

**PLANNING BOARD - 2 FEBRUARY 2011**

---

**Planning Board**

**Wednesday 2 February 2011 at 3 pm**

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

**Chair:** Councillor Wilson presided.

**In attendance:** Head of Regeneration & Planning, Development & Building Standards Manager, Mr D Greenslade (for Head of Environmental & Commercial Services), Mr H McNeilly (for Head of Legal & Democratic Services) and Corporate Communications Manager.

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

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

**87**

Apologies for absence were intimated on behalf of Councillors Fyfe and Grieve with Councillor Blair substituting for Councillor Fyfe.

Councillor Wilson declared an interest in Agenda Item 2 (approval of matters specified by conditions in planning permission 09/0182/IC and non-compliance with condition 15 of planning permission 09/0182/IC at James Watt Dock/Garvel Island and Great Harbour Embankment, Greenock (10/0234/IC))

**88 PLANNING APPLICATION SUBMITTED FOR CONTINUED CONSIDERATION**

**88**

**Approval of matters specified by conditions in planning permission 09/0182/IC and non-compliance with condition 15 of planning permission 09/0182/IC:  
James Watt Dock/Garvel Island and Great Harbour Embankment, Greenock (10/0234/IC)**

There was submitted a report by the Head of Regeneration & Planning regarding an application by James Watt Dock LLP for approval of matters specified by conditions in planning permission 09/0182/IC and non-compliance with condition 15 of planning permission 09/0182/IC at James Watt Dock/Garvel Island and Great Harbour Embankment, Greenock (10/0234/IC), consideration of which had been continued from the meeting of 5 January 2011 for further discussion with the applicant over investigations into the possible provision of a public slipway allowing direct public access to the river.

Councillor Wilson declared a non-financial interest in this matter as a Board Member of Riverside Inverclyde and as a Member of the Local Outdoor Access Forum. He formed the view that the nature of his interest and of the item of business did not preclude his continued presence in the Chamber or his participation in the decision making process. (Councillor Dorrian entered the meeting during consideration of this item of business).

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

(1) that further approval of the Council shall be required with respect to the undermentioned matters hereby reserved before development is commenced on the later phases, and shall be provided and approved in advance of development commencing on each said phase:

**PLANNING BOARD - 2 FEBRUARY 2011**

---

- (a) the siting, design and external appearance of any building(s) to which the planning permission or the application relates;
- (b) details of the landscaping of the site, including play provision;
- to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997;
- (2) that each phase within the approved phasing plan shall be completed prior to the commencement of development on the subsequent phase, unless agreed in writing by the Planning Authority, to ensure that development proceeds in a manner conducive to public safety and in the interests of the built heritage;
- (3) that each of phases 3-6 shall not commence until a risk assessment for each phase, 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 provide verification that remediation has been carried out to the Authority's satisfaction;
- (4) that no development shall take place within each phase of the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved 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 within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service, in the interests of antiquity;
- (5) that prior to the commencement of development in phases 3-6, full details of the lighting scheme in each relevant phase shall be submitted to and approved in writing by the Planning Authority, in the interests of public safety;
- (6) that details of the maintenance and management programme for all areas of soft and hard landscaping within each of phases 3-6 shall be submitted to and approved in writing by the Planning Authority prior to the start of development in each of the relevant phases. The programme shall commence upon the start of development in each of the relevant phases, to ensure the visual amenity of the development is retained;
- (7) that non-compliance with condition 15 of planning permission 09/0182/IC is granted only in respect of the Sugar Warehouse. For the avoidance of doubt all other development within the application site shall be set at or above 5.0 metres above Ordnance Datum, to prevent flooding of the floors of properties;
- (8) 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 in each phase of the development, details of the maintenance regime for the relevant water detention areas for the relevant phase shall be submitted to and approved in writing by the Planning Authority, to control runoff from the site to reduce the risk of flooding;
- (9) that prior to the commencement of construction, the traffic signals permitted by planning permission 09/0039/IC shall be installed, to ensure ease of access to the site and the free flow of traffic on the adjacent A8 trunk road in the interests of traffic safety; and
- (10) that layout details to be submitted in respect of the development of phase 5 shall include a public access slipway. The slipway shall be provided in accordance with a timescale to be agreed with the Planning Authority, to ensure provision of the identified public access slipway.

**PLANNING BOARD - 2 FEBRUARY 2011**

---

**89 PLANNING APPLICATIONS**

89

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

**(a) Provision of new community sports facility, car parking and new 3G pitch with associated spectating for 200 and floodlighting:  
Parklea, Parklea Road, Port Glasgow (10/0228/IC)**

The Head of Regeneration & Planning declared an interest in this matter as client officer and left the meeting.

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

(1) that development shall be carried out in accordance with Appendix 4 of Land Use Consultants Supporting Information For Appropriate Assessment at Parklea January 2011, to protect wintering Redshanks in the Clyde Special Protection Area and to satisfy the requirements of Scottish Natural Heritage;

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

(3) that all external lighting on the application site should comply with the Scottish Government Guidance Note "Controlling Light Pollution and Reducing Lighting Energy Consumption", to protect the amenity of the immediate area, the creation of nuisance due to light pollution and to support the reduction of energy consumption; and

(4) that no development shall commence until samples of all external materials have been submitted to and approved in writing by the Planning Authority; development thereafter shall proceed utilising the approved materials unless the Planning Authority gives its prior written approval to any alternatives, to ensure a continuity of finishing materials in this part of Port Glasgow.

The Head of Regeneration & Planning returned to the meeting following consideration of this item of business.

**(b) Erection of 4 Temporary Huts, Security Fence Enclosure and Additional Car Parking:  
St Stephen's High School, Southfield Avenue, Port Glasgow (10/0381/IC)**

**Decided:** that planning permission be granted subject to the condition that the development hereby approved shall be removed at the expiry of three years from the date on this planning permission and that any works required for the reinstatement of the site shall be completed three months thereafter, due to the temporary nature of the development and to safeguard the character and amenity of the area.

**(c) Construction of children's care home:  
Kylemore Terrace, Greenock (10/0360/IC)**

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

(1) that no development shall commence until samples of all external materials have been submitted to and approved in writing by the Planning Authority. Development thereafter shall proceed utilising the approved materials unless the Planning Authority gives its prior written approval to any alternatives, to ensure a continuity of finishing materials in this part of Greenock;

(2) that no development shall commence until fully detailed landscaping and

**PLANNING BOARD - 2 FEBRUARY 2011**

---

boundary treatment details have been submitted to and approved in writing by the Planning Authority, to ensure the provision of a quality landscape setting for the care home;

(3) that the approved boundary treatment and landscape details required by condition (2) shall be completed in the first planting season following completion of the care home. Any specimens which in the subsequent 5 years die, become diseased or are damaged shall be replaced in the next planting season, unless the Planning Authority gives its prior written approval to any alternatives, to ensure the provision of a quality landscape setting for the care home;

(4) that all surface water shall be intercepted within the site, in the interests of road safety on Kylemore Terrace;

(5) that driveway gradients shall not exceed 10%, in the interests of road safety on Kylemore Terrace;

(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 an environmental investigation and 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 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;

(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 no fill or landscaping material shall be imported onto the site until written details of the source and intended reuse of the imported materials have been submitted for approval, in writing by the Planning Authority. The report shall characterise the chemical quality (including soil-leachate and organic content etc), volume and source of the imported materials with corresponding cross-sections and plans indicating spatial distribution and depth/thickness of material placement within the development site. 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;

PLANNING BOARD - 2 FEBRUARY 2011

---

and

(11) that deliveries or collections to and from the site shall not be carried out between the hours of 23:00 and 07:00, to protect the amenities of occupiers of premises from unreasonable noise and vibration levels.

**(d) Formation of driveway and new stairway:  
Upper Flat, 39 Tower Drive, Gourock (10/0380/IC & 10/0026/LB)**

The report recommended that planning permission and listed building consent be granted subject to a number of conditions.

**Decided:** that consideration of the application be continued in view of comments received recently from the Head of Environmental & Commercial Services which may impact on the proposal.

**(e) Extension to rear of dwellinghouse:  
46 Dunvegan Avenue, Gourock (10/0288/IC)**

The report recommended that planning permission be refused for a number of reasons. The meeting was adjourned at 3.30 pm and resumed at 3.32 pm.

After discussion, Councillor Loughran moved that consideration of the application be continued for a site visit to be arranged by the Head of Legal & Democratic Services in consultation with the Convener. As an amendment, Councillor Wilson moved that planning permission be refused for the reasons detailed in the report. On a vote 5 Members voted for the motion and 5 for the amendment. There being equality in voting, the Convener exercised his casting vote in favour of the amendment which was declared carried.

**Decided:** that planning permission be refused for the following reasons:-

(1) as the proposed extension by virtue of the design, appearance and massing would dominate the existing house when viewed from Dunvegan Avenue and be prominent within the streetscape to the detriment of the character and appearance of Dunvegan Avenue; and

(2) as the proposal is contrary to Policies H1 and H15 of the Inverclyde Local Plan.