

Inverclyde Local Review Body

Our Ref: 14/0352/IC

REVIEW DECISION NOTICE

Decision by Inverclyde Local Review Body (the ILRB)

- Site address: 19 Esplanade and 78 Eldon Street, Greenock
 - Application for Review by Canata & Seggie, Chartered Architects, on behalf of the co-proprietors, 19 Esplanade and 78 Eldon Street, Greenock against the decision by an appointed officer of Inverclyde Council
 - Application Ref: 14/0352/IC
 - Application Drawings: Drawing No. 2426_LP – Location Plan
 - Date of Review Decision Notice: 17 February 2015
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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 at a meeting held on 4 February 2015. The ILRB was constituted by Councillors G Dorrian, T Loughran, I Nelson, L Rebecchi and D Wilson (Chair).

2. Proposal

- 2.1 The application proposal is for planning permission in retrospect for the painting of the front and rear elevations of the building at 19 Esplanade and 78 Eldon Street, Greenock yellow with gold surrounds, banding and detailing. The application was refused consent in terms of a decision letter dated 31 October 2014.

3. Preliminaries

- 3.1 The ILRB members were provided with copies of the following:
 - (i) Planning Application, plan and design statement;
 - (ii) Site photographs;
 - (iii) The Appointed Officer's Report of Handling dated 30 October 2014;
 - (iv) Letters of representation;
 - (v) Historic Scotland's Managing Change in the Historic Environment guidance notes on external walls;

- (vi) Planning Advice Note 71 – Conservation Area Management;
- (vii) Scottish Historic Environment Policy;
- (viii) Decision Notice dated 31 October 2014;
- (ix) Letter dated 24 November 2014 from Canata & Seggie, Chartered Architects, enclosing Notice of Review form and statement to the Local Review Body
- (x) Further representations;
- (xi) Email dated 28 January 2015 from Canata & Seggie, Chartered Architects.

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 issue in this review was whether the new colours are appropriate for the period style of the house and the impact on the Greenock West End conservation area. The ILRB was of the view that the new colours are not appropriate and have an adverse impact on the conservation area.

4.2 Having regard to the whole circumstances, the ILRB concluded that the application had been correctly refused for the following reason set out in the Decision Notice dated 31 October 2014:-

1. The bright yellow and gold tones of the dwelling are not colours which would traditionally have been used on a house of this period style or have been found within this part of the Greenock West End conservation area. The colours form an intrusive feature within the streetscape and are therefore not appropriate in terms of policies HER1 and RES5 of the Local Development Plan together with the SHEP and Historic Scotland's Guidance which seeks to preserve the historic environment, and PAN71.

4.3 The Review Application was accordingly dismissed.

Signed _____

Head of Legal & Property 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.