

**LOCAL REVIEW BODY – 6 NOVEMBER 2024**

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**Local Review Body**

**Wednesday 6 November 2024 at 4pm**

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

**Chair:** Councillor McVey presided.

**In attendance:**

Margaret Pickett	Senior Planner (Planning Adviser)
Emma Peacock	Solicitor (Legal Adviser)
Colin MacDonald	Senior Committee Officer
Diane Sweeney	Senior Committee Officer

The meeting was held at the Municipal Buildings, Greenock.

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

**525 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST 525**

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

No declarations of interest were intimated.

**526 CONTINUED PLANNING APPLICATIONS FOR REVIEW 526**

**(a) Erection of outbuilding/garden room at rear:  
20 Castle Wemyss Drive, Wemyss Bay (23/0294/IC)**

There was submitted papers relative to the application for review for the erection of an outbuilding/garden room at rear at 20 Castle Wemyss Drive, Wemyss Bay (23/0294/IC) to enable the Local Review Body to consider the matter afresh, consideration of which had been continued from the meeting held on 4 September 2024 for an unaccompanied site visit.

Prior to the commencement of this item of business, Councillors Brooks indicated that he was not entitled to take part in consideration of the remaining items on the agenda, having not been present at previous considerations, and left the meeting.

Not having participated in consideration of this item of business at the meeting of 4 September 2024, Councillor McGuire was not entitled to take part in consideration of this item and left the meeting.

Councillors Clocherty, Crowther, Curley, McVey and Moran participated in this item of business.

Ms Pickett acted as Planning Adviser relative to this case.

After discussion, Councillor McVey moved that (1) sufficient information had been submitted to allow the Local Review Body to decide the meeting without further procedure; and (2) that the application for review be dismissed and that planning permission be refused (upholding the Appointed Officer's determination) for the following reasons:

1. the height, size and elevated position of the outbuilding results in an overbearing and visually dominant development at this location that has an adverse visual impact on the site and immediate surrounding area; fails to improve the quality of the surrounding area; is therefore poorly designed ; and does not meet the quality of being 'Pleasant' in

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Policy 14(b) of National Planning Framework 4. The proposal is therefore contrary to the terms of Policy 14 of National Planning Framework 4;

2. as a result of the height, size and elevated position the outbuilding will have a detrimental impact on the character of the home and the surrounding area as well as having a detrimental impact on the neighbouring properties contrary to Policy 16 of National Planning Framework 4;

3. as a result of the height, size and elevated position the outbuilding fails to reflect local urban form and character. The proposal is therefore contrary to Policy 1 of the adopted and the proposed Inverclyde Local Development Plans; and

4. as a result of the height, size and elevated position the outbuilding will have a negative impact on the amenity and the character of the immediate area. The proposal is therefore contrary to Policy 20 of the proposed Inverclyde Local Development Plan.

As an amendment, Councillor Moran moved that (1) sufficient information had been submitted to allow the Local Review Body to decide the meeting without further procedure; and (2) the application for review be upheld and that planning permission be granted subject to the following conditions:

1. 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); and

2. the windows on the front elevation of the outbuilding/garden room as shown on drawing PL-001 Rev B shall be glazed with obscure glass prior to the development being brought into first use/occupied. The obscure glass shall be retained in position and shall not be removed unless approved in writing by the Planning Authority. Development shall not commence until a sample of the obscure glass has been submitted to and approved in writing by the Planning Authority, to protect the privacy of the adjacent property and to prevent overlooking.

Following a roll call vote, 2 Members, Councillors Clocherty and Moran voted in favour of the amendment and 3 Members, Councillors Crowther, Curley and McVey 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 the application for review be dismissed and that planning permission be refused (upholding the Appointed Officer's determination) for the following reasons:

3. the height, size and elevated position of the outbuilding results in an overbearing and visually dominant development at this location that has an adverse visual impact on the site and immediate surrounding area; fails to improve the quality of the surrounding area; is therefore poorly designed; and does not meet the quality of being 'Pleasant' in Policy 14(b) of National Planning Framework 4. The proposal is therefore contrary to the terms of Policy 14 of National Planning Framework 4;

4. as a result of the height, size and elevated position the outbuilding will have a detrimental impact on the character of the home and the surrounding area as well as having a detrimental impact on the neighbouring properties contrary to Policy 16 of National Planning Framework 4;

5. as a result of the height, size and elevated position the outbuilding fails to reflect local urban form and character. The proposal is therefore contrary to Policy 1 of the adopted and the proposed Inverclyde Local Development Plans; and

6. as a result of the height, size and elevated position the outbuilding will have a negative impact on the amenity and the character of the immediate area. The proposal is therefore contrary to Policy 20 of the proposed Inverclyde Local Development Plan.

Councillor McGuire returned to the meeting at this juncture.

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**(b) Erection of hall building adjacent to and to the west of the existing pavilion building:  
Gourock Park Bowling Club, Larkfield Road, Gourock (24/0077/IC)**

There was submitted papers relative to the application for review for the erection of a hall building adjacent to and to the west of the existing pavilion building at Gourock Park Bowling Club, Larkfield Road, Gourock (24/0077/IC) to enable the Local Review Body to consider the matter afresh, consideration of which had been continued from the meeting held on 2 October 2024 to request a written submission from the appointed officer.

Not having participated in consideration of this item of business at the meeting of 2 October 2024, Councillor Moran was not entitled to take part in consideration of this item and left the meeting.

Councillors Clocherty, Crowther, Curley, McGuire and McVey participated in this item of business.

Ms Pickett acted as Planning Adviser relative to this case.

**Decided:**

- (1) that sufficient information had been submitted to allow the Local Review Body to decide the matter without further procedure; and
- (2) that the application for review be upheld and that planning permission be granted subject to the following conditions and advisory notes:

**Conditions**

1. 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. 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;
3. 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. 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. the presence of any previously unrecorded contamination or variation to

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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. the development hereby permitted 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 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 building, to comply with the requirements of Section 72 of the Climate Change (Scotland) Act 2009;

7. development shall not commence until full details of all external materials and finishes to be used in the development have been submitted to and approved in writing by the Planning Authority. Development shall then proceed utilising the approved materials and finishes unless otherwise agreed in writing by the Planning Authority, to ensure an appropriate range of finishing materials are provided in the interests of visual amenity; and

8. for the avoidance of doubt all surface water run-off from the development is to be contained within the site and be limited to that of greenfield run-off, in the interests of sustainable drainage.

**Advisory Notes**

1. the applicant/developer is advised the display of signs on the hall building may require a separate Advertisement Consent;

2. the applicant/developer is advised all external lighting on the application site should comply with the Scottish Government Guidance Note "Controlling Light Pollution and Reducing Lighting Energy Consumption";

3. the applicant/developer should be fully aware of the Construction (Design & Management) Regulations 2015 (CDM 2015) and its implications on client duties etc.;

4. it is recommended that prior to the commencement of any works the applicant/developer consults with Officers of Public Protection to ensure structural compliance with legislation relating to:

(a) Food Safety Legislation,

(b) Health and Safety at Work etc. Act 1974; and

5. the applicant/development is advised to submit a a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via their Customer Portal prior to any formal Technical Application being submitted.