

EAST RENFREWSHIRE COUNCIL

LOCAL REVIEW BODY

4 June 2025

Report by Director of Business Operations and Partnerships

REVIEW OF CASE - REVIEW/2025/06

ERECTION OF DWELLINGHOUSE

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:- 2024/0536/TP).
- Applicant: Mr Steven Lang
- Proposal: Erection of dwellinghouse
- Location: 31 Holehouse Terrace, Neilston, G78 3LT
- 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 in the appendices to the report.

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, 4 June 2025 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 - 16);
- (b) Objections and Representations – Appendix 2 (Pages 17 - 28);
- (c) Report of Handling by the planning officer under the Scheme of Delegation - Appendix 3 (Pages 29 - 42);
- (d) Decision notice and reasons for refusal - Appendix 4 (Pages 43 - 47); and
- (d) A copy of the applicant's Notice of Review and Statement of Reasons, as well as suggested additional conditions and notes - Appendix 5 (Pages 48 - 134).

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

RECOMMENDATIONS

16. The Local Review Body is asked to:-

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

Report Author: John Burke

Director – Louise Pringle, Director of Business Operations and Partnerships

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

Date:- 23 May 2025

APPLICATION FOR PLANNING PERMISSION



2 Spiersbridge Way Thornliebank G46 8NG Tel: 0141 577 3001 Email: planning@eastrenfrewshire.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100690536-001

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.

Type of Application

What is this application for? Please select one of the following: *

- ☐ Application for planning permission (including changes of use and surface mineral working).
- ☒ Application for planning permission in principle.
- ☐ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- ☐ Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Erect single storey house with bedrooms in the attic space

Is this a temporary permission? *

☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) *

☐ Yes ☒ No

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: *	irene	Building Name:	
Last Name: *	farish	Building Number:	11
Telephone Number: *	07498841960	Address 1 (Street): *	Lintmill Terrace
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Neilston
Fax Number:		Country: *	United Kingdom
		Postcode: *	G78 3LH
Email Address: *	irenefarish@sky.com		
Is the applicant an individual or an organisation/corporate entity? *			
<input checked="" type="checkbox"/> Individual <input type="checkbox"/> 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: *	Steven	Building Number:	31
Last Name: *	Lang	Address 1 (Street): *	Holehouse Terrace
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Neilston
Extension Number:		Country: *	East Renfrewshire
Mobile Number:		Postcode: *	G78 3LT
Fax Number:			
Email Address: *	stelang81@gmail.com		

Site Address Details

Planning Authority:

East Renfrewshire Council

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

Address 1:

31 HOLEHOUSE TERRACE

Address 2:

NEILSTON

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

GLASGOW

Post Code:

G78 3LT

Please identify/describe the location of the site or sites

Northing

657072

Easting

247492

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Site Area

Please state the site area:

201.00

Please state the measurement type used:

☐ Hectares (ha) ☒ Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Garden space

Access and Parking

Are you proposing a new 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 propose to make. You should also show existing footpaths and note if there will be any impact on these.

<p>Are you proposing any change to public paths, public rights of way or affecting any public right of access? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.</p>
<h2 style="margin: 0;">Water Supply and Drainage Arrangements</h2> <p>Will your proposal require new or altered water supply or drainage arrangements? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *</p> <p><input checked="" type="checkbox"/> Yes – connecting to public drainage network</p> <p><input type="checkbox"/> No – proposing to make private drainage arrangements</p> <p><input type="checkbox"/> Not Applicable – only arrangements for water supply required</p>
<p>Do your proposals make provision for sustainable drainage of surface water?? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (e.g. SUDS arrangements) *</p> <p>Note:-</p> <p>Please include details of SUDS arrangements on your plans</p> <p>Selecting 'No' to the above question means that you could be in breach of Environmental legislation.</p>
<p>Are you proposing to connect to the public water supply network? *</p> <p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No, using a private water supply</p> <p><input type="checkbox"/> No connection required</p> <p>If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).</p>
<h2 style="margin: 0;">Assessment of Flood Risk</h2> <p>Is the site within an area of known risk of flooding? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know</p> <p>If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.</p> <p>Do you think your proposal may increase the flood risk elsewhere? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know</p>
<h2 style="margin: 0;">Trees</h2> <p>Are there any trees on or adjacent to the application site? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>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.</p>
<h2 style="margin: 0;">All Types of Non Housing Development – Proposed New Floorspace</h2> <p>Does your proposal alter or create non-residential floorspace? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013 *

☐ Yes ☒ No ☐ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

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: irene farish

On behalf of: Mr Steven Lang

Date: 01/11/2024

☒ Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

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) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

☐ Yes ☐ No ☒ Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

☒ Site Layout Plan or Block plan.

☐ Elevations.

☒ Floor plans.

☒ Cross sections.

☐ Roof plan.

☐ Master Plan/Framework Plan.

☐ Landscape plan.

☐ Photographs and/or photomontages.

☐ Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. *

☐ Yes ☒ N/A

A Flood Risk Assessment. *

☐ Yes ☒ N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *

☐ Yes ☒ N/A

Drainage/SUDS layout. *

☐ Yes ☒ N/A

A Transport Assessment or Travel Plan

☐ Yes ☒ N/A

Contaminated Land Assessment. *

☐ Yes ☒ N/A

Habitat Survey. *

☐ Yes ☒ N/A

A Processing Agreement. *

☐ Yes ☒ N/A

Other Statements (please specify). (Max 500 characters)

This application is for Planning in Principle

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Miss irene farish

Declaration Date: 01/11/2024

Payment Details

Pay Direct

Created: 01/11/2024 09:23

OBJECTIONS/REPRESENTATIONS

From: EN Planning <Planning@eastrenfrewshire.gov.uk>
Sent: 03 Jan 2025 11:38:45
To: planningdms@eastrenfrewshire.gov.uk
Cc:
Subject: Fw: REF: 2024/0536/TP
Attachments:

Kind Regards,

Development Management

It is taking longer than usual to process planning applications. The Development Management Service is presently unable to provide updates on live applications, however we are working hard to process applications as quickly as possible.

From: jackie andrew <jackieandrew@hotmail.com>
Sent: 02 January 2025 19:35
To: EN Planning <Planning@eastrenfrewshire.gov.uk>
Subject: REF: 2024/0536/TP

To East Renfrewshire Council Planning permission

RE Planned development at 31 Holehouse Terrace, Neilston G78 3LT

We have received notification of a new two-storey development at the above address - effectively building a new house in the original garden.

We wish to register our objection to the development on the grounds that it will:

1. Significantly overlook and overshadow our home with little distance between our home and the new development
2. It will significantly impede light to the rear of our house leaving natural light severely reduced
3. The design is significantly different to the rest of the terraced street which was built in the early 1900s and therefore impacting the character of the area.

Please register our comments and objection to the development.

Mrs J Andrew
12 Mafeking Terrace
Neilston G78 3LP

Comments for Planning Application 2024/0536/TP

Application Summary

Application Number: 2024/0536/TP

Address: 31 Holehouse Terrace Neilston East Renfrewshire G78 3LT

Proposal: Erection of detached dwellinghouse (planning permission in principle)

Case Officer: Mr Sean McDaid

Customer Details

Name: Miss Lol Brady

Address: 11 Mafeking Terrace Neilston East Renfrewshire G78 3LP

Comment Details

Commenter Type: Rec'd Neighbour Notification from Council

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to this planning application for the following reason.

The proposed building would greatly reduce the amount of natural sunlight my home.

The rooms that would be affected are North facing, as such, these rooms currently do not have a lot of natural sunlight. The proposed building would significantly compound the lack of natural sunlight.

**Strategic Transport Service
OBSERVATIONS ON
PLANNING APPLICATION**

Our Ref: 2024/0536/TP
D.C Ref Allan Telfer
Contact: Sean McDaid

Planning Application No: 2024/0536/TP **Dated:** 19/12/24 **Received:** 19/12/24
Applicant: Mr Steven Lang
Proposed Development: Erection of detached dwellinghouse
Location: 31 Holehouse Terrace, Neilston
Type of Consent: Planning Permission in Principle

RECOMMENDATION

No Objections subject to conditions

Proposals Acceptable Y/N or N/A

Proposals Acceptable Y/N or N/A

Proposals Acceptable Y/N or N/A

1. General

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

2. Existing Roads

(a) Type of Connection (junction / footway crossing)	Y
(b) Location(s) of Connection(s)	Y
(c) Pedestrian Provision	Y
(d) Sightlines	TBC

3. New Roads

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

4. Servicing & Car Parking

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

5. Signing

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

Ref.	COMMENTS
	<p>A new footway crossover is required to accommodate vehicles driving across the footway into/out of the proposed access. The footway crossover, which will include the installation of dropped kerbs and alterations to the footway where appropriate, must be carried out in accordance with the Operational Roads Services' specification and at the applicant's expense. An application for a Section 56 permit to carry out this work must be submitted to the Roads Service's Operations Section.</p> <p>A visibility splay of 2m x 20m with no interference above a height of 1.05m within the splay in both the primary and secondary direction is required at the proposed access.</p> <p>To ensure adequate inter-visibility between vehicles exiting from proposed driveway and pedestrians on the adjacent footway of Holehouse Terrace, a visibility splay of 2m back from the edges of the access (X) and 5m from the edges of access (Y) in both directions should be provided. No vegetation, landscaping features, fencing etc. above 1.05m in height will be accepted within the aforementioned splay.</p> <p>It is an offence under section 99 of The Roads (Scotland) Act 1984 to discharge water from a private area onto the public road network. Therefore, surface water run-off must be contained within areas such as the proposed driveway of this development by sloping them away from the public road or by means of a suitable positive drainage system (due to maintenance issues permeable block paving is not considered as a primary positive drainage system).</p>

	<p>The parking requirement for the proposed 3 bed dwelling house is a minimum of 2 curtilage spaces. The developer should demonstrate that such parking provision can be achieved bearing in mind the set criteria given within Section 4.3 (Driveway Design Standards) of our GPG. Notwithstanding, please note that the visibility splays as highlighted above must be achieved.</p> <p><u>Miscellaneous</u></p> <p>Before construction takes place, the Applicants' contractor will be required to contact the Roads Service's Operations Section to discuss among other things, how disruption to public roads can be minimised, what temporary traffic management will be required and what remedial measures may be required on public roads adjacent to the application site.</p> <p>A Section 58 Road Occupation Permit will be required in order to deposit building materials on a road.</p> <p>A skip shall not be deposited on a road without the written permission of the Roads Service's Operations Section.</p> <p>The adjacent public road must be kept clean at all times during construction.</p> <p>A lighting column may require to be protected during construction. The developer must contact the Roads Service's Operations Section (Street Lighting) at the earliest opportunity to discuss such.</p>
	CONDITIONS
	<p>The required visibility splay where the proposed driveway meets Holehouse Terrace is 2.0m x 20m in both the primary and secondary directions with no interference allowed within the splay above a height of 1.05m. In the interests of road safety, this visibility splay must be maintained in perpetuity.</p> <p>The required driveway (vehicle)/pedestrian inter-visibility of 2m back from the edges of the access (X) and 5m from the edges of access (Y) should be provided in the interest of road safety</p> <p>For a 3 bed house, 2 curtilage parking spaces are required.</p> <p>Surface water run-off from the proposed access must be contained and not permitted to issue onto the public road.</p>

Notes for Intimation to Applicant:

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

* Relevant Section of the Roads (Scotland) Act 1984

Authorised By: David Little
pp Principal Traffic Officer

Date: 24/12/2024

Internal Memo

Our Ref:
Your Ref: 2024/0536/TP
Date: 07 January 2024
From: Environmental Health
To: Development Management

PROPOSAL: Erection of detached dwellinghouse (planning permission in principle)

LOCATION: 31 Holehouse Terrace, Neilston, East Renfrewshire, G78 3LT

I have reviewed the plans for the above development and would comment as follows:

1. There shall be no construction work or offloading of delivered materials at the development site out with the hours of 0800 to 1900 Monday to Friday and 0800 to 1300 on Saturday with no working on Sunday or local or national public holidays unless minor and temporary amendments have been otherwise agreed in advance in writing by the planning authority.
2. All waste arising from construction or demolition activities must be removed by a licensed waste carrier. There must be no burning on site, other than that permitted by Scottish Environmental Protection Agency by prior agreement; any such burning must not cause nuisance. Adequate precautions must be taken to prevent nuisance from dust from the demolition or construction activities.
3. This location is within Neilston Smoke Control Area No 6, of 1983. In such an area, it is prohibited to emit smoke from a chimney unless you're burning an authorised fuel or using exempt appliances, details of which are available at <https://www.scottishairquality.scot/laqm/smoke-control-areas>

I trust that this information is of use. If you wish to discuss any of the matters raised in this memo, please do not hesitate to contact me.

SENIOR ENVIRONMENTAL HEALTH OFFICER

Tuesday, 07 January 2025



Local Planner
Planning Team
East Renfrewshire Council
Thornliebank
G46 8NG

Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
Glasgow
G33 6FB

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk



Dear Customer,

31 Holehouse Terrace, Neilston, G78 3LT
Planning Ref: 2024/0536/TP
Our Ref: DSCAS-0124055-JC6
Proposal: Erection of detached dwellinghouse (planning permission in principle)

Please quote our reference in all future correspondence

Scottish Water has no objection to this planning application. The applicant should be aware that this does not confirm that the proposed development can currently be serviced.

Please read the following carefully as there may be further action required. Scottish Water would advise the following:

Water Capacity Assessment

- There is currently sufficient capacity in the Milngavie Water Treatment Works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Waste Water Capacity Assessment

- There is currently sufficient capacity for a foul only connection in the Neilston Waste Water Treatment works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Please Note

The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works. When planning permission has been granted and a formal connection application has been submitted, we will review the availability of capacity at that time and advise the applicant accordingly.

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should refer to our guides which can be found at <https://www.scottishwater.co.uk/Help-and-Resources/Document-Hub/Business-and-Developers/Connecting-to-Our-Network> which detail our policy and processes to support the application process, evidence to support the intended drainage plan should be submitted at the technical application stage where we will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

Next Steps:

Single house developments; unless utilising private water or drainage sources, are required to submit a Water Connection Application and Waste Water Application via our Customer Portal to allow us to fully appraise the proposals. Please note that Single House developments are not required to submit a Pre-Development Enquiry form (PDE) however local network capacity will be assessed on receipt of application forms.

Further information on our application and connection process for Single Household development can be found on our website <https://www.scottishwater.co.uk/Business-and-Developers/NEW-Connecting-to-Our-Network/Single-Household-Customers>

I trust the above is acceptable however if you require any further information regarding this matter, please contact me on **0800 389 0379** or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

Yours sincerely,

Angela Allison

Development Services Analyst

PlanningConsultations@scottishwater.co.uk

Scottish Water Disclaimer:

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

Supplementary Guidance

- Scottish Water asset plans can be obtained from our appointed asset plan providers:
 - Site Investigation Services (UK) Ltd
 - Tel: 0333 123 1223
 - Email: sw@sisplan.co.uk
 - www.sisplan.co.uk
- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Development Operations department at the above address.
- If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
- The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or a Sustainable Drainage System (SUDS) proposed to vest in Scottish Water is constructed.
- Please find information on how to submit application to Scottish Water at our Customer Portal

REPORT OF HANDLING

REPORT OF HANDLING

Reference: 2024/0536/TP

Date Registered: 12th December 2024

Application Type: Planning Permission in Principle This application is a Local Development

Ward: 2 -Newton Mearns North And Neilston

Co-ordinates: 247492/657072

Applicant/Agent:

Applicant:

Mr Steven Lang

31 Holehouse Terrace

Neilston

East Renfrewshire

G78 3LT

Agent:

Irene Farish

11 Lintmill Terrace

Neilston

G78 3LH

Proposal: Erection of detached dwellinghouse (planning permission in principle)

Location: 31 Holehouse Terrace

Neilston

East Renfrewshire

G78 3LT

CONSULTATIONS/COMMENTS:

East Renfrewshire Council Roads Service

No objections subject to conditions.

East Renfrewshire Council Environmental
Health Service

Advises on: construction times; all waste arising from construction or demolition activities must be removed by a licensed waste carrier; and the site is within Neilston Smoke Control Area No 6, of 1983 and it is prohibited to emit smoke from a chimney unless burning an authorised fuel or using exempt appliances.

Scottish Water

No objection.

PUBLICITY:

10.01.2025

Barrhead News

Expiry date 24.01.2025

SITE NOTICES: None.

SITE HISTORY: No relevant site history.

REPRESENTATIONS: Two objections has been received and can be summarised as follows:

Overlooking

Overshadowing/loss of light

The design is significantly different to the rest of the terraced street and therefore impacting the character of the area.

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS: None.

ASSESSMENT:

Location of Development

The application site is the side garden area of the end-of-terrace property at the south of Holehouse Terrace. The site is at a bend in Holehouse Terrace where it meets a lane that connects to Holehouse Brae.

The existing property at 31 Holehouse Terrace has a single storey front extension/projection and adjoins a terrace house at its rear which fronts onto Holehouse Brae. The other houses in this terrace row adjoin terrace houses which front onto Holehouse Brae. The existing house has a driveway area at the front.

The side garden area is bounded by timber fences and there are conifers around the boundaries which have been lopped leaving the bottom part of their trunks in place.

There are two two and a half storey properties on the opposite side of Holehouse Terrace in two blocks which front onto Mafeking Terrace. The rear elevations of these properties are set back from Holehouse Terrace by approximately 1m.

There is a play area to the south of the site across the street.

Indicative Design and Layout

An indicative site plan has been submitted which indicates a one and half storey detached house on the site which is to be forward of the front building line of the existing house. The footprint of the proposed house is indicated as being approximately 8m by 8m.

The submitted plan indicates the proposed house to be set back from Holehouse Terrace by approximately 2.84m, by 1m from the rear boundary of the site, by approximately 2.5m and 6.7m at its closest and furthest points from the tapering side boundary with the lane at the side and by approximately 4m from where the site is to be sub-divided from 31 Holehouse Terrace.

The submitted plan indicates the garden area is to be at the front and side of the proposed house with the garden area indicated as being 100sqm. A patio area is indicated at the south side of the proposed house.

The submitted plan also indicates a driveway at the side of the proposed house beside the existing driveway area of 31 Holehouse Terrace. The submitted plan is annotated to indicate the existing access to 31 Holehouse Terrace is to be retained.

Policy Context and Assessment

The application is required to be assessed with regard to the Development Plan which comprises National Planning Framework 4 (NPF4) and the East Renfrewshire Local Development Plan 2 (LDP2).

The policies most relevant to this proposal in NPF4 are: Policy 1 (Tackling the climate and nature crises); Policy 2 (Climate mitigation and adaptation); Policy 14 (Design, quality and place); Policy 15 (Local living and 20 minute neighbourhoods) and Policy 16 (Quality homes).

Policies D1, D1.2, D2, D6 and E1 of the adopted East Renfrewshire Local Development Plan are also relevant to this proposal. Policy D1 requires that all development should not result in a significant loss of character or amenity to the surrounding area. Policy D2 supports development within the general urban area where they comply with other relevant policies of the plan. Policy D1.2 relates to residential sub-division. Policy D6 relates to open space in new development and Policy E1 relates to sustainable design in new developments.

Given the location of the site within an established residential area the general principle of this development at this location may be considered to be acceptable. The proposed development therefore accords with the general terms of Policies 1, 2 and 15 of NPF4 being in a sustainable location and resulting in local living.

The Development Strategy of the adopted Local Development Plan 2 encourages the re-use of brownfield sites. In this regard the site is located within the existing urban area as identified under Policy D2 of the adopted Local Development Plan 2. As such the proposal accords in general terms with the Development Strategy. The proposal may be acceptable against Policy D2 of the adopted Local Development Plan 2 subject to consideration of the impact on the surrounding area and compliance with other relevant policies of the Plan.

Policy D1.2 of Local Development Plan 2 relates to residential sub-division and contains various criteria for assessing such proposals. The submitted plans are noted as being for information purposes only. However the submitted plans are considered to be an accurate reflection of where a house is likely to be located within the site. Given the location and shape of the site any house would sit forward of the building line of the other properties along Holehouse Terrace by quite an extent. This is at variance with the established building line as well as visually compressing the space to the properties on the opposite side of Holehouse Terrace. This variance is so pronounced as to result in an adverse visual impact on the surrounding area. The proposal therefore does not accord with criteria 1 and 6 of Policy 1.2 of Local Development Plan 2. The position of the proposed house would also adversely impact the setting of the existing house contrary to criterion 5 of Policy D1.2 of Local Development Plan 2. In turn the proposal does not accord with Policy D2 of the adopted East Renfrewshire Local Development Plan 2 nor with Policy 14 of National Planning Framework 4 for the same reasons as above.

Although there are outbuilding/garages at the front of some of the other properties along Holehouse Terrace these clearly appear as such in form and scale. Their presence does not set a precedence for the indicated position of the proposed house.

The indicated garden ground is just over one and half times the footprint of the indicated house and as such accords with the general terms of Appendix A of the Council's Supplementary Guidance: Green Network (SPG) which gives advice on Private Open Space and Gardens Requirement for Residential Proposals. However this advice indicates that rear gardens should have a depth of at least 10m from the rear elevation of the house to plot boundary in order to maintain adequate privacy as well as there should be a minimum of 2m from any house to the side plot boundary. It is not considered that the indicated position of the proposed house accords and the distances to boundaries with the advice in the SPG. As a consequence the proposal is considered to result in overdevelopment of the application site. The proposal is therefore considered to be contrary to criterion 2 of Policy D1.2 of Local Development Plan 2 as well as being contrary to Policy D6 of Local Development Plan 2.

Even if the footprint of the proposed house was smaller to allow more garden ground within the site this would not address the position of the house forward of the building line of the donor property and its resultant visual impact in the street to any significant extent.

The submitted plans indicate windows at ground floor level of the proposed house on the elevation facing onto Holehouse Terrace. It is considered that the submitted ground floor plan is an accurate reflection of where windows are likely to be installed on this elevation. This would mean that the windows are approximately 10m from the elevations of the properties opposite. The privacy of the existing properties opposite will be adversely affected given this separation distance and this would be the same for the residents of the proposed house. Windows are also indicated on the rear elevation however a boundary fence of sufficient height along the rear boundary is likely to limit overlooking of the garden ground of the adjoining property. The proposal is therefore considered to be contrary to Policy D2 of the adopted East Renfrewshire Local Development Plan 2 as a result of adversely affecting privacy.

With regard to Policy E1 of Local Development Plan 2 relating to sustainable design no specific details have been submitted/specified with the application. Notwithstanding a planning condition can be used for the details of the measures to be submitted for further approval, should the proposal be otherwise acceptable and planning permission in principle be approved.

Representations

With regard to the grounds of objections which have not already been considered above the following comments are made. There may be some overshadowing of properties on the opposite side of Holehouse Terrace as well as to the existing house at 31 Holehouse Terrace. The extent of overshadowing and the resultant impact on light depends on the seasons and time of day. The overshadowing is however not considered to be over prolonged/significant periods of each day which would adversely affect the amenity of neighbouring properties.

Conclusion

Although the proposal is in the existing urban area and considered to be sustainable location for additional houses the proposal will be at significant variance with the pattern of development in the surrounding area which in turn means it will be visually dominant in the street and will have an adverse visual impact on the surrounding area. The proposed will also result in overdevelopment of the site. This is irrespective of whether properties elsewhere along Holehouse Terrace have limited garden/amenity space. It is not considered there is a site for a house at this location.

The proposal is therefore not acceptable when assessed against the relevant policies of the Development Plan. There are no material considerations to allow approval of the development against these policies.

PLANNING OBLIGATIONS: None.

RECOMMENDATION: Refuse.

REASONS FOR REFUSAL:

1. The proposal is contrary to Policy 14 of National Planning Framework 4 as well as Policy D2 of the adopted East Renfrewshire Local Development Plan 2 as the indicated position of the proposed dwellinghouse is at significant variance with pattern of development along Holehouse Terrace and being forward of the established building line results in a visually dominant development in the street which in turn will have an adverse visual impact on the surrounding area. There are no material considerations to outweigh and allow approval of the proposal against these policies.

2. The proposal is contrary to Policy D1.2 of the adopted East Renfrewshire Local Development Plan 2 as: it does not reflect the character of the surrounding residences and the pattern of

development in the area; the size of the site is not considered to be capable of accommodating a residential property compatible with the locality; there is insufficient land to provide garden ground that is of a scale and character compatible with the locality for the proposed dwellinghouse; adversely impacts upon the setting of the donor property; and does not respect existing building lines. There are no material considerations to outweigh and allow approval of the proposal against this policy.

3. The proposal is contrary to Policies D1 and D2 of the adopted East Renfrewshire Local Plan 2 as the site is not considered capable of accommodating a dwellinghouse compatible with, and comparable to, the established development pattern and built character of the area. There are no material considerations to outweigh and allow approval of the proposal against these policies.

4. The proposal is contrary to Policies D1 and D2 of the adopted East Renfrewshire Local Plan 2 as the indicated position of the proposed dwellinghouse will adversely affect the amenity of the existing residential properties on the opposite side of Holehouse Terrace through loss of privacy. The privacy of the residents of the proposed dwellinghouse will also be adversely affect because of the proximity to the existing residential properties on the opposite side of Holehouse Terrace. There are no material considerations to outweigh and allow approval of the proposal against these policies.

5. The proposal is contrary to Policy D6 of the adopted East Renfrewshire Local Development Plan 2 as it results in overdevelopment of the identified site because garden ground commensurate with the indicated size of the proposed house and distances to boundaries cannot be provided. There are no material considerations to outweigh and allow approval of the proposal against this policy.

ADDITIONAL NOTES: None.

ADDED VALUE: None.

BACKGROUND PAPERS:

Further information on background papers can be obtained from Mr Sean McDaid on 0141 577 3001.

Ref. No.: 2024/0536/TP
(SEMC)

DATE: 3rd February 2025

DIRECTOR OF ENVIRONMENT

Reference: 2024/0536/TP - Appendix 1

DEVELOPMENT PLAN:

National Planning Framework 4

Policy 1

Tackling the climate and nature crises

When considering all development proposals significant weight will be given to the global climate and nature crises.

Policy 2

Climate mitigation and adaptation

- a) Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible.
- b) Development proposals will be sited and designed to adapt to current and future risks from climate change.
- c) Development proposals to retrofit measures to existing developments that reduce emissions or support adaptation to climate change will be supported.

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 15

Local Living and 20 minute neighbourhoods

- a) Development proposals will contribute to local living including, where relevant, 20 minute neighbourhoods. To establish this, consideration will be given to existing settlement pattern, and the level and quality of interconnectivity of the proposed development with the surrounding area, including local access to:
 - sustainable modes of transport including local public transport and safe, high quality walking, wheeling and cycling networks;
 - employment;
 - shopping;
 - health and social care facilities;
 - childcare, schools and lifelong learning opportunities;

playgrounds and informal play opportunities, parks, green streets and spaces, community gardens, opportunities for food growth and allotments, sport and recreation facilities;
publicly accessible toilets;
affordable and accessible housing options, ability to age in place and housing diversity.

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.

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 D1.2

Residential Sub-division and Replacement

Proposals will be assessed against the following criteria:

1. Reflect the scale and character of the surrounding residences and the established pattern of development in the area;
2. Should be of a size and shape capable of accommodating a residential property and compatible with the locality;
3. There should be sufficient land to provide garden ground that is of a scale and character compatible with the locality for the proposed and donor properties;
4. Provide safe vehicular access and parking for the proposed and donor properties;
5. Not adversely impact upon the setting of the donor property; and
6. Respect existing building lines.

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 D6

Open Space Requirements

Proposals will be required to incorporate multi-functional, integrated and accessible on-site green networks and green infrastructure, including open space provision, wildlife habitats and landscaping.

Proposals will be required to meet the following criteria:

1. Demonstrate that the provision and distribution of open space and green infrastructure has been integrated into the design approach from the outset and has been informed by the context and characteristics of the site using key natural and physical features. Proposals should be designed to accommodate users of all age groups, and levels of agility and mobility;
2. Provide a network and hierarchy of open space to create a structured and legible framework for development, which clearly distinguishes public space, semi-public

space and private space using appropriate boundary treatments. Design and layout of proposals should encourage species dispersal through improving connectivity and the availability of habitats. New planting must promote and enhance the biodiversity of the area and incorporate native trees where appropriate;

3. Complement, extend and connect existing open spaces and provide links to the wider green network;
4. Make provision for the long-term management and maintenance of open space. Details of maintenance requirements and arrangements must be set out, including who is responsible for these requirements;
5. Integrate Sustainable Urban Drainage Systems (SUDs) features with open space and active travel networks as part of a multifunctional approach to landscape design. SUDs may form part of open spaces subject to their design, provided they are accessible and contribute to the amenity value of the wider open space; and
6. Meet the minimum open space requirements set out in Schedule 4.

Policy E1

Sustainable Design

To contribute to the aims of sustainable design and reducing greenhouse gas emissions, proposals will be required to demonstrate that the following criteria have been considered, and, where appropriate, met:

1. Make efficient and sustainable use of existing land, buildings and infrastructure within the urban areas, including the conversion and reuse of existing buildings and retro-fitting appropriate adaptations to the current building stock and infrastructure;
2. Developments must incorporate sustainable and energy efficient design and construction methods and be built to meet a minimum of silver sustainability standard. All new buildings must be designed to ensure that at least 10% of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and operation of low-carbon and zero-carbon generating technologies. A statement will require to be submitted demonstrating compliance with this requirement. The percentage will increase at the next review of the local development plan. This requirement will not apply to:
 - a. alterations and extensions to buildings
 - b. change of use or conversion of buildings
 - c. ancillary buildings that stand alone and cover an area less than 50 square metres
 - d. buildings which will not be heated or cooled, other than by heating provided solely for frost protection
 - e. buildings which have an intended life of less than two years.
3. Seek to use locally sourced and energy efficient building materials; and
4. Prioritise active travel and demonstrate a clear sustainable movement hierarchy favouring walking, then cycling, public transport then the private car, in accordance with Designing Streets.

Major development will be required to provide an energy and carbon footprint assessment to demonstrate their contribution towards achieving sustainable development, reducing energy use and how the proposal will offset the overall carbon footprint of their development, during and post construction.

Further detailed guidance and information will be set out in the Supplementary Guidance on Low and Zero Carbon Delivery.

Finalised 3rd February 2025 MS(C)

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 IN PRINCIPLE

Ref. No. **2024/0536/TP**

Applicant:

Mr Steven Lang
31 Holehouse Terrace
Neilston
East Renfrewshire
G78 3LT

Agent:

Irene Farish
11 Lintmill Terrace
Neilston
G78 3LH

With reference to your application which was registered on 12th December 2024 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Erection of detached dwellinghouse (planning permission in principle)

at: 31 Holehouse Terrace, Neilston, East Renfrewshire, G78 3LT


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 14 of National Planning Framework 4 as well as Policy D2 of the adopted East Renfrewshire Local Development Plan 2 as the indicated position of the proposed dwellinghouse is at significant variance with pattern of development along Holehouse Terrace and being forward of the established building line results in a visually dominant development in the street which in turn will have an adverse visual impact on the surrounding area. There are no material considerations to outweigh and allow approval of the proposal against these policies.
2. The proposal is contrary to Policy D1.2 of the adopted East Renfrewshire Local Development Plan 2 as: it does not reflect the character of the surrounding residences and the pattern of development in the area; the size of the site is not considered to be capable of accommodating a residential property compatible with the locality; there is insufficient land to provide garden ground that is of a scale and character compatible with the locality for the proposed dwellinghouse; adversely impacts upon the setting of the donor property; and does not respect existing building lines. There are no material considerations to outweigh and allow approval of the proposal against this policy.
3. The proposal is contrary to Policies D1 and D2 of the adopted East Renfrewshire Local Plan 2 as the site is not considered capable of accommodating a dwellinghouse compatible with, and comparable to, the established development pattern and built character of the area. There are no material considerations to outweigh and allow approval of the proposal against these policies.
4. The proposal is contrary to Policies D1 and D2 of the adopted East Renfrewshire Local Plan 2 as the indicated position of the proposed dwellinghouse will adversely affect the amenity of the existing residential properties on the opposite side of Holehouse Terrace through loss of privacy. The privacy of the residents of the proposed dwellinghouse will also be adversely affected because of the proximity to the existing residential properties on the opposite side of Holehouse Terrace. There are no material considerations to outweigh and allow approval of the proposal against these policies.

5. The proposal is contrary to Policy D6 of the adopted East Renfrewshire Local Development Plan 2 as it results in overdevelopment of the identified site because garden ground commensurate with the indicated size of the proposed house and distances to boundaries cannot be provided. There are no material considerations to outweigh and allow approval of the proposal against this policy.

Dated 3rd February 2025



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	01 Rev A		
Block Plan Proposed	02 Rev B		
Block Plan Proposed	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. Please note that beyond the content of the appeal or review forms, **you cannot normally raise new matters** in support of an appeal or review, unless you can demonstrate that the matter could not have been raised before, or that its not being raised before is a consequence of exceptional circumstances. Following submission of the notice, you will receive an acknowledgement letter informing you of the date of the Local Review Body meeting or whether further information is required.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

CONTACT DETAILS

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

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

NOTICE OF REVIEW



2 Spiersbridge Way Thornliebank G46 8NG Tel: 0141 577 3001 Email: planning@eastrenfrewshire.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100705537-001

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:	Derek Scott Planning		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Derek	Building Name:	Suite 2/3
Last Name: *	Scott	Building Number:	48
Telephone Number: *	07802 431970	Address 1 (Street): *	West George Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Glasgow
Fax Number:		Country: *	Scotland
		Postcode: *	G2 1BP
Email Address: *	derek@derekscottplanning.com		

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

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text" value="c/o Derek Scott Planning"/>
First Name: *	<input type="text" value="Steven"/>	Building Number: <input type="text"/>
Last Name: *	<input type="text" value="Lang"/>	Address 1 (Street): * <input type="text" value="Suite 2/3"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text" value="48 West George Street"/>
Telephone Number: *	<input type="text"/>	Town/City: * <input type="text" value="Glasgow"/>
Extension Number:	<input type="text"/>	Country: * <input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text" value="G78 3LT"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text" value="enquiries@derekscottplanning.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="31 HOLEHOUSE TERRACE"/>
Address 2:	<input type="text" value="NEILSTON"/>
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="G78 3LT"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="657072"/>	Easting	<input type="text" value="247492"/>
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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)

2024/0536/TP – Erection of detached dwelling house (planning permission in principle) at 31 Holehouse Terrace, Neilston, East Renfrewshire G78 3LT

Type of Application

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

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

What does your review relate to? *

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

Statement of reasons for seeking review

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

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

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

Please refer to attached Statement.

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

☐ Yes ☒ No

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

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

Please refer to attached Statement.

Application Details

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

2024/0536/TP

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

12/12/2024

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

03/02/2025

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 Derek Scott

Declaration Date: 07/04/2025

REVIEW REQUEST STATEMENT

2024/0536/TP – Erection of detached dwelling house (planning permission in principle)

at

**31 Holehouse Terrace
Neilston
East Renfrewshire
G78 3LT**

Prepared by

**Derek Scott Planning
Planning and Development Consultants**




**Suite 2/3
48 West George Street
Glasgow G2 IBP
T: 0141 673 1792
E-Mail: enquiries@derekscottplanning.com**

On behalf of

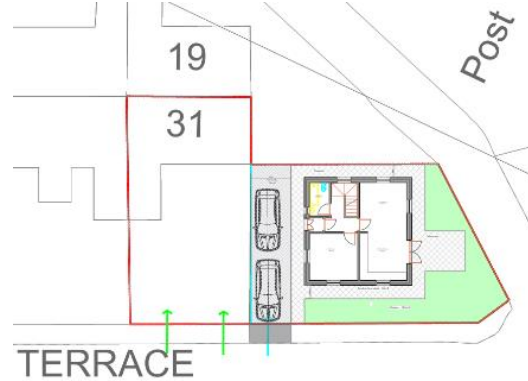
Mr. Steven Lang

Executive Summary

2024/0536/TP – Erection of detached dwelling house (planning permission in principle) at 31 Holehouse Terrace, Neilston, East Renfrewshire G78 3LT

- This statement has been prepared by Derek Scott Planning, Chartered Town Planning and Development Consultants (Glasgow, Edinburgh and Dunfermline) on behalf of our client, Mr. Steven Lang. It is in support of a request to review the decision of the Appointed Planning Officer to refuse a planning application which had sought planning permission in principle for the erection of a detached dwelling house at 31 Holehouse Terrace, Neilston, East Renfrewshire.
- The application site, which measures 356 sq. metres, as defined by the red line shown on the location plan adjacent, incorporates the end of terrace property at 31 Holehouse Terrace, Neilston and the side garden area formerly attached to it. That side garden area measures in the region of 201 sq. metres and is located at a bend (northern side) of Holehouse Terrace where it meets the lane connecting with Holehouse Brae. The existing property at 31 Holehouse Terrace has a single storey front extension and in common with all houses in the terrace adjoins a terraced house at the rear which fronts onto Holehouse Brae.
- The former garden area to the side of the dwelling house is bounded by timber fencing (broken) and lopped conifers. The title to the garden is in the process of being split from the existing dwelling house and they will shortly form two separate legal entities. The garden has an unkempt appearance and detracts quite significantly from the character and appearance of the wider area. There are four/two and a half storey dwellings on the opposite side of Holehouse Terrace which front onto Mafeking Terrace. The rear of these properties are set approximately 1.75 metres back from Holehouse Terrace. A children's play area exists to the south of the site which is directly accessible off Holehouse Terrace. A path linking Holehouse Terrace and Makeking Terrace exists along the northern edge of the play area. Further residential properties exist to the south east and north east of the site.
- There are a range of facilities and services within close proximity (<800 metres) of the application site which are easily accessible by foot, cycling or wheeling. The facilities, in addition to the play area referenced, include public transport facilities (bus and rail based); retail outlets, eateries, primary school, church, leisure centre and public open space.

- The application which had been submitted to and subsequently refused by the appointed Planning Officer had sought planning permission in principle for the erection of a dwelling house within the garden area formerly attached to the dwelling at 31 Holehouse Terrace. Indicative plans accompanying the application showed a one and a half storey dwelling house on a footprint of c.64 square metres incorporating an open plan kitchen/dining/living room, a lounge and bathroom on the ground floor; and on the first floor, a further two bedrooms and bathroom. Those indicative plans also show a useable private garden area of some 100 sq. metres; a patio of some 9 sq. metres in extent; and parking facilities for two cars within an additional area measuring c35 sq. metres. The front of the existing property (31 Holehouse Terrace) will be retained as a garden of some 98 sq. metres in extent which is commensurate in size with all other dwellings in the terrace.



- The application was refused by the Appointed Planning Officer for a total of five reasons. Those reasons and our responses to them are outlined below:

1. *The proposal is contrary to Policy 14 of National Planning Framework 4 as well as Policy D2 of the adopted East Renfrewshire Local Development Plan 2 as the indicated position of the proposed dwellinghouse is at significant variance with pattern of development along Holehouse Terrace and being forward of the established building line results in a visually dominant development in the street which is turn will have an adverse visual impact on the surrounding area. There are no material considerations to outweigh and allow approval of the proposal against these policies.*

Response – The architectural character of Holehouse Terrace is predominantly defined by groups of terraced housing on either side, with the south western side comprising the back side of two and a half storey houses fronting onto Mafeking Terrace; and the eastern side comprising two storey terraced dwellings set back approximately 10.9 metres but with extensive clutter in the form of garages and garden sheds in their front gardens. Any dwelling proposed must, due to the position of the site, sit forward off the established building line and as such will appear in views when travelling along the terrace. The dwelling proposed has the potential to act as a book end to the terrace and contribute positively to the established townscape character by adding diversity and interest to a street scene which is not of particularly high architectural quality due to the characteristics described. As a consequence of these considerations, noting in particular the site context, we do not share the Planning Officer’s views that the redevelopment of an unkempt site for the dwelling house proposed will have an adverse visual impact on the surrounding area.

2. *The proposal is contrary to Policy D1.2 of the adopted East Renfrewshire Local Development Plan 2 as: it does not reflect the character of the surrounding residences and the pattern of development in the area; the size of the site is not considered to be capable of accommodating a residential property compatible with the locality; there is insufficient land to provide garden ground that is of a scale and character compatible with the locality for the proposed dwellinghouse; adversely impacts upon the setting of the donor property; and does not respect existing building lines. There are no material considerations to outweigh and allow approval of the proposal against this policy.*

Response – There are a number of elements to the second reason for refusal.

- (i) ***It does not reflect the character of the surrounding residences and the pattern of development in the area*** - As noted in our response to the first reason for refusal, the erection of a dwelling on the site has the potential to act as a book end to the terrace and contribute positively to the established townscape character by adding diversity and interest to the street scene – a scene which is not of a particularly high architectural quality given its domination by frontage clutter.
- (ii) ***the size of the site is not considered to be capable of accommodating a residential property compatible with the locality*** – The application site is similarly sized to the existing housing plots at 31-37 Holehouse Terrace with plot ratios (if one ignores the outbuilding erected to the front of the properties) which are commensurate and therefore acceptable.
- (iii) ***there is insufficient land to provide garden ground that is of a scale and character compatible with the locality for the proposed dwelling house*** – As noted in Section 3 (Description of Proposed Development) previously, the indicative layout presented provides for a garden area of some 100 sq. metres in line with the Council's requirements for new houses. It is important to note that the 100 sq. metre area referenced excludes the area reserved for parking which adds a further 35 sq. metres. The combined area of 135 sq. metres is significantly in excess of the available areas to the front of the other properties on Holehouse Terrace which, due to the presence of sheds and garages within these, leaves little useable garden space. The Council's requirements referred to are specified in the Green Network Supplementary Guidance (Appendix A) which requires private gardens to be 1.5 times the ground floor area of the house or in the case of a detached house 100 sq. metres. As a consequence of the considerations outlined we disagree with this part of the refusal reason.
- (iv) ***adversely impacts upon the setting of the donor property*** – The donor property (dwelling house) and its former garden are in the process of being split into separate titles. Setting that aside and as evidenced in the photographs provided in Section 2 (Description of Application Site), the setting of 31 Holehouse Terrace (i.e. the donor

property) is already compromised by the unkempt condition of the former garden. As a consequence of those characteristics, the development of a dwelling house on the application site would significantly improve the setting of the existing property rather than detracting from it.

- (v) ***does not respect existing building lines*** – As noted in response to the first reason for the refusal of the application, it is accepted that any house on the site will sit forward of the building line established by the existing properties on Holehouse Terrace. We view this as a positive rather than a negative as it offers an opportunity to provide diversity and interest in the street scene with a resultant net overall improvement to the character and appearance of the area.

- 3. *The proposal is contrary to Policies D1 and D2 of the adopted East Renfrewshire Local Plan 2 as the site is not considered capable of accommodating a dwellinghouse compatible with, and comparable to, the established development pattern and built character of the area. There are no material considerations to outweigh and allow approval of the proposal against these policies.*

Response – This reason essentially replicates elements of the first and second reasons for refusal and for that reason we would rely on our responses to those earlier two reasons in responding to this reason.

- 4. *The proposal is contrary to Policies D1 and D2 of the adopted East Renfrewshire Local Plan 2 as the indicated position of the proposed dwellinghouse will adversely affect the amenity of the existing residential properties on the opposite side of Holehouse Terrace through loss of privacy. The privacy of the residents of the proposed dwellinghouse will also be adversely affect because of the proximity to the existing residential properties on the opposite side of Holehouse Terrace. There are no material considerations to outweigh and allow approval of the proposal against these policies.*

Response – There are two elements to the fourth reason for refusal in relation to which we would wish to respond to as follows:

- (i) ***the proposed dwellinghouse will adversely affect the amenity of the existing residential properties on the opposite side of Holehouse Terrace through loss of privacy*** – As this is an application for planning permission in principle supported by an indicative layout/house type, the proposal is not set in stone and can be amended at the detailed stage in the event of permission being granted. That being the case, the concerns raised in this instance can be addressed through the removal of windows from the south facing elevation; their replacement with obscure glass; and/or at first floor level, the substitution of the windows with roof lights. Such measures would ensure that window to window intervisibility would be kept within acceptable parameters and privacy remaining uncompromised.

- (ii) *The privacy of the residents of the proposed dwellinghouse will also be adversely affect because of the proximity to the existing residential properties on the opposite side of Holehouse Terrace* – The measures referred to in Paragraph (i) above would also ensure that resident's privacy in the proposed dwelling house would be protected. Privacy conditions in the rear garden area are no different to what they are at present, where, due to the tight grained urban nature of the locale, all gardens are already over looked.

5. *The proposal is contrary to Policy D6 of the adopted East Renfrewshire Local Development Plan 2 as it results in overdevelopment of the identified site because garden ground commensurate with the indicated size of the proposed house and distances to boundaries cannot be provided. There are no material considerations to outweigh and allow approval of the proposal against this policy.*

Response – As noted in our response to the second reason for the refusal of the application, the indicative layout presented provides for a garden area of some 100 sq. metres to which an additional 35 sq. metres requires to be added for parking purposes. That is significantly in excess of the garden areas to the front of the other properties on Holehouse Terrace and in line with the Council's requirements for new houses as contained within its Green Network Supplementary Guidance (Appendix A). Whilst distances to boundaries are shorter than the 10 metres specified in that Guidance, the 10 metre distance only applies when houses are back to back, where, in such circumstances they are required to protect privacy. In this situation, the rear boundary of the garden is next to Holehouse Brae with a distance of some 25 metres existing between the site and the properties at 15 and 17 Holehouse Brae. For the reasons outlined we do not accept the reason for refusal cited.

- Key points in support of the granting of planning permission in principle for the dwelling house proposed include the following:
 - (i) The application site lies within the urban area on a vacant/derelict brownfield site which in its present condition has an adverse effect on the character and appearance of the area.
 - (ii) The site is capable of accommodating a dwelling house which will act as a book end to the existing terrace and in the process significantly improve the character and appearance of an otherwise undistinguished street in terms of its architectural credentials.
 - (iii) The dwelling house lies in close proximity to a range of facilities and services necessary for day to day living which are accessible via foot, cycle or wheeling. Such services include access to bus and rail based public transport services thus eliminating the need to travel by or rely on the use of the private car.

- (iv) The redevelopment of the site will contribute to the Council's housing land supply and provide a much needed family home and in the process potentially freeing up another home for someone in need. In a declared housing emergency, it is of critical importance that opportunities are provided for the provision of all types of housing.
 - (v) The application proposals have received a significant level of support from owners and occupiers of other residential properties in the area who have expressed their surprise that the planning application was refused.
- In light of the considerations outlined in this statement it is respectfully requested that the Review Request be upheld and planning permission granted for the proposal.

PLANNING PERMISSION IN PRINCIPLE REVIEW REQUEST

**2024/0536/TP – Erection of detached dwelling house (planning permission in principle) at
31 Holehouse Terrace, Neilston, East Renfrewshire G78 3LT**

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4.	Assessment of Development Proposals	Page 18
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6.	Summary & Conclusions	Page 40

LIST OF DOCUMENTS

**2024/0536/TP – Erection of detached dwelling house (planning permission in principle) at
31 Holehouse Terrace, Neilston, East Renfrewshire G78 3LT**

- Document 1 -** Planning Application Documents Relating to Register Reference
Number 2024/0536/TP
- Planning Application Forms
01Rev A – Location and Block Plans
02 Rev B – Block Plan
03 – Site Plan and Sections
- Document 2 –** Report of Handling – 2024/0536/TP
- Document 3 –** Decision Notice – 2024/0536/TP
- Document 4 –** Letters of support from residents of surrounding properties.

LOCAL REVIEW REQUEST

2024/0536/TP – Erection of detached dwelling house (planning permission in principle) at 31 Holehouse Terrace, Neilston, East Renfrewshire G78 3LT

1. Introduction

- 1.1 This statement has been prepared by Derek Scott Planning, Chartered Town Planning and Development Consultants (Glasgow, Edinburgh and Dunfermline) on behalf of our client, Mr. Steven Lang. It is in support of a request to review the decision of the Appointed Planning Officer to refuse a planning application which had sought planning permission in principle for the erection of a detached dwelling house at 31 Holehouse Terrace, Neilston, East Renfrewshire under the terms of Planning Application Register Reference Number 2024/0536/TP. The application, which was submitted to the Council on 12th December 2024, was refused by the Appointed Planning Officer under delegated powers on 03rd February 2025. A copy of the planning application submitted is attached as **Document 1**. Copies of the Report of Handling and the Decision Notice are attached as **Documents 2 & 3** respectively.

2. Site Location and Description

- 2.1 The application site which measures 356 sq. metres, as defined by the red line shown on the location plan below, incorporates the end of terrace property at 31 Holehouse Terrace, Neilston and the side garden area formerly attached to it. That side garden area measures in the region of 201 sq. metres and is located at a bend (northern side) of Holehouse Terrace where it meets the lane connecting with Holehouse Brae. The existing property at 31 Hillhouse Terrace has a single storey front extension and in common with all houses in the terrace adjoins a terrace house at the rear which fronts onto Holehouse Brae. The existing house has a driveway area to its front.



Location Plan

- 2.2 The former garden area to the side of the dwelling house is bounded by timber fencing (broken) and lopped conifers. The title to the garden is in the process of being split from the existing dwelling house and they will shortly form two separate legal entities. The garden has an unkempt appearance and detracts quite significantly from the character and appearance of the wider area. There are four/two and a half storey dwellings on the opposite side of Holehouse Terrace which front onto Mafeking Terrace. The rear of these properties are set approximately 1.75 metres back from Holehouse Terrace. A children's play area exists to the south of the site which is directly accessible off Holehouse Terrace. A path linking Holehouse Terrace and Makeking Terrace exists along the northern edge of the play area. Further residential properties exist to the south east and north east of the site.



Photographs of site when acquired in August 2024



Photographs of site in March 2025 in the process of being cleared



Photographs of site in March 2025 in the process of being cleared



Holehouse Terrace

- 2.3 There are a range of facilities and services within close proximity (<800 metres) of the application site which are easily accessible by foot, cycling or wheeling. The facilities, in addition to the play area referenced, include public transport facilities (bus and rail based); retail outlets, eateries, primary school, church, leisure centre and public open space.



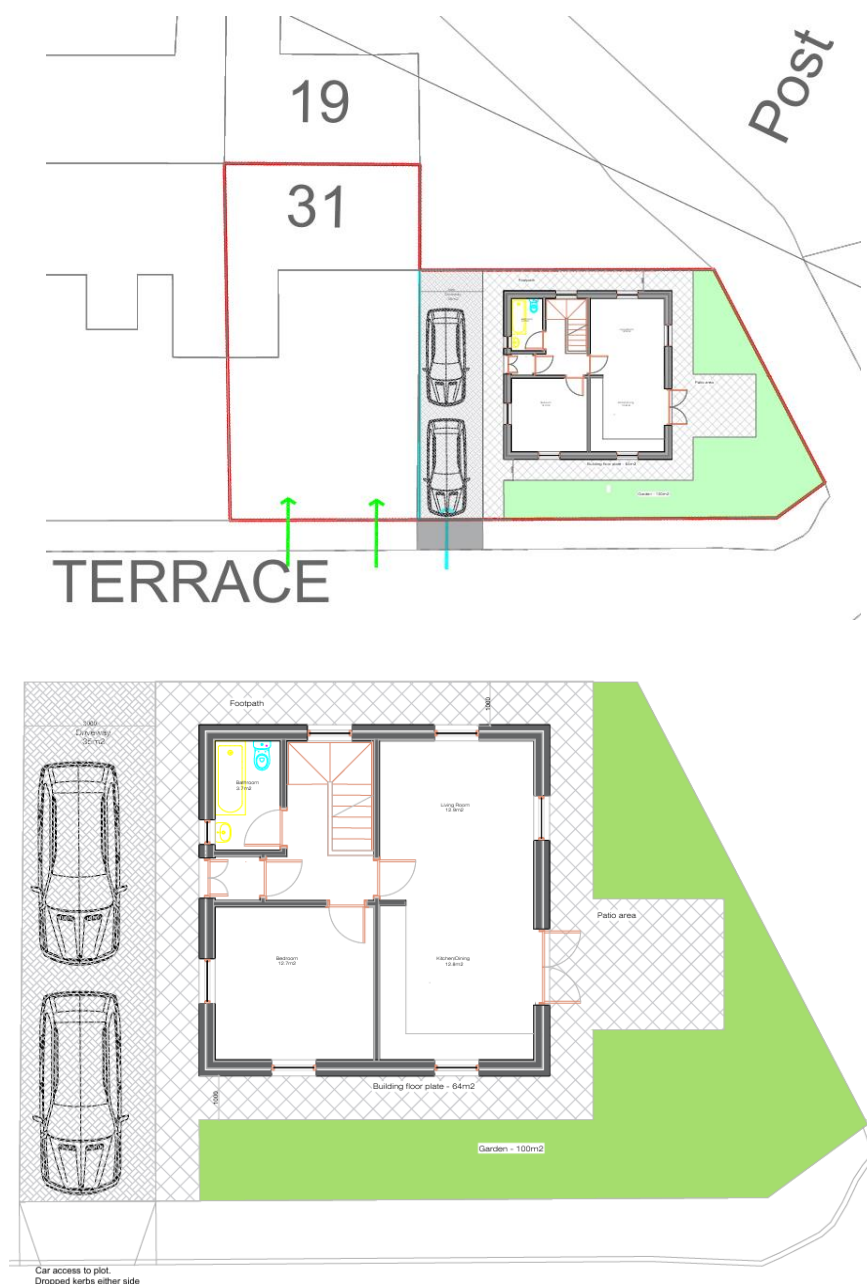
Site lies within easy walking distance of a range of facilities and services



Site lies within easy walking distance of a range of facilities and services

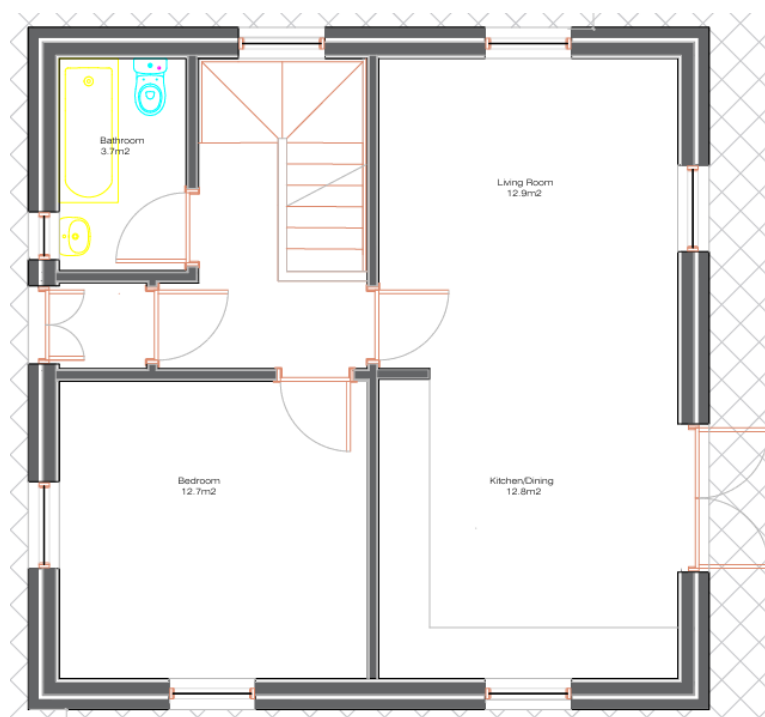
3. Description of Proposed Development

- 3.1 The application which had been submitted to and subsequently refused by the appointed Planning Officer had sought planning permission in principle for the erection of a dwelling house within the garden area formerly attached to the dwelling at 31 Holehouse Terrace. Indicative plans accompanying the application showed a one and a half storey dwelling house on a footprint of c.64 square metres incorporating an open plan kitchen/dining/living room, a lounge and bathroom on the ground floor; and on the first floor, a further two bedrooms and bathroom. Those indicative plans also show a useable private garden area of some 100 sq. metres; a patio of some 9 sq. metres in extent; and parking facilities for two cars. The front of the existing property (31 Holehouse Terrace) will be retained as a garden of some 98 sq. metres in extent which is commensurate in size with all other dwellings in the terrace.

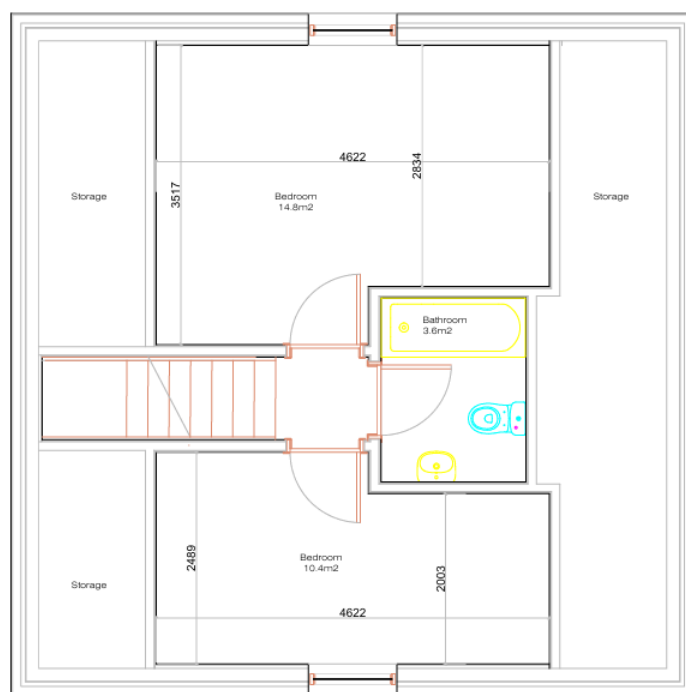


Block Plans (Indicative)

- 4.41 The submitted plans indicate that the proposed house will be set back from Holehouse Terrace by approximately 2.85 metres; by approximately 1 metre from the rear (north) of the site; by approximately 2.5 metres and 6.7 metres at its closest and nearest points from the boundary to the east; and by approximately 4.2 metres from the proposed boundary with 31 Holehouse Terrace. Although not illustrated in the submitted plans there will be opportunities within the garden area to add planting and landscaping which will result in positive benefits for biodiversity.



Ground Floor Plan (Indicative)



First Floor Plan (Indicative)

4. Assessment of Development Proposals

- 4.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) (hereinafter referred to as ‘*The Act*’) states that:

‘where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the development plan unless material considerations indicate otherwise.’

- 4.2 Within the context of Section 25 of the Planning Act referred to above it is worth referring to the House of Lord’s Judgement on the case of the City of Edinburgh Council v the Secretary of State for Scotland 1998 SLT120. It sets out the following approach to deciding an application under the Planning Acts:

- *identify any provisions of the development plan which are relevant to the decision;*
- *interpret them carefully, looking at the aims and objectives of the plan as well as detailed wording of policies;*
- *consider whether or not the proposal accords with the development plan;*
- *identify and consider relevant material considerations, for and against the proposal; and*
- *assess whether these considerations warrant a departure from the development plan.*

- 4.3 The relevant development plan for the area within which the application site lies comprises National Planning Framework 4 (NPF4) and the East Renfrewshire Local Development Plan 2022. Other material considerations which should be considered in the determination of the application, include consultation responses, third party objections and third party support.

National Planning Framework 4

- 4.4 National Planning Framework 4 (NPF4) was adopted by Scottish Ministers on 13th February 2023 and contains 33 no. policies against which applications for development proposals require to be assessed. Section 24(3) (i) of the Town and Country Planning (Scotland) 1997 Act states that ‘*in the event of any incompatibility between a provision of the National Planning Framework and a provision of a local development plan, whichever of them is the later in date is to prevail.*’ This means that if there is anything in the East Renfrewshire Local Development Plan that is deemed to be incompatible with a comparable provision in NPF4, it is the provision in NPF4 that is to be taken into consideration by the Council in its decision-making, with the LDP policy in question being treated as having been effectively superseded. In a letter dated 8th February 2023 dealing with the transitional arrangements for NPF4, the Minister for Planning and the Chief Planner of Scotland gave the following advice to decision-makers in relation to the application of NPF4:



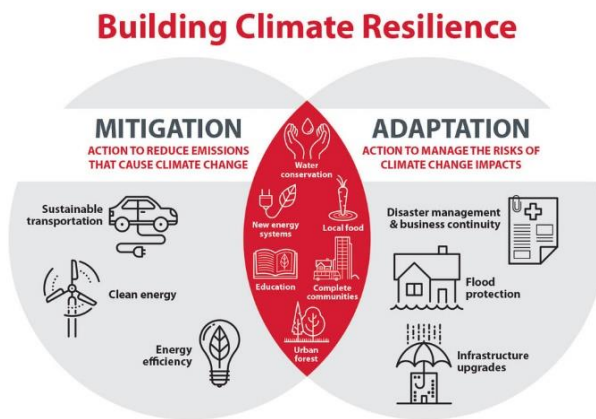
*'Section 25 of the 1997 Act requires that decisions are made in accordance with the development plan unless material considerations indicate otherwise. **Application of planning judgement to the circumstances of an individual situation remains essential to all decision making, informed by principles of proportionality and reasonableness.** It is important to bear in mind NPF4 must be read and applied as a whole. The intent of each of the 33 policies is set out in NPF4 and can be used to guide decision-making. **Conflicts between policies are to be expected. Factors for and against development will be weighed up in the balance of planning judgement.**' (highlighting added)*

Within the context described and giving due cognisance to the fact that the application submitted is for planning permission in principle rather than detailed planning permission, our comments on the policies referred to are as outlined below:

Policy 1 – Tackling the Climate and Nature Crises

4.5 The intent of Policy 1 in NPF4 on *'Tackling the Climate and Nature Crises,'* is *'to encourage, promote and facilitate development that addresses the global climate emergency and nature crisis.'* Characteristics of the development proposal supporting the global and nature crises include, inter-alia, the following:

- The dwelling house proposed will adopt a fabric first approach to sustainability which involves meeting carbon reduction requirements by increasing thermal performance and minimising air infiltration;
- The incorporation of Low and Zero Carbon Generating Technologies (LZCGT) in the form of air source heat pumps and photovoltaics in contributing towards energy requirements;
- The embodiment of low energy LED lighting;
- The garden area to the south and west of the proposed dwelling offers the potential to introduce landscaping and planting which will contribute to biodiversity credentials; and
- The site is located within easy walking distance (i.e. <800 metres) of a range of facilities and services in Neilston thus minimising the need to travel by the private car.



The development proposed is, as a consequence of the above considerations, considered to comply with the requirements of Policy 1 in NPF4.

Policy 2 – Climate Mitigation and Adaptation

4.6 The intent of Policy 2 in NPF4 on *'Climate Mitigation and Adaptation'* is *'to encourage, promote and facilitate development that minimizes emissions and adapts to the current and future impacts of climate change.'* The characteristics of the development highlighted in Section 4.5 above under our assessment of Policy 1, facilitates a development that minimises

emissions and adapts to the current and future impacts of climate change thus rendering it compliant with the terms of Policy 2 in NPF4.

Policy 3 – Biodiversity

- 4.7 The intent of Policy 3 in NPF4 on ‘*Biodiversity*’ is ‘*to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks.*’ As noted in our response to Policy 1 above, the garden area to the east of the proposed dwelling offers the potential to introduce landscaping and planting which will contribute to biodiversity credentials.



Policy 4 – Natural Places

- 4.8 The intent of Policy 4 in NPF4 on ‘*Natural Places*’ is ‘*to protect, restore and enhance natural assets making best use of nature-based solutions.*’ The application proposals will not have an unacceptable impact on the natural environment or affect any site designated for natural heritage purposes. In fact, the proposals can enhance biodiversity and the general character and appearance of the area through landscaping and planting measures. The proposals are, as a consequence, considered to be compliant with the terms of Policy 4.

Policy 5 – Soils

- 4.9 The intent of Policy 5 in NPF4 on ‘*Soils*’ is ‘*to protect carbon-rich soils, restore peatlands and minimise disturbance to soils from development.*’ The application proposals do not conflict with the terms of Policy 5 as the application site is essentially brownfield in nature.

Policy 6 – Forestry, Woodland, and Trees

- 4.10 The intent of Policy 6 in NPF4 on ‘*Forestry, Woodland and Trees*’ is ‘*to protect and expand forests, woodland and trees.*’ The existing non-native conifers on the site detracted from the character and appearance of the area. Planting can be undertaken in association with the redevelopment of the site which will result in net enhancements to the appearance and biodiversity of the area, all in accordance with the requirements of Policy 6.



Policy 7 – Historic Assets and Places

- 4.11 The intent of Policy 7 in NPF 4 on ‘*Historic Assets and Places*’ is ‘*to protect and enhance historic assets and places, and to enable positive change as a catalyst for the regeneration of places.*’ The application proposals are significantly distant from any historic assets or places and as such will not result in adverse impacts.

Policy 8 – Green Belts

- 4.12 As the application site is not located within the Green Belt the terms of Policy 8 are not relevant to the determination of the application.

Policy 9 – Brownfield, vacant and derelict land and empty lands

- 4.13 The intent of Policy 9 in NPF4 on ‘*Brownfield, vacant and derelict land and empty buildings*’ is ‘*to encourage, promote and facilitate the reuse of brownfield, vacant and derelict land and empty buildings, and to help reduce the need for greenfield development.*’ In light of the vacant/derelict and part brownfield nature of the application site, the proposal is considered to be compliant, in principle, with the terms of Policy 9 in NPF4.

Policy 10 – Coastal Development

- 4.14 The intent of Policy 10 in NPF4 on *‘Coastal Development’* is *‘to protect coastal communities and assets and support resilience to the impacts of climate change.’* The application proposals are not located in close proximity to a coastal area and as such the terms of Policy 10 are not relevant to the determination of the application.

Policy 11 – Energy

- 4.15 The intent of Policy 11 in NPF 4 on *‘Energy’* is *‘to encourage, promote and facilitate all forms of renewable energy development onshore and offshore. This includes energy generation, storage, new and replacement transmission and distribution infrastructure and emerging low-carbon and zero emissions technologies including hydrogen and carbon capture utilisation and storage (CCUS).’* It encourages all Councils to utilise their full potential for electricity and heat generation from renewable, low carbon and zero emission sources. As noted previously in our responses to Policies 1 and 2 of NPF4, the dwelling house proposed will incorporate low and zero carbon generating technologies and is therefore compliant with the underlying principles and terms of Policy 11.

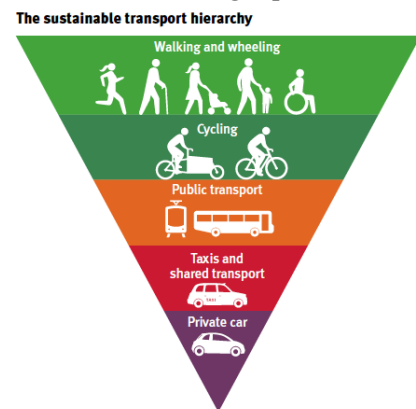
Policy 12 – Zero Waste

- 4.16 The intent of Policy 12 in NPF4 on *‘Zero Waste’* is *‘to encourage, promote and facilitate development that is consistent with the waste hierarchy.’* Our clients are committed to working in line with the waste hierarchy referred to and will seek to reduce, reuse and/or recycle materials at every opportunity presented, thereby rendering the proposals compliant with the terms of Policy 12.



Policy 13 – Sustainable Transport

- 4.17 The intent of Policy 13 in NPF4 on *‘Sustainable Transport’* is *‘to encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel use and reduce the need to travel unsustainably.’* As noted in our response to Policy 1 previously, the application site is located within a sustainable distance of a range of facilities and services within Neilston including shops, schools, playing facilities, community centre, places of worship and public transport facilities (bus and rail based); the latter providing access to further facilities and services in other settlements. This ensures that residents are not dependent on the private car to facilitate daily living thus complying with the principles of the policy.



Policy 14 – Design, Quality and Place

- 4.18 The intent of Policy 14 in NPF4 on *‘Design, Quality and Place’* is *‘to encourage, promote and facilitate well designed development that makes successful places by taking a designed-led approach and applying the Place Principle.’* As evidence in the photographs contained within Section 2, Holehouse Terrace is characterised by terraced properties, to the front of which there are a range of domestic garages and outhouses. Whilst providing important residential accommodation for residents it is not an area of distinct architectural character. The dwelling

proposed offers the opportunity to create a book end landmark at the end of the street and in the process significantly enhance its overall character and appearance. There are presently a number of detached houses to the south east of the site (Nos 15 and 17 Holehouse Brae) which create an architectural precedent for the type of dwelling indicatively suggested. It is of interest that Policy 14 is the only policy from NPF4 that the Council has cited in its reasons for refusal of the application which we will respond to in further detail within Section 5 (Response to the Reasons for Refusal of the Application) of this statement.

Policy 15 – Local Living and 20-minute neighbourhoods

- 4.19 The intent of Policy 15 in NPF4 on ‘*Local Living and 20 minute neighbourhoods*’ is ‘*to encourage, promote and facilitate the application of the Place Principle and create connected and compact neighbourhoods where people can meet the majority of their daily needs within a reasonable distance of their home, preferably by walking, wheeling or cycling or using sustainable transport options.*’ Policy 15 (a) states that ‘*Development proposals will contribute to local living including, where relevant, 20 minute neighbourhoods. To establish this, consideration will be given to existing settlement pattern, and the level and quality of interconnectivity of the proposed development with the surrounding area, including local access to:*



- *sustainable modes of transport including local public transport and safe, high quality walking, wheeling and cycling networks;*
- *employment;*
- *shopping;*
- *health and social care facilities;*
- *childcare, schools and lifelong learning opportunities;*
- *playgrounds and informal play opportunities, parks, green streets and spaces, community gardens, opportunities for food growth and allotments, sport and recreation facilities;*
- *publicly accessible toilets;*
- *affordable and accessible housing options, ability to age in place and housing diversity.*

As previously noted in our response to Policy 13 on ‘*Sustainable Transport*,’ the application site is sustainably accessible to the vast majority of the facilities and services referenced above and as such is deemed to be compliant with the terms of Policy 15.

Policy 16 – Quality Homes

- 4.20 The intent of Policy 16 in NPF4 on ‘*Quality Homes*’ is ‘*to encourage, promote and facilitate the delivery of more high quality, affordable and sustainable homes, in the right locations, providing choice across tenures that meet the diverse housing needs of people and communities across Scotland.*’ Criteria © and (f) of the policy, which are of particular relevance to the application proposal state the following:

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.’ (Criterion ©)*

‘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.’ Criterion (f)*

- 4.21 The application proposal is considered to be compliant with the terms of Policy 16 in that it will provide a new home in a highly sustainable location and contribute to the supply of much needed housing in the area.

Policy 17 – Rural Homes

- 4.22 The intent of Policy 17 on ‘Rural Homes’ is ‘to encourage, promote and facilitate the delivery of more high quality, affordable and sustainable rural homes in the right locations.’ As the application site is located within the Neilston settlement boundary as so defined in the East Renfrewshire Local Development Plan, the terms of Policy 17 are of no relevance to the determination of the application.

Policy 18 – Infrastructure First

- 4.23 The intent of Policy 18 in NPF4 on ‘Infrastructure First’ is ‘to encourage, promote and facilitate an infrastructure first approach to land use planning, which puts infrastructure considerations at the heart of placemaking.’ As the impacts arising from the development proposed can be satisfactorily mitigated, if or where necessary and/or appropriate, through the

imposition of conditions on any consent granted, they are considered to be compliant with the terms of Policy 18.

Policy 19 – Heating and Cooling

- 4.24 The intent of Policy 19 in NPF4 on ‘*Heating and Cooling*’ is ‘*to encourage, promote, and facilitate development that proposes decarbonized solutions to heat and cooling demand and ensure adaptation to more extreme temperatures.*’ It promotes the connection of development proposals to Heat Network Zones where existing, or where planned, requires proposals to be designed and constructed to allow for cost effective connection at a later date. As the application proposals relate to the erection of a single dwelling house, the terms of Policy 19 are not considered to be of particular relevance to the application proposals.

Policy 20 – Blue and Green Infrastructure

- 4.25 The intent of Policy 20 on ‘*Blue and Green Infrastructure*’ is ‘*to protect and enhance blue and green infrastructure and their networks.*’ The application proposals will have no discernible impact on elements of blue and/or green infrastructure in the area.

Policy 21 – Play, Recreation and Sport

- 4.26 The intent of Policy 21 in NPF4 on ‘*Play, Recreation and Sport*’ is ‘*to encourage, promote and facilitate spaces and opportunities for play, recreation and sport.*’ The application site sits immediately adjacent to an equipped children’s play area and a short walk away from the Kingston Playing Fields. The dwelling house proposed will provide surveillance over the play area making it a safer and more inclusive environment for recreation.



Policy 22 – Flood Risk and Water Management

- 4.27 The intent of Policy 22 in NPF4 on ‘*Flood Risk and Water Management*’ is ‘*to strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding.*’ The proposed surface water drainage arrangements will ensure that surface water will be attenuated and treated prior to discharge to the receiving source thus rendering it compliant with the terms of Policy 22.

Policy 23 – Health and Safety

- 4.28 The intent of Policy 23 on ‘*Health and Safety*’ is ‘*to protect people and places from environmental harm, mitigate risks arising from safety hazards and encourage, promote and facilitate development that improves health and wellbeing.*’ The application site is located within a predominantly residential area and within which a satisfactory residential environment already exists.

Policy 24 – Digital Infrastructure

- 4.29 The intent of Policy 24 in NPF4 on ‘*Digital Infrastructure*’ is ‘*to encourage, promote and facilitate the roll-out of digital infrastructure across Scotland to unlock the potential of all our places and the economy.*’ The dwelling house proposed can be provided with high quality digital infrastructure.

Policy 25 – Community Wealth Building

- 4.30 The intent of Policy 25 in NPF4 on ‘*Community wealth building*’ is ‘*to encourage, promote and facilitate a new strategic approach to economic development that also provides a practical model for building a wellbeing economy at local, regional and national levels.*’ As the application proposal relates to a residential development, the terms of Policy 25 in NPF4 are not considered to be of direct relevance to the application proposals. Notwithstanding this, it is worth noting that the dwelling house will generate employment opportunities during the construction phase with spin of benefits to the local economy during both construction and following completion.

Policy 26 – Business and Industry

- 4.31 The intent of Policy 26 in NPF4 on ‘*Business and Industry*’ is ‘*to encourage, promote and facilitate business and industry uses and to enable alternative ways of working such as home working, live-work units and micro-businesses.*’ As the application proposals relate to a residential development, the terms of Policy 26 in NPF4 on ‘*Business and Industry*’ are not considered to be of direct relevance. However, it is worth noting that the dwelling proposed will be designed so as to facilitate home working arrangements for future occupants.

Policy 27 – City, town, local and commercial centres

- 4.32 The intent of Policy 27 on ‘*City, Town and Commercial Centres*’ is ‘*to encourage, promote and facilitate development in our city and town centres, recognising they are a national asset.*’ As the application proposal relates to a dwelling house within the existing settlement envelope in a location in close proximity to the centre of Neilston it will make a positive contribution to the vitality and viability of existing commercial premises thereby complying with the terms of Policy 27.

Policy 28 – Retail

- 4.33 The intent of Policy 28 in NPF4 on ‘*Retail*’ is ‘*to encourage, promote and facilitate retail investment to the most sustainable locations that are most accessible by a range of sustainable transport modes.*’ As the application proposals relate to residential development, the terms of Policy 28 in NPF4 on ‘*Retail*’ are not considered to be of relevance to the proposals.

Policy 29 – Rural Development

- 4.34 The intent of Policy 29 in NPF4 on ‘*Rural Development*’ is ‘*to encourage rural economic activity, innovation and diversification whilst ensuring that the distinctive character of the rural area and the service function of small towns, natural assets and cultural heritage are safeguarded and enhanced.*’ As the application proposals relate to a development within the settlement boundary, the terms of Policy 29 on ‘*Rural Development,*’ are of no relevance.

Policy 30 – Tourism

- 4.35 The intent of Policy 30 in NPF4 on ‘*Tourism*’ is ‘*to encourage, promote and facilitate sustainable tourism development which benefits local people, is consistent with our net zero and nature commitments, and inspires people to visit Scotland.*’ As the proposals relate to a proposed residential development the terms of Policy 30 in NPF4 on ‘*Tourism*’ are not considered to be of relevance to the determination of the application.

Policy 31 – Culture and Creativity

- 4.36 The intent of Policy 31 in NPF4 on ‘*Culture and Creativity*’ is ‘*to encourage, promote and facilitate development which reflects our diverse culture and creativity, and to support our culture and creative industries.*’ The application proposals have no direct relevance to culture and/or creativity as envisaged within Policy 31 and as a consequence it does not provide any sort of impediment to the granting planning permission.

Policy 32 – Aquaculture

- 4.37 The intent of Policy 32 in NPF4 on ‘*Aquaculture*’ is ‘*to encourage, promote and facilitate aquaculture development and minimise any adverse effects on the environment, including cumulative impacts.*’ As the proposals relate to a proposed residential development the terms of Policy 32 in NPF4 on ‘*Aquaculture*’ are not relevant to the determination of the application.

Policy 33 – Minerals

- 4.38 The intent of Policy 33 on ‘*Minerals*’ is ‘*to support the sustainable management of resources and minimise the impacts of the extraction of minerals on communities and the environment.*’ As the proposals relate to a proposed residential development, the terms of Policy 33 in NPF4 on ‘*Minerals*’ are not of relevance to the determination of the application.

- 4.39 Having assessed the application proposals against the terms of all policies within NPF4 and applying the principles of proportionality and reasonableness advocated by the Planning Minister and Chief Planner in their letter dealing with the transitional arrangements for NPF4 (referred to previously in Paragraph 4.4), the proposals, when ‘*viewed in the round,*’ are considered to be compatible and should therefore be supported.

East Renfrewshire Local Development Plan 2

- 4.40 The East Renfrewshire Local Development Plan was adopted by East Renfrewshire Council in March 2022. Policies of most relevance to the application proposals include the following:

Policy D1- Placemaking and Design

Policy D1.2 – Residential Sub-Division and Replacement

Policy D2 – General Urban Areas

Policy D10 – Transport Impact

Policy E1 – Sustainable Design



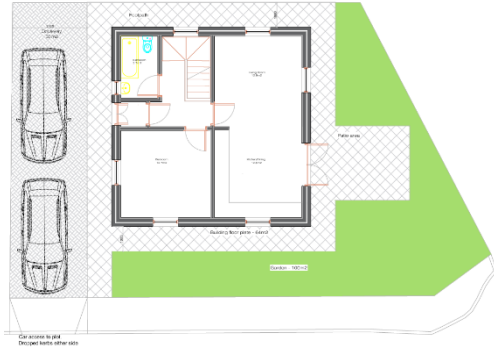
- 4.41 Policy D1 on ‘*Placemaking and Design,*’ contains twenty criteria against which planning applications required to be assessed. The criteria and our responses to them are outlined below:

1. *The development should not result in a significant loss of character or amenity to the surrounding area.*

Response – The existing garden is in an unkempt condition and detracts significantly from the character and amenity of the area. The erection of a new dwelling will significantly enhance that character and amenity.

2. *The proposal should be appropriate to its location, be high quality and of a size, scale, height, massing, 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.*

Response – As this is an application for planning permission in principle it is not possible to comment in detail on the specific requirements of this individual criterion. However, it has been demonstrated in the indicative drawings submitted in support of the application that the site is capable of accommodating a one and a half storey dwelling house which is respectful to existing properties in the locality and result in a significant improvement to the character and appearance of the prevailing townscape.



3. *Respect existing building lines and heights of the locality.*

Response – Whilst the indicative layout presented with the application shows the dwelling house stepping forward from the generalised building line associated with existing properties on Holehouse Terrace, it nonetheless still respects that building line by providing a visual focus and landmark at the end of the street scene and in doing so increases interest and diversity in what is otherwise a scene characterised by various forms of visual clutter in front gardens.

4. *Create a well-defined structure of streets, public spaces and buildings.*

Response – The points made in response to Point 3 above are equally applicable to Point 4.

5. *Ensure the use of high quality sustainable and durable materials, colours and finishes that complement existing development and buildings in the locality.*

Response – Specific requirements in respect of materials and finishes can be requested in a suspensive condition imposed on any decision to grant. It would, in any event, be our client's intention to finish the dwelling in high quality sustainable materials which would complement the character and appearance of the area rather than detract from it.

6. *Respond to and complement site topography and not impact adversely upon the green belt, 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.*

Response – The application site comprises brownfield land within the urban area, the development of which will not compromise or have an adverse effect on any of the features identified in Point 6.

7. *Boundary treatment and landscaping should create a distinctive edge and gateway to the development and reflect local character.*

Response – Boundary treatments can be specified and agreed upon at the detailed stage. The introduction of walls, fences and planting have the potential of significantly enhancing the quality of the townscape when compared to the situation existing presently.

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.*

Response – As noted in our responses to Policies 1 and 13 in NPF4 previously, the application site is located within a sustainable distance of a range of facilities and services within Neilston including shops, schools, playing facilities, community centre, places of worship and public transport facilities (bus and rail based), the latter providing access to further facilities and services in other settlements. This ensures that residents are not dependent on the private car to facilitate daily living. The access routes to these facilities are already established via existing footpath networks.



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.*

Response – The points made in response to Point 8 and equally applicable to Point 9.

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.

Response – The indicative layout presented with the application identifies the provision of two car parking spaces but given the proximity of the site to facilities and services, it will be possible to carry out day to day living in this location without the need for a car.

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.

Response – The garden area outlined in the indicative layout accompanying the application will offer opportunities for landscaping and planting.

12. Unless justified, there will be a general presumption against land raising. Where there is a justifiable reason for land raising, 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.

Response – The topography of the site is suitable for building the dwelling house proposed without the need for land raising.

13. Backland development should be avoided.

Response – The application site is not backland in nature as it is bounded on two sides by Holehouse Terrace and Holehouse Brae.

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.

Response – There is an equipped play area to the immediate south of the application site. The dwelling house proposed will overlook that play area and improve its safety credentials through passive surveillance.



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.

Response – Concerns in relation to potential loss of privacy between the proposed dwelling house and existing properties backing onto Holehouse Terrace can be addressed at ground floor level by removing any windows from the south west elevation of the dwelling facing these properties or by fitting them with obscure glass. Windows, as indicatively shown at first floor level, could also be replaced with roof lights. Issues relating to loss of daylight or sunlight do not exist.

16. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the proposal.

Response – The dwelling is proposed within an infill site in the urban area and will not result in any increase to light pollution levels.

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

Response – The application site is within a predominantly residential area where satisfactory amenity levels already exist and will not be impacted upon through the erection of an additional dwelling.

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.

Response – Whilst the terms of this particular criterion are more applicable to non-domestic buildings, any house design emerging at the detailed stage will ensure that individual rooms can be tailored to facilitate home working.

19. Incorporate provision for the recycling, storage, collection and composting of waste materials.

Response – There is sufficient room within the site to facilitate the storage of waste and recycling bins as per the Council's requirements.

20. Incorporate the use of sustainable design and construction methods and materials in the layout and design to support a low carbon economy.

Response – As noted in our response to Policy 1 in NPF4 previously, proposals will be advanced at the detailed stage to ensure that the dwelling proposed is of a sustainable design and that energy requirements will be met from renewable sources where possible.

4.42 Insofar as we are concerned, the application site and any future proposals thereon can be designed to fully comply with the specific requirements of Policy D1.

4.43 Policy D1.2 on ‘*Residential Sub-Division and Replacement*,’ contains a number of criteria against which proposals for the sub-division of existing residential plots must be considered. Those criteria and our responses to them are outlined below:

1. *Reflect the scale and character of the surrounding residences and the established pattern of development in the area.*

Response – The application drawings demonstrate that the site is capable of accommodating a one and a half storey dwelling house which is in keeping with the scale and character of surrounding properties - contributing in the process to its character and appearance.

2. *Should be of a size and shape capable of accommodating a residential property and compatible with the locality.*

Response – The indicative layout shows a square dwelling house with a footprint of 64 sq. metres and two storeys of accommodation within which there will be three bedrooms. That size and shape is not incompatible with others in the locality which also have three bedrooms. Indeed some of the properties on Holehouse Terrace are understood to have four bedrooms.

3. *There should be sufficient land to provide garden ground that is of a scale and character compatible with the locality for the proposed and donor properties.*

Response – The proposed dwelling house can be provided with 100 sq. metres of private garden ground which complies with Council standards. Those standards are specified in the Council’s Green Network Supplementary Guidance (Appendix A) which requires private gardens to be 1.5 times the ground floor area of the house or in the case of a detached house 100 sq. metres. Whilst the donor property will no longer benefit from access to the garden area (not that it did anyway due to its condition) it will retain an area to the front, which at 98 sq. metres in extent, is commensurate in size to the other houses in the terrace.

4. *Provide safe vehicular access and parking for the proposed and donor properties.*

Response – Parking arrangements for two vehicles can be accommodated to the front of both properties (i.e. the proposed and existing dwelling houses)

5. *Not adversely impact upon the setting of the donor property.*

Response – Given the condition of the existing garden and the likelihood of it remaining in that condition if the site is not redeveloped, the erection of a dwelling house will improve rather than detract from the setting of the donor property.

6. *Respect existing building lines.*

Response – As noted in our response to Criterion 3 in Policy D1, whilst the indicative layout presented with the application shows the dwelling stepping forward from the generalised building line associated with existing properties on Holehouse Terrace, the dwelling house will continue to respect that by providing a visual focus and landmark at the end of the street scene

which in doing so provides interest and diversity in what is otherwise a scene characterised by various forms of visual clutter in front gardens.

4.44 In light of the considerations outlined we are firmly of the view that the application site is capable of accommodating a dwelling house in line with the criteria outlined in Policy D1.2.

4.45 Policy D2 on ‘General Urban Areas,’ states that:

‘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 LDP.’

4.46 Policy D2 essentially reinforces the point that unzoned sites existing within the urban area are acceptable in principle for residential development subject to compliance with all relevant policies. Our client’s proposal is considered to be so compliant.

4.47 Policy D10 on ‘Transport Impact,’ states the following:

‘Proposals will be required to comply with the principles of Designing Streets and demonstrate that they will have no significant adverse impact on the following, as evidenced through the submission of a Transport Assessment:

- *Road safety;*
- *The convenience, safety and attractiveness of walking and cycling in the surrounding area;*
- *Public transport operations in the surrounding area, both existing and planned, including convenience of access to these and their travel times;*
- *The capacity of the surrounding road network; and*
- *Residential amenity as a consequence of any resulting increase in motorised traffic.*

Proposals should ensure that the required upgrades to infrastructure resulting from development are provided in accordance with Strategic Policy2. Where appropriate, mitigation, through the provision or upgrades of walking and cycling infrastructure, public transport or road improvements, will be required to address any adverse transport impacts resulting from the proposal.’

4.48 Whilst the scale of the development proposed does not justify the preparation of a Transport Assessment, it is evident from the information submitted and a knowledge of the area that the site can be satisfactorily accessed; provided with satisfactory car parking facilities; and benefits from sustainable access arrangements to a range of facilities and services via established path networks.

4.49 Policy E1 on ‘Sustainable Design,’ states the following:

'To contribute to the aims of sustainable design and reducing greenhouse gas emissions, proposals will be required to demonstrate that the following criteria have been considered, and, where appropriate, met:

1. *Make efficient and sustainable use of existing land, buildings and infrastructure within the urban areas, including the conversion and re-use of existing buildings and retrofitting appropriate adaptations to the current building stock and infrastructure;*
2. *Developments must incorporate sustainable and energy efficient design and construction methods and be built to meet a minimum of silver sustainability standard. All new buildings must be designed to ensure that at least 10% of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and operation of low-carbon and zero-carbon generating technologies. A statement will require to be submitted demonstrating compliance with this requirement. The percentage will increase at the next review of the local development plan. This requirement will not apply to:*
 - a. *alterations and extensions to buildings*
 - b. *change of use or conversion of buildings*
 - c. *ancillary buildings that stand alone and cover an area less than 50 square metre*
 - d. *buildings which will not be heated or cooled, other than by heating provided solely for frost protection*
 - e. *buildings which have an intended life of less than two years.*
3. *Seek to use locally sourced and energy efficient building materials; and*
4. *Prioritise active travel and demonstrate a clear sustainable movement hierarchy favouring walking, then cycling, public transport then the private car, in accordance with Designing Streets.*

Major development will be required to provide an energy and carbon footprint assessment to demonstrate their contribution towards achieving sustainable development, reducing energy use and how the proposal will offset the overall carbon footprint of their development, during and post construction. Further detailed guidance and information will be set out in the Supplementary Guidance on Low and Zero Carbon Delivery.'

- 4.50 The application proposals are considered to be compliant with the terms of Policy E1 in that they involve the redevelopment of a brownfield site within the defined settlement envelope in a highly sustainable location; our client is committed to incorporating sustainable building and energy generation methods; and is also happy to use locally sourced and energy efficient building materials.
- 4.51 The dwelling house proposed has been demonstrated to be in compliance with all relevant policies in the East Renfrewshire Local Development Plan 2 which when added to our conclusions on National Planning Framework 4, render it compliant with the development plan as a whole.

Other Material Considerations

- 4.52 As noted previously in addition to assessing an application against the terms of the Development Plan (National Planning Framework 4 and the East Renfrewshire Local Development Plan

2022) it is also necessary to give appropriate consideration to other material considerations both for and against the proposal. Such considerations in this instance include Consultation and Third Party Responses received by the Council in connection with the application. In addition to these our client has also received a number of letters in support of this Review Request from local residents in the surrounding area which we have attached as **Document 4**.

4.53 **Consultation Responses** - According to the Planning Officer's Report of Handling on the application, consultation responses were received from Scottish Water and from the Council's Roads and Environmental Health Services. There were no objections to the application from any of these parties.

4.54 **Third Party Objections** – According to the Report of Handling on the application, there were only two objections to the application. The objections referenced originate from the owners/occupiers of Nos. 11 and 12 Mafeking Terrace. The points raised in those objections, as summarised in the Report, and our responses to them, are noted below:

Overlooking – Issues relating to overlooking and loss of privacy have been responded to elsewhere in this statement but in essence any such concerns can be addressed through alterations to the window arrangements outlined indicatively in the drawings supporting the application. These alterations could involve the removal of windows from the south west elevation; the use of obscure glass in those windows; and/or the substitution of windows at first floor level with rooflights.

Overshadowing/Loss of Light – We would not expect a dwelling as indicatively shown on the submitted plans to result in significant additional overshadowing on any neighbouring properties. Any additional overshadowing which would occur would be restricted to short periods of the day at particular times of the year. It is accepted by the Planning Officer in the Report of Handling that the dwelling proposed is unlikely to affect the amenity of neighbours as a result of overshadowing/loss of light.

The design is significantly different to the rest of the terraced street and therefore impacting the character of the area – Whilst it is accepted that the dwelling house will be designed differently to other properties on Holehouse Terrace we view this positively rather than negatively in that it will diversify and add interest to a street scene otherwise characterised by terraced properties with significant clutter in the form of garages and other domestic sheds occupying their front gardens. The character will be impacted but it will be impacted positively through the redevelopment of an unkempt parcel of land which at present has an adverse effect on the area's character and appearance.

4.55 **Letters of Support** – We have attached as **Document 4** two letters of support which have been received from residents of surrounding properties following the refusal of the application. A petition signed by 9 no. residents from eight separate properties has also been submitted in support of the proposals/review request. There is genuine surprise within the local community that the application was refused.

4.56 Having considered the application proposal against the terms of the development plan as required under the terms of Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) and other material considerations both for and against the development proposed

we are very firmly of the opinion that the proposal is broadly compliant with the former and that there are no material considerations which would override that conclusion. It is consequently and respectfully requested that the Review Request be upheld and planning permission granted for the proposal.

5. Response to Reasons for Refusal

5.1 The planning application was refused for a total of five reasons (See **Document 3**). Those reasons and our responses to them are outlined below:

(1) *The proposal is contrary to Policy 14 of National Planning Framework 4 as well as Policy D2 of the adopted East Renfrewshire Local Development Plan 2 as the indicated position of the proposed dwellinghouse is at significant variance with pattern of development along Holehouse Terrace and being forward of the established building line results in a visually dominant development in the street which is turn will have an adverse visual impact on the surrounding area. There are no material considerations to outweigh and allow approval of the proposal against these policies.*

5.2 **Response** – The architectural character of Holehouse Terrace is predominantly defined by groups of terraced housing on either side, with the south western side comprising the back side of two and a half storey houses fronting onto Mafeking Terrace; and the eastern side comprising two storey terraced dwellings set back approximately 10.9 metres but with extensive clutter in the form of garages and garden sheds in their front gardens. Any dwelling proposed must, due to the position of the site, sit forward off the established building line and as such will appear in views when travelling along the terrace. The dwelling proposed has the potential to act as a book end to the terrace and contribute positively to the established townscape character by adding diversity and interest to a street scene which is not of particularly high architectural quality due to the characteristics described. As a consequence of these considerations, noting in particular the site context, we do not share the Planning Officer's views that the redevelopment of an unkempt site for the dwelling house proposed will have an adverse visual impact on the surrounding area.

(2) *The proposal is contrary to Policy D1.2 of the adopted East Renfrewshire Local Development Plan 2 as: it does not reflect the character of the surrounding residences and the pattern of development in the area; the size of the site is not considered to be capable of accommodating a residential property compatible with the locality; there is insufficient land to provide garden ground that is of a scale and character compatible with the locality for the proposed dwellinghouse; adversely impacts upon the setting of the donor property; and does not respect existing building lines. There are no material considerations to outweigh and allow approval of the proposal against this policy.*

5.3 **Response** – There are a number of elements to the second reason for refusal.

(i) ***It does not reflect the character of the surrounding residences and the pattern of development in the area*** - As noted in our response to the first reason for refusal, the erection of a dwelling on the site has the potential to act as a book end to the terrace and contribute positively to the established townscape character by adding diversity and interest to the street scene – a scene which is not of a particularly high architectural quality given its domination by frontage clutter.

(ii) ***the size of the site is not considered to be capable of accommodating a residential property compatible with the locality*** – As noted in the table below, the application site is

similarly sized to the existing housing plots at 31-37 Holehouse Terrace and has a plot ratio (if one ignores the outbuilding erected to the front of the properties) which is commensurate with the spatial density and pattern of development.

	31 Holehouse Terrace	33 Holehouse Terrace	35 Holehouse Terrace	37 Holehouse Terrace	Proposed Dwelling
Plot Area	159 m ²	163 m ²	161 m ²	168 m ²	201 m ²
Dwelling Foot Print	64 m ²	67.4 m ²	58 m ²	72.9 m ²	64 m ²
Garden Area	95 m ²	95.6 m ²	103 m ²	95.1 m ²	100 m ²
Plot Ratio	40%	41%	36%	43%	32%

Key characteristics associated with dwellings on Holehouse Terrace

- (iii) *there is insufficient land to provide garden ground that is of a scale and character compatible with the locality for the proposed dwellinghouse* – As noted in Section 3 (Description of Proposed Development) previously, the indicative layout presented provides for a garden area of some 100 sq. metres in line with the Council's requirements for new houses. It is important to note that the 100 sq. metre area referenced excludes the area reserved for parking which adds a further 35 sq. metres. The combined area of 135 sq. metres is significantly in excess of the available areas to the front of the other properties on Holehouse Terrace which, due to the presence of sheds and garages within these, leaves little genuinely useable garden space. The Council's requirements referred to are specified in the Green Network Supplementary Guidance (Appendix A) which requires private gardens to be 1.5 times the ground floor area of the house or in the case of a detached house 100 sq. metres. As a consequence of the considerations outlined we disagree with this part of the refusal reason.
- (iv) *adversely impacts upon the setting of the donor property* – The donor property (dwelling house) and its former garden are in the process of being split into separate titles. Setting that aside and as evidenced in the photographs provided in Section 2 (Description of Application Site), the setting of 31 Holehouse Terrace (i.e. the donor property) is already



compromised by the unkempt condition of the former garden. As a consequence of those characteristics, the development of a dwelling house on the application site would significantly improve the setting of the existing property rather than detracting from it.

- (v) *does not respect existing building lines* – As noted in response to the first reason for the refusal of the application, it is accepted that any house on the site will sit forward of the building line established by the existing properties on Holehouse Terrace. We view this as a positive rather than a negative as it offers an opportunity to provide diversity and interest in the street scene with a resultant net overall improvement to the character and appearance of the area.

- (3) *The proposal is contrary to Policies D1 and D2 of the adopted East Renfrewshire Local Plan 2 as the site is not considered capable of accommodating a dwellinghouse compatible with, and comparable to, the established development pattern and built character of the area. There are no material considerations to outweigh and allow approval of the proposal against these policies.*

5.4 **Response** – This reason essentially replicates elements of the first and second reasons for refusal and due to that we wish to rely on our responses to those earlier two reasons in responding to this reason.

- (4) *The proposal is contrary to Policies D1 and D2 of the adopted East Renfrewshire Local Plan 2 as the indicated position of the proposed dwellinghouse will adversely affect the amenity of the existing residential properties on the opposite side of Holehouse Terrace through loss of privacy. The privacy of the residents of the proposed dwellinghouse will also be adversely affect because of the proximity to the existing residential properties on the opposite side of Holehouse Terrace. There are no material considerations to outweigh and allow approval of the proposal against these policies.*

5.5 **Response** – There are two elements to the fourth reason for refusal in relation to which we would wish to respond to as follows:

- (i) *the proposed dwelling house will adversely affect the amenity of the existing residential properties on the opposite side of Holehouse Terrace through loss of privacy* – As this is an application for planning permission in principle supported by an indicative layout/house type, the proposal is not set in stone and can be amended at the detailed stage in the event of permission being granted. That being the case, the concerns raised in this instance can be addressed through the removal of windows from the south facing elevation; their replacement with obscure glass; and/or at first floor level, the substitution of the windows with roof lights. Such measures would ensure that window to window intervisibility would be kept within acceptable parameters and privacy remaining uncompromised.
- (ii) *The privacy of the residents of the proposed dwellinghouse will also be adversely affect because of the proximity to the existing residential properties on the opposite side of Holehouse Terrace* – The measures referred to in Paragraph (i) above would also ensure that resident's privacy in the proposed dwelling house would be protected. Privacy

conditions in the rear garden area are no different to what they are at present, where, due to the tight grained urban nature of the locale, all gardens are already over looked.

- (5) *The proposal is contrary to Policy D6 of the adopted East Renfrewshire Local Development Plan 2 as it results in overdevelopment of the identified site because garden ground commensurate with the indicated size of the proposed house and distances to boundaries cannot be provided. There are no material considerations to outweigh and allow approval of the proposal against this policy.*

Response – As noted in our response to the second reason for the refusal of the application the indicative layout presented provides for a garden area of some 100 sq. metres to which an additional 35 sq. metres requires to be added for parking purposes. That is significantly in excess of the garden areas to the front of the other properties on Holehouse Terrace and in line with the Council's requirements for new houses as contained within its Green Network Supplementary Guidance (Appendix A). Whilst distances to boundaries are shorter than the 10 metres specified in that Guidance, the 10 metre distance only applies when houses are back to back and where, in such circumstances, they are required to protect privacy. In this situation the rear boundary of the garden is next to Holehouse Brae with a distance of some 25 metres existing between the site and the properties at 15 and 17 Holehouse Brae. For the reasons outlined we do not accept the reason for refusal cited.

- 5.6 In light of the considerations outlined above we do not accept the Planning Officer's reasons for the refusal of the application and as such it is respectfully requested that they be reviewed by the Council's Local Review Body and planning permission granted for the proposal.

6. Summary and Conclusions

6.1 Having considered the proposed development against the terms of both the development plan and other material considerations as required under the terms of the Town and Country Planning (Scotland) Act 1997 (as amended) we have demonstrated and are very firmly of the opinion that the application/review request should be upheld, and planning permission granted for the proposal. Our position on this Review Request can be summarised as follows:

- The application site which measures 356 sq. metres incorporates the end of terrace property at 31 Holehouse Terrace, Neilston and the side garden area formerly attached to it. That side garden area measures in the region of 201 sq. metres and is located at a bend (northern side) of Holehouse Terrace where it meets the lane connecting with Holehouse Brae. The existing property at 31 Holehouse Terrace has a single storey front extension and in common with all houses in the terrace adjoins a terrace house at the rear which fronts onto Holehouse Brae.
- The former garden area to the side of the dwelling house is bounded by timber fencing (broken) and lopped conifers. The title to the garden is in the process of being split from the existing dwelling house and they will shortly form two separate legal entities. The garden has an unkempt appearance and detracts quite significantly from the character and appearance of the wider area. There are four/two and a half storey dwellings on the opposite side of Holehouse Terrace which front onto Mafeking Terrace. The rear of these properties are set approximately 1.75 metres back from Holehouse Terrace. A children's play area exists to the south of the site which is directly accessible off Holehouse Terrace. A path linking Holehouse Terrace and Makeking Terrace exists along the northern edge of the play area. Further residential properties exist to the south east and north east of the site.
- There are a range of facilities and services within close proximity (<800 metres) of the application site which are easily accessible by foot, cycling or wheeling. The facilities, in addition to the play area referenced, include public transport facilities (bus and rail based); retail outlets, eateries, primary school, church, leisure centre and public open space.
- The application which had been submitted to and subsequently refused by the appointed Planning Officer had sought planning permission in principle for the erection of a dwelling house within the garden area formerly attached to the dwelling at 31 Holehouse Terrace. Indicative plans accompanying the application showed a one and a half storey dwelling house on a footprint of c.64 square metres incorporating an open plan kitchen/dining/living room, a lounge and bathroom on the ground floor; and on the first floor, a further two bedrooms and bathroom. Those indicative plans also show a useable private garden area of some 100 sq. metres; a patio of some 9 sq. metres in extent; and parking facilities for two cars on a 35 sq. metre area of ground. The front of the existing property (31 Holehouse Terrace) will be retained as a garden of some 98 sq. metres in extent which is commensurate in size with all other dwellings in the terrace.

- The application was refused for a total of five reasons. Those reasons and our responses to them are outlined below:

1. *The proposal is contrary to Policy 14 of National Planning Framework 4 as well as Policy D2 of the adopted East Renfrewshire Local Development Plan 2 as the indicated position of the proposed dwellinghouse is at significant variance with pattern of development along Holehouse Terrace and being forward of the established building line results in a visually dominant development in the street which is turn will have an adverse visual impact on the surrounding area. There are no material considerations to outweigh and allow approval of the proposal against these policies.*

Response – The architectural character of Holehouse Terrace is predominantly defined by groups of terraced housing on either side, with the south western side comprising the back side of two and a half storey houses fronting onto Mafeking Terrace; and the eastern side comprising two storey terraced dwellings set back approximately 10.9 metres but with extensive clutter in the form of garages and garden sheds in their front gardens. Any dwelling proposed must, due to the position of the site, sit forward off the established building line and as such will appear in views when travelling along the terrace. The dwelling proposed has the potential to act as a book end to the terrace and contribute positively to the established townscape character by adding diversity and interest to a street scene which is not of particularly high architectural quality due to the characteristics described. As a consequence of these considerations, noting in particular the site context, we do not share the Planning Officer’s views that the redevelopment of an unkempt site for the dwelling house proposed will have an adverse visual impact on the surrounding area.

2. *The proposal is contrary to Policy D1.2 of the adopted East Renfrewshire Local Development Plan 2 as: it does not reflect the character of the surrounding residences and the pattern of development in the area; the size of the site is not considered to be capable of accommodating a residential property compatible with the locality; there is insufficient land to provide garden ground that is of a scale and character compatible with the locality for the proposed dwellinghouse; adversely impacts upon the setting of the donor property; and does not respect existing building lines. There are no material considerations to outweigh and allow approval of the proposal against this policy.*

Response – There are a number of elements to the second reason for refusal.

- (i) *It does not reflect the character of the surrounding residences and the pattern of development in the area* - As noted in our response to the first reason for refusal, the erection of a dwelling on the site has the potential to act as a book end to the terrace and contribute positively to the established townscape character by adding diversity and interest to the street scene – a scene which is not of a particularly high architectural quality given its domination by frontage clutter.

- (ii) ***the size of the site is not considered to be capable of accommodating a residential property compatible with the locality*** – The application site is similarly sized to the existing housing plots at 31-37 Holehouse Terrace and plot ratios (if one ignores the outbuilding erected to the front of the properties) which are commensurate and therefore acceptable.
 - (iii) ***there is insufficient land to provide garden ground that is of a scale and character compatible with the locality for the proposed dwelling house*** – As noted in Section 3 (Description of Proposed Development) previously, the indicative layout presented provides for a garden area of some 100 sq. metres in line with the Council's requirements for new houses. It is important to note that the 100 sq. metre area referenced excludes the area reserved for parking which adds a further 35 sq. metres. The combined area of 135 sq. metres is significantly in excess of the available areas to the front of the other properties on Holehouse Terrace which, due to the presence of sheds and garages within these leaves little useable garden space. The Council's requirements referred to are specified in the Green Network Supplementary Guidance (Appendix A) which requires private gardens to be 1.5 times the ground floor area of the house or in the case of a detached house 100 sq. metres. As a consequence of the considerations outlined we disagree with this part of the refusal reason.
 - (iv) ***adversely impacts upon the setting of the donor property*** – The donor property (dwelling house) and its former garden are in the process of being split into separate titles. Setting that aside and as evidenced in the photographs provided in Section 2 (Description of Application Site), the setting of 31 Holehouse Terrace (i.e. the donor property) is already compromised by the unkempt condition of the former garden. As a consequence of those characteristics the development of a dwelling house on the application site would significantly improve the setting of the existing property rather than detracting from it.
 - (v) ***does not respect existing building lines*** – As noted in response to the first reason for the refusal of the application it is accepted that any house on the site will sit forward of the building line established by the existing properties on Holehouse Terrace. We view this as a positive rather than a negative as it offers an opportunity to provide diversity and interest in the street scene with a resultant net overall improvement to the character and appearance of the area.
3. *The proposal is contrary to Policies D1 and D2 of the adopted East Renfrewshire Local Plan 2 as the site is not considered capable of accommodating a dwellinghouse compatible with, and comparable to, the established development pattern and built character of the area. There are no material considerations to outweigh and allow approval of the proposal against these policies.*

Response – This reason essentially replicates elements of the first and second reasons for refusal and for that reason we would rely on our responses to those earlier two reasons in responding to this reason.

4. *The proposal is contrary to Policies D1 and D2 of the adopted East Renfrewshire Local Plan 2 as the indicated position of the proposed dwellinghouse will adversely affect the amenity of the existing residential properties on the opposite side of Holehouse Terrace through loss of privacy. The privacy of the residents of the proposed dwellinghouse will also be adversely affect because of the proximity to the existing residential properties on the opposite side of Holehouse Terrace. There are no material considerations to outweigh and allow approval of the proposal against these policies.*

Response – There are two elements to the fourth reason for refusal in relation to which we would wish to respond to as follows:

- (i) *the proposed dwellinghouse will adversely affect the amenity of the existing residential properties on the opposite side of Holehouse Terrace through loss of privacy* – As this is an application for planning permission in principle supported by an indicative layout/house type, the proposal is not set in stone and can be amended at the detailed stage in the event of permission being granted. That being the case, the concerns raised in this instance can be addressed through the removal of windows from the south facing elevation; their replacement with obscure glass; and/or at first floor level, the substitution of the windows with roof lights. Such measures would ensure that window to window intervisibility would be kept within acceptable parameters and privacy remaining uncompromised.
- (ii) *The privacy of the residents of the proposed dwellinghouse will also be adversely affect because of the proximity to the existing residential properties on the opposite side of Holehouse Terrace* – The measures referred to in Paragraph (i) above would also ensure that resident's privacy in the proposed dwelling house would be protected. Privacy conditions in the rear garden area are no different to what they are at present, where, due to the tight grained urban nature of the locale, all gardens are already over looked.

5. *The proposal is contrary to Policy D6 of the adopted East Renfrewshire Local Development Plan 2 as it results in overdevelopment of the identified site because garden ground commensurate with the indicated size of the proposed house and distances to boundaries cannot be provided. There are no material considerations to outweigh and allow approval of the proposal against this policy.*

Response – As noted in our response to the second reason for the refusal of the application, the indicative layout presented provides for a garden area of some 100 sq. metres to which an additional 35 sq. metres requires to be added for parking purposes. That is significantly in excess of the garden areas to the front of the other properties on Holehouse Terrace and in line with the Council's requirements for new houses as contained within its Green Network Supplementary Guidance (Appendix A). Whilst distances to boundaries are shorter than the 10 metres specified in that Guidance, the

10 metre distance only applies when houses are back to back, where, in such circumstances they are required to protect privacy. In this situation, the rear boundary of the garden is next to Holehouse Brae with a distance of some 25 metres existing between the site and the properties at 15 and 17 Holehouse Brae. For the reasons outlined we do not accept the reason for refusal cited.

- Key points in support of the granting of planning permission in principle for the dwelling house proposed include the following:
 - (i) The application site lies within the urban area on a vacant/derelict brownfield site which in its present condition has an adverse effect on the character and appearance of the area.
 - (ii) The site is capable of accommodating a dwelling house which will act as a book end to the existing terrace and in the process significantly improve the character and appearance of an otherwise undistinguished street in terms of its architectural quality and credentials.
 - (iii) The dwelling house lies in close proximity to a range of facilities and services necessary for day to day living which are accessible via foot, cycle or wheeling. Such services include access to bus and rail based public transport services thus eliminating the need to travel by or rely on the use of the private car.
 - (iv) The redevelopment of the site will contribute to the Council's housing land supply and provide a much needed family home which in the process frees up another home for someone else in need. In a declared housing emergency, it is of critical importance that opportunities are provided for the provision of all types of housing.
 - (v) The application proposals have received a significant level of support from owners and occupiers of other residential properties in the area who have expressed their surprise that the planning application was refused.

6.2 In view of the considerations outlined, it is respectfully suggested that this request to review the Planning Officer's decision be upheld and that planning permission is granted for the proposal as applied for. We reserve the right to respond to any submissions on the review request from either the Appointed Officer, Consultees or Third Parties prior to its determination.

Signed 
Derek Scott Planning

Date 07th April 2025

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Document 1

Planning Application Documents Relating to Register
Reference Number 2024/0536/TP

Planning Application Forms

01Rev A – Location and Block Plans

02 Rev B – Block Plan

03 – Site Plan and Sections



2 Spiersbridge Way Thornliebank G46 8NG Tel: 0141 577 3001 Email: planning@eastrenfrewshire.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100690536-001

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.

Type of Application

What is this application for? Please select one of the following: *

- ☐ Application for planning permission (including changes of use and surface mineral working).
- ☒ Application for planning permission in principle.
- ☐ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- ☐ Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Subdivide the existing site of 31 Holehouse Terrace into two creating a plot in which the proposal is to erect a single storey house with bedrooms in the attic space

Is this a temporary permission? *

☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) *

☐ Yes ☒ No

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: *

Building Name:

Last Name: *

Building Number:

Telephone Number: *

Address 1
(Street): *

Extension Number:

Address 2:

Mobile Number:

Town/City: *

Fax Number:

Country: *

Postcode: *

Email Address: *

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



Individual



Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:

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

Other Title:

Building Name:

First Name: *

Building Number:

Last Name: *

Address 1
(Street): *

Company/Organisation

Address 2:

Telephone Number: *

Town/City: *

Extension Number:

Country: *

Mobile Number:

Postcode: *

Fax Number:

Email Address: *

Site Address Details

Planning Authority:

East Renfrewshire Council

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

Address 1:

31 HOLEHOUSE TERRACE

Address 2:

NEILSTON

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

GLASGOW

Post Code:

G78 3LT

Please identify/describe the location of the site or sites

Northing

657072

Easting

247492

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Site Area

Please state the site area:

201.00

Please state the measurement type used:

☐ Hectares (ha) ☒ Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Garden space of 31 Holehouse Terrace

Access and Parking

Are you proposing a new 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 propose to make. You should also show existing footpaths and note if there will be any impact on these.

<p>Are you proposing any change to public paths, public rights of way or affecting any public right of access? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.</p>
<h2 style="margin: 0;">Water Supply and Drainage Arrangements</h2> <p>Will your proposal require new or altered water supply or drainage arrangements? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *</p> <p><input checked="" type="checkbox"/> Yes – connecting to public drainage network</p> <p><input type="checkbox"/> No – proposing to make private drainage arrangements</p> <p><input type="checkbox"/> Not Applicable – only arrangements for water supply required</p>
<p>Do your proposals make provision for sustainable drainage of surface water?? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (e.g. SUDS arrangements) *</p> <p>Note:-</p> <p>Please include details of SUDS arrangements on your plans</p> <p>Selecting 'No' to the above question means that you could be in breach of Environmental legislation.</p>
<p>Are you proposing to connect to the public water supply network? *</p> <p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No, using a private water supply</p> <p><input type="checkbox"/> No connection required</p> <p>If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).</p>
<h2 style="margin: 0;">Assessment of Flood Risk</h2> <p>Is the site within an area of known risk of flooding? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know</p> <p>If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.</p> <p>Do you think your proposal may increase the flood risk elsewhere? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know</p>
<h2 style="margin: 0;">Trees</h2> <p>Are there any trees on or adjacent to the application site? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>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.</p>
<h2 style="margin: 0;">All Types of Non Housing Development – Proposed New Floorspace</h2> <p>Does your proposal alter or create non-residential floorspace? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013 *

☐ Yes ☒ No ☐ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

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: irene farish

On behalf of: Mr Steven Lang

Date: 01/11/2024

☒ Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

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) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

☐ Yes ☐ No ☒ Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

☒ Site Layout Plan or Block plan.

☐ Elevations.

☒ Floor plans.

☒ Cross sections.

☐ Roof plan.

☐ Master Plan/Framework Plan.

☐ Landscape plan.

☐ Photographs and/or photomontages.

☐ Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. *

☐ Yes ☒ N/A

A Flood Risk Assessment. *

☐ Yes ☒ N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *

☐ Yes ☒ N/A

Drainage/SUDS layout. *

☐ Yes ☒ N/A

A Transport Assessment or Travel Plan

☐ Yes ☒ N/A

Contaminated Land Assessment. *

☐ Yes ☒ N/A

Habitat Survey. *

☐ Yes ☒ N/A

A Processing Agreement. *

☐ Yes ☒ N/A

Other Statements (please specify). (Max 500 characters)

This application is for Planning in Principle

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Miss irene farish

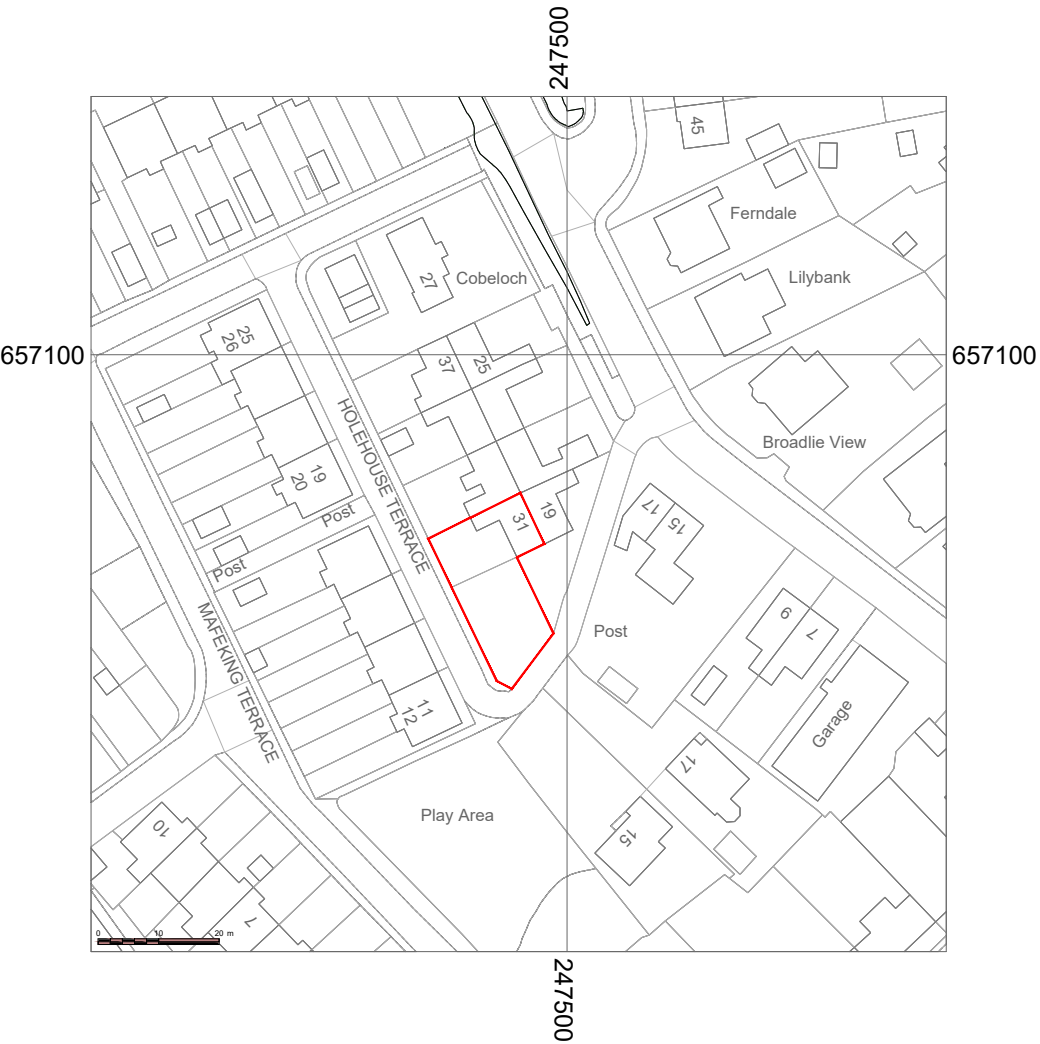
Declaration Date: 01/11/2024

Payment Details

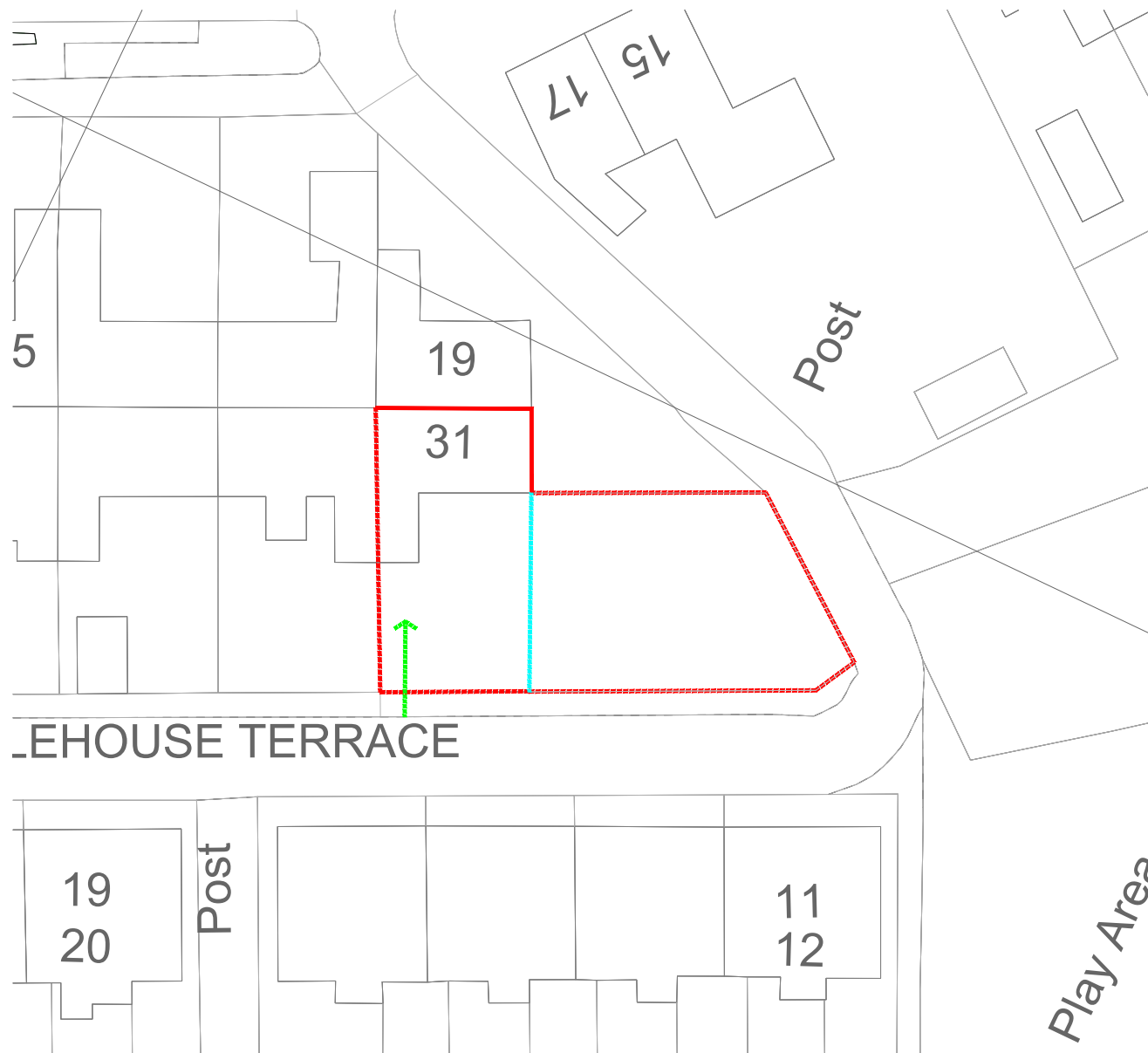
Pay Direct

Created: 01/11/2024 09:23

Please note that these drawings are for information purposes only

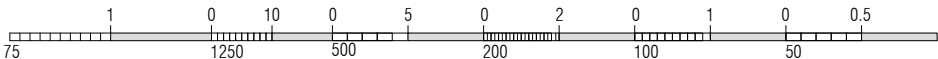


LOCATION PLAN
scale: 1/1250



EXISTING BLOCK PLAN
scale: 1/200

- Existing boundary of 31
- notional subdivision of site to create plot
- Existing access to 31



Rev

rev A Existing Block Plan shown with notional subdivision of site

Irene Farish Architect
B.Arch. Hons Dip



11 Lintmill Terrace, Neilston, G78 3LH
0749 884 1960
irenefarisharchitect@gmail.com

Project name and address
Proposed Development :

31 HOLEHOUSE TERRACE
NEILSTON
G78 3LT

Drawing Title:

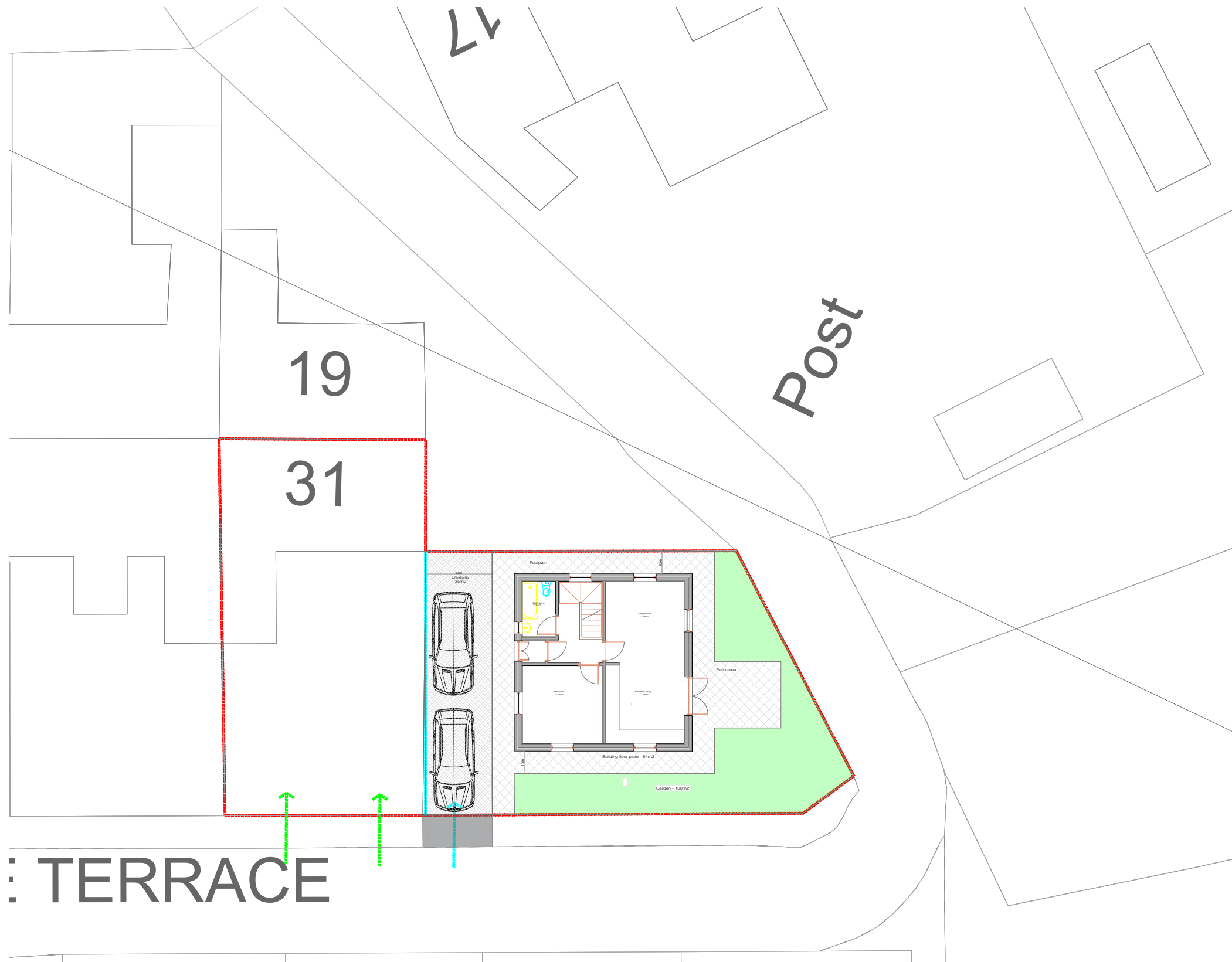
Location Plan
Block Plan

Scale
1/1250 & 1/500

Date
Sept. 24

Drawing Number
01 rev A

Please note that these drawings are for information purposes only



Rev

rev B
rev A

Boundary changed to show existing
Drawing changed to notional block
plan

Irene Farish Architect
B.Arch. Hons Dip



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irenefarisharchitect@gmail.com

Project name and address
Proposed Development :

31 HOLEHOUSE TERRACE
NEILSTON
G78 3LT

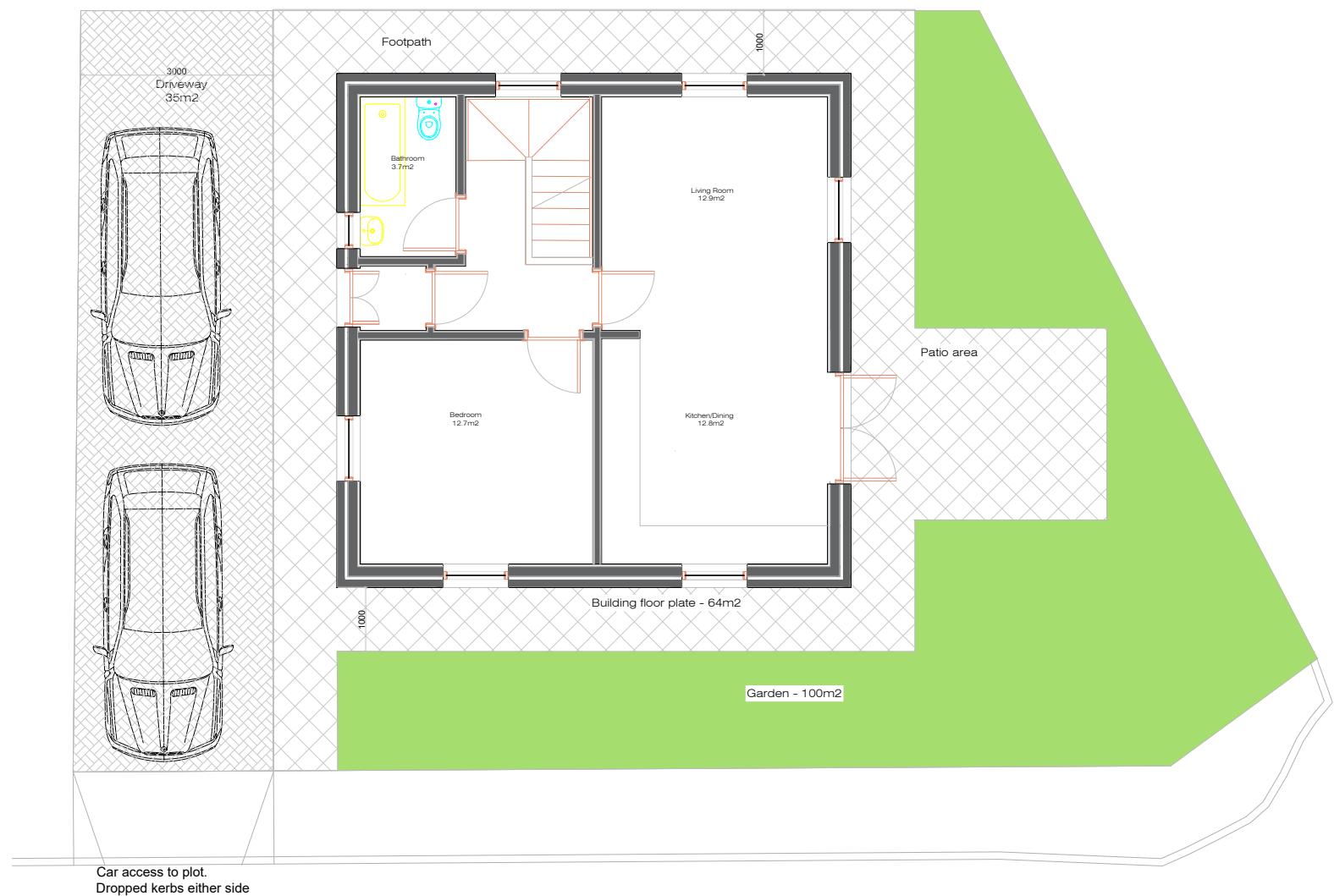
Drawing Title
Proposed Block Plan

Scale
1/200

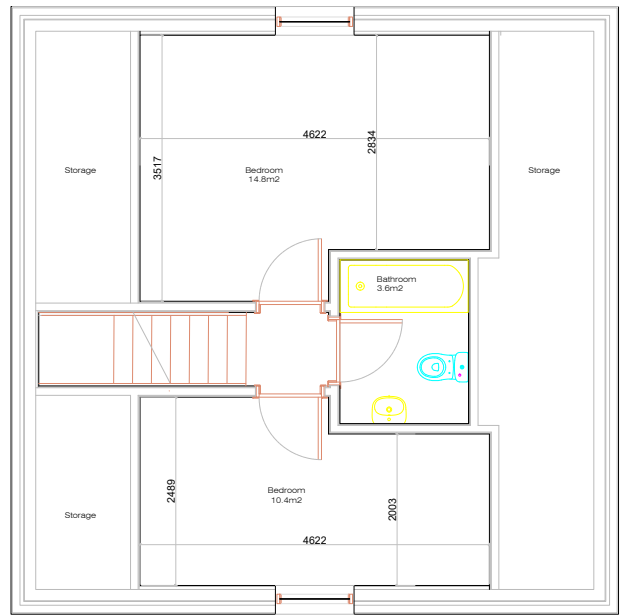
Date
Sept. 24

Drawing Number
02 rev B

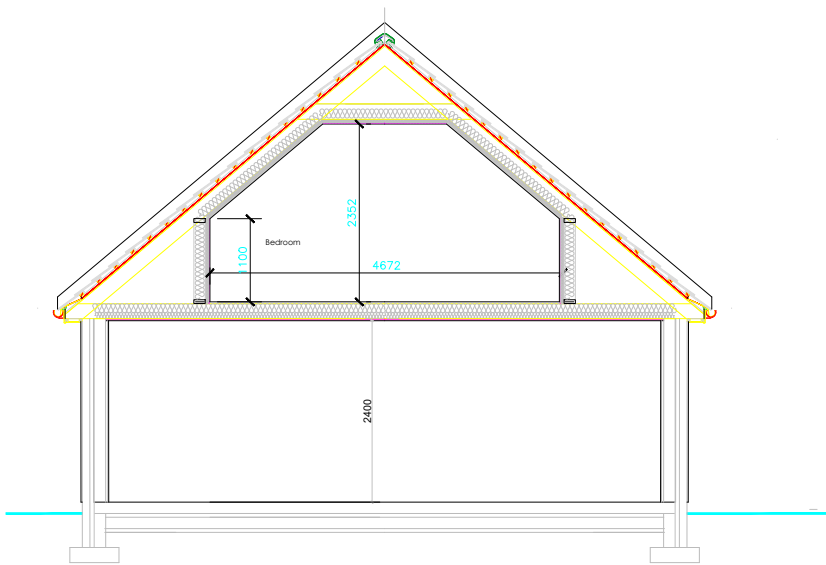
Please note that these drawings are for information purposes only



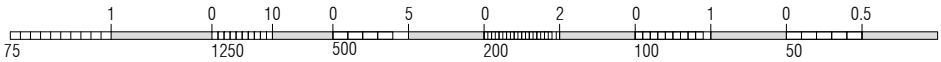
GROUND FLOOR PLAN
scale: 1/100



ATTIC FLOOR PLAN
scale: 1/100



PROPOSED SECTION
scale: 1/100



Rev

Irene Farish Architect
B.Arch. Hons Dip



11 Lintmill Terrace, Neilston, G78 3LH
0749 884 1960
irenefarisharchitect@gmail.com

Project name and address
Proposed Development :

31 HOLEHOUSE TERRACE
NEILSTON
G78 3LT

Drawing Title
Proposed Site Plan and Sections

Scale
1/100

Date
Sept. 24

Drawing Number
03

Document 2

Report of Handling – 2024/0536/TP

REPORT OF HANDLING

Reference: 2024/0536/TP

Date Registered: 12th December 2024

Application Type: Planning Permission in Principle This application is a Local Development

Ward: 2 -Newton Mearns North And Neilston

Co-ordinates: 247492/657072

Applicant/Agent:

Applicant:

Mr Steven Lang

31 Holehouse Terrace

Neilston

East Renfrewshire

G78 3LT

Agent:

Irene Farish

11 Lintmill Terrace

Neilston

G78 3LH

Proposal: Erection of detached dwellinghouse (planning permission in principle)

Location: 31 Holehouse Terrace

Neilston

East Renfrewshire

G78 3LT

CONSULTATIONS/COMMENTS:

East Renfrewshire Council Roads Service

No objections subject to conditions.

East Renfrewshire Council Environmental
Health Service

Advises on: construction times; all waste arising from construction or demolition activities must be removed by a licensed waste carrier; and the site is within Neilston Smoke Control Area No 6, of 1983 and it is prohibited to emit smoke from a chimney unless burning an authorised fuel or using exempt appliances.

Scottish Water

No objection.

PUBLICITY:

10.01.2025

Barrhead News

Expiry date 24.01.2025

SITE NOTICES: None.

SITE HISTORY: No relevant site history.

REPRESENTATIONS: Two objections has been received and can be summarised as follows:

Overlooking

Overshadowing/loss of light

The design is significantly different to the rest of the terraced street and therefore impacting the character of the area.

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS: None.

ASSESSMENT:

Location of Development

The application site is the side garden area of the end-of-terrace property at the south of Holehouse Terrace. The site is at a bend in Holehouse Terrace where it meets a lane that connects to Holehouse Brae.

The existing property at 31 Holehouse Terrace has a single storey front extension/projection and adjoins a terrace house at its rear which fronts onto Holehouse Brae. The other houses in this terrace row adjoin terrace houses which front onto Holehouse Brae. The existing house has a driveway area at the front.

The side garden area is bounded by timber fences and there are conifers around the boundaries which have been lopped leaving the bottom part of their trunks in place.

There are two two and a half storey properties on the opposite side of Holehouse Terrace in two blocks which front onto Mafeking Terrace. The rear elevations of these properties are set back from Holehouse Terrace by approximately 1m.

There is a play area to the south of the site across the street.

Indicative Design and Layout

An indicative site plan has been submitted which indicates a one and half storey detached house on the site which is to be forward of the front building line of the existing house. The footprint of the proposed house is indicated as being approximately 8m by 8m.

The submitted plan indicates the proposed house to be set back from Holehouse Terrace by approximately 2.84m, by 1m from the rear boundary of the site, by approximately 2.5m and 6.7m at its closest and furthest points from the tapering side boundary with the lane at the side and by approximately 4m from where the site is to be sub-divided from 31 Holehouse Terrace.

The submitted plan indicates the garden area is to be at the front and side of the proposed house with the garden area indicated as being 100sqm. A patio area is indicated at the south side of the proposed house.

The submitted plan also indicates a driveway at the side of the proposed house beside the existing driveway area of 31 Holehouse Terrace. The submitted plan is annotated to indicate the existing access to 31 Holehouse Terrace is to be retained.

Policy Context and Assessment

The application is required to be assessed with regard to the Development Plan which comprises National Planning Framework 4 (NPF4) and the East Renfrewshire Local Development Plan 2 (LDP2).

The policies most relevant to this proposal in NPF4 are: Policy 1 (Tackling the climate and nature crises); Policy 2 (Climate mitigation and adaptation); Policy 14 (Design, quality and place); Policy 15 (Local living and 20 minute neighbourhoods) and Policy 16 (Quality homes).

Policies D1, D1.2, D2, D6 and E1 of the adopted East Renfrewshire Local Development Plan are also relevant to this proposal. Policy D1 requires that all development should not result in a significant loss of character or amenity to the surrounding area. Policy D2 supports development within the general urban area where they comply with other relevant policies of the plan. Policy D1.2 relates to residential sub-division. Policy D6 relates to open space in new development and Policy E1 relates to sustainable design in new developments.

Given the location of the site within an established residential area the general principle of this development at this location may be considered to be acceptable. The proposed development therefore accords with the general terms of Policies 1, 2 and 15 of NPF4 being in a sustainable location and resulting in local living.

The Development Strategy of the adopted Local Development Plan 2 encourages the re-use of brownfield sites. In this regard the site is located within the existing urban area as identified under Policy D2 of the adopted Local Development Plan 2. As such the proposal accords in general terms with the Development Strategy. The proposal may be acceptable against Policy D2 of the adopted Local Development Plan 2 subject to consideration of the impact on the surrounding area and compliance with other relevant policies of the Plan.

Policy D1.2 of Local Development Plan 2 relates to residential sub-division and contains various criteria for assessing such proposals. The submitted plans are noted as being for information purposes only. However the submitted plans are considered to be an accurate reflection of where a house is likely to be located within the site. Given the location and shape of the site any house would sit forward of the building line of the other properties along Holehouse Terrace by quite an extent. This is at variance with the established building line as well as visually compressing the space to the properties on the opposite side of Holehouse Terrace. This variance is so pronounced as to result in an adverse visual impact on the surrounding area. The proposal therefore does not accord with criteria 1 and 6 of Policy 1.2 of Local Development Plan 2. The position of the proposed house would also adversely impact the setting of the existing house contrary to criterion 5 of Policy D1.2 of Local Development Plan 2. In turn the proposal does not accord with Policy D2 of the adopted East Renfrewshire Local Development Plan 2 nor with Policy 14 of National Planning Framework 4 for the same reasons as above.

Although there are outbuilding/garages at the front of some of the other properties along Holehouse Terrace these clearly appear as such in form and scale. Their presence does not set a precedence for the indicated position of the proposed house.

The indicated garden ground is just over one and half times the footprint of the indicated house and as such accords with the general terms of Appendix A of the Council's Supplementary Guidance: Green Network (SPG) which gives advice on Private Open Space and Gardens Requirement for Residential Proposals. However this advice indicates that rear gardens should have a depth of at least 10m from the rear elevation of the house to plot boundary in order to maintain adequate privacy as well as there should be a minimum of 2m from any house to the side plot boundary. It is not considered that the indicated position of the proposed house accords and the distances to boundaries with the advice in the SPG. As a consequence the proposal is considered to result in overdevelopment of the application site. The proposal is therefore considered to be contrary to criterion 2 of Policy D1.2 of Local Development Plan 2 as well as being contrary to Policy D6 of Local Development Plan 2.

Even if the footprint of the proposed house was smaller to allow more garden ground within the site this would not address the position of the house forward of the building line of the donor property and its resultant visual impact in the street to any significant extent.

The submitted plans indicate windows at ground floor level of the proposed house on the elevation facing onto Holehouse Terrace. It is considered that the submitted ground floor plan is an accurate reflection of where windows are likely to be installed on this elevation. This would mean that the windows are approximately 10m from the elevations of the properties opposite. The privacy of the existing properties opposite will be adversely affected given this separation distance and this would be the same for the residents of the proposed house. Windows are also indicated on the rear elevation however a boundary fence of sufficient height along the rear boundary is likely to limit overlooking of the garden ground of the adjoining property. The proposal is therefore considered to be contrary to Policy D2 of the adopted East Renfrewshire Local Development Plan 2 as a result of adversely affecting privacy.

With regard to Policy E1 of Local Development Plan 2 relating to sustainable design no specific details have been submitted/specified with the application. Notwithstanding a planning condition can be used for the details of the measures to be submitted for further approval, should the proposal be otherwise acceptable and planning permission in principle be approved.

Representations

With regard to the grounds of objections which have not already been considered above the following comments are made. There may be some overshadowing of properties on the opposite side of Holehouse Terrace as well as to the existing house at 31 Holehouse Terrace. The extent of overshadowing and the resultant impact on light depends on the seasons and time of day. The overshadowing is however not considered to be over prolonged/significant periods of each day which would adversely affect the amenity of neighbouring properties.

Conclusion

Although the proposal is in the existing urban area and considered to be sustainable location for additional houses the proposal will be at significant variance with the pattern of development in the surrounding area which in turn means it will be visually dominant in the street and will have an adverse visual impact on the surrounding area. The proposed will also result in overdevelopment of the site. This is irrespective of whether properties elsewhere along Holehouse Terrace have limited garden/amenity space. It is not considered there is a site for a house at this location.

The proposal is therefore not acceptable when assessed against the relevant policies of the Development Plan. There are no material considerations to allow approval of the development against these policies.

PLANNING OBLIGATIONS: None.

RECOMMENDATION: Refuse.

REASONS FOR REFUSAL:

1. The proposal is contrary to Policy 14 of National Planning Framework 4 as well as Policy D2 of the adopted East Renfrewshire Local Development Plan 2 as the indicated position of the proposed dwellinghouse is at significant variance with pattern of development along Holehouse Terrace and being forward of the established building line results in a visually dominant development in the street which in turn will have an adverse visual impact on the surrounding area. There are no material considerations to outweigh and allow approval of the proposal against these policies.

2. The proposal is contrary to Policy D1.2 of the adopted East Renfrewshire Local Development Plan 2 as: it does not reflect the character of the surrounding residences and the pattern of

development in the area; the size of the site is not considered to be capable of accommodating a residential property compatible with the locality; there is insufficient land to provide garden ground that is of a scale and character compatible with the locality for the proposed dwellinghouse; adversely impacts upon the setting of the donor property; and does not respect existing building lines. There are no material considerations to outweigh and allow approval of the proposal against this policy.

3. The proposal is contrary to Policies D1 and D2 of the adopted East Renfrewshire Local Plan 2 as the site is not considered capable of accommodating a dwellinghouse compatible with, and comparable to, the established development pattern and built character of the area. There are no material considerations to outweigh and allow approval of the proposal against these policies.

4. The proposal is contrary to Policies D1 and D2 of the adopted East Renfrewshire Local Plan 2 as the indicated position of the proposed dwellinghouse will adversely affect the amenity of the existing residential properties on the opposite side of Holehouse Terrace through loss of privacy. The privacy of the residents of the proposed dwellinghouse will also be adversely affect because of the proximity to the existing residential properties on the opposite side of Holehouse Terrace. There are no material considerations to outweigh and allow approval of the proposal against these policies.

5. The proposal is contrary to Policy D6 of the adopted East Renfrewshire Local Development Plan 2 as it results in overdevelopment of the identified site because garden ground commensurate with the indicated size of the proposed house and distances to boundaries cannot be provided. There are no material considerations to outweigh and allow approval of the proposal against this policy.

ADDITIONAL NOTES: None.

ADDED VALUE: None.

BACKGROUND PAPERS:

Further information on background papers can be obtained from Mr Sean McDaid on 0141 577 3001.

Ref. No.: 2024/0536/TP
(SEMC)

DATE: 3rd February 2025

DIRECTOR OF ENVIRONMENT

Reference: 2024/0536/TP - Appendix 1

DEVELOPMENT PLAN:

National Planning Framework 4

Policy 1

Tackling the climate and nature crises

When considering all development proposals significant weight will be given to the global climate and nature crises.

Policy 2

Climate mitigation and adaptation

- a) Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible.
- b) Development proposals will be sited and designed to adapt to current and future risks from climate change.
- c) Development proposals to retrofit measures to existing developments that reduce emissions or support adaptation to climate change will be supported.

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 15

Local Living and 20 minute neighbourhoods

- a) Development proposals will contribute to local living including, where relevant, 20 minute neighbourhoods. To establish this, consideration will be given to existing settlement pattern, and the level and quality of interconnectivity of the proposed development with the surrounding area, including local access to:
 - sustainable modes of transport including local public transport and safe, high quality walking, wheeling and cycling networks;
 - employment;
 - shopping;
 - health and social care facilities;
 - childcare, schools and lifelong learning opportunities;

playgrounds and informal play opportunities, parks, green streets and spaces, community gardens, opportunities for food growth and allotments, sport and recreation facilities;
publicly accessible toilets;
affordable and accessible housing options, ability to age in place and housing diversity.

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.

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 D1.2

Residential Sub-division and Replacement

Proposals will be assessed against the following criteria:

1. Reflect the scale and character of the surrounding residences and the established pattern of development in the area;
2. Should be of a size and shape capable of accommodating a residential property and compatible with the locality;
3. There should be sufficient land to provide garden ground that is of a scale and character compatible with the locality for the proposed and donor properties;
4. Provide safe vehicular access and parking for the proposed and donor properties;
5. Not adversely impact upon the setting of the donor property; and
6. Respect existing building lines.

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 D6

Open Space Requirements

Proposals will be required to incorporate multi-functional, integrated and accessible on-site green networks and green infrastructure, including open space provision, wildlife habitats and landscaping.

Proposals will be required to meet the following criteria:

1. Demonstrate that the provision and distribution of open space and green infrastructure has been integrated into the design approach from the outset and has been informed by the context and characteristics of the site using key natural and physical features. Proposals should be designed to accommodate users of all age groups, and levels of agility and mobility;
2. Provide a network and hierarchy of open space to create a structured and legible framework for development, which clearly distinguishes public space, semi-public

space and private space using appropriate boundary treatments. Design and layout of proposals should encourage species dispersal through improving connectivity and the availability of habitats. New planting must promote and enhance the biodiversity of the area and incorporate native trees where appropriate;

3. Complement, extend and connect existing open spaces and provide links to the wider green network;
4. Make provision for the long-term management and maintenance of open space. Details of maintenance requirements and arrangements must be set out, including who is responsible for these requirements;
5. Integrate Sustainable Urban Drainage Systems (SUDs) features with open space and active travel networks as part of a multifunctional approach to landscape design. SUDs may form part of open spaces subject to their design, provided they are accessible and contribute to the amenity value of the wider open space; and
6. Meet the minimum open space requirements set out in Schedule 4.

Policy E1

Sustainable Design

To contribute to the aims of sustainable design and reducing greenhouse gas emissions, proposals will be required to demonstrate that the following criteria have been considered, and, where appropriate, met:

1. Make efficient and sustainable use of existing land, buildings and infrastructure within the urban areas, including the conversion and reuse of existing buildings and retro-fitting appropriate adaptations to the current building stock and infrastructure;
2. Developments must incorporate sustainable and energy efficient design and construction methods and be built to meet a minimum of silver sustainability standard. All new buildings must be designed to ensure that at least 10% of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and operation of low-carbon and zero-carbon generating technologies. A statement will require to be submitted demonstrating compliance with this requirement. The percentage will increase at the next review of the local development plan. This requirement will not apply to:
 - a. alterations and extensions to buildings
 - b. change of use or conversion of buildings
 - c. ancillary buildings that stand alone and cover an area less than 50 square metres
 - d. buildings which will not be heated or cooled, other than by heating provided solely for frost protection
 - e. buildings which have an intended life of less than two years.
3. Seek to use locally sourced and energy efficient building materials; and
4. Prioritise active travel and demonstrate a clear sustainable movement hierarchy favouring walking, then cycling, public transport then the private car, in accordance with Designing Streets.

Major development will be required to provide an energy and carbon footprint assessment to demonstrate their contribution towards achieving sustainable development, reducing energy use and how the proposal will offset the overall carbon footprint of their development, during and post construction.

Further detailed guidance and information will be set out in the Supplementary Guidance on Low and Zero Carbon Delivery.

Finalised 3rd February 2025 MS(C)

Document 3

Decision Notice – 2024/0536/TP

**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 IN PRINCIPLE

Ref. No. **2024/0536/TP**

Applicant:

Mr Steven Lang
31 Holehouse Terrace
Neilston
East Renfrewshire
G78 3LT

Agent:

Irene Farish
11 Lintmill Terrace
Neilston
G78 3LH

With reference to your application which was registered on 12th December 2024 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Erection of detached dwellinghouse (planning permission in principle)

at: 31 Holehouse Terrace, Neilston, East Renfrewshire, G78 3LT

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 14 of National Planning Framework 4 as well as Policy D2 of the adopted East Renfrewshire Local Development Plan 2 as the indicated position of the proposed dwellinghouse is at significant variance with pattern of development along Holehouse Terrace and being forward of the established building line results in a visually dominant development in the street which in turn will have an adverse visual impact on the surrounding area. There are no material considerations to outweigh and allow approval of the proposal against these policies.
2. The proposal is contrary to Policy D1.2 of the adopted East Renfrewshire Local Development Plan 2 as: it does not reflect the character of the surrounding residences and the pattern of development in the area; the size of the site is not considered to be capable of accommodating a residential property compatible with the locality; there is insufficient land to provide garden ground that is of a scale and character compatible with the locality for the proposed dwellinghouse; adversely impacts upon the setting of the donor property; and does not respect existing building lines. There are no material considerations to outweigh and allow approval of the proposal against this policy.
3. The proposal is contrary to Policies D1 and D2 of the adopted East Renfrewshire Local Plan 2 as the site is not considered capable of accommodating a dwellinghouse compatible with, and comparable to, the established development pattern and built character of the area. There are no material considerations to outweigh and allow approval of the proposal against these policies.
4. The proposal is contrary to Policies D1 and D2 of the adopted East Renfrewshire Local Plan 2 as the indicated position of the proposed dwellinghouse will adversely affect the amenity of the existing residential properties on the opposite side of Holehouse Terrace through loss of privacy. The privacy of the residents of the proposed dwellinghouse will also be adversely affected because of the proximity to the existing residential properties on the opposite side of Holehouse Terrace. There are no material considerations to outweigh and allow approval of the proposal against these policies.

5. The proposal is contrary to Policy D6 of the adopted East Renfrewshire Local Development Plan 2 as it results in overdevelopment of the identified site because garden ground commensurate with the indicated size of the proposed house and distances to boundaries cannot be provided. There are no material considerations to outweigh and allow approval of the proposal against this policy.

Dated 3rd February 2025



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	01 Rev A		
Block Plan Proposed	02 Rev B		
Block Plan Proposed	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. 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**

Document 4

Copies of Letters and Petition in support of application proposals

Mr. Archie Ross
33 Holehouse Terrace
Neilston
G78 3LT

25th March 2025

Steven Lang
31 Holehouse Terrace
Neilston
Glasgow
G78 3LT

Dear Steven,

**2024/0536/TP – Erection of new house in garden at 31 Holehouse Terrace, Neilston G78
3LT**

I am writing to let you know that I am fully in support of your application to erect a new house within the garden at 31 Holehouse Terrace. This plot of land has been kept in a disgraceful condition for the best part of the last 20 years and until you acquired it, it was a source of great concern to all who live here. You appear to be doing a great job in renovating the house and also making good progress in tidying up the garden. I'm looking forward to seeing it completed.

Having looked at your plans for the house I have no difficulty whatsoever with what you are proposing to erect and disagree with the Planning Department's views that it would have an adverse impact on the appearance of the area. As to the points made about overlooking and loss of privacy, I don't agree with these either. When you live in a town you'll always be overlooked and you have to accept it or live elsewhere. I'd also point out that the garden to be provided with the new house is larger than most others in the area. I just don't understand how or why the Council are saying it is too small.

I really do hope that common sense will eventually prevail here and that you'll get your permission.

Best Wishes

A handwritten signature in dark ink, appearing to read 'Archie Ross', written in a cursive style.

Mr. Archie Ross

Mrs. E McDonald
19 Holehouse Terrace
Neilston
G78 3LT

25th March 2025

Mr. Derek Scott
Derek Scott Planning
Suite 2/3
48 West George Street
Glasgow G2 IBP

Dear Mr. Scott,

**2024/0536/TP – Erection of detached dwelling house (planning permission in principle) at 31
Holehouse Terrace, Neilston, East Renfrewshire G78 3LT**

I refer to our recent discussions in connection with the above-mentioned application which I understand has been refused by East Renfrewshire Council's Planning Department. My husband and I have lived in our house, immediately behind and adjoining 31 Household Terrace, for the past 20 years and during that time the property has been rented out by a variety of tenants who have left the house and adjoining garden in a terrible condition devaluing not only that property, but many adjoining it, including ours.

Mr. Lang acquired the property last August and since then has embarked on renovation works to the existing house and is in the process of tidying up the garden by cutting down overgrown conifers and removing rubbish. His works and his attitude to neighbours have been like a breath of fresh air compared to what we have experienced in the past.

My husband and I were extremely disappointed to learn that Mr. Lang's application to erect a one and a half storey house within the garden has been refused. In fact, I have spoken to a number of our neighbours who seem equally shocked by the decision. We do not agree that the type of house proposed would have an adverse effect on the character of the area as we understand has been claimed, nor do we think that there would not be enough garden space. In fact, we think the house will have a bigger garden than many of the existing houses in the area and on top of that sufficient space for two cars to park.

We have enjoyed living in our house and find it very convenient to the bus, train, shops and other amenities in the town. The application site and the dwelling house proposed on it will provide someone else with an opportunity to create a home in an area with an exceptionally strong sense of community and at a time when there is a shortage of houses for those most in need of them. Mr. Lang has our full support for his application and if we can do anything to assist him in securing planning permission please do let us know.

We are more than happy for you to submit this letter to the Council in support of any further attempts made by Mr. Land to gain permission for the house.

Yours sincerely

Mr. F & Mrs. E McDonald

Mrs E. McDonald
Mr F McDonald

PETITION

2024/0536/TP – Erection of detached dwelling house (planning permission in principle) at 31
Holehouse Terrace, Neilston, East Renfrewshire G78 3LT

I am signing this petition in support of the above-mentioned planning application which has been submitted to and refused by East Renfrewshire Council. The dwelling house proposed offers the potential to permanently eradicate a blight on the area's appearance and provide a new home for someone in need. I fully support the application and would suggest that it should be granted planning permission at the earliest opportunity.

Name	Address	Signature
MR & MRS McDonald	19 Holehouse Terrace	E. McDonald
MR. & MRS LAMBIE	21 Holehouse Terr.	A.V. Lambie
STACY KING	23 HOLEHOUSE TERRACE	S. King
SHARON WILSON	25 HOLEHOUSE TERRACE	A. Sharon Wilson
NATALIE MALLISAN	17 HOLEHOUSE TERRACE	Natalie Mallisan
Barbara-Anne Mullen	15 Holehouse terrace	BARBARA-ANNE MULLEN
John Wilkie JOHN WILKIE	17 Holehouse Terr Neilston	John Wilkie
A Ross ANN ROSS	33 HOLEHOUSE TERR NEILSTON.	A Ross
ARCHIE ROSS	11 11	A Ross

31 Holehouse Terrace, Neilston

Conditions

1. The development hereby approved must be begun not later than the expiration of 5 years beginning with the date on which the permission is granted.

Reason: To comply with the provisions of Section 59 of The Town and Country Planning (Scotland) Act 1997, as amended.

2. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to the proposed site layout. The proposed layout shall be shown on a plan at a scale of 1:500 showing existing and proposed site levels, the position of the dwellinghouse, the position of the driveway/parking area, the garden ground as well as any hardsurfaced areas.

Thereafter the matters that are approved shall be implemented in their approved form.

Reason: To ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.

3. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to the proposed floor plans and elevations of the dwellinghouse to be erected on site and shall show dimensions as well as the type and colour of all external materials.

Thereafter the matters that are approved shall be implemented in their approved form.

Reason: To ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.

4. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to all walls (including retaining walls) and fences to be erected on site.

Thereafter the matters that are approved shall be implemented in their approved form.

Reason: To ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.

5. The principles of Sustainable Urban Drainage Systems (SUDS) for the surface water regime shall be incorporated into the development. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to details of the surface water management and SUDS proposals. Thereafter the surface water management details shall be fully be implemented in their approved form.

Reason: To ensure the Planning Authority has the necessary information to determine the application and in the interests of sustainable development.

6. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to a scheme setting out the measurements to be put in place as required by Policy E1 (Sustainable Design) of the adopted Local Development Plan 2. The said scheme shall include

any phasing details as necessary. Thereafter the approved scheme shall be implemented as approved.

Reason: In order for the Planning Authority to determine the application and to ensure the development complies with Policy E1 of the adopted Local Development Plan 2.

7. For the avoidance of doubt the required visibility splay where the driveway meets Holehouse Terrace is 2.0m x 20m in both the primary and secondary directions with no interference allowed within the splay above a height of 1.05m. This visibility splay must thereafter be maintained in perpetuity.

Reason: In the interests of roads safety.

8. For the avoidance of doubt surface water run-off from the proposed access must be contained within the site and not permitted to issue onto the public road by sloping away from the public road or by means of a suitable positive drainage system. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to these details. Thereafter the approved details shall be fully be implemented as approved.

Reason: To ensure the Planning Authority has the necessary information to determine the application and in the interests of roads safety.

9. There shall be no construction work or offloading of delivered materials at the development site out with the hours of 0800 to 1900 Monday to Friday and 0800 to 1300 on Saturday with no working on Sunday or local or national public holidays unless minor and temporary amendments have been otherwise agreed in advance in writing by the planning authority.

Reason: In order to avoid disturbance to nearby residential properties.

Advisory notes

The applicant/developer is advised a Roads Opening Permit under Section 56 of the Roads (Scotland) Act 1984 is required.

The applicant/developer is advised a lighting column may require to be protected during construction. The applicant/developer must contact the Roads Service's Operations Section (Street Lighting) at the earliest opportunity to discuss such.

The applicant/developer is advised: all waste arising from construction or demolition activities must be removed by a licensed waste carrier; there must be no burning on site, other than that permitted by Scottish Environmental Protection Agency by prior agreement and any such burning must not cause nuisance; adequate precautions must be taken to prevent nuisance from dust from the demolition or construction activities.

The applicant/developer is advised the site is within the Neilston Smoke Control Area No 6, of 1983. In such an area, it is prohibited to emit smoke from a chimney unless burning an authorised fuel or using exempt appliances, details of which are available at <https://www.scottishairquality.scot/laqm/smoke-control-areas>

The applicant/developer is advised for single house developments, unless utilising private water or drainage sources, are required to submit a Water Connection Application and Waste Water Application via Scottish Water's Customer Portal to allow them to fully appraise the proposals. Single House developments are not required to submit a Pre-Development Enquiry

form (PDE) to Scottish Water however local network capacity will be assessed on receipt of application forms.

17. Any previously unsuspected contamination which becomes evident during the development of the site shall be brought to the attention the Planning Authority within one week or earlier of it being identified. A more detailed site investigation to determine the extent and nature of the contaminant(s) and a site-specific risk assessment of any associated pollutant linkages, shall then require to be submitted to and approved in writing by the Planning Authority. The risk assessment shall be prepared in accordance with guidance given in 'Land Contamination and Development' by Environmental Protection Scotland. Before any part of the development is occupied/used the approved measures to decontaminate/remediate the site shall be fully implemented unless a phased completion and occupation is agreed as part of the approved scheme. On completion of all decontamination/remediation works, a Completion Report shall be submitted to the Planning Authority confirming the works have been carried out to the agreed plan.

Reason: To ensure the Planning Authority has the necessary information to determine the application and in the interests of public health and to protect users of the development and the wider environment from the effects of contamination.