North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

Local Review Body

A Meeting of the **Local Review Body** of North Ayrshire Council will be held in the **Council Chambers**, **Ground Floor, Cunninghame House, Irvine, KA12 8EE** on **Wednesday, 13 June 2018** at **14:15** to consider the undernoted business.

1 **Declarations of Interest**
Members are requested to give notice of any declarations of interest in respect of items of business on the Agenda.

2 **Minutes**
The accuracy of the Minutes of meetings of the Committee held on 25 April 2018 and will be confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973 (copy enclosed).

3 **Notice of Review: 18/00165/PP – 24 Hillcrest Drive, Stevenston**
Submit report by the Chief Executive on a Notice of Review by the applicant in respect of a planning application refused by officers under delegated powers (copy enclosed).

4 **Urgent Items**
Any other items which the Chair considers to be urgent.

Local Review Body Sederunt

Tom Marshall (Chair) Timothy Billings (Vice-Chair) Robert Barr Ian Clarkson Robert Foster Christina Larsen Shaun Macaulay Ellen McMaster Ronnie McNicol Donald Reid	Chair: Apologies: Attending:

Local Review Body
25 April 2018

Present
Tom Marshall, Timothy Billings, Robert Barr, Ian Clarkson, Christina Larsen, Ellen McMaster, Ronnie McNicol and Donald Reid.

In Attendance
A. Hume, Senior Development Management Officer (Economy and Communities); A. Craig, Senior Manager (Legal Services); and E. Gray, Committee Services Officer (Chief Executive's Service).

Chair
Councillor Marshall in the Chair.

Apologies for Absence
Robert Foster and Shaun Macaulay.

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 10 and Section 5 of the Code of Conduct for Councillors.

2. Minutes

The Minutes of the meeting of the Committee held on 14 March 2018 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Notice of Review: 18/00005/PP – 66 Glen Avenue, Largs – erection of a conservatory to the rear of a semi-detatched dwellinghouse

Submitted report by the Chief Executive on a Notice of Review by the applicant in respect of an application for planning permission refused by officers under delegated powers for the erection of a conservatory to the rear of a semi-detatched dwellinghouse.

The Notice of Review documentation, the Planning Officer's Report of Handling, a copy of the Decision Notice were provided as appendices to the report. There were no interested parties and therefore no further comments or responses.

The Planning Adviser summarised the Notice of Review for the applicant and the Report of Handling of the appointed officer. Photographs and plans of the site were displayed. The Planning Adviser referred to the applicant's request for a site visit and a hearing.

The Committee agreed that there was enough information provided to determine the appeal without a site visit or a hearing.

Members asked questions and were provided with further information on possible alternatives to the proposed design which would allow the application to be approved and whether these had been explored by the applicant.

Councillor Barr, seconded by Councillor McMaster moved that the Local Review Body uphold the decision to refuse planning permission for the reason set out in the report.

There being no amendment the motion was declared carried. Accordingly, the Local Review Body agreed to uphold the decision to refuse planning permission for the following reason:-

1. That the proposed development would be contrary to criterion (b) of the General Policy in the adopted North Ayrshire Council Local Development Plan in that it would impact on the amenity of occupants of the residential property to the north-east by way of an unacceptable loss of daylight and overshadowing to habitable rooms.

The Meeting ended at 4:00 p.m.

NORTH AYRSHIRE COUNCIL

13 June 2018

Local Review Body

Title:	**Notice of Review: 18/00165/PP – 24 Hillcrest Drive, Stevenston**
Purpose:	To submit, for consideration of the Local Review Body, a Notice of Review by the applicant in respect of a planning application refused by officers under delegated powers.
Recommendation:	That the Local Review Body considers the Notice of Review.

1. Executive Summary

1.1 The Town and Country Planning (Scotland) Act 1997, as amended by the Planning (Scotland) Act 2006, provides for certain categories of planning application for "local" developments to be determined by appointed officers under delegated powers. Where such an application is refused, granted subject to conditions or not determined within the prescribed period of 2 months, the applicant may submit a Notice of Review to require the Planning Authority to review the case. Notices of Review in relation to refusals must be submitted within 3 months of the date of the Decision Notice.

2. Background

2.1 A Notice of Review was submitted in respect of Planning Application 18/00165/PP – Formation of two storey extension to rear of detached dwelling house.

2.2 The application was refused by officers for the reasons detailed in the Decision Notice.

2.3 The following related documents are set out in the appendices to the report:-

Appendix 1 - Notice of Review documentation and supporting documents;
Appendix 2 - Report of Handling;
Appendix 3 - Location Plan; and
Appendix 4 - Planning Decision Notice.

3. Proposals

3.1 The Local Review Body is invited to consider the Notice of Review.

4. Implications

Financial:	None arising from this report.
Human Resources:	None arising from this report.
Legal:	The Notice of Review requires to be considered in terms of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning (Scotland) Act 2006, and the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013.
Equality: **Children and Young People:**	None arising from this report. None arising from this report.
Environmental & Sustainability:	None arising from this report.
Key Priorities:	None arising from this report.
Community Benefits:	None arising from this report.

5. Consultation

5.1 No consultation was required as there were no interested parties (objectors, supporters or statutory consultees) in relation to this planning application.

Elma Murray OBE
Chief Executive

For further information please contact **Euan Gray** on **01294 321430**.

Background Papers
0

North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

Cunninghame House Friars Croft Irvine KA12 8EE Tel: 01294 324 319 Fax: 01294 324 372 Email: eplanning@north-ayrshire.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100085421-002

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application) ☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	Ayrshire Architecture		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Ayrshire	Building Name:	
Last Name: *	Architecture	Building Number:	2
Telephone Number: *	[redacted]	Address 1 (Street): *	Turnberry Wynd
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Irvine
Fax Number:		Country: *	United Kingdom
		Postcode: *	KA11 4DP
Email Address: *	[redacted]		

Is the applicant an individual or an organisation/corporate entity? *

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Rick	Building Number:	[redacted]
Last Name: *	Beckford	Address 1 (Street): *	[redacted]
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	[redacted]
Extension Number:		Country: *	[redacted]
Mobile Number:		Postcode: *	[redacted]
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:	North Ayrshire Council

Full postal address of the site (including postcode where available):

Address 1:	24 HILLCREST DRIVE
Address 2:	
Address 3:	
Address 4:	
Address 5:	
Town/City/Settlement:	STEVENSTON
Post Code:	KA20 3AP

Please identify/describe the location of the site or sites

Northing	641991	Easting	227133

Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Formation of two storey extension to rear of detached dwelling house

Type of Application

What type of application did you submit to the planning authority? *

☒ Application for planning permission (including householder application but excluding application to work minerals).

☐ Application for planning permission in principle.

☐ Further application.

☐ Application for approval of matters specified in conditions.

What does your review relate to? *

☒ Refusal Notice.

☐ Grant of permission with Conditions imposed.

☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are a seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unl kely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

see paper apart

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? * ☐ Yes ☒ No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Statement for Notice of Review

Application Details

Please provide details of the application and decision.

What is the application reference number? * N/18/00165/PP

What date was the application submitted to the planning authority? * 26/02/2018

What date was the decision issued by the planning authority? * 19/04/2018

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

☐ Yes ☒ No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure *

Holding one or more hearing sessions on specific matters

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

This allows members to discuss the review in the appropriate forum

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? * ☐ Yes ☒ No

Is it possible for the site to be accessed safely and without barriers to entry? * ☒ Yes ☐ No

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

no

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. * ☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? * ☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? * ☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? * ☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review * ☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Ayrshire Architecture

Declaration Date: 23/05/2018

Ayrshire Architecture
Chartered Architectural Technologist

STATEMENT FOR NOTICE OF REVIEW TO LOCAL REVIEW BODY

for

PROPOSED SECOND STOREY EXTENSION
at

24 Hillcrest Drive
Stevenston

for

Mr and Mrs Beckford

Application Ref No: N/18/00165/PP

Existing view of house

AYRSHIRE ARCHITECTURE
2 TURNBERRY WYND
IRVINE
KA11 4DP

Telephone: 07917 27 23 81

Date: May 2018

Reference: Beckford 1755

INDEX

1.00 INTRODUCTION

1.01 I was instructed by Mr and Mrs Beckford to prepare drawings and make the necessary applications for a proposed second storey extension, above the existing ground floor extension, at 24 Hillcrest Drive, Stevenston.

1.02 The Site

The property is a semi-detached villa with a pitched roof with concrete tiles and the external wall finish of the house is render.

1.03 Pre-application discussions

Prior to submitting the application, I discussed the proposals with Mr Gordon Craig of the Planning Department. Initially, the extension had a parapet wall on the boundary with No 26 Hillcrest Drive. I was then asked to expand the submitted drawing to include the neighbouring property at No 26 as the original sketch only showed No. 24 on the floor plan and elevation. The aim of this was to show the potential impact the proposed extension would have on the neighbouring property in terms of amenity and shadowing. As such, the revised drawing also now shows the existing floor plan and elevation at the rear for No. 26. The inclusion of this information showed that No 26 already had a single storey extension of utilitarian nature and that it projected 2.12m from the existing rear elevation of the house. I then received the following email response from Mr Craig.

"Whilst I am reasonably satisfied that the proposed extension would not have a significantly adverse impact on windows of the adjacent house, I am however concerned about the adverse visual impact of the large, 2 storey blank wall along the mutual boundary. Would it be possible to reduce the wall head height of the upper floor by some 30%, keeping the proposed ridge height, and forming a wall head dormer on the rear elevation. If this could be possible then I expect that an application for such could be considered acceptable."

I had further discussions with my clients and we decided to remove the parapet wall section, so reducing the scale and height of the wall on the boundary with No. 26. The proposed reduction of the wall head height by some 30% would not have made the proposal viable in terms of the internal accommodation Mr and Mrs Beckford wanted to create and therefore the wall head height was reduced by a smaller percentage to try to reach a compromise in terms of the development.

1.04 Application

An application for Planning Permission was then duly submitted on 26 February 2018 and it was validated the same day. The application reference No was N/18/00165/PP.

Email correspondence with Ms Fiona Knighton, the case officer took place. As part of this correspondence, Ms Knighton asked if we had considered Mr Craig's comments.

When replying, I advised of the following:-

- *Mr. Craig and I discussed the request to reduce the wall head and the client thereafter decided that style of extension wouldn't have suited his purpose or view of how he saw the house being extended.*

- *We had however removed the parapet style wall head which was showing in our original proposals at pre-application discussion stage prior to submission of the full Planning Application. This had the effect of reducing the scale and impact that the new wall would have had on the neighbouring property.*

- *The floor plan also detailed that the rooms along the back part of the neighbouring house at No. 26 are more utilitarian than living accommodation and we considered these factors would allow the application to progress to a satisfactory conclusion.*

The application was subsequently refused under delegated powers on 19 April 2018.

2.00 REASONS FOR REFUSAL AND RESPONSES

Reasons:

(1) That the proposed development would be contrary to criteria 9a) and (b) of the General Policy contained within the Adopted North Ayrshire Council Local Development plan (LDP), in that the proposed extension, by reason of its height, depth and siting along the mutual boundary would have an overbearing visual impact on the adjoining property at 26 Hillcrest Drive, Stevenston, the effect of which would be significantly detrimental to residential amenity.

RESPONSE

Criterion a

Criterion a of the General Policy states that the siting of development should have regard to the relationship of the development on the surrounding area and consideration should be given to size, scale, form, massing and height.

Many of the surrounding residential properties, while being modest 2-storey sized dwellings, have been previously extended with consent granted for similar 2-storey extension above and beyond an existing single storey extension.

This is particularly relevant to this application as Planning Approval was granted in 2006 for No. 22 Hillcrest Drive, a similar 2-storey extension along the mutual boundary line for distance of 4.6m. The proposal included the removal of a smaller single storey extension to allow this extension to project further into the garden area. This information is not considered to be new material as a Planning Officer should have looked to all surrounding properties in the area to establish an already set precedent in terms of 2-storey extensions.

Refusal of the application considered that the close siting of the elevation alongside the rear garden area of No. 26 would result in an unacceptable and overbearing impact on the neighbouring property and the enjoyment of its garden.

The Handling Report also states that the height at boundary is 7.2m when in fact the height to the eaves level is only 5.5m.

The owners of the property at No. 26 were duly notified of the submission of the application and made no objection to the proposed development. Should the house at No. 26 be sold in the future, any new owner would be aware of the extension either as built or by a property search carried out by their Solicitor, prior to purchasing.

If size, scale, form, massing and height are the considerations for refusal, why then was the similar extension to No. 22 approved in 2006 on an almost identical size, scale, form, massing and height?

Criterion b

Regarding criterion b refusal reasons in terms of amenity, the Handling Report states that there would be no detrimental privacy issues or significant overshadowing as a result of the development and this is positive in terms of the proposed development.

Criterion b refusal reasons further state that it is considered that the proposed extension would be overbearing and that it would have a significant detrimental visual impact on the amenity of the adjoining property (No. 26). However, the proposed extension only projects 4.2m beyond the adjacent extension at No 26.

The single storey ground floor extension at No. 24 already projects 4.2m and the addition of a 2nd storey would not significantly alter the amenity of the neighbour's garden enjoyment as there is a further 10m (at least) of garden area beyond the point of the end of the proposed extension at No. 24. The neighbour at No. 26 must have considered the application not to be overbearing or have a significant detrimental visual impact on the amenity of their garden when deciding **not** to object to the Planning Application.

3.00 PHOTOGRAPHS

3.01

View of rear elevation showing existing ground floor extensions to both 24 (lhs) and 26 (rhs)

3.02

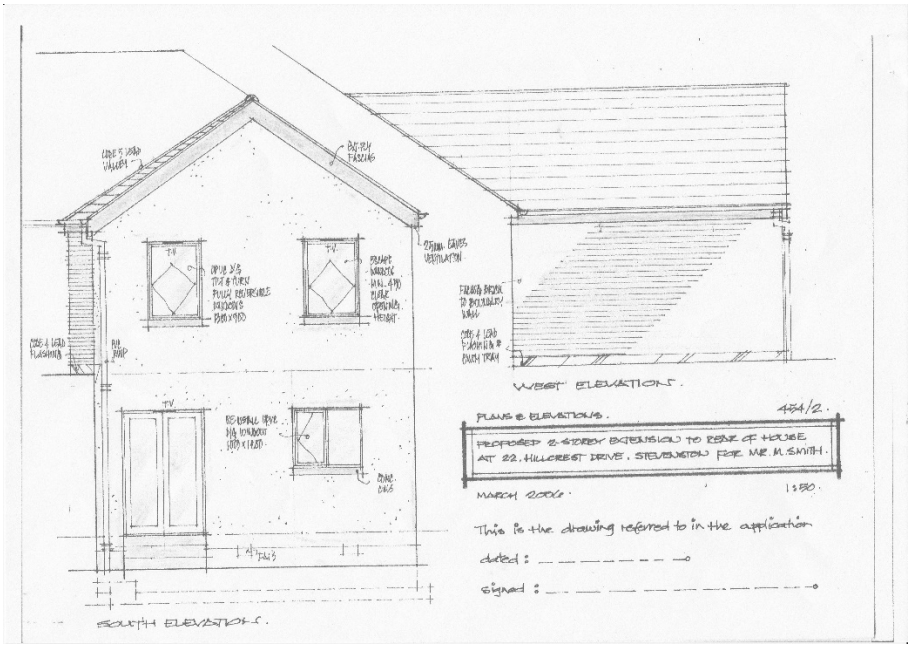


Image of rear and side elevation showing approved extension at 22 Hillcrest Drive

3.03

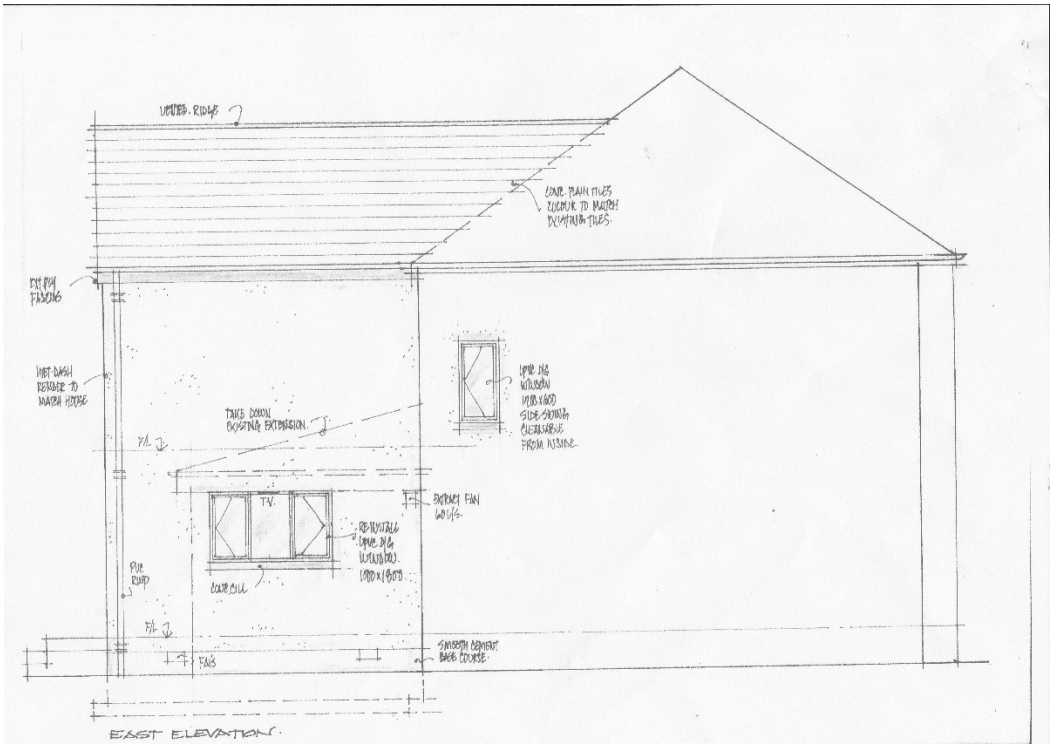


Image of side elevation showing approved extension at 22 Hillcrest Drive

4.00 SUMMARY

4.01 I have been able to show by example and reinforced by photographs and scanned images that the proposed extension will not result in an unacceptable visual impact on the amenity of the adjoining property at No. 26.

I consider that the proposal does not significantly alter the amenity of the neighbour's garden enjoyment as there is a further 10m (at least) of garden area beyond the point of the end of the proposed extension at No. 24.

The owners of the property at No. 26 were duly notified of the submission of the application and made no objection to the proposed development.

If size, scale, form, massing and height are the considerations for refusal, why then was the similar extension to No. 22 approved in 2006 on an almost identical size, scale, form, massing and height?

I consider, as explained previously and summarised above, that the application should be granted consent and the refusal decision overturned by the Local Review Body.

REPORT OF HANDLING

North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

Reference No:	18/00165/PP
Proposal:	Formation of two storey extension to rear of detached dwelling house
Location:	24 Hillcrest Drive, Stevenston, Ayrshire, KA20 3AP
LDP Allocation:	Residential/Housing
LDP Policies:	General Policy /
Consultations:	None Undertaken
Neighbour Notification:	Neighbour Notification carried out on 26.02.2018 Neighbour Notification expired on 19.03.2018
Advert:	Not Advertised
Previous Applications:	None
Appeal History Of Site:	

Description

Planning permission is sought to erect an upper floor extension at 24 Hillcrest Drive, Stevenston. The extension would be erected above an existing single storey flat roof rear extension.

The existing rear extension projects approx. 5.3m from the rear elevation of the dwelling with a width of 5.8m. It is proposed to erect an upper floor extension with the same footprint. The extension would provide an additional bedroom at upper floor level and would be 5.5m high at the eaves and 7.2m high at the ridge which would be approx. 1m below the height of the existing roof ridge. There would be 2 upper floor windows on the side facing west elevation to serve a bathroom and an en-suite. Both of these windows would have obscure glazing.

The application property is a 2 storey semi-detached dwellinghouse on the south side of Hillcrest Drive, Stevenston. The adjoining dwellinghouse also has a single storey rear extension which projects approx. 2.2m from the rear elevation of the dwelling.

The application site is within a residential area as identified within the adopted Local Development Plan (LDP) and is unaffected by any site specific policies or proposals. The application requires to be assessed against criteria a) Siting, Design, and External Appearance, and b) Amenity.

Consultations and Representations

No objections or representations have been received.

No consultations required to be undertaken.

Analysis

The alteration or extension of an existing dwelling house is acceptable in principle in terms of the residential allocation in the adopted LDP. All applications require to be assessed against the General Policy, in this case the relevant criteria are (a) siting, design and external appearance and (b) amenity.

Criterion a) of the General Policy states that siting of development should have regard to the relationship of the development on the surrounding area and consideration should be given to size, scale, form massing and height. It is noted that the application property and the surrounding residential properties are modest sized 2 storey dwellings. The mutual boundary between the application property and the adjoining property has a rear garden length of approx. 14m and relatively narrow width of 5.4m in terms of usable garden space) Although there is an existing single storey extension, it is considered that the addition of the upper floor along 5.3m of this boundary at a height of approx. 7.2m would over dominate the rear garden area and particularly the rear elevation of the adjoining property to the detriment of its residential amenity.

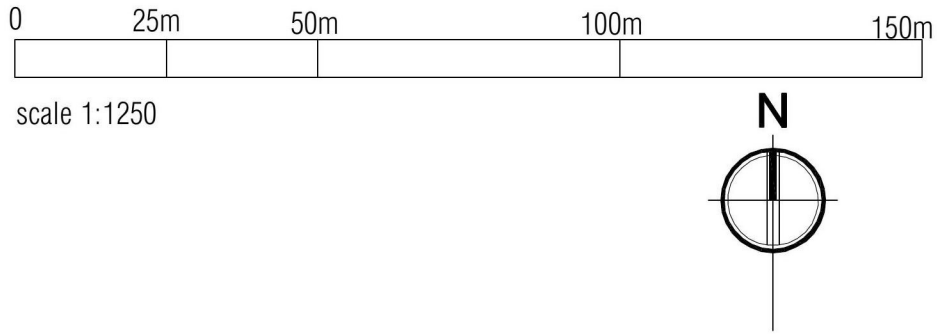
Although the ground floor windows on the rear elevation of the adjoining property do not appear to serve habitable rooms, it is considered that the close siting of such a high elevation on a what is relatively small rear garden area would result in an unacceptable and overbearing impact on the neighbouring property and the enjoyment of its garden. It is considered that this would have a significant impact on the amenity of the neighbouring dwellinghouse. It is therefore considered that the proposal would not accord with criterion a).

With regard to criterion b), amenity, there would be no detrimental privacy issues or significant overshadowing as a result of the development. However, for the above reasons, it is considered that the proposed extension would be over bearing and that it would have a significant detrimental visual impact on the amenity of the adjoining property. The proposal would therefore not accord with criterion b).

In view of the above, it is considered that the proposal would not accord with the relevant provisions of the LDP and planning permission should be refused.

Decision

Refused



LOCATION PLAN 1:1250

PROPOSED ALTERATIONS AND EXTENSION
AT
24 HILLCREST DRIVE, STEVENSTON
FOR
MR & MRS BECKFORD
NOVEMBER 2017
SCALE as shown
DRG No. BECKFORD 1755 - loc

AYRSHIRE ARCHITECTURE.
Chartered Architectural Technologist.
2 Turnberry Wynd,
IRVINE.

[redacted]

North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

KAREN YEOMANS : Executive Director (Economy & Communities)

No N/18/00165/PP
(Original Application No. N/100085421-001)

REFUSAL OF PLANNING PERMISSION Type of Application: Local Application

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT, 1997,
AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006.
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND)
REGULATIONS 2013

To : Mr Rick Beckford
c/o Ayrshire Architecture Fao Alan McCaw
2 Turnberry Wynd
Irvine
KA11 4DP

With reference to your application received on 26 February 2018 for planning permission under the above mentioned Acts and Orders for :-

Formation of two storey extension to rear of detached dwelling house

at 24 Hillcrest Drive
Stevenston
Ayrshire
KA20 3AP

North Ayrshire Council in exercise of their powers under the above-mentioned Acts and Orders hereby refuse planning permission on the following grounds :-

1. That the proposed development would be contrary to criteria (a) and (b) of the General Policy contained within the Adopted North Ayrshire Council Local Development Plan (LDP), in that the proposed extension, by reason of its height, depth and siting along the mutual boundary would have an overbearing visual impact on the adjoining property at 26 Hillcrest Drive, Stevenston, the effect of which would be significantly detrimental to residential amenity.

Dated this : 19 April 2018

.....
for the North Ayrshire Council

(See accompanying notes)

North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006.
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND)
REGULATIONS 2013 – REGULATION 28

KAREN YEOMANS : Executive Director (Economy & Communities)

FORM 2

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to Committee Services, Chief Executive's Department, Cunninghame House, Irvine, North Ayrshire, KA12 8EE.

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 5 of the Town and Country Planning (Scotland) Act 1997.