
Report To:	The Planning Board	Date:	7 September 2011
Report By:	Head of Regeneration and Planning	Report No:	10/378/IC Plan 09/11
Contact Officer:	James McColl	Contact No:	01475 712462
Subject:	Notification of Planning Appeal Decision: Erection of a gate (in retrospect) at 9 - 9A Ashton Terrace, Gourrock.		

INTRODUCTION

In March 2011 planning permission was refused for the erection of a gate (in retrospect) at 9 - 9A Ashton Terrace, Gourrock. Planning permission was refused as the proposed gate, by virtue of its location, prevents access to the head of Ashton Terrace for the turning of vehicles, forcing vehicles to reverse along Ashton Terrace and Ashton Place to Ashton Road, to the detriment of road safety. An appeal against the refusal of planning permission application was lodged with the Scottish Government and considered by written submissions.

NOTIFICATION OF APPEAL DECISION

The Reporter considered the determining issues to be the visual impact of the gate and road safety.

The Reporter agreed with the Council that the gate has an acceptable visual impact. However, he did not accept the Council's case that there are unacceptable road safety implications. He considers it possible for smaller vehicles to turn in the lane, albeit with difficulty, and that any vehicle unable to turn can reverse down Ashton Terrace. While he accepts that this is not ideal, the number of times when this would occur added to the slow vehicle speed does not make this an unacceptable highway hazard.

It is noted that there is a dispute between residents over property rights to turn in the disputed area, but that this is a matter for the courts to enforce. He was unable to take this matter into account when reaching his decision to grant planning permission.

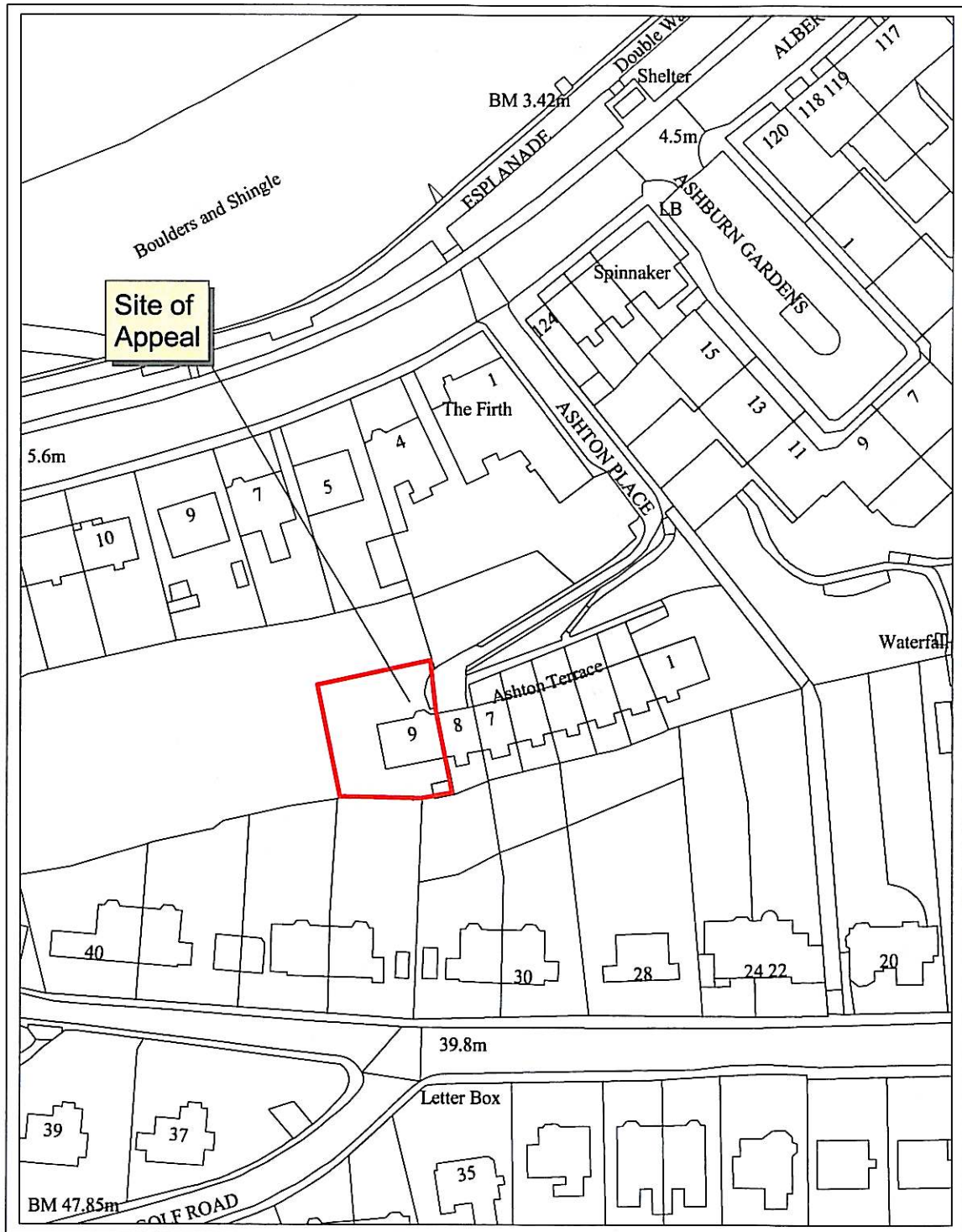
RECOMMENDATION

The Board notes the decision.

Stuart Jamieson
Head of Regeneration and Planning

BACKGROUND PAPERS

Planning application 10/0378/IC
Planning Appeal Decision Notice dated 8 August 2011



Drawing No. 10/0378/IC 9-9A Ashton Terrace, Gourock.

Drawn by: JML

Date: 22:06:11

