

Business Operations and Partnerships Department

Director of Business Operations & Partnerships: Louise Pringle

Council Headquarters, Eastwood Park, Giffnock, East Renfrewshire, G46 6UG

Phone: 0141 577 3000

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Date: 31 May 2024

When calling please ask for: John Burke (Tel No. 0141 577 3026)

e-mail:- john.burke@eastrenfrewshire.gov.uk

TO: Councillors B Cunningham (Chair), J McLean (Vice Chair), P Edlin, A Ireland, C Lunday, M Montague and A Morrison.

LOCAL REVIEW BODY

A meeting of the Local Review Body will be held in the Council Chamber, Council Headquarters, Eastwood Park, Giffnock on **Wednesday, 5 June 2024 at 2:30pm.**

The agenda of business is as shown below.

Louise Pringle

L PRINGLE

DIRECTOR OF BUSINESS OPERATIONS & PARTNERSHIPS

AGENDA

1. **Report apologies for absence.**
2. **Declarations of Interest.**
3. **Notice of Review – Review 2024/03 – Installation of Driveway, Retaining Wall, Fencing and Access Steps at 10 Cromarty Gardens, Clarkston, G76 8PA. (Ref No:- 2023/0670/TP). Report by Director of Business Operations and Partnerships (copy attached, pages 3 to 112).**
4. **Notice of Review – Review 2024/04 – Side Utility One-Storey Extension, Formation of Pitched Roof over Existing Garage, Roof Alterations to form Front Dormer and Rear Gable, as part of Loft Conversion, Existing Roof to be Re-Roofed at 29 Stewart Drive, Clarkston, G76 7EY. (Ref No:- 2023/0354/TP). Report by Director of Business Operations and Partnerships (copy attached, pages 113 to 176).**

This document can be explained to you in other languages and can be provided in alternative formats such as large print and Braille. For further information, please contact Customer First on 0141 577 3001 or email customerservices@eastrenfrewshire.gov.uk

A recording of the meeting will also be available following the meeting on the Council's YouTube Channel <https://www.youtube.com/user/eastrenfrewshire/videos>

EAST RENFREWSHIRE COUNCIL

LOCAL REVIEW BODY

5 June 2024

Report by Director of Business Operations and Partnerships

REVIEW OF CASE - REVIEW/2024/03

INSTALLATION OF DRIVEWAY, RETAINING WALL, FENCING AND ACCESS STEPS

PURPOSE OF REPORT

1. The purpose of the report is to present the information currently available to allow a review of the decision taken by officers, in terms of the Scheme of Delegation made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006 in respect of the application detailed below.

DETAILS OF APPLICATION

2. Application type: Further application (Ref No:- 2023/0670/TP).
- Applicant: Mr Fergus Brown
- Proposal: Installation of Driveway, Retaining Wall, Fencing and Access Steps
- Location: 10 Cromarty Gardens, Clarkston, G76 8PA
- Council Area/Ward: Clarkston, Netherlee and Williamwood (Ward 4).

REASON FOR REQUESTING REVIEW

3. The applicant has requested a review on the grounds that the Council's Appointed Officer refused the application.

RECOMMENDATIONS

4. The Local Review Body is asked to:-
- (a) consider whether it has sufficient information to allow it to proceed to determine the review without further procedure and, if so, that:-
- (i) it proceeds to determine whether the decision taken in respect of the application under review should be upheld, reversed or varied; and
- (ii) in the event that the decision is reversed or varied, the reasons and the detailed conditions to be attached to the decision letter are agreed; or
- (b) that in the event that further procedure is required to allow it to determine the review, consider:-

- (i) what further information is required, which parties are to be asked to provide the information and the date by which this is to be provided; and/or;
- (ii) what procedure or combination of procedures are to be followed in determining the review.

BACKGROUND

5. At the meeting of the Council on 29 April 2009, consideration was given to a report by the Director of Environment seeking the adoption of a new Scheme of Delegation in terms of the new Section 43A of the Town and Country Planning (Scotland) Act 1997, subject to approval of the scheme by Scottish Ministers.

6. The report provided details of the new hierarchy of developments that took effect from 6 April 2009 explaining that the Scheme of Delegation related to those applications within the “local development” category as set out in the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009, but would in future be determined by an “appointed officer”. In the Council’s case this would be either the Director of Environment or the Head of Roads, Planning and Transportation Service now designated the Head of Environment (Operations).

7. The report highlighted that historically appeals against planning decisions were dealt with by Scottish Ministers. However, following the introduction of the new planning provisions which came into effect on 3 August 2009 all appeals against decisions made in respect of local developments under delegated powers would be heard by a Local Review Body. The Local Review Body would also deal with cases where the appointed officer had failed to determine an application within two months from the date it was lodged.

NOTICE OF REVIEW – STATEMENT OF REASONS FOR REQUIRING THE REVIEW

8. The applicant in submitting the review has stated the reasons for requiring the review of the determination of the application. A copy of the applicant’s Notice of Review and Statement of Reasons including appeal statement is attached as Appendix 5.

9. The applicant is entitled to state a preference for the procedure (or combination of procedures) to be followed by the Local Review Body in the determination of the review and has detailed in their opinion that this review can continue to conclusion based on the assessment of the review documents only, with no further procedure.

10. The Local Review Body is not bound to accede to the applicant’s request as to how it will determine the review and will itself decide what procedure will be used in this regard.

11. At the meeting of the Local Review Body on 10 August 2016, it was decided that the Local Review Body would carry out unaccompanied site inspections for every review case it received prior to the cases being given initial consideration at a meeting of the Local Review Body.

12. In accordance with the above decision, the Local Review Body will carry out an unaccompanied site inspection on Wednesday, 5 June 2024 before the meeting of the Local Review Body which begins at 2.30pm.

INFORMATION AVAILABLE TO ALLOW REVIEW OF APPLICATION

13. Section 43B of the Planning etc (Scotland) Act 2006 restricts the ability of parties to introduce new material at the review stage. The Local Review Body is advised that the focus of the review should, therefore, be on the material which was before the officer who dealt with the application under the Scheme of Delegation.

14. The information detailed below is appended to this report to assist the Local Review Body in carrying out the review of the decision taken by the Appointed Officer:-

- (a) Application for planning permission and Drop Kerb Application – Appendix 1 (Pages 7 to 50);
- (b) Objections and Consultation Responses – Appendix 2 (Pages 51 to 62);
- (c) Reports of Handling by the planning officer under the Scheme of Delegation - Appendix 3 (Pages 63 to 72);
- (d) Decision notice and reasons for refusal - Appendix 4 (Pages 73 to 76); and
- (d) A copy of the applicant's Notice of Review and Statement of Reasons - Appendix 5 (Pages 77 to 102).

15. The applicant has also submitted the drawings listed below and these are attached as Appendix 6 (Pages 103 to 112).

- (a) Location Plan;
- (b) Block Plan;
- (c) Street Elevation Existing and Proposed;
- (d) Proposed Garden Plan;
- (e) Ordinance Survey Map;
- (f) Proposed Garden Plan; and
- (g) Proposed Wall Elevations.

16. All the documents referred to in this report can be viewed online on the Council's website at www.eastrenfrewshire.gov.uk.

RECOMMENDATIONS

17. The Local Review Body is asked to:-

- (a) consider whether it has sufficient information to allow it to proceed to determine the review without further procedure and, if so, that:-
 - (i) it proceeds to determine whether the decisions taken in respect of the application under review should be upheld, reversed or varied; and
 - (ii) in the event that the decision is reversed or varied, the reasons and the detailed conditions to be attached to the decision letter are agreed; or
- (b) In the event that further procedure is required to allow it to determine the review, consider:-

- (i) what further information is required, which parties are to be asked to provide the information and the date by which this is to be provided; and/or;
- (ii) what procedure or combination of procedures are to be followed in determining the review.

Report Author: John Burke

Director – Louise Pringle, Director of Business Operations and Partnerships

John Burke, Democratic Services Officer
e-mail: john.burke@eastrenfrewshire.gov.uk
Tel: 0141 577 3026

Date:- 30 May 2024

APPLICATION FOR PLANNING PERMISSION



2 Spiersbridge Way Thornliebank G46 8NG Tel: 0141 577 3001 Email: planning@eastrenfrewshire.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 100652842-001

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.

Description of Proposal

Please describe accurately the work proposed: * (Max 500 characters)

Installation of driveway, retaining wall, fencing and access steps.

Has the work already been started and/ or completed? *

No Yes - Started Yes – Completed

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" value="10 Cromarty"/>
First Name: *	<input type="text" value="Fergus"/>	Building Number:	<input type="text" value="10"/>
Last Name: *	<input type="text" value="Brown"/>	Address 1 (Street): *	<input type="text" value="10 Cromarty Gardens"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value="REDACTED"/>	Town/City: *	<input type="text" value="Clarkston"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="G768PA"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

Site Address Details

Planning Authority:	<input type="text" value="East Renfrewshire Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="10 CROMARTY GARDENS"/>
Address 2:	<input type="text" value="CLARKSTON"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="GLASGOW"/>
Post Code:	<input type="text" value="G76 8PA"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="658193"/>	Easting	<input type="text" value="258139"/>
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Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

≤ Yes T No

Trees

Are there any trees on or adjacent to the application site? *

≤ Yes T No

If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? *

T Yes ≤ No

If yes, please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you proposed to make. You should also show existing footpaths and note if there will be any impact on these.

How many vehicle parking spaces (garaging and open parking) currently exist on the application site? *

0

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the total of existing and any new spaces or a reduced number of spaces)? *

2

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycle spaces).

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

≤ Yes T No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

T Yes ≤ No

Is any of the land part of an agricultural holding? *

≤ Yes T No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Mr Fergus Brown

On behalf of:

Date: 24/11/2023

Please tick here to certify this Certificate. *

Checklist – Application for Householder Application

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

- a) Have you provided a written description of the development to which it relates? * Yes No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? * Yes No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent? * Yes No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? *. This should have a north point and be drawn to an identified scale. Yes No
- e) Have you provided a certificate of ownership? * Yes No
- f) Have you provided the fee payable under the Fees Regulations? * Yes No
- g) Have you provided any other plans as necessary? * Yes No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). *

You can attach these electronic documents later in the process.

Existing and Proposed elevations.

Existing and proposed floor plans.

Cross sections.

Site layout plan/Block plans (including access).

Roof plan.

Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding. Yes No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. * Yes No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

Declaration Name: Mr Fergus Brown

Declaration Date: 24/11/2023

Payment Details



Created: 24/11/2023 15:12

10 Cromarty Gardens Driveway Drop Road Kerb Application 10/11/23

Roads Ref: 127745

Roads Contact: Hugues Tankeu

1. Introduction
2. Drop Kerb Stipulation's
3. Request for Detail Design on Retention/ Formation of Gradient
4. Request for Additional Tracking Noting Compliance
5. Pedestrian / Vehicle Intervisibility
6. Pedestrian Safety
7. Other Driveways within Area
8. Building Control and Planning Approvals
9. Summary

Appendix

- a) Initial Submission
- b) Detailed Structural Design showing Gradient
- c) Tracking Drawings
- d) Photos of 10 Cromarty Gardens

Drop Kerb Application

1. Introduction

I believe I have complied with the stipulations set out within the drop kerb application, along with providing further justification on how the installation of the driveway can be formed structurally plus improve the vehicle movement, pedestrian safety and align with the councils directive to try and keep vehicles off the carriageway and footway when parked.

I have compiled the information submitted to date plus provided further information on Pedestrian/Vehicle intervisibility, pedestrian safety, other driveways within the area, another driveway constructed within the last six months and a summary.


If possible after review of the information could we have a meeting to discuss.

Drop Kerb Application

2. Drop Kerb Stipulation's

Stipulation	Comply	Notes
Minimum 5m in length	✓	Provided 5.3m and 6m length options
Parked Vehicle must not encroach on footway	✓	Car used to demonstrate tracking 4.750m
Gradient must not exceed 10%	✓	B&B drawing SK001 as per appendix B demonstrates 1:10 Fall
Gates Open Inwards	✓	No Gates
Driveway accessed at 90 degrees	✓	As Per Road Layout accessed at 90 degree's
Roads classified as A&B to have turn facilities	✓	Not an A&B road, quite cul-de-sac with dead end.
Heel of footway must be supported	✓	As per initial submission appendix A heel of footway support with 200mm by 50mm flat top heel kerb.
Hard Surface Over First 2 metres	✓	As per submission appendix A porous paviers would be the hard surface.
Surface Water to not discharge onto the road.	✓	As per submission appendix A 80mm deep permeable paving laid on clean stone to allow soakaway to match current drainage arrangement.
Clear sightlines from new driveway	✓	I have surveyed the levels onsite and aligned with the proposed levels of the driveway maintaining the 1:10 fall of the driveway I can achieve the unrestricted view considering fixed obstructions and vegetation.
For the sight lines for vehicular traffic there should be an unrestricted view, above a height of 1.05metres from a point "x" meters back from the carriageway for a distance of "y" metres in both directions	✓	As per site survey information this can be achieved in both directions.
On non-classified residential roads (speed limit <=30mph), a minimum visibility splay of 2.0 metres (x) x 20 metres (y) should preferably be achieved between individual driveways and the adjacent carriageway. Any existing or proposed buildings, structures, fencing, landscaping features (soft or hard), trees, vegetation, etc., within the visibility splay should be and thereafter maintained in perpetuity(where applicable), at a height of not more than 1.05 metres	✓	I can achieve the unrestricted view considering fixed obstructions and vegetation.

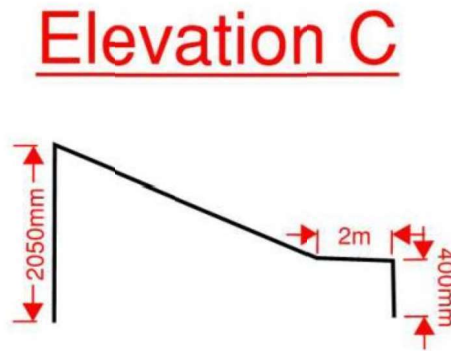
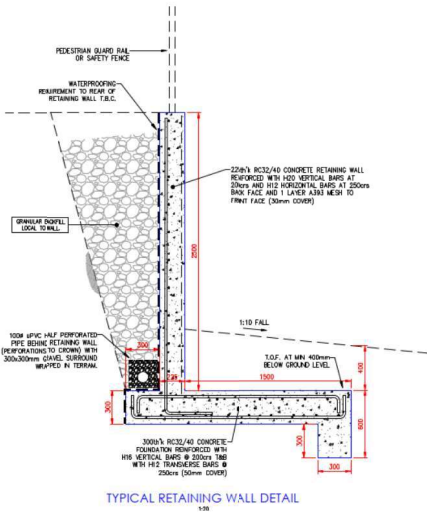
Drop Kerb Application

<p>In addition to the above requirements , to ensure an adequate and safe inter-visibility between vehicles exiting from a driveway and pedestrians on any adjacent footway or carriageway, a visibility splay of 2 metres back from the edge of the driveway ('x' distance) and 5 metres in either direction from the edge of the driveway ('y' distance) should also be provided. No obstructions above a height of 1.05 metres will be accepted in either direction within the aforementioned splay.</p>		<p>As per section 5 & 6 of this document I can achieve pedestrian driver intervisibility.</p>
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Drop Kerb Application

3. Request for Detail Design on Retention/ Formation of Gradient

As per the below extracts from appendix B I have contacted a structural engineering firm who have detailed a reinforced concrete retaining wall to allow the excavation of the driveway. This shows the 1:10 fall can be achieved, the below detail is the back wall of the driveway, the two wing walls are tapered to 400mm high to facilitate pedestrian vehicular intervisibility.



Drop Kerb Application

4. Request for Additional Tracking- Noting compliance with access to/from the driveway

I have shown the driveway tracking works with three different driveway sizes by providing the swept path analysis within appendix C.

- 5.3m (D) by 6.0m (W)
- 6.3m (D) by 6.0m (W)
- 6.3m (D) by 6.5m (W)

My preference would be to have the 5.3m (D) by 6.0m (W) dimensions approved for ease of construction however each size can be constructed.



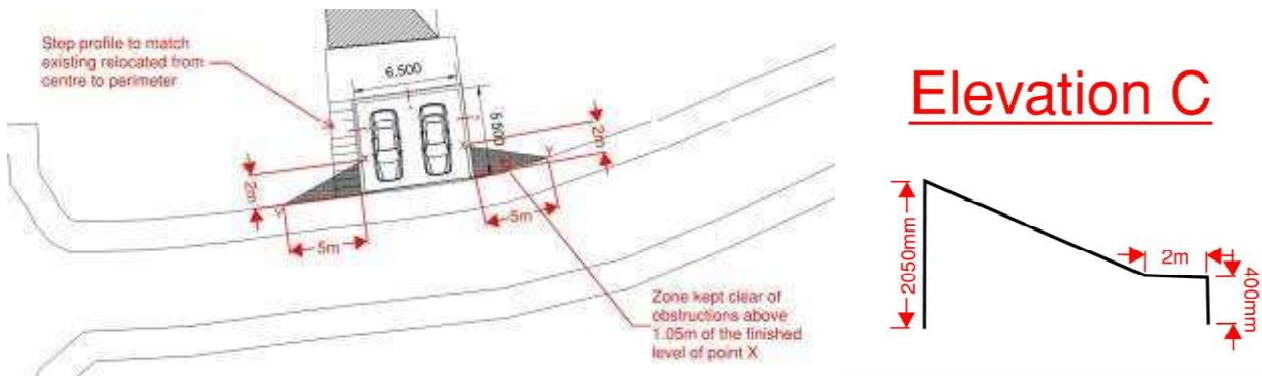
Within the driveway I have denoted both spaces as yellow lines 2.4m by 4.8m, there is a further 380mm at one side and 800mm at the other, giving further additional space for ease of manoeuvre with the 6m wide driveways.

The vehicle tracking has been completed with a single manoeuvre in forward gear exiting the driveway and a single manoeuvre in reverse gear entering the driveway, in reality the driver can undertake enter/exit in more than one manoeuvre, if required, or would have the choice of exiting turning left or right depending on the situation.

Drop Kerb Application

5. Pedestrian / Vehicle Intervisibility

Vehicle Pedestrian intervisibility is achieved through the tapering down of the retaining wall to a dimension of 400mm high 2m back from the boundary as per the below extracts from appendix A. There is no boundary features above 1.05m within this zone once the hedging is removed which is within my site boundary.



Cromarty Gardens is a quiet cul-de-sac with circa 25no. residential properties, as noted in gov.scot designing streets policy statement the stipulations set out within section one are based on a maximum design speed of 30mph, which I am complying with, however the policy notes *traffic calming measures can dramatically bring this speed down, they note the reduction in carriageway width are most effective in reducing driving speed.*

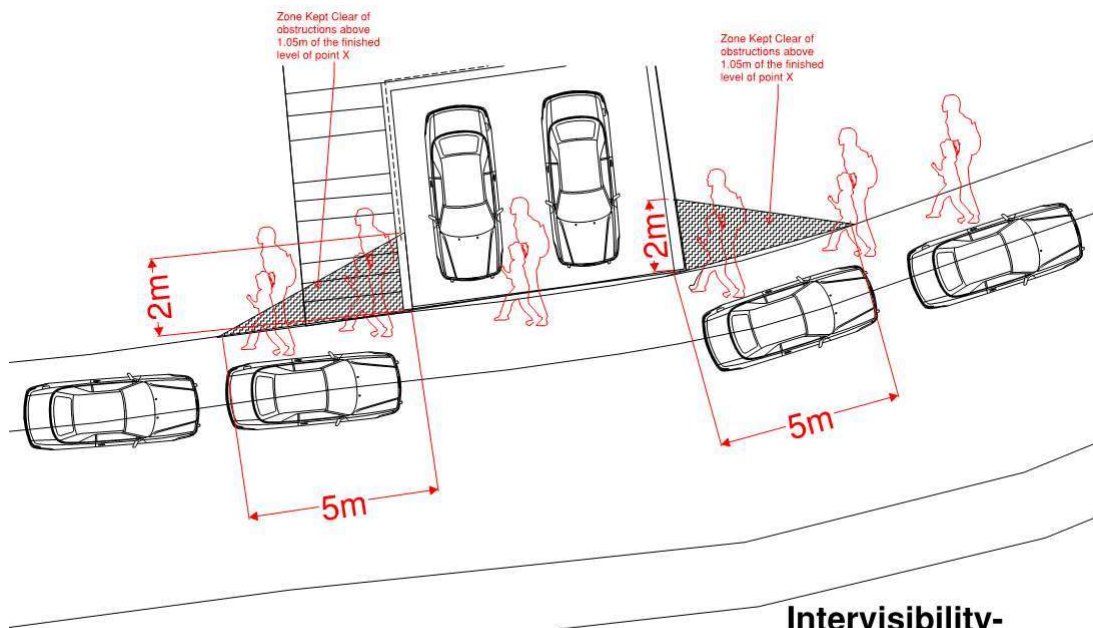
The chartered institute of highways & Transportation Manual for streets 2 also notes *visual narrowing, reduced carriageway width, on street parking and pedestrian activity are good features to help keep speed down.* Cromarty Gardens has all of these features and I believe the average speed to be less than 5mph.

Drop Kerb Application

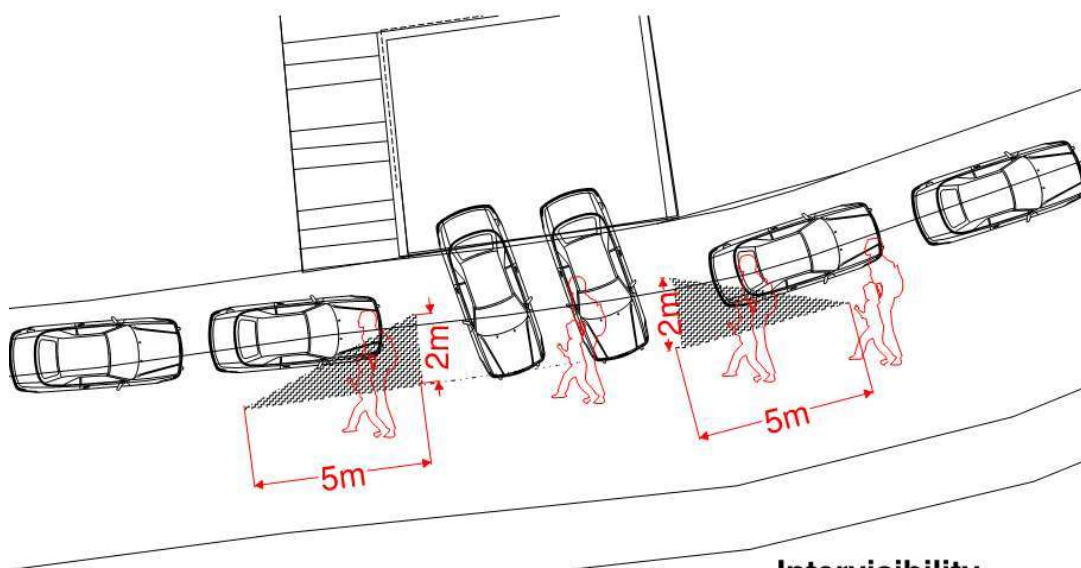
gov.scot designing streets policy statement also notes-

Parking in visibility splays in built-up areas is quite common, yet it does not appear to create significant problems in practice.

I also don't believe this to be an issue at 10 Cromarty Gardens, as per the below diagrams the intervisibility is acceptable when pedestrians are on the footway and the car is in the driveway then after the car moves to the front of the parked cars the intervisibility is acceptable if pedestrians choose to walk on the road.



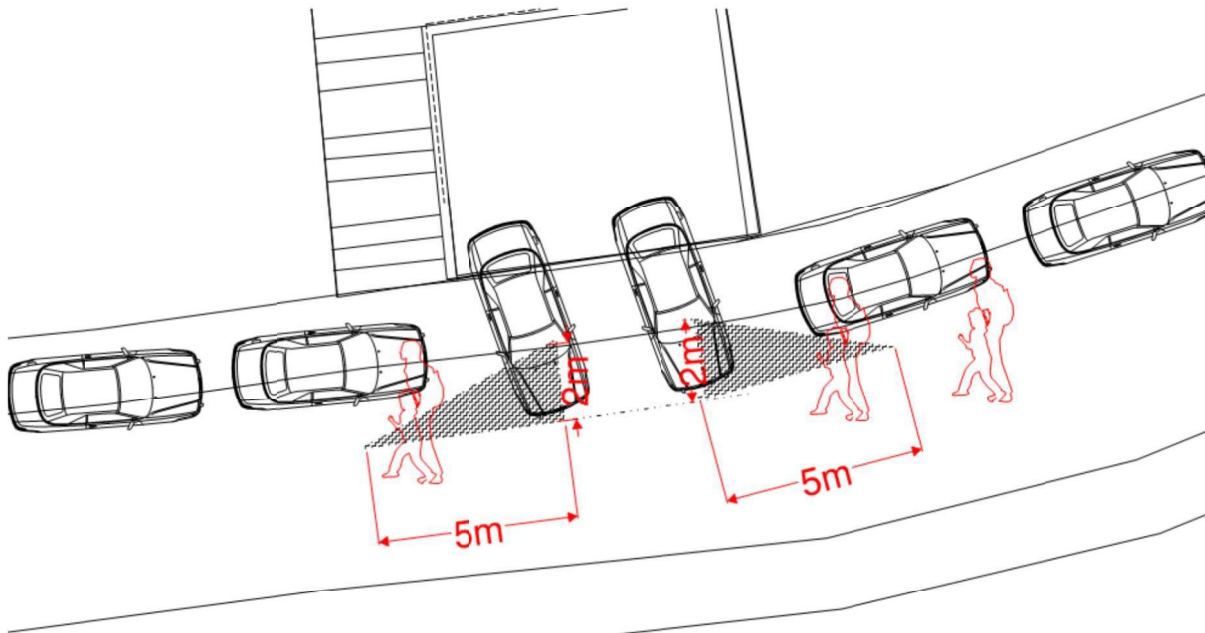
Intervisibility-
Scenario- Pedestrians on Footpath



Intervisibility-
Scenario- Pedestrians on Roadway

Drop Kerb Application

This intervisibility improves if area X is the drivers position as opposed to 2m back from the front edge of the driveway.



Intervisibility-

Scenario- With X at Driver

Chartered institution of highways & transportation- Manual for streets 2 also notes-

1.3.8 Direct frontage access is common in all urban areas, including where 40mph speed limits apply, without evidence to suggest that this practice is unsafe. This is confirmed in TD41/95³ (Annex 2 paragraph A2.10) which states that *'in the urban situation there is no direct relationship between access provision and collision occurrence'*.

10.6.1 Vehicle exits at the back edge of the footway mean that emerging drivers will have to take account of people on the footway. *The absence of wide visibility splays at minor accesses will encourage drivers to emerge more cautiously - similarly to how vehicles pull out when visibility along the carriageway is restricted* (see Example below)

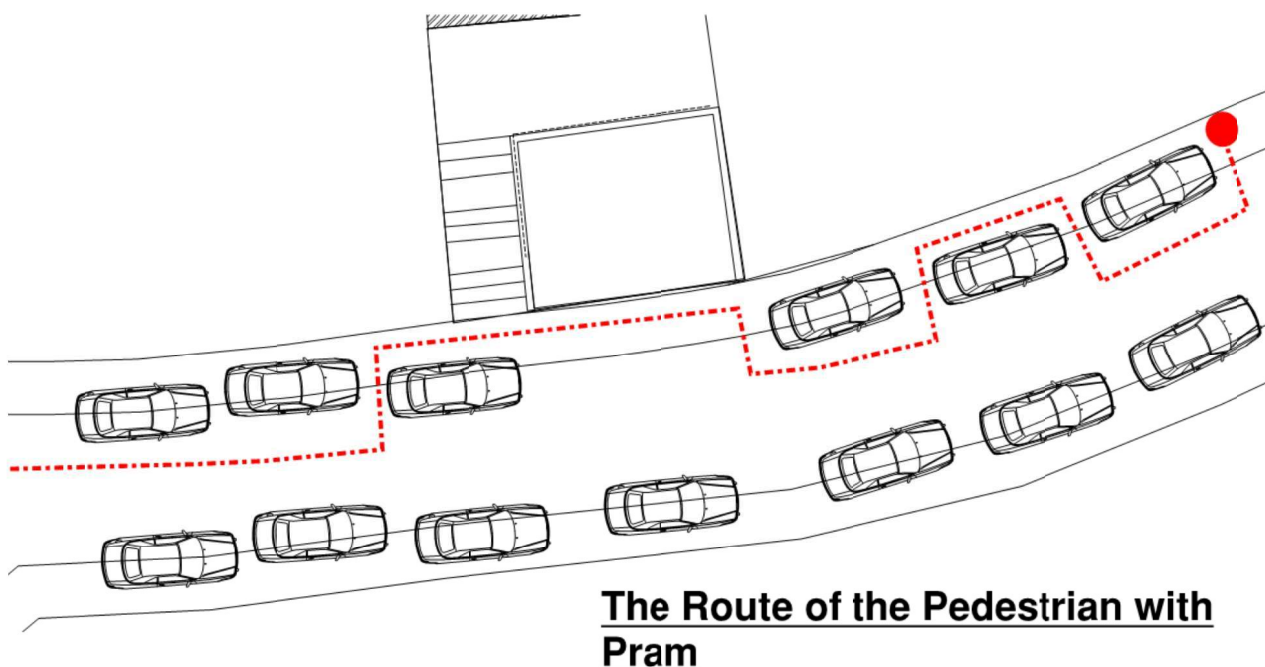
10.7.1 *Parking in visibility splays in built-up areas is quite common, yet it does not appear to create significant problems in practice.*

Drop Kerb Application

10.5.8 A minimum X distance of 2m may be considered in some slow-speed situations when flows on the minor arm are low, but using this value will mean that the front of some vehicles will protrude slightly into the running carriageway of the major arm, and many drivers will tend to cautiously nose out into traffic. The ability of drivers and cyclists to see this overhang from a reasonable distance, and to manoeuvre around it without undue difficulty, should be considered. This also applies in lightly-trafficked rural lanes.

6. Pedestrian/Road Safety

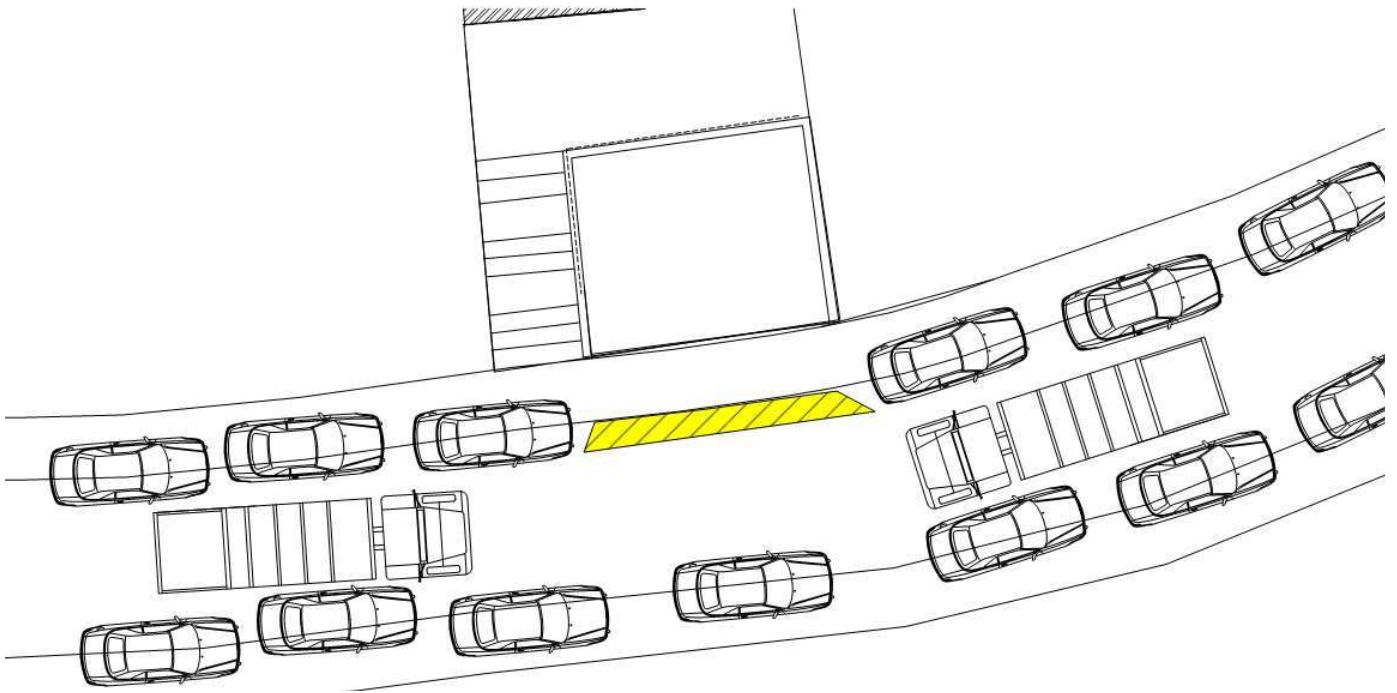
Pedestrian safety would be improved by the installation of the driveway at 10 cromarty gardens as this will enable the footpath to be kept clear of obstruction. I note pedestrians with young families are having to navigate between walking on the road and the footpath with only being able to fit between some of the parked cars as shown below the driveway would give clear unobstructed footway for the pedestrians.



The installation of the driveway also provides a direct path onto the footway for any pedestrians who have chosen to walk on the road but are met by a vehicle on the road, sometimes this could be by a bin lorry which pedestrians may choose to squeeze by which can be extremely dangerous.

Drop Kerb Application

At the location of the driveway the pedestrian would be able to access the footpath or stand in front of the drive in an un-official passing place as shown below, improving pedestrian safety-



7. Other Driveways within Area

Monteith Gardens located next to Cromarty Garden's is the same design of cul-de-sac however ten driveways have been allowed to be constructed. Some Driveways comply with the drop kerb application stipulations like my application and others do not but have still went ahead. I note some of the driveways have been constructed within the last few years but others months.



Drop Kerb Application



No Intervisibility as brickwall to high.



Similar parking as Cromarty Gardens with driveways working in practice.



Driveway gradient more than 10%

Drop Kerb Application

Elgin Gardens is another example but of a tighter street than Cromarty Gardens that three driveways have been constructed.



Similar parking as Cromarty Gardens but carriageway narrower, still working in practice.

Drop Kerb Application



Wall preventing inter pedestrian visibility & Gradient to steep.



Hedging Preventing inter pedestrian visibility.

Drop Kerb Application

Some other examples within the area-



Driveway's working in practice but not constructed to the same level of compliance as my design.



Drop Kerb Application



Poor intervisibility



Driveway's in area working in practice but not constructed to the same level of compliance as my design.

Drop Kerb Application



Good example of unofficial passing place



Drop Kerb Application



Good example of unofficial passing place

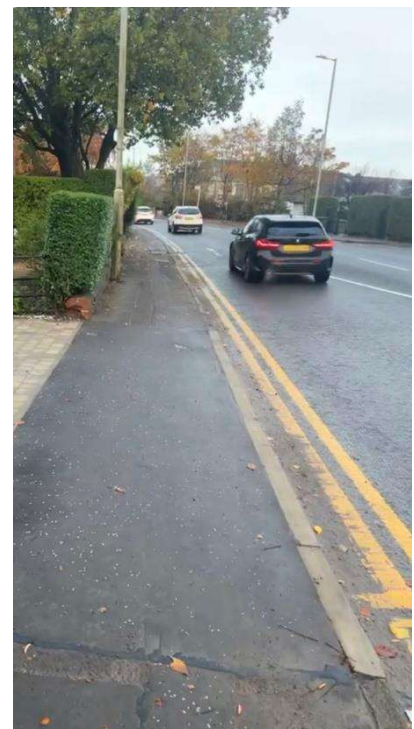


Drop Kerb Application

8. Other driveway within area constructed in last 6 months

The driveway below was constructed within the last 6 months as it was constructed after I applied for my drop kerb permission, but this driveway doesn't comply with the stipulations within the drop kerb application, particularly pedestrian/vehicle intervisibility and is exiting onto a main road as opposed to a cul-de-sac.

I believe my driveway application is a lot safer than this driveway for both pedestrians and vehicles.



Drop Kerb Application

9. Building Control and Planning Approvals

The installation of the driveway will need building control approval prior to commencement, I have had an informal discussion with building control that the wall construction will require structural engineering design, drawings, specification and SER calculations submitted as part of the warrant. I have paid for the design, drawings and specification but will not conclude the calculations and apply for the warrant until the drop kerb application is concluded.

The driveway installation does not require planning permission as it falls within the East Renfrewshire Council permitted development rights guidance note.

10. Summary

My driveway proposal is safe by design for pedestrian and vehicle users of Cromarty Gardens and brings the following benefits to the street which I have demonstrated above-

1. Preventing hazards and inconvenience to pedestrians caused by footway parking (It is therefore recommended that footway parking be minimised through the design of the street.). *Gov.Scot designing streets policy statement*
2. Enables safer pedestrian movement as footway in front of driveway will not have parked vehicle.
3. Enables an unofficial passing place if pedestrians choose to walk on the road.
4. Enables easier manoeuvring for vehicles driving to the top of the cul-de-sac including bin lorries.
5. Aligns with the directive to promote driveway residential parking in lieu of parking on the footway.
6. Allows the footway to be accessible for all, as aids accessibility for pram or wheelchair users.

When entering or exiting 10 Cromarty Gardens the driver is obligated to drive to the standard of a reasonable careful driver who will be commencing from a parked position or driving at 2/3mph this along with compliance with the stipulations of the application should allow for the application to be accepted.

I have given a very small overview of some of the parking/driveways in the Clarkston area some of which aren't compliant but my design is therefore I think it would be un reasonable to have my application refused.

I have noted in my previous correspondence that I would welcome a meeting onsite, at your offices or over teams to discuss. I look forward to hearing from you.

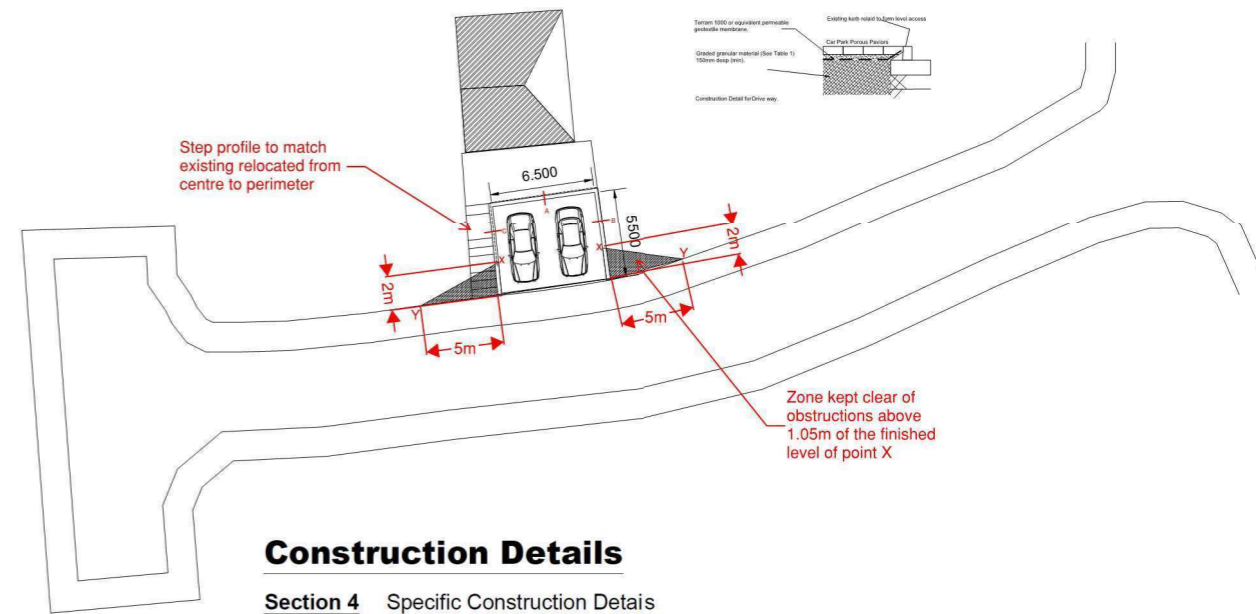
APPENDIX A – Initial Submission



© 2023 Microsoft Corporation © 2023 Maxar ©CNES (2023) Distribution Airbus DS

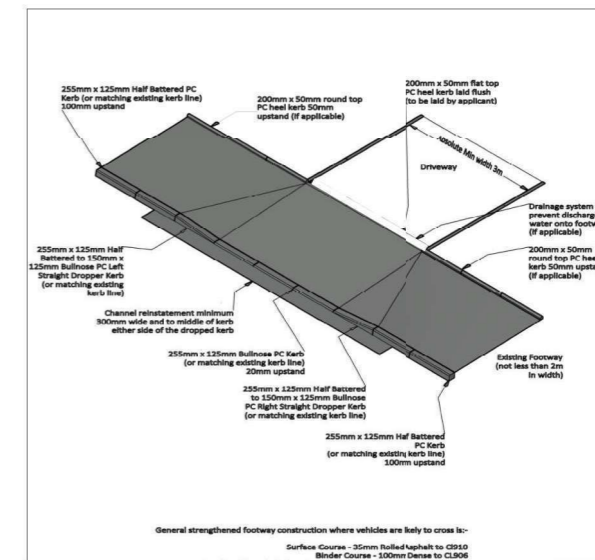
Notes

- Gradient less than 10%
- No gates
- 5.5m in length
- Driveway can be approach at 90 degrees
- Residential Road with 20mph speed limit
- Driveway constructed with 80mm deep permeable paving laid on clean stone to allow soakaway to match current drainage arrangement.

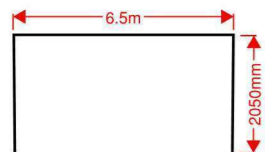


Construction Details

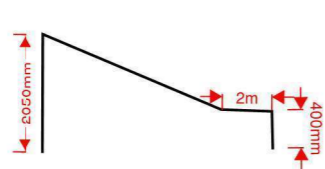
Section 4 Specific Construction Details
Detail 8a Typical Footway Crossover (for dropped kerb application)



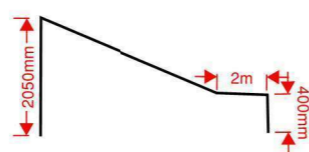
Elevation A



Elevation B

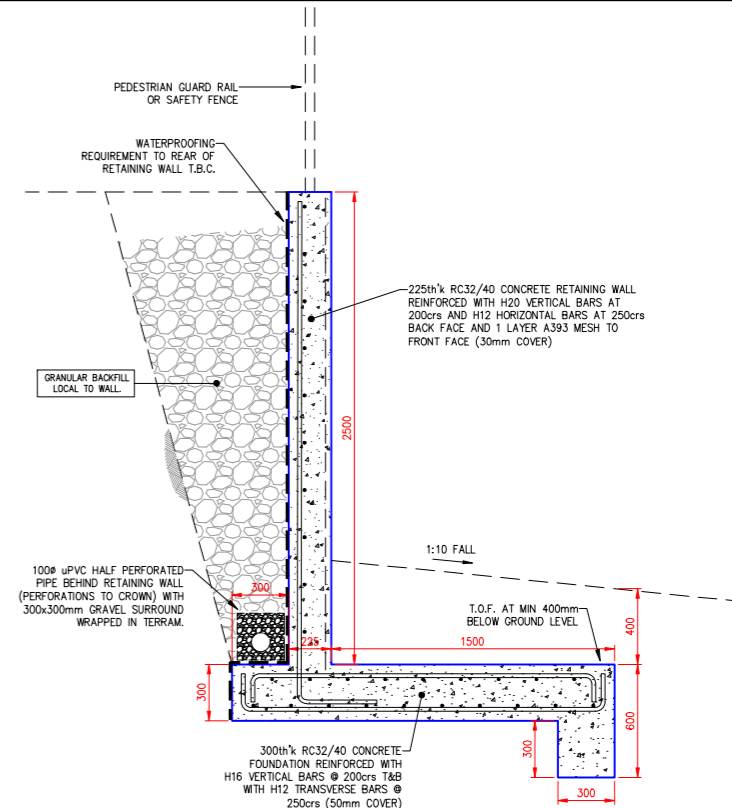
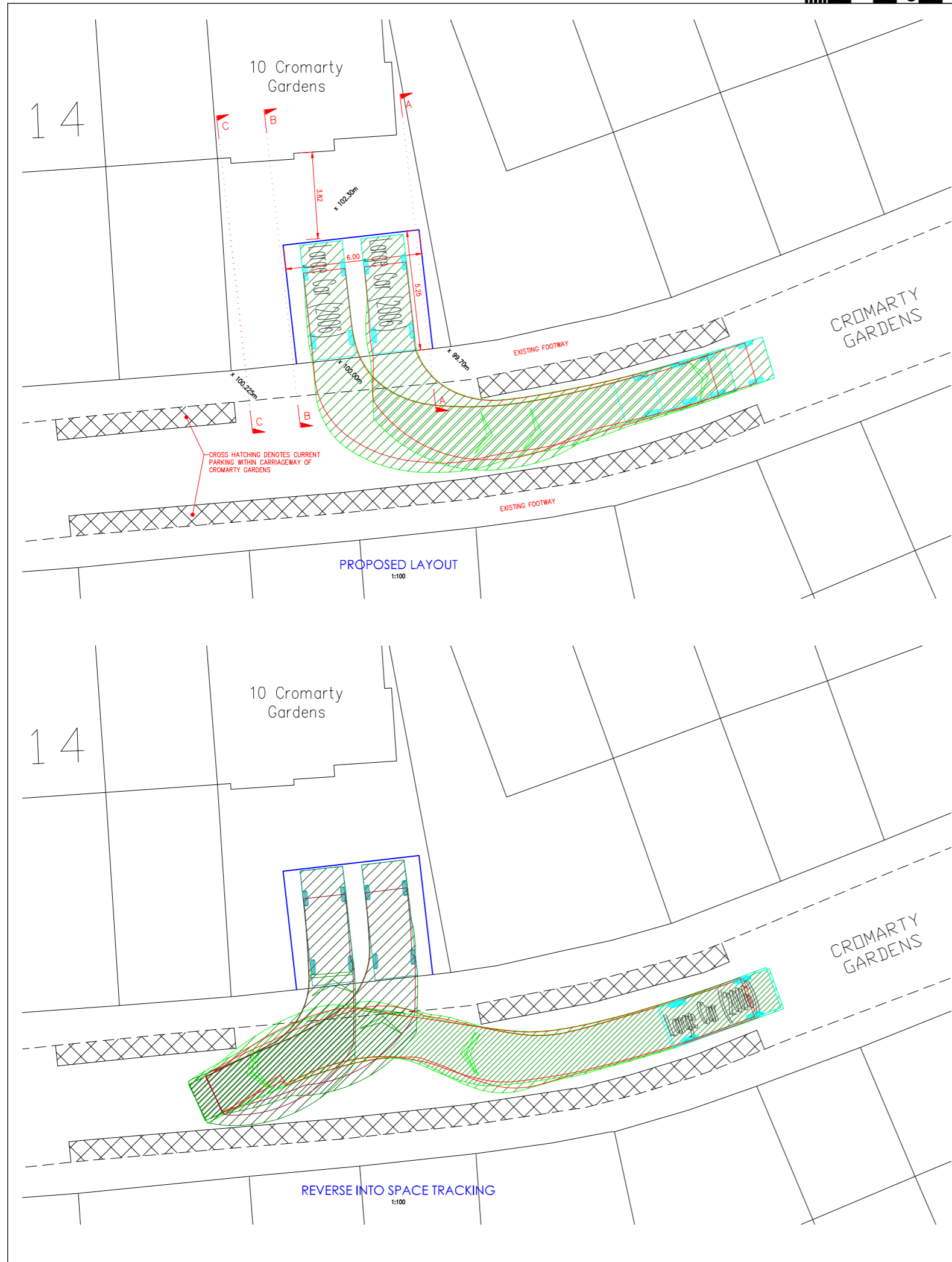


Elevation C



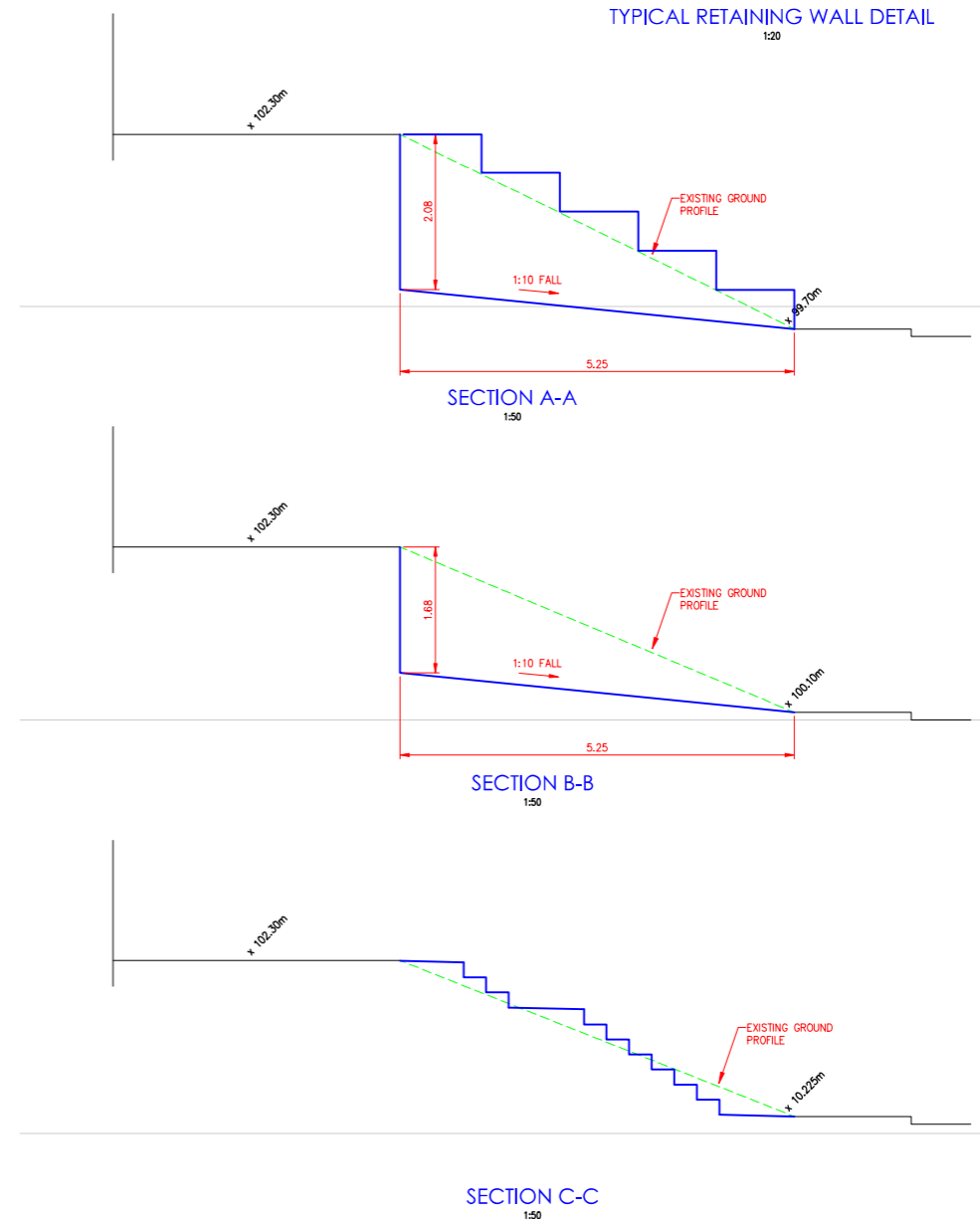
Title- Drive Way Proposal
Project- 10 Cromarty Gardens
Drawing No- 001.A
Revision- A
Date- 16.05.23

APPENDIX B – Detailed Structural Design Showing Driveway Gradient



TYPICAL RETAINING WALL DETAIL

1:20



Drawing No.	Revision
GC906-SK001	

Revisions	Date	Drn.
-	-	-

APPROVAL

Mr Fergus Brown

10 Cromarty Gardens
Clarkston, Glasgow G76 8PA

Driveway Tracking & Details

Drawn: D	CK'd: MMcC	Scale @ A1:
Date: Aug 2023	Date: Aug 2023	1:100, 1:50, 1:20 DO NOT SCALE

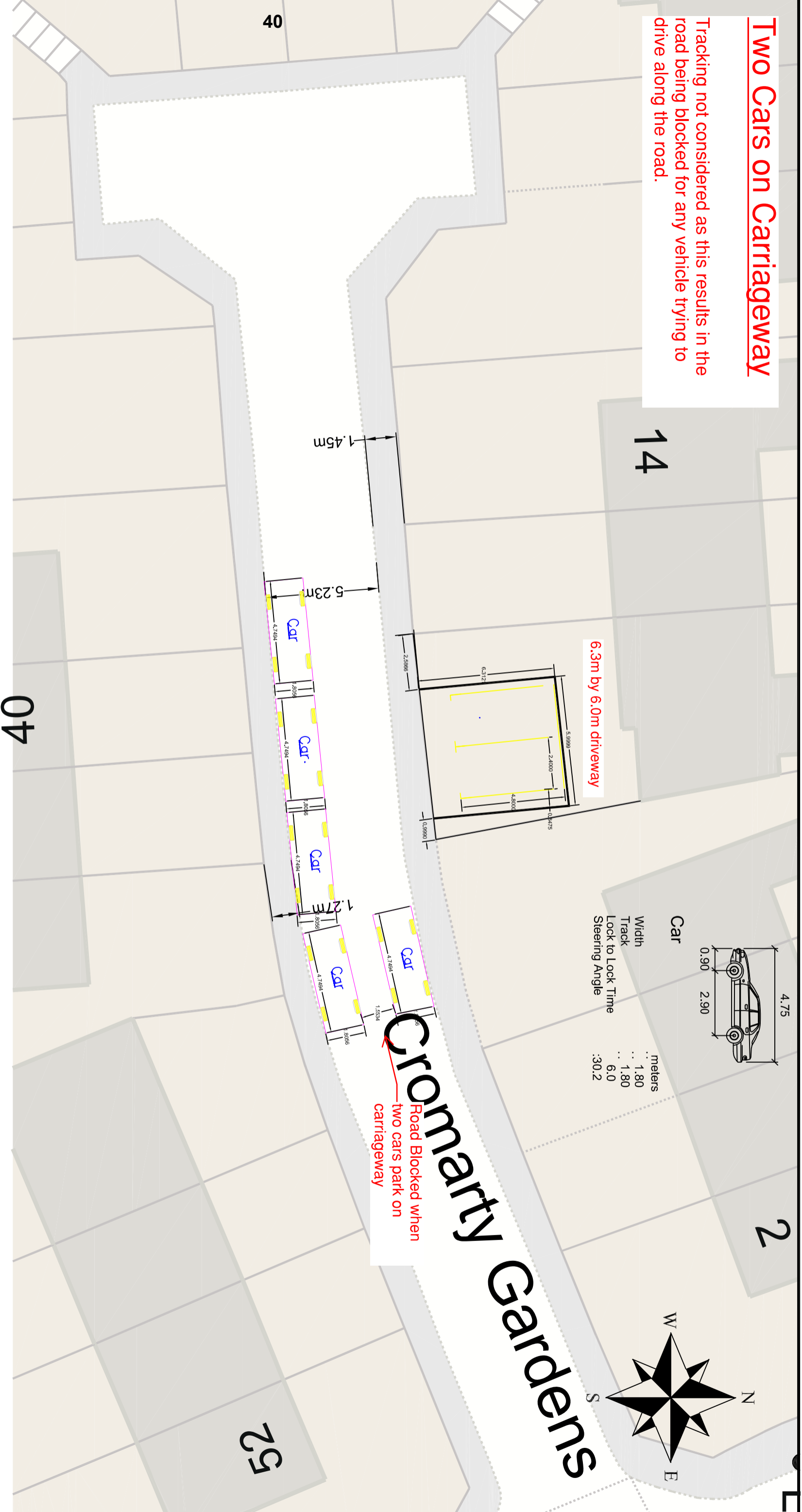
BLYTH&BLYTH
Suite 3/5, Skypark 1
8 Elliot Place, Glasgow G3 8EP
Email: glasgow@blythandblyth.co.uk
www.blythandblyth.co.uk Telephone: 0141 556 2000

Drawing No.	Revision
GC906-SK001	

APPENDIX C – Tracking Drawings

Two Cars on Carriageway

Tracking not considered as this results in the road being blocked for any vehicle trying to drive along the road.



Drawing Info.

For Reference only

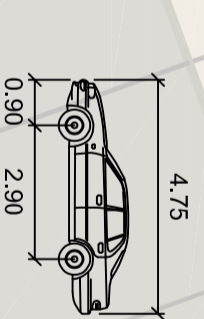
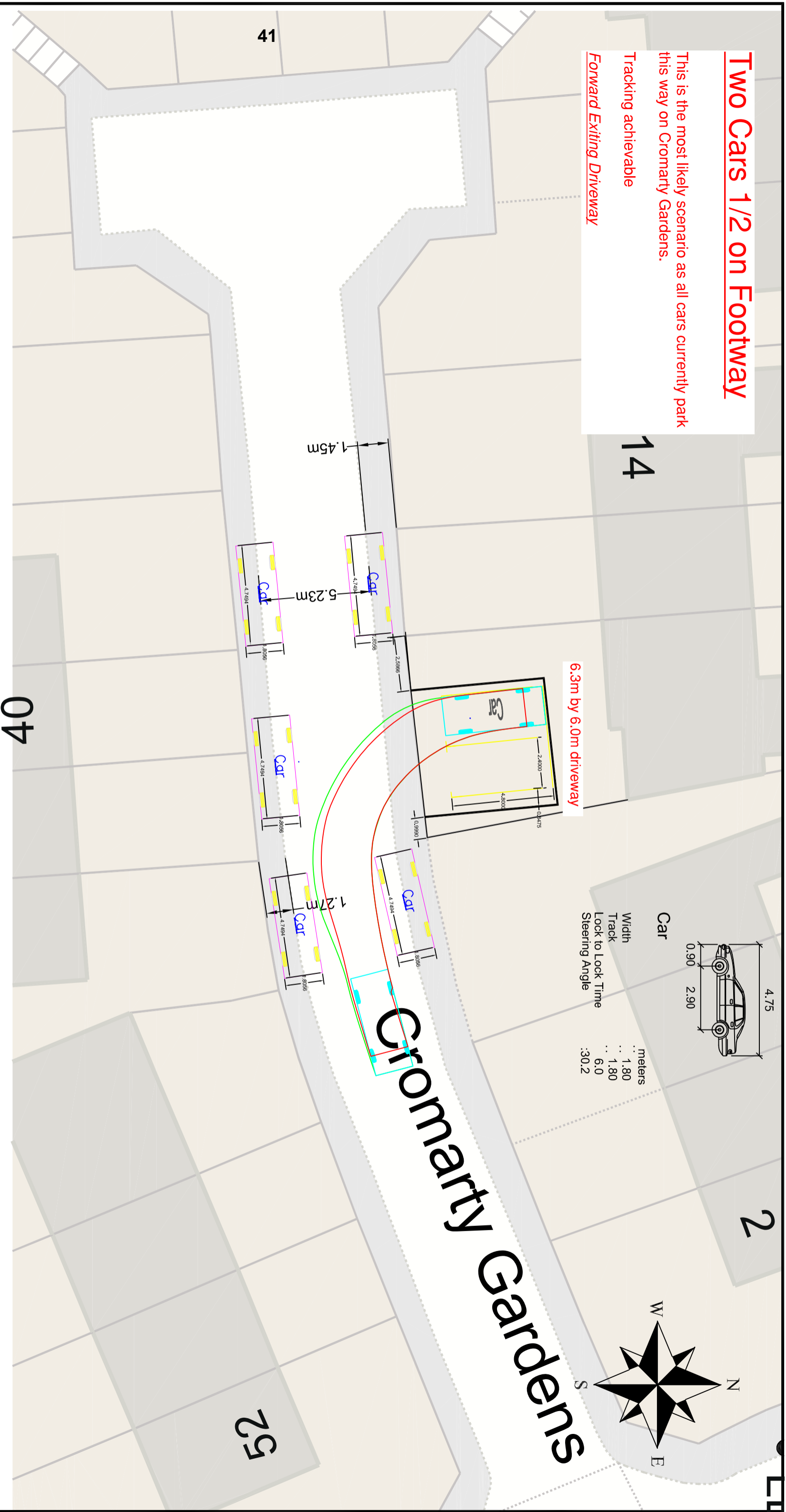
Drawing Title		Date
10 Cromarty Gardens, Clarkston		31/8/23
Tracking Plans		Scale
		1:250
Dwg No.	Dwg By	Checked By
Revision.	File Ref.	

Two Cars 1/2 on Footway

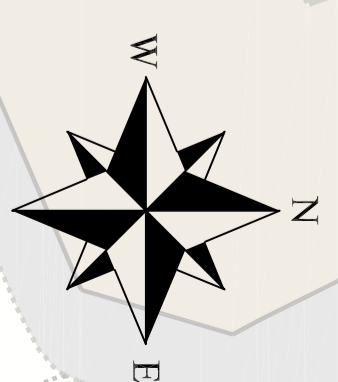
This is the most likely scenario as all cars currently park this way on Cromarty Gardens.

Tracking achievable

Forward Exiting Driveway



Car	Width	Track	Lock to Lock Time	Steering Angle
	0.90	2.90	1.80	1.80
			6.0	30.2



Drawing Info.

For Reference only

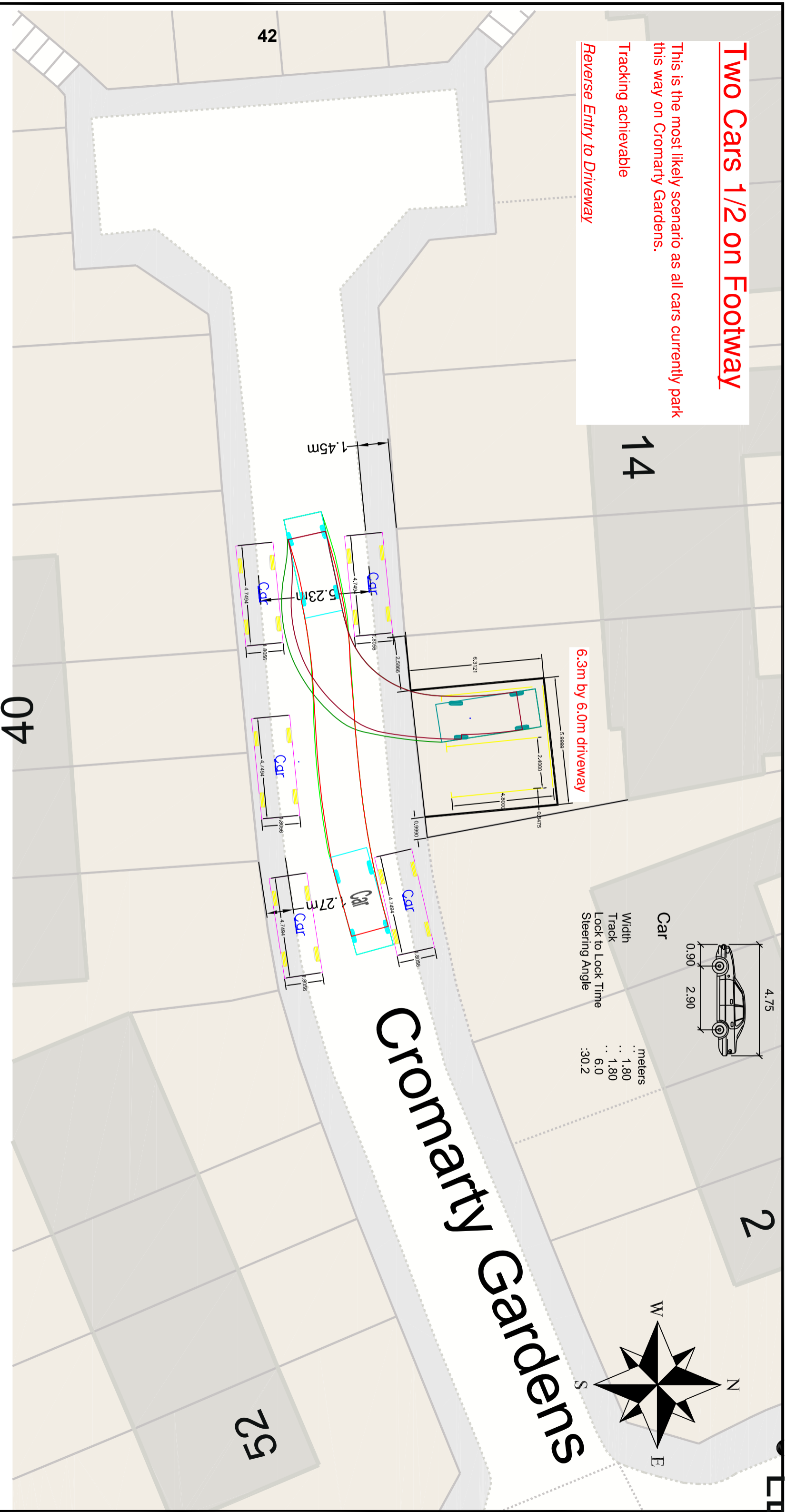
Drawing Title		Date
10 Cromarty Gardens, Clarkston		31/8/23
Tracking Plans		Scale
		1:250
Dwg No.	Dwg By	Checked By
Revision.	File Ref.	

Two Cars 1/2 on Footway

This is the most likely scenario as all cars currently park this way on Cromarty Gardens.

Tracking achievable

Reverse Entry to Driveway



Drawing Info.

For Reference only

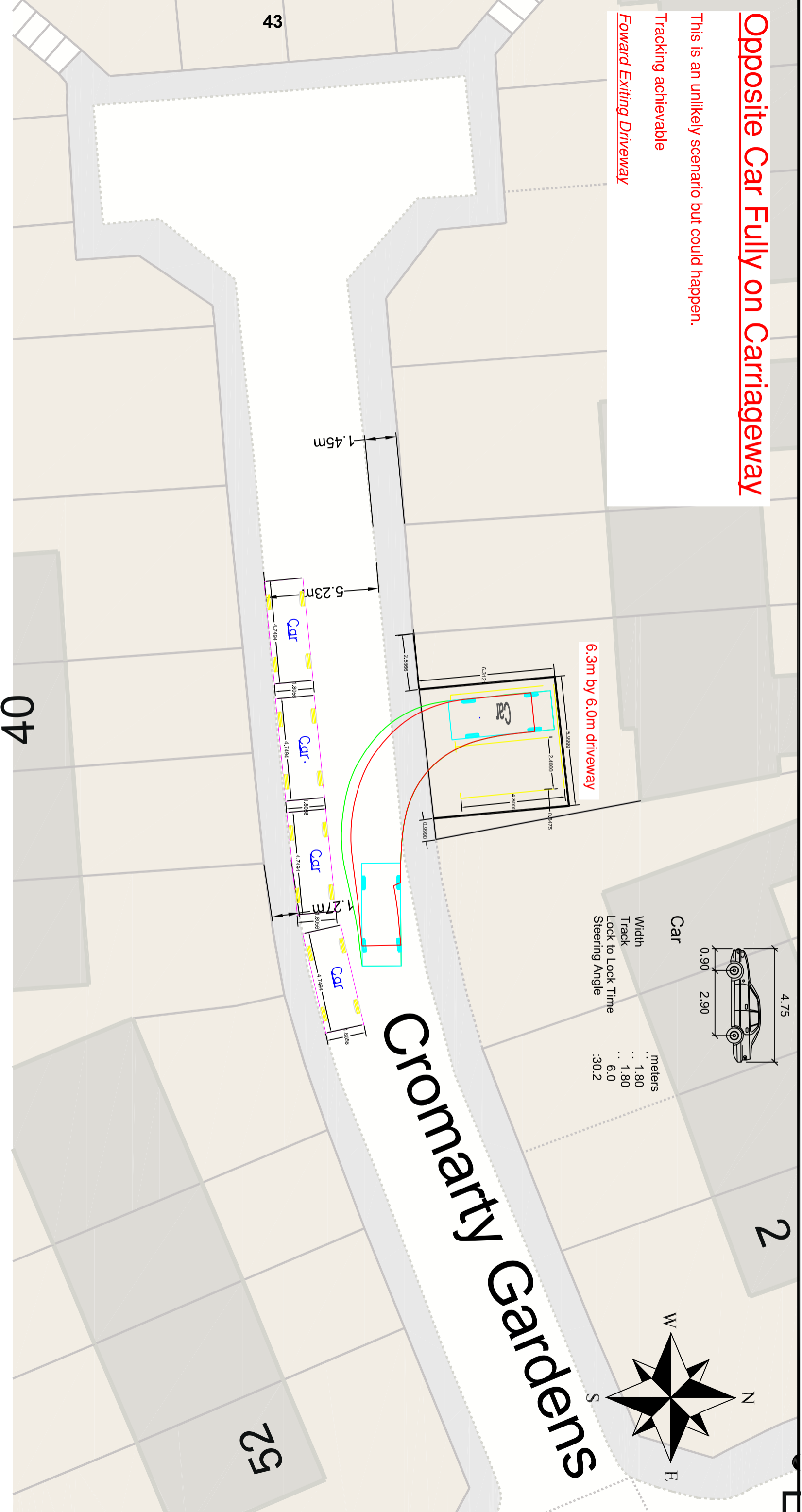
Drawing Title		Date
10 Cromarty Gardens, Clarkston		31/8/23
Tracking Plans		Scale
		1:250
Dwg No.	Dwg By	Checked By
	DAL	
Revision.	File Ref.	

Opposite Car Fully on Carriageway

This is an unlikely scenario but could happen.

Tracking achievable

Forward Exiting Driveway



Drawing Info. For Reference only

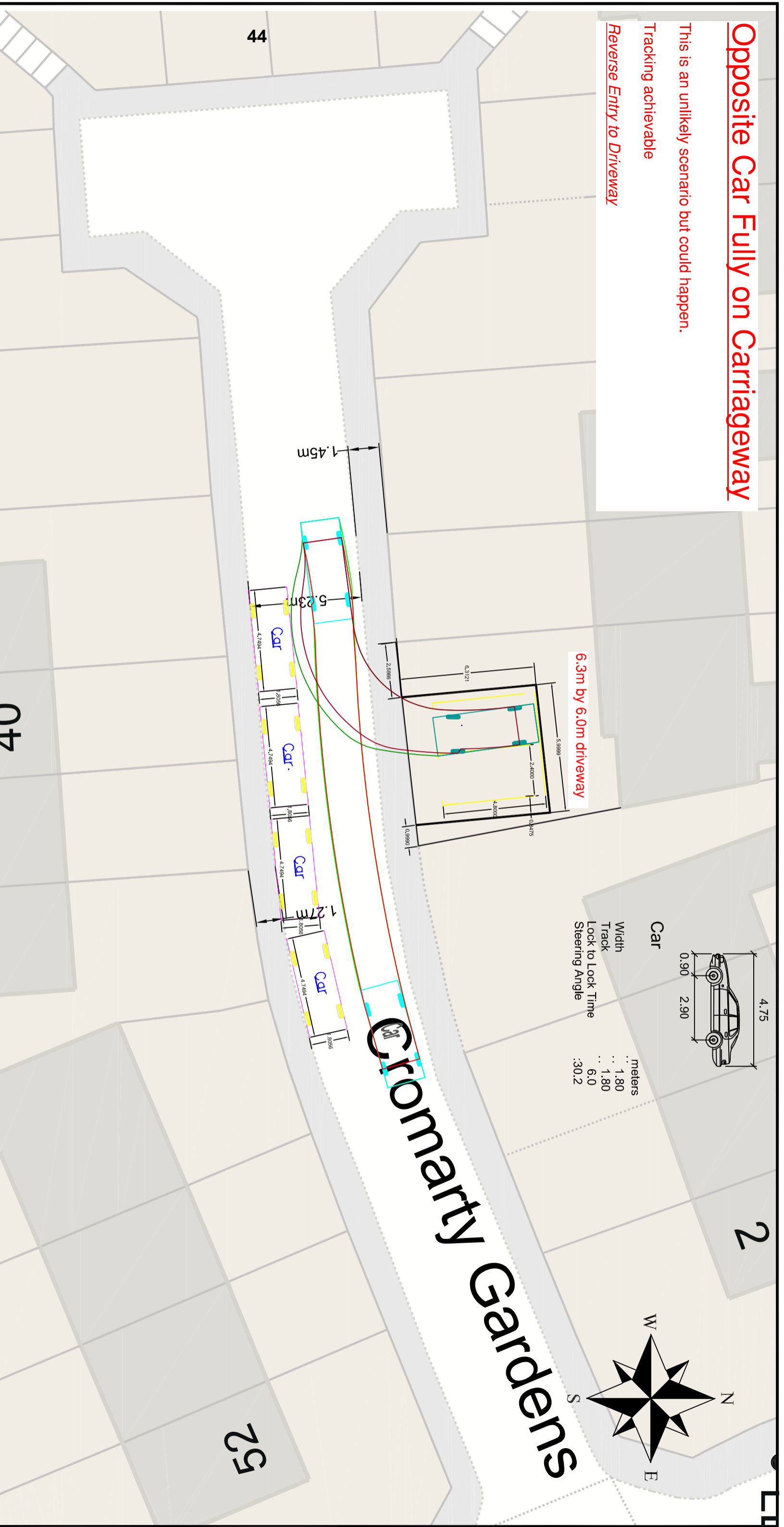
Drawing Title		Date
10 Cromarty Gardens, Clarkston		31/8/23
Tracking Plans		Scale
		1:250
Dwg No.	Dwg By	Checked By
Revision.	File Ref.	

Opposite Car Fully on Carriageway

This is an unlikely scenario but could happen.

Tracking achievable

Reverse Entry to Driveway



Drawing Info.

For Reference only

Drawing Title
10 Cromarty Gardens, Clarkston
Tracking Plans

Date
31/8/23
Scale
1:250

Dwg No.
Revision.

Dwg By
File Ref.

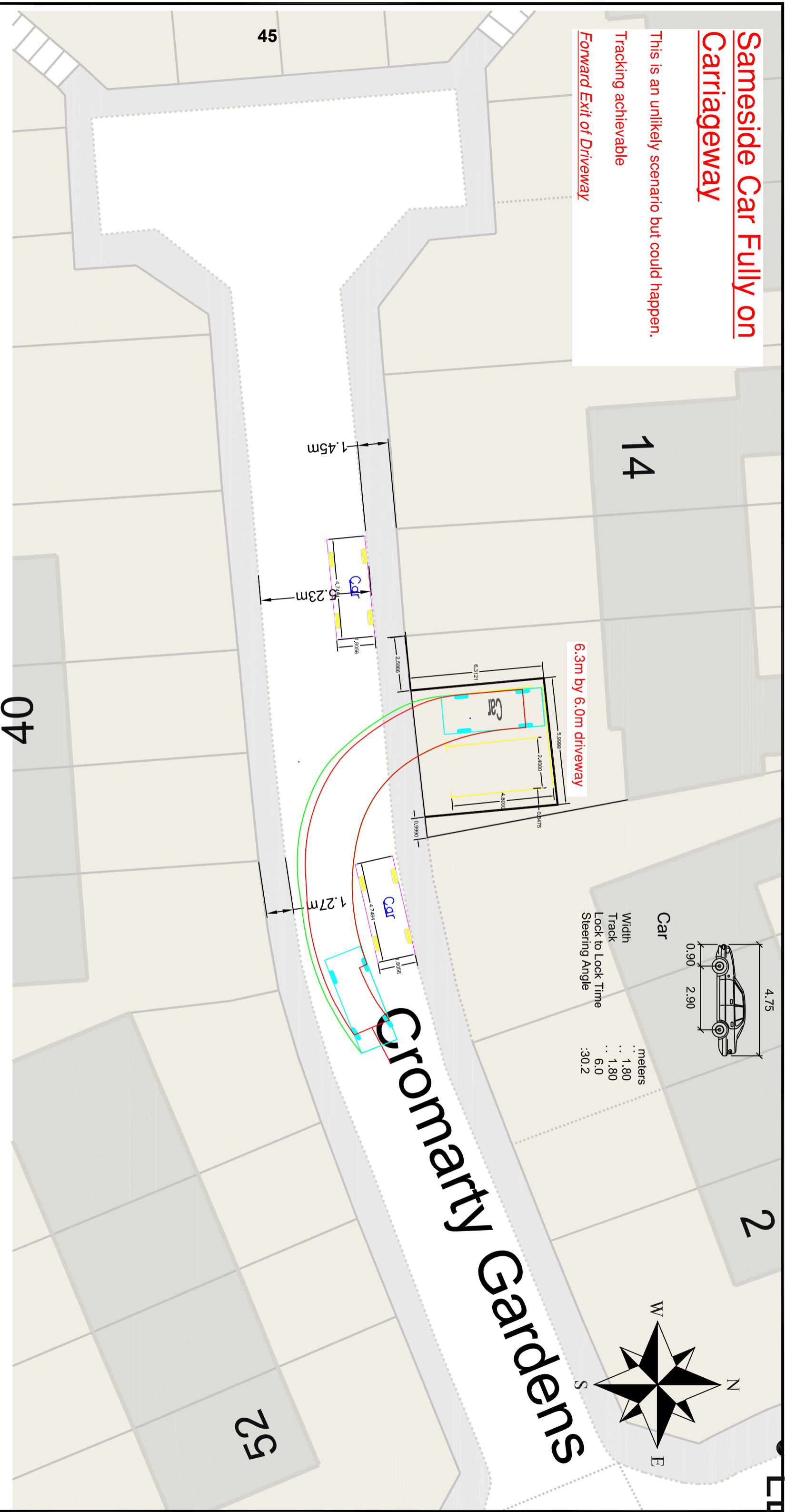
Checked By

Sameside Car Fully on Carriageway

This is an unlikely scenario but could happen.

Tracking achievable

Forward Exit of Driveway



Drawing Info.

For Reference only

Drawing Title

10 Cromarty Gardens, Clarkston
Tracking Plans

Date
31/8/23

Scale
1:250

Dwg No.

Dwg By

Checked By

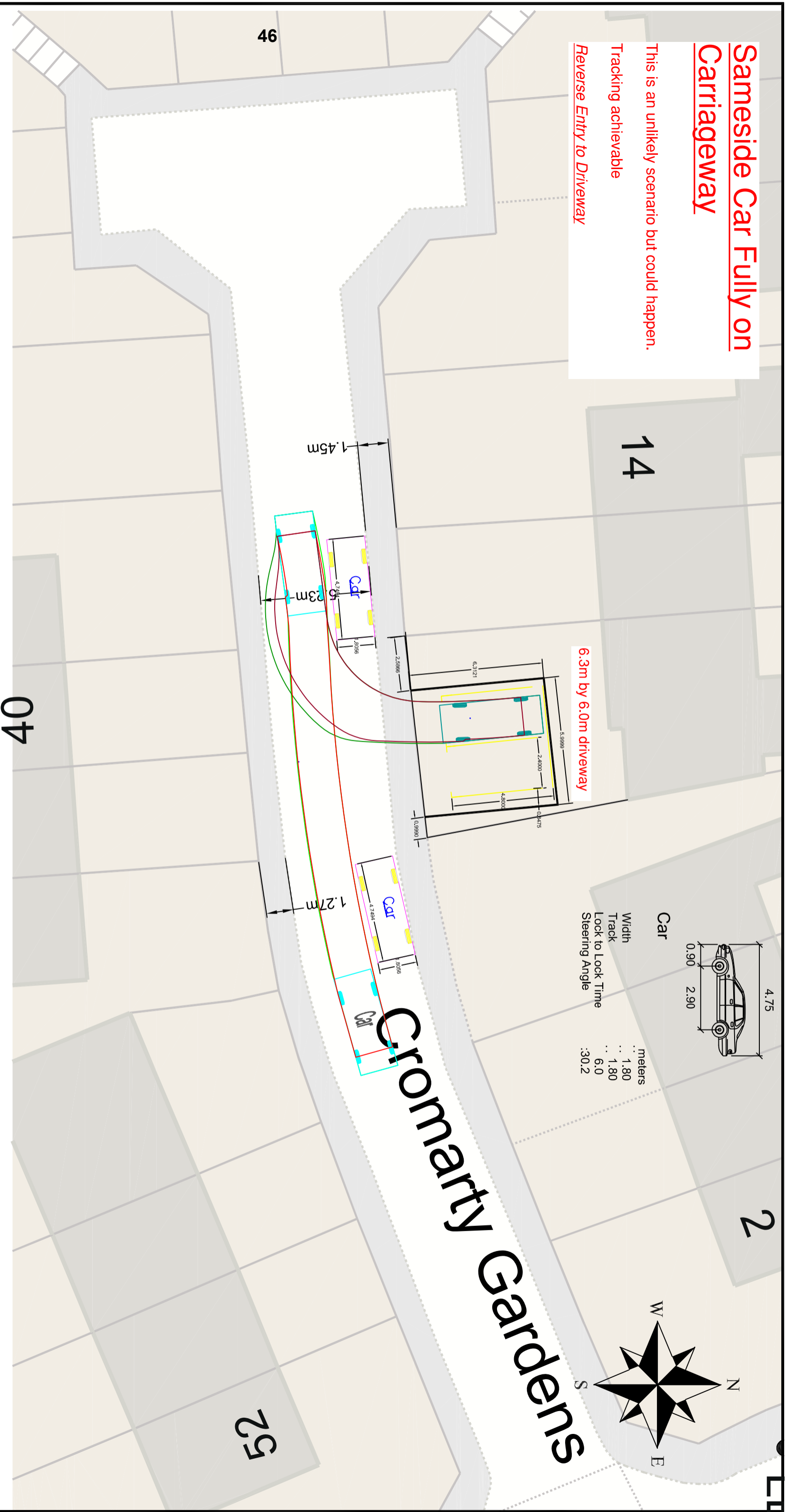
Revision.

File Ref.

Sameside Car Fully on Carriageway

This is an unlikely scenario but could happen.
Tracking achievable

Reverse Entry to Driveway



Drawing Info.

For Reference only

Drawing Title

10 Cromarty Gardens, Clarkston
Tracking Plans

Date
31/8/23

Scale
1:250

Dwg No.

Dwg By

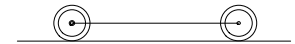
Checked By

Revision.

File Ref.

Vehicle Tracking Vehicle Details

Ref:



Vehicle Name:

Car

Type:

Rigid vehicle

Category

(Unspecified)

Classification

(Unspecified)

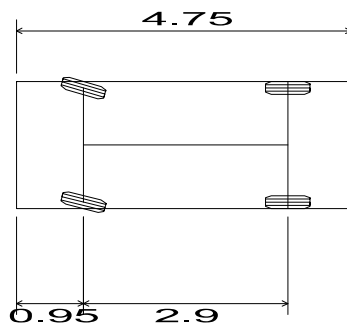
Source:

Description:

Notes:

Unit 1 Name:

Car Tractor

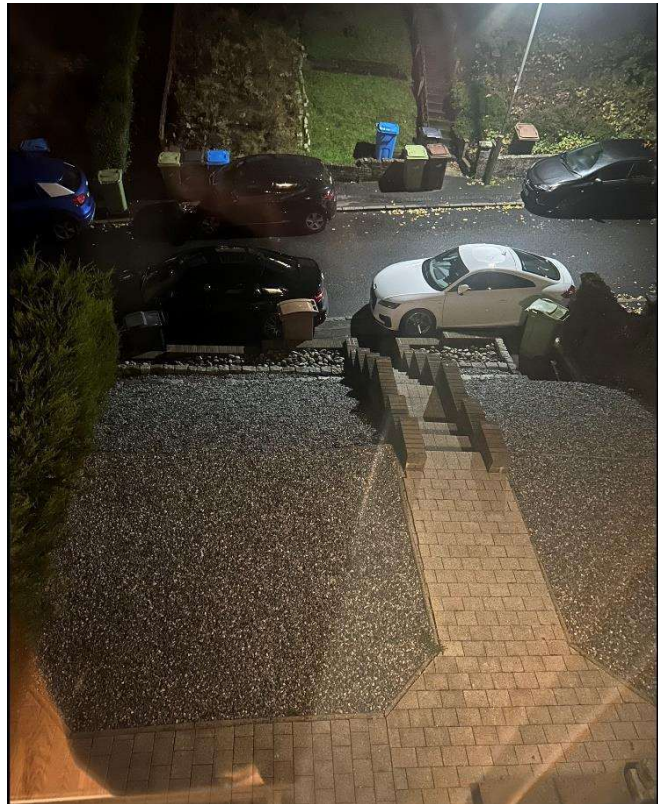
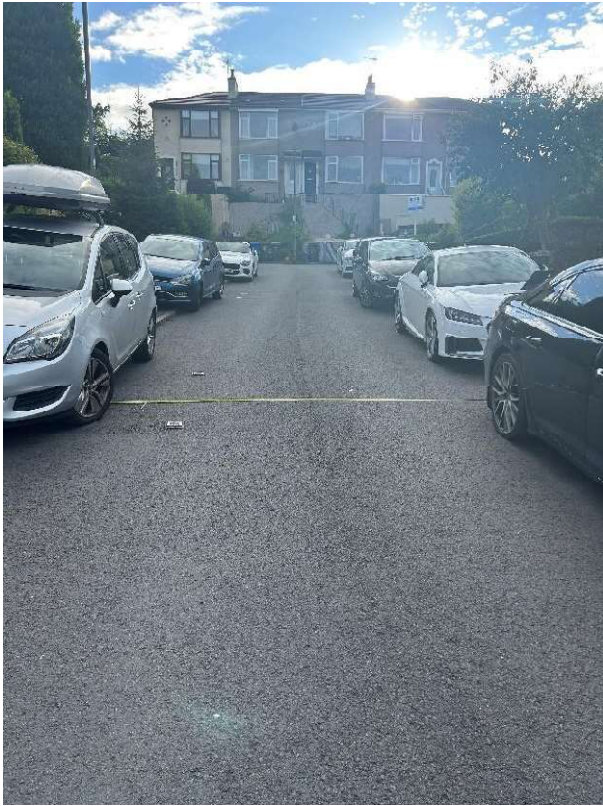


Car

Overall Length	4.750m
Overall Width	1.800m
Overall Body Height	0.315m
Min Body Ground Clearance	0.315m
Track Width	1.800m
Lock to lock time	6.00s
Max Steering Angle (Virtual)	30.20°

APPENDIX D – Photos of 10 Cromarty Gardens

Drop Kerb Application



OBJECTIONS/REPRESENTATIONS

**Strategic Transportation
Service
OBSERVATIONS ON
PLANNING APPLICATION**

Our Ref: 2023/0670/TP
D.C Ref Margaret Anne McGleish
Contact: Allan Telfer

Planning Application No: 2023/0670/TP **Dated:** 12/12/23 **Received:** 12/12/23
Applicant: Mr Fergus Brown
Proposed Development: Installation of driveway, retaining walls, fencing, access steps and railings.
Location: 10 Cromarty Gardens, Clarkston
Type of Consent: Full Planning Permission

RECOMMENDATION: NO OBJECTIONS

Proposals Acceptable Y/N or N/A

Proposals Acceptable Y/N or N/A

Proposals Acceptable Y/N or N/A

1. General

(a) General principle of development	Y
(b) Safety Audit Required	N
(c) Traffic Impact Analysis Required	N

2. Existing Roads

(a) Type of Connection (junction / footway crossing)	Y
(b) Location(s) of Connection(s)	Y
(c) Pedestrian Provision	Y
(d) Sightlines (2m x 20m x 1.05m)	Y

3. New Roads

(a) Widths	N/A
(b) Pedestrian Provision	N/A
(c) Layout (horizontal/vertical alignment)	N/A
(d) Turning Facilities (Circles / hammerhead)	N/A
(e) Junction Details (locations / radii / sightlines)	N/A
(f) Provision for P.U. services	N/A

4. Servicing & Car Parking

(a) Drainage	Y
(b) Car Parking Provision	N/A
(c) Layout of parking bays	N/A
(d) Driveways	Y

5. Signing

(a) Location	N/A
(b) Illumination	N/A

Ref.	COMMENTS
	<p>The Strategic Transportation Service (STS) and Operational Roads Service (ORS) have been in dialogue with the Applicant previous to this application being lodged.</p> <p>Issues around driveway dimensions, manoeuvres into/out of the driveway, drainage and visibility splays were discussed and drawings were produced which demonstrated that the aforementioned design criteria could be satisfied.</p> <p>Consequently, the STS has no objections to offer for this application.</p>

Notes for Intimation to Applicant:

(i) Construction Consent (S21)*	Not Required
(ii) Road Bond (S17)*	Not Required
(iii) Road Opening Permit (S56)*	Required

* Relevant Section of the Roads (Scotland) Act 1984

Comments Authorised By: David Little
pp Principal Traffic Officer

Date: 14/12/2023

**Strategic Transport Service
OBSERVATIONS ON
PLANNING APPLICATION**

Our Ref: 2023/0670/TP(1)
D.C Ref Margaret Anne McGleish
Contact: Allan Telfer

Planning Application No: 2023/0670/TP **Dated:** 12/12/23 **Received:** 12/12/23
Applicant: Mr Fergus Brown
Proposed Development: Installation of driveway, retaining walls, fencing, access steps and railings.
Location: 10 Cromarty Gardens, Clarkston
Type of Consent: Full Planning Permission

RECOMMENDATION: NO OBJECTIONS

Proposals Acceptable Y/N or N/A

Proposals Acceptable Y/N or N/A

Proposals Acceptable Y/N or N/A

1. General

(a) General principle of development	Y
(b) Safety Audit Required	N
(c) Traffic Impact Analysis Required	N

2. Existing Roads

(a) Type of Connection (junction / footway crossing)	Y
(b) Location(s) of Connection(s)	Y
(c) Pedestrian Provision	Y
(d) Sightlines (2m x 20m x 1.05m)	Y

3. New Roads

(a) Widths	N/A
(b) Pedestrian Provision	N/A
(c) Layout (horizontal/vertical alignment)	N/A
(d) Turning Facilities (Circles / hammerhead)	N/A
(e) Junction Details (locations / radii / sightlines)	N/A
(f) Provision for P.U. services	N/A

4. Servicing & Car Parking

(a) Drainage	Y
(b) Car Parking Provision	N/A
(c) Layout of parking bays	N/A
(d) Driveways	Y

5. Signing

(a) Location	N/A
(b) Illumination	N/A

Ref.	COMMENTS
	<p>The Strategic Transport Service (STS) and Operational Roads Service (ORS) have been in dialogue with the Applicant previous to this application being lodged.</p> <p>Issues around driveway dimensions, manoeuvres into/out of the driveway, drainage and visibility splays were discussed and drawings were produced which demonstrated that the aforementioned design criteria could be satisfied.</p> <p>Drawing CRO-004 Rev A, CRO-005 Rev A and CRO-008 Rev A submitted as part of this application reflect those discussions and therefore the proposed driveway satisfies STS/ORS design criteria.</p> <p>Consequently, the STS has no objections to offer for this application.</p>

Notes for Intimation to Applicant:

(i) Construction Consent (S21)*	Not Required
(ii) Road Bond (S17)*	Not Required
(iii) Road Opening Permit (S56)*	Required

* Relevant Section of the Roads (Scotland) Act 1984

Comments Authorised By: David Little
pp Principal Traffic Officer

Date: 22/02/2024

Comments for Planning Application 2023/0670/TP

Application Summary

Application Number: 2023/0670/TP

Address: 10 Cromarty Gardens Clarkston East Renfrewshire G76 8PA

Proposal: Installation of driveway, retaining walls, fencing, access steps and railings.

Case Officer: Ms Margaret McGleish

Customer Details

Name: Ms Anne McWade

Address: 42 Cromarty Gardens Clarkston East Renfrewshire G76 8PA

Comment Details

Commenter Type: Rec'd Neighbour Notification from Council

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: RE: Planning Application 2023/0607/TP

I submit the following objections to the above noted planning application;

I believe due to the size of this street, which has one access in and out to a narrow street with a sudden and significant elevation, this is a discussion that is required to be had with all residents. The work is likely to have a significant impact on access for all residents and it is unfair that they have not been made aware and that the onus is on only a few members of the community during a busy festive time that limited the number of working days we had to respond. An extension should have been granted to ensure consideration is given and the street residents are afforded the opportunity to consider what will unavoidably have a significant impact on them; short term whilst work is undertaken, as well as longer term in relation to the proposed changes. One visit to this very small and highly populated street will help to inform those that make this decision of these facts. The plans provided give no indication that there will be no impact on the access to parking directly across the street. This is a narrow street and it is likely that access, both entering and exiting the proposed driveway, will cause a restriction to this; in particular due to the change in parking law; no pavement parking, brought into force on the 11th December 2023. As it stands currently, pavement parking is the standard method of parking on this street, if this law is enforced then parking on either side will no longer be possible and straddled parking will be required; this indicates how small the street is and how a driveway with cars entering and exiting will mean there will likely be no access to parking directly across from the noted proposed driveway. This will impact on not only the households directly across; but again as noted above, all other residents as there is no specified parking and street residents park where they can, as such the proposed driveway will reduce the overall parking availability for all residents. Plans are required to evidence that any access - entering or exiting the proposed driveway - will not damage cars parked elsewhere, including those directly across from it when they are parked legally, i.e. not on the pavement. On exploring the plans, it is unclear how this would be facilitated; for example with a

swept path.

Further to this, the plans are not clear in terms of accuracy of some measurements, as such it is requested that these are considered; one drawing shows a measurement of 2metres, that in comparison to a further provided image on the same scale, indicates that the pavement outside of the property is also 2metres, which it is not. It would be hoped that any decision is taken with the accurate dimensions.

Comments for Planning Application 2023/0670/TP

Application Summary

Application Number: 2023/0670/TP

Address: 10 Cromarty Gardens Clarkston East Renfrewshire G76 8PA

Proposal: Installation of driveway, retaining walls, fencing, access steps and railings.

Case Officer: Ms Margaret McGleish

Customer Details

Name: Mr James Dornan

Address: 20 Cromarty Gardens Clarkston East Renfrewshire G76 8PA

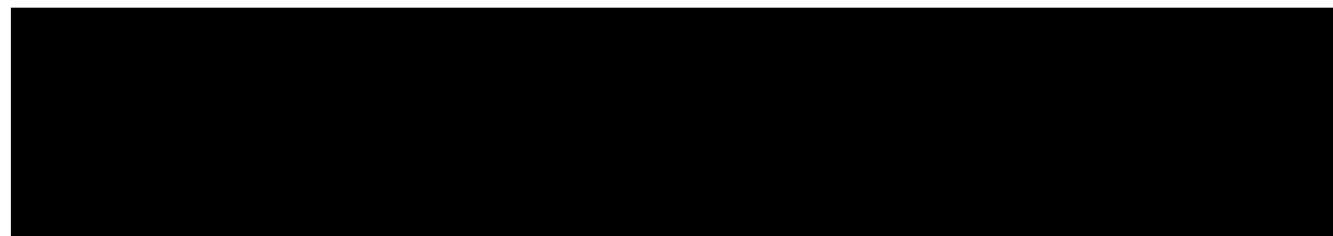
Comment Details


Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We would like to object to the above planning application on the following grounds. Cromarty Gdns is a densely populated cul-de-sac on a hill where parking is already at a premium given the amount of cars in the street and the problem is further exacerbated by each household having four wheelie bins, many of which are out on the street full-time as residents have no other place to house them. If planning permission was granted a further two spaces would be lost, one from outside number 10 and one from across the road as there would not be enough space to safely enter or exit the driveway if a car was parked on the road across from number 10. Granting planning permission would have a detrimental impact on every household in the street as no-one has a dedicated parking space. As well as the objections being taken into consideration I would hope an evening site visit would take place before any decision is made.



From: Bill mullen 
Sent: 31 December 2023 22:31
To: EN Planning <Planning@eastrenfrewshire.gov.uk>
Subject: 2023/0670/TP

W Mullen
28 Cromarty Gardens
G76 8PA

I wish to lodge an objection to the above application : for the following reasons Cromarty Gardens is a small coldesac with very limited parking already, allowing this application to go forward not only exasperate the existing parking issue. Furthermore with the now new pavement parking ban, the parking in this street will become limited given the applicant an unfair advantage.

Regards
W Mullen
Sent from my Huawei phone



From: graeme aitken <[redacted]>

Sent: 31 December 2023 12:23

To: EN Planning <Planning@eastrenfrewshire.gov.uk>

Subject: 2023/0670/TP

Dear sir/madam

I would like to lodge an objection to these plans.

Firstly the proposed change impacts everyone in the street, there is not enough room to turn a car into the proposed parking bay unless less people park in the street. This would be unfair on all of the residents in the street.

Secondly I think that all residents should be consulted. This is a cul-de-sac there is already very limited parking space available so this impacts all residents in the street.

Graeme

Further Objection Submitted by Mr Graeme Aitken

Good Evening

I would like to add that if this is granted then ,by default, you would be allocating the space of road in front of this house to the current and any future owners/occupiers.

This would seem unfair unless you then allocated the road space in front of each property to each house in Cromarty Gardens. This would of course be totally unreasonable.

Thank you.
Graeme

Response to Further Objection by Mr Brown

John,

There are 52 properties within the Cul de Sac of Cromarty Gardens and there were 4 objections, three of these including Mr Aitken's are located at the top of the Cul de Sac not in the immediate vicinity of our proposed development.

Together our cars approximately take up 11m's, the opening width of the proposed driveway is 6m's creating more space and making the street safer by not obstructing the footpath.

Regards,
Fergus Brown

REPORT OF HANDLING

REPORT OF HANDLING

Reference: 2023/0670/TP

Date Registered: 8th December 2023

Application Type: Full Planning Permission

This application is a Local Development

Ward: 4 -Clarkston, Netherlee And Williamwood

Co-ordinates: 258139/658193

Applicant/Agent:

Applicant:

Agent:

Mr Fergus Brown

n/a

10 Cromarty Gardens

Clarkston

East Renfrewshire

G76 8PA

Proposal: Installation of driveway, retaining walls, fencing, access steps and railings.

Location: 10 Cromarty Gardens

Clarkston

East Renfrewshire

G76 8PA

CONSULTATIONS/COMMENTS:

East Renfrewshire Council Strategic
Transportation Service

No objections

PUBLICITY: None.

SITE NOTICES: None.

SITE HISTORY:

1992/0189/TP

ERECTION OF TWO
STOREY SIDE
EXTENSION TO
DWELLINGHOUSE

Approved at
appeal

1992

REPRESENTATIONS: 4 representations have been received and can be summarised as follows:

- Not all residents in the street were neighbour notified and not enough time given to consider proposal
- Parking issue
- Impact on street re change in law re pavement parking
- Not enough information provided e.g. swept path
- Wheelie bins stored on path
- Inaccurate drawings

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

Supporting Statement Roads information, including swept path analysis, has been provided in support of the proposal.

ASSESSMENT:

The application site comprises a two-storey end-terraced property and its curtilage and lies on the north side of Cromarty Gardens, Clarkston within an established residential area. Cromarty Gardens is a short cul-de-sac, rising steeply from Monteith Drive, where terraced properties lie on both sides of the street in an elevated position and are characterised with upward sloping or terraced front garden areas with a mixture of hard and soft landscaping. Bins are stored within the front curtilage. The front garden of the application site is defined with a low front boundary wall with a further low retaining wall behind this from where there are two steeply rising gravel areas, one on either side of a set of central bricked steps, to a paved pathway across the front elevation. There is an existing established hedge along its front side boundaries. The dwelling and its two-storey side extension is externally finished in buff dry dashed render with grey roofing tiles.

Planning permission is sought for the formation of a two car driveway, retaining walls, fencing, access steps and railings in the front garden of the property. The driveway measures 6metres wide and 5.3metres deep with the access steps to the property being along the left hand side garden boundary with 1.2metre high protection fencing adjacent the retaining wall. The main rear retaining wall measures approximately 1.7metres on its westmost side increasing to approximately 2.1metres on its eastmost side due to the sloping nature of the street. The side retaining walls will taper down until 2metres back from the public footway where it will have a maximum height of 1metre. There will be a 1metre high timber fence above the top of the main retaining wall with sloping boundary fences along each of the garden side boundaries. These fences will be 1.6metres in height and will stop 2metres back from the edge of the public footway.

The materials of the retaining wall will be concrete with dry dash render to match the existing property with concrete coping. The driveway itself will have permeable paving. The steps will reuse the existing brick paving.

The proposal is required to be assessed against the Development Plan which consists of the National Planning Framework 4 (NPF4) and East Renfrewshire Council Local Development Plan 2 (LDP2). Due to the scale and nature of the proposal, Policies 14 and 16 of the NPF4, and Policies D1 and D1.1 of the LDP2 are the most relevant.

These policies require that all development should not result in a significant loss of character or amenity to the surrounding area and that the proposal should be appropriate to its location and have a height, massing and layout that is in-keeping with the buildings in the locality, should respect local architecture, building form and design and respect existing building lines and heights of the locality. Proposals should comply with the parking and access requirements of the Council. The size, scale and height of any development must be appropriate to and not adversely impact or dominate the existing building or have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking. Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. Proposals that are detrimental to the amenity of the surrounding area will not be supported.

As indicated above, the area is characterised by sloping or tiered grass or landscaped areas and the lack of off-street driveways which contributes to the existing amenity. The proposed development will involve a considerable amount of excavation and removal of almost the entire front garden area, introducing extensive hardstanding, fencing and walls. The retaining wall with fencing atop effectively creates one large continuous front elevation to the existing property

approximately over 8.3metres in height to the eaves. This creates a significant adverse physical impact from the public road to the detriment of the visual amenity of the surrounding area. The proposal is therefore not considered to be in-keeping with the properties within the cul-de-sac nor could it be considered to improve the quality of the urban area.

It is considered that the proposal will result in the loss of key characteristics of the area and will introduce intrusive and incongruous additions in terms of the proposed hardstanding, retaining walls and high boundary fencing to the detriment of the visual amenity of the area, contrary to the provisions of NPF4 Policies 14 and 16 and LDP2 Polices D1 and D1.1.

Noting the above policy position the proposal should be refused unless material considerations indicate otherwise. In that respect, it is noted that the applicant has provided evidence of other driveways that have been installed in nearby streets. It is accepted that these show that there are driveways at terraced properties, however, these are not elevated to the same level as the application site and have therefore not involved significant excavation of the front gardens requiring large prominent retaining walls. Other examples provided show driveways that are to the side of the properties thereby retaining a significant proportion of the front garden as grass/landscaping. It is therefore considered that the examples provided are not directly comparable with the application site as these would not have required such significant excavation and retaining works because they are not in areas where they have highly elevated properties on both sides of the street, on narrow steeply rising streets and involve removal of almost all of the front garden.

Other material considerations are consultee responses and in this instance the Strategic Transportation Service (STS) consultation response. The STS have not objected to the proposal as the applicant has demonstrated through drawings, including swept path analysis, that design criteria around driveway dimensions, manoeuvres into/out of the driveway, drainage and visibility splays could be satisfied. Furthermore, they have not raised any issues regarding on street parking as a result of the proposal.

It should be noted that, at the time of writing this report, the recent road legislation preventing cars parking on footways has not yet been implemented within ERC therefore at this stage no comments can be provided on whether this street is likely to be subject to any further parking issues/restrictions.

In terms of the issues raised by representations regarding exacerbating parking pressure, not enough information provided e.g. swept path, and changes in the law re pavement parking, these are all material considerations and have been addressed above.

In terms of inaccurate drawings and inadequate neighbour notification, the Planning Service consider that the drawings provided are adequate for the purpose of planning and that the notifications were undertaken as required by Planning Legislation.

With regards to unfair parking advantage and wheelie bins being stored on the footpaths these are not considered to be material planning considerations and would be controlled through other appropriate legislation.

Consequently, given the above, the proposal is contrary to the provisions of Policies 14 and 16(g) of NPF4 and Policies D1 and D1.1 of the LDP2, and it is considered that there are no significant material considerations that outweigh the provisions of the Development Plan. It is recommended that planning permission is refused.

PLANNING OBLIGATIONS: None.

RECOMMENDATION: Refuse

1. The proposal is contrary to Policies 14 and 16 of the National Planning Framework and Policies D1 and D1.1 of the Adopted East Renfrewshire Local Development Plan 2 as the proposed development will result in a detrimental impact of the existing landscape and streetscape characteristics of the area and will create a significant adverse physical impact by introducing intrusive and incongruous additions to the streetscape in terms of the proposed hardstanding, high retaining walls and high boundary fencing to the detriment of the visual amenity of the surrounding area.

ADDITIONAL NOTES: None.

ADDED VALUE: None.

BACKGROUND PAPERS:

Further information on background papers can be obtained from Ms Margaret McGleish on 0141 577 3001.

Ref. No.: 2023/0670/TP
(MAMC)

DATE: 22nd February 2024

DIRECTOR OF ENVIRONMENT

Finalised 23rd February 2024 – GMcC(1)

Reference: 2023/0670/TP - Appendix 1

DEVELOPMENT PLAN:

Adopted East Renfrewshire Local Development Plan 2

Policy D1

Placemaking and Design

Proposals for development within the urban and rural areas should be well designed, sympathetic to the local area and demonstrate that the following criteria have been considered, and, where appropriate, met. Proposals will be assessed against the 6 qualities of a successful place as outlined in SPP, Designing Streets and the Placemaking and Design Supplementary Guidance.

1. The development should not result in a significant loss of character or amenity to the surrounding area;
2. The proposal should be appropriate to its location, be high quality and of a size, scale, height, massing and density and layout that is in keeping with the buildings in the locality or appropriate to the existing building and should respect local architecture, building form and design;
3. Respect existing building lines and heights of the locality;
4. Create a well-defined structure of streets, public spaces and buildings;
5. Ensure the use of high quality sustainable and durable materials, colours and finishes that complement existing development and buildings in the locality;

6. Respond to and complement site topography and not impact adversely upon the green belt and landscape character and setting, green networks, features of historic interest, landmarks, vistas, skylines and key gateways. Existing buildings and natural features of suitable quality, should be retained and sensitively integrated into proposals including greenspace, trees and hedgerows;
7. Boundary treatment and landscaping should create a distinctive edge and gateway to the development and reflect local character;
8. Promote permeable and legible places through a clear sustainable movement hierarchy favouring walking, then cycling, public transport, then the private car as forms of movement;
9. Demonstrate connectivity through the site and to surrounding spaces via a network of safe, direct, attractive and coherent walking and cycling routes. These must be suitable for all age groups, and levels of agility and mobility to allow for ease of movement from place to place;
10. Demonstrate that safe and functional pedestrian, cycle and vehicular access, and parking facilities and infrastructure, including for disabled and visitor parking, is provided in accordance with the Council's Roads Development Guide. Where appropriate, proposals will be required to provide secure and accessible shelters, lockers, showers and seating and be designed to meet the needs of all users. Cycle parking and facilities should be located in close proximity to the entrances of all buildings to provide convenience and choice for users;
11. Incorporate integrated and enhance existing green infrastructure assets, such as landscaping, trees and greenspace, water management and SUDs including access and prioritise links to the wider green network as an integral part of the design process from the outset, in accordance with Policies D4 - D6. New green infrastructure must be designed to protect and enhance the habitat and biodiversity of the area and demonstrate a net gain;
12. Unless justified, there will be a general presumption against landraising. Where there is a justifiable reason for landraising, proposals must have regard to the scale and visual impact of the resultant changes to the local landscape and amenity. Proposals that adversely impact upon the visual and physical connections through the site and to the surrounding areas will be resisted;
13. Backland development should be avoided;
14. Provide safe, secure and welcoming places with buildings and spaces, including open spaces, play areas and landscaping, designed and positioned to reduce the scope for anti-social behaviour and fear of crime, improve natural surveillance, passive overlooking, security and street activity;
15. The amenity of residents, occupants and users of neighbouring existing and new buildings and spaces should not be adversely affected by unreasonably restricting their sunlight or privacy. Additional guidance on this issue is available in the Daylight and Sunlight Design Guide Supplementary Guidance;
16. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the proposal;
17. The amenity of residents, occupants and users of neighbouring existing and new buildings and spaces should not be adversely affected by noise, dust, pollution and smell or poor air quality;
18. Ensure buildings and spaces are future proof designed to be easily adaptable and flexible to respond to changing social, environmental, technological, digital and economic

conditions;

19. Incorporate provision for the recycling, storage, collection and composting of waste materials; and
20. Incorporate the use of sustainable design and construction methods and materials in the layout and design to support a low carbon economy.

Proposals must meet the requirements of any development brief prepared by the Council for an allocated site.

Further detailed guidance and information will be set out in the Placemaking and Design Supplementary Guidance, Householder Design Supplementary Guidance and the Daylight and Sunlight Design Supplementary Guidance.

Policy D1.1

Extensions and Alterations to Existing Buildings for Residential Purposes

Proposals will be assessed against the following criteria:

1. The development should not result in a significant loss of character or amenity to the surrounding area;
2. Should complement the scale and character of the existing building, neighbouring properties and their setting, particularly in terms of style, form and materials;
3. The size, scale and height of any development must be appropriate to and not adversely impact or dominate the existing building;
4. Should not create an unbroken or terraced appearance;
5. Where additional bedrooms are proposed or a garage/driveway is being converted to another use other than for the parking of a vehicle, proposals will be required to provide parking in accordance with the Council's Roads Development Guide; and
6. Should avoid over-development of the site by major loss of existing front and rear garden space. No more than 50% of the rear garden should be occupied by the development.

Further detailed information and guidance will be set out in the Householder Design Guide Supplementary Guidance.

National Planning Framework 4

Policy 14

Design, quality and place

- a) Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale.
- b) Development proposals will be supported where they are consistent with the six qualities of successful places:
 - Healthy: Supporting the prioritisation of women's safety and improving physical and mental health.
 - Pleasant: Supporting attractive natural and built spaces.
 - Connected: Supporting well connected networks that make moving around easy and reduce car dependency
 - Distinctive: Supporting attention to detail of local architectural styles and natural landscapes to be interpreted, literally or creatively, into designs to reinforce identity.

Sustainable: Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience, and integrating nature positive, biodiversity solutions.

Adaptable: Supporting commitment to investing in the long-term value of buildings, streets and spaces by allowing for flexibility so that they can be changed quickly to accommodate different uses as well as maintained over time.

Further details on delivering the six qualities of successful places are set out in Annex D.

- c) Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported.

Policy 16

Quality homes

- a) Development proposals for new homes on land allocated for housing in LDPs will be supported.
- b) Development proposals that include 50 or more homes, and smaller developments if required by local policy or guidance, should be accompanied by a Statement of Community Benefit. The statement will explain the contribution of the proposed development to:
 - i. meeting local housing requirements, including affordable homes;
 - ii. providing or enhancing local infrastructure, facilities and services; and
 - iii. improving the residential amenity of the surrounding area.
- c) Development proposals for new homes that improve affordability and choice by being adaptable to changing and diverse needs, and which address identified gaps in provision, will be supported. This could include:
 - i. self-provided homes;
 - ii. accessible, adaptable and wheelchair accessible homes;
 - iii. build to rent;
 - iv. affordable homes;
 - v. a range of size of homes such as those for larger families;
 - vi. homes for older people, including supported accommodation, care homes and sheltered housing;
 - vii. homes for people undertaking further and higher education; and
 - viii. homes for other specialist groups such as service personnel.
- d) Development proposals for public or private, permanent or temporary, Gypsy/Travellers sites and family yards and Travelling Showpeople yards, including on land not specifically allocated for this use in the LDP, should be supported where a need is identified and the proposal is otherwise consistent with the plan spatial strategy and other relevant policies, including human rights and equality.
- e) Development proposals for new homes will be supported where they make provision for affordable homes to meet an identified need. Proposals for market

homes will only be supported where the contribution to the provision of affordable homes on a site will be at least 25% of the total number of homes, unless the LDP sets out locations or circumstances where:

- i. a higher contribution is justified by evidence of need, or
 - ii. a lower contribution is justified, for example, by evidence of impact on viability, where proposals are small in scale, or to incentivise particular types of homes that are needed to diversify the supply, such as self-build or wheelchair accessible homes. The contribution is to be provided in accordance with local policy or guidance.
- f) Development proposals for new homes on land not allocated for housing in the LDP will only be supported in limited circumstances where:
- i. the proposal is supported by an agreed timescale for build-out; and
 - ii. the proposal is otherwise consistent with the plan spatial strategy and other relevant policies including local living and 20 minute neighbourhoods;
 - iii. and either:
 - delivery of sites is happening earlier than identified in the deliverable housing land pipeline. This will be determined by reference to two consecutive years of the Housing Land Audit evidencing substantial delivery earlier than pipeline timescales and that general trend being sustained; or
 - the proposal is consistent with policy on rural homes; or
 - the proposal is for smaller scale opportunities within an existing settlement boundary; or
 - the proposal is for the delivery of less than 50 affordable homes as part of a local authority supported affordable housing plan.
- g) Householder development proposals will be supported where they:
- i. do not have a detrimental impact on the character or environmental quality of the home and the surrounding area in terms of size, design and materials; and
 - ii. do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking.
- h) Householder development proposals that provide adaptations in response to risks from a changing climate, or relating to people with health conditions that lead to particular accommodation needs will be supported.

DECISION NOTICE

75
EAST RENFREWSHIRE COUNCIL

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

REFUSAL OF PLANNING PERMISSION

Ref. No. **2023/0670/TP**

Applicant:

Mr Fergus Brown
10 Cromarty Gardens
Clarkston
East Renfrewshire
G76 8PA

Agent:

With reference to your application which was registered on 8th December 2023 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Installation of driveway, retaining walls, fencing, access steps and railings.

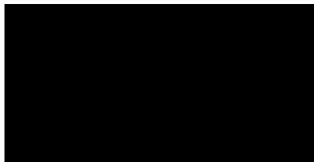
at: 10 Cromarty Gardens Clarkston East Renfrewshire G76 8PA

the Council in exercise of their powers under the abovementioned Act and Regulations hereby refuse planning permission for the said development.

The reason(s) for the Council's decision are:-

1. The proposal is contrary to Policies 14 and 16 of the National Planning Framework and Policies D1 and D1.1 of the Adopted East Renfrewshire Local Development Plan 2 as the proposed development will result in a detrimental impact of the existing landscape and streetscape characteristics of the area and will create a significant adverse physical impact by introducing intrusive and incongruous additions to the streetscape in terms of the proposed hardstanding, high retaining walls and high boundary fencing to the detriment of the visual amenity of the surrounding area.

Dated 23rd February 2024



Head of Environment
(Chief Planner)
East Renfrewshire Council
2 Spiersbridge Way,
Spiersbridge Business Park,
Thornliebank,
G46 8NG
Tel. No. 0141 577 3001

The following drawings/plans have been refused

Plan Description	Drawing Number	Drawing Version	Date on Plan
Location Plan	Location Plan	A	
Site Location Plan	CRO-001	A	
Block Plan Proposed	CRO-008	A	
Plans Proposed	CRO-004	A	
Plans Proposed	CRO-006	A	
Elevations Proposed	CRO-005	A	
Elevations Proposed	CRO-007	A	

GUIDANCE NOTE FOR REFUSAL OF LOCAL DEVELOPMENTS DETERMINED UNDER DELEGATED POWERS

REVIEW BY EAST RENFREWSHIRE COUNCIL'S LOCAL REVIEW BODY

1. If the applicant is aggrieved by a decision to refuse permission (or by an 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 can be submitted online at www.eplanning.scotland.gov.uk. Please note that beyond the content of the appeal or review forms, **you cannot normally raise new matters** in support of an appeal or review, unless you can demonstrate that the matter could not have been raised before, or that its not being raised before is a consequence of exceptional circumstances. Following submission of the notice, you will receive an acknowledgement letter informing you of the date of the Local Review Body meeting or whether further information is required.
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.

CONTACT DETAILS

**East Renfrewshire Council
Development Management Service
2 Spiersbridge Way,
Spiersbridge Business Park,
Thornliebank,
G46 8NG**

**General Inquiry lines 0141 577 3001
Email planning@eastrenfrewshire.gov.uk**

NOTICE OF REVIEW



2 Spiersbridge Way Thornliebank G46 8NG Tel: 0141 577 3001 Email: planning@eastrenfrewshire.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 100664222-001

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

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="10 Cromarty"/>
First Name: *	<input type="text" value="Fergus"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Brown"/>	Address 1 (Street): *	<input type="text" value="10 Cromarty Gardens"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value="[REDACTED]"/>	Town/City: *	<input type="text" value="Clarkston"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="G768PA"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="[REDACTED]"/>		

Site Address Details

Planning Authority:

East Renfrewshire Council

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

Address 1:

10 CROMARTY GARDENS

Address 2:

CLARKSTON

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

GLASGOW

Post Code:

G76 8PA

Please identify/describe the location of the site or sites

Northing

658193

Easting

258139

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)

Installation of driveway, retaining wall, fencing and access steps

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.

Statement Provided as Separate Document.

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)

- Notice Of Review 02.04.24 - Appendix B 10 Cromarty Gardens Driveway ..10.11.23 - Appendix C Initial Submission

Application Details

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

2023/0670/TP

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

08/12/2023

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

28/02/2024

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 Fergus Brown

Declaration Date: 02/04/2024

Notice of Review to East Renfrewshire Council

Planning Application Ref: 2023/0670/TP

Address: 10 Cromarty Gardens G76 8PA

Title: Driveway Installation, Retaining Wall, Steps and Fencing

Application Type: Full Planning Permission

Date Refused: 23rd February 2024

Contents

1. Introduction
2. Comment on Councils Reason(s) for Decision
3. Neighbour Representations
4. Conclusion

Appendix

- a) Email Correspondence with Roads- *Within Document*
- b) Subsequent Information Submitted to Planner Titled “10 Cromarty Gardens Driveway 10.11.23” – *Separate Attachment*
- c) Initial Submission – *Separate Attachment*
- d) Photos of 10 Cromarty Gardens- *Within Document*

1. Introduction

This paper outlines the case for a review of planning application 2023/0670/TP that was refused on 28th February 2024 under delegated powers. I am requesting that the local review panel overturns the officers decision and decides to grant planning permission.

I commenced the application process in May 2023 via East Renfrewshire council roads department who accepted my design for the installation of a driveway at Cromarty Gardens in December 2023 after some design development discussions, although ERC roads noted I should seek planning permission. Planning permission was applied for and the application was validated on 8th December 2023.

I have set out how this local development improves the vehicle movement, pedestrian safety, and aligns with the requirements under the National Planning Framework, Adopted East Renfrewshire Local Development Plan 2 and the recently introduced pavement parking legislation.

2. Comment on Councils Reason(s) for Decision

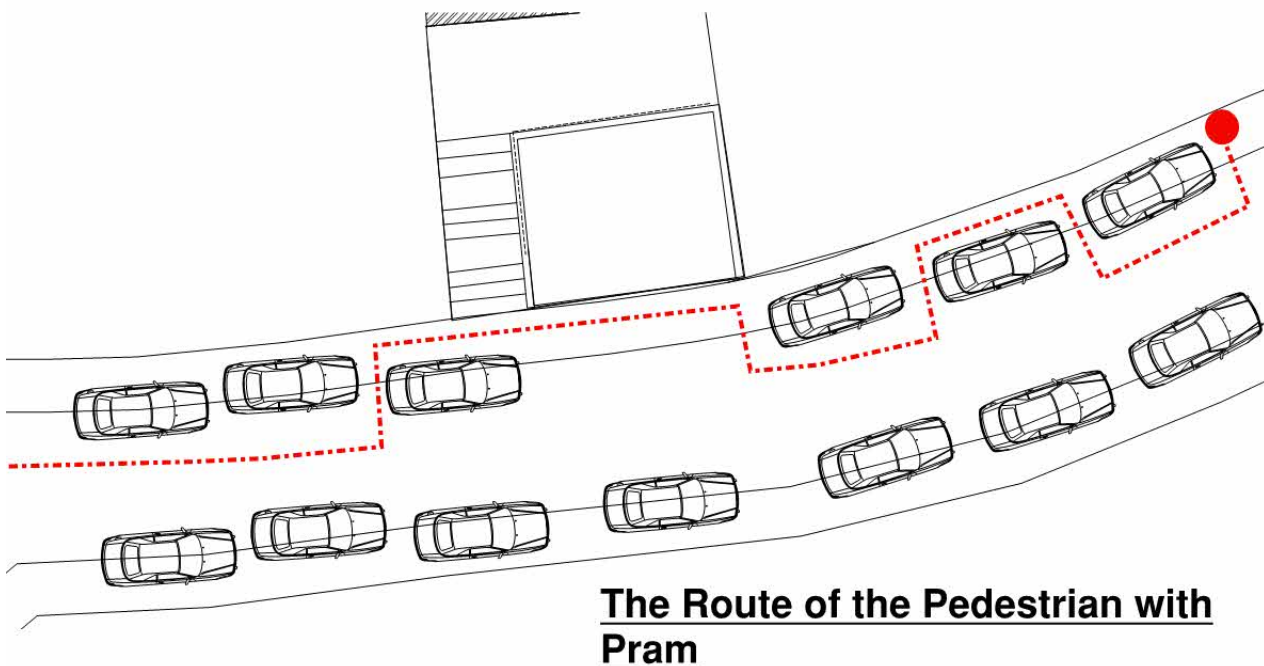
2.1 Officers Reason- Contrary to Policy 14 of the National Planning Framework

This policy states proposals will be supported where they are consistent with the six qualities of successful places; my proposal is consistent with these qualities as out lined below-

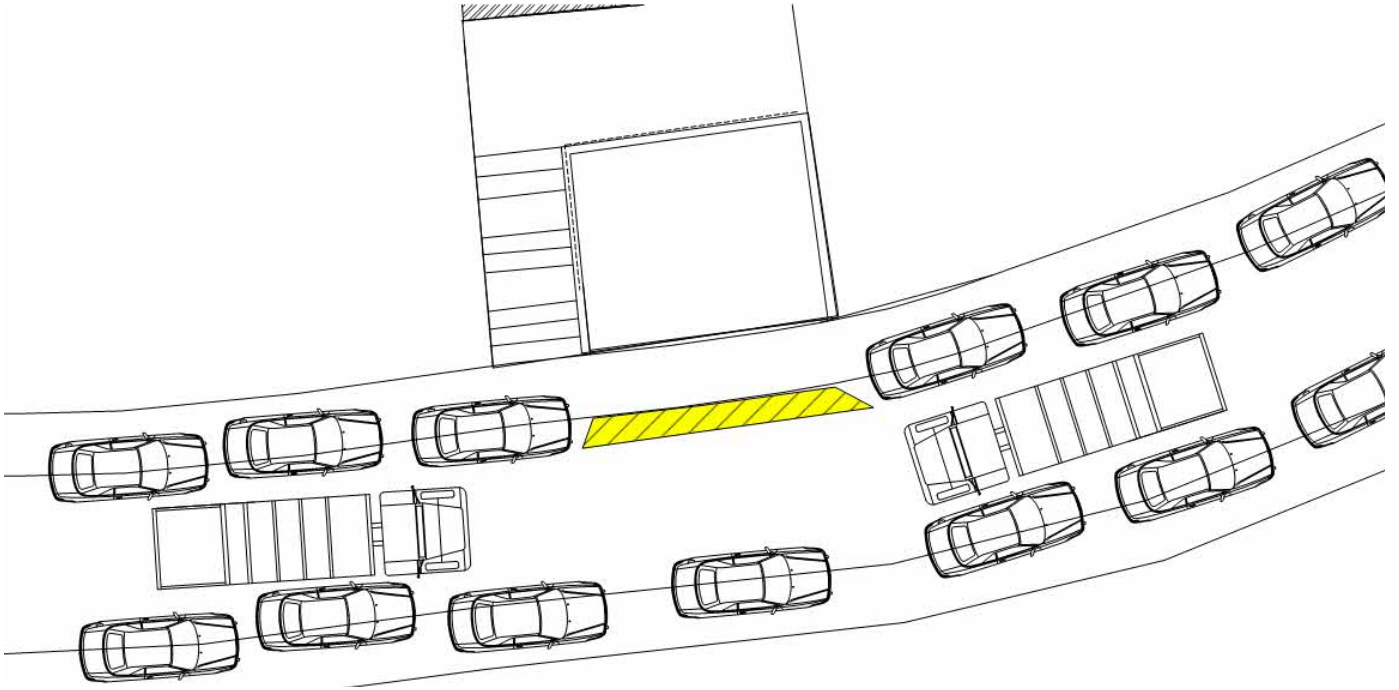
2.1.1 Quality One- Healthy

Policy 14 asks developments improve women's safety and improve physical and mental health. The proposed design enables prioritisation of women's safety by providing parking which enables passive surveillance.

Physical and Mental health would be improved by the installation of the driveway at 10 Cromarty gardens as this will enable the footpath to be kept clear of obstruction. I note pedestrians with young families are having to navigate between walking on the road and the footpath with only being able to fit between some of the parked cars as shown below, the driveway would give clear unobstructed footway for the pedestrians.



The installation of the driveway also provides a direct path onto the footway for any pedestrians who have chosen to walk on the road but are met by a vehicle on the road, sometimes this could be by a bin lorry which pedestrians may choose to squeeze by, which can be extremely dangerous. At the location of the driveway the pedestrian would be able to access the footpath or stand in front of the drive in an un-official passing place as shown below, improving pedestrian safety-



The development proposal aligns with policy 14 as it allows for the accessibility and inclusion by enabling a section of the footpath to be kept clear from footpath parking leaving it accessible for pedestrians.

2.1.2 Quality Two & Three- Pleasant & Distinctive

These qualities ask that the development supports attractive natural and built spaces, plus the design is in keeping with architectural styles within the area. The design philosophy or the application was to be in keeping with its surroundings. The design is inclusive of a pebble dashed retaining wall, paved hard surfaces and fencing. Currently the frontage of the property consists of steps, brick walls and graded pebbles as below.



The following photos highlight the existing architectural styles, landscape and streetscape of **Cromarty Gardens** in which the proposed development aligns or in some circumstances exceeds-



Six Properties in Cromarty Gardens have circa +3m high retaining walls consisting of pebble dashed finish, fencing and steps



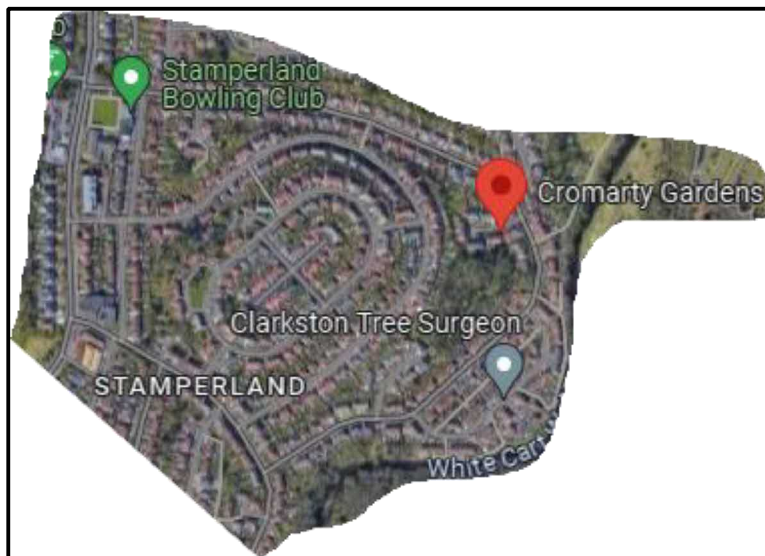
All Properties have steps up to the entrance door. Rendered finish walls and hand rails are in keeping with the proposed development, however the proposed development is not as high and/or intrusive.



Other property frontages in Cromarty Gardens are formed with masonry, hard standings and timber hand rails.



The following photos highlight the existing architectural styles, landscape and streetscape of the wider **Stamperland** estate in which Cromarty Gardens sits, the proposed development aligns or in some circumstances exceeds-





Paved double vehicle front driveway with steps to front



Under construction front driveway with retaining wall and steps to front of house door.
Elevated to similar level as proposal



Constructed front driveway again with steps to front of house.
Elevated to similar level as proposal



Constructed front driveway again with steps, masonry and paved driveway to front of house.

Elevated to similar level as proposal



Constructed front driveway again with steps, masonry and paved driveway to front of house.

Elevated to similar level as proposal



Constructed front driveway again with steps, fencing, handrails to front of house.

Elevated to similar level as proposal



Non Roads compliant driveway however example of streetscape with walls, fencing etc, door. **Elevated to similar level as proposal**



Example of handrails, fencing and hard landscaping within the area.
Elevated to similar level as proposal



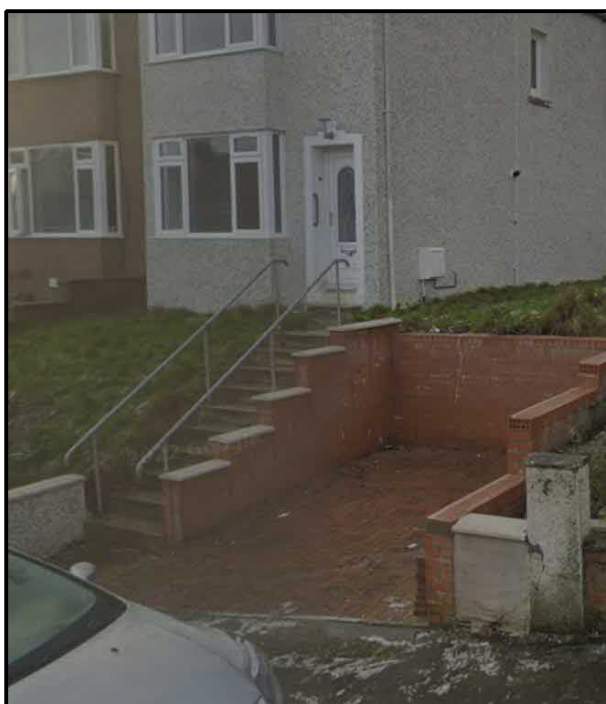
Example of handrails, retaining walls, fencing and hard landscaping within the area.
Elevated to similar level as proposal



Non roads compliant example within area.
Elevated to similar level as proposal



Non roads compliant example within area.
Elevated to similar level as proposal



Example of streetscape of the estate where poor material choices are not in keeping with the property. **Elevated to similar level as proposal**



Non roads compliant example within area. **Elevated to similar level as proposal**



Example showing double parking, retaining walls, fencing etc. **Elevated to similar level as proposal**



Example showing single parking, retaining walls, fencing etc. **Elevated to similar level as proposal**



Non roads compliant example within area showing fencing, masonry etc. **Elevated to similar level as proposal**



Non roads compliant example within area showing fencing, masonry etc. **Elevated to similar level as proposal**

2.1.3 Quality Four- Connected

This quality asks for networks that make moving around easy; by keeping the footway clear and improving the road width, this development improves vehicular and pedestrian movement especially for vulnerable pedestrians, bin lorries and emergency vehicles.

2.1.4 Quality Five- Sustainable

This quality asks for efficient use of resources and this development allows for efficient use of resource by enabling a section of unused frontage of the property to be used as parking helping pedestrians use the footway.

2.1.5 Quality Six- Adaptable

This quality asks for developments to be adaptable allowing flexibility to be changed quickly to accommodate different uses over time. This development will facilitate the installation of a driveway to improve pedestrian and vehicular movement within Cromarty Gardens. The proposed development has been design to a high standard and durability ensuring fitness for purpose by the use of a design engineered solution for the retaining wall which is in keeping with the surrounding properties and existing retaining walls.

2.2 Officers Reason- Contrary to Policy 16 of the National Planning Framework

- g) Householder development proposals will be supported where they:
 - i. do not have a detrimental impact on the character or environmental quality of the home and the surrounding area in terms of size, design and materials; and
 - ii. do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking.
- h) Householder development proposals that provide adaptations in response to risks from a changing climate, or relating to people with health conditions that lead to particular accommodation needs will be supported.

The officer did not provide detail on how the proposal is contrary to this policy however as highlighted by the photos above the design is in keeping with the character of the street and wider Stamperland estate.

2.3 Officers Reason- Contrary to Policy D1 of the Adopted East Renfrewshire Local Development Plan 2

Policy D1 also notes that proposals will be assessed against the six qualities of a successful place which I have addressed above. The proposal for the driveway installation consists of materials in keep with the street characteristics and the sloped retaining wall at each side allows the development to align with the existing topography of the street.

2.4 Officers Reason- Contrary to Policy D1.1 of the Adopted East Renfrewshire Local Development Plan

This policy is not in relation to a driveway application but the below alterations therefore not applicable-

Proposals for alterations and extensions to existing buildings including the erection of outbuildings and garages; raised decking and balconies; dormers; canopies; rooflights; and front porches will be considered against Policy D1.1.

2.5 Officers Rason- Will create a significant adverse physical impact by introducing intrusive and incongruous additions to the streetscape in terms of the proposed hardstanding, high retaining walls and high boundary fencing to the detriment of the visual amenity of the surrounding area

The proposed development is a measured approach to improve pedestrian and vehicular movement within Cromarty Gardens. The design is in keeping with the materials used throughout Stamperland, the design is in keeping with the existing topography by the formation of sloped retaining wall's in lieu of level. The visual amenity of the surrounding area will not have a detrimental effect but will be improved by the use of high quality materials and a well designed development.

3. Neighbour Representations

These comments were in relation to the vehicle access and parking, I have been in dialogue with ERC roads in relation to both parking and vehicle access, with Roads noting acceptance of my proposal.

During dialogue with Roads, I provided swept path analysis demonstrating the safe access and egress to the driveway for each possible scenario of car's parking within Cromarty Gardens.

My driveway proposal is safe by design for pedestrian and vehicle users of Cromarty Gardens and brings the following benefits to the street which I have shown through dialogue with ERC roads-

1. Preventing hazards and inconvenience to pedestrians caused by footway parking (It is therefore recommended that footway parking be minimised through the design of the street.). **Gov.Scot designing streets policy statement.**
2. Enables safer pedestrian movement as footway in front of driveway will not have parked vehicle.
3. Enables an unofficial passing place if pedestrians choose to walk on the road.
4. Enables easier manoeuvring for vehicles driving to the top of the cul-de-sac including bin lorries.
5. Aligns with the directive to promote driveway residential parking in lieu of parking on the footway.
6. Allows the footway to be accessible for all, as aids accessibility for pram or wheelchair users.


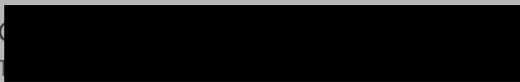






4. Conclusion

I am requesting that the local review panel overturns the officers decision and decides to grant planning permission based on the proposed developments-


1. Benefits to pedestrian health & safety.
2. Benefits to emergency vehicle access
3. Benefits to bin lorry access
4. Improvements in the streetscape aligning with the directive to promote driveway residential parking in lieu of footway parking.
5. That as evidenced by photographs the proposal is in keeping with driveways within the Stamperland estate.
6. The design is in keeping with architectural styles within Cromarty Gardens and the wider Stamperland Estate.

APPENDIX A – Email Correspondence With Roads

Re: MAIL REF 127745 10 Cromarty Gardens Drop Kerb Application

    Reply  Reply All  Forward  

Mon 18/12/2023 09:32

 You replied to this message on 18/12/2023 14:21.
If there are problems with how this message is displayed, click here to view it in a web browser.


CAUTION: This email is from an external party, please do not open attachments/links from an unknown sender/email address.

Hi Fergus,

Just to keep you updated, I can advise that the Roads Service have now completed their consultation response to Planning Services confirming that from our perspective the proposals you have submitted are acceptable,

Regards

Jane

Jane Corrie
Roads Senior Manager
East Renfrewshire Council


APPENDIX B –

Subsequent Information Submitted to Planner Titled “10 Cromarty Gardens Driveway 10.11.23”

APPENDIX C– Initial Submission

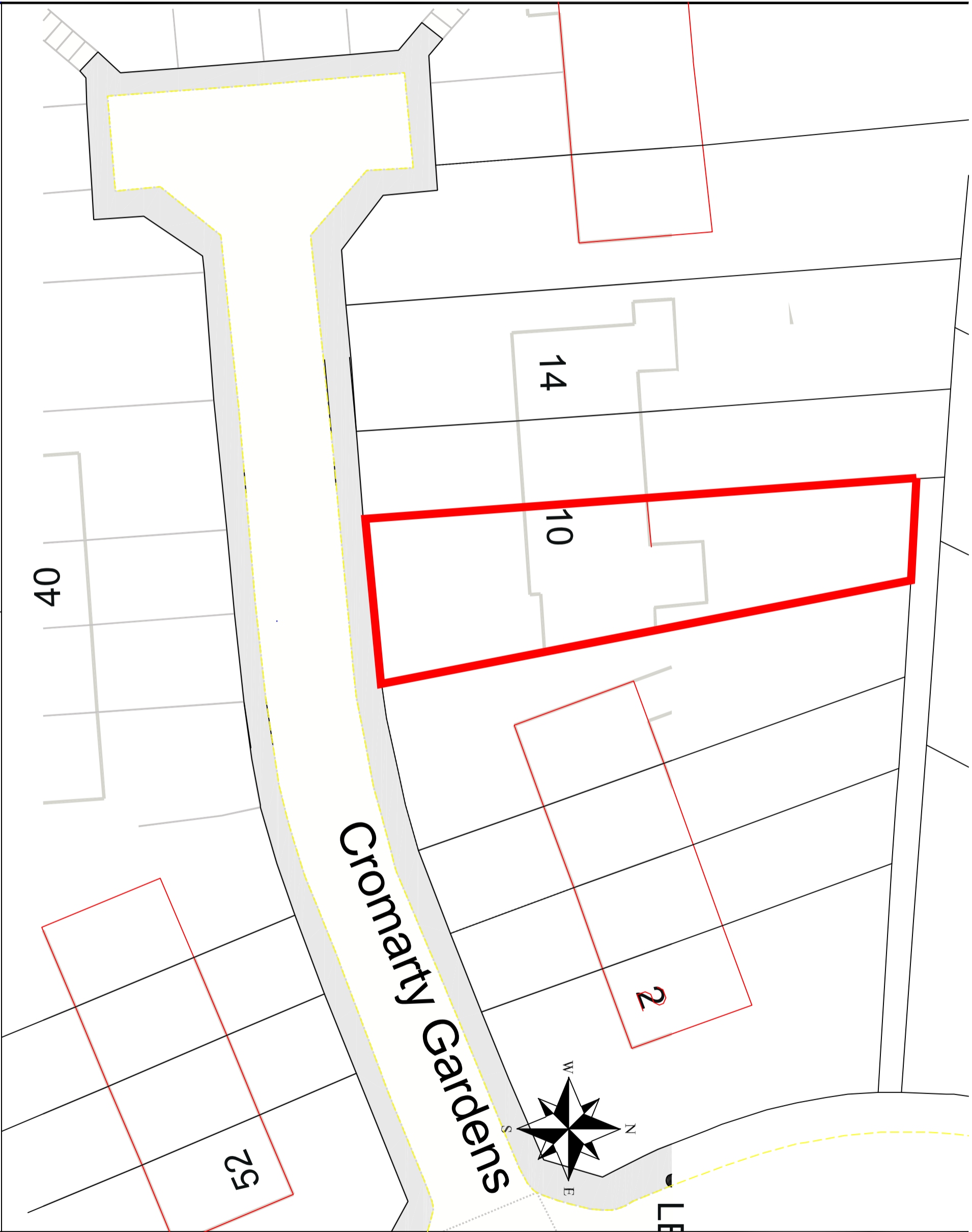
APPENDIX D- Photos of 10 Cromarty Gardens



PLANS/DRAWINGS

APPENDIX C– Initial Submission

Drawing Info.



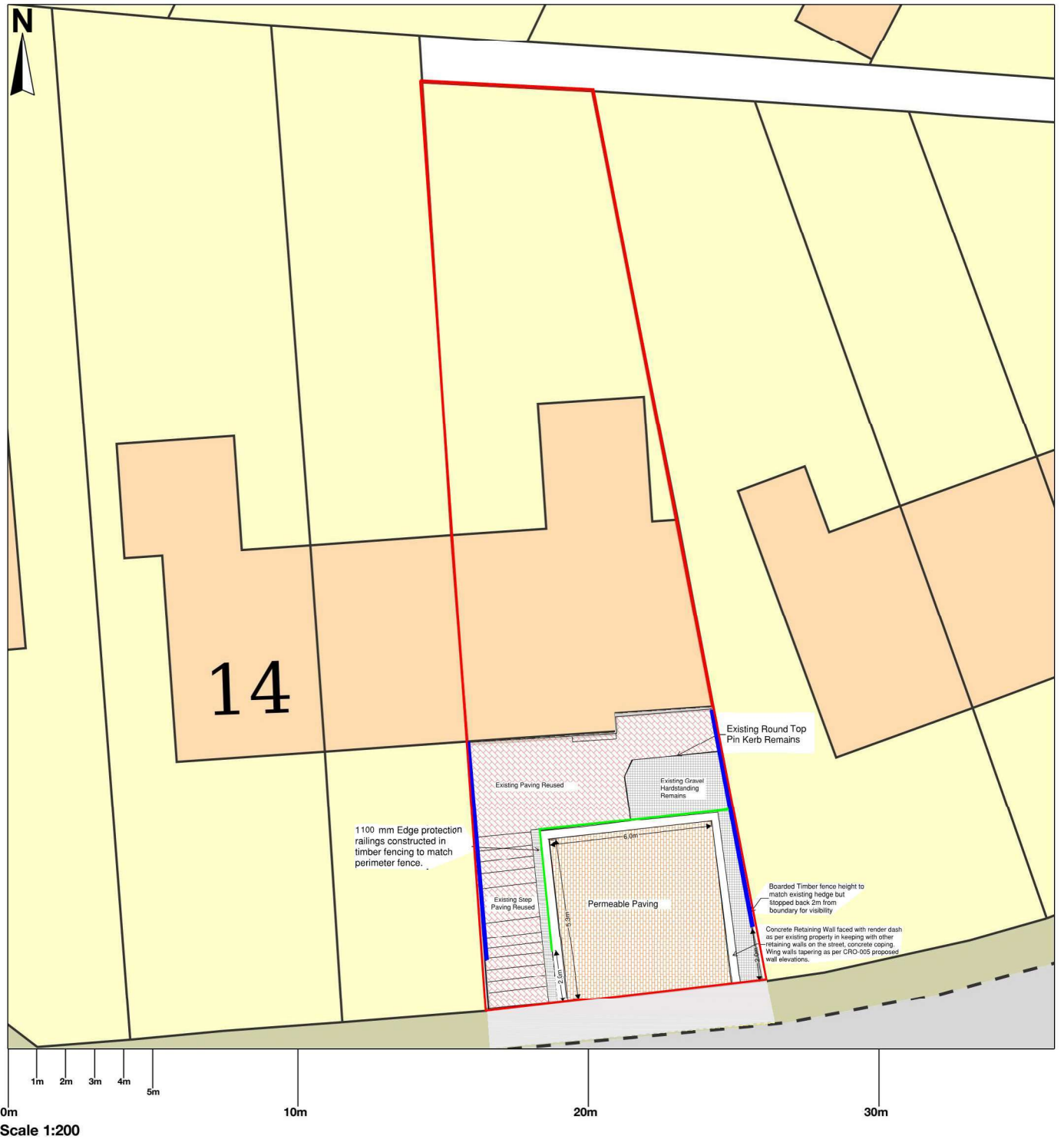
Drawing Title
 10 Cromarty Gardens, Clarkston
 Location Plan

Dwg No. CRO-001
 Revision Rev. A

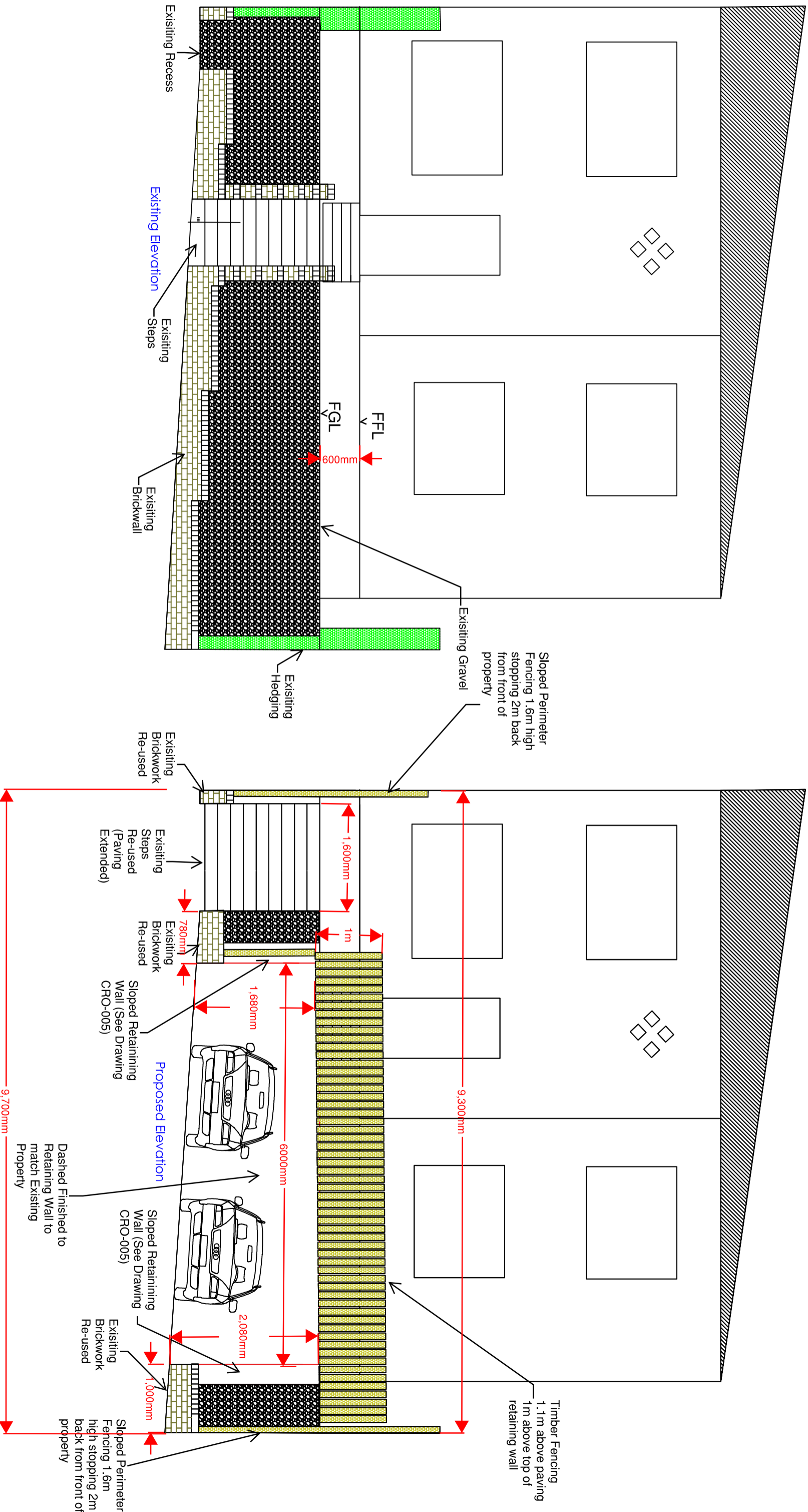
Dwg By FBROWN

Date 23/1/23
 Scale 1:250 (DNS)

10 Cromarty Gardens, Clarkston, Glasgow, G76 8PA



Drawing Title		Date
10 Cromarty Gardens, Clarkston		07/12/23
Block Plan 1:200		
Dwg No.	Dwg By	
CRO-008	FBrown	
Revision:		
Rev. A		



Drawing Info.

Drawing Title

10 Cromarty Gardens, Clarkston

Street Elevation Existing and Proposed

Date
06/12/23

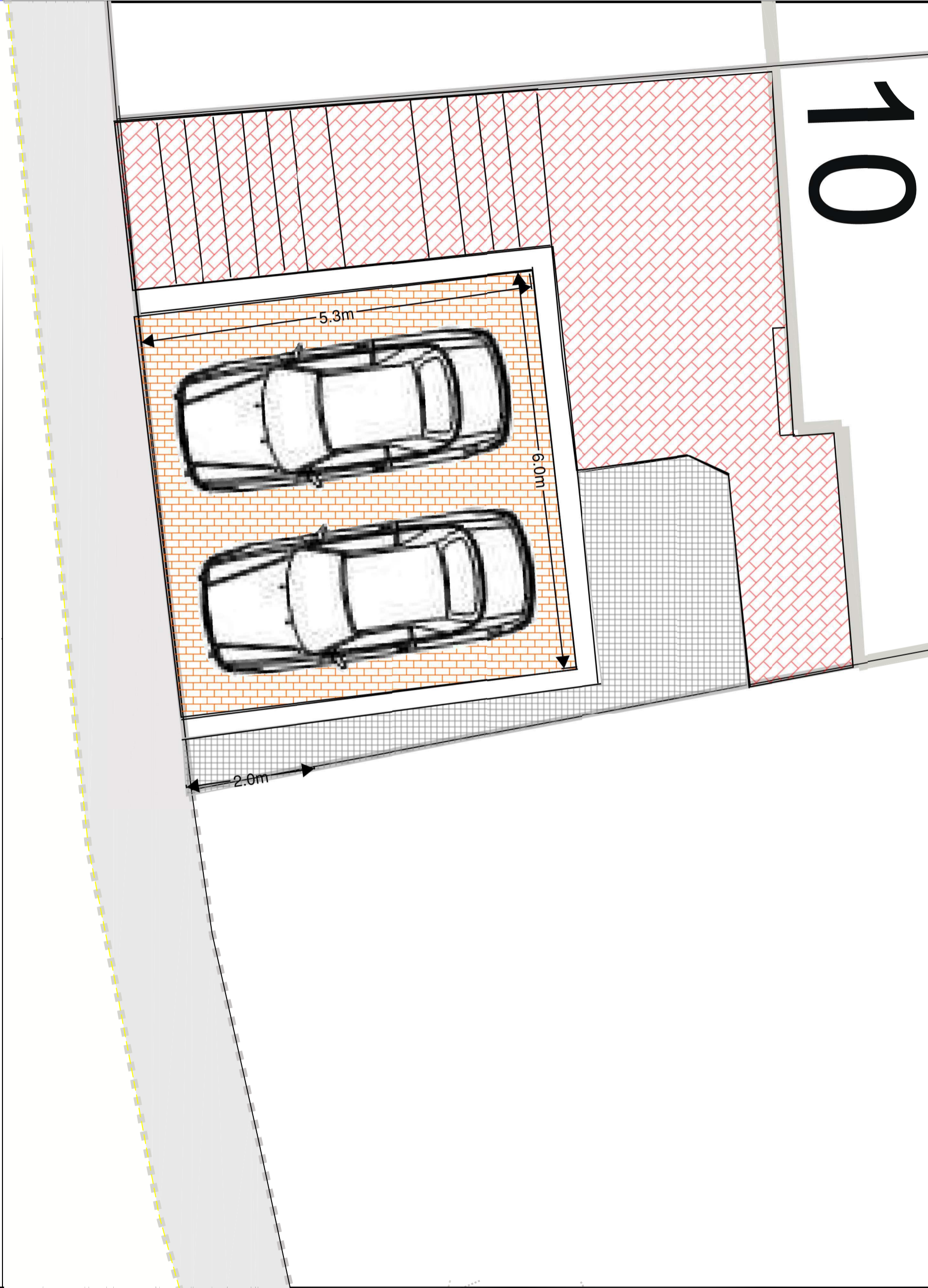
Scale
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Dwg No.
CRO-007

Dwg By
FBROWN

Revision
Rev. A

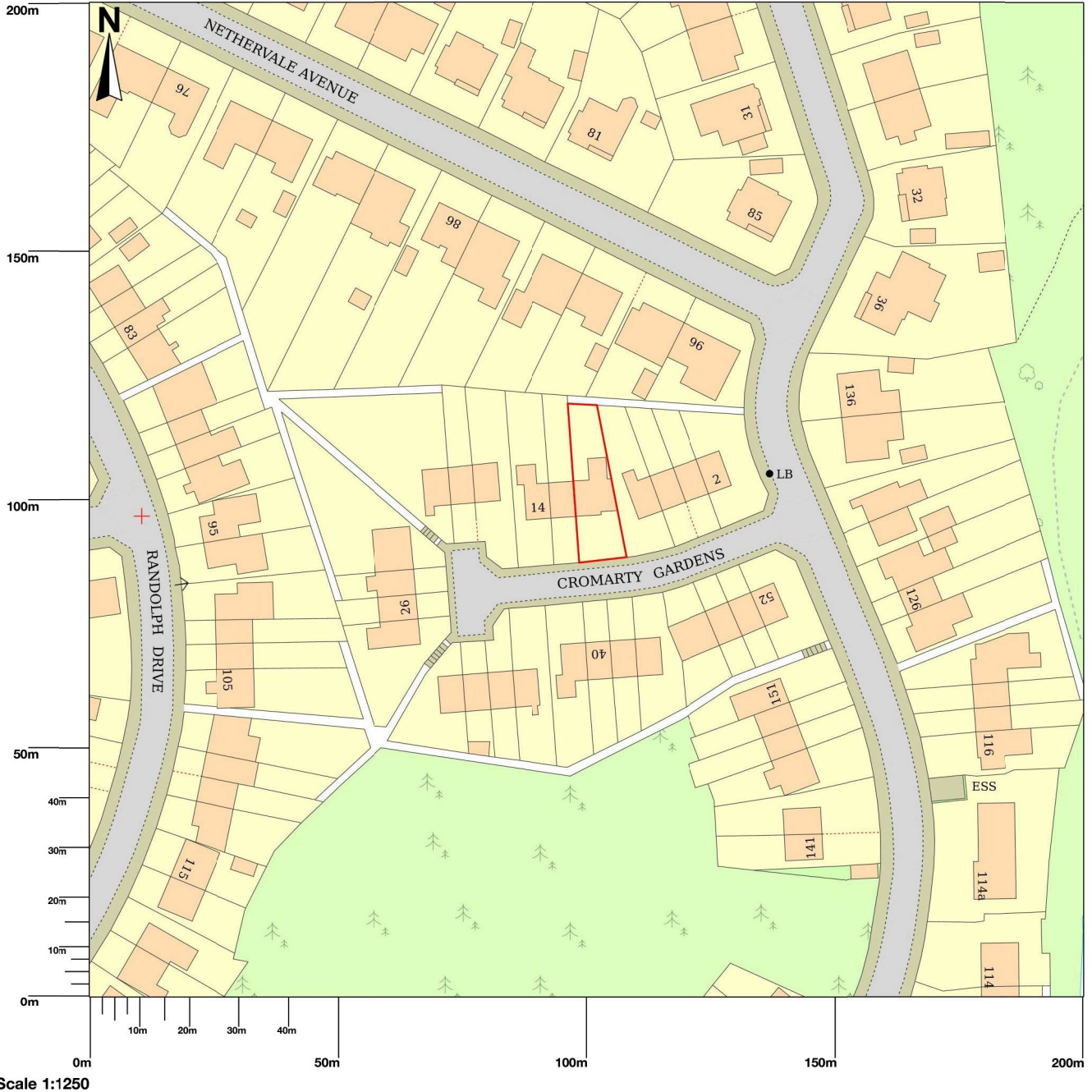
10



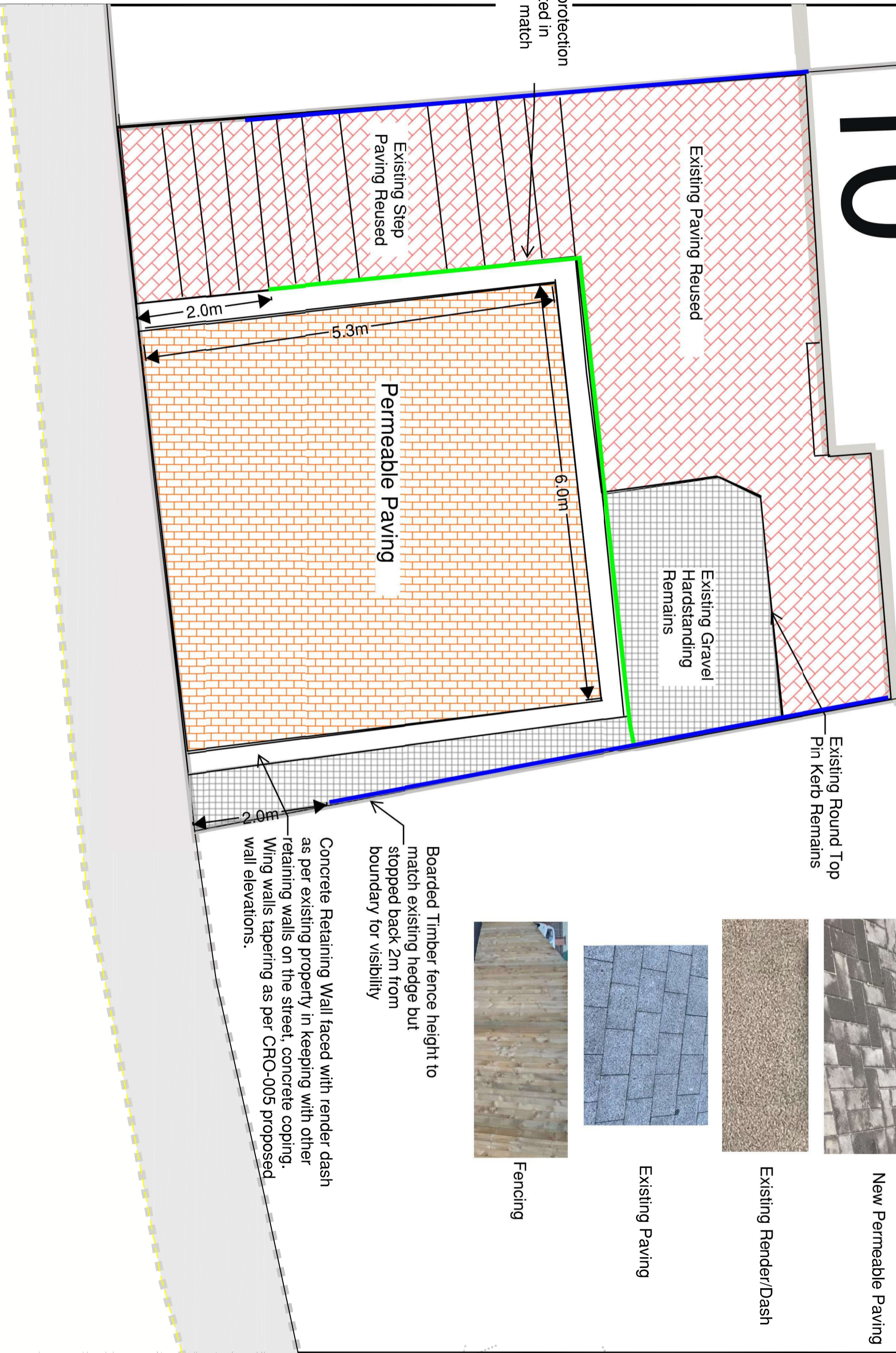
Drawing Info.

Drawing Title		Date
10 Cromarty Gardens, Clarkston Proposed Garden Plan		23/11/23
Dwg No.	Dwg By	Scale
CRO-006 Car Locations	F.Brown	1:250 (DNS)
Revision: Rev. A		

10 Cromarty Gardens, Clarkston, Glasgow, G76 8PA



10



1,200mm Edge protection railings constructed in timber fencing to match perimeter fence.

Existing Step Paving Reused

Existing Paving Reused

Permeable Paving

Existing Gravel Hardstanding Remains

Existing Round Top Pin Kerb Remains

Boarded Timber fence height to match existing hedge but stopped back 2m from boundary for visibility

Concrete Retaining Wall faced with render dash as per existing property in keeping with other retaining walls on the street, concrete coping. Wing walls tapering as per CRO-005 proposed wall elevations.



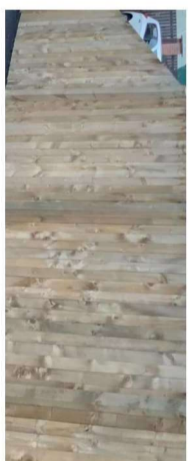
New Permeable Paving



Existing Render/Dash



Existing Paving



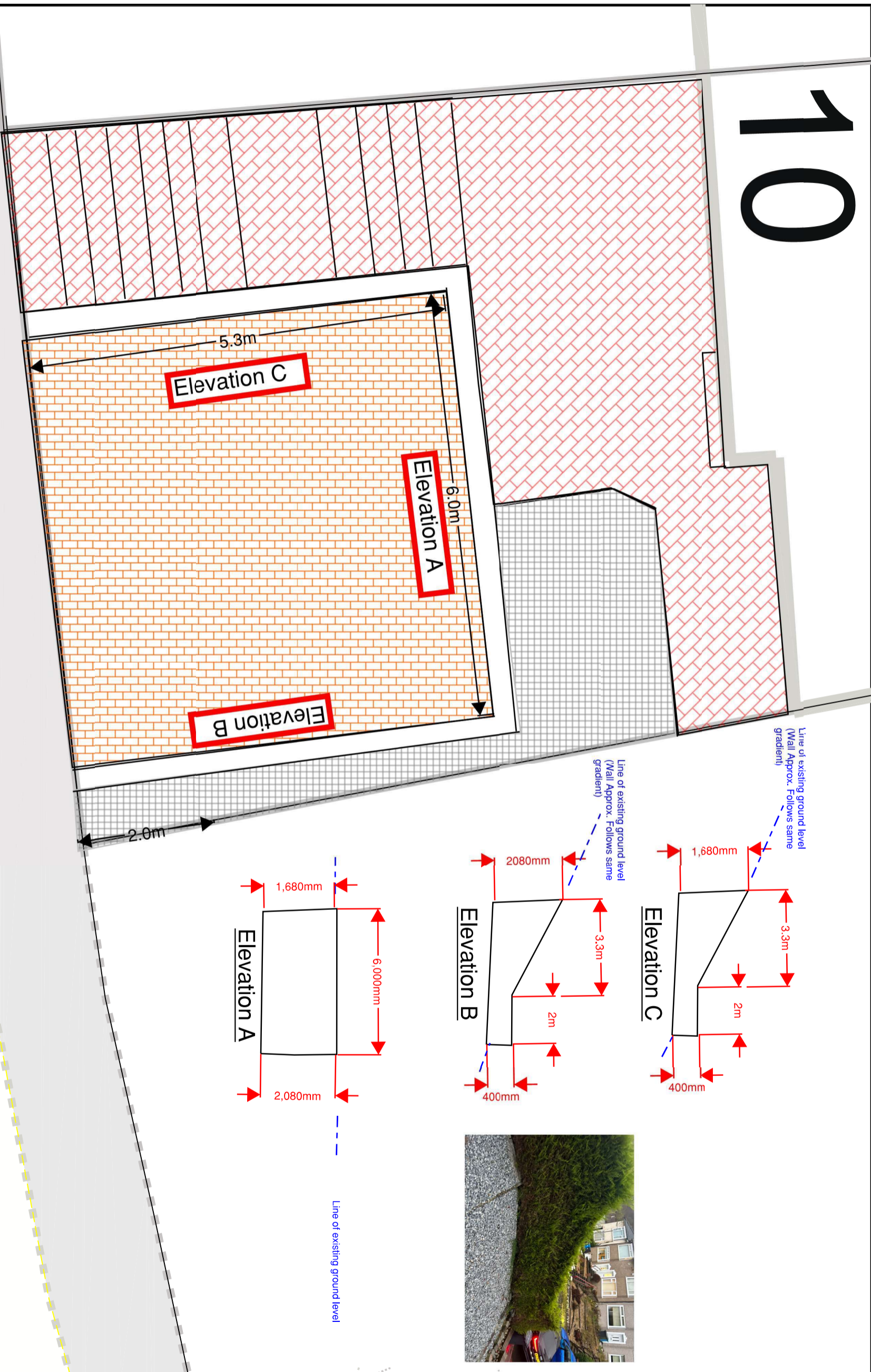
Fencing

Drawing Info.

Drawing Title		Date	
10 Cromarty Gardens, Clarkston Proposed Garden Plan		23/11/23	
Dwg No.		Scale	
CRO-004		1:250 (DNS)	
Revision: Rev. A		Dwg By	
		FBrown	

10

Drawing Info.



- Wall Detail**
- Concrete reinforced as per Engineers Details
 - Faced with Render/Dash to match existing building
 - Concrete Coping Finish

Drawing Title		Date	
10 Cromarty Gardens, Clarkston		23/11/23	
Proposed Wall Elevations		Scale	
		1:250 (DNS)	
Dwg No.	CRO-005 Proposed Wall Elevations	Dwg By	FBrown
Revision	Rev. A		

EAST RENFREWSHIRE COUNCILLOCAL REVIEW BODY5 June 2024Report by Director of Business Operations and PartnershipsREVIEW OF CASE - REVIEW/2024/04

SIDE UTILITY ONE-STOREY EXTENSION, FORMATION OF PITCHED ROOF OVER EXISTING GARAGE, ROOF ALTERATIONS TO FORM FRONT DORMER AND REAR GABLE, AS PART OF LOFT CONVERSION, EXISTING ROOF TO BE RE-ROOFED

PURPOSE OF REPORT

1. The purpose of the report is to present the information currently available to allow a review of the decision taken by officers, in terms of the Scheme of Delegation made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006 in respect of the application detailed below.

DETAILS OF APPLICATION

2. Application type: Further application (Ref No:- 2023/0354/TP).
- Applicant: Mr Scott and Mrs Hayley Graham
- Proposal: Side Utility One-Storey Extension, Formation of Pitched Roof over Existing Garage, Roof Alterations to form Front Dormer and Rear Gable, as part of Loft Conversion, Existing Roof to be Re-Roofed.
- Location: 29 Stewart Drive, Clarkston, G76 7EY
- Council Area/Ward: Clarkston, Netherlee and Williamwood (Ward 4).

REASON FOR REQUESTING REVIEW

3. The applicant has requested a review on the grounds that the Council's Appointed Officer refused the application.

RECOMMENDATIONS

4. The Local Review Body is asked to:-
- (a) consider whether it has sufficient information to allow it to proceed to determine the review without further procedure and, if so, that:-
- (i) it proceeds to determine whether the decision taken in respect of the application under review should be upheld, reversed or varied; and
- (ii) in the event that the decision is reversed or varied, the reasons and the detailed conditions to be attached to the decision letter are agreed; or

- (b) that in the event that further procedure is required to allow it to determine the review, consider:-
- (i) what further information is required, which parties are to be asked to provide the information and the date by which this is to be provided; and/or;
 - (ii) what procedure or combination of procedures are to be followed in determining the review.

BACKGROUND

5. At the meeting of the Council on 29 April 2009, consideration was given to a report by the Director of Environment seeking the adoption of a new Scheme of Delegation in terms of the new Section 43A of the Town and Country Planning (Scotland) Act 1997, subject to approval of the scheme by Scottish Ministers.

6. The report provided details of the new hierarchy of developments that took effect from 6 April 2009 explaining that the Scheme of Delegation related to those applications within the “local development” category as set out in the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009, but would in future be determined by an “appointed officer”. In the Council’s case this would be either the Director of Environment or the Head of Roads, Planning and Transportation Service now designated the Head of Environment (Operations).

7. The report highlighted that historically appeals against planning decisions were dealt with by Scottish Ministers. However, following the introduction of the new planning provisions which came into effect on 3 August 2009 all appeals against decisions made in respect of local developments under delegated powers would be heard by a Local Review Body. The Local Review Body would also deal with cases where the appointed officer had failed to determine an application within two months from the date it was lodged.

NOTICE OF REVIEW – STATEMENT OF REASONS FOR REQUIRING THE REVIEW

8. The applicant in submitting the review has stated the reasons for requiring the review of the determination of the application. A copy of the applicant’s Notice of Review and Statement of Reasons including appeal statement is attached as Appendix 5.

9. The applicant is entitled to state a preference for the procedure (or combination of procedures) to be followed by the Local Review Body in the determination of the review and has detailed in their opinion that this review can continue to conclusion based on the assessment of the review documents only, with no further procedure.

10. The Local Review Body is not bound to accede to the applicant’s request as to how it will determine the review and will itself decide what procedure will be used in this regard.

11. At the meeting of the Local Review Body on 10 August 2016, it was decided that the Local Review Body would carry out unaccompanied site inspections for every review case it received prior to the cases being given initial consideration at a meeting of the Local Review Body.

12. In accordance with the above decision, the Local Review Body will carry out an unaccompanied site inspection on Wednesday, 5 June 2024 before the meeting of the Local Review Body which begins at 2.30pm.

INFORMATION AVAILABLE TO ALLOW REVIEW OF APPLICATION

13. Section 43B of the Planning etc (Scotland) Act 2006 restricts the ability of parties to introduce new material at the review stage. The Local Review Body is advised that the focus of the review should, therefore, be on the material which was before the officer who dealt with the application under the Scheme of Delegation.

14. The information detailed below is appended to this report to assist the Local Review Body in carrying out the review of the decision taken by the Appointed Officer:-

- (a) Application for planning permission – Appendix 1 (Pages 117 to 124);
- (b) Objections and Consultation Responses – Appendix 2 (Pages 125 to 132);
- (c) Reports of Handling by the planning officer under the Scheme of Delegation - Appendix 3 (Pages 133 to 142);
- (d) Decision notice and reasons for refusal - Appendix 4 (Pages 143 to 148); and
- (d) A copy of the applicant's Notice of Review and Statement of Reasons - Appendix 5 (Pages 149 to 160).

15. The applicant has also submitted the drawings listed below and these are attached as Appendix 6 (Pages 161 to 176).

- (a) Block Plan as Existing;
- (b) Block Plan as Proposed;
- (c) Existing Ground Floor Plan;
- (d) Proposed Ground Floor Plan – Kitchen Side;
- (e) Proposed Ground Floor Plan – Garage Side;
- (f) Proposed First Floor Plan;
- (g) Proposed Section AA;
- (h) Front and Rear Elevations as Existing;
- (i) Side Elevations as Existing;
- (j) Front Elevation as Proposed;
- (k) Rear Elevation as Proposed;
- (l) Side Elevation 1 – Proposed;
- (m) Side Elevation 2 – Proposed; and
- (n) Location Plan.

16. All the documents referred to in this report can be viewed online on the Council's website at www.eastrenfrewshire.gov.uk.

RECOMMENDATIONS

17. The Local Review Body is asked to:-

- (a) consider whether it has sufficient information to allow it to proceed to determine the review without further procedure and, if so, that:-
 - (i) it proceeds to determine whether the decisions taken in respect of the application under review should be upheld, reversed or varied; and
 - (ii) in the event that the decision is reversed or varied, the reasons and the detailed conditions to be attached to the decision letter are agreed; or
- (b) In the event that further procedure is required to allow it to determine the review, consider:-
 - (i) what further information is required, which parties are to be asked to provide the information and the date by which this is to be provided; and/or;
 - (ii) what procedure or combination of procedures are to be followed in determining the review.

Report Author: John Burke

Director – Louise Pringle, Director of Business Operations and Partnerships

John Burke, Democratic Services Officer
e-mail: john.burke@eastrenfrewshire.gov.uk
Tel: 0141 577 3026

Date:- 30 May 2024

APPLICATION FOR PLANNING PERMISSION



2 Spiersbridge Way Thornliebank G46 8NG Tel: 0141 577 3001 Email: planning@eastrenfrewshire.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 100632272-001

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.

Description of Proposal

Please describe accurately the work proposed: * (Max 500 characters)

Side Utility one-storey extension. Formation of pitched roof over existing garage. Roof alterations to form front dormer and rear gable, as part of loft conversion. Existing roof to be re-roofed.

Has the work already been started and/ or completed? *

No Yes - Started Yes – Completed

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:	A-Cubed Design Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Amanda	Building Name:	
Last Name: *	Campbell	Building Number:	6
Telephone Number: *	07909 337 951	Address 1 (Street): *	Copland Place
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Glasgow
Fax Number:		Country: *	Scotland
		Postcode: *	G51 2RS
Email Address: *	amanda@a3online.co.uk		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Other	You must enter a Building Name or Number, or both: *	
Other Title:	Mr and Mrs	Building Name:	
First Name: *	Scott and Hayley	Building Number:	29
Last Name: *	Graham	Address 1 (Street): *	Stewart Drive
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Clarkston
Extension Number:		Country: *	UK
Mobile Number:		Postcode: *	G76 7EY
Fax Number:			
Email Address: *	hayleygraham_@outlook.com		

Site Address Details

Planning Authority:

East Renfrewshire Council

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

Address 1:

29 STEWART DRIVE

Address 2:

CLARKSTON

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

GLASGOW

Post Code:

G76 7EY

Please identify/describe the location of the site or sites

Northing

657560

Easting

256984

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Trees

Are there any trees on or adjacent to the application site? *

Yes No

If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? *

Yes No

If yes, please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you proposed to make. You should also show existing footpaths and note if there will be any impact on these.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

Yes No

Is any of the land part of an agricultural holding? *

Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Amanda Campbell

On behalf of: Mr and Mrs Scott and Hayley Graham

Date: 15/06/2023

Please tick here to certify this Certificate. *

Checklist – Application for Householder Application

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

- a) Have you provided a written description of the development to which it relates? * Yes No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? * Yes No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent.? * Yes No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? *. This should have a north point and be drawn to an identified scale. Yes No
- e) Have you provided a certificate of ownership? * Yes No
- f) Have you provided the fee payable under the Fees Regulations? * Yes No
- g) Have you provided any other plans as necessary? * Yes No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). *

You can attach these electronic documents later in the process.

- Existing and Proposed elevations.
- Existing and proposed floor plans.
- Cross sections.
- Site layout plan/Block plans (including access).
- Roof plan.
- Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding. Yes No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. * Yes No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

Declaration Name: Mrs Amanda Campbell

Declaration Date: 15/06/2023

Payment Details

Pay Direct

Created: 15/06/2023 09:51

OBJECTIONS/REPRESENTATIONS

Comments for Planning Application 2023/0354/TP

Application Summary

Application Number: 2023/0354/TP

Address: 29 Stewart Drive Clarkston East Renfrewshire G76 7EY

Proposal: Extension to side and rear. Formation of pitched roof over existing garage. Roof alterations to form front dormer and rear gable. Existing roof to be re-roofed.

Case Officer: Mr Derek Scott

Customer Details

Name: Mrs Fiona Abram

Address: 20 Sunnyside Drive, Clarkston, East Renfrewshire G76 7PU

Comment Details

Commenter Type: Adjacent Local Authority

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Dear Sirs,

I object to the current plans on the basis that there is a large window upstairs to the rear of the property. This is likely to impact on the privacy of my property. I do not object to people improving their homes but consider that large upstairs windows are not suitable in an area when houses are close together with small gardens.

Other houses in the area have velux style windows upstairs which allow light and development of houses upstairs without intruding on neighbours.

Yours faithfully Fiona Abram

Comments for Planning Application 2023/0354/TP

Application Summary

Application Number: 2023/0354/TP

Address: 29 Stewart Drive Clarkston East Renfrewshire G76 7EY

Proposal: Extension to side and rear. Formation of pitched roof over existing garage. Roof alterations to form front dormer and rear gable. Existing roof to be re-roofed.

Case Officer: Mr Derek Scott

Customer Details

Name: Mr Charles Stringer

Address: 22 Sunnyside Drive, Clarkston, East Renfrewshire G76 7PU

Comment Details

Commenter Type: Rec'd NeighbourNotification from Council

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This application will have a upper floor window (seems to be full height double type opening onto to balcony from master bedroom) which will overlooking my back garden and rear of house which has bedroom, family room and bathroom windows to the rear of 22 Sunnyside Drive. On ariel view can see no other building in area with this type of window at rear of proprties

Comments for Planning Application 2023/0354/TP

Application Summary

Application Number: 2023/0354/TP

Address: 29 Stewart Drive Clarkston East Renfrewshire G76 7EY

Proposal: Extension to side and rear. Formation of pitched roof over existing garage. Roof alterations to form front dormer and rear gable. Existing roof to be re-roofed.

Case Officer: Mr Derek Scott

Customer Details

Name: Mr Charles Stringer

Address: 22 Sunnyside Drive, Clarkston, East Renfrewshire G76 7PU

Comment Details

Commenter Type: Rec'd NeighbourNotification from Council

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Find previous comment on line of sight incorrect.

Shows hedges (line of trees put in by previous owner of 29 who had cot top and both sides every year) as shared not so belongs to 29 with side at 22 only shrubs.

Height of observer used is well under height of average Scottish male.

Shows garden in 22 sloping towards house when it is level.

If their height of hedge as 2.2 m and observer increased by 10 cm almost all of rear patio doors of family room at 22 in direct line of sight.

Comments for Planning Application 2023/0354/TP

Application Summary

Application Number: 2023/0354/TP

Address: 29 Stewart Drive Clarkston East Renfrewshire G76 7EY

Proposal: Extension to side and rear. Formation of pitched roof over existing garage. Roof alterations to form front dormer and rear gable. Existing roof to be re-roofed. Installation of trellis (amended plans received/amended description)

Case Officer: Mr Derek Scott

Customer Details

Name: Mr Charles Stringer

Address: 22 Sunnyside Drive, Clarkston, East Renfrewshire G76 7PU

Comment Details

Commenter Type: Rec'd Neighbour Notification from Council

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: With regards to last comment suggesting a trellis, this avoids the issue of the ownership and responsibility for the hedge (trees), the trunks of these trees are wholly in the grounds of 29 Stewart Drive and are their responsibility.

Current suggestion seems to be that those of us (numbers 20, 22 and 24 Sunnyside Drive) would have an ongoing problem of maintaining someone's else hedge with a 3 metre high hedge/trellis combination overshadowed and overbearing our properties.

East Renfrewshire Council Planning Guidance Householders Design Guide May 2023 para 2 states

"should avoid any negative impacts on neighbouring properties such as overbearing resulting in excessive overshadowing or loss of privacy."

While I would not wish to stop neighbours enjoying their home and their right to improve same, do feel the aspect from the large three panel window at the upper rear gable detracts from my own rights. I do feel this is a case of overdevelopment on the site which is incongruous and not in keeping with the style of bungalows in the area.

Comments for Planning Application 2023/0354/TP

Application Summary

Application Number: 2023/0354/TP

Address: 29 Stewart Drive Clarkston East Renfrewshire G76 7EY

Proposal: Extension to side and rear. Formation of pitched roof over existing garage. Roof alterations to form front dormer and rear gable. Existing roof to be re-roofed. Installation of trellis (amended plans received/amended description)

Case Officer: Mr Derek Scott

Customer Details

Name: Mrs Geraldine Stringer

Address: 22 Sunnyside Drive, Clarkston, East Renfrewshire G76 7PU

Comment Details

Commenter Type: Rec'd Neighbour Notification from Council

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Feel this is overdevelopment of site.

Overshadowing of adjacent properties to rear of 29 Stewart Drive against development plan D 1.1. Narrow gardens.


Proposed gable wall at rear the upper three panel full height windows is inappropriate for site will dominate skyline and cause intrusion into gardens and windows to rear of property.

Leylandi hedgerow rear of 29 Stewart Drive is line of trees with trunks totally on their property making this their sole responsibility not a shared hedge .

Previous owner of 29 Stewart Drive maintained both sides and top, current owners only cut part of top and side facing their property.

The intention to put trellis at top of trees will only only increase problems for cutting hedge (trees) .

Do feel not in keeping with other bungalows in area indeed are creating a villa on a bungalow site.



From: Caroline Swan [REDACTED]
Sent: 26 October 2023 13:19
To: EN Planning <Planning@eastrenfrewshire.gov.uk>
Subject: Application - 2023/0354/TP

Hello,

Further to my call with Alison just now, I am emailing in details of my objection to these plans as the objection I lodged via the portal appears to have gone astray. I would be grateful if you would lodge these appropriately.

For reference, my name is Caroline Swan and I live at 26 Sunnyside Drive, Clarkston G76 7PU and received Neighbour Notification.

I object to the plans as submitted as they will cause a loss of privacy into my garden and into my main living room at the rear of my property. A person standing at the proposed juliet balcony windows will be able to look across the roof of the dining area, over the hedge (which is lower to the west side of the property, particularly that part of the hedge which is actually owned by the neighbouring property at no. 31 Stewart Drive) and into my garden. There will be a direct line of sight into my own living area through my patio doors.

The proposed rear roofline with gable wall effectively brings a two storey wall much closer to the boundary line of the properties in Sunnyside Drive. The height and scale of the design is inappropriate for the plot and the neighbourhood. The windows in this rear gable wall will overlook gardens and properties from possibly 18 Sunnyside Drive right across to 28 Sunnyside Drive. It will be an overly dominant and domineering feature and is out of keeping with all the neighbouring bungalows which have developed attics/ 2nd floors with velux windows maintaining privacy in neighbours' gardens. These proposals would effectively convert an in-keeping bungalow into an out of place two storey villa.

Regards

Caroline Swan

REPORT OF HANDLING

REPORT OF HANDLING

Reference: 2023/0354/TP

Date Registered: 22nd June 2023

Application Type: Full Planning Permission

This application is a Local Development

Ward: 4 -Clarkston, Netherlee And Williamwood

Co-ordinates: 256984/:657560

Applicant/Agent:

Applicant:

Mr and Mrs Scott and Hayley Graham

29 Stewart Drive

Clarkston

East Renfrewshire

G76 7EY

Agent:

Amanda Campbell

6 Copland Place

Glasgow

Scotland

G51 2RS

Proposal: Extension to side and rear. Formation of pitched roof over existing garage. Roof alterations to form front dormer and rear gable. Existing roof to be re-roofed.

Location: 29 Stewart Drive
Clarkston
East Renfrewshire
G76 7EY

CONSULTATIONS/COMMENTS: None.

PUBLICITY: None.

SITE NOTICES: None.

SITE HISTORY: None relevant.

REPRESENTATIONS: Four objections have been received and can be summarised as follows:

Overlooking
Out of character with the area and dominant
Overdevelopment of the site
Overshadowing

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS: No reports have been submitted for consideration as part of this application.

ASSESSMENT:

The application site comprises a detached bungalow and lies within an established residential area characterised by a variety of house types. The dwellings in the area comprise predominantly hipped roofs, although it is noted the nearby dwellings at 23 and 25 Stewart Drive feature semi-gables. Many of the dwellings in the area feature dormer windows. The property has an existing attached flat-roofed garage and an existing side and rear extension. The dwelling has a short ridge line that runs parallel with the street. Further dwellings lie to the rear

on Sunnyside Drive. The applicant's rear garden is relatively shallow at 8.5 metres deep. The dwelling has been extended in the past. The existing roof is clad in red tiles.

Planning permission is sought for an enlargement of the roof to form a rear gable and a flat central section, including re-roofing of the dwelling; the erection of a single storey side and rear extension; the installation of a front dormer window; and for the formation of a mono-pitch roof over the existing garage. The proposed external roofing and wall materials match those of the existing dwelling. The dwelling is proposed to be re-roofed with red concrete tile. There is no change to the colour of the roof.

The application requires to be assessed with regard to the Development Plan which comprises NPF4 and the East Renfrewshire Local Development Plan 2.

The policy most relevant to this proposal in NPF4 is Policy 16. Policy 16 states that householder development proposals will be supported where they:

- (i) do not have a detrimental impact on the character or environmental quality of the home and the surrounding area in terms of size, design and materials; and
- (ii) do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking.

Policies D1 and D1.1 of the adopted East Renfrewshire Local Development Plan are also relevant to this development. Policy D1 requires that all development should not result in a significant loss of character or amenity to the surrounding area and Policy D1.1 requires that extensions and alterations should complement the character of the existing building in terms of its style, form and materials and not give rise to a significant loss of character or amenity to the surrounding area.

It is noted that the proposal introduces a rear gable feature and a flat central section of roof. This is significant in as much as it changes the form of the existing roof. However, in this instance the rear of the dwelling is not readily open to public view and the flat section of roof is not an unduly prominent feature when viewed from street level. Further, the proposals do not exceed the existing ridge height. The cumulative impact of the existing extensions and the proposed extensions and alterations, including the front dormer window, is therefore not considered to detract from the character or design of the existing dwelling and is in keeping with the visual character of the area. Whilst the rear gable would be visible from the properties to the rear, its visual impact would not be considered to be as severe as would justify a refusal of the application on that ground. If the proposal is approved, a condition can be attached to any planning permission granted to ensure the proposed dormer fronts and side cheeks are externally clad in material to match the finish of the roof. The re-roofing does not change the colour of the roof. Whilst it would not require permission in its own right, it is considered to be acceptable.

Given the design of the proposals and their orientation in relation to the adjacent dwellings, the proposal would not be considered to give rise to significant additional overshadowing or loss of daylight.

Whilst the rear garden is relatively shallow it is of sufficient width to ensure the proposal (cumulatively with the existing extensions) does not represent the over-development of the site.

It is noted that the proposal introduces a large rear-facing, first floor window which is a feature not present in the immediate area. It comprises inwards-opening doors and a safety rail, although it does not form a balcony. Given the relatively shallow depth of the applicant's rear garden and those of the properties to the rear, this would have potential to create an overlooking issue. Indeed, both objectors to the rear, at 20 and 22 Sunnyside Drive, raise this issue.

There is an established boundary hedge within the applicant's property that runs along the rear boundaries with 20, 22 and 24 Sunnyside Drive. On the applicant's side the hedge has been trimmed to 2.2 metres high. Where the hedge overgrows the boundaries with 20 and 22 Sunnyside Drive it has been allowed to grow up to 2.8 metres high in parts.

The applicant's agent has provided a drawing and photographic information that shows that the distance between the proposed window to neighbouring windows varying between 15.7 metres and 20 metres. Whilst 20 metres would be considered acceptable, the lesser distances, which are also directly opposing the neighbour's windows, is unacceptable as it is likely to result in overlooking which can only be mitigated by that part of the rear boundary hedge that is outwith the applicant's control.

As outlined above, the LDP2 seeks to protect the amenity of adjacent properties, and also requires borrowed amenity to be considered. Borrowed amenity is where a new development borrows amenity from adjacent land. For example, in this instance, the majority of window to window overlooking is only mitigated by that part of the boundary hedge that grows on the neighbour's side of the boundary and is therefore within the control of the neighbour rather than the applicant. As a matter of principle, borrowing amenity should be avoided as it place the onus on the owner of the adjacent property to (in this case) maintain the boundary hedge at a height of around 3 metres to protect their privacy. Had the applicant's side of the hedge been higher, a condition could have been attached to any planning permission granted to ensure it is maintained at an appropriate height. However, the hedge under the applicant's direct control is currently of insufficient height to prevent overlooking and it is not possible to attach a condition controlling the height of the overhanging part of the hedge.

A proposal had been put forward by the applicant to erect a section of trellis in the middle of the hedge in order to address the overlooking issue. However, the applicant subsequently withdrew this aspect of the proposal.

It is therefore considered that the applicant has been unable to demonstrate that the existing boundary planting offers adequate screening to protect the amenity of the adjacent properties. In the absence of suitable mitigation, the proposal would give rise to significant additional overlooking over the property to the rear to the detriment of residential amenity. It is not possible to control the height of the higher part of the hedge that grows on the neighbouring side of the rear boundary with planning conditions.

Whilst the proposal is generally acceptable in other aspects, the application must be determined as a whole.

Given the above, the proposal is considered to be contrary to Policy 16 of NPF4 and contrary to Policies D1 and D1.1 of LDP2.

The points of objection have been addressed above.

In conclusion, the proposal is contrary to the relevant terms of the development plan. There are no material considerations that indicate the application should not be refused. It is therefore recommended that the application is refused.

PLANNING OBLIGATIONS: None.

RECOMMENDATION: Refuse.

REASONS FOR REFUSAL:

- 1 The proposal is contrary to Policy 16 of National Planning Framework 4 as, without an adequate means of control, the proposed rear-facing first floor window would give rise to a significant additional degree of overlooking to the detriment of the residential amenity of the property to the rear.
2. The proposal is contrary to Policies D1 and D1.1 of the adopted East Renfrewshire Local Development Plan as, without an adequate means of control, the proposed rear-facing first floor window would give rise to a significant additional degree of overlooking to the detriment of the residential amenity of the property to the rear.

ADDITIONAL NOTES: None.

ADDED VALUE: None.

BACKGROUND PAPERS:

Further information on background papers can be obtained from Mr Derek Scott on 0141 577 3001.

Ref. No.: 2023/0354/TP
(DESC)

DATE: 30th October 2023

DIRECTOR OF ENVIRONMENT

Finalised 2nd November 2023 – GMcC(1)

Reference: 2023/0354/TP - Appendix 1

DEVELOPMENT PLAN:

Adopted East Renfrewshire Local Development Plan 2

Policy D1

Placemaking and Design

Proposals for development within the urban and rural areas should be well designed, sympathetic to the local area and demonstrate that the following criteria have been considered, and, where appropriate, met. Proposals will be assessed against the 6 qualities of a successful place as outlined in SPP, Designing Streets and the Placemaking and Design Supplementary Guidance.

1. The development should not result in a significant loss of character or amenity to the surrounding area;
2. The proposal should be appropriate to its location, be high quality and of a size, scale, height, massing and density and layout that is in keeping with the buildings in the locality or appropriate to the existing building and should respect local architecture, building form and design;
3. Respect existing building lines and heights of the locality;
4. Create a well-defined structure of streets, public spaces and buildings;

5. Ensure the use of high quality sustainable and durable materials, colours and finishes that complement existing development and buildings in the locality;
6. Respond to and complement site topography and not impact adversely upon the green belt and landscape character and setting, green networks, features of historic interest, landmarks, vistas, skylines and key gateways. Existing buildings and natural features of suitable quality, should be retained and sensitively integrated into proposals including greenspace, trees and hedgerows;
7. Boundary treatment and landscaping should create a distinctive edge and gateway to the development and reflect local character;
8. Promote permeable and legible places through a clear sustainable movement hierarchy favouring walking, then cycling, public transport, then the private car as forms of movement;
9. Demonstrate connectivity through the site and to surrounding spaces via a network of safe, direct, attractive and coherent walking and cycling routes. These must be suitable for all age groups, and levels of agility and mobility to allow for ease of movement from place to place;
10. Demonstrate that safe and functional pedestrian, cycle and vehicular access, and parking facilities and infrastructure, including for disabled and visitor parking, is provided in accordance with the Council's Roads Development Guide. Where appropriate, proposals will be required to provide secure and accessible shelters, lockers, showers and seating and be designed to meet the needs of all users. Cycle parking and facilities should be located in close proximity to the entrances of all buildings to provide convenience and choice for users;
11. Incorporate integrated and enhance existing green infrastructure assets, such as landscaping, trees and greenspace, water management and SUDs including access and prioritise links to the wider green network as an integral part of the design process from the outset, in accordance with Policies D4 - D6. New green infrastructure must be designed to protect and enhance the habitat and biodiversity of the area and demonstrate a net gain;
12. Unless justified, there will be a general presumption against landraising. Where there is a justifiable reason for landraising, proposals must have regard to the scale and visual impact of the resultant changes to the local landscape and amenity. Proposals that adversely impact upon the visual and physical connections through the site and to the surrounding areas will be resisted;
13. Backland development should be avoided;
14. Provide safe, secure and welcoming places with buildings and spaces, including open spaces, play areas and landscaping, designed and positioned to reduce the scope for anti-social behaviour and fear of crime, improve natural surveillance, passive overlooking, security and street activity;
15. The amenity of residents, occupants and users of neighbouring existing and new buildings and spaces should not be adversely affected by unreasonably restricting their sunlight or privacy. Additional guidance on this issue is available in the Daylight and Sunlight Design Guide Supplementary Guidance;
16. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the proposal;
17. The amenity of residents, occupants and users of neighbouring existing and new buildings and spaces should not be adversely affected by noise, dust, pollution and smell or poor air quality;

18. Ensure buildings and spaces are future proof designed to be easily adaptable and flexible to respond to changing social, environmental, technological, digital and economic conditions;
19. Incorporate provision for the recycling, storage, collection and composting of waste materials; and
20. Incorporate the use of sustainable design and construction methods and materials in the layout and design to support a low carbon economy.

Proposals must meet the requirements of any development brief prepared by the Council for an allocated site.

Further detailed guidance and information will be set out in the Placemaking and Design Supplementary Guidance, Householder Design Supplementary Guidance and the Daylight and Sunlight Design Supplementary Guidance.

Policy D1.1

Extensions and Alterations to Existing Buildings for Residential Purposes

Proposals will be assessed against the following criteria:

1. The development should not result in a significant loss of character or amenity to the surrounding area;
2. Should complement the scale and character of the existing building, neighbouring properties and their setting, particularly in terms of style, form and materials;
3. The size, scale and height of any development must be appropriate to and not adversely impact or dominate the existing building;
4. Should not create an unbroken or terraced appearance;
5. Where additional bedrooms are proposed or a garage/driveway is being converted to another use other than for the parking of a vehicle, proposals will be required to provide parking in accordance with the Council's Roads Development Guide; and
6. Should avoid over-development of the site by major loss of existing front and rear garden space. No more than 50% of the rear garden should be occupied by the development.

Further detailed information and guidance will be set out in the Householder Design Guide Supplementary Guidance.

National Planning Framework 4

Policy 16

Quality homes

- a) Development proposals for new homes on land allocated for housing in LDPs will be supported.
- b) Development proposals that include 50 or more homes, and smaller developments if required by local policy or guidance, should be accompanied by a Statement of Community Benefit. The statement will explain the contribution of the proposed development to:
 - i. meeting local housing requirements, including affordable homes;

- ii. providing or enhancing local infrastructure, facilities and services; and
 - iii. improving the residential amenity of the surrounding area.
- c) Development proposals for new homes that improve affordability and choice by being adaptable to changing and diverse needs, and which address identified gaps in provision, will be supported. This could include:
- i. self-provided homes;
 - ii. accessible, adaptable and wheelchair accessible homes;
 - iii. build to rent;
 - iv. affordable homes;
 - v. a range of size of homes such as those for larger families;
 - vi. homes for older people, including supported accommodation, care homes and sheltered housing;
 - vii. homes for people undertaking further and higher education; and
 - viii. homes for other specialist groups such as service personnel.
- d) Development proposals for public or private, permanent or temporary, Gypsy/Travellers sites and family yards and Travelling Showpeople yards, including on land not specifically allocated for this use in the LDP, should be supported where a need is identified and the proposal is otherwise consistent with the plan spatial strategy and other relevant policies, including human rights and equality.
- e) Development proposals for new homes will be supported where they make provision for affordable homes to meet an identified need. Proposals for market homes will only be supported where the contribution to the provision of affordable homes on a site will be at least 25% of the total number of homes, unless the LDP sets out locations or circumstances where:
- i. a higher contribution is justified by evidence of need, or
 - ii. a lower contribution is justified, for example, by evidence of impact on viability, where proposals are small in scale, or to incentivise particular types of homes that are needed to diversify the supply, such as self-build or wheelchair accessible homes. The contribution is to be provided in accordance with local policy or guidance.
- f) Development proposals for new homes on land not allocated for housing in the LDP will only be supported in limited circumstances where:
- i. the proposal is supported by an agreed timescale for build-out; and
 - ii. the proposal is otherwise consistent with the plan spatial strategy and other relevant policies including local living and 20 minute neighbourhoods;
 - iii. and either:
 - delivery of sites is happening earlier than identified in the deliverable housing land pipeline. This will be determined by reference to two consecutive years of the Housing Land Audit evidencing substantial delivery earlier than pipeline timescales and that general trend being sustained; or
 - the proposal is consistent with policy on rural homes; or
 - the proposal is for smaller scale opportunities within an existing settlement boundary; or
 - the proposal is for the delivery of less than 50 affordable homes as part of a local

authority supported affordable housing plan.

- g) Householder development proposals will be supported where they:
 - i. do not have a detrimental impact on the character or environmental quality of the home and the surrounding area in terms of size, design and materials; and
 - ii. do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking.
- h) Householder development proposals that provide adaptations in response to risks from a changing climate, or relating to people with health conditions that lead to particular accommodation needs will be supported.

DECISION NOTICE

Our Ref: 2023/0354/TP
Your Ref:
Date: 3rd November 2023
When calling Please ask for: Mr Derek Scott derek.scott@eastrenfrewshire.gov.uk
Telephone No: 0141 577 3001

Amanda Campbell
6 Copland Place
Glasgow
Scotland
G51 2RS

Dear Sir/Madam,

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
NOTIFICATION OF DECISION - REFUSAL OF PLANNING PERMISSION

Ref No: 2023/0354/TP
Location: 29 Stewart Drive Clarkston East Renfrewshire G76 7EY
Proposal: Extension to side and rear. Formation of pitched roof over existing garage.
Roof alterations to form front dormer and rear gable. Existing roof to be re-roofed.

The Council has decided to refuse your application for the reasons explained on the enclosed decision notice. The stamped refused drawings are available to view and download from the Council's website www.ercplanning.eastrenfrewshire.gov.uk by searching under the application reference number.

If you are aggrieved by the decision, you may appeal or seek a review of the decision. Please see the notes attached to your decision notice for the procedures you should follow and the timescales involved.

Yours faithfully

Gillian McCarney
Head of Environment (Chief Planner)

Encl.



Gillian McCarney, Head of Environment (Chief Planner), 2 Spiersbridge Way, Thornliebank, East Renfrewshire, G46 8NG

When you contact us we want you to trust that your personal information is in safe hands, and that starts with helping you understand why we ask for data and how we manage it. Read our Privacy notice at [Privacy Notice](#) for more information, alternatively if you would like this in a different format, please contact planning@eastrenfrewshire.gov.uk

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EAST RENFREWSHIRE COUNCIL

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

REFUSAL OF PLANNING PERMISSION

Ref. No. **2023/0354/TP**

Applicant:

Mr and Mrs Scott and Hayley Graham
29 Stewart Drive
Clarkston
East Renfrewshire
G76 7EY

Agent:

Amanda Campbell
6 Copland Place
Glasgow
Scotland
G51 2RS

With reference to your application which was registered on 14th September 2023 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Extension to side and rear. Formation of pitched roof over existing garage. Roof alterations to form front dormer and rear gable. Existing roof to be re-roofed.

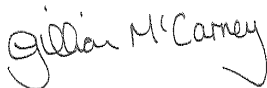
at: 29 Stewart Drive Clarkston East Renfrewshire G76 7EY

the Council in exercise of their powers under the abovementioned Act and Regulations hereby refuse planning permission for the said development.

The reason(s) for the Council's decision are:-

1. The proposal is contrary to Policy 16 of National Planning Framework 4 as, without an adequate means of control, the proposed rear-facing first floor window would give rise to a significant additional degree of overlooking to the detriment of the residential amenity of the property to the rear.
2. The proposal is contrary to Policies D1 and D1.1 of the adopted East Renfrewshire Local Development Plan as, without an adequate means of control, the proposed rear-facing first floor window would give rise to a significant additional degree of overlooking to the detriment of the residential amenity of the property to the rear.

Dated 2nd November 2023



Head of Environment
(Chief Planner)
East Renfrewshire Council
2 Spiersbridge Way,
Spiersbridge Business Park,
Thornliebank,
G46 8NG
Tel. No. 0141 577 3001

The following drawings/plans have been refused

Plan Description	Drawing Number	Drawing Version	Date on Plan
Location Plan	001		
Block Plan Proposed	002	c	
Elevations Proposed	103		
Elevations Proposed	104	b	
Elevations Proposed	105		
Elevations Proposed	106		
Plans Proposed	004		
Plans Proposed	006		
Plans Proposed	005		

GUIDANCE NOTE FOR REFUSAL OF LOCAL DEVELOPMENTS DETERMINED UNDER DELEGATED POWERS

REVIEW BY EAST RENFREWSHIRE COUNCIL'S LOCAL REVIEW BODY

1. If the applicant is aggrieved by a decision to refuse permission (or by an 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 can be submitted online at www.eplanning.scotland.gov.uk. Please note that beyond the content of the appeal or review forms, **you cannot normally raise new matters** in support of an appeal or review, unless you can demonstrate that the matter could not have been raised before, or that its not being raised before is a consequence of exceptional circumstances. Following submission of the notice, you will receive an acknowledgement letter informing you of the date of the Local Review Body meeting or whether further information is required.

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.

CONTACT DETAILS

**East Renfrewshire Council
Development Management Service
2 Spiersbridge Way,
Spiersbridge Business Park,
Thornliebank,
G46 8NG**

**General Inquiry lines 0141 577 3001
Email planning@eastrenfrewshire.gov.uk**

NOTICE OF REVIEW



2 Spiersbridge Way Thornliebank G46 8NG Tel: 0141 577 3001 Email: planning@eastrenfrewshire.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 100632272-003

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

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	<input type="text" value="A-Cubed Design Ltd"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Amanda"/>	Building Name:	<input type="text"/>
Last Name: *	<input type="text" value="Campbell"/>	Building Number:	<input type="text" value="6"/>
Telephone Number: *	<input type="text" value="REDACTED"/>	Address 1 (Street): *	<input type="text" value="Copland Place"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Glasgow"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
		Postcode: *	<input type="text" value="G51 2RS"/>
Email Address: *	<input type="text" value="REDACTED"/>		

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="Other"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text" value="Mr and Mrs"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Scott and Hayley"/>	Building Number:	<input type="text" value="29"/>
Last Name: *	<input type="text" value="Graham"/>	Address 1 (Street): *	<input type="text" value="Stewart Drive"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Clarkston"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="G76 7EY"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="[REDACTED]"/>		

Site Address Details

Planning Authority:	<input type="text" value="East Renfrewshire Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="29 STEWART DRIVE"/>
Address 2:	<input type="text" value="CLARKSTON"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="GLASGOW"/>
Post Code:	<input type="text" value="G76 7EY"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="657560"/>	Easting	<input type="text" value="256984"/>
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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)

Extension to side and rear. Formation of pitched roof over existing garage. Roof alterations to form front dormer and rear gable. Existing roof to be re-roofed.

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 Supporting 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)

1937 - PL-001 1937 - PL-002C 1937 - PL-003 1937 - PL-004 1937 - PL-005 1937 - PL-006 1937 - PL-007B 1937 - PL-101
 1937 - PL-102 1937 - PL-103 1937 - PL-104 1937 - PL-105 1937 - PL-106 1937-29 Stewart Drive- Supporting Statement - 09-
 11-2023 Location Plan Planning application Planning decision Report of Handling

Application Details

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

2023/0354/TP

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

15/06/2023

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

02/11/2023

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: Mrs Amanda Campbell

Declaration Date: 09/11/2023

Job Ref : 1937-29 Stewart Drive
Date : 09-11-2023

6 Copland Place
Glasgow
G51 2RS

Supporting Statement for 29 Stewart Drive

The proposal includes forming a rear gable-end alteration to this detached bungalow. Below are a list of similar extensions and alterations in the local area.

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Precedents – all with gable end extensions:

- Dorian Drive – 2, 6, 14 and 37 have gable end extensions
- Struma Drive – 6 and 8 have gable end extensions
- Rockburn Drive – 4 and 8
- Atholl Drive – 27 – gable end extension
- Evan Drive - 28, 56, 58, 60, 66, 68, 76, 78 and 80 all have raised ridge heights of the roof and gable end extension.
- 76 Evan Drive [2018/0201/TP] was overturned at Appeals stage, with the appeals committee stating that they did not believe the gable-end proposal to be dominating or excessive.
- Brora Drive - 5, 20, 21 and 31 all have raised ridge heights and gable end extensions.
- Clyth Drive - 7 and 19 both have gable end extensions.
- 22 Melford Avenue has raised ridge height and a gable end extension.
- Sutherland Drive: - 15 has raised ridge height and gable end extension.
- Etive Drive - 2, 10, 16 and 38 have both a raised ridge height and gable end extension.
- Balvie Avenue - 2 and 3 have raised ridge heights and gable end extensions.
- Lawrence Avenue - 22, 23, 25 and 27 have both raised ridge heights and gable end extensions with number 25 having been granted this permission on 29/8/2018 at the original planning application without an appeals process.
- 145 Kilpatrick Gardens [2019/0168/TP] decision overturned at appeals process
- 8 Netherhill Avenue [2020/0825/TP] approved gable end alteration to existing roof
- 112 Mearns Road [2020/0446/TP] approved gable end extension

Recent overturned planning decision:

The ERC Local Review Body meeting of the 7th of June 2023 overturned the refused Planning decision for 57 Netherhill Avenue [2022/0687/TP] for a similar application.

Approved Gable-End extensions with gardens that are less deep than the current application:

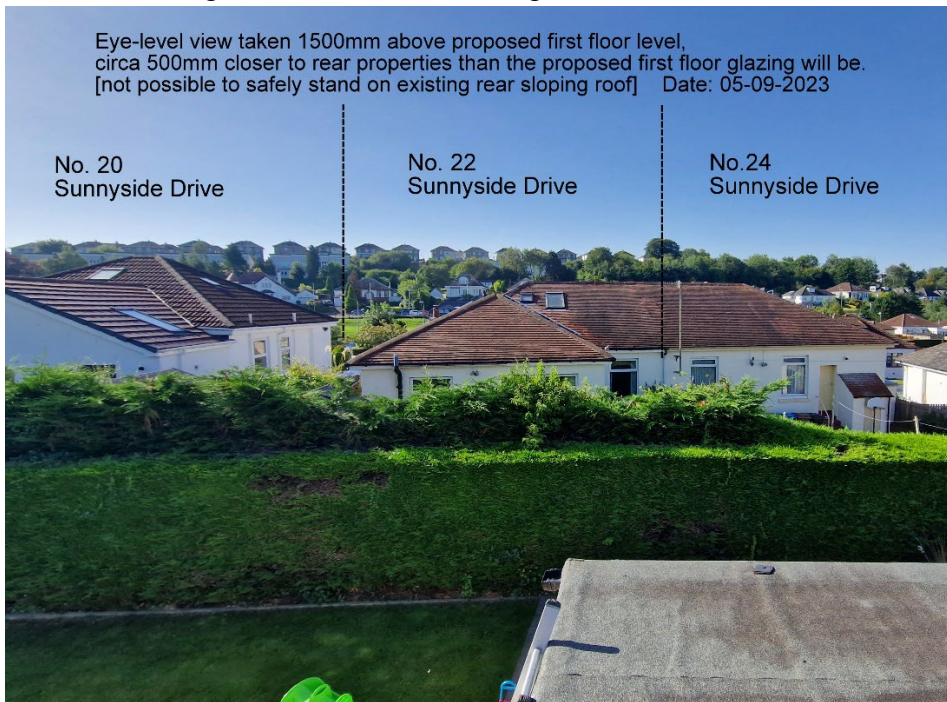
A gable-end extension at no.29 Lawrence Avenue [2020/0293/TP] was approved on appeal, for an extension that is significantly closer to the rear boundary than the current application for no. 29 Stewart Drive.

The nearby gable-end extension at no.27 Lawrence Avenue [2015/0452/TP] was approved on appeal. Below is a Google maps view of the shallow garden depth, following the construction of the gable-end extension. The red line shows the rear boundary:



View from proposed rear glazing:

View taken from proposed First Floor glazing height, towards properties at rear, approx. 16m distance between proposed glazing and rear extension of neighbours, with mature hedge between:



In conclusion, this application does not involve increasing the footprint of the existing building towards the rear or raising the existing ridge height, so it is not as big as many of the precedents provided. It also has a bigger rear garden than other applications that have been approved, either at Planning application stage, or at appeal.

The property directly at the rear is closer to the rear boundary as it has already been extended. There is mature maintained hedging to the rear boundary of the property.

Please contact me if you have any queries on the submitted appeal. I look forward to hearing from you in due course.

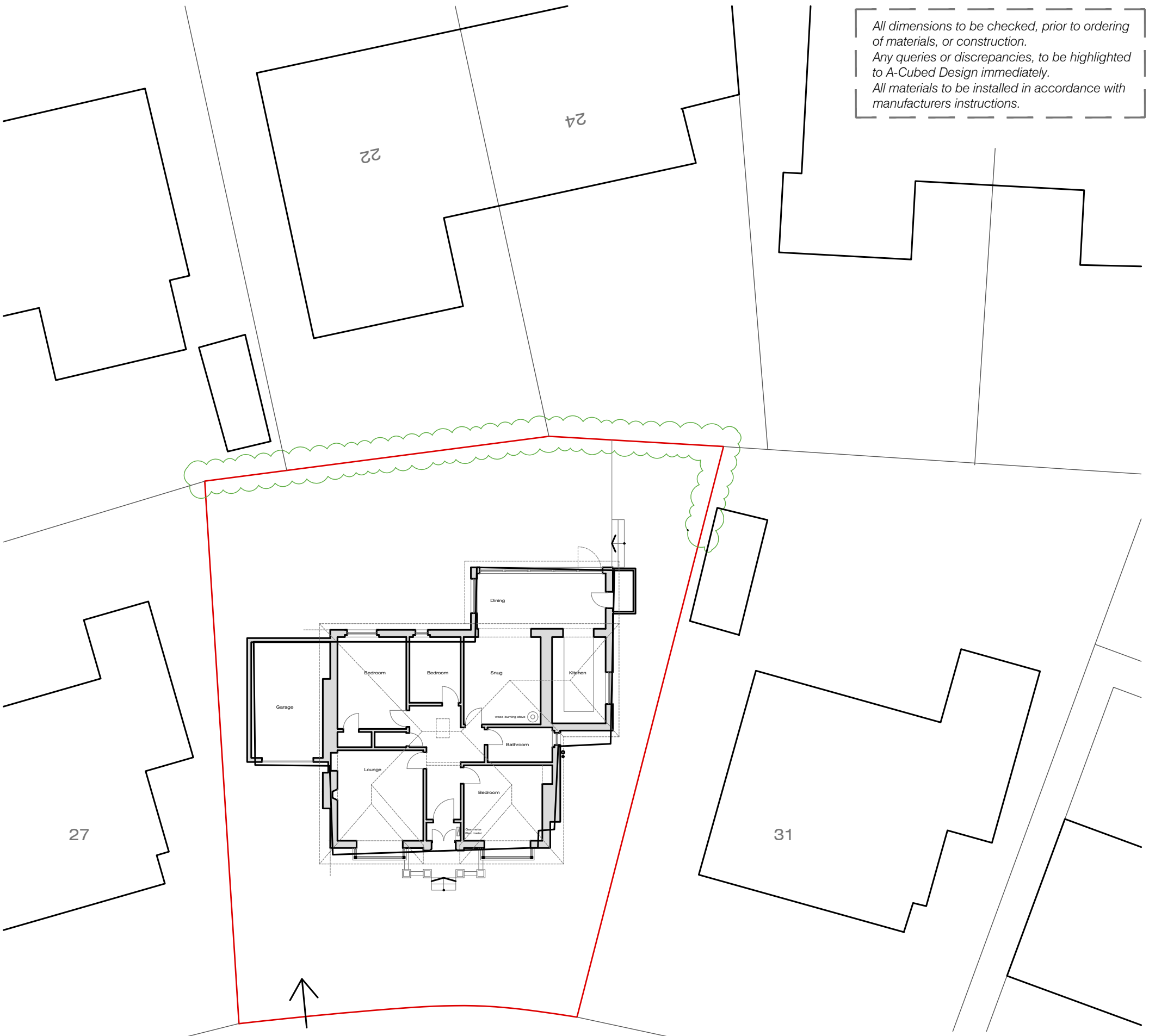
Regards,

Amanda Campbell
Architect B. Arch [hons], Dip Arch.

PLANS/DRAWINGS

163

All dimensions to be checked, prior to ordering of materials, or construction.
Any queries or discrepancies, to be highlighted to A-Cubed Design immediately.
All materials to be installed in accordance with manufacturers instructions.



27

24

22

31

32

Stewart Drive

Rev	Date	Description
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planning

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architect

amanda@a3online.co.uk
07909 337 951

Clients:
Mr and Mrs Graham

Drawing title:
Block Plan - as Existing

Project:
Proposed extension at
29 Stewart Drive

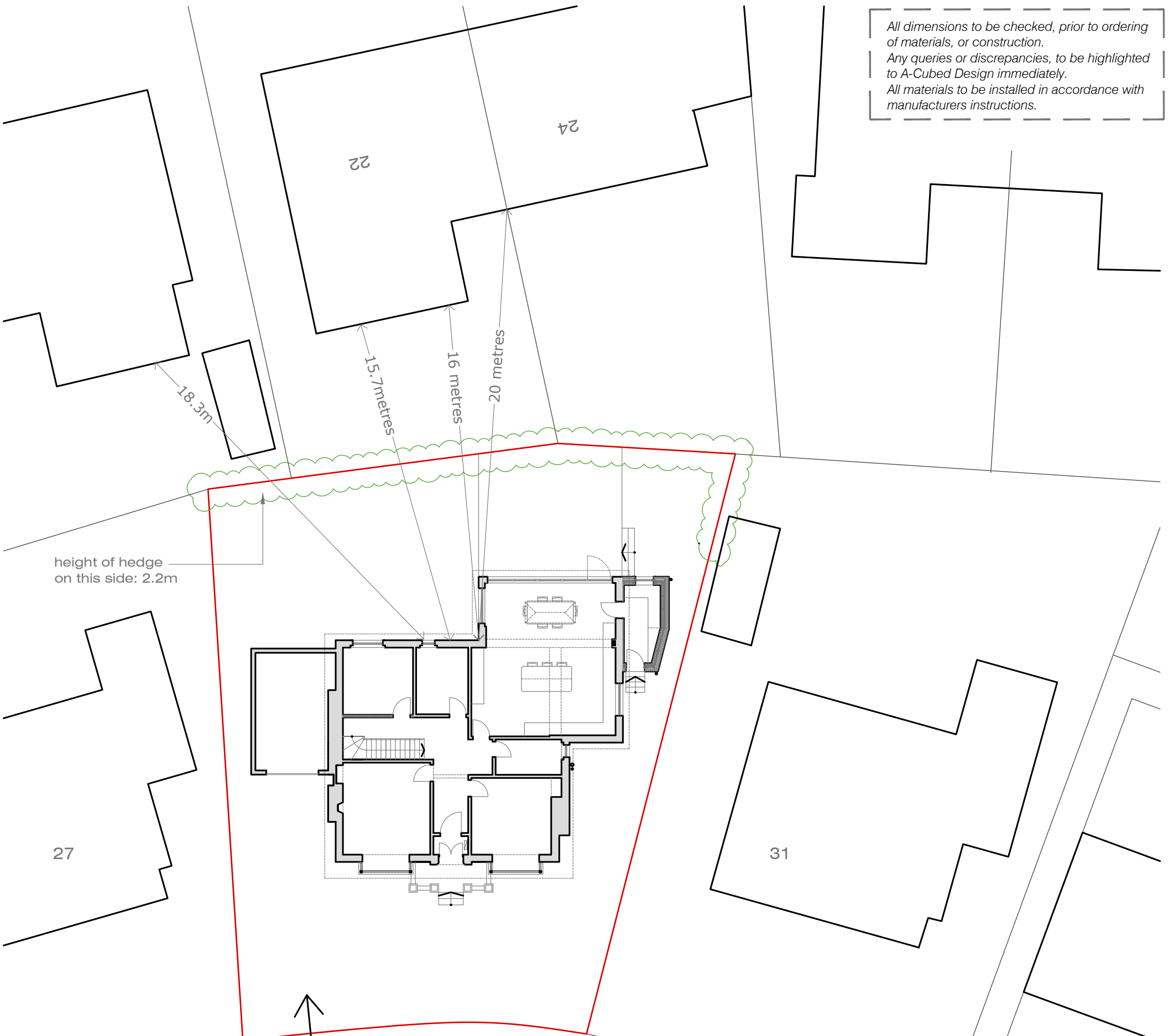
Ref: 1937-PL-001
scale: 1:200@A3 date: June 2023

Blockplan as Existing
scale: 1:200



164

All dimensions to be checked, prior to ordering of materials, or construction.
Any queries or discrepancies, to be highlighted to A-Cubed Design immediately.
All materials to be installed in accordance with manufacturers instructions.



height of hedge on this side: 2.2m

C	20-09-2023	Trellis removed
B	12-09-2023	Trellis added
A	05-09-2023	Dimensions and notes added
Rev	Date	Description

Stewart Drive

planning

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architect
amanda@a3online.co.uk
07909 337 951

Clients:
Mr and Mrs Graham

Drawing title:
Block Plan - as Proposed
Project:
Proposed extension at
29 Stewart Drive

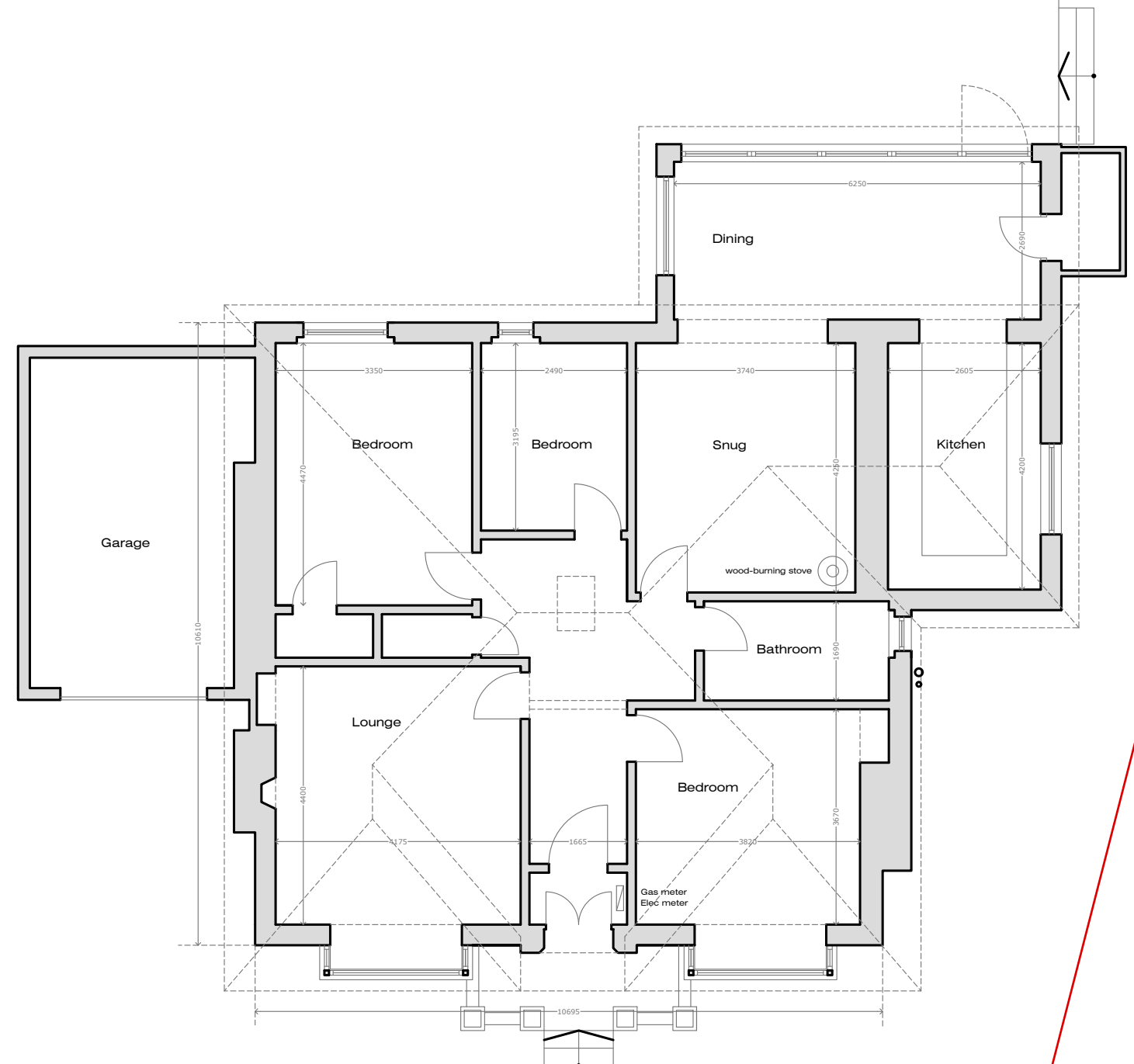
Ref: 1937-PL-002c
scale: 1:200@A3 date: June 2023

Blockplan as Proposed
No change proposed to access
scale: 1:200



165

All dimensions to be checked, prior to ordering of materials, or construction.
Any queries or discrepancies, to be highlighted to A-Cubed Design immediately.
All materials to be installed in accordance with manufacturers instructions.



Ground Floor as Existing Scale 1:100



Rev	Date	Description
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Clients:
Mr and Mrs Graham

Drawing title:
Existing Ground Floor Plan

Project:
Proposed extension at
29 Stewart Drive

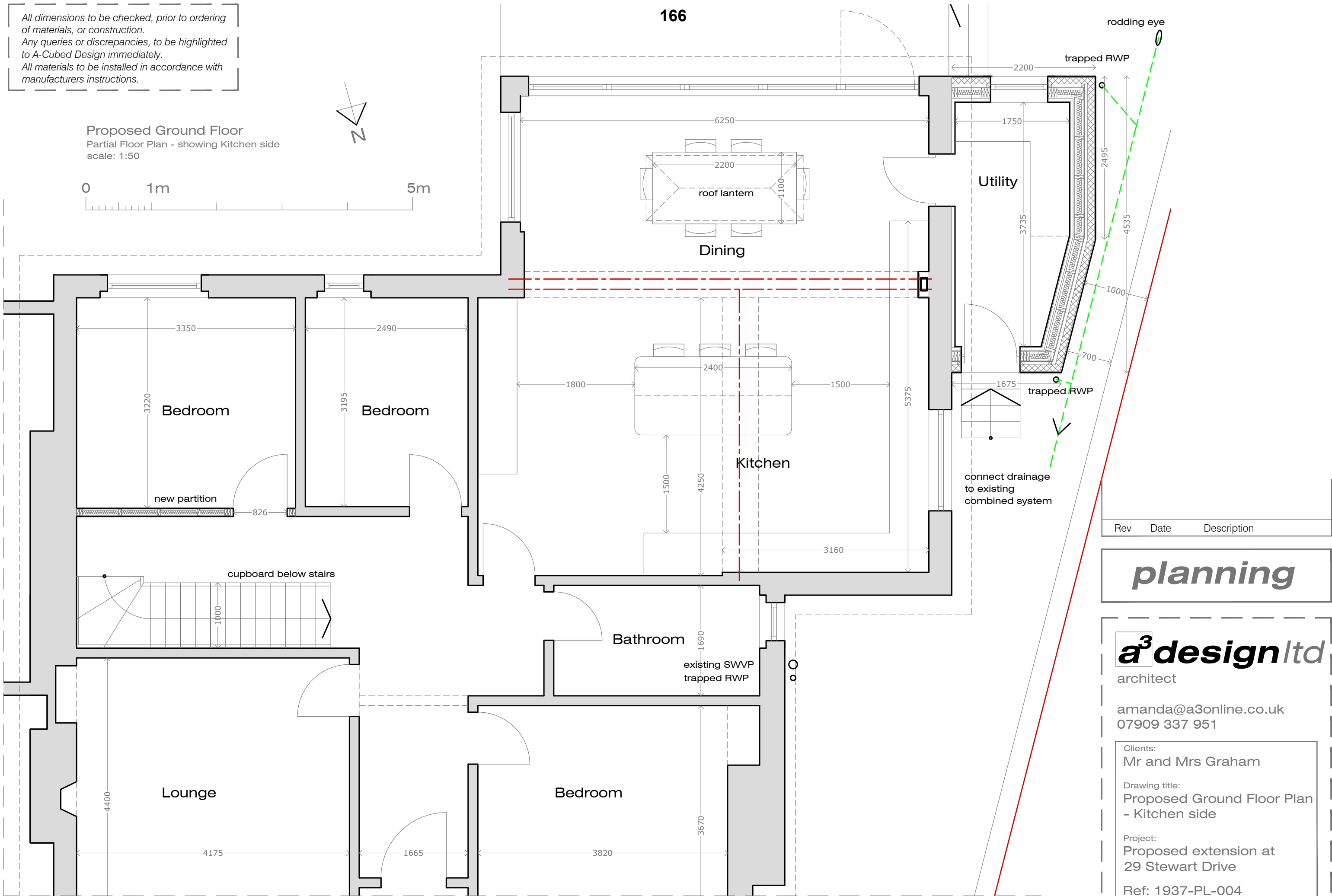
Ref: 1937-PL-003
scale: 1:100@A3 date: June 2023

All dimensions to be checked, prior to ordering of materials, or construction.
 Any queries or discrepancies, to be highlighted to A-Cubed Design immediately.
 All materials to be installed in accordance with manufacturers instructions.

Proposed Ground Floor
 Partial Floor Plan - showing Kitchen side
 scale: 1:50



166



Rev	Date	Description

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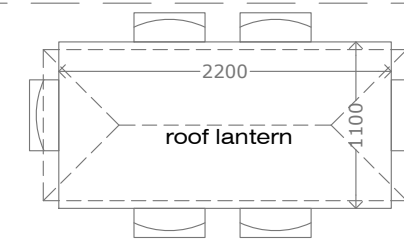
Clients:
 Mr and Mrs Graham

Drawing title:
 Proposed Ground Floor Plan
 - Kitchen side

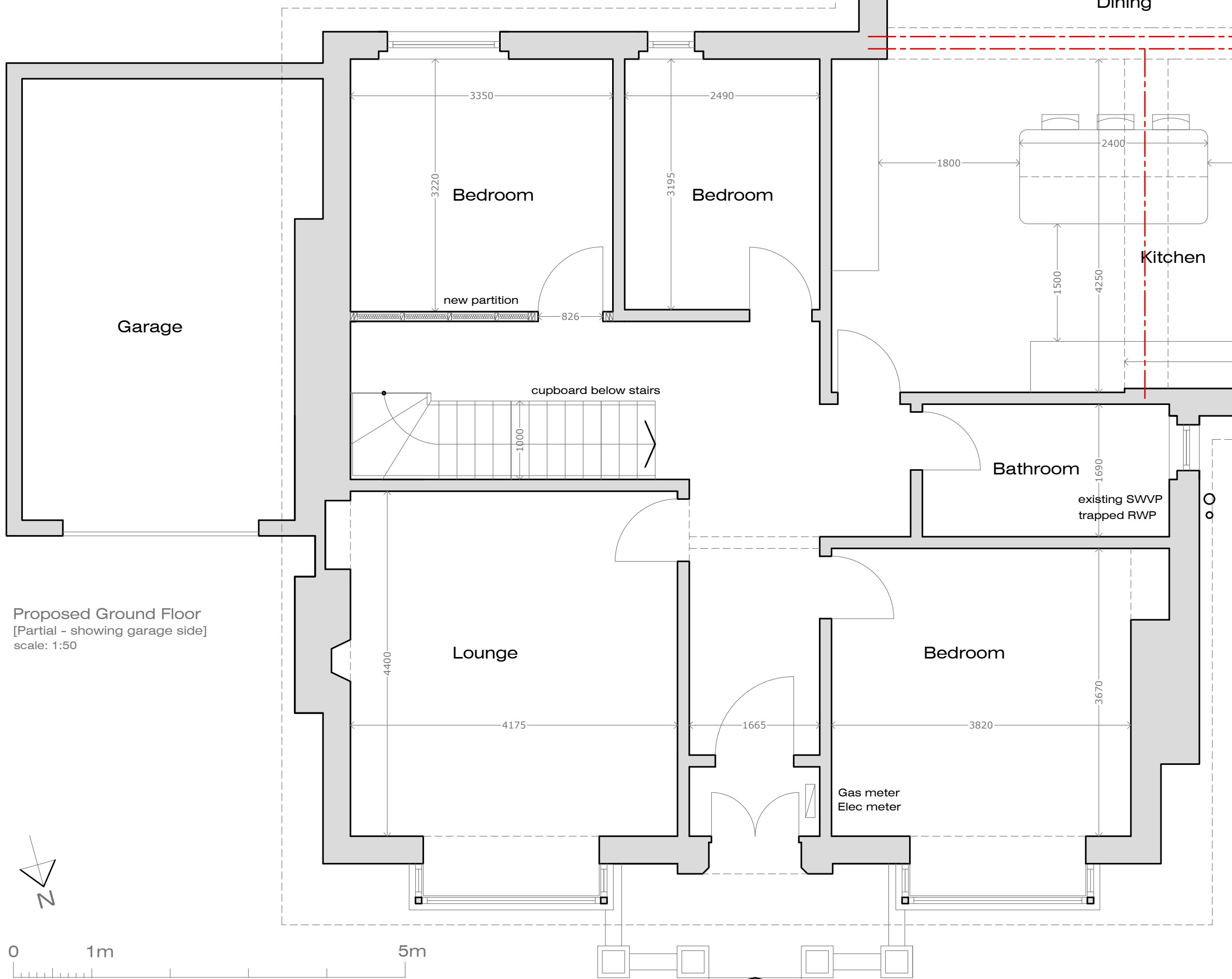
Project:
 Proposed extension at
 29 Stewart Drive

Ref: 1937-PL-004
 scale: 1:50@A3 date: June 2023

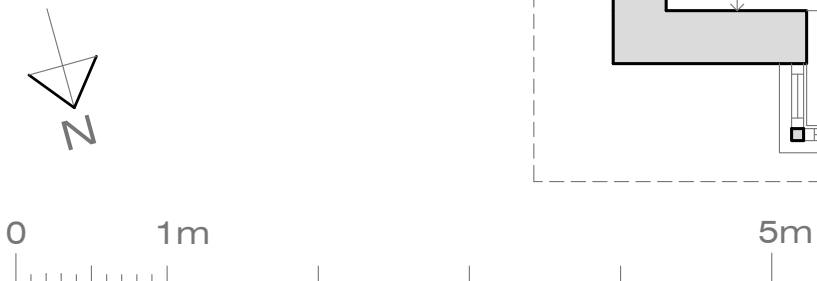
167



All dimensions to be checked, prior to ordering of materials, or construction.
Any queries or discrepancies, to be highlighted to A-Cubed Design immediately.
All materials to be installed in accordance with manufacturers instructions.



Proposed Ground Floor
[Partial - showing garage side]
scale: 1:50



Rev	Date	Description
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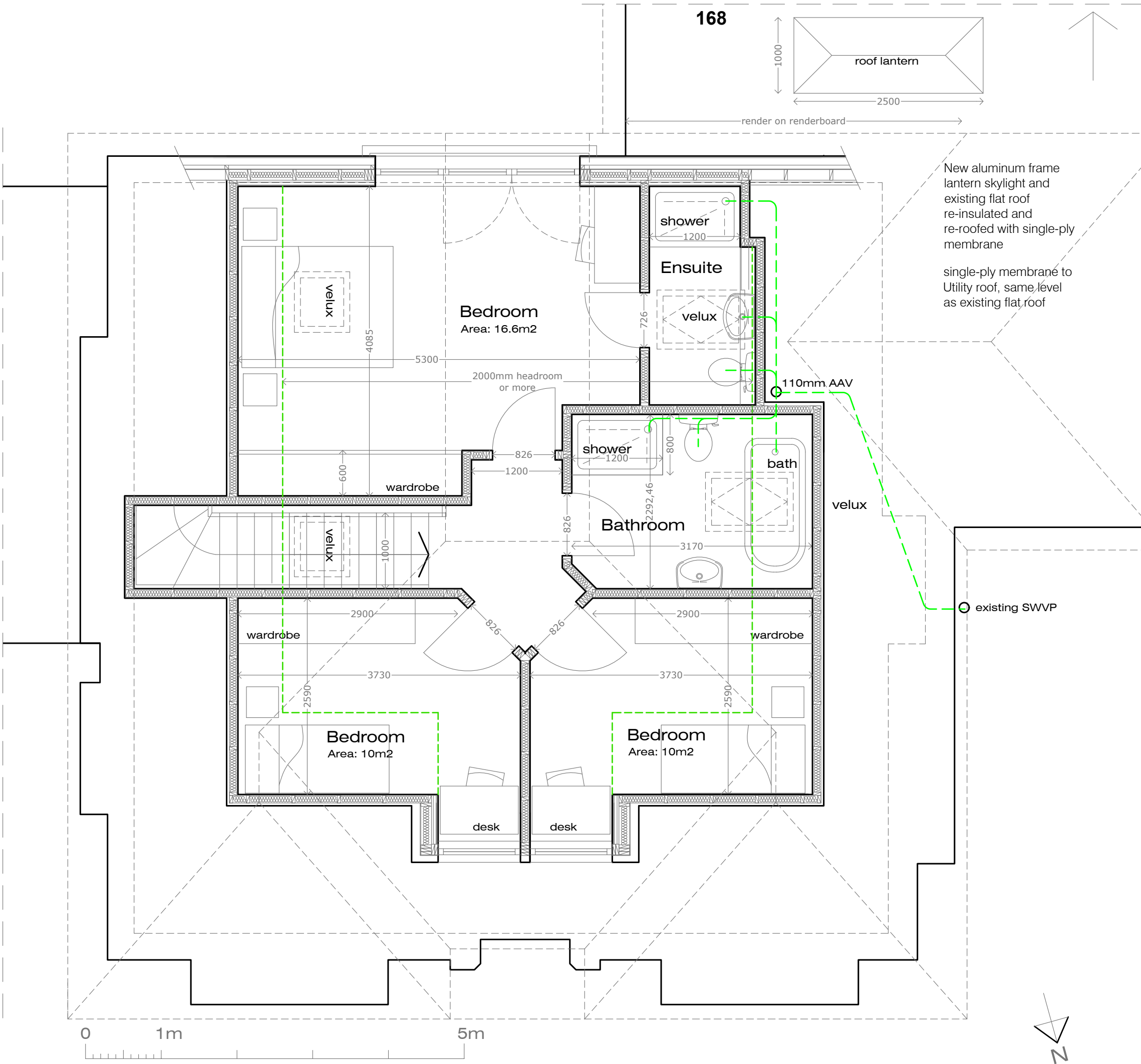
Clients:
Mr and Mrs Graham

Drawing title:
Proposed Ground Floor Plan
- Garage side

Project:
Proposed extension at
29 Stewart Drive

Ref: 1937-PL-005
scale: 1:50@A3 date: June 2023

168



All dimensions to be checked, prior to ordering of materials, or construction.
 Any queries or discrepancies, to be highlighted to A-Cubed Design immediately.
 All materials to be installed in accordance with manufacturers instructions.

New aluminum frame lantern skylight and existing flat roof re-insulated and re-roofed with single-ply membrane

single-ply membrane to Utility roof, same level as existing flat roof

Rev	Date	Description
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 07909 337 951

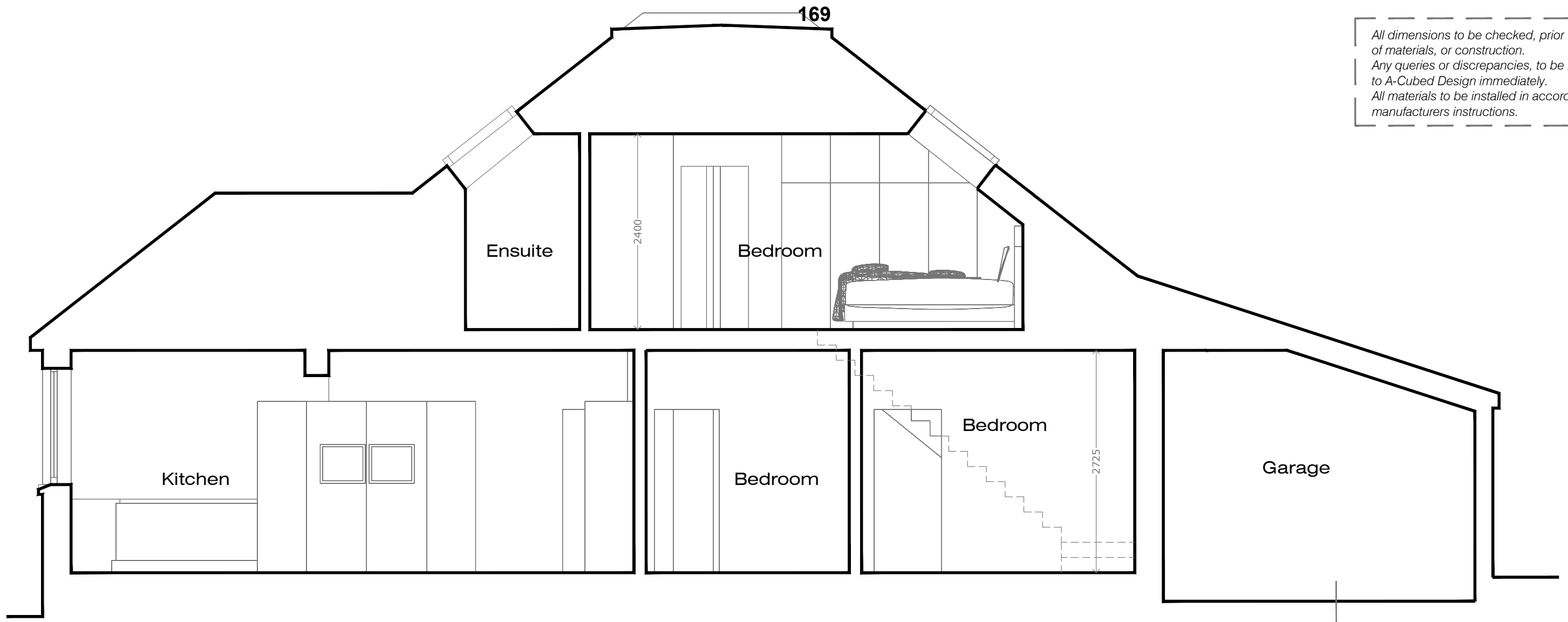
Clients:
 Mr and Mrs Graham

Drawing title:
 Proposed First Floor Plan

Project:
 Proposed extension at
 29 Stewart Drive

Ref: 1937-PL-006
 scale: 1:50@A3 date: June 2023

All dimensions to be checked, prior to ordering of materials, or construction.
 Any queries or discrepancies, to be highlighted to A-Cubed Design immediately.
 All materials to be installed in accordance with manufacturers instructions.



Section AA as Proposed Scale 1:50



Rev	Date	Description
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Clients:
 Mr and Mrs Graham

Drawing title:
 Proposed Section AA

Project:
 Proposed extension at
 29 Stewart Drive

Ref: 1937-PL-007
 scale: 1:50@A3 date: June 2023

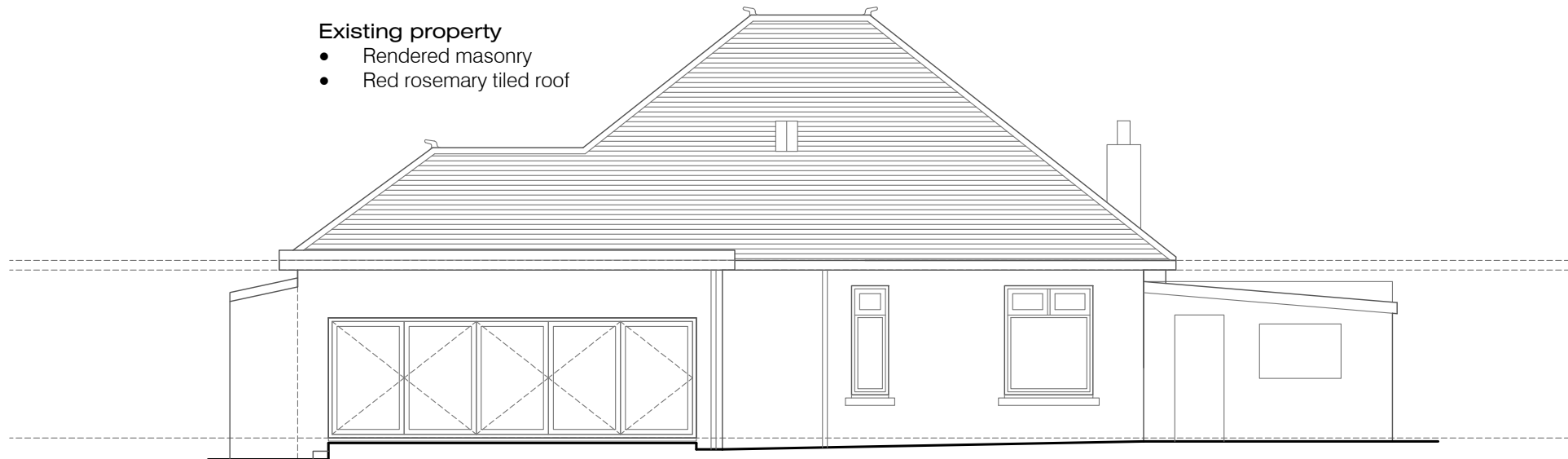
All dimensions to be checked, prior to ordering of materials, or construction.
 Any queries or discrepancies, to be highlighted to A-Cubed Design immediately.
 All materials to be installed in accordance with manufacturers instructions.

- Existing property**
- Rendered masonry
 - Red rosemary tiled roof



Front Elevation as Existing Scale 1:100 0 1m 5m

- Existing property**
- Rendered masonry
 - Red rosemary tiled roof



Rear Elevation as Existing Scale 1:100 0 1m 5m

Rev	Date	Description
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 07909 337 951

Clients:
 Mr and Mrs Graham

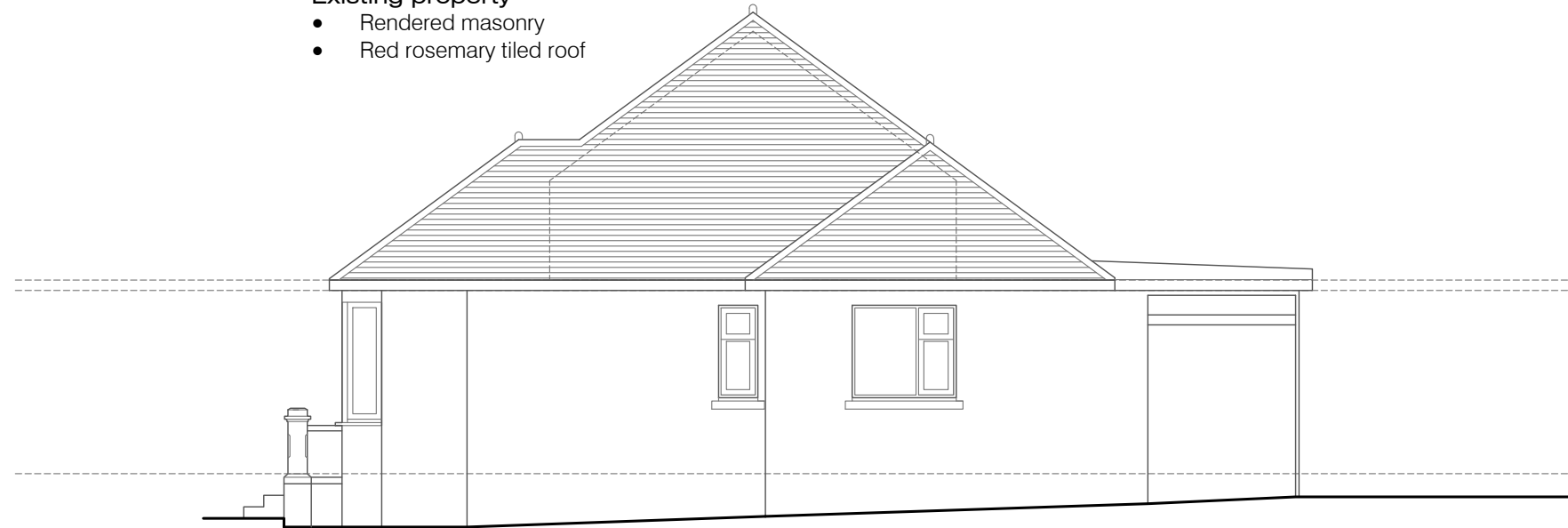
Drawing title:
 Front and Rear Elevations
 as Existing

Project:
 Proposed extension at
 29 Stewart Drive

Ref: 1937-PL-101
 scale: 1:100@A3 date: June 2023

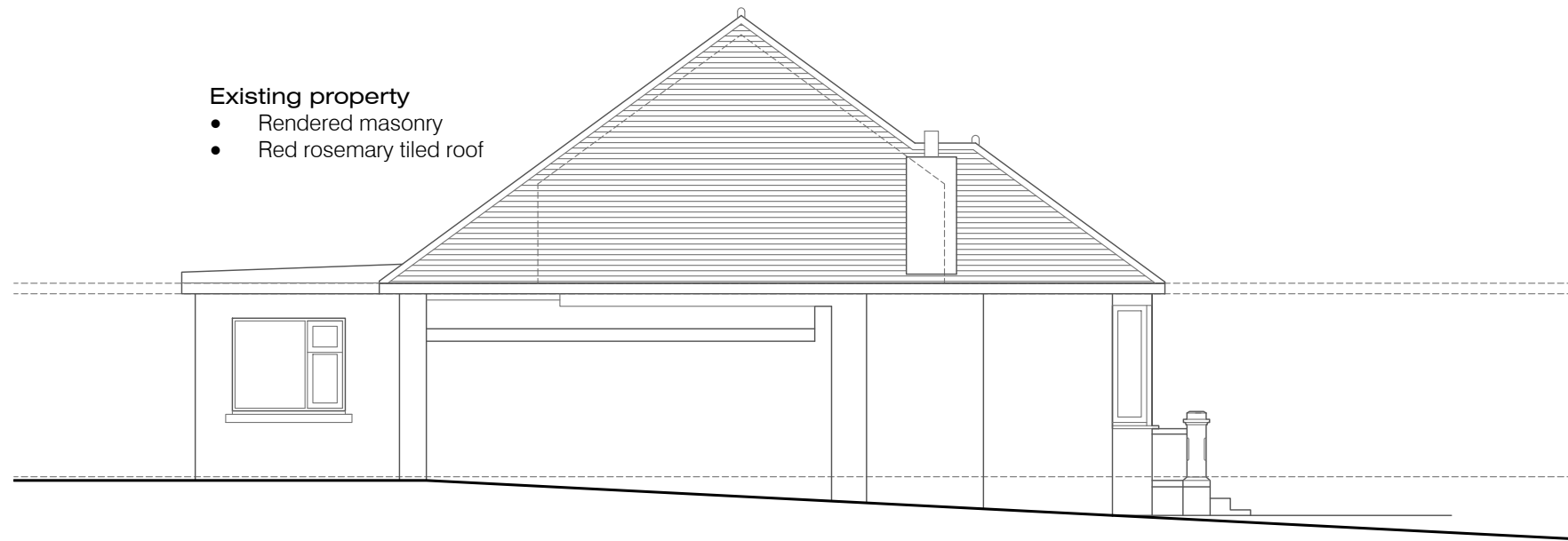
All dimensions to be checked, prior to ordering of materials, or construction.
 Any queries or discrepancies, to be highlighted to A-Cubed Design immediately.
 All materials to be installed in accordance with manufacturers instructions.

- Existing property
- Rendered masonry
 - Red rosemary tiled roof



Side Elevation 1 as Existing Scale 1:100 0 1m 5m

- Existing property
- Rendered masonry
 - Red rosemary tiled roof



Side Elevation 2 as Existing Scale 1:100 0 1m 5m

Rev	Date	Description
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 07909 337 951

Clients:
 Mr and Mrs Graham

Drawing title:
 Side Elevations
 as Existing

Project:
 Proposed extension at
 29 Stewart Drive

Ref: 1937-PL-102
 scale: 1:100@A3 date: June 2023

Proposed materials

- Dry cast white stone on K-Rend silicone base render on masonry to extension and extended gable
- Flat roof to be dark grey rubber membrane
- Pitched roof to be finished in red concrete tiles : Marley Duo Edgemere
- New soffits and fascias to be black uPVC
- Gutters and downpipes to be black uPVC
- Dark grey uPVC windows to rear - RAL7016 colour, White uPVC windows to front
- Bedroom balustrade be metal - to client choice
- New pitched roof to existing garage

All dimensions to be checked, prior to ordering of materials, or construction.
 Any queries or discrepancies, to be highlighted to A-Cubed Design immediately.
 All materials to be installed in accordance with manufacturers instructions.



Front Elevation as Proposed Scale 1:50



Rev	Date	Description

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 07909 337 951

Clients:
 Mr and Mrs Graham

Drawing title:
 Front Elevation as Proposed
 Project:
 Proposed extension at
 29 Stewart Drive

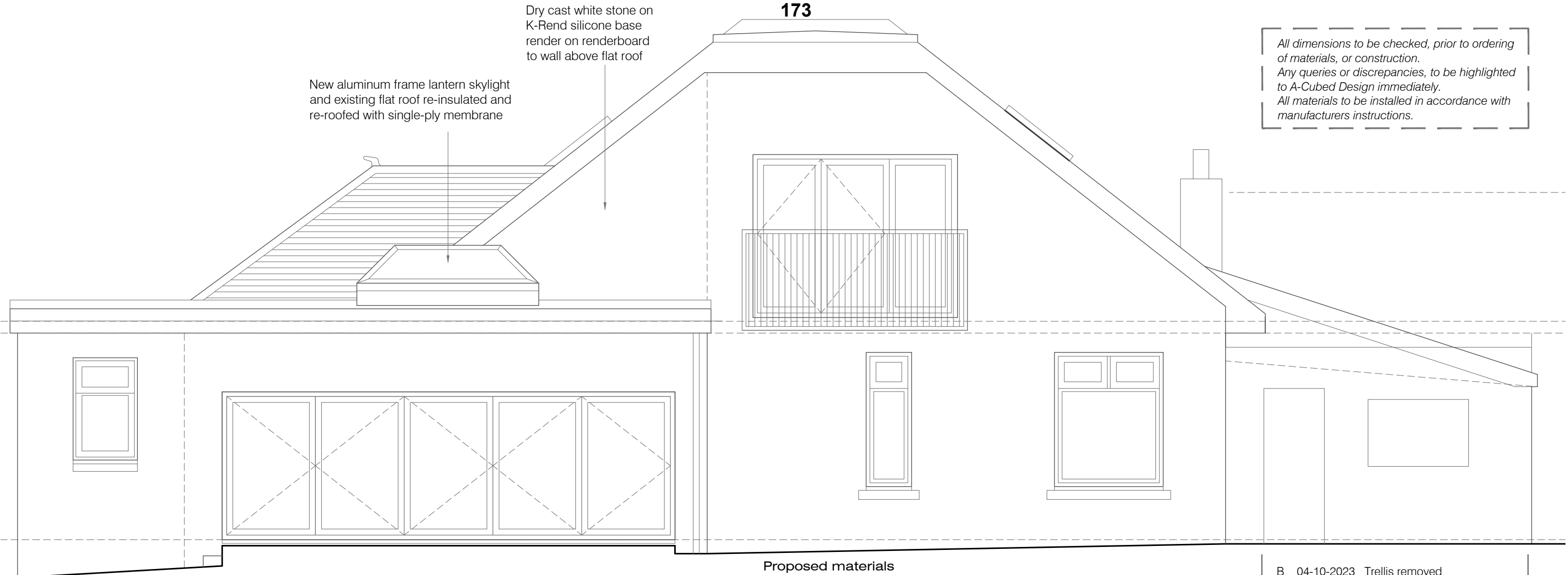
Ref: 1937-PL-103
 scale: 1:100@A3 date: June 2023

173

Dry cast white stone on K-Rend silicone base render on renderboard to wall above flat roof

New aluminum frame lantern skylight and existing flat roof re-insulated and re-roofed with single-ply membrane

All dimensions to be checked, prior to ordering of materials, or construction.
Any queries or discrepancies, to be highlighted to A-Cubed Design immediately.
All materials to be installed in accordance with manufacturers instructions.



← utility extension →

Rear Elevation as Proposed Scale 1:50



Proposed materials

- Dry cast white stone on K-Rend silicone base render on masonry to extension and extended gable
- Flat roof to be dark grey rubber membrane
- Pitched roof to be finished in red concrete tiles : Marley Duo Edgemere
- New soffits and fascias to be black uPVC
- Gutters and downpipes to be black uPVC
- Dark grey uPVC windows to rear - RAL7016 colour, White uPVC windows to front
- Bedroom balustrade be metal - to client choice
- New pitched roof to existing garage

B	04-10-2023	Trellis removed
A	13-09-2023	Rear fence elevation added
Rev	Date	Description

planning

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amanda@a3online.co.uk
07909 337 951

Clients:
Mr and Mrs Graham

Drawing title:
Rear Elevation as Proposed

Project:
Proposed extension at
29 Stewart Drive

Ref: 1937-PL-104b
scale: 1:50@A3 date: June 2023

All dimensions to be checked, prior to ordering of materials, or construction.
 Any queries or discrepancies, to be highlighted to A-Cubed Design immediately.
 All materials to be installed in accordance with manufacturers instructions.



New aluminum frame lantern skylight and existing flat roof re-insulated and re-roofed with single-ply membrane

Rev	Date	Description
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planning

Side Elevation 1 as Proposed Scale 1:50



Proposed materials

- Dry cast white stone on K-Rend silicone base render on masonry to extension and extended gable
- Flat roof to be dark grey rubber membrane
- Pitched roof to be finished in red concrete tiles : Marley Duo Edgemere
- New soffits and fascias to be black uPVC
- Gutters and downpipes to be black uPVC
- Dark grey uPVC windows to rear - RAL7016 colour, White uPVC windows to front
- Bedroom balustrade be metal - to client choice
- New pitched roof to existing garage

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 architect

amanda@a3online.co.uk
 07909 337 951

Clients:
 Mr and Mrs Graham

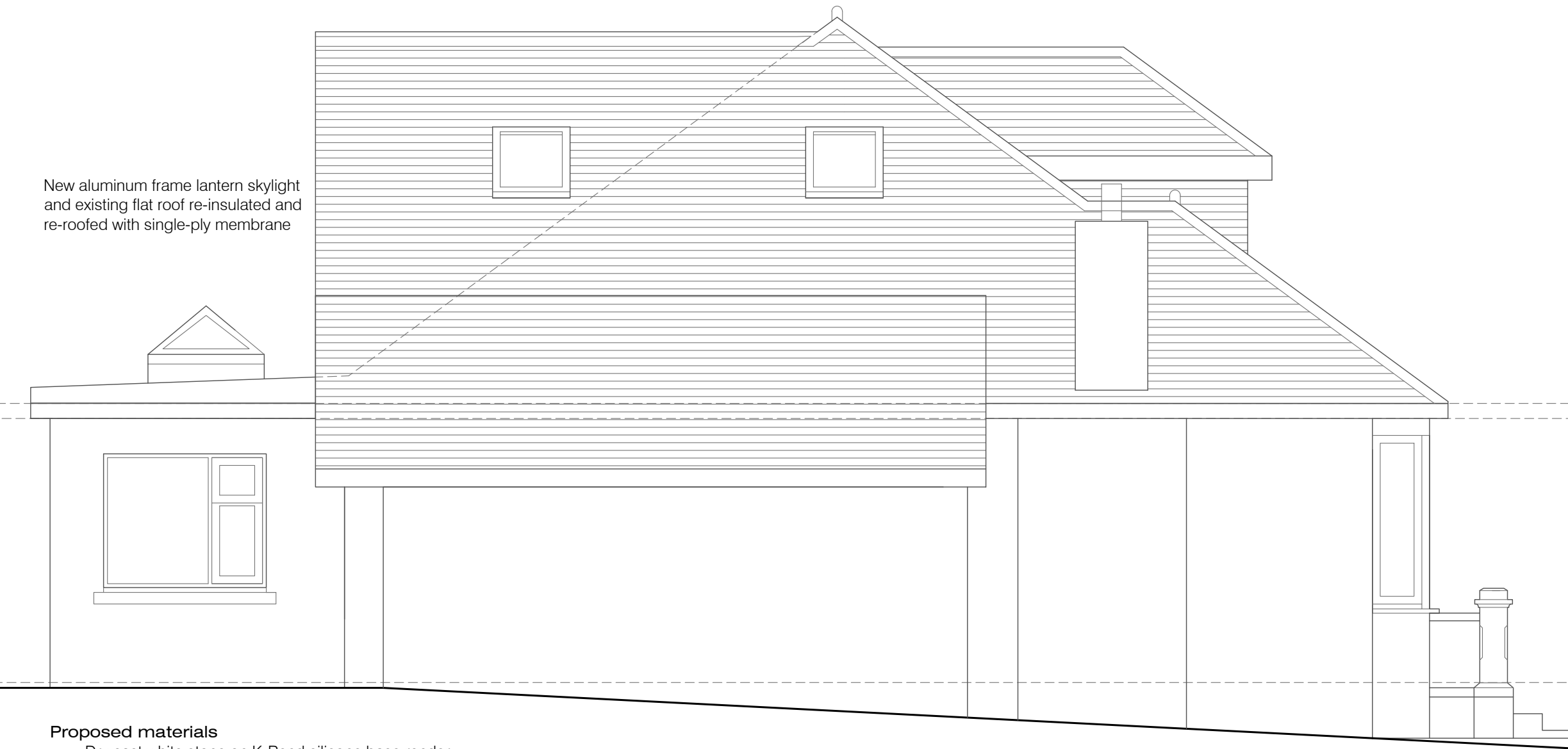
Drawing title:
 Side Elevation 1- Proposed

Project:
 Proposed extension at
 29 Stewart Drive

Ref: 1937-PL-105
 scale: 1:50@A3 date: June 2023

All dimensions to be checked, prior to ordering of materials, or construction.
 Any queries or discrepancies, to be highlighted to A-Cubed Design immediately.
 All materials to be installed in accordance with manufacturers instructions.

New aluminum frame lantern skylight and existing flat roof re-insulated and re-roofed with single-ply membrane



Rev	Date	Description
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planning

Proposed materials

- Dry cast white stone on K-Rend silicone base render on masonry to extension and extended gable
- Flat roof to be dark grey rubber membrane
- Pitched roof to be finished in red concrete tiles : Marley Duo Edgemere
- New soffits and fascias to be black uPVC
- Gutters and downpipes to be black uPVC
- Dark grey uPVC windows to rear - RAL7016 colour, White uPVC windows to front
- Bedroom balustrade be metal - to client choice
- New pitched roof to existing garage

Side Elevation 2 as Proposed

Scale 1:50



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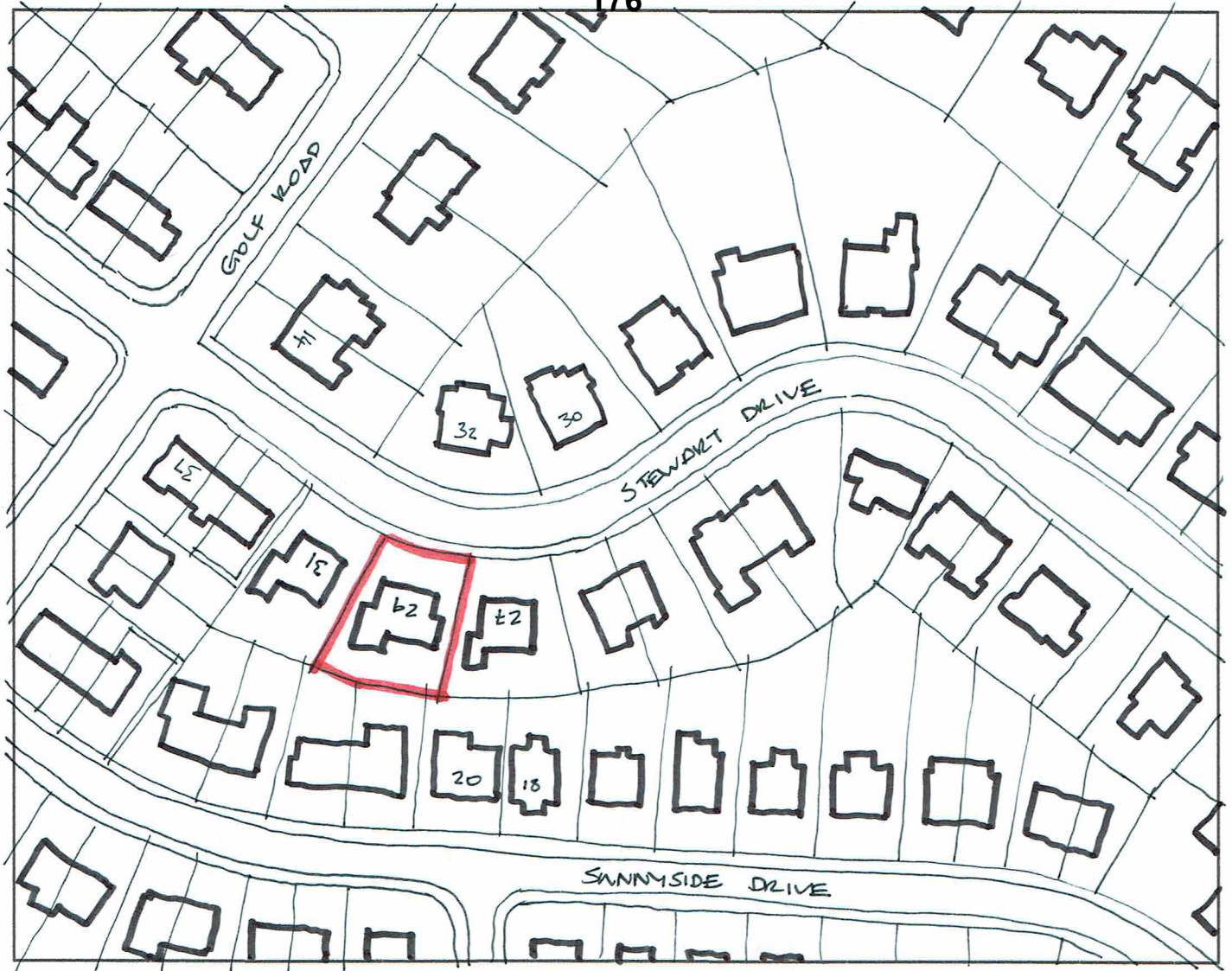
amanda@a3online.co.uk
 07909 337 951

Clients:
 Mr and Mrs Graham

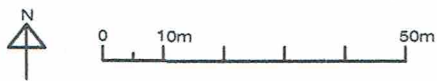
Drawing title:
 Side Elevation 2 - Proposed

Project:
 Proposed extension at
 29 Stewart Drive

Ref: 1937-PL-106
 scale: 1:50@A3 date: June 2023



Location Plan
scale: 1:1250



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architect

amanda@a3online.co.uk
07909 337 951

Clients:
Mr and Mrs Graham

Drawing title:
Location Plan

Project:
Proposed extension at
29 Stewart Drive

Ref: 1937-PL-001
scale: 1:1250@A4 date: June 2023