

PLANNING BOARD – 1 JUNE 2011

Planning Board

Wednesday 1 June 2011 at 3 pm

Present: Councillors Brooks, Dorrian, Fyfe, Loughran, McCallum, Moran, Osborne (for Nelson), Rebecchi, McKenzie (for White) and McCabe (for Wilson).

Chair: Councillor Brooks presided.

In attendance: Head of Regeneration & Planning, Development & Building Standards Manager, Mr R Graham (for Head of Environmental & Commercial Services), Mr G Leitch (Environmental & Commercial Services), Ms V Pollock (for Head of Legal & Democratic Services) and Mr M Bingham (Corporate Communications & Public Affairs).

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

395 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST 395

Apologies for absence were intimated on behalf of Councillors Grieve, Nelson, White and Wilson with Councillor Osborne substituting for Councillor Nelson, Councillor McKenzie for Councillor White and Councillor McCabe for Councillor Wilson.

No declarations of interest were intimated.

396 PLANNING APPLICATION SUBMITTED FOR CONTINUED CONSIDERATION 396

**Proposed flatted development:
Killochend Drive, Greenock (08/0300/IC)**

There was submitted a report by the Head of Regeneration & Planning regarding an application by ECOS Construction Ltd for a proposed flatted development at Killochend Drive, Greenock (08/0300/IC), consideration of which had been continued from the meeting on 4 May 2011 for clarification on the number of car parking spaces proposed. The report recommended that planning permission be granted subject to a number of conditions.

(Councillor McKenzie entered the meeting during consideration of this item of business).

Decided: 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.

397 PLANNING APPLICATIONS 397

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

**(a) Renewal of planning permission for erection of 28 dwellings (IC/04/447R):
Bridgend, Inverkip (11/0081/IC)**

The Head of Regeneration & Planning advised that this item had been withdrawn from

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the agenda.

Noted

(b) **Extension and alterations to school, new landscaping and creation of new playing fields:
Gourock High School, Fletcher Avenue, Gourock (11/0066/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 3 years from the date of this permission, to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997;

(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 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 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 have 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;

(7) that samples of all facing materials shall be submitted to and approved in writing

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by the Planning Authority prior to their use, to ensure the suitability of the colour and fabric of materials;

(8) that prior to the commencement of development, full details of the hard and soft landscaping scheme hereby approved shall be submitted to and approved in writing by the Planning Authority including the following details:

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

(b) details of the phasing of the above works;

(c) details of the maintenance and management of this landscaping; and

(d) samples or catalogue details of the variety of hard surfacing;

to ensure the adequacy of implementation of the landscaping scheme;

(9) 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 planting scheme in the interests of visual amenity;

(10) that notwithstanding the terms of condition 8 above, all soft and hard landscaping shall be completed and all approved fences erected prior to the school being brought back into use, in the interests of public safety;

(11) that the outdoor sports pitches 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;

(12) 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; and

(13) that the floodlights hereby permitted shall be baffled in order that the threshold vertical luminance at the nearest residential property does not exceed 5 lux, in the interests of residential amenity.

**(c) Construction of 29 terraced houses including all ancillary works:
Cumberland Road, Greenock (11/0028/IC)**

Decided: that powers be delegated to the Head of Regeneration & Planning to grant planning permission subject to the following conditions and following receipt of a contribution of £75,000 towards play provision at a location deemed appropriate by the Head of Regeneration & Planning in consultation with the Head of Environmental & Commercial Services:-

(1) that the development to which this permission relates must be begun within 3 years from the date of this permission, to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997;

(2) that prior to their use, samples of all facing materials shall be submitted to and approved in writing by the Planning Authority, including materials to be used on walls, to enable the Planning Authority to retain effective control of facing materials in the interests of visual amenity;

(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 planting scheme in the interests of visual amenity;

(4) that all soft landscaping shall be completed prior to the last of the dwellinghouses hereby permitted being occupied, to ensure the provision of a visually acceptable environment;

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- (5) that details of the maintenance and management programme for all areas of soft and hard landscaping 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, in the interests of visual amenity;
- (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 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 material shall be imported onto the site until written details of the source of the imported material have 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;
- (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 prior to each dwellinghouse hereby permitted being occupied, all roads and footways leading to it shall be surfaced to a sealed base wearing course, to ensure the provision of acceptable safe access facilities during construction;

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(13) that prior to the last of the dwellinghouses hereby permitted being occupied, all roads and footways within the application site shall be completed to a final sealed wearing course, to ensure the provision of acceptable safe access facilities following construction;

(14) that following formation of the accesses into the site from Cumberland Road, the footway fronting Cumberland Road shall be resurfaced to a sealed wearing course level approved in writing by the Head of Environmental and Commercial Services, in the interests of public safety;

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

(16) that prior to the start of development a Drainage Impact Assessment shall be submitted to and approved in writing by the Planning Authority, to ensure the adequacy of drainage arrangements;

(17) that driveways shall not exceed a gradient of 10%, to ensure use of the driveways in the interests of traffic safety;

(18) that no development shall commence until a bond to cover the costs of the implementation of the approved soft landscaping scheme has been lodged with the Council, to ensure the provision of the approved landscaping scheme; and

(19) that notwithstanding the details shown on the approved plans, permission is not hereby given for any retaining walls. Prior to the commencement of construction, full details shall be submitted to and approved in writing by the Planning Authority of the location and height of all retaining walls, to allow assessment of the visual impact of the proposed retaining walls on future residents.

**(d) Change of use of attic area into 2 self contained flatted dwellings including the formation for dormer windows to front and rear:
18 Campbell Street, Greenock (11/0050/IC)**

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

(1) as Campbell Street is subject to high on-street parking demand. The new development would generate an additional demand for on-street parking resulting in potential congestion and confrontation between vehicles travelling on Campbell Street to the detriment of road safety; and

(2) as parking provision is not provided in accordance with the Council's Roads Development Guidelines 1995 and the proposal is therefore not in accordance with Policy H12 (d) of the Inverclyde Local Plan.

**(e) Change of use to museum:
Basement/Old Fire Station, Municipal Buildings, Greenock (11/0060/IC)**

Decided: that planning permission be granted.

**(f) Development of 8 new build houses, including detached and semi-detached units with associated parking and formation of a new access road:
Barr's Brae, Port Glasgow (11/0074/IC)**

Decided: that planning permission be granted subject to 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 further approval of the Council or of the Scottish

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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, including play provision;

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

(2) that in the case of matters specified by conditions application for approval must be made before:

(a) the expiration of 3 years from the date of the grant of planning permission in principle; or

(b) the expiration of 6 months from the date on which an earlier application for such approval was refused; or

(c) the expiration of 6 months from the date on which an appeal against such refusal was dismissed, whichever is the latest, and provided only one such application may be made in the case after the expiration of the three year period mentioned in sub paragraph (a) above;

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

(3) that the development to which this permission relates must be begun not later than the expiration of 3 years from the date of this permission or within 2 years from the final approval of matters specified by conditions, whichever is the later, to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997;

(4) that no development shall commence until a detailed Flood Risk Assessment has been submitted to and approved in writing by the Planning Authority; development thereafter shall proceed in accordance with the approved Flood Risk Assessment, to prevent harm from flooding;

(5) that no development shall commence until a noise survey has been submitted to and approved in writing by the Planning Authority, development thereafter shall proceed in accordance with any requirements of the approved noise survey, to prevent harm from noise;

(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 be limited to) a collation of verification/validation certificates, analysis information, remediation lifespan,

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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; and

(10) that no material shall be imported onto the site until written details of the source of the imported material have 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.

**(g) Demolition of existing high school and janitor's house and erection of new campus school, central server room and enterprise centre:
Former Port Glasgow High School Site, Kilmacolm Road, Port Glasgow
(11/0031/IC)**

There was submitted an amended report relative to this application.

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

(1) that the development to which this permission relates must be begun within 3 years from the date of this permission, to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997;

(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 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 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

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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 have 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;

(7) that samples of all facing materials shall be submitted to and approved in writing by the Planning Authority prior to their use, to ensure the suitability of the colour and fabric of materials;

(8) that prior to the commencement of development, remaining details of the hard and soft landscaping scheme hereby approved shall be submitted to and approved, in writing by the Planning Authority, including the following:

(a) details of the maintenance and management of the landscaping; and

(b) samples or catalogue details of the variety of hard surfacing;

to ensure the adequacy of implementation of the landscaping scheme;

(9) 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 planting scheme in the interests of visual amenity;

(10) that notwithstanding the terms of condition 8 above, all soft and hard landscaping, including the drop off parking provision on Marloch Avenue shall be completed, and all approved fences erected prior to the first of the schools being brought into use, in the interests of public safety;

(11) that the outdoor sports pitches 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;

(12) 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. This shall include clarification of access arrangements for maintenance of detention tanks, to control runoff from the site to reduce the risk of flooding;

(13) that the bus bays shall be marked out prior to the first of the schools being brought into use, to ensure that adequate provision for bus parking is made; and

(14) that the floodlights hereby permitted shall be baffled in order that the threshold vertical luminance at the nearest residential property does not exceed 5 lux, in the interests of residential amenity.

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**(h) Proposed extension and internal alterations:
St Bedes, Porterfield Road, Kilmacolm (11/0087/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 appropriate to the property; and

(2) that no permission is granted for the windows detailed on drawing number 2044-BW-04 revision C. All new window units shall have a stepped profile and comply with the specifications detailed in the Council's Planning Practice Advice Note No. 11. Details of the proposed windows shall be submitted to and approved in writing by the Head of Regeneration and Planning prior to installation, to ensure a continuity of window detailing appropriate to the property.

**(i) Extension to dwellinghouse and formation of new garage:
North Denniston Farm, Bridge Of Weir Road, Kilmacolm (11/0071/IC)**

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

(1) that the proposal is a significant over development, with an adverse impact on the shape and size of the existing house, rendering it unrecognizable, all contrary to policy H15 (c) of the Local Plan and the design guidance in the Council's PPAN5;

(2) as the proposed extensions result in an unexpected and awkward design, untypical of houses in the countryside and to the detriment of the quality of visual amenity which is currently enjoyed; and

(3) as the scale of the proposed garage is in excess of that expected for residential use, to the detriment of the quality of visual amenity in this part of Kilmacolm's countryside.

398 PLANNING APPEAL – OLD POLICE HOUSE, MAIN STREET, INVERKIP

398

There was submitted a report by the Head of Regeneration & Planning advising that following the decision of the Board at the meeting held on 5 January 2011 to refuse planning permission for the change of use from police house/station to restaurant at the Old Police House, Main Street, Inverkip (10/0223/IC), an appeal against the refusal of planning permission had been made to the Scottish Government.

Noted

399 ADVERTISEMENT APPEAL – 1 CUSTOMHOUSE WAY, GREENOCK

399

There was submitted a report by the Head of Regeneration & Planning advising that following the decision of the Board at the meeting held on 6 October 2010 to refuse advertisement consent for the display of a free standing illuminated design to Dalrymple Street at Lidl, 1 Customhouse Way, Greenock (10/0048/CA) and the subsequent appeal by the applicant to the Scottish Government against that refusal, the Reporter appointed by the Scottish Government had issued his decision which was to dismiss the appeal.

Noted