

## Inverclyde Local Review Body

Our Ref: 23/0094/IC

### REVIEW DECISION NOTICE

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Decision by Inverclyde Local Review Body (the ILRB)

- Site address: 10 Drumshantie Road, Gourrock
  - Application for Review by Mr George Eaton against the decision by an appointed officer of Inverclyde Council.
  - Application Ref: 23/0094/IC
  - Application Drawings: Elevation Plan, Front Elevation & Section (2023-BW-01/GE)  
Proposed Plan, Front Elevation & Sections (2023-BW-02/GE)
  - Date of Decision Notice: 06/11/2023
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### **Decision**

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

#### **1. Introduction**

- 1.1 This Notice constitutes the formal decision notice of the ILRB as required by the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013.
- 1.2 The above application for planning permission was considered by the ILRB at a meeting held on 1 November 2023. The Review Body was constituted by Councillors Brooks, Clocherty, Crowther, Curley, McGuire and McVey.

#### **2. Proposal**

- 2.1 The application is for the proposed formation of a recessed roof deck at front with associated alterations to rooflights. The application was refused consent in terms of a decision letter dated 14 August 2023.

#### **3. Preliminaries**

- 3.1 The ILRB members were provided with copies of the following:
  - (i) Planning Application dated 5 May 2023
  - (ii) Appointed Officer's Report of Handling dated 4 July 2023
  - (iii) Inverclyde Local Development Plan 2019 Policy Extract
  - (iv) Inverclyde Local Development Plan 2019 Map Extract
  - (v) Inverclyde Local Development Plan 2019 Supplementary Guidance on Planning Application Advice Notices Policy Extract
  - (vi) National Planning Framework 4

- (vii) Decision Notice dated 14 August 2023 issued by Head of Regeneration & Planning
- (viii) Notice of Review form dated 29 August 2023
- (ix) Further Representations Submitted following receipt of Notice of Review
- (x) Suggested Condition should Planning Permission be granted on review
- (xi) The Inverclyde Proposed Local Development Plan 2021
- (xii) Supplementary Drawings

3.2 Having regard to the material provided, 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 visual impact on the surrounding area and would not reflect the local architecture.
- 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 review application should be upheld.
- 4.3 It was also agreed by the ILRB that the condition listed at paragraph 5 below be attached to the planning permission for the reasons specified.

#### **5. Conditions**

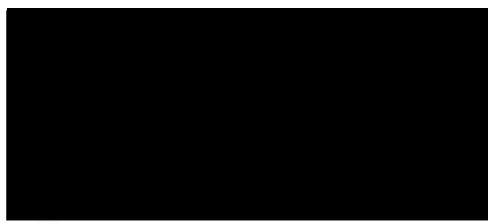
##### Condition

- 1. The development to which this permission relates must be begun within 3 years from the date of this permission.

##### Reason

- 1. To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended).

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.