

**LOCAL REVIEW BODY**

**7 DECEMBER 2021**

**PLANNING APPLICATION FOR REVIEW**

**MR MICHAEL SCOTT**

**PLANNING PERMISSION IN PRINCIPLE FOR RESIDENTIAL DEVELOPMENT,  
LANDSCAPING, PARKING, ACCESS AND ASSOCIATED WORKS  
LAND AT GLASGOW ROAD, PORT GLASGOW (19/0140/IC)**

**Contents**

- 1. Planning Application dated 3 April 2019 together with site plans and drawings**
- 2. Planning Application - Design and Access Statement**
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- 4. Site Photographs Submitted with Planning Application**
- 5. Preliminary Ecological Appraisal Report**
- 6. Drainage, Flooding and SUDS Strategy Report**
- 7. Report of Handling dated 26 February 2021**
- 8. Inverclyde Local Development Plan 2019 Policy Extracts**

**To view the Inverclyde Local Development Plan see:**

**<https://www.inverclyde.gov.uk/planning-and-the-environment/planning-policy/development-planning/ldp>**

- 9. Inverclyde Local Development Plan 2019 Maps Extract**
- 10. Inverclyde Local Development Plan 2019 Supplementary Guidance on Planning Application Advices Notes Policy Extract**
- 11. Scottish Planning Policy Extract**
- 12. Decision Notice dated 8 March 2021 issued by Head of Regeneration & Planning**
- 13. Notice of Review Form dated 7 June 2021 with Supporting Statement from Rick Finc Associates**
- 14. Suggested Conditions and Advisory Notes should Planning Permission be Granted on Review**
- 15. Access Road Information**
- 16. Ecological Assessment**

**Note: Inverclyde Proposed Local Development Plan 2021 has been attached to the rear of the agenda papers as supplementary content.**

**1. PLANNING APPLICATION DATED 3 APRIL 2019  
TOGETHER WITH SITE PLANS AND DRAWINGS**

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

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

Thank you for completing this application form:

ONLINE REFERENCE 100159824-001

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

## Type of Application

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

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

## Description of Proposal

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

Planning permission in principle for small scale residential development, landscaping, parking, access and associated works on the site of the former Langlands/Carnegie Park Orphanage.

Is this a temporary permission? \*  Yes  No

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

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

No  Yes – Started  Yes - Completed

## Applicant or Agent Details

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

Applicant  Agent

## Agent Details

Please enter Agent details

Company/Organisation:	Rick Finc Associates Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Stuart	Building Name:	Melford House
Last Name: *	Szylak	Building Number:	3
Telephone Number: *	01312266166	Address 1 (Street): *	Walker Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	Scotland
		Postcode: *	EH3 7JY
Email Address: *	stuart@rickfincassociates.com		

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

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	c/o Melford House
First Name: *	Michael	Building Number:	
Last Name: *	Scott	Address 1 (Street): *	3 Walker Street
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Edinburgh
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	EH3 7JY
Fax Number:			
Email Address: *			



## Site Address Details

Planning Authority:

Inverclyde Council

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

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing

674082

Easting

233784

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

Yes  No

## Pre-Application Discussion Details Cont.

In what format was the feedback given? \*

Meeting  Telephone  Letter  Email

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

Feedback related to current open space designation, LDP2 progress, access constraints and supporting documentation likely to be required to support any planning application.

Title:

Mr

Other title:

First Name:

Alan

Last Name:

Williamson

Correspondence Reference Number:

Date (dd/mm/yyyy):

05/06/2018

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

## Site Area

Please state the site area:

1.19

Please state the measurement type used:

Hectares (ha)  Square Metres (sq.m)

## Existing Use

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

Private land, currently designated in the LDP as open space, comprising an element of woodland and brownfield previously developed land.

## Access and Parking

Are you proposing a new altered vehicle access to or from a public road? \*

Yes  No

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

Are you proposing any change to public paths, public rights of way or affecting any public right of access? \*

Yes  No

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

## Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? \*

Yes  No

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

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

Do your proposals make provision for sustainable drainage of surface water?? \*  
(e.g. SUDS arrangements) \*

Yes  No

Note:-

Please include details of SUDS arrangements on your plans

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

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

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

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

## Assessment of Flood Risk

Is the site within an area of known risk of flooding? \*

Yes  No  Don't Know

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

Do you think your proposal may increase the flood risk elsewhere? \*

Yes  No  Don't Know

## Trees

Are there any trees on or adjacent to the application site? \*

Yes  No

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

## All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? \*

Yes  No

## Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) \*

Yes  No  Don't Know

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

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

## Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? \*

Yes  No

## Certificates and Notices

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

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

Are you/the applicant the sole owner of ALL the land? \*

Yes  No

Is any of the land part of an agricultural holding? \*

Yes  No

## Certificate Required

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

Certificate A

# Land Ownership Certificate

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

Certificate A

I hereby certify that –

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

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

Signed: Stuart Szylak

On behalf of: Mr Michael Scott

Date: 30/05/2019

Please tick here to certify this Certificate. \*

## Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

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

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

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

Yes  No  Not applicable to this application

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

Yes  No  Not applicable to this application

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

Yes  No  Not applicable to this application

Town and Country Planning (Scotland) Act 1997

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

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

Yes  No  Not applicable to this application

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

Yes  No  Not applicable to this application

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

Yes  No  Not applicable to this application

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

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

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

Provide copies of the following documents if applicable:

- |  |   |   |
|--|---|---|
| A copy of an Environmental Statement. *  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. *                                   | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> N/A            |
| A Flood Risk Assessment. *   | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. *  | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> N/A            |
| A Transport Assessment or Travel Plan  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. *  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| Habitat Survey. *  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. *  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |

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

Planning Statement; Preliminary Ecological Assessment Report; Topographical Survey; and Transport Opinion.

## Declare – For Application to Planning Authority

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

Declaration Name: Miss Amelia Smith

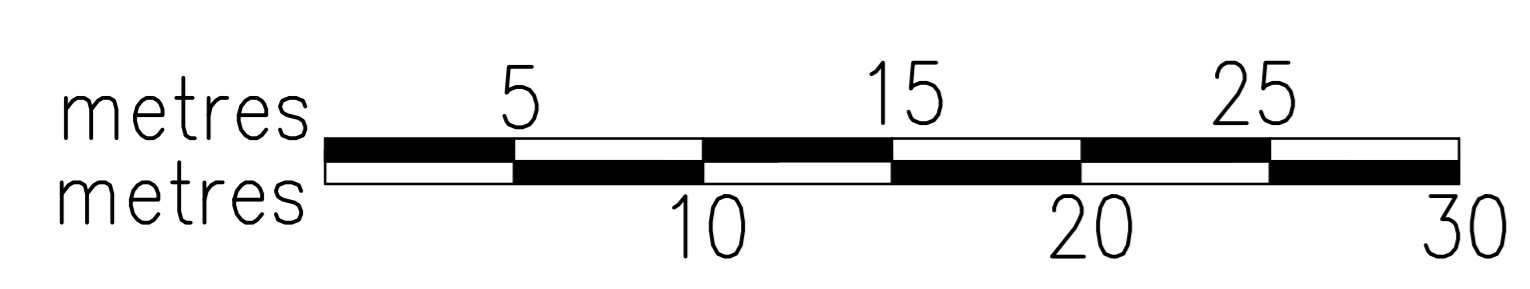
Declaration Date: 03/04/2019

## Payment Details

Telephone Payment Reference:

Created: 30/05/2019 11:01



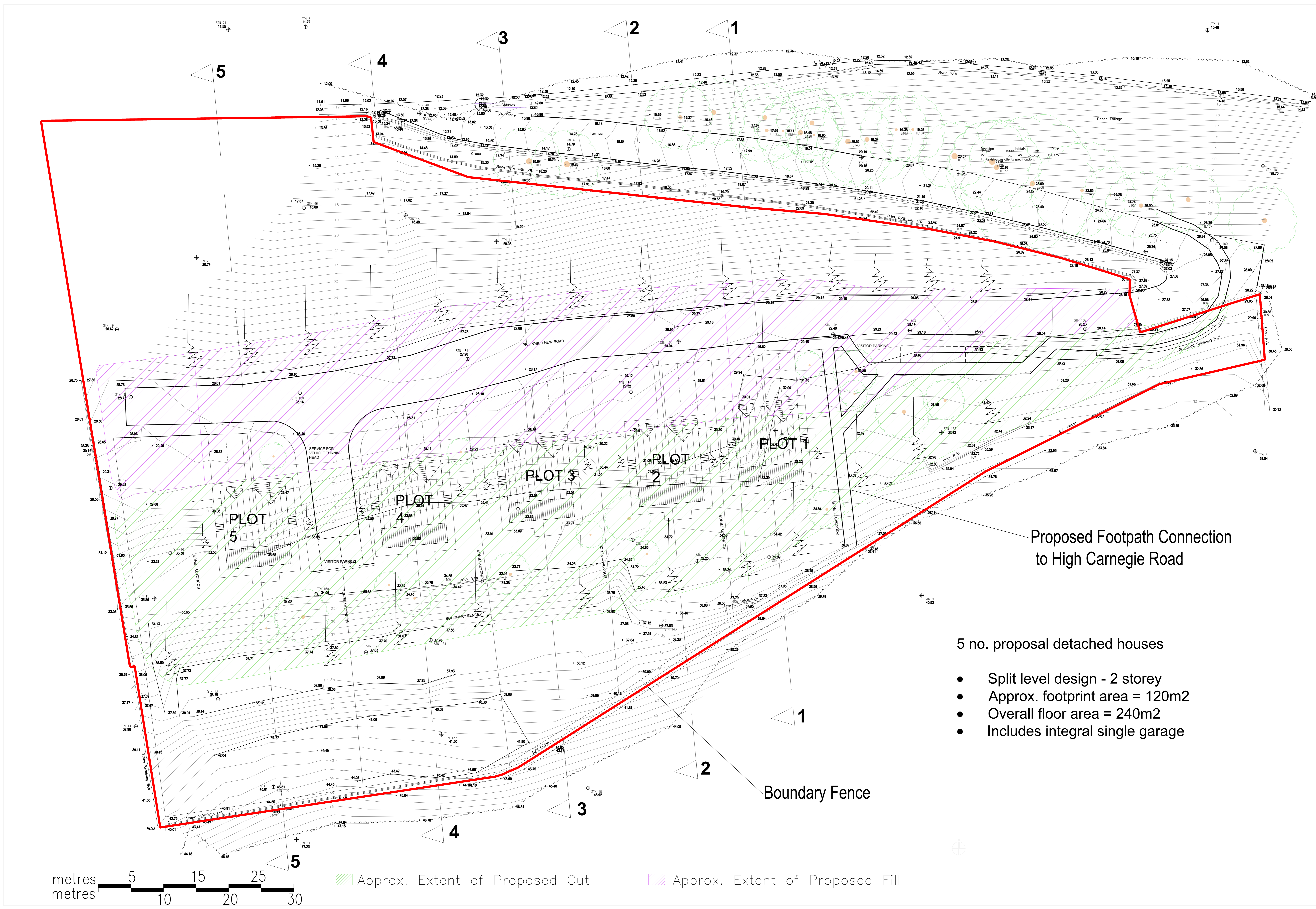


This drawing is a reproduction of a topographic survey undertaken by Phoenix Surveys.

Project No. 6946

<b>URM PARTNERSHIP CHARTERED ARCHITECTS</b>			
PPP			
Client			
RFA			
Project Title			
Former Carnegie Park Orphanage/ Landlands School, Glasgow Road, Port Glasgow			
Drawing Title			
Existing Site Plan			
Date	Scale	Drawn	Checked
19/03/21	1:200	AV	MM
Drawing No.			Rev
131-L(10)-200			P2





Proposed Footpath Connection to High Carnegie Road

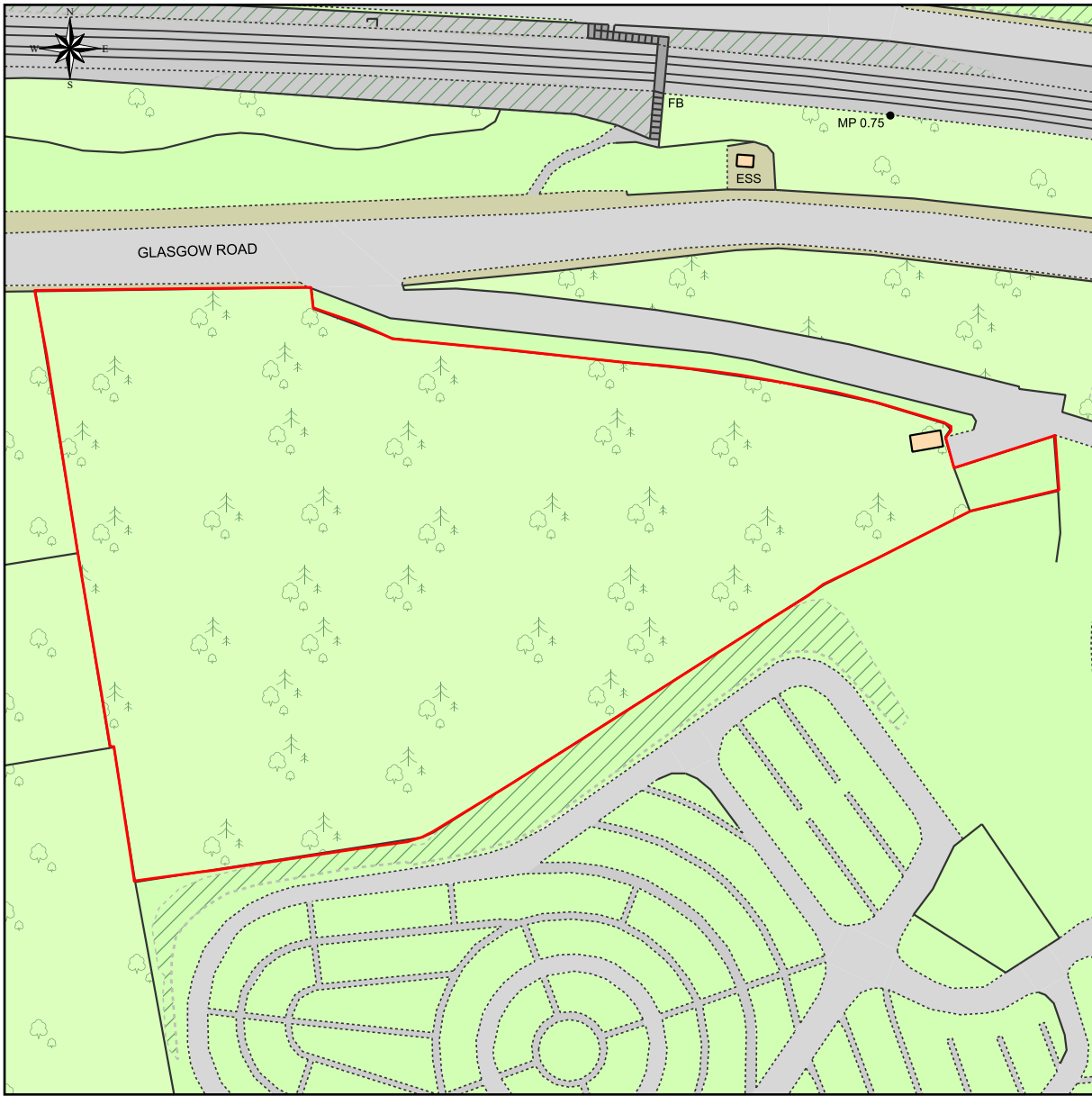
5 no. proposal detached houses

- Split level design - 2 storey
- Approx. footprint area = 120m<sup>2</sup>
- Overall floor area = 240m<sup>2</sup>
- Includes integral single garage

Boundary Fence



# Location Plan



This Plan includes the following Licensed Data: OS MasterMap Colour PDF Location Plan by the Ordnance Survey National Geographic Database and incorporating surveyed revision available at the date of production. Reproduction in whole or in part is prohibited without the prior permission of Ordnance Survey. The representation of a road, track or path is no evidence of a right of way. The representation of features, as lines is no evidence of a property boundary. © Crown copyright and database rights, 2019. Ordnance Survey 0100031673

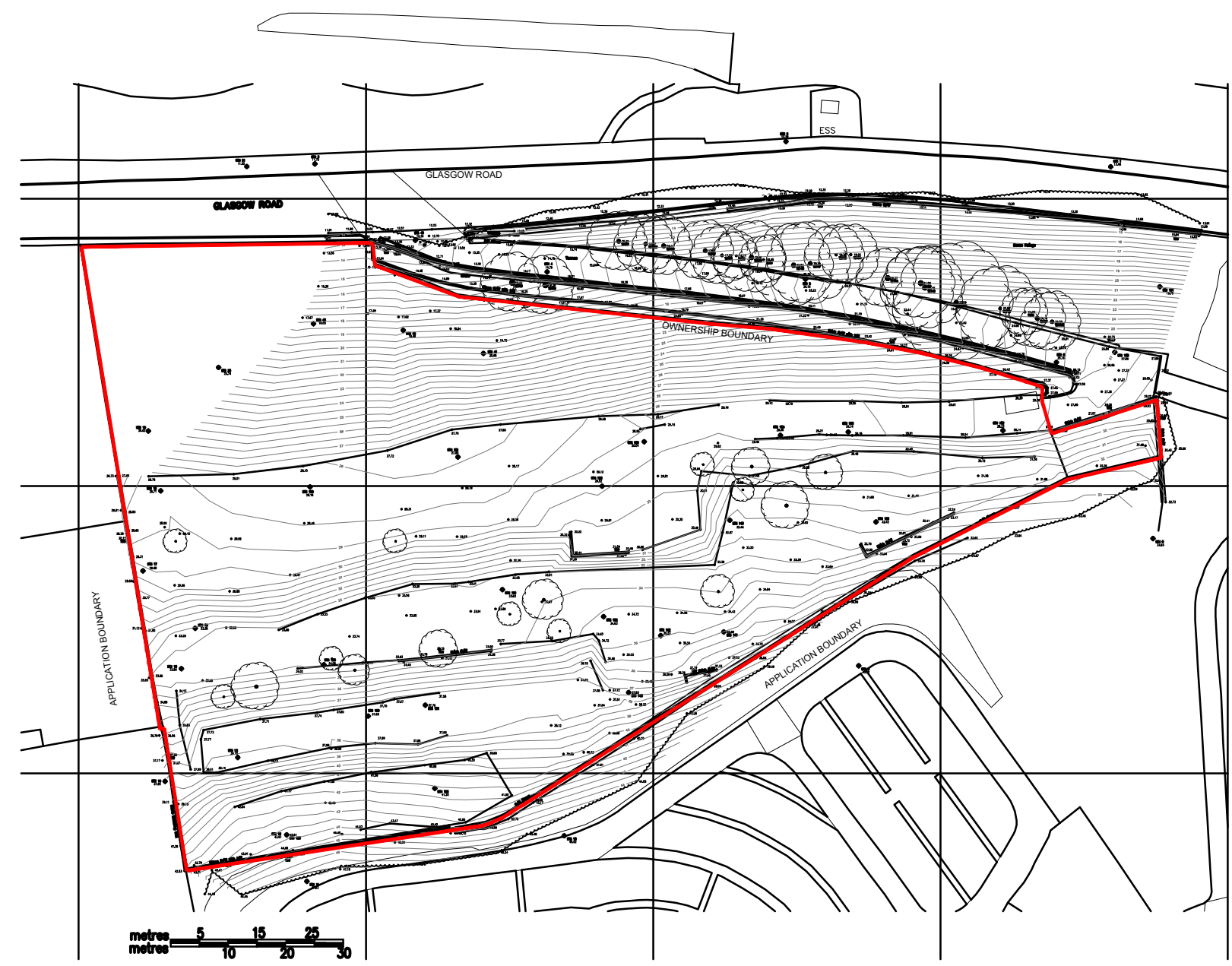
0m 20m 40m 60m 80m 100m

Scale: 1:1250, paper size: A4



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Revision	Date	By
P1	190228	AV
P2	190802	PM

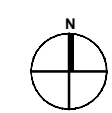


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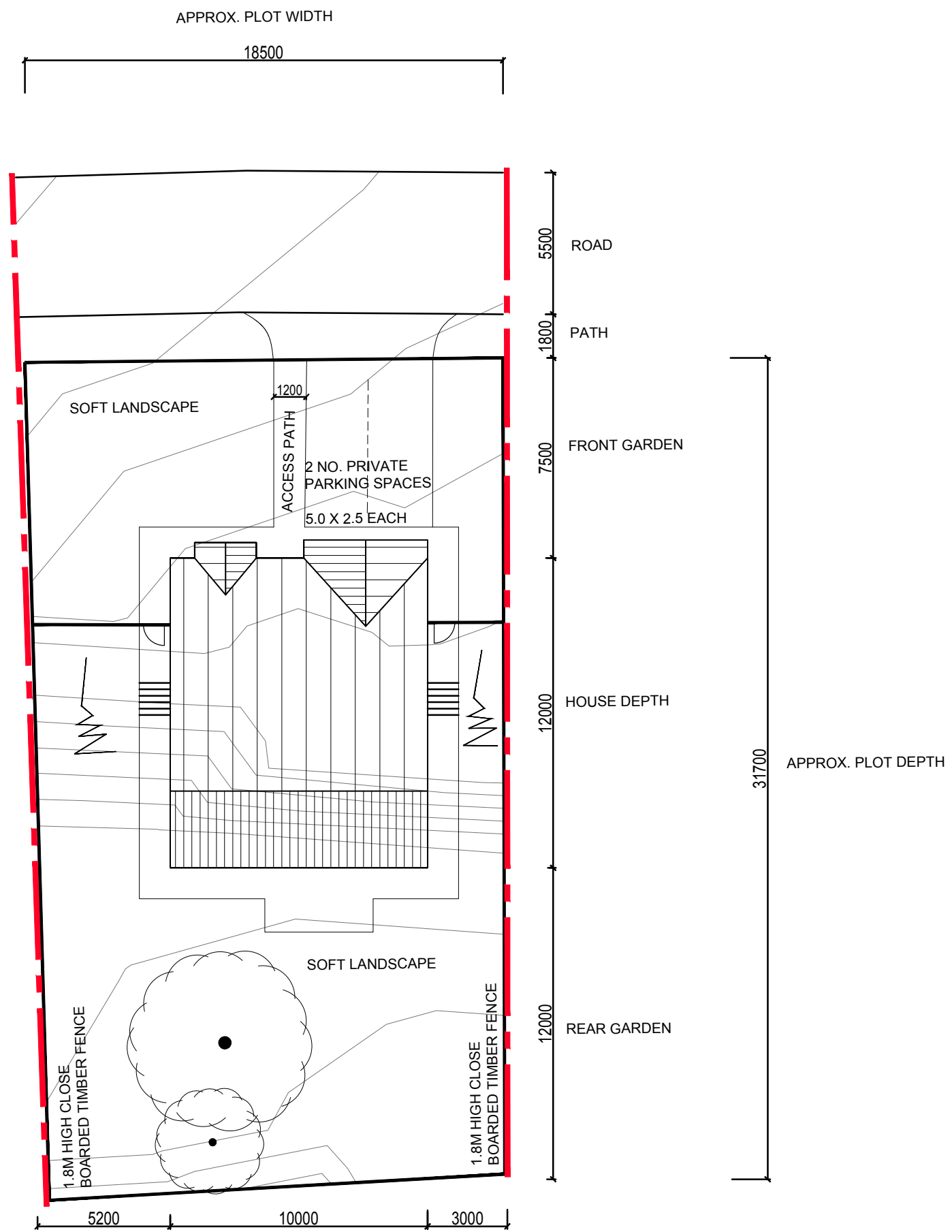
77 St. Vincent Street  
Glasgow, G2 5TF t. 0141 353 2745  
**UNUM PARTNERSHIP**  
**CHARTERED ARCHITECTS**

PPP				
Client				
RFA				
Project Title				
Former Carnegie Park Orphanage/ Landlands School, Glasgow Road, Port Glasgow				
Drawing Title				
OS Location Plan				
Date	Scale	Drawn	Checked	A3
190228	1:1000	AV	MJR	
Drawing No.				Rev
131-L(10)-100				P2



Please do not scale from this drawing. If in doubt, ask. This drawing is the property of UNUM Partnership Ltd. and must not be reproduced, copied or disclosed in any form, other than for the purpose of this project.

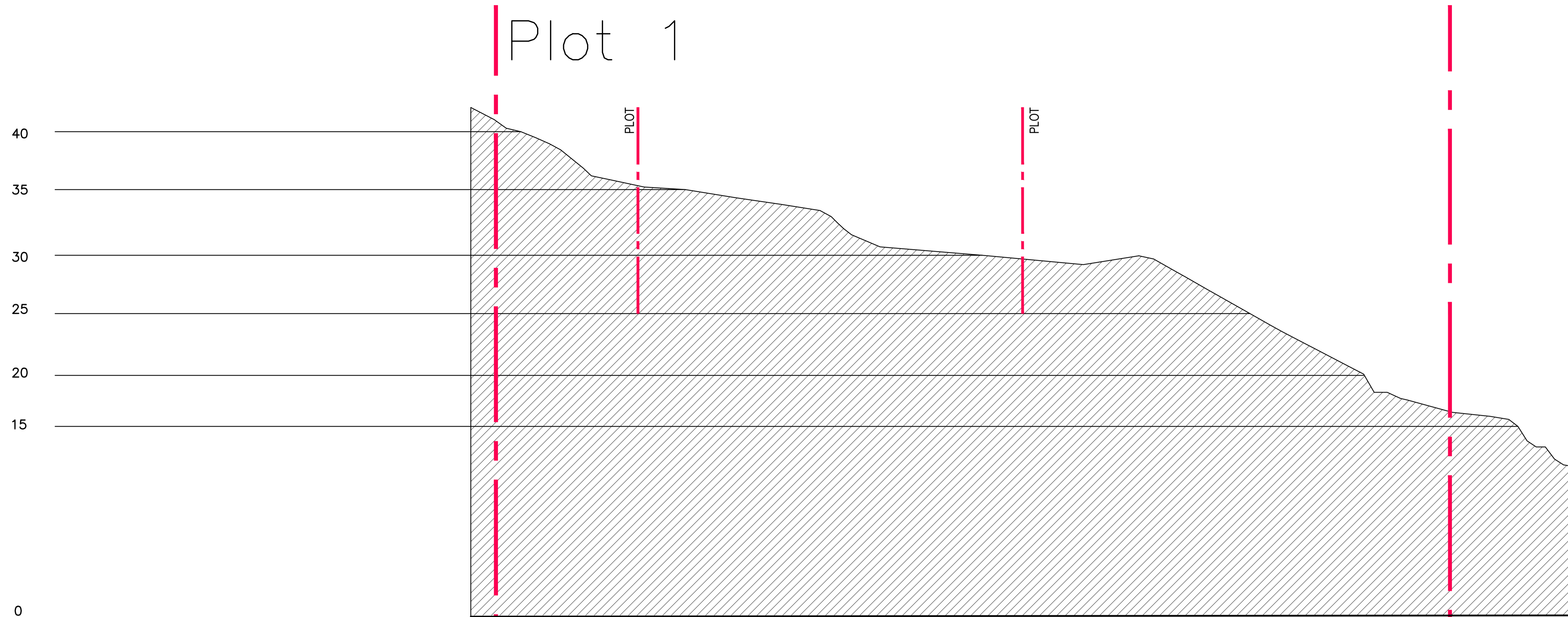
Revision	Date	By
P1 FIRSTISSUE	190228	AV



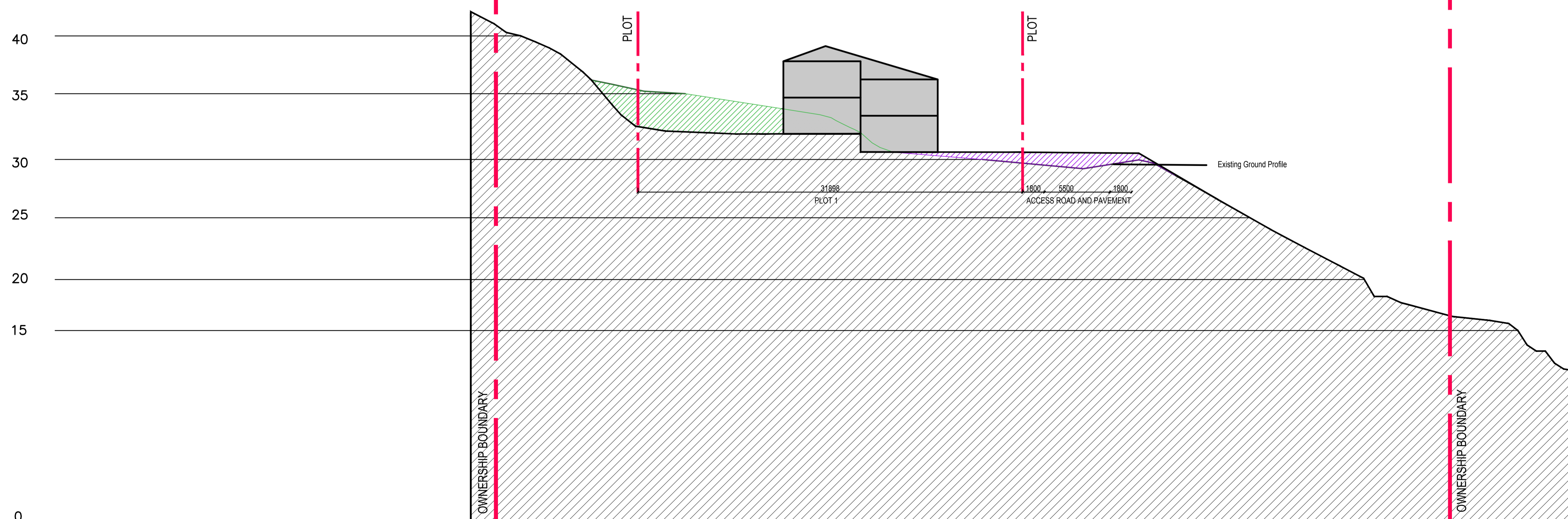
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Client				
RFA				
Project Title				
Former Carnegie Park Orphanage/ Langlands School, Glasgow Road, Port Glasgow				
Drawing Title				
Typical Plot Plan				
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190228	1:200	AV		
Drawing No.				Rev
131-L(20)-300				P1

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Revision	Date	By
P1 FIRST ISSUE	19/02/22	AV

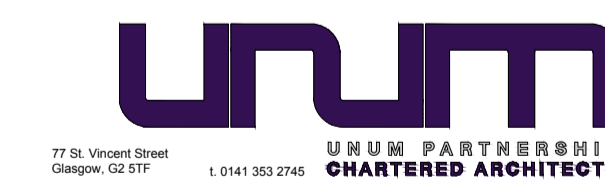


Existing Section through plot 1 showing ground profile



Proposed Section through plot 1 showing ground profile

Approx. Extent of Proposed Cut
     
 
 Approx. Extent of Proposed Fill
     
 
 Existing Ground

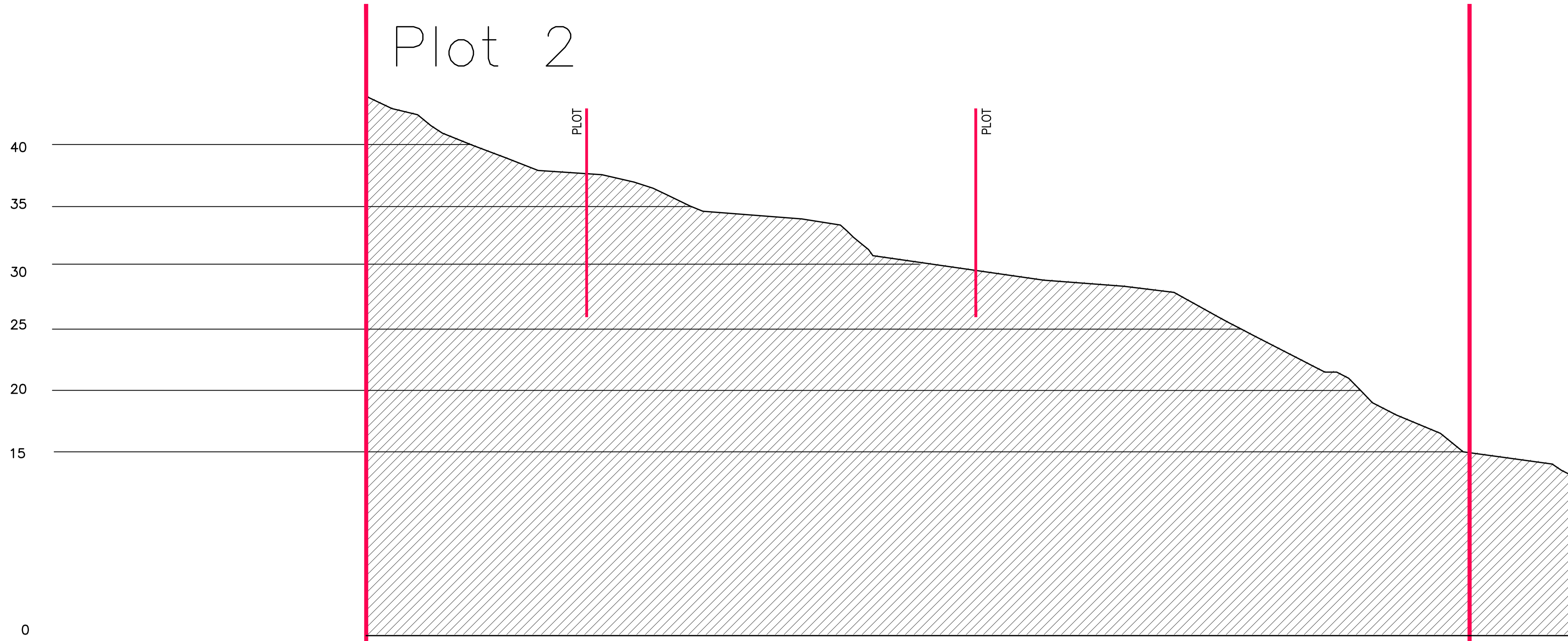


PPP				
Client				
RFA				
Project Title				
Former Carnegie Park Orphanage/ Langlands School, Glasgow Road, Port Glasgow.				
Drawing Title				
Site Section Plot 1				
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19/02/22	1:200	AV		
Drawing No.				Rev
131-L(20)-401				P1

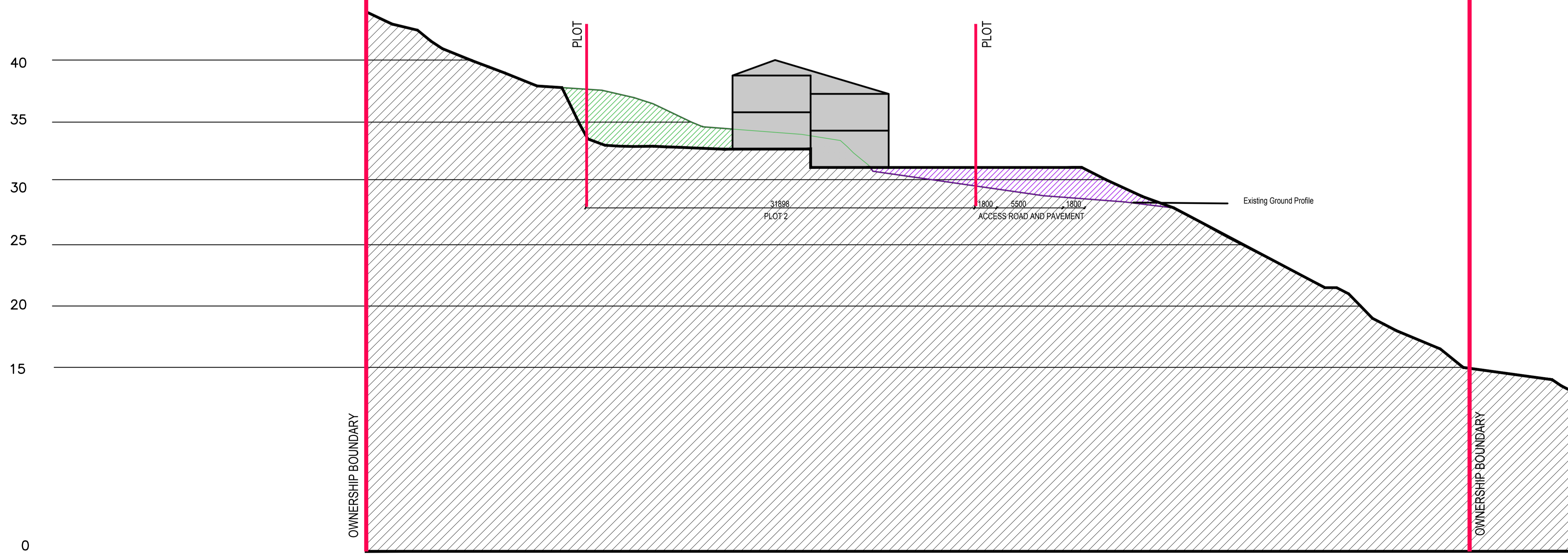
# Plot 2

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Revision	Date	By
01	FIRST ISSUE	AV



Existing Section through plot 2 showing ground profile



Proposed Section through plot 2 showing ground profile

Approx. Extent of Proposed Cut
     
 
 Approx. Extent of Proposed Fill
     
 
 Existing Ground



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77 St. Vincent Street Glasgow, G2 5TF  
0141 353 2745  
**CHARTERED ARCHITECTS**

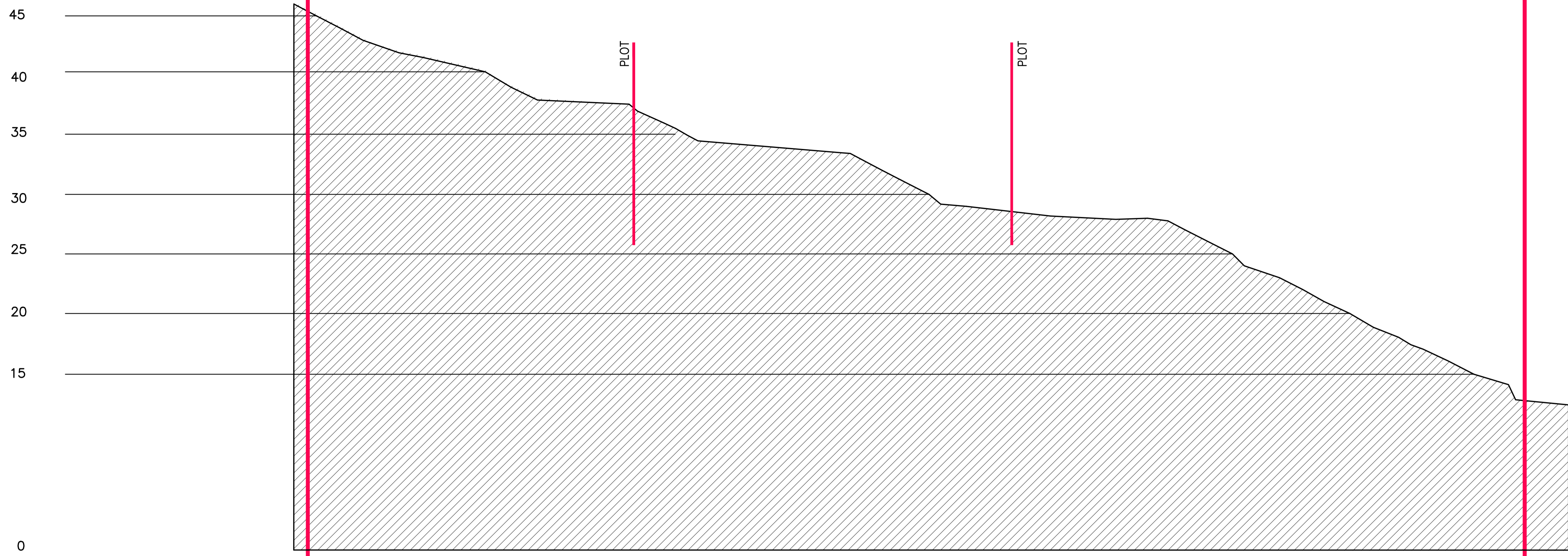
PPP			
Client			
RFA			
Project Title			
Former Carnegie Park Orphanage/ Langlands School, Glasgow Road, Port Glasgow			
Drawing Title			
Site Section Unit 2			
Date	Scale	Drawn	Checked
190227	1:200	AV	
Drawing No.			Rev
131-L(20)-402			P1



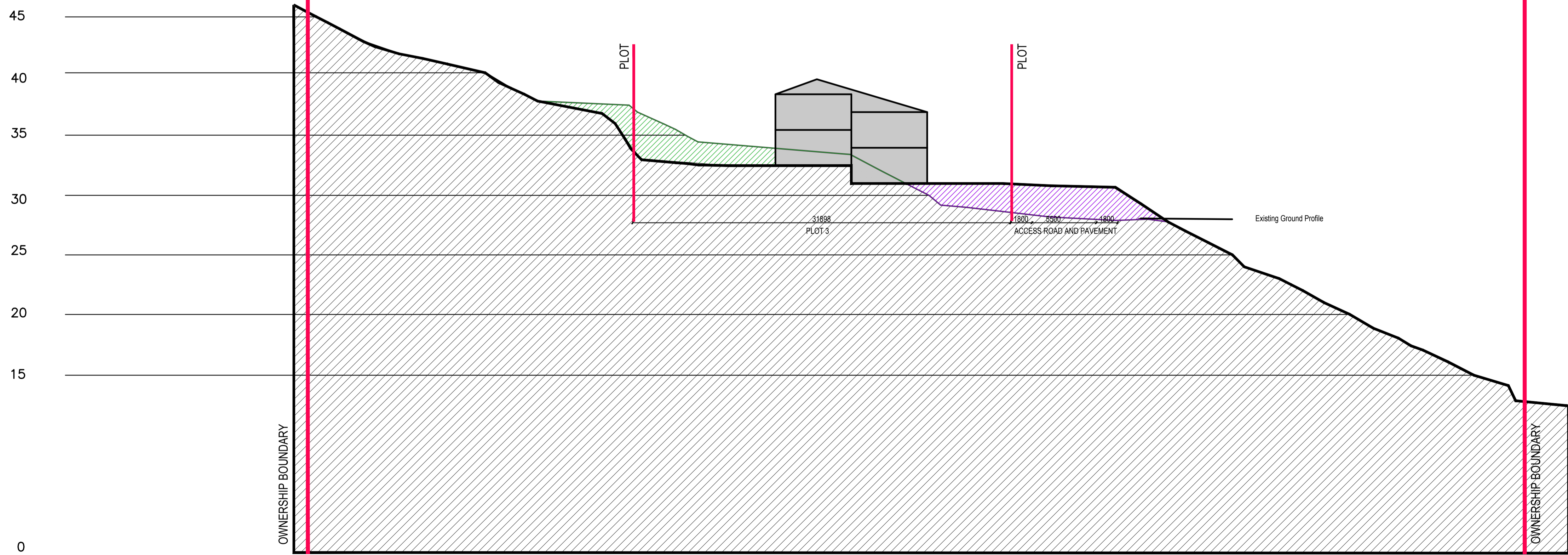
# Plot 3

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Revision	Date	By
P1 FIRST ISSUE	19/02/27	AV



Existing Section through plot 3 showing ground profile



Proposed Section through plot 3 showing ground profile

Approx. Extent of Proposed Cut

Approx. Extent of Proposed Fill

Existing Ground

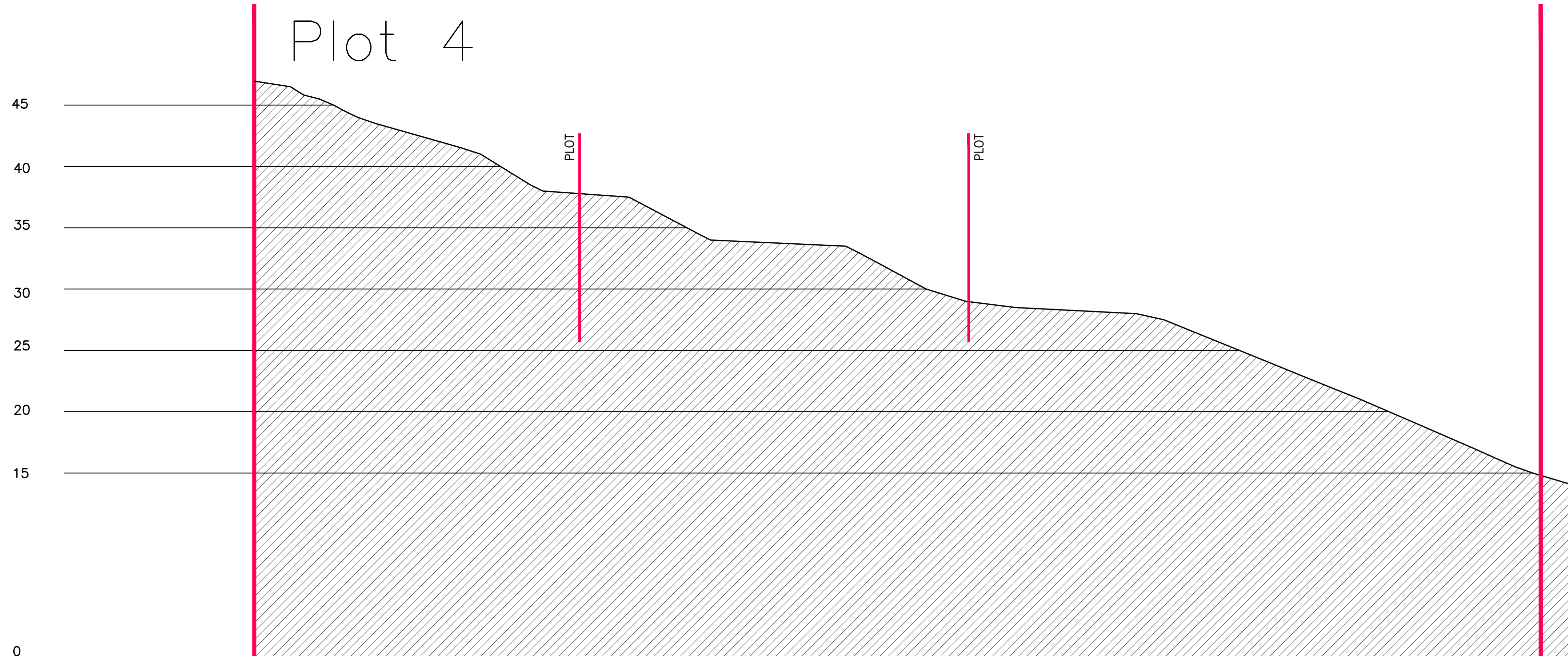
**UNUM**  
 77 St. Vincent Street  
 Glasgow, G2 3JP  
 0141 303 2146  
 CHARTERED ARCHITECTS

PPP				
Client				
RFA				
Project Title				
Former Carnegie Park Orphanage/ Langlands School, Glasgow Road, Port Glasgow.				
Drawing Title				
Site Section Unit 3				
Date	Scale	Drawn	Checked	A1
19/02/27	1:200	AV		
Drawing No.	Rev			
131-L(20)-403	P1			

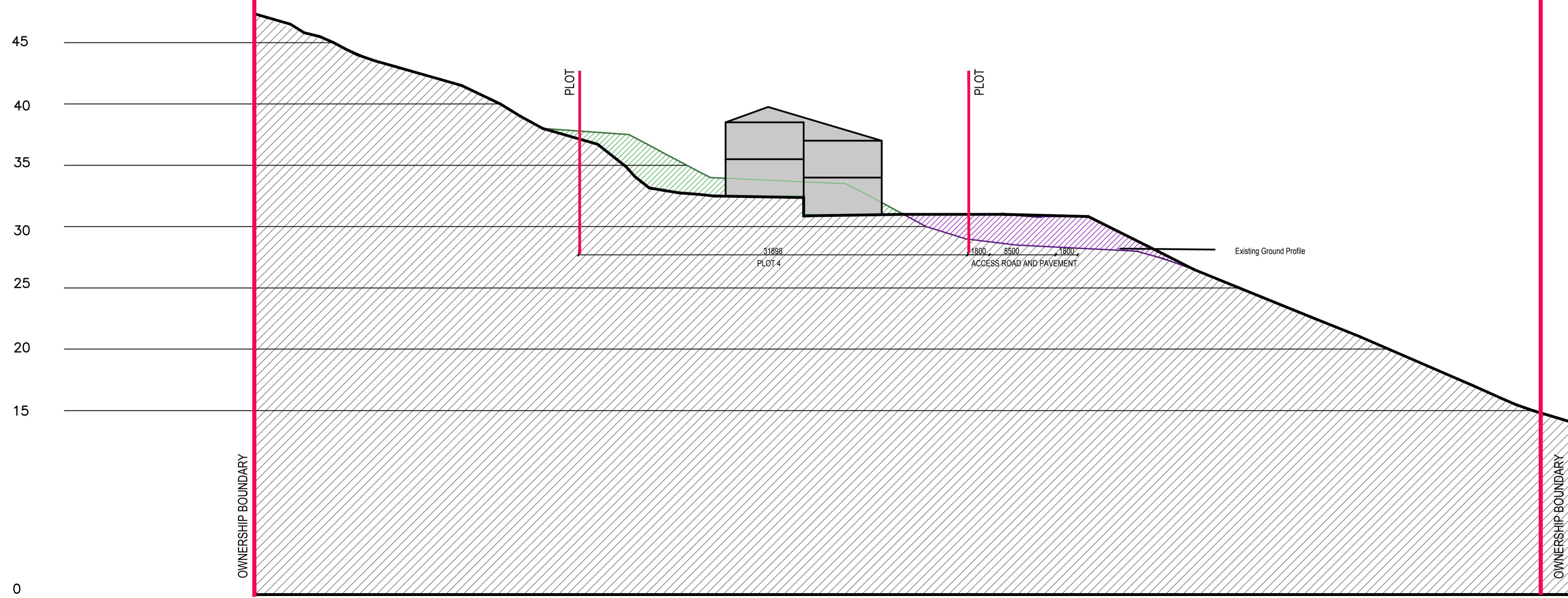
# Plot 4

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Revision	Date	By
01 FIRST ISSUE	9/2028	AV



Existing Section through plot 4 showing ground profile



Proposed Section through plot 4 showing ground profile

Approx. Extent of Proposed Cut
     
 
 Approx. Extent of Proposed Fill
     
 
 Existing Ground

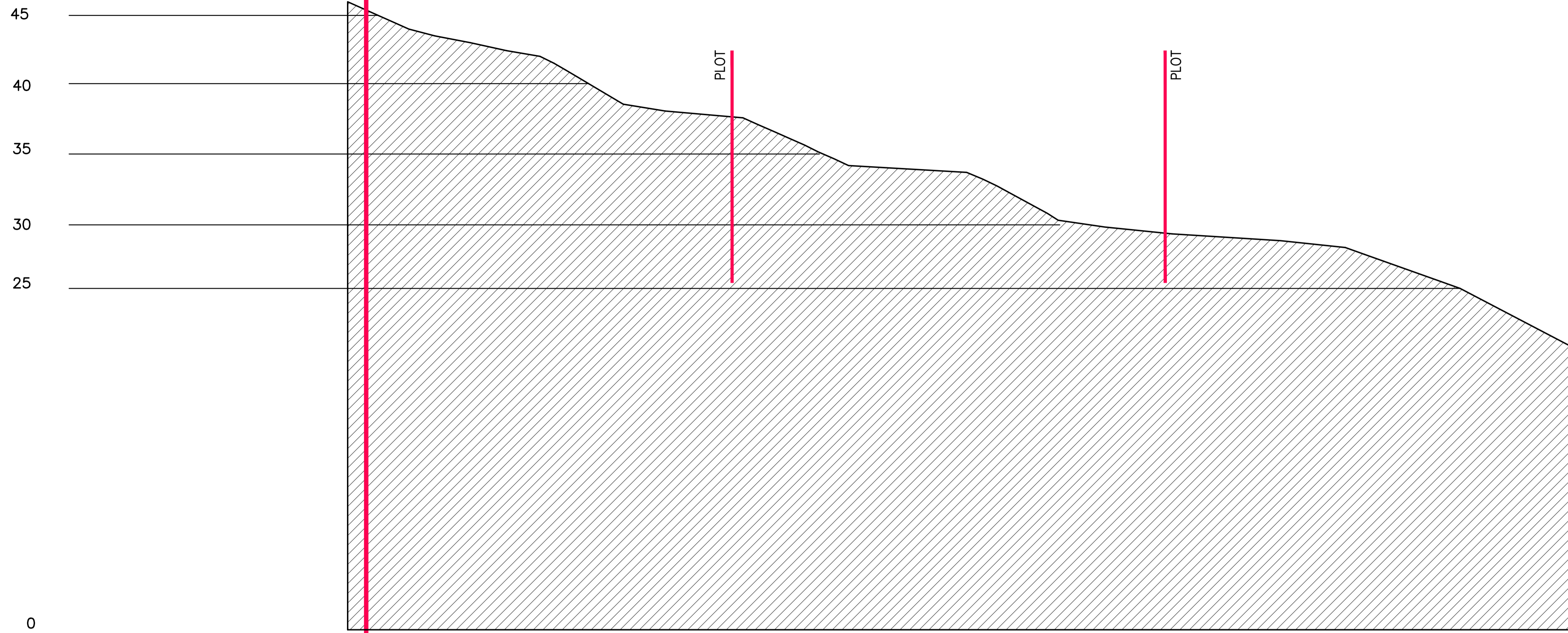


PPP				
Client				
RFA				
Project Title				
Former Carnegie Park Orphanage/ Langlands School, Glasgow Road, Port Glasgow				
Drawing Title				
Site Section Unit 4				
Date	Scale	Drawn	Checked	A1
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Drawing No.				Rev
131-L(20)-404				P1

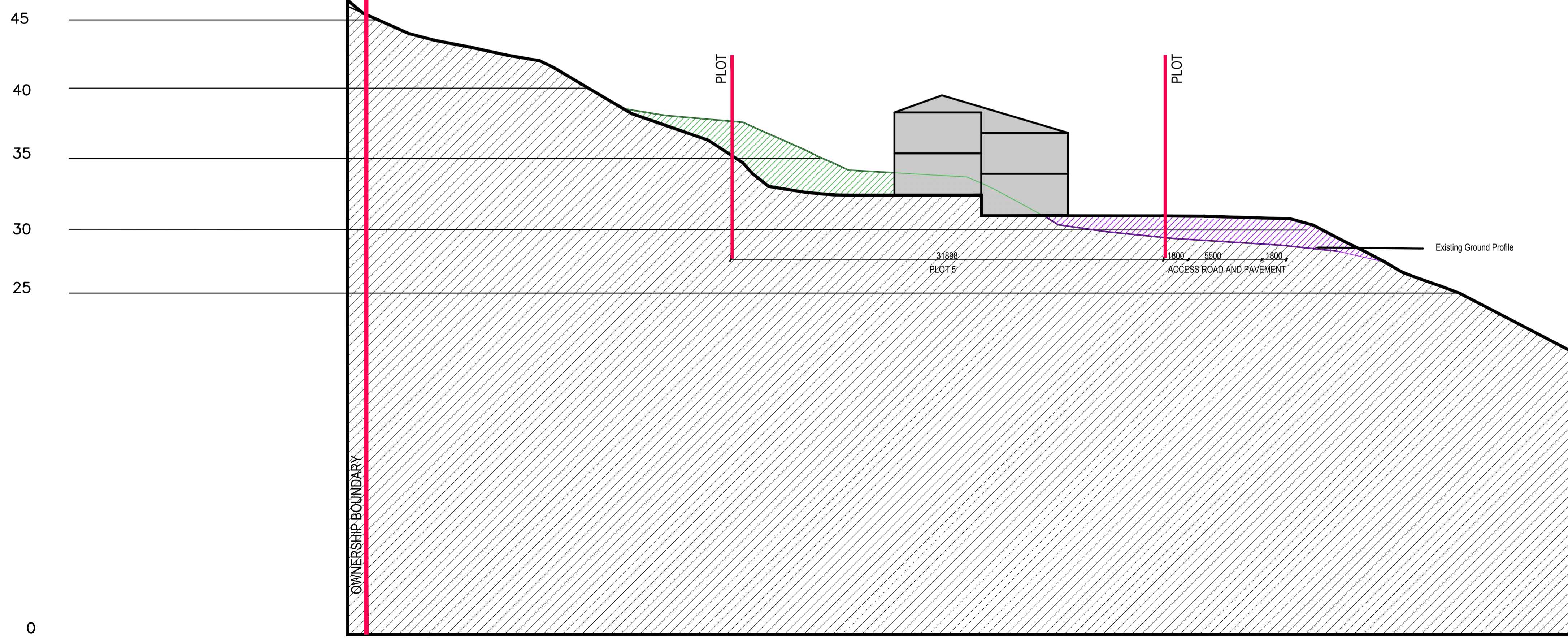
# Plot 5

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Revision: P1 FIRST ISSUE Date: 19/02/28 AV



Existing Section through plot 5 showing ground profile



Proposed Section through plot 5 showing ground profile

Approx. Extent of Proposed Cut
     
 
 Approx. Extent of Proposed Fill
     
 
 Existing Ground



PPP				
Client				
RFA				
Project Title				
Former Carnegie Park Orphanage/ Langlands School, Glasgow Road, Port Glasgow				
Drawing Title				
Site Section Unit 5				
Date	Scale	Drawn	Checked	A1
19/02/27	1:200	AV		
Drawing No.				Rev
131-L(20)-405				P1

OWNERSHIP BOUNDARY



## **2. PLANNING APPLICATION – DESIGN AND ACCESS STATEMENT**





**Former Carnegie Park Orphanage/  
Langlands School, Glasgow Road, Port  
Glasgow.**

**Application for Planning Permission in  
Principle for the erection of residential  
development, landscaping, infrastructure  
and associated access**

**Planning permission in Principal  
Design and Access statement  
(Document Reference: 131-DOC-001)**

To accompany application for Planning Permission in Principle for the erection of residential development, landscaping, infrastructure and associated access, located on a vacant site to the South of Glasgow Road, Port Glasgow.

<b>1.0</b>	<b>Background information</b>
<b>2.0</b>	<b>Client Brief</b>
<b>3.0</b>	<b>Site Analysis and Appraisal</b>
<b>4.0</b>	<b>Planning Policy</b>
<b>5.0</b>	<b>Proposed Development</b>
<b>6.0</b>	<b>Design Considerations</b>
<b>7.0</b>	<b>Inclusivity</b>
<b>8.0</b>	<b>Conclusion</b>

# 1.0 Background Information

This statement has been prepared by the Unum Partnership Ltd for submission to Inverclyde Council on behalf of Rick Finc Associates, in support of an application for Planning Permission in Principle for the erection of a small scale residential development, landscaping, infrastructure and associated access, located on a vacant site to the South of Glasgow Road, Port Glasgow.

## 1.1 Background information

### **Applicant:**

**Agent: Unum Partnership Ltd. Chartered Architects**  
77 St. Vincent Street,  
Glasgow.  
G2 5TF

**Planning Consultant: Rick Finc Associates**  
3 Walker Street  
Edinburgh  
EH3 7JY

**Transport Consultant: ECS transport**  
Centrum Offices,  
38 Queen Street,  
Glasgow,  
G1 3DX



1.1.1 Location Plan (Image from Bing)

 Application site

## 2.0 Client Brief

### 2.1 Client Brief

The design team were instructed by Mr Mike Scott to review potential development options on a vacant site South of Glasgow road, Port Glasgow.

The brief given was little more than previously stated due to the assumed complexity associated with the site access, topography and extensive trees across the site.

The site development constraints are outlined over the following pages and we reviewed possible development options for residential developments of differing scales, before settling on the appropriately scaled development proposal being brought forward.



2.1.1 Aerial view of site (Image from Bing)

 Application site



# 3.0 Site Analysis and Appraisal

## 3.1 Overview

The site is situated to the East of Port Glasgow’s Town Centre and sits on an area of land bounded by:

- Glasgow Road to the North;
- Port Glasgow Cemetery to the immediate South and East;
- Dwelling houses and High Carnegie Road to the South (beyond the cemetery);
- Open space and flattened dwellings to the West.

Port Glasgow is the second largest town within the Inverclyde area and is located to the east of Greenock. Port Glasgow’s town centre is located west of the site, where many facilities and amenities can be found

## 3.2 Ownership

The site is now owned by Mr Mike Scott, the applicant.



3.1.1 Aerial view of site (Image from Bing)

 Application site

## 3.0 Site Analysis and Appraisal



3.1.2 Birdseye View from South (Image from Bing)



3.1.3 Birdseye View from North (Image from Bing)

 Application site

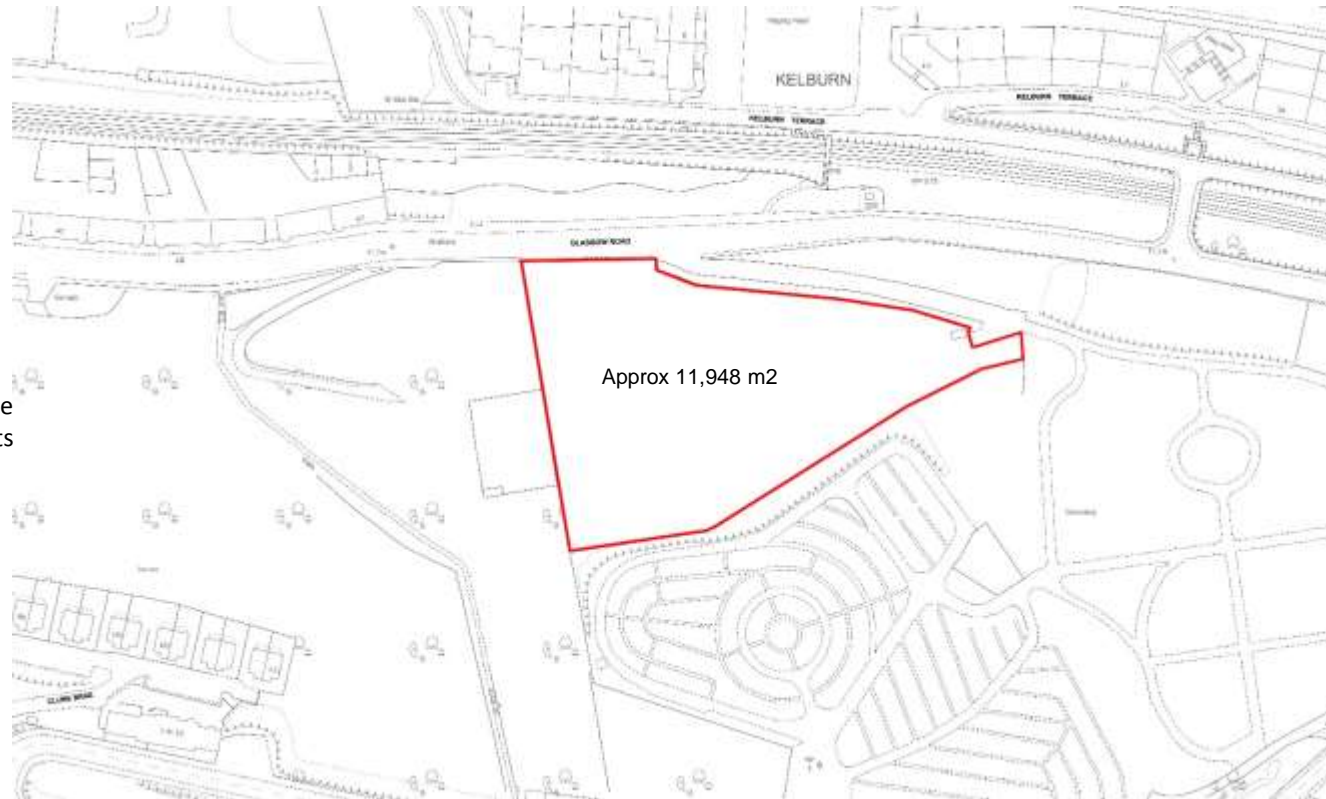
# 3.0 Site Analysis and Appraisal

## 3.3 Site Information

The site is accessed from Glasgow Road, Port Glasgow, PA14 6SB and was formerly the site of Carnegie Park Orphanage/ Langlands School.

It is situated on a rather steep hillside, which slopes from the Southern boundary at Clune Brae / High Carnegie Road to the Northern boundary on Glasgow Road. Mature trees are predominantly located along the boundary of the site, in addition to a boundary wall which is damaged in some places. Due to the topography of the site, it benefits from fantastic views North towards the River Clyde. Though access is somewhat constrained.

Although the site is situated on a slope, there is a plateau in the centre which comprises a significantly sized area with remnants of the former Carnegie Park Orphanage / Langlands School.

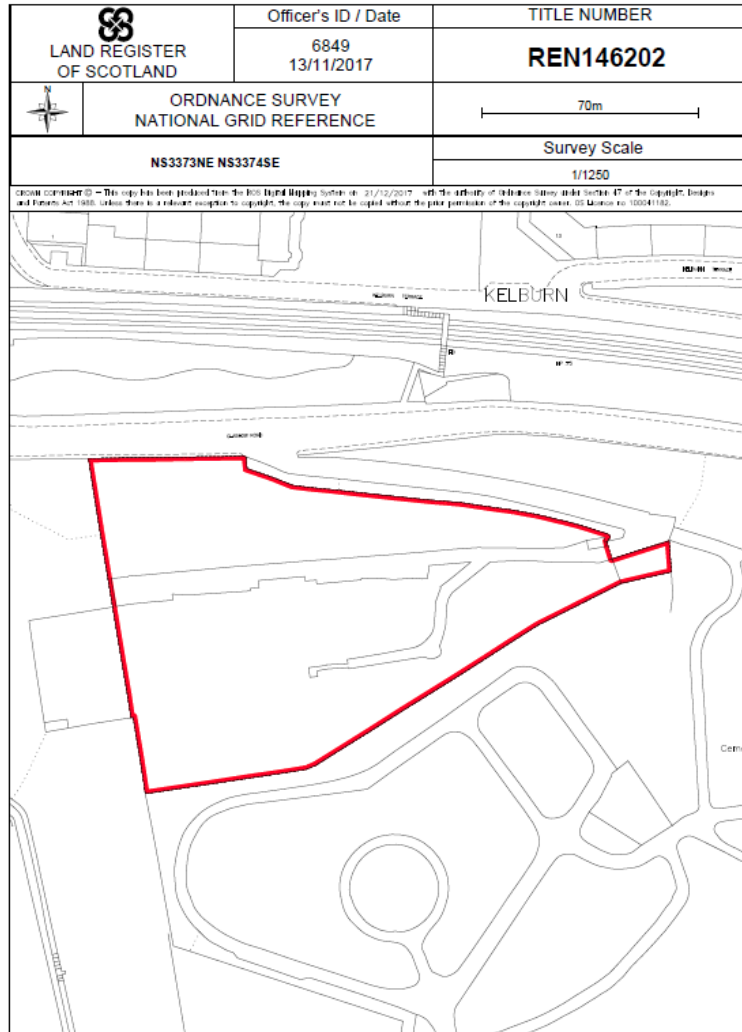


3.3.1 Location Plan





# 3.0 Site Analysis and Appraisal



## 3.4 Site History

The site formerly included the buildings of the (former) Langlands Park School. Which was formally certified to operate on 2 July 1962. The new school was run by the Church of Scotland. Following Scotland's 1968 Social Work Act, the establishment became a ['List D' School](#).

The same building had previously housed the Carnegie Park Orphanage.

The buildings no longer survive, although remnants remain on the site. These remnants primarily consist of areas of hardstanding, foundations, walls, various sets of steps, a long driveway and stone gateposts by the entrance. Fly tipping is also on site

No records appear to exist on when the school was closed or the buildings demolished.

The site now lies vacant with the remnants of the demolished buildings and internal roads visible in places.

There is no planning history available on the Inverclyde Council Planning Portal.

A representation was submitted for the inclusion of this site as a site for housing within the proposed Local Development Plan (LDP) at the Proposed LDP stage.

3.4.1 Title Plan REN146202 clarifying site ownership boundary





## 3.0 Site Analysis and Appraisal



3.5.1 View of the River Clyde from the site

### 3.5 Townscape and Streetscape

The site is primarily characterised by its rising embankment to the South and views of the River Clyde are visible to the North through gaps in-between shrubbery and large mature trees. Further overhanging trees and shrubbery is located on the embankment to the South and together with the greenery on the North, it creates a sense of enclosure.

The area predominantly comprises of residential uses, with the Clune Brae residential estate located to the South and West along High Carnegie Road, along with vacant land and small businesses. A relatively new housing development site is located East of the site. Inverclyde Council recognise that this area in particular has an abundance of low quality and uninhabitable housing, unmaintained woodland and a relatively low sense of place. The surrounding area is therefore include within an 'Area of Potential Change' within the LDP.

Beyond the immediate vacant land and cemetery the built fabric in the are comprises a mix of 2 and 3 storey residential, principally of 1960-1970 age and in a pebble dash render finish.

### 3.6 Transport

The site on Glasgow Road is fairly accessible and is approximately 13 miles West of Glasgow Airport and 17 miles West of Glasgow City Centre. The town is also connected to the A8 dual carriageway and the M8 motorway. The town is served by two railway stations: Port Glasgow Railway Station (located in the centre), and Woodhall Railway Station (located to the East of Port Glasgow) which is the closest station to the application site. The rail services connect Port Glasgow to Glasgow Central, Wemyss Bay, Greenock and Gourock.

Local buses service both Glasgow Road and Clune Brae heading to Clydebank, Park Farm, Greenock, Larkfield, Kilmacolm and Bardainney.

## 3.0 Site Analysis and Appraisal

### 3.7 Access

Access to the site can be gained from an existing road opening on the South side of Glasgow Road. Access can also be gained to the cemetery from this point and is therefore considered to be in joint ownership between the Applicant and Inverclyde Council. Pedestrians are able to access the application site via all cemetery gates also. From Glasgow road there is a 5m wide inclined access road up to the site plateau.

ECS Transport Planning are commissioned separately to discuss the site access and transport considerations.



3.7.1 View of the site access from Glasgow Road

## 3.0 Site Analysis and Appraisal

### 3.8 *Topography*

A topographic survey of the site has been undertaken and has been submitted with this application as background information. The survey illustrates the following relevant topography:

- Level of Glasgow road in the vicinity of the shared site access is approximately 12.0m AOD.
- The existing access road rises in elevation approximately 15m up to a sharp right hand bend at an approximate slope of 1:8-1:9.
- The site plateau level is at a level varying between 27 and 31m AOD.
- The relatively level developable site plateau area measures approximately 4,550 sqm in comparison to the overall site area of 11,800 sqm



### 3.9 *Trees*

There are numerous mature trees within the application site boundary. There are no preservation orders on any of these trees. Only smaller self seeded trees will be removed by the proposed development as the mature trees are all located on the steep embankments and will be unaffected.

### 3.10 *Ecology*

An Ecology study has been commissioned and is submitted as background information with this application for PPP.

#### 3.8.1 View looking towards the site from High Carnegie Road

## 3.0 Site Analysis and Appraisal

### 3.11 *Environmental Context*

No environmental designations cover the site. The closest designations include:

*North (of the site):*

- Inverclyde Ramsar - Designated for non-breeding Redshank;
- Inverclyde Special Protection Area – Designated for non-breeding Redshank; and
- Inverclyde Site of Special Scientific Interest - Designated for non-breeding Cormorant and Eider.

*South-west (of the site):*

- Clyde Muirshiel Regional Park.

*West (of the site):*

- Knocknairs Hill Site of Special Scientific Interest – Designated for Fen Meadow and Lowland Neutral Grassland.
  
- There are no Tree Preservations located on site.
  
- The site has elements of a medium to high probability of surface water flooding along the western boundary.

### 3.12 *Services*

Existing statutory undertakers record maps have not as yet been obtained for the site and it is not known if there are sub-surface utilities running beneath or too the site. It is assumed that all major utility infrastructure connections will be available on Glasgow Road.

# 3.0 Site Analysis and Appraisal

## 3.13 Opportunity Constraints

Initial site appraisal sketch included below highlighted very early on the constraints associated with a development on the application site.

The constraints are summarised as:

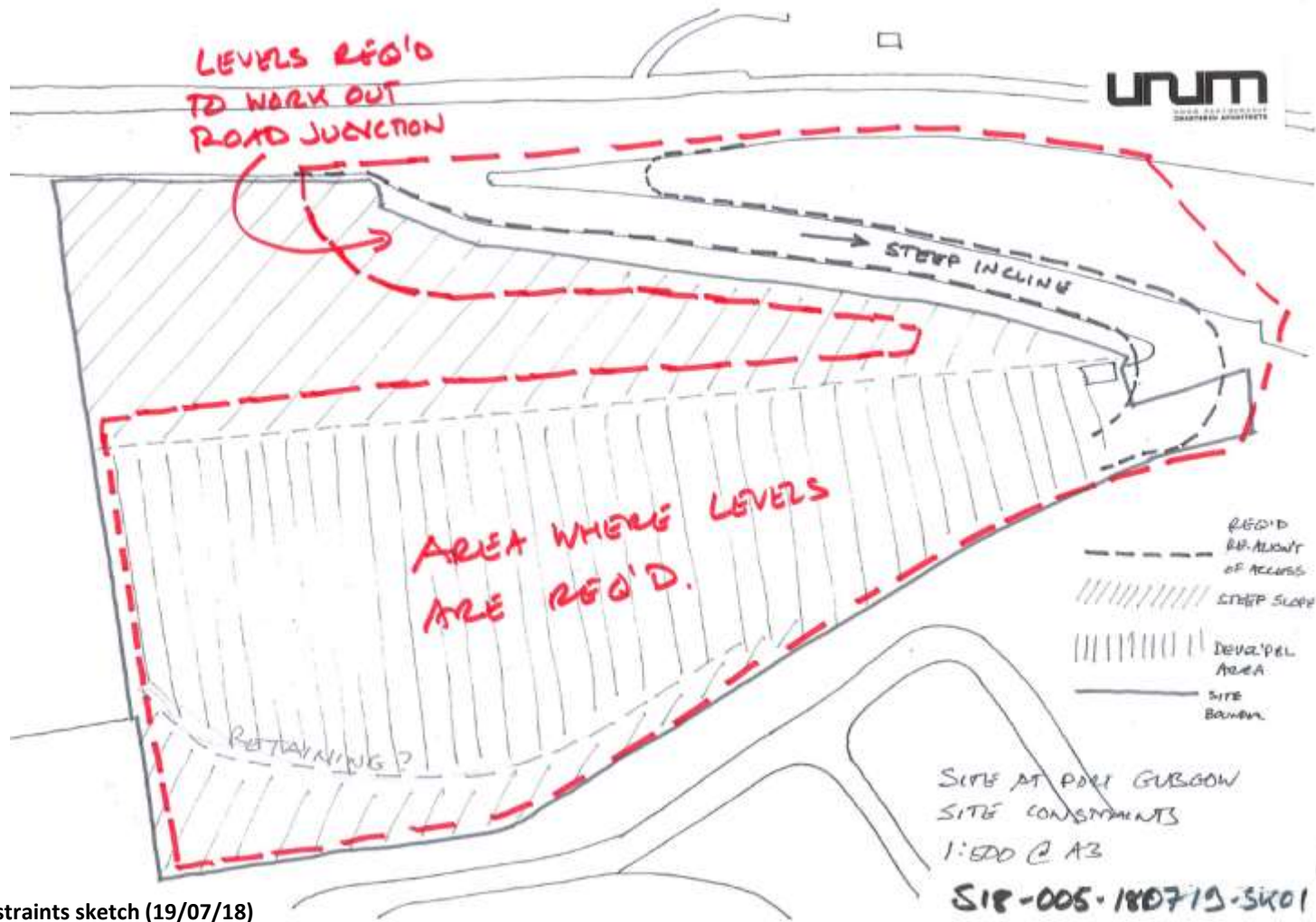
- Access – limited possibility of improving the vehicle access arrangements and steep incline to the site, due to:
- Topography - Steep slope up from Glasgow road at the North side of the site up to possible development plateau level
- Topography – Cut and fill exercise will be required to enlarge developable site, which will include cutting into the embankment to the South side of the site.
- Trees - Although no TPO in existence there are many and varied mature trees, although these are generally on the undevelopable embankments.



3.13.1 Site Constraints sketch (12/02/18)



# 3.0 Site Analysis and Appraisal



3.13.2 Site Constraints sketch (19/07/18)

# 4.0 Planning Policy

## 4.1 Overview

Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended), specifies that the determination of planning applications *'shall be made in accordance with the Development Plan, unless material considerations indicate otherwise'*. This is supplemented by Section 38(2) which states that *'in dealing with an application, the planning authority shall have regard to the provisions of the Development Plan as far as material to the application and any other material considerations.'*

In this regard, the Development Plan is referred to in terms of the proposed development and highlights key policies and statutory Supplementary Guidance (SG) applicable to this application for PPP.

This is discussed further within the accompanying planning statement by RFA.

## 4.2 Development Plan

The Development Plan which covers the application site, comprises:

- Glasgow and the Clyde Valley Strategic Development Plan (July 2017); and
- Inverclyde Local Development Plan (August 2014).

The emerging Development Plan comprises:

- Proposed Inverclyde Local Development Plan (2018), set to be adopted in August 2019.

## 4.3 Glasgow and the Clyde Valley Strategic Development Plan (SDP)

The SDP was adopted by ClydePlan in 2017 and covers Glasgow and Clyde Valley region which comprises East Dunbartonshire, East Renfrewshire, Glasgow City, North Lanarkshire, Renfrewshire, South Lanarkshire, West Dunbartonshire and Inverclyde. A land use development strategy is set out within the SDP. Policies and objectives of the SDP feed into LDPs and are used as a basis for policy making and land use planning at a local level.

The vision of the SDP is for the region to become *'a compact city region, based upon: Centres, Economy, Low Carbon Infrastructure; Placemaking and Regeneration'*. To achieve this ClydePlan set out a Spatial Development Strategy which includes focusing development on:

- Community Growth Areas;
- Clyde Gateway;
- Clyde Waterfront;
- Forth and Clyde Canal;
- Glasgow and the Clyde Valley Green Network;
- Glasgow City Centre;
- Ravenscraig; and
- River Clyde.

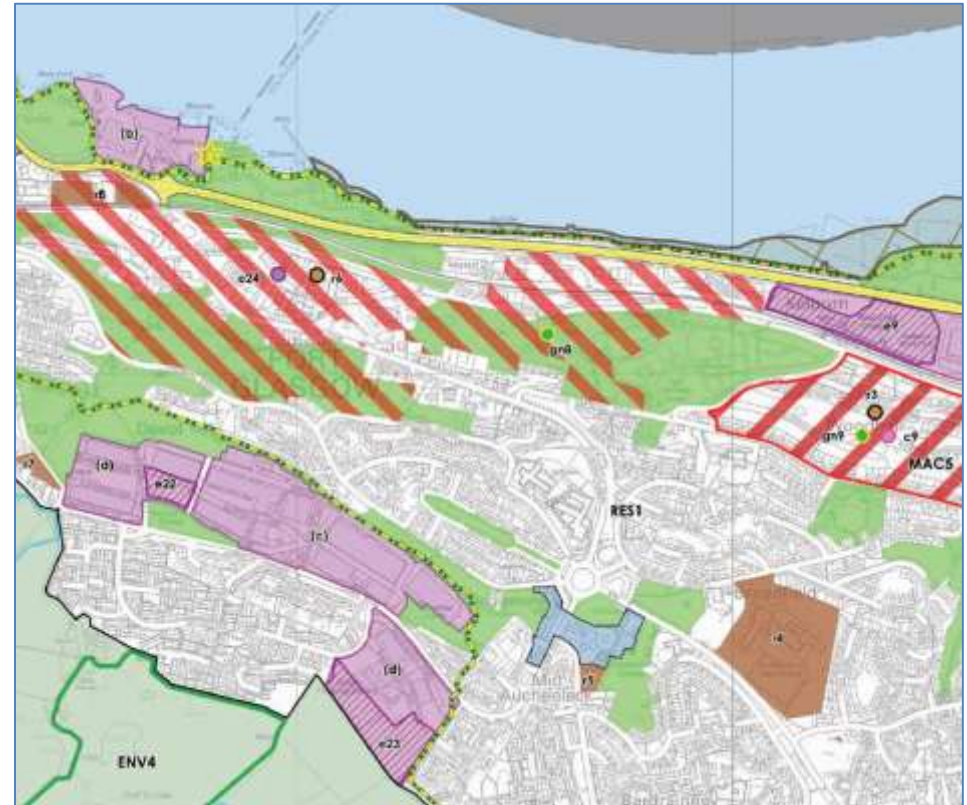
## 4.0 Planning Policy

### 4.4 LDP

Inverclyde Council adopted their extant LDP on 29<sup>th</sup> August 2014. The LDP sets out the spatial strategy, planning policies and land use proposals for the Inverclyde area and together with the Glasgow and Clyde Valley Strategic Development Plan, Inverclyde Council use these documents to determine planning applications and to provide advice on development proposals.

### 4.5 LDP Proposals Map

The Inverclyde LDP designates the application site as an area of 'Open Space' which forms part of the green network, Inverclyde Council list the site under 'GN8' which suggests that there are potential opportunities for enhancement within this particular segment of the green network. In addition to this, the site is included within 'APC 2 – Inner Lower Port Glasgow', an area of potential change.



4.5.1

Inverclyde local development plan extract



## 4.0 Planning Policy

### 4.6 Policy ENV6 Trees and Woodland

The proposed development will have an impact on trees although these are not protected by a Tree Preservation Order. Policy ENV6 lays out the guidance in regards to the protection of trees. Trees will be affected by the proposed development, although the trees which would require removal are mainly self seeded and confirmed as being of no real ecological value. Replacement planting can be conditioned onto a consent if that is deemed to be appropriate.

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

Policy ENV4 states:

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

(a) areas identified as 'Open Space' on the Proposals Map; and

(b) other areas of open space of value in terms of their amenity to their surroundings and to the community, and their function as wildlife corridors and Green Network links.

The councils recent / current open space audit identifies the application site as open space. The overall condition of this open space is classified as 'fair', However the site is privately owned and is formerly the site of an orphanage / Langlands school and therefore the precedent of development on the site is there.

The proposal is for a development of only 5 no detached dwelling houses and therefore as substantial percentage (over 60%) of the application site will remain as open space and part of the green network.

## 4.0 Planning Policy

### 4.8 Private Car Parking

Each dwelling house plot will be required to include 2 no off street car parking spaces within the plot curtilage. In addition the development will be required to include spaces for visitors car parking including 1 no designated accessible car parking space.

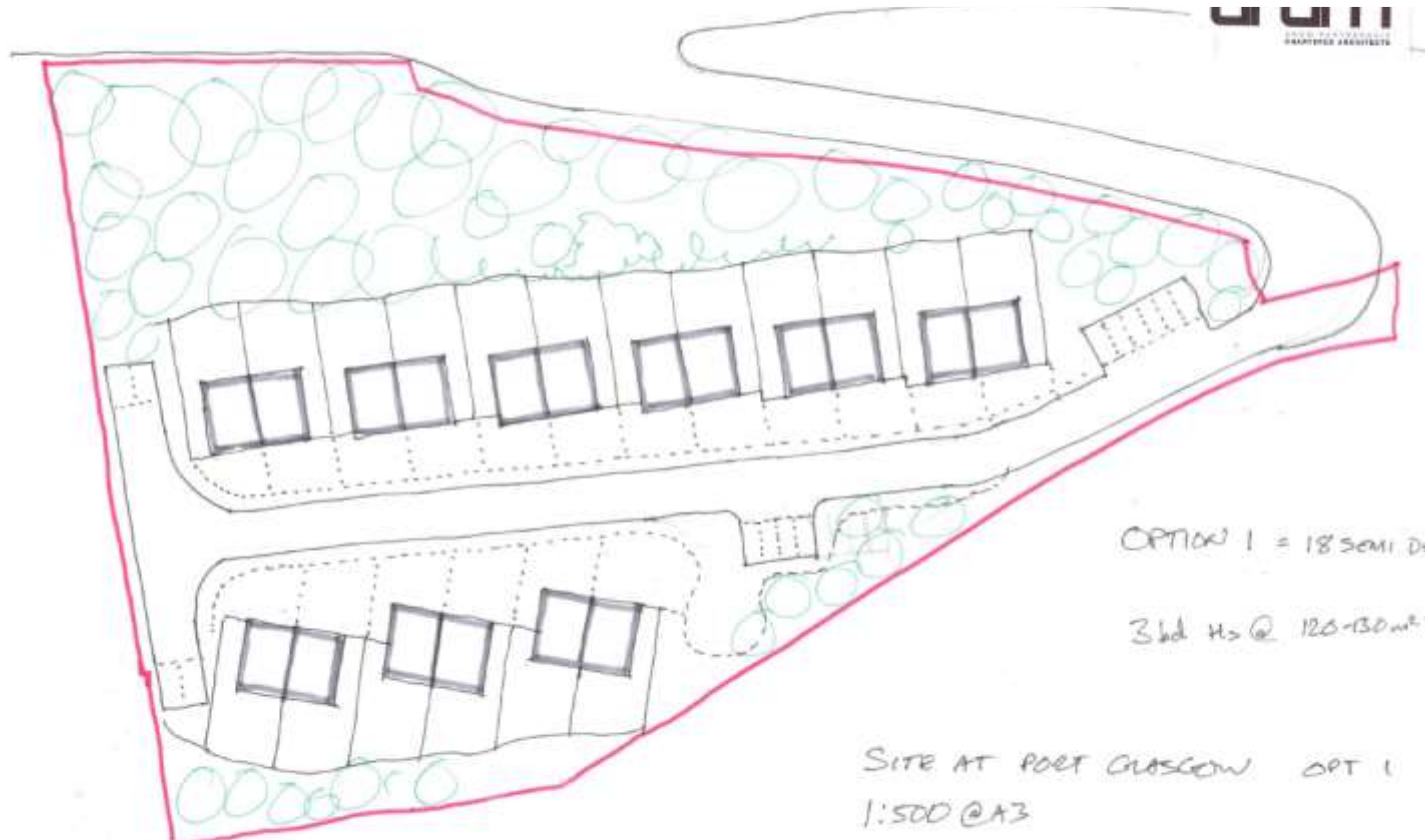
### 4.9 Service Vehicles

A compliant turning head for service vehicles and fire tenders shall be included facilitating the ability for these larger vehicles to turn around within the site curtilage.

# 5.0 Proposed Development

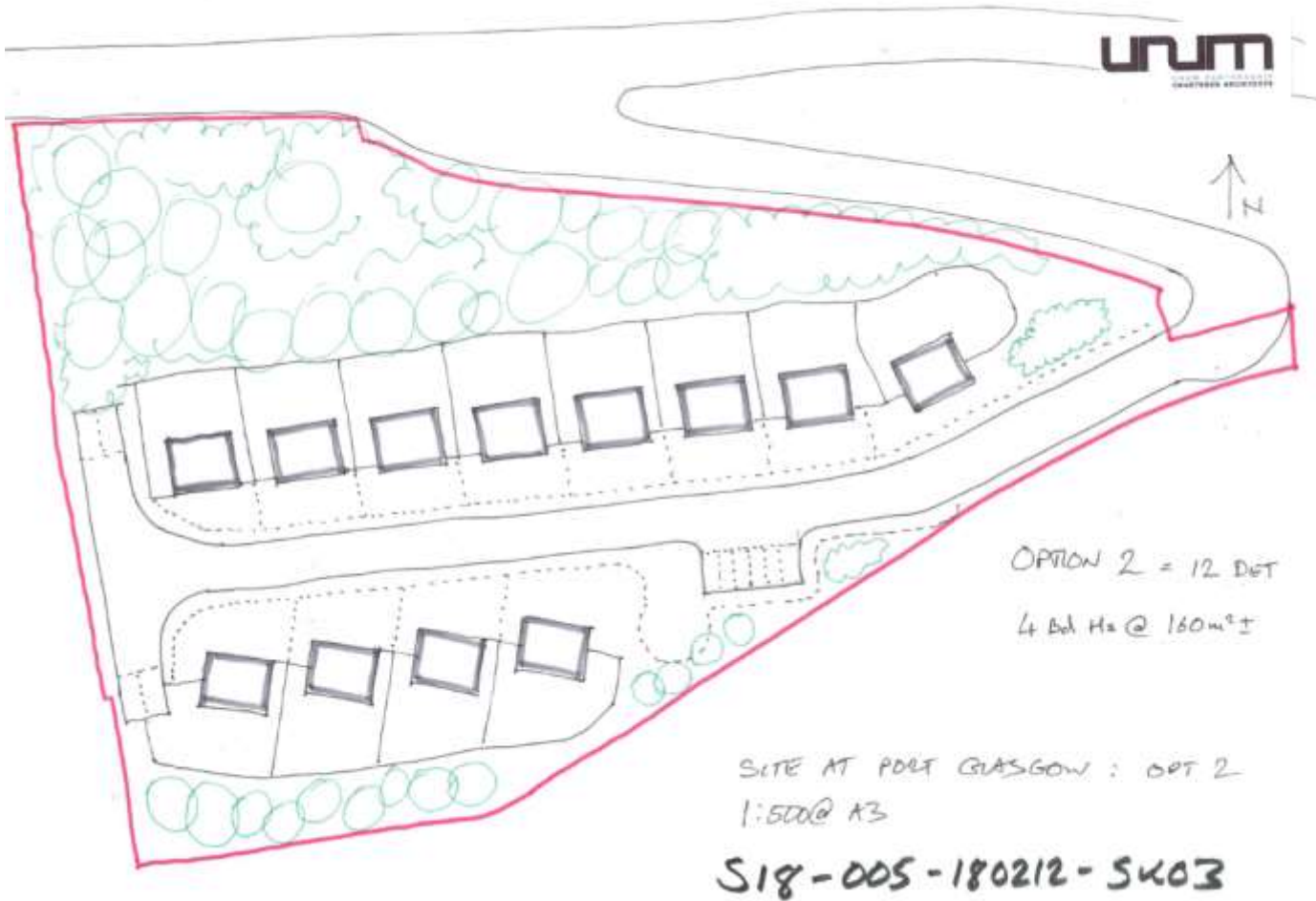
## 5.1 Design Concept

We prepared several sketch layout options of potential development options on the site in consideration of the site constraints. Replication of the initial layout options considered follow.



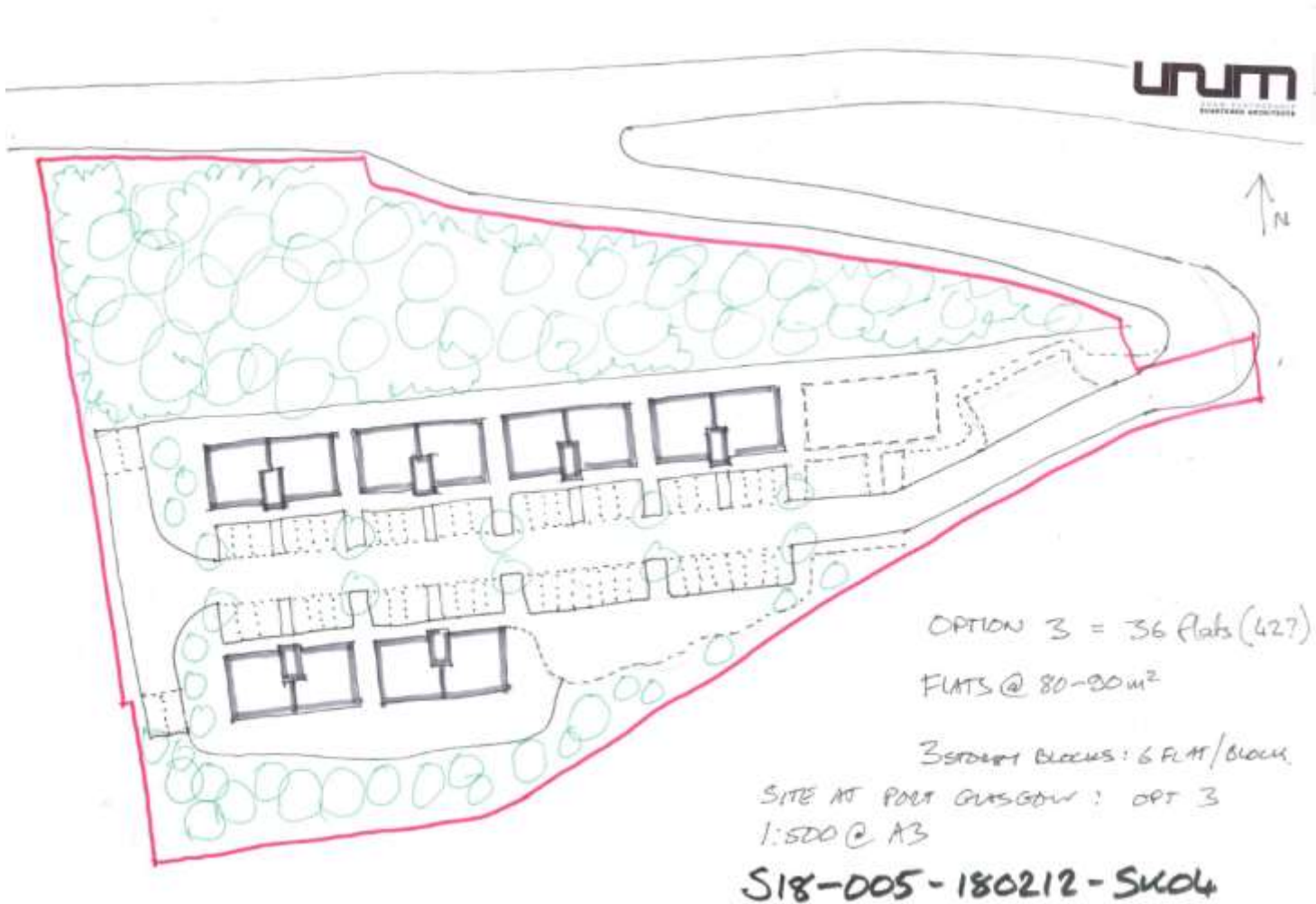
5.1.1 Layout Option 1 –  
18 semi-detached units

# 5.0 Proposed Development



5.1.2 Layout Option 2 –  
12 detached units

## 5.0 Proposed Development



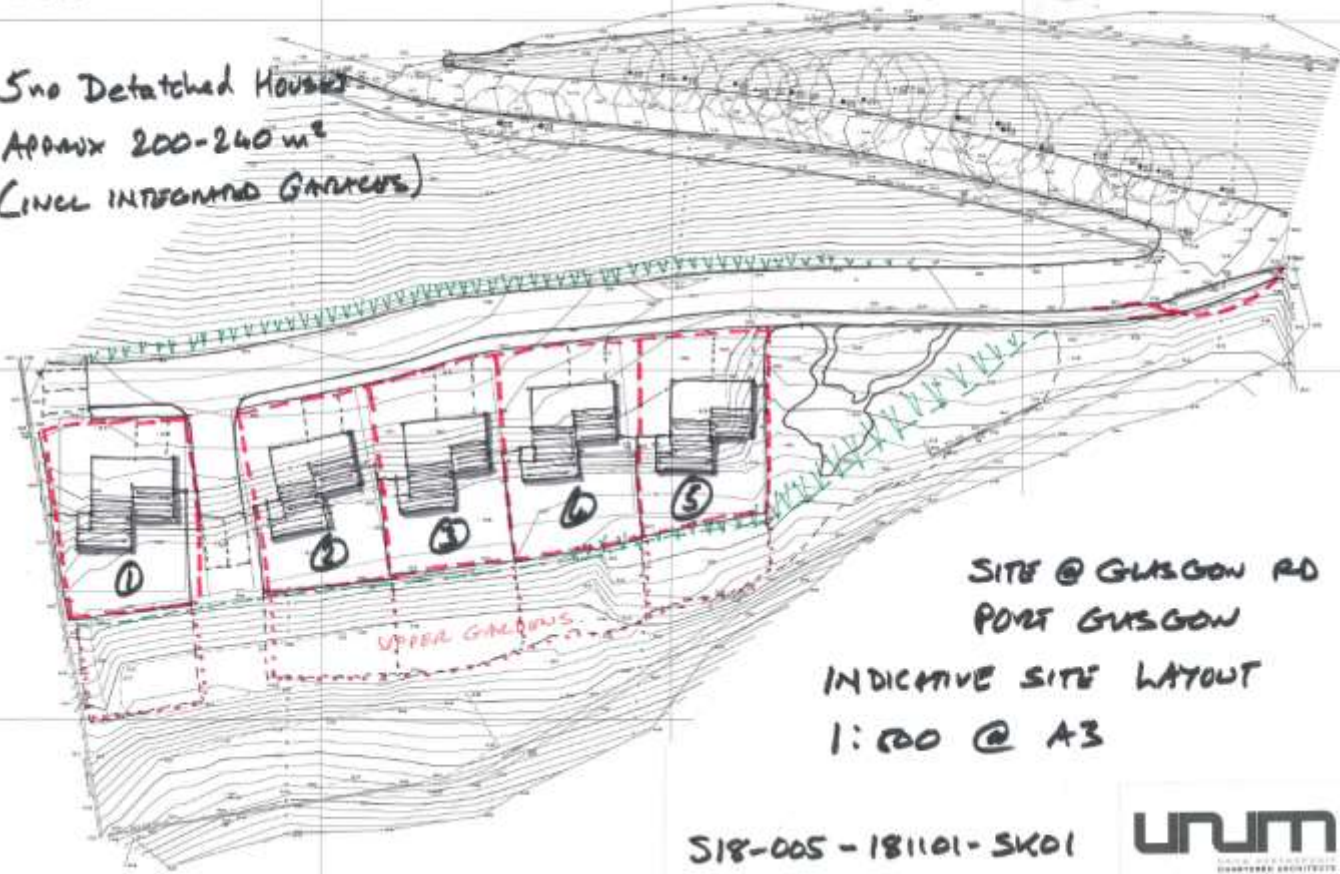
5.1.3 Layout Option 3 –  
36 flats in 3-storey blocks



# 5.0 Proposed Development

5 NO HOUSE PLOTS 25m x 18m (450m<sup>2</sup>) + 200± EXTRA GARDEN

5 no Detached Houses  
Approx 200-240 m<sup>2</sup>  
(INCL INTERIOR GARDENS)



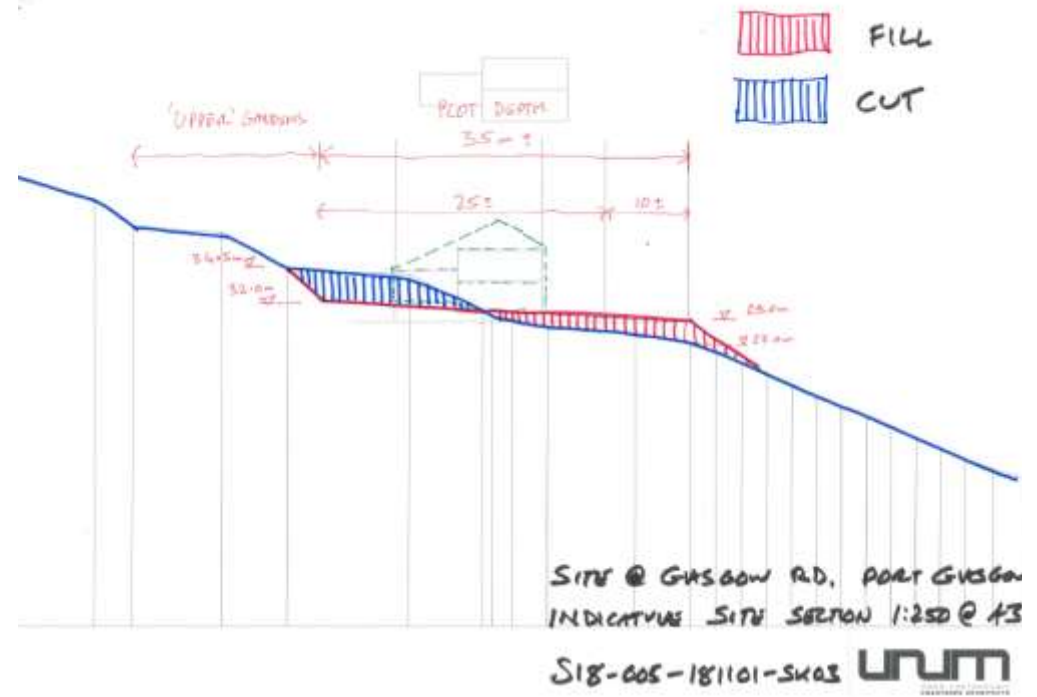
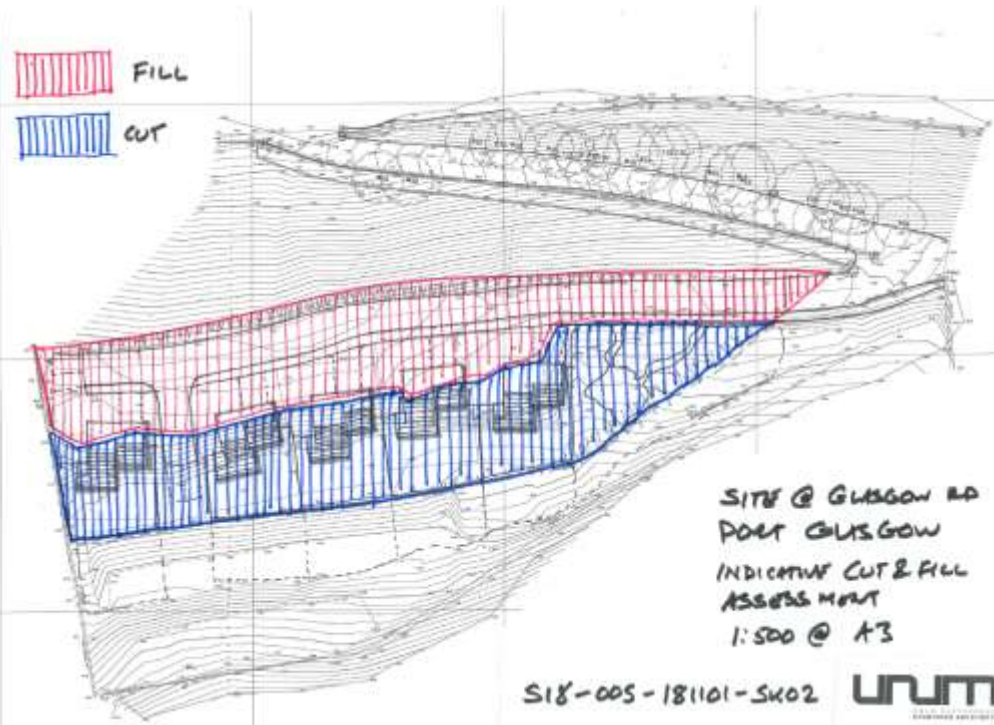
## 5.2 Concept Development

Initial feedback from the Transport Engineers following review of the proposals and the access arrangements provided advice suggesting that a small scale development of approximately 5-6 units would be most appropriate for the site in order to be able to justify the site access geometry at the junction with Glasgow Road.

Illustrated here are later sketches reflecting a smaller scale residential development and now including / reflecting the site topography and a preliminary review of the cut and fill which might be required.

5.2.1  
Sketch site plan showing 5 no detached units

# 5.0 Proposed Development



5.2.2 & 5.2.3 Sketch site plan and section showing layout plan and estimated extent of cut and fill required

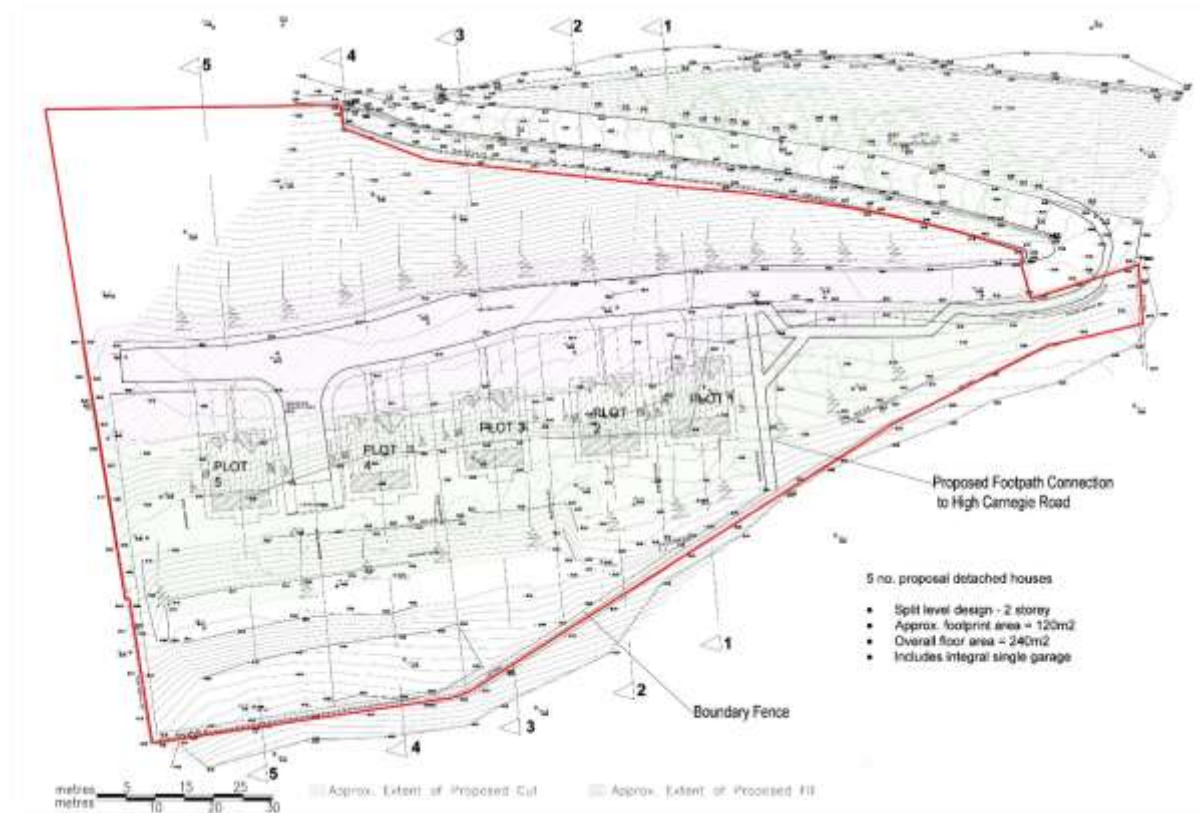
# 5.0 Proposed Development

## 5.3 Design Solution

The applicant is proposing a small-scale residential development, set within the hillside above Glasgow road Port Glasgow.

PPP is requested for 5 detached houses, each house with 4-bedrooms. Houses will be accompanied with large domestic gardens, integral garages and driveways. We envisage that the houses will be of a split level design to minimise the extent of a cut and fill exercise required. I.e. the rear gardens will be elevated approximately 1.5m above the entrance level / front gardens. The houses will be two storey design.

Detail at present is considered to be consistent with an application for PPP. Further details of the layouts and design specification, in terms of materials and finishes will be determined at a later stage.



5.3.1 Application site plan with extent of proposed cut and fill

# 6.0 Design Considerations

## 6.1 Site cut and fill

The topographic survey accompanying the application indicates the existing site levels, showing the developable “plateau” level to vary between a level of 27 and 31 metres AOD. This developable plateau is situated approximately 20 metres above the level of the site access from Glasgow road.

The accompanying site plan indicates the approximate extent of a proposed cut and fill exercise which would be required in order to maximise the developable site area. This is further illustrated by the cross sections includes through each of the (5) house plots. In each case the proposal is to create a split level house with the rear garden elevated approximately 1.5 metres above the front garden. The sections illustrate this to be the most efficient way to minimise the extent of cut and fill. The rear gardens will cut into the embankment to the South of each house and the ground will be displaced to the North side of the site to create a platte for the front gardens and access road to the units. The cross sections indicate that this is achievable by extending the steep embankment on the North of the site up to meet the new platte level.

The impact of this cut and fill exercise will be to create a retaining wall where the site access road turns into the site. I.e. the new access road level will require to be designed to traverse between the existing levels of approximately 28 m AOD up to the approximate development level of 29-29.5m AOD.

## 6.2 Plot size and orientation

Each plot will measure approximately 35 metres deep by 18 metres wide and therefore will measure approximately 630 sqm (0.15 acres). The N/S orientation of these plots results in the creation of houses which will take advantage of the outstanding views North across the Clyde estuary. This is possible due to the elevated nature of the site.

## 6.3 Dwelling house design

Each dwelling house will have a footprint of approximately 10 m by 12 m. This will achieve a detached house size of 240 sqm ( 2,580 sqft) assuming a 2-storey house. This will be large enough to create houses including integral garage, living room , dining room and kitchen downstairs and 4 no bedrooms upstairs including bathroom and ensuite. The layouts will be a split level design to assist with the change in level across the site. Should this application be successful, then further details of each unit will be developed and brought forward for approval illustrating a contemporary split level design.

# 6.0 Design Considerations

## 6.4 Car parking

Each dwelling house plot includes 2 no off street car parking spaces within the plot curtilage and additionally a single integral garage. In addition the site plan indicates a total of 4 no spaces for visitors car parking including 1 no designated accessible car parking space.

## 6.5 Refuse uplift / Service Vehicles

The accompanying site plan includes the provision of a complaint turning head for service vehicles including refuse lorry and fire tender. Each house plot includes a hardstanding for siting of storage bins for refuse and recycling in accordance with the council's guidance.

## 6.6 Drainage and SUDS

A detailed drainage proposal will be prepared by the appointed Consultant Engineers as part of the detailed design development and to satisfy Planning Conditions accordingly. Attenuation will be provided as required to meet the surface water outfall requirements.

## 6.7 Safety and Security

The layout and design of the development will be designed using "Secured by Design" principles. Access/ paths across the site and lighting will comply with these design principals.

## 6.8 Landscaping Framework

A landscaping proposal will be developed for the scheme at detailed design phase. This will include native species including Beech hedging to the edges of the footpaths and plot front boundaries.

Otherwise the majority of the site will be grassed.

Plots to the rear will be enclosed using 1.8m high close boarded timber fencing.

## 6.9 Access

The applicant would like to introduce a public footpath linking the site to High Carnegie Road which would provide a much needed through route to this area from Glasgow road. This footpath would require consent of the adjacent land owner.



# 6.0 Design Considerations

## 6.10 Materials

The detailed design proposal will propose a modern design, but with traditional references; utilising materials of a high specification, with quality detailing throughout; and addressing an appropriate scale and hierarchy to the elevational treatments that relate to, and respect, the local building vernacular and context.

The materials will be chosen to blend in with the existing context of Port Glasgow, and minimise the impact of the development.

Longevity and good detailing will be paramount.

Walls will include:

Stone effect block in random coursing, proprietary dark grey cladding or render

Windows:

UPVC, white to interior, external colour to match cladding, tbc.

Roof Coverings:

Tiles: Slate effect roof tiles in dark grey.

## 6.11 Sustainability

The development proposals will contribute towards achieving sustainable design as follows:

- As a minimum, the Current Building Standards will be met with the achievement of high levels of thermal insulation and air-tightness within the dwellings.
- Where possible, locally sourced materials and products will be specified.
- High performance, Thermally efficient window units will be utilised, using low emissivity “K”-glass or equivalent.
- Within the dwellings the intention is to install, SEDBUK, A-rated/ energy efficient condensing boilers, providing circa. 90% efficiency.
- Waste and re-cycling facilities / storage will be provided to comply with latest standards of Inverclyde Council Cleansing Dept.

# 7.0 Inclusivity

## 7.1 Access

The following aspects with regards to Access will be carefully considered and their impact on the proposals is outlined thereafter:

1. Inclusive Design
2. Sources of Guidance
3. Approaching the Site
4. Entering the Building
5. Internal Planning
6. Facilities within the Dwelling(s)

## 7.2 Inclusive Design

Inclusive design is defined as being a “general approach to designing where the products and services address the needs of the widest possible audience, irrespective of age or ability”.

Current Technical Standards take cognisance, within limitations, of inclusive design.

The general movement to and through the development has been designed to be at least in accordance with the current SBSA standards, considering door widths, level thresholds, circulation space widths etc. Generally, the proposals exceed the requirements of the Technical Standards in terms of design for a wider audience. Note that the access road is currently an approximate 1:9 slope and this cannot be changed on the sidewalk.

The applicant would like to additionally construct a footpath linking the site South to High Carnegie Road, although this would be subject to approval of the adjacent land owners.

We will design the houses as such to ensure that the stairs are centrally located for general convenience of all residents and visitors. Stairs will be sized in accordance with the requirements of the SBSA guidance and also to accommodate the future installation of a stair climber if required.

# 7.0 Inclusivity

## 7.3 Sources of Guidance

- Designing for Accessibility ( Centre for Accessible Environments 2004 )
- Scottish Building Standards Agency Domestic, Section 4-Safety( 2010)
- BS 8300:2009
- Disability Discrimination Act 1995

## 7.4 Approaching the Site

The site is located in an area of reasonable accessibility in terms of public transport.

**7.4.1** The nearest bus stop which connects the area to Port Glasgow is located within 100-metres of the site access. The area is also within short driving distance (approximately 10mins) from the M8 and 20 minutes walk from the centre of Port Glasgow.

**7.4.2** 1 No. Disabled parking bays are included, un-allocated.

## 7.5 Entering the Building

The proposed entrance to the new dwellings will be designed to ensure a fully accessible entrance in compliance with the relevant Technical Standards.

Once inside the building, access to the accommodation levels above is by stairs, although these will be designed considering the future installation of a stair climber which is a requirement of the Technical standards.

All circulation spaces on all floors are to comply with current Scottish Technical Standards.

# 7.0 Inclusivity

## 7.6 Internal Planning

Internal planning of the dwellings will comply with Scottish Building Standards Agency Domestic, Section 4-Safety (2007)

All doors will have an effective clear width of at least 800mm and corridor widths exceed the minimum.

## 7.7 Facilities within the dwellings

**7.7.1** All switches and socket outlets will be accessible (i.e. between 450mm and 1200mm above the floor) and in areas utilised substantially by residents, design focus and consideration will be given to accessibility and the DDA.

**7.7.2** The entrance door will exceed the minimum clear width of 775mm

**7.7.3** The internal stair arrangement will be designed in accordance with the Technical Standards and will accommodate the future installation of a stair climber.

**7.7.4** The design of the ground floor will include provision of a “principal” apartment and a WC which is sufficiently sized to include the future installation of a shower, all in accordance with the Technical Standards.

# 8.0 Conclusion

## 8.1 Conclusion

- This Design and Access Statement is submitted in support of an application for PPP for a small scale residential development on the former Carnegie Park Orphanage site on Glasgow Road, Port Glasgow. The proposed redevelopment of this site will comprise of 5 dwellings, with associated access, parking, landscaping and infrastructure.
- Redevelopment on brownfield sites and within the boundaries of a settlement would adhere to policy and guidance at local, strategic and national levels. The Site is located within a sustainable location, with public transport services located within close proximity and heading in various directions. Services, amenities and infrastructure are also within an accessible distance to the site.
- Granting this application would enable a proposal to come forward that would contribute to placemaking principles and provide good quality housing within Port Glasgow.
- Granting this application would provide redevelopment on a brownfield site and provide significant betterment to a neglected site.
- The proposals are therefore supported by the Development Plan and guidance at all levels. In this context the development would not conflict with housing, historic or natural environment related policies or principles. On balance, the proposal would bring a significant contribution to the area.
- It is of an appropriate scale and design for a tricky development site and does not seek to overdevelop,
- The application has sought to consider and address all relevant planning matters and is satisfied that the application is appropriate and in context. Where additional information is required, Inverclyde Council can request these during the development management process or through Planning Conditions.
- Overall, it has been demonstrated that the proposed is consistent with all statutory and non-statutory policy and guidance and other material considerations. It is therefore respectfully recommended that Inverclyde Council permit this application and grant planning permission in principle.



**3. PLANNING STATEMENT APPLICATION – PLANNING**

2019

**FORMER CARNEGIE PARK ORPHANAGE / LANGLANDS  
SCHOOL,  
GLASGOW ROAD,  
PORT GLASGOW.**

**PLANNING STATEMENT**

# Former Carnegie Park Orphanage / Langlands School, Glasgow Road, Port Glasgow

**PLANNING PERMISSION IN PRINCIPLE FOR RESIDENTIAL DEVELOPMENT,  
INFRASTRUCTURE, LANDSCAPING AND ASSOCIATED ACCESS**



**ON BEHALF OF  
MR MICHAEL SCOTT**

**MAY 2019**

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# 1 Introduction

## Introduction

- 1.1 Rick Finc Associates (RFA) is acting on behalf of Mr Michael Scott (here after referred to as 'the Applicant') to obtain Planning Permission in Principle (PPP) for residential development on land at the former Carnegie Park Orphanage / Langlands School, Glasgow Road, Port Glasgow (hereafter referred to as 'the Site').
- 1.2 The description of development entails: *'planning permission in principle for the erection of residential development, landscaping, infrastructure and associated access.'*

## Purpose of the Planning Statement

- 1.3 The purpose of this Planning Statement is to assist Inverclyde Council in its assessment and subsequent determination of this application for PPP. Further detail relating to the proposal and a summary of the relationship between the proposal and the relevant policy and environmental framework will be set out below.
- 1.4 Under the Town and Country Planning (Hierarchy of Developments), (Scotland) Regulations 2009, the proposal meets the requirements of a 'local' application. This Planning Statement accompanies the application submitted to Inverclyde Council under the terms of the Town and Country Planning (Scotland) Act 1997, as amended by The Planning etc (Scotland) Act 2006.

## Project Team

- 1.5 The Applicant's project team comprise of:
- RFA – Development Planning;
  - Unum Partnership – Design and Access Statement; Plans and Elevations;
  - Quattro Consult – Flooding and Drainage;
  - Cairn Ecology – Preliminary Ecological Appraisal;
  - ECS Transport Planning – Transport Opinion; and
  - Phoenix Surveys– Topographical Survey.
- 1.6 The Planning Statement should be read in conjunction with the documentation associated with this application, inclusive of the plans, elevations and supporting reports and assessments, which, when combined address all planning, design and environmental matters.



## Structure of Planning Statement

1.7 With the exception of this introductory section, this Planning Statement will comprise of the following chapters:

- **Section 2:** Site Location and Context;
- **Section 3:** Description of Proposed Development;
- **Section 4:** Planning Policy and Appraisal;
- **Section 5:** Appraisal of Material Considerations; and
- **Section 6:** Conclusions and Recommendations.

## 2 Site Location and Context

### Introduction

- 2.1 The purpose of this section is to describe the location and context of the proposal, whilst detailing any relevant environmental designations or planning related constraints relevant to the application site. Planning history will also be set out below to establish further context and the acceptability of the proposed development.

### Site Location

- 2.2 The site is approximately 1.19 hectares in area and is located on Glasgow Road, Port Glasgow, PA14 6SB. This is the site of the former Carnegie Park Orphanage / Langlands School (see Figure 2.1). The site is situated to the east of Port Glasgow's Town Centre and sits on a segment of land which is bound by:

- Glasgow Road to the north;
- Port Glasgow Cemetery to the east and south; and
- scrubland / open space to the west.

**Figure 2.1- Site Location**



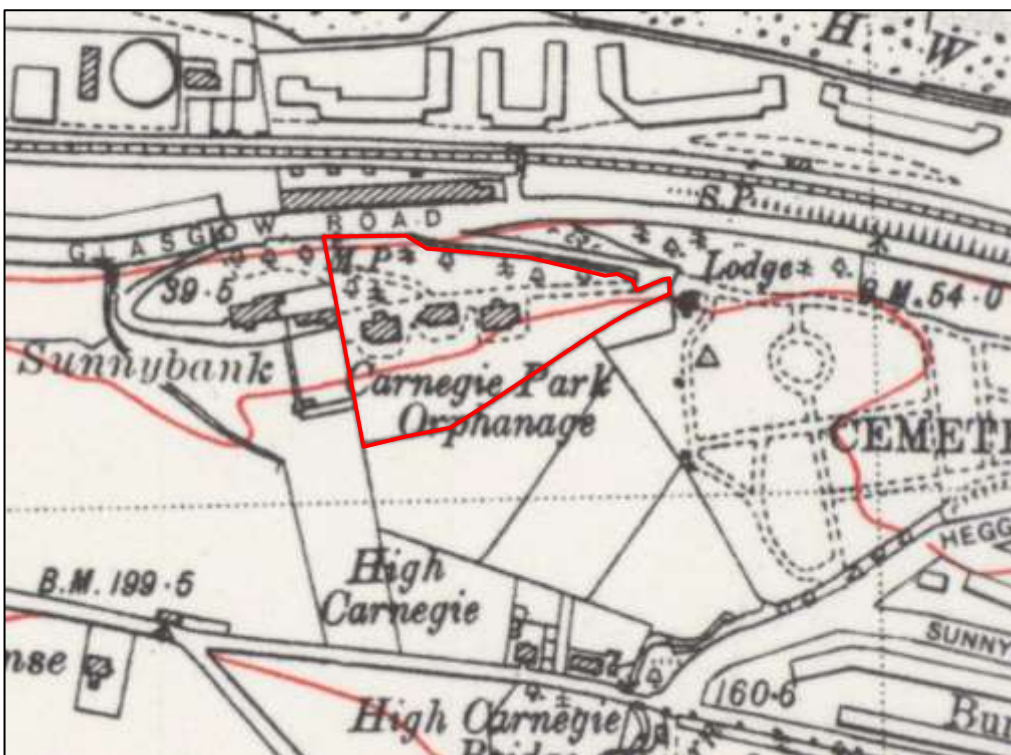
## Site Description

- 2.3 The site is situated on a hillside which slopes downward from the southern boundary at the cemetery to the northern boundary on Glasgow Road. Mature trees are predominantly located along the boundaries of the site, in addition to a boundary wall which appears to be damaged in places. Due to the topography of the site it benefits from views northward toward the River Clyde. Access to the site is currently afforded by way of a single carriageway off the Glasgow Road, also serving as an alternative vehicular access to the nearby cemetery.
- 2.4 Although the site is situated on a slope, there is an existing plateau in the centre which once accommodated the development of Carnegie Park Orphanage / Langlands School (see Figure 2.2 & Figure 2.3). There is visible evidence of these structures today and remnants primarily consist of areas of hardstanding, foundation layers, retaining walls, stone garden terrace steps, a long driveway and stone gateposts by the entrance.
- 2.5 The footprint of housing development now proposed on the site correlates with the location of previous development, so the site should be considered as 'brownfield'.
- 2.6 The site is in private ownership and vehicular access to this site is currently blocked by a large fly-tipped earth and rubble mound. Access on foot is still possible from this vehicular access point, although there are no formal footpaths or rights of access across the site. There are no links to adjacent sites.
- 2.7 The site has been vacant for many years and has become overgrown with ivy, weeds, self-seeded trees and non-native invasive species such as Japanese Knotweed. A number of relatively young trees have begun to grow around the hardstanding element in recent years, primarily through seed dispersal. As a result of a lack of management the site has become overgrown, attracts anti-social behaviour and there is also evidence of fly-tipping on-site.
- 2.8 The site is designated within the LDP as an area of 'Open Space'. However, there is no formal public access to the site and it does not provide any recreational value at present. There are no heritage designations or environmental designations covering the site.
- 2.9 There are no Tree Preservation Orders (TPOs) located on site. The site does not feature on the 'Semi-Natural Tree Inventory'.

Figure 2.2 - Carnegie Park Orphanage<sup>1</sup> (early 1900s)



Figure 2.3. Carnegie Park Orphanage Map<sup>2</sup> (circa 1914)



## Site Context

- 2.10 Port Glasgow is the second largest town within the Inverclyde area and is located to the east of Greenock. Port Glasgow's town centre is located west of the site, where many facilities and

<sup>1</sup> Source: Children's Homes. (Unknown) Available Online at: <http://www.childrenshomes.org.uk/GlasgowMoffat/>. [Last Accessed: 1<sup>st</sup> April 2019].

<sup>2</sup> National Library of Scotland. 2018. Renfrewshire Sheet II.SE (includes: Greenock; Kilmacolm; Port Glasgow. Available Online at: <https://maps.nls.uk/view/75661611>. [Last Accessed: 1<sup>st</sup> April 2019].

amenities can be found.

### *Townscape and Streetscape*

- 2.11 Glasgow Road is primarily characterised by its rising embankments to the south and views of the River Clyde to the north through gaps between development and vegetation. The roadside embankment to the south creates a sense of enclosure.
- 2.12 The area surrounding the application site predominantly comprises of residential uses, with the Clune Brae residential estate located to the south and west, along with vacant land and small businesses. A relatively new housing development site is located east of the site. Inverclyde Council recognise that this area in particular has an abundance of low quality and uninhabitable housing, unmaintained woodland and a relatively low sense of place. The surrounding area is therefore included within an 'Area of Potential Change' within the LDP.

### *Transport and Access*

- 2.13 The site on Glasgow Road is fairly accessible and is approximately 13 miles west of Glasgow Airport and 17 miles west of Glasgow City Centre. The town is also connected to the A8 dual carriageway and the M8 motorway. The town is served by two railway stations: Port Glasgow Railway Station (located in the centre), and Woodhall Railway Station (located to the east of Port Glasgow) which is the closest station to the application site. Services head towards Glasgow Central, Wemyss Bay, Greenock and Gourock.
- 2.14 Local buses service both Glasgow Road and Clune Brae heading to Clydebank, Park Farm, Greenock, Larkfield, Kilmacolm and Bardainney.
- 2.15 Access to the site can be gained from an opening on the south side of Glasgow Road. Access is gained to the cemetery from this point and a right of access exists to allow access to the application site. Pedestrians are able to access the application site via the cemetery (during day time opening hours) and via the access road off Glasgow Road.

### *Historic Context*

- 2.16 There are no listed buildings or historic designations located on site or adjacent to the site. The closest historic designations include:
- Clune Park Primary School (B-listed) to the west;
  - Holy Family Roman Catholic Church and Presbytery (A-listed) to the south-east; and
  - Newark Castle (Scheduled Ancient Monument) to the north-west.

### *Environmental Context*

- 2.17 The closest designations are 250 metres to the north of the site and are:

- Inner Clyde Ramsar - Designated for non-breeding Redshank;
- Inner Clyde Special Protection Area – Designated for non-breeding Redshank; and
- Inner Clyde Site of Special Scientific Interest - Designated for non-breeding Cormorant and Eider.

2.18 Given the topography of the site there is no indication from the SEPA flood map that the site is at risk from flooding.

## Planning History

2.19 There is no site specific planning history available on the Inverclyde Council Planning Portal.

2.20 A representation was submitted by RFA (Development Planning) to Inverclyde Council for the inclusion of this site as a housing site within the Proposed Local Development Plan 2 (PLDP2) at the PLDP stage. The PLDP2 was submitted to the DPEA on 28<sup>th</sup> November 2018. A 'Summary of Unresolved Issues' is listed on the DPEA website and details Inverclyde Council's response to the representation:

*“The site lies between Glasgow Road and High Carnegie Road in Port Glasgow and was formally home to Langlands Park School. While some elements of its former use remain, such as areas of hardstanding, boundary walls and footsteps, the site is now characterised by woodland, with SNH’s Semi-Natural Woodland Inventory, identifying the site as part of a wider semi-natural woodland area extending to the south and west. The site is designated as open space in the Proposed Plan Proposals Map (Document CD002) as it provides access to and through a woodland area. It would be inappropriate to re-designate this site for residential development as this would be inappropriate as this would remove an area of open space and result in the loss of semi-natural woodland and the fragmentation of a wider woodland area, reducing habitat connectivity. In addition, this site has not been subject to public consultation through the Main Issues Report or the Proposed Plan.*

*It is considered that a modification to the Plan is not required in relation to this matter.”<sup>3</sup>*

2.21 This woodland is not, as suggested by Inverclyde Council, registered on the Semi-Natural Woodland Inventory and has no formal woodland designation (other than 'open space' in the LDP). The site is listed by the Forestry Commission Scotland as being part of an Integrated Habitat Network (IHN) for native woodlands in Scotland. The purpose of the IHN is to link woodlands, both old and new, to form a more continuous woodland cover than at present. The administrative purpose of this label is purely to aid the scoring process when assessing Forestry Grant Scheme (FGS) applications made under the SRDP (2014-2020) programme.

2.22 The site where proposed development it located should be considered as 'brownfield' given the

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<sup>3</sup> The Scottish Government (The DPEA). 2018. Schedule 4 – Issue 005 – Housing Land Supply, Housing Supply Targets and Housing Land Requirements.



previous uses.

## 3 Development Proposals

### Introduction

- 3.1 The purpose of this section is to describe the proposal put forth to Inverclyde Council for PPP. This section should be read in conjunction with the plans, elevations and supporting documents submitted with this application for a more detailed understanding of the design specifications and urban design principles.

### Description of Proposed Development

- 3.2 The Applicant is proposing a small-scale residential development, set within the hillside on Glasgow Road, Port Glasgow. PPP is sought for plots to accommodate 5 detached dwellings. Each dwellinghouse is proposed to be 2 storeys in height and will be accompanied with large domestic garden space, integral garages and driveways.
- 3.3 Dwellings and associated garden space are proposed to be located primarily on the plateau area where previous development was located. Mature trees on boundaries and on the remainder of the site are proposed to be retained and managed, providing suitable and usable open space for the community.
- 3.4 It is envisaged that the dwellings will comprise of 4 bedrooms each and will be of a 'split level design' in order to minimise the extent of cut and fill required to be undertaken during construction. The rear gardens will be elevated approximately 1.5m above the level of the front gardens.
- 3.5 Each dwelling will include 2 off-street car parking spaces within each plot curtilage. Additionally, the layout makes reference to a total of 4 visitor car parking spaces, including 1 designated disabled parking space. Suitable turning space provision will be made for service and emergency vehicles in compliance with guidance.
- 3.6 Details provided at present is considered to be consistent with an application for PPP. Further details of the design specification, in terms of materials and finishes will be determined at a later stage of the planning process.
- 3.7 The accompanying Design and Access Statement provides further details on the design philosophy and concept.

## 4 Planning Policy and Appraisal

### Introduction

- 4.1 This section of the Planning Statement establishes the planning and environmental policy framework upon which Inverclyde Council will consider the proposed development against. It will highlight planning policy and guidance applicable to the proposal, before the proposal is then appraised to ensure policy compliance.
- 4.2 Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended), specifies that the determination of planning applications '*shall be made in accordance with the Development Plan, unless material considerations indicate otherwise*'. This is supplemented by Section 38(2) which states that '*in dealing with an application, the planning authority shall have regard to the provisions of the Development Plan as far as material to the application and any other material considerations.*'
- 4.3 In this regard, the Development Plan is referred to in terms of the proposed development and highlights key policies and statutory Supplementary Guidance (SG) applicable to this application for PPP. Key aspects of the proposals will be elaborated upon within the following sections.

### The Development Plan

- 4.4 The extant Development Plan which covers the application site, comprises:
- Glasgow and the Clyde Valley Strategic Development Plan (July 2017); and
  - Inverclyde Local Development Plan (August 2014).
- 4.5 The emerging Development Plan comprises:
- Proposed Inverclyde Local Development Plan (2018), set to be adopted in August 2019.

### Glasgow and the Clyde Valley Strategic Development Plan (SDP)

- 4.6 The SDP was adopted by ClydePlan in 2017 and covers Glasgow and Clyde Valley region, comprising of East Dunbartonshire, East Renfrewshire, Glasgow City, North Lanarkshire, Renfrewshire, South Lanarkshire, West Dunbartonshire and Inverclyde. A land use development strategy is set out within the SDP for the Glasgow and Clyde Valley region and acts as standard framework for local authorities in terms of greenbelt and countryside policies, housing, business and industry, retailing, transport, infrastructure and environmental protection. Policies and objectives from the SDP feed into LDPs and are used as a basis for policy making and land use planning at a local level.

4.7 The vision of the SDP is for the region to become ‘a compact city region, based upon: Centres, Economy, Low Carbon Infrastructure; Placemaking and Regeneration’. To achieve this, ClydePlan has set out a Spatial Development Strategy which includes focusing development in the following ‘development corridors’:

- Community Growth Areas;
- Clyde Gateway;
- Clyde Waterfront;
- Forth and Clyde Canal;
- Glasgow and the Clyde Valley Green Network;
- Glasgow City Centre;
- Ravenscraig; and
- River Clyde.

4.8 Particularly in relation to the River Clyde Development Corridor, the SDP states that:

*“The River Clyde is the second longest river in Scotland. The banks and communities along the River Clyde, particularly those related to the former heavy engineering activities, have been identified as major areas of regeneration as part of the Spatial Development Strategy e.g. Clyde Waterfront including Inverclyde Waterfront and Renfrew Riverside. However, the river itself is a much-underused asset. In support of this regeneration activity the river offers potential for greater leisure, recreation, visitor and sustainable transport related activity with opportunities to link to the national long-distance walking and cycle routes and more localised recreational opportunities and visitor attractions. In addition, the river has potential to mitigate against flood risk and support surface water management and the Metropolitan Glasgow Strategic Drainage Plan. Development of a joint River Clyde Strategy will be important in securing these multiple benefits.”*

4.9 Although not strictly relevant to this proposal, the application site is located along the River Clyde Development Corridor and residential development on this site would take advantage of the brownfield nature of the site and views over the River Clyde. The proposals would significantly enhance the area through high quality development and through enhancements to the current woodland. The proposal is therefore considered to broadly comply with the SDP’s spatial strategy.

4.10 Relevant policies from the SDP are outlined and appraised below.

**Table 4.1 SDP Policy Appraisal**

SDP Policy	Compliance and Appraisal
<p><b>Policy 1 – Placemaking</b></p>	<p>The proposal is considered to integrate well with its local context and the plans and assessments submitted in support of this application demonstrate the opportunity for high quality placemaking. The layout and density of the proposal is sympathetic to the site and its setting and is primarily focused on the brownfield element of land.</p> <p>The development principles in which the proposal was based are considered to be commensurate with an application for PPP and compliant with SPP's Placemaking Principles. The Design and Access Statement (DAS) which supports this application for PPP details the proposals compliance with design principles in further detail.</p>
<p><b>Policy 7 – Joint Action Towards the Delivery of New Homes</b></p>	<p>In relation to the current examination of PLDP2 by the Scottish Government ('the DPEA'), under reference LDP-280-2 (Local Development Plan)<sup>4</sup>, it is evident from recent information requests/responses between the Reporter and Homes for Scotland, that Inverclyde Council does not have an effective housing land supply, and the PLDP2 does not appear to adhere to the SDP in terms of housing targets. In that regard, this proposal would contribute to the delivery of new homes within Inverclyde through the provision of a small-scale windfall site and the proposal is therefore considered to be compliant.</p>
<p><b>Policy 8 – Land Requirement</b></p>	<p>The proposal is regarded as a small-scale windfall site which is considered to contribute towards any shortages in housing land supply or compensate for ineffective sites.</p> <p>The proposal is considered to contribute to sustainable development as it is focussed on brownfield land and would therefore not undermine greenbelt objectives. Additionally, development on this site is not considered to detrimentally effect the character or setting of this area and much of the woodland in which it is proposed to be situated would be retained and enhanced. The proposal is therefore regarded as a 'sustainable development' and would be an ideal site for a small-scale housing development contributing to achieving any shortfalls.</p>
<p><b>Policy 12 – Green Networks and Green Infrastructure</b></p>	<p>The site on Glasgow Road is considered to contribute to the green network and and is allocated in the LDP and PLDP2 as an area of open space. It should be noted that this area of open space is currently in private ownership, difficult to access, poorly managed and has been subject to the growth of non-native, invasive species, fly-tipping and evidence of anti-social behaviour. As a result, the space is poorly utilised and does not contribute to effective placemaking principles as set out by SPP. The LDP also regards this site as being of poor quality.</p> <p>Small scale residential development would contribute to rectifying the above issues and would contribute to providing a high-quality green network/usable open space through enhanced accessibility and an enhanced environment for biodiversity through associated works.</p> <p>Residential development proposed on this site would primarily be located on the area of the site in which the previous development (Langlands/Carnegie Park Orphanage) was located, therefore the brownfield element of the wider site, mitigating the fragmentation of the wider green network as much as possible.</p> <p>The Ecology Report submitted in support of this application notes that no protected species were evident on site at the time of the site visit. Many of the mature trees are located on the boundaries of the site, or to the north of the site. These trees are proposed to be retained and the northern section of the site will remain undeveloped but will be managed.</p>

<sup>4</sup> The Scottish Government ('The DPEA'). 2019. Case Search. Available online at: <https://www.dpea.scotland.gov.uk/CaseDetails.aspx?id=120035>. [Last Accessed: 2<sup>nd</sup> April 2019].

	<p>The Ecology Report also notes the presence of invasive, non-native species on site such as Japanese Knotweed.</p> <p>Management of the application site will provide an opportunity for native species to be introduced on-site and the quality of the green network to be enhanced in line with the LDP objectives. In addition, development will provide for greater access to the open space and greater usability for both wildlife and the wider community.</p>
<p><b>Policy 13 – Forestry and Woodland</b></p>	<p>In line with Policy 13 and the Scottish Government’s Guidance on Forestry and Woodland, proposals for residential development are primarily focused upon the plateau area where development has previously been located. This particular layout ensures the retention of healthy mature trees. A Tree Report will be undertaken as part of the AMSC stages and will contribute to deciphering which trees are worthy of retention. (See section 5.16)</p> <p>Much of the woodland and planting located on the plateau area where the dwellings are proposed to be located have self-seeded and many are invasive species which are required to be effectively managed. Loss of trees on-site will be minimised.</p>
<p><b>Policy 16 – Improving the Water Quality Environment and Managing Flood Risk and Drainage</b></p>	<p>The submitted Drainage, Flooding and SUDS Strategy Report confirms that the site is not at risk from fluvial flooding, surface water flooding, tidal flooding or groundwater flooding..</p> <p>A surface water management and SUDS scheme has been designed and is presented in the accompanying Drainage, Flooding and SUDS Strategy Report.</p>
<p><b>Policy 18 – Strategic Walking and Cycling Network</b></p>	<p>At present, the site is in private ownership and inaccessible for any formal recreation. The proposal would seek to effectively manage and enhance the area of open space to the north, which will remain undeveloped, allowing for greater access through the site, particularly for activities such as walking and dog walking.</p>

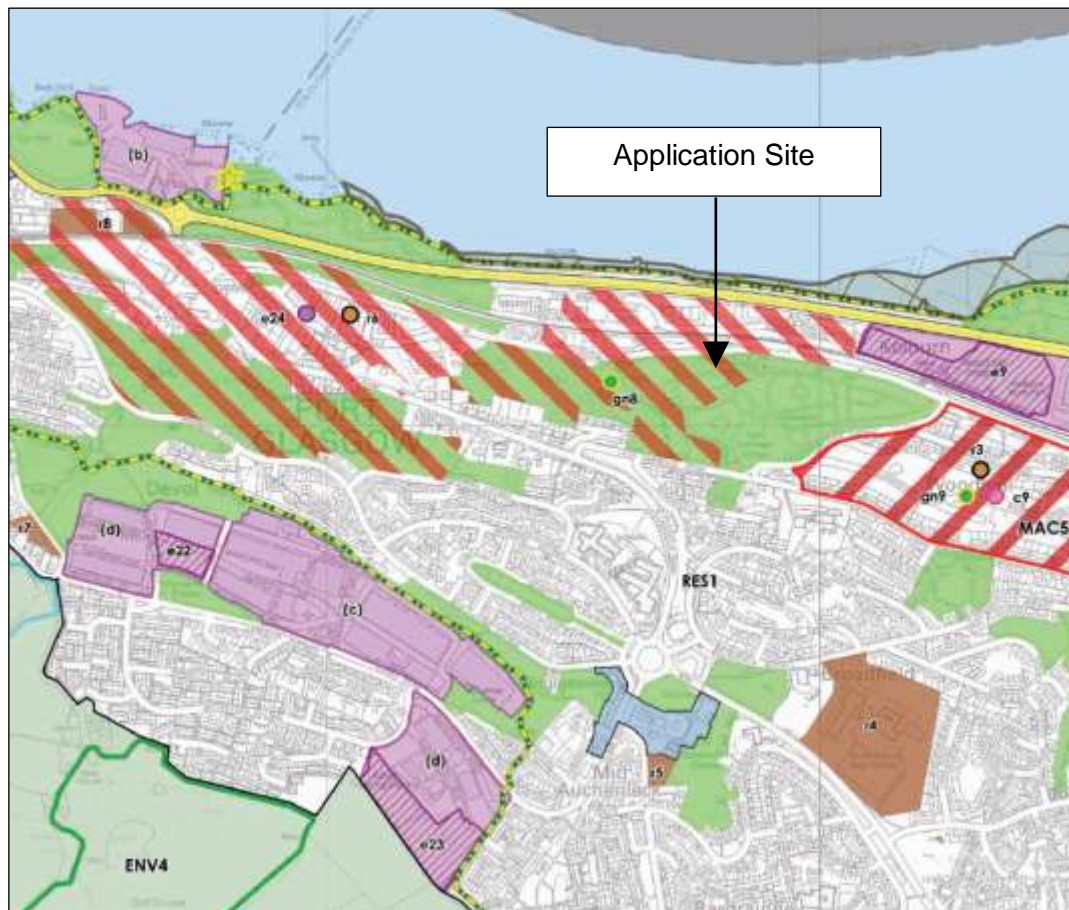
## Inverclyde Local Development Plan

- 4.11 Inverclyde Council adopted the extant LDP on 29<sup>th</sup> August 2014. The LDP sets out the spatial strategy, planning policies and land use proposals for the Inverclyde area and together with the Glasgow and Clyde Valley Strategic Development Plan, Inverclyde Council use these documents to determine planning applications and to provide advice on development proposals.
- 4.12 The Inverclyde LDP is aligned to the SDP’s vision, though the LDP does note that *‘its central purpose [is] the protection of Inverclyde’s natural and built heritage, while making provision for growth in a wide range of sustainable locations for new investment and development. Seven large areas are identified where the future of Inverclyde will be planned for the better, and two major areas of study will enable the tradition of long term and comprehensive, phased planning to continue into the medium to longer term.’*
- 4.13 The LDP designates the application site as an area of ‘Open Space’ which forms part of the green network. Inverclyde Council lists the site under ‘GN8’ which suggests that there are potential opportunities for enhancement within this particular segment of the green network. In addition to this the site is included within ‘APC 2 – Inner Lower Port Glasgow’, an area of potential change (see Figure 4.1).



4.14 Relevant policies from the Inverclyde LDP are presented in Table 4.2 below and the proposals appraised to demonstrate policy compliance.

**Figure 4.1 - LDP Proposals Map**



**Table 4.2 - Relevant LDP Policy**

LDP Policy	Policy Compliance and Appraisal
<p><b>Policy SDS1 – Climate Change Mitigation and Adaptation: Reducing Carbon and Energy Use</b></p>	<p>From conception, the proposed residential development has been designed with climate change targets and sustainable design principles in mind and broadly reflects Policy SDS1.</p> <p>This policy will be dealt with in more detail through planning conditions at the detailed AMSC stage.</p>
<p><b>Policy SDS2 – Integration of Land Use and Sustainable Transport</b></p>	<p>The area surrounding the application site is primarily residential in nature, with several commercial uses nearby, along with the adjacent cemetery. The proposed land use is residential, and it is considered to integrate sympathetically to its surroundings with little detrimental effect on the amenity of the area.</p> <p>In addition, the site is highly accessible and is relatively central in terms of Port Glasgow’s Town Centre. The site is also within close proximity to local public transport links (bus and train) and the proposal is therefore considered to comply with Policy SDS2 as it directs development to highly accessible locations.</p>
<p><b>Policy SDS3 – Placemaking</b></p>	<p>The proposal is considered to integrate well with its local context and the plans and assessments submitted in support of this application demonstrate the opportunity for high quality placemaking. The layout</p>

	<p>and density of the proposal is sympathetic to the site and its setting and is primarily focused on the brownfield element of land.</p> <p>The development principles in which the proposal was based upon are considered to be commensurate with an application for PPP and compliant with SPP's Placemaking Principles. The Design and Access Statement (DAS) which supports this application for PPP details the proposals compliance with design principles in further detail.</p>
<p><b>Policy SDS4 – Green Networks</b></p>	<p>The site on Glasgow Road is considered to contribute to the green network and is allocated in the LDP and PLDP2 as an area of open space. It should be noted that this area of open space is currently in private ownership, difficult to access, poorly managed and has been subject to the growth of non-native, invasive species, fly-tipping and evidence of anti-social behaviour. As a result, the space is poorly utilised and does not contribute to effective placemaking principles as set out by SPP. The LDP also regards this site as being of poor quality.</p> <p>Small scale residential development would contribute to rectifying the above issues and would contribute to providing a high-quality green network/usable open space through enhanced accessibility and an enhanced environment for biodiversity through associated works.</p> <p>Residential development proposed on this site would primarily be located on the area of the site in which the previous development (Langlands/Carnegie Park Orphanage) was located, therefore the brownfield element of the wider site, mitigating the fragmentation of the wider green network as much as possible.</p> <p>The Ecology Report submitted in support of this application notes that no protected species were evident on site at the time of the site visit. Many of the mature trees are located on the boundaries of the site, or to the north of the site. These trees are proposed to be retained and the northern section of the site will remain undeveloped but will be managed.</p> <p>The Ecology Report also notes the presence of invasive, non-native species on site such as Japanese Knotweed.</p> <p>Management of the application site will provide an opportunity for native species to be introduced on-site and the quality of the green network to be enhanced in line with the LDP objectives. In addition, development will provide for greater access to the open space and greater usability for both wildlife and the wider community</p>
<p><b>Policy SDS7 – Regeneration and Renewal Priorities</b></p>	<p>The LDP stipulates that the 'Regeneration and Renewal Priorities' include sites located within 'Major Areas of Change' and 'Areas of Potential Change' as the application site is located within an 'Area of Potential Change', the proposal is considered to comply as the proposal would add investment and small-scale development into the area.</p>
<p><b>Policy APC – Areas of Potential Change 1 &amp; 2</b></p>	<p>The proposed site is located within an 'Area of Potential Change' as indicated within Figure 4.1. In line with Inverclyde Council's LDP Strategy, the proposal would allow for the renewal and regeneration of both a brownfield site and poor-quality woodland/open space and would therefore inject investment into an area where change is required.</p>
<p><b>Policy TRA1 – Managing the Transport Network</b></p>	<p>The proposal is not considered to affect the traffic flow on strategic road networks. The proposal will utilise a current vehicular access, which currently serves the cemetery and application site, for the 5 housing units.</p> <p>The applicant is aware of the SCOTS thresholds and is happy to</p>

	discuss this with the Council's Traffic and Transport officers.
<b>Policy TRA4 – Development Contributions</b>	Planning Obligations to mitigate impacts of the proposal will comply with the tests as set out in Circular 3/2012. The applicant is happy to discuss these requirements.
<b>Policy RES2 – Development on Urban Brownfield Sites</b>	<p>Policy RES2 supports residential development on brownfield sites, particularly within areas designated for renewal. The application site is partly brownfield; located in an 'Area of Potential Change' and residential in nature.</p> <p>Additionally, it is not considered that the site has a greater alternative priority. The site is indeed identified as Open Space within the LDP, however it must be highlighted that:</p> <ul style="list-style-type: none"> <li>• The site is privately owned;</li> <li>• Difficult to access;</li> <li>• Unusable for recreation;</li> <li>• Overgrown with weeds and non-native invasive species;</li> <li>• Low quality in terms of ecology;</li> <li>• The site attracts anti-social behaviour; and</li> <li>• Has become a dumping ground for fly tippers.</li> </ul> <p>Due to the above factors, the site is not considered to be of local value. The proposed development would allow for much of the woodland to the north to be retained, enhanced and effectively managed, with increased access through the site and greater recreational and ecological benefit.</p>
<b>Policy RES3 – Residential Development Opportunities</b>	Although not specifically allocated as a site for residential development, the site is included within Inverclyde Council's 'Area for Potential Development' – an area which would benefit from regenerative actions such as development. The proposal for residential development on this site within APC 2 is therefore considered to comply with RES3.
<b>Policy ENV3 – Safeguarding and enhancing the Green Network</b>	Development is proposed on the southern half of the application site and will primarily be located on the brownfield element of the site, ensuring the remainder of the site remains as a green network, with enhancements such as the removal of invasive species. The Green Network would therefore primarily be retained allowing for habitat connectivity, amongst other environmental benefits.
<b>Policy ENV4 – Safeguarding and enhancing Open Space</b>	<p>The site is in private ownership and access to the application site is restricted. This area of open space is used as an area for fly tipping and Inverclyde Council regard the site to be 'undermanaged' and of poor quality within the LDP.</p> <p>The proposal for residential development would contribute to the enhancement of this site and increase its usability as stated above.</p> <p>A large proportion of the site is undevelopable due to the topography of land and this element would ensure the development proposed remained at a small scale, of a high quality and integrate well with its surroundings.</p>
<b>Policy ENV 6 – Woodland and Trees</b>	<p>In line with Policy 13 and the Scottish Government's Guidance on Forestry and Woodland, proposals for residential development are primarily focused upon the plateau area where development has previously been located. This particular layout ensures the retention of healthy mature trees. A Tree Report will be undertaken as part of the AMSC stages and will contribute to deciphering which trees are worthy of retention. (See section 5.16)</p> <p>Much of the woodland and planting located on the plateau area where the dwellings are proposed to be located have self-seeded and many are invasive species which are required to be effectively managed.</p>

	Loss of trees on-site will be minimised.
<b>Policy ENV7- Biodiversity</b>	<p>The site is not considered to be high in ecological value, as demonstrated within the Preliminary Ecological Report which supports this application for PPP.</p> <p>Steps will be taken to retain as many mature trees as possible, in addition to adding further native species of value and removing invasive species present on site.</p> <p>The site will also be cleared up and managed appropriately. Fly tipping and the numerous types of plastics/rubbish located on the application site can have detrimental effects on wildlife and the development proposed would contribute to funding the clear up and subsequent management.</p> <p>A more detailed Ecology Report can be submitted during the AMSC stage, if required by Inverclyde Council.</p>
<b>Policy INF2 – Energy Efficiency</b>	The proposal has been designed to ensure that carbon emissions are reduced. This matter will be considered in more detail through the AMSC stage.
<b>Policy INF4 – Reducing Flood Risk</b>	<p>The submitted Drainage, Flooding and SUDS Strategy Report confirms that the site is not at risk from fluvial flooding, surface water flooding, tidal flooding or groundwater flooding..</p> <p>A surface water management and SUDS scheme has been designed and is presented in the accompanying Drainage, Flooding and SUDS Strategy Report</p> <p>The Flood Risk Assessment and Drainage Impact Planning Guidance for Developers<sup>5</sup> states that there is no requirement for a Flood Risk Assessment or a Drainage Impact Assessment to be submitted in support of this application as the application does not comprise of 'more than 5 dwellings.'</p>
<b>Policy INF5 – Sustainable Urban Drainage Systems (SUDS)</b>	A surface water management and SUDS scheme has been designed and is presented in the accompanying Drainage, Flooding and SUDS Strategy Report

## Statutory Supplementary Guidance (SG)

- 4.15 Supplementary Guidance is created by local planning authorities to supplement policies of the LDP which allows the primary focus of LDPs to remain upon the vision, spatial strategy and the proposals. Each SG document links to a particular policy within the LDP and forms part of the LDP and should be used as such in the determination of planning applications. The following relevant SG documents have been published alongside the LDP and include:

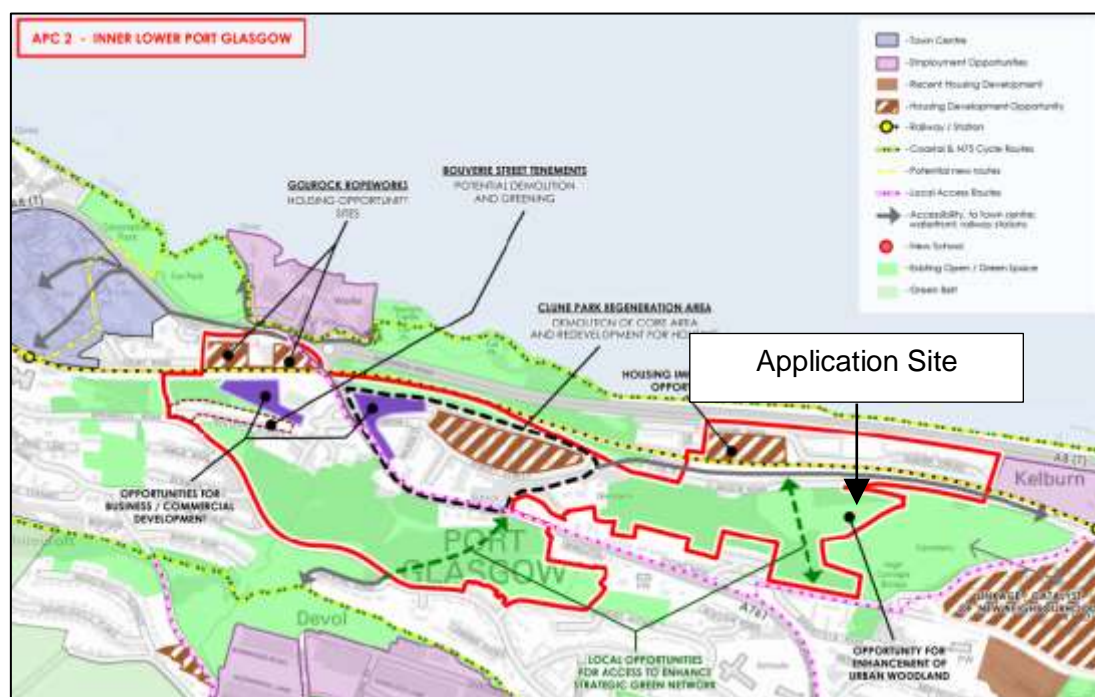
### *Local Development Frameworks (2014)*

- 4.16 SG on Local Development Frameworks covers a total of nine areas. Three of these areas are within the Port Glasgow settlement and comprise of areas designated as 'Major Areas of Change' and 'Potential Areas of Change'. Areas considered as 'Major Areas of Change' are

<sup>5</sup> Inverclyde Council. (2015). Flood Risk Assessment and Drainage Impact: Planning Guidance for Developers.

primarily legacy designations from the previous LDP, whereas 'Potential Areas of Change' have been highlighted within the extant LDP 'to encourage a new, more holistic view of the potential of these areas for co-ordinated medium to long-term planning, to realise their full potential'.

**Figure 4.2 - APC 2: Inner Lower Port Glasgow Proposals**



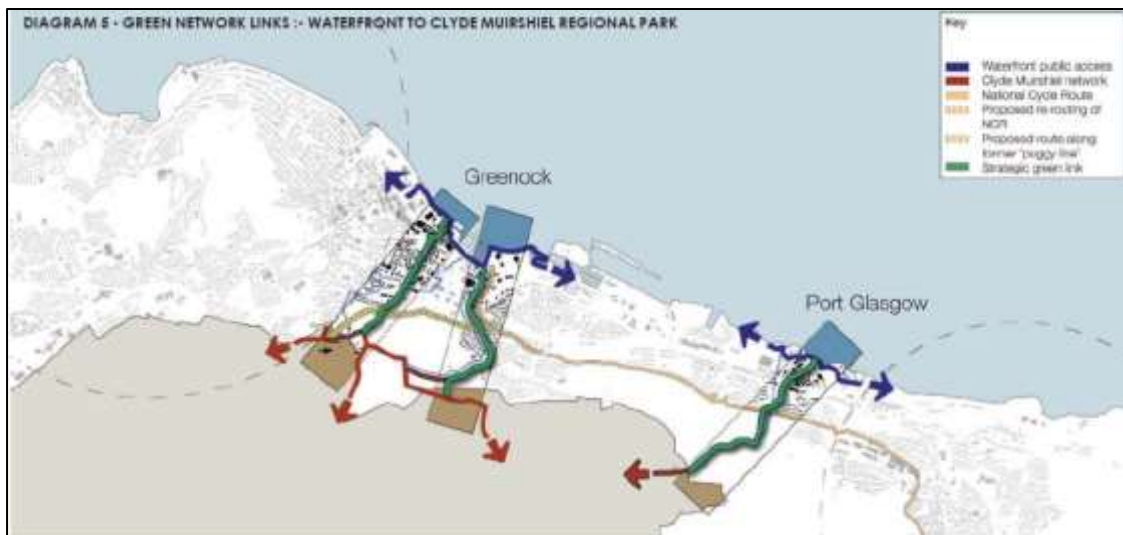
- 4.17 Specifically, in relation to 'Potential Areas of Change' and 'APC2', the SG states that 'Inner Lower Port Glasgow comprises a central area of densely populated housing with multiple problems of social deprivation and is identified in the Council's Local Housing Strategy (LHS) as a number one housing priority'.
- 4.18 The core of the area includes the 'Clune Park Regeneration Initiative' (CPRI), which requires a comprehensive approach to resolving its problems. It is surrounded by some small businesses, vacant and underused land, social rented housing and large tracts of unmaintained woodland'.
- 4.19 The Framework describes the application site as a wooded area which suffers from 'a lack of accessibility' and 'despite the topography, more could be done to integrate the extensive green space that surrounds Clune Park and provide it with an improved residential environment'.
- 4.20 In terms of the current planning position of APC2 and potential development opportunities arising, SG states that there are 'opportunities for improved connectivity and local access, and 'greening', [which] are outlined in the LDP, in particular for the wooded hillside to the south and east of the core area, Clune Park'.
- 4.21 In terms of the proposals, sufficient funds could be generated to improve accessibility through the site. The proposed development would also contribute to the enhancement and management of the wooded area in which the development is proposed to be situated within.



## Green Networks

- 4.22 SG on Green Networks sets out *'Inverclyde Council's requirements for the appraisal and delivery of green infrastructure and green networks through development management processes.'* Guidance seeks to explain and describe how places can be improved through *'the provision of well designed, multi-functional and inter-connected networks of open spaces.'*
- 4.23 Three local Green Network routes have been identified within the main urban area of Inverclyde and are expected to provide greater connectivity and linkages. The proposed routes include: Central Greenock, Carlsburn and Port Glasgow and are identified within Figure 4.3.

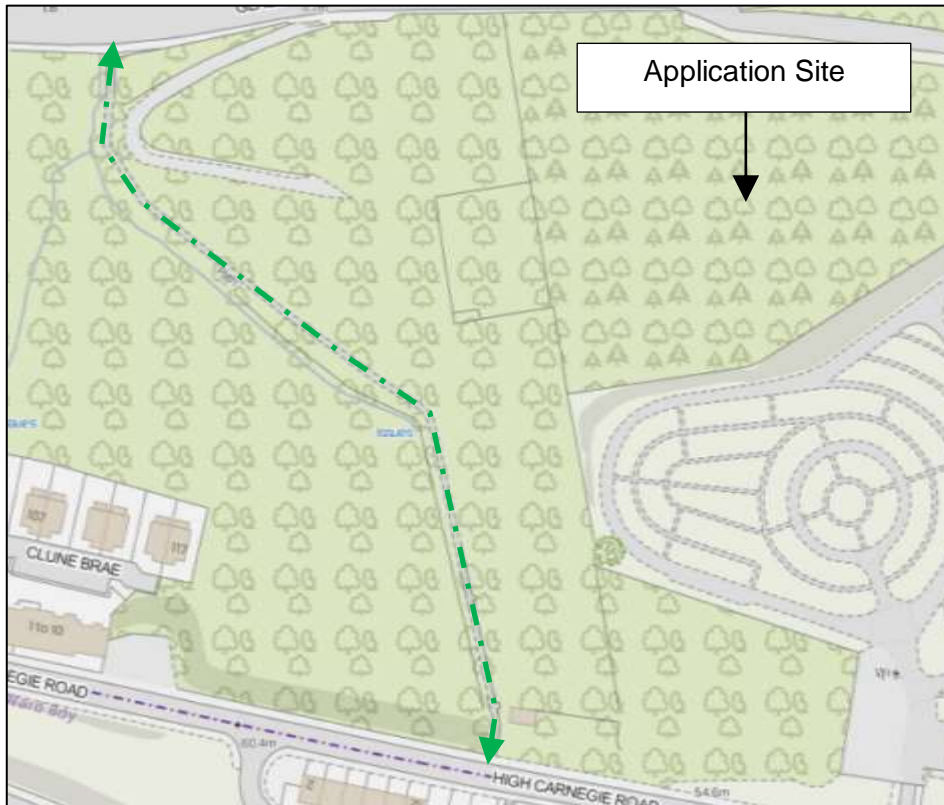
**Figure 4.3 - Green Network Links as Identified within SG on Green Networks**



- 4.24 The SG states that its access route *'is indicative and will be defined in more detail following further investigation.'* Furthermore, *'these local routes contain a series of physically disconnected and socially isolated neighbourhoods where there is an absence of public open space and a lack of coherent Green Network'*. With reference to potential opportunities through the regeneration of these sites, SG states that *'Green Networks will play a role in redefining the character of the urban area and physically and perceptually tying it to its wider landscape setting.'*
- 4.25 Desktop research has indicated that a footpath linking the residential areas to the south and north of the site (Glasgow Road to High Carnegie Road) may well have been in existence in the past. An historic and blocked up entrance on High Carnegie Road likely signifies the position of this footpath. The footpath link is indicated in Figure 4.4 below, and is located some distance to the west of the application site.



Figure 4.4 – Showing Historic Footpath Link



## 5 Material Considerations and Appraisal

### Introduction

5.1 This section of the Planning Statement identifies other statutory and non-statutory material considerations relevant in the determination of this planning application for residential development on land at Glasgow Road, Port Glasgow. This section will detail relevant policies, aims and objectives as presented within:

- National Planning Framework 3 (NPF3) (2014);
- Scottish Planning Policy (SPP) (2014);
- The Proposed Local Development Plan (2018);
- Planning Advice Notes (PANs);
- Design Guidance; and
- Supplementary Guidance (non-statutory).

### National Planning Framework 3 (NPF3) (2014)

5.2 NPF3 sits at the top of the policy framework hierarchy and sets out strategic aims and objectives which are to be incorporated into the Development Plan. Scotland's NPF3 was approved by the Scottish Government on 23<sup>rd</sup> June 2014 and provides a spatial framework for development throughout Scotland.

5.3 Through NPF3's applicability to all levels of development (national, strategic and local), it is able to achieve the following vision:

*“Create a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth.”*

5.4 NPF3 identifies 14 National Development Areas (NDAs), which contributes to delivering the overall development strategy of this framework. The 14 NDAs do not necessarily relate to this proposal, though the wider outcomes of NPF3 are of relevance and are as follows:

- **A Successful, Sustainable Place** – supporting economic growth, regeneration and the creation of well-designed places;
- **A Low Carbon Place** – reducing our carbon emissions and adapting to climate change;
- **A Natural Resilient Place** – helping to protect and enhance our natural cultural assets and facilitating their sustainable use; and
- **A Connected Place** – supporting better transport and digital connectivity.

5.5 NPF3 predicts that the population of Scotland is expected to rise from 5.31 million people in 2012 to 5.78 million people in 2037. Scotland's population is ageing, and household sizes are

increasingly becoming smaller over time. NPF3 states that the Scottish Planning System should focus its efforts particularly on areas where the greatest levels of change are expected and where there is considerable pressure for development.

- 5.6 Furthermore, the Scottish Government wish to see a significant rise in house building, to ensure housing requirements are met across the country. Paragraph 2.18 states that *'there will be a need to ensure a generous supply of housing land in sustainable places where people want to live, providing enough homes and supporting economic growth.'* Paragraph 2.20 confirms that *'more ambitious and imaginative planning will be needed to meet requirements for a generous and effective supply of land for housing in a sustainable way.'*
- 5.7 The submitted proposals for residential development would contribute towards housing targets on a small scale and would contribute to enhancing the green network, providing a functional and useable area of open space with improved accessibility.
- 5.8 The site on Glasgow Road is within a sustainable location for residential development due to its efficient public transport links and its proximity to the A8. There is an established need and demand for housing within Port Glasgow, particularly the Clune Park area due to low quality housing standards at present. The regeneration of the application site would contribute to the supply of housing within this Housing Market Area (HMA) through the provision of 5 high quality and sustainable homes.

### **Scottish Planning Policy (SPP) (2014)**

- 5.9 SPP was published in 2014 and contains a written statement of the Scottish Government's approach to nationally important, land use planning matters which are to be addressed across the country. SPP states that *'the 1997 Act requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise.'* As a statement of Scottish Ministers' priorities, *'the content of SPP is a material consideration that carries significant weight'* and *'planning should take a positive approach to enabling high quality development and making efficient use of land to deliver long term benefits for the public while protecting and enhancing natural and cultural resources.'*
- 5.10 The first principal policy of the SPP *'introduces a presumption in favour of development that contributes to sustainable development.'* SPP notes that *'the Scottish Government's central purpose is to focus governmental and public services on creating a more successful country, with opportunities for all of Scotland to flourish, through creating sustainable economic growth.'*
- 5.11 Paragraphs 28 and 29 of SPP emphasise the need to achieve the right developments in the right places to support economically, environmentally and socially sustainable places. SPP states that policies and decisions should be guided by the following principles (*inter alia*...):
- Giving due weight to net economic benefit;
  - Responding to economic issues, challenges and opportunities;

- Supporting good design and the six qualities of successful places;
  - Making efficient use of existing capacities of land, buildings and infrastructure;
  - Support the delivery of infrastructure, for example transport, education, energy, digital and water;
  - Improving health and wellbeing; and
  - Avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality.
- 5.12 SPP aims to guide new development to existing settlements and to brownfield sites in preference to greenfield sites and, to locations where existing services and capacity are readily available. The proposal follows SPP's spatial strategy.
- 5.13 In addition, SPP promotes sustainable transport and active travel and states that *'planning can play an important role in improving connectivity and promoting more sustainable patterns of transport and travel as part of the transition to a low carbon economy.'* The Planning System should support patterns of development which (*inter alia*...):
- Optimise the use of existing infrastructure;
  - Reduce the need to travel and, provide safe and convenient opportunities for walking and cycling for both active travel and recreation; and
  - Facilitate travel by public transport.
- 5.14 In terms of the proposed use, the proposal is considered to be compliant with SPP as residential development would allow for the regeneration of a brownfield site, allowing for opportunities to improve the physical character of the area, which Inverclyde Council notes in its SG as being poorly maintained, vacant and underused and low in value in terms of the contribution in which it has on the character of the surrounding area.
- 5.15 The proposal would contribute to the redevelopment and regeneration of a site which is easily accessible and within close proximity to the centre of Port Glasgow. Development of this brownfield site would contribute to effective placemaking of the wider 'Clune Park' area through the incorporation of a high-quality residential development, associated landscaping and maintenance of the surrounding wooded area.

### **Control of Woodland Removal (2009)**

- 5.16 The Scottish Government's Policy on the Control of Woodland Removal was published in 2009 (by the Forestry Commission Scotland at the time) and provides direction in policy terms in relation to the determination of planning applications for woodland removal in Scotland. The Document defines woodland removal as *'the permanent removal of woodland for the purposes of conversion to another type of land use'*. The main guiding principles of the document include the following.

- There is a strong presumption in favour of protecting Scotland's woodland resources;
- Woodland removal should be allowed only where it would achieve significant and clearly defined additional public benefits;
- In appropriate cases a proposal for compensatory planting may form part of this balance;
- Approval for woodland removal should be conditional on the undertaking of actions to ensure full delivery of the defined additional public benefits;
- Planning conditions and agreements are used to mitigate the environmental impacts arising from development and Forestry Commission Scotland will also encourage their application to development-related woodland removal; and
- Where felling is permitted but woodland removal is not supported, conditions conducive to woodland regeneration should be maintained through adherence to good forestry practice as defined in the UK Forestry Standard.

5.17 In terms of woodland removal, with compensatory planting, the Scottish Government consider it most likely to be appropriate where it could contribute to significantly (*inter alia*...):

- Encouraging recreational activities and public enjoyment of the outdoor environment; and
- Increasing social, economic or environmental quality of Scotland's woodland cover.

5.18 Residential development on land along Glasgow Road is considered to comply with the Scottish Government's Policy on Woodland Removal due to several factors. Firstly, the proposal is small scale and is proposed to be located primarily on the brownfield element, where hardstanding etc is evident. Therefore, the existing woodland will primarily remain intact and ensures the conservation of most woodland located on the site. A Tree Survey can be conducted during the AMSC stage and would determine the quality of each tree located on site. Removal of any tree will be limited to young trees located within close proximity to the hardstanding element and replacement planting will follow.

5.19 By conducting a Tree Survey, subsequent planting and enhancements to the woodland, the proposal would contribute to an increase in the environmental quality of woodland cover to which Inverclyde Council currently regards as being poor. Additionally, the enhancement would increase the recreational usage of the woodland and would encourage further public enjoyment, for the immediate residents and well and the surrounding community.

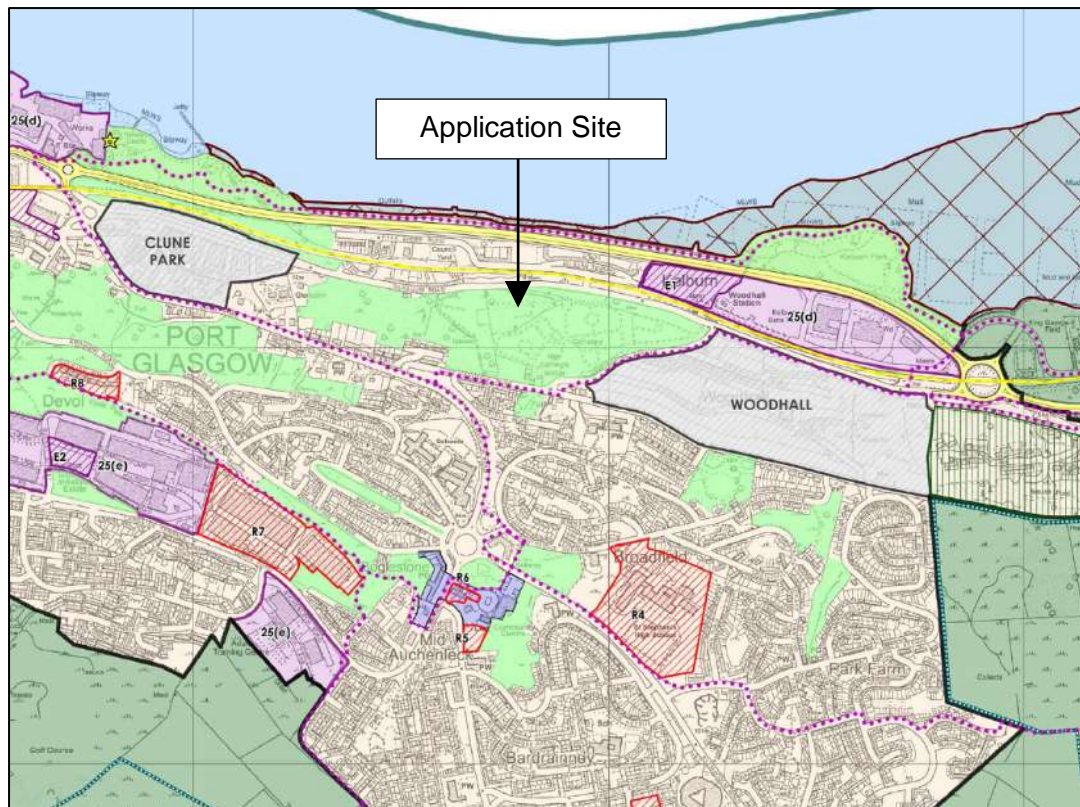
### **The Proposed Local Development Plan 2 (PLDP2) (2018)**

5.20 Inverclyde Council's PLDP2 was published in April 2018 and represents Inverclyde Council's settled view on land use planning proposals and planning policy. The aim of the PLDP2 is '*to contribute towards Inverclyde being an attractive and inclusive place to live, work, study, visit and invest. It does this through encouraging investment and new development, which is sustainably designed and located and contributes to the creation of sustainable places.*'



- 5.21 The PLDP2 states that the area of Inverclyde will be subject to an increase in population within the coming years and it recognises employment and housing opportunities as being crucial in responding to this change. Furthermore, the PLDP2 focuses on the regeneration of large-scale sites within Inverclyde which will also contribute to the ‘repopulation’ of the area enhanced image and character of Inverclyde.
- 5.22 The PLDP2 was submitted to Scottish Ministers (‘the DPEA’), for examination on 28<sup>th</sup> November 2018 and the DPEA expects to finish its period of examination of the Inverclyde PLDP2 by 29<sup>th</sup> August 2019. Thereafter, it is expected to be adopted by Inverclyde Council in Autumn 2019. Though the PLDP2 is yet to be adopted by Inverclyde Council, it represents the finalised view of the Council and should be considered as a material consideration in the determination planning applications.
- 5.23 Relevant land use proposals and policies which substantially differ from the extant LDP are presented below:

**Figure 5.1 – PLDP2 Proposal Map**



- 5.24 As with the extant LDP, Inverclyde Council has proposed to designate the application site as an area of open space. The ‘Area of Potential Change’ in which the application site fell in the extant LDP has not been taken forward, instead the application site is purely allocated as ‘open space’.



## Planning Advice Notes (PANS)

5.25 PANS are planning documents produced by the Scottish Government to provide planners and developers with further details, guidance and advice on planning related matters such as design, placemaking and sustainability. The following documents are of relevance to the proposals and should be considered in the determination of this application for PPP:

- PAN 44 (2005) Fitting New Housing Developments into the Landscape;
- PAN 61 (2001) - Sustainable Urban Drainage Systems (SUDS);
- PAN 65 (2008) - Planning and Open Space;
- PAN 67 (2003) – Housing Quality;
- PAN 68 (2003) – Design Statements;
- PAN 69 (2015) – Flood Risk;
- PAN 77 (2005) – Designing Safer Places;
- PAN 78 (2008) – Inclusive Design; and
- PAN 79 (2006) – Water and Drainage.

5.26 The design principles and layout of the proposals allow for compliance with the above PANS on good planning and design practice. Cognisance of these PANS has been considered throughout the initial design stages of the proposal and will ensure that a detailed design will allow for high quality housing and inclusive design, in a safe and sustainable environment.

## Scottish Government Guidance

### *Design Guidance*

5.27 Designing Streets: A Policy Statement for Scotland (2010) and Creating Places: A Policy Statement on Architecture and Place for Scotland (2013) are policy statements created by the Scottish Government to provide guidance on street design and placemaking. Whilst Creating Places emphasises the importance of forming new developments in terms of distinctiveness, safe and pleasantness, welcoming-ness, adaptability, resource efficiency and ease to move around. Designing Streets re-prioritises the design of streets by attempting to remove the focus of street design away from the dominance of vehicles.

5.28 Both documents are structured on SPP's '6 Qualities of Successful Places' and are useful in terms of the design and layout of development proposals. SPP's 6 Qualities of Successful Places include:

- Distinctive;
- Safe and Pleasant;
- Welcoming;
- Adaptable;
- Resource Efficient; and

- Easy to move around and beyond.

5.29 Both Designing Streets and Creating Places were used from the conception of this design and throughout the design process. Reference to these documents will continue throughout the AMSC stages.

### **Planning Guidance on Developer Contributions**

5.30 Inverclyde Council's PG on Developer Contributions was published in May 2015 and is a non-statutory document used to provide Applicants/Developers/Planners with further details of when developer contributions might be required. The Applicant will contribute where appropriate.

## 6 Conclusions

### Conclusions and Recommendations

- 6.1 This Planning Statement is submitted to Inverclyde Council by RFA (Development Planning) on behalf of the Applicant and in support of an application for PPP for residential development on the land of the former Carnegie Park/Langlands Orphanage site on Glasgow Road, Port Glasgow.
- 6.2 The proposed redevelopment will primarily be limited to development on the brownfield element of the site, to the south where there is clear evidence of previous building works. The proposal is to consist of five, 4-bedroom detached dwellings with garages, driveways and gardens, as well as associated infrastructure, servicing, parking and access.
- 6.3 In addition to this, the northern segment of the site will be enhanced and sensitively managed to increase recreational provision within the immediate area, in addition to enhancing the character of the area through woodland management and planting works. Inverclyde Council describes this area of woodland as being of low quality and states in the LDP that it is in need of investment due to the inclusion of this site and the wider woodland area within APC 2.
- 6.4 Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) requires decisions to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. This Planning Statement has provided context to the application and has considered the development against the relevant policy framework, as well as all other material considerations of relevance. The proposal is considered to comply with Development Plan in terms of compliance with policies on design, green networks, open space, housing and drainage, in addition to complying with relevant material considerations.
- 6.5 In particular reference to placemaking and design principles as set out by SPP and the Scottish Government's Creating Places and Designing Streets, the proposal is considered to integrate well with its local context and the plans and assessments submitted in support of this application demonstrate the opportunity for high quality placemaking. The layout and density of the proposal is sympathetic to the site and its setting and proposals are primarily focused on the brownfield element of land.
- 6.6 The proposed development makes best use of the landscape in terms of its topography and planting which sympathetically integrates it into its setting with little impact on the character of the area. The proposal details are considered to be commensurate with an application for PPP and is considered to comply with placemaking and design policies as set out within the Development Plan and supporting to design guidance.
- 6.7 Particularly in relation to Development Plan policies on housing development and the

regeneration and renewal of brownfield sites, Policy RES2 - Development on Brownfield Sites, Policy APC - Areas of Potential Change 1 & 2, SDS7 Regeneration and Renewal and Policy RES3 – Housing Development Opportunities all support the proposal in terms of its location and in terms of the principle of development due to the injection of investment into the area, provision of housing, and enhancements to the character and setting of Glasgow Road.

- 6.8 In terms of Development Plan policies on green networks and open space, the Applicant recognises that both the LDP and the PLDP2 has allocated the site as an area of open space. However, it should be stated that an element of this site is indeed brownfield. The extant LDP alludes to the entirety of the evidences this. Proposals would therefore facilitate a clean up of this woodland, enhance accessibility, remove invasive species, implement planting works and retain as many mature trees as possible. The proposal is not considered to fragment the green network as much of it will be retained, with enhancements providing a woodland/open space area with the potential to increase in value in terms of biodiversity and habitats.
- 6.9 Development on the brownfield element would also contribute to housing land requirements on a small scale. The development will subsequently allow for the enhancement of the northern segment of woodland, facilitating improvements to the character of the area and allowing for greater biodiversity and recreational benefits.
- 6.10 This Planning Statement is accompanied by a DAS and other reports which demonstrate the proposals compliance with design and sustainability principles. There are no adverse impacts which significantly and demonstrably outweigh the benefits of the proposal and on the basis of the above assessment, the development proposals are fully supported by the Development Plan.
- 6.11 The Applicant has sought to consider and address all relevant planning matters and is satisfied that the application is appropriate and in context. Where additional information is required, Inverclyde Council can request these during the development management process or through planning conditions.
- 6.12 Overall, it has been demonstrated that the proposal is consistent with all statutory and non-statutory policy and guidance and other material considerations. It is therefore respectfully requested that Inverclyde Council grant this application for PPP.

**RFA (Development Planning) Ltd.**

**May 2019.**

**4. SITE PHOTOGRAPHS SUBMITTED WITH  
PLANNING APPLICATION**

# Photographic Schedule

Port Glasgow































## **5. PRELIMINARY ECOLOGICAL APPRAISAL REPORT**





**Glasgow Road,  
Port Glasgow  
Preliminary Ecological  
Appraisal Report**

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**For Rick Finc Associates**

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cairn ecology

**25 March 2019**



Report Prepared For: RFA Development Planning Consultants, 3 Walker Street, Edinburgh, Scotland, EH3 7JY.

Prepared By: Lorraine Hamilton

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## Introduction

Cairn Ecology Ltd was appointed by RFA Development Planning Consultants to undertake a Preliminary Ecological Appraisal (PEA), of land immediately adjacent to the western boundary of the Port Glasgow Cemetery, Port Glasgow (hereafter referred to as 'the Site') (central Ordnance Survey Grid Reference: NS33577410)

The purpose of the PEA survey was to record and map the habitats present within the Site, and determine the likely / potential presence of protected and/or notable species.

This report describes the methods used to gather and record habitat baseline information for the Site, summarises the findings of the desk study and provides details of the field investigation. Where appropriate, further recommendations are outlined, for example, a requirement for further species-specific surveys and/or habitat retention and enhancement strategies.

## Methods

### Overview

This section describes the methods used for the PEA, which comprised a combination of desk study and field survey.

### Desk Study

An ecological desk study draws on a range of publicly available information sources to provide an understanding of the ecological context of a site and wider area prior to completion of a site visit. Data collected during the desk study includes historical records (up to 10 years old) of legally protected and notable species (species of conservation concern), habitats and nature conservation sites with statutory or non-statutory designations within specific search radii (dependent on the ecological feature). It should be noted that the desk study does not replace the need for a site visit and survey; instead its function is to provide a high-level understanding of the survey area prior to a site visit.

Historical records for protected and notable plant species were obtained from online, publically available information centres in accordance with the Guidelines for Preliminary Ecological Appraisal (CIEEM, 2017).

The desk study also searched for the presence of nature conservation sites with statutory and non-statutory designations in accordance with the above guidelines (CIEEM, 2017). Sites of European importance, for example, Special Protection Areas (SPA), Special Area of Conservations (SAC) or wetland sites of international importance (RAMSAR) were identified within a 5km radius of the Site, in addition to sites of national importance, for example, Special Sites of Scientific Interest (SSSI), National Nature Reserves (NNR) or local importance, for example, Local Nature Reserves (LNR), Local Wildlife Sites (LWS). Sites, which are afforded protection under local council planning, for example, Sites of Interest for Nature Conservation (SINC), were also identified up to 2km from the Site boundary. Where available, details of the site's reason for designation were also obtained from the information sources cited above, where available.

Data for protected/ notable species and designated sites were obtained from the following databases:

- National Biodiversity Network Atlas;
- Scottish Natural Heritage (SNH) SiteLink;
- Scotland's Environment Interactive Map; and



- MAGIC: Nature on the Map.

## Phase 1 Habitat Survey

A Preliminary Ecological Appraisal, including a Phase 1 Habitat Survey, of the Site and 30m study area (surrounding the 'Site') was undertaken on 28 February 2019 by a qualified and experienced ecologist following standard JNCC survey methodology (JNCC, 2010). Phase 1 Habitat survey is a standard technique for classifying and mapping British habitats. Where applicable, dominant plant species were recorded and habitats were classified according to their vegetation types, and presented in the standard Phase 1 Habitat survey format with habitat descriptions and a habitat map.

Target notes were recorded to provide additional information where habitats were too small to be accurately mapped.

Animal species were identified on an opportunistic basis and were recorded, where encountered, as target notes.

Bird species were additionally identified on an opportunistic basis and were recorded, where encountered, as a species list.

## Survey Limitations

Although the Phase 1 Habitat survey was undertaken in the optimal botanical survey season, it is possible that some flowering species may not have been recorded. However, the survey does provide a suitable snapshot of the botanical interest present on the day of surveys. It is considered that this report therefore is suitable to inform a planning application in principle.

## Baseline

### Habitat Description

The Site is a small area approximately 210m by 110m, located within Port Glasgow. The Site is bounded to the north by Glasgow Road, to the east by woodland where a remnant brick wall is located. To the south and west the Site is bound by the Port Glasgow Cemetery.

The Site form part of the former Carnegie Park Orphanage grounds which on historic maps identified the northern extent of the Site as mixed woodland.

The topography of the Site rises steeply from the north to the south with a steep tarmac driveway providing access.

### Desk Study

#### Nature Conservation Sites

The Inner Clyde RAMSAR, Special Protection Area (SPA), and Site of Special Scientific Interest (SSSI) is located within the 5km search radius, approximately 150m from the northern Site boundary. No sites of national importance were identified within 2 km of the Site boundary.

#### Ancient Woodland

There are no woodlands listed on the Ancient Woodland Inventory located within the Site.



### Invasive Plant Species

Within the 2km of the Site boundary (NBN atlas, (2018)) the following non-native, invasive species records were provided by the desk study:

- Japanese knotweed (*Fallopia japonica*);
- Giant hogweed (*Heracleum mantegazzianum*); and
- Himalayan balsam (*Impatiens glandulifera*).

None of these recorded were identified within the Site boundary or 30m study area.

### Terrestrial Animals

Within the 5 km of the Site boundary, records of six animal species of conservation concern were provided by the data search these included:

- Otter (*Lutra lutra*);
- Badger (*Meles meles*);
- Western European hedgehog (*Erinaceus europaeus*);
- Daubenton's bat (*Myotis daubentonii*);
- Brown long eared bat (*Plecotus auritus*)
- common pipistrelle (*Pipistrellus pipistrellus*); and
- soprano pipistrelle (*Pipistrellus pygmaeus*).

## Field Survey

### Overview

The results of the Phase 1 Habitat survey are presented below and shown in Figure 1 (Phase 1 Habitats and Target Notes), which illustrates the location and extent of all habitat types recorded within the Site boundary.

As outlined in the methods section, notable features too small to map are described using target notes; these have been referred to in the descriptions below and are presented in Appendix A.

### Phase 1 Habitat Descriptions

The Phase 1 habitat survey established the presence of the following seven habitat types with the Site and study area:

- Mixed plantation woodland (A1.3.2); and
- Invasive non-native species.

#### Semi-improved Broadleaved Woodland (A1.1.1)

The Site is dominated by mixed plantation woodland which extends through the entirety of the Site. The Site show clear evidence of being a managed landscape in the past with paths and terrace areas still identifiable however over grown. Large mature pine trees (*Pinus spp.*) dominate the northern half of the Site where the slope is steepest, rising from the northern boundary. The central area of the Site had a large section of immature silver birch (*Betula pendula*) self-seeded willow (*Salix spp.*) and ash (*Fraxinus excelsior*) saplings.

Laurel and rhododendron were noted throughout the Site and likely attributable to the Site former status as orphanage grounds along with other occasional ornamental planting. Areas of brambles (*Rubus spp.*) were





noted in the understory again often associated with over grown paths, borders and verges (Appendix A: Target Note 1). Fly tipping was evident on site especially in association with the access track and paths (Appendix A: Target Note 4).

### Invasive Non-Native Species

Japanese knotweed was identified in the central section of the Site (Appendix A: Target Note 2). The stand was approximately 10m x 15m in size and comprise of previous years growth.

### Fauna

The presence of deer was identified on site as dropping was evident within the vegetation on Site

A number of bird species were noted while on site these include:

- Blue tit (*Cyanistes caeruleus*)
- Great tit (*Parus major*);
- magpie (*Pica pica*);
- Blackbird (*Turdus merula*); and
- Robin (*Erithacus rubecula*).

## **Discussion and Recommendations**

### Nature Conservation Sites

The Inner Clyde SPA, SSSI and RAMSAR site is located 150m north and is designated for estuarine bird species. As such the Site is considered to have not impact or effects pathway to it and as such is not considered further.

### Habitats

#### Mixed Plantation Woodland

The most ecological valuable habitat features noted during the field survey were the mixed plantation woodland in particular the mixed age woodland associated with the northern and southern boundaries. These areas are considered likely to provide suitable habitat to mammal and bird species for both foraging, commuting and resting. It is recommended that where possible these areas of mature and semi mature trees are retained as part of the development.

To facilitate this, it may be necessary to undertake a tree condition survey in particular within the development area to identify which trees will be impacted.

### Invasive Non-Native Species

The presence of Japanese knotweed has been identified on Site and likely occurs within the area indicated for development. Japanese knotweed is listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended), and as such to allow or cause the spread of this species is an offence. In addition, material from this species and soil contaminated by it are considered 'controlled waste' and disposal can only be undertaken at appropriately licensed landfill sites.



Japanese Knotweed is a rhizomatous plant and spreads underground before growing shoot through the soil. As such it is recommended that a survey is undertaken within the growing season (May – August) to record this year maximum extent of spread. It is further recommended that a specialist contractor is appointed to develop and implement a treatment plan for the development prior to construction commencing.

## Fauna

### Birds

The trees identified within the Site do have the potential to provide nesting habitat to lowland bird species. As such in order to ensure compliance with the Wildlife and Countryside Act 1981 (as amended), which affords protection to all birds (whilst actively nesting), their nests and eggs, it is recommended that all construction works should be completed outside of the bird breeding season (April – August inclusive). However, should construction of the proposed development need to take place during the breeding bird season, it is recommended that a Suitably Qualified Ecologist (SQE) is employed to search the Site for evidence of nesting birds immediately prior to works, with a re-check undertaken for any works delayed longer than 48 hours. Should a nest be recorded, a suitable working buffer will be put in place until young have successfully fledged the nest.

### Bats

The trees within the Site may have the potential to support roosting bats. As such, it is recommended that a Preliminary Roost Assessment is undertaken of all tree to be impacted either through felling or disturbance as part of the development. Those tree noted to provide suitable roosting habitat may be subject to further survey work.

All proposed additional survey effort should be undertaken in line with Bat Surveys for Professional Ecologists: Good Practice (Collins, 2016), which if adhered to, will ensure compliance with Conservation (Natural Habitats, &c.) Regulations 1994 (as amended)

## Biodiversity Enhancement

### Landscape Planting

A native, non-invasive plant schedule should be developed as part of the proposed development master plan. Native planting throughout the development can be beneficial and often improve the biodiversity of an area by encouraging many nectivorous invertebrates (e.g. butterflies, moths and bumblebees) and provide shelter and food for larvae, adult insects and flying insects, which in turn, may encourage small mammals, bats and birds into the Site. Species which encourage nocturnal insects (such as honeysuckle) can also be valuable for bats and by incorporating native, edible fruit and berry bearing plant species this will encourage further use of the Site by birds, small mammals, badger and invertebrates.

Street trees and hedges can also be valuable to birds, bats and other mammals within an urban setting by providing, not only further foraging opportunities but can also be a buffer from artificial light and often connects important features and habitats.

### Protection of Existing Habitats

It is recognised that a future housing development within the Site and the resulting permanent land-use change may have the potential to negatively affect the woodland areas of the Site through site clearance, accidental



damage and/or disturbance. In order to reduce the magnitude of this effect and to be consistent with local planning policy, the following measures are recommended:

- installation of temporary barriers to limit disturbance and accidental damage to woodland and edge habitats which will be retained during construction;
- implementation and adherence to BS 5837:2012 (Trees in relation to Design, Demolition and Construction); and
- installation or retention of permanent boundary features (such as hedgerows) between the final development and any retained woodland edge to ensure reduced levels of human disturbance.

Linear features are often used for foraging and commuting purposes by bats and other mammals such as badger and deer and can be important connective corridors to habitats within the wider area. As such, linear features such as woodlands edges should be maintained and kept as dark as possible during the night. The impact on these mammal species can be minimised by the use of sensitively placed and directional lighting, which is considered further below.

### Use of Appropriate Lighting

Artificial lighting can often impact the foraging and commuting behaviour of nocturnal mammals such as bats and badgers. As a consequence, it is advised that lighting should be directed to where it is needed and light spillage (whether direct and/or in-direct) should be avoided, particularly within the vicinity of the woodland to the east and any proposed biodiversity planting or commuting features (e.g stone wall). The times during which the lighting is on should be limited to provide some dark periods. Roads or track ways in areas important for foraging bats should contain stretches left unlit to avoid isolation of bat colonies. These unlit stretches should be ten metres in length either side of a commuting route.



## References

British Standards Institute. (2012). BS5837: 2012 Trees in Relation to Design, Demolition and Construction: Recommendations.

CIEEM (2017) Guidelines for Preliminary Ecological Appraisal, 2<sup>nd</sup> edition. Chartered Institute of Ecology and Environmental Management, Winchester.

CIEEM (2013). Technical Guidance Series. Guidelines for Preliminary Ecological Appraisal. Available at: [http://www.cieem.net/data/files/Resource\\_Library/Technical\\_Guidance\\_Series/GPEA/GPEA\\_April\\_2013.pdf](http://www.cieem.net/data/files/Resource_Library/Technical_Guidance_Series/GPEA/GPEA_April_2013.pdf)

Collins, J. (ed.) (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edn). The Bat Conservation Trust, London.

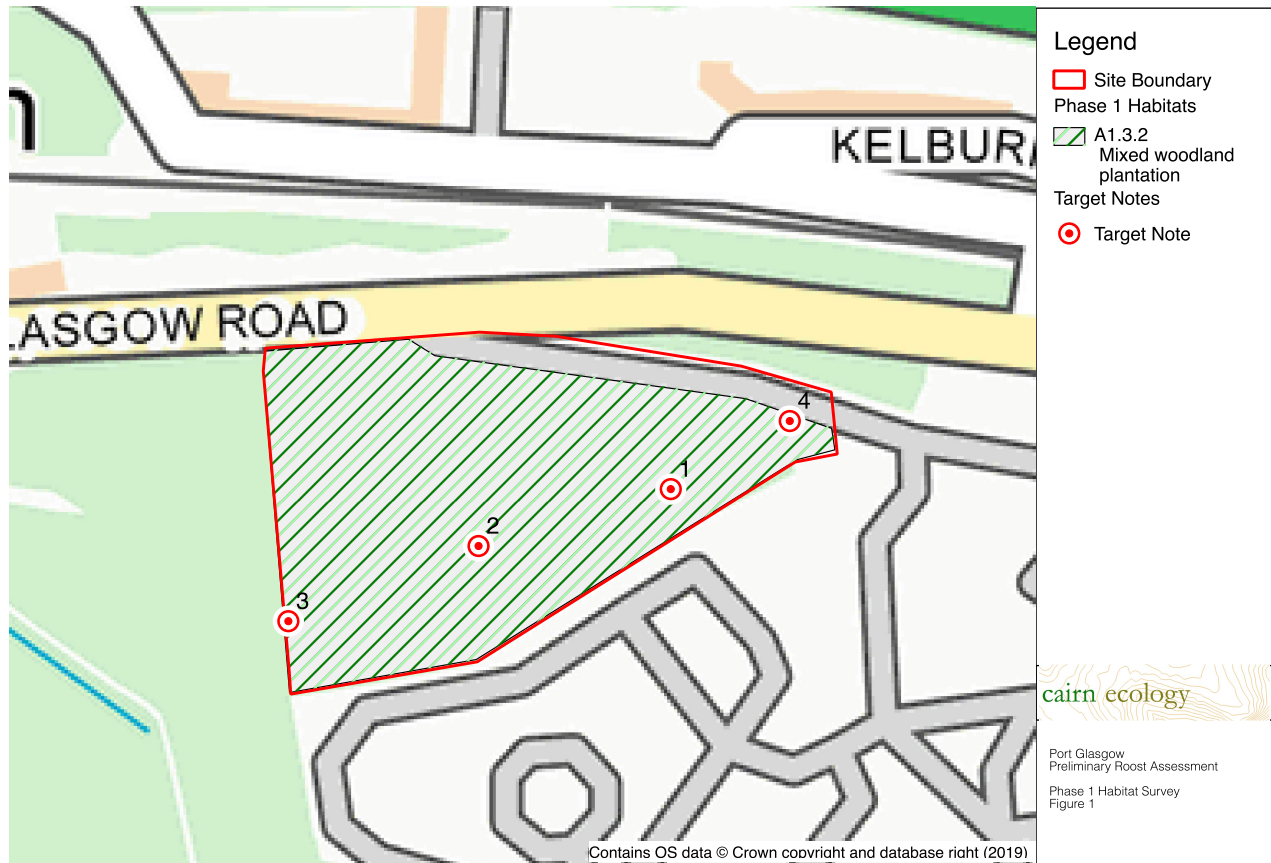
Joint Nature Conservancy Council (2007). Handbook for Phase 1 Habitat Survey – a technique for environmental audit. JNCC, Peterborough, UK.

Scottish Natural Heritage (2014b). A Guide to Understanding the Scottish Ancient Woodland Inventory. Available at: <http://www.snh.gov.uk/docs/C283974.pdf>.







## Figures





# Appendix A – Target Notes

ID	Grid Reference	Description	Photo
1	NS 33820 74092	Area of bramble approximately 5m by 10m adjacent to an over grown path which was lined by roses (Rosa spp)	
2	NS 33771 74065	Area of Japanese knotweed. Covering approximately 15m by 10m on the southern side of an over grown path/ terraced area. The stand is of previous year's growth.	



3	NS 33719 74050	Remanents of brick wall. May be associated with the sites previous use as an orphanage	
4	NS 33872 74116	Sites of fly-tipping and burning of discarded items are evident throughout the site however a significant amount was found in the accessible areas in the vicinity of the access track	

## **6. DRAINAGE, FLOODING AND SUDS STRATEGY REPORT**



Rick Finc Associates

**Drainage, Flooding and SUDS  
Strategy Report**

**Former Carnegie Park Orphanage /  
Langlands School, Glasgow Road,  
Port Glasgow**

May 2019

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**Project Title:** Former Carnegie Park Orphanage / Langlands School, Glasgow Road, Port Glasgow  
**Report Title:** Drainage, Flooding and SUDS Strategy Report  
**Project No:** 4472  
**Status:** INITIAL ISSUE  
**Client Contact Name:** Rick Finc  
**Client Company Name:** Rick Finc Associates  
**Issued By:** Quattro Consult Limited  
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#### Document Revision Record

Issue No	Date	Details of Revisions

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## **APPENDICES**

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## 1. INTRODUCTION

Quattro Consult Ltd were commissioned by Rick Finc Associates to provide a Drainage and SUDS Strategy Report in support of a planning application for a new residential development comprising 5 new dwellings, an access road, car parking and associated landscape areas at Glasgow Road.

Proposals contained within or forming part of this report represent the design intent and maybe subject to alteration or adjustment in completing the detailed design for this project. Where such adjustments are undertaken as part of the detailed design and are deemed a material deviation from the intent contained in this document, prior approval shall be obtained from the relevant authority in advance of commencing such works.

## 2. SCOPE

The report will:

- Investigate all potential risks of flooding to the site
- Consider outline design proposals to mitigate any potential risk of flooding determined to be present
- 

The report reviews the following information:

- The SEPA flood maps for river, coastal and surface water flooding likelihood;
- Scottish Planning Policy (SPP) (June 2014)
- Scottish Water Waste Water record information dated 21/03/2019
- Sewers for Scotland 4th Edition.

A Site Location plan is provided in **Appendix A**.

The Architects Existing Site Layout is presented in **Appendix B**.

The Architect's Site Layout is presented in **Appendix C**.

## 3. EXISTING SITE

### 3.1 Location

The site is located on Glasgow Road at former Carnegie Orphanage / Langlands School. Approximate OS grid reference is 234000,674000 (E, N). A plan showing Site location with boundary is shown in **Appendix A**.

### 3.2 Description and Topography

The area of the site is approximately 1.2 ha and roughly triangular shaped. The site slopes from South to North at approximately 30%. Although the site is rather steep, there is a plateau to the centre of the site where the former Carnegie Park Orphanage / School were historically located. Levels on the Northern boundary (Adjacent to Glasgow Rd) vary from 13.5-27m AOD and levels on the Southern boundary vary from 44-33m AOD. See **Appendix B**.

### 3.3 Ground Conditions

A review of the British Geological Survey information for the site has been carried out. The site lies within an area of superficial Devensian Till. Strathgryfe Lava Member bedrock is indicated on the southern half of the site and subordinate argillaceous rocks and limestone bedrock to the Northern half.

No relevant borehole information was noted as being available directly on the proposed site, however boreholes adjacent to the site consistently show whinstone at approximately 1.5m depth from surface.

Given the brownfield nature of the site and the record of previous structures on the site there is likely potential for made ground to be currently present.

### 3.4 Hydrogeology and Hydrology

The nearest fluvial water feature is an existing watercourse approximately 50-100m West of our proposed site. From an analysis of Ordnance Survey information it is noted that this watercourse is located in a local hollow/valley with base levels lower than the site being covered by this report.

The nearest tidal water feature to our proposed site is the River Clyde at approximately 175m to the North.

See inset plan below



### 3.5 Existing Sewers

Information provided by Scottish Water indicates there is an existing combined manhole in the centre of the proposed site, noted as LH 7109, the combined sewer heads North to manhole 7108 before leaving the site at the Northern boundary. There is no indication of either existing manholes on the topographical survey, indicating these may be buried. It is proposed this existing drain be further investigated on site.

See *Appendix B and D*

## 4. DEVELOPMENT AND FLOOD RISK

### 4.1 Scottish Planning Policy

The Scottish Planning Policy (SPP) is a statement of Scottish Government policy on nationally important land use. The SPP was published in 2014 and consolidated a series of topic specific policy statements into a single statement. This document is intended to be used in conjunction with the National Planning Framework (NPF) (2014), Planning Advice Notes (PANs), and Design Advice Guidance (DAG).

The guidance relating to flooding (SPP) is summarised in terms of the flood risk to a proposed development in the following extracts.

### 4.2 Risk Framework

#### 4.2.1 Little to no risk area.

Definition: Annual probability of watercourse, tidal or coastal flooding: less than 0.1% (1:1000), i.e. less frequently than the so-called 1 in 1000-year flood.

Appropriate Planning Response:

- No constraints due to watercourse, tidal or coastal flooding.

#### 4.2.2 Low to medium risk area.

Definition: Annual probability of watercourse, tidal or coastal flooding: in the range 0.1% - 0.5% (1:1000 – 1:200).

Appropriate Planning Response:

Suitable for most development. A flood risk assessment may be required at the upper end of the probability range (i.e. close to 0.5%), and for essential infrastructure and the most vulnerable uses. Water resistant materials and construction may be required.

Generally, not suitable for civil infrastructure. Where civil infrastructure must be located within these areas or is being substantially extended, it should be designed to be capable of remaining operational and accessible during extreme flood events.

#### 4.2.3 Medium to high risk area.

Definition: Annual probability of watercourse, tidal or coastal flooding: greater than 0.5% (1:200).

Appropriate Planning Response:

May be suitable for:

- Residential, institutional, commercial and industrial development within built-up areas provided flood protection measures to the appropriate standard already exist

- and are maintained, are under construction, or are a planned measure in a current flood risk management plan;
- Essential infrastructure within built-up areas, designed and constructed to remain operational during floods and not impede water flow;
- Some recreational, sport, amenity and nature conservation uses, provided appropriate evacuation procedures are in place and;
- Job-related accommodation, e.g. for caretakers or operational staff.

Generally, not suitable for:

- Civil infrastructure and the most vulnerable uses;
- Additional development in undeveloped and sparsely developed areas, unless allocation
- is essential for operational reason, e.g. for navigation and water-based recreation, agriculture, transport or utilities infrastructure (which should be designed and constructed to be operational during floods and not impede water flow), and an alternative, lower risk location is not available; and
- New caravan and camping sites.

Where built development is permitted, measures to protect against or manage flood risk will be required and any loss of flood storage capacity mitigated to achieve a neutral or better outcome.

Water resistant materials in construction should be used where appropriate. Elevated buildings on structures such as stilts are unlikely to be acceptable.

#### **4.3 Interpretation of the Risk Framework**

- a) The annual probabilities relate to the land at the time an application is submitted, or a land allocation is made.
- b) In the longer term, the calculated probabilities of flooding may be affected by climate change, improved data/methods and land uses elsewhere in the catchment.
- c) This framework is a simplification of the situation as noted in SPP paragraph 258.

#### **4.4 Climate Change**

In their Technical Flood Risk Guidance for Stakeholders, SEPA recommend a climate change allowance of 20% be applied to the 1 in 200 year (0.5% annual probability) fluvial peak flow estimate. They also recommend a 20% allowance be applied to peak rainfall intensity estimates.

Sewers for Scotland 4th Edition, however, requires a 30% allowance for climate change to be made for rainfall in designing surface water drainage systems.

## **5. FLOOD RISK**

### **5.1 Sources of flood risk**

This study assesses the risk from different types of flooding to the development and the risk of flooding from the development, taking into consideration climate change, as well as how flood risks should be managed. The approach to assessing flood risk at the development site was informed by the requirements of SPP and the SEPA requirements.



## 5.2 Fluvial Flooding (Rivers and Streams)

The SEPA website provides flood mapping data as a general guide to the level of risk to a site from flooding from rivers and streams. This indicates areas which are associated with low, medium and high classifications of flood risk. SEPA flood maps cannot be included as part of this report due to copyright issues.

The SEPA map indicates the site is not at risk of fluvial flooding and as such is suitable for the proposed development in line with the SPP risk framework.

The SEPA maps only cover fluvial features with suitably large catchment areas. As an additional check, the relative levels have been investigated; it can be seen from Ordnance Survey data that the watercourse levels are below the site levels and as such the risk posed by the nearest watercourse (50m – 100m distant).

## 5.3 Surface Water Flooding to the site

Surface water flooding is caused when rainwater during extreme rainfall events does not drain away through the normal drainage system or infiltrate into the ground. Instead, the rainfall becomes surface water runoff, which collects in ground depressions or areas of lower ground

The SEPA surface water flood maps show that under the high, medium or low probability scenarios surface water flooding is not present on site.

Based on this information, the site can be said to be an area with little to no risk of surface water flooding.

Although there is little to no risk of surface water flooding it is recommended to utilise SUDS techniques where possible. Providing porous paving to hard surfaces, filter trenches and a piped network to collect and transport the runoff to the surface water drainage network. The proposed drainage layout is contained within **Appendix E**.

## 5.4 Tidal Flooding (Coastal or Estuarine)

The site is close to the River Clyde tidal waters (approx. 175m to the North), however site levels (30m AOD) preclude any real risk of tidal flooding to the site.

SEPA maps indicate low risk of tidal flooding on site.

## 5.5 Reservoir and Other Artificial Sources of Flooding

The SEPA flood maps do not include risk from reservoirs or other artificial sources. There are no identified reservoirs in vicinity of the site. The risk to the site is considered low.

## 5.6 Groundwater Flooding

Groundwater flooding generally occurs during intense, long-duration rainfall events, when infiltration of rainwater into the ground raises the level of the water table until it exceeds ground levels. It is most common in low-lying areas overlain by permeable soils and permeable geology, or in areas with a naturally high water table.

SEPA's online flood map indicates that there is little to no risk of groundwater flooding to the site.

## 6. PROPOSED DRAINAGE STRATEGY

It is proposed that the site drains via separate systems for foul and surface water before connecting to existing Scottish Water combined network.

### 6.1 Proposed foul water management

It is proposed to collect foul water outfalls from the residential units via a piped collector system and outfall to the existing combined sewer running out at the Northern boundary.

### 6.2 Proposed Surface Water Management and SUDS

It is proposed to discharge the surface water flows from the development to the existing combined Scottish Water network leaving the site to the North. See Proposed Drainage plan: **Appendix E**.

Inverclyde Council advise that discharge rates should be restricted to the 2-year green field run-off rate, calculated as 12.45 l/s. The full site area (1.2 ha) has been used to determine the discharge rate noted, we believe this is acceptable in this case as the existing topography of the site renders any additional hard surfaces being constructed as highly unlikely. See **Appendix B and Appendix F**.

A flow control with 155mm dia. orifice is required to restrict flows to 12.45 l/s

The drainage system has been designed for the 2, 30 and 200 and critical storm events at a max. discharge of 12.45 l/s with no flooding.

In accordance with Sewers for Scotland, during a 1 in 200-year storm event the drainage system can be allowed to flood if surface levels are such that no flood water leaves the site or affects adjacent buildings. The proposed site layout will be mostly soft landscaped and no drastic changes to the topography are proposed, it is concluded there will be no increased risk of flooding to the site and surrounding area.

In accordance with current SEPA requirements, appropriate levels of sustainable drainage systems (SUDS) are proposed to be implemented to treat and attenuate the surface water run-off prior to discharging to the identified watercourse. Multiple levels of treatment are proposed using porous paving areas and infiltration trenches.

The methods selected will be subject to discussion with SEPA and Scottish Water, in order to gain their approval.

Please refer to **Appendix E** for a copy of the Proposed Drainage and SUDS Strategy Layout. Drainage calculations undertaken to date are presented in **Appendix F**.

## 7. CONCLUSION

A review of the proposed development has been undertaken. Consideration has been given to Inverclyde Councils Requirements and detailed information has been provided.

Drainage solutions are presented in in **Appendix E**, Proposed Drainage and SUDS Strategy Layout.

SEPA flood maps have been consulted and it can be seen that the site is suitable for the proposed development. The proposed drainage network will be designed to accommodate surface water flooding to mitigate the risk of surface water flooding present.

The Surface Water will discharge at 12.45 l/s as described in section 6.2 above.

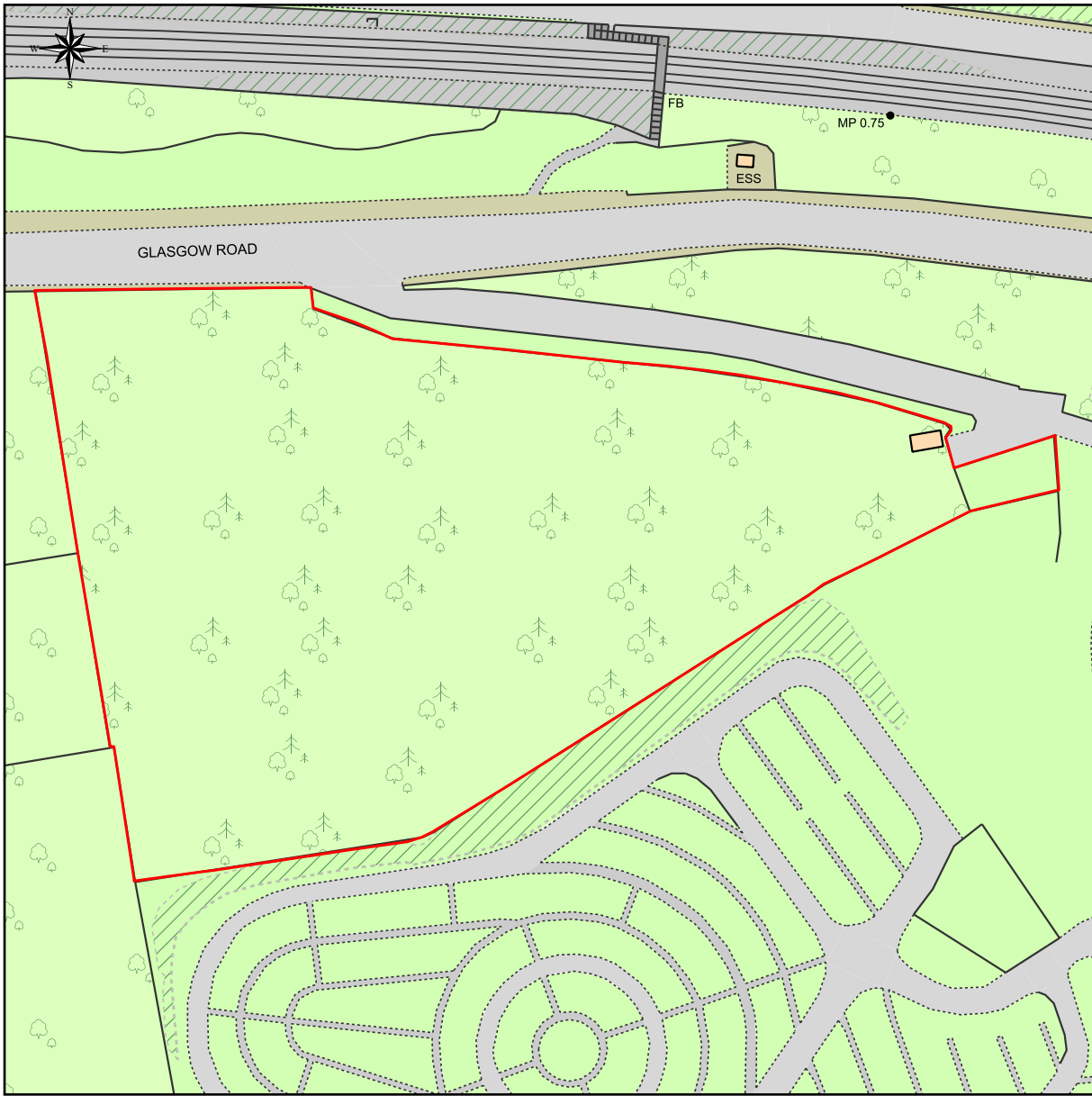
Foul water drainage will outfall to existing Scottish Water combined sewer on Hillview Crescent.

# **APPENDIX A**

## LOCATION PLAN



# Location Plan



This Plan includes the following Licensed Data: OS MasterMap Colour PDF Location Plan by the Ordnance Survey National Geographic Database and incorporating surveyed revision available at the date of production. Reproduction in whole or in part is prohibited without the prior permission of Ordnance Survey. The representation of a road, track or path is no evidence of a right of way. The representation of features, as lines is no evidence of a property boundary. © Crown copyright and database rights, 2019. Ordnance Survey 0100031673

0m 20m 40m 60m 80m 100m

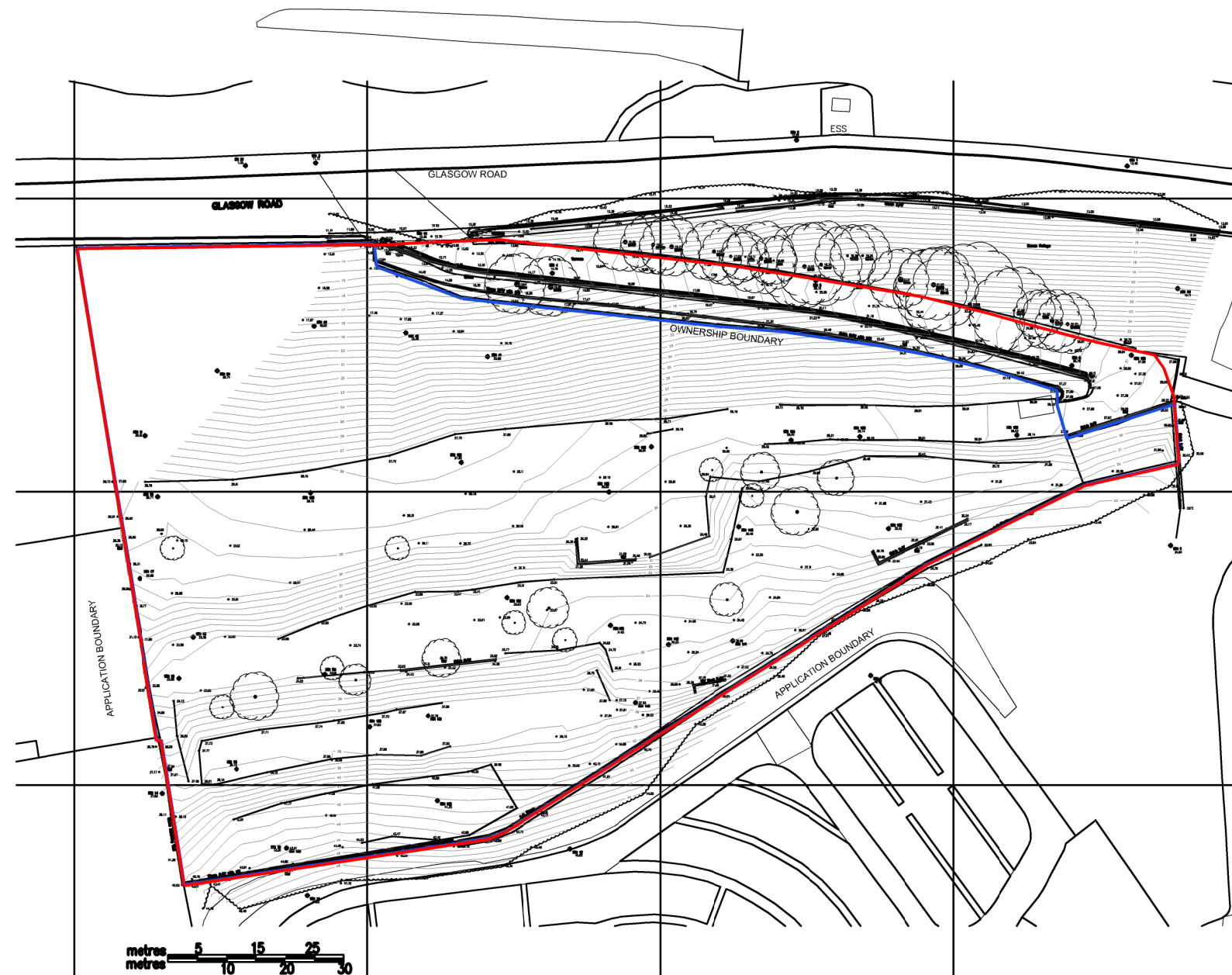
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## **APPENDIX B**

### EXISTING SITE LAYOUT

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Revision	Date	By
P1	FIRSTISSUE	AV



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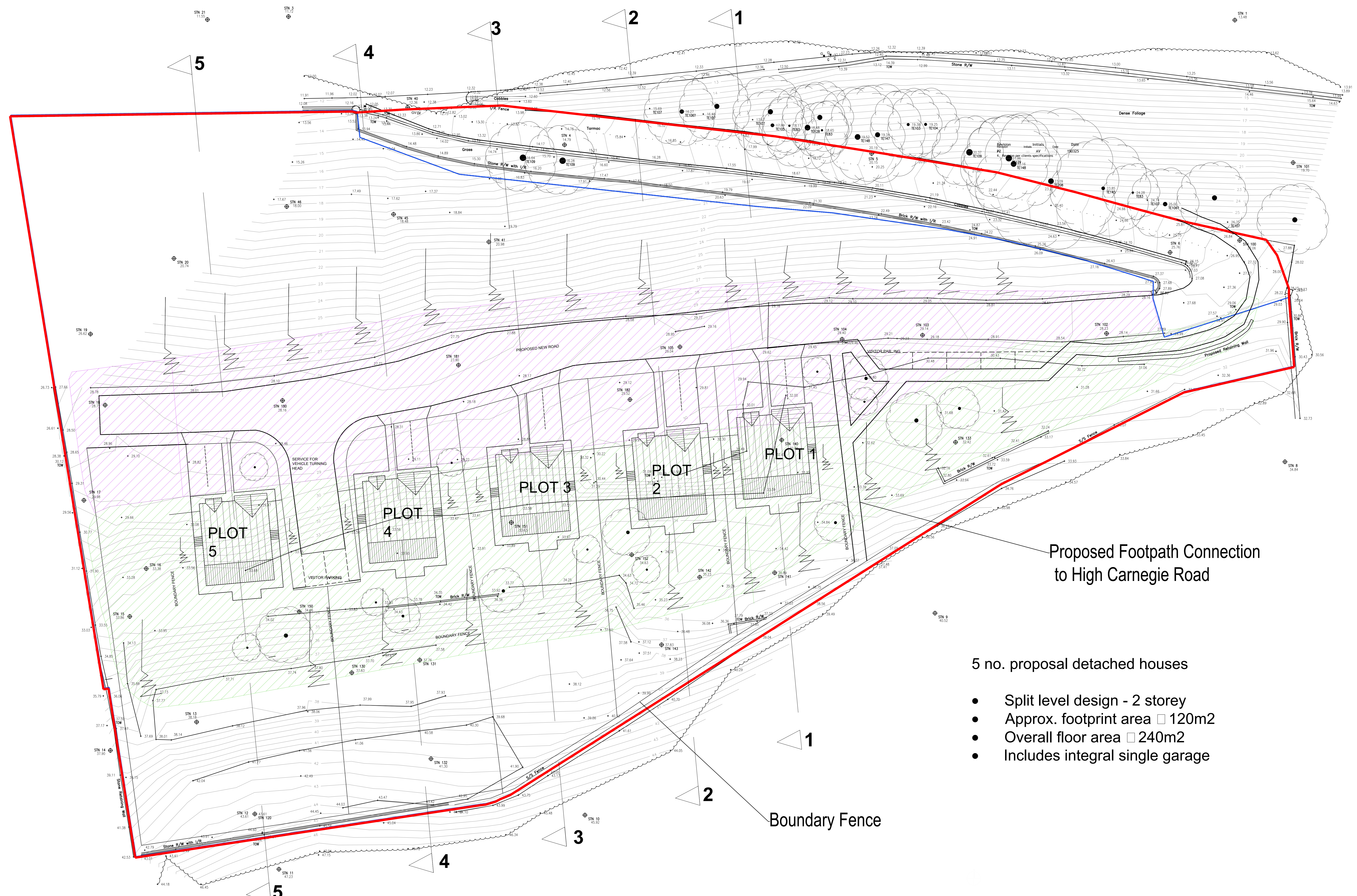
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RFA				
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Drawing Title				
OS Location Plan				
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131-L(10)-100				P1



## **APPENDIX C**

### PROPOSED SITE LAYOUT

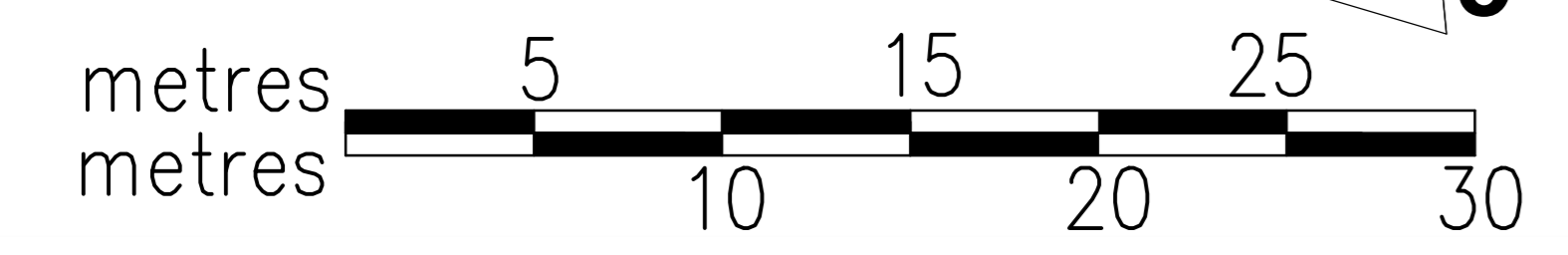




Proposed Footpath Connection to High Carnegie Road

- 5 no. proposal detached houses
- Split level design - 2 storey
  - Approx. footprint area  $\square$  120m<sup>2</sup>
  - Overall floor area  $\square$  240m<sup>2</sup>
  - Includes integral single garage

Boundary Fence



Approx. Extent of Proposed Cut

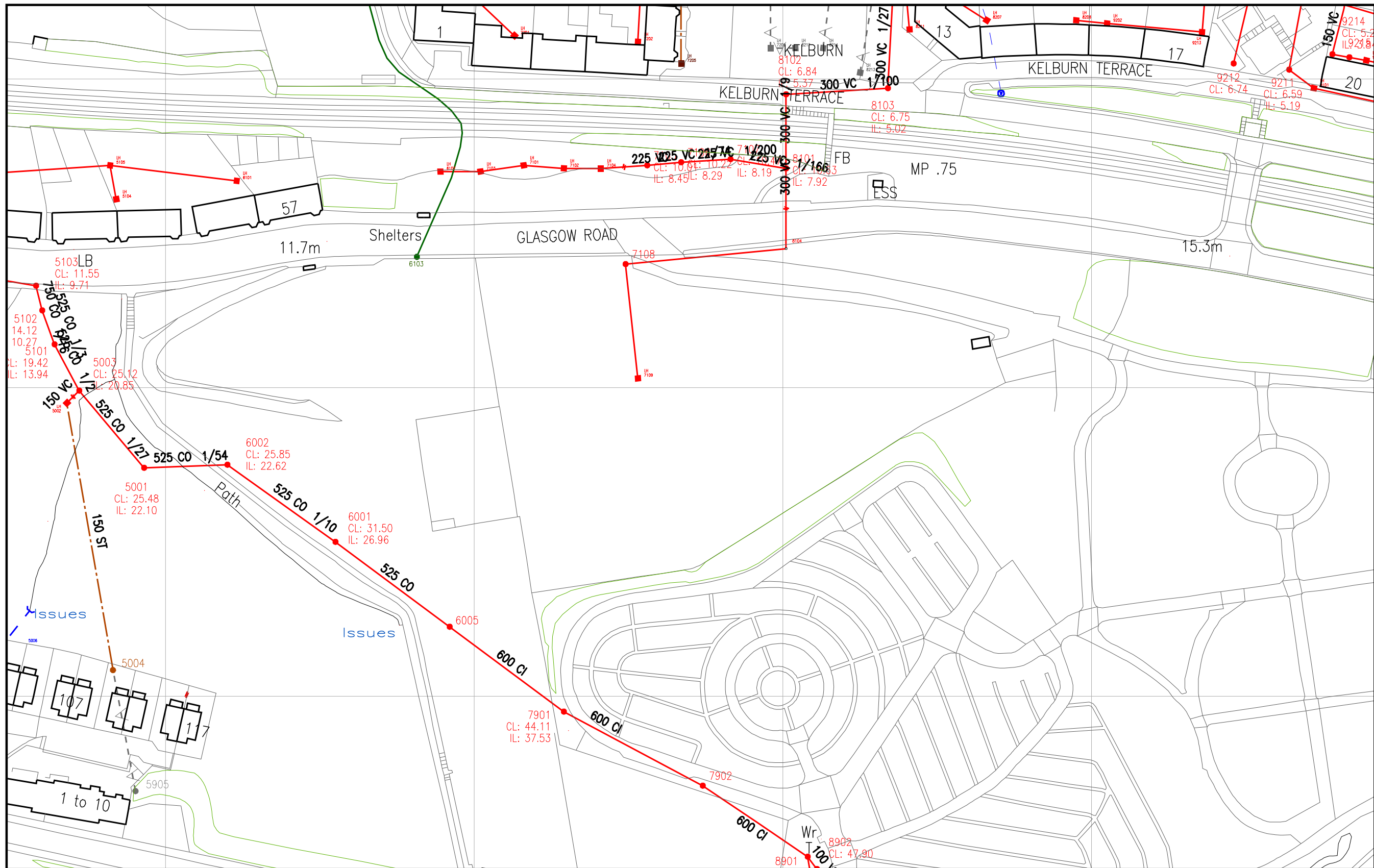
Approx. Extent of Proposed Fill

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PPP			
Client			
RFA			
Project Title			
Former Carnegie Park Orphanage/ Langlands School, Glasgow Road, Port Glasgow			
Drawing Title			
Proposed Site Layout Plan			
Date	Scale	Drawn	Checked
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Drawing No.			Rev
131-L(20)-200			P2



## **APPENDIX D**

### SCOTTISH WATER ASSET PLAN



The representation of physical assets and the boundaries of areas in which Scottish Water and others have an interest does not necessarily imply their true positions. For further details contact the appropriate District Office.

Date Plotted: 30/04/2019

### Sewer Plan OP-UYXFJ406



Scale: 1:1250

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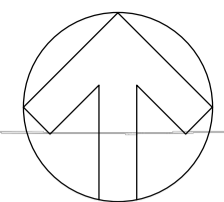
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6 Castle Drive,  
Dunfermline,  
KY11 8GG

Tel No: 0845 601 8855

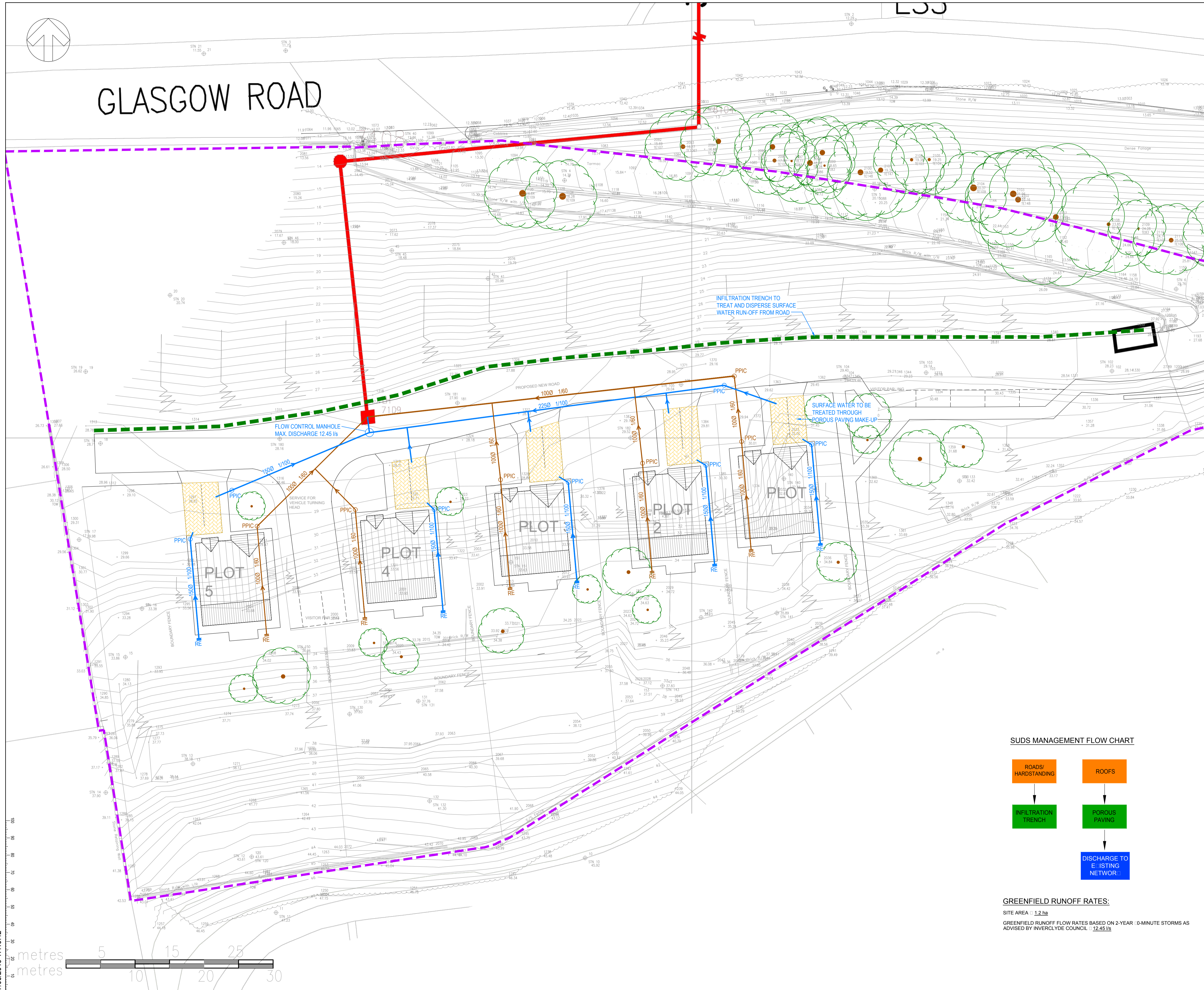
## **APPENDIX E**

### **PROPOSED DRAINAGE & SUDS STRATEGY LAYOUT**

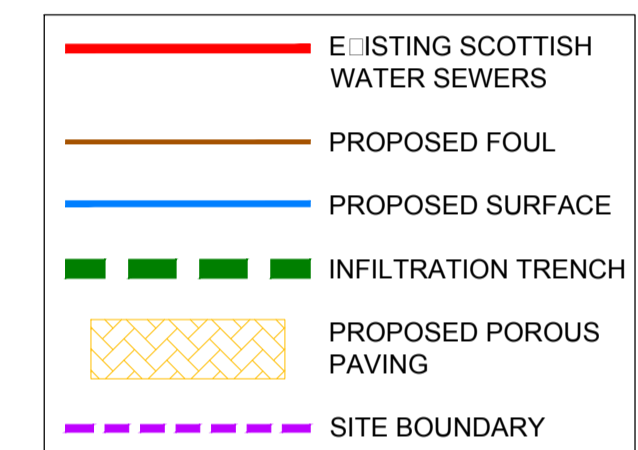




# GLASGOW ROAD



- ### GENERAL NOTES
- DRAWINGS: DO NOT SCALE FROM THIS DRAWING. THIS DRAWING TO BE READ IN CONJUNCTION WITH RELEVANT ARCHITECTS AND ENGINEERS DRAWINGS.
  - ANY REFERENCES OR OMISSIONS IN THE CONTRACT DOCUMENTS AND ENGINEERS SPECIFICATION TO BE BROUGHT TO THE ATTENTION OF BOTH THE ENGINEER AND ARCHITECT IMMEDIATELY BY THE CONTRACTOR.
  - THE CONTRACTOR TO KEEP A RECORD OF ANY VARIATIONS MADE ON SITE SO THAT "AS BUILT" DRAWINGS CAN BE PREPARED UPON COMPLETION OF THE WORKS. ALL VARIATIONS TO BE AGREED WITH THE ENGINEER AND THE RELEVANT APPROVALS BE IN PLACE.
  - ANY WORKS BEING CARRIED OUT PRIOR TO THE RELEVANT APPROVALS BEING IN PLACE IS DONE SO AT THE CLIENTS RISK.
  - WORKS TO BE CARRIED OUT IN ACCORDANCE WITH THE SPECIFICATION FOR HIGHWAY WORKS LATEST EDITION, AND ALL OTHER RELEVANT GUIDANCE.
  - ALL EXISTING DRAINAGE LEVELS AND PIPE DIAMETERS TO BE CHECKED / VERIFIED BY CONTRACTOR IN ADVANCE OF CONSTRUCTION. ANY OMISSIONS TO BE REPORTED TO PROJECT MANAGER AND ENGINEER IMMEDIATELY.
  - ALL POROUS PAVING TO BE INSTALLED IN CONJUNCTION WITH MANUFACTURERS RECOMMENDATIONS.
  - ALL MANHOLES SUBJECTED TO VEHICLE LOADINGS TO HAVE D400 GRADE MANHOLE COVERS.
  - INVERT LEVELS AT DRAINAGE OUTFALLS TO BE CONFIRMED PRIOR TO CONSTRUCTION.
  - ALL DRAINAGE TO BE CONSTRUCTED IN ACCORDANCE WITH THE LATEST EDITION OF SEWERS FOR SCOTLAND (4), BS EN 110: 2015; CONSTRUCTION AND TESTING OF DRAINS AND SEWERS, BS EN 752: DRAIN AND SEWER SYSTEMS OUTSIDE BUILDINGS, AND BS EN 12051: GRAVITY DRAINAGE SYSTEMS INSIDE BUILDINGS.
  - TESTING DYES TO BE ADDED AT ALL NEW CONNECTIONS TO EXISTING DRAINAGE.
  - ALL SVPS TO HAVE HANDHOLES FOR RODDING ACCESS ABOVE FFL/FGL.
  - ALL TAILS TO DOWN PIPES TO BE 100mm Ø UNO.
  - ALL DRAINAGE PIPES TO BE CONSTRUCTED IN ACCORDANCE WITH SEWERS FOR SCOTLAND, LATEST EDITION.
  - ALL DRAINAGE PIPES BENEATH STRIP FOUNDS TO BE ENCASED IN CONCRETE, MIN. 150mm SURROUND.



0	First Issue (attached to drainage report)	AF	GD	GD	08.05.19
REV	AMENDMENTS	BY	CHKD	APRD	DATE

## QUATTRO CONSULT

38 Thistle Street,  
Edinburgh  
EH2 1EN  
Tel: 0131 220 6668

CLIENT: RICK FINC ASSOCIATES

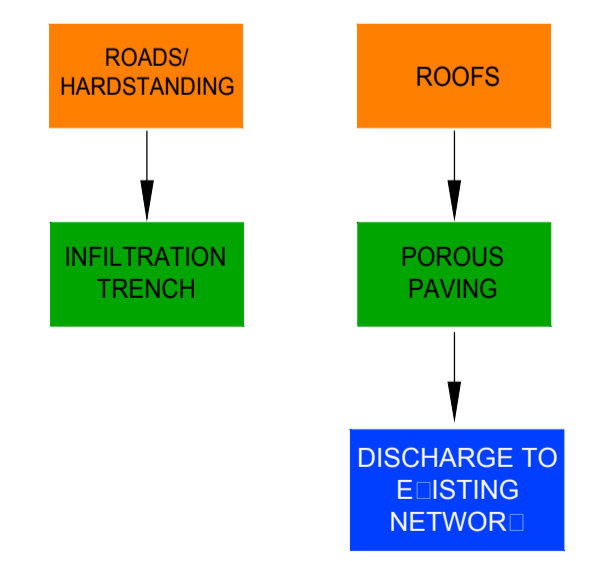
PROJECT: PORT GLASGOW

TITLE: PROPOSED DRAINAGE & SUDS STRATEGY LAYOUT

DRAWING STATUS: **PLANNING**

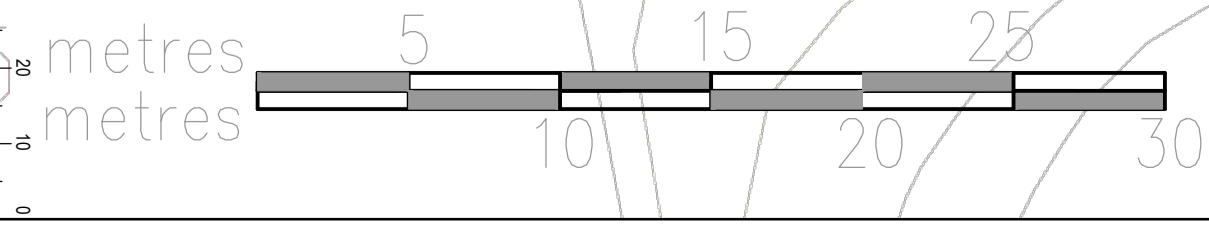
DRAWN	CHECKED	APPROVED
DATE	DATE	DATE
07.05.19		
SCALE		ORIGINAL DRAWING SIZE
1:250 @ A1		841 x 594 - A1
DRAWING No.		REV
4472 C3.01		0

### SUDS MANAGEMENT FLOW CHART



GREENFIELD RUNOFF RATES:  
SITE AREA: 1.2 ha  
GREENFIELD RUNOFF FLOW RATES BASED ON 2-YEAR 10-MINUTE STORMS AS ADVISED BY INVERCLYDE COUNCIL: 12.45 l/s


I:\SERVER-01\Shared\Area\Jobs\4472 - Port Glasgow - RFA\Drawings\4465\_C3.01\_DRAINAGE\_PLAN.dwg 07/05/2019 17:19:42





## **APPENDIX F**

### **DRAINAGE CALCULATIONS**

Quattro Consult Ltd		Page 1
38 Thistle Street Edinburgh EH2 1EN		
Date 07/05/2019 15:52	Designed by AndrewFinlayson	
File	Checked by	
XP Solutions	Source Control 2017.1.2	
<u>IH 124 Mean Annual Flood</u>		
Input		
Return Period (years)	2	Soil 0.450
Area (ha)	50.000	Urban 0.000
SAAR (mm)	1576	Region Number Region 2
<b>Results    l/s</b>		
QBAR Rural	567.7	
QBAR Urban	567.7	
Q2 years	518.9	
Q1 year	493.9	
Q2 years	518.9	
Q5 years	669.9	
Q10 years	806.1	
Q20 years	969.3	
Q25 years	1028.7	
Q30 years	1076.9	
Q50 years	1234.2	
Q100 years	1493.1	
Q200 years	1691.7	
Q250 years	1759.9	
Q1000 years	2185.6	
<div style="border: 1px solid black; padding: 10px; width: fit-content; margin: 0 auto;"> <p><b>Factored discharge</b></p> <p>Site Area = 1.2 ha</p> <p>2 year = (1.2/50) 518.9 = 12.45 l/s</p> </div>		
©1982-2017 XP Solutions		

Existing Network Details for Storm

PN	Length (m)	Fall (m)	Slope (1:X)	I.Area (ha)	T.E. (mins)	Base Flow (l/s)	k (mm)	HYD SECT	DIA (mm)	Section Type
2.000	14.399	0.144	100.0	0.020	5.00	0.0	0.600	o	150	Pipe/Conduit
2.001	15.310	0.153	100.1	0.000	0.00	0.0	0.600	o	150	Pipe/Conduit
2.002	8.505	0.085	100.1	0.000	0.00	0.0	0.600	o	225	Pipe/Conduit
3.000	14.399	0.143	100.7	0.020	5.00	0.0	0.600	o	150	Pipe/Conduit
3.001	11.963	0.119	100.5	0.000	0.00	0.0	0.600	o	150	Pipe/Conduit
2.003	20.190	0.202	100.0	0.000	0.00	0.0	0.600	o	225	Pipe/Conduit
4.000	14.399	0.143	100.7	0.020	5.00	0.0	0.600	o	150	Pipe/Conduit
4.001	11.804	0.117	100.9	0.000	0.00	0.0	0.600	o	150	Pipe/Conduit
2.004	17.672	0.177	99.8	0.000	0.00	0.0	0.600	o	225	Pipe/Conduit
5.000	14.740	0.147	100.3	0.020	5.00	0.0	0.600	o	150	Pipe/Conduit
5.001	12.516	0.126	99.3	0.000	0.00	0.0	0.600	o	150	Pipe/Conduit
2.005	5.512	0.055	100.2	0.000	0.00	0.0	0.600	o	225	Pipe/Conduit
6.000	14.459	0.145	99.7	0.020	5.00	0.0	0.600	o	150	Pipe/Conduit
6.001	9.306	0.093	100.1	0.000	0.00	0.0	0.600	o	150	Pipe/Conduit
6.002	21.618	0.216	100.1	0.000	0.00	0.0	0.600	o	150	Pipe/Conduit

Network Results Table

PN	US/IL (m)	Σ I.Area (ha)	Σ Base Flow (l/s)	Vel (m/s)	Cap (l/s)
2.000	28.100	0.020	0.0	1.00	17.8
2.001	27.956	0.020	0.0	1.00	17.8
2.002	27.803	0.020	0.0	1.31	52.0
3.000	27.980	0.020	0.0	1.00	17.7
3.001	27.837	0.020	0.0	1.00	17.7
2.003	27.718	0.040	0.0	1.31	52.0
4.000	27.776	0.020	0.0	1.00	17.7
4.001	27.633	0.020	0.0	1.00	17.7
2.004	27.516	0.060	0.0	1.31	52.0
5.000	27.611	0.020	0.0	1.00	17.7
5.001	27.464	0.020	0.0	1.01	17.8
2.005	27.339	0.080	0.0	1.31	51.9
6.000	28.100	0.020	0.0	1.01	17.8
6.001	27.955	0.020	0.0	1.00	17.8
6.002	27.862	0.020	0.0	1.00	17.7

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Existing Network Details for Storm

PN	Length (m)	Fall (m)	Slope (1:X)	I.Area (ha)	T.E. (mins)	Base Flow (l/s)	k (mm)	HYD SECT	DIA (mm)	Section Type
2.006	2.275	0.023	98.9	0.000	0.00	0.0	0.600	o	225	Pipe/Conduit

Network Results Table

PN	US/IL (m)	Σ I.Area (ha)	Σ Base Flow (l/s)	Vel (m/s)	Cap (l/s)
2.006	27.284	0.100	0.0	1.31	52.3



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Online Controls for Storm

Hydro-Brake® Optimum Manhole: 4, DS/PN: 2.006, Volume (m³): 2.5


Unit Reference	MD-SHE-0155-1200-1200-1200
Design Head (m)	1.200
Design Flow (l/s)	12.0
Flush-Flo™	Calculated
Objective	Minimise upstream storage
Application	Surface
Sump Available	Yes
Diameter (mm)	155
Invert Level (m)	27.284
Minimum Outlet Pipe Diameter (mm)	225
Suggested Manhole Diameter (mm)	1200

Control Points	Head (m)	Flow (l/s)
Design Point (Calculated)	1.200	12.0
Flush-Flo™	0.358	12.0
Kick-Flo®	0.787	9.8
Mean Flow over Head Range	-	10.3

The hydrological calculations have been based on the Head/Discharge relationship for the Hydro-Brake® Optimum as specified. Should another type of control device other than a Hydro-Brake Optimum® be utilised then these storage routing calculations will be invalidated

Depth (m)	Flow (l/s)	Depth (m)	Flow (l/s)	Depth (m)	Flow (l/s)	Depth (m)	Flow (l/s)
0.100	5.6	1.200	12.0	3.000	18.5	7.000	27.8
0.200	11.3	1.400	12.9	3.500	20.0	7.500	28.8
0.300	11.9	1.600	13.7	4.000	21.3	8.000	29.7
0.400	12.0	1.800	14.5	4.500	22.5	8.500	30.6
0.500	11.8	2.000	15.3	5.000	23.7	9.000	31.4
0.600	11.5	2.200	16.0	5.500	24.8	9.500	32.3
0.800	9.9	2.400	16.7	6.000	25.8		
1.000	11.0	2.600	17.3	6.500	26.9		



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XP Solutions		Network 2017.1.2

2 year Return Period Summary of Critical Results by Maximum Level (Rank 1)  
for Storm

PN	US/MH Name	Surcharged		Flooded		Pipe		Level Exceeded
		Depth (m)	Volume (m <sup>3</sup> )	Flow / Cap.	Overflow (l/s)	Flow (l/s)	Status	
2.000	4	-0.112	0.000	0.15		2.4	OK	
2.001	5	-0.112	0.000	0.15		2.4	OK	
2.002	6	-0.190	0.000	0.06		2.4	OK	
3.000	4	-0.111	0.000	0.15		2.4	OK	
3.001	5	-0.111	0.000	0.15		2.5	OK	
2.003	7	-0.179	0.000	0.09		4.9	OK*	
4.000	5	-0.111	0.000	0.15		2.4	OK	
4.001	6	-0.111	0.000	0.15		2.5	OK	
2.004	8	-0.169	0.000	0.14		7.3	OK*	
5.000	6	-0.112	0.000	0.15		2.4	OK	
5.001	7	-0.107	0.000	0.15		2.4	OK	
2.005	8	-0.074	0.000	0.27		9.1	OK*	
6.000	1	-0.112	0.000	0.15		2.4	OK	
6.001	2	-0.111	0.000	0.16		2.5	OK	
6.002	3	-0.112	0.000	0.15		2.4	OK	
2.006	4	-0.024	0.000	0.38		11.3	OK	

30 year Return Period Summary of Critical Results by Maximum Level (Rank 1)  
for Storm

Simulation Criteria

Areal Reduction Factor 1.000      Additional Flow - % of Total Flow 0.000  
Hot Start (mins)                      0                      MADD Factor \* 10m<sup>3</sup>/ha Storage 2.000  
Hot Start Level (mm)                      0                      Inlet Coefficient 0.800  
Manhole Headloss Coeff (Global) 0.500      Flow per Person per Day (l/per/day) 0.000  
Foul Sewage per hectare (l/s) 0.000

Number of Input Hydrographs 0      Number of Storage Structures 0  
Number of Online Controls 1      Number of Time/Area Diagrams 0  
Number of Offline Controls 0      Number of Real Time Controls 0

Synthetic Rainfall Details


Rainfall Model                      FSR                      Ratio R 0.239  
Region Scotland and Ireland Cv (Summer) 0.750  
M5-60 (mm)                      16.000 Cv (Winter) 0.840

Margin for Flood Risk Warning (mm)                      300.0  
Analysis Timestep 2.5 Second Increment (Extended)  
DTS Status                      ON  
DVD Status                      ON  
Inertia Status                      ON

Profile(s) Summer and Winter  
Duration(s) (mins)                      60  
Return Period(s) (years)                      2, 30, 200  
Climate Change (%)                      30, 30, 30

PN	US/MH Name	Storm	Return Period	Climate Change	First (X) Surcharge	First (Y) Flood	First (Z) Overflow	Overflow Act.	Water Level (m)
2.000	4 60	Summer	30	+30%	200/60	Summer			28.153
2.001	5 60	Summer	30	+30%	200/60	Summer			28.009
2.002	6 60	Summer	30	+30%	200/60	Summer			27.874
3.000	4 60	Summer	30	+30%	200/60	Summer			28.033
3.001	5 60	Summer	30	+30%	200/60	Summer			27.891
2.003	7 60	Summer	30	+30%					27.871
4.000	5 60	Summer	30	+30%	200/60	Summer			27.881
4.001	6 60	Summer	30	+30%	30/60	Summer			27.871
2.004	8 60	Winter	30	+30%					27.741
5.000	6 60	Summer	30	+30%	30/60	Summer			27.869
5.001	7 60	Summer	30	+30%	30/60	Summer			27.859
2.005	8 60	Winter	30	+30%					27.564
6.000	1 60	Summer	30	+30%	200/60	Summer			28.153
6.001	2 60	Summer	30	+30%	200/60	Summer			28.009
6.002	3 60	Summer	30	+30%	200/60	Summer			27.914
2.006	4 60	Summer	30	+30%	30/60	Summer			27.845



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30 year Return Period Summary of Critical Results by Maximum Level (Rank 1)  
for Storm

PN	US/MH Name	Surcharged Flooded		Flow / Overflow		Pipe	Status	Level Exceeded
		Depth (m)	Volume (m <sup>3</sup> )	Cap.	(l/s)	Flow (l/s)		
2.000	4	-0.097	0.000	0.27		4.5	OK	
2.001	5	-0.097	0.000	0.27		4.5	OK	
2.002	6	-0.154	0.000	0.11		4.4	OK	
3.000	4	-0.097	0.000	0.27		4.5	OK	
3.001	5	-0.096	0.000	0.28		4.5	OK	
2.003	7	-0.072	0.000	0.17		8.9	OK*	
4.000	5	-0.045	0.000	0.27		4.5	OK	
4.001	6	0.088	0.000	0.27		4.4	SURCHARGED	
2.004	8	0.000	0.000	0.18		9.2	SURCHARGED*	
5.000	6	0.108	0.000	0.27		4.3	SURCHARGED	
5.001	7	0.245	0.000	0.20		3.2	SURCHARGED	
2.005	8	0.000	0.000	0.31		10.4	SURCHARGED*	
6.000	1	-0.097	0.000	0.27		4.5	OK	
6.001	2	-0.096	0.000	0.28		4.5	OK	
6.002	3	-0.098	0.000	0.27		4.5	OK	
2.006	4	0.336	0.000	0.40		12.0	SURCHARGED	

200 year Return Period Summary of Critical Results by Maximum Level (Rank 1) for Storm

Simulation Criteria

Areal Reduction Factor	1.000	Additional Flow - % of Total Flow	0.000
Hot Start (mins)	0	MADD Factor * 10m <sup>3</sup> /ha Storage	2.000
Hot Start Level (mm)	0	Inlet Coefficient	0.800
Manhole Headloss Coeff (Global)	0.500	Flow per Person per Day (l/per/day)	0.000
Foul Sewage per hectare (l/s)	0.000		

Number of Input Hydrographs	0	Number of Storage Structures	0
Number of Online Controls	1	Number of Time/Area Diagrams	0
Number of Offline Controls	0	Number of Real Time Controls	0

Synthetic Rainfall Details

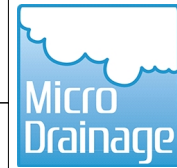
Rainfall Model	FSR	Ratio R	0.239
Region	Scotland and Ireland	Cv (Summer)	0.750
M5-60 (mm)	16.000	Cv (Winter)	0.840

Margin for Flood Risk Warning (mm)	300.0
Analysis Timestep	2.5 Second Increment (Extended)
DTS Status	ON
DVD Status	ON
Inertia Status	ON

Profile(s)	Summer and Winter
Duration(s) (mins)	60
Return Period(s) (years)	2, 30, 200
Climate Change (%)	30, 30, 30

PN	US/MH Name	Storm	Return Period	Climate Change	First (X) Surcharge	First (Y) Flood	First (Z) Overflow	Water Level (m)
2.000	4 60	Winter	200	+30%	200/60	Summer		28.606
2.001	5 60	Winter	200	+30%	200/60	Summer		28.596
2.002	6 60	Winter	200	+30%	200/60	Summer		28.586
3.000	4 60	Winter	200	+30%	200/60	Summer		28.603
3.001	5 60	Winter	200	+30%	200/60	Summer		28.592
2.003	7 60	Winter	200	+30%				27.943
4.000	5 60	Winter	200	+30%	200/60	Summer		28.594
4.001	6 60	Winter	200	+30%	30/60	Summer		28.583
2.004	8 60	Winter	200	+30%				27.741
5.000	6 60	Winter	200	+30%	30/60	Summer		28.581
5.001	7 60	Winter	200	+30%	30/60	Summer		28.571
2.005	8 60	Winter	200	+30%				27.564
6.000	1 60	Winter	200	+30%	200/60	Summer		28.586
6.001	2 60	Winter	200	+30%	200/60	Summer		28.575
6.002	3 60	Winter	200	+30%	200/60	Summer		28.567
2.006	4 60	Winter	200	+30%	30/60	Summer		28.555

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200 year Return Period Summary of Critical Results by Maximum Level (Rank 1) for Storm

PN	US/MH Name	Surcharged Flooded		Flow / Overflow Cap. (l/s)	Pipe Flow (l/s)	Status	Level Exceeded
		Depth (m)	Volume (m³)				
2.000	4	0.356	0.000	0.33	5.5	SURCHARGED	
2.001	5	0.490	0.000	0.33	5.4	SURCHARGED	
2.002	6	0.558	0.000	0.12	4.9	SURCHARGED	
3.000	4	0.473	0.000	0.33	5.4	SURCHARGED	
3.001	5	0.605	0.000	0.32	5.1	SURCHARGED	
2.003	7	0.000	0.000	0.17	9.0	SURCHARGED*	
4.000	5	0.668	0.000	0.30	4.9	SURCHARGED	
4.001	6	0.800	0.000	0.26	4.1	SURCHARGED	
2.004	8	0.000	0.000	0.19	9.9	SURCHARGED*	
5.000	6	0.820	0.000	0.28	4.6	SURCHARGED	
5.001	7	0.957	0.000	0.26	4.3	SURCHARGED	
2.005	8	0.000	0.000	0.33	10.8	SURCHARGED*	
6.000	1	0.336	0.000	0.33	5.5	SURCHARGED	
6.001	2	0.470	0.000	0.34	5.4	SURCHARGED	
6.002	3	0.555	0.000	0.31	5.2	SURCHARGED	
2.006	4	1.046	0.000	0.41	12.3	SURCHARGED	

## **7. REPORT OF HANDLING DATED 26 FEBRUARY 2021**



## REPORT OF HANDLING

**Report By:** James McColl

**Report No:**

19/0140/IC

**Local Application  
Development**

**Contact  
Officer:** 01475 712462

**Date:**

26th February 2021

**Subject:** Planning permission in principle for residential development, landscaping, parking, access and associated works at  
Land at Glasgow Road, Port Glasgow

## SITE DESCRIPTION

The application site, extending to approximately 1.2 hectares, comprises an area of ground to the southern side of Glasgow Road, Port Glasgow. The site lies immediately to the north and west of Port Glasgow cemetery. Formerly, the Carnegie Park Orphanage dating from around 1887-8 occupied the site and this latterly became the Langlands Park School. No buildings survive.

The site rises steeply from Glasgow Road although gradients are less severe to the southern part of the site. It is accessed via an existing unadopted road which rises steeply from Glasgow Road and provides for a secondary access to the cemetery. The site is characterised by woodland and forms part of a wider native woodland area extending to the south and west. Flatted dwellings lie to the north-west of the site diagonally across Glasgow Road.

## PROPOSAL

Planning permission in principle is sought for a residential development on the site inclusive of landscaping, parking, access and associated works.

To inform the principle of development, supporting documentation sets out an indicative proposal for five, four bedroom detached dwellinghouses with associated garden areas, driveways and garages. It is suggested that the houses may be of a split level design due to the levels on site.

A range of supporting documentation and information has been provided including a Planning Statement, a Design & Access Statement, a Landscape and Visual Assessment, a Preliminary Ecological Appraisal and a Drainage, Flooding and SUDS Strategy.

## 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 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 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 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.

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



## **PLANNING POLICY STATEMENT ON OUR HOMES AND COMMUNITIES**

### **Policy A - Land for Housing**

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:

- a strong preference for appropriate brownfield sites within the identified settlement boundaries;
- there being no adverse impact on the delivery of the Priority Places and Projects identified by the adopted 2019 Inverclyde Local Development Plan;
- evidence that the proposed site will deliver housing in time to address the identified shortfall within the relevant Housing Market Area; and
- a requirement for 25% of houses on greenfield development sites in the Inverclyde villages to be for affordable housing.

### **Policy B - New Housing Development**

New housing development will be supported on the sites identified in Schedule 1, and on other appropriate sites within residential areas and town and local centres. All proposals for residential development will be assessed against Planning Application Advice Notes Supplementary Guidance.

There will be a requirement for 25% of houses on greenfield development sites in the Inverclyde villages to be for affordable housing.

## **CONSULTATIONS**

**Head of Service - Roads and Transportation** – A number of points and concerns are raised as follows:

- Parking should be provided in accordance with the National Guidelines. Visitor parking should be provided at 0.25 spaces per dwelling (unallocated). Each dwelling has 4 bedrooms with 2 private parking spaces and an internal garage. This meets the requirements.
- Each space on the driveways shall be a minimum of 3.0m by 5.5m and the gradient shall not exceed 10%. The spaces do not currently meet this.
- The driveways shall be paved for a minimum distance of 2m to prevent loose driveway material being spilled onto the road.
- The minimum dimensions for a garage as detailed in the National Guidelines are:
  - Minimum size for cars 7.0m by 3.0m (internal dimension) Associated minimum clear access dimension 2.1m wide by 1.98m height.

The applicant has to demonstrate that the garages meet these requirements. If this standard cannot be achieved another parking space will be required on the drive.

- Any visitor nose-in parking spaces shall be a minimum of 2.5m by 5.0m. Any visitor parallel parking spaces should be a minimum of 2.5m by 6.0. The spaces do not currently meet this.

- All roads within the site shall be a minimum of 5.5m wide and have a gradient of less than 8%.
- All footways within the site shall be a minimum of 2.0m wide.
- The applicant shall provide evidence to the Roads Service that all roads have a gradient of 8% or less. The applicant has subsequently clarified that the existing road gradient is between 8% and 10% and this is accepted as long as the fire service and bin lorries can access. Details of the connection to the public road could be addressed by condition.
- The applicant should demonstrate that a visibility splay of 2.4m by 43.0 metres by 1.05m high can be provided from the development access onto Glasgow Road. This should remain for the life of the development.
- Traffic calming shall be provided within the development to allow the promotion of a 20mph speed limit. This is not shown on the current plan.
- The plan shows a footpath connection to High Carnegie. Does the developer proposed to upgrade the historic footpath which has now been closed?
- The access to the site from Glasgow Road should be a minimum of 4.8 metres wide with a vehicle restrain system installed in the northern side. There are blind corners which may cause accidents and there will need to adequate passing places.
- A Road Construction Consent and Road Bond may be required for all new roads and footways.
- All surface water during and after development is to be maintained within the site boundary with a field drain installed at the bottom of the slopes around the site to prevent any surface water flowing onto the road.
- Confirmation of connection to the Scottish Water Network should be submitted for approval.
- A DIA is not required.
- Drainage details should be submitted for approval.

**Head of Environmental and Public Protection (Environmental Health)** – No objections. Conditions in respect of ground contamination and Japanese Knotweed, external lighting, hours of works and sound insulation complying with the building regulations are recommended.

**Ecology Advisor** – A number of points and concerns are raised as follows:

- The Phase 1 Habitat Survey was carried out in February 2019 and it is stated that JNCC Methodology was followed; however this is not the 'optimal botanical survey season' as stated. The methodology recommends that woodland surveys are undertaken in spring. Many plants will not be present in February. No species list is given.
- Very little information is provided on birds. The heronry that is present on site along the driveway has not been identified. There were five Grey Herons (*Ardea cinerea*) nests on this site in 2019. It is the only heronry within the town boundary and has been known to be at this location for several years now.
- There is no discussion of the likely breeding bird population. A Preliminary Ecological Assessment should include an assessment of what this is likely to be if the survey is carried

out with the breeding season as this one was. There are likely to be breeding Chiffchaff (*Phylloscopus collybita*) and Blackcap (*Sylvia atricapilla*), to name a few, in this type of habitat. Nests of woodland species such as these are typically very difficult to find.

- Recommending nest checks if the work takes place within this period is unacceptable in woodland habitat with dense understorey. Even the most skilled ornithologists with nest finding experience would be uncomfortable in being certain that there were no nesting birds in areas of dense cover.
- The report states that the trees may have potential to support bats. No information is given on the trees that have to be removed. All trees that require to be felled or lopped will require to be assessed for their bat roost potential.
- No mention is made of mammal use of the site despite the report stating that it is potentially suitable for Badger (*Meles meles*).
- No information is given on the impact on trees – age, species, and value to wildlife.

## **PUBLICITY**

The application was advertised in the Greenock Telegraph on 16th August 2019.

## **SITE NOTICES**

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

## **PUBLIC PARTICIPATION**

No representations were received.

## **ASSESSMENT**

The material considerations in the assessment of this application are national planning policy inclusive of Scottish Planning Policy (SPP), Clydeplan Strategic Development Plan, Inverclyde Local Development Plan, Planning Application Advice Note (PAAN) 3 on "Private and Public Open Space Provision in New Residential Development", the Council's Planning Policy Statement on Our Homes and Communities, the impact on the existing open space and woodland, the impact on ecology, the impact on residential amenity and the consultation responses. Also material to this assessment is the Local Development Plan Main Issues Report (December 2020) and associated documents.

SPP 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. It also reinforces the aims of National Planning Framework (NPF) 3 to facilitate new housing development. It notes that the planning system should identify a generous supply of land for each housing market area to support the achievement of the housing land requirement across all tenures, maintaining at least a five-year supply of effective housing land at all times. The planning system should also enable provision of a range of attractive, well-designed, energy efficient, good quality housing, contributing to the creation of successful and sustainable places. Proposals that do not accord with the development plan should not be considered acceptable 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 of SPP.



Whilst the applicant has referenced policies within the 2017 Clydeplan Strategic Development Plan in the supporting planning statement, the application is not of a strategic scale. Accordingly, for the purposes of the assessment of this application, the development plan consists of the 2019 Inverclyde Local Development Plan. A decision of the Court of Session in July 2020 quashed the 'Our Homes and Communities' chapter of the Plan, meaning the Plan does not contain a policy context for assessing housing proposals. In response to this, in October 2020 the Council approved a Planning Policy Statement on 'Our Homes and Communities'. This sets out the Council's assessment of the housing land position in Inverclyde (as at October 2020). This assessment indicates that there could be a shortfall of housing land in Inverclyde. Policy A of the Statement sets out criteria that the Council will consider if additional housing land is required.

In December 2020, the Council published a Main Issues Report associated with the preparation of a new local development plan. This also sets out the Council's assessment of the housing land position (as at December 2020). It also indicates there could be a shortfall of housing land and identifies preferred options for additional housing land. It is important to state that the Main Issues Report is not a policy document but a statutory early engagement stage in the local development plan process.

Considering Policy A of the Council's Planning Policy Statement, where there is a requirement for additional land for housing development, the Council will consider proposals with regard to the policies applicable to the site together with there being a strong preference for appropriate brownfield sites within the identified settlement boundaries; there being no adverse impact on the delivery of the Priority Places and Projects identified by the Local Development Plan; and evidence that the proposed site will deliver housing in time to address the identified shortfall within the relevant Housing Market Area. Policy B supports new housing development on the sites identified in Schedule 1, and on other appropriate sites within residential areas and town and local centres. The site is not included in Schedule 1.

In considering whether this is an appropriate site for residential development, I first note that the site is identified as open space on the Local Development Plan Proposals Map. Policy 35 advises that 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. In assessing this application, it therefore must be considered whether the proposal will result in open space which is, or has the potential to be, of quality and value being lost to development and if so, whether there will be provision of open space of equal or enhanced value in association with the proposal. At the time the application was submitted, the development plan comprised the 2014 Inverclyde Local Development Plan and the applicant's planning statement is based on the policies within this document. In the 2014 Plan, the site was located within an "area of potential change". However, the associated Local Development Framework identified the site as comprising open space. This open space designation was carried forward to the current 2019 Local Development Plan.

The applicant considers that as the site is one which has been previously developed, it should be considered a brownfield site. In respect of the open space designation, the applicant further considers that the site is in private ownership and access is restricted. The undermanaged nature of the site and existence of fly tipping is noted. It is argued that the proposal for residential development would contribute to the enhancement of this site and increase its usability. The applicant considers that a large proportion of the site is undevelopable due to the topography and this would ensure the development proposed remained at a small scale, and would integrate well with its surroundings.

The site is specifically identified on the Proposals Map as forming part of a wider area of open space within the urban area. Whilst the site was historically developed, it has re-naturalised and does not appear as a vacant or derelict site in the wider landscape. It is now characterised by woodland with Scottish Forestry's Native Woodland Inventory identifying around half of the site as part of a wider native woodland area extending to the south and west. Policy 34 of the Plan additionally sets out the the Council's support for the retention of woodland and other trees that have significant amenity, historical, ecological, landscape or shelter value. The Policy goes on to set out the criteria for assessing development proposals affecting the above.



It is recognised that, based on the indicative layout, development would be restricted to the southern half of the site. It is, however, the southern part of the site that is included in Scottish Forestry's Inventory. It is not clearly demonstrated what tree loss would occur to allow the development to proceed (criterion (a) of Policy 34). The applicant contends that the development will subsequently allow for the enhancement of the northern segment of woodland, facilitating improvements to the character of the area and allowing for greater biodiversity and recreational benefits. This will also ensure that the development will integrate to its surroundings. There are, however, no details of such proposals or whether appropriate compensatory planting could be achieved to mitigate against any loss (criterion (c)). There is also nothing that leads me to conclude that wider public benefits could be achieved which outweigh the potential loss of trees at this location (criterion (b)). In respect of Policy 35, the proposal would remove area of open space which is considered to be of quality and value. It is acknowledged that some enhancement may be possible to mitigate against the development. However, it is not considered that this could mitigate against the loss of native woodland together with the fragmentation of a wider woodland area reducing habitat connectivity. The requirements of Policy 35 are thus not met to allow the proposal to be supported. Additionally, the failure of the proposal to retain locally distinct natural features such as this area of open space which comprises native woodland as part of the green network within the urban area results in it being unacceptable with reference to being "Distinctive" in respect of the factors contributing to successful places. The requirements of Policy 1 are therefore also not met.

Ecology, biodiversity and habitat, are considered by the applicant in a Preliminary Ecological Appraisal. The applicant notes that no part of the site is specifically designated for nature conservation reasons. The Council's ecology advisor has considered the applicant's Ecological Appraisal and raises a number of concerns. Firstly, given the Phase 1 Habitat Survey was carried out in February using the standard JNCC survey methodology, the report is incorrect in stating that this is the optimal botanical survey season. The methodology recommends that woodland surveys are undertaken in spring. Many plants will not be present in February. The Council's advisor goes on to highlight that very little information is provided on birds. It is advised that there is known heronry on site along the access road with five Grey Heron nests recorded on this site in 2019. It is the only heronry within the settlement boundary and has been known to be at this location for several years. It is further highlighted that there is no discussion of the likely breeding bird population and that a Preliminary Ecological Assessment should include an assessment of what this is likely to be present on the site if the survey is undertaken outwith the breeding season as this one was. The Council's advisor states that nests of woodland species are typically very difficult to find and disagrees with the suggestion in the Appraisal in respect of pre-construction checks for nesting birds if works are to be undertaken within the bird breeding season. This approach is not acceptable in woodland habitat with dense understorey. It is advised that even the most skilled ornithologists with nest finding experience would be uncomfortable in being certain that there were no nesting birds in areas of dense cover.

Turning to protected species, the Appraisal states that the trees may have potential to support bats. All trees that require to be felled or lopped will require to be assessed for their bat roost potential and there is no tree survey or indication of what trees would require to be lopped or felled to allow development to proceed. The Council's advisor states that further information is required regarding the trees that will be affected by the development. This also includes details of their bat roost potential. It is also noted that there is no mention made of mammal use of the site despite the Appraisal stating that it is potentially suitable for badger. The Council's advisor states that further information on the badger survey is required.

It is recognised that restricting site clearance works to outwith the bird breeding season could be addressed by condition if required and that some of the required additional survey works could also be addressed by condition. However, additional information and survey works in respect of protected species such as bats cannot be addressed by suspensive condition. Given the wooded nature of the site, I also do not consider that a condition requiring that no tree felling or lopping is undertaken in the absence of such surveys would be an appropriate solution. It is also inappropriate to seek to address the requirement for further information on badgers together with appropriate survey works



by condition. Whilst the Council's advisor is of the opinion that the biodiversity enhancements suggested in the appraisal are good and that any planning permission should include a condition that the remaining area is enhanced for biodiversity, this does not address the concerns and points set out above. It cannot be determined if the proposal would affect protected species and accordingly the proposal fails in respect of Policy 33 of the Plan which seeks to ensure that applicants establish whether a protected species is present, how they may be affected and how a development is planned to minimise any impact.

Notwithstanding the above, it rests to consider whether there are any other material planning considerations which would result in the proposal being unacceptable. PAAN3 advises that for developments of less than 10 houses, private garden ground should accord with the established density and pattern in the immediate vicinity with reference to front and rear garden sizes and distances to plot boundaries. The site is not within an area where there is any predominant development pattern in this regard. Based on the indicative layout, there is nothing to suggest that suitable garden ground could not be provided and the requirements of PAAN3 could not be met. PAAN3 also advises that public open space is not required for a small scale development of this type. Overall, I am satisfied that there is nothing to suggest that a suitable level of amenity could not be achieved for the new residents. There are also no neighbouring residents whose amenity would be impacted upon by the development.

The road layout within the site together with the parking requirements for individual dwellings would be addressed in the detailed design of any proposal. There is nothing to suggest that a suitable layout and parking provision could not be achieved. The site is accessed from Glasgow Road via an existing, narrow and unadopted road. A number of concerns are raised by the Head of Service – Roads and Transportation in respect of this access. Whilst in the case of a proposal for five dwellinghouses the access road may remain private, such private vehicular accesses require to be able to accommodate the numbers and types of vehicles using the access in a safe manner. The form of access may also require to be enhanced in order to accommodate pedestrians and cyclists. The Head of Service – Roads and Transportation considers that the existing access which will serve the development will require additional measures to constitute it being deemed safe for residential development. The lack of edge protection is a concern as is the blind corner round to the new development which may cause accidents. Adequate passing places would be required. Concern is also expressed regarding the gradient being in excess of 8%. The applicant confirms that whilst the road gradient may be in excess of 8% it is between 8% and 10% for most of its length. The Head of Service – Roads and Transportation accepts this position although notes that access will be required for bin lorries and fire engines. She is also happy that the details of the access to Glasgow Road can be addressed by condition although the applicant fails to demonstrate that a visibility splay of 2.4 metres by 43 metres by 1.05 metres can be provided from the access to Glasgow Road. The applicant also suggests that a bin store could be provided adjacent to Glasgow Road in the event of bin lorries having problems accessing the site. This can be addressed as part of the detail of the development although the practicality of any final arrangement would require to be carefully considered. Whilst there is also concern in respect of there being no pedestrian access to the development, there would be the opportunity to design a dedicated pedestrian access through the application site, separate to the access road, to ensure that the requirements of pedestrians are recognised and this could be addressed in the detailed design. Whilst it may, in principle, be possible to address the requirement for upgrade works to the access road by condition, the road itself is both outwith the application site and not under the exclusive control of the applicant. This situation would thus result in any such condition being *ultra vires*. It is also not demonstrated that the required visibility splay can be achieved. It therefore cannot be concluded that a safe and suitable access to the development can be achieved. The proposal is therefore not acceptable with reference to Policy 10 of the Local Development Plan.

Buses serve Glasgow Road, with bus stops for local destinations a short distance from the application site. Woodhall railway station is also within a 7 or 8 minute walk of the application site and provides for end destination direct rail services to Glasgow, Gourrock and Wemyss Bay. I am therefore satisfied that the development is provided in a sustainable location accessible by means other than the private car in accordance with Policy 11 of the Local Development Plan.



As an element of design, Policy 6 of the Plan 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. This requirement can also be addressed by condition if required.

Considering the outstanding consultation responses, The Head of Environmental and Public Protection (Environmental Health) does not highlight any concerns over and above the standard need for site investigation associated with any development site and is content that matters in respect of potential site contamination and Japanese Knotweed can be addressed by condition. In this respect, I consider that the proposals comply with the requirements of Policy 16 of the Plan. In respect of bin provision, this can be addressed by condition if required. Matters relating to external lighting can be addressed by advisory note, noise from the construction site is addressed by the Head of Environmental and Public Protection (Environmental Health) via separate legislation and compliance with the Building Scotland Regulations is a matter for the building warrant process.

As noted above, SPP is based on a presumption in favour of sustainable development. Whether a proposed development is sustainable development should be assessed according to the principles set out in paragraph 29. Paragraph 28 also 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 13 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 in detail above. The proposal fails in respect of the following principles; any economic benefits in the short term during the construction period and in the longer term in respect of the new residents contributing to the local economy of a development of this scale would not be significant to the point where it could be argued that they alone would justify the granting of planning permission; the proposal would not support the six qualities of successful places; and the proposal would not protect green infrastructure, landscape and the wider environment.

Whilst the proposal may be within the settlement boundary, it is a site that is identified as open space within the Local Development Plan. The proposal would remove part of this area of open space of quality and value and it is not considered that this could be mitigated against in respect of the loss of native woodland together with the fragmentation of a wider woodland area reducing habitat connectivity. The proposal is thus not supported by Policy 35 of the Local Development Plan together with Policy 1. Additionally, the loss of woodland is not supported by Policy 34 and as it cannot be determined if the proposal would affect protected species and accordingly, the proposal fails in respect of Policy 33. The concerns regarding the access road also results in the proposal failing against Policy 10. It is not considered that the proposal constitutes sustainable development according to the principles set out in paragraph 29 of SPP and it is not considered to be the right development in the right location. Whilst there could be a shortfall of housing land in Inverclyde and a development of this scale would be unlikely to impact on the delivery of the "Priority Places", the proposal does not comprise an appropriate brownfield development and there is nothing to suggest that the site would will deliver housing in time to address any shortfall in accordance with Policy A of the Council's Planning Policy Statement. It is also considered that the most appropriate mechanism to address any short fall is via the Local Development Plan process. Finally, the proposal is not considered an appropriate site for housing development with reference to Policy B of the Planning Policy Statement.

In conclusion, 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. The proposal fails in respect of a number of policies within the Local Development Plan and is not sustainable development in respect of paragraph 29 of SPP. Having fully assessed the proposal, it is not considered that there are any material planning considerations that indicate that a position contrary to this should be taken. Planning permission should be refused for the reasons set out below.



## RECOMMENDATION


That the application be refused for the following reasons:

1. The proposal would remove area of open space and it is not considered the loss of native woodland together with the fragmentation of a wider woodland area reducing habitat connectivity could be mitigated against, failing to accord with the aims and requirements of Policy 35 of the 2019 Inverclyde Local Development Plan.
2. The failure to retain locally distinct natural features such as this area of open space which comprises a native woodland area as part of the green network within the urban results in the proposal being unacceptable with reference to being “Distinctive” in respect of the factors contributing to successful places, failing to accord with the aims and requirements of Policy 1 of the 2019 Inverclyde Local Development Plan.
3. The loss of part of a wider native woodland area is not justified with reference to each of the criteria set out within Policy 34 of the 2019 Inverclyde Local Development Plan.
4. It cannot be determined if the proposal would affect protected species, failing to accord with the aims and requirements of Policy 33 of the 2019 Inverclyde Local Development Plan.
5. It cannot be concluded that a safe and suitable access to the development can be achieved with reference to the National Roads Development Guide, failing to accord with the aims and requirements of Policy 10 of the 2019 Inverclyde Local Development Plan.
6. The proposal fails to constitute sustainable development according to the principles set out in paragraph 29 of Scottish Planning Policy.
7. The proposal is not considered to comprise an appropriate brownfield development and there is nothing to suggest that the proposed site will deliver housing in time to address the any shortfall in accordance with Policy A of the Council’s Planning Policy Statement on Our Homes and Communities in respect of meeting any housing land shortfall.
8. The proposal does not constitute an appropriate site for housing development within existing residential areas and town and local centres with reference to Policy B of the Planning Policy Statement.

Signed:



James McColl  
Case Officer



Stuart Jamieson  
Head of Regeneration and Planning



## **8. INVERCLYDE LOCAL DEVELOPMENT PLAN 2019 POLICY EXTRACTS**

## 3.0 CREATING SUCCESSFUL PLACES

### Introduction

**3.1** Inverclyde has many fantastic and unique places. Examples include the Free French Memorial and Lyle Hill, which offer panoramic views over the Firth of Clyde; Quarriers Village, built in the 19<sup>th</sup> century as an orphans' village and filled with individually designed homes of that period; the A-listed Edwardian Wemyss Bay railway station; and the grid-pattern Greenock West End conservation area, which is contained to the north by the popular Greenock Esplanade. These, and other places, have stood the test of time and remain places where people want to live and visit.

**3.2** The Council is keen to have more successful places in Inverclyde, and all new development will be expected to contribute to creating successful places. This is particularly important in relation to the Plan's Priority Projects and Priority Places, which reflect major Council investments and the larger scale regeneration opportunities in Inverclyde.

### Creating Successful Places

**3.3** The Council is keen that all development contributes to making Inverclyde a better place to live, work, study, visit and invest. To differing degrees, all scales and types of development have the potential to make an impact on the surrounding environment and community. It is important to the Council that this impact is a positive one. To this end, the Council will have regard to the six qualities of a successful place when considering all development proposals.

**Distinctive**

**Adaptable**

**Resource Efficient**

**Easy to Move Around**

**Safe and Pleasant**

**Welcoming**

**3.4** **Figure 3** illustrates the factors that contribute to the six qualities of a successful place. Not all will be relevant to every development proposal and planning application, but where they are, the Council will expect development proposals to have taken account of them, and it will have regard to them in the assessment of planning applications.



Quarriers Village

### 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.



Wemyss Bay Railway Station

FIGURE 3: Factors Contributing to Successful Places





**4.6** Wind turbines are a means of generating electricity from a renewable resource. The Council's Supplementary Guidance on Energy will set out a spatial framework and other criteria to guide and assess proposals for wind turbines and wind farms, as well as guidance for other renewable energy technologies.

## POLICY 4 – SUPPLYING ENERGY

Proposals for infrastructure for the generation, storage or distribution of heat and electricity will be supported in principle where they contribute to a reduction in greenhouse gas production. Proposals will be assessed with regard to impact on:

- a) the green network (including landscape), and historic buildings and places;
- b) the amenity and operations of existing and adjacent uses;
- c) tourism and recreational resources;
- d) air quality;
- e) aviation and defence interests;
- f) telecommunication and broadcasting interests; and
- g) traffic and pedestrian safety

Relevant proposals are required to accord with the Council's Supplementary Guidance on Energy.



## Heat Networks

**4.7** Heat networks offer the opportunity for a more efficient and sustainable means of generating and delivering heat by removing the generation of heat from within individual properties to a communal facility. Heat networks, which are also referred to as district heating, are part of the step-change required towards a more sustainable future and less reliance on gas, and other carbon fuels, as a heat source.

## 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.

## Low and Zero Carbon Generating Technology

**4.8** The Plan is obliged by the Climate Change (Scotland) Act 2009 to include a policy requiring all new buildings to avoid greenhouse gas emissions through the installation of low and zero carbon generating technologies.

## 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.



### Surface and Waste Water Drainage

**4.16** Surface water is a significant cause of flooding in Inverclyde, and can also impact on water quality by carrying pollutants into local burns and rivers. To address these issues, many new developments now require to include Sustainable Drainage Systems (SuDS). These systems can also provide an opportunity for

enhancing local biodiversity by creating ponds and wetlands, which slow water flow and filter out pollutants. It is also important that waste water (effluent) from new development is appropriately drained and treated in order to protect public health, amenity and environmental resources. In the majority of cases new development will be required to connect to the public sewer.

**4.17** The Council's 'Flood Risk Assessment and Drainage Impact Assessment – Planning Guidance for Developers', sets out when Drainage Impact Assessments will be required and the issues they require to cover.

## 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.

## 5.0 CONNECTING PEOPLE AND PLACES

### Introduction

**5.1** Inverclyde has excellent transport connections; the A8 and A78 trunk roads run through the area and it has two train lines with fourteen stations, all of which connect Inverclyde with the rest of the Glasgow city-region and beyond. A number of bus companies also operate across Inverclyde, while four ferry services provide connections to various locations in Argyll and Bute. Inverclyde is also connected by a comprehensive core path network and National Cycle Network routes NCN75 and NCN753, which provide active travel connections to Renfrewshire, Glasgow and Ayrshire.

**5.2** Transport is critical to the prosperity and sustainability of our communities. Economic activity and growth relies on a transport network that enables people and goods to move efficiently around Inverclyde, Scotland and to international markets. At the same time, the need to tackle climate change by cutting transport emissions requires an approach which reduces the need to travel by car and prioritises sustainable travel modes.

**5.3** Planning can improve connectivity and promote sustainable travel by locating new development near active travel and public transport networks, thereby giving people the choice of walking, cycling or using public transport. It is also important to identify where additional transport infrastructure is needed to support new development and ensure that developers contribute toward its provision. Supporting new transport technologies, including the provision of charging points for electric vehicles, will also help reduce carbon emissions.

**5.4** Good digital connectivity allows businesses to reach their markets, and people to keep in touch and work flexibly, wherever they are.

### Promoting Sustainable and Active Travel

**5.5** The Council aims to ensure that new housing, business and industry, retail, and other commercial and community development is easily accessible, in line with the sustainable travel hierarchy: walking, cycling, public transport and cars. It will seek to achieve this by requiring all such development, proportionate to their scale and proposed use, to make the site accessible by walking and cycling, both internally and, where practicable, through links to the external path and footway network. For larger developments, where sufficient passenger numbers might be

generated, the road network will be required to be accessible by public transport, although it is recognised that the provision of services will be a commercial decision for operators. The installation of electric vehicle charging points will be encouraged in new build development, and required in larger developments.

**5.6** At the Main Issues Report stage, suggestions of improvements to transport infrastructure were received including the need for additional car parking in Kilmacolm village centre, the identification of gaps in the cycle/path network, and the need for an alternative route through Inverclyde for when there is reduced capacity on the A8 trunk road. Future developments of the transport network are to be investigated and included if required in the Local Transport Strategy and Active Travel Strategy. These strategies will identify improvements to the transport network in order to make it more efficient and promote sustainable travel. Included projects will be supported in principle, subject to consideration and mitigation of the impact of the schemes on the development opportunities and places protected by this Plan.

## 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.



## Managing the Impact of Development on the Transport Network

**5.7** Development proposals should not have an adverse impact on the efficient operation of the transport and active travel network. In order to identify any potential capacity issues on the strategic road network (i.e. A8 & A78), the Council consulted Transport Scotland on the development opportunities identified in the Plan. The Council subsequently completed a high level impact appraisal of several large scale development proposals along the A78 in consultation with Transport Scotland, which concluded there will not be a significant cumulative impact on the trunk road network as a result of the Plan's proposals. Mitigation measures may still be required, including for the rail network, as a result of individual developments coming forward and these can be determined through the Transport Assessment process.

**5.8** To ensure that the road network continues to operate efficiently, the Council has standards in place for road development and parking, which new development is expected to comply with. This may require additional improvements to the transport network outwith the actual development site. Where this is the case, developers will be required to meet these costs.

### 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.

#### Air Quality

**5.9** As at 2018, Inverclyde does not have any Air Quality Management Areas or an air pollution reduction strategy. It does have busy transport corridors that can occasionally be congested where air quality is monitored. Some developments can directly affect air quality or change travel patterns in such a way that air quality is affected. In these instances the Council will expect an Air Quality Assessment to be undertaken and mitigation measures to be implemented.

### 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.

#### Communications Infrastructure

**5.10** Inverclyde has good digital connectivity, with 4G mobile and superfast broadband coverage available across the majority of the area. This is of benefit to the economy and social networks and contributes towards it being an attractive place to live and invest.

### POLICY 13 – COMMUNICATIONS INFRASTRUCTURE

The Council will support new digital communication infrastructure where it is sited to avoid adverse impact on: the streetscape; the amenity and operations of existing and adjacent uses; our natural and open spaces; and historic buildings and places.



Western Ferry, Gourock

## Soils

**6.12** Inverclyde has a rich variety of soil types, ranging from prime/good quality agricultural land around Quarriers Village and Inverkip to carbon rich peatland on Duchal Moor. Soil is recognised as an important natural resource, with agricultural land important for food production and the rural economy. It also supports and influences a range of habitats, stores carbon, and helps prevent and reduce flooding by storing water.

### POLICY 15 – SOILS

Development on prime agricultural land or affecting carbon rich soils will only be supported if:

- a) it is on land allocated for development in this Local Development Plan or meets a need identified in the Strategic Development Plan;
- b) there is a specific locational need for the development;
- c) it is for small scale development directly linked to a rural business; or
- d) it is for renewable energy generation or mineral extraction, and the proposals include provision for the site to be returned to its former status.

For carbon rich soils, it will also need to be demonstrated that adverse impacts on the soil resource during the construction and operational phases of a development will be minimised and the development will not result in a net increase in CO2 emissions over its lifetime.

## Contaminated Land

**6.13** Inverclyde has a proud tradition of industrial activity, stretching from its heavy industrial past of shipbuilding to the more recent manufacturing of electronic equipment and components. Many of these industries developed at a time when environmental standards were not as stringent as they are now, and this has resulted in a number of sites across Inverclyde that are potentially contaminated. When a new use is proposed for a site it is essential that any contamination is treated to ensure that the new use can operate safely. Guidance on site investigations and remediation measures is contained in the Scottish Government's Planning Advice Note 33 'Development of Contaminated Land'.

### 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 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 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, compensatory measures will be required.

### LOCAL LANDSCAPE AREAS

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.





## Trees, Woodland and Forestry

**11.10** Trees, woodland and forestry make a significant contribution to Inverclyde's landscape and streetscape. There are approximately 2000 hectares of woodland within Inverclyde, of which approximately 500 hectares is native woodland. There are 141 hectares of ancient woodland, around 50% of which is native. There are also 33 Tree Preservation Orders in effect (January 2018), covering individual trees, groups of trees and areas of woodland within our towns and villages, and other trees which are integral to the character of areas designated for their natural and built heritage importance, for example in conservation areas.

**11.11** The Scottish Government's policy on Control of Woodland Removal sets out a strong presumption against the loss of ancient semi-natural woodland and woodland integral to the value of natural and built heritage sites of national and international importance.

**11.12** As well as contributing to the character of Inverclyde, trees and woodlands are an economic resource, providing employment and income to landowners. They also contribute to sustainable water management, climate change mitigation and adaptation, biodiversity, and make our parks and countryside more attractive places to visit.

**11.13** It is often the case that development sites contain trees which will be impacted by the development process. To minimise and mitigate these impacts, the Council will produce Supplementary Guidance for development affecting trees. This will set out how development affecting existing trees will be assessed, how trees are to be protected during the construction phase of a development, re-planting requirements, and how existing and new trees are to be managed once a development is complete.

**11.14** Inverclyde also has a number of commercial plantations. Occasionally, Inverclyde Council is consulted by Scottish Forestry on new woodland and forestry proposals and on redesign or felling of existing woodlands and afforested areas. Whilst this process sits outwith the planning system, new and amended forest and woodland proposals can have a significant effect, positive and negative, on the green network. The matters the Council will consider when consulted on proposals are set out in the UK Forestry Standard. In addition, regard will be given to any Supplementary Guidance produced in association with the Clydeplan Strategic Development Plan, while reference will also be made to other relevant policies set out in this Plan.

## 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.

Proposals for new forestry/woodland planting will be assessed with regard to the Supplementary Guidance to be prepared in association with the Clydeplan Strategic Development Plan, and the UK Forestry Standard.

## Open Spaces and Outdoor Sports Facilities

**11.15** Open spaces and playing fields contribute to the attractiveness, wellbeing and biodiversity of Inverclyde. Inverclyde has a network of large public parks including Battery Park in Greenock, Darroch Park in Gourrock, Coronation Park in Port Glasgow and Birkmyre Park in Kilmacolm. These large formal parks are complemented by a network of more local parks and open spaces, including Lyle Hill and Greenock cemetery, which make a significant contribution to the character and history of the area. Although not 'green', civic spaces like Cathcart Square and the Esplanade in Greenock are an important part of the open space network. While amenity open spaces in our business and residential areas, and play areas in the latter, are smaller in scale they serve an important purpose and make Inverclyde an attractive place to live and work. These spaces are often integral to the good design of a development and are protected by **Policy 35**.

**11.16** Existing allotments and community growing spaces are protected as part of the open space network. The Council will support proposals for new permanent and temporary allotment and community growing spaces, where these are appropriate in terms of location, design and accessibility.

**11.17** While outdoor sports pitches and facilities contribute to the open space network, they are also important in their own right as they encourage participation in sport and contribute to health and wellbeing. Sportscotland will be consulted on any development affecting outdoor sports facilities.

**11.18** While the Proposals Maps identify open spaces and playing fields which are greater than 0.2 hectares in size, Policy 35 protects all open spaces and sports pitches which are of quality and value to the green network, or have the potential to be.

## **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.**

## **Delivering Green Infrastructure Through New Development**

**11.19** The full definition of 'green infrastructure' is set out in the glossary, and includes open and natural/semi-natural spaces, the water environment including sustainable drainage systems, the path network and landscaping. These green elements, both individually and collectively, provide a range of benefits to our towns, communities and natural environment. For example, appropriate landscaping not only makes a place look good, but can also cleanse and cool the air, reduce problems caused by rain, reduce noise and promote better health and well-being. To fully integrate green infrastructure into new development, it must be considered from the outset, as part of the initial design phase, rather than as an afterthought. Green infrastructure should be designed to deliver multi-functional benefits. An example of this is water management infrastructure which can also have ecological and open space value.

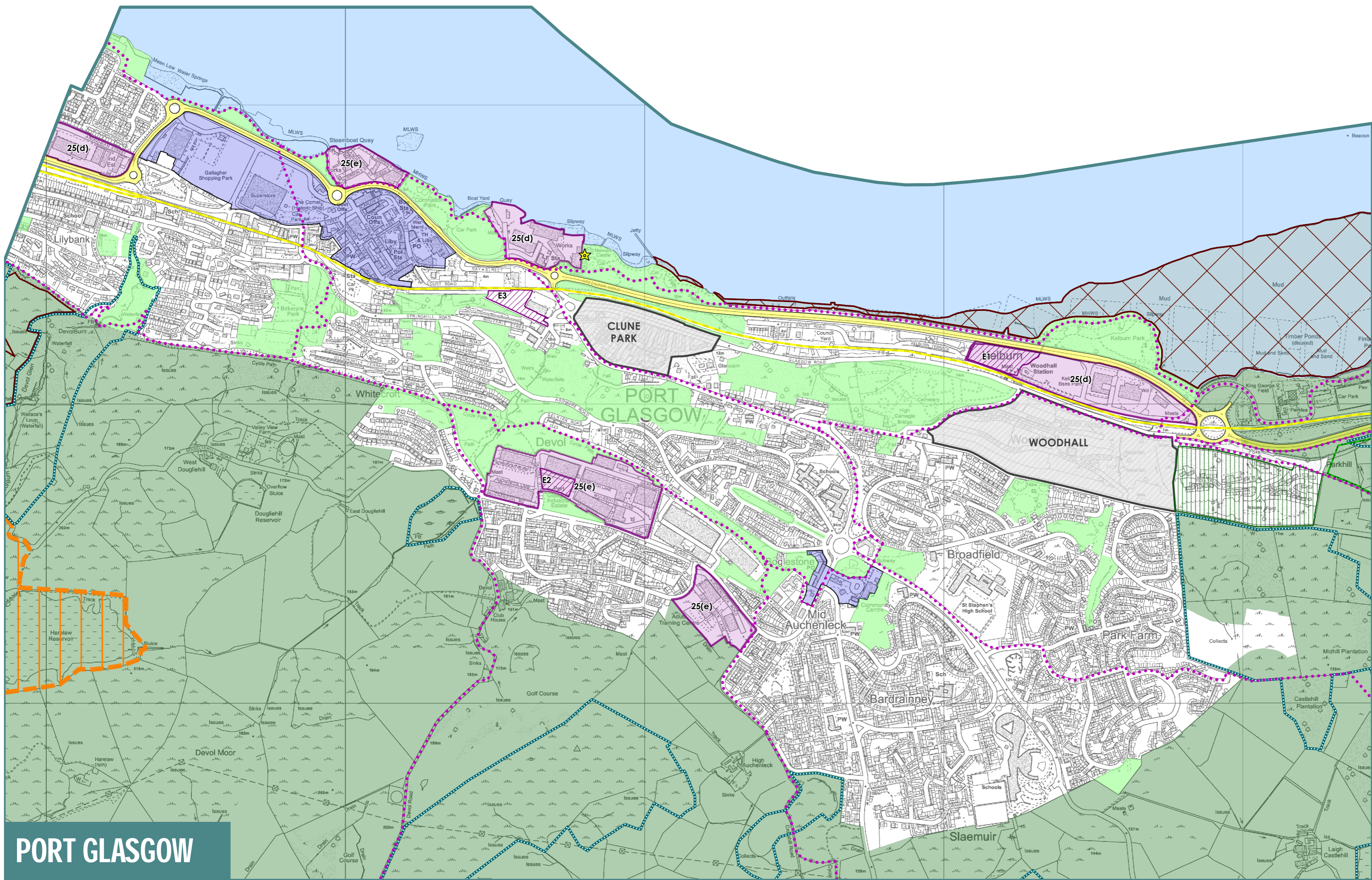
**11.20** The Council will produce Supplementary Guidance, which will set out its expectations for the integration of green infrastructure into new development in terms of design, quality and quantity.

## **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.**

## **9. INVERCLYDE LOCAL DEVELOPMENT PLAN 2019 MAPS EXTRACT**



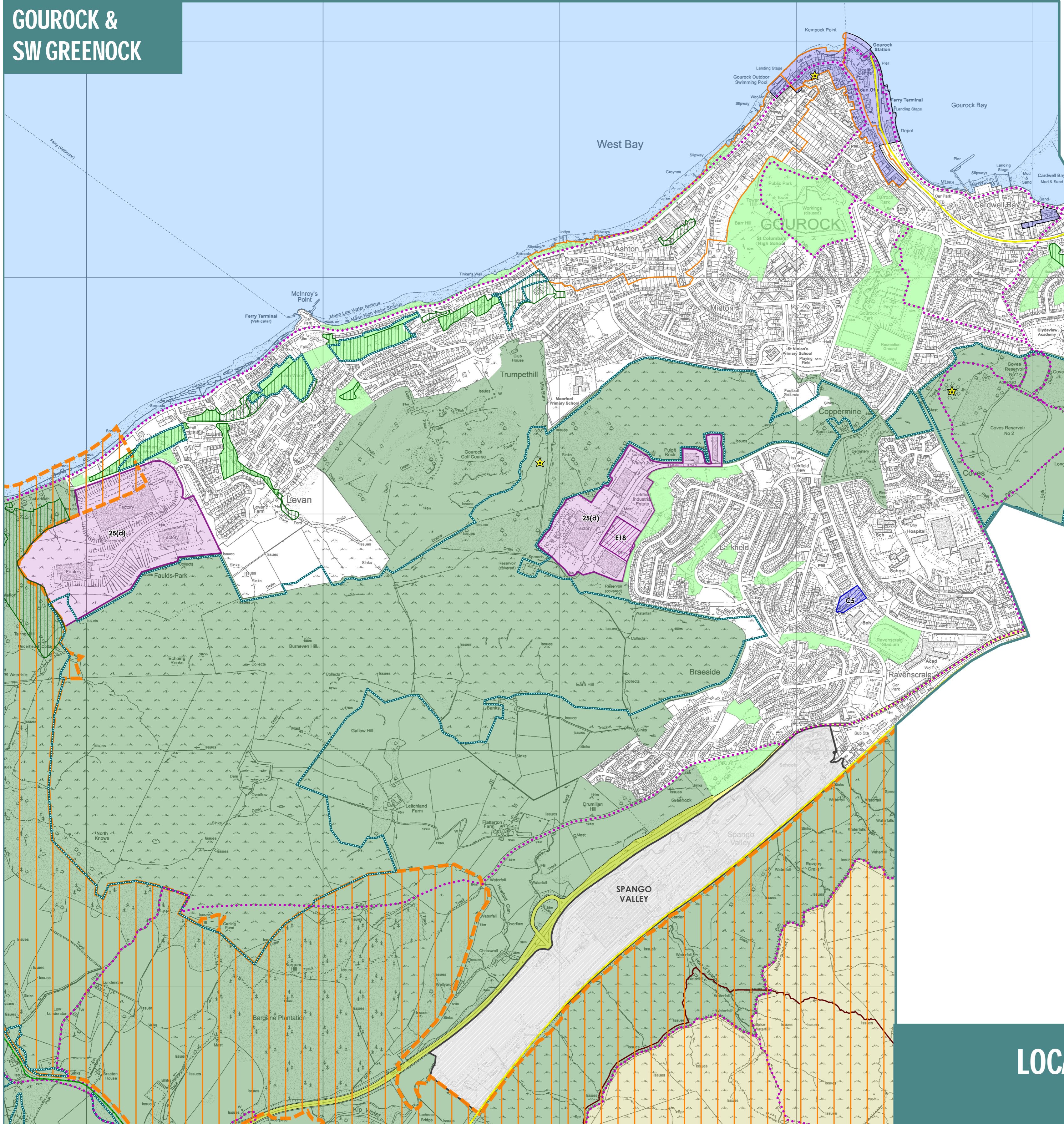


**PORT GLASGOW**

**KEY**

- SUSTAINABLE DEVELOPMENT STRATEGY**
- Priority Place POLICY 3
- CONNECTING PEOPLE AND PLACES**
- Trunk Road POLICY 11
- Railway POLICY 11
- SPATIAL DEVELOPMENT STRATEGY**
- Green Belt POLICIES 14 & 19
- Countryside POLICIES 14 & 19
- OUR TOWN AND LOCAL CENTRES**
- Town Centre / Local Centre POLICY 22
- Network of Centres Opportunity POLICY 22
- OUR JOBS AND BUSINESSES**
- Business & Industrial Area POLICY 25
- Business & Industrial Development Opportunity POLICY 26
- OUR HISTORIC BUILDINGS AND PLACES**
- Conservation Area POLICY 28
- ★ Scheduled Monument POLICY 31
- ✿ Gardens & Designed Landscapes POLICY 32
- OUR NATURAL AND OPEN SPACES**
- Special Protection Area / Ramsar Site POLICY 33
- Site of Special Scientific Interest POLICY 33
- Local Nature Conservation Site POLICY 33
- Tree Preservation Order POLICY 34
- Open Space POLICY 35
- Clyde Muirshiel Regional Park POLICY 37
- Core Path POLICY 38
- River Clyde / Firth of Clyde

**GOUROCK & SW GREENOCK**



**Inverclyde council** SCALE 1:10,000

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**10. INVERCLYDE LOCAL DEVELOPMENT PLAN 2019  
SUPPLEMENTARY GUIDANCE ON PLANNING  
APPLICATION ADVICES NOTES POLICY EXTRACT**

## Planning Application Advice Note No. 3

### PRIVATE and PUBLIC OPEN SPACE PROVISION in NEW RESIDENTIAL DEVELOPMENT

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

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

#### Types of development

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

#### SMALL SCALE INFILL, INCLUDING SINGLE PLOTS

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

#### LARGE SCALE INFILL

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

#### GREENFIELD / EDGE OF TOWN

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

#### FLATTED INFILL

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

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

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

#### Private Garden Ground

#### SMALL SCALE INFILL DEVELOPMENTS, INCLUDING SINGLE PLOTS

- new development should accord with the established density and pattern of development in the immediate vicinity with reference to front and rear garden sizes and distances to plot boundaries. In all instances the minimum window to window distances below should be achieved.

#### FLATTED INFILL DEVELOPMENTS

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

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

- the following minimum sizes shall apply:
  - Rear / private garden depth - 9 metres, although where the rear garden does not back onto residential property or where dwellings in

neighbouring properties are significantly distant, this may be reduced if an area of screened side garden of size equivalent to a rear garden with a 9 metre depth can be provided.

- Front / public garden depth - 6 metres to the main wall.
- Distance from house to side boundary - 2 metres.
- Distance from house to side boundary when the house has an attached garage - 3 metres.

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

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

#### Public Open Space

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

In such circumstances the following criteria will apply:

- Public open space should be provided at the indicative ratio of 1.64 ha per 1000 population. Population estimates are based upon occupancy rates of two persons per double bedroom and one person per single bedroom.
- It will be the responsibility of the developer to equip the play areas. Children’s play areas and kickabout areas should comprise 0.32 ha per 1000 population.



## Location of Play Areas

- Play areas should be located to ensure that they are overlooked, but at the same time must be positioned at least 10 metres distant from the boundary of the nearest residence.
- Where developments are located in close proximity to established parks or play areas, the Council may, in appropriate cases, consider as an alternative to on-site provision of play equipment the supplementing, at the expense of the developer, of existing play equipment in the nearby park or play area. This, however, will not absolve the developer of the requirement to provide amenity landscaped areas to enhance the setting of the development. Toddler play provision may not be required when the developer provides flat rear/private garden depths in excess of 9 metres.

Any new open space and play provision requirements, or changes to existing requirements, identified in a future Inverclyde Greenspace Strategy will supersede those identified above.



## **11. SCOTTISH PLANNING POLICY EXTRACT**

## **Scottish Government Scottish Planning Policy – Paragraph 29**

29. Planning policies and decisions should support sustainable development. For the purposes of this policy, to assess whether a policy or proposal supports sustainable development, the following principles should be taken into account:

- giving due weight to net economic benefit;
- responding to economic issues, challenges and opportunities, as outlined in local economic strategies;
- supporting good design and the six qualities of successful places;
- making efficient use of existing capacities of land, buildings and infrastructure including supporting town centre and regeneration priorities;
- supporting delivery of accessible housing, business, retailing and leisure development;
- supporting delivery of infrastructure, for example transport, education, energy, digital and water;
- supporting climate change mitigation and adaptation including taking account of flood risk;
- improving health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation;
- having regard to the principles for sustainable land use set out in the Land Use Strategy;
- protecting, enhancing and promoting access to cultural heritage, including the historic environment;
- protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment;
- reducing waste, facilitating its management and promoting resource recovery; and
- avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality.

**Source:** <https://www.gov.scot/publications/scottish-planning-policy/pages/4/>



**12. DECISION NOTICE DATED 8 MARCH 2021 ISSUED  
BY HEAD OF REGENERATION & PLANNING**

# DECISION NOTICE

## *Refusal of Planning Permission*

Issued under Delegated Powers

**Regeneration and Planning  
Municipal Buildings  
Clyde Square  
Greenock PA15 1LY**

**Planning Ref: 19/0140/IC**

*Online Ref:100159824-001*

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

**Mr Michael Scott  
C/o Melford House  
3 Walker Street  
EDINBURGH  
EH3 7JY**

**Rick Finc Associates Ltd  
Stuart Szylak  
Melford House  
3 Walker Street  
EDINBURGH  
EH3 7JY**

With reference to your application dated 30th May 2019 for planning permission under the above mentioned Act and Regulation for the following development:-

**Planning permission in principle for residential development, landscaping, parking, access and associated works at**

**Land at Glasgow Road, Port Glasgow**

**Category of Application - Local Application Development**

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

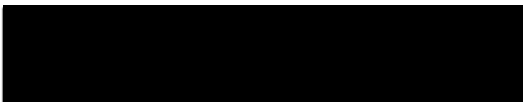
The reasons for the Council's decision are:-

1. The proposal would remove area of open space and it is not considered the loss of native woodland together with the fragmentation of a wider woodland area reducing habitat connectivity could be mitigated against, failing to accord with the aims and requirements of Policy 35 of the 2019 Inverclyde Local Development Plan.
2. The failure to retain locally distinct natural features such as this area of open space which comprises a native woodland area as part of the green network within the urban results in the proposal being unacceptable with reference to being "Distinctive" in respect of the factors contributing to successful places, failing to accord with the aims and requirements of Policy 1 of the 2019 Inverclyde Local Development Plan.
3. The loss of part of a wider native woodland area is not justified with reference to each of the criteria set out within Policy 34 of the 2019 Inverclyde Local Development Plan.
4. It cannot be determined if the proposal would affect protected species, failing to accord with the aims and requirements of Policy 33 of the 2019 Inverclyde Local Development Plan.
5. It cannot be concluded that a safe and suitable access to the development can be achieved with reference to the National Roads Development Guide, failing to accord with the aims and requirements of Policy 10 of the 2019 Inverclyde Local Development Plan.

6. The proposal fails to constitute sustainable development according to the principles set out in paragraph 29 of Scottish Planning Policy.
7. The proposal is not considered to comprise an appropriate brownfield development and there is nothing to suggest that the proposed site will deliver housing in time to address the any shortfall in accordance with Policy A of the Council's Planning Policy Statement on Our Homes and Communities in respect of meeting any housing land shortfall.
8. The proposal does not constitute an appropriate site for housing development within existing residential areas and town and local centres with reference to Policy B of the Planning Policy Statement.

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

**Dated this 8th day of March 2021**



**Head of Regeneration and Planning**

- 1 If the applicant is aggrieved by the decision of the Planning Authority to refuse permission for or approval required by condition in respect of the proposed development, or to grant permission or approval subject to conditions, he may seek a review of the decision within three months beginning with the date of this notice. The request for review shall be addressed to The Head of Legal and Administration, Inverclyde Council, Municipal Buildings, Greenock, PA15 1LY.
- 2 If permission to develop land is refused or granted subject to conditions, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the planning authority a purchase notice requiring the purchase of his interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997

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

Drawing No:	Version:	Dated:
0100031673		08.05.2019
L(10)-100	Rev P2	02.08.2019
L(10)-200	Rev P2	02.08.2019
L(20)-200	Rev P3	02.08.2019
L(20)-300	Rev P1	28.02.2019
L(20)-401	Rev P1	28.02.2019
L(20)-402	Rev P1	28.02.2019
L(20)-403	Rev P1	28.02.2019
L(20)-404	Rev P1	28.02.2019
L(20)-405	Rev P1	28.02.2019
Photos		



**13. NOTICE OF REVIEW FORM DATED 7 JUNE 2021  
WITH SUPPORTING STATEMENT FROM RICK FINC  
ASSOCIATES**

# NOTICE OF REVIEW

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

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

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

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

**Use BLOCK CAPITALS if completing in manuscript**

## Applicant(s)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail\*

## Agent (if any)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail\*

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

\* Do you agree to correspondence regarding your review being sent by e-mail?

Yes  No

Planning authority

Planning authority's application reference number

Site address

Description of proposed development

Date of application

Date of decision (if any)

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

**Nature of application**

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

**Reasons for seeking review**

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

**Review procedure**

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

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

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

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

**Site inspection**

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

- |  | Yes                                 | No                       |
|--|-------------------------------------|--------------------------|
| 1. Can the site be viewed entirely from public land?                                 | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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



**Statement**

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

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

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

PLEASE SEE STAND ALONE SUPPORTING STATEMENT OF REVIEW

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made? Yes  No

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

A NEW LDP HAS BEEN ADOPTED SINCE THE APPLICATION WAS SUBMITTED. THE COURT OF SESSION HAS ALSO QUASHED CHAPTER 7 OF THE LDP SO REFERENCE IS MADE TO THE COUNCIL'S POLICY STATEMENT ON HOMES AND COMMUNITIES.

**List of documents and evidence**

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

STATEMENT OF APPEAL  
 PLANS AND DRAWINGS  
 PLANNING STATEMENT  
 DRAINAGE, FLOODING AND SUDS STRATEGY REPORT  
 PRELIMINARY ECOLOGICAL APPRAISAL  
 PHOTOGRAPHIC SCHEDULE  
 DESIGN AND ACCESS STATEMENT

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

**Checklist**

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

- Full completion of all parts of this form
- Statement of your reasons for requiring a review
- All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

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

**Declaration**

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

Signed STUART SZYLAK  Date 07/06/21

**Data Protection:** Inverclyde Council is obliged to comply with current Data Protection Laws and will use this information for the purpose of The Town and Country Planning (Scotland) Act 1997 and related purposes, legislation and regulation.

Further information can be found at [www.inverclyde.gov.uk/privacy](http://www.inverclyde.gov.uk/privacy)

2021

**NOTICE OF REVIEW**  
**19/0140/IC**

**LAND AT GLASGOW ROAD,  
PORT GLASGOW**

**S T A T E M E N T   O F   R E V I E W**



**PLANNING PERMISSION IN PRINCIPLE FOR RESIDENTIAL DEVELOPMENT,  
LANDSCAPING, PARKING, ACCESS AND ASOCIATED WORKS**



**RFA DEVELOPMENT CONSULTANTS  
ON BEHALF OF MICHAEL SCOTT**

**MAY 2021**

**RFA Development Planning Ltd  
3 Walker Street  
Edinburgh  
EH3 7JY  
Tel 0131 226 6166  
Email: [rick.finc@rickfincassociates.com](mailto:rick.finc@rickfincassociates.com).**

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## Executive Summary

This review relates to a Planning Permission in Principle (PPP) application to develop 5 residential plots on brownfield land in Port Glasgow.

It must be remembered that this is an application for PPP. The detailed siting, design, access, tree loss, woodland enhancement, footpath links etc will all be agreed at the AMSC stage. The applicant and design team genuinely consider that this is a proposal that should be acceptable in principle and that all elements of technical detail can be developed to the agreement of the Council. Refusing the PPP in this case suggests it would be impossible to ever make this proposal work, and this is simply not the case.

Housing land supply and housing policy is particularly confusing and unclear in Inverclyde at present and remains in a state of flux. It is trusted that the LRB is completely up to speed and confident with the current housing policy situation to ensure an informed and competent review and decision can be made in this case. At present the Council does not possess any policies relating to housing within its LDP and there is likely a housing land deficiency. The presumption in favour of sustainable development therefore applies, particularly given proposals relate to brownfield land.

The application site is currently designated as Open Space in the LDP. This does not automatically mean development cannot take place. Policy allows for development of such spaces if loss can be replaced with open space of equal or enhanced quality, which in this case it certainly can.

A small area of the site forms part of the core Native Woodland inventory. LDP Policy supports the retention of trees that have significant amenity, historical, ecological, landscape or shelter value. Policy does not go as far as automatically protecting such features though. Criteria apply whereby proposals that impact areas of trees can be supported by the Council. Only 0.09% of Inverclyde's Native Woodland could be removed as a result of this development, but significant improvement and enhancement can be brought to the remaining woodland as a result of the proposals.

Although each application should be considered on a case-by-case basis the LRB should be reminded of other recent planning approvals in the area that consented development of protected open space and permitted the removal of significant mature trees (21/0019/IC and 20/0306/IC).

This PPP application should be considered compliant with the Development Plan. Through the detailed design and AMSC stage the applicant will work with the Council to bring forward an exemplar development. Its benefits will be wide ranging, including:

- Provide private housing to support the challenging housing land targets.
- Focus development on previously developed (ie brownfield) land.
- Introduce a planting and management plan to ensure significant biodiversity benefits.
- Allow new residents and the general public to enjoy and use the managed woodland.



# 1 Introduction

## Purpose of this Statement

- 1.1 The applicant is aggrieved by the decision to refuse permission for the proposed development at Glasgow Road, Port Glasgow (19/0140/IC) and requests the Planning Authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997. This request has been made within three months beginning with the date of the Decision Notice.
- 1.2 The purpose of this Supporting Statement is to assist the Local Review Body (LRB) in the understanding, assessment and determination of the application. The application was made by Mr Michael Scott (hereafter referred to as the applicant). The applicant is proposing to develop 5 residential plots on brownfield land in Port Glasgow.
- 1.3 This Statement provides a summary of the application submission. It is not, however, a substitute for the important supporting documents and all supporting documents should be read in their entirety. It addresses comments made within the Case Officer's Report of Handling, addresses the key policy issues and highlights material considerations in respect of the Reasons for Refusal. It presents a convincing and compelling case for permitting the proposed development.

## Background

- 1.4 A Planning Permission in Principle (PPP) application was submitted on 30 May 2019 and validated on 6 August 2019. The application was supported by:
- Location, Site, Sections, Elevation and Floors Plans;
  - Planning Statement;
  - Drainage, Flooding and SUDS Strategy Report;
  - Preliminary Ecological Appraisal;
  - Photographic Schedule; and
  - Design and Access Statement.
- 1.5 A series of discussions were undertaken between the case officer and the applicant's agent during the determination phase. These provided further clarifications and information to support the application.
- 1.6 The application was refused by delegated decision on 8 March 2021.

## Reasons for Refusal

1.7 The decision notice issued for the application noted that it was refused for the following reason:

*1. The proposal would remove area of open space and it is not considered the loss of native woodland together with the fragmentation of a wider woodland area reducing habitat connectivity could be mitigated against, failing to accord with the aims and requirements of Policy 35 of the 2019 Inverclyde Local Development Plan.*

*2. The failure to retain locally distinct natural features such as this area of open space which comprises a native woodland area as part of the green network within the urban results in the proposal being unacceptable with reference to being "Distinctive" in respect of the factors contributing to successful places, failing to accord with the aims and requirements of Policy 1 of the 2019 Inverclyde Local Development Plan.*

*3. The loss of part of a wider native woodland area is not justified with reference to each of the criteria set out within Policy 34 of the 2019 Inverclyde Local Development Plan.*

*4. It cannot be determined if the proposal would affect protected species, failing to accord with the aims and requirements of Policy 33 of the 2019 Inverclyde Local Development Plan.*

*5. It cannot be concluded that a safe and suitable access to the development can be achieved with reference to the National Roads Development Guide, failing to accord with the aims and requirements of Policy 10 of the 2019 Inverclyde Local Development Plan.*

*6. The proposal fails to constitute sustainable development according to the principles set out in paragraph 29 of Scottish Planning Policy.*

*7. The proposal is not considered to comprise an appropriate brownfield development and there is nothing to suggest that the proposed site will deliver housing in time to address the any shortfall in accordance with Policy A of the Council's Planning Policy Statement on Our Homes and Communities in respect of meeting any housing land shortfall.*

*8. The proposal does not constitute an appropriate site for housing development within existing residential areas and town and local centres with reference to Policy B of the Planning Policy Statement.*

1.8 The reasons for refusal are considered and rebutted in section 3 of this Statement. It should be noted that 3 of these reasons are not valid, given they do not specifically relate or tie back to the Development Plan.

## 2 The Site and Proposals

### Site Description

2.1 The site is approximately 1.2 hectares in area and is located on Glasgow Road, Port Glasgow, PA14 6SB. This is the site of the former Carnegie Park Orphanage / Langlands School (see Figure 2.1). The site is situated to the east of Port Glasgow's Town Centre and sits on a segment of land which is bound by:

- Glasgow Road to the north;
- Port Glasgow Cemetery to the east and south; and
- scrubland / open space to the west.

**Figure 2.1- Site Location**



2.2 Although the site is situated on a slope, there is an existing plateau in the centre which once accommodated the development of Carnegie Park Orphanage / Langlands School (see Figure 2.2 & Figure 2.3). There is visible evidence of these structures today and remnants primarily consist of areas of hardstanding, foundation layers, retaining walls, stone garden terrace steps, a long driveway and stone gateposts by the entrance.

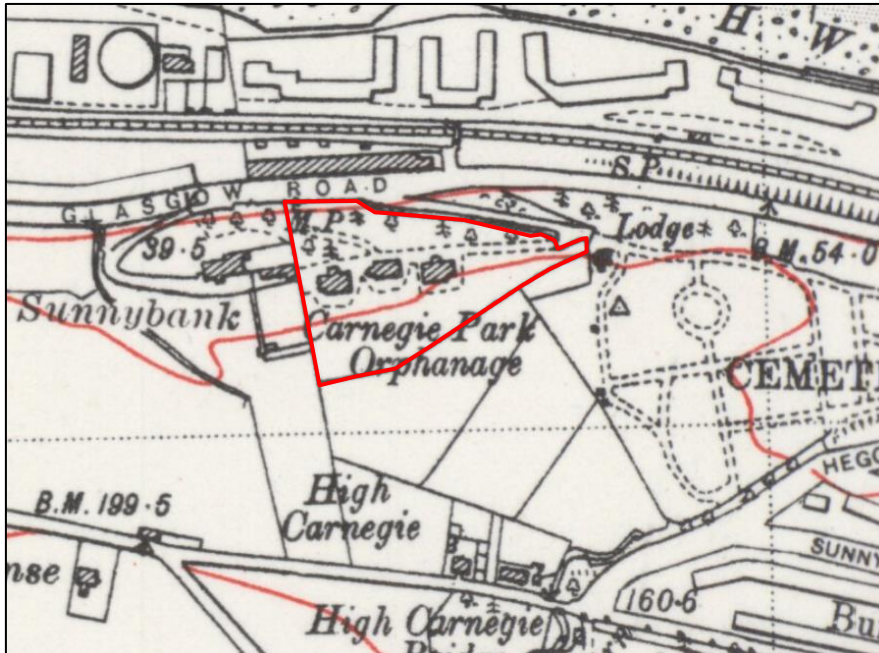


2.3 The site has been vacant for many years and has become overgrown with ivy, weeds, self-seeded trees and non-native invasive species such as Japanese Knotweed. A number of relatively young trees have begun to grow around the hardstanding element in recent years, primarily through seed dispersal. As a result of a lack of management the site has become overgrown, attracts anti-social behaviour and there is also evidence of fly-tipping on-site.

**Figure 2.2 - Carnegie Park Orphanage<sup>1</sup> (early 1900s)**



**Figure 2.3. Carnegie Park Orphanage Map<sup>2</sup> (circa 1914)**



<sup>1</sup> Source: Children's Homes. (Unknown) Available Online at: <http://www.childrenshomes.org.uk/GlasgowMoffat/>. [Last Accessed: 1<sup>st</sup> April 2019].

<sup>2</sup> National Library of Scotland. 2018. Renfrewshire Sheet II.SE (includes: Greenock; Kilmacolm; Port Glasgow. Available Online at: <https://maps.nls.uk/view/75661611>. [Last Accessed: 1<sup>st</sup> June 2021].

- 2.4 The site where proposed development is located is 'brownfield', given the previous use. This definition is identified in both SPP and Inverclyde LDP.
- 2.5 It is designated within the LDP as an area of 'Open Space'. However, there is no formal public access to the site and it does not provide any recreational value at present. There are no heritage designations or environmental designations covering the site.
- 2.6 Access to the site can be gained from an existing unadopted road leading from the south side of Glasgow Road. Access is gained to the cemetery from this point and a right of access exists to allow access to the application site.

## **The Proposals**

- 2.7 Planning Permission in Principle is sought for plots to accommodate 5 detached dwellings. Each dwellinghouse is proposed to be 2 storeys in height and will be accompanied with large domestic garden space, integral garages and driveways. The accompanying Design and Access Statement provides further details on the design philosophy and concept.
- 2.8 Vehicular access will utilise the existing unadopted road which is currently used to serve the cemetery from the north. Pedestrian access would link directly from the footways on Glasgow Road into the site.
- 2.9 The wider area of open space remaining within the application boundary, outwith proposed built footprint and garden areas, will be retained as accessible open space. A woodland management plan could be agreed to ensure the wood is enhanced to the benefit of wildlife and people. A footpath could be created to link the site with the wider green network.

## 3 Grounds for Review

### Introduction

- 3.1 This section of the Statement identifies the key issues which must be considered when reviewing the decision to refuse application 19/0140/IC. It then takes each reason for refusal in turn and provides a commentary and rebuttal on each.
- 3.2 It must be remembered that this is an application for PPP. The detailed siting, design, access, tree loss, woodland enhancement, footpath links etc will all be agreed at the AMSC stage. The applicant and design team genuinely consider that this is a proposal that should be acceptable in principle and that all elements of detail can be developed to the agreement of the Council at a later date.
- 3.3 The LRB should be aware that a number of recent planning decisions by the Council demonstrate that the removal of significant trees and the development of open space can be acceptable once detailed designs are considered, eg:
- Removal of mature trees - 20/0306/IC | Erection of 9 dwellinghouses with associated access, open space, and landscaping | Former Carsemeadow School Craighet Road Quarriers Village PA11 3SX.
  - Loss of open space - 21/0019/IC | 4 new-build residential units at Dougliehill Terrace (amendment to planning permission 17/0406/IC in respect of design and levels) | Land At Dougliehill Terrace Port Glasgow

### National Legislation

- 3.4 Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) specifies that determination of planning applications '*shall be made in accordance with the Development Plan unless material considerations indicate otherwise*'. It is supplemented by Section 37(2) which states that '*in dealing with an application the planning authority shall have regard to the provisions of the Development Plan as far as material to the application and any other material considerations*'.
- 3.5 Continuing on to Section 37(2A) the Act states that "*the notice of the planning authority's decision on an application must include a statement as to whether the authority consider that the application is for a development that is in accordance with the development plan ...*"
- 3.6 Section 25 therefore indicates that strict adherence to the detail of local development plan policy is not a requirement and that, should a justification be made for a proposal which does not comply, the planning authority can approve it as a departure from the local development plan.



3.7 Section 37 indicates that reasons for refusing an application must relate to the development plan.

### **Scottish Planning Policy (2020)**

3.8 Paragraphs 28 and 29 of SPP emphasise the need to achieve the right developments in the right places to support economically, environmentally and socially sustainable places. SPP states that policies and decisions should be guided by the following principles (*inter alia*...):

- Giving due weight to net economic benefit;
- Responding to economic issues, challenges and opportunities;
- Supporting good design and the six qualities of successful places;
- Making efficient use of existing capacities of land, buildings and infrastructure;
- Support the delivery of infrastructure, for example transport, education, energy, digital and water;
- Improving health and wellbeing; and
- Avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality.

3.9 SPP is particularly relevant on this case as Inverclyde Council:

- does not currently possess any housing policy within its Local Development Plan; and
- is unlikely to possess a 5 year effective housing land supply.

### **Inverclyde Local Development Plan 2019 (LDP)**

3.10 This is a PPP application for new housing. However, the LDP possesses no approved or adopted policy for assessing housing proposals. That particular chapter was quashed by the Court of Session and removed in 2020.

3.11 In October 2020 the Council approved a Planning Policy Statement on 'Our Homes and Communities'. This sets out the Council's assessment of the housing land position and criteria that the council will consider if additional housing land is required. However, this is not an adopted position and does not form part of the development plan. It is therefore non-statutory and can only be considered as a material consideration, the weight attributed to it must be limited.

3.12 In the absence of any housing policy the Report of Handling identifies the key policies of relevance in this case as being:

- Policy 1 – Creating Successful Places;
- Policy 10 – Promoting Sustainable and Active Travel;

- Policy 33 – Biodiversity and Geodiversity;
- Policy 34 – Trees, Woodland and Forestry; and
- Policy 35 – Open Space and Outdoor Sports Facilities.

3.13 These policies are considered by the case officer in the Report of Handling and feature in the Reasons for Refusal. A rebuttal to each of these considerations and opinions is provided further below.

### Supplementary Guidance

3.14 There is no adopted supplementary guidance relevant to this case.

### Material Considerations

3.15 The Council's **Planning Policy Statement on Our Homes and Communities** does not form part of the Development Plan so is only a material consideration, not a policy position. It does indicate that there could be a shortfall in housing land in this Housing Market Area.

3.16 The published **Main Issues Report** (December 2020) is a material consideration and also points towards a deficiency in housing land. However, the MIR is not yet a settled, agreed or approved position and the weight attributed to it will be minimal.

3.17 This recognition of the probable housing land deficiency then has the consequence of reverting policy considerations on housing development back to Scottish Planning Policy, and more particularly the presumption in favour of sustainable development.

3.18 The **National Roads Development Guide** was produced by SCOTS, supported by Transport Scotland and Scottish Government Planning and Architecture Division. It states that “5 or fewer dwellings (more if a ‘brownfield site’, eg redeveloped farm steadings) will be served by a ‘private access’ which, as there is no right of public access, will not require Construction Consent and will not be available for adoption. Such layouts should provide adequate turning facilities and a satisfactory junction with a public road. The provision of a ‘private access’ must be indicated clearly at the planning application stage, otherwise it will be considered that a ‘road’ is being provided.”

### Rebuttal of Reasons for Refusal

3.19 The decision notice issued for the application noted that it was refused for the following 8 reasons. Each of these are discussed in turn and a clear case made as to why these decisions and opinions are considered unsound or inconsistent.

## Reason 1

*The proposal would remove area of open space and it is not considered the loss of native woodland together with the fragmentation of a wider woodland area reducing habitat connectivity could be mitigated against, failing to accord with the aims and requirements of Policy 35 of the 2019 Inverclyde Local Development Plan.*

- 3.20 Policy 35 states that ‘*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*’.
- 3.21 Firstly, all open space has the ‘potential’ to be of quality and value, so this is not a particularly helpful criterion or consideration in this instance. Secondly, the case officer has incorrectly blurred consideration of Policy 35 together with Policy 34, resulting in a confusing assessment of policy compliance and a false impression of impacts.
- 3.22 When considering Policy 35 it is first important to define what type of open space the application site constitutes. This is because the policy requires an equivalent resource to be provided as replacement. It is not a formal park, play park, civic space, allotment, playing field, sports pitch, cemetery or residential amenity space. Neither Policy 34 or its supporting text makes any mention of trees, woodland or forestry being considered as ‘open space’. Similarly, neither Policy 35 or its supporting text regarding open spaces makes any mention of trees, woodland or forestry comprising a category of protected open space.
- 3.23 The LDP states that Inverclyde’s towns and villages contain a network of parks, playing fields and other open spaces, which contribute to the character and wellbeing of the area. Perhaps it can be concluded then that the application falls into this undefined ‘other’ category of open space. However, the LDP continues to explain that all open spaces are “*linked by a network of paths, which encourage active travel and leisurely walks and cycles*”. This is definitely not the case for the application site at present.
- 3.24 The LDP continues to explain that the environmental, recreational and amenity resources identified by the open space section of the LDP form Inverclyde’s ‘green network’. We do agree that the application site could form part of the green network. However, the Council’s stated definition of a green network is such:
- “Green Network: A term used to describe an interconnected system or linked network of open spaces, often alongside river, sea and water courses, with walking and cycling routes, which bring the ‘green’ of the countryside into the urban areas, to create a continuous ‘network’.”*
- 3.25 The application site does not conform to this definition. It is private land and has no walking or cycling routes to attract and allow people to enjoy it. It could do in the future though, if these development proposals were permitted. Furthermore, regardless of the site’s open space



definition or category, the green network qualities of the site would largely still remain once 5 housing plots are developed.

- 3.26 In summary, it is not clear what category of open space the site falls into. Yes, the proposals would remove a small area of designated open space from the proposals map, but this open space has no current value for recreational or active travel purposes. It is agreed that all open spaces, whatever their category, form part of the green network. But, the Council's definition of green network assumes these spaces will be accessible and useable for wellbeing, eg walking and cycling. The site is not.
- 3.27 We request that the LRB first defines what category of open space the application site constitutes and considers the quality and value this piece of land contributes to Inverclyde. It is considered that by approving the application the required compensatory open space benefits could easily be provided within the development site and that this will to comply with Policy 35.

### *Reason 2*

*The failure to retain locally distinct natural features such as this area of open space which comprises a native woodland area as part of the green network within the urban results in the proposal being unacceptable with reference to being "Distinctive" in respect of the factors contributing to successful places, failing to accord with the aims and requirements of Policy 1 of the 2019 Inverclyde Local Development Plan.*

- 3.28 This is a completely erroneous reason for refusal and the LRB should recognise this. Policy 1 of the LDP refers and relates to the six qualities of successful places, as set out in Scottish Government's Creating Places policy statement. The aim of LDP Policy 1 is to ensure delivery of good places and that all new development will contribute to creating successful places. The case officer in this case seems to be suggesting that the site accommodates an obviously distinct element of native woodland (forming part of the green network) and that losing some of this is a sole reason for proposal to be contrary to Policy 1. This is a very weak argument and is not a competent reason for refusal.
- 3.29 The application before the LRB is for PPP and the LRB should acknowledge that through the detailed design and AMSC process the applicant and its design team will have every chance to consider Policy 1 and all factors that contribute to successful places.
- 3.30 The loss of woodland and open space has already been cited in Reason for Refusal 1 and 3.

### *Reason 3*

*The loss of part of a wider native woodland area is not justified with reference to each of the criteria set out within Policy 34 of the 2019 Inverclyde Local Development Plan.*

- 3.31 Policy 34 Trees, Woodland and Forestry aims to retain trees and hedgerows which have significant amenity, historical, ecological, landscape or shelter value. The policy states that there are however circumstances whereby trees of significant value can be removed. No specific Supplementary Guidance supports this policy.
- 3.32 The applicant is not clear what category of 'significant value' the case officer relates the trees to, or why they are indeed considered 'significant'. The wording of the Report of Handling perhaps suggests the case officer considers the woodland to be of significant ecological value? The applicant rejects the opinion that the area of woodland likely to be removed is of 'significant amenity, historical, ecological. Landscape or shelter value', it is not.
- 3.33 What is not in doubt is the presence of a small area of Native Woodland within the application site (not the whole site).
- 3.34 A native woodland is defined as a being where over half of the wood possesses naturally occurring native tree species that have not been introduced by man. There is no such thing as a 'nautral' woodland.
- 3.35 Scottish forestry indicates that all Scotland's woodlands provide some biodiversity value. However, suitably managed native, and in particular ancient and semi-natural woodlands, including appropriately restored Plantations on Ancient Woodland Sites (PAWS), will contribute the most. The application site is not managed at all.
- 3.36 Through consenting this PPP application there is great potential for the woodland to be managed to ensure biodiversity value is increased and public benefit is afforded.
- 3.37 The LDP states that there are approximately 2000 hectares of woodland within Inverclyde, of which 500 hectares is native woodland. The proposal may require removal of 0.47ha of this identified native woodland, which equates to 0.09% of current stock within Inverclyde (See Figure 3.1).

**Figure 3.1 – Area of Native Woodland to be Affected**



- 3.38 The application documents states that a Tree Report will be provided as part of the AMSC stage and will contribute to deciphering which trees are worthy of retention, which will be lost, and what compensatory measures will be employed. The site layout will be laid out accordingly.
- 3.39 There is no reason to doubt that an acceptable tree removal and compensatory planting plan could be achieved on this site to facilitate housing development.
- 3.40 In summary, Policy 34 protects trees that have significant amenity, historical, ecological, landscape or shelter value. The case officer provides no evidence that the trees in question are of significant value. Regardless, in this case it can be clearly demonstrated that the development cannot be achieved without removal of some trees (criteria a). There is clear potential to enhance the remaining woodland within the application site and to then allow the public to utilise this woodland by creating footpath links through (criteria b). Finally, compensatory planting will of course be provided to a standard agreed by the Council (criteria c).
- 3.41 There is no point in a PPP application process if an applicant is made to demonstrate compliance with policy in specific detail. Common sense would suggest that acceptable solutions can be achieved to deal with tree loss at this specific location.
- 3.42 The proposals clearly comply with Policy 34.



## Reason 4

*It cannot be determined if the proposal would affect protected species, failing to accord with the aims and requirements of Policy 33 of the 2019 Inverclyde Local Development Plan.*

- 3.43 Policy 33 states: *“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.”*

### Protected Species

- 3.44 Legally protected species in this case would relate to badger and bat.
- 3.45 The Council indicates that the applicant’s PEA suggests there is potential for badger. The ecological survey found no evidence of badger on the site and the PEA does not mention that the site has potential for such. This can be confirmed at the next stage of the planning process.
- 3.46 The PEA indicates that the site may accommodate trees that have potential to accommodate roosting bats. Bats are protected by European legislation. However, legislation, policy nor NatureScot demand bat surveys at PPP stage. Best practice suggests that a planning decision should be informed by as much information as possible to indicate a protected species licence would likely be approved by NatureScot, if required.
- 3.47 Given the application is progressing in a multi-staged approach this adds in a further level of comfort and opportunity before any final planning decisions are made (unlike if an application skipped the PPP stage and progressed straight to a Full application). Any required bat surveys can legitimately be conditioned to the AMSC stage and pre-decision reporting can be provided.
- 3.48 The Council should be content and confident that, given existing site conditions, the likelihood of a significant bat constraint preventing a licence being approved, if required, is negligible. Again, this can be confirmed prior to a final planning decision being made, this should not be used as a specific reason for refusal at PPP stage.

### Botanical Survey

- 3.49 Firstly, the Preliminary Ecological Appraisal (PEA) that supported the application was professional in its methodology and output. The applicant accepts a small typo in the PEA and confirms here that the botanical survey was not undertaken in the ‘optimal’ survey period. This does not mean the survey is unacceptable though.

- 3.50 Best practice indicates that a botanical survey can be undertaken at any time of year, but classification of habitats can be more detailed between late March and mid-October when rarer flowering plants can be more easily identified.

### Birds

- 3.51 The PEA does indeed provide information on bird species observed during the site survey. With regard to the heronry mentioned by the Council's ecologist, there was no evidence of this during the ecological surveys. Heron nests are protected in the same way as any other bird nest and appropriate mitigation can be employed to mitigate impact at the AMSC stage of the project. The applicant found no evidence of a heronry.
- 3.52 The applicant does not agree with the Council's ecologist that standard practice and mitigation would not be appropriate or acceptable in this case. Tree and shrub clearance outside of the bird breeding season is the most effective solution and can be applied here. Mitigation measures to enhance the habitat for the bird population can be agreed with the Council at AMSC stage.
- 3.53 In summary, the applicant does not agree that the information provided to support the PPP application is devoid or misleading. Nor does the applicant agree that the ecology of the site presents unsurmountable or objectionable issues. There is no legal requirement to provide bat survey information at the PPP stage and sufficient comfort and opportunity will exist at the AMSC stage to allow this information to come forward prior to an ultimate planning decision.

### *Reason 5*

*It cannot be concluded that a safe and suitable access to the development can be achieved with reference to the National Roads Development Guide, failing to accord with the aims and requirements of Policy 10 of the 2019 Inverclyde Local Development Plan.*

- 3.54 The existing access is in private ownership and will remain private after the development of 5 units. This means that the access road would not be adopted, and would not require upgrade to adoptable standards. However, the Council suggests the existing access is sub-standard and is not safe for use for residential development as proposed.
- 3.55 It should be noted that the existing access is occasionally utilised by the public to access the north of the Local Authority cemetery. It has also been observed to be used by the Local Authority cemetery maintenance vehicles to access the cemetery.
- 3.56 National Roads Development Guide states that "*private vehicular access to developments will require to accommodate the numbers and types of vehicles using the access in a safe manner*".
- 3.57 The applicant is of the opinion that concerns raised by Roads and Transportation have been adequately discussed and addressed. The Roads officer agrees that, in principle, any required works to satisfy its concerns can be addressed by planning condition. However, the Planning

Authority considers this to be unworkable, as any required remedial works would be outside of the application boundary.

- 3.58 The applicant still maintains that no remedial works are required to allow vehicles accessing the housing units to do this in a safe manner. Edge protection to the existing track, as suggested by the Council (we assume kerbstones?) are not a safety feature and do not require to be implemented on this private access road. Neither is there a 'blind corner' existing or proposed. A workable solution can be designed to accommodate larger service vehicles such as fire engines and refuse vehicles.
- 3.59 In principle, a safe and efficient private access road already exists and will serve the development. Any further detail of access geometry and design will be developed and agreed with the Council during the AMSC stage. This can all be achieved within the red-line application boundary and land ownership of the applicant. It is considered that no offsite works will be required, however, if through the detailed application stage these become essential then appropriate agreements will be developed to ensure these can be facilitated.

### *Reason 6*

*The proposal fails to constitute sustainable development according to the principles set out in paragraph 29 of Scottish Planning Policy.*

- 3.60 SPP (2020) does not form part of the Development Plan and cannot therefore be used as a specific reason for planning refusal. It can though be a significant material consideration and the applicant discusses this further below.
- 3.61 SPP was published in 2014 and updated in 2020. As a statement of Scottish Ministers' priorities, *'the content of SPP is a material consideration that carries significant weight'* and *'planning should take a positive approach to enabling high quality development and making efficient use of land to deliver long term benefits for the public while protecting and enhancing natural and cultural resources.'*
- 3.62 The first principal policy of the SPP *'introduces a presumption in favour of sustainable development.'* SPP notes that *'the Scottish Government's central purpose is to focus governmental and public services on creating a more successful country, with opportunities for all of Scotland to flourish, through creating sustainable economic growth.'*
- 3.63 Paragraphs 28 and 29 of SPP emphasise the need to achieve the right developments in the right places to support economically, environmentally and socially sustainable places. SPP states that policies and decisions should be guided by the principles as identified in Table 3.1 below. How the proposals relate to these principles is presented therein.



**Table 3.1 – Sustainable Development Appraisal**

Sustainability Principle	Development Proposal Compliance
giving due weight to net economic benefit;	There will be tangible net economic benefit through a number of mechanisms such as any developer contributions; Council revenue from new Council Tax receipts; increased local population to support the local facilities within proximity; construction contracts.
responding to economic issues, challenges and opportunities, as outlined in local economic strategies;	The proposals respond to both national and local strategies relating to the provision of housing, and in particular the provision of a mix and choice of housing in sustainable locations. This is particularly relevant given Inverclyde seems to be failing in delivering its required housing land supply.
supporting good design and the six qualities of successful places;	This proposal is currently at PPP stage. There is nothing to suggest that a design and layout that is in compliance with national and local design guidance and policy cannot be achieved here. There is perfect opportunity to deliver an exemplar project in this case.
making efficient use of existing capacities of land, buildings and infrastructure including supporting town centre and regeneration priorities;	The scheme is proposed on previously used brownfield land. It is low quality open space which is of no economic benefit and no recreational benefit. The proposals will be supported by existing infrastructure and will not require significant investment to allow the provision of much needed homes.
supporting delivery of accessible housing, business, retailing and leisure development;	Supports the housing strategy. The site is located near the existing highway network, footpath network and a in close proximity to bus routes.
supporting delivery of infrastructure, for example transport, education, energy, digital and water;	It provides much needed housing and will provide all necessary site infrastructure to support its operation. Developer contributions may apply.
supporting climate change mitigation and adaptation including taking account of flood risk;	Flood risk has been assessed (no risk).
improving health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation;	The site at present offers none of these benefits. The proposals will allow for a managed and improved open space resource to remain, bringing added benefits by allowing the public to use the woodland for recreational purposes.
having regard to the principles for sustainable land use set out in the Land Use Strategy;	The housing plots are proposed on previously used brownfield land.
protecting, enhancing and promoting access to cultural heritage, including the historic environment;	The proposals do not impact on any existing access privileges or routes to cultural heritage resources and will have no impact on existing cultural heritage features.
protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment;	There is currently no access to natural heritage afforded by the site. Access to this natural heritage will be facilitated by the development proposals.

	The site is currently designated as part of a wider open space, forming part of the green network. The development proposals will not fragment these features, rather allow them to be improved and managed to benefit of people and nature.
reducing waste, facilitating its management and promoting resource recovery;	Recycling and refuse facilities will be incorporated into the design and collection of waste will be undertaken in line with local authority procedures.
avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality.	The impact of the development will be controlled through the careful design, siting and use of finishes. There is nothing to suggest that an appropriate level of development and amenity cannot be achieved as the detail of the scheme emerges.

- 3.64 SPP aims to **guide new development to existing settlements and to brownfield sites** in preference to greenfield sites and, to locations where existing services and capacity are readily available. The proposal follows SPP's spatial strategy.
- 3.65 In terms of the proposed use, the proposal is considered to be compliant with SPP as residential development would allow for the regeneration of a brownfield site, allowing for opportunities to improve the physical character of the area. Inverclyde Council has noted previously that this specific area of Port Glasgow was poorly maintained, vacant, underused and low in value in terms of the contribution in which it has on the character of the surrounding area.
- 3.66 The proposal would contribute to the redevelopment and regeneration of a site which is easily accessible and within close proximity to the centre of Port Glasgow. Development of this brownfield site would contribute to effective placemaking of the wider 'Clune Park' area through the incorporation of a high-quality residential development, associated landscaping, management and maintenance of the surrounding wooded area.

### *Reason 7*

*The proposal is not considered to comprise an appropriate brownfield development and there is nothing to suggest that the proposed site will deliver housing in time to address the any shortfall in accordance with Policy A of the Council's Planning Policy Statement on Our Homes and Communities in respect of meeting any housing land shortfall.*

- 3.67 This is not a valid reason for refusal. The Council's Planning Policy Statement on Our Homes and Communities does not form part of the Development Plan. It is a material consideration, and could be used to support a decision if that was contrary to Development Plan policy, but it cannot be used as a reason to refuse an application.
- 3.68 However, the applicant refutes the assertion that there is nothing to suggest the proposals could be delivered in time to assist in addressing the housing land shortfall. Of course the housing could be delivered in time, subject to a timeous consenting and approval process.

## *Reason 8*

*The proposal does not constitute an appropriate site for housing development within existing residential areas and town and local centres with reference to Policy B of the Planning Policy Statement.*

- 3.69 This is not a valid reason for refusal. The Council's Planning Policy Statement on Our Homes and Communities does not form part of the Development Plan. It is a material consideration, and could indeed be used to support a decision if that was contrary to Development Plan policy, but it cannot be used as a reason to refuse an application.
- 3.70 However, given the site is brownfield in nature the applicant is of the opinion that it is wholly appropriate for housing development, in line with the strong preference presented in Policy A.



## 4 Conclusions

- 4.1 This review relates to a Planning Permission in Principle (PPP) application to develop 5 much needed residential plots on brownfield land in Port Glasgow. Refusing the PPP in this case suggests it would be impossible to ever make this proposal work, and this is simply not the case.
- 4.2 At present the Council does not possess any policies relating to housing within its LDP and there is likely a housing land deficiency. The presumption in favour of sustainable development therefore applies, particularly given the proposals relate to brownfield land.
- 4.3 The reasons for refusal are considered and rebutted in section 3 of this Statement. It should be noted that 3 of these reasons are not valid, given they do not specifically relate or tie back to the Development Plan. The remaining reasons are unjustified and the applicant has summarised why this is so.
- 4.4 This PPP application should be considered compliant with the Development Plan. Through the detailed design and AMSC stage the applicant will work with the Council to bring forward an exemplar development. Its benefits will be wide ranging and will far outweigh any perceived or actual impacts that the loss of a small piece of woodland would result.
- 4.5 It is respectfully requested that the members take time to visit the site prior to any determination and that the impacts and benefits of this proposal are carefully considered. We trust that the LRB can agree with the arguments and opinions put forward by the applicant in this case and can grant planning permission.

**14. SUGGESTED CONDITIONS AND ADVISORY NOTES  
SHOULD PLANNING PERMISSION BE GRANTED  
ON REVIEW**

## **Planning permission in principle for residential development, landscaping, parking, access and associated works (19/0140/IC)**

### **Land at Glasgow Road, Port Glasgow**

Suggested conditions and advisory notes should planning permission be granted on review:

#### Conditions

**Note:** It cannot be determined if the proposal would affect protected species (Bats) as no bat surveys were submitted. In a letter issued by the Chief Planner on European Protected Species dated 16th May 2006, it is set out that it is essential that planning permission is not granted without the Planning Authority having satisfied itself that the proposed development either will not impact adversely on any protected species or that, in its opinion, all three tests necessary for the eventual grant of a Regulation 44 (the 1994 Regulations) licence are likely to be satisfied. In determining to grant planning permission it is not appropriate to attach a suspensive condition in this regard.

In respect of roads matters whilst it may, in principle, be possible to address the requirement for upgrade works to the access road by condition, the road itself is both outwith the application site and not under the exclusive control of the applicant. Whilst it can also be possible to require the provision and retention of a visibility splay by condition, it is also not demonstrated that the required visibility splay at the access to Glasgow Road can be achieved without involving land outwith the application site. This situation would thus result in any such conditions being *ultra vires*.

Accordingly, there are no suggested conditions in respect of protected species, upgrade works to the access road and achievement of visibility splay to Glasgow Road.

1. This permission is granted under the provisions of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 on an application for Planning Permission in Principle and further approval of the Planning Authority or of the Scottish Ministers on appeal shall be required with respect to the under mentioned matters hereby reserved before any development is commenced

Plans and particulars of the matters listed below shall therefore be submitted for consideration by the Planning Authority, in accordance with the timescales and other limitations in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended):

- a. the siting, design and external appearance of all buildings and other structures;
- b. the means of access to the site;
- c. the layout of the site, including all roads, footways, car and cycle parking areas;
- d. the details of, and timetable for implementation of, the hard and soft landscaping of the site;
- e. details of the management and maintenance of the areas identified in d. above;
- f. the design and location of all boundary walls and fences;
- g. details of the provision of full drainage works incorporating Sustainable Drainage Systems (SuDS) and a field drain at the bottom of the slopes around the site.
- h. the disposal of sewage;
- i. details of any existing trees, shrubs and hedgerows to be retained;
- j. a landscape planting scheme that shows how existing trees and woodland within the application site will be connected to habitat features outwith the site;



- k. details of existing and proposed site levels.
  - l. details of bin storage arrangements whether within individual plots or communal.
2. Prior to the commencement of works on site, 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.
3. The drainage details approved under condition 1g. shall be implemented commensurately with the development of the site, be complete for each individual dwellinghouse prior to occupation and be complete across the site prior to the occupation of the final dwellinghouse.
4. All surface water shall be contained within the site during and after the development, to the satisfaction of the Planning Authority.
5. That prior to the commencement of works on site, an updated ecological survey inclusive of bird breeding census and badger survey shall be undertaken. The report of survey shall thereafter be submitted to and approved in writing by the Planning Authority. Should the ecological survey identify the need for mitigation to protect one or more species, this shall be implemented in accordance with a species protection plan(s) which is to be submitted to and agreed in writing with the Planning Authority before works commence on the site.
6. No trees within the application site shall be felled until full details of all tree felling has been submitted to and approved by the Planning Authority. Works shall then proceed as approved.
7. That prior to the commencement of works on site 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 not removed during the course of construction work.
8. Site clearance work shall only be undertaken outwith the bird breeding season March to September inclusive. Details of any additional protection required relating to the heronry potentially located in the site shall be identified as part of the updated ecological survey submitted under condition 5 above and all additional recommendations relating to required protection followed to the satisfaction of the Planning Authority.
9. The Biodiversity Enhancement section of the Preliminary Ecological Appraisal Report by Cairn Ecology dated 25th March 2019 shall be implemented in full together with any further enhancements recommended as part of the updated ecological survey submitted under condition 5 above.
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. All footpaths to be provided shall be a minimum width of 2 metres and all roads a minimum of 5.5 metres.
12. Parking shall be provided in accordance with the National Roads Development Guide.
13. The first 2 metres of all driveways shall be paved.

14. That prior to the start of development, details of a survey for the presence of Japanese Knotweed shall be submitted to and approved in writing by the Planning Authority and that, for the avoidance of doubt; this shall contain a methodology and treatment statement where any is found. Development shall not proceed until appropriate control measures are implemented. Any significant variation to the treatment methodology shall be submitted for approval, in writing by the Planning Authority prior to implementation.
15. That the development shall not commence until an Environmental Investigation and Risk Assessment, including any necessary Remediation Scheme with timescale for implementation, of all pollutant linkages has been submitted to and approved, in writing by the Planning Authority. The investigations and assessment shall be site-specific and completed in accordance with current codes of practice. The submission shall also include a Verification Plan. Any subsequent modifications to the Remediation Scheme and Verification Plan must be approved in writing by the Planning Authority prior to implementation.
16. That before the development hereby permitted is occupied the applicant shall submit a report for approval, in writing by the Planning Authority, confirming that the works have been completed in accordance with the agreed Remediation Scheme and supply information as agreed in the Verification Plan. This report shall demonstrate that no pollutant linkages remain or are likely to occur and include (but not limited to) a collation of verification/validation certificates, analysis information, remediation lifespan, maintenance/aftercare information and details of all materials imported onto the site as fill or landscaping material. The details of such materials shall include information of the material source, volume, intended use and chemical quality with plans delineating placement and thickness.
17. 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.

#### Reasons

1. In the interests of the avoidance of flooding affecting the development hereby permitted.
2. To confirm that the drainage proposals can be implemented in the interests of the avoidance of flooding.
3. To ensure the adequacy and implementation of the drainage regime for the development hereby permitted.
4. To avoid surface water run-off from the site in the interests of the avoidance of flooding.
5. To ensure the development is informed by an up to date ecological survey in the interests of the protection of and the avoidance of disturbance to nesting birds and other wildlife, and to ensure appropriate mitigation is implemented where required.
6. To ensure the protection and retention of trees

7. To ensure the retention of and avoidance of damage to trees during development.
8. To ensure the protection of breeding birds within the application site.
9. To ensure the implementation of biodiversity enhancements as part of the development.
10. To ensure the retention of the landscaping scheme within the application site.
11. To ensure suitable provision for road users and pedestrians in the interests of road safety.
12. To ensure suitable parking provision is provided within the development in the interests of road safety.
13. To avoid deleterious material being carried onto the roadway in the interests of road safety.
14. To help arrest the spread of Japanese Knotweed in the interests of environmental protection.
15. To satisfactorily address potential contamination issues in the interests of human health and environmental safety.
16. 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.
17. To ensure that all contamination issues are recorded and dealt with appropriately.

Additional advisory notes:

1. That prior to the commencement of any site clearance works, the applicant requires to satisfy themselves by undertaking a comprehensive survey that the development shall not impact upon Protected Species.
2. To protect the amenities of occupiers of premises from unreasonable noise and vibration levels the applicant must consult or arrange for their main contractor to consult with either Sharon Lindsay or Emilie Smith at Inverclyde Council, Environmental & Public Protection (01475 714200), prior to the commencement of works to agree times and methods to minimise noise disruption from the site.
3. To protect the amenity of the immediate area, the creation of nuisance due to light pollution and to support the reduction of energy consumption. All external lighting on the application site should comply with the Scottish Government Guidance Note "Controlling Light Pollution and Reducing Lighting Energy Consumption".
4. Site Drainage: Suitable and sufficient measures for the effective collection and disposal of surface water should be implemented during construction phase of the project as well as within the completed development to prevent flooding within this and nearby property.



5. Rats, drains and sewers: Prior to the construction phase it is strongly recommended that any existing, but redundant, sewer/drainage connections should be sealed to prevent rat infestation and inhibit the movement of rats within the area via the sewers/drains.
6. The applicant should be fully aware of the Construction (Design & Management) Regulations 2015 (CDM 2015) and its implications on client duties etc.
7. Surface Water: Any SUDS appraisal must give appropriate weight to not only any potential risk of pollution to watercourses but to suitable and sufficient measures for the effective collection and disposal of surface water to prevent flooding. Measures should be implemented during the construction phase of the project as well as within the completed development to prevent flooding within the application site and in property / land nearby. It is also recommended that a long term maintenance plan should be developed prior to the commencement of the proposed development.
8. Design and Construction of Buildings – Gulls: It is very strongly recommended that appropriate measures be taken in the design of all buildings and their construction, to inhibit the roosting and nesting of gulls. Such measures are intended to reduce nuisance to, and intimidation of, persons living, working and visiting the development.

## **15. ACCESS ROAD INFORMATION**

# **ACCESS ROAD INFORMATION**

## **MICHAEL SCOTT, REVIEW OF DECISION: 19/0140/IC (LAND AT GLASGOW ROAD, PORT GLASGOW)**

Further to the meeting of the Inverclyde Council Local Review Body (LRB) on 1 September 2021 the subsequent letter requesting additional information specifically asked for:

- Evidence of land ownership relating to the access road from Glasgow Road so that upgrade works to the road and a visibility splay of 2.4m by 43.0m by 1.05m can be provided.

### **Access Road Ownership**

First of all we offer an extract of the title deeds relating to the application site (Appendix 1). The title deeds state that the application site land comes with:

*“all rights of access to the subjects hereby disponed, including without prejudice to this generality, free right of access over the access road to the Cemetery on the conditions in the title deeds of the said Cemetery”*

This confirms that the access road is part of the subjects associated with the Cemetery which, one would reasonably assume, is owned by the Local Authority.

### **Visibility Splays and Ownership**

Turning to the question in relation to the land surrounding the access road, and more specifically that upon which works may be required to achieve the desired visibility splays.

In the first instance, it should be noted that land ownership is not a material consideration when determining planning applications. Ownership of the land to achieve the visibility splays cannot be used as a reason for refusal. Achieving the required visibility splays would be a condition on planning consent. It would then be up to the applicant to obtain any agreements to realise the visibility splays and, ultimately, the development.

However, the applicant is mindful that the LRB is perhaps trying to satisfy itself that, should PPP consent be achieved, there is a reasonable chance that further applications (at AMSC stage) will be consentable and mitigation works achievable.

One will note that the application boundary includes all the land required for visibility splays to the west. This confirms the applicant has control of this land for any mitigation works.

To the east of the access road the applicant does not have ownership of this land. Given the current geometry at this location the area of land required to achieve the requested visibility splay is minimal. However, the applicant has purchased information from Registers of Scotland (Appendix 2) to ascertain who owns the land to the east of the access road. Deeds indicate the

Parochial Board of the Parish of Port Glasgow and their successors in title own this land. One would reasonably assume that 'their successors' is the Local Authority.

The Council's 'Register of Land' indicates that Port Glasgow Cemetery land ownership equates to 6.894 hectares. Indeed, when viewing the current cemetery layout from aerial photographs and measuring its area, including the access road, it is reasonable to assume the Local Authority does have ownership of the land to the east of the access road (Appendix 3).

In an attempt to confirm this the applicant has been in contact with the Local Authority Property Services team, whom in turn has requested assistance from the Legal Services team (Appendix 4). Unfortunately, to date, there has been no response from the Local Authority to confirm its ownership.

### **Summary**

Land ownership is not a material consideration when determining planning applications.

A right of access to the application site is afforded on the conditions in the title deeds of the Cemetery. It is reasonable to assume the Council own the Cemetery and its associated access road.

The applicant owns the land required for the western visibility splay.

Registers of Scotland indicates the land required for the easter visibility splay is owned by The Parochial Board of the Parish of Port Glasgow and their successors in title, assumed to be Inverclyde Council.



**Appendix 1 – Title Deeds of Application Site**



LAND REGISTER  
OF SCOTLAND

Officer's ID / Date

6849  
13/11/2017

TITLE NUMBER

**REN146202**



ORDNANCE SURVEY  
NATIONAL GRID REFERENCE

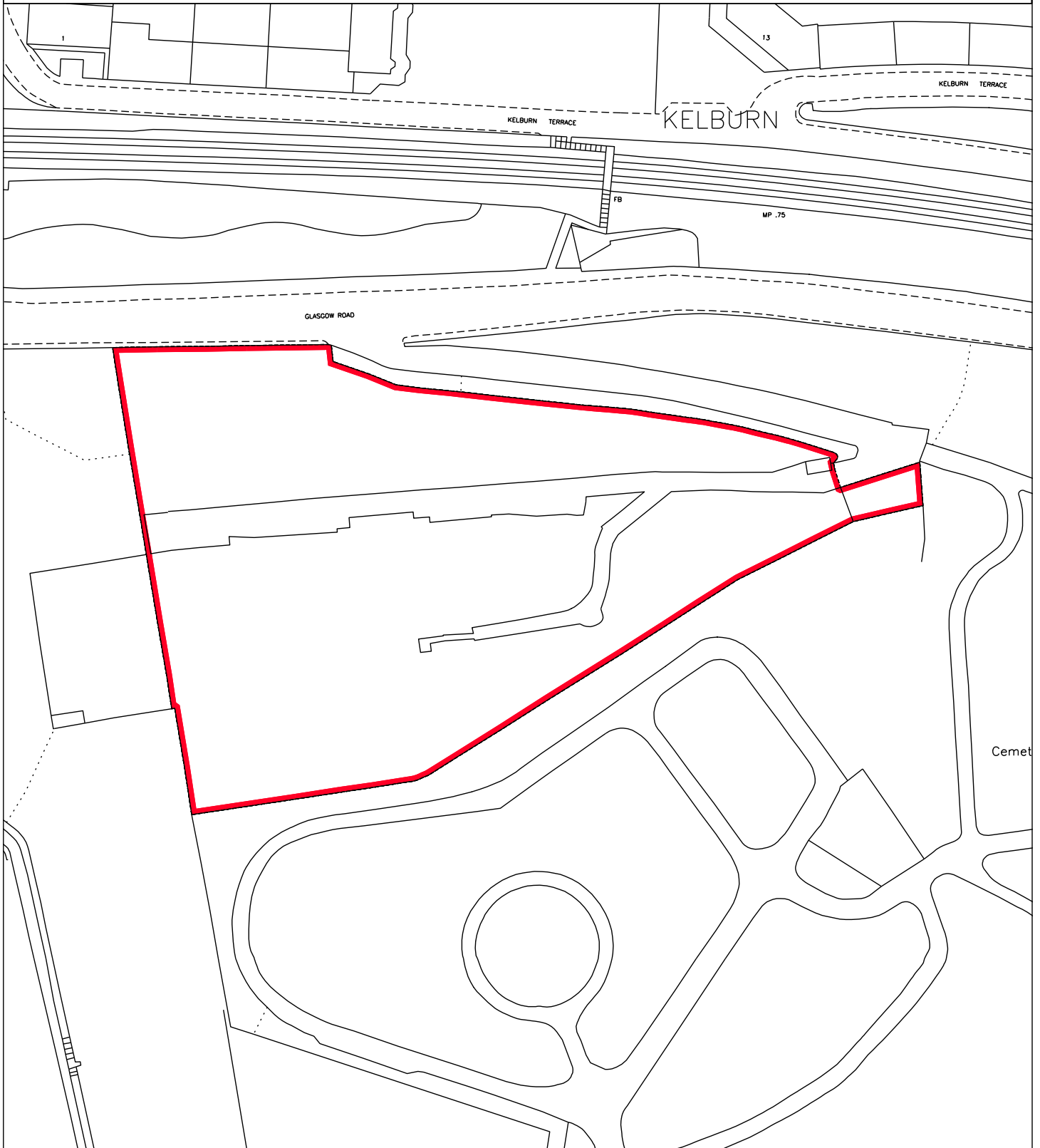
70m

NS3373NE NS3374SE

Survey Scale

1/1250

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**D. BURDENS SECTION**

**ENTRY  
NO**

**SPECIFICATION**

1 Disposition by The Governors of the Carnegie Park and Scott Trust to The Church of Scotland Trust and their successors and assignees, recorded G.R.S. (Renfrew) 11 Mar 1960, of the subjects in this Title, contains the following rights:

Together with (One) all rights of access to the subjects hereby disposed, including without prejudice to this generality, free right of access over the access road to the Cemetery on the conditions in the title deeds of the said Cemetery; and (Two) a right of servitude and wayleave for a drain leading from the subjects hereby disposed to the outfall on the south side of the River Clyde and in respect of part of which wayleave where it passes under the Railway line there is payable to the British Transport Commission a wayleave rental of two shillings per annum, but subject always to the right of the proprietors of subjects lying between the said Glasgow Road and the said Railway to make a connection as at present to the said drain and in respect of which privilege there is payable to the proprietors of the subjects hereby disposed a wayleave rental of eighteen shillings and ninepence per annum.

## **Appendix 2 – Registers of Scotland Information**



**Subject:** FW: CSN 22/310669 - Areas on and surrounding small access road off Glasgow Road in Port Glasgow.

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**From:** Donald Mowatt [REDACTED]  
**Sent:** 26 May 2022 10:30  
**To:** stuart@rickfincassociates.com  
**Subject:** CSN 22/310669 - Areas on and surrounding small access road off Glasgow Road in Port Glasgow.

Our Ref: CSN 22/310669

Dear Stuart,

Alan is otherwise engaged and asked me to respond on his behalf.

Having taken a look at this query myself, I agree that the area in question is likely owned by the proprietors of the cemetery, as this boundary is narrated as such in the deed for the Carnegie Park Orphanage, now registered to REN146202. It is narrated within this registered title that the Orphanage has a right of access over the access road to the Cemetery on the conditions in the title deeds of the said Cemetery.

However, I believe the title for this part of the cemetery is much older than the one Alan already provided, possibly even before our search sheets, and may be the subjects described as follows:

County	Renfrew
Deed Type	Instrument of Sasine
Description	5 Acres 2 roods 33 poles and 18 1/3 yards of the lands of Carnegie Park, being part of a computed third part of the 19s. 8d. lands of Nether Auchinleck now called Carnegie Park
Parties	Parochial Board of the Parish of Port Glasgow
Recording date	19 Jun. 1858
Deed Reference	<b>Particular register:</b> P. R. 1483. 218.
<b>Order a copy of this deed to obtain a full conveyancing description (and plan if available) for this title</b>	

Current Owners	Parochial Board of the Parish of Port Glasgow and their successors in title
County	Renfrew
Search Sheet *	<b>1<sup>st</sup> Series</b> 1124
Deed Type	As Above
Recording date	As Above
Deed Reference	As Above
Most Recent Owners' Address (if available)**	n/a

This deed would appear to be for the largest section of the cemetery, however due to it's age, we don't have it archived and cannot confirm any narratives of the boundaries that may be contained within. The deed is archived at National Records of Scotland and can be requested from them by email [lsrhe@scotlandspeople.gov.uk](mailto:lsrhe@scotlandspeople.gov.uk)

If you require a copy of the search sheet please forward this email to [searches@ros.gov.uk](mailto:searches@ros.gov.uk) stating that you accept the fee of £25 + VAT and that you require a copy of the search sheet.

This is the extent of search that we are able to offer. Based on the 3 titles (the registered title and the 2 Sasine titles) we have a surplus of evidence that points towards the area being owned by some form of the "Parochial Board of the Parish" or the "Provost, Magistrates etc of the Burgh" of Port Glasgow and their successors in title.

I hope this helps to clarify, please do not hesitate to contact me if any further information is required.

Kind regards,

Donald Mowatt

Property Information Team

**Donald Mowatt // Property Information Team**

T // [REDACTED]



**Please consider the environment – do you really need to print this email?**

---

**From:** Alan Laws [REDACTED]  
**Sent:** 08 April 2022 11:54  
**To:** [stuart@rickfincassociates.com](mailto:stuart@rickfincassociates.com)  
**Subject:** CSN 22/310669 - Areas on and surrounding small access road off Glasgow Road in Port Glasgow.

Our Ref: CSN 22/310669

Dear Stuart,

Thank you for your enquiry and payment regarding the search request for the above subjects through our ScotLIS service.

The area of ground outlined blue on the plan attached is not registered in the Land Register which is the modern plans based property register, therefore it remains in the older Register of Sasines which is a register of deeds.

As there was no legal requirement to submit plans to the Sasine Register identification of a property or area is primarily based on written descriptions.

The information contained within the Sasine Register is indexed by the owners' names and by the description of the property or area of land.

There is no direct entry in the indexes which matches the area however from an examination of the surrounding titles it would appear that the land may form part of a larger Sasine title(s) described as –

County	Renfrew
Deed Type	Disposition
Description	Lands of Nether Auchinleck now called Carnegie parks
Parties	Trustees of Carnegie park Orphanage / Provost Magistrates and Councillors of Burgh of Port Glasgow
Recording date	03/06/1931
Deed Reference	Book 2489 Folio 119
<b>Order a copy of this deed to obtain a full conveyancing description (and plan if available) for this title</b>	

Various parts have been sold out of the above title.

The current owner(s) of the remainder of this Sasine title are –

Current Owners	As Above
County	Renfrew
Search Sheet *	4837
Deed Type	As Above
Recording date	As Above
Deed Reference	As Above
Most Recent Owners' Address (if available)**	n/a

\* The search sheet is a chronological list of deeds recorded against a property or area of land.

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Please be aware that, although the ownership of the area in question is as stated above, examination of the surrounding titles suggests that the responsibility for maintenance of the access road may lie with the proprietors of the cemetery to which the road gives access and the proprietors of the Carnegie Park Orphanage (the site of Carnegie Park Orphanage is now registered in the Land Register under Title Number REN146202).

If you require copies of the above mentioned deeds please forward this email to [sasinecopydeeds@ros.gov.uk](mailto:sasinecopydeeds@ros.gov.uk) stating which deeds you require and that you accept the fee of £25 + VAT per deed.

If you require a copy of the search sheet please forward this email to [searches@ros.gov.uk](mailto:searches@ros.gov.uk) stating that you accept the fee of £25 + VAT and that you require a copy of the search sheet.

Once you are in possession of the search sheet, you can order any of the deeds noted on it. A plan may be attached to one of the deeds but regrettably there is no guarantee of this.

For further details on our registers please visit our website by clicking [here](#).

If you require any further information please do not hesitate to contact me quoting the above reference number.

Kind regards,

Alan Laws

Property Information Team

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**Alan Laws // Property Information Team**

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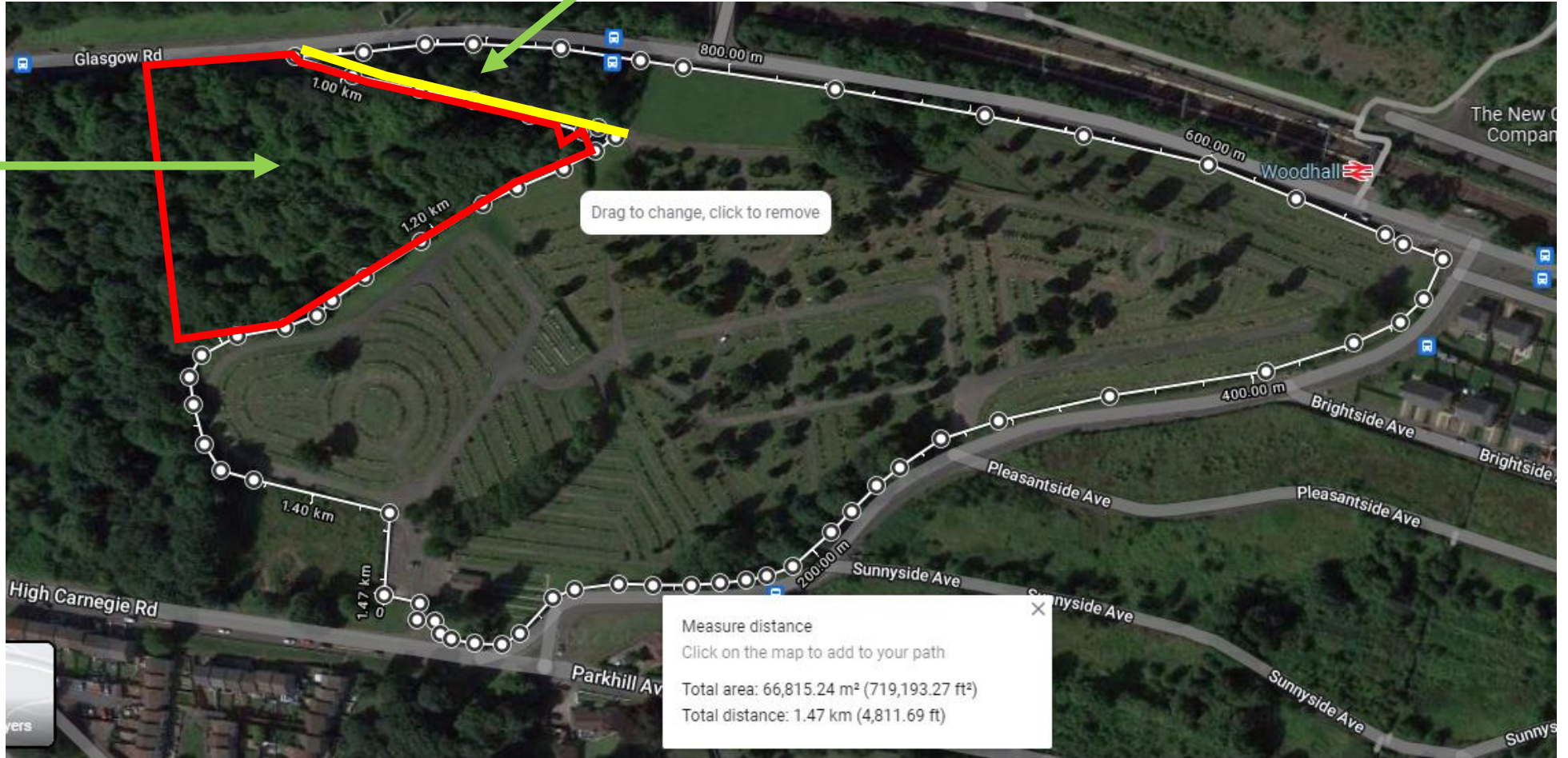


## **Appendix 3 – Area of Cemetery**

Access road (yellow) owned by Council

Area assumed to be owned by Inverclyde Council

Application Site



Cemetery area, including area in question and access road = roughly calculated circa 6.68ha.

**Appendix 4 – Request to Inverclyde Council**  
**(27/05/22)**

**From:** Property [REDACTED]  
**Sent:** 27 May 2022 15:14  
**To:** 'stuart@rickfincassociates.com'  
**Subject:** RE: (Official) Ownership query - Access road off Glasgow Road in Port Glasgow.

---

Classification: Official

---

Stuart,

With reference to below, I have forwarded your enquiry to my Legal Services colleagues and requested that they check the Council's title records.

As soon as I have their response I shall contact you further.

Regards,

Stuart Anderson

Stuart Anderson  
Surveying Technician  
Property Services  
Inverclyde Council  
107 Dalrymple Street  
Greenock  
PA15 1HU

Tel: [REDACTED]

e-mail: [REDACTED]

---

**From:** stuart@rickfincassociates.com [mailto:stuart@rickfincassociates.com]  
**Sent:** 27 May 2022 12:43  
**To:** Property  
**Subject:** Ownership query - Access road off Glasgow Road in Port Glasgow.

Good afternoon, I'm looking to confirm land ownership of an access road off Glasgow Road, Port Glasgow. The access road currently serves the bottom of the Port Glasgow Cemetery (plan attached).

I have purchased some information from Registers of Scotland which suggests the Council may own this road (emails below). Deeds suggest the Parochial Board of the Parish of Port Glasgow/Parish Council owns it. The Council Roads Department has previously advised the Council does not own this road, but I'm not sure this is the case.

This is important information to me as the Council's Local Review Body (planning) is considering a planning application for my client and it has asked for ownership information to help determine the application.

Happy to chat through, hope you can help,

Stuart

**Stuart Szylak**  
**RFA Development Planning Consultants**  
3 Walker Street | Edinburgh | Scotland | EH3 7JY



---

**From:** Donald Mowatt [REDACTED]  
**Sent:** 26 May 2022 10:30  
**To:** stuart@rickfincassociates.com  
**Subject:** CSN 22/310669 - Areas on and surrounding small access road off Glasgow Road in Port Glasgow.

Our Ref: CSN 22/310669

Dear Stuart,

Alan is otherwise engaged and asked me to respond on his behalf.

Having taken a look at this query myself, I agree that the area in question is likely owned by the proprietors of the cemetery, as this boundary is narrated as such in the deed for the Carnegie Park Orphanage, now registered to REN146202. It is narrated within this registered title that the Orphanage has a right of access over the access road to the Cemetery on the conditions in the title deeds of the said Cemetery.

However, I believe the title for this part of the cemetery is much older than the one Alan already provided, possibly even before our search sheets, and may be the subjects described as follows:

County	Renfrew
Deed Type	Instrument of Sasine
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Parties	Parochial Board of the Parish of Port Glasgow
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<b>Order a copy of this deed to obtain a full conveyancing description (and plan if available) for this title</b>	

Current Owners	Parochial Board of the Parish of Port Glasgow and their successors in title
County	Renfrew
Search Sheet *	<b>1<sup>st</sup> Series</b> 1124
Deed Type	As Above
Recording date	As Above
Deed Reference	As Above
Most Recent Owners' Address (if available)**	n/a

This deed would appear to be for the largest section of the cemetery, however due to it's age, we don't have it archived and cannot confirm any narratives of the boundaries that may be contained within. The deed is archived at National Records of Scotland and can be requested from them by email [lsrhe@scotlandspeople.gov.uk](mailto:lsrhe@scotlandspeople.gov.uk)

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Kind regards,

Donald Mowatt

Property Information Team

**Donald Mowatt // Property Information Team**

T // [REDACTED]



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**To:** [stuart@rickfincassociates.com](mailto:stuart@rickfincassociates.com)  
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Our Ref: CSN 22/310669

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Kind regards,

Alan Laws

Property Information Team

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**Alan Laws // Property Information Team**



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## **16. ECOLOGICAL ASSESSMENT**

# Glasgow Road Port Glasgow

RFA Development Planning Consultants



Ecological Assessment



NIGEL RUDD  
ECOLOGY

**Nigel Rudd**  
BSc CBiol MRSB CMLI

July  
2022



**Nigel R Rudd**

Nigel Rudd Ecology

15 Birch Crescent  
Milton Bridge  
Penicuik  
EH26 0FW

Mobile



Email





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## Bibliography

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## SUMMARY

Nigel Rudd Ecology was commissioned by Ric Finc Associates to undertake a Phase 1 Habitat Survey extended to include protected species, badgers, bats, and red squirrels, and designated sites over their Site at Glasgow Road, Port Glasgow.

The survey is required to inform proposals to develop the Site for residential use, in respect of potential ecological impacts of the proposals. The proposals include construction of houses and the installation of road access.

The July 2022 survey is designed to establish the ecological status of the Site. Historical maps suggest the land has not been developed, but the vegetation on the Site suggests that the land has been garden ground.

The field survey was complemented by inspection of biological records for the Site and the surrounding area to a radius of 5km. In addition, potential effects on designated sites within a radius of 2.5km were considered.

There was found to be a potential for effects on an international/UK Statutory, designated site; the inner Clyde SPA/SSSI. The Site was determined to be separated from the SPA and it was considered mitigations measures could be adopted to ensure no compromise of the integrity of the conservation status of the SPA as a consequence of development. No records were obtained for locally designated sites.

The Phase 1 Survey involved a walkover of the land noting habitats and plant communities and sought evidence of use of the land by badgers and bats.

The habitat survey recorded semi-natural broadleaved woodland across the Site, which presented artefacts and plant species that suggested this was once garden ground.

No evidence was found of badgers using the land, opportunity was found for sett excavation and negligible foraging opportunity for the species. No record was found of the species within 5km of the Site. It is considered the species does not use the Site.

No potential bat roost feature was identified on the Site. It is acknowledged that bats forage around and over the land.

Invasive non-native plant species were found growing on the Site. It is recommended that these are dealt with by specialist contractors.

There will be negligible adverse impact on biodiversity from the loss of unexceptional habitats, and it is anticipated development of the Site will incorporate management for biodiversity benefit resulting in a positive effect on biodiversity.



## 1.0 INTRODUCTION

- 1.1 This report is commissioned by Ric Finc Associates in respect of proposals to develop land adjacent to Glasgow Road, Port Glasgow, the Site, for residential use. (NN335743)
- 1.2 The Site is bounded on the north by Glasgow Road, to the south by a cemetery and to the east and west by woodland.
- 1.3 The land is a north-facing slope with a central terrace. The woodland is effectively a closed canopy dominated by broadleaves with some conifers, the scrub layer is variable but mostly present exhibiting garden and invasive plants. Garden plants are common.
- 1.4 There is one European designated ecological site within 2.5km of the land; the Inner Clyde SPA (Special Protection Area). There is one UK Statutory ecological site within 2.5km of the land; Inner Clyde SSSI (Site of Special Scientific Interest). No record was obtained for locally designated sites.
- 1.5 The proposal is to develop the Site for residential use involving clearance of vegetation regrading the slope, the construction of houses and vehicle access. It is important this is achieved with no adverse impact on biodiversity. The purpose of the survey is to ensure the wellbeing of protected species is safeguarded during construction and operation of the development and to ensure there is no adverse effect of development on designated sites. The survey will identify potential impacts of development on wildlife and inform mitigation proposals and recommendations to be made.
- 1.6 The report will set out the survey methods, the findings of the survey, an assessment of the impact of development and recommendations for planting and habitat creation. The report also sets out explicit preliminary measures for enhancement of wildlife opportunities, which will be incorporated in the buildings and/or landscape on the site, should that be appropriate.

## 2.0 LEGISLATION & POLICY

- 2.1 The following legislation and policies are relevant to the current assessment:
  - The Wildlife & Countryside Act 1981 as amended;
  - The Wildlife and Natural Environment (Scotland) Act 2011;
  - The Conservation (Natural Habitats &c) Regulations 1994
  - The Nature Conservation Scotland Act 2004;
  - The Protection of Badgers Act 1992;
  - Scottish Planning Policy 2014; and
  - Inverclyde Local Development Plan 2019.
- 2.2 The Wildlife & Countryside Act 1981 as amended - The Act consolidated and amended existing national legislation to implement the Convention on the Conservation of



European Wildlife and Natural Habitats (Bern Convention) and Council Directive 79/409/EEC on the conservation of wild birds (Birds Directive) in Great Britain, Council Directive 79/409/EEC which was updated by Directive 2009/147/EC.

- 2.3 The Act is one of the most important pieces of environmental legislation in Britain. The Act provides for the protection of wild animals, birds and plants as well as the protection of areas of natural heritage value and the designation of protected areas including, Sites of Special Scientific Interest (SSSIs), National Nature Reserves, (NNRs) and Marine Nature Reserves (MNRs).
- 2.4 The Act has been variously amended over the years by legislation including the Nature Conservation (Scotland) Act 2004 and the Wildlife and Natural Environment Act 2011.
- 2.5 Wildlife and Natural Environment (Scotland) Act 2011 – The Act makes changes to existing legislation covering deer management, game management, species licensing, muirburn, snaring, badgers, invasive non-native species and protected areas; SSSIs and ASPs.
- 2.6 The Conservation (Natural Habitats &c) Regulations 1994 – The Regulations transposed Council Directive 92/43/EEC on the conservation of natural habitats and wild fauna and flora (The Habitats Directive) into national law. The Regulations have been amended several times in Scotland, the most recent of which was 2012. Irrespective of the amendments, the purpose of the Regulations has remained the same; containing five Parts and four Schedules, the Regulations provide for the designation and protection of 'European sites', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites.
- 2.7 The Nature Conservation Scotland Act 2004 – The Act imposes a wide-ranging duty on the Scotland's public sector to conserve biodiversity and protect the nations natural heritage. The Act strengthens protection of SSSIs and increases maximum fines for deliberate or reckless damage to Scotland's important natural land and wildlife habitat from £5,000.00 to £40,000.00.
- 2.8 The Protection of Badgers Act 1992 – The Act protects badgers by making it an offence to: wilfully kill, injure, take or attempt to kill a badger; possess a dead badger or any part of a dead badger; cruelly ill-treat a badger; use badger tongs in the course of killing, taking or attempting to kill a badger; dig for a badger; possess, sell or offer for sale any live badger; or mark, tag or ring a badger.
- 2.9 It is also a crime to interfere with a badger sett by intentionally or recklessly causing or allowing damage to a sett or any part of it; destruction of it; sett access to be obstructed, or any entrance of it; a dog to enter it; disturbance to a badger when it is occupying it.
- 2.10 There is provision in the Act for licensing any otherwise illegal activity if it can be demonstrated this is in pursuit of a legitimate purpose.
- 2.11 Scottish Planning Policy 2014 – SPP sets out its principles for safeguard of Scotland's Natural Heritage. They are:
- facilitate positive change while maintaining and enhancing distinctive landscape character;



- conserve and enhance protected sites and species, taking account of the need to maintain healthy ecosystems and work with the natural processes which provide important services to communities;
  - promote protection and improvement of the water environment, including rivers, lochs, estuaries, wetlands, coastal waters and groundwater, in a sustainable and co-ordinated way;
  - seek to protect soils from damage such as erosion or compaction;
  - protect and enhance ancient semi-natural woodland as an important and irreplaceable resource, together with other native or long-established woods, hedgerows and individual trees with high nature conservation or landscape value;
  - seek benefits for biodiversity from new development where possible, including the restoration of degraded habitats and the avoidance of further fragmentation or isolation of habitats; and
  - support opportunities for enjoying and learning about the natural environment.
- 2.12 Planning authorities are required to adhere to the principles by preparing Development Plans and Development Management Plans, The Development plans should identify International, national and locally designated sites and afford them protection appropriate to their level of designation.
- 2.13 Inverclyde Local Development Plan – Policies 33 covers protection of international, national and local designated sites stating that development will not be permitted which adversely affects these sites, unless there is overriding public interest in development affecting international and national sites, or the benefits from development outweigh the biodiversity value of locally designated sites.
- 2.14 The policy also provides for protected species, ensuring that any development which may affect protected species must: establish if a protected species is present; identify how the species may be affected; ensure that the development is planned and designed so as to minimise any impact, while having regard to the protection afforded the species by law and acknowledging licensing requirements should one be necessary.
- 2.15 The policy also addresses the effects on species and habitats identified in Local Biodiversity Action Plan. It also requires that development takes account of connectivity between habitats, and that development should be designed to conserve and enhance biodiversity.
- 2.16 Policy 34 relates to trees, woodland and forestry, supporting applications which retain or protect existing woodland, trees, and hedgerows seek to establish new woodland and tree planting. Planning applications involving removal of woodland, trees and hedgerows 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.





### **3.0 THE SURVEY**

#### **3.1 Desk Study**

3.2 The desk study comprised:

- Acquisition of biological data from the National Biodiversity Network Atlas (Scotland) (NBN Atlas);
- Acquisition of information on designated sites within 2.5km of the land from NatureScot (Sitelink);
- Aerial imagery from Google Earth; and
- Consultation of historical maps of the land and its surroundings.

#### **3.3 Field Survey**

3.4 The survey was undertaken by Nigel Rudd (Appendix 1) in July 2022.

3.5 The survey area extended to the site boundary (Fig1) and an area 50m beyond the boundary, where accessible. The weather was rain showers with broken cloud.

3.6 The survey comprised a walkover of the land consistent with Phase 1 Habitat Survey methodology (JNCC 2016), noting habitat structure and component plant species, augmented by assessment for potential for use by, or inspection for signs of the presence of, species protected under legislation listed above.

3.7 The species sought were badgers and roosting bats, there was no suitable habitat for water voles, otters or great crested newts.

3.8 The findings of the survey are set out below.

### **4.0 BASELINE ECOLOGICAL CONDITIONS**

#### **4.1 Designated sites**

4.2 *International/National*

4.3 There are two statutory designated sites within 2.5km of the Erskine Bridge Hotel land, which relate to the same land; Inner Clyde SPA and Inner Clyde SSSI. The SSSI underpins the SPA.<sup>22</sup>

4.4 The sites extend 20km westward from Newshot Island and cover an area of 1826ha. In this area, there are extensive intertidal mudflats which support large numbers of wintering waterfowl.

4.5 The SPA qualifies for this designation by regularly supporting an internationally important wintering population of redshank (*Tringus totanus*), one of the highest density populations of redshank in Britain.



- 4.6 The notified natural features of the SSSI are: saltmarsh; and non-breeding populations of cormorant (*Phalacrocorax carbo*); elder (*Somateria mollissima*); goldeneye (*Bucephala clangula*); oystercatcher (*Haematopus ostralegus*); red-breasted merganser (*Mergus serrator*); red-throated diver (*Gavia stellata*); and redshank (*Tringus totanus*).
- 4.7 The mudflat habitats of the SPA and SSSI are the significant elements of the sites. There is negligible mudflat area adjacent to the Glasgow Road land and therefore negligible likelihood the conservation status of any of the qualifying features of the sites being compromised by development of the Glasgow Road land.
- 4.8 *Local*
- 4.9 No record was obtained of local nature conservation sites within 1km of the Site.
- 4.10 **Habitats**
- 4.11 The land proposed for development appears to have never been developed but there are brick walls, hard surfaces, and steps that suggests the land has been used as garden ground or similar. It appears certain species of trees and shrubs have been planted on the flat area of the Site. There is a school adjacent to the Site and the 1969 1:10,000 OS map shows lodges to the south-west of the Site. The composite of habitats will be described, and the overall habitat value assessed.
- 4.12 Common plant names are used in the text and a list of plants recorded is set out in Appendix 3.
- 4.13 In terms of a Phase 1 Habitat Survey, the Site is entirely semi-natural broadleaved woodland with some planted elements. The Site appears to have been unmanaged for so long that many species have become 'naturalised' and many species exhibit recruitment to their community by growth of new plants from seed or by layering.
- 4.14 Canopy trees species includes Norway spruce, field maple, sycamore, willow, field maple, ash, birch, beech and horse chestnut. The shrub layer is variable in places very dense and in others almost non-existent. Like the canopy, the shrub layer includes both native and non-native species. Species include hawthorn, rhododendron, Portuguese laurel, willow, birch, rose, cotoneaster, Wilson's honeysuckle and privet.
- 4.15 The tree and shrub habitats present nesting, feeding and cover opportunities for wildlife, but no bird nesting was noted during the survey.
- 4.16 The habitats attracts **site value** because of the nature of the habitat, the size of the Site, and the significant number of exotic species on the Site.
- 4.17 The field and ground cover layers are also variable, with areas of 3entire cover and other locations with scattered plants. The species are ferns and ivy.
- 4.18 The habitat is simple in structure, species poor but is valuable to invertebrate communities. The habitat is extensive and attracts **site value**.



- 4.19 In summary, there is one habitat across the Site; semi-natural broadleaved woodland, both on flat and sloped ground. The woodland has several layers which include both native and non-native species. There are two significant non-native species; Japanese knotweed and cotoneaster. The significance of these species is discussed below. The woodland is contiguous with a large area of woodland to the west.
- 4.20 **Species**
- 4.21 The only protected species anticipated as resident on the land were badgers and bats. Inspection of the land revealed no significant habitat potential for great crested-newts, otters or water voles.
- 4.22 *Badgers*
- 4.23 The ecology of badgers *Meles meles* is outlined in Appendix 3. The survey extended to a radius of 50m beyond the Site boundary, where accessible.
- 4.24 The land was inspected for evidence of use by badgers (Appendix 3). **No evidence was found of the species using the Site.** There was neither historical nor recent sign of use by badgers was identified on the Site.
- 4.25 The NBN Atlas holds no records of the species within 5.0km of the Site.
- 4.26 **The Site presents suitable habitat for sett excavation and forage value**, but there is no record of the species within 5.0km of the Site.
- 4.27 It is not anticipated badgers use the Site.
- 4.28 *Bats*
- 4.29 The ecology of bats *Chiroptera* is outlined in Appendix 3. There is no building on the Site and no tree that offers bat roost potential.
- 4.30 The conditions at the time of survey were suitable for assessment of the bat potential of the site.
- 4.31 The NBN Atlas (Scotland) holds records of common *Pipistrellus pipistrellus* and soprano pipistrelle *P. pygmaeus* and brown long eared *Plecotus auritus* bats within 1.5km of the Site. Pipistrelles are recorded local to the site.
- 4.32 There is no potential for bat roosting on the Site, but there is extensive forage opportunity. **It is accepted that bats forage over the Site, but do not roost on the land. There is extensive forage opportunity local to the site.**
- 4.33 It is anticipated the site has **site value** for bats.
- 4.34 *Invasive non-native plant species*
- 4.35 Two invasive plant species were recorded on site; Japanese knotweed *Fallopia japonica* and rhododendron *Rhododendron ponticum*.



- 4.36 Japanese knotweed is an herbaceous plant which perennates by rhizome, a modified stem. The plant has the capacity to smother native plant communities, significantly reducing local biodiversity. The species is listed in Schedule 9 of the Wildlife & Countryside Act 1981 as amended, which confirms that it is a controlled species, meaning it is an offence to cause it to grow in the wild. The Wildlife and Natural Environment Act 2011 confers powers on councils to order landowners to control the species on their land to prevent it spreading beyond their boundary. The species can be spread by fragmentation of the rhizome during disturbance for construction or other clearance operations.
- 4.37 *Rhododendron ponticum* is a shrub which grows rapidly and, similarly to Japanese knotweed can smother native plant communities. It too is listed in Schedule 9 of the Wildlife & Countryside Act 1981 as amended. It can spread by branches 'layering' on the ground, or by fragmentation of shoots which then become pressed into the soil. The species is often spread during construction or a similar operation.
- 4.38 Cotoneaster species are also shrubs, several of which again are listed in Schedule 9. These species propagate by seed. The flesh of the seed is attractive to birds which then defecate the seeds effectively spreading the plants. The soil around the plants invariably contains seed, and the plant often support seeds. There is a risk of spreading the seeds if the plants and/or soil are moved.
- 4.39 Prevention of spread should be addressed by employment of suitably qualified contractors who will advise on the various options of dealing with both species.

## 5.0 ECOLOGICAL IMPACTS, OPPORTUNITIES and RECOMMENDATIONS

- 5.1 The proposal is to develop land at Glasgow Road for residential use. The land is slope along its length facing to the north-east. The site has never been developed but there is evidence of it having been used, probably as garden ground, the existence of a terrace with some hard surfacing supports this interpretation.
- 5.2 The proposal is to build houses and parking spaces on the land, accessed by a new drive from Glasgow Road. There will be regrading of the slope to extend the existing terrace.
- 5.3 The potential impacts of the proposed development are identified below, and where appropriate mitigation measures are proposed.
- 5.4 **Designated sites**
- 5.5 *International sites*
- 5.6 There is one international designated/UK Statutory site within 2.5km of the Site; the Inner Clyde SPA/SSSI.
- 5.7 Development will approach to within 170m of the boundary of the SPA and the nature of construction is such that there is potential for likely significant effect of the development on the qualifying interest of the SPA; overwintering redshank. This being the case, it is necessary for information to be supplied to the Council to support a Habitat Regulations





Appraisal of whether an Appropriate Assessment of effects is necessary, and to determine if appropriate mitigation is made it would be acceptable for the development to proceed.

- 5.8 The Inner Clyde SPA is underpinned by the Inner Clyde SSSI; hence it being referred to as the SPA/SSSI. It is accepted that the redshank is the most sensitive avian feature using the Inner Clyde and measures that will protect this species will similarly affect the six other bird species cited as the features of for which the SSSI was cited and the redshank also depend on the saltmarsh habitat, similarly a feature listed in the SSSI citation.
- 5.9 The Conservation objectives for the Inner Clyde SPA are to avoid deterioration of the habitats of the qualifying species, Redshank *Tringa totanus*, or significant disturbance to the qualifying species, thus ensuring the integrity of the site is maintained; and to ensure for the qualifying species that the following are maintained in the long term:
- Population of the species as a viable component of the site
  - Distribution of the species within the site
  - Distribution and extent of habitats supporting the species
  - Structure, function and supporting processes of the habitats supporting the species, and
  - No significant disturbance of the species.
- 5.10 Development of the Site has no potential to adversely affect the habitats of the qualifying species by discharge of surface water, or dispersal of dust and particulate material from the Site. Surface water runoff will be addressed by consents from SEPA which will take the presence of the SPA into account, and there will be no dispersal of dust during development because the work will be screened by tree cover/woodland on all sides.
- 5.11 Development also has the potential to disturb the visiting redshank population through both construction and operation. Disturbance can occur through increased activity on the site, manifest as movement of people and machinery, increased noise and artificial illumination. Consideration of the possible effects on the redshank populations recognises that the redshank potentially use the salt marsh for the period September – April.
- 5.12 Nigel Rudd Ecology (NRE) first dealt with the issue of the impact of development on the Inner Clyde SPA in 2009, in respect of proposals to develop land at Dumbarton Harbour. At that time, discussions with SNH resulted in an agreement that development should be restricted to the September-April period by a condition of planning consent, or an Appropriate Assessment of Effects should be made. Since then, SNH have dealt with numerous development applications with potential to adversely affect the SPA and maintain the same position as in 2009 but are satisfied that the Appropriate Assessment can be addressed by the developers implementing measures to mitigate the effects identified in 5.10 & 5.11 above. The mitigation measures are set out below. In 2020 NRE was commissioned to assess the effects of development of land at Helensburgh adjacent to the north shore of the SPA. The land was less than 50m from the SPA boundary, separated from the SPA by the main west coast railway line. SNH concluded that there was no requirement for seasonal working because screening, appropriate lighting, and sound attenuation would adequately mitigate the effects of development of two office blocks and a public house and associated car parking.
- 5.13 **The potential adverse effects on the habitats can be readily mitigated by ensuring there is no discharge of untreated surface water runoff from the site to the SPA**



- mudflats. This will be implemented through the surface water drainage plan which will be approved by SEPA. Contamination of the SPA by windblown material, if deemed likely, would be dealt with by secure containment of construction materials and dampening down of bare ground areas of the site during extended dry periods of weather.**
- 5.14 **Disturbance of redshank using the mudflats to the north of the Site is more likely to occurring during the construction phase of development, when operations will be carried out that generate intermittent noise or vibration. Increased human activity will be introduced at this time. This is not considered to be a concern as there is housing and commercial development and two main roads between the SPA boundary and the development Site.**
- 5.15 **Noises generated during construction have the potential to disturb birds using the SPA. Sound generation, should it be considered a problem, after taking into account the consent set out in 5.14, can be mitigated by the installation of sound attenuation screening. Construction activity inevitably involves the use of equipment that generates intermittent and loud noises and potentially vibrations. The presence of the measures set out above will not address operations such as percussive piling or drilling which can generate both loud noises and shock vibrations. These factors can be addressed by style of construction and foundation excavation employing designs which do not result in excessive noise generation, or where this is not possible creating piling supports using CHD (Continuous Helical Displacement) which is very quiet relative to other methods, generates no percussive vibrations and is much quicker than other methods, such that the work can be completed in a shorter time further reducing the potential impacts.**
- 5.16 **It is proposed that the impacts on the SPA are minimised by retaining the tree cover between the Site and the SPA, employing sound attenuation technology to site machinery and using CED technology, if deemed appropriate.**
- 5.17 **It is SNH's experience that adopting an approach as identified in 5.14 - 5.16 addresses the Appropriate Assessment of Effects requirement and can be addressed by the compilation of appropriate conditions of consent. It would be the responsibility of the main contractor and the developer to ensure that the approach is adhered to, and it is recommended that an Ecological Clerk of Works to inspect, where necessary supervise, and to keep a record of compliance with the proposed working methods.**
- 5.18 **Habitats**
- 5.19 **Development of the Site is restricted to the centre of the site and will result in the loss of habitats that attract site value. The Site exhibits signs of disturbance suggesting a lower ecological value that could be improved on through development. **The habitats are of low value and their loss results in no significant adverse impact on biodiversity and represents no constraint to development.****
- 5.20 **The habitats lost will be replaced by a new build with new tree and shrub planting, and the creation of garden ground. There will be retention of woodland habitat, which will be brought under management for biodiversity benefit. **These changes do not present significant impacts of development as proposed. Indeed, installation of new****



- features, and adoption of informed management creates new opportunities for biodiversity benefit.**
- 5.21 **Species**
- 5.22 There was no evidence of badgers using the site, and there is no risk to the wellbeing of badgers during the construction process, but building construction raises potential threats to wildlife. **Development will not have an impact on the species, but a precautionary approach is recommended, putting measures in place to ensure small mammals do not come to harm during construction; open pipes should be closed up at the end of each working day, and trenches should be covered, or a ramp provided to permit animals that fall in a means of exit, to prevent animals becoming trapped. Chemicals and materials should be stored securely.**
- 5.23 No bat roost potential was recorded on the Site. It is accepted that bats forage over and around the Site. There will be some reduction of forage opportunity, but the forage resource is small and insignificant in the local context. **Development of the Site will not have a significant impact on local bat populations. Irrespective of the current absence of roost opportunity trees proposed to be affected by development should be inspected for bat roost potential, and activity surveys should be undertaken if deemed necessary by the consideration of the inspection findings.**
- 5.24 There will be clearance of low value semi-natural habitat to make way for development. Clearance of vegetation has the potential to adversely affect nesting birds. Nevertheless, **it is recommended that clearance is carried out outside the bird nesting season; March to August, such that no adverse effect on nesting birds arises. If this is an obstacle to development, it is important that no clearance is undertaken before the land is inspected for nesting birds by a suitably qualified ecologist.**
- 5.25 **Summary**
- 5.26 Development of the Port Glasgow Site will result in the loss of low value semi-natural habitat to development. There will be negligible adverse impact on biodiversity from the loss of unexceptional habitats and it is **anticipated there is potential for a neutral/positive effect on biodiversity as a consequence of implementation of development as proposed.**
- 5.27 There will be no impact on designated or protected sites.
- 5.28 There will be no impact on badger populations, but precautionary measures should be put in place to safeguard small mammals during construction.
- 5.29 There will be no impact on bat populations.
- 5.30 Invasive non-native plant species will be eradicated from the site as consequence of development.
- 5.31 **It is anticipated that there will be a neutral/minor positive effect on biodiversity as a consequence of development as proposed.**



## **Bibliography**

Collins, J. (ed) (2016), *Bat Surveys for Professional Ecologists: Good Practice Guidelines (3<sup>rd</sup> Edition)*. The Bat Conservation Trust, London.

JNCC, (2016), *Handbook for Phase 1 Habitat Survey - a technique for environmental audit*, ISBN 0 86139 636 7





## Figure 1

Location Plan

Figure 1



**Glasgow Road  
Port Glasgow**

**Location Plan  
July 2022**

**NIGEL RUDD  
ECOLOGY**

15 Birch Crescent  
Penicuik EH26 0FW



**Promap**  
LANDMARK INFORMATION





## Figure 2

Phase 1 Habitat Plan



Figure 2



-  Semi-natural woodland
-  Japanese knotweed

**Glasgow Road  
Port Glasgow**

**Habitat Plan  
July 2022**

**NIGEL RUDD  
ECOLOGY**  
15 Birch Crescent  
Penicuik EH26 0FW







## Appendix 1

### Personnel

#### **Nigel Rudd BSc CBiol MRSB CMLI**

Consultant ecologist with forty-two years'-experience. Twenty-three years part-time and nineteen full time. Over twenty-five years-experience in Phase 1 Habitat Survey, twenty in bat, otter, and badger survey and fifteen years in reptile, formal great crested newt (GCN) surveys, and GCN eDNA surveys.

Graduated in Applied Biology – Honours Ecology in 1976. (Liverpool Polytechnic)

Three years' research in estuarine algae Heriot Watt University. Lectured Ecology to Landscape students at Edinburgh College of Art/Heriot Watt University 1979-2002, Dean of Faculty Environmental Studies 1998-2000.

Chartered Biologist – Member of the Royal Society of Biology since 1976  
Chartered Landscape Architect – member since 1986

Clients – Major house builders, Local and Central Government, non-governmental organisations. Provided survey, EA and BREEAM reports. Professional witness. Co-authored policy and methodology reports.



## **Appendix 2**

### Feature Evaluation Table



<b>Nature Conservation Value</b>	<b>Example of Selection Criteria</b>
<b>International</b>	<p>A site designated, or identified for designation, at the international level e.g., World Heritage Site, Special Protection Area (SPA), Special Area of Conservation (SAC) and/or RAMSAR site.</p> <p>A sustainable area of habitat listed in Annex 1 of the Habitats Directive, or smaller areas of such habitat that is essential to maintain the viability of a greater whole.</p> <p>Any regularly occurring population of an internationally important species e.g., UK Red Data Book Species, which is listed as occurring in 15 or fewer 10km squares in the UK, and that is identified as having unfavourable conservation status in Europe or global conservation concern in the UKBAP.</p>
<b>UK</b>	<p>A site protected by national designations e.g., Site of Special Scientific Interest (SSSI), National Nature Reserve (NNR), or Marine Protected Area or a site considered worthy of such designation.</p> <p>A sustainable area of any priority habitat identified in the UK BAP, or smaller areas of such a habitat that is essential to maintain the viability of a larger whole.</p> <p>A feature identified as of critical importance in the UK BAP.</p> <p>A sustainable population of a nationally important species (species listed in Schedules 1, 5 and 8 of the Wildlife &amp; Countryside Act 1981 as amended), which is threatened or rare in the District.</p> <p>Any regularly occurring population of a nationally important species that is threatened or rare in that region of the country and for which the LBAP identifies the need to protect all remaining sites.</p>
<b>National Scotland</b>	<p>Sustainable area of key habitat identified in the UK BAP or smaller areas of such habitat that is essential to maintain the viability of a larger area.</p> <p>Non-statutory sites that the designating authority has determined meet the published ecological selection criteria for designation, including Local Nature Reserves.</p> <p>Some non-statutory designated sites (Ancient Woodland, TPOs).</p> <p>Any regularly occurring, locally important population of a species listed in a Regional Red Data Book or LBAP on account of its national rarity or localisation.</p>
<b>District</b>	<p>Some designated sites (e.g., Local Nature Reserve)</p> <p>Some non-statutory designated sites (including SLNCI/CWS)</p> <p>A viable area of habitat identified in a District BAP.</p> <p>Sustainable populations of a species that is rare or scarce within a District, or listed in a District BAP.</p> <p>A viable area of a habitat that is uncommon in the District/district or a degraded example of a habitat identity in a District BAP.</p> <p>Sites or populations that appreciably enrich the District/district habitat resource.</p>
<b>Local</b>	<p>Area of internationally or nationally important habitats, which are degraded and have little potential for restoration.</p> <p>Areas within the site or locally, or populations, that appreciably enrich the habitat/species resource within the locality, e.g., species-rich hedgerow.</p>
<b>Within zone of influence Site Value</b>	<p>Common and widespread species.</p> <p>Areas of heavily managed or modified vegetation of low intrinsic interest and low value to species of nature conservation interest that do not appreciably enrich the site or locality.</p>



## **Appendix 3**

### Species inspections





## Badgers

**Background** – The badger is the largest member of the Mustelidae in Britain weighing up to 20kg and reaching a length of 1m. Badgers are strong animals, adapted to digging, have good hearing and a well-developed sense of smell.

Badgers live in setts. A sett is a network of underground tunnels, which can have a total length of several hundred metres, although individual tunnels reach only 15m. The tunnels incorporate nesting and sleeping chambers, which are usually lined with dry plant material.

Setts are recognised by the large volume of soil and rock deposited at their entrances and the shape of the opening, usually an oval/arch wider than it is high. Plant debris from the bedding is often found close to the entrances. Setts are only excavated where the soil is deep enough and dry.

The setts vary. **Main setts** are large and in continuous use and on average have ten to twelve entrances. Often close to a main sett (up to 150m away) there may be an **Annexe sett** linked to the main sett by established paths. Annexe setts have an average of eight entrances and may not be in continuous use. **Subsidiary setts** are close to the main sett and are not connected by a clear path and not continuously active the average number of entrances is four. The fourth kind of sett is an **Outlying sett**. These can be distinguished by having little associated spoil, no approach path and are seldom used. Often, they can be occupied by other species such as foxes and rabbits. The average number of holes is two.

The badger diet is mainly earthworms but also includes fruit, berries, small mammals, birds, carrion, insects and other invertebrates. Usually, the badgers find the earthworms in areas of short grass, the most important forage resource used.

Badgers live in extended families or clans with up to 6 adults. They are territorial, often marking the boundary of their territory with latrines. The latrines can be used to establish the size of badger territories in bait marking exercises. The territory can extend to 120 hectares in areas with plenty of improved grassland. Where the forage resource is poorer the territory can be much larger.

Badgers mate at any time of the year and births are most common between December and June.

### Badgers and the Law

Badgers are protected by the Protection of Badgers Act 1992, which is designed to protect the species against cruelty and incidental effects of lawful activity that might harm badgers.

Under the legislation it is an offence to wilfully or recklessly:

kill, injure, take, possess or cruelly ill-treat a badger, or attempt to do so  
Interfere with a sett by damaging or destroying it  
Obstruct access to, or any entrance of, a badger sett  
Disturb a badger when it is occupying a sett.

A person is not guilty of an offence if the act was *'the incidental result of a lawful operation and could not have been reasonably avoided'*; what is reasonable often has to be determined by the courts.



A badger sett is defined as '*any structure or place which shows signs of current use by a badger*', including culverts, pipes, holes under sheds, piles of boulders, old mines and quarries.

Current does not mean current occupation but applies to any sett in an area of current badger activity. This applies if the sett is used for only short periods in the year.

The Act makes provision for the issue of licences permitting otherwise illegal operations. Scottish Natural Heritage (SNH) is the licence issuing authority for the purposes of development.

The Survey - The inspection was carried out in July 2022 and involved inspection the land for evidence of use by badgers.

In addition to setts, there are a number of signs that indicate badger activity. These include hair on fences; paths or runs; footprints; latrines; snuffle holes in the ground; day nests and scratch marks on trees.

The site and surrounding accessible land to a radius of 50m was assessed for badger activity. A constant search method was employed in a thorough walkover of the land.

**No evidence was found of badgers using the land.**

**Potential forage habitat was found on the Site.**

**NBN Atlas (Scotland) holds no record of badgers within 5km of the Site. It is considered the species does not visit the Site.**

## **Bats**

Background - Bats are mammals. They are the only mammals capable of true flight and feed at night, on insects.

During the active seasons of the year bats require a reliable source of insect food, and therefore habitat rich in insects is good for bats. The preferred feeding habitats are well vegetated, moist, sheltered and warm areas such as mixed woodland, freshwater and hedgerow.

Bats roost during the day in a range of places. In summer females form nursery colonies mainly in buildings, especially houses. Males and non-breeders will use a variety of crevice-type locations, including under slates, gaps in masonry, hollows in trees and bridges, and some species also use these sites for nursery roosts.

Distance travelled to feed varies with species, the pipistrelle is known to travel 3 to 5km radius from the roost, while long-eared bats only travel about 1km as a maximum. Bats use linear features of the landscape: rivers, hedges, woodland edge, to commute from their roost and between feeding areas. These linear features are also feeding routes.



Bats are true hibernators, that is, they are able to survive the winter with little food by lowering their body temperature and surviving on stored fatty deposits built up in the autumn. They use a variety of sites for hibernation: hollow trees, caves, old mines, or more superficial sites (depending on species) like crevices in buildings and bridges, old rubble-filled stone walls, even under roof slates or tiles. Most species require a stable cool temperature for hibernation and generally the deeper and more sheltered the space, the more stable is the temperature. Unlike some other hibernators, bats may be active at any time during the winter, particularly on mild nights. They will slowly arouse from hibernation and become active when disturbed, and so are particularly vulnerable in winter when becoming active will possibly exhaust their stored energy supply.

Evidence of bats using crevices and holes in trees and buildings on a regular basis includes; urine and grease stains, droppings, food remains, individual animals and evidence of disturbance of spiders' webs.

Acoustic detectors can be employed to identify bat activity in conjunction with dusk and dawn observations.

#### Inspection

The Site presents mature trees, but no buildings.

The trees on the site were inspected from the ground for bat roost potential in June 2022. The conditions were ideal for this survey, the weather was clear sky, light winds and no rain.

**No bat roost potential was noted. The forage available on the land is restricted in area and unlikely to be significant to local bat populations in the context of local woodland resources.**

The NBN Atlas (Scotland) holds records of common *Pipistrellus pipistrellus*, soprano pipistrelle *P. pygmaeus*, and brown long eared *Plecotus auritus* bats within 1.5km of the Site.

**No further bat inspection is recommended unless there is a lengthy delay between the survey and start of works on the Site. In this event the extent of the inspections will depend on the nature of the proposals for the Site.**

## Appendix 4

Plant species list



## Glasgow Road Port Glasgow

### Plant Species

Ash	<i>Fraxinus excelsior</i>
Beech	<i>Fagus sylvatica</i>
Bent grass	<i>Agrostis tenuis</i>
Birch	<i>Betula pendula</i>
Bramble	<i>Rubus fruticosus</i>
Cotoneaster	<i>Cotoneaster sp.</i>
Dock	<i>Rumex obtusifolius</i>
Fern	<i>Dryopteris sp.</i>
Field maple	<i>Acer campestre</i>
Foxglove	<i>Digitalis purpurea</i>
Hawthorn	<i>Crataegus monogyna</i>
Honeysuckle	<i>Lonicera periclymenum</i>
Horse chestnut	<i>Aesculus hippocastaneum</i>
Ivy	<i>Hedera helix</i>
Japanese knotweed	<i>Fallopia japonica</i>
Lawson's cypress	<i>Chamaecyparis lawsoniana</i>
Lime	<i>Tilia platyphyllos</i>
Nettle	<i>Urtica dioica</i>
Norway maple	<i>Acer platanoides</i>
Norway spruce	<i>Picea abies</i>
Portuguese laurel	<i>Prunus lusitanica</i>
Privet	<i>Ligustrum ovaliferum</i>
Rhododendron	<i>Rhododendron ponticum</i>
Rose	<i>Rosa canina</i>
Sycamore	<i>Acer pseudoplatanus</i>
Willow	<i>Salix sp.</i>
Wilson's honeysuckle	<i>Lonicera nitida</i>





## **Appendix 5**

### Sites

**EC Directive 79/409 on the Conservation of Wild Birds**

**SPECIAL PROTECTION AREA (SPA) CITATION**

**INNER CLYDE (UK9003061),  
ARGYLL AND BUTE, WEST DUNBARTONSHIRE, RENFREWSHIRE AND  
INVERCLYDE.**

**Site Description:**

The Inner Clyde is a long, narrow, heavily industrialised estuary on the west coast of Scotland. The Inner Clyde SPA extends 20km westward from Newshot Island to Craighendoran Pier on the north shore and to Newark Castle on the south shore. It contains extensive intertidal flats which support large numbers of wintering waterfowl. The boundary of the Inner Clyde SPA is coincident with that of the Inner Clyde SSSI.

**Qualifying Interest:**

The Inner Clyde SPA qualifies under Article 4.2 by regularly supporting an internationally important wintering population of redshank *Tringa totanus* (1992/93-96/97 winter peak mean of 2,107, 1% of Eastern Atlantic Flyway, 2% of British). This is one of the highest density wintering populations of redshank in Britain.

Area: 1826 ha

Grid Ref.: NS 370750

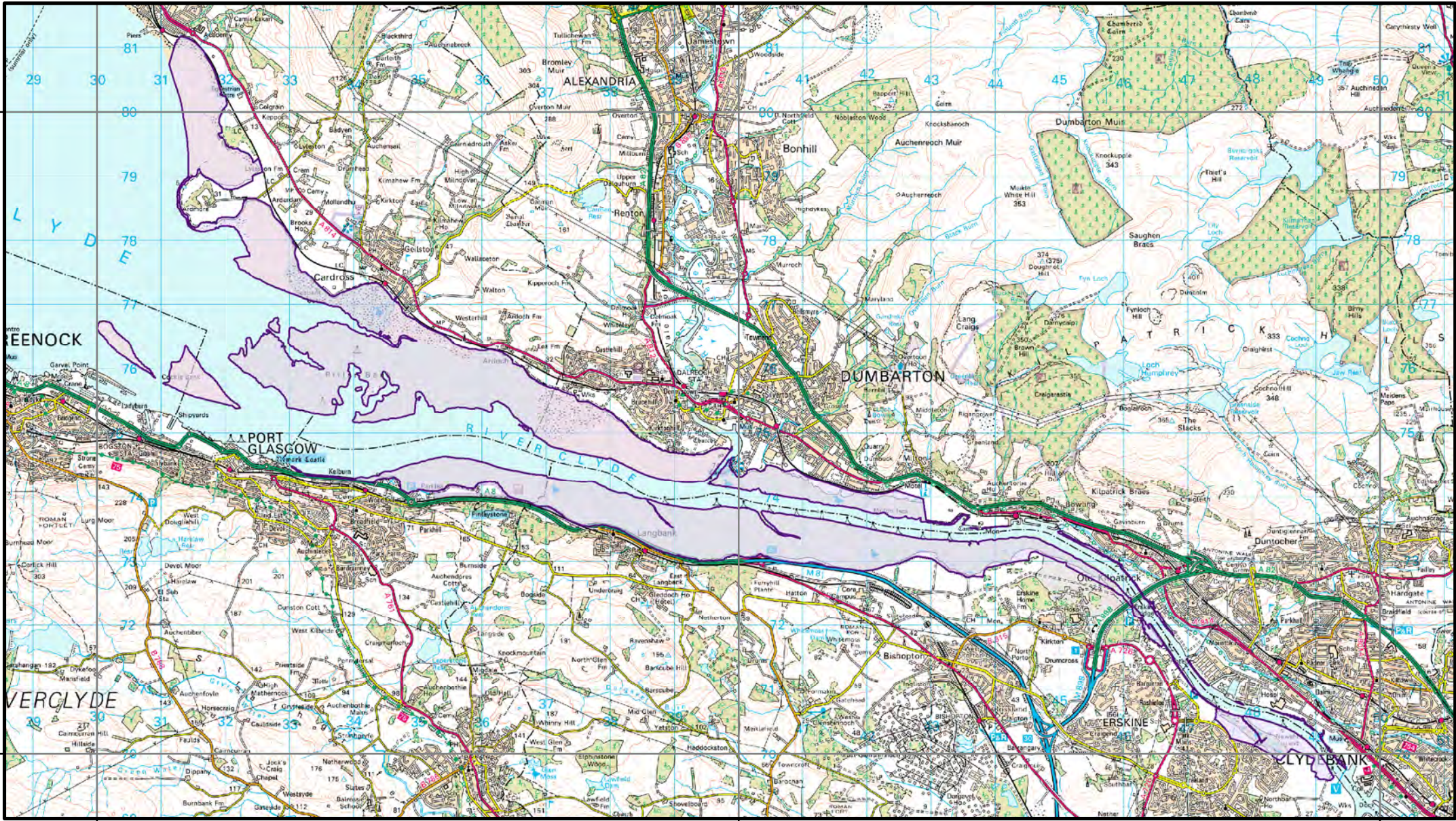
OS 1:50,000 sheet - 63, 64

March 2000

Natura 2000


Scottish Natural Heritage



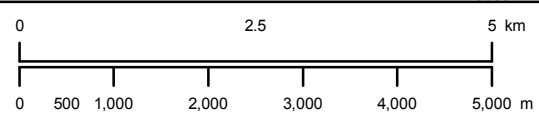


# Inner Clyde

Special Protection Area  
 EC Site Code: UK9003061

 Site boundary

Produced by: Geographic Information Group, SNH, 2011  
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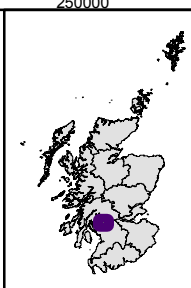


Scale 1:80,000

This is an updated representation of the classified site boundary. Any apparent small differences are due to changes to the OS backdrop.



OS backdrop map is 1:50,000





## CITATION

## INNER CLYDE SITE OF SPECIAL SCIENTIFIC INTEREST Argyll and Bute / Renfrewshire / West Dunbartonshire / Inverclyde

Site code: 1701

NATIONAL GRID REFERENCE: NS 312811 to NS 494698 (North shore)  
NS 300766 to NS 492696 (South shore)

OS 1:50,000 SHEET NO: Landranger Series 63 & 64  
1:25,000 SHEET NO: Explorer Series 341, 342 & 347

AREA: 1,824.92 hectares

## NOTIFIED NATURAL FEATURES

**Biological: Coastlands: Saltmarsh**

**Biological: Birds: Cormorant *Phalacrocorax carbo* (non-breeding)**

**Biological: Birds: Eider *Somateria mollissima* (non-breeding)**

**Biological: Birds: Goldeneye *Bucephala clangula* (non-breeding)**

**Biological: Birds: Oystercatcher *Haematopus ostralegus* (non-breeding)**

**Biological: Birds: Red-breasted merganser *Mergus serrator* (non-breeding)**

**Biological: Birds: Red-throated diver *Gavia stellata* (non-breeding)**

**Biological: Birds: Redshank *Tringa totanus* (non-breeding)**

## DESCRIPTION

The Inner Clyde Site of Special Scientific Interest (SSSI) contains the intertidal zone of the Clyde estuary from Clydebank in the east to a line between Helensburgh on the north shore and Greenock on the south shore. The seaward boundary of the site extends as far as Mean Low Water Springs. The site is the most northerly of Britain's large west coast estuaries used by migrating birds, and is of national importance for its populations of wintering wildfowl and waders and of European importance for its wintering population of redshank. The site also supports a variety of typical estuarine plant communities with good examples of transitions from saltmarshes to brackish swamps and grassland periodically inundated with sea water.

The site provides the largest example in west central Scotland of grazed and ungrazed upper saltmarsh with relatively uninterrupted transitions to swamp and grassland vegetation. These transitions are absent from many of the major British estuaries where historical land-claim has led to their disappearance. The most extensive areas of saltmarsh, covering approximately 76 hectares, are found on the north shore between Milton Island and Dumbarton, and on the south shore at Newshot Island and Longhaugh Point. There is also a small area at Ardmore Point. In these areas the low marsh (seaward) vegetation, which is covered at almost every tide, contains large areas of the nationally scarce dwarf eelgrass *Zostera noltei*.



The Inner Clyde regularly supports nationally important wintering populations of several species of waterfowl, including redshank, red-throated diver, cormorant, eider, goldeneye, red-breasted merganser and oystercatcher. Principal roosting sites are at Ardmore, Dumbarton, Cardross, Milton Island, Longhaugh Point to West Ferry, and Newshot Island.

## **NOTIFICATION HISTORY**

Part notified under the 1949 Act: Ardmore Point SSSI in 1955

Part notified under the 1949 Act: Erskine to Langbank SSSI in 1972 and 1975

Part re-notified under the 1981 Act: Ardmore Point SSSI on 22 March 1983

Part re-notified under the 1981 Act: Erskine to Langbank SSSI on 29 October 1984

Part notified under the 1981 Act: Dumbuck Foreshore to Pillar Bank SSSI on 11 November 1983

First notified under the 1981 Act as Inner Clyde SSSI: 21 June 1999

(At confirmation on 16 March 2000 there was a 6.74 ha decrease in area.)

Notification reviewed under the 2004 Act: 3 August 2010

## **REMARKS**

Measured area of site corrected from 1,826.02 ha (intertidal area).

Inner Clyde SSSI is designated as the Inner Clyde Special Protection Area (SPA) for the birds listed below:

Birds: redshank *Tringa totanus* (non-breeding)

