

## Inverclyde Local Review Body

Our Ref: 13/0086/IC

### REVIEW DECISION NOTICE

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Decision by Inverclyde Local Review Body (the ILRB)

- Site address: 31 Eldon Street, Greenock
  - Application for Review by Mr & Mrs McKerlie against the decision by an appointed officer of Inverclyde Council
  - Application Ref: 13/0086/IC
  - Application Drawings: Ordnance Survey Extract  
West Roof Area  
East Roof Area  
Gable Elevation  
Roof Fixing East and West Areas
  - Date of Decision Notice: 18 September 2013
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### **Decision**

The ILRB reverses the determination reviewed by it and grants Planning Permission, subject to the condition(s) 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 2013.
- 1.2 The above application for planning permission was considered by the ILRB at a meeting held on 4 September 2013. The Review Body was constituted by Provost R Moran, Councillors D Wilson (Chair), G Dorrian, T Loughran and I Nelson.

#### **2. Proposal**

- 2.1 The application proposal is in retrospect and is for the installation of 16 solar panels to both the front and rear roof slopes. The application was refused consent in terms of a decision letter dated 9 May 2013.

#### **3. Preliminaries**

- 3.1 The ILRB members were provided with copies of the following:
  - (i) Planning Application, drawings and photograph;
  - (ii) Site photographs;
  - (iii) The Appointed Officer's Report of Handling dated 9 May 2013;
  - (iv) Scottish Planning Policy;
  - (v) Scottish Historic Environment Policy;

- (vi) Historic Scotland's Managing Change in the Historic Environment Guidance Note on Micro-Renewables;
- (vii) Decision Notice dated 9 May 2013;
- (viii) Notice of Review dated 22 July 2013;
- (ix) Draft Condition should 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 visual impact of the proposal.
- 4.2 The application had been refused as the solar panels installed detract from the character and appearance of the existing building and wider terrace, and fail to preserve and enhance the appearance of the Greenock West End conservation and as the proposal does not accord with the advice contained in Policy HR1, HR11 and HR12 of the Inverclyde Local Plan, Historic Scotland's managing change in the Historic Environment Guidance Notes and the Scottish Historic Environment Policy which seeks to preserve the historic environment.
- 4.3 In the Notice of Review, the applicants stated that compared to the older buildings in the area this terraced row is of a cheaper built modern style on which panels and satellite dishes are often seen. The applicants also stated that the design and symmetry of the terrace has already been changed from the architect's original for the doors, windows and open plan front.
- 4.4 The ILRB considered the visual appearance of the solar panels and the impact on the terrace of houses and the Greenock West End Conservation Area.
- 4.5 The ILRB determined that having regard to the whole circumstances and taking the application on its individual merits, the review be upheld subject to the condition listed at paragraph 5 below.

#### 5. **Condition**

- 1. That if the solar panels hereby permitted become redundant, obsolete or are decommissioned at any time in the future, they shall be removed and the roof fully reinstated to the satisfaction of the Planning Authority within 2 months of the date on which the panels become redundant, obsolete or are decommissioned.

#### **Reason:**

- 1. To ensure the removal of redundant equipment within an appropriate time period in the interests of the visual amenity within the Greenock West End Conservation Area.

Signed \_\_\_\_\_

Proper Officer  
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.