

PLANNING BOARD - 4 MARCH 2009

Planning Board

Wednesday 4 March 2009 at 3.00 pm

Present: Councillors Blair (for Brooks), Fyfe, Grieve, Loughran, McCallum, McIlwee (for Moran), Rebecchi and Wilson.

Chair: Councillor Wilson presided.

In attendance: Head of Planning & Housing, Mr D Greenslade (for Head of Environmental Services), Mr H McNeilly (for Head of Legal & Administration) and Mr M Bingham (for Head of Corporate Communications & Public Affairs).

Apologies: Councillors Brooks and Moran.

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

168 PLANNING APPLICATIONS SUBMITTED FOR CONTINUED CONSIDERATION

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- (a) **Change of use of flat and attic to two self contained flatted dwellings together with the installation of roof windows to the front and rear and two dormer windows to the rear:
37B Campbell Street, Greenock (08/0270/IC)**

There was submitted a report by the Head of Planning & Housing regarding an application by Mr Neil Martin for the change of use of flat and attic to two self contained flatted dwellings together with the installation of roof windows to the front and rear and two dormer windows to the rear at 37B Campbell Street, Greenock (08/0270/IC), consideration of which had been continued from the meeting of 4 February 2009 for a site visit.

The report recommended that planning permission be granted subject to a number of conditions.

After discussion, Councillor Wilson moved that planning permission be granted subject to the conditions detailed in the report. As an amendment, Councillor Rebecchi moved that planning permission be refused as the proposal would exacerbate the existing difficult parking situation in the area. On a vote, 3 Members voted for the motion and 5 for the amendment which was declared carried.

Councillor Loughran entered the meeting during consideration of this item of business.

Decided: that planning permission be refused as the proposal would exacerbate the existing difficult parking situation in the area.

- (b) **Proposed erection of a 3 storey Class 2 office at 30 Regent Street and formation of 16 car parking spaces adjacent to 39 Regent Street and 10 Bank Street, Greenock:
30 Regent Street, Greenock (09/0029/IC)**

There was submitted a report by the Head of Planning & Housing regarding an application by Inverclyde Council for the proposed erection of a 3 storey Class 2 Office at 30 Regent Street and formation of 16 car parking spaces adjacent to 39 Regent Street and 10 Bank Street, Greenock at 30 Regent Street, Greenock (09/0029/IC), consideration of which had been continued from the meeting of 4 February 2009 to allow

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the submission of an amended planning application.

The report recommended that planning permission be granted subject to a number of conditions.

After discussion, Councillor Wilson moved that, subject to referral to the Scottish Ministers in accordance with the Town & Country Planning (Notification of Applications) (Scotland) Direction 2007, planning permission be granted subject to the conditions detailed in the report.

As an amendment, Councillor Blair moved that planning permission be refused as:

- (1) the proposal is contrary to the Local Plan, in particular green belt provision;
- (2) there is insufficient car parking provision for the traffic likely to be generated by a development of this scale;
- (3) the proposal would be detrimental to road safety in that the likely increase in traffic associated with the proposal would make a difficult route through Greenock even more difficult; and
- (4) that the development would be out of scale and character with the surrounding area and would dominate the adjacent Wellpark.

On a vote, 3 Members voted for the amendment and 5 for the motion which was declared carried.

Decided: that, subject to referral to the Scottish Ministers in accordance with the Town & Country Planning (Notification of Applications) (Scotland) Direction 2007, planning permission be granted subject to the following conditions:-

- (1) that the development to which this permission relates must be begun within five years from the date of this permission, to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997;
- (2) that the office hereby approved shall not be occupied until the parking layout detailed on docquetted drawing 07 126 101 has been completed, to prevent obstructive parking on Regent Street and Bank Street;
- (3) that no development shall commence until details of tree planting to replace the 4 trees to be felled in the Wellpark have been submitted to and approved in writing by the Planning Authority. Planting shall take place in the first planting season following completion of the office and any specimens that in the subsequent 5 years die, become diseased or are damaged shall be replaced in the next planting season with a similar specimen unless the Head of Planning and Housing gives prior approval to any alternatives, to ensure a quality tree setting for the office and the Wellpark;
- (4) that development shall not begin until samples of materials to be used on external surfaces of the buildings or in construction of hard standings/walls/fences have been submitted to and approved in writing by the Planning Authority. Development shall thereafter be carried out using the approved materials or such alternatives as may be agreed in writing with the Head of Planning and Housing, to ensure a continuity of materials in this part of Greenock; and
- (5) that no development shall commence until details of measures to improve the security and natural surveillance of the side and rear footpaths and the provision of 2m high boundary treatment to the east and north site boundaries have been submitted to and approved in writing by the Head of Planning & Housing. Development shall thereafter be carried out in accordance with the approved details or such alternatives as may be agreed in writing with the Head of Planning and Housing, to improve the security of the building hereby approved and to accord with Police advice.

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**(c) Formation of new roof incorporating front and rear dormer windows:
48 Douglichill Place, Port Glasgow (08/0275/IC)**

There was submitted a report by the Head of Planning & Housing regarding an application by Mr J Mulholland for the formation of new roof incorporating front and rear dormer windows at 48 Douglichill Place, Port Glasgow (08/0275/IC), consideration of which had been continued from the meeting of 4 February 2009 for a site visit.

Councillor Wilson declared a non financial interest in this matter as a neighbour of the applicant. He also formed the view that the nature of his interest and of the item of business precluded his continued presence in the Chamber and his participation in the decision making process. He therefore vacated the Chair and left the Chamber prior to consideration of this item of business.

Councillor Fyfe assumed the Chair.

Decided: that planning permission be granted.

Councillor Fyfe left the meeting following consideration of this item of business and Councillor Wilson returned and resumed the Chair.

169 PLANNING APPLICATIONS

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There were submitted reports by the Head of Planning & Housing on the following applications, together with letters of objection and support where submitted, which were dealt with as follows:-

**(a) Erection of 5 dwellinghouses (approval of reserved matters):
Land at Rear of Cardell, Wemyss Bay Road, Wemyss Bay (08/0302/IC)**

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

(1) that no development shall commence, no plant or materials delivered and no site preparation other than site survey work shall be undertaken, before the following measures have been undertaken in accordance with drawing 3178/J201 dated November 2003:-

(a) the submission to and approval by the Planning Authority of a suitable practical guarantee of visibility splays of 2.5m x 90m on either side of the junction of Wemyss Bay Road and the A78(T) will be maintained in perpetuity;

(b) the permanent physical clearance of the above splays of all obstructions to visibility between 1.05m and 2.0m above road channel level;

to ensure that the drivers of vehicles leaving and entering the A78(T) are able to see and to be seen from vehicles on this road and thereby join the traffic stream safely; and

(2) that no development shall commence until samples of all external materials have been submitted to and approved in writing by the Planning Authority; development thereafter shall proceed utilising the approved materials unless the Planning Authority gives its prior written approval to any alternatives, to ensure a continuity of finishing materials in this part of Wemyss Bay.

**(b) Erection of 3 dwellinghouses (in outline):
Land between 34 and 36 Dunvegan Avenue, Gourrock (08/0313/IC):**

(Councillor Fyfe returned to the meeting during consideration of this item of business.)

Decided: that planning permission be refused as the loss of the area of open space would be severely detrimental to the open and spacious nature of the residential area and

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would remove an area where children can play safely, which would be contrary to Local Plan Policies H1 and LR1.

- (c) Non-compliance with Condition 3 of Planning Permission IC/03/342 - Extension of working hours:
TSSU, Wren Road, Greenock (08/0143/IC)**

Councillor McIlwee declared a non-financial interest in this matter as an employee of NHS Greater Glasgow & Clyde. He also formed the view that the nature of his interest and of the item of business precluded his participation in the decision making process.

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

- (1) that the security gates providing access to the site shall remain closed between the hours of 10pm and 6am, to address concerns over security of the site and adjacent residences; and
- (2) that there shall be no vehicular movements, including collections or deliveries, between the hours of 10pm and 7am, in the interests of residential amenity.

- (d) Installation of six 2.5 Kw wind turbines on 6.5m towers on roof of hospital:
Inverclyde Royal Hospital, Larkfield Road, Greenock (08/0249/IC)**

Councillor McIlwee declared a non-financial interest in this matter as an employee of NHS Greater Glasgow & Clyde. He also formed the view that the nature of his interest and of the item of business precluded his participation in the decision making process.

Decided: that planning permission be granted.

- (e) Erection of lock up garages and stores:
Ground to rear of 28 and 30 Ardgowan Street, Greenock (08/0241/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 five years from the date of this permission, to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997;
- (2) that the garages and stores hereby approved shall be used solely for purposes incidental to residential use, to prevent harm to adjoining residential properties from business activity;
- (3) that no development shall commence until samples of all external materials have been submitted to and approved in writing by the Planning Authority; development shall thereafter proceed utilising the approved materials unless the Planning Authority gives its prior written approval to any alternatives, to ensure a continuity of materials in this part of the Greenock West End Conservation Area;
- (4) that access shall be taken via a footway crossover constructed in accordance with the Council's Roads Development Guide and all surface water shall be intercepted within the site, in the interests of road safety on Ardgowan Street; and
- (5) that no development shall commence until fully detailed boundary treatment drawings have been submitted to and approved in writing by the Planning Authority; the approved regime of boundary treatment shall be completed prior to any of the garages and stores hereby approved being occupied and thereafter maintained in perpetuity, to maintain the privacy of neighbouring properties.

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**(f) Change of use of Class 1 shop to a Class 1 shop and 12 flats:
69 - 71 West Blackhall Street, Greenock (08/0220/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 five years from the date of this permission, to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; and
- (2) that development shall not begin until samples of materials to be used on external surfaces of the building have been submitted to and approved in writing by the Planning Authority. Development shall thereafter be carried out using the approved materials or such alternatives as may be agreed in writing with the Planning Authority, to ensure a continuity of materials in West Blackhall Street.

**(g) Erection of 12 flats:
Ground at rear of 69 - 71 West Blackhall Street, Greenock (08/0287/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 five years from the date of this permission, to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997;
- (2) that the development shall not commence until a risk assessment, including any necessary remediation strategy with timescale for implementation, of all pollutant linkages has been submitted to and approved in writing by the Planning Authority. The investigations and assessment shall be site-specific and completed in accordance with acceptable codes of practice. The remediation strategy shall include verification/validation methodologies. This may be incorporated as part of a ground condition report and should include an appraisal of options, to satisfactorily address potential contamination issues in the interests of environmental safety;
- (3) that on completion of remediation and verification/validation works and prior to the site being occupied, the developer shall submit a Completion Report for approval in writing by the Planning Authority confirming that the works have been carried out in accordance with the remediation strategy. This report shall demonstrate that no pollutant linkages remain or are likely to occur and include (but not limited to) a collation of verification/validation certificates, analysis information, remediation lifespan, maintenance/aftercare information and details of imported/disposed/reused materials relevant to the site, to provide verification that remediation has been carried out to the authority's satisfaction;
- (4) that the presence of any previously unrecorded contamination or variation to reported ground conditions that becomes evident during site works shall be brought to the attention of the Planning Authority within one week. Consequential amendments to the Remediation Strategy shall not be implemented unless it has been submitted to and approved in writing by the Planning Authority, to ensure that all contamination issues are recorded and dealt with appropriately;
- (5) that no material shall be imported onto the site until written details of the source of the imported material has been submitted for approval in writing by the Planning Authority. The details which shall be submitted no later than four weeks prior to the material being imported onto the site shall include: the source of the imported material, any potential source(s) of contamination within 50 metres of the source of the material to be imported and verification analysis information. The material must not be imported on to the site until written approval has first been received from the Planning Authority. The material from the source agreed only shall be imported in strict accordance with these agreed details, to protect receptors from the harmful effects of imported contamination;

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(6) that development shall not begin until samples of materials to be used on external surfaces of the buildings and in construction of hard standings/walls/fences have been submitted to and approved in writing by the Planning Authority. Development shall thereafter be carried out using the approved materials or such alternatives as may be agreed in writing with the Planning Authority, to ensure a continuity of materials; and

(7) that none of the flats hereby approved shall be occupied until the 6 off street parking spaces detailed on drawing PL08 have been completed, to prevent obstructive parking on West Stewart Street.

**(h) Formation of pedestrian access to existing dwellinghouse:
13 Luss Place, Greenock (08/0289/IC)**

The report recommended that planning permission be refused as the proposed pedestrian access would encourage vehicles to park on Luss Avenue to the front of the property obstructing forward visibility on the road curve creating a situation where vehicles would be forced to overtake on the curve and steep incline. This would lead to confrontation and possible collisions between vehicles thereby prejudicing road safety.

After discussion, Councillor Wilson moved that planning permission be refused for the reason detailed in the report. As an amendment, Councillor McCallum moved that consideration of the application be continued to allow the Head of Environmental Services to investigate the feasibility of erecting a railing along the kerb side of the footpath from 27 Luss Avenue to the junction of Luss Avenue and Luss Place. On a vote, 3 Members voted for the amendment and 4 for the motion which was declared carried.

Decided: that planning permission be refused as the proposed pedestrian access would encourage vehicles to park on Luss Avenue to the front of the property obstructing forward visibility on the road curve creating a situation where vehicles would be forced to overtake on the curve and steep incline. This would lead to confrontation and possible collisions between vehicles thereby prejudicing road safety.

**(i) Erection of six lighting columns each carrying two 2KW metal halide floodlights:
Birkmyre Park Playing Fields, Knockbuckle Road, Kilmacolm (08/0157/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 five years from the date of this permission, to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997;

(2) that the lux levels shall not exceed 5 lux within residential properties, and prior to the floodlights hereby permitted being brought into use, they shall be fitted with baffles, in the interests of residential amenity and to prevent glare to drivers and pedestrians using adjacent roads; and

(3) that the floodlights shall not be used on any day after 10.00pm, in order to protect the amenity of adjacent residential properties.

**(j) Alterations and refurbishment of existing village centre and old school buildings to facilitate the formation of new community centre together with associated landscaping work:
Community Centre, Lochwinnoch Road, Kilmacolm (08/0307/IC & 08/0019/LB)**

Councillor Wilson declared a non-financial interest in this matter as a Director of Kilmacolm New Community Centre Co Ltd. He also formed the view that the nature of his interest and of the item of business precluded his continued presence in the Chamber

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and his participation in the decision making process. He therefore vacated the Chair and left the Chamber prior to consideration of this item of business.

Councillor Fyfe assumed the Chair.

(Councillor Rebecchi left the meeting during consideration of this item of business).

Decided:

(a) that planning permission be granted subject to the following conditions:-

(1) that the development hereby permitted shall be commenced within five years from the date of this permission, to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997;

(2) that prior to the commencement of work on site, full details and samples of all new materials to be used within the development on the elevations and roofs of the buildings, including windows and doors, shall be submitted to and approved by the Planning Authority. The development shall then proceed utilising the approved materials, to ensure the proposed materials are acceptable in terms of the existing buildings and appropriate for the listed building;

(3) that prior to the commencement of works on site, full details and specifications of all new doors and windows shall be submitted to and approved by the Planning Authority. The development shall then proceed utilising the approved specifications, to ensure the proposed windows and doors are acceptable in terms of the existing buildings and appropriate for the listed building;

(4) that prior to the commencement of work on site, the full specification and details of the rooflights hereby approved on the old school building be submitted to and approved by the Planning Authority. For the avoidance of doubt, the rooflights will be of a conservation type, to ensure the rooflights are appropriate for the listed building;

(5) that prior to the commencement of work on site full details of all hard and soft landscape works, including a programme for the completion and subsequent maintenance of soft landscape, shall be submitted to and approved in writing by the Planning Authority. The landscaping work will then proceed as approved, to ensure an appropriate hard and soft landscaping scheme for the proposed development;

(6) that no consent is granted for the parking arrangement adjacent to the old school building as shown on approved drawing number 2248 AL(0)020. Prior to the commencement of work on site, an alternative parking layout shall be submitted to and approved in writing by the Planning Authority, to ensure that the new spaces proposed are in accordance with the requirements of the Council's Roads Development Guidelines, in the interests of vehicular and pedestrian safety; and

(7) that prior to the commencement of work on site, a scheme to maintain an appropriate level of parking provision within Kilmacolm Village Centre during the lifetime of the construction work for the development hereby permitted shall be submitted to and approved by the Planning Authority, to ensure that appropriate parking is maintained during construction works within Kilmacolm Village Centre; and

(b) that listed building consent be granted subject to the following conditions:-

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

(2) that prior to the commencement of work on site, full details and samples of all new materials to be used within the development on the elevations and roofs of the building, including windows and doors, shall be submitted to and approved by the Planning Authority. The development shall then proceed utilising the approved materials;

(3) that prior to the commencement of works on site, full details and specifications of all new doors and windows shall be submitted to and approved by the Planning Authority. The development shall then proceed utilising the approved specifications; and

(4) that prior to the commencement of work on site, the full specification and details of

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the rooflights hereby approved be submitted to and approved by the Planning Authority. For the avoidance of doubt, the rooflights will be of a conservation type, conditions (2)-(4) being imposed to ensure the works area is appropriate in terms of the listed building. (Councillor Wilson returned to the meeting at this juncture and resumed the Chair).

- (k) **Erection of a two storey dwellinghouse with detached garage and non-compliance with condition 9 of Planning Permission IC/04/218 (Construction outwith approved zone):**

Plot 2, Avenel, Knockbuckle Road, Kilmacolm (09/0012/IC)

The report recommended that planning permission be granted subject to a number of conditions.

Decided: that consideration of the application be continued to allow the Head of Planning & Housing to consult with the applicant regarding the location of the house on the plot and to seek to locate the house on the development platform previously approved.