
NORTH AYRSHIRE COUNCIL

25 February 2021

Local Review Body

Title: Notice of Review: 20/00832/PP - 2 Young Street, Ardrossan

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 20/00832/PP - erection of 1.5 metres high close boarded timber perimeter fencing to partially screen the courtyard, along with the erection of a timber screened bin enclosure (retrospective) at 2 Young Street, Ardrossan.
- 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 non were received.

Craig Hatton
Chief Executive

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

Background Papers

0



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 100307023-003

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

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="Eric"/>	Building Number:	<input type="text" value="24"/>
Last Name: *	<input type="text" value="McMillan"/>	Address 1 (Street): *	<input type="text" value="Main Street"/>
Company/Organisation	<input type="text" value="McMillan & Cronin Architects"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Largs"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="KA30 8AB"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

Site Address Details

Planning Authority:

North Ayrshire Council

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

Address 1:

2 YOUNG STREET

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ARDROSSAN

Post Code:

KA22 8JZ

Please identify/describe the location of the site or sites

Northing

642919

Easting

223191

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)

Erection of 1.5 metres high close boarded timber perimeter fencing to partially screen the courtyard, along with the erection of a timber screened bin enclosure (retrospective)

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.

The timber fencing is not obtrusive, nor out of context, in that similar height perimeter boundary treatments are locally present. The screening improves the amenity of the area in that it improves privacy, enclosing a historic smoking courtyard and existing bin stances. The installation quality is high and follows the original boundary walling alignment thereby not affecting present visibility or sight lines. Stain treatment is intended, but not carried out awaiting the outcome of this review.

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)

Drawings 15039-PP001 (Existing Location & Layout Plans, Elevations & Section) and 15039-PP101 (Proposed Layout Plans, Elevations, Section & Photographs)

Application Details

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

N/20/00832/PP

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

28/09/2020

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

23/10/2020

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 Eric McMillan

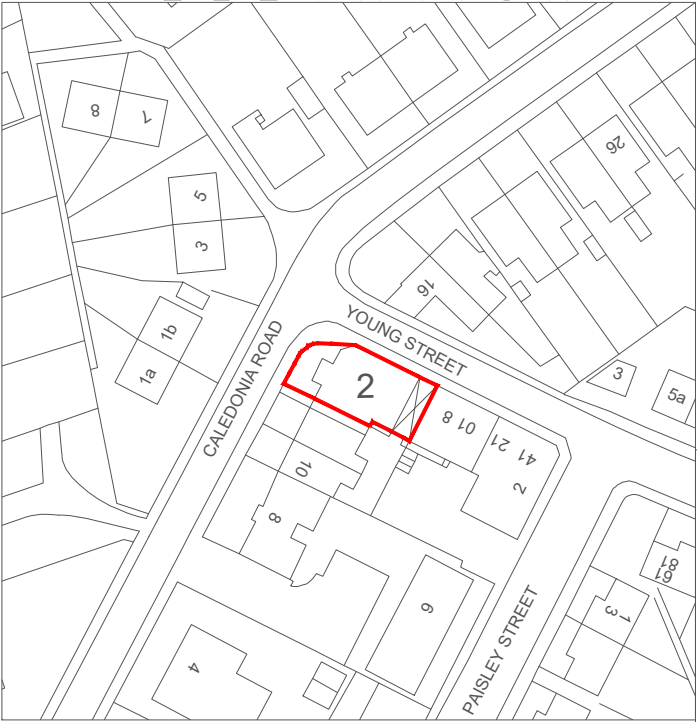
Declaration Date: 21/01/2021



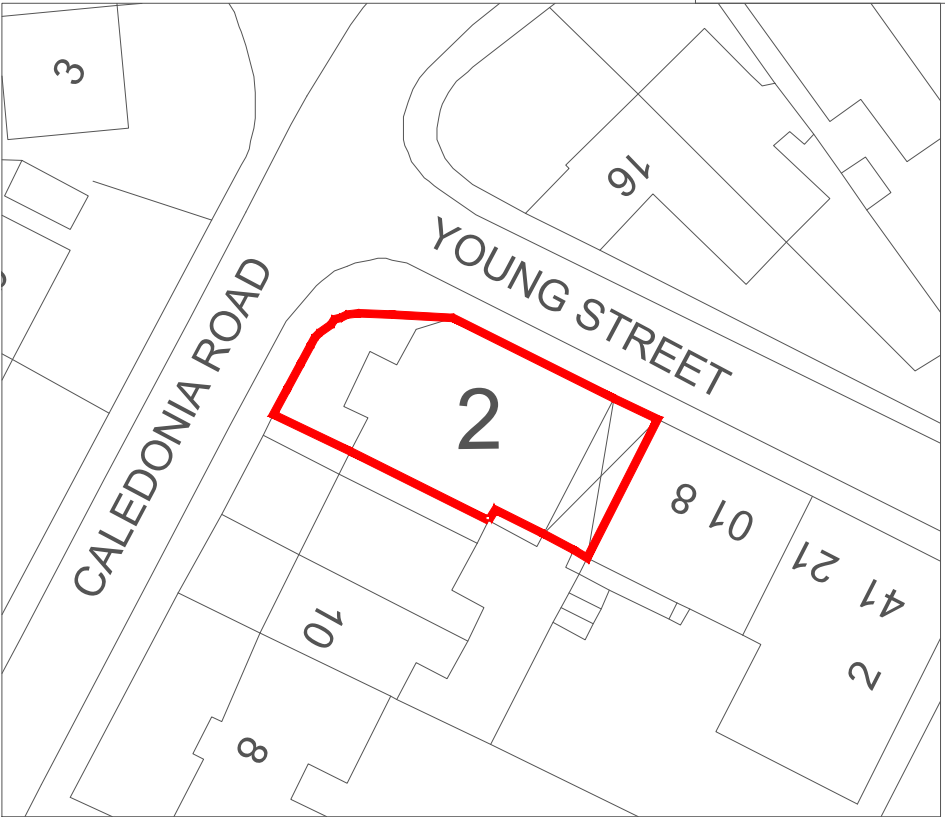
EXISTING NORTH MOST
ELEVATION



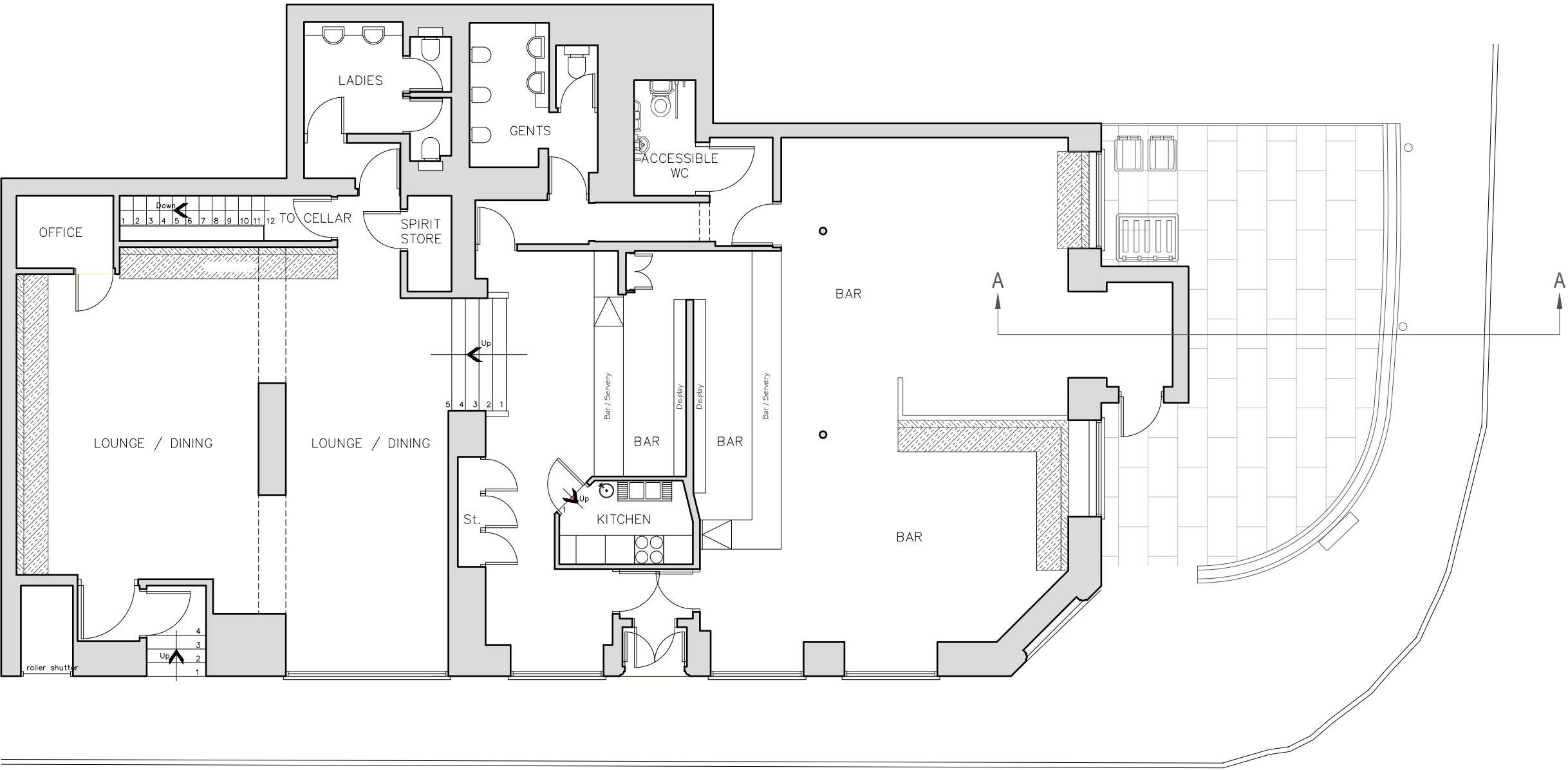
EXISTING WEST MOST
ELEVATION



Site Plan 1:1250



Location Plan 1:500



EXISTING FLOOR PLAN

RETROSPECTIVE PLANNING
PERMISSION APPLICATION

NOTES
Internal dimensions are finished sizes unless otherwise stated.

REVISION SCHEDULE

Rev	Description	Date

DO NOT SCALE FROM DRAWING :: SITE CHECK DIMENSIONS

All dimensions to be site checked by the Contractor and all discrepancies to be advised to the Architect prior to the work being commenced.
Use stated dimensions only.

This Drawing Is Copyright.

This is the drawing referred to in my application

Dated :: 22nd September 2020
Signed :: *Eric McMillan*

CLIENT :: Mr Ronnie McConnachie
Jacks Corner (Public House)
2 Young Street
Ardrossan
KA22 8JZ

PROJECT :: Retrospective Planning Permission
Application For Erection Of 1.5m
High Perimeter Fence And
Formation Of Timber Bin Store

DRAWING :: Location & Site Plan -
Existing Plans, Elevations & Section

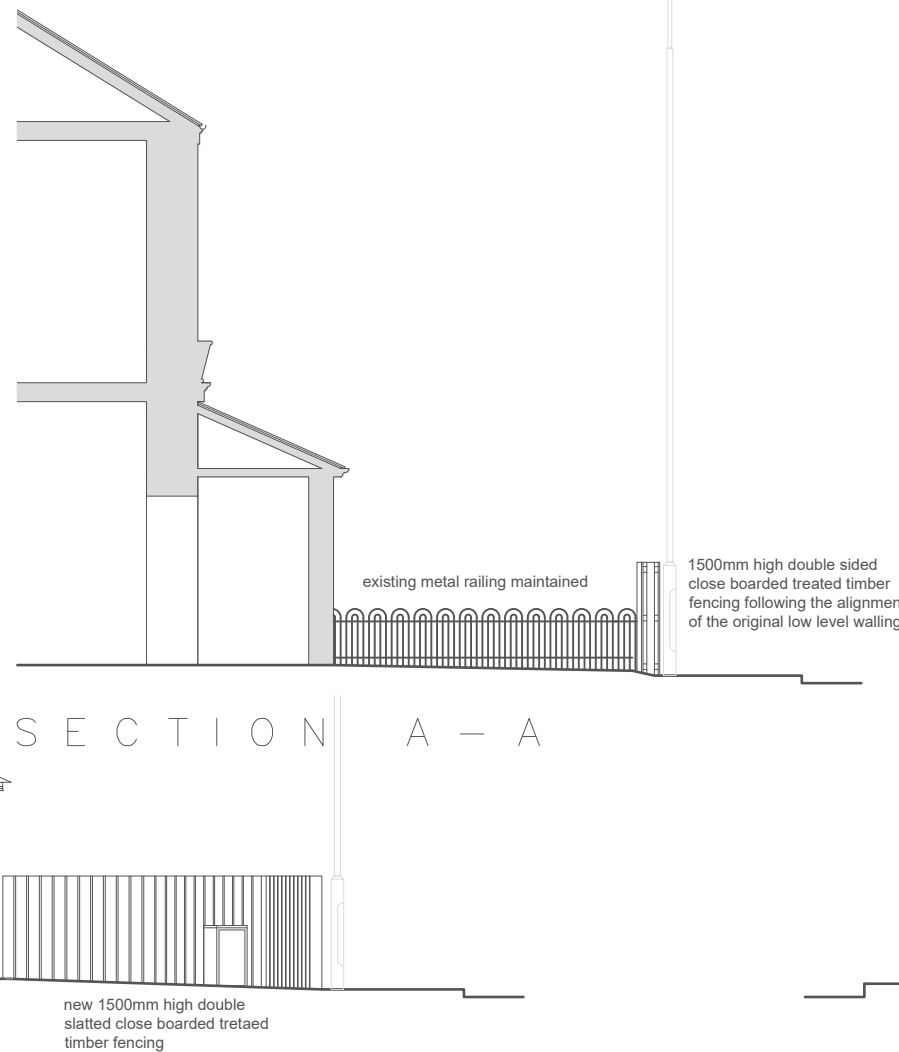
Scale	Date	Drawn by
1:100	22/09/20	dmcc
Job No.	Drawing No.	Revision No.
15039	PP001/Retrospective	

McMILLAN & CRONIN
chartered architects & planning consultants

24 MAIN STREET, tel. (44) 01475 686818
LARGS :: KA30 8AB fax. (44) 01475 686331
mail@mcmillancronin.co.uk



PROPOSED NORTH MOST
ELEVATION



SECTION A - A



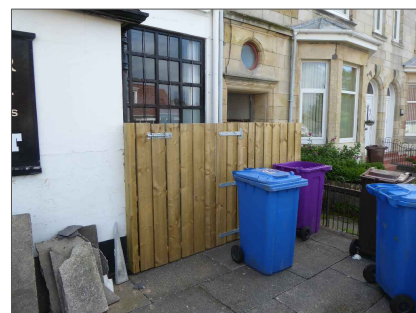
WEST MOST ELEVATION



INSIDE WEST ELEVATION -
SHOWING BIN ENCLOSURE



FENCING FROM NORTH



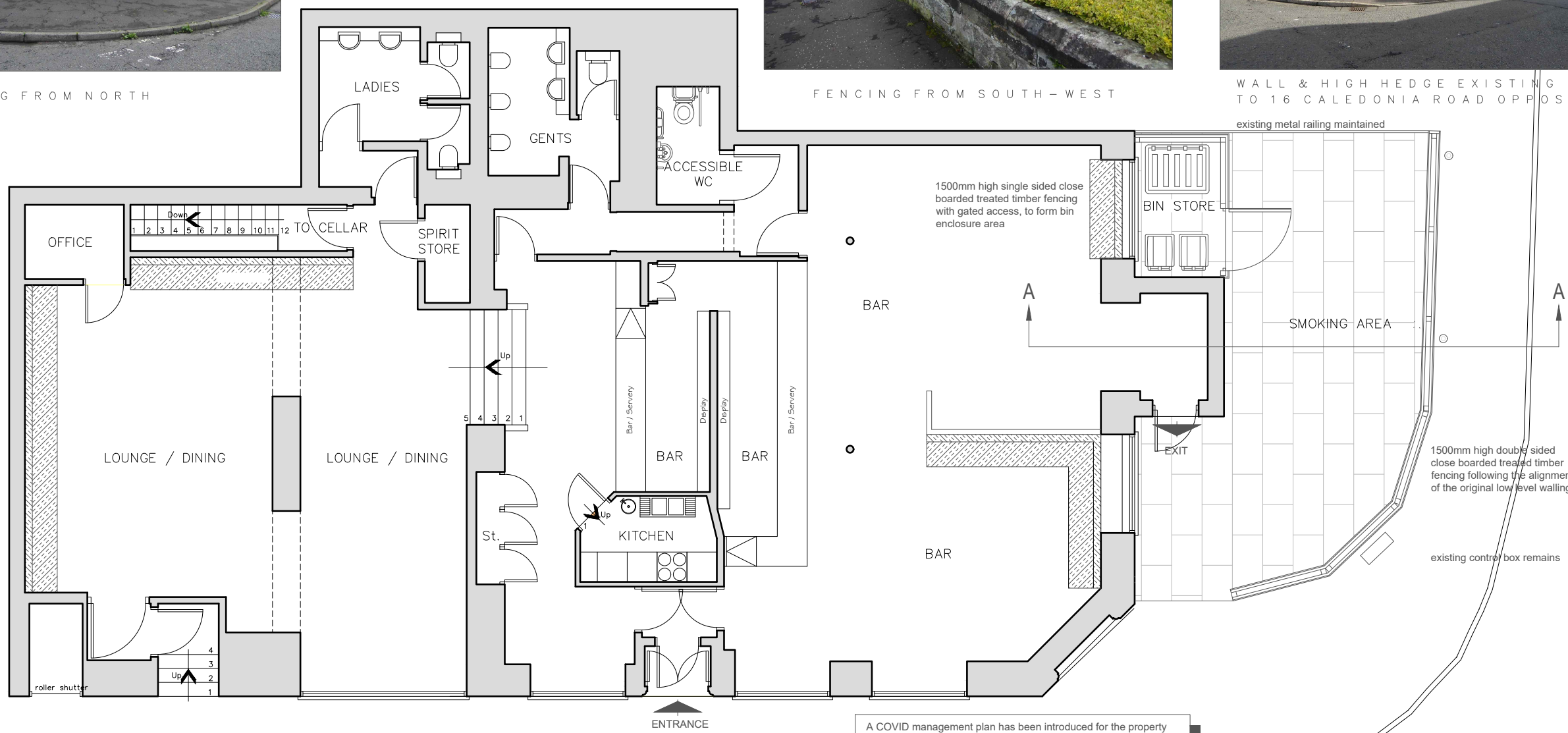
BIN ENCLOSURE



FENCING FROM SOUTH - WEST



WALL & HIGH HEDGE EXISTING
TO 16 CALEDONIA ROAD OPPOSITE



PROPOSED FLOOR PLAN

A COVID management plan has been introduced for the property which identifies the sole entrance into the licensed premises by way of the door facing directly onto Young Street. Exit from the premises is by way of the door on the Caledonia Road elevation, into the smoking courtyard and out onto Young Street.

Patrons using the smoking area will, similarly, exit the premises by way of the door on the Caledonia Road elevation, into the screened courtyard. They will re-enter the premises by way of the door from Young Street.

NOTES
Internal dimensions are finished sizes unless otherwise stated.

REVISION SCHEDULE

Rev	Description	Date
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PROJECT :: Retrospective Planning Permission
Application For Erection Of 1.5m
High Perimeter Fence And
Formation Of Timber Bin Store

DRAWING :: Proposed Plans, Elevations & Section

Scale	Date	Drawn by
1 : 100	22/09/20	dmcc
Job No.	Drawing No.	Revision No.
15039	PP 101?Retrospective.PP	

McMILLAN & CRONIN

chartered architects & planning consultants

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mail@mcmillancronin.co.uk

RETROSPECTIVE PLANNING
PERMISSION APPLICATION

REPORT OF HANDLING



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

Reference No:	20/00832/PP
Proposal:	Erection of 1.5 metres high close boarded timber perimeter fencing to partially screen the courtyard, along with the erection of a timber screened bin enclosure (retrospective)
Location:	2 Young Street, Ardrossan, Ayrshire, KA22 8JZ
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 29.09.2020 Neighbour Notification expired on 20.10.2020
Advert:	Not Advertised
Previous Applications:	15/00526/PP for Erection of canopy and bin store to side of public house and erection of 1.8m high perimeter fence Application Refused on 16.11.2015

Appeal History Of Site:

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

Jack's Corner is a public house located on the ground floor of a two-storey building in Ardrossan. The building is a blonde sandstone construction with a prominent turret feature on the corner of Young Street and Caledonia Road. The pub has a small front forecourt area which was formerly enclosed by low stone walls. This area is being used as a smoking area and a bin storage area. The surrounding area is residential in nature.

The proposal is for retrospective Planning Permission to erect a 1.5m high close boarded timber fence around the perimeter of the forecourt and around the bin storage area. This development was erected in July 2020 and replaces the low stone boundary wall which used to mark the perimeter of the forecourt.

For non-residential properties, Planning Permission is required for any gate, fence, wall or other means of enclosure that is erected within 20m of a road and that would exceed 1m in height. The fence which has been erected is immediately adjacent to the road and is approximately 1.5m in height and therefore Planning Permission is

required. It should be noted that the use of the forecourt as a smoking area and bin storage area does not require Planning Permission.

Planning Permission was refused for the erection of a 1.8m fence around the forecourt in November 2015 (15/00526/PP). The reasons given for the refusal were:

(a) the siting of the proposed development would be an obtrusive feature in an otherwise open streetscene to the detriment of the visual amenity of the surrounding area; and

(b) the proximity and appearance of the development would have an adverse impact on the residential amenity of the adjacent properties on Caledonia Road, all to the detriment of the residential character and amenity of the area.

In pre-application advice given in March 2017, the applicant was advised that any boundary treatment above 1m in height would be considered to be detrimental to visual amenity and an application for such would therefore be refused (17/00279/PREAPP).

Notwithstanding the previous refusal and pre-application advice, an approx. 1.5m fence was erected around the forecourt and bin storage area in July 2020 without Planning Permission. An enforcement investigation was undertaken (20/00071/BREACH) and the applicant was advised to reduce the fence to 1m in height which would result in it being permitted development. Instead, the applicant has chosen to apply for Planning Permission for the fence at its current height.

In the adopted Local Development Plan the site lies within a General Urban Area allocation and therefore the Towns and Villages Objective of Strategic Policy 1: Spatial Strategy applies to this proposal. In addition, all development proposals require to be assessed in terms of Strategic Policy 2: Placemaking.

Consultations and Representations

The standard neighbour notification was undertaken and there was no requirement to advertise the application. One letter of objection has been received, the points raised in which are summarised below:

1. The fence was erected without Planning Permission being granted and a previous application for Planning Permission for a fence was refused.

Response: Noted.

2. The fence may affect property values on the street.

Response: This is not a material Planning consideration.

3. The fence poses a risk for road safety.

Response: It is not considered that the fence causes road safety issues.

4. The smoking area is sometimes subject to antisocial behaviour and the fence adds to the screening of the area and could increase the risk of anti-social behaviour.

Response: The use of the forecourt as a smoking area does not require Planning Permission. It is however noted that the fence screens the area from public view.

5. The fence is visually detrimental to the area.

Response: Agreed.

No consultations were carried out as part of this application.

Analysis

The main considerations under both The Towns and Villages Objective of Strategic Policy 1 and Strategic Policy 2: Placemaking, are the external appearance of the fence and its effect on the amenity of the surrounding properties.

In terms of external appearance, the character of the street scene surrounding Jack's Corner is relatively open and is characterised by low boundary walls, railings and hedges. There are no fences in the front gardens of the immediately neighbouring properties. Front boundaries in the area are generally 1m or lower in height and in the rare occasions where they exceed 1m in height it is due to a hedge, such as at 16 Caledonia Road. Hedges are outwith the control of Planning and have a softer appearance than timber or masonry boundary treatments. Due to the open character of the area, the 1.5m fence surrounding the forecourt of Jack's Corner is a very prominent feature within the streetscape. As a result of its excessive height the fence causes a visual obstruction to the otherwise open character of the area, and this has a detrimental impact on the appearance of the area.

In terms of amenity, the visual prominence of the fence to the front of the building and close to the windows of neighbouring residential properties has an overbearing effect to the detriment of the amenity of these properties. Likewise, the overbearing impact of the fence within the context of the streetscape is detrimental to the amenity of the wider area.

Planning Permission has previously been refused for a 1.8m high fence in this location, and the applicant had been made aware that any fence in excess of 1m in height would require Planning Permission, and that Planning Permission would not be granted. The fence has a detrimental effect on the appearance and the amenity of the area due to its excessive height and it does not therefore accord with The Towns and Villages Objective of Strategic Policy 1 or Strategic Policy 2: Placemaking, of the LDP. It is therefore recommended that the application be refused.

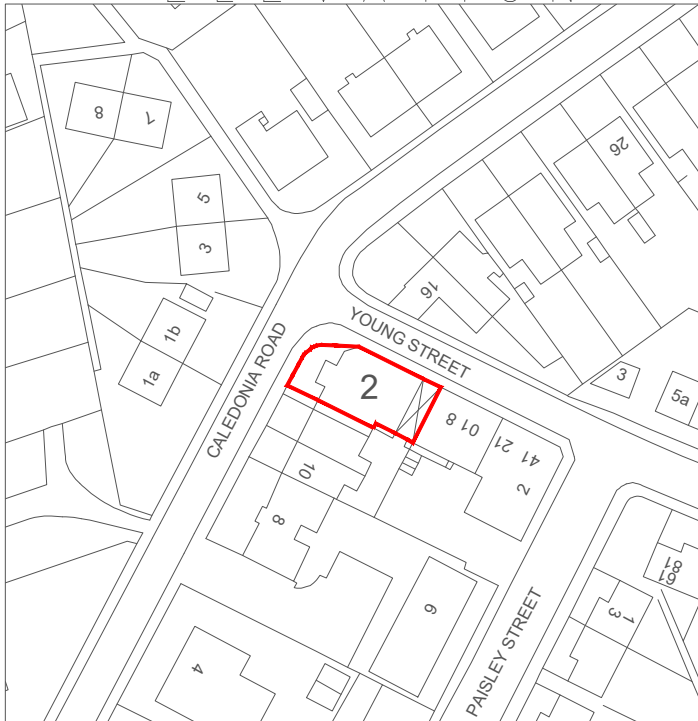
Decision

Refused

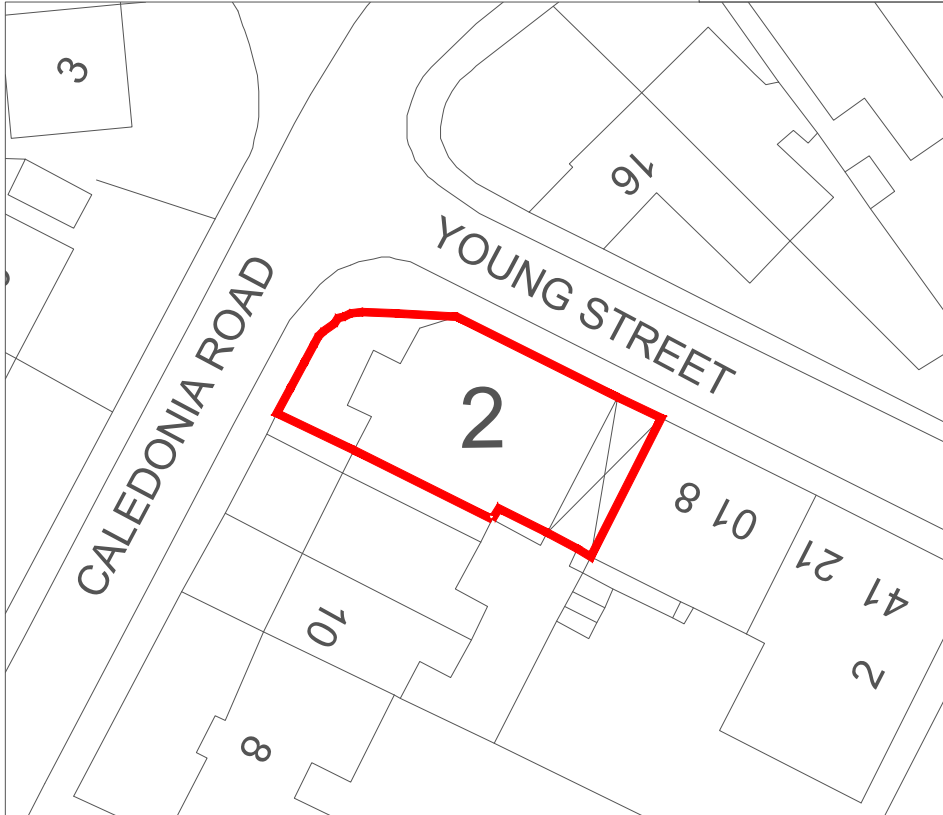
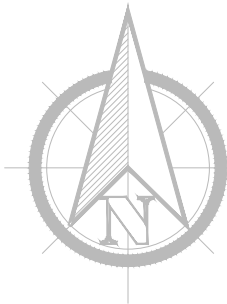
Case Officer - Mr John Mack

Appendix 1 - Drawings relating to decision

Drawing Title	Drawing Reference (if applicable)	Drawing Version (if applicable)
Existing Plans and Elevations	PP001	
Proposed Plans and Elevations	PP101	



Site Plan 1:1250



Location Plan 1:500

NOTES

Appendix 3

Internal dimensions are finished sizes unless otherwise stated.

REVISION SCHEDULE

Rev	Description	Date

DO NOT SCALE FROM DRAWING :: SITE CHECK DIMENSIONS

All dimensions to be site checked by the Contractor and all discrepancies to be advised to the Architect prior to the work being commenced.
Use stated dimensions only.

This Drawing Is Copyright.

This is the drawing referred to in my application

Dated :: *22nd September 2020*

Signed :: *Eric McMillan*

CLIENT :: Mr Ronnie McConnachie
Jacks Corner (Public House)
2 Young Street
Ardrossan
KA22 8JZ

PROJECT :: Retrospective Planning Permission
Application For Erection Of 1.5m
High Perimeter Fence And
Formation Of Timber Bin Store

DRAWING :: Location & Site Plan -
Existing Plans, Elevations & Section

Scale	Date	Drawn by
1:100	22/09/20	dmcc
Job No.	Drawing No.	Revision No.
15039	PPO01/Retrospective	.

McMILLAN & CRONIN

chartered architects & planning consultants

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LARGS :: KA30 8AB fax. (44) 01475 686331
mail@mcmillancronin.co.uk



North Ayrshire Council

Comhairle Siorrachd Àir a Tuath

Caitriona McAuley : Head Of Service (Economic Development & Regeneration)

No N/20/00832/PP

(Original Application No. N/100307023-001)

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 : Jacks Corner Bar Fao Mr Ronnie McConnachie
c/o McMillan & Cronin Architects Fao Eric McMillan
24 Main Street
Largs
KA30 8AB

With reference to your application received on 28 September 2020 for planning permission under the above mentioned Acts and Orders for :-

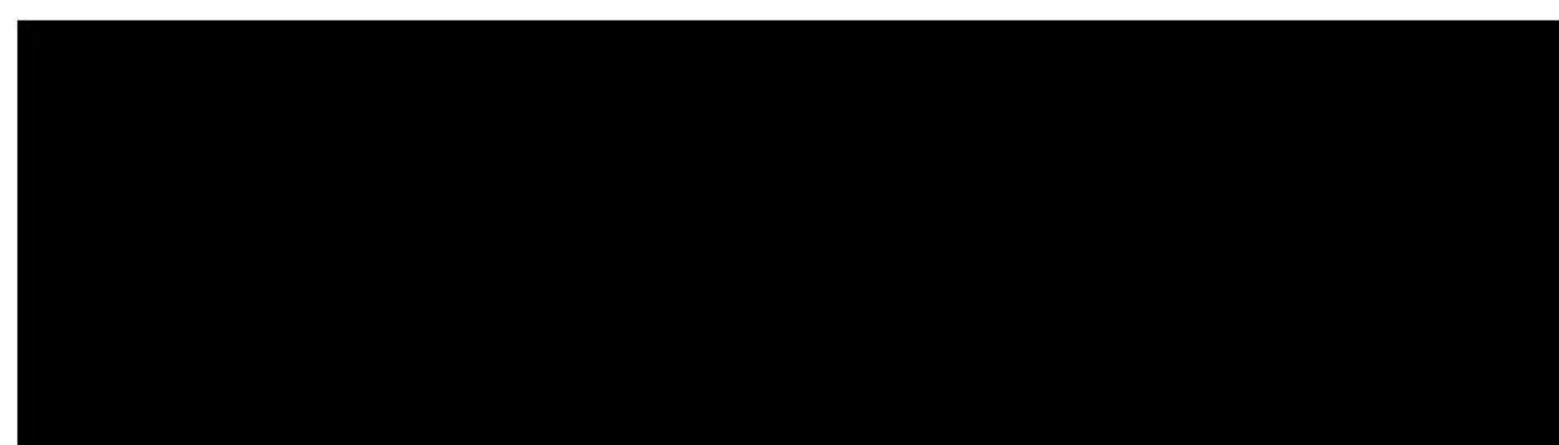
Erection of 1.5 metres high close boarded timber perimeter fencing to partially screen the courtyard, along with the erection of a timber screened bin enclosure (retrospective)

at 2 Young Street
Ardrossan
Ayrshire
KA22 8JZ

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 The Towns and Villages Objective of Strategic Policy 1: Spatial Strategy, and Strategic Policy 2: Placemaking, of the adopted North Ayrshire Council Local Development Plan in that: (a) the siting of the proposed development would be an obtrusive feature in an otherwise open streetscene to the detriment of the visual amenity of the surrounding area; and (b) the proximity and appearance of the development would have an adverse impact on the residential amenity of the adjacent properties on Caledonia Road, all to the detriment of the residential character and amenity of the area.

Dated this : 23 October 2020



.....
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

Caitriona McAuley : Head Of Service (Economic Development & Regeneration)

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.