

LOCAL REVIEW BODY – 4 JUNE 2025

Local Review BodyWednesday 4 June 2025 at 4pm

Present: Councillors Brooks, Clocherty, Crowther, Curley, McCabe, McGuire and McVey.

Chair: Councillor McVey 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 Councillors Curley and McGuire attending remotely.

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

288 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST**288**

No apologies for absence were intimated.

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

Agenda Item 3(a) (Erection of dwellinghouse and domestic garage (planning permission in principle): Valleyview House, 396 Douglihill Road, Port Glasgow (24/0246/IC)) – Councillor Curley.

289 CONTINUED PLANNING APPLICATION FOR REVIEW**289**

(a) Siting of a containerised food servery/take away outlet with raised decking on east side of container and timber screened bin storage area on west side of container A78 Lay-By at Inverkip (24/0141/IC)

There was submitted papers relative to the application for review for the siting of a containerised food server/take away outlet with raised decking on east side of container and timber screen bin storage area on west side of container at A78 Lay-By at Inverkip (24/0141/IC) to enable the Local Review Body to consider the matter afresh, consideration of which had been continued from the meeting held on 7 May 2025 to request a written submission from the Appointed Officer.

Not having participated in consideration of this item of business at the meeting of 7 May 2025, Councillor Brooks was not entitled to take part in consideration of this item.

Councillors Clocherty, Crowther, Curley, McCabe, McGuire and McVey participated in this item of business.

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

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(2) that the application for review be upheld and that planning permission be granted subject to the following conditions and advisory notes:

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 for the avoidance of doubt, there shall be no unauthorised signage erected within the Trunk Road boundary, to minimise distraction to drivers on the trunk road and to minimise interference with the safety and free flow of traffic on the trunk road;
3. that development shall not commence until details of the containers to be used to store waste materials and recyclable materials produced on the premises as well as where the containers are to be located have been submitted to and approved in writing by the Planning Authority. The approved containers shall be implemented on site before the first use/occupation of the use of the development and thereafter retained in position, to protect the amenity of the immediate area, prevent the creation of nuisance due to odours, insects, rodents, or birds;
4. that development shall not commence until full details of the design, materials and finishing colours which are to be used for the container, the screening which is to be erected around the waste bin area and the safety barriers which are to be erected around the raised deck on the east side of the container have been submitted to and approved in writing by the Planning Authority. Development shall proceed thereafter utilising the approved materials and finishes, unless otherwise agreed in writing by the Planning Authority, in the interests of visual amenity and pedestrian safety;
5. that the cycle parking spaces shown on drawing titled Front Elevation & Plan, Sheet 2 of 3, Revision 3 shall be provided on site prior to the first use/occupation of the use of the development and thereafter made available for use in conjunction with the unit hereby permitted, to ensure the provision of adequate cycle facilities to encourage active travel;
6. that for the avoidance of doubt, all surface water run-off is to be contained and managed within the site and any run-off from the site shall be limited to not exceed greenfield run-off rates, to ensure the development does not increase the risk of flooding to neighbouring land or to the adjoining public road;
7. that for the avoidance of doubt, the permission hereby granted shall be for a temporary period of 5 years beginning from the date of this permission unless otherwise approved in writing by the Planning Authority, to allow the planning authority to retain control over the development and ensure the appearance and condition of the building do not deteriorate to an unacceptable level to the detriment of visual amenity; and
8. that for the avoidance of doubt, should the containerised food servery hereby permitted cease operations on the site, the container and all associated development shall be removed from the site and the land restored to its previous condition within 3 months of the last date on which the business operated, in the interests of visual amenity.

Advisory Notes

1. the applicant is advised that no tables, chairs or advertising boards should be placed outwith the red line site boundary;
2. any external lighting shall be agreed with the Council's Roads Service;
3. all external lighting on the application site should comply with the Scottish Government Guidance Note "Controlling Light Pollution and Reducing Lighting Energy Consumption";
4. site drainage: Suitable and sufficient measures for the effective collection and disposal of surface water/ground water should be implemented during construction phase of the project as well as within the completed development to prevent flooding within this and nearby property;
5. the applicant should be fully aware of the Construction (Design & Management) Regulations 2015 (CDM 2015) and its implications on client duties etc.;

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6. design and construction of buildings - seagulls: 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 seagulls. Such measures are intended to reduce nuisance to, and intimidation of, persons living, working and visiting the development;
7. consultation on proposed use: It is strongly recommended that prior to the commencement of any works the applicant consults with Officers of Public Protection to ensure structural compliance with legislation relating to:
 - a. Food Safety Legislation; and
 - b. Health and Safety at Work etc. Act 1974;
8. alteration to current use and likely impact on ventilation requirements. It is imperative that if there is any alteration to the use which has been outlined in this application such as a change to the type of cooking carried out, cooking equipment to be used, food types or a significant increase in the volume of cooking that officers of Public Protection and Planning are consulted with a view to the likely increase in cooking odours resulting in a need to improve the ventilation / air handling to the premises;
9. water capacity assessment / waste water capacity assessment:
 - i. there is currently sufficient capacity in the Greenock Water Treatment Works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us;
 - ii. there is currently sufficient capacity for a foul only connection in the Inverclyde PFI Waste Water Treatment works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us; and
 - iii. the applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly;
10. surface water:
 - i. for reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system;
 - ii. there may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical and technical challenges;
 - iii. in order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should refer to our guides which can be found at <https://www.scottishwater.co.uk/Help-and-Resources/Document-Hub/Business-and-Developers/Connecting-to-our-Network> which detail our policy and processes to support the application process, evidence to support the intended drainage plan should be submitted at the technical application stage where we will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives; and
 - iv. for reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will typically require surface water to be eliminated from any new discharges of trade effluent;
11. the applicant is advised that all non-domestic household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk; and
12. trade effluent discharge from non-domestic property:
 - i. certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including;

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manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and laundrettes. Activities not covered include hotels, caravan sites or restaurants;

ii. if you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject “Is this Trade Effluent?”. Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found here;

iii. trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off;

iv. for food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat, oil and grease from being disposed into sinks and drains; and

v. the Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 5kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com.

290 PLANNING APPLICATION FOR REVIEW

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(a) **Erection of dwellinghouse and domestic garage (planning permission in principle) Valleyview House, 396 Douglielhill Road, Port Glasgow (24/0246/IC)**

There was submitted papers relative to the application for review for the erection of a dwellinghouse and domestic garage (planning permission in principle) at Valleyview House, 396 Douglielhill Road, Port Glasgow (24/0246/IC) to enable the Local Review Body to consider the matter afresh.

Councillor Curley declared a connection having previously attended a boxing club managed by one of the applicants. 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 of his participation in the decision making process and he was declaring for transparency.

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

Ms Pickett acted as Planning Adviser relative to this case.

After discussion, Councillor McCabe moved that sufficient information has been submitted to allow the Local Review Body to decide the matter without further procedure.

As an amendment, Councillor Curley moved that sufficient information has not been submitted to allow the Local Review Body to decide the matter without further procedure. Following a roll call vote, 2 Members, Councillors Curley and McGuire voted in favour of the amendment, and 5 Members, Councillors Brooks, Clocherty, Crowther, McCabe and McVey voted in favour of the motion which was declared carried.

That vote being substantive to the decision on the application for review, Councillor Clocherty moved that (1) sufficient information had been submitted to allow the Local Review Body to decide the matter without further procedure; and (2) 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 is for a detached dwellinghouse within the Green Belt which has not been justified under Policy 8 of National Planning Framework 4, Policy 14 of the adopted

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2019 Local Development Plan or Policies 15 and 19 of the proposed 2021 Local Development Plan. It is considered to be incompatible with the surrounding established landscape and countryside character and would undermine the purpose of the green belt at the proposed location, contrary to Policy 8 of National Planning Framework 4, Policy 14 of the adopted Local Development Plan and Policies 15 and 19 of the proposed Local Development Plan;

2. the proposal is contrary to National Planning Framework 4, Policy 16, in particular criterion (f), as the proposal is not consistent with the plan spatial strategy or with policy on rural homes, is not a smaller scale opportunity within an existing settlement boundary, and is not for the delivery of affordable housing as part of a local authority supported affordable housing plan;

3. the proposal is for a detached dwellinghouse in a rural location with no safe and convenient links to the wider walking or cycling networks or to public transport nodes. It is unlikely to promote sustainable and active travel, contrary to Policy 13 of National Planning Framework 4, Policy 10 of the adopted 2019 Inverclyde Local Development Plan and Policy 11 of the proposed 2021 Inverclyde Local Development Plan;

4. the site is considered to have poor accessibility for the nature of development proposed as it is not easily accessible by public transport or easily walkable from nearby settlements and would be heavily dependent on access by car or other private vehicle. As such it fails to meet the qualities of being 'Connected' in Policy 14 of National Planning Framework 4 and 'Easy to Move Around' in Policy 1 of the Inverclyde Local Development Plan;

5. the proposal fails to contribute to local living as by being located outwith the settlement boundary it does not reflect the existing settlement pattern and would have poor levels of interconnectivity that would encourage private car use, contrary to the aims of Policy 15 of National Planning Framework 4;

6. the proposal would create new residential development in an area which is poorly connected to local facilities and this is considered to fail to successfully integrate into nearby existing communities, as required under the quality of being 'Welcoming' in Policy 1 of the Inverclyde Local Development Plan;

7. the site has undergone a degree of naturalisation and the return of the site to a natural state will happen without the need for intervention, providing biodiversity value to the green belt. As such the reuse of the land for residential development is not considered to be sustainable under Policy 9 of National Planning Framework 4;

8. the proposal does not meet any of the specific locational requirements for new homes in rural areas listed under Policy 17, criterion a) of the National Planning Framework 4 and the transport needs of the development would not contribute towards local living, as required under Policy 17, criterion b) of the National Planning Framework 4;

9. the proposal does not provide any specific locational benefit that would justify the need for a rural location and would not contribute towards local living, as required under Policy 29 of the National Planning Framework 4; and

10. the application site is not a brownfield site located within an identified settlement boundary and is not considered to be sustainable development. It therefore cannot be justified against Policy 18 of the proposed 2021 Inverclyde Local Development Plan.

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

Conditions

1. that development to which this planning permission in principle relates must be begun within 5 years from the date of this permission, to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended);

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2. that plans and particulars of the matters listed below shall therefore be submitted for consideration by the Planning Authority, in accordance with the timescales and other limitations as directed under Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended). No work shall begin until the written approval of the planning authority has been given, and the development shall be carried out in accordance with that approval, to ensure that the matters referred to are given full consideration and to accord with Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended;

3. that details of the proposed layout for the development are required to accord with Condition 2 above. These shall be shown on a plan at a scale of 1:100 or 1:200 showing the position of: all buildings; roads; means of access to the site including visibility splays in either direction; footpaths; car and cycle parking areas; and vehicular turning areas. The details shall allow for the following:

i. parking shall be provided in accordance with the National Guidelines, which is 1 parking space for a 1 bedroom dwelling, 2 parking spaces for a 2 or 3 bedroom dwelling and 3 parking spaces for a 4 bedroom dwelling. Note: for a proposed garage to be counted as a parking space, it must have minimum internal dimensions of 3m wide by 7m long per parking space;

ii. the minimum dimensions for the driveway shall be 3m wide by 6m long per parking space;

iii. a minimum of 0.9m width path past parking spaces where the driveway forms part of the pedestrian access to the property; and

iv. the gradient of the driveway shall not exceed 10%;

to ensure suitable parking provision is afforded for the development in the interest of road safety;

4. that details of all proposed buildings and other structures for the development are required to accord with Condition 2 above. These shall be submitted to the Planning Authority in respect of the siting, design, floor plans and external appearance of all buildings and other structures inclusive of dimensions as well as the type and finishing colour of all external materials. Thereafter the development shall be implemented as approved unless an alternative is agreed in writing by the Planning Authority, to ensure that the design matters referred to are given full consideration and are acceptable;

5. that details are required to accord with Condition 2 above of the design and location of all boundary treatments, including walls and fences to be erected within and around the perimeter of the site. Thereafter the development shall be implemented as approved unless an alternative is agreed in writing by the Planning Authority, to ensure an appropriate landscape setting is provided;

6. that details are required to accord with Condition 2 above of the location, type and colour of all hard surfacing treatments to be installed within the site boundary. Thereafter the development shall be implemented as approved unless an alternative is agreed in writing by the Planning Authority, to ensure a precise and acceptable form of development in the interests of future occupants and the appearance of the locality;

7. that details are required to accord with Condition 2 above of the proposed ground levels throughout the site and proposed finished floor levels, in relation to a fixed datum point. The details shall include existing ground levels taken from the same fixed datum point, to ensure a precise and acceptable form of development in the interests of future occupants and the appearance of the locality;

8. that a Surface Water Management Plan (SWMP) shall be submitted for the approval in writing by the Planning Authority at the same time as the first submission of the details under Condition 2 above. The SWMP shall be accompanied by a self-certification declaration, completed in accordance with the requirements detailed in section 6.1 of Inverclyde Council's Flood Risk Assessment and Surface Water Management Assessment: Planning Guidance for Developers, dated March 2024, to ensure that

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suitable drainage is provided for the safe removal of surface and waste water from the site;

9. that a survey of the culverted drain on site identified in Section 8.3 of the Flood Risk Assessment (FRA) shall be submitted for the approval in writing by the Planning Authority at the same time as the first submission of the details under Condition 2 above. The survey of the culverted drain shall confirm the route and condition which links in with proposed discharge location(s) of any proposed drainage systems, to ensure that the finalised design can be safely implemented without placing buildings and people at flood risk;

10. that development shall not commence on site until details have been submitted to and approved in writing by the Planning Authority in respect of the following:

i. full details of landscaping, detailing all existing landscape features and vegetation to be retained as well as trees to be felled;

ii. details of protective measures for all trees which are to be retained;

iii. the locations of new trees, shrubs, hedges, grassed areas and water features;

iv. a schedule of trees and plants including species, plant sizes and proposed numbers and density; and

v. the phasing/timescale for carrying out these works.

Thereafter the development shall be implemented as approved, to ensure that the landscaping details and tree coverage on the site are given full consideration and are acceptable for the green belt setting;

11. that no tree works or vegetation clearance approved under Condition 13 above shall occur on site from March through September (inclusive) each year unless otherwise agreed in writing with the Planning Authority prior to clearance works commencing. In the event that clearance is proposed between March to September (inclusive), a nesting bird survey shall be carried out by an experienced ecologist covering the proposed clearance area prior to each stage of tree felling and vegetation clearance and shall be submitted to and approved in writing by the Planning Authority before those clearance works commence. Once written approval has been given, the works themselves shall be carried out within a specified and agreed timescale, to ensure the appropriate protection of breeding birds;

12. that any of the trees, areas of grass or planted shrubs or bushes approved as part of the landscaping scheme that die, become diseased, are damaged or removed within 5 years of planting shall be replaced with others of a similar size and species within the following planting season, to allow the approved planting scheme to become established, in the interests of providing an appropriate setting for the green belt;

13. that development shall not commence until details of a survey for the presence of Japanese Knotweed have 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;

14. 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. 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;

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15. that before any part of the development 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;

16. 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;

17. that development shall not commence until details of the containers to be used to store waste materials and recyclable materials produced on the premises as well as where the containers are to be located have been submitted to and approved in writing by the Planning Authority. The approved containers shall be implemented on site before the first use/occupation of the use of the development and thereafter retained in position, to protect the amenity of the immediate area, prevent the creation of nuisance due to odours, insects, rodents, or birds;

18. that the dwellinghouse hereby approved 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 energy generating technologies. 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 dwellinghouse, to comply with the requirements of Section 72 of the Climate Change (Scotland) Act 2009; and

19. that the dwellinghouse hereby approved shall be designed to include at least one trickle charging point made accessible for the charging of electric vehicles. Details of the charging point shall be submitted to and approved in writing by the Planning Authority prior to the formation of the driveway and the charging point shall be installed prior to the first occupation of the dwellinghouse, to ensure adequate provision is made to encourage the use of electric vehicles.

Advisory Notes

1. all external lighting on the application site should comply with the Scottish Government Guidance Note "Controlling Light Pollution and Reducing Lighting Energy Consumption";

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

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

4. onsite sewage treatment: as the premises be served by an onsite sewage treatment plant/septic tank, it will be necessary to ensure that the capacity of the plant/tank is sufficient to deal with any additional demand and that the maintenance and emptying regime is modified accordingly;

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5. design and construction of buildings – seagulls: 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 seagulls. Such measures are intended to reduce nuisance to, and intimidation of, persons living, working and visiting the development;
6. the sound insulation should have regard to advice and standards contained in the current Scottish Building Regulations;
7. the applicant is advised that a Section 56 Agreement is required for all works in the public road;
8. water capacity assessment / waste water capacity assessment:
 - i. there is currently sufficient capacity in the Greenock Water Treatment Works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us; and
 - ii. according to our records there is no public waste water infrastructure within the vicinity of this proposed development therefore we would advise the applicant to investigate private treatment options;
9. surface water:
 - i. for reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system;
 - ii. there may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical and technical challenges; and
 - iii. in order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should refer to our guides which can be found at <https://www.scottishwater.co.uk/Help-and-Resources/Document-Hub/Business-and-Developers/Connecting-to-our-Network> which detail our policy and processes to support the application process, evidence to support the intended drainage plan should be submitted at the technical application stage where we will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives; and
10. asset impact assessment:
 - i. Scottish Water records indicate that there is live infrastructure in the proximity of your development area that may impact on existing Scottish Water assets;
 - ii. the applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team via our Customer Portal for an appraisal of the proposals;
 - iii. the applicant should be aware that any conflict with assets identified will be subject to restrictions on proximity of construction; and
 - iv. written permission must be obtained before any works are started within the area of our apparatus.

Following a roll call vote, 2 Members, Councillor Clocherty and McVey voted in favour of the motion, and 3 Members, Councillors Brooks, Crowther and McCabe voted in favour of the amendment which was declared carried. 2 Members, Councillors Curley and McGuire abstained from voting.

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 in principle be granted subject to the following conditions and advisory notes:

Conditions

1. that development to which this planning permission in principle relates must be begun within 5 years from the date of this permission, to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended);

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2. that plans and particulars of the matters listed below shall therefore be submitted for consideration by the Planning Authority, in accordance with the timescales and other limitations as directed under Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended). No work shall begin until the written approval of the planning authority has been given, and the development shall be carried out in accordance with that approval, to ensure that the matters referred to are given full consideration and to accord with Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended;

3. that details of the proposed layout for the development are required to accord with Condition 2 above. These shall be shown on a plan at a scale of 1:100 or 1:200 showing the position of: all buildings; roads; means of access to the site including visibility splays in either direction; footpaths; car and cycle parking areas; and vehicular turning areas. The details shall allow for the following:

i. parking shall be provided in accordance with the National Guidelines, which is 1 parking space for a 1 bedroom dwelling, 2 parking spaces for a 2 or 3 bedroom dwelling and 3 parking spaces for a 4 bedroom dwelling. Note: for a proposed garage to be counted as a parking space, it must have minimum internal dimensions of 3m wide by 7m long per parking space;

ii. the minimum dimensions for the driveway shall be 3m wide by 6m long per parking space;

iii. a minimum of 0.9m width path past parking spaces where the driveway forms part of the pedestrian access to the property; and

iv. the gradient of the driveway shall not exceed 10%;

to ensure suitable parking provision is afforded for the development in the interest of road safety;

4. that details of all proposed buildings and other structures for the development are required to accord with Condition 2 above. These shall be submitted to the Planning Authority in respect of the siting, design, floor plans and external appearance of all buildings and other structures inclusive of dimensions as well as the type and finishing colour of all external materials. Thereafter the development shall be implemented as approved unless an alternative is agreed in writing by the Planning Authority, to ensure that the design matters referred to are given full consideration and are acceptable;

5. that details are required to accord with Condition 2 above of the design and location of all boundary treatments, including walls and fences to be erected within and around the perimeter of the site. Thereafter the development shall be implemented as approved unless an alternative is agreed in writing by the Planning Authority, to ensure an appropriate landscape setting is provided;

6. that details are required to accord with Condition 2 above of the location, type and colour of all hard surfacing treatments to be installed within the site boundary. Thereafter the development shall be implemented as approved unless an alternative is agreed in writing by the Planning Authority, to ensure a precise and acceptable form of development in the interests of future occupants and the appearance of the locality;

7. that details are required to accord with Condition 2 above of the proposed ground levels throughout the site and proposed finished floor levels, in relation to a fixed datum point. The details shall include existing ground levels taken from the same fixed datum point, to ensure a precise and acceptable form of development in the interests of future occupants and the appearance of the locality;

8. that a Surface Water Management Plan (SWMP) shall be submitted for the approval in writing by the Planning Authority at the same time as the first submission of the details under Condition 2 above. The SWMP shall be accompanied by a self-certification declaration, completed in accordance with the requirements detailed in section 6.1 of Inverclyde Council's Flood Risk Assessment and Surface Water Management Assessment: Planning Guidance for Developers, dated March 2024, to ensure that

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suitable drainage is provided for the safe removal of surface and waste water from the site;

9. that a survey of the culverted drain on site identified in Section 8.3 of the Flood Risk Assessment (FRA) shall be submitted for the approval in writing by the Planning Authority at the same time as the first submission of the details under Condition 2 above. The survey of the culverted drain shall confirm the route and condition which links in with proposed discharge location(s) of any proposed drainage systems, to ensure that the finalised design can be safely implemented without placing buildings and people at flood risk;

10. that development shall not commence on site until details have been submitted to and approved in writing by the Planning Authority in respect of the following:

- i. full details of landscaping, detailing all existing landscape features and vegetation to be retained as well as trees to be felled;
- ii. details of protective measures for all trees which are to be retained;
- iii. the locations of new trees, shrubs, hedges, grassed areas and water features;
- iv. a schedule of trees and plants including species, plant sizes and proposed numbers and density; and
- v. the phasing/timescale for carrying out these works.

Thereafter the development shall be implemented as approved, to ensure that the landscaping details and tree coverage on the site are given full consideration and are acceptable for the green belt setting;

11. that no tree works or vegetation clearance approved under Condition 13 above shall occur on site from March through September (inclusive) each year unless otherwise agreed in writing with the Planning Authority prior to clearance works commencing. In the event that clearance is proposed between March to September (inclusive), a nesting bird survey shall be carried out by an experienced ecologist covering the proposed clearance area prior to each stage of tree felling and vegetation clearance and shall be submitted to and approved in writing by the Planning Authority before those clearance works commence. Once written approval has been given, the works themselves shall be carried out within a specified and agreed timescale, to ensure the appropriate protection of breeding birds;

12. that any of the trees, areas of grass or planted shrubs or bushes approved as part of the landscaping scheme that die, become diseased, are damaged or removed within 5 years of planting shall be replaced with others of a similar size and species within the following planting season, to allow the approved planting scheme to become established, in the interests of providing an appropriate setting for the green belt;

13. that development shall not commence until details of a survey for the presence of Japanese Knotweed have 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;

14. 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. 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;

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15. that before any part of the development 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;

16. 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;

17. that development shall not commence until details of the containers to be used to store waste materials and recyclable materials produced on the premises as well as where the containers are to be located have been submitted to and approved in writing by the Planning Authority. The approved containers shall be implemented on site before the first use/occupation of the use of the development and thereafter retained in position, to protect the amenity of the immediate area, prevent the creation of nuisance due to odours, insects, rodents, or birds;

18. that the dwellinghouse hereby approved 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 energy generating technologies. 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 dwellinghouse, to comply with the requirements of Section 72 of the Climate Change (Scotland) Act 2009; and

19. that the dwellinghouse hereby approved shall be designed to include at least one trickle charging point made accessible for the charging of electric vehicles. Details of the charging point shall be submitted to and approved in writing by the Planning Authority prior to the formation of the driveway and the charging point shall be installed prior to the first occupation of the dwellinghouse, to ensure adequate provision is made to encourage the use of electric vehicles.

Advisory Notes

1. all external lighting on the application site should comply with the Scottish Government Guidance Note "Controlling Light Pollution and Reducing Lighting Energy Consumption";

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

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

4. onsite sewage treatment: as the premises be served by an onsite sewage treatment plant/septic tank, it will be necessary to ensure that the capacity of the plant/tank is sufficient to deal with any additional demand and that the maintenance and emptying regime is modified accordingly;

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5. design and construction of buildings – seagulls: 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 seagulls. Such measures are intended to reduce nuisance to, and intimidation of, persons living, working and visiting the development;
6. the sound insulation should have regard to advice and standards contained in the current Scottish Building Regulations;
7. the applicant is advised that a Section 56 Agreement is required for all works in the public road;
8. water capacity assessment / waste water capacity assessment:
 - i. there is currently sufficient capacity in the Greenock Water Treatment Works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us; and
 - ii. according to our records there is no public waste water infrastructure within the vicinity of this proposed development therefore we would advise the applicant to investigate private treatment options;
9. surface water:
 - i. for reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system;
 - ii. there may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical and technical challenges; and
 - iii. in order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should refer to our guides which can be found at <https://www.scottishwater.co.uk/Help-and-Resources/Document-Hub/Business-and-Developers/Connecting-to-our-Network> which detail our policy and processes to support the application process, evidence to support the intended drainage plan should be submitted at the technical application stage where we will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives; and
10. asset impact assessment:
 - i. Scottish Water records indicate that there is live infrastructure in the proximity of your development area that may impact on existing Scottish Water assets;
 - ii. the applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team via our Customer Portal for an appraisal of the proposals;
 - iii. the applicant should be aware that any conflict with assets identified will be subject to restrictions on proximity of construction; and
 - iv. written permission must be obtained before any works are started within the area of our apparatus.