

LOCAL REVIEW BODY - 7 MAY 2014

Local Review BodyWednesday 7 May 2014 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 & Property Services).

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

344 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST 344

No apologies for absence or declarations of interest were intimated.

345 CONTINUED PLANNING APPLICATION FOR REVIEW 345

**Change of use from residential flat (Class 9) to children's nursery (Class 10):
18 Eldon Street, Greenock (13/0242/IC)**

There were submitted papers relative to the application for review of the refusal of planning permission for change of use from residential flat (Class 9) to children's nursery (Class 10) at 18 Eldon Street, Greenock (13/0242/IC), consideration of which had been continued from the meeting held on 5 March 2014 for an unaccompanied site inspection.

After discussion, Provost Moran 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 the nursery, hereby approved, shall not operate outwith the hours 08.00 to 17.30, to prevent early morning and evening disturbance and to safeguard residential amenity and character.

As an amendment, 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 dismissed and that planning permission be refused (upholding the appointed officer's determination) as the proposal shall introduce noise and activity between the hours of 07.30 and 18.00 in a predominantly residential area, to the detriment of nearby residents and the overall character of the area and contrary to policies H1 and H9 of the Local Plan and policy RES1 of the proposed Local Development Plan, as set out in the Decision Notice dated 19 November 2013.

On a vote, 2 Members voted for the motion and 2 for the amendment. There being equality in voting, the Chair exercised his casting vote in favour of 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

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subject to the condition that the nursery, hereby approved, shall not operate outwith the hours 08.00 to 17.30, to prevent early morning and evening disturbance and to safeguard residential amenity and character.

346 PLANNING APPLICATIONS FOR REVIEW

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**(a) Alterations to design of detached dwellinghouse and formation of garage/car port (variation to consent 13/0246/IC):
Former ARP Station, Lochwinnoch Road, Kilmacolm (14/0005/IC)**

There were submitted papers relative to the application for review of the refusal of planning permission for alterations to design of detached dwellinghouse and formation of garage/car port (variation to consent 13/0246/IC) at the former ARP Station, Lochwinnoch Road, Kilmacolm (14/0005/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 2013, consideration of the application for review be continued for an unaccompanied site inspection to be arranged by the Head of Legal & Property Services in consultation with the Chair.

**(b) Erection of conservatory:
Langrigs, Gryffe Road, Kilmacolm (13/0314/IC)**

There were submitted papers relative to the application for review of the condition imposed on the planning permission granted for the erection of a conservatory at Langrigs, Gryffe Road, Kilmacolm (13/0314/IC).

After discussion, Councillor Loughran moved:-

- (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 2013, consideration of the application for review be continued for an unaccompanied site inspection to be arranged by the Head of Legal & Property Services in consultation with the Chair.

As an amendment, 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 the condition be deleted.

On a vote, 2 Members voted for the motion and 3 for the amendment 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 condition 1 of the planning permission granted in terms of the Decision Notice dated 23 December 2013 be deleted.