

Inverclyde Local Review Body

Our Ref: 16/0189/IC

REVIEW DECISION NOTICE

Decision by Inverclyde Local Review Body (the ILRB)

- Site address: 29 Kelly Street, Greenock
 - Application for Review by Canata & Seggie, Chartered Architects on behalf of Mr S Forrest against the decision by an appointed officer of Inverclyde Council
 - Application Ref: 16/0189/IC
 - Application Drawings: Drawing No. 2525_D.001 – existing ground floor plan and street elevation
Drawing No. 2525_D.002 – existing gable and rear elevations
Drawing No. 2525_D.004 Revision A – proposed gable and rear elevations
Drawing No. 2525_D.003 Revision B – proposed ground floor plan
Drawing No. 2525_D.004 Revision B – proposed gable and rear elevations
Drawing No. 2525_D.005 – location plan
 - Site Inspection took place on 13 February 2017 and 16 February 2017
 - Date of Decision Notice: 16 March 2017
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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.

1.1 The above application for planning permission was considered by the ILRB firstly at a meeting held on 1 February 2017. The ILRB was constituted by Provost R Moran and Councillors K Brooks, G Dorrian, V Jones, J McColgan and D Wilson (Chair). At that meeting, the members of the ILRB decided that they wished to carry out an unaccompanied site inspection before making a decision in respect of this matter. The meeting was adjourned to allow a site inspection to be carried out and said site inspection attended by Provost R Moran and Councillors K Brooks, V Jones and D Wilson took place on 13 February 2017 and by Councillors G Dorrian and J McColgan on 16 February 2017.

2. **Proposal**

- 2.1 The application proposal is for removal of the rear utility room and garden store and the construction of an approximately 34m² irregularly shaped wrap-round extension containing a family room, dining area, utility room, lavatory and replacement garden store. External finishes are white-coloured render and a mix of natural slate and single-ply membrane on the extension's three sections of roof. On the south-west (side) elevation, the dining space within the rear part of the wrap-round extension has patio doors which open onto an irregularly shaped timber deck approximately 500mm above the existing garden level, the proposed deck occupies approximately 75% of the side garden and has four steps which link down to the existing parking space off Kelly Street. In addition, it is proposed to install a sliding timber gate at the existing opening in the front garden wall.

3. **Preliminaries**

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

- (i) Planning Application and Plans
- (ii) Site Photographs
- (iii) Report of Handling dated 3 October 2016
- (iv) Consultation Response
- (v) Decision Notice dated 3 October 2016
- (vi) Letter dated 3 November 2016 from Canata & Seggie, Chartered Architects, enclosing Notice of Review Form and statement to Local Review Body
- (vii) Suggested condition should planning permission be granted on review.

- 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 the design of the extension and its impact on the character, pattern of development and appearance of the Conservation Area.

- 4.2 Having regard to the whole circumstances, including the site inspection, the ILRB having considered the matter afresh and, having taken account of the Inverclyde Local Development Plan and all relevant material and planning considerations, following a vote, concluded that the application had been correctly refused for the reason given in the Decision Notice dated 3 October 2016, namely:

- 1. The proposal is not sympathetic to the character, pattern of development and appearance of the Conservation Area and fails to manage the historic environment with intelligence thus failing to accord with Policies RES1 and HER1 of the Local Development Plan and Historic Environment Scotland's Policy Statement.

- 4.4 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.