

Inverclyde Local Review Body

Our Ref: 24/0015/IC

REVIEW DECISION NOTICE

Decision by Inverclyde Local Review Body (the ILRB)

- Site address: Slates Farm, Blacksholm Road, Kilmacolm
 - Application for Review by Mr A White against the decision by an appointed officer of Inverclyde Council.
 - Application Ref: 24/0015/IC
 - Application Drawings:

Existing Site Plan	(AL(0)02 Rev C)	Proposed Stables Plan	(AL(0)13 Rev C)
Proposed Byre Elevations	(AL(0)15 Rev B)	Proposed Agricultural Building	(AL(0)16)
Location Plan	(AL(0)01 Rev A)	Proposed Basement Plan	(AL(0)12 Rev E)
Proposed Landscape Plan	(AL(0)12 Rev E)	Proposed Sections	(AL(0)11 Rev H)
Proposed Elevations	(AL(0)10 Rev H)	Proposed Roof Plan	(AL(0)09 Rev I)
Proposed Plans	(AL(0)08 Rev I)	Proposed Plans	(AL(0)07 Rev J)
Proposed Site Plan	(AL(0)06 Rev H)	Existing Elevations	(AL(0)05 Rev C)
Existing Roof Plan	(AL(0)04 Rev C)	Existing Plan	(AL(0)03 Rev C)
 - Date of Decision Notice: 13/08/2024
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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 7 August 2024. The Review Body was constituted by Councillors Brooks, Clocherty, Crowther, Curley, McCabe, McGuire and McVey.

2. Proposal

- 2.1 The application is for the erection of a two storey replacement dwellinghouse incorporating basement level following demolition of existing dwellinghouse; refurbishment and alterations of stables; alterations and conversion of barn to form a visitor/guest accommodation; erection of agricultural building; enlargement of equestrian area following demolition of existing barn and

stable block; and alterations to layout of visitor parking area at Slates Farm, Blacksholm Road, Kilmacolm. The application was refused consent in terms of a decision letter dated 17 April 2024.

3. Preliminaries

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

- (i) Planning Application dated 1 February 2024 together with Design Statement, Plans, Elevations and Drawings
- (ii) Planning Application Business Plan, Structural Engineering Condition Report, Roof Condition Survey, Stone Condition Survey and Sustainability Statement
- (iii) Appointed Officer's Report of Handling dated 16 April 2024
- (iv) Inverclyde Local Development Plan 2019 Policy Extract
- (v) Inverclyde Local Development Plan 2019 Map Extract
- (vi) Inverclyde Local Development Plan 2019 Supplementary Guidance on Planning Application Advice Notes Policy Extract
- (vii) National Planning Framework 4
- (viii) Representations in relation to Planning Application
- (ix) Decision Notice dated 17 April 2024 issued by Head of Regeneration & Planning
- (x) Notice of Review form dated 13 May 2024 together with Statement of Appeal
- (xi) Suggested Conditions should Planning Permission be granted on Review
- (xii) 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 scale and location of the proposed development are appropriate.

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 17 April 2024, namely:

(1) The proposal presents an unacceptable departure from the Development Plan as no specific locational requirement for the proposed house or visitor accommodation has been demonstrated. Furthermore, the proposed house is not considered to be appropriately scaled or designed to be in keeping with the character of this rural area. The proposal is therefore contrary to Policies 8,9, 14, 17 and 29 of National Planning Framework 4; Policies 1 and 14 of the adopted Inverclyde LDP and Policies 1, 15 and 19 of the proposed LDP. It is also not supported by the design principles of both adopted and draft PAAN 8.

4.3 The Review Application was accordingly dismissed.

Signed 

Head of Legal, Democratic, Digital & 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.