

**PLANNING BOARD – 3 JANUARY 2018**

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**Planning Board**

**Wednesday 3 January 2018 at 3pm**

**Present:** Councillors Clocherty, Crowther, Dorrian, J McEleny, McKenzie, McVey, Moran, Murphy, Nelson and Rebecchi.

**Chair:** Councillor Nelson presided.

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

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

**1 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST 1**

An apology for absence was intimated on behalf of Councillor Wilson.

No declarations of interest were intimated.

**2 CONTINUED PLANNING APPLICATION 2**

**Construction of a small scale gas-fired energy reserve facility for the generation of up to 19.9 MW of electricity:  
Land east of the B788 adjacent to Devol Moor Substation, Greenock (17/0260/IC)**

There was submitted a report by the Head of Regeneration & Planning regarding an application by Harelaw Generation Ltd for the construction of a small scale gas-fired energy reserve facility for the generation of up to 19.9 MW of electricity at land east of the B788 adjacent to Devol Moor Substation, Greenock (17/0260/IC), consideration of which had been continued from the meeting held on 6 December 2017 to enable the Head of Regeneration & Planning to consult with the applicant on potential alternative sites within Inverclyde for the proposed development.

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

(1) that prior to the commencement of development, full details shall be provided of the colour of the acoustic screen fencing. The fencing shall thereafter be erected in the approved colour unless a variation is agreed in writing with the Planning Authority, in the interests of visual amenity;

(2) that full details of the approved landscaping scheme shall be submitted to and approved in writing by the Planning Authority and that, for the avoidance of doubt, this shall include clarification of the numbers of each species, their location, the maturity of the species on planting and a management and maintenance regime, to clarify the planting arrangements in the interests of visual amenity;

(3) that in the event any of the approved planting dies, is damaged, becomes diseased or is removed within 5 years of planting, it shall be replaced by others of a similar size and species within the first planting season thereafter, to ensure retention of the approved planting scheme;

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(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 appropriate control measures are implemented. Any significant variation to the treatment methodology shall be submitted for approval, in writing by the Planning Authority, prior to implementation, to help arrest the spread of Japanese Knotweed in the interests of environmental protection;

(5) that the development shall not commence until an Environmental Investigation and Risk Assessment, including any necessary Remediation Scheme 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 current codes of practice. The submission shall also include a Verification Plan. Any subsequent modifications to the Remediation Scheme 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 human health and environmental safety;

(6) that prior to the facility hereby permitted becoming operational the applicant shall submit a report for approval, in writing by the Planning Authority, confirming that the works have been completed in accordance with the agreed Remediation Scheme and supply information as agreed in the Verification Plan. 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 material source, volume, intended use and chemical quality with plans delineating placement and thickness, to ensure contamination is not imported to the site and to confirm successful completion of remediation measures in the interest of human health and environmental safety;

(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 and amendments to the Remediation Scheme 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 prior to the commencement of development a traffic management plan shall be submitted to and approved in writing by the Planning Authority and this should exclude any movements to and from the site at school start and finish times to avoid danger to children on Kilmacolm Road, in the interest of traffic and pedestrian safety; and

(9) that if the development hereby approved becomes obsolete and/or fails to contribute to the electricity supply for a period of three years then it will be deemed to have ceased to be required. In such circumstances, unless otherwise agreed in writing by the Planning Authority, all buildings, plant, machinery and structures shall be dismantled and removed from the site and the site restored in accordance with a scheme to be agreed, all to the satisfaction of the Planning Authority, in the interests of visual amenity within the Green Belt.

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**3 PLANNING APPLICATIONS**

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

**(a) Installation of grey coloured Virgin Media street cabinet:  
Outside 103 Albert Road, Gourock (17/0324/IC)**

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

- (1) that in the event that the cabinet hereby approved becomes redundant or obsolete at any time in the future, it shall be removed and the site restored to the satisfaction of the Planning Authority within 2 months of the date at which the cabinet becomes redundant or obsolete, to ensure the removal of redundant or obsolete equipment in an appropriate timescale, and in the interests of the visual appearance of the Gourock West Bay Conservation Area; and
- (2) that no symbols, signs, letters or logos shall be displayed on any part of the cabinet. Details of any small signage necessary for operational reasons must be submitted to and approved by the Planning Authority prior to display, to minimise visual intrusion within the Gourock West Bay Conservation Area.

**(b) Installation of grey coloured Virgin Media street cabinet:  
Albert Road, Outside Cragburn Gate, Gourock (17/0325/IC)**

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

- (1) that in the event that the cabinet hereby approved becomes redundant or obsolete at any time in the future, it shall be removed and the site restored to the satisfaction of the Planning Authority within 2 months of the date at which the cabinet becomes redundant or obsolete, to ensure the removal of redundant or obsolete equipment in an appropriate timescale, and in the interests of the visual appearance of the Gourock West Bay Conservation Area; and
- (2) that no symbols, signs, letters or logos shall be displayed on any part of the cabinet. Details of any small signage necessary for operational reasons must be submitted to and approved by the Planning Authority prior to display, to minimise visual intrusion within the Gourock West Bay Conservation Area.

**(c) Construction of dwellinghouse:  
Kirn Drive, Gourock (17/0297/IC)**

The report recommended that planning permission be refused for the following reasons:-

- (1) as the proposed dwelling would be built on an area of amenity open space incorporating a play area approved under planning permission 16/0309/IC, it would result in an overall development that had an under-provision of amenity open space and a reduced play area which would not satisfy criteria (a) and (f) of Policy RES1 and would thus be detrimental to the character and amenity of the area; and
- (2) as the proposal would result in the wider development approved under planning permission 16/0309/IC not complying with the open space and play area provision requirement of Planning Application Advice Note (PAAN) 3 on "Private and Public Open Space Provision in New Residential Development" to the detriment of residential amenity.

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**Decided:** that, following the completion and registration of an amended Section 75 Agreement in relation to planning permission 16/0309/IC requiring a variation to the planning permission identified within the Agreement and an alteration to the specified timescale, if required, for the formation of the affordable housing at 53 Shore Street, Gourrock, planning permission be granted subject to the following conditions:-

- (1) that all facing materials to be used in the construction of the dwellinghouse hereby permitted shall match those approved in writing by the Planning Authority under the terms of condition 1 of planning permission 16/0309/IC, unless a variation is agreed in writing with the Planning Authority, in the interests of visual amenity;
- (2) that the screen fencing approved under planning permission 16/0309/IC shall be erected along the common boundaries with the existing adjacent residential properties prior to the dwelling being occupied, in the interests of privacy;
- (3) 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;
- (4) that all surface water originating within the site shall be intercepted within the site, to control runoff from the site to reduce the risk of flooding;
- (5) that prior to the commencement of construction, the applicant shall submit written confirmation of Scottish Water's acceptance of the proposed development, to ensure adequate service connections can be achieved;
- (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 for planning permission 16/0309/IC. 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 imported/disposed/reused materials relevant to the site, to provide verification that remediation has been carried out to the Planning 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 the occupancy of the dwellinghouse shall not commence until the applicant has submitted a completion report for approval, in writing by the Planning Authority, detailing all fill or landscaping material imported onto the site. This report shall contain information of the material's source, volume, intended use and verification of chemical quality (including soil-leachate and organic content etc.) with plans delineating placement and thickness, to protect receptors from the harmful effects of imported contamination;
- (9) that prior to occupation of the dwellinghouse hereby permitted, full details shall be provided of the play area located within the associated application site boundary for planning permission 16/0309/IC, including equipment and surfacing specification, to ensure the provision of an acceptable standard of equipment;

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(10) that prior to occupation of the dwellinghouse hereby permitted, full details shall be provided of the landscaping scheme for the revised open space area located immediately adjacent to the site and within the associated application site boundary for planning permission 16/0309/IC, to ensure retention of the approved landscaping scheme;

(11) that any of the planting approved under the landscaping plan referred to in condition 10 that dies, is removed, damaged or becomes diseased within 5 years of planting shall be replaced within the following year with others of a similar size and species, in the interests of visual amenity;

(12) that the management and maintenance scheme for the landscaping, hereby approved under condition 10, shall come into effect immediately on completion of the approved landscaping scheme, in the interests of visual amenity; and

(13) that elevational details of all fences and walls within the application site shall be submitted to and approved in writing by the Planning Authority prior to being erected, in the interests of visual amenity.