

Ref: CM

Date: 22 February 2022

A meeting of the Planning Board will be held on Wednesday 2 March 2022 at 3pm.

Members may attend the meeting in person or via remote online access. Webex joining details will be sent to Members and Officers prior to the meeting. Members are requested to notify Committee Services by 12 noon on Tuesday 1 March 2022 how they intend to access the meeting.

In the event of connectivity issues, Members are asked to use the *join by phone* number in the Webex invitation.

Information relating to the recording of meetings can be found at the end of this notice.

IAIN STRACHAN
Head of Legal & Democratic Services

BUSINESS

****Copy to follow**

1.	Apologies, Substitutions and Declarations of Interest	Page
2.	Continued Planning Application Report by Interim Director, Environment & Regeneration on application for planning permission as follows:	
(a)	Advance Construction (GD) Ltd Proposed mixed-use development comprising residential, industrial/business use, retail & leisure use and park & ride with associated roads infrastructure, access, open space, landscaping and drainage: Land at Former IBM Site, Spango Valley, Inverkip Road, Greenock (20/0021/IC)	p

The reports are available publicly on the Council's website and the minute of the meeting will be submitted to the next standing meeting of the Inverclyde Council. The agenda for the meeting of the Inverclyde Council will be available publicly on the Council's website.

Please note: this meeting may be recorded or live-streamed via YouTube and the Council's internet site, where it will be capable of repeated viewing. At the start of the meeting the Provost/Chair will confirm if all or part of the meeting is being recorded or live-streamed.

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but not limited to, for the purpose of keeping historical records and making those records available via the Council's internet site or YouTube.

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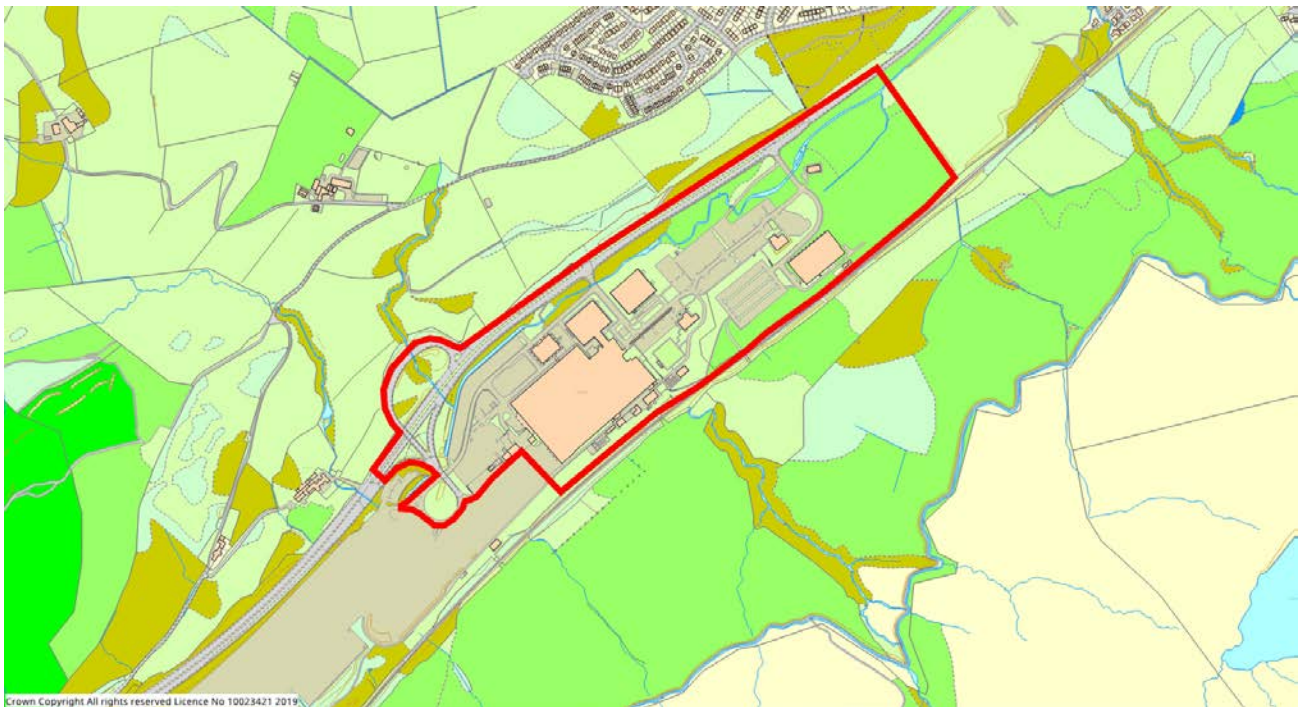
Enquiries to – **Colin MacDonald** – Tel 01475 712113

Report To: The Planning Board **Date:** 2nd March 2022

Report By: Interim Director – Environment and Regeneration **Report No:** 20/0021/IC
Plan 03/22
Major Application
Development

Contact Officer: James McColl **Contact No:** 01475 712462

Subject: Proposed mixed-use development comprising residential, industrial/business use, retail & leisure use and park & ride with associated roads infrastructure, access, open space, landscaping and drainage at
Land at Former IBM Site, Spango Valley, Inverkip Road, Greenock



SUMMARY

- The proposal presents no conflict with the Vision and Spatial Development Strategy set out in the Clydeplan Strategic Development Plan
- The proposal is contrary to the Inverclyde Local Development Plan and the Proposed Inverclyde Local Development Plan

- Two objections have been received raising concerns including the impact on the road network and the approach to redeveloping the brownfield site.
- A further representation has been received where there is no objection in principle but concerns are raised regarding the approach to redeveloping the brownfield site and the impact on future development on the remaining part of the Priority Place designation.
- The application submission is informed by an Environmental Impact Assessment.
- The consultations present no impediment to development.
- The recommendation is to GRANT PLANNING PERMISSION IN PRINCIPLE SUBJECT TO CONDITIONS.

Drawings may be viewed at:

<https://planning.inverclyde.gov.uk/Online/applicationDetails.do?activeTab=summary&keyVal=Q5HD3GIMGHF00>

BACKGROUND

At the January 2022 meeting of the Planning Board, consideration of the application was continued for a site visit to allow Members the opportunity to consider the site and its environs, and also to allow a Members briefing on the application. An initial site visit was held on 26th January 2022, with a further site visit held on 15th February 2022 for Members who were unable to attend the first date. Following the site visits, Members agreed that they did not consider a Members briefing on the application to be required.

The report below has been further updated since it was first considered by the Board to correct that the Supplementary Guidance on Priority Places associated with the 2019 Inverclyde Local Development Plan is in fact draft guidance rather than adopted guidance as set out in the original report. It remains that the draft Supplementary Guidance on Priority Places associated with the 2019 Inverclyde Local Development Plan is a significant material consideration in the assessment of the application, and the planning assessment of the application proposal itself remains as per the report that the Board considered at the January meeting.

SITE HISTORY AND DESCRIPTION

Extending to approximately 32.4 hectares, the application site comprises part of a larger brownfield redevelopment site together with adjacent roads infrastructure within Spango Valley, which is situated to the south-western side of Greenock. The site formerly comprised a factory operated by IBM, originally opening in the 1950s. The company continued to evolve and expand along the valley through the 1960s, 1970s and 1980s, and was a major employment generator in the manufacture of IBM computers. The site was self-contained within Spango Valley and stood apart from the adjoining settlement. Operations began to decline from the late 1990s as they were relocated to other locations across the globe, and the factory was subsequently closed. IBM retain a presence in Greenock with a client centre within the Pottery Street Business Park.

Since closure, the IBM facility has been demolished and the site cleared, with the final call centre building being demolished in the second half of 2020. Former roads and parking infrastructure, together with the platform bases of the former buildings are still evident on the site, with large expanses of hardstanding. The site is accessed via the A78 Trunk Road (Inverkip Road), with the principal access being via a grade separated junction which is within a largely central position relative to the wider former industrial site. The junction is located within the application site and positioned to the south-western end of the site with an additional at grade access lying to the north-west providing a left turn in and left turn out of the site to the dual carriageway. A third access with left turn in only from the southbound side of the dual carriageway is also found within the central part of the application site. The three accesses are currently closed although vehicular access is available to the site via the gates at the north-western access. The A78 runs parallel to the northern boundary of the site and the Glasgow Central to Wemyss Bay railway line runs parallel to the southern boundary,

inclusive of the former IBM railway station which served the factory. No services currently call at the station, the only access to which is through the application site.

The Spango Burn runs through a deciduous tree lined corridor within the northern part of the site adjacent to the road, flowing north-east to south-west. For the main part, the site is largely flat with, as noted above, large areas of hardstanding remaining from the former buildings and car parking areas together with rough ground. With the exception of some incidental planting remaining from the former site layout, trees and vegetation are largely found to the periphery of the site including adjacent to the road. To the south-eastern boundary, the ground rises up notably towards the railway and to the north-western part of the site the ground rises up towards the grade separated junction.

To the south-east of the site, the ground rises steeply beyond the railway line and forms a rugged hillside within the Clyde Muirshiel Regional Park. To the north-west, beyond the A78, the ground again rises and takes the form of open countryside and agricultural grazing land. Crisswell Farm also lies to the west of the site. Existing residential developments at Flatterton and Braeside lie beyond adjacent land to the north of the A78 and overlook the site from an elevated position. The remaining part of the former computer factory site adjoins to the south-west and is under separate ownership. To the north-east lies the site of the former Greenock High School which has been identified as a potential site for a new prison, with planning permission in principle being previously granted. This site is accessed independently of the former IBM site.

The wider brownfield sites at Spango Valley, inclusive of the former High School site, are identified as a "Priority Place" within the both 2019 Inverclyde Local Development Plan and 2021 proposed Inverclyde Local Development Plan.

PROPOSAL

Planning permission in principle is sought for a proposed mixed-use development comprising residential, industrial and business uses, retail and leisure uses and a park and ride facility with associated roads infrastructure, access, open space, landscaping and drainage. The applicant has submitted various indicative details inclusive of an indicative site layout masterplan together with the access points to the site, possible road hierarchies, pedestrian and cycle routes and a suggested drainage layout. A land use plan inclusive of likely developed areas together with landscaping and open space have also been submitted. Indicative building heights are also set out. It is indicated by the applicant that the masterplan does not preclude alternative layouts.

Based on the indicative proposals submitted, the redevelopment of the site would be residential led, with the residential development area extending to up to 8.7 hectares. It is indicated that a range of house types will be provided and these will primarily be up to 2.5 storeys, with buildings up to 4 storey at key locations within the central part of the site. The applicant suggests that indicatively the development could provide up to 450 dwellings which would be located across the site with the highest density in the central area. A mix of detached (15%), semi-detached (24%), terraced (25%), townhouse (18%) and flatted (18%) units are indicated. Supporting documentation indicates that the applicant is committed to providing 25% affordable housing.

It is further proposed that the development will include up to 0.4 hectares of mixed use floor space provided within a new Local Centre positioned within the centre of the application site. This will comprise retail, financial and professional, and food and drink uses (use classes 1, 2 and 3) at ground floor level with residential floorspace above. Up to a further 0.2 hectares of leisure and community use floor space will also be provided within the new Local Centre. To the north-east part of the site, up to 3.4 hectares of employment floorspace (use classes 4, 5 and 6) will be provided. The suggested heights of these buildings are indicated to range from up to 11 metres (equivalent to just under 3 storey) and 15 metres (equivalent to just under 4 storey).

Overall, it is indicated that circa 25% of the developable area would be for employment uses and circa 66% of the developable area for residential.

It is indicated by the applicant that the scale of the proposed development will be in keeping with the surrounding context and will not comprise any tall buildings or commercial buildings which will be greater in scale or height than those which exist in the vicinity of the site. It is indicated that the development will be based around distinct character areas with a range of building styles, colours and finishing materials outlined in the supporting documentation to set out how a possible development might proceed and the form it might take. Examples from which the development may take design cues are also highlighted.

It is further set out that the development will include extensive areas of open space inclusive of SuDS provision within the site, totalling up to 14 hectares. As part of this provision it is proposed to form an extensive area of open space parkland located along the line of the Spango Burn to the north of the site and the Hole of Spango which passes through the centre of the site. It is indicated that extensive green corridors will also be provided both north to south and east to west. The open space proposals are indicated to include the retention and management of existing trees, woodland and hedgerows. Existing culverted watercourses will also be daylighted to create new watercourse features and restore habitat and amenity value. Remediation for ground contamination will also form part of any proposal.

Two vehicular access points to the site are proposed, one utilising the existing grade separated junction and a second at grade junction. Within the site, the primary access route will be through the centre of the site. It is indicated that new pedestrian and cycle routes will connect to the core path network to the north and south. It is indicated that the proposed development proposals will provide a clear and legible street hierarchy and give pedestrians and cyclists priority over motor vehicles. The potential to reopen the former IBM railway station is set out by the applicant with a park and ride facility proposed as part of the development. Provision is also made for a potential bus route through the site.

In terms of the phasing of the development, it is envisaged that this would be developed over a 10 year period although the applicant indicates this would be subject to market influences. It is also envisaged that there will be an overlap between phases and an element of flexibility will be required.

Notwithstanding the comprehensive development details summarised above, the submitted application is for Planning Permission in Principle and accordingly these details are wholly indicative.

An Environmental Impact Assessment (EIA) has been submitted by the applicant and this assesses the likely significant effects of the proposed development on the environment. The EIA covers a range of subject matters including site and development description, assessment of alternatives, construction methodology, traffic and transportation, water responses and flood risk, ground conditions, biodiversity, noise and vibration, air quality, landscape and visual impact, and population and human health. A range of other supporting documents have been submitted to inform the assessment of the proposal. These include a Design and Access Statement, Planning Statement, Market Report, Pre-application Consultation (PAC) Report, Initial Ground Investigation Report, Preliminary Ecological Appraisal, Flood Risk Assessment, Energy Statement and Junction Analysis.

DEVELOPMENT PLAN POLICIES

2017 Clydeplan Strategic Development Plan

Policy 1 – Placemaking

New development should contribute towards the creation of high quality places across the city region. In support of the Vision and Spatial Development Strategy new development proposals should take account of the Placemaking Principle set out in Table 1.

Policy 2 - Leadership in the delivery of the Vision and Spatial Development Strategy

In support of the delivery of the Vision and Spatial Development Strategy by 2036, Clydeplan will encourage continued joint working and a multiagency approach aligned to corporate leadership and decision making, in both the public and private sector which gives priority to the delivery of the Vision and Spatial Development Strategy.

This will be achieved through:

Local Authorities: implementation of policies and actions set out in Local Development Plans and related corporate documents including Local Housing Strategies, Local Transport Strategies, Economic Development Strategies, Single Outcome Agreements, Community Planning and the Glasgow and Clyde Valley City Deal;

Scottish Government: implementation of policies and actions set out in National Planning Framework, Scottish Planning Policy and related investment programmes;

Key Agencies: co-ordination and implementation of their investment programmes;

Infrastructure bodies: co-ordination and implementation of their future capital investment programmes; and,

Development and Investment sector: co-ordination and implementation of development proposals and investment strategies.

Policy 7 - Joint Action Towards the Delivery of New Homes

In order to enhance housing delivery and contribute to the creation of high quality places, Local Authorities, Community Planning Partners and the housebuilding and development industry will work to ensure the delivery of the homes needed to support the Vision and Spatial Strategy.

Local Authorities, at all levels and using a range of measures, should continue to work proactively and collaboratively with housing delivery stakeholders.

Joint action should seek to prioritise activities including the allocation of resources and development of innovative mechanisms, which improve housing delivery across all sectors. This should focus on the existing housing land supply and public sector estate whilst bringing forward new opportunities in accordance with Policy 8.

Policy 8 - Housing Land Requirement

In order to provide a generous supply of land for housing and assist in the delivery of the Housing Supply Targets in support of the Vision and Spatial Development Strategy, Local Authorities should:

- make provisions in Local Development Plans for the all tenure Housing Land Requirement by Local Authority set out in Schedule 8, for the Private Housing Land Requirement by Housing Sub-Market Area set out in Schedule 9 and for the Private Housing Land Requirement by Local Authority set out in Schedule 10;
- allocate a range of sites which are effective or expected to become effective in the plan periods to meet the Housing Land Requirement, for each Housing Sub-Market Area and for each Local Authority, of the SDP up to year 10 from the expected year of adoption;
- provide for a minimum of 5 years effective land supply at all times for each Housing Sub-Market Area and for each Local Authority; and,

- undertake annual monitoring of completions and land supply through Housing Land Audits.

Local Authorities should take steps to remedy any shortfalls in the five-year supply of effective housing land through the granting of planning permission for housing developments, on greenfield or brownfield sites, subject to satisfying each of the following criteria:

- the development will help to remedy the shortfall which has been identified;
- the development will contribute to sustainable development;
- the development will be in keeping with the character of the settlement and the local area;
- the development will not undermine Green Belt objectives; and,
- any additional infrastructure required as a result of the development is either committed or to be funded by the developer.

Policy 12 - Green Network and Green Infrastructure

In support of the Vision and Spatial Development Strategy and the delivery of the Glasgow and the Clyde Valley Green Network, Local Authorities should

- identify, protect, promote and enhance the Green Network, including cross-boundary links with adjoining Local Authorities;
- ensure that development proposals, including the Community Growth Areas, integrate the Green Network and prioritise green infrastructure from the outset, based upon an analysis of the context within which the development will be located; and
- prioritise the delivery of the Green Network within the Strategic Delivery Areas (Diagram 7, Schedule 11).

Policy 14 - Green Belt

In support of the Vision and Spatial Development Strategy, Local Authorities should:

- designate within Local Development Plans, the inner and outer boundaries of the Green Belt to ensure the objectives set out in paragraph 8.15 are achieved; and
- collaborate to ensure consistency across Local Development Plan areas when defining or altering Green Belt boundaries.

Policy 16 - Improving the Water Quality Environment and Managing Flood Risk and Drainage

To support the Vision and Spatial Development Strategy and to achieve the objectives set out in paragraph 8.28 Local Development Plans and development proposals should protect and enhance the water environment by

- adopting a precautionary approach to the reduction of flood risk
- supporting the delivery of the Metropolitan Glasgow Strategic Drainage Plan;
- supporting the delivery of the Glasgow and the Clyde Valley Green Network; and,
- safeguarding the storage capacity of the functional floodplain and higher lying areas for attenuation.

Policy 17 - Promoting Sustainable Transport

Transport Scotland, SPT and the Clydeplan local authorities will work together to deliver the planned and programmed investment in the city region's transport network as set out in the Strategic Transport Projects Review, Regional Transport Strategy, Glasgow and Clyde Valley City Deal Infrastructure Fund, Local Transport Strategies and related programmes. In addition consideration should be given the potential broad level strategic options and interventions set out in Schedule 13.

Building on current and previous studies, plans and strategies, Clydeplan will seek to prioritise work to identify future land-use and transport integration solutions, in partnership with Transport Scotland and SPT, across the city region, and seek to identify future actions and interventions in support of the Vision and Spatial Development Strategy.

Adopted 2019 Inverclyde Local Development Plan

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 3 - Priority Places

The Council will support comprehensive redevelopment proposals for the Priority Places where these are in line with the preferred strategy set out in Schedule 2 and the development frameworks set out in the Priority Places Supplementary Guidance.

Policy 5 - Heat Networks

Major Development applications will be required to include an energy statement which considers the feasibility of meeting the development's heat demand through a district heating network or other low-carbon alternatives. All proposed developments located adjacent to significant heat sources or proposed/existing heat networks should be designed in such a way as to be capable of connecting to a heat network from that source and any land required for heat network infrastructure should be protected.

Policy 6 - Low and Zero Carbon Generating Technology

Support will be given to all new buildings designed to ensure that at least 15% of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and operation of low and zero carbon generating technologies. This percentage will increase to at least 20% by the end of 2022.

Other solutions will be considered where:

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

*This requirement will not apply to those exceptions set out in Standard 6.1 of the 2017 Domestic and Non-Domestic Technical Handbooks associated with the Building (Scotland) Regulations 2004, or to equivalent exceptions set out in later versions of the handbook.

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 10 - Promoting Sustainable and Active Travel

Development proposals, proportionate to their scale and proposed use, are required to:

- a) provide safe and convenient opportunities for walking and cycling access within the site and, where practicable, include links to the wider walking and cycling network; and
- b) include electric vehicle charging infrastructure, having regard to the Energy Supplementary Guidance.

Proposals for development, which the Council considers will generate significant travel demand, are required to be accompanied by a travel plan demonstrating how travel to and from the site by means other than private car will be achieved and encouraged. Such development should also demonstrate that it can be accessed by public transport.

The Council will support the implementation of transport and active travel schemes as set out in Council-approved strategies, subject to adequate mitigation of the impact of the scheme on: development opportunities; the amenity and operations of existing and adjacent uses; the green network; and historic buildings and places.

Policy 11 - Managing Impact of Development on the Transport Network

Development proposals should not have an adverse impact on the efficient operation of the transport and active travel network. Development should comply with the Council's roads development guidelines and parking standards. Developers are required to provide or contribute to improvements to the transport network that are necessary as a result of the proposed development.

Policy 12 - Air Quality

Development that could have a detrimental impact on air quality, or would introduce a sensitive receptor to an area with poor air quality, will be required to be accompanied by an Air Quality Assessment, which identifies the likely impacts and sets out how these will be mitigated to an acceptable level.

Policy 14 - Green Belt and Countryside

Development in the Green Belt and Countryside will only be permitted if it is appropriately designed, located, and landscaped, and is associated with:

- a) agriculture, horticulture, woodland or forestry;
- b) a tourism or recreational use that requires a countryside location;
- c) infrastructure with a specific locational need;
- d) the appropriate re-use of a redundant stone or brick building, the retention of which is desirable for its historic interest or architectural character, subject to that interest or character being retained; or
- e) intensification (including extensions and outbuildings) of an existing use, which is within the curtilage of the associated use and is of an appropriate scale and form.

Proposals associated with the uses set out in criteria a)-c) must provide justification as to why the development is required at the proposed location.

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 22 - Network of Centres Strategy

The preferred locations for the uses set out in Schedule 6 are within the network of town and local centres identified in Schedule 7. Proposals which accord with the role and function of the network of centres as set out in Schedule 7 and the opportunities identified in Schedule 8 will be supported. Proposals for Schedule 6 uses outwith the network of centres or not conforming with the role and function of a particular centre will only be supported if it can be demonstrated that:

- a) there is not a suitable sequentially preferable opportunity;
- b) there will not be an unacceptable impact on the vibrancy, vitality or viability of other centres within the network of centres; and
- c) there are clear community or economic benefits that can be best achieved at the proposed location.

Proposals for Business (Class 4), residential and hotel uses will also be supported in town and local centres.

Policy 26 - Business and Industrial Development Opportunities

Business, industrial, and storage or distribution uses (Class 4, 5 and 6) on the sites listed in Schedule 9 and shown on the Proposals Map, will be supported.

Policy 31 - Scheduled Monuments and Archaeological Sites

Development that would potentially have an adverse effect on a Scheduled Monument or the integrity of its setting will only be permitted in exceptional circumstances.

Development affecting archaeological sites should seek to preserve the archaeological resource in situ.

Policy 33 - Biodiversity and Geodiversity

Natura 2000 sites

Development proposals that are likely to have a significant effect on a Natura 2000 site will be subject to an appropriate assessment of the implications of the proposal on conservation objectives. Proposals will only be permitted if the assessment demonstrates that there will be no adverse effect on the integrity of the site or if:

- a) there are no alternative solutions; and
- b) there are imperative reasons of overriding public interest, including those of a social or economic nature; and
- c) compensatory measures are provided to ensure that the overall coherence of the Natura network is protected.

In such cases, the Scottish Ministers must be notified.

Sites of Special Scientific Interest

Development affecting Sites of Special Scientific Interest will only be permitted where the objectives of the designation and the overall integrity of the area will not be compromised, or if any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.

Protected Species

When proposing any development which may affect a protect species, the applicant should fulfil the following requirements: to establish whether a protected species is present; to identify how the protected species may be affected by the development; to ensure that the development is planned and designed so as to avoid or minimise any such impact, while having regard to the degree of protection which is afforded by legislation, including any separate licensing requirements; and to demonstrate that it is likely that any necessary licence would be granted.

Local Nature Conservation Sites

Development is required to avoid having a significant adverse impact on Local Nature Conservation Sites. Any adverse impacts are to be minimised. Where adverse impacts are unavoidable, compensatory measures will be required.

Local Landscape Area

Development that affects the West Renfrew Hills Local Landscape Area is required to protect and, where possible, enhance its special features as set out in the Statement of Importance. Where there is potential for development to result in a significant adverse landscape and/or visual impact, proposals should be informed by a landscape and visual impact assessment.

Non-designated sites

The siting and design of development should take account of local landscape character. All development should seek to minimise adverse impact on wildlife, especially species and habitats

identified in the Local Biodiversity Action Plan. Development should take account of connectivity between habitat areas. Where possible, new development should be designed to conserve and enhance biodiversity.

Policy 34 - Trees, Woodland and Forestry

The Council supports the retention of ancient and semi-natural woodland, trees covered by Tree Preservation Orders and other trees and hedgerows, which have significant amenity, historical, ecological, landscape or shelter value. Where the removal of such woodland, trees or hedgerows is proposed as part of a planning application, this will not be supported unless:

- a) it can be clearly demonstrated that the development cannot be achieved without removal;
- b) the public benefits of the proposal outweigh the loss of trees/hedgerows; and
- c) compensatory planting will be provided, to a standard agreed by the Council.

Development affecting trees will be assessed against Supplementary Guidance to be prepared by the Council. This will also cover the protection of ancient woodlands and the management and protection of existing and new trees during and after the construction phase.

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.

Policy 36 - Delivering Green Infrastructure through New Development

The Council supports the integration of green infrastructure into new development and will require green infrastructure to be provided in association with new development in accordance with the relevant Supplementary Guidance.

Policy 39 - Water Environment

Development proposals affecting the water environment will be required to safeguard and improve water quality and the enjoyment of the water environment by:

- a) supporting the strategies and actions of the national and regional marine plans, and supporting the objectives and actions of the River Basin Management Plan for Scotland and the Clyde Area Management Plan, where applicable;
- b) minimising adverse impacts on, or improving, water quality, flow rate, morphology, riparian habitat and groundwater dependent terrestrial ecosystems;

- c) the removal of existing culverts. This will be a requirement on development sites, unless it can be clearly demonstrated as not practical or resulting in the development not being viable;
- d) avoiding the hard engineering and culverting of waterways and the building over of existing culverts in new developments unless clearly demonstrated to be essential. Where culverts are required, they should be designed to maintain existing flow conditions and aquatic life, with long term maintenance arrangements;
- e) maintaining or improving waterside and water-based habitats; and
- f) providing access to the water and waterside, where appropriate.

PROPOSED DEVELOPMENT PLAN POLICIES

Proposed 2021 Inverclyde Local Development Plan

Policy 1 - Creating Successful Places

Inverclyde Council requires all development to have regard to the six qualities of successful places. In preparing and assessing development proposals, consideration must be given to the factors set out in Figure 2 and demonstrated in a design-led approach. Where relevant, applications will also be assessed against the Planning Application Advice Notes and Design Guidance for New Residential Development Supplementary Guidance. When assessing proposals for the development opportunities identified by this Plan, regard will also be had to the mitigation and enhancement measures set out in the Strategic Environmental Assessment Environmental Report.

Policy 3 - Priority Places

The Council will support redevelopment proposals for the Priority Places where these are in line with the preferred strategy set out in Schedule 2 and the development frameworks set out in the Priority Places Supplementary Guidance.

Policy 5 - Heat Networks

Major Developments will be required to meet heat demand through a district heating network or other low-carbon alternative, unless the application is accompanied by an energy statement clearly demonstrating that this is not feasible. All proposed developments located adjacent to significant heat sources or proposed/existing heat networks should be designed in such a way as to be capable of connecting to a heat network from that source and any land required for heat network infrastructure should be protected.

Policy 6 – Low and Zero Carbon Generating Technology

Support will be given to all new buildings designed to ensure that at least 20% of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and operation of low and zero carbon generating technologies. This percentage will increase to at least 25% by the end of 2025. Other solutions will be considered where:

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

* This requirement will not apply to those exceptions set out in Standard 6.1 of the 2017 Domestic and Non-Domestic Technical Handbooks associated with the Building (Scotland) Regulations 2004, or to equivalent exceptions set out in later versions of the handbook.

Policy 9 – 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 risk management 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 resources protected by the Plans historic buildings and places and natural and open spaces chapters, and the transport network. Where practical and effective, nature-based solutions to flood management will be preferred.

Policy 10 – 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 4th 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, which identifies who will be responsible for maintenance and how this will be funded in the long term.

Policy 11 – Promoting Sustainable and Active Travel

Development proposals, proportionate to their scale and proposed use, are required to:

- a) provide safe and convenient opportunities for walking and cycling access within the site and, where practicable, including links to the wider walking, cycling network and public transport network; and
- b) include electric vehicle charging infrastructure, having regard to the Energy Supplementary Guidance.

Proposals for development, which the Council considers will generate significant travel demand, are required to be accompanied by a travel plan demonstrating how travel to and from the site by means other than private car will be achieved and encouraged. Such development should also demonstrate that it can be accessed by public transport.

The Council will support the implementation of transport and active travel schemes as set out in national, regional and Council-approved strategies, subject to adequate mitigation of the impact of the scheme on: development opportunities; the amenity and operations of existing and adjacent

uses; and the resources protected by the Plan's historic buildings and places and natural and open spaces chapters

Policy 12 – Managing Impact of Development on the Transport Network

Development proposals should not have an adverse impact on the efficient operation of the transport and active travel network. Development should comply with the Council's roads development guidelines and parking standards, including cycle parking standards. Developers are required to provide or financially contribute to improvements to the transport network that are necessary as a result of the proposed development.

Policy 13 - Air Quality

Development that could have a detrimental impact on air quality, or would introduce a sensitive receptor to an area with poor air quality, will be required to be accompanied by an Air Quality Assessment, which identifies the likely impacts and sets out how these will be mitigated to an acceptable level.

Policy 15 - Green Belt and Countryside

Development in the Green Belt and Countryside will only be permitted if it is appropriately designed, located, and landscaped, and is associated with:

- a) agriculture, horticulture, woodland or forestry;
- b) a tourism or recreational use that requires a countryside location;
- c) infrastructure with a specific locational need;
- d) the appropriate re-use of a redundant stone or brick building, the retention of which is desirable for its historic interest or architectural character, subject to that interest or character being retained; or
- e) intensification (including extensions and outbuildings) within the curtilage of an existing use, which is of an appropriate scale and form.

Proposals associated with the uses set out in criteria a)-c) must provide justification as to why the development is required at the proposed location. Proposals in the green belt must not undermine the objectives of the green belt as set out in Scottish Planning Policy and the Clydeplan Strategic Development Plan. Non-conforming uses will only be considered favourably in exceptional or mitigating circumstances.

Policy 17 – Brownfield Development

The Council offers in principle support for proposals to bring brownfield sites in the urban area into beneficial use.

Proposals for the temporary greening of brownfield sites will be supported where it is demonstrated that they will deliver a positive impact to the local environment and overall amenity of the area. For sites identified for development in this Plan, temporary greening projects should not prejudice the future development of the site.

Proposals for advanced structure planting to create a landscape framework for future development on sites identified in the Plan will be supported.

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 are acceptable to the Council and ensure that the site can be made suitable for the proposed use.

Policy 18 – Land for Housing

To enable delivery of the Clydeplan Strategic Development Plan housing supply target for Inverclyde, new housing development will be supported on the sites identified in Schedule 3, 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 Design Guidance for Residential Development, Planning Application Advice Notes, and Delivering Green Infrastructure in New Development.

The Council will undertake an annual audit of housing land in order to ensure that it maintains a 5 year effective housing land supply. If additional land is required for housing development, the Council will consider proposals with regard to the policies applicable to the site and the following criteria:

- a) a strong preference for appropriate brownfield sites within the identified settlement boundaries;
- b) there being no adverse impact on the delivery of the Priority Places and Projects identified by the Plan;
- c) that the proposal is for sustainable development; and
- d) evidence that the proposed site(s) will deliver housing in time to address the identified shortfall within the relevant Housing Market Area.

There will be a requirement for 25% of houses on greenfield housing sites in the Inverclyde villages to be for affordable housing. Supplementary Guidance will be prepared in respect of this requirement.

Policy 21 - Wheelchair accessible housing

The Council will seek the provision of 5% wheelchair accessible housing on new build development sites of 20 or more units. Developers will be required to demonstrate that they have considered the demand for and provision of wheelchair accessible housing if they are seeking an exemption from this requirement.

Policy 23 - Network of Centres Strategy

The preferred locations for the uses set out in Schedule 5 are within the network of town and local centres identified in Schedule 6. Proposals which accord with the role and function of the network of centres as set out in Schedule 6 and the opportunities identified in Schedule 7 will be supported. Proposals for Schedule 6 uses outwith the network of centres or not conforming with the role and function of a particular centre will only be supported if it can be demonstrated that:

- a) there is not a suitable sequentially preferable opportunity;
- b) there will not be an unacceptable impact on the vibrancy, vitality or viability of other centres within the network of centres; and
- c) there are clear community or economic benefits that can be best achieved at the proposed location.

Proposals for Business (Class 4), residential and hotel uses will also be supported in town and local centres.

Policy 26 - Business and Industrial Development Opportunities

Business, industrial, and storage or distribution uses (Class 4, 5 and 6) on the sites listed in Schedule 8 and shown on the Proposals Map, will be supported.

Policy 31 - Scheduled Monuments and Archaeological Sites

Development that would potentially have an adverse effect on a Scheduled Monument or the integrity of its setting will only be permitted in exceptional circumstances.

Development affecting archaeological sites should seek to preserve the archaeological resource in situ. Where this is not possible, the developer will be required to fully record the archaeological resource for archiving, prior to development commencing.

Policy 33 – Biodiversity and Geodiversity

European sites

Development proposals that are likely to have a significant effect on a European site which are not directly connected with or necessary to their conservation management must be subject to an appropriate assessment of the implications of the proposal on conservation objectives. Proposals will only be permitted if the assessment demonstrates that there will be no adverse effect on the integrity of the site either during construction or operation of the development, or if:

- a) there are no alternative solutions; and
- b) there are imperative reasons of overriding public interest, including those of a social or economic nature; and
- c) compensatory measures are provided to ensure that the overall coherence of the network is protected.

In such cases, the Scottish Ministers must be notified.

Sites of Special Scientific Interest

Development affecting Sites of Special Scientific Interest will only be permitted where the objectives of the designation and the overall integrity of the area will not be compromised, or if any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.

Protected Species

When proposing any development which may affect a protected species, the applicant should fulfil the following requirements: to establish whether a protected species is present; to identify how the protected species may be affected by the development; to ensure that the development is planned and designed so as to avoid or minimise any such impact, while having regard to the degree of protection which is afforded by legislation, including any separate licensing requirements; and to demonstrate that it is likely that any necessary licence would be granted.

Local Nature Conservation Sites

Development is required to avoid having a significant adverse impact on Local Nature Conservation Sites. Any adverse impacts are to be minimised. Where adverse impacts are unavoidable, adequate compensatory measures will be required.

Non-designated sites

All development should seek to minimise adverse impact on wildlife, especially species and habitats identified in the Local Biodiversity Action Plan. Development should take account of connectivity between habitat areas. Where possible, new development should be designed to conserve and enhance biodiversity.

Policy 34 - Landscape

The siting and design of development should take account of local landscape character and setting in order to conserve, enhance and /or restore landscape character and distinctiveness. Development should aim to conserve those features that contribute to local distinctiveness including:

- a) the setting of buildings and settlements within the landscape
- b) the pattern of woodlands, fields, hedgerows and trees; especially where they define/ create a positive settlement/ urban edge
- c) the character and distinct qualities of river corridors
- d) historic landscapes

- e) topographic features, including important/ prominent views, vistas and panoramas

When assessing development proposals likely to have a significant impact on the landscape, the guidance contained in the Glasgow and Clyde Valley Landscape Character Assessment will be taken into account.

Development that affects the West Renfrew Hills Local Landscape Area is required to protect and, where possible, enhance its special landscape qualities as set out in the Statement of Importance. Where there is potential for development to result in a significant adverse landscape and/or visual impact, proposals should be amended to avoid or mitigate these impacts through being informed by a landscape and visual impact assessment.

Policy 35 – Trees, Woodland and Forestry

The Council supports the retention of trees, including ancient and semi-natural woodland, trees covered by Tree Preservation Orders and other trees and hedgerows, which have significant amenity, historical, ecological, landscape or shelter value. Where the removal of such woodland, trees or hedgerows is proposed as part of a planning application, this will not be supported unless:

- a) it can be clearly demonstrated that the development cannot be achieved without removal; or
- b) the public benefits of the proposal outweigh the loss of trees/hedgerows; and
- c) compensatory planting will be provided, to a standard agreed by the Council.

Development affecting trees will be assessed against Supplementary Guidance to be prepared by the Council.

Proposals for new forestry/woodland planting will be assessed with regard to the policies of this Plan and the Forestry and Woodland Strategy for the Glasgow City Region

Policy 36 – Safeguarding Green Infrastructure

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.

Development that would result in the loss of a core path, right of way or other important outdoor access route will not be permitted unless acceptable alternative provision can be made.

Policy 37 – Delivering Green Infrastructure through New Development

Green infrastructure provision should be informed by an appraisal of the existing natural features and eco systems services on and in close proximity to the proposed development site and fully

incorporated into the wider design process at an early stage, in line with the approach to be set out in the Supplementary Guidance on Green Infrastructure.

Development proposals are required to provide open space in line with the standards to be set out in Supplementary Guidance on Green Infrastructure. The Supplementary Guidance will also set out circumstances under which off-site provision or a developer contribution towards green infrastructure will be provided.

Where opportunities exist, development proposals will be required to provide new paths linking to the active travel network. The provision of routes along water will be an essential requirement on development sites with access to a waterfront, unless not appropriate for operational or health and safety reasons.

Development proposals are required to demonstrate how naturalised features will be incorporated into SuDS provision, in order to provide additional benefits such as habitat creation and open space. Where a Suds proposal forms part of open space provision, it should be made safe and accessible.

The Supplementary Guidance on Green Infrastructure will set out how biodiversity enhancement can be incorporated into new developments, and the circumstances in which provision will be expected.

Green infrastructure proposals should be supported by information on how long term management will be achieved, including maintenance requirements, who will be responsible for meeting these requirements, and how they will be funded.

Policy 39 - Water Environment

Development proposals affecting the water environment will be required to safeguard and improve water quality and the enjoyment of the water environment by:

- a) supporting the strategies and actions of the national and regional marine plans, and supporting the objectives and actions of the River Basin Management Plan for Scotland and the Clyde Area Management Plan, where applicable;
- b) minimising adverse impacts on, or improving, water quality, flow rate, morphology, riparian habitat and groundwater dependent terrestrial ecosystems;
- c) the removal of existing culverts. This will be a requirement on development sites, unless it can be clearly demonstrated as not practical or resulting in the development not being viable;
- d) avoiding the hard engineering and culverting of waterways and the building over of existing culverts in new developments unless clearly demonstrated to be essential. Where culverts are required, they should be designed to maintain existing flow conditions and aquatic life, with long term maintenance arrangements;
- e) maintaining or improving waterside and water-based habitats; and
- f) providing appropriately sized buffer strips between development and watercourses, in line with SEPA guidance, and providing access to the water and waterside, where appropriate.

CONSULTATIONS

Scottish Natural Heritage – No objections. It is advised that it is clear from the surveys undertaken to inform the Environmental Statement that no specifically protected species will be affected by the proposal. Consideration should be given to a condition in respect of protecting breeding birds. No comments are provided on landscape and visual impact and it is recommended that opportunities should be sought to incorporate recreational access links to the existing Inverclyde Core Paths network into this development where ever possible.

Scottish Environment Protection Agency West – No objections following clarification and additional information on flood risk matters. Advice is provided on a range of additional subject matters.

Transport Scotland – Based on the information provided there are no objections subject to the imposition of a wide range of conditions. A detailed audit response is provided to accompany the main consultation response.

Scottish Water – No response received. However, a response was received at the EIA Scoping stage based on that being a planning application proposal. No objections were offered to the development although the potential for the development to impact on Scottish Water assets is noted and the applicant will require to identify any conflicts and contact the asset impact team, directly. It is noted that surface water would not be accepted into the combined sewer system.

Scottish Power - No objections. SP Distribution has cables and an operational sub-station in the area and reserves the right to protect and/or deviate apparatus and cables at the applicant's expense.

Education – No objections. It is advised that the development is within the catchment of St Columba's High School, which is currently experiencing some capacity pressure. However, Education Services assessment, based on currently available information, is that the school estate will be able to accommodate additional pupils from this development in the future.

Head of Service - Roads and Transportation - No objections in principle. A range of points are highlighted including the requirement for the development to comply with the requirements of the Roads Development Guide. The Flood Risk Assessment and Drainage Strategy are acceptable in principle. A range of points remain and can be addressed by condition if this approach is deemed appropriate.

Head of Public Protection and Covid Recovery– No objections. The complexities of the ground contamination and required remediation inclusive of TCE plume are highlighted. This can be addressed by a range of conditions. Conditions relating to external lighting, working hours and sound insulation complying with the Building Regulations are recommended.

Network Rail - No objections subject to the imposition of a range of conditions.

Strathclyde Partnership for Transport – No objections. Advice is provided in respect of pedestrian and cycle links, the public transport strategy, the railway station and park and ride, bus service provision and modal split. Conditions covering a variety of subjects are recommended.

North Ayrshire Council – It is advised that they have no comments to make on the application proposal.

Land Use Consultants – General advice provided on various aspects of the EIA submission.

PUBLICITY

The application was advertised in the Greenock Telegraph and Edinburgh Gazette on 21st February 2020.

SITE NOTICES

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

PUBLIC PARTICIPATION

Two objections were received. The points and concerns raised can be summarised as follows:

- Additional traffic and delays will occur on the A78 Trunk Road.
- The transport network is already at capacity.

- The large brownfield site should be zoned for industry and commerce as there are very few alternative locations for this within Inverclyde.
- No additional housing development is required in Inverclyde.
- Additional facilities for recreation, leisure, and local businesses are required.
- There is a lack of employment opportunity in the area.
- A recreational and tourism development should be proposed.

A further representation was received which indicates that there is no opposition to the development in principle but raises a number of points and observations which can be summarised as follows:

- Based on the preferred land use split [in the LDP and Supplementary Guidance] there is a proposed over-provision of residential development and a proposed under-provision of employment floorspace.
- The proposals are for up to 450 residential units – however, the Local Development Plan designates the entire Spango Valley site for a total of only 420 units.
- If approved, this application will not allow for a joined-up masterplan to be created for the wider Spango Valley site, which is the requirement of the Local Development Plan and Supplementary Guidance for Priority Places.
- The development of this site may compromise the development of the neighbouring part of the Spango Valley Priority Place with concerns regarding flooding and transportation highlighted.
- It must be ensured that the development potential of the neighbouring part of the site is not sterilised.
- If approved, this may render future residential development of the neighbouring part of the Spango Valley Priority Place as unacceptable based on the current policy position.
- There is an implication within the supporting documents submitted with the application that the neighbouring part of the Spango Valley Priority Place could address any shortfall in employment land provision.
- Inverclyde has a surplus of employment land, and given wider market considerations it is therefore unlikely that there would be any commercial interest in additional employment floorspace in this location.
- Full consideration requires to be given to the impact of the proposed development on the viability of future development of the neighbouring part of the Priority Place designation given the lack of a comprehensive masterplan covering the wider Spango Valley area.
- There is a lack of information on watercourses and plans to daylight culverts and this may result in flooding implications that would impact the future development of neighbouring part of the Spango Valley Priority Place
- There is an indication of flood depths which show very low inundation levels below the main shared access road, but there appears to be no attempt to mitigate this flooding within the development proposals.
- In terms of transportation, it is not clear what works are proposed to the shared access road.
- The masterplan proposals appear to allow for c.315 units, which conflicts with the stated 450 units proposed as part of the application.
- A potential development framework for the neighbouring part of the site prepared in response to the Main Issues report is submitted to indicate how a development may proceed on the neighbouring part of the Priority Place designation.

The above points, concerns and observations will be considered throughout my assessment.

ASSESSMENT

In the hierarchy of development proposals, this application is a major planning application as defined by the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. It is also subject of an Environmental Impact Assessment (EIA). National Planning Policy requires to be considered including the National Planning Framework (NPF) 3 and the Scottish Planning Policy

(SPP). The Development Plan consists of the 2017 Clydeplan Strategic Development Plan (Clydeplan) and the 2019 Inverclyde Local Development Plan (LDP). The 2021 proposed Inverclyde Local Development Plan sets out the emerging policy position.

In assessing the proposal, it is first appropriate to set out the national, strategic and local policy context.

The Policy Context

National Policy

The National Planning Framework (NPF) 3 and Scottish Planning Policy (SPP) (2014) are the two key national planning documents that set the framework for development across Scotland. It is noted that consultation is currently ongoing on the draft NPF4 but the current NPF and SPP remain in place until such times as NPF4 is adopted by Scottish Ministers. NPF3 identifies four primary outcomes for the long-term spatial development of Scotland – a successful sustainable place; a low carbon place; a natural resilient place; and a connected place. SPP advises that the planning system is about where development should happen, where it should not, and how it interacts with its surrounds. SPP introduces a presumption in favour of development that contributes to sustainable development and indicates that the planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place but not to allow development at any cost. Whether a proposed development is sustainable development should be assessed according to the principles set out in paragraph 29.

SPP sets out that planning authorities, developers, service providers and other partners in housing provision should work together to ensure a continuing supply of effective land and to deliver housing, taking a flexible and realistic approach. SPP further advises that developments for new residential units should be concentrated within existing settlements, particularly in areas where there is continuing pressure for growth and where economic investment is planned or there is a need for regeneration. SPP indicates the planning system should identify a generous supply of land for each housing market area within the plan area to support the achievement of the housing land requirement across all tenures, maintaining at least a 5-year supply of effective housing land at all times. SPP also aims to promote business and industrial development that increases economic activity while safeguarding and enhancing the natural and built environments.

A preference for the reuse of brownfield sites is set out within SPP. With regard to Placemaking, SPP sets out that planning should take every opportunity to create high quality places by taking a design-led approach which demonstrates the six qualities of successful place. Scottish Government policy document Designing Streets advises that street design is important in providing a sense of place. Designing Streets is clear that vehicle movement should not dominate the design of new streets.

In addition to the above national planning policy, the Scottish Government's Planning Advice Note series covers a range of subjects that provide additional advice and represent a material consideration in the determination of this planning application.

Strategic Policy

The 2017 Clydeplan Strategic Development Plan (Clydeplan) sets out a strategic vision to be implemented through a spatial development strategy. This provides that most development is to be focused on existing settlements, with much of the intervening land being designated as Green Belt. The strategic vision is based on a compact city region model, focused on centres, regeneration, economy, low carbon infrastructure and placemaking. Key to this is to direct development to sustainable brownfield locations by maximising the use of existing infrastructure and assets, integrate land use with sustainable transport networks, recycle previously developed land and ensure minimal extension of the built up area. Policy 2 of Clydeplan encourages continued joint working and a multi-

agency approach aligned to corporate leadership and decision making, in both the public and private sector which gives priority to the delivery of the Vision and Spatial Development Strategy.

Clydeplan Policy 7 requires that in order to enhance housing delivery and contribute to the creation of high quality places, Local Authorities, Community Planning Partners and the housebuilding and development industry will work to ensure the delivery of the homes needed to support the Vision and Spatial Strategy. Policy 8 sets out the position on Housing Land Requirement. It requires that a generous supply of land for housing be provided and assist in the delivery of the Housing Supply Targets in support of the Vision and Spatial Development Strategy. This should be achieved by making provision in Local Development Plans for the all tenure Housing Land Requirement, the Private Housing Land Requirement by Housing Sub-Market Area and for the Private Housing Land Requirement by Local Authority. The policy also makes it clear that Local Authorities should seek to allocate a range of sites which are effective or are expected to become effective in the plan periods to meet the Housing Land Requirement, for each Housing Sub-Market Area and for each Local Authority of the Clydeplan up to year 10 from the expected year of adoption. It is also required that a minimum 5 years of effective land supply at all times be provided for each Housing Sub-Market Area and for each Local Authority. In addition to identified housing sites, it requires shortfalls in the five-year supply of effective housing land to be remedied through the granting of planning permissions for housing developments subject to satisfying five criteria. These criteria are that the development will help remedy a shortfall, it will contribute to sustainable development, it will be in keeping with the settlement and the local area, it will not undermine Green Belt objectives and any required infrastructure is either committed or will be funded by the developer.

Policies 1, 12, 16 and 17 covering Placemaking, Managing Flood Risk and Drainage, the Green Network and Green Infrastructure and Sustainable Transport are also of relevance, as is Diagram 10 which provides a framework for assessing development proposals of a strategic scale. This development is of a strategic scale as defined in Schedule 14. It requires to be considered whether or not the proposed development supports the Vision and Spatial Development Strategy set out in Clydeplan taking account of the relevant policies, schedules and diagrams appropriate to the type of development. Box 1 of Diagram 10 sets out the basis of this assessment. Any development that fails to meet the relevant criteria in Box 1 will be regarded as a departure from the Strategic Development Plan. The proposed development is situated on a brownfield site identified as a redevelopment opportunity within the Inverclyde Local Development Plan. The development site is also to the edge of an existing settlement that generally lies within the development corridor identified by Clydeplan. It is also positioned adjacent to existing public transport infrastructure which it is proposed to enhance as part of the development. It is considered that, in principle, the proposed development presents no conflict with the Vision and Spatial Development Strategy set out in Clydeplan. The detail of the development therefore has to be assessed against the relevant policies from the adopted Local Development Plan.

Local Policy

The 2019 Inverclyde Local Development Plan (adopted LDP) has the overall aim of contributing towards Inverclyde being an attractive and inclusive place to live, work, study, visit and invest, now and in the future, particularly through encouraging investment and new development, which is sustainably designed and located and contributes to the creation of successful places, and by protecting and enhancing the natural environment of Inverclyde.

Notwithstanding the recent quashing of Chapter 7 'Our Homes and Communities' of the 2019 Inverclyde Local Development Plan by the Court of Session, it remains that the wider brownfield site at Spango Valley, delineated on the Proposals Map, is identified as a "Priority Place" and Policy 3 of the adopted LDP supports comprehensive redevelopment proposals for the Priority Places where these are in line with the preferred strategy set out in Schedule 2 and the development frameworks set out in the Priority Places Supplementary Guidance. Schedule 2 sets out the preferred strategy for the Spango Valley site as "mixed use development including business, industrial, storage or distribution (collectively to form no less than 35% of developable area), housing (to form no more than 50% of developable area), residential institutions, non-residential institutions, neighbourhood

retail, neighbourhood food and drink, appropriate leisure and recreation, park and ride, and appropriate renewable energy uses. The Council's draft Supplementary Guidance on Priority Places associated with the adopted LDP sets out in more detail the preferred planning strategy for the redevelopment of the Priority Places and a broad development framework which reflects the preferred strategy noted above. The planning strategy for the area seeks to balance its long standing industrial use, with the clear need for a wider range and mix of uses to progress development. It is highlighted that while this Development Framework provides a broad strategy for the area, a comprehensive masterplan, covering the full site and all ownerships will be required in order to agree the appropriate layout of uses.

In response to the quashing of Chapter 7 of the 2019 LDP by the Court of Session, the Council has also acted quickly to commence an early review of the Plan. In December 2020, a Main Issues Report was published. In May 2021, the 2021 proposed Inverclyde Local Development Plan (proposed LDP) was published. The proposed LDP and associated updated draft Supplementary Guidance on Priority Places largely reconfirms the position set out within the adopted LDP and associated draft Guidance but does remove the need for the prison site to form part of the comprehensive masterplan. The indicative capacity for residential development is set at 420 units for the whole of the Spango Valley Priority Place designation. This reflects the position previously set out within the now quashed Chapter 7 of the adopted LDP.

A range of further policies within both the adopted and proposed LDPs combine to provide the basis for the wider assessment of development proposals.

The Determining Issues

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. Policy 3 of the adopted 2019 Inverclyde Local Development Plan supports the comprehensive redevelopment proposals for the Priority Places where these are in line with the preferred strategy set out in Schedule 2 and the development frameworks set out in the Priority Places Supplementary Guidance. This application proposal does not take a comprehensive approach to the redevelopment of the Spango Valley Priority Place as required by Policy 3 of the adopted LDP. The proposal is therefore considered to be a departure from the development plan. Additionally, the indicative proposals set out in this application for Planning Permission in Principle also do not follow the preferred strategy set out within Schedule 2 as required by Policy 3 of the adopted LDP and associated draft Supplementary Guidance.

Also of note specifically with regard to the proposed LDP, the indicative residential capacity of the whole Spango Valley Priority Place is identified as 420 units. The application proposal identifies a development comprising up to 450 units on approximately 60% of the site.

A full assessment of all material planning considerations must be undertaken to determine whether there is any justification in respect of departing from the Development Plan. Also material to this assessment are Scottish Planning Policy, Designing Streets, the 2021 proposed Inverclyde Local Development Plan and associated updated draft Supplementary Guidance, the consultation replies, the representations and the applicant's supporting documentation.

The key determining issues in this respect are:

- Is the proposed development sustainable development?
- Is the principle of the development inclusive of the lack of a comprehensive approach to the redevelopment of the Priority Place appropriate, taking into account:
 - The impact on the Green Belt boundary;
 - The alignment with the planning strategy for the Priority Place designation;
 - The level of business and industrial development to be provided;

- Proposals for a new neighbourhood local centre;
- The extent of residential development proposed as part of the development;
- What socio-economic benefit would result from the development?
- Other planning issues that should be taken into account, including:
 - Does the EIA identify that the development would result in significant adverse effects?
 - Can the site be developed for the purpose proposed without detriment to the existing road network?
 - Is there capacity in respect of schools and local facilities for this development?
 - Can a development with a focus on design and placemaking be achieved?
 - Will there be an adverse visual impact on landscape character and can this be mitigated?
 - What will be the impact on ecology, biodiversity and the natural environment?
 - Will the site be accessible and well connected?
 - Can ground conditions and contamination from the previous industrial use be suitably addressed?
 - Will there be flooding implications and, if so, can these be addressed?
 - What are the implications in respect of noise, vibration and air quality?
 - Will there be an impact on built and cultural heritage?
 - How will zero and low carbon generating technologies be incorporated into the development?

Contribution to Sustainable Development

SPP is based on a presumption in favour of sustainable development. It reiterates that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. Where a proposal is for sustainable development, the presumption in favour of sustainable development is a material consideration in favour of the proposal. Whether a proposed development is sustainable development should be assessed according to the principles set out in paragraph 29. Paragraph 28 seeks the right development in the right place but makes clear that the aim is not to allow development at any cost.

In considering the relevant principles of sustainable development in SPP paragraph 29 to determine whether the proposal would contribute to sustainable development, many of the outcomes sought are reflected by the development plan and are assessed and explored in further detail below.

There is no doubt that a development of this scale and nature would create employment opportunities in the short term during the construction period and in the longer term in respect of the new employment floorspace and commercial elements of the proposal, together with new residents contributing to the local economy. There are no specific local economic strategies relevant to this proposal.

A carefully conceived, well-planned and attractive development with placemaking at the heart of the design could be achieved and thus ensure a design layout that reflects the principles of good design and the six qualities of successful places or could be made to do so through the imposition of conditions if required, reflecting a key requirement of the SPP's principles for creating sustainable development. The development also supports regeneration priorities and makes efficient use of a previously developed former industrial brownfield site. The development would support the delivery of housing, business, retailing and leisure development as part of the mixed-use proposal. Benefits to the transport infrastructure would also occur with the re-establishment of services at the railway station at the site and creation of the associated park and ride facilities.

With regard to climate change mitigation, the development will include measures relating to adapting to climate change including the use of low carbon technology. The development will contribute to improving health by providing for areas of open space for social interaction and physical activity. The

proposal will also protect, enhance and promote access to green infrastructure and the wider environment. Matters relating to flood risk are also addressed.

In respect of the proposed development having regard to the principles for sustainable land use set out in the Land Use Strategy, the redevelopment of this vacant, brownfield, former industrial site is appropriate in this regard. There is nothing to suggest why a development proposal that avoids overdevelopment and protects amenity whilst considering the implications for water, air quality and soil quality cannot be achieved.

It is clear that the proposal reflects the relevant development principles of paragraph 29 of SPP and accordingly it is considered that the proposal is for development that contributes to sustainable development, as envisaged by SPP.

The principle of the development

Green Belt boundary

The adopted LDP identifies the Green Belt boundaries as required by Policy 14 of Clydeplan. The application site comprises a substantial brownfield redevelopment site together with the immediately adjacent road infrastructure. This includes the small area of land which lies between the slip road of the grade separated junction and the main carriageway. This small area is identified as forming part of the Green Belt. Policy 14 of the adopted LDP advises that development in the Green Belt and Countryside will only be permitted if it is appropriately designed, located and landscaped and is associated with one of five different criteria. Criterion (c) relates to infrastructure with a specific locational need. Roads infrastructure associated with the upgrade of the existing grade separated junction can be considered as falling into this category and any proposals on this section of land will relate to the roads infrastructure associated with the development. I consider that in principle, the proposal presents no conflict with Policy 14 of the adopted LDP. There is no change to this designation in the proposed LDP and Policy 15 reflects the position of the adopted LDP.

Alignment with the planning strategy for the Priority Place designation

As established above, the wider brownfield site at Spango Valley is identified as a "Priority Place" and Policy 3 of both the adopted and proposed LDPs support comprehensive redevelopment proposals for the Priority Places where these are in line with the preferred strategy set out in Schedule 2 of both policies and the development frameworks set out in the respective draft Supplementary Guidance on Priority Places. However, the failure to take a comprehensive approach to the redevelopment of the Priority Place site does not accord with the requirements of either the adopted or the proposed LDPs. It is acknowledged that there are three different land ownerships within the Spango Valley Priority Place. The north-eastern part of the site is identified as a site for a new prison with Planning Permission in Principle previously being granted for such a development. This section of the site is accessed independently from the rest of the Priority Place and the very nature of the identified development would result in it being self-contained with little, if any, direct interaction with the remaining part of the Priority Place. I therefore consider that it is not unreasonable to expect that the Prison Service part of the Priority Place would be developed independently from the rest of the area. Furthermore, being specifically identified for this use, any masterplan for the remaining parts of the wider site can take cognisance of this in the approach to the layout and adjacent uses, as indeed it is indicated that the applicant's indicative proposal does.

Other than stating that the remaining part of the Priority Place is under two separate ownerships, the applicant does not set out any compelling reasons as to why a comprehensive approach to the development of the Priority Place (excluding the Prison Service site) could not be brought forward in conjunction with the other landowner. A coordinated and comprehensive approach to the development of the Priority Place has always been the Council's preferred approach as it is considered that this would be the best way to ensure the creation of a successful place. It will also ensure that any infrastructure requirements and constraints are jointly and fully addressed in the context of the whole development. Such an approach will ensure that there is no potential to find that

the development of one part of the wider site sterilises or otherwise disadvantages the development potential of the other part, adversely impacting on the potential for the delivery of the Council's vision for comprehensive development of the whole site. There is also concern that such a split approach may not deliver the most optimal mix and layout across the site. It is, however acknowledged that such an approach could lead to development on the site being delivered sooner with the associated benefits that would arise from a development of this scale being realised at an earlier date.

Business and industrial development

The planning strategy for the area seeks to balance its long standing industrial use with the clear need for a wider range and mix of uses to progress development. Excluding the Prison Service site, the remaining Priority Place designation is identified for residential development on up to 50% of the developable area with at least 35% of the developable area retained for business and industrial uses (use class 4, 5 and 6). Policy 26 of the adopted LDP supports business, industrial and storage and distribution uses on sites listed in Schedule 9. Spango Valley is listed as such an opportunity with reference to the Supplementary Guidance. Policy 26 and associated Schedule 8 of the proposed LDP reflect this position. Whilst in principle only, it is indicated that 13.1 hectares of the site would be developed for new land uses and the applicant's indicative masterplan is based on delivering circa 25% of the developable area for employment uses (and circa 66% of the developable area for residential). The applicant, in noting the Council's desire to see the development delivered on the site and the creation of a quality place, considers the proposed development has been presented in a manner which is reflective of local market conditions and therefore is more deliverable.

In support of this position, the applicant has submitted a market report. In respect of business and industrial land and taking into account the current supply and take up rates, the market report identifies a 40 year supply of land within the Inverclyde Area. It is noted in the report that the site at Spango Valley lies on the most south-westerly point of Greenock and although the site does offer connectivity in terms of public transport, from a business and logistics perspective the distance of the site from the motorway network is restrictive for businesses that prioritise connectivity to the wider road network. It is not therefore considered that the site would attract significant interest from business and industrial occupiers. The report goes on to highlight that rental levels in this location would not be sufficient to support any speculative developments on the site and would not be economically viable from an investment perspective. Given the significant supply of business and industrial land within Greenock, limited occupational demand levels and competition from better connected locations within in the central belt, the report considers that the proposed minimum 35% of employment land identified in the planning strategy should be significantly reduced to allow for a much smaller proportion as any take up of this will likely be piece-meal and protracted. Even at the current proposed percentage of 25%, the applicant considers that the risk remains that the level of interest is far lower. I note that the representation received generally concurs with the applicant's position in respect of demand for business and industrial development.

New neighbourhood local centre

The market report goes on to consider the need to provide local amenities as required by the preferred strategy set out within both the adopted and proposed LDPs and respective draft Supplementary Guidance. Based on a residential led development of scale being progressed, the report does identify the requirement for local shopping facilities and potentially community facilities. The report identifies that such a development would likely take the form of a terrace of units anchored by a convenience store of up 370 square metres plus smaller convenience units. The report also considers there to be the potential for food and drink uses, however demand for this will not be forthcoming until a significant residential population is well established at the site. The indicative masterplan also indicates leisure and community uses as part of the local centre. The development of a local centre on the site is recognised in Schedule 7 to Policy 22 of the adopted LDP and Schedule 6 to Policy 23 of the proposed LDP. Schedule 7 of the proposed LDP specifically identifies this as a network of centres development opportunity. The formation of a local centre with a range of uses directed to the network of centres as set out in the adopted and proposed LDPs would therefore be supported by Policy 22 of the adopted LDP and policy 23 of the proposed LDP.

Housing

SPP requires local authorities to identify a generous supply of land for each housing market area to support the achievement of the housing land requirement across all tenures, maintaining a five-year supply of effective housing land at all times. SPP further advises that where relevant policies in a development plan are out-of-date or the plan does not contain policies relevant to the proposal, then the presumption in favour of development that contributes to sustainable development will be a significant material consideration. Decision-makers should also take into account any adverse impacts which would significantly and demonstrably outweigh the benefits when assessed against the wider policies in this SPP.

The housing market area framework for the Inverclyde area was established as part of the Clydeplan Strategic Development Plan process, and for private housing the application site falls within the Inverclyde Housing Market Area. Policy 8 of Clydeplan requires local authorities to make provisions in Local Development Plans for housing land requirements and allocate a range of sites which are effective or expected to become effective in the plan periods to meet the Housing Land Requirement, for each Housing Sub-Market Area and for each Local Authority. Due to the quashing of Chapter 7, the adopted LDP has no relevant adopted housing policies nor any identified sites to meet the Housing Land Requirements. Policy 8 of Clydeplan is clear that Local Authorities should take steps to remedy any shortfalls in the five-year supply of effective housing land through the granting of planning permission for housing developments, on greenfield or brownfield sites, subject to satisfying each of five criteria. Notwithstanding the Council's plan-led approach to resolving the matter via the proposed LDP, in the above circumstances it is considered that these criteria are invoked.

The proposed LDP identifies a residential development opportunity as part of the wider Priority Place designation of Spango Valley with an indicative capacity of 420 units. It is considered that this site is in a marketable location and could be considered an effective housing site which could help address any shortfall. It is considered that the site will contribute to sustainable development and there is nothing to suggest that an appropriate development in keeping with the character of the adjacent settlement and local area could not be achieved. The development of this brownfield site, identified as a Priority Place within the adopted and proposed LDPs, will not undermine the Green Belt objectives and there is nothing to suggest that the required infrastructure to allow it to be developed could not be provided. The residential development element of the proposal is thus, in principle, supported by Policy 8 of Clydeplan. The provision of affordable housing as part of the housing mix is suggested by the applicant in the supporting documentation. There is no policy requirement for this within the proposed LDP.

Policy 18 of the proposed LDP supports housing development on sites identified in Schedule 3. Spango Valley is identified in Schedule 3 and, as noted above, has an indicative capacity across the wider Priority Place designation of 420 units. In the submitted Market Report, the applicant identifies a lack of suitable sites within both Greenock and the wider Inverclyde Area to deliver housing developments on the scale typically required by volume housebuilders. It is contended that many of the larger sites identified as housing opportunities have either constraints which impact on deliverability or are unattractive in terms of their specific market location. The market report goes on to identify a demand in the region of 450 to 500 units assuming that the development is well planned and phased. The applicant's indicative layout suggests a development of circa 450 units on the application site. Whilst this may be in line with expectations on market demand and closely comparable with the indicative figure set out in the proposed LDP, it must be remembered that the application site only covers around 60% of the wider Spango Valley Priority Place designation. Based on the applicant's indicative proposals, the development would see the entire expected capacity for the wider Priority Place as identified in the proposed Local Development Plan, together with the full market demand identified by the applicant for a development of this nature, at this location on only part of the wider site. This, coupled with the lack of a comprehensive approach to the development of the whole Priority Place designation, raises significant concerns on the potential future development and deliverability of the remaining part of the Priority Place.

However, the suggested site capacity in the applicant's indicative proposals is just that, indicative. As with any application for Planning Permission in Principle, the detailed assessment of any proposed site layout together with estimated floorspace levels for the proposed uses and unit numbers would be undertaken through the submission of applications for matters specified by condition should Planning Permission in Principle be granted. The granting of Planning Permission in Principle can, however set broad parameters for a development through the use of the conditions. One of the key parameters in this case would be to ensure that any development on the application site does not sterilise or otherwise adversely impact on the potential deliverability of the remaining part of the Priority Place designation. Central to ensuring this is to control the potential number of residential units on the application site based on a level which is generally in line with the expected capacity for the wider Priority Place as identified in the proposed Local Development Plan, together with the market demand identified by the applicant for a development of this nature at this location. With around 60% of the site being developed, based on the applicant's indicative figure of circa 450 units on the application site, which is closely comparable with the indicative capacity set out in the proposed LDP, an appropriate level of residential development on this part of the Spango Valley Priority Place designation is 270 units. This would ensure capacity for the delivering development on the remaining part of the Priority Place designation.

Socio-Economic benefit

The applicant's supporting documentation and EIA submission considers that a development of this scale will generate considerable local socio-economic benefits. These must, however, be weighed against the failure of the development proposal to accord with the requirements of either the adopted or the proposed LDPs, together with the respective draft Supplementary Guidance on Priority Places. The applicant's supporting planning statement summarises the benefits of the development as follows:

- 110 full time construction jobs;
- 66 additional jobs associated with the construction period;
- Up to 450 housing units contributing to the Council's housing requirement;
- £0.8m Council tax revenue increase per annum;
- New Homes for circa 891 people;
- £3.4m spend generated on comparison goods;
- £2.4m spend generated on convenience goods;
- £2.9m spend generated on leisure services;
- 418 gross full-time equivalent jobs to be created.

The application is, however, considered in principle only and there is considerable scope for the final detail of the proposal to impact upon those figures. There is no dispute, however, that the economic benefits arising from a development of this scale would be considerable. The proposed development would also make a significant contribution to the repopulation aim which is set out in the proposed Local Development Plan as a key priority of the Inverclyde Outcomes Improvement Plan. The proposal also has the potential to meet local housing market need by increasing the housing supply and options. The proposal would also have a significant positive benefit by developing a large proportion of an important, derelict brownfield site. Overall, it is clear that notwithstanding the failure of the development proposal to accord with the requirements of either the adopted or the proposed LDPs together with respective draft Supplementary Guidance on Priority Places significant environmental, social and economic benefits will result from the development.

Conclusions on the principle of development

That the principle of the redevelopment of the Spango Valley Priority Place for a mixed use development is supported by both the adopted and proposed LDPs is not in doubt. However, in considering the submitted proposal, the failure to take a comprehensive approach to the redevelopment of the Priority Place site does not accord with the requirements of either the adopted or the proposed LDPs and the proposal is a departure from both Plans. Additionally, whilst indicative,

the proposed percentage split of uses also fails to accord with the preferred strategy set out within both the adopted and proposed LDPs and respective draft Supplementary Guidance. Based on the indicative proposals the development would also see the entire expected residential development capacity for the wider Priority Place as identified in the proposed Local Development Plan on just part of the site.



View looking north across the site towards the A78

In respect of the percentage mix of uses on the site and the lower percentage of business and industrial development, the applicant has set out a detailed assessment in the submitted Market Report as to why the Council's expectation of business and industrial development accounting for a minimum of 35% of the developable area is not achievable. Even the applicant's suggested 25% of the developable area could be argued to be beyond what the market report justifies at this location. A significant question remains, however, over the final percentage split of uses across the whole of the Priority Place designation and this cannot be determined with the lack of a comprehensive approach to the whole site. It is desirable for the business and industrial development aspect of the site to be contained within a specific area of the site and the applicant's approach of siting this adjacent to the Prison Service site to create a buffer between any potential new prison and new residential development is supported. I also note the concern raised in the representation that there would be an expectation that the neighbouring part of the Priority Place designation could address the shortfall in the provision of business and industrial development. I do not consider that this would be the case, particularly in a situation where there is no market demand for additional business and industrial development as is suggested here. It therefore must be anticipated that the final percentage split of uses across the whole Spango Valley Priority Place could result in the percentage of business and industrial land being notably lower than the 25% of the developable area indicated by the applicant for this proposal.

Considering the provision of the new local centre in the context of there not being a comprehensive masterplan to the site, the position of the roads infrastructure associated with the grade separated junction access to the site will always potentially result in the new local centre within the site being contained largely within one part of the site and not necessarily being in a fully central location. I note

in the representation received a suggested masterplan for the neighbouring part of the Priority Place which indicates a business, commercial, retail and community development area could be located to span across the ownership boundary. Such an approach with reference to the position of the access to the site via the grade separated junction may not be the most optimal arrangement. It remains that as with any application for Planning Permission in Principle the detailed assessment of any proposed site layout would be undertaken through the submission of applications for matters specified by condition should Planning Permission in Principle be granted. Key to such assessment would be how the development is designed and laid out with reference to the potential future development of the remaining part of the Priority Place designation.

Turning to residential development, it is accepted that with the lower percentage of business and industrial development, the percentage of residential development within the developable area will be higher than the 50% set out in the Council's preferred strategy. The final percentage of residential land across the whole Spango Valley Priority Place could be notably higher than the 66% of the developable area indicated by the applicant for this proposal. This would certainly be the case if the neighbouring part of the Priority Place designation is primarily based on a residential development centred on a similar mix of development versus open space and green infrastructure as the application site.

Whilst the submitted proposal does not reflect the preferred comprehensive approach to the Priority Place and whilst it is accepted that based on the indicative proposals the percentage split of uses will also not reflect the preferred strategy, there can be no doubt of the significant environmental, social and economic benefits that will result from the development. The application proposal also relates to the section of the wider Priority Place designation that is closest to the settlement. In weighing these benefits against the failure to accord with the strategy within the development plan the full circumstances of the application proposal, the position and layout of the wider Priority Place designation at Spango Valley, and the relationship between the application site and the remaining land covered by the designation have all been considered. It is acknowledged that development on the application site may impact on the deliverability of the development on the neighbouring part of the Priority Place designation and the overall aim to see the appropriate redevelopment of the whole site is a key consideration. With control retained over the potential number of residential units on the application site, based on the expected capacity for the wider Priority Place as identified in the proposed Local Development Plan, together with the market demand identified by the applicant for a development of this nature at this location, I conclude that, in principle, the benefits significantly and demonstrably outweigh any concerns.

Notwithstanding this, it rests to address the more specific aspects of the proposal which arise from the submitted documentation and the range of responses to these and to consider whether there are any other matters which would render the application proposal unacceptable and raise concerns in respect of the lack of a comprehensive approach to the development of the Priority Place.

Traffic and Transportation

Site access, layout and implications for the road network

Access to the road network is via the A78 trunk road which runs parallel to the site boundary. Bus stops currently exist on the A78 for services to local destinations, Largs and Glasgow. The IBM railway station lies to the south-east of the application site and is accessed exclusively via the application site. As noted earlier, no services currently call at the station following the closure and demolition of the factory and associated buildings.

SPP advises that development proposals should be supported where they optimise the use of existing infrastructure; reduce the need to travel; provide safe and convenient opportunities for walking and cycling for both active travel and recreation and facilitate travel by public transport; and enable the integration of transport modes. Development plans and development management decisions should take account of the implications of development proposals on traffic, patterns of travel and road safety. Where a new development is likely to generate a significant increase in the

number of trips, a transport assessment should be carried out. The adopted and proposed LDPs, together with the respective draft Supplementary Guidance identify the site as part of a large scale redevelopment opportunity on a significant edge of settlement brownfield site and it is accepted that such a development would result in significant additional travel demand.

Informed by a Transport Assessment, the submitted EIA considers the effects associated with traffic and transport during both the construction and operational stages of the proposal. The assessments are based on a proposal for up to 450 new dwellings, 3.68 hectares of mixed employment land (20,000sqm of GFA) and a park and ride facility at the railway station. The EIA advises that a construction traffic impact assessment has been undertaken which has determined that there is no requirement to undertake a detailed assessment on any road sections within the study area as the traffic flow impact is negligible. Notwithstanding this, it is advised that a Construction Traffic Management Plan (CTMP) will be produced for each phase of the development as it is brought forward. Such a condition would be a requirement of Transport Scotland as highlighted in their consultation response. The EIA considers that the cumulative traffic effects for both the construction and operation of the proposed development are considered to be negligible.

Transport Scotland has considered the proposal at length and their consultation response is accompanied by a detailed audit response. Importantly, it must be noted that whilst it is acknowledged that the development composition and scales proposed at this stage are indicative, Transport Scotland has considered the following as a worst-case scenario in terms of potential traffic and transportation impacts.

- Class 1 Retail (Food) – 1,500 sqm
- Class 3 Restaurant / Café – 1,000 sqm
- Class 4 Business (Office / Light Industry) – 15,000 sqm
- Class 9 Houses – Up to 450 residential units
- Park and Ride facility with 50 spaces.

Transport Scotland acknowledges that the proposed development is part of a site identified in the LDP for a mixed-use development. The requirement for a comprehensive masterplan for the whole Priority Place designation is noted as is the fact that this application proposal only covers part of the wider site. Crucially, the potential for further development on the remaining part of the Spango Valley Priority Place is not considered by Transport Scotland. Any future development on the remaining part of the Spango Valley Priority Place would only be considered in the context of any presented future development proposals.

In first assessing the access from the site to the A78, and following submission of the planning application and subsequent discussion between Transport Scotland and the applicant regarding the suitability of the existing grade-separated junction, a report reviewing the junction was undertaken by the applicant and considered by Transport Scotland. With various recommendations and action points in respect of modifying and upgrading the junction, and considering this in conjunction with the proposed form of the second at grade junction, the proposal is considered acceptable by Transport Scotland. This is subject to a condition requiring the existing grade-separated junction to be upgraded to an adoptable standard prior to the commencement of any phased development. Additionally, Transport Scotland advises that prior to any development the proposed at grade signal-controlled junction to the trunk road shall be constructed and this also requires to be addressed by condition. Further conditions are required to secure the closure of the existing third (central) access junction to the A78 and the existing sub-standard footway across the site frontage. If the existing bus stops were to remain on the A78, the advice of Strathclyde Partnership for Transport that pedestrian access to enable access to these bus stops would require to be retained is noted. This would require to be incorporated into the final design.

Junction modelling has been undertaken for key junctions on the A78 between the application site and the centre of Greenock. The modelling shows that the Inverkip Road / Auchmead Road junction

operates within capacity. With the addition of traffic from the development, the junction operation remains within practical capacity in all scenarios.

The Inverkip Road / Cumberland Road junction is identified as operating over capacity in the AM peak hour. The Transport Assessment notes that an alternative staging arrangement has been considered and demonstrates that the junction would operate within capacity if the proposed improvements were implemented. Transport Scotland considers that such modification of the junction is advisable and that in granting planning permission, a condition addressing a scheme for the delivery of these junction improvement measure is required.

It is acknowledged that aspects of the Inverkip Road / Branchton Road / Gleninver Road junction are over capacity but Transport Scotland notes that it is further advised in the applicant's submissions that the junction is shown only to be marginally over capacity and this indicates that even a minor shift in car usage would have a positive benefit. This would be one of the principal aims of a Travel Plan and Residential Travel Pack. Transport Scotland also acknowledges that the introduction of Microprocessor Optimised Vehicle Actuation (MOVA) signal control strategy would provide additional mitigation benefits that may bring these arms within capacity.

Considering the Inverkip Road / Dunlop Street roundabout, the applicant advises that due to ongoing roadworks and the implications of the COVID-19 pandemic, it was not possible to undertake a full survey of this junction. Transport Scotland considers it appropriate that this matter is addressed via the conditioning of a Transport Assessment Addendum to assess if any impacts are acceptable in this instance. Transport Scotland is clear that should the assessment indicate that the development will have an adverse impact on the operation of the junction, mitigation measures will require to be identified by the developer and agreed with Transport Scotland to ensure the continued safe and efficient operation of the trunk road network. The Head of Service – Roads and Transportation advises that she is also content to address this matter via condition if such an approach is deemed appropriate.

A range of points are highlighted by the Head of Service - Roads and Transportation. The requirement for the development to comply with the Roads Development Guide, inclusive of layout and parking provision, is a matter to be considered at the detailed stage of the development and there is nothing to suggest that a development that fully complies cannot be achieved. It is highlighted that the A78 is the responsibility of Transport Scotland. It is also highlighted that for the avoidance of doubt that the Council will adopt the primary and secondary road network only. The Head of Service - Roads and Transportation additionally advises that confirmation from Transport Scotland on the suitability of the access options is required. Subject to the imposition of a range of conditions identified by Transport Scotland and the implementation of associated works and mitigation, it is considered that both the development access to the A78, together with the impact of additional traffic flow on the trunk road and at various junctions towards the centre of Greenock will be acceptable.

Due to the potential for the development to impact upon the A78 trunk road, which is a key route north from the Clyde coastal parts of North Ayrshire, North Ayrshire Council were consulted on the application. It was advised that they have no comments to make on the proposal.

The response to consultation, particularly from Transport Scotland, raises a key determination issue for the Council on this proposal. As noted above, the potential for further development on the remaining part of the Spango Valley Priority Place is not considered by Transport Scotland. As considered by Transport Scotland, the applicant's indicative layout suggests a development of circa 450 units on the application site. Whilst such a figure is closely comparable with the indicative figure set out in the proposed LDP, the lack of a comprehensive approach to the development of the whole Priority Place designation means that the implications arising from further development on the remaining part of the wider Spango Valley Priority Place cannot be determined at this time. Whilst the applicant may advise that capacity for the remaining part of the Priority Place has been designed into the site access to the A78, whether the A78 and associated junctions have capacity to accommodate a greater level of development, most notably residential development than is anticipated through the plan led process, has not been considered by Transport Scotland. As noted

earlier in my assessment, key to the acceptability of a split approach to developing the site is ensuring that any development on the application site does not sterilise or otherwise adversely impact on the potential deliverability of the remaining part of the Priority Place designation in accordance with the development plan. There is no doubt from Transport Scotland's consultation reply that the trunk road network, with the modifications required, has the capacity to absorb a residential led development in line with the development level expectations of the proposed Local Development Plan. There can be no certainty about capacity to absorb traffic levels beyond that. It is therefore considered that the Council, in order to protect its interests including realisation of the wider Spango Valley Priority Place development, and to take full cognisance of the potential impact on the trunk road network, has to control, via condition, the potential number of residential units on the application site to a maximum of 270. Support for the proposal depends on this key element of control.

Public Transport and active travel

A Framework Sustainable Transport Strategy (STS) and Framework Travel Plan have been provided within the supporting documentation and detail general outcomes including; the proposed re-opening of the IBM railway station; an internal layout designed to encourage sustainable travel, providing the ability to accommodate buses; a new pedestrian link between the proposed development and Braeside; and the upgrade of the eastern development access offering a safe crossing point.



Access to the site from the grade separated junction on the A78

It is acknowledged that, as the applicant highlights, there is significant potential to re-establish the former IBM railway station infrastructure to provide a direct rail connection to the site which would serve local destinations within Inverclyde together with direct links to Paisley and Glasgow. A 50 space park and ride facility is proposed as part of the development and indeed, this is a key requirement of both the adopted and proposed LDPs and respective draft Supplementary Guidance.

However, in the absence of formal commitments to reopening the station by Network Rail and ScotRail, the proposed reinstatement of services cannot be assumed. Network Rail highlight in their consultation response the need for further discussions and agreement in this regard. The Transport Assessment advises that from discussions to date with the Council, SPT and Transport Scotland, all

parties have indicated their support for the principle of re-opening the station subject to a detailed proposal being brought forward as part of a Sustainable Transport Strategy (STS). It is advised that, following consultation with Transport Scotland's Rail Team, the Scottish Government is committed to improving rail connectivity, reliability and journey times throughout Scotland. Significant dialogue will, however, be required with Transport Scotland, ScotRail and other key stakeholders. This is likely to include an understanding of the likely demand and the alternative sustainable travel options considered. I am also mindful that the formation of the park and ride facility will be dependent on the re-establishment of services. Notwithstanding this, the reopening of the station and establishment of a park and ride facility is a key requirement of the Council's preferred strategy for the site and it is required that this is brought forward as part of the public transport strategy for the site.

While the proposal for bus services to directly access the site is acknowledged, it is noted that no specific commitments are made at this time. SPT advise that experience has shown that it is unlikely that local bus operators would view routes through the site as commercially attractive at the outset, and for a considerable time, if ever. Indeed, SPT advise that the existing services on the A78 should form a key part of the site's public transport offering. Transport Scotland highlights that it must be ensured that existing or relocated bus stops on the A78 can be accessed safely by pedestrians and that this should be addressed by condition.

Transport Scotland considers that the STS and Travel Plan are appropriate in this instance and the preparation and submission of a detailed STS and Travel Plan prior to the commencement of any phased development be addressed by condition. The Travel Plan shall identify measures to be implemented, the system of management, monitoring, review, reporting and the duration of the plan. Additionally, a Public Transport Strategy that considers the various public transport improvements cited in the Transport Assessment is also required prior to the commencement of any phased development and Transport Scotland again advise this requires to be addressed by condition. It is expected that this includes the access details to the station as highlighted by SPT. I further note the advice from SPT that the mechanisms for providing the funding to achieve the measures set out in the strategy must also be identified and it would very much be expected that this is an integral part of the Strategy. I note the advice of SPT on walking and cycling links and it is also expected that active travel links to the development and the wider locality are addressed as part of the above. The requirement for the phased delivery of the Strategy in line with the phasing of the development as highlighted by SPT can also be an integral part of the Strategy.

Network Rail offers no objections to the proposal, subject to a range of conditions to protect the operation of the railway line.

Overall, the site is an identified redevelopment site within both the adopted and proposed LDP and the principle of a development of this nature at this location is not in question. I am satisfied that subject to the imposition of a range of conditions including those discussed above, the development is one which will be able to be readily accessed by public transport and active travel provision. The development will also not have an adverse impact on the efficient operation of the existing transport network. I am satisfied that the proposal would prevent no conflict with Policies 10 and 11 of the adopted LDP and Policies 11 and 12 of the proposed LDP.

School capacities

The response to consultation on Education raises a further capacity issue consideration crucial to determination of this application. The EIA considers that the proposed development would have a negligible effect on primary and secondary provision. It is highlighted however, that with regard to denominational secondary education within this catchment, provision is close to capacity. It is advised that there is capacity to accommodate the proposed residential development with the indicative housing figures provided by the applicant. Similar to consideration of the impacts on trunk road capacity however, the lack of a comprehensive approach to the development of the whole Spango Valley Priority Place designation has created a dilemma for the Council in the assessment of this proposal. Whilst the level of house building proposed by the applicant and the anticipated resultant number of school pupils could be accommodated, this would potentially compromise the

future development of the remainder of the Spango Valley Priority Place as it would almost certainly result in an over-capacity situation with regard to the denominational secondary school. The issue is therefore again how to assess the acceptability of the proposal in this regard without potentially compromising the deliverability of the full LDP supported development of the Spango Valley Priority Place. After careful consideration, the conclusion reached is therefore again that in order to protect its interests including realisation of the wider Spango Valley Priority Place development, and to take full cognisance of the potential impact on the capacity of the denominational secondary school, the Council has to control, via condition, the number of residential units on the application site to the previously mentioned maximum figure of 270.

Design and Placemaking

Design and placemaking are key principles set out within SPP. Placemaking is also key to the Vision and Spatial Development Strategy set out by Clydeplan with Policy 1 requiring new development to contribute towards the creation of high quality places across the city region and take account of the principles of placemaking. Placemaking is also at the heart of the adopted and proposed LDPs with Policy 1 of both LDPs requiring all development to have regard to the six qualities of successful places. Figure 3 in the adopted LDP and figure 2 in the proposed LDP identify the factors which require to be demonstrated in a design-led approach.

Whilst the proposal is considered in principle only, it must be ensured at this early stage that the development is capable of reflecting the six qualities of successful places. With regard to the factors listed in Figures 3 and 2 respectively of the adopted and proposed LDPs, in principle the development can be considered to be “Resource Efficient” in that it makes use of a significant area of previously developed land. The indicative proposals are clear on the use of nature based-solutions such as SuDs and the development will include a new public transport node to re-establish train services to the railway station and form a park and ride facility.

The applicant has submitted a Design and Access Statement in support of the proposal setting out the design concept and layout principles. This sets out a development based around character areas with a wider landscaped setting. Proposed buildings would be suitably scaled and orientated with the highest density based around the new local centre created as part of the development. There is a clear hierarchy of street design with the primary access route running through the centre of the site with secondary roads leading to and serving the various segments of the wider development. A development that is well connected and with a proposed path network which recognises the needs of pedestrians and cyclists ensures it will be “Easy to Move Around”. It is further set out that the development will include extensive areas of open space including an extensive area of open space parkland located along the line of the Spango Burn to the north of the site and the Hole of Spango which passes through the centre of the site. It is indicated that extensive green corridors will also be provided both north to south and east to west. The open space proposals are indicated to include the retention and management of existing trees, woodland and hedgerows and will incorporate SuDS. Existing culverted watercourses will also be daylighted to create new watercourse features and restore habitat and amenity value. This incorporation of green infrastructure and potential for links to the wider green network ensures that, together with seeking to minimise the impact of traffic, a potential development that is “Safe and Pleasant” can be created. With regard to this factor I am also satisfied that a suitable level of amenity could be achieved for the new residents and, in principle, there would be no adverse impact on the amenity of existing residents within the nearby settlement. Whilst the detail of the development would be considered at a later stage, the indicative proposals give a clear picture of the proposed form and an indication that the remaining factors of being “Distinctive”, “Adaptable” and “Welcoming” could be achieved.

Overall, I am satisfied a carefully conceived development could have a specific focus on placemaking and with a design layout that reflects the principles of good design and the six qualities of successful places. Additionally, the incorporation of green infrastructure and open space into the development, together with new connections to the existing core path network also ensures that a development would accord with the aims of Policies 36 and 38 of the adopted LDP and Policy 37 of the proposed LDP.

Landscape and Visual Impact

Landscape character is the distinct and recognisable pattern of elements that occurs in a landscape leading to the way that it is perceived. Landscape sensitivity is concerned with the inherent character of the landscape and the likelihood that this character would be changed by the introduction of development. Landscape capacity refers to the degree to which a particular landscape type or area is able to accommodate change without significant effects on its character, or overall change of landscape character type.

A detailed Landscape and Visual Impact Assessment (LVIA) has been undertaken and is considered as part of the submitted EIA. The LVIA follows an accepted standard approach in respect of methodology and the establishment of a baseline. As identified in the EIA submission, the site is situated on the floor of the valley of the Spango Burn to the south-western edge of Greenock. The site is positioned between the A78 Trunk Road and the railway line, with the topography beyond the site rising to both the north and south, with the rise to the south the more significant of the two. The built-up area encroaches into the eastern side of the study area in the form of the housing areas at Braeside, Larkfield and Branchton. The Clyde Muirshiel Regional Park predominantly lies to the south-west of the site.

The receptors of visual effects include the public at large, comprising residents, workers, visitors and those travelling through the landscape. This may include users of public footpaths and core paths. Representative viewpoints form the basis for the site-based assessment of the potential effects of the proposed development on views and visual amenity. These viewpoints were agreed with the Council at the EIA Scoping stage.

The EIA identifies that the visual effects that are likely to occur during the construction phase include the groundworks and storage of material stockpiles on the site associated with the creation of development platforms and road corridors, the movement of plant and machinery during construction, site compounds with associated storage, site offices and lighting; and fencing, hoardings and signage. These visual effects are assessed against the existing baseline, which comprises a brownfield site with remnants of its previous use. Of the 10 representative viewpoints that have been assessed, the EIA anticipates significant visual effects from the following locations: Viewpoint 2: View from Flatterton Road by Chrisswell Crescent; Viewpoint 3: View from Flatterton Road below Drumillan Hill; Viewpoint 4: View from Core Path above Flatterton Road; and Viewpoint 10: View from Greenock Cut Core Path.

With respect to the remaining viewpoints, while both adverse and beneficial construction effects will be experienced from some, the EIA concludes that these are not considered to constitute significant effects. Whilst short term impacts may occur from the construction phase of the development, it is accepted that a development of this nature cannot be undertaken without such short term impact. Such impacts can often be reduced with appropriate mitigation and such an approach is proposed by the applicant and detailed in the EIA. This mitigation includes the use of hoardings around prominent construction sites and sensitively-coloured screens on built form under construction, controlling the lighting of construction compounds and machinery; locating compounds and stockpiles in the least visible locations within the site; limiting movement of material between stockpiles so that these do not shift over time; and tree and woodland protection.

Turning to the operational phase, the proposed development will result in the introduction of new built form and associated infrastructure to the site, replacing the former industrial development and current dereliction. The proposed development will introduce a very different built form into the site than the industrial buildings of the former IBM Factory, both in terms of scale and massing, which although having some commercial elements, will be far less industrial and much more in keeping with the contextual Greenock townscape which lies to the east of the site.

The assessment has concluded that, after 15 years in which the landscape proposals will have developed and matured, significant residual beneficial effects on the landscape will result. The

assessment of the local townscape character area determined that there would be a minor beneficial residual effect. Beneficial effects will also occur at the following representative viewpoint locations: Viewpoint 2: View from Flatterton Road by Chrisswell Crescent; Viewpoint 3: View from Flatterton Road below Drumillan Hill; Viewpoint 4: View from Core Path above Flatterton Road; and Viewpoint 10: View from Greenock Cut Core Path. All other residual effects at the remaining viewpoints assessed were considered as either neutral or minor beneficial.

Overall it is advised that the proposed development will have a beneficial residual effect upon the landscape and visual amenity of the area.

The Council's advisor considers the baseline covers the key landscape and visual receptors of interest and the methodology for the assessment follows current good practice. Furthermore, the advisor considers that the indicative proposals suggest that the scale of the proposed development will be in keeping with the surrounding context and will not comprise any tall buildings or commercial buildings which will be greater in scale or height than those which exist within the vicinity of the site. Full control remains over the detailed form of the development through the assessment and determination of future applications. The Council's advisor goes on to consider that the effects are clearly assessed and seem reasonable.

Overall, I am satisfied that the principle of the development does not result in any significant effects in respect of landscape. It is acknowledged that the overall impact will be determined by the detailed form of the development through the assessment and determination of future applications. There is nothing that leads me to conclude that a development that is appropriate in this respect could not be achieved. I am satisfied that there is no conflict with the requirements of Policy 34 of the proposed LDP which specifically addresses landscape impact.

Policy 34 of the adopted LDP and Policy 35 of the proposed LDP additionally set out the Council's support for the retention of woodland and other trees that have significant amenity, historical, ecological, landscape or shelter value. Both policies go on to set out the criteria for assessing development proposals affecting the above. With the exception of some incidental planting remaining from the former site layout, trees are largely found to the periphery of the site and forming a tree-lined corridor along the path of the Spango Burn. The indicative proposals for the development indicate the retention and positive management of existing trees and woodland inclusive of new planting. Whilst this will be addressed at the detailed stage of the proposal the indicative proposals do not raise any concerns regarding the loss of tree cover on the site which are of significant value.

Ecology and Biodiversity

Ecological issues are considered by the applicant in an ecological impact assessment which is informed by a Preliminary Ecological Appraisal, Bat Activity Survey, National Vegetation Classification and a Tree Survey.

The applicant's assessment identifies a number of ecological habitats within the site boundary including semi-natural broadleaved woodland, mixed and Yew woodland, marshy grassland, dense scrub, amenity grassland and bare ground. The EIA highlights that in the absence of the proposed development, it is likely that typical brownfield habitats such as introduced shrub and invasive species would continue to colonise across the site. The Spango Burn would also remain culverted.

Woodland, inclusive of where bluebells are identified as being located, is to be retained as are the hedgerows along the boundaries of the site. A small area of scrub would be lost within the eastern part of the site, however scrub to the western part of the site would be retained. New scrub planting will be introduced as part of the design of the proposed greenspaces. An area of marshy grassland would also be lost. However, the installation of SuDS together with the daylighting of the burn would allow marshy grassland species to colonise these areas and compensate for the loss of part of this habitat. With the above compensation, the EIA considers that the effects on habitat are not significant.

The EIA indicates that construction activities have the potential to have negative impacts. It is advised that prior to works commencing an invasive species management plan will be in place as part of the wider Construction Environmental Management Plan to prevent the spread of invasive species during construction. An ecological clerk of works team will also be appointed to monitor compliance. Vegetative margins between construction works and areas of running water will be retained to reduce the risk of pollution. Protection measures will be implemented in respect of trees and woodland to prevent damage. The daylighting of the burn will have positive benefits in respect of ecological enhancement and permanently improving habitat connectivity.

A Preliminary Ecological Appraisal further informs the assessment of the potential impacts resulting from the development. A range of species are considered in the appraisal. The site has suitable habitat for commuting and foraging Otter together with water vole around the Spango Burn but no field signs were found. A separate bat survey has been undertaken and no roosting bats were identified. A tree within part of the retained woodland is identified as having a moderate potential to support roosting bats and the large concrete wall within the site is identified as having a range of large cavities and small gaps which could provide roosting potential. The wall is, however, assessed as offering low suitability to host roosting bats. The areas of bare ground that dominate the interior of the site and which surround the concrete wall are of limited suitability for foraging and commuting bats and the results of the activity survey, which recorded no bat activity during ideal weather conditions, reinforces the conclusion that the habitat in the vicinity of the wall is poor. The habitat and tree lines on the site boundaries do provide suitable foraging and commuting potential. No requirement for protected species licences in respect of bats has been identified at the present time and a range of mitigation measures including the demolition of the concrete wall being undertaken out with the winter hibernation period are set out.

It is noted that the Council's advisor expresses some concerns in respect of the level of information on bat species and the bat survey works undertaken. Notwithstanding this, the assessment of the concrete wall as offering low suitability for hosting roosting bats is clear and I also note the applicant's advice that the open cavities within the wall are a relatively new feature which wouldn't have been accessible to bats until the building previously associated with the wall was demolished. The Bat Conservation Trust Good Practice Guidelines are clear on there being no requirement to undertake static detector surveys for low suitability structures. A precautionary approach in demolishing the concrete wall outwith the winter hibernation period can also be taken and this is proposed by the applicant. NatureScot (formally SNH) advises that it is clear from the surveys undertaken to inform the Environmental Statement that no specifically protected species will be affected by the proposal. Being guided by the response from NatureScot, I am satisfied that the impact on protected species, inclusive of bats, has been adequately considered and no concerns arise.

The Council's advisor also highlights concerns in respect of the approach to considering breeding birds. The impact on breeding birds is also specifically considered by NatureScot in their consultation response and it is advised that the site contains habitat that has the potential to support breeding birds. NatureScot highlight that all active bird's nests are legally protected from disturbance. Proposals to ensure that all construction activities between the existing buildings/hardstanding and the north-eastern limit of the application site are restricted to the period outwith the main bird breeding season of March to July inclusive should be adopted. NatureScot goes on to advise that it is for the Planning Authority to determine whether a planning condition is necessary to secure this mitigation and I consider such is appropriate in respect of this mitigation and protecting breeding birds in general. Finally, NatureScot also advises that no statutory sites designated to protect their natural heritage interest will be affected by this proposal. Similarly, no local natural heritage designations will be affected. Overall, with suitable mitigation together with the ecological enhancements proposed, the EIA submission advises that there will be positive residual effects and no significant adverse effects in respect of ecology and biodiversity. I am therefore satisfied that there is no conflict with Policy 33 of both the adopted and proposed LDPs.

Ground conditions and contamination

Planning Advice Note 33 on the Development of Contaminated Land stresses the need to ensure that land is made suitable for proposed new uses. This should be done through a requirement for the proposal to include suitable remediation measures and this can usually be controlled through the imposition of conditions.

The former use of the site as a computer and electronics factory potentially results in chemical contamination being present. Made up ground is also likely present. The submitted EIA identifies a range of potential contaminants within the site including toxic metals and metalloids (arsenic, cadmium, chromium, copper, lead, mercury, nickel and zinc), sulphides and sulphates, petroleum hydrocarbons, PAHs, phenols, PCBs, VOCs, asbestos and pesticides. Additionally, a plume of Trichloroethene (TCE) is known to be present although the EIA advises that monitoring over several years has shown this plume to be contained within the site and that it is not migrating beyond the boundary of the site or affecting the nearby Spango Burn. There is, however, nothing within the EIA which considers the potential for construction activities to mobilise the TCE plume and the effect on receptors has not been evaluated at this stage.

Contaminant-impacted soils and groundwater are present on the site. The proposed remediation, enabling and ground works are identified as having the potential to expose impacted soil and groundwater, with potential for new contaminant linkages to be active during the construction phase. The EIA advises that any exposure affecting nearby residents during the construction phase would be of short term duration. The magnitude of the impact to nearby residents is considered to be minor but the sensitivity of the receptors is considered high. This results in a moderate adverse effect.

In terms of proposed mitigation for ground contamination matters, the EIA advises that during the construction phase, standard pollution management measures would be put in place and set out in a Construction Method Statement (CMS) and be complemented through a Construction Environmental Management Plan (CEMP). It is advised that the management plan will comply with SEPA's Pollution Prevention Guidelines and provide details on the movement of potentially contaminated materials, and preventative measures for the control of run-off to surface water receptors, airborne contaminants and fuel spillages. Earthworks will be designed and managed by a geo-environmental engineer. Spill kits will be kept on-site at all times and staff will be made aware of their location and procedures for use. In relation to the operational phase, the EIA advises that site investigation works will be required prior to concluding the likely remediation measures for the site. However, at present no permanent mitigation measures are envisaged in relation to hydrogeology. Any contaminated soils will be capped with suitable inert subsoils and topsoil, with areas generating landfill type gases protected through the installation of suitable preclusion measures.

Considering residual effects, the submitted EIA advises that no residual construction effects are considered likely to be present following mitigation. In terms of the operational phase, following mitigation in the form of the completion of the remediation strategy, no significant residual effects would occur. Pre-mitigation effects of the proposed development on resources, hydrogeology and geology during operations are considered to be negligible. With mitigation measures in place there are not expected to be any residual effects associated with the proposed development. The EIA concludes that overall cumulative effect is negligible.

Whilst the Council's advisor raised concerns regarding the ground contamination, I am principally guided by the Head of Public Protection and Covid Recovery on the applicant's submissions inclusive of an additional Initial Ground Investigation Report subsequently submitted. The presence of the TCE plume on site is specifically noted by the Head of Public Protection and Covid Recovery and it is advised that notwithstanding the submitted EIA, there is concern that this is significantly harming the water environment. The requirement to resolve this is highlighted in addition to ensuring the proposed development does not create new pollutant linkages. Concerns are highlighted by the Head of Public Protection and Covid Recovery regarding the exploratory site investigations and risk assessment work and the water environment risk assessment. A remediation scheme report that provides more detail on the planned reuse of materials on site, finalised ground gas protection systems and

verification plans is also highlighted as being required. It is further highlighted that multiple human health risk assessment scenarios will require to be considered and that the risk assessment would require to be reviewed if there are any changes to this development layout. It is advised that surface coverings and surface water run-off interception to SuDS will re-route infiltration but it is considered this will have very little impact on the volume or movement of groundwater through the site. SuDS usually implies that surface water run-off rather than entering and overwhelming a combined sewerage systems is retained and released to the water environment. The water environment appraisal focuses on the TCE behaviour. However, the daughter products of the plume behave differently. Since 2014 site conditions have also changed significantly and there is not enough data to determine the current condition of the plume. It may be the degradation process within the plume has stalled and evaluation on the health of microbial activity would give some insight. There is the possibility the TCE plume is impacting the fractured bedrock aquifer which is a protected resource. The Head of Public Protection and Covid Recovery advises this is a specialist field of groundwater assessment and remediation which will likely require the appointment of a specialist contractor who will be able to model the plume and identify how to treat it.

The Head of Public Protection and Covid Recovery considers that the site investigation work received to date can be considered as being preliminary and an additional, detailed programme of site investigations would be necessary. There is no doubt on the requirement for a remediation scheme and that matters relating to the TCE plume is a specialist field. However, it is advised that contamination matters can be addressed via model planning conditions. An additional condition is advised in respect of the requirement for an Environmental Monitoring Plan for Trichloroethene and associated contaminants. Through the imposition of conditions, matters relating to contamination inclusive of the TCE plume can be addressed. This approach follows the advice within PAN33. I am satisfied that this approach also ensures that contamination matters will be suitably addressed in accordance with Policy 16 of the adopted LDP and Policy 17 of the proposed LDP.

Flood Risk

The EIA is informed by a detailed assessment of the potential risk of flooding. The assessment considers potential flooding from all sources, and in particular from the Spango Burn which runs through the length of the site together with the Hole of Spango which is a small watercourse running across the site, feeding into the Spango Burn.

The SEPA Online Flood Mapping indicates that there are localised areas at a high risk of surface water flooding due to pluvial and overland flows, particularly in the central and western areas of the site. The hydraulic modelling undertaken has highlighted that there are parts of the site at risk of fluvial flooding from the Spango Burn and its tributaries. This predicts that the majority of lower-lying areas within the Spango Burn corridor, including riverside elements of the site, lie within the medium to high flood risk zone under a 0.5% Annual Exceedance Probability (AEP) event – also referred to as a functional floodplain (FFP).

The Flood Risk Assessment (FRA) advises that to minimise any exposure to potential flood risk as well as inappropriate development within the FFP, all built development will be offset with a sufficient buffer of at least 6 metres from the FFP extent. The FRA recommends that finished floor levels (FFLs) are set with a freeboard of at least 600mm above the 0.5% AEP plus climate change level. For the detailed planning stage, the FRA advises that dependant on the details and routing of the daylighted watercourses, the final values for FFLs in close proximity to such may require to be reviewed and confirmed once the detailed design and associated assessments have been completed. The FRA further highlights that for low lying areas mainly within the central and south-western areas of the site which may be prone to surface water ponding, landscaping and enhanced drainage (including SuDS to attenuate and treat runoff) will be provided to manage this source of flood risk. With respect to access to and egress from the site, all three existing access roads are predicted to inundate to some extent in response to 0.5% AEP and 0.5% AEP plus climate change flooding. Flood-free pedestrian access and egress to and from the site is achieved by proposed footbridge crossings in the western half of the site onto the A78.

SEPA has no objection in principle to the proposal. It specifically notes that the FRA recommends that the existing headwall is retained, or replaced with a headwall 48.5m AOD so that the culvert will surcharge, but not flood the site. Considering whether the daylighting of the watercourses may result in an increase in floodwater downstream of the development, SEPA notes that when considering flood risk for the site, the FRA has taken a conservative approach and not taken into account any attenuation by the basin that is near the culvert. Once this attenuation is considered, the FRA states that the detention storage of the landscape is likely to offer a reduction in flow peak reaching the adjacent reach of Spango Burn. SEPA is generally in agreement that there is unlikely to be an increase in flood risk downstream as a result of the development.



View looking north across the site

The Head of Service – Roads and Transportation in her flooding related capacity has also considered the applicant's submissions and is content. It is advised that a range of matters remain to be addressed and considered but it is noted that this application is for Planning Permission in Principle. Given that the layout at this stage is purely indicative and details relating to mitigating flood risk together with drainage proposals will require to respond to the evolution of the proposal to a final layout, these matters can be addressed by condition. They include surface water being attenuated to that of greenfield run-off and measures of how to prevent and mitigate against flood risk and flow pathways through the site to prevent any property flooding. Such mitigation will require to extend to the access to and from the site and the current lack of proposed mitigation in this respect is highlighted in the representation. It is further noted that all units, both housing and commercial, should have a finished floor level 600mm above the 1 in 200 year flood event plus climate change. Full details of the daylighting of the culvert or raising of the headwall require to be submitted for approval together with any other amendments to watercourses. All recommendations in the FRA require to be taken forward to the detailed stage. Scottish Water's acceptance also requires to be submitted for approval.

Considering the lack of a comprehensive approach to the development of the wider Spango Valley Priority Place, key to the final solution to address flooding and drainage of the application site will be ensuring that flooding does not occur downstream within the remaining part of the Priority Place

designation, thus potentially compromising the future deliverability of the development of this site. Concern is highlighted in the representation received in this respect. I am reassured by SEPA's second consultation response which considers the applicant's updated and additional submissions and specifically notes that there is unlikely to be an increase in flood risk downstream as a result of the development. However, given this application is in principle only, it remains that this must be demonstrated in the context of the detailed development of the site and this can be addressed by condition.

The EIA concludes that effects from construction works will be short-term and with mitigation the impacts on completion of the development will be negligible. Whilst it remains that matters relating to flooding and drainage inclusive of required mitigation together with the daylighting of the watercourses will require to be fully considered at the detailed stage, there is nothing arises which indicates that such matters cannot be suitably addressed. Subject to the appropriate use of conditions, I am satisfied that the proposal presents no conflict with Policies 8 and 9 of the adopted LDP and Policies 9 and 10 of the proposed LDP. There is also no conflict with Policy 39 of both the adopted and proposed LDPs

Noise and Vibration

The main sources of noise affecting the site and the surrounding area is road noise from the A78 and the railway. Whilst there is no significant industrial or commercial noise generating activities within the vicinity of the site, an electricity substation does have the potential to impact on future noise sensitive receptors.

A Noise Impact Assessment is submitted as part of the EIA and noise surveys were carried out at the site during June 2019 to establish road and railway noise. Based on the measured and modelled noise levels, the EIA indicates that there is the potential for road traffic noise levels to impact future residents across the proposed development. Whilst based on measured and modelled noise levels it is unlikely that railway noise will impact future residents, the combined impact of road and rail transportation noise is considered.

The EIA advises that the daytime external noise levels exceed the target criterion at 39 noise sensitive receptors. The affected properties are those located to the north-east of the site, closest to the A78. Night time internal noise levels exceed the target criterion with open windows. However, considering appropriate passive ventilation and closed windows, night time internal noise levels meet the target criterion with closed windows at all but 16 noise sensitive receptors located to the south-west of the site closest to the A78. Considering the electricity sub-station the EIA advises that external noise levels exceed the target criterion at 33 noise sensitive receptors. First floor noise levels exceed the criterion at 18 noise sensitive receptors. The results indicate significant impact at some noise sensitive receptors.

In light of the above, noise mitigation measures are proposed. The primary mitigation of transportation noise comprises a 2.4m high acoustic barrier parallel to the A78. A 6m high barrier alongside the substation will address noise from this source. Additional mitigation would be provided in the form of enhanced garden fences between 1.8 and 2.2m in height.

The residual effects following mitigation have been modelled to have a neutral effect for all future noise sensitive receptors with closed windows and appropriate passive ventilation. Planning Advice Note 1/2011 on Planning and Noise acknowledges that satisfactory internal noise levels with open windows may not always be achievable, but are always preferable. Addressing internal noise via design solutions such as locating living rooms and bedrooms on the opposite side of a building to the source of the noise or use of windows designed to provide for ventilation while providing improved sound reduction are highlighted in PAN 1/2011. In some circumstances it is acknowledged that closed windows with alternative means of ventilation may be unavoidable. Passive systems may be considered although mechanical ventilation should only be used as a last resort. The proposal follows this approach.

It is acknowledged that the above is based on the indicative layout and the final solution to mitigating noise will require to be considered in the context of a detailed layout.

The Council's advisor notes that short term attended baseline noise measurements have been undertaken at four locations. The positions are considered representative of background noise, road, railway and industrial sources affecting the development of the site. Relevant methodologies have been used in relation to the assessment of noise and vibration effects. It is considered that operational noise levels from road traffic have been adequately assessed based on measurements and predicted traffic flow changes. Similarly, substation noise levels are not likely to change and have been assessed based on measured noise data and predicted load conditions. The railway noise assessment has been based on measured data as future operations are not likely to change. Detailed acoustic modelling has enabled appropriate mitigation measures to be proposed.

The Council's advisor goes on to note that a construction noise and vibration assessment was not carried out but acknowledges that this would be provided at a later stage, through a CEMP. Such an approach will ensure that construction noise and vibration does not adversely impact existing residents, or future residents of the development whilst construction is ongoing. Whilst some further points of query are noted by the Council's advisor including the scoping out of railway vibration, the approach is accepted.

The Head of Public Protection and Covid Recovery has also been consulted on the proposal and raised no concerns in the approach taken. I note Network Rail seek a condition on the submission of a noise impact assessment and the provision of noise attenuation should a potential for noise disturbance be identified. Whilst this has already been fully considered, a condition can ensure that the position is updated in the context of the detailed design and phasing of the development.

Air Quality

An air quality assessment has been undertaken and considers issues in respect of new residents within the site together with the potential for the proposed development to adversely affect local air quality when completed. The EIA recognises that during the construction phase of the proposed development, certain operations have the potential to generate substantial dust. It is anticipated that this will be managed through various techniques including implementation of a dust management plan as part of a detailed CEMP.

Whilst the site also lies adjacent to a railway line, based on the electrification of the line and the frequency of the service the EIA considers that it is highly unlikely that railway traffic will lead to air quality impacts and consequently the railway line is not considered further within this assessment. The key issues in relation to air quality are emissions from traffic on the road network given the position of the site adjacent to the A78 Trunk Road. An air quality assessment was therefore undertaken using an ADMS-Roads air quality model with the primary aim of investigating if there was potential for traffic emissions to impact future residents on the Site as well as existing residents in the vicinity of the site. The main pollutants identified are Nitrogen Dioxide (NO₂) and Particulate Matter (PM₁₀ and PM_{2.5}).

The air quality model predicted there would be no significant change in NO₂ and Particles (PM₁₀ or PM_{2.5}) at all receptors on comparison of the 'with' and 'without' development scenarios. The EIA concludes that the overall effect of the proposed development on air quality in the study area is not significant.

SEPA advises that it is vital that when considering developments likely to generate additional levels of traffic that the Planning Authority is satisfied that the knock-on effect on existing routes, and in particular the cumulative impact of this development does not have the potential to lead to the future declaration of an Air Quality Management Area (AQMA) or influence any existing AQMA. The Council must be satisfied the development will not result in any adverse impact on existing nearby traffic routes and that a dust management plan is effectively devised to negate fugitive dust emissions from the site

With additional clarifications, the Council's advisor offers no disagreement with the approach to considering the matter within the EIA and offers no disagreement with the conclusions reached. Matters to be addressed by condition are highlighted inclusive of the requirement for a dust management plan for the construction phase of the development. The Head of Public Protection and Covid Recovery has also been consulted on the proposal and raised no concerns in the approach taken.

The proposal therefore presents no conflict with Policy 12 of the adopted LDP and policy 13 of the proposed LDP which seek to ensure that development does not have a detrimental impact on air quality and that application proposals be accompanied by an air quality assessment where appropriate.

Healthcare impacts

Based on the submitted indicative layout the EIA identifies that 891 people are expected to be accommodated within the residential element of the proposed development and in assessing the worst case scenario, all are assumed to require to register with a local GP and dentist. The EIA identifies that there are eight GP practices within a 3 mile radius of the site and that two are operating under-capacity. A potentially minor to moderate adverse effect on local healthcare is identified.

Whilst this potential impact is noted, the funding of healthcare is an issue for others. GP practices for example are often run as individual businesses who make a business case to expand and establish the practices. Given the development would be phased over a 10-year period and that the application site forms part of an identified redevelopment opportunity within the adopted and proposed LDPs, it is considered that local healthcare providers have sufficient opportunity to anticipate and phase any business cases to take account of the development.



Looking west across the site from the path to the station

Built and Cultural Heritage

Built and cultural heritage was scoped out of the EIA. There are no designated heritage assets located within the site. The Overton to Loch Thom Water Cut (known locally as the Greenock Cut) is a Scheduled Monument and located approximately 400m from the southern boundary of the site. It is not considered that the proposed redevelopment of this brownfield site would result in any impact on the Water Cut. Historic Environment Scotland offers no objections to the proposal and note that it

was considered at the Scoping stage of the EIA that the Water Cut was unlikely to be impacted by the proposed development. They were content that consideration of this further was scoped out of the EIA Report.

Turning to archaeology, given the extensive construction activities that have previously been undertaken on the site it is considered unlikely that any extensive features of an archaeological nature would survive.

The proposal presents no conflict with Policy 31 of the adopted and proposed LDPs.

Heat networks, low carbon infrastructure and climate change adaption

Whilst a dedicated climate change assessment has been scoped out of the EIA, other chapters and technical reports such as the flood risk assessment consider measures which respond to climate change. Low carbon infrastructure and heat networks require to be considered in accordance with the requirements of the adopted and proposed LDPs.

Policy 5 of the adopted and proposed LDPs require an energy statement which considers the feasibility of meeting the development's heat demand through a district heating network or other low-carbon alternatives. Where developments are located adjacent to significant heat sources or proposed and existing heat networks, they should be designed to be capable to connecting to a heat network from that source and any land required for infrastructure protected. An energy statement has been submitted by the applicant and considers a range of measures. Considering heat networks and district heating, I concur with the finding that there are no district heating networks in close proximity to connect to. It is further advised that it is not financially viable to develop a new heating network for the site. This has been based on assessments using Linear Heat Density calculations which are the methods advised by the Heat Network Partnership for Scotland and I am satisfied that the applicant's conclusions appear reasonable.

The energy statement goes on to consider how the development's heat demand can potentially be met via a range of other low-carbon measures. It is concluded that biomass, combined heat and power, a range of heat pumps, photovoltaics and heat recovery can potentially be utilised for non-domestic buildings within the development. It is further concluded that air source and shared loop heat pumps, photovoltaics and heat recovery can potentially be used for domestic properties. Solar thermal, wind turbines and fuel cells are discounted for use. Overall, I am generally in agreement with the applicant's conclusions. The use of water source heat pumps are also discounted as it is not considered that the Spango Burn is of a suitable size. Whilst I consider that the use of water source heat pumps could possibly provide heating for some of the properties it is acknowledged that in discounting this option it remains that other potential low-carbon measures exist. Overall, I am satisfied that whilst it may not be viable to introduce a heat network, the energy statement identifies a range of other low-carbon measures which can be brought forward as an integral part of the development.

As an element of design, Policy 6 of the adopted LDP also seeks to ensure that all new buildings are energy efficient through the installation of low and zero carbon generating technologies and that at least 15% of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and operation of low and zero carbon generating technologies. Policy 6 of the proposed LDP reflects the updated position with a 20% requirement. This requirement can also be addressed by condition in conjunction with the above.

Policy 8 of the proposed LDP notes that where required by planning guidance, Major Developments are to be accompanied by a Climate Risk and Vulnerability Assessment. Considering the submission date of this proposal no such assessment is applicable.

Other matters and considerations

In addition to the position on the subject matters assessed above, the Head of Public Protection and Covid Recovery recommends conditions in respect of external lighting and hours of works. These points can be addressed by advisory note if necessary. Issues in respect of sound insulation complying with the building regulations would be for the building warrant process. Scottish Power Energy Networks' consultation responses present no impediment to development. Whilst no response was received from Scottish Water, a response was received at the EIA Scoping stage based on that being a planning application proposal. No objections were offered to the development.

Policy 21 of the proposed LDP advises that the Council will seek the provision of 5% wheelchair accessible housing on new build development sites of 20 or more units. This matter can be addressed by condition.

EIA Conclusions

The EIA considers alternatives and design evolution and in this instance the proposal is considered acceptable as it would result in the redevelopment of a large, vacant brownfield site adjacent to the existing settlement. I am also satisfied that no alternative sites require to be considered.

The EIA concludes that the proposed development will result in positive benefits to the local economy, an increase in housing provision, result in wider human health benefits and bring benefits to landscape character and visual receptors. I also note that ecological benefits resulting from works within the site such as the daylighting of the watercourses will also occur. Through mitigation the potentially significant effects have been reduced. These mitigation measures will both be designed into the proposed development and be implemented during the construction phase.

It remains that the EIA has identified a number of adverse residual effects, many of which relate to the construction phase and the proposed development and include: minor effects from sediment and chemical pollution to watercourses; minor effects resulting from the loss of marshy grassland within the site; and minor effects on landscape character and visual receptors.

Whilst there may be minor adverse impacts associated with the development, these are not considered to be significant and to the extent that refusal of the application would be merited.

Summary and overall conclusions

The application site is located within the Spango Valley Priority Place and that the principle of the redevelopment of the site for a mixed use development is supported by both the adopted and proposed LDPs is not in doubt. Overall, the indicative design approach to the development inclusive of the suggested scale and massing of the various elements is considered acceptable in principle and I am satisfied that a development of a well-planned attractive nature with placemaking at the heart of the design can be achieved. I consider that the proposal also constitutes sustainable development supported by SPP. The proposal also presents no conflict with the Vision and Spatial Development Strategy set out in Clydeplan or the policy approach within Policies 1, 2, 7, 12, 14, 16 and 17.

However, in considering the submitted planning application, the failure to take a comprehensive approach to the redevelopment of the wider Spango Valley Priority Place does not accord with the requirements of either the adopted or the proposed LDPs and the proposal is a departure from both Plans. Additionally, the indicative proposed percentage split of uses fails to accord with the preferred strategy set out within both the adopted and proposed LDPs together with the respective draft Supplementary Guidance. Based on the indicative proposals the development would also see the entire expected residential development capacity for the wider Priority Place as identified in the proposed Local Development Plan on just 60% of the wider Priority Place designation. The proposed development would, however, allow a large brownfield former industrial site to be redeveloped and regenerated and this would bring significant benefits. It remains however, that this cannot be at the

expense of ensuring that any development does not compromise the Council's aims and vision to ensure the long term comprehensive redevelopment of the wider Spango Valley Priority Place. Key to this is ensuring that any development on the application site does not sterilise or otherwise adversely impact on the potential deliverability of the remaining part of the Priority Place designation. Central to ensuring this is to control the potential number of residential units on the application site based on the expected capacity for the wider Priority Place as identified in the proposed Local Development Plan, together with the market demand identified by the applicant for a development of this nature at this location.

Additionally, whilst the applicant may advise that capacity for the remaining part of the Priority Place has been designed into the site access to the A78, whether the wider A78 and associated junctions have capacity in a situation that sees a greater level of residential development overall than anticipated through the proposed LDP has not been considered by Transport Scotland. There is no doubt from Transport Scotland's consultation reply that a development in line with expectation of the proposed Local Development Plan in respect of residential units can be delivered in respect of road capacity. However questions remain due to the lack of a comprehensive approach to the development of the Spango Valley Priority Place. Furthermore, the lack of a comprehensive approach to the development of the wider Priority Place designation also means that the implications for school capacity resulting from a greater level of residential development overall than anticipated through the proposed LDP cannot be fully assessed at this time which potentially compromises delivery of the development plan's vision. Moreover how to address the requirement for additional school capacity arising directly from the development of a greater number of units across the whole of the Spango Valley Priority Place and indeed whether this could be suitably addressed cannot be fully considered without a comprehensive approach to the development to the site. The questions that remain from the lack of a comprehensive approach to the development of the site are such that controlling, via condition, the potential number of residential units on the application site based on the expected capacity for the wider Spango Valley Priority Place as identified in the proposed LDP is fundamental to being able to support the submitted planning application.

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. As set out above, the proposal is considered, due to its failure to masterplan the entire Spango Valley Priority Place designation, to be a departure from the adopted and proposed Local Development Plans together with the respective draft Supplementary Guidance. However this failing can be addressed by the inclusion of appropriate planning conditions limiting the number of residential units permitted within this section of the Priority Place designation. Having fully assessed all material planning considerations there can be no doubt of the significant environmental, social and economic benefits will result from the development. In weighing these benefits against the failure to accord with the strategy within the development plan the full circumstances of the application proposal, the position and layout of the wider Priority Place designation at Spango Valley, and the relationship between the application site and the remaining land covered by the designation have all been considered.

The development will result in significant inward investment and the redevelopment of a large brownfield site. It will provide employment both during construction and on the completion of the development, it will provide new residential development which increases housing choice and contribute to a key Council key aim of repopulation and it will increase spending within the area. Realising these benefits cannot, however, be at the expense of the development of the remaining part of the Priority Place designation. To ensure the deliverability of this is not compromised and the Council's aim of achieving a comprehensive redevelopment of the Priority Place can be achieved, it is appropriate to restrict, via a condition, the number of residential units on the application site (which comprises approximately 60% of the wider Priority Place designation) to a maximum of 270. This would ensure a level of residential development which does not compromise delivering development on the remaining part of the Priority Place designation in respect of the ability of the road network to accommodate traffic and the denominational secondary school within the catchment for this development to accommodate the increase in pupils, together with being in line with the market demand identified by the applicant for a development of this nature at this location.

With such an approach, the benefits of the development significantly and demonstrably outweigh any concerns in respect of the lack of a comprehensive masterplan covering the entire Priority Place designation. This leads me to conclude that the material considerations are such that this application for Planning Permission in Principle for a mixed use development can be supported and the departure from the adopted and proposed Local Development Plans is justified.

It is considered that Planning Permission in Principle should be granted subject to the conditions set out below.

RECOMMENDATION

That the application be granted subject to the following conditions:

1. Plans and particulars of the matters listed below shall 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). No work shall begin until the written approval of the planning authority has been given, and the development shall be carried out in accordance with that approval.
2. That prior to the commencement of any works on site, further planning application(s) for approval of matters specified by condition 1 shall be submitted to the Planning Authority in respect of the following matters:
 - a. a masterplan layout and design framework for the entire application site;
 - b. a levels strategy for the entire application site;
 - c. a phasing plan for the entire application site including a detailed programme of works showing the relevant phases and timescales for the development of each phase, and the inter-relationship of the phases.

For the avoidance of doubt the masterplan layout and design framework shall include clear provision for the effective linking of the development to the remaining south-western part of the designated Spango Valley Priority Place in the adopted and proposed Inverclyde Local Development Plans and shall follow the generalities of the indicative layout details submitted in respect of:

- i. access points and spine road;
- ii. areas to be developed;
- iii. the open space and green infrastructure provision;
- iv. SuDS;
- v. daylighting and de-culverting of watercourses.

Thereafter, development shall proceed in accordance with the approved form to the satisfaction of the Planning Authority unless otherwise first agreed in writing by the Planning Authority.

3. For the avoidance of doubt, no approval is given for the submitted indicative layout details and plans accompanying the application.
4. The maximum number of dwellinghouses across the site shall not exceed 270. For the purposes of this number, dwellinghouses include flatted dwellinghouses.
5. That prior to the commencement of works for each phase of the development, further planning application(s) for approval of matters specified by condition 1 shall be submitted to the Planning Authority in respect of the following matters:

- a. the siting, design, floor plans and external appearance of all buildings and other structures inclusive of dimensions as well as the type and colour of all external materials;
- b. the proposed site layout which shall be shown on a plan at a scale of 1:500 showing the position of all buildings, roads, means of access, footpaths, parking areas (distinguishing, where appropriate, between private and public spaces), and vehicular turning areas details of existing and proposed site levels;
- c. the type and colour of all hard surfacing materials;
- d. the proposed ground levels throughout the site and proposed finished floor levels, in relation to a fixed datum point. The application shall include existing ground levels taken from the same fixed datum point;
- e. bin stores to be erected on site inclusive of dimensions as well as the type and colour of all external materials.

Thereafter, development shall proceed in accordance with the approved form to the satisfaction of the Planning Authority.

6. That prior to the commencement of any works on site, further planning application(s) for approval of matters specified by condition 1 shall be submitted to the Planning Authority in respect of the detailed landscape strategy paying particular attention to the following:
 - a. a scheme of strategic landscaping and open space provision, detailing all existing landscape features and vegetation to be retained as well as trees to be felled;
 - b. the locations of new trees, shrubs, hedges, grassed areas and water features;
 - c. a schedule of trees and plants including species, plant sizes and proposed numbers and density;
 - d. the layout, design and materials of all hard landscaping works;
 - e. other structures such as street furniture;
 - f. proposed levels;
 - g. the extent and distribution of public open space within the development;
 - h. details of the phasing of these works;
 - i. a detailed programme for the completion and subsequent maintenance of the proposed landscaping.

Thereafter, development shall proceed in accordance with the approved form to the satisfaction of the Planning Authority.

7. The landscaping scheme shall ensure that where trees/shrubs are to be planted adjacent to the railway boundary these are to be positioned at a minimum distance from the boundary which is greater than their predicted mature height. The applicant shall agree with Network Rail and confirm in writing to the Planning Authority the species to be planted prior to the commencement of development.
8. That prior to the commencement of any works on site, further planning application(s) for approval of matters specified by condition 1 shall be submitted to the Planning Authority relating to a scheme for the provision of equipped play area(s). The scheme shall include:-
 - a. details of the type and location of play equipment, seating and litter bins to be situated within the play area(s);
 - b. details of the surface treatment of the play area(s), including the location and type of safety surfaces to be installed;
 - c. details of fences to be erected around the play area(s);
 - d. details of the phasing of these works; and
 - e. details of the future maintenance of the play area(s).

Thereafter, development shall proceed in accordance with the approved form to the satisfaction of the Planning Authority.

9. All domestic garden dimensions, open space, play provision within the development shall accord with the requirements of the Council's adopted Planning Application Advice Note 3 on "Public and Private Open space within New Residential Development" or any successive draft or adopted replacement document.
10. 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.
11. That prior to the commencement of any works on site, further planning application(s) for approval of matters specified by condition 1 shall be submitted to the Planning Authority in respect of all works and associated details relating to the daylighting and de-culverting of watercourses within the site. Works shall then proceed as approved unless an alternative is first agreed in writing by the Planning Authority.
12. That further planning applications for approval of matters specified by condition 1 in respect of each phase of the development shall be accompanied by an updated flood risk assessment which takes account of the detailed layout and design proposals. For the avoidance of doubt the recommendations set out within the "recommendations and conclusions" section of the Flood Risk Assessment dated May 2020 shall be incorporated into the detailed layout and design proposals. For the avoidance of doubt a flow paths of the surface water through the site to prevent any property flooding shall be demonstrated.
13. That prior to the commencement of works on site, mitigation measures to address the flood risk in respect of the access to and from the site shall be submitted to and approved in writing by the Planning Authority either as part of an updated version of the submitted Flood Risk Assessment or as a standalone document in association with the requirements of condition 12 above.
14. All proposed new buildings, both residential and commercial in any form, shall have a finished floor level 600mm above the 1 in 200 year flood event plus climate change.
15. That further planning applications for approval of matters specified by condition 1 in respect of each phase of the development shall be accompanied by a drainage impact assessment and full drainage details inclusive of future maintenance arrangements in accordance with the Council's policy which takes account of the detailed layout and design proposals. 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) and all surface water during and after development should be attenuated to that of greenfield run off.
16. SuDS must not be sited within 10 metres of the railway boundary.
17. All surface water shall be managed and diverted through the approved drainage infrastructure both during and on completion of the development to prevent flooding beyond the boundary of the application site.
18. It shall be demonstrated beyond doubt that no additional flooding or surface water run-off will occur to the adjoining part of the Spango Valley Priority Place designation in the adopted and proposed Local Development Plans, to the satisfaction of the Planning Authority.
19. Prior to the commencement of works on any phase of the development, confirmation that all the requirements of Scottish Water can be fully met, including confirmation of Scottish Water's

acceptance of the foul and surface water drainage proposals, shall be submitted to and approved in writing by the Planning Authority.

20. That further planning applications for approval of matters specified by condition 1 in respect of each phase of the development which contains new residential properties shall be accompanied by an updated noise impact assessment which takes account of the detailed layout and design proposals. Required noise mitigation measures inclusive of acoustic barriers and screening which generally follow those identified in the submitted noise impact assessment dated January 2020 shall be incorporated into the design and layout for each phase.
21. Prior to the occupation of any dwellinghouse hereby permitted in any phase of the development, noise mitigation measures relating to that phase of the development shall be completed as approved under condition 20 above to the satisfaction of the Planning Authority and be maintained on site at all times thereafter.
22. That prior to the commencement of works on each phase of the development hereby permitted, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Planning Authority. The CEMP shall include:
 - a. a site specific CEMP outlining the details of all construction works and mitigation to be undertaken in relation to that phase together with an indicative timetable of the activities;
 - b. a site waste management plan (dealing with all aspects of waste produced during the construction period), including details of contingency planning in the event of accidental release of materials which could cause harm to the environment;
 - c. details of the formation of the construction compound, welfare facilities, turning areas, internal access tracks, car parking, material stockpiles, oil storage, lighting columns, and any construction compound boundary fencing;
 - d. a dust management plan;
 - e. a pollution prevention and control method statement, including arrangements for the storage of oil and fuel on the site;
 - f. soil storage and management;
 - g. management to prevent to the spread of invasive species;
 - h. a water management plan to include a drainage management strategy, demonstrating how all surface and waste water arising during construction activities will be managed and prevented from polluting any watercourses or sources;
 - i. sewage disposal and treatment;
 - j. temporary site illumination;
 - k. the construction of the access into the relevant area within the site and the creation and maintenance of associated visibility splays;
 - l. details of any required ecological, ornithological and nature conservation mitigation measures including a toolbox talk for protected species to ensure all personnel are aware of what to do should evidence of species be discovered during construction;
 - m. hours of operation on site;
 - n. post-construction restoration/ reinstatement of the working areas not required during the operation of the relevant phase, including construction access tracks, construction compound, storage areas, laydown areas, access tracks, passing places and other construction areas.

The CEMP for each phase of the development shall thereafter be implemented on site as approved unless otherwise first agreed in writing with the Planning Authority.

23. No works shall commence on the development hereby approved until an independent and suitably qualified Ecological Clerk of Works (ECoW) has been appointed by the developer(s), at their expense, to oversee the implementation the development and Construction Environmental Management Plan (CEMP). Full details of the ECoW (including name,

qualifications and contact details) appointed shall be submitted in writing not less than 14 days before development commences.

24. Prior to appointing the ECoW in accordance with condition 23 above, a 'scope of works' for that person shall be submitted to, and approved in writing by, the Planning Authority. The Scope of Works shall specify the stages of the process that the ECoW will be present on site for and how regularly they will otherwise inspect the site. All works shall be carried out in accordance with the agreed scope of works to the satisfaction of the Planning Authority.
25. The recommendations set out within the submitted Preliminary Ecological Appraisal dated June 2019 in respect of mitigation and further surveys shall followed and implemented to the satisfaction of the Planning Authority.
26. For the avoidance of doubt, compliance with condition 25 above shall include following the recommendation in respect of annual updates to maintain a valid data set and accordingly where 12 months or more has elapsed between the timing any ecological survey and development commencing in any phase, further updated survey(s) shall be undertaken to determine the presence of any statutorily protected species and be submitted to and approved in writing by the Planning Authority before any development commences in respect of any phase.
27. Notwithstanding the requirements of condition 25 above, prior to the commencement of works on site in respect of any phase, a pre-construction survey for all European Protected species together with all priority Local Biodiversity Action Plan species shall be submitted to and approved in writing by the Planning Authority. For the avoidance of doubt, the survey shall set out appropriate mitigation or include a species protection plan where required.
28. The recommendations set out within the submitted Bat Survey dated August 2019 shall be fully followed to the satisfaction of the Planning Authority inclusive of undertaking the demolition of the concrete retaining wall out with the winter hibernation period for bats from December to March inclusive.
29. No tree works or scrub clearance shall occur on site from March through to August (inclusive) each year unless otherwise agreed in writing with this Planning Authority prior to clearance works commencing. In the event that clearance is proposed between March to August (inclusive), a suitable bird survey shall be carried out by a suitably qualified ecologist covering the proposed clearance area and shall be submitted to and approved in writing by the Planning Authority before those clearance works commence. Once written approval has been given, the works themselves should be carried out within a specified and agreed timescale.
30. No tree works or scrub clearance shall occur and no other development or construction works shall commence during the bird breeding season March through to August (inclusive) in the north-eastern part of the site generally from a point level with the existing north-easternmost access to the north-eastern site boundary. Prior to the commencement of any works on site, a site plan of a scale not less than 1:500 setting out a clear boundary of the restricted area shall be submitted to and agreed in writing by the Planning Authority. Works shall then proceed as approved.
31. That prior to the commencement of works on site in any phase, a biodiversity enhancement scheme inclusive of a timetable for implementation shall be submitted to and approved in writing by the Planning Authority. Works shall then proceed as approved.
32. That prior to the commencement of works on site in any phase, tree protection measures for all trees to be retained both within or adjacent to the application site shall be erected in accordance with British Standards Recommendations for trees in Relation to Construction,

currently BS 5837:2012, to the satisfaction of the Planning Authority and shall not be removed during the course of construction work.

33. No tree felling shall be undertaken on site unless in accordance with an approved landscape framework or strategy or otherwise first agreed in writing by the Planning Authority.
34. That prior to the commencement of works on site in any phase, full details of mitigation measures generally following those set out within Section 12.135 of the EIA to reduce the temporary visual effects resulting from construction shall be submitted to and agreed in writing by the Planning Authority. Works shall then proceed as approved.
35. That the details set out within the Landscape Mitigation Strategy in Figure 12.6 of the EIA shall be incorporated into the detailed design of the development.
36. That prior to the start of development in any phase, 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.
37. That the development in any phase 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.
38. That before the development of any building in any phase 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.
39. 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.
40. That prior to commencement of the development works within any phase, an Environmental Monitoring Plan for trichloroethene and associated contaminants present at the site shall be submitted to and approved in writing by the Planning Authority; this plan shall include an emergency contingency response plan to deal with any watercourse pollution events. Development shall not proceed until the Environmental Monitoring Plan is implemented. Any variation to the agreed Environmental Monitoring Plan shall be submitted for approval, in writing by the Planning Authority prior to implementation.
41. Prior to the commencement of any works on site, the applicant must provide a suitable trespass proof fence of at least 1.8 metres in height adjacent to Network Rail's boundary and

provision for the fence's future maintenance and renewal should be made. Details of the proposed fencing together with the timescale for implementation shall be submitted to and approved in writing by the Planning Authority. Thereafter the works shall proceed as approved and the fence shall be maintained in position at all times thereafter.

42. All proposed roads, footpaths and parking shall be provided in accordance with the National Roads Development Guide. The details shall allow for:
 - a. Residential parking:
 - i. (including garages if not less than 3.0 metres by 7.0 metres in size) to be provided in accordance with the National Guidelines of one parking space for a 1-bedroom house, 2 parking spaces for a 2 or 3 bedroom house, and 3 parking spaces for a 4 bedroom house;
 - ii. visitor parking shall be at a standard of 0.25 space per house;
 - iii. the minimum dimensions of driveways shall be 3 metres wide by 5.5 metres long per bay; the driveway gradients shall not exceed 10%; driveways shall be paved for a minimum distance of 2m to prevent loose driveway material being spilled onto the road; and the gradient of driveways shall not exceed 10%;
 - iv. any visitor parking spaces shall be a minimum of 2.5 metres by 5.0 metres.
 - b. Employment, Industrial, Retain, Community and Leisure parking:
 - i. Parking requirements as stated in the National Roads Development Guide;
 - c. The roads shall be designed to a 20mph speed limit with traffic calming;
 - d. All roads within the site shall be a minimum of 5.5m wide and have a gradient of 8% or less;
 - e. All footways within the site shall be a minimum of 2.0m wide.
43. That prior to the occupation of any building regardless of the proposed use, the off-street parking approved in association with condition 42 above shall be formed and available for use. The parking shall remain in place and available for use at all times thereafter to the satisfaction of the planning authority.
44. 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 and operational street lighting shall be provided.
45. That within 4 weeks of the last of the dwellinghouses hereby permitted being completed, all roads and footways within the application site shall be completed to a final wearing course.
46. That prior to the completion of each phase of the development all visitor parking spaces approved in association with condition 42 above shall be formed and available for use. The parking shall remain in place and available for use at all times thereafter to the satisfaction of the planning authority.
47. Prior to the commencement of any phased development, the existing grade-separated junction, proposed to be used as a means of access to the trunk road, shall be upgraded to an adoptable standard, generally in line with Drawing 19137-SK-21 Revision D (Dated 04 August 2021), to be approved by the Planning Authority, in consultation with Transport Scotland as the Trunk Roads Authority. Any existing walking and cycle user infrastructure affected by the upgrade shall also be upgraded to conform to current standards.
48. Prior to the commencement of any works on site, the proposed signal-controlled means of access to the trunk road shall be constructed to a layout generally in line with Drawing 108901/I/GA/001 Revision A (Dated October 2019), and type (and method) of construction

to be approved by the Planning Authority, in consultation with Transport Scotland as the Trunk Roads Authority.

49. Prior to the commencement of any phased development, a scheme for the closure of the existing central site access junction with the A78(T) shall be submitted to and approved in writing by the Planning Authority, in consultation with Transport Scotland as the Trunk Roads Authority. Thereafter, the approved details shall be implemented in accordance with the approved timescales.
50. Prior to the commencement of any phased development, a Sustainable Transport Strategy shall be prepared and approved in writing by the Planning Authority, in consultation with Transport Scotland as the Trunk Roads Authority.
51. Prior to the occupation of any part of the phased development, any footpath link must be approved and then constructed and completed to the satisfaction of the Planning Authority, in consultation with Transport Scotland as the Trunk Roads Authority.
52. Prior to the occupation of any part of the phased development, a scheme for the closure of the existing sub-standard footway across the site frontage with the A78(T) should be submitted to and approved in writing by the Planning Authority, in consultation with Transport Scotland as the Trunk Roads Authority.
53. Prior to the commencement of any phased development, a Public Transport Strategy shall be submitted to and agreed in writing with the Planning Authority, in consultation with Transport Scotland as the Trunk Roads Authority, that considers the various public transport improvements cited in the Transport Assessment.
54. For the avoidance of doubt, the Public Transport Strategy required under condition 53 above shall include (but not be limited to) details on the provision of all modes public transport inclusive of the re-establishment of rail services at IBM Halt, infrastructure inclusive of park and ride facilities, phasing and implementation and details of funding mechanisms required.
55. Prior to the commencement of any phased development, a scheme for the closure and relocation of the existing bus stop and uncontrolled pedestrian crossing on the northbound A78(T) carriageway at the existing central site access shall be submitted to and approved in writing by the Planning Authority, in consultation with Transport Scotland as the Trunk Roads Authority. Thereafter, the approved details shall be implemented in accordance with the approved timescales.
56. Prior to the commencement of any works on site, a Transport Assessment Addendum shall be prepared and approved in writing by the Local Authority, in consultation with Transport Scotland as the Trunk Roads Authority, that considers the potential impacts of the development at A78(T) / Dunlop Street Roundabout. Any mitigation shall be identified and, prior to the commencement of any works on site, shall be constructed conforming to current standards to be approved by the Planning Authority, after consultation with Transport Scotland, as the Trunk Roads Authority.
57. Prior to the commencement of any works on site, a scheme for the delivery of A78(T) / Cumberland Road junction improvement measures shall be submitted to and approved in writing by the Planning Authority, in consultation with Transport Scotland as the Trunk Roads Authority. Thereafter, the approved details shall be implemented in accordance with the approved timescales.
58. Prior to the occupation of any part of the phased development, a comprehensive Travel Plan that sets out proposals for reducing dependency on the private car shall be submitted to and approved in writing by the Planning Authority, in consultation with Transport Scotland as the

Trunk Roads Authority. The Travel Plan shall identify measures to be implemented, the system of management, monitoring, review, reporting and the duration of the plan.

59. Prior to the commencement of any works on site, details of the lighting within the site shall be submitted for the approval of the Planning Authority, in consultation with Transport Scotland as the Trunk Roads Authority.
60. There shall be no drainage connections to the trunk road drainage system.
61. Prior to the commencement of any works on site, a Construction Traffic Management Plan (CTMP) for each phase of the development, covering the construction of that phase, shall be submitted for prior approval of the Planning Authority, in consultation with Transport Scotland as the Trunk Roads Authority, before any works commence on site.
62. All vehicles transporting construction material to and from the proposed development shall be sheeted.
63. Prior to the commencement of any works on site, vehicle wheel cleaning facilities shall be installed and brought into operation on the site, the design and siting of which shall be subject to the prior approval of the planning authority, in consultation with Transport Scotland as the Trunk Roads Authority.
64. Prior to the commencement of any works on site, details of the connection of the site to the core path network, inclusive of timing of the implementation shall be submitted to and approved in writing by the Planning Authority. Works shall then proceed as approved.
65. That all proposed new buildings, both residential and commercial in any form hereby permitted shall be designed to ensure that at least 15%, rising to 20% by the end of 2022 of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and operation of low and zero carbon generating technologies, details of which shall be submitted to and approved in writing by the Planning Authority prior to the erection of the first house on site.
66. That further planning applications for approval of matters specified by condition 1 in respect of each phase of the development shall detail the provision of electrical vehicle charging points. For the avoidance of doubt this shall include each dwellinghouse provided with an electric vehicle charging point prior to its occupation.
67. That no dwellinghouse shall be occupied until the contents of a Travel Information Pack (largely in line with the example submitted within the Transport Assessment) which encourages reduced dependency on the private car by highlighting the location of local amenities, public transport services and active travel routes is submitted to and approved in writing by the Planning Authority. Thereafter, on the occupation of each dwelling, the approved Travel Information Pack shall be provided to new residents. The Travel Information Pack shall be updated by the applicant as deemed necessary by the Planning Authority to take account of the progression of the development.
68. A minimum 5% of the dwellinghouses to be constructed on site shall be fully wheelchair accessible.

Reasons:

1. To ensure that the matters referred to are given full consideration and to accord with section 59 of the Town and Country Planning (Scotland) Act 1997, as amended.
2. To ensure an appropriate and comprehensive programme for delivery of the various elements of the development.

3. Due to the submitted application being for Planning Permission in Principle and to retain full control over the detail of the proposed development.
4. This figure represents a pro-rata provision of the dwellings by area within the Spango Valley Priority Place identified by the adopted and proposed Inverclyde Local Development Plans, based on an acceptable level of development in terms of tested and available capacity by Transport Scotland and the Council as Education Authority.
5. To ensure that the design matters referred to are given full consideration and are acceptable.
6. To ensure that the landscaping details and open space provision are given full consideration and are acceptable.
7. To control the impact of leaf fall on the operational railway.
8. To ensure that the play provision details are given full consideration and are acceptable.
9. To ensure appropriate domestic garden dimensions, open space and play provision in the interests of amenity.
10. To ensure the retention of the landscaping scheme.
11. To ensure that the details relating to the daylighting and de-culverting of watercourses are given full consideration and are acceptable.
12. In the interests of the avoidance of flooding affecting the development hereby permitted or surrounding lands and properties.
13. In the interests of the avoidance of flooding affecting the access to the development hereby permitted.
14. In the interests of the avoidance of flooding affecting the development hereby permitted.
15. To ensure the adequacy of the drainage regime and associated maintenance in the interests of the avoidance of flooding affecting the development hereby permitted or surrounding lands and properties.
16. To protect the stability of the adjacent railway lines and the safety of the rail network.
17. To avoid surface water run-off from the site in the interests of the avoidance of flooding.
18. To ensure that the remaining part of the Priority Place designation is not affected by flooding and surface water run-off resulting from the development, impacting on the delivery of development on the neighbouring site.
19. To ensure noise impact is fully considered.
20. To ensure Scottish Water's acceptance of the drainage regime for the application site, in the interests of the provision of a satisfactory drainage regime.
21. To ensure the installation of appropriate noise mitigation measures in the interests of the amenity of future residents.
22. To ensure that all construction operations are carried out in a manner that minimises their impact on road safety, amenity and the environment, and that the mitigation measures

contained in the EIA accompanying the application, or as otherwise agreed, are fully implemented.

23. To secure effective monitoring of and compliance with the environmental mitigation and management measures associated with the development.
24. To secure a suitable scope and works and appropriate access for the ECoW in the interests of the effective monitoring of and compliance with the environmental mitigation and management measures associated with the development.
25. In the interests of the protection of ecology.
26. To ensure that an up-to-date position is maintained in the interests of the appropriate protection of ecology.
27. To ensure the appropriate protection of European Protected species and other wildlife.
28. To ensure the appropriate protection of Bats.
29. To ensure the appropriate protection of breeding birds.
30. To ensure the appropriate protection of breeding birds.
31. To ensure appropriate biodiversity enhancement for within the new habitats created.
32. To ensure the retention of and avoidance of damage to trees during development.
33. To ensure the retention of and avoidance of damage to trees during development.
34. To minimise the visual effects from construction.
35. To minimise the visual effects of the development.
36. To help arrest the spread of Japanese Knotweed in the interests of environmental protection.
37. To satisfactorily address potential contamination issues in the interests of human health and environmental safety.
38. To ensure contamination is not imported to the site and to confirm successful completion of remediation measures in the interest of human health and environmental safety.
39. To ensure that all contamination issues are recorded and dealt with appropriately.
40. To satisfactorily address potential contamination issues resulting from trichloroethene and associated contaminants present at the site in the interests of human health and environmental safety.
41. In the interests of public safety and the protection of Network Rail infrastructure.
42. To ensure appropriate roads and parking layout and provision.
43. To ensure appropriate parking provision for new buildings.
44. To ensure the provision of acceptable safe access facilities during construction.
45. To ensure the provision of acceptable safe access facilities following construction.

46. To ensure the provision of appropriate visitor parking facilities.
47. To ensure that the standard of access layout complies with the current standards and that the safety of traffic on the trunk road is not diminished.
48. To ensure that the standard of access layout complies with the current standards and that the safety of the traffic on the trunk road is not diminished.
49. To mitigate the impact of the development and ensure the safe and efficient operation of the trunk road.
50. To ensure the safety of pedestrians and cyclists using the trunk road and adjacent facilities.
51. To ensure that facilities are provided for the pedestrians 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.
52. To ensure the safety of pedestrians and cyclists using the trunk road and adjacent facilities.
53. To ensure that the development is adequately served by public transport services; and to minimise any interference with the safety and free flow of traffic on the trunk road network.
54. To ensure all public transport matters are considered by the Public Transport Strategy.
55. To mitigate the impact of the development and ensure the safe and efficient operation of the trunk road.
56. To mitigate the impact of the development and ensure the safe and efficient operation of the trunk road.
57. To mitigate the impact of the development and ensure the safe and efficient operation of the trunk road.
58. To be consistent with the requirements of Scottish Planning Policy (SPP) and PAN 75 Planning for Transport.
59. To ensure that there will be no distraction or dazzle to drivers on the trunk road and that the safety of the traffic on the trunk road will not be diminished.
60. To ensure that the efficiency of the existing drainage network is not affected.
61. To minimise interference with the safety and free flow of the traffic on the trunk road; to ensure the safety of pedestrians and cyclists using the trunk road and adjacent facilities; and to be consistent with current guidance and best practice.
62. To ensure that material from the site is not deposited on the trunk road to the detriment of road safety.
63. To ensure that material from the site is not deposited on the trunk road to the detriment of road safety.
64. To ensure the development links to the core path network.
65. To comply with the requirements of Section 72 of the Climate Change (Scotland) Act 2009.
66. To ensure appropriate electric vehicle charging provision.

67. To encourage sustainable travel behaviour and reduce the reliance on the private car.

68. To ensure provision of wheelchair accessible housing in accordance with Policy 21 of the proposed 2021 Inverclyde Local Development Plan.

Mr Stuart W Jamieson
Interim Director
Environment and Regeneration

Local Government (Access to Information) Act 1985 – Background Papers. For further information please contact James McColl on 01475 712462.