
Report To:	The Planning Board	Date:	4th March 2009
Report By:	Head of Planning and Housing	Report No:	08/0143/IC Plan 03/09
Contact Officer:	David Ashman	Contact No:	01475 712416
Subject:	Non-compliance with Condition 3 of Planning Permission IC/03/342 - Extension of working hours at Tssu Wren Road GREENOCK PA16 7NN		

SITE DESCRIPTION

The Theatre Sterile Supplies Unit is located in Wren Road, Greenock and is bordered on three sides by residential development with ground associated with the former Health Board laundry to the south east.

PROPOSAL

The applicant proposes to extend the hours of working of the TSSU to allow operations over a 24 hour period, 7 days a week.

The original planning permission for the construction of the unit (IC/03/342) granted in December 2003, was subject to a condition that the premises shall not be in operation, including the delivery and collection of materials outwith the hours of 7am to 7.30pm, Monday to Friday, and 7am to 3pm on Sundays. The purpose of the condition was to protect residential amenity from noise associated with vehicular movements and any internal operations.

At its meeting in January 2009, the Board approved the installation of two temporary boilers adjacent to the TSSU building. This has allowed operations on the site to continue whilst new boilers within the building (which do not require planning permission) are installed and tested.

The applicant has supplied a supporting statement and noise study with the application. The supporting statement explains that changes to work practices (notably an increase in processing times) and the consolidation of equipment sterilisation to compliant facilities has increased the pressure for extending the hours of operation of the unit. The noise study concentrates on possible noise nuisance from the internal boilers. Further information supplied by the applicant, with respect to potential traffic noise, states that the only additional deliveries will be before 7pm. It is stated that the only other traffic noise would be from a shift change between 8.30pm and 9pm.

The applicant claims that should it not be possible to extend the hours of operation, part of the sterilisation service may have to be located elsewhere, possibly threatening the viability of the TSSU in Greenock. Presently 37 staff are employed at the unit and approval of the proposal would increase this by approximately 10.

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.

CONSULTATIONS

Head Of Safer Communities - Noise levels demonstrated should not give rise to complaints.

PUBLICITY

The application was advertised in the Greenock Telegraph on 18th July 2008 as a potential bad neighbour development and on 1st August 2008 as a potential departure from the Local Plan.

SITE NOTICES

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

PUBLIC PARTICIPATION

The application was the subject of neighbour notification and press advertisement. 4 letters of objection have been received. The points of objection may be summarised as follows:

- existing concerns relating to privacy and overlooking would be exacerbated;
- existing noise issues from air conditioning units would be exacerbated with night working;
- concern over impact of 24 hour unit on value of property;
- concern over noise from vehicles arriving after 8pm at night and at weekends;
- concerns over security if gates to unit are open for a 24 hour operation.

ASSESSMENT

The material considerations in determination of this application are the development plan, the consultee responses, the applicant's supporting documentation and the letters of objection.

As no strategic issues are raised by this proposal the development plan, for the purposes of assessing the application, consists of the Inverclyde Local Plan. The relevant policies of the Local Plan relate to the introduction or extension of non-residential uses in existing residential areas and the safeguarding of the character and amenity of these areas. The application seeks the extension of operating hours and is therefore an "extension" to the existing use of the premises. With respect to the criteria contained within policies H1 and H9, it is relevant to consider the compatibility of the extended use with the character and amenity of the area. As the premises may already be used between 7am and 7.30pm the principle of the use is already established and it only remains to be considered whether the extended hours of use would pose any detriment to amenity. The consideration in this respect is noise.

With respect to possible noise disturbance from the building, the noise study suggests that the boilers will not produce noise during the night time period that will pose any disturbance to adjacent residences. The Head of Safer Communities has indicated his acceptance of this. With respect to traffic noise, it is stated by the applicant that the only additional deliveries, as a result of the 24 hour operation of the premises, will be before 7pm. It is also stated that the only other traffic noise would be from a shift change between 8.30pm and 9pm. I consider that none of the above noise issues pose any significant threat to residential amenity and, therefore, that policies H1 and H9 provide no grounds for refusal of the application. It remains to be considered, however, whether there are any other material considerations which suggest that planning permission should not be granted. The primary considerations in this respect are the letters of objection and I would assess the concerns that I have not already addressed above as follows.

The first concern, that adverse implications for privacy and overlooking would be exacerbated, presumably relates to workers within the TSSU being able to look out of some windows towards the adjacent houses at night. Night time working need not increase current overlooking and privacy issues. The second concern relates to possible noise nuisance from the air conditioning units. For the purposes of assessing the site was visited and no noise from the air conditioning units was noted. Notwithstanding this, noise nuisance is a matter the Council would still have control over through legislation operated under the remit of the Head of Safer Communities. The impact of the proposed 24 hour working on property values is not a matter that I can consider as a relevant material planning consideration. Finally, with respect to the security concerns of the objectors, the site is presently served by CCTV and lighting. Nevertheless, the applicant has agreed that the gates could remain closed during the night time period. I intend to address this issue via a condition which will allow time for staff to leave following their shift and for the gates to be opened in the morning in preparation for day shift staff and morning deliveries arriving.

In view of the above I conclude that there are no material considerations suggesting that planning permission should not be granted. Although situated within a residential area, the nature of the use is such that activities outwith the building should have ceased prior to most people retiring for the evening and will not commence earlier than at present. The main source of noise from within the building is likely to be the operation of the boilers and a test run of these overnight with noise level measuring equipment has not raised any concerns. Nevertheless, I consider it appropriate to ensure that there are no external vehicular movements during the night which could cause disturbance and that concerns related to security are addressed. Appropriately worded conditions should be attached to a grant of planning permission.

RECOMMENDATION

That the application be granted subject to conditions:-

Conditions

1. That the security gates providing access to the site shall remain closed between the hours of 10pm and 6am.

2. That there shall be no vehicular movements, including collections or deliveries between the hours of 10pm and 7am.

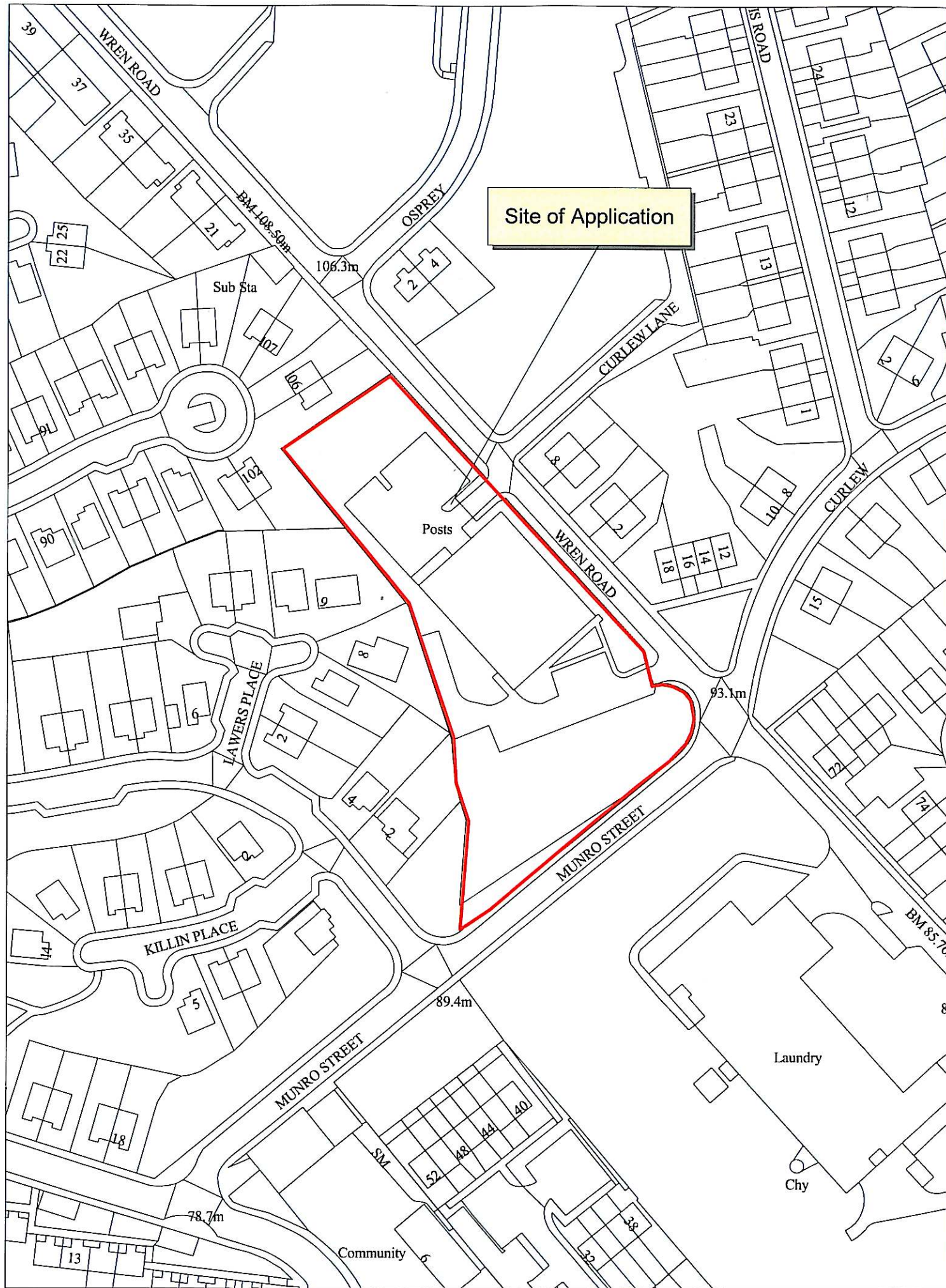
Reasons

1. To address concerns over security of the site and adjacent residences.
2. In the interests of residential amenity.

F. K WILLIAMSON
Head of Planning and Housing

BACKGROUND PAPERS

1. Application form and plans.
2. Applicant's Supporting Information.
3. Inverclyde Local Plan.
4. Consultation Response.
5. Letters of objection.



Date: 10:02:09

Drawn: JML Drg. No. 08/0143/IC



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Inverclyde
council
planning and housing

Mr. Mrs. Ferguson
8 Lawers Place
Rankin Rise
Greenock
PA16 9LE

Date:-21 - 07 - 2008

Head of Planning,

Dear Sir or Madam,

I refer to the application being made by NHS Greater Glasgow and Clyde to extend their hours of operation at the TSSU unit to 24 x 7, at this point we **object** very strongly, to any extended working hours as this would have a sever detriment to our standard of privacy and also would be an infringement to our quality of peace and quiet. It would also make it much harder for us, if we were to try to sell our house, if they operate 24x7. Therefore, I hope that you dually note our strong objections to this ever being considered, and hope that you keep us updated with any relevant information.

Thank you,

M. Ferguson
E. Ferguson
Mr. Mrs. Ferguson

PLANNING SERVICE
24 JUL 2008
LETTER NO. 1753

A2/DA

✓(u)

08/0143/IC

9 Lawers Place
Rankin Rise
Greenock
PA16 9LE
15-7-08

Dear Sir.

I am totally appalled and angry at your application to have the T.S.S.U at Wren Road open on a twenty four hours, seven days a week basis and of course I am 100% against the proposal.

Our privacy and quality of life will be deeply affected not to mention the tranquility of a Saturday and Sunday morning.

Do you actually think of other peoples feelings but mostly do you care? I don't think so.

No only do we have to live with the extra noise made at all hours but what of the security angle. Has the gates to remain open twenty four hours too?

We've just looked over the fence separating our abode with the T.S.S.U and the new boiler house looks like a nice picnic area. Good for all the drunken teenagers to congregate on Friday, Saturday and Sunday evenings.

Next you'll be asking us to chip in and buy a patio set for their comfort.

Lastly when I bought this house twelve years ago I didn't do so knowing what was to be built at present. Obviously my council tax is totally meaningless as is the value of my property. Looking to hear your response. Not so happy owner.

Mr & Mrs. A. Lemon (signed)

TRANSCRIBED FROM ORIGINAL LETTER.

9 LAWERS PLACE
GREENOCK
PA169LE
637817

DEAR SIR.

IN ANSWER TO YOUR LETTER REGARDING EXTENDING HOURS OF THE T.S.S.U WREN RD, MY HOUSE IS NEXT TO THE UNIT AND FROM 7AM WHEN THE VANS ARE DELIVERING THE NOISE IS BAD THAT CAN BE LIVED WITH, BUT NOT AFTER 8PM AND WEEKENDS WHEN MOST PEOPLE ARE OFF WORK AND MAY ENJOY A LONG LIE WHICH SEEMS NOW IMPOSSIBLE.

IF THIS IS GIVING THE GO AHEAD SURELY IT IS UNFAIR FOR US OWNERS TO BE PAYING A HIGH RATE OF COUNCIL TAX TO LOOK INTO A 24/7 FACTORY, IF THIS WAS THE CASE 12 YEARS AGO I WOULD NEVER HAVE BOUGHT AND NOW WOULD HAVE GREAT DIFFICULTY IN SELLING. NOT TO MENTION THE PRIVACY SIDE OF IT.

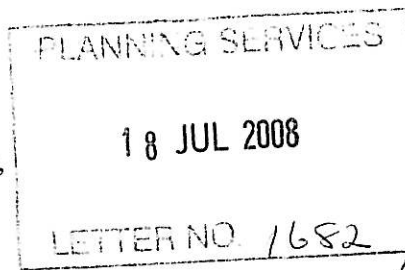
I LOOK FORWARD TO HEARING FROM YOU AS I WOULD LIKE TO BE THERE AT THE PLANNING MEETING.

MRS Anne Lemon (signed)

IF GATES ARE OPENED 24HRS WHAT ABOUT SECURITY FOR MYSELF AND FAMILY.

TRANSCRIBED FROM ORIGINAL LETTER.

Inverclyde Council,
Head of Planning,
Housing and Transportation,
Cathcart House,
6 Cathcart square,
Greenock,
PA15 1LS.



Scott Greig,
2 Wren Road,
Greenock,
PA16 7NN,

Notice of Information on Application and Planning
Theatre Sterile Service Unit, Wren Road, Greenock

Dear Sir/Madam,

I am writing in regarding to the extension of operating hours to the TSSU Unit at Wren Road, Greenock. I can confirm that I am against these extended hours for a few reasons.

Firstly the privacy that I have already lost and already complained about when the building was first occupied. The windows across from my home look directly into my living room and my bedroom. I do not know who is working there and feel that my home is already opened to view at the times already operating. The work lights certainly shine into my house already and at 9 O'clock at night as it stands are switched off. I have had to let the 2 trees grow a lot larger than I would like at the front of the house just to keep some privacy. My Family and I have been here before the new unit was constructed and feel it has affected my lifestyle already in the capacity it now operates at. I still feel that the noise level from the air conditioning units is still too high and have in the past got some form of recognition for this.

Financially I know first hand that having been here for 8 years I will struggle now to either re-mortgage my house for upgrading or sell my house in the future as the TSSU Unit is classed as an Industrial building and some mortgage lenders are taking this into consideration and definitely in a negative way. The TSSU unit is situated in a residential area and this should be considered in this case and the people operating and in charge of this should remember people are next door to this building and respect our opinions. We have to live here 24 hours a day and I feel that the operating times at the moment are a compromise for both parties, yes the TSSU Unit need ed to be upgraded at the time to European standards but if the goal posts have changed again then I think relocating this unit into 1 of the many now vacant industrial sites around Inverclyde has to be an option.

In summing up I already feel my privacy rights are already being exceeded and that this unit although great for the NHS cause has effected my Family's well being and at a financial cost as well. I can prove this at a later date if necessary.

Best Regards

Scott Greig