

PLANNING BOARD - 2 MARCH 2011

Planning Board

Wednesday 2 March 2011 at 3 pm

Present: Councillors Brooks, Dorrian, Fyfe, Loughran, McCallum, Nelson and Wilson.

Chair: Councillor Wilson presided.

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

Prior to the commencement of business, Councillor Wilson referred to the forthcoming retirement of Mr Howard McNeilly. He thanked Mr McNeilly for his assistance over the years and, on behalf of the Board, extended his best wishes for the future.

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

158 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST 158

Apologies for absence were intimated on behalf of Councillors Grieve, McKenzie and Moran.

No declarations of interest were intimated.

159 PLANNING APPLICATION SUBMITTED FOR CONTINUED CONSIDERATION 159

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

There was submitted a report by the Head of Regeneration & Planning regarding an application by Mr G Brown for the formation of a driveway and new stairway at upper flat, 39 Tower Drive, Gourrock (10/0380/IC & 10/0026/LB), consideration of which had been continued from the meeting of 2 February 2011.

After discussion, Councillor McCallum moved that planning permission and listed building consent be granted subject to the conditions detailed in the report. As an amendment, Councillor Brooks moved that consideration of the matter be continued for a site visit to be arranged by the Head of Legal & Democratic Services in consultation with the Convener. On a vote, 2 Members voted for the amendment and 4 for the motion which was declared carried.

Decided:

- (i) that planning permission be granted subject to the following conditions:-
 - (1) that prior to the commencement of works on site, samples of all external finishes to be used in construction of the driveway, including surfacing, shall be submitted to and approved in writing by the Planning Authority. Works shall then proceed utilising the materials as approved unless an alternative is agreed in writing, to ensure the finished appearance of the works is appropriate for the existing house and is acceptable in terms of the C(S) listing;
 - (2) that prior to the commencement of works on site, samples of the external finishes

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to be used in construction of the new stairway together with the finished colour of the walls shall be submitted to and approved in writing by the Planning Authority. Works shall then proceed utilising the materials as approved unless an alternative is agreed in writing, to ensure the finished appearance of the works is appropriate for the existing house and is acceptable in terms of the C(S) listing;

(3) that prior to the commencement of works on site, a sample of the material and colour of the new balustrade to the side of the driveway shall be submitted to and approved by the Planning Authority. Works shall then proceed utilising the materials as approved unless an alternative is agreed in writing, to ensure the finished appearance of the works is appropriate for the existing house and is acceptable in terms of the C(S) listing;

(4) that for the avoidance of doubt, the balustrade hereby permitted will be finished in white and maintained in this colour at all times thereafter unless otherwise agreed in writing by the Planning Authority, to ensure the finished appearance of the works is appropriate for the existing house and is acceptable in terms of the C(S) listing;

(5) that all surface water from the driveway hereby permitted shall be intercepted within the site, to avoid run-off in the interests of road safety; and

(ii) that listed building consent be granted subject to the following conditions:-

(1) that prior to the commencement of works on site, samples of all external finishes to be used in construction of the driveway, including surfacing, shall be submitted to and approved in writing by the Planning Authority. Works shall then proceed utilising the materials as approved unless an alternative is agreed in writing, to ensure the finished appearance of the works is appropriate for the existing house and is acceptable in terms of the C(S) listing;

(2) that prior to the commencement of works on site, samples of the external finishes to be used in construction of the new stairway together with the finished colour of the walls shall be submitted to and approved in writing by the Planning Authority. Works shall then proceed utilising the materials as approved unless an alternative is agreed in writing, to ensure the finished appearance of the works is appropriate for the existing house and is acceptable in terms of the C(S) listing;

(3) that prior to the commencement of works on site, a sample of the material and colour of the new balustrade to the side of the driveway shall be submitted to and approved by the Planning Authority. Works shall then proceed utilising the materials as approved unless an alternative is agreed in writing, to ensure the finished appearance of the works is appropriate for the existing house and is acceptable in terms of the C(S) listing; and

(4) that for the avoidance of doubt, the balustrade hereby permitted will be finished in white and maintained in this colour at all times thereafter unless otherwise agreed in writing by the Planning Authority, to ensure the finished appearance of the works is appropriate for the existing house and is acceptable in terms of the C(S) listing.

160 PLANNING APPLICATIONS

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

(a) Change of use from class 4 offices to class 4 offices and class 10 library facility: 75-81 Cathcart Street, Greenock (10/0395/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.

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The Head of Regeneration & Planning returned to the meeting at this juncture.

**(b) Demolition of two school buildings and three houses and the construction of new prison with associated infrastructure, servicing and access arrangements:
Former Greenock High and Glenburn Schools, Inverkip Road, Greenock
(10/0346/IC)**

Decided: that authority be delegated to the Head of Regeneration & Planning to grant planning permission in principle, subject to the submission and approval by him, in conjunction with Scottish Natural Heritage, of a further detailed bat survey of the application site and the following conditions:-

(1) 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 the 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;

(c) details of landscaping of the site;

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

(2) 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;

(3) 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 Planning Authority's satisfaction;

(4) 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;

(5) 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

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these agreed details, to protect receptors from the harmful effects of imported contamination;

(6) that prior to the commencement of any part of the development hereby permitted, the new access junction (generally in accordance with the layout shown on Steer Davies Gleave Drawing SK-101A, dated 22nd December 2010) shall be implemented on the A78 to the satisfaction of the Planning Authority after consultation with Transport Scotland (TRNM, TRBO), to ensure that the standard of access layout complies with the current standards and that the safety of the traffic on the trunk road is not diminished;

(7) that on completion of the new access junction referred to in condition 6 above the existing access, located approximately 180 metres to the west of the proposed new access, shall be closed and reinstated to the satisfaction of the Planning Authority in consultation with Transport Scotland, to ensure that the movement of traffic and pedestrians is confined to the permitted means of access thereby lessening the danger to and interference with the free flow of traffic on the trunk road;

(8) that there shall be no drainage connections to the trunk road drainage system, to ensure that the efficiency of the existing drainage network is not affected;

(9) that prior to the commencement of any part of the development hereby permitted, details of the lighting within the site shall be submitted for the approval of the Planning Authority in consultation with Transport Scotland (TRNM, TRBO), 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;

(10) that notwithstanding the terms of condition 1 above, the tree and shrub area to the south east of the site hatched red on the plans hereby approved, shall be protected from development. The area shall be cordoned off during construction work on the adjacent site and protected in line with British Standards Recommendations for Trees in Relation to Construction, currently BS 5837:2005, to ensure the avoidance of damage to trees in the interests of nature conservation;

(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 of the maintenance regime for the water detention areas shall be submitted to and approved in writing by the Planning Authority, to control runoff from the site to reduce the risk of flooding;

(12) that clearance of vegetation shall be undertaken outwith the breeding season of March to August, in the interests of wildlife and to ensure works are not in breach of the Wildlife and Countryside Act 1981;

(13) that details of the maintenance and management for all areas of soft 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, to ensure that the visual amenity of such a high profile site is maintained;

(14) 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 approved 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;

(15) that in the event that the indicative design layout changes and involves any form of development within the 200 year floodplain this should involve re-consultation with relevant parties, provision of appropriate flood management and updated modelling to

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ensure at least a neutral effect on flood risk, to ensure no part of the development land is unacceptably affected by any flooding;

(16) that before construction work commences on the development hereby permitted, detailed designs for the bridge providing access to the site and updated flooding modelling, shall be submitted to and approved in writing by the Planning Authority, to help ensure that adjacent land is not unacceptably affected by flooding; and

(17) that before construction work commences on the development hereby permitted, confirmation shall be provided in writing that the flood risk management regime, as set out in section 1.5.3 and Site Safety sections 4.7-4.8 of the approved Flood Risk Assessment, prepared by ENVIRON and dated February 2011, is to be adopted, to help minimise possible flooding events within and adjacent to the site.

**(c) Erection of a gate (in retrospect):
9-9A Ashton Terrace, Gourock (10/0378/IC)**

Decided: that planning permission be refused as the proposed gate, by virtue of its location, prevents access to the head of Ashton Terrace for the turning of vehicles, forcing vehicles to reverse along Ashton Terrace and Ashton Place to Ashton Road, to the detriment of road safety.