Municipal Buildings, Greenock PA15 1LY

Ref: RMcG/AI

Date: 20 September 2019

A meeting of the Local Review Body will be held on Wednesday 2 October 2019 at 4pm or following conclusion of the meeting of the Planning Board (if later) within the Municipal Buildings, Greenock.

GERARD MALONE
Head of Legal and Property Services

BUSINESS

1.	**Apologies, Substitutions and Declarations of Interest**	**Page**
2.	**Continued Planning Application for Review** **Mr J Sweeney** Alterations, extension and conversion of former stables to form new dwelling: 6 Roseneath Street, Greenock (19/0010/IC)	**p**
3.	**Planning Application for Review** **Briar Homes** Residential development with associated access, open space and landscaping (in principle): Site Off Lithgow Way, Kingston Dock, Port Glasgow (18/0260/IC)	**p**

Enquiries to - **Rona McGhee** - Tel 01475 712113

Inverclyde council

AGENDA ITEM NO. 2

LOCAL REVIEW BODY **2 OCTOBER 2019**

CONTINUED PLANNING APPLICATION FOR REVIEW

RESUME CONSIDERATION OF A REQUEST FOR REVIEW OF REFUSAL OF PLANNING PERMISSION WHICH THE LOCAL REVIEW BODY AT THE MEETING HELD ON 7 AUGUST 2019 DECIDED TO CONTINUE FOR VIEWS ON HISTORIC ENVIRONMENT SCOTLAND'S HISTORIC ENVIRONMENT POLICY FOR SCOTLAND (HEPS) PUBLISHED IN MAY 2019 AS IT IMPACTS UPON THE APPLICATION TO THE LOCAL REVIEW BODY

MR J SWEENEY

ALTERATIONS, EXTENSION AND CONVERSION OF STABLES TO FORM NEW DWELLING:
6 ROSENEATH STREET, GREENOCK (19/0010/IC)

Contents (please refer to agenda for 7 August meeting for items 1 – 11)

1. **Planning Application dated 21 January 2019 together with Plans**

2. **Appointed Officer's Site Photographs**

3. **Appointed Officer's Report of Handling dated 22 March 2019**

   To view Adopted Inverclyde Local Development Plan 2014 see:
   https://www.inverclyde.gov.uk/planning-and-the-environment/planning-policy/development-planning/ldp

   To view Proposed Inverclyde Local Development Plan see:
   https://www.inverclyde.gov.uk/planning-and-the-environment/planning-policy/development-planning/new-ldp

   To view Historic Environment Policy for Scotland (which supersedes Historic Scotland's SHEP) see:
   https://www.historicenvironment.scot/advice-and-support/planning-and-guidance/historic-environment-policy-for-scotland-heps/

   To view Historic Environment Scotland's "Managing Change in the Historic Environment" guidance note on 'Setting' see
   https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationId=80b7c0a0-584b-4625-b1fd-a60b009c2549

4. **Adopted Planning Application Advice Notes 2 and 3 - Single Plot Residential Development and Private and Public Open Space Provision in New Residential Development**

5. **Proposed Planning Application Advice Notes 2 and 3 - Single Plot Residential Development and Private and Public Open Space Provision in New Residential Development**

6. **Planning Application and Plan, Appointed Officer's Report of Handling and Decision Notice issued by Head of Regeneration and Planning in relation to planning application 15/0024/IC for change of use and alterations to former coach house to form dwelling at 45 Esplanade, Greenock**

7. **Consultation responses in relation to Planning Application**

8. **Representation in relation to Planning Application**

9. **Decision Notice dated 22 March 2019 issued by Head of Regeneration & Planning**

10. **Notice of Review Form dated 20 June 2019 with supporting documentation from Nicholson McShane Architects**

11. **Suggested advisory notes should planning permission be granted on review**

12. **Corrections to Appointed Officer's Report of Handling Content**

13. **Planning Application and Plans, Appointed Officer's Report of Handling and Decision Notice issued by Head of Regeneration and Planning in relation to planning application 16/0102/IC for conversion of stables to a two bedroom, one and a half storey house at 6 Roseneath Street, Greenock**

14 **Email dated 20 August 2019 on behalf of Appointed Officer**

1. PLANNING APPLICATION DATED 21 JANUARY 2019 TOGETHER WITH PLANS

Inverclyde council

Municipal Buildings Clyde Square Greenock PA15 1LY Tel: 01475 717171 Fax: 01475 712 468 Email: devcont.planning@inverclyde.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100150995-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

☒ Application for planning permission (including changes of use and surface mineral working).

☐ Application for planning permission in principle.

☐ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)

☐ Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Conversion of Former Stables into Dwelling

Is this a temporary permission? * ☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place? (Answer 'No' if there is no change of use.) * ☐ Yes ☒ No

Has the work already been started and/or completed? *

☒ No ☐ Yes – Started ☐ Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application) ☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	Nicholson McShane Architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Paul	Building Name:	Ladyburn Business Centre
Last Name: *	McShane	Building Number:	10
Telephone Number: *	01475325025	Address 1 (Street): *	Pottery Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Greenock
Fax Number:		Country: *	Scotland
		Postcode: *	PA15 2UH
Email Address: *	consents@nicholsonmcshane.co.uk		

Is the applicant an individual or an organisation/corporate entity? *

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Jim	Building Number:	6
Last Name: *	Sweeney	Address 1 (Street): *	Roseneath Street
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Greenock
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	PA16 7RZ
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority: Inverclyde Council

Full postal address of the site (including postcode where available):

Address 1: 6 ROSENEATH STREET

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement: GREENOCK

Post Code: PA16 7RZ

Please identify/describe the location of the site or sites

Northing 677807 Easting 226274

Pre-Application Discussion

Have you discussed your proposal with the planning authority? * ☐ Yes ☒ No

Site Area

Please state the site area: 309.60

Please state the measurement type used: ☐ Hectares (ha) ☒ Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Outbuildings

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? * ☐ Yes ☒ No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? * ☐ Yes ☒ No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site? 0

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? * 2

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? * ☒ Yes ☐ No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

☐ Yes – connecting to public drainage network

☐ No – proposing to make private drainage arrangements

☒ Not Applicable – only arrangements for water supply required

Do your proposals make provision for sustainable drainage of surface water?? * (e.g. SUDS arrangements) * ☐ Yes ☒ No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

☒ Yes

☐ No, using a private water supply

☐ No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? * ☐ Yes ☐ No ☒ Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? * ☐ Yes ☒ No ☐ Don't Know

Trees

Are there any trees on or adjacent to the application site? * ☐ Yes ☒ No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * ☒ Yes ☐ No

If Yes or No, please provide further details: * (Max 500 characters)

Refuse Storage will be accommodated within the curtilage of the site

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? * ☒ Yes ☐ No

How many units do you propose in total? * 1

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? * ☐ Yes ☒ No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013 * ☐ Yes ☒ No ☐ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? * ☐ Yes ☒ No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? * ☒ Yes ☐ No

Is any of the land part of an agricultural holding? * ☐ Yes ☒ No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Paul McShane

On behalf of: Mr Jim Sweeney

Date: 21/01/2019

☒ Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission or planning permission in principal where there is a crown interest in the land, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

☐ Yes ☐ No ☒ Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- [x] Site Layout Plan or Block plan.
- [x] Elevations.
- [ ] Floor plans.
- [ ] Cross sections.
- [x] Roof plan.
- [ ] Master Plan/Framework Plan.
- [ ] Landscape plan.
- [ ] Photographs and/or photomontages.
- [ ] Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *	☐ Yes	☒ N/A
A Design Statement or Design and Access Statement. *	☐ Yes	☒ N/A
A Flood Risk Assessment. *	☐ Yes	☒ N/A
A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *	☐ Yes	☒ N/A
Drainage/SUDS layout. *	☐ Yes	☒ N/A
A Transport Assessment or Travel Plan	☐ Yes	☒ N/A
Contaminated Land Assessment. *	☐ Yes	☒ N/A
Habitat Survey. *	☐ Yes	☒ N/A
A Processing Agreement. *	☐ Yes	☒ N/A

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Douglas Nicholson

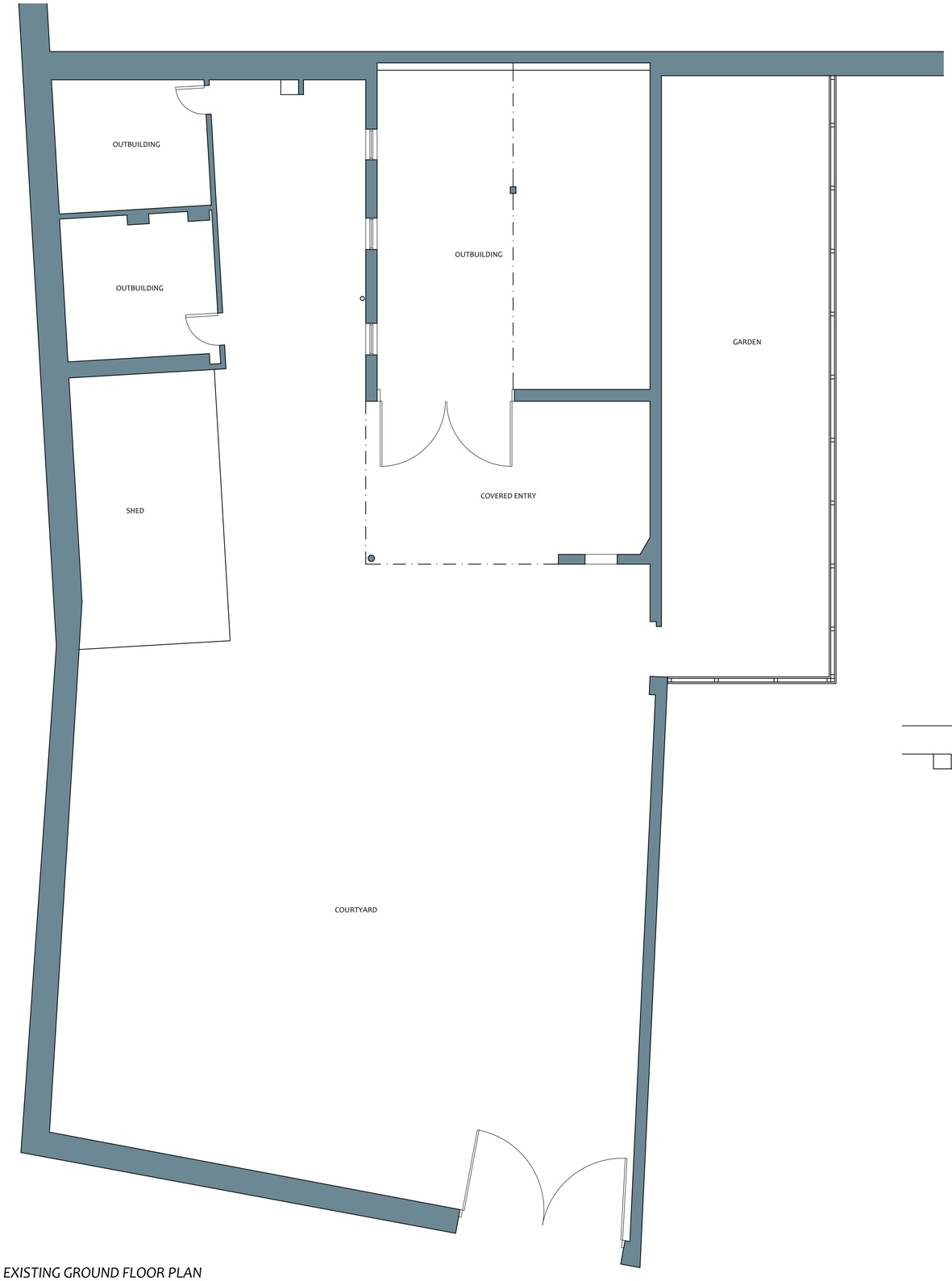
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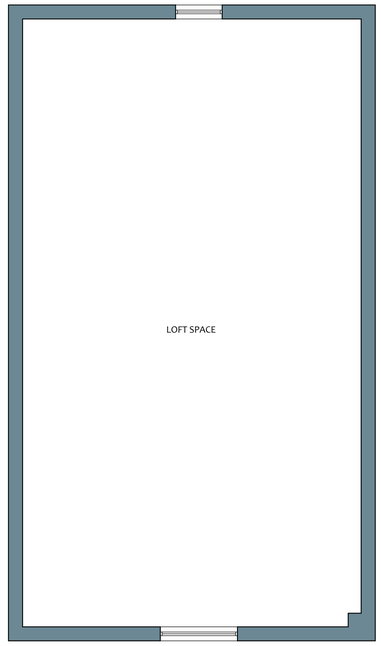
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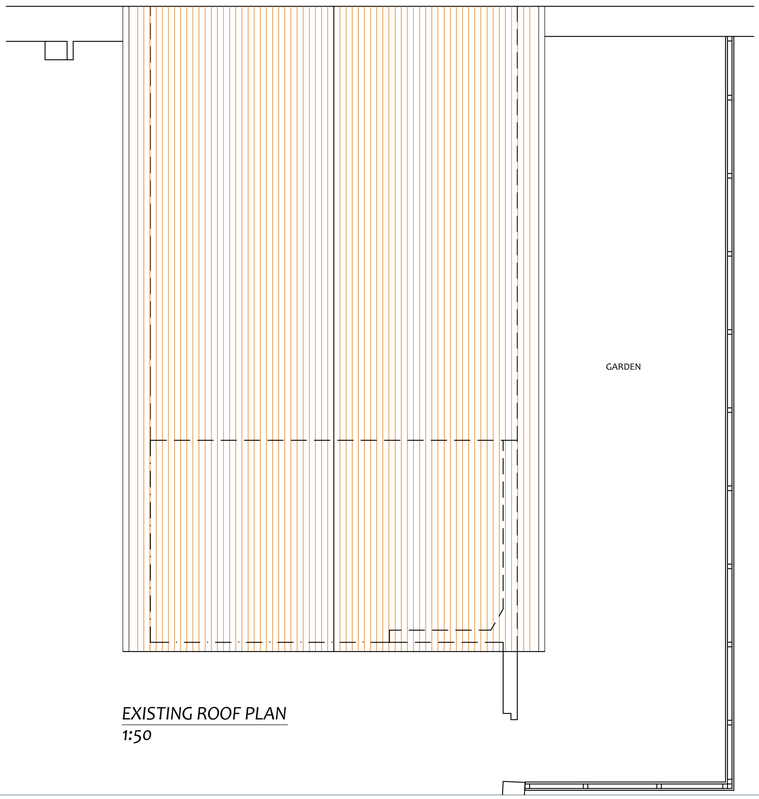
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EXISTING LOFT PLAN
1:50



EXISTING ROOF PLAN
1:50

0 100 500 1m 3m 5m
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SCALE 1:50

nicholson mcshane architects

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t 01475 325025
w nicholsonmcshane.co.uk

CLIENT	Jim Sweeney
PROJECT TITLE	Proposed Conversion of Former Stables to Dwelling
PROJECT ADDRESS	6 Roseneath Street, Greenock,
DRAWING TITLE	Existing Ground Floor Plan and Roof Plan
DRAWING STATUS	PLANNING
PAPER SIZE	A1
DRAWING NUMBER	18042_D_001
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DATE	21/01/2019
DRAWN BY	JSS/DON
CHECKED BY	PMcS

Architects Registration Board

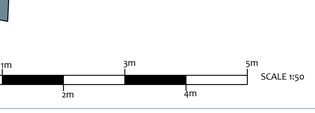
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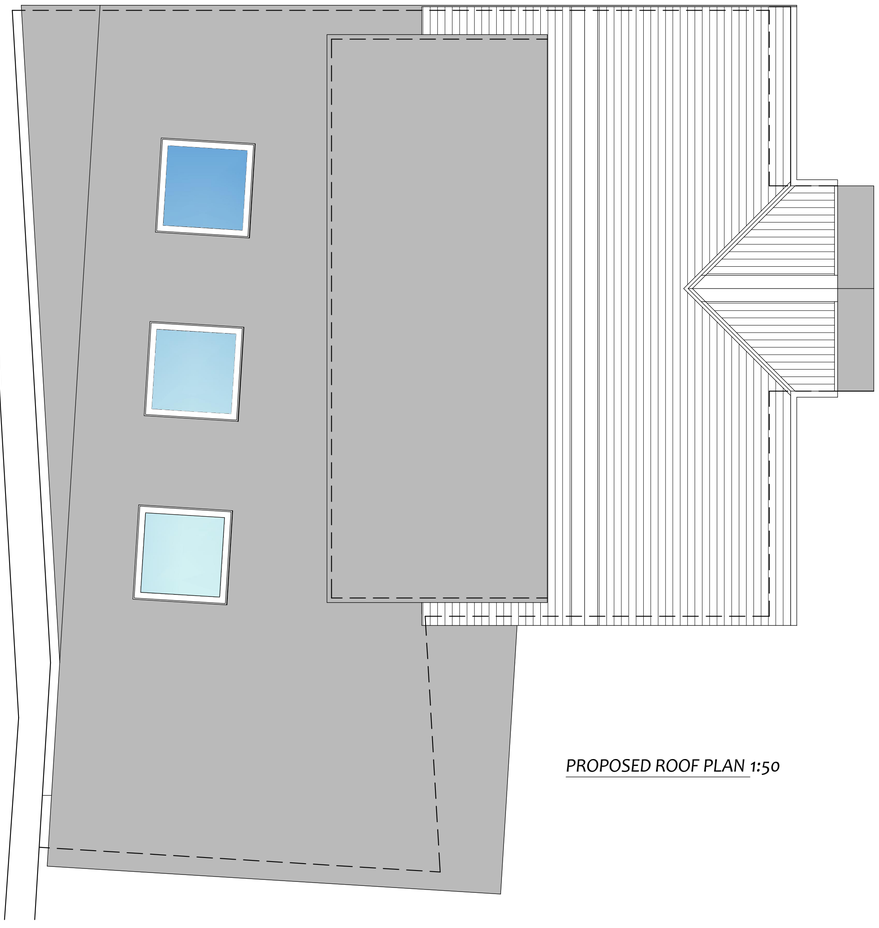
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B	Revised to Client's comments: 12/12/18	17/12/18

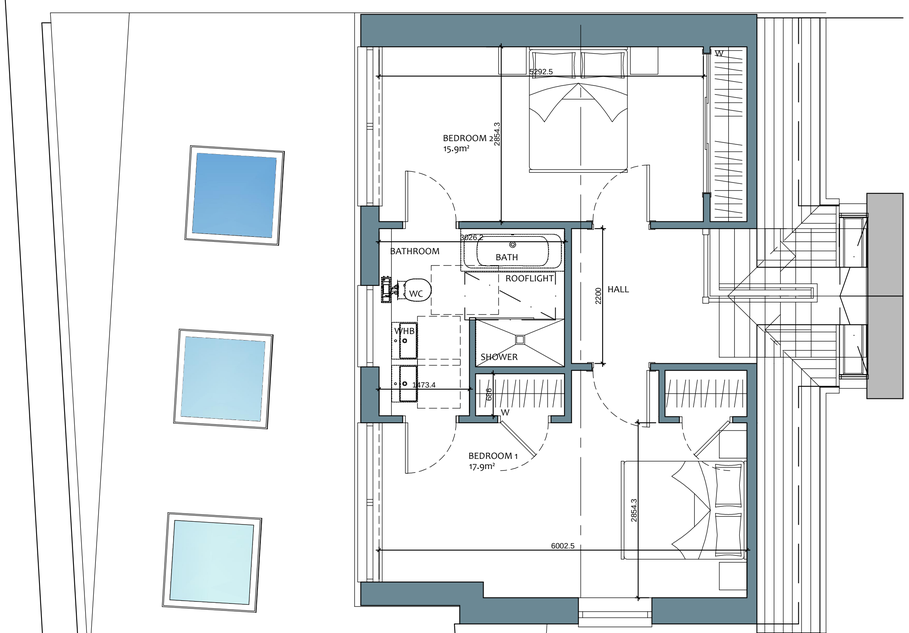


PROPOSED GROUND FLOOR PLAN
1:50





PROPOSED ROOF PLAN 1:50



PROPOSED FIRST FLOOR PLAN
1:50

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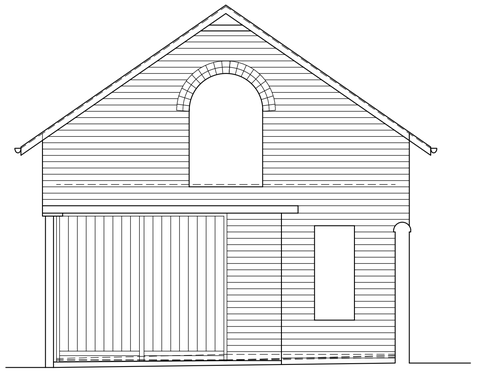
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DRAWING TITLE	Proposed Plans
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CHECKED BY	PMcS

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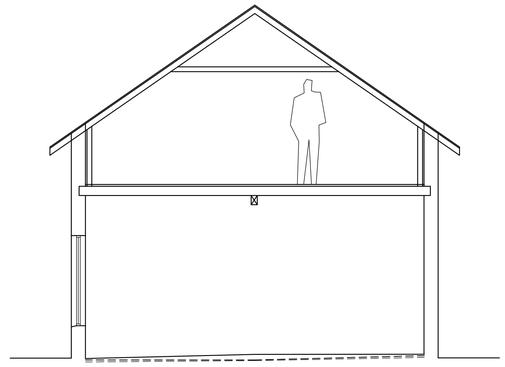
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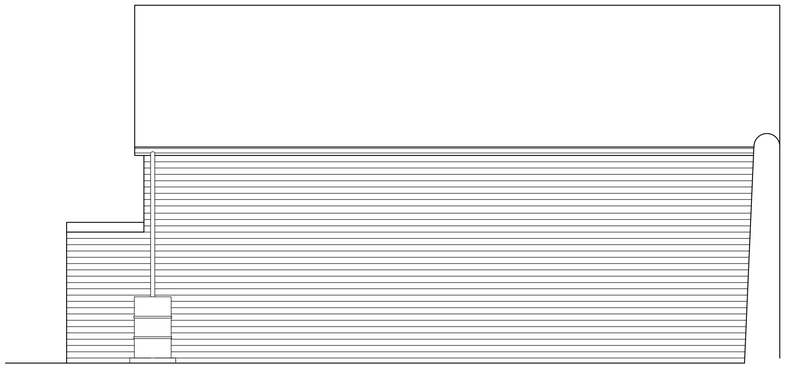
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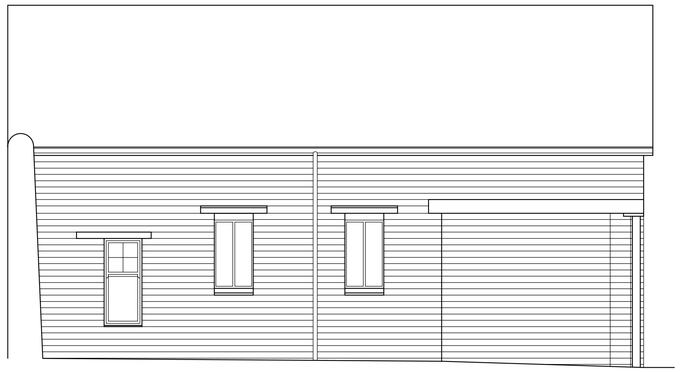
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EXISTING EAST SECTION
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EXISTING NORTH ELEVATION
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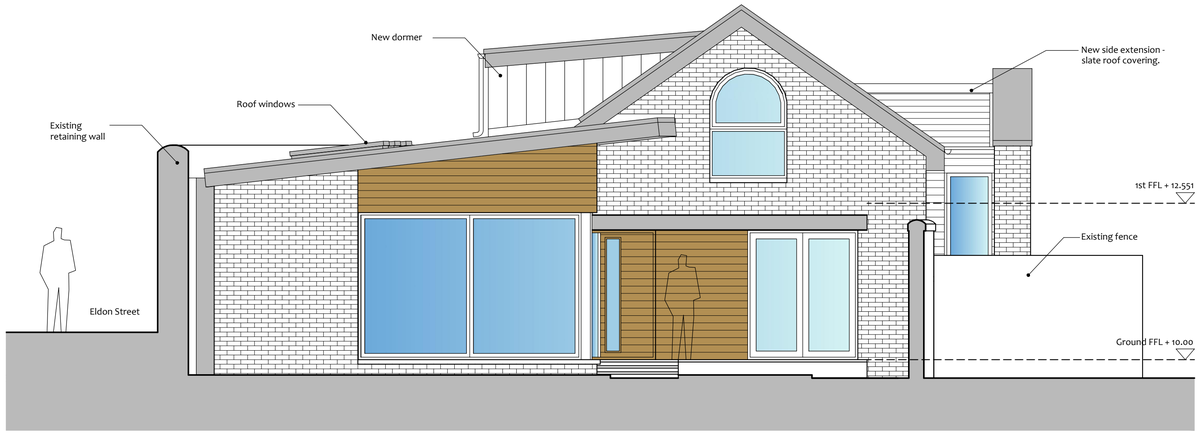
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w nicholsonmcshane.co.uk

CLIENT	Jim Sweeney
PROJECT TITLE	Proposed Conversion of Former Stables to Dwelling
PROJECT ADDRESS	6 Roseneath Street, Greenock,
DRAWING TITLE	Existing Elevations and Section
DRAWING STATUS	PLANNING
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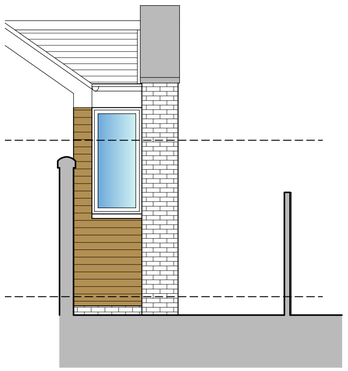
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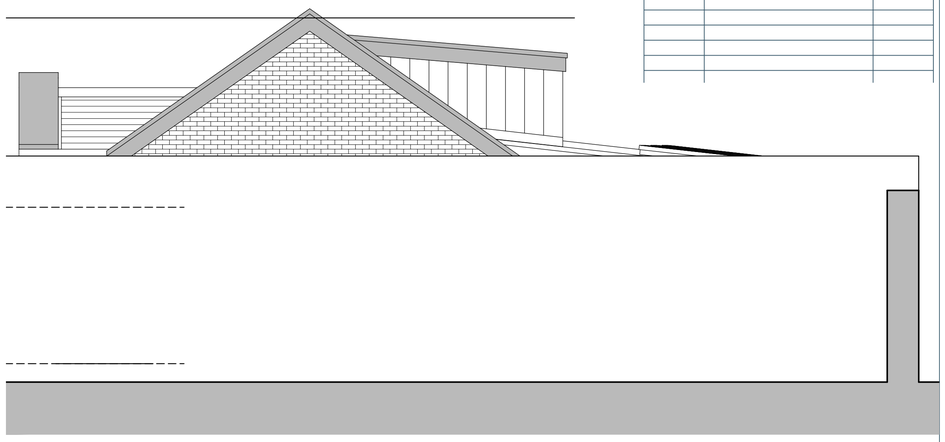
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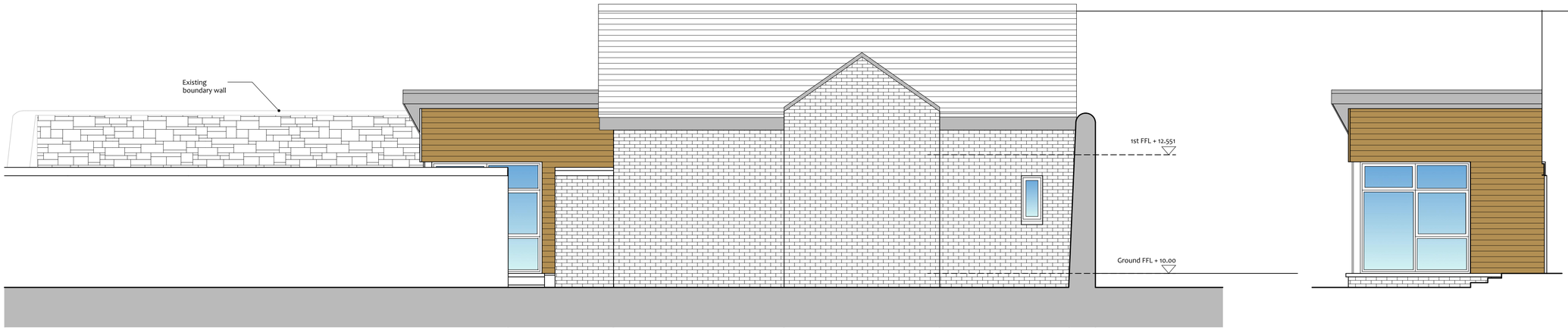
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PROPOSED EAST ELEVATION
SHOWING SIDE VIEW
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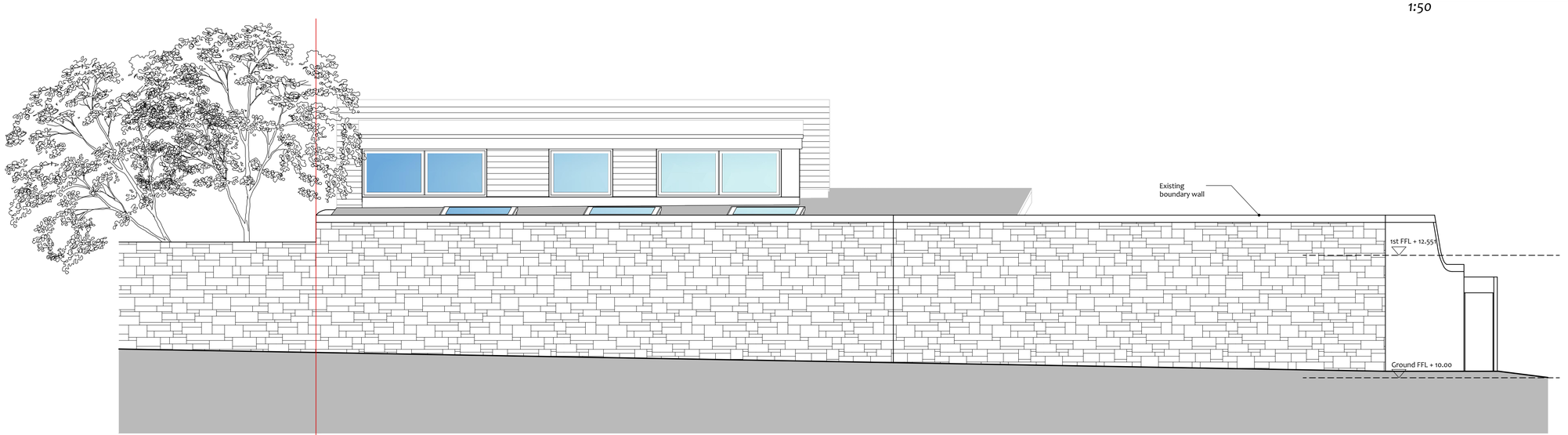


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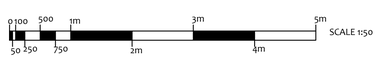


PROPOSED NORTH ELEVATION
1:50

PROPOSED NORTH ELEVATION
SHOWING SIDE ENTRANCE
1:50



PROPOSED SOUTH ELEVATION
1:50



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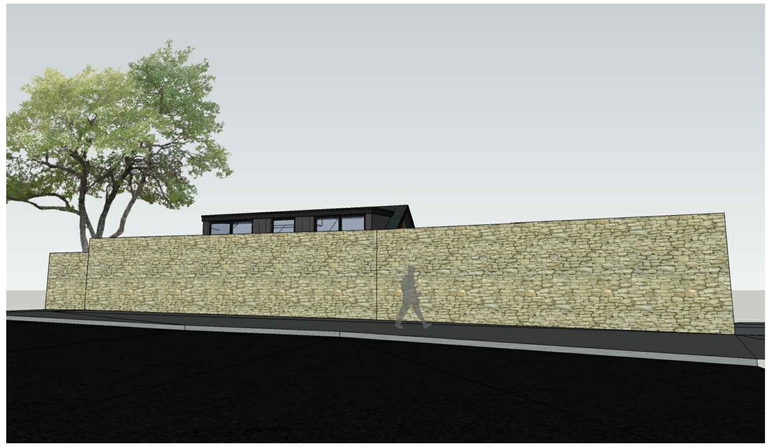
CLIENT: Mr Sweeney			
PROJECT TITLE: Proposed Conversion of Former Stables to Dwelling			
PROJECT ADDRESS: 6 Roseneath Street, Greenock, PA16 7RZ			
DRAWING TITLE: Proposed Elevations			
DRAWING STATUS: PLANNING			PAPER SIZE: A1
DRAWING NUMBER: 18042_D_004			REVISION: -
SCALE: 1:50	DATE: 08/01/19	DRAWN BY: PMcS	CHECKED BY: -

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REVISION	DESCRIPTION	DATE
-	-	-
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Model South Elevation looking onto Boundary Wall



Model View Looking Towards Road



Model East Aerial View Towards Entrance



Model North Aerial View





Model South Aerial View

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CLIENT
Mr Sweeney

PROJECT TITLE
Proposed Conversion of Former Stables to Dwelling

PROJECT ADDRESS
6 Roseneath Street, Greenock, PA16 7RZ

DRAWING TITLE
Model Views

DRAWING STATUS	PAPER SIZE
PLANNING	A1

DRAWING NUMBER	REVISION
18042_D_005	-

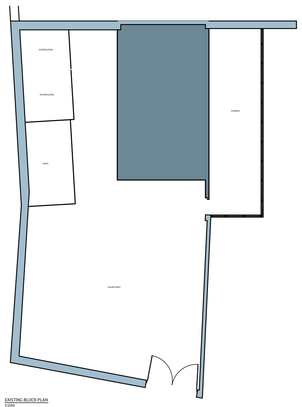
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-	08/01/19	PMcS	-

Architects Registration Board

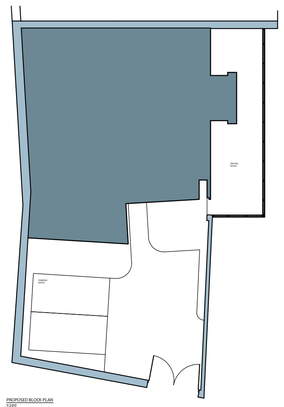
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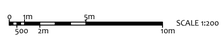
REVISION	DESCRIPTION	DATE
-	-	-
-		



EXISTING BLOCK PLAN
1:200



PROPOSED BLOCK PLAN
1:200



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CLIENT
Mr Sweeney

PROJECT TITLE
Proposed Conversion of Former Stables to Dwelling

PROJECT ADDRESS
6 Roseneath Street, Greenock, PA16 7RZ

DRAWING TITLE
Existing and Proposed Block Plans

DRAWING STATUS	PAPER SIZE
PLANNING	A3

DRAWING NUMBER	REVISION
18042_D_006	-

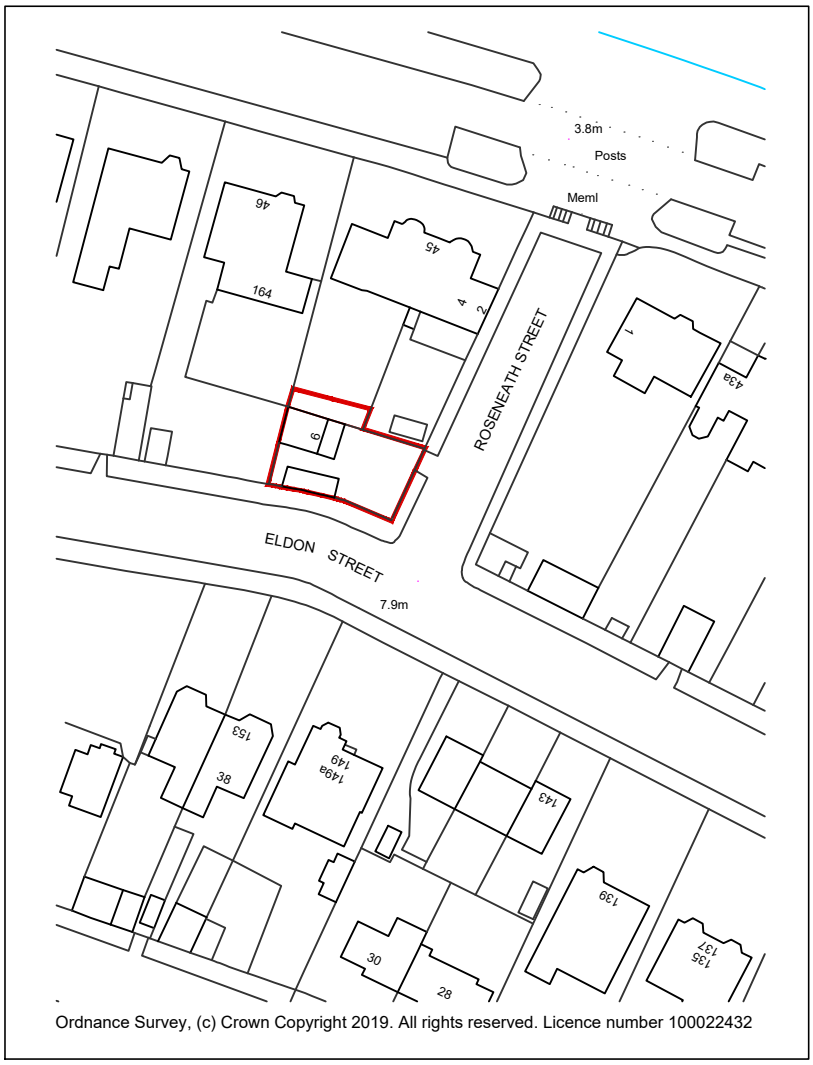
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REVISION	DESCRIPTION	DATE
-	-	-
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N

Site Application Boundary

0 5m 25m 100m
1m 10m 50m

CLIENT Mr J Sweeney			PROJECT TITLE Proposed Alterations & New Dwelling				
PROJECT ADDRESS No. 6 Roseneath Street, Greenock, PA16 7RZ			DRAWING TITLE Location Plan				
DRAWING STATUS PLANNING	PAPER SIZE A4	DRAWING NUMBER 18042_LP	REVISION -	SCALE 1:1250	DATE 04/01/19	DRAWN BY PMcS	CHCK'D BY -

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2. APPOINTED OFFICER'S SITE PHOTOGRAPHS (taken on 23 May 2019)



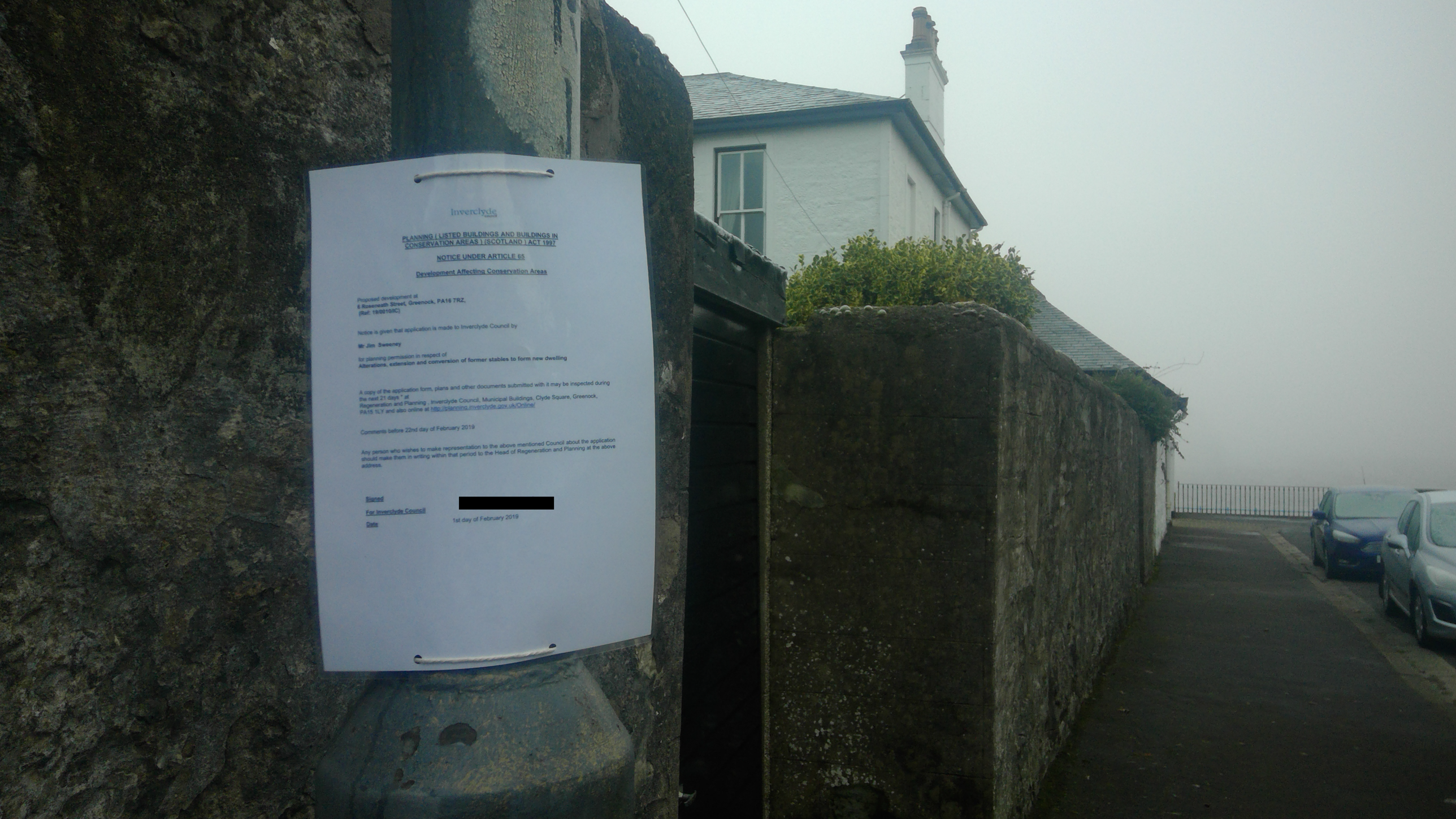












Inverclyde

PLANNING (LISTED BUILDINGS AND BUILDINGS IN CONSERVATION AREAS) (SCOTLAND) ACT 1997

NOTICE UNDER ARTICLE 65

Development Affecting Conservation Areas

Proposed development at
6 Rosemoth Street, Greenock, PA16 7RZ,
(Ref: 19/0010/IC)

Notice is given that application is made to Inverclyde Council by

Mr Jim Sweeney

for planning permission in respect of
Alterations, extension and conversion of former stables to form new dwelling

A copy of the application form, plans and other documents submitted with it may be inspected during the next 21 days * at Regeneration and Planning , Inverclyde Council, Municipal Buildings, Clyde Square, Greenock, PA15 1LY and also online at http://planning.inverclyde.gov.uk/Online/

Comments before 22nd day of February 2019

Any person who wishes to make representation to the above mentioned Council about the application should make them in writing within that period to the Head of Regeneration and Planning at the above address.

Signed [redacted]

For Inverclyde Council

Date 1st day of February 2019

3. APPOINTED OFFICER'S REPORT OF HANDLING DATED 22 MARCH 2019

Inverclyde council

REPORT OF HANDLING

Report By:	**Carrie Main**	**Report No:**	**19/0010/IC** **Local Application Development**
Contact Officer:	**01475 712462**	**Date:**	**22 March 2019**

Subject: **Alterations, extension and conversion of former stables to form new dwelling at 6 Roseneath Street, Greenock**

SITE DESCRIPTION

The application site comprises a former stables/outbuildings situated to the rear of 45 Esplanade/2 and 4 Roseneath Street, at the corner of Roseneath Street and Eldon Street, within the Greenock West End Conservation Area. The site forms a separate plot, described as 6 Roseneath Street. It covers approximately 309 square metres, with its own access taken from the western side of Roseneath Street. The site is generally rectangular in shape with a small projection to the north, which forms a garden area. It is bound by an approximately 2.5 metre high stone wall to the east (Roseneath Street), the south (Eldon Street) and also to the west (the adjoining property). At the northern boundary, an approximately 1.2 metre high timber fence separates the site from the rear garden of the existing house.

Three outbuildings and a shed exist to the western side of the site, covering a total of approximately 86.8 square metres. They comprise of a large brick-built, pitched roof, two-storey outbuilding which is located to the north-western side of the site and adjoins the western boundary wall. The two remaining outbuildings and shed are smaller, single storey, flat roof buildings, which are connected and exist to the south-western side of the site. The remainder of the site forms a cobbled courtyard area.

PROPOSAL

Planning permission was conditionally granted in January 2015 (application reference 15/0024/IC) by the Local Review Body for the change of use and alterations of the former coach house to form a dwelling.

Planning permission is sought to extend and alter the former stables/outbuildings for conversion into a new dwellinghouse. This involves the amalgamation and extension of the outbuildings to enable the dwelling to occupy the western area of the site. The current proposal presents a dwelling of a larger scale and form, location and design. The new dwellinghouse will cover approximately 195 square metres (the previously approved development covered approximately 61 square metres). The two storey element of the large outbuilding will be retained and enlarged by increasing its height by approximately 1 metre. A two-storey extension will be erected to the northern side elevation, which will project by 3 metres, be to a width of 3.4 metres, and extend to a height of 5 metres. A new dormer will project by 3.7 metres from the southern side elevation to a width of 9.2 metres across the upper level southern elevation of the house. A single storey element will be built to the front (eastern) elevation, which will project approximately 4.2 metres from the

front wall, be to a width of 7.7 metres and will extend to a height of 4.2 metres. Three rooflights will be incorporated within the roof of the single storey extension.

The overall design of the house is of a contemporary style incorporating key fenestration to the eastern elevation and a mono-pitched roof over the single storey extension. The external materials comprise of predominately facing brick with sections of timber cladding. The roof over the main two storey element of the building will be covered in slate. The roof over the single storey extension, dormer and the finishing of the dormer cheeks will be covered in metal standing seem. The proposed plan assigns two parking spaces to the south-eastern side of the site.

DEVELOPMENT PLAN POLICIES

Policy RES1 - Safeguarding the Character and Amenity of Residential Areas

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

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

Policy RES5 - Proposals for Changes to Properties for Residential Use

Proposals for the change of use, sub-division or conversion to properties to create new additional dwelling units, and for the alteration or extension to residential properties, will be assessed against and have to satisfy where appropriate, the following criteria:

(a) the character and amenity of neighbouring properties;
(b) impact on the streetscape;
(c) impact on the character of the existing property;
(d) accordance with the Council's adopted roads guidance; and
having regard to Supplementary Guidance on Planning Application Advice Notes.

Policy HER1 - Development which Affects the Character of Conservation Areas

Development proposals which affect conservation areas will be acceptable where they are sympathetic to the character, pattern of development and appearance of the area. Such proposals will be assessed having regard to Historic Scotland's SHEP and "Managing Change in the Historic Environment" guidance note series.

Planning Application Advice Note (PAAN) 2 on "Single Plot Residential Development" applies.

Planning Application Advice Note (PAAN) 3 on "Private and Public Open Space Provision in New Residential Development" applies.

PROPOSED DEVELOPMENT PLAN POLICIES

Policy 1 - Creating Successful Places

Inverclyde Council requires all development to have regard to the six qualities of successful places. In preparing development proposals, consideration must be given to the factors set out in Figure 3.

Where relevant, applications will also be assessed against the Planning Application Advice Notes Supplementary Guidance.

Policy 20 - Residential Areas

Proposals for development within residential areas will be assessed with regard to their impact on the amenity, character and appearance of the area. Where relevant, assessment will include reference to the Council's Planning Application Advice Notes Supplementary Guidance.

Policy 28 - Conservation Areas

Proposals for development, including demolition within or affecting the setting of a conservation area, are to preserve or enhance the character and appearance of the area. In assessing such proposals regard will be had to any relevant Conservation Area Appraisals or other information relating to the historic or architectural value of the conservation area.

Planning Application Advice Note (PAAN) 2 on "Single Plot Residential Development" applies.

Planning Application Advice Note (PAAN) 3 on "Private and Public Open Space Provision in New Residential Development" applies.

CONSULTATIONS

Head of Environmental and Public Protection (Environmental Health) – No objections. However, advisory notes are suggested in respect of bin containers, external lighting, sound insulation, site drainage, rats, drains, sewers, construction practices and gull control.

Head of Service – Roads and Transportation– In accordance with the National Roads Development Guidelines the proposed development requires a minimum of 2 off-street parking spaces within the site. The applicant has demonstrated 2 spaces will be provided.

PUBLICITY

The application was advertised in the Greenock Telegraph on 1st February 2019 as a development affecting a conservation area.

SITE NOTICES

A site notice was posted on 1st February 2019 for development affecting a conservation area.

PUBLIC PARTICIPATION

The application was the subject of neighbour notification. One representation was received objecting to the proposal. The concerns raised within the representation received are summarised as follows:

1. There is no precedent for any property along the Esplanade with a dwellinghouse abutting its back garden.
2. The open outlook from the rear of neighbouring properties will be compromised by the new and expanded dwellinghouse.
3. The peacefulness of neighbouring properties rear gardens will be disrupted by the adjacent habitation.

These comments will be addressed within the assessment of the application.

ASSESSMENT

The material considerations in the assessment of this application are the adopted and proposed Inverclyde Local Development Plans, both adopted and proposed Planning Application Advice Notes (PAANs) 2 on "Single Plot Residential Development" and PAANs 3 on "Private and Public Open Space Provision in New Residential Development", the impact on the special character of the Greenock West End Conservation Area with regard to Historic Environment Scotland's (HES) Policy Statement (which supersedes the SHEP) and the "Managing Change in the Historic Environment" guidance note series, the impact on residential amenity, the consultation responses and representation received.

The site is located within an established residential area and within the Greenock West End Conservation Area where Policies RES1 and HER1 of the adopted Plan and Policies 20 and 28 of the proposed Plan apply. Policies RES1 and 20 aim to safeguard the character and amenity of residential areas whilst Policies HER1 and 28 advise on the proposals preserving and enhancing the Conservation Area with regard to Historic Environment Scotland's policy and guidance. The HES guidance note of most relevance to the assessment of this application will be the note on "Setting" which advises that a physical change in the Conservation Area does not necessarily need to replicate its surroundings, however development which does not respect the scale, design and detailing of existing buildings will not generally be supported. Policy RES5 sets out criteria to guide conversion of properties to create a new additional dwelling unit. Policy 1 of the proposed Plan requires development to have regard to the six qualities of successful places, taking account of the factors set out in Figure 3. In this case, the relevant factors are those relating to distinctiveness in terms of reflecting urban form and contributing positively to historic buildings and places. Both adopted and proposed PAAN2s and PAAN3s provide specific guidance on single plot residential development and advise that new residential properties should reflect the established density and pattern of development in respect of plot sizes, proportions of built ground to garden ground, distance to boundaries, the established street frontage, building height, roof design, use of materials and colours.

It is recognised that the Greenock West End Conservation Area is characterised by substantial villas set in large gardens. The predominant building pattern within this part of the Conservation Area features large dwellinghouses within large plots with their main aspect to the Esplanade and their rear gardens extending to Eldon Street. The outbuildings' position, scale and design reflect their historical status as subordinate buildings associated with the main house, which has remained unaltered. In their current form, the buildings form an established feature within their immediate surroundings. As a separate plot, the application site is smaller than that generally prevailing in the immediate locality and furthermore, the proposal seeks to significantly enlarge and alter the existing built form. I consider this to have a significant bearing upon the assessment of this proposal.

The proposed form of the dwelling presents an approximately 108.2 square metre expansion of the existing built form, occupying approximately 50% of the site. I acknowledge that planning permission has been granted for alterations and extension of the outbuildings to form a dwelling which covers approximately 61 square metres, occupying approximately 21% of the site. This proposal therefore presents a significant size increase. The creation of a two storey extension, single storey extension, large dormer and increase in height of the existing building significantly alters the appearance of the existing built form and bears no relationship to the scale of the built form currently on site. This will be particularly evident when viewed from the properties on the opposite side of Eldon Street. The dwelling will also create an unprecedented frontage onto Roseneath Street. As a result of these factors, I consider the development to threaten the uniform, historical pattern and density of development which defines the special characteristics of this part of the Conservation Area. Ultimately, it does not reflect the plot size, proportion of built ground to garden ground, distance to boundaries and the established street frontage. Overdevelopment will also be resultant as there is lack of garden ground associated with the new dwelling to ensure acceptable amenity for its residents.

In considering design, whilst the retention and conversion of large outbuilding is welcomed, the proposed alterations offer little consistency with the traditional built form of the buildings within this area, which also defines the special characteristics of the Conservation Area. It instead incorporates modern materials, and in the case of the single storey extension, modern roof design, which is not considered to reflect the local architecture, nor preserve or enhance the special historic characteristics of the area.

Criterion (d) of Policies RES1 and RES5 require assessment against the Council's Roads Development Guide. The Head of Service – Roads and Transportation has confirmed that the parking provision within the site is suitable.

Turning to the representation received but not yet addressed within my assessment, the comment regarding no precedent for development of this type is noted, however, each application is considered on a case by case basis on individual merit. The impact on the outlook from neighbouring properties is not a material planning consideration and therefore not relevant in the assessment and determination of this application. Any disturbance that the new property may cause to the peacefulness of the area is treated as speculative with no evidence that its residential use could cause a detrimental impact to neighbour amenity to such a degree that could justify an impediment to development. In any case, any issues in respect of excessive noise would be directed to the Head of Environmental and Public Protection (Environmental Health). Following consultation, the Head of Environmental and Public Protection (Environmental Health) offered no objection to the proposal.

In conclusion, the proposal would compromise the historical pattern of development, urban form and high quality traditional design which gave rise to the designation of the Greenock West End Conservation Area, the overall character and amenity of the existing property and the established residential area. As such, I consider the proposal to be contrary to adopted Plan Policies RES1 criteria (a) and (f); RES5 criteria (a), (b), (c) and (d); HER1 and proposed Plan Policies 1, 20 and 28 alongside Historic Environment Scotland's policy and guidance and the guidance set out within both PAAN2s and PAAN3s. As such the proposal cannot be supported.

RECOMMENDATION

That the application be refused.

Reasons

1. The proposal by virtue of scale, form and design would adversely impact upon the historical pattern of development and high quality traditional design which gave rise to the designation of the Greenock West End Conservation Area. As such, I consider the proposal to be contrary to adopted Plan Policies HER1, RES1 criteria (a) and (f), RES5 criteria (a), (b), (c) and (d); and proposed Plan Policies 1, 20 and 28.

2. The proposal does not reflect the plot size, proportion of built ground to garden ground, distances to boundaries, established street frontage, roof design and use of materials and colours of properties within the immediate locality. The proposal therefore presents conflicts with the guidance within both adopted and proposed PAAN2s and PAAN3s.

3. The proposal is contrary to Historic Environment Scotland's Policy Statement as it does not seek to preserve or enhance the characteristics of the Conservation Area nor manage change to the historic environment with intelligence and understanding. Furthermore, it is not supported by the "Managing Change in the Historic Environment" guidance note on "Setting" which advises that development which does not respect the scale, design and detailing of existing buildings will not generally be supported.

Signed:

[redacted]

Carrie Main
Case Officer

[redacted]

Stuart Jamieson
Head of Regeneration and Planning

4. ADOPTED PLANNING APPLICATION ADVICE NOTES 2 AND 3 - SINGLE PLOT RESIDENTIAL DEVELOPMENT AND PRIVATE AND PUBLIC OPEN SPACE PROVISION IN NEW RESIDENTIAL DEVELOPMENT

Planning Application Advice Note No. 2

SINGLE PLOT RESIDENTIAL DEVELOPMENT

There is a constant demand to erect single houses, often within the grounds of large private gardens and occasionally on small derelict or undeveloped areas of ground. These developments are often beneficial, providing additional housing in sustainable locations and removing derelict and untidy sites from the streetscene.

This Advice Note provides guidance on the issues that are considered in determining planning applications for this type of development.

Infill plots will be considered with reference to the following:

- The plot size should reflect those in the immediate locality.
- The proportion of the built ground to garden ground should reflect that in the immediate locality.
- The distance of the building to garden boundaries should reflect that in the immediate locality.
- The established street front building line should be followed.
- The proposed building height, roof design, use of materials and colours should reflect those in the immediate locality.
- Ground level window positions should comply with the window intervisibilty guidance. Windows on side elevations should be avoided where they offer a direct view of neighbouring rear/private gardens, but bathroom windows fitted with obscure glazing will be acceptable. Boundary screening of appropriate height may be considered where the design and impact on neighbouring residential amenity is deemed acceptable.
- Windows of habitable rooms above ground level should comply with the window intervisibilty guidance. Windows on side elevations will only be permitted if the distance to the nearest boundary exceeds 9.0 metres, if there is no direct view of neighbouring rear/private gardens or if it is a bathroom window fitted with obscure glazing.
- The level of on site car parking should be comparable with the established pattern in the street and be capable of being implemented without detriment to road safety.

Applications in Conservation Areas

The Greenock West End and Kilmacolm Conservation Areas are characterised by substantial villas set in large gardens. Understandably, there has been pressure for infill residential development in these areas. Historic Scotland's Scottish Historic Environment Policy explains the Government's position. The Scottish Government requires the historic environment to be cared for, protected and enhanced. Development which does not respect the scale, design and detailing of existing buildings will not generally be supported.

Applications in the grounds of listed buildings

New development within the grounds of listed buildings must have regard to the following:

- The listed building should be maintained as the visually prominent building.
- The principal elevations of the listed building should remain visible from all key viewpoints. New building should not breach any close formal relationship between the listed building and traditional outbuildings.
- Formal gardens should not be affected.
- Developments in front gardens which damage buildings to street relationships will not be supported.
- If a listed building is proposed to be upgraded as part of any development, work requires to be implemented to the listed building as the first stage or as part of an agreed phasing scheme.

Trees

Some infill sites require tree felling to enable development. The Town and Country Planning (Tree Preservation Orders and Trees in Conservation Areas) (Scotland) Regulations 2010 deem that in all but exceptional circumstances, the consent of the Council is required to fell or lop any tree covered by a TPO (Tree Preservation Order) or within a Conservation Area. The promotion of TPOs is an ongoing process and, in assessing applications for development, the

Council has a duty to consider the visual impact which would result if tree felling is required.

Window intervisibilty

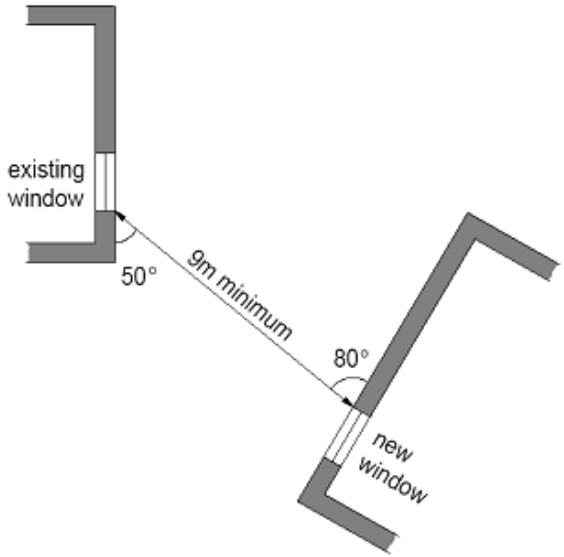
The table to the right details acceptable levels of window to window intervisibility. The distances are taken from the shortest point between the windows.



Brisbane Street, Greenock

Minimum Window to Window Distances (metres)

Angle at window of any other house not more than:	Angle at window of house/extension etc. to be erected not more than:									
	90°	80°	70°	60°	50°	40°	30°	20°	10°	0°
90°	18	18	18	18	13	9	6	4	3	2
80°	18	18	18	13	9	6	4	3	2	-
70°	18	18	13	9	6	4	3	2	-	-
60°	18	13	9	6	4	3	2	-	-	-
50°	13	9	6	4	3	2	-	-	-	-
40°	9	6	4	3	2	-	-	-	-	-
30°	6	4	3	2	-	-	-	-	-	-
20°	4	3	2	-	-	-	-	-	-	-
10°	3	2	-	-	-	-	-	-	-	-
0°	2	-	-	-	-	-	-	-	-	-



Planning Application Advice Note No. 3

PRIVATE and PUBLIC OPEN SPACE PROVISION in NEW RESIDENTIAL DEVELOPMENT

Open space provides two important functions; it contributes to "Placemaking", providing space around and setting for buildings helping to establish the impression of an area, and it can be used to provide areas for outdoor leisure.

This Advice Note provides guidance on the required levels of public open space and private garden ground that should be included in new residential developments.

Types of development

No two sites are the same and residential development can range from the single house to sites in excess of 100 units. The standards required vary depending upon the scale of the development. The following definitions apply:

SMALL SCALE INFILL, INCLUDING SINGLE PLOTS

- 10 houses or fewer in a vacant / redevelopment site within a built up area.

LARGE SCALE INFILL

- more than 10 houses in a vacant / redevelopment site within a built up area.

GREENFIELD / EDGE OF TOWN

- the development of a site on the edge of or outside a town or village.

FLATTED INFILL

- the development of a block of flats, irrespective of number of units, on a vacant / redevelopment site within a built up area.

FLATTED DEVELOPMENT WITHIN A LARGE SCALE INFILL OR GREENFIELD / EDGE OF TOWN SITE

- the development of a block of flats, irrespective of number of units, as part of a larger infill development within a town or village, or on a greenfield / edge of town or village site.

Private Garden Ground

SMALL SCALE INFILL DEVELOPMENTS, INCLUDING SINGLE PLOTS

- new development should accord with the established density and pattern of development in the immediate vicinity with reference to front and rear garden sizes and distances to plot boundaries.

FLATTED INFILL DEVELOPMENTS

- flats should reflect the existing scale of buildings and townscape in the immediate environs. Open space need only be provided where surplus land is available following the provision of any off-street parking required.

LARGE SCALE (INFILL) OR GREENFIELD / EDGE OF SETTLEMENT SITE

- the following minimum sizes shall apply:

– Rear / private garden depth - 9 metres, although where the rear garden does not back onto residential property, this may be reduced if an area of screened side garden of size equivalent to a rear garden with a 9 metre depth can be provided.

– Front / public garden depth - 6 metres.

– Distance from house to side boundary - 2 metres.

– Distance from house to side boundary when the house has an attached garage - 3 metres.

FLATTED WITHIN A LARGE SCALE INFILL OR GREENFIELD / EDGE OF SETTLEMENT SITE

- 10 square metres per bedspace based upon an occupancy rate of two persons per double bedroom and one person per single bedroom.

Public Open Space

In developments other than small scale and flatted infill sites, public open space is required to be provided to achieve both an appropriate landscape setting for the development and play space.

In such circumstances the following criteria will apply:

- Public open space should be provided at the indicative ratio of 1.64 ha per 1000 population. Population estimates are based upon occupancy rates of two persons per double bedroom and one person per single bedroom.

- It will be the responsibility of the developer to equip the play areas. Children's play areas and kickabout areas should comprise 0.32 ha per 1000 population.

- Developers may request that the Council take over maintenance of the open space and play areas. The decision is at the discretion of the Council, and will require the following criteria to be achieved:

– The design and layout of play equipment and safety surface shall be of a design agreed with the Council as part of the planning application process.

– That an accredited play area inspector confirm the conformity of the design and installation to the relevant standard prevailing at the time.

– 12 months defects liabilities and warranties shall apply.

– The land and any associated assets are disponed to the Council free of any charges or fees.

– That a sum equal to 10 years maintenance of the site is paid to the Council in advance.

- Where the developer selects not to pass maintenance to the Council, it will be a requirement for the obtaining of planning permission that the developer passes ownership and maintenance of all open space and play equipment to a management company. A bond to cover the cost of maintenance and replacement over a 10 year period will also require to be provided.

Location of Play Areas

- Play areas should be located to ensure that they are overlooked, but at the same time must be positioned at least 10 metres distant from the boundary of the nearest residence.

- Where developments are located in close proximity to established parks or play areas, the Council may, in appropriate cases, consider as an alternative to on-site provision of play equipment the supplementing, at the expense of the developer, of existing play equipment in the nearby park or play area. This, however, will not absolve the developer of the requirement to provide amenity landscaped areas to enhance the setting of the development. Toddler play provision may not be required when the developer provides flat rear/private garden ground in excess of 9 metres.



Former Bridge of Weir Hospital

5. PROPOSED PLANNING APPLICATION ADVICE NOTES 2 AND 3 - SINGLE PLOT RESIDENTIAL DEVELOPMENT AND PRIVATE AND PUBLIC OPEN SPACE PROVISION IN NEW RESIDENTIAL DEVELOPMENT

Planning Application Advice Note No. 2

SINGLE PLOT RESIDENTIAL DEVELOPMENT

There is a constant demand to erect single houses, often within the grounds of large private gardens and occasionally on small derelict or undeveloped areas of ground. These developments are often beneficial, providing additional housing in sustainable locations and removing derelict and untidy sites from the streetscene.

This Advice Note provides guidance on the issues that are considered in determining planning applications for this type of development.

Infill plots will be considered with reference to the following:

- The plot size should reflect those in the immediate locality.
- The proportion of the built ground to garden ground should reflect that in the immediate locality.
- The distance of the building to garden boundaries should reflect that in the immediate locality.
- The established street front building line should be followed.
- The proposed building height, roof design, use of materials and colours should reflect those in the immediate locality.
- Ground level window positions should comply with the window intervisibilty guidance. Windows on side elevations should be avoided where they offer a direct view of neighbouring rear/private gardens, but bathroom windows fitted with obscure glazing will be acceptable. Boundary screening of appropriate height may be considered where the design and impact on neighbouring residential amenity is deemed acceptable.
- Windows of habitable rooms above ground level should comply with the window intervisibilty guidance. Windows on side elevations will only be permitted if the distance to the nearest boundary exceeds 9.0 metres, if there is no direct view of neighbouring rear/private gardens or if it is a bathroom window fitted with obscure glazing.
- The level of on site car parking should be comparable with the established pattern in the street and be capable of being implemented without detriment to road safety.

Applications in Conservation Areas

The Greenock West End and Kilmacolm Conservation Areas are characterised by substantial villas set in large gardens. Understandably, there has been pressure for infill residential development in these areas. Historic Environment Scotland's Policy Statement explains the Government's position. The Scottish Government requires the historic environment to be cared for, protected and enhanced. Development which does not respect the scale, design and detailing of existing buildings will not generally be supported.

Applications in the grounds of listed buildings

New development within the grounds of listed buildings must have regard to the following:

- The listed building should be maintained as the visually prominent building.
- The principal elevations of the listed building should remain visible from all key viewpoints. New building should not breach any close formal relationship between the listed building and traditional outbuildings.
- Formal gardens should not be affected.
- Developments in front gardens which damage buildings to street relationships will not be supported.
- If a listed building is proposed to be upgraded as part of any development, work requires to be implemented to the listed building as the first stage or as part of an agreed phasing scheme.

Trees

Some infill sites require tree felling to enable development. The Town and Country Planning (Tree Preservation Orders and Trees in Conservation Areas) (Scotland) Regulations 2010 deem that in all but exceptional circumstances, the consent of the Council is required to fell or lop any tree covered by a TPO (Tree Preservation Order) or within a Conservation Area. The promotion of TPOs is an ongoing process and, in assessing applications for development, the

PLANNING APPLICATION ADVICE NOTES

Council has a duty to consider the visual impact which would result if tree felling is required.

Window intervisibilty

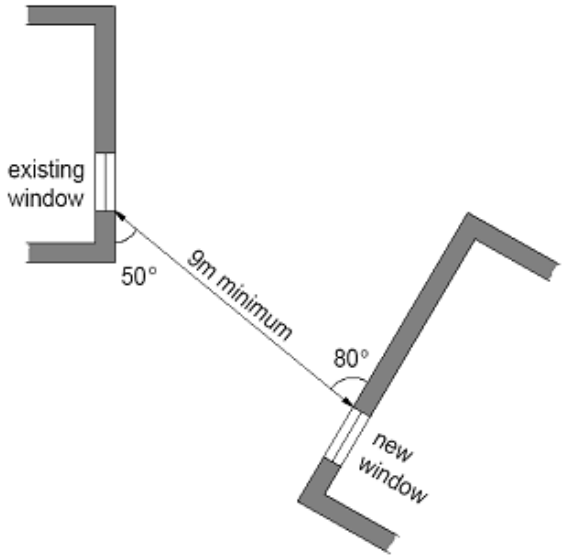
The table to the right details acceptable levels of window to window intervisibility. The distances are taken from the shortest point between the windows.



Brisbane Street, Greenock

Minimum Window to Window Distances (metres)

Angle at window of any other house not more than:	Angle at window of house/extension etc. to be erected not more than:									
	90°	80°	70°	60°	50°	40°	30°	20°	10°	0°
90°	18	18	18	18	13	9	6	4	3	2
80°	18	18	18	13	9	6	4	3	2	-
70°	18	18	13	9	6	4	3	2	-	-
60°	18	13	9	6	4	3	2	-	-	-
50°	13	9	6	4	3	2	-	-	-	-
40°	9	6	4	3	2	-	-	-	-	-
30°	6	4	3	2	-	-	-	-	-	-
20°	4	3	2	-	-	-	-	-	-	-
10°	3	2	-	-	-	-	-	-	-	-
0°	2	-	-	-	-	-	-	-	-	-



Before you submit your application you may contact us for free advice and guidance on **01475 712418** or email **devcont.planning@inverclyde.gov.uk**
Our officers will be pleased to offer you advice on your proposal before you submit your application.

Planning Application Advice Note No. 3

PRIVATE and PUBLIC OPEN SPACE PROVISION in NEW RESIDENTIAL DEVELOPMENT

Open space provides two important functions; it contributes to "Placemaking", providing space around and setting for buildings helping to establish the impression of an area, and it can be used to provide areas for outdoor leisure.

This Advice Note provides guidance on the required levels of public open space and private garden ground that should be included in new residential developments.

Types of development

No two sites are the same and residential development can range from the single house to sites in excess of 100 units. The standards required vary depending upon the scale of the development. The following definitions apply:

SMALL SCALE INFILL, INCLUDING SINGLE PLOTS

- 10 houses or fewer in a vacant / redevelopment site within a built up area.

LARGE SCALE INFILL

- more than 10 houses in a vacant / redevelopment site within a built up area.

GREENFIELD / EDGE OF TOWN

- the development of a site on the edge of or outside a town or village.

FLATTED INFILL

- the development of a block of flats, irrespective of number of units, on a vacant / redevelopment site within a built up area.

FLATTED DEVELOPMENT WITHIN A LARGE SCALE INFILL OR GREENFIELD / EDGE OF TOWN SITE

- the development of a block of flats, irrespective of number of units, as part of a larger infill development within a town or village, or on a greenfield / edge of town or village site.

Private Garden Ground

SMALL SCALE INFILL DEVELOPMENTS, INCLUDING SINGLE PLOTS

- new development should accord with the established density and pattern of development in the immediate vicinity with reference to front and rear garden sizes and distances to plot boundaries.

FLATTED INFILL DEVELOPMENTS

- flats should reflect the existing scale of buildings and townscape in the immediate environs. Open space need only be provided where surplus land is available following the provision of any off-street parking required.

LARGE SCALE (INFILL) OR GREENFIELD / EDGE OF SETTLEMENT SITE

- the following minimum sizes shall apply:

– Rear / private garden depth - 9 metres, although where the rear garden does not back onto residential property, this may be reduced if an area of screened side garden of size equivalent to a rear garden with a 9 metre depth can be provided.

– Front / public garden depth - 6 metres.

– Distance from house to side boundary - 2 metres.

– Distance from house to side boundary when the house has an attached garage - 3 metres.

FLATTED WITHIN A LARGE SCALE INFILL OR GREENFIELD / EDGE OF SETTLEMENT SITE

- 10 square metres per bedspace based upon an occupancy rate of two persons per double bedroom and one person per single bedroom.

Public Open Space

In developments other than small scale and flatted infill sites, public open space is required to be provided to achieve both an appropriate landscape setting for the development and play space.

In such circumstances the following criteria will apply:

- Public open space should be provided at the indicative ratio of 1.64 ha per 1000 population. Population estimates are based upon occupancy rates of two persons per double bedroom and one person per single bedroom.

- It will be the responsibility of the developer to equip the play areas. Children's play areas and kickabout areas should comprise 0.32 ha per 1000 population.

PLANNING APPLICATION ADVICE NOTES

- Developers may request that the Council take over maintenance of the open space and play areas. The decision is at the discretion of the Council, and will require the following criteria to be achieved:

– The design and layout of play equipment and safety surface shall be of a design agreed with the Council as part of the planning application process.

– That an accredited play area inspector confirm the conformity of the design and installation to the relevant standard prevailing at the time.

– 12 months defects liabilities and warranties shall apply.

– The land and any associated assets are disponed to the Council free of any charges or fees.

– That a sum equal to 10 years maintenance of the site is paid to the Council in advance.

- Where the developer selects not to pass maintenance to the Council, it will be a requirement for the obtaining of planning permission that the developer passes ownership and maintenance of all open space and play equipment to a management company. A bond to cover the cost of maintenance and replacement over a 10 year period will also require to be provided.

Location of Play Areas

- Play areas should be located to ensure that they are overlooked, but at the same time must be positioned at least 10 metres distant from the boundary of the nearest residence.

- Where developments are located in close proximity to established parks or play areas, the Council may, in appropriate cases, consider as an alternative to on-site provision of play equipment the supplementing, at the expense of the developer, of existing play equipment in the nearby park or play area. This, however, will not absolve the developer of the requirement to provide amenity landscaped areas to enhance the setting of the development. Toddler play provision may not be required when the developer provides flat rear/private garden ground in excess of 9 metres.



Former Bridge of Weir Hospital

6. PLANNING APPLICATION AND PLAN, APPOINTED OFFICER'S REPORT OF HANDLING AND DECISION NOTICE IN RELATION TO PLANNING APPLICATION 15/0024/IC

Inverclyde council

Municipal Buildings Clyde Square Greenock PA15 1LY

Tel: 01475 712 406

Fax: 01475 712 468

Email: planning.dlm@inverclyde.gov.uk

Applications cannot be validated until all necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 000110091-001

The online ref number is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the Planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

We strongly recommend that you refer to the help text before you complete this section.

- [x] Application for Planning Permission (including changes of use and surface mineral working)
- [ ] Application for Planning Permission in Principle
- [ ] Further Application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- [ ] Application for Approval of Matters specified in conditions

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Proposed conversion of former coach house to dwelling

Is this a temporary permission? * ☐ Yes ☑ No

If a change of use is to be included in the proposal has it already taken place? (Answer 'No' if there is no change of use.) * ☐ Yes ☑ No

Have the works already been started or completed? *

☑ No ☐ Yes - Started ☐ Yes - Completed

Applicant or Agent Details

Are you an applicant, or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application) ☐ Applicant ☑ Agent

Agent Details

Please enter Agent details

Company/Organisation:	Canata & Seggie
Ref. Number:	
First Name: *	Victor
Last Name: *	Canata
Telephone Number: *	01475 784517
Extension Number:	
Mobile Number:	
Fax Number:	
Email Address: *	info@canseg.co.uk

You must enter a Building Name or Number, or both:*

Building Name:	
Building Number:	7
Address 1 (Street): *	Union Street
Address 2:	
Town/City: *	Greenock
Country: *	Scotland
Postcode: *	PA16 8NY

Is the applicant an individual or an organisation/corporate entity? *

☑ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title: *	Mr
Other Title:	
First Name: *	John
Last Name: *	Pow
Company/Organisation:	
Telephone Number:	[redacted]
Extension Number:	
Mobile Number:	[redacted]
Fax Number:	
Email Address:	

You must enter a Building Name or Number, or both:*

Building Name:	Arklay
Building Number:	
Address 1 (Street): *	Main Street
Address 2:	
Town/City: *	Inverkip
Country: *	Scotland
Postcode: *	PA16 0AS

Site Address Details

Planning Authority: Inverclyde Council

Full postal address of the site (including postcode where available):

Address 1:	45	Address 5:	
Address 2:	ESPLANADE,	Town/City/Settlement:	GREENOCK
Address 3:		Post Code:	PA16 7RY
Address 4:			

Please identify/describe the location of the site or sites.

FORMER COACH HOUSE AT GROUND TO THE REAR OF 45 ESPLANADE, GREENOCK, PA16 7RY

Northing	677799	Easting	226276

Pre-Application Discussion

Have you discussed your proposal with the planning authority? * ☑ Yes ☐ No

Pre-Application Discussion Details

In what format was the feedback given? *

☑ Meeting ☐ Telephone ☐ Letter ☑ Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (Max 500 characters)

Pre application discussions with Michael Martin.

Title:	Mr	Other title:	
First Name:	Michael	Last Name:	Martin
Correspondence Reference Number:		Date (dd/mm/yyyy):	20/10/14

Note 1. A processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area: 312.00

Please state the measurement type used: ☐ Hectares (ha) ☑ Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: (Max 500 characters)

Coach house associated with 45 Esplanade, Greenock.

Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? * ☐ Yes ☑ No

If Yes please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any changes to public paths, public rights of way or affecting any public rights of access? * ☐ Yes ☑ No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application site? * 3

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the total of existing and any new spaces or a reduced number of spaces)? * 3

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycle spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? * ☑ Yes ☐ No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

- ☑ Yes – connecting to public drainage network
- ☐ No – proposing to make private drainage arrangements
- ☐ Not Applicable – only arrangements for water supply required

Do your proposals make provision for sustainable drainage of surface water? (e.g. SUDS arrangements) * ☐ Yes ☑ No

Note: -

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

- ☑ Yes
- ☐ No, using a private water supply
- ☐ No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? * ☐ Yes ☑ No ☐ Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? * ☐ Yes ☑ No ☐ Don't Know

Trees

Are there any trees on or adjacent to the application site? * ☐ Yes ☑ No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * ☑ Yes ☐ No

If Yes or No, please provide further details:(Max 500 characters)

Garden ground provides more than sufficient are for bin storage.

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? * ☑ Yes ☐ No

How many units do you propose in total? * 1

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

All Types of Non Housing Development - Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? * ☐ Yes ☑ No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013 * ☐ Yes ☑ No ☐ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? * ☐ Yes ☑ No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2013

One Certificate must be completed and submitted along with this application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land ? * ☐ Yes ☑ No

Is any of the land part of an agricultural holding? * ☐ Yes ☑ No

Are you able to identify and give appropriate notice to ALL the other owners? * ☑ Yes ☐ No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate B

Certificates

The certificate you have selected requires you to distribute copies of the Notice 1 document below to all of the Owners/Agricultural tenants that you have provided, before you can complete your certificate.

Notice 1 is Required

☑ I understand my obligations to provide the above notice(s) before I can complete the certificates. *

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

I hereby certify that -

(1) - No person other than myself/the applicant was an owner [Note 4] of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application;
or –
(1) - I have/The Applicant has served notice on every person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application was owner [Note 4] of any part of the land to which the application relates.

Name: Mr John Pow

Address: Trustee for the late Dr. A. A Pow, Arklay, Main Street, Inverkip, Scotland, PA16 0AS

Date of Service of Notice: * 29/01/15

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding;

or –

(2) - The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have/the applicant has served notice on every person other than myself/himself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. These persons are:

Name:

Address:

Date of Service of Notice: *

Signed: Victor Canata

On behalf of: Mr John Pow

Date: 29/01/2015

Checklist - Application for Planning Permission

Town and County Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

☐ Yes ☐ No ☑ Not applicable to this application

b) If this is an application for planning permission or planning permission in principal where there is a crown interest in the land, have you provided a statement to that effect? *

☐ Yes ☐ No ☑ Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major developments (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

☐ Yes ☐ No ☑ Not applicable to this application

Town and County Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

☐ Yes ☐ No ☑ Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

☐ Yes ☐ No ☑ Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

☐ Yes ☐ No ☑ Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- [x] Site Layout Plan or Block plan.
- [x] Elevations.
- [x] Floor plans.
- [x] Cross sections.
- [ ] Roof plan.
- [ ] Master Plan/Framework Plan.
- [ ] Landscape plan.
- [ ] Photographs and/or photomontages.
- [ ] Other.

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *	☐ Yes	☑ N/A
A Design Statement or Design and Access Statement. *	☐ Yes	☑ N/A
A Flood Risk Assessment. *	☐ Yes	☑ N/A
A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *	☐ Yes	☑ N/A
Drainage/SUDS layout. *	☐ Yes	☑ N/A
A Transport Assessment or Travel Plan. *	☐ Yes	☑ N/A
Contaminated Land Assessment. *	☐ Yes	☑ N/A
Habitat Survey. *	☐ Yes	☑ N/A
A Processing Agreement *	☐ Yes	☑ N/A

Other Statements (please specify). (Max 500 characters)

Declare - For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying plans/drawings and additional information are provided as a part of this application .

Declaration Name: Victor Canata

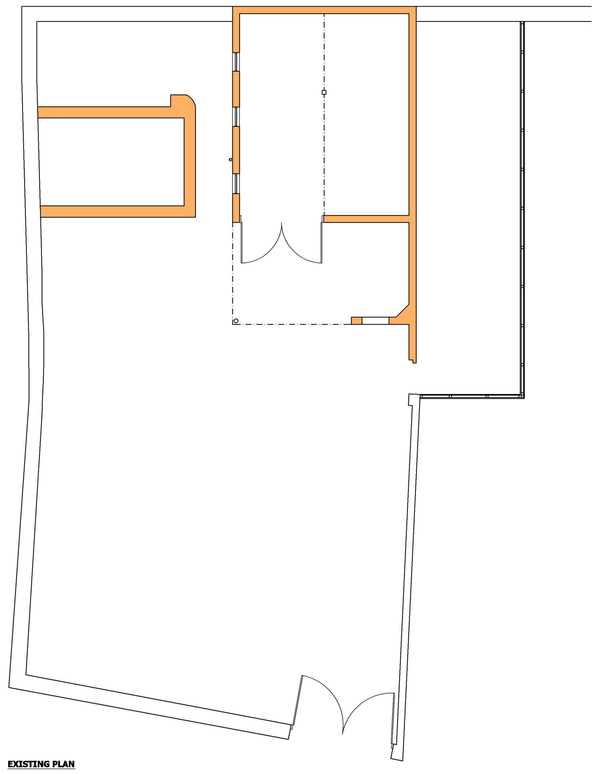
Declaration Date: 29/01/2015

Submission Date: 29/01/2015

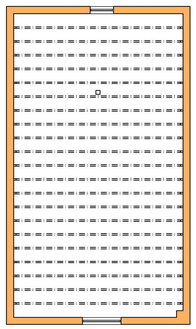
Payment Details

Cheque: Mrs E Pow & Mr J Pow, 000044

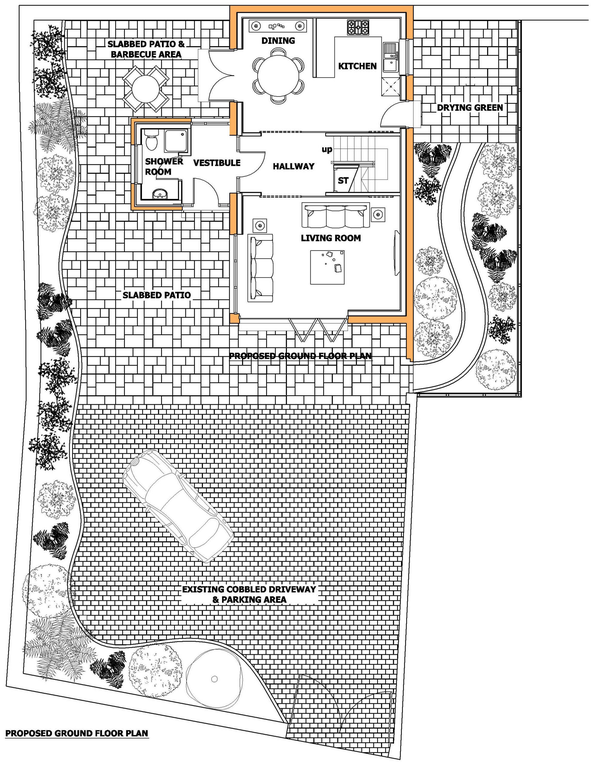
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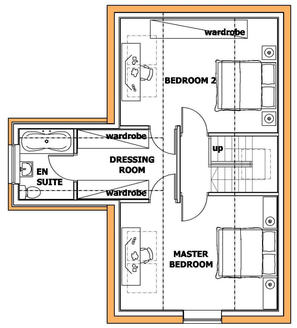
EXISTING PLAN



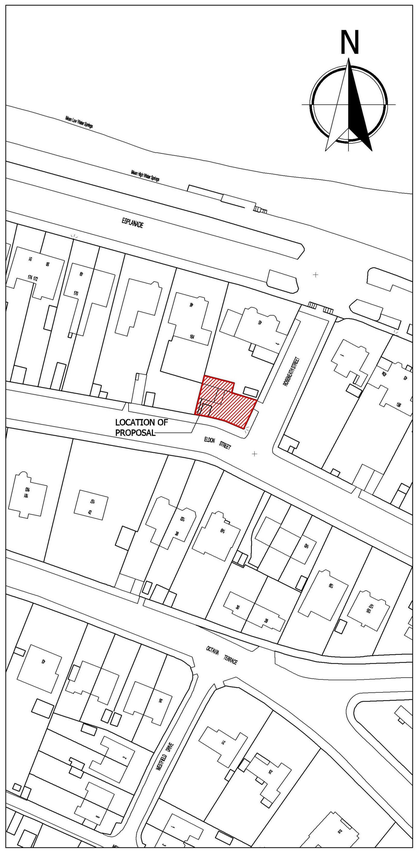
EXISTING ATTIC PLAN



PROPOSED GROUND FLOOR PLAN

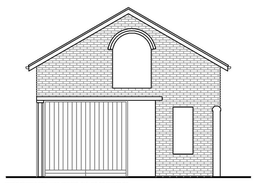


PROPOSED FIRST FLOOR PLAN

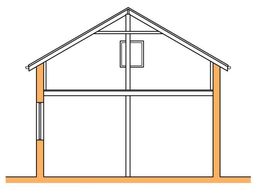


LOCATION PLAN - SCALE 1:1250
O.S. REPRODUCED UNDER LICENSE NO. AR 192023

0 25m 50m 75m 100m 125m



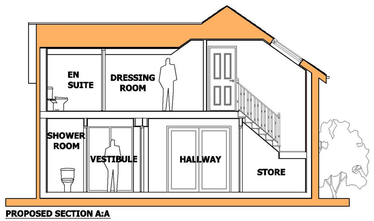
EXISTING FRONT ELEVATION



EXISTING SECTION A:A



PROPOSED FRONT ELEVATION



PROPOSED SECTION A:A



PROPOSED SIDE ELEVATION

0 1m 2m 3m 4m 5m 10m

REVISION	DESCRIPTION	DATE
/	/	/

Canata Seggie CHARTERED ARCHITECTS

PROJECT TITLE	PROPOSED CONVERSION OF FORMER COACH HOUSE TO DWELLING
PROJECT ADDRESS	ROSENEATH STREET, GREENOCK
CLIENT	JOHN POW
DRAWING TITLE	EXISTING & PROPOSED PLANS, ELEVATIONS & SECTIONS.
DRAWING STATUS	PLANNING
DRAWING NUMBER	2160_D.001
REVISION	/
SCALE	1:100 @ A1
DATE	28-01-2015
DRAWN BY	Ross Gregson
CHECKED BY	Vic Canata

CANATA AND SEGGIE CHARTERED ARCHITECTS COPYRIGHT RESERVED

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Inverclyde council

REPORT OF HANDLING

Report By:	**Mike Martin**	**Report No:**	**15/0024/IC**
			Local Application Development
Contact Officer:	**01475 712412**	**Date:**	**20th March 2015**

Subject: **Change of use and alterations to former coach house to form a dwelling at the rear of 45 Esplanade, Greenock.**

SITE DESCRIPTION

The application site comprises a former coach house situated to the rear of 45 Esplanade/2 Roseneath Street, Greenock, itself a detached two storey property, and lies within the Greenock West End Conservation Area. The land associated with the coach house now comprises a separate plot described as 4 Roseneath Street and is situated at the corner of Roseneath Street and Eldon Street. It is generally rectangular in shape with a small additional area lying to the north. It is bound by a high stone wall to the east (Roseneath Street), the south (Eldon Street) and also to the west (the adjoining property). At the northern boundary, a timber fence approximately 1.20 metres in height separates the site form the rear garden of the existing house. Access to the site is from Rosneath Street. The plot extends to approximately 320 square metres.

PROPOSAL

The proposal is to change the use of the building, and carry out associated alterations, to form a dwellinghouse. The building is constructed in brick and has a pitched roof finished in roofing felt. It is formed on two levels, the upper floor being loft space and the building occupies a footprint of approximately 61 square metres. The rear elevation forms part of the boundary wall with the neighbouring property to the west. It is proposed to enlarge the building by an increase in the overall height by approximately 1 metre and by constructing a two storey extension on its south elevation, the latter providing an additional footprint of approximately 8.75 square metres. An existing outhouse which abuts the south facing boundary wall would be demolished. The resultant building will comprise a two storey dwelling and the main extent of fenestration would be on its east and south facing elevations.

LOCAL DEVELOPMENT PLAN POLICIES

Policy RES1 - Safeguarding the Character and Amenity of Residential Areas

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

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

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

Policy RES5 - Proposals for Changes to Properties for Residential Use

Proposals for the change of use, sub-division or conversion to properties to create new additional dwelling units, and for the alteration or extension to residential properties, will be assessed against and have to satisfy where appropriate, the following criteria:

(a) the character and amenity of neighbouring properties;
(b) impact on the streetscape;
(c) impact on the character of the existing property;
(d) accordance with the Council's adopted roads guidance; and
having regard to Supplementary Guidance on Planning Application Advice Notes.

Policy HER1 - Development which Affects the Character of Conservation Areas

Development proposals which affect conservation areas will be acceptable where they are sympathetic to the character, pattern of development and appearance of the area. Such proposals will be assessed having regard to Historic Scotland's SHEP and "Managing Change in the Historic Environment" guidance note series.

Policy HER2 - Demolition in Conservation Areas

There will be a presumption against the demolition of unlisted buildings in conservation areas. Proposals will be assessed against the impact on the historical street pattern and building form. Proposals for demolition will not be considered in the absence of a planning application for a replacement development that enhances or preserves the character of the surrounding area. All such proposals will be assessed having regard to Historic Scotland's SHEP and 'Managing Change in the Historic Environment' guidance note series.

CONSULTATIONS

Head of Environmental and Commercial Services – no objections.

PUBLICITY

The application was advertised in the Greenock Telegraph on 6th February 2015 as a development affecting a conservation area.

SITE NOTICES

A site notice was posted on 6th February 2015 for development affecting a conservation area.

PUBLIC PARTICIPATION

No representations have been received.

ASSESSMENT

The material considerations in the assessment of this application are the Inverclyde Local Development Plan, the Scottish Historic Environment Policy (SHEP), Scottish Government Planning Advice Note (PAN)71 on Conservation Area Management, the impact upon the existing streetscape and wider conservation area the impact upon residential amenity and the consultation response.

The predominant building pattern within this part of the conservation area features large dwellinghouses within large plots with their main aspect to the Esplanade and their rear gardens extending to Eldon Street. Whilst there are examples of smaller scale developments at the rear of no's 39 and 40 Esplanade (146 and 148 Eldon Street) these are not wholly representative of the surrounding area and originate prior to the designation of the conservation area. The nearest comparable conversion of a former coach house occurs at the north-east corner of Eldon Street/Bentinck Street, approximately 250 metres to the east.

In terms of the Local Development Plan, proposals for the residential development within conservation areas are assessed in terms of policies RES1, RES5 and HER1. Of specific reference to the current proposal are policies RES1 (a), RES5 (a), (b) and (c) and HER1 which combine to consider the compatibility of proposed development upon the character and amenity of the area, impact upon the streetscape and the character of the property and its sympathy to the character, pattern of development and appearance of the area.

It is recognised that the Greenock West End Conservation Area is characterised by substantial villas set in large gardens and that the Scottish Government requires the historic environment to be protected and enhanced as detailed in the Scottish Historic Environment Policy (SHEP) and Scottish Government Planning Advice Note (PAN)71 As a separate plot the application site is considerably smaller than that generally prevailing in the immediate locality. However, in its current form the building is an established feature within its immediate surroundings and, in principle its use for residential purposes creates no impact in relation to the general principle of policy RES1. The current design seeks to enlarge the building and alter significantly its design and appearance, particularly when viewed from the properties on the opposite side of Eldon Street and I consider this to have a significant bearing upon the assessment of the proposal.

The character of such existing buildings is that their scale and design reflects their historical status as subordinate buildings associated with the main house and this particular building has been remained unaltered. It is considered that there is scope for adaptation of this building for residential use, but within the context of the scale and design of the present building. The creation of a two storey extension together with a general increase in height of the original structure would, I consider, change significantly its appearance and character and create a significant visual impact upon its setting within this part of the conservation area. The proposal, visually, bears no relationship to the scale of building currently on site.

Furthermore, I consider that the proposal would not enhance or preserve neither the historical building form nor the character of this part of the conservation area.

The demolition of the small outhouse would have no discernible impact upon the conservation area and, as a consequence is acceptable in terms of policy HER2. No objection has been raised within the consultation response.

In conclusion, I consider that the current proposal would be detrimental to the appearance and character of the property and therefore I consider that the proposal would impact adversely upon the character of the existing building and its setting within this part of the conservation area and therefore is unacceptable in terms of policies RES1 (a), RES5 (a), (b) and (c) and to the guidance within Historic Scotland's Scottish Historic Environment Policy (SHEP) that development should preserve or enhance the character of the conservation area.

RECOMMENDATION

That the application be refused

Reasons

1. As the proposal, by virtue of scale and height, would adversely impact upon the character of the existing building and its setting within this part of the Greenock West End Conservation Area and, as such, would be contrary to Local Development Plan policies RES1 (a); RES5 (a), (b), and (c) and to the guidance contained within Historic Scotland's Scottish Historic Environment Policy (SHEP) that development should preserve or enhance the character of the conservation area.

Signed:

[redacted]

Case Officer: Mike Martin

[redacted]

Stuart Jamieson
Head of Regeneration and Planning

DECISION NOTICE

Refusal of Planning Permission
Issued under Delegated Powers

Inverclyde council

Regeneration and Planning
Municipal Buildings
Clyde Square
Greenock PA15 1LY

Planning Ref: 15/0024/IC

Online Ref: 000110091-001

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND)REGULATIONS 2013

Mr John Pow
Arklay
Main Street
Inverkip
PA16 0AS

Canata And Seggie
Chartered Architects
7 Union Street
GREENOCK
PA16 8JH

With reference to your application dated 29th January 2015 for planning permission under the above mentioned Act and Regulation for the following development:-

Change of use and alterations to former coach house to form a dwelling at

45 Esplanade, Greenock.

Category of Application Local Application Development

The INVERCLYDE COUNCIL in exercise of their powers under the abovementioned Act and Regulation hereby refuse planning permission for the said development.

The reasons for the Council's decision are:-

1. As the proposal, by virtue of scale and height, would adversely impact upon the character of the existing building and its setting within this part of the Greenock West End Conservation Area and, as such, would be contrary to Local Development Plan policies RES1 (a); RES5 (a), (b) and (c) and to the guidance contained within Historic Scotland`s Scottish Historic Environment Policy (SHEP) that development should preserve or enhance the character of the conservation area.

The reason why the Council made this decision is explained in the attached Report of Handling.

Dated this 23rd day of March 2015

[redacted]

Head of Regeneration and Planning

Healthy Working Lives

POSITIVE ABOUT DISABLED PEOPLE

1 If the applicant is aggrieved by the decision of the Planning Authority to refuse permission for or approval required by condition in respect of the proposed development, or to grant permission or approval subject to conditions, he may seek a review of the decision within three months beginning with the date of this notice. The request for review shall be addressed to The Head of Legal and Administration, Inverclyde Council, Municipal Buildings, Greenock, PA15 1LY.

2 If permission to develop land is refused or granted subject to conditions, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the planning authority a purchase notice requiring the purchase of his interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997

Refused Plans: Can be viewed Online at http://planning.inverclyde.gov.uk/Online/

Drawing No:	Version:	Dated:
2160_D.001		28.01.2015

7. CONSULTATION RESPONSES IN RELATION TO PLANNING APPLICATION

Inverclyde council

Environment and Community Protection

Memorandum Safer Communities Planning Application Consultation Response	
To: **Planning Services** For the Attention of : James McColl	
From: **Environment & Public Protection**	**Planning response date:** 15.2.19

Lead Officer: **Janet Stitt**	
Tel: **01475 714 270**	Email: **janet.stitt@inverclyde.gov.uk**

Safer Communities Reference (optional):	
Planning Application Reference:	**19/0010/IC**
Planning Application Address:	**6 Roseneath Street, Greenock PA16 7RZ**
Planning Application Proposal:	**Extension and conversion of former stables to form new dwelling.**

Team	Officer	Date
Food & Health	Michael Lapsley	
Air Quality Contaminated Land	Sharon Lindsay Roslyn McIntosh	11.2.19 7.2.19
Public Health & Housing	Janet Stitt	31.1.19
Noise	Sharon Lindsay	11.2.19

Amend table entries as appropriate and insert date when each officer review is completed.

Healthy Working Lives

Positive About Disabled People

Recommended Conditions:

It is recommended that the undernoted conditions be placed on any consent the council may grant:

Delete or amend as appropriate

Food & Health

No Comments

Air Quality

No Comments

Contaminated Land

No Comments

Public Health & Housing

1. The applicant shall submit to the Planning Authority a detailed specification of the containers to be used to store waste materials and recyclable materials produced on the premises as well as specific details of the areas where such containers are to be located. The use of the residential accommodation shall not commence until the above details are approved in writing by the Planning Authority and the equipment and any structural changes are in place.

Reason: To protect the amenity of the immediate area, prevent the creation of nuisance due to odours, insects, rodents or birds.

2. All external lighting on the application site should comply with the Scottish Government Guidance Note "Controlling Light Pollution and Reducing Lighting Energy Consumption".

Reason: To protect the amenity of the immediate area, the creation of nuisance due to light pollution and to support the reduction of energy consumption.

Noise

3. The sound insulation should have regard to advice and standards contained in the current Scottish Building Regulations.

Reason: To ensure that acceptable noise and vibration levels are not exceeded.

Recommended Advisory Notes

It is strongly recommended that the undernoted Advisory Notes be placed on any consent the Council may grant:

i. **Site Drainage:** Suitable and sufficient measures for the effective collection and disposal of surface water should be implemented during construction phase of the project as well as within the completed development to prevent flooding within this and nearby property.

ii. **Rats, drains and sewers:** Prior to the construction phase it is strongly recommended that any existing, but redundant, sewer/drainage connections should be sealed to prevent rat infestation and inhibit the movement of rats within the area via the sewers/drains.

iii. The applicant should be fully aware of the **Construction (Design & Management) Regulations 2015 (CDM 2015)** and it's implications on client duties etc.

iv. **Design and Construction of Buildings – Gulls:** It is very strongly recommended that appropriate measures be taken in the design of all buildings and their construction, to inhibit the roosting and nesting of gulls. Such measures are intended to reduce nuisance to, and intimidation of, persons living, working and visiting the development.

14 FEB 2019

Inverclyde council

To:	**Head of Regeneration & Planning**	**Your Ref:**	**19/0010/IC**
		Our Ref:	**KM/14/04/18/0010/IC**
From:	**Head of Roads & Transportation**	**Contact:**	**K McMillan**
		Tel:	**(01475) 714841**
Subject:	**Observations On Planning Application**	**PA Ref:**	**19/0010/IC**
Detail:	**Alterations, extension and conversion of former stables to form new dwelling**	**Dated:** **Received:**	**30/01/2019** **30/01/2019**
Site:	**6 Roseneath Street, Greenock, PA16 7RZ**	**Applicant:**	**Mr Jim Sweeney**

Type of Consent: **Detailed Permission/ ~~In Principle/ Approval of Matters/ Change of Use~~**

Comments:

1.	Parking should be provided in accordance with the National Roads Development Guidelines: 1 bedroom — 1 parking space 2-3 bedrooms — 2 parking spaces 4 bedrooms — 3 parking spaces
2.	In accordance with the National Roads Development Guidelines the proposed development requires a minimum of 2 off-street parking spaces within the site. The applicant has demonstrated that 2 spaces will be provided.

Notes For Intimation To Applicant	
Construction Consent (S21)*	Not Required/ ~~Required for all road works~~
Road Bond (S17)*	Not Required/ ~~Required if building works are to be undertaken before roads are completed~~
Road Opening Permit (S56)*	Not Required/ ~~Required for all works in the public road~~
Other	Not Required/ ***

***Relevant Section of the Roads (Scotland) Act 1984**

Signed: [redacted]

Steven Walker, Service Manager (Roads)

Date: 8/2/19

8. REPRESENTATION IN RELATION TO PLANNING APPLICATION

Comments for Planning Application 19/0010/IC

Application Summary
Application Number: 19/0010/IC
Address: 6 Roseneath Street Greenock PA16 7RZ
Proposal: Alterations, extension and conversion of former stables to form new dwelling
Case Officer: James McColl

Customer Details
Name: Mr vincent farrelly
Address: 46A Esplanade Greenock

Comment Details
Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:No precedent for any property along the Esplanade with a dwelling house abutting its back garden.
From rear of 46A the open outlook across existing outbuildings would be compromised by any transition to a new and expanded dwelling house.
Peaceful enjoyment of the gardens of 46A would be compromised by adjacent habitation.

9. DECISION NOTICE DATED 22 MARCH 2019 ISSUED BY HEAD OF REGENERATION & PLANNING

DECISION NOTICE

Inverclyde council

Refusal of Planning Permission
Issued under Delegated Powers

Regeneration and Planning
Municipal Buildings
Clyde Square
Greenock PA15 1LY

Planning Ref: 19/0010/IC

Online Ref: 100150995-001

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND)REGULATIONS 2013

Mr Jim Sweeney
6 Roseneath Street
GREENOCK
PA16 7RZ

Nicholson McShane Architects
Paul McShane
Ladyburn Business Centre
10 Pottery Street
GREENOCK
PA15 2UH

With reference to your application dated 21st January 2019 for planning permission under the above mentioned Act and Regulation for the following development:-

Alterations, extension and conversion of former stables to form new dwelling at

6 Roseneath Street, Greenock

Category of Application Local Application Development

The INVERCLYDE COUNCIL in exercise of their powers under the abovementioned Act and Regulation hereby refuse planning permission for the said development.

The reasons for the Council's decision are:-

1. The proposal by virtue of scale, form and design would adversely impact upon the historical pattern of development and high quality traditional design which gave rise to the designation of the Greenock West End Conservation Area. As such, I consider the proposal to be contrary to adopted Plan Policies HER1, RES1 criteria (a) and (f), RES5 criteria (a), (b), (c) and (d); and proposed Plan Policies 1, 20 and 28.

2. The proposal does not reflect the plot size, proportion of built ground to garden ground, distances to boundaries, established street frontage, roof design and use of materials and colours of properties within the immediate locality. The proposal therefore presents conflicts with the guidance within both adopted and proposed PAAN2s and PAAN3s.

3. The proposal is contrary to Historic Environment Scotland's Policy Statement as it does not seek to preserve or enhance the characteristics of the Conservation Area nor manage change to the historic environment with intelligence and understanding. Furthermore, it is not supported by the "Managing Change in the Historic Environment" guidance note on "Setting" which advises that development which does not respect the scale, design and detailing of existing buildings will not generally be supported.

The reason why the Council made this decision is explained in the attached Report of Handling.

Healthy Working Lives

POSITIVE ABOUT DISABLED PEOPLE

Dated this 22nd day of March 2019

[redacted]

Head of Regeneration and Planning

1 If the applicant is aggrieved by the decision of the Planning Authority to refuse permission for or approval required by condition in respect of the proposed development, or to grant permission or approval subject to conditions, he may seek a review of the decision within three months beginning with the date of this notice. The request for review shall be addressed to The Head of Legal and Administration, Inverclyde Council, Municipal Buildings, Greenock,PA15 1LY.

2 If permission to develop land is refused or granted subject to conditions, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the planning authority a purchase notice requiring the purchase of his interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

Refused Plans: Can be viewed Online at http://planning.inverclyde.gov.uk/Online/

Drawing No:	Version:	Dated:
18042_LP		04.01.2019
18042_D_001		21.01.2019
18042_D_002	Rev B	17.12.2018
18042_D_003		21.01.2019
18042_D_004		08.01.2019
18042_D_005		08.01.2019
18042_D_006		21.01.2019

10. NOTICE OF REVIEW FORM DATED 20 JUNE 2019 WITH SUPPORTING DOCUMENTATION FROM NICHOLSON MCSHANE ARCHITECTS

NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)IN RESPECT OF DECISIONS ON LOCAL DEVELOPMENTS

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE) (SCOTLAND) REGULATIONS 2013

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2013

IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.

Use BLOCK CAPITALS if completing in manuscript

Applicant(s)		**Agent** *(if any)*	
Name	Mr Jim Sweeney	Name	Paul McShane
Address	34 Glencairn Road Greenock PA16 0ND	Address	Suite 1-01 Custom House Custom House Place Greenock
Postcode		Postcode	PA15 1EQ
Contact Telephone 1	[redacted]	Contact Telephone 1	01475 325025
Contact Telephone 2		Contact Telephone 2	07968803971
Fax No		Fax No	
E-mail*	[redacted]	E-mail*	paul@nicholsonmcshane.co.uk

Mark this box to confirm all contact should be through this representative: ☒

* Do you agree to correspondence regarding your review being sent by e-mail? Yes ☒ No ☐

Planning authority	Inverclyde Council
Planning authority's application reference number	19/0010/IC
Site address	6 Roseneath Street, Greenock, PA16 7RZ
Description of proposed development	Extension, alterations and conversion of stables at 6 Roseneath Street, Greenock
Date of application	23/01/19
Date of decision (if any)	22/03/19

Note. This notice must be served on the planning authority within three months of the date of the decision notice or from the date of expiry of the period allowed for determining the application.

Nature of application

1. Application for planning permission (including householder application) ☒
2. Application for planning permission in principle ☐
3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition) ☐
4. Application for approval of matters specified in conditions ☐

Reasons for seeking review

1. Refusal of application by appointed officer ☒
2. Failure by appointed officer to determine the application within the period allowed for determination of the application ☐
3. Conditions imposed on consent by appointed officer ☐

Review procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

1. Further written submissions ☐
2. One or more hearing sessions ☐
3. Site inspection ☒
4 Assessment of review documents only, with no further procedure ☒

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing are necessary:

Site inspection

In the event that the Local Review Body decides to inspect the review site, in your opinion:

	Yes	No
1. Can the site be viewed entirely from public land?	☐	☒
2 Is it possible for the site to be accessed safely, and without barriers to entry?	☐	☒

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

Property gates are locked. Client can be contacted for access.

Statement

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

Separate appeal statement appended to this application:

Our Client disagrees with the reason for refusal and as such we have written justification stating why we feel the proposals are appropriate to the site and locality. Comparing the application to previously approved applications, our Client feels that there has been an inconsistency in reasons for refusing this application.

Please refer appeal statement document.

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made?

Yes ☐ No ☒

If yes, you should explain in the box below, why you are raising new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

List of documents and evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review.

18042_D_01
18042_D_02
18042_D_03
18042_D_04
18042_D_05
18042_D_06
18042_LP
18042_3.15_LRB_Appeal Statement to LRB
Report 190010IC
Decision 190010IC

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

Checklist

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

☒ Full completion of all parts of this form

☒ Statement of your reasons for requiring a review

☒ All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

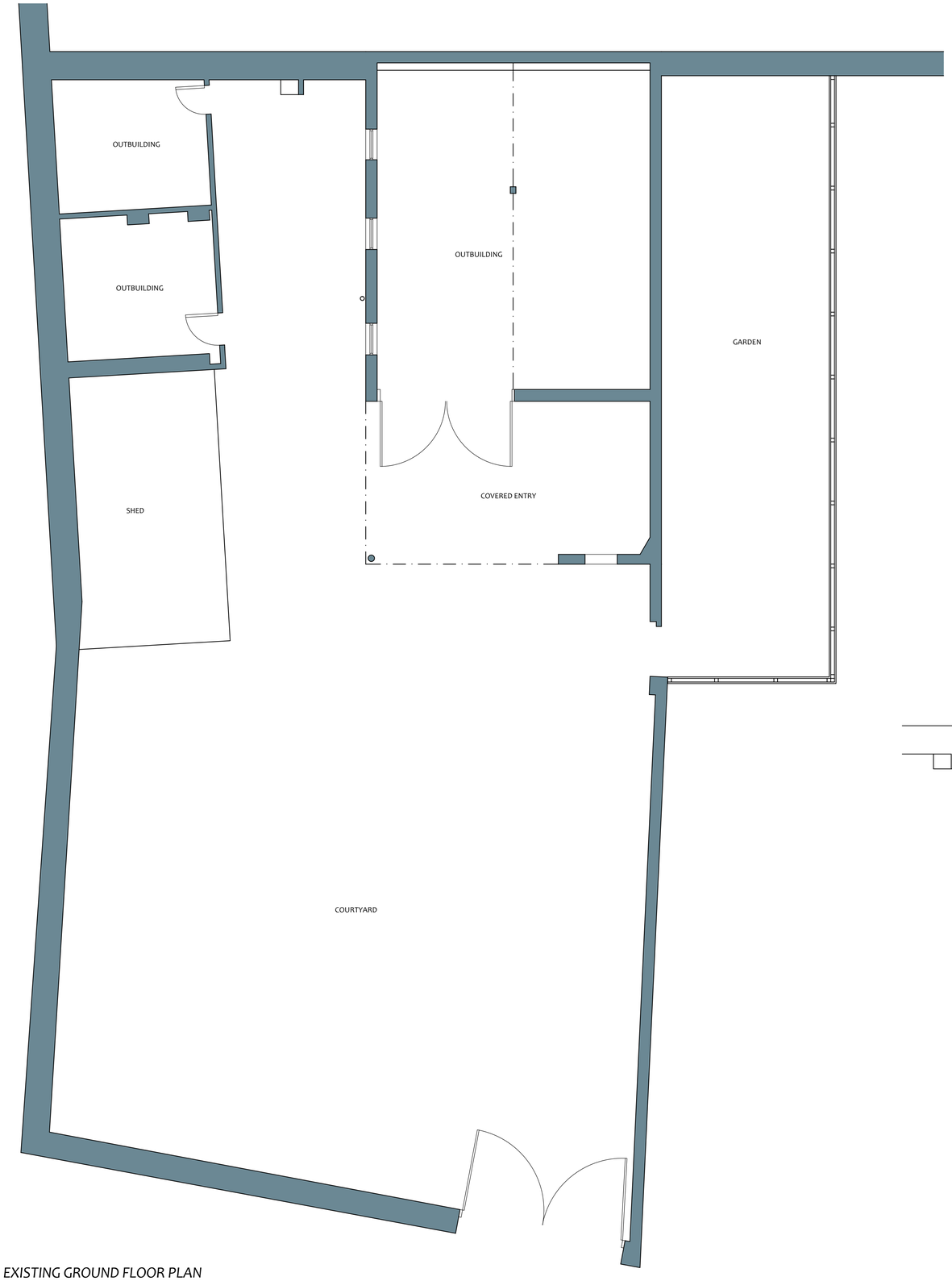
Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

Declaration

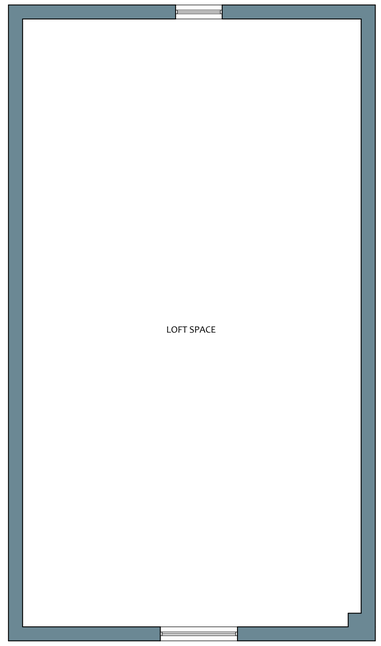
I the applicant/agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed [redacted] Date 20/06/19

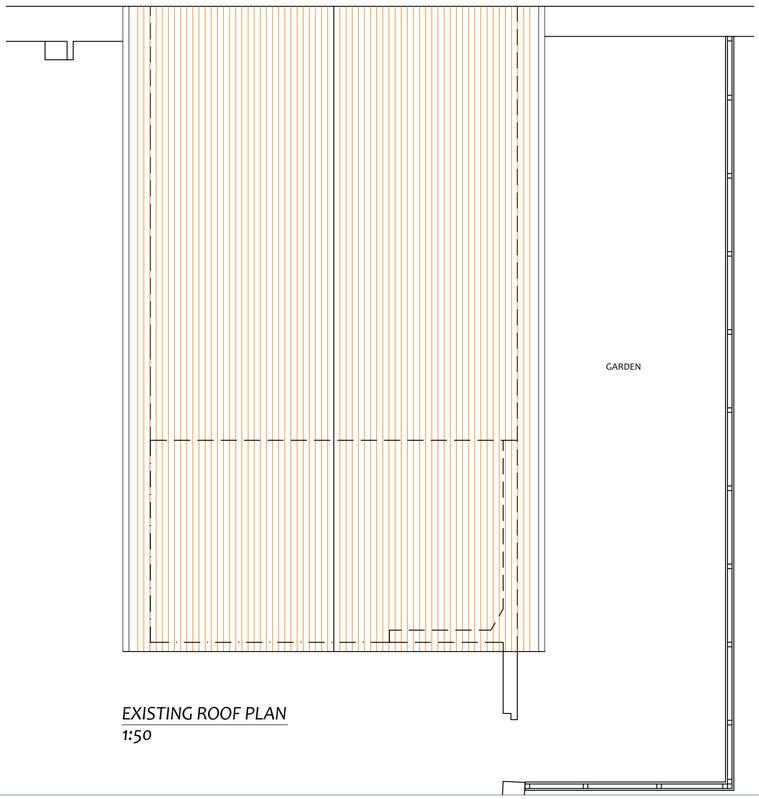
REVISION	DESCRIPTION	DATE
-	-	-
-		



EXISTING GROUND FLOOR PLAN
1:50



EXISTING LOFT PLAN
1:50



EXISTING ROOF PLAN
1:50

0 100 500 1m 3m 5m
50 250 750 2m 4m
SCALE 1:50

nicholson mcshane architects

UNIT 10, LADYBURN BUSINESS PARK,
POTTERY STREET, GREENOCK, PA15 2UH
e info@nicholsonmcshane.co.uk
t 01475 325025
w nicholsonmcshane.co.uk

CLIENT	Jim Sweeney
PROJECT TITLE	Proposed Conversion of Former Stables to Dwelling
PROJECT ADDRESS	6 Roseneath Street, Greenock,
DRAWING TITLE	Existing Ground Floor Plan and Roof Plan
DRAWING STATUS	PLANNING
PAPER SIZE	A1
DRAWING NUMBER	18042_D_001
REVISION	-
SCALE	1:50
DATE	21/01/2019
DRAWN BY	JSS/DON
CHECKED BY	PMcS

Architects Registration Board

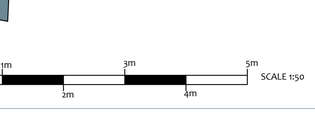
RIBA

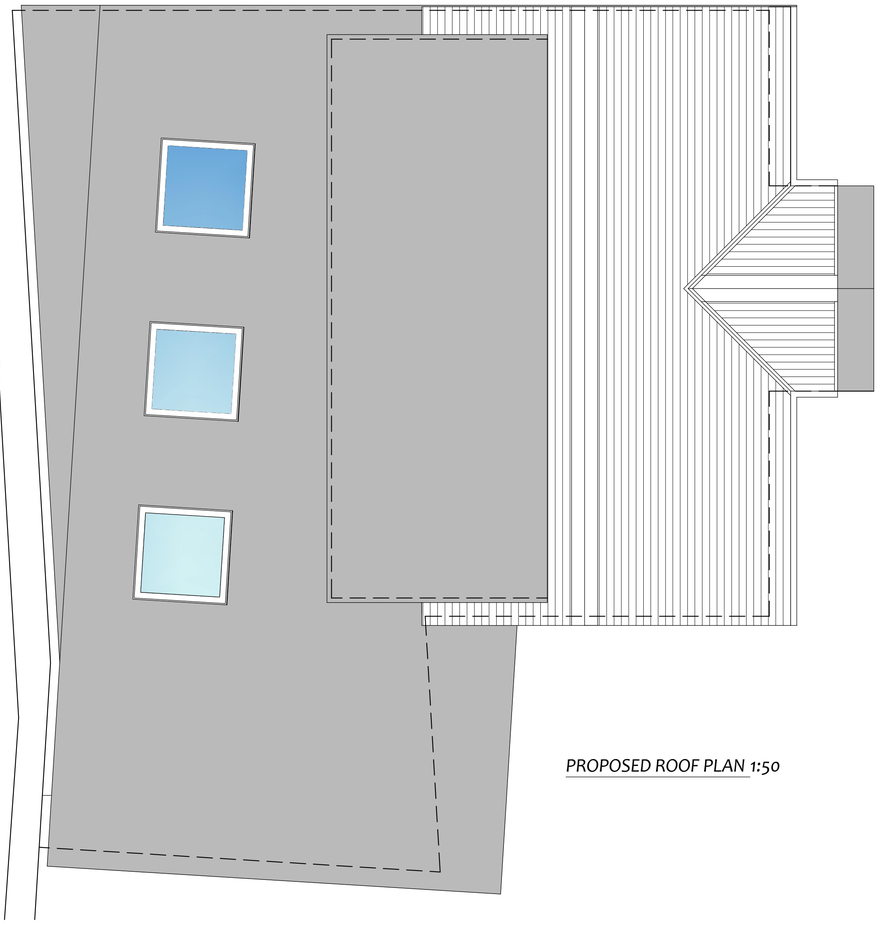
NICHOLSON McSHANE ARCHITECTS IS THE TRADING NAME OF NICHOLSON McSHANE CHARTERED ARCHITECTS LTD. COPYRIGHT RESERVED

REVISION	DESCRIPTION	DATE
A	Revised as per Client meeting.	15/08/18
B	Revised to Client's comments: 12/12/18	17/12/18

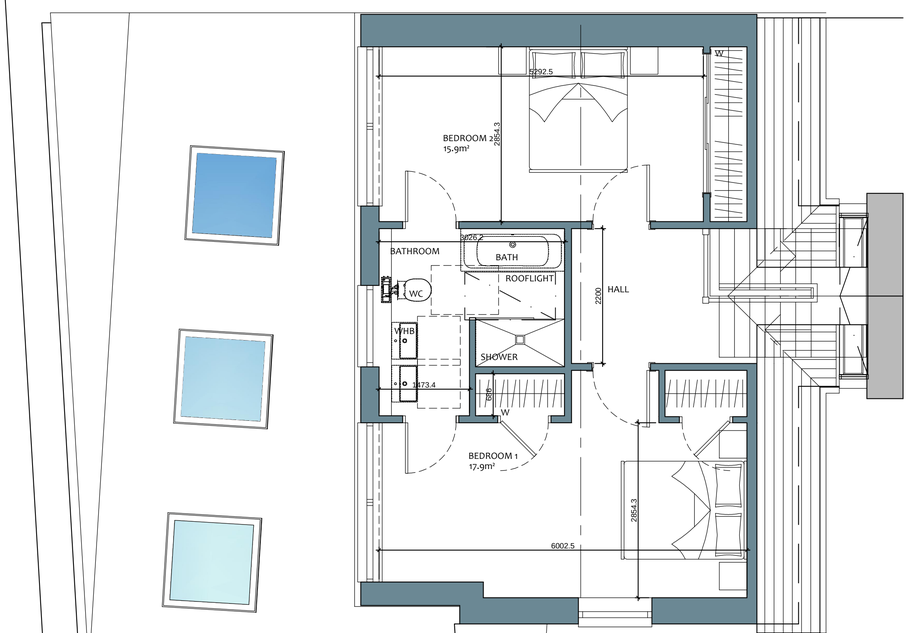


PROPOSED GROUND FLOOR PLAN
1:50





PROPOSED ROOF PLAN 1:50



PROPOSED FIRST FLOOR PLAN
1:50

nicholson mcshane architects

UNIT 10, LADYBURN BUSINESS PARK,
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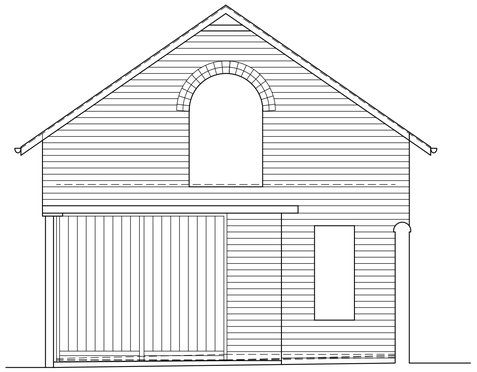
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PROJECT ADDRESS	6 Roseneath Street, Greenock,
DRAWING TITLE	Proposed Plans
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PAPER SIZE	A1
DRAWING NUMBER	18042_D_002
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DATE	31/07/2018
DRAWN BY	JSS/PMcS
CHECKED BY	PMcS

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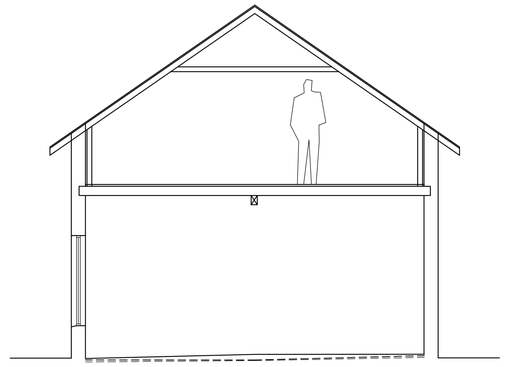
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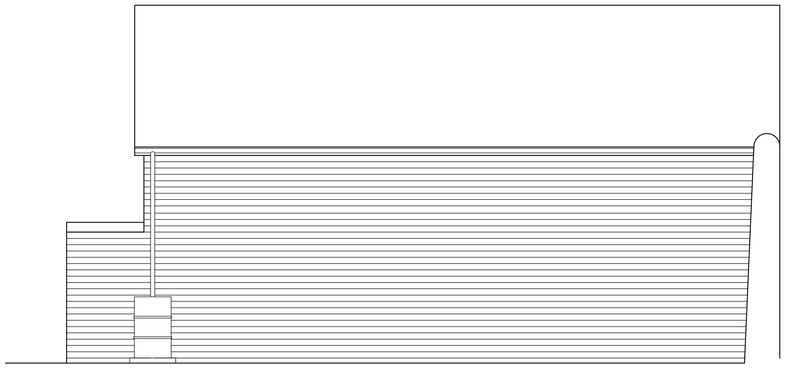
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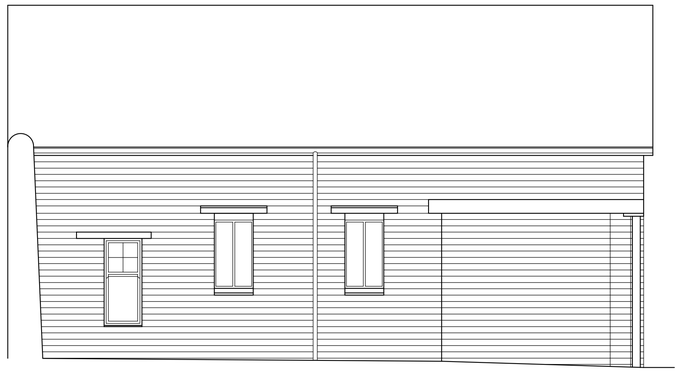
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EXISTING EAST SECTION
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EXISTING NORTH ELEVATION
1:50



EXISTING SOUTH ELEVATION
1:50

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50 150 750 2m 4m
SCALE 1:50

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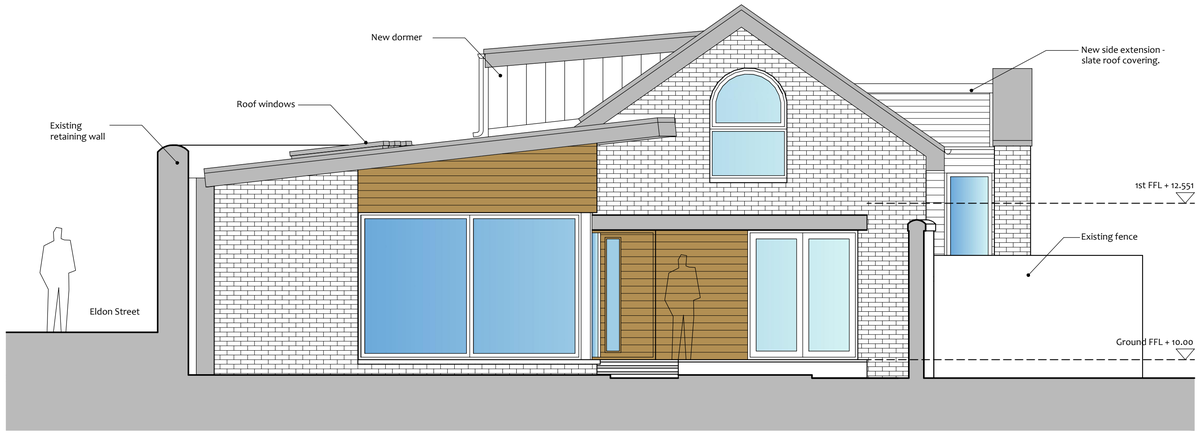
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CLIENT	Jim Sweeney
PROJECT TITLE	Proposed Conversion of Former Stables to Dwelling
PROJECT ADDRESS	6 Roseneath Street, Greenock,
DRAWING TITLE	Existing Elevations and Section
DRAWING STATUS	PLANNING
PAPER SIZE	A1
DRAWING NUMBER	18042_D_003
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DRAWN BY	JSS
CHECKED BY	PMcS

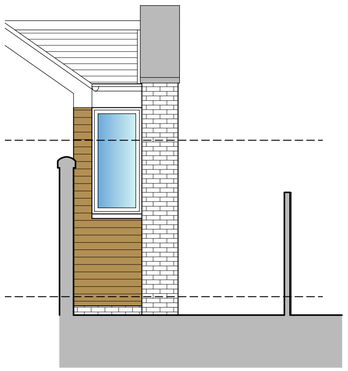
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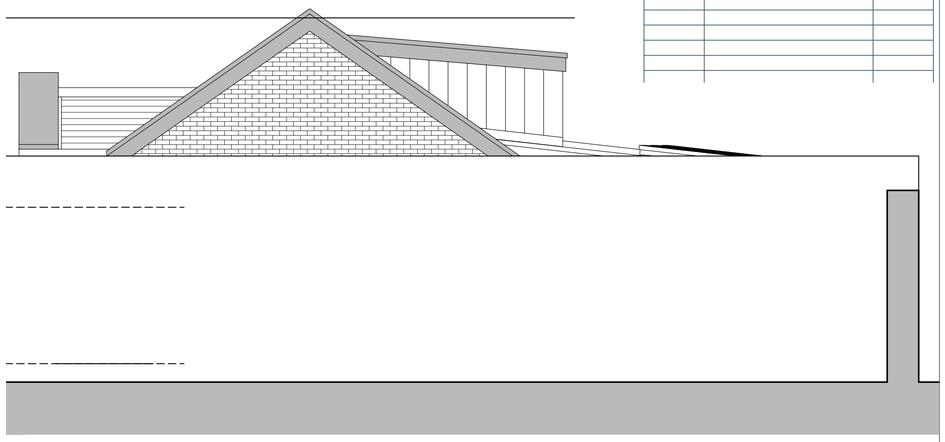
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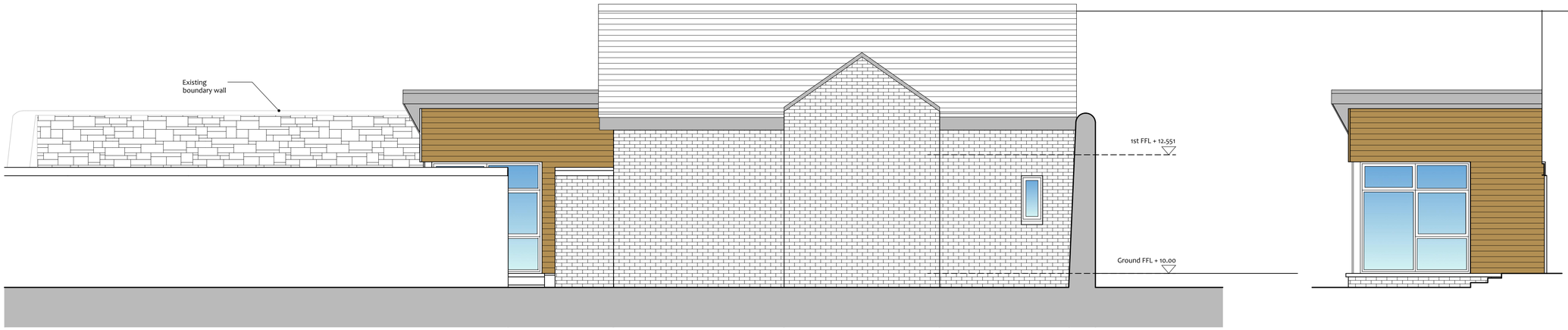
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PROPOSED EAST ELEVATION
SHOWING SIDE VIEW
1:50

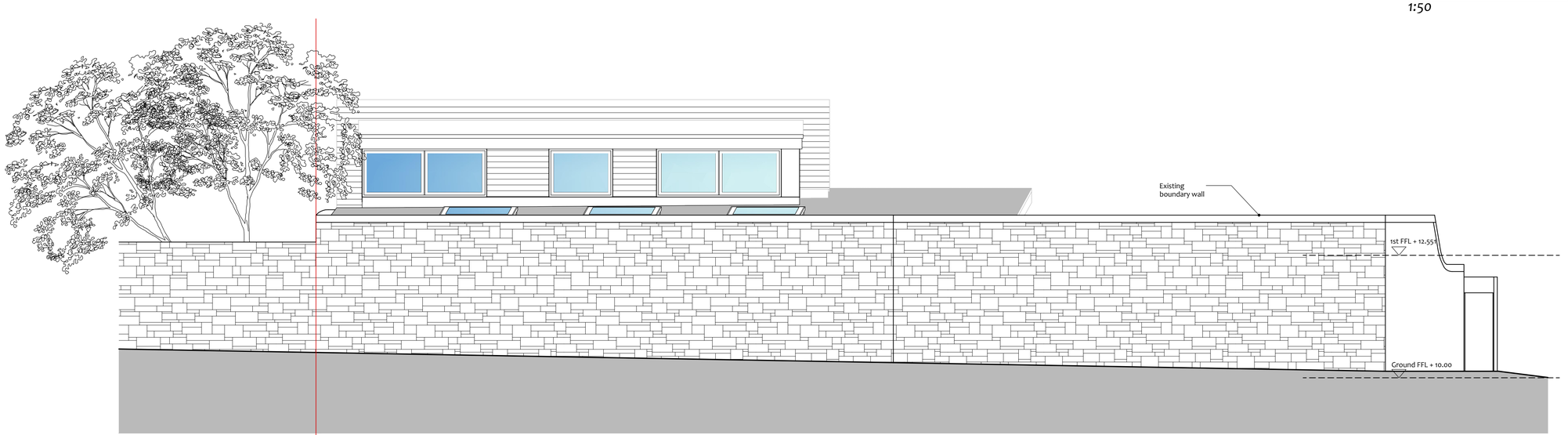


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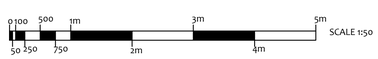


PROPOSED NORTH ELEVATION
1:50

PROPOSED NORTH ELEVATION
SHOWING SIDE ENTRANCE
1:50



PROPOSED SOUTH ELEVATION
1:50



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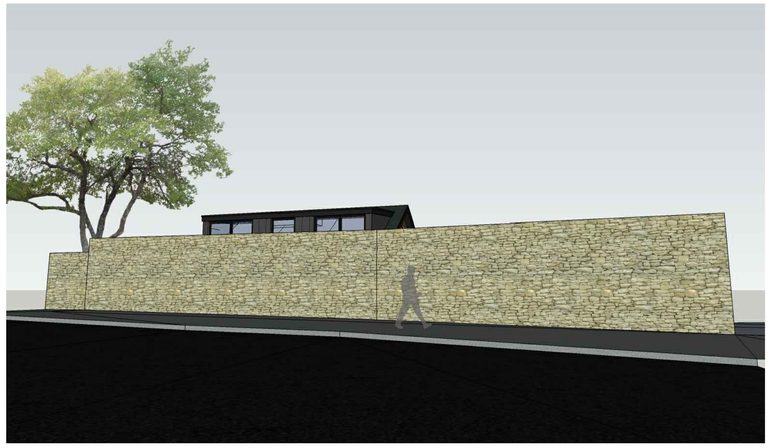
CLIENT: Mr Sweeney			
PROJECT TITLE: Proposed Conversion of Former Stables to Dwelling			
PROJECT ADDRESS: 6 Roseneath Street, Greenock, PA16 7RZ			
DRAWING TITLE: Proposed Elevations			
DRAWING STATUS: PLANNING			PAPER SIZE: A1
DRAWING NUMBER: 18042_D_004			REVISION: -
SCALE: 1:50	DATE: 08/01/19	DRAWN BY: PMcS	CHECKED BY: -

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Model South Elevation looking onto Boundary Wall



Model View Looking Towards Road



Model East Aerial View Towards Entrance



Model North Aerial View





Model South Aerial View

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CLIENT
Mr Sweeney

PROJECT TITLE
Proposed Conversion of Former Stables to Dwelling

PROJECT ADDRESS
6 Roseneath Street, Greenock, PA16 7RZ

DRAWING TITLE
Model Views

DRAWING STATUS	PAPER SIZE
PLANNING	A1

DRAWING NUMBER	REVISION
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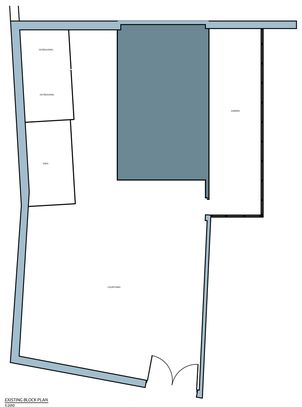
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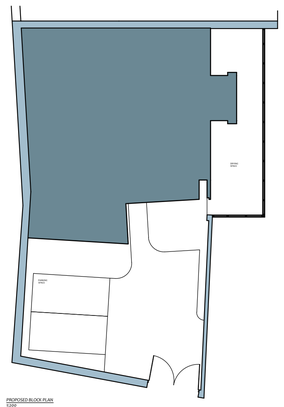
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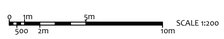
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EXISTING BLOCK PLAN
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PROPOSED BLOCK PLAN
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CLIENT
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PROJECT TITLE
Proposed Conversion of Former Stables to Dwelling

PROJECT ADDRESS
6 Roseneath Street, Greenock, PA16 7RZ

DRAWING TITLE
Existing and Proposed Block Plans

DRAWING STATUS	PAPER SIZE
PLANNING	A3

DRAWING NUMBER	REVISION
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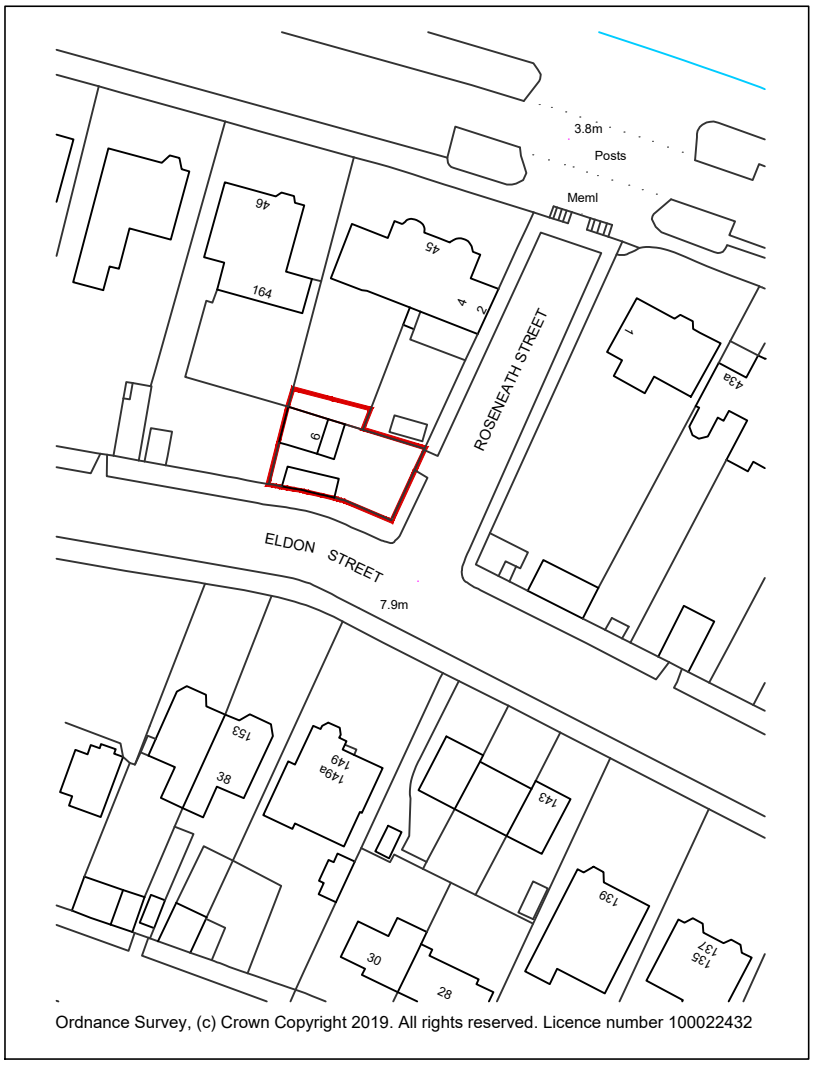
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REVISION	DESCRIPTION	DATE
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Site Application Boundary

0 5m 25m 100m
1m 10m 50m

CLIENT Mr J Sweeney			PROJECT TITLE Proposed Alterations & New Dwelling				
PROJECT ADDRESS No. 6 Roseneath Street, Greenock, PA16 7RZ			DRAWING TITLE Location Plan				
DRAWING STATUS PLANNING	PAPER SIZE A4	DRAWING NUMBER 18042_LP	REVISION -	SCALE 1:1250	DATE 04/01/19	DRAWN BY PMcS	CHCK'D BY -

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14th June 2019

Ref. 18042/3.15/LRB

Planning Application Reference: 19/0010/IC

Statement to the Local Review Body



1.0 Introduction:

Our Client, Mr Sweeney, is the current owner of No. 6 Roseneath Street and intends to renovate, enhance and extend the existing coach house to form a 3 bed dwelling. Mr Sweeney purchased the site recognising the two previous consents for similar developments and an opportunity; create a one-off bespoke contemporary dwelling sympathetic to the area, enhance and maximise the site potential, raise the value of the ground and create a place in which he personally intends to live. The intention is to create an open landscaped forecourt intended for flexible amenity and function. Our Client intends to preserve the form of the existing coach house, incorporating this into a modern dwelling.

The previous consents on this site for similar developments for full (detailed) planning permission are as follows:

1. **Application reference:** 15/0024/IC – Change of use and alterations to former coach house to form a dwelling at 45 Esplanade, Greenock
   Case Officer: Mike Martin
   Applicant: Mr John Pow
   Architect: Canata & Seggie Chartered Architects
   Dates: Originally refused on 23rd March 2015 **and subsequently approved on** 27th August 2015 by the ILRB.
   Comments: The previous approval allowed for the existing roof to be modified / raised by 1m in height.

2. **Application reference:** 16/0102/IC - Conversion of stables to a two bedroom one and a half storey house
   Case Officer: Guy Phillips
   Applicant: Mrs Jenny Phillips
   Architect: Karen Moir Architects
   Dates: Approved by delegate powers on 24th June 2016
   Comments: Standard materials and parking conditions.

The site is bounded on all four sides by a series of original stone walls, varying in height from 1-3 metres. The walls create a private enclosure around the site. The roof of the existing coach house is the only visible aspect of the dwelling when viewed from Eldon Street. The coach house is slightly more visible from Roseneath Street. Refer photographs below:





The coach house was used formerly for storage and is now (in recent times), similar to the surrounding grounds and outhouse buildings, dilapidated and in need of essential repair works, mainly due to the lack of use, lack of maintenance and essentially because previous owners have not implemented any of the previous consents. The repairs required are symptomatic of properties of this age that have not been used or cared for. There are many examples of properties that have been successfully developed within the West End Conservation area of Greenock and a variety of building types and styles including single storey bungalows, single storey retail units, a three storey tenemental property and two-storey developer housing with a red facing brick finish. It is this variety that gives Eldon Street its unique character and sense of place, and this has been supported by the planning authority by way of consents for a variety of developments over the years [redacted]



Existing coach house



Gap between pavilion and coach house



Demolished shed and grounds

2.0 Application 19/0010/IC Refusal

The Planning case officer contacted Nicholson McShane Architects on 19th March to confirm proposed materials having visited the site on the 18th March.
This application was refused under delegated powers on 22nd March 2019 for the following reasons:

2.1 *"The proposal by virtue of scale, form and design would adversely impact upon the historical pattern of development and high quality traditional design which gave rise to the designation of the Greenock West End Conservation Area. As such I consider the proposal to be contrary to adopted Plan Policies HER1, RES1 criteria (a) and (f), RES5 criteria (a), (b), (c) and (d); and Proposed Plan Policies 1, 20 and 28."*

2.2 *"The proposal does not reflect the plot size, proportion of built ground to garden ground, distances to boundaries, established street frontage, roof design, and use of materials and colours of properties within the immediate locality. The proposal therefore presents conflicts with the guidance within both the adopted and proposed PAAN2s and PAAN3s."*

2.3 *"The proposal is contrary to Historic Environment Scotland's Policy Statement as it does not seek to preserve or enhance the characteristics of the Conservation Area nor manage changes to the historic environment with intelligence and understanding. Furthermore, it is not supported by the "Managing Change in the Historic Environment" guidance on "Setting" which advises that development which does not respect the scale and detailing of existing building will not generally be supported."*

Notable comments of the report of handling (our comments in red):

2.4 The planners have reviewed the ridge height of the existing building and have assumed that it being raised by 1m in height. Our proposal seeks to raise the existing ridge by approximately 350mm, not 1m.

2.5 The report of handling notes that the area of the "dwellinghouse will cover approximately 195 square metres and "the previously approved development covered approximately 61square metres." – our comments below under **3.0.**

Consultations involved:

2.6 Environmental Health – "No Objections" were received.

2.7 Roads and Transportation – "A minimum of 2 off street parking spaces" are required. "2 spaces will be provided."

Public Participation:

2.8 "There is no dwelling house along the Esplanade with a dwellinghouse abutting its back garden." This is symptomatic of the site. Previous proposals incorporate the existing coach house which already abuts the wall – this is not a new concept.

2.9 "The open outlook from the rear of neighbouring properties will be compromised by the new and expanded dwellinghouse." The site does not impact on any neighbouring property. The new extension is secluded from other properties by the boundary wall and coach house.

2.10 "The peacefulness of neighbouring properties rear gardens will be disrupted by the adjacent habitation." This is simply untrue.

Extracts from the Assessment:

2.11 …"the Greenock West End is characterised by substantial villas set in large gardens. The predominant building pattern within this part of the Conservation Area features large dwellinghouses within large plots with their main aspect to the Esplanade and their rear gardens extending to Eldon Street." As already stated, this site is unique. The configuration and layout is a response to the site.

3.0 Analysis and Response to Refusal and Report of Handling:

There are a number of fundamental inaccuracies in the report of handling, as follows:

1. The complete site area is 309.6 sqm and when measured to the external wall, the proposed ground floor in fact occupies 149.7 sqm, which is 48% of the site.
2. The previous approved proposal (15/0024/IC) had an area of 71.8 sqm and not 61 sqm as per the report of handling.
3. We are raising the ridge by 314mm (or 12 inches) and not as suggested (1metre).

Taking points 2.1 -2.3 above, these relate sequentially to the following points, 3.1 – 3.3 (our comments in blue):

3.1 Our Client strongly believes that this site is unique and should be considered on it's own merits. We recognise that the site is not typical of the West End, lacking a large garden plot, but there are many examples of smaller dwellings / extensions within the Conservation area Accessed off Eldon Street with reduced or limited garden space **(Appendix B)**. The dwelling design considers the site in terms of the existing characteristics; prime aspect, potential for quality external spaces and creating a building that will undoubtedly enhance and preserve the existing coach house. The existing coach house and other buildings on site already abut the existing boundary wall and this is an inherent characteristic that has existed since the construction of the original stable buildings in the 1800s. The form of forecourt is therefore an entity/characteristic of the site. The form, scale and inclusion of this forecourt as part of the proposals is a response to the site.

Any new dwellinghouse, including scale form and design must also be considered in terms of value and financial investment. Our Client has looked into the current market and has established that the scale of the proposed dwelling is necessary.

The previous application **15/0024/IC** indicated a substantial change to the existing material palette from the original brick facing – rendered walls were proposed, to include the existing coach house. The form of the previously approved application, designed to be held off boundary walls, created a series of open spaces to the back of the site of little quality, in terms of function, light and desirability to be used. This development addresses and improves on this arrangement, focusing on a single quality space, and providing a 'Mews' feel.

Policy HER1 – "Development which affects the Character of Conservation Areas" is assessed with regard to **"SHEP"** and **"Managing Change within the Historic Environment" guidance note series.** This encompasses policies **HEP2, HEP3 and HEP4,** which states:

- **Some change is inevitable**
- **Change can be necessary for places to thrive.**
- **Caring for the historic environment benefits everyone, now and in the future.**
- **Good decisions take a long-term view.**
- **Good decisions reflect an understanding of the wider environment.**
- **Good decisions are well-informed, transparent, robust, consistent and proportionate.**
- **Good decisions make sure that nothing is lost without considering its value first and exploring options for avoiding its loss.**
- **To manage the historic environment in a sustainable way, its cultural significance and the cultural significance of elements within it have to be understood.**

Our Client believes that the design positively encompasses and respects all of the above. The "cultural significance" of the site and existing building are preserved in a physical sense; existing form of coach house is still visible (roof, windows and large beamed opening), existing brick retained and remediated. The existing site walls and forecourt will be repaired and enhanced as part of this proposal. The modern aspects of the design (mono pitched extension) are not visible from Eldon Street, due to the height of the boundary wall, but the material palette has been chosen carefully to enrich the existing site / building. The design is therefore very discreet and does not adversely impact the wider locality. Examples of similar developments are shown in **Appendix B.**

RES1 - Safeguarding the Character and Amenity of Residential Areas

(a) compatibility with the character and amenity of the area.
(f) having regard to **Supplementary Guidance on Planning Application Advice Notes**.

As previously stated above, Our Client believes that the design is fully compatible with RES1 (a) and (f) – extract below, through preserving the existing built form of existing boundary walls, forecourt and an emphasis on the coach house, which is being preserved and enhanced.

Supplementary Guidance on Planning Application Advice Notes, PAAN2 states:
"There is a constant demand to erect single houses, often within the grounds of large private gardens and occasionally on small derelict or undeveloped areas of ground. These developments are often beneficial, providing additional housing in sustainable locations and removing derelict and untidy sites from the streetscene."

No 6 Roseneath Street as existing is precisely this – a sustainable (and desirable) location with a derelict building and an untidy site. Our Client proposes to make a conscientious and genuine investment to ensure that this is a well developed proposal.

PAAN2 also states:
"Infill plots will be considered with reference to the following:
- *The plot size should reflect those in the immediate locality.*
- *The proportion of the built ground to garden ground should reflect that in the immediate locality.*
- *The distance of the building to garden boundaries should reflect that in the immediate locality.*
- *The established street front building line should be followed.*
- *The proposed building height, roof design, use of materials and colours should reflect those in the immediate locality."*

Previous consents have already confirmed that the plot size is acceptable. The proportion of the built ground arguably is an improvement on some of the gardens locally, specifically along Eldon Street. Distance to boundaries – the site is not a typical plot and the precedent of building against the boundary wall has already been set with other situations within the locality. The street front building line is not typical. The existing wall screens most built structures within the plot and is therefore not visible. The proposed building height roof design and palette of materials is respectful of the locality. The coach house remains the dominant building in terms of height and is encompassed within the proposals.

Policy RES5 - Proposals for Changes to Properties for Residential Use
Proposals for the change of use, sub-division or conversion to properties to create new additional dwelling units, and for the alteration or extension to residential properties, will be assessed against and have to satisfy where appropriate, the following criteria:
(a) the character and amenity of neighbouring properties;
(b) impact on the streetscape;
(c) impact on the character of the existing property; and
(d) accordance with the Council's adopted roads guidance; and having regard to **Supplementary Guidance** on Planning Application Advice Notes.

The acceptability of change of use has been established and accepted (as per previous consents). There are many examples of modern extensions within the locality. The character of the existing building is not similar to surrounding buildings, nor is it's existing use. The proposals aim to preserve the material palette of the external building fabric and enhance aspects of the building that have Architectural or historic interest, i.e. windows, roof form, and large barn door opening. The impact on the streetscape is negligible, with only the dormer configuration being the new visible aspect of the

proposals. In order to be financially feasible, the dwelling footprint calls for an enlarged ground floor area. Our Client believes that the design is fully cognisant of policy RES5 in this respect.

Our Client believes that **Proposed Plan Policy 1** of the **Proposed Development Plan 2018** is satisfied as follows;

Under **"Successful Places,"** the Proposals are:

- **"Distinctive":** and **"contribute positively to historic buildings and places**." The Proposals **"make the most of important views,"** bearing in mind that the site is bounded by high stone walls. The important view is to the large courtyard area – this is embraced. The proposals **"retain locally distinct built or natural features,"** by utilising the coach house and respecting the existing form of the boundary wall which forms the street frontage.
- **"Adaptable"**: the proposals **"ensure buildings and spaces can be adapted for a range of uses."** By way of preserving the large forecourt, this offers a very usable large area of amenity space and a sense of arrival. The proposals **"avoid creating buildings or spaces that will become neglected or obsolete."**

Our proposal will also address the following:

- **"Resource Efficient" – "sunlight", "shelter"** and **"making use of existing building and previously developed land"** are all aspects addressed by this proposal.
- **"Easy to Move around"** (which specifically refers to transport links and pedestrian access routes).
- **"Safe and Pleasant"** – this will be satisfied, but this also refers to location and characteristics of the wider locality.
- **"Welcoming":** Our Client believes that the design creates a very strong **"sense of arrival."**

POLICY 20 – RESIDENTIAL AREAS

"Proposals for development within residential areas will be assessed with regard to their impact on the amenity, character and appearance of the area. Where relevant, assessment will include reference to the Council's Planning Application Advice Notes Supplementary Guidance."

The impact on the amenity within the wider local is negligible, due to the height of the existing boundary walls. The proposed extension are barely visible from Roseneath Street and are completely secluded from Eldon Street. The character and appearance of the existing coach house is maintained and the extension is a modern "add-on" which makes a distinction between history and contemporary.

Managing Change in the Historic Environment, October 2010 states:

> ***"Assertive contrast -*** *3.8 Assertive contrast means affirmation of the new as a more or less equal partner to the old. New and old combined should be of greater lasting value than either on its own. This demands higher-quality new work than would often be found in an isolated new building. The presence of the existing building 'raises the game' for the new build."*

Our intention is not to replicate, but rather to create a modern contrasting extension of interest and that respects the existing historic value of the coach house.

POLICY 28 – CONSERVATION AREAS

"Proposals for development, including demolition, within, or affecting the setting of a conservation area are to preserve or enhance the character and appearance of the area. In assessing such proposals regard will be had to any relevant Conservation Area Appraisals or other information relating to the historic or architectural value of the conservation area."

Although we feel that the proposals are designed with care and respect the Conservation are and historical value (preservation of existing coach house), they unfortunately are not visually present to the general public, due to the secluded site boundary walls. The proposals are visible from surrounding properties of a higher density, i.e. from neighbouring properties at 1st or 2nd floor levels and overlooking the site.

3.2 We have made our response above with regard to PAAN2.

Planning Application Advice Note (PAAN) No. 3 PRIVATE and PUBLIC OPEN SPACE PROVISION in NEW RESIDENTIAL DEVELOPMENT states:

"Open space provides two important functions; it contributes to "Placemaking", providing space around and setting for buildings helping to establish the impression of an area, and it can be used to provide areas for outdoor leisure. This Advice Note provides guidance on the required levels of public open space and private garden ground that should be included in new residential developments."

The site is not typical of residential properties, either historic or new due to the inherent site restrictions. Both of the previously approved applications have obviously been assessed with respect to PAAN 3. As with this proposal, these proposals also do not meet the criteria for 9m rear gardens, 6m front gardens or 2m from side boundaries. However the proposals are in excess of 20m to the forecourt and have an element of amenity space to the North, indicated as a drying space. The proposals focus on the provision of a large quality private flexible amenity space, which draws focus to the Architectural quality of the main façade and providing a quality contribution to "placemaking."

3.3 Our Client completely disagrees that the ***"proposals are contrary to Historic Environment Scotland's Policy Statement as it does not seek to preserve or enhance the characteristics of the Conservation Area nor manage changes to the historic environment with intelligence and***

understanding." Nicholson McShane Architects Confirmed with Inverclyde Planning Department that Historic Environment Scotland have not been consulted as part of this planning application. The proposals have been designed "with intelligence and understanding." For example, the material palette is a modern representation of traditional materials; standing seam roof polyester powder coated rood coverings (proposed) are found within the Historic Environment. This is a quality Architectural proposal that enhances the existing building and provides comfortable modern living. It is also an opportunity to create an imaginative space, harnessing the best aspect available, in terms of light and amenity.

Comparable Developments

The Greenock West End Conservation Area accommodates many examples of similar developments (with comparable concepts) which contribute positively to their environment. **Refer to Appendix B for details**.

Summary

Despite the acceptance of the principal of conversion to a residential use, the planning officials are of the opinion that our proposals are unsympathetic in terms of residential policy. The proposal is a bold statement, but has been developed to enhance and improve the site, the value of the grounds and an adaptable dwelling for modern living, whilst retaining a visual modesty in the streetscape totally in keeping with the local pattern of development. We believe that this proposal is worthy of the support of the elected members.

Appendix B.

Limited Amenity Garden Space and Similar Developments in Greenock West End Conservation Area.



89 Eldon Street



Corner of Octavia Terrace / Wood Street



122 Eldon Street / Bentinck Street

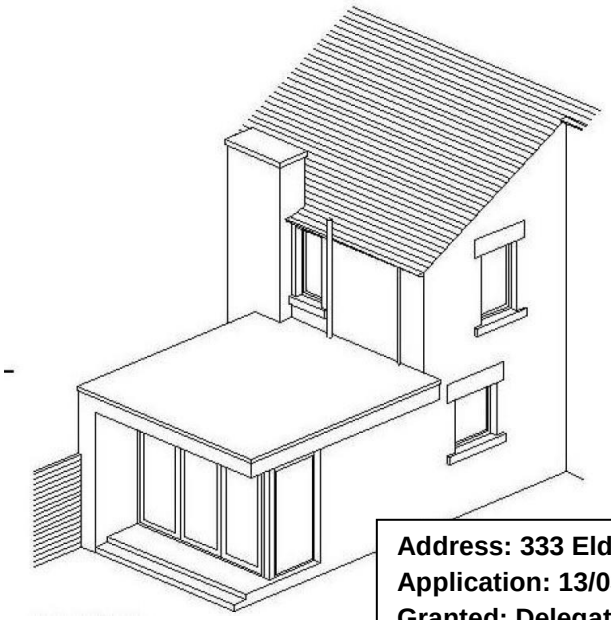


Eldon Street / Fox Street

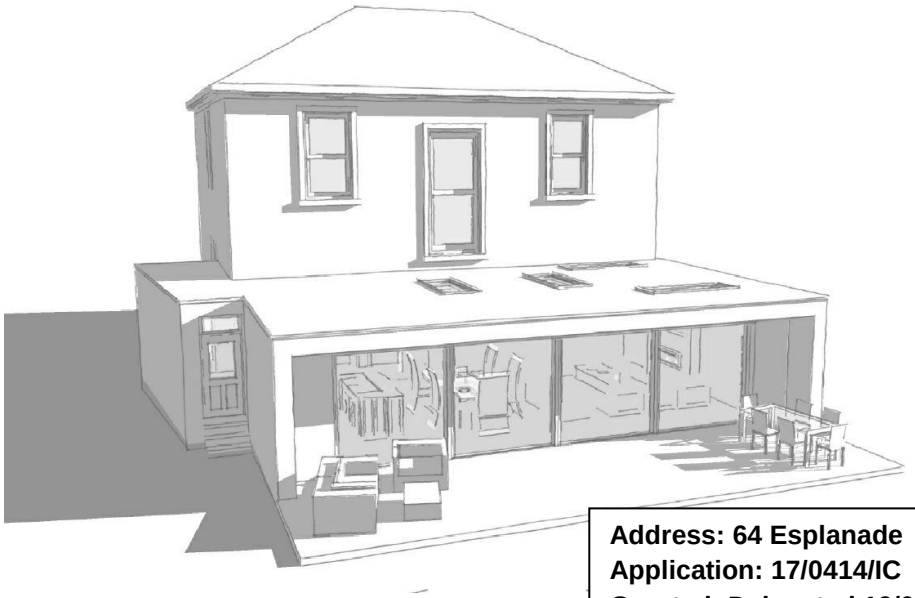


146-148 Eldon Street

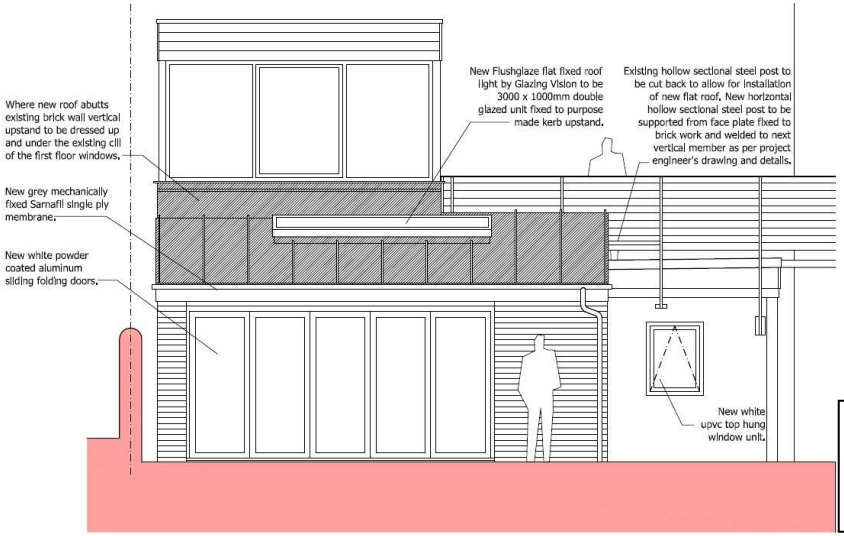
Appendix C – Modern Consented Developments within the Conservation, arguably contrary to adopted Plan Policies HER1, RES1, PAAN2, PAAN3 and Proposed Plan Policies 1, 20 and 28



Address: 333 Eldon Street
Application: 13/0327/IC
Granted: Delegated 23/12/13



Address: 64 Esplanade
Application: 17/0414/IC
Granted: Delegated 19/02/18



Address: 50A Esplanade
Application: 16/0039/IC
Granted: Delegated 08/04/16

Inverclyde council

REPORT OF HANDLING

Report By: **Carrie Main**

Report No: **19/0010/IC**

Local Application Development

Contact Officer: **01475 712462**

Date: **22 March 2019**

Subject: **Alterations, extension and conversion of former stables to form new dwelling at 6 Roseneath Street, Greenock**

SITE DESCRIPTION

The application site comprises a former stables/outbuildings situated to the rear of 45 Esplanade/2 and 4 Roseneath Street, at the corner of Roseneath Street and Eldon Street, within the Greenock West End Conservation Area. The site forms a separate plot, described as 6 Roseneath Street. It covers approximately 309 square metres, with its own access taken from the western side of Roseneath Street. The site is generally rectangular in shape with a small projection to the north, which forms a garden area. It is bound by an approximately 2.5 metre high stone wall to the east (Roseneath Street), the south (Eldon Street) and also to the west (the adjoining property). At the northern boundary, an approximately 1.2 metre high timber fence separates the site from the rear garden of the existing house.

Three outbuildings and a shed exist to the western side of the site, covering a total of approximately 86.8 square metres. They comprise of a large brick-built, pitched roof, two-storey outbuilding which is located to the north-western side of the site and adjoins the western boundary wall. The two remaining outbuildings and shed are smaller, single storey, flat roof buildings, which are connected and exist to the south-western side of the site. The remainder of the site forms a cobbled courtyard area.

PROPOSAL

Planning permission was conditionally granted in January 2015 (application reference 15/0024/IC) by the Local Review Body for the change of use and alterations of the former coach house to form a dwelling.

Planning permission is sought to extend and alter the former stables/outbuildings for conversion into a new dwellinghouse. This involves the amalgamation and extension of the outbuildings to enable the dwelling to occupy the western area of the site. The current proposal presents a dwelling of a larger scale and form, location and design. The new dwellinghouse will cover approximately 195 square metres (the previously approved development covered approximately 61 square metres). The two storey element of the large outbuilding will be retained and enlarged by increasing its height by approximately 1 metre. A two-storey extension will be erected to the northern side elevation, which will project by 3 metres, be to a width of 3.4 metres, and extend to a height of 5 metres. A new dormer will project by 3.7 metres from the southern side elevation to a width of 9.2 metres across the upper level southern elevation of the house. A single storey element will be built to the front (eastern) elevation, which will project approximately 4.2 metres from the

front wall, be to a width of 7.7 metres and will extend to a height of 4.2 metres. Three rooflights will be incorporated within the roof of the single storey extension.

The overall design of the house is of a contemporary style incorporating key fenestration to the eastern elevation and a mono-pitched roof over the single storey extension. The external materials comprise of predominately facing brick with sections of timber cladding. The roof over the main two storey element of the building will be covered in slate. The roof over the single storey extension, dormer and the finishing of the dormer cheeks will be covered in metal standing seem. The proposed plan assigns two parking spaces to the south-eastern side of the site.

DEVELOPMENT PLAN POLICIES

Policy RES1 - Safeguarding the Character and Amenity of Residential Areas

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

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

Policy RES5 - Proposals for Changes to Properties for Residential Use

Proposals for the change of use, sub-division or conversion to properties to create new additional dwelling units, and for the alteration or extension to residential properties, will be assessed against and have to satisfy where appropriate, the following criteria:

(a) the character and amenity of neighbouring properties;
(b) impact on the streetscape;
(c) impact on the character of the existing property;
(d) accordance with the Council's adopted roads guidance; and
having regard to Supplementary Guidance on Planning Application Advice Notes.

Policy HER1 - Development which Affects the Character of Conservation Areas

Development proposals which affect conservation areas will be acceptable where they are sympathetic to the character, pattern of development and appearance of the area. Such proposals will be assessed having regard to Historic Scotland's SHEP and "Managing Change in the Historic Environment" guidance note series.

Planning Application Advice Note (PAAN) 2 on "Single Plot Residential Development" applies.

Planning Application Advice Note (PAAN) 3 on "Private and Public Open Space Provision in New Residential Development" applies.

PROPOSED DEVELOPMENT PLAN POLICIES

Policy 1 - Creating Successful Places

Inverclyde Council requires all development to have regard to the six qualities of successful places. In preparing development proposals, consideration must be given to the factors set out in Figure 3.

Where relevant, applications will also be assessed against the Planning Application Advice Notes Supplementary Guidance.

Policy 20 - Residential Areas

Proposals for development within residential areas will be assessed with regard to their impact on the amenity, character and appearance of the area. Where relevant, assessment will include reference to the Council's Planning Application Advice Notes Supplementary Guidance.

Policy 28 - Conservation Areas

Proposals for development, including demolition within or affecting the setting of a conservation area, are to preserve or enhance the character and appearance of the area. In assessing such proposals regard will be had to any relevant Conservation Area Appraisals or other information relating to the historic or architectural value of the conservation area.

Planning Application Advice Note (PAAN) 2 on "Single Plot Residential Development" applies.

Planning Application Advice Note (PAAN) 3 on "Private and Public Open Space Provision in New Residential Development" applies.

CONSULTATIONS

Head of Environmental and Public Protection (Environmental Health) – No objections. However, advisory notes are suggested in respect of bin containers, external lighting, sound insulation, site drainage, rats, drains, sewers, construction practices and gull control.

Head of Service – Roads and Transportation– In accordance with the National Roads Development Guidelines the proposed development requires a minimum of 2 off-street parking spaces within the site. The applicant has demonstrated 2 spaces will be provided.

PUBLICITY

The application was advertised in the Greenock Telegraph on 1st February 2019 as a development affecting a conservation area.

SITE NOTICES

A site notice was posted on 1st February 2019 for development affecting a conservation area.

PUBLIC PARTICIPATION

The application was the subject of neighbour notification. One representation was received objecting to the proposal. The concerns raised within the representation received are summarised as follows:

1. There is no precedent for any property along the Esplanade with a dwellinghouse abutting its back garden.
2. The open outlook from the rear of neighbouring properties will be compromised by the new and expanded dwellinghouse.
3. The peacefulness of neighbouring properties rear gardens will be disrupted by the adjacent habitation.

These comments will be addressed within the assessment of the application.

ASSESSMENT

The material considerations in the assessment of this application are the adopted and proposed Inverclyde Local Development Plans, both adopted and proposed Planning Application Advice Notes (PAANs) 2 on "Single Plot Residential Development" and PAANs 3 on "Private and Public Open Space Provision in New Residential Development", the impact on the special character of the Greenock West End Conservation Area with regard to Historic Environment Scotland's (HES) Policy Statement (which supersedes the SHEP) and the "Managing Change in the Historic Environment" guidance note series, the impact on residential amenity, the consultation responses and representation received.

The site is located within an established residential area and within the Greenock West End Conservation Area where Policies RES1 and HER1 of the adopted Plan and Policies 20 and 28 of the proposed Plan apply. Policies RES1 and 20 aim to safeguard the character and amenity of residential areas whilst Policies HER1 and 28 advise on the proposals preserving and enhancing the Conservation Area with regard to Historic Environment Scotland's policy and guidance. The HES guidance note of most relevance to the assessment of this application will be the note on "Setting" which advises that a physical change in the Conservation Area does not necessarily need to replicate its surroundings, however development which does not respect the scale, design and detailing of existing buildings will not generally be supported. Policy RES5 sets out criteria to guide conversion of properties to create a new additional dwelling unit. Policy 1 of the proposed Plan requires development to have regard to the six qualities of successful places, taking account of the factors set out in Figure 3. In this case, the relevant factors are those relating to distinctiveness in terms of reflecting urban form and contributing positively to historic buildings and places. Both adopted and proposed PAAN2s and PAAN3s provide specific guidance on single plot residential development and advise that new residential properties should reflect the established density and pattern of development in respect of plot sizes, proportions of built ground to garden ground, distance to boundaries, the established street frontage, building height, roof design, use of materials and colours.

It is recognised that the Greenock West End Conservation Area is characterised by substantial villas set in large gardens. The predominant building pattern within this part of the Conservation Area features large dwellinghouses within large plots with their main aspect to the Esplanade and their rear gardens extending to Eldon Street. The outbuildings' position, scale and design reflect their historical status as subordinate buildings associated with the main house, which has remained unaltered. In their current form, the buildings form an established feature within their immediate surroundings. As a separate plot, the application site is smaller than that generally prevailing in the immediate locality and furthermore, the proposal seeks to significantly enlarge and alter the existing built form. I consider this to have a significant bearing upon the assessment of this proposal.

The proposed form of the dwelling presents an approximately 108.2 square metre expansion of the existing built form, occupying approximately 50% of the site. I acknowledge that planning permission has been granted for alterations and extension of the outbuildings to form a dwelling which covers approximately 61 square metres, occupying approximately 21% of the site. This proposal therefore presents a significant size increase. The creation of a two storey extension, single storey extension, large dormer and increase in height of the existing building significantly alters the appearance of the existing built form and bears no relationship to the scale of the built form currently on site. This will be particularly evident when viewed from the properties on the opposite side of Eldon Street. The dwelling will also create an unprecedented frontage onto Roseneath Street. As a result of these factors, I consider the development to threaten the uniform, historical pattern and density of development which defines the special characteristics of this part of the Conservation Area. Ultimately, it does not reflect the plot size, proportion of built ground to garden ground, distance to boundaries and the established street frontage. Overdevelopment will also be resultant as there is lack of garden ground associated with the new dwelling to ensure acceptable amenity for its residents.

In considering design, whilst the retention and conversion of large outbuilding is welcomed, the proposed alterations offer little consistency with the traditional built form of the buildings within this area, which also defines the special characteristics of the Conservation Area. It instead incorporates modern materials, and in the case of the single storey extension, modern roof design, which is not considered to reflect the local architecture, nor preserve or enhance the special historic characteristics of the area.

Criterion (d) of Policies RES1 and RES5 require assessment against the Council's Roads Development Guide. The Head of Service – Roads and Transportation has confirmed that the parking provision within the site is suitable.

Turning to the representation received but not yet addressed within my assessment, the comment regarding no precedent for development of this type is noted, however, each application is considered on a case by case basis on individual merit. The impact on the outlook from neighbouring properties is not a material planning consideration and therefore not relevant in the assessment and determination of this application. Any disturbance that the new property may cause to the peacefulness of the area is treated as speculative with no evidence that its residential use could cause a detrimental impact to neighbour amenity to such a degree that could justify an impediment to development. In any case, any issues in respect of excessive noise would be directed to the Head of Environmental and Public Protection (Environmental Health). Following consultation, the Head of Environmental and Public Protection (Environmental Health) offered no objection to the proposal.

In conclusion, the proposal would compromise the historical pattern of development, urban form and high quality traditional design which gave rise to the designation of the Greenock West End Conservation Area, the overall character and amenity of the existing property and the established residential area. As such, I consider the proposal to be contrary to adopted Plan Policies RES1 criteria (a) and (f); RES5 criteria (a), (b), (c) and (d); HER1 and proposed Plan Policies 1, 20 and 28 alongside Historic Environment Scotland's policy and guidance and the guidance set out within both PAAN2s and PAAN3s. As such the proposal cannot be supported.

RECOMMENDATION

That the application be refused.

Reasons

1. The proposal by virtue of scale, form and design would adversely impact upon the historical pattern of development and high quality traditional design which gave rise to the designation of the Greenock West End Conservation Area. As such, I consider the proposal to be contrary to adopted Plan Policies HER1, RES1 criteria (a) and (f), RES5 criteria (a), (b), (c) and (d); and proposed Plan Policies 1, 20 and 28.

2. The proposal does not reflect the plot size, proportion of built ground to garden ground, distances to boundaries, established street frontage, roof design and use of materials and colours of properties within the immediate locality. The proposal therefore presents conflicts with the guidance within both adopted and proposed PAAN2s and PAAN3s.

3. The proposal is contrary to Historic Environment Scotland's Policy Statement as it does not seek to preserve or enhance the characteristics of the Conservation Area nor manage change to the historic environment with intelligence and understanding. Furthermore, it is not supported by the "Managing Change in the Historic Environment" guidance note on "Setting" which advises that development which does not respect the scale, design and detailing of existing buildings will not generally be supported.

Signed:

[redacted]

Carrie Main
Case Officer

[redacted]

Stuart Jamieson
Head of Regeneration and Planning

DECISION NOTICE

Inverclyde council

Refusal of Planning Permission
Issued under Delegated Powers

Regeneration and Planning
Municipal Buildings
Clyde Square
Greenock PA15 1LY

Planning Ref: 19/0010/IC

Online Ref: 100150995-001

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND)REGULATIONS 2013

Mr Jim Sweeney
6 Roseneath Street
GREENOCK
PA16 7RZ

Nicholson McShane Architects
Paul McShane
Ladyburn Business Centre
10 Pottery Street
GREENOCK
PA15 2UH

With reference to your application dated 21st January 2019 for planning permission under the above mentioned Act and Regulation for the following development:-

Alterations, extension and conversion of former stables to form new dwelling at

6 Roseneath Street, Greenock

Category of Application Local Application Development

The INVERCLYDE COUNCIL in exercise of their powers under the abovementioned Act and Regulation hereby refuse planning permission for the said development.

The reasons for the Council's decision are:-

1. The proposal by virtue of scale, form and design would adversely impact upon the historical pattern of development and high quality traditional design which gave rise to the designation of the Greenock West End Conservation Area. As such, I consider the proposal to be contrary to adopted Plan Policies HER1, RES1 criteria (a) and (f), RES5 criteria (a), (b), (c) and (d); and proposed Plan Policies 1, 20 and 28.

2. The proposal does not reflect the plot size, proportion of built ground to garden ground, distances to boundaries, established street frontage, roof design and use of materials and colours of properties within the immediate locality. The proposal therefore presents conflicts with the guidance within both adopted and proposed PAAN2s and PAAN3s.

3. The proposal is contrary to Historic Environment Scotland's Policy Statement as it does not seek to preserve or enhance the characteristics of the Conservation Area nor manage change to the historic environment with intelligence and understanding. Furthermore, it is not supported by the "Managing Change in the Historic Environment" guidance note on "Setting" which advises that development which does not respect the scale, design and detailing of existing buildings will not generally be supported.

The reason why the Council made this decision is explained in the attached Report of Handling.

Healthy Working Lives

POSITIVE ABOUT DISABLED PEOPLE

Dated this 22nd day of March 2019

[redacted]

Head of Regeneration and Planning

1 If the applicant is aggrieved by the decision of the Planning Authority to refuse permission for or approval required by condition in respect of the proposed development, or to grant permission or approval subject to conditions, he may seek a review of the decision within three months beginning with the date of this notice. The request for review shall be addressed to The Head of Legal and Administration, Inverclyde Council, Municipal Buildings, Greenock,PA15 1LY.

2 If permission to develop land is refused or granted subject to conditions, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the planning authority a purchase notice requiring the purchase of his interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

Refused Plans: Can be viewed Online at http://planning.inverclyde.gov.uk/Online/

Drawing No:	Version:	Dated:
18042_LP		04.01.2019
18042_D_001		21.01.2019
18042_D_002	Rev B	17.12.2018
18042_D_003		21.01.2019
18042_D_004		08.01.2019
18042_D_005		08.01.2019
18042_D_006		21.01.2019

11. SUGGESTED ADVISORY NOTES SHOULD PLANNING PERMISSION BE GRANTED ON REVIEW

ALTERATION, EXTENSION AND CONVERSION OF FORMER STABLES TO FORM NEW DWELLING:
6 ROSENEATH STREET, GREENOCK (19/0010/IC)

Suggested advisory notes should planning permission be granted on review

Advisory Notes:

1. The applicant shall submit to the Planning Authority a detailed specification of the containers to be used to store waste materials and recyclable materials produced on the premises as well as specific details of the areas where such containers are to be located. The use of the residential accommodation shall not commence until the above details are approved in writing by the Planning Authority and the equipment and any structural changes are in place.
Reason: To protect the amenity of the immediate area, prevent the creation of nuisance due to odours, insects, rodents or birds.

2. All external lighting on the application site should comply with the Scottish Government Guidance Note "Controlling Light Pollution and Reducing Lighting Energy Consumption".
Reason: To protect the amenity of the immediate area, the creation of nuisance due to light pollution and to support the reduction of energy consumption.

3. The sound insulation should have regard to advice and standards contained in the current Scottish Building Regulations.
Reason: To ensure that acceptable noise and vibration levels are not exceeded.

4. (i) Site Drainage: Suitable and sufficient measures for the effective collection and disposal of surface water should be implemented during the construction phase of the project as well as within the completed development to prevent flooding within this and nearby property.

(ii) Rats, drains and sewers: Prior to the construction phase it is strongly recommended that any existing, but redundant, sewer/drainage connections should be sealed to prevent rat infestation and inhibit the movement of rats within the area via the sewers/drains.

(iii) The applicant should be fully aware of the Construction (Design & Management) Regulations 2015 (CDM 2015) and its implications on client duties etc.

(iv) Design and Construction of Buildings – Gulls: It is very strongly recommended that appropriate measures be taken in the design of all buildings and their construction, to inhibit the roosting and nesting of gulls. Such measures are intended to reduce nuisance to, and intimidation of, persons living, working and visiting the development.

12. CORRECTIONS TO APPOINTED OFFICER'S REPORT OF HANDLING CONTENT

CORRECTIONS TO REPORT OF HANDLING CONTENT

Building footprint – current application (19/0010/IC)

	Plot size	**Building footprint**	**Percentage of plot covered**
Figure in the Report of Handling	309.6m²	195m²	63%
Correct figure	309.6m²	149.7m²	48%

Roof height – current application (19/0010/IC)

	Increase in roof height
Figure in Report of Handling	1m
Correct figure	0.31m

Building footprint – previous application (15/0024/IC)

	Plot size	**Building footprint**	**Percentage of plot covered**
Figure in the Report of Handling	309.6m²	61m²	21%
Correct figure	309.6m²	71.8m²	23%

Previous applications

Application 15/0024/IC has been referred to in the Report of Handling.

Application 16/0102/IC which was granted in 2016 should also have been referenced.

13. PLANNING APPLICATION AND PLANS, APPOINTED OFFICER'S REPORT OF HANDLING AND DECISION NOTICE IN RELATION TO PLANNING APPLICATION 16/0102/IC

Municipal Buildings Clyde Square Greenock PA15 1LY Tel: 01475 717171 Fax: 01475 712 468 Email: devcont.planning@inverclyde.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100010016-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

☒ Application for planning permission (including changes of use and surface mineral working).

☐ Application for planning permission in principle.

☐ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)

☐ Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Derelict stables converted to 2 bedroom 1 1/2 storey house while maintaining current footprint.

Is this a temporary permission? * ☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place? (Answer 'No' if there is no change of use.) * ☐ Yes ☒ No

Has the work already been started and/or completed? *

☒ No ☐ Yes – Started ☐ Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application) ☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	karen moir architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	karen	Building Name:	
Last Name: *	moir	Building Number:	42
Telephone Number: *	+447532428325	Address 1 (Street): *	moray pl
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	glasgow
Fax Number:		Country: *	United Kingdom
		Postcode: *	g412df
Email Address: *	khmoir@gmail.com		

Is the applicant an individual or an organisation/corporate entity? *

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mrs	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Jenny	Building Number:	6
Last Name: *	Phillips	Address 1 (Street): *	Roseneath street
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Greenock
Extension Number:		Country: *	UK
Mobile Number:		Postcode: *	PA16 7RZ
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority: Inverclyde Council

Full postal address of the site (including postcode where available):

Address 1: 6 Roseneath Street

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement: Greenock

Post Code: PA16 7RZ

Please identify/describe the location of the site or sites

Northing 677807 Easting 226274

Pre-Application Discussion

Have you discussed your proposal with the planning authority? * ☒ Yes ☐ No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

☐ Meeting ☒ Telephone ☐ Letter ☒ Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (max 500 characters)

Telephone calls/emails with Guy Phillips discussing the proposal in principal. Mr Phillips was encouraged by the fact that the proposals were conservative and that they maintained the building form.

Title: Mr Other title:

First Name: Guy Last Name: Phillips

Correspondence Reference Number: Date (dd/mm/yyyy): 23/03/2016

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area: 352.00

Please state the measurement type used: ☐ Hectares (ha) ☒ Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

workshop (though currently derelict)

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? * ☐ Yes ☒ No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? * ☐ Yes ☒ No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site? 1

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? * 1

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? * ☒ Yes ☐ No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

☒ Yes – connecting to public drainage network

☐ No – proposing to make private drainage arrangements

☐ Not Applicable – only arrangements for water supply required

Do your proposals make provision for sustainable drainage of surface water?? * (e.g. SUDS arrangements) * ☐ Yes ☒ No

Note:-

Please include details of SUDS arrangements on your plans

Selecting ‘No’ to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

☒ Yes

☐ No, using a private water supply

☐ No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? * ☐ Yes ☐ No ☒ Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? * ☐ Yes ☒ No ☐ Don't Know

Trees

Are there any trees on or adjacent to the application site? * ☐ Yes ☒ No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * ☒ Yes ☐ No

If Yes or No, please provide further details: * (Max 500 characters)

There are outbuildings proposed to the south side of the property where domestic council bins will be located.

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? * ☒ Yes ☐ No

How many units do you propose in total? * 1

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? * ☐ Yes ☒ No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013 * ☐ Yes ☐ No ☒ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? * ☐ Yes ☒ No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? * ☒ Yes ☐ No

Is any of the land part of an agricultural holding? * ☐ Yes ☒ No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: karen moir

On behalf of: Mrs Jenny Phillips

Date: 24/04/2016

☒ Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission or planning permission in principal where there is a crown interest in the land, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

☐ Yes ☐ No ☒ Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

☒ Site Layout Plan or Block plan.
☒ Elevations.
☒ Floor plans.
☒ Cross sections.
☐ Roof plan.
☐ Master Plan/Framework Plan.
☐ Landscape plan.
☐ Photographs and/or photomontages.
☐ Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *	☐ Yes	☒ N/A
A Design Statement or Design and Access Statement. *	☐ Yes	☒ N/A
A Flood Risk Assessment. *	☐ Yes	☒ N/A
A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *	☐ Yes	☒ N/A
Drainage/SUDS layout. *	☐ Yes	☒ N/A
A Transport Assessment or Travel Plan	☐ Yes	☒ N/A
Contaminated Land Assessment. *	☐ Yes	☒ N/A
Habitat Survey. *	☐ Yes	☒ N/A
A Processing Agreement. *	☐ Yes	☒ N/A

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

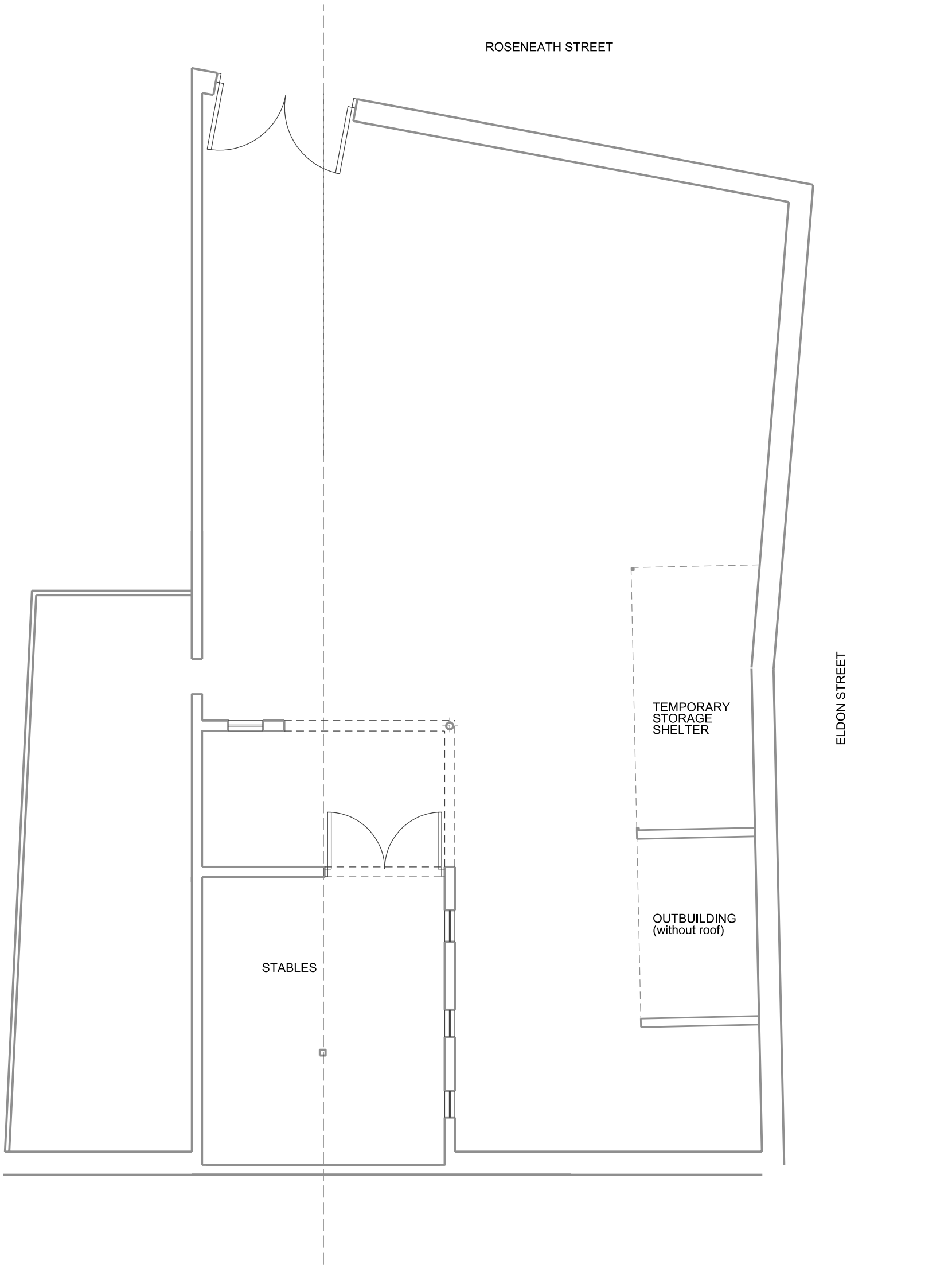
Declaration Name: Ms karen moir

Declaration Date: 24/04/2016

Payment Details

Cheque: Mrs. J J Phillips , 022038

Created: 25/04/2016 21:11



0 1M 2M 3M 4M

0.1M 1.5M

PL(060)010_EXISTING GARDEN PLAN rev A

SCALE 1:100@A3

PLANNING

MR. AND MRS PHILLIPS
6 ROSENEATH STREET
GREENOCK

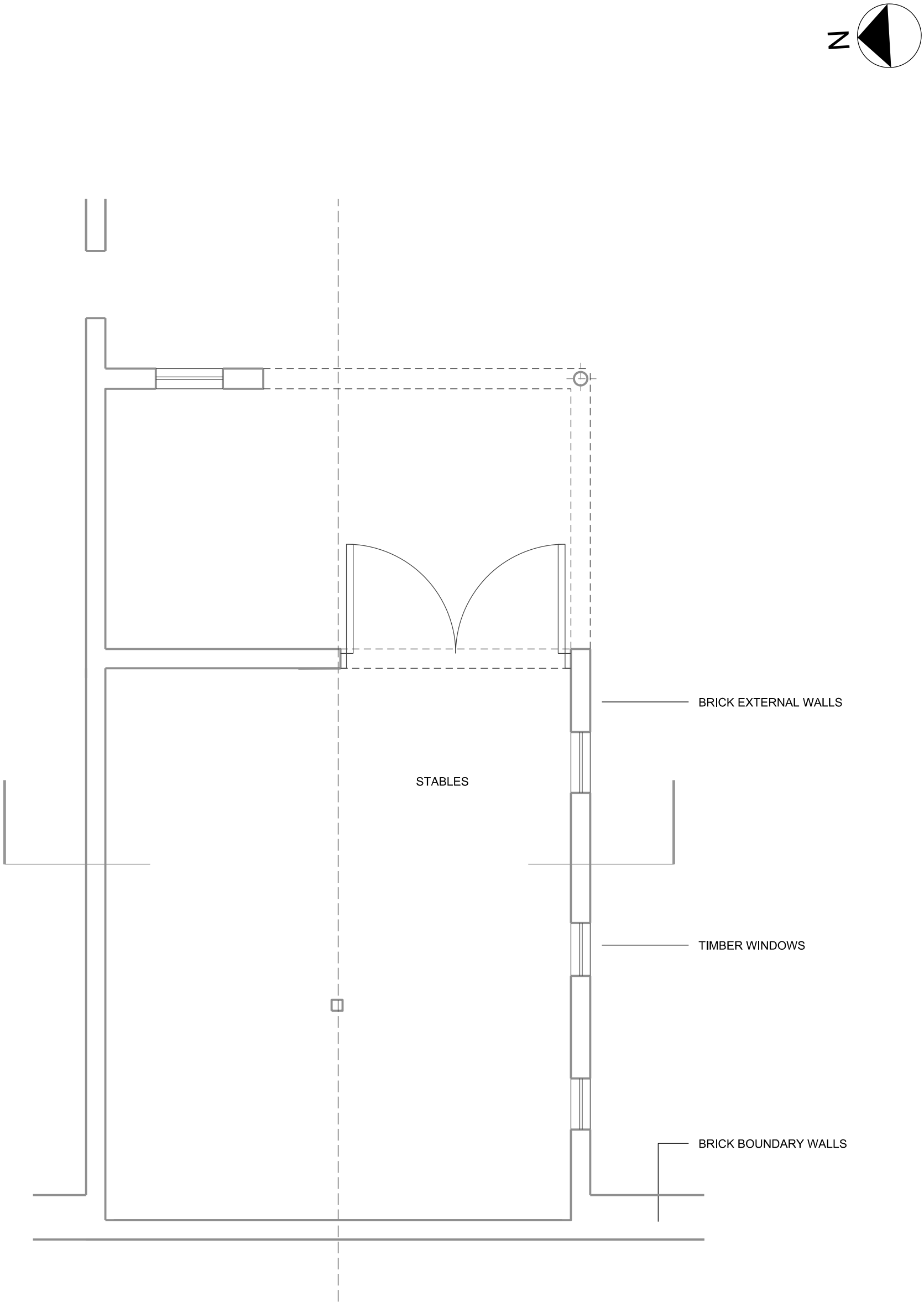
NOTES:

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2. All dimensions to be site sized.
3. Any drawing errors to be the attention of the Architect.
4. Structural Engineer's drawings to take precedence for all structural information.

REV	DATE	REASON
A	25.04.16	PLANNING APP.

KAREN MOIR ARCHITECTS

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0 1M 2M 3M 4M
0.1M 1.5M

PL(060)011_EXISTING GROUND PLAN rev A
SCALE 1:50@A3

PLANNING

MR. AND MRS PHILLIPS
6 ROSENEATH STREET
GREENOCK

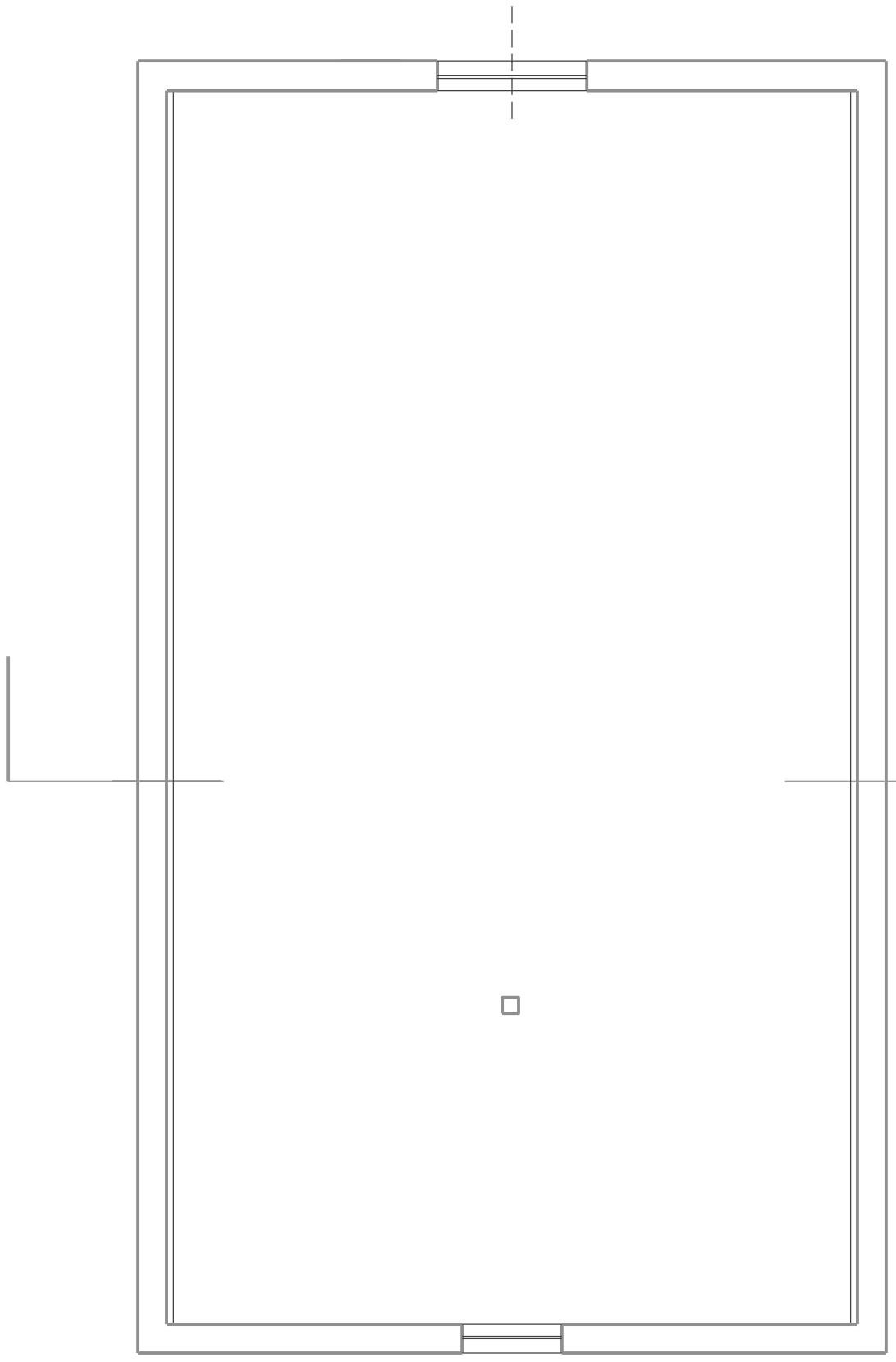
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REV	DATE	REASON
A	15.04.16	PLANNING APP.

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PL(060)012_EXISTING FIRST FLOOR PLAN rev A

SCALE 1:50@A3

0 1M 2M 3M 4M

0.1M 1.5M

PLANNING

MR. AND MRS PHILLIPS
6 ROSENEATH STREET
GREENOCK

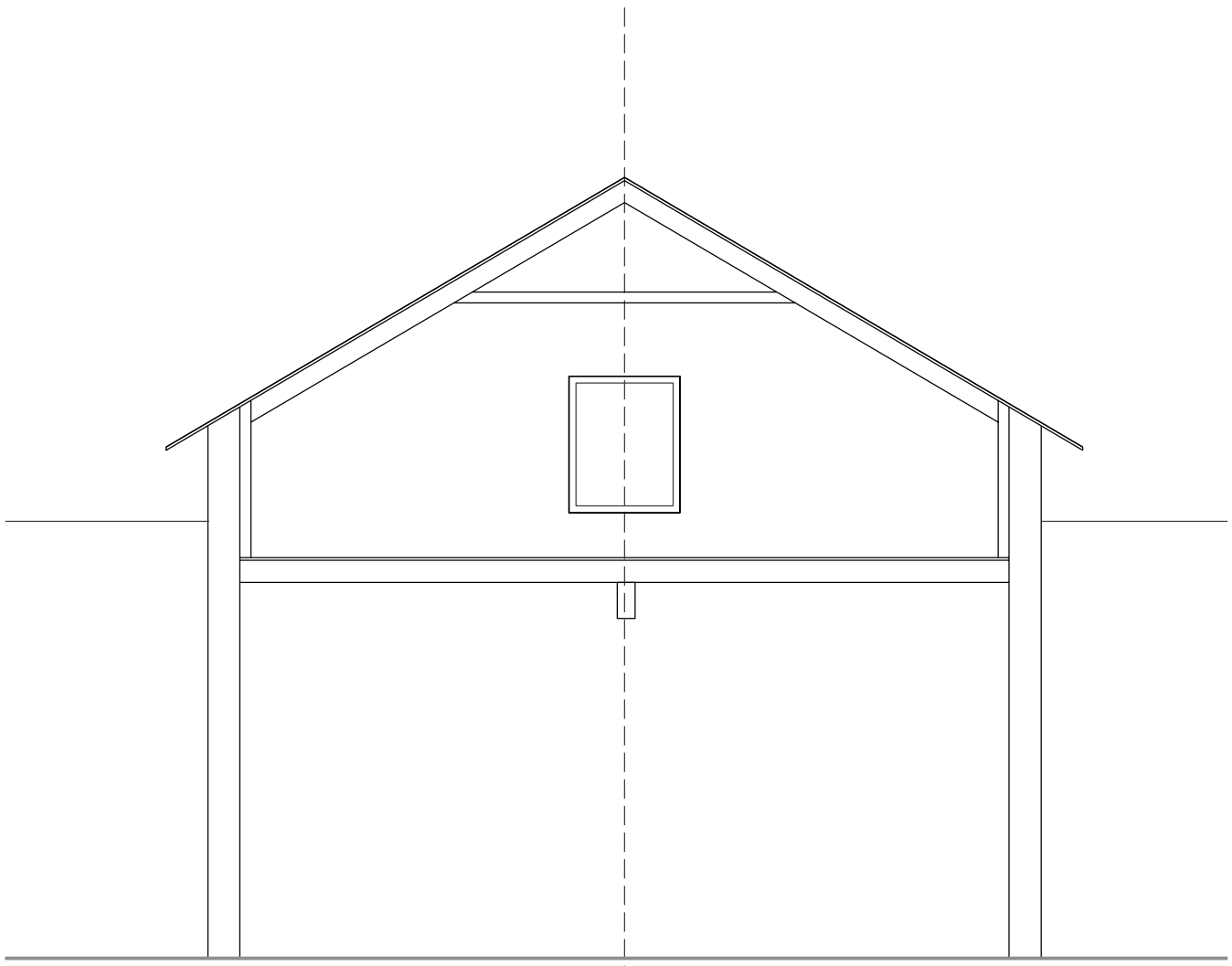
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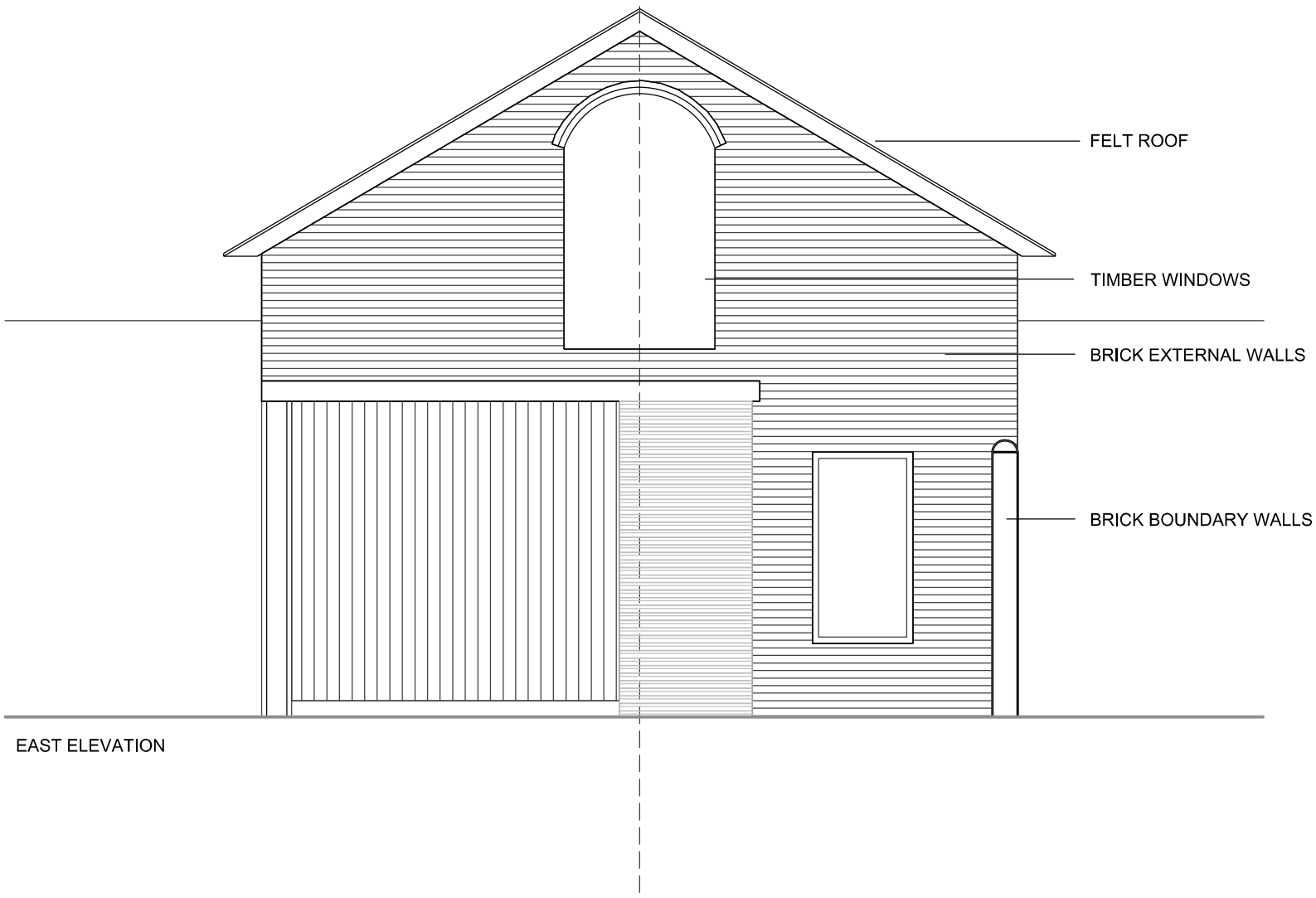
REV	DATE	REASON
A	15.04.16	PLANNING APP.

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CROSS SECTION



EAST ELEVATION

0 1M 2M 3M 4M
0.1M 1.5M

PL(060)013_EXISTING EAST ELEVATION AND CROSS SECTION rev A

SCALE 1:50@A3

PLANNING

MR. AND MRS PHILLIPS
6 ROSENEATH STREET
GREENOCK

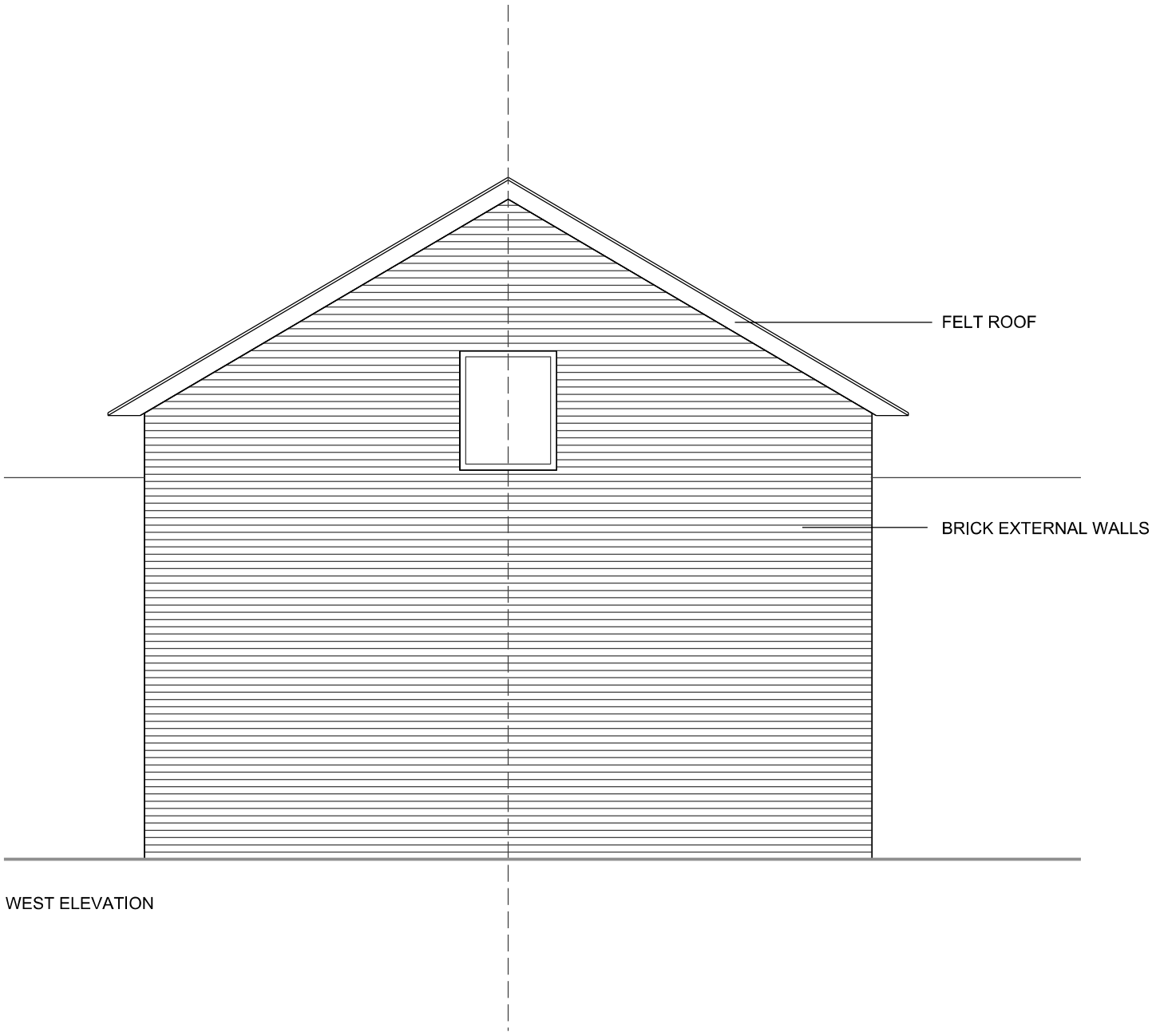
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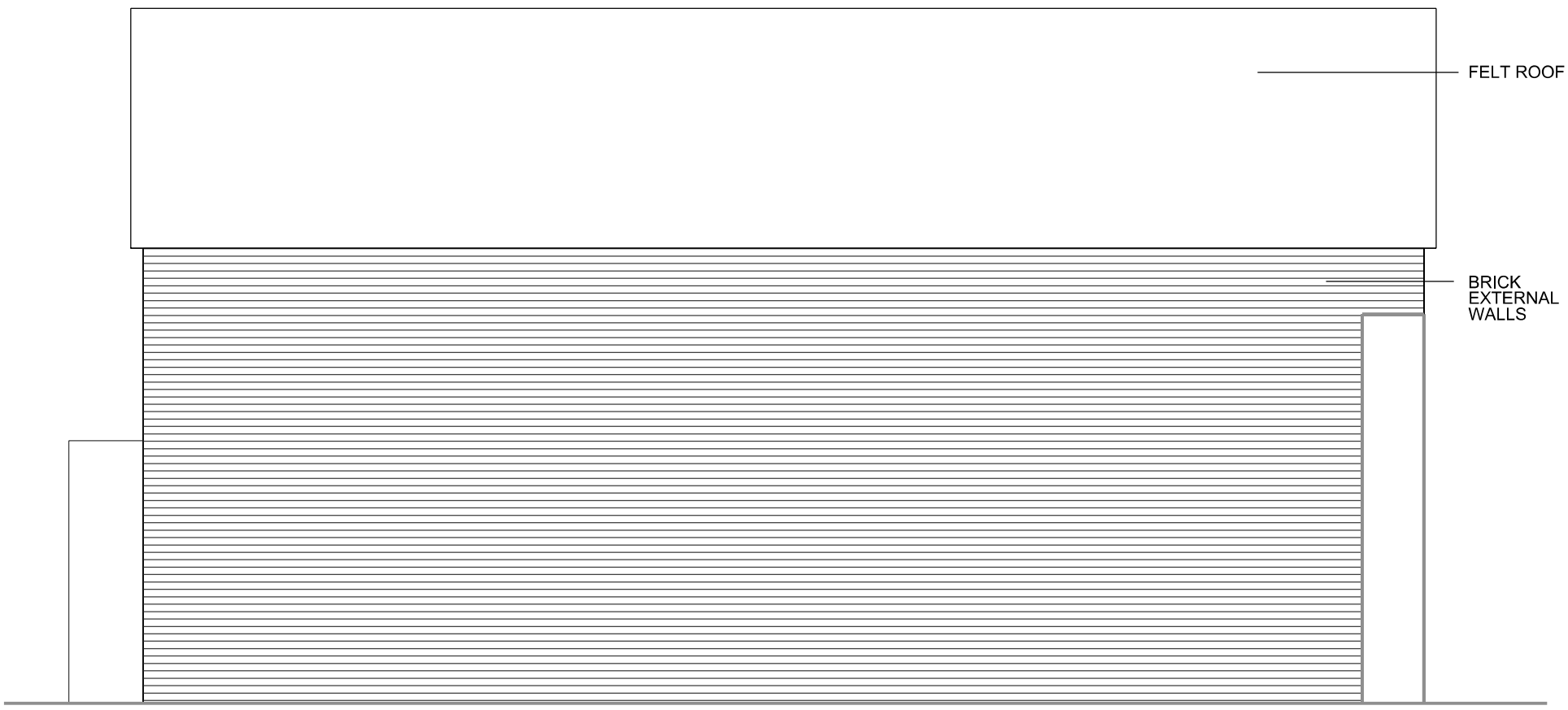
REV	DATE	REASON
A	15.04.16	PLANNING APP.

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WEST ELEVATION



NORTH ELEVATION

0 1M 2M 3M 4M
0.1M 1.5M

PL(060)014_EXISTING NORTH AND WEST ELEVATIONS rev A

SCALE 1:50@A3

PLANNING

MR. AND MRS PHILLIPS
6 ROSENEATH STREET
GREENOCK

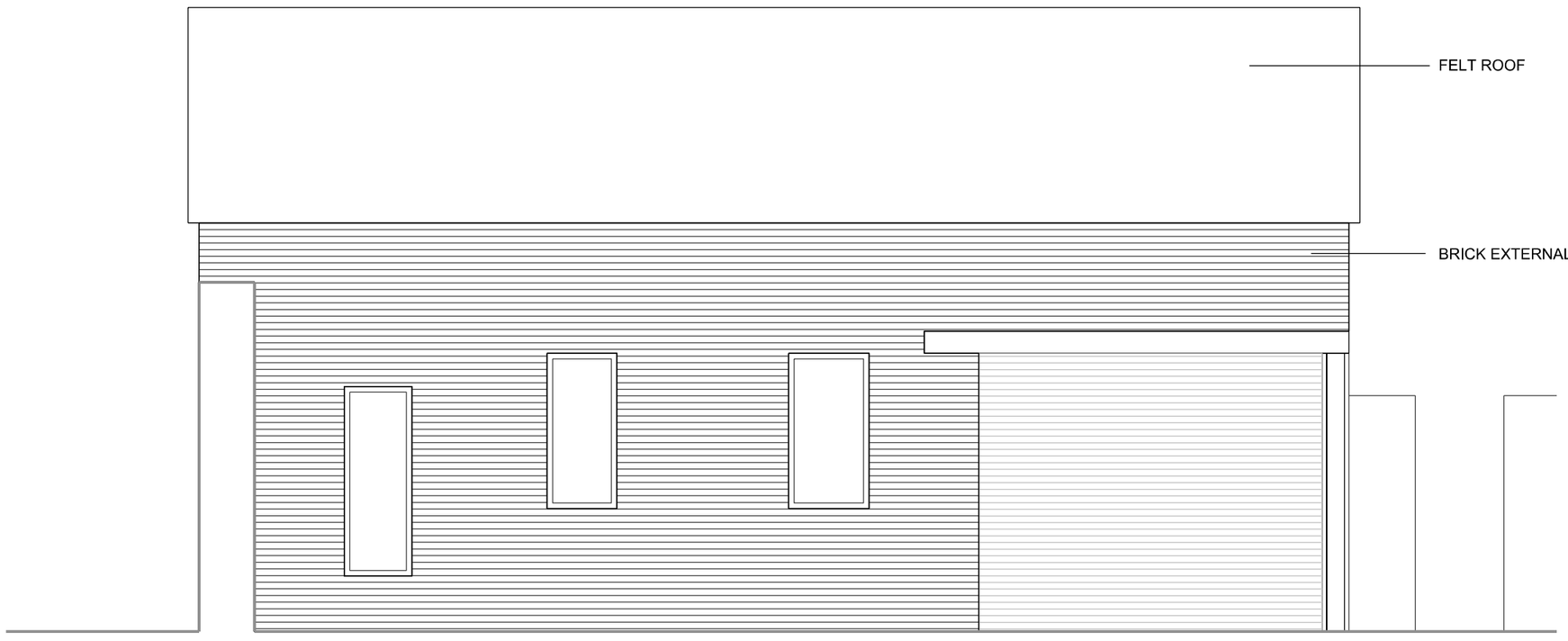
NOTES:

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REV	DATE	REASON
A	15.04.16	PLANNING APP.

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0 1M 2M 3M 4M
0.1M 1.5M

PL(060)015_EXISTING SOUTH ELEVATION rev A
SCALE 1:50@A3

PLANNING

MR. AND MRS PHILLIPS
6 ROSENEATH STREET
GREENOCK

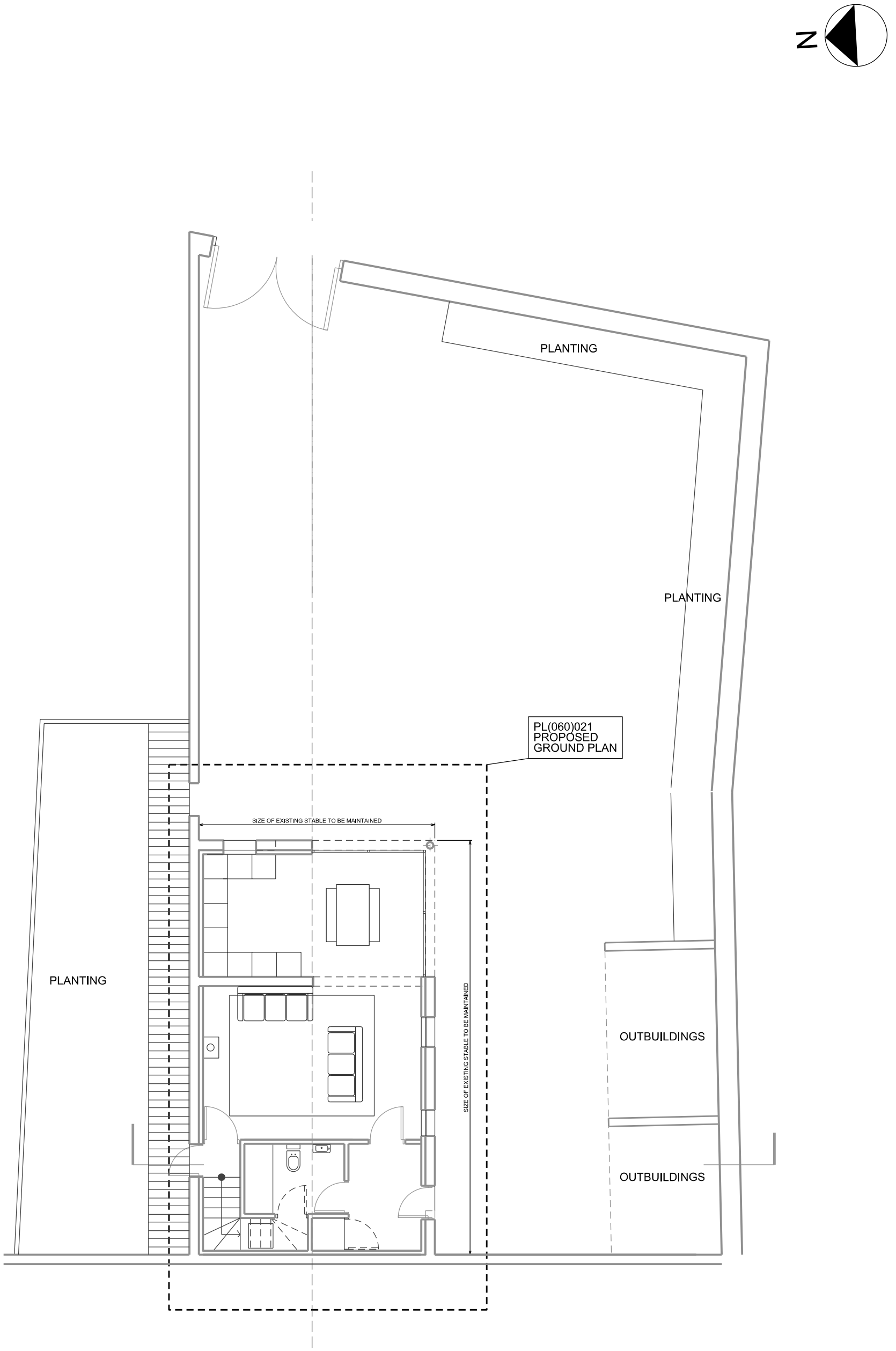
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REV	DATE	REASON
A	15.04.16	PLANNING APP.

KAREN MOIR ARCHITECTS

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0 1M 2M 3M 4M

0.1M 1.5M

PLANNING

PL(060)020_PROPOSED GARDEN PLAN rev B

SCALE 1:100@A3

MR. AND MRS PHILLIPS
6 ROSENEATH STREET
GREENOCK

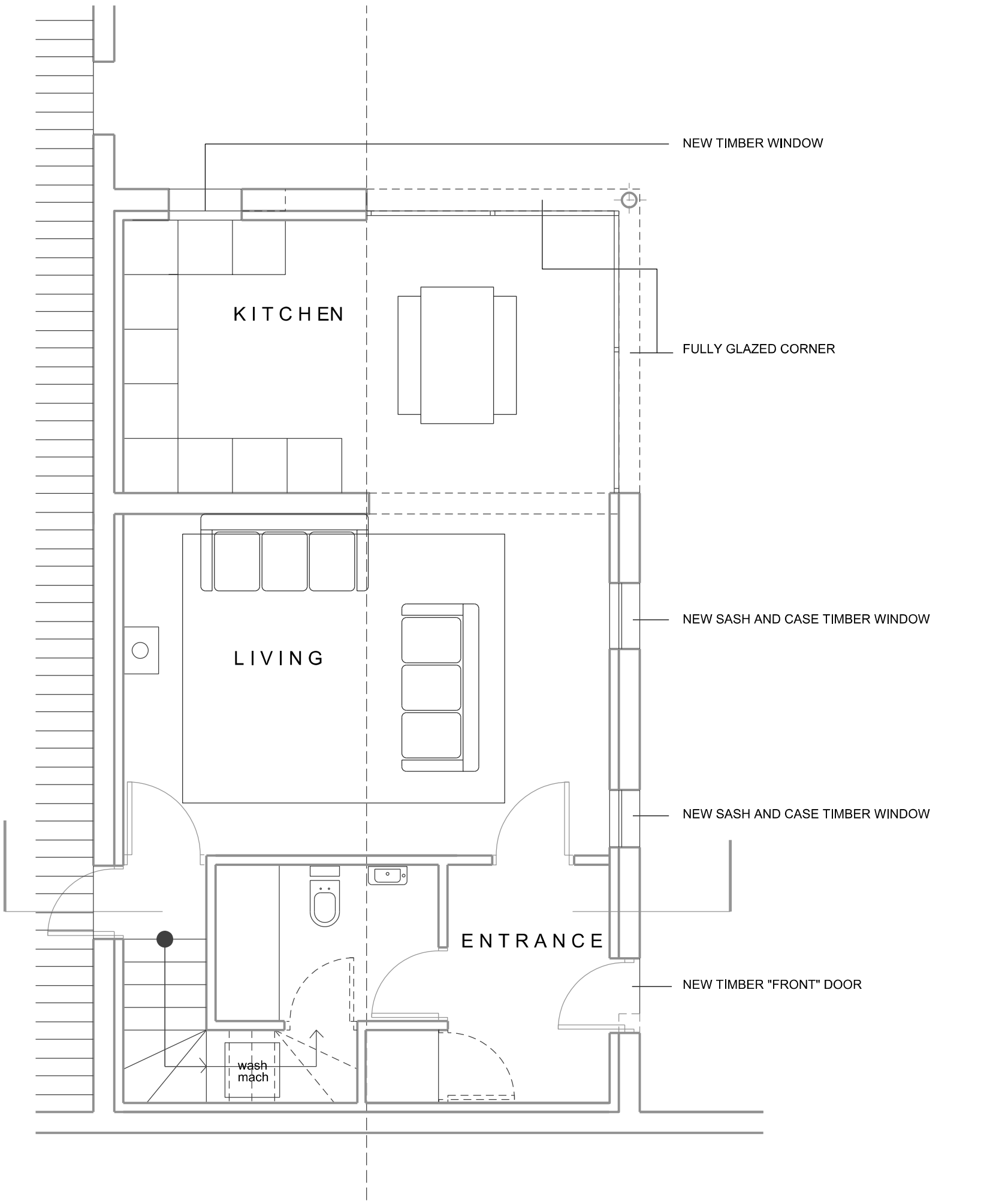
NOTES:

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3. Any drawing errors to be the attention of the Architect.
4. Structural Engineer's drawings to take precedence for all structural information.

REV	DATE	REASON
A	25.04.16	PLANNING APP.
B	15.06.16	NOTES ADDED FOR PLANNING

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0 1M 2M 3M 4M

0.1M 1.5M

PL(060)021_PROPOSED GROUND PLAN rev C

SCALE 1:50@A3

PLANNING

MR. AND MRS PHILLIPS
6 ROSENEATH STREET
GREENOCK

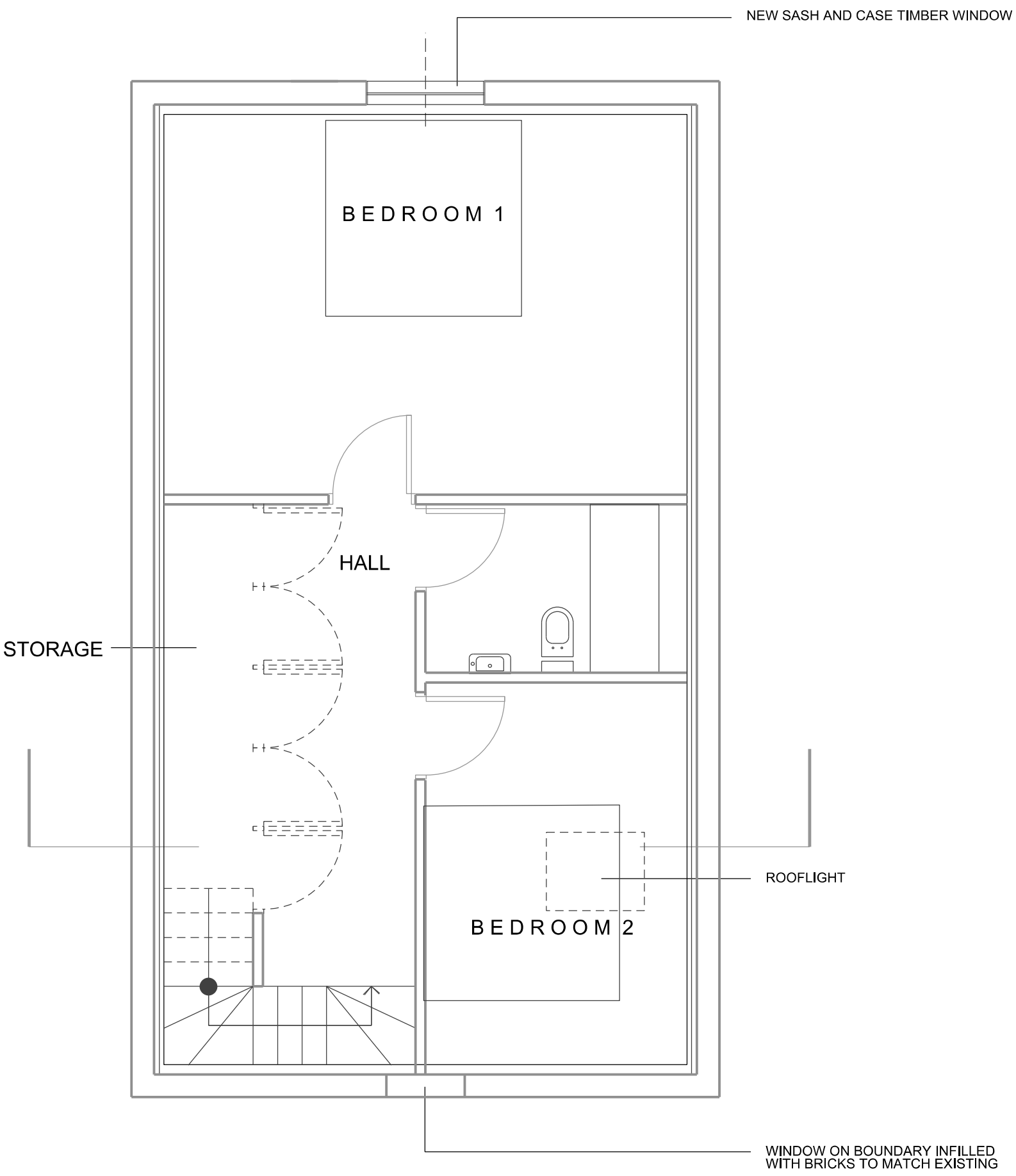
NOTES:

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REV	DATE	REASON
B	15.04.16	PLANNING APP.
C	15.06.16	NOTES ADDED FOR PLANNING

KAREN MOIR ARCHITECTS

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0 1M 2M 3M 4M
0.1M 1.5M

PL(060)022_PROPOSED FIRST FLOOR PLAN rev C
SCALE 1:50@A3

PLANNING

MR. AND MRS PHILLIPS
6 ROSENEATH STREET
GREENOCK

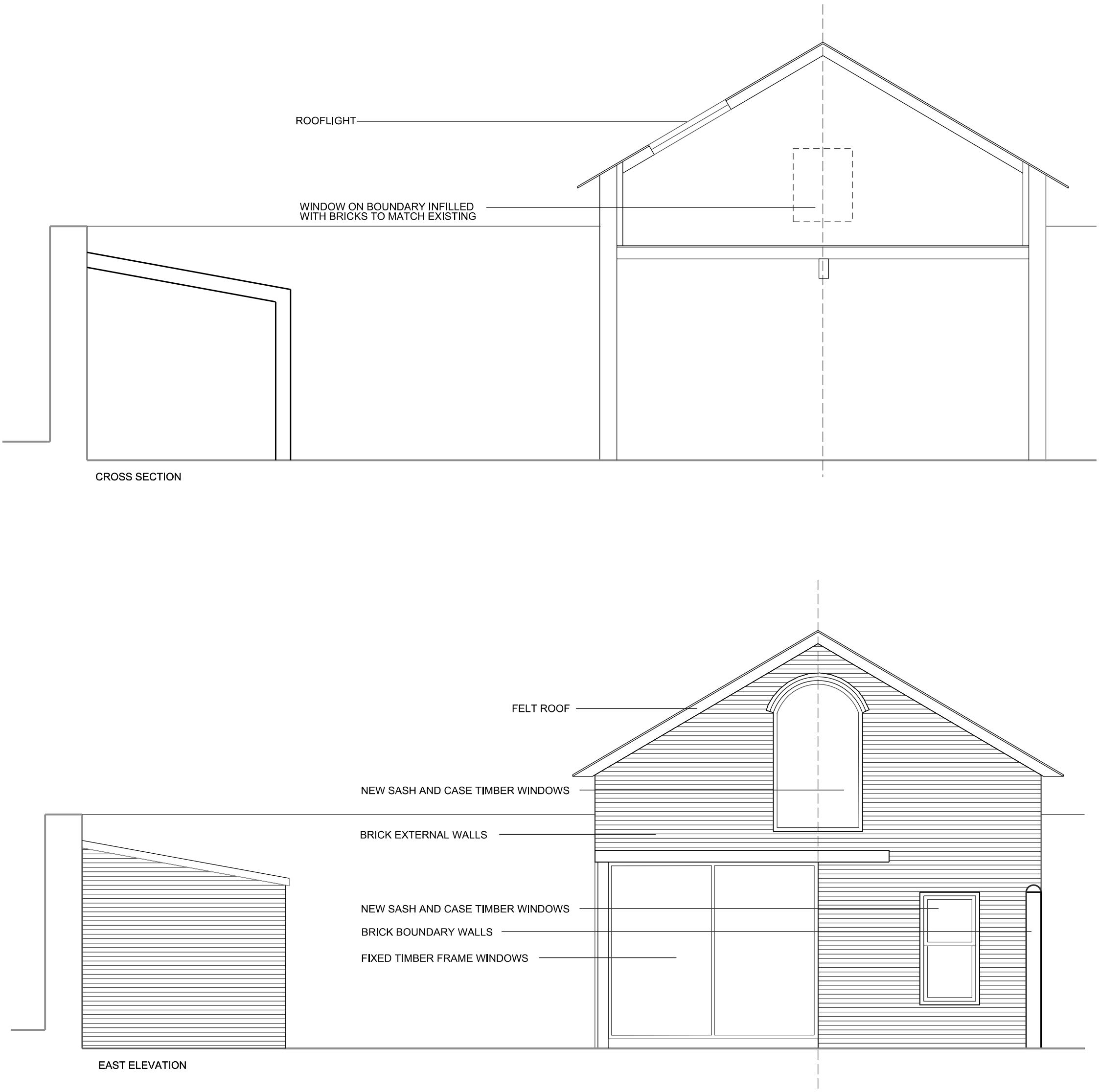
NOTES:

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REV	DATE	REASON
B	15.04.16	PLANNING APP.
C	15.06.16	NOTES ADDED FOR PLANNING

KAREN MOIR ARCHITECTS

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0 1M 2M 3M 4M

0.1M 1.5M

PL(060)023_PROPOSED EAST ELEVATION AND CROSS SECTION rev C

SCALE 1:50@A3

PLANNING

MR. AND MRS PHILLIPS
6 ROSENEATH STREET
GREENOCK

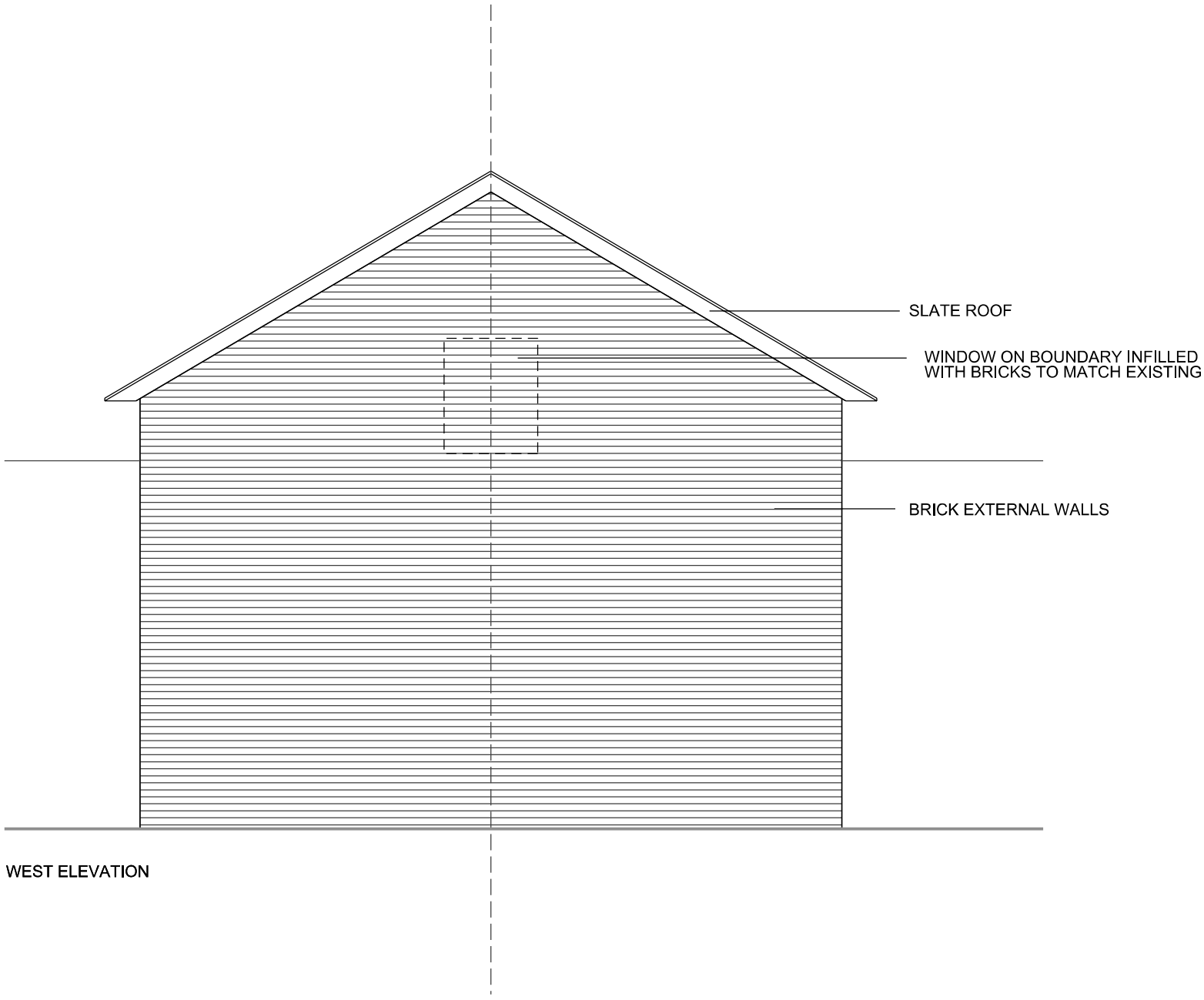
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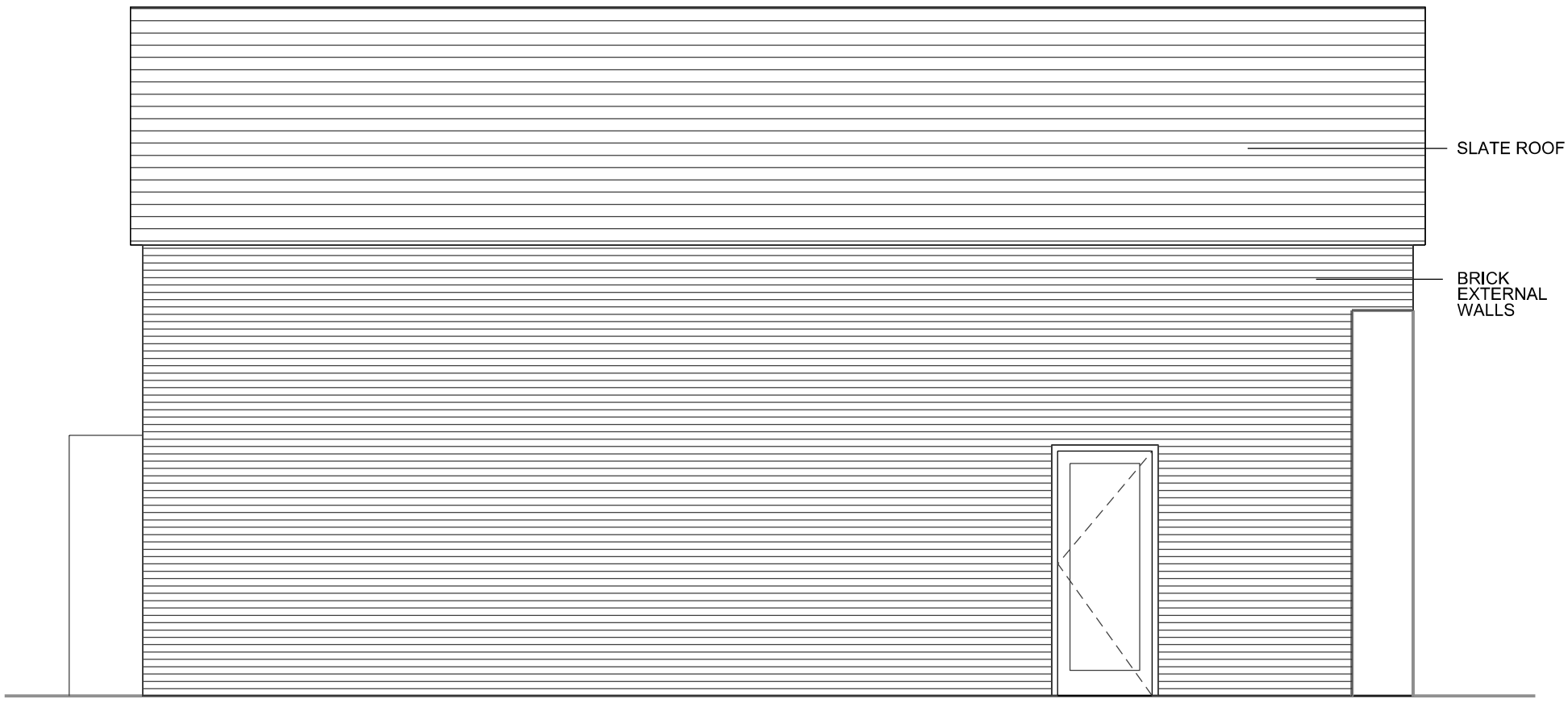
REV	DATE	REASON
B	15.04.16	PLANNING APP.
C	15.06.16	NOTES ADDED FOR PLANNING, OUTBUILDING SECTION AND END ELE ADDED

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WEST ELEVATION



NORTH ELEVATION

0 1M 2M 3M 4M
0.1M 1.5M

PL(060)024_PROPOSED NORTH AND WEST ELEVATIONS rev B
SCALE 1:50@A3

PLANNING

MR. AND MRS PHILLIPS
6 ROSENEATH STREET
GREENOCK

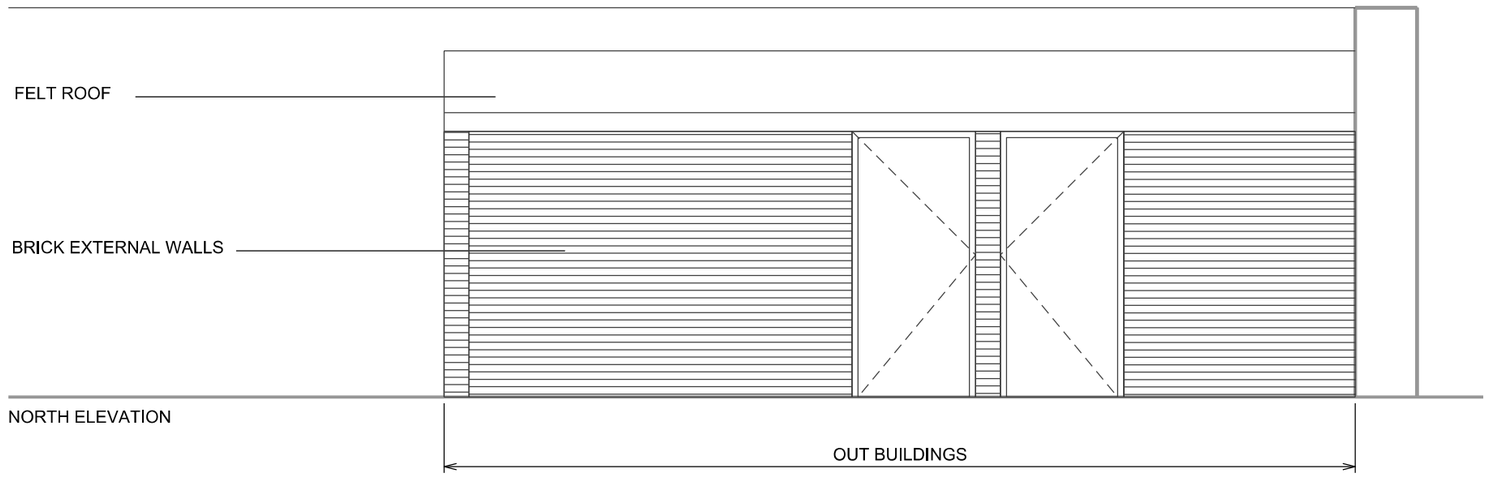
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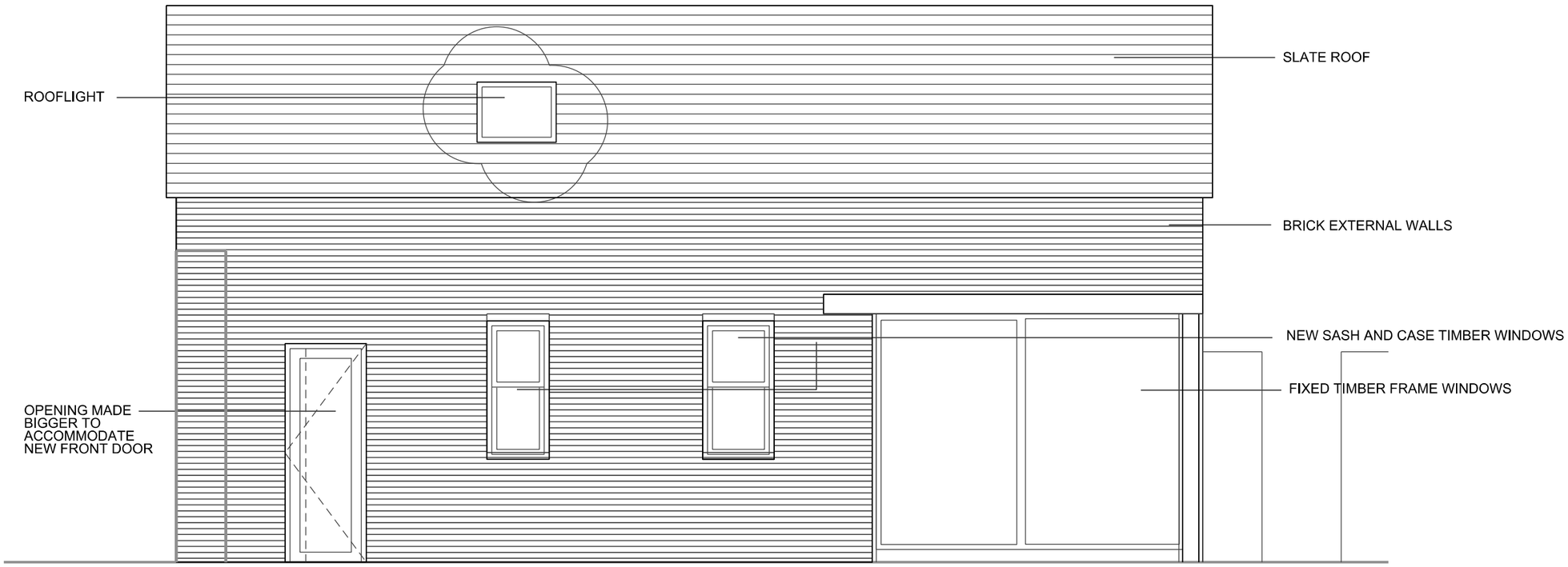
REV	DATE	REASON
A	15.04.16	PLANNING APP.
B	15.06.16	NOTES ADDED FOR PLANNING

KAREN MOIR ARCHITECTS

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M. 07532428325
E. khmoir@gmail.com
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NORTH ELEVATION



SOUTH ELEVATION

0 1M 2M 3M 4M
0.1M 1.5M

PLANNING

PL(060)025 PROPOSED SOUTH ELEVATION AND NORTH ELEVATION OF OUT BUILDINGS rev D

SCALE 1:50@A3

MR. AND MRS PHILLIPS
6 ROSENEATH STREET
GREENOCK

NOTES:

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REV	DATE	REASON
B	15.04.16	PLANNING APP.
C	15.06.16	NOTES ADDED FOR PLANNING
D	21.06.16	NOTES ADDED FOR PLANNING - ROOFLIGHT POSITION REVISED

KAREN MOIR ARCHITECTS

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Roseneath Street, Greenock

Scale 1:1250

0 25 50

Metres

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The representation of a road, track or path is no evidence of a right of way.

The representation of features as lines is no evidence of a property boundary.

Date Of Issue: 18 April 2016
Supplied By: Getmapping
Supplier Plan Id: 160002_1250
OS License Number: 100030848
Applicant: KAREN MOIR
eDevelopment.Scot Reference: 6 ROSENEATH STREET

Inverclyde council

REPORT OF HANDLING

Report By:	**Guy Phillips**	**Report No:**	**16/0102/IC**
			Local Application Development
Contact Officer:	**01475 712422**	**Date:**	**23rd June 2016**

Subject: **Conversion of stables to a two bedroom, one and a half storey house at 6 Roseneath Street, Greenock**

SITE DESCRIPTION

The approximately 320 square metres application site contains a two storey, former stable with loftspace at its upper level. The stable has a footprint of approximately 61 square metres and its rear elevation forms part of the boundary wall with the neighbouring property to the west. It is situated to the rear of a two storey property at 45 Esplanade/2 Roseneath Street, Greenock and is within the Greenock West End Conservation Area. External finishes are red common brick and roofing felt.

The land associated with the stable now comprises a separate plot described as 6 Roseneath Street and is situated at the corner of Roseneath Street and Eldon Street. It is generally rectangular in shape with a small additional area lying to the north. It is bound by an approximately 2.5m high stone wall to the east (Roseneath Street), the south (Eldon Street) and also to the west (the adjoining property). At the northern boundary, a timber fence approximately 1.20 metres in height separates the site from the rear garden of the existing house. Access to the site is via double gates from Roseneath Street.

PROPOSAL

It is proposed to convert the former stable to a three apartment dwelling house. The overall form of the building is to be retained with no changes proposed to its footprint, height, roof pitch and red brick wall finish. Changes to its external appearance comprise the provision of a natural slate roof finish in lieu of the existing roofing felt, the formation of a doorway on the north (side) elevation, the deletion of a high level window from the west (side gable) elevation, the provision of ground floor wrap-round glazing on the south-east corner of the building, the replacement of deadlights on the east and south elevations with sash and case appearance windows and the formation of a rooflight on the south roof slope.

Further detailed on the proposed plan is the demolition of an existing (roofless) outbuilding and temporary shelter which abut the south facing boundary wall and their replacement with a sub-divided lean-to building to provide outdoor storage.

Vehicular access to the site remains via the existing gated access off Roseneath Street.

DEVELOPMENT PLAN POLICIES

Policy RES1 - Safeguarding the Character and Amenity of Residential Areas

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

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

Policy RES5 - Proposals for Changes to Properties for Residential Use

Proposals for the change of use, sub-division or conversion to properties to create new additional dwelling units, and for the alteration or extension to residential properties, will be assessed against and have to satisfy where appropriate, the following criteria:

(a) the character and amenity of neighbouring properties;
(b) impact on the streetscape;
(c) impact on the character of the existing property;
(d) accordance with the Council's adopted roads guidance; and
having regard to Supplementary Guidance on Planning Application Advice Notes.

Policy HER1 - Development which Affects the Character of Conservation Areas

Development proposals which affect conservation areas will be acceptable where they are sympathetic to the character, pattern of development and appearance of the area. Such proposals will be assessed having regard to Historic Scotland's SHEP and "Managing Change in the Historic Environment" guidance note series.

Policy HER2 - Demolition in Conservation Areas

There will be a presumption against the demolition of unlisted buildings in conservation areas. Proposals will be assessed against the impact on the historical street pattern and building form. Proposals for demolition will not be considered in the absence of a planning application for a replacement development that enhances or preserves the character of the surrounding area. All such proposals will be assessed having regard to Historic Scotland's SHEP and 'Managing Change in the Historic Environment' guidance note series.

Planning Application Advice Note No 7 (PAAN7) "Window Replacement in Conservation Areas and in Listed Buildings" applies.

CONSULTATIONS

Head of Environmental and Commercial Services – no objections subject to two off-street parking spaces being provided within the site.

Head of Safer and Inclusive Communities - no objections subject to the attachment of conditions on waste storage and external lighting and advisory notes on site drainage, CDM Regulations and seagulls.

PUBLICITY

The application was advertised as a development affecting a conservation area.

SITE NOTICES

A site notice was posted as a development affecting a conservation area.

PUBLIC PARTICIPATION

No written representations have been received.

ASSESSMENT

The material considerations in the assessment of this application are the planning history of the site, the Local Development Plan, Historic Environment Scotland's Policy Statement (which replaces the SHEP) and "Managing Change in the Historic Environment" guidance note series, and the consultation responses.

In August last year the Council's Local Review Body granted planning permission for the change of use and alterations to the stable to form a dwellinghouse. That permission includes an approximately 1m increase in the building's ridge height and the construction of an approximately 8.75 square metres two storey side extension. The proposal under consideration in this report retains the building's existing ridge height and no extension is proposed.

Policy RES1 seeks to safeguard and, where practicable, enhance residential amenity and character. As a change of use of an existing building to create a residential unit, the best measure to determine whether or not the proposal meets this aim is to assess it against the relevant criteria within policy RES5, which are: (a) the character and amenity of neighbouring properties; (b) impact on the streetscape; (c) impact on the character of the existing property and; (d) accordance with the Council's adopted roads guidance and having regard to Supplementary Guidance on Planning Application Advice Notes.

Considering the character and amenity of neighbouring properties and impact upon streetscape, due to the orientation of buildings and the high walling and gates at the street frontages, the only significant impact of the proposal arises from the change in roofing material from roofing felt to natural slate. I consider this change to be in character with the existing building and the wider Conservation Area and, as such, has a positive impact upon neighbouring properties and streetscape. I do, however, consider it prudent to attach a condition reserving the choice of natural slate. I am satisfied that the proposal satisfies criteria (a) and (b) of policy RES5.

Considering the character of the existing building, impact of the proposed alterations to fenestration and doorways is confined to the plot due to the high boundary treatment onto the street frontages. I am, nevertheless, satisfied that all of the proposed changes to the external envelope of the building are sympathetic to its character and that it remains recognizable as a former stable. I am thus content that the proposal accords with criterion (c) of policy RES5.

The Head of Environmental and Commercial Services has offered no objections to the proposal and there is ample space within the plot to accommodate the two off-street parking spaces that he requests. I do, however, consider it prudent to attach a condition requiring the necessary parking spaces to be formed before the building is brought into use as a dwellinghouse. The replacement of the existing windows in the building with timber sash and case units accords with the design guidance in the Council's PAAN7 "Window Replacement in Conservation Areas and in Listed Buildings". Accordingly, I am satisfied that the proposal meets the requirements of criterion (d) of policy RES5.

The "Managing Change in the Historic Environment" guidance note series advises that in some circumstances, such as conversions, there may be grounds for the removal of existing windows and their replacement with new, more thermally efficient ones. This may be considered where the existing windows are inappropriate and the new windows can match the detailed design of historic ones. I consider that the replacement of the existing deadlights with sash and case windows is such a circumstance and that the proposal accords with this guidance.

It is further advised by the "Managing Change in the Historic Environment" guidance note series that the significance of a historic roof is derived from a number of factors including its covering material. There is a strong likelihood that the stable's original roof covering was natural slate. It follows that the reinstatement of a slate finish is appropriate to the building and meets with the design guidance in the "Managing Change in the Historic Environment" guidance note series.

I am content that the adaptation of the existing building for residential use reflects its historical status as the former stable associated with, but remaining subservient in scale to the main house at 45 Esplanade/2 Roseneath Street. The demolition of the small outhouse and its replacement with a lean-to store would have no discernible impact upon the Conservation Area and, as a consequence is acceptable in terms of policy HER2.

Given all of the above circumstances, it can be concluded that the proposal meets the aim of policy RES1 of safeguarding residential amenity and character, is sympathetic to the character, pattern of development and appearance of the Conservation Area in accordance with policy HER1 and is an intelligent and understanding management of the historic environment which accords with Historic Environment Scotland's Policy Statement.

Regarding the observations of the Head of Safer and Inclusive Communities, I have no objections to the advisory notes he recommends be attached on site drainage, CDM Regulations and seagulls. The conditions he recommends be attached on external lighting and waste storage, however, are matters controlled by other legislation and are not, therefore, appropriate to attach as planning conditions. I am, however, content to attach advisory notes on these matters.

Overall, I am content that the proposal merits support.

RECOMMENDATION

That the application be granted subject to the following conditions:

1. That no development shall commence until a sample of the proposed natural slate has been submitted to and approved in writing by the Planning Authority: development thereafter shall proceed utilising the approved slate, unless the Planning Authority gives its prior written approval to any alternative.

2. That the use of the building as a dwellinghouse hereby approved shall not commence until two off-street parking spaces have been constructed within the plot: details of the required parking spaces shall be submitted for the prior written approval of the Planning Authority.

Reasons

1. To ensure a continuity with slate finishes in this part of the Greenock West End Conservation Area.

2. To prevent obstructive parking on Roseneath Street and Eldon Street.

Signed: 

Case Officer: Guy Phillips



Stuart
Head of Regeneration and Planning

DECISION NOTICE

Inverclyde council

Conditional Planning Permission

Issued under Delegated Powers

Regeneration and Planning
Municipal Buildings
Clyde Square
Greenock PA15 1LY

Planning Ref: 16/0102/IC

Online Ref:100010016-001

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2013

Mrs Jenny Phillips
6 Roseneath Street
GREENOCK
PA16 7RZ

Karen Moir Architects
42 Moray Place
GLASGOW
G41 2DF

With reference to your application dated 26.04.2016 for planning permission under the abovementioned Act and Regulation for the following development:-

Conversion of stables to a two bedroom one and a half storey house at

6 Roseneath Street, Greenock

Category of Application: Local Application Development

The INVERCLYDE COUNCIL in exercise of their powers under the abovementioned Act and Regulation hereby grant planning permission for the said development in accordance with the plan(s) docquetted as relative hereto and the particulars given in the application.

In compliance with Section 58 of the Town and Country Planning (Scotland) Act,1997 this permission is granted subject to the condition that the development to which it relates must be begun not later than the expiration of 3 years beginning with the date of this permission.

Permission is issued subject to the following condition(s):

1. That no development shall commence until a sample of the proposed natural slate has been submitted to and approved in writing by the Planning Authority: development thereafter shall proceed utilising the approved slate, unless the Planning Authority gives its prior written approval to any alternative.

2. That the use of the building as a dwellinghouse hereby approved shall not commence until two off-street parking spaces have been constructed within the plot: details of the required parking spaces shall be submitted for the prior written approval of the Planning Authority.

The foregoing condition(s) are imposed by the Council for the following reason(s):-

1. To ensure a continuity with slate finishes in this part of the Greenock West End Conservation Area.

2. To prevent obstructive parking on Roseneath Street and Eldon Street.

Healthy Working Lives

Positive About Disabled People

The reason why the Council made this decision is as follows:

1. The development is considered to comply with Development Plan policies.

Dated this 24th day of June 2016

[redacted]

Head of Regeneration and Planning

1 If the applicant is aggrieved by the decision of the Planning Authority to refuse permission for or approval required by condition in respect of the proposed development, or to grant permission or approval subject to conditions, he may seek a review of the decision within three months beginning with the date of this notice. The request for review shall be addressed to The Head of Legal and Administration, Inverclyde Council, Municipal Buildings, Greenock,PA15 1LY.

2 If permission to develop land is refused or granted subject to conditions, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the planning authority a purchase notice requiring the purchase of his interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997

Additional Notes

1. The applicant shall submit to the Planning Authority a detailed specification of the containers to be used to store waste materials and recyclable materials produced on the premises as well as specific details of the areas where such containers are to be located. The use of the residential accommodation shall not commence until the above details are approved in writing by the Planning Authority and the equipment and any structural changes are in place.

2. All external lighting on the application site should comply with the Scottish Government Guidance Note "Controlling Light Pollution and Reducing Lighting Energy Consumption".

3. Site Drainage: Suitable and sufficient measures for the effective collection and disposal of surface water should be implemented during construction phase of the project as well as within the completed development to prevent flooding within this and nearby property.

4. The applicant should be fully aware of the Construction (Design & Management) Regulations 2015 (CDM 2015) and it's implications on client duties etc.

5. Design and Construction of Buildings - Gulls: It is very strongly recommended that appropriate measures be taken in the design of all buildings and their construction, to inhibit the roosting and nesting of gulls. Such measures are intended to reduce nuisance to, and intimidation of, persons living, working and visiting the development.

Approved Plans: Can be viewed Online at http://planning.inverclyde.gov.uk/Online/

Drawing No:	Version:	Dated:
100030848		18.04.2016
PL(060)010	Rev A	25.04.2016
PL(060)011	Rev A	15.04.2016

PL(060)012	Rev A	15.04.2016
PL(060)013	Rev A	15.04.2016
PL(060)014	Rev A	15.04.2016
PL(060)015	Rev A	15.04.2016
PL(060)020	Rev B	15.06.2016
PL(060)021	Rev C	15.06.2016
PL(060)022	Rev C	15.06.2016
PL(060)023	Rev C	15.06.2016
PL(060)024	Rev B	15.06.2016
PL(060)025	Rev D	21.06.2016

Appended to this decision notice are two forms: a "commencement of development form" and a "completion of development form". You are required to submit the former notice before starting work. Failure to do so is a breach of planning control under Section 123(1) of the Town and Country Planning (Scotland) Act 1997. You are required to submit the latter notice as soon as practicable after completion of the development. If a third form has been appended, a "form of notice to be displayed while development is in progress" you are required to display this in a prominent place at or in the vicinity of the site of the development; it must be readily visible to the public, and it must be printed on durable material. It is a breach of planning control not to display such a notice if required.

14 EMAIL DATED 20 AUGUST 2019 ON BEHALF OF APPOINTED OFFICER

Rona McGhee

From: David Ashman
Sent: 20 August 2019 10:40
To: Rona McGhee
Cc: paul@nicholsonmcshane.co.uk; Public Protection; Roads; Carrie Main
Subject: RE: (Official) Review Of Decision to Refuse Planning Permission - Alteration, Extension and Conversion of Former Stables to Form New Dwelling, 6 Roseneath Street, Greenock (19/0010/IC)

Classification: Official

Rona,

With regard to your e-mail below and the earlier e-mail to which you refer, I am replying on behalf of Carrie Main who is presently on annual leave.

Having considered the content of the "Historic Environment Policy for Scotland" I am satisfied that there is no substantive change from the 2016 Historic Environment Scotland – Policy Statement to the extent that it would have lead to a different conclusion being reached on the planning merits of the proposal.

I trust that this information will be helpful. I have copied in the e-mail addresses listed below and will today be issuing a letter in the postal mail with a copy of this e-mail.

Regards,

David

David Ashman
Development Management Team Leader
Regeneration and Planning
Inverclyde Council
Municipal Buildings
Clyde Square
Greenock
Inverclyde
PA15 1LY

Phone (office): 01475 712416
E-mail: devcont.planning@inverclyde.gov.uk

Inverclyde Council website – www.inverclyde.gov.uk
Inverclyde on Twitter – twitter.com/inverclyde

Let us know how satisfied you are with the service received from Building Standards or Development Management by completing our customer survey at Survey Monkey - Building Standards or Survey Monkey - Development Management

From: Rona McGhee
Sent: 19 August 2019 15:49
To: David Ashman <David.Ashman@inverclyde.gov.uk>

Cc: Carrie Main <Carrie.Main@inverclyde.gov.uk>
Subject: FW: (Official) Review Of Decision to Refuse Planning Permission - Alteration, Extension and Conversion of Former Stables to Form New Dwelling, 6 Roseneath Street, Greenock (19/0010/IC)

David

I refer to my email below.

I note that Carrie is currently on annual leave and I should be obliged if you would let me know if this will be dealt with by the23 August deadline.

Regards,
Rona

Rona McGhee
Senior Committee Officer
Legal & Property Services
Inverclyde Council
Municipal Buildings
Clyde Square
Greenock
Inverclyde
PA15 1LX

Phone – 01475 712113
e-mail – rona.mcghee@inverclyde.gov.uk

Inverclyde Council website – www.inverclyde.gov.uk
Inverclyde on Twitter – twitter.com/inverclyde

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Inverclyde Council is an accredited Living Wage employer

From: Rona McGhee
Sent: 09 August 2019 08:31
To: Carrie Main
Subject: (Official) Review Of Decision to Refuse Planning Permission - Alteration, Extension and Conversion of Former Stables to Form New Dwelling, 6 Roseneath Street, Greenock (19/0010/IC)

Classification: Official

Dear Ms Main

At the meeting of the Inverclyde Council Local Review Body (ILRB) on 7 August 2019, following consideration of the case papers, the ILRB agreed that it did not have sufficient information in order to proceed to determine the request for review. The case papers are available online at www.inverclyde.gov.uk (click on Committee Meetings, then Local Review Body).

The ILRB agreed to seek the views of the applicant, the appointed officer and any other interested parties, i.e. statutory consultees and any other persons who made representations in connection with the planning application, through the "Written Submissions" procedure set out in Regulation 15 of the Town & Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013 on Historic Environment Scotland's Historic

Environment Policy for Scotland (HEPS) published in May 2019, a copy of which is attached, as it impacts upon the application to the ILRB. HEPS supersedes the 2016 Historic Environment Scotland – Policy Statement (HESP) which in turn superseded the 2011 Scottish Historic Environment Policy (SHEP). The planning application was assessed on the basis of the HESP which was in place at the time the application was determined.

Accordingly, in terms of Regulation 15(1)(b), the ILRB seeks your views on the HEPS, as it impacts upon the application to the ILRB.

I would also advise you that, in terms of Regulation 15(2)(b) you are required to send your response to the ILRB within fourteen days of the date of this Notice (i.e.23 August). In terms of Regulation 15(3) you are also required to forward a copy of your response to the applicant, the applicant's agent and the interested parties whose details are set out in the schedule below.

On receipt of a copy of any response to the ILRB to this Notice, the applicant, the Appointed Officer or any of the interested parties have, in terms of Regulation 15(4) fourteen days in which to respond thereon to the ILRB. Should you submit such a response, you are also required to send a copy to those specified in the Schedule appended to this Notice.

Should you require any clarification in regard to the terms of this Notice, please do not hesitate to contact me.

Regards,
Rona

SCHEDULE OF DETAILS OF APPLICANT, AGENT AND INTERESTED PARTIES

Applicant:

Mr Jim Sweeney
6 Roseneath Street
GREENOCK
PA16 7RZ

Agent:

Mr Paul McShane
Nicholson McShane Architects
Suite 1-01
Custom House
Custom House Place
GREENOCK
PA15 1EQ
(email: paul@nicholsonmcshane.co.uk)

Interested Parties:

Head of Environmental & Public Protection
Inverclyde Council
105 Dalrymple Street
GREENOCK
PA15 1HU
(email: public.protection@inverclyde.gov.uk)

Head of Roads and Transportation
Inverclyde Council
8 Pottery Street

GREENOCK
PA15 2UH
(email: roads@inverclyde.gov.uk)

Mr Vincent Farrelly
46A Esplanade
GREENOCK
PA16 7SD

Data Protection: Inverclyde Council is obliged to comply with current Data Protection Laws and will use this information for purposes in relation to The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013 and related purposes.

Inverclyde Council's Privacy Notice is available at www.inverclyde.gov.uk/privacy

Rona McGhee
Senior Committee Officer
Legal & Property Services
Inverclyde Council
Municipal Buildings
Clyde Square
Greenock
Inverclyde
PA15 1LX

Phone – 01475 712113
e-mail – rona.mcghee@inverclyde.gov.uk

Inverclyde Council website – www.inverclyde.gov.uk
Inverclyde on Twitter – twitter.com/inverclyde

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Inverclyde council

AGENDA ITEM NO. 3

LOCAL REVIEW BODY **2 OCTOBER 2019**

PLANNING APPLICATION FOR REVIEW

BRIAR HOMES
RESIDENTIAL DEVELOPMENT WITH ASSOCIATED ACCESS, OPEN SPACE AND LANDSCAPING (IN PRINCIPLE):
SITE OFF LITHGOW WAY, KINGSTON DOCK, PORT GLASGOW (18/0260/IC)

Contents

1. **Planning Application dated 7 September 2018 together with Plan**

2. **Appointed Officer's Site Photographs together with Location Plan**

3. **Appointed Officer's Report of Handling dated 14 June 2019**

   To view Adopted Inverclyde Local Development Plan 2014 see:
   https://www.inverclyde.gov.uk/planning-and-the-environment/planning-policy/development-planning/ldp

   To view Proposed Inverclyde Local Development Plan see:
   https://www.inverclyde.gov.uk/planning-and-the-environment/planning-policy/development-planning/new-ldp

   To view Proposed Local Development Plan Examination Report see:
   https://www.inverclyde.gov.uk/planning-and-the-environment/planning-policy/development-planning/new-ldp

4. **2017 Housing Land Supply submitted by Applicant in relation to Planning Application**

5. **Scottish Government Directorate for Planning and Environmental Appeals Appeal Decision Notice dated 5 February 2014 in relation to planning application 13/0035/IC for residential development with associated access, open space and landscaping (in principle)**

6. **Applicant's Flood Risk Assessment REV3**

7. **Consultation responses in relation to Planning Application**

8. **Representations in relation to Planning Application**

9. **Decision Notice dated 18 June 2019 issued by Head of Regeneration & Planning**

10. **Notice of Review Form dated 1 August 2019 with supporting documentation from McInally Associates Ltd**

11. **Suggested conditions and advisory notes should planning permission be granted on review**

Members are asked to note the application would be subject to the notification process in terms of the Town & Country Planning (Notification of Applications) (Scotland) Direction 2009 should they be minded to grant consent without applying the conditions required by the Scottish Environment Protection Agency

1. PLANNING APPLICATION DATED 7 SEPTEMBER 2018 TOGETHER WITH PLAN

Municipal Buildings Clyde Square Greenock PA15 1LY Tel: 01475 717171 Fax: 01475 712 468 Email: devcont.planning@inverclyde.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100136203-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

☐ Application for planning permission (including changes of use and surface mineral working).

☒ Application for planning permission in principle.

☐ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)

☐ Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Planning application seeking planning permission in principle for residential development with associated access, open space and landscaping proposals

Is this a temporary permission? * ☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place? (Answer 'No' if there is no change of use.) * ☐ Yes ☒ No

Has the work already been started and/or completed? *

☒ No ☐ Yes – Started ☐ Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application) ☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	McInally Associates Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Thomas	Building Name:	
Last Name: *	McInally	Building Number:	16
Telephone Number: *	01413325181	Address 1 (Street): *	Robertson Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Glasgow
Fax Number:		Country: *	Scotland
		Postcode: *	G2 8DS
Email Address: *	tommcinally@mcinally-associates.co.uk		

Is the applicant an individual or an organisation/corporate entity? *

☐ Individual ☒ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:		You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *		Building Number:	205
Last Name: *		Address 1 (Street): *	St Vincent Street
Company/Organisation	Briar Homes	Address 2:	
Telephone Number: *		Town/City: *	Glasgow
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	G2 5QD
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority: Inverclyde Council

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Site off Lithgow Way, Kingston Dock, Greenock

Northing

Easting

Pre-Application Discussion

Have you discussed your proposal with the planning authority? * ☐ Yes ☒ No

Site Area

Please state the site area: 0.66

Please state the measurement type used: ☒ Hectares (ha) ☐ Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Vacant land / former dock area

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? * ☒ Yes ☐ No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? * ☒ Yes ☐ No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? * ☒ Yes ☐ No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

☒ Yes – connecting to public drainage network

☐ No – proposing to make private drainage arrangements

☐ Not Applicable – only arrangements for water supply required

Do your proposals make provision for sustainable drainage of surface water?? * ☒ Yes ☐ No
(e.g. SUDS arrangements) *

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

☒ Yes

☐ No, using a private water supply

☐ No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? * ☐ Yes ☒ No ☐ Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? * ☐ Yes ☒ No ☐ Don't Know

Trees

Are there any trees on or adjacent to the application site? * ☐ Yes ☒ No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? * ☐ Yes ☒ No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013 * ☐ Yes ☐ No ☒ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? * ☐ Yes ☒ No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? * ☐ Yes ☒ No

Is any of the land part of an agricultural holding? * ☐ Yes ☒ No

Are you able to identify and give appropriate notice to ALL the other owners? * ☒ Yes ☐ No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate B

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

I hereby certify that

(1) - No person other than myself/the applicant was an owner [Note 4] of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application;

or –

(1) - I have/The Applicant has served notice on every person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application was owner [Note 4] of any part of the land to which the application relates.

Name:	
Address:	Peel Land and Property (Ports) Ltd, 16, Robertson Street, Glasgow, Scotland, G2 8DS
Date of Service of Notice: *	07/09/2018

Name:	
Address:	Inverclyde Council, Legal and Property Services, 107, Dalrymple Street, Greenock, Scotland, PA15 1HU
Date of Service of Notice: *	07/09/2018

Name:	
Address:	Inverclyde Council, Roads and LightingMunicipal Buildings, Clyde Square, Greenock, Scotland, PA15 1LY
Date of Service of Notice: *	07/09/2018

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding;

or –

(2) - The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have/the applicant has served notice on every person other than myself/himself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. These persons are:

Name:

Address:

Date of Service of Notice: *

Signed: Thomas McInally

On behalf of: Briar Homes

Date: 07/09/2018

☒ Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission or planning permission in principal where there is a crown interest in the land, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

☐ Yes ☐ No ☒ Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

☐ Site Layout Plan or Block plan.
☐ Elevations.
☐ Floor plans.
☐ Cross sections.
☐ Roof plan.
☐ Master Plan/Framework Plan.
☐ Landscape plan.
☐ Photographs and/or photomontages.
☐ Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *	☐ Yes ☒ N/A
A Design Statement or Design and Access Statement. *	☐ Yes ☒ N/A
A Flood Risk Assessment. *	☐ Yes ☒ N/A
A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *	☐ Yes ☒ N/A
Drainage/SUDS layout. *	☐ Yes ☒ N/A
A Transport Assessment or Travel Plan	☐ Yes ☒ N/A
Contaminated Land Assessment. *	☐ Yes ☒ N/A
Habitat Survey. *	☐ Yes ☒ N/A
A Processing Agreement. *	☐ Yes ☒ N/A

Other Statements (please specify). (Max 500 characters)

Extract from Inverclyde Council Housing Land Supply Audit 2017

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Thomas McInally

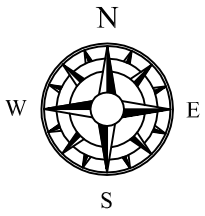
Declaration Date: 07/09/2018

Payment Details

Cheque: Briar Homes Limited, 000002

Created: 07/09/2018 15:18

Do not scale from this drawing.
All dimensions to be checked on site prior to commencement of works.
Any discrepancies to be brought to the immediate attention of A.S. Homes Ltd.





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AS HOMES
205 St Vincent St.
Glasgow
G2 5QD
tel : 0141 229 1646
fax : 0141 248 1636

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Project: Lithgow Way, Port Glasgow	Drawing Title: Location Plan	Drawing By: Ag	Date: Aug 18
		Drawing No.: Loc-01	Project No.: HS100
	Scale: 1:1250	Paper: A4	Status: -
			Revision: -

2. APPOINTED OFFICER'S SITE PHOTOGRAPHS TOGETHER WITH LOCATION PLAN





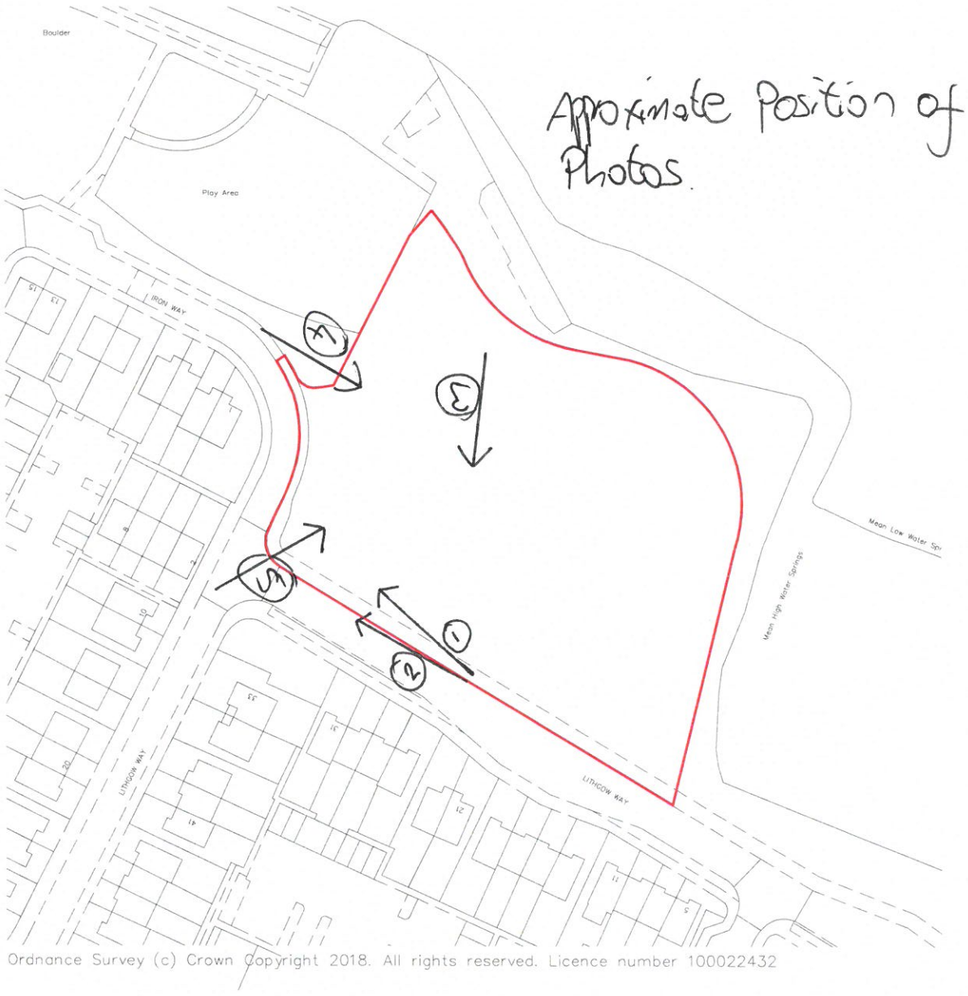






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All dimensions to be checked on site prior to commencement of works.
Any discrepancies to be brought to the immediate attention of A.S. Homes Ltd.





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Project	Drawing Title	Drawing By	Date
Lithgow Way Port Glasgow	Location Plan	Ag	Aug 18
		Drawing No.	Project No.
		Loc-01	HS100
	Scale / Paper	Status	Revision
	1:1250 / A4	-	-

3. APPOINTED OFFICER'S REPORT OF HANDLING DATED 14 JUNE 2019

Inverclyde council

REPORT OF HANDLING

Report By:	**James McColl**	**Report No:**	**18/0260/IC**
			Local Application Development
Contact Officer:	**01475 712462**	**Date:**	**14th June 2019**

Subject: **Planning application seeking planning permission in principle for residential development with associated access, open space and landscaping proposals at**

Site off Lithgow Way, Kingston Dock, Port Glasgow

SITE DESCRIPTION

The application site comprises an area of re-naturalised land within the Kingston Dock area of Port Glasgow, which extends to approximately 0.66 hectares. The site lies to the north of Lithgow Way, immediately east of the junction with Iron Way. A residential development lies opposite on Lithgow Way and Iron Way, with an associated play area together with open space provision lying to the north-west.

PROPOSAL

The applicant seeks permission in principle for a residential development on the site. No indicative layout has been supplied.

DEVELOPMENT PLAN POLICIES

Policy SDS3 - Place Making

High-quality place making in all new development will be promoted by having regard to Inverclyde's historic urban fabric, built cultural heritage and natural environment, including its setting on the coast and upland moors. This heritage and environment will inform the protection and enhancement of Inverclyde by having regard to the Scottish Government's placemaking policies, in particular through the application of 'Designing Places' and 'Designing Streets' and through embedding Green Network principles in all new development.

Policy SDS5 - Development within the Urban Area

There will be a preference for all appropriate new development to be located on previously used (brownfield) land within the urban settlements, as identified on the Proposals Map.

Policy RES1 - Safeguarding the Character and Amenity of Residential Areas

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

(a) compatibility with the character and amenity of the area;

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

Policy RES2 - Development on Urban Brownfield Sites

Development on brownfield sites for housing and community uses in the residential areas identified on the Proposals Map, and in particular the designated renewal areas, will be supported where it accords with Policies 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).

Note: the designated renewal areas referred to are the "Major Areas of Change" and "Areas of Potential Change" depicted on the Proposals Map.

Policy RES3 - Residential Development Opportunities

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

Policy RES4 - Provision of Affordable Housing

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

(a) a benchmark of 25% Affordable Housing Contribution or another agreed percentage on specified 'quota sites'; or failing that and in exceptional circumstances:

(i) off-site provision within the same HMA/HNDA sub area*; or
(ii) commuted payments in lieu of on- or off-site provision;

(b) allocated Registered Social Landlord sites in the effective land supply; and
(c) greenfield land release for a negotiated Affordable Housing Contribution, subject to assessment in accordance with the GCV SDP Strategy Support Measure 10 and Policy RES3.

Policy ENV4 - Safeguarding and Enhancing Open Space

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

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

Policy INF4 - Reducing Flood Risk

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

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

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

Policy INF5 - Sustainable Urban Drainage Systems

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

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

PROPOSED DEVELOPMENT PLAN POLICIES

Policy 1 - Creating Successful Places

Inverclyde Council requires all development to have regard to the six qualities of successful places. In preparing development proposals, consideration must be given to the factors set out in Figure 3. Where relevant, applications will also be assessed against the Planning Application Advice Notes Supplementary Guidance.

Policy 8 - Managing Flood Risk

Development proposals will be assessed against the Flood Risk Framework set out in Scottish Planning Policy. Proposals must demonstrate that they will not:

(a) be at significant risk of flooding; (i.e. within the 1 in 200 year design envelope);
(b) increase the level of flood risk elsewhere; and
(c) reduce the water conveyance and storage capacity of a functional flood plain.

The Council will support, in principle, the flood protection schemes set out in the Clyde and Loch Lomond Local Flood Risk Management Plan 2016, subject to assessment of the impacts on the amenity and operations of existing and adjacent uses, the green network, historic buildings and places, and the transport network.

Policy 9 - Surface and Waste Water Drainage

New build development proposals which require surface water to be drained should demonstrate that this will be achieved during construction and once completed through a Sustainable Drainage System (SuDS), unless the proposal is for a single dwelling or the discharge is directly to coastal waters.

The provision of SuDS should be compliant with the principles set out in the SuDS Manual C753 and Sewers for Scotland 3rd edition, or any successor documents.

Where waste water drainage is required, it must be demonstrated that the development can connect to the existing public sewerage system. Where a public connection is not feasible at present, a temporary waste water drainage system can be supported if:

i) a public connection will be available in future, either through committed sewerage infrastructure or pro-rata developer contributions; and
ii) the design of, and maintenance arrangements for, the temporary system meet the requirements of SEPA, Scottish Water and Inverclyde Council, as appropriate.

Private sustainable sewerage systems within the countryside can be supported if it is demonstrated that they pose no amenity, health or environmental risks, either individually or cumulatively.

Developments including SuDS are required to have an acceptable maintenance plan in place.

Policy 16 - Contaminated Land

Development proposed on land that the Council considers to be potentially contaminated will only be supported where a survey has identified the nature and extent of any contamination present on site and set out a programme of remediation or mitigation measures that ensure that the site can be made suitable for the proposed use.

Policy 18 - New Housing Development

New housing development will be supported on the sites identified in Schedules 3 and 4, and on other appropriate sites within residential areas and town and local centres. All proposals for residential development will be assessed against relevant Supplementary Guidance including Development Briefs for Housing Sites, Planning Application Advice Notes, and Delivering Green Infrastructure in New Development.

There will be a requirement for 25% of houses on greenfield housing sites in the Inverclyde villages which are brought forward under Policy 17 to be for affordable housing. Supplementary Guidance will be prepared in respect of this requirement.

Policy 20 - Residential Areas

Proposals for development within residential areas will be assessed with regard to their impact on the amenity, character and appearance of the area. Where relevant, assessment will include reference to the Council's Planning Application Advice Notes Supplementary Guidance.

Policy 35 - Open Spaces and Outdoor Sports Facilities

Proposals for new or enhanced open spaces, which are appropriate in terms of location, design and accessibility, will be supported.

Development proposals that will result in the loss of open space which is, or has the potential to be, of quality and value, will not be permitted, unless provision of an open space of equal or enhanced quality and value is provided within the development or its vicinity.

Outdoor sports facilities will be safeguarded from development except where:

(a) the proposed development is ancillary to the principal use of the site as an outdoor sports facility, or involves only a minor part of the facility and would not affect its use for sport and training;
(b) the facility to be lost is to be replaced by a new or upgraded facility of comparable or better quality, which is convenient for the users of the original facility and maintains or improves overall playing capacity in the area; or

(c) a relevant strategy demonstrates a clear excess of provision to meet current and anticipated demand, and the development would not result in a reduction in the overall quality of provision.

CONSULTATIONS

Head of Service – Roads and Transportation – No objections in principle although the following points are noted:

1. The application provides no indication of the number dwellings or bedrooms in each dwelling.
2. Parking shall be provided in accordance with the National Roads Development Guideline:

1 bedroom	1 parking space
2-3 bedrooms	2 parking spaces
4 bedrooms	3 parking spaces

Visitor parking should be provided at 0.25 spaces per dwelling (unallocated).

3. If there are more than 100 dwellings then a Transport Assessment will be required. If there are less than 100 dwellings then a Transport Statement will not be required.
4. If garages are proposed the minimum dimensions for garages as detailed in the National Guidelines are:

Minimum Garage size for Cars	7.0 m x 3.0 m (internal dimension)
Associated minimum clear access dimensions	2.1m wide x 1.98m height

5. There are no details on where the access to the site will be provided. The access should ensure there is a visibility splay of 2.4m x 43.0m x 1.05m.
6. The driveways should be paved for a minimum distance of 2m to prevent loose driveway material being spilled onto the road.
7. Driveways shall be a minimum of 3.0m by 5.5m for each parking spaces and the gradient shall not exceed 10%.
8. The driveways should not be close to bends to ensure they have adequate visibility. The applicant shall provide evidence that driveways have sufficient visibility for the approval of the Roads Service.
9. All roads within the site shall be a minimum of 5.5m wide.
10. The footways and footpaths within the site shall be a minimum of 2.0m wide.
11. The applicant shall provide evidence to the Roads Service that all roads have a gradient of 8% or less.
12. Traffic calming shall be provided within the development to allow the promotion of a 20mph speed limit. This is particularly relevant where shared surfaces are proposed.
13. Cycle links should be provided to the external network on Iron Way and Lithgow Way.
14. A Road Construction Consent will be required for all new roads, footways and footpaths.
15. The proposed development will have an impact on the existing street lighting, accordingly a lighting and electrical design for adoptable areas will be required for each site.
A system of lighting shall be kept operational at all times within the existing public adopted areas.

16. All surface water during and after development is to be maintained within the site boundary to prevent any surface water flowing onto the road.

17. A flood risk and drainage impact assessment has been provided and is acceptable.

Scottish Environment Protection Agency West – Following additional information being provided by the Council on the history of the site, SEPA do not object to the proposal. This is subject to conditions being imposed to ensure the following:

- A minimum Finished Floor Level (FFL) for the development is at 5.5m Above Ordnance Datum (AOD); and
- No development occurs within the floodplain as defined by the 4.03 m AOD water level.

It is noted that SEPA expect that the Council undertake their responsibilities as the Flood Risk Management Authority. Additional regulatory advice is also provided for the applicant.

Head of Environmental and Public Protection (Environmental Health) - No objections. Conditions in respect of ground contamination and Japanese Knotweed, external lighting, hours of works bin provision and sound insulation complying with the building regulations are recommended.

Transport Scotland – No objections.

PUBLICITY

The application was advertised in the Greenock Telegraph on 5th October 2018 as there are no premises on neighbouring land.

SITE NOTICES

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

PUBLIC PARTICIPATION

Objections from seven individuals were received in connection with the application. The concerns raised can be summarised as follows:

- The site forms part of a natural green area of ground between existing housing and the river, going all the way from Inchgreen to Coronation Park.
- Additional traffic would result in congestion and an increase in parked cars to the detriment of road safety.
- The width of the roads within the area renders the site unsuitable for residential development.
- The development of the site would be to the detriment of the wider residential area.
- The site is too close to the water to build on.
- Continued development at Kingston Dock would cause further disruption and disturbance.
- A loss of view may occur.
- A reduction in property values may occur.
- Air quality may be adversely impacted on.
- The development of the site will limit access for pedestrians.
- The proposal would be built in close proximity to a children's play park.
- The land is earmarked for commercial development.
- Residential development would mean losing one of the last opportunities on the Port Glasgow shoreline to develop a business.

One representation in support was also received. The points in support can be summarised as follows:

- The site has a poor visual appearance.
- The development of the site would improve a derelict land and complete the wider residential development estate. This site is the only undeveloped section of the estate and is visually very unappealing at present.
- The provision of new housing would be welcomed.

I will consider the points from the representations in my assessment.

ASSESSMENT

The material considerations in the assessment of this application are the Inverclyde Local Development Plan, the proposed Inverclyde Local Development Plan, the planning history of the site, the consultation responses and the objections received.

In first considering the planning history of the site, outline planning permission was granted in June 2005 for the redevelopment of the former Scott Lithgow and Kingston shipyard. The masterplan accompanying the permission indicated the application site to be subject of a commercial development in the form of a public house. In February 2014, planning permission was refused on appeal for residential development on the site. The site, however, subsequently became part of a residential development opportunity allocation (r13) in the 2014 adopted Inverclyde Local Development Plan. In the 2018 proposed Local Development Plan, as modified by examination, the site is now identified as open space.

The proposal comprises previously developed land and Policy SDS5 of the adopted Local Development Plan advises on a preference for development to be located on brownfield sites. Policy RES2 of the adopted Local Development Plan supports the redevelopment of brownfield sites for housing where proposals accord with Policy RES1. Policy RES3 supports residential development on the sites and indicative locations included in Schedule 6.1 and indicated on the Proposals Map. This forms part of site identified within Schedule 6.1.

Considering residential amenity, the application is in principle only and no details of a proposed layout are available. However, there is nothing to suggest that the site could not practically be developed in such a way to ensure suitable separation between new and existing properties to protect privacy and ensure that daylight is not impacted upon. Any development project will produce noise and an element of disruption during the construction phase and this cannot be a determining factor in considering whether to grant planning permission; this is a matter controlled by legislation operated by the Head of Environmental and Public Protection (Environmental Health). A loss of view or any perceived impact on property values are not material planning considerations. The proximity of the adjacent play park is also not a determining factor.

The site lies on the banks of the River Clyde and the applicant has submitted a flood risk assessment (FRA) in support of the application. The FRA considers that there is little to no risk of flooding of the site from tidal, fluvial, surface water, groundwater sources and the site lies outwith the 1 in 200-year tidal floodplain. In addition, the FRA considers that there is little to no risk of flooding of the site from a failure in the local drainage system. The FRA advises that floor levels will be at 5.5 metres AOD. Following additional information being provided by the Council on the history of the site, SEPA do not object to the proposal subject to two conditions being imposed in the event that planning permission is granted. The Head of Service – Roads and Transportation also advises that the submitted FRA is acceptable. Being guided by both SEPA and the Head of Service – Roads and Transportation, I am satisfied that there is nothing to suggest that matters relating to flooding and drainage cannot be appropriately addressed by condition and as part of any detailed development.

Turing to traffic and roads matters, Transport Scotland offers no objections to the proposal. The Head of Service – Roads and Transportation also offers no objections to the principle of a residential development on the site. A range of points are, however, raised. I am satisfied that there is nothing to suggest that the points highlighted in the consultation response cannot either be appropriately addressed by condition and as part of any detailed development, or via separate legislation. Whilst I note the concerns raised in the objections, being guided by both Transport Scotland and the Head of Service – Roads and Transportation, it would be inappropriate to refuse planning permission on roads grounds. Whilst I note the concern that the development would limit pedestrian access, there are no formal pathways through the site and the existing footpaths will be unaffected by the proposal.

In respect of the outstanding consultation response, the Head of Environmental and Public Protection (Environmental Health) offers no objections to the proposal. I concur that it would be prudent to attach conditions in respect of potential site contamination and Japanese Knotweed. Turning to bin provision, this is a matter for the detailed development stage. Matters relating to external lighting can be addressed by advisory note and noise from the construction site is addressed by the Head of Environmental and Public Protection (Environmental Health). Whilst I note the concerns raised in respect of air quality, the Head of Environmental and Public Protection (Environmental Health) raised no concerns in this regard. The site is not covered by any environmental designations nor does it lie adjacent to any designations and I am further satisfied that this area of re-naturalised brownfield land does not raise any biodiversity concerns.

Section 25 of The Town and Country Planning (Scotland) Act 1997 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise. Being a proposal for a residential development on part of an identified residential development opportunity within the 2014 Inverclyde Local Development Plan, and with nothing arising from the consultation responses to suggest that the site could not, in principle, be developed for this purpose, it is clear that the proposal accords with the adopted Development Plan. Also material to the determination, however, is the proposed Local Development Plan and the Reporter's findings on examination of the proposed Plan, published in April 2019. In the proposed Plan, the site is identified as open space on the Proposals Map and Policy 35 does not support the loss of open space which is, or has the potential to be, of quality and value, unless provision of an open space of equal or enhanced quality and value is provided within the development or its vicinity.

It is recognised that the masterplan accompanying the original outline planning permission indicated the application site was to be the subject of a commercial development and that the site was subsequently included as part of a wider residential development opportunity within the 2014 Local Development Plan. However, it is also recognised that that main Kingston Dock residential development has now been completed and the proposed Local Development Plan addresses the site in this current context. The site lies to the north of Lithgow Way and adjacent to the formal open space area and play area associated with the development. The pattern of the completed development is that the northern boundary of the developed area is formed by Lithgow Way and Iron Way, with open space to the north of these roads forming an attractive open aspect to the River Clyde. Indeed, had this site been developed as an integral part of the wider residential development opportunity designation, it would have been expected that this site would have formed part of the planned layout allowing open aspects to the river. It is considered that the application site, whilst not part of the formal open space provision, is part of the setting of the Port Glasgow waterfront which now forms part of the wider public vista of the river, and any development of this site would now be to its detriment.

In the proposed Local Development Plan examination, the Reporter highlights that sufficient land has been allocated to meet the all-tenure housing land requirement for Inverclyde, for the whole of the plan period, without the inclusion of this site. The Reporter goes on to highlight that during a site visit, the area was busy with walkers and cyclists, with families and young children, even on a winter day. The open views to the north, east and west across the Firth were also noted by the Reporter as a feature of the area, and enhance the walking / cycle route and the open space itself.

The visually prominent nature of the site when approaching on foot, whilst cycling or by car was further highlighted together with the prominence of the site in views south from the Firth. The Reporter was satisfied that the circumstances of the site, together with the pattern of completed development and value of the open space both visually and functionally provide justification for the change in allocation from being part of a residential development opportunity within the adopted Plan to designated open space in the proposed Plan. The Reporter went on to conclude that the site now performs an important open space function and visual setting for Port Glasgow and that its development for residential, or indeed any other purpose, would not be in the best interest of the Port Glasgow area and the site locality.

To summarise, the proposed Local Development Plan, which has been subject of examination, is a significant material consideration in assessing this planning application and one to which I give due weight. Whilst the site may form part of a residential development opportunity within the adopted Local Development Plan, the proposed Local Development Plan reflects the position on site within the main Kingston Dock residential development which has now been completed. The site is identified as open space within the proposed Local Development Plan in recognition of the pattern of the otherwise completed development at Kingston Dock and the value of the site to the wider open space at this location, both visually and functionally. The site has re-naturalised and does not appear as a derelict site within the streetscape. The open space, inclusive of this site, forms part of the wider public vista of the river and contributes to the creation of a successful place. In the proposed Local Development Plan examination, the Reporter did not identify that any amendment is required to the open space designation of this site. Accordingly, the proposal is contrary to Policy 35 of the proposed Local Development Plan and would fail to contribute to successful placemaking in accordance with Policy 1 of the proposed Local Development Plan.

Section 25 of The Town and Country Planning (Scotland) Act 1997 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise. I consider that, in this instance, material considerations are such that a decision contrary to the adopted Local Development Plan is fully justified. Planning permission should therefore be refused.

RECOMMENDATION

That the application be refused for the following reasons:

1. The proposed development is contrary to Policy 35 of the 2018 proposed Inverclyde Local Development Plan in that it involves the development of an area of open space designated within the proposed Plan which is of value to the visual setting and pattern of development of the Port Glasgow Waterfront Area.

2. The proposed development site forms part of the wider public vista of the River Clyde which contributes to the creation of a successful place and, accordingly, the development of the site would erode this and would fail to have regard to the six qualities of successful places as required by Policy 1 of the 2018 proposed Inverclyde Local Development Plan.

Signed:

[redacted]

James McColl
Case Officer

[redacted]

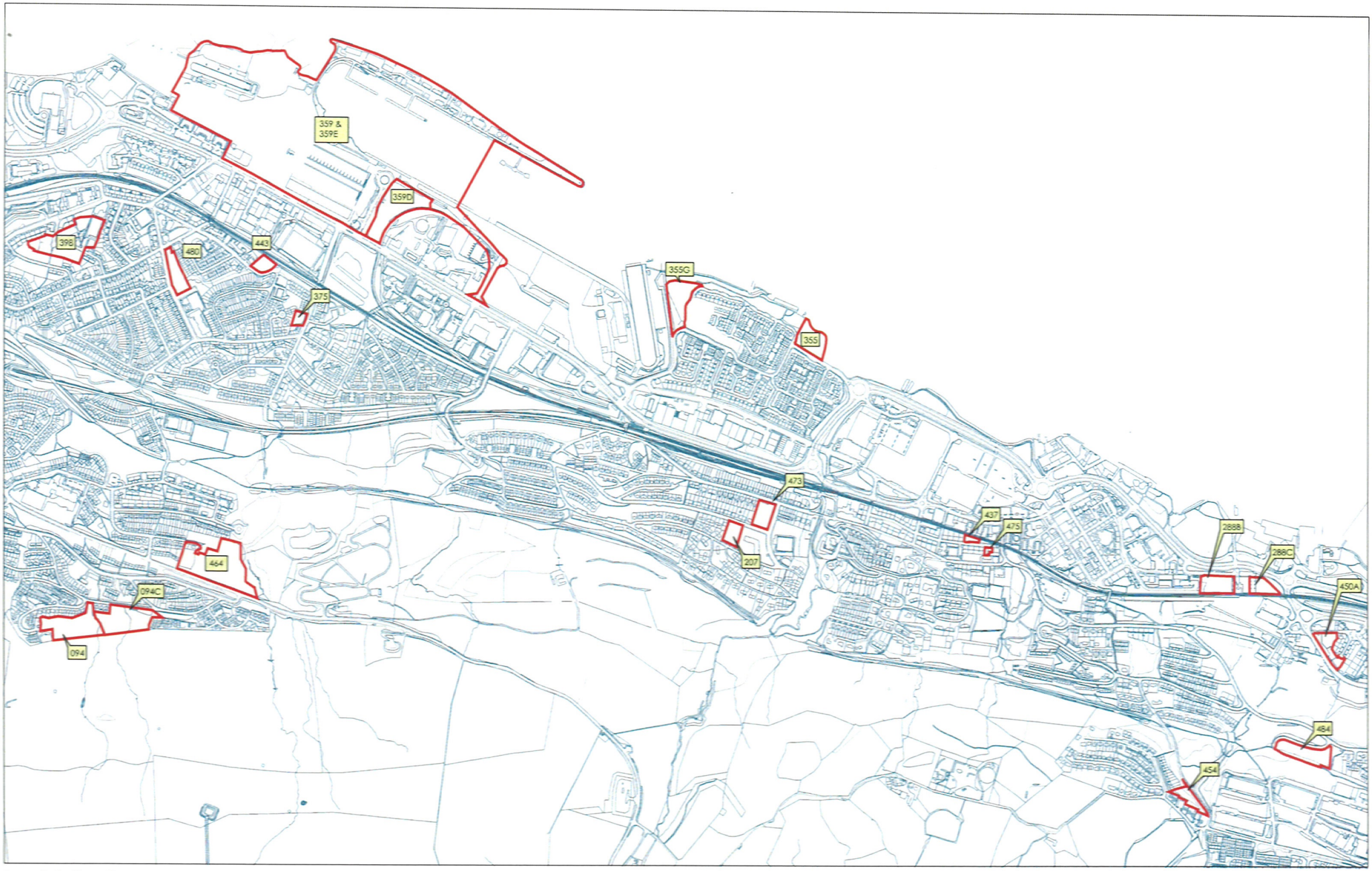
Stuart Jamieson
Head of Regeneration and Planning

4. 2017 HOUSING LAND SUPPLY SUBMITTED BY APPLICANT IN RELATION TO PLANNING APPLICATION

2017
HOUSING
LAND SUPPLY

Inverclyde council

Regeneration & Planning



Inverclyde Council
Regeneration & Planning

Inverclyde Council Housing Land Supply 2017
Sheet 6 of 9 - Greenock East / Port Glasgow West & Central

SCALE 1:10,000
GMcC - October 2017

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INVERCLYDE COUNCIL - Private Sector with Residential Potential - 31st March 2017

SITE REF / GRID / MAP No	TOWN / SITE / BUILDER / OWNER	SITE SIZE / CAPACITY / STATUS / DEV. TYPE	ELS / EFF / CONSENT / PRIVTEN	TOTAL BUILT	REM. CAP.	PROGRAMMING 17-18	18-19	19-20	20-21	21-22	22-23	23-24	TOTAL 17-24	POST 2024
IC0336	GREENOCK	0.80 ha	2015											
227239676890	32 UNION STREET	20												
3		ALPS		**0**	**20**	0	0	0	0	0	0	0	**0**	**20**
	PRIV	NB-BU	OO											
IC0349	GREENOCK	5.84 ha	2001											
228500676000	VICTORIA & EAST INDIA HARBOURS	180	2013											
3		ALPS		**0**	**180**	0	0	0	0	20	20	20	**60**	**120**
	MIXED	NB-BU	OO											
IC0349A	GREENOCK	1.95 ha	2001											
228500676000	VICTORIA & EAST INDIA HARBOURS	60	2002											
3		ALPS		**0**	**60**	0	0	0	0	0	0	0	**0**	**60**
	MIXED	NB-BU	OTH											
IC0354F	PORT GLASGOW	16.01 ha	2002											
234368673896	WOODHALL PHASE 5	122												
5		ALPS		**0**	**122**	0	0	0	0	0	0	0	**0**	**122**
	RIVER CLYDE HOMES	NB-BU	OO											
IC0355	PORT GLASGOW	0.63 ha	2002											
231286675132	KINGSTON BASIN	25	2016											
6		ALPS		**0**	**25**	0	0	0	0	0	0	0	**0**	**25**
	PRIV	NB-BU	OO											
IC0357A	GREENOCK	1.99 ha	2002											
228384674819	STRONE GREENFIELD	57												
3		ALPS		**0**	**57**	0	0	0	0	0	0	0	**0**	**57**
	PRIV	NB-GU	OO											
IC0362A	GREENOCK	4.10 ha	2002											
228000675264	WELLINGTON PARK	90												
3		ALPS		**0**	**90**	0	0	0	0	0	0	0	**0**	**90**
	IC	NB-GU	OO											
IC0362B	GREENOCK	1.36 ha	2002											
228000675264	WELLINGTON PARK	30												
3		ALPS		**0**	**30**	0	0	0	0	0	0	0	**0**	**30**
	IC	NB-GU	OTH											
IC0364A	GREENOCK	4.65 ha	2002											
225176675304	RAVENSCRAIG HOSPITAL	150												
2		ALPS		**0**	**150**	0	0	0	30	30	30	30	**120**	**30**
	NHS	NB-GU	OO											
IC0364B	GREENOCK	1.55 ha	2002											
225176675304	RAVENSCRAIG HOSPITAL	50												
2		ALPS		**0**	**50**	0	0	0	0	17	17	16	**50**	**0**
	NHS	NB-GU	OTH											

5. SCOTTISH GOVERNMENT DIRECTORATE FOR PLANNING AND ENVIRONMENTAL APPEALS APPEAL DECISION NOTICE DATED 5 FEBRUARY 2014 IN RELATION TO PLANNING APPLICATION 13/0035/IC FOR RESIDENTIAL DEVELOPMENT WITH ASSOCIATED ACCESS, OPEN SPACE AND LANDSCAPING (IN PRINCIPLE)

Directorate for Planning and Environmental Appeals

Appeal Decision Notice

T: 01324 696 400
F: 01324 696 444
E: dpea@scotland.gsi.gov.uk

The Scottish Government

Decision by Karen Heywood, a Reporter appointed by the Scottish Ministers

- Planning appeal reference: PPA-280-2019
- Site address: land off Lithgow Way, Port Glasgow, PA14 5DY
- Appeal by Clydeport Operations Limited against the decision by Inverclyde Council
- Application for planning permission in principle 13/0035/IC dated 29 January 2013 refused by notice dated 16 September 2013
- The development proposed: planning permission in principle for residential development with associated access, open space and landscaping
- Date of site visit by Reporter: 17 January 2014

Date of appeal decision: 5 February 2014

Decision

I dismiss the appeal and refuse planning permission in principle.

Preliminary matter

The appellant has made a claim for expenses against the council. My decision on this matter has been made in a separate notice also issued today.

Reasoning

1. I am required to determine this appeal in accordance with the development plan, unless material considerations indicate otherwise. Having regard to the provisions of the development plan, the main issues in this appeal are whether the appeal site should be safeguarded for commercial use in accordance with the approved masterplan and, if not, whether the proposed development is otherwise acceptable.

2. The key policy in the adopted Inverclyde Local Plan is the Inverclyde Waterfront/A8 Corridor- Policy Sub Areas, Kingston Basin and Environs, sub area (j)(1), which is described as a Major Area of Potential Change. Business use, general industrial and storage and distribution or housing use and residential flats are acceptable land uses, *"providing they conform to a Masterplan/Development brief to be agreed in advance by the council"*.

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POSITIVE ABOUT DISABLED PEOPLE

3. Outline planning permission for residential use, with associated pub, restaurant and local shop was granted in June 2005. The associated approved masterplan shows the appeal site as a 'commercial area', with housing to the south and west. The appellant considers that, despite the commercial use envisaged in the masterplan, residential development would comply with policy SA2(j)(1) because the policy identifies housing as an acceptable land use in the area. I disagree with that analysis as it ignores the important proviso in the policy (quoted above). As the approved masterplan shows commercial use on the appeal site, I do not consider that residential development complies with policy SA2(j)(1).

4. Furthermore, the approved masterplan shows an access road (now Lithgow Way) set some way back from the shoreline with housing developed to the south of the road (mostly now completed). Apart from the appeal site, all of the land to the north of the access road is laid out for open space. As it is undeveloped, albeit not landscaped, the appeal site currently appears to be part of this area of linear open space. Because of its relationship to Lithgow Way and the roundabout giving access to the housing area from the A8, the appeal site is also a prominent gateway site to the housing area.

5. I acknowledge that the appeal site could currently be developed as a public house/restaurant/local shop. However, I do not consider that this has to mean that residential development on the site would be acceptable. I believe that the area was identified for commercial use of the type proposed in order to take advantage of its waterside location and the expansive views over the river. The sketch plan attached to the outline planning permission provided by the council entitled 'Water frontage plan' supports that view. What's more, development for commercial use in what could well be a single building would ensure that much of the current open nature of the strip of land on the shore side of Lithgow Way could be retained.

6. I do not consider the same can be said of the development of the site for housing, which would inevitably cover most of the site. Indeed, the revised indicative development layout of the proposed housing development shows that the continuation of the waterfront footpath/cycle way would be set very close to the garden boundaries of the houses and appear cramped, particularly at the south eastern corner of the site. This contrasts with the setting of the waterfront path in the area to the west of the appeal site, where the landscaped area is much more substantial and built development is set further back from the shore. The indicative plan also shows what are called 'visual links', presumably to maintain views of the river from public areas, but these appear to be no more than slightly larger gaps between the houses.

7. The appellant points out that it is eight years since outline planning permission was granted on the appeal site. However, I note that the outline planning permission prevented the provision of the 'local shop and pub restaurant' before occupation of housing on the site (condition 21) and that the housing has yet to be completed. There must also have been substantial decontamination and site preparation works necessary to prepare the site for housing, which presumably took some time. In these circumstances, the length of time since outline planning permission was granted is of little weight.

ISO14001 at V.Q.
INVESTOR IN PEOPLE

8. The Design Statement submitted as part of the planning application states that there have been unsuccessful attempts to market the site for commercial development and that development of the area for licensed restaurant use has also attracted a negative response from the local community. However, no evidence has been submitted to support these statements. Moreover, the Inverclyde Coastal Route is not well advanced at present. This could well become an important attraction that may well improve the attractiveness of the site to commercial users. I consider that there is insufficient evidence to conclude that the commercial use envisaged is unrealistic.

9. I note that the proposed Inverclyde Local Development Plan identifies the appeal site for residential development. However, the plan has yet to be examined and, although its policies are an important material consideration in favour of the proposed development, I do not consider this is sufficient to outweigh the local plan policy conflict and the deficiencies I have identified above.

10. I therefore conclude, for the reasons set out above, that the proposed development does not accord overall with the relevant provisions of the development plan and that there are no material considerations which would justify granting planning permission.

Karen Heywood
Assistant Chief Reporter

6. APPLICANT'S FLOOD RISK ASSESSMENT REV3

International House,
Hamilton International Park,
Stanley Boulevard,
Hamilton,
G72 0BN

www.terrenus.co.uk

KINGSTON QUAY, PORT GLASGOW
FLOOD RISK ASSESSMENT & OUTLINE SUDS REPORT
FOR
BRIAR HOMES

Report No.:	1717-208 & 209	**Revision:**	REV 3
Author:	RA	**Issue Date:**	15th May 2019

KINGSTON QUAY, PORT GLASGOW
FLOOD RISK ASSESSMENT & OUTLINE SUDS REPORT
FOR
BRIAR HOMES

SITE SUMMARY INFORMATION

Name of Site:	Kingston Dock, Phase 4
Ordnance Survey Grid Reference:	NS 31295 75140
Site Address:	Lithgow Way, Port Glasgow, Renfrewshire PA14 5DR
Local Authority:	Inverclyde Council
Current Site Use:	Vacant Grassland
Proposed Site Use:	Residential Units
Area (hectares):	0.68ha (approx.)
On site buildings:	No
Type of Investigation:	Level 2/3 Flood Risk Assessment & Outline SuDS Assessment

KINGSTON QUAY, PORT GLASGOW
FLOOD RISK ASSESSMENT & OUTLINE SUDS REPORT
FOR
BRIAR HOMES

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Figure 1 **Site Location Plan**
Drawings **Terrenus Drawing No. 1717-208-001A**
Terrenus Drawing No. 1717-208-002B
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1 INTRODUCTION

1.1 BACKGROUND

Planning permission in principle for the development of a site at Kingston Quay on the northern edge of the town centre of Port Glasgow, Inverclyde, has been applied for. The Scottish Environmental Protection Agency (SEPA) have responded to the application with an objection on the grounds of lack of information regarding the flood risk posed to the site by the River Clyde in the immediate vicinity.

The Client, Briar Homes, has appointed Terrenus Land & Water Ltd to undertake the flood risk and outline SuDS assessment of the site.

Following discussions with the Council this revised report provides additional details concerning the proposed SuDS at the site.

1.2 OBJECTIVES OF INVESTIGATION

The principal aim of the assessment is to develop an understanding of the flood risk to the site and the proposed development, with consideration given to the coastal flood risk posed by the River Clyde.

An outline assessment of potential for Sustainable Drainage System potential also formed part of the investigation.

1.3 SCOPE OF STUDY

The following tasks were undertaken during the course of this investigation:

- Site walkover inspection;
- Collation of data;
- Assessment of data;
- Analysis of flood effects; and
- Production of an Interpretative Report.

The flood risk analysis will be carried out using the DEFRA/EA – Coastal flood boundary conditions for UK mainland and islands methodology. The assessment tool used the Skew Surge Joint Probability Method (SSJPM) as a robust method for forming an outline model of peak still water sea levels.

1.4 PROPOSED SITE END-USE

It is understood that the proposed development of the site will involve the construction of residential dwellings comprising a mixture of terraced, detached and semi-detached units with associated access roads, parking bays and landscaping.

1.5 LIMITATIONS OF REPORT

Terrenus Land & Water Ltd has prepared this report for the sole use of the Client, in accordance with generally accepted consulting practice and for the intended purpose as stated in the related contract agreement. No other warranty, expressed or implied, is made as to the professional advice included in this report. Should any third party wish to use or rely upon the contents of the report, written approval must be sought from Terrenus Land & Water Ltd; a charge may be levied against such approval.

To the best of our knowledge, information contained in this report is accurate at the date of issue. There may be conditions pertaining at the site not disclosed by the study, which might have a bearing on the recommendations provided if such conditions were known. We have, however, used our professional judgement in attempting to limit this during the assessment.

It is important therefore that these implications be clearly recognised when the findings of this study are being interpreted. In addition, this should be borne in mind if this report is used without further confirmatory investigation after a significant delay.

2 SITE DETAILS

2.1 DATA SOURCES

The following data sources were consulted during the course of the Flood Risk Assessment:

- Client supplied data including site location and topographical survey;
- SEPA Flood Maps;
- EA/DEFRA coastal dataset;
- Admiralty Tide Tables Volume 1;
- Mason Evans Services Drawings;
- British Geological Survey Interactive Map (Geology of Britain Viewer);
- Publicly available online historic maps;
- Scottish Water Asset Plans; and
- Available additional information from site walkover.

2.2 SITE LOCATION & DESCRIPTION

The site is centred on Grid Reference NS 31295 75140 and is shown on Figure 1 included in the Appendix to this report. The following site description is based on a walkover inspection undertaken on the 17th January 2019. A photographic record of the visit is also included in the Appendix.

The site occupies an irregularly-shaped plot of land of approximately 6800m^2 on the shorefront of Port Glasgow, Inverclyde. The land currently comprises unkept grassland surrounded by an earthen embankment and small bushes.

The landform within the site is generally flat-lying, albeit uneven, ground. The site topographic survey records an undulating variation in level across the site from 5.52m OD to 4.77m OD with an overall gentle fall from the southwest to the northeast.

The site visit coincided with low tide, allowing for a view along the riverbank immediately north of site. The site is bound to the north by a quay wall and to the northeast and east by a raised earthen bank which slopes down to the River Clyde riverbank comprising demolition rubble. The pavements of Lithgow Way and Iron Way form the south and southwest site borders, respectively. Chain-link fencing to an adjacent play park denotes the site boundary in the northwest.

A review of online historic maps shows that the site to be an area of reclaimed land. The existing quay wall present adjacent to the north west boundary may extend beneath the site as shown on the historic plans and buried structures may exist on the site.

Four gas and water monitoring borehole wells were noted within the site which were in poor disrepair.

2.3 SITE NEIGHBOURS

The site is located along the northern edge of the town of Port Glasgow, and much of the area to the south and southeast of the site is comprised of residential estates. Immediately west of the site is a children's playpark beyond which lies docks and the harbour of Port Glasgow. The River Clyde flows west adjacent to the northern boundary of the site. The eastern boundary is formed by a narrow stony beach adjacent to the river.

2.4 GEOLOGICAL SETTING

Made Ground and demolition rubble is likely to be present at the site together with possible buried structures. Published geological information indicates that Raised Marine Deposits may be present along the coastline comprising clays, sands, silts and gravels. The thickness of superficial deposits is not recorded.

The bedrock at site is recorded to be composed of sandstone and limestone of the Inverclyde Group which is Carboniferous in age.

2.5 HYDROLOGY AND DRAINAGE

The site was visited during an extended period of cold but dry weather. Some limited water ponding was noted within the undulating site. There are no direct overland flow routes from out with the site.

Given the open nature of the soil type within the site, drainage will chiefly comprise infiltration to the local water table in continuity with the nearby river. Any rainfall runoff from the site will be to the north east and directly join the River Clyde.

The Scottish Water asset plans (dated June 2018) provided in the Mason Evans services investigation report show foul water drainage servicing the residences to the south and east of the site. Surface water sewers are not shown on the plans, though extensive road drainage was noted in the vicinity of the site during the walkover inspection. A 500mm diameter culvert was noted north of site during the site walkover and was noted to be sealed and is likely to be no longer in use.

No drainage systems were noted within the site, and, given the site history, it is unlikely there exists any drainage systems in place.

2.5.1 SEPA Flood Map

The Scottish Environment Protection Agency (SEPA) has produced 'Flood Maps' for the local area. These maps are enhanced and show potential flooding from coastal, rivers (fluvial) and surface water (pluvial) sources. In addition, the maps provide a breakdown of flood likelihood in broad agreement with the Scottish Planning Policy Risk Framework.

A review of the map indicates no likelihood of fluvial or surface water flooding within the site or within its immediate vicinity.

The River Clyde estuary lies immediately adjacent to the site and the SEPA flood map records a high likelihood of coastal flooding along its western, northern and eastern edges.

SEPA makes the following statement about the Flood Map:

> *"The river flood map was developed using a nationally consistent approach to producing flood hazard information, such as depth of water and speed of flow arising from river flooding. It is based on a two-dimensional flood modelling method applied across Scotland to all catchments greater than 3km^2. The river flood map includes hydraulic structures and defences such as bridges, culverts and flood storage areas where appropriate information was available.*

and

> *The surface water flood map combines information on rainfall and sewer model outputs. It incorporates data from a national surface water study, a regional surface water study with increased resolution in selected areas and a Scottish Water sewer flooding assessment."*

The flood map should be treated with caution and SEPA makes the following general comment:

> *"The flood maps are designed to provide a community level assessment of flooding and its impacts. They model flooding at a national scale. As with any approach of this scale, there are limitations and assumptions made to enable modelling and a consistent approach to be applied across Scotland. Limitations arise from the data used to create the maps, the modelling techniques applied and the ability to incorporate datasets from local studies into a national approach."*

Additional background details of the SEPA flood map can be found on the SEPA website: http://www.sepa.org.uk/flooding/flood_maps.aspx

3 FLOOD RISK ASSESSMENT

3.1 GENERAL

Flooding occurs when the amount of water arriving on land exceeds the capacity of the land to discharge that water (by infiltration, overland flow, groundwater rise or a failed drainage system). It can occur on any level or near-level areas of land but the main concern in inland areas is with land adjacent to watercourses (fluvial flooding) and where the possibility of overland flow (surface water flooding) applies.

3.2 LOCAL DRAINAGE & OVERLAND FLOW

Under current ground conditions, interception and infiltration of rainfall runoff will account for the majority of drainage at site. Natural drainage within the site was noted to be poor with occasional nuisance ponding due to the uneven ground within the site. Runoff from within the site will generally flow to the north to discharge to the sea.

A failure in any local drainage along the nearby streets will lead to surcharging gullies and shallow overland flow. Any resultant overland flow will be contained within the confines of the road system and discharge to the sea at the extreme south eastern corner of the site as shown on Drawing 1717-208-001A in the Appendix.

There is Little to No overall risk posed by surface water or a failure of the local Scottish Water sewers in the vicinity of the site. The removal of the existing western and southern embankments as part of the proposed development will not impact the above conclusion.

The proposed development will reduce the amount of infiltration at the site but will be mitigated by the proposed SuDS system and improved local drainage.

3.3 GROUNDWATER RISE

Though the local groundwater will be in hydraulic continuity with the River Clyde, it is sufficiently elevated above the watercourse to conclude that the risk of isolated groundwater flooding is Little to None.

Given the nature of the Made Ground below the site, small scale perched water tables may be present below the site and should be accommodated within any proposed development excavation works.

3.4 FLUVIAL FLOOD RISK

The River Clyde is fully tidal adjacent to the site with the risk of inundation at the site considered as a coastal flood risk in Section 3.5 below.

3.5 RISK OF INUNDATION FROM THE SEA

3.5.1 Background

The tidal level experiences around the Scottish coastline are predictable and generally made up of two components, an astronomical component and residual component due to weather effects. The major contribution to peak still water is the relative motions of the Earth, Moon and Sun.

The still tidal level can be increased by strong winds and a rapid fall in atmospheric pressure creating storm surges. If storm surges are constrained by a narrowing estuary or channel, then they can significantly increase wave height. Such effects can happen at any state of the tide although if the resulting surge coincides with a High Astronomical Tide (HAT) then this can have devastating effects as it is often the combination of a surge and high tide which causes flooding or damage along a coastline.

Collaboration between the Environment Agency for the coasts around England and Wales and SEPA for the Scottish coastline has resulted in a scientifically robust evidence base and practical guidance on appropriate design sea level and swell wave conditions around the UK. The assessment of the risk of tidal flooding to the site has been carried out using the DEFRA/EA project SC060064 – Coastal flood boundary conditions for UK mainland and islands methodology. This assessment tool uses the Skew Surge Joint Probability Method (SSJPM) as a robust method for estimating design sea levels.

SEPA and the local Council have stated that for the site and in relation to the flood risk assessment an allowable freeboard of 1000mm with respect to Final Floor Levels should be adopted.

3.5.2 Climate Change Policy and Sea Level Rise

Due to a variety of factors the sea level around the shores of the UK is predicted to rise in the future. As noted by SEPA during consultations, the Scottish Executive Central Research Unit Environment Group (Research Findings No.19) states that:

> *"by 2050 sea levels are predicted to rise by an additional 80-300mm which, when combined with future storm surges, could make most of Scotland's coasts below the 5m contour more vulnerable to flood risk."*

The Scottish Executive Climate Change Flood Occurrences Review recognises the effect of isostatic rebound following past glacial periods and that such rebound may mitigate the effects of sea level rise.

The above suggest that the adoption of an additional 300mm rise in sea level by 2050 is acceptable in relation to this study. It is noted however, that uncertainty exists about the magnitude of future sea level rises and the potential threats of coastal flooding.

3.5.3 Inferred Extreme Sea Level

The astronomical effects on still sea water levels around the Scottish coast are predictable. These tidal levels are calculated relative to Chart Datum (CD) and require to be corrected for direct comparison with Ordnance Datum (OD) levels.

Admiralty data or monitoring data is not available for Port Glasgow (a secondary port) with the nearest Standard Port location available at Greenock approximately 6.5km west of site.

At Port Glasgow, the Admiralty Chart Datum is indicated to lie 1.62m below Ordnance Datum (OD).

Using the DEFRA/EA methodology the nearest direct estimate of extreme sea level to Port Glasgow is west of Gourock (Chainage 1806), some 11.5km from the site. There is not expected to be a large difference in sea level between the two locations.

Information provided by project SC060064 shows the 1 in 200-year exceedance probability peak sea level to be **4.19m OD** including the surge element and an allowance for uncertainty. Details of this calculation are provided in Table 1 in the Appendix.

Estimates of sea level rise due to climatic change may alter in the future. For the coastline the 'best estimate' is that levels would rise by approximately 300mm. Adopting this figure for the site results in the maximum still sea level for a 200-year return period plus climate change and storm surge being in the order of **4.49m OD**. This sea level in relation to the site is shown on Terrenus Drawing 1717-208-001A, appended.

It is important to note however, that the increase in extreme tidal levels may not be the same as the increase in the mean sea level.

3.5.4 Physical & Climatic Characteristics

In the area of the Firth of Clyde there is sufficient recorded data to arrive at a reasonable estimate of wind and general sea conditions. Although less well established, wave conditions for the area can be inferred from a review of existing information.

Winds and pressure, by influencing wave conditions and storm surges, have a significant impact on the coastal environment and resultant peak water levels.

Studies of local wind and climatic conditions indicate that the prevailing wind direction is from the south-southwest octant and is therefore offshore. Notwithstanding this, it is noted that strong winds can occur from almost any direction, barring the southeast quadrant. The evidence for trends in either wind speed or direction is mixed, therefore no overall conclusions that these factors are changing can be made.

As the relatively short width of the River Clyde in the vicinity of the site prevents fetch of a significant magnitude and the prevailing wind direction is predominantly offshore, the site is not likely to be significantly impacted by wave action.

3.5.5 Combined Wave / Surge Effects

With respect to the effect of wave action on coastal defences, high water levels due to tidal influence are more important than climatic surges. Surges are smaller in magnitude than tidal effects and are associated with climatic events rather than the predictable astronomical tidal levels. Correlation between waves and peak tides will therefore be limited. In addition, surges may persist for several hours as a storm front passes over but are unlikely to last over two consecutive high tides. Each high tide can therefore be considered to be an independent event.

The peak wave event, similar to the peak surge event, is linked to the occurrence of storms and the best estimate of the likely peak wave situation lies between the extremes of dependence and independence of the storm event to the peak HAT water level. As above each high water can be regarded as an independent event and the duration of the peak conditions relate to the duration of the high-water level: a period of some two hours duration over the high tide period.

3.5.6 Assessed Risk of Inundation from the Sea

The predicted 1 in 200-year peak sea level is at 4.49m OD and is shown on Table 1, appended. The site lies out-with the peak sea level including uncertainties and therefore above the floodplain with the existing ground levels providing in excess of 400m freeboard throughout. Additionally, the existing earthen embankment provides an additional freeboard in the order of generally 0.8m above the peak sea level, falling to 0.28m at the edge of the quay wall. Terrenus Drawing 1717-208-001A, provided in the Appendix, shows the projected extent of the reach of the Clyde in the vicinity of the site under the 1 in 200-year storm event plus an uncertainty allowance.

The site is considered to be at Little to No Risk of flooding from tidal effects on the River Clyde.

4 SUDS STRATEGY & PROPOSED OUTLINE

4.1 GENERAL SUDS STRATEGY

Following discussions with Inverclyde Council, the general strategy for the site is to treat and attenuate all runoff from the individual housing plots and associated roads prior to discharging to the adjacent River Clyde.

The proposed treatment will entail a filter drain system, with runoff from the roads and roofing directed into a number of filter trenches via standard drainpipes. Attenuation is provided by a storage system located below the proposed access road. The layout and design of the SuDS will be more fully determined upon finalisation of the site layout.

4.2 SITE DRAINAGE PATHWAY

The general drainage pathway across the site is to the north towards the River Clyde.

4.3 DATA COLLECTION

Data sets used in the analysis pertaining to the rainfall runoff associated with the site are presented and discussed below;

	Kingston Quay, Port Glasgow	Comments
Site area:	6800m^2	From site survey
Effective catchment area:	6800m^2	From site survey
Effective hardcover area:	2620m^2	From outline site layout
SAAR	1545mm (2055mm including +33% GCC)	From the Flood Estimation Handbook (FEH)
UCWI	125	From FEH
SOIL	0.35	50% type 2 and 50% type 3 soil From Flood Studies Report
DPRcwi	0.0	From FSR
Standard Percentage Runoff (SPRhost)	29.2%	From FEH
Standard Percentage Runoff (102.4 x soil)	35.84%	From FSR

The effective catchment area includes the full development site.

4.4 SUDS TREATMENT VOLUME

Guidance concerning the SuDS treatment volume can be sought from the following documents;

- CIRIA C753: The SUDS Manual;
- Simple Index Tool; and,
- Sewers for Scotland 4th Edition

From these documents it is concluded that surface water runoff treatment volume (Vt) from buildings, roads, and any other built-up areas must be treated within the site and not result in pollution to the water environment.

The treatment volume aims to provide sufficient storage, which is equal to or greater than the runoff from 90 percent of all rainfall events.

The SUDS Manual states that in Scotland an empirical formula for the site as a whole linked to the rainfall depth for the area (M5-60), soil type and catchment impermeability has been developed to predict the Vt.

The estimated impermeable area for the anticipated development using the Scottish empirical formula is provided within the table below;

	Hardcover Area (m^2)		Vt (m^3)
Proposed Development	2620	Roofing & access road	22

The treatment volumes and calculations are provided in the Appendix.

The Simple Index Approach was used in the assessment of treatment, as set out in the SuDS Manual. The tool gives a basic outline of required treatment levels for various land uses, including general runoff descriptors and the quantitative effects of a number of mitigation techniques. Using this matrix, an overall idea of the runoff hazards on the site and how they might be treated can be outlined early on in the design process.

Using the Simple Index Assessment tool, for the proposed development at Kingston Quay, Port Glasgow, it is anticipated that only one level of treatment will be required for the surface water runoff within the site prior to discharge into the sea.

4.5 RUNOFF & ATTENUATION CALCULATIONS

In order to estimate the volume of runoff anticipated from the site, calculations were required for a greenfield condition.

4.5.1 Greenfield Rainfall Volume Runoff During a 1 in 2-year Storm

Using the collated data given above, the greenfield 1 in 2-year rainfall runoff rates were calculated for the site using the following methods;

- Institute of Hydrology Report 124; and
- Flood Studies Supplementary Reports No.6.

A summary of the supporting calculations is provided with the appendix and results are summarised within the table below.

Method	Greenfield Runoff Rate (l/s)
Institute of Hydrology Report 124	3.94
FSSR No.6	5.73
Adopted Greenfield Runoff Rate (l/s)	**5.73**

From comparative studies of rainfall runoff, the FSSR No 6 is considered to be the more robust method of runoff estimation and was adopted for the calculation of greenfield runoff values within the site. The combined post development discharge from the SuDS should therefore not exceed 5.73l/s.

4.5.1 Post Development Rainfall Volume Runoff during a 1 in 200 year Storm

The rainfall runoff volumes during a 1 in 200-year post development events (including potential climate change increase of 20%) have been calculated for the site. The maximum attenuation volume required to attenuate peak storm events (inclusive of 20% GCC) to 1 in 2-year greenfield values are summarised in the table below.

	Roofs & Site Parking (est)	Storm Duration (hr)
1 in 200yr Attenuation Volume Required	156.4m^3	3.25

The proposed SuDS scheme therefore must be capable of attenuating the above maximum volume within the development with a discharge equal to the greenfield runoff rates detailed above.

Calculation summary sheets outlining the above attenuation volumes are included within the Appendix to this report.

5 DISCUSSION AND RECOMMENDATIONS

5.1 GENERAL CONCLUSIONS

For new developments, the acceptable risk of flooding should take into account various factors including risk to human health and the direct and indirect financial losses relating to flooding.

There is Little to No Risk of flooding at the site from tidal, fluvial, surface water, groundwater sources and the site lies outwith the 1 in 200-year tidal floodplain. In addition, there is Little to No risk of flooding at the site from a failure in the local drainage system.

In line with outline discussions with the Council, runoff treatment throughout the site will be wholly provided by the filter trench and porous paving. The treatment volume provided by the overall proposal will be greater than the design treatment volume (Vt) of 22.0m^3. The SuDS will provide a single level of treatment, with attenuation provided prior to discharge to the River Clyde.

It is anticipated that the proposed SuDS features will be constructed in general accordance with the updated SuDS Manual (CIRIA C753).

It is anticipated that the SuDS will either be maintained and managed by the Council or be privately factored.

5.2 DEVELOPMENT AND POSSIBLE FLOOD MITIGATION MEASURES

In line with the Council's request, final floor levels will be at 5.50m OD or above, thus providing a minimum freeboard of 1000mm above the 200-year peak tidal water level plus climate change. Final ground levels are likely to be at or above 5.20mOD.

Dry emergency pedestrian and vehicular access is maintained from Lithgow Way throughout all design storm events.

5.3 EFFECTS ON SITE NEIGHBOURS

The proposed development will have a neutral or better impact on any flooding and will not increase the flood risk to any site neighbours.

5.4 OVERALL FLOOD RISK ASSESSMENT CONCLUSION

The Scottish Planning Policy notes that new developments should be free from significant flood risk from any source and that such development should not:

- materially increase the probability of flooding elsewhere;
- add to the area of land which requires protection by flood prevention measures;
- affect the ability of the functional flood plain to attenuate the effects of flooding by storing flood water;
- interfere detrimentally with the flow of water in the flood plain; or
- compromise options for future river management.

The development will lie out-with the functional flood plain with dry emergency pedestrian and vehicular access available to the site throughout the design storm event.

It is concluded that the proposed development is feasible and is in broad accordance with the principles of Scottish Planning Policy.

5.5 PROPOSED SUDS

The proposed development will reduce the capacity for interception and infiltration of rainfall runoff at the site, thereby increasing the potential for overland flow. With the implementation of suitable sustainable drainage systems (SuDS), this will be mitigated and could materially improve the currently-poor drainage at the site.

As noted above, the SuDS design will be finalised upon provision of the final building/road layout schematic.

5.5.1 Filter drains – design

Filter drains are shallow excavations with granular material that create temporary subsurface storage for storm water runoff, which is then filtered through the stone media removing fine silts and encouraging filtration (if practicable), adsorption and biodegradation.

Drawing 1717-200-002A, shows a possible layout for the sustainable drainage systems which includes three filter drains located in the southwest, northwest and northeast of the site.

5.5.2 Filter drains – treatment

Filter drains, together with any pre-treatment sediment sumps will intercept surface water runoff and provide a pollutant treatment including:

- Filtration;
- Adsorption; and
- Biodegradation

It is anticipated that the filter drains will provide a minimum of one level of treatment.

5.5.3 Filter drains – dimensions

Three trenches placed in areas designated for soft landscaping will manage treatment of runoff throughout the site before discharging into the sea to the north. The trenches will have varying dimensions, as determined by the space available.

All trenches will have a depth of 1.2m below ground level. At the base of each trench, a 150mm diameter perforated pipe will be placed before the trench is backfilled with gravel to provide a minimum 30% free-void ratio.

It is understood that the proposed development will entail an element of land raising. If the filter trenches are also installed in areas of raised land, then the risk of combined high groundwater table and poor drainage will be negated, ensuring the effectiveness of the trenches at draining the runoff.

5.5.4 Runoff Attenuation

Proposed attenuation will be provided by a single depth series of Aquacell Prime units (or similar) 49m by 8.5m located below the proposed site access as shown on Drawing 1717-208-002B in the Appendix. Discharge from the attenuation system will be controlled by A Hydrobreak or similar set at the Greenfield runoff rate of 5.7l/s prior to discharge to the adjacent River Clyde Estuary.

-oo000oo-

Terrenus Land & Water Ltd wishes to thank Messrs Briar Homes for the opportunity to prepare this report and trust that it meets with your requirements. However, should you wish to discuss the contents of the report then please do not hesitate to contact the undersigned.

Signed for and on behalf of

Terrenus Land & Water Ltd

[redacted]

William Hume

Director

APPENDICES

KINGSTON QUAY, PORT GLASGOW
FLOOD RISK ASSESSMENT & OUTLINE SUDS REPORT
FOR
BRIAR HOMES

FIGURES

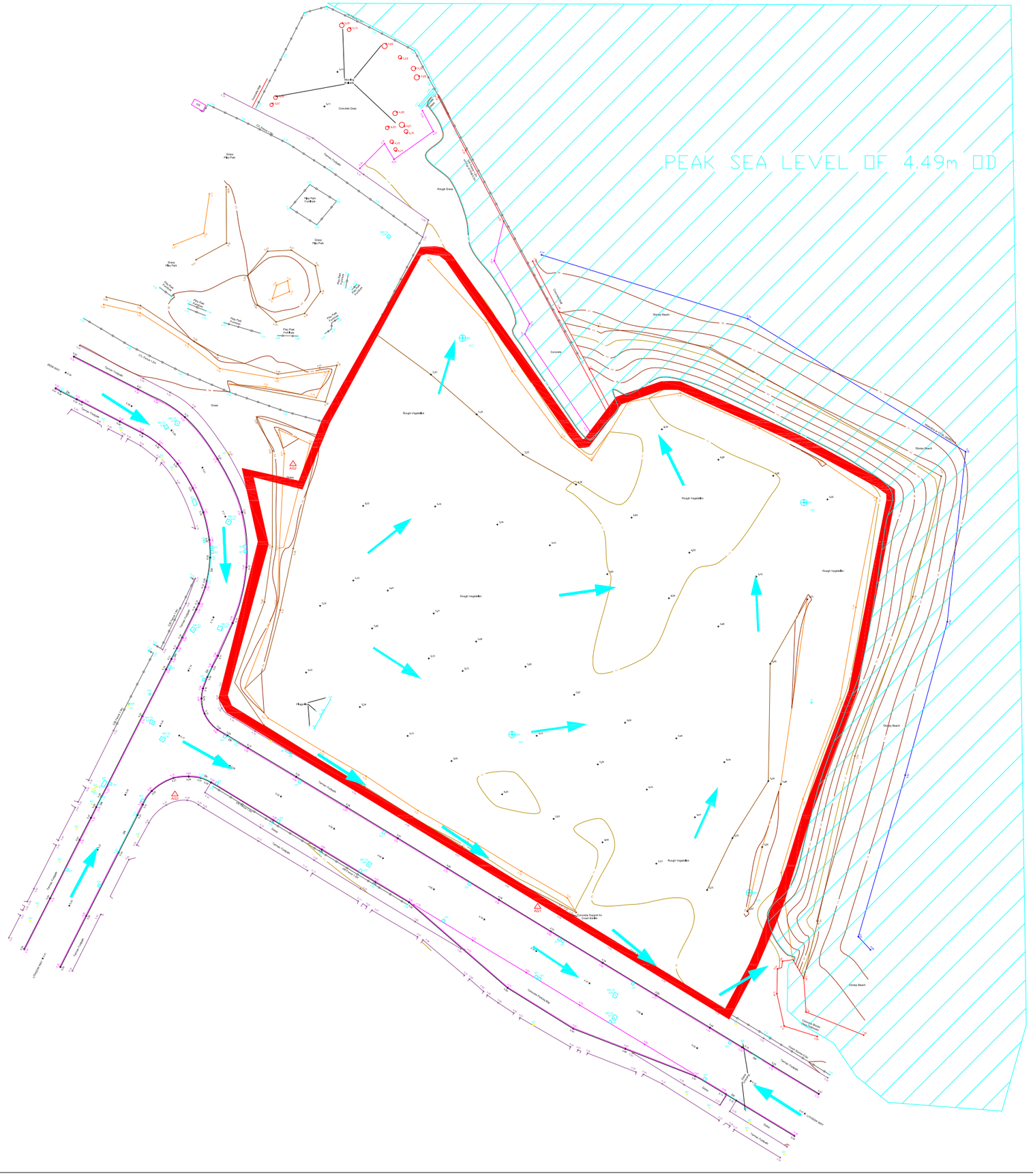


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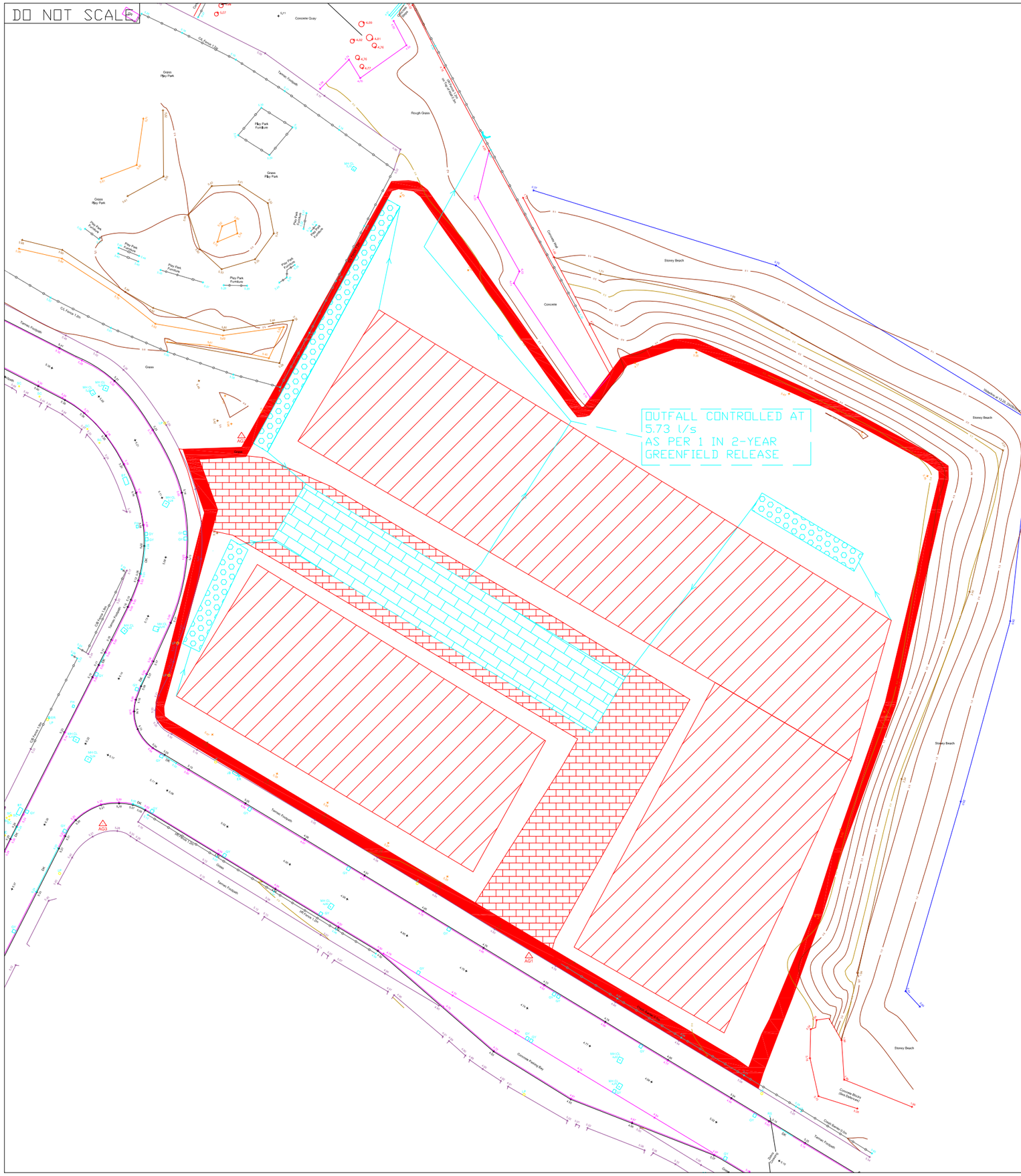
Client: Briar Homes	Drawing Title: Site Location Plan	terrenus land&water International House, Hamilton International Park, Stanley Boulevard, Hamilton, G72 0BN www.terrenus.co.uk
Project: Kingston Quay, Port Glasgow		
Date:16/01/2019	Figure 1	
Grid Ref: NS 31295 75140		
SCALE: N.T.S.		DO NOT SCALE

DRAWINGS

DO NOT SCALE


PEAK SEA LEVEL OF 4.49m OD
Rough Vegetation
Grass
Play Park
Stony Beach
Concrete Quay
Tarmac Footpath
Concrete Kerbing
Concrete Retaining Wall
Concrete Support for Crane Rails
Concrete Wall
Concrete Step
Steps
Tarmac Footpath
Concrete Ramp
Concrete Slope
Concrete Bollard
Concrete Bollard Ring
Concrete Bollard Ring Recessed
Concrete Bollard Recessed
Concrete Bollard Ring Recessed
Concrete Bollard Recessed
Concrete Bollard Ring Recessed
Concrete Bollard Recessed

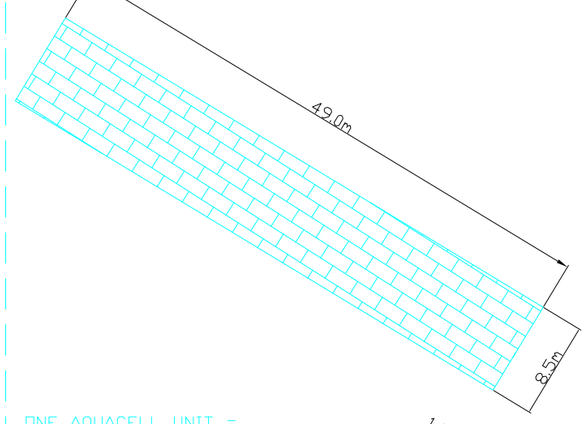
DO NOT SCALE



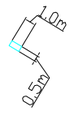
AQUACELL DETAILS

TOTAL STORAGE VOLUME REQUIRED =156.4m3

VOLUME
= 49.0m x 8.5m x 0.4m
= 158.3m3



ONE AQUACELL UNIT =
1000mm (L) x 500mm (W) x 400mm (H)



LEGEND

- : SITE BOUNDARY
- : SUDS FILTER DRAIN
- : SUDS DRAINPIPE & FLOW DIRECTION
- : SUDS ATTENUATION STORAGE (AQUACELL)
- : OUTLINE ROAD POSITION
- : OUTLINE ROOFING AREA

Rev	Description	By	App	Date
B	SuDS design updated to include attenuation	JS	WH	May-19
A	Amended project info	JS	WH	Feb-19

terrenus land&water

Terrenus Land & Water Ltd
Hamilton International Park
G72 0BN
www.terrenus.co.uk

Client
BRIAR HOMES

Project
KINGSTON QUAY, PORT GLASGOW

Drawing Title
PROPOSED DEVELOPMENT LAYOUT WITH OUTLINE SUDS DESIGN

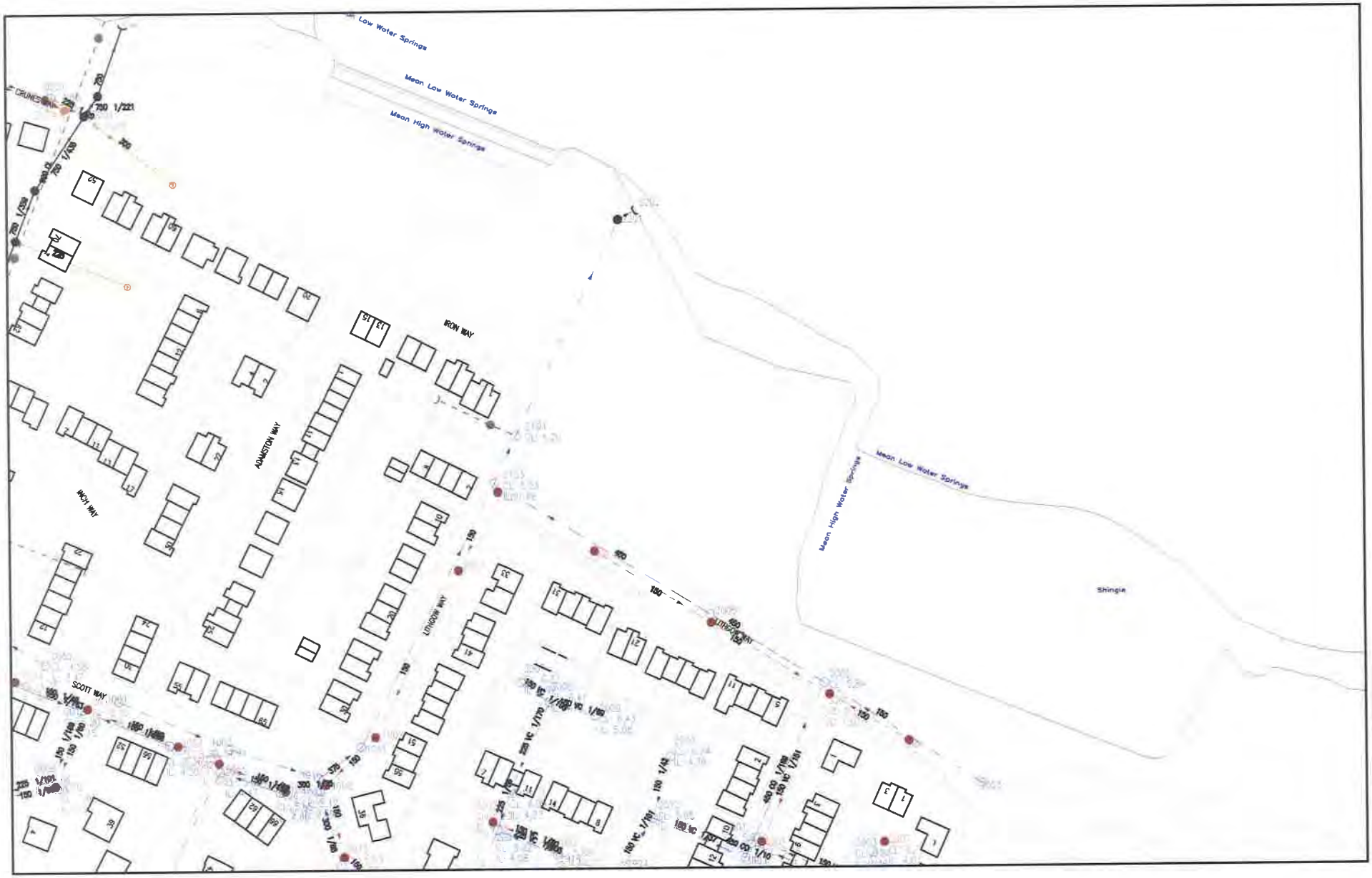
Drawn	Checked	Approved
JS	WH	WH

Date 15-05-19

Scale NTS

1717-208-002B

ORIGINAL A3



N

The representation of physical assets and the boundaries of areas in which Scottish Water and others have an interest does not necessarily imply their true positions. For further details contact the appropriate District Office.

Date Plotted: 27/06/2018

Lithgow Way, Kingston Dock, Port Glasgow

Waste Water

0 115 metres

Scale: 1:1250

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Plotted By: simonr01

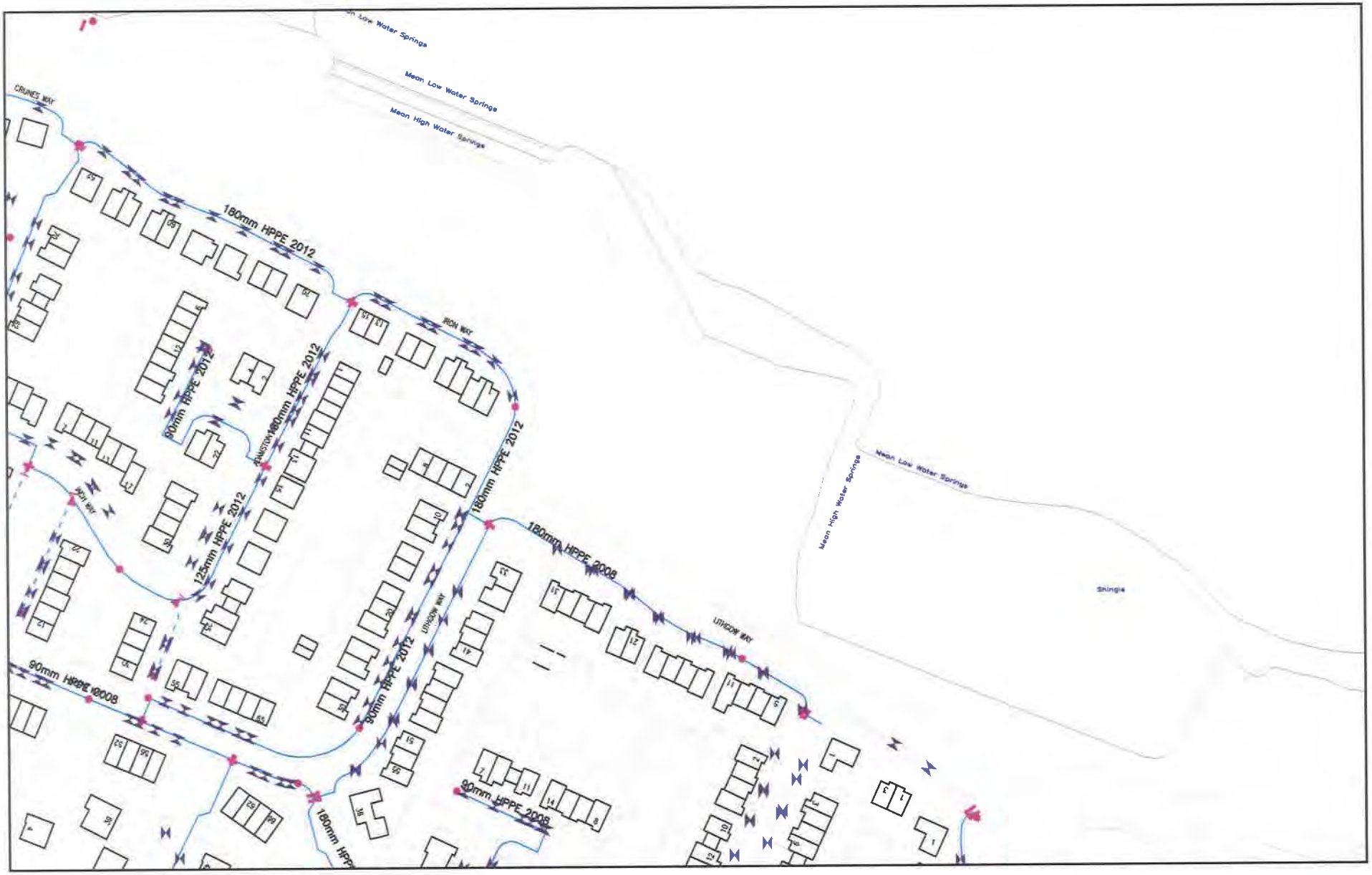
Scottish Water
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Castle House,
6 Castle Drive,
Dunfermline,
KY11 8GG
Tel No: 0845 601 8855

SMALLWORLD GIS – WASTEWATER LEGEND

SCOTTISH WATER

Pipework

- Combined (red)
- Foul (brown)
- Surface Water (blue)
- Natural Water (light blue)
- CSO (dark blue)
- Trade Effluent (brown)
- Treated Effluent (black)
- Abandoned (grey)
- Water Course (dark green)
- PFI sewer (bright green)
- Rising Main (red)
- Proposed sewers (foul, combined and surface water)
- Syphon
- Chamber (same colour as pipework)
- Dual Chamber (same colour as pipework)
- Surface Water Chamber
- Collapse/Choke (not visible by default)
- Combined Storm Overflow
- Connection (not visible)
- Duct
- Ghost Node (not visible by default)
- Hatchbox (HB)
- Hydraulic Control Chamber (H)
- Lamphole
- Change of Attributes
- Outfall
- Inlet
- Pumping Station
- Wash Out
- Bifurcation Chamber (BI)
- Balancing Pond
- Rodding Eye
- Septic Tank
- Sewer Junction
- Sewer Structure
- Sewerage Air Valve
- Sewerage Pipe Bridge
- Sluice Valve
- Storm Tank
- Unknown End (?)
- Treatment Plant (WWTW)
- Vent Column
- Buchan Trap
- Capped End (same colour as pipework)



The representation of physical assets and the boundaries of areas in which Scottish Water and others have an interest does not necessarily imply their true positions. For further details contact the appropriate District Office.

Date Plotted: 27/06/2018

Lithgow Way, Kingston Dock, Port Glasgow

Fresh Water

0 110 metres

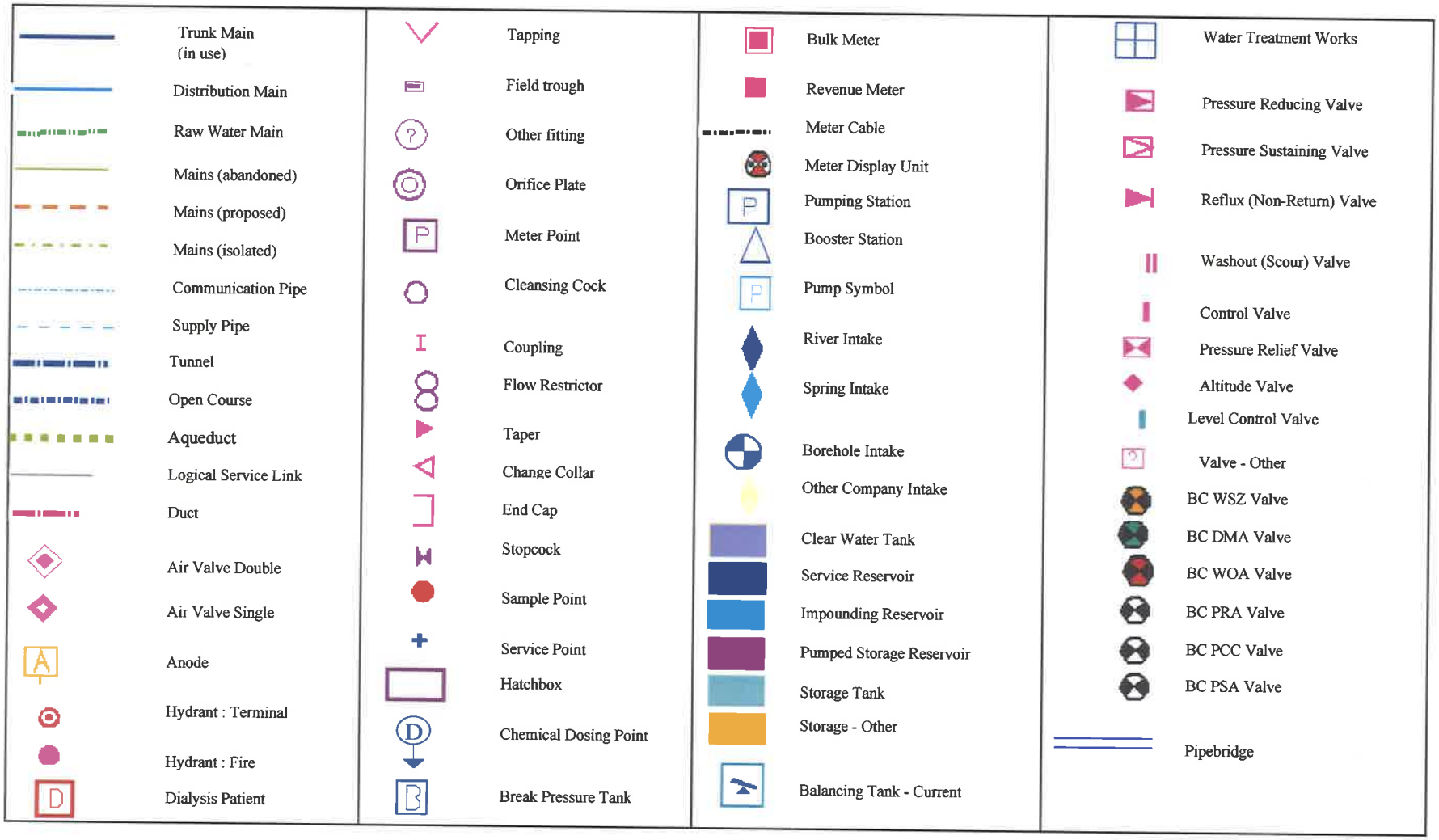
Scale: 1:1250

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Plotted By: simonh01

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Tel No: 0845 601 8855

SMALL WORLD GIS WATER LEGEND



TABLES

Job Number:	1717-208
Site:	Kingston Quay, Port Glasgow

Table 1a

RUNOFF CATCHMENT INPUTS

Source	Data	Required Input	Calculated Data	Units
FSR	Hydrological Region (p122 FSR I)	2		n/a
	UCWI	125		n/a
	SPR	29.2		%
	2day M5	75		mm
	M5-60min as % of 2day M5	25		%
	M5-60min		18.8	mm
Standard IHR.124Value	AREA =		50	ha
Calculated From Site	Actual SuDS Site Area =	6800		m^2
	Actual Site Area =		0.0068	km^2
	Proposed Hardcover Area (All)=	2620		m^2
	PIMP		38.5	%
FEH CD	SAAR =	1545		mm
	SAAR (+33% Climate Change)		2055	mm
	URBEXT	0.2283		
(Pr = 0.219xSOILxUCWI)	Wallingford Greenfield Runoff (Pr) =		10	%

Catchment Soil type:	Soil Class	Value	Percentage Proportion (must add up to 100%)	Required Input	Calculated Data	Units
Sand	S1	0.15			0	
	S2	0.30	50%		0.15	
	S3	0.40	50%		0.2	
	S4	0.45			0	n/a
Heavy Clay / Bare Rock	S5	0.50			0	n/a
SOIL =					0.35	n/a

FEH PREDICTED RAINFALL	
Duration (hrs)	1in30yr Storm (mm)
0.25	
0.5	
0.75	
1	
2	
3	
4	
5	
6	
7	

	Areas (m2)	Totals
Housing Area	1320	
Flatted Area		1320
Driveway Area		
Pavements		0
Green areas		
Roads Area	1300	1300
Total impermeable		2620
Total Impermeable (less roads)		1320
Housing Area (for SuDS runoff)		5400
Site Area (for SuDS runoff)		6700
Site Area (Red Line)		6700
Roads Area (for SuDS runoff)		1300

Job Number:	1717-208
Site:	Kingston Quay, Port Glasgow

Table 1c

SITE PRE-DEVELOPMENT RUNOFF CALCULATIONS

Institute of Hydrology Report 124 (Sites ≤ 200ha)			
Rainfall Input	**Input**	**Runoff Calculation**	**Units**
QBAR (50ha)		0.322	m^3/s
QBAR/ (site)		0.004	m^3/s
QBAR		4.372	l/s
QBAR/ha		0.001	l/s/ha
Qgreenfield		3.935	l/s
Growth curve	0.9		n/a
Brownfield Discharge Input			
UCWI		125	n/a
CIND		36	n/a
NC		0.79	n/a
PIMP Pre Development	0		%
QBARbrownfield		3.935	l/s
Maximum Pre-development Runoff		3.935	l/s

FSSR No. 6		
	Runoff Calculation	**Units**
MAF =	0.0064	m^3/s
MAF =	6.37	l/s
Return period using growth curve (Pre-development Runoff)	5.73	l/s
PIMP (Post dev.) =	0.39	Fraction
SPR = 102.4SOIL =	35.84	%
SPRhost =	29.2	%
SPR Average =	33	%
DPRcwi=0.25 (CWI-125) =	0.000	n/a

SUMMARY	
Pre-Dev. Rainfall Runoff ****	**5.73** l/s

Job Number: 1717-208
Site: Kingston Quay, Port Glasg

Table 1f

SITE RUNOFF CALCULATIONS DURING 1in200 YEAR STORM

Design Storm Duration		Calculated 1in2 Year Greenfield Runoff		FEH Predicted Rainfall	Calculated Post-Development Percentage Runoff Using FSSR16							Runoff Volume for Developed Site for 200yr return period		Volume for Attenuation (2 to 200 year return period)
(hrs)	sec	Average Pre-Development Rainfall Runoff l/s	Vol In (m^3)	1in 200yr Rainfall + 33% (mm)	*Calculation*	DPRrain	DPRcwi	SPR	PR rural %	PIMP (Post Dev.)	PR (Post dev) %	Pre-Development Site Runoff Volume (m^3)	Vol with % runoff (m^3)	Vol In (m^3)
0.25	900	5.73	5	29.9	0	0.00	0	29	29.20	0.39	34	203	69	63.8
0.5	1800	5.73	10	45.0	5.0471	1.40	0	29	30.60	0.39	35	306	108	97.4
0.75	2700	5.73	15	54.6	14.6364	2.94	0	29	32.14	0.39	37	372	136	120.2
1	3600	5.73	21	61.9	21.8982	3.90	0	29	33.10	0.39	37	421	157	136.7
1.25	4500	5.73	26	66.0	26.0079	4.40	0	29	33.60	0.39	38	449	170	143.9
1.5	5400	5.73	31	69.1	29.1068	4.76	0	29	33.96	0.39	38	470	179	148.2
1.75	6300	5.73	36	71.6	31.6471	5.05	0	29	34.25	0.39	38	487	187	150.9
2	7200	5.73	41	73.8	33.8283	5.29	0	29	34.49	0.39	39	502	194	152.5
2.25	8100	5.73	46	76.0	36.0228	5.53	0	29	34.73	0.39	39	517	201	154.2
2.5	9000	5.73	52	78.0	38.0178	5.74	0	29	34.94	0.39	39	531	207	155.3
2.75	9900	5.73	57	79.9	39.8798	5.94	0	29	35.14	0.39	39	543	213	156.0
3	10800	5.73	62	81.6	41.6088	6.12	0	29	35.32	0.39	39	555	218	156.4
3.25	11700	5.73	67	83.2	43.2314	6.28	0	29	35.48	0.39	39	566	223	156.4
3.5	12600	5.73	72	84.8	44.7609	6.44	0	29	35.64	0.39	40	576	228	156.1
3.75	13500	5.73	77	86.2	46.2106	6.58	0	29	35.78	0.39	40	586	233	155.6
4	14400	5.73	83	87.6	47.5938	6.72	0	29	35.92	0.39	40	596	237	154.9
4.25	15300	5.73	88	88.9	48.9105	6.85	0	29	36.05	0.39	40	605	242	154.0
4.5	16200	5.73	93	90.2	50.174	6.98	0	29	36.18	0.39	40	613	246	153.0
4.75	17100	5.73	98	91.4	51.3976	7.09	0	29	36.29	0.39	40	622	250	151.8
5	18000	5.73	103	92.6	52.568	7.21	0	29	36.41	0.39	40	629	254	150.5
5.25	18900	5.73	108	93.7	53.6985	7.31	0	29	36.51	0.39	40	637	257	149.0
5.5	19800	5.73	113	94.8	54.7891	7.42	0	29	36.62	0.39	40	645	261	147.4
5.75	20700	5.73	119	95.9	55.8531	7.52	0	29	36.72	0.39	41	652	264	145.8
6	21600	5.73	124	96.9	56.8905	7.62	0	29	36.82	0.39	41	659	268	144.1
6.25	22500	5.73	129	97.9	57.9013	7.71	0	29	36.91	0.39	41	666	271	142.3
6.5	23400	5.73	134	98.9	58.8855	7.80	0	29	37.00	0.39	41	672	274	140.4
6.75	24300	5.73	139	99.8	59.8431	7.89	0	29	37.09	0.39	41	679	278	138.4
7	25200	5.73	144	100.8	60.7741	7.98	0	29	37.18	0.39	41	685	281	136.4
7.25	26100	5.73	150	101.7	61.6918	8.06	0	29	37.26	0.39	41	692	284	134.3
7.5	27000	5.73	155	102.6	62.5829	8.14	0	29	37.34	0.39	41	698	287	132.1
7.75	27900	5.73	160	103.5	63.4607	8.22	0	29	37.42	0.39	41	704	290	129.9
8	28800	5.73	165	104.3	64.3119	8.30	0	29	37.50	0.39	41	709	293	127.6
8.25	29700	5.73	170	105.1	65.1498	8.37	0	29	37.57	0.39	41	715	295	125.3
8.5	30600	5.73	175	106.0	65.9744	8.45	0	29	37.65	0.39	41	721	298	122.9
8.75	31500	5.73	180	106.8	66.7857	8.52	0	29	37.72	0.39	41	726	301	120.5
9	32400	5.73	186	107.6	67.5837	8.59	0	29	37.79	0.39	42	732	304	118.1
9.25	33300	5.73	191	108.4	68.3551	8.66	0	29	37.86	0.39	42	737	306	115.5
9.5	34200	5.73	196	109.1	69.1265	8.73	0	29	37.93	0.39	42	742	309	113.0
9.75	35100	5.73	201	109.9	69.8713	8.79	0	29	37.99	0.39	42	747	312	110.4
10	36000	5.73	206	110.6	70.6161	8.86	0	29	38.06	0.39	42	752	314	107.8
10.25	36900	5.73	211	111.3	71.3476	8.92	0	29	38.12	0.39	42	757	317	105.1
10.5	37800	5.73	217	112.1	72.0525	8.99	0	29	38.19	0.39	42	762	319	102.4
10.75	38700	5.73	222	112.8	72.7707	9.05	0	29	38.25	0.39	42	767	321	99.7
11	39600	5.73	227	113.5	73.4623	9.11	0	29	38.31	0.39	42	772	324	96.9
11.25	40500	5.73	232	114.1	74.1406	9.17	0	29	38.37	0.39	42	776	326	94.1
11.5	41400	5.73	237	114.8	74.8189	9.23	0	29	38.43	0.39	42	781	329	91.3
11.75	42300	5.73	242	115.5	75.4839	9.28	0	29	38.48	0.39	42	785	331	88.4
12	43200	5.73	248	116.1	76.1489	9.34	0	29	38.54	0.39	42	790	333	85.6
12.25	44100	5.73	253	116.8	76.8006	9.40	0	29	38.60	0.39	42	794	335	82.7
12.5	45000	5.73	258	117.4	77.439	9.45	0	29	38.65	0.39	42	799	338	79.7
12.75	45900	5.73	263	118.1	78.0641	9.50	0	29	38.70	0.39	42	803	340	76.8
13	46800	5.73	268	118.7	78.6892	9.56	0	29	38.76	0.39	42	807	342	73.8
13.25	47700	5.73	273	119.3	79.3143	9.61	0	29	38.81	0.39	42	811	344	70.8
13.5	48600	5.73	278	119.9	79.9128	9.66	0	29	38.86	0.39	42	815	346	67.7
13.75	49500	5.73	284	120.5	80.5246	9.71	0	29	38.91	0.39	43	820	348	64.7
14	50400	5.73	289	121.1	81.1098	9.76	0	29	38.96	0.39	43	824	350	61.6
14.25	51300	5.73	294	121.7	81.7083	9.81	0	29	39.01	0.39	43	828	353	58.6
14.5	52200	5.73	299	122.3	82.2802	9.86	0	29	39.06	0.39	43	832	355	55.4
14.75	53100	5.73	304	122.9	82.8654	9.91	0	29	39.11	0.39	43	835	357	52.3
15	54000	5.73	309	123.4	83.424	9.96	0	29	39.16	0.39	43	839	359	49.1
15.25	54900	5.73	315	124.0	83.9959	10.00	0	29	39.20	0.39	43	843	361	46.0
15.5	55800	5.73	320	124.6	84.5545	10.05	0	29	39.25	0.39	43	847	363	42.8
15.75	56700	5.73	325	125.1	85.0998	10.10	0	29	39.30	0.39	43	851	364	39.6
16	57600	5.73	330	125.6	85.6451	10.14	0	29	39.34	0.39	43	854	366	36.4

Maximum 1in200Yr Attenuation Volume **156.4**

Job Number:	1717-208
Site:	Kingston Quay, Port Glasgow

Table 1g

SuDS Attenuation & Storage

Storage - Aquacell

Aquacell Area			Number Of Aquacells Required			
Length (m)	Width (m)	Depth (m)	Length	Width	Depth	Total
49	8.5	0.4	49	17	1	833

area (m2) 416.5

Aquacell Attenuation Volume	**158.27 m^3**

Job Number:	1717-208
Site:	Kingston Quay, Port Glasgow

Table 1h

SuDS Treatment Volumes & Infiltration

Treatment Volume (Vt)			
Proposed Hard Surface Area =	2620 m^2		*(Calculated from site layout)*
Vt (Fixed Rainfall Depth) =	26.20 m^3 to	39.3 m^3	*(10mm to 15mm rainfall across hard surface area)*
Vt (for roofs & based on 12.5mm)		32.8 m^3	
Vt (Variable Rainfall Depth (Scotland))=		21.8 m^3	*(Using Variable Rainfall Depths)*
Maximum Treatment Volume Vt	1 times Vt	**22.0** m^3	

Infiltration - Trenches

Filter Trench	**A**	**B**	**C**
Length (m)	36.50	15.00	15.80
Width (m)	2.20	2.60	4.00
Depth (m)	1.20	1.20	1.20

Time for outflow during 24 hours (seconds) =	86400	seconds
Mean surface area through which flow occurs (50% Full) =	273.82	m^2
Soil Infiltration Rate	1.00E-06	m/s
Volume Treated via Infiltration	**23.66**	m^3

Job Number:	1717-208
Site:	Kingston Quay, Port Glasgow

Table 1i

SuDS Summary Sheet

Pre-Development		
Percentage Runoff (SPR)	35.8	%
Average Pre-Dev. Rainfall Runoff	5.7	l/s

Post Development		
Site Area	6800	m^2
Proposed Hard Surface Area	2620	m^2
Maximum 1in30Yr Attenuation Volume	56.7	m^3
Maximum 1in200Yr Attenuation Volume	156.4	m^3
Required Treatment Volume (Vt)	22.0	m^3

SuDS Design			
Treatment via Infiltration	Infiltration Trenches	23.7	m^3
	Unlined Aquacells	0.0	m^3
	Unlined Monoblock & Sub-base	0.0	m^3
	Total Treatment	23.7	m^3
Attenuation	Trenches with open gravel	0.0	m^3
	Swale with filter trench & Pipe	82.4	m^3
	Swale only	0.0	m^3
	Oversized Pipe	0.0	m^3
	Aquacell	158.3	m^3
	Monoblock & Sub-base	0.0	m^3
	Total Attenuation	240.6	m^3
Design Area	Trenches	0.0	m^2
	Monoblock	0.0	m^2
Total Length of Storage Pipe within Trench		0.0	m
Total Length of Monoblock Feeder Pipe		0.0	m

Job No: 1717-208

Table 2 - Annual Exceedance Probability Peak Sea Level with Uncertainty

STEP	1	2	3	4		5									
(using P11 Design Sea Levels)	Is study area outwith estuary areas?	Adopted Chainage point	1 in 200 Yr Exceedance Probability Peak Sea Level (m OD)	Allowance for Uncertainty (m)	Peak Sea level with Uncertainty (mOD)		Base Astronomical Tide								Application of Potential Climate Change (PCC) - (using Central Research Unit Environment Group estimate)
							Using 2014 Admiralty Tide Tables Vol 1								
	Yes	1806	ID 0	ID 0			Nearest to Site (1) and Standard Port (2)	ATT Number	MHWS add to SP (m)	HAT (m CD)	Base Tide Curve Level (using midpoint level) (m CD)	Similar Peak level from ATT for Standard Port (m CD)	Date & Time	Tide Curve Dates	
			CHAINAGE 1806	CHAINAGE 1806											
			T1 2.66	T1 0.1											
			T2 2.78	T2 0.1		1	Port Glasgow	405	0.2	3.6	4.2	3.90			(m)
			T5 2.94	T5 0.1	3.04	2	Greenock	404		3.4	3.9	3.65	3.7	20/01/2011 12:32	18 Jan to 22 Jan	0.3
			T10 3.08	T10 0.2	3.28										
			T20 3.22	T20 0.2	3.42										
			T25 3.26	T25 0.2	3.46										
			T50 3.4	T50 0.3	3.7										
			T75 3.47	T75 0.4	3.87										
			T100 3.54	T100 0.4	3.94										
			T150 3.62	T150 0.4	4.02										
			T200 3.69	T200 0.5	4.19										
			T250 3.74	T250 0.5	4.24										
			T300 3.78	T300 0.5	4.28										
			T500 3.89	T500 0.6	4.49										
			T1000 4.05	T1000 0.7	4.75										
			T10000	T10000											
			ISLAND MAIN												
			BASE_YEAR 2008												

		Port Glasgow	
Conversion from OD to CD for	Port Glasgow =	-1.62	2.28 m OD
Difference between peak Sea Level & Peak Base curve			1.91

Predicted 1 in200 yr peak sea level including uncertainty element & PCC factors (mOD): **4.49**

PHOTOGRAPHIC PLATES



Plate 1 - Looking southeast along Lithgow Way from southern boundary



Plate 2 – Looking northwest along Lithgow Way from southern boundary



Plate 3 -Looking south along Lithgow Way from southern boundary



Plate 4 – Looking northwest along Iron Way from southwest corner



Plate 5 – Looking north along western boundary from southwest corner



Plate 6 – View of the earthen embankment along southern edge



Plate 7 – View of the site from southwest corner



Plate 8 – View of the site from the northeast corner



Plate 9 – View of the site from northwest corner



Plate 10 – Looking north along eastern boundary



Plate 11 – Looking northwest along northern boundary



Plate 12 – View of the Clyde's southern bank bordering on northern edge



Plate 13 – Stony beach adjacent to site in the east



Plate 14 – Looking back at site from quay wall

7. CONSULTATION RESPONSES IN RELATION TO PLANNING APPLICATION

Inverclyde council

Environment and Community Protection

Memorandum Safer Communities Planning Application Consultation Response	
To: **Planning Services** For the Attention of : Guy Phillips	
From: **Environmental & Public Protection**	**Planning response date 17.10.18 Date sent 3.10.18**

Lead Officer: **Janet Stitt**	
Tel: **01475 714 270**	Email: **janet.stitt@inverclyde.gov.uk**

Safer Communities Reference (optional):	
Planning Application Reference:	**18/0260/IC**
Planning Application Address:	Site off Lithgow Way Port Glasgow
Planning Application Proposal:	**Residential development**

Team	Officer	Date
Food & Health	Michael Lapsley	
Air Quality Contaminated Land	Sharon Lindsay Roslyn McIntosh	01.10.18
Public Health & Housing	Janet Stitt	3.10.18
Noise	Sharon Lindsay	01.10.18

Amend table entries as appropriate and insert date when each officer review is completed.

Healthy Working Lives

POSITIVE ABOUT DISABLED PEOPLE

Recommended Conditions:

It is recommended that the undernoted conditions be placed on any consent the council may grant:

Delete or amend as appropriate

Food & Health

No Comments

Air Quality

No Comments

Contaminated Land

No Comments

1. That prior to the start of development, details of a survey for the presence of Japanese Knotweed shall be submitted to and approved in writing by the Planning Authority and that, for the avoidance of doubt; this shall contain a methodology and treatment statement where any is found. Development shall not proceed until appropriate control measures are implemented. Any significant variation to the treatment methodology shall be submitted for approval, in writing by the Planning Authority prior to implementation.

Reason: To help arrest the spread of Japanese Knotweed in the interests of environmental protection.

2. That the development shall not commence until an Environmental Investigation and Risk Assessment, including any necessary Remediation Scheme with timescale for implementation, of all pollutant linkages has been submitted to and approved, in writing by the Planning Authority. The investigations and assessment shall be site-specific and completed in accordance with current codes of practice. The submission shall also include a Verification Plan. Any subsequent modifications to the Remediation Scheme and Verification Plan must be approved in writing by the Planning Authority prior to implementation.

Reason: To satisfactorily address potential contamination issues in the interests of human health and environmental safety.

3. That before the development hereby permitted is occupied the applicant shall submit a report for approval, in writing by the Planning Authority, confirming that the works have been completed in accordance with the agreed Remediation Scheme and supply information as agreed in the Verification Plan. This report shall demonstrate that no pollutant linkages remain or are likely to occur and include (but not limited to) a collation of verification/validation certificates, analysis information, remediation lifespan, maintenance/aftercare information and details of all materials imported onto the site as fill or landscaping material. The details of such materials shall include information of the material source, volume, intended use and chemical quality with plans delineating placement and thickness.

Reason: To ensure contamination is not imported to the site and confirm successful completion of remediation measures in the interest of human health and environmental safety.

4. That the presence of any previously unrecorded contamination or variation to anticipated ground conditions that becomes evident during site works shall be brought to the attention of the Planning Authority and the Remediation Scheme shall not be implemented unless it has been submitted to and approved, in writing by the Planning Authority.

Reason: To ensure that all contamination issues are recorded and dealt with appropriately.

Public Health & Housing

5. The applicant shall submit to the Planning Authority a detailed specification of the containers to be used to store waste materials and recyclable materials produced on the premises as well as specific details of the areas where such containers are to be located. The use of the residential accommodation shall not commence until the above details are approved in writing by the Planning

Authority and the equipment and any structural changes are in place.

Reason: To protect the amenity of the immediate area, prevent the creation of nuisance due to odours, insects, rodents or birds.

6. All external lighting on the application site should comply with the Scottish Government Guidance Note "Controlling Light Pollution and Reducing Lighting Energy Consumption".

Reason: To protect the amenity of the immediate area, the creation of nuisance due to light pollution and to support the reduction of energy consumption.

Noise

7. The applicant must consult or arrange for their main contractor to consult with either Sharon Lindsay or Emilie Smith at Inverclyde Council, Environmental & Public Protection (01475 714200), prior to the commencement of works to agree times and methods to minimise noise disruption from the site.

Reason: To protect the amenities of occupiers of premises from unreasonable noise and vibration levels.

8. The sound insulation should have regard to advice and standards contained in the current Scottish Building Regulations.

Reason: To ensure that acceptable noise and vibration levels are not exceeded.

Recommended Advisory Notes

It is strongly recommended that the undernoted Advisory Notes be placed on any consent the Council may grant:

i. **Site Drainage:** Suitable and sufficient measures for the effective collection and disposal of surface water should be implemented during construction phase of the project as well as within the completed development to prevent flooding within this and nearby property.

ii. The applicant should be fully aware of the **Construction (Design & Management) Regulations 2015 (CDM 2015)** and it's implications on client duties etc.

iii. **Surface Water:** Any SUDS appraisal must to give appropriate weight to not only any potential risk of pollution to watercourses but to suitable and sufficient measures for the effective collection and disposal of surface water to prevent flooding. Measures should be implemented during the construction phase of the project as well as the within the completed development to prevent flooding within the application site and in property / land nearby. It is also recommended that a long term maintenance plan should be developed prior to the commencement of the proposed development.

iv. **Design and Construction of Buildings – Gulls:** It is very strongly recommended that appropriate measures be taken in the design of all buildings and their construction, to inhibit the roosting and nesting of gulls. Such measures are intended to reduce nuisance to, and intimidation of, persons living, working and visiting the development.

Transport Scotland

Trunk Road and Bus Operations (TRBO)
Network Operations - Development Management

TRANSPORT SCOTLAND

Response On Development Affecting Trunk Roads and Special Roads

The Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 S.I.2013 No 155 (S.25)

Town and Country Planning (Notification of Applications) (Scotland) Direction 2009

To Inverclyde Council Development Management, Municipal Buildings, Clyde Square, Greenock PA15 1LY	Council Reference:-	18/0260/IC
	TS TRBO Reference:-	SW/155/2018

Application made by Briar Homes per McInally Associates Ltd, Thomas McInally 16 Robertson Street GLASGOW G2 8DS and received by Transport Scotland on 28 September 2018 for planning permission for planning application seeking planning permission in principle for residential development with associated access, open space and landscaping proposals located at Site Off Lithgow Way Kingston Dock Port Glasgow affecting the A8 Trunk Road.

Director, Trunk Roads Network Management Advice

1. The Director does not propose to advise against the granting of permission ☑
2. The Director advises that planning permission be refused (see overleaf for reasons). ☐
3. The Director advises that the conditions shown overleaf be attached to any permission the council may give (see overleaf for reasons). ☐

To obtain permission to work within the trunk road boundary, contact the Route Manager through the general contact number below. The Operating Company has responsibility for co-ordination and supervision of works and after permission has been granted it is the developer's contractor's responsibility to liaise with the Operating Company during the construction period to ensure all necessary permissions are obtained.

TS Contact:-	Route Manager (A8) 0141 272 7100 Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF
Operating Company:-	SOUTH WEST
Address:-	150 Polmadie Road, Glasgow, G5 0HN
Telephone Number:-	0141 218 3800
e-mail address:-	planning@scotlandtranserv.co.uk

Transport Scotland Response Date:- 10-Oct-2018

Transport Scotland Contact:- Fred Abercrombie

Transport Scotland Contact Details:-
Trunk Road and Bus Operations, Network Operations - Development Management
Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF
Telephone Number: 0141 272 7382
e-mail: development_management@transport.gov.scot

NB - Planning etc. (Scotland) Act 2006
Planning Authorities are requested to provide Transport Scotland, Trunk Road and Bus Operations, Network Operations - Development Management with a copy of the decision notice, and notify Transport Scotland, Trunk Roads Network Management Directorate if the recommended advice is not accepted.

SEPA
Scottish Environment Protection Agency
Buidheann Dìon Àrainneachd na h-Alba

Our ref: PCS/161415
Your ref: 18/0260/IC

Guy Phillips
Inverclyde Council
Planning
Cathcart House
6 Cathcart Square
Greenock
PA15 1LS

If telephoning ask for:
Judith Montford

12 October 2018

By email only to: devcont.planning@inverclyde.gov.uk

Dear Mr Phillips

Town and Country Planning (Scotland) Acts
Planning application: 18/0260/IC
Planning application seeking planning permission in principle for residential development with associated access, open space and landscaping proposals
Site off Lithgow Way Kingston Dock, Port Glasgow

Thank you for your consultation email which SEPA received on 26 September 2018 specifically requesting for flood risk advice.

Advice for the planning authority

We **object** to this planning application on the grounds of lack of information. We will review this objection if the issues detailed in Section 1 below are adequately addressed.

1. Flood risk

1.1 The site is proposed for residential development and according to the 2017 housing land supply document, the potential number of units for the site is 25 houses. We have reviewed the information provided in this consultation and it is noted that the application site (or parts thereof) lies within the medium likelihood (0.5% annual probability or 1 in 200 year) flood extent of the SEPA Flood Map, and may therefore be at medium to high risk of flooding. Please note that the SEPA Flood Maps have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km^2 using a Digital Terrain Model (DTM) to define river corridors and low-lying coastal land. The maps are indicative and designed to be used as a strategic tool to assess flood risk at the community level and to support planning policy and flood risk management in Scotland. For further information please visit http://www.sepa.org.uk/environment/water/flooding/flood-maps/.

Scottish Living Wage Accreditation
UKAS MANAGEMENT SYSTEMS 001

Chairman
Bob Downes
Chief Executive
Terry A'Hearn

Angus Smith Building
6 Parklands Avenue, Eurocentral,
Holytown, North Lanarkshire ML1 4WQ
tel 01698 839000 fax 01698 738155
www.sepa.org.uk • customer enquiries 0 3000 99 66 99

1.2 Scottish Planning Policy (SPP) (paragraph 255) states that "the planning system should promote… flood avoidance by safeguarding flood storage and conveyance capacity and locating development away from functional floodplains and medium to high risk areas". Built development should not therefore take place on the functional flood plain.

1.3 Also given that is assumed to be a sparsely developed site we would raise concerns about the potential increase in vulnerability of residential development within the floodplain. We would also comment that land raising within the floodplain should only be undertaken in exceptional circumstances.

1.4 Insufficient information is provided with this consultation for us to assess flood risk at this site. We therefore **object** to this development until a Flood Risk Assessment or other appropriate information is provided in support of the application. We will remove our objection on flood risk grounds if a Flood Risk Assessment (FRA) (or other information) demonstrates that the development accords with the principles of Scottish Planning Policy.

1.5 Other appropriate information might include pre and post development site and finished floor levels related to bank height of the River Clyde, appropriate photographs and/or any nearby historical flood levels. However, if this information is insufficient to provide a robust assessment of the risk of flooding to the development then a detailed flood risk assessment may need to be carried out by a suitably qualified professional. Please refer to section 3 for further advice on producing a FRA.

1.6 For information, an approximate 1 in 200 year water level for the area is 4.03 metres Above Ordnance Datum (m AOD) based on extreme still water level calculations using the Coastal Flood Boundary (CFB) Method. This does not take into account the potential effects of wave action, funnelling or local bathymetry at this location. We also recommend that the applicant contact the Flood Risk Management Authority with regard to the appropriate levels of freeboard for the area.

1.7 The site in question has a risk of flooding and it follows that to allow development to proceed may place property or people at serious risk contrary to Scottish Planning Policy.

1.8 In the event that the planning authority proposes to grant planning permission contrary to this advice on flood risk, the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 provides criteria for the referral to the Scottish Ministers of such cases. You may therefore wish to consider if this proposal falls within the scope of this Direction.

2. Other planning matters

2.1 For all other matters we provide standing advice applicable to this type of local development.

Detailed advice for the applicant

3. Flood risk

3.1 We refer the applicant to the document entitled: "*Technical Flood Risk Guidance for Stakeholders*". This document provides generic requirements for undertaking Flood Risk Assessments and can be downloaded from http://www.sepa.org.uk/media/162602/ss-nfr-p-002-technical-flood-risk-guidance-for-stakeholders.pdf. Please note that this document should be read in conjunction Policy 41 (Part 2). Our Flood Risk Assessment checklist should be completed and attached within the front cover of any flood risk assessments issued in support of a development proposal which may be at risk of flooding. The document will take only a few minutes to complete and will assist our review process. It can be downloaded from http://www.sepa.org.uk/media/159170/flood-risk-assessment-checklist.xls.

3.2 The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to Inverclyde Council as Planning Authority in terms of the said Section 72 (1). Our briefing note entitled: "*Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities*" outlines the transitional changes to the basis of our advice inline with the phases of this legislation and can be downloaded from http://www.sepa.org.uk/environment/land/planning/guidance-and-advice-notes/.

Regulatory advice for the applicant

4. Regulatory requirements

4.1 Authorisation is required under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) to carry out engineering works in or in the vicinity of inland surface waters (other than groundwater) or wetlands. Inland water means all standing or flowing water on the surface of the land (e.g. rivers, lochs, canals, reservoirs).

4.2 Management of surplus peat or soils may require an exemption under The Waste Management Licensing (Scotland) Regulations 2011. Proposed crushing or screening will require a permit under The Pollution Prevention and Control (Scotland) Regulations 2012. Consider if other environmental licences may be required for any installations or processes.

4.3 A Controlled Activities Regulations (CAR) construction site licence will be required for management of surface water run-off from a construction site, including access tracks, which:

- is more than 4 hectares,
- is in excess of 5km, or
- includes an area of more than 1 hectare or length of more than 500m on ground with a slope in excess of 25°

See SEPA's Sector Specific Guidance: Construction Sites (WAT-SG-75) for details. Site design may be affected by pollution prevention requirements and hence we strongly encourage the applicant to engage in pre-CAR application discussions with a member of the regulatory services team in your local SEPA office.

4.4 Below these thresholds you will need to comply with CAR General Binding Rule 10 which requires, amongst other things, that all reasonable steps must be taken to ensure that the discharge does not result in pollution of the water environment. The detail of how this is achieved may be required through a planning condition.

4.5 Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory services team in your local SEPA office at: Law House Todd Campus West of Scotland Science Park Maryhill Road Glasgow G20 0XA, Tel: 0141 945 6350.

If you have any queries relating to this letter, please contact me by telephone on 01224 266604 or e-mail at planning.sw@sepa.org.uk

Yours sincerely

Judith Montford
Senior Planning Officer
Planning Service

ECopy to: Thomas McInally, McInally Associates, tommcinally@mcinally-associates.co.uk

Disclaimer

This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at this time. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning or similar application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application or similar application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. For planning applications, if you did not specifically request advice on flood risk, then advice will not have been provided on this issue. Further information on our consultation arrangements generally can be found on our website planning pages.

SEPA
Scottish Environment Protection Agency
Buidheann Dìon Àrainneachd na h-Alba

Our ref: PCS/161953
Your ref: 18/0260/IC

If telephoning ask for:
Judith Montford

Guy Phillips
Inverclyde Council
Planning
Cathcart House
6 Cathcart Square
Greenock
PA15 1LS

26 November 2018

By email only to: devcont.planning@inverclyde.gov.uk and David.Ashman@inverclyde.gov.uk

Dear Mr Phillips

Town and Country Planning (Scotland) Acts
Planning application: 18/0260/IC
Planning application seeking planning permission in principle for residential development with associated access, open space and landscaping proposals
Site off Lithgow Way Kingston Dock, Port Glasgow

Thank you for your consultation email which SEPA received on 25 October 2018.

Advice for the planning authority

We have reviewed the information contained in the email you sent and are now in a position to **remove our objection** to the proposed development on flood risk grounds provided that, should the Planning Authority be minded to approve this application, the following planning conditions in section 1.1 be attached to the consent.

In the event that the planning authority proposes to grant planning permission contrary to this advice on flood risk, the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 provides criteria for the referral to the Scottish Ministers of such cases. You may therefore wish to consider if this proposal falls within the scope of this Direction.

Notwithstanding the removal of our objection subject to the above conditions, we would expect Inverclyde Council to undertake their responsibilities as the Flood Risk Management Authority.

Please note that the advice we provided in section 3.2 section 4 (Regulatory advice) of our previous letter dated 12 October 2018 reference - PCS/161415 should be adhered to as it still applies.

Please note the advice provided below.

Scottish Living Wage Accreditation
UKAS MANAGEMENT SYSTEMS 001

Chairman
Bob Downes

Chief Executive
Terry A'Hearn

Angus Smith Building
6 Parklands Avenue, Eurocentral,
Holytown, North Lanarkshire ML1 4WQ
tel 01698 839000 fax 01698 738155
www.sepa.org.uk • customer enquiries 03000 99 66

1. Flood risk

1.1 In summary, we have no objection to the proposed development on flood risk grounds provided that, should the Planning Authority be minded to approve this application, the following planning conditions are imposed to ensure:

- A minimum Finished Floor Level (FFL) for the development is at 5.5 Above Ordnance Datum (m AOD) and
- No development occurs within the floodplain as defined by the 4.03 m AOD water level

1.2 We previously commented on this site (our reference - PCS/161415) and raised flooding concerns and requested the provision of further information.

1.3 Additional information has now been submitted and it is understood that a previously stipulated planning condition of a minimum Finished Floor Level of 5.5 metres Above Ordnance Datum (m AOD) was recommended. If this was adopted now given the extreme still water level of approximately 4.03 m AOD we would be satisfied that the FFL would still be appropriate and included climate change along with freeboard allowances. However, we would also want assurance that no floodplain development was proposed. Therefore we would also recommend a planning condition that no development occurs within the floodplain. Based on these conditions we would be satisfied that the proposal complies with the principles of Scottish Planning Policy (SPP).

1.4 In that regard we are now in a position to remove our objection to the proposed development on flood risk grounds, subject to the planning conditions listed in section 1.1 above being imposed on any planning permission granted for this development.

If you have any queries relating to this letter, please contact me by telephone on 01224 266604 or e-mail at planning.sw@sepa.org.uk

Yours sincerely

Judith Montford
Senior Planning Officer
Planning Service

ECopy to: monicaloughran@mcinallyassociates.co.uk

Disclaimer
This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at this time. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning or similar application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application or similar application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. For planning applications, if you did not specifically request advice on flood risk, then advice will not have been provided on this issue. Further information on our consultation arrangements generally can be found on our website planning pages.

RECEIVED

Inverclyde council

To:	**Head of Regeneration & Planning**	**Your Ref:**	**18/0260/IC**
		Our Ref:	**EP/14/04/18/0260/IC**
From:	**Head of Environmental & Commercial Services**	**Contact:**	**E Provan** [redacted]
		Tel:	**(01475) 714814**
Subject:	**Observations On Planning Application**	**PA Ref:**	**18/0260/IC**
Detail:	**Planning Application seeking Planning Permission in Principle for residential development with associated access, open space, and landscaping proposals**	**Dated:** **Received:**	**26/09/2018** **26/09/2018**
Site:	**Site Off Lithgow Way, Kingston Dock, Port Glasgow**	**Applicant:**	**Briar Homes**

Type of Consent: ~~**Detailed Permission**~~**/ In Principle/** ~~**Approval of Matters/ Change of Use**~~

Comments:

1.	The application provides no indication of the number dwellings or bedrooms in each dwelling.
2.	Parking shall be provided in accordance with the National Roads Development Guideline: 1 bedroom – 1 parking space 2-3 bedrooms – 2 parking spaces 4 bedrooms – 3 parking spaces Visitor parking should be provided at 0.25 spaces per dwelling (unallocated).
3.	If there are more than 100 dwellings then a Trasnsport Assessment will be required. If there are less than 100 dwellings then a Transport Statement will be required.
4.	If garages are proposed the minimum dimensions for garages as detailed in the National Guidelines are: Minimum Garage size for Cars – 7.0 m x 3.0 m (internal dimension) Associated minimum clear access dimensions – 2.1m wide x 1.98m height
5.	There are no details on where the access to the site will be provided. The access should ensure there is a visibility splay of 2.4m x 43.0m x 1.05m.
6.	The driveways should be paved for a minimum distance of 2m to prevent loose driveway material being spilled onto the road.
7.	Driveways shall be a minimum of 3.0m by 5.5m for each parking spaces and the gradient shall not exceed 10%.
8.	The driveways should not be close to bends to ensure they have adequate visibility . The applicant shall provide evidence that driveways have sufficient visibility for the approval of the Roads Service.
9.	All roads within the site shall be a minimum of 5.5m wide.
10.	The footways and footpaths within the site shall be a minimum of 2.0m wide.
11.	The applicant shall provide evidence to the Roads Service that all roads have a gradient of 8% or less.
12.	Traffic calming shall be provided within the development to allow the promotion of a 20mph speed limit. This is particularly relevant where shared surfaces are proposed.
13.	Cycle links should be provided to the external network on Iron Way and Lithgow Way.
14.	A Road Construction Consent will be required for all new roads, footways and footpaths.
15.	The proposed development will have an impact on the existing street lighting, accordingly a lighting and electrical design for adoptable areas will be required for each site. A system of lighting shall be kept operational at all times within the existing public adopted areas.
16.	All surface water during and after development is to be maintained within the site boundary to prevent any surface water flowing onto the road.

17.	A flood risk and drainage impact assessment should be provided in accordance with Inverclyde Council's "Flood Risk Assessment and Drainage Impact Assessment: Planning Guidance for Developers"

Notes For Intimation To Applicant	
Construction Consent (S21)*	~~Not Required~~/ Required for all road works
Road Bond (S17)*	~~Not Required~~/ Required if building works are to be undertaken before roads are completed
Road Opening Permit (S56)*	Not Required/ ~~Required for all works in the public road~~
Other	Not Required/ ***

***Relevant Section of the Roads (Scotland) Act 1984**

Signed: [redacted]

Steven Walker, Service Manager (Roads)

Date: 30/10/2013

View Images

RE: (Official) Kingston Dock

Sent: 1 March 2019 14:38

From: gordon leitch

To: James McColl;

1 Attachments

image001.jpg (6 KB);

Message

Classification: Official

James

I have had a look over the FRA and they need to submit additional information, however I would delay sending a response until we have seen the SEPA response.

- The FRA need to be self-certified by a third party
- The DIA should include information as detailed in Inverclyde Council's Policy
  - Details of greenfield run-off
  - Details of proposed site run-off
  - Attenuation

Conditions

1. FFL of all house shall be above 5.09mOD
2. Access to and from house must be maintained and be above the flood level

Regards

Gordon

Gordon Leitch
Team Leader (Consultancy)
Roads & Transportation
Inverclyde Council
Vehicle Maintenance Facility
8 Pottery Street
Greenock
PA15 2UH

Phone (office) – 01475 714826
Phone (mobile) - 07771806211
e-mail – gordon.leitch@inverclyde.gov.uk

Inverclyde Council website – www.inverclyde.gov.uk
Inverclyde on Twitter – twitter.com/inverclyde

James McColl

From: Gordon Leitch
Sent: 03 June 2019 16:36
To: James McColl
Subject: FW: (Official) Kingston Dock
Attachments: 1717-208 - Kingston Quay FRA Report rev 3.pdf

Classification: Official

James

I have had a look through the FRA and it is acceptable.

Regards

Gordon

Gordon Leitch
Team Leader (Consultancy)
Roads & Transportation
Inverclyde Council
Vehicle Maintenance Facility
8 Pottery Street
Greenock
PA15 2UH

Phone (office) – 01475 714826
Phone (mobile) - 07771806211
e-mail – gordon.leitch@inverclyde.gov.uk

Inverclyde Council website – www.inverclyde.gov.uk
Inverclyde on Twitter – twitter.com/inverclyde

Inverclyde Council welcomes customer feedback on it's Roads and Transportation services and would appreciate if you could take the time to complete the following survey https://www.surveymonkey.co.uk/r/inverclyde-council-2

From: Monica Loughran [mailto:MonicaLoughran@mcinally-associates.co.uk]
Sent: 15 May 2019 12:17
To: James McColl
Cc: Gordon Leitch
Subject: RE: (Official) Kingston Dock

Hi Gordon/ James,

Further to the email chain below, please find attached a revised FRA containing the requested additional information. Can you please advise on the expected timescales for reviewing this?

Kind Regards,
Monica Loughran
McInally Associates Ltd
16 Robertson Street, Glasgow G2 8DS
T: 0141 332 5181 | **E-mail:** monicaloughran@mcinally-associates.co.uk

8. REPRESENTATIONS IN RELATION TO PLANNING APPLICATION

RH Carley
Clyde House
Ascog
Isle of Bute
PA20 9EU

Inverclyde Council
Registration & Planning,(municipal buildings)
Clyde Square
Greenock
PA15 1LY

01/10/2018

Dear Sir/madam,

I am writing to you on behalf of my tenants in 25 Lithgow Way, Port Glasgow having been informed of a planning application : 18/0260/IC

This area is not suitable for residential development due to the width of the roads. proximity to childrens play areas and limiting access for pedestrians to the popular coastal walk.Extra vehicles and parking areas with the buildings in this small space are not a good idea, and residential development was turned down by the council previously. It would be nice to retain some open spaces as popular as this for the whole community to enjoy.

Yours sincerely [redacted]

R H Carley

RH Carley
Clyde House
Ascog
Isle of Bute
PA20 9EU

Inverclyde Council
Registration & Planning,(municipal buildings)
Clyde Square
Greenock
PA15 1LY

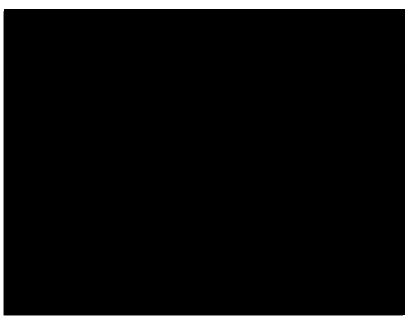
01/10/2018

Dear Sir/madam,

I am writing to you on behalf of my tenants in 27 Lithgow Way, Port Glasgow who have informed me of a planning application : 18/0260/IC

This area is not suitable for residential development due to the width of the roads. proximity to childrens play areas and limiting access for pedestrians to the popular coastal walk.Extra vehicles and parking areas with the buildings in this small space are not a good idea, and residential development was turned down by the council previously. It would be nice to retain some open spaces as popular as this for the whole community to enjoy.

Yours sincerely



R H Carley

RH Carley
Clyde House
Ascog
Isle of Bute
PA20 9EU

Inverclyde Council
Registration & Planning,(municipal buildings)
Clyde Square
Greenock
PA15 1LY

01/10/2018

Dear Sir/madam,

I am writing to you on behalf of my tenants in 31 Lithgow Way, Port Glasgow having been informed of a planning application : 18/0260/IC

This area is not suitable for residential development due to the width of the roads. proximity to childrens play areas and limiting access for pedestrians to the popular coastal walk.Extra vehicles and parking areas with the buildings in this small space are not a good idea, and residential development was turned down by the council previously. It would be nice to retain some open spaces as popular as this for the whole community to enjoy.

Yours sincerely



R H Carley

Comments for Planning Application 18/0260/IC

Application Summary
Application Number: 18/0260/IC
Address: Site Off Lithgow Way Kingston Dock Port Glasgow
Proposal: Planning application seeking planning permission in principle for residential development with associated access, open space and landscaping proposals
Case Officer: Guy Phillips

Customer Details
Name: Mr David Cupples
Address: 22 Adamston Way Port Glasgow

Comment Details
Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:I object this application for housing for the following reason. This site is at the main access to the site and is the only section of land on the whole development to be earmarked for commercial development.

As the last remaining space on the development it would mean losing one of the last opportunities on the Port Glasgow shoreline to develop a business. Bar/restaurant/cafe due to the poor decision made over a decade ago to redirect the A8 and waste out best asset. The Clyde.

Comments for Planning Application 18/0260/IC

Application Summary

Application Number: 18/0260/IC
Address: Site Off Lithgow Way Kingston Dock Port Glasgow
Proposal: Planning application seeking planning permission in principle for residential development with associated access, open space and landscaping proposals
Case Officer: Guy Phillips

Customer Details

Name: Mr Lawrence Reid
Address: 33 Lithgow Way Port Glasgow

Comment Details

Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:This land was categorised as commercial and should not be used for domestic housing. The land in question however should not be built on in any way. This forms part of a natural green belt of ground between existing housing and the river going all the way from Inchgreen dry dock to Anderson Street and Coronation Park beyond incorporating a public walkway. The extra traffic as a result of proposed housing would increase the congestion on junctions and surrounding roads together with the increase of parked cars to an unacceptable level. There have already been a few bumps at junctions with current levels of traffic. This green belt needs to stay to maintain the current balance of housing and natural green open spaces, any more construction on Kingston dock would be disastrous to the whole estate.

Comments for Planning Application 18/0260/IC

Application Summary
Application Number: 18/0260/IC
Address: Site Off Lithgow Way Kingston Dock Port Glasgow
Proposal: Planning application seeking planning permission in principle for residential development with associated access, open space and landscaping proposals
Case Officer: Guy Phillips

Customer Details
Name: Mr John Baillie
Address: 54 Crunes Way Greenock

Comment Details
Commenter Type: Member of Public
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:Dear Inverclyde Council,

Yet again another application to build on land that was meant to be for a commercial property when the council gets approached by another housing developer the application is being considered? There are more than enough houses in the development and the house owners were told at the time (and so were we) that their view would not be restricted by additional housing?

I am fed up with our estate potentially becoming a building site yet again, we have only just got rid of Persimmon, is this going to be 5 Quays?? Where does it End?.

It has been constant for the last 7 or so years! This land is also far too close to the water to build anything and this has been mentioned many times.
The community need a break from all these greedy companies looking to develop on this land. I wholeheartedly object to anything being build on this land. The place is being congested enough with the Gallacher shopping centre and more trucks rumbling in and out is not going to help.

Comments for Planning Application 18/0260/IC

Application Summary

Application Number: 18/0260/IC
Address: Site Off Lithgow Way Kingston Dock Port Glasgow
Proposal: Planning application seeking planning permission in principle for residential development with associated access, open space and landscaping proposals
Case Officer: Guy Phillips

Customer Details

Name: Ms Alison Clarke
Address: 29 Lithgow way Port glasgow

Comment Details

Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:I object to this project

Comments for Planning Application 18/0260/IC

Application Summary

Application Number: 18/0260/IC
Address: Site Off Lithgow Way Kingston Dock Port Glasgow
Proposal: Planning application seeking planning permission in principle for residential development with associated access, open space and landscaping proposals
Case Officer: Guy Phillips

Customer Details

Name: Mr martin hitchinson
Address: 19 lithgow way port glasgow

Comment Details

Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:objections based on the following points.
1.The traffic currently parking on Lithgow way is already dangerous and creates and unsafe environment.(crash happened only a few month back) as well as local resident safety
2.The main road to Greenock/port Glasgow is very often blocked and Lithgow way becomes very congested due to all main road traffic diverting, this is a real problem for local residents.
3.The opportunity to sell my house will have depreciated due to my view being removed, regardless of opinion based on house selling rules.
4.I would like to see more green space for local residents, I am concerned that we will be given poorer air quality due to traffic volume increase as well as more traffic vibration on Lithgow way

Comments for Planning Application 18/0260/IC

Application Summary

Application Number: 18/0260/IC
Address: Site Off Lithgow Way Kingston Dock Port Glasgow
Proposal: Planning application seeking planning permission in principle for residential development with associated access, open space and landscaping proposals
Case Officer: Guy Phillips

Customer Details

Name: Mr Andrew McEwen
Address: 37 Lithgow Way Kingston Dock PORT GLASGOW

Comment Details

Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:There has been a number of car crashes at the junction of Lithgow Way recently due to traffic congestion within this area. The building of new houses will increase traffic congestion even more as car parking at the moment has cars doubled parked on Lithgow Way.

Comments for Planning Application 18/0260/IC

Application Summary

Application Number: 18/0260/IC
Address: Site Off Lithgow Way Kingston Dock Port Glasgow
Proposal: Planning application seeking planning permission in principle for residential development with associated access, open space and landscaping proposals
Case Officer: James McColl

Customer Details

Name: Mr Ross Bonnar
Address: 19 Kingston Crescent Port Glasgow

Comment Details

Commenter Type: Neighbour
Stance: Customer made comments in support of the Planning Application
Comment Reasons:
Comment:Would improve derelict land and complete the estate. This site is the only undeveloped section of the estate and is visually very unappealing at present.

Provision of quality low density housing would be welcome, with limited new build development occuring presently locally for private purchase.

Comments for Planning Application 18/0260/IC

Application Summary
Application Number: 18/0260/IC
Address: Site Off Lithgow Way Kingston Dock Port Glasgow
Proposal: Planning application seeking planning permission in principle for residential development with associated access, open space and landscaping proposals
Case Officer: James McColl

Customer Details
Name: Mr John Baillie
Address: 54 Crunes Way (Kingston Quay) Greenock

Comment Details
Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:Good Morning,

I had written a letter a while ago objecting to this application, Can you please let me know the current status?

Thanks,

John Baillie

9. DECISION NOTICE DATED 18 JUNE 2019 ISSUED BY HEAD OF REGENERATION & PLANNING

DECISION NOTICE

Refusal of Planning Permission
Issued under Delegated Powers

Regeneration and Planning
Municipal Buildings
Clyde Square
Greenock PA15 1LY

Inverclyde council

Planning Ref: 18/0260/IC

Online Ref:100136203-001

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND)REGULATIONS 2013

Briar Homes
205 St Vincent Street
GLASGOW
G2 5QD

McInally Associates Ltd
Thomas McInally
16 Robertson Street
GLASGOW
G2 8DS

With reference to your application dated 7th September 2018 for planning permission under the above mentioned Act and Regulation for the following development:-

Planning application seeking planning permission in principle for residential development with associated access, open space and landscaping proposals at

Site off Lithgow Way, Kingston Dock, Port Glasgow

Category of Application - Local Application Development

The INVERCLYDE COUNCIL in exercise of their powers under the abovementioned Act and Regulation hereby refuse planning permission for the said development.

The reasons for the Council's decision are:-

1. The proposed development is contrary to Policy 35 of the 2018 proposed Inverclyde Local Development Plan in that it involves the development of an area of open space designated within the proposed Plan which is of value to the visual setting and pattern of development of the Port Glasgow Waterfront Area.

2. The proposed development site forms part of the wider public vista of the River Clyde which contributes to the creation of a successful place and, accordingly, the development of the site would erode this and would fail to have regard to the six qualities of successful places as required by Policy 1 of the 2018 proposed Inverclyde Local Development Plan.

The reason why the Council made this decision is explained in the attached Report of Handling.

Dated this 18th day of June 2019

[redacted]

Head of Regeneration and Planning

Healthy Working Lives

Positive About Disabled People

1 If the applicant is aggrieved by the decision of the Planning Authority to refuse permission for or approval required by condition in respect of the proposed development, or to grant permission or approval subject to conditions, he may seek a review of the decision within three months beginning with the date of this notice. The request for review shall be addressed to The Head of Legal and Administration, Inverclyde Council, Municipal Buildings, Greenock,PA15 1LY.

2 If permission to develop land is refused or granted subject to conditions, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the planning authority a purchase notice requiring the purchase of his interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997

Refused Plans: Can be viewed Online at http://planning.inverclyde.gov.uk/Online/

Drawing No:	Version:	Dated:
LOC-01		01.08.2018

10. NOTICE OF REVIEW FORM DATED 1 AUGUST 2019 WITH SUPPORTING DOCUMENTATION FROM McINALLY ASSOCIATES LTD

Inverclyde council

Municipal Buildings Clyde Square Greenock PA15 1LY Tel: 01475 717171 Fax: 01475 712 468 Email: devcont.planning@inverclyde.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100175410-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application) ☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:			
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Monica	Building Name:	
Last Name: *	Loughran	Building Number:	16
Telephone Number: *	0141 332 5181	Address 1 (Street): *	Robertson Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Glasgow
Fax Number:		Country: *	G2 8DS
		Postcode: *	
Email Address: *	monicaloughran@mcinally-associates.co.uk		

Is the applicant an individual or an organisation/corporate entity? *

☐ Individual ☒ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:		You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *		Building Number:	205
Last Name: *		Address 1 (Street): *	St Vincent St
Company/Organisation	Briar Homes	Address 2:	
Telephone Number: *		Town/City: *	Glasgow
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	G2 5QD
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority: Inverclyde Council

Full postal address of the site (including postcode where available):

Address 1:	
Address 2:	
Address 3:	
Address 4:	
Address 5:	
Town/City/Settlement:	
Post Code:	

Please identify/describe the location of the site or sites

SITE OFF LITHGOW WAY, KINGSTON DOCK, PORT GLASGOW

Northing		Easting	

Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

GROUNDS OF APPEAL AGAINST REFUSAL BY INVERCLYDE COUNCIL OF PLANNING APPLICATION 18/0260/IC - PLANNING APPLICATION SEEKING PLANNING PERMISSION IN PRINCIPLE FOR RESIDENTIAL DEVELOPMENT WITH ASSOCIATED ACCESS, OPEN SPACE AND LANDSCAPING PROPOSALS

Type of Application

What type of application did you submit to the planning authority? *

☐ Application for planning permission (including householder application but excluding application to work minerals).

☒ Application for planning permission in principle.

☐ Further application.

☐ Application for approval of matters specified in conditions.

What does your review relate to? *

☒ Refusal Notice.

☐ Grant of permission with Conditions imposed.

☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are a seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

See supporting Planning Appeal Statement.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? * ☐ Yes ☒ No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Planning Appeal Statement Production 1: Planning Application 18/0260/IC Production 2: Report of Handling 18/0260/IC Production 3: Refusal Notice 18/0260/IC Production 4: Extract from adopted Inverclyde Local Development Plan – Proposals Map Production 5: Decision Notice and Location Plan – Planning Application IC/04/336 Production 6: Report to Committee, Decision Notice and Location Plan – Planning Application 13/0035/ IC Production 7: Reporters Report – Planning Appeal PPA 280 -2019

Application Details

Please provide details of the application and decision.

What is the application reference number? * 18/0260/IC

What date was the application submitted to the planning authority? * 07/09/2018

What date was the decision issued by the planning authority? * 18/06/2019

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

☒ Yes ☐ No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? * ☒ Yes ☐ No

Is it possible for the site to be accessed safely and without barriers to entry? * ☒ Yes ☐ No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. * ☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? * ☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? * ☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? * ☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review * ☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Miss Monica Loughran

Declaration Date: 01/08/2019

PLANNING APPEAL STATEMENT

GROUNDS OF APPEAL AGAINST REFUSAL BY INVERCLYDE COUNCIL OF PLANNING APPLICATION 18/0260/IC
PLANNING APPLICATION SEEKING PLANNING PERMISSION IN PRINCIPLE FOR RESIDENTIAL DEVELOPMENT WITH ASSOCIATED ACCESS, OPEN SPACE AND LANDSCAPING PROPOSALS

SITE OFF LITHGOW WAY, KINGSTON DOCK, PORT GLASGOW

JULY 2019

mcinallyassociates
16 Robertson Street
Glasgow
G2 8DS
tel : 0141 332 5181
e-mail : scottgraham@mcinally-associates.co.uk
www.mcinallyassociates.co.uk

CONTENTS

1 INTRODUCTION 1

2 BACKGROUND 3

3 PLANNING POLICY 5

4 OTHER CONSIDERATIONS 9

5 CONCLUSIONS 11

PRODUCTIONS

Production 1 : Planning Application 18/0260/IC

Production 2 : Report of Handling 18/0260/IC

Production 3 : Refusal Notice 18/0260/IC

Production 4 : Extract from adopted Inverclyde Local Development Plan – Proposals Map

Production 5 : Decision Notice and Location Plan – Planning Application IC/04/336

Production 6 : Report to Committee, Decision Notice and Location Plan – Planning Application 13/0035/ IC

Production 7 : Reporters Report – Planning Appeal PPA 280 -2019

1 INTRODUCTION

1.1 This statement, together with accompanying productions, constitute the grounds of appeal against the refusal by Inverclyde Council to grant permission for Planning Application 18/0260/IC - planning application seeking planning permission in principle for residential development with associated access, open space and landscaping proposals at land off Lithgow Way, Port Glasgow.

1.2 In this regard planning application No 18/0260/IC was submitted to Inverclyde Council by Briar Homes on the 7th September 2018 for the site which was designated for residential development in the adopted local plan. The planning application package submitted is detailed in **Production 1**.

1.3 The site subject to this appeal had been designated for development for more than 10 years following the closure of the Scott Lithgow Shipyard. In the initial masterplan for the redevelopment of the former shipyard the appeal site was designated for commercial development which was necessary to facilitate site preparation and decontamination of the shipyard to allow residential development on the adjacent area.

1.4 The redevelopment of the shipyard for housing was a major commitment by the owners with the commercial uses providing financial support for the site preparation to allow housing to be developed on the former shipyard land. The site preparation included removal of previous industrial building foundation and decontamination of the site to allow housing to be developed. As such the designation of the appeal site for commercial use was necessary to ensure the viable development of the site.

1.5 Following the submission and full consideration of the planning application, the proposals were subject to a report by the Head of Regeneration and Planning which recommended that the planning application be refused by Inverclyde Council **(Production 2).** The application was refused for the following reasons :

1. ***The proposed development is contrary to Policy 35 of the 2018 proposed Inverclyde Local Development Plan in that it involves the development of an area of open space designated within the proposed Plan which is of value to the visual setting and pattern of development of the Port Glasgow Waterfront Area.***

2. ***The proposed development site forms part of the wider public vista of the River Clyde which contributes to the creation of a successful place, and, accordingly, the development of the site would erode this and would fail to have regard for the six qualities of successful places as required by Policy 1 of the 2018 proposed Inverclyde Local Development Plan.***

1.6 In all regards it is submitted that the aforementioned reason for refusal and justification for the decision are unreasonable and indeed unacceptable insofar as the Report by Inverclyde Council planning officials states that the application has been assessed against the proposed 2018 proposed Inverclyde Local Development Plan as appose to the adopted Local Development Plan that was in place at the time of the submission of the planning application in September 2018. It is of importance to highlight that at the time of writing, the proposed Inverclyde Local Development

Plan (2018) has not been adopted and the adopted plan remains the Inverclyde Local Development Plan (2014).

1.7 Section 25 of the Town and Country Planning (Scotland) Act 1997 states that ***"where, in making any determination under the Planning Acts, regard is to be had to the development plan"*** and that ***"the determination shall be made in accordance with the plan unless material considerations dictate otherwise"*** and in these circumstances, it is maintained that the planning application was and remains compliant with all aspects of the **adopted** Inverclyde Local Development Plan and should have been approved.

2 BACKGROUND

2.1 The following applications relating to the site at Kingston Dock are considered relevant to this appeal.

2.2 Application IC/04/336 was submitted by Clydeport Properties Ltd. on 9th September 2004 promoting the redevelopment of the former Kingston Yard shipbuilding site. The application sought the following :

"Redevelopment of site for residential use with associated pub, restaurant and local shop, landscaping, roads, paths and cycleways (in outline)"

This application was granted consent subject to conditions on 3rd June 2005 (**Production 5**). The masterplan that accompanied the permission indicated the site, subject to this appeal was to be developed for a public house. This demonstrates that Inverclyde Council has historically always considered this site to be a development site.

2.3 During the period to 2014 the site was marketed for commercial development but no interest was shown. Subsequently the land owner (Clydeport now Peel Ports) submitted an application on 29th January 2013 seeking :

"Proposed residential development (in principle)"

2.4 It is considered significant to note that this application was processed by the planning officers and recommended for approval (subject to conditions) (**Production 6**) by Inverclyde Council Head of Planning and Regeneration. There were a number of objections to the proposal on the basis of a loss of view and the planning committee overruled the recommendation for approval and refused planning permission on the 4th September 2013 on the basis that:

"The proposal is contrary to the Inverclyde Local Plan 2005 as the site is zoned for commercial use and the commercial zoning should remain in force for a period of 5 years"

2.5 As a consequence of this refusal, Clydeport Properties Ltd. appealed the refusal of the application by the planning board of Inverclyde Council Ltd. (appeal reference PPA- 280-2019 **–Production 7**) to the Scottish Ministers.

2.6 The appeal was determined by Ms Karen Heywood of the DPEA. In her assessment of the appeal Ms Heywood concluded that whilst the proposed Inverclyde Local Development Plan identified the appeal site for residential purposes, *"the plan has yet to be examined and although its policies are important material considerations in favour of the proposed development I do not consider this is sufficient to outweigh the local plan policy conflict and deficiencies identified above"*. The reporter then concluded that, *"the proposed development does not accord with the relevant provision of the development plan and that there are no material considerations which would justify granting planning permission"*.

2.7 Subsequent to these conclusions the Proposed Inverclyde Local Plan was subject to an examination and the designation for residential development of this site confirmed. On the 29th August 2014, Inverclyde Council adopted their current Local Development Plan. Within this plan, the wider masterplan area, including the site subject to this appeal, was zoned as a residential development site (R13), where **Policy RES 3 – Residential Development Opportunity** applies. It is of importance to

note that at this juncture the leisure/ commercial designation was removed from the site, leaving residential development as the zoned intended use for the site at Lithgow Way, Port Glasgow.

2.8 Given the aforementioned, and in these circumstances the land owner marketed the site for housing and despite the recession in house building at that time attracted interest from Briar Homes who subsequently submitted the application subject of this appeal. In this regard it is clear that the appeal proposal is in full accordance with the Adopted Local Plan.

3 PLANNING POLICY

3.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) states that "where, in making any determination under the Planning Acts, regard is to be had to the development plan" and that *"the determination shall be made in accordance with the plan unless material considerations dictate otherwise".* In this context, the Development Plan comprises of the adopted Inverclyde Local Development Plan (2014) which is assessed below.

3.2 Beyond stimulating investment in the Clyde Waterfront and promoting the development of brownfield land on the waterfront there are no strategic issues arising from this proposal and as such the relevant planning policies are those included within the adopted Inverclyde Local Development Plan (2014).

ADOPTED INVERCLYDE LOCAL DEVELOPMENT PLAN (2014)

3.3 In considering the proposed development against the terms of the adopted Inverclyde Local Development Plan, the reasons for refusal are directly addressed.

3.4 The following policies are considered of relevance and are assessed below :

- **Policy RES 3- Residential Development Opportunity**
- **Policy TRA2 – Sustainable Access**

Policy RES 3 – Residential Development Opportunity

3.5 At the outset, it should be noted that the site subject to this appeal is zoned as a residential site (**Production 4**).

3.6 The site in question is identified as a residential development where P**olicy RES 3** applies. **Policy RES 3** states :

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

3.7 The site at Kingston Dock, is identified as a residential development opportunity site as detailed within **Schedule 6.1**. As such, the site has been recognised by Inverclyde Council as a residential development site.

3.8 Consideration should also be given to **Schedule 6.1** as referenced in the above policy, which in relation to the application site, states :

Site Ref	Site Location/ Address	Tenure / Type	Total Capacity	Private Sector	Affordable Sector	Private Sector		Timescale
						Effective	Non- Effective	
13	Kingston Dock	Private	140	140	-	140	-	S

3.9 In relation to the above it is considered worthy to note that to date only some 108 of the 140 allocated units have been approved with the site subject to this appeal being the only remaining area within the wider site able to provide the balance.

3.10 In this regard it is also considered worthy to note that the proposed development site (subject to this appeal) was included within the 2017 Housing Land Supply Audit for Inverclyde Council (as available on the Development Planning section of the Inverclyde website at the time of the applications submission).

3.11 The 2017 Inverclyde Housing Land Supply Audit clearly outlines the site subject to the enclosed application (Site 355 – Kingston Basin) as being part of the housing land supply and having the capacity to accommodate some 25 units.

3.12 In light of the above policy, associated schedule and Housing Land Audit information it is submitted that the site subject to the enclosed appeal is a zoned residential development site in the adopted Local Development Plan for the area. Given this it is submitted that the enclosed appeal is worthy of positive consideration.

3.13 In addition, **Policy TRA2** should also be considered in any assessment of the proposed residential development.

> *"**Policy TRA2 – Sustainable Access***
>
> *New major trip-generating developments will be directed to locations accessible by walking, cycling and public transport, and developers will be required to submit a transport assessment and a travel plan, if appropriate. Such developments will be required to recognise the needs of cyclists and pedestrians as well as access to public transport routes and hubs, and have regard to the Council's Core Paths Plan, where appropriate. Where development occurs which makes it necessary to close Core Paths and other safeguarded routes, provision of an alternative route will be required.*
>
> *The Council will also support and seek to complete the Inverclyde Coastal Route with developers required to make appropriate provision when submitting planning applications. National Routes 75 and 753 of the National Cycle Network will also be protected."*

3.14 It is maintained that the proposed development complies with the policy noted above. The proposal will be easily accessible by a number of modes of transport including walking, cycling and public transport.

3.15 Furthermore, it is also of significance to note that the redevelopment proposal submitted does not negatively impact the key waterfront aspect of the overall masterplan. The development of this site presents an opportunity for the Inverclyde Coastal Route to be completed. This was recognised in the Report to Committee in relation to planning application 13/0035/ IC (**Production 6**) wherein the planning officer noted the following :

> *"Importantly, this proposal does not prejudice the key waterfont access aspect of the Masterplan and as required by Local Plan policy LR8 and proposed Local Development Plan policies TRA2 and ENV3. Presently the Inverclyde Coastal Route is incomplete in this location with a link remaining to be completed around the north east of the application site"*

3.16 This highlights that the planning application subject to this appeal would help to enhance the landscape of an area which is currently unmanaged and lacks formal pathways for local residents.

3.17 It is clear from any assessment of the adopted Inverclyde Local Development Plan that Inverclyde Council identifies, supports and encourages the development of the appeal site for housing. In such circumstances the refusal of planning permission for such housing development is unreasonable.

3.18 Given all of the above, it is submitted and indeed confirmed in the Report of Handling, that the proposed development complies with all relevant policies of the adopted Inverclyde Local Plan. The refusal of planning permission for residential development on the site in question is therefore inconsistent with the existing adopted local development plan and indeed is unreasonable and unacceptable.

PROPOSED INVERCLYDE LOCAL DEVELOPMENT PLAN (2018)

3.19 In terms of the proposed Inverclyde Local Development Plan (2018) the site, subject to this appeal is zoned as open space where **Policy 35 – Open Spaces and Outdoor Sports Facilities** applies.

3.20 It is of significance to note that the landowner of the site at Kingston Dock objected to the designation of this site throughout the consultation process for the proposed Inverclyde Local Development Plan. The site, subject to this appeal is a historical brownfield site having previously formed part of the Kingston Yard shipbuilding site and has never been considered as an area of open space.

3.21 Furthermore, it is of importance that the site at Kingston Dock has consistently been recognised as a development site by Inverclyde Council throughout a number of their local plans – both as a commercial and residential development site and should not be considered as a formalised area of open space.

3.22 This stance is reiterated in the comments submitted by the planning officer in the Report of Handlin (**Production 2**) who does not appear to consider the site to be formalised open space of environmental significance. The planner notes the following:

"Whilst I note the concern that the development would limit pedestrian access, there are no formal pathways that run through the site and the existing footpaths will be unaffected by the proposal"

"The site is not covered by any environmental designations nor does it lie adjacent to any designations and I am further satisfied that this area of re- naturalised brownfield land does not raise any biodiversity concerns"

"The site lies to the north of Lithgow Way and adjacent to the formal open space area and play area associated with the development"

3.23 The comments noted above highlight that the proposed development site is not formal open space associated with the existing residential development, nor is it an area of land with any environmental importance or formalised public access. Given the above, it is therefore submitted that this brownfield site should be considered as a development site and should not at any point be zoned as an area of open space. This further emphasises that the decision to refuse planning application 18/0260/IC is both unreasonable and unjustified.

4 OTHER CONSIDERATIONS

4.1 Consultations made on planning application 18/0260/IC received no objections from any statutory consultees The Report of Handling (**Production 2**)notes the following :

"Following additional information being provided by the Council on the history of the site, SEPA do not object to the proposal subject to two conditions being imposed in the event that planning permission is granted"

"Transport Scotland offers no objections to the proposal. The Head of Service – Roads and Transportation also offers no objections to the principle of a residential development on the site"

"The Head of Environmental and Public Protection (Environmental Health) offers no objection to the proposal"

4.2 In all regards, these statements made confirm that the proposed development is compliant with Inverclyde's planning policy. As such, the reason given for refusal of the application is considered unreasonable and unjustified and in direct contradiction to the assessment of the aforementioned professional officers and consultees.

4.3 As outlined in Chapter 2, the proposed development site has previously been subject to an appeal to the Scottish Ministers (PPA -280- 2019 –**Production 7**). It is important to note the conclusions of the reporter with regard to this appeal. The reporter considered the following :

"I note that the proposed Inverclyde Local Development Plan identifies the appeal site for residential development. However, the plan has yet to be examined and, although its policies are an important material consideration in favour of the proposed development, I do not consider this is sufficient to outweigh the local plan policy conflict and the deficiencies I have identified above."

4.4 Planning application 18/0260/IC was refused by the planning officer on the following grounds :

"1. The proposed development is contrary to Policy 35 of the 2018 proposed Inverclyde Local Development Plan in that it involves the development of an area of open space designated within the proposed Plan which is of value to the visual setting and pattern of development of the Port Glasgow Waterfront Area.

2. The proposed development site forms part of the wider public vista of the River Clyde which contributes to the creation of a successful place, and, accordingly, the development of the site would erode this and would fail to have regard for the six qualities of successful places as required by Policy 1 of the 2018 proposed Inverclyde Local Development Plan."

4.5 Given the grounds for refusal noted above, the comments of the previous reporter are significant. At the time of the submission of planning application 18/0260/IC, the proposed Inverclyde Local Development Plan had not yet been examined. The quote from the reporter suggests that while policies outlined within the proposed plan were to be considered as a material consideration, the reporter did not

consider this sufficient to determine the application in favour of the zoning in the proposed plan.

4.6 This directly contradicts the decision made by the planning officer with regard to application 18/0260/IC who has assessed the plan against the proposed Inverclyde Local Development Plan as appose to considering the planning application against the currently adopted Inverclyde Local Development Plan – which should have taken precedent. Given the above, it is maintained that the reasons for refusal are both unreasonable and unjustified.

4.7 McInally Associates would also question the time taken to determine the application subject to this appeal. This application was submitted to Inverclyde Council on the 7th September 2018 and was not validated until the 21st September. The application was then subject to a number of delays due to the planning officer responsible for the application retiring and a number of staff absences. The new case officer did not receive the planning application until the end of November 2018.

4.8 In addition, Inverclyde Council requested further information in relation to flooding information. This request was surprising given that the previous planning application 13/0035/IC was recommended for approval by Inverclyde Council Head of Planning and Regeneration without requiring this additional information to be submitted (it was subject to condition). We would also note it took a considerable amount of time for the planning authority to request this information.

4.9 Furthermore, once our client provided the additional information requested by Inverclyde Council in relation to flooding and drainage it took some six weeks for the local authority to provide a response. In these circumstances there is concern that the processing of this application has been deliberately delayed until new policies have been introduced via the local development plan process. It is however, relevant and important as stated above that the application subject to this appeal should be considered against the policies of the adopted local plan at the time the application was submitted.

5 CONCLUSIONS

5.1 Having fully considered the proposed residential development with associated access, open space and landscaping proposals at land off Lithgow Way, Port Glasgow (18/0260/IC) the reasons for refusal and the Report of Handling by the Head of Regeneration and Planning, it is submitted that :

- On the 29th August 2014, Inverclyde Council adopted their current Local Development Plan. Within this plan, the wider masterplan area, including the site subject to this appeal, was zoned as a residential development site (R13), where **Policy RES 3 – Residential Development Opportunity** applies.
- It was against this backdrop that Briar Homes submitted planning application 18/0260/IC - planning application seeking planning permission in principle for residential development with associated access, open space and landscaping proposals at land off Lithgow Way, Port Glasgow.
- In all regards the proposal subject to this appeal is concerned with a site that is zoned for residential purposes within the adopted Inverclyde Council Local Development Plan (2014).
- The proposed application is capable of positive consideration against the terms of all applicable policies detailed in the Inverclyde Local Development Plan (2014).
- No statutory consultee objections to the application were received with, importantly, SEPA, Transport Scotland, Head of Service – Roads and Transportation and Head of Environmental and Public Protection (Environmental Health) having no objections to the application.
- The brownfield site has historically been considered a development site by Inverclyde Council. The former Kingston Yard shipbuilding site was zoned for commercial and more latterly residential development.
- The site is not considered or recognised as formalised open space of ecological significance as noted by the planning officer responsible for the application
- There were significant delays in the processing of planning application 18/0260/IC – there is concern that the processing of this application has been deliberately delayed until new policies have been introduced via the local development plan process. It is however, relevant and important as stated above that the application subject to this appeal should be considered against the policies of the adopted local plan at the time the application was submitted.
- Against this backdrop, in all regards the reasons given for refusal are considered unreasonable, unjustifiable and in direct contradiction to the assessments of the consultees.
- It is maintained that there are no sound planning reasons for refusal.

Accordingly it is respectfully requested that this appeal should be upheld and planning permission should be granted for planning permission in principle for residential development with associated access, open space and landscaping proposals at land off Lithgow Way, Port Glasgow.

McINALLY
ASSOCIATES LTD

Our Ref : TMCI/ML/1466

07 September 2018

Inverclyde Council
Planning and Housing
Regeneration and Planning
Municipal Buildings
Greenock
PA15 1LY

For the attention of Mr Guy Phillips

Dear Sir,

PLANNING APPLICATION SEEKING PLANNING PERMISSION IN PRINCIPLE FOR RESIDENTIAL DEVELOPMENT WITH ASSOCIATED ACCESS, OPEN SPACE AND LANDSCAPING PROPOSALS : SITE OFF LITHGOW WAY, KINGSTON DOCK, GREENOCK

Please find enclosed a planning application in respect of the above which is submitted on behalf of our client, Briar Homes. The application package includes the following :

- Site location plan (Drawing No. LOC-01)
- A cheque for the sum of £2,807 to cover the statutory planning application fee
- Extract from Inverclyde Council Housing Land Supply Audit 2017

The application site is located at the Kingston Dock between Greenock and Port Glasgow off Lithgow Way and to the south of the Firth of Clyde. At the outset it should be noted that the site was included in an outline planning consent (IC/04336) which was granted in 2004. It is understood that the masterplan associated with this consent identified the site for a commercial use (pub / restaurant and local shop). This site was however re-designated residential in the subsequent Local Development Plan and as such has been designated for residential development for some time. Elements of the wider masterplan have since progressed with the erection of residential developments on neighbouring sites while the commercial element on the site subject to this application has never been implemented or indeed progressed to the stage of a submission of a detailed application.

In this regard it is also worthy to note that since this time the only interest in the site has been from housebuilders and the site in question is a zoned residential housing site in the

adopted Local Development Plan for the area, the Inverclyde Local Development Plan (2014).

Given the aforementioned, the enclosed application seeks planning permission in principle for residential development on the site with associated access, open space and landscaping proposals.

The site, currently vacant semi-derelict overgrown scrub land, lies on a promontory to the east of the former dock with its northern and eastern boundaries forming the rocky shoreline to the Firth of Clyde. It lies immediately north-east of the Kingston Quay residential development built by Persimmon Homes and located to the west of the site there is an existing children's play area.

As this application seeks to establish the principle of residential development of the site, layout details will be subject to appropriate conditions and approval of matters specified in condition applications, however, it should be noted that the historic landscape plan (for the wider area surrounding the site) shows a waterfront amenity footpath continuing from its current termination, adjacent to the children's play area, along the site's north and east boundaries. It should be noted that the waterfront amenity footpath to the north and east of the site would be completed as part of this proposal, in conformity with the historic Landscape Masterplan proposals.

At the outset it should be noted with some importance that the site in question is zoned as a **Residential Development Opportunity** where **Policy RES 3** applies in the adopted Local Development Plan for the area, the Inverclyde Local Development Plan (adopted 2014).

In this regard Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) clearly states that *"where in making any determination under the planning acts, regard is to be had to the development plan, the determination is, unless material considerations indicate otherwise, to be made in accordance with that plan"*.

Inverclyde Local Development Plan (2014)

In this instance and in planning terms the proposals fall to be considered against the adopted Local Development Plan for the area –Inverclyde Local Development Plan (2014). **Policy RES 3**- **Residential Development Opportunity** states:

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

Furthermore, consideration should also be given to Schedule 6.1 as referenced in the above policy, which in relation to the application site, states :

Site Ref	Site Location/ Address	Tenure / Type	Total Capacity	Private Sector	Affordable Sector	Private Sector		Timescale
						Effective	Non- Effective	
13	Kingston Dock	Private	140	140	-	140	-	S

In relation to the above it is considered worthy to note that to date only some 108 of the 140 allocated units have been approved with the site subject to the enclosed application being the only remaining area within the wider site able to provide the balance.

In this regard it is also considered worthy to note that the proposed development site (subject to this application) is included in the most recent Housing Land Supply Audit for Inverclyde Council (as available on the Development Planning section of the Inverclyde website).

Reference to the enclosed extract from the 2017 Inverclyde Housing Land Supply Audit clearly outlines the site subject to the enclosed application (Site 355 – Kingston Basin) as being part of the housing land supply and having the capacity to accommodate some 25 units.

In light of the above policy, associated schedule and Housing Land Audit information it is submitted that the site subject to the enclosed application is a zoned residential development site in the adopted Local Development Plan for the area. Given this it is submitted that the enclosed application is worthy of positive consideration.

In this regard, as previously outlined, the proposed residential development site covers a vacant area of scrub land, development of which would represent the final stage of the phased redevelopment of the waterfront, enhancing the already completed residential units on adjacent sites of the wider Kingston Dock site.

Given the above, it is submitted that the residential development of the wider Kingston Dock site has been progressing as intended by developers and has significantly improved the environment of the local area. In addition, it should be noted that the overall Kingston Dock 146development has a significant area of managed open space on the front which includes walkways, children's play area, parkland and planted areas.

Given all of the enclosed it is submitted that the enclosed application can be considered in a positive manner and that planning permission in principle should be granted subject to appropriate conditions.

7 September 2018

Inverclyde Council

I trust the above and enclosed is sufficient to allow the application to be processed, however, should you require any further information please do not hesitate to contact me.

Yours sincerely,

[redacted]

TOM MCINALLY
MCINALLY ASSOCIATES LTD
tommcinally@mcinally-associates.co.uk

Enc.

Inverclyde council

Municipal Buildings Clyde Square Greenock PA15 1LY Tel: 01475 717171 Fax: 01475 712 468 Email: devcont.planning@inverclyde.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100136203-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

☐ Application for planning permission (including changes of use and surface mineral working).

☒ Application for planning permission in principle.

☐ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)

☐ Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Planning application seeking planning permission in principle for residential development with associated access, open space and landscaping proposals

Is this a temporary permission? * ☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place? (Answer 'No' if there is no change of use.) * ☐ Yes ☒ No

Has the work already been started and/or completed? *

☒ No ☐ Yes – Started ☐ Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application) ☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	McInally Associates Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Thomas	Building Name:	
Last Name: *	McInally	Building Number:	16
Telephone Number: *	01413325181	Address 1 (Street): *	Robertson Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Glasgow
Fax Number:		Country: *	Scotland
		Postcode: *	G2 8DS
Email Address: *	tommcinally@mcinally-associates.co.uk		

Is the applicant an individual or an organisation/corporate entity? *

☐ Individual ☒ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:		You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *		Building Number:	205
Last Name: *		Address 1 (Street): *	St Vincent Street
Company/Organisation	Briar Homes	Address 2:	
Telephone Number: *		Town/City: *	Glasgow
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	G2 5QD
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority: Inverclyde Council

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Site off Lithgow Way, Kingston Dock, Greenock

Northing

Easting

Pre-Application Discussion

Have you discussed your proposal with the planning authority? * ☐ Yes ☒ No

Site Area

Please state the site area: 0.66

Please state the measurement type used: ☒ Hectares (ha) ☐ Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Vacant land / former dock area

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? * ☒ Yes ☐ No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? * ☒ Yes ☐ No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? * ☒ Yes ☐ No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

☒ Yes – connecting to public drainage network

☐ No – proposing to make private drainage arrangements

☐ Not Applicable – only arrangements for water supply required

Do your proposals make provision for sustainable drainage of surface water?? * ☒ Yes ☐ No
(e.g. SUDS arrangements) *

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

☒ Yes

☐ No, using a private water supply

☐ No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? * ☐ Yes ☒ No ☐ Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? * ☐ Yes ☒ No ☐ Don't Know

Trees

Are there any trees on or adjacent to the application site? * ☐ Yes ☒ No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? * ☐ Yes ☒ No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013 * ☐ Yes ☐ No ☒ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? * ☐ Yes ☒ No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? * ☐ Yes ☒ No

Is any of the land part of an agricultural holding? * ☐ Yes ☒ No

Are you able to identify and give appropriate notice to ALL the other owners? * ☒ Yes ☐ No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate B

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

I hereby certify that

(1) - No person other than myself/the applicant was an owner [Note 4] of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application;

or –

(1) - I have/The Applicant has served notice on every person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application was owner [Note 4] of any part of the land to which the application relates.

Name:	
Address:	Peel Land and Property (Ports) Ltd, 16, Robertson Street, Glasgow, Scotland, G2 8DS
Date of Service of Notice: *	07/09/2018

Name:	
Address:	Inverclyde Council, Legal and Property Services, 107, Dalrymple Street, Greenock, Scotland, PA15 1HU
Date of Service of Notice: *	07/09/2018

Name:	
Address:	Inverclyde Council, Roads and LightingMunicipal Buildings, Clyde Square, Greenock, Scotland, PA15 1LY
Date of Service of Notice: *	07/09/2018

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding;

or –

(2) - The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have/the applicant has served notice on every person other than myself/himself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. These persons are:

Name:

Address:

Date of Service of Notice: *

Signed: Thomas McInally

On behalf of: Briar Homes

Date: 07/09/2018

☒ Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission or planning permission in principal where there is a crown interest in the land, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

☐ Yes ☐ No ☒ Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

☐ Site Layout Plan or Block plan.
☐ Elevations.
☐ Floor plans.
☐ Cross sections.
☐ Roof plan.
☐ Master Plan/Framework Plan.
☐ Landscape plan.
☐ Photographs and/or photomontages.
☐ Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *	☐ Yes ☒ N/A
A Design Statement or Design and Access Statement. *	☐ Yes ☒ N/A
A Flood Risk Assessment. *	☐ Yes ☒ N/A
A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *	☐ Yes ☒ N/A
Drainage/SUDS layout. *	☐ Yes ☒ N/A
A Transport Assessment or Travel Plan	☐ Yes ☒ N/A
Contaminated Land Assessment. *	☐ Yes ☒ N/A
Habitat Survey. *	☐ Yes ☒ N/A
A Processing Agreement. *	☐ Yes ☒ N/A

Other Statements (please specify). (Max 500 characters)

Extract from Inverclyde Council Housing Land Supply Audit 2017

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Thomas McInally

Declaration Date: 07/09/2018

Payment Details

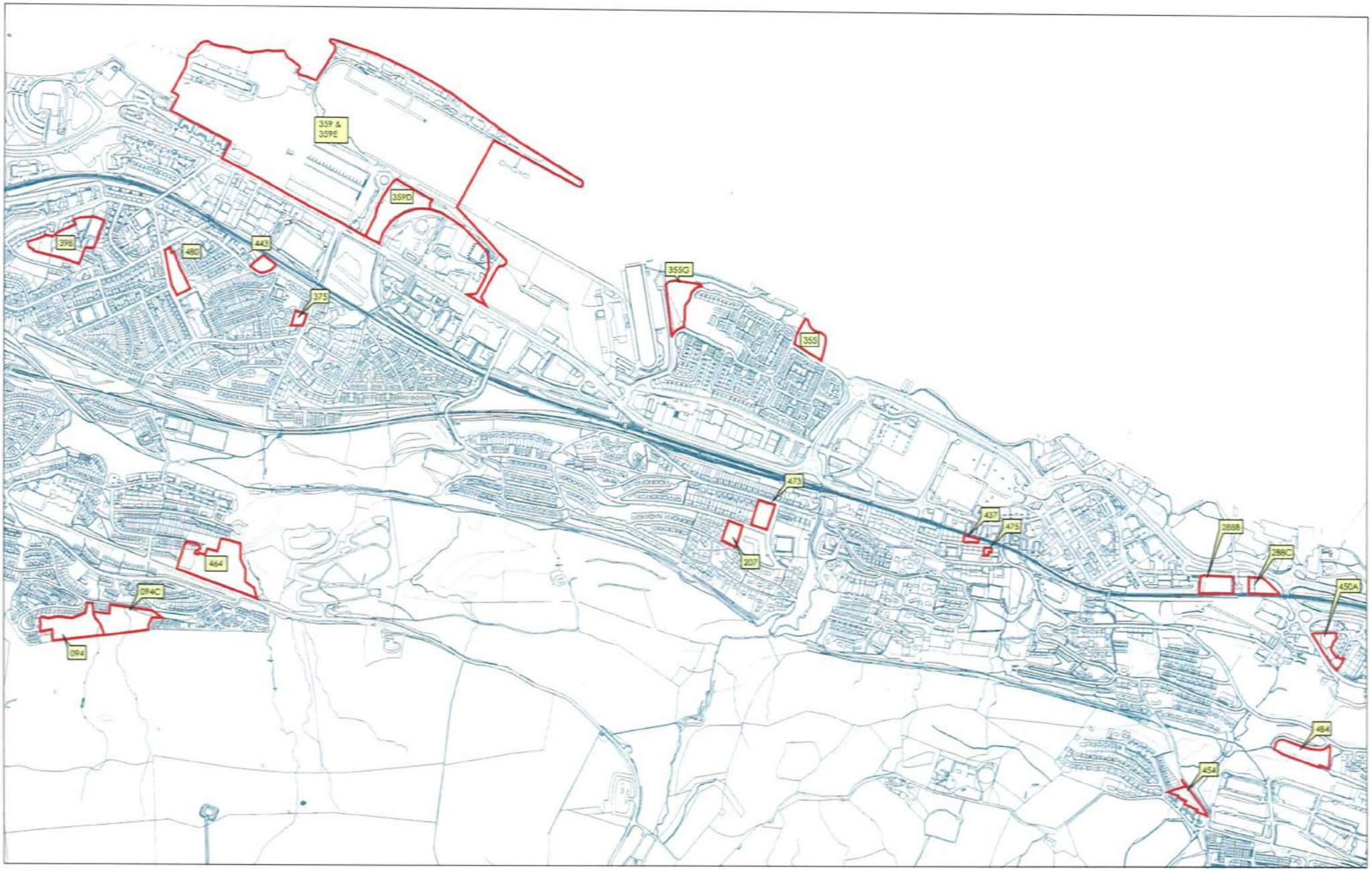
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Created: 07/09/2018 15:18

2017
HOUSING
LAND SUPPLY

Inverclyde council

Regeneration & Planning



Inverclyde Council
Regeneration & Planning

Inverclyde Council Housing Land Supply 2017
Sheet 6 of 9 - Greenock East / Port Glasgow West & Central

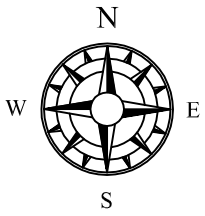
SCALE 1:10,000
GMcC - October 2017

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INVERCLYDE COUNCIL - Private Sector with Residential Potential - 31st March 2017

SITE REF / GRID / MAP No	TOWN / SITE / BUILDER / OWNER	SITE SIZE / CAPACITY / STATUS / DEV. TYPE	ELS / EFF / CONSENT / PRIVTEN	TOTAL BUILT	REM. CAP.	PROGRAMMING 17-18	18-19	19-20	20-21	21-22	22-23	23-24	TOTAL 17-24	POST 2024
IC0336	GREENOCK	0.80 ha	2015											
227239676890	32 UNION STREET	20												
3		ALPS		**0**	**20**	0	0	0	0	0	0	0	**0**	**20**
	PRIV	NB-BU	OO											
IC0349	GREENOCK	5.84 ha	2001											
228500676000	VICTORIA & EAST INDIA HARBOURS	180	2013											
3		ALPS		**0**	**180**	0	0	0	0	20	20	20	**60**	**120**
	MIXED	NB-BU	OO											
IC0349A	GREENOCK	1.95 ha	2001											
228500676000	VICTORIA & EAST INDIA HARBOURS	60	2002											
3		ALPS		**0**	**60**	0	0	0	0	0	0	0	**0**	**60**
	MIXED	NB-BU	OTH											
IC0354F	PORT GLASGOW	16.01 ha	2002											
234368673896	WOODHALL PHASE 5	122												
5		ALPS		**0**	**122**	0	0	0	0	0	0	0	**0**	**122**
	RIVER CLYDE HOMES	NB-BU	OO											
IC0355	PORT GLASGOW	0.63 ha	2002											
231286675132	KINGSTON BASIN	25	2016											
6		ALPS		**0**	**25**	0	0	0	0	0	0	0	**0**	**25**
	PRIV	NB-BU	OO											
IC0357A	GREENOCK	1.99 ha	2002											
228384674819	STRONE GREENFIELD	57												
3		ALPS		**0**	**57**	0	0	0	0	0	0	0	**0**	**57**
	PRIV	NB-GU	OO											
IC0362A	GREENOCK	4.10 ha	2002											
228000675264	WELLINGTON PARK	90												
3		ALPS		**0**	**90**	0	0	0	0	0	0	0	**0**	**90**
	IC	NB-GU	OO											
IC0362B	GREENOCK	1.36 ha	2002											
228000675264	WELLINGTON PARK	30												
3		ALPS		**0**	**30**	0	0	0	0	0	0	0	**0**	**30**
	IC	NB-GU	OTH											
IC0364A	GREENOCK	4.65 ha	2002											
225176675304	RAVENSCRAIG HOSPITAL	150												
2		ALPS		**0**	**150**	0	0	0	30	30	30	30	**120**	**30**
	NHS	NB-GU	OO											
IC0364B	GREENOCK	1.55 ha	2002											
225176675304	RAVENSCRAIG HOSPITAL	50												
2		ALPS		**0**	**50**	0	0	0	0	17	17	16	**50**	**0**
	NHS	NB-GU	OTH											

Do not scale from this drawing.
All dimensions to be checked on site prior to commencement of works.
Any discrepancies to be brought to the immediate attention of A.S. Homes Ltd.





1:1250

0 10 25 40 60 100

AS HOMES
205 St Vincent St.
Glasgow
G2 5QD
tel : 0141 229 1646
fax : 0141 248 1636

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Project: Lithgow Way, Port Glasgow	Drawing Title: Location Plan	Drawing By: Ag	Date: Aug 18
		Drawing No.: Loc-01	Project No.: HS100
	Scale: 1:1250	Paper: A4	Status: -
			Revision: -

Inverclyde council

REPORT OF HANDLING

Report By:	**James McColl**	**Report No:**	**18/0260/IC**
			Local Application Development
Contact Officer:	**01475 712462**	**Date:**	**14th June 2019**

Subject: **Planning application seeking planning permission in principle for residential development with associated access, open space and landscaping proposals at**

Site off Lithgow Way, Kingston Dock, Port Glasgow

SITE DESCRIPTION

The application site comprises an area of re-naturalised land within the Kingston Dock area of Port Glasgow, which extends to approximately 0.66 hectares. The site lies to the north of Lithgow Way, immediately east of the junction with Iron Way. A residential development lies opposite on Lithgow Way and Iron Way, with an associated play area together with open space provision lying to the north-west.

PROPOSAL

The applicant seeks permission in principle for a residential development on the site. No indicative layout has been supplied.

DEVELOPMENT PLAN POLICIES

Policy SDS3 - Place Making

High-quality place making in all new development will be promoted by having regard to Inverclyde's historic urban fabric, built cultural heritage and natural environment, including its setting on the coast and upland moors. This heritage and environment will inform the protection and enhancement of Inverclyde by having regard to the Scottish Government's placemaking policies, in particular through the application of 'Designing Places' and 'Designing Streets' and through embedding Green Network principles in all new development.

Policy SDS5 - Development within the Urban Area

There will be a preference for all appropriate new development to be located on previously used (brownfield) land within the urban settlements, as identified on the Proposals Map.

Policy RES1 - Safeguarding the Character and Amenity of Residential Areas

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

(a) compatibility with the character and amenity of the area;

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

Policy RES2 - Development on Urban Brownfield Sites

Development on brownfield sites for housing and community uses in the residential areas identified on the Proposals Map, and in particular the designated renewal areas, will be supported where it accords with Policies 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).

Note: the designated renewal areas referred to are the "Major Areas of Change" and "Areas of Potential Change" depicted on the Proposals Map.

Policy RES3 - Residential Development Opportunities

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

Policy RES4 - Provision of Affordable Housing

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

(a) a benchmark of 25% Affordable Housing Contribution or another agreed percentage on specified 'quota sites'; or failing that and in exceptional circumstances:

(i) off-site provision within the same HMA/HNDA sub area*; or
(ii) commuted payments in lieu of on- or off-site provision;

(b) allocated Registered Social Landlord sites in the effective land supply; and
(c) greenfield land release for a negotiated Affordable Housing Contribution, subject to assessment in accordance with the GCV SDP Strategy Support Measure 10 and Policy RES3.

Policy ENV4 - Safeguarding and Enhancing Open Space

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

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

Policy INF4 - Reducing Flood Risk

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

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

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

Policy INF5 - Sustainable Urban Drainage Systems

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

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

PROPOSED DEVELOPMENT PLAN POLICIES

Policy 1 - Creating Successful Places

Inverclyde Council requires all development to have regard to the six qualities of successful places. In preparing development proposals, consideration must be given to the factors set out in Figure 3. Where relevant, applications will also be assessed against the Planning Application Advice Notes Supplementary Guidance.

Policy 8 - Managing Flood Risk

Development proposals will be assessed against the Flood Risk Framework set out in Scottish Planning Policy. Proposals must demonstrate that they will not:

(a) be at significant risk of flooding; (i.e. within the 1 in 200 year design envelope);
(b) increase the level of flood risk elsewhere; and
(c) reduce the water conveyance and storage capacity of a functional flood plain.

The Council will support, in principle, the flood protection schemes set out in the Clyde and Loch Lomond Local Flood Risk Management Plan 2016, subject to assessment of the impacts on the amenity and operations of existing and adjacent uses, the green network, historic buildings and places, and the transport network.

Policy 9 - Surface and Waste Water Drainage

New build development proposals which require surface water to be drained should demonstrate that this will be achieved during construction and once completed through a Sustainable Drainage System (SuDS), unless the proposal is for a single dwelling or the discharge is directly to coastal waters.

The provision of SuDS should be compliant with the principles set out in the SuDS Manual C753 and Sewers for Scotland 3rd edition, or any successor documents.

Where waste water drainage is required, it must be demonstrated that the development can connect to the existing public sewerage system. Where a public connection is not feasible at present, a temporary waste water drainage system can be supported if:

i) a public connection will be available in future, either through committed sewerage infrastructure or pro-rata developer contributions; and
ii) the design of, and maintenance arrangements for, the temporary system meet the requirements of SEPA, Scottish Water and Inverclyde Council, as appropriate.

Private sustainable sewerage systems within the countryside can be supported if it is demonstrated that they pose no amenity, health or environmental risks, either individually or cumulatively.

Developments including SuDS are required to have an acceptable maintenance plan in place.

Policy 16 - Contaminated Land

Development proposed on land that the Council considers to be potentially contaminated will only be supported where a survey has identified the nature and extent of any contamination present on site and set out a programme of remediation or mitigation measures that ensure that the site can be made suitable for the proposed use.

Policy 18 - New Housing Development

New housing development will be supported on the sites identified in Schedules 3 and 4, and on other appropriate sites within residential areas and town and local centres. All proposals for residential development will be assessed against relevant Supplementary Guidance including Development Briefs for Housing Sites, Planning Application Advice Notes, and Delivering Green Infrastructure in New Development.

There will be a requirement for 25% of houses on greenfield housing sites in the Inverclyde villages which are brought forward under Policy 17 to be for affordable housing. Supplementary Guidance will be prepared in respect of this requirement.

Policy 20 - Residential Areas

Proposals for development within residential areas will be assessed with regard to their impact on the amenity, character and appearance of the area. Where relevant, assessment will include reference to the Council's Planning Application Advice Notes Supplementary Guidance.

Policy 35 - Open Spaces and Outdoor Sports Facilities

Proposals for new or enhanced open spaces, which are appropriate in terms of location, design and accessibility, will be supported.

Development proposals that will result in the loss of open space which is, or has the potential to be, of quality and value, will not be permitted, unless provision of an open space of equal or enhanced quality and value is provided within the development or its vicinity.

Outdoor sports facilities will be safeguarded from development except where:

(a) the proposed development is ancillary to the principal use of the site as an outdoor sports facility, or involves only a minor part of the facility and would not affect its use for sport and training;
(b) the facility to be lost is to be replaced by a new or upgraded facility of comparable or better quality, which is convenient for the users of the original facility and maintains or improves overall playing capacity in the area; or

(c) a relevant strategy demonstrates a clear excess of provision to meet current and anticipated demand, and the development would not result in a reduction in the overall quality of provision.

CONSULTATIONS

Head of Service – Roads and Transportation – No objections in principle although the following points are noted:

1. The application provides no indication of the number dwellings or bedrooms in each dwelling.
2. Parking shall be provided in accordance with the National Roads Development Guideline:

1 bedroom	1 parking space
2-3 bedrooms	2 parking spaces
4 bedrooms	3 parking spaces

Visitor parking should be provided at 0.25 spaces per dwelling (unallocated).

3. If there are more than 100 dwellings then a Transport Assessment will be required. If there are less than 100 dwellings then a Transport Statement will not be required.
4. If garages are proposed the minimum dimensions for garages as detailed in the National Guidelines are:

Minimum Garage size for Cars	7.0 m x 3.0 m (internal dimension)
Associated minimum clear access dimensions	2.1m wide x 1.98m height

5. There are no details on where the access to the site will be provided. The access should ensure there is a visibility splay of 2.4m x 43.0m x 1.05m.
6. The driveways should be paved for a minimum distance of 2m to prevent loose driveway material being spilled onto the road.
7. Driveways shall be a minimum of 3.0m by 5.5m for each parking spaces and the gradient shall not exceed 10%.
8. The driveways should not be close to bends to ensure they have adequate visibility. The applicant shall provide evidence that driveways have sufficient visibility for the approval of the Roads Service.
9. All roads within the site shall be a minimum of 5.5m wide.
10. The footways and footpaths within the site shall be a minimum of 2.0m wide.
11. The applicant shall provide evidence to the Roads Service that all roads have a gradient of 8% or less.
12. Traffic calming shall be provided within the development to allow the promotion of a 20mph speed limit. This is particularly relevant where shared surfaces are proposed.
13. Cycle links should be provided to the external network on Iron Way and Lithgow Way.
14. A Road Construction Consent will be required for all new roads, footways and footpaths.
15. The proposed development will have an impact on the existing street lighting, accordingly a lighting and electrical design for adoptable areas will be required for each site.
A system of lighting shall be kept operational at all times within the existing public adopted areas.

16. All surface water during and after development is to be maintained within the site boundary to prevent any surface water flowing onto the road.

17. A flood risk and drainage impact assessment has been provided and is acceptable.

Scottish Environment Protection Agency West – Following additional information being provided by the Council on the history of the site, SEPA do not object to the proposal. This is subject to conditions being imposed to ensure the following:

- A minimum Finished Floor Level (FFL) for the development is at 5.5m Above Ordnance Datum (AOD); and
- No development occurs within the floodplain as defined by the 4.03 m AOD water level.

It is noted that SEPA expect that the Council undertake their responsibilities as the Flood Risk Management Authority. Additional regulatory advice is also provided for the applicant.

Head of Environmental and Public Protection (Environmental Health) - No objections. Conditions in respect of ground contamination and Japanese Knotweed, external lighting, hours of works bin provision and sound insulation complying with the building regulations are recommended.

Transport Scotland – No objections.

PUBLICITY

The application was advertised in the Greenock Telegraph on 5th October 2018 as there are no premises on neighbouring land.

SITE NOTICES

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

PUBLIC PARTICIPATION

Objections from seven individuals were received in connection with the application. The concerns raised can be summarised as follows:

- The site forms part of a natural green area of ground between existing housing and the river, going all the way from Inchgreen to Coronation Park.
- Additional traffic would result in congestion and an increase in parked cars to the detriment of road safety.
- The width of the roads within the area renders the site unsuitable for residential development.
- The development of the site would be to the detriment of the wider residential area.
- The site is too close to the water to build on.
- Continued development at Kingston Dock would cause further disruption and disturbance.
- A loss of view may occur.
- A reduction in property values may occur.
- Air quality may be adversely impacted on.
- The development of the site will limit access for pedestrians.
- The proposal would be built in close proximity to a children's play park.
- The land is earmarked for commercial development.
- Residential development would mean losing one of the last opportunities on the Port Glasgow shoreline to develop a business.

One representation in support was also received. The points in support can be summarised as follows:

- The site has a poor visual appearance.
- The development of the site would improve a derelict land and complete the wider residential development estate. This site is the only undeveloped section of the estate and is visually very unappealing at present.
- The provision of new housing would be welcomed.

I will consider the points from the representations in my assessment.

ASSESSMENT

The material considerations in the assessment of this application are the Inverclyde Local Development Plan, the proposed Inverclyde Local Development Plan, the planning history of the site, the consultation responses and the objections received.

In first considering the planning history of the site, outline planning permission was granted in June 2005 for the redevelopment of the former Scott Lithgow and Kingston shipyard. The masterplan accompanying the permission indicated the application site to be subject of a commercial development in the form of a public house. In February 2014, planning permission was refused on appeal for residential development on the site. The site, however, subsequently became part of a residential development opportunity allocation (r13) in the 2014 adopted Inverclyde Local Development Plan. In the 2018 proposed Local Development Plan, as modified by examination, the site is now identified as open space.

The proposal comprises previously developed land and Policy SDS5 of the adopted Local Development Plan advises on a preference for development to be located on brownfield sites. Policy RES2 of the adopted Local Development Plan supports the redevelopment of brownfield sites for housing where proposals accord with Policy RES1. Policy RES3 supports residential development on the sites and indicative locations included in Schedule 6.1 and indicated on the Proposals Map. This forms part of site identified within Schedule 6.1.

Considering residential amenity, the application is in principle only and no details of a proposed layout are available. However, there is nothing to suggest that the site could not practically be developed in such a way to ensure suitable separation between new and existing properties to protect privacy and ensure that daylight is not impacted upon. Any development project will produce noise and an element of disruption during the construction phase and this cannot be a determining factor in considering whether to grant planning permission; this is a matter controlled by legislation operated by the Head of Environmental and Public Protection (Environmental Health). A loss of view or any perceived impact on property values are not material planning considerations. The proximity of the adjacent play park is also not a determining factor.

The site lies on the banks of the River Clyde and the applicant has submitted a flood risk assessment (FRA) in support of the application. The FRA considers that there is little to no risk of flooding of the site from tidal, fluvial, surface water, groundwater sources and the site lies outwith the 1 in 200-year tidal floodplain. In addition, the FRA considers that there is little to no risk of flooding of the site from a failure in the local drainage system. The FRA advises that floor levels will be at 5.5 metres AOD. Following additional information being provided by the Council on the history of the site, SEPA do not object to the proposal subject to two conditions being imposed in the event that planning permission is granted. The Head of Service – Roads and Transportation also advises that the submitted FRA is acceptable. Being guided by both SEPA and the Head of Service – Roads and Transportation, I am satisfied that there is nothing to suggest that matters relating to flooding and drainage cannot be appropriately addressed by condition and as part of any detailed development.

Turing to traffic and roads matters, Transport Scotland offers no objections to the proposal. The Head of Service – Roads and Transportation also offers no objections to the principle of a residential development on the site. A range of points are, however, raised. I am satisfied that there is nothing to suggest that the points highlighted in the consultation response cannot either be appropriately addressed by condition and as part of any detailed development, or via separate legislation. Whilst I note the concerns raised in the objections, being guided by both Transport Scotland and the Head of Service – Roads and Transportation, it would be inappropriate to refuse planning permission on roads grounds. Whilst I note the concern that the development would limit pedestrian access, there are no formal pathways through the site and the existing footpaths will be unaffected by the proposal.

In respect of the outstanding consultation response, the Head of Environmental and Public Protection (Environmental Health) offers no objections to the proposal. I concur that it would be prudent to attach conditions in respect of potential site contamination and Japanese Knotweed. Turning to bin provision, this is a matter for the detailed development stage. Matters relating to external lighting can be addressed by advisory note and noise from the construction site is addressed by the Head of Environmental and Public Protection (Environmental Health). Whilst I note the concerns raised in respect of air quality, the Head of Environmental and Public Protection (Environmental Health) raised no concerns in this regard. The site is not covered by any environmental designations nor does it lie adjacent to any designations and I am further satisfied that this area of re-naturalised brownfield land does not raise any biodiversity concerns.

Section 25 of The Town and Country Planning (Scotland) Act 1997 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise. Being a proposal for a residential development on part of an identified residential development opportunity within the 2014 Inverclyde Local Development Plan, and with nothing arising from the consultation responses to suggest that the site could not, in principle, be developed for this purpose, it is clear that the proposal accords with the adopted Development Plan. Also material to the determination, however, is the proposed Local Development Plan and the Reporter's findings on examination of the proposed Plan, published in April 2019. In the proposed Plan, the site is identified as open space on the Proposals Map and Policy 35 does not support the loss of open space which is, or has the potential to be, of quality and value, unless provision of an open space of equal or enhanced quality and value is provided within the development or its vicinity.

It is recognised that the masterplan accompanying the original outline planning permission indicated the application site was to be the subject of a commercial development and that the site was subsequently included as part of a wider residential development opportunity within the 2014 Local Development Plan. However, it is also recognised that that main Kingston Dock residential development has now been completed and the proposed Local Development Plan addresses the site in this current context. The site lies to the north of Lithgow Way and adjacent to the formal open space area and play area associated with the development. The pattern of the completed development is that the northern boundary of the developed area is formed by Lithgow Way and Iron Way, with open space to the north of these roads forming an attractive open aspect to the River Clyde. Indeed, had this site been developed as an integral part of the wider residential development opportunity designation, it would have been expected that this site would have formed part of the planned layout allowing open aspects to the river. It is considered that the application site, whilst not part of the formal open space provision, is part of the setting of the Port Glasgow waterfront which now forms part of the wider public vista of the river, and any development of this site would now be to its detriment.

In the proposed Local Development Plan examination, the Reporter highlights that sufficient land has been allocated to meet the all-tenure housing land requirement for Inverclyde, for the whole of the plan period, without the inclusion of this site. The Reporter goes on to highlight that during a site visit, the area was busy with walkers and cyclists, with families and young children, even on a winter day. The open views to the north, east and west across the Firth were also noted by the Reporter as a feature of the area, and enhance the walking / cycle route and the open space itself.

The visually prominent nature of the site when approaching on foot, whilst cycling or by car was further highlighted together with the prominence of the site in views south from the Firth. The Reporter was satisfied that the circumstances of the site, together with the pattern of completed development and value of the open space both visually and functionally provide justification for the change in allocation from being part of a residential development opportunity within the adopted Plan to designated open space in the proposed Plan. The Reporter went on to conclude that the site now performs an important open space function and visual setting for Port Glasgow and that its development for residential, or indeed any other purpose, would not be in the best interest of the Port Glasgow area and the site locality.

To summarise, the proposed Local Development Plan, which has been subject of examination, is a significant material consideration in assessing this planning application and one to which I give due weight. Whilst the site may form part of a residential development opportunity within the adopted Local Development Plan, the proposed Local Development Plan reflects the position on site within the main Kingston Dock residential development which has now been completed. The site is identified as open space within the proposed Local Development Plan in recognition of the pattern of the otherwise completed development at Kingston Dock and the value of the site to the wider open space at this location, both visually and functionally. The site has re-naturalised and does not appear as a derelict site within the streetscape. The open space, inclusive of this site, forms part of the wider public vista of the river and contributes to the creation of a successful place. In the proposed Local Development Plan examination, the Reporter did not identify that any amendment is required to the open space designation of this site. Accordingly, the proposal is contrary to Policy 35 of the proposed Local Development Plan and would fail to contribute to successful placemaking in accordance with Policy 1 of the proposed Local Development Plan.

Section 25 of The Town and Country Planning (Scotland) Act 1997 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise. I consider that, in this instance, material considerations are such that a decision contrary to the adopted Local Development Plan is fully justified. Planning permission should therefore be refused.

RECOMMENDATION

That the application be refused for the following reasons:

1. The proposed development is contrary to Policy 35 of the 2018 proposed Inverclyde Local Development Plan in that it involves the development of an area of open space designated within the proposed Plan which is of value to the visual setting and pattern of development of the Port Glasgow Waterfront Area.

2. The proposed development site forms part of the wider public vista of the River Clyde which contributes to the creation of a successful place and, accordingly, the development of the site would erode this and would fail to have regard to the six qualities of successful places as required by Policy 1 of the 2018 proposed Inverclyde Local Development Plan.

Signed:

[redacted]

James McColl
Case Officer

[redacted]

Stuart Jamieson
Head of Regeneration and Planning

DECISION NOTICE

Refusal of Planning Permission
Issued under Delegated Powers

Inverclyde council

Regeneration and Planning
Municipal Buildings
Clyde Square
Greenock PA15 1LY

Planning Ref: 18/0260/IC

Online Ref:100136203-001

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND)REGULATIONS 2013

Briar Homes
205 St Vincent Street
GLASGOW
G2 5QD

McInally Associates Ltd
Thomas McInally
16 Robertson Street
GLASGOW
G2 8DS

With reference to your application dated 7th September 2018 for planning permission under the above mentioned Act and Regulation for the following development:-

Planning application seeking planning permission in principle for residential development with associated access, open space and landscaping proposals at

Site off Lithgow Way, Kingston Dock, Port Glasgow

Category of Application - Local Application Development

The INVERCLYDE COUNCIL in exercise of their powers under the abovementioned Act and Regulation hereby refuse planning permission for the said development.

The reasons for the Council's decision are:-

1. The proposed development is contrary to Policy 35 of the 2018 proposed Inverclyde Local Development Plan in that it involves the development of an area of open space designated within the proposed Plan which is of value to the visual setting and pattern of development of the Port Glasgow Waterfront Area.

2. The proposed development site forms part of the wider public vista of the River Clyde which contributes to the creation of a successful place and, accordingly, the development of the site would erode this and would fail to have regard to the six qualities of successful places as required by Policy 1 of the 2018 proposed Inverclyde Local Development Plan.

The reason why the Council made this decision is explained in the attached Report of Handling.

Dated this 18th day of June 2019

[redacted]

Head of Regeneration and Planning

Healthy Working Lives

Positive About Disabled People

1 If the applicant is aggrieved by the decision of the Planning Authority to refuse permission for or approval required by condition in respect of the proposed development, or to grant permission or approval subject to conditions, he may seek a review of the decision within three months beginning with the date of this notice. The request for review shall be addressed to The Head of Legal and Administration, Inverclyde Council, Municipal Buildings, Greenock,PA15 1LY.

2 If permission to develop land is refused or granted subject to conditions, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the planning authority a purchase notice requiring the purchase of his interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997

Refused Plans: Can be viewed Online at http://planning.inverclyde.gov.uk/Online/

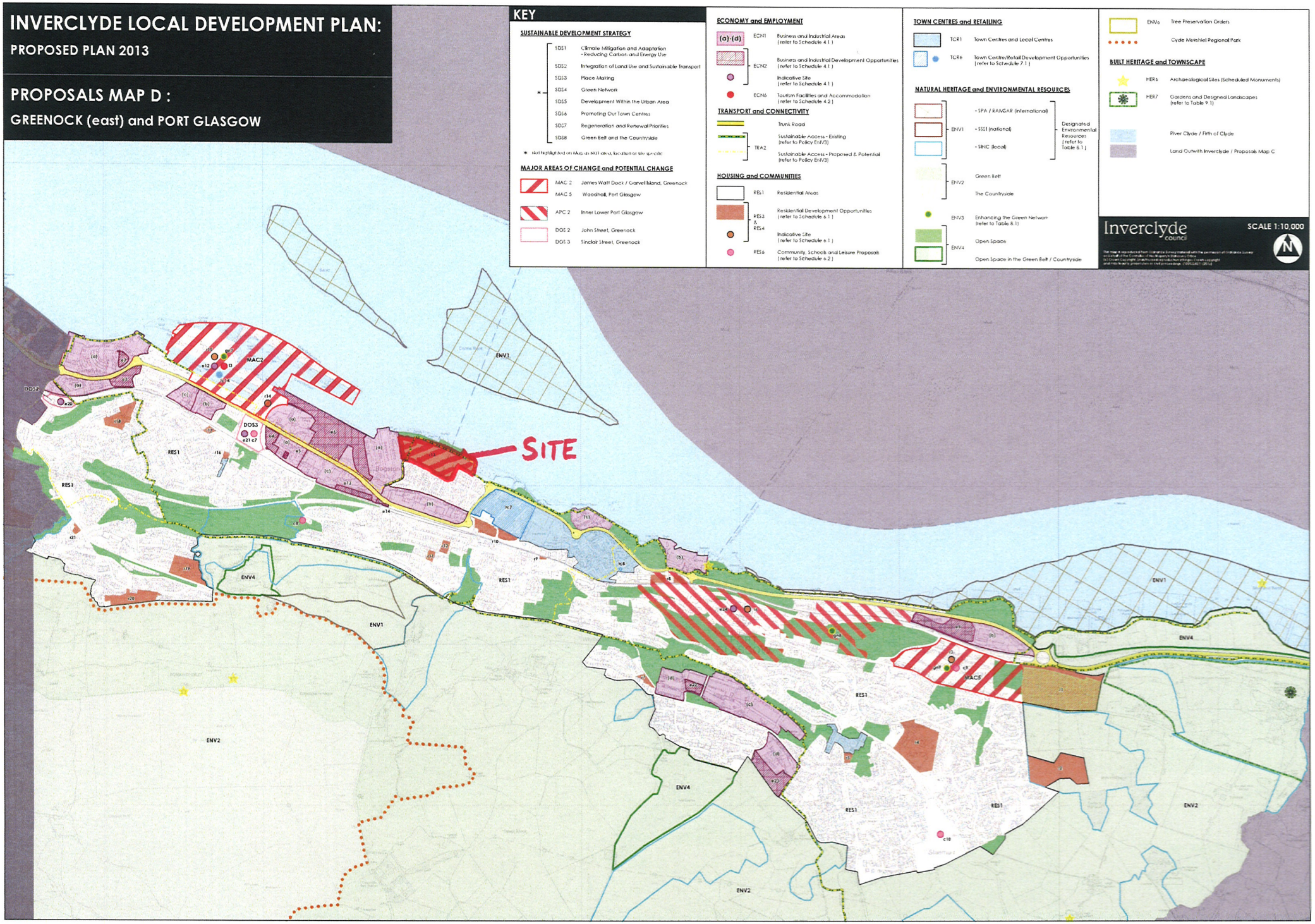
Drawing No:	Version:	Dated:
LOC-01		01.08.2018

INVERCLYDE LOCAL DEVELOPMENT PLAN:

PROPOSED PLAN 2013

PROPOSALS MAP D :

GREENOCK (east) and PORT GLASGOW



INVERCLYDE council

Outline Planning Permission

Planning Services,
6 Cathcart Square,
Greenock

Reference No. IC/04/336

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) (SCOTLAND)ORDER 1992

To:	Clydeport Properties Ltd 16 Robertson Street Glasgow G2 8DU	Agent:	Keppie Planning Ltd 160 West Regent Street Glasgow G2 4RL

INVERCLYDE COUNCIL as planning authority, having considered the application by you dated 9th September 2004 hereby grant outline planning permission for the following development:-

Redevelopment of site for residential use, with associated pub, restaurant and local shop, landscaping, roads, paths and cycleways (in outline)

at Kingston, Port Glasgow

subject however to the following conditions, namely:-

1. This permission is granted under the provisions of Town and Country Planning (General Development Procedure) (Scotland) Order 1992 on an outline application and the further approval of the Council or of the Scottish Ministers on appeal shall be required with respect to the under mentioned matters hereby reserved before any development is commenced:-

   a) the siting, design and external appearance of any building to which the planning permission or the application relates.
   b) details of the access arrangements.
   c) details of landscaping of the site.
   d) details of the phasing of the component elements of this permission.

2. In the case of the reserved matters as specified above application for approval must be made before:

   i) the expiration of 3 years from the date of grant of outline permission; or
   ii) the expiration of 6 months from the date on which an earlier application for such approval was refused; or
   iii) the expiration of 6 months from the date on which an appeal against such refusal was dismissed;
   whichever is the latest, and provided only one such application may be made in the case after the expiration of the three year period mentioned in sub-paragragraph (i) above.

3. That the development to which this permission relates must be begun not later than the expiration of 5 years from the date of this permission or within 2 years from the final approval of reserved matters, whichever is later.
4. That a reserved matters application(s) shall comply with the generalities of the approved master plan.
5. That prior to occupation of any part of the development, modifications to the A8 trunk road/Port Glasgow Road priority junction shall be constructed in accordance with the details that should be submitted to and approved by the Head of Planning Services, after consultation with the Scottish Executive -Trunk Roads Network Management Division (SE-TRNMD).The modifications shall include the installation of a traffic signal controlled junction arrangement to replace the existing priority junction arrangement, and shall be similar to the layout identified in Dougall Baillie Associates Drawing 04123 (08) 01). The proposed traffic signal installation shall incorporate a MOVA control system.

Outline Planning Permission

Planning Services,
6 Cathcart Square,
Greenock

Reference No. IC/04/336

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) (SCOTLAND) ORDER 1992

6. That no more than 300 residential units shall be constructed prior to modifications being provided to the A8 trunk road (realigned) / Kingston Access/Gallagher's access roundabout. The modifications shall include an increase to the entry width and flare length,and shall be similar to the layout identified in Dougal Baillie Associates Drawing 6a A8/Gallagher RP/Kingston Yard Roundabout. The modifications shall be constructed in accordance with the details that should be submitted and approved by the Head of Planning Services after consultation with the SE-TRNMD.
7. That there shall be no drainage connections to the trunk road drainage system.
8. That a fence of a type approved by the Head of Planning Services, after consultation with the SE-TRNMD, shall be provided and maintained by the developer, or subsequent owner of the land, along the boundary of the site with the A8 trunk road.
9. That before development on the site begins, details of a footpath/cycle link between the development and existing footpath/cycle network shall be submitted to and approved in writing by the Head of Planning Services after consultation with the SE-TRNMD. (The layout shall be similar to Dougall Baillie Associates Drawing 03144/1&2).
10. That no part of the development shall be occupied until a Travel Plan (TP) has been submitted to and approved in writing by the Head of Planning Services in consultation with the SE-TRNMD. The TP will identify the measures to be provided, the system of management, monitoring, review, reporting, and the duration of the plan.
11. Prior to commencement of any site woks, a comprehensive contaminated land investigation shall be submitted to and approved by the Head of Planning Services in writing. The investigation shall be completed in accordance with a recognised code of practice such as British Standards Institution 'The investigation of potentially contaminated sites- Code of Practice' (BS 10175: 2001). The report must include a site-specific risk assessment of all relevant pollutant linkages, as required in Scottish Executive Planning Advice Note 33.
12. Where the risk assessment identifies any unacceptable risk or risks as defined under Part IIA of the Environmental Protection Act 1990, a detailed remediation strategy shall be submitted to the Head of Planning Services for approval. No works, other than investigative works, shall be carried out on the site prior to receipt of written approval of the remediation strategy by the Head of Planning Services.
13. Remediation of the site shall be carried out in accordance with the approved remediation plan. Any amendments to the approved remediation plan shall not be implemented unless approved in writing by the Head of Planning Services.
14. On completion of the remediation works and prior to the site being occupied, the developer shall submit a report to the Head of Planning Services confirming that the works have been carried out in accordance with the remediation plan.
15. The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Head of Planning Services within one week. At this stage, a comprehensive contaminated land investigation shall be carried out if requested by the Head of Planning Services.
16. That all surface water drainage from the site shall be treated in accordance with the principles of the sustainable urban drainage systems manual for Scotland and Northern Ireland (CIRIA 2000).
17. That before occupation of the first of the dwellings hereby permitted, all site levelling works designed to address flooding issues shall be completed.
18. That all finished floor levels shall be a minimum of 5.5 metres above ordnance datum.
19. That no buildings shall be constructed above culverts.
20. That notwithstanding the terms of condition 1 above, full details of bunding along the boundaries of the site, particularly the southern boundary shall be submitted to and approved in writing by the Head of Planning Services.

Outline Planning Permission

Planning Services,
6 Cathcart Square,
Greenock

Reference No. IC/04/336

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) (SCOTLAND) ORDER 1992

21. That details of a phasing plan for the provision of the local shop and pub/restaurant in relation to housing shall be submitted to and approved in writing by the Head of Planning Services. For the avoidance of doubt, the local shop and pub/restaurant shall not be provided before occupation of housing within the site.
22. That the minimum garden size specified for large scale (infill) sites, public open space and location of play areas in PPAN No3 shall apply to this development.
23. That before construction begins on any of the dwellings hereby permitted, details of a railing along the river front shall be submitted to and approved in writing by the Head of Planning Services. The railing shall be erected prior to the occupation of any of the immediately adjacent dwellings.
24. That notwithstanding the terms of condition 1 above, the landscaping and design along the River Clyde boundary shall be sympathetic to its use by otters and shall incorporate an edge of semi-natural vegetation of appropriate design and width in line with advice from a suitably experienced ecological consultant.
25. That before development begins, a benthic survey shall be carried out to identify the species composition within the Kingston Basin if there is to be any alterations to the current water/land interface in the Kingston Dock and shore area.
26. That the development shall adhere to flood risk advice provided by Section 7 of the environmental statement and best practice guidelines provided by the Scottish Environment Protection Agency (SEPA).
27. That in order to protect the shoreline and estuarine waters from contamination during and after construction working practices shall adhere to SEPA guidelines with regard to pollution prevention, storage and movement of materials such as waste, fuels and other potentially damaging materials and prevention of runoff, migration or leading from the site into watercourses.
28. That details shall be submitted to and approved by the Head of Planning Services, prior to the commencement of any work on the site, which clearly identify all measures to control and minimise sediment run-off and erosion from the site and disturbance of contaminated sediments on the land.
29. That details shall be submitted to and approved by the Head of Planning Services, prior to the commencement of any work on the site, which clearly show the provision of bunded areas within impervious walls and floors for the storage of oils and chemicals.
30. That no scrub or tree removal shall take place during the main bird breeding season of March to June inclusive unless with the approval of the Head of Planning Services. Any earthworks taking place at this time should be preceded by a survey of the area by a suitably experienced surveyor for the presence of nesting birds.
31. That a landscape management plan shall be submitted to and approved by the Head of Planning Services, before any landscaping works take place, detailing the following:

    (a) a management regime for the areas between the proposed development and the shore
    (b) measures to protect and enhance areas of the shore which currently provide foraging, roosting and nesting sites for birds and other wildlife including otters
    (c) mitigation measures for the loss of any scrub areas currently used for these purposes
    (d) provision for installing places of refuge for otters if approved by an ecological consultant.

INVERCLYDE
council

Outline Planning Permission

Planning Services,
6 Cathcart Square,
Greenock.

Reference No. IC/04/336

TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) (SCOTLAND)ORDER 1992

The reasons for the council's decision to grant planning permission subject to the conditions herein before specified are:-

1 - 3 To comply with Section 59 of the Town and Country Planning (Scotland) Act 1997.
4. To ensure accordance with the terms of this permission.
5. To ensure that the standard of junction layout complies with the current standards and that the safety of the traffic on the trunk road is not diminished.
6. To ensure that the standard of roundabout layout complies with current standards and that the safety of traffic on the trunk road is not diminished.
7. To ensure that the efficiency of the existing drainage network is not affected and that the standard of construction is commensurate with that required within the road boundary
8. To minimise interference with the safety and free flow of the traffic on the trunk road.
9. To ensure that facilities are provided for the pedestrians/cyclists that are generated by the development and that they may access the existing footpath system without interfering with the safety and free flow of traffic on the trunk road.
10. To ensure consistency with the requirements of Scottish Executive Transport and Planning documents NPPG17 and PAN57.
11. To ensure potential risk arising from previous site uses have been fully addressed.
12. To ensure the proposed remediation plan is suitable.
13. To ensure remedial works are carried out to the agreed protocol
14. To provide verification that remediation has been carried out to the satisfaction of the Head of Planning Services.
15. To ensure all contamination within the site is dealt with.
16. To control drainage of water from the site to help prevent flooding.
17&18 To help ensure future home owners are protected from coastal flooding.
19. To ensure unrestricted access to the culverts for maintenance purposes.
20. To ensure that noise concerns may be adequately addressed.
21. To help define the terms on which the permission is granted.
22. To ensure the provision of adequate private open space in accordance with Council Policy.
23 In the interests of pedestrian safety and to ensure an acceptable level of design.
24. The otter is a protected European species and due consideration has to be given to its environment.
25. To ensure protection of specific species within the basin
26. To avoid flood risk being increased in areas of concern to wildlife.
27,28&29 In the interest of nature conservation and to protect vulnerable species on adjacent protected areas.
30. To protect breeding species of bird.
31. To ensure long term maintenance of these areas.

It should be understood that this permission does not carry with it any necessary consent or approval to the proposed development under other statutory enactments.

Dated this 3rd day of June 2005

[redacted]

Head of Planning Services

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If in doubt, ask.

Site boundary

Kingston, Port Glasgow

keppie

architecture

interior design

planning

160 West Regent Street
Glasgow G2 4RL
telephone 0141 204 0066
facsimile 0141 226 4571
www.keppiedesign.co.uk

Client
Cydeports

Project
Kingston

Drawing
Location Plan

Scale 1:2500 (A1)

Project No.
203226

Drawing No.
L(90)01

Created • HL
Date • 01.07.04
Checked • AH

Status
Planning

Inverclyde council

Agenda Item No.

Report To:	**The Planning Board**	**Date:**	**4th September 2013**
Report By:	**Head of Regeneration and Planning**	**Report No:**	**13/0035/IC Plan 09/13** **Local Application Development**
Contact Officer:	**Guy Phillips**	**Contact No:**	**01475 712422**
Subject:	**Proposed residential development (in principle) at Land off Lithgow Way, Port Glasgow**		

BACKGROUND

At the August meeting of the Planning Board, consideration of the above planning application was continued for a site visit on 29 August 2013 to allow Members to consider the site and its environs.

SITE DESCRIPTION

The site, which extends to approximately 0.58ha, is north of Lithgow Way immediately east of the junction with Iron Way, Port Glasgow. To the north-west is a recently completed play area. Housing lies opposite on Lithgow Way and Iron Way.



PROPOSAL

The applicant seeks permission for the principle of residential development on the site.

DEVELOPMENT PLAN POLICIES

Policy SA2(j)(1) Kingston Basin and Environs

Sub Area (j)(1) is identified on the Proposals Map as a 'Major Area of Potential Change' (AO).
The following land use options are considered to be acceptable, providing they conform to a Masterplan/ Development Brief, to be agreed in advance by the Council.

Land Use Options
(a) Business use, general industrial and/or storage or distribution, including Marine–related commercial use (Use Classes 4, 5 or 6); or
(b) Housing (Use Class 9) and use as Residential Flats.

Access
(c) An eastern access to the area will be provided for vehicles from a new roundabout on the realigned A8 trunk road;
(d) A western access for vehicles from the A8 trunk road in the vicinity of the existing junction at Bogston will serve not only this area but also Sub Areas (g) and (i) this junction is identified as a 'trunk road improvement' in the Plan (Policy TA11, Schedule 5.1); and
(e) Any development will be required to ensure safe and effective pedestrian and cycle routes through the development area and to facilitate unimpeded access to Bogston Station.

Additional Considerations
(f) Any development will be required to include provision for the Inverclyde Coastal Route, allowing for any specific operational requirements of retained business and/or dock areas;
(g) Building lines will be required to be set back sufficiently from the prinicipal thoroughfares, and in particular the realigned A8 trunk road, to allow the incorporation of landscaped strips; and
(h) The design and materials proposed for elevations that are visible from the A8 trunk road will be required to reflect the importance of the strategic route.

Local Plan Policy LR8 - Inverclyde Coastal Route

Inverclyde Council supports and will seek to complete the Inverclyde Coastal Route (footpath and cycleway), as part of the 'core path network' throughout Inverclyde. Developers will be required to make appropriate provision in submitting planning applications, particularly in the four coastal Special Development Areas, identified in the Plan.

PROPOSED LOCAL DEVELOPMENT PLAN POLICIES

Policy RES3 - Residential Development Opportunities

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

Policy TRA2 - Sustainable Access

New major trip-generating developments will be directed to locations accessible by walking, cycling and public transport, and developers will be required to submit a transport assessment and a travel plan, if appropriate. Such developments will be required to recognise the needs of cyclists and pedestrians as well as access to public transport routes and hubs, and have regard to the Council's Core Paths Plan, where appropriate. Where development occurs which makes it necessary to close Core Paths and other safeguarded routes, provision of an alternative route will be required.

The Council will also support and seek to complete the Inverclyde Coastal Route with developers required to make appropriate provision when submitting planning applications. National Routes 75 and 753 of the National Cycle Network will also be protected.

Policy ENV3 - Safeguarding and Enhancing the Green Network

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

The provision of the Green Network should be a core component of any master plan or Local Development Framework. Where development proposals would encroach upon or undermine the green network, alternative routes and green space will be expected to be provided or enabled. The Council will also seek to complete the following Green Network links as shown on the Proposals Map:

(a) Custom House Quay, Greenock - Clyde Muirshiel Regional Park
(b) Victoria Harbour, Greenock - Clyde Muirshiel Regional Park
(c) Coronation Park, Port Glasgow - Clyde Muirshiel Regional Park
(d) Spango Valley (Valley Park) - Clyde Muirshiel Regional Park.

CONSULTATIONS

Head of Environmental and Commercial Services - No objections subject to the road design and off street parking being in accordance with the Council's Roads Development Guide. A flood risk assessment and drainage layout should be submitted for approval along with confirmation of SEPA's and Scottish Water's acceptance.

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

Transport Scotland - No objections.

Scottish Environment Protection Agency West - No objections subject to a condition reserving the design of a sustainable urban drainage system.

PUBLICITY

The application was the subject of neighbour notification and was advertised in the Greenock Telegraph.

SITE NOTICES

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

PUBLIC PARTICIPATION

Twenty seven written representations have been received; twenty four objections, one in conditional support, one expressing concern but not objecting and one making comment.

The objectors are concerned that:

- road safety would be adversely affected. There is a play park adjacent to the site.
- there shall be additional traffic noise.
- the area shall be over-crowded.
- the houses may be of a different design to those in the area.

- existing residents paid a premium for waterfront views which shall be spoiled.
- residents were advised that no houses would be built on the site.
- there are brownfield sites elsewhere in Port Glasgow which should be developed.
- Port Glasgow residents shall lose an attractive addition to the public coastal pathway, interrupting the band of green space between Inchgreen Dry-Dock and the roundabout at the Tesco supermarket.
- property values shall be adversely affected.
- wildlife shall be impacted. There may be a loss of ecological habitats.
- the site suffers from water-logging.
- there shall be a loss of morning light to the front of properties on Lithgow Way.
- the proposed housing may be for social tenants.
- finishing materials should match those of existing houses.
- property sales in the area are slow.

The letter of support offers no objection if a footpath is provided along the waterfront, the letter of concern questions the access arrangements, while the letter making comment advises that the proposal is supported if houses are mortgaged, but opposed if rented or social. This latter point is not a determining factor in my assessment of the application.

ASSESSMENT

The material considerations in the determination of this planning application are The Local Plan, the proposed Local Development Plan, and the planning history of the site, the consultation responses and the written representations.

In June 2005, outline planning permission was granted for the redevelopment of the former Scott Lithgow and Kingston shipyard. The masterplan accompanying the permission indicates the application site to be developed for a public house. Since then permissions have been granted for residential development with 319 units complete and a further 46 under construction. A waterfront park has also been constructed.



While the masterplan envisages commercial development on the application site, Policy SA2(j)(1) of the Local Plan confirms that residential development is an acceptable use within the former Kingston shipyard. The availability of other development sites in Port Glasgow does not preclude planning permission in principle being granted for this site. This is reinforced by Policy RES3 of the proposed Local Development Plan which encourages and supports residential development.

Importantly, this proposal does not prejudice the key waterfont access aspect of the Masterplan and as required by Local Plan policy LR8 and proposed Local Development Plan policies TRA2 and ENV3. Presently the Inverclyde Coastal Route is incomplete in this location with a link remaining to be completed around the north east of the application site. Development of the application site does not preclude completion of the footpath, and with the land to support the link under the control of the applicant I consider it appropriate to attach a condition requiring the completion of the path. Overall, while the commercial development envisaged by the masterplan was to complement residential development, the principle of developing this site for residential purposes complies with both the Inverclyde Local Plan and the proposed Local Development Plan and the wider intent of the masterplan allowing waterfront access is not compromised.

Addressing the consultation responses, I have no objections to the conditions relating to the control the spread of Japanese Knotweed, potential ground contamination and the design of a sustainable urban drainage system, and to advisory notes on waste storage, external lighting, construction noise, CDM Regulations and seagulls as recommended by SEPA and the Head of Safer and Inclusive Communities. The Head of Environmental & Commercial Services offers no objections on road safety grounds but requests the submission of a flood risk assessment and drainage layout, both of which may be submitted as a reserved matter.

In response to outstanding objections not previously addressed in my assessment, density of development, house design, finishing materials, daylighting and drainage are all matters that would be considered when a subsequent detailed layout and design is submitted. This application will also be the subject of neighbour notification. While I note representations on the impact on otters and bats, these issues were addressed to the satisfaction of Scottish Natural Heritage when outline planning permission was granted for the wider development area.

RECOMMENDATION

That the application be granted subject to the following conditions:

1. Development shall not commence until an application for approval of matters specified in conditions is submitted to and approved in writing by the Planning Authority in respect of the siting, design and appearance of:
   (a) All buildings.
   (b) All roads, footpaths and parking layouts.
   (c) All areas of open space and landscaping.
   (d) All walls, fences and gates.

   Development shall thereafter be carried out in accordance with the approved matters unless agreed in writing by the Planning Authority.

2. No houses on the site shall be occupied until the coastal footpath and associated landscaping to the north east of the site approved under planning permission IC/08/007 has been completed.

3. Prior to the start of development details of a survey for the presence of Japanese Knotweed shall be submitted to and approved in writing by the Planning Authority. For the avoidance of doubt this shall contain a methodology and treatment statement where any is found. Development shall not proceed until treatment is completed as per the methodology and treatment statement. Any variation to the treatment methodologies will require subsequent approval by the Planning Authority prior to development starting on site.

4. The development shall not start until an environmental investigation and risk assessment of all pollutant linkages, including any necessary remediation strategy with timescale for implementation, has been submitted to and approved in writing by the Planning Authority. The investigations and assessment shall be site-specific and completed in accordance with acceptable codes of practice. The remediation strategy shall include verification/validation

methodologies. This may be incorporated as part of a ground condition report and should include an appraisal of options.

5. On completion of remediation and verification/validation works the developer shall submit in writing to the Planning Authority a Completion Report confirming that the works have been carried out in accordance with the remediation strategy. This report shall demonstrate that no pollutant linkages remain or are likely to occur and include (but not be limited to) a collation of verification/validation certificates, analysis information, remediation lifespan, maintenance/aftercare information and details of imported/disposed/reused materials relevant to the site. Prior to the site being occupied approval in writing from the Planning Authority must be received.
6. The presence of any previously unrecorded contamination or variation to reported ground conditions that becomes evident during site works shall be brought to the attention of the Planning Authority within one week. Consequential amendments to the Remediation Strategy shall not be implemented unless it has been submitted to and approved in writing by the Planning Authority.
7. No fill or landscaping material shall be imported onto the site until written details of the source and intended reuse of the imported materials has been submitted for approval in writing by the Planning Authority. The report shall characterise the chemical quality (including soil-leachate and organic content etc), volume and source of the imported materials with corresponding cross-sections and plans indicating spatial distribution and depth/thickness of material placement within the development site. The material from the source agreed only shall be imported in strict accordance with these agreed details.
8. Development shall not commence until a flood risk assessment and drainage layout, including a surface water management scheme, have been submitted to and approved by the Planning Authority in consultation with SEPA. Development shall thereafter be carried out in accordance with the approved matters unless agreed in writing by the Planning Authority.
9. All houses shall have a minimum finished floor level above ordnance datum in compliance with that identified in the approved flood risk management scheme.

Reasons

1. To ensure the development reflects the design and character of nearby housing.
2. To ensure the completion of the Inverclyde Coastal Route in accordance with Local Plan policy LR8 and proposed Local Development Plan policies TRA2 and ENV3.
3. To help arrest the spread of Japanese Knotweed in the interests of environmental protection.
4. To satisfactorily address potential contamination issues in the interests of environmental safety.
5. To provide verification that remediation has been carried out to the Authority's satisfaction.
6. To ensure that all contamination issues are recorded and dealt with appropriately.
7. To protect receptors from the harmful effects of imported contamination.
8. To prevent harm from flooding and to comply with the requirements of SEPA.
9. To prevent harm from flooding and to comply with the requirements of SEPA.

Stuart Jamieson
Head of Regeneration and Planning

BACKGROUND PAPERS

1. Planning application forms and plan.
2. Inverclyde Local Plan.

3. Proposed Local Development Plan.
4. Consultation responses.
5. Written representations.



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DECISION NOTICE

Refusal of Planning Permission
Issued under Delegated Powers

Regeneration and Planning
Municipal Buildings
Clyde Square
Greenock PA15 1LY

Inverclyde council

Planning Ref: 18/0260/IC

Online Ref:100136203-001

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND)REGULATIONS 2013

Briar Homes
205 St Vincent Street
GLASGOW
G2 5QD

McInally Associates Ltd
Thomas McInally
16 Robertson Street
GLASGOW
G2 8DS

With reference to your application dated 7th September 2018 for planning permission under the above mentioned Act and Regulation for the following development:-

Planning application seeking planning permission in principle for residential development with associated access, open space and landscaping proposals at

Site off Lithgow Way, Kingston Dock, Port Glasgow

Category of Application - Local Application Development

The INVERCLYDE COUNCIL in exercise of their powers under the abovementioned Act and Regulation hereby refuse planning permission for the said development.

The reasons for the Council's decision are:-

1. The proposed development is contrary to Policy 35 of the 2018 proposed Inverclyde Local Development Plan in that it involves the development of an area of open space designated within the proposed Plan which is of value to the visual setting and pattern of development of the Port Glasgow Waterfront Area.

2. The proposed development site forms part of the wider public vista of the River Clyde which contributes to the creation of a successful place and, accordingly, the development of the site would erode this and would fail to have regard to the six qualities of successful places as required by Policy 1 of the 2018 proposed Inverclyde Local Development Plan.

The reason why the Council made this decision is explained in the attached Report of Handling.

Dated this 18th day of June 2019

[redacted]

Head of Regeneration and Planning

Healthy Working Lives

Positive About Disabled People

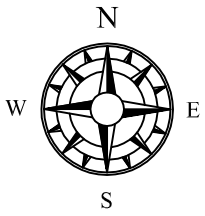
1 If the applicant is aggrieved by the decision of the Planning Authority to refuse permission for or approval required by condition in respect of the proposed development, or to grant permission or approval subject to conditions, he may seek a review of the decision within three months beginning with the date of this notice. The request for review shall be addressed to The Head of Legal and Administration, Inverclyde Council, Municipal Buildings, Greenock,PA15 1LY.

2 If permission to develop land is refused or granted subject to conditions, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the planning authority a purchase notice requiring the purchase of his interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997

Refused Plans: Can be viewed Online at http://planning.inverclyde.gov.uk/Online/

Drawing No:	Version:	Dated:
LOC-01		01.08.2018

Do not scale from this drawing.
All dimensions to be checked on site prior to commencement of works.
Any discrepancies to be brought to the immediate attention of A.S. Homes Ltd.





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AS HOMES
205 St Vincent St.
Glasgow
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fax : 0141 248 1636

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Project: Lithgow Way, Port Glasgow	Drawing Title: Location Plan	Drawing By: Ag	Date: Aug 18
		Drawing No.: Loc-01	Project No.: HS100
	Scale: 1:1250	Paper: A4	Status: -
			Revision: -

Directorate for Planning and Environmental Appeals

Appeal Decision Notice

T: 01324 696 400
F: 01324 696 444
E: dpea@scotland.gsi.gov.uk

The Scottish Government

Decision by Karen Heywood, a Reporter appointed by the Scottish Ministers

- Planning appeal reference: PPA-280-2019
- Site address: land off Lithgow Way, Port Glasgow, PA14 5DY
- Appeal by Clydeport Operations Limited against the decision by Inverclyde Council
- Application for planning permission in principle 13/0035/IC dated 29 January 2013 refused by notice dated 16 September 2013
- The development proposed: planning permission in principle for residential development with associated access, open space and landscaping
- Date of site visit by Reporter: 17 January 2014

Date of appeal decision: 5 February 2014

Decision

I dismiss the appeal and refuse planning permission in principle.

Preliminary matter

The appellant has made a claim for expenses against the council. My decision on this matter has been made in a separate notice also issued today.

Reasoning

1. I am required to determine this appeal in accordance with the development plan, unless material considerations indicate otherwise. Having regard to the provisions of the development plan, the main issues in this appeal are whether the appeal site should be safeguarded for commercial use in accordance with the approved masterplan and, if not, whether the proposed development is otherwise acceptable.

2. The key policy in the adopted Inverclyde Local Plan is the Inverclyde Waterfront/A8 Corridor- Policy Sub Areas, Kingston Basin and Environs, sub area (j)(1), which is described as a Major Area of Potential Change. Business use, general industrial and storage and distribution or housing use and residential flats are acceptable land uses, *"providing they conform to a Masterplan/Development brief to be agreed in advance by the council"*.

ISO14001 at V.Q. BSI REGISTERED FMS CERT NO. 39456 NATIONAL ACCREDITATION OF CERTIFICATION BODIES
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POSITIVE ABOUT DISABLED PEOPLE

3. Outline planning permission for residential use, with associated pub, restaurant and local shop was granted in June 2005. The associated approved masterplan shows the appeal site as a 'commercial area', with housing to the south and west. The appellant considers that, despite the commercial use envisaged in the masterplan, residential development would comply with policy SA2(j)(1) because the policy identifies housing as an acceptable land use in the area. I disagree with that analysis as it ignores the important proviso in the policy (quoted above). As the approved masterplan shows commercial use on the appeal site, I do not consider that residential development complies with policy SA2(j)(1).

4. Furthermore, the approved masterplan shows an access road (now Lithgow Way) set some way back from the shoreline with housing developed to the south of the road (mostly now completed). Apart from the appeal site, all of the land to the north of the access road is laid out for open space. As it is undeveloped, albeit not landscaped, the appeal site currently appears to be part of this area of linear open space. Because of its relationship to Lithgow Way and the roundabout giving access to the housing area from the A8, the appeal site is also a prominent gateway site to the housing area.

5. I acknowledge that the appeal site could currently be developed as a public house/restaurant/local shop. However, I do not consider that this has to mean that residential development on the site would be acceptable. I believe that the area was identified for commercial use of the type proposed in order to take advantage of its waterside location and the expansive views over the river. The sketch plan attached to the outline planning permission provided by the council entitled 'Water frontage plan' supports that view. What's more, development for commercial use in what could well be a single building would ensure that much of the current open nature of the strip of land on the shore side of Lithgow Way could be retained.

6. I do not consider the same can be said of the development of the site for housing, which would inevitably cover most of the site. Indeed, the revised indicative development layout of the proposed housing development shows that the continuation of the waterfront footpath/cycle way would be set very close to the garden boundaries of the houses and appear cramped, particularly at the south eastern corner of the site. This contrasts with the setting of the waterfront path in the area to the west of the appeal site, where the landscaped area is much more substantial and built development is set further back from the shore. The indicative plan also shows what are called 'visual links', presumably to maintain views of the river from public areas, but these appear to be no more than slightly larger gaps between the houses.

7. The appellant points out that it is eight years since outline planning permission was granted on the appeal site. However, I note that the outline planning permission prevented the provision of the 'local shop and pub restaurant' before occupation of housing on the site (condition 21) and that the housing has yet to be completed. There must also have been substantial decontamination and site preparation works necessary to prepare the site for housing, which presumably took some time. In these circumstances, the length of time since outline planning permission was granted is of little weight.

ISO14001 at V.Q.
INVESTOR IN PEOPLE

8. The Design Statement submitted as part of the planning application states that there have been unsuccessful attempts to market the site for commercial development and that development of the area for licensed restaurant use has also attracted a negative response from the local community. However, no evidence has been submitted to support these statements. Moreover, the Inverclyde Coastal Route is not well advanced at present. This could well become an important attraction that may well improve the attractiveness of the site to commercial users. I consider that there is insufficient evidence to conclude that the commercial use envisaged is unrealistic.

9. I note that the proposed Inverclyde Local Development Plan identifies the appeal site for residential development. However, the plan has yet to be examined and, although its policies are an important material consideration in favour of the proposed development, I do not consider this is sufficient to outweigh the local plan policy conflict and the deficiencies I have identified above.

10. I therefore conclude, for the reasons set out above, that the proposed development does not accord overall with the relevant provisions of the development plan and that there are no material considerations which would justify granting planning permission.

Karen Heywood
Assistant Chief Reporter

11. SUGGESTED CONDITIONS AND ADVISORY NOTES SHOULD PLANNING PERMISSION BE GRANTED ON REVIEW

RESIDENTIAL DEVELOPMENT WITH ASSOCIATED ACCESS, OPEN SPACE AND LANDSCAPING (IN PRINCIPLE):
SITE OFF LITHGOW WAY, KINGSTON DOCK, PORT GLASGOW (18/0260/IC)

Suggested conditions and advisory notes should planning permission be granted on review

Conditions:

1. The application for the approval of those matters referred to in condition 2 (the requisite approval) must be made before whichever is the latest of the following:
    i. the expiration of 3 years from the date of the grant of the permission,
    ii. the expiration of 6 months from the date on which an earlier application for the requisite approval was refused, and
    iii. the expiration of 6 months from the date on which an appeal against such refusal was dismissed and may be made for
        (a) different matters, and
        (b) different parts of the development, at different times. But, in relation to any matter, only one application may be made by virtue of (ii) and (iii) after the expiration of the 3 year period mentioned in (i) above.

Planning Permission in Principle lapses on the expiration of 2 years from the requisite approval being obtained or, in the case of approval of different matters, on different dates, from the requisite approval for the last such matter being obtained) unless the development to which the permission relates is begun before that expiration.

2. Plans and particulars of the matters listed below shall therefore be submitted for consideration by the Planning Authority, in accordance with the timescales and other limitations in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended):
    (a) the siting, design and external appearance of all buildings and other structures;
    (b) the means of access to the site;
    (c) the layout of the site, including all roads, footways, car and cycle parking areas;
    (d) the details of, and timetable for, the hard and soft landscaping of the site;
    (e) details of the management and maintenance of the areas identified in (d) above;
    (f) the design and location of all boundary walls and fences;
    (g) the provision of surface drainage works incorporating Sustainable Drainage Systems (SUDS);
    (h) the disposal of sewage;
    (i) details of existing trees, shrubs and hedgerows to be retained;
    (j) details of existing and proposed site levels;
    (k) details of open space and play provision commensurate with the scale of the proposed development.

3. The minimum Finished Floor Level (FFL) for the development must be at 5.5 Metres Above Ordnance Datum (mAOD)

4. No development shall occur within the floodplain as defined by the 4.03 mAOD water level.

5. That prior to the commencement of works on site full details of the proposed surface water drainage scheme, shall be submitted to and approved in writing by the Planning Authority. Works shall then proceed as approved unless otherwise agreed in writing by the Planning Authority. For the avoidance of doubt the drainage scheme must comply with the principles of Sustainable Drainage Systems (SUDS) as set out in CIRIA SUDS Manual (C753).

6. That the SUDS compliant surface water drainage scheme, approved in terms of Condition 5 above, shall be implemented contemporaneously with the development in so far as is reasonably practical. Following the construction of the SUDS, a certificate (signed by a Chartered Civil Engineer) shall be submitted to the Planning Authority confirming that the SUDS has been constructed in accordance with CIRIA SUDS Manual (C753) and the approved plans.

7. All surface water shall be contained within the application site both during and on completion of the development.

8. Any site clearance work undertaken during the bird breeding season, March to August inclusive, shall be immediately preceded by a check for nesting birds by a suitably qualified individual with a report on any such check being submitted to the Planning Authority. Should nesting birds be identified on site, the Planning Authority must be notified and site clearance works shall not commence until the end of the bird breeding season as noted above.

9. That any of the trees, areas of grass or planted shrubs approved as part of the landscaping scheme that die, become diseased, are damaged or removed within 5 years of planting shall be replaced with others of a similar size and species within the following planting season.

10. All new accesses to the site shall have a visibility splay of 2.4 metres by 43 metres by 1.05 metres.

11. Parking shall be provided in accordance with the National Roads Development Guide.

12. The first 2 metres of all driveways shall be paved.

13. Driveway gradients shall not exceed 10%.

14. All roads within the site shall be a minimum of 5.5 metres wide and all footways or footpaths shall be a minimum of 2 metres wide.

15. That prior to each dwellinghouse hereby permitted being occupied, all new roads and footways leading to it shall be surfaced to a sealed base course.

16. That within 4 weeks of the last of the dwellinghouses hereby permitted being occupied, all roads and footways within the application site shall be completed to a final sealed wearing course.

17. That prior to their use, samples of all facing materials to the dwellinghouses and walls, together with paving, shall be submitted to and approved in writing by the Planning Authority.

18. That prior to the start of development, details of a survey for the presence of Japanese Knotweed shall be submitted to and approved in writing by the Planning Authority and that, for the avoidance of doubt, this shall contain a methodology and treatment statement where any is found. Development shall not proceed until appropriate control measures are implemented. Any significant variation to the treatment methodology shall be submitted for approval, in writing by the Planning Authority, prior to implementation.

19. That the development shall not commence until an Environmental Investigation and Risk Assessment, including any necessary Remediation Scheme with timescale for implementation, of all pollutant linkages has been submitted to and approved, in writing by the Planning Authority. The investigations and assessment shall be site-specific and completed in accordance with current codes of practice. The submission shall also include a Verification Plan. Any subsequent modifications to the Remediation Scheme and Verification Plan must be approved in writing by the Planning Authority prior to implementation.

20. That before the development hereby permitted is occupied the applicant shall submit a report for approval, in writing by the Planning Authority, confirming that the works have been completed in accordance with the agreed Remediation Scheme and supply information as agreed in the Verification Plan. This report shall demonstrate that no pollutant linkages remain or are likely to occur and include (but not be limited to) a collation of verification/validation certificates, analysis information, remediation lifespan, maintenance/aftercare information and details of all materials imported onto the site as fill or landscaping material. The details of such materials shall include information of the material source, volume, intended use and chemical quality with plans delineating placement and thickness.

21. That the presence of any previously unrecorded contamination or variation to anticipated ground conditions that becomes evident during site works shall be brought

to the attention of the Planning Authority and the Remediation Scheme shall not be implemented unless it has been submitted to and approved, in writing by the Planning Authority.

22. Prior to the occupation of any dwellinghouse permitted, a detailed specification of the containers to be used to store waste materials and recyclable materials produced on the premises as well as specific details of the areas and enclosures as appropriate where such containers are to be located shall be submitted to and approved in writing by the Planning Authority. Bin storage arrangements shall then be in place to the satisfaction of the Planning Authority prior to the occupation of each dwellinghouse.

Reasons

1. To comply with the requirements of Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

2. To ensure that the matters referred to are given full consideration and to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

3. In the interests of the avoidance of flooding affecting the development hereby permitted.

4. In the interests of the avoidance of flooding affecting the development hereby permitted.

5. To ensure the adequacy of the drainage regime for the development hereby permitted.

6. To ensure the appropriate implementation of the drainage regime for the development hereby permitted.

7. To avoid surface water run-off from the site in the interests of the avoidance of flooding.

8. To ensure the protection of breeding birds within the application site.

9. To ensure the retention of the landscaping scheme within the application site.

10. To ensure the provision of suitable visibility for new accesses, in the interests of road safety.

11. To ensure suitable parking provision is provided within the development in the interests of road safety.

12. To avoid deleterious material being carried onto the roadway in the interests of road safety.

13. To ensure the usability of the driveways in the interests of road safety.

14. To ensure suitable road and footway provision, in the interests of road safety.

15. To ensure the provision of acceptable safe access facilities during construction.

16. To ensure the provision of acceptable safe access facilities following construction.

17. To enable the Planning Authority to retain effective control of facing and finishing materials in the interests of visual amenity.

18. To help arrest the spread of Japanese Knotweed in the interests of environmental protection.

19. To satisfactorily address potential contamination issues in the interests of human health and environmental safety.

20. To ensure contamination is not imported to the site and confirm successful completion of remediation measures in the interest of human health and environmental safety.

21. To ensure that all contamination issues are recorded and dealt with appropriately.

22. To ensure suitable bin storage provision, in the interests of visual amenity.

Advisory Notes:

1. The proposed development may have an impact on the existing street lighting, accordingly a lighting and electrical design for adoptable areas will be required for each site. A system of lighting shall be kept operational at all times within the existing public adopted areas.

2. All external lighting on the application site should comply with the Scottish Government Guidance Note "Controlling Light Pollution and Reducing Lighting Energy Consumption".

3. The applicant must consult or arrange for their main contractor to consult with either Sharon Lindsay or Emilie Smith at Inverclyde Council, Safer Communities (01475 714200), prior to the commencement of works to agree times and methods to minimise noise disruption from the site.

4. Site Drainage: Suitable and sufficient measures for the effective collection and disposal of surface water should be implemented during the construction phase of the project as well as within the completed development to prevent flooding within this and nearby property.

5. The applicant should be fully aware of the Construction (Design & Management) Regulations 2015 (CDM 2015) and its implications on client duties etc.

6. Surface Water: Any SUDS appraisal must to give appropriate weight to not only any potential risk of pollution to watercourses but to suitable and sufficient measures for the effective collection and disposal of surface water to prevent flooding. Measures should be implemented during the construction phase of the project as well as the

within the completed development to prevent flooding within the application site and in property/land nearby. It is also recommended that a long term maintenance plan should be developed prior to the commencement of the proposed development.

7. Design and Construction of Buildings – Gulls: It is very strongly recommended that appropriate measures be taken in the design of all buildings and their construction, to inhibit the roosting and nesting of gulls. Such measures are intended to reduce nuisance to, and intimidation of, persons living, working and visiting the development.