

**LOCAL REVIEW BODY**

**6 MARCH 2019**

**PLANNING APPLICATION FOR REVIEW**

**ROSE TREE NURSERY**

**PROPOSED CHANGE OF USE OF DWELLINGHOUSE (CLASS 9) AND  
HAIRDRESSING SALON (CLASS 1) TO CHILDREN'S DAY NURSERY (CLASS 10)  
INCLUDING FORMATION OF ADDITIONAL OFF-STREET CAR PARKING SPACE  
AND ACCESS RAMP:**

**1 GRIEVE ROAD, GREENOCK (18/0192/IC)**

**Contents**

- 1. Planning Application dated 27 June 2018 together with plans and location plan**
- 2. Appointed Officer's Report of Handling dated 29 August 2018**
- 3. Design and Access Statement (Revision A) dated 20 June 2018 submitted by applicant in support of planning application**
- 4. Consultation responses in relation to planning application**
- 5. Representations in relation to planning application**
- 6. Decision Notice dated 3 September 2018 issued by Head of Regeneration & Planning**
- 7. Notice of Review Form dated 11 September 2018 with supporting documentation from Douglas Nicholson (Nicholson McShane Architects)**

**New matter referred to within the Statement of Review to the Local Review Body document not included with the papers in accordance with the criteria set out in Section 43B of the Town & Country Planning (Scotland) Act 1997**

- 8. E-mail dated 4 October 2018 from Douglas Nicholson (Nicholson McShane Architects) in relation to new matter**
- 9. Further representation submitted following receipt of Notice of Review**
- 10. E-mail dated 23 January 2019 from Douglas Nicholson (Nicholson McShane Architects) in response to further representation**
- 11. Suggested conditions should planning permission be granted on review**

**1. PLANNING APPLICATION DATED 27 JUNE 2018  
TOGETHER WITH PLANS AND LOCATION PLAN**

Municipal Buildings Clyde Square Greenock PA15 1LY Tel: 01475 717171 Fax: 01475 712 468 Email:  
devcont.planning@inverclyde.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100126407-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Type of Application

What is this application for? Please select one of the following: \*

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

## Description of Proposal

Please describe the proposal including any change of use: \* (Max 500 characters)

Proposed change of use of Dwellinghouse (Class 9) and Hairdressing Salon (Class1) to Children's Day Nursery (Class 10) including formation of additional off-street car parking space and access ramp

Is this a temporary permission? \*  Yes  No

If a change of use is to be included in the proposal has it already taken place?  
(Answer 'No' if there is no change of use.) \*  Yes  No

Has the work already been started and/or completed? \*

No  Yes – Started  Yes - Completed

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant  Agent

## Agent Details

Please enter Agent details

Company/Organisation:	Nicholson McShane Architects		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	Douglas	Building Name:	Ladyburn Business Centre
Last Name: *	Nicholson	Building Number:	10
Telephone Number: *	01475 325025	Address 1 (Street): *	Pottery Street
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	Greenock
Fax Number:	<input type="text"/>	Country: *	Scotland
		Postcode: *	PA15 2UH
Email Address: *	consents@nicholsonmcshane.co.uk		

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text"/>	Building Number:	13
Last Name: *	<input type="text"/>	Address 1 (Street): *	Forsyth Street
Company/Organisation	Rose Tree Nursery	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	Greenock
Extension Number:	<input type="text"/>	Country: *	United Kingdom
Mobile Number:	<input type="text"/>	Postcode: *	PA16 8DS
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

## Site Address Details

Planning Authority:

Inverclyde Council

Full postal address of the site (including postcode where available):

Address 1:

1 GRIEVE ROAD

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

GREENOCK

Post Code:

PA16 7LA

Please identify/describe the location of the site or sites

Northing

675602

Easting

225904

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

Yes  No

## Pre-Application Discussion Details Cont.

In what format was the feedback given? \*

Meeting  Telephone  Letter  Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) \* (max 500 characters)

A meeting was held with Guy Phillips on 23 April to discuss the principle of the change of use of the premises. Guy advised that we also consult with Roads and with Environmental Services prior to an application being made. These consultations were carried out.

Title:

Mr

Other title:

First Name:

Guy

Last Name:

Phillips

Correspondence Reference Number:

Date (dd/mm/yyyy):

23/04/2018

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

## Site Area

Please state the site area:

351.00

Please state the measurement type used:

Hectares (ha)

Square Metres (sq.m)

## Existing Use

Please describe the current or most recent use: \* (Max 500 characters)

Residential dwelling (Class 9) and Hairdressing Salon (Class 1)

## Access and Parking

Are you proposing a new altered vehicle access to or from a public road? \*

Yes

No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? \*

Yes

No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

1

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? \*

2

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

## Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? \*

Yes

No

Do your proposals make provision for sustainable drainage of surface water?? \* (e.g. SUDS arrangements) \*

Yes

No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? \*

Yes

No, using a private water supply

No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

## Assessment of Flood Risk

Is the site within an area of known risk of flooding? \*

Yes  No  Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? \*

Yes  No  Don't Know

## Trees

Are there any trees on or adjacent to the application site? \*

Yes  No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

## Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? \*

Yes  No

If Yes or No, please provide further details: \* (Max 500 characters)

Hardstanding for 3 wheeled bins available.

## Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? \*

Yes  No

## All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? \*

Yes  No

## All Types of Non Housing Development – Proposed New Floorspace Details

For planning permission in principle applications, if you are unaware of the exact proposed floorspace dimensions please provide an estimate where necessary and provide a fuller explanation in the 'Don't Know' text box below.

Please state the use type and proposed floorspace (or number of rooms if you are proposing a hotel or residential institution): \*

Class 10 Non-residential Institutions

Gross (proposed) floorspace (In square meters, sq.m) or number of new (additional) Rooms (If class 7, 8 or 8a): \*

132

If Class 1, please give details of internal floorspace:

Net trading spaces:

Non-trading space:

Total:

If Class 'Not in a use class' or 'Don't know' is selected, please give more details: (Max 500 characters)

## Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013 \*

Yes  No  Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

## Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? \*

Yes  No

## Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? \*

Yes  No

Is any of the land part of an agricultural holding? \*

Yes  No

Are you able to identify and give appropriate notice to ALL the other owners? \*

Yes  No

## Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate B

## Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

I hereby certify that

(1) - No person other than myself/the applicant was an owner [Note 4] of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application;

or –

(1) - I have/The Applicant has served notice on every person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application was owner [Note 4] of any part of the land to which the application relates.

Name:

Mrs Maria Docherty

Address:

1, Cairncurran Court, Melrose Park, Greenock, Scotland, PA15 4JZ

Date of Service of Notice: \*

27/06/2018



(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding;

or –

(2) - The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have/the applicant has served notice on every person other than myself/himself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. These persons are:

Name:

Address:

Date of Service of Notice: \*

Signed: Douglas Nicholson

On behalf of: Rose Tree Nursery

Date: 27/06/2018

Please tick here to certify this Certificate. \*

## Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? \*

Yes  No  Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? \*

Yes  No  Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? \*

Yes  No  Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? \*

Yes  No  Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? \*

Yes  No  Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? \*

Yes  No  Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

Site Layout Plan or Block plan.

Elevations.

Floor plans.

Cross sections.

Roof plan.

Master Plan/Framework Plan.

Landscape plan.

Photographs and/or photomontages.

Other.

If Other, please specify: \* (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. \*

Yes  N/A

A Design Statement or Design and Access Statement. \*

Yes  N/A

A Flood Risk Assessment. \*

Yes  N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). \*

Yes  N/A

Drainage/SUDS layout. \*

Yes  N/A

A Transport Assessment or Travel Plan

Yes  N/A

Contaminated Land Assessment. \*

Yes  N/A

Habitat Survey. \*

Yes  N/A

A Processing Agreement. \*

Yes  N/A

Other Statements (please specify). (Max 500 characters)

## **Declare – For Application to Planning Authority**

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Douglas Nicholson

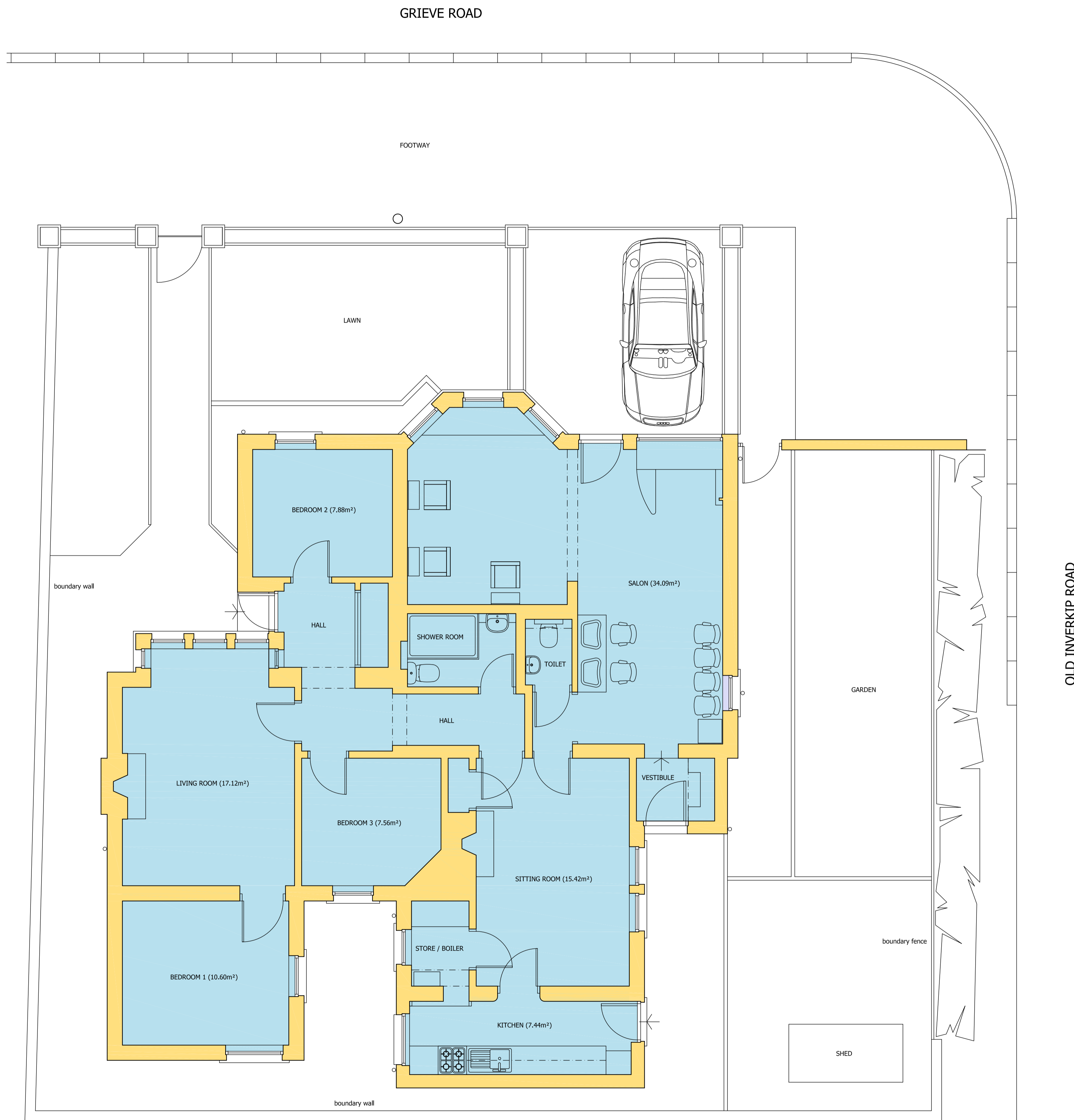
Declaration Date: 27/06/2018

## **Payment Details**

Cheque: Nicholson McShane Chartered Architects Ltd., 000046

Created: 27/06/2018 10:03

REVISION	DESCRIPTION	DATE
A	Information added	26-06-18
-		



EXISTING LAYOUT 1:50



UNIT 10, LADYBURN BUSINESS PARK,  
POTTERY STREET, GREENOCK, PA15 2UH  
e info@nicholsonmcschane.co.uk  
t 01475 325025  
w nicholsonmcschane.co.uk

CLIENT  
Rose Tree Nursery

PROJECT TITLE  
Change of use to childrens day nursery

PROJECT ADDRESS  
1 Grieve Road, Greenock

DRAWING TITLE  
Ground floor plan as existing

DRAWING STATUS  
PLANNING

PAPER SIZE  
A1

DRAWING NUMBER  
18027\_D.001

REVISION  
A

SCALE  
1:50

DATE  
14-06-18

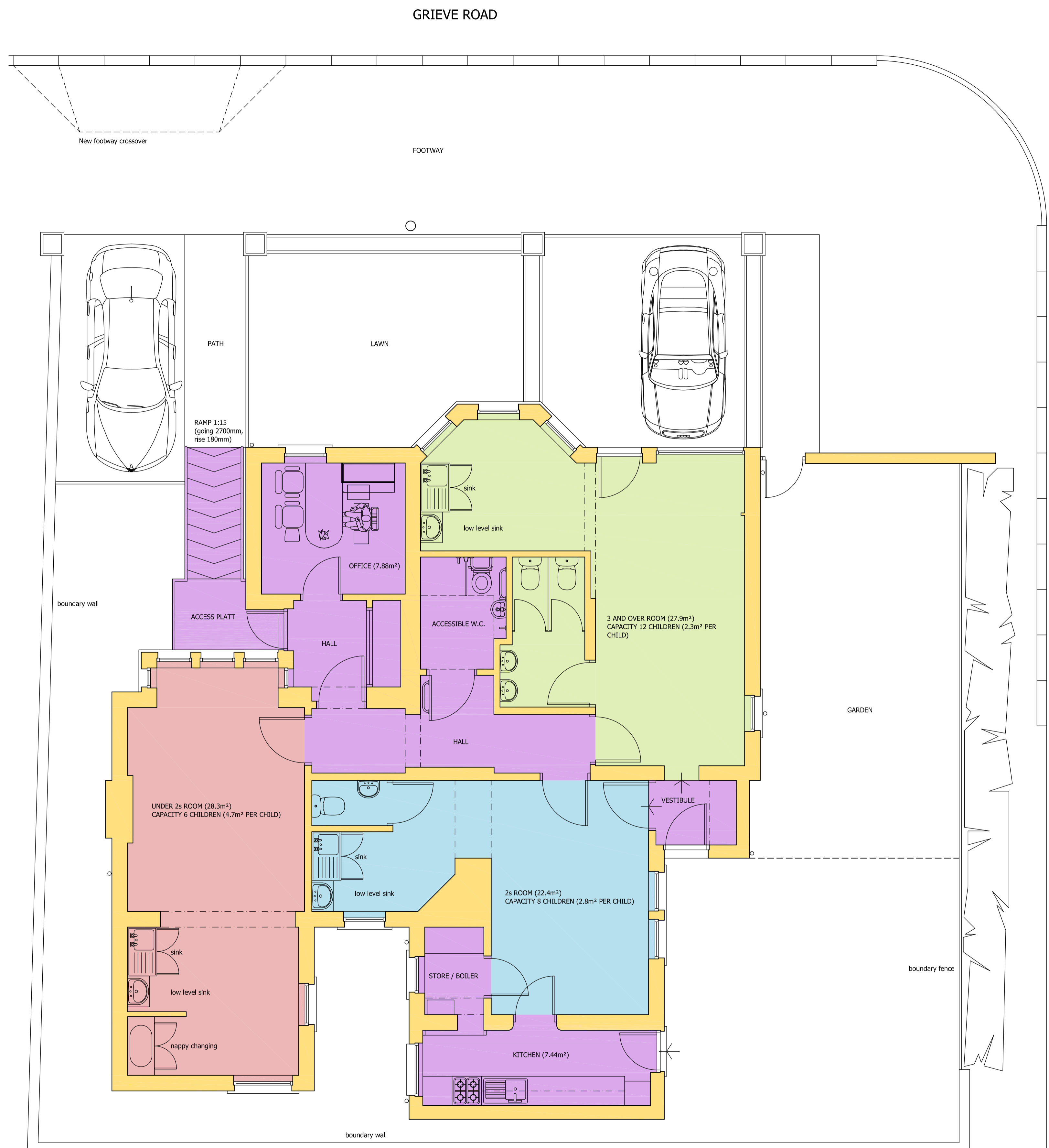
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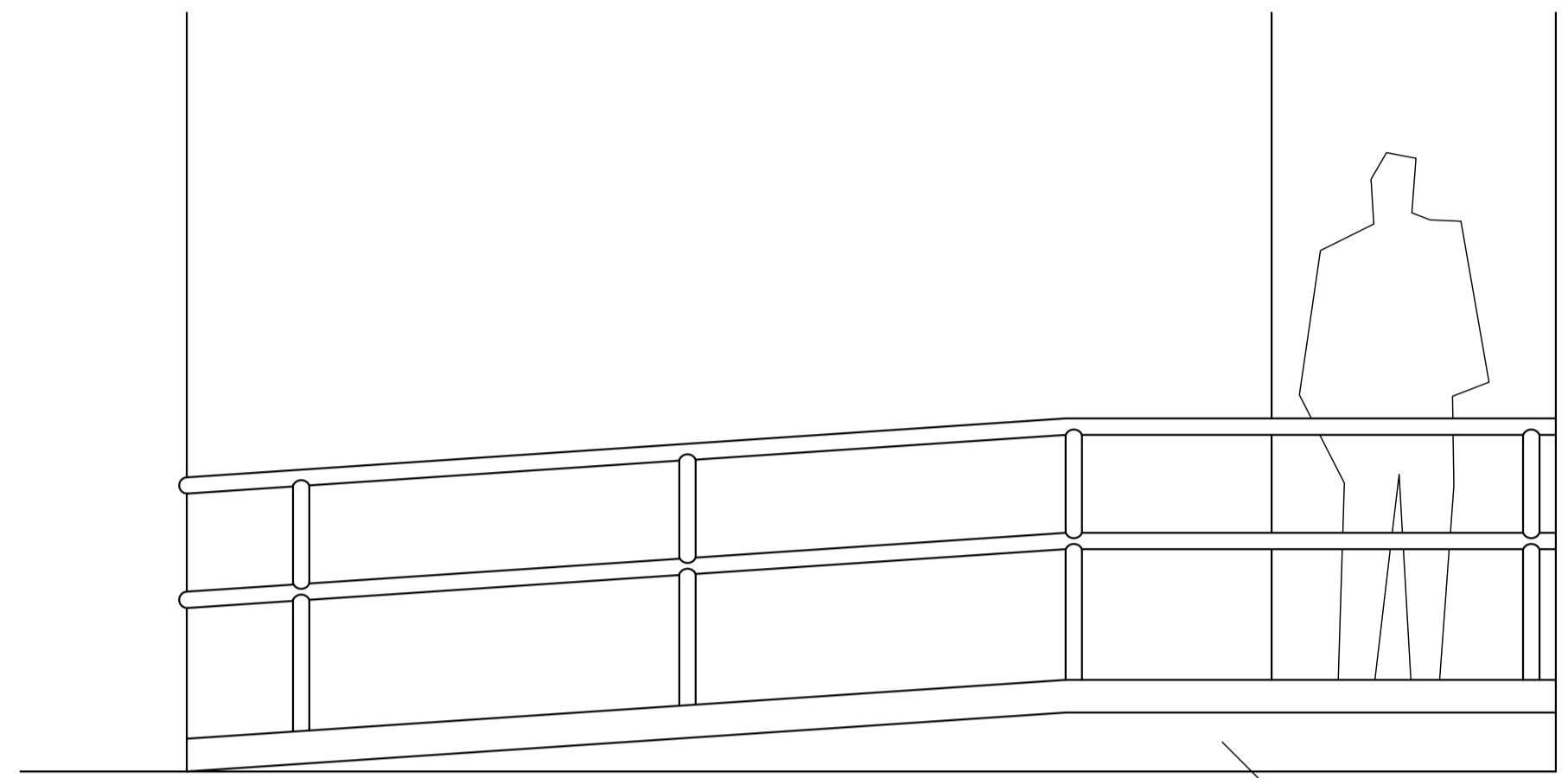
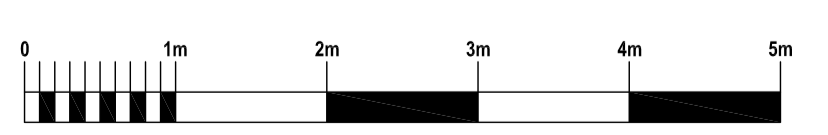


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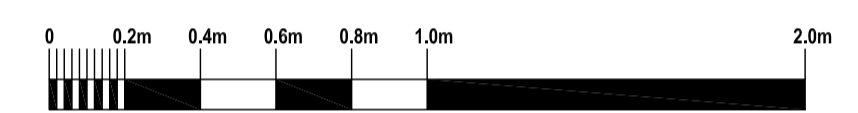
REVISION	DESCRIPTION	DATE
A	Information added	26-06-18
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PROPOSED LAYOUT 1:50



PROPOSED RAMP ELEVATION 1:20



galvanised steel ramp, upstand and tubular handrail

OLD INVERKIP ROAD



nicholson  
mcshane  
architects

UNIT 10, LADYBURN BUSINESS PARK,  
POTTERY STREET, GREENOCK, PA15 2UH

e info@nicholsonmcshane.co.uk  
t 01475 325025  
w nicholsonmcshane.co.uk

CLIENT  
Rose Tree Nursery

PROJECT TITLE  
Change of use to childrens day nursery

PROJECT ADDRESS  
1 Grieve Road, Greenock

DRAWING TITLE  
Floor / block plan as proposed

DRAWING STATUS  
PLANNING

PAPER SIZE  
A1

DRAWING NUMBER  
18027\_D.002

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1:50 & 1:20

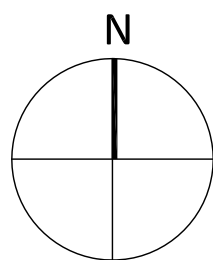
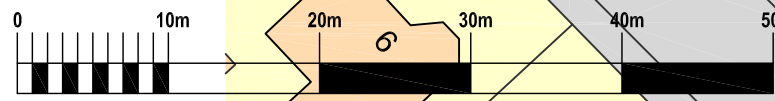
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**nicholson  
mcshane  
architects**

UNIT 10, LADYBURN BUSINESS PARK,  
POTTERY STREET, GREENOCK, PA15 2UH  
e info@nicholsonmcshane.co.uk  
t 01475 325025  
w nicholsonmcshane.co.uk

Lady Alice  
Nursery Clas

CLIENT
Rose Tree Nursery

PROJECT TITLE
Change of use to childrens day nursery

PROJECT ADDRESS
1 Grieve Road, Greenock

DRAWING TITLE
Location Plan

DRAWING STATUS	PAPER SIZE
PLANNING	A3

DRAWING NUMBER	REVISION
18027_LP	-

SCALE	DATE	DRAWN BY	CHECKED BY
1:500	26-06-18	-	-



**2. APPOINTED OFFICER'S REPORT OF HANDLING  
DATED 29 AUGUST 2018**

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**REPORT OF HANDLING**

**Report By:** Guy Phillips

**Report No:**

18/0192/IC

Local Application  
Development

**Contact  
Officer:** 01475 712422

**Date:**

29<sup>th</sup> August 2018

**Subject:** Proposed change of use of Dwellinghouse (Class 9) and Hairdressing Salon (Class 1) to Children's Day Nursery (Class 10) including formation of additional off-street car parking space and access ramp at 1 Grieve Road, Greenock

**SITE DESCRIPTION**

1 Grieve Road, Greenock is a cream painted, slate roof, single storey building that was last in full use as a house and hairdresser's shop. Set back from the street, behind a single off-street parking space and an area of garden contained by low walling and a box hedge, the irregularly shaped building is located on the north-west side of a junction where Grieve Road continues south-west onto Gateside Avenue and is crossed by Old Inverkip Road, which runs one-way from north-east to south-west.

The building has minimal rear garden space and, in parts, is close to the mutual boundary with the adjoining bungalow at 208 Old Inverkip Road. On its north-west side, the building is approximately 1.5 m away from the side boundary of the neighbouring semi-detached bungalow on Grieve Road. On the Old Inverkip Road frontage, an area of side garden contained by walling and hedging extends to approximately 26 square metres. The approximately 10m long and 3m deep front garden returns around the north-west (side) boundary at an approximate depth of 2.6m before reducing to 1.5m.

Adjoining to the south-west (rear) is a bungalow fronting Old Inverkip Road. To the north-west (side) a semi-detached bungalow fronts Grieve Road. Opposite is a two storey terrace of houses which are in a staggered configuration and set above a grass embankment.

Diagonally across Gateside Avenue, and approximately 33m to the south-east, is Lady Alice primary school and nursery.

**PROPOSAL**

It is proposed to change the use of the building to a children's nursery. The floorplan accompanying the planning application details that accommodation within the building would be given over to an under 2s room with a capacity of 6, a 2s room with a capacity of 8 and a 3 and overs room with a capacity of 12 (a total of 26 children). Ancillary accommodation comprises an office, toilets, changing area and a kitchen.

Externally, an additional off-street parking space is to be formed in the front garden. It links to an access ramp and landing leading into the building.



The planning application is accompanied by a design and access statement. It advises that the proposed hours of operation are 07.30 until 17.30 Monday to Friday. Drop off and pick up of children will be between 07.30 and 08.00 and 17.00 and 17.30, respectively. The maximum number of staff present on site at any one time is anticipated to be 5.

## **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.

## **PROPOSED DEVELOPMENT PLAN POLICIES**

### **Policy 1 - Creating Successful Places**

Inverclyde Council requires all development to have regard to the six qualities of successful places. In preparing development proposals, consideration must be given to the factors set out in Figure 3. Where relevant, applications will also be assessed against the Planning Application Advice Notes Supplementary Guidance.

### **Policy 20 - Residential Areas**

Proposals for development within residential areas will be assessed with regard to their impact on the amenity, character and appearance of the area. Where relevant, assessment will include reference to the Council's Planning Application Advice Notes Supplementary Guidance.

## **CONSULTATIONS**

**Head of Environmental and Public Protection (Roads)** – The proposal will have a maximum capacity of 26 children and five full time equivalent members of staff. The parking requirement is 5 spaces and the roads development guide states that drop-off/pick-up facilities should be provided. The applicant has provided 2 off-road parking spaces and there are no drop-off/pick-up facilities

provided. On a busy road, with limited on-street parking spaces there are insufficient parking spaces which will cause inconsiderate parking and lead to road safety issues. The development is at a crossroads and inconsiderate parking at this junction will lead to visibility issues and cause an increase in accidents. Refusal of planning permission is recommended on the grounds of road safety.

In the event that planning permission is granted, conditions should be attached to require: the new parking bay to be a minimum of 5.5m long by 3m wide with a gradient of less than 10% and; the pick-up and drop-off times of the nursery to be at least 15 minutes outwith the times of Lady Alice Primary School.

**Head of Environmental and Public Protection (Environmental Health)** - No objections subject to the attachment of conditions to control potential ground contamination, waste storage and external lighting and advisory notes on CDM Regulations, seagull nuisance, food safety, health and safety and ventilation.

### **PUBLICITY**

The application was advertised as a Schedule 3 development.

### **SITE NOTICES**

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

### **PUBLIC PARTICIPATION**

Four written representations have been received, all of which raise objections to the proposal.

The objectors to the proposal are concerned that: this part of Greenock is well served by nurseries and another one is not required: the nearby Lady Alice primary school and nursery generate traffic and an associated high demand for on-street parking at drop-off and pick-up times thus creating road safety hazards at the busy junction at the application site; two off-street parking spaces are insufficient for 5 staff; existing issues of pavement parking and blocking of driveways and garages shall be exacerbated; the provision of permanent bollards, pedestrian barriers and yellow zigzag lines at Lady Alice primary school have had the effect of re-locating road safety issues from outside the school to Grieve Road and residents have difficulty parking outside their homes; a traffic management study should be carried out in term time and before the planning application is determined, school holidays may mean that Lady Alice primary school and nursery have not had an opportunity to submit comments and; during adverse winter weather Bow Road buses are re-directed onto Grieve Road.

### **ASSESSMENT**

The material considerations in the determination of this planning application are the adopted Local Development Plan, the proposed Local Development Plan, the consultation responses and the written representations.

Policies RES1 of the adopted Plan and 20 of the proposed Plan combine to seek to safeguard residential amenity, character and appearance. The best measures to determine whether or not the proposal satisfies this aim is to assess it against Policy RES6 of the adopted Plan's relevant criteria which 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; (e) social and economic benefits; and (f) the cumulative impact of such a use or facilities on an area.

Considering the proposed external works, I am satisfied that the formation of the additional off-street parking space in the front garden and the associated access ramp into the building have a

neutral visual impact and may therefore be considered as being compatible with the character and amenity of the area.

Regarding the use of the building, potential impacts upon the character and amenity of the area arise from noise and disturbance from comings and goings in the early morning and late afternoon, noise from within the building and noise from the use of the small areas of garden. The Head of Environmental and Public Protection (Environmental Health) has the power to consider the implications of noise originating within the building, to which he has offered no objections. Noise from outside the building (which is not considered by The Head of Environmental and Public Protection (Environmental Health) is, I consider, likely to extend the period when there is greatest activity in the area that arise from drop-offs and pick-ups of children at the nearby Lady Alice primary school and nursery. Noise and activity from comings and goings associated with the proposal, (albeit it at earlier and later times of day) are, I consider, unlikely to have as significant an impact as the pre-existing primary school which generates considerably more pedestrian and vehicular traffic than that associated with a 26 child capacity nursery.

The only useable area for outside play and activities is the approximately 67 square metres, L shaped, area of side garden adjoining Old Inverkip Road and the driveway and front garden of the bungalow at 208 Old Inverkip Road. The proximity of the proposed nursery's useable area of garden ground to 208 Old Inverkip Road, I consider gives the potential for nuisance from an unacceptable degree of noise and disturbance from groups of children engaging in outside play and activities. As such, I consider that the proposal is not compatible with the character and amenity of the area and thus fails to accord with criterion (a) of Policy RES6 of the adopted Plan.

Regarding impact of the volume, frequency and type of traffic likely to be generated, the Head of Environmental and Public Protection (Roads) advises that planning permission should be refused due to there being insufficient off-street parking provision and no provision for drop-off and pick-up facilities on a busy road. This shall cause inconsiderate parking and lead to road safety issues. He further notes that inconsiderate parking at the crossroads of Grieve Road, Gateside Avenue and Old Inverkip Road will lead to visibility issues and cause an increase in accidents.

Accordingly, the proposal fails to satisfy criteria (c) of Policy RES6 of the adopted Plan. As the impact upon road safety is cumulative with existing traffic, associated with the nearby Lady Alice primary school and nursery. As such, I consider that the proposal also fails to satisfy criterion (f) of Policy RES6 of the adopted Plan.

The Design and Access statement accompanying the planning application advises that a limited provision of nursery places within this part of Greenock results in children being unable to access childcare facilities. I therefore recognize that there are social benefits to be accrued from the provision of a nursery at this location. Those benefits do not, however, outweigh my concerns regarding impacts from outside play and activities upon the neighbouring bungalow at 208 Old Inverkip Road. Nevertheless, it can be determined that the proposal satisfies criterion (e) of Policy RES6 of the adopted Plan.

Regarding the consultation responses, given the expertise of the Head of Environmental and Public Protection (Roads) on roads matters, and his objection to the proposal on the grounds of road safety, I have no option but to recommend that planning permission be refused on road safety grounds.

I have no objections to the attachment of a condition to control potential ground contamination, as requested by the Head of Environmental and Public Protection (Environmental Health), however his other requested conditions on waste storage and external lighting are matters covered by other legislation and I, therefore, do not consider that it would be appropriate to attach conditions in respect of them. As an alternative, I would be content to add advisory notes on these matters along with the others requested to be attached on CDM Regulations, seagull nuisance, food safety, health and safety and ventilation.

Considering the concerns raised by the objectors and not addressed by my assessment of the proposal against the adopted and proposed Plans: the Head of Environmental and Public Protection (Roads) has not identified a requirement for a traffic management study or identified any issue with buses travelling on Grieve Road and Gateside Avenue and; as Lady Alice primary School and nursery are greater than 20m from the application site there is no requirement for neighbour notification in respect of them.

In view of my unfavourable assessment of the proposal against criteria (a) (c) and (f) of Policy RES6 of the adopted Plan, however, I consider that it fails to safeguard residential amenity and character by introducing noise from outside play and activities in close proximity to residential property; fails to accord with the Council's adopted roads guidance on the provision of off-street parking and drop-off and pick-up facilities and; has an cumulative effect with existing traffic in the area that is detrimental to road safety and hence fails to meet the combined aims of Policies RES1 of the adopted Plan and 20 of the proposed Plan. Accordingly, the noise created by the proposal creates conflict with adjoining residential property; the traffic it generates is prejudicial to road safety and, as a result, it fails to meet the aim of Policy1 of the proposed Plan of maintaining this part of Greenock as a pleasant and successful place.

Overall, I conclude that the proposal does not merit support.

## **RECOMMENDATION**

That the application be refused for the following reasons:

Reasons:

1. Contrary to the design guidance in the Council's adopted roads development guide, the proposal fails to provide adequate off-street parking or any drop-off and pick-up facilities, leading to obstructive and inconsiderate parking, which cumulative with existing traffic in the area shall lead to obstructed visibility and accidents at the junction of Grieve Road, Gateside Avenue and Old Inverkip Road: all to the detriment of road safety and contrary to criteria (c) and (f) of the adopted Local Development Plan.
2. As outside play and activities shall create noise to the detriment of the quality of residential amenity and character enjoyed in adjoining residential property, consequently failing to maintain this part of Greenock as a pleasant and successful place, the proposal is thus contrary to Policy RES1 and criterion (a) of Policy RES6 of the adopted Local Development Plan and Policies 20 and 1 of the proposed Local Development Plan.

Signed: 

  
Case Officer: Guy Phillips

  
Stuart Jamieson  
Head of Regeneration and Planning

**3. DESIGN AND ACCESS STATEMENT (REVISION A)  
DATED 20 JUNE 2018 SUBMITTED BY APPLICANT  
IN SUPPORT OF PLANNING APPLICATION**



**Proposed Change of Use of Dwellinghouse (Class 9) and Hairdressing Salon (Class 1) to  
Children's Day Nursery (Class 10)  
at  
1 Grieve Road, Greenock  
for  
Rose Tree Nursery  
Design and Access Statement (revision A)**



### **Introduction**

1 Grieve Road is a single storey building currently accommodating a residential dwelling and a linked retail unit last used as a hairdressing salon. The building has a frontage to Grieve Road to the north east and also has a garden area to the south east fronting Old Inverkip Road. The building has an off street car parking space accessed from Grieve Road.

### **Proposal**

The proposal involves the conversion of the building to a day nursery. This will require minor internal alterations to the fabric of the building to allow the formation of appropriately sized children's rooms for the various age groups, and to allow the required level of toilet and nappy changing facilities. The works will involve very limited external alterations, namely the construction of an access ramp giving barrier-free access to the building and the formation of an additional off-street car parking space. Valuable outdoor recreation space will be provided by the existing garden ground. All works are designed in accordance with the *National Care Standards*



document *Early Education and Childcare up to the age of 16* and with the appropriate BS for toilet provision.

### **Local Need – Statement from Applicant**

The Scottish Government's aim is to give every child the best possible start in life and it is widely acknowledged that the provision of high quality Early Learning Childcare (ELC) is essential to achieve this ambition. The Government have set out a blueprint which will deliver transformational change in the ELC provision by almost doubling the free entitlement to 1140 hours per year by 2020. Inverclyde Council Early years Education Department are currently developing plans which will outline how this ambition will be achieved, as part of these plans they are reaching out to private nurseries within the Inverclyde area in order to ensure each child has access to the 1140 hours they are entitled to. One of the short term business objectives for Rose Tree Nursery is to become a partner nursery with Inverclyde Council which will allow local children, particularly within the South West Greenock area, to have access to flexible, high quality childcare facilities for the full 1140 hours. It should be noted that not all children within the South West Greenock area are able to access high quality childcare facilities due to limited provision within this area hence the decision to locate the nursery in this particular location.

### **Operation**

The nursery will accommodate a maximum of 26 children in the following age ranges:

Under 2s; 6 children.

2 year olds; 8 children.

3 year olds and over; 12 children.

This provision is designed in accordance with the room areas designated in the *National Care Standards* document *Early Education and Childcare up to the age of 16*.

It is unlikely that the nursery will run at this capacity, however, as typically demand will be spread over the week.

It is anticipated that the nursery will operate between the hours of 7.30am and 5.30pm 5 days a week (Monday to Friday). It is likely that the dropping-off of children will take place between 7.30 and 8.00am and that children will be picked up between 5.00pm and 5.30pm. This will avoid drop-off and pick-up times coinciding with nearby Lady Alice Primary School. A small proportion of children will be dropped off / picked up at lunchtimes.

It is anticipated that the maximum number of staff in the nursery at any one time will be 5.



### **Vehicular Access**

The nursery will be well-served by public transport.

Consultation with Inverclyde Council Roads and Transportation has highlighted a requirement for staff car parking.

### **Off-street Car Parking Provision**

The Scottish Government's Roads Development Guide suggests a *maximum* number of car parking spaces as 1 space per full time equivalent staff. A comparative assessment of car parking in relation to the existing uses follows. Please note that these are based on the *maximum* provision listed in the guidance and allowance should be made for the accessible public transport links close to the proposed nursery:

#### **Existing**

Class 9 residential dwelling (3 bedroom);	requirement 2 spaces.
Class 1 retail (hairdressing salon, 3 staff);	requirement 3 spaces.
i.e. total required provision	5 spaces.
Actual off-street provision	1 space.
Deficit in provision	4 spaces.

#### **Proposed**

Class 10 (creche / child care, 5 staff);	requirement 5 spaces.
i.e. total required provision	5 spaces.
Actual off-street provision	2 space.
Deficit in provision	3 spaces.

The additional off-street car parking space will be formed within the front garden ground of the building, accessed by means of a new footway crossover. The proposal will therefore decrease demand for off-street car parking spaces.

DN

Nicholson McShane Architects

17-06-2018 (revision A dated 20-06-2018)



## **4. CONSULTATION RESPONSES IN RELATION TO PLANNING APPLICATION**

Memorandum Safer Communities Planning Application Consultation Response	
To: <b>Planning Services</b> For the Attention of : Guy Phillips	
From: <b>Environmental Public Protection</b>	Date sent to Planning : <b>3rd Aug 2018</b>

Lead Officer: <b>Sharon Lindsay</b>	
Tel: <b>01475 714 205</b>	Email: <b>sharon.lindsay@inverclyde.gov.uk</b>

Safer Communities Reference (optional):	
Planning Application Reference:	<b>18/0192/IC</b>
Planning Application Address:	1 Grieve Road Greenock PA16 7LA
Planning Application Proposal:	<b>Proposed change of use of Dwellinghouse (Class 9) and Hairdressing Salon (Class 1) to Children's Day Nursery (Class 10) including formation of additional off-street car parking space and access ramp</b>

Team	Officer	Date
Food & Health	Michael Lapsley	
Air Quality	Sharon Lindsay	1.8.18
Contaminated Land	Roslyn McIntosh	16.7.18*
Public Health & Housing	Janet Stitt	18.7.18
Noise	Sharon Lindsay	1.8.18

*Amend table entries as appropriate and insert date when each officer review is completed.*

\*Garden areas should be safe for children to play (potential contaminants; asbestos, metals, PAHs, sharps etc)



**Recommended Conditions:**

It is recommended that the undernoted conditions be placed on any consent the council may grant:

*Delete or amend as appropriate*

**Food & Health**

**No Comments**

**Air Quality**

**No Comments**

**Contaminated Land**

1. The development is not complete until a report on garden soil chemical quality with an assessment of possible risks to human health has been submitted to and approved, in writing by the Planning Authority. Sampling and assessment is required for all garden and landscaped areas in the proposed development. In the event that contamination is identified a suitable remediation scheme shall be included in this report.

Reason: To protect human health from contaminated soil in children’s play areas.

**Public Health & Housing**

2. 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 are in place.

Reason: To protect the amenity of the immediate area, prevent the creation of nuisance due to odours, insects, rodents or birds.

3. All external lighting on the application site should comply with the Scottish Government Guidance Note “Controlling Light Pollution and Reducing Lighting Energy Consumption”.

Reason: To protect the amenity of the immediate area, the creation of nuisance due to light pollution and to support the reduction of energy consumption.

**Noise**

**No Comments**

### **Recommended Advisory Notes**

It is strongly recommended that the undernoted Advisory Notes be placed on any consent the Council may grant:

- i. The applicant should be fully aware of the **Construction (Design & Management) Regulations 2015 (CDM 2015)** and its implications on client duties etc.
- ii. **Design and Construction of Buildings – Gulls:** It is very strongly recommended that appropriate measures be taken in the design of all buildings and their construction, to inhibit the roosting and nesting of gulls. Such measures are intended to reduce nuisance to, and intimidation of, persons living, working and visiting the development.
- iii. **Consultation on Proposed Use:** It is strongly recommended that prior to the commencement of any works the applicant consults with Officers of Safer and Inclusive Communities to ensure structural compliance with legislation relating to;
  - a) Food Safety Legislation,
  - b) Health and Safety at Work etc. Act 1974,
- viii. **Alteration to current use and likely impact on ventilation requirements.** It is imperative that if there is any alteration to the use which has been outlined in this application such as a change to the type of cooking carried out, cooking equipment to be used, food types or a significant increase in the volume of cooking that officers of Safer and Inclusive Communities ( Public Health and Housing) and Planning are consulted with a view to the likely increase in cooking odours resulting in a need to improve the ventilation/ air handling to the premises.

To: Head of Regeneration & Planning Your Ref: 18/0192/IC  
 From: Head of Environmental & Commercial Services Our Ref: EP/14/04/18/0192/IC  
Contact: E Provan  
Tel: (01475) 714814  
 Subject: Observations On Planning Application PA Ref: 18/0192/IC  
 Detail: Proposed change of use of dwellinghouse Dated: 04/07/2018  
 (Class 9) and Hairdressing Salon (Class 1) to Received: 07/07/2018  
 Children's Day Nursery (Class 10) including  
 formation of additional off-street car parking  
 space and access ramp  
 Site: 1 Grieve Road, Greenock, PA16 7LA Applicant: Rose Tree Nursery

Type of Consent: Detailed Permission/ In Principle/ Approval of Matters/ Change of Use

**Comments:**

1.	The existing property is a made up of a 3 bed dwelling and 2 chair hairdressers. The total parking requirement for the existing use is 3 spaces which is made up of 2 spaces for the residential property (3 bedroom) and 1 space for the hairdressers (1 space per 100sqm with the actual GFA of 20sqm). Although the requirement for the hairdressers is 1 space in accordance with the guidelines its more realistic that at least 2 cars would be associated with this particular site. Therefore the likely number of spaces required for the overall existing use is 4. The current parking provision is 1 parking space.
2.	The proposed will have a maximum capacity of 6nr under 2 year olds, 8nr age 2 years and 12nr age 3 years and over with associated facilities. This will be served by a maximum of 5 FTE members of staff. The parking requirement for this development is 5 spaces and the development guide states that drop off/pick facilities should be provided. The applicant has provided 2 off road parking spaces and there are no drop off / pick up facilities provided. On a busy road, with limited on street parking spaces we would recommend refusal on the grounds of road safety as there are insufficient parking spaces and this will cause inconsiderate parking and lead to road safety issues. I would note that the development is at a cross road junction and inconsiderate parking at junction will lead to visibility issues and cause an increase in accidents.
3.	The development proposes 2 off-street parking spaces. This does not meet the parking requirements however it would have the same overall effect on on-street parking as the existing use.
4.	The applicant should demonstrate that the new parking space is a minimum of 5.5m by 3.0m with a gradient of less than 10%.
5.	The pick-up and drop-up times of the nursery should be at least 15 minutes outwith the times of Lady Alice Primary School to improve safety for the children and minimise congestion.

**Notes For Intimation To Applicant**

Construction Consent (S21)*	Not Required/ <del>Required for all road works</del>
Road Bond (S17)*	Not Required/ <del>Required if building works are to be undertaken before roads are completed</del>
Road Opening Permit (S56)*	Not Required/ <del>Required for all works in the public road</del>
Other	Not Required/ Section 59 agreement

\*Relevant Section of the Roads (Scotland) Act 1984

Signed: [Redacted Signature]  
 Steven Walker, Service Manager (Roads)

Date: 29/06/2018

**5. REPRESENTATIONS IN RELATION TO PLANNING APPLICATION**

Mr and Mrs Mc Donald  
4 Gateside Ave  
Greenock  
18 /7/ 2018

Dear sir ,

I am writing to make an objection regarding the proposed change of use at 1 Grieve rd from hairdresser to nursery, there is no need for a nursery in the area as there is already a nursery in the Lady Alice School.

The proposed nursery emerges on to a very busy road dangerous for young children , when being removed from and going into a car .

The proposed nursery is only providing two parking places I presume for staff , Rose Tree state they expect to have five staff , where will the other three park .

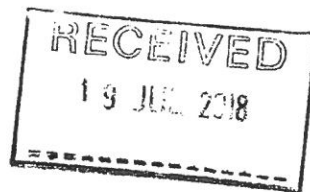
Morning and evening times for the nursery will clash with the time people are leaving for work and coming home from work .

This proposal will only exacerbate the problems already existing on Gateside Ave , and Old Inverkip Rd these streets are one way Grieve rd will also be affected , the parents from Lady Alice School are very inconsiderate when they drop their children off , they park in front of driveways ,garages , on the pavement , which means that any one with a pram or in a wheelchair must go on the road to get past which is not safe for anyone .

the extra traffic and Parking requirements are just too much for this area .

thank you

Mr and Mrs Mc Donald



**TRANSCRIBED FROM ORIGINAL**

APPLICATION NO. 18/0192/IC  
1 Grieve Road

210, OLD INVERKIP ROAD  
GREENOCK  
PA16 9EL  
20<sup>th</sup> July '18

Re above:- I am of the opinion that

- (a) There is not enough parking provision since
  - (i) Grieve Road is a very busy thoroughfare.
  - (ii) Old Inverkip Road, westwards, is single lane one-way Street, difficult to access in winter weather, there being no provision for clearance of ice or snow on the street or pavement.
- (b) Another nursery, only a few hundred metres from Lady Alice, may be over provision in this specific location.

Yours faithfully

Anne Marie McLachlan



# Comments for Planning Application 18/0192/IC

## Application Summary

Application Number: 18/0192/IC

Address: 1 Grieve Road Greenock PA16 7LA

Proposal: Proposed change of use of Dwellinghouse (Class 9) and Hairdressing Salon (Class 1) to Children's Day Nursery (Class 10) including formation of additional off-street car parking space and access ramp

Case Officer: Guy Phillips

## Customer Details

Name: Mr George Loossens

Address: 9 Gateside Grove Greenock

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I WOULD LIKE TO OBJECT TO THIS AS OUR AREA IS ALREADY WELL LOOKED AFTER WITH LADY ALICE NURSERY AND BLUEBIRD FAMILY CENTRE WITHIN A HALF MILE OF EACH OTHER AND THE NEW MOVE OF THE OLD KELLY STREET NURSERY TO ALSO WITHINN DROP DISTANCE FROM THIS AREA SO NO REQUIREMENT FOR ANOTHER NURSERY.

MY OTHER CONCERN IS THE RAMP/OFF STREET PARKING AS PRIMARY SCHOOL KIDS WILL BE RETURNING TO LADY ALICE PRIMARY VERY SOON AND PARKING IS ALREADY VERY DANGEROUS DUE TO INCONSIDERATE PARENTS AND AT TIMES CAN BE AN ACCIDENT WAITING TO HAPPEN AT THE PROPOSED ADDRESS ESPECIALY AT SCHOOL AND NURSEY START AND PICK UP TIMES SO IN THE INTREST OF CHILD SAFTEY I WOULD OBJECT TO THIS

Inverclyde Council  
Regeneration and Planning

10 Gateside Avenue  
Greenock  
PA16 9EJ  
18th July, 2018

Planning Application Number 18/0192/IC  
Proposed Change of use of Dwelling House and Hairdressing Salon (Class 1) to  
Childrens Day Nursery (Class 10) at 1 Grieve Road Greenock for Rose Tree Nursery 407-001

I would like to object to the above planning application on a number of grounds stated below. It is important to understand the building is adjacent to a busy crossroads with traffic flowing in three different directions. It is located diagonally opposite the Lady Alice Primary School and Nursery which already generate considerable traffic volume. Permanent bollards, Yellow Zig Zags, metal fencing have been introduced over the years to improve child safety and traffic management. The unintended consequences have been to move the problem to Grieve Road where parents now park on the kerb opposite the site of the proposed Nursery. The proposal for a new Nursery at this site will exacerbate the existing problems on a number of fronts

-1-INADEQUATE CAR PARKING PROVISION – the proposals merely offer to add one additional car parking space. The proposals concede that this really leaves a deficit of 3 spaces based on the maximum provision outlined in the Scottish Roads Development Guide. The proposals estimate 5 staff members at any one time. How therefore can 1 additional space be sufficient to meet the needs of the staff never mind the needs of parents coming to drop off/pick up their children? Local residents already have difficulties parking near to their homes and have to walk some distance. Some of the residents are elderly/have medical issues so additional competition for parking spaces will have a detrimental impact on the lives of the local community.

-2-INCREASED CHILD AND PEDESTRIAN SAFETY CONCERNS-Grieve Road already has parents parking on the kerb to pick up/drop of children accessing Lady Alice School and nursery. These proposals will extend the time periods when additional traffic will centre on this crossroad area causing further danger to children and pedestrians.

-3- INTENSIFIED TRAFFIC MANAGEMENT PROBLEMS-It should be noted that in the winter during bad weather when Bow Road is closed Grieve Road is used as a diversion route for buses and this road has increased traffic volumes at these times.

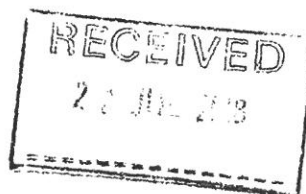
TRAFFIC MANAGEMENT STUDY If the Council were minded to carry out a traffic management study before finalising a decision on this proposal I would urge that such a survey should take place once the current holiday season has ended and the local primary school and existing nursery are back operating as normal.

FINALLY due to the timing of this proposal during the school holidays I am concerned that Lady Alice School & Nursery may not have had opportunity to comment on these proposals. It seems only right they should have input before the final decisions are reached.

Yours sincerely



Colin Murray



**6. DECISION NOTICE DATED 3 SEPTEMBER 2018  
ISSUED BY HEAD OF REGENERATION &  
PLANNING**

# DECISION NOTICE

## *Refusal of Planning Permission*

Issued under Delegated Powers

Regeneration and Planning  
Municipal Buildings  
Clyde Square  
Greenock PA15 1LY

Planning Ref: 18/0192/IC

Online Ref:100126407-001

***TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997  
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)  
(SCOTLAND)REGULATIONS 2013***

Rose Tree Nursery  
13 Forsyth Street  
GREENOCK  
PA16 8DS

Nicholson McShane Architects  
Douglas Nicholson  
Unit 10  
Ladyburn Business Park  
Pottery Street  
GREENOCK  
PA15 2UH

With reference to your application dated 27th June 2018 for planning permission under the above mentioned Act and Regulation for the following development:-

**Proposed change of use of Dwellinghouse (Class 9) and Hairdressing Salon (Class 1) to Children's Day Nursery (Class 10) including formation of additional off-street car parking space and access ramp at**

**1 Grieve Road, Greenock**

**Category of Application: Local Application Development**

The INVERCLYDE COUNCIL in exercise of their powers under the abovementioned Act and Regulation hereby refuse planning permission for the said development.

The reasons for the Council's decision are:-

1. Contrary to the design guidance in the Council's adopted roads development guide, the proposal fails to provide adequate off-street parking or any drop-off and pick-up facilities, leading to obstructive and inconsiderate parking, which cumulative with existing traffic in the area shall lead to obstructed visibility and accidents at the junction of Grieve Road, Gateside Avenue and Old Inverkip Road: all to the detriment of road safety and contrary to criteria (c) and (f) of the adopted Local Development Plan.
2. As outside play and activities shall create noise to the detriment of the quality of residential amenity and character enjoyed in adjoining residential property, consequently failing to maintain this part of Greenock as a pleasant and successful place, the proposal is thus contrary to Policy RES1 and criterion (a) of Policy RES6 of the adopted Local Development Plan and Policies 20 and 1 of the proposed Local Development Plan.

The reason why the Council made this decision is explained in the attached Report of Handling.



**Head of Regeneration and Planning**

- 1 If the applicant is aggrieved by the decision of the Planning Authority to refuse permission for or approval required by condition in respect of the proposed development, or to grant permission or approval subject to conditions, he may seek a review of the decision within three months beginning with the date of this notice. The request for review shall be addressed to The Head of Legal and Administration, Inverclyde Council, Municipal Buildings, Greenock, PA15 1LY.
  
- 2 If permission to develop land is refused or granted subject to conditions, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the planning authority a purchase notice requiring the purchase of his interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997

**Refused Plans: Can be viewed Online at <http://planning.inverclyde.gov.uk/Online/>**

Drawing No:	Version:	Dated:
18027 LP		26.06.2018
18027 D.001	Rev A	26.06.2018
18027 D.002	Rev A	26.06.2018

**7. NOTICE OF REVIEW FORM DATED 11 SEPTEMBER 2018  
TOGETHER WITH SUPPORTING DOCUMENTATION**



Notice of Review

# NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED) IN RESPECT OF DECISIONS ON LOCAL DEVELOPMENTS

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE) (SCOTLAND) REGULATIONS 2013

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2013

**IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.**

Use BLOCK CAPITALS if completing in manuscript

### Applicant(s)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail\*

### Agent (if any)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail\*

Mark this box to confirm all contact should be through this representative:

\* Do you agree to correspondence regarding your review being sent by e-mail?

Yes  No

Planning authority

Planning authority's application reference number

Site address

Description of proposed development

Date of application  Date of decision (if any)

Note. This notice must be served on the planning authority within three months of the date of the decision notice or from the date of expiry of the period allowed for determining the application.

**Nature of application**

- 1. Application for planning permission (including householder application)
- 2. Application for planning permission in principle
- 3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition)
- 4. Application for approval of matters specified in conditions

**Reasons for seeking review**

- 1. Refusal of application by appointed officer
- 2. Failure by appointed officer to determine the application within the period allowed for determination of the application
- 3. Conditions imposed on consent by appointed officer

**Review procedure**

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

- 1. Further written submissions
- 2. One or more hearing sessions
- 3. Site inspection
- 4. Assessment of review documents only, with no further procedure

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing are necessary:

**Site inspection**

In the event that the Local Review Body decides to inspect the review site, in your opinion:

- |  | Yes                      | No                                  |
|--|--------------------------|-------------------------------------|
| 1. Can the site be viewed entirely from public land?                                 | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

ACCESS WILL BE REQUIRED TO SAFELY VIEW THE GARDEN GROUND SHOULD THIS BE REQUIRED



**Statement**

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

REFER TO JEPARATE STATEMENT OF REVIEW TO THE LOCAL REVIEW BODY.

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made?

Yes  No

If yes, you should explain in the box below, why you are raising new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

**List of documents and evidence**

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review.

STATEMENT OF REVIEW TO THE LOCAL REVIEW BODY

APPLICATION FORM  
 REPORT OF HANDLING  
 DECISION NOTICE  
 REFUSED DESIGN & ACCESS STATEMENT  
 REFUSED PLANS (REDUCED SCALE)  
 REFUSED LOCATION PLAN.  
 EXTRACT OF ROAD DEVELOPMENT GUIDE

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

**Checklist**

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:


- Full completion of all parts of this form
- Statement of your reasons for requiring a review
- All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

**Declaration**

I the applicant/agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed

  
 FOR NICHOLSON MSHANE ARCHITECTS

Date

11 SEPTEMBER 2018

**Data Protection:** Inverclyde Council is obliged to comply with current Data Protection Laws and will use this information for the purpose of The Town and Country Planning (Scotland) Act 1997 and related purposes, legislation and regulation.

Further information can be found at [www.inverclyde.gov.uk/privacy](http://www.inverclyde.gov.uk/privacy)



**Proposed Change of Use of Dwellinghouse (Class 9) and Hairdressing Salon (Class 1) to  
Children's Day Nursery (Class 10) at 1 Grieve Road, Greenock.**

**For  
Rose Tree Nursery**

**Statement of Review to the Local Review Body**



**Introduction**

1. Our proposal involves the conversion of a one-storey building at the corner of Grieve Road and Old Inverkip Road from a hairdressing salon and dwellinghouse to a children's day nursery.
2. Our planning application for this change of use , ref. 18/0192/IC was refused under delegated powers on 3<sup>rd</sup> September 2018. Our request for a review to the Local Review Body is in respect of this refusal.

**Reasons for Refusal**

3. The reasons for refusal are as follows:  
“Contrary to the design guidance in the Council's adopted roads development guide, the proposal fails to provide adequate off-street parking or any drop-off and pick-up facilities, leading to obstructive and inconsiderate parking, which cumulative with existing traffic in the



area shall lead to obstructed visibility and accidents at the junction of Grieve Road, Gateside Avenue and Old Inverkip Road; all to the detriment of road safety”.

and

“As outside play and activities shall create noise to the detriment of the quality of residential amenity and character enjoyed in adjoining residential property, consequently failing to maintain this part of Greenock as a pleasant and successful place, the proposal is thus contrary to Policy RES1 and criterion (a) of Policy RES6 of the adopted local plan and Policies 20 and 1 of the proposed Local Development Plan”.

#### **Analysis of Report of Handling and Reason for Refusal**

4. We understand that the “Council's adopted roads development guide” is the National Roads Development Guide. Car parking provision is listed in Section 3.7 of this document (Parking Standards for Use Classes). An extract of this document is attached (Appendix A). The document clearly lists the standards as a *maximum* provision and goes on to note that “A lower provision may be appropriate for educational establishments in an urban location where there is good access to alternative forms of transport to allow sustainable travel.” This location is within an urban area well served by public transport and within walking distance of much of its catchment. We therefore contend that the parking provision shown on our proposal is not inadequate and meets the requirements of this standard.
5. The site at 1 Grieve Road is constricted in size and can only accommodate one additional car parking space. In comparison, The Head of Environmental and Commercial Services, in their response to the recent application at Lady Alice School (16/0287/IC) for an extension exceeding the total size of the subject of our application, accepted a significantly lower number of spaces than that stated in the development guide noting that “due to site constraints it is not possible to provide any additional parking at the school”. It appears that there is a significant discrepancy in the manner in which this application and our application have been assessed.
6. Notwithstanding the above, we demonstrated in the Design and Access Statement submitted with our application that when compared to the established former uses of the building, the



new use will require no more on-street car parking provision. In addition, the hairdressers salon would have generated more traffic movements due to the duration of appointments.

7. It is not possible to provide a dedicated drop-off facility within the constraints of the site. It is accepted in the Report of Handling, however, that the pick-up and drop-off of children at the nursery will be outwith the busiest periods for pick-up and drop-off at Lady Alice School. We do not understand, therefore, how this can be interpreted as exacerbating the problem at peak periods. As the maximum number of children to be accommodated at the nursery is 26, the number of vehicle movements will be very limited in comparison to the adjacent lady Alice School where the maximum roll is 403 children. Again we note that the lack of a formal pick-up and drop-off area was not even mentioned in the Report of Handling for the recent planning application to extend this school.
8. The Report of Handling confirms that the processing officer considers that our proposal “gives the potential for nuisance from an unacceptable degree of noise and disturbance from groups of children engaging in outside play and activities”. This picture does not represent the reality of the very limited potential for nuisance posed by the use of this outdoor space.
9. [REDACTED]  
[REDACTED] The reality of our application is that small groups of children will be given the opportunity to learn and play outdoors for short periods in a continuously supervised environment. Whilst this will not be conducted in total silence, we would strongly dispute the impression that this activity will cause massive disruption or annoyance to neighbours especially when these neighbours are already subject to the activity generated by the adjacent Lady Alice School.
10. The Report of Handling states that “The proximity of the proposed nursery’s useable area of garden ground to 208 Old Inverkip Road....gives the potential from an unacceptable degree of noise and disturbance from groups of children engaging in outside play and activities”. In fact, as the images below indicate, the front public-facing garden of 208 Old Inverkip Road is separated from the application site by a substantial change in level, a high retaining wall, screen planting and the driveway of 208 Old Inverkip Road itself. We would propose that this

substantially mitigates any potential for disturbance and that the front garden, in facing the public realm, is already subject to traffic noise etc.



*Views from Old Inverkip Road*

11. The Report of Handling notes that no objection has been received from the head of Environmental and Public Protection in respect of noise nuisance. Yet noise nuisance is included as a reason for refusal with the statement “noise from the outside the building....is not considered by the Head of Environmental and Public Protection”. We would contend that this statement is inaccurate; on the council's own Noise Nuisance website it is clear that this department can take action in respect of such activities as construction work, commercial noise and even car alarms.
  
12. We note that the Report of Handling acknowledges the social and economic benefit that will be accrued in allowing consent to be granted. Our Design and Access Statement already notes that the local authority is reaching out to private nurseries as part of its strategy to ensure compliance with the legislation requiring each child to have 1140 hours of childcare.



13. In assessing potential for nuisance against benefit, we believe that we have demonstrated that the former has been overestimated and the latter substantially underestimated in the Report. We contend that this alters the balance of the factors that have been used to assess the proposal and propose that the proposal does not fall foul of policies RES1 and RES6 of the adopted Local Plan or Policies 1 and 20 of the proposed Local Development Plan.

#### **Summary**

14. Our proposal sees a young local new-start company attempting to bring a redundant building back to a very meaningful and worthwhile life, to the benefit of the local community and the local authority. We believe that the possible roads issues and noise nuisances have been overestimated and the community and economic benefits underestimated in the decision making process. As such, we submit that Planning Permission for this change of use should be granted.

DN

Nicholson McShane Architects

9<sup>th</sup> September 2018

# Inverclyde council

Municipal Buildings Clyde Square Greenock PA15 1LY Tel: 01475 717171 Fax: 01475 712 468 Email:  
devcont.planning@inverclyde.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100126407-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Type of Application

What is this application for? Please select one of the following: \*

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

## Description of Proposal

Please describe the proposal including any change of use: \* (Max 500 characters)

Proposed change of use of Dwellinghouse (Class 9) and Hairdressing Salon (Class1) to Children's Day Nursery (Class 10)  
including formation of additional off-street car parking space and access ramp

Is this a temporary permission? \*

Yes  No

If a change of use is to be included in the proposal has it already taken place?  
(Answer 'No' if there is no change of use.) \*

Yes  No

Has the work already been started and/or completed? \*

No  Yes – Started  Yes - Completed

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting  
on behalf of the applicant in connection with this application)

Applicant  Agent



## Agent Details

Please enter Agent details

Company/Organisation:	Nicholson McShane Architects		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	Douglas	Building Name:	Ladyburn Business Centre
Last Name: *	Nicholson	Building Number:	10
Telephone Number: *	01475 325025	Address 1 (Street): *	Pottery Street
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	Greenock
Fax Number:	<input type="text"/>	Country: *	Scotland
		Postcode: *	PA15 2UH
Email Address: *	consents@nicholsonmcshane.co.uk		

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text"/>	Building Number:	13
Last Name: *	<input type="text"/>	Address 1 (Street): *	Forsyth Street
Company/Organisation	Rose Tree Nursery	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	Greenock
Extension Number:	<input type="text"/>	Country: *	United Kingdom
Mobile Number:	<input type="text"/>	Postcode: *	PA16 8DS
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

## Site Address Details

Planning Authority:

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing

Easting

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*  Yes  No

## Pre-Application Discussion Details Cont.

In what format was the feedback given? \*

Meeting  Telephone  Letter  Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) \* (max 500 characters)

A meeting was held with Guy Phillips on 23 April to discuss the principle of the change of use of the premises. Guy advised that we also consult with Roads and with Environmental Services prior to an application being made. These consultations were carried out.

Title:  Other title:

First Name:  Last Name:

Correspondence Reference Number:  Date (dd/mm/yyyy):

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

## Site Area

Please state the site area:

351.00

Please state the measurement type used:

Hectares (ha)  Square Metres (sq.m)

## Existing Use

Please describe the current or most recent use: \* (Max 500 characters)

Residential dwelling (Class 9) and Hairdressing Salon (Class 1)

## Access and Parking

Are you proposing a new altered vehicle access to or from a public road? \*

Yes  No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? \*

Yes  No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

1

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? \*

2

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

## Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? \*

Yes  No

Do your proposals make provision for sustainable drainage of surface water?? \* (e.g. SUDS arrangements) \*

Yes  No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? \*

- Yes  
 No, using a private water supply  
 No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

## Assessment of Flood Risk

Is the site within an area of known risk of flooding? \*

Yes  No  Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? \*

Yes  No  Don't Know

## Trees

Are there any trees on or adjacent to the application site? \*

Yes  No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

## Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? \*

Yes  No

If Yes or No, please provide further details: \* (Max 500 characters)

Hardstanding for 3 wheeled bins available.

## Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? \*

Yes  No

## All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? \*

Yes  No

## All Types of Non Housing Development – Proposed New Floorspace Details

For planning permission in principle applications, if you are unaware of the exact proposed floorspace dimensions please provide an estimate where necessary and provide a fuller explanation in the 'Don't Know' text box below.

Please state the use type and proposed floorspace (or number of rooms if you are proposing a hotel or residential institution): \*

Class 10 Non-residential Institutions

Gross (proposed) floorspace (In square meters, sq.m) or number of new (additional) Rooms (if class 7, 8 or 8a): \*

132

If Class 1, please give details of internal floorspace:

Net trading spaces:

Non-trading space:

Total:

If Class 'Not in a use class' or 'Don't know' is selected, please give more details: (Max 500 characters)

## Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) \*  Yes  No  Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

## Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? \*  Yes  No

## Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? \*  Yes  No

Is any of the land part of an agricultural holding? \*  Yes  No

Are you able to identify and give appropriate notice to ALL the other owners? \*  Yes  No

## Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate B

## Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

I hereby certify that

(1) - No person other than myself/the applicant was an owner [Note 4] of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application;

or –

(1) - I have/The Applicant has served notice on every person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application was owner [Note 4] of any part of the land to which the application relates.

Name:

Mrs Maria Docherty

Address:

1, Cairncurran Court, Melrose Park, Greenock, Scotland, PA15 4JZ

Date of Service of Notice: \*

27/06/2018

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding;

or –

(2) - The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have/the applicant has served notice on every person other than myself/himself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. These persons are:

Name:

Address:

Date of Service of Notice: \*

Signed: Douglas Nicholson

On behalf of: Rose Tree Nursery

Date: 27/06/2018

Please tick here to certify this Certificate. \*

## Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? \*

Yes  No  Not applicable to this application

b) If this is an application for planning permission or planning permission in principal where there is a crown interest in the land, have you provided a statement to that effect? \*

Yes  No  Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? \*

Yes  No  Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? \*

Yes  No  Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? \*

Yes  No  Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? \*

Yes  No  Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- Site Layout Plan or Block plan.
- Elevations.
- Floor plans.
- Cross sections.
- Roof plan.
- Master Plan/Framework Plan.
- Landscape plan.
- Photographs and/or photomontages.
- Other.

If Other, please specify: \* (Max 500 characters)

Provide copies of the following documents if applicable:

- |  |  |
|--|--|
| A copy of an Environmental Statement. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. *                                   | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A |
| A Flood Risk Assessment. *   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Habitat Survey. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |

Other Statements (please specify). (Max 500 characters)

## **Declare – For Application to Planning Authority**

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Douglas Nicholson

Declaration Date: 27/06/2018

## **Payment Details**

Cheque: Nicholson McShane Chartered Architects Ltd., 000046

Created: 27/06/2018 10:03



**REPORT OF HANDLING**

**Report By:** Guy Phillips

**Report No:** 18/0192/IC

**Local Application  
Development**

**Contact  
Officer:** 01475 712422

**Date:** 29<sup>th</sup> August 2018

**Subject:** Proposed change of use of Dwellinghouse (Class 9) and Hairdressing Salon (Class 1) to Children's Day Nursery (Class 10) including formation of additional off-street car parking space and access ramp at  
1 Grieve Road, Greenock

**SITE DESCRIPTION**

1 Grieve Road, Greenock is a cream painted, slate roof, single storey building that was last in full use as a house and hairdresser's shop. Set back from the street, behind a single off-street parking space and an area of garden contained by low walling and a box hedge, the irregularly shaped building is located on the north-west side of a junction where Grieve Road continues south-west onto Gateside Avenue and is crossed by Old Inverkip Road, which runs one-way from north-east to south-west.

The building has minimal rear garden space and, in parts, is close to the mutual boundary with the adjoining bungalow at 208 Old Inverkip Road. On its north-west side, the building is approximately 1.5 m away from the side boundary of the neighbouring semi-detached bungalow on Grieve Road. On the Old Inverkip Road frontage, an area of side garden contained by walling and hedging extends to approximately 26 square metres. The approximately 10m long and 3m deep front garden returns around the north-west (side) boundary at an approximate depth of 2.6m before reducing to 1.5m.

Adjoining to the south-west (rear) is a bungalow fronting Old Inverkip Road. To the north-west (side) a semi-detached bungalow fronts Grieve Road. Opposite is a two storey terrace of houses which are in a staggered configuration and set above a grass embankment.

Diagonally across Gateside Avenue, and approximately 33m to the south-east, is Lady Alice primary school and nursery.

**PROPOSAL**

It is proposed to change the use of the building to a children's nursery. The floorplan accompanying the planning application details that accommodation within the building would be given over to an under 2s room with a capacity of 6, a 2s room with a capacity of 8 and a 3 and overs room with a capacity of 12 (a total of 26 children). Ancillary accommodation comprises an office, toilets, changing area and a kitchen.

Externally, an additional off-street parking space is to be formed in the front garden. It links to an access ramp and landing leading into the building.

The planning application is accompanied by a design and access statement. It advises that the proposed hours of operation are 07.30 until 17.30 Monday to Friday. Drop off and pick up of children will be between 07.30 and 08.00 and 17.00 and 17.30, respectively. The maximum number of staff present on site at any one time is anticipated to be 5.

## **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.

## **PROPOSED DEVELOPMENT PLAN POLICIES**

### **Policy 1 - Creating Successful Places**

Inverclyde Council requires all development to have regard to the six qualities of successful places. In preparing development proposals, consideration must be given to the factors set out in Figure 3. Where relevant, applications will also be assessed against the Planning Application Advice Notes Supplementary Guidance.

### **Policy 20 - Residential Areas**

Proposals for development within residential areas will be assessed with regard to their impact on the amenity, character and appearance of the area. Where relevant, assessment will include reference to the Council's Planning Application Advice Notes Supplementary Guidance.

## **CONSULTATIONS**

**Head of Environmental and Public Protection (Roads)** – The proposal will have a maximum capacity of 26 children and five full time equivalent members of staff. The parking requirement is 5 spaces and the roads development guide states that drop-off/pick-up facilities should be provided. The applicant has provided 2 off-road parking spaces and there are no drop-off/pick-up facilities

provided. On a busy road, with limited on-street parking spaces there are insufficient parking spaces which will cause inconsiderate parking and lead to road safety issues. The development is at a crossroads and inconsiderate parking at this junction will lead to visibility issues and cause an increase in accidents. Refusal of planning permission is recommended on the grounds of road safety.

In the event that planning permission is granted, conditions should be attached to require: the new parking bay to be a minimum of 5.5m long by 3m wide with a gradient of less than 10% and; the pick-up and drop-off times of the nursery to be at least 15 minutes outwith the times of Lady Alice Primary School.

**Head of Environmental and Public Protection (Environmental Health)** - No objections subject to the attachment of conditions to control potential ground contamination, waste storage and external lighting and advisory notes on CDM Regulations, seagull nuisance, food safety, health and safety and ventilation.

### **PUBLICITY**

The application was advertised as a Schedule 3 development.

### **SITE NOTICES**

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

### **PUBLIC PARTICIPATION**

Four written representations have been received, all of which raise objections to the proposal.

The objectors to the proposal are concerned that: this part of Greenock is well served by nurseries and another one is not required: the nearby Lady Alice primary school and nursery generate traffic and an associated high demand for on-street parking at drop-off and pick-up times thus creating road safety hazards at the busy junction at the application site; two off-street parking spaces are insufficient for 5 staff; existing issues of pavement parking and blocking of driveways and garages shall be exacerbated; the provision of permanent bollards, pedestrian barriers and yellow zigzag lines at Lady Alice primary school have had the effect of re-locating road safety issues from outside the school to Grieve Road and residents have difficulty parking outside their homes; a traffic management study should be carried out in term time and before the planning application is determined, school holidays may mean that Lady Alice primary school and nursery have not had an opportunity to submit comments and; during adverse winter weather Bow Road buses are re-directed onto Grieve Road.

### **ASSESSMENT**

The material considerations in the determination of this planning application are the adopted Local Development Plan, the proposed Local Development Plan, the consultation responses and the written representations.

Policies RES1 of the adopted Plan and 20 of the proposed Plan combine to seek to safeguard residential amenity, character and appearance. The best measures to determine whether or not the proposal satisfies this aim is to assess it against Policy RES6 of the adopted Plan's relevant criteria which 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; (e) social and economic benefits; and (f) the cumulative impact of such a use or facilities on an area.

Considering the proposed external works, I am satisfied that the formation of the additional off-street parking space in the front garden and the associated access ramp into the building have a

neutral visual impact and may therefore be considered as being compatible with the character and amenity of the area.

Regarding the use of the building, potential impacts upon the character and amenity of the area arise from noise and disturbance from comings and goings in the early morning and late afternoon, noise from within the building and noise from the use of the small areas of garden. The Head of Environmental and Public Protection (Environmental Health) has the power to consider the implications of noise originating within the building, to which he has offered no objections. Noise from outside the building (which is not considered by The Head of Environmental and Public Protection (Environmental Health) is, I consider, likely to extend the period when there is greatest activity in the area that arise from drop-offs and pick-ups of children at the nearby Lady Alice primary school and nursery. Noise and activity from comings and goings associated with the proposal, (albeit it at earlier and later times of day) are, I consider, unlikely to have as significant an impact as the pre-existing primary school which generates considerably more pedestrian and vehicular traffic than that associated with a 26 child capacity nursery.

The only useable area for outside play and activities is the approximately 67 square metres, L shaped, area of side garden adjoining Old Inverkip Road and the driveway and front garden of the bungalow at 208 Old Inverkip Road. The proximity of the proposed nursery's useable area of garden ground to 208 Old Inverkip Road, I consider gives the potential for nuisance from an unacceptable degree of noise and disturbance from groups of children engaging in outside play and activities. As such, I consider that the proposal is not compatible with the character and amenity of the area and thus fails to accord with criterion (a) of Policy RES6 of the adopted Plan.

Regarding impact of the volume, frequency and type of traffic likely to be generated, the Head of Environmental and Public Protection (Roads) advises that planning permission should be refused due to there being insufficient off-street parking provision and no provision for drop-off and pick-up facilities on a busy road. This shall cause inconsiderate parking and lead to road safety issues. He further notes that inconsiderate parking at the crossroads of Grieve Road, Gateside Avenue and Old Inverkip Road will lead to visibility issues and cause an increase in accidents.

Accordingly, the proposal fails to satisfy criteria (c) of Policy RES6 of the adopted Plan. As the impact upon road safety is cumulative with existing traffic, associated with the nearby Lady Alice primary school and nursery. As such, I consider that the proposal also fails to satisfy criterion (f) of Policy RES6 of the adopted Plan.

The Design and Access statement accompanying the planning application advises that a limited provision of nursery places within this part of Greenock results in children being unable to access childcare facilities. I therefore recognize that there are social benefits to be accrued from the provision of a nursery at this location. Those benefits do not, however, outweigh my concerns regarding impacts from outside play and activities upon the neighbouring bungalow at 208 Old Inverkip Road. Nevertheless, it can be determined that the proposal satisfies criterion (e) of Policy RES6 of the adopted Plan.

Regarding the consultation responses, given the expertise of the Head of Environmental and Public Protection (Roads) on roads matters, and his objection to the proposal on the grounds of road safety, I have no option but to recommend that planning permission be refused on road safety grounds.

I have no objections to the attachment of a condition to control potential ground contamination, as requested by the Head of Environmental and Public Protection (Environmental Health), however his other requested conditions on waste storage and external lighting are matters covered by other legislation and I, therefore, do not consider that it would be appropriate to attach conditions in respect of them. As an alternative, I would be content to add advisory notes on these matters along with the others requested to be attached on CDM Regulations, seagull nuisance, food safety, health and safety and ventilation.

Considering the concerns raised by the objectors and not addressed by my assessment of the proposal against the adopted and proposed Plans: the Head of Environmental and Public Protection (Roads) has not identified a requirement for a traffic management study or identified any issue with buses travelling on Grieve Road and Gateside Avenue and; as Lady Alice primary School and nursery are greater than 20m from the application site there is no requirement for neighbour notification in respect of them.

In view of my unfavourable assessment of the proposal against criteria (a) (c) and (f) of Policy RES6 of the adopted Plan, however, I consider that it fails to safeguard residential amenity and character by introducing noise from outside play and activities in close proximity to residential property; fails to accord with the Council's adopted roads guidance on the provision of off-street parking and drop-off and pick-up facilities and; has an cumulative effect with existing traffic in the area that is detrimental to road safety and hence fails to meet the combined aims of Policies RES1 of the adopted Plan and 20 of the proposed Plan. Accordingly, the noise created by the proposal creates conflict with adjoining residential property; the traffic it generates is prejudicial to road safety and, as a result, it fails to meet the aim of Policy1 of the proposed Plan of maintaining this part of Greenock as a pleasant and successful place.

Overall, I conclude that the proposal does not merit support.

#### **RECOMMENDATION**

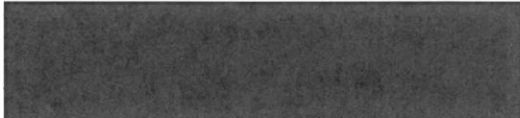
That the application be refused for the following reasons:

Reasons:

1. Contrary to the design guidance in the Council's adopted roads development guide, the proposal fails to provide adequate off-street parking or any drop-off and pick-up facilities, leading to obstructive and inconsiderate parking, which cumulative with existing traffic in the area shall lead to obstructed visibility and accidents at the junction of Grieve Road, Gateside Avenue and Old Inverkip Road: all to the detriment of road safety and contrary to criteria (c) and (f) of the adopted Local Development Plan.
2. As outside play and activities shall create noise to the detriment of the quality of residential amenity and character enjoyed in adjoining residential property, consequently failing to maintain this part of Greenock as a pleasant and successful place, the proposal is thus contrary to Policy RES1 and criterion (a) of Policy RES6 of the adopted Local Development Plan and Policies 20 and 1 of the proposed Local Development Plan.

Signed: 

Case Officer: Guy Phillips

  
Stuart Jamieson  
Head of Regeneration and Planning

# DECISION NOTICE

Inverclyde  
council

## *Refusal of Planning Permission*

Issued under Delegated Powers

Regeneration and Planning  
Municipal Buildings  
Clyde Square  
Greenock PA15 1LY

Planning Ref: 18/0192/IC

Online Ref:100126407-001

*TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997  
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)  
(SCOTLAND)REGULATIONS 2013*

Rose Tree Nursery  
13 Forsyth Street  
GREENOCK  
PA16 8DS

Nicholson McShane Architects  
Douglas Nicholson  
Unit 10  
Ladyburn Business Park  
Pottery Street  
GREENOCK  
PA15 2UH

With reference to your application dated 27th June 2018 for planning permission under the above mentioned Act and Regulation for the following development:-

**Proposed change of use of Dwellinghouse (Class 9) and Hairdressing Salon (Class 1) to Children's Day Nursery (Class 10) including formation of additional off-street car parking space and access ramp at**

**1 Grieve Road, Greenock**

**Category of Application: Local Application Development**

The INVERCLYDE COUNCIL in exercise of their powers under the abovementioned Act and Regulation hereby refuse planning permission for the said development.

The reasons for the Council's decision are:-

1. Contrary to the design guidance in the Council's adopted roads development guide, the proposal fails to provide adequate off-street parking or any drop-off and pick-up facilities, leading to obstructive and inconsiderate parking, which cumulative with existing traffic in the area shall lead to obstructed visibility and accidents at the junction of Grieve Road, Gateside Avenue and Old Inverkip Road: all to the detriment of road safety and contrary to criteria (c) and (f) of the adopted Local Development Plan.
2. As outside play and activities shall create noise to the detriment of the quality of residential amenity and character enjoyed in adjoining residential property, consequently failing to maintain this part of Greenock as a pleasant and successful place, the proposal is thus contrary to Policy RES1 and criterion (a) of Policy RES6 of the adopted Local Development Plan and Policies 20 and 1 of the proposed Local Development Plan.

The reason why the Council made this decision is explained in the attached Report of Handling.



Dated this 3rd day of September 2018

**Head of Regeneration and Planning**

- 1 If the applicant is aggrieved by the decision of the Planning Authority to refuse permission for or approval required by condition in respect of the proposed development, or to grant permission or approval subject to conditions, he may seek a review of the decision within three months beginning with the date of this notice. The request for review shall be addressed to The Head of Legal and Administration, Inverclyde Council, Municipal Buildings, Greenock, PA15 1LY.
  
- 2 If permission to develop land is refused or granted subject to conditions, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the planning authority a purchase notice requiring the purchase of his interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997

**Refused Plans: Can be viewed Online at <http://planning.inverclyde.gov.uk/Online/>**

Drawing No:	Version:	Dated:
18027_LP		26.06.2018
18027_D.001	Rev A	26.06.2018
18027_D.002	Rev A	26.06.2018



**Proposed Change of Use of Dwellinghouse (Class 9) and Hairdressing Salon (Class 1) to  
Children's Day Nursery (Class 10)**

**at**

**1 Grieve Road, Greenock**

**for**

**Rose Tree Nursery**

**Design and Access Statement (revision A)**



### **Introduction**

1 Grieve Road is a single storey building currently accommodating a residential dwelling and a linked retail unit last used as a hairdressing salon. The building has a frontage to Grieve Road to the north east and also has a garden area to the south east fronting Old Inverkip Road. The building has an off street car parking space accessed from Grieve Road.

### **Proposal**

The proposal involves the conversion of the building to a day nursery. This will require minor internal alterations to the fabric of the building to allow the formation of appropriately sized children's rooms for the various age groups, and to allow the required level of toilet and nappy changing facilities. The works will involve very limited external alterations, namely the construction of an access ramp giving barrier-free access to the building and the formation of an additional off-street car parking space. Valuable outdoor recreation space will be provided by the existing garden ground. All works are designed in accordance with the *National Care Standards*





document *Early Education and Childcare up to the age of 16* and with the appropriate BS for toilet provision.

### **Local Need – Statement from Applicant**

The Scottish Government's aim is to give every child the best possible start in life and it is widely acknowledged that the provision of high quality Early Learning Childcare (ELC) is essential to achieve this ambition. The Government have set out a blueprint which will deliver transformational change in the ELC provision by almost doubling the free entitlement to 1140 hours per year by 2020. Inverclyde Council Early years Education Department are currently developing plans which will outline how this ambition will be achieved, as part of these plans they are reaching out to private nurseries within the Inverclyde area in order to ensure each child has access to the 1140 hours they are entitled to. One of the short term business objectives for Rose Tree Nursery is to become a partner nursery with Inverclyde Council which will allow local children, particularly within the South West Greenock area, to have access to flexible, high quality childcare facilities for the full 1140 hours. It should be noted that not all children within the South West Greenock area are able to access high quality childcare facilities due to limited provision within this area hence the decision to locate the nursery in this particular location.

### **Operation**

The nursery will accommodate a maximum of 26 children in the following age ranges:

Under 2s; 6 children.

2 year olds; 8 children.

3 year olds and over; 12 children.

This provision is designed in accordance with the room areas designated in the *National Care Standards* document *Early Education and Childcare up to the age of 16*.

It is unlikely that the nursery will run at this capacity, however, as typically demand will be spread over the week.

It is anticipated that the nursery will operate between the hours of 7.30am and 5.30pm 5 days a week (Monday to Friday). It is likely that the dropping-off of children will take place between 7.30 and 8.00am and that children will be picked up between 5.00pm and 5.30pm. This will avoid drop-off and pick-up times coinciding with nearby Lady Alice Primary School. A small proportion of children will be dropped off / picked up at lunchtimes.

It is anticipated that the maximum number of staff in the nursery at any one time will be 5.



### **Vehicular Access**

The nursery will be well-served by public transport.

Consultation with Inverclyde Council Roads and Transportation has highlighted a requirement for staff car parking.

### **Off-street Car Parking Provision**

The Scottish Government's Roads Development Guide suggests a *maximum* number of car parking spaces as 1 space per full time equivalent staff. A comparative assessment of car parking in relation to the existing uses follows. Please note that these are based on the *maximum* provision listed in the guidance and allowance should be made for the accessible public transport links close to the proposed nursery:

#### **Existing**

Class 9 residential dwelling (3 bedroom);	requirement 2 spaces.
Class 1 retail (hairdressing salon, 3 staff);	requirement 3 spaces.
i.e. total required provision	5 spaces.
Actual off-street provision	1 space.
Deficit in provision	4 spaces.

#### **Proposed**

Class 10 (creche / child care, 5 staff);	requirement 5 spaces.
i.e. total required provision	5 spaces.
Actual off-street provision	2 space.
Deficit in provision	3 spaces.

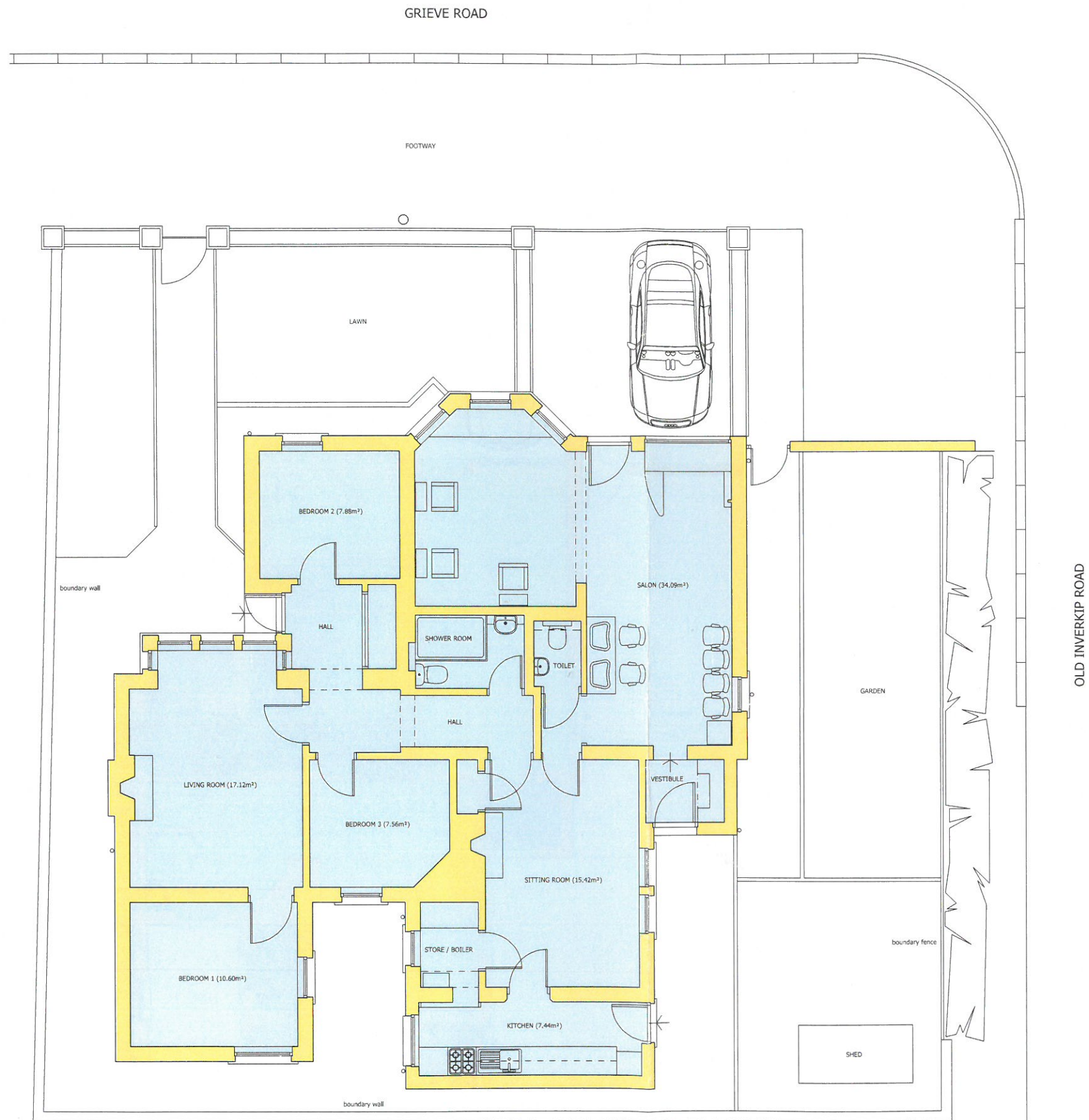
The additional off-street car parking space will be formed within the front garden ground of the building, accessed by means of a new footway crossover. The proposal will therefore decrease demand for off-street car parking spaces.

DN

Nicholson McShane Architects

17-06-2018 (revision A dated 20-06-2018)

REVISION	DESCRIPTION	DATE
A	Information added	26-06-18
-		



EXISTING LAYOUT 1:50



UNIT 10, LADYBURN BUSINESS PARK,  
 POTTERY STREET, GREENOCK, PA15 2UH  
 e info@nicholsonmcshane.co.uk  
 t 01475 325025  
 w nicholsonmcshane.co.uk

CLIENT  
 Rose Tree Nursery

PROJECT TITLE  
 Change of use to childrens day nursery

PROJECT ADDRESS  
 1 Grieve Road, Greenock

DRAWING TITLE  
 Ground floor plan as existing

DRAWING STATUS  
 PLANNING

PAPER SIZE  
 A1

DRAWING NUMBER  
 18027\_D.001

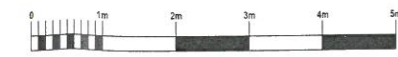
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DATE  
 14-06-18

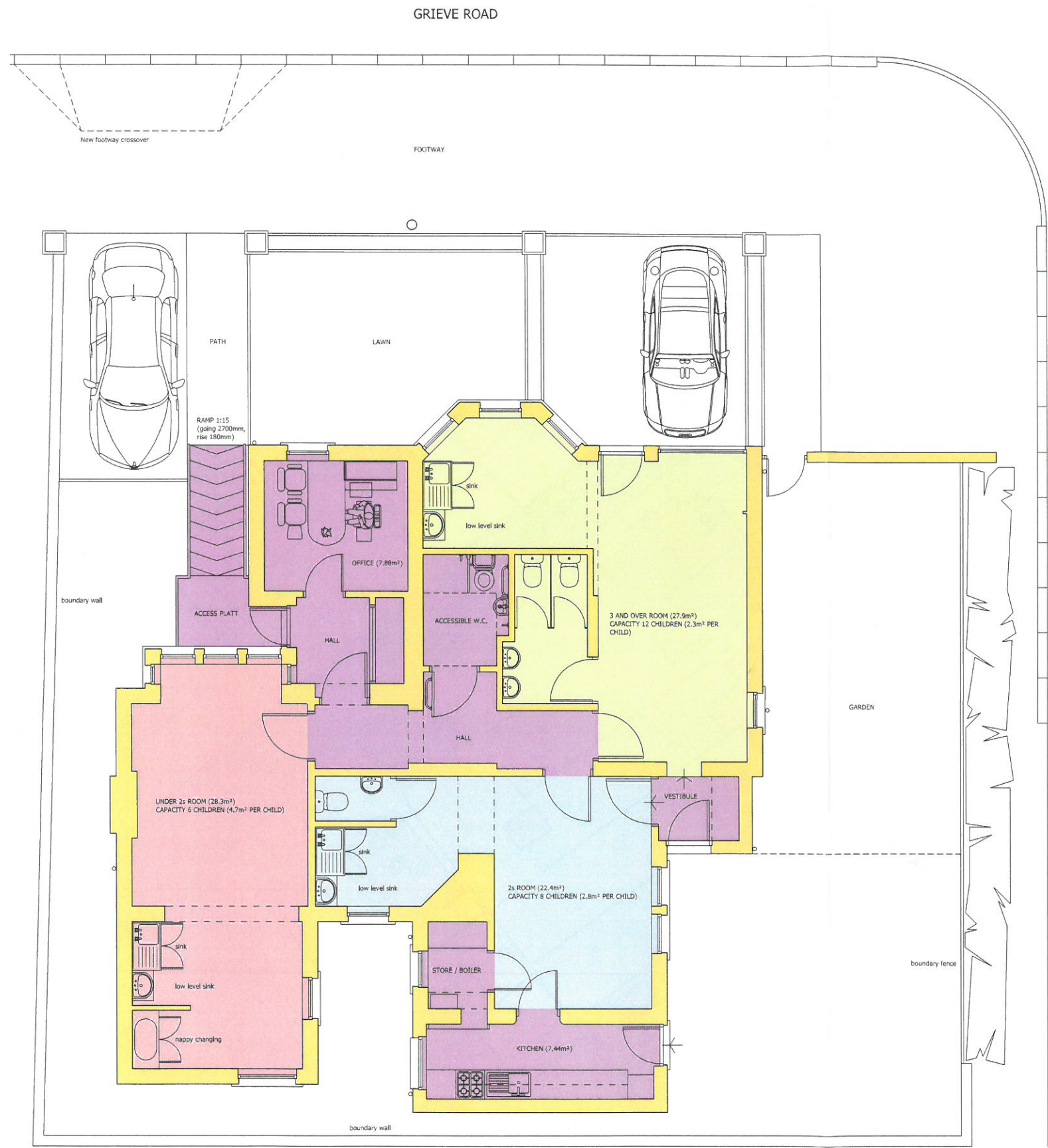
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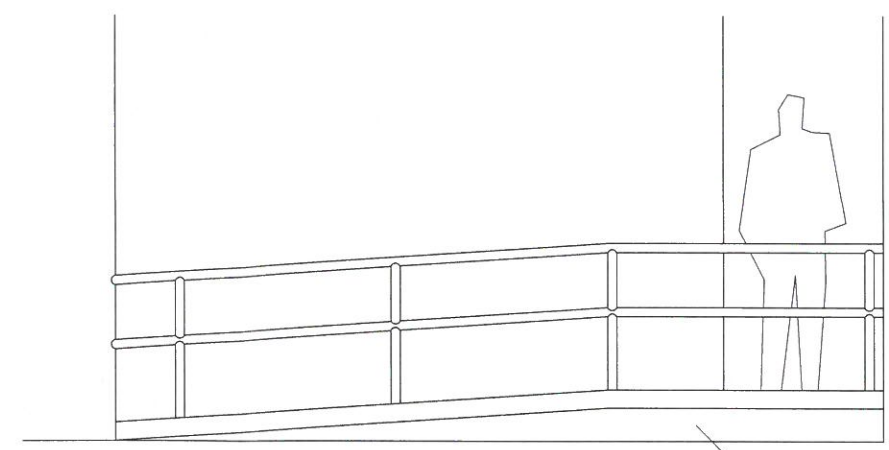


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REVISION	DESCRIPTION	DATE
A	Information added	26-06-18
-		



PROPOSED LAYOUT 1:50



PROPOSED RAMP ELEVATION 1:20



OLD INVERKIP ROAD



**nicholson  
mcshane  
architects**  
UNIT 10, LADYBURN BUSINESS PARK,  
POTTERY STREET, GREENOCK, PA15 2UH  
e info@nicholsonmcshane.co.uk  
t 01475 325025  
w nicholsonmcshane.co.uk

CLIENT  
Rose Tree Nursery

PROJECT TITLE  
Change of use to childrens day nursery

PROJECT ADDRESS  
1 Grieve Road, Greenock

DRAWING TITLE  
Floor / block plan as proposed

DRAWING STATUS  
PLANNING

PAPER SIZE  
A1

DRAWING NUMBER  
18027\_D.002

REVISION  
A

SCALE  
1:50 & 1:20

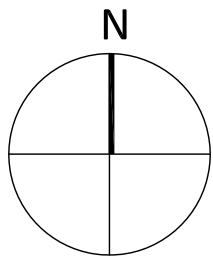
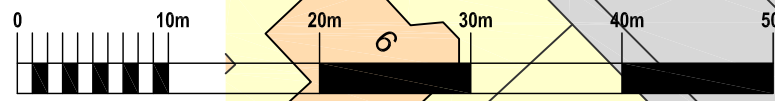
DATE  
26-06-18

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**nicholson  
mcshane  
architects**

UNIT 10, LADYBURN BUSINESS PARK,  
POTTERY STREET, GREENOCK, PA15 2UH  
e info@nicholsonmcshane.co.uk  
t 01475 325025  
w nicholsonmcshane.co.uk

Lady Alice  
Nursery Clas

CLIENT  
Rose Tree Nursery

PROJECT TITLE  
Change of use to childrens day nursery

PROJECT ADDRESS  
1 Grieve Road, Greenock

DRAWING TITLE  
Location Plan

DRAWING STATUS <b>PLANNING</b>	PAPER SIZE A3
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DRAWING NUMBER 18027_LP	REVISION -
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SCALE 1:500	DATE 26-06-18	DRAWN BY -	CHECKED BY -
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### Class 10: Non-Residential Institutions

Crèche, day nursery, day centre, provision, provision of education, museum, exhibition hall, public library, display of art, public worship, religious instruction, social activities of a religious body.

Type of Development	Vehicle <b>Maximum</b> (spaces per 100 m <sup>2</sup> gross floor area, GFA)	Cycle Minimum	PTW Minimum	Disabled Minimum
<b>Crèche, Child Care</b>	1 space per full-time equivalent staff + drop off/pick-up facilities	1 space per 4 staff + 1 space per 10 child places	1 space + 1 per 20 car spaces (for first 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	1 bay or 5% or total capacity, whichever is greater
<b>Day Care Centre</b>	1 space per full-time equivalent staff + drop off/pick-up facilities	1 space per 4 staff		1 bay or 5% or total capacity, whichever is greater
<b>Community Centres</b>	5.0- 20.0 m <sup>2</sup> GFA			
<b>Education - Primary/ Secondary</b>	1 space per 15 pupils	1 space per 5 staff + 1 space per 3 pupils	1 space + 1 per 20 car spaces (for first 100 car spaces) then 1 space per 30 car spaces (over 100 car spaces)	1 bay or 5% of total capacity, whichever is greater
<b>Education - Further/Higher</b>	1 space per 2 staff + 1 space per 15 students for student parking	1 space per 5 staff + 1 space per 3 students		
<b>Art Galleries, Museums, Public/ Exhibition Hall</b>	1 space per 30 sqm <sup>2</sup> public display space + 1 space per 2 staff	10 spaces + 1 space per 10 vehicle space		<b>200 bays or less</b> = 3 bays or 6% of total capacity whichever is greater <b>Over 200 Bays</b> = 4 bays plus 4% of total capacity
<b>Places of Worship</b>	1 space per 10 seats	1 space per 4 staff + visitor parking (individual merits)		
<b>Libraries</b>	3 spaces + 1 space per 3 staff			
<b>Crematoria</b>	1 space per seat			

#### Informative Notes

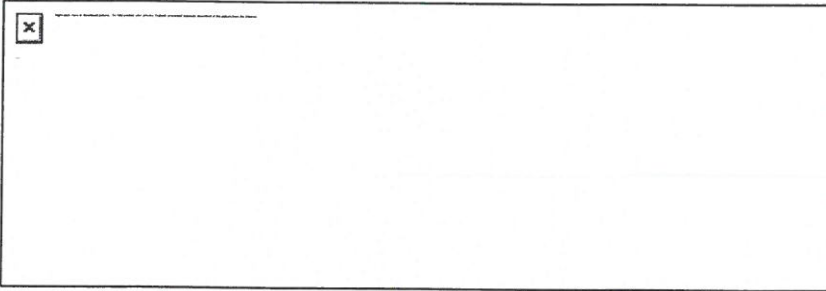
A lower provision may be appropriate for educational establishments in an urban location where there is good access to alternative forms of transport to allow sustainable travel.

**8. E-MAIL DATED 4 OCTOBER 2018 FROM  
DOUGLAS NICHOLSON (NICHOLSON MCSHANE  
ARCHITECTS) IN RELATION TO NEW MATTERS**

## Diane Sweeney

---

**From:** Douglas Nicholson <douglas@nicholsonmcshane.co.uk>  
**Sent:** 04 October 2018 10:54  
**To:** Diane Sweeney  
**Subject:** REVIEW OF PLANNING DECISION, ROSE TREE NURSERY, 1 GRIEVE ROAD, GREENOCK



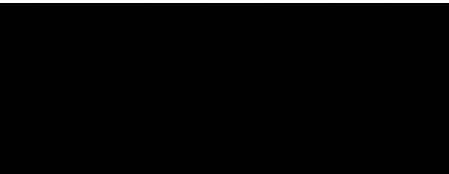
Good morning Diane,

We acknowledge receipt of your letter dated 27 September 2018 in respect of the above.

One of the reasons for refusal set out in the Decision Notice concerns possible disruption from the children's learning area included within the application site. Our inclusion of a reference to the Scottish Office document "Learning Outdoors" in a response to this reason for refusal, i.e there was no perceived need to refer to this document earlier in the process. This inclusion of this reference seeks to demonstrate that the outdoor space will be a learning environment rather than a playground.

We trust that this is in order.

Regards,



**DOUGLAS NICHOLSON B.Arch (Hons) M.Arch RIBA ARIAS ARB**

Chartered Architect, Director

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**9. FURTHER REPRESENTATION SUBMITTED  
FOLLOWING RECEIPT OF NOTICE OF REVIEW**



F01/18/1120  
312.18.  
PS NIT

Inverclyde Council  
Regeneration and Planning  
Diane Sweeney

10 Gateside Avenue  
Greenock  
PA16 9EJ  
30<sup>th</sup> October, 2018

Dear Sir/Madam

Planning Application No 18/0192/Ic- Rose Tree Nursery  
and their request for Local Review Procedure following  
Council's Refusal of above Application'

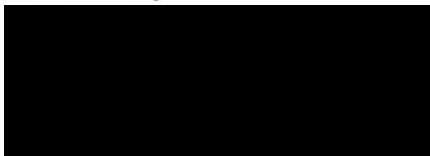
Having due regard to the Handling Report and Considerations, Consultations, and Recommendations contained therein Quote "given the expertise of the Head of Environment and Public Protection (Roads) and his objections to the proposal on the grounds of ROAD SAFETY." Also Planning Dept. quote "I have no option but to recommend that Planning Permission be REFUSED ON ROAD SAFETY GROUNDS."

HOW CAN YOU ARGUE WITH THAT. ??

Although there has been great improvements in the Lady Alice School there appears to be a shortage of parking spaces in the school grounds resulting in more parking in Gateside Avenue and Grieve Road.

The effect of a second Nursery within this short area (100 yds approx apart) would have a detrimental effect on this neighbourhood and would only add to existing traffic problems.

Yours faithfully



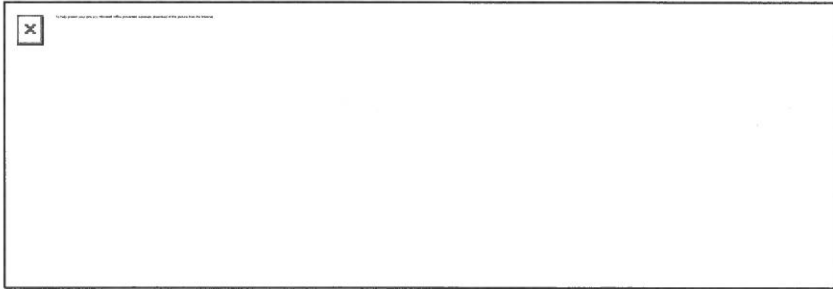
Colin Murray

**10. E-MAIL DATED 23 JANUARY 2019 FROM  
DOUGLAS NICHOLSON (NICHOLSON MCSHANE  
ARCHITECTS) IN RESPONSE TO FURTHER  
REPRESENTATION**

## Rona McGhee

---

**From:** Douglas Nicholson <douglas@nicholsonmcshane.co.uk>  
**Sent:** 23 January 2019 15:12  
**To:** Rona McGhee  
**Subject:** Review Of Decision to Refuse Planning Permission - Proposed Change of Use of Dwellinghouse (Class 90 and Hairdressing Salon (Class 1) to Children's Day Nursery at 1 Grieve Road, Greenock (Reference 18/0192/IC)



Good afternoon,

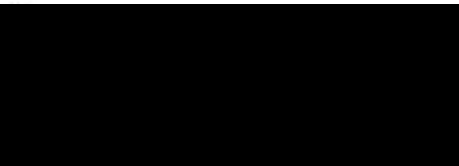
I have received your email enclosing the neighbour's letter of objection to our proposal.

Before dealing with the substance of this objection, I note that the letter is dated 30th October 2018, that it was received by your department on 5th November 2018 and that we are only now, 11 weeks later, being asked to respond. Presumably this will delay consideration of by the LRB until at least March meaning that the process will have taken almost 6 months.

With regard to the objection itself, it is clear that the basis of this is a problem with the parking provision of Lady Alice School. We have demonstrated in our Statement of Appeal that we are actually reducing the requirement for car parking associated with the building and we feel that it is grossly unfair for our client to be penalised for failings made at Lady Alice. We have also confirmed that drop-off and pick-up will be outwith the busy times where these activities will take place at the school. With this in mind, we note that the requirements of the Roads department are much more stringent for our application than the recent application at Lady Alice. Here, no drop-off zone was requested and a clearly deficient parking provision has been accepted by Roads with a metaphorical "shrug of the shoulders".

We trust that this is in order.

Regards,



**DOUGLAS NICHOLSON B.Arch (Hons) M.Arch RIBA RIAS ARB**

Chartered Architect, Director

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**11. SUGGESTED CONDITIONS SHOULD PLANNING  
PERMISSION BE GRANTED ON REVIEW**

**PROPOSED CHANGE OF USE OF DWELLINGHOUSE (CLASS 9) AND HAIRDRESSING SALON (CLASS 1) TO CHILDREN'S DAY NURSERY (CLASS 10) INCLUDING FORMATION OF ADDITIONAL OFF-STREET CAR PARKING SPACE AND ACCESS RAMP:**

**1 GRIEVE ROAD, GREENOCK (18/0192/IC)**

**Suggested conditions should planning permission be granted on review**

**Conditions:**

1. That the new parking bay shall be a minimum of 5.5 metres by 3 metres, with a gradient of less than 10% parking space, and shall be marked out and surfaced in a permeable hardstanding, all prior to the nursery hereby permitted being brought into use.
2. That the nursery use hereby permitted shall not operate outwith the hours of 07.30 to 17.30, Monday to Friday.
3. That within the premises at any one time the number of children shall not exceed 26 and the number of staff shall not exceed 5.
4. That pick-up and drop-off times of the nursery shall be at least 15 minutes outwith those of the adjacent Lady Alice Primary School.
5. The development shall not commence until a report on garden soil chemical quality with an assessment of possible risks to human health has been submitted to and approved, in writing by the Planning Authority. Sampling and assessment is required for all garden and landscaped areas in the proposed development. In the event that contamination is identified a suitable remediation scheme shall be included in this report.

**Reasons:**

1. To ensure the provision of parking facilities and to prevent deleterious materials being carried onto the carriageway.
2. In the interest of residential amenity.
3. In the interests of residential amenity.
4. To help avoid two peak periods of traffic movement coinciding, in the interests of traffic safety.
5. To protect human health from contaminated soil in children's play areas.

**Advisory Notes:**

- (a) The applicant should 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 are in place.
- (b) All external lighting on the application site should comply with the Scottish Government Guidance Note "Controlling Light Pollution and Reducing Lighting Energy Consumption".

- (c) The applicant should be fully aware of the Construction (Design & Management) Regulations 2015 (CDM 2015) and its implications on client duties etc.
- (d) Design and Construction of Buildings - Seagulls: It is very strongly recommended that appropriate measures be taken in the design of all buildings and their construction, to inhibit the roosting and nesting of seagulls. Such measures are intended to reduce nuisance to, and intimidation of, persons living, working and visiting the development.
- (e) Consultation on Proposed Use: It is strongly recommended that prior to the commencement of any works the applicant consults with Officers of Safer and Inclusive Communities to ensure structural compliance with legislation relating to:
  - (i) Food Safety Legislation; and
  - (ii) Health and Safety at Work etc. Act 1974.
- (f) Alteration to current use and likely impact on ventilation requirements. It is imperative that if there is any alteration to the use which has been outlined in this application such as a change to the type of cooking carried out, cooking equipment to be used, food types or a significant increase in the volume of cooking that officers of Safer and Inclusive Communities (Public Health and Housing) and Planning are consulted with a view to the likely increase in cooking odours resulting in a need to improve the ventilation/air handling to the premises.