

## PLANNING BOARD – 1 SEPTEMBER 2021

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### Planning Board

#### Wednesday 1 September 2021 at 3pm

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

**Chair:** Councillor Wilson presided.

**In attendance:** Planning & Building Standards Manager (on behalf of Interim Service Director Environment & Economic Recovery), Mr D Ashman (Planning Services), Mr G Leitch and Ms E Provan (Roads and Transportation), Mr J Kerr (for Interim Head of Legal Services), Mr C MacDonald, Ms D Sweeney and Mr P MacDonald (Legal Services), ICT Services Manager and Service Manager, Communications, Tourism and Health & Safety.

The meeting was held at the Municipal Buildings, Greenock with Councillors Dorrian, McVey, Moran, Murphy and Rebecchi attending by video-conference.

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

#### 345 **APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST** 345

No apologies for absence were intimated.

Councillor McVey declared interest in Agenda Item 2(a) (Proposed erection of Class 3 unit with ancillary drive thru and associated works: Ground at Arthur Street, Greenock (20/0106/IC)).

#### 346 **PLANNING APPLICATIONS** 346

##### (a) **Proposed erection of Class 3 unit with ancillary drive thru and associated works: Ground at Arthur Street, Greenock (20/0106/IC)**

There was submitted a report by the Interim Service Director Environment & Economic Recovery on an application for planning permission by Dalglen (No. 1810) Ltd for proposed erection of Class 3 unit with ancillary drive thru and associated works, ground at Arthur Street, Greenock (21/0106/IC)).

Councillor McVey declared a non-financial interest in this item of business by virtue of a business relationship with the applicant and left the meeting.

During consideration of this item Councillor Moran remotely joined and left the meeting, at which time the Chair paused proceedings and called a recess at 3:13pm to ascertain if Councillor Moran intended to rejoin. Councillor Moran intimated by phone that he did not intend to rejoin the meeting and proceedings resumed at 3:15pm.

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

(1) that prior to their use on site, details of all external materials (inclusive of all walls, paving and hard surfacing) shall be submitted to and approved in writing by the Planning Authority, to enable the Planning Authority to retain effective control of facing and finishing materials in the interests of visual amenity. Development thereafter shall proceed utilising the approved materials unless an alternative is agreed in writing by the Planning Authority;

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- (2) that prior to the commencement of work on site full details of a landscaping scheme and programme for completion shall be submitted to and approved by the Planning Authority, to ensure the provision of an appropriate landscaping scheme. Development shall then proceed as approved unless any alternative is agreed in writing by the Planning Authority;
- (3) that any trees, shrubs or areas of grass which die, are removed, damaged or become diseased within five years of completion of the landscaping shall be replaced within the following year with others of a similar size and species, to ensure the retention of the approved landscaping scheme in the interests of visual amenity;
- (4) that details of maintenance and management for the landscaping approved in terms of condition 2 above shall be submitted to and approved in writing by the Planning Authority prior to the start of construction of the development hereby permitted, to ensure the maintenance of the approved landscaping scheme in the interests of visual amenity. Management and maintenance shall commence upon completion of the landscaping;
- (5) that prior to the commencement of works on site, full details of the drainage regime and strategy together with surface water flow routes and future maintenance shall be submitted to and approved in writing by the Planning Authority. The approved drainage regime shall then be fully implemented prior to the commencement of the Class 3 use hereby permitted and subsequently maintained as approved at all times thereafter to the satisfaction of the Planning Authority, to ensure the adequacy of the drainage regime for the application site;
- (6) that prior to the commencement of works on site a structural survey shall be undertaken in respect of existing manholes and pipes within the site and full details of any strengthening together with programme for completion of such works will be submitted to and approved in writing by the Planning Authority, to avoid damage to existing infrastructure;
- (7) that for the avoidance of doubt the floor level of the building hereby permitted shall be 600mm above the 1 in 200 year event as detailed in the submitted flood risk assessment, in the interests of flood protection;
- (8) the car park area shall be completed and available for use by patrons prior to the commencement of the Class 3 use hereby permitted and shall then be retained and available for use at all times thereafter, to the satisfaction of the Planning Authority, to ensure suitable parking provision for staff and customers, in the interests of road safety;
- (9) prior to the commencement of works on site, a Delivery Management Plan which takes account of the peak traffic times shall be submitted to and approved in writing by the Planning Authority, to ensure safe servicing arrangements for the site. All deliveries and other servicing of the site shall then be undertaken in accordance with the approved plan at all times thereafter;
- (10) that prior to the commencement of works on site, details of how access to Core Path 57A and its retention during the works shall be submitted to and approved in writing by the Planning Authority, to ensure retention of the Core Path route during works. Works shall then proceed as approved;
- (11) that prior to the commencement of works on site the programme for the completion of the new foot/cycleway within the site, together with future maintenance arrangements, shall be submitted to and approved in writing by the Planning Authority, to ensure retention and maintenance of the Core Path route in completion of works. Works shall then proceed as approved and the approved maintenance arrangements shall commence on completion of the new foot/cycleway;
- (12) prior to the commencement of the development, details of the lighting within the site shall be submitted for the approval of the Planning Authority, after consultation with Transport Scotland, as the Trunk Roads Authority, to ensure that there will be no distraction or dazzle to drivers on the trunk road and that the safety of the traffic on the

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trunk road will not be diminished;

(13) there shall be no drainage connections to the Trunk Road drainage system, to ensure that the efficiency of the exiting drainage network is not affected;

(14) 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;

(15) 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, to satisfactorily address potential contamination issues in the interests of human health and environmental safety. 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;

(16) 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, 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;

(17) 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, to ensure that all contamination issues are recorded and dealt with appropriately;

(18) that the building hereby permitted shall be designed to ensure that at least 15%, rising to 20% by the end of 2022 of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and operation of low and zero carbon generating technologies, details of which shall be submitted to and approved in writing by the Planning Authority prior to the commencement of construction, to comply with the requirements of Section 72 of the Climate Change (Scotland) Act 2009;

(19) that prior to the commencement of works on site, details of electric vehicle charging provision to be installed also prior to the commencement of the Class 3 use hereby permitted shall be submitted to and approved in writing by the Planning Authority, in the interests of sustainable development. Works shall then proceed as approved; and

(20) that if the existing trees are to be removed during the bird nesting season March to August shall be preceded by a nesting bird survey the methodology and findings of which shall be submitted to the Planning Authority, in the interests of the protection of

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nesting birds.

Councillor McVey returned to the meeting at this juncture.

**(b) Proposed erection of detached house:  
Ardvaar, Wemyss Bay Road, Wemyss Bay (21/0132/IC)**

There was submitted a report by the Interim Service Director Environment & Economic Recovery on an application for planning permission by Mr D Todd for the proposed erection of detached house at Ardvaar, Wemyss Bay Road, Wemyss Bay (21/0132/IC). After discussion, Councillor Dorrian moved that consideration of the application be continued for a site visit to be arranged by the Interim Head of Legal Services in consultation with the Chair.

As an amendment, Councillor McVey moved that planning permission be granted subject to the conditions detailed in the report.

Following a roll call vote, 3 Members, Councillors Clocherty, J McEleny and McVey, voted in favour of the amendment and 6 Members, Crowther, Dorrian, Murphy, Nelson, Rebecchi and Wilson voted in favour of the motion which was declared carried.

**Decided:** that consideration of the application be continued for a site visit to be arranged by the Interim Head of Legal Services in consultation with the Chair.

**347 PLANNING APPEAL**

**347**

**6 Knockbuckle Lane, Kilmacolm**

There was submitted a report by the Interim Service Director Environment & Economic Recovery advising that, following the decision of the Board at the meeting held on 3 February 2021 to refuse planning permission for a detached garden room in garden grounds of existing dwelling house (in retrospect) at 6 Knockbuckle Lane, Kilmacolm (20/0246/IC) and the subsequent appeal by the applicant to the Scottish Government against that refusal, the Reporter appointed by the Scottish Government had issued his decision which was to uphold the appeal but to dismiss the claim for expenses.

**Decided:** that the position be noted.