

Report To:	The Planning Board	Date:	9 June 2022
Report By:	Interim Director Environment and Regeneration	Report No:	21/0212/IC Local Application Development
Contact Officer:	Sean Mc Daid	Contact No:	01475 712412
Subject:	Re-development and partial demolition of former car sales showroom building to form petrol filling station with ancillary petrol filling station shop and business units (class 4); erection of canopy, formation of parking spaces, installation of electric vehicle charging points, automated laundry and jet wash bays at 9 to 15 Port Glasgow Road, Greenock		



SUMMARY

- The proposal accords with the Clydeplan Strategic Development Plan.
- The proposal is contrary to the adopted 2019 Inverclyde Local Development Plan but accords with the proposed 2021 Local Development Plan.
- No representations were received.
- The consultations present no impediment to development.
- The material considerations justify a departure from Policy 25 of the adopted 2019 Inverclyde Local Development Plan.
- The recommendation is to GRANT SUBJECT TO CONDITIONS.

Drawings may be viewed at:

<https://planning.inverclyde.gov.uk/Online/applicationDetails.do?activeTab=documents&keyVal=QW6JZ8IMHDT00>

SITE DESCRIPTION

The site is a former car sales showroom and its grounds located on the north side of the A8 Port Glasgow Road. A car wash currently operates from the site. The site is to the north-west of the junction of the A8 with Pottery Street. To the north of the site there is a Council depot as well as a recycling centre and on the opposite side of the A8 there is the Riverside Business Park. The site is irregular in shape, tapers towards the west side and is approximately 0.31 hectares in area.

Between the site and Pottery Street there is a single storey red brick building with a grey coloured profiled sheet roof.

The building on the site itself is a combination of two storeys with a single storey wing. The two storey part of the building has a flat roof and is located at the east side of the site whereas the single storey wing is located towards the centre part of the site and set back from Port Glasgow Road with a forecourt in front of it. The external materials on the building are a combination of light grey/silver coloured cladding panels and red coloured facing bricks. Slates are used on the double pitch roof above the single storey wing. There is also a canopy at the corner of the building where the two storey part meets the single storey wing.

There is a canopy located at the west side of the site. Behind the canopy there is a large metal shed building that is in the Council depot. Cars would have been displayed for sale under this as well as inside the building and on the forecourt. There are two vehicular accesses at the site. One is located between the canopy and the forecourt and the other is adjacent to the two storey part of the building. There is a central reservation along the A8 with two gaps in it opposite the site.

PROPOSAL

It is proposed to redevelop the site to become a mixed use development comprising a petrol filling station with Class 4 business units. Parts of the existing building are to be demolished with the majority of the single storey wing removed. This will leave the two storey part of the building remaining onto which a single storey extension is to be constructed at its rear. The extension is to accommodate two workshop/business units which are to be 51 square metres and 91 square metres of floor space respectively. The rear extension is to have a flat roof and facing bricks are to be used on its elevations.

On the ground floor of the resultant building there is to be the sales area for the petrol filling station as well as two workshop/business units in the extension at the rear. At the rear of the sales area the submitted plans indicate a food servery counter. The sales area is to be 162 square metres. Access to the workshop/business units are at the rear/north facing elevation of the extension. On the upper floor of the building above the proposed shop there are to be offices which can be accessed via two separate doors. One door leads directly to a stairwell and the other leads to a lift platform and also to the stairwell. There will be additional office and storage associated with the shop/petrol filling station of 86 square metres. In total, new business floor space of 443 square metres is to be created.

The canopy at the corner of the building is to be removed and a sliding door is to be installed on the west facing elevation within an existing window to allow access to the sales area for the filling station. There are no external alterations indicated for the front/south facing elevation of the two storey part of the building.

Petrol pumps are to be installed towards the centre of the site and there is also to be a canopy at this part of the site that is to be 28m long, 8m wide and 5.8m high.

The canopy at the west side of the site is to be demolished. At the west side of the site there are to be automated laundry units behind which there are to be plant/equipment for the proposed electric vehicle charging points.

Towards the west part of the site there are to be four parking spaces for electric vehicle charging. There are to be parking spaces elsewhere on site and in the north-east corner at the rear there are to be two jet wash bays.

The existing vehicular accesses are to be used with modifications and the submitted drawings indicate these are to operate in a one way system with the westernmost, the entrance from the A8 and the easternmost, the exit onto the A8. The modifications involve re-aligning the existing kerb and narrowing the footpath to the east side of the site exit. Dropped kerbs and tactile paving are to be installed on the public footpath at both sides of the vehicular entrance and exit.

The submitted drawings also indicate two gaps in the central reservation along the A8 opposite the site are to be closed and to become a continuation of the existing reservation and road markings.

The submitted drawings indicate repairs are to be carried to an existing wall at the rear of the site with replacement boards erected for the boundary fence.

The petrol filling station is intended to open 24 hours a day. The proposed petrol filling station with the shop is to create 10 full time and 4 part time jobs. The proposed new workshop/business units are to create 15 to 20 jobs for small and medium sized enterprises.

2017 CLYDEPLAN STRATEGIC DEVELOPMENT PLAN

Policy 5 - Strategic Economic Investment Locations

The Strategic Economic Investment Locations (SEILs) set out in Schedule 3 and Diagram 4 are the city region's strategic response to delivering long-term sustainable economic growth.

To support the Vision and Spatial Development Strategy, Local Authorities should

- safeguard and promote investment in the SEILs to support their dominant role and function and to address the opportunities/challenges as identified in Schedule 3. This may include providing opportunities for the expansion or consolidation of these locations, where appropriate;
- identify the locations and circumstances when other uses commensurate to the scale of the SEILs non-dominant role and function will be supported. The Implementing the Plan and Development Management section of the Plan should be taken into account when considering non-dominant role/function uses within the SEILs.

ADOPTED 2019 LOCAL DEVELOPMENT PLAN POLICIES

Policy 1 – Creating Successful Places

Inverclyde Council requires all development to have regard to the six qualities of successful places. In preparing development proposals, consideration must be given to the factors set out in Figure 3. Where relevant, applications will also be assessed against the Planning Application Advice Notes Supplementary Guidance.

Policy 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 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 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 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 25 - Business and Industrial Areas

Proposals for development within the business and industrial areas identified on the Proposals Map will be assessed against the following strategy:

Strategic Economic Investment Locations

Areas identified under 25(a) on the Proposals Map are promoted and safeguarded for business and financial services.

Inchgreen (25(b) on the Proposals Map) is promoted and safeguarded for the manufacture and maintenance of renewables and the provision of specialist marine services.

Strategic Freight Transport Hub

Greenock Ocean Terminal (25(c) on the Proposals Map) is safeguarded for freight transport and cruise liner activity.

Local Business and Industrial Areas

Areas identified under 25(d) on the Proposals Map are safeguarded for business, general industrial, and storage/distribution uses (Class 4, 5 and 6).

Other uses may be supported within areas 25(a)-(d) where it is clearly demonstrated that they:

- are ancillary to the safeguarded use
- will not prevent the future development of the site for the safeguarded use

Economic Mixed Use Areas

The areas identified as 25(e) on the Proposals Map will be safeguarded for business, general industrial, and storage/distribution uses (Class 4, 5 and 6); and other uses, which would either contribute to permanent employment creation or clearly support the operation of existing businesses.

Ports, Harbours and Docks

Port, harbour and dock facilities will be safeguarded from development that would adversely impact on their existing or potential maritime related use, except where the area has been identified for alternative uses by this Plan or associated Supplementary Guidance.

Policy 38 - Path Network

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.

Where applicable, development proposals will be required to provide new paths in order to encourage active travel and/or connectivity to the green 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.

PROPOSED 2021 LOCAL DEVELOPMENT PLAN POLICIES

Policy 1 – Creating Successful Places

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

- a) a public connection will be available in future, either through committed sewerage infrastructure or pro-rata developer contributions; and
- b) 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 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 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 25 - Business and Industrial Areas

Proposals for development within the business and industrial areas identified on the Proposals Map will be assessed against the following strategy:

STRATEGIC ECONOMIC INVESTMENT LOCATIONS

Areas identified under 25(a) on the Proposals Map are promoted and safeguarded for business and financial services.

Inchgreen (25(b) on the Proposals Map is promoted and safeguarded for marine related business and industry.

STRATEGIC FREIGHT TRANSPORT HUB

Greenock Ocean Terminal (25(c) on the Proposals Map) is safeguarded for freight transport and cruise liner activity.

LOCAL BUSINESS AND INDUSTRIAL AREAS

Areas identified under 25(d) on the Proposals Map are safeguarded for business, general industrial, and storage/distribution uses (Class 4, 5 and 6).

Other uses may be supported within areas 25(a)-(d) where it is clearly demonstrated that they:

- a) are ancillary to the safeguarded use
- b) will not prevent the future development of the site for the safeguarded use

ECONOMIC MIXED USE AREAS

The areas identified as 25(e) on the Proposals Map will be safeguarded for business, general industrial, and storage/distribution uses (Class 4, 5 and 6); and other uses, which would either contribute to permanent employment creation or clearly support the operation of existing businesses.

PORTS, HARBOURS AND DOCKS

Port, harbour and dock facilities will be safeguarded from development that would adversely impact on their existing or potential maritime related use, except where the area has been identified for alternative uses by this Plan or associated Supplementary Guidance.

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.

CONSULTATIONS

Scottish Water - No objection. Advises that there is currently sufficient capacity in the Greenock Water Treatment Works to service the development and further investigations may be required to be carried out once a formal application has been submitted to them. All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water prior to any formal Technical Application being submitted to fully appraise the proposals. The development proposals may impact on existing Scottish Water Assets and the applicant must identify any potential conflicts with Scottish Water assets and contact the Asset Impact Team to apply for a diversion. For reasons of sustainability and to protect customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into the combined sewer system.

Transport Scotland - Recommends the following conditions should the Council decide to grant permission:

- Prior to the occupation of any part of the development hereby permitted, the layout of the new site access priority junction with the A8(T), and the closure of the central reservation gaps through the successful promotion of a road order, both generally as illustrated on AECOM Drawing No. 60648610-SHT-10-CT-0100 Rev. P1, shall be constructed to the satisfaction of the Planning Authority, after consultation with Transport Scotland.
- Prior to the occupation of any part of the development hereby permitted, the existing footway along the site frontage must be upgraded to DDA compliant standard, and dropped kerbs/tactile paving at the site entry/exit junctions, generally as illustrated on AMCA Architects Drawing No. PL_014 Rev. A and PL_015, shall be constructed to the satisfaction of the Planning Authority, after consultation with Transport Scotland.
- Prior to the commencement of the development, a Construction Traffic Management Plan (CTMP) shall be submitted to, and approved by, the Planning Authority, after consultation with Transport Scotland. In particular, the CTMP shall identify measures to control the use of any direct access onto the A8 trunk road. Thereafter, all construction traffic associated with the development shall conform to the requirements of the agreed Plan.
- Prior to the commencement of the development details of the lighting within the site shall be submitted for the approval of the Planning Authority, after consultation with Transport Scotland, as the Trunk Roads Authority.
- Prior to the commencement of the development, details of the frontage landscaping treatment along the trunk road boundary shall be submitted to, and approved by, the Planning Authority, after consultation with Transport Scotland. All landscaping shall be located such that it can be installed and maintained from within the development without requiring access to the trunk road.
- Prior to commencement of the development, details of the fencing/barrier proposals along the trunk road boundary shall be submitted to, and approved by, the Planning Authority, after consultation with Transport Scotland and thereafter implemented prior to commencement of operation. The fencing/barrier proposals shall be located such that they can be erected and maintained from within the development without requiring access to the trunk road.
- There shall be no drainage connections to the trunk road drainage system.

Head of Service – Roads and Transportation - advises the following:

- The parking requirements detailed in the National Roads Development Guide for the use as Class 4 is 1 space per 30sqm. The total Gross Floor Area of the office spaces is 443sqm, which therefore requires 15 parking spaces.
- The parking requirements detailed in the National Roads Development Guide for the use as Class 1 Retail is 3 spaces per 100sqm. The Gross Floor Area of the retail space is 162sqm, which therefore requires 5 parking spaces.
- The total parking requirement is 20 parking spaces including 2 disabled bays and staff parking for the filling station. The parking provided is 20 parking spaces so this is acceptable.
- Parking spaces should be 2.5m x 5.0m. Disabled bays should be 2.9m x 5.5m with a 1.0m hatching around them.
- It is noted that the majority of spaces are to the western side of the site and there is concern that this may result in vehicles being parked on the A8 East Hamilton Street particularly on the footway. The applicant should consider parking provision in front of the shop to minimise the risk of parking on the A8 East Hamilton Street.
- All surface water created by the jet wash machines should be contained within the site.
- It is noted that no cycle parking is proposed despite the National Roads Development Guide recommending it. Although the site is not adjacent to a cycle route the A8 is used by cyclists. Both Transport Scotland and Inverclyde Council are looking at the potential for improving cycle facilities on the A8. It is therefore recommended that a minimum of 6 cycle spaces are provided and that these would be best sited close to the entrance to the retail element of the development.
- Supports the closure of the gaps in the centre islands on the A8 East Hamilton Street to reduce the risk of collisions and potential delays to westbound traffic.
- Confirmation that all surface water run-off is adequately treated in line with the relevant guidance and regulations before discharging to the drainage network as a result of the increased likelihood of contamination due to the type of development.
- Confirmation that all relevant authorities have been consulted and relevant permissions obtained for this type of development.
- Recognises the findings in the Road Safety Audit and accept that the road surface will be made good and detritus material cleared. However it is noted that the applicant has not addressed all of the concerns of the Road Safety Audit.
- Objects to the proposed layout which reduces the width of the footway. As noted above both Inverclyde Council and Transport Scotland are looking at means to improve active travel along this corridor. The reduced footway width will have a detrimental effect on this. This change is not obvious from the plans submitted, therefore, it is recommended that Transport Scotland confirm that they are happy with the change to the footway at this location.
- Questions whether a tanker can enter the site and follow the one way system around the fuelling tanks, then exit straight out of the site. This should remove the need to narrow the footway. It is noted that the tanker is not shown on the drawings as being parked near the tanks, therefore, how will they fill the tanks safely?
- The tactiles in the proposed layout do not line up.

Head of Public Protection and Covid Recovery - No comments to make in relation to Food and Health, Air Quality or Noise. Recommends conditions relating to ground investigations to be

carried out, the containers to be used to store waste materials and recyclable materials produced on the premises and external lighting. Various advisory notes are also recommended.

PUBLICITY

The nature of the proposal did not require advertisement.

SITE NOTICES

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

PUBLIC PARTICIPATION

The application was subject to neighbour notification and no representations were received.

ASSESSMENT

This application is a Local Development as defined by The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. The material considerations in the assessment of this application are national planning policy inclusive of Scottish Planning Policy (SPP), the 2017 Clydeplan Strategic Development Plan (SDP), the adopted 2019 Inverclyde Local Development Plan, the proposed 2021 Inverclyde Local Development Plan, the visual impact, traffic implications, consultation responses, and amenity impact.

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

The Policy Context

Scottish Planning Policy

Scottish Planning Policy introduces a presumption in favour of 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. Planning policies and decisions should support sustainable development. Both Strategic and Local Development Plan policies are required to follow national policy.

Strategic Policy

The 2017 Clydeplan Strategic Development Plan (SDP) sets out a strategic vision to be implemented through a spatial development strategy for the area based on a compact city region model, focused on centres, regeneration, economy, low carbon infrastructure and placemaking. The vision is supported by a spatial development strategy and supporting policies.

The Vision and Spatial Development Strategy of Clydeplan aims for a compact city region, which has Glasgow city centre at its hub, with other centres of activity connected sustainably to it, all contributing to a low carbon economy and lifestyles. Development is to be directed to sustainable brownfield locations which maximise the re-use of resources. Clydeplan favours development that is well served by public transport and accessible by non-motorised means. Particular importance is given to development that could deliver the regeneration of previously developed land and buildings.

Policy 4 of Clydeplan identifies the network of strategic centres, including Greenock, which support a range of economic and social activities. The role and function of Greenock is identified for retail, civic, leisure, community, employment, business and residential uses. The proposed development would in general terms support the identified role and function for Greenock through employment generation and business development at a site that has been undeveloped/vacant for a number of years.

Policy 5 of Clydeplan requires local authorities to safeguard and promote investment in the Strategic Economic Investment Locations (SEILs) to support their dominant role and function, being green technologies/business and financial services at Inverclyde Waterfront, and to address the opportunities/challenges as identified in Schedule 3 to the policy. This may include providing opportunities for the expansion or consolidation of these locations, where appropriate, and to identify the locations and circumstances when other uses commensurate to the scale of the SEILs non-dominant role and function will be supported. The “Implementing the Plan and Development Management” section of the Plan should be taken into account when considering non-dominant role/function uses within the SEILs.

The proposed development is of a strategic scale as defined in Schedule 14 as more than 500 vehicles would be generated per day (1881 vehicular trips per day in total as identified by the applicant’s transport consultant comprising 1829 trips to the petrol filling station and the remainder distributed to trips to the office, workshop/business units and food servery), albeit that the total gross floor area of the proposed buildings does not exceed 5,000 square metres and the site area does not exceed 2 hectares. It has to be considered whether the proposed development supports the Vision and Spatial Development Strategy taking account of the relevant policies, schedules and diagrams appropriate to the type of development. The proposed development therefore has to be assessed against Box 1 of Diagram 10. Box 1 considers whether the proposed development supports the Vision and Spatial Development Strategy and the Placemaking Policy. Any development that fails to meet the relevant criteria in Box 1 will be regarded as a departure from the Strategic Development Plan.

The redevelopment of this brownfield site within the existing urban area in general terms supports the Vision and Spatial Development Strategy of the SDP when assessed against Policy 4 and 5. As a consequence the proposed development is therefore subject to Local Development Plan assessment.



View of the site from the A8 Port Glasgow Road looking north-west

Local Policy

The principle of the proposed development has to be considered in the first instance by assessing the proposal against Policy 22 of the adopted Local Development Plan and Policy 23 of the proposed Local Development Plan as well as Policies 25 and 26 of both Plans.

Sequential Assessment to Site Selection and Impact on the Existing Network of Centres

Policy 22 of the adopted Local Development Plan and Policy 23 of the proposed Local Development Plan identify town and local centres as being the preferred locations for a range of retail and commercial uses. Both policies indicate that proposals for such uses outwith the network of town and local centres will only be supported if it can be demonstrated that: there is not a suitable sequentially preferable opportunity; there will not be an unacceptable impact on the vibrancy, vitality or viability of other centres within the network of centres; and there are clear community or economic benefits that can be best achieved at the proposed location.

Schedule 6 and Schedule 5 of the adopted and proposed Local Development Plans do not specifically identify petrol filling stations or class 4 workshops/business units as being among the uses that are directed to the network of centres. That being said they could be located in such centres. The petrol filling station shop is ancillary to the overall development and it is not unusual for these types of shops to be included in a petrol filling station. As a consequence it is not considered that this aspect of the proposal results in the development having to be located in either a town or local centre. Given the distance of the proposal from both Greenock Town Centre and Port Glasgow Town Centre the petrol filling station shop is unlikely to have a significant impact on the vibrancy, vitality or viability of these centres. The proposal is therefore considered acceptable when assessed against the terms of Policy 22 of the adopted Local Development Plan and Policy 23 of the proposed Local Development Plan.

The site is located within a Strategic Economic Investment Location (SEIL) in the adopted Local Development Plan and covered by Policy 25(a), which promotes and safeguards the SEIL for business and financial services. The site is however identified as a local business and industrial area in the proposed Local Development Plan and covered by Policy 25(d), which is safeguarded for business, general industrial, and storage/distribution uses (Class 4, 5 and 6).

Whilst the proposal in part includes Class 4 offices/workshops the entire development includes other uses and services. Although the proposed petrol filling station is a sui generis use under the Town and Country Planning (Use Classes) (Scotland) Order 1997 (as amended) the previous use for car sales was also a sui generis use. Policy 25 of both the adopted and proposed Local Development Plans go on to set out that other uses may be supported within areas 25(a)-(d) where it is clearly demonstrated that they are ancillary to the safeguarded use and will not prevent the future development of the site for the safeguarded use and will not prevent the future development of the site for the safeguarded use. A potential argument could be made that the various services proposed in the development may be used by employees and visitors to the surrounding businesses and uses and in turn act in an ancillary capacity in providing "support" to these.

Whilst the petrol filling station and its ancillary services would not prevent the future development within other parts of the SEIL, it would prevent the development of the majority of this particular site for the safeguarded use, in this case business, general industrial, and storage/distribution uses. On the basis of this the proposal has to be considered contrary to both the adopted and proposed Local Development Plans.

The proposed Class 4 offices/workshops part of the proposal would accord with Policy 25(a) of both the adopted and proposed Local Development Plans as well as Policy 26 of both the adopted and proposed Local Development Plans.

The proposed petrol filling station and ancillary services however do not accord with Policies 25(a) and 26 of both the adopted and proposed Local Development Plans. 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. A full assessment of all material planning considerations must be undertaken to determine whether there is any justification in respect of departing from the adopted and proposed Local Development Plans in respect of the proposed petrol filling station with its ancillary services part of the proposal.

Whilst a petrol filling station and its ancillary services are not explicitly supported by either Policy 25 or 26 of the adopted Local Development Plan, Policy 25 does provide support for other uses where they are ancillary to Class 4, 5 and 6 uses and do not prevent Class 4, 5 or 6 development across the wider site and SEIL. The location of the petrol filling station adjacent to a busy traffic route is logical in being visible to vehicular traffic.

It should be noted that Schedule 15 of Clydeplan specifies Indicative Compatible Development in line with the Spatial Development Strategy. For SEILs, compatible development includes economic activity, support for key employment sectors, public transport, active travel, and green network. The proposed petrol filling station and its ancillary services may be viewed as facilitating economic activity through employment generation in its own right. The proposed drive thru may also be viewed as being a complementary facility for the key employment sectors within the SEIL and being readily accessible by nearby businesses.

It is therefore considered that the proposed petrol filling station part of the proposal with its ancillary services can be justified under Policy 25(a) of both the adopted and proposed Local Development Plans as well as Policy 26 of both the adopted and proposed Local Development Plans.

Design and Layout

Policy 1 of both the adopted and proposed Local Development Plans requires development to have regard to the six qualities of successful places, taking account of the factors set out in Figure 3. In this proposal, the relevant factors relate to being 'Distinctive' through reflecting local architecture and urban form (which has been changed to "reflect local vernacular/architecture and materials" in the proposed LDP); 'Resource Efficient' by making use of previously developed land; 'Easy to Move Around' by being well connected; and 'Safe and Pleasant' by avoiding conflict between adjacent uses by having regard to adverse impacts that may be created by noise and smell.

The surrounding area is characterised by a range of business and commercial uses with a variety of building sizes and scales. The proposed development would be viewed in this mixed use context and would not be out of context in this regard. There is little uniformity in the appearance of the various buildings in the immediate surrounding area. The appearance of the development would be considered to generally reflect the urban form and the visual appearance would be acceptable at this location. The proposal would in turn be considered to accord with the quality of being 'Distinctive' in both the adopted and proposed Local Development Plans.

The location of the site in the existing urban area would strongly accord with the spatial development strategy of both the adopted and proposed Local Development Plans by directing development to existing urban areas before rural locations. The development of this site would also be considered to be at a sustainable location and in turn accord with the quality of being 'Resource Efficient'.

The proposed development has the potential to generate noise through vehicle movements, vehicle doors opening and closing as well as vehicles starting up together with the use of the jet washes and automated laundry. The existing traffic on this major route in and out of Greenock results in high background noise levels. Given this, the level of noise generated by the development would not significantly increase noise levels to adversely affect the amenity of neighbouring sites. It should be noted that the Head of Public Protection and Covid Recovery has no comments to make on the proposed development in terms of noise. The proposed development would be considered to avoid conflict with adjacent uses and in turn meet the quality of being 'Safe and Pleasant' of both the adopted and proposed Local Development Plans.

Transport and Connectivity

The site is located in an accessible urban location with nearby bus stops providing for frequent services to a range of destinations. The footpath that runs along the north side of the A8 past the site is part of the Core Path Network.

It is considered that the development is in an appropriate location within an established settlement accessible by a variety of means of transport, although the primary function as a petrol filling station will mean that the majority of trips made to the site will be by private cars. Overall, it is considered that there is no conflict with the aims and objectives of Policies 10 and 11 of the adopted Local Development Plan and Policies 11 and 12 of the proposed Local Development Plan. The proposed development does not involve the loss of this part of the Core Path and the existing vehicular entrance and exit into and out of the site are to be used subject to modifications. The proposal therefore does not have any significant implications for Policy 38 of the adopted Local Development Plan or Policy 36 of the proposed Local Development Plan.

Traffic, Parking and Road Safety

Policy 11 of the adopted Local Development Plan and Policy 12 of the proposed Local Development Plan relate the impact of development on the roads network as well as complying with the Council's roads development guidelines and parking standards.

Transport Scotland has not raised any objections in terms of the impact of the proposal on the operation of the A8 Trunk Road, subject to the conditions that they have recommended.

The Head of Service - Roads and Transportation has advised that the number of parking spaces is acceptable based on the National Roads Development Guidelines. The comments regarding the location/distribution of the parking spaces in the site are noted however the irregular shape of the site, the position of the extended building and the petrol pumps constrain where parking can occur. The size of the parking spaces and the requirement for bicycle parking can be addressed by planning conditions.

The objection to the narrowing of the footway along the A8 is noted, however Transport Scotland has not objected to this aspect of the proposal.

Flooding and Drainage

The site is not at a location identified as being at risk of flooding. The development will be expected to have appropriate drainage to deal with any surface water run-off. The details of the surface water drainage can be addressed by a planning condition. Subject to this condition the proposal is considered to be acceptable under the terms of Policies 8 and 9 of the adopted Local Development Plan and Policies 9 and 10 of the proposed Local Development Plan.

Low Carbon Infrastructure

As an element of design, Policy 6 of the adopted and proposed Local Development Plans seeks to ensure that all new buildings are energy efficient and that at least 15% and 20% respectively of the carbon dioxide emissions standard (rising to at least 20% by the end of 2022 and 25% by the end of 2025 respectively) reduction set by Scottish Building Standards is met through the installation and operation of low and zero carbon generating technologies. This can be addressed by a planning condition as can the installation of the electric vehicle charging facilities that are shown on the proposed site plan.

Other Matters Raised in Consultation Responses

The conditions recommended by Transport Scotland can be attached should planning permission be granted. The conditions recommended by the Head of Public Protection and Covid Recovery relating to storage of waste/recyclable materials and external lighting are more appropriately addressed as advisory notes whereas the conditions recommended relating to site investigation/verification can be attached as conditions.

With regard to questions raised by the Head of Service – Roads and Transportation regarding how the tanker will fill the tanks, treatment of surface water run-off to avoid contamination, the tactiles not lining up and the Roads Safety Audit, the following comments are made. The manner in how the filling of the tanks is to be carried out is a site management issue and it is normal practice for access to petrol filling stations to be temporarily blocked off to customers by

cones/barriers to allow the tanks to be filled. The applicant will have to agree separately with Scottish Water any connection to their infrastructure. Transport Scotland has not raised any objections to the submitted Stage 1 Road Safety Audit or to the alterations to the footpath or at the entrance and exit to the site. In any event any works on the trunk road will necessitate a Minute of Agreement with the Trunk Roads Authority prior to commencement.

Overall Conclusion

In conclusion, Section 25 of The Town and Country Planning (Scotland) Act 1997 (as amended) requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise. Despite being situated within the SEIL, the proposed development would have no adverse impact on the function or operation of either the wider SEIL or the adjacent business and industrial area. The development would also will bring employment and contribute positively to the local economy. Drawing all of this together, there are material considerations to justify a departure from Policy 25(a) and the adopted and Local Development Plan.

Furthermore, whilst part of the proposal is for a petrol filling station, there are no sequentially preferable sites for this use and it is accepted that this requires an easily accessible position. There is no conflict with Policy 22 of the adopted Local Development Plan or Policy 23 of the proposed Local Development Plan. The form and appearance of the development are considered appropriate and having fully assessed the proposal inclusive of implications for traffic, parking, flooding and drainage, the development is considered acceptable and to present no conflict with the relevant policies which address these matters in either the adopted or proposed Local Development Plans. The proposal is also considered acceptable with reference to Policy 1 of both the adopted and proposed Local Development Plans. Having also considered the principles set out in paragraph 29 of SPP, this proposal is a sustainable development primarily involving the efficient use of existing capacities of land. There are no other material considerations which indicate the application should not be granted subject to the conditions below.

RECOMMENDATION

That the application be granted subject to the following conditions:

1. Development shall not commence until samples of materials to be used on all external surfaces of the building and hard surfaces within the site have been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.
2. Development shall not commence until details and location of any walls (including retaining walls) and fences to be erected on the site have been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.
3. Development shall not commence until an Environmental Investigation and Risk Assessment, including any necessary Remediation Scheme with timescale for implementation, of all pollutant linkages has been submitted to and approved, in writing by the Planning Authority. The investigations and assessment shall be site-specific and completed in accordance with current codes of practice. The submission shall also include a Verification Plan. Any subsequent modifications to the Remediation Scheme and Verification Plan must be approved in writing by the Planning Authority prior to implementation.
4. Before the development hereby approved 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.

5. 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 a Remediation Scheme shall not be implemented unless it has been submitted to and approved, in writing by the Planning Authority.
6. Prior to the occupation of any part of the development hereby permitted, the layout of the new site access priority junction with the A8(T), and the closure of the central reservation gaps through the successful promotion of a road order, both generally as illustrated on AECOM Drawing No. 60648610-SHT-10-CT-0100 Rev. P1, shall be constructed to the satisfaction of the Planning Authority, after consultation with Transport Scotland.
7. Prior to the occupation of any part of the development hereby permitted, the existing footway along the site frontage must be upgraded to DDA compliant standard, and dropped kerbs / tactile paving at the site entry/exit junctions, generally as illustrated on AMCA Architects Drawing No. PL_014 Rev. A and PL_015, shall be constructed to the satisfaction of the Planning Authority, after consultation with Transport Scotland.
8. Prior to the commencement of the development, a Construction Traffic Management Plan (CTMP) shall be submitted to, and approved by, the Planning Authority, after consultation with Transport Scotland. In particular, the CTMP shall identify measures to control the use of any direct access onto the A8 trunk road. Thereafter, all construction traffic associated with the development shall conform to the requirements of the agreed Plan.
9. Prior to the commencement of the development details of the lighting within the site shall be submitted for the approval of the Planning Authority, after consultation with Transport Scotland, as the Trunk Roads Authority.
10. Prior to the commencement of the development, details of the frontage landscaping treatment along the trunk road boundary shall be submitted to, and approved by, the Planning Authority, after consultation with Transport Scotland. All landscaping shall be located such that it can be installed and maintained from within the development without requiring access to the trunk road.
11. Prior to commencement of the development, details of the fencing / barrier proposals along the trunk road boundary shall be submitted to, and approved by, the Planning Authority, after consultation with Transport Scotland and thereafter implemented prior to commencement of operation. The fencing / barrier proposals shall be located such that they can be erected and maintained from within the development without requiring access to the trunk road.
12. There shall be no drainage connections to the trunk road drainage system.
13. The principles of Sustainable Urban Drainage Systems (SUDS) for the surface water regime shall be incorporated into the development. Development shall not commence until details of the surface water management and SUDS proposals have been submitted to and approved in writing by the Planning Authority. Thereafter the surface water management details shall fully be implemented as approved.
14. For the avoidance of doubt the car parking spaces shown on drawing PL003 Rev N shall be 2.5m x 5.0m and the disabled bays shall be 2.9m x 5.5m with a 1.0m hatching around them. The car parking spaces shall be constructed, surfaced and delineated on the site in all respects and be available for use before the first use/occupation of the development.

15. A minimum of 6 bicycle parking spaces shall be provided on site. Development shall not commence until the details and location of the bicycle parking shown on a scaled plan have been submitted to and approved in writing by the Planning Authority. The submitted plan shall allow for the bicycle parking to be located adjacent to the retail element of the development. Following approval the bicycle parking shall be formed in all respects before the development hereby approved is brought into use/occupied.
16. For the avoidance of doubt all surface water created by the jet wash machines shall be contained within the site.

Reasons:

1. To ensure the development is acceptable in appearance.
2. To ensure the development is acceptable in appearance.
3. To satisfactorily address potential contamination issues in the interests of human health and environmental safety.
4. To ensure contamination is not imported to the site and confirm successful completion of remediation measures in the interest of human health and environmental safety.
5. To ensure that all contamination issues are recorded and dealt with appropriately.
6. 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
7. 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
8. To mitigate the adverse impact of construction traffic on the safe and efficient operation of the trunk road network.
9. 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.
10. To ensure that there will be no distraction to drivers on the trunk road, and that the safety of the traffic on the trunk road will not be diminished.
11. To minimise the risk of pedestrians and animals gaining uncontrolled access to the trunk road with the consequential risk of accidents.
12. To ensure that the efficiency of the existing trunk road drainage network is not affected.
13. In the interests of sustainable development.
14. To ensure the provision of adequate parking facilities.
15. To ensure the required number of bicycle parking spaces is provided and in accordance with the National Roads Development Guidelines.
16. In the interests of sustainable development and roads safety.

Stuart Jamieson
Interim Director
Environment and Regeneration

Local Government (Access to Information) Act 1985 – Background Papers. For further information please contact Sean Mc Daid on 01475 712412.