

**LOCAL REVIEW BODY**

**3 MAY 2023**

**PLANNING APPLICATION FOR REVIEW**

**MRS EMMA PARKER**

**PROPOSED SMALL GROUND FLOOR EXTENSION AND ALTERATIONS TO  
FRONT OF HOUSE INCLUDING BALCONY AT FIRST FLOOR LEVEL  
3 ST ANDREWS DRIVE, GOUROCK (22/0163/IC)**

**Contents**

- 1. Planning Application dated 22 June 2022 together with Location Plan and Existing and Proposed Plans and Elevations**
- 2. Appointed Officer's Report of Handling dated 21 October 2022**
- 3. Inverclyde Local Development Plan 2019 Policy Extracts**

**To view the Inverclyde Local Development Plan see:**

**<https://www.inverclyde.gov.uk/planning-and-the-environment/planning-policy/development-planning/ldp>**

- 4. Inverclyde Local Development Plan 2019 Map Extract**
- 5. Inverclyde Local Development Plan 2019 Supplementary Guidance on Planning Application Advice Notes Policy Extracts**
- 6. Representations in relation to Planning Application**
- 7. Decision Notice dated 28 October 2022 issued by Head of Regeneration & Planning**
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**Note: Inverclyde Proposed Local Development Plan 2021 has been attached to the rear of the agenda papers as supplementary content.**

**1. PLANNING APPLICATION DATED 22 JUNE 2022  
TOGETHER WITH LOCATION PLAN AND EXISTING  
AND PROPOSED PLANS AND ELEVATIONS**

Municipal Buildings Clyde Square Greenock PA15 1LY Tel: 01475 717171 Fax: 01475 712 468 Email: devcont.planning@inverclyde.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE            100577823-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Description of Proposal

Please describe accurately the work proposed: \* (Max 500 characters)

Proposed small ground floor extension and alterations to front of house including balcony at first floor level.

Has the work already been started and/ or completed? \*

No    Yes - Started    Yes – Completed

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant    Agent

## Agent Details

Please enter Agent details

Company/Organisation:	Nicholson McShane Architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Douglas	Building Name:	Custom House
Last Name: *	Nicholson	Building Number:	1-01
Telephone Number: *	01475 325025	Address 1 (Street): *	Custom House Place
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Greenock
Fax Number:		Country: *	Scotland
		Postcode: *	PA15 1EQ
Email Address: *	consents@nicholsonmcshane.co.uk		

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	Mrs	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Emma	Building Number:	3
Last Name: *	Parker	Address 1 (Street): *	3 St Andrews Drive
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Gourock
Extension Number:		Country: *	Scotland
Mobile Number:	██████████	Postcode: *	PA19 1HY
Fax Number:			
Email Address: *	██		

## Site Address Details

Planning Authority:

Inverclyde Council

Full postal address of the site (including postcode where available):

Address 1:

3 ST ANDREWS DRIVE

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

GOUROCK

Post Code:

PA19 1HY

Please identify/describe the location of the site or sites

Northing

676710

Easting

222416

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

Yes  No

## Trees

Are there any trees on or adjacent to the application site? \*

Yes  No

If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

## Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? \*

Yes  No

If yes, please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you proposed to make. You should also show existing footpaths and note if there will be any impact on these.

## Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? \*

Yes  No

## Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? \*

Yes  No

Is any of the land part of an agricultural holding? \*

Yes  No

## Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

## Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Douglas Nicholson

On behalf of: Mrs Emma Parker

Date: 22/06/2022

Please tick here to certify this Certificate. \*

## Checklist – Application for Householder Application

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

- a) Have you provided a written description of the development to which it relates? \*  Yes  No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? \*  Yes  No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent? \*  Yes  No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? \*. This should have a north point and be drawn to an identified scale.  Yes  No
- e) Have you provided a certificate of ownership? \*  Yes  No
- f) Have you provided the fee payable under the Fees Regulations? \*  Yes  No
- g) Have you provided any other plans as necessary? \*  Yes  No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). \*

You can attach these electronic documents later in the process.

Existing and Proposed elevations.

Existing and proposed floor plans.

Cross sections.

Site layout plan/Block plans (including access).

Roof plan.

Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding.  Yes  No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. \*  Yes  No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

## Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

Declaration Name: Mr Douglas Nicholson

Declaration Date: 22/06/2022

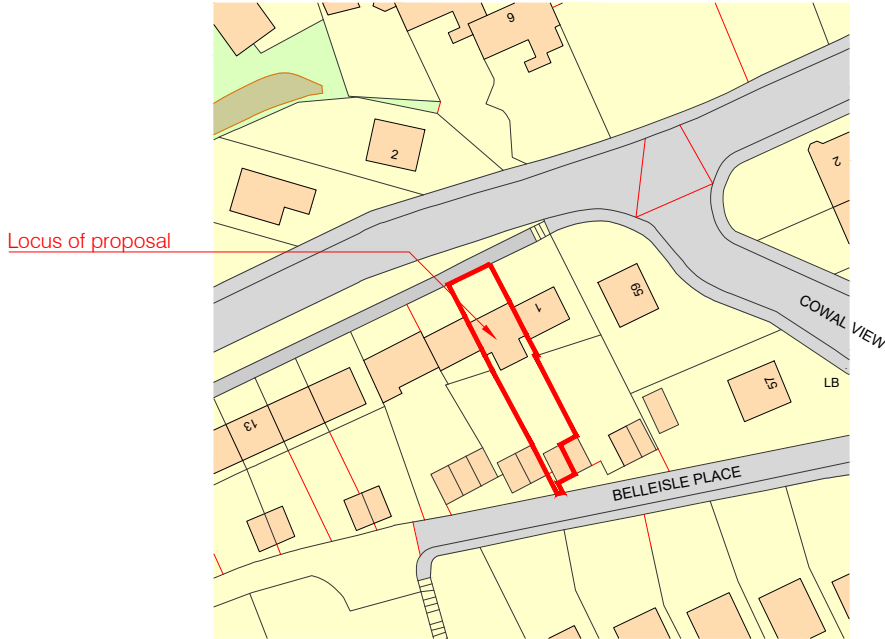
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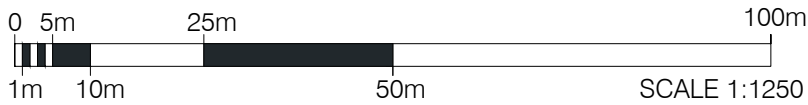
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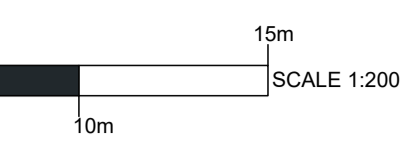
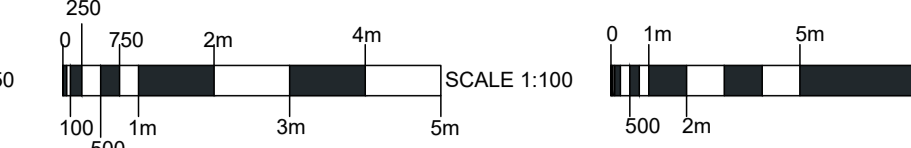
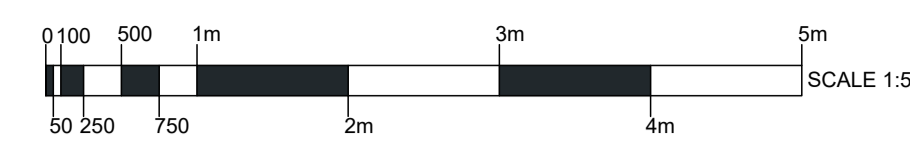
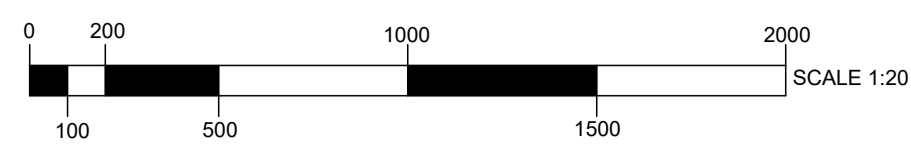


CLIENT Mr & Mrs Parker		PROJECT TITLE Alterations to front of house including balcony						
PROJECT ADDRESS 3 St Andrews Drive, Gourrock, PA19 1HY		DRAWING TITLE Location Plan						
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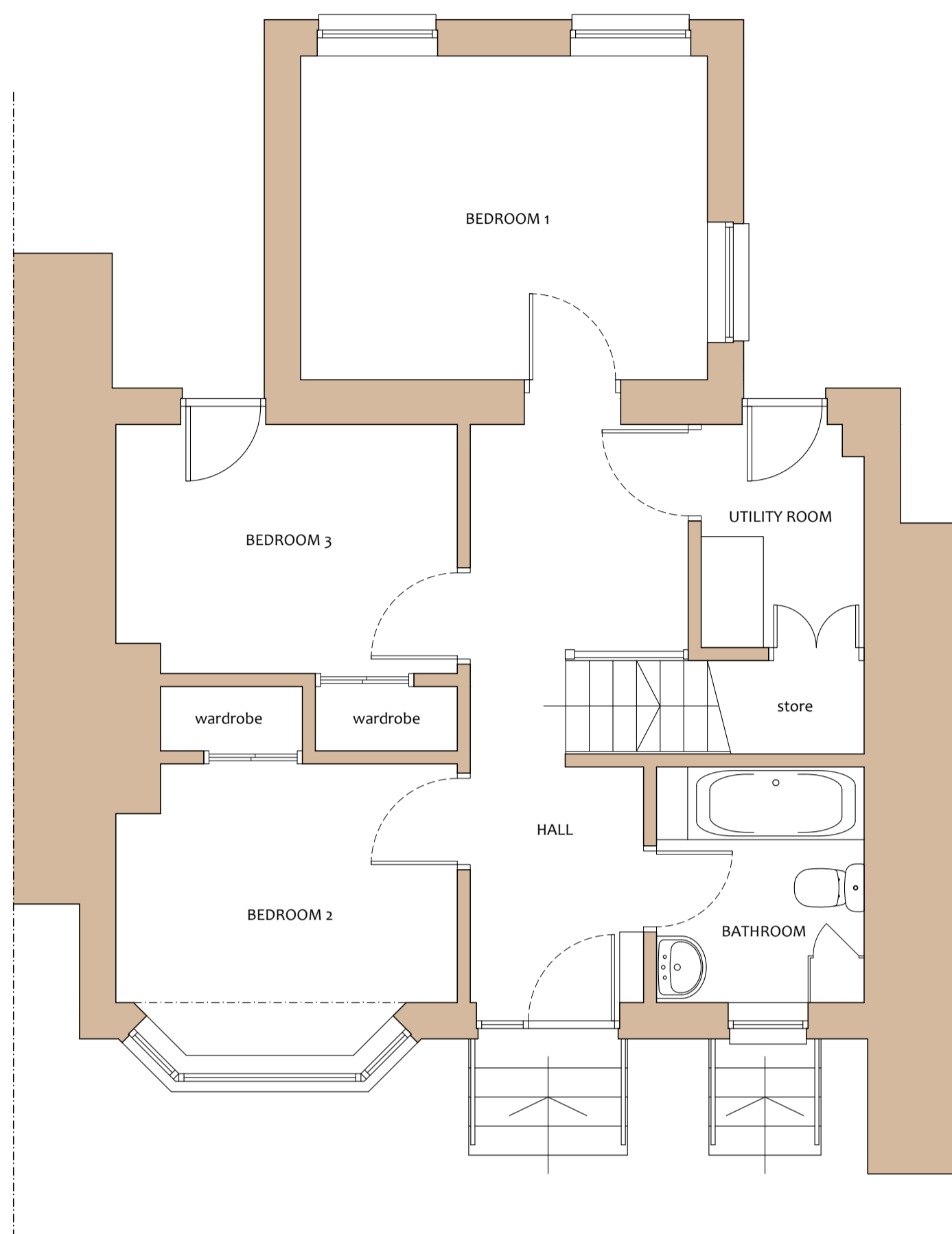
NICHOLSON MCSHANE ARCHITECTS  
 SUITE 1-01  
 CUSTOM HOUSE  
 CUSTOM HOUSE PLACE  
 GREENOCK  
 INVERCLYDE  
 PA15 1EQ  
 email: info@nicholsonmcshane.co.uk  
 web: nicholsonmcshane.co.uk  
 tel: 01475 325025



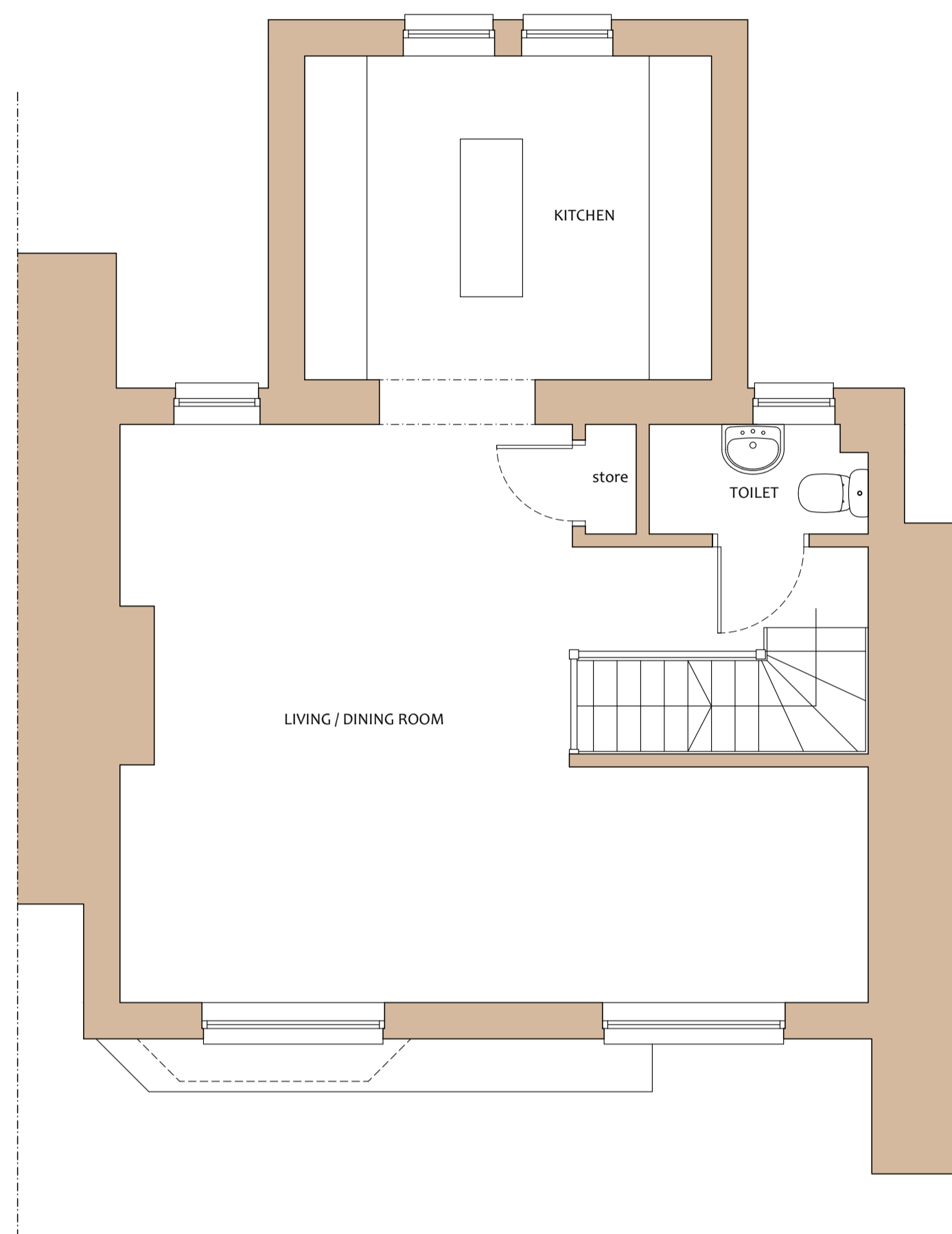
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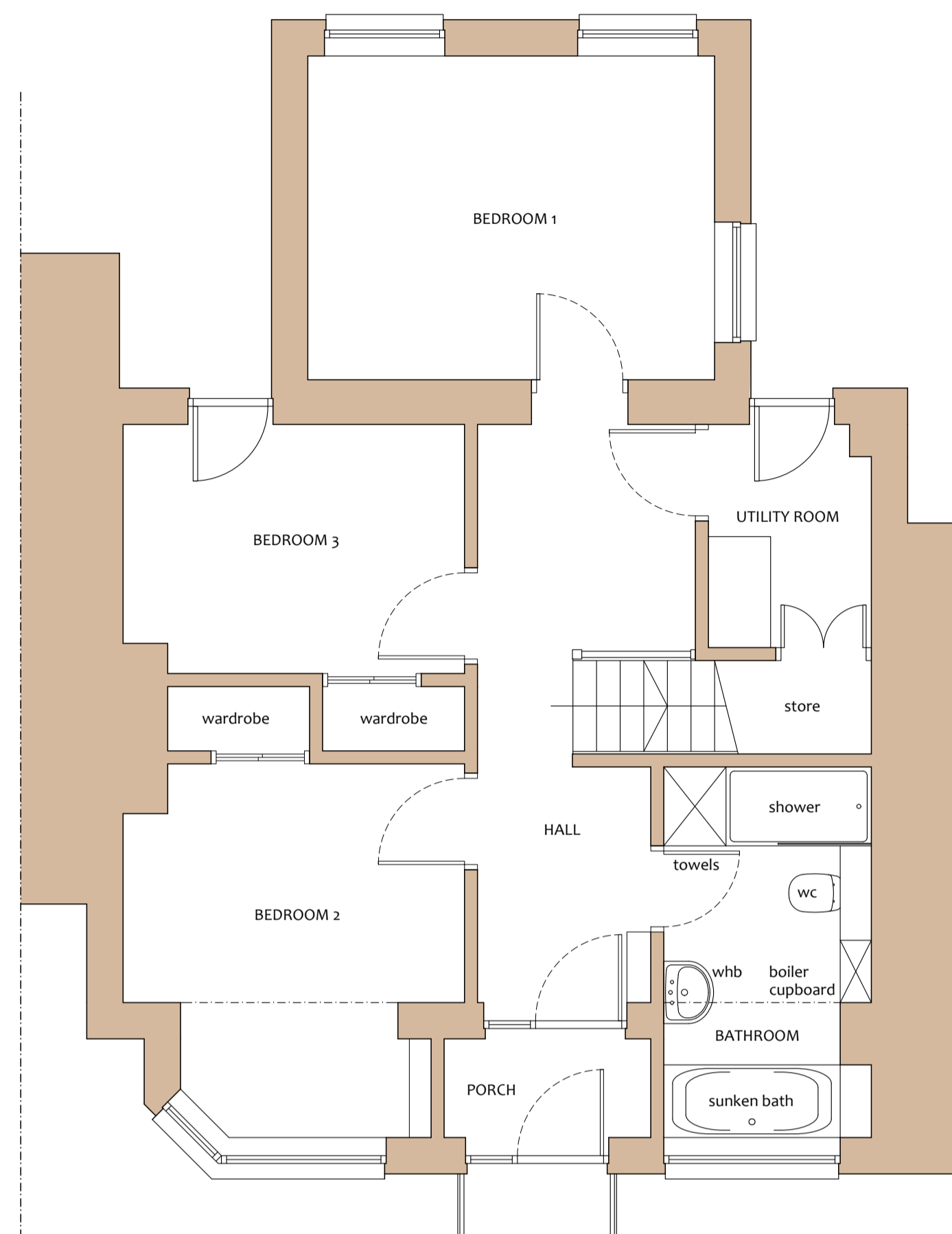
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A	Amended in line with client requirements	25-05-22
B	Amended in line with client requirements	26-05-22
C	Amended in line with client requirements	06-06-22
D	Block plan added	11-07-22
E	Side elevations added	06-10-22



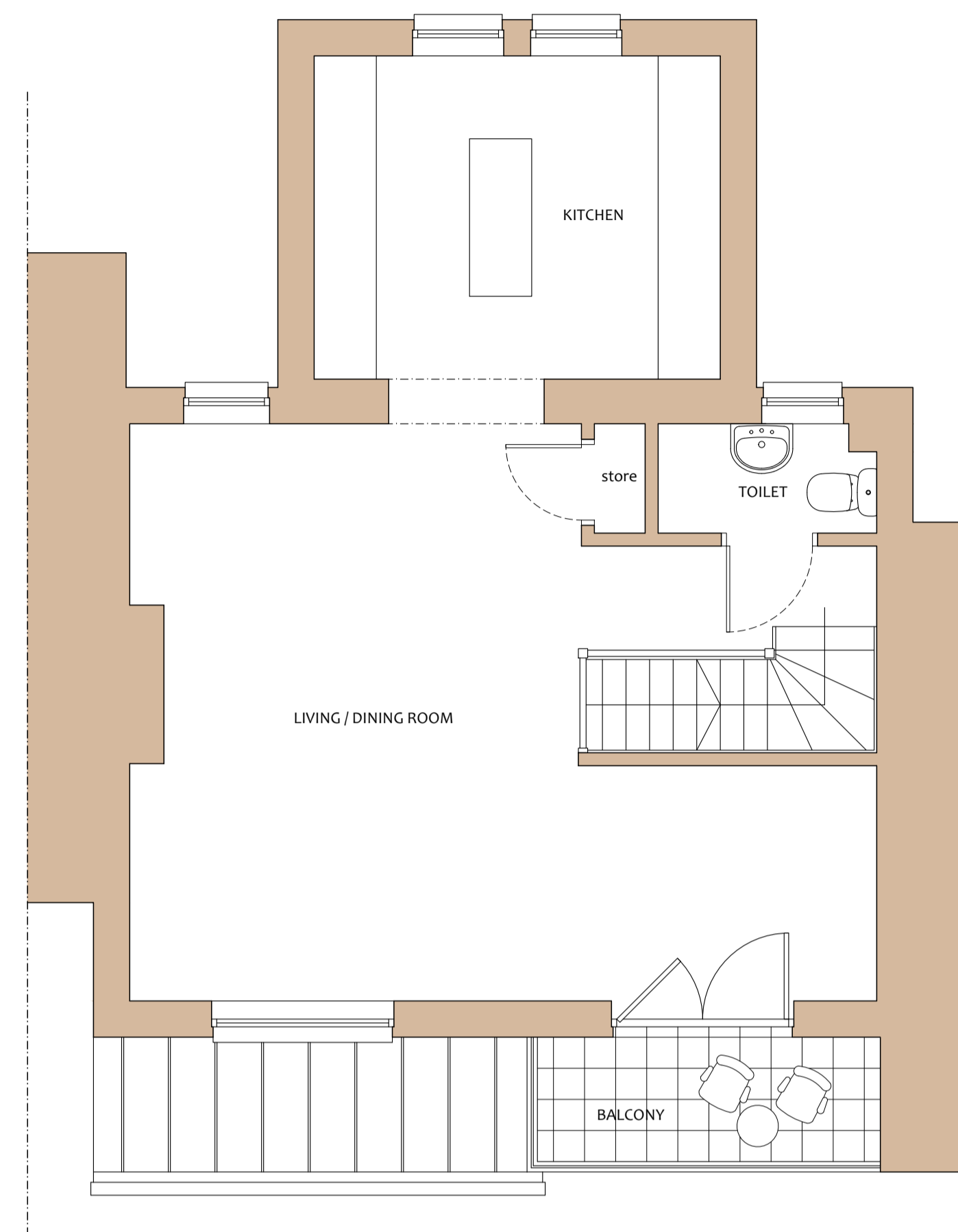
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UPPER FLOOR PLAN AS EXISTING



GROUND FLOOR PLAN AS PROPOSED



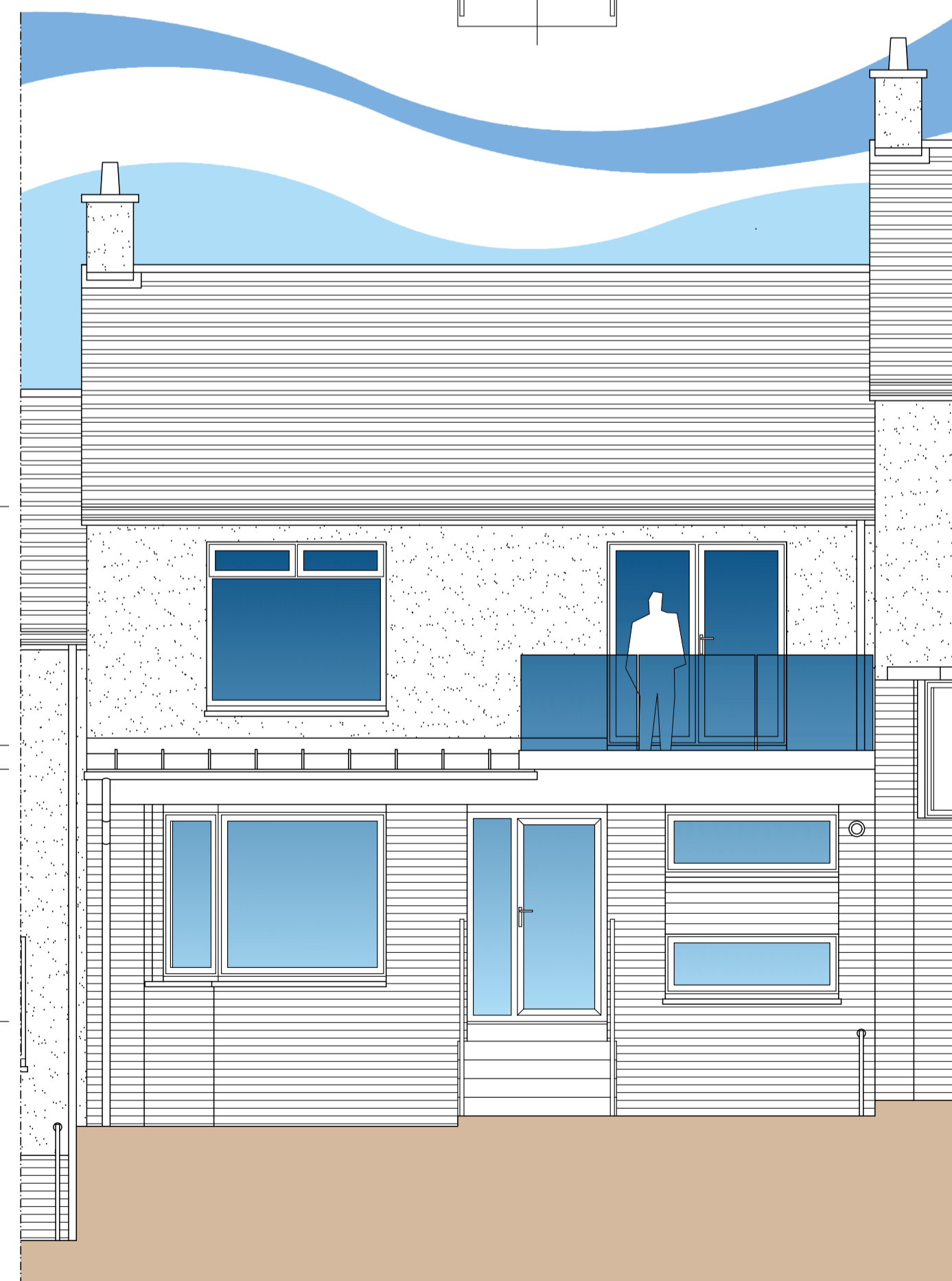
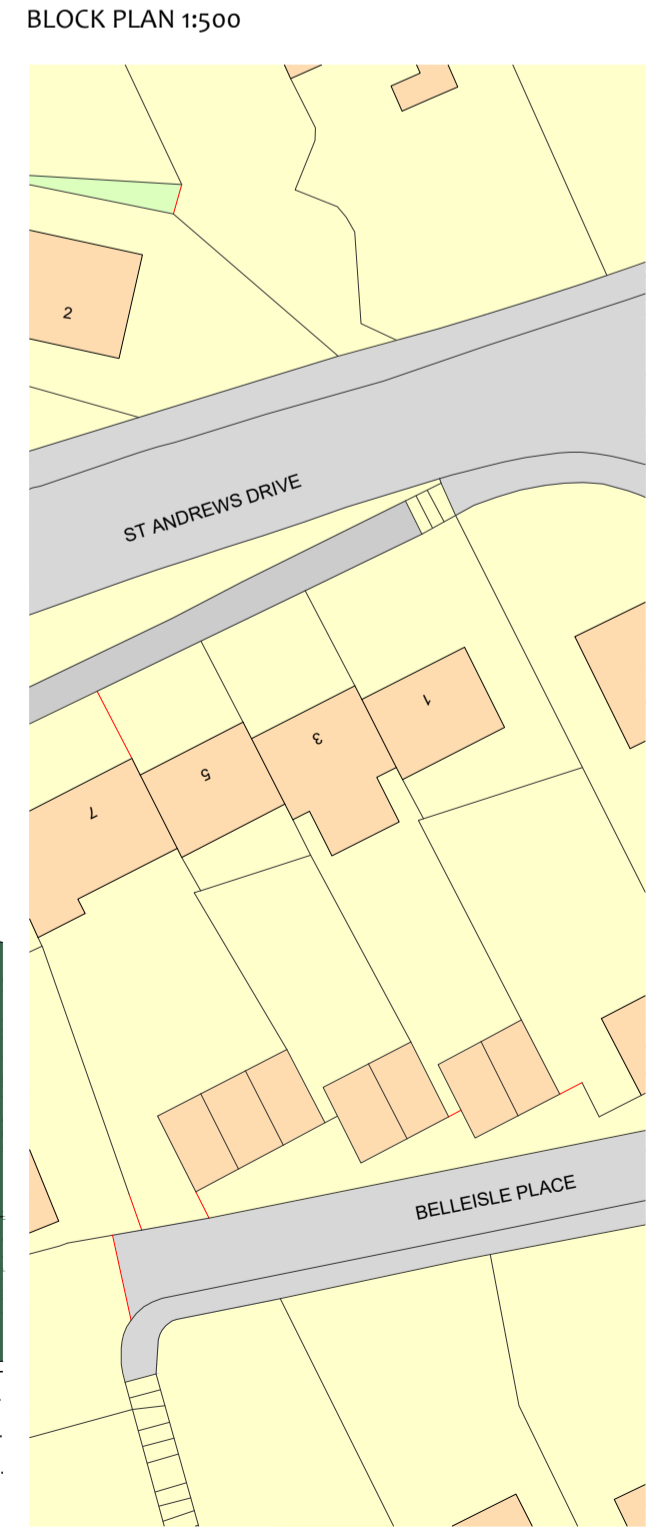
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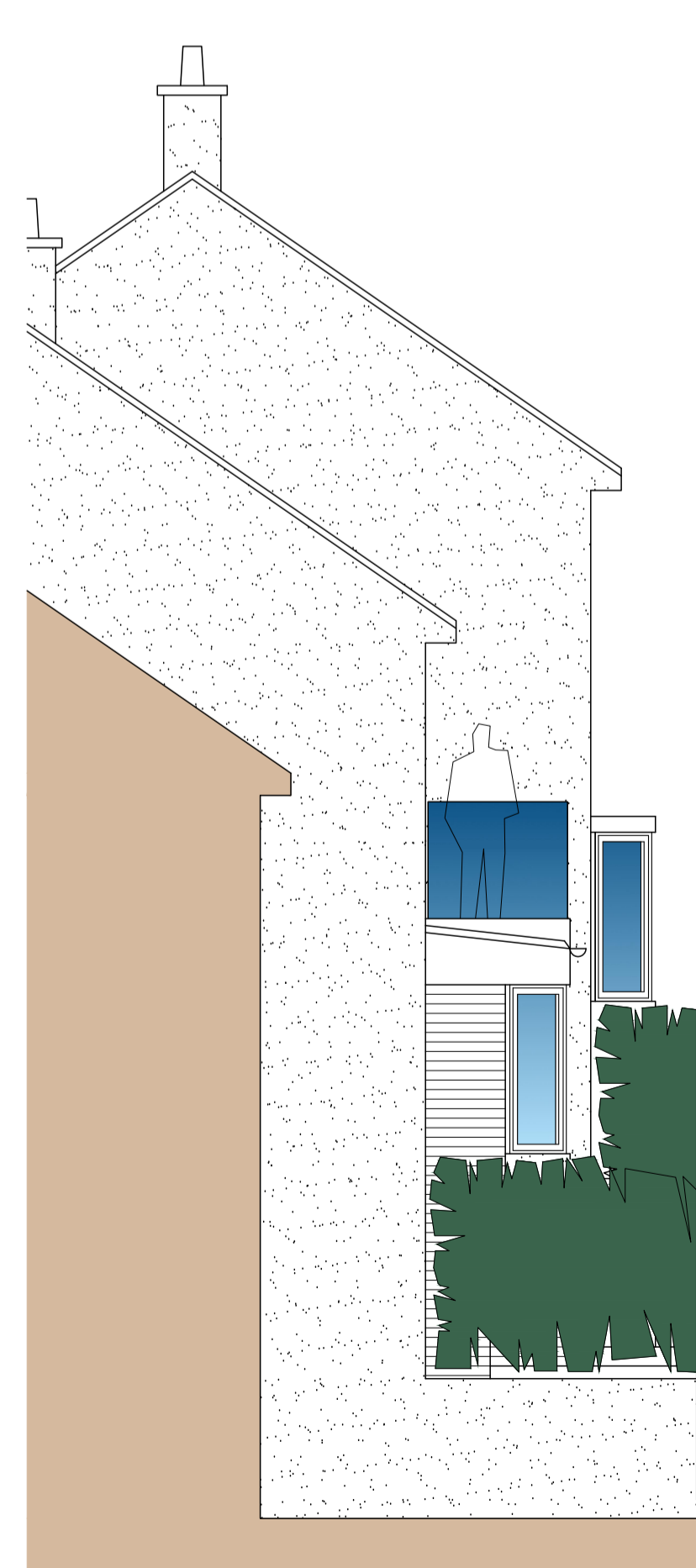
ELEVATION TO STREET AS EXISTING



SIDE ELEVATION AS EXISTING



ELEVATION TO STREET AS PROPOSED

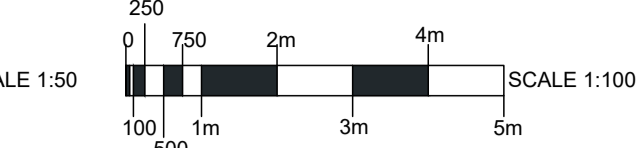
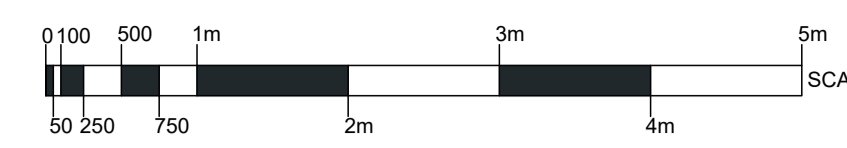
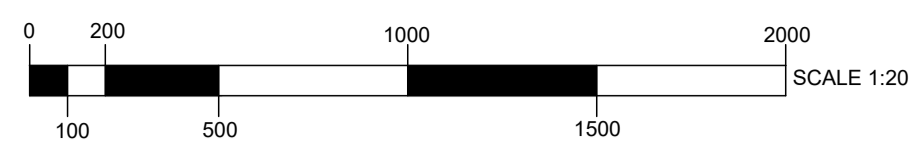


SIDE ELEVATION AS PROPOSED

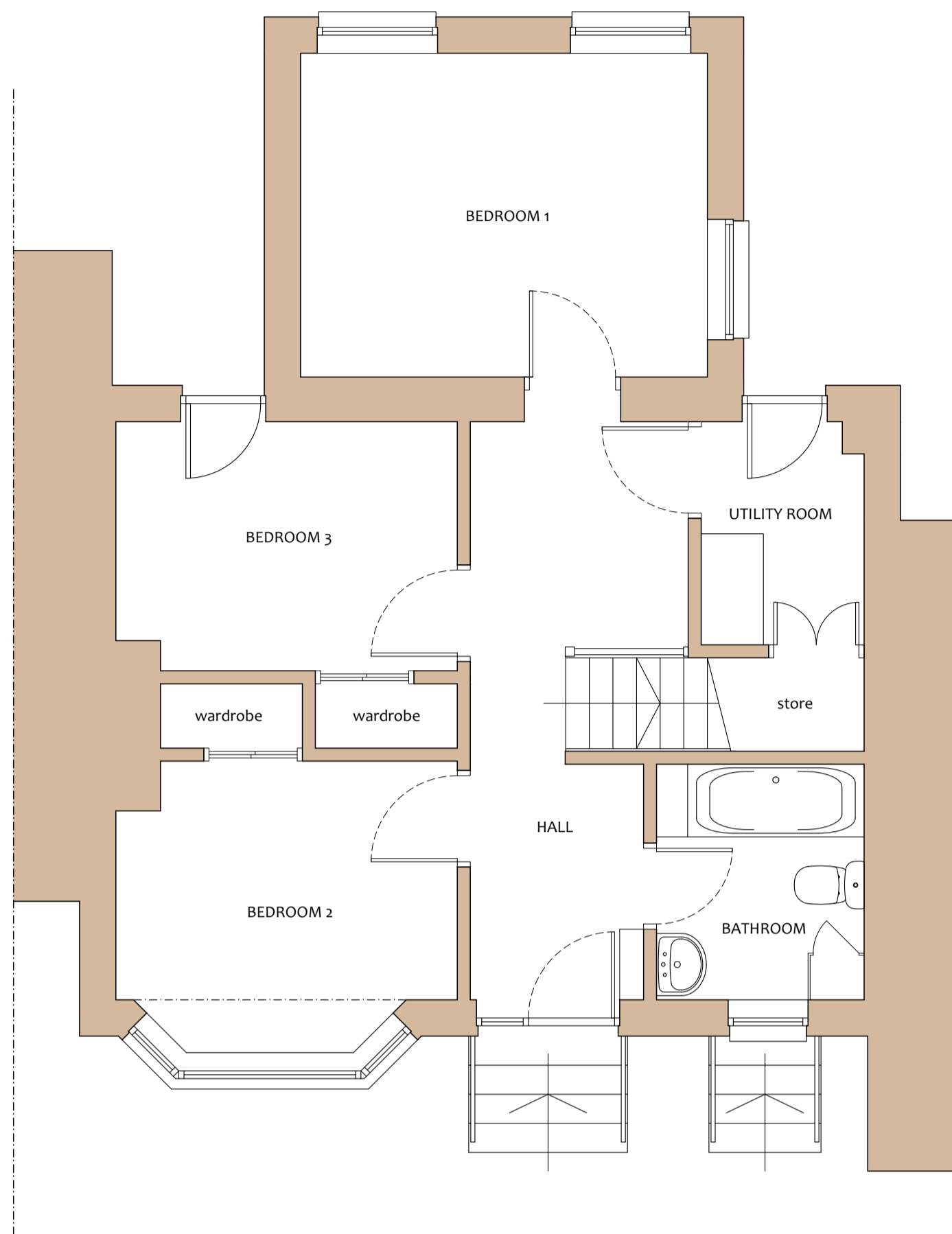
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**a** SUITE 1-01  
 CUSTOM HOUSE  
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PROJECT TITLE Proposed alterations to front of house including balcony	
PROJECT ADDRESS 3 St Andrews Drive, Gourack	
DRAWING TITLE Existing and proposed plans and elevation	
DRAWING STATUS COMMENT / APPROVAL	PAPER SIZE A1
DRAWING NUMBER 22020_C.001	REVISION E
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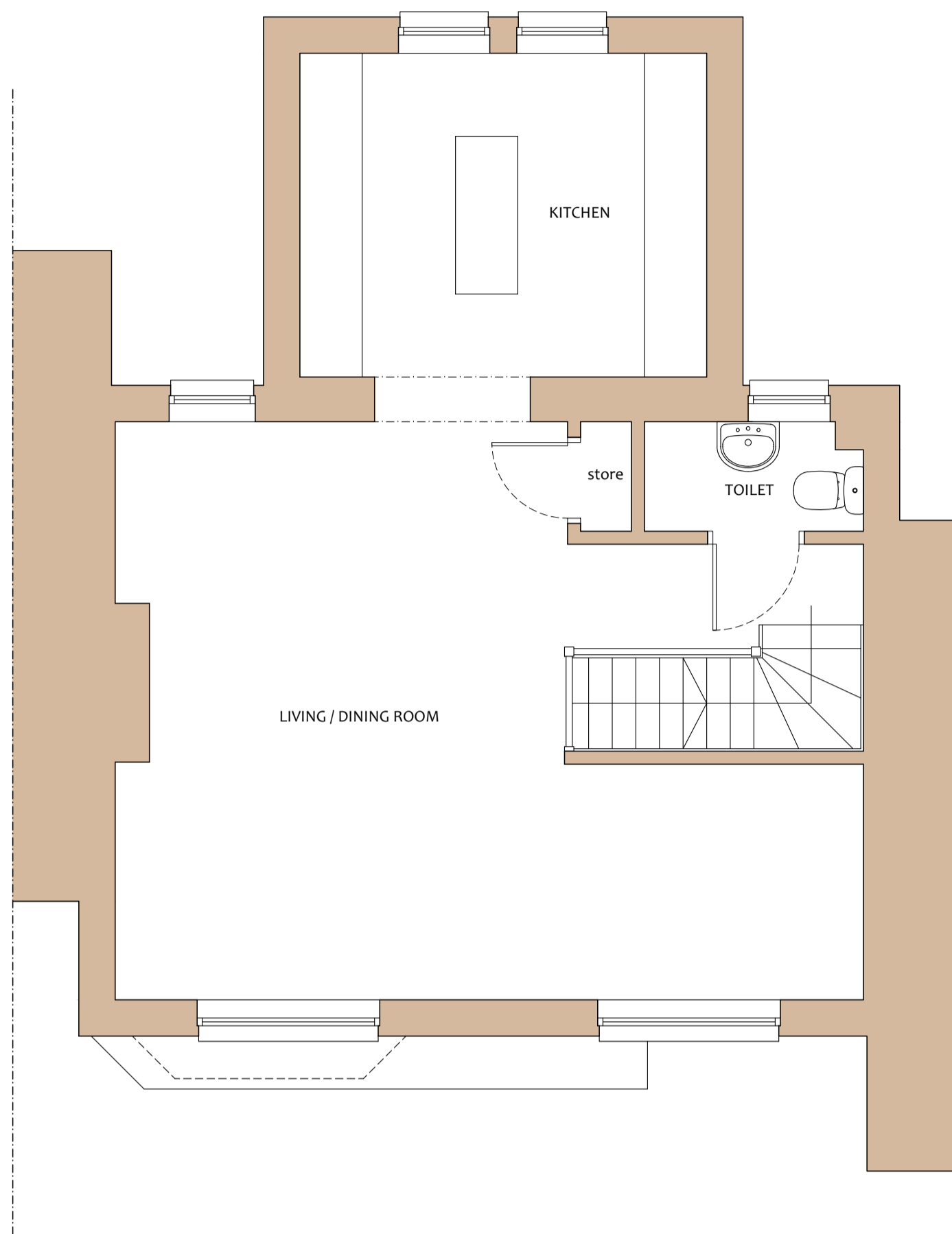
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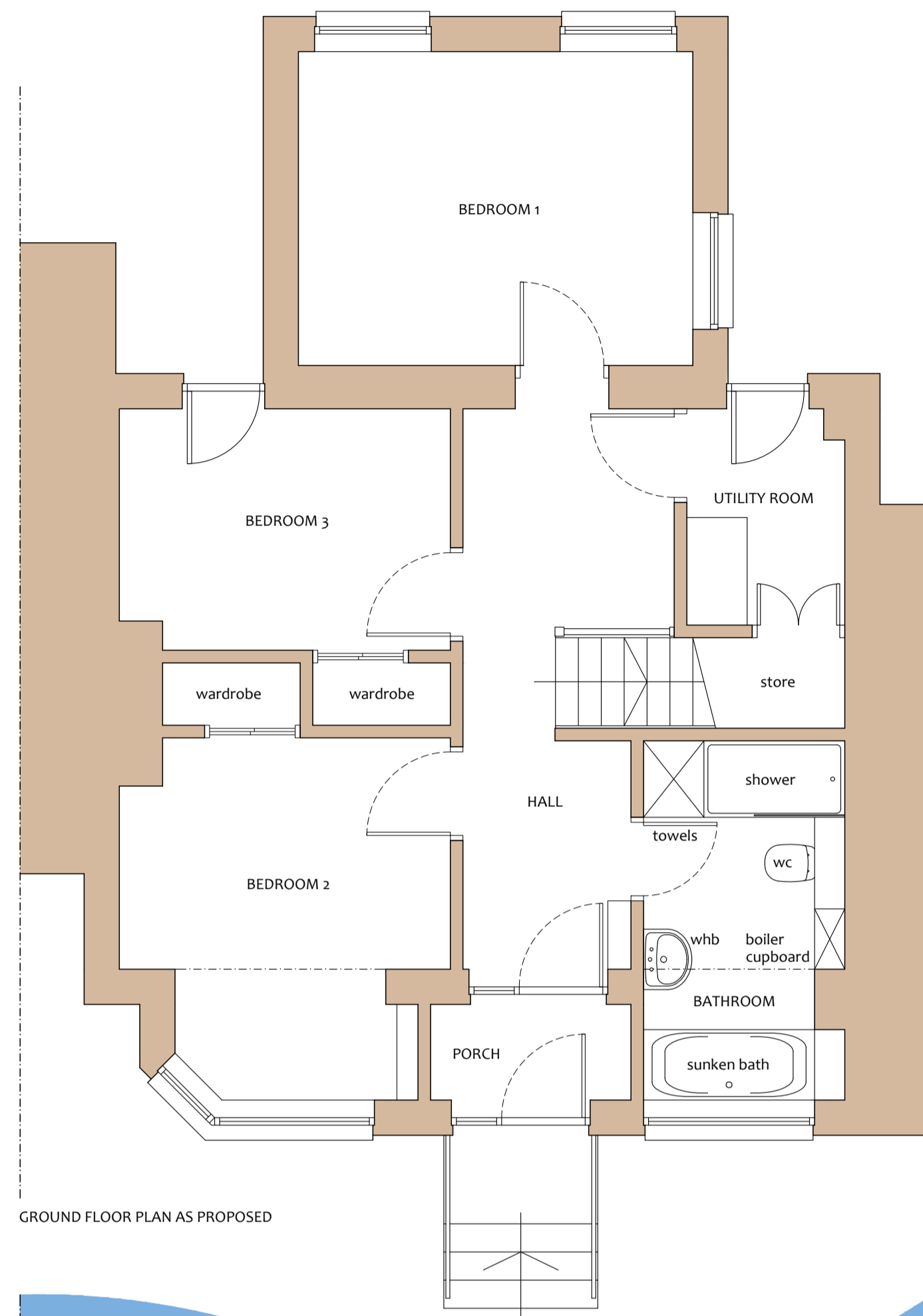
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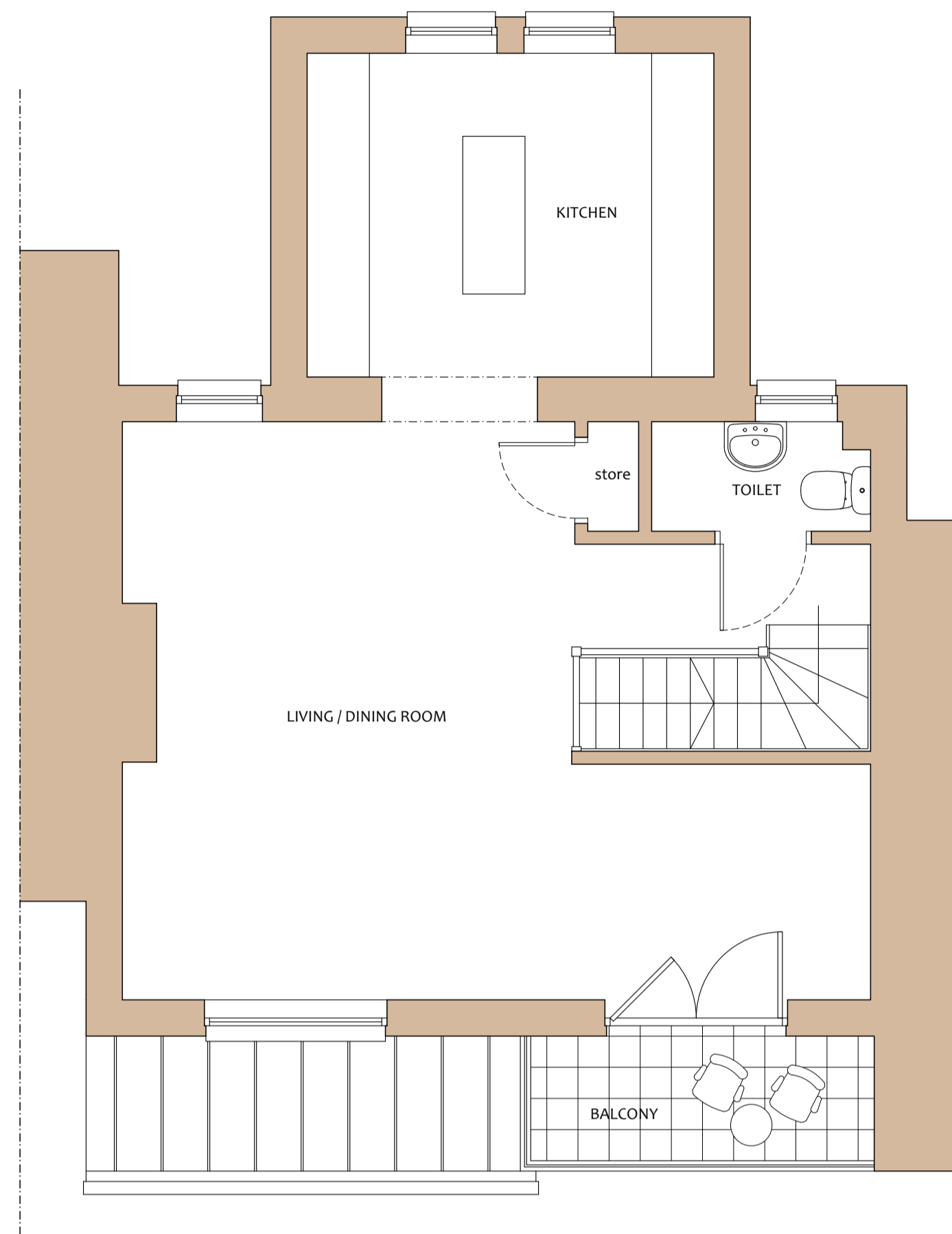
GROUND FLOOR PLAN AS EXISTING



UPPER FLOOR PLAN AS EXISTING



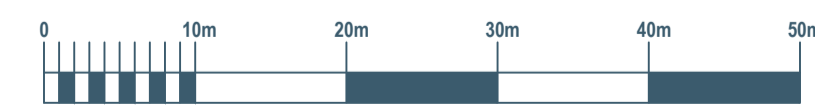
GROUND FLOOR PLAN AS PROPOSED



UPPER FLOOR PLAN AS PROPOSED



ELEVATION TO STREET AS EXISTING



BLOCK PLAN 1:500



ELEVATION TO STREET AS PROPOSED

**nm** a  
 NICHOLSON MCSHANE ARCHITECTS  
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 CUSTOM HOUSE PLACE  
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 INVERCLYDE  
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CLIENT Mr & Mrs Parker	
PROJECT TITLE Proposed alterations to front of house including balcony	
PROJECT ADDRESS 3 St Andrews Drive, Gourack	
DRAWING TITLE Existing and proposed plans and elevation	
DRAWING STATUS COMMENT / APPROVAL	PAPER SIZE A1
DRAWING NUMBER 22020_C.001	REVISION D
SCALE 1:50 & 1:500	DATE 05/05/17
DRAWN BY	CHECKED BY

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 Registration  
 Board

**RIBA**  
 REGISTERED ARCHITECTS

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**2. APPOINTED OFFICER'S REPORT OF HANDLING  
DATED 21 OCTOBER 2022**

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## REPORT OF HANDLING

**Report By:** Carrie Main

**Report No:** 22/0163/IC

**Local Application  
Development**

**Contact  
Officer:** 01475 712413

**Date:** 21 October 2022

**Subject:** Proposed small ground floor extension and alterations to front of house including balcony at first floor level at  
3 St Andrews Drive, Gourrock

## SITE DESCRIPTION

The application site relates to a two-storey, mid-terraced property located on the south side of St Andrews Drive, Gourrock. The property is one of four similar terraced dwellings which are stepped in form and scale in accordance with the surrounding topography, which slopes down from the west to the east and rises up to the south, with the houses taking an elevated position relative to the road. Given the staggered form of the terrace, the property is recessed behind its neighbour to the west by approximately 1.2 metres and projects in front of its neighbour to the east by approximately 0.8 metres. The floor levels and roof heights of the properties within the terrace also vary. Like its immediate neighbours, the property is finished in drycast render to the upper level and red brickwork to the lower level with a concrete tiled roof and uPVC windows and doors. It features a stepped access the front door and a feature bay window. It is located within an established residential area. A variety of residential dwellings surround the site.

## PROPOSAL

Planning permission is sought to erect a ground floor extension, steps and a level platform at the front door and a balcony at first floor level at the front of the property.

The extension would project approximately 1.5 metres from the front elevation and extend across its entire width, extending to a height of 3.7 metres. It would create a porch, extended bedroom and extended bathroom. It contains a low mono-pitched roof with a projecting/wraparound window, glazed entrance door and two horizontally orientated windows.

The steps would project 1.8 metres from the front door and be raised approximately 0.9 metres from ground level.

The balcony would project approximately 1.3 metres from the front elevation to a width of 3.4 metres. It would contain a 0.8 metre high glazed balustrade. The side elevation of the adjoining house (to the west) covers the depth of the balcony, meaning it takes a recessed position relative to the western adjoining neighbour.

The plans do not specify external materials, colours or finishes.

The plans additionally indicate that the upper level window opening will be enlarged and the other window opening will be altered and double doors installed, providing access to the proposed balcony. These alterations, however, fall under the permitted development rights of the property and do not require the benefit of planning permission.

## **ADOPTED 2019 LOCAL DEVELOPMENT PLAN POLICIES**

### **Policy 1 - Creating Successful Places**

Inverclyde Council requires all development to have regard to the six qualities of successful places. In preparing development proposals, consideration must be given to the factors set out in Figure 3. Where relevant, applications will also be assessed against the Planning Application Advice Notes Supplementary Guidance.

**Planning Application Advice Note (PAAN) 4** on "House Extensions" applies.

**Planning Application Advice Note (PAAN) 5** on "Outdoor Seating Areas" applies.

## **PROPOSED 2021 LOCAL DEVELOPMENT PLAN POLICIES**

### **Policy 1 - Creating Successful Places**

Inverclyde Council requires all development to have regard to the six qualities of successful places. In preparing and assessing development proposals, consideration must be given to the factors set out in Figure 2 and demonstrated in a design-led approach. Where relevant, applications will also be assessed against the Planning Application Advice Notes and Design Guidance for New Residential Development Supplementary Guidance. When assessing proposals for the development opportunities identified by this Plan, regard will also be had to the mitigation and enhancement measures set out in the Strategic Environmental Assessment Environmental Report.

### **Policy 20 - Residential Areas**

Proposals for development within residential areas will be assessed with regard to their impact on the amenity, character and appearance of the area. Where relevant, assessment will include reference to the Council's Planning Application Advice Notes Supplementary Guidance.

**Draft Planning Application Advice Note (PAAN) 4** on "House Extensions" applies.

**Draft Planning Application Advice Note (PAAN) 5** on "Outdoor Seating Areas" applies.

## **CONSULTATIONS**

The nature of the proposal did not require consultation.

## **PUBLICITY**

The nature of the proposal did not require advertisement.

## **SITE NOTICES**

The nature of the proposal did not require a site notice.

## **PUBLIC PARTICIPATION**

The application was the subject of neighbour notification. Three representations were received objecting to the proposal. The concerns raised are summarised below:

- The proposal will reduce natural light into neighbouring properties.
- The proposal will compromise the privacy of neighbouring properties.
- Noise disturbance from the proposed balcony.
- Not in keeping with the character and amenity of the existing row of terrace houses.
- It would set an unwelcomed precedent for future development.
- The property has already had major expansion to the rear. This further extension would compound and encroach upon neighbouring properties.
- Hedges between properties were planted for privacy. This proposal undermines this and infringes upon privacy of neighbouring properties.
- It will have cause devaluation of neighbouring properties.

These comments will be addressed within the assessment of the application, below.

## **ASSESSMENT**

The material considerations in the determination of this planning application are the 2019 adopted Inverclyde Local Development Plan (LDP), the 2021 proposed Inverclyde Local Development Plan; the adopted and draft Planning Application Advice Note (PAAN) 4 on "House Extensions" and adopted and draft PAAN 5 on "Outdoor Seating Areas", the impact of the proposal on the amenity of the existing property, neighbouring properties, on the wider streetscape and the representations received.

Policy 1 of the adopted and proposed Plan requires all development to have regard to the six qualities of successful places. The relevant factors in respect of this development contributing to the qualities of successful places are being "Distinctive" in reflecting local architecture and urban form, changed to "reflect local vernacular/architecture and materials" within the proposed Plan and being "Safe and Pleasant" in avoiding conflict with adjacent uses in respect of noise, privacy and overshadowing.

Policy 20 of the proposed Plan additionally requires development within residential areas to be assessed with regard to impact on the amenity, character and appearance of the area. Where relevant, assessment will include reference to supplementary guidance given with the PAAN series, of which PAAN 4 and 5 are of most relevance to the proposed extension and balcony.

PAAN 4 in both adopted and draft form provides guidance on extensions, albeit this is limited to front porches when relating to front extensions. The roof over extensions should match the existing house roof. Extensions should be set back at least 1 metre from the site boundary. The extension should be finished in materials to compliment those of the existing house. The off street parking requirements of the National Roads Development Guide shall be met.

PAAN 5 in both adopted and draft form provides detailed guidance on outdoor seating areas, such as balconies, advising that these should be restricted in size to allow for limited seating and the enjoyment of wider views. Unless obscured from view from neighbouring housing, these should not be of a size that will afford residents the opportunity of undertaking a wide range of activities over extensive periods of day and evening to the extent that regular and/or continuous activity may impinge upon the enjoyment of neighbouring gardens. Where positioned within 9 metres of a garden boundary and where there is a view of the neighbouring private/rear garden area, the erection of screening shall generally be required. Screening may not be required in cases where there is no increase in intervisibility between, and the overlooking of, neighbours. Where screening is required and it is in excess of 2.5 metres high within 2 metres of a boundary or will itself result in an unacceptable loss of light in a room of a neighbouring house it will not be supported. The design and position shall be appropriate to the architectural design of the house.

The four houses within the terrace are all of the same two storey, stepped form, with very similar window and door positions and form, with a projecting bay window and raised entrance. Whilst noting that there are variations in floor levels and roof heights overall uniformity and an established design approach exists. It is acknowledged that in terms of scale, the extension could be readily

accommodated within the front curtilage of the site without site without resulting in overdevelopment of the house or site. It would not encroach onto a driveway or adversely impact any off-street parking provision. It would however be the first development of this type within the terrace and disrupt the homogenous design and create an incongruous, unexpected and prominent addition to the front elevation that introduces an imbalance in the design of the property and its immediate neighbours. Ultimately, the stepped building line of the property within the wider terrace, and particularly with reference to its immediate neighbours, would be significantly disrupted.

Potential impact upon the amenity of neighbouring residents arises from the proximity of the extension to the adjoining neighbour alongside the scale of the extension, as it would extend to a height just below the upper level windows, and approximately half way up the upper level windows on the adjoining house (no.1.). Equally, as the existing house is already set forward 0.8 metres from no.1 this would be extended to around 2.3 metres with the addition of the extension. I consider that the position and scale of the extension, in relation to specifically no.1, to cause an oppressive and over dominating impact. I also consider this approximately 10.35 square metre addition to the front of the house alongside the proposed balcony to create an overall visual dominance within the wider streetscape to the detriment of amenity.

Given the position and scale of the extension in relation to neighbouring properties, I consider it appropriate to undertake a daylight assessment utilising the Building Research Establishment (BRE) Trust publication "Site Layout Planning for planning for daylight and sunlight: A good practice guide" 2011, to ensure the amenity of neighbouring residents is not affected in terms of causing an unacceptable loss of daylight. Concern for loss of light was also expressed within the representations received. Following assessment, I conclude that the existing vertical sky component (VSC) to this neighbouring and closest lower level window (of no.1) is 35% and the resultant vertical sky component following the erection of the extension would be 33.5%. The guidance recommends that a minimum value of 27% should be achieved to provide reasonable daylight in a habitable room. The extension therefore passes the assessment and poses no unacceptable impact to light provision of neighbouring properties. I do however acknowledge, that the existing stepped form of the terrace presently impacts upon light provision to the neighbouring property and the extension will, albeit to no unacceptable degree, worsen the impact. This matter alone would however not be reasonable justification for the refusal of planning permission.

Continuing with assessment in respect of neighbour amenity, the limited scale of the balcony, at approximately 4.42m<sup>2</sup>, ensures that it could not be used for a range of activities over a long period of time which may result in unduly noise disturbance to neighbouring residents. As the balcony is located to the front of the property overlooking to neighbouring private rear gardens is not a primary concern as the front of neighbouring properties are readily visible from the public road. The balcony is also recessed behind the wall of the adjoining house to the west (no.3). I do not have any concerns that any intensification of overlooking into the neighbouring property from the new windows within the extension or from the balcony. Furthermore all the new windows comply with the window intervisibility guidance and are of an orientation which avoids any direct overlooking of neighbouring properties. I therefore have no concerns that overlooking would be intensified to any unacceptable degree.

Turning more specifically to design, the low mono-pitched roof over the extension does not follow the roof design over the existing house, nor do the horizontally orientated windows match the scale and proportions of other surrounding windows at this prominent elevation, which is advised against in PAAN 4. I also note that these windows are within a bathroom which are likely to be fitted with obscured glass, which may look unusual within the lower level at the front elevation. These factors heighten the concern of adverse visual impact. Nonetheless, I do acknowledge the subordinate form of the extension to the property and can understand a degree of visual contrast between the existing property and new extension. Detailed specification of all external materials, finishes and colours would however be prudent in assessment or to be addressed by condition of any grant of planning permission to gage a clear visual representation of what is proposed in the interests of safeguarding residential amenity. However, the overarching concerns in relation to position and form as outlined previously in my assessment remain.



Finally, to address the concerns raised within the representation received but not yet addressed within my assessment above. Devaluation of a property is not a material planning consideration and therefore not relevant in the assessment and determination of this application. The issue of precedent raised does not, I consider, justify refusal of planning permission, as each and every planning application requires to be considered on its own merits.

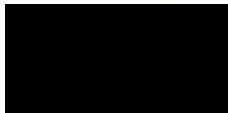
To conclude, the proposal presents an incongruous addition to the front of the property which significantly disrupts the existing stepped form of the property and wider terrace and presents an oppressive relationship between the property and its immediate neighbours. The proposal therefore does not meet the “Distinctive” and “Safe and Pleasant” factors of Policy 1 in relation to reflecting local urban form and architecture. This proposal therefore does not safeguard residential amenity and does not comply with Policy 20 of the proposed plan. There are no material considerations that outweigh these policies and advice. The proposal therefore cannot be supported and planning permission should be refused.

## **RECOMMENDATION**

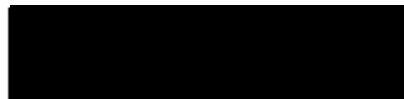
That the application be refused for the following reason:

1. The position and form of the proposal disrupts the existing urban form and architecture to present a visually dominant, uncommon and inappropriate addition to the property, terrace and wider streetscape with an overall adverse impact to the residential character and amenity of the area. It therefore fails to accord with the “Distinctive” and “Safe and Pleasant” factors of Policy 1 within both the adopted 2019 and proposed 2021 Inverclyde Local Development Plan and Policy 20 of the proposed 2021 Inverclyde Local Development Plan.

Signed:



Carrie Main  
Case Officer



Mr Stuart W Jamieson  
Interim Director  
Environment and Regeneration

### **3. INVERCLYDE LOCAL DEVELOPMENT PLAN 2019 POLICY EXTRACTS**

## 3.0 CREATING SUCCESSFUL PLACES

### Introduction

**3.1** Inverclyde has many fantastic and unique places. Examples include the Free French Memorial and Lyle Hill, which offer panoramic views over the Firth of Clyde; Quarriers Village, built in the 19<sup>th</sup> century as an orphans' village and filled with individually designed homes of that period; the A-listed Edwardian Wemyss Bay railway station; and the grid-pattern Greenock West End conservation area, which is contained to the north by the popular Greenock Esplanade. These, and other places, have stood the test of time and remain places where people want to live and visit.

**3.2** The Council is keen to have more successful places in Inverclyde, and all new development will be expected to contribute to creating successful places. This is particularly important in relation to the Plan's Priority Projects and Priority Places, which reflect major Council investments and the larger scale regeneration opportunities in Inverclyde.

### Creating Successful Places

**3.3** The Council is keen that all development contributes to making Inverclyde a better place to live, work, study, visit and invest. To differing degrees, all scales and types of development have the potential to make an impact on the surrounding environment and community. It is important to the Council that this impact is a positive one. To this end, the Council will have regard to the six qualities of a successful place when considering all development proposals.

**Distinctive**

**Adaptable**

**Resource Efficient**

**Easy to Move Around**

**Safe and Pleasant**

**Welcoming**

**3.4** **Figure 3** illustrates the factors that contribute to the six qualities of a successful place. Not all will be relevant to every development proposal and planning application, but where they are, the Council will expect development proposals to have taken account of them, and it will have regard to them in the assessment of planning applications.



Quarriers Village

### POLICY 1 – CREATING SUCCESSFUL PLACES

Inverclyde Council requires all development to have regard to the six qualities of successful places. In preparing development proposals, consideration must be given to the factors set out in Figure 3. Where relevant, applications will also be assessed against the Planning Application Advice Notes Supplementary Guidance.

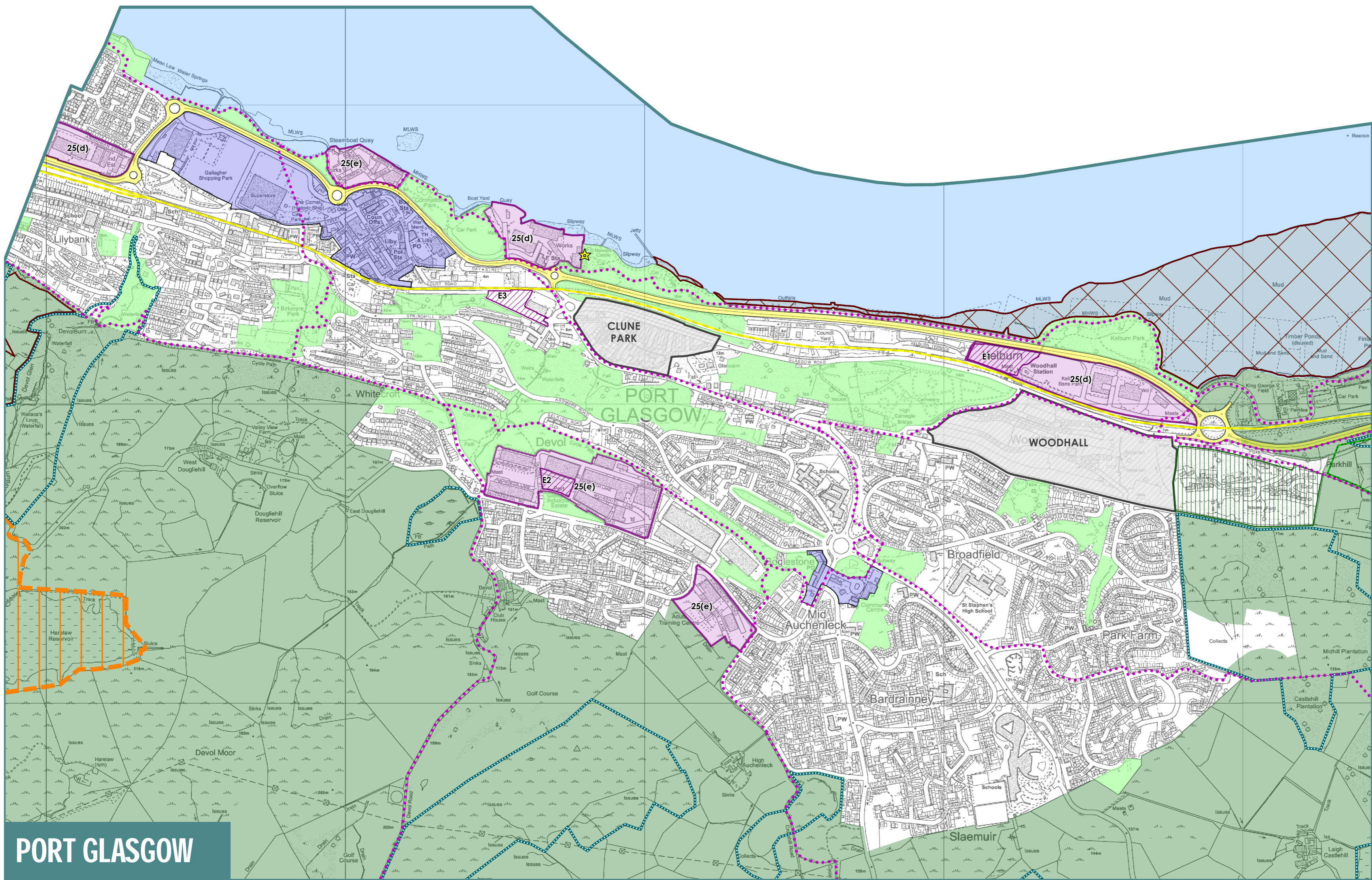


Wemyss Bay Railway Station

FIGURE 3: Factors Contributing to Successful Places



## **4. INVERCLYDE LOCAL DEVELOPMENT PLAN 2019 MAP EXTRACT**

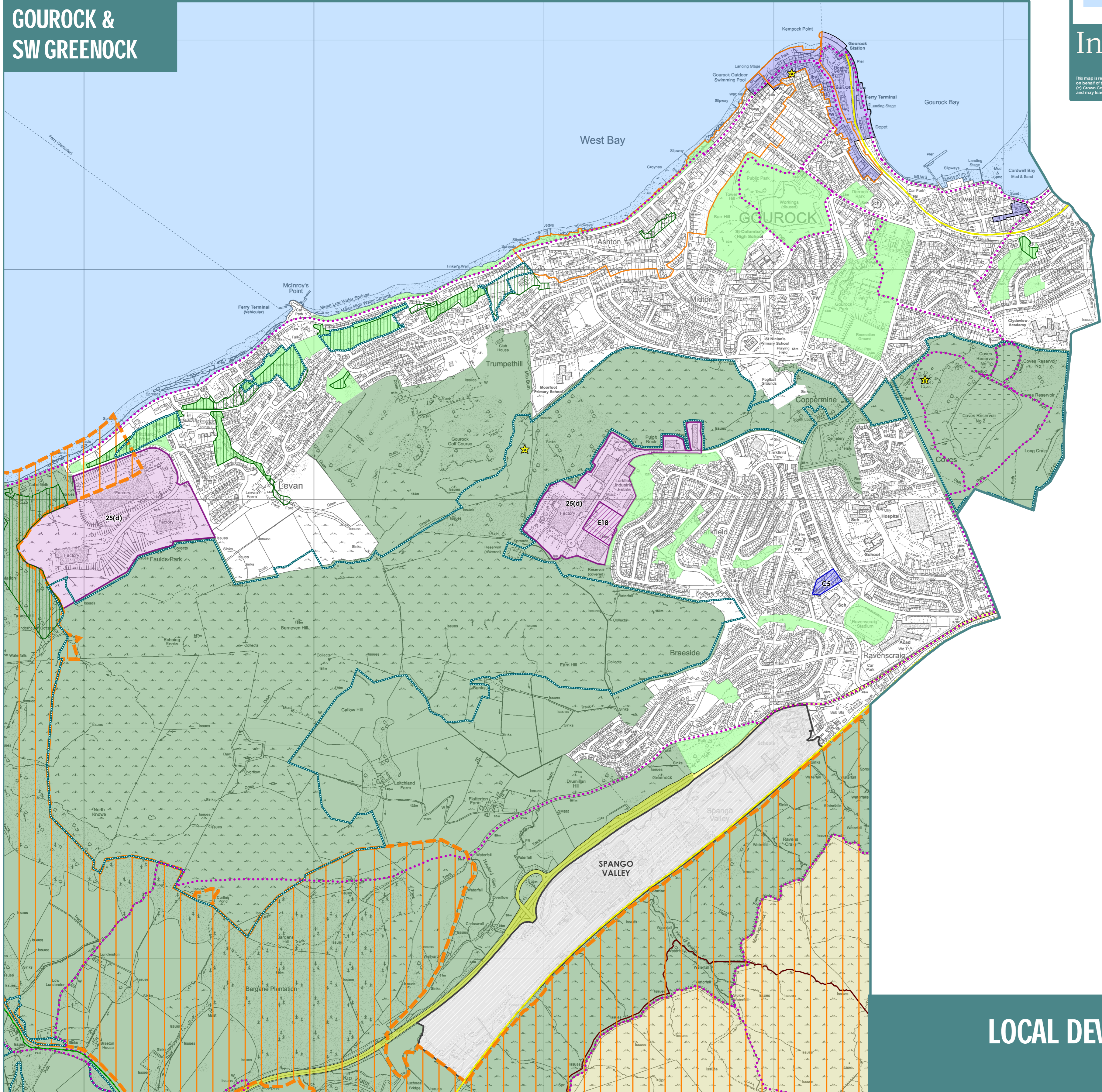


**PORT GLASGOW**

**KEY**

<b>SUSTAINABLE DEVELOPMENT STRATEGY</b>		
	Priority Place	<b>POLICY 3</b>
<b>CONNECTING PEOPLE AND PLACES</b>		
	Trunk Road	<b>POLICY 11</b>
	Railway	<b>POLICY 11</b>
<b>SPATIAL DEVELOPMENT STRATEGY</b>		
	Green Belt	<b>POLICIES 14 &amp; 19</b>
	Countryside	<b>POLICIES 14 &amp; 19</b>
<b>OUR TOWN AND LOCAL CENTRES</b>		
	Town Centre / Local Centre	<b>POLICY 22</b>
	Network of Centres Opportunity	<b>POLICY 22</b>
<b>OUR JOBS AND BUSINESSES</b>		
	Business & Industrial Area	<b>POLICY 25</b>
	Business & Industrial Development Opportunity	<b>POLICY 26</b>
<b>OUR HISTORIC BUILDINGS AND PLACES</b>		
	Conservation Area	<b>POLICY 28</b>
	Scheduled Monument	<b>POLICY 31</b>
	Gardens & Designed Landscapes	<b>POLICY 32</b>
<b>OUR NATURAL AND OPEN SPACES</b>		
	Special Protection Area / Ramsar Site	<b>POLICY 33</b>
	Site of Special Scientific Interest	<b>POLICY 33</b>
	Local Nature Conservation Site	<b>POLICY 33</b>
	Tree Preservation Order	<b>POLICY 34</b>
	Open Space	<b>POLICY 35</b>
	Clyde Muirshiel Regional Park	<b>POLICY 37</b>
	Core Path	<b>POLICY 38</b>
	River Clyde / Firth of Clyde	

**GOUROCK & SW GREENOCK**



**Inverclyde council** SCALE 1:10,000

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey in respect of the Controller of Her Majesty's Stationery Office. © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. (100023421) (2019)

**5. INVERCLYDE LOCAL DEVELOPMENT PLAN 2019  
SUPPLEMENTARY GUIDANCE ON PLANNING  
APPLICATION ADVICE NOTES POLICY EXTRACTS**

# PLANNING APPLICATION ADVICE NOTES

## Planning Application Advice Note No. 4

### HOUSE EXTENSIONS

Not all house extensions require planning permission. For works that do require planning permission, this advice note offers guidance on how a house can be extended by achieving a reasonable balance between the interests of those wishing to extend and the interests of their neighbours.

The following advice sets out standards that the Council expect proposals to comply with. Consideration will also be given to contemporary and/or innovative proposals which are considered to have a positive impact on the amenity, character and appearance of the property and its surroundings.

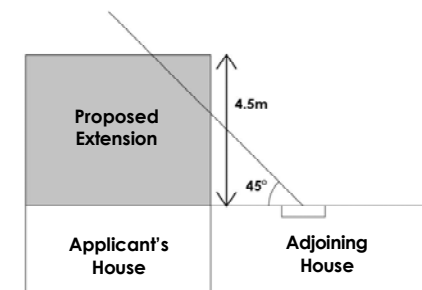
#### Rear extensions

- Single storey extensions should be designed so as not to cross a 45 degree line from the mid point of the nearest ground floor window of the adjoining house, or extend to a maximum of 4.5 metres from the rear wall of the original house.
- Two storey extensions will be considered on individual merit. They should not extend beyond 3.5 metres from the rear wall of the original house or result in unacceptable loss of light to a room in a neighbouring house. The Council will use the Building Research Establishment publication "Site Layout Planning for daylight and sunlight: A guide to good practice" in making this assessment.
- Where the other half of a semi-detached house has already been extended and that extension exceeds 3.5 metres (two storeys) or 4.5 metres

(single storey) from the rear wall of the original house, then the house may be similarly extended to equal size.

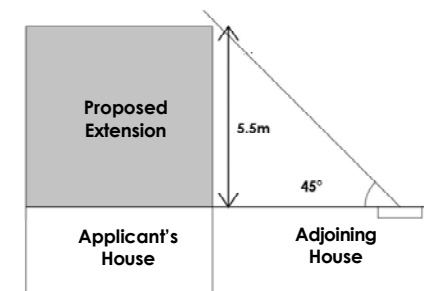
- An extension should not result in more than 50% of the rear garden area being developed. In all cases an extension should not encroach within 5.5 metres of the rear garden boundary.
- Ground level window positions should comply with the window intervisibility guidance. Windows on side elevations should be avoided where they offer a direct view of neighbouring rear/private gardens, but bathroom windows fitted with obscure glazing will be acceptable. As an alternative, boundary screening of appropriate height may be considered where the design and impact on neighbouring residential amenity is deemed acceptable. Where screening is required, it must either not exceed 2.5 metres above ground level or itself result in an unacceptable loss of light to a room in a neighbouring house. The Council will use the Building Research Establishment publication "Site Layout Planning for daylight and sunlight: A guide to good practice" in making this assessment.
- Windows of habitable rooms above ground level should comply with the window intervisibility guidance. Windows on side elevations will only be permitted if the distance to the nearest boundary exceeds 9.0 metres, or if there is no direct view of neighbouring rear/private gardens or if it is a bathroom window fitted with obscure glazing.
- The extension should be finished in materials to compliment those of the existing house.
- The off street parking requirements of the Council's Roads Development Guide shall be met.

ACCEPTABLE



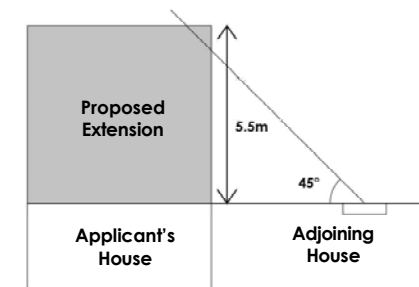
Extension encroaching 45 degree line

ACCEPTABLE



Extension more than 4.5 metres but not

NOT ACCEPTABLE



Extension encroaching 45 degree line



## Side extensions

- Windows on side elevations should be avoided where they offer a direct view of neighbouring rear/private gardens, but bathroom windows fitted with obscure glazing will be acceptable. As an alternative, boundary screening of appropriate height may be considered where the design and impact on neighbouring residential amenity is deemed acceptable. Where screening is required, it must either not exceed 2.5 metres or itself result in an unacceptable loss of light to a room in a neighbouring house. The Council will use the Building Research Establishment publication "Site Layout Planning for daylight and sunlight: A guide to good practice" in making this assessment.
- Ground level window positions should comply with the window intervisibility guidance. Windows of habitable rooms above ground level should comply with the window intervisibility guidance. Windows on side elevations will only be permitted if the distance to the nearest boundary exceeds 9.0 metres, or if there is no direct view of neighbouring rear/private gardens or if it is a bathroom window fitted with obscure glazing.
- Windows which are visible from public areas shall match the scale, proportions and materials of those on the existing house.
- The roof over extensions should match the existing house roof. Extensions should be set back at least 1.0 metre from the site boundary.
- The off street parking requirements of the Council's Roads Development Guide shall be met.

## Conservatories and sun rooms

- Conservatories and sun rooms should be designed so as not to cross a 45 degree line from the mid point of the nearest ground floor window of the adjoining house, or extend to a maximum of 4.5 metres from the rear wall of the existing house, whichever is the greater.
- Where the other half of a semi-detached house has already been extended and that extension exceeds 3.5 metres (two storeys) or 4.5 metres (single storey) from the rear wall of the original house then the conservatory or sun room may extend to equal size.
- A conservatory or sun room should not result in more than 50% of the rear garden area being developed. In all cases a conservatory or sun room should not encroach within 5.5 metres of the rear garden boundary.
- Ground level window positions should comply with the window intervisibility guidance. Windows on side elevations should be avoided where they offer a direct view of neighbouring rear/private gardens. As an alternative, boundary screening of appropriate height may be considered where the design and impact on neighbouring residential amenity is deemed acceptable. Where screening is required, it must not exceed 2.5 metres above ground level or it may itself result in an unacceptable loss of light to a room in a neighbouring house. The Council will use the Building Research Establishment publication "Site Layout Planning for daylight and sunlight: A guide to good practice" in making this assessment.

## Front porches

- Where applicable, porches should be pitch roofed to match the existing roof.
- Base courses should be finished in materials to match the existing house.

## Window intervisibility

The table below details acceptable levels of window to window intervisibility. The distances are taken from the shortest point between the windows.

Minimum Window to Window Distances (metres)

Angle at window of any other house not more than:	Angle at window of house/extension etc. to be erected not more than:									
	90°	80°	70°	60°	50°	40°	30°	20°	10°	0°
90°	18	18	18	18	13	9	6	4	3	2
80°	18	18	18	13	9	6	4	3	2	-
70°	18	18	13	9	6	4	3	2	-	-
60°	18	13	9	6	4	3	2	-	-	-
50°	13	9	6	4	3	2	-	-	-	-
40°	9	6	4	3	2	-	-	-	-	-
30°	6	4	3	2	-	-	-	-	-	-
20°	4	3	2	-	-	-	-	-	-	-
10°	3	2	-	-	-	-	-	-	-	-
0°	2	-	-	-	-	-	-	-	-	-



## Planning Application Advice Note No. 5

### OUTDOOR SEATING AREAS

The topography of Inverclyde provides many houses with spectacular views over the Firth of Clyde. Inland there are often opportunities to view open countryside. There is no objection in principle to balconies or decking being erected or extended, but they must take account of privacy and the impact it may have on neighbours' enjoyment of their gardens.

Outdoor seating areas are becoming increasingly popular, but must take account of privacy and the impact these may have on neighbours enjoyment of their gardens.

This Advice Note provides a guide to the issues that are considered in determining applications for planning permission.

#### Balconies & Roof Terraces

- These should be restricted in size to allow for limited seating and the enjoyment of wider views. Unless obscured from view from neighbouring housing. These should not be of a size that will afford residents the opportunity of undertaking a wide range of activities over extensive periods of day and evening to the extent that regular and/or continuous activity may impinge upon the enjoyment of neighbouring gardens.

- Where positioned within 9 metres of the garden boundary and where there is a view of the neighbouring private/rear garden area, the erection of screening shall generally be required. Screening may not be required in cases where

there is no increase in the intervisibility between, and the overlooking of, neighbours. Where screening is required and it is in excess of 2.5 metres high within 2 metres of a boundary or will itself result in an unacceptable loss of light to a room in a neighbouring house, then the proposed balcony or roof terrace will not be supported. The Council will use the Building Research Establishment publication "Site Layout Planning for daylight and sunlight: A guide to good practice" in making this assessment.

- The design and position shall be appropriate to the architectural design of the house.



#### Garden Decking & Raised Platforms

- The position should respect the rights of neighbours to enjoy their gardens without being the subject of intrusive overlooking. If raised more than 0.5 metres above the original ground levels, it should not be of a size that will afford residents the opportunity of undertaking a wide range of activities over extensive periods of day and evening to the extent that regular and/or continuous activity may impinge upon the enjoyment of neighbouring gardens.

- Where positioned within 9 metres of the garden boundary and where it will result in an increased view of the neighbouring private/rear

garden area, the erection of screening, either at the decking/platform edge or the garden boundary shall generally be required. Where screening is required and it is in excess of 2.5 metres high above ground level within 2 metres of a boundary or will itself result in an unacceptable loss of light to a room in a neighbouring house, then the proposed decking/platform will not be supported. The Council will use the Building Research Establishment publication "Site Layout Planning for daylight and sunlight: A guide to good practice" in making this assessment.

- The design and position of the decking/platform shall be appropriate to the architectural design of the house.



## **6. REPRESENTATIONS IN RELATION TO PLANNING APPLICATION**

# Comments for Planning Application 22/0163/IC

## Application Summary

Application Number: 22/0163/IC

Address: 3 St Andrews Drive GOUROCK PA19 1HY

Proposal: Proposed small ground floor extension and alterations to front of house including balcony at first floor level.

Case Officer: Carrie Main

## Customer Details

Name: Mr richard thompson

Address: 59 Cowal View Gourock

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This extension is not in keeping with the rest of the houses in the area, this extension will stick out on the FRONT of the property spoiling the look of the terrace.

Hedges were planted to give people privacy in their gardens, from the extension they can look into the living room of No1 removing the privacy of the owner, the balcony removes this privacy of No1 and No5, from the balcony they can look directly into private property on either side of their house and also into property across the road, also with Hedges for privacy.

## Laura Graham

---

**From:** Sean McDaid  
**Sent:** 05 August 2022 08:38  
**To:** Laura Graham  
**Subject:** (Official) Planning Objection: Reference 22/0163/IC  
**Attachments:** Planning Objection for 3 St Andrews Drive Gourrock.pdf

---

Classification: Official

---

**From:** joyce kerrigan [REDACTED]  
**Sent:** 04 August 2022 20:43  
**To:** dmplanning <dmplanning@inverclyde.gov.uk>  
**Subject:** Planning Objection: Reference 22/0163/IC

Dear Sir

Please find attached my notice of objection to Planning Application:

**22/0163/IC - Proposed small ground floor extension and alterations to front of house including balcony at first floor level.**

Kind Regards

Joyce Kerrigan

Address :1 St Andrews Drive  
Gourock  
PA19 1HY

Inverclyde Council  
Regeneration and Planning  
Municipal Buildings Clyde Square  
Greenock  
PA15 1LY

1 St Andrews Drive  
Gourock  
PA19 1HY

4<sup>th</sup> August 2022

**Reference: 22/0163/IC**

Dear Sir

**22/0163/IC Proposed small ground floor extension and alterations to front of house including balcony at first floor level.**

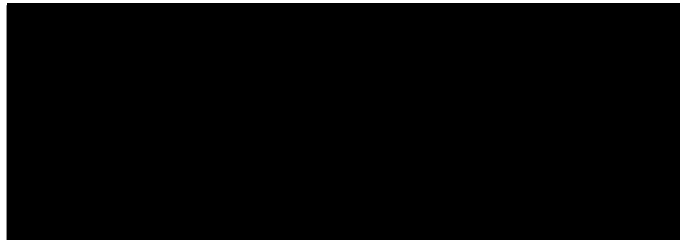
I wish to register my objection to the above proposal:

- The proposed extension to the front of the property at No 3 will reduce the natural daylight coming into my property across the frontage of the property, in particular the front lounge and the utility room. The bay window, which forms part of the new extension, will extend further to the front and as a result will compromise my privacy to the lounge area of my house. The front garden will be overshadowed and again, privacy will be significantly reduced, to this area.
- The addition of a new balcony to the property at No3 would further promote a lack of privacy to both my lounge and garden area and also compromise privacy to the full upper floor where the master bedroom is situated and one further bedroom.
- It should be noted that the layout of the property at No3 was previously changed resulting in the bedrooms being located downstairs and the lounge area on the upper floor. The addition of a balcony leading from the lounge area would only lead to a further infringement of my privacy with regard to increased noise level directly from the balcony or via the lounge on the upper floor area with open patio doors.
- The proposed changes to the front of the property are not in keeping with the character of the street and would serve only to spoil the look and charm of the existing row of terraced houses, setting a precedent for future development.

In conclusion I would add that this property (No 3) has already undergone a major extension to the rear which overshadows my property, this further extension would only serve to compound my feeling of encroachment. This is a mid - terraced property and I would question the validity of a further extension

Yours Sincerely

Joyce Kerrigan



5 ST. ANDREWS DRIVE

GOUROCK

PA19 1HY

8/8/2022



DEAR SIRS

REF 22/0163/IC.

3 ST. ANDREWS DRIVE GOUROCK

I AM NOT HAPPY WITH THE PROPOSED DEVELOPMENT. I FEEL IT WILL TAKE AWAY MY PRIVACY.

I ALSO FEEL THAT THIS COULD AFFECT MY HOUSE PRICE AS NOT EVERYBODY WOULD WANT TO BUY A HOUSE WITH NEXT DOOR HAVING A BALCONY

Yours Faithfully

 Signed: M Ballantyne



**7. DECISION NOTICE DATED 28 OCTOBER 2022  
ISSUED BY HEAD OF REGENERATION &  
PLANNING**

# DECISION NOTICE

## *Refusal of Planning Permission*

Issued under Delegated Powers

**Regeneration and Planning  
Municipal Buildings  
Clyde Square  
Greenock PA15 1LY**

**Planning Ref: 22/0163/IC**

*Online Ref:100577823-001*

***TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997  
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)  
(SCOTLAND)REGULATIONS 2013***

**Mrs Emma Parker  
3 St Andrews Drive  
GOUROCK  
PA19 1HY**

**Nicholson McShane Architects  
Douglas Nicholson  
Custom House  
1-01 Custom House Place  
GREENOCK  
PA15 1EQ**

With reference to your application dated 24th June 2022 for planning permission under the above mentioned Act and Regulation for the following development:-

**Proposed small ground floor extension and alterations to front of house including balcony at first floor level at**

**3 St Andrews Drive, Gourock**

**Category of Application Local Application Development**

The INVERCLYDE COUNCIL in exercise of their powers under the abovementioned Act and Regulation hereby refuse planning permission for the said development.

The reasons for the Council's decision are:-

1. The position and form of the proposal disrupts the existing urban form and architecture to present a visually dominant, uncommon and inappropriate addition to the property, terrace and wider streetscape with an overall adverse impact to the residential character and amenity of the area. It therefore fails to accord with the "Distinctive" and "Safe and Pleasant" factors of Policy 1 within both the adopted 2019 and proposed 2021 Inverclyde Local Development Plan and Policy 20 of the proposed 2021 Inverclyde Local Development Plan.

The reason why the Council made this decision is explained in the attached Report of Handling.

**Dated this 28th day of October 2022**

**Mr Stuart W. Jamieson  
Interim Director  
Environment and Regeneration**

- 1 If the applicant is aggrieved by the decision of the Planning Authority to refuse permission for or approval required by condition in respect of the proposed development, or to grant permission or approval subject to conditions, he may seek a review of the decision within three months beginning with the date of this notice. The request for review shall be addressed to The Head of Legal and Democratic Services, Inverclyde Council, Municipal Buildings, Greenock, PA15 1LY.
  
- 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, he may serve on the planning authority a purchase notice requiring the purchase of his interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997

**Refused Plans: Can be viewed Online at <http://planning.inverclyde.gov.uk/Online/>**

Drawing No:	Version:	Dated:
22020_LP		17.06.2022
22020_C.001	Rev E	06.10.2022

**8. NOTICE OF REVIEW FORM DATED 5 JANUARY  
2023 WITH SUPPORTING STATEMENT FROM  
NICHOLSON MCSHANE ARCHITECTS**

Municipal Buildings Clyde Square Greenock PA15 1LY Tel: 01475 717171 Fax: 01475 712 468 Email: devcont.planning@inverclyde.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100577823-006

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant  Agent

## Agent Details

Please enter Agent details

Company/Organisation:	Nicholson McShane Architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Douglas	Building Name:	Custom House
Last Name: *	Nicholson	Building Number:	1-01
Telephone Number: *	01475 325025	Address 1 (Street): *	Custom House Place
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Greenock
Fax Number:		Country: *	Scotland
		Postcode: *	PA15 1EQ
Email Address: *	consents@nicholsonmcshane.co.uk		

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mrs"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Emma"/>	Building Number:	<input type="text" value="3"/>
Last Name: *	<input type="text" value="Parker"/>	Address 1 (Street): *	<input type="text" value="St Andrews Drive"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Gourock"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="PA19 1HY"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

## Site Address Details

Planning Authority:	<input type="text" value="Inverclyde Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="3 ST ANDREWS DRIVE"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="GOUROCK"/>
Post Code:	<input type="text" value="PA19 1HY"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="676710"/>	Easting	<input type="text" value="222416"/>
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## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

Proposed small ground floor extension and alterations to front of house including balcony at first floor level.

## Type of Application

What type of application did you submit to the planning authority? \*

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? \*

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Refer to attached Statement of Appeal.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? \*

Yes  No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: \* (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: \* (Max 500 characters)

Statement of Appeal Appendix to Statement of Appeal Decision notice Report of handling Refused drawing 22020\_C.001 revision  
A Refused location plan 22020\_LP

## Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

22/0163/IC

What date was the application submitted to the planning authority? \*

22/06/2022

What date was the decision issued by the planning authority? \*

28/10/2022

## Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

Yes  No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? \*

Yes  No

Is it possible for the site to be accessed safely and without barriers to entry? \*

Yes  No

## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. \*

Yes  No

Have you provided the date and reference number of the application which is the subject of this review? \*

Yes  No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

Yes  No  N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

Yes  No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

Yes  No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.



## **Declare – Notice of Review**

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Douglas Nicholson

Declaration Date: 05/01/2023



## Statement of Appeal

revision A

### Refusal of Planning Application 22/0163/IC

Proposed small ground floor extension and alterations to front of house including balcony at first floor level at 3 St Andrews Drive, Gourrock

### Description of Proposal

The applicants own the two storey terraced house at 3 St Andrews Drive, Gourrock and wish to obtain Planning Permission for a single storey extension to the front of their house incorporating a small balcony accessed from the upper floor lounge. The proposal will allow our clients to slightly enlarge a ground floor bedroom and bathroom, and the balcony will allow our clients to gain full advantage of the magnificent views from the house. All elements have been designed to minimise the impact on neighbours and preserve their amenity.

### Reasons for Refusal

The single reason for refusal of the application is as follows:

*The position and form of the proposal disrupts the existing urban form and architecture to present a visually dominant, uncommon and inappropriate addition to the property, terrace and wider streetscape with an overall adverse impact on the residential character and amenity of the area. It therefore fails to accord with the "Distinctive" and "Safe and Pleasant" factors of Policy 1 within both the adopted 2019 and proposed 2021 Inverclyde Development Plan and Policy 20 of the proposed 2021 Inverclyde Local Development Plan.*

We note that the application has been assessed against two versions of the Local Development Plan simultaneously (the adopted 2019 LDP and the proposed 2021 LDP).

## Introduction to Appeal Statement

Our Statement of Appeal will focus on two factors as follows:

- The timing and conduct of the processing of the application and the nature of correspondence during the processing which we believe disadvantaged our clients.
- A rebuttal of the vague and misguided reason for refusal which we believe is ridiculous in its assertions.

### Conduct of the processing of the application.

The application was validated on 12 July 2022 giving a statutory processing period expiring on 11 September 2022.

An enquiry to the planning processing officer immediately following the expiry of the statutory processing period revealed that the delay in processing was caused by the volume of work being experienced by the department. No formal request for an extension of the processing period was received from the department and none given.

On 14 September 2022, i.e. 3 days after the processing of the application should have concluded, an email was received from the processing officer expressing concerns with the form and scale of the proposal. We disagreed strongly with the statements made and responded fully to each point raised in an email dated 18 September 2022 (these emails are enclosed separately as Appendix A for your reference). A further email was received from the processing officer on 04 October 2022 (included in Appendix A). This email stated the following:

*Hi Douglas,*

*Just a request for side elevations, please.*

*Thanks for your comments. Whilst it presents variation within the design and form of the terrace I also appreciate that it is of limited scale.*

We interpreted this email as a clear agreement by the planning officer that, on reflection, the proposal was acceptable in scale and design. The side elevations were prepared and passed to planning on 06 October 2022. We were therefore stunned to receive the refusal notice on 28 October 2022 (over 15 weeks after validation).

In addition to the above, we note that the Report of Handling contains several factual errors which may have affected the assessment of our proposal, as follows:

- The projection of the extension from the front elevation is stated as 1.5m. In actual fact this dimension is 1.3m to tie in with the front elevation of the adjacent property.
- The balcony dimensions are 1.2m x 3.3m, not 1.3m x 3.4m as stated.
- The footprint of the extension is 7.67m<sup>2</sup>, not the 10.35m<sup>2</sup> stated.

## **Analysis of Reason for Refusal**

The reason for refusal of our application states that our proposal is “visually dominant, uncommon and inappropriate”.

We would contend that any reasonable assessment of this low-key and modest proposal will conclude that it embodies none of the above factors. How can the proposal be “visually dominant” when it doesn't appear on the skyline from any public viewpoint or the bulk of the adjacent front garden ground and when it is set back so far from the road? How can the proposal be deemed to be “inappropriate” when it has already been concluded by planning in the Report of Handling that the balcony size and neighbours' access to natural light are acceptable and conform to policy? And how can the characterisation of a proposal as “uncommon” be a reason for refusal? Does the local authority have a hidden policy of only allowing “common” buildings?

The reason for refusal also states that our proposal “fails to accord with the “Distinctive” and “Safe and Pleasant” factors of the relevant policies of the LDP. To claim that our proposal is unsafe or unpleasant is a value judgement that we would entirely refute. As for “distinctive”, the same paragraph states that one of the reasons for refusal is that the proposal is “uncommon”. These requirements are mutually exclusive.

## **Summary**

The decision to refuse our application for a modest extension to a dwelling in an area which is not particularly sensitive has been assessed in a manner suggesting a lack of common sense and perspective. We propose that any common sense, unbiased assessment of our proposal will conclude that it is unobtrusive, modestly scaled and entirely appropriate within a varied streetscape. We trust that the Local Review Body will bring this level of consideration to the proposal and uphold our appeal.

NMA January 2022.

**Fwd: (Official) 22/0163/IC; 3 St Andrews Drive, Gourrock**

1 message

consents.nicholsonmcshane <consents@nicholsonmcshane.co.uk>  
To: Douglas Nicholson <douglas@nicholsonmcshane.co.uk>

15 September 2022 at 15:58

----- Forwarded message -----

From: **Carrie Main** <Carrie.Main@inverclyde.gov.uk>  
Date: Wed, Sep 14, 2022 at 4:11 PM  
Subject: (Official) 22/0163/IC; 3 St Andrews Drive, Gourrock  
To: consents@nicholsonmcshane.co.uk <consents@nicholsonmcshane.co.uk>

Classification: Official

Hi Douglas,

This mid-terraced property sits in a row of four terrace houses, each of which present a uniform design along St Andrews Drive. I consider the front extension and the installation of a balcony to the upper level to depart from the established design and to alter the design concept of the house. The proposal will interrupt the stepped form of the terrace and create a dominant and unacceptable feature within the street when viewed from St Andrews Drive. The proposal therefore fails to comply with Policy 1 of both Plans and Policy 20 of the proposed Plan in safeguarding residential amenity. As such, I cannot support the proposal. Please advise how you wish to proceed with the application.

Kind regards,

Carrie Main

Planning Officer

Regeneration and Planning

Inverclyde Council

Municipal Buildings

Clyde Square

Greenock

Inverclyde

PA15 1LY

*Please note my working pattern is Tuesday-Friday*

Tel: 01475 712413

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**22/0163/IC; 3 St Andrews Drive, Gourrock**

1 message

**Douglas Nicholson** <douglas@nicholsonmcshane.co.uk>  
To: Carrie Main <Carrie.Main@inverclyde.gov.uk>

18 September 2022 at 15:56



NICHOLSON McSHANE ARCHITECTS  
SUITE 1-01, CUSTOM HOUSE,  
CUSTOM HOUSE PLACE,  
GREENOCK, PA15 1EQ  
email info@nicholsonmcshane.co.uk  
web nicholsonmcshane.co.uk



nicholson  
mcshane  
architects

Good afternoon Carrie,

I note the contents of your email dated 14th September and have to say I completely disagree with your take on this. I note my detailed comments in response and would be grateful if you would give these your consideration.

*This mid-terraced property sits in a row of four terrace houses, each of which present a uniform design along St Andrews Drive.*

Although the mid-terraced house sits in a row of four originally similar dwellings, the overall effect can hardly be described as "uniform". Variations in fenestration type, fenestration colour, floor heights above ground level and front garden treatment lend an individuality to each dwelling. The end dwelling (no 7) already has a two storey side extension which radically changes its character. My overriding thought, however, is that none of this matters. We're not dealing with a terrace of architecturally significant properties within a conservation area but with a dwelling within a modern estate containing a variety of house types and sizes (many altered) which exploit the topography and orientation of their plots.

*I consider the front extension and the installation of a balcony to the upper level to depart from the established design and to alter the design concept of the house.*

I am unaware of any planning policies preventing changes to the "established design" or even the "design concept" of a dwelling. Indeed the present proposal is a function of the change in the "design concept" of the house carried out under planning permission 11/0300/IC which saw the living accommodation move to the upper floor.

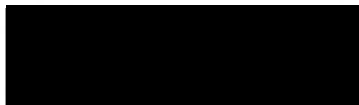
*The proposal will interrupt the stepped form of the terrace and create a dominant and unacceptable feature within the street when viewed from St Andrews Drive.*

The proposal will indeed partially interrupt the stepped form of the terrace (at ground floor level only). Why is this significant? Your assertion that the proposed works will create a "dominant" feature is, I think, completely mistaken as the proposal is small in scale and will not appear on the skyline from the public realm. The comment that this is "unacceptable" is a value judgement that I don't agree with.

In summary, over the last few years we have received consents for proposals of broadly similar types in similar house types (notably 20/0167/IC and 19/0164/IC) either of which would have fallen foul of the criteria you are applying to the current application..

I trust that this is in order and look forward to your further comments.

Regards,

**DOUGLAS NICHOLSON B.Arch (Hons) M.Arch RIBA RIAS ARB**

Chartered Architect, Director

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**RE: (Official) 22/0163/IC; 3 St Andrews Drive, Gourrock**

1 message

Carrie Main &lt;Carrie.Main@inverclyde.gov.uk&gt;

4 October 2022 at 15:48

To: Douglas Nicholson &lt;douglas@nicholsonmcshane.co.uk&gt;

Classification: Official

Hi Douglas,

Just a request for side elevations, please.

Thanks for your comments. Whilst it presents variation within the design and form of the terrace I also appreciate that it is of limited scale.

Kind regards,

Carrie Main

Planning Officer

Regeneration and Planning

Inverclyde Council

Municipal Buildings

Clyde Square

Greenock

Inverclyde

PA15 1LY

*Please note my working pattern is Tuesday-Friday*

Tel: 01475 712413

E-mail: [dmplanning@inverclyde.gov.uk](mailto:dmplanning@inverclyde.gov.uk)Inverclyde Council website – [www.inverclyde.gov.uk](http://www.inverclyde.gov.uk)Inverclyde on Twitter – [twitter.com/inverclyde](https://twitter.com/inverclyde)**From:** Douglas Nicholson [mailto:[douglas@nicholsonmcshane.co.uk](mailto:douglas@nicholsonmcshane.co.uk)]**Sent:** 18 September 2022 16:56**To:** Carrie Main <[Carrie.Main@inverclyde.gov.uk](mailto:Carrie.Main@inverclyde.gov.uk)>**Subject:** 22/0163/IC; 3 St Andrews Drive, Gourrock

Good afternoon Carrie,

I note the contents of your email dated 14th September and have to say I completely disagree with your take on this. I note my detailed comments in response and would be grateful if you would give these your consideration.

*This mid-terraced property sits in a row of four terrace houses, each of which present a uniform design along St Andrews Drive.*

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dealing with a terrace of architecturally significant properties within a conservation area but with a dwelling within a modern estate containing a variety of house types and sizes (many altered) which exploit the topography and orientation of their plots.

*I consider the front extension and the installation of a balcony to the upper level to depart from the established design and to alter the design concept of the house.*

I am unaware of any planning policies preventing changes to the "established design" or even the "design concept" of a dwelling. Indeed the present proposal is a function of the change in the "design concept" of the house carried out under planning permission 11/0300/IC which saw the living accommodation move to the upper floor.

*The proposal will interrupt the stepped form of the terrace and create a dominant and unacceptable feature within the street when viewed from St Andrews Drive.*

The proposal will indeed partially interrupt the stepped form of the terrace (at ground floor level only). Why is this significant? Your assertion that the proposed works will create a "dominant" feature is, I think, completely mistaken as the proposal is small in scale and will not appear on the skyline from the public realm. The comment that this is "unacceptable" is a value judgement that I don't agree with.

In summary, over the last few years we have received consents for proposals of broadly similar types in similar house types (notably 20/0167/IC and 19/0164/IC) either of which would have fallen foul of the criteria you are applying to the current application..

I trust that this is in order and look forward to your further comments.

Regards,



**DOUGLAS NICHOLSON B.Arch (Hons) M.Arch RIBA RIAS ARB**

Chartered Architect, Director

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**9. SUGGESTED CONDITIONS SHOULD PLANNING  
PERMISSION BE GRANTED ON REVIEW**

## **22/0163/IC - Review - Suggested conditions**

Should planning permission be granted on review the following conditions are suggested.

### **Conditions**

1. The development to which this permission relates must have commenced within 3 years from the date of this permission.
2. That prior to the commencement of development, detailed specification of material, colour and finish (including samples where necessary) of all new build facing and construction materials to be used on the extension and balcony including external walls, roofs, balustrades etc. shall be submitted to and approved by the Planning Authority in writing. Construction shall proceed with the use of the approved materials unless a variation is otherwise agreed in writing by the Planning Authority.

### **Reasons:**

1. To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended).
2. To safeguard the amenity of this residential area.

## **10. WRITTEN SUBMISSION REQUEST – APPOINTED OFFICER**

## Colin MacDonald

---

**From:** Carrie Main  
**Sent:** 08 March 2023 09:42  
**To:** Colin MacDonald  
**Subject:** RE: Written Submission Request - Inverclyde Local Review Body

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Classification : Official

Hi Colin,

### **Response for Local Review Body Planning Application 22/0163/IC; 3 St Andrews Drive, Gourock.**

The measurements as stated within the report of handling were concluded by using the IDOX measurement tool and the scale bar provided on the submitted plans. There is always potential for a small degree of variation and it should be noted that all measurements are approximate. The discrepancies as stated by the applicant are minor and do not have any affect or alter any aspect of the assessment, determination and reason for the refusal of the application as outlined within the report of handling.

Kind regards,  
**Carrie Main**  
**Senior Planner**  
Regeneration and Planning  
[Inverclyde Council](#)  
Municipal Buildings  
Clyde Square  
Greenock  
Inverclyde  
PA15 1LY

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E-mail: [dmplanning@inverclyde.gov.uk](mailto:dmplanning@inverclyde.gov.uk)

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---

**From:** Colin MacDonald <Colin.Macdonald@inverclyde.gov.uk>  
**Sent:** 07 March 2023 13:52  
**To:** Carrie Main <Carrie.Main@inverclyde.gov.uk>  
**Cc:** Douglas Nicholson <douglas@nicholsonmcshane.co.uk>  
**Subject:** Written Submission Request - Inverclyde Local Review Body

Classification : Official

Dear Carrie,

I am writing to you in your role as the Appointed Officer for Planning Application 22/0163/IC (3 St Andrews Drive, Gourock). At the meeting of the Local Review Body on 1 March 2023, a Notice of Review was considered for this application, in which Elected Members decided the following:

- (1) That sufficient information has not been submitted to allow the Local Review Body to decide the matter without further procedure; and
- (2) That consideration of the application for review be continued to a future meeting of the Local Review Body to facilitate a written submission from the appointed officer in relation to the dimensions of the proposed extension and balcony in terms of Regulation 15 of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulation 2013.

Specifically, the Local Review Body is requesting a further written submission from you to address concerns raised by the applicant’s agent, Mr Douglas Nicholson, to the effect that there are discrepancies between the dimensions of the extension and balcony as listed in the Report of Handling, compared with those given by Mr Nicholson in his supporting documents. The Local Review Body is therefore requesting a written submission from you in relation to this matter.

	<b>Extension Projection/Depth (m)</b>	<b>Extension Footprint (m<sup>2</sup>)</b>	<b>Balcony Depth(m)</b>	<b>Balcony Length (m)</b>
Case Officer (CM)	1.5	10.35	1.3	3.4
Applicant	1.3	7.67	1.2	3.3

This written submission should be received by the Local Review Body (by responding to this email) before 22 March 2023.

Please note that Mr Nicholson has been copied into this email for his information and he will have the right of reply to the written submission.

Kind regards,

Colin MacDonald  
 Senior Committee Officer  
 Inverclyde Council  
 Municipal Buildings  
 Greenock  
 PA15 1LY

Email: [colin.macdonald@inverclyde.gov.uk](mailto:colin.macdonald@inverclyde.gov.uk)  
 Phone: 01475 712113

## **11. RESPONSE TO WRITTEN SUBMISSION REQUEST FROM NICHOLSON MCSHANE ARCHITECTS**

## Colin MacDonald

---

**From:** Douglas Nicholson <douglas@nicholsonmcshane.co.uk>  
**Sent:** 19 March 2023 15:46  
**To:** Colin MacDonald  
**Subject:** Re: Written Submission Request - Inverclyde Local Review Body

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good afternoon Colin,

The processing officer's response suggests that the raster data on the submitted drawing is used in conjunction with the scale bar to determine dimensions and areas. This is inherently less accurate than the interrogation of the CAD file that we can carry out.

Notwithstanding this, these dimensions and areas are important simply because they are stated in the Report of Handling, hence our reason for commenting on them in our Statement of Appeal.

Regards,

**DOUGLAS NICHOLSON B.Arch (Hons) M.Arch RIBA RIAS ARB**

Chartered Architect, Director

e [douglas@nicholsonmcshane.co.uk](mailto:douglas@nicholsonmcshane.co.uk)



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On Thu, 9 Mar 2023 at 09:23, Colin MacDonald <[Colin.Macdonald@inverclyde.gov.uk](mailto:Colin.Macdonald@inverclyde.gov.uk)> wrote:

Classification : Official

Good Morning Mr Nicholson,

Please find below the written submission from the Appointed Officer to application 22/0163/IC (3 St Andrews Drive, Gourrock).

You now have the right of response to the Appointed Officer's submission and any response received will form part of the agenda papers which Councillors will use to determine the application at the Local Review Body.

If you wish to make a submission please do so by responding to this email no later than 5pm on Thursday 23 March 2023.

Kind regards,

Colin MacDonald

Senior Committee Officer

Inverclyde Council

Municipal Buildings

Greenock

PA15 1LY

Email: [colin.macdonald@inverclyde.gov.uk](mailto:colin.macdonald@inverclyde.gov.uk)

Phone: 01475 712113

---