

EAST RENFREWSHIRE COUNCILLOCAL REVIEW BODY12 February 2020Report by Deputy Chief ExecutiveREVIEW OF CASE - REVIEW/2020/03FORMATION OF DRIVEWAY AT 106 EAGLESHAM ROAD, CLARKSTON**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: Full Planning Permission (Ref No:- 2019/0599/TP).
Applicant: Mr Craig Armstrong.
Proposal: Formation of driveway.
Location: 106 Eaglesham Road, Clarkston G76 7YN.
Council Area/Ward: Clarkston, Netherlee and Williamwood (Ward 4).

REASON FOR REQUESTING REVIEW

3. The applicant has requested a review on the grounds that the Council's Appointed Officer imposed conditions on the consent.

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.

- (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.

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 (Strategic Services).

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 is attached as Appendix 5.

9. The applicant is entitled to state a preference for the procedure (or combination of procedures) to be followed by the Local Review Body in the determination of the review and has indicated that his stated preferences are a site visit and 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. However, 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, 12 February 2020 immediately before the meeting of the Local Review Body which begins at 2.00pm.

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 101 - 114);
- (b) Copies of Objections/Representations – Appendix 2 (Pages 115 - 118);
- (c) Report of Handling by the planning officer under the Scheme of Delegation - Appendix 3 (Pages 119 - 128);
- (d) Decision notice and reasons for refusal - Appendix 4 (Pages 129 - 134); and
- (d) A copy of the applicant's Notice of Review and Statement of Reasons - Appendix 5 (Pages 135 - 140).

15. The applicant has also submitted the drawings listed below (available for inspection within the Planning Division of the Environment Department prior to the meeting and for reference at the meeting) and these are attached as Appendix 6 (Pages 141 - 146).

- (a) Existing Site Plan;
- (b) Approved - Existing Location Plan and Proposed Block Plan; and
- (c) Approved Plan.

16. The Local Review Body is advised that initial consultation responses and representations received if any, relating to the application will be listed in the planning officer's Report of Handling.

17. All the documents referred to in this report can be viewed online on the Council's website at www.eastrenfrewshire.gov.uk with the exception of any representations that have been made to the application.

RECOMMENDATIONS

18. 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.

- (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: Paul O'Neil

Director - Caroline Innes, Deputy Chief Executive

Paul O'Neil, Committee Services Officer
e-mail: paul.o'neil@eastrenfrewshire.gov.uk
Tel: 0141 577 3011

Date:- January 2020

APPLICATION FORM

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APPLICATION FOR PLANNING PERMISSION

Town and Country Planning (Scotland) Act 1997
 The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please refer to the accompanying **Guidance Notes** when completing this application
PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://www.eplanning.scot>

1. Applicant's Details		2. Agent's Details (if any)	
Title	Mr	Ref No.	
Forename	Craig	Forename	
Surname	Armstrong	Surname	
Company Name		Company Name	
Building No./Name	106	Building No./Name	
Address Line 1	Eaglesham Road	Address Line 1	
Address Line 2		Address Line 2	
Town/City	Clarkston	Town/City	
Postcode	G76 7YN	Postcode	
Telephone		Telephone	
Mobile		Mobile	
Fax		Fax	
Email		Email	

3. Postal Address or Location of Proposed Development (please include postcode)

106 Eaglesham Road
 Clarkston
 G76 7YN

NB. If you do not have a full site address please identify the location of the site(s) in your accompanying documentation.

4. Type of Application

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

Planning Permission	<input checked="" type="checkbox"/>
Planning Permission in Principle	<input type="checkbox"/>
Further Application*	<input type="checkbox"/>
Application for Approval of Matters Specified in Conditions*	<input type="checkbox"/>
Application for Mineral Works**	<input type="checkbox"/>

NB. A 'further application' may be e.g. development that has not yet commenced and where a time limit has been imposed a renewal of planning permission or a modification, variation or removal of a planning condition.

*Please provide a reference number of the previous application and date when permission was granted:

Reference No: Date:

**Please note that if you are applying for planning permission for mineral works your planning authority may have a separate form or require additional information.

5. Description of the Proposal

Please describe the proposal including any change of use:

Formation of driveway (Previously part of application 2019/0780/TP refused)

Is this a temporary permission?

Yes No

If yes, please state how long permission is required for and why:

Have the works already been started or completed?

Yes No

If yes, please state date of completion, or if not completed, the start date:

Date started: Date completed:

If yes, please explain why work has already taken place in advance of making this application

6. Pre-Application Discussion

Have you received any advice from the planning authority in relation to this proposal?

Yes No

If yes, please provide details about the advice below:

In what format was the advice given?

Meeting Telephone call Letter Email

Have you agreed or are you discussing a Processing Agreement with the planning authority? Yes No

Please provide a description of the advice you were given and who you received the advice from:

Name: Date: Ref No.:

7. Site Area

Please state the site area in either hectares or square metres:

Hectares (ha): Square Metre (sq.m.)

8. Existing Use

Please describe the current or most recent use:

Dwelling house

9. Access and Parking

Are you proposing a new altered vehicle access to or from a public road? Yes No

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

Are you proposing any changes to public paths, public rights of way or affecting any public rights of access? Yes No

If yes, please show on your drawings the position of any affected areas and explain the changes you propose to make, including arrangements for continuing or alternative public access.

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

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

Please show on your drawings the position of existing and proposed parking spaces and specify if these are to be allocated for particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, etc.)

10. Water Supply and Drainage Arrangements

Will your proposals require new or altered water supply or drainage arrangements? Yes No

Are you proposing to connect to the public drainage network (e.g. to an existing sewer?)

- Yes, connecting to a public drainage network
- No, proposing to make private drainage arrangements
- Not applicable – only arrangement for water supply required

What private arrangements are you proposing for the new/altered septic tank?

- Discharge to land via soakaway
- Discharge to watercourse(s) (including partial soakaway)
- Discharge to coastal waters

Please show more details on your plans and supporting information

What private arrangements are you proposing?

- Treatment/Additional treatment (relates to package sewer treatment plants, or passive sewage treatment such as a reed bed)
- Other private drainage arrangement (such as a chemical toilets or composting toilets)

Please show more details on your plans and supporting information.

Do your proposals make provision for sustainable drainage of surface water? Yes No

Note:- Please include details of SUDS arrangements on your plans

Are you proposing to connect to the public water supply network?

Yes No

If no, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site)

11. Assessment of Flood Risk

Is the site within an area of known risk of flooding?

Yes No

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.

Do you think your proposal may increase the flood risk elsewhere? Yes No Don't Know

If yes, briefly describe how the risk of flooding might be increased elsewhere.

12. Trees

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

Yes No

If yes, please show on drawings any trees (including known protected trees) and their canopy spread as they relate to the proposed site and indicate if any are to be cut back or felled.

13. Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste? (including recycling)

Yes No

If yes, please provide details and illustrate on plans.

If no, please provide details as to why no provision for refuse/recycling storage is being made:

14. Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats?

Yes No

If yes how many units do you propose in total?

Please provide full details of the number and types of units on the plan. Additional information may be provided in a supporting statement.

15. For all types of non housing development – new floorspace proposedDoes your proposal alter or create non-residential floorspace? Yes No

If yes, please provide details below:

Use type: If you are extending a building, please provide details of existing gross floorspace (sq.m): Proposed gross floorspace (sq.m.):

Please provide details of internal floorspace(sq.m)

Net trading space: Non-trading space: Total net floorspace: **16. Schedule 3 Development**

Does the proposal involve a class of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008?

Yes No Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in your area. Your planning authority will do this on your behalf but may charge a fee. Please contact your planning authority for advice on planning fees.

17. Planning Service Employee/Elected Member InterestAre you / the applicant / the applicant's spouse or partner, a member of staff within the planning service or an elected member of the planning authority? Yes No Or, are you / the applicant / the applicant's spouse or partner a close relative of a member of staff in the planning service or elected member of the planning authority? Yes No

If you have answered yes please provide details:

DECLARATION

I, the applicant/agent certify that this is an application for planning permission. The accompanying plans/drawings and additional information are provided as part of this application. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

I, the applicant/agent hereby certify that the attached Land Ownership Certificate has been completed I, the applicant/agent hereby certify that requisite notice has been given to other land owners and /or agricultural tenants Yes No N/A Signature: Name: Date:

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.

LAND OWNERSHIP CERTIFICATES

Town and Country Planning (Scotland) Act 1997
Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland)
Regulations 2013

CERTIFICATE A, B, C, D OR CERTIFICATE E MUST BE COMPLETED BY ALL APPLICANTS

CERTIFICATE A

Certificate A is for use where the applicant is the only owner of the land to which the application relates and none of the land is agricultural land.

I hereby certify that -

- (1) No person other than myself _____ was owner 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 application.
- (2) None of the land to which the application relates constitutes or forms part of agricultural land.

Signed:

On behalf of:

18.09.2019

Date:

18.09.19

CERTIFICATE B

Certificate B is for use where the applicant is not the owner or sole owner of the land to which the application relates and/or where the land is agricultural land and where all owners/agricultural tenants have been identified.

I hereby certify that -

- (1) I have _____ served notice on every person other than myself _____ who, at the beginning of the period of 21 days ending with the date of the application was owner of any part of the land to which the application relates. These persons are:

Name	Address	Date of Service of Notice

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

or

- (3) The land or part of the land to which the application relates constitutes or forms part of agricultural land and I have _____ served notice on every person other than myself _____ who, at the beginning of the period of 21 days ending with the date of the application was an agricultural tenant. These persons are:

Name	Address	Date of Service of Notice

Signed:

On behalf of:

Date:

CERTIFICATE C

Certificate C is for use where the applicant is not the owner or sole owner of the land to which the application relates and/or where the land is agricultural land and where it has not been possible to identify ALL or ANY owners/agricultural tenants.

(1) I have been unable to serve notice on **every** person other than myself who, at the beginning of the period of 21 days ending with the date of the application was owner of any part of the land to which the application relates.

or

(2) I have been unable to serve notice on **any** person other than myself who, at the beginning of the period of 21 days ending with the date of the accompanying application, was owner of any part of the land to which the application relates.

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

or

(4) The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have been unable to serve notice on any person other than myself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant.

or

(5) The land or part of the land to which the application relates constitutes or forms part of an agricultural holding I have served notice on each of the following persons other than myself who, at the beginning of the period of 21 days ending with the date of the application was an agricultural tenant. These persons are:

Name	Address	Date of Service of Notice

(6) I have _____ taken reasonable steps, as listed below, to ascertain the names and addresses of all other owners or agricultural tenants and have _____ been unable to do so.

Steps taken:

Signed: _____

On behalf of: _____

Date: _____

CERTIFICATE D

Certificate D is for use where the application is for mineral development.

(1) No person other than myself _____ was an owner 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.

or

(2) I have _____ served notice on each of the following persons other than myself _____ who, at the beginning of the period of 21 days ending with the date of the accompanying application, was to the applicant's knowledge, the owner, of any part of the land to which the application relates. These persons are:

Name	Address	Date of Service of Notice

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

or

(4) The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have _____ served notice on each of the following persons other than myself _____ who, at the beginning of the period of 21 days ending with the date of the application, was an agricultural tenant.

(5) Notice of the application as set out below has been published and displayed by public notice

Signed: _____

On behalf of: _____

Date: _____

CERTIFICATE E

Certificate E is required where the applicant is the sole owner of all the land and the land to which the application relates is agricultural land and there are or are not agricultural tenants.

I hereby certify that -

(1) No person other than myself _____ was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) The land to which the application relates constitutes or forms part of an agricultural holding and there are no agricultural tenants.

or

(1) No person other than myself _____ was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) The land to which the application relates constitutes or forms part of an agricultural holding and there are agricultural tenants. These people are:

Name	Address	Date of Service of Notice

(3) I have _____ taken reasonable steps, as listed below, to ascertain the names and addresses of the other agricultural tenants and have _____ been unable to do so.

Steps taken:

Signed:

On behalf of:

Date:

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act

NOTICE TO OWNERS AND AGRICULTURAL TENANTS

Town and Country Planning (Scotland) Act 1997
Regulation 15 (1) of the Town and Country Planning (Development Management Procedure)
(Scotland) Regulations 2013

Name [Note 1]	
Address	

Proposed development at [Note 2]	

Notice is hereby given that an application is being made to

[Note 3]		Council by	
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For planning permission to [Note 4]

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If you wish to obtain further information on the application or to make representations about the application, you should contact the Council at [Note 5]

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(The grant of planning permission does not affect owners' rights to retain and dispose of their property unless there is some provision to the contrary in an agreement or lease. The grant of planning permission for non-agricultural development may affect agricultural tenants security of tenure.)

Signed	
On behalf of	
Date	

*Delete where appropriate

[Note 1] – Insert name and address of owner or agricultural tenants

[Note 2] – Insert address or location of proposed development.

[Note 3] – Insert name of planning authority.

[Note 4] – Insert description of proposed development.

[Note 5] - Insert planning authority address.

NOTICE TO OWNERS AND AGRICULTURAL TENANTS

The Town and Country Planning (Scotland) Act 1997
 The Town and Country Planning (Development Management Procedure) (Scotland)
 Regulations 2013 (Regulation 15)

NOTES FOR GUIDANCE

Before applying for planning permission or planning permission in principle under regulations 9 to 11, applicants should notify all persons who (other than themselves), were the owners of any of the land to which the application relates, or were agricultural tenants at the beginning of the prescribed period (in effect 21 days ending with the date on which the application was submitted).

Notices to owners and agricultural tenants should be in the form set out in schedule 1 of the regulations and must include:

1. The name of the applicant
2. The address or location of the proposed development
3. A description of the proposed development and
4. The name and address of the planning authority who will determine the application.

The grant of planning permission will not affect the rights of an owner, or tenant under a lease which has at least 7 years to run, to dispose of the consented property unless there is express provision in the lease/Agreement.

Applications for the working and winning of underground minerals

The notification of site owners and agricultural tenants regarding applications for the working and winning of underground minerals may be both onerous and complex. In addition to those owners and agricultural tenants with rights in relation to the relevant surface land, there may be other people with ownership rights to minerals, other than those vested in the Crown (oil, gas, coal, gold and silver), who may be difficult to identify and notify.

For the purposes of these applications, regulation 15(4) amends the requirement to notify owners to relate to those who "to the applicant's knowledge" are owners

Any personal data that you may be asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.

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COPIES OF OBJECTIONS/REPRESENTATIONS

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Roads Service OBSERVATIONS ON PLANNING APPLICATION

Our Ref: 2019/0599/TP
D.C Ref: Mr Derek Scott
Contact: Mr Allan Telfer

Planning Application No: 2019/0599/TP **Dated:** 28.11.2019 **Received:** 28.11.2019
Applicant: Mr Craig Armstrong
Proposed Development: Formation of driveway
Location: 106 Eaglesham Road Clarkston East Renfrewshire G76 7YN
Type of Consent: Full Planning Permission
Ref No. of Dwg.(s) submitted: As per IDOX

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	N
(d) Sightlines (2m x 90m x 1.05m)	N

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	N
(b) Car Parking Provision	Y
(c) Layout of parking bays / Garages	Y
(d) Servicing Arrangements/Driveways	N

5. Signing

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

COMMENTS

2(a)	<p>A Section 56 road opening permit will be required in order to form the connection with the public road. The work would be carried out at the Applicant' expense and to Roads Service specifications.</p> <p>It is noted that the proposed access is to be 5m wide with a maximum gradient of 10% with the first 2m of the access paved which is acceptable.</p>
2(c)	<p>There is currently no footway along the frontage of the site. The footway ends where the shared access begins therefore if this is no longer a shared access then there would be no safe means for pedestrians to access No. 106.</p> <p>A new 2m wide footway is therefore required to be provided along the frontage of the site to the new access to provide a safe pedestrian access into No.106 Eaglesham Road.</p>
2(d)	<p>The visibility splay required between the proposed access and the B767 Eaglesham Road is 2m x 90m with no interference within the splay above a height of 1.05m in both the primary and secondary directions.</p>
4(a)	<p>Surface water run-off from the proposed access must be contained and not permitted to issue onto the public road.</p>



4(d)	An area of hardstanding to the rear of the access would be required to accommodate bins. The location of the bins must not interfere with the visibility splay at the proposed access. Gates if provided must open inwards or if opening outwards then there must be space for a vehicle to wait off the public road while the gate is opened.
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Ref.	CONDITIONS
2(c)	A 2m wide footway required along the full frontage of the site to the new access to provide a safe pedestrian access into No.106 Eaglesham Road.
2(d)	The visibility splay required between the proposed access and the B767 Eaglesham Road is 2m x 90m with no interference within the splay above a height of 1.05m in both the primary and secondary directions.
4(a)	Surface water run-off from the proposed access must be contained and not permitted to issue onto the public road.

Notes for Intimation to Applicant:

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

* Relevant Section of the Roads (Scotland) Act 1984

Comments Authorised By: John Marley
pp Roads and Transportation Controller

Date: 17/12/2019



REPORT OF HANDLING

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REPORT OF HANDLING

Reference: 2019/0599/TP

Date Registered: 28th November 2019

Application Type: Full Planning Permission

This application is a Local Development

Ward: 4 -Clarkston, Netherlee And Williamwood

Co-ordinates: 257157/:656189

Applicant/Agent:

Applicant:

Agent:

Mr Craig Armstrong
106 Eaglesham Road
Clarkston
East Renfrewshire
G76 7YN

Proposal: Formation of driveway

Location: 106 Eaglesham Road
Clarkston
East Renfrewshire
G76 7YN

CONSULTATIONS/COMMENTS:

East Renfrewshire Council Roads Service

No objection subject to conditions.

PUBLICITY: None.

SITE NOTICES: None.

SITE HISTORY:

2018/0780/TP	Erection of two storey rear extension; enlargement of dormer window at rear; formation of driveway.	Refused	09.05.2019
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REPRESENTATIONS: No representations have been received.

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

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

ASSESSMENT:

The application site comprises a semi-detached property and its curtilage and lies on the west side of Eaglesham Road immediately to the south of Clarkston. It lies within the green belt and within the green network as defined within the adopted East Renfrewshire Local Development

Plan. The entries to Newford Grove and Williamwood High School lie 12 and 60 metres to the south respectively, both on the opposite side of the road.

The site has no dedicated vehicular or pedestrian access from Eaglesham Road and currently uses the access to the adjacent dwelling at 104 Eaglesham Road. The driveway to 104 turns in front of both dwellings and leads to parking at the side of number 106. An adopted footpath runs northwards towards Clarkston from the access to 104. The applicant's front garden is raised approximately 1.5 metres above the level of Eaglesham Road and is retained behind a retaining wall. An adopted road verge approximately 2.5 metres wide separates the retaining wall from the adjacent carriageway and runs in front of numbers 104 and 106.

Planning permission is sought for the formation of a driveway onto Eaglesham Road to serve number 106. It is proposed to be formed adjacent to the southern boundary of the site and will involve the re-profiling of part of the front garden to allow a level access to the road. The access is proposed to be 5 metres wide and the first 2 metres is indicated as being paved. The gradient of the proposed driveway is not proposed to exceed 10%.

The application requires to be assessed against Policies D1, D3 and D4 of the adopted East Renfrewshire Local Development Plan. Policy D1 requires that all development should not result in a significant loss of character to the surrounding area and that the Council's access requirements should be met. Policy D3 relates to development in the green belt and states that development in the green belt will be strictly controlled and limited to that which is required and that is in keeping with the rural character of the area. Policy D4 states that the Council will protect the landscape, wildlife, access and recreation value of the green network.

Given its nature and scale, the proposed access and associated earth works would not be visually prominent or detract from the character or amenity of the green belt or green network. The Council's Roads Service has advised that it has no objection to the proposal from a road safety perspective subject to appropriate conditions. Such conditions, which include the formation of a footpath along the frontage of the site linking to the footpath at 104 and visibility splays, can be included on any planning permission should the application be approved. As such, the proposal is considered to comply with Policy D1 of the adopted East Renfrewshire Local Development Plan.

The proposal relates to the formation of a driveway to serve an existing dwelling. It will have only limited effect outwith the curtilage where it involves work to the adopted road verge. It would not therefore have an impact on the function of the green belt or the green network. As such, there is no conflict with Policies D3 or D4.

The Proposed Local Development Plan 2 is a material consideration and with regard to this planning application, the relevant policies are considered to be D1, D3 and D4. The aforementioned policies largely reflect the adopted Local Development Plan policies. Consequently, for the reasons stated above, it is considered that the proposed works accord with the relevant policies in the Proposed Local Development Plan.

The application therefore complies with the terms of the adopted East Renfrewshire Local Development Plan. There are no material considerations that indicate the application should not be approved. It is therefore recommended that the application is approved.

RECOMMENDATION: Approve Subject to Conditions

PLANNING OBLIGATIONS: None.

CONDITIONS:

1. Visibility splays of 2 metres by 90 metres shall be provided in both directions at the junction of the new access with the existing road prior to the use of the access hereby approved and thereafter maintained free from any obstructions exceeding a height of 1.05m above the adjacent road.

Reason: To enable drivers of vehicles leaving the site to have a clear view over a length of road sufficient to allow safe exit.

2. Prior to the commencement of any work on site details of a 2 metre wide footpath, to be provided along the frontage of the site in the location indicated on approved drawings references 1 and 2, shall be submitted and approved in writing by the planning authority. Thereafter the development shall be completed in accordance with the approved details and the footway shall be provided prior to the use of the access hereby approved.

Reason: To ensure safe pedestrian access is provided in the interest of public road safety.

3. Prior to the commencement of any work on site, details of the proposed driveway, including the surface materials, designed to incorporate a positive drainage system to ensure that no water discharges or loose material is carried out onto the public road, shall be submitted and approved in writing by the planning authority. Thereafter, the development shall be completed in accordance with the approved details.

Reason: In the interest of public road safety.

ADDITIONAL NOTES: None.

ADDED VALUE:

Conditions have been added that are necessary to control or enhance the development and to ensure the proposal complies with the Council's Local Development Plan policies.

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

BACKGROUND PAPERS:

Further information on background papers can be obtained from Mr Derek Scott on 0141 577 3034.

Ref. No.: 2019/0599/TP
(DESC)

DATE: 9th January 2020

DIRECTOR OF ENVIRONMENT

Reference: 2019/0599/TP - Appendix 1

DEVELOPMENT PLAN:**Strategic Development Plan**

This proposal raises no strategic issues in terms of the Glasgow and the Clyde Valley Strategic Development Plan and therefore the East Renfrewshire Local Plan is the relevant policy document

Adopted East Renfrewshire Local Development Plan

Policy D1

Detailed Guidance for all Development

Proposals for development should be well designed, sympathetic to the local area and demonstrate that the following criteria have been considered, and, where appropriate, met. In some cases, where the criteria have not been met, a written justification will be required to assist with assessment.

1. The development should not result in a significant loss of character or amenity to the surrounding area;
2. The proposal should be of a size, scale, massing and density that is in keeping with the buildings in the locality and should respect local architecture, building form, design, and materials;
3. The amenity of neighbouring properties 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 Planning Guidance;
4. The development should not impact adversely on landscape character or the green network, involve a significant loss of trees or other important landscape, greenspace or biodiversity features;
5. Developments should incorporate green infrastructure including access, landscaping, greenspace, water management and Sustainable Urban Drainage Systems at the outset of the design process. Where appropriate, new tree or shrub planting should be incorporated using native species. The physical area of any development covered by impermeable surfaces should be kept to a minimum to assist with flood risk management. Further guidance is contained within the Green Network and Environmental Management Supplementary Planning Guidance;
6. Development should create safe and secure environments that reduce the scope for anti-social behaviour and fear of crime;
7. Developments must be designed to meet disability needs and include provision for disabled access within public areas;
8. The Council will not accept 'backland' development, that is, development without a road frontage;
9. Parking and access requirements of the Council should be met in all development and appropriate mitigation measures should be introduced to minimise the impact of new development. Development should take account of the principles set out in 'Designing Streets';
10. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the development;
11. Developments should include provision for the recycling, storage, collection and composting of waste materials;
12. Where possible, all waste material arising from construction of the development should

- be retained on-site for use as part of the new development;
13. Where applicable, new development should take into account the legacy of former mining activity;
 14. Development should enhance the opportunity for and access to sustainable transportation, including provision for bus infrastructure, and particularly walking and cycle opportunities including cycle parking and provision of facilities such as showers/lockers, all where appropriate. The Council will not support development on railways solums or other development that would remove opportunities to enhance pedestrian and cycle access unless mitigation measures have been demonstrated;
 15. The Council requires the submission of a design statement for national and major developments. Design statements must also be submitted in cases where a local development relates to a site within a conservation area or Category A listed building in line with Planning Advice Note 68: Design Statements.
 16. Where applicable, developers should explore opportunities for the provision of digital infrastructure to new homes and business premises as an integral part of development.

Policy D3

Green Belt and Countryside Around Towns

Development in the green belt and countryside around towns as defined in the Proposals Map, will be strictly controlled and limited to that which is required and is appropriate for a rural location and which respects the character of the area.

Where planning permission is sought for development proposals, within the green belt or countryside around towns and these are related to agriculture, forestry, outdoor recreation, renewable energy and other uses appropriate to the rural area, the Council will consider them sympathetically subject to compliance with other relevant policies of the Plan. Any decision will, however, take into consideration the impact the proposals will have on the function of the green belt and countryside around towns and the viability of important agricultural land. Development must be sympathetic in scale and design to the rural location and landscape.

Further detailed information and guidance is provided in the Rural Development Guidance Supplementary Planning Guidance.

Policy D4

Green Network

The Council will protect, promote and enhance the wildlife, recreational, landscape and access value of the green networks shown on the Proposals Map.

Proposals for development that are likely to destroy or impact adversely on the character or function of the green network will be discouraged.

Where proposals are likely to adversely impact upon the green network, appropriate mitigation will be required.

The provision of the green network will be a core component of any master plan.

Further detailed information and guidance, which all proposals require to reflect, is set out in the Green Network and Environmental Management Supplementary Guidance.

Proposed Local Development Plan 2

Policy D1

Placemaking and Design

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

1. The development should not result in a significant loss of character or amenity to the surrounding area;
2. The proposal should be appropriate to its location, be high quality and of a size, scale, height, massing and density that is in keeping with the buildings in the locality or appropriate to the existing building and should respect local architecture, building form and design;
3. Respect existing building lines and heights of the locality;
4. Create a well-defined structure of streets, public spaces and buildings;
5. Ensure the use of high quality sustainable and durable materials, colours and finishes that complement existing development and buildings in the locality;
6. Respond to and complement site topography and not impact adversely upon the green belt and landscape character, green networks, features of historic interest, landmarks, vistas, skylines and key gateways. Existing buildings and natural features of suitable quality, should be retained and sensitively integrated into proposals including greenspace, trees and hedgerows;
7. Boundary treatment and landscaping should create a distinctive edge and gateway to the development and reflect local character;
8. Promote permeable and legible places through a clear sustainable movement hierarchy favouring walking, then cycling, public transport, then the private car as forms of movement;
9. Demonstrate connectivity through the site and to surrounding spaces via a network of safe, direct, attractive and coherent walking and cycling routes. These must be suitable for all age groups, and levels of agility and mobility to allow for ease of movement from place to place;
10. Demonstrate that safe and functional pedestrian, cycle and vehicular access, and parking facilities and infrastructure, including for disabled and visitor parking, is provided in accordance with the Council's Roads Development Guide. Where appropriate, proposals will be required to provide secure and accessible shelters, lockers, showers and seating and be designed to meet the needs of all users. Cycle parking and facilities should be located in close proximity to the entrances of all buildings to provide convenience and choice for users;
11. Incorporate integrated and enhance existing green infrastructure assets, such as landscaping, trees and greenspace, water management and SUDs including access and prioritise links to the wider green network as an integral part of the design process from the outset, in accordance with Policies D4 - D6. New green infrastructure must be designed to protect and enhance the habitat and biodiversity of the area and demonstrate a net gain;

12. There will be a general presumption against all proposals that involve landraising. Where there is a justifiable reason for landraising, proposals must have regard to the scale and visual impact of the resultant changes to the local landscape and amenity. Proposals that adversely impact upon the visual and physical connections through the site and to the surrounding areas will be resisted;
13. Backland development should be avoided;
14. Provide safe, secure and welcoming places with buildings and spaces, including open spaces, play areas and landscaping, designed and positioned to reduce the scope for anti-social behaviour and fear of crime, improve natural surveillance, passive overlooking, security and street activity;
15. The amenity of residents, occupants and users of neighbouring existing and new buildings and spaces should not be adversely affected by unreasonably restricting their sunlight or privacy. Additional guidance on this issue is available in the Daylight and Sunlight Design Guide Supplementary Guidance;
16. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the proposal;
17. The amenity of residents, occupants and users of neighbouring existing and new buildings and spaces should not be adversely affected by noise, dust, pollution and smell or poor air quality;
18. Ensure buildings and spaces are future proof designed to be easily adaptable and flexible to respond to changing social, environmental, technological, digital and economic conditions;
19. Incorporate provision for the recycling, storage, collection and composting of waste materials; and
20. Incorporate the use of sustainable design and construction methods and materials in the layout and design to support a low carbon economy.

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

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

Policy D3

Green Belt and Countryside around Towns (CAT)

Development in the green belt and Countryside around Towns (CAT), shown on the Proposals Map, will be strictly controlled and limited to that which is required and is appropriate for a rural location. Proposals will require to demonstrate that they are appropriate in terms of scale, size, design, layout and materials, to their rural location and compatible with adjoining and neighbouring uses.

Proposals should be designed to complement the surrounding landscape ensuring that there are no adverse landscape or visual impacts, seek to ensure that the integrity of the landscape character and setting is maintained or enhanced as informed by the Council's Green Belt Landscape Character Assessment (LCA). Proposals should not be suburban in character or scale and should have no adverse impacts upon the amenity of the surrounding rural area.

Development within the green belt or countryside around towns, including changes of use or conversions of existing buildings, will be supported in principle where it is for agriculture; forestry; equestrian; countryside recreation and active travel; outdoor leisure and tourism, including holiday accommodation; economic and farm diversification; and renewable energy and infrastructure such as minerals, digital communications infrastructure and electricity grid connections that have a site specific and operational need for a rural location, subject to compliance with other relevant policies of the Proposed Plan.

Proposals should make use of existing or replacement buildings whenever possible. Where it is demonstrated that this is not achievable and where a new building, structure or dwelling is proposed it should be commensurate with the functional requirement of the business, should be sited adjacent to other existing buildings and within the boundary of the established use. Any proposal that involves a business which requires a new building will also have to demonstrate that it is established and/or viable for a minimum period of 3 years at that location.

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

Policy D4

Green Networks and Infrastructure

The Council will protect, promote and enhance a multifunctional and accessible green network across the Council area, as shown on the Proposals Map, which contributes to healthy lifestyles and wellbeing and links to the wider green network across the Clydeplan region.

Proposals will be required to protect and enhance the green and blue network, its value and multiple functions including wildlife, biodiversity, recreational, landscape and access. Proposals should also meet the requirement of Policy D7.

The provision of a green network will be required to form a core component of any master plan or development brief.

Where a proposal impacts adversely on the character or function of the green network, proposals may be required to contribute to enhancing any remaining, or create new green infrastructure and green network, in accordance with Strategic Policy 2 and D6.

The Council will support the implementation of the proposals listed in Schedule 3.

Further detailed guidance and information will be set out in the Green Network Supplementary.

GOVERNMENT GUIDANCE: None

Finalised 09/01/20 AC(3)

**DECISION NOTICE
AND
REASONS FOR REFUSAL**

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**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
(AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(SCOTLAND) REGULATIONS 2013**

CONDITIONAL PLANNING APPROVAL

REF NO. **2019/0599/TP**

Applicant:

Mr Craig Armstrong
106 Eaglesham Road
Clarkston
East Renfrewshire
G76 7YN

Agent:

With reference to your application registered on 28th November 2019 for the following development:-

Formation of driveway

at: 106 Eaglesham Road, Clarkston, East Renfrewshire, G76 7YN

The Council in exercise of its powers under the above Acts and Regulations now grant planning permission for the above development in accordance with the particulars given in the application and the plans listed below.

To comply with the provisions of Section 58 of the above Act, the development must be begun not later than the expiration of three years beginning with the date of this permission. Any condition(s) attached to this consent, with the reasons for imposing them as shown below.

The reason(s) why the Council made this decision are as follows:

1. The development is considered to comply with development plan policies.

The approval is subject to the following condition(s):-

1. Visibility splays of 2 metres by 90 metres shall be provided in both directions at the junction of the new access with the existing road prior to the use of the access hereby approved and thereafter maintained free from any obstructions exceeding a height of 1.05m above the adjacent road.

Reason: To enable drivers of vehicles leaving the site to have a clear view over a length of road sufficient to allow safe exit.

2. Prior to the commencement of any work on site details of a 2 metre wide footpath, to be provided along the frontage of the site in the location indicated on approved drawings references 1 and 2, shall be submitted and approved in writing by the planning authority. Thereafter the development shall be completed in accordance with the approved details and the footway shall be provided prior to the use of the access hereby approved.

Reason: To ensure safe pedestrian access is provided in the interest of public road safety.

3. Prior to the commencement of any work on site details of the proposed driveway, including the surface materials, designed to incorporate a positive drainage system to ensure that no water discharges or loose material is carried out onto the public road, shall be submitted and approved in writing by the planning authority. Thereafter, the development shall be completed in accordance with the approved details.

Reason: In the interest of public road safety.

Dated 9th January 2020



Director of Environment
 East Renfrewshire Council
 2 Spiersbridge Way,
 Spiersbridge Business Park,
 Thornliebank,
 G46 8NG
 Tel. No. 0141 577 3001

The following drawings/plans have been approved

Plan Description	Drawing Number	Drawing Version	Date on Plan
Block Plan and Location Plan Proposed	1		
Plans Proposed	2		

Notes

Planning Officials may monitor the site during the course of development to ensure compliance with the planning permission hereby granted.

It should be understood that this planning permission does not carry with it any approval which may be necessary under the Building (Scotland) Act 2003 or any other enactment.

No materials or skips should be placed on the footpath / road without the prior written consent of East Renfrewshire Council Roads and Transportation Service, 2 Spiersbridge Way, Spiersbridge Business Park, Thornliebank, East Renfrewshire, G46 8NG.

It is the applicant's responsibility to obtain approval of neighbouring landowners should any part of the development encroach over the boundary or if entry is required during construction.

The applicant is required to comply with the European Council's Directive 92/43/EEC on the Conservation of Natural Habitats, the Wildlife and Countryside Act 1981 (as amended) and the Nature Conservation (Scotland) Act 2004 which provide full protection for certain plant and animal special and European Protected Species. It is illegal to capture, kill, disturb any such animal, damage or destroy breeding or nesting sites or eggs or deliberately or recklessly pick, collect, cut, uproot or destroy European Protected Species of wild plant. In addition, where it is proposed to carry out works which will affect European Protected Species or their shelter/breeding places, a licence is required from the Scottish Government. Further information on these matters can be sought at Scottish Government Species Licensing Team, Countryside and Heritage Unit, Victoria Quay, Edinburgh or from Scottish Natural Heritage.

Information on home and property crime prevention advice can be found at www.securedbydesign.com/aware.

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

GUIDANCE NOTES FOR 'LOCAL' DEVELOPMENTS
DETERMINED UNDER DELEGATED POWERS

NOTICES

Notification of Intention of Development

Once planning permission has been granted and you have decided when to start work on the development, it is a requirement that you inform the Council's Planning Service of that date. The Notice of Intention of Development form must be submitted before work starts and failure to do so would constitute a breach of planning control. This form is included in the decision pack and is also available to download from the Council's website at www.eastrenfrewshire.gov.uk.

Notification of Completion of Development

Once the development has been completed you must, as soon as practicable, submit a Notice of Completion of Development to the Council's Planning Service. Where a development is carried out in phases, you are required to submit a notice at the conclusion of each phase. This form is included in the decision pack and is also available to download from the Council's website.

OTHER INFORMATION

Variation of Planning Permissions

Applications may be varied provided there is not a substantial change to the development. Where there is a substantial change, a new planning application should be submitted.

To apply for a Variation of Planning Permission you must fill in a Non-Material Variation form and submit 2 sets of amended plans to the Council's Planning Service. A decision letter will be issued by the Council's Planning Service. The Non-Material Variation form is available from the Council's Planning Service at the contact details below.

Fulfilment of Conditions

Any conditions attached to your planning permission require to be complied with, which may involve discharging the terms of the conditions before the development commences. Failure to discharge the conditions before the development commences may affect the legality of your development.

To discharge the relevant conditions please complete the enclosed 'Approval of Conditions attached to Planning Permission' form and submit it and the relevant information to the Planning Service. Once submitted and considered you will receive a decision notice from the Council.

It should be noted that you can apply to discharge more than one condition at a time.

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.

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CONTACT DETAILS

East Renfrewshire Council
Development Management Service
2 Spiersbridge Way,
Spiersbridge Business Park,
Thornliebank,
G46 8NG
General Inquiry lines 0141 577 3895 or 0141 577 3878
Email planning@eastrenfrewshire.gov.uk

**NOTICE OF REVIEW
AND
STATEMENT OF REASONS**

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RECEIVED

30 JAN 2020

NOTICE OF REVIEW

Under Section 43A(8) Of the Town and Country Planning (SCOTLAND) ACT 1997 (As amended).In.Respect.
of Decisions on Local Developments

The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (SCOTLAND)
Regulations 2013

The Town and Country Planning (Appeals) (SCOTLAND) Regulations 2013

IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.

**PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS
ELECTRONICALLY VIA <https://www.eplanning.scot>**

1. Applicant's Details		2. Agent's Details (if any)	
Title	Mr	Ref No.	
Forename	Craig	Forename	
Surname	Armstrong	Surname	
Company Name		Company Name	
Building No./Name	106	Building No./Name	
Address Line 1	Eaglesham Road	Address Line 1	
Address Line 2		Address Line 2	
Town/City	Clarkston	Town/City	
Postcode	G76 7YN	Postcode	
Telephone		Telephone	
Mobile		Mobile	
Fax		Fax	
Email		Email	
3. Application Details			
Planning authority	East Renfrewshire Council		
Planning authority's application reference number	2019/0599/TP		
Site address	106 Eaglesham Road Clarkston G76 7YN		
Description of proposed development	Installation of driveway		

Date of application

18.09.2019

Date of decision (if any)

09.01.2020

Note. This notice must be served on the planning authority within three months of the date of decision notice or from the date of expiry of the period allowed for determining the application.

4. Nature of Application

- Application for planning permission (including householder application)
- Application for planning permission in principle
- Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission and/or modification, variation or removal of a planning condition)
- Application for approval of matters specified in conditions

5. Reasons for seeking review

- Refusal of application by appointed officer
- Failure by appointed officer to determine the application within the period allowed for determination of the application
- Conditions imposed on consent by appointed officer

6. 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.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

- Further written submissions
- One or more hearing sessions
- Site inspection
- Assessment of review documents only, with no further procedure

If you have marked either of the first 2 options, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing necessary.

7. Site inspection

In the event that the Local Review Body decides to inspect the review site, in your opinion:

- Can the site be viewed entirely from public land?
- Is it possible for the site to be accessed safely, and without barriers to entry?

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

8. Statement

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. Note: 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.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

The application to install a driveway to the property was approved on the 9th January 2020 and I wish to appeal to have condition 2 removed from the approval. This condition requests that a 2m wide pavement is provided between the existing driveway and the new proposed driveway to provide safe pedestrian access to the property.

The existing driveway to the property is a shared access with 104 Eaglesham Road (pedestrian and vehicle). The proposal is to retain this as it is and to install an additional driveway as a vehicle only route to the property at 106 Eaglesham Road. The new access is being formed as a result of recently experienced safety issues. The existing access is not wide enough for 2 cars to pass and due to its layout you can't see if a vehicle is leaving the driveway until you have already started turning in off Eaglesham Road which has been a problem for myself and my family at peak times, having to stop half way across the north bound carriageway and side on to oncoming traffic or being forced to reverse into oncoming traffic on the south bound carriageway. The new driveway would mean that safe access could be achieved at all times with pedestrian access remaining as is. Anyone approaching the property from Clarkston by foot would simply follow the existing shared access that currently exists. Additional pedestrian signage at the end of the existing drive where the pavement ends could be added as a further control measure if needs be. Furthermore, the formation of a 2m wide pavement between the driveways would require works on land that is outwith my property boundary of 106 Eaglesham Road. i.e. remove mature trees, construct a 2mt high retaining wall parallel to the pavement and loose garden space all on/from my neighbours garden.

Another potential situation it would alleviate is if an emergency situation arose where a vehicle had to leave my property urgently or an emergency service required access immediately and the shared section of the drive at 104's front door was blocked by for example my neighbour, their customer, visitor or tradesmen etc. Currently this is all outwith my control and has happened on numerous occasions in the past albeit not in an emergency situation.

Have you raised any matters which were not before the appointed officer at the time your application was determined? Yes No

If yes, please explain below a) why your are raising new material b) why it was not raised with the appointed officer before your application was determined and c) why you believe it should now be considered with your review.

9. List of Documents and Evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review

SITE PLAN SHOWING EXISTING AND PROPOSED ACCESS

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

10. Checklist

Please mark the appropriate boxes to confirm that you have provided all supporting documents and evidence relevant to your review:

Full completion of all parts of this form

Statement of your reasons for requesting a review

All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

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 from that earlier consent.

DECLARATION

I, the applicant/agent hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

Signature:



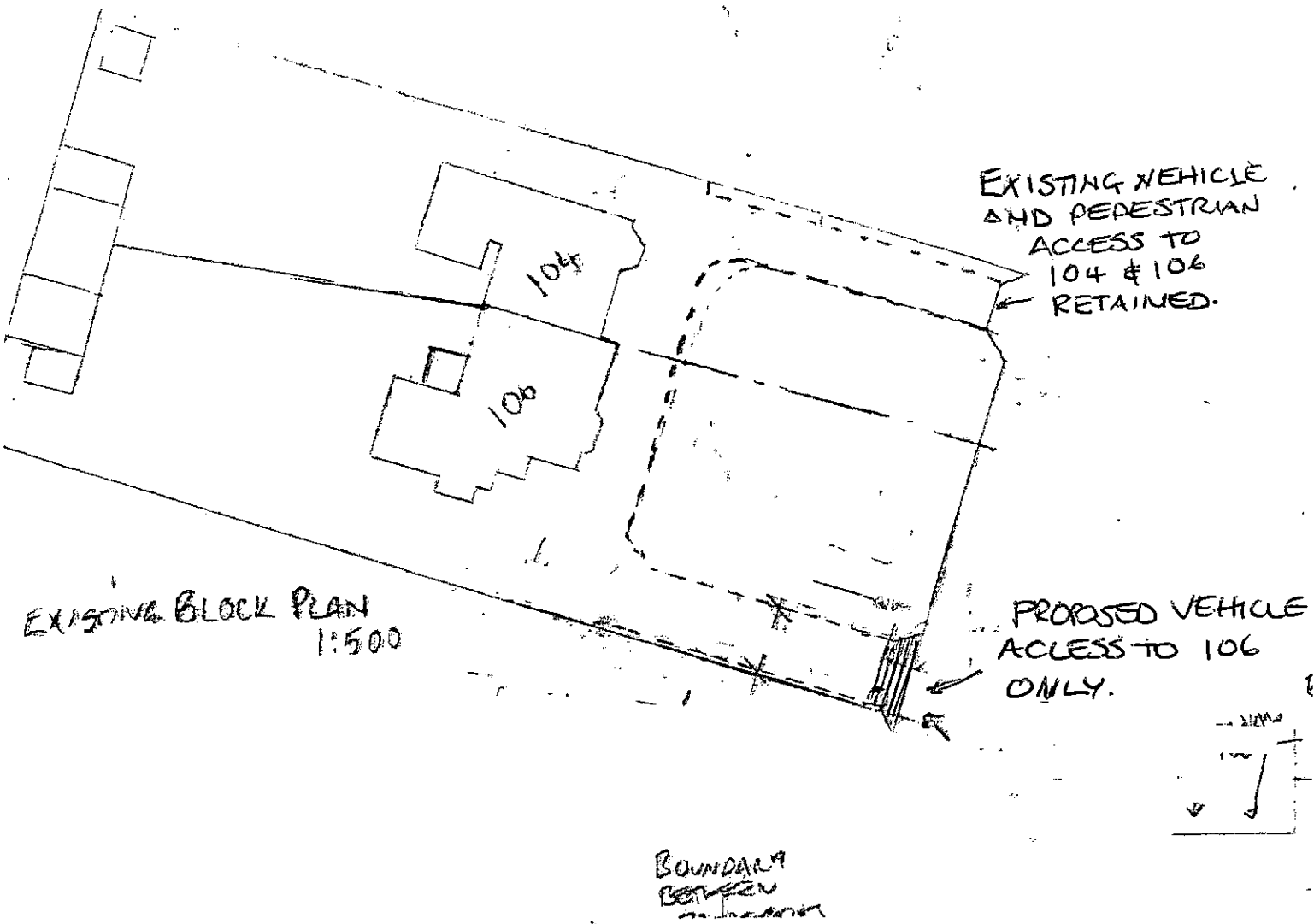
Name: Craig Armstrong

Date: 28.01.2020

Any personal data that you have been asked to provide on this form will be held and processed in accordance with Data Protection Legislation.

PLANS/PHOTOGRAPHS/DRAWINGS

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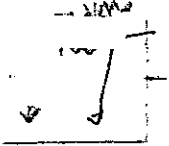


EXISTING VEHICLE
AND PEDESTRIAN
ACCESS TO
104 & 106
RETAINED.

EXISTING BLOCK PLAN
1:500

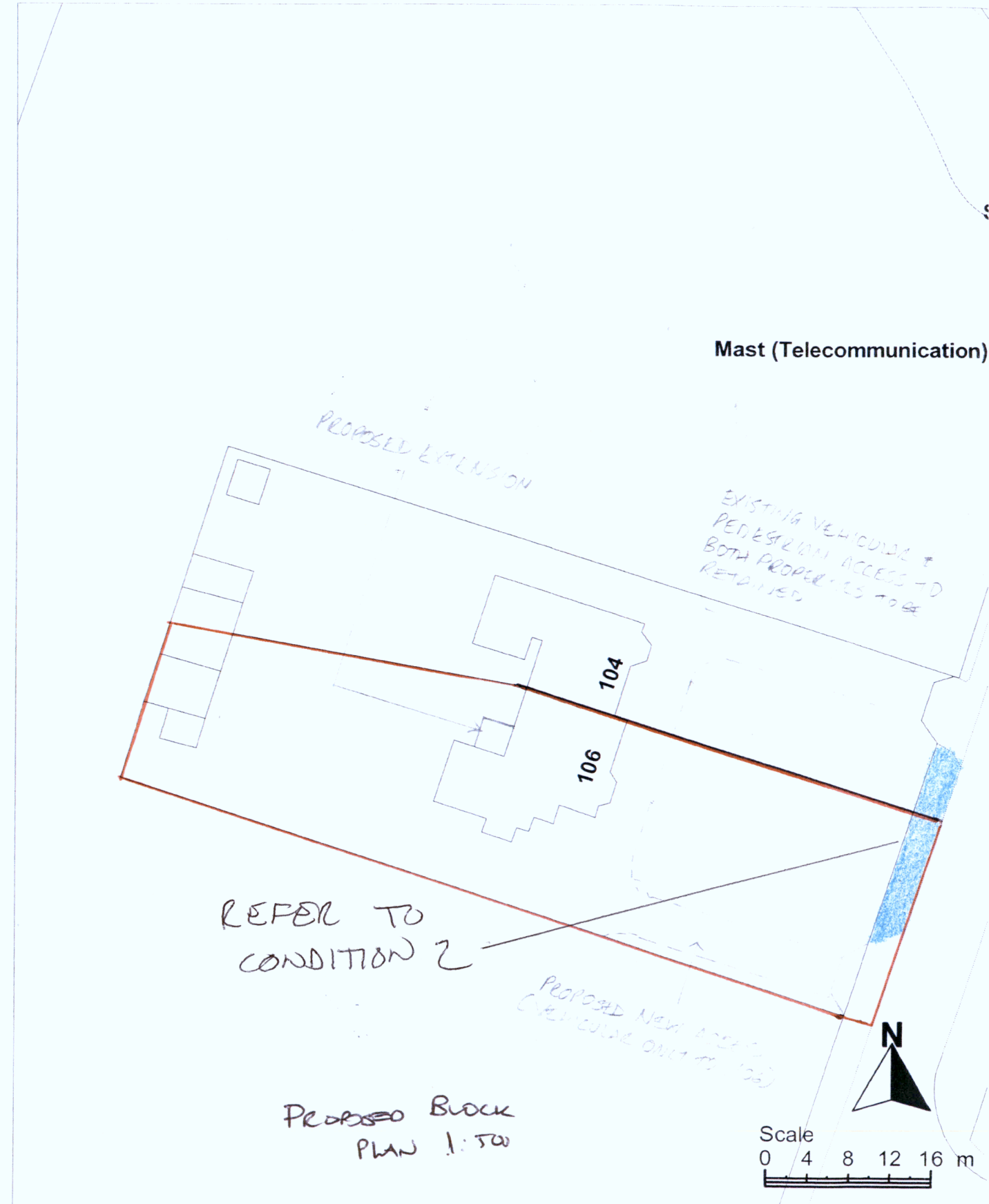
PROPOSED VEHICLE
ACCESS TO 106
ONLY.

BOUNDARY
BETWEEN





EXISTING LOCATION PLAN
1:1250

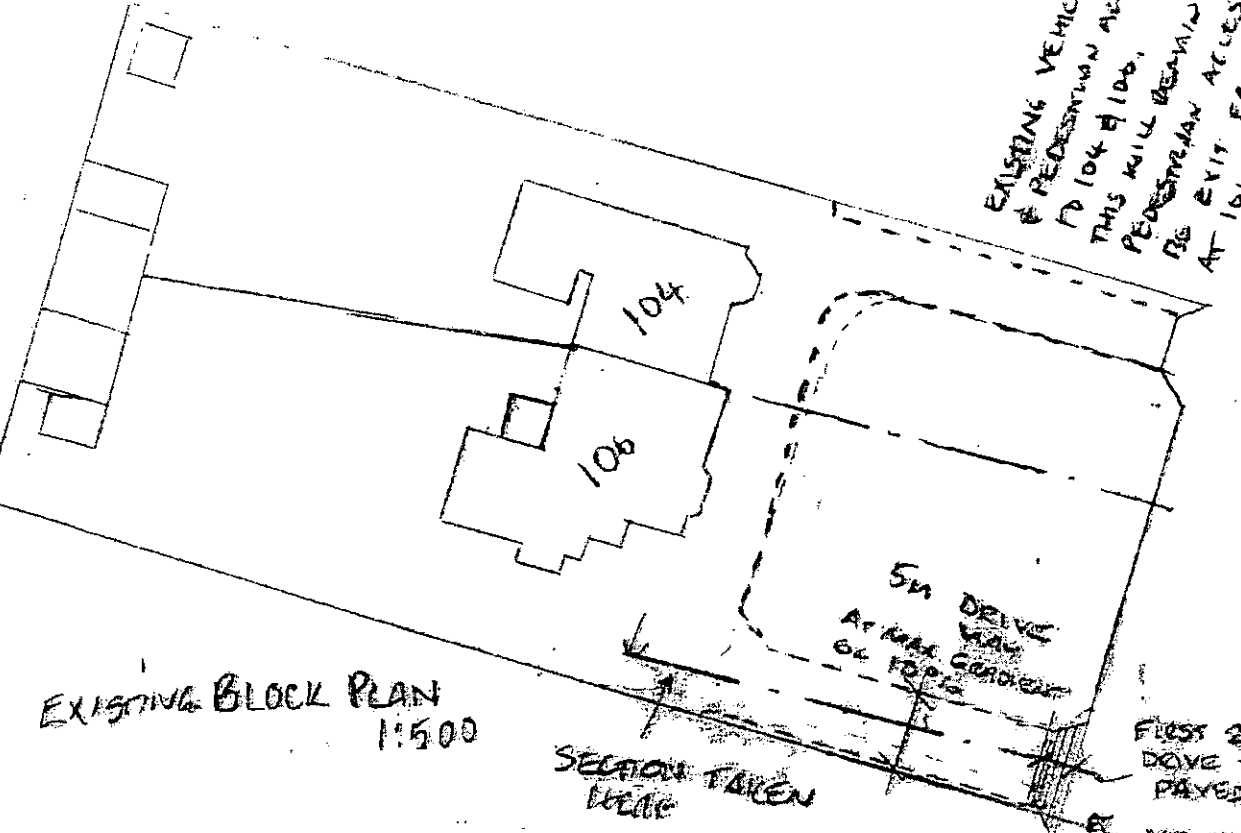


PROPOSED BLOCK
PLAN 1:500

Mast (Telecommunication)

EXISTING VEHICLE & PEDESTRIAN ACCESS TO 104 & 106. THIS WILL REMAIN AS PEDESTRIAN ACCESS AND AS EXIT FROM PROPERTY AT 106.

EXISTING BLOCK PLAN 1:500

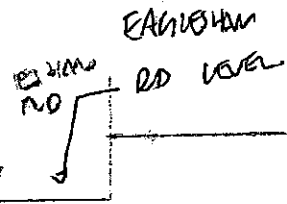


SECTION TAKEN HERE

5m DRIVE AT REAR GARDEN OF 106

FIRST 2m OF DRIVE TO BE PAVED.

VEHICLE ACCESS TO 106 ONLY.

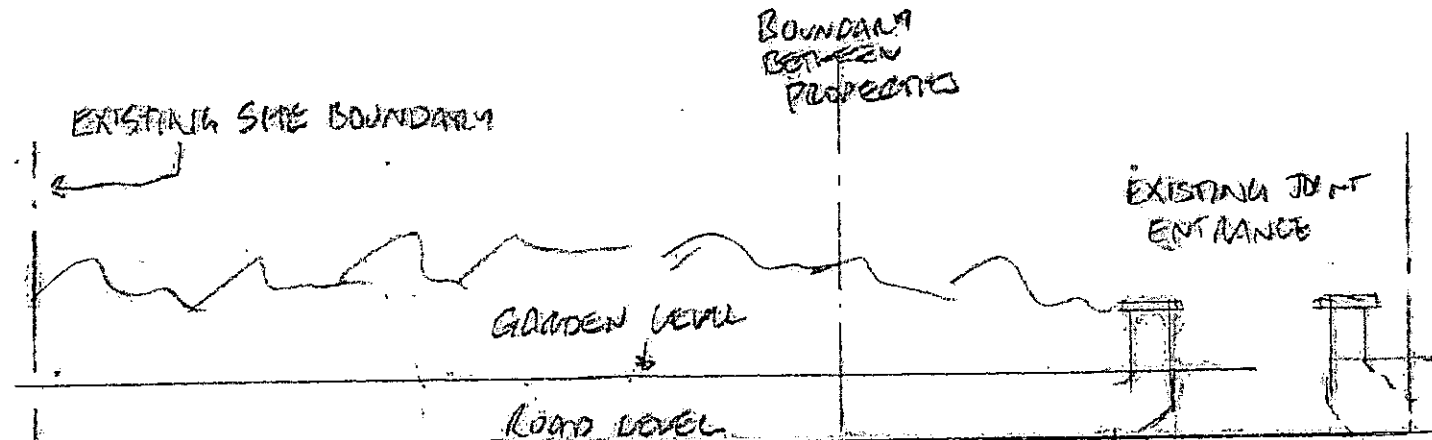


EXISTING ROAD LEVEL

GARDEN LEVEL

HOUSE

EXISTING SECTION THROUGH GARDEN 1:200



EXISTING SITE BOUNDARY

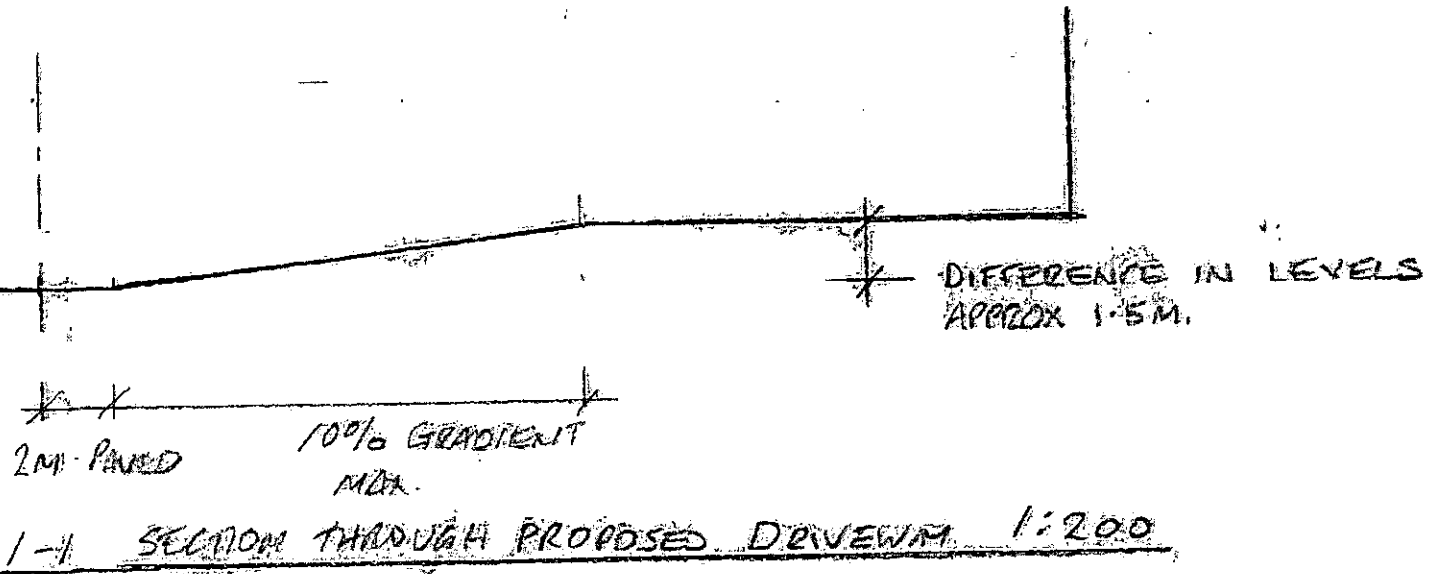
BOUNDARY BETWEEN PROPERTIES

EXISTING JOINT ENTRANCE

GARDEN LEVEL

ROAD LEVEL

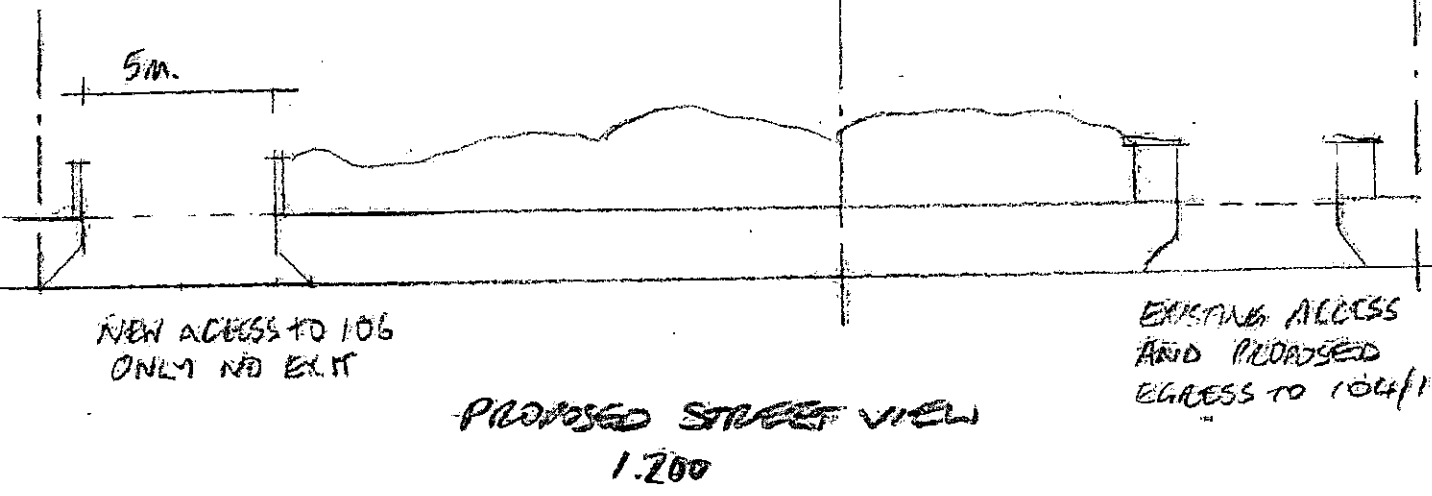
EXISTING STREET VIEW 1:200



DIFFERENCE IN LEVELS APPROX 1.5M.

2m PAVED 100% GRADIENT MAX.

1-1 SECTION THROUGH PROPOSED DRIVEWAY 1:200



NEW ACCESS TO 106 ONLY NO EXIT

EXISTING ACCESS AND PROPOSED EGRESS TO 104/106

PROPOSED STREET VIEW 1:200

PROPOSED EXTENSION TO 106 CANNESHAM RD CLARENSTON FOR MR ARMSTRONG

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