

**LOCAL REVIEW BODY – 4 MARCH 2020**

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**Local Review Body**

**Wednesday 4 March 2020 at 4pm**

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

**Chair:** Councillor Wilson presided.

**In attendance:** Mr A Hamilton and Ms M Pickett (Planning Advisers), Mr J Kerr (Legal Adviser) 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 Local Review Body.**

**143      APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST      143**

No apologies for absence were intimated.

Councillor Dorrian declared an interest in Agenda Item 2(a) (Erection of 2.4m high palisade fence to car park area, car park off Orchard Street, Greenock (19/0100/IC)).

**144      PLANNING APPLICATIONS FOR REVIEW      144**

**(a)      Erection of 2.4m High Palisade Fence to Car Park Area:  
Car Park off Orchard Street, Greenock (19/0100/IC)**

There were submitted papers relative to the application for review of the refusal of planning permission for the erection of a 2.4m high palisade fence to the car park area off Orchard Street, Greenock (19/0100/IC) to enable the Local Review Body to consider the matter afresh.

Mr Hamilton acted as Planning Adviser relative to this case.

Councillor Dorrian declared a financial interest in this item as a supplier of goods to the adjacent premises and left the meeting.

After discussion, Councillor McKenzie 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: 1. the proposed fencing, by reason of its positioning, will discourage use of the car park by customers, staff and delivery vehicles. This will encourage on-street customer, staff and service vehicle parking to the detriment of road safety on Ingleston Street and Orchard Street; and 2. the proposed fencing, by reason of its position, would result in customers, staff and delivery vehicle drivers that do use the car park walking on the access road thus potentially coming into conflict with vehicles to the detriment of pedestrian and traffic safety.

As an amendment, Councillor Nelson 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 following conditions: 1. that the development hereby permitted shall be commenced no later than three years from 4 March 2020, to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; and 2. that prior to the fencing hereby permitted being erected means of a pedestrian

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access through the fencing, completely separate from the vehicular access and located to the south-west of the application site, shall be submitted to and approved in writing by the Planning Authority. The means of access shall be provided upon erection of the fencing and shall be maintained unobstructed at all times thereafter that the adjacent store is in use, in the interests of the safety of pedestrians.

On a vote, two Members, Councillors Crowther and Nelson, voted for the amendment and four Members, Councillors Clocherty, McKenzie, Rebecchi and Wilson, voted for the motion which was declared carried.

**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 dismissed and that planning permission be refused (upholding the Appointed Officer's determination) for the following reasons:

1. the proposed fencing, by reason of its positioning, will discourage use of the car park by customers, staff and delivery vehicles. This will encourage on-street customer, staff and service vehicle parking to the detriment of road safety on Ingleston Street and Orchard Street; and

2. the proposed fencing, by reason of its position, would result in customers, staff and delivery vehicle drivers that do use the car park walking on the access road thus potentially coming into conflict with vehicles to the detriment of pedestrian and traffic safety.

Councillor Dorrian returned to the meeting at this juncture.

**(b) Removal of Condition No. 2 of Planning Permission 17/0136/IC:  
66 Union Street, Greenock (19/0197/IC)**

There were submitted papers relative to the application for review of Condition No. 2 of planning permission 17/0136/IC for upgrading works to outbuilding at 66 Union Street, Greenock (19/0197/IC) to enable the Local Review Body to consider the matter afresh.

Ms Pickett acted as Planning Adviser relative to this case.

After discussion, Councillor McKenzie 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 on that Condition No. 2 of planning permission 17/0136/IC granted in terms of the Decision Notice dated 12 June 2017 be deleted.

As an amendment, Councillor Rebecchi 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 Condition No. 2 of planning permission 17/0136/IC granted in terms of the Decision Notice dated 12 June 2017 be not deleted.

On a vote, three Members, Councillors Dorrian, Rebecchi and Wilson, voted for the amendment and four Members, Councillor Clocherty, McKenzie, Crowther and Nelson, voted for the motion which was declared carried.

**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 so that Condition No. 2 of planning permission 17/0136/IC granted in terms of the Decision Notice dated 12 June 2017 be deleted.