
Report To:	The Planning Board	Date:	4th March 2009
Report By:	Head of Planning and Housing	Report No:	08/0270/IC Plan 03/09
Contact Officer:	James McColl	Contact No:	01475 712462
Subject:	Change of use of flat and attic to two self contained flatted dwellings together with the installation of roof windows to the front and rear and two dormer windows to the rear at 37B Campbell Street Greenock PA16 8ER		

BACKGROUND

At the February meeting of the Planning Board, consideration of the above planning application was continued for a site visit to allow Members to consider the site and its environs. The site visit was undertaken on 23rd February 2009.

RECOMMENDATION

That the application be granted

Conditions

1. That the development to which this permission relates must be begun within five years from the date of this permission.
2. That prior to the commencement of work on site, the full specification and details of the rooflights hereby approved be submitted to, and approved by the planning authority. For the avoidance of doubt, the rooflights will be of a conservation type.
3. That prior to the commencement of work on site, the full specification and details of the enlarged window on the north-western gable hereby approved be submitted to and approved by the planning authority.

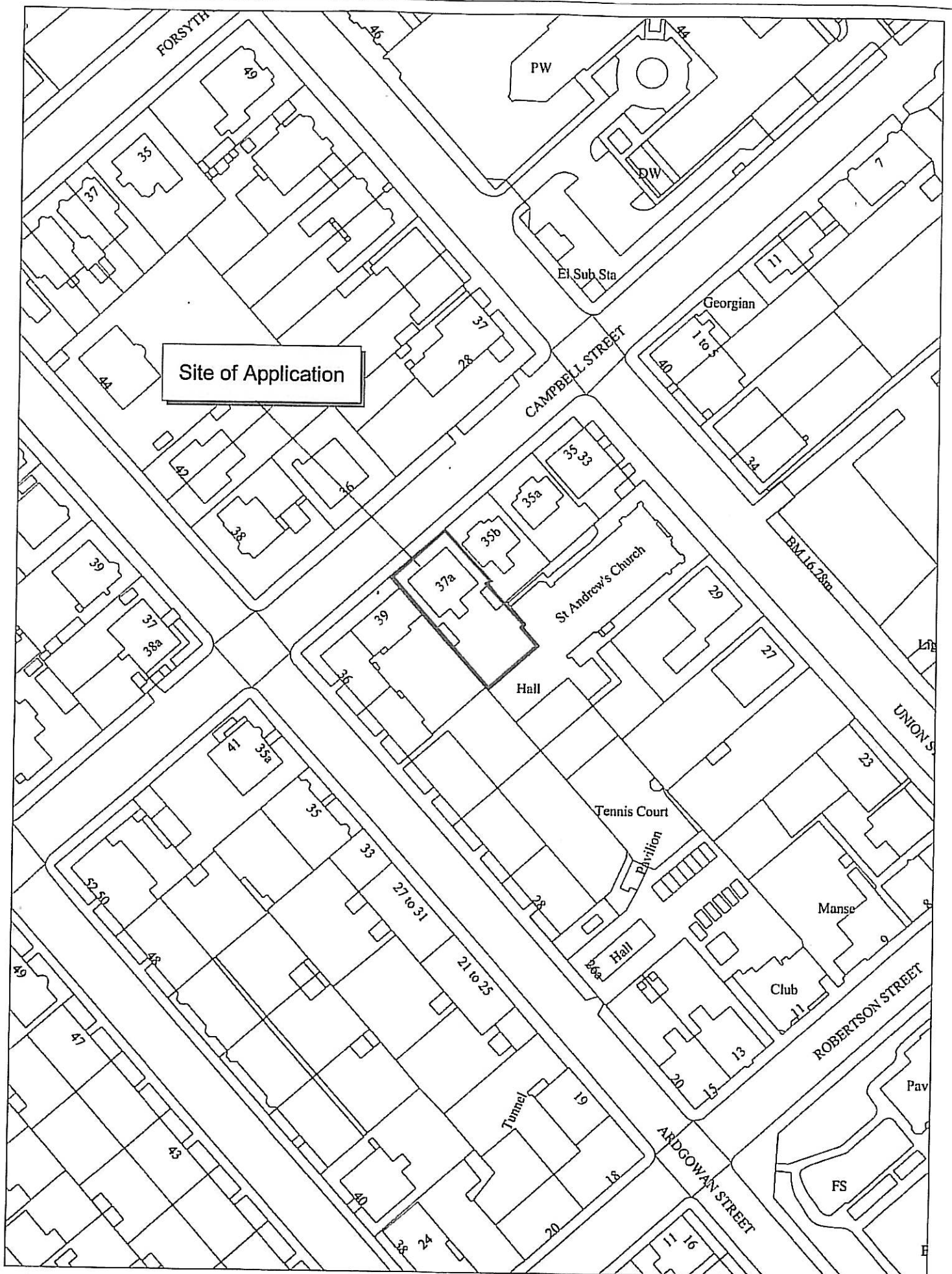
Reasons

1. To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
2. To ensure the rooflights are appropriate for the conservation area.
3. To ensure the window is appropriate for the conservation area.

F. K WILLIAMSON
Head of Planning and Housing

Background Papers

1. Application forms
2. Application Plans
3. Inverclyde Local Plan
4. PPAN 9
5. PPAN 10
6. Historic Scotland's Memorandum of Guidance on Listed Buildings and Conservation areas
7. Consultation response
8. Letters of objections



Date: 13/01/09

Drawn: JML Drg. No. 08/0270/C



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Inverclyde
council
planning and housing

APPENDIX

Inverclyde
council

Agenda Item
No.

1(a)

Report To: The Planning Board

Date: 4th February 2009

Report By: Head of Planning and Housing

Report No: 08/0270/IC
Plan 02/09

**Contact
Officer:** James McColl

Contact No: 01475 712462

Subject: Change of use of flat and attic to two self contained flatted dwellings together with the installation of roof windows to the front and rear and two dormer windows to the rear at
37B Campbell Street
Greenock
PA16 8ER

SITE DESCRIPTION

The application relates to the top floor flat and attic within a three storey (including basement) building. There are three flats within the building which is situated on the south-eastern side of Campbell Street, Greenock. The site lies within the Greenock West End Conservation Area. The existing flat features a lounge, diningroom and three bedrooms. The attic was also previously utilised for living accommodation featuring a lounge area together with three bedroom with a stair (now removed) connecting to the top floor flat.

PROPOSAL

It is proposed to install two dormer windows together with a rooflight to the rear and three roof windows to the front. This will allow the formation of a new self contained three bedroom flat within the attic. The upper window opening on the northern gable will be enlarged.

LOCAL PLAN POLICIES

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 H12 - Proposals for Sub-Division of Residential Units

Proposals for the sub-division of existing residential units for additional dwellings will be supported where each existing and proposed unit provides:

- (a) living accommodation in accordance with the Building Regulations;
- (b) natural lighting, outlook and amenity;
- (c) private ground for the purposes of recreation, domestic refuse storage and drying; and
- (d) parking provision in accordance with the Council's Roads Development Guidelines 1995.

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.

PPAN9 - Dormer Windows applies.

PPAN10 - Roof Lights in Listed Buildings and Conservation Areas applies.

CONSULTATIONS

Head Of Environmental Services – No objections to the proposal.

PUBLICITY

The application was advertised in the Greenock Telegraph on 12th December 2008 as a development affecting the Conservation Areas

SITE NOTICES

A site notice was posted on 12th December 2008 for Development Affecting Conservation Areas.

PUBLIC PARTICIPATION

The application was subject to neighbour notification, a press advert and a site notice. Four letters of objection were received from neighbours at 37 and 37a Campbell Street, Greenock.

Their concerns can be summarised as follows:

1. Parking within the area is difficult and this development would exacerbate the situation.
2. The existing drive is extremely tight and the new development will render it unusable.
3. The use of the existing drive is dangerous for pedestrians

4. The new windows will cause additional overlooking to the rear garden area, to the detriment of the privacy of neighbouring residents.
5. The garden for 37B looks directly into neighbouring windows and as this area will be shared between two flats, the privacy of neighbouring residents will be reduced.
6. The new flat will result in more residents passing neighbouring windows to access their front door, to the detriment of the privacy of neighbouring residents.
7. The proposals will adversely impact on the visual amenity of both the existing building and wider area.
8. There are title restrictions which do not permit street facing windows from the attic.
9. The roof is in common ownership and the alterations will adversely affect the integrity of the roof. Title restrictions do not allow works of this nature to be undertaken and residents will not give their consent.
10. The title deeds state that the building cannot be divided into more than two flats.
11. The new flat will require additional utilities to be installed. Problems have been experienced in the past with services and the gas metre box in unsightly.
12. The additional use of the main door for flat 37B will cause disturbance.
13. The new communal stairway may present issues in terms of fire safety.
14. Scaffold will inhibit access and reduce daylight, and building works will cause children to be unable to play within the garden area.
15. The additional flat will cause structural problems.

I will address these concerns in my assessment.

ASSESSMENT

The material considerations in the determination of this application are the Inverclyde Local Plan, Historic Scotland's Memorandum of Guidance, the effect on the architectural integrity of the building, the impact on the wider conservation area, the consultation response and letters of objection.

In terms of the Inverclyde Local Plan, policies HR11 and HR12 provide criteria for the assessment of development proposals both within and adjacent to conservation areas. The Council's Planning Practice Advice Note (PPAN) number 9 provides the following advice on the formation of new dormer windows:

1. roof dormers should, preferably, be located at the rear of the house where they will be less conspicuous.
2. any new dormer should be subordinate to the existing roof in terms of its shape and size and should usually be set back from the wall head, be below the ridge line of the roof and be set back from the gable ends.
3. exposed fascia boarding on dormers should be used sparingly and should be painted to match the colour of the dormer faces rather than the window frames.
4. where practical the external cladding of the dormer should be similar to that of the original roof.

5. dormers on the hipped gable of a roof should be avoided.
6. the window openings of the dormer should follow the style, proportion and alignment of door and window openings in the existing house.
7. on a building of traditional design, a pitched or sloping roof over each dormer should reflect the architectural style of the building.

Additionally, PPAN 10 provides advice on the formation of new rooflights windows within conservation areas and states that rooflights should be restricted to the rear slope of the roof except where replacing existing skylights on front roof slopes.

I further note the advice of Historic Scotland's Memorandum of Guidance on Listed Buildings and Conservation Areas provides guidelines for planning authorities determining planning applications in conservation areas. It is preferred that new dormers should be located on the rear roof rather than upset the original concept of the front elevation. New rooflights should be limited in number and size and preferably not be located on the principle elevation.

In order to safeguard and maintain the character of the conservation area, proposals for alterations to individual buildings therefore require to be in keeping with their original character. Whilst the building is not listed, it is an attractive and symmetrical building which commands a prominent position within the streetscape. The upper flat and attic previously formed one large flat over two levels, connected by an internal staircase. Daylight to the attic was provided by two dormer windows to the rear and three rooflights to the front. The flat and attic are now in a state of disrepair and this has seen the loss of the internal connecting stair, the rear dormers and two of the three front rooflights. Evidence of their positioning and size within the roof remains.

The new dormer windows to the rear are located in a similar position to those which previously existed. Whilst larger in size, I am satisfied that their scale and design are acceptable. As they are located on the rear, they are not prominent within the streetscape and have no unacceptable impact on the wider conservation area. I am therefore satisfied that the proposed dormers are acceptable in terms of the Inverclyde Local Plan, PPAN 9, and Historic Scotland's Memorandum of Guidance.

In considering the formation of the four rooflights, I find the rooflight to the rear to have an acceptable impact on the existing building and wider conservation area. Whilst it is preferable that rooflights are not located on the front or principle elevation of a building, I am mindful that the centre rooflight is a replacement and that the further two rooflights are to be installed where similar sized rooflight previously existed. I am satisfied that subject to the new rooflights being of a conservation type specification, their installation concurs with the spirit of the guidance contained within Historic Scotland's Memorandum and the Council's PPAN 10, and will have an acceptable impact on the existing building and wider conservation area.

The final external change to the building involves the enlarging of the small upper window on the northern gable. I consider the minor change to the window opening would have a neutral impact on the overall appearance of the building.

In considering the sub-division of the property to form two flats, I am satisfied that living accommodation is in accordance with the Building Regulations. Natural lighting, outlook and amenity and private ground for the purposes of recreation, domestic refuse storage and drying can be provided in accordance with the requirements of policy H12 of the Local Plan. In considering parking provision, I note that the area is heavily parked and the objectors concerns that the use of the existing driveway will become impractical. Whilst I am mindful of this, the proposal does not create new floorspace and the Head of Environmental Services offers no objections on parking provision or road safety grounds. It would therefore be inappropriate to refuse permission on this basis.

In considering the outstanding points raised by the objectors, I note concerns that the privacy of neighbouring properties will be unacceptably affected by the new development. The rear garden

area is currently overlooked and I do not consider the development of the new dormer windows would lead to any additional unacceptable areas of overlooking or loss of privacy. Additionally, I do not consider there to be any additional intervisibility which would be to the detriment of the privacy of neighbouring residents. I do not consider that the use of the property as two separate flats would necessarily cause any greater disturbance than the use of the first floor and attic has on large flat over two floors. The granting of planning permission would not overrule any title restrictions, nor would it consent to work to aspects of the building not wholly under the control of the applicant, the provision of scaffold or the blocking of common accesses. Such matters would be civil issues and can have no bearing on the determination of the planning application. Structural issues and fire safety are matters which would be considered through the Building Warrant process.

In conclusion, I consider that the installation of the new dormer windows, rooflights and alterations to window opening are acceptable in terms of the appearance of both the building and wider conservation area. The proposal to create a new flat is acceptable in terms of the existing pattern of development, the impact on the amenity of neighbouring residents and local road safety. The proposal is therefore acceptable in terms of policies HR11, HR12 and H14 of the Inverclyde Local Plan, PPAN 9 and 10 and Historic Scotland's Memorandum of Guidance. There are no material planning considerations which merit refusal of the application and as such I find the proposal acceptable.

RECOMMENDATION

That the application be granted

Conditions

1. That the development to which this permission relates must be begun within five years from the date of this permission.
2. That prior to the commencement of work on site, the full specification and details of the rooflights hereby approved be submitted to, and approved by the planning authority. For the avoidance of doubt, the rooflights will be of a conservation type.
3. That prior to the commencement of work on site, the full specification and details of the enlarged window on the north-western gable hereby approved be submitted to and approved by the planning authority.

Reasons

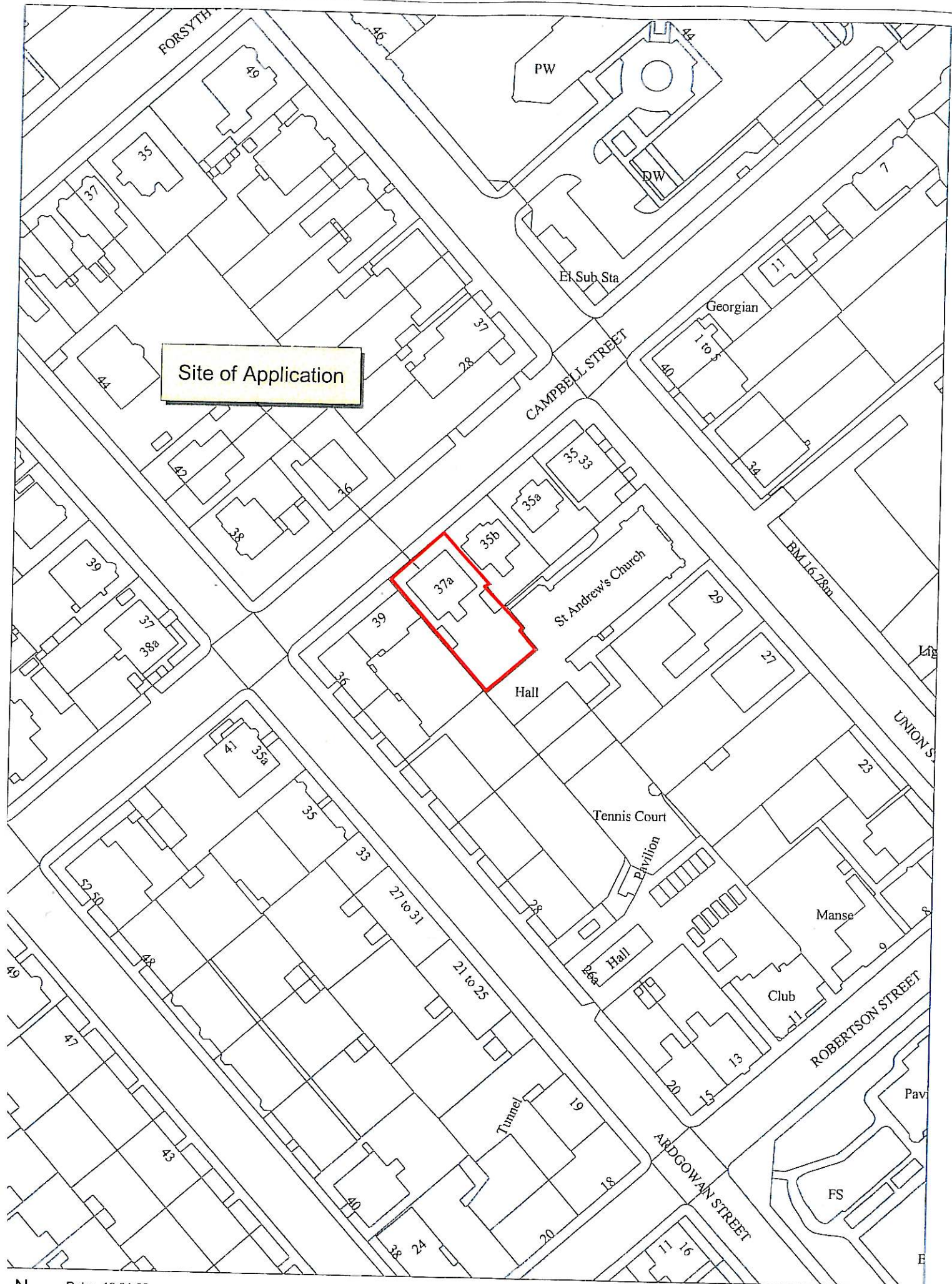
1. To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
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NM'Lwen

for F. K WILLIAMSON
Head of Planning and Housing

Background Papers

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2. Application Plans
3. Inverclyde Local Plan
4. PPAN 9
5. PPAN 10
6. Historic Scotland's Memorandum of Guidance on Listed Buildings and Conservation areas
7. Consultation response
8. Letters of objections



Site of Application



Date: 13:01:09

Drawn: JML Drg. No. 08/0270/IC



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Inverclyde
council
planning and housing

Mr Joseph Dowden / Miss Kayrn McCormick
37A Campbell Street
Greenock
PA16 8ER
Tel : 01475 717502

08/02/08

12 DEC 2008

3766(u)
GMC/M

Inverclyde Council
Head of Planning
Housing and Transportation
Cathcart House
6 Cathcart Square
Greenock
PA15 1LS

SUBJECT: Proposed Planning Permission notice for 37B Campbell Street

Date: 09-12-08

Dear Sir,

We are writing to notify you of our very strong objections to the Planning Application, submitted by Mr N. Martin 26-11-08 for the afore mentioned property. We live in the basement / garden flat below the property in question. It is our understanding that Mr Martin's intention is to split his upper flat into two separate dwellings - Upper and Attic. Below is a list of our objections.

1/ Parking in this street can be difficult at the best of times. This is an extremely busy road and parking is at a premium as it is. We have a young child and care for our elderly disabled Grandmother and we already find it very difficult to get parked near our property. With an additional tenant in our block, this situation will be exacerbated. We would assume that additional car parking spaces will be required to accommodate further tenants the block. How does Mr Martin propose to cater for such additional spaces?

2/ Although there is a small drive way serving Flat 37B, it is extremely difficult to squeeze by carrying any bags, even with a single small car in the drive. This is perhaps acceptable if it is a sole occupant using their own drive. However, with this entrance / exit being proposed to be shared, it will be impossible for this drive to be used any longer. Firstly, any cars parked in the drive would be damaged with people squeezing by, and secondly, surely "squeezing" by a parked car in a fire evacuation does not comply with safety standards. Ultimately, if this development were to be permitted, it would no longer be possible for cars to be parked in this driveway. This would result in even more cars to be parked on this street.



3/ Even if a car could be parked on 37B's driveway, we have always felt it is dangerous for pedestrians. This is due to the fact it is impossible to exit the drive with a view of any pedestrians coming down the hill, as there is a wall blocking the view.

4/ 37B's garden looks directly into our Master Bedroom (with the window ledge being 2½' feet above the ground). When we first looked at purchasing this property we took the view that we could cope with this reduced privacy as there would only ever be one tenant using this garden. However, the proposed development would result in a further tenant utilising this garden area thus greatly reducing our privacy.

5/ 37B's front access looks directly into our lounge area. We spend most of our time in this room. Again, with an additional tenant, the traffic directly passing our window will double, resulting in a further reduction of privacy.

6/ We purchased this property because we loved the look / feel / ambience of the building / gardens. This building is 148 years old and we can't imagine the exterior changing in any way for the better. We take pride in owning a share in this building and feel it is of Historic value. Since moving in we have been trying to find out more about the history of the property. We have been told that the family that built and lived in this house also built the Princes Pier. In addition, the family gifted part of their rear garden to allow the adjacent Church Hall to be built (in Union Street). We feel passionately that altering the external appearance of this building will adversely alter the look / feeling of this street. The building will feel less of a converted house and more like a block of flats. We feel that the proposals would adversely impact on the visual amenity of the entire area.

7/ Adding Windows to the roof of this building will in our opinion have a devastating effect on the visual impact of the building. It may not be the best looking building, but it is a stand-out building in the West End, which we are very proud of.

8/ The Title Deeds in fact state that there should be no street facing windows from the attic space.

9/ Our rear shared and private gardens are very secluded and give great privacy. Only a few upper floor Tenements have a view into our Garden. An additional tenant, with more windows directly overlooking us, will greatly reduce the privacy we have grown to appreciate.

10/ Mr Martin is intending on making huge changes to the roof of this building. The only person who could benefit from this would be Mr Martin. We and the occupants of the Main Door Flat (above us and below 37B) own 50% of this roof on the Title Deeds. We have both informed Mr Martin that we are against any changes being made to 'our' roof. The roof appears to be in a fantastic state of repair considering the age and we feel that the proposed works will adversely affect the integrity of this roof.

11/ An additional tenant will require additional services - water, Gas, Electricity, Drainage, Data etc. We have already experienced problems with the foul drainage in the past and we have reservations about the drains being able to cope with any additional demand. The Gas Meter for 37B is fitted in the wall immediately adjacent our garden door. This is unsightly enough without adding to it.

12/ The Main Door for Flat 37B feels like it shakes the building when it is used. Additional traffic would only serve to add to this annoyance.

13/ With the stairway becoming a communal (escape) area, we have concerns over how the proposals will affect the building from a fire safety point of view.

14/ How does Mr Martin intend carrying out the construction works on the roof? The Title Deeds for this building state that the three occupants must allow access to each other for maintenance. However, breaking open a roof that is in full working order for the purposes of conversion is not maintenance. We also have our own health and safety to consider. How can we manoeuvre our baby's pram around scaffold safely - our access is already quite tight into our house.

15/ How can we or our neighbours allow our children to play safely in our gardens with construction work ongoing?

16/ As we are the basement flat, any scaffold above us will greatly reduce our already limited daylight.

We have many additional objections, but feel they are more Civil related.

We would like to point out that this planning application has been submitted with very little prior consultation from Mr Martin. We find this wholly unacceptable considering we live in the building he wishes to alter and we actually own a percentage share of the roof which forms an integral element of his proposals.

We are unfamiliar with the Planning Process and would appreciate some advice / information on the whole process if at all possible.

Should there be signs in front of the building at the moment giving notice of Mr Martins' intentions? (There are currently none).

Should other adjacent neighbours have been notified of Mr Martins' intentions at the moment? Is it only the neighbours occupying the same block (us) that are required to be notified at the moment? Should we have a copy of the proposed plans?

These proposed works are causing us considerable stress and we look forward to hearing how this situation is to progress.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Joe Dowden', written in a cursive style.

Joe Dowden / Kayrn McCormick

EXTRACT OF LETTER

37 Campbell St
Greenock
PA16 8ER
11.12.08

Inverclyde Council
Head of Planning
Housing and Transportation
Cathcart House
Cathcart Sq
Greenock
PA15 1LS

Dear Sir / Madam

I am writing in response to a notice received from Mr N Martin for the proposed development of 37b Campbell Street and oppose this development for the following reasons.

1. This property has had structural movement in the past and I fear that the addition of another flat would add further problems to the building.
2. We own a 25% share of the roof and do not want it to be opened or changed in any way.
3. As our flat is close to a number of commercial properties it is difficult to find spaces close to our home. This is also the case in the evenings as a result of the Arts Guild Theatre being just at the bottom of the street.
4. The additional noise level of the occupants of another family in this building is also a main concern. The main door to both properties would be situated along the outside of our sitting room wall. At the moment when Mr Martin is leaving the property the noise from the outside door closing is unbearable to the point where it has woken our children. If this was then the only means of entering and exiting for two families it would have a dramatic impact on our day to day life.
5. When we purchased this house over ten years ago we paid a premium for the advantage of having just two neighbours. We had previously lived in a tenement that had six flats and found it difficult trying to get everyone to pay for essential repairs / maintenance costs.
6. This house was originally designed for one family. The last title deeds we have specifically note that the property should not be divided into any more than two dwelling houses. It has since had a third added which has caused constant problems with our drainage system. Sewerage pipes designed to cope for one household would then have the additional strain of yet another family. The drains for these pipes are situated in our back garden and it would be ourselves that would have the inconvenience of an overflow. Over the past 18 months we have had no problems with this pipe which only confirm my comments as the upper flat has been unoccupied during this period.
7. Our property was built in the 1860's and has historical ties to the Princes Pier which plays an important role of the towns maritime past. Further change to the exterior would be less like a house and more like a block of flats.

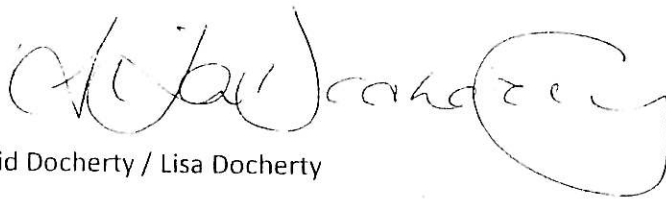
EXTRACT OF LETTER

8. The title deeds state that there should be no street facing windows from the attic space.

All in all we have made our thoughts clear to Mr Martin with regard to his proposed development. He has not came back to us with any compromises what so ever.

. I am all for progress in a changing world but not at the expense of others.

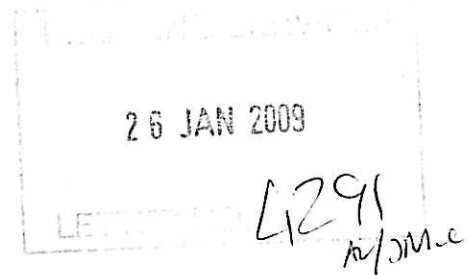
Yours sincerely

A handwritten signature in dark ink, appearing to read 'David Docherty' or 'Lisa Docherty'. The signature is fluid and cursive, with a large, rounded 'D' at the end.

David Docherty / Lisa Docherty

Mr Joseph Dowden / Miss Kayrn McCormick
37A Campbell Street
Greenock
PA16 8ER
Tel : 01475 717502

Inverclyde Council
Head of Planning
Housing and Transportation
Cathcart House
6 Cathcart Square
Greenock
PA15 1LS



FAO : Mr Fraser Williamson

SUBJECT: Proposed Planning Permission notice for 37B Campbell Street

Date: 21-01-09

Dear Sir,

We are writing this letter to draw your attention to the letter we have issued to Mr Neil Martin, regarding his proposals for planning permission at the above address.

We have already made our feelings clear to all concerned in our previous letter (December 2008) to the Planning Department and feel it is necessary to express how strongly we feel on the issue.

Please find enclosed a copy of the letter we refer to.

Yours sincerely

Handwritten signature of Kayrn McCormick.

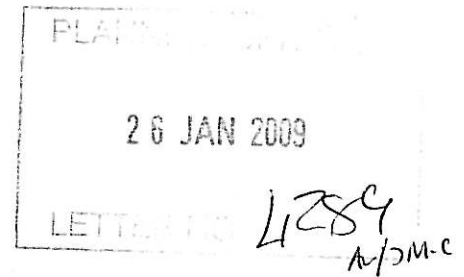
Joe Dowden / Kayrn McCormick

Mr Joseph Dowden / Miss Kayrn McCormick
37A Campbell Street
Greenock
PA16 8ER
Tel : 01475 717502

Neil Martin
7 Prospecthill Place
Greenock

SUBJECT: Notification of objection to your proposed roof works

Date: 21-01-09



Dear Mr Martin,

We are writing to notify you that we are not willing to give our consent to your proposed alterations to the roof of our building - 37 Campbell Street, Greenock.

We have a 25% share of the roof, and do not wish it to be altered in any way shape or from, from the current state. We must state clearly that if any works are carried out on the shared portions of the building (i.e. roof, chimneys, eaves, guttering, external walls etc) without our prior consent we will have no choice but to take legal action.

We would also like to inform you that we will only grant access on to our property for maintenance purposes and nothing else, which complies with the Buildings Title Deeds.

Yours sincerely

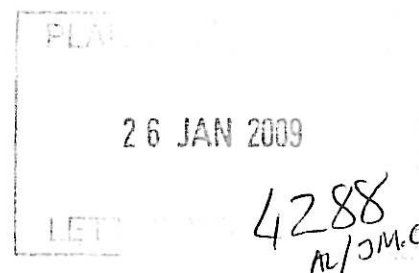
Joe Dowden / Kayrn McCormick

Mr & Mrs D Docherty
37 Campbell Street
Greenock
PA16 8ER
Tel : 01475 888794

Neil Martin
7 Prospecthill Place
Greenock

SUBJECT: Notification of objection to your proposed roof works

Date: 21-01-09



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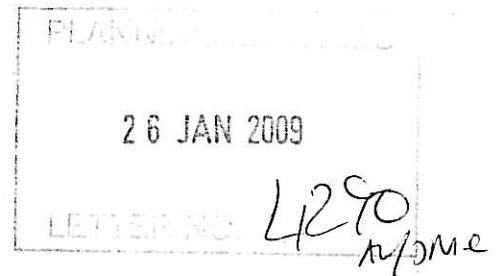
We would also like to inform you that we will only grant access on to our property for maintenance purposes and nothing else, which complies with the Buildings Title Deeds.

Yours sincerely


Mr & Mrs D Docherty

Mr & Mrs D Docherty
37 Campbell Street
Greenock
PA16 8ER
Tel : 01475 888794

Inverclyde Council
Head of Planning
Housing and Transportation
Cathcart House
6 Cathcart Square
Greenock
PA15 1LS



FAO : Mr Fraser Williamson

SUBJECT: Proposed Planning Permission notice for 37B Campbell Street

Date: 21-01-09

Dear Sir,

We are writing this letter to draw your attention to the letter we have issued to Mr Neil Martin, regarding his proposals for planning permission at the above address.

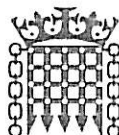
We have already made our feelings clear to all concerned in our previous letter (December 2008) to the Planning Department and feel it is necessary to express how strongly we feel on the issue.

Please find enclosed a copy of the letter we refer to.

Yours sincerely

A handwritten signature in black ink, appearing to read "D. Docherty". The signature is stylized with a large, circular flourish at the end.

Mr & Mrs D Docherty



HOUSE OF COMMONS

LONDON SW1A 0AA

David Cairns MP

Labour, Inverclyde
01475 791820 (Phone)
01475 791821 (Fax)
www.davidcairns.com

Mr Neil Graham
Corporate Director
Environment and Community Protection
Inverclyde Council
Municipal Buildings
Greenock
Inverclyde PA15 1LY

Our Ref: DC/AMO/MCCO01083/01090182

03 February 2009

Dear Mr Graham

Re: Ms Kayren McCormick, 37A Campbell Street, Greenock, PA16 8ER

I have recently been contacted by my above constituent who is concerned about a planning application that has been submitted requesting an additional flat at the property where she lives.

I understand that an application has been made to create a separate flat in the attic space of the property and that Ms McCormick and her neighbours have objected to this. Ms McCormick tells me that parking in the area is already an issue at the moment and so they feel that an additional flat would only serve to make this existing problem even worse. Also, they are concerned about damage to the fabric of the building that such work may cause and also the limited access to the property that such building work would result in. Ms McCormick has a young baby and needs access for a pram.

I understand that this application will be considered by the planning committee on Wednesday 4th February and I would be grateful therefore, given the limited timescale, if you would ensure that these points, along with the others made by Ms McCormick and her neighbours are fully considered before a decision is made.

Thank you in advance for your assistance with this matter and I look forward to hearing from you.

Yours sincerely

David Cairns
Member of Parliament for Inverclyde

RECEIVED
04 FEB 2009
02/03