

WEST DUNBARTONSHIRE COUNCIL

Report by the Executive Director of Housing, Environmental and Economic Development

Planning Committee: 7 November 2012

DC11/244: Erection of raised timber decking and lifting platform for disabled access at former Clydebank Central Church, 1 Montrose Street, Clydebank by Senex Investments Ltd.

1. REASON FOR REPORT

- 1.1** This application relates to a retrospective application for alterations to a development which was determined by the Planning Committee. It is considered that application raises issues of local significance and therefore should be determined by the Planning Committee.

2. RECOMMENDATION

- 2.1** **Grant** planning permission subject to conditions set out in Section 9.

3. DEVELOPMENT DETAILS

- 3.1** This application relates to the former Clydebank Central Church, which occupies a prominent location within the centre of Clydebank on the corner of Kilbowie Road and Montrose Street. The northern and eastern boundaries of the site are adjacent to houses, and to the west there are more residential properties on the opposite side of Kilbowie Road. To the south of the site, on the opposite side of Montrose Street, are the 'Atlantis' public house and some residential flats. In May 2010 planning permission was granted to change the use of the former church into a licensed restaurant (decision DC09/287/COU). Work started on the property in 2011 and is currently ongoing, however, the restaurant is not yet open.
- 3.2** The original permission for the change of use would have employed a ramp on the Kilbowie Road frontage of the building to provide disabled access. However, as the property is located on a sloping site and is elevated in relation to the street, it was found that the approved ramp would have been too steep to comply with building regulations, and that whilst it would be possible to use an alternative design of ramp this would have to be extremely long and visually intrusive. The applicant has therefore provided decking along the front of the building from the entrance door to the north side of the Kilbowie Road frontage where the levels difference is only around 0.9m, and can be bridged by an external wheelchair lift. The applicant has already carried out most of the work involved, and the application is therefore largely retrospective, although construction of the lift and access onto Kilbowie Road has not been completed.

- 3.3** The decking projects almost 3 metres out from the front of the building, and is 1.95m high at its highest point, with a 1.1 metre high handrail. The lifting platform at the northern end of the decking measures approximately 1.5 metres wide and approximately 2 metres in depth, with a control button on a post at a low level to allow users to operate the lift. A new opening is being formed in the low wall at the side of the property to allow access to the lifting platform, but there would be no steps at this point and it would therefore not be used by able bodied customers. When the application was submitted the applicant sought to use the decking as an outside seating area as well as a level access, but this use has been deleted and it is now proposed that the decking would be used purely as a disabled access.

4. CONSULTATIONS

- 4.1** West Dunbartonshire Council Roads has no objections provided that the decking is used only as an access to the property and not as a seating area, as this would increase the parking shortfall.
- 4.2** West Dunbartonshire Council Environmental Health had no objections to the proposed seating area which was originally proposed subject to it not being used after 9pm at night. No restrictions would be required if the decking is used for disabled access only.

5. REPRESENTATIONS

- 5.1** None.

6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN

West Dunbartonshire Local Plan 2010

- 6.1** The application site is located within an Existing Residential Area where Policy H5 seeks to safeguard and where possible enhance the character and amenity of residential areas. Where a non-residential use is proposed consideration should be given to whether the use is ancillary or complimentary to the residential area and whether it would result in a significant loss of amenity to surrounding properties. The principle of the church being used as a licensed restaurant has already been established by the earlier permission, and the current application for changes to the disabled access arrangements would not conflict with Policy H5 as discussed in Section 7 below.
- 6.2** Policy GD1 requires all new development to be of a high quality of design and to respect the character and amenity of the area in which it is located. Proposals are required to be appropriate to the local area in terms of land use, layout and design and the Council's roads, parking and access requirements should normally be met. The design and appearance of the decking is considered to be appropriate, and the proposal is in compliance with Policy GD1.

7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

Appearance and Design

- 7.1** The original planning permission for change of use of the former church to a licensed restaurant was granted on the basis that this was an appropriate use for a site on the edge of the town centre and would secure the future of a derelict building of some architectural and historic interest. The current application relates only to the decking and wheelchair lift platform at the front of the building. In terms of its design and appearance the raised timber decking is considered to be appropriate and complimentary to the existing building. It is not out of scale with the existing building and it is considered that it has not resulted in overdevelopment of the site. The main entrance to the building has a large number of stairs leading up to it and it is not practical to provide a wheelchair ramp at this point, and the decking is considered to be an appropriate alternative.

Impact on the amenity of the area.

- 7.2** Although there have not been any representations to this application, concerns about the potential for outdoor seating or smoking areas were raised at the time of the previous application. The applicant did originally intend to provide a small amount of outdoor seating on the decking, and the decking has been built wide enough to be capable of accommodating a single row of two-person tables as well as a 1.8m wheelchair corridor. However, this proposed use has been withdrawn due to concerns about further increasing the parking shortfall and the difficulty of limiting its use to early evening to avoid causing disturbance to neighbours late at night. The use of the decking for external seating therefore no longer forms part of the application, and any such use would require a separate application for planning permission. The decking area also is not covered by the building's provisional drinks license.
- 7.3** For similar reasons, it is desirable to prevent the use of the decking as an informal smoking area, and the decking does not affect the more suitable area at the corner of the building which was approved as part of the original permission. A condition is recommended whereby the decking shall not be used as a smoking area or as an external seating area. Access to and from the decking from within the building is by way of a separate door adjacent to the bar area, and staff should be able to supervise its use. Notices could also be displayed to direct customers to the designated smoking area.

8. CONCLUSION

- 8.1** The raised timber decking and lifting platform are considered to be acceptable in terms of their appearance and location. Subject to limitations on their use it is considered that they would not have any detrimental impact on the amenity of neighbouring residential properties. The proposal would contribute towards the re-use of an attractive and prominent building, and no representations have been received in connection with the application.

9. CONDITIONS

- 01. The timber decking shall be used solely to provide level access to the property for people with reduced mobility, and shall not be used as an outdoor seating area or for the purposes of eating, drinking or smoking. Signs shall be displayed at the premises prohibiting use of the decking for such purposes and directing smokers to the previously approved external smoking area.**
- 02. Within 1 month of the date of this consent full details of the new opening formed in the stone wall facing onto Kilbowie Road and its treatment shall be submitted for the further written approval of the planning authority and shall be implemented as approved.**

Elaine Melrose
Executive Director of Housing, Environmental
and Economic Development
Date: 22 October 2012.

Person to Contact: Pamela Clifford, Planning & Building Standards Manager,
Housing, Environmental and Economic Development,
Council Offices, Clydebank. G811TG.
01389 738656
email: Pamela.Clifford@west-dunbarton.gov.uk

Appendix: None

Background Papers:

1. Application forms and plans;
2. Consultation responses; and
3. West Dunbartonshire Local Plan 2010
4. Planning application no: DC09/287/COU

Wards affected: Ward 5 (Clydebank Central)