

<b>Report To:</b>	<b>The Planning Board</b>	<b>Date:</b>	<b>3 June 2009</b>
<b>Report By:</b>	<b>Head of Planning and Housing</b>	<b>Report No:</b>	<b>09/0074/IC and 09/0003/LB Plan 06/09</b>
<b>Contact Officer:</b>	<b>Jane Shields</b>	<b>Contact No:</b>	<b>01475 712423</b>
<b>Subject:</b>	<b>Change of use from church to restaurant at George Square Baptist Church 1 George Square Greenock PA15 1QP</b>		

## **SITE DESCRIPTION**

The George Square Baptist Church is Category C listed and lies within the Greenock West End Conservation Area and Greenock Town Centre. It lies on the east side of George Square and north of the stepped footpath(Argyle Street) which links George Square and West Stewart Street.

## **PROPOSAL**

The submitted plans indicate that the lower ground floor would be converted to provide three individual function rooms, the kitchen, toilets and staff rooms. On the ground floor is a seating area with a buffet counter and servery area. The existing balcony is to be removed to allow the formation of a new upper floor which is to provide a further seating and bar area. Whilst there are no external alterations proposed, the ventilation system for the kitchen has still to be designed and may involve an outlet at roof level.

## **LOCAL PLAN POLICIES**

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 10 (Community Uses);
- (e) Use Class 11 (Assembly and Leisure); and
- (f) 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 R5 - Greenock Town Centre : Outer Mixed/Commercial Area

Inverclyde Council, as Planning Authority, will seek to protect the character, both existing and potential, of the different divisions of the Outer mixed/Commercial Area of Greenock Town Centre, as defined on the Proposals Map and below. In addition to development in keeping with the existing character of the area, the following town centre uses will also be permitted in the identified divisions (G) to (L)

- (H) WEST END OFFICE AND CIVIC AREA and
- (I) SIR MICHAEL STREET/KING STREET RESIDENTIAL AREA  
Use Class 2 (Financial, Professional and Other Services);  
Use Class 10 (Community Uses); and  
Use Class 11 (Assembly and Leisure).

#### 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, 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 HR14 - Alterations and Extensions to Listed Buildings

Proposals to alter or extend a listed building must respect the reasons for listing, be of a high standard and will only be approved where the proposed works are satisfactory in terms of the following matters (as and where appropriate):

- (a) overall design;
- (b) scale and form;
- (c) materials and finishes;
- (d) landscaping proposals;
- (e) form of boundary enclosure; and
- (f) compliance with Policy HR1.

## **CONSULTATIONS**

**Head Of Environmental Services** - No comments.

**Head Of Safer Communities** - It is recommended that conditions be imposed on any grant of planning permission in respect of a) storage of refuse and recycling materials, b) ventilation of the kitchen and c) external lighting.

## **PUBLICITY**

The application was advertised in the Greenock Telegraph and Edinburgh Gazette on 3rd April 2009 as a Potential Bad Neighbour Development and as Development affecting a Listed Building.

## **SITE NOTICES**

A site notice was posted at the site on 3 April 2009.

## **PUBLIC PARTICIPATION**

Two letters of objection and one petition signed by 10 people have been received (copies enclosed). The nature of the representations can be listed as follows:

1. There have been problems with rats in the area and there are concerns regarding the placement of restaurant bins.
2. The premises may provide a takeaway service and this raises issues of litter and increased traffic.
3. The inclusion of bars within the premises and the use of the function hall for large parties could result in noise and disturbance to neighbouring flats from music and persons arriving and leaving.
4. Customer smoking outside would create noise and litter.
5. There are parking problems in George Square at present and they would be made worse if a restaurant was approved.
6. There are already bars and restaurants in the area.
7. The proposed change of use would ruin a quite area.

I shall address the representations in my assessment of the proposals.

## **ASSESSMENT**

The material considerations in the assessment of this application are the Development Plan, the letters of representation received and the consultation responses.

I am required to assess the proposal against Policies R2, R3, R5, R10 and HR14. Policy R2 states that Greenock Town Centre will be protected, enhanced and developed where resources allow, through a range of initiatives which include encouraging a diversity of retail, leisure, civic, public administration, office, residential and other uses, in order to support vitality and viability. Identifying and promoting opportunities for new development and for the redevelopment and reuse of existing premises, both within and on the edge of the town centre is also referred to within this policy. Use Class 3 (Food and Drink) is listed at Policy R3 as a town centre use and the proposed restaurant is consistent with this policy. Policy R5 seeks to retain and enhance the diverse character of the various parts of the Outer/Mixed Commercial Area and clearly states that town centre uses will be permitted within division (H)- West End Office and Civic Area. Whilst no significant land uses changes are envisaged for this area, it is stated that any strategy for it should concentrate on

enhancing its high quality townscape and protecting the amenity of its residents and businesses based in the area. This latter point is reflected in policy R10(g).

Whilst I acknowledge the concerns expressed by objectors regarding vermin and bin storage, these are matters of management controlled by legislation enforced by the Head of Safer Communities. He has raised no objections. With regards to the possibility of a takeaway service, this would not require planning permission if it were ancillary to the main use. The scale of any such operation would be insignificant compared with the principle function and would not noticeably impact on amenity. The concerns regarding parking and traffic problems are acknowledged, however the Head of Environmental Services has no objections. It should also be noted that the application site is close to public transport links, a taxi rank and a car park. The issue of the premises being licensed to sell alcohol and play music is a matter for the licensing board. The current use of the building as a place of worship and for church social activities means that there already is a degree of noise and activity. It is unlikely that the restaurant use would result in an unacceptable level of noise and activity on the premises. The concerns regarding persons smoking outside the premises is a management issue and controlled by other legislation.

Policy HR14 states that proposals to alter or extend a listed building must respect the reasons for listing, be of a high standard and will only be approved where the proposed works are satisfactory in terms of the listed criteria. As stated earlier in this report there are no external changes proposed. I am therefore required to assess the internal changes proposed. It has been stated that the applicant wishes to retain as much of the existing internal fabric as possible. The internal works proposed however will require to meet current building standards. It is appropriate to place a condition on the grant of listed building consent requiring further details of all the internal works including a Method Statement.

Whilst I note the recommendations of the Head of Safer Communities, the storage of refuse/recyclable materials and external lighting are matters which are not dealt with under planning legislation. It is noted that bin storage is to be undertaken internal to the building as at present. The A condition regarding the ventilation of the kitchen is appropriate to allow an assessment of the impact on the listed building and to ensure that cooking odours are dealt with in an appropriate manner.

## **RECOMMENDATION**

1. That planning permission should be granted subject to the following conditions:

1. That the development to which this permission relates must be begun within five years from the date of this permission.
2. The development shall not commence until a detailed specification regarding the collection, treatment and disposal of cooking odours has been submitted to and approved in writing by the Planning Authority. Such specification shall include precise details on the location of equipment used for the cooking and heating of food, canopies, grease filters, rates of air movement over the canopy, make-up air and air disposal points.

## **Reasons**

1. To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
2. To ensure that cooking odours are dealt with in an appropriate manner and to assess the impact on the listed building.

2. That listed building consent should be granted subject to the following 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 full details of all the internal works including a Method Statement shall be submitted to and approved by the Planning Authority in writing.

Reasons:

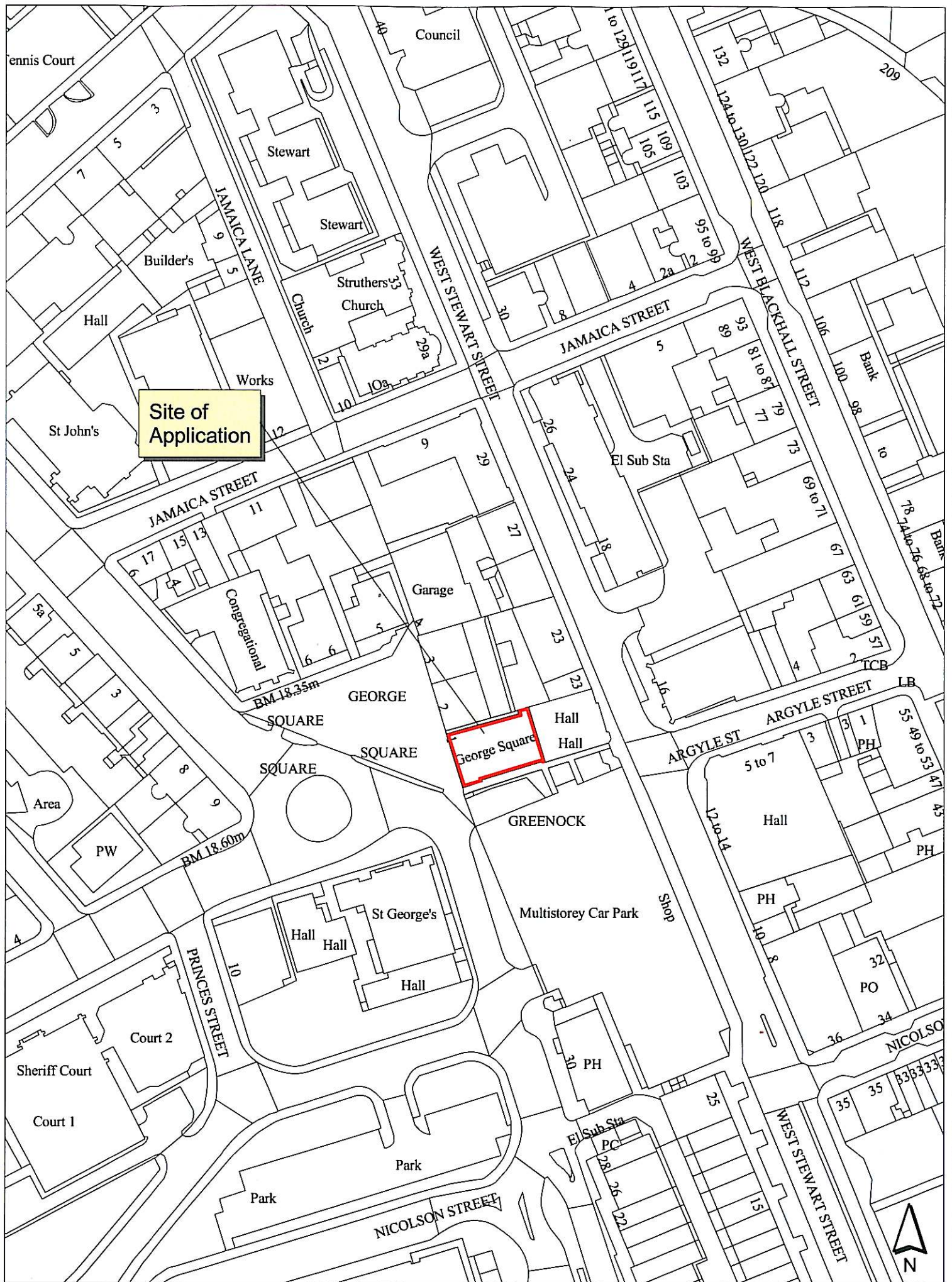
1. To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
2. To ensure the works are appropriate in terms of the listed building.

F. K WILLIAMSON  
Head of Planning and Housing

#### BACKGROUND PAPERS

1. Application Form.
2. Application Plans.
3. Inverclyde Local Plan.
4. Consultation responses.
5. Representations received.





## Jane Shields

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**From:** Smith Dougie [dougie.smith@british-energy.com]  
**Sent:** 06 April 2009 15:00  
**To:** Jane Shields  
**Cc:** Guy Phillips  
**Subject:** RE: Planning proposal George Square Baptist Church

Dear Jane Shields,

I am writing to you with regards to the proposed change of use of the George Square Baptist Church to a restaurant. The residents and I have several concerns about the proposed change of use and would like you to consider these whilst making your decision.

1. There has been a previous and extended issue with rats and such like in the area with this only being resolved within the last few months with a provision of wheelie bins. Inverclyde Council Environmental Services will be able to supply information to you about the history of this problem. We would be concerned about the placement of the restaurants bins and their access to these.
2. The proposed use as Chinese restaurant raises the issue that it is most common for them to have a take-away area as well as the main restaurant. The residents are concerned with the possibility of litter, increased traffic during the week and the time to which it will be open.
3. The inclusion of several bars has alarmed many. We would be worried that the inclusion of a drinks licence would give grounds to for a late licence and the use of the function hall in the upper floor for large functions with scores of people. We would oppose any licence being issued to allow parties being held with music and a late licence. We share a common wall the sound would propagate straight into the adjoining flats of 2 George Square where several of the residents are elderly. Further to that the noise in the street of people arriving and leaving would cause further disturbance.
4. With the smoking law now in place there would be many people out in the street at all hours to have a smoke. We feel this would again add noise and litter with cigarette butts being left in the street.
5. Parking at George Square is already at a premium. At present there is already around 10 cars not parked in spaces every with cars being blocked in regularly. The restaurant would only worsen and already poor situation.
6. In the area there are already several restaurants and bars to supply the need, many of which are only a few minutes walk away. The square is a quiet area and we feel that this proposal would ruin what is a peaceful area with traffic and noise all through the week and late into the evenings. We would be opposed to any move that would change this.

Thank you for taking the time to read through our concerns with regards to the proposed change of use. We feel that it would not be in keeping with the area of George Square and hope that an appropriate use of the building can be found.

If you require a hard copy with signature of those that have contributed to this email i can have that arranged.

I understand that Jane will not be in this week and i have copied in Mr Phillips.

Regards Douglas Smith  
2/1, 2 George Square  
PA15 1QP



14 APR 2009

Douglas Smith  
2/1 2 George Square  
Greenock  
PA15 1QP

6<sup>th</sup> April 2009

Dear Sir or Madam:

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Thank you for taking the time to read through our concerns with regards to the proposed change of use. We feel that it would not be in keeping with the area of George Square and hope that an appropriate use of the building can be found.

Please see attached the signatures of the residents of George Square in objection to the proposed change of use.

Signature: D. Halliday  
Print: D. HALLIDAY  
Address: Flat 2/1  
2 George Square.

Signature: James H. Loughery  
Print: JAMES LOUGHERY  
Address: FLAT 3/1  
2 GEORGIE SQUARE

Signature: Mrs L M Lennan.  
Print: CATHERINE MCLENNAN  
Address: Flat 1/1 2 George Square

Signature: G. Letson  
Print: G LETSON  
Address: FLAT 1/2 2 GEORGE SQUARE

Signature: Robert McEachern  
Print: ROBERT MC EACHERN  
Address: FLAT 4/F 2 GEORGE SQUARE

Signature: Jonas Konujan  
Print: JONAS KONUJAN  
Address: flat 3/2 2 GEORGE SQUARE

Signature: Scott Smith  
Print: SCOTT SMITH  
Address: Flat 2/2 2 GEORGE SQUARE

Signature: Tommy Salween  
Print: TOMMY SALWEEN  
Address: G/F 2 GEORGE SQUARE

Signature: Lillbaston  
Print: Heather Hill  
Address: 3 George Sq.

Signature: C Clamp  
Print: Christopher Clamp  
Address: 3 George Square

SCOTT CAMERON  
FLAT 2/2 2 GEORGE SQU  
GREENOCK

3.4.09

Dear Sir / Madam,

I am writing with some concern about the proposed development of a restaurant at George Square Baptist Church, Greenock. I would like to object to this development and my reasons for doing so are as follows:-

- (a) Lack of parking in the area.
- (b) Noise which may be created at various times of the day and night.
- (c) Problems with delivery vehicles being able to access the building.
- (d) Possible litter if carry outs are available.
- (e) Attraction of vermin to the area.
- (f) Upheaval to the residents with renovation.

Please could you consider my points when deciding upon this proposal!

Yours Sincerely

SCOTT CAMERON (printed)  
Scott Cameron (signed)

P.S. We had a bad problem with mice in the past which had to be addressed and would not like the problem to return.

**TRANSCRIBED FROM ORIGINAL LETTER.**