
NORTH AYRSHIRE COUNCIL

14 June 2023

Local Review Body

Title: Notice of Review: 22/00987/PP – 51 Quarry Road, Irvine

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 22/00987/PP for the erection of a single storey extension to front and side of semi-detached dwellinghouse at 51 Quarry Road, Irvine.
- 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;
 - 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/Socio-economic Duty

Financial

4.1 None arising from the recommendation of this report.

Human Resources

4.2 None arising from the recommendation of this report.

Legal

4.3 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/Socio-economic

4.4 None arising from the recommendation of this report.

Environmental and Sustainability

4.5 None arising from the recommendation of this report.

Key Priorities

4.6 None arising from the recommendation of this report.

Community Benefits

4.7 None arising from the recommendation of this report.

5. Consultation

5.1 Interested parties (both objectors to the planning application and statutory consultees) were invited to submit representations in terms of the Notice of Review and no further representations were received.

Craig Hatton
Chief Executive

For further information please contact **Hayley Clancy, Committee Services Officer**, on **01294 324136**.

Background Papers

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Cunninghame House Friars Croft Irvine KA12 8EE 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 100611704-004

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:

Ref. Number:

You must enter a Building Name or Number, or both: *

First Name: *

Building Name:

Last Name: *

Building Number:

Telephone Number: *

Address 1
(Street): *

Extension Number:

Address 2:

Mobile Number:

Town/City: *

Fax Number:

Country: *

Postcode: *

Email Address: *

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

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

| | | |
|----------------------|---|---|
| Title: | <input type="text" value="Mr"/> | You must enter a Building Name or Number, or both: * |
| Other Title: | <input type="text"/> | Building Name: <input type="text"/> |
| First Name: * | <input type="text" value="James"/> | Building Number: <input type="text" value="█"/> |
| Last Name: * | <input type="text" value="Dean"/> | Address 1 (Street): * <input type="text" value="██████"/> |
| Company/Organisation | <input type="text"/> | Address 2: <input type="text" value="██"/> |
| Telephone Number: * | <input type="text"/> | Town/City: * <input type="text" value="██"/> |
| Extension Number: | <input type="text"/> | Country: * <input type="text" value="United Kingdom"/> |
| Mobile Number: | <input type="text"/> | Postcode: * <input type="text" value="██████"/> |
| Fax Number: | <input type="text"/> | |
| Email Address: * | <input type="text" value="████████████████████"/> | |

Site Address Details

| | |
|---|---|
| Planning Authority: | <input type="text" value="North Ayrshire Council"/> |
| Full postal address of the site (including postcode where available): | |
| Address 1: | <input type="text" value="51 QUARRY ROAD"/> |
| Address 2: | <input type="text"/> |
| Address 3: | <input type="text"/> |
| Address 4: | <input type="text"/> |
| Address 5: | <input type="text"/> |
| Town/City/Settlement: | <input type="text" value="IRVINE"/> |
| Post Code: | <input type="text" value="KA12 0TN"/> |

Please identify/describe the location of the site or sites

| | | | |
|----------|-------------------------------------|---------|-------------------------------------|
| Northing | <input type="text" value="639537"/> | Easting | <input type="text" value="232269"/> |
|----------|-------------------------------------|---------|-------------------------------------|

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)

Proposed Front and Side Single storey extensions with internal alterations to house layout

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 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 unlikely 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.

I have travelled around the houses in this area and there are quite a few houses that have a similar extension onto the front of the house. I can provide the addresses of these properties when required to do so.

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)

As I have stated previously there are quite a few properties in this area that have a similar extension onto the front of the house

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)

I have not got all the addresses where the extensions are, but I will supply these at a later date

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

22/00987/PP

What date was the application submitted to the planning authority? *

23/12/2022

What date was the decision issued by the planning authority? *

21/02/2023

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

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

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 Stephen McQuiston

Declaration Date: 16/05/2023

REPORT OF HANDLING



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

| | |
|--------------------------------|--|
| Reference No: | 22/00987/PP |
| Proposal: | Erection of single storey extension to front and side of semi-detached dwelling house |
| Location: | 51 Quarry Road, Irvine, Ayrshire, KA12 0TN |
| LDP Allocation: | General Urban Area |
| LDP Policies: | SP1 - Towns and Villages Objective / Strategic Policy 2 / |
| Consultations: | None Undertaken |
| Neighbour Notification: | Neighbour Notification carried out on 10.01.2023 Neighbour Notification expired on 31.01.2023 |
| Advert: | Not Advertised |
| Previous Applications: | None |
| Appeal History Of Site: | None |

Relevant Development Plan Policies

SP1 - Towns and Villages Objective
Towns and Villages Objective

Our towns and villages are where most of our homes, jobs, community facilities, shops and services are located. We want to continue to support our communities, businesses and protect our natural environment by directing new development to our towns and villages as shown in the Spatial Strategy. Within urban areas (within the settlement boundary), the LDP identifies town centre locations, employment locations and areas of open space. Most of the remaining area within settlements is shown as General Urban Area. Within the General Urban Area, proposals for residential development will accord with the development plan in principle, and applications will be assessed against the policies of the LDP. New non-residential proposals will be assessed against policies of this LDP that relate to the proposal.

In principle, we will support development proposals within our towns and villages that:

- a) Support the social and economic functions of our town centres by adopting a town centre first principle that directs major new development and investment to town centre locations as a priority including supporting town centre living.

- b) Provide the right new homes in the right places by working alongside the Local Housing Strategy to deliver choice and variety in the housing stock, protecting land for housing development to ensure we address housing need and demand within North Ayrshire and by supporting innovative approaches to improving the volume and speed of housing delivery.
- c) Generate new employment opportunities by identifying a flexible range of business, commercial and industrial areas to meet market demands including those that would support key sector development at Hunterston and i3, Irvine.
- d) Recognise the value of our built and natural environment by embedding placemaking into our decision-making.
- e) Prioritise the re-use of brownfield land over greenfield land by supporting a range of strategic developments that will deliver:
 - o regeneration of vacant and derelict land through its sustainable and productive re-use, particularly at Ardrossan North Shore, harbour and marina areas, Montgomerie Park (Irvine) and Lochshore (Kilbirnie).
 - o regeneration and conservation benefits, including securing the productive re-use of Stoneyholm Mill (Kilbirnie) and supporting the Millport Conservation Area Regeneration Scheme.
- f) Support the delivery of regional partnerships such as the Ayrshire Growth Deal in unlocking the economic potential of the Ayrshire region.

Strategic Policy 2

Placemaking

Our Placemaking policy will ensure we are meeting LOIP priorities to make North Ayrshire safer and healthier by ensuring that all development contributes to making quality places.

The policy also safeguards, and where possible enhances environmental quality through the avoidance of unacceptable adverse environmental or amenity impacts. We expect that all applications for planning permission meet the six qualities of successful places, contained in this policy. This is in addition to establishing the principle of development in accordance with Strategic Policy 1: Spatial Strategy. These detailed criteria are generally not repeated in the detailed policies section of the LDP. They will apply, as appropriate, to all developments.

Six qualities of a successful place

Distinctive

The proposal draws upon the positive characteristics of the surrounding area including landscapes, topography, ecology, skylines, spaces and scales, street and building forms, and materials to create places with a sense of identity.

Welcoming

The proposal considers the future users of the site and helps people to find their way around, for example, by accentuating existing landmarks to create or improve views (including sea views), locating a distinctive work of art in a notable place or making the most of gateway features to and from the development. It should also ensure that appropriate signage and lighting is used to improve safety and illuminate attractive buildings.

Safe and Pleasant

The proposal creates attractive places by providing a sense of security, including by encouraging activity, considering crime rates, providing a clear distinction between private and public space, creating active frontages and considering the benefits of natural surveillance for streets, paths and open spaces.

The proposal creates a pleasant, positive sense of place by promoting visual quality, encouraging social and economic interaction and activity, and by considering the place before vehicle movement.

The proposal respects the amenity of existing and future users in terms of noise, privacy, sunlight/daylight, smells, vibrations, glare, traffic generation, and parking. The proposal sufficiently investigates and responds to any issues of ground instability.

Adaptable

The proposal considers future users of the site and ensures that the design is adaptable to their needs. This includes consideration of future changes of use that may involve a mix of densities, tenures, and typologies to ensure that future diverse but compatible uses can be integrated including the provision of versatile multi-functional greenspace.

Resource Efficient

The proposal maximises the efficient use of resources. This can be achieved by re-using or sharing existing resources and by minimising their future depletion. This includes consideration of technological and natural means such as flood drainage systems, heat networks, solar gain, renewable energy and waste recycling as well as use of green and blue networks.

Easy to Move Around and Beyond

The proposal considers the connectedness of the site for people before the movement of motor vehicles, by prioritising sustainable and active travel choices, such as walking, cycling and public transport and ensuring layouts reflect likely desire lines, through routes and future expansions.

Description

Planning permission is sought for the erection of a single storey extension to the front and side of a semi-detached dwelling house at 51 Quarry Road in Irvine.

The proposed extension would project from the front of the house by 4 metres on plan and from the side of the house by 3.363 metres, with a total width of 9.238 metres. It would provide a new family room area, hallway with cupboard, and master bedroom with ensuite. The extension would have a hipped roof design, with gable ends to the rear and side. It would have a height of approx. 4.14 metres to the roof ridge and approx. 3.16 metres high to the eaves. There would be a front entrance door with steps leading down to the front garden area to the front elevation and an arrangement of new window openings including rooflights to both the front and rear elevations. There are no proposed openings to either side elevation. Materials would consist of red/brown concrete interlocking tiles to the roof, a combination of dark brown facing brick basecourse and white roughcast to the external walls, double glazed UPVC framed windows, and UPVC soffits, fascia, and bargeboards.

The application site consists of a two-storey semi-detached dwellinghouse with garden ground to the front and rear of the house, including off-street parking. The existing site boundary treatments consist of an approx. 1.8-metre-high timber fence to the rear garden area and an approx. 1-metre-high brick wall to the front. There is a detached garage within the rear garden area.

The application site is located within the General Urban Area within the settlement boundary of Irvine as identified in the Adopted Local Development Plan (LDP). Therefore, the Towns and Villages Objective of Strategic Policy 1 (Spatial Strategy) applies. All applications for planning permission require to be considered in accordance with Strategic Policy 2 (Placemaking).

Consultations and Representations

Neighbour notification was conducted for this application in accordance with statutory procedures. No representations were received in response to the application. No consultations required to be undertaken.

Analysis

The erection of an extension to a domestic dwellinghouse does not raise any land use policy implications and would be acceptable in principle in terms of the Towns and Villages Objective of Strategic Policy 1 (Spatial Strategy). The application therefore needs to be considered in terms of Strategic Policy 2 (Placemaking). The stated purpose of Strategic Policy 2 on Placemaking is to ensure "all development contributes to making quality places." The policy also seeks to "safeguard, and where possible enhances environmental quality through the avoidance of adverse environmental or amenity impacts."

Located to the front and side of the house, the proposed extension would be readily visible from public viewpoints on Quarry Road and the surrounding area. It is considered that the proposed external material finishes would be appropriate and would reflect the existing finishes to both the main dwellinghouse and neighbouring houses. However, while there is no clearly established building line along Quarry Road, it is considered that the proposed projection distance of 4 metres from the front of the house is excessive and would have an adverse visual impact on the amenity of the surrounding area. It is also considered that this excessive projection distance would have an adverse impact on the light levels to the ground floor openings of the adjoining house at 49 Quarry Road.

The proposed openings would primarily face onto the applicant's own garden ground, onto the public road, or would be located on the roof. Therefore, there would not be any privacy or overlooking impacts to neighbouring residents.

The applicant/agent was advised that the siting and design of proposed extension was not considered appropriate and that an alternative proposal consisting of an extension to the side and/or rear of the house would be more suitable. A small front porch extension would also be considered appropriate and could be integrated with a side extension. However, it is not considered that any other development to the front of the house would be suitable in this case. The applicant/agent was asked to withdraw the current application and re-submit with a revised design in line with the above observations. However, no confirmation of withdrawal was received.

The applicant/agent suggested bringing the footprint of the front extension in from the neighbouring boundary with 49 Quarry Road by 1 metre and forming a hipped roof edge in this location. While this would partially mitigate the concern regarding the light impact of the proposal to the neighbouring house, it would not be adequate in terms of alleviating the visual impact on the streetscape and the amenity of the surrounding area.

The application has also been assessed against the adopted National Planning Framework 4 (NPF4). It is not considered that the proposal raises any significant strategic planning issues. However, in line with above observations, it is considered that the proposal does not meet the relevant 'Six Qualities of Successful Places' identified in Annex D. It is considered that the excessive scale of the proposed extension to the front of the house would be contrary to quality 2 (Pleasant: Supporting attractive natural and built spaces) and quality 4 (Distinctive: Supporting attention to detail of local architectural styles and natural landscapes to be interpreted into designs to reinforce identity).

Based on the above observations, the proposal does not accord with the relevant policies of the LDP and there are no other material considerations to indicate otherwise. Therefore, planning permission should be refused.

Decision

Refused

Case Officer - Mr Joe Thompson

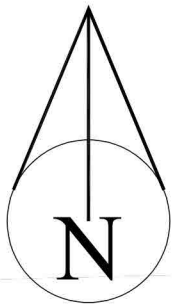
Appendix 1 - Drawings relating to decision

| Drawing Title | Drawing Reference (if applicable) | Drawing Version (if applicable) |
|----------------------------------|--------------------------------------|------------------------------------|
| Existing Floor Plans | QRJD101 | |
| Existing Floor Plans | QRJD102 | |
| Existing Floor Plans | QRJD103 | |
| Proposed Floor Plans | QRJD104 | |
| Proposed Floor Plans | QRJD105 | |
| Proposed Floor Plans | QRJD106 | |
| Foundation Plan | QRJD107 | |
| Other | QRJD108 | |
| Other | QRJD109 | |
| Other | QRJD110 | |
| Other | QRJD111 | |
| Drainage Layout | QRJD112 | |
| Other | QRJD113 | |
| Other | QRJD114 | |
| Existing Elevations | QRJD116 | |
| Existing and Proposed Elevations | QRJD115 | |
| Existing and Proposed Elevations | QRJD118 | |
| Location Plan | QRJD119 | |
| Existing Block Plan | QRJD120 | |
| Block Plan / Site Plan | QRJD121 | |
| Proposed Elevations | QRJD117 | |

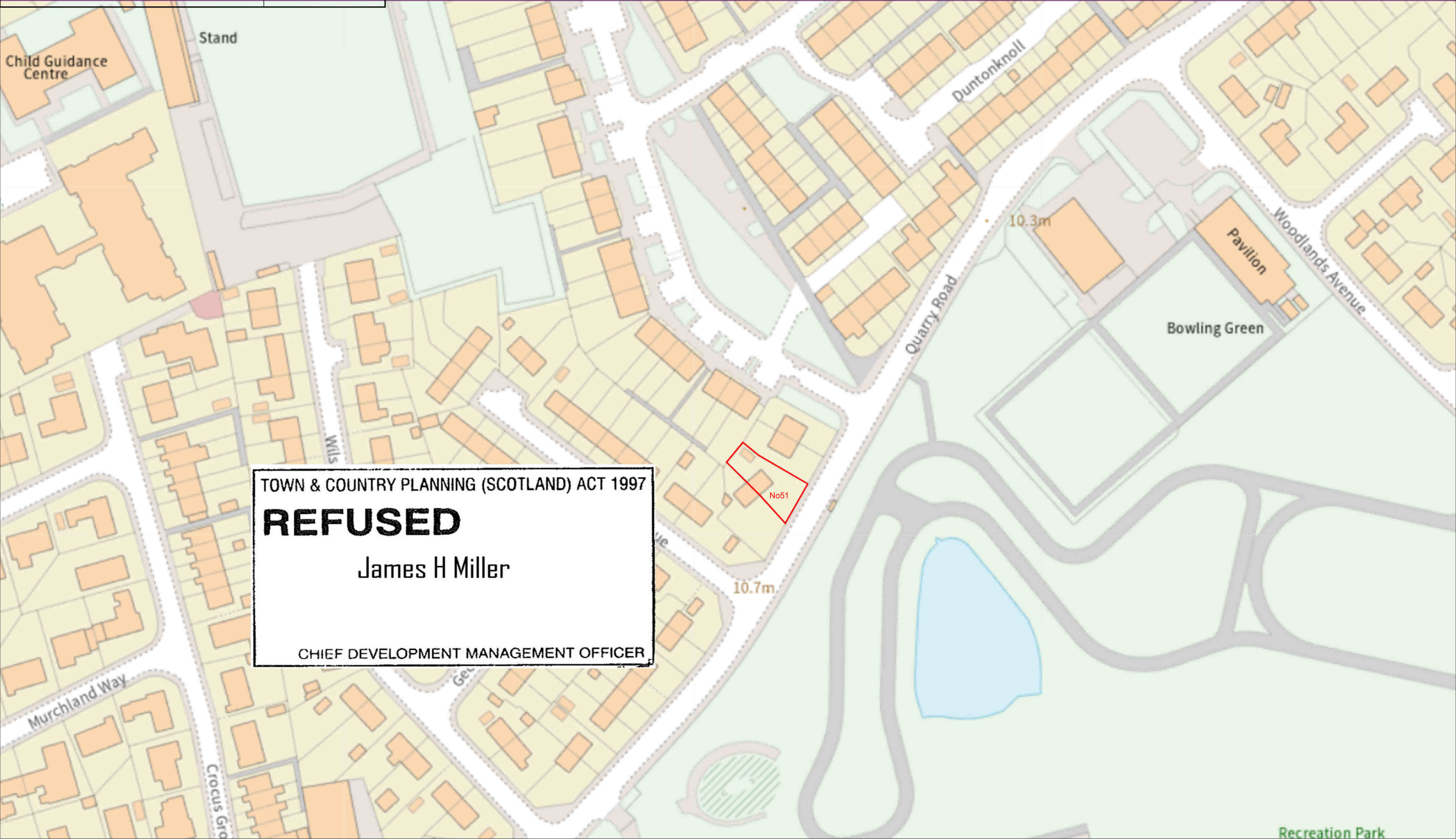
| | |
|---|----------------------------|
| Project : <i>Proposed Front and Side Extension to house plus an Attic Conversion to form a Bedroom.</i> | |
| Address : <i>51 Quarry Road, Irvine, North Ayrshire</i> | |
| Client : <i>Mr J Dean</i> | Drawing No: <i>QRJD119</i> |
| Drawing Title: <i>Existing Location Plan</i> | Scale: <i>1 : 1250</i> |



SCALE BAR



Appendix 3



TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

REFUSED

James H Miller

CHIEF DEVELOPMENT MANAGEMENT OFFICER



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

Yvonne Baulk : Head Of Service (Housing & Public Protection)

No N/22/00987/PP

(Original Application No. N/100611704-001)

Type of Application: Local Application

REFUSAL OF PLANNING PERMISSION

**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 James Dean
c/o Stephen McQuiston
44 Lainshaw Avenue
Kilmarnock
Ayrshire
KA1 4RZ

With reference to your application received on 9 January 2023 for planning permission under the above mentioned Acts and Orders for :-

Erection of single storey extension to front and side of semi-detached dwelling house

at 51 Quarry Road
Irvine
Ayrshire
KA12 0TN

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 extension would be contrary to the aims of Strategic Policy 2 (Placemaking) of the adopted North Ayrshire Local Development Plan (LDP) in that the siting and design would be out of character with the siting and design of neighbouring houses in the street due to its large size and position to the front of the house, all to the detriment of the character and amenity of the area.

Dated this : 8 March 2023



.....
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**

Yvonne Baulk : Head Of Service (Housing & Public Protection)

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.