

Report To: The Planning Board

Date: 1 March 2023

Report By: Director, Environment & Regeneration

Report No: 22/0234/IC

**Local Application
Development**

**Contact
Officer:** Carrie Main

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Subject: Residential development comprising 30 units, associated landscaping, access and other ancillary works at
Site Of Former Greenock Academy, Madeira Street, Greenock



SUMMARY

- The proposal complies with the 2019 adopted and 2021 proposed Inverclyde Local Development Plan.
- 10 representations have been received raising concerns over design and the impact on the conservation area; roads, traffic and parking provision; residential amenity; environmental concerns and procedural matters.
- The recommendation is to GRANT PLANNING PERMISSION SUBJECT TO CONDITIONS.

Drawings may be viewed at:

<https://planning.inverclyde.gov.uk/Online/applicationDetails.do?activeTab=documents&keyVal=RJDRZYIMN1E00>

SITE DESCRIPTION

The site extends to 1.47 hectares and comprises of the former Greenock Academy site. The former school building was situated along the western side of the site with its associated grounds to the east, where vehicular and pedestrian access was taken from Madeira Street. Following the demolition of the school in 2015 the site currently lies vacant and is laid to grass predominately with the trees within the site retained. The site is bound by Newark Street to the North and Madeira Street to the East. The boundary of the Greenock West End Conservation Area also meets the northern and eastern boundaries of the site. It is therefore located just outwith the conservation area, with neighbouring properties on Madeira Street and Newark Street located within it. The site slopes steeply down from its southern boundary which it shares with the recently developed Glenpark Early Years Centre. The variation in topography is around 12.66 metres from its highest point at the south-western corner to lowest point at the north-western corner. A raised plateau exists at the southern end of the site with a steep embankment with tree and vegetation cover. The central and lower half of the site slopes more gradually downwards towards the north boundary at Newark Street. The site is bound predominately with a stepped red brick wall, piers and intervening black metal railings. The western boundary is delineated by adjacent back garden fences of neighbouring residential properties on Dungourney Drive. An approximately 1.8m high weldmesh metal fence separates the site and the Early Years Centre to the south.

The site is located within an established residential area, typified by a mix of detached and semi-detached housing, including traditional sandstone villas, red brick and rendered dwellings.

Policy 18 and Schedule 3 of the Proposed 2021 Inverclyde Local Development Plan designates the site as land for housing, reference R36, with an indicative capacity of 30 units.

PROPOSAL

Planning permission is sought for a residential development of 30 dwellings inclusive of associated access roads, footpaths, parking, retaining walls, open space and landscaping.

The proposal presents 30 houses for private sale, comprising of 8 blocks of 24 three storey townhouses and 6 two storey with room in the roof houses. All houses are three bedroom. A single vehicular access point will be formed at the eastern end of the site, from Madeira Street, at a relatively central point within the site. The blocks are to be constructed in a linear pattern, with an east-west orientation. Each property contains a dedicated front and rear garden area with in-curtilage parking; Blocks (1 & 2), at the southern end of the site, propose a shared parking court which fronts Madeira Street.

The dwellings are thematic in design and finish, with external walls finished in a buff coloured facing brick with corbelling detail to the front elevations and to prominent side elevations, grey uPVC windows and doors, concrete roof tiles and black uPVC rainwater fittings. Solar PV panels are incorporated centrally within the rear roof slope of each house. Juliette balconies are also featured within each house. Blocks 1 and 2 are the 'room in the roof' houses and contain large uPVC roof windows. The proposal indicates the erection of 1.8 metre timber fences between plots to the side and rear garden boundaries and front gardens generally left as open plan with beech hedging proposed between driveways. More prominent boundaries: the southern and eastern boundaries of the site will be defined by crib walls for retention. The western and southern boundaries will have a soft landscaped treatment.

Given the site's topography the development is set onto three levels or platforms with retaining walls constructed in between generally within the rear curtilage of the properties with associated lowering and raising of ground levels. All plots have a 0.55m tiered/stepped rear gardens to minimise the scale of retention required between properties. Areas of open space are to be located to the south-west and north-east corner of the site. The north-east corner will additionally accommodate the SUDS provision of the site in the form of an underground attenuation tank.

DEVELOPMENT PLAN POLICIES

NATIONAL PLANNING FRAMEWORK 4 (NPF4)

NPF4 was adopted by the Scottish Ministers on 13th February 2023. NPF4 forms part of the statutory development plan, along with the Local Development Plan applicable to the area and its supplementary guidance. NPF4 supersedes National Planning Framework 3 (NPF3) and Scottish Planning Policy (SPP) (2014). NPF3 and SPP no longer represent Scottish Ministers' planning policy. The Clydeplan Strategic Development Plan and associated supplementary guidance cease to have effect from 13th February 2023 and as such no longer form part of the development plan.

NPF 4 has the six overarching spatial principles of: just transition; conserving and recycling assets; local living; compact urban growth; rebalanced development and rural revitalisation. This ensures that our future places work for everyone, rather than compromise or trade-offs between environmental, social and economic objectives, this is an integrated strategy to bring together cross-cutting priorities and achieve sustainable development. By applying these spatial principles, the national spatial strategy will support the planning and delivery of: sustainable places, where we reduce emissions, restore and better connect biodiversity; liveable places, where we can all live better, healthier lives; and productive places, where we have a greener, fairer and more inclusive wellbeing economy. Whilst all 33 Policies within NPF4 are of relevance in assessing development proposals the policies as listed below are of particular relevance to this proposed housing development, within a settlement boundary on brownfield land.

Policy 9- Brownfield, vacant and derelict land and empty buildings

- a) Development proposals that will result in the sustainable reuse of brownfield land including vacant and derelict land and buildings, whether permanent or temporary, will be supported. In determining whether the reuse is sustainable, the biodiversity value of brownfield land which has naturalised should be taken into account.
- b) Proposals on greenfield sites will not be supported unless the site has been allocated for development or the proposal is explicitly supported by policies in the LDP.
- c) Where land is known or suspected to be unstable or contaminated, development proposals will demonstrate that the land is, or can be made, safe and suitable for the proposed new use.
- d) Development proposals for the reuse of existing buildings will be supported, taking into account their suitability for conversion to other uses. Given the need to conserve embodied energy, demolition will be regarded as the least preferred option.

Policy 13 – Sustainable Transport

- a) Proposals to improve, enhance or provide active travel infrastructure, public transport infrastructure or multi-modal hubs will be supported. This includes proposals:
 - i. for electric vehicle charging infrastructure and electric vehicle forecourts, especially where fuelled by renewable energy.
 - ii. which support a mode shift of freight from road to more sustainable modes, including last-mile delivery.
 - iii. that build in resilience to the effects of climate change and where appropriate incorporate blue and green infrastructure and nature rich habitats (such as natural planting or water systems).
- b) Development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and investment hierarchies and where appropriate they:
 - i. Provide direct, easy, segregated and safe links to local facilities via walking, wheeling and cycling networks before occupation;

- ii. Will be accessible by public transport, ideally supporting the use of existing services;
 - iii. Integrate transport modes;
 - iv. Provide low or zero-emission vehicle and cycle charging points in safe and convenient locations, in alignment with building standards;
 - v. Supply safe, secure and convenient cycle parking to meet the needs of users and which is more conveniently located than car parking;
 - vi. Are designed to incorporate safety measures including safe crossings for walking and wheeling and reducing the number and speed of vehicles;
 - vii. Have taken into account, at the earliest stage of design, the transport needs of diverse groups including users with protected characteristics to ensure the safety, ease and needs of all users; and
 - viii. Adequately mitigate any impact on local public access routes.
- c) Where a development proposal will generate a significant increase in the number of person trips, a transport assessment will be required to be undertaken in accordance with the relevant guidance.
- d) Development proposals for significant travel generating uses will not be supported in locations which would increase reliance on the private car, taking into account the specific characteristics of the area.
- e) Development proposals which are ambitious in terms of low/no car parking will be supported, particularly in urban locations that are well-served by sustainable transport modes and where they do not create barriers to access by disabled people.
- f) Development proposals for significant travel generating uses, or smaller-scale developments where it is important to monitor travel patterns resulting from the development, will only be supported if they are accompanied by a Travel Plan with supporting planning conditions/obligations. Travel plans should set out clear arrangements for delivering against targets, as well as monitoring and evaluation.
- g) Development proposals that have the potential to affect the operation and safety of the Strategic Transport Network will be fully assessed to determine their impact. Where it has been demonstrated that existing infrastructure does not have the capacity to accommodate a development without adverse impacts on safety or unacceptable impacts on operational performance, the cost of the mitigation measures required to ensure the continued safe and effective operation of the network should be met by the developer.

Policy 15 – Local Living and 20-minute neighbourhoods

- a) Development proposals will contribute to local living including, where relevant, 20-minute neighbourhoods. To establish this, consideration will be given to existing settlement pattern, and the level and quality of interconnectivity of the proposed development with the surrounding area, including local access to:

sustainable modes of transport including local public transport and safe, high quality walking, wheeling and cycling networks;

- employment;
- shopping;
- health and social care facilities;
- childcare, schools and lifelong learning opportunities;
- playgrounds and informal play opportunities, parks, green streets and spaces, community gardens, opportunities for food growth and allotments, sport and recreation facilities;
- publicly accessible toilets;
- affordable and accessible housing options, ability to age in place and housing diversity.

Policy 16 – Quality Homes

- a) Development proposals for new homes on land allocated for housing in LDPs will be supported.
- b) Development proposals that include 50 or more homes, and smaller developments if required by local policy or guidance, should be accompanied by a Statement of Community Benefit. The statement will explain the contribution of the proposed development to:
 - i. meeting local housing requirements, including affordable homes;
 - ii. providing or enhancing local infrastructure, facilities and services; and
 - iii. improving the residential amenity of the surrounding area.
- c) Development proposals for new homes that improve affordability and choice by being adaptable to changing and diverse needs, and which address identified gaps in provision, will be supported. This could include:
 - i. self-provided homes;
 - ii. accessible, adaptable and wheelchair accessible homes;
 - iii. build to rent;
 - iv. affordable homes;
 - v. a range of size of homes such as those for larger families;
 - vi. homes for older people, including supported accommodation, care homes and sheltered housing;
 - vii. homes for people undertaking further and higher education; and
 - viii. homes for other specialist groups such as service personnel.
- d) Development proposals for public or private, permanent or temporary, Gypsy/Travellers sites and family yards and Travelling Showpeople yards, including on land not specifically allocated for this use in the LDP, should be supported where a need is identified and the proposal is otherwise consistent with the plan spatial strategy and other relevant policies, including human rights and equality.
- e) Development proposals for new homes will be supported where they make provision for affordable homes to meet an identified need. Proposals for market homes will only be supported where the contribution to the provision of affordable homes on a site will be at least 25% of the total number of homes, unless the LDP sets out locations or circumstances where:
 - i. a higher contribution is justified by evidence of need, or
 - ii. a lower contribution is justified, for example, by evidence of impact on viability, where proposals are small in scale, or to incentivise particular types of homes that are needed to diversify the supply, such as self-build or wheelchair accessible homes

The contribution is to be provided in accordance with local policy or guidance.
- f) Development proposals for new homes on land not allocated for housing in the LDP will only be supported in limited circumstances where:
 - i. the proposal is supported by an agreed timescale for build-out; and
 - ii. the proposal is otherwise consistent with the plan spatial strategy and other relevant policies including local living and 20-minute neighbourhoods;
 - iii. and either:
 - delivery of sites is happening earlier than identified in the deliverable housing land pipeline. This will be determined by reference to two consecutive years of the Housing Land Audit evidencing substantial delivery earlier than pipeline timescales and that general trend being sustained; or
 - the proposal is consistent with policy on rural homes; or
 - the proposal is for smaller scale opportunities within an existing settlement boundary; or

- the proposal is for the delivery of less than 50 affordable homes as part of a local authority supported affordable housing plan.

g) Householder development proposals will be supported where they:

- i. do not have a detrimental impact on the character or environmental quality of the home and the surrounding area in terms of size, design and materials; and
- ii. do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking.

h) Householder development proposals that provide adaptations in response to risks from a changing climate, or relating to people with health conditions that lead to particular accommodation needs will be supported.

ADOPTED 2019 LOCAL DEVELOPMENT PLAN POLICIES

Policy 1 - Creating Successful Places

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

Policy 6 - Low and Zero Carbon Generating Technology

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

Other solutions will be considered where:

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

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

Policy 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 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.

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

PROPOSED 2021 LOCAL DEVELOPMENT PLAN POLICIES

Policy 1 - Creating Successful Places

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

Policy 6 - Low and Zero Carbon Generating Technology

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

Other solutions will be considered where:

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

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

Policy 9 - Managing Flood Risk

Development proposals will be assessed against the Flood Risk Framework set out in Scottish Planning Policy. Proposals must demonstrate that they will not:

- o be at significant risk of flooding (i.e. within the 1 in 200 year design envelope);
- o increase the level of flood risk elsewhere; and
- o reduce the water conveyance and storage capacity of a functional flood plain.

The Council will support, in principle, the flood risk management schemes set out in the Clyde and Loch Lomond Local Flood Risk Management Plan 2016, subject to assessment of the impacts on the amenity and operations of existing and adjacent uses, the resources protected by the Plans historic buildings and places and natural and open spaces chapters, and the transport network. Where practical and effective, nature-based solutions to flood management will be preferred.

Policy 10 - Surface and Waste Water Drainage

New build development proposals which require surface water to be drained should demonstrate that this will be achieved during construction and once completed through a Sustainable Drainage System (SuDS), unless the proposal is for a single dwelling or the discharge is directly to coastal waters.

The provision of SuDS should be compliant with the principles set out in the SuDS Manual C753 and Sewers for Scotland 4th edition, or any successor documents.

Where waste water drainage is required, it must be demonstrated that the development can connect to the existing public sewerage system. Where a public connection is not feasible at present, a temporary waste water drainage system can be supported if:

- i) a public connection will be available in future, either through committed sewerage infrastructure or pro-rata developer contributions; and
- ii) the design of, and maintenance arrangements for, the temporary system meet the requirements of SEPA, Scottish Water and Inverclyde Council, as appropriate.

Private sustainable sewerage systems within the countryside can be supported if it is demonstrated that they pose no amenity, health or environmental risks, either individually or cumulatively.

Developments including SuDS are required to have an acceptable maintenance plan in place, which identifies who will be responsible for maintenance and how this will be funded in the long term.

Policy 11 - Promoting Sustainable and Active Travel

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

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

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

The Council will support the implementation of transport and active travel schemes as set out in national, regional and Council-approved strategies, subject to adequate mitigation of the impact of the scheme on: development opportunities; the amenity and operations of existing and adjacent uses; and the resources protected by the Plan's historic buildings and places and natural and open spaces chapters

Policy 12 - Managing Impact of Development on the Transport Network

Development proposals should not have an adverse impact on the efficient operation of the transport and active travel network.

Development should comply with the Council's roads development guidelines and parking standards, including cycle parking standards.

Developers are required to provide or financially contribute to improvements to the transport network that are necessary as a result of the proposed development.

Policy 16 - Soils

Development on prime agricultural land 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.

Development should avoid the unnecessary disturbance of peat and carbon-rich soils. Best practice must be adopted in the movement, storage, management and reinstatement of peat and carbon-rich soils.

Where peat and carbon rich soils are present on an application site, a depth survey must be undertaken which demonstrates that areas of deep peat have been avoided as far as is possible. A peat management plan must also be produced, detailing mitigation measures which demonstrate that the unnecessary disturbance, degradation or erosion of peat will be avoided. 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.

Policy 17 - Brownfield Development

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

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

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

Development proposed on land that the Council considers to be potentially contaminated will only be supported where a survey has identified the nature and extent of any contamination present on site and set out a programme of remediation or mitigation measures that are acceptable to the Council and ensure that the site can be made suitable for the proposed use.

Policy 18 - Land for Housing

To enable delivery of the Clydeplan Strategic Development Plan housing supply target for Inverclyde, new housing development will be supported on the sites identified in Schedule 3, and on other appropriate sites within residential areas and town and local centres. All proposals for residential development will be assessed against relevant Supplementary Guidance including Design Guidance for Residential Development, Planning Application Advice Notes, and Delivering Green Infrastructure in New Development.

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

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

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

Policy 20 - Residential Areas

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

Policy 21 - Wheelchair accessible housing

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

Policy 33 - Biodiversity and Geodiversity

European sites

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

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

In such cases, the Scottish Ministers must be notified.

Sites of Special Scientific Interest

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

Protected Species

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

Local Nature Conservation Sites

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

Non-designated sites

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

Policy 34 - Landscape

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

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

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

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

Policy 37 - Delivering Green Infrastructure Through New Development

Green infrastructure provision should be informed by an appraisal of the existing natural features and eco systems services on and in close proximity to the proposed development site and fully incorporated into the wider design process at an early stage, in line with the approach to be set out in the Supplementary Guidance on Green Infrastructure.

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

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

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

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

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

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

CONSULTATIONS

Head of Service - Roads and Transportation –

1. Parking should be provided in accordance with the National Guidelines:

1 bedroom	1 parking space
2-3 bedrooms	2 parking spaces
4 bedrooms	3 parking spaces

Visitor parking should be 0.25 spaces per dwelling.

2. The proposed development has 30no 3 bedroom properties. These require 2 parking space each.

The total parking required is 60 parking spaces and 8 visitor parking spaces.

The proposed parking is acceptable.

3. The minimum dimensions of parking spaces in the driveways shall be minimum 2.5m by 5.0m long per space. There should also be a minimum of 0.9m path past these parking spaces where the driveway forms part of the pedestrian access to the property. The proposed parking spaces are acceptable. This reduced standard is accepted as the properties include a 3,0m wide garage.
4. The driveway gradients should not exceed 10% and meet the road at 90 degrees. They should be fully paved. The proposed parking is acceptable.
5. The applicant has shown a visibility splay of 2.4m x 20.0m x 1.05m from each driveway associated with blocks 3 to 6 which is acceptable. Those in blocks 7 & 8 (Newark Street) should show a visibility splay of 2.4m x 43.0m x 1.05m from each driveway.
6. The parking spaces in both car parks should be 2.5m x 5.0m and there should be an aisle spacing of 6.0m. The proposed parking is acceptable.
7. Parking spaces for each plot should be identified on site to avoid future issues with residents.
8. For the garages to be counted as a parking space, it must be a minimum of 3.0m by 7.0m. The current garages do not meet this requirement and therefore cannot be counted within the parking provision. As the parking is satisfied on the driveway, the garage dimensions do not need to meet requirements.
9. Footways within the site should be a minimum of 2m wide.
10. The road width should be a minimum of 5.5m and the gradient should be a minimum of 8%.
11. We would not adopt the car park adjacent to block 1.
12. The applicant has shown a visibility splay of 2.4m x 43.0m x 1.05m from both accesses on to Madeira Street. This is acceptable.
13. The road offering access to blocks 3 to 6 should be taken via a junction and constructed in accordance with the National Roads Development Guide. A Road Construction Consent will be required.
14. Access to blocks 1 and 2 should be taken via a footway cross over constructed in accordance with the National Roads Development Guide. A Road Construction Consent will be required.
15. The turning head should be in accordance with the National Roads Development Guide. The turning drawings of a full size bin lorry are acceptable.
16. The revised tracking drawing (J5320-37 Rev C) for the vehicle entering and exiting the new road from Madeira Street is acceptable.

17. The FRA and DIA are acceptable noting that the location is low risk from sewer flooding, watercourse, coastal, surface water and tidal flooding. It is also noted that the development will not increase the volume of surface water run-off from the site and that the run-off rate will be restricted to 11.1l/s.
18. As part of the FRA and DIA, Inverclyde Council requires the applicant or the suitably qualified agent to certify that the Flood Risk Assessment and Drainage Impact Assessments have been carried out in accordance with the Planning Guidance for Developers, relevant documents and legislation using the Assessment Compliance Certificate. Submitted Assessment Compliance Certificate (App. C) is not certified by a Chartered Engineer (Engineering Qualification listed as MCIWEM). Independent Check Certificate (App. D) has been submitted and is noted that the FRA and DIA has been checked and certified by a Chartered Engineer which is acceptable.
19. Maintenance regime submitted are acceptable however drawings J5320-051 and J5320-045 / 054 do not appear to be uploaded to the planning portal.
20. Drainage layouts are acceptable now that the hydraulic modelling has been verified by an Independent Chartered Engineer (App. D).
21. All surface water shall be contained within the site.
22. Please confirm that the outlet pipe connecting to the culverted watercourse will be adopted by Scottish Water. This can be conditioned but needs to be confirmed before construction.
23. The proposed development will have an impact on the existing street lighting, accordingly a lighting and electrical design for adoptable areas will be required for each site. A system of lighting shall be kept operational at all times within the existing public adopted areas.
24. The street lighting plans show that the column relocations on Newark St may require a section 56 consent as they are out with the site boundary. We will require 24hr notice before any work on the existing circuits.

Head of Public Protection and Covid Recovery (Environmental Health) – Conditions recommended in respect of contaminated land, external lighting, noise and recommended advisory notes on site drainage, rats, drains and sewers, construction regulations, design and construction of buildings and electric vehicle charging points.

Scottish Water – No objection to this application. However, a formal connection application must be submitted following any grant of full planning permission to review the availability of capacity.

PUBLICITY

The application was advertised in the Greenock Telegraph on 21st October 2022 as the owner(s) of the application site could not be identified by the applicant.

SITE NOTICES

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

PUBLIC PARTICIPATION

The application was the subject of neighbour notification. 10 representations were received. 9 objecting to the proposal and 1 neutral comment.

The concerns raised within the representations received are summarised below:

Design and impact on the impact on the Conservation Area concerns

- Is the site in the conservation area? If so, does the proposal design and materials align with conservation requirements?
- This proposal causes overdevelopment of the site.
- The proposed development presents a modern development which does not conform to the form, design or materials of the surrounding architecture.
- Development is not in character with neighbouring properties. These building are unsightly and out of place.
- Plans for the boundary are at best piecemeal, only preserving the existing boundary in some places and not others. The boundary onto Newark and Madeira Street should be afforded the same finish to reflect the surrounding conservation area.
- Concrete tiled roofs and the chosen facing brick are not sympathetic to the surrounding buildings.
- This proposal is similar to proposed development on the gardens of two properties on Eldon Street/Welbeck Street (13/0044/IC). The key difference is this site is excluded from the Conservation Area. To ignore the context of the appeal would make a mockery of the Conservation Area and all that it stands for in protecting local heritage and architecture.

Roads, traffic and parking concerns

- Insufficient parking provision within the site. Madeira Street and Newark Street will become areas of overflow parking.
- Existing off-street parking provision for existing homes will be lost. The proposal will cause a reduction of on-street parking provision. Blocks 7 and 8 will eliminate over 50 metres of on-street parking as does the location of proposed access roads on Madeira Street. This will increase on-street parking elsewhere.
- The properties facing on Newark Street present a safety issue to road users and pedestrians as the 'nose-in' parking will mean vehicles will have to cross the pavement and reverse onto the road. The proposed beech hedging on the boundaries plus the bin stores will further restricts visibility. This adds to safety concerns.
- The proposed installation of a mini-roundabout at the junction of Bentinck Street and Newark Street will further prohibit parking areas adjacent to it. Whilst separate matters, the cumulative effect of both proposals on parking provision and safety should be considered together.
- There is little provision for visitor parking.
- A reduction in the number of proposed houses would allow more on-site parking provision.
- No consideration for the increase traffic, loss of on-street parking and the impact of this on the environment.

Residential amenity concerns

- Lack of amenities and services to support new residents.
- Loss of light and privacy from Blocks 7 and 8 into no's 30, 32 and 34 Newark Street.
- Due to the East/West orientation of the blocks and other constraints 12 plots have their bins situated right at the front entrance of their plot and 2 of them have bins sited across the road at the front of the house.

Environmental concerns

- The terracing of the houses is 'sold' for its eco credentials. In reality it appears to be cramming in as many houses as possible. If energy efficiency is at the forefront why not gold standard instead of silver? Why not triple glazing instead of double? Will solar panels be up and running or up to households? Is there only provision for, but not fitting of, electric charging points? Is the proposed 60 year life span really contributing to sustainability? Any new projects should be completed to the highest ecological and environmental standards.

- There will be major groundwork taking place on-site disturbing topsoil. There is no provision to limit airborne particles of asbestos while this work is being done. Concern for ground contamination and the risks to human health.
- What will happen if residents decide to cultivate their garden plots?
- The dust mitigation affecting off-site residents lacks sufficient detail when compared to the level of risk posed from earthworks and potential windblown hazards resulting from asbestos disturbance. A construction programme with start and end dates is required as there will be noise disturbance and air pollution to neighbouring residents.
- Flood risk concerns. The proposal is likely to increase flooding off-site to the north-west of the site under existing ground conditions and elevations.
- Inverclyde Council have been neglectful in the control of overgrowth throughout the site and residents adversely affected by this in terms of loss of amenity due to encroachment. I refer specifically to the tree survey and the Irish Yew and Cherry Laurel (ref 6509 and E1 respectively) which have been unmanaged and reached heights of 8-10m. Please confirm intention to remove these trees.
- The trees on the site have probably been there since Greenock Academy occupied the site in the mid-1960s. Why not adopt a better plan that retains the trees?

Procedural concerns

- The notification/publication has not been followed correctly as no site notice was posted at the site.

Other concerns

- There is no provision for social housing. Inverclyde Council should seek to create mixed housing rather than a little "gated community" within the West End.
- Fewer homes, all accessed from Madeira Street could be supported.
- The Planning Statement states in para 2.1 that the Former Greenock Academy was demolished sometime within the last 10-15 years. How difficult would it have been to make enquiries to find out that the building was demolished in spring 2015?
- It is stated that the closest named watercourse to the site is Firth of Forth and starting on Albion Street. This is the wrong Firth, and the nearest Albion Street is in Glasgow. Our street name is also often wrongly recorded as Newark Drive. This questions the validity of the research.

I will address these concerns within my assessment.

ASSESSMENT

The material considerations in the assessment of this application are national planning policy, National Planning Framework (NPF) 4 which was approved for adoption by the Scottish Parliament on 11 January 2023; the adopted 2019 Inverclyde Local Development Plan; the proposed 2021 Inverclyde Local Development Plan; the adopted and draft Planning Application Advice Note (PAAN) 3 on "Private and Public Open Space Provision in New Residential Development", the visual impact, the impact on residential amenity, the consultation responses, the representations received and the applicant's supporting documentation.

Policy context

NPF 4 facilitates and supports the redevelopment of brownfield land which is well-connected by sustainable transport options. It also promotes a range of attractive, well-designed, energy efficient, good quality housing contributing to the creation of successful and sustainable places.

The Spatial Development Strategy of both the adopted and proposed Plans directs residential development to existing built-up areas in the first instance. Policy 17 additionally offers with support

in principle for proposals to bring brownfield sites in the urban area back into beneficial use. As a brownfield site, within an urban area, in a sustainable location and allocated for residential development the proposal therefore accords with in principle with this strategy, with Policy 17 and with the principles of NPF4. Policy 18 of the proposed Plan advises that in order to enable delivery of the housing supply target for Inverclyde, new housing development will be supported on the sites identified in Schedule 3, and on other appropriate sites within residential areas and town and local centres. This site is included in Schedule 3 of the proposed Plan with an indicative capacity of 30 dwellings. Policy 18 goes on to require all proposals for residential development will be assessed against relevant Supplementary Guidance. In relation to affordable housing provision it further states that the requirement for 25% of houses on greenfield housing sites in Inverclyde villages to be for affordable housing. The proposed Plan reflects the most up-to-date Housing Need and Demand Assessment and on this basis it is considered that, as this site is brownfield and outwith the Inverclyde villages there is no requirement for affordable housing provision within this site.

Policy 1 of the adopted and proposed Plans require all development to have regard to the six qualities of successful places. The relevant factors in this instance are being "Distinctive" in reflecting local architecture and urban form; "Resource Efficient" in making use of previously developed land; "Easy to Move Around" by being well connected, with good path links to the wider path network, public transport nodes and neighbouring developments; "Safe and Pleasant" by avoiding conflict between adjacent uses by having regard to adverse impacts that may be created by flooding, invasion of privacy or overshadowing as well as minimising parking in the street scene; and "Welcoming" by integrating new development into existing communities.

Design and layout

Successful residential layouts require well designed buildings in a setting of gardens and open space and within a framework established by landscape features and road layout, all recognising the impact on neighbours. The site is located within an existing urban and established residential area where there are a variety of house types including detached, semi-detached, terrace and flatted properties, predominately 2 or 3 storeys. The surrounding urban form, particularly within the adjoining 'Central Character Area' as defined within the Greenock West End Conservation Area Appraisal (2016) follows a regular grid pattern with a relatively higher density/smaller plot size with buildings close to the street line creating a strong street frontage with roads, parking and private amenity space set behind the buildings. The building types are defined as 1.5 storey cottages, 2 storey detached and semi-detached houses, some short terraces and some 3 storey tenements. The orientation of the built form is generally sensitive to the topography and an east to west orientation of buildings is evident to reflect the natural topography, maximise sunlight provision and to take advantage of the attractive outlook over the River Clyde.



View south-west from the junction on Madeira Street/Newark Street



View south from Newark Street



View north- west from Madeira Street

Overall, I consider the proposed development to follow this theme with an apparent grid pattern which follows the natural topography of the site by defining three distinct levels or tiers for development through land engineering works and the installation of retention walls to the rear of plots. Stepped level gardens which incorporate a small central 0.55m retaining wall assist in reducing the level of retention required at the rear of plots and in reflecting the natural sloping topography of the site. Buildings are located close to the street along Newark and Madeira Street as well as onto the new road and proposed central road within the site, contributing to a welcoming environment. The shared car parking area at the eastern boundary at the southern end of the site is an exception to this, however, the soft landscaping proposed at this boundary promotes the screening of the parking area. The smaller two storey with room in the roof houses and adjacent amenity space are proposed at the highest point of the site (south) to minimise visual dominance with the drainage provision naturally at the lowest point, at the south-eastern corner of the site. The site's varying topography and surrounding road layout has therefore to a large extent informed the proposed form and layout. The Head of Service - Roads and Transportation is content that the roads layout and parking provision is in accordance with the Council's and National Roads Development guide. I therefore consider it to largely reflect the local urban form and distinct natural features, in accordance with the 'Distinctive' factor of Policy 1.

Whilst the design of dwellings is contemporary and presents a variation in house type to the surrounding architecture in that three storey town houses are proposed (predominately) I consider that the overall layout, form and design i.e., the short terrace rows, low pitched roofs to form a compatible and acceptable addition to the built form in terms of residential density, form and scale. With respect to use of materials, the similar palette proposed throughout the development is acknowledged to balance the varying levels throughout the site. I consider the buff coloured facing brick to provide a visual link and reference to the blonde sandstone villas which lie opposite to the site on Newark and Madeira Street. The facing brick and concrete roof tiles similarly reference the adjacent properties on Dungourney Drive and the grey coloured uPVC windows and doors to reference the grey cladding on the adjacent Glenpark Early Years Centre. In any case, however, it is appropriate that the final choice of external materials is controlled by condition to gage a more accurate visual representation.

As an element of design, Policy 6 of both Plans seek to ensure that all new buildings are energy efficient through the installation of low and zero carbon generating technologies and that at least 20% of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and operation of low and zero carbon generating technologies. I acknowledge that PV solar panels and electric charging outlets are incorporated within the proposed development. A condition can address that this requirement is met.

Policy 21 of the proposed Plan seeks the provision of 5% wheelchair accessible housing on new development sites of 20 or more units. I acknowledge that each dwelling contains a barrier free access and the gradients of driveways are acceptable. The applicant further contends that each dwelling has been designed to be capable of accommodating changes in lifestyle and mobility. With regards to internal configuration of properties wheelchair accessibility will be assessed fully within the building warrant application to ensure Scottish Building Standards are met. A condition can address that this requirement is met prior to the occupation of the final dwellinghouse.

Garden boundaries between plots are defined by common beech hedging within the front curtilage and 1.8-metre-high timber fencing at side and rear boundaries. The existing brick wall/railing at the north and eastern boundaries of the site is to be removed and retained only between plot 30 and the gas governor. The 1.8m metal fencing to the southern and western boundaries is to be retained with crib walls, hedging and street trees proposed to provide further amenity screening. The northern boundary is to remain relatively open and unbound to the street. The new road within the development will be formed in monoblock as a shared surface which differentiates this residential street from Madeira Street that provides the access to the site, defining a hierarchy within the streets and contributing to a sense of place. Overall, I am satisfied that the boundary treatments proposed are appropriate in the context of the wider residential area. Whilst the retaining walls are large, the garden sizes are approx. 10 metres depth in most cases and the proposed planting of the crib walls I consider to on balance, retain the natural topography of the site whilst creating usable garden ground with an overall acceptable visual aesthetic for new and surrounding residents.

Assessing against the adopted and draft PAAN 3, I am satisfied that the requirements for garden space provision around the individual dwellings and separation distances between properties have been met within the proposed layout according with the guidance as set out in PAAN 3. I am also satisfied that the scale, position, orientation and separation distance between new and existing properties poses an acceptable impact without creating any overshadowing or privacy implications.

In respect of open space provision, the required provision for the development (as per PAAN 3 and based on the population of the development) is 0.26 hectares of public open space and 0.049 ha of play space. The total provision for both is 0.19 hectares within the development in the form of three amenity spaces and pockets of green edging and soft landscaping. Given an overall 1190 square metre shortfall it is recognised that the requirements of PAAN 3 are not met in respect of the combined size of the areas of public open space and play space provision. It is therefore considered appropriate that public open space be accounted for solely within the site and that this development presents a circumstance, as advised in PAAN 3, where developers make a contribution to the existing or new off-site play provision in lieu of providing on site provision. There is existing play provision at

Newton Street/Fox Street approximately 300m from the site which will provide play opportunities for new residents. I am satisfied that a contribution towards the provision, maintenance or improvement of existing play provision is appropriate in this case given the shortfall. The applicant is also agreeable to this approach. A figure of £15,142.40 is deemed the appropriate amount to address this matter. Procedurally, this can be addressed by the conclusion of a legal agreement prior to issuing planning permission.

Whilst this agreement addresses the play provision requirement I acknowledge that the public open space provision requirement of PAAN 3 are not fully met with around 1900 square metres of public open space provided leaving a 700 square metre shortfall. Notwithstanding this, open space which provides for informal recreation and play, together with a setting for the new buildings is achieved and appropriately located within the layout. In fully considering the amenity of the new residents, I am mindful that Greenock Cricket Club, Newton Street/Fox Street play area and Lyle Park are all located within around 300 metres of the site via existing footpaths on residential roads, provides an extensive area for outdoor recreation together with play provision. In this context, I consider that a departure from the full requirements of the adopted and draft PAAN 3 can be justified in this instance. In respect of soft landscaping within the site, the applicant has set out a landscaping strategy. Notwithstanding what is set out, a condition can address the final details of this together with its implementation and maintenance. This additionally ensures that the overall aims and intentions of Policy 36 of the adopted Plan and Policy 37 of the proposed Plan are met.

Overall, I consider that the wider visual impact of the development on the site and its surroundings to be acceptable and to create a development which reflects the surrounding urban form, retains the locally distinctness of the site. I am further satisfied that the layout of the development will not result in any unacceptable impact on the amenity of existing residents and that a suitable level of amenity will be achieved for new residents.

Landscaping and Ecology

Examining the landscape and setting, the proposed landscaping plan and planting details are appropriate in terms of location, species and maturity of planting and will contribute positively. The screening of the development from the surrounding roads, softening of the boundaries with the integration of trees at prominent boundaries takes account of the local landscape character and setting of the surrounding urban form. The amenity spaces are also considered to be appropriately spaced throughout the development and appropriately overlooked by the surrounding development in accordance with PAAN 3. The implementation, maintenance and management of landscaping proposals can be secured by condition.

Considering ecology, I note that the site has no natural heritage or landscape designations. For non-designated sites such as this Policy 33 of both the adopted and proposed Local Development Plans indicate that the siting and design of development should minimise adverse impacts on wildlife as well as being designed to conserve and enhance biodiversity. I also note the concerns raised by representation, regarding the impact on ecology within the site. The applicant has undertaken an Ecological Constraints Survey and a Tree Survey in support of the proposal.

The Ecological Constraints Survey concludes that the proposed development is unlikely to directly affect any statutory designated sites or species; it was noted that semi-mature trees and individual trees are likely to provide important habitats for nesting birds within the local context; and open mosaic habitats will not be affected by the proposed development. The applicant therefore considers that, no licence is required yet a 'Tool Box Talk' shall be given prior to the commencement any of works and should any signs of protected species be found during site works, all works should cease immediately and suitable contacts informed. All trees and hedgerows be retained where possible and that the removal of trees and other vegetation be avoided during the bird nesting season (March-September). Should this not be possible a nesting bird survey shall be undertaken no more than 48 hours prior to any work being undertaken on site by a suitably experienced ecologist. If the proposed works have not commenced within 12 months then the project ecologist should be contacted to determine the requirement for a repeat ecological surveys. Enhancement measures will be

committed to and managed through a Habitat Management Plan to ensure maximum biodiversity value. I concur with these requirements and I am satisfied that these matters can be addressed by condition. Whilst incorporation of biodiversity enhancements into the design is advice and not required as a planning condition, but it could be included as a recommendation. This matter can thus be addressed by advisory note.

The Tree Survey further acknowledges that the trees within the site are not protected and they could be removed by the landowner independently of any planning application for the redevelopment of the site. Concern of the loss of existing trees has also been raised by representation. Notwithstanding this, Policy 34 of the adopted Plan and Policy 35 of the proposed Plan set out 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 accepted that the trees have some amenity value within the area. However, this site is also an identified residential development opportunity within the proposed Local Development Plan with an indicative capacity of 30 dwellings, a figure which accords with the current proposal. Having fully reviewed the development proposals with reference to the locations of the trees on site, it is clear that they occupy the same areas within the site as the proposed dwellings and associated infrastructure which cannot be constructed unless the trees are removed across the site. The public benefits in seeking to support new residential development in order to meet Inverclyde's housing needs outweigh the loss of the unprotected trees on this site and compensatory planting of trees of a suitable native species and appropriate for a residential setting has been provided as part of the landscaping scheme for the development which, as noted above, is accepted and can be secured by condition.



View of trees within the site from Madeira Street

The development of this brownfield site within the settlement boundary will not adversely impact on biodiversity and ecology and subject to appropriate conditions, the proposal is considered compliant with Policies 33, 34 and 36 of the adopted Plan and Policies 33, 34, 35 and 37 of the proposed Plan in minimising adverse impacts on wildlife and habitats.

Traffic, parking and road safety

I am principally guided by the consultation response from the Head of Service - Roads and Transportation. I note there is no objection in principle when assessing the impact on the local road network and road safety. There are also no objections to the access arrangements of the site or in respect of meeting the requirements of the Roads Development Guide. Adequate parking provision is made within the site for residents and visitors. Adequate visibility splays have also been

demonstrated by the applicant. Matters in respect of the retention of visibility splays, gradients, parking space dimensions and timely completion for use can be addressed by condition. Other matters raised by the Head of Service - Roads and Transportation in respect of street lighting and associated consents are addressed via separate legislation.

A range of traffic and road safety concerns have been raised in the public objections, however the Head of Service - Roads and Transportation raises no concerns regarding any knock-on effect in respect of parking or traffic.

Transport and Connectivity

Buses serve Newark Street and there are two railway stations as well as Greenock's Town Centre within a 20-minute walk of the application site. The site therefore is well connected to local destinations and facilities with onward connections to Gourock, Port Glasgow and Glasgow. I am therefore satisfied that the development is provided in an appropriate location within an established settlement accessible by means other than the private car. In addition, I consider it appropriate for a travel information pack which encourages reduced dependency on the private car by highlighting the location of local amenities, public transport services and active travel routes to be provided to the residents of the new dwellings. This can be addressed by condition. Overall, I consider there to be no conflict with the aims and objectives of Policies 10 and 11 of the adopted Plan and 11 and 12 of the Proposed Plan as well as with Policy 15 of NPF4 in creating a "20-minute neighbourhood."

Flooding and Drainage

With respect to flooding and drainage, the applicant has submitted a flood risk assessment and drainage impact assessment in support of the application. The Head of Service - Roads and Transportation has considered flood risk and drainage impact issues and confirms contentment that there is no flood risk to the development or resulting from the development and that drainage can be satisfactorily addressed, subject to the use of appropriate conditions in respect of the final details. I am therefore satisfied that there are no flooding or drainage implications, and the proposals are therefore considered to accord with Policies 8 and 9 of the adopted Plan and Policies 9 and 10 of the proposed Plan.

Other matters raised in consultation responses

Considering the outstanding consultation responses, The Head of Public Protection and Covid Recovery does not highlight any concerns over and above the standard need for site investigation associated with any brownfield site. Notwithstanding the applicant's submissions in support of the application, it is recommended that matters in respect of potential site contamination and Japanese Knotweed are addressed by condition. I am happy to take this approach to ensure that these are fully addressed. In this respect, I consider that the proposals comply with the requirements of Policy 16 of the adopted Plan and Policy 17 of the proposed Plan in respect of ground contamination being addressed. In respect of bin provision, the proposed site plan indicates this is accommodated within mainly private garden areas, within the integrated garages, or in some cases, within the front curtilage of plots. Matters relating to external lighting can be addressed by advisory note. Noise from the construction site is addressed by the Head of Public Protection and Covid Recovery via separate legislation.

Other issues

A number of other issues and concerns, not yet covered in my assessment above, have been raised by representation. With reference to application 13/0044/IC, the refusal of the sub-division of an existing residential plot within the Conservation Area for the erection of house is not considered similar to this proposal, a designated site for residential development. Design, layout and materials are material considerations and have been appropriately assessed above with consideration the location of the site immediately adjacent to and visible from the Conservation Area. With regards to the location of bins, during the assessment of the application bin storage has been relocated in most

cases to the integral garages or are located within the side and rear curtilage of each plot. An exception to this is two plots (Plot 2 and 5) where bins are located on an area of hardstanding opposite the plot. I consider this to be acceptable with no adverse implications to residential amenity which could warrant the refusal of planning permission. I am satisfied that on compliance with the requirements of Policy 6 the proposal is acceptable in terms of energy efficiency. A site notice is only displayed at an application site for a planning application if it is located within a conservation area or affects the setting of a listed building. Neither of these situations applies to this planning application 22/0234/IC and a site notice is therefore not required. There is no Local Development Plan requirement for affordable housing at this site. Whilst some inaccuracies were noted within the applicants supporting information none have any bearing on the assessment of the application and are not material to the assessment and determination of the application.

Conclusion

In conclusion, the proposed redevelopment of this brownfield site within the settlement boundary and comprising a residential development opportunity within the proposed Local Development Plan comprises sustainable development and presents no conflict with the provisions of NPF4, the adopted 2019 Inverclyde Local Development Plan and the proposed 2021 Inverclyde Local Development Plan. A departure from the full requirement of both the adopted and draft PAAN 3 in respect of open space provision can be justified. The application site is within an existing residential area and, subject the appropriate use of conditions, the proposed development is acceptable in terms of design, density, access and parking provision, residential amenity, flooding and drainage and ecology. Whilst I am mindful of the objections received, there are no material considerations which suggest that planning permission should not be granted, subject to the conclusion of a legal agreement relating to the contribution towards off-site play provision and the conditions set out below.

RECOMMENDATION

That subject to the conclusion of a legal agreement relating to the contribution towards off-site play provision the application be granted subject to the following conditions:

1. That prior to their use on site, details of all external materials (inclusive of houses, boundary treatments, walls, paving and hard surfacing) shall be submitted to and approved in writing by the Planning Authority. Development thereafter shall proceed utilising the approved materials unless an alternative is agreed in writing by the Planning Authority.
2. That prior to each dwellinghouse hereby permitted being occupied, all new roads and footways and parking provision leading to it and for it shall be surfaced to a sealed base course.
3. That within 4 weeks of the last of the dwellinghouses hereby permitted being completed, all roads and footways within the application site shall be completed to a final wearing course.
4. That all visibility splays as approved shall be maintained and kept clear of obstruction at all times in the future to the satisfaction of the Planning Authority.
5. Blocks 7 & 8, facing Newark Street, shall achieve a visibility splay of 2.4m x 43.0m x 1.05m from each driveway and accord with condition 4.
6. Driveway parking spaces shall be completed and available for use prior to the occupation of each associated dwellinghouse and visitor parking spaces shall be completed and be available for use prior to the occupation and completion of the final dwellinghouse. All parking spaces shall remain as per the approved dimensions, free from obstruction, be identified on site to dwelling, and as per the approved dimensions and available for use at all times thereafter.

7. That all roads and footpaths shall have a gradient not more than 8% and all parking spaces (driveway and visitor) shall have a gradient of not more than 10%.
8. That prior to the commencement of development full details of the landscaping scheme shall be submitted to and approved in writing by the Planning Authority. Details of soft landscaping shall include species of trees and bushes to be planted and should be approved by the Planning Authority prior to planting. The approved scheme shall thereafter be implemented in full prior to the occupation of houses.
9. That any of the landscaping approved in terms of condition 8 above which dies, is damaged, becomes diseased or is removed within the first 5 years of planting shall be replaced within the following planting season with plants of a similar size and species.
10. Details of maintenance and management for the landscaping be submitted to and approved in writing by the Planning Authority prior to the start of construction of the development hereby permitted. Management and maintenance shall commence upon completion of the landscaping.
11. That all surface water run off shall be intercepted within the site both during construction and on completion of the development.
12. That prior to the commencement of works on site Scottish Water's approval of the drainage regime shall be submitted to and approved in writing by the Planning Authority. Confirmation is required that the outlet pipe connecting to the culverted watercourse will be adopted by Scottish Water.
13. The recommendations in respect of the "toolbox talk" and requirements for future surveys set out in the "Discussion and Recommendations" section of the submitted Ecological Constraints Survey report by Wild Surveys dated 9 May 2022 shall be fully followed to the satisfaction of the Planning Authority.
14. If the existing trees are to be removed during the bird nesting season March to August shall be preceded by a nesting bird survey the methodology and findings of which shall be submitted to the Planning Authority.
15. That the dwellinghouses hereby permitted shall be designed to ensure that at least 20% of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and operation of low and zero carbon generating technologies, details of which shall be submitted to and approved in writing by the Planning Authority prior to the erection of the first house on site.
16. That 5% of the development is wheelchair accessible housing. Details of which shall be submitted to and approved in writing by the Planning Authority prior to the occupation of the final two dwellinghouses.
17. That no part of the development shall be occupied until the contents of the Travel Information Pack which encourages reduced dependency on the private car by highlighting the location of local amenities, public transport services and active travel routes is submitted to and approved in writing by the Planning Authority. Thereafter, on the occupation of each dwelling, the approved Travel Information Pack shall be provided to new residents.
18. That each of the dwellinghouses hereby permitted shall be provided with an electric vehicle charging point prior to its occupation.
19. 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.

20. 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.
21. 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.
22. 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 a Remediation Scheme shall not be implemented unless it has been submitted to and approved, in writing by the Planning Authority.

Reasons

1. To ensure the external materials are appropriate in the interests of visual amenity.
2. In the interests of vehicular and pedestrian safety.
3. In the interests of vehicular and pedestrian safety.
4. In the interests of vehicular and pedestrian safety.
5. In the interests of vehicular and pedestrian safety.
6. To ensure suitable parking provision, in the interests of road safety.
7. To ensure suitable road, footpath and parking space gradients, in the interests of road safety.
8. In the interest of visual amenity.
9. In the interests of visual amenity.
10. In the interests of visual amenity.
11. To avoid surface water run-off from the site in the interests of avoiding flooding.
12. To ensure the implementation of the drainage regime in the interests of avoiding flooding.
13. In the interests of the protection of European Protected Species.
14. In the interests of the protection of nesting birds.

15. To comply with the requirements of Section 72 of the Climate Change (Scotland) Act 2009.
16. To facilitate wheelchair accessible housing in accordance with Policy 21 of the proposed Plan.
17. To encourage sustainable travel behaviour.
18. In the interests of sustainable development and to accord with the Inverclyde Council Supplementary Guidance on Energy.
19. To help arrest the spread of Japanese Knotweed in the interests of environmental protection.
20. To satisfactorily address potential contamination issues in the interests of human health and environmental safety.
21. 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.
22. To ensure that all contamination issues are recorded and dealt with appropriately.

Stuart W Jamieson
Director
Environment and Regeneration