

PLANNING BOARD – 5 NOVEMBER 2014

Planning Board

Wednesday 5 November 2014 at 3 pm

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

Chair: Councillor Wilson presided.

In attendance: Head of Regeneration & Planning, Development & Building Standards Manager, Mr D Ashman (Planning Services), Mr M Higginbotham (for Head of Environmental & Commercial 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 Board.

706 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST 706

Apologies for absence were intimated on behalf of Councillors McColgan and Nelson, with Councillor Brennan substituting for Councillor McColgan. Councillor Wilson declared an interest in agenda item 4 (Pre-Determination Hearing).

707 PLANNING APPLICATION 707

There was submitted a report by the Head of Regeneration & Planning on an application by Inverclyde Council for new multi use games areas on an existing blaes pitch with associated fencing, equipment container, floodlighting and drainage at St Ninian's Primary School, Staffa Street, Gourock (14/0285/IC).

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

- (1) that the existing parking spaces within the school grounds shall be available to users of approved games outwith normal school hours, to ensure the provision of adequate on site parking facilities;
- (2) that the use of the approved games area shall not take place outwith the hours of 8 am to 9 pm on Mondays to Fridays and 8 am to 6 pm at weekends, to ensure that the use of the facility does not generate noise disturbance to nearby residents when ambient noise levels are lowest;
- (3) that the floodlights hereby permitted shall be baffled in order that the threshold vertical luminance at the nearest property does not exceed 5 lux, to ensure that the floodlights do not produce an unacceptable level of light pollution and disturbance to nearby residents;
- (4) that the development shall not commence until an environmental investigation and risk assessment, including any necessary remediation strategy with timescale for implementation, of all pollutant linkages has been submitted to and approved, in writing by the Planning Authority. The investigations and assessment shall be site-specific and completed in accordance with acceptable codes of practice. The remediation strategy shall include verification/validation methodologies. This may be incorporated as part of a ground condition report and should include an appraisal of options, to satisfactorily address potential contamination issues in the interests of environmental safety;
- (5) 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

PLANNING BOARD – 5 NOVEMBER 2014

accordance with the remediation strategy. This report shall demonstrate that no pollutant linkages remain or are likely to occur and include (but not be limited to) a collation of verification/validation certificates, analysis information, remediation lifespan, maintenance/aftercare information and details of imported/disposed/reused materials relevant to the site, to provide verification that remediation has been carried out to the Planning Authority's satisfaction;

(6) that the presence of any previously unrecorded contamination or variation to reported ground conditions that becomes evident during site works shall be brought to the attention of the Planning Authority within one week. Consequential amendments to the Remediation Strategy shall not be implemented unless it has been submitted to and approved, in writing, by the Planning Authority, to ensure that all contamination issues are recorded and dealt with appropriately; and

(7) that the use of the development shall not commence until the applicant has submitted a completion report for approval, in writing by the Planning Authority detailing all fill or landscaping material imported onto the site. This report shall contain information of the materials source, volume, intended use and verification of chemical quality (including soil-leachate and organic content etc.) with plans delineating placement and thickness, to protect receptors from the harmful effects of imported contamination.

708 PLANNING APPEAL – 22 KILBLAIN STREET, GREENOCK

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There was submitted a report by the Head of Regeneration & Planning advising that following the decision of the Board at the meeting held on 2 April 2014 to refuse planning permission for the change of use from Class 1 (Laundrette) to Class 2 (Bookmaker) together with the installation of a new shop front, aerial and associated alterations at 22 Kilblain Street, Greenock (14/0023/IC) and the subsequent appeal by the applicant to the Scottish Government against that refusal, the Reporter appointed by the Scottish Government had issued his decision which was to dismiss the appeal.

Noted

709 PLANNING APPEAL – 48-50 PRINCES STREET, PORT GLASGOW

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There was submitted a report by the Head of Regeneration & Planning advising that following the decision of the Board at the meeting held on 4 December 2013 to refuse planning permission for the change of use to convenience store and hot food takeaway at 48-50 Princes Street, Port Glasgow (13/0215/IC) and the subsequent appeal by the applicant to the Scottish Government against that refusal, the Reporter appointed by the Scottish Government had issued his decision which was to uphold the appeal and grant planning permission subject to conditions. The Reporter also awarded the expenses of the appeal against the Council.

Noted

710 PRE-DETERMINATION HEARING

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Councillor Wilson declared a non-financial interest in this matter as the Chair of a group opposing the development of a wind farm on the application site and took no part in its consideration or decision. Councillor Brooks assumed the Chair.

Councillor Campbell-Sturgess left the meeting at this juncture.

The meeting adjourned at 3.20 pm and resumed at 3.30 pm.

PLANNING BOARD – 5 NOVEMBER 2014

There was submitted a report by the Head of Regeneration & Planning on an application by Inverclyde Windfarm Ltd for erection of 8 wind turbines, the construction of access tracks and ancillary development (including crane hardstandings, cabling, transformers and culverts), the formation of a borrow pit, the erection of a sub-station and control building, the formation of a car park and the erection of temporary construction compounds at land north and east of Corlic Hill, Greenock (13/0199/IC).

The Chair referred to the Pre-Determination Hearing Procedure included with the agenda papers, which, for the benefit of those present, Mr Kerr read aloud.

The Chair then invited the applicant, objectors and consultees who had indicated they wish to address the Board to speak and the Board heard presentations from:-

(a) Mr Alan Baker on behalf of 2020 Renewables Limited (applicant) – issues raised: the safe operation of Glasgow Airport; the visual impact and the impact of the proposal on Scheduled National Monuments and the positive economic benefits arising from the proposals;

(b) Mr Stephen Hampson on behalf of Kilmacolm Community Council (objector) - issues raised: the potential adverse visual impact; the importance of the architectural sites forming part of the application site; the close proximity of the proposal to residential areas and conflict with national, regional and local planning policies;

(c) Mr Nicol Cameron on behalf of Kilmacolm Civic Trust (objector) – issues raised: government policy; inappropriate location of the development within the greenbelt and countryside; the proximity of turbines to and the impact on rural housing and the environment and shadow and blade movement from the turbines;

(d) Ms Evelina Longworth (objector) – issues raised: the proximity of the turbines to her home; conflict with national, strategic and local planning guidelines; noise; shadow flicker; visual impact; house values; depopulation; the divisive nature of the community benefits and the extent of public subsidy;

(e) Mr Kenny McDonald (objector) – issues raised: the impact on the countryside; visual impact; impact on recreation; proximity of turbines to housing; impact on private water supplies; pollution; noise and house prices;

(f) Mr Robert Maund, Ms Jannis Low and Mr Nigel Willis on behalf of Save Our Regional Park (objector) – issues raised: the planning history of the Regional Park and the site; the number and scale of wind turbines in the vicinity of Clyde Muirshiel Regional Park; regional and local planning policy; the use of Clyde Muirshiel Regional Park as an education asset and contribution to lifelong learning; conservation of the Regional Park for future generations; the health benefits associated with the Park; the local authority's duty to protect water supplies and archaeological impacts;

(g) Mr David Roach on behalf of Inverclyde Ramblers (objector) – issues raised: vistas from Corlic Hill and archeological issues;

(h) Mr Ross Nimmo on behalf of Glasgow Airport Limited (consultee) – issues raised: the potential impact on the safe and efficient operation of airspace and the absence of mitigation solutions in relation to the application site; and

(i) Mr Alan Brown on behalf of Clyde Muirshiel Regional Park (consultee) – issues raised: landscape and visual impact; ecological impact and tourism and recreation concerns.

The meeting was adjourned at 4.55 pm and reconvened at 4.58 pm.

The Head of Regeneration & Planning then presented his report and recommendations to the Board following which Mr Baker responded to matters raised by the objectors and consultees in their presentations relating to aviation, residential amenity at Luss Place, water supplies, Clyde Muirshiel Regional Park and planning policy.

Members then asked a number of questions which were answered by Mr Baker, assisted by Mr Alasdair MacLeod with the Board's agreement, Mr Nimmo and the Head

PLANNING BOARD – 5 NOVEMBER 2014

of Regeneration & Planning.

Decided: that the Planning Board recommend to the Inverclyde Council that planning permission be refused on the following grounds:-

- (1) as the proposed wind farm may adversely impact on the safe operation of Glasgow Airport and en-route traffic to the detriment of public safety;
- (2) as it is contrary to Policies ENV1, criterion (b)(i) and ENV2, criterion (i) of the Inverclyde Local Development Plan as it will adversely impact on visual amenity and, in the case of the latter, is not capable of satisfactory mitigation;
- (3) as it is contrary to Policies ENV2, criterion (f) and INF1, criterion (b) of the Inverclyde Local Development Plan as it will adversely impact on landscape character;
- (4) as it is contrary to Policy INF1, criterion (c) of the Inverclyde Local Development Plan as it will adversely impact upon neighbouring settlements in terms of their visual outlook and enjoyment of the landscape;
- (5) as it is contrary to Policy INF1, criterion (d) of the Inverclyde Local Development Plan as it will adversely impact on the enjoyment of the landscape by recreational users of Clyde Muirshiel Regional Park;
- (6) as it is contrary to Policies INF1, criterion (e), ENV2, criterion (e) and HER6 of the Inverclyde Local Development Plan in that the proposal will have an adverse impact on the setting of the scheduled monument of Lurg Moor Roman Fortlet and Roman Road; and
- (7) as the visual impact and impact on landscape character of the proposed development would also be contrary to Scottish Natural Heritage guidance on "Siting and Designing Wind Farms in the Landscape", Scottish Government online guidance "Onshore Wind Turbines" and the Clyde Valley Strategic Development Plan Authority guidance "Landscape Capacity Study for Wind Turbine Development in Glasgow and the Clyde Valley".