

**LOCAL REVIEW BODY – 3 AUGUST 2022**

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**Local Review Body**

**Wednesday 3 August 2022 at 4pm**

**Present:** Councillors Clocherty, Crowther, Curley, McVey, Moran (for McCabe) and Wilson (for Brooks).

**Chair:** Councillor McVey presided.

**In attendance:** Ms M Pickett (Planning Adviser), Mr J Kerr (Legal Adviser), Mr C MacDonald and Ms L Carrick (Legal & Democratic Services) and Mr P Coulter (for Service Manager, Communications, Tourism and Health & Safety).

The meeting was held at the Municipal Buildings, Greenock with Councillor Crowther attending by video-conference.

**The following paragraphs are submitted for information only, having been dealt with under the powers delegated to the Local Review Body.**

**351 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST 351**

Apologies for absence were intimated on behalf of Councillor Brooks, with Councillor Wilson substituting, Councillor McCabe with Councillor Moran substituting, and Councillor McGuire.

No declarations of interest were intimated.

**352 PLANNING APPLICATION FOR REVIEW 352**

**(a) Proposed new build 4-storey block of flats:  
13 Kelly Street, Greenock (21/0243/IC)**

There were submitted papers relative to the application for review for a proposed new build 4-storey block of flats at 13 Kelly Street, Greenock (21/0243/IC) to enable the Local Review Body to consider the matter afresh.

Ms Pickett acted as Planning Adviser relative to this case.

Following discussions, Councillor Wilson moved that (1) sufficient information had not been submitted to allow the Local Review Body to decide the matter without further procedure; and (2) in terms of Regulation 16 of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013, consideration of the application for review be continued for an unaccompanied site inspection to be arranged by the Head of Legal & Democratic Services in consultation with the Chair.

As an amendment, Councillor Curley moved that (1) sufficient information had been submitted to allow the Local Review Body to decide the matter without further procedure; and (2) the application for review be dismissed and that planning permission be refused (upholding the Appointed Officer's determination) for the following reasons:

1. the proposal fails to accord with the principles set out in paragraph 29 of Scottish Planning Policy and it cannot be concluded that the proposal constitutes sustainable development and is the right development in the right place;
2. the proposal by virtue of the detail of the design approach and use of materials at this location fails to preserve or enhance the Greenock West End Conservation Area contrary to the requirements of Policy 28 of both the 2019 adopted Inverclyde Local

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Development Plan and the 2021 proposed Inverclyde Local Development Plan;

3. by developing the original rear curtilage of the existing building fronting Union Street the proposal would be to the detriment of the setting of the listed building it is also not supported by Policy 29 of both the 2019 adopted Inverclyde Local Development Plan and the 2021 proposed Inverclyde Local Development Plan;

4. the proposal fails to have regard to the six qualities of successful places as required by Policy 1 of both the 2019 Inverclyde Local Development Plan and 2021 proposed Inverclyde Local Development Plan, specifically as it fails to reflect local architecture and urban form and contribute positively to historic places under the 'Distinctive' heading and fails to avoid conflict in respect of window to window privacy under the 'Safe and Pleasant' heading;

5. no off-street parking is provided and the proposal does not therefore meet with the requirements of Policy 11 of the 2019 adopted Inverclyde Local Development Plan and Policy 12 of the 2021 proposed Inverclyde Local Development Plan; and

6. the proposal fails to follow the advice and guidance within paragraph 8.2 of the Greenock West End Conservation Area Appraisal which highlights a presumption against development within the original plots in the Conservation Area.

Following a roll call vote, 2 members, Councillors Moran and Wilson, voted in favour of the motion and 4 members, Councillors Clocherty, Crowther, Curley and McVey, voted in favour of the amendment which was declared carried.

**Decided:**

(1) that sufficient information had been submitted to allow the Local Review Body to decide the matter without further procedure; and

(2) that the application for review be dismissed and that planning permission be refused (upholding the Appointed Officer's determination) for the following reasons:

1. the proposal fails to accord with the principles set out in paragraph 29 of Scottish Planning Policy and it cannot be concluded that the proposal constitutes sustainable development and is the right development in the right place;

2. the proposal by virtue of the detail of the design approach and use of materials at this location fails to preserve or enhance the Greenock West End Conservation Area contrary to the requirements of Policy 28 of both the 2019 adopted Inverclyde Local Development Plan and the 2021 proposed Inverclyde Local Development Plan;

3. by developing the original rear curtilage of the existing building fronting Union Street the proposal would be to the detriment of the setting of the listed building it is also not supported by Policy 29 of both the 2019 adopted Inverclyde Local Development Plan and the 2021 proposed Inverclyde Local Development Plan;

4. the proposal fails to have regard to the six qualities of successful places as required by Policy 1 of both the 2019 Inverclyde Local Development Plan and 2021 proposed Inverclyde Local Development Plan, specifically as it fails to reflect local architecture and urban form and contribute positively to historic places under the 'Distinctive' heading and fails to avoid conflict in respect of window to window privacy under the 'Safe and Pleasant' heading;

5. no off-street parking is provided and the proposal does not therefore meet with the requirements of Policy 11 of the 2019 adopted Inverclyde Local Development Plan and Policy 12 of the 2021 proposed Inverclyde Local Development Plan; and

6. the proposal fails to follow the advice and guidance within paragraph 8.2 of the Greenock West End Conservation Area Appraisal which highlights a presumption against development within the original plots in the Conservation Area.