

Report To: The Planning Board

Date: 2 April 2025

Report By: Director, Environment and Regeneration

Report No: 24/0156/IC

Local Application
Development

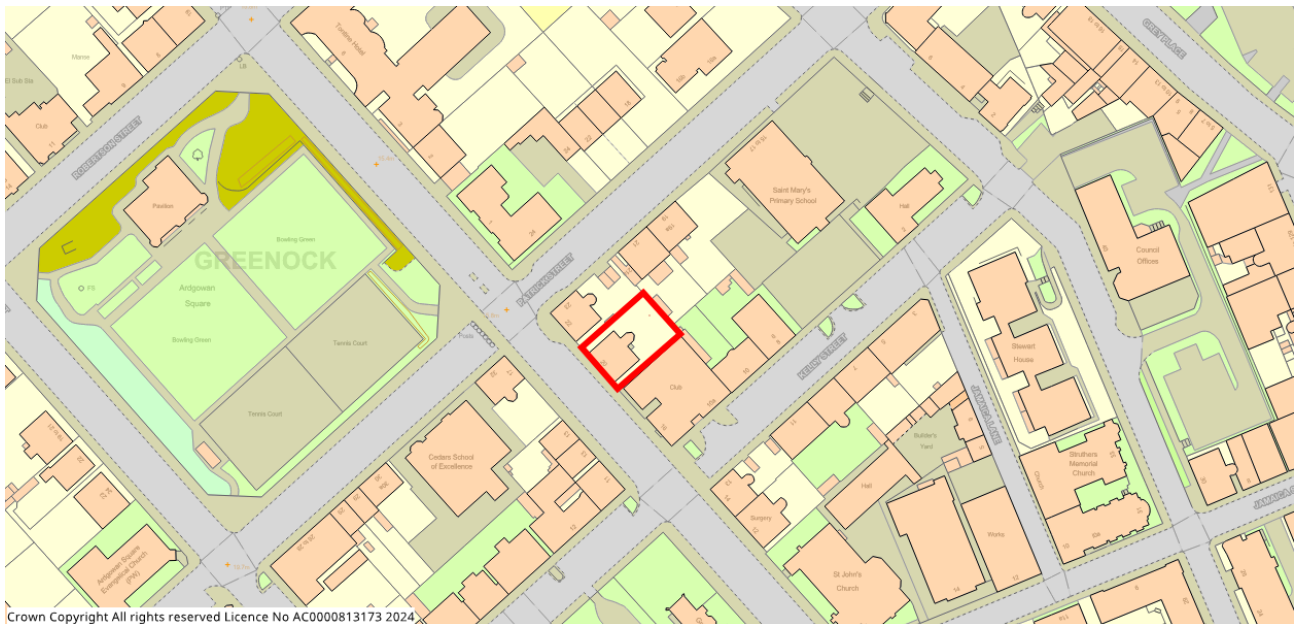
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Subject: Notification of Appeal Decision by Scottish Ministers:

Change of use of offices on first floor and attic floor to 6 serviced accommodation units for short term lets; external alterations including alterations of windows and installation of slate vents within the roof at

20A Union Street, Greenock



SUMMARY

- Planning permission was refused by the Planning Board at its meeting in November 2024. This overturned the officers recommendation to grant planning permission subject to conditions.
- The applicant appealed the decision to Scottish Ministers.
- The appeal has been UPHELD and granted planning permission subject to conditions.

The appeal decision letters may be viewed at:

<https://www.dpea.scotland.gov.uk/CaseDetails.aspx?ID=125858>

INTRODUCTION

In November 2024, the Planning Board decided to refuse planning permission for the Change of use of offices on first floor and attic floor to 6 serviced accommodation units for short term lets: external alterations including alterations of windows and installation of slate vents within the roof at 20A Union Street, Greenock for the following reason:

On the grounds of the proposal's unacceptable negative impact on local amenity.

NOTIFICATION OF THE APPEAL DECISION

Rosie Leven was the Reporter appointed by the Scottish Ministers to determine the appeal.

In the decision the Reporter considers having regard to the provisions of the development plan, unless material considerations indicate otherwise. The statutory development plan for the site is the National Planning Framework 4 (NPF4) adopted in February 2023 and the Inverclyde Local Development Plan (LDP) adopted in 2019. As the property is C listed, special regard must be had to the desirability of preserving the listed building or its setting and any special features of historic or architectural interest which it possesses. As the site lies within the Greenock West End Conservation Area, special regard must also be had to the preservation or enhancement of the conservation area.

Having regard to the provisions of the development plan the main issues in this appeal are: the effects on the amenity of residents and the wider area; and the effects on the listed building and conservation area.

Effects on amenity

The reporter considers at the proposed location, within a mixed-use area within the town centre, a level of human activity, traffic and background noise already exists. Given the separate accesses, there would be little interaction between visitors and occupants of the ground floor and basement other than potentially in the shared garden space. Given the small size of the units, large groups of people congregating and disturbance would be minimal. The site boundaries, consisting of stone walls, alleviate overlooking concerns and minimise any noise disturbance.

In relation to parking, on-street parking is available on Union Street and surrounding streets. There are double-yellow lines outside the property and on the opposite side of the road. A number of permit parking spaces on Kelly Street to the east were observed. Other nearby streets appear to have unrestricted parking. At the time of the reporters site inspection, parking was readily available in the surrounding streets.

The reporter notes that there would be more pressure for parking during evenings when people return from work. However, taking into account the council transport team's view that no additional parking would be required, and the easy pedestrian access to public transport (bus and train) and town centre amenities, the proposed change of use would not generate unacceptable traffic impacts. It is therefore considered that the proposal would be consistent with NPF4 policy 13 (Sustainable transport) and LDP policy 10 (Promoting sustainable and active travel) and policy 11 (Managing transport impacts etc.).

The reporter addresses representations over maintenance of the property and for potential build-up of household waste. It is concluded that regular servicing after each let would allow any maintenance or waste issues to be identified.

In further addressing concerns over potential cumulative effects of additional short-term lets on the character of the area. The reporter refers to Planning Policy Supplementary Guidance on Short Term Lets (non-statutory), particularly the considerations in paragraph 5.1. Taking into account findings above on the mix of uses and level of activity in the area, the proposal would be consistent with the

character of the area. On the basis of the evidence, the reporter considers a proliferation of short term let uses at this time has not been demonstrated. Additional proposals for short term lets in the future would be considered on their merits at that time.

In light of the above, the reporter considers that the proposed use would be acceptable in this location and that it would not have an adverse effect on residential amenity or the character of the area, in line with NPF4 policy 30 and LDP policy 27. Furthermore, the proposal would also generally be consistent with NPF4 policy 14 (Design, quality and place) and LDP policy 1 (Creating successful places).

Effects on the listed building and conservation area

Except for the rear dormer alterations, the reporter considers the proposed external alterations would be minor alterations to the secondary elevation to the rear. The proposed rear dormer changes would remove the central window section. While this would be a more significant alteration, the overall size and shape of the dormer would be unchanged. Due to distance and orientation, the changes would not be readily visible from public areas in the surrounding streets. Subject to approval of appropriate materials, the proposed alterations would not adversely affect the listed building or the character of the conservation area.

In terms of the proposal's effect on the character of the conservation area, the conservation area here is a mix of styles and uses and its character is focused on the grid pattern of streets and the mix of detached and tenement properties. There would be no significant changes to the principal elevation to PPA-280-2040 4 the front. The reporter therefore considers that the external alterations would respect the character of the conservation area.

Taking all this together, subject to conditions, the reporter is content that the proposed external elevations would protect and enhance the listed building and protect the character of the conservation area, consistent with NPF4 policy 7 and LDP policies 28 and 29.

Conclusion

In light of the above, the reporter finds the proposal would not adversely affect the amenity of residents or of the wider area, in line with NPF4 policy 30(e) and LDP policy 27. It would have good access to sustainable travel options and be close to a range of local amenities and services, consistent with NPF4 policy 13 and LDP policies 10 and 11. The proposal would also protect the listed building and the character of the conservation area, consistent with NPF4 policies 7 and 14 and LDP policies 1, 28 and 29. The reporter finds it would be in line with the development plan overall. There are no material considerations which would still justify refusing to grant planning permission. The appeal is therefore upheld with 3 conditions as follows:

Conditions

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of grant of this permission.

Reason: Section 58 of the Town and Country Planning (Scotland) Act 1997 requires a condition to be attached to permissions limiting their duration. Three years is the default period set by law and there is no material reason indicating that a different period should be set.

2. No development or work shall commence until detailed specification of the replacement window, slate vents (which shall be conservation style) and pipes (including material, form, design, colour, composition, thickness) has been submitted to and approved in writing by the planning authority. Development thereafter shall proceed utilising the approved materials.

Reason: in the interests of ensuring the replacement/new materials are an appropriate match to the existing to protect the architectural integrity, character and appearance of this Category C Listed Building with the Greenock West End Conservation Area.

3. For the avoidance of doubt the means of fixings of all new external components shall be nonferrous unless any alternative is agreed with the planning authority.

Reason: to prevent damage or staining of the external walls of the building and to accord with Historic Environment Scotland guidance on 'External Fixtures.'

Stuart Jamieson
Director, Environment and Regeneration

Local Government (Access to Information) Act 1985 – Background Papers. For further information please contact Carrie Main on 01475 712413.