

LOCAL REVIEW BODY – 2 OCTOBER 2019**Local Review Body****Wednesday 2 October 2019 at 4pm**

Present: Councillors Moran (for Clocherty), Crowther, Dorrian, McKenzie, Nelson, Rebecchi and Wilson.

Chair: Councillor Wilson presided.

In attendance: Mr A Hamilton and Ms M Pickett (Planning Advisers), Mr J Kerr (Legal Adviser) and Ms R McGhee (Legal & Property Services).

The following paragraphs are submitted for information only, having been dealt with under the powers delegated to the Local Review Body.

614 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST 614

An apology for absence was intimated on behalf of Councillor Clocherty, with Councillor Moran substituting.

No declarations of interest were intimated.

615 PLANNING APPLICATION FOR REVIEW 615

Residential development with associated access, open space and landscaping (in principle):

Site Off Lithgow Way, Kingston Dock, Port Glasgow (18/0260/IC)

There were submitted papers relative to the application for review of the refusal of planning permission for residential development with associated access, open space and landscaping (in principle) at a site off Lithgow Way, Kingston Dock, Port Glasgow (18/0260/IC) to enable the Local Review Body to consider the matter afresh.

Mr Hamilton acted as Planning Adviser relative to this case.

Decided:

- (1) that sufficient information had been submitted to allow the Local Review Body to decide the matter without further procedure; and
- (2) that the application for review be dismissed and that planning permission be refused (upholding the Appointed Officer's determination) for the following reasons:
 1. the proposed development is contrary to Policy 35 of the Inverclyde Local Development Plan in that it involves the development of an area of open space designed within the Plan which is of value to the visual setting and pattern of development of the Port Glasgow Waterfront Area; and
 2. the proposed development site forms part of the wider public vista of the River Clyde which contributes to the creation of a successful place and, accordingly, the development of the site would erode this and would fail to have regard to the six qualities of successful places as required by Policy 1 of the Inverclyde Local Development Plan.

Councillors Moran and Nelson left the meeting at this juncture.

LOCAL REVIEW BODY – 2 OCTOBER 2019

616 CONTINUED PLANNING APPLICATION FOR REVIEW

616

**Alterations, extension and conversion of former stables to form new dwelling:
6 Roseneath Street, Greenock (19/0010/IC)**

There were submitted papers relative to the application for review of the refusal of planning permission for alterations, extension and conversion of former stables to form a new dwelling at 6 Roseneath Street, Greenock (19/0010/IC) to enable the Local Review Body to consider the matter afresh, consideration of which had been continued from the meeting held on 7 August 2019 to seek information by means of a written submission in terms of Regulation 15 of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013 from the applicant, the Appointed Officer and any other interested parties in relation to their views on Historic Environment Scotland's Historic Environment Policy for Scotland (HEPS) published in May 2019 as it impacts upon the application to the Local Review Body.

Ms Pickett acted as Planning Adviser in relation to this case.

Ms Pickett advised the Local Review Body that although the 2014 Local Development Plan had been in place when the Appointed Officer had determined the planning application, this had been superseded by the 2019 Local Development Plan and, accordingly, Members should not have regard to policies RES1, RES5 and HER1 when considering and determining the application for review.

The meeting adjourned at 4.21pm and re-convened at 4.26pm.

After discussion, Councillor Rebecchi moved (1) that sufficient information had been submitted to allow the Local Review Body to decide the matter without further procedure; and (2) that the application for review be dismissed and that planning permission be refused (upholding the Appointed Officer's determination) for the following reasons:

1. the proposal by virtue of scale, form and design would adversely impact upon the historical pattern of development and high quality traditional design which gave rise to the designation of the Greenock West End Conservation Area and, as such, the proposal is contrary to Policies 1, 20 and 28;
2. the proposal does not reflect the plot size, proportion of built ground to garden ground, distances to boundaries, established street frontage, roof design and use of materials and colours of properties within the immediate locality. The proposal therefore presents conflicts with the guidance within PAAN2 and PAAN3; and
3. the proposal is contrary to Historic Environment Scotland's Historic Environment Policy for Scotland as it does not seek to preserve or enhance the characteristics of the Conservation Area nor manage change to the historic environment with intelligence and understanding. Furthermore, it is not supported by the "Managing Change in the Historic Environment" guidance note on "Setting" which advises that development which does not respect the scale, design and detailing of existing buildings will not generally be supported.

As an amendment, Councillor McKenzie moved (1) that sufficient information had been submitted to allow the Local Review Body to decide the matter without further procedure; and (2) that the application for review be upheld and that planning permission be granted subject to the following advisory notes:

1. the applicant shall submit to the Planning Authority a detailed specification of the containers to be used to store waste materials and recyclable materials produced on the premises as well as specific details of the areas where such containers are to be

LOCAL REVIEW BODY – 2 OCTOBER 2019

located. The use of the residential accommodation shall not commence until the above details are approved in writing by the Planning Authority and the equipment and any structural changes are in place, to protect the amenity of the immediate area, prevent the creation of nuisance due to odours, insects, rodents or birds;

2. all external lighting on the application site should comply with the Scottish Government Guidance Note “Controlling Light Pollution and Reducing Lighting Energy Consumption”, to protect the amenity of the immediate area, the creation of nuisance due to light pollution and to support the reduction of energy consumption;

3. the sound insulation should have regard to advice and standards contained in the current Scottish Building Regulations, to ensure that acceptable noise and vibration levels are not exceeded;

4. (i) site drainage: suitable and sufficient measures for the effective collection and disposal of surface water should be implemented during the construction phase of the project as well as within the completed development to prevent flooding within this and nearby property;

(ii) rats, drains and sewers: prior to the construction phase it is strongly recommended that any existing, but redundant, sewer/drainage connections should be sealed to prevent rat infestation and inhibit the movement of rats within the area via the sewers/drains;

(iii) the applicant should be fully aware of the Construction (Design & Management) Regulations 2015 (CDM 2015) and their implications on client duties etc; and

(iv) design and construction of buildings – gulls: it is very strongly recommended that appropriate measures be taken in the design of all buildings and their construction, to inhibit the roosting and nesting of gulls. Such measures are intended to reduce nuisance to, and intimidation of, persons living, working and visiting the development.

On a vote, 2 Members, Councillors Crowther and McKenzie, voted for the amendment and 3 Members, Councillors Dorrian, Rebecchi and Wilson, voted for the motion which was declared carried.

Decided:

(1) that sufficient information had been submitted to allow the Local Review Body to decide the matter without further procedure; and

(2) that the application for review be dismissed and that planning permission be refused (upholding the Appointed Officer’s determination) for the following reasons:

1. the proposal by virtue of scale, form and design would adversely impact upon the historical pattern of development and high quality traditional design which gave rise to the designation of the Greenock West End Conservation Area and, as such, the proposal is contrary to Policies 1, 20 and 28;

2. the proposal does not reflect the plot size, proportion of built ground to garden ground, distances to boundaries, established street frontage, roof design and use of materials and colours of properties within the immediate locality. The proposal therefore presents conflicts with the guidance within PAAN2 and PAAN3; and

3. the proposal is contrary to Historic Environment Scotland’s Historic Environment Policy for Scotland as it does not seek to preserve or enhance the characteristics of the Conservation Area nor manage change to the historic environment with intelligence and understanding. Furthermore, it is not supported by the “Managing Change in the Historic Environment” guidance note on “Setting” which advises that development which does not respect the scale, design and detailing of existing buildings will not generally be supported.