

Inverclyde Local Review Body

Our Ref: 24/0178/IC

REVIEW DECISION NOTICE

Decision by Inverclyde Local Review Body (the ILRB)

- Site address: 6 Gateside Grove, Greenock
 - Application for Review by Ms Catherine Curran against the decision by an appointed officer of Inverclyde Council.
 - Application Ref: 24/0178/IC
 - Application Drawings:

Location Plan - Superseded	100053143
Block Plan	-
 - Date of Decision Notice: 07/04/2024
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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 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 April 2025. The Review Body was constituted by Provost McKenzie, Councillors Brooks, Clocherty, Crowther, Curley and McCabe.

2. Proposal

- 2.1 The application is for the installation of an outbuilding (in retrospect) at 6 Gateside Grove, Greenock. The application was refused consent in terms of a decision letter dated 7 November 2024.

3. Preliminaries

- 3.1 The ILRB members were provided with copies of the following:
 - (i) Planning Application dated 9 August 2024 together with Plans and Site Photographs
 - (ii) Appointed Officer's Report of Handling dated 8 October 2024

- (iii) Inverclyde Local Development Plan 2019 Policy Extract
- (iv) Inverclyde Local Development Plan 2019 Map Extract
- (v) National Planning Framework 4
- (vi) Decision Notice dated 7 November 2024 issued by Head of Regeneration & Planning
- (vii) Notice of Review form dated 29 January 2025 together with Supporting Documents
- (viii) The Inverclyde Proposed Local Development Plan 2021

3.2 Having regard to the material provided, 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 is whether the proposed development is appropriately situated, relative to the height, size and elevated position of the outbuilding.

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 7 November 2024, namely:

(1) The outbuilding is contrary to Policy 1 of both the Adopted and Proposed Inverclyde Local Development Plans and Policy 16 of National Planning Framework 4 in that it is not considered to meet the quality of being 'Safe and Pleasant', having a detrimental impact on the adjoining property as a result of its size and proximity to the common boundary between the properties; and

(2) The outbuilding is contrary to Policy 20 of the Proposed Inverclyde Local Development Plan as its size and position in proximity to the common boundary between the properties is considered to have a detrimental impact on the residential amenity of the adjoining property

4.3 The Review Application was accordingly dismissed.

Signed _____

Head of Legal, Democratic, Digital & Customer 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.