

Inverclyde Local Review Body

Our Ref: 20/0314/IC

REVIEW DECISION NOTICE

Decision by Inverclyde Local Review Body (the ILRB)

- Site address: Ardfruoch, Glenmosston Road, Kilmacolm, PA13 4PF.
 - Application for Review by Bennet Developments and Consulting on behalf of Marco Rebecchi against the decision by an appointed officer of Inverclyde Council
 - Application Ref: 20/0314/IC
 - Application Drawings:

Proposed Elevations	(PL-500 Rev B)
Existing Site Plan	(EX-200)
Existing Floor Plans	(EX-300)
Existing Elevations	(EX-500)
Proposed Site Plan	(EX-201)
Proposed Ground Floor	(PL-305)
Proposed First Floor	(PL-306)
 - Date of Decision Notice: 02/06/2021
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Decision

The ILRB reverses the determination reviewed by it and grants Planning Permission, subject to the condition(s) listed below.

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 at a meeting held on 2 June 2021. The Review Body was constituted by Councillors Clocherty, Crowther, Dorrian, McKenzie, Nelson, Rebecchi and Wilson.

2. Proposal

- 2.1 The application proposal is for erection of two storey extension with single storey extension incorporating a canopy and external terrace. The application was refused consent in terms of a decision letter dated 5 February 2021.

3. Preliminaries

3.1 The ILRB members were provided with copies of the following:

- (i) Planning Application dated 15 December 2020 and the drawings specified above.
- (ii) The Appointed Officer's Report of Handling dated 5 February 2021.
- (iii) Local Development Plan 2019 Policy extracts.
- (iv) Local Development Plan Proposals Maps 2019 Extract.
- (v) Inverclyde Local Development Plan 2019 Supplementary Guidance on Planning Application Advice Notes Policy Extracts.
- (vi) Representations in relation to the Planning Application.
- (vii) Decision Notice dated 5 February 2021.
- (viii) Notice of Review dated 29 March 2021 together with supporting statement from Bennett Developments and Consulting.
- (ix) Suggested Condition(s) should the ILRB be minded to grant planning permission.
- (x) The Inverclyde Proposed Local Development Plan 2021.

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 is the impact of the development on the character and appearance of the area.

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 condition listed at paragraph 5 below be attached to the planning permission for the reasons specified.

5 Condition

1. Development shall not commence until samples of materials to be used on all external surfaces of the development hereby approved have been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reasons

1. To ensure the development is acceptable in appearance and the external materials are appropriate for the conservation area.

Signed _____

Interim Head of Legal 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.