

APPENDIX 2

DN3 - PP(Local Development)(Refusal)

Department of Neighbourhood Services
Head of Planning and Economic Development Service
Alan Neish Dip TP



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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 2008

Application Reference Number: 09/0573/PP

TO: Mr And Mrs A Hunter
179 Main Street
Prestwick
Ayrshire
KA9 1LH

REFUSAL OF PLANNING PERMISSION

With reference to your application validated on **3rd August 2009** for planning permission under the above-mentioned Act and Regulations for the following development:

Proposed erection of 2 dwellinghouses as indicated in the plans:

Plan Type	Reference	Version No	Received Date
Location Plan	09.101.01		11.08.2009
Plan and Elevations Proposed	09.101.04	B	15.10.2009
Perspective Views	09.101.05	A	15.10.2009
Plan and Elevations Proposed	09.101.03	B	15.10.2009
Image 1			03.08.2009
Image 2			03.08.2009
Image 3			03.08.2009
Image 4			03.08.2009

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Land Adjacent Redgate Cottage, Catrine, East Ayrshire,

East Ayrshire Council in exercise of their powers under the above mentioned Act hereby **REFUSE** planning permission for the said development. The reasons for the Council's decision are:-

1. The proposed development would be contrary to Policy RES 11 of the East Ayrshire Local Plan 2010 as the

Elizabeth Morton, Depute Chief Executive/Executive Director of Neighbourhood Services

proposed development is not sensitive to the design and layout of the existing grouping by reason of; a. the loss of the open, rural aspect of the grouping on the approach to the site on the C85 public road from the south west and on the C85 public road from adjacent to the grouping, looking east. b. The suburban style proposed shared access which does not reflect the rural type single house accesses of the existing houses in the grouping. c. Significantly increasing the visual impact of the currently well screened and compact grouping within the immediate surrounding landscape.

2. The proposed development would be contrary to Policy RES 10 of the East Ayrshire Local Plan 2010 as it does not meet with the provisions of Policy RES 11.
3. The proposed development would be contrary to Policy ENV 16 of the East Ayrshire Local Plan 2010 as the proposed development would be visually intrusive in the proposed location which would not complement the landscape characteristics of this well screened and compact grouping.
4. The proposed development would be contrary to Policy RES 18 of the East Ayrshire Local Plan 2010 as the proposed development would not blend in with the landscape character of the area as it is visually prominent in relation to the well screened adjacent grouping.
5. The proposed development would be contrary to Policy COMM 5 of the Ayrshire Joint Structure Plan as the proposal does not relate to any of the criteria considered acceptable for housing in the countryside.

Dated this 25th January 2011

Signed.....

Alan Neish *AN*

Head of Planning and Economic Development

Notes to Applicant

1. If the applicant is aggrieved by the decision of the Planning Authority 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**. A Notice of Review form for this purpose is available for download from the Councils website (<http://www.east-ayrshire.gov.uk/devser/planandbuild/online.asp>) or on request by contacting the offices listed above. The completed Notice of Review form should be sent to the **Head of Democratic Services, East Ayrshire Council, Council Headquarters, London Road, Kilmarnock, KA3 7BU**.
2. If permission to develop land is refused or granted subject to conditions, whether by the planning authority or by the Scottish Ministers, 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.

Elizabeth Morton, Depute Chief Executive/Executive Director of Neighbourhood Services