

**PLANNING BOARD – 5 FEBRUARY 2025**

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**Planning Board**

**Wednesday 5 February 2025 at 3pm**

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

**Chair:** Councillor McVey presided.

**In attendance:**

Carrie Main	Senior Planner
Gordon Leitch	Team Leader (Consultancy) – Roads and Transportation
Elaine Provan	Supervisory Engineer – Traffic & Transportation
Emma Peacock	Solicitor (for Head of Legal, Democratic, Digital & Customer Services)
Colin MacDonald	Senior Committee Officer
Diane Sweeney	Senior Committee Officer

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 Board.**

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

No declarations of interest were intimated, but certain connections were intimated as follows:

Agenda Item 2(a) (Demolition of part of the shopping centre, installation of a new façade and associated works: Oak Mall, Hamilton Gate, Greenock (24/0251/IC)) – Councillors Clocherty, Crowther, Curley and McGuire.

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**(a) Demolition of part of the shopping centre, installation of a new façade and associated works:  
Oak Mall, Hamilton Gate, Greenock (24/0251/IC)**

There was submitted a report by the Director Environment & Regeneration for the demolition of part of the shopping centre, installation of a new façade and associated works at the Oak Mall, Hamilton Gate, Greenock (24/0251/IC).

Councillors Crowther and McGuire declared a connection as members of the Greenock Town Centre Regeneration Forum, Councillor Clocherty declared a connection as a member of the Greenock Town Centre Regeneration Forum, a contributor to the Greenock Town Centre Charette and a Ward Councillor and Councillor Curley declared a connection having publicly expressed an opinion on Greenock town centre regeneration. They also formed the view that the nature of their connections and of the item of business did not preclude their continued presence in the meeting or their participation in the decision making process and they were declaring for transparency.

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Ms Main advised the Board of an error in the report and accordingly the 'Reason' for condition 4, which had been omitted in error, should have read as follows, 'In order to ensure that a high standard of landscaping is achieved and maintained, appropriate to the location of the site'. Ms Main indicated that should the Board be minded to grant planning permission with the conditions contained in the report, then condition 4 should include the reason as specified at the meeting.

**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 the prior to the commencement of development details shall be submitted of the phasing of all developments on the site and that, for the avoidance of doubt, this shall include the demolition works, façade treatment and landscaping works, to ensure timeous provision of the public realm elements in the interests of amenity and to protect the setting of the listed building and the Conservation Area;

(3) that prior to commencement of development, elevations of the Oak Mall, including artwork, signage and all external materials and finishes (including trade names and samples where necessary) shall be submitted to, and approved in writing by, the Planning Authority, to ensure the use of a quality of materials appropriate to the setting. Thereafter, development and work shall progress in accordance with these approved details;

(4) that no development shall commence until a detailed landscaping plan is submitted which details a scheme of hard and soft landscaping works, a phasing plan and maintenance plan have been submitted to, and approved in writing by, the Planning Authority. Details of the scheme shall include:

i. all earthworks and existing and finished ground levels in relation to an identified fixed datum point;

ii. a plan showing existing landscaping features and vegetation to be retained;

iii. the location and design, including materials, of any existing or proposed walls, fences and gates;

iv. all soft landscaping and planting works, including plans and schedules showing the location, species and size of each individual tree and/or shrub and planting densities; and

v. a programme for preparation, completion and subsequent on-going maintenance and protection of all landscaping works;

landscaping works shall be carried out in accordance with the approved scheme. All planting, seeding or turfing as may be comprised in the approved details shall be carried out in the first planting and seeding seasons following the commencement of development, unless otherwise stated in the approved scheme. Any trees or plants which within a period of five years from the completion of the development die, for whatever reason are removed or damaged shall be replaced in the next planting season with others of the same size and species, in order to ensure that a high standard of landscaping is achieved and maintained, appropriate to the location of the site;

(5) that the new built elements of the proposal hereby permitted 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 of operation of low and zero carbon generating technologies, details of which shall be submitted to and approved in writing by the Planning Authority prior to the erection of the dwellings, to comply with the requirements of Section 72 of the Climate Change (Scotland) Act 2009;

(6) that footway access shall be maintained between Clyde Square and Hunters Place or diversion routes clearly identified with access for wheelchairs, in the interests of suitable and safe accessibility;

(7) that all footways and footpaths should be a minimum of 2.0m wide, in the interests of suitable safe accessibility;

(8) that all areas of block paving shall be impermeable, to help to prevent flooding;

(9) that this application follows the flood risk assessment and drainage strategy

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approved for the wider demolition works under application 19/0285/IC, in the interests of preventing flooding;

(10) that all surface water during and after development is to be maintained within the site boundary, to help to prevent flooding;

(11) that confirmation of connection to Scottish Water Network should be submitted for approval prior to the commencement of development, to ensure that drainage arrangements will satisfactorily be addressed;

(12) that all surface water run-off from the site shall be limited to that of greenfield, to reduce the risk of flooding in the wider area;

(13) that any proposal for demolition that is within the Trunk Road Boundary or may have effect on the Trunk Road or its infrastructure should be made in accordance with the Design Manual for Roads and Bridges CG 300 'Technical approval of highway structures', to maintain safety for members of the public; to minimise interference with the safety and free flow of the traffic on the trunk road; to ensure the integrity of the trunk road structure is not compromised;

(14) that during the demolition process, Transport Scotland's staff or its Operating Company, must be able to have full access to the A78(T) Trunk Road Structure and A78(T) Road above, to maintain safety for members of the public; to minimise interference with the safety and free flow of the traffic on the trunk road; to ensure the integrity of the trunk road structure is not compromised;

(15) that measures must be implemented to ensure that Transport Scotland's structure is not affected during or following the demolition process and that unhindered access is made available to Transport Scotland both during and following the demolition process and redevelopment of the land adjacent and beneath the bridge, to maintain safety for members of the public; to minimise interference with the safety and free flow of the traffic on the trunk road; to ensure the integrity of the trunk road structure is not compromised;

(16) that Transport Scotland's structure must not be touched during the demolition. The Developer / Consultant must seek approval from the Structures Team in Transport Scotland prior to any works commencing on, adjacent to or below the road or structure, to maintain safety for members of the public; to minimise interference with the safety and free flow of the traffic on the trunk road; to ensure the integrity of the trunk road structure is not compromised;

(17) that no works shall be undertaken until a Method Statement for the demolition has been submitted and approved by the Planning Authority, in consultation with Transport Scotland as the Trunk Road Authority. The Method Statement will cover the following aspects:

- how the integrity of the structure will be monitored during the demolition works;
  - how the substantial building sub-frames located at and beneath the structure will be dealt with;
  - how the foundations for the buildings beneath the structure are to be dealt with;
  - identify what is currently attached to the structure and how they propose to remove those items and make good any damage;
  - there is record of asbestos being within the ceiling space of the Mall, details of how this will be managed during the demolition will be required;
  - how the works will be screened at the bridge structure to ensure that there is no driver distraction or dust / debris on the trunk road;
  - access arrangements for staff from Transport Scotland, and its Operating Company, to inspect and observe the works;
  - a traffic management plan and programme of works as they affect the A78(T) shall be agreed in writing with Transport Scotland and continually updated as works proceed;
- to maintain safety for members of the public; to minimise interference with the safety and free flow of the traffic on the trunk road; to ensure the integrity of the trunk road structure is not compromised; to minimise the distraction to drivers on the trunk road;
- (18) that no development shall take place until the developer has secured the

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implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant and agreed in writing by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources is undertaken to the satisfaction of the Planning Authority, in the interests of antiquity;

(19) 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, to help arrest the spread of Japanese Knotweed in the interests of environmental protection;

(20) 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;

(21) 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 interests of human health and environmental safety; and

(22) 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 the 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.