

PLANNING BOARD – 6 DECEMBER 2023

Planning Board

Wednesday 6 December 2023 at 3pm

Present: Provost McKenzie, Councillors Brooks, Clocherty, Crowther, Curley, Daisley, Jackson, Law, McCabe, McGuire and McVey.

Chair: Councillor McVey presided.

In attendance:

Stuart Jamieson	Director Environment & Regeneration
Daniel Henderson	Planning and Building Standards Service Manager
Gordon Leitch	Team Leader – Consultancy
Elaine Provan	Supervisory Engineer – Traffic & Transportation
Jim Kerr	Solicitor (for Head of Legal, Democratic, Digital & Customer Services)
Colin MacDonald	Senior Committee Officer
Lindsay Carrick	Senior Committee Officer
Alison Ramsey	Corporate Communications Officer (Media Relations)

The meeting was held at the Municipal Buildings, Greenock with Councillors Curley, Daisley, Jackson, Law, McCabe and McGuire attending remotely.

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

625 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST

625

No apologies for absence were intimated.

Councillor Brooks declared an interest in Agenda Item 2(a) (erection of new build residential development comprising of 64no. units in a mix of four storey flats and family houses, together with new parking, landscaping and servicing infrastructure at site bounded by Duncan Street, Holmscroft Avenue and Roxburgh Street, Greenock (23/0013/IC)).

626 CONTINUED PLANNING APPLICATION

626

- (a) Erection of new build residential development comprising of 64no. units in a mix of four storey flats and family houses, together with new parking, landscaping and servicing infrastructure:
Site bounded by Duncan Street, Holmscroft Avenue and Roxburgh Street, Greenock (23/0013/IC)**

There was submitted a report by the Director Environment & Regeneration for the erection of a new build residential development comprising of 64no. units in a mix of four storey flats and family houses, together with new parking, landscaping and servicing infrastructure at site bounded by Duncan Street, Holmscroft Avenue and Roxburgh Street, Greenock (23/0013/IC), consideration of which had been continued from the meeting of 1 November 2023.

Councillor Brooks declared an interest in this matter having submitted a representation in relation to the application and left the meeting during consideration of this item.

PLANNING BOARD – 6 DECEMBER 2023

Not having participated in consideration of this item of business at the meeting on 1 November 2023, Councillor Curley was not entitled to take part in consideration of this item and left the meeting.

Decided: that subject to the conclusion of a legal agreement relating to a commuted sum towards off-site play provision, planning permission be granted subject to the following conditions:-

- (1) that the development to which this permission relates must be begun no later than 3 years from the date of this permission, to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended);
- (2) 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, to help arrest the spread of Japanese Knotweed in the interests of environmental protection. 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;
- (3) 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, to satisfactorily address potential contamination issues in the interests of human health and environmental safety. The investigations and assessment shall be site-specific and completed in accordance with current codes of practice. The submission shall also include a Verification Plan. Any subsequent modifications to the Remediation Scheme and Verification Plan must be approved in writing by the Planning Authority prior to implementation;
- (4) 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, to ensure contamination is not imported to the site and confirm successful completion of remediation measures in the interest of human health and environmental safety;
- (5) 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, ensure that all contamination issues are recorded and dealt with appropriately;
- (6) that the residential buildings hereby approved shall incorporate flood resistant and resilient materials and design. Details of how this is to be achieved shall be submitted to and approved in writing by the Planning Authority. The approved materials and design shall subsequently be implemented prior to the development being occupied, to reduce vulnerability to flooding by creating a more resilient building;
- (7) that prior to their use on site, full details of all external materials (inclusive of all walls, paving, hard surfacing) shall be submitted to and approved in writing by the Planning Authority, to ensure the external materials are appropriate in the interests of visual amenity. Development thereafter shall proceed utilising the approved materials unless an alternative is agreed in writing by the Planning Authority;

PLANNING BOARD – 6 DECEMBER 2023

- (8) that unless agreed in writing by the Planning Authority, all footways provided within the site shall be a minimum of 2.0m wide, to ensure safe pedestrian access throughout the site;
- (9) that all residential units hereby approved 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 (rising to at least 25% by the end of 2025). Details showing how this shall be achieved shall be submitted to and approved in writing by the Planning Authority prior to the construction of the residential units, to comply with the requirements of Section 72 of the Climate Change (Scotland) Act 2009;
- (10) that all houses hereby approved shall be designed to include at least one trickle charging point made accessible for the charging of electric vehicles, details of which shall be submitted to and approved in writing by the Planning Authority prior to the erection of the houses, to ensure adequate provision is made to encourage the use of electric vehicles;
- (11) that the car parking hereby approved for the flats and visitor parking shall contain a minimum of ten electric vehicle charging points to be made accessible for the charging of electric vehicles. Details demonstrating how this is to be achieved shall be submitted to and approved in writing by the Planning Authority prior to the construction of the flatted buildings being commenced, to ensure adequate provision is made to encourage the use of electric vehicles;
- (12) that the houses hereby approved shall not be occupied until the associated off-street parking spaces shown on approved drawing 3376-MST-S1-00-D-A-PM_40_40_15-1500, Rev C1 have been provided within each respective plot, to ensure suitable parking provision for the new development in the interests of road safety;
- (13) that the flatted residences hereby approved shall not be occupied until the associated off-street parking spaces shown on approved drawing 3376-MST-S1-00-D-A-PM_40_40_15-1500, Rev C1 have been provided. The 45 parking spaces shall be retained on site at all times thereafter unless otherwise agreed in writing by the Planning Authority, to ensure suitable parking provision for the new development in the interests of road safety;
- (14) that unless otherwise agreed in writing with the Planning Authority, the disabled car parking spaces shown on approved drawing 3376-MST-S1-00-D-A-PM_40_40_15-1500, Rev C1 shall be provided within the site prior to the occupation of any residential building. For the avoidance of doubt each disabled car parking space shall be a minimum of 6 metres long by 2.5 metres wide with a 1 metre clearance, to ensure the provision and usability of the disabled car parking spaces in the interests of road safety;
- (15) that for the avoidance of doubt, the parking spaces within driveways shall be a minimum of 6.0 metres long by 3.0 metres wide, all parking spaces within driveways which form part of the pedestrian access shall be a minimum of 3.4 metres wide, and all remaining car parking spaces shall be a minimum of 5.0 metres long by 2.5 metres wide with an aisle spacing of a minimum of 6.0 metres, to ensure the usability of the car parking spaces in the interests of road safety;
- (16) that all roads within the site shall be a minimum of 5.5 metres in width and shall have a gradient of 8% or less, to ensure the provision of adequate roads;
- (17) that all parking spaces within the site (driveway and visitor) shall be fully paved and have a gradient of 10% or less, to ensure the provision of usable parking spaces and to prevent any loose material from being carried onto the adjoining public footway;
- (18) that for the avoidance of doubt, the visibility splay of 2.4m x 43.0m x 1.05m at the existing access onto Holmscroft Avenue shall be kept free of obstruction at all times, in the interests of road safety;
- (19) that all surface water shall be managed in accordance with the surface water management design detailed in the Drainage Impact Assessment (DIA) authored by EnviroCentre in May 2023. Any modifications to the approved design must be submitted

PLANNING BOARD – 6 DECEMBER 2023

to and approved in writing by the Planning Authority prior to being implemented on site, to ensure the development does not increase the risk of flooding to adjoining sites or the adjoining public road network;

(20) that full details of all boundary treatments proposed within the site shall be submitted to and approved in writing by the Planning Authority. Development shall proceed utilising the approved materials, unless otherwise agreed in writing by the Planning Authority, in order to provide an appropriate finish throughout the site in the interests of visual amenity;

(21) that notwithstanding the details set out on drawing L01 prior to the commencement of development, the final details of a landscaping scheme and programme for completion shall be submitted to and approved in writing by the Planning Authority. For the avoidance of doubt, this shall include details of any trees currently on site which are to be retained and details of any trees, shrubs and hedges which are to be planted as part of the development. All soft landscaping hereby approved shall be planted during the first growing season following the first residential property hereby permitted being occupied, to ensure the provision of a suitable landscaping scheme in the interests of visual amenity and to ensure the provision of a visually acceptable environment;

(22) that for the avoidance of doubt, the 16 trees fronting Duncan Street and Holmscroft Avenue which are identified for retention in drawing number L01 shall be retained as part of the development. Details of protection measures for these trees shall be submitted to and approved in writing by the Planning Authority. The approved protection measures shall be erected prior to the commencement of any works. All trees must be protected by barriers and/or ground protection to form a Construction Exclusion Zone in accordance with British Standards Recommendations for trees in Relation to Construction, currently BS5837:2012 and shall not be removed during the course of construction work, to ensure the retention of and avoidance of damage to trees during development;

(23) that no movement of machinery, stockpiling of materials, or changes in existing ground levels shall take place within the Construction Exclusion Zone throughout the duration of the construction works, to ensure the retention of and avoidance of damage to trees during development;

(24) that where new surfacing is to be installed within the Construction Exclusion Zone of trees which are to be retained, precautions shall be taken to minimise disturbance to tree root systems, in accordance with BS5837:2012, Section 7.4, to ensure the retention of and avoidance of damage to trees during development;

(25) that details of maintenance and management for the landscaping shall be submitted to and approved in writing by the Planning Authority prior to the occupation of any residential unit. Management and maintenance shall commence upon completion of the landscaping, to ensure the maintenance and management of the approved landscaping scheme in the interests of visual amenity;

(26) that any trees, shrubs, hedges or areas of grass which die, are removed, damaged or become diseased within five years of completion of the soft landscaping shall be replaced within the following year with others of a similar size and shape, to ensure the maintenance of the approved landscaping scheme in the interests of visual amenity; and

(27) that for the avoidance of doubt a minimum of 5% of the residential units to be constructed on site shall be fully wheelchair accessible, to ensure provision of wheelchair accessible housing in accordance with Policy 21 of the proposed 2021 Inverclyde Local Development Plan.

Councillors Brooks and Curley re-joined the meeting at this juncture.

PLANNING BOARD – 6 DECEMBER 2023

- (a) **Erection of detached dwellinghouse (change to the design and position of the house at the west side of the site approved under previous planning permission IC/91/157):**
Land adjacent to 31A Cowal View, Gourock (23/0038/IC)

There was submitted a report by the Director Environment & Regeneration for erection of a detached dwellinghouse (change to the design and position of the house at the west side of the site approved under previous planning permission IC/91/157) at land adjacent to 31A Cowal View, Gourock (23/0038/IC).

Decided: that planning permission be granted subject to the following conditions:-

- (1) that the development to which this permission relates must be begun within 3 years from the date of this permission, to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended);
- (2) that development shall not commence on site until samples of all facing materials to be used in the construction of the dwellinghouse hereby permitted have been submitted to and approved in writing by the Planning Authority, to ensure the development is acceptable in appearance. Development shall proceed thereafter using the approved materials unless a variation is agreed in advance in writing with the Planning Authority;
- (3) that development shall not commence on site until all hard surfacing materials on the roads, paths and parking areas have been submitted to and approved in writing by the Planning Authority, to ensure the development is acceptable in appearance. The approved materials shall thereafter be used unless any alternative is agreed in advance in writing with the Planning Authority;
- (4) that development shall not commence until details and the locations of all walls (including retaining walls) and fences to be erected have been submitted to and approved in writing by the Planning Authority, to ensure the development is acceptable in appearance. The approved walls and fences shall thereafter be erected unless any alternative is agreed in advance in writing with the Planning Authority;
- (5) that development shall not commence until confirmation of connection to Scottish Water's Network has been submitted to and approved in writing by the Planning Authority, to ensure that the development has a public water connection;
- (6) that for the avoidance of doubt visibility splays of 2m x 20m x 1.05m shall be maintained at all times at the vehicular entrance to the site with Cowal View, in the interests of road safety;
- (7) that prior to the commencement of development confirmation of SEPA's acceptance and proof of CAR licence shall be submitted for approval, to ensure SEPA's acceptance of the drainage regime and its discharge;
- (8) that the existing trees both within the development site and in the vicinity of the boundary of the site which are not to be felled or lopped as part of the proposals are to be protected in accordance with British Standards Recommendations for trees in Relation to Construction, currently BS 5837:2012, to protect the existing trees so that they continue to contribute to the environmental quality of the area;
- (9) that no tree felling, lopping or scrub clearance shall take place within the main bird breeding season, March to June inclusive, and all such works will be preceded by a check for nesting birds in accordance with the Nature Conservation (Scotland) Act 2014 and the protection of wildlife. No development shall take place until details of protection measures have been submitted to and approved in writing by the Planning Authority, to ensure protection of the environment of breeding birds;
- (10) that for the avoidance of doubt the dwellinghouse shall have an Electric Vehicle Charging Point. Development shall not commence until the details have been submitted to and approved in writing by the Planning Authority, in the interests of sustainable development and to accord with the Inverclyde Council Supplementary Guidance on Energy. Thereafter the approved Electric Vehicle Charging Point shall be installed in their

PLANNING BOARD – 6 DECEMBER 2023

approved form at the dwellinghouse before the first occupation of the dwellinghouse approved under this planning permission;

(11) that for the avoidance of doubt the dwellinghouse shall be designed to ensure that at least 25% 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. Development shall not commence until details have been submitted to and approved in writing by the Planning Authority relating to the proposed low and zero carbon generating technologies to be installed in the dwellinghouse, in the interests of sustainable development and to accord with the Inverclyde Council Supplementary Guidance on Energy. Thereafter the approved low and zero carbon generating technologies shall be implemented in their approved form before the occupation of the dwellinghouse;

(12) that for the avoidance of doubt: the driveway shall have a gradient of 10% or less and the footpaths within the site shall be a minimum of 2.0m wide, in the interests of roads safety;

(13) that development shall not commence until details of a forward visibility splay of 43m when turning right into the proposed driveway has been submitted to and approved in writing by the Planning Authority, in the interests of roads safety;

(14) that following approval under Condition 13 above the off-street parking spaces and driveway as shown on drawings A1280-BP01 Rev A and A1280-BP02 Rev A shall be constructed and available for use prior to the first occupation of the dwellinghouse, in the interests of roads safety;

(15) that development shall not commence until details/plans of the bin stores/containers to be used to store waste materials and recyclable materials at the dwellinghouse as well as details of the areas where such containers are to be located have been submitted to and approved in writing by the Planning Authority. Following approval the bin stores/containers shall be implemented on site by first occupation of the dwellinghouse; in the interests of residential amenity; and

(16) that in the event of any suspected contamination or Japanese Knotweed being discovered, site works shall cease with immediate effect and the matter brought to the attention of the Planning Authority: thereafter, site works may not recommence until a Remediation Scheme (to be submitted for the prior written approval of the Planning Authority) has been completed to the satisfaction of the Planning Authority in writing, to ensure that any contamination and Japanese Knotweed concerns are managed appropriately.

**(b) Proposed residential development comprising 6 detached dwellings with associated roads, parking and landscaping:
Land adjacent to 24 Rosemount Place, Gourock (23/0036/IC)**

There was submitted a report by the Director Environment & Regeneration for a proposed residential development comprising 6 detached dwellings with associated roads, parking and landscaping at land adjacent to 24 Rosemount Place, Gourock (23/0036/IC).

Decided: that planning permission be granted subject to the following conditions:-

(1) that the development to which this permission relates must be begun within 3 years from the date of this permission, to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended);

(2) that development shall not commence on site until samples of all facing materials to be used in the construction of the dwellinghouses hereby permitted have been submitted to and approved in writing by the Planning Authority, to ensure the development is acceptable in appearance. Development shall proceed thereafter using the approved materials unless a variation is agreed in advance in writing with the Planning Authority;

(3) that development shall not commence on site until all hard surfacing materials on the roads, paths and parking areas have been submitted to and approved in writing by the Planning Authority, to ensure the development is acceptable in appearance. The approved

PLANNING BOARD – 6 DECEMBER 2023

materials shall thereafter be used unless any alternative is agreed in advance in writing with the Planning Authority;

(4) that development shall not commence until details and the locations of all walls (including retaining walls) and fences to be erected have been submitted to and approved in writing by the Planning Authority, to ensure the development is acceptable in appearance. The approved walls and fences shall thereafter be erected unless any alternative is agreed in advance in writing with the Planning Authority;

(5) that development shall not commence until full details of all soft landscaping within the site, including a phasing plan and details of management and maintenance arrangements, have been submitted to and approved in writing by the Planning Authority, to ensure the provision of an adequate landscaping scheme in the interests of visual amenity;

(6) that the landscaping scheme approved in terms of Condition 5 above shall be implemented in full in accordance with the agreed phasing plan. Any of the planting which is damaged, is removed, becomes diseased or dies within the first 5 years of planting shall be replaced within the following planting season with plants of a similar size and species, to ensure retention of the approved landscaping scheme;

(7) that development shall not commence until 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, to help arrest the spread of Japanese Knotweed in the interests of environmental protection. 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;

(8) that 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, to ensure potential risk arising from previous site uses have been fully assessed and any contamination appropriately dealt with. 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;

(9) that before the development hereby permitted is occupied the applicant/developer 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, to introduce measures to reduce potential site contamination. 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;

(10) 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, to satisfactorily address potential contamination issues in the interests of human health and environmental safety;

(11) that development shall not commence until confirmation of connection to Scottish Water's Network has been submitted to and approved in writing by the Planning Authority, to ensure that the development has a public water connection;

PLANNING BOARD – 6 DECEMBER 2023

- (12) that for the avoidance of doubt visibility splays of 2.4m x 43.0m x 1.05m shall be maintained at all times at the new vehicular access with Carnoustie Avenue as shown on drawing 22111-100-100 Rev C, in the interests of road safety;
- (13) that prior to the commencement of development confirmation of SEPA's acceptance and proof of CAR licence shall be submitted for approval, to ensure SEPA's acceptance of the drainage regime and its discharge;
- (14) that the existing trees both within the development site and in the vicinity of the boundary of the site which are not to be felled or lopped as part of the proposals are to be protected in accordance with British Standards Recommendations for trees in relation to Construction, currently BS 5837:2012, to protect the existing trees so that they continue to contribute to the environmental quality of the area;
- (15) that no tree felling, lopping or scrub clearance shall take place within the main bird breeding season, March to June inclusive, and all such works will be preceded by a check for nesting birds in accordance with the Nature Conservation (Scotland) Act 2014 and the protection of wildlife, to ensure protection of the environment of breeding birds. No development shall take place until details of protection measures have been submitted to and approved in writing by the Planning Authority;
- (16) that for the avoidance of doubt each dwellinghouse shall have an Electric Vehicle Charging Point. Development shall not commence until the details have been submitted to and approved in writing by the Planning Authority, in the interests of sustainable development and to accord with the Inverclyde Council Supplementary Guidance on Energy. Thereafter the approved Electric Vehicle Charging Point shall be installed in their approved form at each dwellinghouse before the first occupation of any dwellinghouse approved under this planning permission;
- (17) that for the avoidance of doubt each dwellinghouse shall be designed to ensure that at least 25% 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. Development shall not commence until details have been submitted to and approved in writing by the Planning Authority relating to the proposed low and zero carbon generating technologies to be installed in each dwellinghouse. Thereafter the approved low and zero carbon generating technologies shall be implemented in their approved form before the occupation of any dwellinghouse, in the interests of sustainable development and to accord with the Inverclyde Council Supplementary Guidance on Energy;
- (18) that development shall not commence until details of a plan to connect the internal path network of the development to the existing stairs between Rosemount Place and Carnoustie Avenue have been submitted to and approved in writing by the Planning Authority. The approved path connection shall be fully implemented prior to the occupation of any of the dwellinghouses hereby approved; in order to ensure the footpath links are provided;
- (19) that for the avoidance of doubt: all driveways shall be paved for a minimum distance of 2m; parking spaces shall be a minimum of 2.5m by 5.0m for the parking bays as shown on drawing 22111-100-100 Rev C; the construction phase of the development must comply with details provided on Traffic Management Plan drawing dated 16 February 2023, in relation to the secondary access (Rosemount Place), which shall be restricted in use to two specific incidences namely; i) crane access for the delivery of timber kits and ii) use of small plant for tarring of the road surface, to prevent loose driveway material being spilled onto the road, in the interests of residential amenity and road safety, and to ensure national parking standards are met; and
- (20) that notwithstanding what is shown on drawing 22111-100-100 Rev C a visitor parking space shall be provided and positioned parallel to each access road into the lower and upper parts of the site. Development shall not commence until details of each visitor parking space has been submitted to and approved in writing by the Planning Authority. Following approval the visitor parking spaces shall be constructed and available for use

PLANNING BOARD – 6 DECEMBER 2023

before the first occupation of any dwellinghouse in the respective parts of the site and thereafter shall be retained in position, to maintain appropriate levels of visitor parking.