

PLANNING BOARD - 5 NOVEMBER 2008

Planning Board

Wednesday 5 November 2008 at 3.00 pm

Present: Councillors Brooks, Dorrian, Ferguson, Fyfe, Grieve, Moran, Rebecchi and Wilson.

Chair: Councillor Wilson presided.

In attendance: Head of Planning, Housing & Transportation, Development Control & Conservation Manager, Mr H McNeilly (for Head of Legal & Administration) and Mr D Greenslade (for Head of Environmental Services).

Apologies: Councillor Ferguson.

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

791 PLANNING APPLICATIONS SUBMITTED FOR CONTINUED CONSIDERATION

791

**(a) Erection of two dwellinghouses:
Glenrowan, Rowantreehill Road, Kilmacolm (08/0161/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 samples of all facing and roofing materials shall be submitted to and approved in writing by the Planning Authority prior to the use of any of these materials, to ensure that the materials are appropriate for the location;
- (3) that full details of the design, materials and opening mechanism of all windows, roof windows and doors shall be submitted to and approved by the Planning Authority prior to work commencing, to ensure that the design and finishes are appropriate for the location;
- (4) that prior to work commencing a scheme of hard and soft landscaping shall be submitted to and approved in writing by the Planning Authority. The scheme shall include:
 - a. the height and design of all new walls, fences and gate piers;
 - b. external finish to shared access/courtyard;
 - c. soft landscaping works to include the schedules of plants to comprise species, plant sizes and proposed numbers/density;
 - d. existing and finished ground levels in relation to a fixed datum;
 - e. existing landscaped features to be retained;
 - f. programme for completion of hard and soft landscaping works;
 to ensure the provision of an acceptable setting for the new dwellings;
- (5) that no trees shall be lopped, topped or felled without the prior written consent of the Planning Authority, to ensure the retention of existing trees; and
- (6) that no work shall begin until existing trees have been protected by suitable fencing. Details of this fencing shall be submitted to and approved in writing by the Planning Authority, to maintain the contribution of existing trees to the quality of the landscape.

(b) Installation of solar panels on roof of dwellinghouse:

PLANNING BOARD - 5 NOVEMBER 2008

7 Welbeck Street, Greenock (08/0089/IC)

Noted

792 PLANNING APPLICATIONS

792

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

**(a) Erection of timber deck and fence (in retrospect):
4 Macbeth Road, Greenock (08/0187/IC)**

Decided: that planning permission be granted.

**(b) Erection of storage shed:
South Craigmarloch, Port Glasgow Road, Kilmacolm (08/0152/IC)**

The report recommended that planning permission be refused.

After discussion, Councillor Wilson moved that planning permission be granted. As an amendment, Councillor Fyfe moved that planning permission be granted subject to the applicants entering into a Section 75 Agreement. On a vote, 3 Members voted for the motion and 4 for the amendment which was declared carried.

Councillor Rebecchi asked that his dissatisfaction with the information given by the Head of Planning, Housing & Transportation prior to the vote be recorded.

Decided: that, subject to the applicants entering into a Section 75 Agreement under the Town & Country Planning (Scotland) Act 1997 restricting the use of the shed solely for the purposes of the existing timber and tree felling business, planning permission be granted.

**(c) Erection of dwellinghouse (in outline):
Rowantreehill Quarry, Houston Road, Kilmacolm (08/0213/IC)**

Decided: that planning permission be refused as the proposal would compromise the spacious quality of development which gave rise to the designation of the Kilmacolm Conservation Area and fails to safeguard the character and amenity of the area. As such the proposal:

- (a) is contrary to Policies H1, HR11 and HR12 of the Inverclyde Local Plan;
- (b) fails to satisfy the development control criteria (a) and (b) of Policy 8 of the Inverclyde Local Plan;
- (c) is contrary to the guidance in the Council's PPANs 2 and 3; and
- (d) is contrary to the guidance contained in Historic Scotland's Memorandum of Guidance on Listed Buildings & Conservation Areas.

**(d) Erection of residential flats (in outline):
Captain Street, Greenock (08/0211/IC)**

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

- (1) that this permission is granted under the provisions of Town and Country Planning (General Development Procedure) (Scotland) Order 1992 on an outline application and further approval of the Council or of the Scottish Ministers on appeal shall be required with respect to the under mentioned matters hereby reserved before any development is commenced:

792

792

PLANNING BOARD - 5 NOVEMBER 2008

- (a) the siting, design and external appearance of any building to which the planning permission or the application relates;
- (b) details of the access arrangements;
- (c) details of landscaping of the site;
- (2) that in the case of the reserved matters as specified above application for approval must be made before:
 - (a) the expiration of 3 years from the date of grant of outline permission; or
 - (b) the expiration of 6 months from the date on which an earlier application for such approval was refused; or
 - (c) the expiration of 6 months from the date on which an appeal against such refusal was dismissed; whichever is the latest; and provided only one such application may be made in the case after the expiration of the three year period mentioned in sub paragraph (a) above;
- (3) that the development to which this permission relates must be begun not later than the expiration of 5 years from the date of this permission or within 2 years from the final approval of reserved matters, whichever is the later, conditions (1) - (3) being imposed to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997;
- (4) 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. Development shall not proceed until treatment is completed as per the methodology and treatment statement. Any variation to the treatment methodologies will require subsequent approval by the planning authority prior to development starting on site, to help arrest the spread of Japanese Knotweed in the interests of environmental protection;
- (5) 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;
- (6) 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 shall not be 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;
- (7) 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;
- (8) 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,

PLANNING BOARD - 5 NOVEMBER 2008

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; and

(9) that for the avoidance of doubt, no consent is granted for the indicative site layout and building footprint submitted, to avoid any doubt on the extent of the approval given under outline planning permission.