

Report To:	The Planning Board	Date:	4th March 2009
Report By:	Head of Planning and Housing	Report No:	08/0241/IC Plan 03/09
Contact Officer:	Guy Phillips	Contact No:	01475 712422
Subject:	Erection of lock up garages and stores at Ground To The Rear Of 28 And 30 Ardgowan Street Greenock		

SITE DESCRIPTION

The approximately 0.09ha site is a former tennis court located to the rear of tenement properties at 28- 30 Ardgowan Street, Greenock. To the north west, the site is bound by St Andrew's Church (fronting Union Street), to the north east by the back garden ground of office and club premises on Union Street and by an area of lock up garages and an RAF cadets hut to the south east. Access to the site is from Ardgowan Street, between No 28 and the RAF cadets hut. The site is overgrown and the access is presently blocked by a timber fence running parallel to the rear boundaries of the back greens of 28 and 30 Ardgowan Street.

PROPOSAL

It is proposed to construct two pitched roofed terraces of 15 garages and 15 small stores with vehicular access from Ardgowan Street. The proposed stores back onto the rear boundaries of 28 and 30 Ardgowan Street while the garages would back onto the rear boundaries of 27 and 29 Union Street. The proposed materials comprise render and concrete roofing tiles.

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 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.

Historic Scotland's Memorandum of Guidance on Listed Buildings & Conservation Areas advises that in considering applications for development within a conservation area, it is suggested that the first priority should be to have regard to those special architectural and visual qualities which gave rise to the area's designation.

CONSULTATIONS

Head Of Environmental Services - No objections subject to conditions

Council Landscape Advisors- No objections.

PUBLICITY

The application was advertised in the Greenock Telegraph on 31st October 2008 as Development Affecting a Conservation Area.

SITE NOTICES

A site notice was posted on 31st October 2008 for Development Affecting Conservation Areas..

PUBLIC PARTICIPATION

Four letters of objection have been received (copies attached).The objectors are concerned that:-

1. There would be a loss of on street parking.
2. Proximity of passing traffic to a gable window at 28 Ardgowan Street would adversely affect privacy and create noise nuisance.
3. Noise from the proposed garages would be to the detriment of the enjoyment of neighbouring back gardens and would disturb infants sleep.
4. Trees would be felled.
5. The privacy of the rear garden of 32 Ardgowan Street would be compromised.
6. Youths would gather and engage in antisocial activities.

ASSESSMENT

The material considerations in the determination of this planning application are the Development Plan, Historic Scotland's Memorandum of Guidance on listed Buildings & Conservation Areas, the consultation responses, the written representations and residential amenity.

Policy H1 of the Local Plan seeks to safeguard and, where practicable, enhance the character and amenity of residential areas. In order to determine whether or not the proposal satisfies this aim the proposal requires to be considered against Policies H9, HR11 and HR12.

Policy H9 advises that the introduction of non residential uses in existing residential areas will be acceptable only where they are compatible with the character and amenity of the area and satisfy other relevant policies of the Local Plan. The proposed provision of domestic garaging and storage is, I consider, a use which is complementary to the predominantly residential character of this part of Greenock. While there is no proposal to use the proposed garages and stores for industrial, business or commercial storage purposes I, nevertheless, consider that it would be prudent to attach a condition restricting the uses to incidental to residential, thus ensuring there is no impact to adjoining residential properties from non residential activity. The site is hidden from public view although it is seen from the upper, rear windows of neighbouring properties, with some trees intervening. The visual impact of the proposed development is, accordingly, limited. Nevertheless, I consider the submitted designs and choice of materials to be compatible with the character and amenity of the area.

Policy HR11 advises that development within conservation areas will be acceptable where they are sympathetic to the existing character and pattern of development and appearance of the area and a range of matters are satisfactorily addressed:-

- (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.

I have already assessed the proposal favourably against Policy H9 and as such I consider that it also satisfies criteria (a) to (e) of Policy H11. With regard to criteria (f) the applicant has produced a tree survey and arboricultural implication assessment which advises that there are no trees within the site and that development will have a relatively little impact on adjoining tree cover. The type and method of construction, coupled with the previous history of the site is unlikely to have any significant impact on tree roots. The Council's landscape advisors concur with this advice.

Policy HR12 advises that when assessing Conservation Area development proposals 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. As the site is located behind buildings on all four sides, I consider that its visual impact on the Conservation Area and special architectural and visual qualities that gave rise to the designation of the Greenock West End Conservation Area is neutral. As such the proposal accords with the advice in Historic Scotland's Memorandum of Guidance on Listed buildings and Conservation Areas.

With regard to the objectors concerns not covered by my assessment against the Development Plan, vehicles passing the gable window at 28 Ardgowan Street would, I consider, have no more impact upon privacy or create noise nuisance than vehicles passing the front of the property along Ardgowan Street. A 2m deep hard landscaped strip would be formed between the gable and the vehicular access to create separation of vehicles from the objector's window. The Head of Network Roads Management has not raised concerns regarding loss of on street parking as a result of the vehicular access into the site being reactivated. In any event, the proposal is for garaging and will increase parking facilities in the area. I consider that the privacy of the rear garden of 32 Ardgowan Street can be safeguarded by a condition reserving the issue of site boundary treatment. Perceived anti social behaviour by youths is not a justification for refusing planning permission.

In all of the above circumstances I am satisfied that the proposal satisfies the aim of Local Plan Policy H1 of safeguarding residential amenity.

RECOMMENDATION

That the application be Granted Subject to Conditions

Conditions

1. That the development to which this permission relates must be begun within five years from the date of this permission.
2. The garages and stores, hereby approved shall be used solely for purposes incidental to residential use
3. No development shall commence until samples of all external materials have been submitted to and approved in writing by the Planning Authority: development shall thereafter proceed utilising the approved materials unless the Planning Authority gives its prior written approval to any alternatives.
4. Access shall be taken via a footway crossover constructed in accordance with the Council's Roads development Guide and all surface water shall be intercepted within the site.
5. No development shall commence until fully detailed boundary treatment drawings have been submitted to and approved in writing by the Planning authority: the approved regime of boundary treatment shall be completed prior to any of the garages and stores hereby approved being occupied and thereafter maintained in perpetuity.

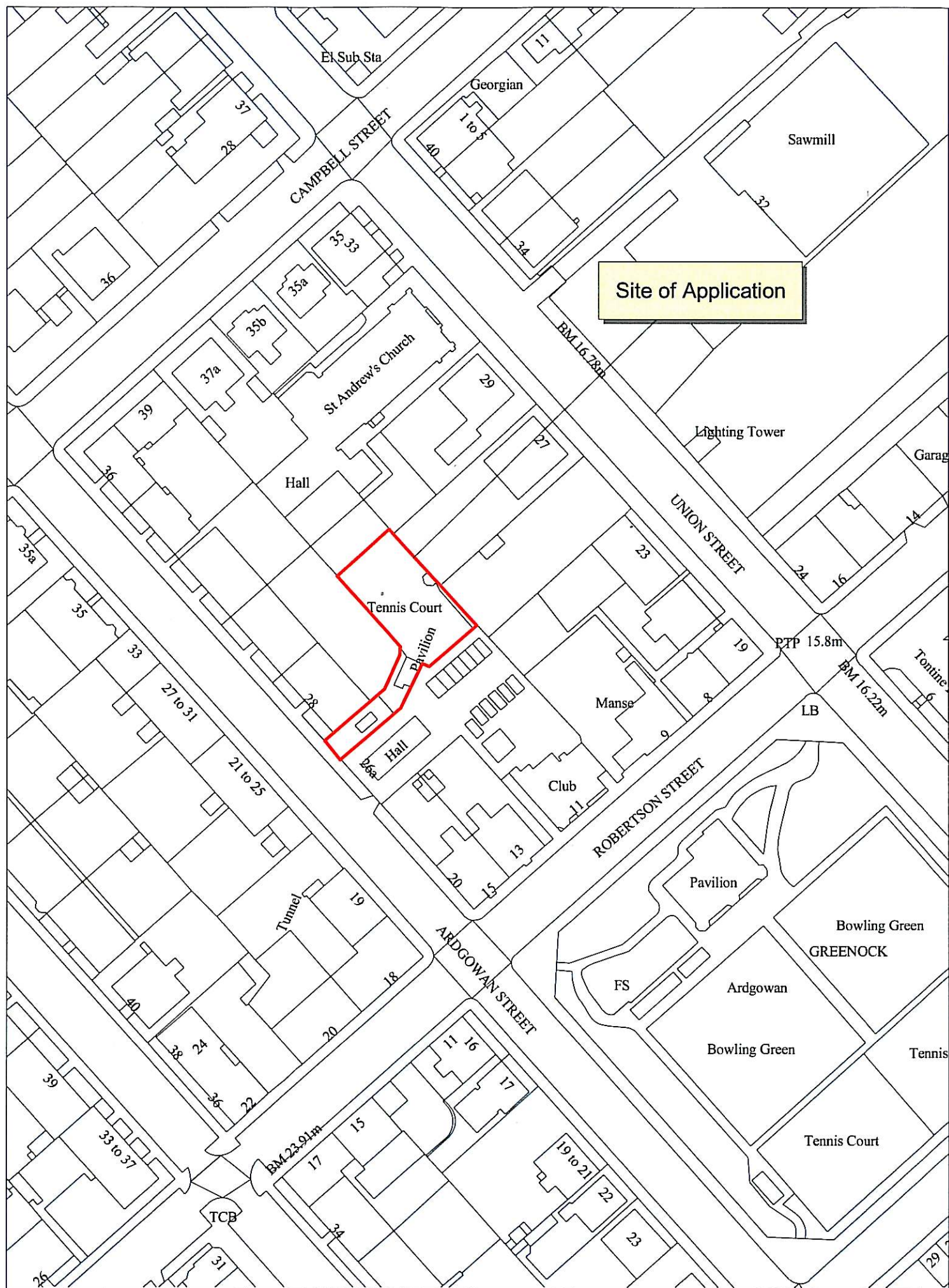
Reasons

1. To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
2. To prevent harm to adjoining residential properties from business activity.
3. To ensure a continuity of materials in this part of the Greenock West End Conservation Area.
4. In the interests of road safety on Ardgowan Street.
5. To maintain the privacy of neighbouring properties.

F. K WILLIAMSON
Head of Planning and Housing

BACKGROUND PAPERS

1. Application form
2. Application plans
3. Inverclyde Local Plan
4. Historic Scotland's Memorandum Of Guidance On Listed buildings And Conservation Areas.
5. Consultation responses
6. Written representations



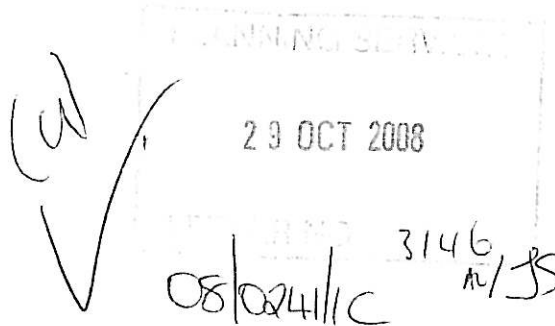
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Inverclyde
council
planning and housing



Mr & Mrs S Bruce
Basement Flat
28 Ardgowan Street
Inverclyde
PA16 8EH

25th October 2008

Dear Sir/madam

PROPOSED ERECTION OF LOCK UP GARAGES & STORES

Thank you for your letter dated 23rd October in which you informed me of the above planning application. I am replying to strongly object to this application due to the following factors;

- Parking is already a huge issue and at times impossible on the street with the necessity for residents to park on Robertson Street after 5pm and we could not stand to loose a further two or three spaces to create the entrance to the access lane.
- Proximity of traffic passing my kitchen window is causing me great concern given that I am basement flat, i.e. I would feel unable to have the window open through fear of someone driving into it. I also feel the volume of traffic and subsequently number of people passing my window would affect the levels of privacy we currently have.
- Noise already experienced from lock up/garages further down the street is at times excessive and disruptive especially during the summer when owners sit in their cars revving the engines for hours at a time.
- The lock ups proposed would back onto the garden resulting in direct noise coming into the garden and subsequently the property. This would have a detrimental impact upon our enjoyment of the garden.
- I have a baby on the way and the nursery is on the back of the property – I am concerned that this level of noise during construction of the locks ups and future use would result in this room becoming redundant.
- The residents at 28 Ardgowan Street use the side lane to access the bin area on collection day's as there are stairs within the property that elderly residents could not cope with.

I imagine you will receive many similar objections from other residents living within this property and nearby and I trust you will refuse this application on the basis that it will not benefit the residents of this street in anyway.

Please can you inform me that you have received this letter and have logged it as an official objection and keep me informed as to the outcome?

Yours Faithfully

32 Ardgowan Street
GREENOCK
PA16 8EH

Inverclyde District Council
Planning Department
6 Cathcart Square
GREENOCK
[Ftuo Mr Guy Phillips]

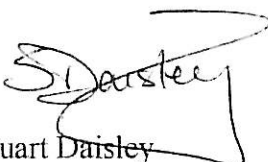
18th November 2008

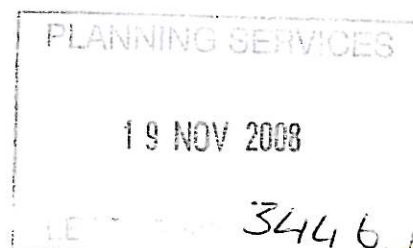
Dear Sir

I wish to register my opposition to the proposed erection of garages/storage facilities at the rear of 28/30 Ardgowan Street for the following reasons:

1. Invasion of privacy. My garden is bordered on two sides by the Ardgowan Parish Church. The area of the proposed garages etc will effectively open up my garden to the public in its use as a turning point for vehicles.
2. Detrimental aesthetics within a conservation area.
3. It will again become a gathering point for youths. This problem has been previously dealt with by the council and police with some success.

Yours faithfully


Stuart Daisley





E. McDade
32A Ardgowan Street
Greenock
PA16 8EH

9th November 2008

Re: Optima Developments
- Ardgowan Street -

Dear sir

I feel that I must object to the above developers proposal to erect garages and 'stores' on the site of the old tennis court behind no's 28-32 of our street.

Since the tennis court fell into disuse many years ago the woodlands have encroached upon the site lending it a certain rustic charm. This in turn has allowed several sycamore trees to thrive and they are greatly matured and surely now protected due to their great age. There is also a Horse-chestnut tree of stately proportions which looks to be in excess of 100 years old and must not be interfered with.

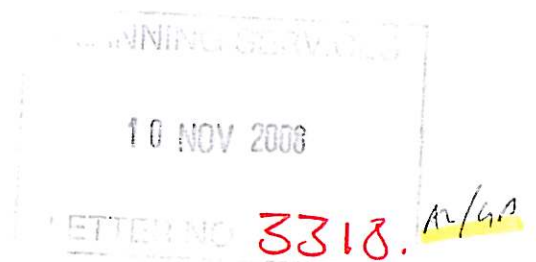
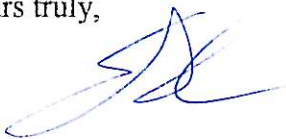
It also must be remembered that the proposed site is in the very heart of the 'West-End Conservation Area' and as such the plans seem to fly fully in the face of this very ideology and to my mind (and that of many others) is totally unsuitable.

Then there is the question of noise. The woods are only disturbed by the play of children on summer days and the gentle hooting of owls by night. Are we now to be faced with the revving of engines and the sounds of power-tools etc practically outside our bedroom windows?

And what of these 'store-rooms'? What will be stored in them? Who will regulate these matters?

This idea must surely be a non-starter for these few reasons alone!

Yours truly,



23 Ardgowan Street
Greenock
PA16 8EG
7/11/08

Inverclyde Council
Head of Planning Services
Cathcart House
6 Cathcart Square
Greenock PA15 1 LS

Dear Sirs

Development of Ardowan Street Greenock – Lock up garages & stores

We only received this 29th October 2008.

After some thought we have to object to the development. The reason is that car parking in this part of Ardgowan Street is difficult at the best of times and with this development would in effect reduce the number of spaces for 2/3 cars.

Yours faithfully



Brian Lindsay

