

PLANNING BOARD - 6 MARCH 2013

Planning Board

Wednesday 6 March 2013 at 3pm

Present: Provost Moran, Councillors Brooks, Campbell-Sturgess, Dorrian, Jones, Loughran, McColgan, McIlwee, Rebecchi and Wilson.

Chair: Councillor Wilson presided.

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

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

An apology for absence was intimated on behalf of Councillor Nelson.

Councillor Wilson declared an interest in Agenda Item 3(b) (public realm and traffic improvement works at Kempock Street/Shore Street, Gourock (12/0212/IC) and construction of car park at land east of Shore Street (behind the Health Centre), Shore Street, Gourock (13/0007/IC)).

159 PLANNING APPLICATION SUBMITTED FOR CONTINUED CONSIDERATION 159

**Change of use from café (Class 3) to children's nursery (Class 10):
Pavilion, Battery Park, Eldon Street, Greenock (12/0344/IC)**

There was submitted a report by the Head of Regeneration & Planning regarding an application by Mr J Swan for the change of use from café (Class 3) to children's nursery (Class 10) at the Pavilion, Battery Park, Eldon Street, Greenock (12/0344/IC), consideration of which had been continued from the meeting of 6 February 2013 for a site visit.

Decided: that planning permission be granted.

160 PLANNING APPLICATIONS 160

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

**(a) Alterations to design of dwellinghouse:
Plot 2, Houston Road, Kilmacolm (13/0025/IC)**

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

(1) that the dependant person's flat shall only be occupied in association with the house hereby approved, to prevent sub division of the plot and the use of the dependant person's flat as a separate dwelling to the detriment of the established density of development in the Conservation Area;

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- (2) 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 choice of materials appropriate to this part of the Kilmacolm Conservation Area;
- (3) that no development shall commence until fully detailed landscaping proposals have been submitted to and approved in writing by the Planning Authority; the approved scheme of landscaping shall, thereafter, be implemented in the first planting season following completion of the house hereby approved, and any specimens that in the subsequent 5 years die, become diseased or are damaged shall be replaced in the next planting season with a similar specimen unless the Planning Authority gives its prior written approval to any alternative, to ensure the provision of a quality landscape setting;
- (4) that all surface water run off shall be intercepted within the site. Details shall be submitted to and approved in writing by the Planning Authority; the approved drainage shall be implemented prior to the house, hereby approved, being occupied and shall thereafter be maintained in perpetuity, to prevent surface water run off onto Houston Road to the potential detriment of road safety;
- (5) that a visibility splay of 2.4 x 43.0 x 1.05m high shall be achieved at the access onto Houston Road prior to the house, hereby approved, being occupied and shall thereafter be maintained in perpetuity, to ensure appropriate driver visibility when leaving the site, in the interests of road safety on Houston Road;
- (6) that a minimum length of 2.0m of the driveway adjoining the public road shall be surfaced in impervious material. Details shall be submitted to and approved in writing by the Planning Authority, in the interests of road safety on Houston Road;
- (7) 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 potential spread of Japanese Knotweed in the interests of environmental protection;
- (8) that the development shall not commence until a risk assessment of all pollutant linkages, including any necessary Remediation Strategy with timescale for implementation, 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;
- (9) 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;
- (10) 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

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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

(11) 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.

(b) Public realm and traffic improvement works:

**Kempock Street/Shore Street, Gourrock (12/0212/IC) and
Construction of a car park:**

**Land east of Shore Street (behind the Health Centre), Shore Street, Gourrock
(13/0007/IC)**

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

Decided:

(i) that planning application 12/0212/IC be granted subject to the following conditions:-

(1) 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 potential spread of Japanese Knotweed in the interests of environmental protection;

(2) 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;

(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

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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 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;

(6) 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;

(7) that no development shall take place within 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;

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

(9) that a bat method statement, as detailed in the Environmental Statement, shall be employed for the demolition of walls or any other feature with cracks and crevices likely to support bats, to help ensure no injuries to bats, in the interests of ecology;

(10) that site clearance be completed by the end of February in any one calendar year to avoid the bird breeding season (March to July inclusive). In the event that clearance works cannot be completed within this timeframe, nest checks shall be carried out in advance of any construction work, in the interests of ecology;

(11) that prior to the commencement of works, details shall be provided of investigations to provide Black Guillemot nesting opportunities. In the event that opportunities are identified these shall be implemented following the completion of construction, in the interests of ecology;

(12) that any vibration impact from sheet piling during the construction phase shall be limited to 5mm/sec for continuous piling. Methods for determining measurement shall be submitted to and approved by the Planning Authority prior to commencement of construction, in the interests of the amenity of nearby residents and businesses;

(13) that full details of the landscaping scheme hereby permitted shall be submitted to and approved in writing by the Planning Authority prior to the start of development and shall include details of the location, number, variety and size of trees and shrubs; details of the phasing of all planting; and details of the maintenance and management regime, to ensure the provision of an adequate landscaping scheme;

(14) that samples of the materials to be used on areas of hard landscaping, including the gabion baskets and the rock armour revetment, shall be submitted to and approved by the Planning Authority prior to their use, to ensure the provision of an adequate

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landscaping scheme;

(15) that details of the maintenance of all hard landscaping areas shall be submitted to and approved in writing by the Planning Authority prior to the commencement of development, to ensure that the areas of hard landscaping are adequately maintained in the interests of amenity; and

(16) that prior to the start of development, full details of drainage from the roads and car parking areas shall be submitted to and approved in writing by the Planning Authority, to ensure the adequacy of drainage arrangements to prevent flooding; and

(ii) that planning application 13/0007/IC be granted subject to the following conditions:-

(1) 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 potential spread of Japanese Knotweed in the interests of environmental protection;

(2) 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 have 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 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;

(6) 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

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to light pollution and to support the reduction of energy consumption;

(7) that no development shall take place within 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 are undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service, in the interests of antiquity;

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

(9) that samples of the materials to be used on the hard landscaping shall be submitted to and approved by the Planning Authority prior to their use, to ensure the provision of an adequate landscaping scheme;

(10) that details of the maintenance of all hard landscaping areas shall be submitted to and approved in writing by the Planning Authority prior to the commencement of development, to ensure that the areas of hard landscaping are adequately maintained in the interests of amenity; and

(11) that prior to the start of development, full details of drainage from the roads and car parking areas shall be submitted to and approved in writing by the Planning Authority, to ensure the adequacy of drainage arrangements to prevent flooding.

Councillor Wilson returned to the meeting following consideration of this item of business and resumed the Chair.

161 PLANNING APPEAL

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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 December 2012 to grant planning permission for the construction of 38 flatted dwellings at the site of the demolished Ramada Jarvis Hotel, Cloch Road, Gourrock (12/0199/IC), an appeal against condition 6 had been made to the Scottish Government.

Noted