

## LOCAL REVIEW BODY – 2 APRIL 2025

Local Review BodyWednesday 2 April 2025 at 4pm

**Present:** Provost McKenzie (for McVey), Councillors Brooks, Clocherty, Crowther, Curley, McCabe and McGuire.

**Chair:** Councillor Curley presided.

**In attendance:**

Margaret Pickett	Senior Planner (Planning Adviser)
Emma Peacock	Solicitor (Legal Adviser)
Colin MacDonald	Senior Committee Officer
Lindsay Carrick	Senior Committee Officer

The meeting was held at the Municipal Buildings, Greenock with Councillor McGuire attending remotely.

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

**167 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST****167**

Apologies for absence were intimated on behalf of Councillor McVey, with Provost McKenzie substituting.

No declarations of interest were intimated but certain connections were intimated as follows:

Agenda Item 2(a) (Installation of outbuilding (in retrospect): 6 Gateside Grove, Greenock (24/0178/IC)) – Councillor McCabe

Agenda Item 3(a) (Use of land for shipping container storage units with erection of garage workshop building and 2.4m high perimeter fence: Land at Kelburn Road, Kelburn Business Park, Port Glasgow (24/0148/IC)) – Councillors Clocherty and Curley.

**168 CONTINUED PLANNING APPLICATION FOR REVIEW****168**

**(a) Installation of outbuilding (in retrospect)  
6 Gateside Grove, Greenock (24/0178/IC)**

There was submitted papers relative to the application for review for the installation of an outbuilding (in retrospect) at 6 Gateside Grove, Greenock (24/0178/IC) to enable the Local Review Body to consider the matter afresh, consideration of which had been continued from the meeting held on 5 March 2025 for an unaccompanied site visit.

Councillor McCabe declared a connection to the neighbour of the applicant. He also formed the view that the nature of his connection and of the item of business did not preclude his continued presence in the meeting or his participation in the decision making process and he was declaring for transparency.

Not having participated in consideration of this item of business at the meeting of 5 March 2025, Councillor McGuire was not entitled to take part in consideration of this item and left the meeting.

Provost McKenzie, Councillors Brooks, Clocherty, Crowther, Curley and McCabe participated in this item of business.

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Ms Pickett 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 outbuilding is contrary to Policy 1 of both the Adopted and Proposed Inverclyde Local Development Plans and Policy 16 of National Planning Framework 4 in that it is not considered to meet the quality of being 'Safe and Pleasant', having a detrimental impact on the adjoining property as a result of its size and proximity to the common boundary between the properties; and
  2. the outbuilding is contrary to Policy 20 of the Proposed Inverclyde Local Development Plan as its size and position in proximity to the common boundary between the properties is considered to have a detrimental impact on the residential amenity of the adjoining property.

Councillor McGuire returned to the meeting at this juncture.

**169 PLANNING APPLICATION FOR REVIEW**

**169**

**(a) Use of land for shipping container storage units with erection of garage workshop building and 2.4m high perimeter fence**

**Land at Kelburn Road, Kelburn Business Park, Port Glasgow (24/0148/IC)**

There was submitted papers relative to the application for review for the use of land for shipping container storage units with erection of garage workshop building and 2.4m high perimeter fence at land at Kelburn Road, Kelburn Business Park, Port Glasgow (24/0148/IC) to enable the Local Review Body to consider the matter afresh.

Councillors Clocherty and Curley declared a connection as Members of the Board of Riverside Inverclyde, which owns land adjacent to the application site. They also formed the view that the nature of their connection and of the item of business did not preclude their continued presence in the meeting or their participation in the decision making process and they were declaring for transparency.

Provost McKenzie, Councillors Brooks, Clocherty, Crowther, Curley, McCabe and McGuire participated in this item of business.

Ms Pickett acted as Planning Adviser relative to this case.

The meeting adjourned at 4:23pm and reconvened at 4:26pm.

**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 upheld and 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 details have been submitted to and approved in writing by the Planning Authority in respect of full details of boundary treatments and landscaping. Thereafter the approved shall be implemented as approved prior to the occupation of the building, in the interests of visual amenity and safety;
  3. that all surface water flows are to be contained within the site and limited to that of green-field runoff, to avoid any flood risk outwith the site;
  4. that the use of the garage building hereby approved is restricted to private use and excludes repair or maintenance of any motor vehicle for commercial purposes. All

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commercial use of the garage is prohibited without the written express consent of the Planning Authority, in the interests of public amenity;

5. that development shall not commence until details of a survey for the presence of Japanese Knotweed has been 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, to help arrest the spread of Japanese Knotweed in the interests of environmental protection;

6. 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, to satisfactorily address potential contamination issues in the interests of human health and environmental safety;

7. 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 comply with Section 58 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;

8. 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 ensure that all contamination issues are recorded and dealt with appropriately;

9. that 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 located. The use of the development 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;

10. that the building hereby permitted shall be designed to ensure that at least 20% of the carbon dioxide emissions reduction standard set by the 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 erection of the buildings, to comply with the requirements of Section 72 of the Climate Change (Scotland) Act 2009;

11. that the container units and garage hereby permitted shall not be occupied until the car parking spaces shown in approved drawing and proposed site plan A1699-BRU-

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ZZ-ZZ-DR-A-90950 dated 17 January 2025, have been provided. The 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 is provided for the new development in the interests of road safety;

12. that the visibility splay of 2.4m x 43.0m x 1.05m should be kept clear in perpetuity, in the interests of road safety; and

13. that prior to the commencement of works, confirmation of connection to Scottish Water's Network shall be submitted to and approved in writing by the Planning Authority, to ensure Scottish Water's acceptance of the drainage regime for the application site and in the interests of the provision of a satisfactory drainage regime.