

**LOCAL REVIEW BODY - 3 MARCH 2010**

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**Local Review Body**

**Wednesday 3 March 2010 at 4 pm**

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

**Chair:** Councillor Wilson presided.

**In attendance:** Mr R Gimby (Planning & Housing Service), Physical Investment Services Manager, Mr H McNeilly (for Head of Legal & Administration) and Ms V Pollock (Legal & Administration).

**Attending also:** Corporate Director Regeneration & Resources.

**Apologies:** Councillors Grieve, McKenzie and Moran.

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

**140 PLANNING APPLICATIONS FOR REVIEW**

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**(a) Installation of roller shutter (in retrospect):  
37 Shore Street, Gourock (09/0305/IC)**

There were submitted papers relative to the request for review of the refusal of planning permission for the installation of a roller shutter (in retrospect) at 37 Shore Street, Gourock (09/0305/IC).

After discussion, Councillor Loughran moved that the appeal be upheld and that planning permission be granted subject to the condition that within 4 weeks of the date of this consent, details of a painted finish to the roller shutters coloured appropriately for the shopfront be submitted to and approved by the Planning Authority. The roller shutters shall then be finished in the approved colour within 8 weeks of the date of this consent and shall be maintained in this colour or any other colour as deemed appropriate in writing by the Planning Authority at all times thereafter, to ensure the roller shutters are finished in an appropriate colour, in terms of the visual amenity of Shore Street.

As an amendment, Councillor Fyfe moved that the appeal be not upheld. On a vote, 2 Members voted for the amendment and 4 for the motion which was declared carried.

**Decided:** that the appeal be upheld and that planning permission be granted subject to the condition that within 4 weeks of the date of this consent, details of a painted finish to the roller shutters coloured appropriately for the shopfront be submitted to and approved by the Planning Authority. The roller shutters shall then be finished in the approved colour within 8 weeks of the date of this consent and shall be maintained in this colour or any other colour as deemed appropriate in writing by the Planning Authority at all times thereafter, to ensure the roller shutters are finished in an appropriate colour, in terms of the visual amenity of Shore Street.

**(b) Installation of roller shutter (in retrospect):  
39 Shore Street, Gourock (09/0306/IC)**

There were submitted papers relative to the request for review of the refusal of planning permission for the installation of a roller shutter (in retrospect) at 39 Shore Street,

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Gourock (09/0306/IC).

After discussion, Councillor Loughran moved that the appeal be upheld and that planning permission be granted subject to the condition that within 4 weeks of the date of this consent, details of a painted finish to the roller shutters coloured appropriately for the shopfront be submitted to and approved by the Planning Authority. The roller shutters shall then be finished in the approved colour within 8 weeks of the date of this consent and shall be maintained in this colour or any other colour as deemed appropriate in writing by the Planning Authority at all times thereafter, to ensure the roller shutters are finished in an appropriate colour, in terms of the visual amenity of Shore Street.

As an amendment, Councillor Fyfe moved that the appeal be not upheld. On a vote, 2 Members voted for the amendment and 4 for the motion which was declared carried.

**Decided:** that the appeal be upheld and that planning permission be granted subject to the condition that within 4 weeks of the date of this consent, details of a painted finish to the roller shutters coloured appropriately for the shopfront be submitted to and approved by the Planning Authority. The roller shutters shall then be finished in the approved colour within 8 weeks of the date of this consent and shall be maintained in this colour or any other colour as deemed appropriate in writing by the Planning Authority at all times thereafter, to ensure the roller shutters are finished in an appropriate colour, in terms of the visual amenity of Shore Street.

**(c) Change of use of water storage tanks to green waste treatment station and construction of buildings to accommodate storage and composting operations: Former Water Treatment Works, Langhill, Inverkip (09/0214/IC)**

There were submitted papers relative to the request for review of the refusal of planning permission for the change of use of water storage tanks to green waste treatment station and the construction of buildings to accommodate storage and composting operations at the former water treatment works, Langhill, Inverkip (09/0214/IC).

The Physical Investment Services Manager, planning adviser for this item of business, drew Members' attention to a further suggested condition relative to the site being used primarily for the treatment of waste from the Inverclyde area to ensure accordance with Policy UT5 of the Inverclyde Local Plan in addition to the suggested conditions included in the papers should the Local Review Body be minded to uphold the appeal and grant planning permission.

After discussion, Councillor Dorrian moved that the appeal be upheld and that planning permission be granted subject to the following conditions:-

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

(2) that prior to the commencement of work on site, samples, including colour, of the external finish to the proposed new building hereby permitted be submitted to and approved in writing by the Planning Authority. Work shall then proceed as approved and the building shall be maintained in the approved colour at all times thereafter, to ensure the proposed materials are acceptable in terms of visual amenity;

(3) that prior to the commencement of work on site, full details of all soft landscaping works contained within the proposed landscaping strip including a schedule of plants to comprise species, plant sizes and density together with a programme for completion and future maintenance be submitted to and approved in writing by the Planning Authority. Landscaping works shall then proceed and be maintained as approved, to ensure the provision of an appropriate landscaping scheme providing screening of the new development in the landscape;

(4) that no tree felling, lopping or scrub clearance shall take place during the period

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breeding season of March to July inclusive, to ensure species protection and to comply with the requirements of the Nature Conservation (Scotland) Act 2004; and

(5) that prior to the commencement of works on site, a badger survey shall be undertaken by a suitably qualified person and submitted to the Planning Authority for consideration. Work shall not proceed on site until the written agreement of the Planning Authority is gained, to ensure species protection and to comply with the requirements of the Nature Conservation (Scotland) Act 2004.

As an amendment, Councillor Nelson moved that the appeal be not upheld.

On a vote, 3 Members voted for the amendment and 5 for the motion which was declared carried.

**Decided:** that the appeal be upheld and that planning permission be granted subject to the following conditions:-

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

(2) that prior to the commencement of work on site, samples, including colour, of the external finish to the proposed new building hereby permitted be submitted to and approved in writing by the Planning Authority. Work shall then proceed as approved and the building shall be maintained in the approved colour at all times thereafter, to ensure the proposed materials are acceptable in terms of visual amenity;

(3) that prior to the commencement of work on site, full details of all soft landscaping works contained within the proposed landscaping strip including a schedule of plants to comprise species, plant sizes and density together with a programme for completion and future maintenance be submitted to and approved in writing by the Planning Authority. Landscaping works shall then proceed and be maintained as approved, to ensure the provision of an appropriate landscaping scheme providing screening of the new development in the landscape;

(4) that no tree felling, lopping or scrub clearance shall take place during the bird breeding season of March to July inclusive, to ensure species protection and to comply with the requirements of the Nature Conservation (Scotland) Act 2004; and

(5) that prior to the commencement of works on site, a badger survey shall be undertaken by a suitably qualified person and submitted to the Planning Authority for consideration. Work shall not proceed on site until the written agreement of the Planning Authority is gained, to ensure species protection and to comply with the requirements of the Nature Conservation (Scotland) Act 2004.

**(d) Change of use from office to café with extension to building, construction of chimney and erection of bin enclosure:  
18 Pottery Street, Greenock (09/0083/IC)**

There were submitted papers relative to the request for review of condition 2 of the planning permission granted for the change of use from office to café with extension to building, construction of chimney and erection of bin enclosure at 18 Pottery Street, Greenock (09/0083/IC), in respect of which permission was not given for the chimney shown on the approved plans.

Councillor Wilson declared a non-financial interest in this matter as a Member of the Board of Riverside Inverclyde, vacated the Chair and left the meeting. Councillor Fyfe assumed the Chair.

After discussion, Councillor Loughran moved that the appeal be upheld and that planning permission for the construction of the chimney be granted subject to the condition that the zinc cassette panels hereby permitted shall match in colour the zinc cladding to be used on the extension to the building already permitted under the terms of planning permission

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09/0083/IC, to ensure co-ordination between the facing materials in the interests of visual amenity.

As an amendment, Councillor Rebecchi moved that the appeal be not upheld. On a vote, 3 Members voted for the amendment and 4 for the motion which was declared carried.

**Decided:** that the appeal be upheld and that planning permission for the construction of the chimney be granted subject to the condition that the zinc cassette panels hereby permitted shall match in colour the zinc cladding to be used on the extension to the building already permitted under the terms of planning permission 09/0083/IC, to ensure co-ordination between the facing materials in the interests of visual amenity.