
Report To:	The Planning Board	Date:	3rd June 2009
Report By:	Head of Planning and Housing	Report No:	08/0254/IC Plan 06/09
Contact Officer:	Guy Phillips	Contact No:	01475 712422
Subject:	Creation of development platforms and construction of access road at Kelburn Business Park Port Glasgow		

SITE DESCRIPTION

The site extends to approximately 3.9ha and is bound to the south by the Gourock to Glasgow railway line, to the north by the A8 dual carriageway, to the west by tenemental housing at Kelburn Terrace and to the east by a vehicular access off the A8. The vehicular access serves 3 existing factory buildings on its east side.

The site is linked to Parklea public park, on the north of the dual carriageway by a pedestrian footbridge. A footpath runs east/ west through the site to link Kelburn Terrace with the bridge.

PROPOSAL

In July 2001, planning permission was granted for the change of use of the former Port Glasgow Juniors football ground to form a serviced plot for Class 4, 5 and 6 uses. The application seeks to change the layout of the development.

It is proposed to alter ground levels to form development platforms and to create a vehicular access linking to the existing vehicular access off the A8 on the eastern site boundary.

The footpath connecting the footbridge with Kelburn Terrace would be stopped up and a replacement link formed along the southern boundary of the site. The proposed stopping up of the existing footpath requires to be the subject of a Stopping Up Order under Section 208 of the Town and Country Planning(Scotland) Act 1997.

LOCAL PLAN POLICIES

Local Plan Policy B1 - General Business and Industrial Areas

Business and industrial uses (Use Classes 4, 5 & 6) will be supported within the 'Business and Industrial Areas', identified on the Proposals Map, subject to:

- (a) the requirements of each proposal in terms of infrastructure, transportation, environment and design considerations;
- (b) development control guidance expressed in Policy B6; and
- (c) other relevant policies of the Local Plan.

Local Plan Policy B5 - Business and Industrial Proposals and Development Opportunities

Inverclyde Council, as Planning Authority, will support and encourage business and industrial development on the sites included in Schedule 6.1 and indicated on the Proposals Map. Recommendation Rec B1

Inverclyde Council recommends to The Scottish Executive and Scottish Enterprise National, and to Scottish Enterprise Renfrewshire and other relevant private landowners, that the partnership with the Council under the auspices of the Joint Derelict Land Strategy, continues to: fund a co-ordinated rolling programme of investment to create new quality business sites (capable of attracting the wealth generating uses described in paragraph 6.42); serve indigenous business needs; and that the partners adopt as priorities the sites included in Schedule 6.2.

CONSULTATIONS

Head Of Safer Communities - No objections subject to conditions.

Transport Scotland - No objections subject to conditions.

Scottish Environment Protection Agency West - No objections

Head Of Environmental Services - The applicant should seek approval from SEPA regarding SUDS and from Scottish Water for changing the direction of the foul water sewer.

Network Rail - No objections

PUBLICITY

The nature of the proposal did not require advertisement.

SITE NOTICES

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

PUBLIC PARTICIPATION

No written representations have been received.

ASSESSMENT

The material considerations in the determination of this planning application are the Development Plan, the consultation responses and the proposed footpath closure.

Policies B1 and B5 of the Local Plan combine to support Class 4, 5 and 6 uses at this location. The formation of development platforms, as a precursor to development, accords with these policies. Criterion (a) of Policy B1 requires that consideration be given to the requirements of the proposal in terms of infrastructure, transportation environment and design considerations. Transport Scotland are content that any road safety concerns they may have can be controlled by condition, SEPA are content in terms of Flood Risk Assessment and the Council's Head of Safer Communities considers that any issues of contamination can be addressed by condition.

It should, however, be noted that Transport Scotland have highlighted difficulties with sightlines at the existing access onto the A8 and are prepared to support the proposal for the formation of development platforms on the basis of construction traffic being routed via an underpass off the Kelburn roundabout. The issue of sightlines, therefore, remains to be resolved as and when planning applications are submitted for the construction of Class 4, 5 or 6 buildings on the development platforms.

Regards the proposed footpath stopping up, I consider that a satisfactory alternative footpath link is proposed.

RECOMMENDATION

1. That the application be granted subject to conditions

Conditions

1. That the development to which this permission relates must be begun within five years from the date of this permission.
2. Access for the enabling works, hereby approved, shall be taken from the Kelburn Roundabout and not via the direct access from the A8.
3. Prior to the commencement of the development hereby approved, wheel washing facilities shall be provided within the site and, thereafter, maintained in situ for the duration of the site works.
4. 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 treatment is completed as per the methodology and treatment statement. Any variation to the treatment methodologies will require subsequent approval by the planning authority prior to development starting on site.
5. That the development shall not commence until a risk assessment, including any necessary remediation strategy 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 acceptable codes of practice. The remediation strategy shall include verification/validation methodologies. This may be incorporated as part of a ground condition report and should include an appraisal of options.
6. That on completion of remediation and verification/validation works and prior to the site being occupied, the developer shall submit a Completion Report for approval, in writing by the planning authority, confirming that the works have been carried out in accordance with the remediation strategy. This report shall demonstrate that no pollutant linkages remain or are likely to occur and include (but not limited to) a collation of verification/validation certificates,

analysis information, remediation lifespan, maintenance/aftercare information and details of imported/disposed/reused materials relevant to the site.

7. That the presence of any previously unrecorded contamination or variation to reported ground conditions that becomes evident during site works shall be brought to the attention of the planning authority within one week. Consequential amendments to the Remediation Strategy shall not be implemented unless it has been submitted to and approved, in writing by the Planning Authority.
8. That no material shall be imported onto the site until written details of the source of the imported material has been submitted for approved, in writing by the planning authority. The details which shall be submitted no later than four weeks prior to the material being imported onto the site shall include; The source of the imported material, any potential source(s) of contamination within 50 metres of the source of the material to be imported and verification analysis information. The material must not be imported on to the site until written approval has first been received from the planning authority. The material from the source agreed only shall be imported in strict accordance with these agreed details.
9. No development shall commence until full details of the surface treatment of the two platforms, hereby approved, have been submitted to and approved in writing by the Planning Authority.
10. That no development shall commence until a Footpath Stopping Up Order, under Section 208 of the Town & Country Planning (Scotland) Act 1997 has been concluded for the footpath linking Kelburn Terrace and the footbridge over the A8.

Reasons

1. To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
2. To minimise interference with the safety and free flow of the traffic on the trunk road.
3. To ensure that material from the site is not deposited on the trunk road to the detriment of road safety.
4. To help arrest the spread of Japanese Knotweed in the interests of environmental protection.
5. To satisfactorily address potential contamination issues in the interests of environmental safety.
6. To provide verification that remediation has been carried out to the authority's satisfaction
7. To ensure that all contamination issues are recorded and dealt with appropriately.
8. To protect receptors from the harmful effects of imported contamination.
9. In the interests of visual amenity at this prominent site adjacent to the trunk road and the Gourrock/Wemyss Bay - Glasgow railway line.
10. To comply with Section 208 of the Town & Country Planning (Scotland) Act 1997.

2. That it be delegated to the Head of Legal & Administration to conclude a Footpath Stopping Up Order under Section 208 of the Town & Country Planning (Scotland) Act 1997

F. K WILLIAMSON
Head of Planning and Housing

BACKGROUND PAPERS

1. Application form
2. Application plans
3. Inverclyde Local plan
4. Planning application NI/01/3

Site of Application

