

## **Inverclyde Local Review Body**

**Our Ref: 12/0345/IC**

### **REVIEW DECISION NOTICE**

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Decision by Inverclyde Local Review Body (the ILRB)

- Site address: Old Fire Station, 1 Torr Avenue, Quarriers Village (12/0345/IC)
  - Application for Review by Mr A Matheson on behalf of Mr D Kettlewell against the decision by an appointed officer of Inverclyde Council
  - Application Ref: 12/0345/IC
  - Application Drawings: Location Plan
    - FS/2012/002 - Block Plan as existing
    - FS/2012/003 - Elevations as existing (01)
    - FS/2012/004 - Elevations as existing (02)
    - FS/2012/021 - Block Plan as proposed
    - FS/2012/022 - Elevations as proposed 01
    - FS/2012/023 - Elevations as proposed 02
  - Site Inspection took place on 16 January 2014
  - Date of Review Decision Notice: 17 February 2014
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### **Decision**

The ILRB upholds the decision to refuse planning permission for the reasons given below and dismisses the review. 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 firstly at a meeting held on 4 December 2013. The ILRB was constituted by Councillors Provost R Moran, Councillors G Dorrian, T Loughran, I Nelson and D Wilson. At that meeting, the members of the ILRB decided that they wished to carry out a site visit before making a decision in respect of this matter. The meeting was adjourned to allow a site visit to be carried out and said site visit attended by Provost R Moran, Councillors G Dorrian, T Loughran and D Wilson, took place on 16 January 2014. The ILRB reconvened on 5 February 2014 to determine the matter. The ILRB on 5 February 2014 was constituted by Provost R Moran, Councillors G Dorrian, T Loughran, and D Wilson (Chair).

## 2. **Proposal**

- 2.1 The application proposal is for planning permission for a single storey extension containing a double garage and kitchen onto the turret on the side elevation fronting Torr Road. The application was refused consent in terms of a decision letter dated 1 July 2013.

## 3. **Preliminaries**

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

- (i) Planning Application and plans;
- (ii) Site photograph;
- (iii) Letters of representation and Consultation Responses in respect of the Planning Application;
- (iv) The Appointed Officer's Report of Handling dated 1 July 2013;
- (v) Decision Notice dated 1 July 2013;
- (vi) Notice of Review and supporting documents dated 13 September 2013;
- (vii) Further representation;
- (viii) Email dated 21 October 2013 from Mr A Matheson responding to further representation; and
- (ix) Draft condition should the ILRB be minded to grant planning permission.

- 3.2 Having regard to the material before the ILRB, 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 issues in this review were the visual impact of the proposal, in particular how it sits within the streetscape and its scale. The ILRB was of the view that the existing building would be overwhelmed by the scale of the proposal.
- 4.2 Having regard to the whole circumstances, the ILRB concluded that the application had been correctly refused for the reason given in the Decision Notice dated 1 July 2013, namely that the proposed extension is a large and unexpected addition to the building, harmful to its design, streetscape in Torr Road and Torr Avenue and the setting of the nearby conservation area, contrary to policies H1 and HR11 of the Inverclyde Local Plan and policies RES1 and HER1 of the proposed Local Development Plan.
- 4.3 The Review Application was accordingly dismissed.

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 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.