

## Inverclyde Local Review Body

Our Ref: 20/0324/IC

### REVIEW DECISION NOTICE

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Decision by Inverclyde Local Review Body (the ILRB)

- Site address: 26A Victoria Road, Gourock.
  - Application for Review by Mr Robert Campbell against the decision by an appointed officer of Inverclyde Council
  - Application Ref: 20/0324/IC
  - Application Drawings: Location Plan (Drawing number 100048957)  
Shed Dimensions
  - Site Inspection took place on: 7 July 2021
  - Date of Decision Notice: 6 September 2021
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### **Decision**

The ILRB upholds the decision to refuse planning permission for the reasons given below and dismisses the review.

#### **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 2 June 2021. The Review Body was constituted by Councillors Clocherty, Crowther, Dorrian, McKenzie, Nelson, Rebecchi and Wilson. At that meeting a majority of the Members of the ILRB decided that they wished to carry out an unaccompanied site inspection before making a decision in respect of the matter. The meeting was adjourned to allow the site inspection to be carried out and said site inspection attended by Councillors Crowther, McKenzie, Nelson, Rebecchi and Wilson took place on 7 July 2021.
- 1.3 The ILRB reconvened on 1 September 2021 to determine the matter. The ILRB on 1 September 2021 was constituted by Councillors Clocherty, Crowther, Dorrian, McKenzie, Nelson, Rebecchi and Wilson. Councillors Clocherty and Dorrian were ineligible to participate in the continued consideration of this matter as they were not present at the site inspection on 7 July 2021 and therefore did not vote.

## 2. **Proposal**

2.1 The application proposal is for the erection of a shed in the front drive. The application was refused consent in terms of a decision letter dated 23 February 2021.

## 3. **Preliminaries**

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

- (i) Planning Application dated 17 December 2020 together with Plans, Location Plan and Supporting Statement.
- (ii) Sample Image of Materials and Finishes for Shed.
- (iii) Appointed Officer's Report of Handling dated 19 February 2021.
- (iv) Inverclyde Local Development Plan 2019 Policy Extracts.
- (v) Inverclyde Local Development Plan 2019 Map Extract.
- (vi) Representations in relation to Planning Application.
- (vii) Decision Notice dated 23 February 2021 issued by Head of Regeneration & Planning.
- (viii) Notice of Review Form dated 29 March 2021 together with Supporting Statement.
- (ix) Letter dated 12 April 2021 and response from applicant regarding new matter.
- (x) Suggested conditions should planning permission be granted on review.
- (xi) The Inverclyde Proposed Local Development Plan 2021.

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 2013.

## 4. **Reasons**

4.1 The determining issues in this review are (a) the location of the proposed shed within the West Bay, Gourock Conservation Area; (b) the impact of the proposal on the surrounding streetscape.

4.2 Having regard to the whole circumstances, the ILRB having considered the matter afresh and, having taken into account the Inverclyde Local Development Plan and all relevant material and planning considerations, following a vote, considered that the documentation submitted to it did not include sufficient evidence to reverse the appointed officer's decision, accepted the reasoning of the appointed officer and determined that planning permission should be refused, concluding that the applicant had been correctly refused for the reasons given in the Decision Notice dated 23 February 2021, namely:

1. By reason of location and design, including the use of finishing materials, the development fails to reflect local architecture and urban form as required by Policy 1 of Inverclyde Local Development Plan.
2. The proposal would result in an unexpected and dominant feature on the streetscape, which would harm the established pattern of development and setting of the Conservation Area, contrary to the aims of Policy 28 of the Inverclyde Local Development Plan.

4.3 The Review Application was accordingly dismissed.

Signed \_\_\_\_\_

Interim Head of Legal 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.