

Inverclyde Local Review Body

Our Ref: 09/0377/IC

REVIEW DECISION NOTICE

Decision by Inverclyde Local Review Body (the ILRB)

- Site address: Workshop 2, Faulds Park Road, Gourock PA19 1BD
 - Application for Review by Faulds Park Syndicate against the decision by an appointed officer of Inverclyde Council
 - Application Ref: 09/0377/IC for change of use from Class 5 (General Industrial) to Class 11 (Assembly and Leisure).
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 - Application Drawings: 1:1250 @ A4 Location Plan
Ref: SK(O)001(Rev A) - Ground Floor Plan as Proposed
Ref: SK(O)002(Rev A) - First Floor Plan as Proposed
 - Date of Decision Notice: 12 August 2010
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Decision

The ILRB reverses the determination reviewed by it and grants Planning Permission, subject to the conditions listed below at paragraph 5. Attention is also drawn to the Advisory Notice at the end of this Review Decision Notice.

1. Introduction

- 1.1 This Notice constitutes the formal decision notice of the ILRB as required by the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008.
- 1.2 The above application for planning permission was considered by the ILRB at a meeting held on 4 August 2010. The Review Body was constituted by Councillor D Wilson (Chair), Councillor K Brooks, Councillor G Dorrian, Councillor T Fyfe, Councillor T Loughran, Councillor R Ahlfeld, Councillor I Nelson, Councillor R Moran, Councillor C McCallum and Councillor L Rebecchi.

2. Proposal

- 2.1 The application proposal is to change the use of the existing factory unit on the site from Class 5 (General Industrial) to Class 11 (Assembly and Leisure). The layout drawing submitted with the application for planning indicates nine indoor football pitches, a gymnasium, office and changing facilities. There is off street parking provision for 171 cars. The application was refused consent in terms of a decision letter dated 15 March 2010.

3. Preliminaries

- 3.1 The ILRB members were provided with copies of the following:
 - (i) Planning Application and plans specified above;

- (ii) Letters of representation and Consultation Responses in respect of the Planning Application;
- (iii) The Appointed Officer's Report of Handling dated 15 March 2009;
- (iv) Decision Notice dated 15 March 2010;
- (v) Notice of Review dated 25 May 2010;
- (vi) Further representation dated 21 June 2010;
- (vii) Comments on further representation from applicant dated 8 July 2010;
- (viii) Draft conditions should the ILRB be minded to grant planning permission

3.2 Having regard to the material produced the ILRB resolved that the Review Application could be determined without any further procedure allowed in terms of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008.

4. **Reasons**

4.1 The determining issues in this review are:-

- (i) the factory building has remained unused since construction for a period of 8 years;
- (ii) the proposal would achieve and stimulate job opportunities, thus assisting economic and social regeneration within the area;
- (iii) the Inverclyde wide Local Plan Policy LR3 to promote the provision of recreation and sports facilities is, in the circumstances of the proposal, preferred to the industrial and commercial site specific Local Plan Policies B3 (Strategic Employment Locations) and B5 (Business and Industrial Proposals and Development Opportunities) and Strategic Policy 5 of the Glasgow and Clyde Valley Joint Structure Plan.

4.2 The ILRB determined that the proposal meets Local Plan Policy LR3 – Provision of Recreation and Sports Facilities - as there is no detrimental impact on neighbouring land uses, no conflict with Inverclyde's heritage resource, no similar facilities within existing centres and has satisfied the Town Centre sequential test.

4.3 The ILRB considered persuasive evidence from the applicants that safeguarding the site for future potential economic benefit was outweighed by the employment and economic regeneration impacts of bringing the building into occupation, which achieves greater flexibility in the use of the building and increases potential occupier markets.

5 **Conditions**

1. That the development to which this permission relates must be begun within three years from the date of this permission.
2. That the facility shall be closed by 11 pm every evening.

Reasons:

1. To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
2. In the interests of the amenity of adjacent residents.

Signed _____

Head of Legal & Democratic Services
Inverclyde Council
Municipal Buildings
Greenock
PA15 1LX

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

Notification to be sent to applicant on determination by the planning authority of an application following a review conducted under section 43A(8)

Notice under Regulation 21 of the Town and Country Planning (Schemes of Delegation and Local Review Procedure)(Scotland) Regulations 2008

1. If the applicant is aggrieved by the decision of the planning authority to refuse permission or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may question the validity of that decision by making an application to the Court of Session. An application to the Court of Session must be made within 6 weeks of the date of the decision.
2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part V of the Town and Country Planning (Scotland) Act 1997.