

**PLANNING BOARD – 5 OCTOBER 2022**

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**Planning Board**

**Wednesday 5 October 2022 at 3pm**

**Present:** Provost McKenzie, Councillors Brooks, Clocherty, Crowther, Curley, Daisley, Jackson, McCabe, McGuire and McVey.

**Chair:** Councillor McVey presided for agenda items 1, 3(a) and 3(b), and Councillor Curley for agenda item 2(a).

**In attendance:** Interim Director Environment & Regeneration, Mr S Walker and Ms E Provan (Roads and Transportation), Mr J Kerr (for Head of Legal & Democratic Services), Mr C MacDonald and Ms D Sweeney (Legal & Democratic Services), ICT & Customer Service Manager and Mr P Coulter (for Service Manager, Communications, Tourism and Health & Safety).

The meeting was held at the Municipal Buildings, Greenock with Councillors Daisley, Jackson and McGuire attending by video-conference.

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

**461 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST 461**

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

Councillor Curley intimated a connection in Agenda Item 2(a) (Proposed new build 4 storey flatted development including associated roads, drainage and landscaping at land at Bay Street, Port Glasgow (21/0056/IC)).

Councillor McVey declared an interest in Agenda Item 2(a) (Proposed new build 4 storey flatted development including associated roads, drainage and landscaping at land at Bay Street, Port Glasgow (21/0056/IC)).

**462 CONTINUED PLANNING APPLICATION 462**

**(a) Proposed new build 4 storey flatted development including associated roads, drainage and landscaping:  
Land at Bay Street, Port Glasgow (21/0056/IC)**

There was submitted a report by the Interim Director Environment & Regeneration on an application for planning permission by Advance Construction (Scotland) Limited and Merchant Homes Limited for a proposed new build 4 storey flatted development including associated roads, drainage and landscaping at land at Bay Street, Port Glasgow (21/0056/IC).

Councillor Curley declared a connection as a Director on the Board of River Clyde Homes. He also formed the view that the nature of his connection and of the item of business did not preclude his continued presence in the meeting or his participation in the decision making process and he was declaring for transparency.

Councillor McVey declared an interest in this matter by virtue of a business relationship with a Director of one of the applicant companies and left the meeting. Councillor Curley assumed the Chair.

Not having participated in consideration of this item of business at either the meeting of 7 September 2022 or attended the site visit, Councillors Daisley, Jackson, McGuire and

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McVey were not entitled to take part in consideration of this item and left the meeting.

**Decided:** that following the conclusion of a Legal Agreement securing the provision of amenity housing on the site, planning permission be granted subject to the following conditions:-

- (1) that the development to which this permission relates must be begun within 3 years from the date of this permission, to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended);
- (2) 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, in order to help arrest the spread of Japanese Knotweed in the interests of environmental protection;
- (3) that the development shall not commence until an Environmental Investigation and Risk Assessment, including any necessary Remediation Scheme with timescale for implementation, of all pollutant linkages has been submitted to and approved, in writing by the Planning Authority. The investigations and assessment shall be site-specific and completed in accordance with current codes of practice. The submission shall also include a Verification Plan. Any subsequent modifications to the Remediation Scheme and Verification Plan must be approved in writing by the Planning Authority prior to implementation, to satisfactorily address potential contamination issues in the interests of human health and environmental safety;
- (4) 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;
- (5) 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 a Remediation Scheme shall not be implemented unless it has been submitted to and approved, in writing by the Planning Authority, to ensure all contamination issues are recorded and dealt with appropriately;
- (6) that 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 bin store areas which such containers are to be located within. The use of the residential accommodation 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, to protect the amenity of the immediate area and prevent the creation of nuisance due to odours, insects, rodents or birds;
- (7) that unless agreed in writing by the Planning Authority, all footways provided within the site shall be a minimum of 2.0m wide, to ensure safe footpath access in the interests of road and pedestrian safety;
- (8) that all flatted residential units hereby approved shall be designed to ensure that at least 15% of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and operation of low and zero carbon

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generating technologies (rising to at least 20% by the end of 2022). Details showing how this shall be achieved shall be submitted to and approved in writing by the Planning Authority prior to the construction of the flatted building being commenced, to comply with the requirements of Section 72 of the Climate Change (Scotland) Act 2009;

(9) that the car parking hereby approved shall contain a minimum of five electric vehicle charging points to be made accessible for the charging of electric vehicles. Details demonstrating how this is to be achieved shall be submitted to and approved in writing by the Planning Authority prior to the erection of the flatted building, to ensure adequate provision is made to encourage the use of electric vehicles;

(10) that details of appropriate acoustic glazing and acoustic trickle vents or mechanical ventilation with heat recovery with appropriate acoustic glazing, as detailed in Sections 9 and 10.3 of the Noise Impact Assessment, authored by CSP Acoustics on the 23<sup>rd</sup> June 2021 shall be submitted to and approved in writing by the Planning Authority. The acoustic measures approved shall subsequently be installed prior to the development being occupied, In order to protect the amenities of occupiers of premises from unreasonable noise and vibration levels;

(11) that details of all changes in ground levels, laying of foundations, and operation of mechanical plant in proximity to the rail line must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a "fail safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a "possession" which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks, in the interests of rail safety;

(12) that the flatted residences hereby approved shall not be occupied until the 21 off-street parking spaces shown in approved drawing A1233-BRU-ZZ-ZZ-DR-A-20010, Revision G have been provided. The 21 parking spaces shall be retained on site at all times thereafter unless otherwise agreed in writing by the Planning Authority, to ensure suitable parking provision for the new development in the interests of road safety;

(13) that all remaining car parking spaces shall be a minimum of 5.0 metres long by 2.5 metres wide with an aisle spacing of a minimum of 6.0 metres, to ensure the usability of the car parking spaces in the interests of road safety;

(14) that a minimum of two disabled car parking spaces shall be provided within the site and these shall be a minimum of 6 metres long by 2.5 metres wide with a 1 metre clearance, to ensure the usability of the disabled car parking spaces in the interests of road safety;

(15) that unless agreed in writing by the Planning Authority, all footpaths and footways within the site shall be a minimum of 2.0m wide, to ensure safe pedestrian access throughout the site;

(16) that the surface water flow from the site during and after development shall be limited to greenfield flow off, to ensure the development does not increase the risk of flooding to nearby properties;

(17) that full details of any boundary treatments proposed along the western site boundary shall be submitted to and approved in writing by the Planning Authority. Development shall proceed utilising the approved materials, unless agreed in writing by the Planning Authority, in order to provide an appropriate finish to the site;

(18) that prior to the commencement of development, full details of the proposed hard and soft landscaping for the site shall be submitted to and approved in writing by the Planning Authority. For the avoidance of doubt, this shall include details of any trees currently on site which are to be retained and details of any trees, shrubs and hedges which are to be planted as part of the development. All soft landscaping hereby approved shall be planted during the first growing season following the first flatted property hereby permitted being occupied, to ensure the provision of a suitable landscaping scheme in the interests of visual amenity and to ensure the provision of a visually acceptable environment;

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(19) that Details of maintenance and management for the landscaping shall be submitted to and approved in writing by the Planning Authority prior to any flatted property being occupied. Management and maintenance shall commence upon completion of the landscaping, to ensure the maintenance and management of the approved landscaping scheme in the interests of visual amenity;

(20) that any trees, shrubs, hedges or areas of grass which die, are removed, damaged or become diseased within five years of completion of the soft landscaping shall be replaced within the following year with others of a similar size and shape, to ensure the maintenance of the approved landscaping scheme in the interests of visual amenity;

(21) that the developer shall secure the implementation of an archaeological watching brief, to be carried out by a suitably qualified archaeological organisation acceptable to the Planning Authority, during all ground disturbances. The retained archaeological organisation shall be afforded access at all reasonable times to allow them to observe works in progress and shall be allowed to record and recover items of interest and finds. A method statement for the watching brief shall be submitted to and approved in writing by the Planning Authority prior to the commencement of works on site. The name of the archaeological organisation retained by the developer shall be given to the Planning Authority in writing no less than 14 days before development commences, in order to protect any archaeological remains and to allow the planning authority to consider this matter in detail; and

(22) that for the avoidance of doubt, a minimum of 5% of the flatted dwellings to be constructed on site shall be fully wheelchair accessible, to ensure the provision of wheelchair accessible housing in accordance with Policy 21 of the proposed 2021 Inverclyde Local Development Plan.

Councillors Daisley, Jackson, McGuire and McVey returned to the meeting at this juncture with Councillor McVey resuming the Chair.

**463 PLANNING APPLICATIONS**

**463**

**(a) Construction of farm roads and formation of hardstanding area:  
Land adjacent to Craigmarnloch, Port Glasgow Road, Kilmacolm (21/0025/IC)**

There was submitted a report by the Interim Director Environment & Regeneration on an application for planning permission by Mr Alexander Lyle for the construction of farms roads and formation of hardstanding area at land adjacent to Craigmarnloch, Port Glasgow Road, Kilmacolm (21/0025/IC).

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

(1) that construction of any part of the development shall not re-commence until details of a survey for the presence of Japanese Knotweed has been submitted to and approved in writing by the Planning Authority. For the avoidance of doubt the survey shall contain a methodology and treatment statement where any is found and thereafter 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;

(2) that construction of any part of the development shall not re-commence until tracking drawings to demonstrate that HGVs can turn in and out of the A761 Port Glasgow Road at the site entrance from both directions have been submitted to and approved in writing by the Planning Authority, in the interests of roads safety;

(3) that following approval of Condition 2 above and no later than 4 months from that approval being given the entrance road from the A761 Port Glasgow Road shall be constructed in accordance with drawing 21-3773-C-011 (or if the design of the entrance

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has to be modified to address tracking for HGVs) unless an extended period is agreed in advance in writing by the Planning Authority, in the interests of roads safety;

(4) that for the avoidance of doubt: the site entrance road shall be a minimum of 5.0m wide for a distance of 20.0m from the edge of the A761 Port Glasgow Road; the access shall be paved for a minimum distance of 10.0m to prevent loose material being spilled on to the road; and the access shall have a maximum gradient of 10%, in the interests of roads safety;

(5) that visibility splays of 2.4m x 120m x 1.05m shall be provided at the entrance to the site off the A761 Port Glasgow Road and thereafter kept free of obstruction in perpetuity, in the interests of roads safety;

(6) that for the avoidance of doubt all surface water shall be contained within the site, in the interests of sustainable development and in order to avoid flooding; and

(7) that details of a maintenance regime shall be submitted within 2 months of the date of this permission for the approval in writing by the Planning Authority for all private roads drainage to ensure the drainage functions as designed, in the interests of sustainable development and in order to avoid flooding.

**(b) Proposed 2no. dormers to front elevation. Proposed off street parking space complete with steps to raised deck at front entrance to house:  
2 Rosemount Place, Gourock (22/0187/IC)**

There was submitted a report by the Interim Director Environment & Regeneration on an application for proposed 2no. dormers to front elevation, proposed off street parking space complete with steps to raised deck at front entrance to house at 2 Rosemount Place, Gourock (22/0187/IC).

After discussion, Councillor Crowther moved that consideration of the application be continued for a site visit to be arranged by the Head of Legal & Democratic Services in consultation with the Chair.

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

Following a roll call vote, 2 Members, Councillors Brooks and Crowther voted in favour of the motion and 8 Members, Provost McKenzie, Councillors Clocherty, Curley, Daisley, Jackson, McCabe, McGuire and McVey voted in favour of the amendment which was declared carried.

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

(1) that the development to which this permission relates must be begun within 3 years from the date of this permission, to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended);

(2) that for the avoidance of doubt, the driveway gradient shall not exceed 10%, to ensure the provision of adequate driveways;

(3) that for the avoidance of doubt, the wall at either side of the parking space shall not exceed 0.5 metres in height where it is positioned within 1 metre of the footway, to ensure that visibility splays are maintained in the interests of road and pedestrian safety;

(4) that for the avoidance of doubt, all surface water run-off shall be contained and managed within the site, to ensure the development does not increase the risk of flooding to neighbouring properties or to the public road network; and

(5) that the visibility splays shown in drawing number 22018\_D.011, Revision B shall be kept clear of obstruction at all times in conjunction with the parking space hereby permitted being in place, to ensure that visibility splays are maintained in the interests of road and pedestrian safety.