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**Report To:** The Planning Board **Date:** 7th December 2011

**Report By:** Development and Building Standards Manager **Report No:** 11/0291/IC  
Plan 12/11  
Local Application  
Development

**Contact Officer:** Guy Phillips **Contact No:** 01475 712422

**Subject:** Formation of a public toilet at  
Lunderston Bay Car Park, Cloch Road, Gourrock

## **SITE DESCRIPTION**

The Lunderston Bay car park is located at Cloch Road, by Gourrock, adjacent to a picnic area and within Clyde Muirshiel Regional Park. Since the demolition of a permanent toilet block some years ago, toilet provision for the picnic area has comprised six portaloos, located centrally within the car park.

## **PROPOSAL**

It is proposed to locate a modular building at the north western end of the car park to provide public toilets and an office for Clyde Muirshiel Park rangers. The facilities are to be connected to the public sewer. As the existing portaloos are to be removed, there will be no loss of parking spaces.

## **LOCAL PLAN POLICIES**

Local Plan Policy DS8 - Green Belt

There is a presumption against development in the designated Green Belt, as identified on the Proposals Map. Proposals will only be considered favourably in exceptional or mitigating circumstances and where the criteria for development in Policy DS10 for the 'Countryside' can be satisfied.

Local Plan Policy DS10 - Countryside

Development within the countryside (including the Green Belt) will be permitted only where it can be supported with reference to the following criteria:

- (a) it is required for the purposes of agriculture and forestry;
- (b) it is a recreation, leisure or tourism proposal which is appropriate for the countryside and contributes to the social and economic development of the area;
- (c) there is a specific locational requirement for the use and it cannot be accommodated on an alternative site;
- (d) it entails appropriate re-use of vacant buildings which it would be desirable to retain for their historic or architectural character; or
- (e) it forms part of an establishment or institution standing in extensive grounds; and

- (f) it does not adversely impact on the landscape character;
- (g) it does not adversely impact on the natural heritage resource;
- (h) it does not adversely affect the visual amenity of the area and is capable of satisfactory mitigation;
- (i) there is a need for additional land for development purposes, provided it takes account of the requirements of the Structure Plan; and
- (j) it complies with other relevant Local Plan policies.

#### Local Plan Policy HR1 - Designated Environmental Resources and Built Heritage

Development that would adversely affect, directly or indirectly, the natural or built heritage resources listed in Schedule 9.1 and where indicated, on the Proposals Map, will not normally be permitted.

Having regard to the designation of the environmental resource and built heritage, exceptions will only be made where:

- (a) Sites of Special Scientific Interest (SSSI) will not be compromised;
- (b) visual amenity and townscape will not be compromised;
- (c) no other site, identified in the Local Plan as suitable, is available;
- (d) the social and economic benefits of the scheme outweigh the total or partial loss of the environmental resource;
- (e) the developer has demonstrated that the impact of the development on the environment will be minimised; and
- (f) the loss can be compensated by habitat creation/site enhancement elsewhere, and where there are satisfactory arrangements to achieve this.

#### CONSULTATIONS

**Head Of Environmental And Commercial Services** – No objections.

**Head Of Safer And Inclusive Communities** - No objections subject to a condition controlling the spread of Japanese Knotweed and advisory notes on external lighting, seagull activity and CDM Regulations.

**Scottish Natural Heritage** - There are unlikely to be any impacts on natural heritage assets for which there is a statutory responsibility. It is recommended that, for the avoidance of doubt, this development and associated discharge/s meets the requirements of the Controlled Activities Regulations and that any works are undertaken in line with Pollution Prevention and Control guidelines and that this application has Scottish Environment Protection Agency approval prior to determination in order to safeguard the wider environment.

**Scottish Environment Protection Agency West** - No objections.

#### PUBLICITY

The application was advertised in the Greenock Telegraph on 4th November 2011 as there are no premises on neighbouring land and as a Schedule 3 (bad neighbour) development.

#### SITE NOTICES

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

#### PUBLIC PARTICIPATION

No written representations have been received.

## ASSESSMENT

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

Policy DS8 presumes against development in the designated Green Belt. Proposals will only be considered favourably in exceptional or mitigating circumstances and where the criteria for development in Policy DS10 can be satisfied. Policy DS10 advises that development within the countryside (including the Green Belt) will only be permitted where it can be supported with reference a range of criteria. The relevant criterion in this instance is:-

(b) it is a recreation, leisure or tourism proposal which is appropriate for the countryside and contributes to the social and economic development of the area. The Lunderston Bay picnic area is a well used recreational facility. While the modular building proposed does not provide a permanent solution to the required toilet accommodation at the picnic area, it is, I consider, an improvement over the present portaloos and will be to the benefit of the many visitors engaging in passive and active recreational pursuits at this key location on Inverclyde's coast. The proposal is closely allied to tourism and leisure and, as such, accords with criterion (b).

Policy HR1 advises that development that would adversely affect, directly or indirectly, the natural or built heritage resources, listed in Schedule 9.1 and where indicated on the Proposals Map, will not normally be permitted. Recognising the designation of the environmental resource, exceptions will only be made in a range of circumstances. The relevant circumstances in this instance are:-

(d) the social and economic benefits of the scheme outweigh the total or partial loss of the environmental resource. While part of the car park serving the picnic area would be lost to the development, this is fully compensated by the removal of the portaloos presently occupying the centre of the car park. Overall, I consider the impact of the provision of improved toilet facilities within the Regional Park to be a social benefit without any loss to the environmental resource.

(e) impact on the environment is limited by the connection to the public sewer and the location of the building benefits from a wooded backdrop, which provides a natural landscape setting.

I have no objections to attaching a condition to control the spread of Japanese Knotweed and advisory notes about external lighting, CDM Regulations and roosting seagulls as suggested by the Head of Safer & Inclusive Communities.

Overall, I consider the proposal accords with the Local Plan and merits support. Due to the temporary nature of the proposed building, I consider it prudent to limit planning permission to a temporary 5 year period. Thereafter an assessment can be made as to the condition of the building and determine whether or not it is in order to grant planning permission for a further temporary period.

## RECOMMENDATION

That the application be granted subject to conditions

### Conditions

1. The temporary building hereby approved shall be removed at the expiry of a 5 year date from the date of its erection on site and any works required to reinstate the site completed 3 months thereafter.
2. That prior to the start of development, details of a survey for the presence of Japanese Knotweed shall be submitted to and approved in writing by the Planning Authority and that, for the avoidance of doubt, this shall contain a methodology and treatment statement where

any is found. Development shall not proceed until treatment is completed as per the methodology and treatment statement. Any variation to the treatment methodologies will require subsequent approval by the Planning Authority prior to development starting on site.

3. No development shall commence until the colour of the temporary building, hereby approved, has been submitted to and approved in writing by the Planning Authority; development thereafter shall proceed utilising the approved colour, unless the Planning Authority gives its prior written approval to any alternative.

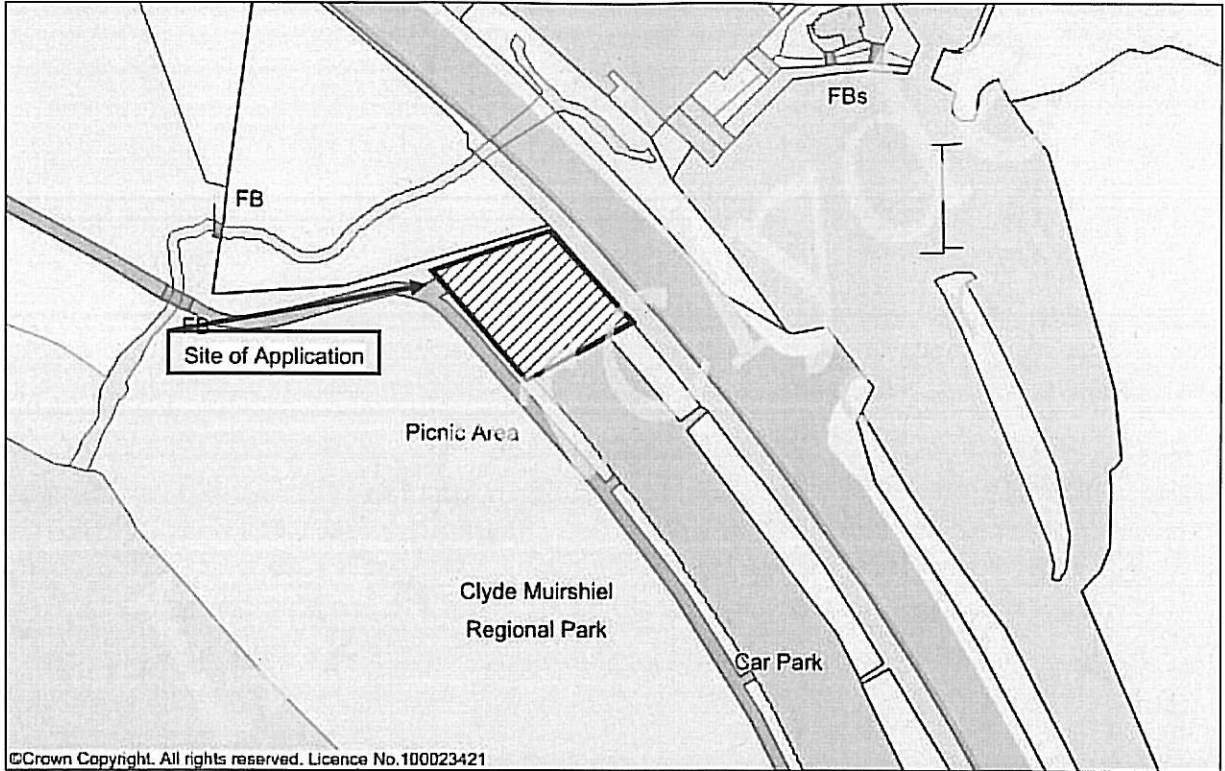
#### Reasons

1. Due to the temporary nature of the building and to ensure the proper reinstatement of the site.
2. To help arrest the spread of Japanese Knotweed in the interests of environmental protection.
3. To ensure a choice of colour sympathetic to the countryside location.

N.McLaren  
Development and Building Standards Manager

#### BACKGROUND PAPERS

1. Application form
2. Application plans
3. Inverclyde Local Plan
4. Consultation Responses



Application Number	11/0291/IC
Location	Lunderston Bay Car Park Cloch Road Gourrock
Proposal	Formation of a public toilet



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