

Inverclyde Local Review Body

Our Ref: 22/0163/IC

REVIEW DECISION NOTICE

Decision by Inverclyde Local Review Body (the ILRB)

- Site address: 3 St Andrews Drive, Gourrock
 - Application for Review by Mrs Emma Parker against the decision by an appointed officer of Inverclyde Council.
 - Application Ref: 22/0163/IC
 - Application Drawings: Existing and Proposed Plans and Elevations (220202_C.001 Rev E)
Existing and Proposed Plans and Elevations (C.001 Rev D)
Location Plan (22020_LP)
 - Date of Decision Notice: 09/05/2023
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Decision

The ILRB upholds the decision to refuse planning permission for the reason given below and dismisses the review. Attention is drawn to the Advisory Notice at the end of this Review Decision Notice.

1. Introduction

- 1.1 This Notice constitutes the formal decision notice of the ILRB as required by the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013.
- 1.2 The above application for planning permission was considered by the ILRB at a meeting held on 3 May 2023. The Review Body was constituted by Councillors Brennan, Brooks, Clocherty, Crowther, Curley McCabe and McVey, with Councillor Brennan being ineligible to participate on this item of business.

2. Proposal

- 2.1 The application is for a proposed small ground floor extension and alterations to front of house including balcony at first floor level. The application was refused consent in terms of a decision letter dated 28 October 2022.

3. Preliminaries

- 3.1 The ILRB members were provided with copies of the following:
 - (i) Planning Application dated 22 June 2022 together with Location Plan and Existing and Proposed Plans and Elevations
 - (ii) Appointed Officer's Report of Handling dated 21 October 2022
 - (iii) Inverclyde Local Development Plan 2019 Policy Extracts
 - (iv) Inverclyde Local Development Plan 2019 Map Extract

- (v) Inverclyde Local Development Plan 2019 Supplementary Guidance on Planning Application Advice Notices Policy Extracts
- (vi) Representations in relation to Planning Application
- (vii) Decision Notice dated 28 October 2022 issued by Head of Regeneration and Planning
- (viii) Notice of Review Form dated 5 January 2023 with Supporting Statement from Nicholson McShane Architects
- (ix) Suggested Conditions should Planning Permission be Granted on Review
- (x) Written Submission Request – Appointed Officer
- (xi) Response to Written Submission Request from Nicholson McShane Architects
- (xii) 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. Findings and Conclusions

4.1 The determining issue in this review is whether the proposed development would have a detrimental impact on the residential character and amenity of the area and whether the scale of the proposed extension would have a detrimental impact on the amenity of the neighbouring residents.

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, decided that the documentation submitted to it did not include sufficient evidence to reverse the appointed officer's decision, accepted the reasoning of the appointed officer and determined that planning permission should be refused, concluding that the application had been correctly refused for the reason given in the Decision Notice dated 28 October 2022, namely:

(1) The position and form of the proposals 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.

4.3 The Review Application was accordingly dismissed.

Signed _____

Head of Legal, Democratic, Digital
and Customer 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.