
Report To:	The Planning Board	Date:	5th May 2010
Report By:	Head of Regeneration and Planning	Report No:	09/0228/IC Plan05/10
Contact Officer:	Guy Phillips	Contact No:	01475 712422
Subject:	Notification of Planning Appeal: Proposed formation of 34 flats and 2 Class 1 Retail Units at 52- 54 Finnart Street Greenock		

INTRODUCTION

In January 2010 planning permission was refused for the formation of 34 flats and 2 Class 1 Retail Units at 52- 54 Finnart Street Greenock. Planning permission was refused as:

1. the area is zoned for residential not commercial use in the Inverclyde 2005 Local Plan this proposal contravenes Local Plan Policy HR1 (c) in as other sites within the local plan are identified as being available for retail use.
2. the site straddles the Greenock West End Conservation Area and is unacceptable in terms of Local Plan Policy HR11, H8 and H9 as the retail proposal is unsympathetic to the existing character, pattern and development and appearance of this residential area.
3. a transport assessment has not been carried out as required in Section 20 of SPP8 Planning for town centres and retailing.
4. parking for 34 flats are already below that required at only 40 spaces. Loss of additional on street parking for retail uses in a residential area is unacceptable in planning terms. The development does not meet the parking standards laid down in SPP17 Paragraph 67 where a specific parking space must be provided for each 14m². At 455m² of retail floor area this equates to 33 specific spaces dedicated to the retail development alone. To meet requirements the development requires at least 67 (33 + 34) parking spaces specific to the development. SPP 17 clearly states that a development with less than the required number of specific spaces must be referred to the Scottish Ministers under the Town and Country Planning (Notification of Applications) (Scotland) Amendment Direction 2003.
5. on the Head of Planning Services admission there is concern over the viability of certain shops on the periphery of the town centre (this could well apply to those on Finnart Street and South Street) in direct contradiction to SSP8 Section 20 which states that - "there will be no significant adverse effect on the vitality and viability of existing centres" and Local Plan Policy R4 and R3 which seek to support the retail function of Greenock Town Centre.
6. environmental noise will be created 24 hours a day caused by food chillers running, deliveries being made and customer's movements. This would adversely affect the quality of life of local resident, causing deterioration in health due to sleep deprivation, Conversation disruption and stress generated by feelings of annoyance. This is contradictory to PAN 56 Planning and Noise which states that "the noise implications of development can be a material consideration in determining applications for planning permission" and local plan policy UT10 - Proposals for Development Involving Noise - as this development will involve

noisy processes and/or extended hours of operation, which are unacceptable as it will affect the amenity of this noise sensitive residential area.

7. under the Human Rights Act this application has implications for the residents in terms of interference with privacy, home or family life (Article 8) and peaceful enjoyment of possessions (First Protocol Article 1).

NOTIFICATION OF APPEAL

Notification has been received that an appeal against the refusal of planning permission application has been lodged with the Scottish Government. The appeal is to be considered by written submissions.

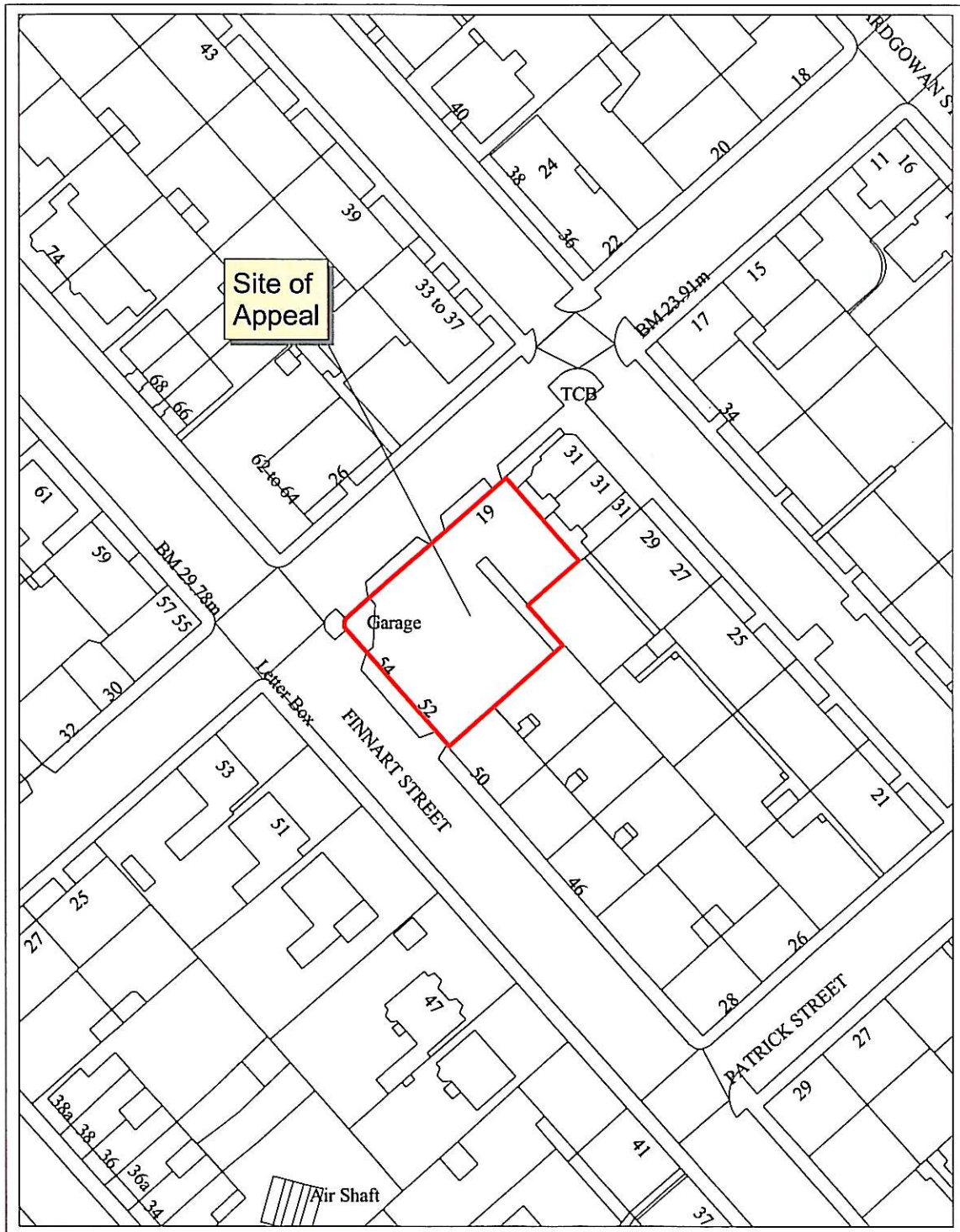
RECOMMENDATION

That the Board notes the position.

Stuart Jamieson
Head of Regeneration & Planning

BACKGROUND PAPERS

1. Planning application 09/0228/IC



Drawing No. 09/0228/IC 52-54 Finnart Street, Greenock

Drawn by: JML

Date: 14:04:10



Crown Copyright. (100023421) (2010)
ALL RIGHTS RESERVED

Inverclyde
council
regeneration and planning