

**LOCAL REVIEW BODY – 3 AUGUST 2016**

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**Local Review Body**

**Wednesday 3 August 2016 at 4pm**

**Present:** Councillors Dorrian, Loughran, Nelson, Rebecchi and Wilson.

**Chair:** Councillor Wilson presided.

**In attendance:** Ms F Milne (Planning Adviser), Mr J Kerr (Legal Adviser) and Mr N Duffy (Legal & Property Services).

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

**414      APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST      414**

No apologies for absence or declarations of interest were intimated.

**415      CONTINUED PLANNING APPLICATION FOR REVIEW      415**

**Gourock Waste Metals and Car Breakers:  
Builders Store, Chalmers Street, Gourock (15/0235/IC)**

There were submitted papers relative to the application for review of the refusal of planning permission for proposed change of use from vacant land to car parking and storage in association with existing waste metals and car breakers yard at Builders Store, Chalmers Street, Gourock (15/0235/IC), consideration of which had been continued from the meeting held on 1 June 2016 for an unaccompanied site inspection. Councillors Dorrian, Nelson, Rebecchi and Wilson participated in consideration of this item of business.

After discussion, Councillor Dorrian 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 for the two reasons as set out in the Report of Handling.

As an amendment, Councillor Wilson 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 be dismissed and that planning permission be refused as the height of the parapet wall on the Chalmers Street railway bridge, adjoining the site entrance, combined with road geometry to determine that the visibility splay required by the Council's adopted roads development guide of 2.0 x 25.0 x 1.05m cannot be achieved and that the proposal is therefore prejudicial to road safety and contrary to criterion (c) of Policy RES6.

On a vote, one Member voted for the amendment and three for 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

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(2) that the application for review be dismissed and that planning permission be refused (upholding the appointed officer's determination) for the following reasons as set out in the Report of Handling:-

- (i) as the height of the parapet wall on the Chalmers Street railway bridge, adjoining the site entrance, combines with road geometry to determine that the visibility splay required by the Council's adopted roads development guide of 2.0 x 25.0 x 1.05m cannot be achieved and that the proposal is therefore prejudicial to road safety and contrary to criterion (c) of Policy RES6; and
- (ii) that the proposed land use is not compatible with residential amenity as required by Policy RES6 criterion (a) and is therefore contrary to Policy RES1 which seeks to safeguard and, where practicable, enhance residential amenity and character.

Councillor Loughran entered the meeting at this juncture.

**416 PLANNING APPLICATION FOR REVIEW**

**416**

**Installation of Roof Mounted Solar Panels (in retrospect):  
61 Forsyth Street, Greenock (15/0273/IC)**

There were submitted papers relative to the application for review of the refusal of planning permission for the installation of roof mounted solar panels (in retrospect) at 61 Forsyth Street, Greenock (15/0273/IC).

Councillors Dorrian, Loughran, Nelson, Rebecchi and Wilson participated in consideration of this item of business.

Mr Kerr referred to new matters raised on behalf of the applicant in the form of sections of the Notice of Review. He asked the Local Review Body whether it wished to have regard to the new matters in determining the application for review of refusal of planning permission in terms of Section 43(B) of the Town and Country Planning (Scotland) Act 1997. It was agreed that the Local Review Body consider the new matters and copies were circulated.

**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) for the following reasons:-
  - (i) the solar panels installed detract from the character and appearance of the existing building and the surrounding area, and fail to preserve or enhance the appearance of the Greenock West End Conservation Area; and
  - (ii) the proposal does not accord with the advice contained in Policies RES5 and HER1 of the Inverclyde Local Development Plan, Historic Environment Scotland's "Managing Change in the Historic Environment" Guidance Notes and the Scottish Historic Environment Policy which seeks to preserve the historic environment.