

LOCAL REVIEW BODY - 4 SEPTEMBER 2013

Local Review Body

Wednesday 4 September 2013 at 4pm

Present: Provost Moran, Councillors Dorrian, Loughran, Nelson and Wilson.

Chair: Councillor Wilson presided.

In attendance: Mr R Gimby (Regeneration & Planning Services) and Mr J Kerr (for Head of Legal & Democratic Services).

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

509 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST 509

No apologies for absence or declarations of interest were intimated.

510 PLANNING APPLICATIONS FOR REVIEW 510

- (a) Erection of a single wind turbine with a maximum blade tip height of up to 53.7m and associated infrastructure:
Cairncurran Farm, Auchenfoil Road, Kilmacolm (12/0357/IC)**

There were submitted papers relative to the application for review of the refusal of planning permission for the erection of a single wind turbine with a maximum blade tip height of up to 53.7m and associated infrastructure at Cairncurran Farm, Auchenfoil Road, Kilmacolm (12/0357/IC).

Decided:

- (1) that sufficient information had not been submitted to allow the Local Review Body to decide the matter without further procedure; and
- (2) that, in terms of Regulation 16 of the Town & Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008, consideration of the application for review be continued for an unaccompanied site inspection to be arranged by the Head of Legal & Democratic Services in consultation with the Chair.

- (b) Change of use of store/workshop to hot food takeaway:
Bute Avenue, Port Glasgow (13/0026/IC)**

There were submitted papers relative to the application for review of the refusal of planning permission for change of use of store/workshop to hot food takeaway at Bute Avenue, Port Glasgow (13/0026/IC).

The applicant's agent had raised new matters in the form of a petition in support of the development which was not before the appointed officer. Mr Kerr asked Members to consider whether they would wish to take account of this matter in reviewing the application in terms of Section 43B of the Town & Country Planning (Scotland) Act 1997. Members agreed that the petition in support of the development should be taken into consideration and copies of the petition were circulated.

Decided:

- (1) that sufficient information had been submitted to allow the Local Review Body to decide the matter without further procedure; and

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(2) that the application for review be dismissed and that planning permission be refused (upholding the appointed Officer's determination) as the proposal shall introduce late night noise and activity into a residential street, to the detriment of residential amenity and character and contrary to Policy H1 of the Local Plan, as set out in the Decision Notice dated 9 April 2013.

**(c) Installation of solar panels (in retrospect):
31 Eldon Street, Greenock (13/0086/IC)**

There were submitted papers relative to the application for review of the refusal of planning permission for the installation of solar panels (in retrospect) at 31 Eldon Street, Greenock (13/0086/IC).

After discussion, Councillor Nelson moved:-

- (1) that sufficient information had been submitted to allow the Local Review Body to decide the matter without further procedure; and
- (2) that the application for review be upheld and that planning permission be granted subject to the condition that if the solar panels hereby permitted become redundant, obsolete or are decommissioned at any time in the future, they shall be removed and the roof fully reinstated to the satisfaction of the Planning Authority within 2 months of the date at which the panels become redundant, obsolete or are decommissioned, to ensure the removal of redundant equipment within an appropriate time period in the interests of the visual amenity within the Greenock West End Conservation Area.

As an amendment, Councillor Dorrian moved:-

- (1) that sufficient information had been submitted to allow the Local Review Body to decide the matter without further procedure; and
- (2) that the application for review be dismissed and that planning permission be refused (upholding the appointed Officer's determination) for the following reasons as set out in the Decision Notice dated 9 May 2013:-
 - (1) the solar panels installed detract from the character and appearance of the existing building and wider terrace, and fail to preserve or enhance the appearance of the Greenock West End Conservation Area; and
 - (2) the proposal does not accord with the advice contained in policies HR1, HR11 and HR12 of the Inverclyde Local Plan, Historic Scotland's Managing Change in the Historic Environment Guidance Notes and the SHEP which seeks to preserve the historic environment.

On a vote, 2 Members voted for the amendment and 3 for the motion which was declared carried.

Decided:

- (1) that sufficient information had been submitted to allow the Local Review Body to decide the matter without further procedure; and
- (2) that the application for review be upheld and that planning permission be granted subject to the condition that if the solar panels hereby permitted become redundant, obsolete or are decommissioned at any time in the future, they shall be removed and the roof fully reinstated to the satisfaction of the Planning Authority within 2 months of the date at which the panels become redundant, obsolete or are decommissioned, to ensure the removal of redundant equipment within an appropriate time period in the interests of the visual amenity within the Greenock West End Conservation Area.