

**LOCAL REVIEW BODY – 6 DECEMBER 2023**

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**Local Review Body**

**Wednesday 6 December 2023 at 4pm**

**Present:** Councillors Brooks, Clocherty, Crowther, Curley, McCabe, McGuire and McVey.

**Chair:** Councillor McVey presided.

**In attendance:**

Margaret Pickett	Senior Planner (Planning Adviser)
Daniel Henderson	Planning and Building Standards Manager
Jim Kerr	Solicitor, Legal, Democratic, Digital & Customer Services (Legal Adviser)
Colin MacDonald	Senior Committee Officer
Lindsay Carrick	Senior Committee Officer
Alison Ramsey	Corporate Communications Officer (Media Relations)

The meeting was held at the Municipal Buildings, Greenock with Councillors Curley, McCabe and McGuire attending remotely.

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

**628 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST 628**

No apologies for absence or declarations of interest were intimated.

**629 PLANNING APPLICATION FOR REVIEW 629**

**(a) Continued use of outdoor seating/dining area at rear of hotel at: Inverkip Hotel, Main Street, Inverkip (23/0108/IC)**

There were submitted papers relative to the application for review for the continued use of an outdoor seating/dining area at the rear of the hotel at Inverkip Hotel, Main Street, Inverkip (23/0108/IC) to enable the Local Review Body to consider the matter afresh.

Ms Pickett acted as Planning Adviser relative to this case.

Following discussions, Councillor Brooks moved that (1) sufficient information had been submitted to allow the Local Review Body to decide the matter without further procedure, and (2) condition No.2 as detailed on the Decision Notice of 14 August 2023 be deleted and replaced with revised text so that the application for review be upheld and that planning permission be granted subject to the following condition:

2. that acoustic/amplified music from the outdoor seating/dining area shall not be at a level that can be heard, when measured subjectively by authorised officers, within any dwelling or noise sensitive building with windows closed, to protect the occupiers of dwellings or noise sensitive buildings from excessive noise.

As an amendment, Councillor Clocherty moved that (1) sufficient information had been submitted to allow the Local Review Body to decide the matter without further procedure, and (2) the application for review be dismissed and that planning permission be granted subject to the following condition (upholding the Appointed Officer's determination):

2. that for the avoidance of doubt no music shall be played at any time in the outdoor seating/dining area, to protect the amenities of occupiers of premises from unreasonable noise and vibration levels.

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Following a roll call vote, 3 Members, Councillors Clocherty, Curley and McVey voted in favour of the amendment and 4 Members, Councillors Brooks, Crowther, McCabe and McGuire voted in favour of 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 condition No.2 as detailed on the Decision Notice of 14 August 2023 be deleted and replaced with revised text so that the application for review be upheld and that planning permission be granted subject to the following condition:

## Condition

2. that acoustic/amplified music from the outdoor seating/dining area shall not be at a level that can be heard, when measured subjectively by authorised officers, within any dwelling or noise sensitive building with windows closed.

## Reason

2. to protect the occupiers of dwellings or noise sensitive buildings from excessive noise.