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<b>Report To:</b>	<b>The Planning Board</b>	<b>Date:</b>	<b>7th September 2011</b>
<b>Report By:</b>	<b>Head of Regeneration and Planning</b>	<b>Report No:</b>	<b>11/0021/IC Plan09/11  Local Application Development</b>
<b>Contact Officer:</b>	<b>Guy Phillips</b>	<b>Contact No:</b>	<b>01475 712422</b>
<b>Subject:</b>	<b>Rooflights and driveway (in retrospect) and replacement windows at 45 Shankland Road, Greenock</b>		

## **SITE DESCRIPTION**

45 Shankland Road is an upper flat in a residential building containing four properties. The site slopes downwards from the street and access to the flat is via an external stair and porch on the side gable. Immediately parallel to the stair is an approximately 1.1m wide flight of steps linking the front and rear gardens. Adjoining the garden steps is an approximately 15m long elevated parking bay. Due to the slope of the site, the parking bay increases in height above ground level from front to rear to a maximum of approximately 2m. The neighbouring house is two storey construction with a detached garage. Hedging intervenes at the boundary. To the rear is an area of rough ground adjacent to the Wemyss Bay to Glasgow railway line. Across Shankland Road is a triangular shaped grassed area.

## **PROPOSAL**

The proposal comprises:-

1. The replacement of UPVC windows with new astragaled, casement uPVC units;
2. The formation of the four rooflights (in retrospect); and
3. The formation of the elevated parking space (partially in retrospect). It is proposed to retain the exterior walls of the parking space as built but to excavate behind them, provide reinforcing retaining walls and backfill. Further proposed is the addition of 1.1m high protective guardrails and a crash barrier.

## **LOCAL PLAN POLICIES**

Local Plan Policy DC1 - Development Control Advice

Inverclyde Council, as Planning Authority, will support applications for planning, listed building and advertisement consent, where applicable, which accord with the principles established in the Council's Planning Practice Advice Notes.

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** - No objections

## **PUBLICITY**

The application was advertised in the Greenock Telegraph on 24th June 2011 as there are no premises on neighbouring land.

## **SITE NOTICES**

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

## **PUBLIC PARTICIPATION**

Five written representations have been received, comprising two letters and three Emails from one individual. One of the letters bears his name and 7 other signatures.

The objectors are concerned that:-

1. The parking area restricts access, is too high, encroaches on privacy, blocks light to a basement window, causes security and privacy issues to a kitchen window, is of poor construction, provides access to an area formerly fenced off and is dangerous to all using the common stair and the pavement at the footway crossover.
2. Proposed railings around the parking space block more light, are a danger to children and intruders attempting to gain access, and are insufficient to hold back a car.
3. The loft area is being used as living accommodation. Rooflights installed in association with the conversion of the loftspace are of poor construction and raise Building Standards issues.
4. The submitted plans contain discrepancies regarding the height of the parking space.
5. There are views into a kitchen window from the parking space.

## **ASSESSMENT**

The material considerations in the determination of this planning application are the Local Plan, the Council's PPAN 11 "Replacement Windows", the consultation response and the written representations.

Policy H1 of the Local Plan seeks to safeguard and, where practicable, enhance residential amenity and character.

The best measure of whether or not the proposed replacement windows satisfy the aim of policy H1 is to assess them against the Council's PPAN11 "Replacement Windows". It places restrictions upon the design of replacement windows in listed buildings and conservation areas, however, there are no such restrictions elsewhere and it follows that the proposed uPVC windows accord with the Council's design guidance.

The Council has design guidance for rooflights in PPAN10, however, the guidance only applies to listed buildings and buildings in conservation areas. It follows that there is also no conflict between the four rooflights and the Council's design guidance. Issues of internal construction associated with the conversion of the attic space are considered separately by building standards.

Policy DC1 of the Local Plan advises that applications for planning permission which accord with the design guidance in the Council's PPANs will be supported. As such, the replacement windows and rooflights comply with the Inverclyde Local Plan.

There is no planning design guidance for raised parking areas and, consequently, the submitted design requires to be considered on its own merits. There are no objections on road safety grounds from the Head of Environmental & Commercial Services. I consider the visual impact of the parking space on the public domain to be minimal due to it being level with the street. Visual impact from the protective railings and crash barrier is reduced by hedging around the front garden and in the neighbouring garden to the east. Regarding the impact on the communal grounds around the flatted property, I note that there is a sizable rear garden and that access from front to rear is maintained by a flight of steps. The blockwork finish, surmounted by steel railings is, I consider, an acceptable design within the side garden. While there is intervisibility between the parking space and the ground floor flat's kitchen, it is limited to the rear. The side porch of the upper flat prevents views from most of the parking space. Overall, I do not consider that the intervisibility justifies refusal of planning permission.

Regarding the objectors' concerns not covered by my assessment against the Local Plan, the parking space is within the grounds of a shared property and impacts no more on neighbours privacy and security than use of any other part of the shared garden; daylighting to the basement window (already shaded by existing boundary planting) does not merit refusal of planning permission; construction and safety (including the integrity of the crash barrier) within the site are matters most appropriately considered by building standards and discrepancies within the submitted plans have been corrected.

Overall, I consider the proposal meets the aim of Local Plan policy H1 of safeguarding residential amenity and character and that it merits support.

## **RECOMMENDATION**

That the application be granted subject to conditions

### Conditions

1. No development shall commence until the colour of the railings, hereby approved, has been agreed in writing with the Planning Authority: development thereafter shall proceed utilising the approved colour, unless the Planning Authority gives its prior written approval to any alternative.

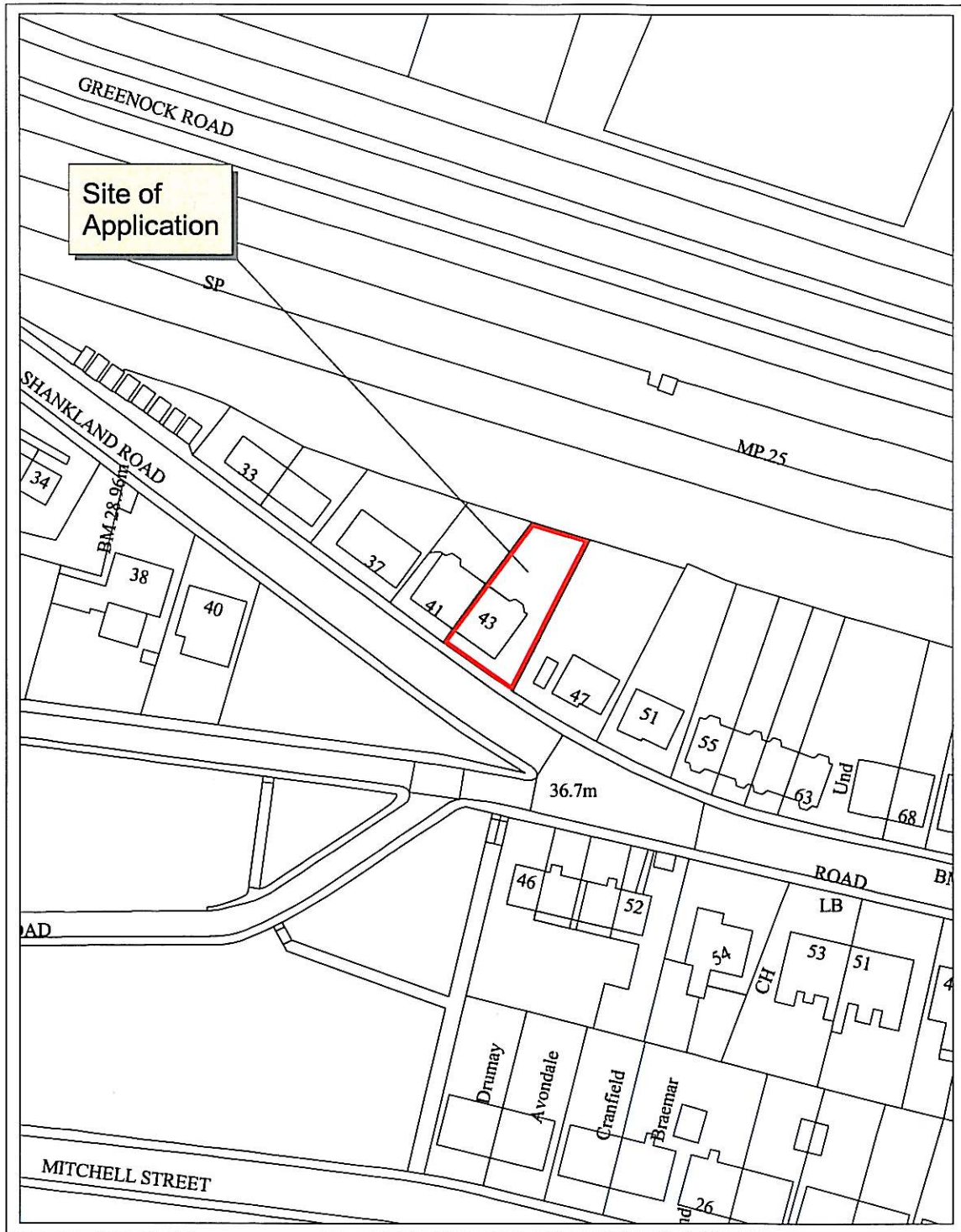
### Reasons

1. To ensure a colour sympathetic to the property at 45 Shankland Road.

Stuart Jamieson  
Head of Regeneration and Planning

## BACKGROUND PAPERS

1. Application form
2. Application plans
3. Inverclyde Local Plan
4. Inverclyde Council PPANs 10 and 11
5. Consultation response
6. Written representations



Drawing No. 11/0021/IC 45 Shankland Road, Greenock.

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