

LOCAL REVIEW BODY – 3 MAY 2023

Local Review Body

Wednesday 3 May 2023 at 4pm

Present: Councillors Brennan (for McGuire), Brooks, Clocherty, Crowther, Curley, McCabe and McVey.

Chair: Councillor McVey presided.

In attendance:

Margaret Pickett	Senior Planner (Planning Adviser)
Jim Kerr	Solicitor, Legal, Democratic, Digital & Customer Services (Legal Adviser)
Colin MacDonald	Senior Committee Officer
Lindsay Carrick	Senior Committee Officer
Paul Coulter	Communications Officer (Media Relations) (for Service Manager Communications, Tourism and Health & Safety)

The meeting was held at the Municipal Buildings, Greenock with Councillors Brennan and McCabe 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.

258 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST 258

An apology for absence was intimated on behalf of Councillor McGuire, with Councillor Brennan substituting.

No declarations of interest were intimated.

259 CONTINUED PLANNING APPLICATION FOR REVIEW 259

**(a) Proposed small ground floor extension and alterations to front of house including balcony at first floor level:
3 St Andrews Drive, Gourrock (22/0163/IC)**

There was submitted papers relative to the application for review for a proposed small ground floor extension and alterations to front of house including balcony at first floor level at 3 St Andrews Drive, Gourrock (22/0163/IC) to enable the Local Review Body to consider the matter afresh, consideration of which had been continued from the meeting held on 1 March 2023 to facilitate a written submission from the Appointed Officer.

Not having been present at the meeting held on 1 March 2023, Councillor Brennan did not participate in consideration of this item.

Ms Pickett acted as Planning Adviser relative to this case.

After discussion, Councillor Brooks 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 upheld and that planning permission be granted subject to the following conditions:-

1. the development to which this permission relates must have commenced within 3 years from the date of this permission, to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended); and

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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, to safeguard the amenity of this residential area.

As an amendment, Councillor McCabe 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 refused (upholding the Appointed Officer's determination) for the following reason:-

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.

Following a roll call vote, 2 Members, Councillors Brooks and Crowther voted in favour of the motion, and 4 Members, Councillors Clocherty, Curley, McCabe 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 Appointer Officer's determination) for the following reason:-

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.

260 PLANNING APPLICATION FOR REVIEW

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(a) **New build, 2 bedroom, one storey detached house (fronting Mews Lane) with associated hard and soft landscaping: 92 Newark Street, Greenock (22/0203/IC)**

There was submitted papers relative to the application for review for a new build, 2 bedroom, one storey detached house (fronting Mews Lane) with associated hard and soft landscaping at 92 Newark Street, Greenock (22/0203/IC) to enable the Local Review Body to consider the matter afresh.

Ms Pickett acted as Planning Adviser relative to this case.

During discussion of this item, Mr Kerr advised the Local Review Body that National Planning Framework 4 (NPF4) has superseded Scottish Planning Policy and that should Members decide to refuse permission and uphold the Appointed Officer's determination then the reasons for refusal as detailed in the Decision Notice would need to be updated to reflect the changes in policy with Mr Kerr providing suggested wording in this regard.

After discussion, Councillor Brooks 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 refused (upholding the Appointed

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Officer's determination) for the following reasons:-

1. the proposals fails to have regard to sections d) and e) of Policy 7 of NPF4 as it does not protect the architectural and historic character of the area nor confirm to the existing density, built form and layout of the Greenock West End Conservation Area;
2. the proposal fails to accord with section b) of Policy 14 of NPF4 as it is not considered to be consistent with the 6 qualities of successful places as it fails to accord with the 'Pleasant' and 'Distinct' qualities of supporting attractive natural and built spaces and supporting attention to detail of local architectural styles.
3. the proposal by virtue of the sub-division of one of the large plots which characterize this part of the Conservation Area and introduce an additional built form to Mews Lane contrary to its historic and continued development as a sparsely developed rear service lane, 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 proposed 2021 Inverclyde Local Development Plan;
4. the proposals fails to have regard to the six qualities of successful places as required by Policy 1 of both the adopted 2019 Inverclyde Local Development Plan and proposed 2021 Inverclyde Local Development Plan, specifically as it fails to reflect local urban form and contribute positively to historic places under the 'Distinctive' heading; and
- 5 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.

As an amendment, Councillor Clocherty 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 upheld and that planning permission be granted subject to the following conditions:-

1. the development to which this permission relates must be begun within 3 years from the date of this permission, to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended);
2. no development shall be undertaken until detailed specification of material, finish and colour (including samples where necessary) of materials to be used on all external surfaces of the dwellinghouse and hardstanding areas have been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be implemented in accordance with the approved details, to ensure the development is acceptable in appearance;
3. further development shall be undertaken until details/plans have been submitted to and approved in writing by the Planning Authority relating to all boundary treatments to be erected on the site. Thereafter the approved details shall be implemented in their approved form, to ensure the development is acceptable in appearance;
4. the dwellinghouse shall be designed to ensure that at least 15% of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and operation of low and zero carbon generating technologies (rising to at least 20% by the end of 2022). Development shall not commence until details have been submitted to and approved in writing by the Planning Authority relating to the proposed low and zero carbon generating technologies to be installed in the dwellinghouse, to comply with the requirements of Section 72 of the Climate Change (Scotland) Act 2009. Thereafter the approved low and zero carbon generating technologies shall be implemented in their approved form before the occupation of the dwellinghouse;
5. the dwellinghouse shall have an Electric Vehicle Charging Point. Development shall not commence until the details have been submitted to and approved in writing by the Planning Authority relating to the proposed Electric Vehicle Charging Point, in the interests of sustainable development and to accord with the Inverclyde Council Supplementary Guidance on Energy. Thereafter the approved details shall be

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implemented on site in their approved form before the first occupation of the dwellinghouse;

6. that the presence of any suspected contamination that becomes evident during site works shall be brought to the attention of the Planning Authority and the Remediation Scheme shall not be implemented unless it has been submitted to and approved in writing by the Planning Authority, to ensure that all contamination issues are recorded and dealt with appropriately;

7. the off-street parking/ courtyard area shall be fully paved and the gradient shall not exceed 10%, to ensure usability and in the interests of road safety;

8. that the visibility splay of 2.4m x 17.0m x 1.05m at the site access/ driveway shall be achieved and be maintained at all times thereafter to the satisfaction of the Planning Authority, to ensure that an appropriate visibility splay is provided and maintained, in the interest of road safety;

9. all surface water run-off is to be contained within the site and be limited to that of greenfield run-off. Prior to the commencement of development the applicant should demonstrate that this is achievable in agreement with the Planning Authority, to avoid surface run-off, flooding of the road or adjacent properties; and

10. confirmation of connection Scottish Water's Network shall be submitted to and approved in writing by the Planning Authority, to ensure an appropriate drainage regime. Following a roll call vote, 3 Members, Councillors Brennan, Clocherty and Curley voted in favour of the amendment, and 4 Members, Councillors Brooks, Crowther, McCabe and McVey voted in favour of the motion 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 refused (upholding the Appointed Officer's determination) for the following reasons:-

1. the proposals fails to have regard to sections d) and e) of Policy 7 of NPF4 as it does not protect the architectural and historic character of the area nor confirm to the existing density, built form and layout of the Greenock West End Conservation Area;

2. the proposal fails to accord with section b) of Policy 14 of NPF4 as it is not considered to be consistent with the 6 qualities of successful places as it fails to accord with the 'Pleasant' and 'Distinct' qualities of supporting attractive natural and built spaces and supporting attention to detail of local architectural styles.

3. the proposal by virtue of the sub-division of one of the large plots which characterize this part of the Conservation Area and introduce an additional built form to Mews Lane contrary to its historic and continued development as a sparsely developed rear service lane, 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 proposed 2021 Inverclyde Local Development Plan;

4. the proposals fails to have regard to the six qualities of successful places as required by Policy 1 of both the adopted 2019 Inverclyde Local Development Plan and proposed 2021 Inverclyde Local Development Plan, specifically as it fails to reflect local urban form and contribute positively to historic places under the 'Distinctive' heading; and

5. 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.