

**PLANNING BOARD – 3 FEBRUARY 2016**

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**Planning Board**

**Wednesday 3 February 2016 at 3pm**

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

**Chair:** Councillor Wilson presided.

**In attendance:** Head of Regeneration & Planning, Development & Building Standards Manager, Mr G Blackie (for Head of Environmental & Commercial Services), Mr J Kerr (for Head of Legal & Property Services) and Ms R McGhee (Legal & Property Services).

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

**96 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST 96**

No apologies for absence or declarations of interest were intimated.

**97 CONTINUED PLANNING APPLICATIONS 97**

**(a) Reconstruction, partial demolition and new build at former hospital building to form 27 flats:  
Broadstone House, Hollybush Lane, Port Glasgow (15/0191/IC)**

There was submitted a report by the Head of Regeneration & Planning regarding an application by Muir Homes Ltd for reconstruction, partial demolition and new build at the former hospital building to form 27 flats at Broadstone House, Hollybush Lane, Port Glasgow (15/0191/IC), consideration of which had been continued from the meeting on 2 December 2015 for a site visit.

After discussion, Councillor Brooks moved that planning permission be granted subject to the conditions detailed in the report.

As an amendment, Councillor Nelson moved that planning permission be refused for the following reasons:-

- (1) this unsympathetic proposal on Hollybush Lane is unacceptable in terms of Local Plan Policy RES1, as the proposed building would be incompatible with the character and amenity of the area; and
- (2) the proposed development of a block of flats adjacent to the remaining sections of the listed building is unacceptable and contradicts Local Plan Policy HER5, where the proposal would adversely affect the settings, principal views and approaches to the listed building.

On a vote, 2 Members voted for the amendment and 6 for the motion which was declared carried.

**Decided:** that 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

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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 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 the development hereby approved shall be completed prior to the first occupation of the Phase 3 new build housing as described in the phasing plan approved under planning permission 12/0273/IC, to ensure the completion of the proposal hereby approved;

(7) 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 with the Grade A listed building;

(8) that none of the flats hereby approved shall be occupied until the parking spaces detailed on drawing 14054 (PL)002-A have been completed, to prevent obstructive parking on Hollybush Lane;

(9) that no development shall commence until details of the proposed restoration of the conservatory and east wing of the A listed Broadstone House including like for like replacement of windows and doors and specification of roof slates have been submitted to and approved in writing by the Planning Authority, to demonstrate that the surviving elements of the building will retain their character and appearance;

(10) that no development shall commence until full details of all decorative stonework to be reused from Broadstone House in the construction of the new build residential

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building hereby approved have been submitted to and approved in writing by the Planning Authority, to maximise the incorporation of surviving, structurally sound elements of Broadstone House into the design of the new build residential block and enhance the sense of place of the new development; and

(11) that development shall proceed in accordance with the recommendations of the GLM Ecology Swift Apus Survey Report, Broadstone House, Port Glasgow August 2015 and the GLM Ecology Bat Survey Report Broadstone House, Port Glasgow August 2015, in the interests of the protection of protected species.

**(b) Reconstruction, partial demolition and new build of former hospital building to form 27 flats:  
Broadstone House, Hollybush Lane, Port Glasgow (15/0028/LB)**

There was submitted a report by the Head of Regeneration & Planning regarding an application for listed building consent by Muir Homes Ltd for reconstruction, partial demolition and new build at the former hospital building to form 27 flats at Broadstone House, Hollybush Lane, Port Glasgow (15/0028/LB), consideration of which had been continued from the meeting on 2 December 2015 for a site visit.

After discussion, Councillor Wilson moved that listed building consent be granted subject to the conditions detailed in the report. As an amendment, Councillor Nelson moved that listed building consent be refused as the proposed development of a block of 27 flats adjacent to the remaining sections of the listed building is unacceptable and contradicts Local Plan Policy HER5, where the proposal would adversely affect the settings, principal views and approaches to the listed building.

On a vote, 2 Members voted for the amendment and 7 for the motion which was declared carried.

**Decided:** that listed building consent be granted subject to the following conditions:-

(1) 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 with the Grade A listed building;

(2) that no development shall commence until details of the proposed restoration of the conservatory and east wing of the A listed Broadstone House including like for like replacement of windows and doors and specification of roof slates have been submitted to and approved in writing by the Planning Authority, to demonstrate that the surviving elements of the building will retain their character and appearance;

(3) that no development shall commence until full details of all decorative stonework to be reused from Broadstone House in the construction of the new build residential building hereby approved have been submitted to and approved in writing by the Planning Authority, to maximise the incorporation of surviving, structurally sound elements of Broadstone House into the design of the new build residential block and enhance the sense of place of the new development;

(4) that development shall proceed in accordance with the recommendations of the GLM Ecology Swift Apus Survey Report, Broadstone House, Port Glasgow August 2015 and the GLM Ecology Bat Survey Report Broadstone House, Port Glasgow August 2015, in the interests of the protection of protected species; and

(5) that the development hereby approved shall be completed prior to the first occupation of the Phase 3 new build housing as described in the phasing plan approved under planning permission 12/0273/IC, to ensure the completion of the proposal hereby approved.

## 98 PLANNING APPLICATION

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**Construction of 41 two storey terrace, semi-detached and detached houses with associated roads, parking and landscaping:  
Former Kempock House, Kirn Drive, Gourock (15/0300/IC)**

There was submitted a report by the Head of Regeneration & Planning on an application for planning permission by Inverdunning Ltd for construction of 41 two storey terrace, semi-detached and detached houses with associated roads, parking and landscaping at the former Kempock House, Kirn Drive, Gourock (15/0300/IC).

The Head of Regeneration & Planning requested that, should the Planning Board agree to grant planning permission, recommendation (A) be amended as follows:-

(A) that prior to the issuing of planning permission, a Section 75 Agreement shall be entered into among the Council, a Registered Social Landlord, the applicant/developer of the Kirn Drive site and the owner of 53 Shore Street, Gourock requiring:-

(1) the owner of 53 Shore Street, Gourock to transfer 53 Shore Street, Gourock to a Registered Social Landlord within a specified timescale, failing which the owner of 53 Shore Street, Gourock will convey 53 Shore Street, Gourock to the Council at no cost; and

(2) in the event that the owner of 53 Shore Street, Gourock transfers 53 Shore Street, Gourock to a Registered Social Landlord, the completion of affordable housing on 53 Shore Street, Gourock by the Registered Social Landlord within a specified timescale, failing which the Registered Social Landlord will convey 53 Shore Street, Gourock to the Council at no cost.

**Decided:**

(A) that prior to the issuing of planning permission, a Section 75 Agreement shall be entered into among the Council, a Registered Social Landlord, the applicant/developer of the Kirn Drive site and the owner of 53 Shore Street, Gourock requiring:-

(1) the owner of 53 Shore Street, Gourock to transfer 53 Shore Street, Gourock to a Registered Social Landlord within a specified timescale, failing which the owner of 53 Shore Street, Gourock will convey 53 Shore Street, Gourock to the Council at no cost; and

(2) in the event that the owner of 53 Shore Street, Gourock transfers 53 Shore Street, Gourock to a Registered Social Landlord, the completion of affordable housing on 53 Shore Street, Gourock by the Registered Social Landlord within a specified timescale, failing which the Registered Social Landlord will convey 53 Shore Street, Gourock to the Council at no cost.

(B) that on registration of the Section 75 Agreement required by (A) above, planning permission be granted subject to the following conditions:-

(1) that prior to their use, samples of all facing materials to be used in the construction of the dwellings hereby permitted shall be submitted to and approved in writing by the Planning Authority. Development shall proceed thereafter using the approved materials unless a variation is agreed in writing with the Planning Authority, in the interests of visual amenity;

(2) that the approved screen fencing shall be erected along the common boundaries with the existing adjacent residential properties prior to the relevant individual dwellings being occupied, in the interests of privacy;

(3) that notwithstanding the terms of condition (2) above, the approved screen fencing shall not project closer to Kirn Drive than the eastern boundary of plot 41 or the front building line of the dwelling on plot 1, in the interests of amenity of adjacent

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residents;

(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 all surface water originating within the site shall be intercepted within the site, to control runoff from the site to reduce the risk of flooding;

(6) that in accordance with the recommendations of the Flood Risk Assessment hereby approved, the existing culvert along the western site boundary shall be upgraded or replaced, all to the satisfaction of the Scottish Environment Protection Agency and the Head of Environmental & Commercial Services, prior to construction commencing on any of plots 24 to 29, to control the passage of culverted waters through the site to reduce the risk of flooding;

(7) that for the avoidance of doubt, there shall be no construction above the culvert referred to in condition (6) above, nor within the “no-build zone” shown on the approved plans, to help ensure the passage of culverted waters through the site to reduce the risk of flooding;

(8) that prior to the commencement of construction, the applicant shall submit written confirmation of Scottish Water’s acceptance of the proposed development, to ensure adequate service connections can be achieved;

(9) 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 potential spread of Japanese Knotweed in the interests of environmental protection;

(10) 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;

(11) 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 Planning Authority’s satisfaction;

(12) 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

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are recorded and dealt with appropriately;

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

(14) that for the avoidance of doubt, the landscaping scheme, including the play area, shall be implemented in full prior to the commencement of construction of the last dwellinghouse hereby permitted, to ensure an acceptable standard of residential amenity;

(15) that prior to occupation of the first of the dwellinghouses hereby permitted, full details shall be provided of the play area, including equipment and surfacing specification, to ensure the provision of an acceptable standard of equipment;

(16) that any of the soft landscaping that dies, is removed, damaged or becomes diseased within 5 years of planting shall be replaced within the following year with others of a similar size and species, to ensure retention of the approved landscaping scheme;

(17) that the approved management and maintenance plan for the landscaping shall come into effect immediately on completion of the approved landscaping scheme, to ensure retention of the approved landscaping scheme;

(18) that prior to the commencement of development a detailed specification of any bin stores to be provided shall be submitted to and approved in writing by the Planning Authority, in the interests of visual amenity; and

(19) that for the avoidance of doubt a visibility splay of 2.4 metres by 43 metres by 1.05 metres high shall be provided and maintained at all times at the vehicular entrance to the development, in the interests of pedestrian and vehicular safety.