

EAST RENFREWSHIRE COUNCIL

LOCAL REVIEW BODY

7 August 2024

Report by Director of Business Operations and Partnerships

REVIEW OF CASE - REVIEW/2024/06

ERECTION OF A TWO STOREY SIDE AND REAR EXTENSION AND A SINGLE STOREY  
SIDE/REAR EXTENSION

**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:- 2023/0716/TP).
- Applicant: Mr Falak Chaudhary
- Proposal: Erection of a two storey side and rear extension and a single storey side/rear extension
- Location: 87 Harvie Avenue, Newton Mearns, G77 6LF
- Council Area/Ward: Newton Mearns North and Neilston (Ward 2).

**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, 7 August 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 55 to 60);
- (b) Objections and Consultation Responses – Appendix 2 (Pages 61 to 66);
- (c) Report of Handling by the planning officer under the Scheme of Delegation - Appendix 3 (Pages 67 to 78);
- (d) Decision notice and reasons for refusal - Appendix 4 (Pages 79 to 82); and
- (d) A copy of the applicant's Notice of Review and Statement of Reasons - Appendix 5 (Pages 83 to 92).

**15.** The applicant has also submitted the drawings listed below and these are attached as Appendix 6 (Pages 93 to 96).

- (a) Location Plan, Plans and Elevations as Existing;
- (b) Plans and Elevations as Proposed; and
- (c) Block Plan as Existing and Proposed.

**16.** All the documents referred to in this report can be viewed online on the Council's website at [www.eastrenfrewshire.gov.uk](http://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](mailto:john.burke@eastrenfrewshire.gov.uk)  
Tel: 0141 577 3026

Date:- 31 July 2024

**APPLICATION FOR PLANNING PERMISSION**



2 Spiersbridge Way Thornliebank G46 8NG Tel: 0141 577 3001 Email: [planning@eastrenfrewshire.gov.uk](mailto: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      100633610-004

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

## Description of Proposal

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

House extension and alterations

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:

Ref. Number:

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

First Name: \*

Chris

Building Name:

Last Name: \*

Barrowman

Building Number:

1

Telephone Number: \*

07833666258

Address 1  
(Street): \*

Barochan Lane

Extension Number:

Address 2:

Mobile Number:

Town/City: \*

Brookfield

Fax Number:

Country: \*

United Kingdom

Postcode: \*

PA5 8US

Email Address: \*

chrisb117@hotmail.com

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

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:

Mr

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

Other Title:

Building Name:

First Name: \*

Chaudhary

Building Number:

87

Last Name: \*

Falak

Address 1  
(Street): \*

Harvie Avenue

Company/Organisation

Address 2:

Telephone Number: \*

Town/City: \*

Newton Mearns

Extension Number:

Country: \*

Scotland

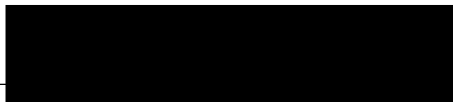
Mobile Number:

Postcode: \*

G77 6LH

Fax Number:

Email Address: \*



## Site Address Details

Planning Authority:

East Renfrewshire Council

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

Address 1:

87 HARVIE AVENUE

Address 2:

NEWTON MEARNS

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

GLASGOW

Post Code:

G77 6LH

Please identify/describe the location of the site or sites

Northing

656755

Easting

253709

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

Yes  No

## Pre-Application Discussion Details Cont.

In what format was the feedback given? \*

Meeting  Telephone  Letter  Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) \* (max 500 characters)

Previous planning application was refused. I had a subsequent email exchange with the case officer and agreed to extend double storey to the side of the house and not extend two storey beyond the rear elevation of the original house. The single storey rear extension has been reduced slightly and fits comfortably within the overall site area leaving generous private garden space and on site parking provision.

Title:

Mr

Other title:

First Name:

Keir

Last Name:

Hunter

Correspondence Reference Number:

Date (dd/mm/yyyy):

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.



## 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: Chris Barrowman

On behalf of: Mr Chaudhary Falak

Date: 14/12/2023

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? \* T 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? \* T 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? \* T 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. T Yes ≤ No
- e) Have you provided a certificate of ownership? \* T Yes ≤ No
- f) Have you provided the fee payable under the Fees Regulations? \* T Yes ≤ No
- g) Have you provided any other plans as necessary? \* T 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 Chris Barrowman

Declaration Date: 14/12/2023

**OBJECTIONS/REPRESENTATIONS**

# Comments for Planning Application 2023/0716/TP

## Application Summary

Application Number: 2023/0716/TP

Address: 87 Harvie Avenue Newton Mearns East Renfrewshire G77 6LH

Proposal: Erection of a two storey side and rear extensions and a single storey side/rear extension.

Case Officer: Mr Byron Sharp

## Customer Details

Name: Mrs Anne Dewar

Address: 89 Harvie Avenue Newton Mearns East Renfrewshire G77 6LH

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The proposed extension is not in keeping with the properties and character of the surrounding area. The existing building is already large as it has been extended in the past. Adding this proposed extension, which is of a substantial height, width and scale will have a severely detrimental impact on my property and quality of life. The planned extension will detrimentally affect the intended use and layout of cul-de-sac area. The widening of the driveway and entrance as well as creating additional parking spaces will create safety issues in the cul-de-sac and entry issues into my property. This extension will create an extremely large building which will greatly overshadow my property blocking out natural light from my garden. This will severely affect the use of my outdoor space for recreation, clothes drying and the gardening of plants. The outlook from my property will be severely impacted with no views of the surrounding open space and scenery, my property will become enclosed. Due to the significant height of the extension and the extremely close proximity to my property and garden area, my property will be overlooked creating privacy issues. In addition to this, the property currently has CCTV cameras and flood lights which overlook the back and front of my property with the size of the proposed extension this issue will increase in severity.

There will also be significant disruption due to building works of this massive scale - noise, dirt, water, debris, increased vehicles including heavy goods, parking issues and access to my property via cul-de-sac. As a blue badge holder access to parking near my property entry is essential due to my health conditions. The disruptions stated above have already been ongoing for the last 12 months due to the building of an almost 6 ft wall on the property boundary line. This work is not currently complete and has had a major impact including the parking of vehicles preventing access to my property.

## Comments for Planning Application 2023/0716/TP

### Application Summary

Application Number: 2023/0716/TP

Address: 87 Harvie Avenue Newton Mearns East Renfrewshire G77 6LH

Proposal: Erection of a two storey side and rear extensions and a single storey side/rear extension.

Case Officer: Mr Byron Sharp

### Customer Details

Name: Mrs Elizabeth McCree

Address: 85 Harvie Avenue Newton Mearns East Renfrewshire G77 6LH

### Comment Details

Commenter Type: Rec'd Neighbour Notification from Council

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The proposed extension will cause my property to be overlooked, which will create privacy issues for us, with a new window looking directly down our driveway.

The property has had CCTV and extremely bright flood lighting added which already overlook my driveway. With the extension of the building, the nuisance of these lights and cameras will increase.

The building works and tree felling on this property have been ongoing for 12 months, which has already caused access issues, nuisance from noise over consecutive weekends, and indeed damage was caused to a drain by heavy goods vehicles going over our driveway. We expect further significant disruption from proposed building works - debris, noise, access issues.

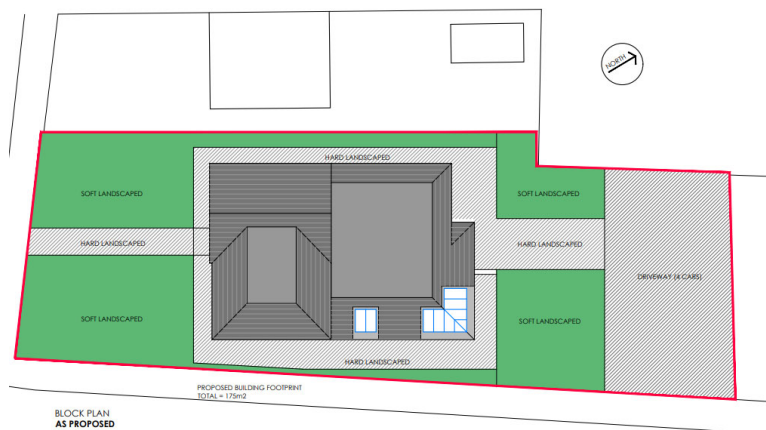
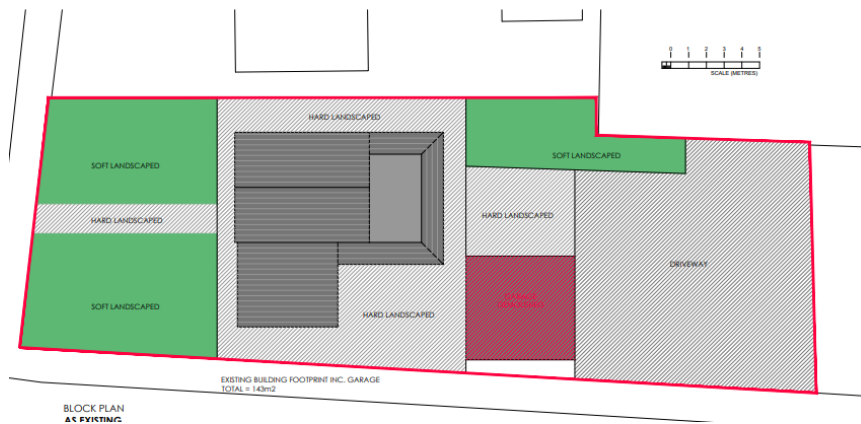
**Further Representations:**

Mrs Anne Dewar  
89 Harvie Avenue  
Newton Mearns  
Glasgow  
G77 6LH

**Extracts have been taken from the statement of appeal for the 2023/0716/TP | Erection of a two-storey side and rear extensions and a single storey side/rear extension.**

**Relevant comments have been made below the extracts.**

*'While the proposal seeks to extend the floor plate by some 66 square metres 36 square metres is given back; to the 66 by way of removal of the garage as indicated on Doc 4. Additionally the tarmac are is to be reduced and the grass area increased, again refer to Doc 4'*



The plan above shows the size and scale of the extension. The garage is currently a small double garage and is not a significant size. The footprint of this garage is not incorporated into the plans. Therefore, this space is not being utilised as part of the build. This does not justify the size and scale of this proposal.

As shown on the plans, this proposed extension intends to extend the existing building along the boundary wall close to my property. Thus, creating an extremely large building which will extend the full length of my garden. This will greatly overshadow my property blocking out natural light from my garden. This will severely affect the use of my outdoor space for recreation, clothes drying and the gardening of plants. My outlook will be severely impacted with no views of the surrounding open space and scenery, my property will become enclosed. Due to the significant height of the extension and the extremely close proximity to my house and garden area, my property will be overlooked creating privacy issues.

This proposal is detrimental to my physical and mental health. I am a pensioner who has health issues. I am a Blue Badge holder who has mobility issues due to severe osteoporosis and osteoarthritis and requires easy access to the outside space. I also require easy access to family cars as I require assistance to go shopping and to appointments.

*'Each Planning application has to be considered on its own merits and the author has experience of far bigger % extensions in both east Renfrewshire and East Dunbartonshire where the sites merit a less rigid approach.'*

The proposed extension is not in keeping with the properties and character of the surrounding area. There are no existing properties within the area that are of this size, scale and massing. As a resident for 40 years; I have not witnessed any property in the area change in such a significant way as this proposal. The changes being proposed are not in keeping with the architecture or design of the local area.

The existing building is already large as it has been extended in the past. Adding this proposed extension, which is of a substantial height, width and scale will have a severely detrimental impact on my property and quality of my life.

*'The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.'*

I would like to raise the concern around these proposed works. The scale and massing of this could affect neighbouring properties due to subsidence and impacts of coal mines.

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**REPORT OF HANDLING**

# REPORT OF HANDLING

Reference: 2023/0716/TP

Date Registered: 9th January 2024

Application Type: Full Planning Permission

This application is a Local Development

Ward: 2 -Newton Mearns North And Neilston

Co-ordinates: 253709/:656755

Applicant/Agent:

Applicant:  
Mr Chaudhary Falak  
87 Harvie Avenue  
Newton Mearns  
Scotland  
G77 6LH

Agent:  
Chris Barrowman  
1 Barochan Lane  
Brookfield  
Scotland  
PA5 8US

Proposal: Erection of a two storey side and rear extensions and a single storey side/rear extension.

Location: 87 Harvie Avenue  
Newton Mearns  
East Renfrewshire  
G77 6LH

**CONSULTATIONS/COMMENTS:** None.

**PUBLICITY:** None.

**SITE NOTICES:** None.

**SITE HISTORY:**

|              |  |         |            |
|--------------|--|---------|------------|
| 2023/0382/TP | Erection of a two storey side and rear extensions and a single storey side/rear extension. | Refused | 28.09.2023 |
| 2023/0406/TP | Demolition of existing garage and erection of new two storey garage & study.               | Refused | 12.09.2023 |

**REPRESENTATIONS:** Two objections were received and can be summarised as follows:

- Character of the building and surrounding area.
- Impact upon use and layout of cul-de-sac.
- Overshadowing and loss of daylight.
- Overlooking and loss of privacy.
- Existing CCTV and floodlights.
- Property value.
- Impact of works.

**DEVELOPMENT PLAN & GOVERNMENT GUIDANCE:** See Appendix 1

**SUPPORTING REPORTS:** No supporting reports were submitted with this application.

**ASSESSMENT:**

The application site comprises a two-storey detached house and its curtilage. The original dwelling has previously been extended to the side and rear (single storey). The dwelling is finished with a roughcast render, stone walls, and a tile covered roof. The front of the property is accessed via a pedestrian footpath set within greenspace (no vehicular access). Properties in this location provide vehicular access via a road at the rear, with private driveways at the rear of properties. The site is located within the General Urban Area, as defined in the East Renfrewshire Local Development Plan 2 and is also sited within the Crookfur Tree Preservation Order (TPO) Area.

Planning permission is sought for the erection of a two storey side and rear extension and a single storey side/rear extension. The proposed two storey side and rear extension would retain the 4.8m width of the existing single storey side extension and would extend to the rear by an additional 1.7m, to form a two storey side elevation measuring 7.5m in length. The proposed two storey side extension would increase the eaves height of the existing side extension from 2.9m to 5.2m. The roof design would change from the existing lean-to roof to a hipped roof design. The hipped roof would measure a total height of 6.8m with a truncated element to the roof. The proposal would also increase the projection of the existing single storey rear extension from 4.3m to 9m from the rear elevation of the original building and would increase the width of the single storey rear extension from 7.6m to 11m. The drawings show that the original building had a footprint of 47m<sup>2</sup>, the existing building has a footprint of 107m<sup>2</sup> and the current proposal would increase the footprint of the building to 171m<sup>2</sup>.

An application for the erection of two storey side and rear extensions and a single storey side/rear extension (2023/0382/TP) was refused in September 2023 as the proposal was not of a scale, massing or style that was in keeping with the surrounding streetscape. The proposal would have resulted in a significant detrimental physical impact and unacceptable level of overshadowing to the neighbouring property to the west and would have negatively impacted the architectural quality of its surroundings.

The current proposal is required to be assessed against the Development Plan which consists of the National Planning Framework (NPF4) and Local Development Plan (LDP2). Due to the scale and nature of the proposal, Policies 14 (Design, Quality and Place), 16 (Quality Homes) of the NPF4, and Policies D1, D1.1, D2 and D7 of the LDP2 are the most relevant. These policies generally require that development should not result in a significant loss of character or amenity to the surrounding area. Development should be appropriate to the location and respect local architecture, building form and design. Development must also be of a size, scale, height, massing, density and material that is in keeping with the buildings in the locality and must not adversely impact or dominate the existing building. The amenity of neighbouring properties should not be adversely affected by unreasonably restricting their sunlight, privacy or by virtue of physical impact. 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. There will be a strong presumption against development on or adjacent to Natural Features where it would compromise their overall integrity, including Tree Preservation Orders sites.

The combination of the proposed two storey side extension in addition to the extensive single storey extension, would significantly increase the footprint of the building. The Householder Design Guide

Supplementary Guidance requires that extensions should generally not exceed 100% of the original building. Assessment has confirmed that the original building had a footprint of 47m<sup>2</sup>. Previous extensions increased the footprint to 108m<sup>2</sup>. The current proposal would increase the footprint of the building to 171m<sup>2</sup>, which would represent 263% of the original building's footprint. The proposal would not meet guidance and would represent overdevelopment. The proposal would also significantly increase the size, scale and massing of the building and would dominate the existing building to the detriment of its original character. It is considered that the proposal would not complement the scale and character of the building or neighbouring properties and is poorly designed.

The site is located at the end of a cul-de-sac. Although not prominent from the road at the rear, the proposal would be visible. The proposal would be visible from the public path to adjacent to the site and due to the close proximity to the side boundary, the proposal would be prominent from the public path. The proposal is not in keeping with the scale and character of other properties within the area. It is considered that the proposal would have a detrimental impact upon the character and visual amenity of the surrounding area. No trees were recorded on-site during the site visit. The proposal therefore raises no issues regarding protected trees.

It is considered that the proposal as a whole, would not result in a significant additional detrimental impact in terms of overshadowing, overlooking, loss of privacy or physical impact.

Two representations were received for this application. The matters not already considered above are now considered. The existing CCTV and lights are not part of this planning application and are therefore not assessed. Property values are not a material planning consideration. The proposed works are classed as householder works and would not result in a significant adverse level of disruption.

In conclusion, the proposal is contrary to Policies 14 and 16 of the NPF4 and Policies D1, D1.1 and D2 of the LDP2. There are no material considerations that indicate the application should not be refused.

**RECOMMENDATION: Refuse**

**REASON FOR REFUSAL:**

1. The proposal is of a size, scale and massing that would constitute overdevelopment and would dominate the existing building to the detriment of its character. The proposal is therefore poorly designed. Furthermore, by virtue of the significant bulk and massing, the proposal does not respect local architecture, building form and design would result in a significant loss of character and visual amenity to the surrounding area. The proposal is therefore contrary to NPF4 Policies 14 and 16, and Policies D1, D1.1 and D2 of the Local Development Plan 2.

**ADDITIONAL NOTES:**

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority).

**ADDED VALUE:** None.

**BACKGROUND PAPERS:**

Further information on background papers can be obtained from Mr Byron Sharp at [byron.sharp@eastrenfrewshire.gov.uk](mailto:byron.sharp@eastrenfrewshire.gov.uk).

Ref. No.: 2023/0716/TP  
(BYSH)

DATE: 12<sup>th</sup> March 2024

**DIRECTOR OF ENVIRONMENT**

**Reference: 2023/0716/TP - Appendix 1**

**DEVELOPMENT PLAN:****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.

## **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 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, 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. There will be a general presumption against all proposals that involve 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.

### **Policy D2: General Urban Areas**

Development will be supported within the general urban areas, shown on the Proposals Map. Proposals will be required to demonstrate that the proposed development is appropriate in terms of its location and scale and will not result in a significant loss of character or amenity to the surrounding area. Proposals must also comply with appropriate policies of the Proposed Plan.

### **Policy D7: Natural Environment Features**

The Council will protect and enhance the natural environment features set out in Schedule 5, and shown on the Proposals Map, and seek to increase the quantity and quality of the areas biodiversity.

1. There will be a strong presumption against development on or adjacent to Natural Features where it would compromise their overall integrity, including Local Biodiversity Sites, Local Nature Reserves, Tree Preservation Orders and ancient and long established woodland sites. Adverse effects on species and habitats should be avoided with mitigation measures provided.
2. Development that affects a Site of Special Scientific Interest (SSSIs) will only be permitted where:
  - a. The objectives of designation and the overall integrity of the area will not be compromised; and
  - b. Any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental, community or economic benefits of national importance to the satisfaction of Scottish Ministers and measures are provided to mitigate harmful impacts.
3. Development affecting trees, groups of trees or areas of woodland will only be permitted where:
  - a. Any tree, group of trees or woodland that makes a significant positive contribution to the setting, amenity and character of the area has been incorporated into the development through design and layout; or
  - b. In the case of woodland:
    - i. its loss is essential to facilitate development that would achieve significant and clearly defined additional public benefits, in line with the Scottish Government's Policy on Control of Woodland Removal; or
    - ii. in the case of individual trees or groups of trees, their loss is essential to facilitate development and is clearly outweighed by social, environmental, community or economic benefits.

Where woodland is removed in association with development, developers will be required to provide compensatory planting which enhances the biodiversity of the area and demonstrates a net gain. The loss of Ancient Woodland will not be supported.

4. Where there is likely to be an adverse impact on natural features or biodiversity an ecological appraisal will be required.

Further detailed guidance and information is set out in the Green Network Supplementary Guidance.

Finalised 21/03/2024 GMc(6)

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## DECISION NOTICE

**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.           **2023/0716/TP**

**Applicant:**

Mr Chaudhary Falak  
87 Harvie Avenue  
Newton Mearns  
Scotland  
G77 6LH

**Agent:**

Chris Barrowman  
1 Barochan Lane  
Brookfield  
Scotland  
PA5 8US

With reference to your application which was registered on 9th January 2024 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

**Erection of a two storey side and rear extensions and a single storey side/rear extension.**

**at: 87 Harvie Avenue Newton Mearns East Renfrewshire G77 6LH**

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 of a size, scale and massing that would constitute overdevelopment and would dominate the existing building to the detriment of its character. The proposal is therefore poorly designed. Furthermore, by virtue of the significant bulk and massing, the proposal does not respect local architecture, building form and design would result in a significant loss of character and visual amenity to the surrounding area. The proposal is therefore contrary to NPF4 Policies 14 and 16, and Policies D1, D1.1 and D2 of the Local Development Plan 2.

Dated           21st March 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

| <b>Plan Description</b> | <b>Drawing Number</b> | <b>Drawing Version</b> | <b>Date on Plan</b> |
|-------------------------|-----------------------|------------------------|---------------------|
| Location Plan           | BW(P)01               |                        |                     |
| Elevations Proposed     | BW(P)02               |                        |                     |
| Block Plan Proposed     | BW(P)03               |                        |                     |

## **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](http://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](mailto:planning@eastrenfrewshire.gov.uk)**

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## NOTICE OF REVIEW



2 Spiersbridge Way Thornliebank G46 8NG Tel: 0141 577 3001 Email: [planning@eastrenfrewshire.gov.uk](mailto: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 100673756-001

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

## Applicant or Agent Details

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

Applicant  Agent

## Agent Details

Please enter Agent details

|                       |  |  |   |
|-----------------------|--|--|---|
| Company/Organisation: | <input type="text" value="Padrino Design"/>        |  |   |
| Ref. Number:          | <input type="text"/>                               | You must enter a Building Name or Number, or both: * |   |
| First Name: *         | <input type="text" value="Dominic"/>               | Building Name:                                       | <input type="text" value="The Wright Business Centre"/> |
| Last Name: *          | <input type="text" value="Notarangelo"/>           | Building Number:                                     | <input type="text" value="1"/>                          |
| Telephone Number: *   | <input type="text" value="0141 762 2000"/>         | Address 1 (Street): *                                | <input type="text" value="Lonmay Road"/>                |
| 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="G33 4EL"/>                    |
| Email Address: *      | <input type="text" value="Dominic@padrino.co.uk"/> |  |   |

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

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

|                      |  |  |  |
|----------------------|--|--|--|
| Title:               | <input type="text" value="Mr"/>                    | You must enter a Building Name or Number, or both: * |  |
| Other Title:         | <input type="text"/>                               | Building Name:                                       | <input type="text"/>                       |
| First Name: *        | <input type="text" value="Falak"/>                 | Building Number:                                     | <input type="text" value="87"/>            |
| Last Name: *         | <input type="text" value="Chaudhary"/>             | Address 1 (Street): *                                | <input type="text" value="Harvie Avenue"/> |
| Company/Organisation | <input type="text"/>                               | Address 2:   | <input type="text"/>                       |
| Telephone Number: *  | <input type="text"/>                               | Town/City: *   | <input type="text" value="Newton Mearns"/> |
| Extension Number:    | <input type="text"/>                               | Country: *   | <input type="text" value="UK"/>            |
| Mobile Number:       | <input type="text"/>                               | Postcode: *  | <input type="text" value="G77 6LF"/>       |
| Fax Number:          | <input type="text"/>                               |  |  |
| Email Address: *     | <input type="text" value="dominic@padrino.co.uk"/> |  |  |

## 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="87 HARVIE AVENUE"/>          |
| Address 2:  | <input type="text" value="NEWTON MEARNNS"/>            |
| 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="G77 6LH"/>                   |

Please identify/describe the location of the site or sites

|          |                                     |         |                                     |
|----------|-------------------------------------|---------|-------------------------------------|
| Northing | <input type="text" value="656755"/> | Easting | <input type="text" value="253709"/> |
|----------|-------------------------------------|---------|-------------------------------------|

## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

Erection of a two storey side and rear extensions and a single storey side/rear extension

## 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.

Refer to attached Statement of Appeal

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? \*

Yes  No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: \* (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: \* (Max 500 characters)

Statement of Appeal Doc 1    Application Form. Doc 2    Plans & Elevations as Existing. Doc 3    Plans & Elevations as Proposed Doc 4    Site plan as Existing & Proposed Doc 5    Report of Handling Doc 6    Decision Notice

## Application Details

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

2023/0716/TP

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

09/01/2024

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

21/03/2024

## 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 Dominic Notarangelo

Declaration Date: 02/06/2024

Planning Appeal  
Refusal of Application

2023/0716/TP

87 Harvie Avenue  
Newton Mearns G77 6LH

Statement of Appeal

PADRINO DESIGN

The Wright Business Centre

1 Lonmay Road

Glasgow G33 4EL

t. 0141 762 2000

w. [www.padrino.co.uk](http://www.padrino.co.uk)

The application site is a 1960's John Lawrence detached villa. The layout is one of a few built by both Lawrence and Wimpey at a time when car ownership was a great deal lower than it is today. However this concept to access the houses from a footpath with a 'carriage' entrance to the rear never found favour as car ownership grew.

The house itself has had a garage built in the rear garden and two separate extensions one being a side extension under a mono pitch roof and a rear extension as a variation on a 'mansard' roof.

The Cul de Sac to the rear of the property serves 14 properties with an average plot size of 285 Square metres, the plot of the application site is situated at the end of the Cul de Sac and extends to 652 Square metres.

While the proposal seeks to extend the floor plate by some 66 square metres 36 square metres is 'given back' to the 66 by way of removal of the garage as indicated on Doc 4. Additionally the tarmac area is to be reduced and the grass area increased, again refer to Doc 4

The blue tinted outer leaf walls on the plans on Doc 3 illustrate the new outer walls the thermal performance of the building fabric in 2024 is 5 times more energy efficient than it was when the property was built.

The mono pitched side extension, by way of a previous extension, is to be reconfigured to provide South and west Elevations that are more harmonious to the other properties in Harvie Avenue. All of the foregoing are in line with the principles set out in NPF 4.

Turning to the sole reason for refusal which states

“The proposal is of a size, scale and massing that would constitute overdevelopment and would dominate the existing building to the detriment of its character. The proposal is therefore poorly designed. Furthermore, by virtue of the significant bulk and massing, the proposal does not respect local architecture, building form and design would result in a significant loss of character and visual amenity to the surrounding area. The proposal is therefore contrary to NPF4 Policies 14 and 16, and Policies D1, D1.1 and D2 of the Local Development Plan 2.”

Each Planning application has to be considered on its own merits and the author has experience of far bigger % extensions in both East Renfrewshire and East Dunbartonshire where the sites merit a less rigid approach.

It is submitted that this proposal seeks to.

Improve the quality of the principal elevations.

Reduce the non porous surface

Increase the grassed area

Develop the property in a location where the plot size is 225% greater than the average at this location.



Given the nature, size and location of this proposal it is submitted that the matter is best considered by way of a site visit.

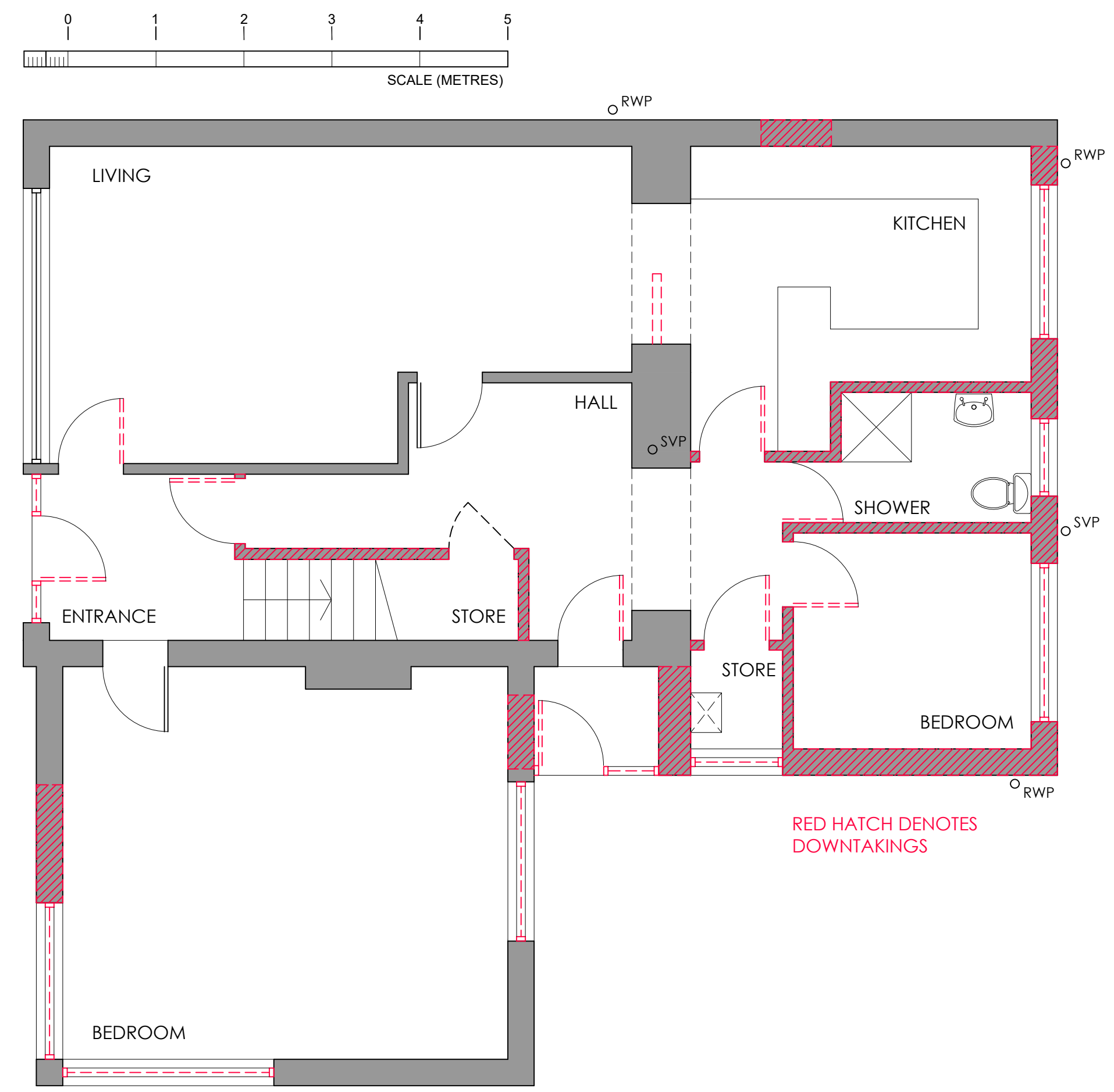
All of the foregoing represent material considerations as to why the application merits favourable consideration.

List of Supporting Documents.

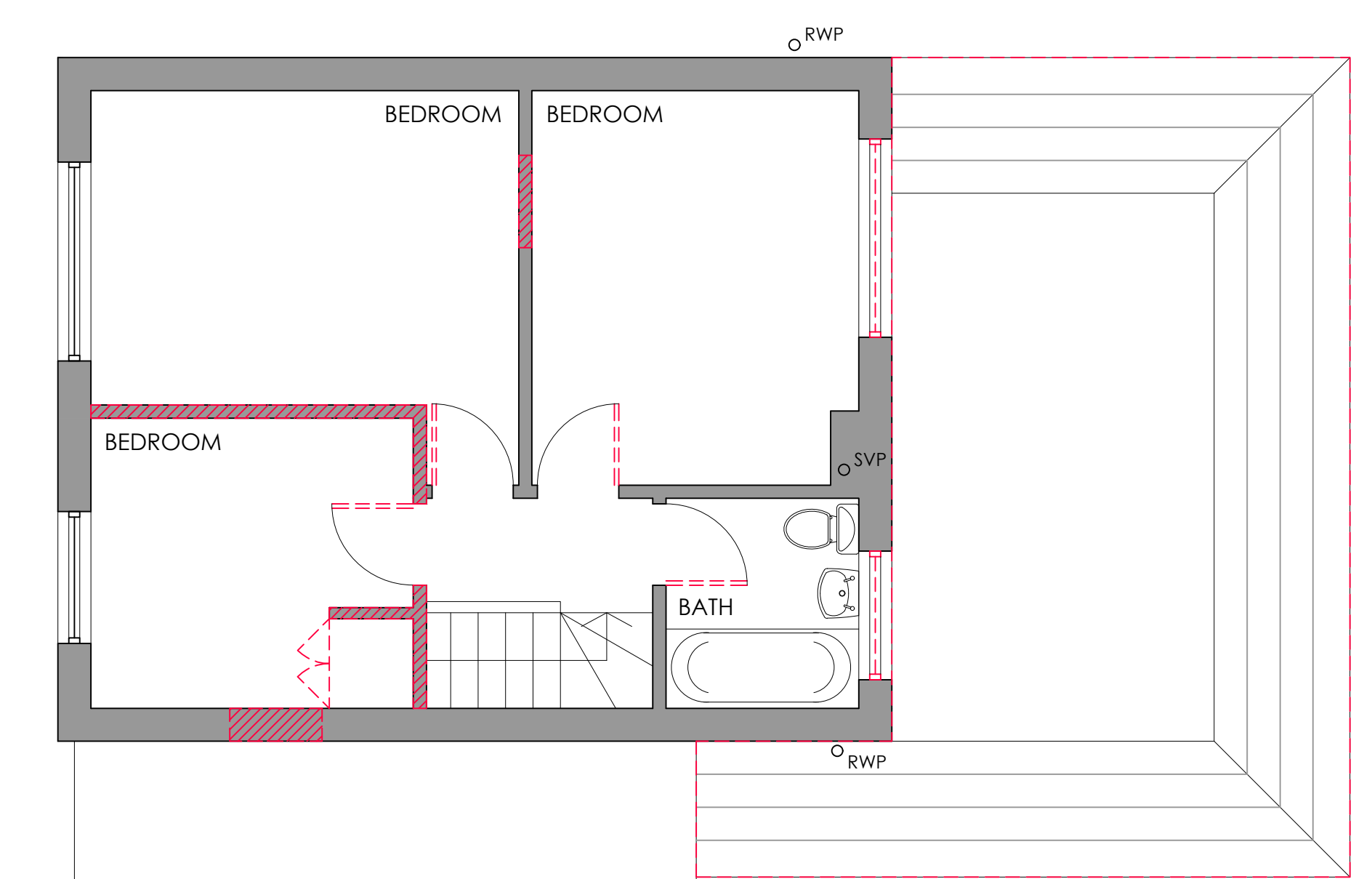
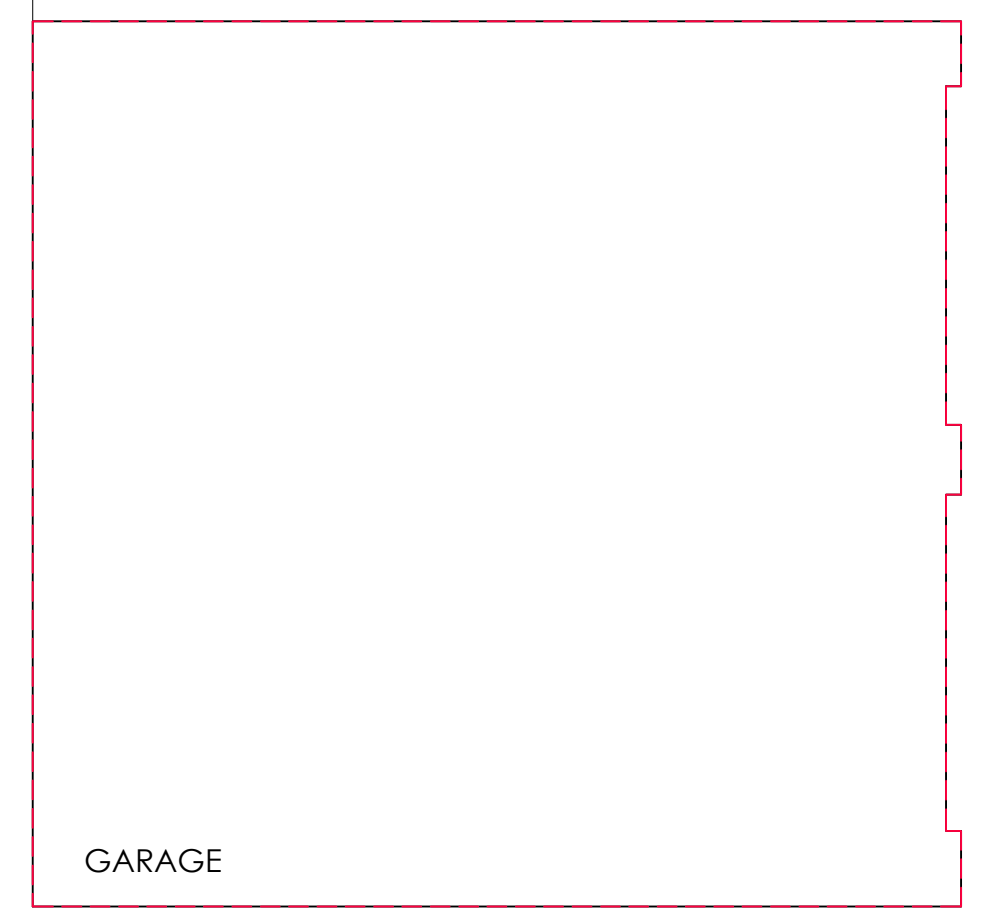
- Doc 1 Application Form.
- Doc 2 Plans & Elevations as Existing.
- Doc 3 Plans & Elevations as Proposed
- Doc 4 Site plan as Existing & Proposed
- Doc 5 Report of Handling
- Doc 6 Decision Notice

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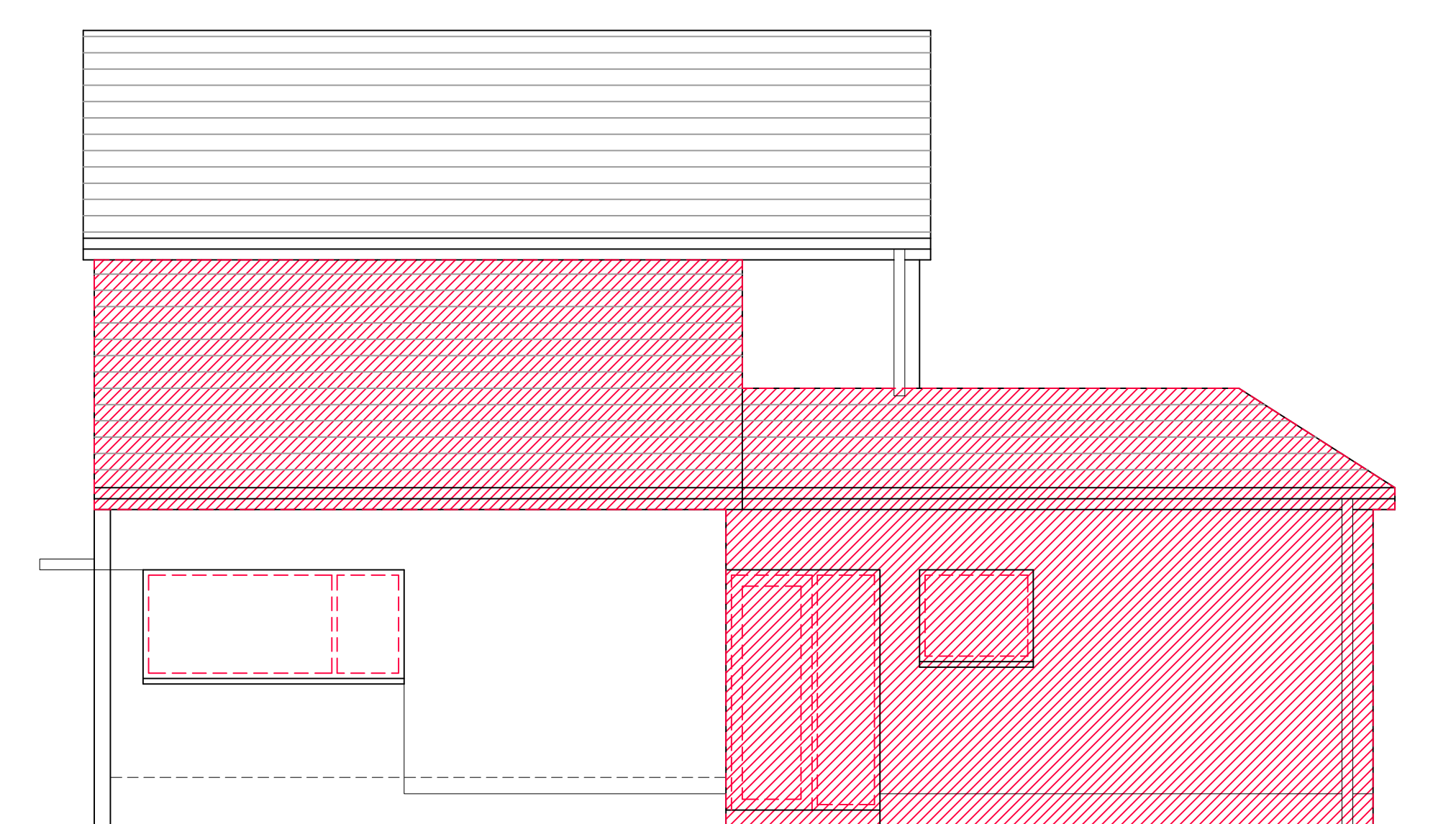
**PLANS/DRAWINGS**



GROUND FLOOR PLAN AS EXISTING

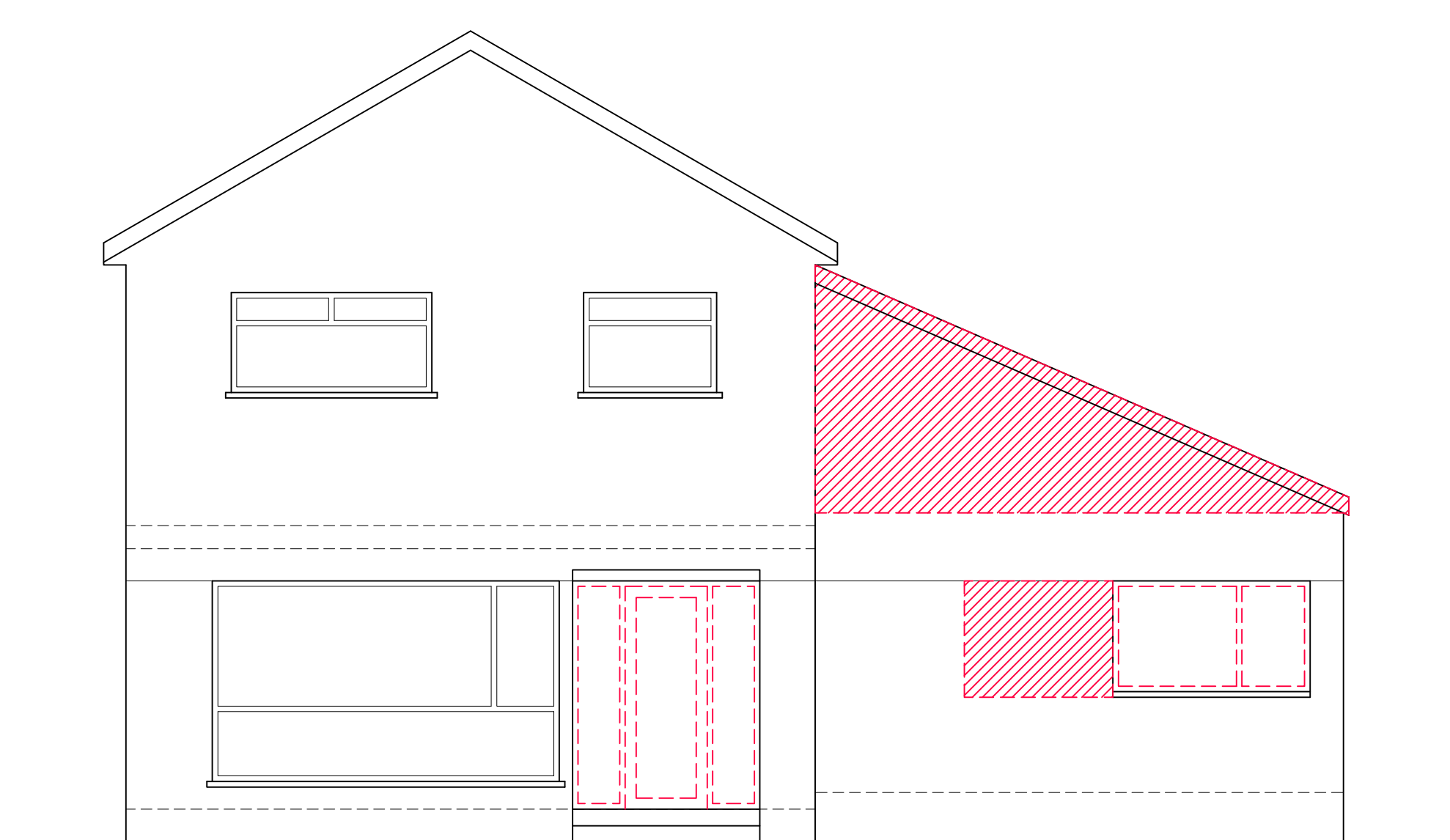


UPPER FLOOR PLAN AS EXISTING

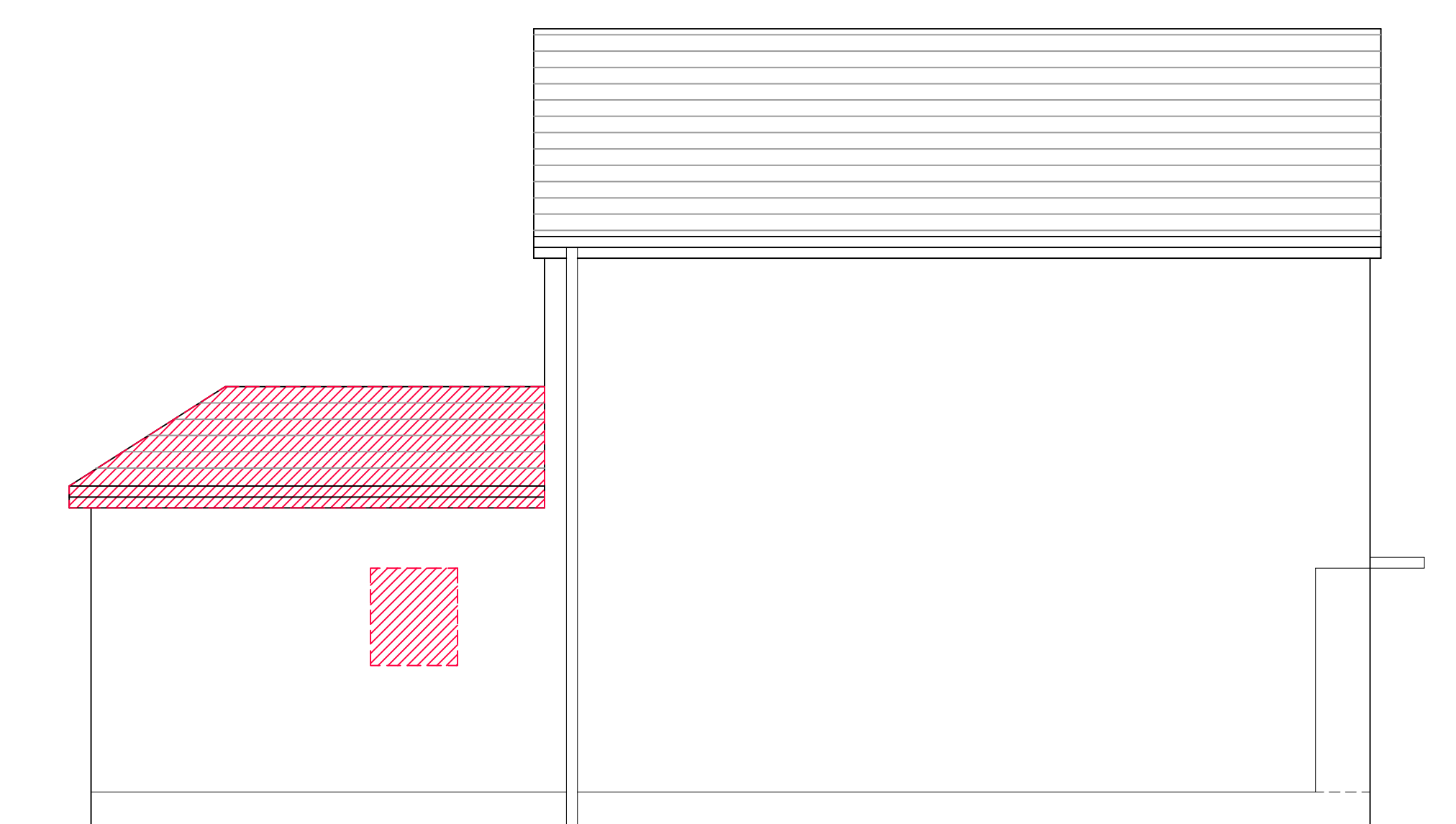
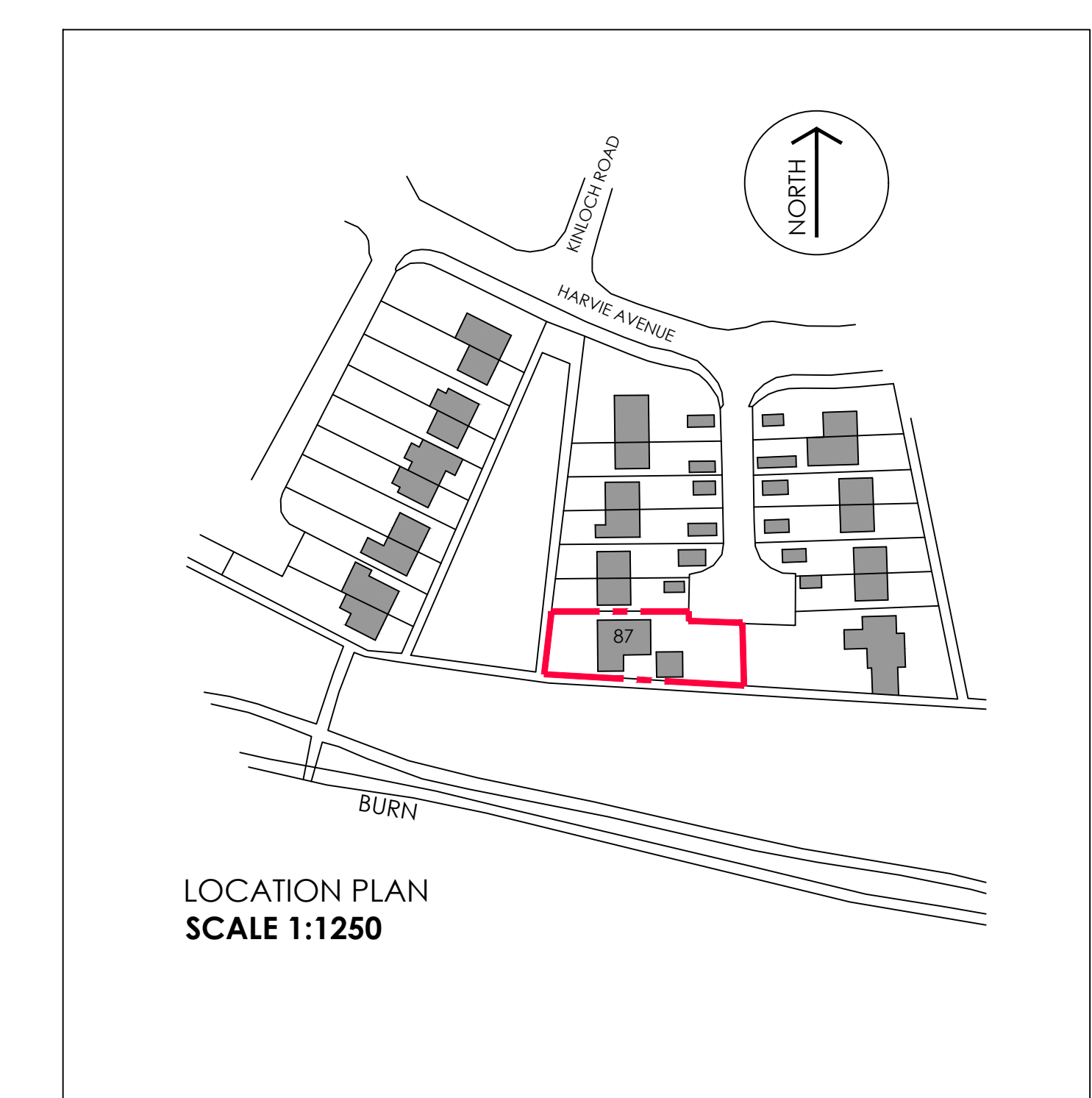


SIDE ELEVATION AS EXISTING

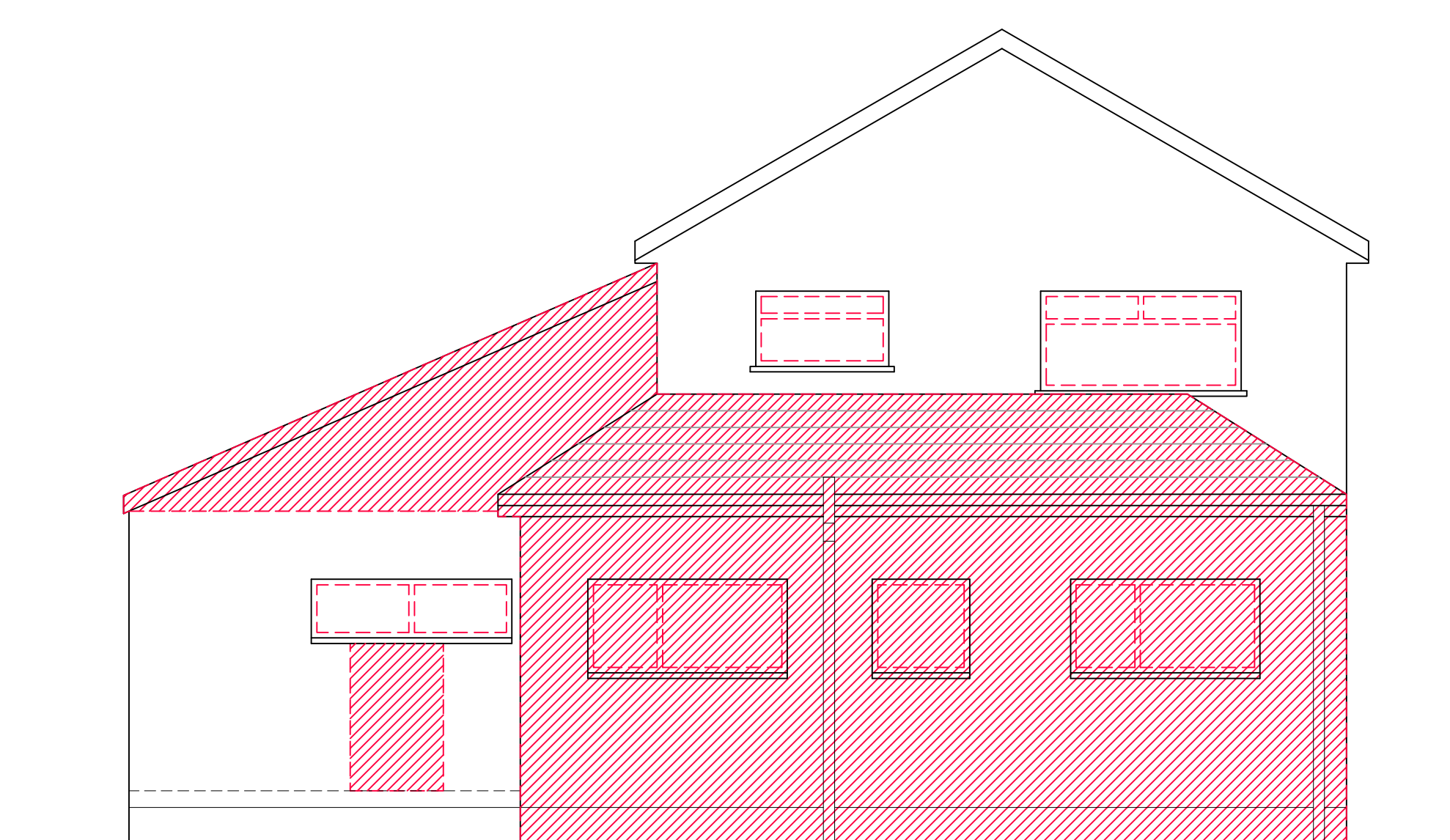
RED HATCH DENOTES DOWNTAKINGS



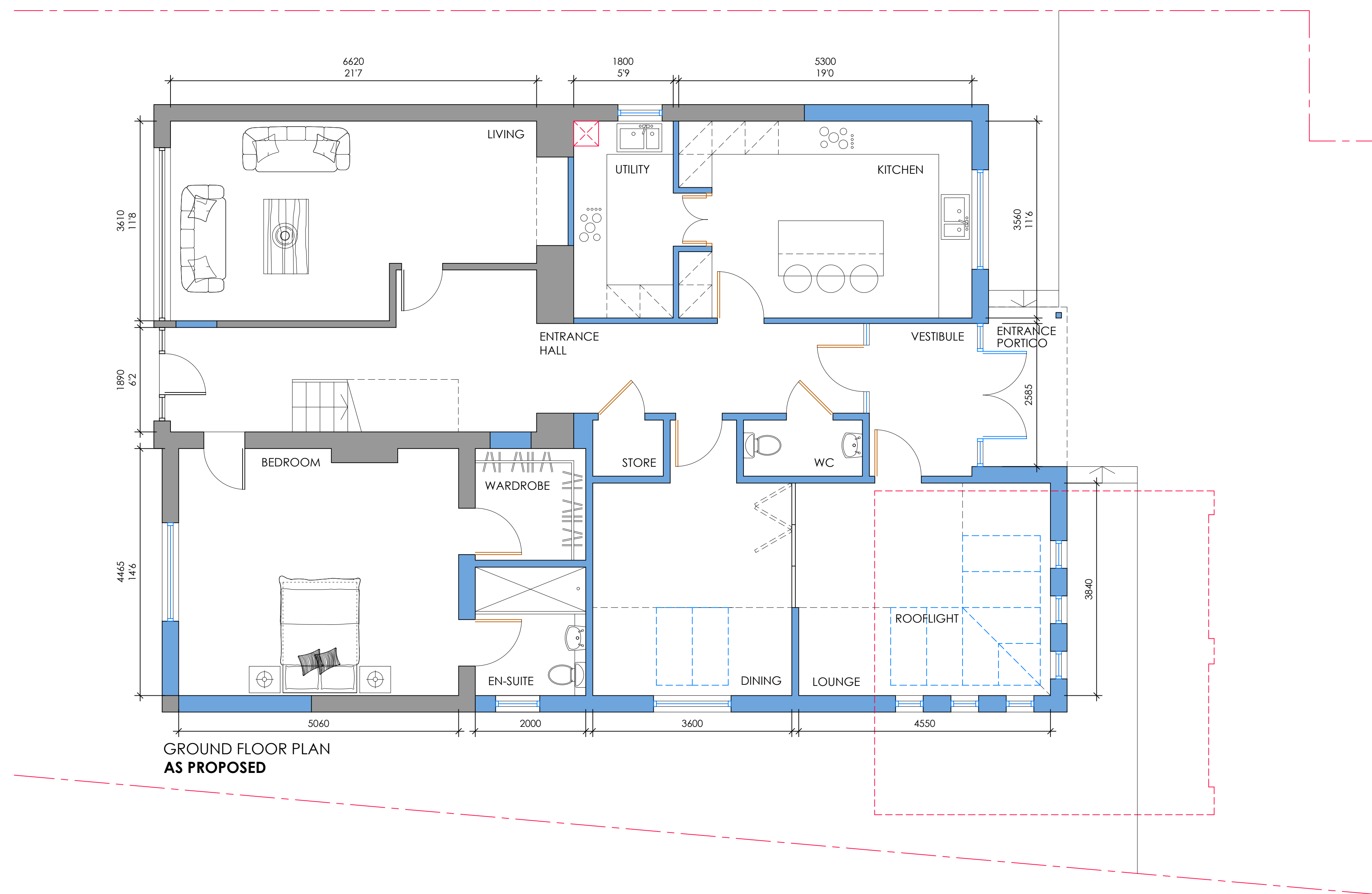
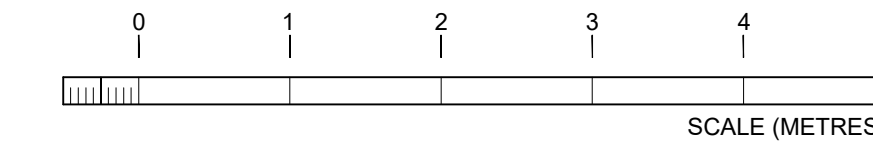
FRONT ELEVATION AS EXISTING



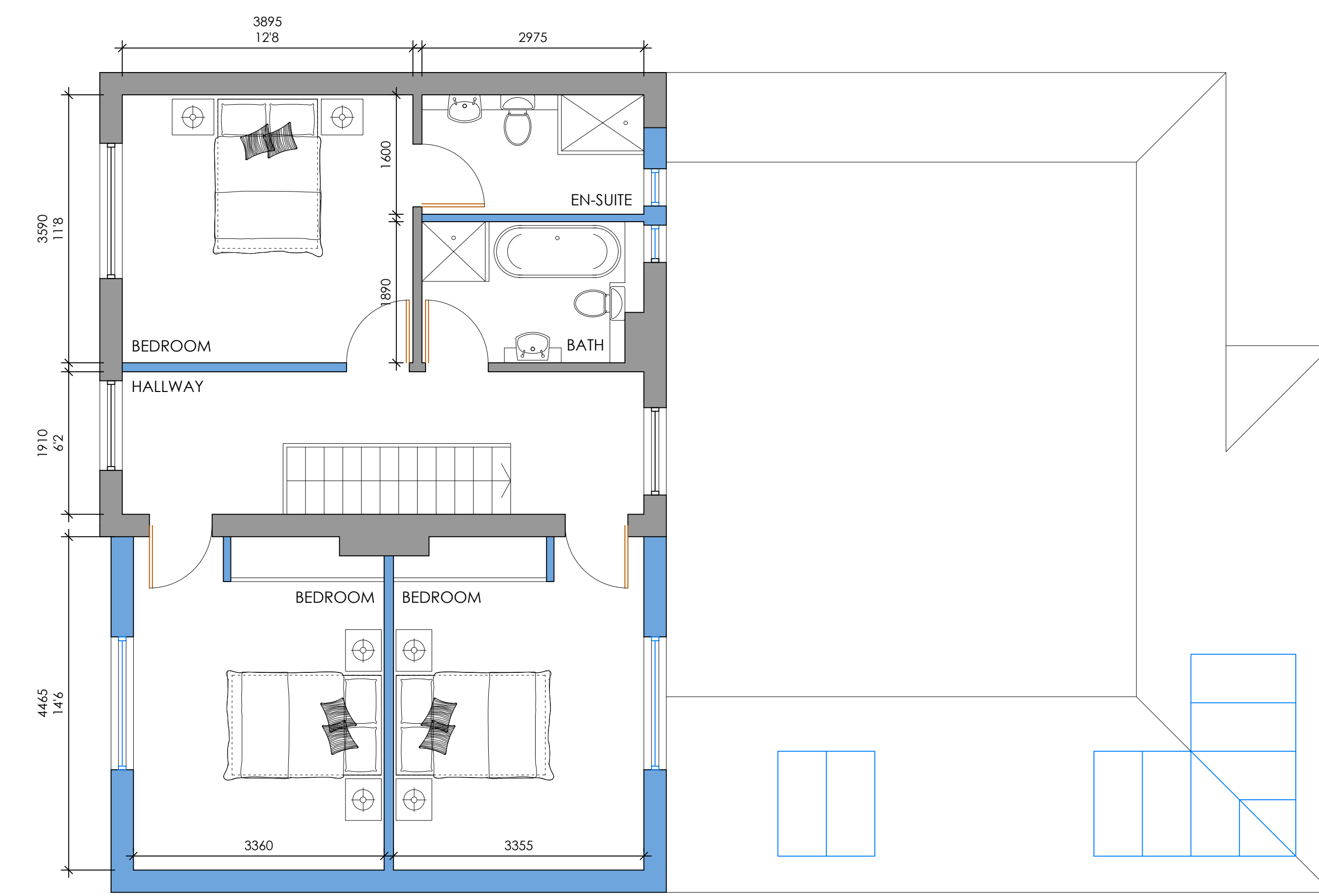
SIDE ELEVATION AS EXISTING



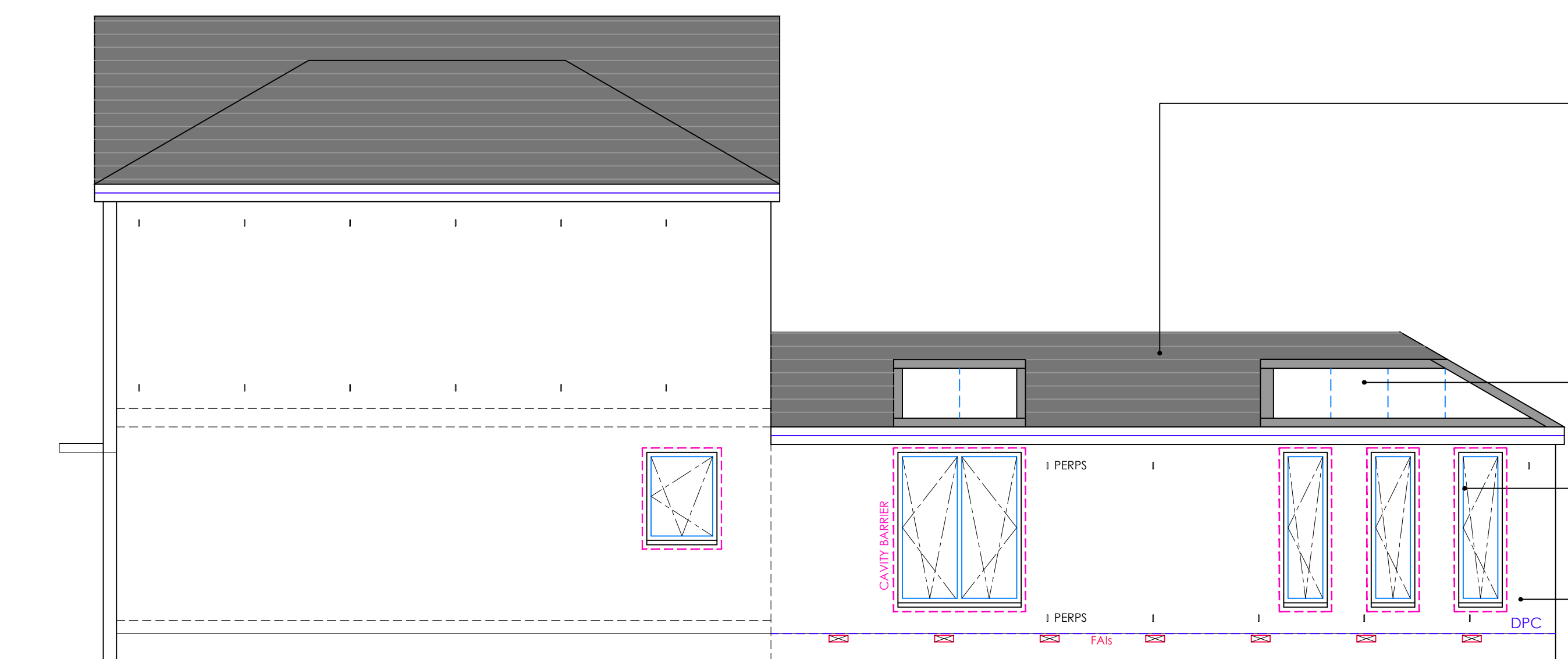
REAR ELEVATION AS EXISTING



GROUND FLOOR PLAN AS PROPOSED

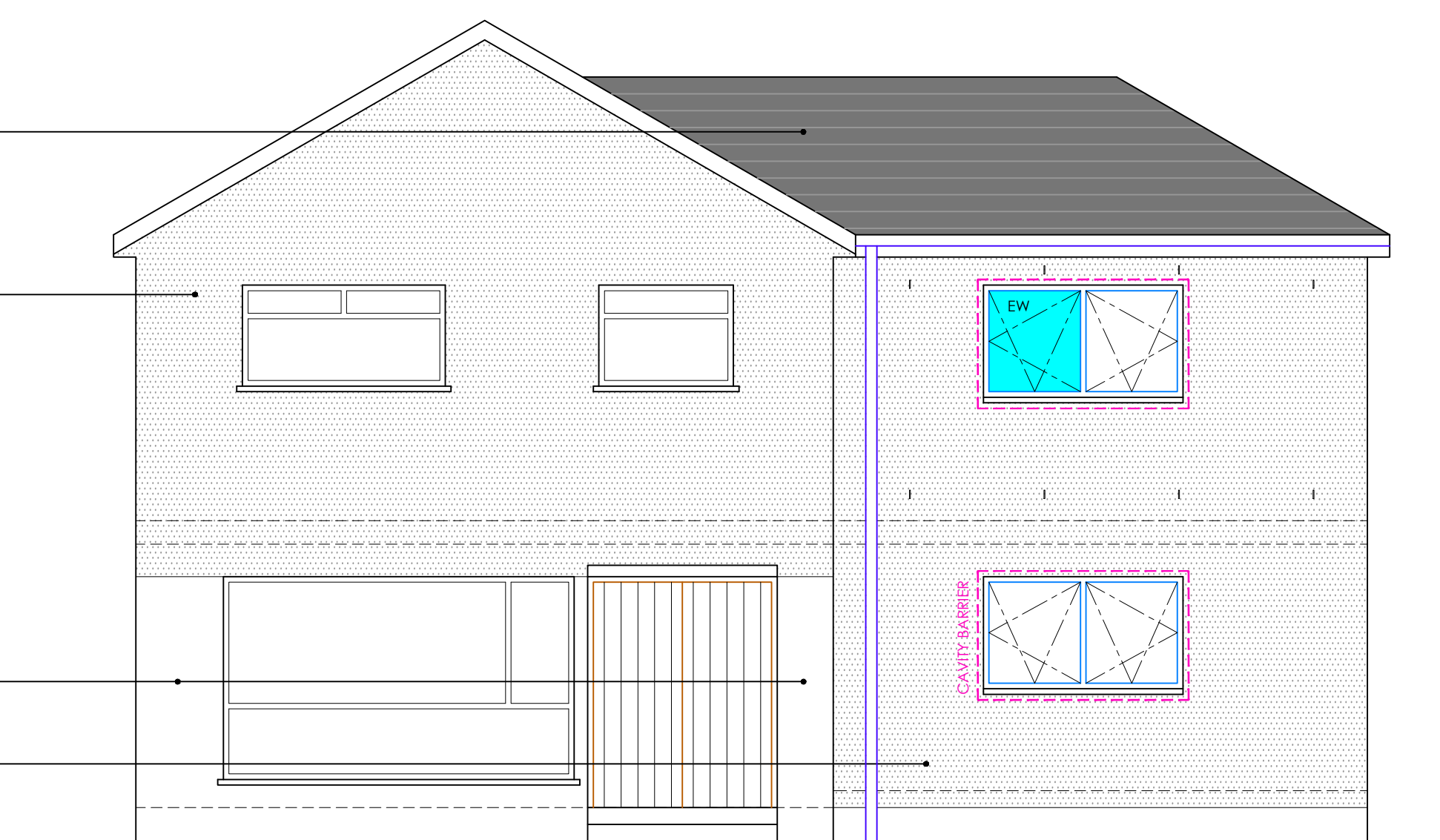


UPPER FLOOR PLAN AS PROPOSED



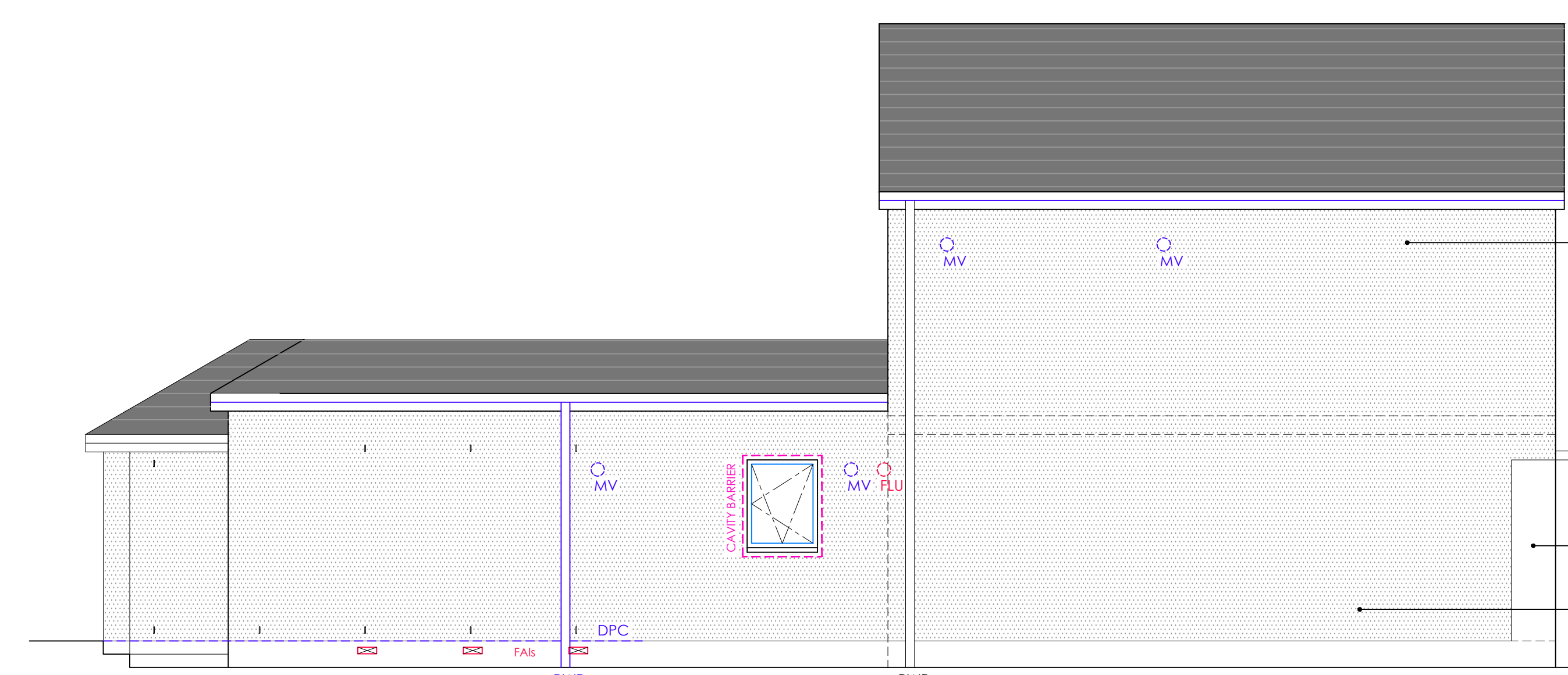
SIDE ELEVATION AS PROPOSED

- CONCRETE ROOF TILES
- WHITE RENDER FINISH TO EXTERNAL WALLS
- DOUBLE GLAZED ROOFLIGHT WITH LEAD FLASHINGS
- DOUBLE GLAZED UPVC FRAMED WINDOWS
- EXISTING MASONRY FINISH TO BE RETAINED
- WHITE RENDER FINISH TO EXTERNAL WALLS



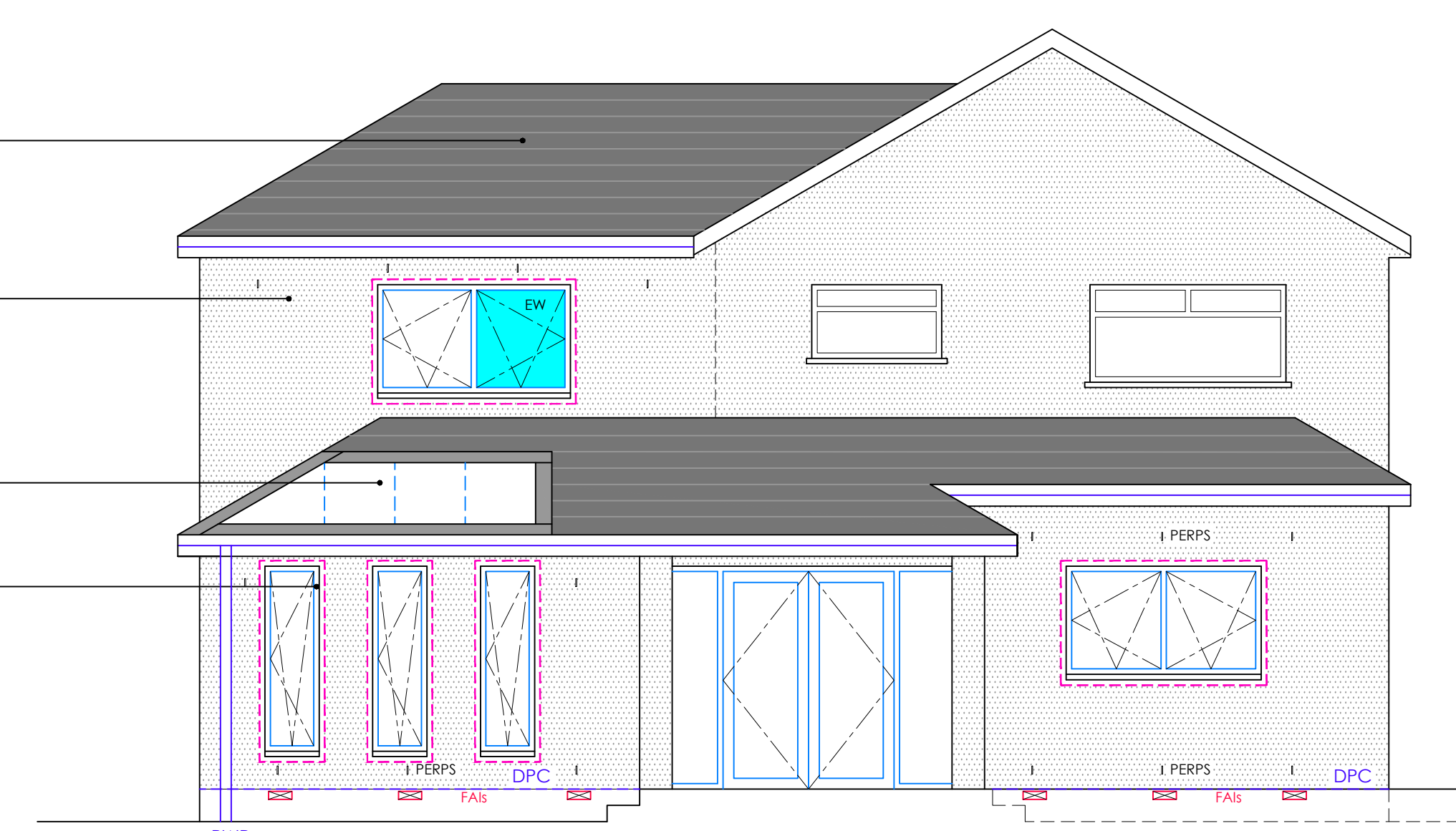
FRONT ELEVATION AS PROPOSED

**EW** DENOTES ESCAPE TYPE WINDOW WITH OPENING SECTION AT LEAST 450mm HIGH, 450mm WIDE, 0.33m<sup>2</sup> OPENABLE AREA. BOTTOM OF OPENING SECTION TO BE 1.1m ABOVE RL. ALL UPPER FLOOR WINDOWS TO OPEN INWARDS FOR EASE OF CLEANING FROM THE INSIDE.



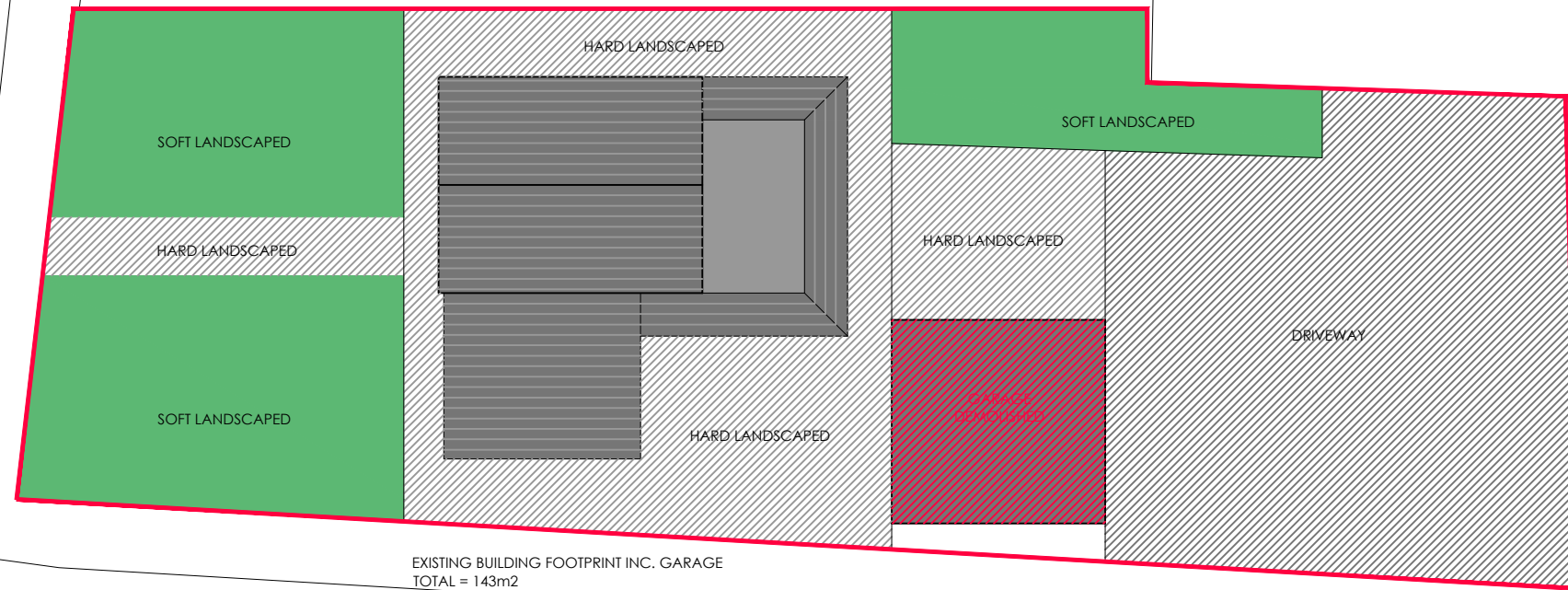
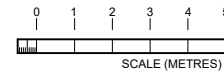
SIDE ELEVATION AS PROPOSED

- CONCRETE ROOF TILES
- WHITE RENDER FINISH TO EXTERNAL WALLS
- DOUBLE GLAZED ROOFLIGHT WITH LEAD TRIMS
- DOUBLE GLAZED UPVC FRAMED WINDOWS
- EXISTING MASONRY FINISH TO BE RETAINED
- WHITE RENDER FINISH TO EXTERNAL WALLS



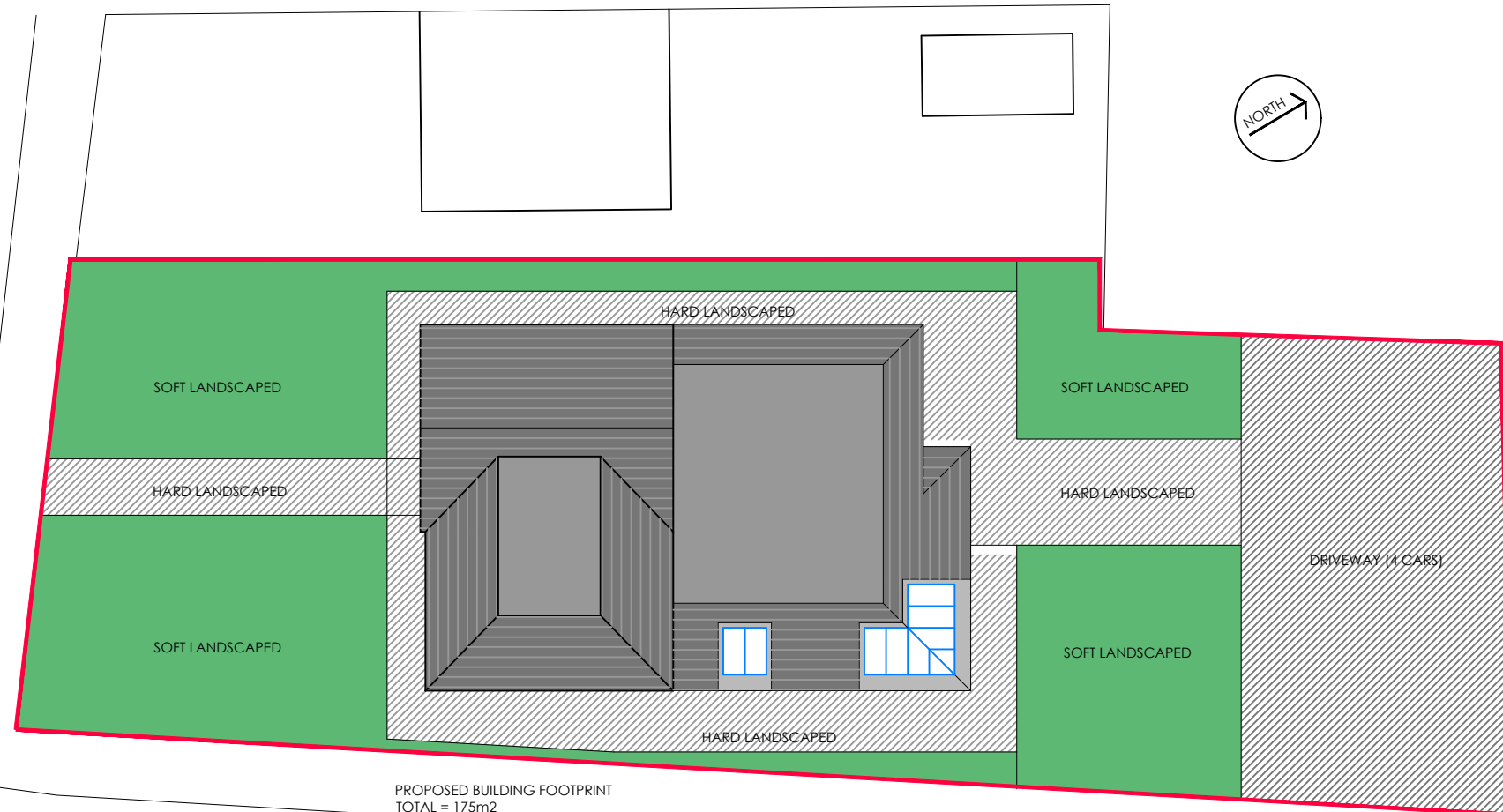
REAR ELEVATION AS PROPOSED





EXISTING BUILDING FOOTPRINT INC. GARAGE  
TOTAL = 143m<sup>2</sup>

BLOCK PLAN  
AS EXISTING



PROPOSED BUILDING FOOTPRINT  
TOTAL = 175m<sup>2</sup>

BLOCK PLAN  
AS PROPOSED