

**PLANNING BOARD - 4 FEBRUARY 2009**

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**Planning Board**

**Wednesday 4 February 2009 at 3 pm**

**Present:** Councillors Brooks, Dorrian, Fyfe, Grieve, Loughran, McCallum, McKenzie, Moran, Rebecchi and Wilson.

**Chair:** Councillor Wilson presided.

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

**Apologies:** Councillor Ferguson.

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

**107 PLANNING APPLICATIONS SUBMITTED FOR CONTINUED CONSIDERATION**

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- (a)** There was submitted report by the Head of Planning & Housing regarding an application by Clydeport Ltd for the erection of four storey building containing café/restaurant unit on ground floor and office use on upper floors complete with all roads, car parking, landscaping and new riverside walkway, Victoria Harbour, Rue End Street, Greenock (IC07119), consideration of which had been continued from the meeting of 7 January 2009 to allow the Head of Planning & Housing to contact the applicant to ascertain the status of the planning application.

Councillor Wilson declared a non financial interest in this matter as a Director of the Board of Riverside Inverclyde. He also formed the view that the nature of his interest and of the item of business did not preclude his presence in the Chamber or his participation in the decision making process.

After discussion, Councillor Fyfe moved that planning permission be refused as a breach of the masterplan. As an amendment, Councillor McKenzie moved that planning permission be granted subject to the conditions detailed in the report. On a vote, 4 Members voted for the motion and 5 for the amendment which was declared carried.

**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 prior to the building hereby permitted being brought into use, the roads, footways and parking bays serving the building shall be finished to sealed wearing course level, to ensure the provision of adequate pedestrian and vehicular access facilities;
- (3) that prior to the start of development on the site full details of a soft landscaping scheme shall be submitted to and approved in writing by the Head of Planning and Housing and shall include details of any earth mounding, grass seeding and turfing and a scheme of tree and shrub planting incorporating details of the location, number and variety of trees and shrubs to be planted, in the interests of the visual amenity of the area;
- (4) that the landscaping scheme approved in terms of condition (3) above shall be implemented in full before the end of the first planting season following completion of construction of the building. Any areas of grass or trees and shrubs that die, are removed, are damaged or become diseased within five years from the date of completion of

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construction, shall be replaced within the following year with others of a similar size and species, in the interests of the visual amenity of the area;

(5) that before development starts, full details shall be submitted to and approved in writing by the Head of Planning and Housing of a management and maintenance scheme for all the hard and soft landscaped areas within the application site, in the interests of the visual amenity of the area;

(6) that a drainage impact assessment shall be submitted to and approved in writing by the Head of Planning and Housing prior to the start of development on the site, to control drainage of water from the site to help prevent flooding;

(7) 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;

(8) 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;

(9) 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;

(10) 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;

(11) that details of all lighting within the site shall be submitted for the approval of the Planning Authority, following consultation with Trunk Roads Management Network, to ensure that there will be no distraction or dazzle to drivers on the trunk road and that safety of traffic on the trunk road will not be diminished;

(12) that details of landscaping required in terms of condition (3) above shall include screening between the development site and the trunk road to the satisfaction of the Planning Authority, following consultation with Trunk Roads Network Management, to ensure that there will be no distraction or dazzle to drivers on the trunk road and that safety of traffic on the trunk road will not be diminished;

(13) that there shall be no drainage connections to the trunk road drainage system, to ensure the efficiency of the existing drainage network is not affected;

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(14) that an entry and exit arrangement shall be clearly signed at all times, all to the satisfaction of the Planning Authority, after consultation with Trunk Road Network Management, to ensure the movement of traffic and pedestrians is confined to the permitted means of access thereby lessening the danger to the interference with the free flow of traffic on the trunk road;

(15) that modifications to the existing A8 (T) Rue End Street/Dellingburn Street traffic signal controlled junction (generally, but not exactly, as set out in DBA drawing 04005/SK/03, and titled "Proposed Access Layout") shall be implemented in accordance with the plans approved by the Planning Authority, in consultation with Trunk Road Network Management prior to occupation of the development, to minimise interference with the safety and free flow of the traffic on the trunk road, to ensure that the standard of access layout complies with the current standards and that the safety of the traffic on the trunk road is not diminished;

(16) that modifications to form an exit only to the A8 (T) Rue End Street, (generally, but not exactly, as set out in DBA drawing 04005/SK/03, and titled "Proposed Access Layout") east of the existing A8 (T) Rue End Street/Dellingburn Street traffic signal controlled junction, shall be implemented in accordance with the plans approved by the Planning Authority, in consultation with Trunk Road Network Management prior to occupation of the development, to minimise interference with the safety and free flow of the traffic on the trunk road, to ensure that the standard of access layout complies with the current standards and that the safety of the traffic on the trunk road is not diminished; and

(17) that prior to the commencement of any development on a site a comprehensive Travel Plan that sets out proposals for reducing dependency on the private car shall be submitted to and approved in writing by the Planning Authority, in consultation with Transport Scotland. The Travel Plan shall identify measures to be implemented; the system of management, monitoring, review and reporting; and the duration of the plan, to be consistent with the requirements of Scottish Executive Planning for Transport Documents SPP17 and PAN75.

- (b) There was submitted a report by the Head of Planning & Housing regarding an application for the proposed erection of a 3 storey Class 2 office at 30 Regent Street and formation of 14 car parking spaces adjacent to 39 Regent Street and 10 Bank Street, Greenock (08/0203/IC), consideration of which had been continued from the meeting held on 7 January 2009 for a site visit.

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

**Decided:** that consideration be continued to allow the applicant to resubmit an amended planning application.

**108 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) **Extension to dwellinghouse:  
9 West Glen Gardens, Kilmacolm (08/0256/IC)**

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The report recommended that planning permission be refused.

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Following discussion, Councillor Brooks moved that planning permission be granted with the exception of the proposed flue. As an amendment, Councillor Moran moved that planning permission be granted for all aspects of the application. On a vote, 5 Members voted for the motion and 5 for the amendment. There being equality in voting, the Convenor exercised his casting vote in favour of the amendment which was declared carried.

**Decided:** that planning permission be granted.

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

Councillor Wilson declared a non financial interest in this matter as occupier of a neighbouring property. 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 the decision making process. He therefore vacated the Chair and left the Chamber prior to consideration of this item of business.

Following discussion, Councillor Brooks moved that planning permission be granted. As an amendment, Councillor Moran moved that consideration of the application be continued for a site visit. On a vote, 3 Members voted for the motion and 6 for the amendment which was declared carried.

Councillor Fyfe assumed the Chair.

The report recommended that planning permission be granted.

**Decided:** that consideration of the application be continued for a site visit to be arranged by the Head of Legal & Administration in consultation with the Convenor.

Councillor Wilson returned to the Chambers at this juncture and resumed the Chair.

**(c) 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)**

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

**Decided:** that consideration of the application be continued for a site visit to be arranged by the Head of Legal & Administration in consultation with the Convenor.

**(d) Erection of 40 bed annex to existing care home:  
Land Adjacent to Larkfield View, 207 Burns Road, Greenock (08/0237/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 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 in this part of Greenock;

(3) that no development shall commence until fully detailed boundary treatment drawings have been submitted to and approved in writing by the Planning Authority, to

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ensure the provision of a quality regime of boundary treatments;

(4) that no development shall commence until fully detailed landscaping proposals have been submitted to and approved by the Planning Authority in writing, to ensure the provision of a quality landscape setting;

(5) that the approved landscaping scheme shall be completed in the first planting season following the completion of the development and any specimens that in the subsequent 5 years die, become diseased or are damaged shall be replaced with a similar specimen unless the Planning Authority gives prior written approval to any alternatives, to ensure the provision of a quality landscape setting;

(6) 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;

(7) 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;

(8) 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;

(9) 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;

(10) 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; and

(11) that no development shall take place over any culvert without the prior written approval of the Planning Authority, to prevent harm from flooding.

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- (e) **Installation of 14.3 metre high telecommunications pole incorporating 3 antennas and ground based equipment:  
Kirn Drive (opposite Skye Crescent), Gourock (08/0258/IC)**

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

**Decided:** that planning permission be refused on the grounds that:

- (1) the proposal would result in over-provision of telecommunications poles in the locality;
- (2) the applicant has failed to demonstrate a need for the pole;
- (3) there had been insufficient exploration of alternative sites; and
- (4) it constitutes development in the Green Belt and cannot be supported with reference to the criteria in Local Plan Policy DS10 - Countryside.

**109 PLANNING APPEAL - 15 ROBERTSON STREET, GREENOCK**

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There was submitted a report by the Head of Planning & Housing advising the outcome of an appeal to Scottish Ministers in respect of the unauthorised installation of replacement windows at 15 Robertson Street, Greenock (ENA/280/15).

**Noted**