

**PLANNING BOARD – 6 NOVEMBER 2024**

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**Planning Board**

**Wednesday 6 November 2024 at 3pm**

**Present:** Provost McKenzie, Councillors Armstrong, Brooks, Clocherty, Curley, Daisley (for Crowther), Jackson, Law, McGuire and McVey.

**Chair:** Councillor McVey presided.

**In attendance:**

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| Neale McIlvanney | Head of Service - Regeneration, Planning & Public Protection           |
| Daniel Henderson | Planning and Building Standards Service Manager                        |
| Elaine Provan    | Supervisory Engineer – Traffic & Transportation                        |
| Steven Walker    | Service Manager – Roads  |
| Emma Peacock     | Solicitor (for Head of Legal, Democratic, Digital & Customer Services) |
| Colin MacDonald  | Senior Committee Officer   |
| Diane Sweeney    | Senior Committee Officer   |
| PJ Coulter       | Communications Officer (Media Relations)                               |

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

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

**522 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST 522**

An apology for absence was intimated on behalf of Councillor Crowther, with Councillor Daisley substituting, and Councillor McCabe.

There were no declarations of interest.

**523 PLANNING APPLICATIONS 523**

- (a) Change of use of offices on first floor and attic floor to 6 serviced accommodation units for short term lets; external alterations including alterations of windows and installation of slate vents within the roof:  
20A Union Street, Greenock (24/0156/IC)**

There was submitted a report by the Director Environment & Regeneration for a change of use of offices on first floor and attic floor to 6 serviced accommodation units for short term lets; external alterations including alterations of windows and installation of slate vents within the roof at 20A Union Street, Greenock (24/0156/IC).

After discussion, Councillors Brooks moved that planning permission be refused on the grounds of the proposal's unacceptable negative impact on local amenity.

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

Following a roll call vote, 5 Members, Councillors Brooks, Daisley, Jackson, Law and McVey voted in favour of the motion and 5 Members, Provost McKenzie, Councillors Armstrong, Clocherty, Curley and McGuire voted in favour of the amendment. There being equality in voting the Chair exercised his casting vote in favour of the motion which was declared carried.

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**Decided:** that planning permission be refused on the grounds of the proposal's unacceptable negative impact on local amenity.

**(b) Erection of detached house and detached garage (renewal of previous planning permission 21/0132/IC):  
Ardvaar, Wemyss Bay Road, Wemyss Bay (24/0193/IC)**

There was submitted a report by the Director Environment & Regeneration for the erection of a detached house and detached garage (renewal of previous planning permission 21/0132/IC) at Ardvaar, Wemyss Bay Road, Wemyss Bay (24/0193/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 development shall not commence until full details of boundary treatments between the site of the existing dwellinghouse at Ardvaar and the dwellinghouse hereby approved have been submitted to and approved in writing by the Planning Authority. The approved boundary treatments shall be fully implemented prior to the dwellinghouse being first occupied unless otherwise agreed in advance in writing by the Planning Authority, to ensure that an appropriate boundary treatment is provided in the interests of visual amenity;
- (3) that development shall not commence until full details of all external facing materials to be used on the development shall be submitted to and approved in writing by the Planning Authority. The approved materials shall thereafter be used unless a variation is 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;
- (4) 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 neighbouring properties or to Wemyss Bay Road;
- (5) 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;
- (6) that the dwellinghouse hereby approved shall 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. The approved details shall be implemented prior to the first occupation of the house, to ensure adequate provision is made to encourage the use of electric vehicles;
- (7) that the dwellinghouse hereby permitted shall not be occupied until two off-street parking spaces, each measuring a minimum of 3.0m x 5.5m have been provided within the site, to ensure suitable parking provision is provided for the new development in the interests of road safety;
- (8) that for the avoidance of doubt, the driveway and garage access hereby permitted shall be paved for a minimum distance of 10m adjacent to Wemyss Bay Road and the driveway gradient shall not exceed 10%, to ensure the provision of adequate driveways and to prevent loose material being carried onto the road; and
- (9) that the discovery of any contamination or made ground (>1m<sup>3</sup>) that becomes evident during site works shall be brought to the attention of the Planning Authority, works shall cease immediately, and the site made safe. Works shall not continue until a Remediation Scheme has been submitted to and approved, in writing by the Planning

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Authority, to ensure that all contamination issues are recorded and dealt with appropriately.

**(c) Change of use from shop to hot food takeaway and installation of extract flue at side (extract flue in retrospect):  
58 Maple Road, Greenock (24/0163/IC)**

There was submitted a report by the Director Environment & Regeneration for the change of use from shop to hot food takeaway and installation of extract flue at side (in retrospect) at 58 Maple Road, Greenock (24/0163/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 use of the hot food takeaway hereby approved, the applicant shall provide for the written approval of the Planning Authority, the exact details and specification of the ventilation and extraction systems to serve the hot food takeaway, including the proposed odour mitigation measures. For the avoidance of doubt the details and specification to be submitted shall include:

(a) the exhaust point of the ventilation system being situated at a point most distant from opening windows of neighbouring residential properties and taking cognisance of the environmental conditions in the area including the immediate topography of the area;

(b) ensuring that the exhaust air is expelled from the exit point at sufficient temperature/velocity to ensure it is taken away from nearby residential properties. The exit point should be at least 1 m above roof level;

(c) the maintenance/management scheme for the ventilation and filtration system;

(d) the mechanical and electrical installations being arranged to ensure that the ventilation system operates during periods when the premises are open for the preparation and/or cooking of food; and

(e) the ventilation, filtration and extraction systems shall then be implemented as approved with the systems retained and maintained/managed for as long as the premises remain as a hot food takeaway.

To protect residents from nuisance resulting from cooking odours; and

(3) that prior to the commencement of any construction works on site, the developer shall provide for the written approval of the Planning Authority, full details of the containers to be used to store waste materials and recyclable materials produced on the premises as well as specific details of the areas where such containers are to be located. The use of the development 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, prevent the creation of nuisance due to odours, insects, rodents or birds.

**524 Notification of Application Made to the Scottish Ministers Under Section 36 of the Electricity Act 1989**

**524**

There was submitted a report by the Director Environment & Regeneration on the decision of Scottish Ministers in relation to the application by Apatura (GPC 700 Ltd) under Section 36 of the Electricity Act 1989 for the installation of a battery energy storage system and associated infrastructure with a generating capacity of up to 700MW at land at Auchentiber Road, Port Glasgow.

**Decided:** that the Board notes the decision made by the Scottish Ministers to grant consent under Section 36 of the Electricity Act 1989 and deemed planning permission under Section 57(2) of the Town and Country Planning (Scotland) Act 1997 to install a

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battery energy storage system and associated infrastructure with a generating capacity of up to 700MW at land at Auchentiber Road, Port Glasgow.