

2. Local Centres, as defined or indicated on the Proposals Map:

- (a) Kilmacolm (defined);
- (b) Dubbs Road, Port Glasgow (defined);
- (c) Sinclair Street, Greenock;
- (d) Belville Street, Greenock;
- (e) Lynedoch Street, Greenock;
- (f) Barrs Cottage (Inverkip Road/ Dunlop Street), Greenock;
- (g) Ravenscraig (Cumberland Walk), Greenock;
- (h) Cardwell Road, Gourock (defined);
- (i) Main Street, Inverkip
- (j) Ardgowan Road, Wemyss Bay
- (k) By Station/Pier, Wemyss Bay

Inverclyde Council, as Planning Authority, will seek to assist urban regeneration and sustainable travel patterns. This will be achieved by encouraging each Centre to serve its own retail and service catchments without detriment to other Centres and to the overall roles of Greenock, Port Glasgow and Gourock as the principal Centres serving the Authority.

Local Plan Policy R2 - Support for Designated Centres

The designated Centres identified in Policy R1 will be protected, enhanced and developed, where Resources allow, through a range of initiatives aimed at achieving the following.

- (a) encouraging a diversity of retail, leisure, civic, public administration, office, residential and other uses, of the type which the Council, as Planning Authority, considers to be appropriate to the development of the individual Centres, in order to support their vitality and viability, particularly through mixed use developments and through the use of upper floors of commercial premises;
- (b) identifying and promoting opportunities for new development and for the redevelopment and reuse of existing premises, both within and on the edge of the defined Centres;
- (c) improving the quality of the urban environment through implementing programmes for the improvement of individual properties, the streetscape and open spaces;
- (d) improving accessibility and integration of services by bus, train, ferry and taxi;
- (e) improving accessibility for pedestrians and cyclists through the provision of safe and convenient facilities and routes both into and within the town centres;
- (f) managing provision of freight access and of car, motorcycle and cycle parking for residents, visitors, workers and shoppers in accordance with an approved strategy;
- (g) managing traffic flows to minimise congestion and pollution and to give priority to the disabled, pedestrians, cyclists, public transport and service vehicles; and
- (h) developing Town Centre Action Plans in partnership with other agencies.

Local Plan Policy R3 - Town Centre Uses

The following town centre uses will be directed towards the Central Shopping Area of Greenock, the other two Town Centres (Port Glasgow and Gourock) and the Local Centres:

- (a) Use Class 1 (Shops)
- (b) Use Class 2 (Financial, Professional and other Services);
- (c) Use Class 3 (Food and Drink);

- (d) Use Class 10 (Community Uses);
- (e) Use Class 11 (Assembly and Leisure); and
- (f) Related uses such as public houses, hot food take-aways, theatres, amusement arcades and offices for taxis for public hire.

Outside these designated Centres, the above uses will be permitted in principle in the Outer Mixed/ Commercial Area around the Central Shopping Area of Greenock Town Centre, according to the specification in Policy R5. Applications for any of the uses listed will be considered subject to the criteria outlined in Policy R10. Proposals for other uses in designated Centres will be considered on their merit.

CONSULTATIONS

Head Of Environmental Services – no objections.

Head Of Safer Communities – no objections.

PUBLICITY

The application was advertised in the Greenock Telegraph on 30th October 2009 as there are no premises on neighbouring land.

SITE NOTICES

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

PUBLIC PARTICIPATION

A total of 23 objections have been submitted. The points of objection are summarised as follows:-

1. The proposal would result in an over - provision of cafe facilities within the surrounding area and have a potentially adverse impact upon certain other types of local businesses.
2. Potential for food odours, noise from ventilation systems, pest control problems, storage of food waste / bins etc and the potential for use of the communal access pathway at the side/rear the property for smoking.
3. A resultant increase in the volume of traffic to the detriment of road safety.

ASSESSMENT

The material considerations in the assessment of this application are Local Plan policy, the objections received, and residential and visual amenity.

In so far as the proposal is situated within a local shopping area it complies with policies R1 - R3. The application site is within an identified local centre where a mix of uses, including cafes, is encouraged.

Nevertheless, it is still appropriate to consider the potential impact on residential amenity. The Head of Safer Communities has no objections to the proposal subject to the usual controls and safeguards being in place, in common with those which apply to other similar businesses situated nearby. He confirms that there are a comprehensive range of statutory controls with which the Council is empowered in order to ensure that businesses comply with specific measures to prevent statutory nuisance to nearby occupiers. These relate to Food and Health, Environment and Safety, Public Health and Housing and Environment and Enforcement with direct application to controls over the treatment and disposal of cooking odours, noise and vibration caused by extraction

systems and public health standards including cleanliness and waste management. Having considered these issues, he has no adverse comments in respect of this proposal. It is further noted the proposed opening hours are restricted to the prime trading period at the village centre. As such there will be no noise or disturbance generated during the quieter evening and nighttime periods. In relation, specifically to concerns regarding the possible use of the communal access pathway for smoking, this is privately owned and therefore a civil matter over which the relevant property owners, which includes the flats above, have exclusive control.

Moving on to traffic generation and road safety, the Head of Environmental Services (Roads Services) had no objections. The application relates to the re - use of an existing retail shop unit and the development is not considered to create an additional unacceptable impact upon traffic movements, car parking, or road safety at this location.

In terms of its effect upon visual amenity, the proposal does not create any material change in the appearance of the shopfront. Whilst there are changes proposed to the rear of the building these are relatively minor in nature and consist of the re-instatement of a doorway and the installation of an extract fan.

Finally, concerns regarding possible over provision of café facilities and the potential adverse impact of the proposal upon other similar businesses is not a relevant planning consideration.

In conclusion, I consider the proposed use as a retail shop/ cafe to be acceptable at this location within a designated local centre which contains a range of retail shops and other similar business premises.

RECOMMENDATION

That the application be granted subject to conditions

Conditions

1. No development commencing on site until a detailed specification regarding the collection, treatment and disposal of cooking odours has been submitted to and approved, in writing, by the Planning Authority in consultation with the Head of Safer Communities.
2. No development commencing on site until full details of the proposed external alterations comprising the reinstatement of the access door and the formation of the extract fan, ducted to the gable wall, have been submitted to and approved, in writing, by the Planning Authority. The development shall thereafter be carried out in accordance with the approved plans.
3. The use hereby permitted shall not operate outwith the hours of 9.00 am to 5.30 pm Monday to Saturday

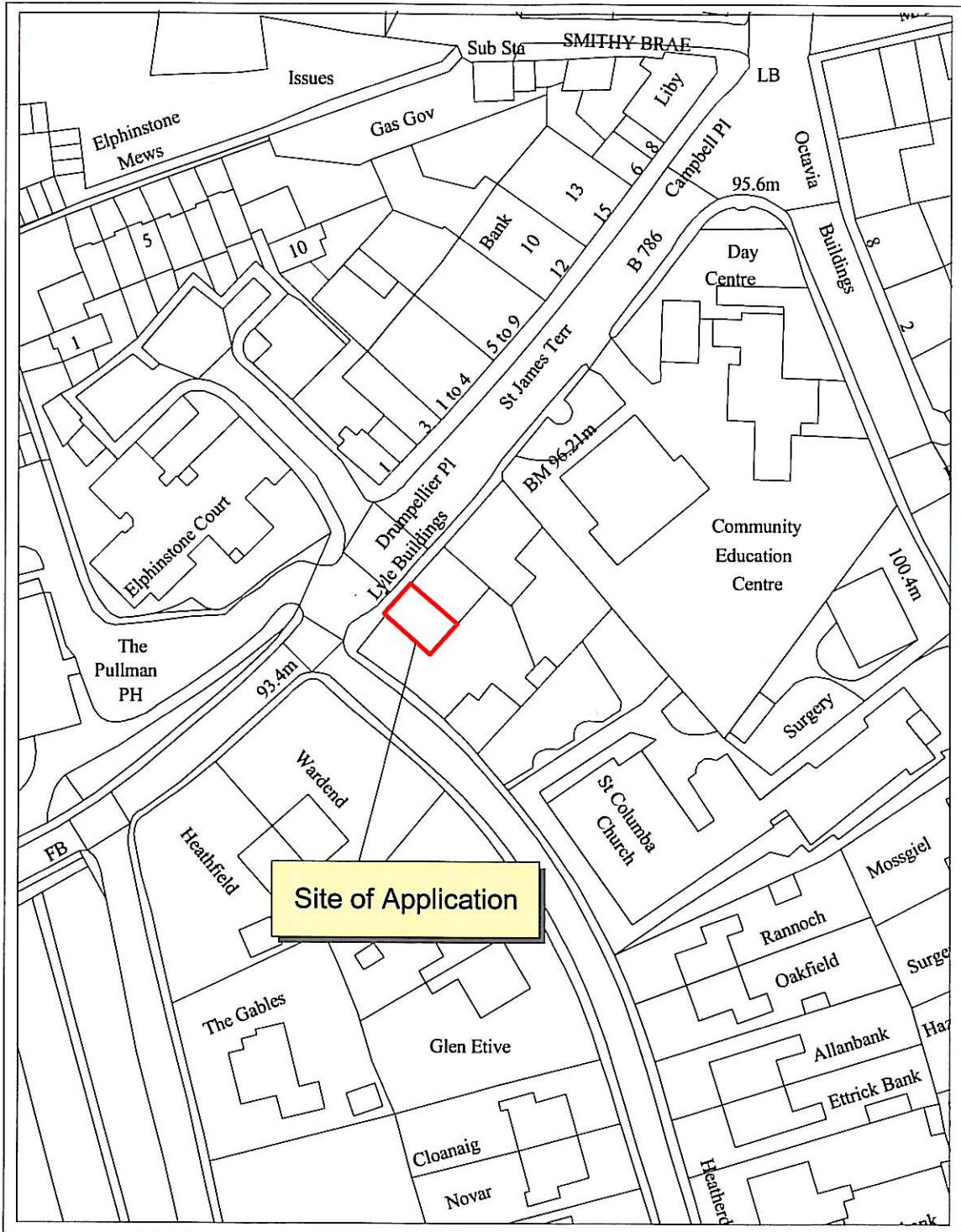
Reasons

1. in the interests of amenity and to prevent the creation of odour nuisance.
2. in the interests of visual amenity and to ensure the satisfactory completion of the development.
3. in the interests of amenity and to protect local residents from noise / disturbance in the evenings.

F. K WILLIAMSON
Head of Planning and Housing

BACKGROUND PAPERS

1. Application form and plans.
2. Inverclyde Local Plan.
3. Consultation responses
4. Letters of objection.



Drawing No. 09/0328/IC
 2 Lyle Buildings, Lochwinnoch Road, Kilmacoll
 Drawn by: IAC
 Date: 08:12:09

