

Local Review Body

6 March 2013

Planning Application for Review

Chris Wright & Sons Ltd

Proposed change of use of ground to storage and distribution yard inclusive of landfill works (in retrospect):

Gibshill Road, Greenock (12/0220/IC)

Contents

- Planning Application and drawings (NB drawings circulated separately)
- Site photographs
- Report of Handling dated 14 September 2012
- Consultation responses
- Decision Notice dated 17 September 2012
- Letter dated 14 December 2012 from Canata & Seggie, Chartered Architects, enclosing Notice of Review Form, appeal statement and plans (NB drawings circulated separately)
- Further consultation response
- Suggested conditions should planning permission be granted on review

**PLANNING APPLICATION AND DRAWINGS
(DRAWINGS CIRCULATED SEPARATELY)**

Inverclyde council

6 Cathcart Square Greenock PA15 1LS

Tel: 01475 712 406

Fax: 01475 712 468

Email: planning.dlm@inverclyde.gov.uk

Planning Department

Applications cannot be validated until all necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 000044698-001

The online ref number is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the Planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

We strongly recommend that you refer to the help text before you complete this section.

- Application for Planning Permission (including changes of use and surface mineral working)
- Application for Planning Permission in Principle
- Further Application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Proposed change of use of ground to storage and distribution yard inclusive of landfill works in retrospect.

Is this a temporary permission? * Yes No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) * Yes No

Have the works already been started or completed? *

No Yes - Started Yes - Completed

Please state date of completion, or if not completed, the start date (dd/mm/yyyy): *

01/12/11

Please explain why work has taken place in advance of making this application: *
(Max 500 characters)

Client was un-aware that the work required the benefit of Planning Permission and ceased operations immediately he was made aware of this requirement.

Applicant or Agent Details

Are you an applicant, or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:

Ref. Number:

First Name: *

Last Name: *

Telephone Number: *

Extension Number:

Mobile Number:

Fax Number:

Email Address: *

You must enter a Building Name or Number, or both:*

Building Name:

Building Number:

Address 1 (Street): *

Address 2:

Town/City: *

Country: *

Postcode: *

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:

Other Title:

First Name:

Last Name:

Company/Organisation: *

Telephone Number:

Extension Number:

Mobile Number:

Fax Number:

Email Address:

You must enter a Building Name or Number, or both:*

Building Name:

Building Number:

Address 1 (Street): *

Address 2:

Town/City: *

Country: *

Postcode: *

Site Address Details

Full postal address of the site (including postcode where available):

Address 1:

Address 5:

Address 2:

Town/City/Settlement:

Address 3:

Post Code:

Address 4:

Please identify/describe the location of the site or sites.

Northing

675023

Easting

230399

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Pre-Application Discussion Details

In what format was the feedback given? *

Meeting Telephone Letter Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (Max 500 characters)

Pre-application consultations have been carried out with Guy Phillips of Inverclyde Council Planning on 21-11-11 and Gordon Leitch of Inverclyde Council Roads on 18-12-11.

Title:

Please Select One

Other title:

First Name:

Guy

Last Name:

Phillips

Correspondence Reference Number:

Date (dd/mm/yyyy):

21/11/11

Note 1. A processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area:

0.43

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: (Max 500 characters)

Ground formerly used as railway sidings and yard.

Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? * Yes No

If Yes please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any changes to public paths, public rights of way or affecting any public rights of access? * Yes No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application site? *

0

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the total of existing and any new spaces or a reduced number of spaces)? *

6

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycle spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? * Yes No

Do your proposals make provision for sustainable drainage of surface water? (e.g. SUDS arrangements) * Yes No

Note: -

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

- Yes
 No, using a private water supply
 No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? * Yes No Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? * Yes No Don't Know

Trees

Are there any trees on or adjacent to the application site? *

Yes No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? *

Yes No

If Yes or No, please provide further details:(Max 500 characters)

Not Applicable

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

Yes No

All Types of Non Housing Development - Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

Yes No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2008) *

Yes No Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Certificates and Notices

Certificate and Notice under Regulation 15 8 – Town and Country Planning (General Development Management Procedure) (Scotland) Order 1992 (GDPO 1992) Regulations 2008

One Certificate must be completed and submitted along with this application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

Yes No

Is any of the land part of an agricultural holding? *

Yes No

Are you able to identify and give appropriate notice to ALL the other owners? *

Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate B

Certificates

The certificate you have selected requires you to distribute copies of the Notice 1 document below to all of the Owners/Agricultural tenants that you have provided before you can complete your certificates.

Notice 1 is Required

I understand my obligations to provide the above notice(s) before I can complete the certificates. *

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008

I hereby certify that -

(1) - No person other than myself/the applicant was an owner [Note 4] of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application;

or -

(1) - I have/The Applicant has served notice on every person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application was owner [Note 4] of any part of the land to which the application relates.

Name: Mr Neil McMillan

Address: Embee Developments Ltd, , 3, Craigend Place, Anniesland , Glasgow, Scotland, G13 2UN

Date of Service of Notice: * 19/07/12

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding;

or -

(2) - The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have/the applicant has served notice on every person other than myself/himself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. These persons are:

Name:

Address:

Date of Service of Notice: *

Signed: John Seggie

On behalf of: Chris Wright & Sons Ltd

Date: 19/07/2012

Checklist - Application for Planning Permission

Town and County Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

Yes No Not applicable to this application

b) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major developments, have you provided a Pre-Application Consultation Report? *

Yes No Not applicable to this application

Town and County Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008

c) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008, have you provided a Design and Access Statement? *

Yes No Not applicable to this application

d) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2008) have you provided a Design Statement? *

Yes No Not applicable to this application

e) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

Yes No Not applicable to this application

f) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- Site Layout Plan or Block plan.
- Elevations.
- Floor plans.
- Cross sections.
- Roof plan.
- Master Plan/Framework Plan.
- Landscape plan.
- Photographs and/or photomontages.
- Other.

Provide copies of the following documents if applicable:

- | | |
|--|--|
| A copy of an Environmental Statement. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Flood Risk Assessment. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Habitat Survey. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Processing Agreement * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |

Other Statements (please specify). (Max 500 characters)

Declare - For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying plans/drawings and additional information are provided as a part of this application .

Declaration Name: John Seggie
Declaration Date: 19/07/2012
Submission Date: 19/07/2012

Payment Details

Cheque: Chris Wright & Sons Ltd, 011097

Created: 19/07/2012 15:15

SITE PHOTOGRAPHS







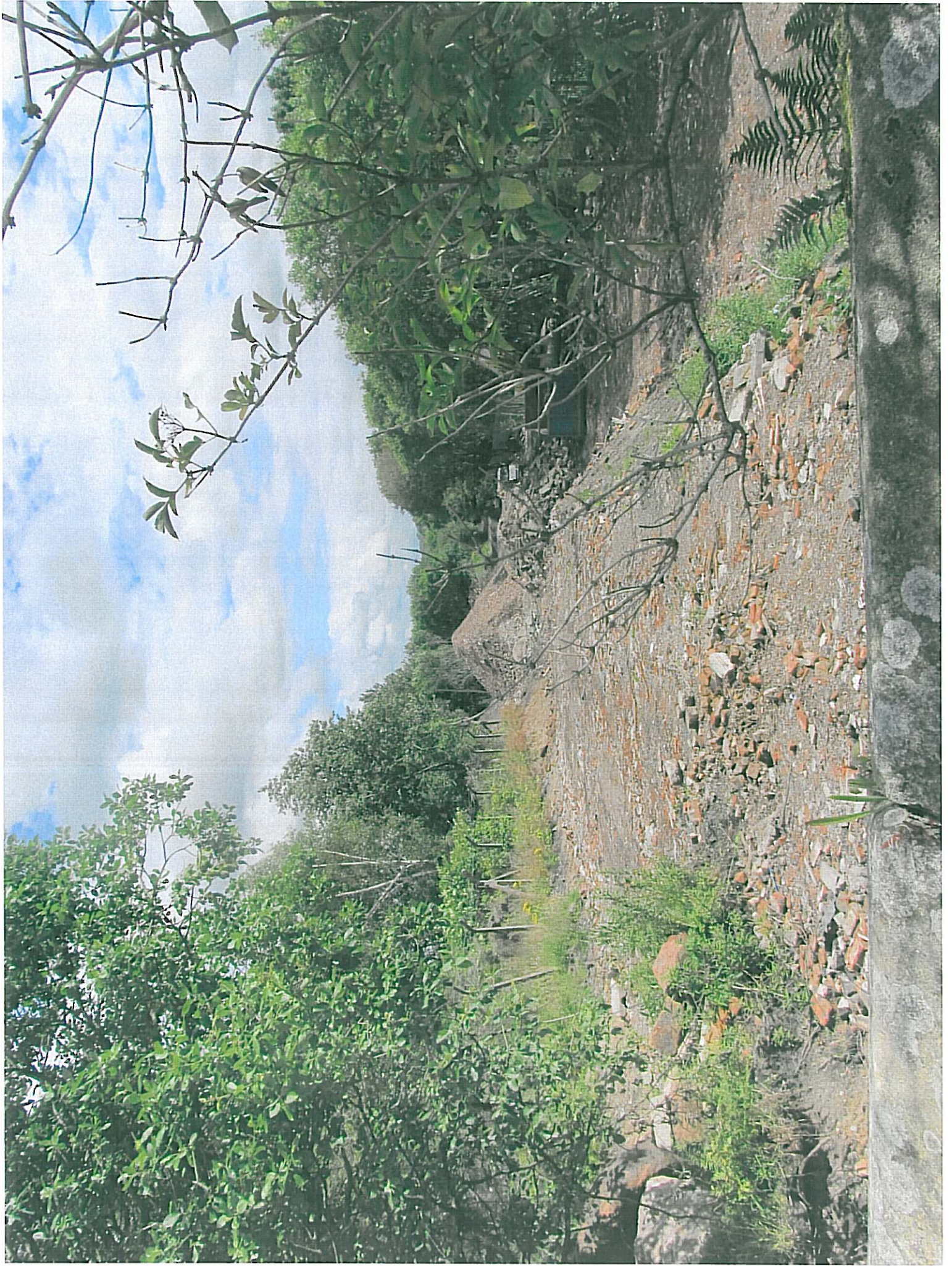






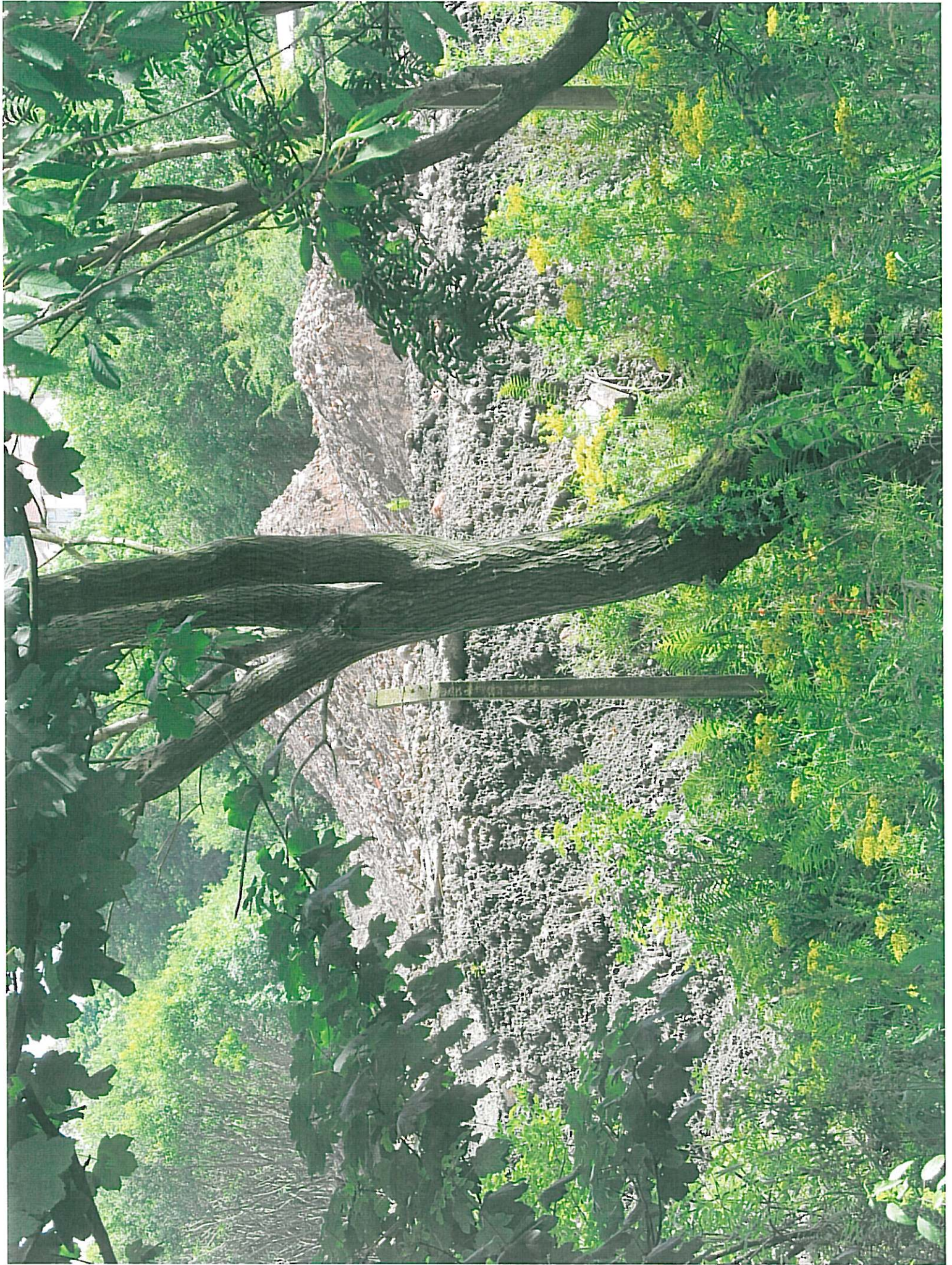


























**REPORT OF HANDLING DATED
14 SEPTEMBER 2012**

REPORT OF HANDLING

Report By: Guy Phillips

Report No:

12/0220/IC

Local Application
Development

Contact
Officer: 01475 712422

Date:

14th September 2012

Subject: Proposed change of use of ground to storage and distribution yard inclusive of landfill works in retrospect at
Gibshill Road, Greenock

SITE DESCRIPTION

The approximately 0.43ha site is on the east side of Gibshill Road, Greenock. Vehicular access is through adjoining land, to the east, via Fullarton Lane, which runs off the A8 dual carriageway. To the north, the site is adjoined by the cleared site of the former St Mungo's Church and the Inverclyde Indoor Bowling Centre. The Gourrock to Glasgow railway line forms the southern boundary of the site.

PROPOSAL

Approximately 1114 cubic metres of demolition material has been imported to the site without the benefit of planning permission. It is proposed to form a vehicular access onto Gibshill Road and spread the demolition material to an approximate depth of 500mm across the site. Thereafter it is proposed to bring the site into use as a demolition contractor's storage and distribution yard. The applicant has confirmed that use of the yard is to be limited to the storage of plant and vehicles. There shall be no storage or crushing of demolition material. The proposed access affords two way traffic for 35m of its length from the boundary with Gibshill Road. Six off street parking spaces are proposed.

LOCAL PLAN POLICIES

Local Plan Policy - Policy B2 Mixed (Business) Use Areas

Development proposals, in addition to the preferred Use Classes 4, 5 or 6, that would contribute to permanent employment creation or be clearly supportive of the operation of existing businesses in the area, will be supported in those areas labelled 'B2' within the 'Business and Industrial Areas' identified on the Proposals Map, provided they are not usually associated with Town Centre uses. All such proposals will require to be assessed against the following criteria:

- (a) impact on the character of the area and the operation of established businesses;
- (b) infrastructure, transportation, environmental and design considerations;
- (c) impact on the overall supply of land for business and industry; and
- (d) relevant policies of the Local Plan.

Policy B7 Character and Amenity of Designated Business Areas

Where the principle of business and industrial development is acceptable, development proposals will require to be assessed against, and satisfy, the following criteria:

- (a) car parking, servicing and site access layout and provision that accords with the Council's Roads Development Guidelines 1995;
- (b) the scale, siting and design of buildings will have regard to the immediate townscape and the functioning of adjacent land; and
- (c) site boundary treatment, including landscaping, will have regard to the immediate streetscape and, where appropriate, provide an effective screen to on-site activities.

CONSULTATIONS

Scottish Environment Protection Agency West - No objections

Head Of Safer And Inclusive Communities - No objections subject to conditions to control potential contamination (including the spread of Japanese Knotweed), waste storage and hours of operation. It is further recommended that an advisory note be attached about external lighting.

Network Rail - No objections.

Transport Scotland - No objections

Head Of Environmental And Commercial Services - The application should be refused as the visibility splay onto Gibshill Road, required by the Scottish Government's Designing Streets and the Council's Roads Development Guide cannot be achieved. As such, the proposal is prejudicial to road safety.

Property Assets Manager - The increase in site levels may result in the adjoining Inverclyde Bowling Centre being overlooked and affected by water run off. Material imported to the site without the benefit of planning permission has damaged the boundary fence. There should be strict control over materials to be stored on site. Contrary to the advice on the planning application form, there are trees on site.

PUBLICITY

The application was advertised in the Greenock Telegraph on 27th July 2012 as there are no premises on neighbouring land.

SITE NOTICES

The nature of the proposal did not require a site notice.

PUBLIC PARTICIPATION

No written representations have been received.

ASSESSMENT

The material considerations in the determination of this planning application are the Local Plan and the consultation responses.

Policy B2 of the Local Plan presumes in favour of the storage and distribution (Class 6) use of the site.

Policy B7 requires the proposal to accord with the Council's Roads Development Guide. The Head of Environmental & Commercial Services advises the sightlines at the proposed vehicular access onto Gibshill Road required by the Scottish Government's "Designing Streets" cannot be achieved for cars exiting the site. While lorry drivers will be able to achieve the necessary sightline distance, due to their higher viewpoint, car and van drivers cannot. As a result there is a danger of collisions on Gibshill Road. Designing Streets provides up to date road safety guidance and is to a lower sightline requirement than the Council's Roads Development Guide. It is further required by Policy B7 that on site activities be effectively screened by landscaping and boundary treatment. The proposed site plan confirms the provision of 1.8m high security fencing around the site boundary although no detail of its design is provided. Detail of boundary fencing and screen planting is an issue which I consider could be satisfactorily controlled by condition.

Considering the concerns raised by the Property Assets Manager, the proposed 500mm increase in site levels is unlikely to create overlooking of the adjoining bowling centre, no concerns have been raised by the Council's flooding officer, SEPA and Transport Scotland on surface water run off, scrub trees present on the site are not afforded any protection under planning legislation, damage to boundary fencing is not a material planning consideration, and the applicant has confirmed that no materials are to be stored.

Given the advice of the Head of Environmental & Commercial Services that the proposal is prejudicial to road safety, I consider that the only option is to refuse planning permission. As a result, the demolition material imported without the benefit of planning permission requires to either be removed or be the subject of another planning application to address its retention in an acceptable form.

Overall, I consider the proposal does not merit support.

DECISION

That the application be refused

Reason

The sightline requirement of the Council's Roads Development Guide and the Scottish Government's Designing Streets cannot be met at the proposed vehicular access onto Gibshill Road, to the detriment of road safety.

Signed:

Case Officer: Guy Phillips

Stuart Jamieson
Head of Regeneration and Planning

CONSULTATION RESPONSES

Rona McGhee

From: David Ashman on behalf of Devcont Planning
Sent: 31 July 2012 10:30
To: Jim Lynn
Subject: FW: Planning Application 12/0220/IC

From: Guy Phillips
Sent: 31 July 2012 08:13
To: Devcont Planning
Subject: FW: Planning Application 12/0220/IC

Objection

From: Gordon Fisher
Sent: 30 July 2012 16:58
To: Guy Phillips
Subject: RE: Planning Application 12/0220/IC

Guy,

As owners of the adjoining site, the Indoor Bowling, we should have had a neighbour notification. As well as for the ICIL Unit.

I have some concerns here, relating to the Indoor Bowling site.

I would like to see their proposed levels. Firstly for overlooking, given that the future use of our site is not guaranteed to be as existing, and second, with ancillary water run-off issues.

Also to note, not planning admittedly, but the tipping already carried out has damaged our fence.

Equally, I would not want a reclamation yard (scrap yard in disguise) to be in that location without strict control over what materials are there.

I see they are claiming that there are no trees on site. There certainly were, as a quick Google will confirm.

I would formalise an objection pending resolve of these matters.

regards

Gordon

From: Guy Phillips
Sent: 30 July 2012 16:33
To: Gordon Fisher
Subject: FW: Planning Application 12/0220/IC

From: Guy Phillips
Sent: 30 July 2012 16:32
To: Andrew Gerrard
Subject: FW: Planning Application 12/0220/IC

Andrew,

Please see the message below.

The planning application is available to view online.

Presently I am in discussion with Canata & Seggie as to exactly what it is Chris Wright (demolition contractor) proposes to store and distribute from the site.

Please advise me if you have any concerns.

Guy Phillips
Senior Planner
Regeneration & Planning
Inverclyde Council
6 Cathcart Square
Greenock
PA15 1LS

01475 712422

From: David Ashman **On Behalf Of** Devcont Planning
Sent: 30 July 2012 08:59
To: Grant Kennedy
Cc: Guy Phillips
Subject: FW: Planning Application 12/0220/IC

Correspondence: E-mail from Inverclyde Centre for Independent Living

Guy - note

From: Alan Burns
Sent: 27 July 2012 12:19
To: Devcont Planning
Cc: Jacquie MacIntyre
Subject: Planning Application 12/0220/IC

Good morning

I received the above Neighbour Notification for the above through the post today. We occupy the premises at 10-16 Gibshill Road but the building belongs to Inverclyde Council.

I would assume that if there were any comments or objections they would come from our Property Services section.

Regards
Alan

Alan.W.Burns
Assistant Team Leader

Inverclyde Centre for Independent Living
Inverclyde CHCP
10-16 Gibshill Road
Greenock PA15 2UP

Tel: 01475 714 350
Fax: 01475 714 351

Minicom: 01475 794 334
e.mail; alan.burns@inverclyde.gov.uk

Rona McGhee

From: David Ashman on behalf of Devcont Planning
Sent: 02 August 2012 08:46
To: Laura Graham
Subject: FW: Consultation response - 12/0220/IC
Attachments: 01 issued response.pdf

From: Fred.Abercrombie@transportscotland.gsi.gov.uk [mailto:Fred.Abercrombie@transportscotland.gsi.gov.uk]
Sent: 01 August 2012 13:52
To: Devcont Planning
Subject: Consultation response - 12/0220/IC

<<01 issued response.pdf>>

I attach a copy of the consultation response for the above application.

Regards

Fred Abercrombie

a

Fred Abercrombie
Trunk Road and Bus Operations.

T: 0141 272 7382
F: 0141 272 7350

Transport Scotland
Buchanan House
58 Port Dundas Road
Glasgow
G4 0HF

Please note that I am only available on Wednesdays, Thursdays and Fridays.

For agency and travel information visit our [website](#)

Transport Scotland, the national transport agency
Còmhdhail Alba, buidheann nàiseanta na còmhdhail

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Tha am post-d seo (agus faidhle neo ceanglan còmhla ris) dhan neach neo luchd-ainmichte a-mhàin. Chan eil e ceadachd a chleachdadh ann an dòigh sam bith, a' toirt a-steach còraichean, foillseachadh neo sgaoileadh, gun chead. Ma 's e is gun d'fhuair sibh seo le gun fhiosd', bu choir cur às dhan phost-d agus lethbhreac sam bith air an t-siostam agaibh, leig fios chun neach a sgaoil am post-d gun dàil.

Dh'fhaodadh gum bi teachdaireachd sam bith bho Riaghaltas na h-Alba air a chlàradh neo air a sgrùdadh airson dearbhadh gu bheil an siostam ag obair gu h-èifeachdach neo airson adhbhar laghail eile. Dh'fhaodadh nach eil beachdan anns a' phost-d seo co-ionann ri beachdan Riaghaltas na h-Alba.

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Transport Scotland

Trunk Road and Bus Operations (TRBO)
Network Operations - Development Management



Response On Development Affecting Trunk Roads and Special Roads

The Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure)
(Scotland) Regulations 2008 S.I. 2008 No 432 (S.25)

Town and Country Planning (Notification of Applications) (Scotland) Direction 2009

To Inverclyde Greenock	Council Reference:-	12/0220/IC
	TS TRBO Reference:-	SW/180/2012

Application made by Chris Wright & Sons Ltd per John Seggie, Canata and Seggie, 7 Union Street, GREENOCK, PA16 8JH and received by Transport Scotland on 25 July 2012 for planning permission for proposed change of use of ground to storage and distribution yard inclusive of landfill works in retrospect located at Gibshill Road, Greenock affecting the A8 Trunk Road.

Director, Trunk Roads Network Management Advice

1. The Director does not propose to advise against the granting of permission
2. The Director advises that planning permission be refused (see overleaf for reasons).
3. The Director advises that the conditions shown overleaf be attached to any permission the council may give (see overleaf for reasons).

In issuing planning permission the applicant should be informed that the consent does not carry with it the right to carry out works within the trunk road boundary (see overleaf for details of any works to be carried out within the trunk road boundary) and that permission must be granted by Transport Scotland, Trunk Road and Bus Operations. To obtain permission contact the Route Manager through the general contact number below. The Operating Company have responsibility for co-ordination and supervision of works and after permission has been granted it is the developer's contractor's responsibility to liaise with the Operating Company during the construction period to ensure all necessary permissions are obtained.

TS Contact:-

Route Manager (A8)
0141 272 7100
Network South, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF

Operating Company:-

AMEY

Address:-

Bargeddie Office, Langmuir Way, Bargeddie, Glasgow, G69 7RW

Telephone Number:-

0141 7816900

e-mail address:-

swcentralofficeinbox@amey.co.uk

Trunk road modification works shall, in all respects, comply with the Design Manual for Roads and Bridges and the Specification for Highway Works published by HMSO. The developer shall issue a certificate to that effect, signed by the design organisation.

Trunk road modifications shall, in all respects, be designed and constructed to arrangements that comply with the Disability Discrimination Act: Good Practice Guide for Roads published by Transport Scotland. The developer shall provide written confirmation of this, signed by the design organisation.



Transport Scotland Response Date:- 01-Aug-2012

Transport Scotland Contact:- Fred Abercrombie

Transport Scotland Contact Details:-

Trunk Road and Bus Operations, Network Operations - Development Management

Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF

Telephone Number: 0141 272 7382

e-mail: development_management@transportscotland.gsi.gov.uk

NB - Planning etc. (Scotland) Act 2006

Planning Authorities are requested to provide Transport Scotland, Trunk Road and Bus Operations, Network Operations - Development Management with a copy of the decision notice, and notify Transport Scotland, Trunk Roads Network Management Directorate if the recommended advice is not accepted.

Memorandum Safer Communities Planning Application Consultation Response	
To: Planning Services For the Attention of Guy Phillips	
From: Safer and Inclusive Communities	Date of Issue to Planning: 6 August 2012

Lead Officer: Stewart Mackenzie	
Tel: 01475 714 200	Email: stewart.mackenzie@inverclyde.gov.uk

Safer Communities Reference (optional):	
Planning Application Reference:	12/0220/IC
Planning Application Address:	Gibshill Road, Greenock
Planning Application Proposal:	Change of use – ground to storage/distribution yard including landfill.

Team	Officer	Date
Food & Health	Michael Lapsley	
Environment & Safety <i>Contaminated Land</i>	Sharon Lindsay Roslyn McIntosh	31.07.12 27.07.12
Public Health & Housing	Jim Blair	
Environment and Enforcement	Stewart Mackenzie	27.07.12

Amend table entries as appropriate and insert date when each officer review is completed.



**Healthy
Working
Lives**



Recommended Conditions:

It is recommended that the undernoted conditions be placed on any consent the council may grant:

Delete or amend as appropriate

Food & Health	
No Comments	
Environment & Safety	
No Comments	
NB. Due to the nature of the proposed operations on site ie landfilling the site will have to have a waste management licence. This is issued by SEPA. They will also have to be consulted on this application.	
Contaminated Land	
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.
Reason:	To help arrest the 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.
Reason:	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 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.
Reason:	To provide verification that remediation has been carried out to the 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.
Reason:	To ensure that all contamination issues are recorded and dealt with appropriately.
5.	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 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.
Reason:	To protect receptors from the harmful effects of imported contamination.

Public Health & Housing

6. The applicant shall submit to the Planning Authority 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 development shall not commence until the above details are approved in writing by the Planning Authority and the equipment and any structural changes are in place.

Reason: To protect the amenity of the immediate area, prevent the creation of nuisance due to odours, insects, rodents or birds.

7. Any external lighting on the application site should comply with the Scottish Government Guidance Note "Controlling Light Pollution and Reducing Lighting Energy Consumption".

Reason: To protect the amenity of the immediate area, the creation of nuisance due to light pollution and to support the reduction of energy consumption.

Environment and Enforcement

8. Deliveries or collections to and from the site shall not be carried out between the hours of 23:00 and 07:00.

Reason: To protect the amenities of occupiers of premises from unreasonable noise and vibration levels.

Recommended Advisory Notes

It is strongly recommended that the undernoted Advisory Notes be placed on any consent the Council may grant:

- i. **Rats, drains and sewers:** Prior to the construction phase it is strongly recommended that any existing sewer/drainage connections which are no longer required should be sealed to prevent rat infestation and inhibit the movement of rats within the area via the sewers/drains.
- ii. The applicant should be fully aware of the **Construction (Design & Management) Regulations 2007 (CDM 2007)** and it's implications on client duties etc.
- iii.

Rona McGhee

From: David Ashman on behalf of Devcont Planning
Sent: 09 August 2012 09:48
To: Laura Graham
Subject: FW: SEPA Response to Consultation Reference 12/0220/IC
Attachments: PCS121516Response.doc; ATT00002.c

-----Original Message-----

From: Guy Phillips
Sent: 08 August 2012 15:32
To: Devcont Planning
Subject: FW: SEPA Response to Consultation Reference 12/0220/IC

Consultation response

Guy Phillips
Senior Planner
Regeneration & Planning
Inverclyde Council
6 Cathcart Square
Greenock
PA15 1LS

01475 712422

-----Original Message-----

From: David Ashman On Behalf Of Devcont Planning
Sent: 08 August 2012 09:12
To: Laura Graham
Subject: FW: SEPA Response to Consultation Reference 12/0220/IC

-----Original Message-----

From: planning.ek@SEPA.org.uk [<mailto:planning.ek@SEPA.org.uk>]
Sent: 07 August 2012 15:57
To: Devcont Planning; info@canseg.co.uk
Subject: SEPA Response to Consultation Reference 12/0220/IC

Thank you for consulting SEPA on the above proposal. Please find our response attached.

Where applicable this email has been copied to the agent and/or applicant.

This is an auto-generated email sent on behalf of SEPA's Planning Service. Information on our planning service along with guidance for planning authorities, developers and any other interested party is available on our website at <http://www.sepa.org.uk/planning.aspx>.

The content of this email and any attachments may be confidential and are solely for the use of the intended recipient(s). If you have received this message by mistake, please contact the sender or email info@sepa.org.uk as soon as possible then delete the email.

EXTRACT OF LETTER



Inverclyde Council
Planning
Cathcart House
6 Cathcart Square
Greenock
PA15 1LS

Our ref: PCS/121516
Your ref: 12/0220/IC
If telephoning ask for:
Lynne Anderson

7 August 2012

By email only to: devcont.planning@inverclyde.gov.uk

Dear Sir/Madam

Town and Country Planning (Scotland) Acts
Planning application: 12/0220/IC
Proposed change of use of ground to storage and distribution yard inclusive of
landfill works in retrospect
Gibshill Road Greenock

Thank you for your consultation letter which SEPA received on 24 July 2012.

We have **no objection** to this planning application. Please note the advice provided below.

Advice for the planning authority

1. Waste Management Licensing Regulations 2011 (as amended)

1.1

1.2 In response to this letter the applicant (Chris Wright & Sons Ltd for Bogston Lane, Greenock, PA15 2UD) registered a Paragraph 19 exemption under the Waste Management Licensing Regulations 2011 (as amended) with SEPA on 21st December 2011 (registration number WML/XC/1099320). From the plan submitted with the exemption notification form, Gibshill Road and Bogston Lane are indeed the same site.

1.3 The relevant activity is the use of waste (mixtures of concrete, bricks, tiles and ceramics) in connection with the construction, maintenance or improvement of a building, road, railway, airport, dock or other transport activity. The applicant's description of the relevant activity is that the land is currently unsuitable for use as a plant hire yard and as such it is their plan to import clean demolition material to act as a hard standing.

1.4 The total quantity of waste to be used is 2473 tonnes and the waste has arisen from various demolition sites in Greenock.

1.5 Details of regulatory requirements and good practice advice for the applicant can be found on our website at www.sepa.org.uk/planning.aspx. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the Renfrew & Inverclyde Operations Team in the local SEPA office at:



Chairman
David Sigsworth

Chief Executive
James Curran

East Kilbride Office
5 Redwood Crescent, Peel Park,
East Kilbride G74 5PP
tel 01355 574200 fax 01355 574688
www.sepa.org.uk

5 Redwood Crescent
Peel Park
EAST KILBRIDE
G74 5PP
Tel: 01355 574200

If you have any queries relating to this letter, please contact me by telephone on 01355 574200 or e-mail at planning.ek@sepa.org.uk.

Yours faithfully

Lynne Anderson
Senior Planning Officer

Disclaimer

This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at the planning stage. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. If you did not specifically request advice on flood risk, then advice will not have been provided on this issue. Further information on our consultation arrangements generally can be found in How and when to consult SEPA, and on flood risk specifically in the SEPA-Planning Authority Protocol.

Rona McGhee

From: Andrew Gerrard
Sent: 10 August 2012 12:32
To: Guy Phillips
Subject: RE: Planning Application 12/0220/IC

Guy,

Thanks, I'm happy to leave this to the statutory consultees to ensure nothing untoward is developed here.

Regards

Andrew

Andrew M Gerrard
Head of Property Assets & Facilities Management

Inverclyde
council

Cathcart House
6 Cathcart Square
Greenock
PA15 1LS

Tel 01475 712456

From: Guy Phillips
Sent: 10 August 2012 09:41
To: Andrew Gerrard
Subject: RE: Planning Application 12/0220/IC

Andrew,

I am still awaiting confirmation from Canata & Seggie as to whether or not their client proposes anything other than the parking of vehicles and plant on the site. There is already, however, evidence of materials (road planings and cobbles) being brought onto site.

Safer Communities observations are attached. My intention is to consult them further in the event that confirmation is received that it is proposed to store demolition material on site.

For your further information I attach the observations received from Environmental & Commercial Services which necessitate fairly significant changes to the site access (assuming the necessary sightlines and turning movements onto Gibshill Rd can be achieved)..

I trust this is helpful.

Guy Phillips
Senior Planner
Regeneration & Planning
Inverclyde Council
6 Cathcart Square
Greenock
PA15 1LS

01475 712422

From: Andrew Gerrard
Sent: 10 August 2012 09:21
To: Guy Phillips
Subject: RE: Planning Application 12/0220/IC

Guy,

I wouldn't expect us to have any objections to this however Chris Wright is a demolitions contractor and if he is proposing to store demolition material there is the potential for a dust nuisance. I would however presume that you would consult with Environmental Health and if they are OK with it I don't think we would object.

Regards

Andrew

Andrew M Gerrard
Head of Property Assets & Facilities Management

Inverclyde
council

Cathcart House
6 Cathcart Square
Greenock
PA15 1LS

Tel 01475 712456

From: Guy Phillips
Sent: 30 July 2012 16:32
To: Andrew Gerrard
Subject: FW: Planning Application 12/0220/IC

Andrew,
Please see the message below.

The planning application is available to view online.

Presently I am in discussion with Canata & Seggie as to exactly what it is Chris Wright (demolition contractor) proposes to store and distribute from the site.

Please advise me if you have any concerns.

Guy Phillips
Senior Planner
Regeneration & Planning
Inverclyde Council
6 Cathcart Square

Greenock
PA15 1LS

01475 712422

From: David Ashman **On Behalf Of** Devcont Planning
Sent: 30 July 2012 08:59
To: Grant Kennedy
Cc: Guy Phillips
Subject: FW: Planning Application 12/0220/IC

Correspondence: E-mail from Inverclyde Centre for Independent Living

Guy - note

From: Alan Burns
Sent: 27 July 2012 12:19
To: Devcont Planning
Cc: Jacquie MacIntyre
Subject: Planning Application 12/0220/IC

Good morning

I received the above Neighbour Notification for the above through the post today. We occupy the premises at 10-16 Gibshill Road but the building belongs to Inverclyde Council.

I would assume that if there were any comments or objections they would come from our Property Services section.

Regards
Alan

Alan.W.Burns
Assistant Team Leader

Inverclyde Centre for Independent Living
Inverclyde CHCP
10-16 Gibshill Road
Greenock PA15 2UP

Tel: 01475 714 350
Fax: 01475 714 351
Minicom: 01475 794 334
e.mail; alan.burns@inverclyde.gov.uk

Rona McGhee

From: David Ashman on behalf of Devcont Planning
Sent: 14 August 2012 16:44
To: Grant Kennedy
Subject: FW: 12/0220/IC - Proposed change of use of ground to storage and distribution yard inclusive of landfill works in retrospect at Gibshill Road Greenock
Attachments: 225 2012 NR No Objection.doc; ATT00002.c

From: Henderson Martin [<mailto:Martin.Henderson@networkrail.co.uk>] **On Behalf Of** Town Planning Scotland
Sent: 14 August 2012 12:07
To: Devcont Planning
Subject: REF: 12/0220/IC - Proposed change of use of ground to storage and distribution yard inclusive of landfill works in retrospect at Gibshill Road Greenock

For the attention of Guy Phillips.

Guy,

Thank you for the consultation regarding the above application. Network Rail has no objections in principle to the proposal. Please see attached letter which details our planning and basic engineering comments.

Please feel free to contact me if you have any questions.

Regards

Martin Henderson
Town Planning Technician
Network Rail
085 44543
0141 555 4543



Please send all Notifications and Consultations to TownPlanningScotland@networkrail.co.uk or by post to Network Rail, Town Planning, 4th Floor Buchanan House, 58 Port Dundas Road, Glasgow, G4 0LQ

EXTRACT OF LETTER



Inverclyde Council
Regeneration and Planning
Development Management
Cathcart House
6 Cathcart Square
Greenock
PA15 1LS

Planning reference: 12/0220/IC
Case Officer: Guy Phillips

Town Planning
4th Floor, Buchanan House
58 Port Dundas Road
Glasgow
G4 0LQ

Martin Henderson
Town Planning Technician
Telephone: 0141 555 4543
Fax: 0141 555 4956
E-Mail:
TownPlanningScotland@networkrail.co.uk

Network Rail ref: 225 2012
14/08/2012

Dear Mr Phillips,

Town and Country Planning (Scotland) Act 1997 (as amended)
Re: Proposed change of use of ground to storage and distribution yard inclusive of landfill works in retrospect at Gibshill Road Greenock

Thank you for consulting Network Rail regarding the above development.

Whilst Network Rail has no objections in principle to the proposal, due to its close proximity to the operational railway, we would request that the following matters are taken into account, and if necessary and appropriate included as conditions or advisory notes, if granting the application:

'Construction works must be undertaken in a safe manner which does not disturb the operation of the neighbouring railway. Applicants must be aware of any embankments and supporting structures which are in close proximity to their development.

- Details of the operation of any mechanical plant in proximity to the rail line must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a "possession" which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.

The developer must contact our Asset Protection Engineers regarding the above matters, contact details below:

Network Rail Asset Protection Engineer
Buchanan House, 58 Port Dundas Road
Glasgow, G4 0LQ
Tel: 0141 555 4887
E-mail - AssetProtectionScotland@networkrail.co.uk

We trust full cognisance will be taken of these comments. We would be grateful if Local Planning Authorities would provide a copy of the Decision Notice.

Yours sincerely

Martin Henderson
Town Planning Technician

Rona McGhee

From: Nicholas McLaren on behalf of Devcont Planning
Sent: 03 September 2012 08:42
To: Grant Kennedy
Subject: FW: Proposed change of use of ground to storage & distribution yard inclusive of landfill works in retrospect at Gibshill Road, Greenock - Your Ref: 12/0220/IC

From: Guy Phillips
Sent: 31 August 2012 15:54
To: Devcont Planning
Subject: FW: Proposed change of use of ground to storage & distribution yard inclusive of landfill works in retrospect at Gibshill Road, Greenock - Your Ref: 12/0220/IC

Further Roads observations.

Guy Phillips
Senior Planner
Regeneration & Planning
Inverclyde Council
6 Cathcart Square
Greenock
PA15 1LS

01475 712422

From: Donald Chisholm
Sent: 31 August 2012 14:42
To: Guy Phillips
Cc: Mark Higginbotham
Subject: RE: Proposed change of use of ground to storage & distribution yard inclusive of landfill works in retrospect at Gibshill Road, Greenock - Your Ref: 12/0220/IC

Guy

The X distance for visibility splay indicated at the access to the left is 18.27m designing streets indicates a required visibility splay of 43m, The Highway Code indicates the shortest stopping distance for a vehicle travelling at 30mph is 23m.

Consequently the application should be refused on the grounds the required visibility splay cannot be achieved, consequently road safety will be prejudiced.

If a vehicle emerges from the access and a vehicle is travelling in Gibshill Road at 30mph and is between 23m and 18.27m from the access, there will be a collision,, the stopping distance of the vehicle (23m) being greater than the X distance 18.27m.

The drivers eye level in an articulated vehicle does not apply in this case as all types of vehicles use the yard, car parking spaces are indicated on the drawing. A condition would require to be added to planning permission limiting the type of vehicle using the access.

If this were the case truck drivers would have to park off site when arriving by car to collecting their trucks from the operating centre.

The drivers would be likely to ignore this restriction or park in Gibshill Road causing obstruction

Donald

From: Guy Phillips

Sent: 30 August 2012 15:01

To: Donald Chisholm

Subject: FW: Proposed change of use of ground to storage & distribution yard inclusive of landfill works in retrospect at Gibshill Road, Greenock - Your Ref: 12/0220/IC

Donald,

Could you please give me your observations on the revised drawings attached to this message.

Guy Phillips
Senior Planner
Regeneration & Planning
Inverclyde Council
6 Cathcart Square
Greenock
PA15 1LS

01475 712422

From: John Seggie [<mailto:info@canseg.co.uk>]

Sent: 30 August 2012 13:29

To: Guy Phillips

Cc: Chris Wright & Sons Ltd

Subject: Proposed change of use of ground to storage & distribution yard inclusive of landfill works in retrospect at Gibshill Road, Greenock - Your Ref: 12/0220/IC



Guy,

As discussed with you earlier, I now attach PDF files of my covering letter and Drawing Numbers 2165-D-001-REV A & 2165-D-002-REV A in connection with the above Planning application.

The originals will be hand-delivered to your Reception later this afternoon.

Regards,

J. W. SEGGIE. Dip Arch. ARIAS. RIBA. RMaPS.

Canata and Seggie Chartered Architects
7 Union Street
Greenock

PA16 8JH

Tel. 01475-784517
Fax. 01475-888344
Email. info@canseg.co.uk
URL. www.canseg.co.uk

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Canata and Seggie Chartered Architects is the trading name of Canseg Ltd. Registered in Scotland No. 251859

Rona McGhee

From: Gordon Leitch
Sent: 12 September 2012 10:45
To: Guy Phillips
Subject: RE: Proposed change of use of ground to storage & distribution yard inclusive of landfill works in retrospect at Gibshill Road, Greenock - Your Ref: 12/0220/IC

Guy,

Designing streets is less onerous than the Roads Development guide.

The roads development visibility splay for a Residential Core Road is 9m by 90m.
Even for an Industrial Road the Visibility splay is 4.5m by 60m.

Neither of these can be achieved.

Regards

Gordon

Gordon Leitch
Supervisory Engineer (Roads Design)
Environmental Services
71 East Hamilton Street
Greenock PA15 2UA
Tel: 01475 714826

From: Guy Phillips
Sent: 12 September 2012 09:58
To: Gordon Leitch
Subject: FW: Proposed change of use of ground to storage & distribution yard inclusive of landfill works in retrospect at Gibshill Road, Greenock - Your Ref: 12/0220/IC

Aas discussed.

Guy Phillips
Senior Planner
Regeneration & Planning
Inverclyde Council
6 Cathcart Square
Greenock
PA15 1LS

01475 712422

From: Nicholas McLaren **On Behalf Of** Devcont Planning
Sent: 03 September 2012 08:42
To: Grant Kennedy
Subject: FW: Proposed change of use of ground to storage & distribution yard inclusive of landfill works in retrospect at Gibshill Road, Greenock - Your Ref: 12/0220/IC

From: Guy Phillips
Sent: 31 August 2012 15:54
To: Devcont Planning
Subject: FW: Proposed change of use of ground to storage & distribution yard inclusive of landfill works in retrospect at Gibshill Road, Greenock - Your Ref: 12/0220/IC

Further Roads observations.

Guy Phillips
Senior Planner
Regeneration & Planning
Inverclyde Council
6 Cathcart Square
Greenock
PA15 1LS

01475 712422

From: Donald Chisholm
Sent: 31 August 2012 14:42
To: Guy Phillips
Cc: Mark Higginbotham
Subject: RE: Proposed change of use of ground to storage & distribution yard inclusive of landfill works in retrospect at Gibshill Road, Greenock - Your Ref: 12/0220/IC

Guy

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Consequently the application should be refused on the grounds the required visibility splay cannot be achieved, consequently road safety will be prejudiced.

If a vehicle emerges from the access and a vehicle is travelling in Gibshill Road at 30mph and is between 23m and 18.27m from the access, there will be a collision,, the stopping distance of the vehicle (23m) being greater than the X distance 18.27m.

The drivers eye level in an articulated vehicle does not apply in this case as all types of vehicles use the yard, car parking spaces are indicated on the drawing. A condition would require to be added to planning permission limiting the type of vehicle using the access.

If this were the case truck drivers would have to park off site when arriving by car to collecting their trucks from the operating centre.

The drivers would be likely to ignore this restriction or park in Gibshill Road causing obstruction

Donald

From: Guy Phillips
Sent: 30 August 2012 15:01
To: Donald Chisholm
Subject: FW: Proposed change of use of ground to storage & distribution yard inclusive of landfill works in retrospect at Gibshill Road, Greenock - Your Ref: 12/0220/IC

Donald,
Could you please give me your observations on the revised drawings attached to this message.

Guy Phillips
Senior Planner
Regeneration & Planning
Inverclyde Council
6 Cathcart Square
Greenock
PA15 1LS

01475 712422

From: John Seggie [<mailto:info@canseg.co.uk>]
Sent: 30 August 2012 13:29
To: Guy Phillips
Cc: Chris Wright & Sons Ltd
Subject: Proposed change of use of ground to storage & distribution yard inclusive of landfill works in retrospect at Gibshill Road, Greenock - Your Ref: 12/0220/IC



Guy,

As discussed with you earlier, I now attach PDF files of my covering letter and Drawing Numbers 2165-D-001-REV A & 2165-D-002-REV A in connection with the above Planning application.

The originals will be hand-delivered to your Reception later this afternoon.

Regards,

J. W. SEGGIE. Dip Arch. ARIAS. RIBA. RMaPS.

Canata and Seggie Chartered Architects
7 Union Street
Greenock
PA16 8JH

Tel. 01475-784517

Fax. 01475-888344
Email. info@canseg.co.uk
URL. www.canseg.co.uk

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Canata and Seggie Chartered Architects is the trading name of Canseg Ltd. Registered in Scotland No. 251859

Rona McGhee

From: Mark Higginbotham
Sent: 14 September 2012 09:15
To: Guy Phillips
Cc: Nicholas McLaren; David Ashman
Subject: RE: Proposed change of use of ground to storage and distribution yard inclusive of landfill works in retrospect at Gibshill Road Greenock - Your Ref. 12/0220/IC

Guy

I regret that none of Canata & Seggie's proposals alter the recommendation of the roads dept.

Mark Higginbotham
Team Leader Consultancy
Environmental and Commercial Services
Inverclyde Council
Tel. 01475 714817

From: Guy Phillips
Sent: 14 September 2012 08:56
To: Mark Higginbotham
Cc: Nicholas McLaren; David Ashman
Subject: FW: Proposed change of use of ground to storage and distribution yard inclusive of landfill works in retrospect at Gibshill Road Greenock - Your Ref. 12/0220/IC

Mark,

Further to our conversation yesterday, I have received the message below from Canata & Seggie. I am due to present the attached report for refusal this morning.

Do Canata & Seggie's comments present any justification for delaying determination of the application?

Guy Phillips
Senior Planner
Regeneration & Planning
Inverclyde Council
6 Cathcart Square
Greenock
PA15 1LS

01475 712422

From: John Seggie [<mailto:info@canseg.co.uk>]
Sent: 13 September 2012 16:46
To: Guy Phillips
Cc: Chris Wright & Sons Ltd
Subject: Proposed change of use of ground to storage and distribution yard inclusive of landfill works in retrospect at Gibshill Road Greenock - Your Ref. 12/0220/IC



Guy,

Further to your e-mail of the 12th inst. regarding the above, I have met with my Client, Chris Wright, to discuss the road safety concerns raised by IC Roads and would comment as follows:

- A. Is my interpretation of IC Roads comments correct that it now accepts articulated vehicles can enter and exit the site safely?
- B. With regard to other vehicles that would use the proposed site entrance, my client anticipates that this would be limited to approx. 8-10 car movements per day in total by his 4 site operatives. To improve road safety for car users at the proposed site entrance my Client is prepared to implement any or a mixture of the following measures at his own cost:
 - The formation of road calming measures such as a sleeping policeman to slow down traffic approaching the proposed site entrance from the south.
 - The erection of a high-level convex mirror to enable car drivers leaving the site to see traffic approaching the proposed site entrance from the south. As you are aware this is a facility that has worked successfully for many years for the shore side houses along the trunk road through Wemyss Bay
 - Making it mandatory for cars leaving the site to turn left and erecting a large sign to this effect.
 - Stopping cars entering and leaving the site by removing the proposed off-street car parking facilities and asking his site operatives to park their cars on the Gibshill Road carriageway. In this regard, can you explain to my Client why is it not acceptable for his site operatives to do this when other members of the public can without restriction?

I trust that you will fully consider the above points and shall be obliged if you will provide me and my Client the opportunity to meet you and Donald Chisholm of IC Roads on site to discuss these matters in more detail before you finalise the processing of the application.

Regards,

J. W. SEGGIE. Dip Arch. ARIAS. RIBA. RMaPS.

Canata and Seggie Chartered Architects
7 Union Street
Greenock
PA16 8JH

Tel. 01475-784517
Fax. 01475-888344
Email. info@canseg.co.uk
URL. www.canseg.co.uk

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Canata and Seggie Chartered Architects is the trading name of Canseg Ltd. Registered in Scotland No. 251859

**DECISION NOTICE DATED
17 SEPTEMBER 2012**

DECISION NOTICE

Inverclyde
council

Refusal of Planning Permission

Issued under Delegated Powers

Regeneration and Planning
6 Cathcart Square
Greenock
PA15 1LS

Planning Ref: 12/0220/IC

Online Ref:000044698-001

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(SCOTLAND) REGULATIONS 2008**

Chris Wright & Sons Ltd
179 Inverkip Road
Greenock
PA16 9EH

Canata And Seggie
John Seggie
Chartered Architects
7 Union Street
GREENOCK
PA16 8JH

With reference to your application dated 19th July 2012 for planning permission under the above mentioned Act and Regulation for the following development:-

Proposed change of use of ground to storage and distribution yard inclusive of landfill works in retrospect at

Gibshill Road, Greenock

Category of Application: Local Application Development

The INVERCLYDE COUNCIL in exercise of their powers under the abovementioned Act and Regulation hereby refuse planning permission for the said development.

The reasons for the Council's decision are:-

1. The sightline requirement of the Council's Roads Development Guide and the Scottish Government's Designing Streets cannot be met at the proposed vehicular access onto Gibshill Road, to the detriment of road safety.

The reason why the Council made this decision is explained in the attached Report of Handling.

Dated this 17th day of September 2012

Head of Regeneration and Planning



- 1 If the applicant is aggrieved by the decision of the Planning Authority to refuse permission for or approval required by condition in respect of the proposed development, or to grant permission or approval subject to conditions, he may seek a review of the decision within three months beginning with the date of this notice. The request for review shall be addressed to The Head of Legal and Administration, Inverclyde Council, Municipal Buildings, Greenock, PA15 1LY.
- 2 If permission to develop land is refused or granted subject to conditions, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the planning authority a purchase notice requiring the purchase of his interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997

Refused Plans: Can be viewed Online at <http://planning.inverclyde.gov.uk/Online/>

Drawing No:	Version:	Dated:
2165-D-001	A	28.08.2012
2165-D-002	A	28.08.2012

**NOTICE OF REVIEW FORM, APPEAL
STATEMENT AND DRAWINGS (DRAWINGS
CIRCULATED SEPARATELY)**

2165/JWS

Inverclyde Council Local Review Body
Planning Services
Development Control and Conservation
Cathcart House
6 Cathcart Square
Greenock
PA15 1LS

14 December 2012

Dear Sir(s),

Proposed change of use of ground to storage & distribution yard inclusive of landfill works in retrospect at Gibshill Road, Greenock
Refusal of Planning Permission Ref: 12/0220/IC

We attach a **Notice Of Review** application in connection with the above Planning Refusal consisting of the following:

- A. Completed **Notice Of Review** application form.
- B. Statement of Appeal.
- C. The Planning application drawing Nos. 2165-D-001-REV A and 2165-D-002-REV A.

We trust that you find everything in order to allow you to process the **Notice Of Review** and look forward to hearing from you in due course.

Yours faithfully,

J. W. SEGGIE. Dip Arch. ARIAS. RIBA. RMaPS.

\\theserve\projects\2150-2199\2165 - chris wright & sons ltd, gibshill road, greenock\letters\notice of review application to local review body.doc



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NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED) IN RESPECT OF DECISIONS ON LOCAL DEVELOPMENTS

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE) (SCOTLAND) REGULATIONS 2008

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2008

IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.

Use BLOCK CAPITALS if completing in manuscript

Applicant(s)

Name

Address

Postcode

Contact Telephone 1
Contact Telephone 2
Fax No

E-mail*

Agent (if any)

Name

Address

Postcode

Contact Telephone 1
Contact Telephone 2
Fax No

E-mail*

Mark this box to confirm all contact should be through this representative:

* Do you agree to correspondence regarding your review being sent by e-mail?

Yes No

Planning authority

Planning authority's application reference number

Site address

Description of proposed development

Date of application

Date of decision (if any)

Note. This notice must be served on the planning authority within three months of the date of the decision notice or from the date of expiry of the period allowed for determining the application.

Nature of application

- 1. Application for planning permission (including householder application)
- 2. Application for planning permission in principle
- 3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition)
- 4. Application for approval of matters specified in conditions

Reasons for seeking review

- 1. Refusal of application by appointed officer
- 2. Failure by appointed officer to determine the application within the period allowed for determination of the application
- 3. Conditions imposed on consent by appointed officer

Review procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

- 1. Further written submissions
- 2. One or more hearing sessions
- 3. Site inspection
- 4. Assessment of review documents only, with no further procedure

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing are necessary:

Site inspection

In the event that the Local Review Body decides to inspect the review site, in your opinion:

- | | Yes | No |
|--|-------------------------------------|--------------------------|
| 1. Can the site be viewed entirely from public land? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

N/A

Statement

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

REFER TO THE ATTACHED STATEMENT OF APPEAL

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made?

Yes No

If yes, you should explain in the box below, why you are raising new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

N/A

List of documents and evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review.

THE PLANNING APPLICATION DRAWING NOS. 2165-D-001-REV A & 2165-D-002-REV A.

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

Checklist

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

- Full completion of all parts of this form
- Statement of your reasons for requiring a review
- All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

Declaration

I the ~~applicant~~ agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed

Date

14 DECEMBER 2012

2165/JWS

Inverclyde Council Local Review Body
Planning Services
Development Control and Conservation
Cathcart House
6 Cathcart Square
Greenock
PA15 1LS

14 December 2012

Dear Sir(s),

Statement of Appeal in connection with Refusal of Planning Permission Ref: 12/0220/IC

We confirm that we act on behalf of Chris Wright & Sons Ltd with regard to the above planning application which was refused by Inverclyde Council on 17 September 2012.

The reason for the refusal was *"The sightline requirement of the Council Roads Development Guide and the Scottish Government's Designing Streets cannot be met at the proposed vehicular access onto Gibshill Road, to the detriment of road safety"*.

The sightline this refers to is to the south of the proposed site entrance looking up Gibshill Road across the bridge that spans the Glasgow to Gourock railway line. We further understand that this was relevant only to cars leaving the site as it was accepted that articulated vehicle drivers who have a sitting eye-level of 2000mm would have an unrestricted visibility sightline over the railway bridge to the south.

The anticipated number of traffic movements likely to be generated at the proposed site entrance by our client's 4 site operatives is unlikely to exceed 10 per day in total of which 5 will involve leaving the site. To summarise therefore, the application has been refused on the basis of these 5 additional traffic movements.

Our client disagrees with the basis on which the application has been refused as he offered to implement, at his own cost, several safety measures at the proposed vehicular access to ensure that road safety would not be compromised. These safety measures consisted of:

- A. The erection of a high-level convex mirror to enable car drivers leaving the site to see traffic approaching the proposed site entrance from the south. This is a facility that has worked successfully for many years for the shore-side houses along the trunk road through Skelmorlie.
- B. The formation of road calming measures such as a sleeping policeman to slow down traffic approaching the proposed site entrance from the south.
- C. Making it mandatory for cars leaving the site to turn left and erecting a large sign to this effect.
- D. Removing his proposed on-site car parking facilities and asking his 4 site operatives to park their cars on the Gibshill Road carriageway which has no parking restrictions and sufficient capacity to accommodate an additional four parked cars. This would effectively remove the



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site egress traffic movements which forms the basis of the Council's Roads Service's objection.

The Council's Roads Service failed to respond to our client's reasonable request for a site meeting to be held with it to discuss the merits of implementing any or a mixture of these safety measures prior to the application being refused and, as such, was denied the opportunity to discuss the potential of agreeing a revised site entrance arrangement that would not compromise road safety.

We trust that we have demonstrated that it is possible for our client to form a new vehicular access to his site without road safety being compromised and would urge you to grant planning permission for the development on this basis.

Yours faithfully,

J. W. SEGGIE. Dip Arch. ARIAS. RIBA. RMaPS.

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FURTHER CONSULTATION RESPONSE

Rona McGhee

From: Gordon Leitch
Sent: 08 January 2013 10:15
To: Rona McGhee
Subject: RE: Review of Decision to Refuse Planning Permission - Proposed Change of Use of Ground to Storage and Distribution Yard Inclusive of Landfill Works, Gibshill Road, Greenock (12/0220/IC)

Rona,

Further to the decision to refuse the application I would further clarify the reasons for refusal.

- The visibility splay is not achievable and consequently would be detrimental to road safety.
- To achieve the correct visibility splay a section of the parapet on the bridge would have to be demolished along with a section of the steel girder on the bridge to achieve the 1.05m high visibility splay.
- The applicant has shown vehicles turning right out new junction, the Council can not enforce a left turning ban and if vehicles did exit left they would encroach onto the opposite side thus prejudicing road safety.

These points above should be added to this Services representations.

Regards

Gordon

Gordon Leitch
Supervisory Engineer (Roads Design)
Environmental Services
71 East Hamilton Street
Greenock PA15 2UA
Tel: 01475 714826

From: Rona McGhee
Sent: 21 December 2012 09:10
To: Ian Moffat
Cc: Mark Higginbotham; Gordon Leitch; Donald Chisholm
Subject: Review of Decision to Refuse Planning Permission - Proposed Change of Use of Ground to Storage and Distribution Yard Inclusive of Landfill Works, Gibshill Road, Greenock (12/0220/IC)

Ian

Inverclyde Council is in receipt of a notice requesting review of the decision to refuse the above planning application and I note that you submitted representations that were considered as part of the assessment process.

The decision is to be reviewed by Inverclyde Council's Local Review Body. I write to advise you that your representations will be considered by the Local Review Body in the review of the decision. Should you wish to make further comment you may do so to me within 21 days of the date of this email. Should you make further representations, these will be copied to the applicant who will be given the chance to respond.

Your representations and any further representations you submit will form part of the agenda papers for the Local Review Body meeting at which the review of the decision to refuse planning permission is considered. The agenda will be published on the Council's website and hard copies will be available at the Local Review Body meeting. Should you consider that any of the comments contained in your representations, or any further representations you may submit, should be removed prior to publication please notify me within 21 days of the date of this email otherwise I will assume that you have no objection to any of your comments being made publicly available. For your information, I would confirm that signatures will be removed prior to publication.

All information relating to the Review is available for inspection as follows:

1. At the office of the Council's Regeneration and Planning Service, Cathcart House, 6 Cathcart Square, Greenock during advertised opening hours.

The Local Review Body meets in public and I shall write to you shortly with arrangements should you wish to attend.

Regards,
Rona

Rona McGhee
Senior Administration Officer
Legal & Democratic Services
Inverclyde Council
Municipal Buildings
Greenock
PA15 1LX
Tel: 01475 712113
Fax: 01475 712137

**SUGGESTED CONDITIONS SHOULD
PLANNING PERMISSION BE
GRANTED ON REVIEW**

**PROPOSED CHANGE OF USE OF GROUND TO STORAGE AND DISTRIBUTION
YARD INCLUSIVE OF LANDFILL WORKS (IN RETROSPECT):**

GIBSHILL ROAD, GREENOCK (12/0220/IC)

Suggested conditions should planning permission be granted on review

Conditions

1. The storage and distribution yard, hereby approved, shall be used only for the storage of vehicles and plant.
2. No development shall commence until full details of all boundary treatment has been submitted to and approved in writing by the Planning Authority thereafter, the approved boundary treatment shall be completed within three months of approval.
3. No development shall commence until full details of all site drainage has been submitted to and approved in writing by the Planning Authority thereafter, the approved site drainage shall be completed within three months of approval.
4. 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.
5. 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.
6. 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.
7. 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.

8. 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 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.
9. Deliveries or collections to and from the site shall not be carried out between the hours of 23:00 and 07:00.
10. The site shall be provided with wheel washing facilities in perpetuity, details of same being submitted for the prior written approval of the Planning Authority.

Reasons

1. To prevent harm from pollution, as there are no buildings or storage bunds on the site to contain loose materials.
2. To ensure that the storage and distribution activity is provided with adequate boundary treatment and in the interests of visual amenity.
3. To prevent harm to adjoining land from surface water run off.
4. To help arrest the spread of Japanese Knotweed in the interests of environmental protection.
5. To satisfactorily address potential contamination issues in the interests of environmental safety.
6. To provide verification that remediation has been carried out to the authority's satisfaction.
7. To ensure that all contamination issues are recorded and dealt with appropriately.
8. To protect receptors from the harmful effects of imported contamination.
9. To protect the amenities of occupiers of premises from unreasonable noise and vibration levels.
10. To prevent loose material being spread onto Gibshill Road.