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**Report To:** The Planning Board

**Date:** 5 October 2011

**Report By:** Head of Regeneration and Planning

**Report No:** 11/0198/IC  
Plan 10/11

Local Application  
Development

**Contact  
Officer:** Guy Phillips

**Contact No:** 01475 712422

**Subject:** Change of use of carpet shop to cafe (class 3) at  
46 Inverkip Street, Greenock

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## **SITE DESCRIPTION**

The site is an empty shop unit in the ground floor of a four storey tenement in the West Station shopping area at Inverkip Street, Greenock. The close entrance to the flats above the shop adjoins to the east, beyond which is a hairdresser's salon. Adjoining to the west is a block of flats with a vehicular pend through to a rear parking court. Diagonally opposite are Orangefield Place and Roxburgh Street.

## **PROPOSAL**

It is proposed to change the use of the premises to a Class 3 cafe. A rear flue is proposed to discharge cooking odours above eaves level.

## **LOCAL PLAN POLICIES**

Local Plan Policy R1- Designated Centres

The following Centres are designated:

1. Town Centres, as defined on the Proposals Map:

- (a) Greenock, subdivided into a 'Central Shopping Area' and 'Outer Mixed/Commercial Area';
- (b) Port Glasgow ;
- (c) Gourock ; and

2. Local Centres, as defined or indicated on the Proposals Map:

- (a) Kilmacolm (defined);
- (b) Dubbs Road, Port Glasgow (defined);
- (c) Sinclair Street, Greenock;
- (d) Belville Street, Greenock;
- (e) Lynedoch Street, Greenock;
- (f) Barrs Cottage (Inverkip Road/ Dunlop Street), Greenock;
- (g) Ravenscraig (Cumberland Walk), Greenock;

- (h) Cardwell Road, Gourock (defined);
- (i) Main Street, Inverkip;
- (j) Ardgowan Road, Wemyss Bay; and
- (k) By Station/Pier, Wemyss Bay.

Inverclyde Council, as Planning Authority, will seek to assist urban regeneration and sustainable travel patterns. This will be achieved by encouraging each Centre to serve its own retail and service catchments without detriment to other Centres and to the overall roles of Greenock, Port Glasgow and Gourock as the principal Centres serving the Authority.

#### Local Plan Policy R2 - Support for Designated Centres

The designated Centres identified in Policy R1 will be protected, enhanced and developed, where resources allow, through a range of initiatives aimed at achieving the following:

- (a) encouraging a diversity of retail, leisure, civic, public administration, office, residential and other uses, of the type which the Council, as Planning Authority, considers to be appropriate to the development of the individual Centres, in order to support their vitality and viability, particularly through mixed use developments and through the use of upper floors of commercial premises;
- (b) identifying and promoting opportunities for new development and for the redevelopment and reuse of existing premises, both within and on the edge of the defined Centres;
- (c) improving the quality of the urban environment through implementing programmes for the improvement of individual properties, the streetscape and open spaces;
- (d) improving accessibility and integration of services by bus, train, ferry and taxi;
- (e) improving accessibility for pedestrians and cyclists through the provision of safe and convenient facilities and routes both into and within the town centres;
- (f) managing provision of freight access and of car, motorcycle and cycle parking for residents, visitors, workers and shoppers in accordance with an approved strategy;
- (g) managing traffic flows to minimise congestion and pollution and to give priority to the disabled, pedestrians, cyclists, public transport and service vehicles; and
- (h) developing Town Centre Action Plans in partnership with other agencies.

#### Local Plan Policy R3 - Town Centre Uses

The following town centre uses will be directed towards the Central Shopping Area of Greenock, the other two Town Centres (Port Glasgow and Gourock) and the Local Centres:

- (a) Use Class 1 (Shops)
- (b) Use Class 2 (Financial, Professional and other Services);
- (c) Use Class 3 (Food and Drink);
- (d) Use Class 11 (Assembly and Leisure); and
- (e) Related uses such as public houses, hot food take-aways, theatres, amusement arcades and offices for taxis for public hire.

Outside these designated Centres, the above uses will be permitted in principle in the Outer Mixed/Commercial Area around the Central Shopping Area of Greenock Town Centre, according to the specification in Policy R5. Applications for any of the uses listed will be considered subject to the criteria outlined in Policy R10. Proposals for other uses in designated Centres will be considered on their merit.

## **CONSULTATIONS**

**Transport Scotland** - No objections.

**Head Of Safer And Inclusive Communities** - No objection, but expresses concern over the relative proximity of the proposed discharge point of the extract flue to windows at approximately the same height in the adjoining building. He recommends that planning permission should be subject to conditions reserving the detailed design of the mechanical extract ventilation system and the design and location of containers for the storage of waste. Additionally, advisory notes are recommended to address the control of external lighting, noise and the hours of operation of potential refrigeration and air conditioning units.

## **PUBLICITY**

The nature of the proposal did not require advertisement.

## **SITE NOTICES**

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

## **PUBLIC PARTICIPATION**

Five written representations, including a petition bearing 41 signatures have been received.

The objectors to the proposal are concerned that:-

1. The West Station area already has adequate provision of cafes and take aways. The viability of the West Station Cafe would be adversely affected;
2. An existing litter problem in the area would be exacerbated;
3. There shall be noise nuisance to residents from the proposed extract flue;
4. Rubbish storage and litter may attract seagulls and pigeons, already present in the area, and other vermin;
5. The fire exit evacuates onto an enclosed drying area;
6. The rear doors of adjacent properties should be kept locked for security purposes with each resident having a key;
7. There shall be increased traffic with associated noise; and
8. A nearby hot food take away at Nelson Street has an external flue. Cooking odours from it pool in adjoining back greens. To add a further flue shall taint the smell of washing hung out to dry.

## **ASSESSMENT**

The material considerations in the determination of this planning application are the Local Plan, the consultation responses and the written representations.

Policy R1 of the Local Plan identifies the site as lying within the central shopping area of Greenock Town Centre, within which Policy R2 seeks to protect, enhance and develop the area through a range of initiatives aimed at achieving a range of goals. These include encouraging a range of uses and identifying and promoting opportunities for new development and the redevelopment and

reuse of existing premises. Policy R3 directs a range of town centre uses to the central shopping area of Greenock, including class 3 cafes. In terms of policy, this application meets all the criteria in policies R1, R2 and R3.

It rests therefore to consider if there are any other material considerations that determine it appropriate to go against policy. There are no road safety concerns from Transport Scotland and, while I recognise the valid concerns of residents relative to odour, noise and litter, the Head of Safer & Inclusive Communities is of the view that appropriate controls may be put in place conditioning permission.

I note concerns over the security of rear doors, fire exit routes and the commercial viability of the proposed use and those of other Class 3 businesses in the West Station. These are not matters to be considered in the determination of this application.

## **RECOMMENDATION**

That planning permission be granted subject to conditions.

### Conditions

1. The development shall not commence until a detailed specification regarding the collection, treatment and disposal of cooking odours has been submitted to and approved by the Planning Authority. Such specification shall include precise details on the location of equipment used for the cooking and heating of food, canopies, grease filters, rates of air movement over the canopy, make-up air and air disposal points.
2. The applicant shall submit to the Planning Authority a detailed specification of the containers to be used to store waste materials and recyclable materials produced on the premises as well as specific details of the areas where such containers are to be located. The use of the development shall not commence until the above details are approved, in writing, by the Planning Authority and the equipment and any structural changes are in place.

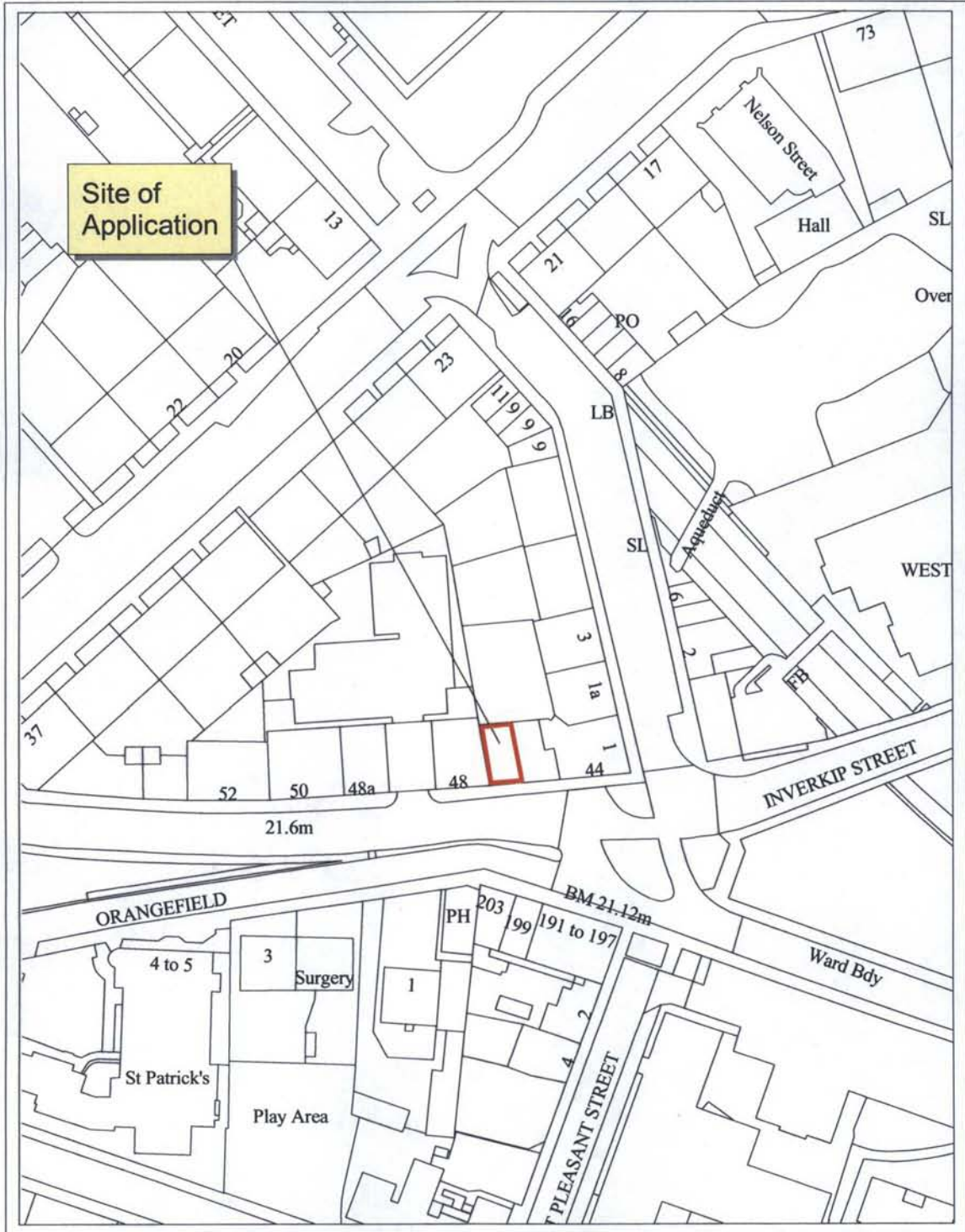
### Reasons

1. To protect the amenity of the immediate area and prevent the creation of odour nuisance.
2. To protect the amenity of the immediate area, prevent the creation of nuisance due to odours, insects, rodents or birds.

Stuart Jamieson  
Head of Regeneration and Planning

## **BACKGROUND PAPERS**

1. Application form
2. Application plans
3. Inverclyde Local Plan
4. Consultation responses.
5. Written representations.



Drawing No. 11/0198/IC Shop, 46 Inverkip Street, Greenock.

Drawn by: JML

Date: 20:09:11



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