

Report To: The Planning Board

Date: 1 August 2012

Report By: Head of Regeneration and Planning

**Report No: 12/0083/IC
Plan 08/12**

**Local Application
Development**

Contact Officer: David Ashman

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**Subject: Partial demolition and conversion of former car showroom to form retail unit at
21 Eldon Street, Greenock**

BACKGROUND

At the June meeting of the Planning Board consideration of the above planning application was continued for a site visit to allow Members to consider the proposal within its environs. The site visit was undertaken on 19 July 2012.

SITE DESCRIPTION

The application site consists of the former car showroom premises at the corner of Eldon Street and Fox Street within the Greenock West End Conservation Area. It is a stand alone commercial unit situated in an otherwise residential area.



PROPOSAL

The applicant seeks planning permission for the conversion and alteration of the premises to form a Class 1 retail unit. The unit is to have a 287 square metres floor area, following partial

demolition of the Fox Street elevation. Six off street parking spaces, including one disabled space, are to be created to the side of the store off Fox Street. The proposals also involve alterations to the building, including replacing the glass and timber framed frontage with a mix of new glazing and timber walling. The area of ground between the store and Eldon Street is to be soft landscaped with banking raised to the height of a new build retaining wall. A 9.5 square metres area to the rear of the premises and fronting onto Fox Street is to be altered with the removal of the roof and the construction of a new blockwork cavity wall.

A report was prepared on a previous proposal which was due to be considered at the January meeting of the Planning Board. This sought permission to convert the current building, without any reduction in floorspace, to two separate retail units of 280 and 96 square metres respectively. There was no parking provision. The report identified concerns in respect of the level of retail floorspace, increased vehicular and pedestrian activity, vehicular manoeuvres and the lack of off street car parking. The applicant withdrew the application intent on addressing the concerns.

LOCAL PLAN POLICIES

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.

Local Plan Policy H9 - Non-Residential Development Proposals within Residential Areas

The introduction of new, or the extension of, non-residential uses in existing residential areas will be acceptable only where such uses are compatible with the character and amenity of the area and satisfy other relevant policies of the Local Plan.

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.

Local Plan Policy HR11 - Development Within and Adjacent to Conservation Areas

Development proposals both within and adjacent to Conservation Areas will be acceptable where they are sympathetic to the existing character, pattern of development and appearance of the area and the following matters are satisfactorily addressed, as appropriate:

- (a) siting and orientation of new buildings;
- (b) overall design and style;
- (c) scale of building, extension or alteration;
- (d) design details;
- (e) finishing materials; and

- (f) landscaping and boundary materials.

Local Plan Policy HR12 - Impact of Development Within Conservation Areas

When assessing Conservation Area development proposals (both within and adjacent to it) consideration will be given to the impact they will have on townscape and the wider landscape, especially when viewed from adjacent transport routes and vantage points accessible to the public.

Local Plan Policy R10 - Assessing Development Proposals for Town Centre Uses

Any proposal for a development of one or more of the town centre uses identified in Policy R3, or for any other commercial use within a defined centre, will be required to satisfy the criteria listed below:

- (a) for developments on the edge of, or outside, the designated Centres, and retail developments on the edge of, or outside, Greenock's Central Shopping Area, the applicant should have adopted a sequential approach to site selection, including consideration of sites identified under Policy R6;
- (b) the applicant having demonstrated that there is a capacity for the development in terms of expenditure compared to turnover in the appropriate catchment area, or a qualitative deficiency in existing provision;
- (c) the proposal should not have a detrimental effect, including cumulatively, on the vitality and viability of existing Centres;
- (d) the size and format of the development is appropriate to the Centre for which it is proposed;
- (e) the proposed development should be accessible by a choice of means of transport from its forecast catchment, make provision for improved infrastructure where deemed necessary, not result in unacceptable changes in travel patterns and, where required, be supported by the production of a Transport Assessment;
- (f) the proposed development should be to a high standard of design and its scale, siting and relationship to the surrounding townscape and land uses should make a positive contribution to the quality of the urban environment;
- (g) the proposal should not have a detrimental effect on residential amenity or on the amenity and effective operation of existing businesses;
- (h) the proposal should be consistent with other relevant national, Structure Plan and Local Plan policies and guidelines, including any Town Centre Strategy or other relevant initiative which may have been instigated, the Council's Roads Development Guide, 1995 and any other standards; and
- (i) in Greenock Town Centre the proposed development should be consistent with Policies R4 and R5.

Where the proposal includes either a convenience retail development of over 1,000 square metres gross; comparison retail development of over 2,000 square metres gross; or Use Class 11 (Assembly & Leisure) developments that will attract a large number of users, it should be accompanied by a statement of justification addressing the above criteria and the criteria set out in the Structure Plan and NPPG8. At the Council's discretion, applications for development within designated Centres or small-scale development of town centre uses outwith the designated Centres may be exempted from the requirement to be justified against criteria (a)-(d).

Local Plan Policy R13 - Shopping Facilities to Meet Local Needs

Inverclyde Council, as Planning Authority, will support the retention, improvement and, subject to Policy R10, the provision of local shopping facilities where they meet local needs. A proposed change of use to non-retail use will not be supported where it is considered to conflict with this objective.

CONSULTATIONS

Head of Environmental and Commercial Services - 18 car parking spaces should be provided. It is noted that only 6 are provided but that there are ample on-street opportunities to accommodate the remaining 12 spaces. A standard footway crossing is to be provided. All surface water is to be contained within the site.

PUBLICITY

The application was advertised in the Greenock Telegraph on 9th March 2012 as a development affecting conservation areas.

SITE NOTICES

A site notice was posted on 9th March 2012 for Development Affecting Conservation Areas.

PUBLIC PARTICIPATION

23 objections have been submitted. The points of objection may be summarised as follows:

Policy issues

- The proposal is contrary to the Local Plan.

Traffic safety

- Increased traffic levels will impact on manoeuvres at the Fox Street/Eldon Street junction.
- Reverse movements from the parking bays close to the Fox Street/Eldon Street junction will be detrimental to traffic safety on account of the close proximity to the junction.
- Car using shop customers and service vehicles will lead to more parking, potentially leading to double parking and removing parking opportunities for residents.
- Parking within bus bays on Eldon Street will lead to double parking by buses.

Pedestrian safety

- Increased traffic levels and parking close to the shop and bus bays will adversely affect the safety of pedestrians crossing Eldon Street.
- Parking may block lowered kerbs for wheelchair/pram/pushchair users.
- There will be poor visibility at the parking bays, especially for reverse manoeuvres.
- Run off from the parking bays will adversely affect pedestrian safety on Fox Street, especially in winter temperatures.

Residential amenity issues

- Increased noise levels, from increased traffic and pedestrian activity (the latter from possible loitering by youths depending on the use of the property) and late opening hours.
- A retail store would be uncharacteristic of the area and detrimental to residential amenity.
- Potential for litter.

General issues

- Concerns over sale of alcohol.

- No need for a convenience store with 3 already within approximately 1 mile.
- Devaluation of adjacent residences.
- Damage to the surface of Jardine Terrace.
- Commercial competition.
- The range of issues raised by this application justified asking for an Environmental Impact Assessment.
- The Council is being inconsistent in its assessment of the relevance of issues between the current application and the previous application.

Some objectors have made reference in their representations to the previous proposal which was withdrawn from the January meeting of the Planning Board.

ASSESSMENT

The material considerations in determination of this application are the Local Plan, the consultation response and the letters of representation.

The Local Plan locates the site within the Greenock West End Conservation Area, under policy HR11 (with the associated HR1 and HR12 policies). This is a residential area as defined by policy H1. As a proposed non-residential use of an existing non-residential building, and as the proposed alterations to the building are considered in principle to have a neutral visual impact on the conservation area, it is considered that the proposed development does not have implications for the issues addressed by policies HR1, HR11 and HR12. The impact of the proposal on residential amenity is more appropriately assessed against policies H1, H9 and R13 (with reference to R10). It should be noted that Policy R13 supports shopping facilities to meet local needs subject to an assessment of the relevant criteria in Policy R10. I consider that the policy implications for H1 and H9 are best assessed against the relevant criteria in policy R10, specifically criterion (g).



Compatibility with the character and amenity of the area relates to the nature of the proposed use and the possible material impacts associated with it. Class 1 use of premises primarily relates to “shops” (i.e., the retail sale of goods) but can include a range of associated uses such as dry cleaners, travel and ticket agencies and hairdressers. No specific future occupiers have been identified by the applicant. Until recently, the premises were in use as a car showroom. This would have attracted members of the visiting public and there is a base level against which activity generated by the proposed use has to be considered. By their nature, Class 1 units have the potential to generate more visits by members of the public than a car showroom and potentially over a longer period each day. Objectors have expressed concern over this and its impact on their amenity, especially in respect of noise from customers either through vehicular or pedestrian activity. The unit fronts onto Eldon Street, a busy “A” class road, hence there is already background noise level. Most objectors’ concerns relate to a possible convenience store and it may be helpful to assess the anticipated noise impact of the proposal on this basis. I have noted the level of activity at the nearby convenience stores drawn to my attention by the

objectors. Based on my observations, I do not consider that the level of vehicular or pedestrian based customer activity at one Class 1 unit, set against the established background noise levels, would unacceptably impact on residential amenity to the extent that would justify refusal of the application. Furthermore, the provision of isolated retail outlets within a mainly residential environment is an identifiable trait in urban morphology and, as such, not an uncharacteristic development.

With respect to the other relevant criteria of policy R13 and, in particular, criteria (a) to (c), the proposal is not of a scale that would be likely to impact on the existing Greenock Town Centre. In terms of criterion (e), I note the availability of bus stops immediately adjacent to the site to encourage the use of public transport whilst with respect to (f), the proposed alterations to the existing building, in bringing a disused building back into use, will bring positive benefits to the appearance of the unit. Turning to criterion (h), I note that this proposal shows the provision of 6 dedicated spaces. Although this falls short of the number suggested by the Roads Development Guide, I note that the Head of Environmental and Commercial Services considers that there are ample on-street parking opportunities to address the shortfall.

I am therefore satisfied that the proposal addresses the relevant criteria of policy R10 and is acceptable with reference to policies R13, H1 and H9.

It remains to be considered if there are material considerations which suggest that planning permission should not be granted. There are points of objection that have not already been addressed in this report. The objectors have raised various issues in respect of traffic and pedestrian safety, including those associated with vehicular manoeuvres, double parking, parking in bus bays and pedestrian crossing of Eldon Street, but I note that the Head of Environmental and Commercial Services has not raised objections. The issue of run-off from the parking bays may be addressed by condition as the containment of surface water within the site has been identified as an issue by the Head of Environmental and Commercial Services.

Concerns over the potential for commercial competition and potential effects on the valuation of property are not material planning considerations. I do not consider it appropriate to control possible late hours openings, and concerns over the future sale of alcohol from the site are properly addressed if necessary when any licence application is made. The potential for littering and loitering do not justify refusal of planning permission. Given the distance of Jardine Terrace from the site I do not consider concerns over potential impacts on the condition of that road surface to be a determining factor. The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011 specify the nature and scale of development requiring to be the subject of an Environmental Impact Assessment. This development does not fall within the requirements. Finally I am satisfied that both this and the previous proposal have been assessed appropriately. As a smaller development the impact is reduced and this is reflected in this assessment.

I conclude that there are no material considerations suggesting that planning permission should be refused.

RECOMMENDATION

That the application be granted subject to conditions.

Conditions

1. That prior to the start of development samples of all facing materials shall be submitted to and approved in writing by the Planning Authority.
2. That the parking spaces hereby permitted shall be marked out and finished in a sealed surface to be approved in writing by the Planning Authority prior to the unit being brought into use.
3. That the parking spaces hereby permitted shall be fitted with interceptors to prevent runoff reaching the footway.

4. That prior to the start of development full details of the proposed landscaping treatment to the front of the unit shall be submitted to and approved in writing by the Planning Authority. It shall thereafter be implemented prior to the unit being brought into use.
5. That details of the finishes to the new external walls shall be submitted to and approved in writing by the Planning Authority prior to their construction.

Reasons

1. To ensure the appropriateness of these materials to the Conservation Area.
2. To prevent deleterious materials being carried onto the adjacent footpath in the interests of pedestrian safety.
3. In the interests of pedestrian safety.
4. In the interests of the visual amenity of the Conservation Area.
5. In the interests of the visual amenity of the Conservation Area.

Stuart Jamieson
Head of Regeneration and Planning

BACKGROUND PAPERS

1. Application form and plans.
2. Inverclyde Local Plan.
3. Consultation reply.
4. Letters of objection.
5. Planning application 11/0293/IC.



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