Town Centre would need to be accompanied by a sequential site assessment demonstrating there are no available or suitable sites in Greenock Central Area. The draft SPP does not seek to distinguish between the levels of centres in applying the sequential approach and there is not requirement for development proposals within town centres to be assessed against the sequential approach.

To avoid inconsistency with draft Scottish Planning Policy while continuing to ensure the current role of Greenock Town Centre and other existing centres are protected, TCR2 should be amended to define Port Glasgow and Gourock Town Centres within the same category as Greenock Central Area for the purposes of the application of the sequential approach and TCR6 should be amended to ensure the role of the centres within Inverclyde are not undermined.

Retail Policy

Asda Stores Limited (2)

Criteria (g) of Policy TCR7, requires evidence that no "appropriate" sequentially preferable site exists. This wording does not adequately reflect the provisions of Scottish Planning Policy, which requires that "sequential preferable options have been assessed and discounted as unsuitable or unavailable".

Criteria (h) of Policy TCR7 requires evidence of capacity for the development in terms of expenditure compared to turnover in the appropriate catchment, however there is no

requirement for this in Scottish Planning Policy, which states that development should be of an appropriate scale.

Paragraph 7.33 indicates that conditions will be used to control certain new retail developments outwith designated town centres, including sub-units within large foodstores, however the Local Development Plan sets out no evidence to justify the use of such conditions. There is no sound planning basis for suggesting that the lack of restrictions on net floorspace or the type of goods sold will lead to adverse effects on the vitality and viability of town centres.

While the text accompanying Policy TCR8 says restrictions 'may' apply, there is no such flexibility in the policy itself.

Retail floorspace supply and Schedule 7.1

Asda Stores Limited (2)

None of the sites identified within Greenock Town Centre in Schedule 7.1 are suitable or available for major retail development. Part of the Ker Street town centre/retail opportunity site (tc1) has been granted planning permission for a small foodstore and is no longer available and even if it is not developed it is not an appropriate site for major development, and the Port Glasgow Waterfront (West) town centre/retail opportunity site (tc7) has planning permission which is now being implemented so scope for alternative retail development on the balance of the site is limited. Representations have been made to the Council in the recent past to the effect that there are qualitative and quantitative deficiencies in the supply of retail floorspace and a requirement for a further superstore to stimulate competition and increase consumer choice in line with Scottish Government Policy.

Aldi Stores Ltd. (72)

It is requested that the note accompanying site 'tc1' in Schedule 7.1 is amended to reflect the fact that planning permission has now been granted for a store.

Modifications sought by those submitting representations:

Greenock Town Centre Boundaries

Asda Stores Limited (2)

Amend Policy TCR5 to include use class 1 (shops) in each of the sub areas.

Clydeport Operations Limited (25)

Seek the extension of Greenock Town Centre boundary so as to include the site identified as residential development opportunity site r37 at 32 Union Street, Greenock and for this site to be designated for mixed use including residential, commercial and a major element of retail.

The sequential approach

Asda Stores Limited (2)

Amend Policy TCR2 to show the Outer Area of Greenock Town Centre as the second preference in the sequential approach.

Gallagher Developments (18)

Amend Policy TCR2 to define Port Glasgow and Gourock Town Centres within the same category as Greenock Central Area for the purposes of the application of the sequential approach.

Amend Policy TCR6 to read “The development of town centre uses on the sites included in Schedule 7.1 and as identified on the Proposals Map, will be encouraged and supported provided that the proposals would not undermine the role of Greenock Town Centre or any other existing centres in the retail hierarchy”

Retail Policy

Asda Stores Limited (2)

Change wording of Policy TCR7 criteria (g) to include the words “suitable and available” after “appropriate”.

Change criteria (h) of Policy TCR7 by deleting existing wording and replacing with “that the scale of development proposed is appropriate”.

Change wording of Policy TCR8 to state that planning conditions “where appropriate may” to imposed rather than “will” be imposed.

Delete criteria (a), (d) and (e) of Policy TCR8.

Retail floorspace supply and Schedule 7.1

Asda Stores Limited (2)

Identify an appropriate location for major convenience retail development.

Aldi Stores Ltd. (72)

Reword note accompanying site ‘tc1’ in Schedule 7.1 to read:
‘vacant site and former industrial building with planning permission for Class 1 convenience retail.’

Summary of responses (including reasons) by planning authority:

Background – a planning application was received in October 2013 from Clydeport Operations Limited for the erection of a supermarket, associated car parking, access roads and landscaping, in principle on a site in Brougham Street, Greenock. This followed a Proposal of Application Notice submitted to the Council jointly by Asda and Clydeport in August 2012 and pre-application consultation, including community engagement events on

the 10th and 11th of October 2012. Asda are not involved in this current planning application (CD66 - Brougham Street, Greenock Planning Application and Planning Statement).

Greenock Town Centre Boundaries and The Sequential Approach

Asda Stores Limited (2)

Clydeport Operations Limited (25)

The boundary of Greenock Town Centre was reviewed as part of the preparation for the LDP. This was undertaken through a land use survey of the Outer/Mixed Commercial Area designated in the adopted Local Plan (2005), to determine the extent to which land use and floorspace had changed over the 10 years, from 2002 to 2012 (CD38 – Greenock Town Centre Outer Area Review and Central Area Vacant Floorspace Review). This survey showed, among other findings, that the amount of Use Class 1 retail floorspace had dropped by around a third within the West End sub division, from 2,600 to 1,800 square metres, and during this time Use Class 2 also dropped significantly. The retail uses that remain are predominantly small scale and it was concluded these could be considered under Policy RES10 dealing with ‘shops to meet local needs’.

Taking this evidence into account, and mindful of the need to re-focus the predominant uses that stimulate footfall and linked trips, and therefore add most to the vitality and viability of a town centre, it was concluded that both the Central Shopping Area and the Outer/Mixed Area boundaries be amended in several ways. One of these changes included the exclusion from the Town Centre of a large, predominantly residential area covering the inner West End beyond Nelson Street and Patrick Street. Apart from the Union Street Housing Opportunity site, the area has very limited land available for new development that would not have an adverse impact on residential amenity. This change and the others made to Greenock Town Centre’s boundaries will serve to consolidate the Town Centre and better protect its sub regional status as well as its function as a Strategic Centre in Inverclyde and the Glasgow City Region.

Greenock Town Centre, Central Area is the first sequential choice, followed by Port Glasgow and Gourock Town Centres, and then by Greenock Town Centre, Outer Area. This sequential approach was adopted in order to protect and enhance the vitality and viability of Greenock as a Strategic Centre, whilst recognising the importance of Port Glasgow and Gourock Town Centres and the complementary role they have in providing access to services for their respective catchments. The Central Area of Greenock is first and foremost the foundation of the centre’s ‘strategic status.’ The Outer Area is sub-divided according to character and function where amenity considerations need to be taken into account. This means that although the Outer Area is appropriate for a range of town centre uses, including retail, they are not equally suitable in each division as indicated in policy TCR5.

This approach and the other changes made between the adopted Local Plan and this Proposed LDP, are designed to safeguard and confirm the status of Greenock while at the same time promoting complementarity between the centres, in particular the evolving enhanced role of an expanded Port Glasgow Town Centre. This planning policy framework should help make provision for a full range of retail formats within Inverclyde, help to retain local expenditure and provide sustainable access to retail, service and leisure uses for residents, while helping to better protect residential amenity in the area of transition immediately outwith the designated town centre of Greenock.

Asda Stores Limited (2)

Policy TCR5 encourages and supports certain uses in the sub-divisions of Greenock Town Centre, Outer Area. It does not exclude other uses, but seeks to encourage developments that are appropriate to the roles and functions of the different sub divisions of the Outer Area, while keeping with the character and amenity of each. It is through this policy that the Central Area will maintain its strategic town centre status, its vitality and viability and its primary function as the main area for retailing in Inverclyde.

SPP (CD20) states that the role and function of centres can be specified and that integration with residential areas is important. This is one among a number of functions the Outer Area designation is designed to achieve. SPP also states that the development plan can identify exceptions to the sequential approach, as in Policy TCR2. SPP does not provide direction on the place of strategic centres in the sequential approach, and the *Glasgow and the Clyde Valley SDP* (CD15) leaves it to the Councils through their LDPs to determine this matter based on their own local circumstances. In addition, the *Glasgow and the Clyde Valley SDP* does not preclude differentiating areas within a town centre. Doing so in Greenock should assist in fulfilling the SDP aim of safeguarding and developing its diverse functions (as a Strategic Centre) for the community, while helping to implement identified future actions for Greenock (Policy TCR12). Amending the sequential approach promotes the important complementary role Port Glasgow will have when fully developed alongside Greenock, in providing Inverclyde with a full range of retail formats for its residents.

The principle of having divisions within Greenock Town Centre in the Proposed LDP is carried over from the Adopted 2005 Local Plan (CD13) and has been tested at appeal (CD39 - Aldi Appeal Documents). It is not considered that this approach will undermine Greenock's strategic role in the future, and indeed is considered to have been successful in ensuring a low level of vacancies during the recent period of recession. The Central Area of Greenock remains the first location for town centre uses in Inverclyde. The Outer Area allows for some flexibility and a wider area where certain specified town centre uses are preferred, in locations that are easily accessible.

Gallagher Developments (18)

The development of policy for the LDP pre-dates the Scottish Government's Consultation Draft SPP 2013, the Proposed Plan's policies being based on SPP 2010, not on a draft policy document that may not be retained in its current form for the finalised version. SPP 2010 (CD20) allows the development plan to make exceptions to the sequential approach, stating that proposals for 'town centre uses' within town centres do not need to be assessed against their impact on similar uses within *that* centre. The LDP approach assesses such proposals against the primary centre, i.e. Greenock Central Area. This is not inconsistent with SPP.

The changes proposed to Policy TCR6 would only apply in specific locations and circumstances, whilst the proposed sequential approach is to have application to all retail and commercial leisure developments.

Clydeport Operations Limited (25)

Comparing the Union Street site with Port Glasgow Town Centre is misplaced. The extension to Port Glasgow Town Centre has been promoted by the Council in partnership

with the site owner and developer since 1998. The development opportunity was first identified in the *Glasgow and the Clyde Valley Joint Structure Plan 2000*), following a Called-in Inquiry in that year, and carried forward through the allocation of a site in the adopted Inverclyde Local Plan 2005 (CD13). The site's development has included the re-alignment of the A8 trunk road to accommodate its physical extension to the existing centre.

The purpose of the development was to address a retail capacity deficiency in Inverclyde. It was acknowledged that there was insufficient land to accommodate the scale of convenience and comparison retailing required within Greenock town centre and recognition that such a development could provide a major stimulus to the regeneration of Port Glasgow, while providing Inverclyde with a full range of retailing options in a new, suitable location. By locating this development on a site with a direct physical extension to the existing town centre, easily accessible from the trunk road network and remote from residential areas, it accorded with policy on a number of levels. Port Glasgow Town Centre (including the Waterfront (west) Area), has been, and will continue to be, promoted as a complementary centre to Greenock Town Centre, offering between them, when the former is fully developed, a full range of retail formats for the residents of Inverclyde.

None of the above is applicable to the Union Street site, which was promoted through the adopted Local Plan 2005 (CD13) as a housing opportunity site and remains a good residential opportunity within a predominantly residential area, adjacent to Greenock West End Conservation Area.

Neither is the site on the 'tourist route', as people arriving at Ocean Terminal on the cruise ships, if walking into town, exit via Patrick Street and by Grey Place/West Blackhall Street, bypassing the Union Street site entirely. There is no reason to suggest that the addition of commercial development would alter this desire line into Greenock town centre.

Asda Stores Limited (2)

Clydeport Operations Limited (25)

Gallagher Developments (18)

Aldi Stores Ltd. (72)

To conclude, the Town Centres and Retailing Policies noted above provide a clear framework to guide development in a way that should protect Greenock Central Area and its strategic role as the primary location for town centre and particularly, retail uses within Inverclyde. Representations submitted to change the policies would introduce an unnecessary level of interpretation and uncertainty.

No modifications recommended.

Retail Policy

Asda Stores Limited (2)

It is unnecessary to repeat the exact wording from SPP in the policy, and it is considered that the existing wording in the policy is satisfactory. However if the Reporter were so minded to change the wording in Policy TCR7 criterion (g), the recommended wording in the representation would be an acceptable alternative.

As well as being of an appropriate scale, SPP (CD20) also states that where proposals

support a centre's role and function there is no requirement to provide a detailed assessment of need. Therefore, where a proposal does not support the role and functions of a centre (which out-of-centre proposals automatically do not), an assessment of need (i.e. capacity) is required. In paragraph 63 of SPP, the need for development to be of an appropriate scale is discussed, but this is only one of three criteria in the consideration of out-of-centre locations. The third criterion states that 'there will be no significant adverse effect on the vitality and viability of existing centres'. An impact assessment, based on a capacity assessment would be required to demonstrate this and fulfil criteria (i) of TCR7.

The sequential approach applies to changes to developments that are of a scale or form sufficient to change a centre's role and function, in order to protect the vitality and viability of the designated centres. Sub-units within existing stores may not require planning permission so the sequential approach would not be applied. In order to protect centres and ensure such developments are assessed in terms of their potential impact, conditions are appropriate to ensure that such changes are monitored and controlled.

There is no need to change the wording of Policy TCR8 or the preceding text. The text relates to how, generally, conditions may be appropriate under certain circumstances. The policy sets out the specific cases where conditions will be appropriate.

No modifications recommended.

Retail floorspace supply and Schedule 7.1

Asda Stores Limited (2)

There is no requirement for new large scale comparison floorspace in Inverclyde according to the evidence base provided for the LDP through the Capacity Study (dated 2013) (CD37) undertaken by the GCV SDPA team on behalf of the constituent local authorities. It has not been demonstrated in the submission that new major convenience floorspace is required, indeed Asda's recent proposal, despite extensive pre-application discussions, was not submitted for planning permission. This indicates that there is considerable uncertainty on the part of this retailer and that it is highly likely that there is no market for a new large scale convenience development. The submission by Clydeport in October this year (CD66) for a supermarket on the same, but smaller site with no operator identified reaffirms that there is little interest for large scale comparison floorspace by the supermarket operators. Therefore, there is no need to identify any additional town centre/retail development opportunity sites in Schedule 7.1.

It is also worth mentioning the uncertain and inconsistent approach by this retailer to pursuing a large scale convenience store in Greenock, having not submitted any proposals at the Main Issues Report (CD10) stage of Plan preparation, in addition to not continuing to the submission of a planning application.

Currently, there is approximately 10,000 sq.m. of vacant floorspace in the Central Area of Greenock Town Centre that could be utilised for convenience retailing (CD38 - Greenock Town Centre Outer Area Review and Central Area Vacant Floorspace Review).

The Scottish Government's economic strategy (CD50) aims to promote competition but this is within the context of the published growth sectors, companies and markets, and small scale and domestic businesses, not retail provision. The Strategy states:

‘The ability of our businesses to grow and be successful will depend upon: effective and efficient public services that promote competition and help businesses thrive’; (p38) and

‘We are focussed on streamlining the public sector’s dealings with business, removing the barriers to growth and adopting more efficient procurement practices that encourage competition.’ (p87)

These aims and objectives, in terms of the contribution that development plans and this LDP can make to help achieve them, are dealt with in the Economy and Employment policies in Chapter 4. Competition in the sense presented in this submission is not a planning matter.

No modifications recommended.

Aldi Stores Ltd. (72)

It is not considered necessary to change the wording in Schedule 7.1 relating to the Ker Street site. However, an alternative wording could be, if the Reporter were so minded to make a change, as follows:

‘Vacant site and former industrial buildings, part of which has planning permission for Class 1 convenience retail’, to reflect the fact that the planning permission does not cover the entire site designated ‘tc1’.

Reporter’s conclusions:

1. In response to the concerns expressed about the boundaries of Greenock town centre shown in the proposed plan, the council has explained how those boundaries were reviewed in some detail when the new plan was being prepared. That review highlighted issues related to the diminishing amount of Class 1 retail floorspace in the centre of Greenock over a period of 10 years as well as the need to consolidate the town centre core area and to maximise its vitality and viability.

2. The council states that this is with a view to the plan safeguarding and developing the role of Greenock as a sub-regional centre – which is a principle that I seek to support. Furthermore, in line with national planning policy, the authority’s use of the sequential approach when assessing retail proposals reinforces its adherence to those principles of promoting the town centre core area first and foremost for retail development. I note that this is a key component within a wider planning policy framework that recognises and promotes a hierarchy of centres in the plan area. This is quite properly aimed at providing an accessible range of local retail and service opportunities to serve the resident community in a sustainable manner.

3. In the above context I agree with the analysis provided by the authority that led to the proposed changes to the boundaries of the central shopping area and the defined outer/mixed areas of the town centre with their particular roles and characteristics. I find that the approach being advocated by the council, including giving primacy to the town centre core and a degree of flexibility beyond that, is consistent with the principles set out in Scottish Planning Policy with regard to town centres and retailing.

4. On this basis I reject the modifications to the policy wording being suggested in some representations, apart from the change of wording of part (g) of Policy TCR7. Here the

council acknowledges that the wording advocated by the representation from Asda Stores Limited would be more consistent with the terms of the Scottish Planning Policy. The site-specific arguments for amending the town centre boundary are dealt with on a case by case basis elsewhere in this report – for example under Issue 7.3 in respect of site r37 Union Street Greenock.

5. I agree with the council that the case put forward by Asda Stores Limited seeking to demonstrate a requirement for new, large-scale comparison floorspace is not persuasive. Indeed based on the available evidence I conclude that there is no need to identify any additional town centre/retail development opportunity sites in Schedule 7.1 for the reasons outlined by the council. Similarly, with regard to the representation from Aldi Stores Ltd, I agree with the council that there is no justification for modifying the plan itself in respect of site tc1, simply to reflect the fact that not all of that particular site is covered by the planning permission granted for Class 1 retail use.

Reporter's recommendations:

Modify the plan by replacing the wording of Policy TCR7 (g) with the following;
(g) that no appropriate, suitable and available sequentially preferable site exists;

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| Issue 11 | Local Centres and Neighbourhood Shops | |
| Development plan reference: | Chapter 7, Policy TCR1 and TCR10 | Reporter: Richard Bowden |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| Kelvinside Developments (Aberdeen) Limited (44) | | |
| Provision of the development plan to which the issue relates: | Local Centres and Neighbourhood Shops | |
| Planning authority's summary of the representation(s): | | |
| <p><u>Kelvinside Developments (Aberdeen) Limited (44)</u></p> <p>Object to only one of the two local centres identified in the adopted Inverclyde Local Plan in Wemyss Bay being included in the Local Development Plan Policy TCR1. No justification is given and on the basis of the facilities at each, it is difficult to see why one of these locations would assume more status in relation to the other. Either both should remain as local centres or neither identified.</p> <p>There is no justification for the inclusion of the figure of 250 square metres within Policy TCR10. It is an arbitrary figure and has no more credibility than say 150 square metres or 400 square metres. It is not appropriate for the planning system to place such arbitrary restrictions on proposed local shops.</p> | | |
| Modifications sought by those submitting representations: | | |
| <p><u>Kelvinside Developments (Aberdeen) Limited (44)</u></p> <p>Change Policy TCR1 to either include the Pier/Station, Wemyss Bay as a local centre or delete Ardgowan Road, Wemyss Bay to have no local centres in Wemyss Bay.</p> <p>Change Policy TCR10 by deleting "up to 250 square metres gross" and replace with "appropriate in scale to the relevant local catchment area."</p> | | |
| Summary of responses (including reasons) by planning authority: | | |
| <p><u>Kelvinside Developments (Aberdeen) Limited (44)</u></p> <p>The Pierhead local centre at Wemyss Bay was removed from the LDP as it was felt to cater primarily for people using the station and pier and not the local population, as half of the units in the centre are within the station building. It is acknowledged that it performs a valuable function in the area, but its peripheral location and there being very few local households, were the determining factors in being excluded from the identified local</p> | | |

centres.

The centre at Ardgowan Road is a purpose built centre with the adjoining community facilities and dedicated parking and is centrally located within Wemyss Bay. Neighbourhood retail uses are also proposed as part of the redevelopment of the Inverkip Power Station site, and this would serve the new residential population and potentially some of the existing population in Wemyss Bay (CD5 and CD46).

The figure of 250 square metres within Policy TRC10 is based on the assessment of out of centre shops. There are 164 units classified as 'shops' outwith the designated centres (including hot food takeaways) as at March 2013 (source: Renfrewshire Valuation Joint Board), with an average size of 148 square metres. Only 5 units are over 250 square metres and these include Cardwell Garden Centre and Nursery and LIDL in Port Glasgow. All existing units of the scale proposed are found within Greenock and Port Glasgow town centres with the exception of the Sainsbury's Local in Inverkip local centre. The 250 square metres therefore reflects this scale, but allows considerable flexibility and provides continuity with the adopted Local Plan (CD13).

Recommend no modifications.

Reporter's conclusions:

1. The representation draws attention to the apparent anomaly whereby Ardgowan Road is the only local centre for Wemyss Bay named in the proposed plan. The objector seeks either consistency with the adopted local plan, where both the Ardgowan Road and Pier/Station local centres of Wemyss Bay were included, or for both of the local centres of Wemyss Bay to not to be listed in the new plan.
2. The authority confirms that it was not an oversight but a policy decision to not identify the commercial units at the pier/station of Wemyss Bay as a local centre in the proposed plan, whilst retaining reference in the new plan to the Ardgowan Road local centre. For the following reasons I agree with the council that this approach is logical and can be justified.
3. The Ardgowan Centre is centrally located within the main residential area of Wemyss Bay. It comprises a purpose-built retail centre with adjacent community facilities and parking all geared to serving the needs of the local resident population. As such, in the context of the plan as a whole, I consider it appropriate for this to be listed as one of the 10 designated local centres across the plan area as specified under Policy TCR1.
4. I also agree with the authority that, whilst important in its own right, the grouping of shops and other commercial units in and around the pier/station area of Wemyss Bay performs an essentially different function. Firstly, its location and prime purpose is determined by the existence of the rail station and the ferry terminal – not by the needs of the local community. Indeed it is geographically isolated from the main residential areas of Wemyss Bay. In addition, this clustering of units is situated either side of the busy main A78 road at the transport interchange hub where parking is very limited.
5. Furthermore, as noted by the authority, around half of the units here are located within the station building and these are clearly aimed at serving the travelling public rather than the more day to day needs of the local resident community. Based on all of these considerations regarding its location and specialist function to serve principally those in transit, I conclude that it is logical for this particular centre to not be listed alongside the

local centres identified under Policy TCR1.

6. Finally I am satisfied by the explanation provided by the authority to justify the use of the figure of 250sqm within Policy TCR10, following this being queried in the representation. I note that in addition to reflecting local circumstances and offering a degree of flexibility this approach provides continuity from the adopted local plan.

Reporter's recommendations:

No modifications

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| Issue 12 | Environmental Designations | |
| Development plan reference: | Chapter 8, page 65 Policy ENV1 (b) | Reporter: Richard Bowden |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| Inverclyde Renewables LLP (22) | | |
| Provision of the development plan to which the issue relates: | The weight given to strategic and local environmental designations in determining development proposals | |
| Planning authority's summary of the representation(s): | | |
| Inverclyde Renewables LLP (22) Acknowledges the protection Policy ENV1 gives to designated environmental resources. Believes that section (b) of Policy ENV1 does not recognise where there is an economic or social reason for a development to proceed that is of greater importance than a strategic or local designation. | | |
| Modifications sought by those submitting representations: | | |
| Inverclyde Renewables LLP (22) Amend Policy ENV1 (b) (i) to state "there will be no unacceptable effects upon visual amenity". | | |
| Summary of responses (including reasons) by planning authority: | | |
| Inverclyde Renewables LLP (22) Policy ENV1 (b) (i) is worded to ensure that the visual amenity is protected where there is a strategic or local designation. An amendment to the wording as stated would lessen the strength of that protection which is not required to provide for economic and social reasons for development. This matter is covered in (b) (iii). No modifications recommended. | | |
| Reporter's conclusions: | | |
| 1. The representation contends that the wording of section (b) of Policy ENV1 does not allow for situations where the economic or social benefits of a proposed development might outweigh a strategic or local environmental designation – particularly affecting the visual amenity of a site. 2. I do not find this particular argument compelling and conclude that the suggested | | |

modification to the policy wording would not be justified, for the reasons outlined by the council.

3. In summary, I agree with the planning authority that in combination sections (b) (i) and (b) (iii) of Policy ENV1, as currently worded in the proposed plan, provide the necessary protection to visual amenity that is appropriate, whilst taking into consideration the social and economic benefits of the proposed development.

Reporter's recommendations:

No modifications

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| Issue 13 | Green Network | |
| Development plan reference: | Chapter 2, page 12 Policy SDS4 | Reporter: Richard Bowden |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| Inverclyde Renewables LLP(22) | | |
| Provision of the development plan to which the issue relates: | The contribution of large scale renewal and regeneration projects to the strategic and local green network | |
| Planning authority's summary of the representation(s): | | |
| <u>Inverclyde Renewables LLP (22)</u> Supports Policy SDS4, but believes there are additional circumstances where development may create improvements in the green network or facilitate improved access to the green network and contribute to achieving the goals specified in the Active Living Strategy. | | |
| Modifications sought by those submitting representations: | | |
| <u>Inverclyde Renewables LLP (22)</u> Inclusion of the following wording in Policy SDS4: "Opportunities which enhance the green network and access to it will be considered in a positive manner." | | |
| Summary of responses (including reasons) by planning authority: | | |
| <u>Background</u> Supplementary Guidance on the Green Network has been prepared as part of the LDP (CD6). <u>Inverclyde Renewables LLP (22)</u> This policy clearly states that the aim is to safeguard the existing green network of routes and integral green spaces and the benefits to be obtained from embedding green principles in renewal and regeneration projects. When determining whether a development is suitable or not, it would not be appropriate to place a greater emphasis on the opportunities a development provides for embedding greening principles compared to other criteria. The development proposal would have to be looked at as a whole. No modifications recommended. | | |

Reporter's conclusions:

1. This representation whilst endorsing the principles of Policy SDS4 seeks to provide additional policy wording that would explicitly support and encourage developments that provide opportunities to enhance the green network or access to it. In principle I accept the aspiration expressed in the representation. I do not, however, regard the suggested modification to the policy put forward to be appropriate for the reasons stated by the authority.
2. Nevertheless, I find the existing wording of the policy in the proposed plan to be not well structured and inadequate to convey the intentions of the policy set out by the authority. Based on all of these considerations I conclude that the policy wording could be more appropriately expressed in the following terms that would make clear its terms and provide the clarification being sought by the representation.

Policy SDS4 – Green Network

The sustainable development strategy will be assisted and place making strengthened by safeguarding and where possible enhancing the existing green network of routes, as well as access to this network. Accordingly, new developments, in particular large-scale renewal and regeneration projects, should embed 'greening' principles to contribute to the strategic and local green network wherever appropriate opportunities arise.

Reporter's recommendations:

Modify the plan by replacing Policy SDS4 with the following new wording:

"Policy SDS4 – Green Network

The sustainable development strategy will be assisted and place making strengthened by safeguarding and where possible enhancing the existing green network of routes, as well as access to this network. Accordingly, new developments, in particular large-scale renewal and regeneration projects, should embed 'greening' principles to contribute to the strategic and local green network wherever appropriate opportunities arise."

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| Issue 14 | Open Space | |
| Development plan reference: | Chapter 8, Policy ENV4 (and Policy ENV5) | Reporter: Richard Bowden |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| Mactaggart & Mickel Homes Ltd (55) Braeside Residents and Tenants (61) | | |
| Provision of the development plan to which the issue relates: | The safeguarding and enhancement of open space, including playing fields, and the securing of open space through planning agreements. | |
| Planning authority's summary of the representation(s): | | |
| <p>Open Space - General</p> <p><u>Mactaggart & Mickel Homes Ltd (55)</u></p> <p>While policy ENV4 supports and safeguards open spaces, not all areas identified in the current local plan serve a useful purpose and/or have been overtaken by change in the surrounding area.</p> <p>Open Space – Former St Gabriel’s School, Greenock (r44)</p> <p><u>Braeside Residents and Tenants (61)</u></p> <p>Believe there has been a gradual loss of open and green space in the Braeside Road area and that nothing has been done by the Council in the last 10 years to protect or enhance the open space.</p> <p>There is concern that the last two open spaces in the area will be lost if the housing sites at the former Ravenscraig Primary School and St Gabriel’s Primary School are developed.</p> <p>Representations on this site are also dealt with in Issue 7(.3): Housing Sites in the Proposed Plan - Greenock.</p> | | |
| Modifications sought by those submitting representations: | | |
| <p>Open Space - General</p> <p><u>Mactaggart & Mickel Homes Ltd (55)</u></p> <p>Review open spaces within urban areas on a case by case basis in line with SPP. Where such areas are found to no longer serve a positive open space function, they should be considered for other appropriate uses, including housing, and suitable replacement found elsewhere.</p> | | |

Open Space – Former St Gabriel’s School, Greenock (r44)

Braeside Residents and Tenants (61)

Remove the St Gabriel’s primary school site from the LDP and retain it for open space.

Summary of responses (including reasons) by planning authority:

Open Space - General

Mactaggart and Mickel Homes Ltd (55)

Policy ENV4 states that there will be support, safeguarding and, where possible, enhancement of areas identified as open space on the Proposals Map, and those other areas of open space important for their amenity value.

An Open Space Review (CD 42) was started in 2011 to identify the amount of open space throughout Inverclyde, with those sites of over 0.1 hectare shown on the Proposals Map. The next stage of the review will be to assess the quality of the open space to determine where it can be enhanced or, if after consultation with the relevant communities, it is deemed surplus to requirement in its current use and examine how it can be put to better use.

If development is considered necessary on designated open space, Policy ENV5 will be relevant, where it would be required of a developer to secure suitable alternative provision, preferably at a nearby location, to replace the open space required for development.

This second stage review will be reported upon when the Local Development Plan Action Programme (CD2) is updated.

No modifications recommended.

Open Space – Former St Gabriel’s School, Greenock (r44)

Braeside Residents and Tenants (61)

The St Gabriel’s site was not identified in the Open Space Review (CD 42) as the school buildings were still standing on the site up until after the review was completed. The requirement to provide open space on this site as part of a residential development will be determined through a planning application and will require to be in accordance with Supplementary Guidance Planning Application Advice Note No. 3: Private and Public Open Space in Residential Development (CD 8).

It should be noted that a significant area of open space is designated on the LDP Proposals Map immediately to the east of the St Gabriel’s housing site (ref. ‘r44’), Braeside Road, with a view to its retention as open space in the adopted Plan.

No modifications recommended.

Reporter's conclusions:

1. One of the representations seeks the council to carry out a case-by-case review of all open space in urban areas, in line with national policy set out in the Scottish Planning Policy (SPP). This is with a view to areas currently designated as open space in the plan that do not serve a positive open space function to be considered for other appropriate uses such as housing.
2. In response, the council states that in the period since 2011 it has undertaken the first stage of an Open Space Review to identify all open spaces across the Inverclyde plan area – and those exceeding 0.1 hectares in area are all shown on the Proposals Map of the proposed new plan. The council acknowledges, however, that it has yet to complete the next stage of that review which will assess the quality of those spaces, in consultation with relevant communities. This is with a view to examining how those areas of open space that are surplus to requirements can be put to better use. It confirms that this stage will be reported when the Local Development Plan Action Programme is updated.
3. The SPP requires planning authorities to undertake an audit of all types of open space resources in its area and to assess how well, in quantitative and qualitative terms, this meets the needs of the community. The SPP then requires each planning authority to prepare an open space strategy, setting out its vision for new and improved open space. It also states that these audits and strategies should be reviewed regularly and linked to development plan preparation and the provision of supplementary guidance on these matters.
4. In this context, whilst it would have been preferable for the open space audit and strategy to have been completed prior to the finalisation of the new plan, clearly this has not been possible in this case. Nevertheless, I am satisfied by the reassurances provided by the planning authority that the matter is in hand and the results, as well as being reported in the Action Programme, will feed into the next review of the plan and its associated Proposals Map. Given the time that such open space audits and associated strategies take to compile, I conclude that it is not practical to hold up the proposed plan now at examination pending this work being completed.
5. The other representation expresses concern that if the now cleared sites of the former Ravenscraig Primary School and St Gabriel's Primary school in Greenock are allocated and developed for housing, as proposed in the new plan, this would mean the loss of the last remaining open spaces in their respective areas. The representation goes on to argue that the St Gabriel's site should no longer be allocated for housing but retained as designated open space.
6. Representations specifically in respect of the merits of the housing designations of each of these two sites are dealt with separately in section 7.3 of this report. Here I am concerned only with the case put forward for retention of the St Gabriel's site as open space and its re-designation on that basis in the new plan.
7. In response, the council points out that the St Gabriel's School was still standing when stage one of the open space review was undertaken, so the site was not included at that time. In that context I am satisfied by the authority's explanation that the matter of open space retention on that particular site will be considered as part of the assessment of any planning application for development of the site – taking into consideration the development plan policies and the supplementary guidance that applies to such cases.

Finally, as the council points out, I note that there is a significant area of designated open space immediately to the east of the St Gabriel's site, as shown on the local development plan Proposals Map, that would remain unaltered in the proposed plan.

8. Based on all of these considerations I conclude that there is no justification for modifying the plan in response to the representations lodged.

Reporter's recommendations:

No modifications

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| Issue 15 | Tree Preservation Orders | | | | | | | | | |
| Development plan reference: | Chapter 8, page 63 , paragraph 8.3; Policy ENV6 | Reporter: Stephen Hall | | | | | | | | |
| Body or person(s) submitting a representation raising the issue (including reference number): | | | | | | | | | | |
| Archibald Brown: Friends of Milton Wood (12) Billy Pickett (14) David Walker (27) Donna Pickett: Friends of Milton Wood (30) Graham Biggart (32) Rosemary Biggart (65) Susan Biggart (76) Cardwell Bay and Greenock West Community Council (37) Mary Isobel McCully (54) James Delaney (39) Simon Hutton (70) | | | | | | | | | | |
| Provision of the development plan to which the issue relates: | Protection of trees and woodland | | | | | | | | | |
| Planning authority's summary of the representation(s): | | | | | | | | | | |
| <p>Milton/Duchal Wood, Kilmacolm</p> <table><tr><td><u>Archibald Brown</u> (12)</td><td><u>Donna Pickett</u> (30)</td></tr><tr><td><u>Billy Pickett</u> (14)</td><td><u>Graham Biggart</u> (32)</td></tr><tr><td><u>David Walker</u> (27)</td><td><u>Rosemary Biggart</u> (65)</td></tr><tr><td></td><td><u>Susan Biggart</u> (76)</td></tr></table> <p>State that the Green Belt wedge of Milton Wood has been under threat for the last 25 years. Note the wood is protected by Green Belt, SINC, Core Path and Garden and Designed Landscape designations. Cite paragraph 8.3 of the Plan and the importance of protecting Milton Wood for future generations. Note that other parts of Kilmacolm have been protected by TPOs and that there have been no recent additions to Inverclyde's TPO list. State that the Wood is used as an educational resource.</p> <p>The above comments are accompanied by a Report 'Tree Preservation Order – Milton Woods' describing the area, defining the area they would wish covered by the TPO, and detailing designations and policies covering the area.</p> <p><u>Donna Pickett</u> (30) in addition to the points above, also</p> <p>Recognises that policy ENV6, Trees and Woodland (a) Tree Preservation Orders protects trees and woodland through TPOs and believes that the Milton/Duchal Wood area is of importance for nature conservation. Contends there is a publicised need to protect the entrances to older estates such as Duchal.</p> | | | <u>Archibald Brown</u> (12) | <u>Donna Pickett</u> (30) | <u>Billy Pickett</u> (14) | <u>Graham Biggart</u> (32) | <u>David Walker</u> (27) | <u>Rosemary Biggart</u> (65) | | <u>Susan Biggart</u> (76) |
| <u>Archibald Brown</u> (12) | <u>Donna Pickett</u> (30) | | | | | | | | | |
| <u>Billy Pickett</u> (14) | <u>Graham Biggart</u> (32) | | | | | | | | | |
| <u>David Walker</u> (27) | <u>Rosemary Biggart</u> (65) | | | | | | | | | |
| | <u>Susan Biggart</u> (76) | | | | | | | | | |

Cardwell Bay and Greenock West End

Cardwell Bay and Greenock West Community Council (37)

States there is a distinct lack of TPOs in Cardwell Bay and Greenock West at the following locations:

- Cove Road and the area between Cove Road and Battery Park, Gourrock
- Steel Street, Gourrock
- Adam Street, Gourrock
- Eldon Street, Greenock
- All trees in the West End Conservation Area (as outlined in the Local Plan map).

Believes the Council should take the opportunity to assign more TPOs.

Former Broadstone Hospital, Port Glasgow (r11)

Mary Isobel McCully (54)

Believes an area in Broadstone Avenue, Port Glasgow, which is identified for housing development and was part of the former Broadstone Hospital and contained a market garden and orchard, has some interesting trees.

Lower Mary Street, Port Glasgow (r10)

James Delaney (39)

Simon Hutton (71)

The land on the proposed housing site at Lower Mary Street, Port Glasgow contains a significant number of mature trees, a burn and local wildlife, including owls, bats, squirrels and foxes. The woodland paths provide access to local amenities.

Modifications sought by those submitting representations:

Milton/ Duchal Wood, Kilmacolm

Archibald Brown (12)

Billy Pickett (14)

David Walker (27)

Donna Pickett (30)

Graham Biggart (32)

Rosemary Biggart (65)

Susan Biggart (76)

Designate a TPO, covering the area of Milton/Duchal Wood specified in the submitted report, as a means of protecting this urban space for future generations.

Cardwell Bay and Greenock West End

Cardwell Bay and Greenock West Community Council (37)

Assign a TPO to trees at the locations identified.

Former Broadstone Hospital, Port Glasgow (r11)

Mary Isobel McCully (54)

Protect the trees on the site at Broadstone Avenue through Policy ENV6.

Lower Mary Street, Port Glasgow (r10)

James Delaney (39)

Simon Hutton (71)

Afford protection to the trees and woodland on the site for future generations through Policy ENV6 and TPOs.

James Delaney (39)

Reclassify the area as Green Belt.

Summary of responses (including reasons) by planning authority:

Milton/ Duchal Wood, Kilmacolm

Background: Information on the proposed housing development at Milton Wood is contained in **Issue 9(.1)** – Housing Sites Not Included in the Proposed Plan: Milton Wood (Police House Field site), Kilmacolm.

Archibald Brown (12)

Donna Pickett (30)

Billy Pickett (14)

Graham Biggart (32)

David Walker (27)

Rosemary Biggart (65)

Susan Biggart (76)

Trees without a TPO such as those within Milton/Duchal Wood will have protection under Policy ENV6 Trees and Woodland, criterion (b) (i) – (iv) through promoting the planting of a variety of species, protecting and promoting positive management of trees and woodlands and encouraging the planting of appropriate trees in new developments.

Milton/Duchal Wood is currently designated as Green Belt and a Garden and Designed Landscape, and has a Site of Importance for Nature Conservation and Core Path within it, affording it a great deal of protection. Policy ENV2 sets out the conditions whereby development in the Green Belt would be permitted, including consideration of the proposed use of land, the impact on the environmental resource, landscape character, visual amenity, and having regard to other relevant LDP policies. Policy HER7 states that development will only be permitted where there is no adverse impact on the Gardens and Designed Landscapes, and identifies specific criteria that need to be satisfied in the consideration of any proposal. Development proposals which would adversely affect a designated environmental resource will not normally be permitted, and Policy ENV1 identifies criteria against which proposals will be assessed. Policy ENV3 addresses the safeguarding and enhancing of the Green Network.

Any removal of trees within the Wood has been carried out with a felling licence under a formal woodland management agreement with the Forestry Commission Scotland and with

a requirement for replanting, as explained in the letter from Simon MacGillivray, Chartered Forester (CD43).

Pressure for development within the wood, through previous applications - 09/0226/IC and 12/0150/IC (CD59) since the 2005 adopted Inverclyde Local Plan (CD13) - has been withstood using these existing designations.

The existence of TPOs in other parts of Kilmacolm and the lack of any recent TPO designations is not justification for creating one at Milton/Duchal Wood. They are designated based on the need for protection of trees, not a quota.

It is the Council's view that the existing designations are sufficient to protect Milton/Duchal Wood for future generations as both a leisure and educational resource.

Recommend no modifications.

Cardwell Bay and Greenock West End

Cardwell Bay and Greenock West Community Council (37)

Trees that are not covered by a TPO are still protected by Policy ENV6 Trees and Woodlands, criterion (b) (ii) 'protecting and promoting the positive management of hedgerows, street trees and any other trees considered to contribute to the amenity of the area'.

Within the Greenock West End Conservation Area, trees not covered by a TPO have additional protection as it is necessary to give the Council **six** weeks notice prior to carrying out any works on a tree (Planning Circular 1/2011 'Tree Preservation Orders', paragraph 73). (CD23).

None of the trees in the areas specified are in danger of deliberate damage or destruction, to make a TPO necessary. The trees in all the areas identified are on roadways, pavements or within parks and are therefore under the control of the Council. Unless they are causing problems they would be maintained or replaced and so are not under threat and requiring a TPO. TPOs are used to afford trees protection where it is required. They are not issued on a quota basis for each area.

Recommend no modifications.

Former Broadstone Hospital, Port Glasgow (r11)

Background: This square, sloping site is completely enclosed and has a thick covering of naturally regenerated vegetation. Information on the proposed housing development at the former Broadstone Hospital (Broadstone Avenue) is contained in **Issue 7(.2):** Housing Sites in the Proposed Plan – Port Glasgow.

Mary Isobel McCully (54)

The future of the trees will be determined through any planning application. There will be an opportunity at the application stage to comment on the retention of the trees. Any trees that remain on the site thereafter will be protected by Policy ENV6 (b) (ii) protecting and promoting the positive management of trees considered to contribute to the amenity of the area.

Recommend no modifications.

Lower Mary Street, Port Glasgow (r10)

Background: This fairly level site is divided into three separate parts, is partially wooded and with footpaths running alongside and through it. Information on the proposed housing development at Lower Mary Street, is contained in **Issue 7(.2):** Housing Sites in the Proposed Plan – Port Glasgow.

James Delaney (39)Simon Hutton (71)

This site was not identified as open space in the Open Space Review of 2011 (CD42) because of its identification as part of the wider Port Glasgow Waterfront (Town Centre Extension) Special Development Area in the adopted Local Plan (CD13). Discussions for the redevelopment of the area for a mix of town centre, retail, housing and environmental improvements have been ongoing for a considerable period of time, with this particular site having been discussed with a RSL as a priority site. By the time of the preparation of the Local Development Plan, the area of land had been formally identified as a housing development opportunity site.

The future of the trees will be determined through the planning application. There will be an opportunity at the application stage to comment on the retention of the trees. Any trees that remain on the site thereafter will be protected by Policy ENV6 (b) (ii) protecting and promoting the positive management of trees considered to contribute to the amenity of the area.

James Delaney (39)

The site lies within the urban area without a physical link to the surrounding countryside and would therefore not be appropriate for a Green Belt designation.

Recommend no modifications.

Reporter's conclusions:Milton/ Duchal Wood, Kilmacolm

1. A number of representees argue that a tree preservation order should be designated to cover this area of woodland. There is no dispute that these woods are a valuable and attractive feature, much used and enjoyed by local people. The northern end of the woods are close to the centre of Kilmacolm and make a strong contribution to the character of the village. A track (Core Path 46) offers ready access to the woods and wider countryside

from the urban area, and was well-used by walkers at the time of my site inspection.

2. Paragraph 146 of Scottish Planning Policy states that woodland of high nature conservation value should be identified in development plans along with relevant policies for its protection and enhancement. In the case of Milton/ Duchal Woods, these are identified on the proposals map as a site of importance for nature conservation and are thus protected from development under Policy ENV1(b). The wood's designation as green belt and as a designed landscape also brings protection under Policies ENV2 and HER7. However it must be noted that while these policies provide protection from adverse development, they cannot prevent felling of trees as such works do not constitute development.

3. Woodland removal is controlled separately from the planning system by the Forestry Commission under the felling licence system. The Scottish Government's Policy on Control of Woodland Removal provides policy direction for decisions on woodland removal. It contains a strong presumption in favour of protecting Scotland's woods and states that woodland removal should only be allowed where it would achieve significant and clearly defined additional public benefits.

4. The planning authority has submitted a letter from the landowner's forestry consultant stating that the Forestry Commission has been involved in the ongoing management of all the estate woodlands. The letter states that the Forestry Commission ensures any areas of clear felling are subsequently replanted, and had approved recent thinning work as being in accordance with sound management.

5. Milton/ Duchal Woods are therefore subject to a good degree of protection already. However, it would certainly be open to Inverclyde Council to also designate a tree preservation order covering these woods. Though such orders are perhaps more usually associated with urban locations, there is nothing to prevent an order being made to protect trees, as here, in the countryside.

6. The process for making tree preservation orders derives from a wholly different part of the Town and Country Planning (Scotland) Act 1997 (as amended) from the part concerned with development plans. While a development plan could refer to an authority's intention to make an order, plans cannot themselves be used to put an order in place. Equally it remains open to the authority to make an order covering any trees where it appears expedient in the interests of amenity for them to do so, regardless of how those trees are shown or described in the development plan.

7. Paragraph 117 of Circular 6/2013: Development Planning advises me only to modify those parts of the plan that are clearly inappropriate or insufficient. In my view it is not a key role for development plans to identify additional trees or woodlands in the area that are worthy of tree preservation orders. In this case, while these woods are undoubtedly worthy of protection, a range of measures already exist both within and separately from the planning system that should serve to secure them for the future. It is open to the authority to pursue a tree preservation order separately from the local development plan process. In these circumstances I conclude that it is not necessary to promote such an order through the plan.

Cardwell Bay and Greenock West End

8. The Cardwell Bay and Greenock West Community Council argues that further tree

preservation orders should be promoted in a number of local streets and the Greenock West End Conservation Area. I agree that many of the trees, particularly street trees, contribute strongly and positively to the area's character.

9. The authority argues that, in the absence of a preservation order, valuable trees are nevertheless protected by Policy ENV6(b)(ii), though this will only be the case where a felling licence is required i.e. for larger trees that are not in private gardens or certain other locations. It is also the case that trees within the Greenock West End Conservation Area cannot be felled without six weeks' prior notification to the council (allowing time for a tree preservation order to be made if necessary).

10. Planning authorities are enabled, but not required, to make tree preservation orders. As described above in relation to the Milton/ Duchal Woods, I am only tasked with modifying those parts of plans that are clearly inappropriate or insufficient. Identifying new tree preservation orders is not a key role for development plans, and can be pursued by the authority separately. In any event a range of measures already exist both within and separately from the planning system that offer some protection to these trees. Overall I conclude that, while some trees in this area may be worthy of protection through tree preservation orders, it is not necessary to promote such an order through the plan.

Former Broadstone Hospital

11. It does not appear to me that the representation from Mrs McCully is necessarily seeking tree preservation orders to be made at the former Broadstone Hospital site, Port Glasgow. Rather, the representation is arguing that the value of the existing tree cover on the site contributes to the case that the site should not be developed. These matters are discussed fully under Issue 7.2.

Lower Mary Street, Port Glasgow

12. The arguments for a tree preservation order to be designated covering the wooded area at Lower Mary Street, Port Glasgow form part of a wider case that this site should not be allocated for development as part of site r10 under Policy RES3. This matter is discussed at Issue 7.2. Otherwise, similar considerations apply as for the other locations discussed above, leading me to conclude that it is not necessary to pursue a tree preservation order through the local development plan.

Reporter's recommendations:

No modifications

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| Issue 16 | Conservation Areas | |
| Development plan reference: | Chapter 9, pages 73-74 Policies HER1 and HER2 | Reporter: Stephen Hall |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| Cllr David Wilson (28) Kilmacolm Civic Trust (63) | | |
| Provision of the development plan to which the issue relates: | Designation and protection of conservation areas | |
| Planning authority's summary of the representation(s): | | |
| <p>Proposed Kilmacolm Conservation Area</p> <p><u>Cllr David Wilson</u> (28)</p> <p>Disagrees with the proposed conservation area at The Cross, Kilmacolm as it will be too restrictive on shops and flatted houses</p> <p><u>Kilmacolm Civic Trust</u> (63)</p> <p>Fully supports the proposed conservation area at The Cross, Kilmacolm</p> <p>Policy HER1 and Policy HER2</p> <p><u>Kilmacolm Civic Trust</u> (63)</p> <p>Believes Policies HER1 and HER2 need to be worded more strongly to reflect that the consideration of the environmental setting is critical, particularly in relation to the Old Community Centre in Kilmacolm</p> | | |
| Modifications sought by those submitting representations: | | |
| <p>Proposed Kilmacolm Conservation Area</p> <p><u>Cllr David Wilson</u> (28)</p> <p>Removal of the proposed Kilmacolm conservation area from the Local Development Plan.</p> <p><u>Kilmacolm Civic Trust</u> (63)</p> <p>Progress the proposed Kilmacolm conservation area through the Local Development Plan.</p> | | |

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| <p>Policy HER1 and Policy HER2</p> <p><u>Kilmacolm Civic Trust (63)</u></p> <p>Strengthen the wording of Policies HER1 and HER2 to afford greater protection to the environmental setting of conservation areas.</p> |
| <p>Summary of responses (including reasons) by planning authority:</p> <p>Proposed Kilmacolm Conservation Area</p> <p><u>Cllr David Wilson (28)</u> <u>Kilmacolm Civic Trust (63)</u></p> <p>The boundary of the proposed conservation area was defined on the principles of uses/activities, history, architecture, character and setting. The significance of the area lies in the amount of the Victorian village centre which largely remains intact with little significant 20th century development. Piecemeal change, however, or unsympathetic larger development threatens to dilute the character and special interest of the village.</p> <p>During the Main Issues Report (MIR) (CD10) consultation process, the proposed conservation area was welcomed by Historic Scotland as having merit. Scottish Civic Trust (SCT) was commissioned to prepare an assessment of the proposed conservation area. They carried out a further consultation with local stakeholders, businesses and the Community Council on comments submitted at the MIR stage. The benefits and implications of conservation area designation were presented and discussed and a range of views obtained.</p> <p>The burden on property/business owners from reduced Permitted Development rights were a concern but these were countered with the possibility that increased attractiveness of the village centre (from the use of appropriate materials and sympathetic redevelopment) could lead to an increase in business. The report on The Assessment of the Proposed Kilmacolm Cross Conservation Area (CD41) contains a summary of the issues raised and how it was proposed to take them forward.</p> <p>Kilmacolm Civic Trust has now submitted a representation in favour of the proposed conservation area, while the Community Council has intimated it welcomes the principle of the conservation area but with further detailed consultation on it in future. Full public consultation on the finalised conservation area boundary will be carried out once the Plan is adopted with a view to getting it confirmed by the Scottish Ministers prior to pursuing an Article 4 Direction. No other objections to the proposed conservation area have been received apart from Cllr Wilson's.</p> <p>No modifications recommended.</p> |
| <p>Policy HER1 and Policy HER2</p> <p><u>Kilmacolm Civic Trust (63)</u></p> <p>Policies HER1 and HER2 state that proposals within conservation areas will be assessed having regard to Historic Scotland's Scottish Historic Environment Policy (SHEP) and the</p> |

series of Managing Change in the Historic Environment guidance notes. These are national policy and guidance documents written by the experts in this field. The Council is confident that it has taken account of the protection that needs to be afforded to the environmental setting in conservation areas.

No modifications recommended.

Reporter's conclusions:

Proposed Kilmacolm (The Cross) Conservation Area

1. I agree with the authority's description of this area of Kilmacolm as a largely intact Victorian village centre. It appears to me to provide a good example of a small Victorian/ Edwardian shopping/ civic centre, still relatively unchanged from the form it would have taken presumably to serve the village's expanding population after the coming of the railway. I consider that the authority could reasonably have concluded that the area is of sufficient architectural or historic interest as to make it worthy of preservation and enhancement as a conservation area.

2. Section 61 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places planning authorities under a duty to designate those parts of their areas that are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance as conservation areas. Therefore if the council considers that The Cross, Kilmacolm meets this description, the law indicates it should designate the area as a conservation area regardless of the impact of any potential restrictions that accompany the designation. Annex 3 to the Scottish Historic Environment Policy supplies criteria for the designation of a conservation area. These include principles relating to architectural or historic interest and character. The potential for undesirable restrictions on shops and flats is not included as a factor to be considered when deciding whether to designate a conservation area. I therefore conclude that the proposal for a conservation area at The Cross, Kilmacolm should remain in the plan.

Policies HER1 and HER2

3. Kilmacolm Civic Trust seeks a strengthening of Policies HER1 and HER2 to require new development to enhance the character of the area and incorporate consideration of setting. In response, the authority points to the inclusion of references in both policies to the Scottish Historic Environment Policy and Historic Scotland's Managing Change in the Historic Environment series.

4. Paragraph 115 of Scottish Planning Policy states that planning permission should normally be refused for development within a conservation area that fails to preserve or enhance the character or appearance of the area. It also explains that development that does no harm to the conservation area may be treated as preserving its character or appearance. It is not therefore open to me to amend the plan to require new development only to enhance conservation areas.

5. Policy HER1 requires development to be sympathetic to the character, pattern of development and appearance of the area. This form of words varies from that used in Scottish Planning Policy, and relates less closely to the legislative basis for conservation area controls. However in my view the wording of the policy is not inconsistent with, or materially weaker than, the national approach. I conclude that no change to Policy HER1

is required.

6. Policy HER2 contains a presumption against the demolition of buildings in conservation areas. This statement already appears stronger than the policy on demolitions contained in paragraph 116 of Scottish Planning Policy, which merely states that the merits of the building and its contribution to the character of the conservation area are key considerations when assessing demolition proposals. I do not therefore support any further strengthening of Policy HER2 as sought by the representee.

Reporter's recommendations:

No modifications

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| Issue 17 | Gardens and Designed Landscapes (Enabling Development) | |
| Development plan reference: | Chapter 9, Policy HER7 Chapter 6, Policy RES7 | Reporter: Stephen Hall |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| Cllr David Wilson (28) Ms Donna Pickett (Friends of Milton Wood) (30) Mr Ralph Leishman (62) Kilmacolm Civic Trust (63) Ms Rosemary Biggart (65) Kilmacolm Community Council (71) Duchal Estate (73) Ms Susan Biggart (76) | | |
| Provision of the development plan to which the issue relates: | Policy on Gardens and Designed Landscapes and Enabling Development | |
| Planning authority's summary of the representation(s): | | |
| <p><u>Cllr David Wilson</u> (28)</p> <p>Supports the Gardens and Designed Landscapes for Ardgowan, Finlaystone and Duchal Estates, but believes that the criteria are too restrictive.</p> <p><u>Ms Donna Pickett (Friends of Milton Wood)</u> (30) <u>Mr Ralph Leishman</u> (62) <u>Ms Rosemary Biggart</u> (65) <u>Ms Susan Biggart</u> (76)</p> <p>As the current Scottish Government's "Enabling Development" approach towards 'A' listed buildings is based on the English Heritage version, more rigour should be added to the policy. Two additional criteria should be added to Policy HER7, and one criterion removed.</p> <p><u>Kilmacolm Civic Trust</u> (63)</p> <p>Welcomes the enabling policies, but they are inconsistent, not robust enough nor complete.</p> <p>Policy HER7 only allows enabling development within the Designed Landscapes, which are of greater landscape value than the surrounding Green Belt. Policy RES7 would not allow for enabling development in respect of the three grade 'A' listed buildings, nor for the restoration of any grade 'B' or 'C' properties, e.g. listed outbuildings in connection with the grade 'A' building.</p> <p>It is considered that enabling, and consequent loss of Green Belt land, for Grade 'C' listed buildings, is not justified at this stage.</p> | | |

Kilmacolm Community Council (71)

Welcomes the recognition that 'enabling' requires a specific policy and not just relying on the Green Belt policy. Considers that there are inconsistencies and ambiguities between policies RES7 and HER7, and that a clear policy for Enabling Development needs to be published and consulted upon, accompanied by supplementary guidance to cover the details, prior to the policy being implemented. The areas that are unclear are:

- whether an enabling development proposal in the Green Belt, but outside a Designed Landscape, will receive more favourable treatment than a purely profit seeking application in the Green Belt
- there is no mention of listed buildings below 'A' status
- whether the proposed policies apply to outbuildings of a lower grade of listing than the associated main building
- the interaction of the two policies is unclear, and could be read in a way as to give an incentive for the owner of a qualifying building to locate a new development in the Designated Landscape rather than elsewhere in the Green Belt.

Duchal Estate (73)

Supports the principle of Policy HER7 where enabling development will be considered in a favourable manner, subject to certain criteria.

However objection is made to Policy HER7 with direct reference to the land promoted for residential development behind the former Police House field site as part of Duchal Estate in Kilmacolm. There were no statutory objections against the recent planning application for a substantial school development on the Police House field site for which the Head of Regeneration and Planning recommended approval. On the basis of consistency, the proposal for residential development on this site should be considered in the same context, and in terms of the associated specialist reports on habitat, tree survey and landscape, development on this site is considered appropriate.

Modifications sought by those submitting representations:

Cllr David Wilson (28)

None stated.

Ms Donna Pickett (Friends of Milton Wood) (30)

Mr Ralph Leishman (62)

Ms Rosemary Biggart (65)

Ms Susan Biggart (76)

Insert the following criteria into policy HER7:

- it is necessary to resolve problems arising from the inherent needs of the place, rather than the circumstances of the present owner, or the purchase price paid. In addition, it must be shown that sufficient funds are not available from any other sources
- it will not materially harm the heritage values of the place or its setting.

Remove the following criterion from policy HER7:

- it can be demonstrated that available sources of financial assistance have been investigated without success.

Kilmacolm Civic Trust (63)

Would like to see an explicit enabling policy which relates to the three grade 'A' buildings, protecting the Designed Landscapes at least as much as the Green Belt. HER7 should expand to include:

- the proposals are capable of securing its long term future
- any benefit to the public/community is a new benefit and not historic. The processes for establishing and agreeing the benefit is set out in policy
- applications for planning permission for enabling development must be made in detail
- the policy should not be implemented until the Supplementary Guidance notes are consulted upon and agreed
- the development has to meet standard residential development criteria of sustainability, etc.

Would also like to see a clear, strong policy on the use of enabling development for grade 'B' listed structures which should apply the same rigour as to grade 'A' premises. Where a grade 'B' listed building is associated with grade 'A' buildings, their conservation should only be permitted once the grade 'A' building was secure or not at risk for at least 20 years.

Supplementary Guidance on enabling should address all categories of listed building.

Kilmacolm Community Council (71)

A clear policy should:

- spell out the policy applying to all development intended to fund the preservation of listed buildings
- recognise that the development should not only be the minimum necessary, but also incorporate a maintenance plan to ensure that the development being considered is not part of a longer term piecemeal erosion of something (e.g. Green Belt) that would otherwise be retained
- expose the financial balance between development and conservation to public scrutiny. This should include market testing as the issue is about saving the building and not the owner's right to stay in it
- expose the nature and extent of public benefit.

Duchal Estate (73)

It is requested that Policy HER7 is deleted as part of this development proposal (i.e. on the Police House Field site, off Lochwinnoch Road, Kilmacolm).

Summary of responses (including reasons) by planning authority:

General

Inverclyde Council is supportive of the inclusion of specific criteria for the purposes of enabling development for the 'A' listed buildings associated with the three Gardens and Designed Landscapes in Inverclyde. Any proposals for enabling development associated

with other listed buildings in categories 'A', 'B' or 'C' will be considered against other relevant LDP policies and on their individual merits. This is the reason why there is no general enabling policy – the policy is about protecting and securing the 'A' listed buildings associated with the Gardens and Designed Landscapes, and enabling is mentioned as being appropriate in certain circumstances in these designations.

The reason for singling out the three Gardens and Designed Landscapes for policy protection relates to the national importance of the 'A' listed buildings within the designations. All sites included in the Inventory of Gardens and Designed Landscapes is assessed for its condition, integrity and its level of importance, using criteria set out in Annex 5 of the Scottish Historic Environment Policy document (CD49). One of the criterion is 'architectural value' and Historic Scotland rate Duchal House, Ardgowan House and Finlaystone House as being of outstanding architectural value, the highest rating that can be achieved, as stated in the extract from Historic Scotland website (CD49).

The inclusion of a proposal to incorporate enabling within the Gardens and Designed Landscapes policy relates to pressure that two of these locations have come under – Duchal and Ardgowan. In addition, Duchal Estate specifically asked for the inclusion of an enabling policy in the LDP.

Previous similar development proposals in the Green Belt that have been approved on the basis of 'enabling', e.g. Auchenbothie House, off Port Glasgow Road (to the north west of Kilmacolm), the former Bridge of Weir Hospital to the east of Quarriers Village and Langhouse near Inverkip, have been considered successful. They were assessed against local plan policies in a satisfactory manner without the need for a specific enabling policy.

Cllr David Wilson (28)

The purpose of the policy is to only allow enabling development for the houses associated with the Gardens and Designed Landscapes when it is the **only** means of retaining the listed building. It is intended that the policy is testing and planning applications would only be successful if all the relevant criteria identified in Policy HER7 were met.

Ms Donna Pickett (Friends of Milton Wood) (30)

Mr Ralph Leishman (62)

Ms Rosemary Biggart (65)

Ms Susan Biggart (76)

It is the view of the Council that the criteria identified within Policy HER7 are appropriate in order to balance the necessary protection against the benefit to the community. It is felt that Policy HER7 has sufficient rigour, as the policy states that enabling development will be considered favourably where it is "the only means of retaining the listed building and gardens". Proposals also have to be assessed against the stated criteria, which includes investigating other sources of finance and that the designation and its setting are protected.

Kilmacolm Civic Trust (63), Kilmacolm Community Council (71)

Inverclyde Council consider that Policy HER7 is consistent and robust. The reason for the policy only applying to the designated Gardens and Designed Landscapes, areas which have greater landscape value than the surrounding Green Belt, is because of the importance of the 'A' listed buildings to their respective landscapes. The policy states that

enabling development will only be permitted “where there is no adverse impact on the resource” – it is considered that the policy has at least as much protection as the Green Belt policy.

The policy does not preclude enabling development on land outwith the Gardens and Designed Landscapes to assist in retaining the ‘A’ listed buildings, and in this regard other relevant policies would apply. Policy HER7 only applies to development within the boundaries of the designated Gardens and Designed Landscapes.

The policy is only designed to protect and secure the ‘A’ listed buildings associated with the Gardens and Designed Landscapes for the future. It is not intended to be applied to other listed buildings, where each one will be considered against the relevant policies of the Plan on their merits, as has been successfully achieved in the past.

The restoration of ‘B’ and ‘C’ listed buildings associated with the Gardens and Designed Landscapes will be considered on their merits and against the relevant policies of the Plan (e.g. ENV2 and RES7). The Council does not agree that ‘B’ listed buildings should be the subject of an enabling policy.

Policy HER7 as it stands is considered to address the matters of the long term future and public benefit (new, not historic).

Planning applications will require to be made in detail, as all applications relating to listed buildings are required to do.

Duchal Estate (73)

The Council welcomes the support for Policy HER7, but disagrees that the policy should not apply to the proposed development at the Police House field site. It should apply to all and any type of development within the designated Gardens and Designed Landscapes. Policy HER7 makes it clear that, for an enabling development proposal, it must be demonstrated that available sources of financial assistance have been investigated without success – this would include the ability of the owner to fund the necessary works to the ‘A’ listed building.

Any proposal for residential development within the Gardens and Designed Landscapes area that is not to be associated with ‘enabling’ will be considered against the relevant policies and on its merits. However, if a subsequent application for an enabling development should be submitted, the financial benefits that have accrued from the previous approved residential development would be taken into account.

In conclusion, it is the view of the Council that Policy HER7 is both clear and robust, and it is not proposed to amend the policy.

However, if the Reporter feels that further information and detail on the how the policy will be applied is required, the preparation of supplementary guidance on enabling development in relation to the Gardens and Designed Landscapes would be acceptable to the Council.

Reporter's conclusions:

1. An initial overarching point that has been made in relation to this issue is that the policy for enabling development should not be limited to the three category A listed buildings within sites listed in the Inventory of Gardens and Designed Landscapes, but should apply to listed buildings (at least of categories A and B) throughout the plan area.
2. National policy on enabling development is set out in paragraph 114 of Scottish Planning Policy. Here it is stated that enabling development may be acceptable where it can be shown to be the only means of retaining a listed building. No distinction is made between the approaches that should be taken to different categories of building. Table 9.1 of the proposed plan records that there are 25 A-listed buildings in Inverclyde, 145 B-listed buildings and 74 C-listed buildings.
3. The authority's justification for picking out only three of the A listed buildings for coverage by the plan's enabling development policy is firstly that proposals involving other listed buildings can be considered against other relevant plan policies. However I find that the other policies most likely to be relevant when considering proposals for enabling development in situations where permission would otherwise be unlikely to be forthcoming (e.g. in the countryside) do not offer any support for such development. Notably none of the criteria in Policy RES 7 – Residential Development in the Green Belt and Countryside would support new build enabling development.
4. The authority also argue that these three listed buildings have been singled out because they are noted as having outstanding architectural value in the Inventory of Gardens and Designed Landscapes. However my reading of the inventory is that these outstanding values have been assigned to the gardens/ designed landscapes due to there being an A-listed building within them. There is no suggestion in the inventory that these buildings have a higher value than any other A-listed building not associated with a historic garden or landscape.
5. I have no reason to suppose that enabling development is only likely to arise as an issue in the case of the three listed buildings affected by the proposed policy. Indeed representees have pointed to a number of examples of development proposals where enabling development to support the preservation of a listed building has been, or may be, a relevant factor. Such proposals may not be uncommon, and it appears the authority is willing to consider arguments for enabling development in these circumstances. It is therefore unsatisfactory, particularly given the national policy position, that the proposed plan restricts its consideration of enabling development in the way that it has done. I conclude that policy for enabling development should be extended to cover all listed buildings.
6. Proposed Policy HER7 purports to be about gardens and designed landscapes, but is actually mainly concerned with enabling development. I consider that a better approach would be to remove the material dealing with enabling development from this part of the plan altogether, and instead to add a new policy dealing with enabling development in the listed buildings section of the plan. I recommend a suitable form of words below, based on the existing wording of proposed Policy HER7 and of Scottish Planning Policy.
7. A large number of individual suggestions have been made for amendments to Policy HER7. These include suggestions that the policy should: discount the present financial circumstances of the owner of the building; refer to protection of heritage value; secure the

long term future/ maintenance of the building; ensure any benefits are new and significant; require applications to be detailed; set out the process for establishing the benefit; require normal residential standards to be met; and incorporate market testing.

8. HER7 is already long and complex for what is a relatively specialist area of policy. Some of the suggestions listed in the previous paragraph may have merit and be worth investigating further. But to incorporate all these elements into the local development plan policy would produce an excessively detailed policy that would detract from the usability of the plan and be out of keeping with the approach taken to policy-writing elsewhere in the document.

9. Two representees refer to the possible use of supplementary guidance, and the authority has stated that a requirement to prepare such guidance would be acceptable to them. In my view this is the most practical way forward. The preparation of such guidance would give the authority time to consider the suggested approaches in more detail, and potentially discuss these with the representees. Supplementary guidance would also allow the space to explain some of the more complex considerations at greater length than is possible within the plan. Its use would allow a more concise policy to be included in the plan. I therefore conclude that such guidance should be prepared and accordingly include an appropriate 'hook' in the recommended new policy.

Reporter's recommendations:

I recommend that the plan be modified by:

1. deleting paragraph 9.8;
2. deleting the text of Policy HER7, with the exception of the first sentence; and
3. adding an additional policy after Policy HER5 to read:

"Enabling Development

Proposals for enabling development to support the restoration of listed buildings will be considered favourably where it is the only means of retaining the listed building. The resulting development should be of a high design quality, protect the listed building and its setting and be the minimum necessary to enable its conservation and re-use. The new development should be designed to retain and enhance the special interest, character and setting of the listed building. The Council will adopt further detailed policy on this topic, setting out the criteria that will be used to assess individual proposals, as supplementary guidance."

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| Issue 18 | Renewable Energy | |
| Development plan reference: | Chapter 10, pp77-78, paragraphs 10.2 - 10.5; Policy INF1 Chapter 2, pp.9-10, paragraph 2.8; Policy SDS1 Chapter 4, p.27; Policy ECN4 | Reporter: Stephen Hall |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| Inverclyde Renewables LLP (22) Inverkip & Wemyss Bay Community Council (31) Save Your Regional Park (42) Kilmacolm Civic Trust (63) | | |
| Provision of the development plan to which the issue relates: | Wind energy developments | |
| Planning authority's summary of the representation(s): | | |
| Wind Energy Developments – General | | |
| <u>Kilmacolm Civic Trust</u> (63) | | |
| Does not support wind farm construction in Inverclyde and sees no case for individual or small scale wind turbine developments around Kilmacolm. The use of threshold and landscape capacity when assessing wind energy applications is important. | | |
| <u>Inverkip & Wemyss Bay Community Council</u> (31) | | |
| Notes that national guidance on the distance for siting wind turbines from a residential area is 'up to 2km' rather than a specific distance. | | |
| Wind Energy Developments within Clyde Muirshiel Regional Park | | |
| <u>Kilmacolm Civic Trust</u> (63) | | |
| Strongly opposes wind farm development in any part of Clyde Muirshiel Regional Park (CMRC). | | |
| <u>Inverkip & Wemyss Bay Community Council</u> (31) | | |
| Notes the Council's intention to safeguard CMRP and reconcile the benefits of renewable energy developments with any detrimental effects on the Park while at the same time there are increased numbers of applications for small and large scale farms. | | |
| <u>Save Your Regional Park</u> (42) | | |
| Notes that a substantial part of Inverclyde is within CMRP. States there has been an | | |

increase in planning applications for wind turbines in the last decade and there is potential for this type of development to damage CMRP and its resources. Believes industrial intrusion from wind farm developments is completely incompatible with the aims and objectives of CMRP and considers it is vital that CMRP is preserved from all pressures of industrialisation.

Policy INF1

Inverclyde Renewables LLP (22)

Believes the identification of significant effects by an Environmental Impact Assessment does not mean that such effects are to be considered unacceptable or that a development should not be granted consent if such effects are identified.

Kilmacolm Civic Trust (63)

Notes the importance of restoration and decommissioning plans for wind farms to leave as little trace as possible at the end of their operational life.

Save Your Regional Park (42)

Maintains that noise, including low frequency sound, is the main health hazard from wind turbines too close to habitation.

Modifications sought by those submitting representations:

Wind Energy Developments - General

Kilmacolm Civic Trust (63)

Policy should state that no wind farm developments will be permitted within Inverclyde and that no individual or small scale wind turbines will be permitted around Kilmacolm. Single turbines and small windfarms should be considered as if they cumulatively form part of medium or large farm applications.

Inverkip & Wemyss Bay Community Council (31)

Include a statement in the Local Development Plan that wind turbine developments will not be permitted within 2km of residential areas.

Wind Energy Developments within Clyde Muirshiel Regional Park

Kilmacolm Civic Trust (63)

There should be no wind farm development in CMRP.

Inverkip & Wemyss Bay Community Council (31)

Include a statement in the Local Development Plan that large scale (more than 3 turbines) wind turbine developments will not be permitted within the boundaries of the CMRP.

Save Your Regional Park (42)

Include in Policy ECN4 a clear and unambiguous statement that no further 'industrial' development in the form of wind turbines will be permitted in CMRP.

Policy INF1

Inverclyde Renewables LLP (22)

Amend the wording of Policy INF1 to state that:

- "The Council will support development required for the generation of energy from renewable sources subject to the proposal not having **unacceptable** significant effects upon..." and
- Criterion (c) - "neighbouring settlements **by virtue of visual, noise or shadow flicker effects**"

Add the wording at the end of the Policy:

- **"In circumstances where unacceptable significant adverse effects are predicted then development proposals will be considered in terms of the associated social or economic benefits."**

Kilmacolm Civic Trust (63)

Build a requirement for restoration and decommissioning plans into Policy INF1.

Save Your Regional Park (42)

Include noise when considering the list of items upon which renewable energy development can have a significant adverse effect.

Summary of responses (including reasons) by planning authority:

Background

Supplementary Guidance on Renewable Energy has been prepared as part of the LDP (CD7).

Wind Energy Developments – General

Kilmacolm Civic Trust (63)

With Government targets, as identified in the 2020 Routemap for Renewable Energy in Scotland 2011 (CD25), to be met, it is not possible to rule out any wind energy developments in Inverclyde through Local Development Plan policy. Extensive criteria are

in place through Policy INF1 with additional guidance in the Supplementary Guidance on Renewable Energy (CD7) to ensure developments go to the most appropriate locations.

There is no particular reason why Kilmacolm should be singled out within Inverclyde for protection against the development of small scale or individual wind turbines. Applications for all areas within Inverclyde will be assessed equally against the criteria in Policy INF1.

A landscape capacity study for wind turbine developments is being prepared in association with the Glasgow and the Clyde Valley authorities for use in addressing the cumulative impact of wind energy applications. It is anticipated that this study will be completed in the first quarter of 2014.

No modifications recommended.

Inverkip & Wemyss Bay Community Council (31)

A distance of 'up to 2km' is given as a guide to allow for special local circumstances and geography to be taken into account, as stated in paragraph 190 of Scottish Planning Policy (CD20). It would therefore not be necessary or appropriate to include the specific distance of 2km in the LDP. The Council does not intend to change this through the Local Development Plan.

Wind Energy Developments within Clyde Muirshiel Regional Park

Kilmacolm Civic Trust (63)

Inverkip & Wemyss Bay Community Council (31)

Save Your Regional Park (42)

It is not necessary to specifically identify CMRP for protection from wind farm developments of 3 turbines or more. The criteria of Policy INF1 will ensure that development of an inappropriate scale will not be permitted. CMRP is also protected by other policies within the Plan as it lies within the Green Belt and Countryside, and has international, national and local natural and built heritage designations within its boundary. The relevant policies in the LDP are SDS8 - Green Belt and Countryside, ENV2 - Green Belt and Countryside, RES7 – Residential Development in the Green Belt and Countryside, ENV1 – Designated Environmental Resources, ENV7 – Biodiversity and HER6 – Development Affecting Archaeological Sites

There is a Framework Guidance Document (CD26) in place for wind farm developments in CMRP produced in association with the three local authorities covered by the Park. This document provides a background for the general consideration of all wind farms within Clyde Muirshiel Regional Park. It describes the Park Authority's aims and objectives and identifies the planning policies currently operating within the three Councils comprising the Park Authority – Inverclyde, Renfrewshire and North Ayrshire.

Save Your Regional Park (42)

Policy ECN4 could be applied to development in the Green Belt and Countryside area but generally relates to industry and business within the urban area. It is not necessary to amend this policy to take account of pressure on CMRP given the protection afforded it by other policies in the LDP which are SDS8 - Green Belt and Countryside, ENV2 - Green Belt and Countryside, RES7 – Residential Development in the Green Belt and Countryside,

ENV1 – Designated Environmental Resources, ENV7 – Biodiversity and HER6 – Development Affecting Archaeological Sites.

No modifications recommended.

Policy INF1

Inverclyde Renewables LLP (22)

The representee states that ‘significant effects’ should not imply that they would be unacceptable as some significant effects might be acceptable. However the wording of Policy INF1 is ‘significant **adverse** effects’ which does refer to a negative impact. There is no need, therefore, to include ‘unacceptable’ in the wording of the Policy to distinguish between acceptable and unacceptable significant effects.

The qualification of criterion (c) with the proposed additional wording is not required and could preclude other types of impact on neighbouring settlements. The preamble to Policy INV1 addresses impacts to be considered as does the Supplementary Guidance on Renewable Energy (CD7).

Policy INF1 has a presumption in favour of renewable energy development unless it has a significant adverse impact on the listed criteria. Any proposal will also be assessed against the other relevant LDP policies where social or economic benefits will be considered as they would be for any type of development. It is not necessary to include these as an additional consideration specifically for renewable energy developments.

Kilmacolm Civic Trust (63)

Requirements for restoration and decommissioning will be dealt with through conditions on the planning permission which will be specific to the site.

Save Your Regional Park (42)

Noise is mentioned in paragraph 10.3 of the LDP and will be addressed when an application is determined with reference to Scottish Planning Policy paragraph 187 (CD20). This identifies noise as one of the criteria that will be considered in deciding applications for all wind farm developments.

No modifications recommended.

Reporter’s conclusions:

Wind Energy Developments – General

1. Scotland has ambitious national targets for increasing the amount of electricity derived from renewable sources to the equivalent of 100% of demand by 2020. Paragraph 182 of Scottish Planning Policy indicates that hydroelectric and onshore wind power are expected to continue to be the main sources of renewable energy supplies as part of a wider renewables mix. Paragraph 184 then requires development plans to support all scales of development associated with the generation of energy from renewable sources while taking account of environmental and other factors. In this context it is appropriate for the Inverclyde Local Development Plan to take a broadly positive approach to renewable

energy developments, including wind turbines. While there will be some locations where wind turbine development is inappropriate, a persuasive case has not been made why the area around Kilmacolm should have a particular prohibition on turbine development. I therefore conclude that no such prohibition should be put in place.

The Clyde Muirshiel Regional Park

2. Several representees raise particular concerns about the potential impact of new turbine development on the Clyde Muirshiel Regional Park, and suggest various policy restrictions that they consider should be included in the plan. Policy INF1 as currently proposed includes a number of general criteria that could, if necessary and justified, be used to resist inappropriate wind turbine development in the regional park. For instance the proposed policy would allow for the refusal of applications that had a significant adverse effect on natural heritage designations, the landscape, tourism and recreation matters, or biodiversity.

3. In terms of spatial frameworks for wind farm development, as envisaged in paragraphs 189 to 191 of Scottish Planning Policy, regional parks fall within the 'areas with potential constraints' category which incorporates "areas designated for their regional ... value". This does not suggest that a prohibition, or blanket policy limitation on wind farm development in regional parks is supported by national policy. I do note however that large parts of the regional park are also covered by national and international designations (sites of special scientific interest and special protection areas) that are afforded more significant protection by the spatial framework categorisation described in Scottish Planning Policy.

4. It is also the case that the plan needs to be read as a whole. The authority has pointed to several other policies in the plan that could potentially apply to wind turbine development in the regional park and which include policy tests aimed at environmental protection. However the natural parts of the plan in which to look for policy guidance relating to wind energy development in the regional park are Policies INF1 – Renewable Energy Developments, and ENV1 – Designated Environmental Resources. I consider that it would have been more useful if Policy INF1 had given a greater degree of spatial direction than it presently does, but I also note that the emerging landscape study for wind turbine development in the Glasgow and Clyde Valley area was not available in time to inform this iteration of the plan. It may be that a more locationally specific policy can be included at the time of the next plan review.

5. The importance of the regional park is referenced several times in the text of the proposed plan, and I also note that the park covers a large part of the authority's area. In this context it is somewhat surprising that the park is not directly referred to in any policy other than in terms of specific green network links. I consider that it would be helpful, and would go some way to addressing the concerns of representees on this topic, if the regional park were directly referenced in Policy ENV1. I therefore recommend a modification to achieve this.

6. It has been suggested that Policy ECN4 – Business and Industrial Proposals Outwith Designated Areas should be amended to refer to turbine development in the regional park. In my view this policy is not intended to be applied to wind turbines but to uses falling within classes 4 (business) or 5 (general industrial) of the Town and Country Planning (Use Classes) (Scotland) Order 1997. The policy to be applied to wind turbines is INF1, which is discussed above and below.

Policy INF1

7. Inverclyde Renewables LLP seeks various changes to Policy INF1. The first of these relates to the policy's statement that support for renewable projects is subject to there being no significant adverse effects on various (mainly environmental) criteria. The representee suggests that even if such effects are identified, a proposal may still be acceptable when balanced against social or economic benefits.

8. Paragraph 184 of Scottish Planning Policy states that development plans should ensure that areas' renewable energy potential is realised in a way that takes account of relevant economic, social, environmental and transport issues and maximises benefits. The key test for the decision-maker will be whether any identified adverse impacts are so significant as to outweigh any benefits arising from the scheme (for instance in terms of employment or renewable energy generation). Proposed Policy INF1 is positively worded in that its starting position is that proposals should be approved, unless a number of exceptions apply. However on balance I agree with the representee that the existence of a significant adverse effect should not in itself be sufficient grounds for necessarily refusing an application (unless the effect is on the integrity of a nationally or internationally designated site, as covered under Policy ENV1). A balance needs to be struck with the potential benefits of the scheme. I recommend a modification to Policy INF1 to reflect this thinking.

9. In terms of other changes to Policy INF1 sought by representees, I consider the suggested inclusion of the phrase 'unacceptable impacts' to be unnecessary as it goes without saying that if an impact is unacceptable then the proposal should be refused. Other suggested changes would serve to make the policy criteria more precise and to highlight matters of particular potential concern. I recognise that the criteria given in the proposed plan are broadly-worded. By being so they serve to capture all the main areas of potential concern in a way that nevertheless remains capable of being understood. Further detail would be useful but is not essential and can be provided in the accompanying supplementary guidance if required.

10. It has also been suggested that the policy should define a minimum separation distance between turbines and residential areas. Paragraph 190 of Scottish Planning Policy refers to a separation distance of up to two kilometres between areas of search for wind farms and the edge of settlements. This reference does not therefore necessarily apply to individual wind turbines or isolated dwellings. The Scottish Government's online advice on onshore wind turbines emphasises that the two kilometre distance is a guide and not a rule, and that decisions on individual developments should take into account specific local circumstances and geography. In the light of this guidance I conclude that it would not be appropriate to specify a two kilometre separation distance in the plan. Overall I conclude that no further changes are required to this policy beyond those discussed at paragraph 8 above.

Reporter's recommendations:

I recommend that the plan is modified by:

1. amending the first sentence of Policy ENV1(b) to read: "*Development adversely affecting the Clyde Muirshiel Regional Park and other strategic and local natural heritage resources will not normally be permitted.*";

2. amending the proposals map key to refer to Policy ENV1 alongside the notation for the regional park boundary; and
3. amending the first part of Policy INF1 to read: *“The Council will support development required for the generation of energy from renewable sources, unless any economic, environmental and social benefits of the proposal are outweighed by significant adverse effects upon: ...”*

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| Issue 19 | Energy Efficiency | |
| Development plan reference: | Chapter 10, p.78 paragraphs 10.6 and 10.7; Policy INF2 | Reporter: Trevor Croft |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| Persimmon Homes (20) Scottish Government (50) | | |
| Provision of the development plan to which the issue relates: | Energy Efficiency in compliance with Building Standards | |
| Planning authority's summary of the representation(s): | | |
| <p><u>Persimmon Homes</u> (20)</p> <p>Believes the Local Development Plan is not the right place for policies which relate to Building Standards matters but should be concerned with matters relating to site planning.</p> <p><u>Scottish Government</u> (50)</p> <p>Believes Policy INF2 does not expressly deal with legislative requirements regarding green house gas emissions.</p> | | |
| Modifications sought by those submitting representations: | | |
| <p><u>Persimmon Homes</u> (20)</p> <p>Policy INF2 should be removed along with any related text.</p> <p><u>Scottish Government</u> (50)</p> <p>Invite the Reporter to take a view on whether Policy INF2 is sufficient with regard to the legislative provisions.</p> | | |
| Summary of responses (including reasons) by planning authority: | | |
| <p><u>Persimmon Homes</u> (20)</p> <p>There is a legislative requirement under Section 3F of the Town and Country Planning (Scotland) Act 1997 (CD18) to provide a policy on Greenhouse Gas Emissions in the Local Development Plan.</p> <p>The Council does not propose to remove Policy INF2.</p> | | |

Scottish Government (50)

It is considered that Policy INF2 addresses the requirements of the legislation, under Section 3F of the Town and Country Planning (Scotland) Act 1997 (CD18), the Climate Change Act 2009 (CD24) and the Building (Scotland) Regulations 2004 (CD19), in a satisfactory manner and there is no requirement to amend the policy as suggested.

While the planning authority is aware of the Government's position and recognises and supports the merits of energy efficiency, it would be inappropriate for a policy in the LDP to require specific levels of greenhouse gas emissions. It is the role of Building Standards to deal with the energy efficiency of buildings. Insisting on a policy which goes beyond the requirement of the building standards is contrary to the principle that matters controlled by other legislation should not be duplicated or enforced through the LDP.

The public is entitled to a consistent approach when dealing with a local authority. A building warrant will be issued if it meets the Scottish Building Standards; it cannot be refused because of conflict with an LDP policy. The LDP should not facilitate a situation where a developer is issued one consent by the council but refused another.

Scottish Building Standards are continually evolving and, in the field of energy efficiency, continually becoming stricter. The consequence is that, as required by Government policy, over time buildings will be designed to avoid a "specified and rising proportion of the projected greenhouse gas emissions". The Council's position is that Policy INF2, by requiring "compliance with the Scottish Building Standards" will ensure compliance with Government policy. Indeed, the incorporation of specific figures in the Policy at a set point in time would quickly render it obsolete, only highlighting the unnecessary tension between the LDP and Building Standards.

Recommend no modifications.

Reporter's conclusions:

Persimmon Homes (20)

1. As the council correctly points out section 3F of the Town and Country Planning (Scotland) Act 1997 requires local development plans to include policies ensuring that new buildings avoid a specified and rising proportion of the projected greenhouse gas emissions from their use. It refers to the installation and operation of low and zero-carbon generating technologies. Section 3F of this Act was introduced by section 72 of the Climate Change (Scotland) Act 2009.

2. This requirement is implemented through the proposed policy INF 2, which should therefore be retained.

Scottish Government (50)

3. The council states that it would be inappropriate for the policy to include specified levels of greenhouse gas emissions. This view is however contrary to the Act, which refers specifically, as just noted, to the need for a specified proportion of the projected greenhouse gas emissions to be stated.

4. I therefore asked the council through a further information request for its views on

whether this could be dealt with by a modification to the policy, or alternatively supplementary guidance. In response the council proposed a modification to the policy, revising paragraph one to include specific figures. An explanatory footnote is also added referring to the relationship to British Standards.

5. In response the Scottish Government stated that the proposed changes are sufficient to overcome the concerns raised in its representation on the policy.

6. The proposed change introduces specific figures expressed as a percentage of the reduction standard set by the Scottish Building Standards. Expressed in this way it takes account of the fact the standards may change over time, and this is dealt with in the footnote. I agree that the proposed modification means the policy will now comply with the legislation.

Reporter's recommendations:

The policy should be modified by deleting the first paragraph and replacing it with:

“Support will be given to all new buildings designed to ensure that 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. This percentage will increase to at least 15% by the end of 2016.”

A footnote should also be added after the fifth bullet point as follows:

“* 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.”

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| Issue 20 | Miscellaneous | |
| Development plan reference: | Chapter 3, Policy DOS2 Chapter 4, Policy ECN1 | Reporter: Stephen Hall |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| Clydeport Operations Ltd (25) Mr Ian McCallum (35) Stuart McMillan MSP (75) | | |
| Provision of the development plan to which the issue relates: | Development Option Site: John Street, Greenock Strategic Business Locations: Ocean (Container) Terminal, Greenock | |
| Planning authority's summary of the representation(s): | | |
| <p>John Street, Greenock</p> <p><u>Stuart McMillan MSP (75)</u></p> <p>Has concerns regarding non-residential uses such as business and industrial becoming part of the site. Supports the residents' wishes to retain the site for residential use only.</p> <p>Green Belt Boundary</p> <p><u>Mr Ian McCallum (35)</u></p> <p>Advises that there is no logical or practical reason to change the boundaries shown as KC008 and KC011 (in the Green Belt Review).</p> <p>Ocean (Container) Terminal, Greenock</p> <p><u>Clydeport Operations Ltd (25)</u></p> <p>Welcomes and supports the identification of Ocean (Container) Terminal as a Strategic Business Location. Believes the Ocean Terminal should be recognised as an important tourist asset within Inverclyde, boosting the local economy and with further potential to do so. Seeks the recognition that the development and enhancement of tourist facilities should be permitted in the vicinity of Ocean Terminal.</p> | | |
| Modifications sought by those submitting representations: | | |
| <p>John Street, Greenock</p> <p><u>Stuart McMillan MSP (75)</u></p> <p>Identification of the site for residential development only.</p> | | |

Green Belt Boundary

Mr Ian McCallum (35)

Remove the proposed changes from the 2013 LDP.

Ocean (Container) Terminal, Greenock

Clydeport Operations Ltd (25)

Recognition of Greenock Ocean Terminal as a Strategic Economic Resource within the LDP.

Summary of responses (including reasons) by planning authority:

John Street, Greenock

Stuart McMillan MSP (75)

Policy DOS2 is the gateway policy to the Supplementary Guidance for the Development Option Sites, which includes John Street and as such, does not specifically refer to business and industrial use. An overview of the John Street site and the current planning position is detailed in the Supplementary Guidance on the Local Development Frameworks, Development Option Site 2 (CD5). Consequently, there is no reference to business and industrial use in Policy DOS2 that could be removed.

As stated in the Supplementary Guidance (CD5), the Registered Social Landlord has yet to decide if there is a longer term future for the housing stock on the John Street site, and therefore alternative development options for the site are being considered. This includes business and industry, for which there is justification given its location and close proximity to existing similar uses.

Recommend no modification. However in relation to the Supplementary Guidance on Local Development Frameworks document (CD5), the Council will consider in due course whether it will still be appropriate to signal a possible change of use on the John Street site.

Green Belt Boundary

Mr Ian McCallum (35)

The proposed Green Belt boundary was changed from the adopted Local Plan (CD13) to more accurately reflect the edge of the built up area of Kilmacolm in this locality – see Green Belt Review (CD27). The Green Belt boundary in the adopted Plan does not follow any visible boundary, and indeed cuts through an identified Site of Importance for Nature Conservation (SINC). The proposed boundary follows the line of the SINC boundary on its northern side. This would result in a more certain, long term, and defensible Green Belt boundary.

Recommend no modification.

Ocean (Container) Terminal, Greenock

Clydeport Operations Ltd (25)

Policy ECN1 (a) (ii) states that favourable consideration will be given to 'new development and support for the continuation of current uses for the operation of the international Ocean Terminal Strategic Freight Transport Hub' which is how it is referred to in the Glasgow and the Clyde Valley Strategic Development Plan, Spatial Framework 1, Schedule 3 (CD15). Although not named, this designation does include the cruise liner port side of the terminal operations, which constitutes one of the current uses and which is included by name in Figure 2.2 of the LDP.

Clydeport Operations Ltd has proposed certain changes to the wording of Policy ENC1, and while it is agreed that these changes would adequately retain the meaning and intention of the policy, they are not considered to be necessary for the policy to remain effective.

Recommend no modification. However, if the Reporter was minded to agree that a change to the policy as suggested by Clydeport Operations Ltd should be made, the Council would be amenable to this recommendation.

Reporter's conclusions:

John Street, Greenock

1. Concern is expressed that this site, identified as Development Option Site (DOS) 3 in the proposed plan, could potentially be used for non-residential uses, contrary to the wishes of residents. The authority is correct to state that the relevant DOS1-2 policy in the proposed plan includes no indication that the site might be used for business and industry or another non-residential use. Paragraph 3.13 notes that any decisions regarding the future use of the site would have full regard to the wishes of the tenants. However the site is also included as site e20 on the proposals map and Schedule 4.1 as a business and industrial area with potential for change. Policy ECN1(d) explains that there is a presumption in favour of business, general industrial and storage or distribution uses on such sites, although proposals for other uses will also be given consideration. A fair reading of the proposed plan is therefore that the authority expects redevelopment for business/ industry to be at least a reasonably likely future for the site.

2. More detail is given in the draft supplementary guidance on local development frameworks. Here it is made clear that decisions have yet to be taken as to whether the site is to continue to be used for housing or not. Housing, business and industry are given among a range of uses that would be appropriate in principle. As the authority indicates above, the opportunity still exists to revisit the range of appropriate uses described in the supplementary guidance should this be deemed necessary after further consideration. The content of the supplementary guidance does not form part of this examination.

3. Returning to the proposed plan itself, I have considered whether this should contain less positive support for business/ industrial use, for instance by removing the e20 designation and the reference in Schedule 4.1. The site itself is currently in residential use. Though many flats appear to be vacant, the buildings themselves seem to remain structurally sound. However, as a residential area, the site is relatively isolated from other similar areas. Business and industrial uses predominate to the north and west, and there

is open space to the south and east. I do not therefore consider it unreasonable for the authority to have identified business/ industry as a suitable alternative use, should the existing use cease. Given that the plan does not rule out other uses, including redevelopment for housing, I conclude that no modification is required.

Green Belt Boundary

4. Regarding the amended green boundary in the vicinity of Hazelmere Road, Kilmacolm, I note that this arose out of a green belt study that was a requirement of the Glasgow and Clyde Valley Strategic Development Plan. The study itself appears have been a robust exercise with an appropriate stress on the use of strong visual and physical features to form suitably enduring long term boundaries.

5. The particular boundary changes of concern to the representee involve extending the green belt closer to the built-up edge on the western boundary of Kilmacolm. The northern of the two changes (KC011 in the green belt study) realigns the boundary from a relatively minor drain line to Hazelmere Road itself. I consider that the road does form a stronger physical feature than the previous line, and that this change is appropriate. The southern change (KC008) amends the green belt boundary from a line that did not follow any strong feature on the ground to the stronger line of Hazelmere Road and the property boundaries on the village edge. Again I find this to be a more appropriate line for the green belt boundary to take. Overall I therefore conclude that no change to the plan is required.

Ocean (Container) Terminal, Greenock

6. Clydeport Operations Ltd seeks recognition within the plan of Greenock Ocean Terminal as a tourist asset, and of the potential to improve and enhance tourist facilities and infrastructure. This site is identified as a strategic economic location on the proposals map and in Policy ECN(a)(ii). This policy provides for favourable consideration to be given to new development and support for the continuation of current uses at the terminal. Given the existing cruise liner traffic making use of the site, the further development of this use would therefore be allowed for under Policy ECN1. However in my view it is doubtful whether wider tourist uses, such as hotels or tourism-related retailing could be said to gain support from this policy.

7. The local development plan must be consistent with the approved Glasgow and the Clyde Valley Strategic Development Plan. I note that Ocean Terminal, Greenock is identified as a strategic freight transport hub in Schedule 3 of this plan. Strategy Support Measure 6 of the plan states that "ancillary land allocations adjacent to [the strategic freight transport hubs], where appropriate, should be designated freight parks and safeguarded solely for the purposes of freight activity." This indicates that tourism uses may not be supported by the strategic development plan, although the phrase 'where appropriate' provides some leeway.

8. Overall I conclude that including positive support for tourist development at the Ocean Terminal site would put the plan in danger of being inconsistent with the strategic development plan. I therefore recommend that no modification be made to the plan.

Reporter's recommendations:

No modifications