



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 remotely on **Wednesday, 23 August 2023** at **14:15** to consider the undernoted business.

Meeting Arrangements - Fully Remote

This meeting will be held remotely in accordance with the provisions of the Local Government (Scotland) Act 2003. Where possible, the meeting will be live-streamed and available to view at <https://north-ayrshire.public-i.tv/core/portal/home>. In the event that live-streaming is not possible, a recording of the meeting will instead be available to view at this location.

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 the Meeting of the Local Review Body held on 14 June 2023 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: 22/00987/PP: Irvine: 51 Quarry Road

Submit report by the Head of Democratic Services on a Notice of Review submitted by the applicant in respect of a planning application refused by officers under delegated powers (copy enclosed).

4 Notice of Review: 23/00126/PP: 14A Ferry Road, Fairlie

Submit report by the Head of Democratic Services on a Notice of Review submitted by the applicant in respect of a planning application refused by officers under delegated powers (copy enclosed).

5

Notice of Review: 23/00309/PPP: Mid Lambroughton Farm: by Cunninghamhead

Submit report by the Head of Democratic Services on a Notice of Review submitted by the applicant in respect of a planning application refused by officers under delegated powers (copy enclosed).

- 6 Notice of Review: 23/00249/PP: 33 High Road, Saltcoats KA21 5RY**
Submit report by the Head of Democratic Services on a Notice of Review submitted by the applicant in respect of a planning application refused by officers under delegated powers (copy enclosed).

7 Urgent Items

Any other items which the Chair considers to be urgent.

Webcasting

Please note: this meeting may be filmed/recorded/live-streamed to the Council's internet site and available to view at <https://north-ayrshire.public-i.tv/core/portal/home>, where it will be capable of repeated viewing. At the start of the meeting, the Provost/Chair will confirm if all or part of the meeting is being filmed/recorded/live-streamed.

You should be aware that the Council is a Data Controller under the Data Protection Act 2018. Data collected during the webcast will be retained in accordance with the Council's published policy, including, but not limited to, for the purpose of keeping historical records and making those records available via the Council's internet site.

Generally, the press and public seating areas will not be filmed. However, by entering the Council Chambers, using the press or public seating area or (by invitation) participating remotely in this meeting, you are consenting to being filmed and consenting to the use and storage of those images and sound recordings and any information pertaining to you contained in them for webcasting or training purposes and for the purpose of keeping historical records and making those records available to the public. If you do not wish to participate in a recording, you should leave the meeting. This will constitute your revocation of consent.

If you have any queries regarding this and, in particular, if you believe that use and/or storage of any particular information would cause, or be likely to cause, substantial damage or distress to any individual, please contact dataprotectionofficer@north-ayrshire.gov.uk.

Local Review Body Sederunt

Robert Foster (Chair)
Timothy Billings (Vice-Chair)
Scott Davidson
Stewart Ferguson
Cameron Inglis
Amanda Kerr
Davina McTiernan
Jim Montgomerie
Ian Murdoch
Chloe Robertson

Chair:

Apologies:

Attending:

At a Meeting of the Local Review Body of North Ayrshire Council at 2.15 p.m. involving a combination of participation by remote electronic means and physical attendance within the Council Chambers, Irvine.

Present (Physical Participation)

Robert Foster, Timothy Billings, Stewart Ferguson, Cameron Inglis, Davina McTiernan and Chloé Robertson.

Present (Remote Participation)

Amanda Kerr.

In Attendance

Y. Baulk, Head of Service (Housing & Public Protection) and I. Davies, Senior Development Management Officer (Place); and R. Lynch, Senior Manager (Legal Services), J. Niven, Solicitor (Legal Services) and H. Clancy and D. McCaw, Committee Services Officers (Democratic Services) (Chief Executive's Service).

Chair

Councillor Foster in the Chair.

Apologies

Scott Davidson, Jim Montgomerie and Ian Murdoch.

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 11 and Section 5 of the Code of Conduct for Councillors.

2. Minutes

The Minutes of the Meeting held on 22 February 2023 were confirmed and signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

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

Submitted report by the Head of Democratic Services on a Notice of Review by the applicant in respect of a planning application refused by officers under delegated powers. The Notice of Review documentation, Planning Officer's Report of Handling, Location Plan and Planning Decision Notice, were provided as appendices to the report.

The Planning Adviser to the Local Review Body summarised the Notice of Review submitted by the applicant, the Report of Handling submitted by the appointed officer and policies affecting the application. The Planning Adviser advised that no site visit or hearing had been requested by the applicant.

The Committee unanimously agreed to continue consideration of the Notice of Review to the next meeting for further information to be submitted relating to neighbouring properties with similar extensions.

The meeting ended at 2.25 p.m.

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 meeting of the Local Review Body on 14 June 2023 agreed to continue consideration of the Notice of Review to the next meeting for further information to be submitted by the applicant relating to neighbouring properties with similar extensions.

2.4 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;

Appendix 4 - Planning Decision Notice; and

Appendix 5 - Additional Information and Photographs from Applicant.

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 **Diane McCaw, Committee Services Officer**, on **01294 324133**.

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 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.

22/00987/PP

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

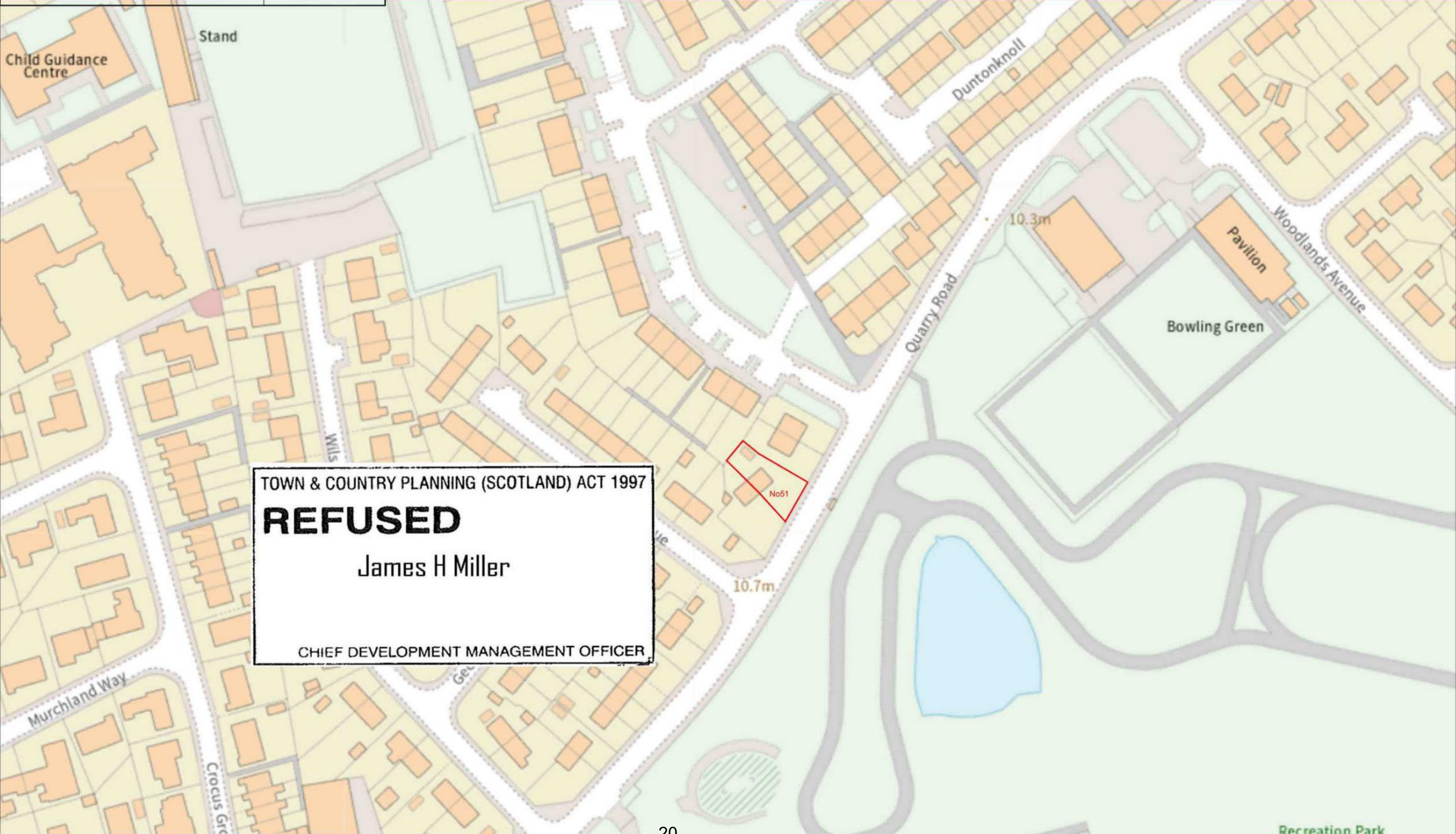
Appendix 1 - Drawings relating to decision

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



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.

Response to the Refusal of a single storey extension

At No51 Quarry Road

Irvine.

Ref No 22/00987/PP

26/06/2023

Dear Sir/Madam,

Since my client James Deans planning application for a front and side single storey extension was refused by North Ayrshire Planning department I have travelled around the location of his house and took several photos of similar Extensions that have had Planning consent approval.

I find it very difficult to understand why his application was refused when you see similar applications being approved. The photos that I have submitted are not all the similar extensions that have been approved and built in the surrounding area.

I hope that when you have a look at all the photographs you will have the same opinion as myself that this planning application should have been approved.

I have listed the photographs at the end of this report where I have numbered them and provided the addresses of each property.

Regards Stephen McQuiston



Photograph No1 – No 4 Cedar Road, Irvine



Photograph No2 – No179 Livingstone Terrace, Irvine



Photograph No3 – No13 Livingston Terrace, Irvine



Photograph No4 – 68 Livingston Terrace, Irvine



✕ 71 Anderson Dr

Photograph No5 – No44 Anderson Drive, Irvine



Photograph No6 – Irvine Mains, Irvine

NORTH AYRSHIRE COUNCIL

23 August 2023

Local Review Body

Title: Notice of Review: 23/00126/PPP: 14A Ferry Row, Fairlie KA29 0AJ

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 23/00126/PP for the erection of an extension to the rear of the property at 14A Ferry Row, Fairlie KA29 0AJ.

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 **Diane McCaw, Committee Services Officer**, on **01294 324133**.

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 100529801-004

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

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="Neil"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="McNaught"/>	Address 1 (Street): *	<input type="text"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="North Ayrshire"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text"/>
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:

14A FERRY ROW

Address 2:

FAIRLIE

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

LARGS

Post Code:

KA29 0AJ

Please identify/describe the location of the site or sites

Northing

655187

Easting

220898

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)

Proposal to extend 14A Ferry Row out to the rear of the property to allow for a modern, environmentally friendly, 3 bedroom family home in keeping with the feel of the area.

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.

Please see Refusal Appeal Statement in the Supporting documents section along with Architect Design Statement and supporting images.

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)

Architect Design Statement, Refusal Appeal Statement, Supporting images,

Application Details

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

N/23/00126/PP

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

24/02/2023

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

22/03/2023

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 Neil McNaught

Declaration Date: 12/06/2023

Dear Local Review Body,

I am writing to appeal the refusal of planning permission for 14A Ferry Row, Fairlie, KA29 0AJ, Application No. N/23/00126/PP. The grounds for refusal were under North Ayrshire Council's Strategic Policy 2 of the National Planning Framework 4, stating that the proposed design would detract from the character and appearance of the area and is not in keeping with surrounding properties.

The handler's decision for the refusal of the planning application has largely been based on subjective matters and is an opinion that my architect, neighbours and I strongly disagree with. The attached design statement addresses the issues raised in the handler's report in full detail from an architectural perspective. As it stands, the property urgently requires investment and upkeep and overall appears "run down". The proposed design will result in an economically and environmentally friendly family home that will also maintain the character of the area and "bookend" the row as it once did when the property was originally built.

All other homes in the row have benefited from some kind of extension or design changes over the years, from No.14 being split into 3 with properties with B and C having a box dormer on the front and extensions to the rear, to the remainder of the Row containing a mixture of dormers, balconies, pitched roofs, flat roofs and most properties having extensions to the front and rear. It was stated in the report of handling that the existing properties with flat roof designs would have been built prior to planning permission and if subject to today's planning constraints would have not been accepted. These long-standing changes have, however, been implemented and more contemporary homes are found to the south of the row, that don't appear out of place when looking from the estuary but tie in with the inconsistencies of buildings right along the coast of Fairlie. If no real changes were made to Ferry Row and the surrounding area over the years, I would fully understand the decision for refusal, but I feel we are now being penalised for being "last one to the table" and are the only home in the row facing barriers to bring our home up to the liveable standard currently enjoyed by the others in the row. Neighbours and residents of the surrounding area are fond of Ferry Row, and many have approached us to voice support of the proposed improvements for 14A.

As outlined in the Architect report, our main objectives of the project were to improve energy efficiency/environmental impact and create a comfortable home for my family of 4. The property requires extensive repairs and renewals from wiring and central heating issues to air and water leaks. Winters are extremely harsh for our two children (11 and 2 years old) and my partner, who works from home, as the property doesn't retain heat, even with central heating, open fire, and heavy curtains. Fortunately for myself, I work away from home but am constantly pained to find that my family are getting sick during these months as a result of the property's current condition, and I have been powerless to help the situation other than plead that we are allowed to adapt our beloved house to become the family home that we know it can be. In addition to the repair works required, the property would benefit from an extension to the rear so that we can live comfortably and have our own space, which the current 1.5 bedrooms cannot support. Delays to this planning application are now forcing us to brave another winter in a house that is not fit for purpose, all amid a cost-of-living crisis.

As stated in the handling report, 14A Ferry Row is not a listed building or in a conservation area and the level of scrutiny applied to this project has been inappropriate given the decision has been based purely on subjective matters. We feel the building described throughout the handler's report does

not reflect the reality of the current condition or appearance of the building or surrounding area. My family and I would implore anyone involved in the decision making for this appeal to visit Ferry row in person and judge for themselves whether the proposed changes would negatively impact the area.

If necessary, I would be open for the review body to propose aesthetic changes to the design that North Ayrshire Council would find more acceptable. As I have previously stated, we have no intention of taking away from the area and only wish to create a warm, comfortable, economical, environmentally friendly home that will meet our families current and future needs.

We hope the attached architectural design statement and photos of the Row will help to assist with the appeal. If you have any further questions or wish to discuss this further, please do not hesitate to contact me.

Thank you for taking the time to review and consider this and I hope the review body will agree favourably with this appeal.

Best regards,

Neil McNaught & Family.



Design Statement

14A Ferry Row
KA29 0AJ

14AFR-LSA-DS-00

Date:	Revision:
31. 05.23	00

LINDO STUDIO
ARCHITECTS

14AFR-LSA-DS-00 Design Statement

Introduction

14A Ferry Row is a 2 bedroom end of terrace house belonging to a family of four. The family wish to extend and remodel the property so that it is suitable to house their young family long into the future.

The client brief is to increase the number of bedrooms to 3 including a study and laundry space. A key project aim is for the property to become sustainable and energy efficient.

The thermal performance of the existing building envelope is poor. Three sides of the building are exposed to the elements. In the current condition the home incurs high energy costs. The client wishes to significantly improve the thermal performance by replacing the roof, upgrading the windows and insulating the existing external walls where required.

The bulk of proposed extension is at the back of the building which aligns with the adjoining neighbours extension. A new dormer style extension is proposed on the front West elevation as has been done by the adjoining neighbour. The dormer is designed to holistically tie the front and the back of the property together so they are as one. The choice of materials and architectural form will improve the thermal performance of the building whilst retaining key features of the existing home.

Contents

Site & Context

- 2 Location Plan
- 3 Site Block Plan
- 4 Historical Images
- 5 Historical Elevation Comparison
- 7 Context Material Palette

Scale & Appearance

- 8 Design Approach West Elevation
- 9 Design Approach North Elevation
- 10 Design Approach East Elevation

Site & Context

Location Plan



Northing



NOTE:

1. This drawing is © copyright Lindo Studio Architects 2022. No unauthorised reproduction of any kind is permitted.
2. No dimensions to be scaled from this drawing. Verify all dimensions prior to construction. Immediately report any discrepancies on the document to the Architect/Contract Administrator. This document shall be read in conjunction with associated models, specifications and related consultant's documents.
3. Drawing to be read with all relevant Architectural, Interiors, Structural, M&E, Drainage/Public Health, Landscape, Civils and Interiors drawings and specifications.
4. It is assumed that all works will be carried out by a competent contractor working, where appropriate, to an approved method statement.

Key

— Ownership Boundary Line

Location

14A Ferry Row
Fairlie
North Ayrshire
Scotland
KA29 0AJ

00	23.04.22	ISSUED FOR PLANNING	TL	TL
rev	date	notes	drawn	chkd

LINDO STUDIO
ARCHITECTS

project title	date of origin	scale
14A Ferry Row Fairlie KA29 0AJ	March 2022	1:1250 @ A4
drawing title		
Existing Location Plan		
status	drawing reference	revision
PLANNING	14AFR-LSA-00-DR-A-1000	00

1 Years subscription from 29-03-2022 for 1 workstation.
Date of Purchase: 29-03-2022
Project ID:
© Crown copyright and database rights 2022 OS 100042766
Map Produced for: Neil McNaught
Title: 14A Ferry Row
Map number: TQRQM22088225407731
ReQuestAPlan

Reproduced by permission of Ordnance Survey under Ordnance Survey Licence number 100042766

Site & Context

Site Block Plan



NOTE:

1. This drawing is © copyright Lindo Studio Architects 2022. No unauthorised reproduction of any kind is permitted.
2. No dimensions to be scaled from this drawing. Verify all dimensions prior to construction. Immediately report any discrepancies on the document to the Architect/Contract Administrator. This document shall be read in conjunction with associated models, specifications and related consultant's documents.
3. Drawing to be read with all relevant Architectural, Interiors, Structural, M&E, Drainage/Public Health, Landscape, Civils and Interiors drawings and specifications.
4. It is assumed that all works will be carried out by a competent contractor working, where appropriate, to an approved method statement.

Reproduced by permission of Ordnance Survey under Ordnance Survey Licence number 100042766

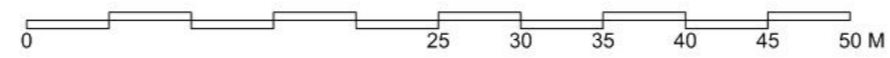
Key
— Ownership Boundary Line

00	23.04.22	ISSUED FOR PLANNING	TL	TL
rev	date	notes	drawn	chkd

LINDO STUDIO
ARCHITECTS

project title	date of origin	scale
14A Ferry Row KA29 0AJ	March 2022	1:200 @ A1 1:400 @ A3
drawing title	status	drawing reference
Existing Site Block Plan	PLANNING	14AFR-LSA-00-DR-A-1100
revision	00	

1 Years subscription from 29-03-2022 for 1 workstation.
 Date of Purchase: 29-03-2022
 Project ID:
 © Crown copyright and database rights 2022 OS 100042766
 Map Produced for: Neil McNaught
 Title: 14A Ferry Row
 Map number: TQRQM22088225407731
 ReQuestAPlan



Site & Context

Historical Images



Historical West Elevation 1



Historical West Elevation 2



Historical West Elevation 3



Current West Elevation

The West elevation of Ferry Row has been through a number of changes over the years. Many rebuilds, extensions and modifications have taken place as can be observed in these images.

Site & Context

Historical Elevation Comparison



Historical West Elevation 3



Current West Elevation

The Southern end of the West elevation (highlighted in a red dash line) has been modified significantly over the years. The original roof was pitched with a series of hipped dormers. Currently the elevation reads as a series of flat roofs, balconies and shed dormers horizontal in nature. Each dwelling has a distinct appearance due to the use of timber cladding and different coloured rough cast. Architecturally the style of extensions and modifications are variable in nature.



Current West Elevation

Site & Context

Historical Elevation Comparison

The Northern end of the West elevation (highlighted in a red dash line) has also been subject to significant modification over the years. The line of pitched dormers have become interrupted by two shed dormers. The consistency of the front elevation has also become broken by two visually different extensions as noted below. It can be observed that 14A is one of the few properties on the street that have not modified their sea facing elevation.



Historical West Elevation 3



14A Ferry Row

Current West Elevation Part 1 of 2

Extension not original

Dormer not original

Extension not original

Dormer not original

Flat shed dormer to ridge line of roof

Flat Roof at the end of terrace



Current West Elevation Part 2 of 2

Site & Context

Context Material Palette



White Roughcast



Vertical Timber Cladding



Terracotta Roof Tile



White and Dark Window Frames



Horizontal Timber Cladding



Dark Slate Roof Tile

Scale & Appearance

Design Approach West Elevation

The flat roof dormer stile extension is a contemporary interpretation of the adjacent dormer but with improved thermal insulation and visual appearance. The parapet is designed to match the existing pitched roof ridge height. The vertical timber matches the adjacent dormer but the cladding continues to the ground floor providing a neat solution to conceal rain water pipes.

It would not be possible to match the proportions of the adjacent dormer window and meet the desired thermal performance. An effort has therefore been made to make the element visually different so it does not become a failed close match.

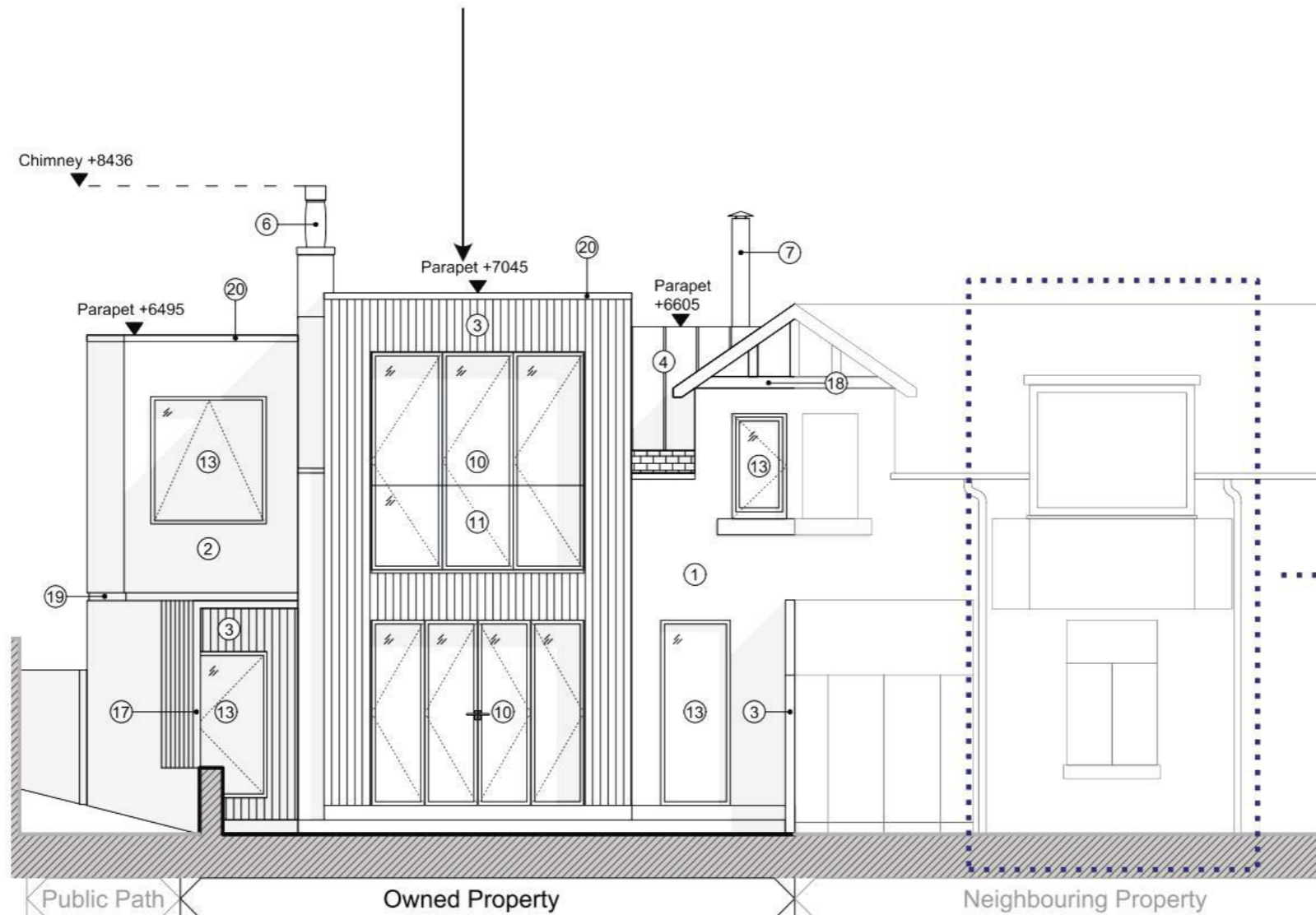
The Ferry Row West elevation will be nicely balanced with the proposed flat roof to match the only other semi detached house at the end of the terrace.



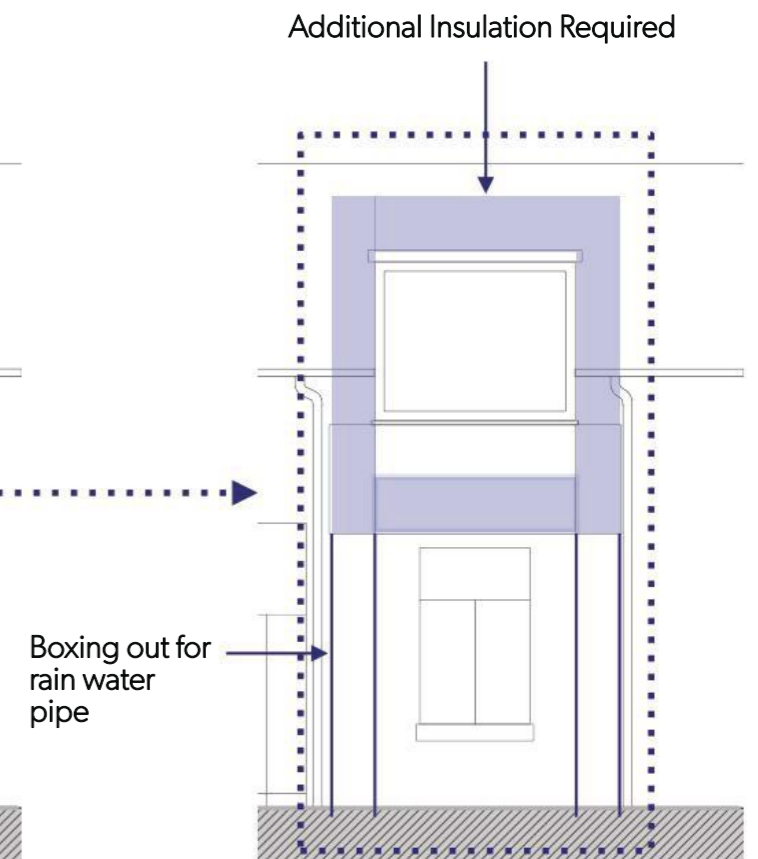
Existing end to the terrace with a flat roof

KEY

- ① Roughcast - Off White
- ② Render - Off White
- ③ Light Tone Timber Cladding
- ④ Standing Seam - Dark Grey
- ⑤ Brick - Buff
- ⑥ Existing Terracotta Chimney
- ⑦ Dark Grey Metal Flue
- ⑧ Slate Roof Tiles
- ⑨ EDPM Roof - Dark Grey
- ⑩ Bi-Fold Doors - Dark Grey Aluminium Frame
- ⑪ Glass Ballustrade
- ⑫ Extraction vent
- ⑬ Windows - Dark Grey Aluminium
- ⑭ Roof Light
- ⑮ External Door - Corten Steel
- ⑯ Gate - Corten Steel
- ⑰ Timber Pergola
- ⑱ Painted Timber - Black
- ⑲ Aluminium Profile - Dark Grey
- ⑳ Aluminium Coping - Dark Grey



Proposed West Elevation



Example of adjacent dormer with increased insulation zone. The final form has influenced the proposal for 14a Ferry Row.

Scale & Appearance

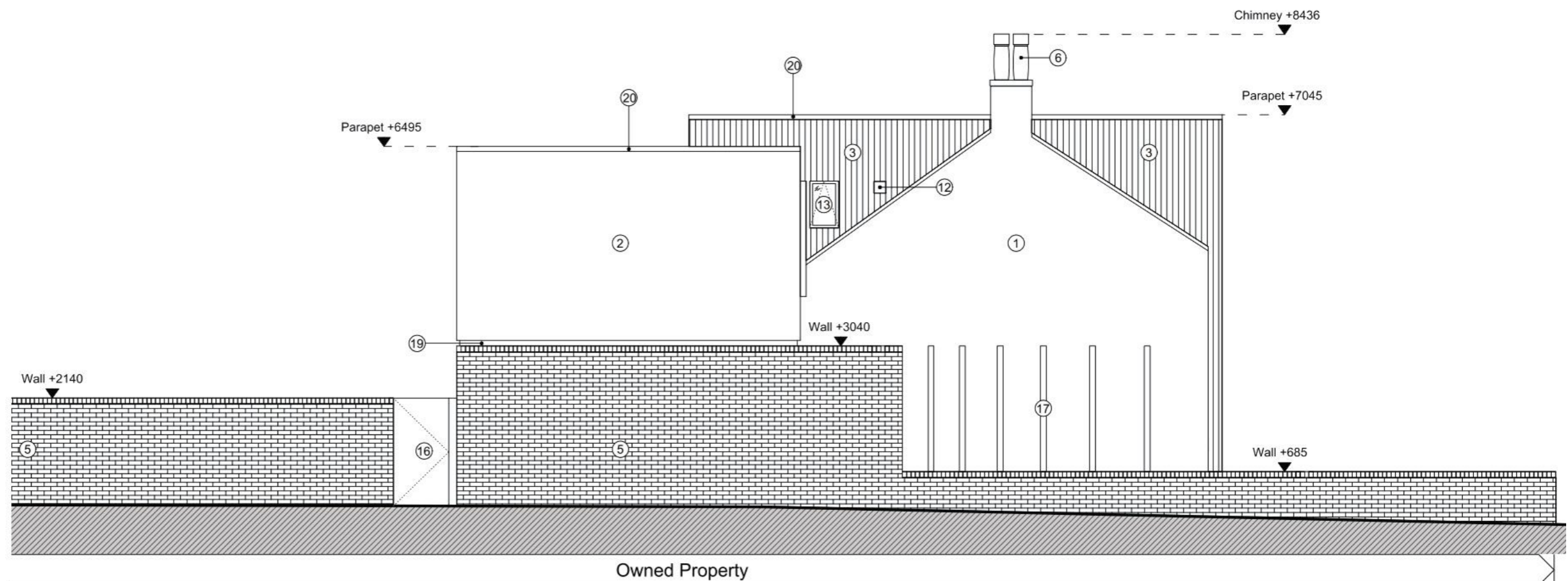
Design Approach North Elevation

KEY

- ① Roughcast - Off White
- ② Render - Off White
- ③ Light Tone Timber Cladding
- ④ Standing Seam - Dark Grey
- ⑤ Brick - Buff
- ⑥ Existing Terracotta Chimney
- ⑦ Dark Grey Metal Flue
- ⑧ Slate Roof Tiles
- ⑨ EDPM Roof - Dark Grey
- ⑩ Bi-Fold Doors - Dark Grey Aluminium Frame
- ⑪ Glass Ballustrade
- ⑫ Extraction vent
- ⑬ Windows - Dark Grey Aluminium
- ⑭ Roof Light
- ⑮ External Door - Corten Steel
- ⑯ Gate - Corten Steel
- ⑰ Timber Pergola
- ⑱ Painted Timber - Black
- ⑲ Aluminium Profile - Dark Grey
- ⑳ Aluminium Coping - Dark Grey

A conscious design decision has been made to retain the gable end of the original house to preserve an understanding of the buildings original form. A new timber clad element links the front and back of the proposal so that the design feels holistic in form and scale.

The North elevation interfaces with a public pathway. The design provides privacy to the client whilst also becoming increasingly permeable as pedestrians get closer to the sea to keep the pathway feeling open and comfortable. This is achieved by stepping the wall.



Proposed North Elevation

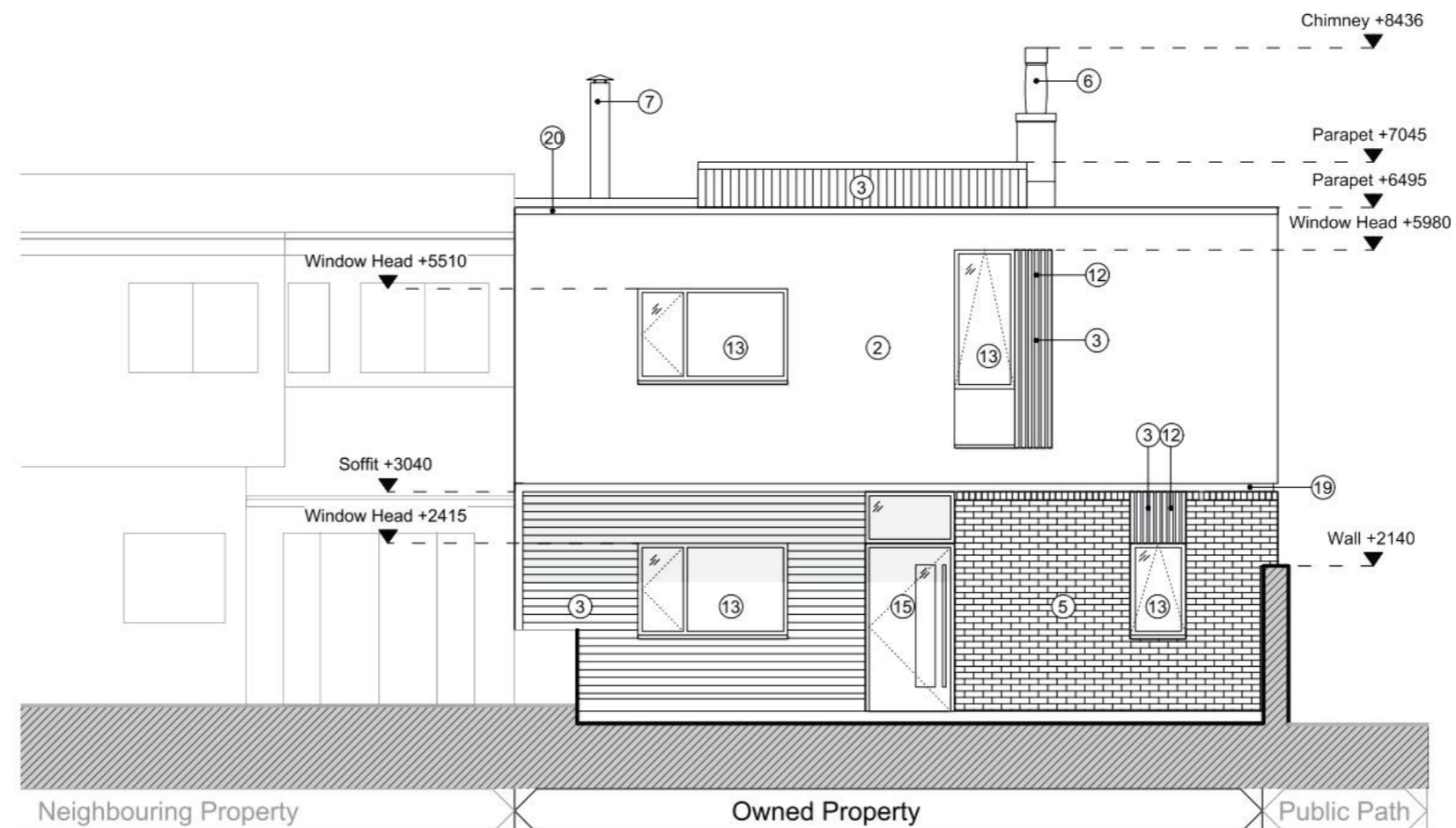
Scale & Appearance

Design Approach East Elevation

KEY

- ① Roughcast - Off White
- ② Render - Off White
- ③ Light Tone Timber Cladding
- ④ Standing Seam - Dark Grey
- ⑤ Brick - Buff
- ⑥ Existing Terracotta Chimney
- ⑦ Dark Grey Metal Flue
- ⑧ Slate Roof Tiles
- ⑨ EDPM Roof - Dark Grey
- ⑩ Bi-Fold Doors - Dark Grey Aluminium Frame
- ⑪ Glass Ballustrade
- ⑫ Extraction vent
- ⑬ Windows - Dark Grey Aluminium
- ⑭ Roof Light
- ⑮ External Door - Corten Steel
- ⑯ Gate - Corten Steel
- ⑰ Timber Pergola
- ⑱ Painted Timber - Black
- ⑲ Aluminium Profile - Dark Grey
- ⑳ Aluminium Coping - Dark Grey

The East extension respectfully responds to the neighbouring property by projecting out to align with their extension. The contextual material palette has informed the facade materials choices. All facade finishes occur or have a close match on the surrounding buildings. The corten steel door reflects the wider colour palette of oxidised metal in the sea.



Proposed East Elevation







Proposal Details

Proposal Name	100529801
Proposal Description	Proposal to extend 14A Ferry Row out to the rear of the property to allow for a modern, environmentally friendly, 3 bedroom family home in keeping with the feel of the area.
Address	14A FERRY ROW, FAIRLIE, LARGS, KA29 0AJ
Local Authority	North Ayrshire Council
Application Online Reference	100529801-004

Application Status

Form	complete
Main Details	complete
Checklist	complete
Declaration	complete
Supporting Documentation	complete
Email Notification	complete

Attachment Details

Notice of Review	System	A4
Refusal Appeal Statement	Attached	A0
Architect Design Statement hyperlink	Attached	A0
Render of Ferry Row	Attached	A0
Roofline of Ferry Row	Attached	A0
Ferry Row from estuary	Attached	A0
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-004.xml	Attached	A0

REPORT OF HANDLING



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

Reference No: 23/00126/PP
Proposal: Erection of extension to rear
Location: 14A Ferry Row, Fairlie, Largs, Ayrshire KA29 0AJ

LDP Allocation: General Urban Area
LDP Policies: SP1 - Towns and Villages Objective / Detailed Policy 2 - Regen Opportunities /

Consultations: None Undertaken
Neighbour Notification: Neighbour Notification carried out on 27.02.2023
Neighbour Notification expired on 20.03.2023

Advert: Not Advertised

Previous Applications: None

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.

Detailed Policy 2 - Regen Opportunities

Policy 2:

Regeneration Opportunities

In principle, we will support and promote development of brownfield land (including vacant and derelict land) within our settlements, where the development aligns with the placemaking policy. In particular, we support the re-use of sites shown in schedule 4 for a range of urban uses which would contribute to the placemaking agenda, subject to their impact on the surrounding established amenity, assessment against the Placemaking Policy and in particular their impact on utility and service capacity.

Note that proposals for significant footfall generating uses considered against this policy should accord with the Town Centre First Principle and must not undermine the vitality or viability of town centres or the delivery of the effective housing and industrial land supplies except where they would support the principle of sustainable development.

We will support development of the regeneration opportunities for a range of integrated urban uses including:

- o Residential.

- o Local-scale community and leisure uses.

- o Other local employment uses like shops, banks, cafes, workshops, garages, and small offices (including working from home).

We will also support alternative solutions which would improve the amenity or economic outlook of the surrounding area such as

- o Greening (Woodland planting, allotments etc.)

- o Renewable Energy Generation

- o Protection and enhancement of green and blue networks

There may also be instances in the plan period where new regeneration sites are identified. In principle we will support proposals which are innovative, contribute to our placemaking agenda and align with our vacant and derelict land strategy.

Description

The application property is a one and a half storey end terrace dwellinghouse located in Fairlie. The house features a gabled roof covered in slates and off-white rendered walls. There are pitched roof dormers on the front (seaward) elevation as well as a small lean-to conservatory/porch shared with the neighbouring property. Ferry Row itself is historic terrace of fishing cottages which has seen extensive alterations and extensions over the years. The terrace is located immediately adjacent to the seashore with close access to the shops and amenities on Main Road.

The proposal is for a full renovation of the dwellinghouse including the erection of a two-storey extension to the rear. The proposal would involve:

- The removal of the existing roof structure and its replacement with a flat roof covered with a rubber roof membrane.
- The complete remodelling of the front elevation to remove the existing porch and one of the dormers and erect a new façade to include patio doors and a Juliet balcony at first floor level. The front elevation would be finished in timber cladding and off-white render.
- The removal of a small kitchen/utility room extension on the side/rear of the dwellinghouse.
- The erection of a new two storey rear extension measuring approx. 48 sqm in area and 6.2m in height. The extension would be finished in buff facing brick, timber cladding and off-white render, and would have a flat roof to tie in with the new flat roof structure.

In the adopted North Ayrshire Local Development Plan (LDP) the site is located in a General Urban Area land allocation. The relevant policies of the LDP with relation to the proposed development are The Towns and Villages Objective of Strategic Policy 1: Spatial Strategy and Strategic Policy 2: Placemaking. All development proposals also require to be assessed against the adopted National Planning Framework 4 (NPF4).

Pre-application Planning advice was sought in September 2022 for the proposal (22/00704/PREAPP). It was advised that whilst the scale and principle of the proposal was likely acceptable it was not considered evident that the design was in-keeping with the character of the area.

The applicant has been advised that the proposal is unlikely to be supported on design grounds. The applicant has advised that they consider that the design can be justified as the seaward elevation of Ferry Row has been dramatically altered over the course of its history. In particular the two houses at the opposite end of the terrace have received upper floor extensions to form similar flat roof designs to what is currently proposed. They consider that by having flat roof houses at either end of the terrace it would book-end the terrace which would be visually attractive.

Consultations and Representations

The Neighbour Notification process was undertaken and there was no requirement to advertise the application. No letters of representation were received.

23/00126/PP

No consultations were undertaken as part of this Planning Application.

Analysis

Alterations and extensions to an existing dwellinghouse located in a General Urban Area allocation is acceptable in principle in terms of The Towns and Villages Objective of Strategic Policy 1: Spatial Strategy of the LDP. The application only therefore requires to be assessed in terms of Strategic Policy 2: Placemaking and Policy 14 of NPF4.

Strategic Policy 2: Placemaking, states that all development proposals must meet the qualities of successful places as outlined in the policy. In terms of scale, the proposed rear extension would replace an existing small rear/side extension. The proposed extension, whilst being larger, would be similar in size to other rear extensions on neighbouring houses and it is not considered that the scale of the extension is excessive. In terms of height, whilst the proposed extension would be two storeys high, it would be similar in terms of form and massing to large box dormers that have been erected to the rear of neighbouring properties, and again, it is not considered that scale would be out-of-keeping with the surrounding properties. Policy 14 of NPF4 essentially reiterates the qualities of a successful place.

Turning to design, the proposed extensions and alterations would essentially completely transform the dwellinghouse from a traditional design to a contemporary one. In particular the slate roof, which is consistent with the neighbouring properties and forms a continuous roofline over the northern part of the terrace would be completely removed. The applicant has noted that the southern properties of the terrace have flat roof extensions, and whilst this is noted, it is considered that these extensions detract from the appearance of the terrace and surrounding area. There is no Planning history for these extensions, and it is likely that they were carried out several decades ago and may have been erected without the benefit of Planning Permission. It is considered that the loss of the pitched slate roof (including one of the original pitched roof dormers) and its replacement with flat roof would break up the visual consistency of the terrace and would detract from the appearance of the area.

In addition, it is considered that the design of the extension and alterations with regards to the proposed fenestration and finishing materials would not be consistent with the surrounding area. Whilst contemporary extensions to historic buildings can in some instances be visually pleasing, in this instance very little of the historic structure would remain. Subsequently, it is considered that the result of having a dwellinghouse with a contemporary aesthetic at the end of a historic terrace would be visually jarring and would detract from the appearance of the area.

In conclusion, whilst it is noted that Ferry Row is not a Listed Building or in a Conservation Area, it has a historic appearance which is beneficial to the character and appearance of Fairlie. This historic character has been negatively affected by previous extensions and alterations to other dwellinghouses on the terrace and it is considered that the proposal would have a further negative effect on the character of the terrace. It is not considered that the proposal is distinctive as it does not draw upon the positive characteristics of the surrounding area to inform the design.

It is not considered that the proposed extension would have any significant amenity impact on neighbouring properties in terms of overlooking or overshadowing. No windows would face onto the neighbouring properties, and the extension would be located to the north of the only immediately neighbouring property.

As the proposal does not meet all of the qualities of successful places it does not accord with Strategic Policy 2: Placemaking of the LDP or Policy 14 of NPF4. Due to this failure to accord with the relevant policies, the proposal should not be supported, and it is recommended that Planning Permission be refused.

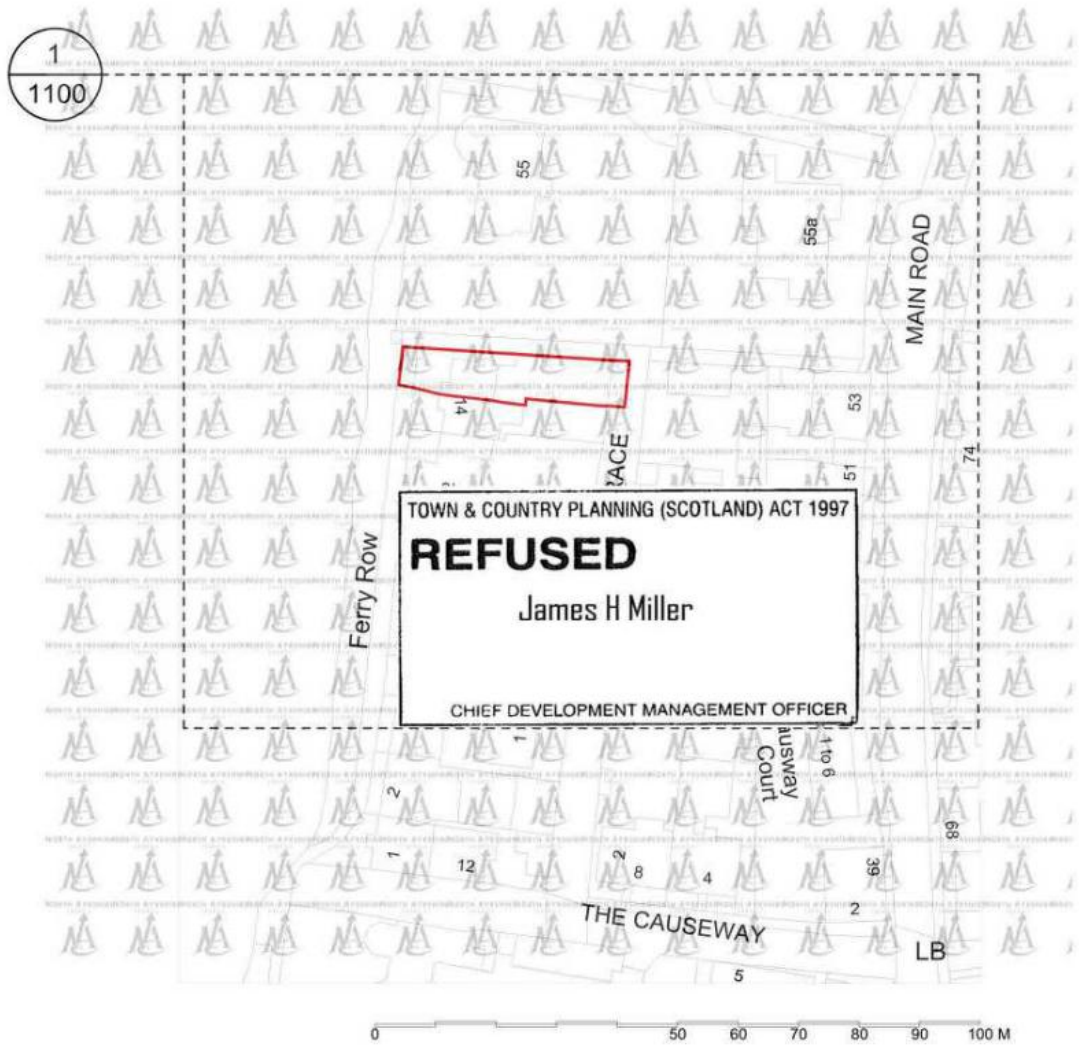
Decision

Refused

Case Officer - Mr John Mack

Appendix 1 - Drawings relating to decision

Drawing Title	Drawing Reference (if applicable)	Drawing Version (if applicable)
Location Plan	14AFR-LSA-00-DR-A-1000	
Block Plan / Site Plan	14AFR-LSA-00-DR-A-1100	
Existing Floor Plans	14AFR-LSA-00-DR-A-2000	
Proposed Floor Plans	14AFR-LSA-00-DR-A-2010	
Proposed Floor Plans	14AFR-LSA-00-DR-A-2100	
Existing Elevations	14AFR-LSA-00-DR-A-3000	
Proposed Elevations	14AFR-LSA-00-DR-A-3020	
Existing Floor Plans	14AFR-LSA-01-DR-A-2001	
Proposed Floor Plans	14AFR-LSA-01-DR-A-2011	
Proposed Floor Plans	14AFR-LSA-01-DR-A-2101	
Roof Plan	14AFR-LSA-02-DR-A-2002	
Roof Plan	14AFR-LSA-02-DR-A-2012	
Roof Plan	14AFR-LSA-02-DR-A-2102	
Block Plan / Site Plan	14AFR-LSA-00-DR-A-1110 Rev 00	



Northing

N

NOTE:

1. This drawing is © copyright Lindo Studio Architects 2022. No unauthorised reproduction of any kind is permitted.
2. No dimensions to be scaled from this drawing. Verify all dimensions prior to construction. Immediately report any discrepancies on the document to the Architect/Contract Administrator. This document shall be read in conjunction with associated models, specifications and related consultant's documents.
3. Drawing to be read with all relevant Architectural, Interiors, Structural, M&E, Drainage/Public Health, Landscape, Civils and Interiors drawings and specifications.
4. It is assumed that all works will be carried out by a competent contractor working, where appropriate, to an approved method statement.

Key

— Ownership Boundary Line

Location

14A Ferry Row
Fairlie
North Ayrshire
Scotland
KA29 0AJ

00	23.04.22	ISSUED FOR PLANNING	TL	TL
rev	date	notes	drawn	chkd

1 Years subscription from 29-03-2022 for 1 workstation.
 Date of Purchase: 29-03-2022
 Project ID:
 © Crown copyright and database rights 2022 OS 100042766
 Map Produced for: Neil McNaught
 Title: 14A Ferry Row
 Map number: TQRQM22088225407731
 ReQuestAPlan

Reproduced by permission of Ordnance Survey under Ordnance Survey Licence number 100042766

LINDO STUDIO
ARCHITECTS

project title	date of origin	scale
14A Ferry Row Fairlie KA29 0AJ	March 2022	1:1250 @ A4
drawing title		
Existing Location Plan		
status	drawing reference	revision
PLANNING	14AFR-LSA-00-DR-A-1000	00



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

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

No N/23/00126/PP

(Original Application No. N/100529801-001)

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 Neil McNaught
14A Ferry Row
Fairlie
Largs
Ayrshire
KA29 0AJ

With reference to your application received on 24 February 2023 for planning permission under the above mentioned Acts and Orders for :-

Erection of extension to rear

at 14A Ferry Row
Fairlie
Largs
Ayrshire
KA29 0AJ

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

1. The proposal is contrary to Strategic Policy 2: Placemaking of the adopted North Ayrshire Local Development Plan and Policy 14: Design, Quality and Place, of the National Planning Framework 4. The proposal does not accord with the qualities of successful places and would detract from the character and appearance of the area. The proposed design is not considered to be distinctive in that it does not draw upon the positive characteristics of the surrounding area and would not be in-keeping with the appearance of the neighbouring properties.

Dated this : 22 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.

NORTH AYRSHIRE COUNCIL

23 August 2023

Local Review Body

Title: Notice of Review: 23/00309/PPP: Mid Lambroughton Farm, by Cunninghamehead, by Kilmaurs, KA3 2PL

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 23/00309/PPP for the dountaking of an agricultural building and development of a single dwellinghouse and associated works at Mid Lambroughton Farm, by Cunninghamehead, by Kilmaurs.

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 **Craig Stewart, Committee Services Officer**, on **01294 324130**.

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 100632174-001

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:	<input type="text" value="HLM Scotland Ltd"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Martin"/>	Building Name:	<input type="text" value=""/>
Last Name: *	<input type="text" value="Hannah"/>	Building Number:	<input type="text" value=""/>
Telephone Number: *	<input type="text" value=""/>	Address 1 (Street): *	<input type="text" value=""/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value=""/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="UK"/>
		Postcode: *	<input type="text" value=""/>
Email Address: *	<input type="text" value=""/>		

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" value=""/>
First Name: *	<input type="text" value="Richard"/>	Building Number: <input type="text"/>
Last Name: *	<input type="text" value="Whittaker"/>	Address 1 (Street): * <input type="text" value=""/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: * <input type="text" value=""/>
Extension Number:	<input type="text"/>	Country: * <input type="text" value="UK"/>
Mobile Number:	<input type="text" value=""/>	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="Mid Lambroughton Farm"/>
Address 2:	<input type="text" value="By Cunninghamehead,"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="By Kilmaurs"/>
Post Code:	<input type="text" value="KA3 2PL"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="643633"/>	Easting	<input type="text" value="239654"/>
----------	-------------------------------------	---------	-------------------------------------

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)

Appeal against refusal of planning permission in principle.

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.

See attached statement of case.

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 of case.

Application Details

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

23/00309/PPP

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

03/05/2023

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

13/06/2023

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 Martin Hannah

Declaration Date: 14/06/2023

REPORT OF HANDLING



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

Reference No:	23/00309/PPP
Proposal:	Planning permission in principle for the dountaking of an agricultural building and development of a single dwellinghouse and associated works
Location:	Mid Lambroughton Farm, Kilmarnock, Ayrshire, KA3 2PL
LDP Allocation:	Countryside/Rural Community
LDP Policies:	SP1 - The Countryside Objective / Strategic Policy 2 /
Consultations:	Yes
Neighbour Notification:	Neighbour Notification carried out on 03.05.2023 Neighbour Notification expired on 24.05.2023
Advert:	Regulation 20 (1) Advert Published on:- 17.05.2023 Expired on:- 07.06.2023
Previous Applications:	20/01064/PP for Erection of detached dwelling house with attached garage to include the provision of access driveway, waste water treatment system, landscaping works, solar PV array and boundary treatments Application Withdrawn on 15.01.2021 21/01151/PP for Change of use and alterations to redundant metal barn to form dwellinghouse including the provision of boundary treatment, siting of solar PV panels, provision of garden ground/wildflower meadow, provision of drainage and formation of parking Approved subject to Conditions on 11.01.2022

Appeal History Of Site:

Relevant Development Plan Policies

SP1 - The Countryside Objective
The Countryside Objective

We recognise that our countryside areas play an important role in providing homes, employment and leisure opportunities for our rural communities. We need to protect our valuable environmental assets in the countryside while promoting sustainable development which can result in positive social and economic outcomes.

We want to encourage opportunities for our existing rural communities and businesses to grow, particularly on Arran and Cumbrae, and to support these areas so that they flourish.

We also recognise that, in general, countryside areas are less well suited to unplanned residential and other developments because of their lack of access to services, employment and established communities. We will seek to protect our prime and locally important agricultural land from development except where proposals align with this spatial strategy.

In principle, we will support proposals outwith our identified towns and villages for:

- a) expansions to existing rural businesses and uses such as expansions to the brewery and distillery based enterprises in the area.
- b) ancillary development for existing rural businesses and uses, including housing for workers engaged in agriculture or forestry.
- c) developments with a demonstrable specific locational need including developments for renewable energy production i.e. wind turbines, hydroelectric schemes and solar farms.
- d) tourism and leisure uses, where they would promote economic activity, diversification and sustainable development, particularly where they develop our coastal tourism offer/ infrastructure.
- e) developments which result in the reuse or rehabilitation of derelict land or buildings (as recognised by the Vacant and Derelict Land Survey) for uses which contribute to the Green and Blue Network such as habitat creation, new forestry, paths and cycle networks.
- f) sensitive infilling of gap sites consolidating existing developments where it would define/provide a defensible boundary for further expansion.
- g) small-scale expansion of settlements on Arran and Cumbrae for community led proposals for housing for people employed on the island, where a delivery plan is included, and infrastructure capacity is sufficient or can be addressed by the development and where the proposal meets an identified deficiency in the housing stock and is required at that location. All proposals will be expected to demonstrate the identified housing need cannot be met from the existing housing land supply.
- h) new housing in the countryside where it is a replacement or converted building or it is a house of exceptional design quality.
- i) sympathetic additions to existing well-defined nucleated groups of four or more houses (including conversions) in close proximity to one another and visually identifiable as a group with some common feature e.g. shared access. Additions will be limited to 50% of dwellings existing in that group as of January 2005 up to a maximum of four new housing units (rounded down where applicable).

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.

23/00309/PPP

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

The application site is located at Mid Lambroughton Farm in the countryside to the northeast of Irvine. The site is located to the west of the main farm steading and contains a barn of approximately 300 square metres in area. The walls and roof of the barn have a curved profile and dates from the mid-twentieth century. It is clad with red coloured metal sheeting. Mid Lambroughton farm is a traditional farm steading where three of the former byres/farm buildings have been converted into dwellinghouses.

This is an application for Planning permission in principle for the demolition of the barn and erection of a single dwellinghouse on the site.

The application site is located within the Countryside in terms of the adopted Local Development Plan and requires to be considered in terms of Strategic Policy 1 (Countryside Objective), Strategic Policy 2 (Placemaking) and the Housing in the Countryside Policy Guidance Note of June 2021. All development proposals also require to be assessed against the adopted National Planning Framework 4 (NPF4). In this instance, Policy 17: Rural Homes, of NPF4 is of particular relevance.

Mid Lambroughton is no longer a working farm. The original farmhouse is to the east of the application site, around which are three other converted barns of traditional design and character. To the southeast of the site is a barn conversion which was granted permission in 2019 (ref. 19/00665/PP) following the demolition of a series of metal sheds. To the northeast is a barn conversion granted in 2018 (ref. 18/00238/PP). Beyond, on the northeastern fringes of the steading, is an earlier barn conversion dating from 2006 (ref. 06/00090/PP). The houses are accessed from two separate driveways leading from the B769 Irvine to Stewarton Road.

Planning permission was initially applied for to demolish the barn to which this application relates and erect a new dwellinghouse in November 2020 (20/01064/PP). This application was proposed to be justified as a 'house of exceptional design quality' under The Countryside Objective of Strategic Policy 1. The Case Officer indicated that the setting was not likely appropriate for this part of the policy, and the application was subsequently withdrawn. Planning Permission was granted in January 2022 (21/01151/PP) for the conversion of the existing barn into a dwellinghouse under the 'replacement or conversion' section of The Countryside Objective.

The applicant's Design Statement for this application states that the owners of the site wish to sell the land and it is not considered that existing planning permission for conversion of the existing barn is likely to have market appeal. They therefore wish to apply for planning permission in principle to remove the barn and for the erection of a new dwellinghouse. The applicant has been advised that applications for planning permission in principle for new dwellinghouses in the countryside are not supported as there is insufficient information included in a planning permission in principle application to adequately assess a proposal against the Countryside Objective of Strategic Policy 1 and the Housing in the Countryside Advice Note.

Consultations and Representations

The statutory neighbour notification process was undertaken and there was no requirement to advertise the application. No letters of representation were received.

Consultations:

North Ayrshire Council (NAC) Active Travel and Transportation: No objections subject to conditions relating to the access.

Response: Noted, such conditions could be added in the event of planning permission being granted.

NAC Environmental Health: No objections, subject to conditions relating to contamination and foul water drainage.

Response: Noted, such conditions could be added were planning permission forthcoming.

Scottish Water: There is no public Scottish Water infrastructure within the vicinity and therefore the applicant would need to provide private surface and foul water treatment arrangements.

Response: Noted, as this is an application for planning permission in principle, details of drainage would be assessed as part of any future 'matters specified in condition' application, should planning permission in principle be granted.

Analysis

The key policy consideration in determining whether a new dwellinghouse can be supported in a countryside location is The Countryside Objective of Strategic Policy 1: Spatial Strategy of the LDP. This policy sets out the criteria in which a new dwellinghouse might be permitted in a Countryside land allocation. On the mainland, these instances are restricted to:

- i. Where the house would be for a rural worker, such as for people engaged in farming or forestry;
- ii. Sensitive infilling of gap sites;
- iii. Replacement or conversion of existing buildings or a house of exceptional design quality; or
- iv. Sympathetic additions to existing well-defined groups of four or more houses.

The Housing in the Countryside Guidance Note of June 2021 provides further explanation and detail on when proposals for new houses in the countryside will be supported. The Guidance Note states in section 2.2 that Planning Permission in Principle (PPP) applications (for new houses in the countryside) will not be supported. This is because PPP does not provide the level of detail or information required to assess the appropriateness of the proposal. Only the level of detail contained within a full Planning Application would be sufficient to adequately assess the proposal against The Countryside Objective. Insufficient information has been provided with the application in order to determine whether it accords with The Countryside Objective of Strategic Policy 1, and therefore the application cannot be supported.

Strategic Policy 2: Placemaking, states that all development proposals must meet the qualities of successful places as outlined in the policy. As above there are insufficient details to assess whether the proposal accords with this policy. In a town setting these details could be ensured via a 'Matters Specified in Condition' condition, however, as this is a countryside location, full details of the design are required in order to assess the principle of the development.

Turning to NPF4, Policy 17 relates to rural homes. This policy states that development proposals for new homes in rural areas will be supported where the development is suitably scaled, sited and designed to be in-keeping with the character of the area and the development is:

- i. is on a site allocated for housing within the LDP;
- ii. reuses brownfield land where a return to a natural state has not or will not happen without intervention;
- iii. reuses a redundant or unused building;
- iv. is an appropriate use of a historic environment asset or is appropriate enabling development to secure the future of historic environment assets;
- v. is demonstrated to be necessary to support the sustainable management of a viable rural business or croft, and there is an essential need for a worker (including those taking majority control of a farm business) to live permanently at or near their place of work;
- vi. is for a single home for the retirement succession of a viable farm holding;
- vii. is for the subdivision of an existing residential dwelling; the scale of which is in keeping with the character and infrastructure provision in the area; or
- viii. reinstates a former dwelling house or is a one-for-one replacement of an existing permanent house.

As above, it is not considered that sufficient information has been provided to demonstrate that the proposed dwellinghouse would be suitably scaled, sited and designed or that it would be in-keeping with the character of the area. It has not been demonstrated that the proposal would accord with any of the eight instances outlined in the policy where proposals for new homes in the countryside would be supported. Given the above, it is not considered that sufficient information has been provided to demonstrate that the proposal would accord with Policy 17 of NPF4.

In the absence of a detailed design, it has not been demonstrated that the proposed development would accord with the relevant policies of the LDP or NPF4. The proposal has not been demonstrated to accord with The Housing in the Countryside Guidance Note and an outstanding quality of design has not been demonstrated. For these reasons, it is recommended that this application for planning permission in principle is refused.

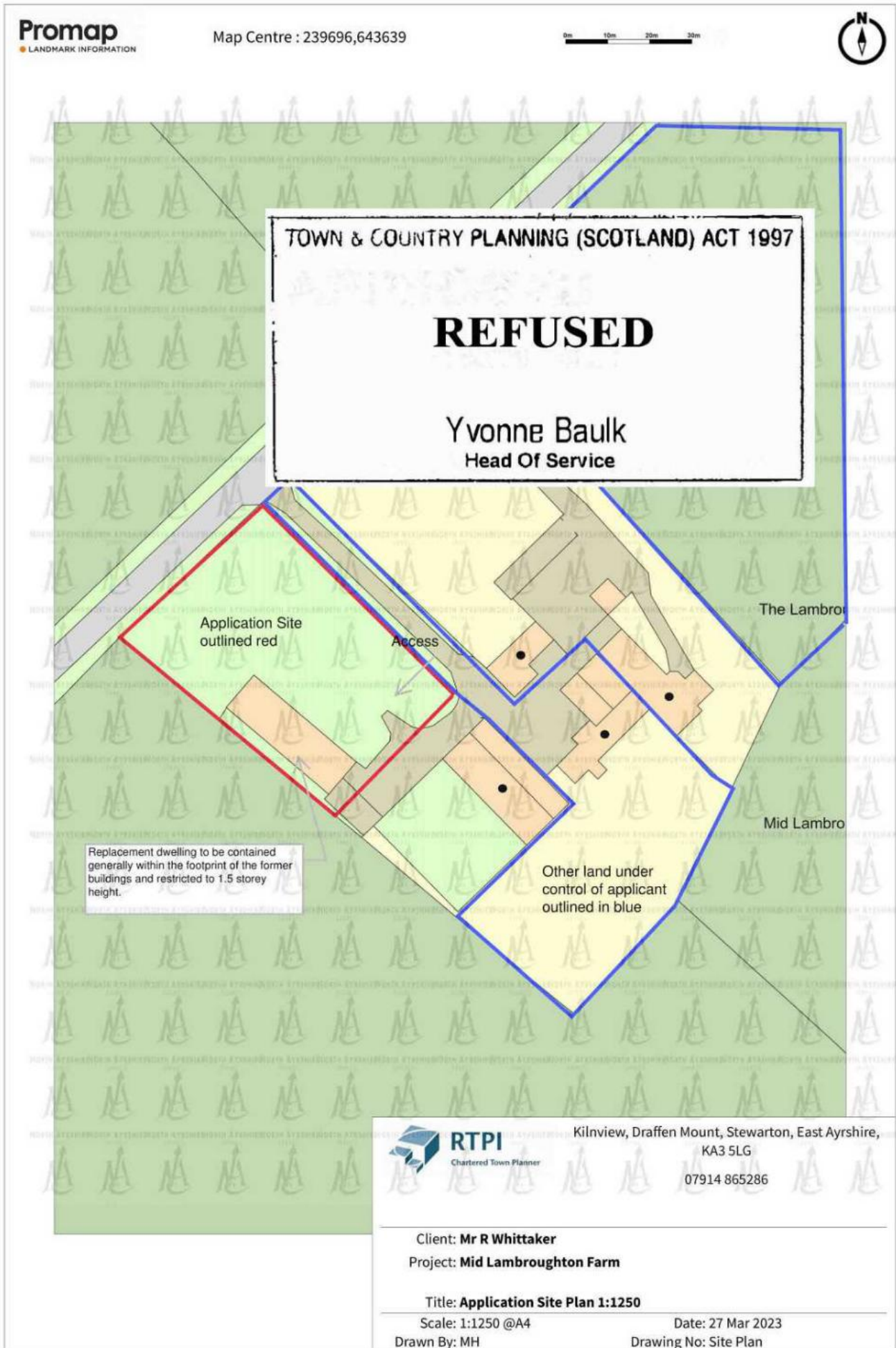
Decision

Refused

Case Officer - Mr John Mack

Appendix 1 - Drawings relating to decision

Drawing Title	Drawing Reference (if applicable)	Drawing Version (if applicable)
Location Plan		





North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

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

No N/23/00309/PPP

(Original Application No. N/100622845-001)

REFUSAL OF PLANNING PERMISSION IN PRINCIPLE

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 Richard Whittaker
c/o HLM Scotland Ltd Fao Martin Hannah
Kilnview
23 Draffen Mount
Stewarton
Ayrshire
KA3 5LG

With reference to your application received on 3 May 2023 for planning permission in principle under the above mentioned Acts and Orders for :-

Planning permission in principle for the dountaking of an agricultural building and development of a single dwellinghouse and associated works

at Mid Lambroughton Farm
Kilmarnock
Ayrshire
KA3 2PL

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

1. The proposal has not been demonstrated to accord with the relevant policies of the adopted North Ayrshire Local Development Plan, namely, The Countryside Objective of Strategic Policy 1: Spatial Strategy, and Strategic Policy 2: Placemaking. In the absence of detailed design, no cognisance of the Council's The Housing in the Countryside Guidance Note nor outstanding quality of design has been demonstrated.
2. The proposal has not been demonstrated to accord with the relevant policies of National Planning Framework 4, namely, Policy 17: Rural Homes. Insufficient information has been provided to demonstrate that the proposed dwellinghouse would be suitably scaled, sited and designed or that it would be in-keeping with the character of the area.

Dated this : 14 June 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.

NORTH AYRSHIRE COUNCIL

23 August 2023

Local Review Body

Title: Notice of Review: 23/00249/PP: 33 High Road, Saltcoats
KA21 5RY

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 23/00249/PP for the erection of a single storey side extension to dwellinghouse to provide garage at 33 High Road, Saltcoats KA21 5RY.

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 **Diane McCaw, Committee Services Officer**, on **01294 324133**.

Background Papers

0



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

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 100623582-002

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:

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="Miss"/>	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="Sharleen"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="McKinney"/>	Address 1 (Street): *	<input type="text"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

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="33 HIGH 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="SALTCOATS"/>
Post Code:	<input type="text" value="KA21 5RY"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="642560"/>	Easting	<input type="text" value="224327"/>
----------	-------------------------------------	---------	-------------------------------------

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 a single storey side extension to dwellinghouse to provide garage

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.

see attached review statement

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)

Review statement

Application Details

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

23/00249/PP

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

30/03/2023

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

26/06/2023

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: Ayrshire Architecture

Declaration Date: 10/08/2023

Application for Notice of Review to Local Review Body

for

**Proposed erection of a single storey side
extension to dwellinghouse to form garage**

at

**33 High Road,
Saltcoats**

for

Miss McKinney

Application Ref No: 23/000249/PP



Application for Notice of Review to Local Review Body

**Proposed single storey side extension to dwellinghouse to form garage at
33 High Road, Saltcoats
August 2023**

INDEX

- 1 Introduction**
- 2 Reason for Refusal and Responses**
- 3 Photographs**
- 4 Summary**

Application for Notice of Review to Local Review Body

**Proposed single storey side extension to dwellinghouse to form garage at
33 High Road, Saltcoats
August 2023**

1 Introduction

1.1 Miss McKinney instructed Ayrshire Architecture to prepare drawings and submit the necessary applications for the proposed single storey side extension to dwellinghouse to form garage at 33 High Road, Saltcoats.

1.2 The Site

The property is a semi detached bungalow with a pitched roof with concrete tiles and the external wall finish is wet dash render with stone base course, quoins and window details.

1.3 Application

An application was submitted on 30th March 2023 and was validated on 5th April 2023. The application reference number is 23/00249/PP and was allocated to an Assistant Planning Officer.

On 5th May 2023, Planning contacted Ayrshire Architecture advising that they would be unlikely to be able to support the gable end roof design of the extension as proposed. Ayrshire Architecture was advised that as a result of the house being semi detached, and properties within the area all featuring hipped roofs, it was considered that amending the roof to a hip would be more likely acceptable.

Following investigation, and consultation with the clients, Ayrshire Architecture replied to Planning advising that having visited the area there were other properties having gabled extensions onto existing hipped roof houses. Given the unique location of the property on the corner of Murray Avenue and High Road, this type of extension would work. This would be due to the gap to another house, which would offset the lack of symmetry on the other side of the semi detached dwellinghouse, and as such, Ayrshire Architecture asked if the application could be determined as it was submitted.

The application was refused under delegated powers on 26th June 2023.

Application for Notice of Review to Local Review Body

**Proposed single storey side extension to dwellinghouse to form garage at
33 High Road, Saltcoats
August 2023**

2 Reasons for Refusal and responses

2.1 Reason

The proposed roof design, scale and mass would have a detrimental impact on the visual appearance of the property and would not be in keeping with the characteristics of the neighbouring properties and therefore, the proposal would have a detrimental impact on the amenity of the area. The proposal does not accord with the qualities of successful places and would detract from the character and appearance of the area. The proposal is therefore contrary to Strategic Policy 2, 'Place-making' of the adopted North Ayrshire Development Plan and Policy 14, 'Design and Place' of National Planning Framework 4.

Response

The house borders Murray Avenue, Saltcoats and as such there is a large gap and road to the right hand side of the house before the next dwellinghouse (as seen in section 3.1 - Photograph 1). This separation helps minimise the impact of the gable roofed extension. Also the house is the end of the row of similar houses and the extension is less intrusive due to this.

There are other examples of gable roofed houses and extensions within the local area (as seen in section 3.1 . photographs 2, 3 and 4). One example of a single house is located at 83 High Road, and sits next to hipped roofed houses (photographs 3 and 4).

As noted in the handling report, there were no objections from the neighbours who had been notified.

Application for Notice of Review to Local Review Body

**Proposed single storey side extension to dwellinghouse to form garage at
33 High Road, Saltcoats
August 2023**

3 Photographs

- 3.1 Photographs show examples of other gabled roofed extension nearby, an existing gabled roof house and the separation of the house from adjacent houses due to its location adjacent to Murray Avenue.

Photograph 1 - Junction of Murray Avenue and High Road, Saltcoats showing separation between adjacent houses



Photograph 2 - High Road, Saltcoats showing gabled roof extensions



Application for Notice of Review to Local Review Body

**Proposed single storey side extension to dwellinghouse to form garage at
33 High Road, Saltcoats
August 2023**

Photograph 3 - High Road, Saltcoats showing gabled roof adjacent to hipped roof



Photograph 4 - High Road, Saltcoats showing gabled roof adjacent to hipped roof



Application for Notice of Review to Local Review Body

**Proposed single storey side extension to dwellinghouse to form garage at
33 High Road, Saltcoats
August 2023**

4 Summary

- 4.1** The examples mentioned above, together with the photographic examples showing an approved similar situation at 83 High Road (photograph 3) where a gabled roof sits adjacent to a hipped roof with no separating road or gap between, show that the proposed gabled roofed extension would not be out of keeping or detrimental to the visual amenity of the area and therefore would comply with the requirements of the current North Ayrshire Local Development Plan.

As a result of all the information detailed in this report, it is considered that the application should be granted consent and the refusal decision overturned by the Local Review Body.

Application for Notice of Review to Local Review Body

**Proposed single storey side extension to dwellinghouse to form garage at
33 High Road, Saltcoats
August 2023**

REPORT OF HANDLING



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

Reference No:	23/00249/PP
Proposal:	Erection of single storey side extension to dwellinghouse to provide garage
Location:	33 High Road, Saltcoats, Ayrshire, KA21 5RY
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 05.04.2023 Neighbour Notification expired on 26.04.2023
Advert:	Not Advertised
Previous Applications:	None

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

Planning permission is sought for the erection of an extension to side of dwellinghouse to form garage.

33 High Road is a semi-detached dwellinghouse situated in the settlement of Saltcoats. The application site occupies a corner plot between High Road and Murray Avenue. The external finish of the main dwellinghouse consists of a grey tiled hipped roof, light brown rough casting to the front elevation and white rendering to the rear. To the front there are garden grounds and off-street parking and to the rear are more private garden grounds. There is an existing shed positioned to the side of the main dwellinghouse. The surrounding area is largely residential.

The proposed extension would be positioned to the east side elevation of the existing dwelling. The extension would attach to the existing house with part of the existing roof being stripped back to accommodate the extension. The erection of the extension would result in the roof design of the dwelling changing from hipped to a gable. The extension would reach a height of some 6.5m and would match the roof pitch of the main dwellinghouse. On plan the extension would measure some 6m by 10m. The extension would be finished in render and facing brick to match the existing. The proposed roof would be finished in concrete roof tiles to match the existing. A roller shutter door measuring some 4.3m would be installed to the front

elevation and on the side elevation a door and upper window would be installed. The rear elevation of the extension would be blank.

In the adopted North Ayrshire Local Development Plan (LDP) the site lies within a General Urban Area allocation (Saltcoats) 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. All development proposals also require to be assessed against the adopted National Planning Framework 4 (NPF4).

The agent/applicant was advised that the current design was unlikely to be supported given the proposed gable end roof design but confirmed they wanted to continue with the determination of the proposal as originally submitted. The agent advised that they believe the proposal would be acceptable given that other properties have gabled extensions onto existing hipped roof houses and given the corner position of the house.

Consultations and Representations

Neighbour notification was conducted for this application in accordance with statutory procedures. No representations were received in relation to the application.

No consultations required to be undertaken.

Analysis

The erection of an extension to an existing dwellinghouse within a General Urban Area allocation is considered acceptable in principle in terms of the Town and Villages Objective of Strategic Policy 1, and the detail of the application therefore only requires to be assessed in terms of Strategic Policy 2: Placemaking and Policy 14 of NPF4.

Strategic Policy 2 states that all applications for planning permission should meet the qualities of successful places. Policy 14 of NPF4 reiterates the qualities of a successful place.

The proposed extension would be situated to the side of the existing dwellinghouse and due to its corner plot location at the junction of High Road and Murray Avenue, the development would be readily visible from public viewpoints within the area. It is considered that the proposed external finishes would be appropriate and would reflect the existing finishes of the main dwellinghouse. However, the scale of the extension would be substantial. The ridge would be the same height as the main house and the overall ridge length would increase from some 6m to some 17.9m. The front roof plane would increase in area from some 26.2sqm to some 57.2sqm. It is considered that the extension would be overbearing on the existing dwellinghouse and would cause a visual imbalance to the semi-detached block. It is therefore, not considered that the scale and mass of the proposed extension would be acceptable.

The proposed roof design would essentially change the semi-detached property into a gable roofed property. Considering that the application property is part of a semi-detached block featuring a hipped roof, the change to a gabled roof would cause a significant visual impact on the semi-detached block and would result in an unbalanced appearance. Residential properties along High Road predominantly

feature hipped roofs. Although there are a small number of gable roofed properties along High Road, these are detached properties. It is not considered the erection of a gable roofed extension would be in-keeping with the appearance of the surrounding area as it would break up the visual consistency of the hipped roof characteristics of the neighbouring properties. It is therefore, considered that the proposal would detract from the appearance of the area and would have a negative visual impact on the amenity of the surrounding area.

In terms of privacy, the development is not considered to result in any loss of privacy or overlooking to any surrounding properties. The proposed openings would be installed on the side elevation facing onto Murray Avenue. The distance to the nearest property from this elevation is some 20m which is considered a far enough distance from the development for no significant loss of privacy to occur from the proposed development.

As the proposal does not meet all the qualities of successful places it does not accord with Strategic Policy 2: Placemaking of the LDP or Policy 14 of NPF4. The proposed roof design would not be in-keeping with the characteristics of the neighbouring properties and therefore, the proposal would have a detrimental impact on the amenity of the area. It is therefore considered that the proposal should not be supported, and it is recommended that planning permission be refused.

Decision

Refused

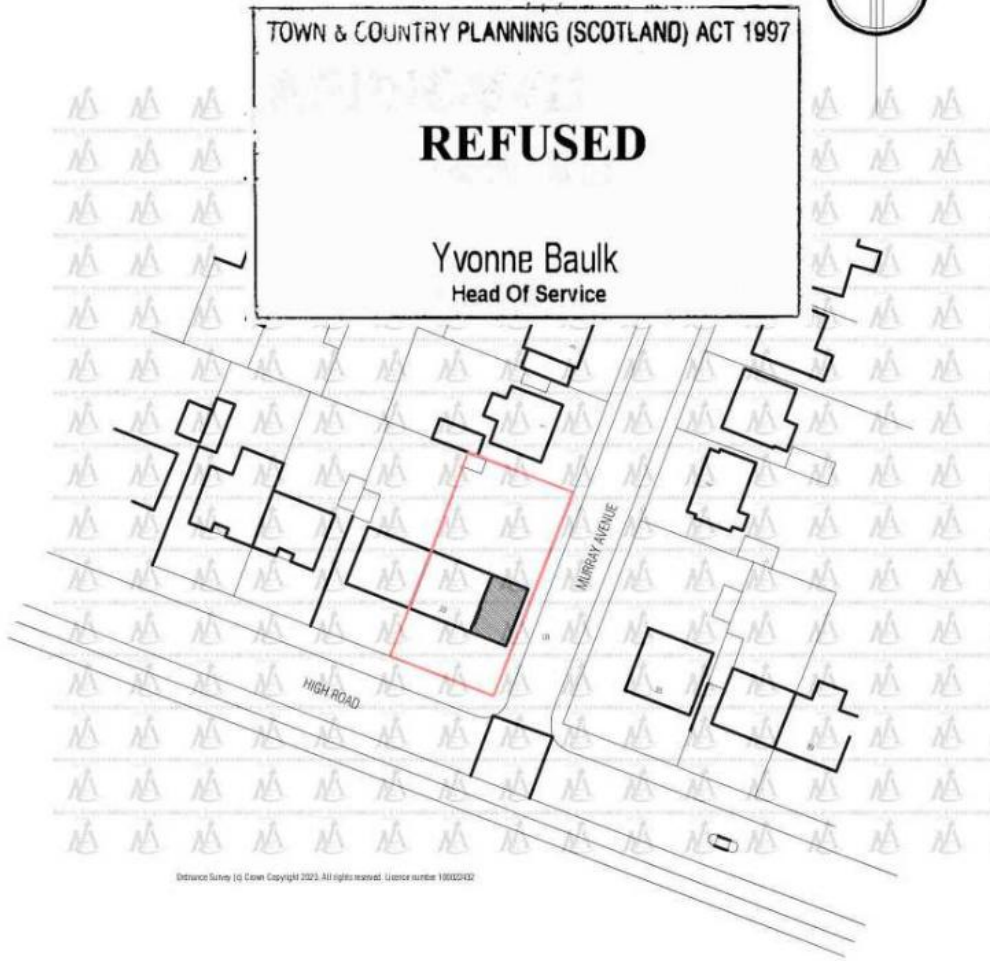
Case Officer - Charlotte Conway

Appendix 1 - Drawings relating to decision

Drawing Title	Drawing Reference (if applicable)	Drawing Version (if applicable)
Existing and Proposed Elevations	01	
Sections	02	
Location Plan	Loc	



scale 1:1250



Distance Survey (G) Cawn Copyright 2023. All rights reserved. Licence number 118022102

LOCATION PLAN 1:1250

AYRSHIRE ARCHITECTURE

Chartered Architectural Technologist

2 Turnberry Wynd, IRVINE KA11 4DP
 tel 07917 272381
 email ayrshirearchitecture@gmail.com



PROJECT DETAILS:

Proposed garage extension
 at
 33 High Road, Saltcoats
 for
 Mr Gillon & Miss McKinney

PROJECT REFERENCE:
 McKinney & Gillon 2213

DATE:	SCALE:	PAPER SIZE:	DRAWN BY:	DRG No:
Mar 2023	as shown	A4	AMcC	Loc

REVISIONS:



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

vonne aul Head f Service Housing Public Protection

No N/23/00249/PP

(Original Application No. N/100623582-001)

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 : Miss Sharleen McKinney
c/o Ayrshire Architecture
2 Turnberry Wynd
Irvine
Ayrshire
KA11 4DP

With reference to your application received on 5 April 2023 for planning permission under the above mentioned Acts and Orders for :-

Erection of single storey side extension to dwellinghouse to provide garage

at 33 High Road
Saltcoats
Ayrshire
KA21 5RY

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

1. The proposed roof design, scale and mass would have a detrimental impact on the visual appearance of the property and would not be in-keeping with the characteristics of the neighbouring properties and therefore, the proposal would have a detrimental impact on the amenity of the area. The proposal does not accord with the qualities of successful places and would detract from the character and appearance of the area. The proposal is therefore contrary to Strategic Policy 2: 'Placemaking' of the adopted North Ayrshire Local Development Plan and Policy 14: 'Design, Quality and Place' of National Planning Framework 4.

Dated this : 26 June 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

vonne aul 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.

