

## LOCAL REVIEW BODY – 5 SEPTEMBER 2018

Local Review BodyWednesday 5 September 2018 at 4pm

**Present:** Councillors Clocherty, Crowther, Dorrian, McKenzie, Rebecchi and Wilson.

**Chair:** Councillor Wilson presided.

**In attendance:** Mr A Hamilton and Ms M Pickett (Regeneration & Planning), Mr J Kerr (Legal Adviser) and Ms K Macvey (Legal & Property Services).

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

**503 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST 503**

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

No declarations of interest were intimated.

**504 PLANNING APPLICATIONS FOR REVIEW 504**

**(a) Formation of driveway:  
24 Albert Road, Gourrock (18/0033/IC)**

There were submitted papers relative to the application for review of the refusal of planning permission for the formation of driveway at 24 Albert Road, Gourrock (18/0033/IC) to enable the Local Review Body to consider the matter afresh.

Mr Hamilton acted as planning adviser in relation to this case.

After discussion Councillor Crowther moved (1) that sufficient information had been submitted to allow the Local Review Body to decide the matter without further procedure; and (2) that the application for review be dismissed and that planning permission be refused (upholding the Appointed Officer's determination) for the following reasons:-

(i) that due to the removal of the front boundary wall as a result of the proposed development, it would not be sympathetic to the character, pattern of development and appearance of the Conservation Area and would thus be contrary to Policy HER1 and the guidance in Historic Environment Scotland's Policy Statement and guidance note on "Boundaries";

(ii) that due to the removal of the front boundary wall as a result of the proposed development it would neither safeguard nor enhance the character and amenity of the area and would thus be contrary to Policy RES1; and

(iii) on the grounds of road safety, as the depth and width of the proposed driveway does not meet the requirements of the Council's adopted roads guidance and is therefore likely to result in vehicles overhanging the footway, compromising road and pedestrian safety.

As an amendment, Councillor Clocherty moved (1) that sufficient information had been submitted to allow the Local Review Body to decide the matter without further procedure; and (2) that the application for review be upheld and that planning permission be granted subject to the conditions detailed in the report.

On a vote, 2 Members, Councillors Crowther and Rebecchi voted in favour of the

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motion and 3 Members, Councillors Clocherty, Dorrian and McKenzie voted in favour of the amendment which was declared carried. Councillor Wilson abstained from voting.

**Decided:**

(1) that sufficient information had been submitted to allow the Local Review Body to decide the matter without further procedure; and

(2) that the application for review be upheld and that planning permission be granted subject to the following conditions:

(i) the gradient of the driveway hereby permitted will not exceed 10 per cent; and

(ii) the driveway hereby permitted will be paved for a minimum distance of 2 metres to prevent loose driveway material being spilled onto the road.

- (b) External alterations to former Church, comprising installation of UPVC windows and roof-mounted solar voltaic array: all in association with change of use to a café with ancillary display space (class 3) and a meeting room (class 4) at ground floor, and office space (class 4) at gallery level:  
Former Church, 1 West Shaw Street, Greenock (18/0026/IC)**

There were submitted papers relative to the application for review of the refusal of planning permission for external alterations to former Church, comprising installation of UPVC windows and roof-mounted solar voltaic array: all in association with change of use to a café and ancillary display space (class 3) and a meeting room (class 4) at ground floor, and office space (class 4) at gallery level at former Church, 1 West Shaw Street, Greenock (18/0026/IC).

Ms Pickett acted as planning adviser in relation to this case.

**Decided:**

(1) that sufficient information had been submitted to allow the Local Review Body to decide the matter without further procedure; and

(2) that the application for review be upheld and that planning permission be granted subject to the following conditions:-

(i) 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;

(ii) that before the development hereby permitted is occupied 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 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;

(iii) that the presence of any previously unrecorded contamination or variation to anticipated ground conditions that becomes evident during site works shall be brought to the attention of the Planning Authority and the Remediation Scheme shall not be implemented unless it has been submitted to and approved, in writing by the Planning

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Authority;

(iv) the development shall not commence until a detailed specification regarding the collection, treatment and disposal of cooking odours has been submitted to and approved by the Planning Authority. Such specification shall include precise details on the location of equipment used for the cooking and heating of food, canopies, grease filters, rates of air movement over the canopy, make-up air, air disposal points etc;

(v) the applicant shall submit to the Planning Authority a detailed specification of the containers to be used to store waste materials and recyclable materials produced on the premises as well as specific details of the areas where such containers are to be located. The use of the development shall not commence until the above details are approved in writing by the Planning Authority and the equipment and any structural changes are in place; and

(vi) the flue must be suitably insulated or isolated.