
Report To:	The Planning Board	Date:	2nd March 2011
Report By:	Head of Regeneration and Planning	Report No:	10/0378/IC Plan03/11 Local Application Development
Contact Officer:	James McColl	Contact No:	01475 712462
Subject:	Erection of a gate (in retrospect) at 9 - 9A Ashton Terrace, Gourock.		

SITE DESCRIPTION

The application relates to a two storey end terraced property, containing two flatted dwellings, located at the head of Ashton Terrace, Gourock. Ashton Terrace is a private road providing access to the frontage of numbers 1-9 Ashton Terrace.

PROPOSAL

An electrically operated 6 bar gate has been erected across Ashton Terrace between number 8 and 9. The gate is approximately 1.4 metres in height at the highest point. The gate inhibits vehicular access to the head of Ashton Terrace, an area used over many years as a turning point.

LOCAL PLAN POLICIES

Local Plan Policy H1 - Safeguarding the Character and Amenity of Residential Areas

The character and amenity of existing residential areas, identified on the Proposals Map, will be safeguarded, and where practicable, enhanced. New residential development will be acceptable, in principle, subject to other relevant Local Plan policies.

CONSULTATIONS

Head Of Environmental and Commercial Services – The applicant has erected a gate blocking access to an area of land used as a turning head for vehicles accessing Ashton Terrace. Vehicles accessing the terrace will have to reverse down Ashton Terrace, then Ashton Place and then onto Ashton Road. This reversing movement will prejudice road and pedestrian safety due to parked cars obstructing visibility at the junction of Ashton Place with Ashton Road.

The Firth Hotel is also located on this corner and reversing vehicles may also encounter patrons of the hotel in the evening. This service therefore recommends the application is refused on the grounds it will be detrimental to road and pedestrian safety.

PUBLICITY

The application was advertised in the Greenock Telegraph on 10th December 2010 as there are no premises on neighbouring land.

SITE NOTICES

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

PUBLIC PARTICIPATION

The application was subject to neighbour notification and a press advert. Eight letters of objection have been received.

1. The gate prevents turning access available to residents for in excess of 50 years.
2. The gate blocks a right of access.
3. The gate causes problems for the access of resident's vehicles together with delivery and service vehicles.
4. The gate is visually unacceptable.
5. The gate creates road safety issues and vehicles now have to reverse.
6. The positioning of the gate shown in the plans is not correct.

I will consider these concerns in my assessment.

ASSESSMENT

The material considerations in the assessment of this application are the Inverclyde Local Plan, the consultation responses and the letters of objection. The determining factors are the visually acceptability of the gate erected and road safety.

This minor householder development within a residential area presents no direct conflict with Policy H1 of the Inverclyde Local Plan. Considering visual impact, the gate is located to the top of a secluded private road. I do not find the gate to be visually unacceptable or visually obtrusive.

The outstanding determining factor is road safety. The area of ground enclosed by the gate served as a turning head for Ashton Terrace, affording the opportunity for vehicles travelling up Ashton Terrace to turn and travel back down the roadway. The gate has removed this opportunity for turning resulting in vehicles having to reverse back down Ashton Terrace, to Ashton Place and out onto Ashton Road, to the detriment of road safety. The Head of Environmental and Commercial Services recommends that the application be refused on this basis.

In a supporting statement, the applicant has stated that the section of road enclosed by the gate is associated with the properties at 9 and 9A Ashton Terrace and contends that the title deeds show this. He further states that the gate was erected to prevent unauthorised use of the turning area and to prevent both disturbance to residents and damage to private property and vehicles. Conversely, it is contended in the letters of objection received that there is a right of access to this area which has been established over a period of many years for vehicles using Ashton Terrace to turn in this area.

Land ownership, title and rights of access are not material planning considerations and can have no bearing on the assessment of this planning application. Considering road safety alone, the gate erected prevents access to the head of Ashton Terrace which it is believed to have always been

used as a turning head. This removes the opportunity for service vehicles, visitors and residents travelling up Ashton Terrace to turn and travel forwards, safely back down towards Ashton Road. The Head of Environmental and Commercial Services considers that this reversing will prejudice road and pedestrian safety due to parked cars obstructing visibility at the junction of Ashton Place with Ashton Road. The Firth Hotel is also located on this corner and reversing vehicles may also encounter patrons of the hotel, particularly in the evening and during periods of high patronage. I am satisfied that the development has an unacceptable impact on road safety and should be refused on this basis.

RECOMMENDATION

That the application be refused.

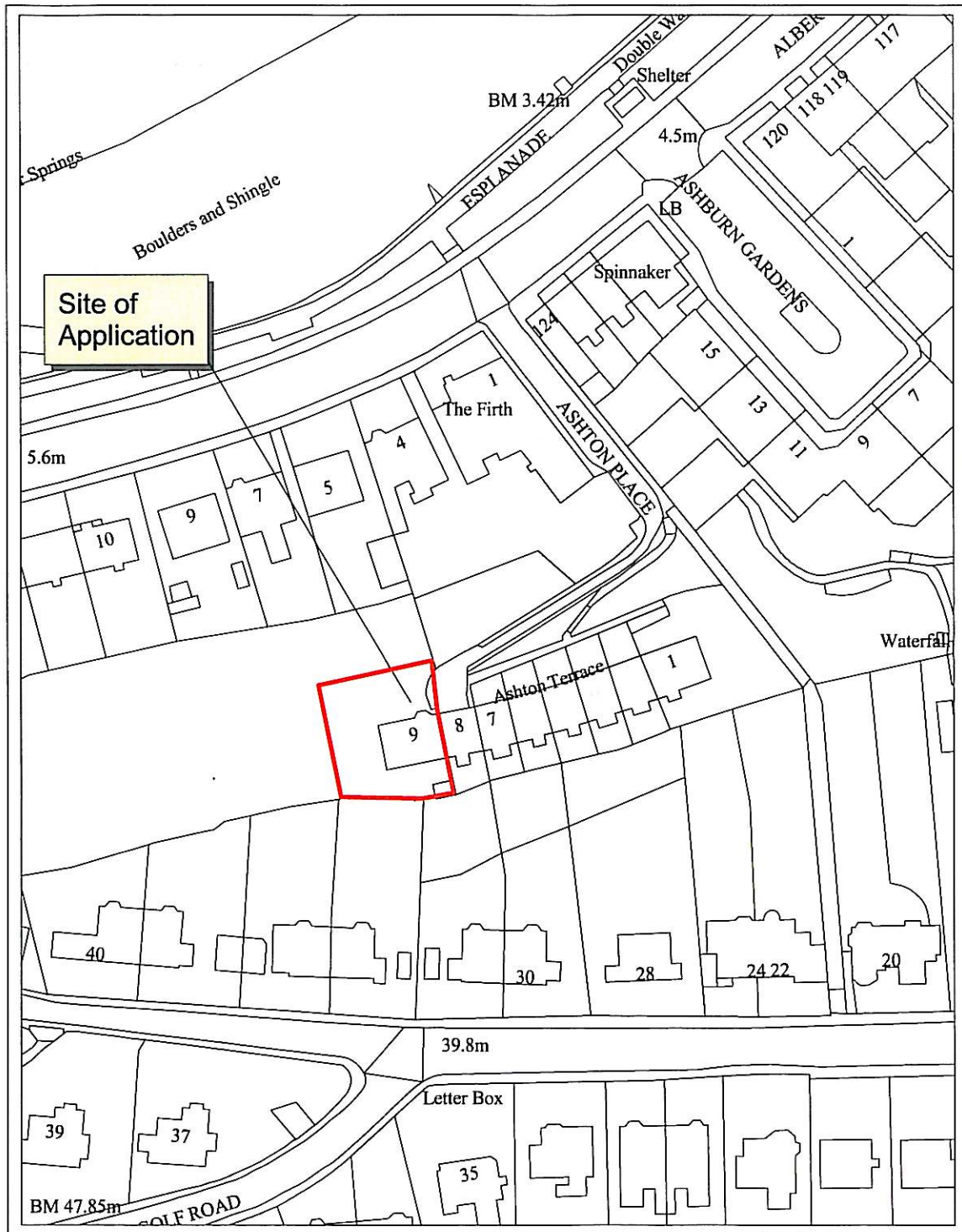
Reason

1. The proposed gate, by virtue of its location, prevents access to the head of Ashton Terrace for the turning of vehicles, forcing vehicles to reverse along Ashton Terrace and Ashton Place to Ashton Road, to the detriment of road safety.

Stuart Jamieson
Head of Regeneration and Planning

BACKGROUND PAPERS

1. Application Form
2. Application Plan
3. Inverclyde Local Plan
4. Consultation Response
5. Letters of representation.



Drawing No. 10/0378/IC 9-9A Ashton Terrace, Gourcock.

Drawn by: JML

Date: 12:01:11

