

## Inverclyde Local Review Body

Our Ref: 21/0211/IC

### REVIEW DECISION NOTICE

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Decision by Inverclyde Local Review Body (the ILRB)

- Site address: Valley View Farm, Dougliehill Road, Port Glasgow.
  - Application for Review by Nicholson McShane Architects on behalf of Patricia Crighton against the decision by an appointed officer of Inverclyde Council
  - Application Ref: 21/0211/IC
  - Application Drawings: Proposed Indicative Layout and Visuals for Information  
(Drawing number: 21036-D001)  
  
Location Plan  
(21036-LP)
  - Date of Review Decision Notice: 02/02/2022
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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 2 February 2022. The ILRB was constituted by Councillors Clocherty, Crowther, Dorrian, Nelson, McVey, Rebecchi and Wilson.

#### 2. Proposal

- 2.1 The application proposal is for a proposed new detached dwellinghouse (in principle) at Valley View Farm, Dougliehill Road, Port Glasgow. The application was refused consent in terms of a decision letter dated 4 October 2021.

### **3. Preliminaries**

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

- (i) Planning Application dated 12 July 2021 together with Location Plan and Proposed Indicative Layout.
- (ii) Planning Application Design Statement.
- (iii) The Appointed Officer's Report of Handling dated 6 September 2021.
- (iv) Inverclyde Local Development Plan 2019 Policy Extracts.
- (v) Inverclyde Local Development Plan 2019 Maps Extract.
- (vi) Inverclyde Local Development Plan 2019 Supplementary Guidance on Planning Application Advice Notes Policy Extracts.
- (vii) Scottish Planning Policy Extract.
- (viii) Representation in relation to Planning Application.
- (ix) Decision Notice dated 4 October 2021 issued by Head of Regeneration & Planning.
- (x) Notice of Review Form dated 12 November 2021 with Supporting Statement from Nicholson McShane Architects.
- (xi) Inverclyde Proposed Local Development Plan 2021.

3.2 Having regard to the material before the ILRB and the comments from the Planning Adviser, 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 impact of the proposal on the Green Belt.

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, decided 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 application had been correctly refused for the reasons given in the Decision Notice dated 4 October 2021 namely:

1. That as the proposal is for a detached dwellinghouse within the Green Belt which has not been justified under Policy 14 of the adopted 2019 Inverclyde Local Development Plan or Policies 15 and 19 of the proposed 2021 Inverclyde Local Development Plan, it is contrary to both the adopted 2019 Inverclyde Local Development Plan and proposed 2021 Inverclyde Local Development Plan respectively.
2. That as the proposal is for a detached dwellinghouse in a rural location with no safe and convenient links to the wider walking network it is unlikely to promote sustainable and active travel and is therefore contrary to Policy 10 of the adopted 2019 Inverclyde Local Development Plan and Policy 11 of the proposed 2021 Inverclyde Local Development Plan.
3. That as the applicant has not demonstrated that the proposal will not be at significant risk of flooding or increase the level of flood risk elsewhere it has not been justified under Policy 8 of the adopted 2019 Inverclyde Local Development Plan or Policy 9 of the proposed 2021 Inverclyde Local Development Plan.
4. That as the application site is not a brownfield site within an identified settlement boundary it cannot be justified against Policy 18 of the proposed 2021 Inverclyde Local Development Plan.

4.3 The Review Application was accordingly dismissed.

Signed \_\_\_\_\_

Head of Legal and 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.