

Inverclyde Local Review Body

Our Ref: 23/0184/IC

REVIEW DECISION NOTICE

Decision by Inverclyde Local Review Body (the ILRB)

- Site address: 22 Rosemount Place, Gourock
 - Application for Review by Mr Iain Hepburn against the decision by an appointed officer of Inverclyde Council.
 - Application Ref: 23/0184/IC
 - Application Drawings: Existing Elevations (2023-BW-002/IH)
Existing Plans and Location Plan (2023-BW-001/IH)
Proposed Plans (2023-BW-003/IH Rev A)
Proposed Elevations (2023-BW-004/IH Rev A)
Existing Proposed Block Plans (2023-BW-005/IH Rev C)
 - Date of Decision Notice: 15/04/2024
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Decision

The ILRB upholds the decision to refuse planning permission for the reasons 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 April 2024. The Review Body was constituted by Councillors Brooks, Clocherty, Crowther, Curley, McCabe and McVey.

2. Proposal

- 2.1 The application is for a proposed extension comprising one-and-a-half storey rear extension with north facing dormer window and single storey side extension on north side topped with roof terrace at 22 Rosemount Place, Gourock. The application was refused consent in terms of a decision letter dated 29 January 2024.

3. Preliminaries

3.1 The ILRB members were provided with copies of the following:

- (i) Planning Application dated 24 August 2023 together with Plans and Elevations
- (ii) Appointed Officer's Report of Handling dated 29 January 2024
- (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 Notes Policy Extracts
- (vi) National Planning Framework 4
- (vii) Decision Notice dated 29 January 2024 issued by Head of Regeneration & Planning
- (viii) Notice of Review form dated 10 February 2024 together with Statement of Appeal
- (ix) Suggested Conditions should Planning Permission be granted on Review
- (x) The Inverclyde Proposed Local Development Plan 2021

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 issues in this review are whether the proposed development would have a detrimental impact on the character and appearance of the dwelling house and the surrounding area.

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 reasons given in the Decision Notice dated 29 January 2024, namely:

(1) the proposed development, particularly the single storey flat roofed extension with roof terrace located along the north side of the dwellinghouse, will have a detrimental impact on the character of the dwellinghouse, specifically in terms of size, design and materials, contrary to Policy 16 of the National Planning Framework 4 (NPF4).

(2) the proposed development fails to have regard to the six qualities of successful places as required by Policy 14 of the National Planning Framework 4 and Policy 1 of both the adopted 2019 Inverclyde Local Development Plan and the proposed 2021 Inverclyde Local Development Plan, specifically as due to the size of the extension and close proximity of the extension and roof terrace to Rosemount Place, it fails to reflect the urban form of the area, as required under the quality of being "Distinctive".

(3) the scale, design and use of materials proposed would result in an unexpected and uncharacteristic finish on the principal elevation of the dwellinghouse which would negatively impact on the character and appearance of the dwellinghouse and surrounding area, contrary to Policy 20 of the proposed 2021 Inverclyde Local Development Plan.

4.3 The Review Application was accordingly dismissed.

Signed _____

Interim Head of Legal & Democratic 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.

