
Report To:	The Planning Board	Date:	1 February 2012
Report By:	Head of Regeneration and Planning	Report No:	11/0122/IC Plan 02/12
Contact Officer:	David Ashman	Contact No:	01475 712416
Subject:	Notification of Planning Appeal Decision: Erection of a four storey building comprising a retail unit at ground floor level, associated storage area at lower ground floor level and office accommodation at first and second floor level at 32 - 36 Kempock Street, Gourock		

INTRODUCTION

In September 2011 planning permission was refused for the erection of a four storey building comprising a retail unit at ground floor level, associated storage area at lower ground floor level and office accommodation at first and second floor level at 32 - 36 Kempock Street, Gourock

. Planning permission was refused for the following reasons:

1. That the scale, siting, design and positioning of the proposed building is not in keeping with the established Kempock Street streetscene, and as it will overshadow existing adjacent properties, it will consequently not make a positive contribution to the quality of the urban environment and is therefore contrary to policies DS5 and R10(f) of the Inverclyde Local Plan.
2. That as the proposed development will generate demand for on-street and off-street parking associated with customers and servicing, resulting in congestion on Kempock Street, it will be detrimental to the operation of existing adjacent businesses and thus the vitality and viability of the town centre would be adversely affected, all contrary to Policy R10 (c) and (g) of the Inverclyde Local Plan.
3. That the additional traffic and congestion likely to occur as a result of the proposed development will be to the detriment of traffic safety on Kempock Street.

The appeal was considered by written submissions. A claim for an award of costs against the Council was also made.

NOTIFICATION OF DECISION

The Reporter found Local Plan policies encourage retail development in Gourock town centre but that Policies R10 and DS5 indicate a need for closer examination of design, parking and traffic congestion.

He accepted that the existing building has a certain charm, but without listed status it is not protected from demolition. Although the proposed replacement has a greater visual impact, there are a variety of architectural styles, building sizes, materials and detailing within Kempock Street.

He concluded that the proposed building is not visually harmful and has the design benefit of creating a larger shop, office accommodation and access stairs are removed.

The Reporter viewed parking and traffic congestion as being inter-related and accepted that service vehicles may cause congestion. Typical of prosperous and thriving town centres, in the likes of Kempock Street a degree of congestion is seen as inevitable. While the Council may be of the view that the additional problems may be so serious as to merit refusal, no data was submitted to demonstrate this.

In response to representations submitted in opposition to development, the Reporter accepted that new retail development can alter retail patterns, but highlighted that the aim of the development plan is not to continue the status quo. There is no evidence that a 375 square metre floorspace retail unit would have a detrimental impact, and he found fears of wholesale closures to be exaggerated. Disruption during construction is only temporary and is not a reason for refusal.

The Reporter granted planning permission subject to 5 conditions requiring approval of all facing materials, a ground contamination survey and, if necessary, remediation works, the control of infill materials and the provision of privacy screens along the eastern boundary.

The claim for expenses against the Council was rejected. The Reporter, while not accepting the Council's arguments, found it reasonable for the Council to be concerned over design, traffic congestion and safety. It is the role of planning officials to give only their best advice, but the Planning Board is entitled to attach different weight to matters in reaching a decision and he found no evidence of undue influenced by third parties.

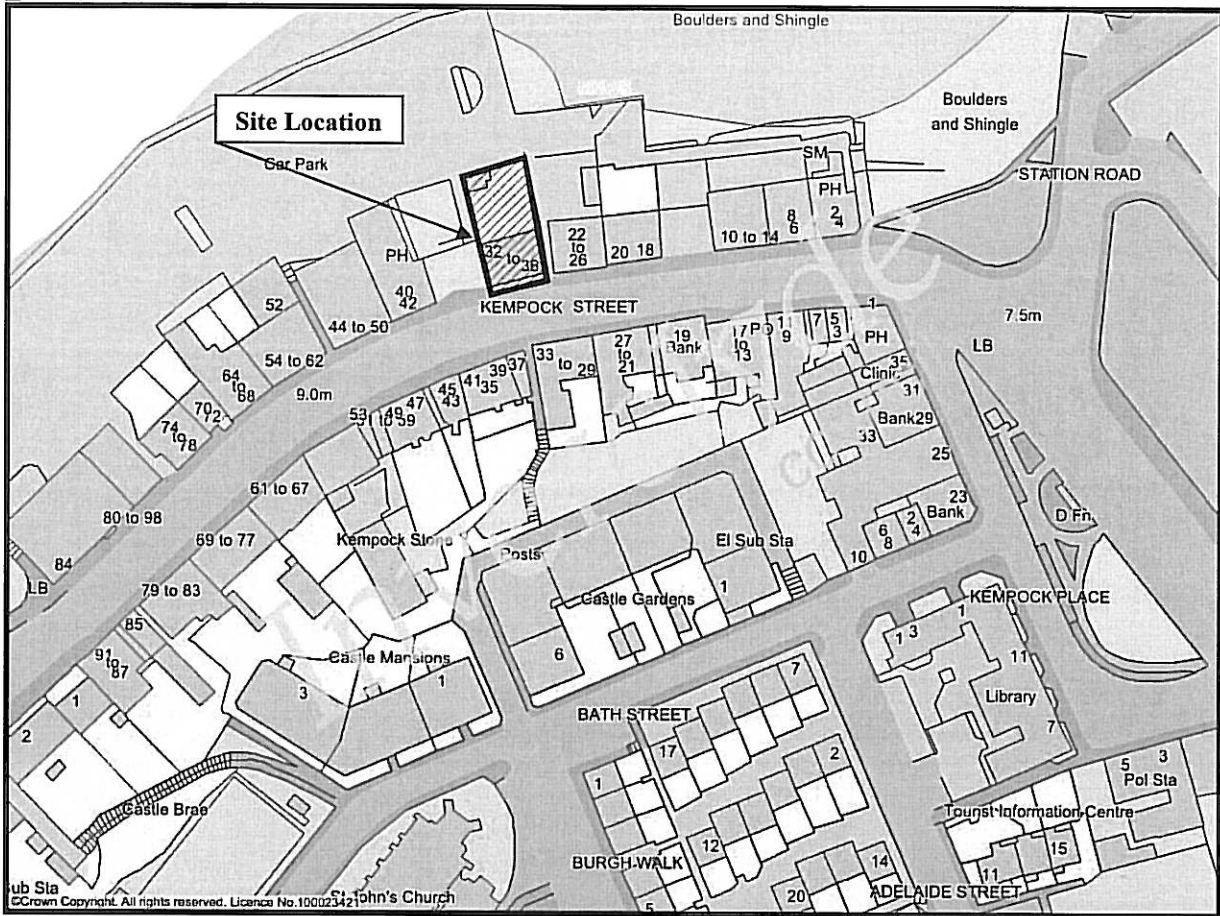
RECOMMENDATION

The Board notes the position.

Stuart Jamieson
Head of Regeneration and Planning

BACKGROUND PAPERS

Planning application 11/0122/IC
Decision letters dated 16 January 2012



Application Number	11/0122/IC
Location	32 - 36 Kempock Street Gourock PA19 1NA
Proposal	Erection of new four storey building comprising retail unit at ground floor level and associated storage area at lower ground floor level and office accommodation at first and second floor level



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