

Report To: The Planning Board

Date: 7<sup>th</sup> June 2017

Report By: Head of Regeneration and Planning

Report No: 17/0099/IC  
Plan 06/17

Local Application  
Development

Contact  
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Subject: Erection of 3 retail units at  
1 Auchmead Road, Greenock



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## SUMMARY

- The proposal accords with the intent of the Inverclyde Development Plan.
- Eight representations have been received expressing concern over impact on residential amenity, traffic and over-provision.
- Consultations present no impediment to development.
- The recommendation is to GRANT PLANNING PERMISSION subject to conditions.

Drawings may be viewed at:

<https://planning.inverclyde.gov.uk/Online/applicationDetails.do?activeTab=documents&keyVal=ONH88YIMKRW00>

## **SITE DESCRIPTION**

The application relates to the grounds of the former Larkfield Masonic Association located on the western side of Auchmead Road, Greenock close to the junction with Inverkip Road. The site, which currently lies vacant, slopes gently down towards Auchmead Road from a high point to the rear (west). Residential properties adjoin the site to the north and vacant ground lies to the south and west. This vacant ground is allocated as a residential development opportunity in the Inverclyde Local Development Plan. Playing fields within the grounds of Inverclyde Academy lie across the road to the east.

## **PROPOSAL**

Planning permission is sought for the construction of three equal sized retail units within a single building measuring 23.7 metres by 10.5 metres by approximately 6.4 metres high to its apex. Each unit will have one large frontage shop window and double entrance doors with single rear service doors. Aside from the front elevation no other fenestration is shown. The building is to be finished in facing brick with aluminium windows and tiled roof. The site is to be levelled over the footprint of the building.

Access to 14 car parking spaces, including 2 accessible spaces to the front of the shop units, and a van service bay to the northern (side) elevation is proposed from the northernmost connection to Auchmead Road (an existing second access to the south would be closed off). Refuse storage areas are to be provided to the rear of the units. The remainder of the site will be grassed. The rear of the site is to be bound by 1.8 metres high vertically lapped timber fencing dropping to 1.2 metres high beyond the front of the building.

## **DEVELOPMENT PLAN POLICIES**

### **Policy RES1 - Safeguarding the Character and Amenity of Residential Areas**

The character and amenity of residential areas, identified on the Proposals Map, will be safeguarded and where practicable, enhanced. Proposals for new residential development will be assessed against and have to satisfy the following criteria:

- (a) compatibility with the character and amenity of the area;
- (b) details of proposals for landscaping;
- (c) proposals for the retention of existing landscape or townscape features of value on the site;
- (d) accordance with the Council's adopted roads guidance and Designing Streets, the Scottish Government's policy statement;
- (e) provision of adequate services; and
- (f) having regard to Supplementary Guidance on Planning Application Advice Notes.

### **Policy RES6 - Non-Residential Development within Residential Areas**

Proposals for uses other than residential development in residential areas, including schools, recreational and other community facilities will be acceptable subject to satisfying where appropriate, the following criteria:

- (a) compatibility with the character and amenity of the area;
- (b) impact on designated and locally valued open space;
- (c) impact of the volume, frequency and type of traffic likely to be generated;
- (d) infrastructure availability;
- (e) social and economic benefits; and
- (f) the cumulative impact of such a use or facilities on an area.

### **Policy TCR3 -Town Centre Uses**

The following town centre uses will be directed to the Central Area of Greenock Town Centre, Port Glasgow and Gourock Town Centres and the Local Centres, subject to Policy TCR7:

- (a) Use Class 1 (Shops);
- (b) Use Class 2 (Financial, Professional and other Services);
- (c) Use Class 3 (Food and Drink);
- (d) Use Class 11 (Assembly and Leisure); and
- (e) related uses such as public houses, hot food take-aways, theatres, amusement arcades and offices for taxis for public hire.

### **Policy TCR7 - Assessing Development Proposals for Town Centre Uses**

To assist the protection, enhancement and development of the designated Centres, all proposals for the development of town centre uses identified in Policy TCR3, or for any other commercial uses within a designated centre, will require to satisfy the following criteria:

- (a) the size of the development is appropriate to the centre for which it is proposed;
- (b) it is of a high standard of design;
- (c) it has an acceptable impact on traffic management and must not adversely impact on road safety and adjacent and/or nearby land uses;
- (d) it does not have a detrimental effect on amenity or the effective operation of existing businesses;
- (e) it is consistent with any Town Centre Strategy or other relevant initiative; and
- (f) has regard to Supplementary Guidance on Planning Application Advice.

Proposals for town centre uses outwith the designated Centres, unless they are small scale development to meet local needs that are subject to Policy TCR10, must also demonstrate:

- (g) that no appropriate sequentially preferable site exists;
- (h) that there is capacity for the development in terms of expenditure compared to turnover in the appropriate catchment area;
- (i) that there will be no detrimental impact, including cumulatively, on the viability and vitality of the designated Centres (Policy TCR1); and
- (j) in the case of temporary street markets, the operation will be for a maximum of 13 days in any 12 month period.

Proposals for retail and leisure development over 2,500 square metres outwith the designated town centres and that are not in accordance with the Development Plan should be accompanied by a retail impact analysis, as should any town centre proposal that the Council considers likely to have a potentially detrimental impact on the vitality and viability of the designated Centres. At the Council's discretion, applications for small-scale development of town centre uses outwith the designated Centres may be exempted from the requirement to be justified against criteria (g) - (i).

### **Policy TCR10 - Shopping Facilities to Meet Local Needs**

The retention, improvement and, subject to Policy TCR7, the provision of local neighbourhood shopping facilities up to 250 square metres gross, where they do not compromise residential amenity and/or road safety will be supported. A proposed change of use to non-retail will only be supported where it can be demonstrated that the business has been marketed for a minimum of 12 months and is no longer viable.

## **CONSULTATIONS**

**Head of Environmental and Commercial Services** - all changes to the public road network will require a Section 56 Agreement. The 5 cycle parking spaces are acceptable. Street lighting details shall be provided for agreement with the Roads Authority. All surface water should be contained within the site during and after the construction phase. A surface water management plan and drainage plan should be submitted for approval prior to the commencement of works on the site.

**Head of Safer and Inclusive Communities** - no objection, subject to conditions in respect of contaminated land, waste containers, external lighting, minimising noise disruption during construction and delivery time restrictions. Advisory notes are suggested in respect of site drainage, vermin and gull control, the Construction (Design & Management) Regulations 2015 and compliance with other legislation.

**Transport Scotland** - No objection.

## **PUBLICITY**

The nature of the proposal did not require advertisement.

## **SITE NOTICES**

The nature of the proposal did not require a site notice.

## **PUBLIC PARTICIPATION**

Eight objections have been received to the application. The points of objection may be summarised as follows:

- There are already a sufficient number of retail outlets in the area.
- The existing outlets experience school pupils gathering and allegedly vandalising them and this would occur with the new shop units. They would also cause noise and nuisance to neighbours. A residential property has already been damaged by school children.
- This is a residential, not retail, area.
- The proximity of the trunk road could lead to accidents involving pedestrians.
- Extra traffic would be encouraged at an already busy junction.

## **ASSESSMENT**

The material considerations in determination of this application are the Inverclyde Local Development Plan, the consultation responses and the objections. The determining factor is does this proposal comply with the Development Plan?

The application site is located within a mainly residential area, and Policy RES1 of the Local Development Plan seeks to safeguard and, where practicable, enhance the character and amenity of residential areas. As a non-residential proposal within a residential area it requires to be assessed under Policy RES6. This policy indicates that proposals for uses other than residential development in residential areas will be acceptable subject to satisfying certain criteria, the most relevant of which, in this instance, are (a) compatibility with the character and amenity of the area; (c) impact of the volume, frequency and type of traffic likely to be generated; (d) infrastructure availability; (e) social and economic benefits; and (f) the cumulative impact of such a use or facilities on an area.

Within the surrounding area there are a range of uses including residential development, two schools and the Ravenscraig Sports Stadium, together with a small group of shops on Cumberland Road and one at the nearby petrol filling station on Inverkip Road. Although the surrounding area is mainly residential in nature, it is not exclusively so and small groups of shops or individual shops are characteristic of the area. I therefore find that the proposed development would be compatible with the character and amenity of the area (criterion (a)). The three proposed units, at 74.25 square metres each, are relatively small units to be serviced, as shown on the application plans, by vans. Combined with the low level of anticipated private vehicles (the Head of Environmental and Commercial Services agrees that the 14 parking spaces will be sufficient), I consider that the volume, frequency and type of traffic likely to be generated are acceptable (criterion (c)). As a brownfield site it has previously been serviced, with the relevant infrastructure available for re-use (criterion (d)). The proposal will bring some employment opportunities providing some economic support to the area (criterion (e)). The existing shopping provision, which I refer to above, is dispersed in the local area and, as such, I

consider that there will not be any adverse cumulative impact of shopping facilities as a result of this proposal (criterion (f)). The proposal therefore complies with Local Development Plan Policy RES1.



Local Development Plan Policy TCR10 also needs to be considered as it indicates the Council's support for the provision of local neighbourhood shopping facilities up to 250 square metres gross, where they do not compromise residential amenity and/or road safety, and subject to assessment against the relevant criteria in Policy TCR7. The proposal is noted as having a floor area of less than 250 square metres and, as already assessed, is in character with the residential nature of the area. With neither Transport Scotland nor the Head of Environmental and Commercial Services raising any objection I conclude that there are no road safety issues.

Turning to Local Development Plan Policy TCR7, it aims to assist the protection, enhancement and development of designated existing centres and, therefore, the development of town centre uses (set out in Policy TCR3), such as is proposed here, require to satisfy a range of criteria, the most relevant of which are: (b) it is of a high standard of design; (c) it has an acceptable impact on traffic management and must not adversely impact on road safety and adjacent and/or nearby land uses; and (d) it does not have a detrimental effect on amenity or the effective operation of existing businesses.



I regard the proposed shop units as being well designed, noting the mimicking of traditional elements such as pilasters and stall risers, a limited fascia for future signage and the absence of gable windows facing the adjacent residential property (criterion (b)). Traffic, road safety and impact on adjacent land uses have already been assessed above (criterion (c)). Given the limited scale of the proposal and the distance from the nearest retail unit located within the filling station on Inverkip Road, I consider that it will not have a detrimental effect on the amenity or effective operation of existing businesses (criterion (d)). As the proposal is small scale and

designed to meet local needs, I consider that assessment of the remaining criteria in policy RES7 is not appropriate.

Overall, I consider that the proposal complies with Local Development Plan Policies RES1, RES6, TCR3, TCR7 and TCR10. It rests to consider if there are any material considerations that suggest determining the application contrary to the Plan.

With respect to the consultation replies, the Head of Environmental and Commercial Services' concerns over street lighting, surface water containment and management can be addressed by condition, as can the Head of Safer and Inclusive Communities' comments in respect of contaminated land and delivery time restrictions. The remaining matters of concern are addressed by other legislation but may be the subject of advisory notes on a grant of planning permission. Ordinarily street lighting would be a matter addressed by Roads Construction Consent but as a new road is not proposed it is appropriate in this instance that a planning condition be introduced.

With respect to the points of objection not already addressed above, it is not the role of the planning system to limit local small scale retail choice. I note the concerns over potential loitering by school children and the objectors' associated concerns in respect of vandalism. These issues are speculative in nature, particularly as no end users have yet been identified and, as such, would not alone merit refusal of planning permission.

I therefore consider that there are no material considerations suggesting that planning permission should not be granted.

## **RECOMMENDATION**

That the application be granted subject to the following conditions:

1. That samples of all facing materials shall be submitted to and approved in writing by the Planning Authority prior to their use.
2. That elevational details of the bin stores shown on the approved drawing shall be submitted to and approved in writing prior to installation. The approved submissions shall be erected prior to the first of the units being brought into use.
3. That prior to the commencement of development, full details of all hard and soft landscaping within the application site, including maintenance arrangements and boundary treatments, shall be submitted to and approved in writing by the Planning Authority. All approved hard and soft landscaping shall be completed prior to the first of the units hereby permitted being brought into use and be maintained thereafter in accordance with the approved maintenance scheme.
4. That any of the planting approved in terms of condition 3 above that dies, is damaged, diseased or removed within the first 5 years after planting shall be replaced within the following planting season with plants of the same size and species.
5. That prior to the commencement of development, a surface water management plan and drainage plan shall be submitted to and approved by the Planning Authority. It shall include measures for containment of all surface water within the site during and after construction.
6. That deliveries or collections to and from the site shall not be carried out between the hours of 23:00 and 07:00.
7. 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 also include a Verification Plan. Any subsequent modifications to the Remediation Strategy and Verification plan must be approved in writing by the Planning Authority prior to implementation. Elevated ground gas is known to be an issue in this area and should be appropriately considered in the risk assessment.

8. That on completion of remediation and verification 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 limited to) a collation of verification/validation certificates, analysis information, remediation lifespan, maintenance/aftercare information and details of all materials imported onto the site as fill or landscaping material. The details of such materials shall include information of the material source, volume, intended use and chemical quality with plans delineating placement and thickness.
9. 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 and amendments to the Remediation Strategy (i.e. that has not been included in contingency) shall not be implemented unless it has been submitted to and approved, in writing by the Planning Authority.
10. That before the commencement of development details of street lighting shall be submitted to and approved in writing by the Planning Authority.

#### Reasons

1. In the interests of visual amenity.
2. In the interests of visual amenity.
3. To allow determination of the impact on visual amenity and the proper functioning of the site.
4. In the interests of visual amenity.
5. To ensure no waters flow onto the public footway and carriageway, in the interests of the safety of drivers and pedestrians.
6. To protect the amenities of occupiers of nearby premises from unreasonable noise and vibration levels.
7. To satisfactorily address potential contamination issues in the interests of environmental safety.
8. To provide verification that remediation has been carried out to the Planning Authority's satisfaction.
9. To ensure that all contamination issues are recorded and dealt with appropriately.
10. In the interests of pedestrian and vehicular safety.

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