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interests of visual amenity;

(4) that no existing trees or shrubs be lopped, topped, felled, removed or disturbed in any way without the prior written consent of the Planning Authority, to ensure the provision of adequate landscaping on the site, in the interests of visual amenity;

(5) that existing trees both within the development site and the boundary of the site which are not to be felled or lopped as part of the proposals are to be protected in line with British Standards 5837 – Guidelines for Trees in relation to Construction. No development shall take place until details of tree protection measures have been submitted to and approved in writing by the Planning Authority, to ensure the provision of adequate landscaping on the site, in the interests of visual amenity;

(6) that no tree felling, lopping or scrub clearance shall take place within the main bird breeding season, March to June inclusive, to ensure species protection and to comply with the requirements of the Conservation (Natural Habitats) Regulations 1994;

(7) that before construction works begin on the development hereby permitted, a phasing plan incorporating the details of the comprehensive external refurbishment relating to the existing houses at Bridgend including the grade B Listed Buildings be submitted to and approved by the Planning Authority and before the first of the new residential units hereby permitted is occupied, these works shall be completed, to ensure the appropriate phased development of this site in conjunction with the comprehensive external refurbishment of the existing properties at Bridgend, including the Grade B Listed Building, in the interest of securing the heritage value of the site;

(8) that the proposed means of access to the trunk road shall be located as shown on Drawing No. 411/PL/02C and shall be to a design approved by the Planning Authority in consultation with the Roads Authority. It shall be in accordance with the Design Manual for Roads and Bridges and the Specification for Highway Works. No part of the development shall commence until the new access is formed and the existing accesses are closed off, to minimise interference with the safety and free flow of traffic on the trunk road and to ensure the standard of access complies with the current design standards;

(9) that visibility splays shall be provided on each side of the new access to the satisfaction of the local Planning Authority. These splays are the triangles of ground bounded on two sides by the first 4.5 metres of the centreline of the access driveway (the set back dimension) and the nearside trunk road carriageway measured 215 metres (the y dimension) in both directions from the intersection of the access with the trunk road. In a vertical plane, nothing shall obscure visibility measured from a driver's eye height of between 1.05 metres and 2 metres positioned at the set back dimensions to an object of between 0.26 metres and 1.05 metres anywhere along the y dimension, to ensure that the drivers of vehicles leaving the site are able to see and be seen by vehicles on the trunk road and join the traffic stream safely;

(10) 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;

(11) that the road serving the development will require to be to adoptable standard and will require a Construction Consent, to ensure the provision of adequate vehicular access facilities;

(12) that prior to the commencement of development on site, design calculations for the proposed soakaway shall be submitted to and approved in writing by the Planning Authority. Prior to the occupation of the first house on site, the approved soakaway shall be constructed and be fully operational, to prevent flooding of the application site and adjoining land;

(13) that prior to the commencement of development on site, a copy of communications with the relevant authorities (Scottish Water and SEPA) regarding the site discharge of foul and surface water along with roads drainage details shall be

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submitted to and approved in writing by the Planning Authority. Prior to the occupation of the first house on site, the approved drainage scheme shall be constructed and be fully operational, to prevent flooding of the application site and adjoining land;

(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 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 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;

(16) 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;

(17) 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 for approval, in writing by the Planning Authority, to ensure that all contamination issues are recorded and dealt with appropriately;

(18) 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 has been submitted for approval, in writing by the Planning Authority. The report shall characterize 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;

(19) that the applicant shall submit to the Head of Regeneration & Planning a detailed specification of the containers to be used to store waste materials and recyclable materials produced on the premises as well as specific details of the areas where such containers are to be located. The use of the residential accommodation shall not commence until the above details are approved in writing by the Head of Regeneration & Planning and the equipment and any structural changes are in place, to protect the amenity of the immediate area, prevent the creation of nuisance due to odours, insects, rodents or birds;

(20) that all external lighting on the application site should comply with the Scottish Government Guidance Note "Controlling Light Pollution and Reducing Lighting Energy

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Consumption”, to protect the amenity of the immediate area, the creation of nuisance due of to light pollution and to support the reduction of energy consumption;

(21) that the applicant or their main contractor shall consult with the Head of Safer and Inclusive Communities prior to the commencement of works to agree times and method of working in relation to possible noise disruption from the site, to minimise noise disruption; and

(22) that prior to the occupation of the first residential unit within the development, provision shall be made for bus stopping on the A78 in the vicinity of the site to the satisfaction of the Planning Authority in consultation with the Trunk Roads Authority and SPT, to allow the safe stopping of service buses and to ensure that the development proposals are in line with Scottish Government planning guidance on sustainable travel.

582 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) Erection of wind turbine:
High Mathernock Farm, Auchentiber Road, Kilmacolm (10/0340/IC)**

Decided: that planning permission be refused as a combination of height and scale, proximity to public roads (including Auchentiber Road, designated as a Core Footpath to encourage the public into the countryside), proximity to residential properties and visual prominence from Kilmacolm, combine to create a dominant and excessively prominent feature in this part of Inverclyde’s countryside, contrary to:-

- (a) the Council’s interim policy on Small Wind Turbine Development UT6B, criteria (a) and (f);
- (b) the Council’s interim policy on Wind Farms UT6A criterion (c); and
- (c) Policy UT6 of the Inverclyde Local Plan, criteria (a), (b) and (c).

**(b) Installation of temporary 50m anemometer mast:
Priestside Farm, Auchentiber Road, Kilmacolm (10/0371/IC)**

Decided: that planning permission be refused as the associated groundworks to install the anchors for the mast will damage sphagnum and peat resources, thereby undermining the Dwarf Shrub Heath and Mire Habitats on site to the detriment of the Devol Road SINC and contrary to Inverclyde Local Plan Policy HR1.

**(c) Residential development in principle, including the formation of a new access road:
Barr’s Brae, Port Glasgow (11/0169/IC)**

The report recommended that planning permission be granted subject to a number of conditions.

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.

**(d) Rooflights and driveway (in retrospect) and replacement windows:
45 Shankland Road, Greenock (11/0021/IC)**

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Decided: that planning permission be granted subject to the condition that no development shall commence until the colour of the railings, hereby approved, has been agreed in writing with the Planning Authority; development thereafter shall proceed utilising the approved colour, unless the Planning Authority gives its prior written approval to any alternative, to ensure a colour sympathetic to the property at 45 Shankland Road.

- (e) **Proposed erection of a prefabricated building (containing WC, meeting room and store), widening of pedestrian entrance and replacement fence:
Wellington Allotments, Wellington Street, Greenock (11/0164/IC)**

Decided: that planning permission be granted subject to the condition that no development shall commence until the colour of the fencing, hereby approved, has been agreed in writing with the Planning Authority; development thereafter shall proceed utilising the approved colour, unless the Planning Authority gives its prior written approval to any alternative, in the interests of visual amenity in Wellington Street.

- (f) **Proposed alterations to Municipal Buildings to provide additional office accommodation (amendment to Listed Building Consent 10/0016/LB and Planning Permission 10/0206/IC):
Municipal Buildings, Clyde Square, Greenock (11/0014/LB and 11/0160/IC)**

Decided:

- (i) that planning permission be granted subject to the following conditions:-
 (1) that no development shall commence until a sample of the proposed stone for the disabled access ramp has been submitted to and approved in writing by the Planning Authority; development thereafter shall proceed utilising the approved stone, unless the Planning Authority gives its prior written approval to any alternatives, to ensure a continuity of finishes with the Grade A listed building; and
 (2) that the proposed louvers shall be painted white to match the window frames and the dimensions shall be no greater than the existing infill panels, to ensure a continuity of finishes with the Grade A listed building; and
 (ii) that the listed building application be referred to Historic Scotland as required by Section 12 of the Planning (Listed Buildings in Conservation Areas) (Scotland) Act 1997 with a recommendation that listed building consent be granted subject to the following conditions:
 (1) that no development shall commence until a sample of the proposed stone for the disabled access ramp has been submitted to and approved in writing by the Planning Authority; development thereafter shall proceed utilising the approved stone, unless the Planning Authority gives its prior written approval to any alternatives, to ensure a continuity of finishes with the Grade A listed building; and
 (2) that the proposed louvers shall be painted white to match the window frames and the dimensions shall be no greater than the existing infill panels, to ensure a continuity of finishes with the Grade A listed building.

- (g) **Erection of four storey building comprising retail unit at ground floor level and associated storage area at lower ground floor level and office accommodation at first and second floor level:
32 - 36 Kempock Street, Gourock (11/0122/IC)**

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The report recommended that planning permission be granted subject to a number of conditions.

After discussion, Councillor White moved that planning permission be refused for the following reasons:-

(1) that as the scale, siting, design and positioning of the proposed building is not in keeping with the established Kempock Street streetscene, and as it will overshadow existing adjacent properties, it will consequently not make a positive contribution to the quality of the urban environment and is therefore contrary to policies DS5 and R10(f) of the Inverclyde Local Plan;

(2) that as the proposed development will generate demand for on-street and off-street parking associated with customers and servicing, resulting in congestion on Kempock Street, it will be detrimental to the operation of existing adjacent businesses and thus the vitality and viability of the town centre would be adversely affected, all contrary to Policy R10 (c) and (g) of the Inverclyde Local Plan; and

(3) that the additional traffic and congestion likely to occur as a result of the proposed development will be to the detriment of traffic safety on Kempock Street.

As an amendment, Councillor Brooks moved that planning permission be granted subject to the conditions detailed in the report.

On a vote, 3 Members voted for the amendment and 6 for the motion which was declared carried.

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

(1) that as the scale, siting, design and positioning of the proposed building is not in keeping with the established Kempock Street streetscene, and as it will overshadow existing adjacent properties, it will consequently not make a positive contribution to the quality of the urban environment and is therefore contrary to policies DS5 and R10(f) of the Inverclyde Local Plan;

(2) that as the proposed development will generate demand for on-street and off-street parking associated with customers and servicing, resulting in congestion on Kempock Street, it will be detrimental to the operation of existing adjacent businesses and thus the vitality and viability of the town centre would be adversely affected, all contrary to Policy R10 (c) and (g) of the Inverclyde Local Plan; and

(3) that the additional traffic and congestion likely to occur as a result of the proposed development will be to the detriment of traffic safety on Kempock Street.

583 PLANNING APPEAL – 9-9A ASHTON TERRACE, GOUROCK

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There was submitted a report by Head of Regeneration & Planning advising that following the decision of the Board at the meeting held on 2 March 2011 to refuse planning permission for the erection of a gate in retrospect at 9-9A Ashton Terrace, Gourrock (10/378/IC) 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 uphold the appeal and grant planning permission.

Noted