

Local Review Body

3 March 2010

Planning Application for Review

Riverside Inverclyde

Change of use from office to café with extension to building, construction of chimney and erection of bin enclosure:
18 Pottery Street, Greenock (09/0083/IC)

Contents

- Planning Application, supporting statement, plans and relative correspondence (nb plans circulated separately)
- Consultation responses
- Report of handling dated 28 October 2009
- Decision notice dated 28 October 2009
- Notice of review form and supporting statement
- Draft conditions

01.04.09

Ref:0831/Planning/

Head of Planning and Housing
Cathcart House
6 Cathcart Square
Greenock PA15 1LS

Dear Sir/ Madam,

18 Pottery Street, Greenock - Planning Application

Please find enclosed the following in support of the above application:

2 copies of our planning application form

2 copies of our supporting statement

4 copies of planning drawings

cheque for £290

Kind Regards,



Ewan Imrie
For Collective Architecture

01 APR 2009

5405

COLLECTIVE ARCHITECTURE

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Planning and Housing
Development Control & Conservation

Inverclyde
council

Head of Planning and Housing
Cathcart House
6 Cathcart Square
Greenock PA15 1LS

FOR OFFICIAL USE ONLY

Reference No. 09/0093/IC
Date of Receipt 29/4/09
Fee Paid £290.00 + £100.00
Date Fee Received 29/4/09
Date Valid
Receipt No. 139624 + 56

PLANNING APPLICATION

Town & Country Planning (Scotland) Acts

The undersigned applicant hereby makes application for Planning Permission for the development described on this form and the accompanying plans.

see note 1

1. Particulars of Applicant	Particulars of Agent (if any) acting on applicants behalf:
Name <u>RIVERDE INVERCLYDE</u> Address <u>2-6 WESTM HOUSE WAY</u> <u>GREENOCK</u> Postcode <u>PA 15 1EN</u> Telephone Number <u>01475 893107</u>	Name <u>COLLECTIVE ARCHITECTURE</u> <u>CO EWAN IMRE</u> Address <u>TOP FLOOR, MENAR BUILDING</u> <u>26 GALLOWAY, GLASGOW</u> Postcode <u>G1 5AB</u> Telephone Number <u>0141 552 3001</u> Profession <u>ARCHITECTS</u>

see note 2

2. Description of Development
<u>CHANGE OF USE FROM OFFICE TO LIFE, EXTENSION TO BUILDING,</u> <u>CONSTRUCTION OF CHIMNEY AND ERECTION OF BIRD ENCLOSURE</u> Site Location <u>19 POTTERY STREET, GREENOCK, PA 15 2UH</u> Site Area (hectares) <u>0.1</u> Number of dwellinghouses proposed <u>1</u> New gross floorspace (sq. metres) <u>134 sq. m</u>

see note 3

3. Application Type (Tick appropriate box/es)	
(a) Outline Permission <input type="checkbox"/>	(c) Detailed Permission <input checked="" type="checkbox"/>
(b) Approval of Reserved Matters <input type="checkbox"/>	(d) Change of Use of land/buildings <input checked="" type="checkbox"/>
(e) Other (please specify)	

see note 4

4. Applicants interest in site (Tick appropriate box)	
(a) Owner <input checked="" type="checkbox"/>	(c) Tenant <input type="checkbox"/>
(b) Lessee <input type="checkbox"/>	(d) Prospective Purchaser <input type="checkbox"/>
(e) Other (please specify)	

see note 5

5. Existing Uses

(a) Please state the existing use(s) of the land/buildings: PRESENTLY USED AS OFFICES HAS PREVIOUSLY SERVED AS DOUBLE GLAZED SITING ROOM FRAME & JOINTS WERE WASTED

(b) Was the original building erected before 1st July 1948? Yes / No

Has the original building been altered or extended Yes / No

If yes, please indicate nature of alteration / extension and if possible approximate dates: A LARGE ALUMINIUM H.H.T. BEEN ADDED TO THE FRONT, PRESUMABLY IN THE 1980s AND VARIOUS INTERIOR OPENINGS HAVE BEEN CREATED

If the land / buildings are vacant, please state last known use: ---

see note 6

6. Access Arrangements and Parking (Tick appropriate box/es)

(a) Not Applicable (e) Number of existing on site parking places

(b) New vehicular access proposed (f) Number of proposed on site parking places

(c) Existing vehicular access to be altered / improved (g) Detail of any available off site parking

(d) Separate pedestrian access proposed

see note 7

7. Drainage Arrangements (Tick appropriate box/es)

(a) Not Applicable (c) Connection to existing public sewer

(b) Public Sewer (d) Septic Tank

If (d), indicate method of disposal of effluent (e.g. soakaway, watercourse etc): ---

see note 8

8. Water Supply (Tick appropriate box/es)

(a) Not Applicable (c) Existing private supply

(b) Public Main (d) Proposed private supply

If (c) or (d), please specify nature of supply source and proposed storage arrangements: ---

see note 9

9. Building Materials (Complete as appropriate)

(a) Not Applicable

(b) Outside Walls Material ZINC
Colour PANTHONITE (DARK GREY)

(c) Roof Covering Material ORIGINAL SLATE TO BE RETAINED / REPAIRED
Colour ---

(d) Windows Material COMPOSITE ALUMINIUM / TIMBER
Colour DARK GREEN TO ALUMINIUM EXTERIOR

(e) Boundary Treatment Material SOFT LANDSCAPING AS PER SITE PLAN
Colour ---

see note 10

10. Landscaping

Is a landscaping/tree planting scheme proposed?

Yes No

Are any trees/shrubs to be cleared on site?

Yes No

If yes, please show details of scheme on a SITE PLAN

see note 11

11. Costings

What is the estimated costs of any works to be carried out?

£ 280,000

see note 12

12. Confirmation

Signature of applicant/agent.....

on behalf of COLLECTIVE ARCHITECTURE Date 28/9/19

see note 13

CERTIFICATES UNDER ARTICLE 8(8) OF THE TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURES)(SCOTLAND) ORDER 1992

Either certificate A or certificate B must be completed together with certificate E

CERTIFICATE A (To be completed where the applicant is owner of the whole application site including any access visibility splays and land required for drainage systems or water connections)

I hereby certify that RIVERSIDE INVERLIDE

No person other than * myself/the applicant was an owner (refer to note (a)) 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

CERTIFICATE B (To be completed where the applicant does not own the whole application site including any access visibility splays and land required for drainage systems or water connections)

I further certify that:

* I have/the applicant has given the requisite notice (Notice No.1) to all persons other than * myself / the applicant who at the beginning of the period of 21 days ending with the date of the accompanying application were (refer to note (a)) owners of any part of the land to which the application relates.

Table with 3 columns: Name(s) of Owner, Address(es), Date of Service of Notice(s). Rows are empty for data entry.

* Delete whichever is inappropriate

NOTE (a) Any person who in respect of any part of the land is the proprietor of the dominium utile or is the lessee under a lease thereof of which not less than 7 years remains unexpired.

CERTIFICATES C AND D

If the applicant/agent is unable to ascertain the names and addresses of any owners of the land to which the application relates and are therefore unable to complete either Certificate A or B they should contact Planning Services for details of the appropriate Certificate to complete and details of the necessary newspaper advertisement.

CERTIFICATE E (To be completed in EVERY CASE)

I further certify that:

* (1) None of the land to which the application relates constitutes or forms part of an agricultural holding

* (2) I have/the applicant has given the requisite notice to every person other than myself/himself who at the beginning of the period of 21 days ending with the date of the application was a tenant of any agricultural holding any part of which was comprised in the land to which the application relates

These persons are: Name(s)	Address(es)	Date of Service of Notice(s)
.....
.....
.....

* Delete whichever is inappropriate

Signature of Applicant/Agent [REDACTED]

On behalf of *COLLECTIVE MANAGEMENT*

Date *28/4/09*

see note 18

CHECKLIST - The following documentation should be submitted:

please tick all boxes

- TWO APPLICATION FORMS
- FOUR SETS OF PLANS
- NEIGHBOUR NOTIFICATION CERTIFICATE
- NEIGHBOUR NOTIFICATION PLAN
- FEE (Where appropriate)

WARNING
If any person issues a certificate which purports to comply with the requirements of Section 35 of The Town and County Planning (Scotland) Acts, and contains a statement which he knows to be false or misleading in a material particular or recklessly issues a certificate which purports to comply with those requirements and which contains a statement which is false or misleading in a material particular he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

1.1 Introduction

The Riverside Business Park Cafe project comprises the refurbishment of the bungalow at Riverside Business Park, Greenock. Riverside Inverclyde intend to let the cafe to a local organisation, possibly a social economy business, to run a cafe to service Riverside Business Park. In addition to providing a service for the people working within the Riverside Business Park, the cafe should provide training opportunities for people who have difficulty gaining employment or training, such as people with learning disabilities or mental health problems.

Riverside Inverclyde's aspirations for the quality of the cafe are that it should be of high quality both in appearance and functionality. Riverside Inverclyde wishes the cafe to be a key feature of the business park, providing a point of interest and distinctiveness.

The cafe is intended as an ancillary function to the Business Park and not as a public cafe that would compete with town centre facilities.

1.2 History

The site of the bungalow appears to have seen a variety of uses. Historic photographs and maps indicate that there was previously a church where the bungalow now stands. The bungalow sits on Pottery Street which appears to have been named after the Clyde Potteries that were active from 1814 until 1905. The pottery is clearly visible at the mouth of the Ladyburn on the map of 1832.

The heritage of the Clyde Potteries provides a rich resource to draw upon with possible influences from the wares produced to the dramatic forms of the kilns.



1.3 Site context

The first phase of Riverside Business Park is the development of 26,000 sq feet of good quality office accommodation on Plot 1. A signalised junction where Pottery Street meets the A8 is due for installation in early 2009. This will involve the double yellow lining to Pottery Street outside the bungalow.

Scott Wilson has been appointed to design the Riverside Business Park external landscaping. The bungalow landscaping will be developed in consultation with Scott Wilson.

1.4 Parking

As the cafe is an ancillary function to the Business Park, therefore patronised by its tenants, it will not increase parking demand as sufficient parking shall already be provided with the redevelopment of the Ladyburn Business Centre and the new Riverside Business Park office development.

Disabled parking bays are situated immediately to the south of the proposed cafe, with level access to the main entrance.

1.5 Existing building

The building is understood to be a former janitors cottage constructed to serve the Ladyburn School. The construction date is unknown but is presumed to be between 1900 and 1930. The building is not listed. Previously, a local double glazing-company occupied the building and evidence of their presence can be seen in the shape of the conservatory at the rear. More recently, it has been occupied as an office.

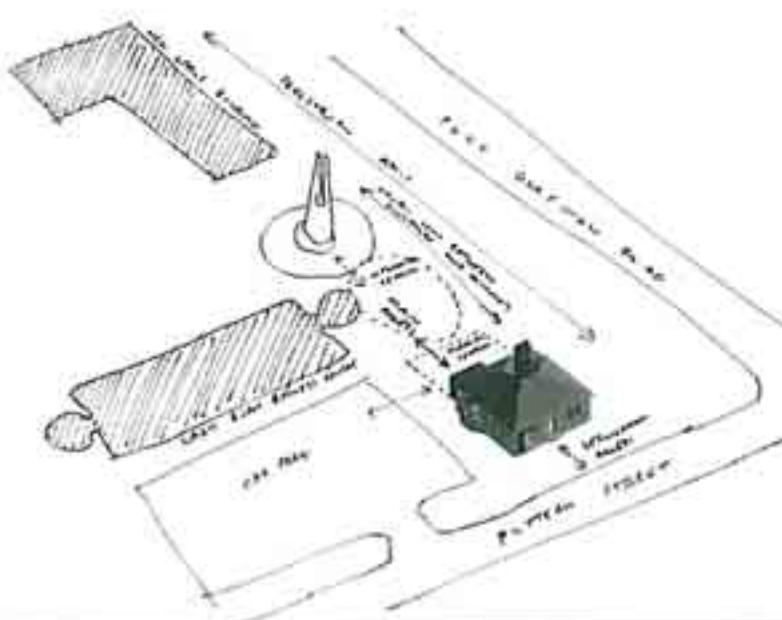
The bungalow is constructed predominately in blond sandstone and brick walls with plaster lath to the interior. The roof is in slate. The internal walls are of brick construction. The glazing is predominately poor quality UPVC as are the gutters and downpipes. The bungalow appears to be in a reasonable condition. The main areas where deterioration is evident are the existing conservatory and the roof ridge tiles.



1.6 Site strategy:

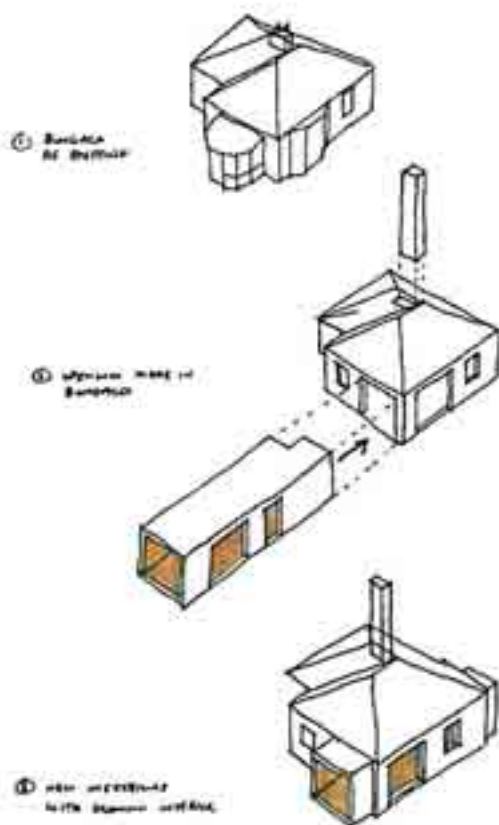
The new elements project out the front and rear of the bungalow. The front projecting bay is intended to grab attention from Pottery Street thus acting as a gateway into the site, while the rear projection provides the main access from the business park and addresses the large public space. The main entrance is positioned to the rear so that it faces the main pedestrian spine and opens onto an outdoor eating area.

The large new chimney is intended to mark the building out as a landmark, while complementing the new public sculpture and reinforcing the access of the public space. The chimney provide a positive feature out the requirement for mechanical extraction. Passive stack ventilation can also be investigated as a possibility.



1.7 Concept and organisation

The initial sketches (below) were developed in response to the homely qualities of the existing bungalow, the proposed site plan and the industrial heritage of the site. Our sketches are intended to present a fun juxtaposition between the old bungalow and a new insertion that has a warm glowing heart to draw people in from the business park and the surrounding community. The walls of the new element will allow for additional insulation to allow the building to meet, or exceed, current standards with the intention that heating requirements will be minimal.



1.8 Proposed Plan

The proposed plan provides a cafe area for 40 - 50 people. A small extension has been added behind the kitchen to allow for additional food storage. The kitchen has been designed to allow for the preparation of specially prepared hot foods as well as cafe snacks such as sandwiches, soup and baked potatoes. The customer toilet provision is sufficient to allow the cafe to be used for higher capacity events where numbers can approach 100 people.

1.9 External treatment

The proposals adopt the use of zinc for the cladding of the new additions. Zinc is particularly appropriate for the following reasons:

- It can be used for both roof and cladding creating a homogenous feel and attractive appearance
- It visually compliments the existing stone
- The dark appearance contrasts with the bright interior to enhance the glowing effect
- It can be used for flashings to create well detailed junctions with the existing building



Our Ref: 09/0083/IC

Your Ref: 0831/Planning

Date: 13th May 2009

Environment & Community Protection
Corporate Director: Neil Graham

Municipal Buildings
Clyde Square
Greenock
PA15 1LY
Tel: 01475 712712
Fax: 01475 712731
neil.graham@inverclyde.gov.uk

Ewan Imrie
Collective Architecture
Top Floor, Mercat Building
26 Gallowgate
Glasgow
G1 5AB

Dear Mr Imrie,

**Change of Use from Office to Café with Extension to Building, Construction of Chimney and Erection of Bin Enclosure
18 Pottery Street, Greenock**

I refer to previous correspondence with you in respect of the above application.

As you are aware, the application has now been validated and I have had the opportunity to assess the proposal on site. I have concerns over some aspects of the proposals and would comment on these as follows.

Although the building is not listed, it has character and I consider that alterations made to it should be in keeping with this character. My primary concern, in this respect, is the proposed feature chimney. Although I note your aim is for it to be a feature in its own right and to complement the approved sculpture, I consider that the contrast with the character of the building, together with its height, adds to its conspicuous nature. It thus dominates the building rather than complements it. I would invite you to consider an alternative, less conspicuous approach.

I am not convinced, at this stage, that the extensive use of zinc facing on the western elevation is appropriate as I am finding it difficult to envisage this as a "welcoming" material encouraging the use of the café. I would ask that you submit a sample of this facing material prior to the application being determined to allow a more accurate assessment of its suitability.

The location of the bin store is also of concern to me. Ordinarily I would not expect a bin store to be in a prominent location and certainly not aligned with the front of the associated building. There appears to be the opportunity to recess and reposition this elsewhere within the site, particularly nearer to the rear of the building. If the bin store is to remain close to the northern site boundary, I would ask that consideration be given to the creation of some type of boundary delineation, such as a wall or fence or combination of both.

I have also noted that there is what appears to be a footpath within the site boundary connecting two publicly accessible places. Assuming planning permission is granted the closure/diversion of this footpath will be necessary to allow full development to proceed. This will need to be the subject of a footpath closure/diversion order following a grant of planning permission. You may wish to bring this to your client's attention.

I look forward to hearing from you with respect to the above matters.

Yours sincerely

David A Ashman
Development Management Team Leader

Enquiries To: David Ashman. Tel: 01475 712416.

Our Ref: 09/0083/IC

Your Ref:

Date: 10th June 2009

Collective Architecture
Per Ewan Imrie,
Top Floor,
Mercat Building,
26 Gallowgate,
Glasgow
G1 5AB

Environment & Community Protection

Corporate Director: Neil Graham

Municipal Buildings

Clyde Square

Greenock

PA15 1LY

Tel: 01475 712712

Fax: 01475 712731

neil.graham@inverclyde.gov.uk

Dear Sir/Madam

Planning Application

Change of use from office to cafe with extension to building, construction of chimney and erection of bin enclosure at 18 Pottery Street,, Greenock, PA15 2UH

I refer to previous correspondence with you in respect of the above application.

In accordance with the Town and Country Planning (General Development Procedure) (Scotland) Order 1992, I have to advise you that I will not be in a position to determine your application before the previously quoted deadline of 10th June 2009 for the following reason(s):-

1. Changes are required to the application plans as detailed in previous correspondence

I would ask that you agree an extension to the time period for consideration of your application of one month to allow these matters to be addressed.

I look forward to hearing from you in due course

Yours faithfully

David Ashman
Team Leader

Enquiries To: David Ashman
Cathcart House, 6 Cathcart Square, Greenock, PA15 1LS
01475 712416

HEAD OF PROPERTY RESOURCES
& FACILITIES MANAGEMENT
15 JUL 2009
MAIL No: 1736 FOR

DA
09/08/09

14.07.09

Ref:0831/Planning/

David Ashman
Team Leader
Cathcart House
6 Cathcart Square
Greenock PA15 1LS

Dear David,

18 Pottery Street, Greenock - Planning Application

I am writing with regard to your letter of 13th May with regard to the above planning application. I have responded to the items contained within your letter below:

Chimney

We agree that the new alterations should compliment the character of the existing building. We can assure you that we have taken great efforts to try to accommodate the functional requirements of a cafe within the building (designed for domestic use) with minimal deleterious effect to the character of the existing building. This includes the installation of the new chimney to make a positive feature out of the requirements for mechanical ventilation for the cafe, which include a high velocity air terminal to vent the cooker extractor, and air inlet for the supply air and an extract for mechanical ventilation.

The alternative would be for these items to project above the roof in an unsightly manner (refer to fig 1 for an example). We feel that our approach to re-use the roof aperture (vacated by the redundant chimney) to install in high-quality black zinc a new chimney to conceal these items creates an attractive and inventive solution that compliments the building instead of unsightly mechanical protrusion that would detract from the building. We have enclosed detail (27)12A and section (ST)03C to indicate how these elements have been incorporated within the chimney.

We agree that the chimney is a conspicuous element although we do not feel that this is a negative point as it gives the proposals a distinctive character. However, we have reviewed the height, which is established by the functional requirements, and have been able to reduce the height by 500mm, which we consider significantly reduces the dominating effect.

We have noted from historic photos of buildings within Greenock that it is relative common for chimneys to be of exaggerated height and positioned prominently to create a distinctive feature (see figure 2). Arguably, we are continuing this tradition.

Bin store

The location of the bin store has been problematic as you have identified. The main issue with finding a suitable location is to do with the fact that the building does not really have a rear. It is highly visible on all sides. We consider that the building is dual fronted with a front to Pottery Street (East elevation) and a front to the business park landscaped area (West elevation). As we want to avoid the bin store being within view from inside the cafe and these elevations, we have placed it beside the part of the building that contains the service areas (toilets and kitchen).

Within our consideration of the bin store, we have overlaid a mesh on top of the black zinc to allow climbing plants to establish that we hope will minimise the visual impact. The intention is that in the future this mesh and planting can be continued in the form of a fence that may enclose a courtyard between this building and a building that may in the future occupy the corner of Pottery Street and Port Glasgow Road.

Zinc

We note your concerns that the black zinc may not be welcoming. However, we consider that the western elevation is largely glazing and will reveal the soft timber lining of the interior that will appear welcoming. The intention of the black zinc is that it frames the "glowing" interior. The black zinc will largely be concealed during opening hours by the sliding security shutters. Please find enclosed a sample of both the black zinc and timber lining in order that they can be considered together.

I have enclosed 4 copies of the following updated drawings to support our application.

(EL)1-1G, 1-2G, 1-3G, 1-4G - updated elevations

(ST)03C - long section through cafe

(27)12C - chimney detail

You will note from the elevations that the shutters have been amended to an open mesh. This is in order that more of the original stonework shall be revealed. I trust that this is acceptable.

Please let me know if you require any further information.

Kind Regards,



Ewan Imrie
For Collective Architecture

cc. Brenda Jones, Heery International

Our Ref: 09/0083/IC

Your Ref: 0831/Planning

Date: 23rd July 2009

Environment & Community Protection
Corporate Director: Neil Graham

Municipal Buildings
Clyde Square
Greenock
PA15 1LY
Tel: 01475 712712
Fax: 01475 712731
neil.graham@inverclyde.gov.uk

Ewan Imrie
Collective Architecture
Top Floor
Mercat Building
26 Gallowgate
Glasgow
G1 5AB

Dear Mr Imrie,

**Change of use from office to café with extension to building, construction of chimney
and erection of bin enclosure
18 Pottery Street, Greenock**

I refer to your letter, dated 14th July 2009, in respect of the above application.

I note all that you write but would re-state my concerns over the feature chimney. There is a new factor that has come into play in my assessment of the proposal. The Council's Head of Safer Communities has advised me that as there are no residential properties in the vicinity there is no requirement to vent commercial kitchen extraction above eaves level. On this basis, there is no requirement for a feature chimney and you have relatively free reign to redesign this aspect of the proposals. My own view is that the feature chimney be removed from the proposals and an alternative venting arrangement be investigated. Could this involve a re-use, subject to minor alteration of the existing chimney?

Should you wish to discuss this aspect of the proposals you may wish to contact Richard Mowat of Safer Communities on 01475 714279.

I look forward to receiving revised plans to allow me to dispose of the application in early course.

Yours sincerely

David A Ashman
Development Management Team Leader

Enquiries To: David Ashman
Cathcart House, 6 Cathcart Square, Greenock, PA15 1LS
01475 712416

Grant Kennedy

From: Richard Mowat
Sent: 23 July 2009 10:14
To: David Ashman
Cc: Janet Stitt
Subject: RE: Planning application 09/0083/IC

David

As discussed- requirements to vent commercial kitchen extraction above the levels of the eaves is generally included to protect residential properties from cooking odours/steam etc or to help dispersion of odours/steam in heavily built up areas like town centres - for this application - no residential properties are affected and the building appears to be generally isolated therefore we would not need such a requirement.

Richard Mowat
Environmental Health Officer
Inverclyde Council
(Tel: 01475 714279)

From: Janet Stitt
Sent: 23 July 2009 09:22
To: Richard Mowat
Subject: FW: Planning application 09/0083/IC

?

Janet Stitt
Team Leader
Public Health and Housing
Safer Communities
Inverclyde Council
Tel. 01475 714270

From: Martin McNab
Sent: 23 July 2009 08:52
To: Janet Stitt
Cc: David Ashman
Subject: FW: Planning application 09/0083/IC

janet

David's question as discussed.

Martin

Martin McNab

Health Protection Manager
Safer Communities
Inverclyde Council
40 West Stewart Street
Greenock
PA16 8EA

martin.mcnab@inverclyde.gov.uk
Martin.McNab@inverclyde.gsx.gov.uk

Tel 01475 714246
Mob 07827257920

From: David Ashman
Sent: 22 July 2009 14:45
To: Martin McNab
Subject: FW: Planning application 09/0083/IC

Martin,

As discussed.

David

From: David Ashman
Sent: 22 July 2009 14:31
To: Sharon Lindsay
Subject: Planning application 09/0083/IC

Sharon,

A consultation on the above application (18 Pottery Street) was issued on 12th May. Not heard a peep. Any reason for this? Was it received?

A bugbear for us is that they are showing a "feature" chimney extending almost 2.5 metres above the apex acting as an extractor for the proposed kitchen. Does it need to be this high? Is there a minimum height above the apex?

Regards,

David

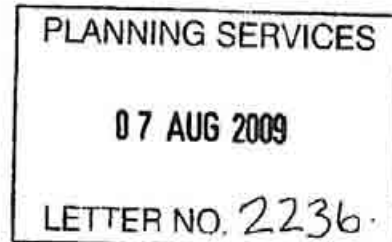
David Ashman
Development Management Team Leader
Planning and Housing
Inverclyde Council
Cathcart House
6 Cathcart Square
Greenock PA15 1LS

Tel No: 01475 712416
Fax No: 01475 712468

04.08.09

Ref:0831/Planning/

David Ashman
Team Leader
Cathcart House
6 Cathcart Square
Greenock PA15 1LS



07/08/09
0083/KC

Dear David,

18 Pottery Street, Greenock - Planning Application

I am writing with regard to your letter of 23rd July, in respect of the above planning application.

I note your point that there is no requirement to vent commercial kitchen extraction above eaves level. I have discussed this with our services engineer and he has advised (see attached letter) that although this may be technically acceptable, the principle of discharging at high level is to allow odours to be dispersed. Low level discharge would result in cooking odours circulating at ground level that may lead to complaints and would spoil the experience of the landscaping surrounding the cafe intended for the use of the business park tenants.

In addition, removing the chimney and venting below eaves level would require the high velocity air terminal to protrude out of a side elevation and turn upwards in an unsightly manner. The air inlet for the ventilation would also be required to protrude out of the side elevation, which again would be unsightly. As mentioned in previous correspondence, due to the location of the cafe, it is highly visible on all side and there are no back areas where it is possible to hide unsightly features.

We have discussed the above issues with our client, Riverside Inverclyde, and they have advised that they would not accept venting below eaves level for the reasons stated above.

We therefore wish to retain the feature chimney within the proposals. We have investigated potential shortening of the proposed chimney but feel that the visual appearance and concept would be seriously undermined by this. On discussion with our client, Riverside Client, they requested that we convey RIs view, which is as follows:

"A shortened chimney would undermine significantly the enhanced urban design and original brief for this project where we were specifically trying to come up with a design that would compliment the adjacent buildings and soon to be installed sculpture. The smaller Chimney undermines the presence of the building and in my view would aesthetically de-value the proposed conversion."

We therefore request that you reconsider the feature chimney in a positive light, as something that makes a distinctive, attractive, positive feature out of the requirements for mechanical ventilation for the cafe.

SCANNED

COLLECTIVEARCHITECTURE

TOP FLOOR, MERCAT BUILDING, 26 GALLOWGATE, GLASGOW, G1 5AB, UK
TELEPHONE +44 (0)141 552 2001 FAX +44 (0)141 552 3888
EMAIL INFO@COLLECTIVEARCHITECTURE.CO.UK WEB WWW.COLLECTIVEARCHITECTURE.CO.UK
REGISTERED IN SCOTLAND NUMBER 2300551 FOR SCOTLAND NUMBER 2300551
PARTNER: MARK WATSON (079 506 9621) ARCHITECT: MARK WATSON

I would also like to suggest that if we have still not convinced you of the chimney's merits, that a meeting with Planning, Collective Architecture and Riverside Inverclyde is convened to discuss a way forward.

Kind Regards,

Ewan Imrie
For Collective Architecture

cc. Garry Williamson, Riverside Inverclyde
Brenda Jones, Heery International

enc. Letter from Ken Boyle Building Services Design dated 27.07.09

.....

Ken Boyle
Consulting Engineer
34 Balmoral Drive
Bishopton
Renfrewshire
PA75HR
Tel/Fax 01505351498
Mobile 07795076568
Email k.boyle5@ntlworld.com

Ken Boyle Building Services Design

July 27, 2009

Ewan Imlie
Collective Architecture
Top Floor
Mercat Building
26 Gallowgate
Glasgow
G1 5AB

Dear Sir,

Riverside Business Park Café: Kitchen Extract System

I refer to the Planning letter and would respond as follows

- The kitchen extract system is designed to comply with DW 171 which is the design guide for commercial kitchen extract systems
- This recommends high level discharge for extract systems to allow cooking smells to be dispersed
- Low level discharge can be adopted, however this will lead to cooking odours being experienced around the café and possible complaints
- Low level discharge will mean that the high velocity extract terminal will be below the eaves, jutting out and pointing upwards, which will be unsightly
- The kitchen ventilation input grille will also have to be located at low level which again will be unsightly

All of the above will reduce the overall appearance and function of the café to a much lower level than the client has aspirations for. For the above reasons I would recommend that the chimney is retained

Yours Sincerely

Ken Boyle

.....
Ken Boyle Bsc. (Hons), M.I.MECH.E., M.C.I.B.S.E., C.ENG.

Our Ref: 09/0083/IC

Your Ref:

Date: 13th August 2009

Collective Architecture
Per Ewan Imrie,
Top Floor,
Mercat Building,
26 Gallowgate,
Glasgow
G1 5AB

Environment & Community Protection

Corporate Director: Neil Graham

Municipal Buildings
Clyde Square
Greenock
PA15 1LY

Tel: 01475 712712

Fax: 01475 712731

neil.graham@inverclyde.gov.uk

Dear Sir/Madam

Town and Country Planning (Scotland) Act 1997

Town and Country Planning (Development Management Procedure)(Scotland)Regulations 2008

Application No: 09/0083/IC
Applicant: Riverside Inverclyde
Proposals: Change of use from office to cafe with extension to building, construction of chimney and erection of bin enclosure
Site: 18 Pottery Street,, Greenock, PA15 2UH

I refer to the above planning application which has a current status of Pending Consideration.

On 3 August 2009 new procedures for the processing of planning applications were introduced by the Scottish Government. The changes apply to all application not determined by that date.

Firstly, the types of applications that may be submitted has changed, and in some cases application types have been revised to comply with the new descriptions. You applied for a Change of Use and the new application type is a Full Planning Application.

Dependant upon the size of the proposal, all applications require to be categorised as national, major or local. Your application is categorised as Local Application Development

The category of application will determine how your application is processed by Inverclyde Council. While national and major applications will require to be considered by the Planning Board with the right of appeal to the Scottish Ministers against the refusal of permission or any conditions attached to a permission, the majority of local applications will be determined by myself under delegated powers. My decision to refuse permission or impose conditions attached to a permission may be appealed to the Local Review Body. The Local Review Body will consist of elected members of Inverclyde Council.

Should you wish to discuss the implications of the changes or require further detail, then please do not hesitate to contact the case officer David Ashman on the below mentioned telephone number

Yours faithfully

F K Williamson
Head of Planning and Housing

Enquiries To: David Ashman
Cathcart House, 6 Cathcart Square, Greenock, PA15 1LS
01475 712416

Our Ref: 09/0083/IC

Your Ref: 0831/Planning

Date: 26th August 2009

Environment & Community Protection
Corporate Director: Neil Graham

Municipal Buildings
Clyde Square
Greenock
PA15 1LY
Tel: 01475 712712
Fax: 01475 712731
neil.graham@inverclyde.gov.uk

Ewan Imrie
Collective Architecture
Top Floor
Mercat Building
26 Gallowgate
Glasgow
G1 5AB

Dear Mr Imrie,

**Change of use from office to café with extension to building, construction of chimney
and erection of bin enclosure
18 Pottery Street, Greenock**

I refer to your letter, dated 4th August 2009, in respect of the above application. My apologies for the delay in replying but I have been on annual leave.

I note all you write but nothing in the letter convinces me of the visual merits of the chimney as proposed. I would be willing to meet you if you have an alternative proposal to forward but the current proposal does not find favour with myself, the Development Management and Building Standards Manager or the Head of Planning and Housing. It is my intention, if the proposal is not to be amended, to refuse the application under delegated powers.

I would therefore be grateful if you could respond to me within 14 days of the date of the letter. If I do not hear further from you I will assume that no changes are to be made to the design of the chimney.

Yours sincerely

David A Ashman
Development Management Team Leader

Enquiries To: David Ashman
Cathcart House, 6 Cathcart Square, Greenock, PA15 1LS
01475 712416

Our Ref: 09/0083/IC

Your Ref: 0831/Panning

Date: 6th October 2009

Environment & Community Protection

Corporate Director: Neil Graham

Municipal Buildings

Clyde Square

Greenock

PA15 1LY

Tel: 01475 712712

Fax: 01475 712731

neil.graham@inverclyde.gov.uk

Ewan Imrie
Collective Architecture
Top Floor
Mercat Building
26 Gallowgate
Glasgow
G1 5AB

Dear Mr Imrie,

**Change of use from office to café with extension to building, construction of chimney
and erection of bin enclosure
18 Pottery Street, Greenock**

I refer to previous correspondence with you in respect of the above application.

At a meeting with Mr Nicol of Riverside Inverclyde on 22nd September 2009 I had asked for your client's position on whether or not they wished the application to be determined on the basis of the submitted plans to be made clear, acknowledging that I would be refusing the application under delegated powers. I asked for a reply within two weeks.

As I have not received any reply I am writing to advise you that unless I receive any request to the contrary I intend to refuse the application this Friday, 9th October.

Yours sincerely

David A Ashman
Development Management Team Leader

Enquiries To: David Ashman
Cathcart House, 6 Cathcart Square, Greenock, PA15 1LS
01475 712416

9th October 09

Ref:0831/Planning/

f.a.o. David Ashman

Cathcart House,
6 Cathcart Square
Greenock
PA15 1LS

Dear Mr Ashman,

**Change of use from office to cafe with extension to building, construction of chimney and erection of bin enclosure,
18 Pottery Street, Greenock**

I am writing in response to your letter dated 06.10.09. I can advise that I have spoken with our client for the above project and they have advised that it is their intention that the application should be determined on the basis of submitted plans.

Regards,

Ewan Imrie
Collective Architecture

cc.
Garry Williamson, Riverside Inverclyde



**Transport Scotland
Trunk Roads Network Management**

TR/NPA/2

**Form of Notification on Development Affecting
Trunk Roads and Special Roads**



The Town and Country Planning (Scotland) Act 1997

**The Town and Country Planning (General Development Procedure)
(Scotland) Order 1992 S.I. 1992 No 224 (S.18)**

Inverclyde Properties
Head of Planning Services
Cathcart House
6 Cathcart Square
Greenock
PA15 1LS

Council Reference:-

09/0083/IC

TRNM Reference:-

SW/79/2009

Application made by Riverside Inverclyde per Collective Architecture, Top Floor, Mercat Building, 26 Gallowgate, Glasgow for the proposed change of use from office to café with extension to building, construction of chimney and erection of bin enclosure located at 18 Pottery Street Greenock affecting the A8 Trunk Road.

Type of application:- Planning permission
Outline Planning Permission
Approval of Reserved Matters
Notice of Intended Development



Type of development:- Building or Engineering Operation
Mining or Quarrying Operation
Other Operation
Material Change in use of land or building



Director, Road Network Management and Maintenance Advice

1. The Director does not propose to advise against the granting of permission
2. The Director advises that planning permission be refused (see overleaf for reasons).
3. The Director advises that the conditions shown overleaf be attached to any permission the Council may give (see overleaf for reasons).
4. In issuing planning permission the applicant should be informed that the consent does not carry with it the right to carry out works within the trunk road boundary and that he must consult with Transport Scotland Trunk Road Network Management through its Management Organisation (see below) on the terms and conditions, under Roads legislation, that require to be agreed to enable works within the trunk road boundary to be approved (see overleaf for trunk road details).



Operating Company:- Amey Highways Ltd
Address:- Bargeddie office
Langmuir road
Bargeddie
North Lanarkshire
G69 7RW

NB - SDD Circular 29/1988 - Notification of Applications - Annex D.

Planning Authorities are requested to provide Transport Scotland, Trunk Roads Network Management with a copy of the decision notice. Reference should be made to the General Development Order regarding procedures to be adopted in the event that Trunk Roads Network Management advice is not accepted.

(July 1999)

CONDITIONS to be attached to any permission the Council may give:-	
	(Refer to Item 3, overleaf)
1.	No advertising of the development will be permitted within or adjacent to the trunk road boundary.

REASON for the advice at 2, or 3:-	
	(Numbered as above)
1.	To minimise distraction to trunk road users.
(continue on separate sheet if required)	

DETAILS of works necessary within the trunk road boundary:-		
	(Refer to Item 4, overleaf)	
<table border="1" style="margin: auto;"> <tr> <td> <p>PLANNING SERVICES</p> <p>29 MAY 2009</p> <p>LETTER NO. 933</p> </td> </tr> </table>		<p>PLANNING SERVICES</p> <p>29 MAY 2009</p> <p>LETTER NO. 933</p>
<p>PLANNING SERVICES</p> <p>29 MAY 2009</p> <p>LETTER NO. 933</p>		
(continue on separate sheet if required)		

Signed:-	Date:- 28 th May 2009
<p>Fred Abercrombie (on behalf of the Director)</p> <p>Transport Scotland, Trunk Roads Network Management, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF. (Tel No: 0141 272 7382)</p>	

David Ashman

From: david.ashman@inverclyde.gov.uk
Sent: 15 October 2009 10:21
To: Fred.Abercrombie@transportscotland.gsi.gov.uk
Cc: David Ashman
Subject: IDOX Software: Document 28789
Attachments: 28789.tif

Fred,

Please see your attached response to consultation. The suggested condition would not pass the tests of need, relevance to the proposal or reasonableness contained within Circular 4/1998 and I cannot, therefore, place it on a planning permission. The advertisement regulations provide permitted rights to some adverts but not all. We would intend to control any advertisements in this usual, authorised manner with consultation to you if consent is required.

Can you confirm that this approach is acceptable to you.

Thanks.

David Ashman

Grant Kennedy

From:
Sent: 15 October 2009 11:37
To: David Ashman
Subject: RE: IDOX Software: Document 28789

That is fine with me David. Thanks for the information.

Fred

a

Fred Abercrombie
Trunk Road Network Management & Strategic Road Safety

T: 0141 272 7382
F: 0141 272 7350

Transport Scotland
Buchanan House
58 Port Dundas Road
Glasgow
G4 0HF

Please note that I am only available on Wednesdays, Thursdays and Fridays.

For agency and travel information visit our [website](#)

Transport Scotland, the national transport agency
Còmhdaill Alba, buidheann nàiseanta na còmhdaill

From:
Sent: 15 October 2009 10:21
To: Abercrombie F (Fred)
Cc:
Subject: IDOX Software: Document 28789

Fred,

Please see your attached response to consultation. The suggested condition would not pass the tests of need, relevance to the proposal or reasonableness contained within Circular 4/1998 and I cannot, therefore, place it on a planning permission. The advertisement regulations provide permitted rights to some adverts but not all. We would intend to control any advertisements in this usual, authorised manner with consultation to you if consent is required.

Can you confirm that this approach is acceptable to you.

Thanks.

David Ashman

This document should only be read by those persons to whom it is addressed and is not intended to be relied upon by any person without subsequent written confirmation of its contents. Accordingly, Inverclyde Council disclaim all responsibility and accept no liability (including in negligence) for the consequences for any person acting, or refraining from acting, on such information prior to the receipt by those persons of subsequent written confirmation.

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REPORT OF HANDLING

Report By: David Ashman

Report No: 09/0083/IC

Local Application
Development

Contact
Officer: 01475 712416

Date: 28th October 2009

Subject: Change of use from office to cafe with extension to building, construction of chimney and erection of bin enclosure at
18 Pottery Street, Greenock PA15 2UH

SITE DESCRIPTION

The application site consists of the janitor's house associated with the former St Mungo's Primary School in Pottery Street, Greenock. The boundary of the application site extends to include the associated curtilage and carriageway to the rear of the building. The former school now operates as the Ladyburn Business Centre and the former janitor's house has previously operated as a double glazing sales unit and an office. The building is single storey, finished mainly in blonde sandstone with a black slate roof. A small conservatory has been added to the rear of the property. A barely perceptible chimney stack is located on the roof apex.

The application site is located close to the corner of Pottery Street and Port Glasgow Road and sits forward of the Ladyburn Business Centre.

PROPOSAL

The applicant proposes to refurbish the building and let it to a local organisation, such as a social economy business, for use as a cafe. This would provide training opportunities to people who have difficulty in securing employment or training, including people with learning difficulties or mental health problems. It is intended that the cafe would be ancillary to the Riverside Business Park incorporating the Ladyburn Business Centre, the new office block and other future development. The cafe will comfortably accommodate 40-50 customers, with an outside seated area to the rear of the building being created. It is stated that up to 100 customers may be accommodated for special events.

The plans show re-cladding of part of the exterior with zinc forming "step out" features to the front and rear elevations. The main entrance to the cafe will be formed to the rear to re-inforce the relationship with the rest of the business park. The plans also show the introduction of a "feature chimney" in place of the existing chimney stack, consisting of a 2.5 metre high zinc clad structure. The chimney is to be 1.8 metres wide by 0.55 metres deep. In the supporting statement it is advised that the purpose of the chimney is to act as a landmark whilst complementing the sculpture to the rear. It is also intended to make a positive feature out of the requirement for mechanical extraction.

A new bin store enclosure also forms part of the proposals.

LOCAL PLAN POLICIES

Local Plan Policy - Policy B2 Mixed (Business) Use Areas

Development proposals, in addition to the preferred Use Classes 4, 5 or 6, that would contribute to permanent employment creation or be clearly supportive of the operation of existing businesses in the area, will be supported in those areas labelled 'B2' within the 'Business and Industrial Areas' identified on the Proposals Map, provided they are not usually associated with Town Centre uses. All such proposals will require to be assessed against the following criteria:

- (a) impact on the character of the area and the operation of established businesses;
- (b) infrastructure, transportation, environmental and design considerations;
- (c) impact on the overall supply of land for business and industry; and
- (d) relevant policies of the Local Plan.

Local Plan Policy B5 - Business and Industrial Proposals and Development Opportunities

Inverclyde Council, as Planning Authority, will support and encourage business and industrial development on the sites included in Schedule 6.1 and indicated on the Proposals Map. Recommendation Rec B1

Inverclyde Council recommends to The Scottish Executive and Scottish Enterprise National, and to Scottish Enterprise Renfrewshire and other relevant private landowners, that the partnership with the Council under the auspices of the Joint Derelict Land Strategy, continues to: fund a co-ordinated rolling programme of investment to create new quality business sites (capable of attracting the wealth generating uses described in paragraph 6.42); serve indigenous business needs; and that the partners adopt as priorities the sites included in Schedule 6.2.

CONSULTATIONS

Head Of Environmental Services - No objections

Head Of Safer Communities - Flue based mechanical extraction of fumes is not required.

Transport Scotland - A condition is proposed indicating that advertising of the development will not be permitted within or adjacent to the trunk road.

PUBLICITY

The application was advertised in the Greenock Telegraph on 15th May 2009 as a Potential Bad Neighbour Development.

SITE NOTICES

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

PUBLIC PARTICIPATION

The application was the subject of neighbour notification and press advertisement. No representations were received.

ASSESSMENT

The material considerations in determination of this application are the Development Plan, the consultation responses, Circular 4/1998 on the use of conditions, the applicant's supporting statement and the design of the building as proposed.

The proposed use is one that I regard as ancillary to the preferred Use Classes 4, 5 and 6, supporting the operation of businesses within these categories. A cafe is not exclusively a town centre use and can often be found outwith normal shopping centres. With respect to the relevant criteria of policy B2, I consider that the proposed use of the unit will have a complimentary impact on the character of the area or the operation of established businesses; that there no infrastructure, transportation or environmental considerations; that there will be no impact on the overall supply of land for business and industry, and that there are no other policies of relevance to the Local Plan which adversely impact on the proposal.

Policy B2, however, also requires that design considerations be assessed. In this respect I have no concerns other than the proposed chimney stack. The applicant has referred to the purpose of the chimney being to deal with mechanical extraction requirements. I note, however, that the Head of Safer Communities has indicated that the usual mechanical flue is not required in this instance due to the absence of residential properties in the vicinity. It is therefore clear that there is no requirement for a chimney of the scale proposed by the applicant. The applicant has been advised of this but insists that the proposed chimney be retained as a design feature and wishes the application determined on this basis. It is my consideration that the chimney is an unacceptable feature in two respects.

Firstly, due to its height, which is disproportionate to the building, and the proposed finishing material, which is uncharacteristic of the building, the proposed chimney would be an incongruous feature and an architectural anomaly paying no respect to the building's character. I would point out that although a zinc finish is to be introduced to parts of the elevations, it is incidental to the existing mainly stone finish. Secondly, the chimney would visually compete with the recently erected sculpture close to the entrance to the business park, thus weakening the positive statement on regeneration that it presently makes.

In this location there are a number of strong architectural features – the sculpture, the modernist office building and the former St Mungo's Primary School. The "bungalow", in terms of scale, cannot compete and should not seek to do so. A modest building of this nature should seek to compliment and blend into the urban framework. The introduction of the chimney will draw attention to a building which, in terms of building hierarchy, is low down the pecking order. The refurbishment of the building is strongly welcomed but the inclusion of the chimney is an unnecessary attempt to visually challenge more prominent buildings to the detriment of the streetscape.

I conclude that the design of the proposed chimney would be detrimental to the area under the assessment terms of policy B2.

Policy B5 is only of relevance in that the application site is within an area covered by this policy. The proposed use of the site as a cafe will be supportive of the development of Riverside Business Park.

Turning to the consultation reply that requires comment and that has not already been addressed, the condition requested by Transport Scotland would fail the tests of reasonableness and

relevance under Circular 4/1998 on the use of conditions. I have advised Transport Scotland of my views on this and they have indicated that they will not contest this.

I note the applicant's positive views of the merits of the proposed chimney in the supporting statement but consider, on balance, that there are more reasons to not support the proposal. It is somewhat disappointing that the applicant has insisted that the chimney be retained as the proposed use is one that I regard as acceptable and of positive benefit to the area. This has been communicated to the applicant on several occasions but all requests to significantly amend the design of the chimney have been resisted. I consider that the most appropriate way to dispose of the application, given that the proposed chimney is not essential to the proposed use of the café, is to grant approval for the use but to withhold consent for the chimney.

DECISION

That the application be granted subject to conditions

Conditions

1. That the development to which this permission relates must be begun within 3 years from the date of this permission.
2. That permission is not given for the chimney shown on the approved plans.
3. That full details of the planting shown on the approved plans, including species mix and density and a planting detail for the bin store grill, shall be submitted to and approved in writing by the Planning Authority. The planting shall be completed prior to the cafe being brought into use.
4. That any of the soft landscape elements approved in terms of condition 3 above that are removed, become diseased or die within 5 years of planting shall be replaced with others of a similar size and species within the first planting season.

Reasons

1. To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
2. The chimney, by reason of its disproportionate height and finish, would form an incongruous feature in the streetscene, would be detrimental to the character of the building and would visually compete with the recently erected sculpture adjacent to the site, to the detriment of the visual importance of the sculpture in signifying the regeneration of the area.
3. To ensure the provision of an attractive environment for users of the cafe.
4. To ensure retention of an attractive environment.

Signed:



Case Officer: David Ashman

F. K WILLIAMSON



Head of Planning and Housing

DECISION NOTICE

Conditional Planning Permission

Planning and Housing
6 Cathcart Square
Greenock PA15 1LS

09/0083/IC

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(SCOTLAND) REGULATIONS 2008**

Riverside Inverclyde
2-6 Custom House Way,
Greenock
PA15 1EN

Collective Architecture
Per Ewan Imrie,
Top Floor,
Mercat Building,
26 Gallowgate,
Glasgow
G1 5AB

With reference to your application dated 03.04.2009 for planning permission under the abovementioned Act and Regulation for the following development:-

**Change of use from office to cafe with extension to building, construction of chimney and erection of bin enclosure at
18 Pottery Street,, Greenock, PA15 2UH**

Category of Application Local Application Development

The INVERCLYDE COUNCIL in exercise of their powers under the abovementioned Act and Regulation hereby grant planning permission for the said development in accordance with the plan(s) docquetted as relative hereto and the particulars given in the application subject however to the following condition(s):-

1. That the development to which this permission relates must be begun within 3 years from the date of this permission.
2. That permission is not given for the chimney shown on the approved plans.
3. That full details of the planting shown on the approved plans, including species mix and density and a planting detail for the bin store grill, shall be submitted to and approved in writing by the Planning Authority. The planting shall be completed prior to the cafe being brought into use.
4. That any of the soft landscape elements approved in terms of condition 3 above that are removed, become diseased or die within 5 years of planting shall be replaced with others of a similar size and species within the first planting season.

The foregoing condition(s) are imposed by the Council for the following reasons:-

1. To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
2. The chimney, by reason of its disproportionate height and finish, would form an incongruous feature in the streetscene, would be detrimental to the character of the building and would visually compete with the recently erected sculpture adjacent to the site, to the detriment of the visual importance of the sculpture in signifying the regeneration of the area.



**Healthy
Working
Lives**



3. To ensure the provision of an attractive environment for users of the cafe.
4. To ensure retention of an attractive environment.

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

Dated this 28th day of October 2009



Head of Planning and Housing

NATIONAL AND MAJOR APPLICATIONS AND LOCAL APPLICATIONS DETERMINED BY THE PLANNING BOARD

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 appeal to the Scottish Government under Section 47 of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The appeal should be addressed to **The Scottish Government, Directorate for Planning and Environmental Appeals, Unit 4 The Courtyard, Callendar Business Park, Callendar Road, Falkirk FK1 1XR.**
2. If permission to develop land is refused or granted subject to conditions, whether by the Planning Authority or by the Scottish Government, 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.
3. In certain circumstances, a claim may be made against the planning authority for compensation, where permission is refused or granted subject to conditions by the Scottish Government on appeal or on a reference of an application to him. The circumstances in which such compensation is payable are set out in Scottish Executive Circular 6/1990.

LOCAL APPLICATIONS DETERMINED UNDER DELEGATED POWERS

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 from 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, whether by the Planning Authority or by the Scottish Government, 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.

Appended to this decision notice are two forms: a "commencement of development form" and a "completion of development form". You are required to submit the former notice before starting work. Failure to do so is a breach of planning control under Section 123(1) of the Town and Country Planning (Scotland) Act 1997. You are required to submit the latter notice as soon as practicable after completion of the development. If a third form has been appended, a "form of notice to be displayed while development is in progress" you are required to display this in a prominent place at or in the vicinity of the site of the development; it must be readily visible to the public, and it must be printed on durable material. It is a breach of planning control not to display such a notice if required.

Approved Plans:

Drawing No:	Version:	Dated:
(PL)01	F	01.02.2009
(PL)03	F	01.02.2009
(EX)02	A	01.11.2008
(EX)03	B	01.11.2008
(EX)01	B	01.03.2009
(EL)01-1	Rev G	13.07.2009
(EL)01-2	Rev G	13.07.2009
(EL)01-3	Rev G	13.07.2009
(EL)01-4	Rev G	13.07.2009
(ST)03	Rev C	14.07.2009
(27)12	Rev A	13.07.2009

217
8334

Inverclyde
council

INVERCLYDE COUNCIL
Head of Legal and Administration
Municipal Buildings
Greenock PA15 1LY

THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

THE TOWN AND COUNTRY PLANNING (SCHEMES OF
DELEGATION AND LOCAL REVIEW PROCEDURE) (SCOTLAND)
REGULATIONS 2008

Notice of Review Form

1. Name and Address of Applicant	RIVERSIDE INVERCLYDE SUITE 21 72 POTTERY STREET GREENOCK PA15 2JZ
2. Name and Address of Agent	COLLINSVILLE AVENUE OFFICE 7TH FLOOR, MERLIN BUILDING 26 GALLOWAY GLASGOW G4 5AB
3. Do you wish correspondence on the appeal to be addressed to the agent?	*Yes/No
4. Planning Application Reference Number	09/0043/IL
5. Date of Planning Authority Decision on Application	29 MARCH 2009
6. Reason(s) for Seeking Review (continue on separate sheet if necessary)	THE APPLICANT AND AGENT CONSIDER DECISION 2 TO BE UNREASONABLE AND INJURIOUS TO THE CLIENT'S INTERESTS FOR THE LIFE TO BE A KEY FEATURE OF THE POTENTIAL FOR PROVIDING A POINT OF INTEREST AND HISTORICAL VALUE TO THE DEVELOPMENT OF THE APPLICANT'S BUSINESS.

*delete as applicable

STATEMENT SETTING OUT REASONS FOR REQUIRING REVIEW



Change of use from office to cafe with extension to building, construction of chimney and erection of bin enclosure at:

18 Pottery Street, Greenock

Applicant:

Riverside Inverclyde, Suite G1, 22 Pottery Street, Greenock PA15 2UZ

Agent:

Collective Architecture, Top Floor, 26 Gallowgate, Glasgow G1 5AB

i. Summary:

A notice of review has been served in relation to condition number 2 of the Decision Notice dated 28.10.09:

2. That permission is not given for the chimney shown on the approved plans

The applicant and agent consider that the condition is unreasonable and detrimental to the client's aspirations as outlined in the Supporting Statement that accompanied the Planning Application dated 03.04.2009:

Riverside Inverclyde's aspirations for the quality of the cafe are that it should be of high quality both in appearance and functionality. Riverside Inverclyde wishes the cafe to be a key feature of the business park, providing a point of interest and distinctiveness.

During the application process, Planning expressed concern with regard to the visual appearance of the feature chimney by letter of 13.05.2009 and 14.06.09. In addition, Planning advised that venting cooking fumes below eaves level is possible due to the absence of residential neighbours, therefore, negating the need for the feature chimney. The reasons that were provided by the agent in response (in addition to reasons included within the supporting statement) were refused by the Planning Officer and, in letters dated 31.08.09 and 08.09.09, Planning advised that the application would be refused if an alternative proposal was not submitted. The agent subsequently wrote to Planning to advise that it was the applicant's intention that the application be determined on the basis of submitted plans.

Instead of the application being refused, on 03.11.09, the agent received Conditional Planning Permission for the development including condition nr. 2 that is the subject of the review.

ii. Method for conducting review:

The applicant request review by hearing session by the Local Review Body

iii. Reasons for requesting review

The reasons for requiring review are as follows:

1. The feature chimney is an appropriate design solution (in combination with the other modifications of the existing building) in creating a point of interest and distinctiveness so as to meet the client's requirements and aspirations.
2. The feature chimney is an appropriate design solution to conceal the mechanical extraction from the kitchen cooker hood and the air inlet for the mechanical ventilation without detriment to the appearance of the building.

With regard to reason 1 above, Planning have made several points in the Report of Handling that accompanied Conditional Planning Permission with regard to the visual appearance and the appropriateness of the chimney.

Within the Report of Handling, the following statement is made:

Due to its height, which is disproportionate to the building, and the proposed finishing material, which is uncharacteristic of the building, the proposed chimney would be an incongruous feature and an architectural anomaly paying no respect to the building's character.

We consider that is important to note the following with regard to considering the impact of the proposals on the building's character:

- The building is not listed
- The building is not within a historic conservation area
- There are no similar building types within the vicinity to which this building relates. The building relates only in the use of natural blond sandstone to the Ladyburn Business Centre.

In addition, we disagree that the chimney is an architectural anomaly for the following reasons:

- The design of the chimney is consistent with the concept of telescopic extensions out of the existing building (see section 1.7 of the appended supporting statement) and when read in conjunction with the pop-out window to Pottery Street and the extension facing the landscaped area, it makes visual sense.
- The design features have been developed to reflect the history of the site as the location of the Clyde Potteries (see section 1.2 of the supporting statement). The feature chimney is intended to be reminiscent of the industrial chimneystacks and the interior has been hollowed out and finished to be reminiscent of a ceramic vessel.
- The building has previously been converted from a dwelling to a double-glazing sales unit, then to offices and is now being converted to a commercial cafe. In

changing the use of the building, it has undergone several transformations. Of these, the double-glazing company may have altered the character of the building significantly with the UPVC conservatory to the rear and bay window to the north elevation. The proposals include removing these additions and replace these with glazing and extensions in more appropriate and higher quality materials. Also, in changing the use of the building from an office to a cafe, the building appearance should be transformed to reflect its new purpose. We consider that the chimney feature is essential to the visual transformation from an office to a distinctive, welcoming cafe.

- The height of the chimney serves to give the building a dynamic presence intended to make the building a point of interest and distinctiveness so as to reflect the client's wishes and aspirations. In doing so, we consider that the proposals are in keeping with the aspirations of the A8 Road Corridor Urban Design Framework (adopted by the local authority in May 2007), and, in particular, the follow design principles:

- Develop, through architecture and public realm, a distinctive character for these sites
- On mixed use sites, create distinctive multi-functional development/ building
- Quality gateway features should be provided at the entrance to new developments

An additional statement is made with the Report of Handling with regard to the visual impact on the nearby sculpture:

The chimney would visually compete with the recently erected sculpture close to the entrance of the business park, thus weakening the positive statement on regeneration that it presently makes.

In response to this, we can advise that the applicant for 18 Pottery Street is the same as the commissioning body for the sculpture who have endorsed the agent's site strategy concept for the cafe (see section 1.6 of the supporting statement) that the feature chimney should compliment the public sculpture and reinforce the east-west axis of the public landscaped area.

A further statement is made in the Report of Handling in relation building hierarchy:

The introduction of the chimney will draw attention to a building, which, in terms of building hierarchy, is low down in the pecking order. The refurbishment of the building is strongly welcomed but the inclusion of the chimney is an unnecessary attempt to visually challenge more prominent buildings to the detriment of the streetscape.

We would be inclined to agree with this statement if the building were located in an area where there is a strong urban fabric (such as the town centre) or if similar building types surrounded it. However, the building is located in a very

disjointed urban setting (see section 1.3 of the Supporting Statement), being surrounded by a car sales yard to the east, a car park to the south, a busy road and signalised junction to the north, with only the Ladyburn Business centre and new office development to the west providing a strong urban fabric. The scale of the Ladyburn Business Centre and office is such that they are unlikely to be compromised by the diminutive cafe refurbishment. The cafe is also orientated so that the main glazed extension faces the public landscaped area providing a welcoming facade and improving the urban realm. The applicant for the cafe is the same as the applicant driving the regeneration of this area (including the refurbishment of the Ladyburn Centre and new offices) and do not consider that the 18 Pottery Street development will compromise their vision for the site.

Finally, the Report of Handling makes the following statement with regard to the use of the chimney to house the mechanical ventilation.

The applicant has referred to the purpose of the chimney being to deal with the mechanical extraction requirements. I note, however, that the Head of Safer Communities has indicated that the usual mechanical flue is not required in this instance due to the absence of residential properties in the vicinity. It is therefore clear that there is no requirement for a chimney of the scale proposed by the applicant.

The advice given in the Report of Handling differs slightly from that received in a letter of 23.07.09 which states:

The Council's Head of Safer Communities has advised me that as there are no residential properties in the vicinity there is no requirement to vent commercial kitchen extraction above eaves level.

From telephone conversations with the Planning Officer, we have understood that the main issue is that the argument for installing the new feature chimney to deal with mechanical extraction from the cooker hood is negated due to Safer Communities advice that this can be achieved below eaves level. However, this is not feasible for the following reasons:

- This is technically impractical. There is a lack of headroom for ducting or spare room for plant equipment on the ground level. Therefore, the mechanical extraction equipment is located in the attic and cannot drop back down through the ceiling and out the walls.
- The safer communities advice does not take account of the inlet for the supply air, which also cannot be taken below eaves for the above reasons.
- Our mechanical engineer has advised that below eaves extraction from the cooker hood will omit odours that will reduce the amenity of the external landscaped area that is a strong feature of the business park (see letter appended).

- The building is visible on all sides and therefore, does not have a concealed rear area where the mechanical extraction and air inlet could be easily concealed. If the cooker extraction were to exit the building below eaves level, it would be required to turn at right angles and which would be very unsightly. Alternatively, the air inlet and mechanical extract could protrude through the roof, but, again, this would be very unsightly and undesirable (refer to section 2.9 of the supporting statement). The applicant and agent consider that the most appropriate solution is to house the mechanical extraction from the cooker hood and the air inlet within the feature chimney (refer to drawing (27)12A).

- The applicant and agent feel that the feature chimney is an innovative design solution for concealing what are normally unsightly elements, while adding to the distinctive appearance of the building.

iv. Summary

In summary, condition nr 2 relating to the feature chimney is being challenged for the following reasons:

- The building is not Listed, it is not within a conservation area, nor surrounded by similar types and it sits within a disjointed urban fabric. Therefore, we consider the arguments regarding appropriateness and respect to the building's character are outweighed by the important role of the feature chimney in the design concept and making the cafe distinctive and a point of interest.

- The design of the feature chimney makes reference to the historical industrial use of the site and the Clyde Potteries in particular

- The building design is intended to be a dynamic presence befitting its gateway position and, as such, appears to be in accordance with the aspirations and the A8 Road Corridor Urban Design Framework

- The feature chimney creates a visual dialogue with the feature sculpture reinforcing the axis of the public landscaped area.

- The feature chimney adds to the transformative effect of the alterations required to convert the building from offices to an enticing cafe

- The feature chimney provides an innovative and attractive solution to dealing with requirements for mechanical extraction of kitchen fumes and incoming air.

Appendix:

Supporting Statement (Rev A)

Drawings:

(EX)01C location plan

(EX)02A existing plan

(PL)02F proposed plan

(EL)01-1G, (EL)01-2G (EL)01-3G, (EL)01-4G elevations

(ST)03B section

(27)12A chimney detail

Letter from Ken Boyle Services Engineer

1.1 Introduction

The Riverside Business Park Cafe project comprises the refurbishment of the bungalow at Riverside Business Park, Greenock. Riverside Inverclyde intend to let the cafe to a local organisation, possibly a social economy business, to run a cafe to service Riverside Business Park. In addition to providing a service for the people working within the Riverside Business Park, the cafe should provide training opportunities for people who have difficulty gaining employment or training, such as people with learning disabilities or mental health problems

Riverside Inverclyde's aspirations for the quality of the cafe are that it should be of high quality both in appearance and functionality. Riverside Inverclyde wishes the cafe to be a key feature of the business park, providing a point of interest and distinctiveness.

The cafe is intended as an ancillary function to the Business Park and not as a public cafe that would compete with town centre facilities.

1.2 History

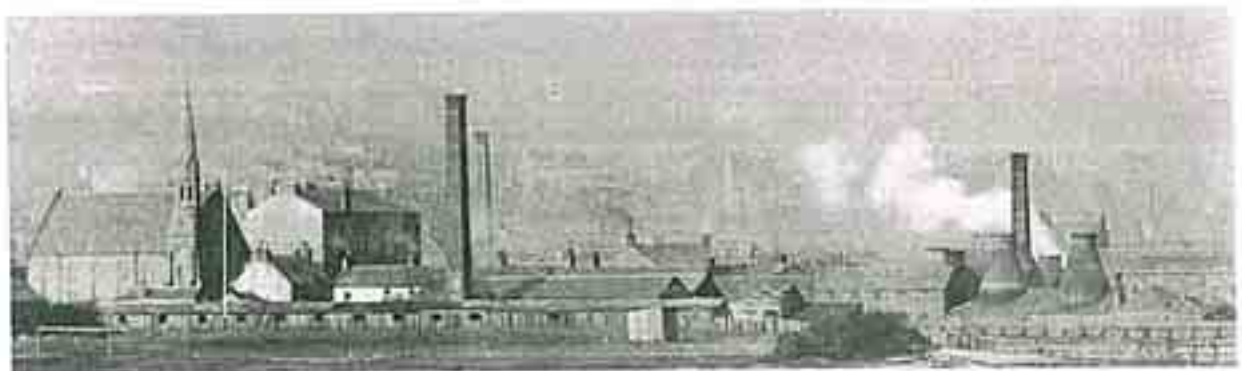
The site of the bungalow appears to have seen a variety of uses. Historic photographs and maps indicate that there was previously a church where the bungalow now stands. The bungalow sits on Pottery Street which appears to have been named after the Clyde Potteries that were active from 1814 until 1905. The pottery is clearly visible at the mouth of the Ladyburn on the map of 1832.

The heritage of the Clyde Potteries provides a rich resource to draw upon with possible influences from the wares produced to the dramatic forms of the kilns.

Fig 1. Maps indicating industrial heritage of site



Fig 2 and 3: Views of Clyde Potteries and church on site of bungalow





1.3 Site context

The site occupies a disjointed urban fabric with a mixture of uses in the locality including industry, retail (cars) and office development.

Fig 4: Aerial photograph of site indicating disjointed urban fabric



The Riverside Business Park Cafe is intended as a point of interest and distinctiveness to provide a gateway to the Riverside Business Cafe and provide a welcoming amenity. The first phase of Riverside Business Park is the development of 26,000 sq feet of good quality office accommodation on Plot 1. A signalised junction where Pottery Street meets the A8 has been recently installed.

Fig 5: View of cafe site from the A8 Corridor



Scott Wilson have been appointed to design the Riverside Business Park external landscaping. The bungalow landscaping will be developed in consultation with Scott Wilson and will serve to provide a quality public area between the cafe and sculpture.

1.4 Parking

As the cafe is an ancillary function to the Business Park and, therefore, partitioned by its tenants, it will not increase parking demand as sufficient parking shall already be provided with the redevelopment of the Ladyburn Business Centre and the new Riverside Business Park office development.

Disabled parking bays are situated immediately to the south of the proposed cafe, with level access to the main entrance.

1.5 Existing building

The building is understood to be a former janitor's cottage constructed to serve the Ladyburn School. The construction date is unknown but is presumed to be between 1900 and 1930. The building is not listed. Previously, a local double glazing-company occupied the building and evidence of their presence can be seen in the conservatory at the rear. More recently, it has been occupied as an office.

The bungalow is constructed predominately in blond sandstone and brick walls with plaster lath to the interior. The roof is in slate. The internal walls are of brick construction. The glazing is predominately poor quality UPVC as are the gutters and downpipes. The bungalow appears to be in a reasonable condition. The main areas where deterioration is evident are the existing conservatory and the roof ridge tiles.

Fig 6: Photos of existing building



1.7 Concept and organisation

The initial sketches (below) were developed in response to the homely qualities of the existing bungalow, the proposed site plan and the industrial heritage of the site. Our sketches are intended to present a fun juxtaposition between the old bungalow and a new insertion that has a warm glowing heart to draw people in from the business park and the surrounding community. The walls of the new element will allow for additional insulation to allow the building to meet, or exceed, current standards with the intention that heating requirements will be minimal.

Fig 6: Concept diagram

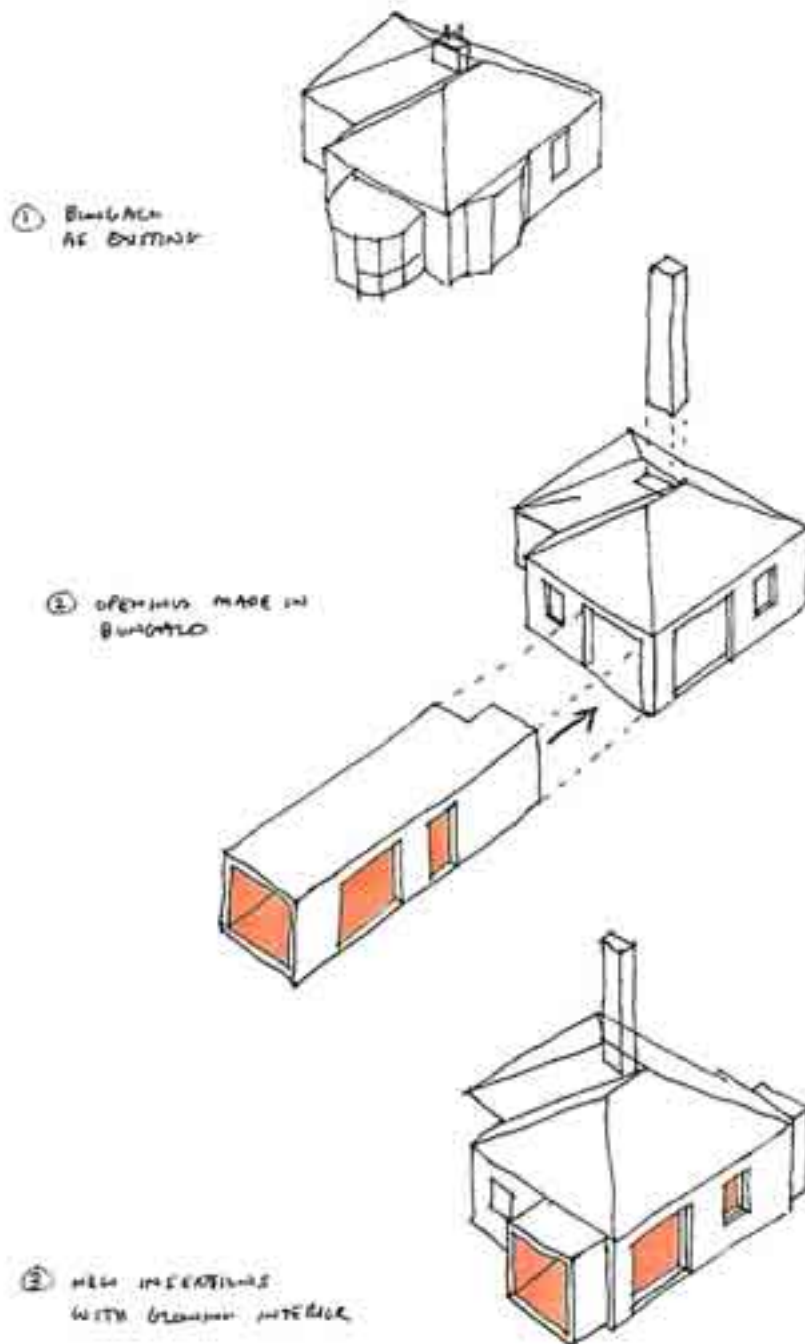


Fig 9: Organization diagram

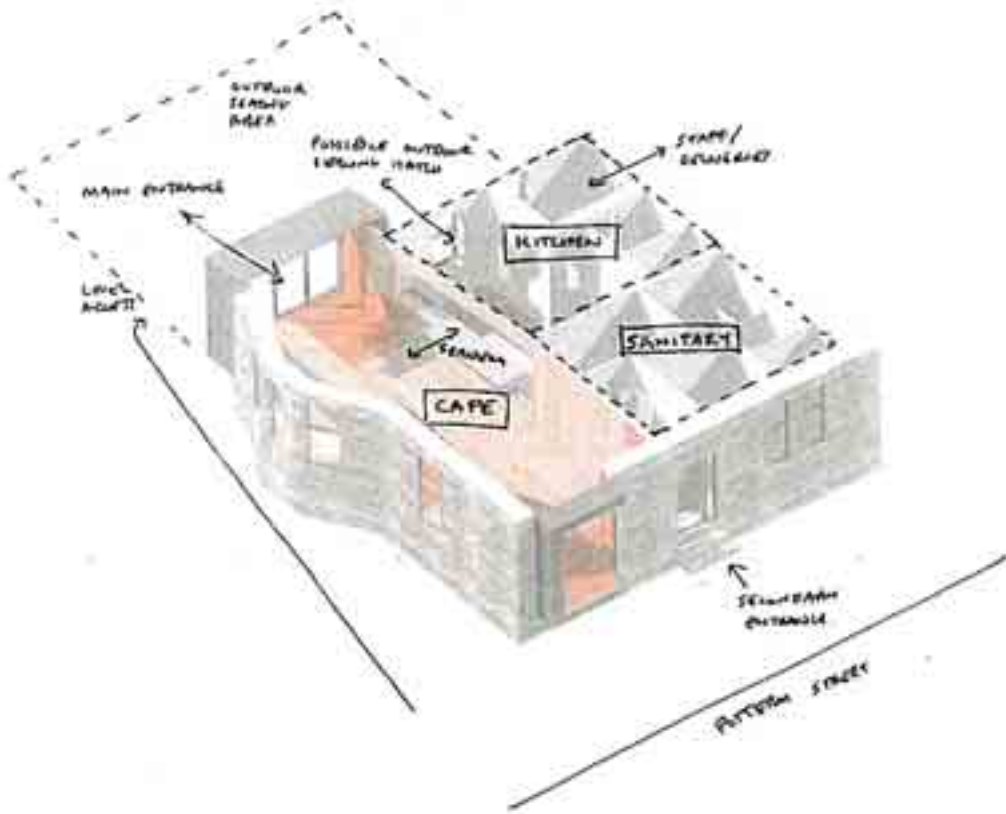


Fig 10: View from Pottery Street



Fig 11: View from Ladyburn Business Centre



1.8 Proposed Plan (see attached)

The proposed plan provides a cafe area for 40 - 50 people. A small extension has been added behind the kitchen to allow for additional food storage. The kitchen has been designed to allow for the preparation of specially prepared hot foods as well as cafe snacks such as sandwiches, soup and baked potatoes. The customer toilet provision is sufficient to allow the cafe to be used for higher capacity events where numbers can approach 100 people.

1.9 External treatment

The proposals adopt the use of zinc for the cladding of the new additions. Zinc is particularly appropriate for the following reasons:

- It can be used for both roof and cladding creating a homogenous feel and attractive appearance
- It visually compliments the existing stone
- The dark appearance contrasts with the bright interior to enhance the glowing effect.
- It can be used for flashings to create well detailed junctions with the existing building

Fig 12: Zinc cladding



2.0 Mechanical extraction

The applicant and agent feel that the feature chimney is an innovative design solution for concealing the cooker hood extract and air inlet (normally unsightly elements) while adding to the distinctive appearance of the building.

Planning have advised that it is their opinion that the argument for installing the new feature chimney to deal with mechanical extraction from the cooker hood is negated due to Safer Communities advice that this can be achieved below eaves level. However, this is not feasible for the following reasons:

- This is technically impractical. There is a lack of headroom for ducting or spare room for plant equipment on the ground level. Therefore, the mechanical extraction equipment is located in the attic and cannot drop back down through the ceiling and out the walls.
- The safer communities advice does not take account of the inlet for the supply air, which also cannot be taken below eaves for the above reasons.
- Our mechanical engineer has advised that below eaves extraction from the cooker hood will omit odours that will reduce the amenity of the external landscaped area that is a strong feature of the business park (see letter appended).
- The building is visible on all sides and therefore, does not have a concealed rear area where the mechanical extraction and air inlet could be easily concealed. If the cooker extraction were to exit the building below eaves level, it would be required to turn at right angles and which would be very unsightly. Alternatively, the air inlet and mechanical extract could protrude through the roof, but, again, this would be very unsightly and undesirable (refer to section 2.9 of the supporting statement). The applicant and agent consider that the most appropriate solution is to house the mechanical extraction from the cooker hood and the air inlet within the feature chimney (refer to drawing (27)12A).

The diagrams below indicate the unsightly alternatives to using the feature chimney to conceal the mechanical extraction and air inlet.

Fig 13: Section indicating use of the feature chimney to conceal the mechanical extraction and air inlet

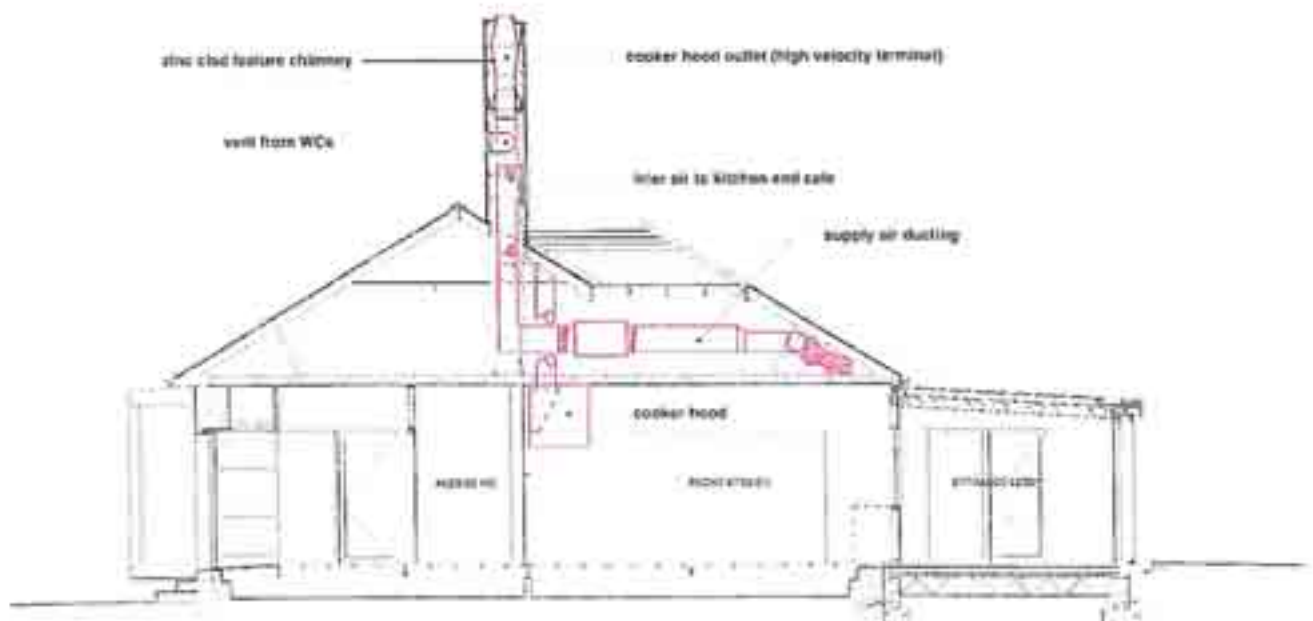


Fig 14: Section showing unsightly alternative of mechanical extraction and air inlet through roof

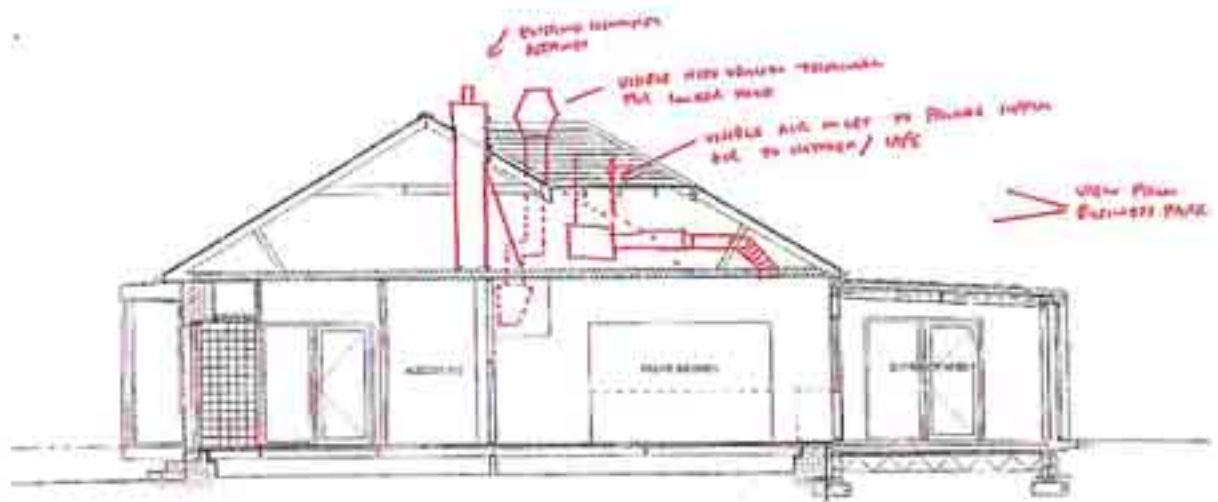


Fig 15: Section showing unsightly alternative of mechanical extraction and air inlet through roof

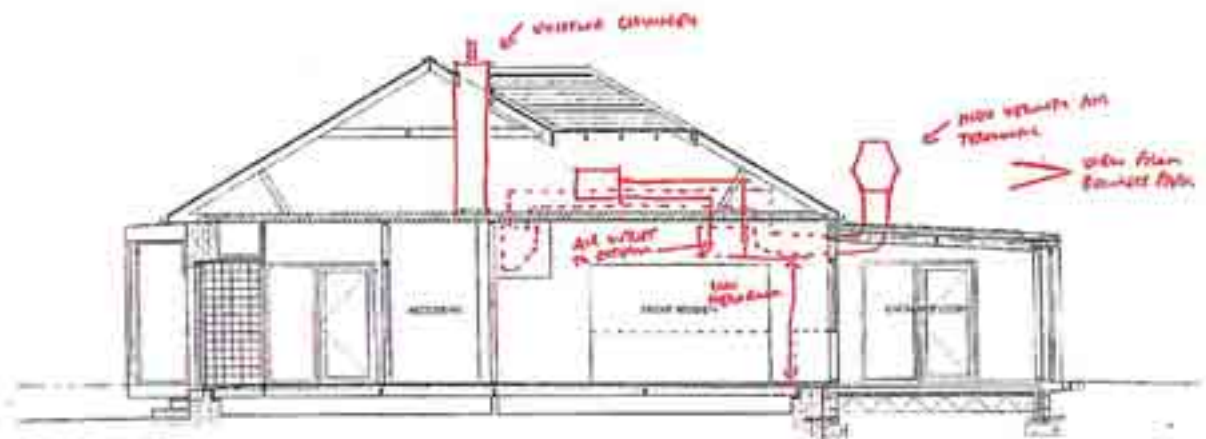


Fig 16: Example of cafe where air inlet and air terminal are exposed above roof. Note that although a flat roof has been installed to help conceal these elements, they are still visible.



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Ken Boyle Building Services Design

July 27, 2009

Ewan Inrie
Collective Architecture
Top Floor
Mercat Building
26 Gallowgate
Glasgow
G1 5AB

Dear Sir,

Riverside Business Park Café: Kitchen Extract System

I refer to the Planning letter and would respond as follows

- The kitchen extract system is designed to comply with DW 171 which is the design guide for commercial kitchen extract systems
- This recommends high level discharge for extract systems to allow cooking smells to be dispersed
- Low level discharge can be adopted, however this will lead to cooking odours being experienced around the café and possible complaints
- Low level discharge will mean that the high velocity extract terminal will be below the eaves, jutting out and pointing upwards, which will be unsightly
- The kitchen ventilation input grille will also have to be located at low level which again will be unsightly

All of the above will reduce the overall appearance and function of the café to a much lower level than the client has aspirations for. For the above reasons I would recommend that the chimney is retained

Yours Sincerely

Ken Boyle

Ken Boyle Bsc. (Hons), M.I.MECH.E., M.C.I.B.S.E., C.ENG.

PLANNING BOARD REVIEW FOR PLANNING APPLICATION
09/0083/IC

The following condition is suggested should planning permission be granted on review:

Condition

1. That the zinc cassette panels hereby permitted shall match in colour the zinc cladding to be used on the extension to the building already permitted under the terms of planning permission 09/0083/IC.

Reason

1. To ensure coordination between the facing materials in the interests of visual amenity.