

PLANNING BOARD - 6 AUGUST 2008

Planning Board

Wednesday 6 August 2008 at 3.00 pm

Present: Councillors Brooks, Fyfe, Grieve, Loughran, McCallum, McKenzie, Moran, Rebecchi and Wilson.

Chair: Councillor Wilson presided.

In attendance: Mr H McNeilly (for Head of Legal & Administration), Head of Planning, Housing & Transportation and Mr D Greenslade (for Head of Environmental Services).

Apologies: Councillor Ferguson.

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

502 PLANNING APPLICATIONS SUBMITTED FOR CONTINUED CONSIDERATION

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- (a) Erection of extension to rear of dwelling together with the provision of dormer windows to both front and rear:
Footerhose, Cliff Terrace Road, Wemyss Bay (08/0035/IC)**

There was submitted a report by the Head of Planning, Housing and Transportation regarding an application by Mr and Mrs Broker for the erection of an extension to the rear of the dwelling together with the provision of dormer windows to both front and rear at Footerhose, Cliff Terrace Road, Wemyss Bay (08/0035/IC), consideration of which had been continued from the meeting held on 4 June 2008 for a site visit.

Decided: that planning permission be granted.

- (b) Construction and installation of lift:
Inverkip Railway Station, Inverkip (IC/07/378R)**

There was submitted a report by the Head of Planning, Housing and Transportation regarding an application by Stewart Milne Holdings for the construction and installation of a lift at Inverkip Railway Station, Inverkip (IC/07/378R), consideration of which had been continued from the meeting held on 4 June 2008 for investigation of all possible alternatives to the use of a lift associated with the approved bridge to ensure a crossing of the railway which would be compliant with disability discrimination legislation.

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

- (1) that the development to which this permission relates must be begun within five years from the date of this permission, to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997;
- (2) that samples of the facing materials to be used on the lift shaft and associated equipment housing unit shall be submitted to and approved in writing by the Planning Authority prior to their use, to enable the Planning Authority to retain control of these materials in the interests of visual amenity;
- (3) that in the event of illumination being required to assist in the safe use of the lift, details of the method and design of illumination shall be submitted to and approved in writing by the Planning Authority prior to installation, in the interests of residential amenity, to prevent lighting glare into adjacent flats; and
- (4) that the lift shall be operational upon the opening of the adjoining bridge, to ensure

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that less able bodied persons are capable of using the bridge.

**(c) Residential development (in outline):
Car Park, King Street (IC08074)**

There was submitted a report by the Head of Planning, Housing and Transportation regarding an application in outline by Oak Mall Greenock Ltd for residential development at the car park, King Street, Greenock (IC08074), consideration of which had been continued from the meeting held on 7 May 2008 at the request of the applicant, for further discussion with the Head of Planning, Housing and Transportation.

Decided: that planning permission be refused as the proposed development would have a detrimental effect on the residential amenity of future residents by reason of its siting and relationship to the surrounding townscape and land uses including their associated servicing requirements. It is therefore contrary to Scottish Planning Policy 3 in that it would not constitute new residential development in the right location.

503 PLANNING APPLICATIONS

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There were submitted reports by the Head of Planning, Housing & Transportation on the following applications, together with letters of objection and support where submitted, which were dealt with as follows:-

**(a) Erection of extension to dwellinghouse and change of use of agricultural land to use as garden ground:
Burnside Farm Cottage, Burnside Farm, Old Greenock Road, by Langbank (08/0080/IC)**

Decided: that planning permission be granted.

**(b) Construction of 2 storey office building, car park, landscaping and associated works:
Pottery Street, Greenock (IC08084)**

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

(1) that the development to which this permission relates must be begun within five years from the date of this permission, to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997;

(2) that development shall not begin until samples of materials to be used on the external surfaces of the buildings have been submitted to and approved in writing by the Planning Authority. Development shall thereafter be carried out using the approved materials or such alternatives as may be agreed in writing with the Planning Authority, in the interests of visual amenity and to help develop the character of the area;

(3) that full details of the landscaping scheme shall be submitted to and approved in writing by the Planning Authority, including samples of materials, prior to their use. For the avoidance of doubt approval is not hereby given for the scheme shown on the submitted plans, to ensure the adequacy of the landscaping scheme;

(4) that the approved landscaping scheme shall be completed in the first planting season following the completion of the development and any specimens that in the subsequent 5 years die, become diseased or are damaged shall be replaced with a similar specimen unless the Planning Authority gives prior written approval to any alternatives, to ensure the ongoing effectiveness of the landscaping scheme;

(5) that the hard landscaping approved in terms of condition (3) above shall be

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implemented in full to final wearing course prior to occupation of the building, to ensure the provision of safe vehicular and pedestrian facilities;

(6) 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 treatment is completed as per the methodology and treatment statement. Any variation to the treatment methodologies will require subsequent approval by the Planning Authority prior to development starting on site, to help arrest the spread of Japanese Knotweed in the interests of environmental protection;

(7) that the development shall not commence until a risk assessment, including any necessary remediation strategy 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 acceptable codes of practice. The remediation strategy shall include verification/validation methodologies. This may be incorporated as part of a ground condition report and should include an appraisal of options, to satisfactorily address potential contamination issues in the interests of environmental safety;

(8) that on completion of remediation and verification/validation works and prior to the site being occupied, the developer shall submit a Completion Report for approval, in writing by the Planning Authority, confirming that the works have been carried out in accordance with the remediation strategy. 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 imported/disposed/reused materials relevant to the site, to provide verification that remediation has been carried out to the authority's satisfaction;

(9) that the presence of any previously unrecorded contamination or variation to reported ground conditions that becomes evident during site works shall be brought to the attention of the Planning Authority within one week. Consequential amendments to the Remediation Strategy 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;

(10) that development shall not begin until the applicant contacts and receives written approval from the Flood Prevention Authority in respect of the following:

- (a) confirmation of the acceptable level of freeboard for the area;
- (b) confirmation that the acceptable level of post development runoff and the proposed management are appropriate for flood control purposes;
- (c) confirmation of Lady Burn culvert capabilities following re-profiling;
- (d) provision of appropriate drawings confirming site levels and site access/egress routes; and
- (e) confirmation that minimum Flood Risk Assessment requirements are met

to ensure that the application site is not susceptible to flooding and to ensure that the development does not generate a flooding problem in the wider area;

(11) that all surface water drainage from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems Manual (C697) (CIRIA 2007). Before development commences, details shall be submitted to and approved in writing by the Planning Authority of the maintenance regime for the water detention areas, to control runoff from the site to reduce the risk of flooding;

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(12) that the building hereby permitted shall not be occupied until the A8 Pottery Street Junction improvements, generally in accordance with Figure 8 Junction Layout and LINSIG Output of the Faber Maunsell Transport Assessment associated with this

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application, dated February 2008, are completed to the satisfaction of the Planning Authority following consultation with Transport Scotland. The traffic signal installation shall include a vehicle detection system and traffic management system such as MOVA, or equivalent, to maintain safety for both the trunk road traffic and traffic moving to and from the development;

(13) that before they are erected on site, details of all lighting and advertising features shall be submitted to and approved in writing by the Planning Authority, in consultation with Transport Scotland - Trunk Road Network Management Directorate, to ensure that there will be no distraction or dazzle to drivers on the trunk road and that the safety of the traffic on the trunk road will not be diminished;

(14) that prior to the commencement of any development a barrier of a type approved by the Planning Authority, in consultation with the Transport Scotland Trunk Road Network Management Directorate, shall be provided and maintained along the proposed boundary of the site with the trunk road, to minimise the risk of pedestrians and vehicles gaining uncontrolled access to the trunk road with the consequential risk of accidents; and

(15) that prior to the commencement of any development on site a comprehensive Travel Plan that sets out proposals for reducing dependency on the private car shall be submitted to and approved in writing by the Planning Authority, in consultation with Transport Scotland. The Travel Plan shall identify measures to be implemented; the system of management, monitoring, review and reporting; and the duration of the plan, to be consistent with the requirements of Scottish Executive Planning for Transport Documents SPP17 and PAN75.

(c) Erection of primary school with nursery facilities and special needs accommodation:

Blairmore Road/Kilmacolm Road, Greenock (08/0053/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 five years from the date of this permission, to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997;

(2) that approval is not given for the scheme of landscaping shown on the approved plans. Before the development hereby permitted starts, a scheme of landscaping shall be submitted to and approved in writing by the Planning Authority and it shall include:-

- (a) details of all soft and hard landscaping;
- (b) a scheme of tree and shrub planting incorporating details of the location, number, variety and size of trees and shrubs to be planted;
- (c) details of the phasing of all the above works; and
- (d) details of the maintenance and management regime for this landscaping

to ensure the provision of an appropriate landscaping scheme for the school;

(3) that any trees, shrubs or areas of grass which die, are removed, damaged or become diseased within five years of completion of the landscaping shall be replaced within the following year with others of a similar size and species, to ensure retention of the approved landscaping scheme;

(4) that notwithstanding the terms of condition (2) above, all hard landscaping shall be completed to final wearing course and all approved fences erected prior to the building hereby permitted being brought into use, in the interest of public safety;

503 (5) that the outdoor sport pitch shall not be in use outwith the hours of 8am to 9pm, Mondays to Fridays, and 8am to 6pm at weekends, in the interests of residential amenity;

(6) that the pitch hereby permitted shall not be brought into use until the associated

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floodlighting has been installed and is operational, to ensure that the pitch meets the standards of SportsScotland, in the interests of play provision;

(7) that all surface water drainage from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems Manual (C697) (CIRIA 2007). Before development commences, details shall be submitted to and approved in writing by the Planning Authority of the maintenance regime for the water detention areas, to control runoff from the site to reduce flooding risk; and

(8) that samples of facing materials to be used on the finishes to the building shall be submitted to and approved in writing by the Planning Authority prior to their use, to ensure the appropriateness of the materials.

**(d) Erection of new secondary school:
Dunlop Street, Greenock (08/0067/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 five years from the date of this permission, to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997;

(2) that approval is not given for the scheme of landscaping shown on the approved plans. Before the development hereby permitted starts, a scheme of landscaping shall be submitted to and approved in writing by the Planning Authority and it shall include:-

(a) details of all soft and hard landscaping;

(b) a scheme of tree and shrub planting incorporating details of the location, number, variety and size of trees and shrubs to be planted;

(c) details of the phasing of all the above works; and

(d) details of the maintenance and management regime for this landscaping

to ensure the provision of an appropriate landscaping scheme for the school;

(3) that any trees, shrubs or areas of grass which die, are removed, damaged or become diseased within five years of completion of the landscaping shall be replaced within the following year with others of a similar size and species, to ensure the retention of the approved landscaping scheme;

(4) that notwithstanding the terms of condition (2) above, all hard landscaping shall be completed to final wearing course and all approved fences erected prior to the building hereby permitted being brought into use, in the interests of public safety;

(5) that the outdoor sports pitches & MUGA shall not be in use outwith the hours of 8am to 9pm, Mondays to Fridays, and 8am to 6pm at weekends, in the interests of residential amenity;

(6) that the floodlit pitches hereby permitted shall not be brought into use until the associated floodlighting has been installed and is operational, to ensure that the pitches meet the standards of SportsScotland, in the interests of play provision;

(7) that all surface water drainage from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems Manual (C697) (CIRIA 2007). Before development commences, details shall be submitted to and approved in writing by the Planning Authority of the maintenance regime for the water detention areas, to control runoff from the site to reduce the flooding risk;

(8) that samples of facing materials to be used on the finishes to the building shall be submitted to and approved in writing by the Planning Authority prior to their use, to ensure the appropriateness of the materials;

503 (9) that before demolition work begins, details shall be submitted to and approved in writing by the Planning Authority of a dilapidation survey or similar scheme for the monitoring of the impacts of vibration on the adjacent properties on Dunlop Street. This

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scheme shall provide full details of the method statement and specify mitigation measures, to ensure concerns over the stability of the adjacent properties are properly addressed; and

(10) that before the development hereby permitted begins, a management and maintenance inspection schedule for the culvert to be constructed shall be submitted to and approved in writing by the Planning Authority. For the avoidance of doubt this shall include an approved flood alarm system, to ensure that the site remains free from flooding.

**(e) Erection of primary school and nursery facilities:
Auchmead Road/Norfolk Road, Greenock (08/0054/IC)**

Decided:

(a) that a Stopping Up Order in respect of footpaths within the planning application site be promoted; and

(b) that planning permission be granted subject to the following conditions:-

(1) that the development to which this permission relates must be begun within five years from the date of this permission, to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997;

(2) that approval is not given for the scheme of landscaping shown on the approved plans. Before the development hereby permitted starts, a scheme of landscaping shall be submitted to and approved in writing by the Planning Authority and it shall include:-

(a) details of all soft and hard landscaping;

(b) a scheme of tree and shrub planting incorporating details of the location, number, variety and size of trees and shrubs to be planted;

(c) details of the phasing of all the above works; and

(d) details of the maintenance and management regime for this landscaping

to ensure the provision of an appropriate landscaping scheme for the school;

(3) that any trees, shrubs or areas of grass which die, are removed, damaged or become diseased within five years of completion of the landscaping shall be replaced within the following year with others of a similar size and species, to ensure retention of the approved landscaping scheme;

(4) that notwithstanding the terms of condition (2) above, all hard landscaping shall be completed to final wearing course and all approved fences erected prior to the building hereby permitted being brought into use, in the interests of public safety;

(5) that the MUGA shall not be in use outwith the hours of 8am to 9pm, Mondays to Fridays, and 8am to 6pm at weekends, in the interests of residential amenity;

(6) that the MUGA pitch hereby permitted shall not be brought into use until the associated floodlighting has been installed and is operational, to ensure that the pitch meets the standards of Sportscotland, in the interests of play provision;

(7) that all surface water drainage from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems Manual (C697) (CIRIA 2007). Before development commences, details shall be submitted to and approved in writing by the Planning Authority of the maintenance regime for the water detention areas, to control runoff from the site to reduce flooding risk;

(8) that samples of facing materials to be used on the finishes to the building shall be submitted to and approved in writing by the Planning Authority prior to their use, to ensure the appropriateness of the materials; and

503 (9) that development shall not begin until a Stopping-Up Order, in respect of footpaths crossing the site, has been confirmed, to ensure that the footpaths may legally be stopped up to allow development to proceed.

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**(f) Erection of new secondary school:
Burnside Road, Gourrock (08/0068/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 five years from the date of this permission, to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997;

(2) that approval is not given for the scheme of landscaping shown on the approved plans. Before the development hereby permitted starts, a scheme of landscaping shall be submitted to and approved in writing by the Planning Authority and it shall include:-

(a) details of all soft and hard landscaping;

(b) a scheme of tree and shrub planting incorporating details of the location, number, variety and size of trees and shrubs to be planted;

(c) details of the phasing of all the above works; and

(d) details of the maintenance and management regime for this landscaping

to ensure the provision of an appropriate landscaping scheme for the school;

(3) that any trees, shrubs or areas of grass which die, are removed, damaged or become diseased within five years of completion of the landscaping shall be replaced within the following year with others of a similar size and species, to ensure the retention of the approved landscaping scheme;

(4) that notwithstanding the terms of condition (2) above, all hard landscaping shall be completed to final wearing course and all approved fences erected prior to the building hereby permitted being brought into use, in the interests of public safety;

(5) that the outdoor sports pitches & MUGA shall not be in use outwith the hours of 8am to 9pm, Mondays to Fridays, and 8am to 6pm at weekends, in the interests of residential amenity;

(6) that the floodlit pitch hereby permitted shall not be brought into use until the associated floodlights have been installed and are operational, to control runoff from the site to reduce the risk of flooding;

(7) that all surface water drainage from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems Manual (C697) (CIRIA 2007). Before development commences, details shall be submitted to and approved in writing by the Planning Authority of the maintenance regime for the water detention areas, to ensure the appropriateness of the materials; and

(8) that samples of facing materials to be used on the finishes to the building shall be submitted to and approved in writing by the Planning Authority prior to their use, to ensure the appropriateness of the material.

**(g) Installation of solar panels on roof of dwellinghouse:
7 Welbeck Street, Greenock (08/0089/IC)**

It was recommended that planning permission be refused as the solar panels, by virtue of their design, siting and scale, would be visually intrusive to the street scene, thereby neither preserving nor enhancing the character and appearance of the Conservation Area. The proposal is contrary to policies HR11 and HR12 of the Inverclyde Local Plan, and the advice and guidance contained within Historic Scotland's Memorandum of Guidance on Listed Building and Conservation Areas.

Decided: that consideration of the application be continued to allow the Head of Planning, Housing & Transportation the opportunity to discuss alternative options with the applicant.

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**(h) Erection of side extension to dwellinghouse:
14 Henderson Terrace, Gourock (08/0098/IC)**

(Councillor Rebecchi left the meeting during consideration of this item).

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

(1) that the development to which this permission relates must be begun within five years from the date of this permission, to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; and

(2) that prior to the commencement of work on site, details showing two off street parking spaces must be submitted to and approved by the Planning Authority. Thereafter, prior to the commencement of use of the extension hereby permitted, the two off street parking spaces must be available for use and remain available for use at all times thereafter, to ensure adequate off street parking for the dwellinghouse as extended, in the interests of road safety.

**(i) Erection of extension to dwellinghouse:
35 St Andrews Drive, Gourock (08/0082/IC)**

The report recommended that planning permission be granted.

Decided: that consideration of the application be continued for a site visit to be arranged by the Head of Legal & Administration in consultation with the Convener.

504 ADVERTISEMENT APPLICATION

504

There was submitted a report by the Head of Planning, Housing and Transportation on an application for the display of wall mounted and freestanding billboards at the Ferry Terminal, Gourock (08/0016/CA).

Decided: that advertisement consent be refused for the following reasons:-

(1) as the proposal is contrary to the principles pertaining to hoardings as contained in Planning Practice Advice Note No 13 which states that hoardings will not generally be supported on the gables and walls of roadside buildings and where the size and siting of hoardings are considered not to be in keeping with the scale and character of the area;

(2) as the billboard to be attached to the wall of the workshop depot and the two freestanding billboards would introduce a prominent and incongruous element into the street scene at Tarbet Street and Cove Road, to the detriment of the visual amenity of the Cardwell Bay area; and

(3) as the two freestanding billboards would screen a landscaped area, to the detriment of the visual amenity of Tarbet Street, Cove Road and Cardwell Bay.

505 PLANNING APPEAL - CLOCH ROAD, GOUROCK

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There was submitted a report by the Head of Planning, Housing and Transportation advising of the grounds on which it is intended to contest the appeal against the non-determination of the planning application for residential development comprising 99 flats in 3 blocks and 6 mews houses at Cloch Road, Gourock.

Decided: that the Board endorse the basis on which the Head of Planning, Housing & Transportation intends to contest the appeal against the non-determination of the planning application.

506 PLANNING APPEAL - 87 NEWTON STREET, GREENOCK

506

There was submitted a report by the Head of Planning, Housing and Transportation

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advising that following the decision of the Board at the meeting held on 7 November 2007 to refuse planning permission for the construction of three flats at 87 Newton Street, Greenock (IC/07/231R) and the subsequent appeal by the applicant to the Scottish Ministers against that refusal, the Reporter appointed by the Scottish Ministers had issued his decision which was to dismiss the appeal.

Noted

507 TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997 - SECTION 207 507
THE STOPPING UP OF ROAD (GRYFFE STREET, GREENOCK) ORDER 2008

There was submitted a report by the Head of Planning, Housing and Transportation recommending the promotion of a Stopping Up Order under Section 207 of the Town & Country Planning (Scotland) Act 1997 relative to development at Millar Street/Corlic Street and Gryffe Street, Greenock.

Decided:

- (1) that the Head of Legal & Administration be authorised to promote the Stopping Up Order relative to the development at Millar Street/Corlic Street and Gryffe Street, Greenock; and
- (2) that if, after the 28 day period for statutory objections, no such objections to the Order are made, delegated authority be granted to the Head of Legal & Administration to take all necessary action in connection therewith, including the confirmation of the Order.