

**PLANNING BOARD – 1 MARCH 2017**

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**Planning Board**

**Wednesday 1 March 2017 at 3pm**

**Present:** Provost Moran, Councillors Brooks, Dorrian, Jones, Loughran, McColgan, Nelson, Rebecchi and Wilson.

**Chair:** Councillor Wilson presided.

**In attendance:** Head of Regeneration & Planning, Development & Building Standards Manager, Service Manager (Roads), Mr G Leitch (Environmental & Commercial Services), Mr J Kerr (for Head of Legal & Property Services) and Ms R McGhee (Legal & Property Services).

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

**142 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST 142**

Apologies for absence were intimated on behalf of Councillors Campbell-Sturges and McIlwee.

No declarations of interest were intimated.

**143 PLANNING APPLICATIONS 143**

There were submitted reports by the Head of Regeneration & Planning on the following applications which were dealt with as follows:-

- (a) Erection of whisky distillery with associated production and storage facilities, water abstraction infrastructure, ancillary visitors' centre, commercial/corporate event space including retail, tourism/staff related accommodation, café/restaurant, a gin still, a microbrewery and associated car parking, service provision and landscaping:  
Land at Bankfoot Farm, Inverkip Road, Greenock (16/0292/IC)**

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

- (1) that prior to their use, samples of all facing materials relating to the development together with samples of all hardstanding shall be submitted to and approved in writing by the Planning Authority, to enable the Planning Authority to retain effective control of facing and finishing materials in the interests of visual amenity;
- (2) that prior to the commencement of work on site full details of a landscaping scheme and programme for completion shall be submitted to and approved by the Planning Authority. Development shall then proceed as approved unless any alternative is agreed in writing by the Planning Authority, to ensure the provision of an appropriate landscaping scheme;
- (3) that any trees, shrubs or areas of grass which die, are removed, damaged or become diseased within five years of completion of the landscaping shall be replaced within the following year with others of a similar size and species, to ensure the retention of the approved landscaping scheme in the interests of visual amenity;

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- (4) that details of maintenance and management for the landscaping approved in terms of condition 2 above shall be submitted to and approved in writing by the Planning Authority prior to the start of construction of the development hereby permitted. Management and maintenance shall commence upon completion of the landscaping, to ensure the maintenance of the approved landscaping scheme in the interests of visual amenity;
- (5) that all soft landscaping shall be completed within 4 weeks of the commencement of any distillery operations or opening of visitor facilities, to ensure the provision of a visually acceptable environment within an appropriate timescale;
- (6) that the drainage regime and future maintenance shall be fully implemented to the satisfaction of the Planning Authority in accordance with the Drainage Scheme Details submitted, unless any alternative is agreed in writing by the Planning Authority, to ensure the implementation and adequacy of the drainage regime of the application site;
- (7) that the recommendations made in Section 6.1 of the Noise Impact Assessment Report dated 24 October 2016 shall be fully implemented to the satisfaction of the Planning Authority, unless any alternative is first agreed in writing by the Planning Authority, to protect the amenities of occupiers of residential property from unreasonable noise and vibration levels;
- (8) that the odour mitigation measures set out in Section 6.0 of the Odour Impact Assessment Report dated 24 October 2016 shall be fully followed to the satisfaction of the Planning Authority, unless any alternative is first agreed in writing by the Planning Authority, to protect the amenities of occupiers of residential property from unreasonable odour nuisance;
- (9) that all stages of construction from the initial groundworks through to the site completion shall first be agreed in writing with Scotland Gas Networks, in consultation with the Planning Authority, where they are within 30 metres of or involve an activity that could affect the high pressure gas pipeline. For the avoidance of doubt, the Planning Authority in consultation with Scotland Gas Networks shall determine if an activity could affect the pipeline, to ensure the development has no adverse impact on the High Pressure Gas Pipeline;
- (10) that the car and coach parking areas shall be completed and available for use to the satisfaction of the Planning Authority prior to the commencement of any distillery operations or opening of visitor facilities. The parking areas shall then be retained and available for use at all times thereafter, to the satisfaction of the Planning Authority, to ensure suitable parking provision for staff and visitors, in the interests of road safety;
- (11) that full details of a signage scheme to manage the flow of traffic within the site shall be submitted to and approved in writing by the Planning Authority. The signage scheme shall then be implemented as approved and maintained on site to the satisfaction of the Planning Authority at all times thereafter, to aid the flow of traffic within the site, in the interests of road safety;
- (12) that prior to the commencement of any distillery operations or opening of visitor facilities, a green travel plan shall be submitted to and approved in writing by the Planning Authority. Thereafter operation of the site shall be undertaken in accordance with the approved green travel plan at all times in the future. For the avoidance of doubt, the green travel plan shall set out the frequency with which the plan will be reviewed in the future, to ensure the development of a sustainable transport strategy for the site;
- (13) that prior to the commencement of works on site, a pre-construction survey for all European Protected species together with all nesting birds and priority Local Biodiversity Action Plan species shall be submitted to and approved in writing by the Planning Authority. For the avoidance of doubt, the survey shall set out appropriate

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mitigation or include a species protection plan where required, to ensure the protection of European Protected species and other wildlife;

(14) that an archaeological watching brief, to be carried out by a suitably qualified organisation, shall be implemented during all ground disturbances. The organisation shall be afforded access at all reasonable times to allow them to observe works in progress and record items of interest and finds. A method statement for the watching brief will be submitted to and approved in writing by the Planning Authority prior to the commencement of works on site, to allow for recording and recovery of antiquity;

(15) that deliveries or collections to and from the site shall not be carried out between the hours of 23:00 and 07:00 daily, to protect the amenities of occupiers of residential property from unreasonable noise and vibration levels;

(16) that prior to the commencement of any distillery operations or opening of visitor facilities, full details of the location and any enclosures for bin storage shall be submitted to and approved in writing by the Planning Authority, to ensure bin locations and enclosures are visually acceptable;

(17) that prior to the start of development, a brief statement confirming the absence or presence of Japanese Knotweed within the site shall be submitted to and approved in writing by the Planning Authority. In the event Japanese Knotweed is identified this statement should be accompanied with a suitable treatment methodology. 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;

(18) that the development shall not commence until an Environmental Investigation and 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 also include a Verification Plan. Any subsequent modifications to the Remediation Strategy 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 environmental safety;

(19) that on completion of remediation and verification 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 be 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 materials' source, volume, intended use and chemical quality with plans delineating placement and thickness, to provide verification that remediation has been carried out to the Authority's satisfaction;

(20) 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 and amendments to the Remediation Strategy (i.e. that have not been included in contingency) 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;

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(21) that prior to the commencement of works on site, full details of the phasing of the development shall be submitted to and agreed in writing by the Planning Authority. Works shall then proceed as approved, unless otherwise agreed in writing by the Planning Authority, to ensure an acceptable form of development on site; and

(22) that prior to the commencement of works on site, a proposed lighting plan for all external lighting and illumination within the site shall be submitted to and approved in writing by the Planning Authority. Works shall then proceed as approved and the plan followed at all times thereafter, unless otherwise agreed in writing by the Planning Authority, to protect the rural character and appearance of the surrounding landscape.

**(b) Change of use of part of joinery workshop (Class 5) to a dance studio (Class 11):  
Factory, 43 Caledonia Crescent, Gourock (16/0139/IC)**

The Head of Regeneration & Planning advised of the following amendments to the Roads observations in the Consultations section of the report:-

(1) the spaces to be provided within the boundary of the site should meet the required standard of 2.5m by 5m but due to site constraints on the private land, the applicant should ensure a minimum of 4.8m by 2.5m which will provide the agreed 5 parking spaces;

(2) the spaces to be provided within the layby area should meet the required standard of 2.9m by 5.5m but due to the site constraints on the private land, the applicant should ensure a minimum of 2.4m by 5.5m which will provide the agreed 7 parking spaces; and

(3) the visibility splay has been addressed but should be maintained by the applicant.

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

(1) that the dance studio use shall only occupy the area denoted by the hatches on approved drawing 03 and, prior to the commencement of the dance studio use, all other areas of the building shall be permanently blocked off out of use and remain so at all times thereafter to the satisfaction of the Planning Authority, to ensure the dance studio operates at a level suitable for the congested location, in the interests of road safety;

(2) that prior to the commencement of the dance studio use, full details of a scheme of road marking both within and adjacent to the site shall be submitted to and approved in writing by the Planning Authority. The markings shall then be set out as approved prior to the commencement of the dance studio use to the satisfaction of the Planning Authority, to ensure suitable pedestrian and vehicular safety measures, in the interests of road safety;

(3) that prior to the commencement of the dance studio use, the parking areas shall be surfaced to a sealed wearing course to the satisfaction of the Planning Authority, to ensure suitable pedestrian and vehicular safety measures, in the interests of road safety;

(4) that prior to the commencement of the dance studio, a formal structural inspection of the walls which will hold 2 parked vehicles shall take place by a suitably qualified person and any recommendations shall be fulfilled prior to occupation of the site, in the interests of public safety;

(5) that notwithstanding the approved plans, the two easternmost spaces next to the building should be allocated to staff to ease traffic flow, in the interests of public safety;

(6) that prior to the commencement of the dance studio, vehicle restraint systems shall be designed and installed on top of the walls associated with the parking bays next to the building by a qualified organisation to prevent incursion onto the adjacent footway, in the interests of public safety;

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(7) that prior to the commencement of the dance studio, a flat top kerb should be used to delineate the edge of the road at the layby parking, with the parking constructed in accordance with the National Roads Development Guide, in the interests of public safety;

(8) that prior to the commencement of the dance studio, a pedestrian barrier shall be provided at the corner of Caledonia Crescent and Manor Crescent and shall include 2 metre gaps to allow pedestrian crossing points. A minimum footway width of 1.4 metres shall be provided where the barriers are installed, in the interests of public safety; and

(9) that the premises shall not be used outwith the hours of 07:00 and 21:00 daily, to protect the amenities of occupiers of premises from unreasonable noise and vibration levels.

**144 ADVERTISEMENT APPEAL – 5 QUEEN STREET, PORT GLASGOW****144**

There was submitted a report by the Head of Regeneration & Planning advising that following the refusal of advertisement consent for an internally illuminated fascia sign at 5 Queen Street, Port Glasgow (16/0007/CA) and the subsequent appeal by the applicant to the Scottish Government against that refusal, the Reporter appointed by the Scottish Government had issued his decision which was to uphold the appeal and to grant advertisement consent for a period of five years from 14 February 2017.

**Noted**