

Report To: The Planning Board

Date: 1 March 2017

Report By: Head of Regeneration and Planning

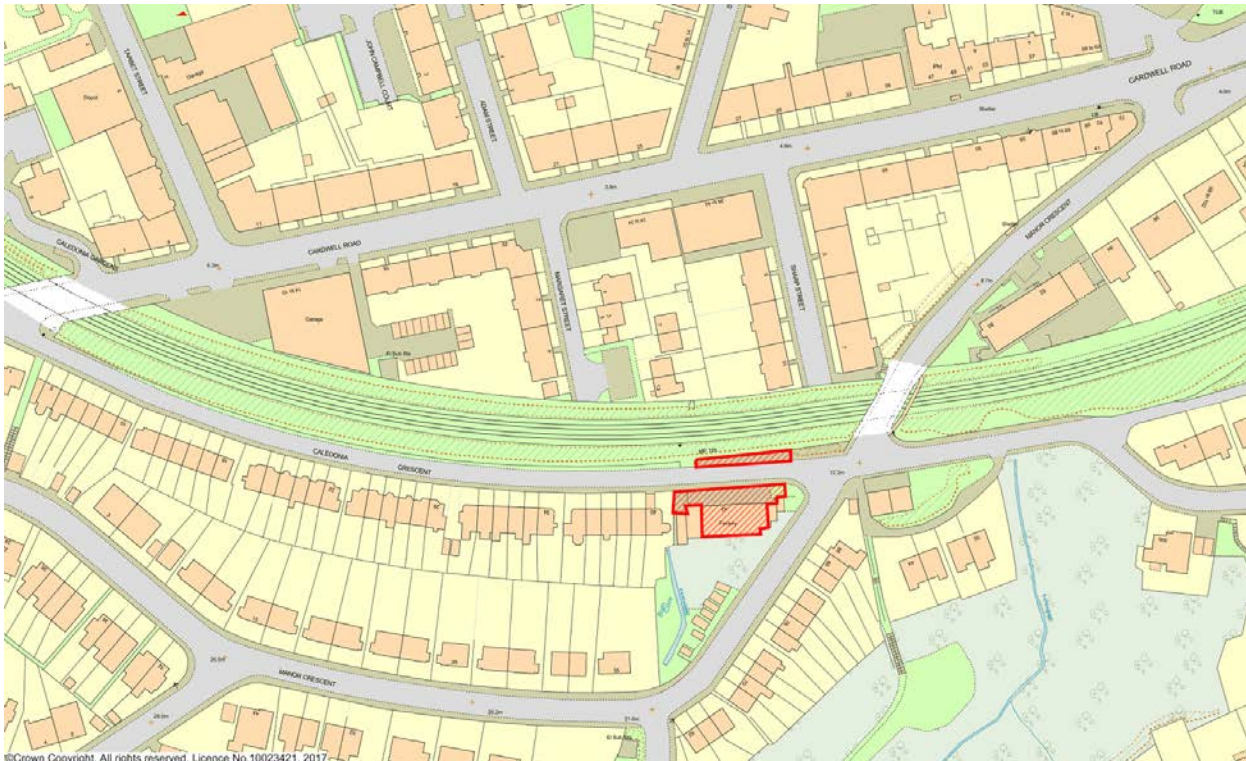
Report No: 16/0139/IC
03/17

**Local Application
Development**

**Contact
Officer:** Stuart Jamieson

Contact No: 01475 712462

Subject: Change of use of part of joinery workshop (Class 5) to a dance studio (Class 11) at
Factory, 43 Caledonia Crescent, Gourock



SUMMARY

- The proposal presents no conflict with the Inverclyde Development Plan.
- Five objections have been received from six individuals.
- Consultations present no impediment to development.
- The recommendation is to GRANT PLANNING PERMISSION subject to conditions.

Drawings may be viewed at:

<https://planning.inverclyde.gov.uk/Online/applicationDetails.do?activeTab=summary&keyVal=NTQHK3IM00300>

SITE DESCRIPTION

The application site comprises a detached single storey building, last used as a joinery workshop, located on the southern side of Caledonia Crescent, Gourrock, adjacent to the junction with Manor Crescent. The building is set back from the heel of the footpath by approximately 6 metres with a forecourt area situated in front of the building which is surfaced primarily in rough tarmac and is partly at a higher level than the adjacent roadway. The application site also includes a narrow strip of undeveloped land on the opposite side of Caledonia Crescent, adjoining the cutting for the Gourrock to Glasgow railway line. The wider area is residential in nature with a variety of dwellinghouses lying adjacent on Caledonia Crescent and Manor Crescent.

PROPOSAL

In October 2015, planning permission was refused for the change of use of the whole building to a dance studio (Class 11) due to the inability of the application site to accommodate the required level of off-street car parking provision and the fact that the proposal would generate additional demand for on-street parking in an area where there is currently high demand. It was therefore considered that the proposal was contrary to policy RES6 of the Local Development Plan. This refusal was subsequently upheld by the Inverclyde Local Review Body.

For the 2015 application, the floor area proposed for use as dance studio was around 210 square metres with the remainder of the floor space being given over to ancillary areas such as a reception area and lavatories.

This proposal reduces the size of the dance studio area to around 160 square metres excluding ancillary areas. A 50 square metre area to the western part of the main hall would be blocked off and not form part of the dance studio use. Seven off-street parking spaces are indicated within the forecourt of the building, and a further seven spaces provided on the strip of undeveloped land on the opposite side of Caledonia Crescent, parallel to the road.

The applicant advises that the proposed use is intended to operate Monday to Thursday from 4.30pm to 9pm. Class sizes would be limited to 15 and are aimed at children. The applicant also advises that pupils would travel by a car sharing arrangement which operates at the current venue and also by public transport. Parents will also be requested not to stay during the classes but to leave and return at the end.

DEVELOPMENT PLAN POLICIES

Policy RES1 - Safeguarding the Character and Amenity of Residential Areas

The character and amenity of residential areas, identified on the Proposals Map, will be safeguarded and where practicable, enhanced. Proposals for new residential development will be assessed against and have to satisfy the following criteria:

- (a) compatibility with the character and amenity of the area;
- (b) details of proposals for landscaping;
- (c) proposals for the retention of existing landscape or townscape features of value on the site;
- (d) accordance with the Council's adopted roads guidance and Designing Streets, the Scottish Government's policy statement;
- (e) provision of adequate services; and
- (f) having regard to Supplementary Guidance on Planning Application Advice Notes.

Policy RES6 - Non-Residential Development within Residential Areas

Proposals for uses other than residential development in residential areas, including schools, recreational and other community facilities will be acceptable subject to satisfying where

appropriate, the following criteria:

- (a) compatibility with the character and amenity of the area;
- (b) impact on designated and locally valued open space;
- (c) impact of the volume, frequency and type of traffic likely to be generated;
- (d) infrastructure availability;
- (e) social and economic benefits; and
- (f) the cumulative impact of such a use or facilities on an area.

CONSULTATIONS

Head of Safer and Inclusive Communities – The premises should not be used outwith the hours of 0700 to 2100 in order to protect the amenity of nearby residential properties in respect of noise disturbance. Conditions relating to external lighting and bin provision are also recommended.

Head of Environmental and Commercial Services – The most applicable parking standard for this development is 14 spaces. It is noted that 5 spaces are to be provided within the boundary of the site, albeit that 3 of them are substandard. The applicant should endeavour to meet the required standard of 2.5m by 5m. The two easternmost spaces next to the building should be allocated to staff to ease traffic flow. Vehicle restraint systems shall be designed and installed on top of the wall by a qualified organisation where vehicles will park to prevent incursion onto the adjacent footway. A formal structural inspection of the walls which will hold 2 parked vehicles shall take place by a suitably qualified person and any recommendations shall be fulfilled prior to occupation of the site.

A flat top kerb should be used to delineate the edge of the road at the layby parking, with the parking constructed in accordance with the National Roads Development Guide. It would be preferable that the spaces in the layby adjacent to the railway should be a minimum length of 2.9m by 5.5m to prevent any overhanging of the road. The applicant shall consult Network Rail and the Council as Roads Authority in this regard and with respect to rail incursion issues.

The pedestrian barriers, road markings, and kerb delineation shall be agreed with the Roads Authority via a Section 56 Agreement. There should be a gap of 2 metres in the barriers to allow people to cross Caledonia Crescent. A minimum footway width of 1.4 metres shall be provided where barriers are installed. It should be noted that any “Keep Clear” or H-bar markings are advisory only and cannot be enforced by parking attendants.

Network Rail – No objections.

PUBLICITY

The application was advertised in the Greenock Telegraph on 17th June 2016 as there are no premises on neighbouring land.

SITE NOTICES

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

PUBLIC PARTICIPATION

Five objections have been received from six individuals. The concerns raised can be summarised as follows:

- The proposal will exacerbate the already difficult parking within the vicinity.

- Increased demand for parking is most likely to occur in the evenings when residents are usually at home and the demand for car parking is at its greatest, causing the greatest difficulty for those residents without driveways.
- The position at the junction and blind corner would result in safety issues and the probability of accidents at the junction with Manor Crescent and Caledonia Crescent would greatly increase.
- Parking already occurs on existing double yellow lines and cars would likely park on the pavement if permission was granted to the detriment of the safety of pedestrians, including young children.
- An existing dance school on Cove Road nearby already causes parking problems.
- Increased demand for on street parking and resultant traffic congestion in Caledonia Crescent and the adjoining streets, particularly Manor Crescent.
- Nearby residents did not receive a neighbour notification advising them of the application.
- There is a lack of detail in respect of the proposed works to the building.

I will consider these concerns in my assessment.

ASSESSMENT

The material considerations in the assessment of this application are the Inverclyde Local Development Plan, the impact on the amenity of adjacent residents, the consultation responses, the objections received and the recent planning history of the site.

The application site lies within a residential area as defined by the Local Development Plan and policy RES1 seeks to ensure that the character and amenity of residential areas is safeguarded and where practicable, enhanced. Policy RES6 advises on non-residential development within residential areas and sets out the criteria for the assessment of such proposals. In the assessment of the 2015 application, it was considered that the proposed use was compatible with the character and amenity of the area and that it is not unusual to find social facilities with similar pedestrian and traffic generation including church halls and scout buildings for example in residential locations. The hours of operation of the premises as set out in the consultation response from the Head of Safer and Inclusive Communities can be addressed by condition and I note that in any case, the applicant does not proposed to operate outwith these hours.

It therefore remains to consider whether this proposal, with the reduction in the dance floor area compared to the 2015 application, addresses the previous reasons for refusal. The reduction in the floor area reduces the potential number of pupils in each dance class. In the previous application submission the applicant advised that the indicative class size would be up to 18 pupils, although classes of a maximum of 30 pupils may occur. For this proposal, the applicant advises on a maximum of 15 pupils in any class.

The Head of Environmental and Commercial Services notes that of the 5 spaces provided within the site 3 are substandard and that the layby parking bays are also substandard. I note that there is insufficient room for the standards within the National Roads Development Guide to be met, but also that the Head of Environmental and Commercial Services does not state that planning permission should be refused should the standards not be met. Although requested by the Head of Environmental and Commercial Services I consider that liaison with Network Rail over incursion issues is not necessary as there was no comment or objection in this regard from Network Rail. The other matters raised may be addressed by conditions or advisory notes on a grant of planning

permission with the exception of the requirement for a visibility curve at the junction of Caledonia Crescent and Manor Crescent.

Whilst I note the road safety concerns raised in the objections received, given the above advice of the Head of Environmental and Commercial Services I do not consider it appropriate to refuse this revised planning application on the grounds of parking and road safety.



Considering the outstanding points raised in the objections received, the application relates to a change of use of the premises and I consider that sufficient detail has been submitted to allow a full assessment of the proposal for the change of use. Whilst I note that it is raised that a dance school operates at Cove Road, I do not consider it appropriate to refuse planning permission for a change of use of this premises solely on this basis. Finally, neighbour notification was issued to the residents of neighbouring property lying within 20 metres of the application site, in accordance with The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013. An advert was also placed in the Greenock Telegraph on 17 June 2016.

Finally, matters relating to bins and external lighting as raised by the Head of Safer and Inclusive Communities can be addressed by advisory note.

In conclusion, subject to the conditions below, I consider that in accordance with the advice from the Head of Environmental and Commercial Services the revised proposal overcomes the previous reason for refusal and the proposal is therefore acceptable in terms of policies RES1 and RES6 of the Inverclyde Local Development Plan. Whilst I am mindful of the objections received, there are no material planning considerations that prevent planning permission being granted.

RECOMMENDATION

That the application be granted subject to the following conditions:

1. That the dance studio use shall only occupy the area denoted by the hatches on approved drawing 03 and, prior to the commencement of the dance studio use, all other areas of the building shall be permanently blocked off out of use and remain so at all times thereafter to the satisfaction of the Planning Authority.
2. That prior to the commencement of the dance studio use, full details of a scheme of road marking both within and adjacent to the site shall be submitted to and approved in writing by the Planning Authority. The markings shall then be set out as approved prior to the commencement of the dance studio use to the satisfaction of the Planning Authority.

3. That prior to the commencement of the dance studio use, the parking areas shall be surfaced to a sealed wearing course to the satisfaction of the Planning Authority.
4. That prior to the commencement of the dance studio, a formal structural inspection of the walls which will hold 2 parked vehicles shall take place by a suitably qualified person and any recommendations shall be fulfilled prior to occupation of the site.
5. That notwithstanding the approved plans the two easternmost spaces next to the building should be allocated to staff to ease traffic flow.
6. That prior to the commencement of the dance studio, vehicle restraint systems shall be designed and installed on top of the walls associated with the parking bays next to the building by a qualified organisation to prevent incursion onto the adjacent footway.
7. That prior to the commencement of the dance studio, a flat top kerb should be used to delineate the edge of the road at the layby parking, with the parking constructed in accordance with the National Roads Development Guide.
8. That prior to the commencement of the dance studio, a pedestrian barrier shall be provided at the corner of Caledonia Crescent and Manor Crescent and shall include 2 metres gaps to allow pedestrian crossing points. A minimum footway width of 1.4 metres shall be provided where the barriers are installed.
9. The premises shall not be used outwith the hours of 0700 and 2100 daily.

Reasons

1. To ensure the dance studio operates at a level suitable for the congested location, in the interests of road safety.
2. To ensure suitable pedestrian and vehicular safety measures, in the interests of road safety.
3. To ensure suitable pedestrian and vehicular safety measures, in the interests of road safety.
4. In the interests of public safety.
5. In the interests of public safety.
6. In the interests of public safety.
7. In the interests of public safety.
8. In the interests of public safety.
9. To protect the amenities of occupiers of premises from unreasonable noise and vibration levels.

Stuart Jamieson
Head of Regeneration and Planning