
Report To:	The Planning Board	Date:	5 March 2014
Report By:	Head of Regeneration and Planning	Report No:	13/0035/IC Plan 03/14
			Local Application Development
Contact Officer:	Guy Phillips	Contact No:	01475 712422
Subject:	Notification of Planning Appeal decision: Proposed residential development (in principle) at Land off Lithgow Way, Port Glasgow		

INTRODUCTION

In September 2013 planning permission was refused for a proposed residential development (in principle) at land off Lithgow Way, Port Glasgow and following a site visit by the Planning Board. Planning permission was refused as:

“The proposal is contrary to the Inverclyde Local Plan 2005 as the site is zoned for commercial use and the commercial zoning should remain in force for a period of 5 years.”



An appeal against the refusal was lodged with the Scottish Government and considered by written submissions.

APPEAL DECISION

The Reporter considered the determining issue to be whether the site should be safeguarded for commercial use in accordance with the approved masterplan and, if not, whether the proposal is otherwise acceptable.

Development in accordance with the Kingston Masterplan is a requirement of Local Plan Policy SA2(j)(1), and as the site is specifically shown as a commercial area, the Reporter does not accept that residential development complies with policy. The Reporter believes that this area was identified for commercial use to take advantage of the waterside location and expansive views over the river. It could well be provided in a single building retaining much of the open outlook; the same could not be said of a residential development.



While acknowledging the length of site that the site has lay undeveloped, general site preparation and remediation works will have taken time, so little weight should be attached to this issue. With no evidence submitted to support the lack of interest in commercial development, it cannot be concluded that this use is unrealistic.

Finally, while noting that the proposed Inverclyde Local Development Plan identifies the site for residential development, as the Plan has not been examined this is insufficient to outweigh the current Local Plan.

The appeal was dismissed.

The appellant lodged a claim for costs on the basis of that the Council acted in an unreasonable manner in refusing planning permission. The Reporter found that the reason for refusal was sound, clear cut and based on reasonable grounds. The claim for costs was rejected.

RECOMMENDATION

That the Board notes the position.

Stuart Jamieson
Head of Regeneration and Planning

BACKGROUND PAPERS

Planning application 13/0035/IC
Planning Appeal decision notice dated 5 February 2014
Claim for Expenses decision notice dated 5 February 2014



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