

Inverclyde Local Review Body

Our Ref: 10/0311/IC

REVIEW DECISION NOTICE

Decision by Inverclyde Local Review Body (the ILRB)

- Site address: Bridgedaff Cottage, Main Street, Inverkip
 - Application for Review by Taylor Haggarty Design on behalf of J Atkinson and I Deegan against the decision by an appointed officer of Inverclyde Council
 - Application Ref: 10/0311/IC
 - Application Drawings: Ref: 988.01A - Existing Plans
 Ref: 988.02 - Proposed Plans
 - Date of Decision Notice: 10 March 2011
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Decision

The ILRB reverses the determination reviewed by it and grants Planning Permission, subject to the conditions listed below. Attention is also 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 2008.
- 1.2 The above application for planning permission was considered by the ILRB at a meeting held on 2 March 2011. The Review Body was constituted by Councillors D Wilson (Chair), K Brooks, G Dorrian, T Fyfe, T Loughran, C McCallum and I Nelson.

2. Proposal

- 2.1 The application proposal is for planning permission to extend Bridgedaff Cottage through a single storey ground level rear extension, measuring approximately 4 metres by 5.8 metres and an attic extension to the existing rear dormer. The resultant rear dormer would be approximately 6.5 metres long and would occupy approximately three quarters of the roof. Both the ground floor extension and dormer extension will be finished in materials to match those used on the cottage. The application was refused consent in terms of a decision letter dated 10 December 2010.

3. Preliminaries

- 3.1 The ILRB members were provided with copies of the following:
 - (i) Planning Application and plans specified above;
 - (ii) The Appointed Officer's Report of Handling dated 10 December 2010;

- (iii) Decision Notice dated 10 December 2010;
- (iv) Notice of Review dated 19 January 2011;
- (v) Draft Conditions should the ILRB be minded to grant planning permission.

3.2 Having regard to the material produced 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 2008.

4. **Reasons**

4.1 The determining issue in this review is the impact the proposal, concentrating in particular on the attic extension to the rear dormer would have on (a) the existing character, pattern of development and appearance of the Inverkip Conservation Area; and (b) the existing house in terms of shape and size, having regard to the provisions of the Development Plan.

4.2 The application had been refused as the visual appearance of overdevelopment of the roof space would not be sympathetic to the character, pattern of development or appearance of the Conservation Area and it will adversely impact on the house in terms of shape and size, leading to a visual impression of overdevelopment.

4.3 In the notice of review the applicant stated that a number of properties in the Inverkip Conservation Area have developed roof spaces with a range of dormer styles, including the box dormer. Further, there would be minimal impact on the existing streetscape and the notice of review included photographic evidence in support of this statement.

4.4 The ILRB were of the view that the applicant had demonstrated significant persuasive evidence in support of his case. In particular it was noted that there are other properties within the Inverkip Conservation Area which are as, if not more, developed than the application site. The ILRB determined that the proposal would therefore not give the appearance of overdevelopment of the roofspace and would be sympathetic to the character, pattern of development and appearance of the Inverkip Conservation Area, in line with Policy HR11 of the Inverclyde Local Plan. It was also noted that the proposal is complementary to, and would mitigate the existing appearance of, the cottage. The proposal would therefore not impact on the cottage in terms of shape and size and would not lead to a visual impression of overdevelopment, in line with Policy HR15 of the Inverclyde Local Plan.

4.5 Having regard to the whole circumstances, the ILRB determined that the review application should be upheld, subject to the imposition of the conditions listed at paragraph 5 below.

5. **Conditions**

1. That the development to which this permission relates must be begun within 3 years from the date of this permission.
2. That the window in the dormer extension shall be fitted with opaque or obscure glazing which shall be retained at all times thereafter.

Reasons:

1. To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
2. In the interests of privacy of the adjacent resident.

Signed _____

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 21 of the Town and Country Planning (Schemes of Delegation and Local Review Procedure)(Scotland) Regulations 2008

1. If the applicant is aggrieved by the decision of the planning authority to refuse permission or approval required by a condition in respect of the proposed development, or to grant permission or approval 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.