

Inverclyde Local Review Body

Our Ref: 24/0010/IC

REVIEW DECISION NOTICE

Decision by Inverclyde Local Review Body (the ILRB)

- Site address: North Dennistoun House, North Dennistoun, Kilmacolm
 - Application for Review by Mr & Mrs G Drysdale against the decision by an appointed officer of Inverclyde Council.
 - Application Ref: 24/0010/IC
 - Application Drawings:

Existing Site Plan	(L (0-) 02)
Proposed Site Plan	(L(0-) 03 Rev C)
Existing Floor Plans	(L(1-) 01)
Proposed Floor Plans	(L(2-) 01 Rev E)
Existing Elevations	(L(1-) 02)
Proposed Elevations	(L(2-) 02 Rev A)
Location Plan	(L(0-) 01 Rev A)
Proposed garage plan & elevations	(D38.09_L(2-)03)
 - Date of Decision Notice: 13/08/2024
-

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 alterations to ground floor existing outbuilding to convert garage to form habitable accommodation with associated external alterations; erection of detached garage at North Dennistoun House, North Dennistoun, Bridge of Weir Road, Kilmacolm. The application was refused consent in terms of a decision letter dated 25 March 2024.

3. Preliminaries

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

- (i) Planning Application dated 12 January 2024 together with Design Statement, Plans and Elevations
- (ii) Appointed Officer's Report of Handling dated 25 March 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 Extract
- (vi) National Planning Framework 4
- (vii) Representations in relation to Planning Application
- (viii) Decision Notice dated 25 March 2024 issued by Head of Regeneration & Planning
- (ix) Notice of Review form dated 28 May 2024 together with Statement of Appeal
- (x) Suggested Conditions should Planning Permission be granted on Review
- (xi) 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 issue in this review is whether the proposed development is appropriately situated, having regard (inter alia) to its Green Belt location in terms of locational justification and appropriate design for a house in the Green Belt.

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 25 March 2024, namely:

(1) The proposal does not comply with Policy 8 of NPF4, Policy 14 of the adopted LDP nor Policy 15 of the proposed LDP. The development also fails to comply with Policies 16 and 17 of NPF4 and Policy 19 of the proposed LDP. The proposal is not considered to be appropriately designed in terms of being in effect a dwellinghouse in the Green Belt.

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.