

**Business Operations and Partnerships Department**

**Director of Business Operations & Partnerships: Louise Pringle**

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website: [www.eastrenfrewshire.gov.uk](http://www.eastrenfrewshire.gov.uk)

Date: 2 August 2024

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

e-mail:- [john.burke@eastrenfrewshire.gov.uk](mailto: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, 7 August 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 2024/05 – Replacement of Rear Single Storey Extension with Combined Flat and Pitched Roof and Extended Rear Dormer at 68 Montgomery Street, Eaglesham, G76 0AU. (Ref No:- 2024/0059/TP). Report by Director of Business Operations and Partnerships (copy attached, pages 3 – 50).**
4. **Notice of Review – Review 2024/06 – Erection of a Two Storey Side and Rear Extension and a Single Storey Side/Rear Extension. (Ref No:- 2023/0716/TP). Report by Director of Business Operations and Partnerships (copy attached, pages 51 – 96).**

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](mailto: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>

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EAST RENFREWSHIRE COUNCIL

LOCAL REVIEW BODY

7 August 2024

Report by Director of Business Operations and Partnerships

REVIEW OF CASE - REVIEW/2024/05

REPLACEMENT OF REAR SINGLE STOREY EXTENSION WITH COMBINED FLAT AND  
PITCHED ROOF AND EXTENDED REAR DORMER

**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:- 2024/0059/TP).
- Applicant: Mr and Mrs B and P Scholarios Brown
- Proposal: Replacement of rear single storey extension with combined flat and pitched roof and extended rear dormer
- Location: 68 Montgomery Street, Eaglesham, G76 0AU
- Council Area/Ward: Newton Mearns South and Eaglesham (Ward 5).

**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 4.

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 7 to 12);
- (b) Report of Handling by the planning officer under the Scheme of Delegation - Appendix 3 (Pages 13 to 28);
- (c) Decision notice and reasons for refusal - Appendix 4 (Pages 29 to 32); and
- (d) A copy of the applicant's Notice of Review and Statement of Reasons - Appendix 4 (Pages 33 to 38).

**15.** The applicant has also submitted the drawings listed below and these are attached as Appendix 5 (Pages 39 to 50).

- (a) Existing Floor Plans, Elevation and Section;
- (b) Roof Plan as Existing;
- (c) Existing and Proposed Side Elevations;
- (d) Site Plan, Existing and Proposed;
- (e) Location Plan;
- (f) Proposed Floor Plans, Elevation and Section;
- (g) Ground Floor Plan as Proposed;
- (h) First Floor Plan as Proposed;
- (i) Roof Plan as Proposed; and
- (j) Front Elevation and Proposed Roof Plan.

**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 100660413-001

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)

Proposed replacement of rear single storey extension with combined flat and pitched roof, and rear extended dormer.

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:	Jewitt and Wilkie Architects Ltd		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	Fiona	Building Name:	<input type="text"/>
Last Name: *	Ballingham	Building Number:	38
Telephone Number: *	0141 352 6929	Address 1 (Street): *	New City Road
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	Glasgow
Fax Number:	<input type="text"/>	Country: *	Scotland
		Postcode: *	G4 9JT
Email Address: *	fiona@jawarchitects.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:	<input type="text"/>
First Name: *	S and P	Building Number:	68
Last Name: *	Scholarios Brown	Address 1 (Street): *	Montgomery Street
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	Eaglesham
Extension Number:	<input type="text"/>	Country: *	Scotland
Mobile Number:	<input type="text"/>	Postcode: *	G76 0AU
Fax Number:	<input type="text"/>		
Email Address: *	soteris1@gmail.com		

## Site Address Details

Planning Authority:

East Renfrewshire Council

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

Address 1:

68 MONTGOMERY STREET

Address 2:

EAGLESHAM

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

GLASGOW

Post Code:

G76 0AU

Please identify/describe the location of the site or sites

Northing

651685

Easting

256974

## 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)

Pre-application discussion with Margaret Anne McGleish.

Title:

Other title:

First Name:

Last Name:

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: Fiona Ballingham

On behalf of: Mr and Mrs S and P Scholarios Brown

Date: 08/02/2024

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: Ms Fiona Ballingham

Declaration Date: 08/02/2024

**REPORT OF HANDLING**

# REPORT OF HANDLING

Reference: 2024/0059/TP

Date Registered: 9th February 2024

Application Type: Full Planning Permission

This application is a Local Development

Ward: 5 -Newton Mearns South And Eaglesham

Co-ordinates: 256974/:651685

Applicant/Agent:

Applicant:

Mr and Mrs S and P Scholarios Brown

68 Montgomery Street

Eaglesham

Scotland

G76 0AU

Agent:

Fiona Ballingham

38 New City Road

Glasgow

Scotland

G4 9JT

Proposal: Proposed replacement of rear single storey extension with combined flat and pitched roof, and rear extended dormer.

Location: 68 Montgomery Street  
Eaglesham  
East Renfrewshire  
G76 0AU

**CONSULTATIONS/COMMENTS:** None.

**PUBLICITY:**

01.03.2024

Evening Times

Expiry date 22.03.2024

**SITE NOTICES:**

Development within a Conservation Area Date posted 01.03.2024

Expiry date 22.03.2024

**SITE HISTORY:**

2015/0442/LBC

Erection of rear porch  
(listed building consent)

Approved Subject  
to Conditions

25.08.2015

2015/0443/TP

Erection of rear porch

Approved Subject  
to Conditions

10.08.2015

2022/0663/TP

Single storey replacement  
rear extension with  
pitched roof (including  
solar panels and flue) and

Withdrawn

28.03.2023

	rear extended dormer. Erection of raised patio, installation of rooflight and installation of window.		
2022/0697/LBC	Single storey replacement rear extension with pitched roof (including solar panels and flue) and rear extended dormer. Erection of raised patio, installation of rooflight and installation of window. Internal alterations.	Withdrawn	28.03.2023
2023/0562/TP	Replacement rear extension with single storey and part one and a half storey rear extension, enlargement of dormer window to rear, installation of roof lights, flue and supported canopy to rear. Installation of decking.	Approved Subject to Conditions	11.01.2024
2023/0563/LBC	Replacement rear extension with single storey and part one and a half storey rear extension, enlargement of dormer window to rear, installation of roof lights, flue and supported canopy to rear. Installation of decking.	Approved Subject to Conditions	11.01.2024

**REPRESENTATIONS:** No representations have been received.

**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 is a single-storey Category B-Listed semi-detached cottage situated within the Eaglesham Conservation Area. The front elevation of the sandstone dwelling has white painted timber windows with green painted window surrounds and cream painted render. The rear of the property has had various alterations over the years including a single storey L-shaped extension

and a large rear timber-clad dormer window. The windows and doors of the extension are brown UPVC with cream painted render walls. The property has a slate roof and is located within extensive garden grounds enclosed by a mixture of a high level stone wall, fencing and mature hedging.

The proposal has been summarised as the replacement of rear single storey extension with combined flat and pitched roof, and a rear extended dormer. The proposal however also involves various alterations, including changing the fenestration of the westmost section of the existing single storey rear extension, which is being retained, from windows to sliding patio doors. The rear dormer window which is being increased in depth and width will extend out over this single storey extension to create two larger sized bedrooms on the upper floor as well as creating a new snug and relocating the bathroom. There will also be an upper storey extension of the northernmost section of the existing extension to create an upper floor en-suite bathroom as well as a vaulted living room with an adjacent externally supported canopy. There will be a new single-storey extension of the utility room. There will be various rooflights installed on this upper extension along with installation of solar panels. The proposal also involves various internal alterations, as well as new decking, the installation of a flue and external painting to the rear. Materials being proposed are a mixture of traditional and contemporary including natural slate, white painted render, and cedar cladding, although colour of windows and doors have yet to be confirmed.

It should be noted that the proposal currently being assessed is a revised design of a planning application recently approved (2023/0562/TP). The assessment of the current proposal will therefore concentrate primarily on the elements of the original design that have been changed, namely:

- The increased rear dormer width, depth and height with introduction of 3no. Juliette balconies, and
- Changes to the roof pitch, height and design of the rear upper floor extension.

A related listed building consent application, 2024/0060/LBC, for the proposal has also been submitted for consideration.

The proposal has been considered 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 7 and 16 of the NPF4, and Policies D1, D1.1, D14, D15 and D16 of the LDP2 are considered to be the most relevant.

Policy 7 of NPF 4 states that LDPs should support the sustainable management of the historic environment. The policy aims to protect and enhance historic environment assets and places, and to enable positive change as a catalyst for the regeneration of places. Development proposals for the re-use, alteration or extension of a listed building will only be supported where they will preserve its character, special architectural or historic interest and setting.

Policy 16 of NPF4 includes, inter alia, that proposals should 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 or have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking.

In terms of LDP2, Policies D1 and D1.1 include, inter alia, that the proposal should not result in a significant loss of character or amenity to the surrounding area, should complement the scale and character of the existing building and neighbouring properties and their setting in terms of style, form and materials.

Through Policies D14, D15 and D16, the council will seek to positively manage the historic built environment through engagement to ensure that heritage assets are safeguarded, preserved and



enhanced and have a sustainable future for the benefit of future generations. The layout, design, materials, scale, siting and use of any development affecting a listed building shall be appropriate to the character and appearance of the conservation area, the listed building and its setting.

The front elevation of this B-listed property remains largely untouched, however, internally and to the rear, there have been various alterations over the years that have resulted in the removal of various internal walls and almost all of the original rear cottage wall to create an extended ground floor living area. As a result, these elements of the listed property have already been lost. That notwithstanding, the existing rear dormer along with the existing flat roofed single storey extension, still retains the legibility of the architectural and historic character of this B-Listed cottage within the Eaglesham Conservation Area.

As stated above, this assessment will concentrate on the proposed changed elements to the recently approved planning application (2023/0562/TP).

With regards to the increased dormer, this involves extending the depth of the existing dormer window by approximately 2metres, which is 1.5metres deeper than the recently approved design. This pushes the dormer window beyond the edge of the existing roof plane and out over the existing single storey extension for almost the entire width of the existing roof. The width of the dormer has also been extended further on both sides and leaves only 0.62metres width of the existing original slate cottage roof on either side compared to 1.2metres and 0.68metres width of the previous approval. It is also 0.5metres greater in overall height and is in line with the roof ridge rather than being set down as in the approved design, such that the fixed rooflights will project beyond the existing cottage roof ridge. The dormer also introduces 3no. Juliette balconies in front of double-glazed door units at 1<sup>st</sup> floor level in place of two previously approved windows. The proposed materials remain the same and are acceptable.

Overall the increased sized dormer will remove 75% of the existing roof plane. The most recent approval removed approximately 50% of the existing roof plane however its design, including small non-traditional shaped windows and the use of non-traditional materials, still retained the legibility of the character of the existing cottage via the remaining roof plane. The introduction of the double-glazed doors and Juliette balconies introduce further non-traditional elements that would detract from the property's historic character and would increase the potential for overlooking as the doors and balconies are now over the extended part of the property rather than smaller windows in a dormer that is set back within the existing roof plane. This is thereby likely to adversely impact on the privacy of residents of neighbouring properties.

It is considered that the increased scale and massing of the proposed dormer dominates the existing roof to an unacceptable level that would result in a significant and unacceptable loss of the original roof profile thereby removing the legibility of the character of the existing cottage. Along with the introduction of double glazed doors and Juliette balconies it would introduce further non-traditional elements and adversely impact on privacy, which together would be to the detriment of the historical and architectural character of the B-Listed cottage.

The design of the proposed upper floor of the single storey rear extension changes the roof profile so that it is now equally balanced. It also increases the roof pitch from 42degrees to 50 degrees with a slight increase in the overall height, although it is now in line with the roof ridge rather than being set down as in the previously approved design. The proposed materials remain the same and are acceptable. The proposed change in the roof profile and pitch is considered acceptable however the increase in height, albeit minimal, removes the legibility of the existing roof ridge and is not considered to be acceptable.

Whilst there are only two main changes being proposed, i.e. an increased dormer along with an altered roof pitch and design over the existing single storey extension, however, when taken together these changes merge to create one large extended upper floor where the massing is out

of scale with the existing cottage and that almost completely removes all architectural and historical elements that are remaining at the rear, to the detriment of the B-Listed cottage.

Material considerations

In respect of this assessment, previous applications on the site are considered to be material considerations. The application site has been subject to several planning applications of varying designs over the past year which involved numerous and lengthy discussions between the applicant/agent, the Planning Authority and Historic Environment Scotland. It should be noted that the changed elements being considered in this application are essentially the re-introduction of the various design elements that had been removed by the applicant/agent from various previous versions of application submissions, following these discussions, because they were deemed unacceptable.

The size and scale/massing of the proposed extended dormer in conjunction with the design of the upper floor extension in the previous planning application approval (2023/0562/TP) was considered to be the maximum accommodation that could be achieved without compromising the integrity and legibility of the historical and architectural character of the B-Listed Cottage whilst still allowing the cottage to become a viable property for future generations. This was made clear to the applicant/agent during these discussions and no further pre-application discussions took place between the applicant/agent and the planning authority since this approval, even although it has been indicated as such on the application form. It was therefore considered that no further meaningful discussions could take place over these same points that had not already been extensively discussed, and as there has been no intervening change in planning policy the position of the planning authority remains the same.

Taking the above matters into account, it is considered that although there are certain elements of the proposal that are acceptable and have already been approved in the previous application (2023/0562/TP) the pertinent changes being made in this application regarding the rear dormer window in conjunction with the upper floor extension on the eastmost side, makes the entire proposed development contrary to the development plan and would significantly adversely impact the architectural and historical character and amenity of the listed building, its setting and surrounding conservation area. There are no material considerations that indicate the application should be approved.

It is therefore recommended that the application is refused.

**PLANNING OBLIGATIONS:** None.

**RECOMMENDATION:** Refuse

REASON(S):

1. The proposal is contrary to Policy 7 of the National Planning Framework 4 as the proposed development fails to preserve the existing historical and architectural character of the B-Listed cottage by introducing a dormer and extension that is out of scale and dominates the roof plane to the detriment of the listed property within the Eaglesham Conservation Area.

2. The proposal is contrary to Policy 16 of the National Planning Framework 4 as the proposed development has a detrimental impact on the character of the existing home through the out-of-scale combination of the extended dormer and upper floor extension. It will also have a detrimental impact on the privacy and amenity of the neighbouring properties due to the introduction of 3 separate double glazing upper floor doors with Juliette balconies in the extended dormer.
  
3. The proposal is contrary to Policies D1 and D1.1 of the Adopted East Renfrewshire Local Development Plan 2 as the proposed development will result in a detrimental impact on the existing character of the property as it is of a scale and massing that is not in-keeping with the existing single storey cottage.
  
4. The proposal is contrary to Policies D14, D15 and D16 of the Adopted East Renfrewshire Local Development Plan 2 as the proposed development will result in a detrimental impact on the character and appearance of the listed building within the Conservation Area due to the inappropriate layout, design and scale of the development.

**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.: 2024/0059/TP  
(MAMC)

DATE: 18th April 2024

**DIRECTOR OF ENVIRONMENT**

**Reference: 2024/0059/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.

#### Policy D14

### Management and Protection of the Built Heritage

The Council will seek to positively manage the historic built environment through engagement with landowners and other organisations to ensure that heritage assets are safeguarded, preserved and enhanced, have appropriate viable uses and have a sustainable future for the benefit of future generations. Development likely to adversely affect these assets will not be supported.

All proposals should foster innovation and creativity that is sensitive and enhances the significance of heritage assets in terms of architectural design, detailing, scale, massing and use of materials.

Proposals involving the sensitive introduction of energy efficiency measures and/or micro-renewables installations to listed buildings and in conservation areas will be supported, where the proposals ensure that the character and appearance of the listed building, conservation area and their settings are preserved or enhanced.

Further guidance and information will be set out in the Placemaking and Design Supplementary Guidance.

### Policy D15

#### Listed Buildings

The layout, design, materials, scale, siting and use of any development affecting a listed building shall be appropriate to the character and appearance of the listed building and its setting.

There is a presumption against demolition or other works that adversely affect the special interest of a listed building or its setting.

No listed building should be demolished unless it can be clearly demonstrated that:

the building is not of special interest; or  
the building is incapable of repair; or  
the demolition of the building is essential to delivering significant benefits to economic growth or the wider community; or  
the repair of the building is not economically viable and that it has been marketed, at a price reflecting its location and condition, to potential restoring purchasers.

To enable features to be recorded, Historic Environment Scotland shall be formally notified of all proposals where consent is granted to demolish listed buildings.

Enabling development may be acceptable where it can be clearly shown to be the only means of preventing the loss of the asset and securing its long-term future. Any development should be the minimum necessary to achieve these aims. The resultant development should be designed and sited carefully to preserve or enhance the character and setting of the historic asset.

Proposals that conserve and enhance assets on the Buildings at Risk register will be encouraged.

### Policy D16

### Conservation Areas

Development and demolition within a conservation area as listed in Schedule 10 or affecting its setting shall preserve or enhance its character and be consistent with any relevant conservation area appraisal or management plan that may have been prepared for the area.

The design, materials, scale and siting of any development shall be appropriate to the character of the conservation area and its setting. Trees which are considered by the planning authority to contribute to character and appearance shall be retained.

When considering the demolition of any unlisted building, within a conservation area, no building should be demolished unless it can be clearly demonstrated that:

The building is of little townscape value and does not contribute to the character of the conservation area; or

The repair of the building is not economically viable; or

The form or location of the building makes its re-use extremely difficult; and

The replacement scheme will preserve and enhance the special character of the conservation area.

A detailed planning application for the replacement scheme would require to be submitted.

Demolition shall not begin until evidence is given of contracts let for an approved replacement development.

## **National Planning Framework 4**

### Policy 7

#### Historic assets and places

- a) Development proposals with a potentially significant impact on historic assets or places will be accompanied by an assessment which is based on an understanding of the cultural significance of the historic asset and/or place. The assessment should identify the likely visual or physical impact of any proposals for change, including cumulative effects and provide a sound basis for managing the impacts of change. Proposals should also be informed by national policy and guidance on managing change in the historic environment, and information held within Historic Environment Records.
- b) Development proposals for the demolition of listed buildings will not be supported unless it has been demonstrated that there are exceptional circumstances and that all reasonable efforts have been made to retain, reuse and/or adapt the listed building. Considerations include whether the:
  - i. building is no longer of special interest;
  - ii. building is incapable of physical repair and re-use as verified through a detailed structural condition survey report;
  - iii. repair of the building is not economically viable and there has been adequate marketing for existing and/or new uses at a price reflecting its location and condition for a reasonable period to attract interest from potential restoring purchasers; or
  - iv. demolition of the building is essential to delivering significant benefits to economic growth or the wider community.
- c) Development proposals for the reuse, alteration or extension of a listed building will only

be supported where they will preserve its character, special architectural or historic interest and setting. Development proposals affecting the setting of a listed building should preserve its character, and its special architectural or historic interest.

- d) Development proposals in or affecting conservation areas will only be supported where the character and appearance of the conservation area and its setting is preserved or enhanced.
- Relevant considerations include the:
- i. architectural and historic character of the area;
  - ii. existing density, built form and layout; and
  - iii. context and siting, quality of design and suitable materials.
- e) Development proposals in conservation areas will ensure that existing natural and built features which contribute to the character of the conservation area and its setting, including structures, boundary walls, railings, trees and hedges, are retained.
- f) Demolition of buildings in a conservation area which make a positive contribution to its character will only be supported where it has been demonstrated that:
- i. reasonable efforts have been made to retain, repair and reuse the building;
  - ii. the building is of little townscape value;
  - iii. the structural condition of the building prevents its retention at a reasonable cost; or
  - iv. the form or location of the building makes its reuse extremely difficult.
- g) Where demolition within a conservation area is to be followed by redevelopment, consent to demolish will only be supported when an acceptable design, layout and materials are being used for the replacement development.
- h) Development proposals affecting scheduled monuments will only be supported where:
- i. direct impacts on the scheduled monument are avoided;
  - ii. significant adverse impacts on the integrity of the setting of a scheduled monument are avoided; or
  - iii. exceptional circumstances have been demonstrated to justify the impact on a scheduled monument and its setting and impacts on the monument or its setting have been minimised.
- i) Development proposals affecting nationally important Gardens and Designed Landscapes will be supported where they protect, preserve or enhance their cultural significance, character and integrity and where proposals will not significantly impact on important views to, from and within the site, or its setting.
- j) Development proposals affecting nationally important Historic Battlefields will only be supported where they protect and, where appropriate, enhance their cultural significance, key landscape characteristics, physical remains and special qualities.
- k) Development proposals at the coast edge or that extend offshore will only be supported where proposals do not significantly hinder the preservation objectives of Historic Marine Protected Areas.
- l) Development proposals affecting a World Heritage Site or its setting will only be supported where their Outstanding Universal Value is protected and preserved.



- m) Development proposals which sensitively repair, enhance and bring historic buildings, as identified as being at risk locally or on the national Buildings at Risk Register, back into beneficial use will be supported.
- n) Enabling development for historic environment assets or places that would otherwise be unacceptable in planning terms, will only be supported when it has been demonstrated that the enabling development proposed is:
  - i. essential to secure the future of an historic environment asset or place which is at risk of serious deterioration or loss; and
  - ii. the minimum necessary to secure the restoration, adaptation and long-term future of the historic environment asset or place.

The beneficial outcomes for the historic environment asset or place should be secured early in the phasing of the development, and will be ensured through the use of conditions and/or legal agreements.
- o) Non-designated historic environment assets, places and their setting should be protected and preserved in situ wherever feasible. Where there is potential for non-designated buried archaeological remains to exist below a site, developers will provide an evaluation of the archaeological resource at an early stage so that planning authorities can assess impacts. Historic buildings may also have archaeological significance which is not understood and may require assessment

Where impacts cannot be avoided they should be minimised. Where it has been demonstrated that avoidance or retention is not possible, excavation, recording, analysis, archiving, publication and activities to provide public benefit may be required through the use of conditions or legal/planning obligations. When new archaeological discoveries are made during the course of development works, they must be reported to the planning authority to enable agreement on appropriate inspection, recording and mitigation measures.

#### 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.

Finalised 19/04/2024 GMc(6)



## 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.           **2024/0059/TP**

**Applicant:**

Mr and Mrs S and P Scholarios Brown  
68 Montgomery Street  
Eaglesham  
Scotland  
G76 0AU

**Agent:**

Fiona Ballingham  
38 New City Road  
Glasgow  
Scotland  
G4 9JT

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

**Proposed replacement of rear single storey extension with combined flat and pitched roof, and rear extended dormer.**

**at: 68 Montgomery Street Eaglesham East Renfrewshire G76 0AU**

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 7 of the National Planning Framework 4 as the proposed development fails to preserve the existing historical and architectural character of the B-Listed cottage by introducing a dormer and extension that is out of scale and dominates the roof plane to the detriment of the listed property within the Eaglesham Conservation Area.
2. The proposal is contrary to Policy 16 of the National Planning Framework 4 as the proposed development has a detrimental impact on the character of the existing home through the out-of-scale combination of the extended dormer and upper floor extension. It will also have a detrimental impact on the privacy and amenity of the neighbouring properties due to the introduction of 3 separate double glazing upper floor doors with Juliette balconies in the extended dormer.
3. The proposal is contrary to Policies D1 and D1.1 of the Adopted East Renfrewshire Local Development Plan 2 as the proposed development will result in a detrimental impact on the existing character of the property as it is of a scale and massing that is not in-keeping with the existing single storey cottage.
4. The proposal is contrary to Policies D14, D15 and D16 of the Adopted East Renfrewshire Local Development Plan 2 as the proposed development will result in a detrimental impact on the character and appearance of the listed building within the Conservation Area due to the inappropriate layout, design and scale of the development.

Dated 19th April 2024



Head of Place  
 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	L/100		
Site Plan	P/200	B	
Proposed plans and sections	P/300	I	
Plans Proposed	P/301	E	
Plans Proposed	P/302	G	
Roof Plan Proposed	P/303	F	
Elevations Existing and Proposed	P/500	C	
Plans and Elevations Proposed	P/501	C	

## **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)**



## 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 100660413-003

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:	Jewitt and Wilkie Architects Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Fiona	Building Name:	
Last Name: *	Ballingham	Building Number:	38
Telephone Number: *	0141 352 6929	Address 1 (Street): *	New City Road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Glasgow
Fax Number:		Country: *	Scotland
		Postcode: *	G4 9JT
Email Address: *	fiona@jawarchitects.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="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="S and P"/>	Building Number:	<input type="text" value="68"/>
Last Name: *	<input type="text" value="Scholarios Brown"/>	Address 1 (Street): *	<input type="text" value="Montgomery Street"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Eaglesham"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="G76 0AU"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="soteris1@gmail.com"/>		

## 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="68 MONTGOMERY STREET"/>
Address 2:	<input type="text" value="EAGLESHAM"/>
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 0AU"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="651685"/>	Easting	<input type="text" value="256974"/>
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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)

Proposed replacement of rear single storey extension with combined flat and pitched roof, and rear extended dormer.

## Type of Application

What type of application did you submit to the planning authority? \*

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? \*

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

The Applicant believes the decision of the Planning Authority is incorrect and wishes a review of the application by locally elected members.

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)

Architects drawings attached: 3629/L/100 Location Plan, 3639/P/200-B Site Plan Existing and Proposed, 3629/E/300-A Existing Floor Plans Elevation and Section, 3629/P/300-I Proposed Floor Plans Elevation and Section, 3629/P/301-E Ground Floor Plan as Proposed, 3629/P/302-G First Floor Plan as Proposed, 3629/E/304-A Roof Plan as Existing, 3629/P/303-F Roof Plan as Proposed, 3629/P/500-C Existing and Proposed Side Elevations, 3629/P/501-C Front Elevation and Proposed Roof Plan.

### Application Details

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

2024/0059/TP

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

09/02/2024

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

19/04/2024

### 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

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

## 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.

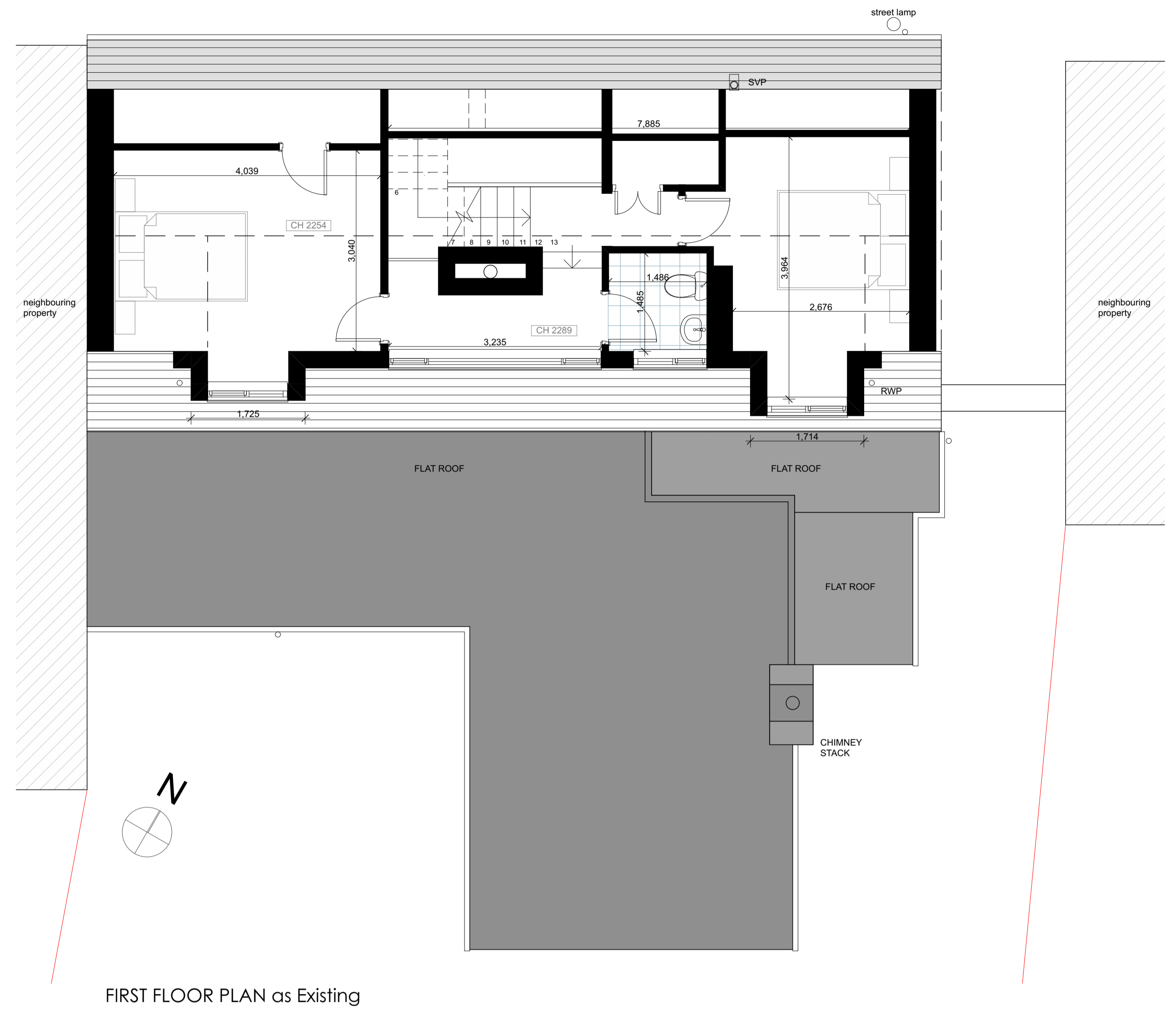
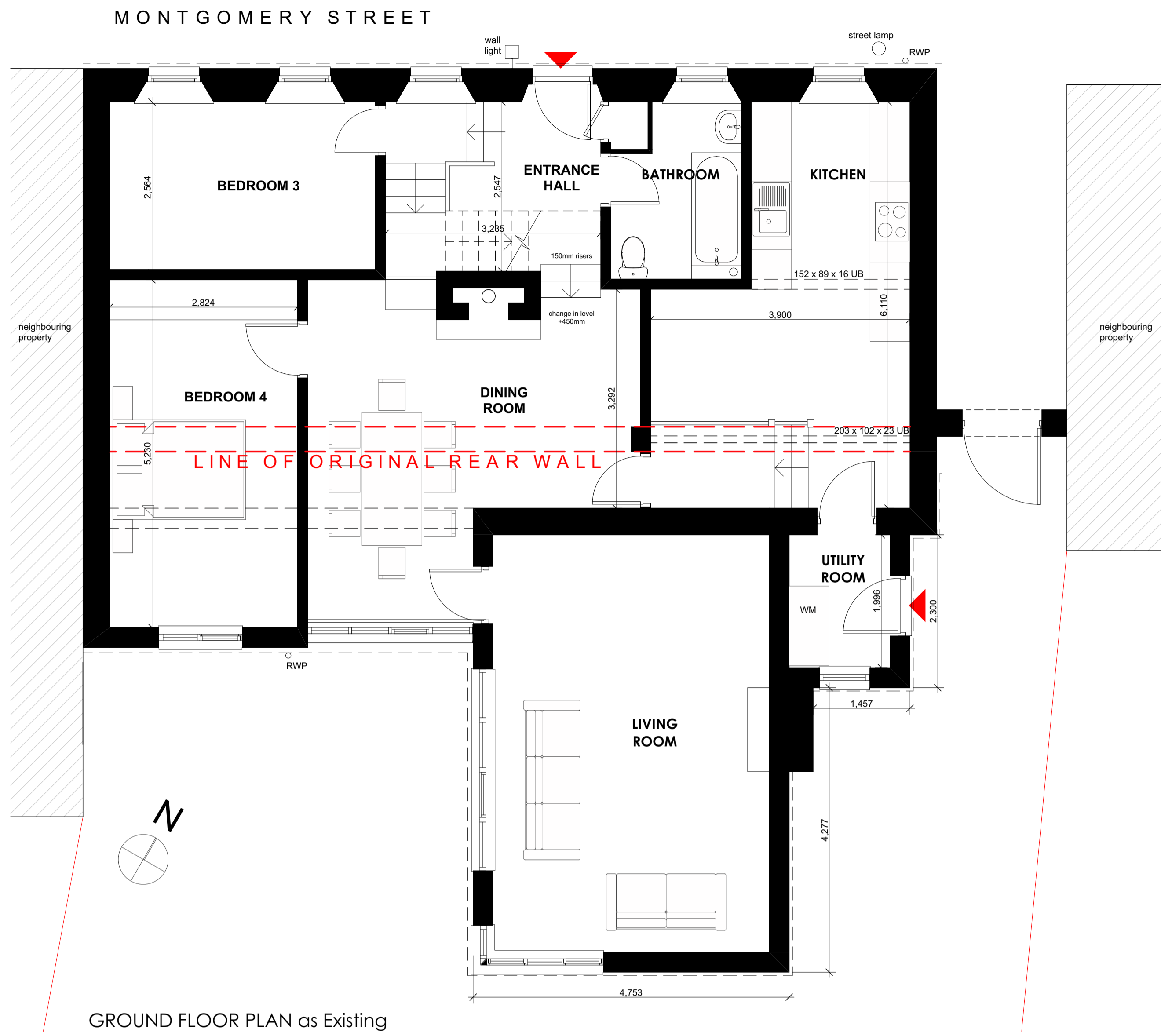
## Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Ms Fiona Ballingham

Declaration Date: 23/04/2024

**PLANS/DRAWINGS**



REV-A Outline of original rear wall added.  
14.08.23

REVISIONS

Do not scale. All dimensions to be checked on site prior to commencement of work.

**Jewitt and Wilkie**  
architects

38 New City Road  
Glasgow - G4 9JT  
0141 332 6929  
info@jwarchitects.co.uk  
www.jwarchitects.co.uk

JOB TITLE

**68 Montgomery Street,  
Eglisham, G76 0AU.**  
for  
**Mr S Scholarios & Mrs P Brown**

DRAWING TITLE

**Existing Floor Plans,  
Elevation and Section**

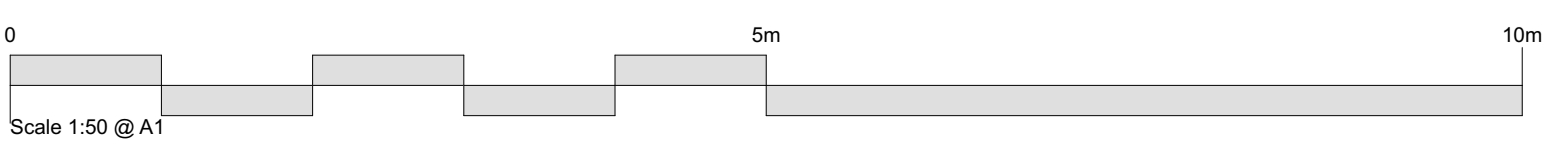
SCALE: 1:50 DATE: 03.11.2022

DRAWN BY: FB CHECKED BY: JJ

DRAWING NO: REV:

**3629/E/300-A**

PLANNING APPLICATION





NATURAL SLATE TILES

41

RWP

SVP

ADJOINING TWO STOREY PROPERTY

FLAT ROOF WITH SINGLE PLY MEMBRANE

1,322

10,654

941

RWP

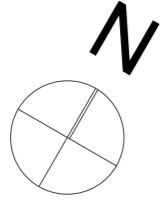
RWP

RWP

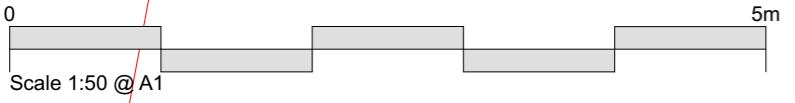
FLAT ROOF WITH SINGLE PLY MEMBRANE

FLAT ROOF WITH SINGLE PLY MEMBRANE

CHIMNEY STACK



ROOF PLAN as Existing



REV-A Dimensions added 19.09.2023

REVISIONS  
Do not scale. All dimensions to be checked on site prior to commencement of work

**Jewitt and Wilkie**  
architects

38 New City Road  
Glasgow - G4 9JT  
0141 352 6929

info@jawarchitects.co.uk  
www.jawarchitects.co.uk

JOB TITLE

**68 Montgomery Street,  
Eaglesham, G76 0AU.**  
for  
**Mr S Scholarios & Mrs P  
Brown**

DRAWING TITLE

**Roof Plan as Existing**

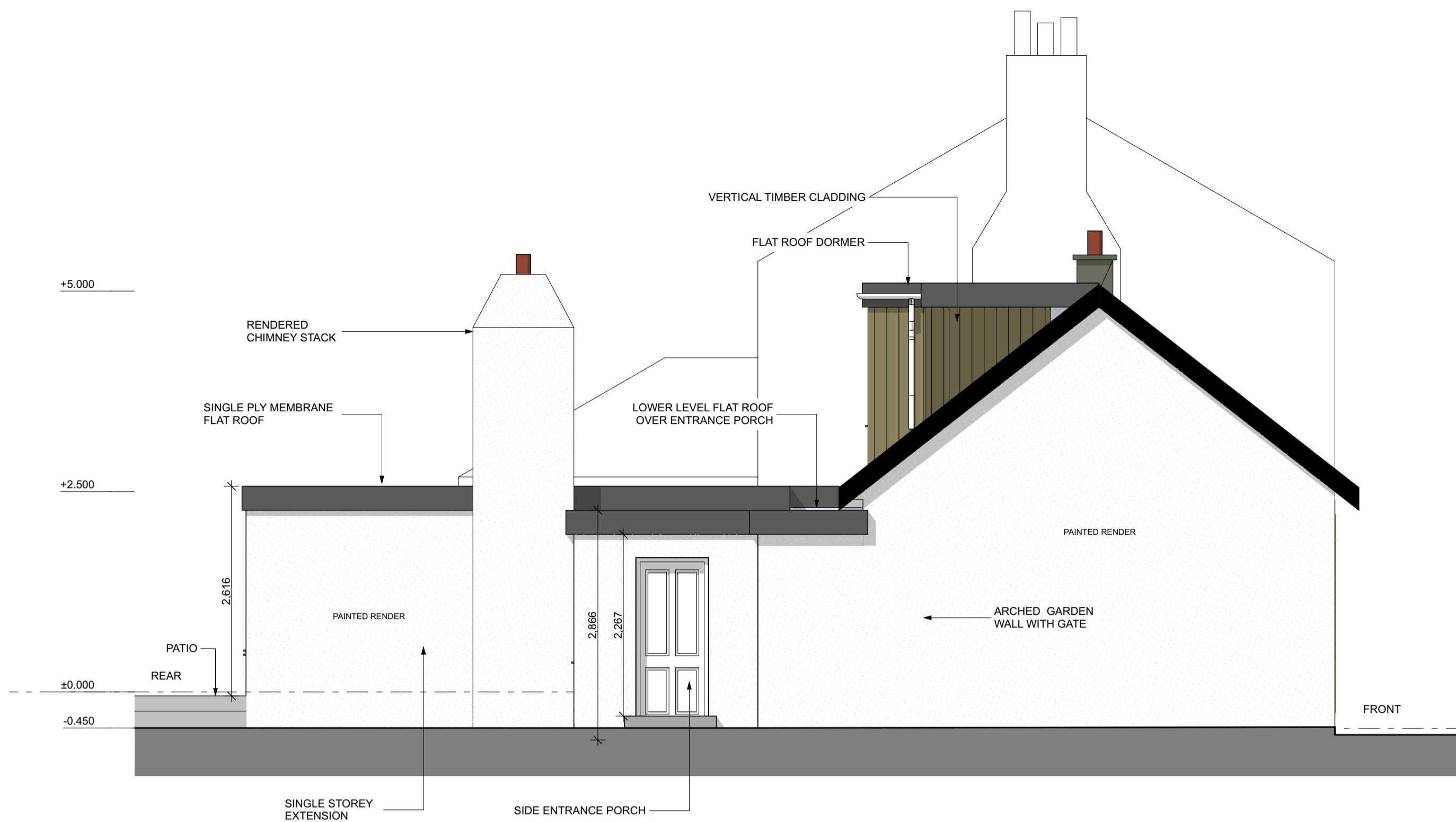
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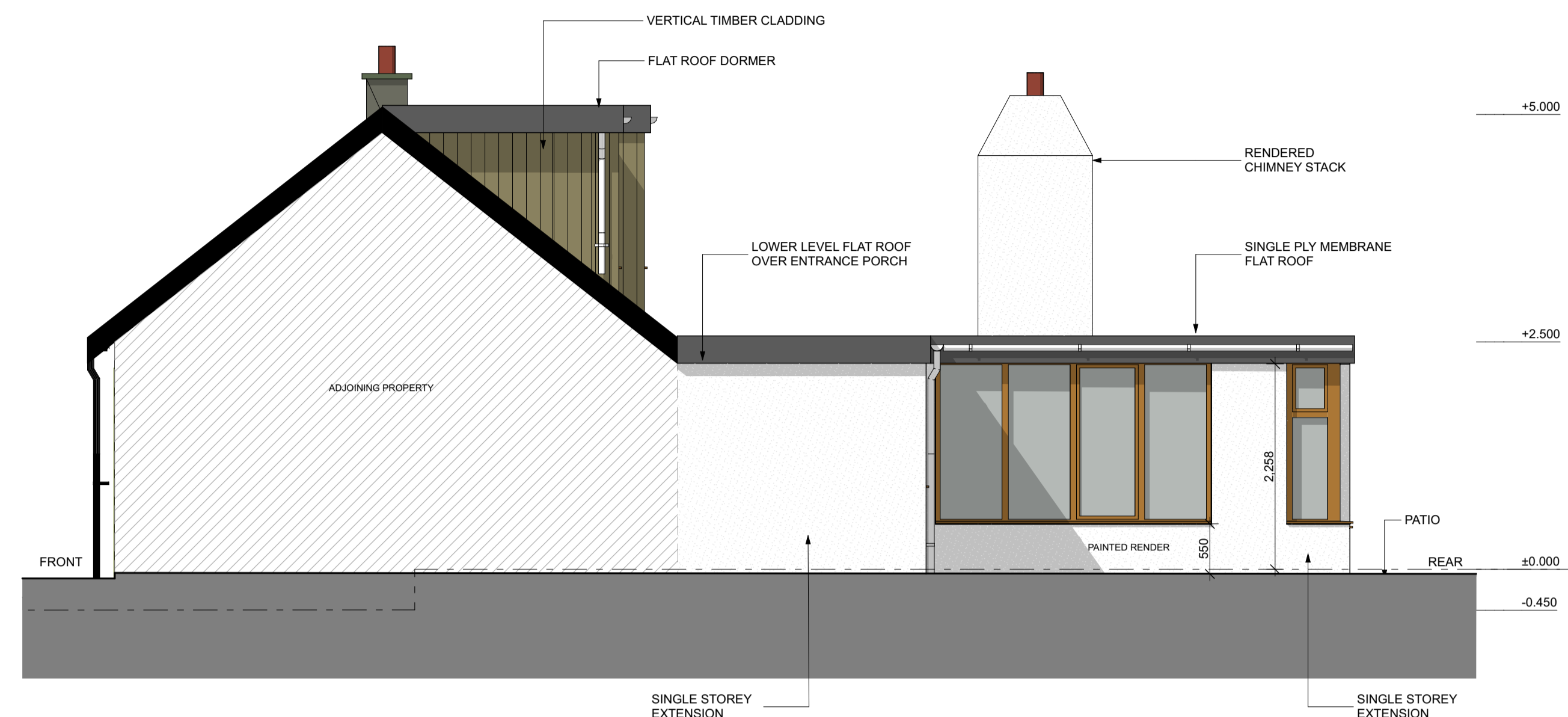
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**3629/E/304-A**

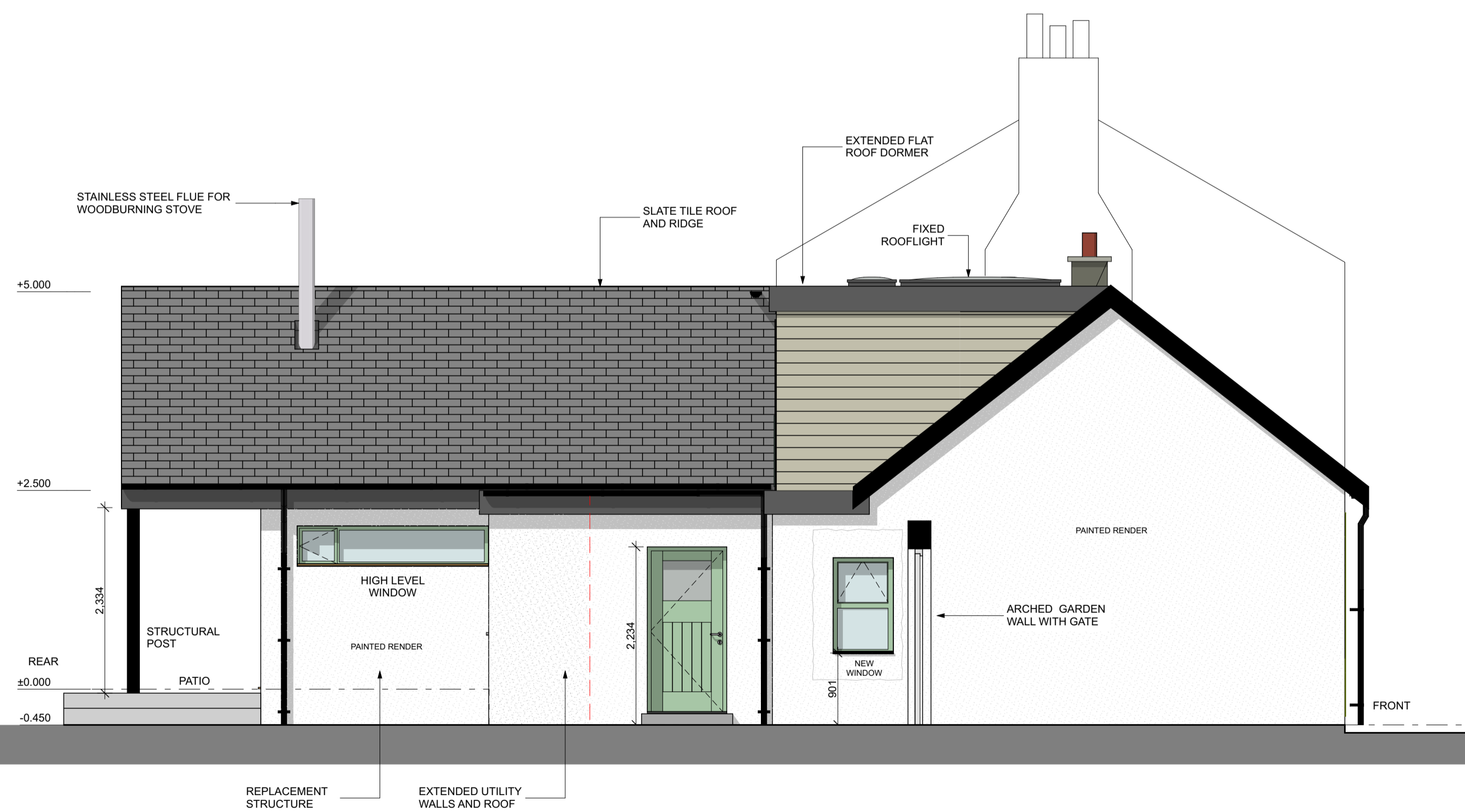
PLANNING APPLICATION



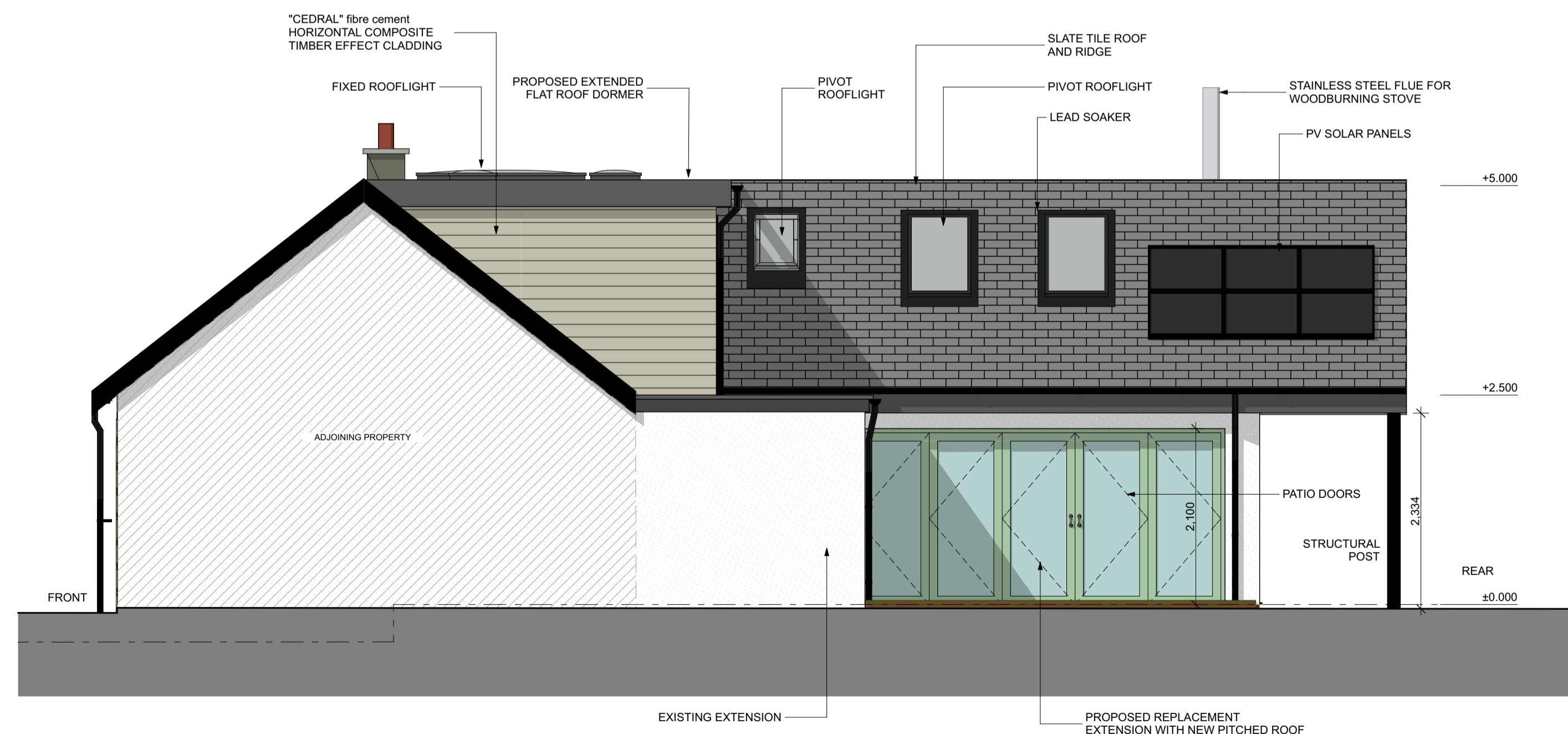
SIDE - EAST ELEVATION as Existing



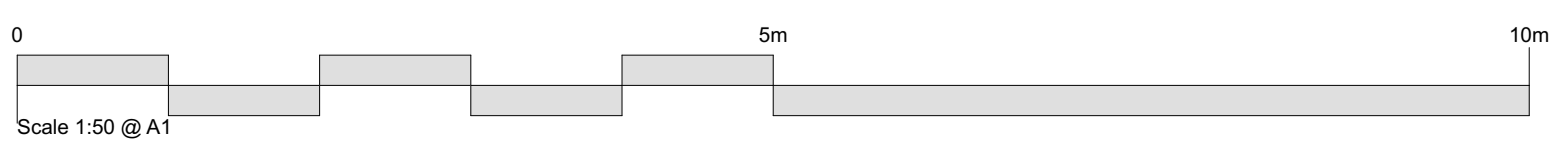
SIDE - WEST ELEVATION as Existing



SIDE - EAST ELEVATION as Proposed



SIDE - WEST ELEVATION as Proposed

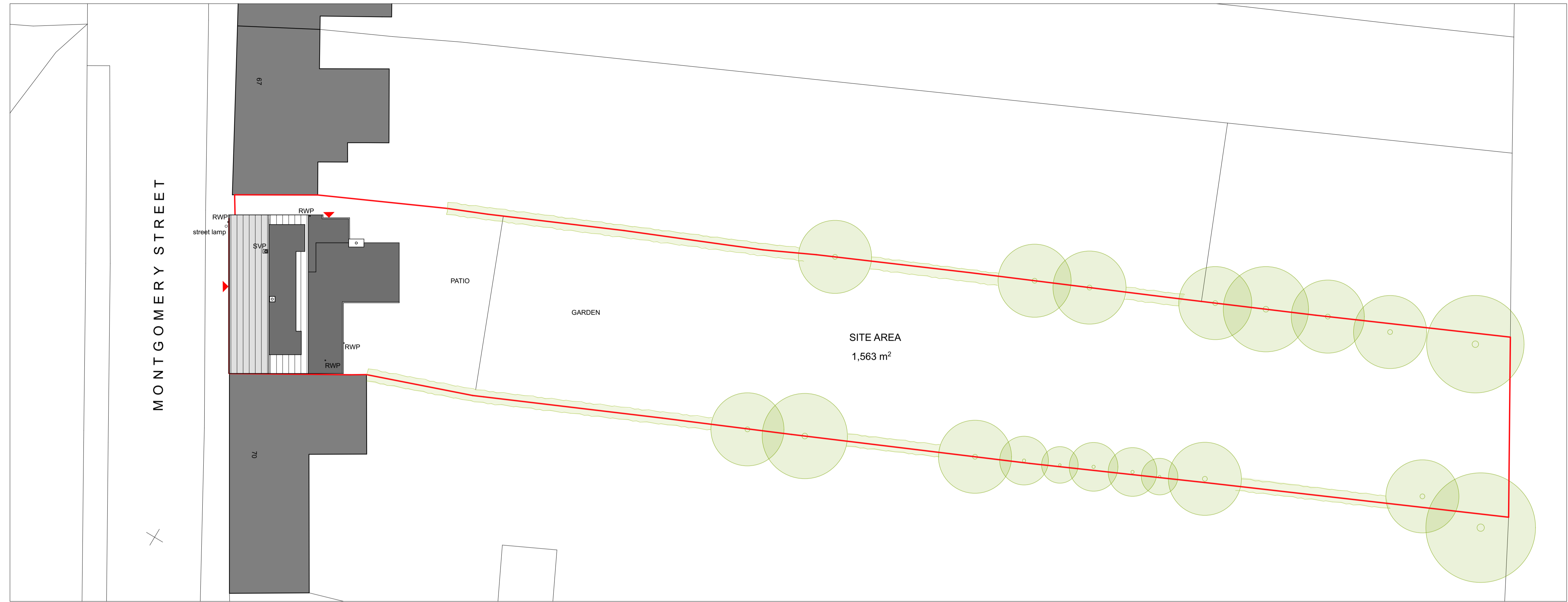


**PLANNING APPLICATION - FEB 2024**  
 REV-C Re-design of extension roof and dormer. 07.02.2023  
 REV-B KK Re-design of extension roof and dormer. 17.11.2023  
 REV-A 14.08.2023 Pitch roof with flat lead section and curved roof dormer added.

**Jewitt and Wilkie architects**  
 38 New City Road  
 Glasgow - G4 9JT  
 0141 332 6929  
 info@jwarchitects.co.uk  
 www.jwarchitects.co.uk

PLANNING APPLICATION

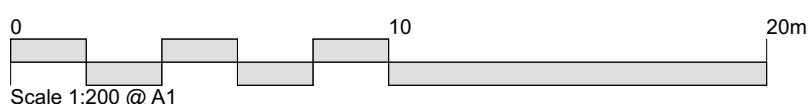
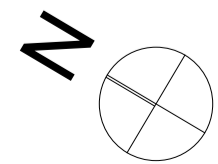
JOB TITLE	
68 Montgomery Street, Eaglesham, G76 0AU, for Mr S Scholarios & Mrs P Brown	
DRAWING TITLE	
Existing and Proposed Side Elevations	
SCALE: 1:50	DATE: 03.11.2022
DRAWN BY: FB	CHECKED BY: JJ
DRAWING NO:	REV:
<b>3629/P/500-C</b>	



SITE PLAN as Existing



SITE PLAN as Proposed



PLANNING APPLICATION - FEB 2024  
 REV-B Re-design of extension roof and  
 dormer 07.02.2024  
 REV-A Re-design of extension roof and  
 dormer 19.09.23

REVISIONS  
 Do not scale. All dimensions to be checked on  
 site prior to commencement of work.

**Jewitt and Wilkie**  
 architects

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 Glasgow - G4 9JT  
 0141 332 6929  
 info@jwarchitects.co.uk  
 www.jwarchitects.co.uk

JOB TITLE  
**68 Montgomery Street,  
 Eaglesham, G76 0AU.**  
 for  
**Mr S Scholarios & Mrs P Brown**

DRAWING TITLE  
**Site Plan Existing and  
 Proposed**

SCALE: 1:200 DATE: 03.11.2022  
 DRAWN BY: FB CHECKED BY: JJ  
 DRAWING NO: REV:

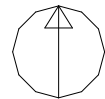
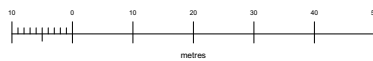
**3629/P/200-B**

PLANNING APPLICATION

Ordnance Survey ©  
Ukmapcentre.com

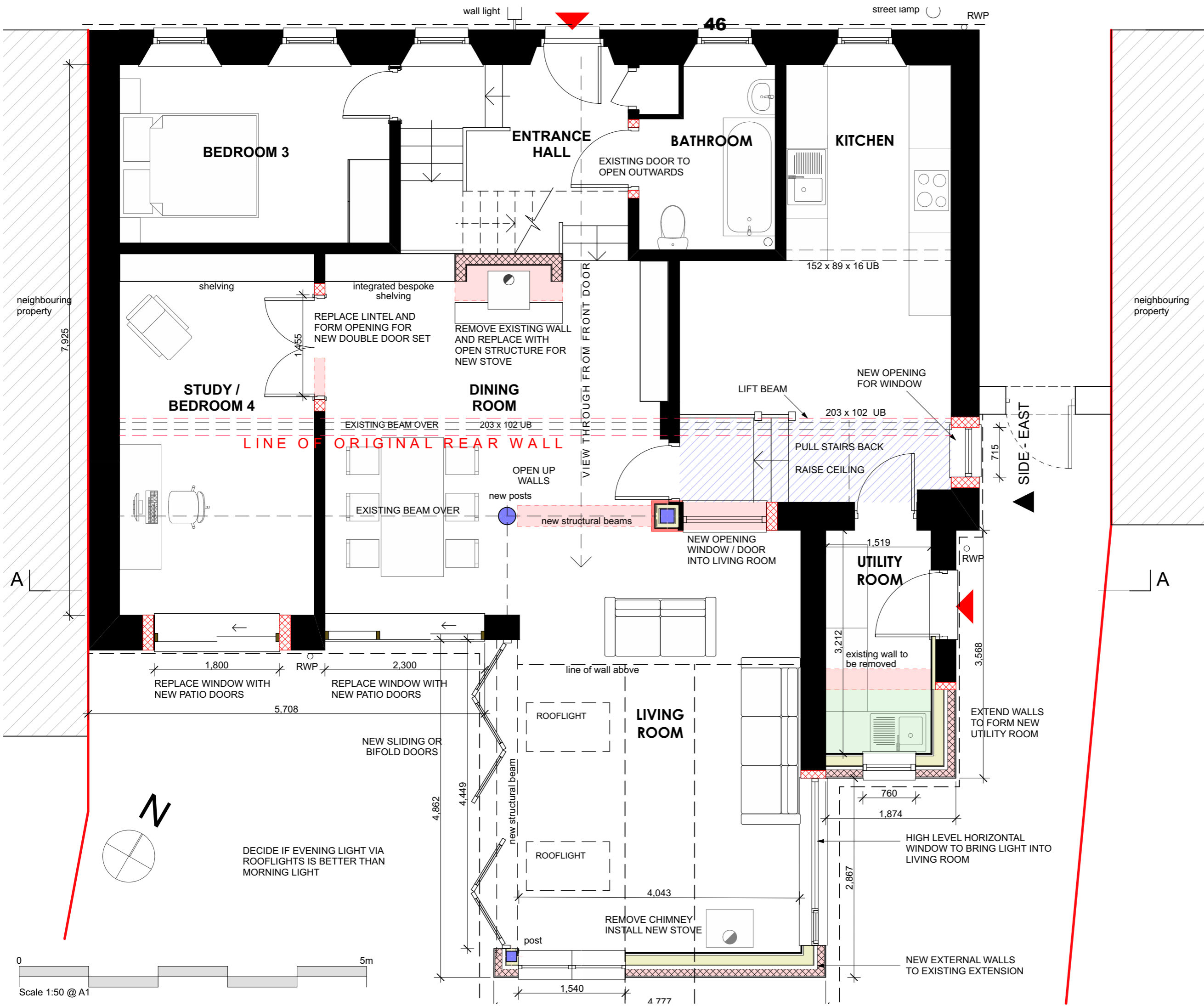


Serial number: 246458  
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DRAWING TITLE	<p><b>Jewitt and Wilkie</b> architects</p> <p>38 New City Road Glasgow - G4 9JT 0141 352 6929</p> <p>info@jawarchitects.co.uk www.jawarchitects.co.uk</p>	<p>Do not scale. All dimensions to be checked on site prior to commencement of work</p>	
<p><b>Location Plan</b></p>		SCALE: <b>1:1250</b>	DATE: 03.11.2022
<p>JOB TITLE</p> <p><b>68 Montgomery Street, Eaglesham, G76 0AU.</b> for <b>Mr S Scholarios &amp; Mrs P Brown</b></p>	<p>DRAWN BY:</p> <p>DRAWING NO: <b>3629/L/100</b></p>	<p>CHECKED BY:</p> <p>REV:</p>	





- area of new floor
- indicates existing walls to be removed
- area of new raised floor level above

**PLANNING APPLICATION - FEB 2024**  
 REV-E Re-design of extension roof and dormer. 07.02.2024  
 REV-D sketch design final update  
 REV-C sketch design final update  
 REV-B sketch design update  
 REV-A sketch design update

REVISIONS

Do not scale. All dimensions to be checked on site prior to commencement of work

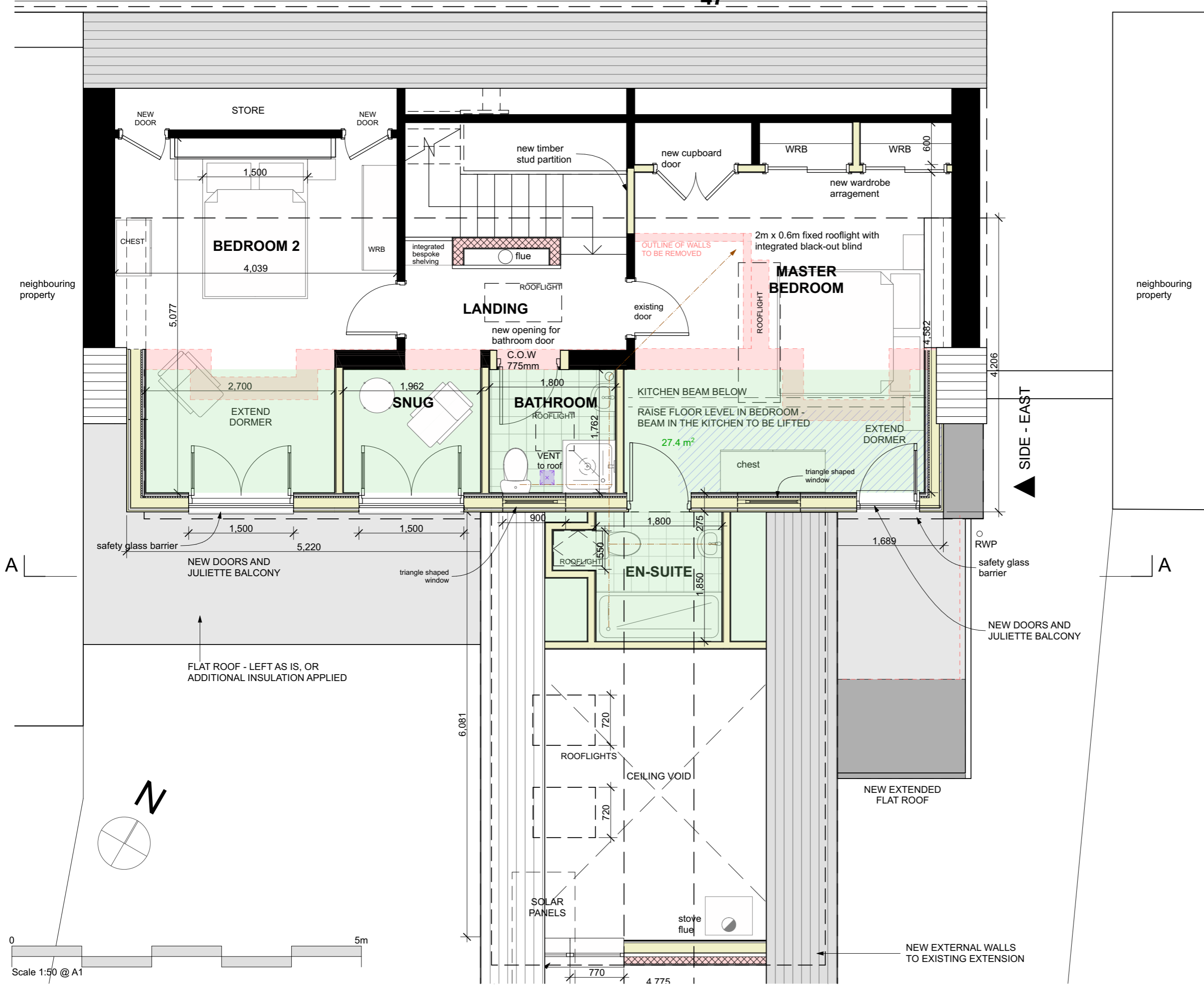
**Jewitt and Wilkie**  
architects

38 New City Road  
Glasgow - G4 9JT  
0141 352 6929

info@jawarchitects.co.uk  
www.jawarchitects.co.uk

**PLANNING APPLICATION**

JOB TITLE	
<b>68 Montgomery Street, Eaglesham, G76 0AU.</b>	
for <b>Mr S Scholarios &amp; Mrs P Brown</b>	
DRAWING TITLE	
<b>Ground Floor Plan as Proposed</b>	
SCALE: 1:50	DATE: 03.11.2022
DRAWN BY: FB	CHECKED BY: JJ
DRAWING NO:	REV:
3629/P/301-E	



area of new floor

indicates existing walls to be removed

area of new raised floor level

- PLANNING APPLICATION - FEB 2024**
- REV-G Re-design of extension roof and dormer. 07.02.2023
  - REV-F KK Re-design of extension roof and dormer. 17.11.23
  - REV-E Re-design of extension and dormer. 19.09.23
  - REV-D sketch design update 30.05.23
  - REV-C sketch design final update
  - REV-B sketch design update
  - REV-A sketch design update

REVISIONS

Do not scale. All dimensions to be checked on site prior to commencement of work

**Jewitt and Wilkie architects**

38 New City Road  
Glasgow - G4 9JT  
0141 352 6929

info@jawarchitects.co.uk  
www.jawarchitects.co.uk

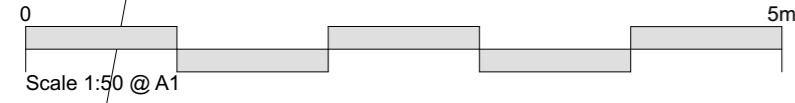
PLANNING APPLICATION

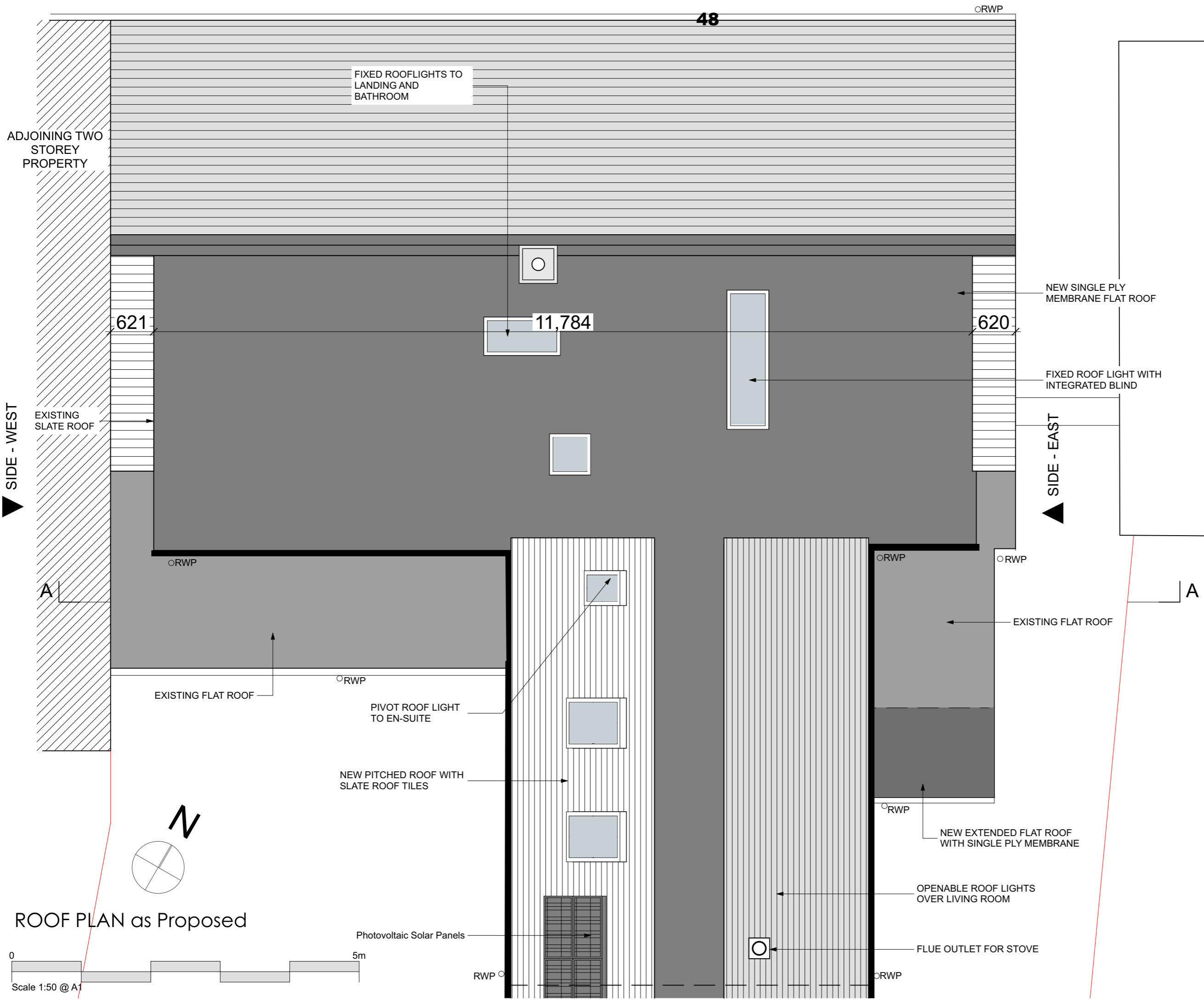
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<b>68 Montgomery Street, Eaglesham, G76 0AU.</b>	
for <b>Mr S Scholarios &amp; Mrs P Brown</b>	
DRAWING TITLE	
<b>First Floor Plan as Proposed</b>	
SCALE: 1:50	DATE: 03.11.2022
DRAWN BY: FB	CHECKED BY: JJ
DRAWING NO:	REV:
<b>3629/P/302-G</b>	

▲ SIDE - EAST

A

A





**PLANNING APPLICATION - FEB 2024**  
 REV-F Re-design of extension roof and dormer. 07.02.2023  
 REV-E Re-design of extension roof and dormer. 19.09.2023  
 REV-D Sketch design update 30.05.2023  
 REV-C sketch design final update  
 REV-B sketch design update  
 REV-A sketch design update

REVISIONS

Do not scale. All dimensions to be checked on site prior to commencement of work

**Jewitt and Wilkie**  
architects

38 New City Road  
Glasgow - G4 9JT  
0141 352 6929

info@jawarchitects.co.uk  
www.jawarchitects.co.uk

JOB TITLE	
<b>68 Montgomery Street, Eaglesham, G76 0AU.</b>	
for <b>Mr S Scholarios &amp; Mrs P Brown</b>	
DRAWING TITLE	
<b>Roof Plan as Proposed</b>	
SCALE: 1:50	DATE: 03.11.2022
DRAWN BY: FB	CHECKED BY: JJ
DRAWING NO:	REV:
<b>3629/P/303-F</b>	

PLANNING APPLICATION

ROOF PLAN as Proposed

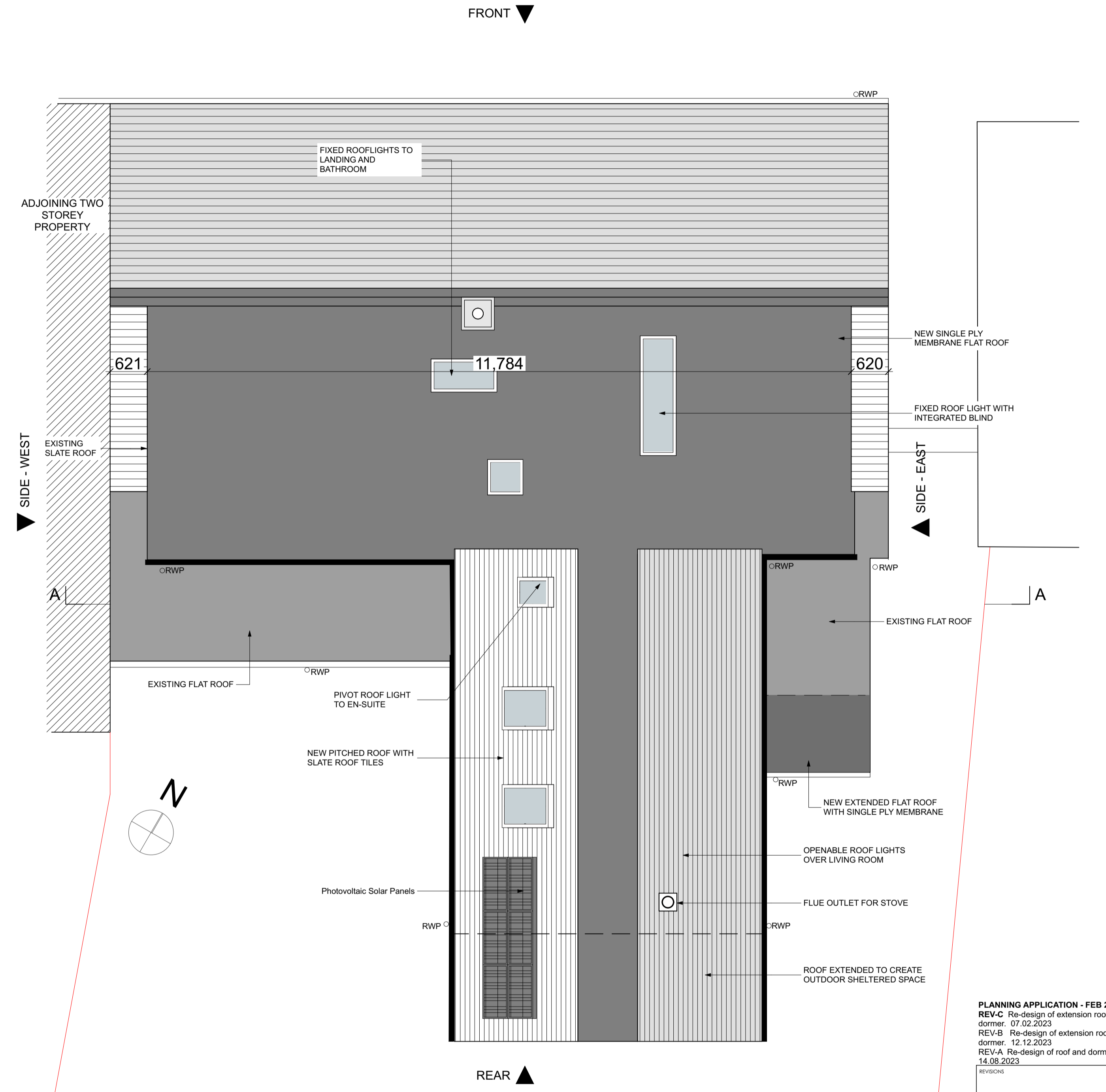




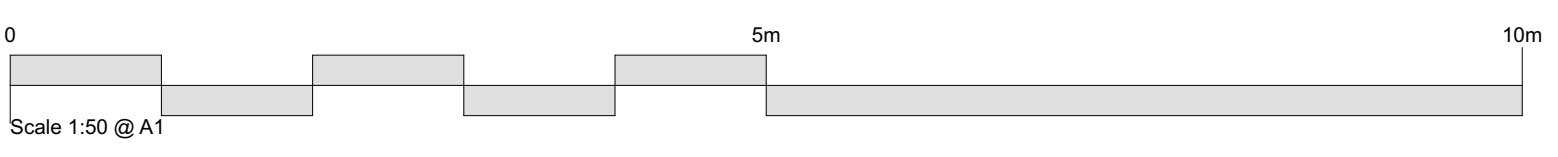
FRONT ELEVATION as Existing



FRONT ELEVATION as Proposed



ROOF PLAN as Proposed



PLANNING APPLICATION

PLANNING APPLICATION - FEB 2024  
 REV-C Re-design of extension roof and dormer. 07.02.2023  
 REV-B Re-design of extension roof and dormer. 12.12.2023  
 REV-A Re-design of roof and dormer. 14.08.2023

Do not scale. All dimensions to be checked on site prior to commencement of work.

**Jewitt and Wilkie**  
architects

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Glasgow - G4 9JT  
0141 332 6929  
info@jwarchitects.co.uk  
www.jwarchitects.co.uk

JOB TITLE  
**68 Montgomery Street,  
Eaglesham, G76 0AU.**  
 for  
**Mr S Scholarios & Mrs P Brown**

DRAWING TITLE  
**Front Elevation and  
Proposed Roof Plan**

SCALE: 1:50 DATE: 24.11.2022  
 DRAWN BY: FB CHECKED BY: JJ  
 DRAWING NO: REV:

**3629/P/501-C**

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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

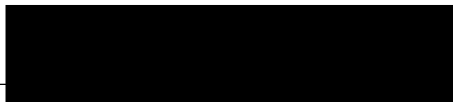
Mobile Number:

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.

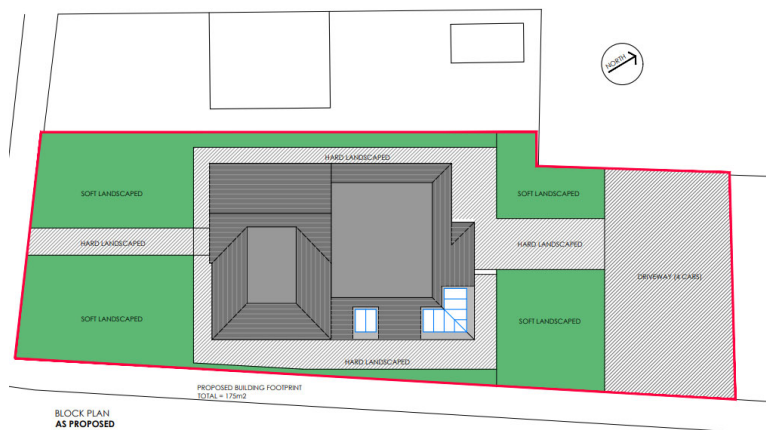
**Further Representations:**

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 squee 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"/>
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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)

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.

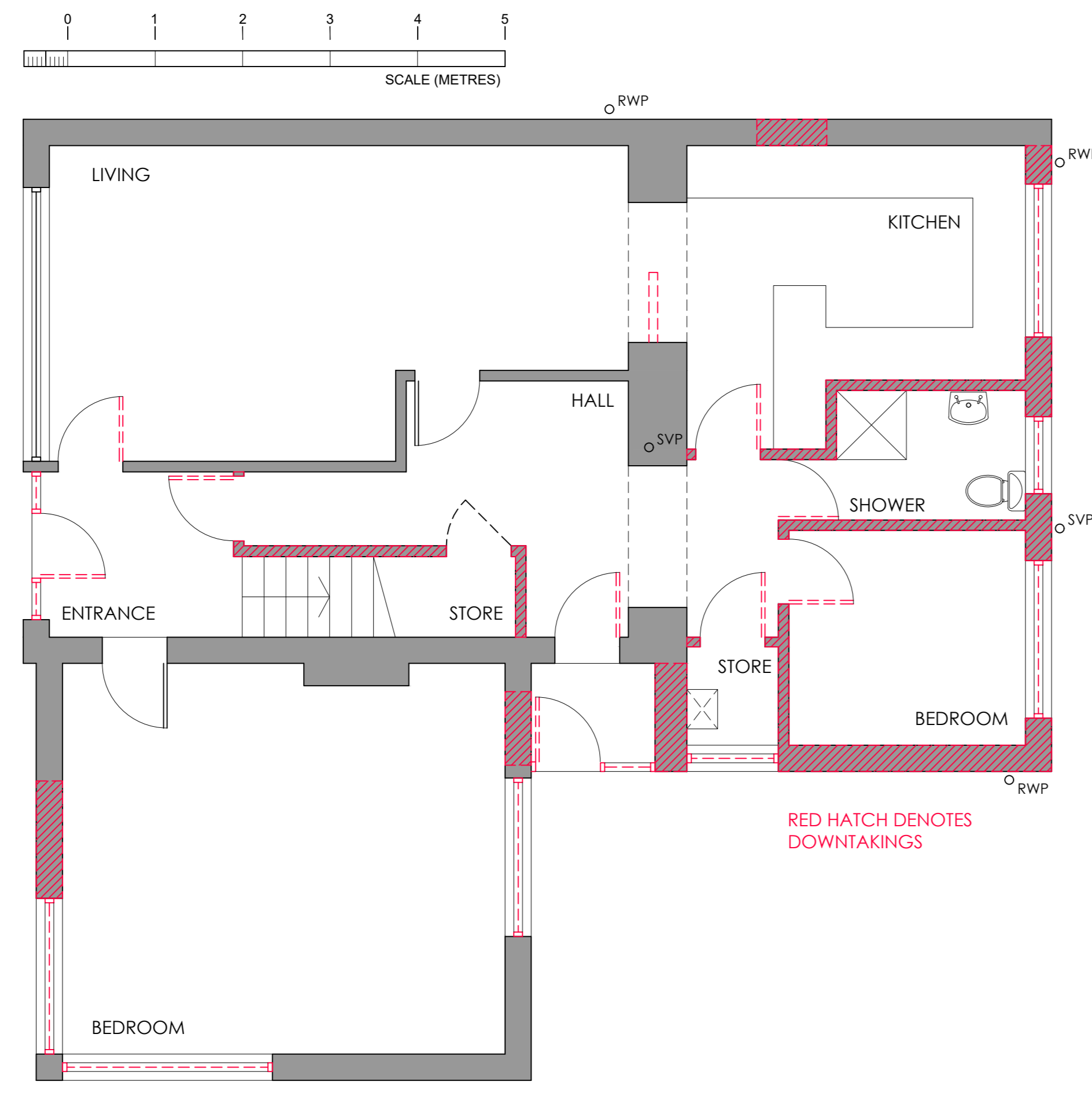
All of the foregoing represent material considerations as to why the application merits favourable consideration.

List of Supporting Documents.

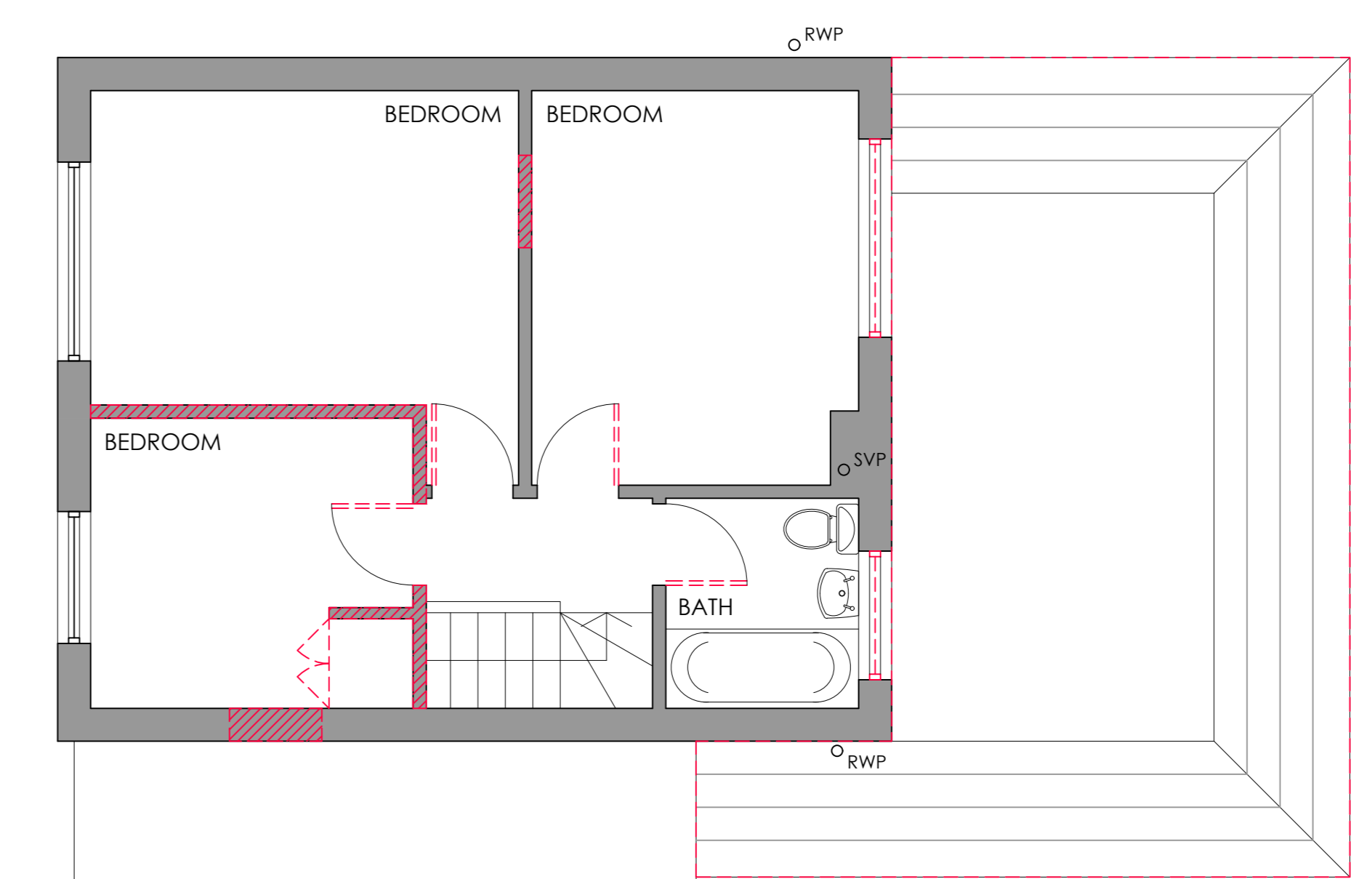
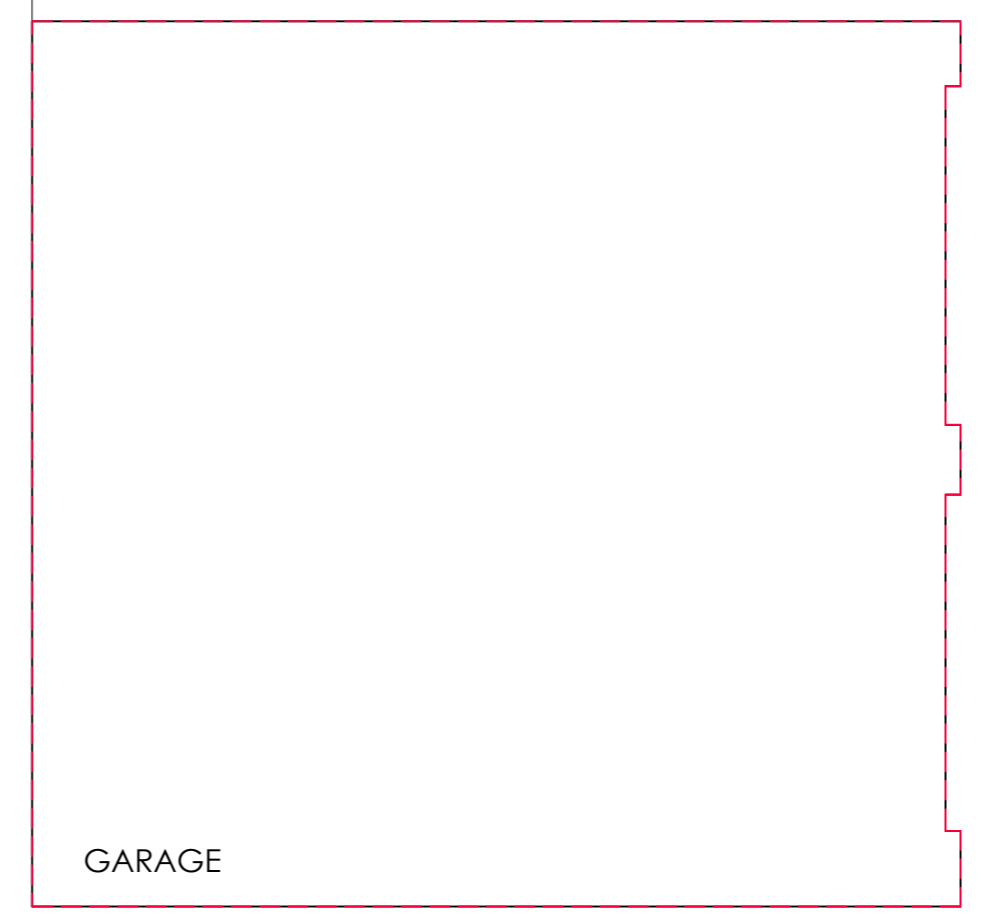
- Doc 1 Application Form.
- Doc 2 Plans & Elevations as Existing.
- Doc 3 Plans & Elevations as Proposed
- Doc 4 Site plan as Existing & Proposed
- Doc 5 Report of Handling
- Doc 6 Decision Notice

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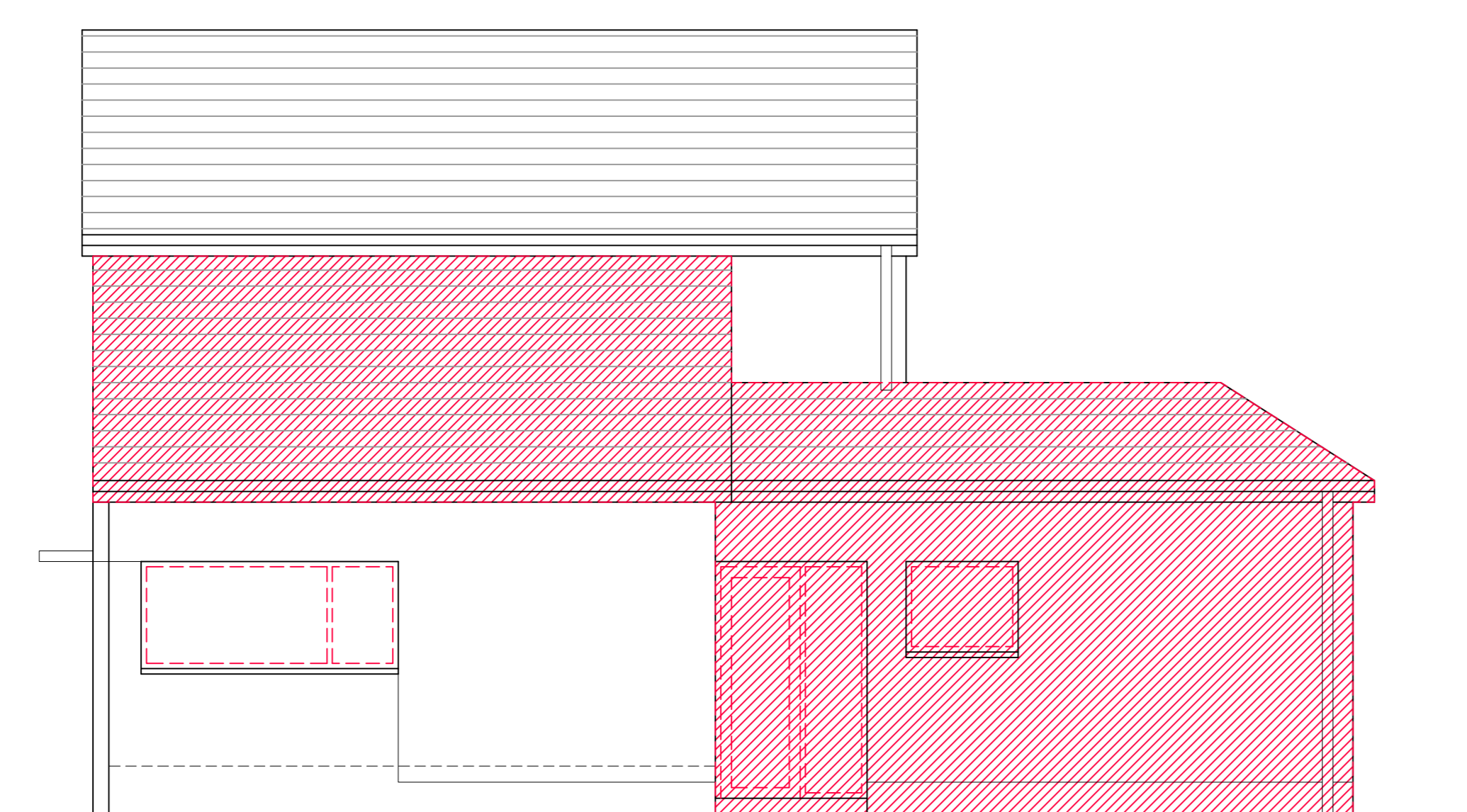
**PLANS/DRAWINGS**



GROUND FLOOR PLAN AS EXISTING

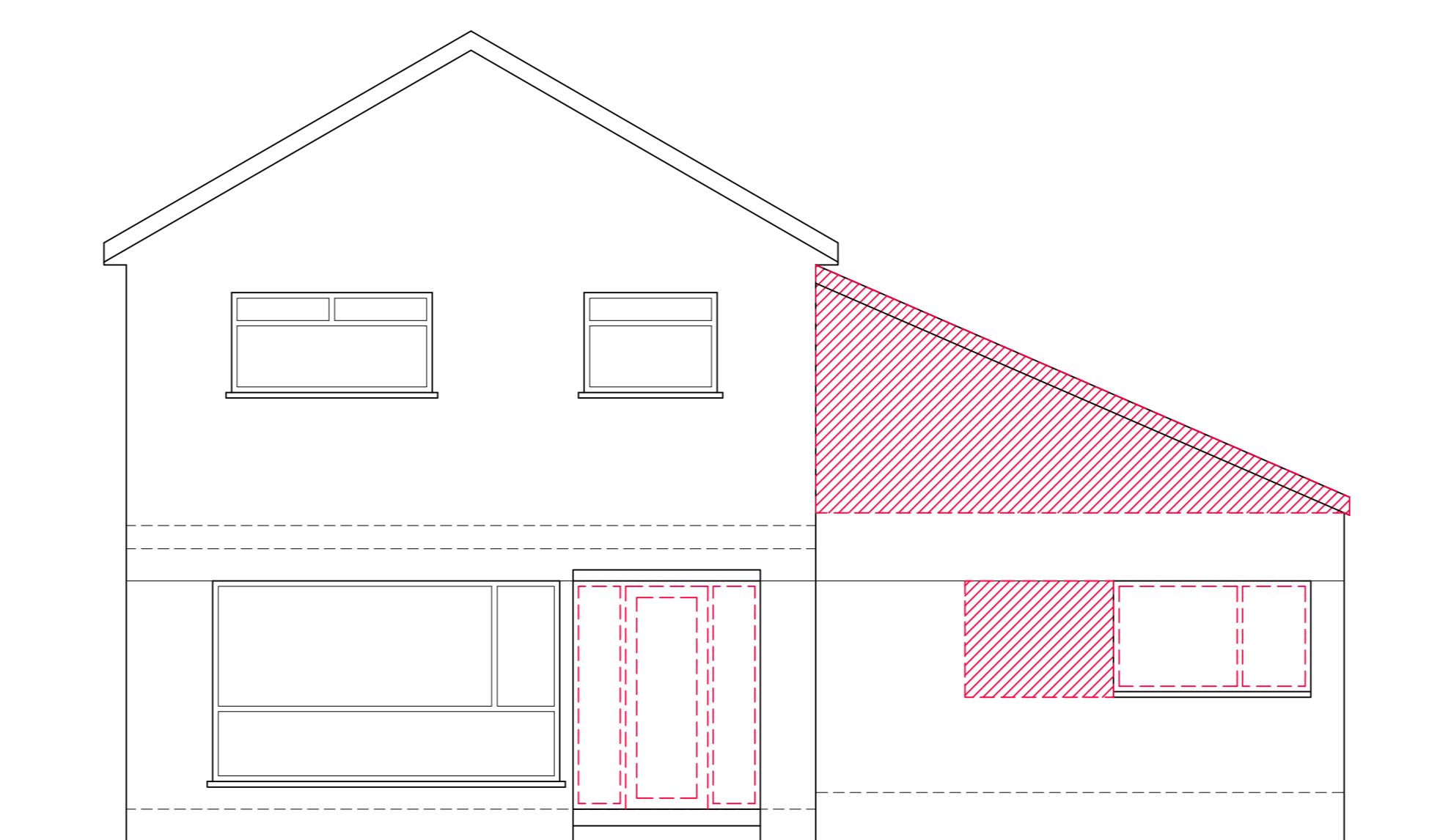


UPPER FLOOR PLAN AS EXISTING

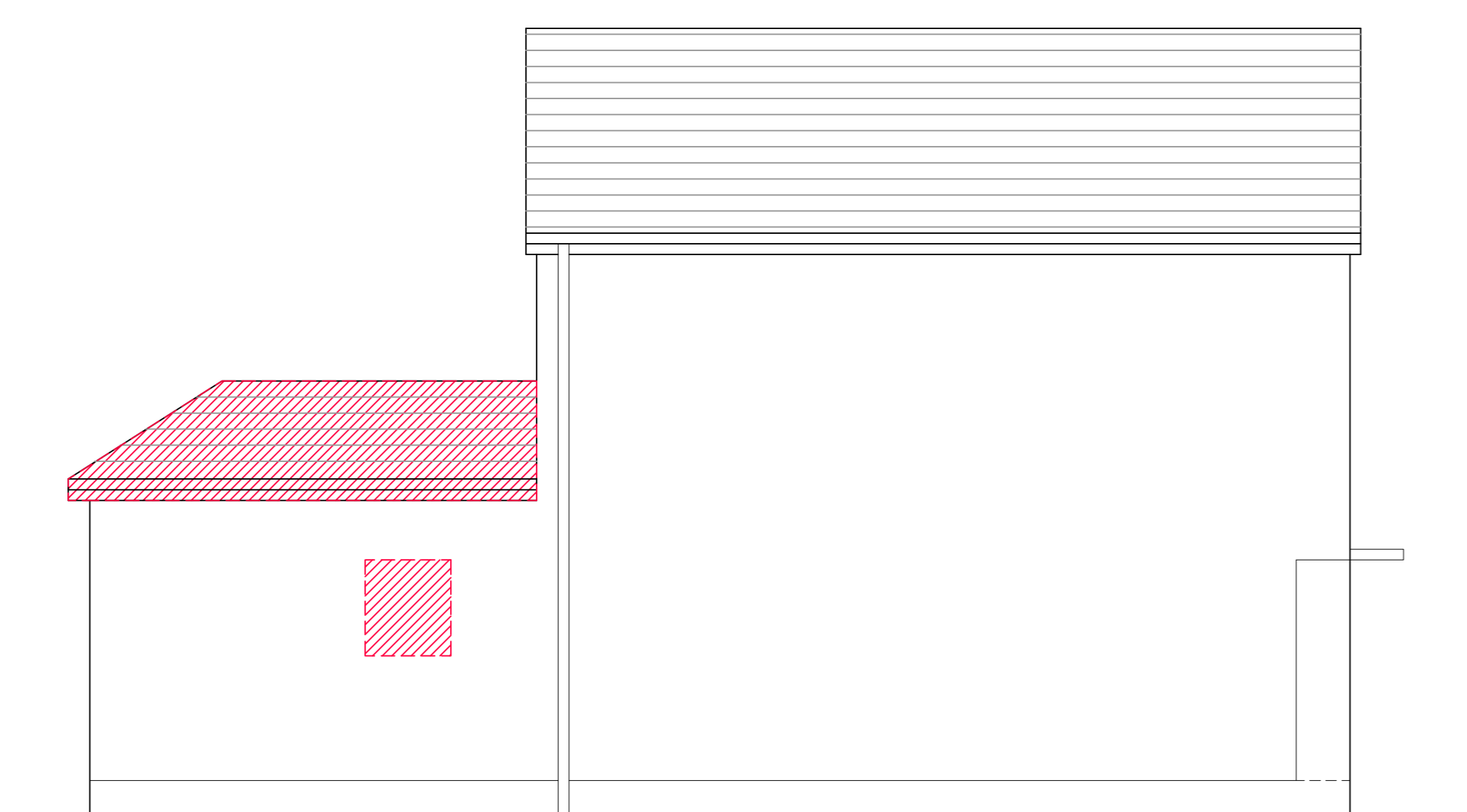
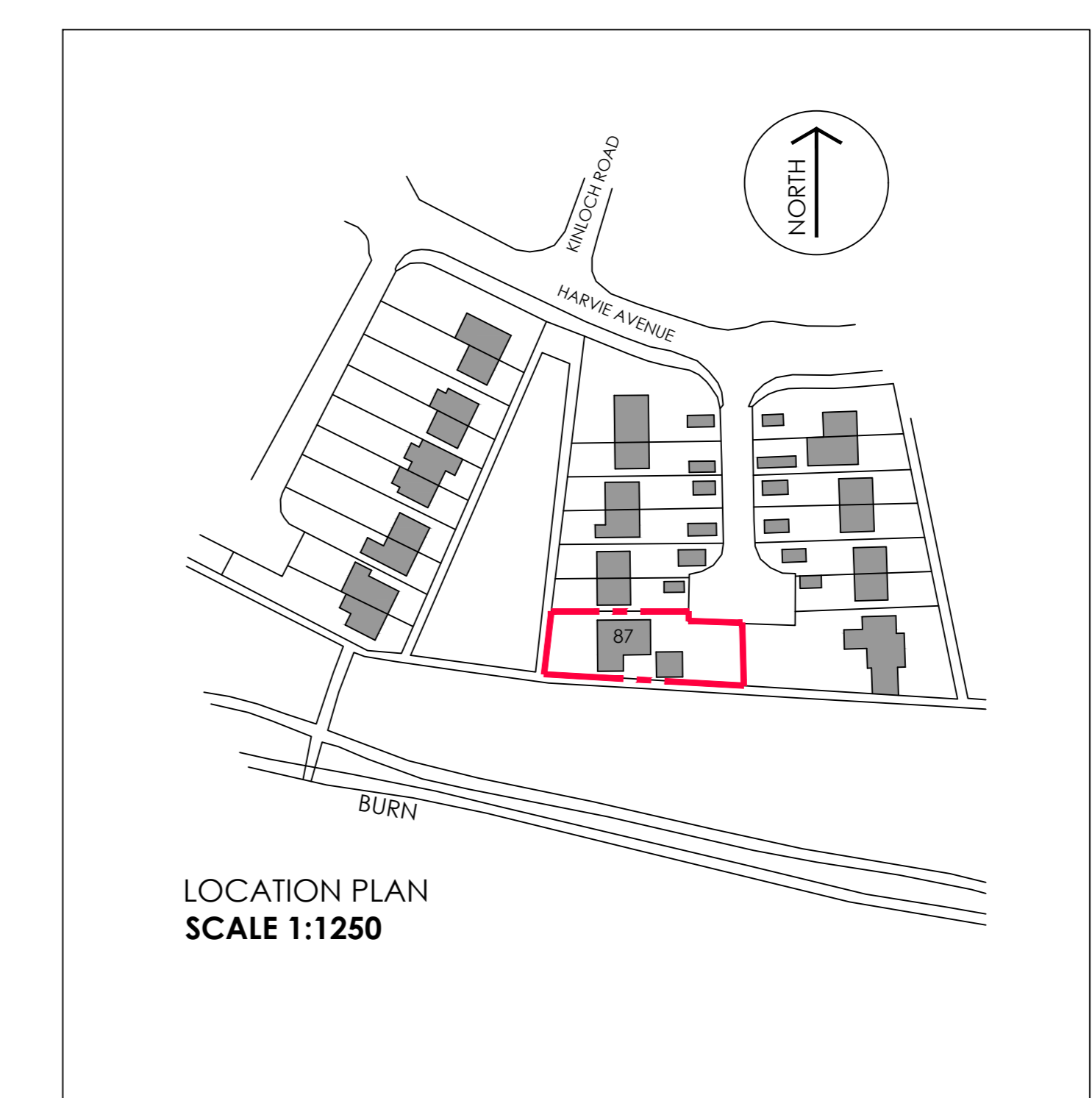


SIDE ELEVATION AS EXISTING

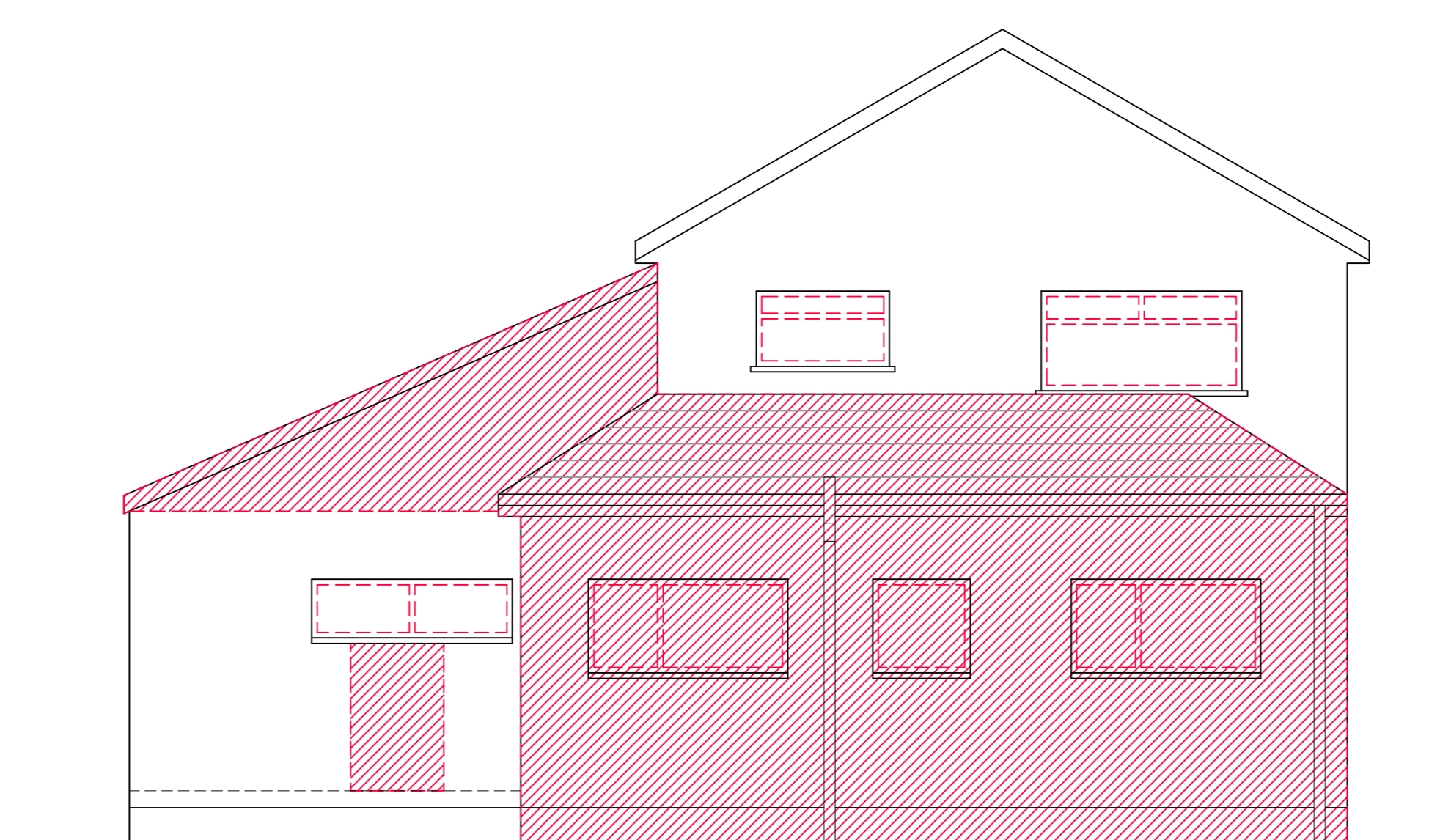
RED HATCH DENOTES DOWNTAKINGS



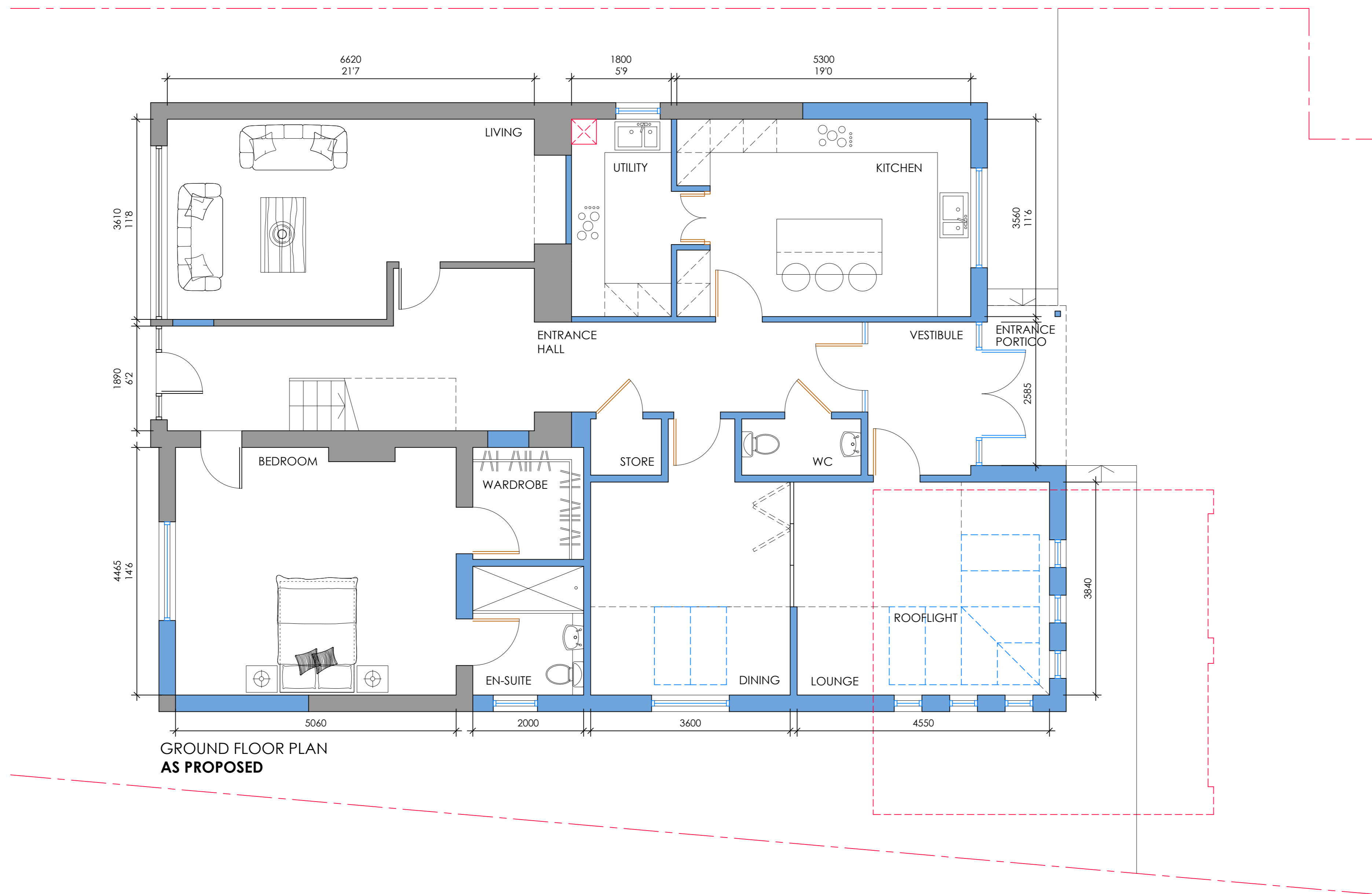
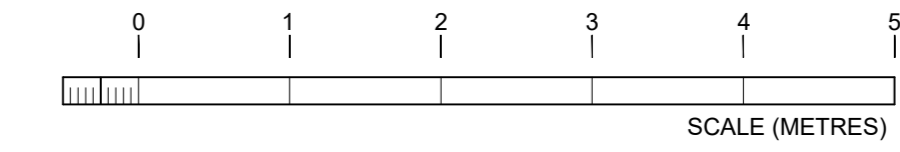
FRONT ELEVATION AS EXISTING



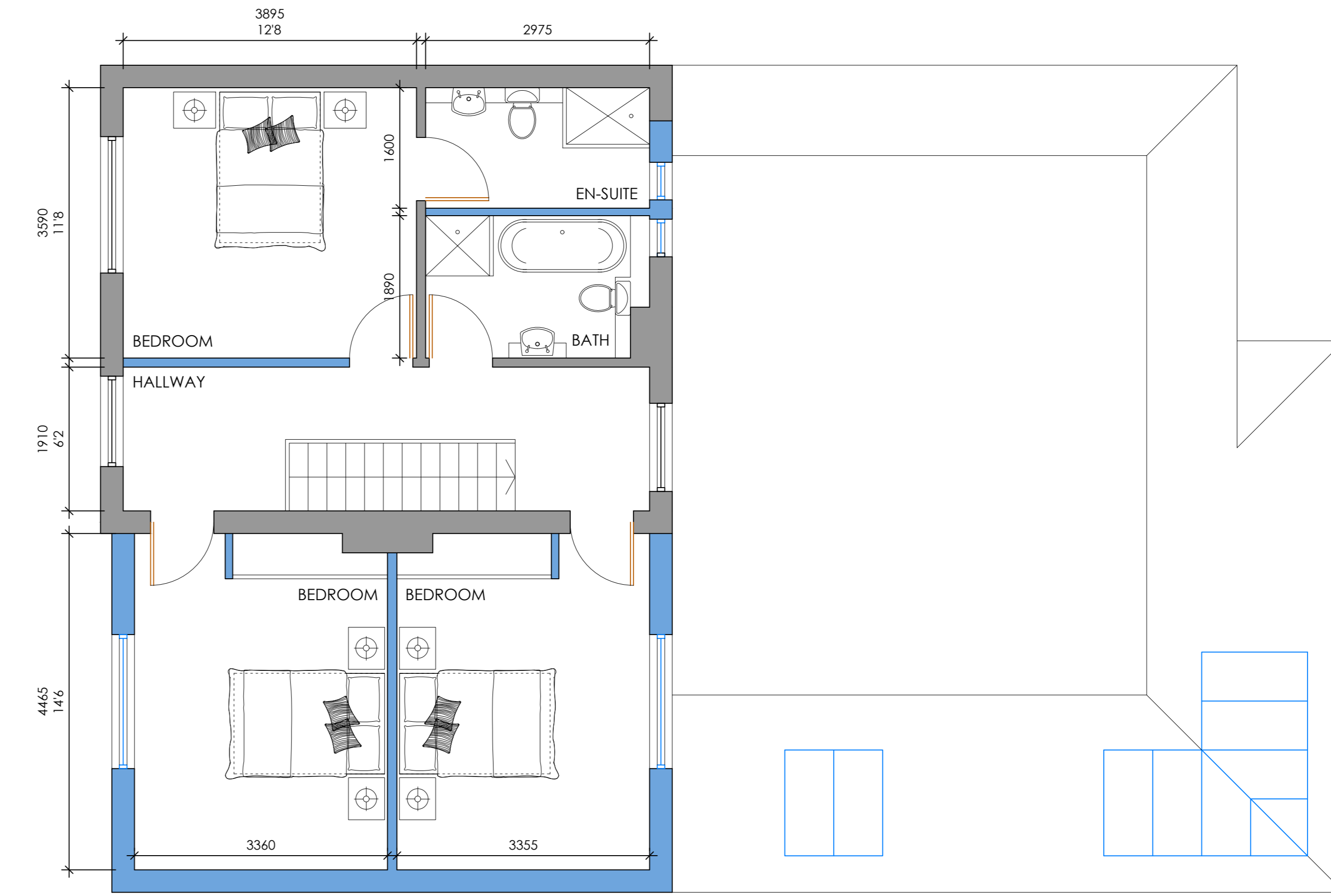
SIDE ELEVATION AS EXISTING



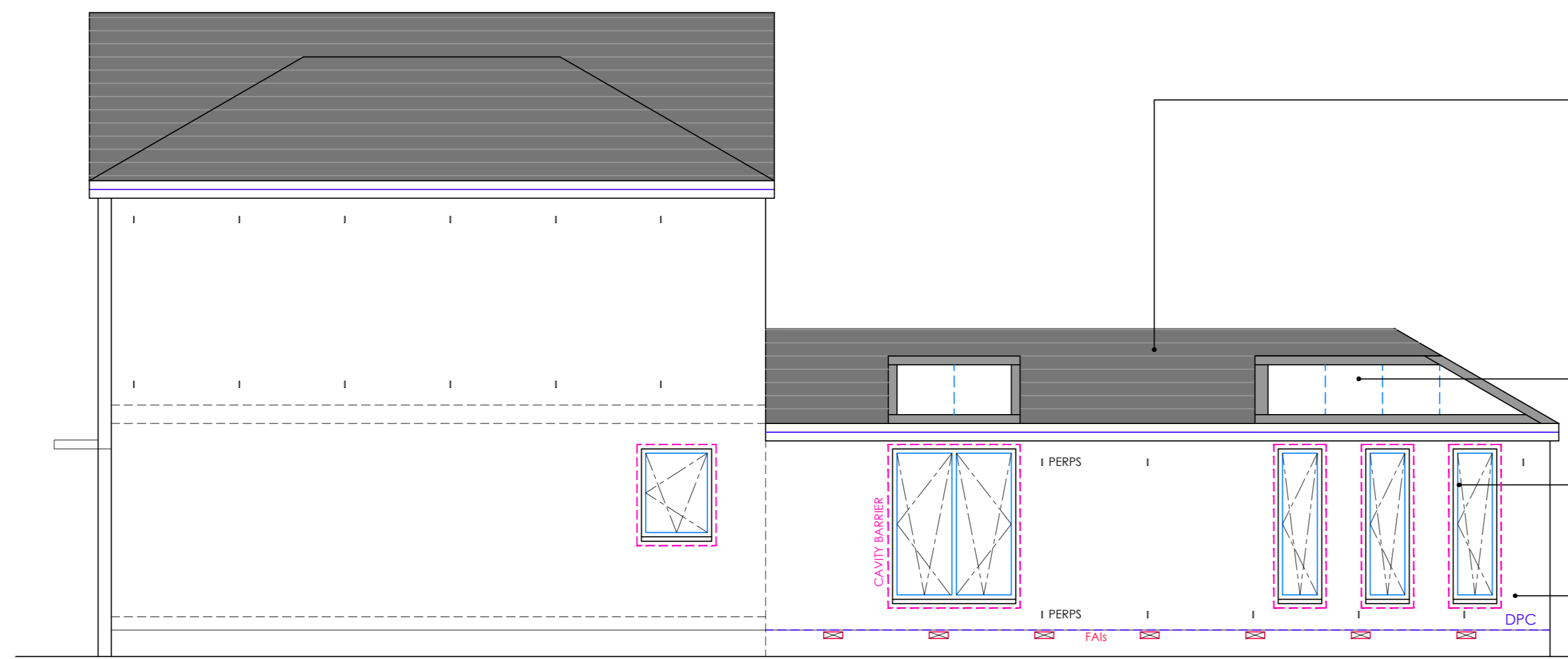
REAR ELEVATION AS EXISTING



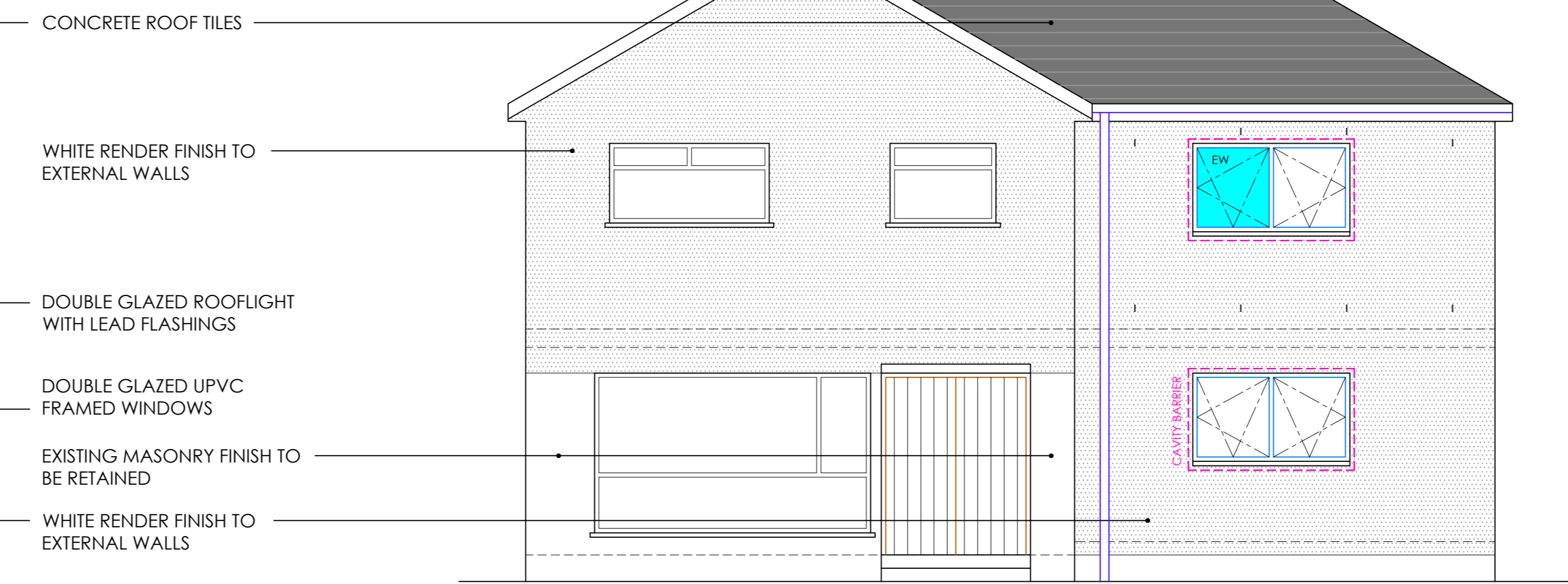
GROUND FLOOR PLAN  
AS PROPOSED



UPPER FLOOR PLAN  
AS PROPOSED

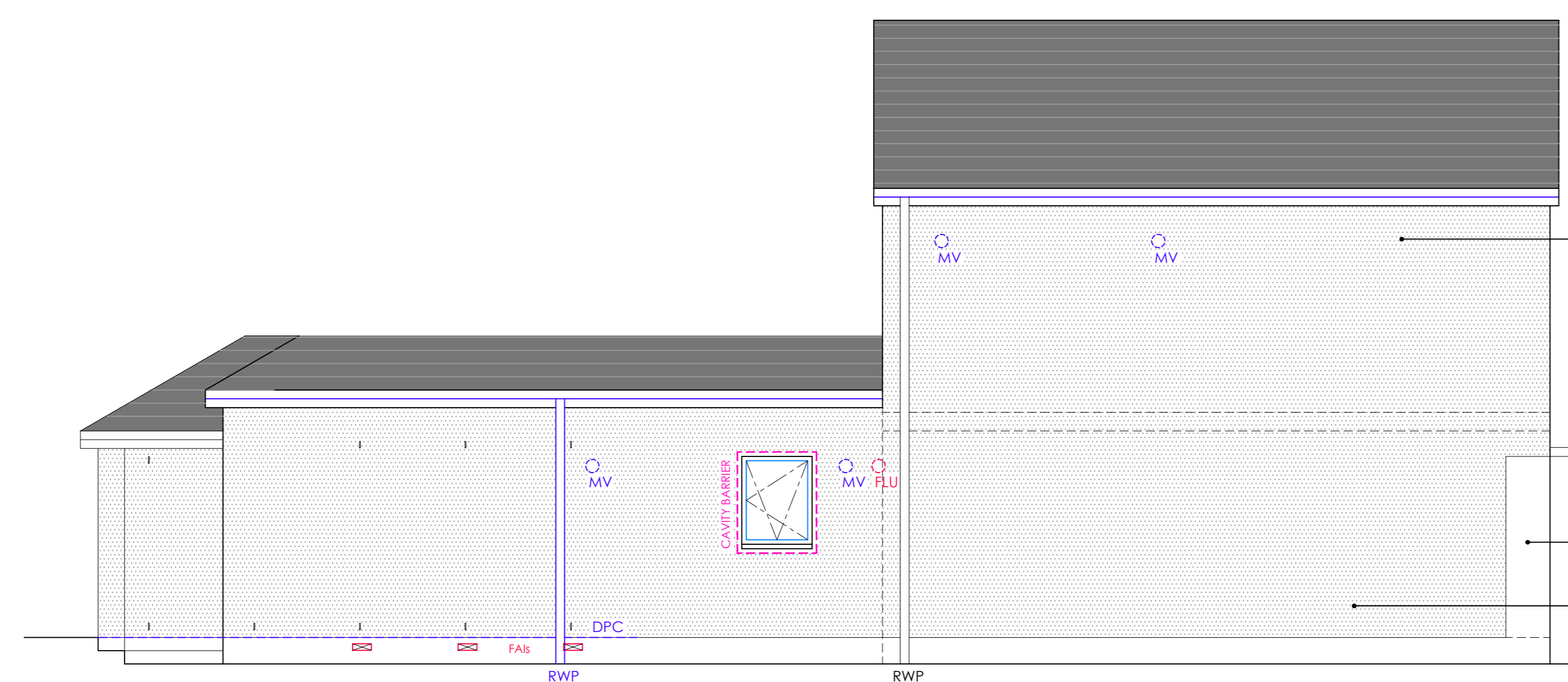


SIDE ELEVATION  
AS PROPOSED

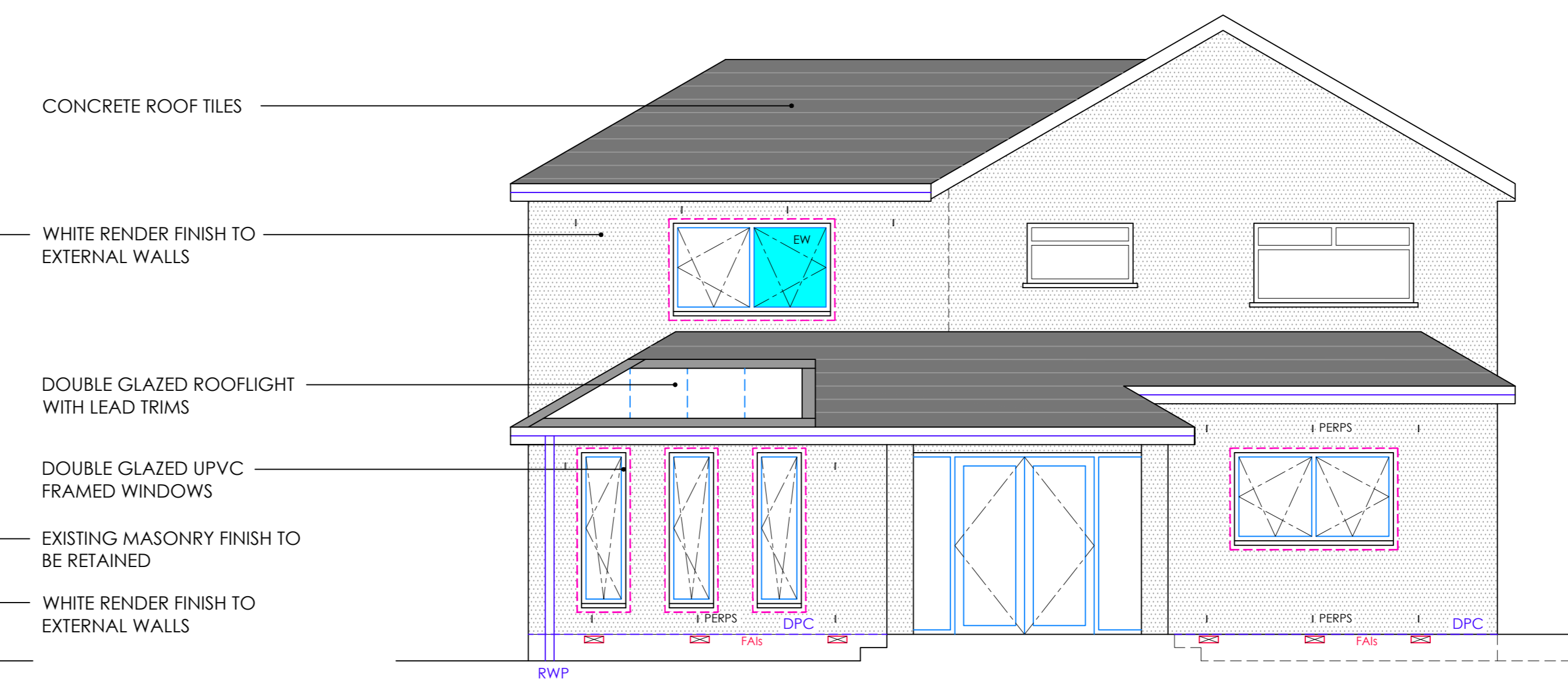


FRONT ELEVATION  
AS PROPOSED

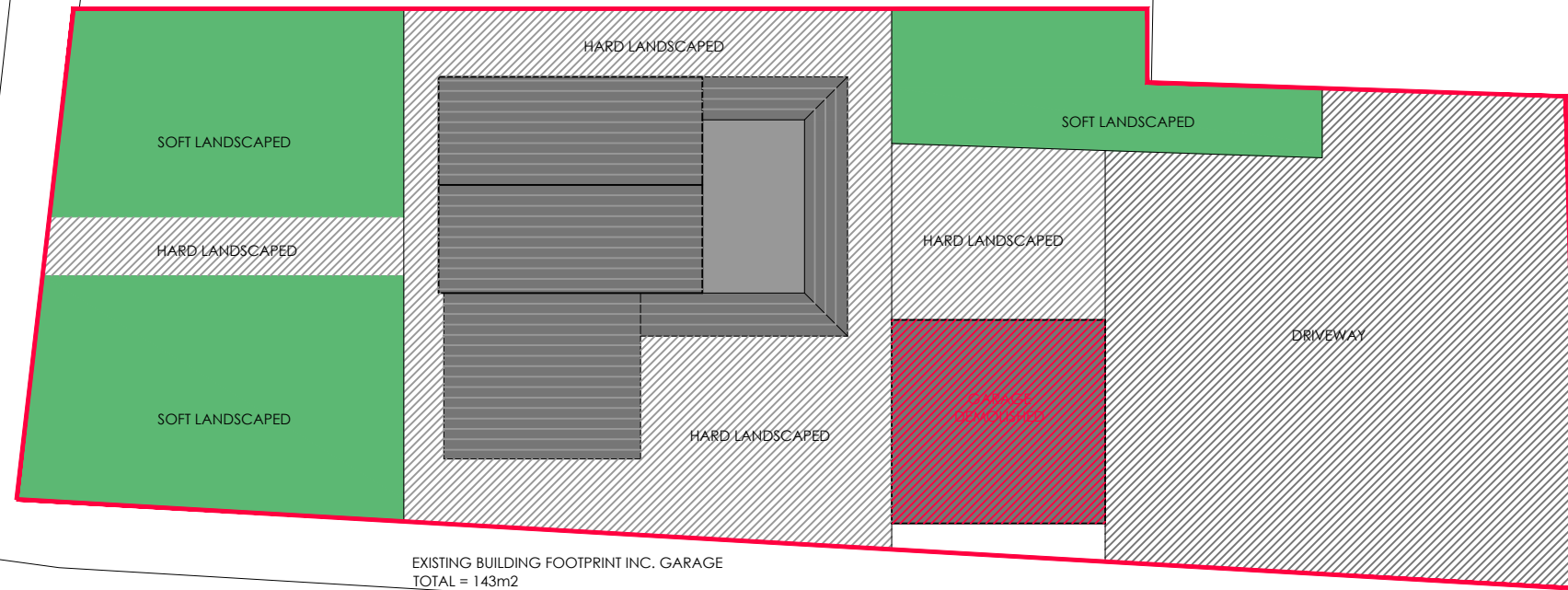
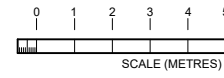
**EW** DENOTES ESCAPE TYPE WINDOW WITH OPENING SECTION AT LEAST 450mm HIGH, 450mm WIDE, 0.33m<sup>2</sup> OPENABLE AREA. BOTTOM OF OPENING SECTION TO BE 1.1m ABOVE RL. ALL UPPER FLOOR WINDOWS TO OPEN INWARDS FOR EASE OF CLEANING FROM THE INSIDE.



SIDE ELEVATION  
AS PROPOSED

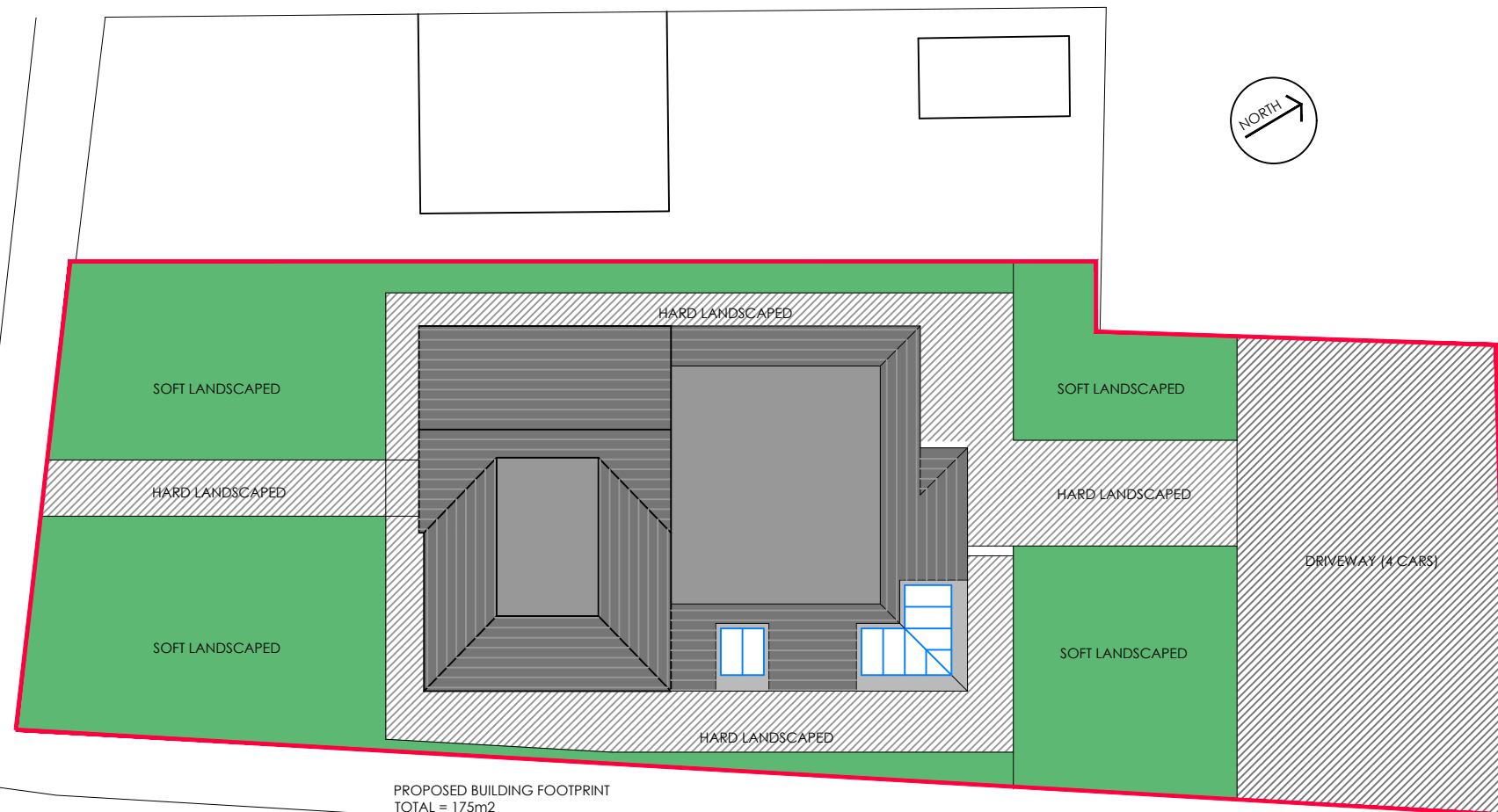
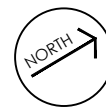


REAR ELEVATION  
AS PROPOSED



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