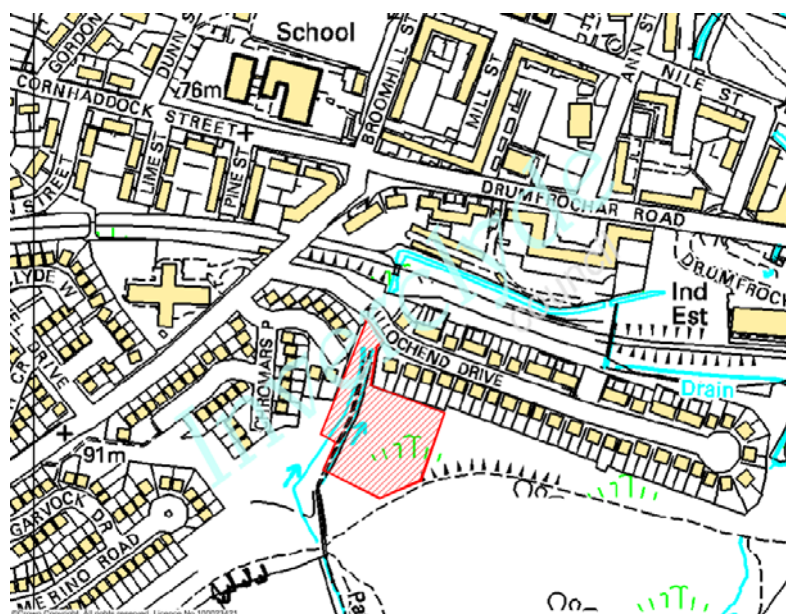

Report To:	The Planning Board	Date:	6 th June 2012
Report By:	Head of Regeneration and Planning	Report No:	08/0300/IC Plan 06/12
Contact Officer:	Guy Phillips	Contact No:	01475 712422
Subject:	Notification of planning appeal decision: Proposed Flatted Development at Killochend Drive, Greenock		

INTRODUCTION

In October 2011 planning permission was refused for the erection of a flatted development at Killochend Drive, Greenock. Planning permission was refused for the following reasons:

1. As the development's incompatibility as a domineering flatted development is not fitting with the character and amenity of the existing dwellinghouses in the area, contrary to Local Plan Policies H1 and H8.
2. As the splays required to safely exit the site, as laid down in the Council's Roads Development Guide, cannot be achieved due to land on each side of the road not being in the control of the developer, contrary to Local Plan Policy H8(f).
3. As there is insufficient and inadequate provision for parking within the vicinity of the development to take any surplus or overflow parking from the development.



An appeal against the refusal of planning permission was lodged with the Scottish Government. The appeal was considered by written submissions. A claim for costs against the Council was also lodged.

NOTIFICATION OF APPEAL DECISION

The Reporter considered the determining issues to be compatibility with the character and amenity of the surrounding area, car parking and safe access to the site.

He considered that due to the prominent hilltop and edge of town location, development should relate to the adjacent houses rather than flats. The combination of building height and hard landscaping to accommodate car parking does not reflect the immediate locality. The Reporter also found that the sloping nature of the site would result in the amenity of some of the proposed flats and adjacent residents being unsatisfactory with restricted outlooks, dominant and oppressive gable walls and reduced sunlight being contributory factors. All of the above results in the development being contrary to Local Plan policies H1 and H8.



Despite the Council's objections on parking and site access visibility, he found these aspects of the proposal satisfactory. While recognising both as valid planning considerations, the Council failed to support these reasons sufficiently at appeal and in doing so acted unreasonably. The claim for expenses on this basis was, nevertheless, rejected as objectors had raised these as concerns. Consequently the appellant was not disadvantaged as the appeal process required to consider these matters regardless of the Council's stance.

The planning appeal was dismissed and the claim for costs was rejected.

RECOMMENDATION

The Board notes the position.

Stuart Jamieson
Head of Regeneration and Planning

BACKGROUND PAPERS

1. Planning application 08/0300/IC
2. Appeal decision letter dated 16 April 2012.



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