

**Report To:** The Planning Board **Date:** 3 August 2011

**Report By:** Head of Regeneration and Planning **Report No:** 10/0223/IC  
Plan 08/11

**Contact Officer:** Guy Phillips **Contact No:** 01475 712462

**Subject:** Notification of Planning Appeal Decision: Proposed change of use from police house/station to restaurant at the Old Police House, Main Street, Inverkip

## INTRODUCTION

In January 2011 planning permission was refused for the change of use from police house/station to restaurant at the Old Police House, Main Street, Inverkip. Planning permission was refused:

1. as there is currently insufficient parking on Main Street, Inverkip. The application shows the provision of 10 car parking spaces to the rear of the property, which would be insufficient for 6 staff and the 40 customers this would result in the loss of on street parking which could adversely affect the efficiency, safety and effectiveness of the existing roads network contrary to Local Plan Policies TA6 and TA14;
2. as it would not be possible to provide a 35m visibility splay within the application site which would compromise road safety, contrary to Local Plan Policy TA14, and would not comply with the 1995 Roads Development Guide;
3. as there is no provision of a pavement on the narrow access road to the car park at the rear of the property to safely accommodate pedestrian access, contrary to Local Plan Policies TA14 and TA1;
4. as the proposal would have a detrimental impact on the historical street pattern and the building form within this residential area contrary to Local Plan Policies HR13, HR12, H8 and H9;
5. as the development will involve noisy processes and/or extended hours of operation, which will affect the amenity of this noise sensitive residential area contrary to PAN56 Planning and Noise and Local Plan Policy UT10;
6. as the area is zoned for residential not commercial use in the Inverclyde 2005 Local Plan the proposal contravenes Local Plan Policies H1 and H9 and will have a detrimental impact on the character and amenity of this residential area; and
7. as deliveries to the premises would compromise road safety given the narrow width of Main Street, contrary to Local Plan Policies TA6 and TA14 and the Roads Development Guide.

An appeal against the refusal of planning permission application was lodged with the Scottish Government and considered by written submissions.

## **APPEAL DECISION**

The Reporter considered the determining factors to be parking, servicing and other traffic considerations; the impact on the character of the village, in particular the conservation area; and the impact on residential amenity.

Considering traffic, he found the 10 spaces for 40 diners and 6 staff to be barely acceptable, noting difficult manoeuvring and access within the car park. While he anticipated a degree of on street parking would occur, he found no reason to refuse the application due to parking problems or traffic impact in the village. He also found no reason to object to servicing arrangements.

The Reporter also found the impact on the conservation area to be satisfactory. He went on to consider the immediate area, which he found to be overwhelmingly, although not exclusively, residential. By mid evening the area does not experience a lot of activity, and accordingly he found that a restaurant would have a significant impact. He took into account a proposed 11pm closure, the applicant's request that it be extended till midnight on Friday and Saturday, and the desire for an ancillary take away, in concluding that the proposal will not safeguard residential amenity and is contrary to the Local Plan.

In summary, the Reporter found traffic, parking and impact on the conservation area to be acceptable, but the impact on residential amenity would be such that planning permission should be refused.

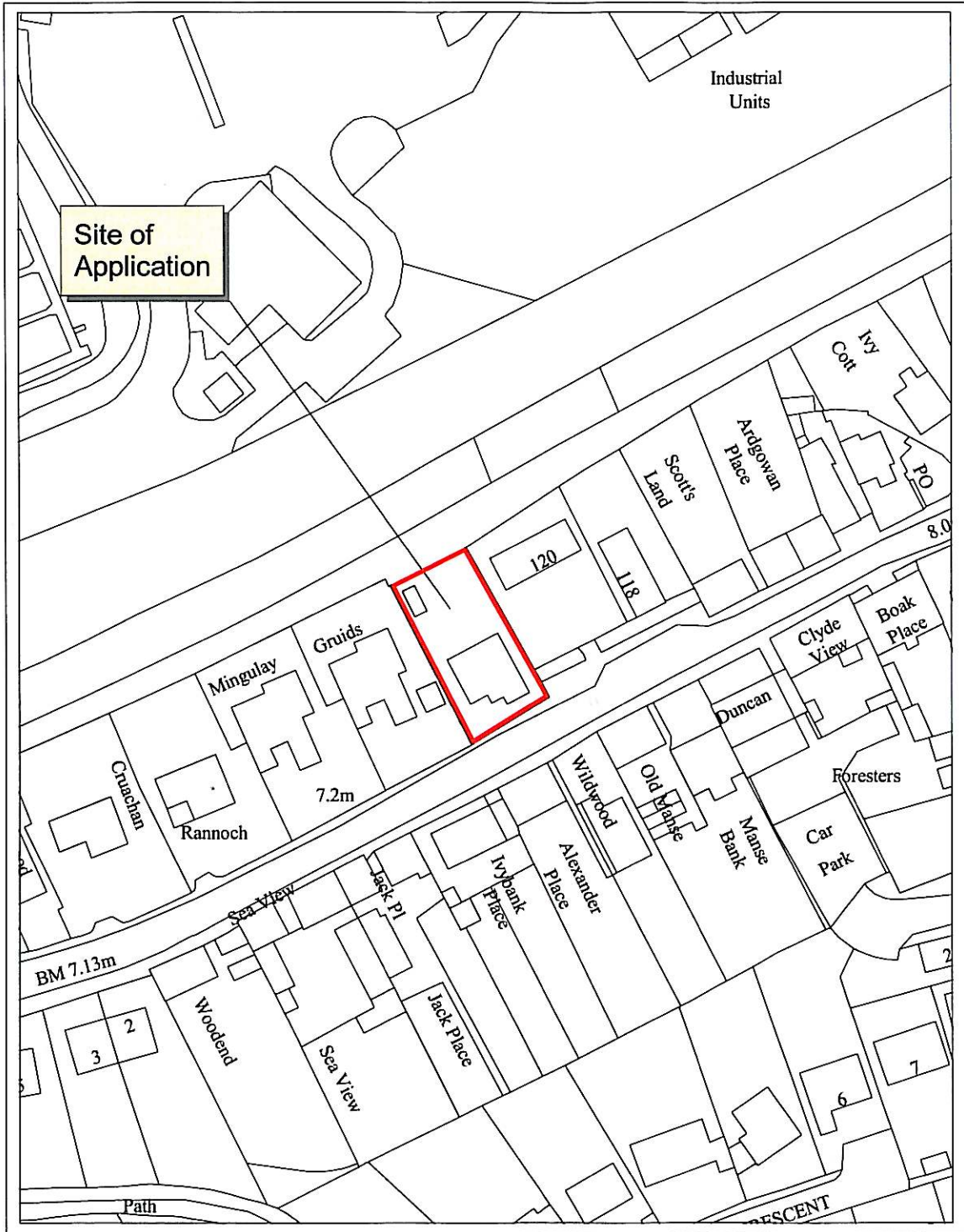
## **RECOMMENDATION**

The Board notes the position.

Stuart Jamieson  
Head of Regeneration and Planning

## **BACKGROUND PAPERS**

Planning application 10/0223/IC  
Planning appeal decision letter dated June 2011.



Drawing No. 10/0223/IC Old Police House, Inverkip

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