

PLANNING BOARD – 4 MARCH 2015

Planning Board

Wednesday 4 March 2015 at 3pm

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

Chair: Councillor Wilson presided.

In attendance: Head of Regeneration & Planning, Development & Building Standards Manager, Mr M Higginbotham (for Head of Environmental & Commercial Services), Mr J Kerr (for Head of Legal & Property Services) and Corporate Communications Manager.

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

165 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST 165

An apology for absence was intimated on behalf of Councillor McIlwee, with Councillor Brennan substituting.

Councillors Brennan and Loughran declared an interest in Agenda Item 2 (Continued Planning Application: Demolition of Existing Buildings and Erection of Residential Development and Associated Access, Parking, Landscaping and Engineering Works at Former Naval Depot and Coastguard, Eldon Street, Greenock (14/0302/IC)).

166 CONTINUED PLANNING APPLICATION 166

There was submitted a report by Head of Regeneration & Planning on a continued application for planning permission by Drum Property Group Ltd for the demolition of existing buildings and erection of residential development and associated access, parking, landscaping and engineering works at former Naval Depot and Coastguard, Eldon Street, Greenock (14/0302/IC), consideration of which had been continued from the meeting on 4 February 2015 for a site visit.

Councillor Brennan declared a non-financial interest in this item, having previously expressed an opinion on the application, and Councillor Loughran declared a non-financial interest as a member of the Royal West of Scotland Amateur Boat Club. Both Members left the meeting during consideration of this item of business.

Councillor Dorrian entered the meeting during consideration of this item of business.

After discussion, Councillor Wilson moved that planning permission be granted subject to the applicant concluding an Agreement under Section 69 of the Local Government (Scotland) Act 1973 or Section 75 of the Town & Country Planning (Scotland) Act 1997 to secure the provision of a bond to cover the cost of the provision of affordable housing off-site in accordance with Local Development Plan Policy RES4(a)(ii) as outlined in the report and subject to the conditions detailed in the report. As an amendment, Councillor Nelson moved that planning permission be refused for the following reasons:-

- (1) Policy RES1 Safeguarding the Character and Amenity of Residential Areas as the height and scale of the proposal incorporating 6 blocks of 4 to 6 storey high buildings is not compatible with the character and amenity of the area where current residences bordering the shoreline do not exceed three stories high;
- (2) Policy HER1 Development which affects the Character of Conservation Areas as

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the proposal borders the Greenock West End Conservation Area and negatively affects the principal views from and on the approaches to the Conservation Area in contradiction to Local PLAN Policy HER1; and

(3) Policy HER5 the Setting of Listed Buildings as the dominance of the proposal is detrimental to the setting and principal views of the neighbouring Grade “B” listed Royal West of Scotland Amateur Boat Club and the nearby Grade “B” listed Former Torpedo Works within Fort Matilda. The approaches and views from listed buildings and list “B” cast iron navigation light on the Esplanade are also compromised by the proposal.

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

Decided: that, subject to the applicant concluding an Agreement under Section 69 of the Local Government (Scotland) Act 1973 or Section 75 of the Town & Country Planning (Scotland) Act 1997 to secure the provision of a bond to cover the cost of the provision of affordable housing off-site in accordance with Local Development Plan Policy RES4(a)(ii) as outlined in the report, planning permission be granted subject to the following conditions:-

(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, 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 have 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;

(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 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 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, to ensure that all contamination issues are recorded and dealt with appropriately;

(5) 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 material's source, volume, intended use and verification of chemical

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quality (including soil-leachate and organic content etc) with plans delineating placement and thickness, to protect receptors from the harmful effects of imported contamination;

(6) that no development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority. The developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of the archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority and its archaeological advisor, to safeguard potential archaeological remains on the site;

(7) that none of the flats hereby approved shall be occupied until the right turn storage lane and pedestrian refuge on Eldon Street and 163 off-street parking spaces detailed on docquetted drawing PL01RevA have been completed to the satisfaction of the Planning Authority, in the interests of road safety on Eldon Street;

(8) that all of the flats hereby approved shall have minimum ground floor finished floor level of 5.19m above Ordnance datum, to prevent harm from flooding;

(9) that no development shall commence until a fully detailed planting plan has been submitted to and approved in writing by the Planning Authority, to ensure the provision of a quality landscape setting for the development;

(10) that no development shall commence until full details of all external lighting has been submitted to and approved in writing by the Planning Authority, to ensure the provision of a quality external lighting regime;

(11) that the developer shall review the drainage of all planted areas 12 months after implementation: thereafter any works required to improve drainage shall be completed in the first available planting season, to assist in the provision of a sustainable and quality landscape setting;

(12) that the approved landscaping scheme shall be completed in accordance with a phasing plan to be submitted to and approved by the Planning Authority before development commences: thereafter any specimens that in the 5 years following the completion of the flats hereby approved die, become diseased or are damaged shall be replaced in the first available planting season with a similar specimen unless the Planning Authority gives its prior written approval to any alternative, to ensure the provision of a sustainable and quality landscape setting;

(13) that no development shall commence until samples of all external materials have been submitted to and approved in writing by the Planning Authority: development thereafter shall proceed utilising the approved materials unless the Planning Authority gives its prior written approval to any alternatives, to ensure a continuity of finishing materials in this part of Greenock;

(14) that in the event of bats being discovered during the demolition, work on site should stop and the advice of SNH and/or a qualified ecologist sought and acted upon before work re-commences, in the interests of the protection of bats; and

(15) that in the event of demolition requiring to take place in the bird breeding season between March and August, prior to that the buildings should be made secure to prevent birds gaining access when the works are to be carried out, in the interests of the protection of birds.

Councillors Brennan and Loughran returned to the meeting at this juncture.

167 PLANNING APPLICATION

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There was submitted a report by the Head of Regeneration & Planning on an application for planning permission by Ediston Real Estate on behalf of Clydebuilt LP for retail led commercial development to include retail (Class 1), leisure (Class 11) and food and drink/licensed restaurant (Class 3) with associated works including accesses and car parking at the former Scott Lithgow and East Glen Yards, Russell Way, Port Glasgow (14/0402/IC).

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

- (1) that before their use, samples of all facing materials shall be submitted to and approved in writing by the Planning Authority. The approved samples shall thereafter be used unless variations are agreed in writing with the Planning Authority, in the interests of visual amenity;
- (2) that prior to their use, samples or other details of all hard landscape surfacing materials, including the rear service yard walls, shall be submitted to and approved in writing by the Planning Authority. The materials shall thereafter be used unless variations are agreed in writing with the Planning Authority, to ensure the provision of adequate vehicular and pedestrian facilities;
- (3) that the hard landscaping approved in terms of condition 2 above shall be completed to final wearing course prior to the first of the retail units hereby permitted being brought into use, to ensure the provision of adequate vehicular and pedestrian facilities;
- (4) that all surface water drainage from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems Manual (C697) (CIRIA 2007). Before development commences, details shall be submitted to and approved in writing by the Planning Authority of the maintenance regime for the water detention areas, to control runoff from the site to reduce the risk of flooding;
- (5) that 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 in place, to protect the amenity of the immediate area, prevent the creation of nuisance due to odours, insects, rodents or birds;
- (6) that all external lighting on the application site should comply with the Scottish Government Guidance Note "Controlling Light Pollution and Reducing Lighting Energy Consumption", to protect the amenity of the immediate area, the creation of nuisance due to light pollution and to support the reduction of energy consumption;
- (7) that the landscaping scheme hereby approved shall be implemented in full within the first planting season following occupation of the first unit hereby approved, to ensure provision of the approved landscaping scheme; and
- (8) that any of the trees or shrubs in the landscaping scheme hereby approved that die, are removed or become diseased within 5 years of planting shall be replaced in the following planting season with others of a similar size and species, to ensure retention of the approved landscaping scheme.