LOCAL REVIEW BODY – 4 FEBRUARY 2015

Local Review Body

Wednesday 4 February 2015 at 4.15pm

Present: Councillors Dorrian, Loughran, Nelson, Rebecchi 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.

99 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST

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No apologies for absence were intimated.

Councillor Wilson declared an interest in Agenda Item 2(b) (Planning Application for Review: Scroggy Bank, Greenock (13/0306/IC)).

100 PLANNING APPLICATIONS FOR REVIEW

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(a) Erection of flagpole (in retrospect): 42 Caledonia Drive, Greenock (14/0223/IC)

There were submitted papers relative to the application for review of the refusal of planning permission for the erection of a flagpole (in retrospect) at 42 Caledonia Drive, Greenock (14/0223/IC).

Mr Kerr referred to new matters raised by the applicant in the form of information relating to planning applications for erection of flagpoles at 1 Benview, Port Glasgow and 41 Duthie Road, Gourock. He asked the Local Review Body whether it wished to have regard to these in determining the application for review of the refusal of planning permission in terms of Section 43(B) of the Town & Country Planning (Scotland) Act 1997. Elected Members agreed that the information relating to the two planning applications for erection of flagpoles should be taken into consideration and copies of the full text of the applicant's letter of 10 November 2014 were circulated together with copies of the decision notices and reports of handling in respect of the planning applications for erection of flagpoles at 1 Benview, Port Glasgow and 41 Duthie Road, Gourock.

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.

(b) Proposed siting of 2 x 30m high (HUB) wind turbines with a tip height of 45.071m: Scroggy Bank, Greenock (13/0306/IC)

There were submitted papers relative to the application for review of the refusal of planning permission for the proposed siting of 2 x 30m high (HUB) wind turbines with a

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tip height of 45.071m at Scroggy Bank, Greenock (13/0306/IC).

Councillor Wilson declared a non-financial interest in this matter as an acquaintance of the applicant and left the meeting. Councillor Nelson assumed the Chair for this item of business.

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.

Councillor Wilson returned to the meeting at this juncture and resumed the Chair.

(c) Painting of property in yellow with gold surrounds and banding (in retrospect): 19 Esplanade and 78 Eldon Street, Greenock (14/0352/IC)

There were submitted papers relative to the application for review of the refusal of planning permission for the painting of the property in yellow with gold surrounds and banding (in retrospect) at 19 Esplanade and 78 Eldon Street, Greenock (14/0352/IC). Mr Kerr advised that the application statement from the applicant's agent included new material at point 4 and point 7 under the heading "Analysis of Reason for Refusal and Report of Handling" which had not been raised in the original planning application and should not have been included in the published agenda. The applicant's agents had subsequently provided justification for the inclusion of the new material and copies of an email dated 28 January 2015 from Canata & Seggie, Chartered Architects was circulated. Elected Members agreed that the new material should be taken into consideration.

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 dismissed and that planning permission be refused (upholding the appointed Officer's determination) as the bright yellow and gold tones of the dwelling are not colours which would traditionally have been used on a house of this period style or have been found within this part of the Greenock West End Conservation area. The colours form an intrusive feature within the streetscape and are therefore not appropriate in terms of policies HER1 and RES5 of the Local Development Plan together with the SHEP and Historic Scotland's Guidance which seeks to preserve the historic environment, and PAN71, as set out in the Decision Notice dated 31 October 2014.