

## Inverclyde Local Review Body

Our Ref: 18/0325/IC

### REVIEW DECISION NOTICE

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Decision by Inverclyde Local Review Body (the ILRB)

- Site address: 54 Cloch Road, Gourrock
  - Application for Review by Taylor Haggarty Design on behalf of Mr E Hansen against the decision by an appointed officer of Inverclyde Council
  - Application Ref: 18/0325/IC
  - Application Drawings: Drawing No. 846.L1A – Location plan
  - Date of Decision Notice: 16 April 2019
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### Decision

The ILRB reverses the determination reviewed by it and extends the time when work must commence on the erection of a house on site at 54 Cloch Road, Gourrock until 3 April 2022, subject to the conditions listed below. Attention is also drawn to the Advisory Notice at the end of this Review Decision Notice.

#### 1. Introduction

- 1.1 This Notice constitutes the formal decision notice of the ILRB as required by the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013.
- 1.2 The above application to extend the time when work must commence was considered by the ILRB at a meeting held on 3 April 2019. The Review Body was constituted by Councillors J Clocherty, J Crowther, R Moran, D McKenzie, I Nelson, L Rebecchi and D Wilson (Chair).

#### 2. Proposal

- 2.1 The application seeks permission to vary planning permission 16/0035/IC to extend the time when work must commence on the erection of a house on the site at 54 Cloch Road, Gourrock. The application was granted in terms of a decision letter dated 11 January 2019, the decision letter specifying that the development to which planning permission 18/0325/IC relates must be begun not later than the expiration of 3 years beginning with the date of that permission.

#### 3. Preliminaries

- 3.1 The ILRB members were provided with copies of the following:
  - (i) Planning Application dated 22 November 2018 together with location plan;
  - (ii) Appointed Officer's Site Photograph together with location plan;
  - (iii) Appointed Officer's Report of Handling dated 11 January 2019;
  - (iv) Decision Notice dated 11 January 2019 issued by Head of Regeneration & Planning;
  - (v) Notice of Review Form dated 13 February 2019 with supporting documentation from Taylor Haggarty Design;

(vi) Suggested conditions should planning permission be granted on review.

3.2 Having regard to the material produced the ILRB resolved that the Review Application could be determined without any further procedure allowed in terms of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013.

#### 4. **Reasons**

4.1 The determining issue in this review was the impact of the application to extend the time when work must commence.

4.2 Having regard to the whole circumstances, the ILRB having considered the matter afresh and, having taken into account the Inverclyde Local Development Plan and all relevant material and planning considerations, determined that the review application should be upheld.

4.3 It was also agreed by the ILRB that the conditions listed at paragraph 5 below be placed on the planning permission for the reasons specified.

#### 5. **Conditions**

1. The 2.5m X 90.0m X 1.05m high sightline at the access onto Cloch Road, detailed in drawing 846.SL 1 of planning permission IC/07/384, shall be achieved prior to the house hereby approved being occupied.

2. No development shall commence until samples of all external materials have been submitted to and approved in writing by the Head of Regeneration & Planning. Development thereafter shall proceed utilising the approved materials unless the Head of Regeneration & Planning gives his prior written approval to any alternatives.

3. No development shall commence until details of screen planting for the northern side of the driveway have been submitted to and approved in writing by the Head of Regeneration & Planning.

4. The approved planting scheme shall be implemented in the first planting season following completion of the house and any specimens that in the subsequent 5 years die, become diseased or are damaged shall be replaced in the next planting season with a similar specimen unless the Head of Regeneration & Planning gives his prior written approval to any alternatives.

#### **Reasons**

1. In the interests of road safety on Cloch Road.

2. To ensure a continuity of materials in this part of Gourock.

3. To prevent potential overlooking of the rear of the properties at 57 & 58 Cloch Road.

4. To prevent potential overlooking of the rear of the properties at 57 & 58 Cloch Road.

Signed \_\_\_\_\_

Head of Legal & Property Services  
Inverclyde Council  
Municipal Buildings  
Greenock  
PA15 1LX

## TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

### **Notification to be sent to applicant on determination by the planning authority of an application following a review conducted under section 43A(8)**

#### **Notice under Regulation 22 of the Town and Country Planning (Schemes of Delegation and Local Review Procedure)(Scotland) Regulations 2013**

1. If the applicant is aggrieved by the decision of the planning authority -
  - (a) to refuse permission for the proposed development;
  - (b) to refuse approval, consent or agreement required by a condition imposed on a grant of planning permission; or
  - (c) to grant permission or approval, consent or agreement subject to conditions,

the applicant may question the validity of that decision by making an application to the Court of Session. An application to the Court of Session must be made within 6 weeks of the date of the decision.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part V of the Town and Country Planning (Scotland) Act 1997.