

A meeting of the Planning Board will be held on Wednesday 3 April 2019 at 3pm within the Municipal Buildings, Greenock.

GERARD MALONE
Head of Legal & Property Services

BUSINESS

1. Apologies, Substitutions and Declarations of Interest	Page
<p>2. Planning Applications Reports by Head of Regeneration & Planning and Development & Building Standards Manager on applications for planning permission as follows:-</p> <p>(a) Mr S Mohammed Change of use to Class 3 from Class 1 retail and alterations including new extract ducting, lighting and accessible toilet: 46 Princes Street, Port Glasgow (19/0019/IC)</p>	p
<p>(b) Riverside Inverclyde Erection of building containing ocean ferry terminal, art gallery and restaurant and associated works: Waterfront car park, Cinema car park and associated land, Custom House Way, Greenock (18/0258/IC)</p>	p

Enquiries to – **Rona McGhee** – Tel 01475 712113

Report To: The Planning Board

Date: 3 April 2019

Report By: Head of Regeneration and Planning

Report No: 19/0019/IC
Plan 04/19

Local Application
Development

Contact Officer: David Sinclair

Contact No: 01475 712436

Subject: Change of use to Class 3 from Class 1 retail and alterations including new extract ducting, lighting and accessible toilet at
46 Princes Street, Port Glasgow



SUMMARY

- The proposal presents no conflict with the Inverclyde Local Development Plan and the Proposed Inverclyde Local Development Plan.
- Six representations have been received, including a petition containing 302 signatures, raising concern on over provision and the business impacts of another restaurant/takeaway, traffic and odours.
- Consultations received present no impediment to development.
- The recommendation is to GRANT PLANNING PERMISSION subject to conditions.

Drawings may be viewed at:

<https://planning.inverclyde.gov.uk/Online/applicationDetails.do?activeTab=documents&keyVal=PMG8VAIM00E00>

SITE DESCRIPTION

Located on Princes Street, Port Glasgow, the application site relates to two storey premises which are currently vacant but was previously in use as a bakery. The building is terraced with an adjoining vacant three storey retail premises to the north and two storey premises to the south which is occupied by Semi Chem on the ground floor. To the rear of the premises are two emergency exits with access onto Church Street, one on the side elevation of the building and the other on the rear elevation behind a gate with a width of approximately 2 metres between the rear of the building and the neighbouring Iceland supermarket.

PROPOSAL

Planning permission is sought to change the use of the premises from its former Class 1 (Shops) use to Class 3 (Food and Drink) use as a restaurant with takeaway with a downstairs seating capacity of 34. Inside the building it is proposed to fit new canopies in both kitchens along with new extract ducting. An accessible toilet will be installed downstairs replacing an existing downstairs toilet. The proposal is for operating hours to be between 1400 and 2300 from Monday to Saturday and between 1600 and 2300 on Sundays.

Works to the building include re-sealing and repainting the upstairs window frames and the sterilisation and repair of the existing upstairs window extract. To the rear it is proposed to remove the existing air conditioning unit and install two flues, one from the existing ground floor extraction vent and the second from the square extraction vent on the first floor in the northernmost corner of the building. The flues will extend upwards, terminating at least 1 metre above the existing roof level which is 7.9 metres. On the side elevation it is proposed to install a new air conditioning unit above the service door on the ground floor. The proposal also plans to remove the existing gate situated on the rear of the building in order to provide a clear escape route onto the street from the existing rear escape door.

Proposals for signage require to be considered under a separate application covered by the Control of Advertisement Regulations.

DEVELOPMENT PLAN POLICIES

Policy SDS6 – Promoting our Town Centres

The three town centres, as identified on the Proposals Map, will be promoted and safeguarded for a variety of uses including business, civic, cultural, retail, entertainment, leisure and residential, with the development site at Port Glasgow Waterfront West performing a complementary role to the other town centres, particularly Greenock Strategic Town Centre, for comparison retail and commercial leisure developments.

Policy TCR1- Network of Designated Centres

The following hierarchy of centres are designated as locations where a range of town centre uses will be appropriate in order to support the role and function of the particular centre, as well as their vitality and viability:

Strategic Town Centre:

- (a) Greenock, subdivided into a 'Central Area' and 'Outer Area'

Town Centres:

- (a) Port Glasgow
- (b) Gourock

Local Centres:

- (a) The Cross, Kilmacolm
- (b) Dubbs Road, Port Glasgow
- (c) Sinclair Street, Greenock
- (d) Lynedoch Street, Greenock

- (e) Barrs Cottage (Inverkip Road and Dunlop Street), Greenock
- (f) Cumberland Walk, Greenock (proposed redevelopment)
- (g) Cardwell Road, Gourock
- (h) Kip Park, Inverkip
- (i) Ardgowan Road, Wemyss Bay

Policy TCR2 – Sequential Approach to Site Selection for Town Centre Uses

Proposals for development of town centre uses as set out in Policy TCR3 will be subject to the sequential approach as set out below:

- (a) Greenock Central Area;
- (b) Port Glasgow and Gourock Town Centres;
- (c) Greenock Outer Area (subject to Policy TCR5);
- (d) sites on the edge of Greenock, Port Glasgow and Gourock Town Centres; and only then,
- (e) out-of-centre sites that are or can be made accessible by a choice of public and private transport modes.

The principles underlying the sequential approach also apply to proposals to expand or change the use of existing developments, where the proposals are of a scale or form sufficient to change a centre's role and function.

Policy TCR3 – Town Centre Uses

The following town centre uses will be directed to the Central Area of Greenock Town Centre, Port Glasgow and Gourock Town Centres and the Local Centres, subject to Policy TCR7:

- (a) Use Class 1 (Shops);
- (b) Use Class 2 (Financial, Professional and other Services);
- (c) Use Class 3 (Food and Drink);
- (d) Use Class 11 (Assembly and Leisure); and
- (e) related uses such as public houses, hot food take-aways, theatres, amusement arcades and offices for taxis for public hire.

Policy TCR7 – Assessing Development Proposals for Town Centre Uses

To assist the protection, enhancement and development of the designated Centres, all proposals for the development of town centre uses identified in Policy TCR3, or for any other commercial uses within a designated centre, will require to satisfy the following criteria:

- (a) the size of the development is appropriate to the centre for which it is proposed;
- (b) it is of a high standard of design;
- (c) it has an acceptable impact on traffic management and must not adversely impact on road safety and adjacent and/or nearby land uses;
- (d) it does not have a detrimental effect on amenity or the effective operation of existing businesses;
- (e) it is consistent with any Town Centre Strategy or other relevant initiative; and
- (f) has regard to Supplementary Guidance on Planning Application Advice.

Proposals for town centre uses outwith the designated Centres, unless they are small scale development to meet local needs that are subject to Policy TCR10, must also demonstrate:

- (g) that no appropriate sequentially preferable site exists;
- (h) that there is capacity for the development in terms of expenditure compared to turnover in the appropriate catchment area;
- (i) that there will be no detrimental impact, including cumulatively, on the viability and vitality of the designated Centres (Policy TCR1); and

- (j) in the case of temporary street markets, the operation will be for a maximum of 13 days in any 12 month period.

Proposals for retail and leisure development over 2,500 square metres outwith the designated town centres and that are not in accordance with the Development Plan should be accompanied by a retail impact analysis, as should any town centre proposal that the Council considers likely to have a potentially detrimental impact on the vitality and viability of the designated Centres. At the Council's discretion, applications for small-scale development of town centre uses outwith the designated Centres may be exempted from the requirement to be justified against criteria (g) - (i).

PROPOSED DEVELOPMENT PLAN POLICIES

Policy 1 – Creating Successful Places

Inverclyde Council requires all development to have regard to the six qualities of successful places. In preparing development proposals, consideration must be given to the factors set out in Figure 3. Where relevant, applications will also be assessed against the Planning Application Advice Notes Supplementary Guidance.

Policy 22 – Network of Centres Strategy

The preferred locations for the uses set out in Schedule 6 are within the network of town and local centres identified in Schedule 7. Proposals which accord with the role and function of the network of centres as set out in Schedule 7 and the opportunities identified in Schedule 8 will be supported. Proposals for Schedule 6 uses outwith the network of centres or not conforming with the role and function of a particular centre will only be supported if it can be demonstrated that:

- there is not a suitable sequentially preferable opportunity;
- there will not be an unacceptable impact on the vibrancy, vitality or viability of other centres within the network of centres; and
- there are clear community or economic benefits that can be best achieved at the proposed location.

Proposals for Business (Class 4), residential and hotel uses will also be supported in town and local centres.

CONSULTATIONS

Head of Service – Roads and Transportation

- The parking requirements detailed in the National Roads Development Guide for the existing use as Class 1 Retail is 2 spaces per 100 square metres. The gross floor area of the existing unit is 240 square metres which therefore requires 6 parking spaces.
- The parking requirements detailed in the National Roads Development Guide for Food and Drink is 1 space per 5 square metres. The gross floor area of public space of the application is 98.3 square metres which therefore requires 20 parking spaces.
- The site is located in the town centre next to public transport, with access to the train station and various bus services. This makes public transport a more attractive option therefore reducing the parking requirements.
- The existing site has no parking and it is not proposed to introduce any parking. It is recognised that due to site location it is not possible to provide additional parking as the site is within the town centre. There are controls on parking which are in place to discourage dangerous parking in this area and there are various public car parks nearby. It is therefore acceptable in these circumstances that no parking is provided as part of this application.

Head of Environmental and Public Protection (Environmental Health)

- The location of the proposed development (in close proximity to occupied property) will require the provision of high level discharge for cooking odours.
- 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. This is recommended to protect the amenity of the immediate area and prevent the creation of odour nuisance.
- All external lighting on the application site should comply with the Scottish Government Guidance Note "Controlling Light Pollution and Reducing Lighting Energy Consumption". This is recommended to protect the amenity of the immediate area, the creation of nuisance due to light pollution and to support the reduction of energy consumption.
- Any external ducting should be suitably isolated from the building structure. This is recommended to minimise the effects of vibration within the properties.
- Deliveries or collections to and from the site shall not be carried out between the hours of 23:00 and 07:00. This is recommended to protect the amenities of occupiers of premises from unreasonable noise and vibration levels.

PUBLICITY

An advertisement was placed in the Greenock Telegraph on 15 February 2019 due to the proposal being a Schedule 3 Development.

SITE NOTICES

The nature of the proposal did not require a site notice.

PUBLIC PARTICIPATION

The application was the subject of neighbour notification. Six representations have been received, including a petition containing 302 signatures, one of whom had also submitted representations. All representations object to the proposal. The concerns raised are summarised below:

- There are enough hot food establishments in the area and any further takeaway/restaurants will affect all businesses.
- There are enough takeaway establishments in Port Glasgow Town Centre.
- There are too many traders on the street.
- Competition or loss of revenue for other food outlets located within close proximity to this premises.
- The development will bring more unemployment due to existing competition losing more business.
- It will not be in the best interest of the local community for there to be a further takeaway business.
- There should be a diversity of retail outlets available to local inhabitants.
- There are difficulties with parking provision for cars to stop in connection with collection of foods from the takeaway businesses.
- A further takeaway business is likely to add to the congestion.
- There will be additional noise and disturbance from another takeaway business in the area.
- The proposed use could result in increased odours in the area.

ASSESSMENT

The material considerations in the assessment of this application are the adopted and proposed Inverclyde Local Development Plans; Scottish Planning Policy (SPP); the visual impact of the external works; the impact on amenity to adjacent residents; the consultation responses; and the objections received.

SPP recognises the importance of town centres and that they can be hubs for a range of activities. The Inverclyde Local Development Plan locates the site within the Port Glasgow town centre under adopted Plan Policies SDS6 and TCR1 and proposed Plan Policy 22. The proposal is related to a change of use to Class 3 from Class 1 retail. Policy TCR3 identifies Use Class 3 (Food and Drink) as being a town centre use and it is noted that the planning system should encourage a mix of uses in town centres to support their vibrancy, vitality and viability throughout the day and into the evening. The principle of change of use to Class 3 is therefore acceptable in terms of adopted Plan Policies SDS6 and TCR1 and proposed Plan Policy 22.



Plan Policy TCR2 advises on a sequential approach to site selection for town centre uses set out in Policy TCR3. A restaurant is a use supported by this policy. Although the Greenock Central Area would be sequentially preferential, the proposal involves the redevelopment of an existing premises within the Port Glasgow Town Centre and is of a scale that I do not consider could be argued would adversely impact on the Greenock Central Area. Policy TCR3 directs a range of uses to town centre locations reflecting the advice within the SPP and there are no policies within the Local Development Plan which set out either a preference for Class 1 retail uses in respect of any specific premises or a restriction on the percentage of the ground floor non-Class 1 retail frontage within Port Glasgow Town Centre. I am satisfied that the principle of the proposal is therefore acceptable within the town centre.

Policy TCR7 of the adopted Plan, however, sets out the criteria for the assessment of the detail of development proposals for town centre uses, including restaurants. Criterion (d) of the Policy requires the proposal to have no detrimental effect on amenity and the effective operation of existing businesses within the town centre. The existing range of uses causes an established level of noise and activity both during the day and into the evening. I note the Head of Environmental and Public Protection (Environmental Health) offers no objections on the grounds of noise disturbance affecting the amenity of the area. I concur with the advice regarding restricting deliveries and collections from the premises to between 07:00 and 23:00 to ensure there are no unacceptable late night or early morning disturbances. This matter can be addressed by a condition.

With respect to the treatment of cooking odours and the potential for cooking odour to disturb the amenity of nearby properties, I turn to the consultation reply from the Head of Environmental and Public Protection (Environmental Health), who has identified that the proposed development will require the provision of high level discharge for cooking odours. The proposal

indicates that two high level discharge flues will be installed at the rear of the premises, both of which will extend at least 1 metre above the existing roofline, meeting the above requirement. The consultation response indicates no concern that the requirements may not be met on site, and I am satisfied that, subject to a condition requiring the provision of a suitable ventilation and filtration system for cooking odours together with the detailed specification of such being submitted for approval, the impact on local amenity would be acceptable. The comments relating to the external ducting and external lighting proposed can be addressed through advisory notes on a grant of planning permission.

Whilst I note concern regarding the increasing number of similar Class 3 uses within the Town Centre, these contribute to the diversity of uses within the town centre, bringing activity and vibrancy into the evening when other premises are closed, according with the aims of the SPP. I am mindful that the premises are currently designated as a Class 1 use and the change of use would eliminate existing retail premises, however the application site is one of a number of currently vacant retail units within the Town Centre and, visually, is in poor condition. The proposal to bring it back into use will eliminate a dead frontage and have a positive impact on the appearance of the street, to the benefit of the amenity of the area. Bringing the vacant unit back into use will also be of positive benefit to the vitality of the town centre by bringing customers into the area and increasing pedestrian activity. Whilst in the area, customers of the premises may also choose to use shops and services, benefiting existing shops and businesses. Undoubtedly, the reuse of the building would positively enhance the Town Centre. The proposal need not have a detrimental impact on the operation of existing businesses within the town centre, and whilst I note the concerns raised in the objections regarding the impact of the proposal on the turnover and sustainability of similar existing businesses, it is not the function of the planning system to inhibit competition.

With respect to criterion (c) of the Policy, the Head of Service – Roads and Transportation notes that the site is within the town centre where controls in respect of parking are in place and there are various car parks nearby. The site is next to public transport, with access to the train station and various bus services, reducing the parking requirements. The scale of the proposal would have negligible impacts on congestion in the area. I am satisfied that the proposal is acceptable with regard to Policy TCR7.

Considering the external alterations to the building, the resealing and repainting of the upstairs windows will benefit the overall appearance of the premises. The rear of the building is not visually prominent, being at the end of a dead end access from Church Street, set back at least 17 metres from the nearest pavement. I consider the removal of the old gate and air conditioning unit to the rear of the premises and installation of the new air conditioning unit and high level discharge flues, which would not be visible from the front of the property, would have no adverse visual impact.

Finally, Policy 1 of the proposed Plan is relevant as it assesses whether the development has regard to the six qualities of successful places. The relevant factors relate to creating a place that is 'adaptable', 'resource efficient', 'safe and pleasant' and 'welcoming'. This proposal will allow a currently vacant town centre building to be brought back into use, meeting the qualities of being 'adaptable'; it avoids leaving a building neglected or obsolete. It is also 'resource efficient' through making use of an existing in a town centre. To meet the quality of being 'safe and pleasant', the proposal will need to avoid conflict between adjacent uses by having regard to adverse impacts that may be created by noise, smell and vibration, these have previously been considered and deemed acceptable. It will also be 'welcoming', by improving the existing shopfront. The proposal is for a town centre use, similar to surrounding uses, therefore it should integrate into the existing community. Internally, the proposal will install an accessible toilet and access, meeting the requirement of making the building easy to access. The proposal therefore presents no conflict with Policy 1.

In summary therefore, the proposal to bring the premises back into use will be of positive benefit to the Town Centre. Given other Class 3 uses operate satisfactorily in the vicinity, I am satisfied that the high level discharge proposed will be suitable for mitigation of odour nuisance with the provision of a suitable ventilation and filtration system. The detailed specification and provision of such a system can be addressed via a condition. Subject to this, I consider that the

overall impact on wider residential amenity is acceptable. The alterations to the building are also visually acceptable. The proposal accords with the aims of SPP and presents no conflict with adopted Plan Policies SDS6, TCR1, TCR2, TCR3 and TCR7 or with proposed Plan Policies 1 and 22. Whilst I am mindful of the objections received, there are no material considerations which would warrant the refusal of the application. Planning permission should therefore be granted subject to the conditions below.

RECOMMENDATION

That the application be granted subject to the following conditions:

1. 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 canopies, make-up air, air disposal points etc.
2. The system for discharging cooking odours approved under condition 1 shall be fully implemented to the satisfaction of the Planning Authority prior to the commencement of the use hereby approved. It shall then remain in full and effective working order at all times thereafter during the lifetime of the use, to the satisfaction of the Planning Authority.
3. Deliveries or collections to and from the site shall not be carried out between the hours of 23:00 and 07:00.

Reasons:

1. To protect the amenity of the immediate area and prevent the creation of odour nuisance.
2. To ensure the provision and retention of the system for discharging cooking odours.
3. To protect the amenities of occupiers of premises from unreasonable noise and vibration levels.

Stuart Jamieson
Head of Regeneration and Planning

Local Government (Access to Information) Act 1985 – Background Papers. For further information please contact David Sinclair on 01475 712436.

Report To: The Planning Board

Date: 3 April 2019

**Report By: Development and Building Standards
Manager**

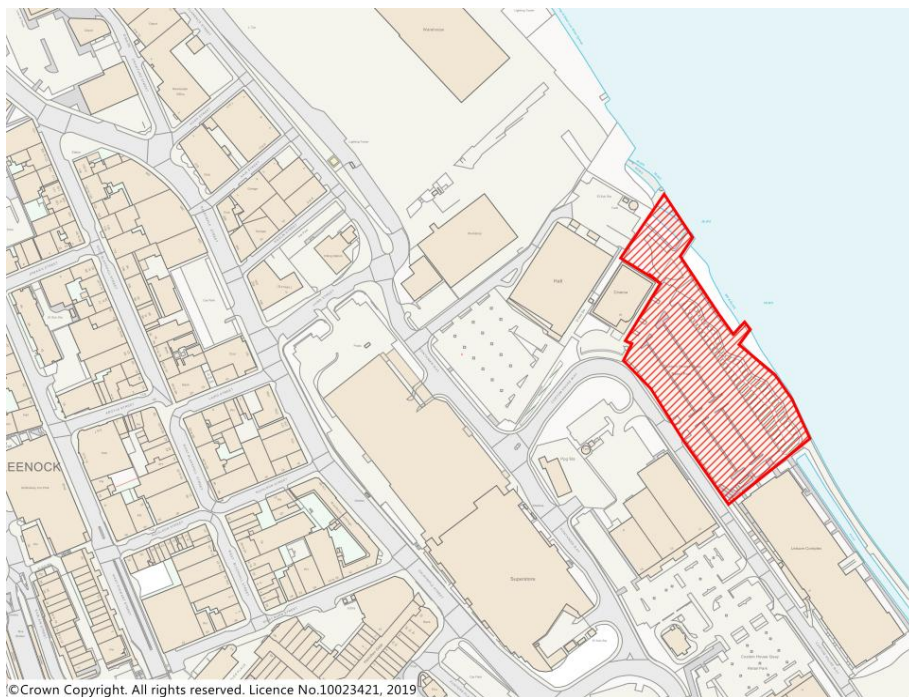
**Report No: 18/0258/IC
Plan 04/19**

**Local Application
Development**

**Contact
Officer: Nicholas McLaren**

Contact No: 01475 712420

**Subject: Erection of building containing ocean ferry terminal, art gallery and
restaurant and associated works at
Waterfront car park, Cinema car park and associated land, Custom House
Way, Greenock**



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SUMMARY

- The proposal presents no conflict with the Inverclyde Local Development Plan and the Proposed Inverclyde Local Development Plan.
- Eight written representations have been received focusing principally on parking and roads issues.
- Consultations received present no impediment to development.
- The recommendation is to GRANT PLANNING PERMISSION subject to conditions.

Drawings may be viewed at:

<https://planning.inverclyde.gov.uk/Online/applicationDetails.do?activeTab=documents&keyVal=PEOV84IMLK00>

SITE DESCRIPTION

The application site comprises an approximately 1.02 hectares area of land largely comprising part of the waterfront car park between the Waterfront Leisure Centre and the cinema complex to the north-west. It also includes the mounded soft landscaping and the coastal path. The application site continues to the rear of the cinema and includes a small area of the river bed located between two jetty projections into the river. The Waterfront Retail Park and associated soft landscaping servicing area is located across Custom House Way to the south-west.

PROPOSAL

Planning permission is sought for the construction of an ocean ferry terminal building, art gallery and restaurant with associated works at the north-western end of the application site. The building is of bespoke design and consists of two distinct “wings” connected by a central section and arranged at an obtuse angle and orientated to give views towards the river. The drawings also show a new gangway forming the connection between proposed building and the embarkation point for cruise ships.

The building extends to a maximum height of approximately 12.8 metres, with the two wings extending to a length of approximately 39.3 metres and 39.6 metres respectively. The design consequently has a pronounced horizontality with alternating bands of brickwork and modelled glazing of powder coated aluminium. Glazing pre-dominates on the riverside elevations. The roof is flat, broken by external plant and servicing which is screened by three louvred enclosures. Painted galvanised steel rails enclose upper level terraces that front the river from both wings. They continue around the terrace on the south-eastern wing. A ticker tape electronic display forms an elevational feature of the eastern wing of the building. Between the two wings public space will be developed as a courtyard, described as “an external sculpture garden”. Whilst accessible to all users of the building it will be secured at night by a pivoting gate. The coastal foot/cycle path which presently runs along this stretch will be diverted around the south-eastern side of the building to connect to existing pedestrian connections by a 2 metres wide ramp and 1.6 metres wide steps.

The building is to accommodate three uses. The new ocean terminal is mainly at ground floor level on the north-western wing, relocating from within the port facility further to the west. This is to complement the planned new cruise berth facility and pontoon to be developed at an adjacent position on the river. Most cruise ship passengers take pre-reserved trips with up to 40 or 50 buses waiting to collect them. These passengers will bypass the new building and go straight to designated pick-up points to the west of the application site. The remaining passengers will pass through the proposed building. All returning passengers and crew will embark via the new building. Secondly, an art gallery dedicated to the work of George Wyllie will be located at ground, mezzanine and first floor level in the south-eastern wing. Thirdly, a restaurant will be located at the upper floor level link between the two wings, extending onto the roof of the north-western wing.

The application site currently provides 266 car parking spaces. This will reduce to 172 as a result of the development. It is the north-western end of the car park which will be subject to most change. A taxi drop off area adjacent to the new building will be introduced with the current disabled parking provision for the cinema being relocated to the car park frontage onto Custom House Way. The existing car park access from Custom House Way is to be relocated further east, towards the Leisure Complex.

The management of coaches and embarkation is the responsibility of Peel Ports. The nearby Port compound will continue to be used as the pick-up point for disembarking passengers on pre-booked coach trips. Returning coaches will use a drop-off point to be managed on Custom House Way, which provides for 10 coach spaces on the existing carriageway. A temporary traffic management system will be put in place via a Traffic Regulation Order to close the road to all vehicles except buses and to create a one-way (eastbound) system. Temporary “no through road to Container Way” and “No entry” signs will be set up on the eastern section of Custom House Way. It is envisaged that the Order will likely result in restrictions being in force for two periods of up to one hour between the hours of 11.30 and 18.30 hours on cruise ship

operation days. If the Traffic Regulation Order is not made then coaches will return to the port facility.

The application is accompanied by a Design and Access Statement, a Transport Statement and a Flood Risk Assessment.

BACKGROUND TO THE PROPOSAL

The Greenock Ocean Terminal City Deal project is one of twenty infrastructure projects within the metropolitan City Region of Glasgow which seek to increase economic activity.

Within the current facilities in Greenock, cruise traffic shares the berth with intermodal container, forest products, paper and general freight cargo activity. Greenock is one of the prime destinations of choice for cruise vessels visiting Scotland and due to operational conflicts and berth capacity requires to consider alternative cruise ship facilities.

The project comprises two elements in the form of marine works and land based works.

The marine works involve the provision of a new dedicated cruise liner deep water berth. This will use a floating berthing pontoon and will require dredging to facilitate the proposed berth and to widen the navigation channel. Regulation of this activity is controlled by Scottish Ministers and Marine Scotland, and does not form any consideration within this planning application.

In order to achieve a technical solution a number of sites were considered and discounted for reasons of draught, wind loading and dredging implications. Within the existing Ocean Terminal locations were evaluated at Albert Dock and adjacent to the Esplanade; the only viable technical solution has been found to be the provision of a floating pontoon at the east end of the site.

The land based works involve the provision of a new international Terminal Building facility and associated shore-side infrastructure which is the subject of this application.

As the project developed, options for the Terminal Building considered included the status quo, a dedicated single use building at a number of locations both within and outwith the existing port boundary, and a multi-use buildings outwith the port boundary.

The project concluded a preferred location which satisfies the base requirement for the Terminal Building to be as close as possible to the berth, whilst also allowing for easy access and egress from the Port. Its multi uses enables year long activity both for the community within the arrivals hall as well as the provision of a museum/gallery space and a restaurant.

Development of this project will attract over £9m in City Deal Funding and £9.5m in private sector investment.

DEVELOPMENT PLAN POLICIES

Policy TCR1- Network of Designated Centres

The following hierarchy of centres are designated as locations where a range of town centre uses will be appropriate in order to support the role and function of the particular centre, as well as their vitality and viability:

Strategic Town Centre:

- (a) Greenock, subdivided into a 'Central Area' and 'Outer Area'

Town Centres:

- (a) Port Glasgow
- (b) Gourrock

Local Centres:

- (a) The Cross, Kilmacolm
- (b) Dubbs Road, Port Glasgow
- (c) Sinclair Street, Greenock
- (d) Lynedoch Street, Greenock
- (e) Barrs Cottage (Inverkip Road and Dunlop Street), Greenock
- (f) Cumberland Walk, Greenock (proposed redevelopment)
- (g) Cardwell Road, Gourock
- (h) Kip Park, Inverkip
- (i) Ardgowan Road, Wemyss Bay

Policy TCR2 - Sequential Approach to Site Selection for Town Centre Uses

Proposals for development of town centre uses as set out in Policy TCR3 will be subject to the sequential approach as set out below:

- (a) Greenock Central Area;
- (b) Port Glasgow and Gourock Town Centres;
- (c) Greenock Outer Area (subject to Policy TCR5);
- (d) sites on the edge of Greenock, Port Glasgow and Gourock Town Centres; and only then,
- (e) out-of-centre sites that are or can be made accessible by a choice of public and private transport modes.

The principles underlying the sequential approach also apply to proposals to expand or change the use of existing developments, where the proposals are of a scale or form sufficient to change a centre's role and function.

Policy TCR3 -Town Centre Uses

The following town centre uses will be directed to the Central Area of Greenock Town Centre, Port Glasgow and Gourock Town Centres and the Local Centres, subject to Policy TCR7:

- (a) Use Class 1 (Shops);
- (b) Use Class 2 (Financial, Professional and other Services);
- (c) Use Class 3 (Food and Drink);
- (d) Use Class 11 (Assembly and Leisure); and
- (e) related uses such as public houses, hot food take-aways, theatres, amusement arcades and offices for taxis for public hire.

Policy TCR5 - Outer Area of Greenock Town Centre

Proposals for development in the five divisions of the Outer Area of Greenock Town Centre, as defined on the Proposals Map and below, should have regard to their respective roles, functions, character and amenity. The following uses will be encouraged and supported, subject to there being no adverse impact upon the amenity of the area:

A - WEST END (Civic, Office and Residential)

- Use Class 2 (Financial, professional and other services)
- Use Class 4 (Business)
- Use Class 8 (Residential institutions)
- Use Class 10 (Non-residential institutions)

B - CLARENCE STREET AREA (Mixed Use)

- Use Class 3 (Food and drink)
- Use Class 4 (Business)
- Use Class 11 (Assembly and leisure)

C - WATERFRONT (Education and Leisure)

- Use Class 3 (Food and drink)
- Use Class 4 (Business)
- Use Class 7 (Hotels and hostels)
- Use Class 8 (Residential institutions)
- Use Class 10 (Non-residential institutions)
- Use Class 11 (Assembly and leisure)

D - KING STREET AREA (Business and Residential)

- Use Class 2 (Financial, professional and other services)
- Use Class 4 (Business)
- Use Class 8 (Residential institutions)
- Use Class 10 (Non-residential institutions)

E - ROXBURGH STREET AREA (Business and Community)

- Use Class 2 (Financial, professional and other services)
- Use Class 3 (Food and drink)
- Use Class 4 (Business)
- Use Class 8 (Residential institutions)
- Use Class 10 (Non-residential institutions)

Policy TCR7 - Assessing Development Proposals for Town Centre Uses

To assist the protection, enhancement and development of the designated Centres, all proposals for the development of town centre uses identified in Policy TCR3, or for any other commercial uses within a designated centre, will require to satisfy the following criteria:

- (a) the size of the development is appropriate to the centre for which it is proposed;
- (b) it is of a high standard of design;
- (c) it has an acceptable impact on traffic management and must not adversely impact on road safety and adjacent and/or nearby land uses;
- (d) it does not have a detrimental effect on amenity or the effective operation of existing businesses;
- (e) it is consistent with any Town Centre Strategy or other relevant initiative; and
- (f) has regard to Supplementary Guidance on Planning Application Advice.

Proposals for town centre uses outwith the designated Centres, unless they are small scale development to meet local needs that are subject to Policy TCR10, must also demonstrate:

- (g) that no appropriate sequentially preferable site exists;
- (h) that there is capacity for the development in terms of expenditure compared to turnover in the appropriate catchment area;
- (i) that there will be no detrimental impact, including cumulatively, on the viability and vitality of the designated Centres (Policy TCR1); and
- (j) in the case of temporary street markets, the operation will be for a maximum of 13 days in any 12 month period.

Proposals for retail and leisure development over 2,500 square metres outwith the designated town centres and that are not in accordance with the Development Plan should be accompanied by a retail impact analysis, as should any town centre proposal that the Council considers likely to have a potentially detrimental impact on the vitality and viability of the designated Centres. At the Council's discretion, applications for small-scale development of town centre uses outwith the designated Centres may be exempted from the requirement to be justified against criteria (g) - (i).

Policy INF4 - Reducing Flood Risk

Development will not be acceptable where it is at risk of flooding, or increases flood risk elsewhere. There may be exceptions for infrastructure if a specific location is essential for operational reasons and the development is designed to operate in flood conditions and to have minimal impact on water flow and retention.

All developments at risk of flooding will require to be accompanied by a Flood Risk Assessment (FRA) and should include a freeboard allowance, use water resistant materials where appropriate and include suitable management measures and mitigation for any loss of flood storage capacity.

Policy SDS3 - Place Making

High-quality place making in all new development will be promoted by having regard to Inverclyde's historic urban fabric, built cultural heritage and natural environment, including its setting on the coast and upland moors. This heritage and environment will inform the protection and enhancement of Inverclyde by having regard to the Scottish Government's placemaking policies, in particular through the application of 'Designing Places' and 'Designing Streets' and through embedding Green Network principles in all new development.

Policy SDS6 - Promoting our Town Centres

The three town centres, as identified on the Proposals Map, will be promoted and safeguarded for a variety of uses including business, civic, cultural, retail, entertainment, leisure and residential, with the development site at Port Glasgow Waterfront West performing a complementary role to the other town centres, particularly Greenock Strategic Town Centre, for comparison retail and commercial leisure developments.

Policy ENV4 - Safeguarding and Enhancing Open Space

Inverclyde Council will support, safeguard and where practicable, enhance:

- (a) areas identified as 'Open Space' on the Proposals Map; and
- (b) other areas of open space of value in terms of their amenity to their surroundings and to the community, and their function as wildlife corridors and Green Network links.

Policy INF5 - Sustainable Urban Drainage Systems

Proposed new development should be drained by appropriate Sustainable Urban Drainage Systems (SUDS) designed in accordance with the CIRIA SUDS Manual (C697) and, where the scheme is to be adopted by Scottish Water, the Sewers for Scotland Manual Second Edition. Where the scheme is not to be adopted by Scottish Water, the developer should indicate how the scheme will be maintained in the long term.

Where more than one development drains into the same catchment a co-ordinated approach to SUDS provision should be taken where practicable.

Policy TRA2 - Sustainable Access

New major trip-generating developments will be directed to locations accessible by walking, cycling and public transport, and developers will be required to submit a transport assessment and a travel plan, if appropriate. Such developments will be required to recognise the needs of cyclists and pedestrians as well as access to public transport routes and hubs, and have regard to the Council's Core Paths Plan, where appropriate. Where development occurs which makes it necessary to close Core Paths and other safeguarded routes, provision of an alternative route will be required.

The Council will also support and seek to complete the Inverclyde Coastal Route with developers required to make appropriate provision when submitting planning applications. National Routes 75 and 753 of the National Cycle Network will also be protected.

PROPOSED DEVELOPMENT PLAN POLICIES

Policy 1 - Creating Successful Places

Inverclyde Council requires all development to have regard to the six qualities of successful places. In preparing development proposals, consideration must be given to the factors set out in Figure 3. Where relevant, applications will also be assessed against the Planning Application Advice Notes Supplementary Guidance.

Policy 2 - Priority Projects

The Council will support, in principle, development proposals associated with the Priority Projects listed in Schedule 1.

Policy 8 - Managing Flood Risk

Development proposals will be assessed against the Flood Risk Framework set out in Scottish Planning Policy. Proposals must demonstrate that they will not:

- be at significant risk of flooding;
- increase the level of flood risk elsewhere; and
- reduce the water conveyance and storage capacity of a functional flood plain.

The Council will support, in principle, the flood protection schemes set out in the Clyde and Loch Lomond Local Flood Risk Management Plan 2016, subject to assessment of the impacts on the amenity and operations of existing and adjacent uses, the green network, historic buildings and places, and the transport network.

Policy 9 - Surface and Waste Water Drainage

New build development proposals which require surface water to be drained should demonstrate that this will be achieved through a Sustainable Drainage System (SuDS), unless the proposal is for a single dwelling or the discharge is directly to coastal waters.

The provision of SuDS should be compliant with the principles set out in the SuDS Manual C753 and Sewers for Scotland 3rd edition, or any successor documents.

Where waste water drainage is required, it must be demonstrated that the development can connect to the existing public sewerage system. Where a public connection is not feasible at present, a temporary waste water drainage system can be supported if:

- i) a public connection will be available in future, either through committed sewerage infrastructure or pro-rata developer contributions; and
- ii) the design of, and maintenance arrangements for, the temporary system meet the requirements of SEPA, Scottish Water and Inverclyde Council, as appropriate.

Private sustainable sewerage systems within the countryside can be supported if it is demonstrated that they pose no amenity, health or environmental risks, either individually or cumulatively.

Developments including SuDS are required to have an acceptable maintenance plan in place.

Policy 10 - Promoting Sustainable and Active Travel

Development proposals, proportionate to their scale and proposed use, are required to:

- provide safe and convenient opportunities for walking and cycling access within the site and, where practicable, include links to the wider walking and cycling network; and
- include electric vehicle charging infrastructure, having regard to the Energy Supplementary Guidance.

Proposals for development, which the Council considers will generate significant travel demand, are required to be accompanied by a travel plan demonstrating how travel to and from the site by means other than private car will be achieved and encouraged. Such development should also demonstrate that it can be accessed by public transport.

The Council will support the implementation of transport and active travel schemes as set out in Council-approved strategies, subject to adequate mitigation of the impact of the scheme on: development opportunities; the amenity and operations of existing and adjacent uses; the green network; and historic buildings and places.

Policy 11 - Managing Impact of Development on the Transport Network

Development proposals should not have an adverse impact on the efficient operation of the transport network. Development should comply with the Council's roads development guidelines and parking standards. Developers are required to provide or contribute to improvements to the transport network that are necessary as a result of the proposed development.

Policy 16 - Contaminated Land

Development proposed on land that the Council considers to be potentially contaminated will only be supported where a survey has identified the nature and extent of any contamination present on site and set out a programme of remediation or mitigation measures that ensure that the site can be made suitable for the proposed use.

Policy 22 - Network of Centres Strategy

The preferred locations for the uses set out in Schedule 6 are within the network of town and local centres identified in Schedule 7. Proposals which accord with the role and function of the network of centres as set out in Schedule 7 and the opportunities identified in Schedule 8 will be supported. Proposals for Schedule 6 uses outwith the network of centres or not conforming with the role and function of a particular centre will only be supported if it can be demonstrated that:

- there is not a suitable sequentially preferable opportunity;
- there will not be an unacceptable impact on the vibrancy, vitality or viability of other centres within the network of centres; and
- there are clear community or economic benefits that can be best achieved at the proposed location.

Proposals for Business (Class 4), residential and hotel uses will also be supported in town and local centres.

Policy 27 - Tourism Development

Proposals for change of use of tourism related facilities will only be supported where it can be demonstrated that they are no longer viable as a business in their current use.

Development of tourism related facilities will be supported in appropriate locations where:

- it avoids adverse impact on the amenity and operation of existing and adjacent uses;
- major trip-generating proposals can be accessed by sustainable means; and
- it is appropriately designed for its location and avoids significant adverse impact on the green network and historic buildings and places.

CONSULTATIONS

Head of Service – Roads and Transportation

- The applicant has submitted an Operational Traffic Management Plan which provides detail on the operation of the facility. This Plan shall be maintained and implemented throughout the life of the facility. Should any changes be required they must be agreed in writing with the Roads Service.
- A Traffic Regulation Order will be required to prevent vehicles other than buses from using the road on the designated cruise ship days and also to make Custom House Way one way during these times. The Roads Service will progress the TRO on planning approval.
- A Section 56 Agreement will be required for the construction of the new car park access and closure of the existing car park access.
- Confirmation of connection to Scottish Water Network should be submitted for approval.
- Further drainage and SUDS details require to be submitted for approval.

Head of Environmental and Public Protection (Environmental Health)

No objection subject to conditions in respect of Japanese Knotweed, contaminated land, the specifications of waste containers and external lighting. Advisory notes are suggested in respect of the Construction (Design & Management) Regulations 2015 (CDM 2015), gull control, and compliance with food safety and health and safety at work legislation.

Scottish Environment Protection Agency

No objection.

Scottish Water

No objection subject to a series of advisory notes regarding connections and the plant capacities.

Scottish Gas Networks

There is plant within the vicinity. There should be no mechanical excavations taking place above or within 0.5m of a low/medium pressure system or above or within 3.0m of an intermediate pressure system. The applicant should, where required, confirm the position using hand dug trial holes.

PUBLICITY

The application was advertised in the Greenock Telegraph on 28 September 2018 and 18 January 2019 as there are no premises on neighbouring land.

SITE NOTICES

The nature of the proposal did not require a site notice.

PUBLIC PARTICIPATION

Seven objections and one letter of representation have been submitted.

The representation recognises the benefits the proposal would bring to Greenock but expresses concern that the reduction in parking spaces adjacent to the proposed building could lead to attempts to park in the Waterfront Retail Car Park to the detriment of the associated traders. It is pointed out that the applicant's parking survey draws attention to this possibility as part of the justification for the loss of existing parking spaces. It is also highlighted that there is an existing planning permission for a restaurant within the retail car park which reduces the parking spaces available by 33.

The points of objection may be summarised as follows:

- There will be a loss of free car parking spaces; it is already difficult to park in this area and this will hinder access to neighbouring land uses.
- The closure of the road to traffic when coaches are present will have a consequential adverse impact on local businesses. It is considered that the existing terminal grounds should be used.
- There is no alternative route identified for National Cycle Route 75. One should be developed with Sustrans to ensure cycle traffic can safely interact with pedestrians and motor vehicles, including signage.
- There are concerns over financial arrangements leading to the application.
- The proposal should not be supported as Greenock does not benefit from visiting cruise liners with passengers transferred away from Inverclyde.
- There may be damage to the road from articulated vehicles. The Port operator should pay for repairs.

ASSESSMENT

The material considerations in determination of this application are the adopted and proposed Local Development Plans, the consultation responses, the representations and the applicant's supporting information. The determining issues are whether the proposed design and location of the building is acceptable and whether or not the uses can operate within the building without detriment to car parking and the movement of traffic in the vicinity.

The Greenock Ocean Terminal is identified by Schedule 1 to Policy 2 of the proposed Plan as one of the Priority Project Glasgow City-Region City Deals which the Council will support in principle. The application site is located within Greenock Town Centre, as defined by Policies TCR1 and TCR5 of the adopted Plan and Policy 22 of the proposed Plan. In the case of Policy TCR5, it is more specifically within the Waterfront Outer Area. Policy TCR5 requires that proposals within this part of the Outer Area should have regard to its role, function, character and amenity, and encourages and supports food and drink and non-residential institution uses at the Waterfront. Non-residential uses are defined as including exhibition halls and the display of art.

While it is noted that Policies TCR2, TCR3 and TCR7 also direct food and drink uses to the central part of Greenock Town Centre, the proposed Plan incorporates the policy aspects of the Glasgow City-Region City Deal which emerged long after the current Plan was adopted in 2014 and therefore more accurately reflects current policy initiatives. As the proposed Plan is now at examination I give greater weight to emerging policy with regard to the location of the proposed building and its associated uses and therefore consider that the proposal could be supported in principle without tension with Policies TCR2, TCR3 and TCR7.

The proposal accords in principle with adopted Plan Policy SDS6, being development in support of promoting the Town Centre. It is acknowledged that a small part of the raised, planted landscaped open space will be removed as a result of the proposed development, however there are significant leisure benefits from the proposal, and the development will be landscaped into the setting. Furthermore, the economic benefits of the proposal are considered to outweigh the loss of this marginal area of ground (Policy ENV4).

Greenock Waterfront, and the environs of the application site in particular, is characterised by a variety of individually and function led designed buildings, from the traditional Custom House, to the more modernistic Beacon Arts Centre and Waterfront Leisure Complex, to the Waterfront Retail Park and the adjacent cinema. The proposed building is of bespoke design, built for purpose and would therefore be contextual in this respect. Viewed in isolation, however, I consider that the overall design and use of materials results in a building which adds interest to the architectural offer of the waterfront. Furthermore the proposed public realm around the building has been carefully considered and landscaped to result in the creation of a successful, high-quality place. I am satisfied that the development has been set out in a manner that will not hinder access to neighbouring land uses. It therefore follows that I regard the proposal as being

supported by adopted Plan Policy SDS3 and proposed Plan Policy 1, the latter due to the site and proposal being distinctive, easy to move around, safe and pleasant and welcoming.

The applicant has produced a Flood Risk Assessment which has been considered by both SEPA and the Head of Service – Roads and Transportation. It has been concluded that the site can be safely developed without being subject to an unacceptable flood risk. The Head of Service – Roads and Transportation has requested that confirmation of connection to Scottish Water's Network and other drainage and SUDS details be provided. These matters may be addressed by condition. On this basis I consider that the requirements of adopted Plan Policies INF4 and INF5, and the equivalent Policies 8 and 9 of the proposed Plan can be met.



Transportation issues relate to the proposed on-road management of cruise passenger transfer coaches and the parking provision as it relates, not just to the proposal, but also the existing adjacent land uses. I am guided by the considerations of the Head of Service – Roads and Transportation. Whilst it is noted that the proposal will result in a reduction of the number of car parking spaces within the adjacent car park, the use to which the car park is put at present and the proposed use has to be considered, together with the site's Town Centre location. It has been noted that the car park has become busier during daytime hours largely due to office worker parking on account of restrictions elsewhere. The proposed passenger terminal element will not result in additional parking demand, with the possible exception of intermittent staff, due to the transient nature of the users. The restaurant will conduct most trade in the evening and at weekends when the car park will be at its' quietest. The art gallery is most likely to have visitors throughout its opening hours but not necessarily with any peak hours and visits to the building could have an element of dual purpose, with art gallery patrons also being restaurant customers and vice versa. I note that the Head of Service – Roads and Transportation advises that the total parking requirement for the proposed and existing facilities is estimated at 215.

Due to the Town Centre location the building is accessible by a range of means of transport. There are bus services within 2 minutes' walk (on Container Way adjacent to Tesco) and Greenock Central Railway Station is approximately 10 minutes' walk. Existing pedestrian links are well established, including through the bullring car park and along Custom House Way. I also note that there are other parking opportunities within walking distance in the Town Centre as part of the overall parking strategy. The Head of Service – Roads and Transportation has therefore concluded that although the number of parking spaces within the adjacent car park is being reduced the proposal can, nevertheless, be accommodated within the wider but easily accessible area. In this connection whilst I note the concerns related to the Waterfront Retail Car Park, the Head of Service – Transportation and Roads considers that additional parking within that car park will not occur to the extent that it will be detrimental to the functioning of the car park.

Assessing the management of traffic on-road, and in particular the parking and movement of transfer coaches for cruise passengers, the Head of Service – Roads and Transportation advises that subject to the promotion of a Traffic Regulation Order following a grant of planning permission, the preferred parking and circulation arrangements are satisfactory as confirmed by the Operational Traffic Management Plan. This document explains how buses will be managed on Custom House Way; the procedure to allow buses to queue to prevent delay to other road users; the responsible party for erecting the traffic management signing; and other matters relating to the operation affecting the public road network.

A concern has been raised over the diversion of National Cycle Route 75. There is the means for cyclists to continue around the side of the building to reconnect with the rest of the cycle route and I note that the Head of Service – Roads and Transportation is satisfied in this regard. Appropriate signage can be secured by condition to ensure safe passage for cyclists and pedestrians.

The requirement for a Section 56 Agreement, as raised by the Head of Service – Roads and Transportation, may be addressed by advisory note.



All of this supports the conclusion that the proposed development is in a sustainable location and recognises the needs of all users of both private and public transport, thus according with adopted Plan Policy TRA2 and proposed Plan Policies 10, 11 and 27.

I note the consultation reply from the Head of Environmental and Public Protection (Environmental Health), particularly in respect of potential contamination on the site but also note the recommendation that this can be addressed by conditions. On this basis I am satisfied that the requirements of proposed Plan Policy 16 can be met.

I am therefore satisfied overall that the proposal complies with both the adopted and proposed Inverclyde Local Development Plans. It remains to be considered, however, if there are any material considerations which suggest that planning permission should not be granted. In this regard I turn to the remaining consultation replies and objections not already addressed.

Considering the outstanding consultation replies I am satisfied that the issues raised may be addressed by advisory notes on a grant of planning permission. Turning to the remaining objections, while it is acknowledged that many cruise visitors do not remain in Inverclyde while their ships are docked, the cruise business has benefitted local trade and the art gallery and restaurant elements have in their own right the potential to attract visitors to Inverclyde as well as benefitting locals. It should be noted that this is a multi-purpose development and Peel Ports is not the applicant. The financial background to the proposal and the alleged damage to roads from articulated vehicles are not determining factors in the consideration of this planning application.

Overall, I am satisfied that the proposal complies with the Development Plan and there are no material considerations which suggest that the application should be determined contrary to the Plan.

RECOMMENDATION

That the application be granted, subject to the following conditions:

1. That prior to their use, samples of all facing materials to be used in the construction of the dwellings hereby permitted shall be submitted to and approved in writing by the Planning Authority. Development shall proceed thereafter using the approved materials unless a variation is agreed in writing with the Planning Authority.
2. That prior to their use samples of all hard landscaping materials shall be submitted to and approved in writing by the Planning Authority. The approved materials shall thereafter be used unless any alternative is agreed in writing with the Planning Authority.
3. That prior to the commencement of development full details of all soft landscaping within the site shall be submitted to and approved in writing by the Planning Authority. This shall include management and maintenance arrangements.
4. That the landscaping scheme approved in terms of condition 3 above shall be implemented in full in accordance with a phasing plan to be agreed in writing with the Planning Authority prior to the commencement of development. Any of the planting which is damaged, is removed, becomes diseased or dies within the first 5 years of planting shall be replaced within the following planting season with plants of a similar size and species.
5. 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 and other associated connected drainage.
6. That all surface water originating within the site shall be intercepted within the site.
7. That prior to the commencement of development, confirmation of connection to the Scottish Water Network shall be submitted for approval.
8. 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.
9. 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.
10. 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 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.

11. 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 Authority.
12. That the building hereby permitted shall not be brought into use until the car park, taxi drop-off and coach drop-off approved layout is constructed.
13. The diversion of the coastal footpath shown on the approved drawings shall be implemented prior to the commencement of development.
14. That details of signage (including cycle route signage) associated with the diversion referred to in condition 13 shall be submitted to and approved in writing by the Planning Authority and thereafter shall be erected and brought into use, all prior to the use of the approved building commencing.
15. That prior to the commencement of development, full details shall be provided of the gangway connection to the ocean terminal berth.
16. That the Operational Traffic Management Plan shall be maintained and implemented throughout the life of the facility. Should any changes be required they must be agreed in writing with the Planning Authority.
17. That the cycle path adjacent to the building shall be a minimum of 2 metres wide and the footpath a minimum of 1.6 metres wide.
18. That prior to the development hereby permitted being brought into use, demountable bollards shall be provided between the footpath/cycle path and the car park.

Reasons

1. In the interests of visual amenity.
2. To ensure the suitability of these materials.
3. To ensure the provision of an adequate landscaping scheme in the interests of visual amenity.
4. To ensure the provision and retention of an adequate landscaping scheme in the interests of visual amenity.
5. - 7. To control runoff from the site to reduce the risk of flooding.
8. To help arrest the spread of Japanese Knotweed in the interests of environmental protection.
9. To satisfactorily address potential contamination issues in the interests of human health and environmental safety.

10. To ensure contamination is not imported to the site and confirm successful completion of remediation measures in the interest of human health and environmental safety.
11. To ensure that all contamination issues are recorded and dealt with appropriately.
12. – 15. In the interests of public safety.
16. To ensure that traffic associated with the development can operate in a manner which is not detrimental to pedestrian and traffic safety, nor to the disadvantage of adjacent land uses.
17. To ensure the provision of adequate pedestrian and cycle facilities.
18. To prevent unauthorised vehicles from causing danger to pedestrians and cyclists.

Nicholas McLaren
Development and Building Standards Manager

Local Government (Access to Information) Act 1985 – Background Papers. For further information please contact David Ashman on 01475 712416.