

PLANNING BOARD - 3 FEBRUARY 2010

Planning Board

Wednesday 3 February 2010 at 3 pm

Present: Councillors Brooks, Dorrian, Blair (for Fyfe), Loughran, McKenzie, Moran, Nelson, Rebecchi and Wilson.

Chair: Councillor Wilson presided.

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

Apologies: Councillors Fyfe, Grieve and McCallum.

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

92 PLANNING APPLICATIONS

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There were submitted reports by the Head of Planning & Housing on the following applications which were dealt with as follows:-

**(a) Erection of bungalow type dwellinghouse:
Port Glasgow Road, Kilmacolm (09/0360/IC)**

The report recommended that planning permission be refused for a number of reasons. After discussion, Councillor Blair moved that planning permission be refused for the reasons detailed in the report. As an amendment, Councillor Brooks moved that the application be continued for a site visit to be arranged by the Head of Legal & Administration in consultation with the Convener. On a vote, three Members voted for the amendment and five for the motion, which was declared carried.

Decided: that planning permission be refused as the proposal fails to provide a justification for development in the Green Belt against the criteria in Policies DS10 and H4 and, as such, is contrary to Policy DS8 of the Inverclyde Local Plan as development of a single house plot at this location would create a precedent, with the potential for a sporadic, uncontrolled series of planning permissions for single houses on the south west side of Port Glasgow Road to the detriment of south westerly views, important to the rural setting of the northern part of Kilmacolm.

**(b) Replacement of 3 blaes pitches and floodlighting with 3G synthetic full size pitch with perimeter fencing and floodlighting:
Parklea Park, Parklea Road, Port Glasgow (09/0350/IC)**

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

(1) that use of the football pitch shall only take place between 0900 and 2200 hours, to protect the amenities of occupiers of premises from unreasonable noise and vibration levels;

(2) 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

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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;

(3) 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;

(4) 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 will include (but not be 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;

(5) 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;

(6) that no material shall be imported onto the site until written details of the source of the imported material has been submitted for approval, in writing, by the Planning Authority. The details, which shall be submitted no later than four weeks prior to the material being imported onto the site, shall include the source of the imported material, any potential source(s) of contamination within 50 metres of the source of the material to be imported and verification analysis information. The material must not be imported on to the site until written approval has first been received from the Planning Authority. The material from the source agreed only shall be imported in strict accordance with these agreed details, to protect receptors from the harmful effects of imported contamination; and

(7) that development shall be carried out in accordance with the method statement (ref: LUC project No 4713.002 dated January 2010), to protect wintering Redshanks in the Clyde Special Protection Area and to satisfy the requirements of Scottish Natural Heritage.

**(c) Erection of a single storey community centre:
Keir Hardie Street, Greenock (09/0308/IC)**

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

(1) that prior to their use, samples of all facing materials to be used shall be submitted to and approved, in writing, by the Planning Authority, to ensure the appropriateness of these materials;

(2) that notwithstanding the details shown on the approved plans, the gradient of the access road shall not exceed 10%, to ensure the safe use of the access road;

(3) that the access road shall be completed to a sealed final wearing course, to be

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approved, in writing, by the Planning Authority, and the car parking spaces lined out all prior to the community centre being brought into use, to ensure the safe use of the access road;

(4) that prior to the start of development, the applicant shall submit, for the approval of the Planning Authority, a letter confirming that Network Rail have agreed to the discharge of surface waters into the culvert running under the adjacent railway, to ensure that the proposed drainage arrangement can be achieved in the interests of public safety; and

(5) that prior to the start of development, details shall be submitted and approved of a soft landscaping scheme addressing those parts of the site where existing grass is not to be retained. Thereafter, the scheme shall be fully implemented by the end of the first planting season following completion of construction of the community centre and any areas of grass, shrubs or trees that die, become diseased, are damaged or removed within 5 years of implementation shall be replaced during the following planting season with others of a similar size and species, to ensure the provision and retention of landscaping in the interests of visual amenity.

**(d) Alterations to shop front:
83 Cathcart Street, Greenock (09/0381/IC)**

Decided: that planning permission be granted.

**(e) Construction of care home and associated facilities:
Kempock House, Kirn Drive, Gourrock (09/0398/IC)**

The report recommended that planning permission be granted subject to the conditions detailed in the report.

After discussion, Councillor Nelson moved that the application be continued for a site visit to be arranged by the Head of Legal & Administration in consultation with the Convener. As an amendment, Councillor Loughran moved that planning permission be granted subject to the conditions detailed in the report. On a vote, four Members voted for the motion and five for the amendment which was declared carried.

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

(1) that this permission is granted under the provisions of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 on an application for planning permission in principle and further approval of the Council or of the Scottish Ministers on appeal shall be required with respect to the under mentioned matters hereby reserved before any development is commenced:

- a. the siting, design and external appearance of any building(s) to which the planning permission or the application relates;
- b. details of the access arrangements; and
- c. details of landscaping of the site;

to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997;

(2) that details of the maintenance and management programme for all areas of soft and hard landscaping within the development shall be submitted to and approved, in writing, by the Planning Authority prior to the start of development. The programme shall commence upon the start of development and shall be adhered to thereafter, to ensure that the visual amenity of the development is retained;

(3) that details of all boundary treatments shall accompany a subsequent detailed application for development of the site. Where practicable, existing boundary soft landscaping treatment shall be retained outwith any hard landscaped treatment and this shall be shown on the submitted plans, in the interests of visual amenity, to protect the

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privacy of neighbouring properties, and to help ensure the security of both the development site and the neighbouring properties;

(4) 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;

(5) 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;

(6) 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 will include (but not be 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;

(7) 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;

(8) that no material shall be imported onto the site until written details of the source of the imported material has been submitted for approval, in writing, by the Planning Authority. The details, which shall be submitted no later than four weeks prior to the material being imported onto the site, shall include the source of the imported material, any potential source(s) of contamination within 50 metres of the source of the material to be imported and verification analysis information. The material must not be imported on to the site until written approval has first been received from the Planning Authority. The material from the source agreed only shall be imported in strict accordance with these agreed details, to protect receptors from the harmful effects of imported contamination;

(9) 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;

(10) that upon the commencement of the use of the site as a care home facility, deliveries or collections to and from the site shall not be carried out between 23:00 and 07:00 hours, to protect the occupiers of the site and adjacent properties from unreasonable noise and vibration during these hours;

(11) that car parking spaces at the ratio of 1 space per 4 residents shall be provided prior to occupation of any buildings within the site, to ensure that car parking is contained

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within the site in the interests of road safety;

(12) that a visibility splay of 35 metres by 2.5 metres by 1.05 metres high shall be provided at the connection to Kirn Drive prior to the start of any development within the site, in the interests of vehicular safety;

(13) that in the event that bats are identified during site clearance, works shall stop and Scottish Natural Heritage consulted for advice on how to proceed, to ensure works are not in breach of the Conservation (Natural Habitats etc.) Regulations 1994;

(14) that, for the avoidance of doubt, permission is not given for the schematic layout submitted as part of this application, insufficient information has been provided to enable a full assessment of this layout;

(15) that no construction shall start until a drainage impact assessment has been submitted to and approved, in writing, by the Planning Authority, to ensure that adequate drainage from the site can be achieved; and

(16) that no building shall be erected closer than 9 metres from the common boundary with adjacent houses. In the event that an adjacent house is less than 9 metres from the common boundary and has windows facing the common boundary, no windows shall be installed in the walls of any building hereby permitted fronting onto that property with the exception of those finished in opaque glazing, to protect the privacy of adjacent residents.

93 PLANNING APPEAL DECISION - 2 CARSEMEADOW, QUARRIERS VILLAGE

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There was submitted a report by the Head of Planning & Housing advising that following the decision of the Board at the meeting of 6 May 2009 to refuse planning permission for alterations and extension to the dwellinghouse at 2 Carsemeadow, Quarriers Village, and the subsequent appeal by the applicant to the Scottish Government against the refusal, the Reporter appointed by the Scottish Government had issued his decision which was to uphold the appeal.

Noted

94 PLANNING APPEAL DECISION - 16 GLAMIS PLACE, GREENOCK

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There was submitted a report by the Head of Planning & Housing advising that following the decision of the Board at the meeting of 2 September 2009 to refuse planning permission for the formation of an off street parking space at 16 Glamis Place, Greenock, and the subsequent appeal by the applicant to the Scottish Government against the refusal, the Reporter appointed by the Scottish Government had issued his decision which was to uphold the appeal.

Noted