

PLANNING BOARD – 4 SEPTEMBER 2024

Planning Board

Wednesday 4 September 2024 at 3pm

Present: Councillors Armstrong, Brooks, Clocherty, Crowther, Curley, Jackson, Law, McCabe, McVey and Moran (for McGuire).

Chair: Councillor McVey presided.

In attendance:

Neale McIlvanney	Head of Service - Regeneration, Planning & Public Protection
Daniel Henderson	Planning and Building Standards Service Manager
Gordon Leitch	Team Leader (Consultancy) – Roads and Transportation
Elaine Provan	Supervisory Engineer – Traffic & Transportation
Jim Kerr	Solicitor (for Head of Legal, Democratic, Digital & Customer Services)
Colin MacDonald	Senior Committee Officer
Lindsay Carrick	Senior Committee Officer
Rhoda Braddick	Corporate Policy, Performance and Communications Manager

The meeting was held at the Municipal Buildings, Greenock with Councillors Crowther and Law attending remotely.

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

404 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST 404

An apology for absence was intimated on behalf of Councillor McGuire, with Councillor Moran substituting.

There were no declarations of interest.

405 CONTINUED PLANNING APPLICATION 405

**(a) Change of use to wine bar (sui generis):
2 Octavia Buildings, Bridge of Weir Road, Kilmacolm (24/0151/IC)**

There was submitted a report by the Director Environment & Regeneration for a change of use to wine bar (sui generis) at 2 Octavia Buildings, Bridge of Weir Road, Kilmacolm (24/0151/IC).

The Head of Service - Regeneration, Planning & Public Protection advised the Board that should planning permission be granted, Members would be entitled to attach an advisory note to any permission concerning disabled access.

Decided: that planning permission be granted subject to the following conditions and advisory note:-

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;
- (2) that notwithstanding the permission hereby granted, there shall be no live music or

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karaoke played in the premises at any time for the lifetime of the approved development, to protect the amenities of occupiers of premises from unreasonable noise and vibration levels; and

(3) that prior to commencement of the use approved the applicant shall provide details of the containers to be used to store waste materials and recyclable materials produced on the premises as well as where the containers are to be located have been submitted to and approved in writing by the Planning Authority. The approved containers shall be implemented on site before the first use/occupation of the use of the development and thereafter retained in position, to protect the amenity of the immediate area, prevent the creation of nuisance due to odours, insects, rodents, or birds.

Advisory Note

(1) that the operator ensures adequate disabled access to the premises whilst the operation is in use.

**(b) Erection of detached dwellinghouse:
Land adjacent to Langhouse Mews (opposite The Langhouse), Inverkip (23/0293/IC)**

There was submitted a report by the Director Environment & Regeneration for the erection of a detached dwellinghouse at land adjacent to Langhouse Mews (opposite The Langhouse), Inverkip (23/0293/IC).

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 notwithstanding the provision of Classes 1A, 1C, 2B, 3A, 3B, 3C, 3D, 3E of Part 1 and Class 7A of Part 2 of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended), an application for planning permission will be required in respect of:

(a) the enlargement, improvement or other alteration of the dwellinghouse;

(b) the formation of any new window openings or the alteration of any existing windows or rooflights on the dwellinghouse;

(c) the provision within the curtilage of the dwellinghouse, of any building or enclosure, swimming or other pool required for purposes incidental to the enjoyment of the dwellinghouse, or alteration of such a building or enclosure;

(d) the provision within the curtilage of the dwellinghouse, of any hard surface required for purposes incidental to the enjoyment of the dwellinghouse, or the replacement in whole or in part of such a surface;

(e) the erection, construction or alteration of any deck or other raised platform within the curtilage of the dwellinghouse;

(f) the erection, construction or alteration of a gate, fence, wall or other means of enclosure within the curtilage of the dwellinghouse; and

(g) the painting of the exterior of the dwellinghouse;

to enable the Planning Authority to retain control over works otherwise permitted to ensure the setting of The Langhouse is protected from unsympathetic development;

(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

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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 that all contamination issues are recorded and dealt with appropriately;

(6) that the dwellinghouse hereby approved shall be designed to ensure that at least 25% of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and operation of low and zero carbon energy generating technologies. 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 dwellinghouse, to comply with the requirements of Section 72 of the Climate Change (Scotland) Act 2009;

(7) that the dwellinghouse hereby approved shall be designed to include at least one trickle charging point made accessible for the charging of electric vehicles. Details of the charging point shall be submitted to and approved in writing by the Planning Authority prior to commencement of development and the charging point shall be implemented prior to first occupation of the dwellinghouse, to ensure adequate provision is made to encourage the use of electric vehicles;

(8) that with the exception of the feature window on the north-east corner of the building and the single window on the rear elevation at ground floor level, all windows on the dwellinghouse hereby permitted shall be of a stepped profile sash and case design. Full details of the window specification and type of window to be installed in each window opening shall be submitted to and approved in writing by the Planning Authority prior to being installed on site, to ensure an appropriate finish to the building with respect to the setting of the listed building;

(9) that the dwellinghouse hereby approved shall not be occupied until the boundary hedge shown on drawing 02 PL Revision E has been planted within the site. Development shall not commence until details of the type and number of plants which are to form the hedge shall be submitted to and approved in writing by the Planning Authority. The approved details shall subsequently be implemented on site, unless otherwise agreed in writing by the Planning Authority, to ensure an appropriate setting is provided for the dwellinghouse in the interests of visual amenity;

(10) that any plants within the approved boundary hedge which die, are removed, damaged or become diseased within five years of completion of the planting shall be replaced within the following year with others of a similar size and shape, to allow the establishment of the boundary hedge in the interests of visual amenity;

(11) that the dwellinghouse hereby approved shall not be occupied until the approved driveway shown on drawing 02 PL Revision E has been fully constructed within the site, to ensure suitable parking provision for the new development in the interests of road safety;

(12) that for the avoidance of doubt, the driveway shall meet the road at 90 degrees,

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shall have a gradient of 10% or less and shall be fully paved. Details of the surfacing materials for the driveway shall be submitted to and approved in writing by the Planning Authority prior to the formation of the driveway. Development shall then proceed in accordance with the approved details, unless otherwise agreed in writing by the Planning Authority, in the interests of road safety and to prevent any loose material from being carried onto the adjoining road;

(13) that the visibility splay shown on drawing 02 PL Revision E shall be cleared of all obstruction prior to the occupation of the dwellinghouse hereby permitted and shall remain free from obstruction at all times thereafter, in the interests of road safety;

(14) that for the avoidance of doubt, all surface water flows are to be contained and managed within the site and any run-off from the site shall be limited to not exceed greenfield run-off rates, to ensure the development does not increase the risk of flooding to adjoining sites or the public road network;

(15) that for the avoidance of doubt, the tree marked for retention on drawing 02 PL Revision E shall be protected by fencing and/or ground protection in accordance with British Standards Recommendations for trees in Relation to Construction, currently BS5837:2012. Details of protection measures for the tree shall be submitted to and approved in writing by the Planning Authority before development commences. The approved protection measures shall be erected prior to the commencement of any works and shall not be removed during the course of construction work, to ensure the retention of an avoidance of damage to the tree during development;

(16) that for the avoidance of doubt, no movement of machinery, stockpiling of materials, or changes in existing ground levels shall take place within the area protected by fencing or ground protection under Condition 15 above during the course of construction work, to ensure the tree to be retained is not accidentally damaged by construction machinery, stockpiling of materials or changes to ground levels during development; and

(17) that where new surfacing is to be installed within the area protected by fencing or ground protection under Condition 15 above, precautions shall be taken to minimise disturbance to tree root systems, in accordance with BS5837:2012, Section 7.4, to ensure the new access path is formed in a manner which minimises disturbance to tree root systems.

**(c) Formation of hardstanding, including two EV charging parking bays, erection of substation and EV charging point:
Land adjacent and to the north of 164 Auchmead Road, Greenock (24/0090/IC)**

There was submitted a report by the Director Environment & Regeneration for the formation of a hardstanding, including two EV charging parking bays, erection of substation and EV charging point at land adjacent and to the north of 164 Auchmead Road, Greenock (24/0090/IC).

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

(1) that the development to which this permission relates must be commenced 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 commencement of any development works on site details of the hardsurfacing materials to be used shall be submitted for the approval in writing by the Planning Authority together with a percolation test result confirming the chosen finishing materials can provide the necessary positive drainage. Thereafter, following acceptance of the percolation test result, the finally approved finishing material shall be installed in accordance with the approved details, to ensure the hardsurfacing materials are acceptable and to avoid surface water run-off from the site in the interests of avoiding flooding;

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- (3) that for the avoidance of doubt, the hardstanding area hereby approved shall meet the road at 90 degrees and the gradient shall not exceed 10%, in the interest of traffic and pedestrian safety;
- (4) that for the avoidance of doubt visibility splays of 2.4m x 43.0m x 1.05m shall be provided and retained at the site entrance onto Auchmead Road for the lifetime of the development, in the interest of traffic and pedestrian safety;
- (5) that for the avoidance of doubt, all surface water run-off associated with the development shall be contained within the site and be limited to that of greenfield run-off rates for the lifetime of the development, to avoid surface water run-off from the site in the interests of avoiding flooding; and
- (6) that for the avoidance of doubt the white lining/markings within the site as shown on drawing ZST-000-03 shall be provided before the first use of the development and thereafter shall be retained in position for the lifetime of the development, in the interest of traffic and pedestrian safety.