
Report To:	The Planning Board	Date:	2 April 2014
Report By:	Head of Regeneration and Planning	Report No:	14/0023/IC
			Local Application Development
Contact Officer:	Michael Martin	Contact No:	01475 712412
Subject:	Change of use from Class 1 (Laundrette) to Class 2 (Bookmaker) together with the installation of a new shopfront, aerial and associated alterations at 22 Kilblain Street, Greenock.		

SITE DESCRIPTION

The application site comprises a shop unit, currently operating as a laundrette situated on the north-west side of Kilblain Street, Greenock. The premises are single storey and form part of a commercial development known as the Stewart Centre.



PROPOSAL

The proposal is in respect of the change of use from Class 1 (shop) to Class 2 (financial professional and other services). A Class 1 use permits the retail sale of goods and a variety of other similar uses where a service is provided principally to visiting members of the public. This includes post offices, travel agencies, hairdressers, laundrettes and dry cleaners. The premises are currently occupied as a laundrette. A Class 2 use permits occupation by a range of services not

included in Class 1, but which are also provided principally to visiting members of the public and which the public expects to find in shopping areas. These uses include betting shops, dentists, vets, estate agents and the offices of lawyers. The application informs that the proposed use is as a betting office.

The application also includes external changes to the building. These consist of a replacement shopfront formed in blue powder coated aluminium, and on the rear elevation the infilling of three small window openings together with partial infilling to a doorway opening, the provision of two air conditioning units, and a replacement TV aerial.

DEVELOPMENT 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;
- (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.

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 R18 - Shopfront Design

Inverclyde Council, as Planning Authority, will require new shopfronts to be compatible with the development site and its surroundings and to take cognisance of Planning Practice Advice Note No. 12 on Shopfront Design or any other relevant standards.

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.

PPAN12 - Shopfront Design applies.

PROPOSED LOCAL DEVELOPMENT PLAN POLICIES

Policy TCR1- Network of Designated Centres

The following hierarchy of centres are designated as locations where a range of town centre uses will be appropriate in order to support the role and function of the particular centre, as well as their vitality and viability:

Strategic Town Centre:

- (a) Greenock, subdivided into a 'Central Area' and 'Outer Area'

Town Centres:

- (a) Port Glasgow
- (b) Gourrock

Local Centres:

- (a) The Cross, Kilmacolm

- (b) Dubbs Road, Port Glasgow
- (c) Sinclair Street, Greenock
- (d) Lynedoch Street, Greenock
- (e) Barrs Cottage (Inverkip Road and Dunlop Street), Greenock
- (f) Cumberland Walk, Greenock (proposed redevelopment)
- (g) Cardwell Road, Gourock
- (h) Kip Park, Inverkip
- (i) Ardgowan Road, Wemyss Bay

Policy TCR2 - Sequential Approach to Site Selection for Town Centre Uses

Proposals for development of town centre uses as set out in Policy TCR3 will be subject to the sequential approach as set out below:

- (a) Greenock Central Area;
- (b) Port Glasgow and Gourock Town Centres;
- (c) Greenock Outer Area (subject to Policy TCR5);
- (d) sites on the edge of Greenock, Port Glasgow and Gourock Town Centres; and only then,
- (e) out-of-centre sites that are or can be made accessible by a choice of public and private transport modes.

The principles underlying the sequential approach also apply to proposals to expand or change the use of existing developments, where the proposals are of a scale or form sufficient to change a centre's role and function.

Policy TCR3 -Town Centre Uses

The following town centre uses will be directed to the Central Area of Greenock Town Centre, Port Glasgow and Gourock Town Centres and the Local Centres, subject to Policy TCR7:

- (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.

Policy TCR7 - Assessing Development Proposals for Town Centre Uses

To assist the protection, enhancement and development of the designated Centres, all proposals for the development of town centre uses identified in Policy TCR3, or for any other commercial uses within a designated centre, will require to satisfy the following criteria:

- (a) the size of the development is appropriate to the centre for which it is proposed;
- (b) it is of a high standard of design;
- (c) it has an acceptable impact on traffic management and must not adversely impact on road safety and adjacent and/or nearby land uses;
- (d) it does not have a detrimental effect on amenity or the effective operation of existing businesses;
- (e) it is consistent with any Town Centre Strategy or other relevant initiative; and
- (f) has regard to Supplementary Guidance on Planning Application Advice.

Proposals for town centre uses outwith the designated Centres, unless they are small scale development to meet local needs that are subject to Policy TCR10, must also demonstrate:

- (g) that no appropriate sequentially preferable site exists;
- (h) that there is capacity for the development in terms of expenditure compared to turnover in the appropriate catchment area;

- (i) that there will be no detrimental impact, including cumulatively, on the viability and vitality of the designated Centres (Policy TCR1); and
- (j) in the case of temporary street markets, the operation will be for a maximum of 13 days in any 12 month period.

Proposals for retail and leisure development over 2,500 square metres outwith the designated town centres and that are not in accordance with the Development Plan should be accompanied by a retail impact analysis, as should any town centre proposal that the Council considers likely to have a potentially detrimental impact on the vitality and viability of the designated Centres. At the Council's discretion, applications for small-scale development of town centre uses outwith the designated Centres may be exempted from the requirement to be justified against criteria (g) - (i).

PAAN11 - Shopfront Design applies.

CONSULTATIONS

Head of Safer and Inclusive Communities – No objections subject to advisory notes on external lighting, CDM Regulations and storage of waste.

PUBLICITY

The application was advertised in the Greenock Telegraph on 7th February 2014 as a Schedule 3 development.

SITE NOTICES

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

PUBLIC PARTICIPATION

Four objections have been lodged, one being on behalf of the proprietors of a nearby betting office and the remainder from members of the public. The grounds of objection are that the proposal fails to comply with policies R4 and R10(c) of the Inverclyde Local Plan, the number of other betting offices within the Greenock Town Centre and on moral grounds.

ASSESSMENT

The material considerations in the determination of this planning application are the Local Plan, Planning Practice Advice Note (PPAN) 12, the proposed Local Development Plan, Planning Application Advice Note (PAAN) 11 (Shopfront Design), the consultation response and the written representations.

Policies R1 of the Local Plan and TCR1 of the proposed Local Development Plan combine to locate the site within Greenock Town Centre. The application site lies within the defined Greenock Town Centre in the Local Plan, but outwith the area of policy R4, where there are restrictions on non Class 1 uses on the ground floor frontage. As a Class 2 use the proposal accords with criterion (a) of Local Plan Policy R2 and this is also supported by Local Plan Policy R3 and proposed Local Development Plan Policy TCR3.

Uses according with Local Plan Policy R3 require to be assessed against the relevant criteria (e-h) of Local Plan Policy R10 and criteria (a-f) of proposed Local Development Plan Policy TCR7. The above criteria identify the need for assessment against accessibility, design, impact on amenity and the effective operation of existing businesses, other planning policies and the Council's Roads Development Guide.

I note that the site is well placed for access to public transport facilities. I also consider the external alterations to the building are acceptable in terms of design. Whilst the proposed shopfront

changes from grey to blue, this variation is consistent within the overall context of the existing colour scheme of the Stewart Centre. The proposed air-conditioning units are of a position, size and design similar to others nearby and the new aerial is only slightly higher than the existing. These design changes accord with Local Plan Policy R18, PPAN 12 and the proposed PAAN 11. I note that Local Plan policy DC1 indicates that the Council will support applications which comply with the principles established by the PPANs.



With respect to the effective operation of existing businesses in a planning sense, the introduction of a Class 2 use is wholly compatible with the retail mix. The intent of the legislation is to permit the free interchange of businesses within a wide range of services. So, while I note the specific objections to a betting office, this is only one of a range of interchangeable uses permitted if planning permission is granted. It is not for the planning system to obstruct or protect from competition should others seek to operate within the same service range, in this case a betting office. Indeed, it should be noted that the planning system permits the change of use of any premises currently operated within the mix of Class 2 businesses to a betting office without requiring planning permission; likewise a betting office may close down and be opened as any other Class 2 business without consent. Moral issues are not material planning considerations.

There are no national or strategic planning policies which impact upon this level of development and, being a town centre location, the proposal presents no conflict with the Council's Roads Development Guide.

From my assessment of the proposal under Local Plan policy R10 and proposed Local Development Plan policy TCR7 I am satisfied that it presents no conflict. I am further satisfied that the scale of the proposal does not change the Town Centre's role and function and, as a consequence, accords with proposed Local Development Plan policy TCR2.

RECOMMENDATION

That the application be granted.

Stuart Jamieson
Head of Regeneration and Planning

BACKGROUND PAPERS

1. Application form and plans.
2. Inverclyde Local Plan.
3. Inverclyde Local Development Plan.
4. Consultation replies.
5. Letters of representation.



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