

## PLANNING BOARD - 3 JUNE 2009

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### Planning Board

**Wednesday 3 June 2009 at 3 pm**

**Present:** Councillors Brooks, Fyfe, 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:** Councillors Dorrian and Grieve.

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

#### 401 PLANNING APPLICATIONS

401

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) **Conversion of church building to restaurant:  
George Square Baptist Church, 1 George Square, Greenock (09/0003/LB) & (09/0074/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 Convener.

- (b) **Formation of a traffic signal junction and part of a new distributor road:  
East Hamilton Street/Sinclair Street/James Watt Dock, Greenock (09/0039/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 prior to commencement of any works to the A8(T), written approval from the Planning Authority, in consultation with Transport Scotland, shall be obtained for the detailed design and implementation of the proposed access road and formation of a traffic signal junction with the A8 trunk road, incorporating pedestrian crossing facilities, generally as indicated in approved drawing "East Hamilton Street Traffic Signal Junction", (LP2) dated February 2009, to ensure that the standard of infrastructure modification proposed to the trunk road complies with the current standards and that the safety and free flow of the traffic on the trunk road is not diminished;
- (3) that the development shall not commence until a risk assessment, including any necessary remediation strategy with timescale for implementation, of all pollutant

## PLANNING BOARD - 3 JUNE 2009

401

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;

(4) 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;

(5) 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;

(6) that no material shall be imported onto the site until written details of the source of the imported material has been submitted to and approved, 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

(7) that all surface water drainage from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems Manual (C697) (CIRIA 2007). Before development commences, details shall be submitted to and approved, in writing, by the Planning Authority of the maintenance regime for the water detention areas, to control runoff from the site to reduce the risk of flooding.

401

**(c) Proposed fence to nursery garden and 4 smoking shelters:  
James Watt College, Finnart Street, Greenock (09/0104/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 confirm that the shelters will not be accessible to the public after college opening hours.

**(d) Creation of development platforms and construction of access road:  
Kelburn Business Park, Port Glasgow (08/0254/IC)**

Councillor Wilson declared a non financial interest in this matter as a director of Riverside Inverclyde. He also formed the view that the nature of his interest and of the item of business did not preclude his continued presence in the Chair but did not

## PLANNING BOARD - 3 JUNE 2009

401

participate in the decision making process.

**Decided:**

- (i) 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 access for the enabling works, hereby approved, shall be taken from the Kelburn Roundabout and not via the direct access from the A8, to minimise interference with the safety and free flow of the traffic on the trunk road;
- (3) that prior to the commencement of the development hereby approved, wheel washing facilities shall be provided within the site and, thereafter, maintained in situ for the duration of the site works, to ensure that material from the site is not deposited on the trunk road to the detriment of road safety;
- (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 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;
- (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 to and approved, 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

401

## PLANNING BOARD - 3 JUNE 2009

401

agreed details, to protect receptors from the harmful effects of imported contamination;

(9) that no development shall commence until full details of the surface treatment of the two platforms, hereby approved, have been submitted to and approved, in writing, by the Planning Authority, in the interests of visual amenity at this prominent site adjacent to the trunk road and the Gourock/Wemyss Bay - Glasgow railway line;

(10) that no development shall commence until a Footpath Stopping Up Order, under Section 208 of the Town & Country Planning (Scotland) Act 1997 has been concluded for the footpath linking Kelburn Terrace and the footbridge over the A8, to comply with Section 208 of the Town & Country Planning (Scotland) Act 1997; and

(ii) that it be delegated to the Head of Legal & Administration to conclude a Footpath Stopping Up Order under Section 208 of the Town & Country Planning (Scotland) Act 1997.

401

**(e) Formation of chimney flue (in retrospect):  
Cairns, Glencairn Road, Kilmacolm (09/0105/IC)**

Councillor Fyfe declared a non financial interest in this matter as an acquaintance of the applicant. He also formed the view that the nature of his interest and of the item of business did not preclude his continued presence in the Chamber or his participation in the decision making process.

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

**(f) Installation of CCTV cameras (pole and soffit mounted), gas lanterns at entrance gates, erection of play equipment, summerhouse, garden room gymnasium, garden shed, 2.4 m high timber screen fencing on east boundary and replacement of timber fascia and soffit boards with upvc:  
The Manor, Rowantreehill Quarry, Houston Road, Kilmacolm (09/0093/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 use of the garden room/gymnasium, hereby approved, shall only be for purposes incidental to the residential enjoyment of "The Manor", in the interests of the quality of residential amenity in houses adjoining the site;
- (3) that no construction on the garden room/gymnasium 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 building material with "The Manor";
- (4) that the garden shed, hereby approved, shall be dark stained within 4 weeks of the date hereof: details of the proposed stain shall be submitted for the prior written approval of the Planning Authority, to minimise the visual impact of the shed, in accordance with Policy HR12 of the Local Plan;
- (5) that the CCTV camera shall not be mounted on the garage until the existing CCTV camera and pole at the site entrance has been removed, in the interests of visual amenity on Houston Road and to accord with Policy HR12 of the Local Plan; and
- (6) that the play equipment hereby approved shall not be installed until the existing play equipment in the garden, fronting Houston Road has been removed, in the interests of visual amenity from Houston Road and to comply with Policy HR12 of the Local Plan.

## PLANNING BOARD - 3 JUNE 2009

**(g) Conversion of house and outbuildings to form 7 houses:  
Auchenbothie Mains Farm, Netherwood Road, Kilmacolm (09/0057/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 to and approved, 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;
- (6) that prior to Units 2, 3, 4 and 5 being occupied the northern access to Netherwood Road shall be upgraded to a standard incorporating a 5.5m width over a minimum length of 10m from the roads boundary and achieving a visibility splay of 2.5m x 70.0m x 1.05m, in the interests of road safety on Netherwood Road;
- (7) that prior to Units 6 and 7 being occupied the southern access to Netherwood Road shall be upgraded to a standard incorporating a 5.5m width over a minimum length of 10m from the roads boundary and achieving a visibility splay of 2.5m x 70.0m x 1.05m, in the interests of road safety on Netherwood Road;
- (8) that on completion of the access improvements required by conditions (6) and (7), the existing vehicular access serving Unit 1 shall be stopped up, In the interests of road safety on Netherwood Road;
- (9) that no walling or planting between the northern and southern accesses onto Netherwood Road shall exceed 1m in height, to maximise forward visibility on the curve

## PLANNING BOARD - 3 JUNE 2009

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of Netherwood Road; and

(10) 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 choice of materials appropriate to the countryside.

**(h) Erection of two storey dwellinghouse and integral garage and non-compliance with condition 9 of Planning Permission IC/04/218 (construction outwith approved zone):**

**Plot 2, Avenel, Knockbuckle Road, Kilmacolm (09/0116/IC)**

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 that conditions detailed in the report. As an amendment, Councillor Rebecchi moved that planning permission be refused as the development was out of character with the area. On a vote, 3 Members voted for the amendment and 4 for the motion 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 samples of all facing materials to be used shall be submitted to and approved in writing by the Planning Authority prior to their use on the dwellinghouse hereby permitted, to ensure continuity in the "Avenel" development;
- (3) that the new stone wall and fencing shall be erected prior to occupation of the dwellinghouse hereby permitted. Full details of these shall be submitted to and approved in writing, by the Planning Authority prior to erection, to provide the approved landscape setting for the dwellinghouse hereby permitted;
- (4) that prior to the start of construction of the dwellinghouse hereby permitted, a scheme of planting along the common boundary with the adjacent properties of "Torwood", "Rozel" and "Orotava" shall be submitted to and approved, in writing, by the Planning Authority and shall consist of tree species with a minimum height of 2 metres to complement those already growing along this boundary, to ensure the long term screening between the respective residential properties in the interests of privacy;
- (5) that the scheme of planting approved in terms of condition (4) above shall be fully implemented during the planting season following occupation of the dwellinghouse hereby permitted. Any trees that are removed, die, become diseased or damaged within 5 years of planting shall be replaced within the following year with others of a similar size and species, to ensure the long term screening between the respective residential properties in the interests of privacy; and
- (6) that prior to any construction work starting on the site, tree protection measures in accordance with British Standards Recommendations for Trees in Relation to Construction, currently BS 5837:2005, no development shall take place until details of tree protection measures have been submitted to and approved, in writing, by the Planning Authority, to ensure the avoidance of damage to trees.

**402 ENFORCEMENT NOTICE APPEAL - THE MANOR, HOUSTON ROAD, KILMACOLM**

**402**

There was submitted a report by the Head of Planning & Housing advising that following the decision of the Board at the meeting held 7 January 2009 to refuse planning

**PLANNING BOARD - 3 JUNE 2009**

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permission for replacement of timber windows with UPVC windows, change of turret roof covering from tiles to slates, erection of 2 CCTV cameras and poles, erection of play equipment, erection of summerhouse, erection of garden room/gymnasium, screen fence along east boundary and erection of garden shed at The Manor, Houston Road, Kilmacolm (08/0243/IC), an appeal against the service of the Enforcement Notice had been submitted to the Scottish Government.

**Noted**