

## Inverclyde Local Review Body

Our Ref: 19/0010/IC

### REVIEW DECISION NOTICE

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Decision by Inverclyde Local Review Body (the ILRB)

- Site address: 6 Roseneath Street, Greenock
  - Application for Review by Nicholson McShane Architects on behalf of Mr J Sweeney against the decision by an appointed officer of Inverclyde Council
  - Application Ref: 19/0010/IC
  - Application Drawings: Drawing No. 18042\_D\_001 – Existing ground floor plan and roof plan  
Drawing No. 18042\_D\_002 – Revision B – Proposed plans  
Drawing No. 18042\_D\_003 – Existing elevations and section  
Drawing No. 18042\_D\_004 – Proposed elevations  
Drawing No. 18042\_D\_005 – Model views  
Drawing No. 18042\_D\_006 – Existing and proposed block plans  
Drawing No. 18042\_D\_LP – Location plan
  - Date of Review Decision Notice: 15 October 2019
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### Decision

The ILRB upholds the decision to refuse planning permission for the reasons given below and dismisses the review. 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 for planning permission was considered by the ILRB firstly at a meeting held on 7 August 2019. The ILRB was constituted by Councillors J Clocherty, J Crowther, G Dorrian, D McKenzie, L Rebecchi and D Wilson (Chair). At that meeting, the members of the ILRB decided that they wished to seek information by means of a written submission in terms of Regulation 15 of the Town & Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013 from the applicant, the Appointed Officer and any other interested parties in relation to their views on Historic Environment Scotland's Historic Environment Policy for Scotland (HEPS) published in May 2019 as it impacts upon the application to the Local Review Body.
- 1.3 The ILRB reconvened on 2 October 2019 to determine the matter. The ILRB on 2 October 2019 was constituted by Councillors J Crowther, G Dorrian, D McKenzie, L Rebecchi and D Wilson (Chair).

## 2. Proposal

- 2.1 The application proposal is for extension and alteration of the former stables/outbuildings for conversion into a new dwellinghouse, involving the amalgamation and extension of the outbuildings to enable the dwelling to occupy the western area of the site covering approximately 149.7m square metres. The two storey element of the large outbuilding will be retained and enlarged by increasing its height by approximately 0.31m metre. A two-storey extension will be erected to the northern side elevation, which will project by 3 metres, be to a width of 3.4 metres, and extend to a height of 5 metres. A new dormer will project by 3.7 metres from the southern side elevation to a width of 9.2 metres across the upper level southern elevation of the house. A single storey element will be built to the front (eastern) elevation, which will project approximately 4.2 metres from the front wall, be to a width of 7.7 metres and will extend to a height of 4.2 metres. Three rooflights will be incorporated within the roof of the single storey extension.

The overall design of the house is of a contemporary style incorporating key fenestration to the eastern elevation and a mono-pitched roof over the single storey extension. The external materials comprise predominately facing brick with sections of timber cladding. The roof over the main two storey element of the building will be covered in slate. The roof over the single storey extension, dormer and the finishing of the dormer cheeks will be covered in metal standing seam. The proposed plan assigns two parking spaces to the south-eastern side of the site.

The application was refused consent in terms of a decision letter dated 22 March 2019.

## 3. Preliminaries

- 3.1 The ILRB members were provided with copies of the following:
- (i) Planning Application dated 21 January 2019 together with Plans
  - (ii) Appointed Officer's Site Photographs
  - (iii) Appointed Officer's Report of Handling dated 22 March 2019
  - (iv) Adopted Planning Application Advice Notes 2 and 3 - Single Plot Residential Development and Private and Public Open Space Provision in New Residential Development
  - (v) Proposed Planning Application Advice Notes 2 and 3 - Single Plot Residential Development and Private and Public Open Space Provision in New Residential Development
  - (vi) Planning Application and Plan, Appointed Officer's Report of Handling and Decision Notice issued by Head of Regeneration and Planning in relation to planning application 15/0024/IC for change of use and alterations to former coach house to form dwelling at 45 Esplanade, Greenock
  - (vii) Consultation responses in relation to Planning Application
  - (viii) Representation in relation to Planning Application
  - (ix) Decision Notice dated 22 March 2019 issued by Head of Regeneration & Planning
  - (x) Notice of Review Form dated 20 June 2019 with supporting documentation from Nicholson McShane Architects
  - (xi) Suggested advisory notes should planning permission be granted on review

In addition, the ILRB at the meeting held on 2 October were provided with copies of the following:

- (i) Corrections to Appointed Officer's Report of Handling Content
- (ii) Planning Application and Plans, Appointed Officer's Report of Handling and Decision Notice issued by Head of Regeneration and Planning in relation to planning application 16/0102/IC for conversion of stables to a two bedroom, one and a half storey house at 6 Roseneath Street, Greenock
- (iii) Email dated 20 August 2019 on behalf of Appointed Officer

3.2 At the meeting on 2 October 2019 the Planning Adviser advised the ILRB that, although the 2014 Local Development Plan had been in place when the Appointed Officer had determined the planning application, this had been superseded by the 2019 Local Development Plan and, accordingly, Members should not have regard to Policies RES1, RES5 and HER1 when considering and determining the application for review.

3.3 Having regard to the material before the ILRB and the comments from the Planning Adviser, 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. Findings and Conclusions

4.1 The determining issues in this review were (a) the planning history of the site, (b) developments within the Greenock West End Conservation Area, (c) the size of the proposed development and (d) pre-application discussions with the applicant/applicant's architect.

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, considered that no evidence had been submitted within the documentation submitted to it sufficient to reverse the Appointed Officer's decision, accepted the reasoning of the Appointed Officer and, following a vote, determined that planning permission be refused for the following reasons:

1. the proposal by virtue of scale, form and design would adversely impact upon the historical pattern of development and high quality traditional design which gave rise to the designation of the Greenock West End Conservation Area and, as such, the proposal is contrary to Policies 1, 20 and 28;
2. the proposal does not reflect the plot size, proportion of built ground to garden ground, distances to boundaries, established street frontage, roof design and use of materials and colours of properties within the immediate locality. The proposal therefore presents conflicts with the guidance within PAAN2 and PAAN3; and
3. the proposal is contrary to Historic Environment Scotland's Historic Environment Policy for Scotland as it does not seek to preserve or enhance the characteristics of the Conservation Area nor manage change to the historic environment with intelligence and understanding. Furthermore, it is not supported by the "Managing Change in the Historic Environment" guidance note on "Setting" which advises that development which does not respect the scale, design and detailing of existing buildings will not generally be supported.

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.