

**Corporate and Community Services Department**

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

Phone: 0141 577 3000 Fax: 0141 577 3834

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

Date: 1 November 2019

When calling please ask for: Paul O'Neil (Tel No. 0141 577 3011)

e-mail:- paul.o'neil@eastrenfrewshire.gov.uk

TO: Councillors A Ireland (Chair), B Cunningham (Vice Chair), A Convery, J Fletcher,  
J McLean, S Miller and J Swift.

**LOCAL REVIEW BODY**

A meeting of the Local Review Body will be held in the Council Chamber, Council Headquarters, Eastwood Park, Giffnock on **Wednesday, 6 November 2019 at 2.30pm or if later at the conclusion of the Planning Applications Committee which begins at 2.00pm.**

The agenda of business is as shown below.

**Caroline Innes**

C INNES

DEPUTY CHIEF EXECUTIVE

**AGENDA**

1. Report apologies for absence.
2. Declarations of Interest.
3. Notice of Review – Review 2019/15 – Erection of Two New Retail/Business Units including provision for Hot Food Takeaway plus External Alterations to Existing Buildings and New Parking Area at 157 Burnfield Road, Giffnock (Ref No:- 2019/0185/TP) – Report by Deputy Chief Executive (copy attached, pages 3 - 56).
4. Notice of Review – Review 2019/17 – Erection of Single Storey Rear Extension; Installation of Dormer Windows at Front and Rear at 11 Forres Avenue, Giffnock (Ref No:- 2019/0251) - Report by Deputy Chief Executive (copy attached, pages 57 - 148).
5. Notice of Review – Review 2019/18 – Alterations to and Replace Roof to form Extended Upper Floor Accommodation with Installation of Dormer Windows at Front and Side; Erection of Raised Decking at Rear at 79 Beech Avenue, Newton Mearns (Ref No:- 2019/0331/TP) - Report by Deputy Chief Executive (copy attached, pages 149 - 214).

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

EAST RENFREWSHIRE COUNCILLOCAL REVIEW BODY6 November 2019Report by Deputy Chief ExecutiveREVIEW OF CASE - REVIEW/2019/15ERECTION OF 2 NEW RETAIL/BUSINESS UNITS INCLUDING PROVISION FOR HOTFOOD TAKEAWAY PLUS EXTERNAL ALTERATIONS TO EXISTING BUILDINGS ANDNEW PARKING AREA AT 157 BURNFIELD ROAD, GIFFNOCK**PURPOSE OF REPORT**

1. The purpose of the report is to present the information currently available to allow a review of the non-determination of the application for planning permission as detailed below. A determination should have been made 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.

**DETAILS OF APPLICATION**

2. Application type: Full Planning Permission (Ref No:- 2019/0185/TP).
- Applicant: A12 Properties.
- Proposal: Erection of 2 new retail/business units including provision for hot food takeaway plus external alterations to existing buildings and new parking area.
- Location: 157 Burnfield Road, Giffnock.
- Council Area/Ward: Giffnock and Thornliebank (Ward 3).

**REASON FOR REQUESTING REVIEW**

3. The applicant has requested a review on the grounds of the non-determination of the application.

**RECOMMENDATIONS**

4. The Local Review Body is asked:-
- (a) to consider whether it has sufficient information to allow it to proceed to determine the review without further procedure and, if so, that it proceeds to determine the application under review; 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 – NON-DETERMINATION OF APPLICATION**

8. Members will recall that at the meeting of the Local Review Body on 2 October 2019, consideration was given to a report about the non-determination of the application for planning permission as detailed earlier in this report.

9. The report explained the timescale within which the Local Review Body was required to make a determination on the ‘Notice of Review’ given that it related to the non-determination of the application. The Local Review Body was also asked to decide what procedure(s) should be followed to allow the review to be determined.

10. At that meeting, it was agreed that:-

- (a) consideration of the review be continued to allow the Planning Service to prepare a review statement giving an assessment of the proposal and for this statement to be circulated to the applicant giving the applicant the opportunity to submit comments to the Local Review Body within 14 days; and
- (b) in accordance with the decision of the Local Review Body on 10 August 2016 to undertake an unaccompanied site visit prior to the next meeting.

11. In accordance with the relevant regulations, the review statement was sent to the applicant seeking his comments within 14 days. The review statement and the comments submitted by the applicant in response to it are attached as Appendix 3.

12. The Local Review Body will visit the site on 6 November 2019 accompanied by the Clerk, and Planning Adviser.



13. A copy of the applicant's Notice of Review and Statement of Reasons is attached as Appendix 4.

14. 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 preference is the assessment of the review documents only, with no further procedure.

15. 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.

16. However, as mentioned above the Local Review Body will be carrying out an unaccompanied site inspection immediately before the meeting of the Local Review Body on Wednesday, 6 November 2019 which begins at 2.30pm.

### **INFORMATION AVAILABLE TO ALLOW REVIEW OF APPLICATION**

17. 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.

18. 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) Copies of Objections/Representations – Appendix 2 (Pages 17 - 22);
- (b) Review Statement prepared by the Planning Service (i.e. Statement of Observations) and applicant's response to the review statement – Appendix 3 (Pages 23 - 30); and
- (d) A copy of the applicant's 'Notice of Review' and Statement of Reasons - Appendix 4 (Pages 31 - 46).

19. 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 5 (Pages 47 - 56):-

- (a) Location Plan;
- (b) Existing Block Plan;
- (c) Proposed Block Plan;
- (d) Proposed Plan;
- (e) Proposed Elevations;
- (f) Existing Buildings; and
- (g) Street Furniture and Fences.

## RECOMMENDATIONS

20. The Local Review Body is asked to:-

- (a) to consider whether it has sufficient information to allow it to proceed to determine the review without further procedure and, if so, that it proceeds to determine the application under review; 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:

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

Director - Caroline Innes, Deputy Chief Executive

Date:- October 2019

**APPLICATION  
FOR  
PLANNING PERMISSION**

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

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

Thank you for completing this application form:

ONLINE REFERENCE            100157914-001

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)

Erection of 2x new retail / business units including provision for hot food takeaway plus external alterations to existing buildings and new parking area.

Is this a temporary permission? \*

Yes  No

If a change of use is to be included in the proposal has it already taken place?

Yes  No

(Answer 'No' if there is no change of use.) \*

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:	Cart Architecture		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	Greg	Building Name:	0/2
Last Name: *	Mitchell	Building Number:	103
Telephone Number: *	07985435554	Address 1 (Street): *	Cartside Street
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	Glasgow
Fax Number:	<input type="text"/>	Country: *	Scotland
		Postcode: *	G42 9TJ
Email Address: *	greg@cartarchitecture.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"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text"/>	Building Number:	19
Last Name: *	<input type="text"/>	Address 1 (Street): *	The Loaning
Company/Organisation	A12 Properties	Address 2:	Giffnock
Telephone Number: *	<input type="text"/>	Town/City: *	Glasgow
Extension Number:	<input type="text"/>	Country: *	Scotland
Mobile Number:	<input type="text"/>	Postcode: *	G46 6SF
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

## Site Address Details

Planning Authority:

East Renfrewshire Council

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

Address 1:

157 BURNFIELD ROAD

Address 2:

GIFFNOCK

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

GLASGOW

Post Code:

G46 7PP

Please identify/describe the location of the site or sites

Northing

659799

Easting

255964

## Pre-Application Discussion

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

Yes  No

## Pre-Application Discussion Details Cont.

In what format was the feedback given? \*

Meeting  Telephone  Letter  Email

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

Have kept Ian Walker up to date with the movements on the project since the previous application was granted including having a meeting prior to this application. Feedback was that proposals should be acceptable in principle assuming roads dept etc requirements can be met.

Title:

Mr

Other title:

First Name:

Ian

Last Name:

Walker

Correspondence Reference Number:

Date (dd/mm/yyyy):

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



## Site Area

Please state the site area:

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)

## 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.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? \*

Yes  No

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.

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 of existing and any new spaces or a reduced number of spaces)? \*

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

## Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? \*

Yes  No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? \*

- Yes – connecting to public drainage network  
 No – proposing to make private drainage arrangements  
 Not Applicable – only arrangements for water supply required

Do your proposals make provision for sustainable drainage of surface water?? \*  
(e.g. SUDS arrangements) \*

Yes  No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.



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

- Yes  
 No, using a private water supply  
 No connection required

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

## Assessment of Flood Risk

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

Yes  No  Don't Know

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

## Trees

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

Yes  No

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

## Waste Storage and Collection

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

Yes  No

If Yes or No, please provide further details: \* (Max 500 characters)

Bins will be stored in dedicated secure storage area marked on plan and moved to collection area adjacent to footpath on collection days.

## Residential Units Including Conversion

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

Yes  No

## All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? \*

Yes  No

## All Types of Non Housing Development – Proposed New Floorspace Details

For planning permission in principle applications, if you are unaware of the exact proposed floorspace dimensions please provide an estimate where necessary and provide a fuller explanation in the 'Don't Know' text box below.

Please state the use type and proposed floorspace (or number of rooms if you are proposing a hotel or residential institution): \*

Not in a Use Class

Gross (proposed) floorspace (In square meters, sq.m) or number of new (additional) Rooms (If class 7, 8 or 8a): \*

207

If Class 1, please give details of internal floorspace:

Net trading spaces:

Non-trading space:

Total:

If Class 'Not in a use class' or 'Don't know' is selected, please give more details: (Max 500 characters)

Proposed uses for new units are one unit as hot food takeaway and the other unit as a cafe or similar (class 3). Existing units on site will remain as is.

## 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: Greg Mitchell

On behalf of: A12 Properties

Date: 22/03/2019

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. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. *                                   | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A |
| A Flood Risk Assessment. *   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Habitat Survey. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |

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

### 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: Mr Greg Mitchell

Declaration Date: 22/03/2019

### Payment Details

Pay Direct

Created: 22/03/2019 11:16

**COPIES OF OBJECTIONS/REPRESENTATIONS**

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# Internal Memo

**Our Ref:** RM  
**Your Ref:** 2019/0185/TP  
**Date:** 10<sup>th</sup> May 2019  
**From:** Richard Mowat, Environmental Health  
**To:** Planning and Development Management

**PROPOSAL: ERECTION OF TWO UNITS ( TO ACCOMMODATE A HOTFOOD TAKEAWAY AND A CAFÉ); EXTERNAL ALTERATIONS TO EXISITING BUILDINGS AND FORMATION OF NEW PARKING AREA.**

**LOCATION: 157 BURNFIELD ROAD, GIFFNOCK , G46 7PP**

I have reviewed the above planning application and would comment as follows:

Should the proposed application be approved we would require that:

## **Construction Phase**

1. As the application in part is for the erection of two units as well as external alterations to existing buildings, further information is required regarding the condition of the ground and the site's suitability for its proposed use. Prior to commencement of any works on site, a comprehensive site investigation, carried out to the appropriate level, must be submitted to and accepted in writing by East Renfrewshire Council.  
If any contamination hazard is identified on the site, a site-specific risk assessment must be undertaken. Should any significant pollutant linkages be identified, a detailed remediation strategy must be developed. No works other than investigative works shall be carried out on site prior to receipt of the Council's written acceptance of the remediation plan.  
Any previously unsuspected contamination which becomes evident during the development of the site shall be brought to the attention of the Council as 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 Council as Planning Authority.
2. All waste arising from the renovation or construction 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

## **Operational Phase**

3. A suitable ventilation and extraction system, which meets the approval of the Environmental Health Section requires to be installed in both the hot food takeaway and the cafe. The ventilation system should not cause nuisance to the occupiers of nearby properties arising from cooking odours/noise.

4. Other than during the period of construction , noise from any plant/equipment associated with the development shall not exceed residential Noise Rating Curve 25 (as described in BS 8233 2014) between the hours of 2300 and 0700 and NR Curve 35 between 0700 and 2300 hrs, as measured from any neighbouring residential property.
3. Suitable arrangements should be made for the safe storage, sorting and disposal of waste arising from the business activities.
4. Should the application be granted, I would strongly recommend that the applicant contact Environmental Health prior to commencing any work on the property, to ensure that the premises will comply with relevant food hygiene and health and safety requirements. The business requires to register 28 days prior to commencing business
5. I would also recommend that the operating times of the business should be restricted to reduce the likelihood of noise nuisance to nearby residents.

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**



## Roads Service OBSERVATIONS ON PLANNING APPLICATION

**Our Ref:** 2019/0185/TP

**D.C Ref:** Mr Ian Walker

**Contact:** Mr Allan Telfer

**Planning Application No:** 2019/0185/TP    **Dated:** 03.04.2019    **Received:** 09.04.2019

**Applicant:** A12 Properties

**Proposed Development:** Erection of two units (to accommodate a hot food takeaway and a cafe); external alterations to existing buildings and formation new parking area

**Location:** 157 Burnfield Road Giffnock East Renfrewshire G46 7PP

**Type of Consent:** Full Planning Permission

**Ref No. of Dwg.(s) submitted:** 016 Rev C

### RECOMMENDATION:

### REFUSE

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	<b>N</b>
(b) Safety Audit Required	<b>N</b>
(c) Traffic Impact Analysis Required	<b>N</b>

#### 2. Existing Roads

(a) Type of Connection (junction / footway crossing)	<b>Y</b>
(b) Location(s) of Connection(s)	<b>Y</b>
(c) Pedestrian Provision	<b>Y</b>
(d) Sightlines (2.5m x 40m x 1.05m)	<b>N</b>

#### 3. New Roads

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

#### 4. Servicing & Car Parking

(a) Drainage	<b>N</b>
(b) Car Parking Provision	<b>N</b>
(c) Layout of parking bays / Garages	<b>N</b>
(d) Servicing Arrangements/	<b>N/A</b>

#### 5. Signing

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

### REASONS FOR REFUSAL

The required parking provision has not been met meaning there would be a significant shortfall which would lead to increased parking on Burnfield Road in the vicinity of a bend which would pose a road safety risk.

Also, the required visibility splay at the access may be compromised which would also pose a road safety risk.

### COMMENTS

The parking requirement for a hot food takeaway/cafe is 1 space per 5 sqm GFA as per SCOTS National Road Development Guide.

This would lead to a parking requirement of 36 spaces based on a combined GFA of approximately 180 sqm.

This would lead to a shortfall in parking of more than 26 spaces when the parking requirement for the



existing buildings is also considered.

There is already a concentration of on street parking on Burnfield Road adjacent to the application site and there is the potential for this application to exacerbate this situation.

The previous application for this site (2017/0136/TP) proposed to relocate the vehicular access to the north west of the site in order to achieve visibility splays of 2.5 x 40 metres in both the primary and secondary directions with no interference allowed within the splay above a height of 1.05 metres.

This current application proposes to utilise the existing vehicular access which is stated to provide the necessary visibility splays. Drawing 016 Rev C however shows the splay in the primary direction extending through the adjacent site which the Applicant does not control. The necessary visibility splays cannot therefore be maintained in perpetuity which could pose a risk to road safety.

In addition, the proximity of the proposed parking bays could also interfere with the required visibility splays when vehicles are parked in them, particularly as the bays appear to be only 4.8 metres in length meaning vehicles are likely to overhang the landscaping areas to the rear of the parking bays.

**Notes for Intimation to Applicant:**

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

\* Relevant Section of the Roads (Scotland) Act 1984

Comments Authorised By: John Marley Date: 26/04/19  
 pp Roads and Transportation Controller



INVESTORS  
IN PEOPLE



Healthy  
Working  
Lives

## REVIEW STATEMENT

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**REVIEW/2019/15**

Erection of two units (to accommodate a hot food takeaway and a cafe); external alterations to existing buildings and formation new parking area at 157 Burnfield Road Giffnock East Renfrewshire G46 7PP

**STATEMENT OF OBSERVATIONS**

**1.INTRODUCTION**

1.1 The following is in respect of an application for a review of the Non determination of an application for planning permission Ref No 2019/0185/TP for the erection of two units (to accommodate a hot food takeaway and a cafe); external alterations to existing buildings and formation of new parking area at 157 Burnfield Road Giffnock East Renfrewshire G46 7PP.

**2.Site Description**

2.1 The application site is an irregular shaped area of land on the south side of Burnfield Road, Giffnock. The south side of Burnfield Road is a mixed use commercial/industrial area. The north side of Burnfield Road opposite the application site is within the City of Glasgow Council area and is predominantly residential in character.

2.2 The site had been unoccupied for a number of years and its last known use was as a builders yard. A 'L'-shaped arrangement of single storey buildings occupies most of the eastern boundary, and extends along part of the rear of the site. The west most area of the site was previously sectioned off into a walled external storage area and had a series of bays laid out just inside a boundary wall fronting Burnfield Road.

**3. Planning History**

3.1 In 2017 a planning application was submitted by A12 Properties, 2017/0136/TP. This application sought retrospectively to have upgrading works that had commenced on the existing buildings authorised.

3.2 Additionally it was proposed to construct a new long and narrow building to accommodate three small industrial/commercial units. This building was to be sited along the west side of the site, effectively backing on to the high boundary wall that encloses the yard area of the adjacent premises. These new buildings were of a typical industrial scale and appearance. Both existing and new buildings were to be finished externally in profiled steel cladding. They were intended for general commercial operators.

3.3 A new vehicular access was to be formed further west from the original access point. Eight new parking spaces and a circulation/turning area for the new units is proposed to be formed on site. A new section of public footway is detailed along the site frontage with Burnfield Road.

3.4 This planning application was approved on 31st October 2017. Since that approval whilst upgrading works continued on site. The new buildings were not constructed.

#### **4.The Proposal**

4.1 The planning application that is the subject of this review was submitted earlier this year by the same applicants. The applicants had been considering other options for the site and indeed had been in pre-application discussions with the council earlier in 2019 Those discussions did extend to the consideration of food establishments, but these had not been concluded prior to the submission of the application.

4.2 The application is as outlined above, for the ' the Erection of two units (to accommodate a hot food takeaway and a cafe); external alterations to existing buildings and formation of new parking area.'

4.3 The existing buildings are described as per the previous approved planning permission. The hot food takeaway and café are proposed in a rectangular building sited in the part of the same where the new buildings were proposed in the 2017 application. This building noted as Building C in the proposed plan is sited further off the common boundary with the adjacent premises. It is also wider and shorter and is approx 15% larger than the building previously proposed.

4.4 Internally Building C is detailed as being subdivided on a fifty/fifty split. In terms of external treatment the elevations are of a typical modest industrial unit but with substantial glazing elements. High level mountings are also detailed for future signage.

4.5 In terms of access and parking the proposal seeks to utilised the original access position and again on-site parking of 10 spaces and circulation areas is detailed. Again a new footway is detailed along the site frontage with Burnfield Road.

#### **6.Assessment against policy and any other material considerations**

6.1 The application requires in the first instance to be considered against the terms of the adopted Local Development Plan. The south side of Burnfield Road the context of the site is designated through Policy SG 6. as an area safeguarded for business and employment uses. In principle the proposal presents a mix of uses that are considered to be appropriate to this policy. Hot food uses are in evidence in the area currently and temporary burger vans have also been authorised.

6.2 Other appropriate policy considerations are identified under D1 which addresses all forms of development across a range of criteria.

6.3 The principle considerations for this proposal are compatibility with the character of the area, impact on the amenity of neighbouring properties and the requirements of the councils Roads Service.

6.4 The aspect of the compatibility of the proposal with the character of the area and impact on neighbouring properties were considered acceptable. The Council's Roads Service however recommended the refusal of planning permission.

6.5 The roads service is principally concerned with the safety implications of the proposal. The site is on a bend in the road and a significant incidence of on street parking in the immediate locality was noted. This in itself constitutes an existing safety hazard for pedestrians and drivers. The substantial lack of adequate parking would only serve to exacerbate this road safety hazard.

6.6 Additionally the reuse of the existing access relies again due to the sites position on the bend on a sightline in the primary direction outwith the applicants control.

Accordingly the grounds for the refusal recommendation (see review Papers), is based on two main aspects;

- The use of the original access was not acceptable as the achievable sightlines are not deemed sufficient ( the strong likelihood of incidental parking across the sightlines compromising the sightlines was also noted)
- The proposed on-site parking provision of 10 spaces is inadequate for the level of traffic that would be generated by the mixed use of the whole development. The required parking provision was 36 spaces.

6.7 The Council's Environmental Health Service has advised of no objection to the proposal subject to conditional matters relating to a site investigation, noise generation from the site and the securing details of the ventilation system.

6.8 The concerns of the roads services were brought to the applicants attention on the 29th April 2019. In May through to June there were exchanges with the applicants in which firstly clarification on the roads position was discussed. Latterly the options of altering the application to a degree that would be more satisfactory to the Councils Roads Service were also explored.

6.9 The principle of a new proposal that would be more acceptable was tentatively agreed on the 4th June 2019. Clarification was sought on the applicants' intentions in early August 2019. The agent confirmed by means of a telephone call that his clients intended to submit a Notice of Review to the council on the basis of a deemed refusal.

6.10 The applicant is seeking a review on the basis of non-determination. It is noted that they have presented a statement of matters for consideration.

6.11 These matters extend to;

There being no decision made on the application. This is correct as outlined above in paragraphs 6.8 and 6.9.

No formal request for an extension to the determination period being made. This is correct. Again as referred to above, there were active exchanges with a view to secure a proposal that would be acceptable.

The applicants comment in respect of the view of the Councils Roads Service is noted. As discussed in the above paragraphs the development of a café and hot food takeaway is in principle acceptable. The proposal did however raise problems requisite parking

requirements and in terms of road safety concerns consequent to the use of an unsafe standard of the access and consequent to the scale of the development a significant under provision of on-site parking.

6.11 Therefore taking all the above into account, if the planning application had been determined by the Appointed Officer the application would have been recommended for refusal as being contrary to Policy D1 of the Local Development Plan as it failed to meet the parking and access requirements of the Council.



O'Neil, Paul [CE]

---

**From:** andrew Forrest <andrew@a12group.com>  
**Sent:** 15 October 2019 14:14  
**To:** O'Neil, Paul [CE]  
**Subject:** 157 Burnfield Road comments

Hi Paul

Thank you for your letter.

I believe the site has great potential to benefit the local community with a healthy food alternative, our business model would be similar to that of many others on [justeat.com](http://justeat.com) by using scooters to deliver to customers, reducing the strain on parking, our aim to appeal to the online consumer using websites such as deliveroo.

I have recognised that the locals do not have many options, with only the chinese take-away 'yummy' at 153 burnfield road in the immediate local vicinity, I see the chinese as having a monopoly over the area, the locals don't have any alternative options to choose from, we would love to give locals a healthy alternative rather than having one unhealthy option.

I know that only a certain amount of local school children are allowed into Morrisons at one time the others have to wait outside and queue during lunch/break times until the others have finished their shop. I feel allowing them the ability to go elsewhere would be good for the area and especially the children if we are allowed to provide them with an affordable, healthy alternative.

The site has sat dormant for years and as my first venture would love to invest in the site and community, making it aesthetically presentable and providing a great service and jobs to the local community.

Thank you for your time and consideration

Kind regards  
Andrew

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**NOTICE OF REVIEW  
AND  
STATEMENT OF REASONS**

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

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

Thank you for completing this application form:

ONLINE REFERENCE 100157914-003

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

## Applicant or Agent Details

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

Applicant  Agent

## Agent Details

Please enter Agent details

Company/Organisation:	<input type="text" value="Cart Architecture"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Greg"/>	Building Name:	<input type="text" value="0/2"/>
Last Name: *	<input type="text" value="Mitchell"/>	Building Number:	<input type="text" value="103"/>
Telephone Number: *	<input type="text" value="07985435554"/>	Address 1 (Street): *	<input type="text" value="Cartside Street"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Glasgow"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
		Postcode: *	<input type="text" value="G42 9TJ"/>
Email Address: *	<input type="text" value="greg@cartarchitecture.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"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text"/>	Building Number:	<input type="text" value="19"/>
Last Name: *	<input type="text"/>	Address 1 (Street): *	<input type="text" value="The Loaning"/>
Company/Organisation	<input type="text" value="A12 Properties"/>	Address 2:	<input type="text" value="Giffnock"/>
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="G46 6SF"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

## 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="157 BURNFIELD ROAD"/>
Address 2:	<input type="text" value="GIFFNOCK"/>
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="G46 7PP"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="659799"/>	Easting	<input type="text" value="255964"/>
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## Description of Proposal

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

Erection of two units (to accommodate a hot food takeaway and a cafe); external alterations to existing buildings and formation new parking area.

## 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 see attached letter.

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)

All original documents: 015B - Exist Block Plan (A3), 016C - Prop Block Plan (A3), 017D - Prop Plan (A3), 018D - Prop Elevations (A3), 020 - Street Furniture & Fences (A3), Design & Access Statement (A4), Location Plan (A4). Plus Notice for Review Statement.

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

2019/0185/TP

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

21/03/2019

## 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 Greg Mitchell

Declaration Date: 02/09/2019



## Notice for Review Matters for consideration.

Proposed Commercial Development at 157 Burnfield Road, Giffnock, Glasgow. G46 7PP.  
Application Ref: 2019/0185/TP Date: 2nd September 2019

The client originally obtained planning permission for a scheme in October 2017 (ref: 2017/0136/TP) comprising erection of 3x new industrial / workshop units plus parking areas and retention of the existing units on site. A new application was submitted in March 2019 (ref: 2019/0185/TP) for an amended scheme, now showing 2x retail / commercial units with provision for hot food takeaway and a café plus parking areas and retention of existing units on site. Due to the change from industrial to commercial, the parking areas were given an overhaul, now including pedestrian footpaths, soft and hard landscaped areas and a spill out area adjacent to the new units including a bench and cycle parking.

Correspondence has been maintained throughout the application process between the planning department and applicants agent and progress has been made, however to date no formal decision has been made on the active planning application and no formal request for extension has been made by the planning department. We therefore ask for the application to be reviewed by the Councils Local Review Body on grounds of non-determination to allow for a decision to be made on the application as it stands.

Further matters which the applicant believes should be taken into account when reviewing the application are as follows:

- Consultation with the Roads Department resulted in an internal recommendation for refusal on the grounds that they were looking for min. 36 car parking spaces on site and they were not happy with the visibility splay of the existing vehicular access to the site. It is the applicants opinion that the request for min. 36 parking spaces is unreasonable as the site is of the size that even if there were no buildings on the site, fitting 36 cars, bumper to bumper, would be a squeeze. It is expected that most visitors to the premises would be by foot due to the location being across the road from a residential area. The proposed café would also be busiest during the day, while the takeaway busiest in the evening so visitors would be staggered throughout the day. The scheme has also been designed to prioritise foot traffic and also includes a secure cycle parking area to encourage use of more sustainable transport methods.

With regards to the position of the vehicular access to the site, the existing position was specifically retained as it currently gives the best visibility in both directions along the road and 2.5x40m visibility splays are achieved. An access further up the hill as suggested by Roads gives reduced visibility to the left due to the position of existing trees.

- It is the applicants view that the proposals would make a positive contribution to the area. The change from proposed industrial to proposed commercial means the proposal will take on a more welcoming appearance within the area and security fencing to the front of the site will no longer be required. The proposed additions of a small spill out seating area will also enhance the street scape along with the new soft and hard landscaping. The scheme will provide new facilities and employment to the local area on a site which has been in need of redevelopment for some time.

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0/2, 103 Cartside Street. Glasgow. G42 9TJ

07985435554

contact@cartarchitecture.com

[www.cartarchitecture.com](http://www.cartarchitecture.com)

## Design & Access Statement

**Project:**

Proposed commercial development at 157 Burnfield Road, Giffnock, Glasgow. G46 7PP.

**Client:**

A12 Properties, 19, The Loaning, Giffnock, Glasgow. G46 6SF.

**Project No:** 18-237

**Revision:** -

**Date:** March 2019



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## Site history and description

The proposed site is located at 157 Burnfield Road, Giffnock. This section of Burnfield Road forms the boundary between East Renfrewshire Council areas on the Southern side of the road and Glasgow City Council on the Northern side of the road, and the site is located on the southern side in an area of mixed use commercial and industrial properties. The north side of Burnfield Road is generally residential properties and the flats and houses opposite the proposed site are set back from the road and separated from the footpath with public, grassed areas. The site topography has a gentle slope down, following the road generally from West to East.

The proposed site was previously a builders yard and included an existing single storey heated office / showroom building plus attached lockups at the southern / eastern boundaries of the site, however it lay unused for a number of years and began falling into disrepair until A12 Properties purchased the site with the intention of redeveloping it. A previous planning application (2017/0136/TP) was submitted and granted in 2017 for the erection of 3x new industrial units / workshops at the Westerns part of the site, plus the re-cladding / alterations to existing buildings and adjustments to the access and parking areas.

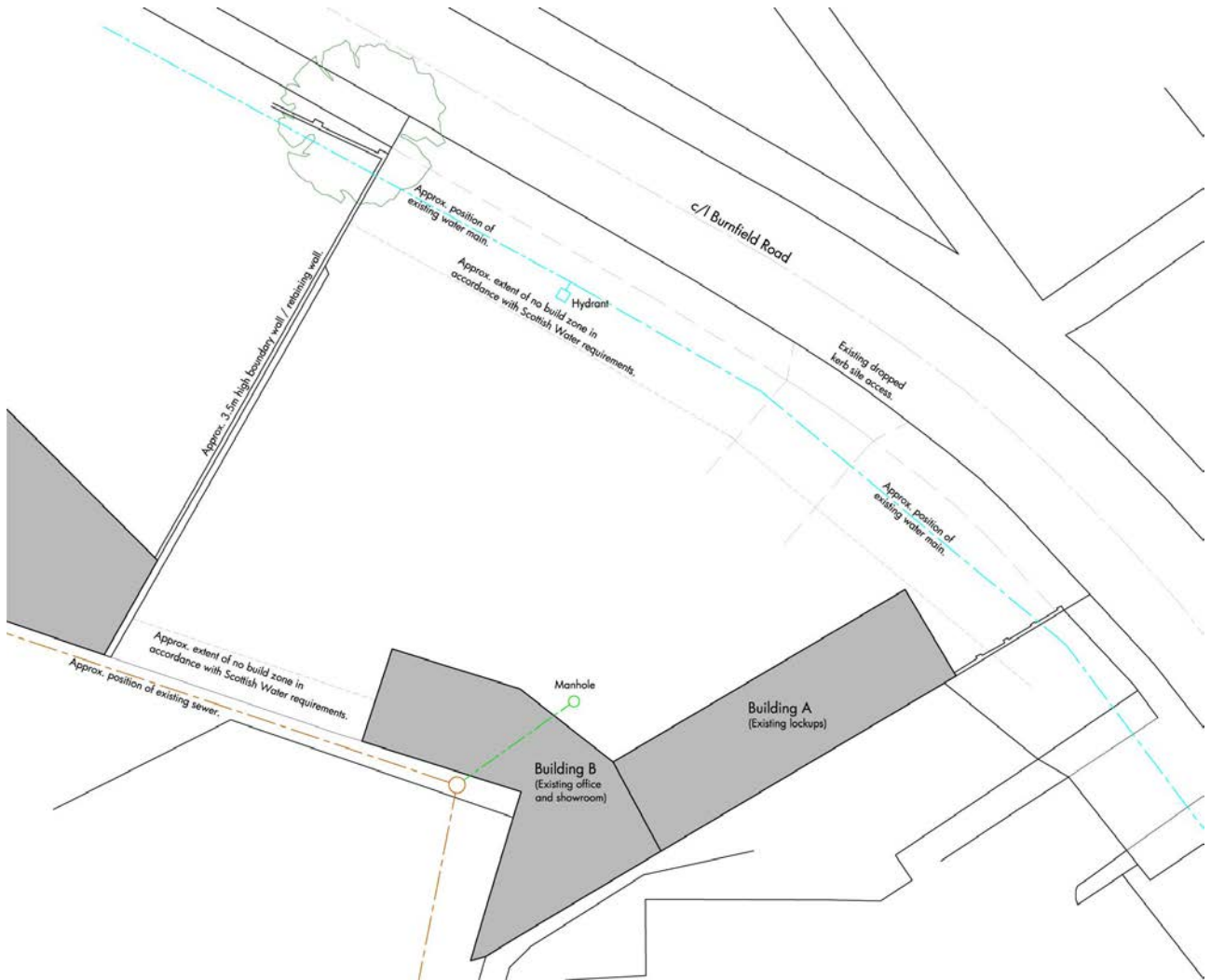
Following investigation with Scottish Water it was determined that an existing public water main runs through the site, following the Northern boundary, approx. 3- 4m from the road. An existing public sewer is also located nearby, out-with the site boundary to the South.

The previously approved scheme had the new building positioned partially on top of this water main, however Scottish Water requirements are that any new building must be positioned min. 3m from both the water main and the sewer to the south or the services redirected. Redirection in this case is not practical and so it was determined that permission for an adjusted scheme should be sought that minimises any impact on existing public services.

Public transport links to the site are excellent, with existing bus stops located immediately adjacent to the site and both Thornliebank and Giffnock train stations approx. a 15min walk away.



Overview of existing site.



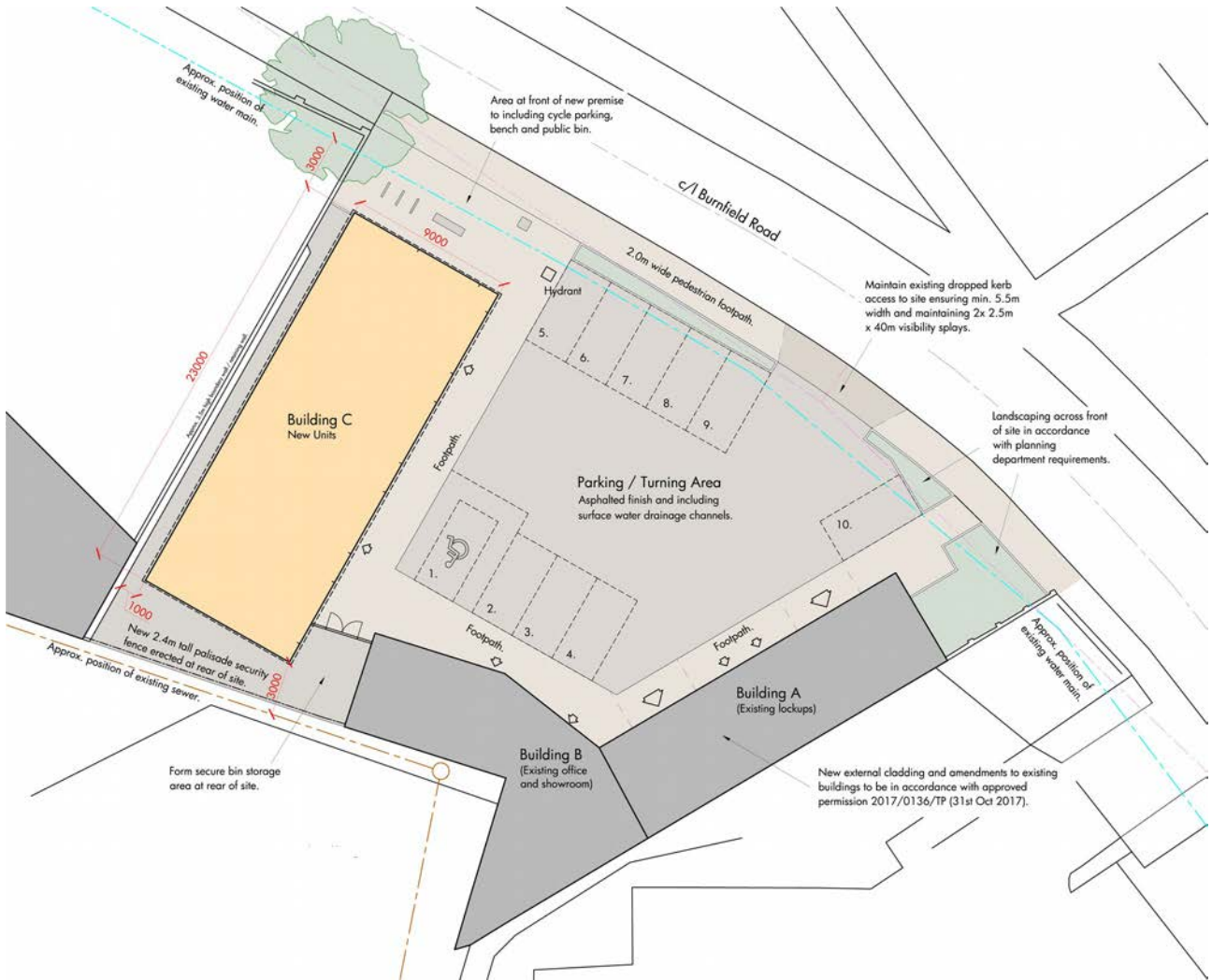
Existing Block Plan

## Project Brief and Goals

The original brief for planning application 2017/0136/TP was to create 3 new industrial / workshop units on the site along with associated parking areas etc.

Following the approval of the previous application a number of issues and considerations arose which required the original design to be reappraised. Following on from this a new brief was assembled to create a design proposal that solves and meets the new requirements. Issues and considerations were as follows:

- As discussed above, existing Scottish Water services on and adjacent to the site which were not identified at the time of the previous application have meant there are new restrictions to the size and positioning of new buildings on the site. The new proposal will maintain a min. distance of 3.0m from the existing services for maintenance access.
- The original proposal intended for the new building to be built right up to the North Western boundary, however following investigation, this is not a practical solution in terms of build-ability or safety and so it is now intended for the new building to be min. 1.0m from any adjacent boundary.
- Following discussion with potential future tenants the client determined that the original proposed unit sizes were not ideal and so the proposed accommodation has been changed from 3x ~50sqm units to 2x 90sqm units. It was also determined that there is currently little market for industrial spaces but great demand for new retail / cafe / hot food takeaway spaces. It was therefore proposed that the scheme changed from being predominantly industrial / business focused to retail / business focused.
- A change to a retail focused development also required a change in the proposed design of the new units / elevations and access requirements. The previous designs access was via a large asphalt parking / turning area with access to each unit via vehicular roller doors, however this design was not pedestrian friendly.  
The new units are to have shop fronts along with pedestrian footpaths along all main elevations which will connect to the new pedestrian footpath formed adjacent to the existing road. The shop fronts will be predominantly glazed with level access from the footpath to the new units.
- The previous application proposed moving the existing vehicular access to the site to a different position, however the existing position of the access not only maintains the best visibility when leaving the site but also provides a safer separation between vehicular and pedestrian traffic. It is therefore intended that this access shall be maintained if possible.



Proposed Block Plan



Proposed Elevation of New Units



## Design & Access Proposals

The new design proposes that a new building will be erected on the Western portion of the site, as proposed previously but with the size and position determined to meet existing service positions and site topography requirements. The building has been scaled to fit with the scale of the surrounding domestic and commercial buildings and will introduce glazed shop fronts to both the elevation facing Burnfield Road and the elevation facing the new parking area.

External finishes will be aluminium framed display windows / doors with facing brick / block walls up to approx. 3.0m in height, with profiled metal panels above and to the roof to match the existing units on site as previously approved.

A new 2.0m wide pedestrian footpath will be formed across the full frontage of the site in accordance with Road Dept. requirements, extending the existing footpath which currently stops at the post office next door. New pedestrian footpaths will be formed in front of the principle elevations of both new and existing units on site and connected to the main footpath to ensure a safe pedestrian access route is maintained throughout the proposals, separate from any areas proposed for vehicular traffic.

A new parking / turning area will be formed on site to serve both existing and proposed units and will include an accessible parking space. The existing dropped kerb site access will be retained and upgraded as required to provide safe vehicular access to and from the site. Dropped kerbs will also allow access from the parking areas directly to the new units.

The proposal is also well served by public transport links, the proposals increase the accessibility of the existing bus stop adjacent to the site by providing a wider footpath area.

Setting the new building back from the footpath has also created a new area for proposed soft and hard landscaping, including an area for cycle parking and spill out from the new units including an external bench and public bin to maintain cleanliness. These areas will integrate well into the existing grassed areas on the opposite side of the road and maintain the residential feel of the area.

Existing and proposed units waste and recycling will be stored in a secure area at the rear of the site, behind a solid / gate fence with bins moved to a designated collection area on collection days. It is proposed that generally the car parking area will only be used by light car traffic with bin lorries collecting from the road as currently happens with the houses opposite, however swept path analysis shows that large service vehicles can enter and leave the site in forward gear if required. Fire service access is available to all main elevations of the existing and proposed elevations and the existing fire hydrant on site will be kept in a clear and accessible location at all times.

The proposed building will be designed to be fully heated and well insulated to meet and surpass current energy efficiency and carbon emission requirements, providing a comfortable environment for building users and while minimising power, heating and water requirements.

## Local Development Plan & Policies

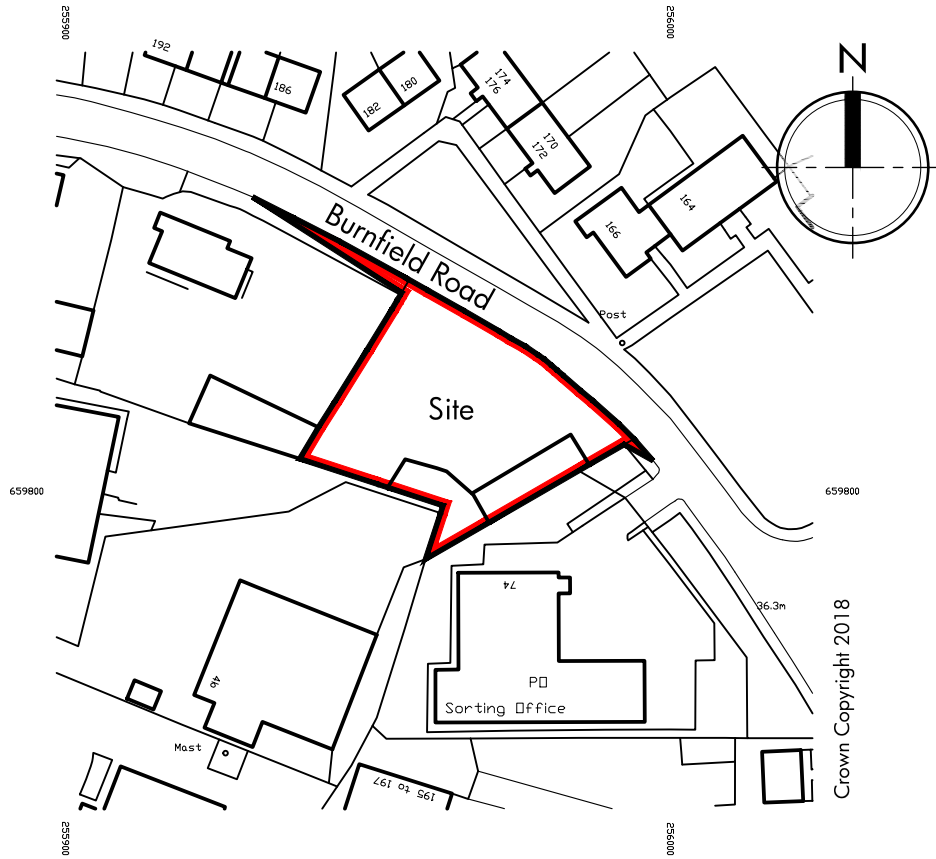
The proposed development is located within a "Safeguarded Business and Employment Area" (SG6.8) as outlined in the Local Development Plan - Policy SG6 and as such the principle of the proposals should meet the requirements to maintain business and employment opportunities in this area. By proposing a number of new units on the site, this development could support a number and variety of new businesses and uses. It is our opinion that the proposals also meet the requirements of Policy D1 as the proposed design will make a positive improvement to the character and amenity of the surrounding area and is of a scale and design in keeping with local buildings. The proposals have also been designed to be secure while at the same time avoiding the need for obvious security fences or boundary walls, ensuring the proposals suit their position near a residential area, while also fitting in with neighbouring commercial buildings. External public amenity space has also been increased with the proposals, providing a spill out space on site for the new units along with new parking facilities.



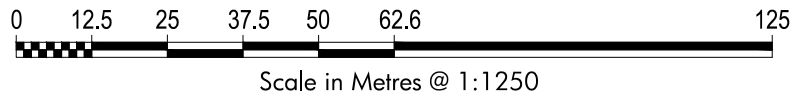
Swept path analysis showing fire engine entering and leaving site in forward gear.

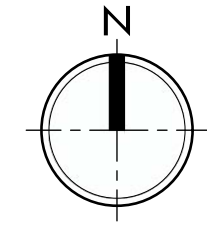
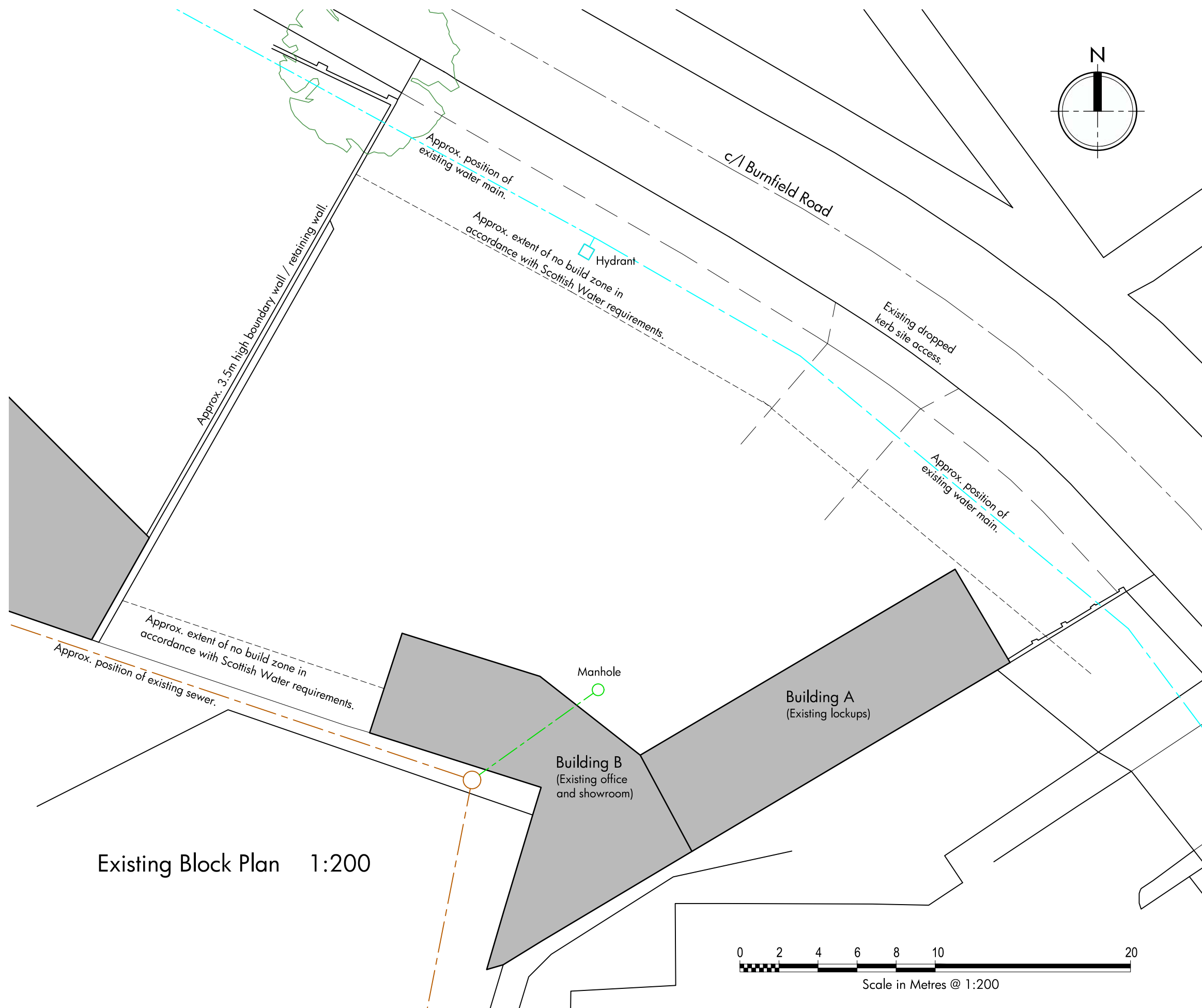
**PLANS/PHOTOGRAPHS/DRAWINGS**

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Location Plan 1:1250 @ A4  
157 Burnfield Road, Giffnock, Glasgow. G46 7PP.  
Grid Ref: NS 5596 5981





Rev	Description	Date
B	Project title updated.	02/04/19
A	Planning proposals.	20/03/19
-	Preliminary drawing.	07/02/19

**Cart Architecture**  
 0/2, 103 Cartside Street, Glasgow. G42 9TJ.  
 T: 07985435554 E: contact@cartarchitecture.com

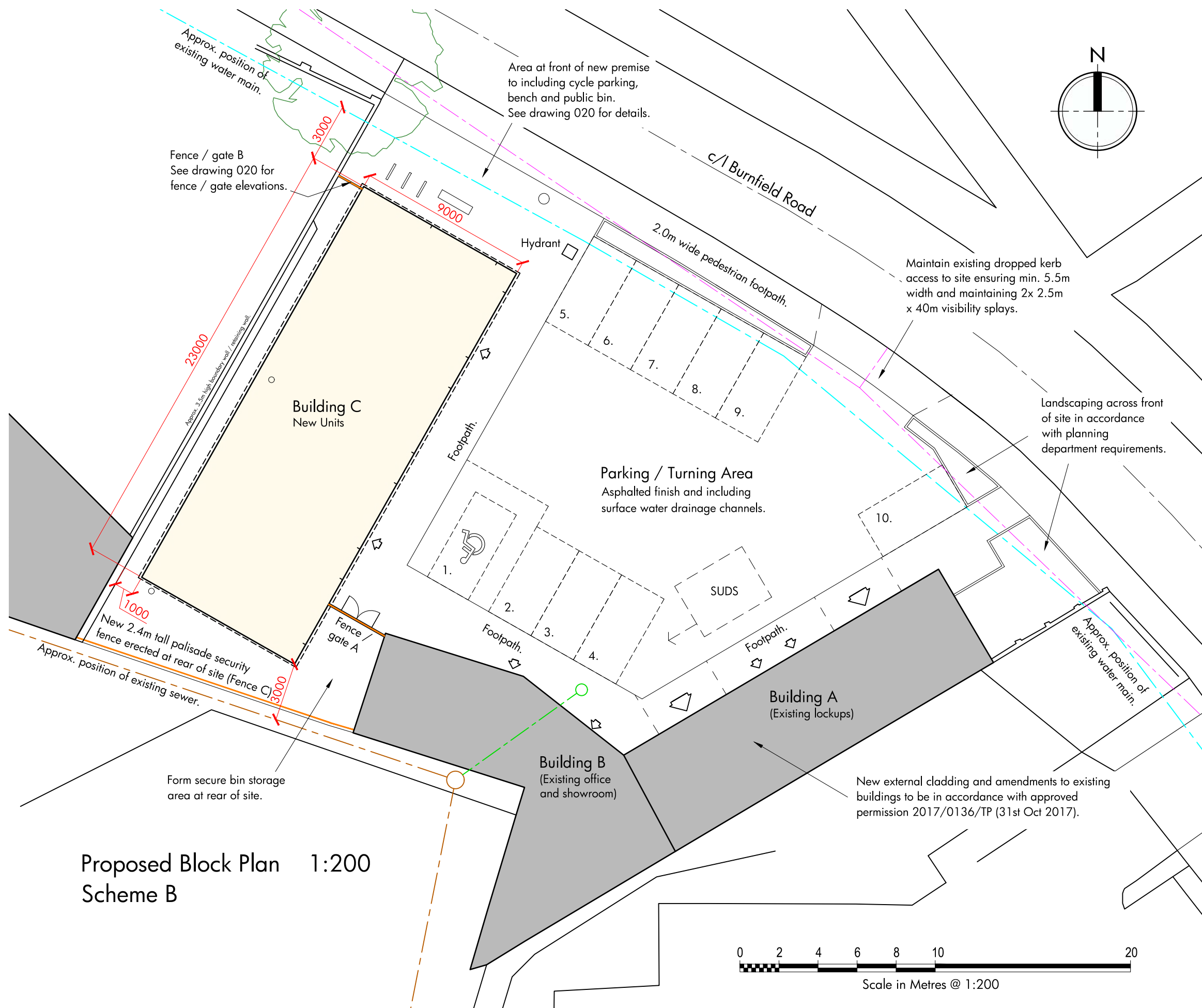
**Project:** Proposed commercial development at 157 Burnfield Road, Giffnock, Glasgow. G46 7PP.

**Client:** A12 Properties, 19, The Loaning, Giffnock, Glasgow. G46 6SF.

Project No.	Drawing No.	Revision
18-237	015	B

Scale	Date
1:200 @ A3	2nd April 2019

**Description:** Planning Proposals  
Existing Block Plan



Waste and recycling to be stored in dedicated secure store area as indicated and moved to collection areas adjacent to footpath on collection days.

Rainwater to be collected and taken to existing combined drainage system via crate type SUDS storage system sized accordingly.

Total Site Area:	1220sqm
Total footprint of existing buildings:	221sqm
Total footprint of propose buildings:	207sqm

Rev	Description	Date
C	Drawing updated	02/04/19
B	Planning proposals.	20/03/19
A	Client amendments.	04/03/19
-	Preliminary drawing.	07/02/19

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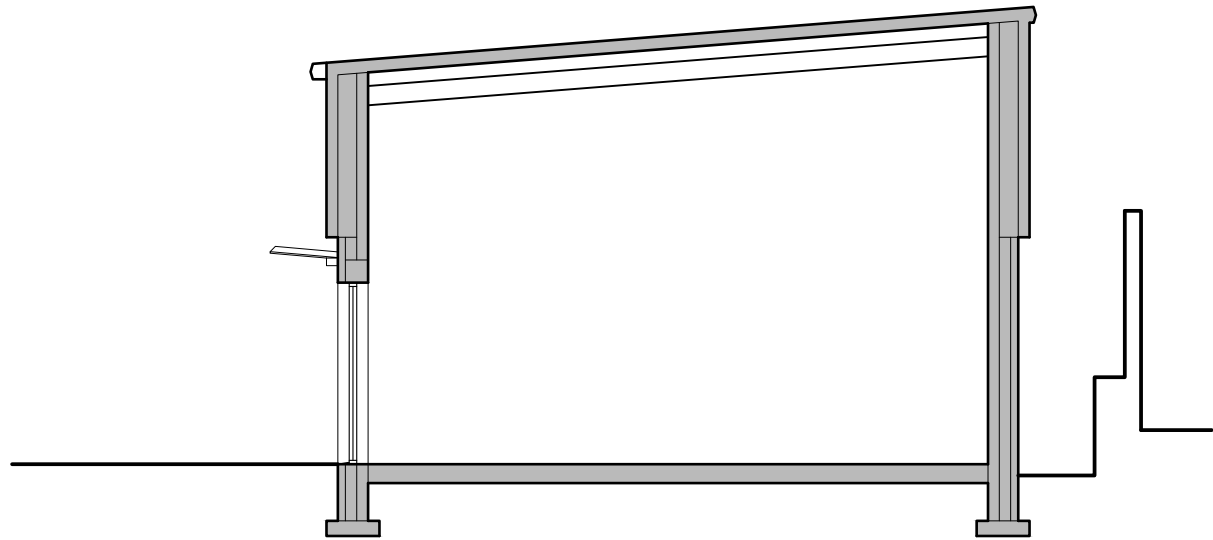
**Client:** A12 Properties, 19, The Loaning, Giffnock, Glasgow. G46 6SF.

Project No.	Drawing No.	Revision
18-237	016	C

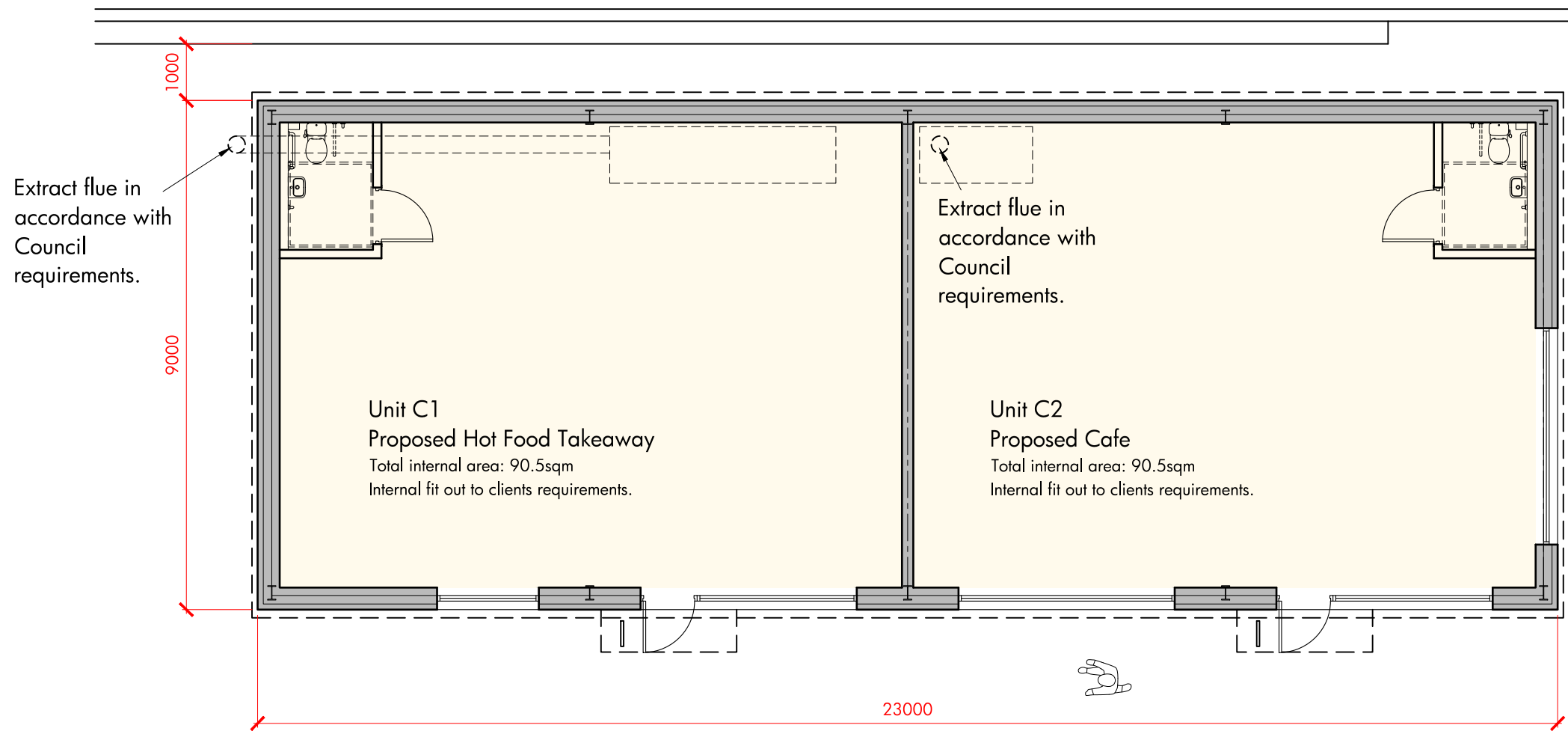
Scale	Date
1:200 @ A3	2nd April 2019

**Description:** Planning Proposals Proposed Block Plan

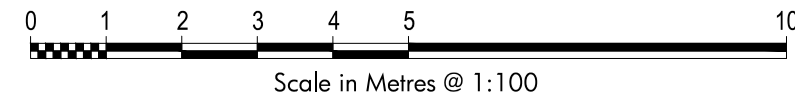
Proposed Block Plan 1:200 Scheme B



Proposed Section 1:100  
New Units



Proposed Floor Plan 1:100  
New Units



Rev	Description	Date
D	Project title updated.	02/04/19
C	Planning proposals.	20/03/19
B	Client amendments.	04/03/19
A	Client amendments.	12/02/19
-	Preliminary drawing.	07/02/19

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**Project:** Proposed commercial development at 157 Burnfield Road, Giffnock, Glasgow. G46 7PP.

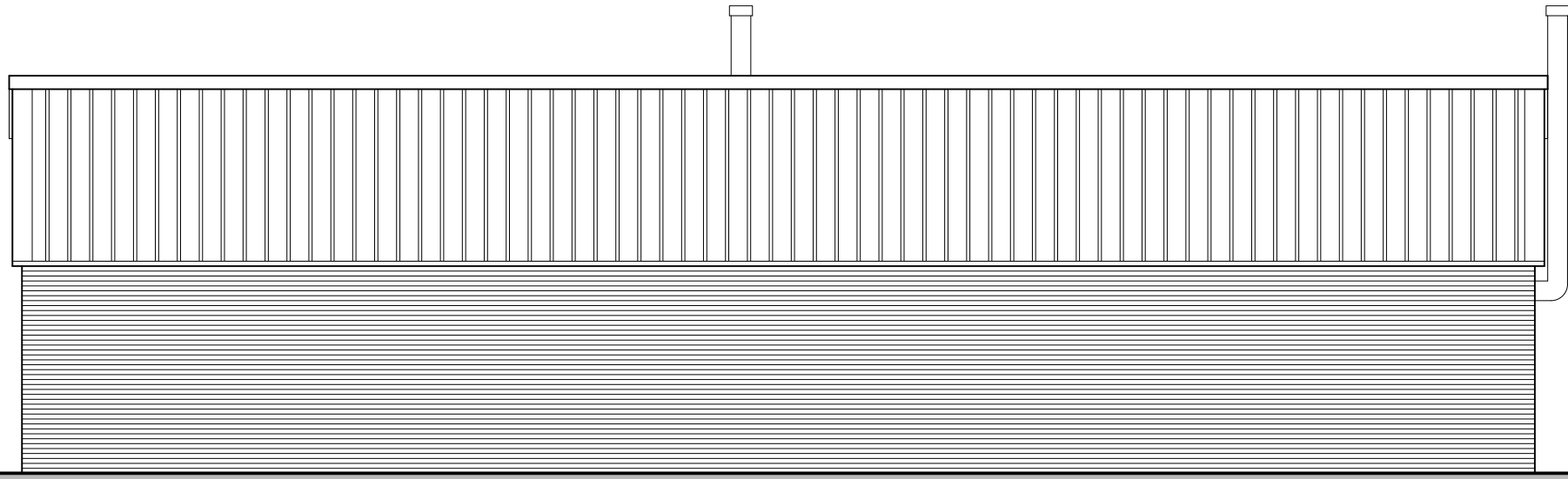
**Client:** A12 Properties, 19, The Loaning, Giffnock, Glasgow. G46 6SF.

Project No.	Drawing No.	Revision
18-237	017	D

Scale	Date
1:100 @ A3	2nd April 2019

**Description:** Planning Proposals  
New Units - Plan & Section





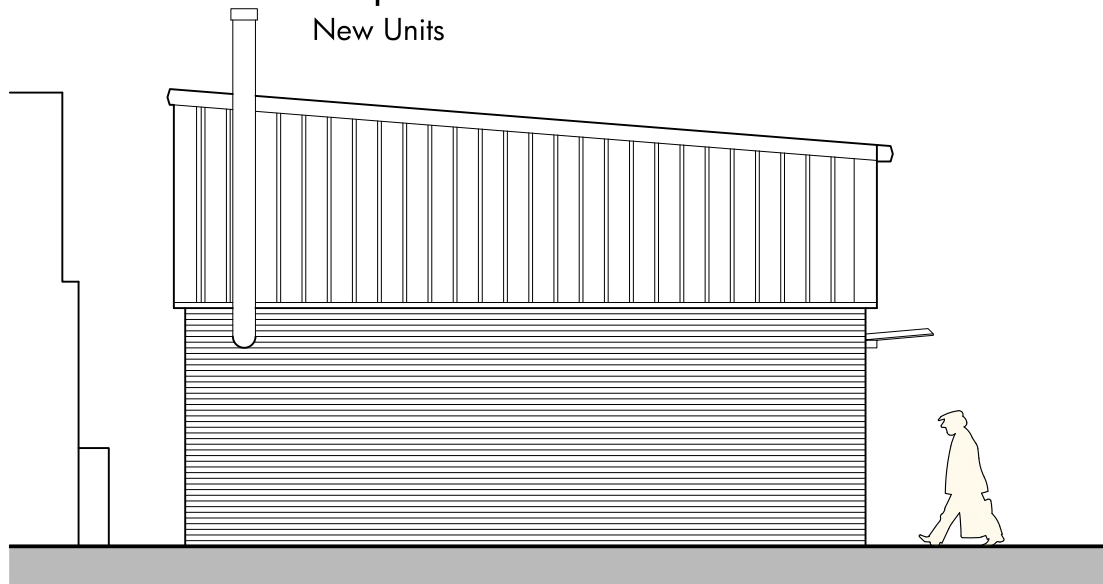
Proposed North West Elevation 1:100  
New Units

**Proposed External Finishes**

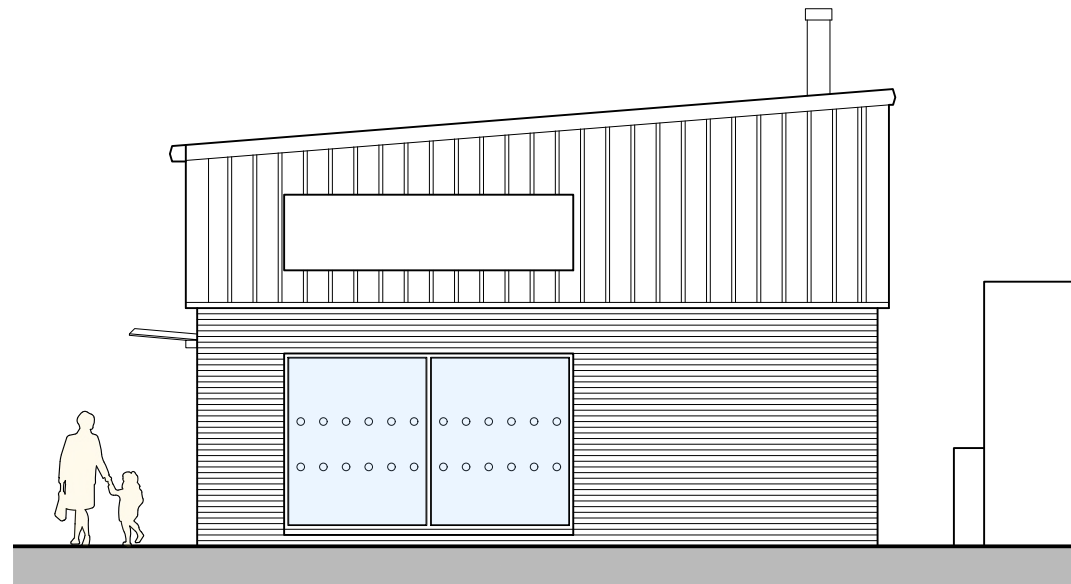
Walls: Approved facing brick with profiled trapezoidal wall panels (dark grey / navy) above.

Roof: Profiled trapezoidal roof panels (dark grey / navy).

Doors / Windows: Powder coated metal framed double glazed windows and doors (colour to match wall / roof panels).



Proposed South West Elevation 1:100  
New Units



Proposed North East Elevation 1:100  
New Units

Rev	Description	Date
D	Project title updated.	02/04/19
C	Planning proposals.	20/03/19
B	Client amendments.	04/03/19
A	Client amendments.	12/02/19
-	Preliminary drawing.	07/02/19

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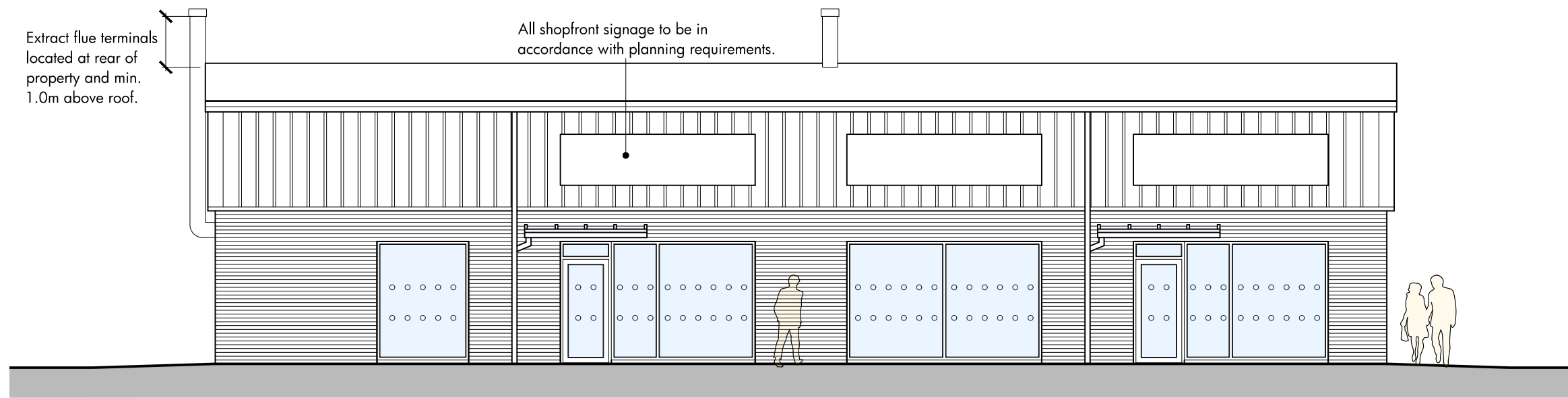
**Project:** Proposed commercial development at 157 Burnfield Road, Giffnock, Glasgow. G46 7PP.

**Client:** A12 Properties, 19, The Loaning, Giffnock, Glasgow. G46 6SF.

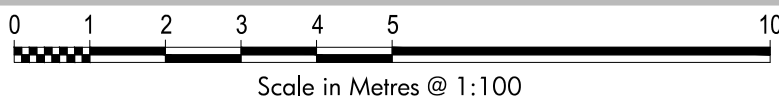
Project No.	Drawing No.	Revision
18-237	018	D

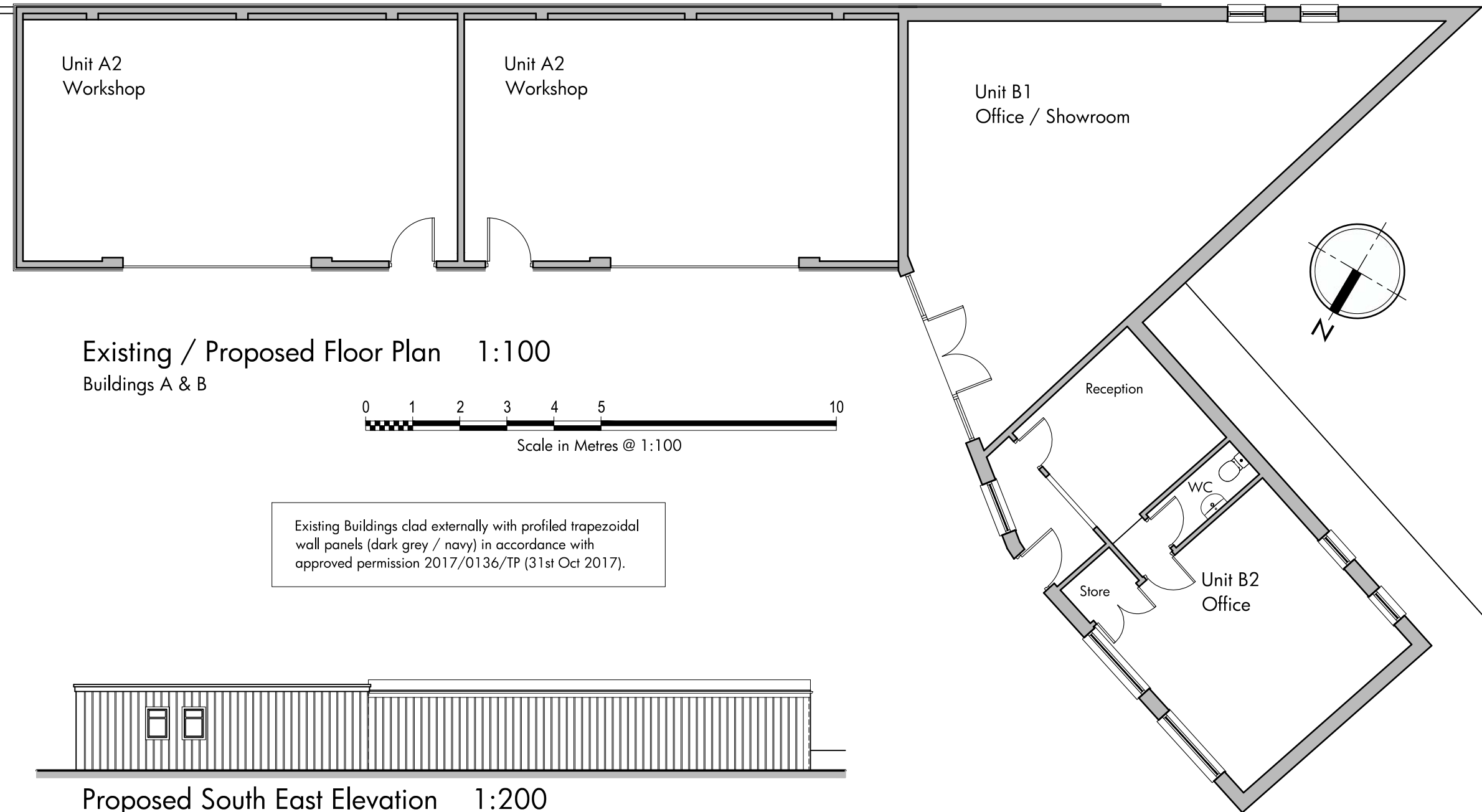
Scale	Date
1:100 @ A3	2nd April 2019

**Description:** Planning Proposals  
New Units - Elevations



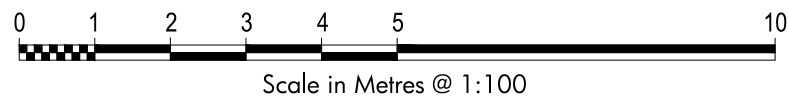
Proposed South East Elevation 1:100  
New Units



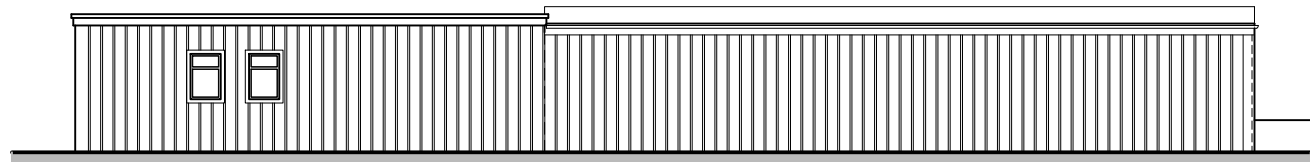


Existing / Proposed Floor Plan 1:100

Buildings A & B

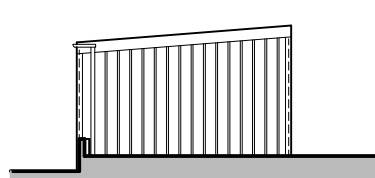


Existing Buildings clad externally with profiled trapezoidal wall panels (dark grey / navy) in accordance with approved permission 2017/0136/TP (31st Oct 2017).



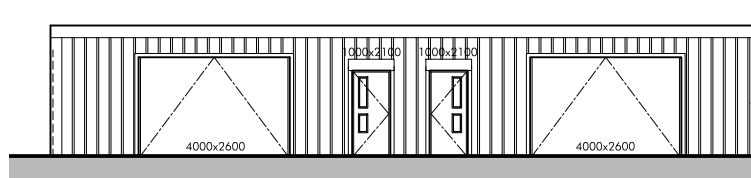
Proposed South East Elevation 1:200

Buildings A & B



Proposed North East Elevation 1:200

Building A



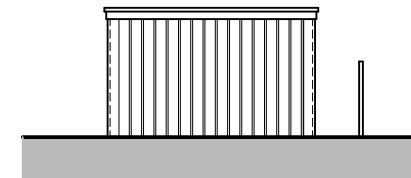
Proposed North West Elevation 1:200

Building A



Proposed North East Elevation 1:200

Building B



Proposed North West Elevation 1:200

Building B

A	Project title updated.	02/04/19
-	Planning proposals.	20/03/19
Rev	Description	Date

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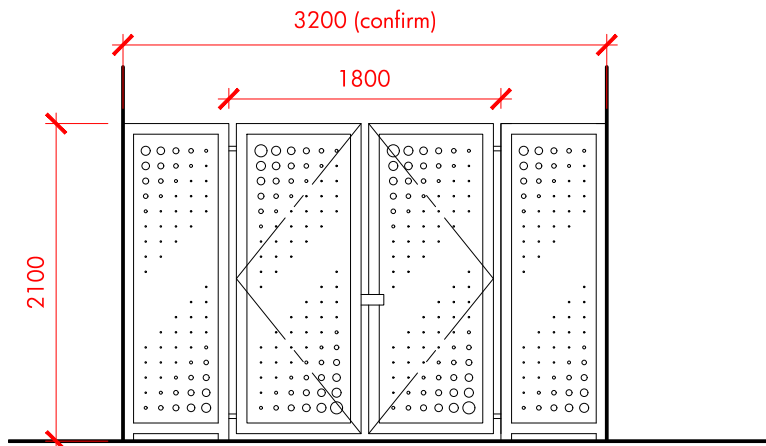
**Project:** Proposed commercial development at 157 Burnfield Road, Giffnock, Glasgow. G46 7PP.

**Client:** A12 Properties, 19, The Loaning, Giffnock, Glasgow. G46 6SF.

Project No.	Drawing No.	Revision
18-237	018	A

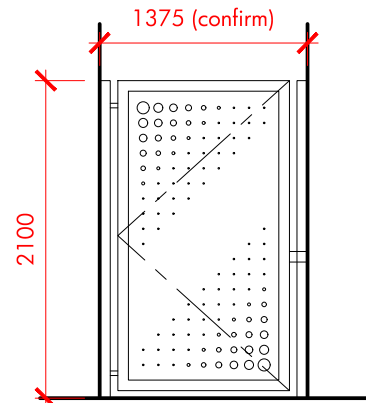
Scale	Date
1:100 / 1:200 @ A3	2nd April 2019

**Description:** Planning Proposals Existing Units



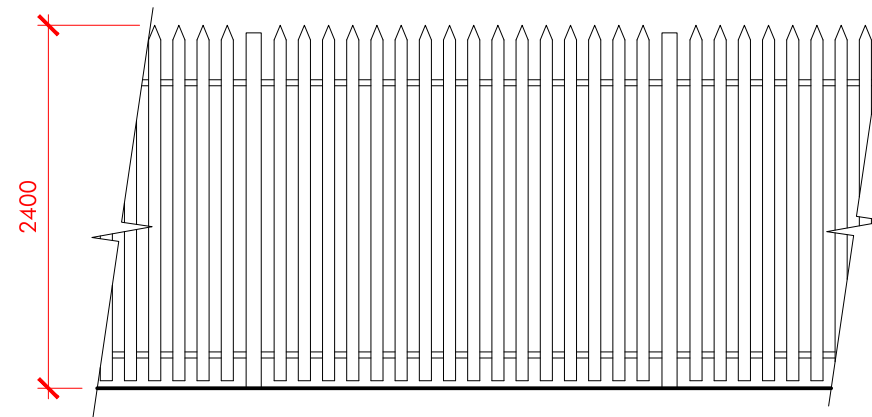
**Proposed Fence / Gate A 1:50**

2.1m high galvanised perforated mild steel barrier / gate powder coated dark grey / navy to match proposed wall cladding / window frames.  
Gate to provide secure access to bin store area.



**Proposed Fence / Gate B 1:50**

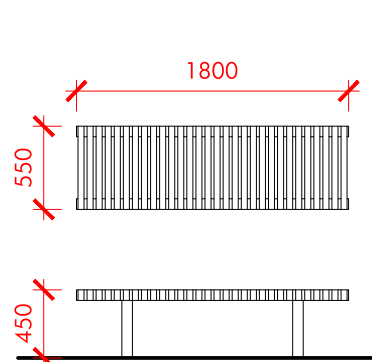
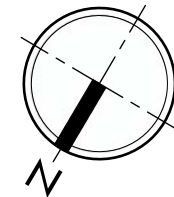
2.1m high galvanised perforated mild steel barrier / gate powder coated dark grey / navy to match proposed wall cladding / window frames.  
Gate to provide secure access for maintenance purposes only.



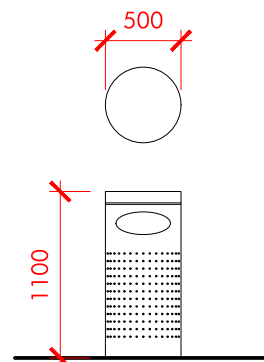
**Proposed Fence C 1:50**

2.4m high galvanised palisade fence.

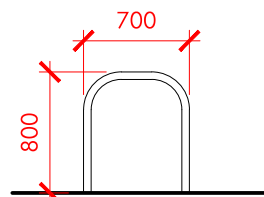
See drawing 016 for location of proposed fences / gates.



Stainless steel slatted bench.



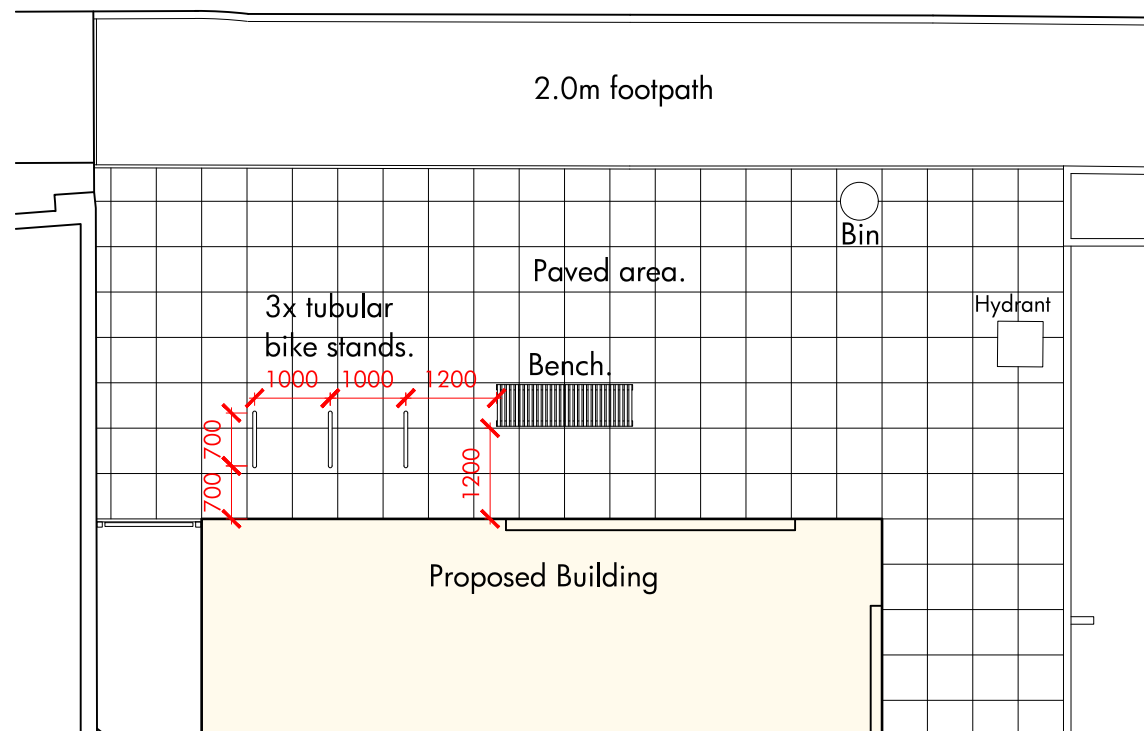
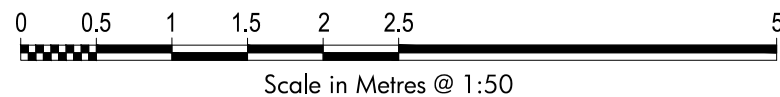
Stainless steel public general waste bin.



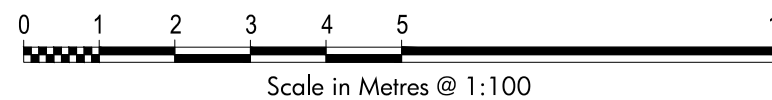
Stainless steel tubular bike stands.

All street furniture to be to clients requirements and to local council approval.

**Proposed Street Furniture 1:50**



**Spill out area plan 1:100**



Rev	Description	Date
-	Planning proposals.	02/04/19

# Cart Architecture

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**Project:** Proposed commercial development at 157 Burnfield Road, Giffnock, Glasgow. G46 7PP.

**Client:** A12 Properties, 19, The Loaning, Giffnock, Glasgow. G46 6SF.

Project No.	Drawing No.	Revision
18-237	020	-

Scale	Date
1:50 / 1:100 @ A3	2nd April 2019

**Description:** Planning Proposals  
Street furniture & fence details

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EAST RENFREWSHIRE COUNCILLOCAL REVIEW BODY6 November 2019Report by Deputy Chief ExecutiveREVIEW OF CASE - REVIEW/2019/17ERECTION OF SINGLE STOREY REAR EXTENSION;INSTALLATION OF DORMERWINDOWS AT FRONT AND REAR AT 11 FORRES AVENUE, GIFFNOCK**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:- 2019/0251/TP).
- Applicant: Rachel and Callum Johnson.
- Proposal: Erection of single storey rear extension; installation of dormer windows at front and rear.
- Location: 11 Forres Avenue, Giffnock.
- Council Area/Ward: Giffnock and Thornliebank (Ward 3).

**REASON FOR REQUESTING REVIEW**

3. The applicants have 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.

- (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 (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 applicants in submitting the review have stated the reasons for requiring the review of the determination of the application. A copy of the applicants’ Notice of Review and Statement of Reasons is attached as Appendix 4.

9. The applicants are 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 have indicated that their stated preference is a site inspection.

10. The Local Review Body is not bound to accede to the applicants’ 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, 6 November 2019 immediately 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.** However, the applicant has submitted new information which was not available to the Appointed Officer at the time the determination of the application was made. The new information relates to a new plan 'Proposed Daylight Elevation' along with commentary on it together with an extract of a plan which appears in the applicants' supporting documents.

**15.** Members are advised that Section 43B of The Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006 states that:-

“43B Matters which may be raised in a review under section 43A(8)

- (1) In a review under section 43A(8), a party to the proceedings is not to raise any matter which was not before the appointed person at the time the determination reviewed was made unless that party can demonstrate—
  - (a) that the matter could not have been raised before that time, or
  - (b) that its not being raised before that time was a consequence of exceptional circumstances.
- (2) Nothing in subsection (1) affects any requirement or entitlement to have regard to—
  - (a) the provisions of the development plan, or
  - (b) any other material consideration.”

**16.** The applicants have been given an opportunity to explain why the information was not made available to the Appointed Officer at the time the application was determined.

**17.** In reply, the applicants' agent has advised that the issue of loss of daylight was not raised with the architects and as such a drawing was not prepared during the application determination period. It was only raised as a concern through the reason for refusal. As a result, the new information that has been submitted is simply responding specifically to a point raised in the reason for refusal and the agent is of the opinion that her clients are entitled to do so; and the best way to respond in this case is with a drawing and supporting text. Furthermore, the agent is of the opinion that it is wholly appropriate for this information to be provided to the Local Review Body so they can consider the correct information relating to the reason for refusal.

**18.** The Local Review Body must decide whether the new information should be considered as part of the review. In the event that it does, it is recommended, in the interests of equality of opportunity to all parties that the Appointed Officer be given the opportunity to comment on the new information.

**19.** Members should note that the new information has been excluded from the applicants' submission.

**20.** 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 63 - 72);
- (b) Report of Handling by the planning officer under the Scheme of Delegation - Appendix 2 (Pages 73 - 80);
- (c) Decision notice and reasons for refusal - Appendix 3 (Pages 81 - 86); and
- (d) A copy of the applicants' Notice of Review and Statement of Reasons - Appendix 4 (Pages 87 - 134).

**21.** The applicants have 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 5 (Pages 135 - 148).

- (a) Existing Elevations;
- (b) Existing Floor Plans;
- (c) Proposed Section;
- (d) Proposed View;
- (e) Review Document – Site Block Plan as Existing;
- (f) Review Document – Site Block Plan as Proposed;
- (g) Refused – Location Plan;
- (h) Refused – Proposed Site Block Plan;
- (i) Refused – Proposed Elevations;
- (j) Refused – Proposed Side Elevations;
- (k) Refused – Proposed Side Elevation; and
- (l) Refused – Proposed Floor Plans.

**22.** 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.

**23.** All the documents referred to in this report can be viewed online on the Council's website at [www.eastrenfrewshire.gov.uk](http://www.eastrenfrewshire.gov.uk).

## **RECOMMENDATIONS**

**24.** 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:- October 2019

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**APPLICATION  
FOR  
PLANNING PERMISSION**

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

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

Thank you for completing this application form:

ONLINE REFERENCE            100075336-002

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)

Internal Alterations and Single Storey Rear extension to semi-detached property, including addition of 2 x no dormer windows

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:	Emma Ellson Architects Ltd t/a Bespoke		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	Emma	Building Name:	The Gables
Last Name: *	Ellson	Building Number:	1A
Telephone Number: *	07403291893	Address 1 (Street): *	Ledcameroch Road
Extension Number:	<input type="text"/>	Address 2:	Bearsden
Mobile Number:	<input type="text"/>	Town/City: *	Glasgow
Fax Number:	<input type="text"/>	Country: *	Scotland
		Postcode: *	G61 4AA
Email Address: *	emma@bespokeglasgow.com		

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

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	Ms	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	Rachel + Callum	Building Number:	11
Last Name: *	Johnson	Address 1 (Street): *	Forres Avenue
Company/Organisation:	<input type="text"/>	Address 2:	Giffnock
Telephone Number: *	<input type="text"/>	Town/City: *	Glasgow
Extension Number:	<input type="text"/>	Country: *	Scotland
Mobile Number:	<input type="text"/>	Postcode: *	G46 6LJ
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

## Site Address Details

Planning Authority:

East Renfrewshire Council

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

Address 1:

11 FORRES AVENUE

Address 2:

GIFFNOCK

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

GLASGOW

Post Code:

G46 6LJ

Please identify/describe the location of the site or sites

Northing

658884

Easting

256751

## Pre-Application Discussion

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

Yes  No

## Pre-Application Discussion Details Cont.

In what format was the feedback given? \*

Meeting  Telephone  Letter  Email

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

E-mail correspondence with Sean McDaid regarding revised proposals, welcoming new palette of materials and traditional pitched roof form following refusal notice from previous application

Title:

Mr

Other title:

First Name:

Sean

Last Name:

McDaid

Correspondence Reference Number:

Date (dd/mm/yyyy):

21/05/2018

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

## Site Area

Please state the site area:

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)

## 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.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? \*

Yes  No

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.

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 of existing and any new spaces or a reduced number of spaces)? \*

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

## Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? \*

Yes  No

Do your proposals make provision for sustainable drainage of surface water?? \* (e.g. SUDS arrangements) \*

Yes  No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

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

- Yes  
 No, using a private water supply  
 No connection required

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



## Assessment of Flood Risk

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

Yes  No  Don't Know

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

## Trees

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

Yes  No

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

## Waste Storage and Collection

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

Yes  No

If Yes or No, please provide further details: \* (Max 500 characters)

As indicated on proposed plans

## Residential Units Including Conversion

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

Yes  No

## All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? \*

Yes  No

## 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: Emma Ellson

On behalf of: Ms Rachel + Callum Johnson

Date: 11/04/2019

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. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. *                                   | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A |
| A Flood Risk Assessment. *   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Habitat Survey. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |

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

## 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: Mrs Emma Ellson

Declaration Date: 11/04/2019

## Payment Details



Created: 23/04/2019 21:11

## REPORT OF HANDLING

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# REPORT OF HANDLING

Reference: 2019/0251/TP

Date Registered: 30th April 2019

Application Type: Full Planning Permission

This application is a Local Development

Ward: 3 -Giffnock And Thornliebank

Co-ordinates: 256751/:658884

Applicant/Agent:

Applicant:  
Rachel and Callum Johnson  
11 Forres Avenue  
Giffnock  
Glasgow  
G46 6LJ

Agent:

Emma Ellson Architects Ltd  
t/a Bespoke  
The Gables  
1A Ledcameroch Road  
Glasgow  
G61 4AA

Proposal: Erection of single story rear extension; installation of dormer windows at front and rear

Location: 11 Forres Avenue  
Giffnock  
East Renfrewshire  
G46 6LJ

**CONSULTATIONS/COMMENTS:** None.

**PUBLICITY:** None.

**SITE NOTICES:** None.

**SITE HISTORY:**

2017/0818/TP	Erection of single storey rear extension, installation of front and rear dormers windows	Refused	15.02.2018
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**REPRESENTATIONS:** No representations have been received.

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

**SUPPORTING REPORTS:**

Design Statement – The statement outlines the changes made to the proposal in an effort to address the reasons for the refusal of the earlier application, 2017/0818/TP. It provides an assessment against the Local Development Plan and gives examples of what the agent considers are similar proposals and concludes that the proposal is acceptable.

**ASSESSMENT:**

The application site comprises a two storey hip roofed dwelling and its curtilage and lies within an established residential area. The dwelling is externally finished with a mock stone frontage, render and a slate roof. It has an existing lean-to rear projection that measures 3.4 metres deep and lies 1.7 metres from the common rear boundary. The site occupies a corner plot at the junction of Forres Avenue with Church Road with frontages comprising double height bay windows facing both streets. The area is characterised by traditional two storey semi-detached dwellings and bungalows. Some of the two storey dwellings have attic dormers. The side and rear boundaries, including the side boundary with Church Road are characterised by masonry walls and established planting. The site is highly visible and open to long views from both directions on Church Road.

Planning permission is sought for the erection of a single storey rear extension and for the installation of front and rear dormer windows. The proposed rear extension extends 5 metres from the rear elevation and 1.2 metres from the common rear boundary. It is to be 9.3 metres wide and 4.5 metres high with a flu extending 1.8 metres from the side roof. The extension comprises a hipped roof with a flat central section and a projecting window on part of the rear elevation. It is proposed to be externally finished in smooth white render, timber cladding and slate. The rear extension projects side-wards beyond the principal side building line by 2 metres towards Church Road. The existing rear extension is to be removed. The proposed front and rear dormers measure 2.8 metres wide by 2.2 metres high. They are proposed to have hipped roofs and be finished in slate to match the existing roof. An access and two in-curtilage car-parking spaces are also proposed along with the formation of a new window opening and installation of a replacement window on the rear elevation. Those do not however require planning permission in this instance.

The application requires to be assessed against Policies D1 and D14 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 should not give rise to significant additional overshadowing or loss of light. Policy D14 requires that extensions should complement the character of the existing building in terms of its style, form and materials.

The adopted Supplementary Planning Guidance: Householder Design Guide (SPG) that forms part of Policy D14 is also of relevance. The SPG states that extensions and dormer windows should respect the character of the original house and of the surrounding area in terms of design, scale and materials and that no extension should detract from the character of the area. It also states that single storey rear extensions should not project more than 4 metres along a common rear boundary.

It is noted that the proposed rear extension is of a contrasting design to the existing traditional dwelling as a result of its use of large glazed areas, partial flat roof and timber cladding. Contrasting extensions and alterations can be acceptable where they do not detract from the character or design of the existing dwelling. In this case, the rear extension projects side-wards by 2 metres towards the frontage of the site with Church Road. Whilst this boundary is formed by a masonry wall with some planting and the rear garden sits at a lower level than Church Road, the proposed extension would still be readily visible to public view. It is also noted that the proposed extension would project 5 metres from the rear elevation and 1.2 metres from the common rear boundary. It is therefore considered, that given its side-wards projection beyond the side elevation, size and contrasting style and materials, the proposed rear extension would be a prominent and incongruous feature that would detract from the character and design of the original dwelling.

Turning to the dormer windows, it is noted that there are others at second floor level inter-visible with the application site. However, they tend to be smaller in scale. In this instance, the



proposed dormers are considered to dominate both the front and rear roof planes given their size, to the detriment of the character and design of the dwelling.

Given the above, the proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan and the specific provisions of the SPG that relate to impact on the character and design of the dwelling.

The proposed rear extension and front and rear dormer windows would be prominent features in the streetscape given their size, design and external materials and the orientation of the plot adjacent to a road junction. As such, the proposal would detract from the traditional character and visual amenity of the area.

Further, as noted above, the rear extension will project 5 metres and be only 1.2 metres from the common rear boundary. This would give rise to a significant degree of overshadowing and a notable loss of light to the neighbouring dwelling given the depth of the extension and its orientation in relation to the neighbour. The proposal is therefore contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan and the specific terms of the SPG that relate to the character of the area and impact on the amenity of the neighbouring property.

It is noted that the agent has made changes to the proposed design in an effort to address the reasons for refusal of application 2017/0818/TP. Those changes relate to the use of different materials and the introduction of hipped roofs over the rear extension and front and rear dormer windows. However little effort has been made to reduce the overall massing of the proposed extension; the size of the dormer windows; or the impact on the street scape. In fact, the projection towards Church Road has increased by 0.8 metres. The Design Statement also makes reference to a contemporary extension inter-visible with the site on Church Road. This is set back from the front building line and therefore has minimal impact on the streetscape.

It should also be noted that pre-application advice was given to the agent under reference PREAPP/2018/0089. Whilst the changes referred to in the preceding paragraph are noted, the pre-application advice was to ensure the extension did not project side-wards of the side building line towards Church Road and that the dormers should be reduced in size to minimise their impact on the roof scape. The agent was advised in response to the pre-application enquiry that the proposal was contrary to Policies D1 and D14 of the adopted East Renfrewshire Local Development Plan. It is noted that the plans submitted with this application are identical in their substance to those submitted for pre-application consideration. None of the pre-application advice has been taken on board in this instance.

#### Overall conclusion

In conclusion, the proposal is contrary to the terms of the adopted East Renfrewshire Local Development Plan. There are no material considerations that indicate that the application should not be refused.

**RECOMMENDATION:** Refuse

**PLANNING OBLIGATIONS:** None.

#### **REASONS FOR REFUSAL:**

1. The proposal is contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan as: i) the proposed rear extension and dormer windows would be dominant and incongruous features on the streetscape by virtue of their size and by virtue of the rear extension's side-wards projection beyond the building line towards Church Road; and ii) the proposed rear extension would give rise to an

unacceptable degree of overshadowing and loss of light given its size in proximity to the common rear boundary.

2. The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as the proposed dormer windows and rear extension would detract from the character of the original dwelling by virtue of their size and design and by virtue of the side-wards projection of the rear extension towards Church Road.

**ADDITIONAL NOTES:** None.

**ADDED VALUE:** None

**BACKGROUND PAPERS:**

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

Ref. No.: 2019/0251/TP  
(DESC)

DATE: 19th June 2019

**DIRECTOR OF ENVIRONMENT**

**Reference: 2019/0251/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 D14

##### Extensions to Existing Buildings and Erection of Outbuildings and Garages

Any extensions must complement the existing character of the property, particularly in terms of style, form and materials.

The size, scale and height of any development must be appropriate to the existing building.

In most circumstances, pitched roofs utilising slates or tiles to match the existing house will be the appropriate roof type. Alternatives, such as flat roofs or green roofs, will be considered on a site specific basis.

Side extensions should not create an unbroken or terraced appearance.

The development should avoid over-development of the site by major loss of existing garden space.

Dormer windows should not in general dominate the existing roof, nor rise above or break the existing ridgeline or hip of the roof, and should be finished in materials to match existing roof finishes.

The above are broad requirements and these are further defined in the Householder Design Guide Supplementary Planning Guidance.

**GOVERNMENT GUIDANCE:** None

Finalised 19/06/2019/AC.

**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**

**REFUSAL OF PLANNING PERMISSION**

Ref. No.           **2019/0251/TP**

**Applicant:**

Rachel and Callum Johnson  
11 Forres Avenue  
Giffnock  
Glasgow  
Scotland  
G46 6LJ

**Agent:**

Emma Ellson Architects Ltd  
t/a Bespoke  
The Gables  
1A Ledcameroch Road  
Bearsden  
Glasgow  
Scotland  
G61 4AA

With reference to your application which was registered on 30th April 2019 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

**Erection of single story rear extension; installation of dormer windows at front and rear**

**at: 11 Forres Avenue, Giffnock, East Renfrewshire, G46 6LJ**

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 D1 of the adopted East Renfrewshire Local Development Plan as: i) the proposed rear extension and dormer windows would be dominant and incongruous features on the streetscape by virtue of their size and by virtue of the rear extension's side-wards projection beyond the building line towards Church Road; and ii) the proposed rear extension would give rise to an unacceptable degree of overshadowing and loss of light given its size in proximity to the common rear boundary.
2. The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as the proposed dormer windows and rear extension would detract from the character of the original dwelling by virtue of their size and design and by virtue of the side-wards projection of the rear extension towards Church Road.

Dated               19th June 2019



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 refused

Plan Description	Drawing Number	Drawing Version	Date on Plan
Location Plan	AL(0)001		
Block Plan Proposed	AL(0)002	E	

Elevations Proposed	AL(0)120	M	
Plans Proposed	AL(0)110	M	
Elevations Proposed	AL(0)121	C	



## **GUIDANCE NOTE FOR REFUSAL OF LOCAL DEVELOPMENTS DETERMINED UNDER DELEGATED POWERS**

### **REVIEW BY EAST RENFREWSHIRE COUNCIL'S LOCAL REVIEW BODY**

1. If the applicant is aggrieved by a decision to refuse permission (or by an approval subject to conditions), the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. A Notice of Review can be submitted online at [www.eplanning.scotland.gov.uk](http://www.eplanning.scotland.gov.uk). Please note that beyond the content of the appeal or review forms, **you cannot normally raise new matters** in support of an appeal or review, unless you can demonstrate that the matter could not have been raised before, or that its not being raised before is a consequence of exceptional circumstances. Following submission of the notice, you will receive an acknowledgement letter informing you of the date of the Local Review Body meeting or whether further information is required.

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

### CONTACT DETAILS

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

**General Inquiry lines 0141 577 3895 or 0141 577 3878  
Email [planning@eastrenfrewshire.gov.uk](mailto:planning@eastrenfrewshire.gov.uk)**

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**NOTICE OF REVIEW  
AND  
STATEMENT OF REASONS**

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

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

Thank you for completing this application form:

ONLINE REFERENCE 100179840-001

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

## Applicant or Agent Details

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

Applicant  Agent

## Agent Details

Please enter Agent details

Company/Organisation:	<input type="text" value="Jigsaw Planning"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Katherine"/>	Building Name:	<input type="text" value="PO Box 2844"/>
Last Name: *	<input type="text" value="Sneeden"/>	Building Number:	<input type="text"/>
Telephone Number: *	<input type="text" value="07860757873"/>	Address 1 (Street): *	<input type="text" value="PO Box 2844"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Glasgow"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
		Postcode: *	<input type="text" value="G61 9DG"/>
Email Address: *	<input type="text" value="katherine@jigsawplanning.co.uk"/>		

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

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Other"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text" value="Mr &amp; Mrs"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="C and R"/>	Building Number:	<input type="text" value="11"/>
Last Name: *	<input type="text" value="Johnson"/>	Address 1 (Street): *	<input type="text" value="Forres Avenue"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text" value="Giffnock"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Glasgow"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="UK"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="G46 6LJ"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

## 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="11 FORRES AVENUE"/>
Address 2:	<input type="text" value="GIFFNOCK"/>
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="G46 6LJ"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="658884"/>	Easting	<input type="text" value="256751"/>
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## Description of Proposal

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

Erection of single storey rear extension; installation of dormer windows at front and rear

## Type of Application

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

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

What does your review relate to? \*

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

## Statement of reasons for seeking review

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

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

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

See attached review 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)

See rear of attached Local Review Statement

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

2019/0251/TP

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

30/04/2019

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

19/06/2019

## 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

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

Please select a further procedure \*

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

A site visit would assist members in viewing the proposal within the context of the site, the existing extensive landscaping and the local area.

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

Can the site be clearly seen from a road or public land? \*

Yes  No

Is it possible for the site to be accessed safely and without barriers to entry? \*

Yes  No



## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. \*

Yes  No

Have you provided the date and reference number of the application which is the subject of this review? \*

Yes  No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

Yes  No  N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

Yes  No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

Yes  No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

## Declare – Notice of Review

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

Declaration Name: Mrs Katherine Sneedden

Declaration Date: 18/09/2019

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**2019/0251/TP**

**Erection of single storey rear extension; installation of dormer window at  
front and rear**

**11 Forres Avenue, Giffnock, East Renfrewshire G46 6LJ**

**Review Statement**

**September 2019**

**jigsaw**  
**planning**

This planning statement has been prepared by Jigsaw Planning.

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## **Appeal to East Renfrewshire Council's Local Review Body - Against the Decision of the Planning Officer to refuse Planning Application 2019/0251/TP – Erection of single storey rear extension; Installation of dormer windows at front and rear**

### **At 11 Forres Avenue, Giffnock, East Renfrewshire Council**

1. This review statement has been prepared by Jigsaw Planning, Chartered Planning Consultancy, on behalf of our client, Rachel and Callum Johnson. We dispute the Planning Officer's reasons for refusing the application and respectfully request that the Council's Local Review Body review that decision.

### **Summary of applicant's reasons for review**

- The proposal fully accords with the policies within the adopted Local Development Plan and associated Supplementary Guidance.
- The extension only adds a further 24sqm of floorspace to the existing house which is currently 110sqm.
- 465 sqm of garden ground will be retained – this is far more than 50% required by policy. The client will also be removing the existing garage and associated access point providing more space within the garden.
- The rear extension wraps slightly around to the side of the property and complies with supplementary guidance in respect of rear and side extensions to residential properties.
- There will be no increase of the height of the roof and the proposed dormer windows accord with Supplementary Guidance.
- The scheme has been amended in response to Planning Officer feedback on a previous refusal to inform the revised proposals design and use of materials.
- The extensive landscaping along the boundary to Church Road will be retained and applicants would be delighted to provide additional planting and fencing as required to screen views of the extension from this direction if felt necessary. The applicants would be more than willing to have planning condition to ensure this is achieved.
- The existing garage is to be removed and the associated access blocked up which will provide more garden area as well as more opportunity for further landscaping or fencing if required.
- The applicants would be very happy to install a fence to the side of the house to prevent views of the extension from the front of the property on Forres Avenue.
- There will be no impact on the neighbour in terms of daylight and the Council's SPG requirements are met.
- There were no objections to the application from neighbours [REDACTED]



### Application proposal and site

2. The property sits on a generous corner plot and has an existing rear protrusion, thought to be original to the house. The proposal will remove the existing rear protrusion and replace it to provide additional accommodation and living space of 24sqm over the existing house footprint. The extract below from the Location Plan shows the existing plot; its generous proportions (600m<sup>2</sup>) and its relationship with the neighbouring properties. The property is not within a Conservation Area.



3. This proposal seeks to replace the existing rear protrusion with a well-designed useable space that suits the requirements of a busy family. The architect has researched the area thoroughly and has used recently built extensions to inform the design; this has been evidenced in the accompanying Design Statement. The rear extension will wrap around the property slightly and this is a common extension design in the area. The proposal involves the demolition of the existing rear protrusion and replacement with an extension to the rear and side of the property and dormer windows to the front and rear of the roof.
4. The photographs below show the property and illustrate the extensive plot and the existing landscaping of the site.





View from Forres Avenue



View from Church Road illustrating change in levels across site boundary



View of property from Church Road, illustrating site boundaries and existing screening

### Background

5. This is the second planning application made by the applicants for an extension to their house. The first application (ref 2017/0818/TP) was refused on 15th February 2018. The applicant and architect have made many changes to the proposal to address the points raised in the refused scheme and have come forward with a second application which responds positively to the feedback received.
6. The decision was taken to wrap the extension to the side of the property as this design could be comfortably accommodated in line with the requirements of Supplementary Planning Guidance, as set out below.



7. Planning application, subject of this appeal, (ref 2019/0251/TP) was therefore applied for in April 2019. Despite the amended design and compromises over materials, the Planning Officer determined to refuse this application under delegated powers on 19th June 2019.

### Grounds of appeal

8. The application has been refused by the Council's Planning Officer for two reasons:
1. *The proposal is contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan as*
    - i) *the proposed rear extension and dormer windows would be dominant and incongruous features on the streetscape by virtue of their size and by virtue of the rear extension's side-wards projection beyond the building line towards Church Road; and*
    - ii) *the proposed rear extension would give rise to an unacceptable degree of overshadowing and loss of light given its size in proximity to the common rear boundary.*
  2. *The proposal is contrary to Policy D14 of the adopted East Renfrewshire Council Local Development Plan as the proposed dormer windows and rear extension would detract from the character of the original dwelling by virtue of their size and design and by virtue of the side-wards projection of the rear extension towards Church Road.*
9. To respond to the reasons for refusal it is necessary to set out why we disagree with the Planning Officer's interpretation of planning policy as set out in the Delegated Report. We provide analysis of the applicable planning policy thereafter.

### Surrounding Area

10. Page 1 paragraph 1 states "*the area is characterised by traditional two storey semi-detached dwellings and bungalows*". This is not a Conservation Area, nor is the property a listed building. The area is characterised by traditional properties with modern extensions and dormer windows however there is no common streetscape; the area has varying properties of varying design, styles and materials. We feel it is also important to note many of the existing traditional buildings have been considerably extended to the rear and into the attic. The Design Statement submitted with the application provides examples of similar extensions in the local area.

### Supplementary Planning Guidance: Householder Design Guide

11. The officer has justified their conclusion that the proposal would detract from the character and design of the original dwelling via their assessment of Planning Policy and Supplementary Guidance (SG). We disagree with this assessment and set out below our assessment of the proposal against the checklist.
12. In respect of rear extensions the guidance recommends the following:
- "Single storey rear extensions (including conservatories) should...*



- *Not extend more than 4 metres down a common rear boundary.”*

It is understood that the existing rear protrusion, which will be demolished and replaced, is original to the house. As such the overall increase in length is only 1.6 metres more than the existing rear protrusion so accords with this policy. It should also be noted that the extension is not directly on the boundary with the neighbouring property; it is 1.2metres away from the boundary. The extract below of the proposed layout drawing shows this relationship. The extension is single storey and both the host and neighbouring gardens are sufficiently large so the proposed size and layout of the extension is entirely appropriate.





13. In respect of side extensions, the SG recommends the following:

*“Side extensions should...*

- *Be no more than 50% of the frontage of the original house;*
- *Be set back at least 0.5 metres from the front elevation of the original house;*
- *The ridge line of the extension should be below the ridge line of the original house;*
- *Be set back at least 1 metre from the side boundary;*
- *Have a fully enclosed lower storey. “*

The submitted drawings show the proposals accord with the above requirements. The extension represents less than 50% of the overall frontage of the house, is set back from the front elevation, sits below the ridge line of the existing house, has a fully enclosed lower storey and is more than one metre from the boundary line.

14. Paragraph 6 of the Officer’s Report states *“the proposed dormers are considered to dominate both the front and rear roof planes given their size, to the detriment of the character and design of the building”*. Paragraph 8 states *“the proposed front and rear dormer windows would be prominent features in the streetscape given their size, design and external materials and the orientation of the plot adjacent to a road junction. As such the proposal would detract from the traditional character and visual amenity of the area.”*

15. The SG requires that dormer windows:

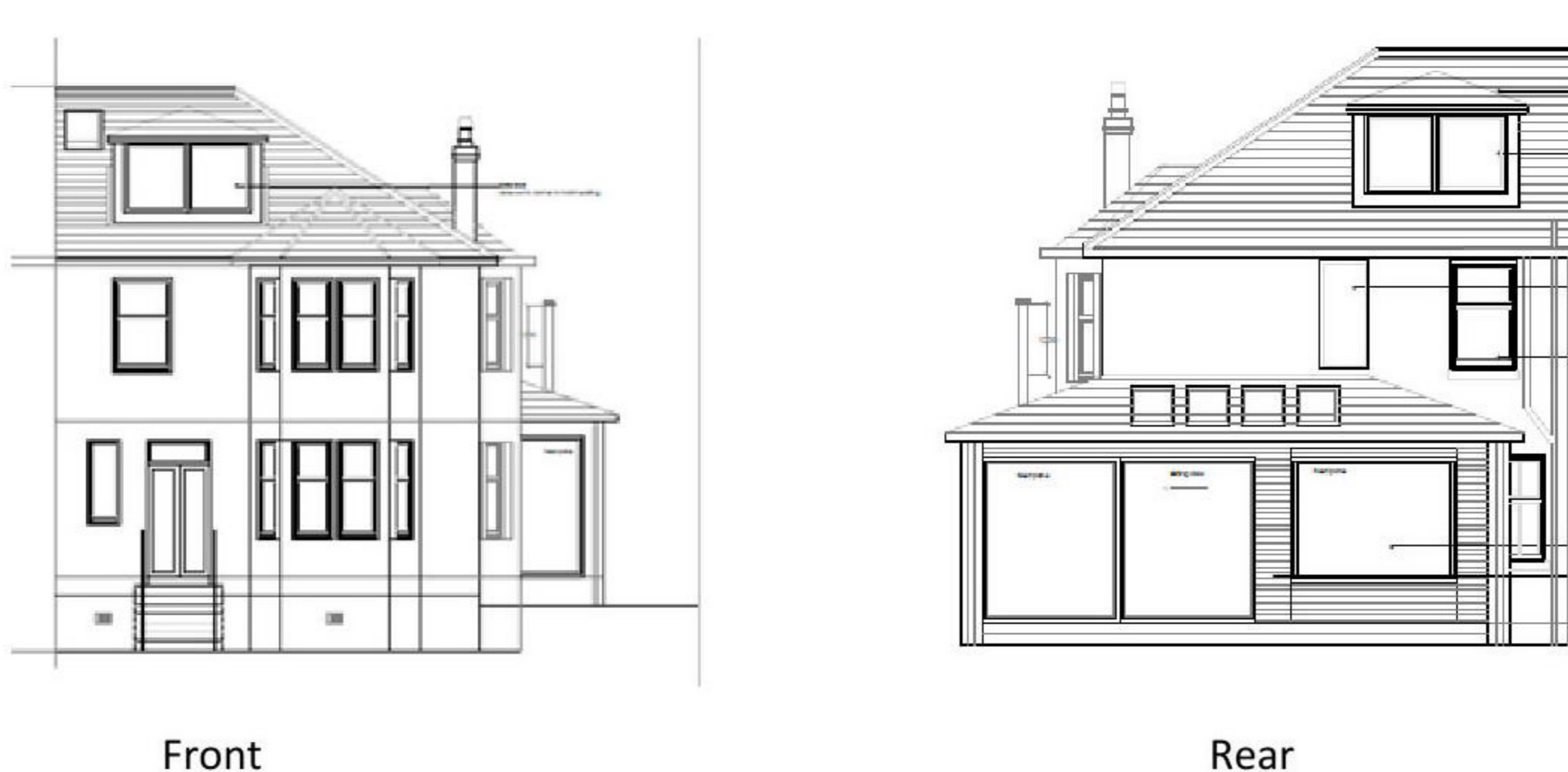
*“Dormer windows should...*

- *Be wholly contained within the roof slope and set below the roof ridge/hip and off the side ridge/hip;*
- *Be aligned vertically with windows/doors below;*
- *Have a high proportion of glazing;*
- *Not built up from wallhead and be set well back from the eaves;*
- *Not extend right up to the gable end or shared boundary on a semidetached or terrace house;*
- *Not occupy more than 50% of the area of the roof;*
- *Have roof, sides and front faces finished in tiles/slates to match the existing house;*
- *Be positioned centrally in a hipped roof.”*

As the below extract from drawing number 17023 AL (0) 120M illustrates, the proposal will not significantly alter the profile of the roof. The dormer windows do not occupy more than 50% of the roof area, and do not extend to the gable end or shared boundary (per the requirements for semidetached houses). They are wholly contained within the roof



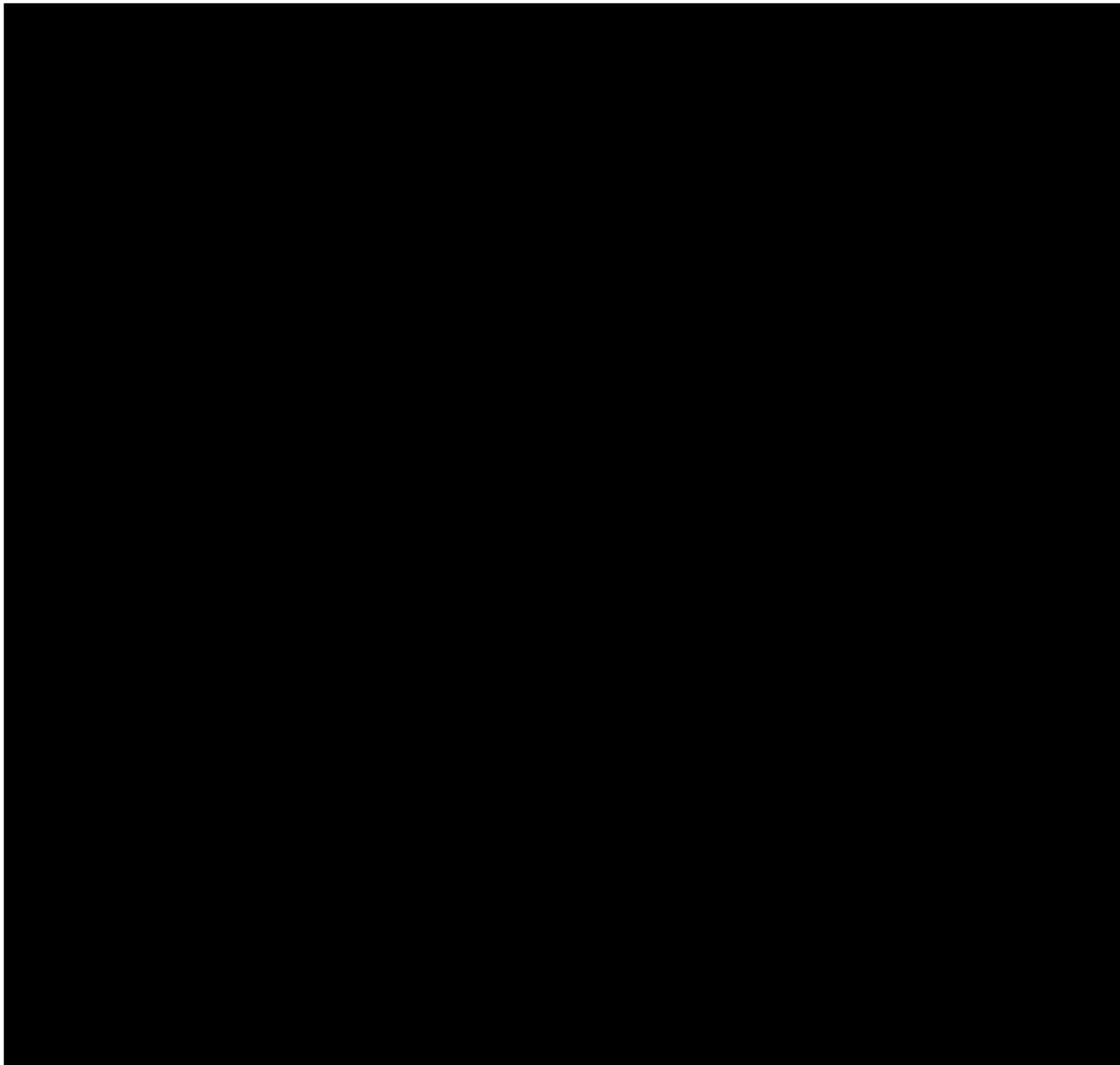
slope and set below the roof ridge/hip. They are vertically aligned and have a high proportion of glazing. The dormers is not built up from wallhead and be set well back from the eaves. The dormers will be finished in materials to match the existing roof. The dormers will be positioned centrally in the hipped roof. The proposals therefore satisfies all the requirements of the SG in respect of dormer windows. It follows that if the proposals accord with the SG requirements there cannot be any justification to assert that they detract from the character of the area. The location of the property at a road junction has no significance in this regard given the policy does differentiate between house locations.



16. The officer raises overshadowing at paragraph 9 of their Delegated Report. This was not raised as an issue during the application process and therefore the architect has now prepared a drawing showing the daylight shadowing assessment. We have submitted drawing number 17023 AL (0) 125 which illustrates that the extension will not result in an unacceptable level of overshadowing (extract above).
17. It shows that there is no impact on number 9 Forres Avenue in terms of daylight.

18.



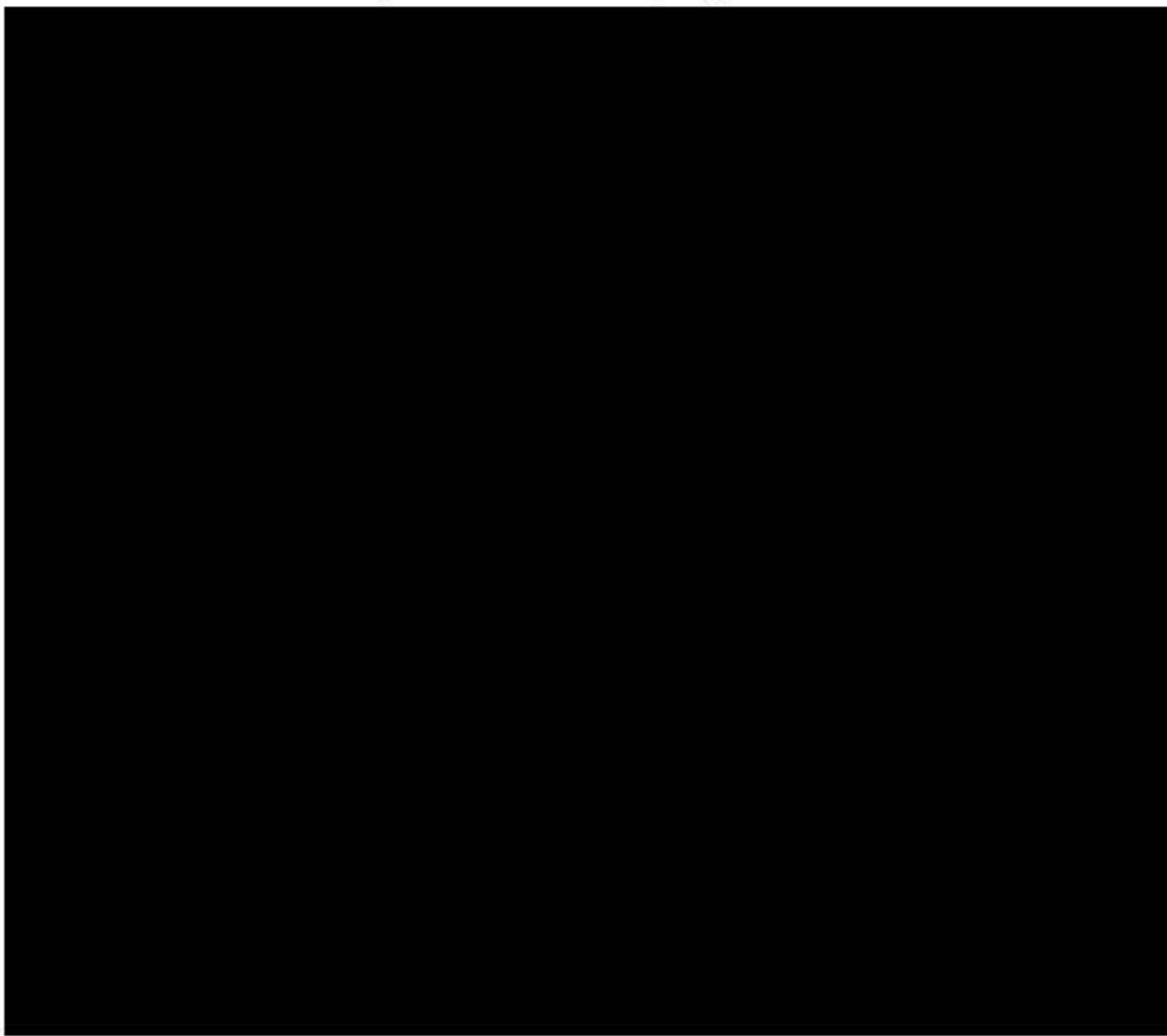


### Policy Assessment

19. Policy D1 sets out the following criteria against which all scales of developments should be considered; we have assessed the proposed scheme against the relevant criteria below. The proposed development accords with this policy.

<p>The development should not result in a significant loss of character or amenity to the surrounding area.</p>	<p>The proposed development is wholly within the substantial garden plot of the property. There will be slight reduction in amenity space, but this is nominal. The plot measures 600sqm and the proposals will allow for 465sqm of amenity space.</p>
<p>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.</p>	<p>The accompanying Design Statement provides several examples of similar extensions in the locality. (1 Penrith Avenue, 12 Eastwood Avenue, Huntly Avenue, 7 Bulloch Avenue). The surrounding area is not just one</p>



	<p>particular house type; the area is host to a variety of property types, styles and materials.</p> <p>The existing property has an external footprint of 110sqm. The proposals will demolish the existing rear protrusion and will provide only an additional 24sqm of floorspace over that at present.</p> <p>The proposals ensure that far more than 50% of the rear garden remains and complies with policy requirements.</p>
<p>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.</p>	<p>We have provided drawing number 17023 AL (0) 125 that clearly illustrates there will be no adverse impact on daylight.</p> 
<p>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.</p>	<p>The existing plot has extensive existing landscaping and only 1 small tree will be removed by the proposal to allow the new driveway access. The applicants are very happy to introduce new landscaping to the plot boundary with Church Road as shown on drawing 17023 AL(0) 004.</p>
<p>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</p>	<p>The applicants would be very happy to accept a planning condition requiring additional hard and soft landscaping to the boundary of the site, as required, if Members felt this would assist to shield the extension from view. It is also the applicants intention to install a fence to the side of the house to provide security given they have young children but also prevent views of the</p>



contained within the Green Network and Environmental Management Supplementary Planning Guidance.	extension from the front of the property on Forres Avenue.
Development should create safe and secure environments that reduce the scope for anti-social behaviour and fear of crime.	The proposals comply with this.
Developments must be designed to meet disability needs and include provision for disabled access within public areas.	The proposals will meet requirements set by Building Standards for existing house extensions. The proposal meets disability requirements whereas the existing rear protrusion (which includes the only downstairs toilet) does not.
The Council will not accept 'backland' development, that is, development without a road frontage.	Not applicable to these proposals.
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'.	As per existing arrangements. There was also no objection from the Roads Department at the Council.
Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the development.	Not applicable to these proposals.
Developments should include provision for the recycling, storage, collection and composting of waste materials.	The waste storage arrangements will remain as existing.
Where possible, all waste material arising from construction of the development should be retained on-site for use as part of the new development.	Not applicable to these proposals.
Where applicable, new development should take into account the legacy of former mining activity.	Not applicable.
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	Not applicable.



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.	
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.	The appeal submission includes the Design Statement prepared in support of the planning submission.
Where applicable, developers should explore opportunities for the provision of digital infrastructure to new homes and business premises as an integral part of development.	Not applicable.

20. In addition to the criteria listed in Policy D1 Detailed Guidance for all Development, proposals for alterations and extensions to existing residential properties will be assessed against the following criteria.

Any extensions must complement the existing character of the property, particularly in terms of style, form and materials.	The proposals are of high quality design using traditional white render and slate to integrate well with the existing building. Policy does allow for modern design where they do not detract from the design and character of the building. The proposals accord with SG requirements and the use of traditional materials will ensure a sympathetic and complimentary modern addition to the traditional building. Similar extensions have been shown in the area and indeed the scheme was amended to reflect a more traditional design and use of materials.
The size, scale and height of any development must be appropriate to the existing building.	As above



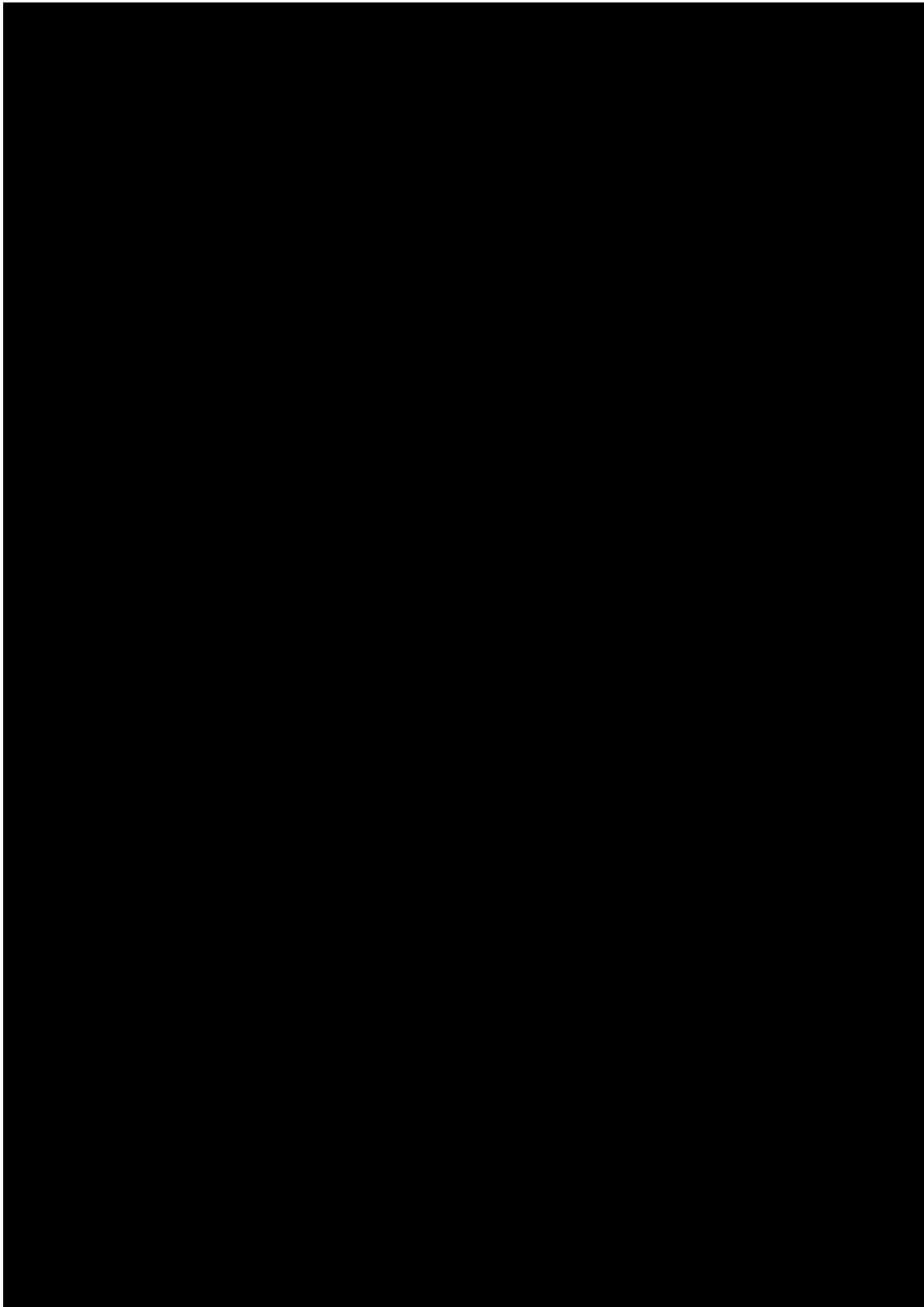
<p>In most circumstances, pitched roofs utilising slates or tiles to match the existing house will be the appropriate roof type. Alternatives, such as flat roofs or green roofs, will be considered on a site specific basis.</p>	<p>Traditional slate will be used on the pitched roof. The height of the roof will remain as is.</p>
<p>Side extensions should not create an unbroken or terraced appearance.</p>	<p>The property is on a corner plot and screened by mature trees and a wall. The side extension will fit well within the plot and meet requirements. The proposed landscaping and fencing will provide additional aesthetic improvements. The side extension will not create a terrace appearance.</p>
<p>The development should avoid over-development of the site by major loss of existing garden space.</p>	<p>The proposal will accord with requirements by exceeding the requirement to provide 50% of amenity garden ground.</p>
<p>Dormer windows should not in general dominate the existing roof, nor rise above or break the existing ridgeline or hip of the roof and should be finished in materials to match existing roof finishes.</p>	<p>The dormer windows meet the requirements of SG as set out above. The dormers are appropriately sized, sit well within the roof and do not break the ridgeline. The materials proposed match those of the existing roof.</p>

### Conclusions

21. This review statement has assessed the proposal against the policies referred to by the Planning Officer and their Delegated Report. The proposal is found to fully accord with the policies within the adopted Local Development Plan and its supporting Supplementary Guidance.
22. Policy D1 and D14 requires that proposals for development are well designed, sympathetic to the local area and demonstrate that the criteria have been considered, and where appropriate, met. These policies have all been met. The proposed extension is a bespoke, architect designed response to the requirement of a homeowner seeking further accommodation without moving to a new house. The generous garden ground and extensive existing landscaping are ideal for allowing a sizeable extension to take place. The design solution uses traditional materials as per the requirements of the Planning Authority. This is a high-quality design and as such should be supported.



23. The proposed scheme is a well-designed extension which we have proven will not have a detrimental impact on the existing house, the neighbouring house and will not have an adverse visual impact on the amenity of the area. It will result in a house of similar size and footprint of others in the area, adding only 24sqm to the existing footprint, and will maintain a generous garden ground. The proposal will replace existing, dated rear protrusion and as such will be an improvement to the property.
24. The existing garage and associated access will be removed which will create more garden ground.
25. The applicants would be very happy to accept a planning condition requiring additional hard and soft landscaping to the boundary of the site, as required, if Members felt this would assist to shield the extension from view. It is also the applicant's intention to install a fence to the side of the house to provide security given they have young children but also prevent views of the extension from the front of the property on Forres Avenue.
26. As such we respectfully request that the Local Review Body overturn the Planning Officer's decision and approve the proposal.



**Documents submitted in support of the LRB Appeal**

Application form

Location Plan

Design Statement

Emails of pre-application discussions

17023 AL (0) 010 Existing Floorplans

17023 AL (0) 020 Existing Elevations

17023 AL (0) 002E Existing and Proposed Site Block Plans

17023 AL (0) 120M Proposed Elevations

17023 AL (0) 110M Proposed Floorplans

17023 AL (0) 130D Proposed Views

17023 AL (0) 121C Proposed Sections

Decision Notice

Report of Handling

The following have been produced to respond to the specific reasons for refusal:

17023 AL (0) 003 Site Block Plan Existing

17023 AL (0) 004 Site Block Plan Proposed

17023 AL (0) 125 Proposed Daylight Elevations

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## SUPPORTING DESIGN STATEMENT

This Design Statement has been written in accordance with Planning Advice Note 68: Design Statements following Pre-application consultation for the revised proposals at 11 Forres Avenue, Giffnock, G46 6LJ and following the outcome of a previous refusal notice on the application 2017/0818/TP as submitted in December 2017, having taken due consideration of the reasons for this decision as outlined below -

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

1. **The proposal is contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan as: i) the proposed rear extension and dormer windows would be dominant and incongruous features on the streetscape by virtue of their size and design and by virtue of the rear extension's proposed external materials and its side-wards projection towards Church Road; and ii) the proposed rear extension would give rise to an unacceptable degree of overshadowing and loss of light given its size in proximity to the common rear boundary.**
2. **The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as the proposed dormer windows and rear extension would detract from the character of the original dwelling by virtue of their size and design and by virtue of the external materials and side-wards projection of the rear extension towards Church Road.**
3. **The proposal is contrary to the terms of the adopted Supplementary Planning Guidance: Householder Design Guide as: i) the proposed extension and dormer windows do not respect the character of the original house and the surrounding area in terms of their design, scale and materials; and ii) the rear extension projects more than 4 metres along the common rear boundary to the detriment of the amenity of the occupiers of the adjacent property.**



**Further to the outcome of the previous refusal notice, we have taken much consideration over the revised design in this new application and request that this be duly considered when re-assessing our new application.**

**We have reduced and aligned front and rear dormers where possible, and amended materials to traditional slate, pitched roof, with slate to haffits to match the existing traditional roofing materials of the original house. Due consideration has been taken regarding the proposed materials and contemporary design of the proposed extension, which given the size of the proposed development have been deemed unacceptable in your previous guidance and subsequent refusal notice. As such, we have completely revisited the use of contemporary materials, and amended the design to incorporate a traditional slate, pitched roof and white render to visible elevations to match the existing property entirely with only a simple introduction of some blackened timber cladding to the rear elevation where this is less visible, prominent.**

**To clarify the following changes have been made to address the points raised within the previous refusal notice 2017/0818/TP**

- 1. Roof altered to traditional pitched roof construction**
- 2. Roof material altered to traditional slate to match existing**
- 3. Proposed dormer roofs amended to traditional hipped roof design**
- 4. Proposed dormer roofing material [+ haffits] amended to traditional slate to match existing roof**
- 5. Contemporary materials omitted and replaced with traditional white render to match existing property, with small introduction of blackened timber to rear elevation only**
- 6. Extension moved from common boundary, allowing side access and reducing impact on neighbouring property**

**In light of the above noted points, we understand that the majority of points raised within the refusal notice have now been addressed and whilst the extension remains of a sizeable footprint, it remains subservient to the original property and will not over shadow the neighbouring property. The size of the extension is typical of many extensions in the vicinity, many of which are of a contemporary design, within this wide and varied streetscape.**

**We would request that due consideration be taken when assessing this revised application given the number of changes that have been adopted to appease the previous concerns made.**

**Reference: East Renfrewshire Local Development Plan  
Supplementary Planning Guidance: Householder Design Guide: June 2015**

With reference to be guidance noted within the above Local Development Plan as referred to within the pre-application consultation guidance -

**2.1 General Principles**

**2.1.1**

- **Proposals for house extension, dormer windows and garages should respect the character of the original house and the surrounding area in terms of design, scale and materials. No extension, formed windows or garages should detract from the character of the area. Within this context innovative, contemporary or modern design will be considered;**

**Contemporary Design amended to reflect more traditional pitched roof design and traditional materials of slate and white render proposed to match the existing property.**



**Image 1 - View of property from Church Road, illustrating site boundaries and tree screening proposed extension.**





**Image 2 – Church Road Extension  
Adjacent contemporary extension visible from 11 Forres Avenue**





**Image 3 – Church Road Extension  
Adjacent contemporary extension visible from 11 Forres Avenue**

- **Extensions should not dominate or overwhelm the original form or appearance of the house and be subordinate in scale and appearance to the original house;**

The proposed extension is subservient to the original house. The original property has an external footprint of 110sqm. As part of this application we seek permission to demolish the existing rear extension which is 3.375m x 6.175m so an area of 21sqm. Whilst the proposed extension has a larger footprint than what is proposed to be removed, the resultant area of the extension will add only 24sqm. The house is situated on a large garden plot of 600sqm, so the new footprint will still allow a remainder of approximately 465sqm amenity space, not much less than what exists at present at 495sqm. There are many examples of larger extensions within the local vicinity on much smaller garden plots, such as 1 Penrith Avenue.

- **Extensions should be in proportion to the original house and should not exceed 100% of the footprint of the original house. Extensions should not dominate or overwhelm neighbouring properties;**

The proposed extension does not exceed 100% of the footprint of the original house. The proposed extension footprint adds a further 24sqm to the existing house footprint which is currently 110sqm.

- **Direct overlooking and excessive overshadowing of neighbouring properties should be avoided.**

Design revised to set back from neighbouring dwelling boundary.

- **Over-development of the site should be avoided and useable private [i.e] rear garden grounds should be retained. No more than 50% of the rear garden should be occupied by the development;**

The extension does not take up 50% of the rear garden and a large rear, side and front garden will be retained. The rear garden is approx. 300sqm [overall plot size of 600sqm] and the extension footprint adds only 24sqm to the existing property.

- **Windows and doors should be aligned vertically and horizontally with existing windows and doors;**

Glazing has been designed to accompany the modern contemporary design and we would request that this be considered as part of this application as per guidance note 2.1.1.

- **No extension [other than a porch] should project beyond the front or principal elevation of the existing house;**

No front extension is proposed.

- **The external materials should be identical or closely match those on the existing property.**

Revised proposals revert to more traditional design and proposed palette of materials, such as slate, pitched roof and white render to match the existing property.



### **Additional Criteria**

#### **Side Extension should**

- **Be no more than 50% of the frontage of the original house;**

The side extension protrusion has been reduced significantly and does not exceed 50% of the original house and not be hardly visible from Forres Avenue due to the differing levels across the site and it will not be readily visible due to the existing side bay window and tree screening as illustrated below.



**Image 4 – View from Forres Avenue illustrating change in levels across site boundary**

- **Be set back at least 0.5 metres from the front elevation of the original house**

The side extension protrusion will not be readily visible beyond the existing side bay window protrusion.

- **The ridge line of the extension should be below the ridge line of the original house;**

The side extension protrusion is a single storey only and will not be readily visible from either streetscape.

- Be set back at least 1 metre from the side boundary;

The side extension protrusion has been reduced significantly and is more than 1 metre [5.8m] from the site boundary.

- Have a fully enclosed lower storey.

The side protrusion extension has been reduced significantly and is fully enclosed as part of the overall single storey extension form.

Dormer windows should –

- Be wholly contained within the roof slope and set below the roof ridge / hip and off the side ridge / hip
- Be aligned vertically with windows / doors below;
- Have high proportion of glazing;
- Not built up from wallhead and be set well back from the eaves;
- Not extend right up to the gable end or shared boundary on a semi-detached or terrace house;
- Not occupy more than 50% of the area of the roof;
- Have roof, side and front face finished in tiles / slates to match the existing house;
- Be positioned centrally in a hipped roof

The proposed dormer roofs do not occupy more than 50% of the area of the roof and are not built up from the wallhead but set well back from the eaves.

Dormer window – proposed materials amended to slate with traditional pitched roof to match existing house.

Extracts from the Local Development Plan of Policies D1 and D14 are attached below:

#### 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;

Contemporary design amended to traditional slate pitched roof and white render to match existing dwelling and neighbouring proposals.

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;

The property is located on a sizeable plot and the proposed extension is subservient to the original property. The extension is a modern contemporary design using traditional materials as welcomed by Guidance notes 2.1.1.

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;**

**The single storey extension will not detract from neighbouring properties amenity, restrict daylight or privacy in any way.**

**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;**

**No loss of trees is proposed as part of this development and the large tree on the site boundary will be retained to ensure the proposed development is well screened from Church Road.**

**6. Development should create safe and secure environments that reduce the scope for anti-social behaviour and fear of crime;**

**Proposed development meets above criteria.**

**7. Developments must be designed to meet disability needs and include provision for disabled access within public areas;**

**Proposed development meets above criteria.**

**8. The Council will not accept 'backland' development, that is, development without a road frontage;**

**The proposed development does not create a backland development.**

**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';**

**Additional parking provision is part of the proposed development to reduce the impact on Church Road, where the new owners currently have to park their cars.**

**10. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the development;**

**No communal or floodlighting is proposed as part of this development.**

**11. Developments should include provision for the recycling, storage, collection and composting of waste materials;**

**The side boundary has adequate provision for refuse storage and recycling for the size of the property.**

**Householder Design Guide**

**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;**

**Noted and will be taken into consideration during construction should this application be acceptable.**

**13. Where applicable, new development should take into account the legacy of former mining activity;**

**Noted and mining reports will be considered appropriately.**

**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;**

**Noted.**

**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.**

**N/A**

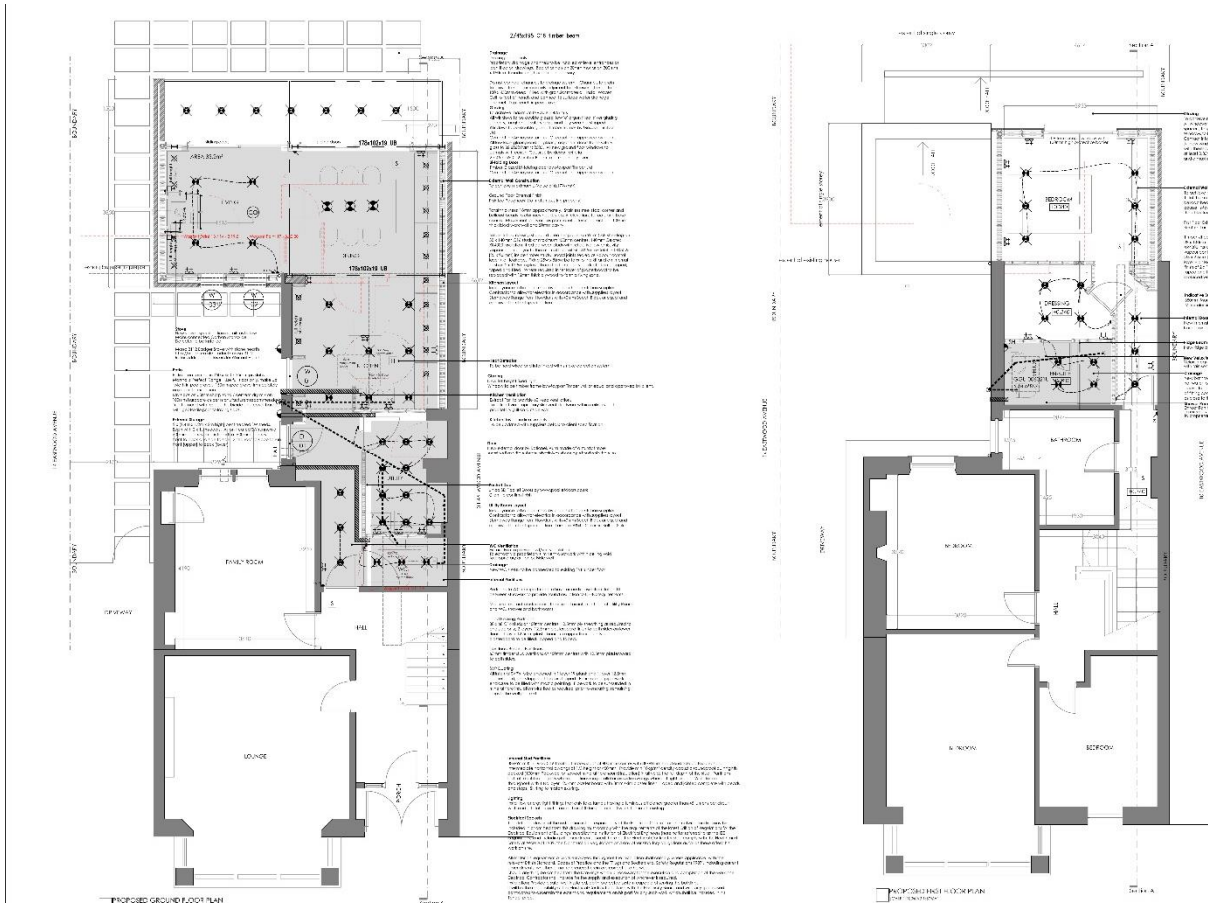
**16. Where applicable, developers should explore opportunities for the provision of digital infrastructure to new homes and business premises as an integral part of development.**

**N/A**



**SURROUNDING PRECEDENTS - 12 EASTWOOD AVENUE, GIFFNOCK**





12 Eastwood Avenue is located a few streets away from the proposed development at 11 Forres Avenue, and we extended this property for our clients in 2015 in a very similar fashion to the proposed development at Forres Avenue which has influenced the proposed design. The extension allow a sizeable rear [two storey] extension with similar side protrusion in zinc cladding.

**Church Road Extensions**

There are various, sizeable extensions visible along the Church Road entry to Forres Avenue, including the property opposite which demonstrates a gable form, sided onto the traditional semi-detached villa and the large contemporary extension visible at 39 and 41 Church Road. We have included examples of these within this supporting document as we have spent time studying the local architecture which is wide and varied in style with no typical streetscape evident. There are many examples of much larger, 2 storey side extensions visible of corner plot locations. We would be obliged if you could take consideration of these precedents when considering our revised application.

We have taken on board the comments made and amended our design to represent a modern extension using traditional materials to marry in with the original property, by amending the design to a traditional pitched slate roof on both the extension and dormer roof forms. We have substituted the use of contemporary Zinc Cladding with traditional white render, again to match the existing property, with only a small introduction of blackened timber cladding to add feature and character to the design.



The proposed development at 11 Forres Avenue will be well screened by the existing boundary wall and mature boundary trees. The side protrusion will not be readily visible due to the existing side bay window protrusion from Forres Avenue and the boundary wall / hedge screening to Church Road.

We would therefore be obliged if you could take this into consideration whilst assessing our application which we have amended significantly following the guidance received as a result of the refusal notice determined on the previous application.

**Emma Ellson**

**Director  
Bespoke**



**Image 1 – Illustrating Church Road Extension opposite**

**Image 2 / 3 – Illustrating Single Storey Extension visible on corner plot on Penrith Avenue / Church Road**





Image 4 / 5 Illustrating varying extension forms readily visible in the area of differing styles. Extension visible on corner plot at 1 Penrith Avenue / Church Road



Image 6 illustrating further extension on Huntly Avenue





Image 7 / 8 illustrating Variation of styles / side extension readily visible along streetscape



Image 9 / 10 illustrating Large 2 Storey Side Extension readily visible from streetscape and single storey side extension



Image 11 – Site Protrusion on end Terrace plot

Image 12 – 7 Bulloch Avenue, Giffnock

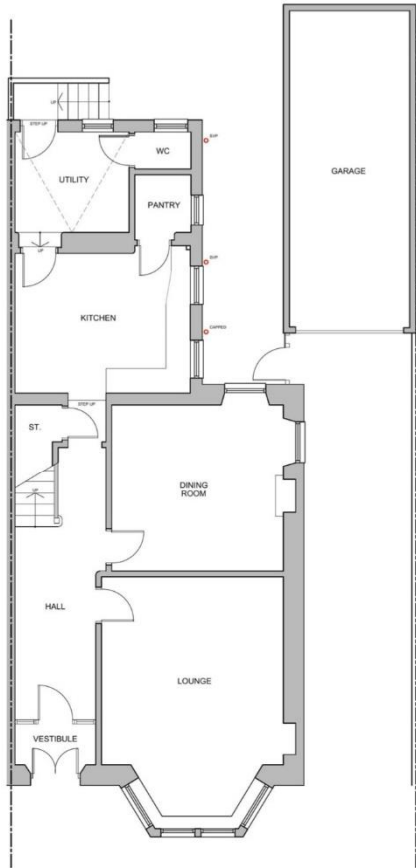
Single Storey Extension with Side protrusion on smaller plot

We would like to draw your particular attention to this final image which illustrates the application 2015/0509/TP – 7 Bulloch Avenue

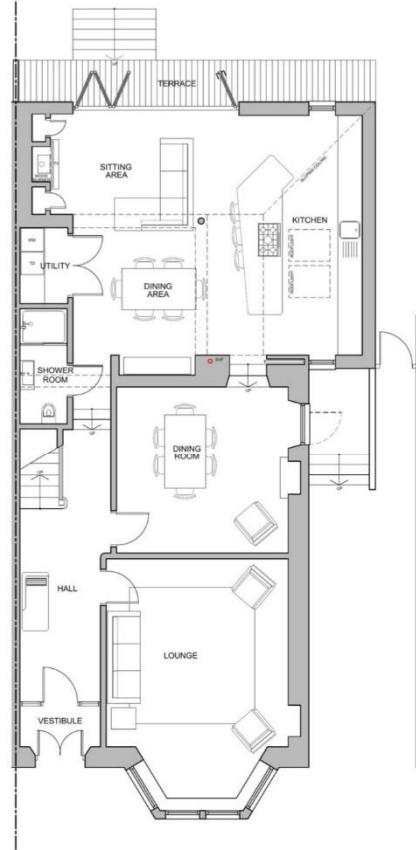
Erection of single storey rear extension with raised decking

Sited on a very similar [but smaller] plot, we have referenced the design of this approved, now completed development as influence to our revised scheme.

The boundary treatment, style of property and position of the extension represent what we would like to achieve and this has been clearly supported recently as this extension is reasonably new. The length of this extension also exceeds policy guidelines and replaces the previous extension, as per our proposals. Please can you take consideration of this when assessing our application.



GROUND FLOOR PLAN AS EXISTING



GROUND FLOOR PLAN AS PROPOSED

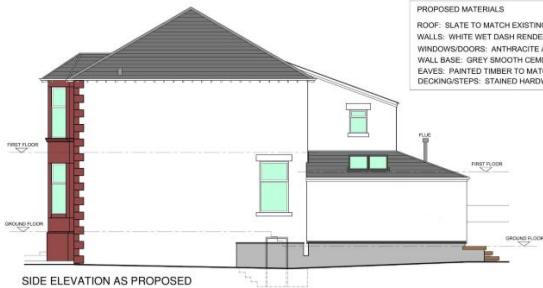


REAR ELEVATION AS PROPOSED

Towns and Country Planning  
(Scotland) Act 1997  
**APPROVED**  
Director of Environmental  
East Renfrewshire Council

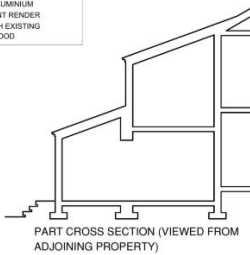


FRONT ELEVATION AS PROPOSED



SIDE ELEVATION AS PROPOSED

PROPOSED MATERIALS  
ROOF: SLATE TO MATCH EXISTING  
WALLS: WHITE WET DASH RENDER TO MATCH EXISTING  
WINDOWS/DOORS: ANTHRACITE ALUMINIUM  
WALL BASE: GREY SMOOTH CEMENT RENDER  
EAVES: PAINTED TIMBER TO MATCH EXISTING  
DECKING/STEPS: STAINED HARDWOOD



PART CROSS SECTION (VIEWED FROM  
ADJOINING PROPERTY)

This plan shall be the subject of an application for planning permission to be made to the local planning authority of the relevant authority.

All drawings are based upon information supplied by the parties and are not to be construed as a guarantee. The architect shall not be liable for any errors or omissions or for any consequences arising from the use of the drawings.

It is not to be used for any other purpose without the written consent of the architect.

01  
Preliminary  
PROPOSED ALTERATIONS TO  
7 BULLOCH AVENUE, GIFFNOCK  
FOR MR AND MRS FELDHOFF  
ELEVATIONS AS PROPOSED  
Project No: AEL002 01  
Date: 11/08  
1:100  
www.mdf.co.uk

2015/0509/TP – 7 Bulloch Avenue

Erection of single storey rear extension with raised decking

**Refer other Applications**

2017/0734/TP – 2 Penrith Avenue

Erection of single storey side / rear extension on much smaller garden plot

2013/0811/TP – 1 Penrith Avenue

Erection of single storey rear extension on much smaller corner plot

2017/0783/TP – 25 Church Road

Erection of single storey side and rear extension [sizeable and readily visible from surrounding streetscape]

2016/0458/TP – 35 Church Road

Erection of single storey side extension [sizeable contemporary side extension readily visible from surrounding streetscape]

**End.**



**From:** [Emma Ellson](#)  
**To:** [katherine@jigsawplanning.co.uk](mailto:katherine@jigsawplanning.co.uk)  
**Subject:** FW: 11 Forres Avenue, Giffnock  
**Date:** 02 September 2019 11:52:23

---

Pre-application consultation as reference.

Kind Regards,

Emma Ellson  
Director

[BE]spoke

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[www.bespokeglasgow.com](http://www.bespokeglasgow.com)  
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**From:** McDaid, Sean <Sean.McDaid@eastrenfrewshire.gov.uk>  
**Sent:** 15 May 2018 15:19  
**To:** 'Emma Ellson' <bespokeglasgow@outlook.com>  
**Subject:** 11 Forres Avenue, Giffnock

Emma,

I refer to your email below.

I should advise you in the first instance that the Council's Planning Service has been re-structured and has resulted in less planning officers than before. This has significantly increased the workloads of all planning officers and there are delays in processing applications and responding to pre-application enquiries. The priority of the planning officers at this time is to process the planning applications allocated to them and pre-applications will be responded to when time allows.

I have looked at the revised proposal and compared it to the refusal of planning permission. The refused application 207/0818/TP presented too much of a visual contrast to the traditional appearance of the existing house and the rear extension extended too far along the common rear boundary.

It is noted that the footprint of the rear extension remains the same and it has been moved off the common rear boundary although projects further towards Church Road. It is noted that its roof has been altered to a hipped roof. It is also noted that the proposed dormer windows are to have hipped roofs although they remain similar in width and height to the refusal of planning permission.

You should note that first and foremost any development proposal is site specific and whether it reflects the character of the property when assessed against the relevant and current development plan policies. Planning applications are not assessed against precedent however the impact of the development on the surrounding area will also be considered.

Although the rear extension has been taken off the common rear boundary it is still relatively close and at over 5m I consider will have an adverse visual impact on the neighbouring property. I have noted that Derek has advised you on two occasions of this. This is a matter that needs to be addressed in the design of the rear extension.

It is acknowledged that the rear extension is to have a hipped roof which is more akin to the roof of the house. This respects the character of the house however the extension is more visually prominent as it extends closer to Church Road. I would suggest that it should not project closer to Church Road than the previous refused application.

The change in the roof design of the dormer windows is helping in reducing their scale and visual impact however they are still relatively large on the front and rear roof slopes and would benefit from be reduced in width.

These matters still need to be addressed in the design and I am happy to give further feedback should amended drawings be submitted.

Regards.

Sean Mc Daid  
Principal planner  
East Renfrewshire Council

---

**From:** Emma Ellson [<mailto:bespokeglasgow@outlook.com>]  
**Sent:** 10 May 2018 11:19  
**To:** EN Planning  
**Subject:** Pre-Application Consultation Review Request

F.A.O Andrew Cahill,

17023/D1

10 05 18

Dear Andrew,

Ref. No. 2017/0818/TP

Erection of single storey rear extension, installation of front and rear dormers windows at: 11 Forres Avenue Giffnock East Renfrewshire G46 6LJ

We are writing to seek your guidance following on-going pre-application consultation and dialogue with Derek Scott regarding the above noted application and subsequent refusal notice as received on February 26<sup>th</sup>.

My reason for writing to you on this occasion is firstly due to the length of time taken to provide this guidance [19<sup>th</sup> March - 10<sup>th</sup> April for initial response] and a further delayed response of 30<sup>th</sup> April following our request for a meeting to review.



My clients, Rachel + Callum Johnson have been particularly patient, following the disappointing receipt of this refusal notice and we simply wish to seek advice on what is likely to be deemed more acceptable prior to formal submission of a second application and to avoid a further refusal notice being issued.

Please can you re-assess the revised proposals attached and confirm the reasoning for the dormer windows not being deemed acceptable given that they align with current policy guidelines. Please note that further reduction of the proposed dormer windows to align with the windows below would not provide sufficient headroom in the proposed rooms. We refer you to the other Dormer windows in the local vicinity, namely 45 Church Road which have dormer windows of a similar scale constructed to provide the necessary headroom required within an attic conversion.

Our client’s preference is to retain the sideways protrusion towards Church Road and as such, we have amended the design to move this from the neighbouring properties boundary to also reduce any impact imposed as well as amending roof design to a traditional, pitched slate roof construction as illustrated.

Previous advice sought during these pre-application discussions, suggested that if we made such adjustments, assessment of a larger extension could be considered.

We note within our earlier design statement [as revised] included that there is no ‘typical streetscape’ in the local vicinity, however there is clear precedent of side protrusions on many neighbouring properties as documented in the attached photographs to which end we are unsure as to why this is seemed so inappropriate given the evidence of other developments of a similar scale and style.

We therefore, request that the proposed dormer windows and extension with side protrusion be re-considered given the extensive amendments that have been made to satisfy the points raised within the refusal notice of the original application.

Please can you re-assess this, and / or pass onto the relevant person who is able to provide us with the guidance needed to allow us to re-submit the new application in early course.

Kind Regards,

Emma Ellson  
Director

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**PLANS/PHOTOGRAPHS/DRAWINGS**

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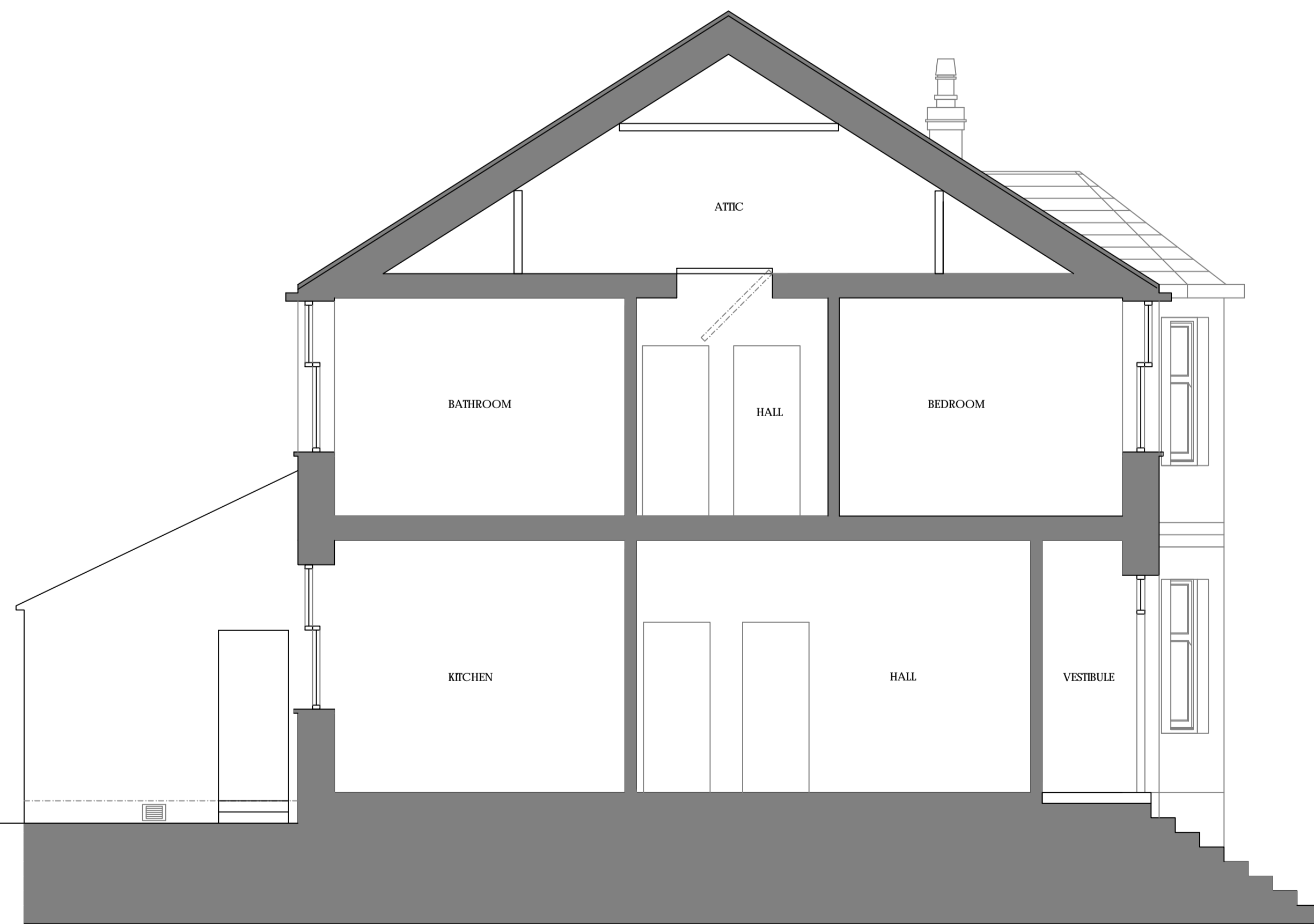
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EXISTING REAR ELEVATION  
SCALE 1:1000/A3 1:500/A1



EXISTING SIDE ELEVATION  
SCALE 1:1000/A3 1:500/A1



EXISTING SIDE ELEVATION / PART SECTION  
SCALE 1:1000/A3 1:500/A1

NO.	DATE	DESCRIPTION	BY	CHECKED



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[PROJECT]  
Alterations + Extension to  
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Giffnock

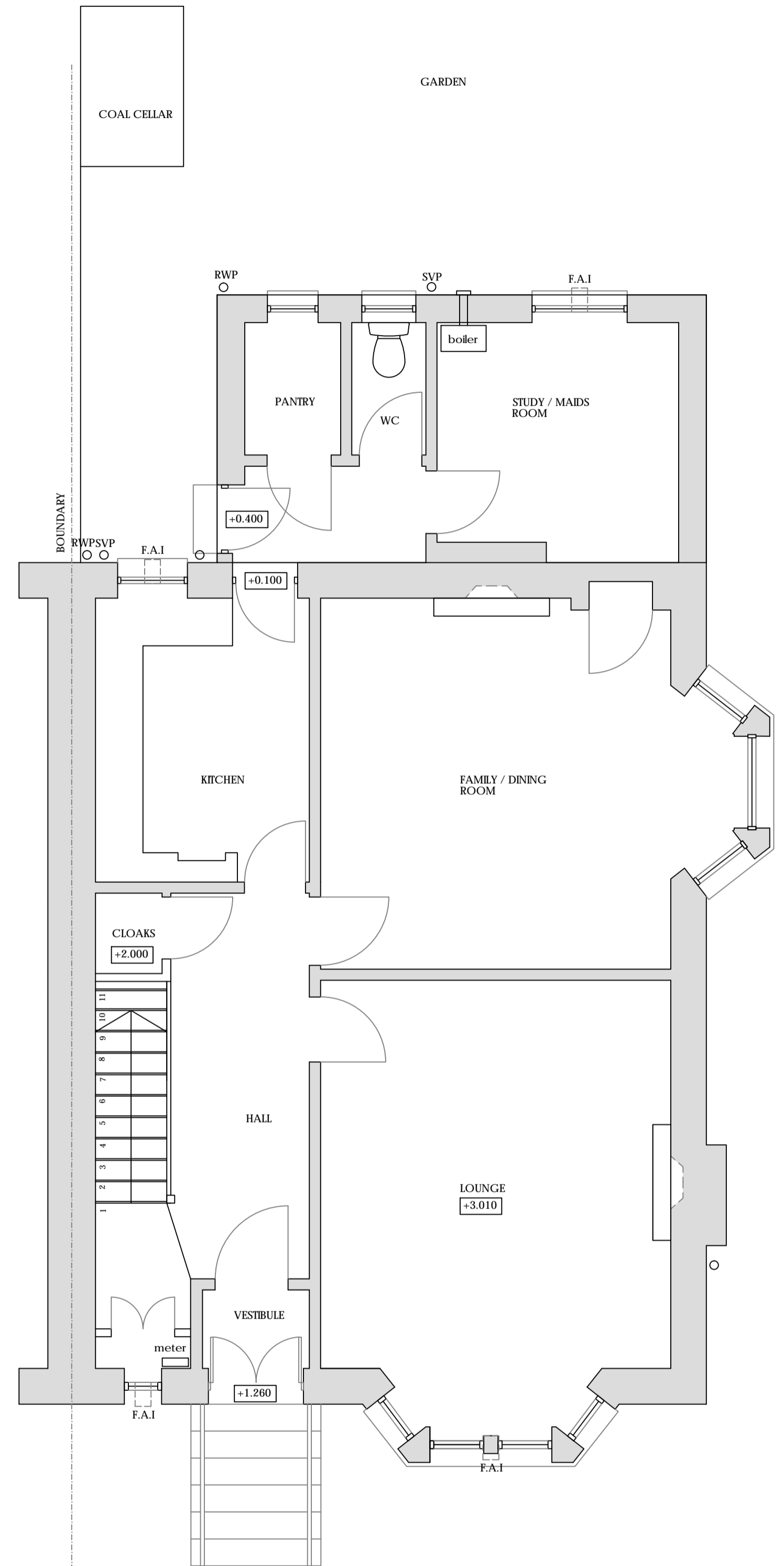
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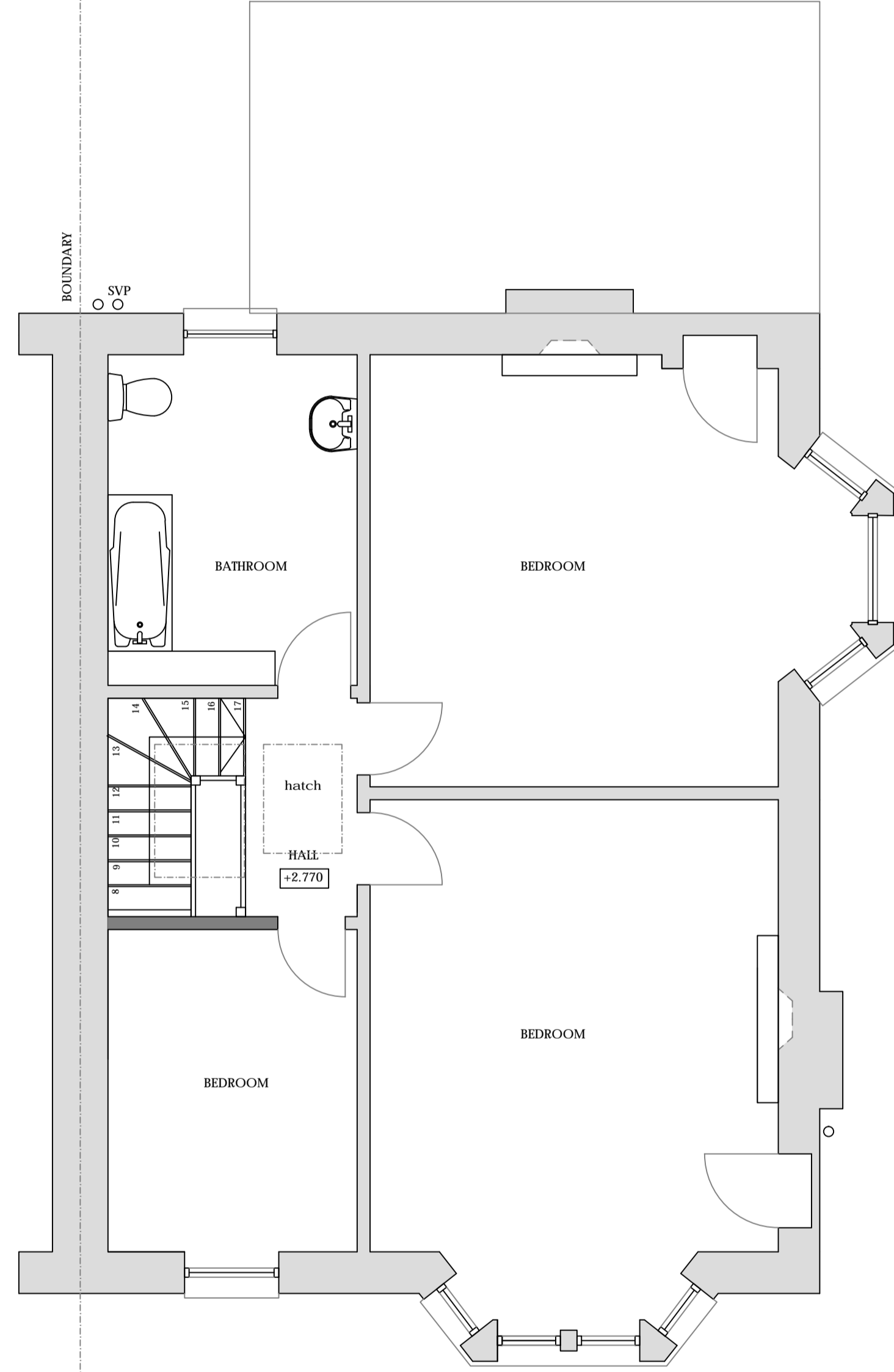
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[NUMBER] 17023 AL (0) 020

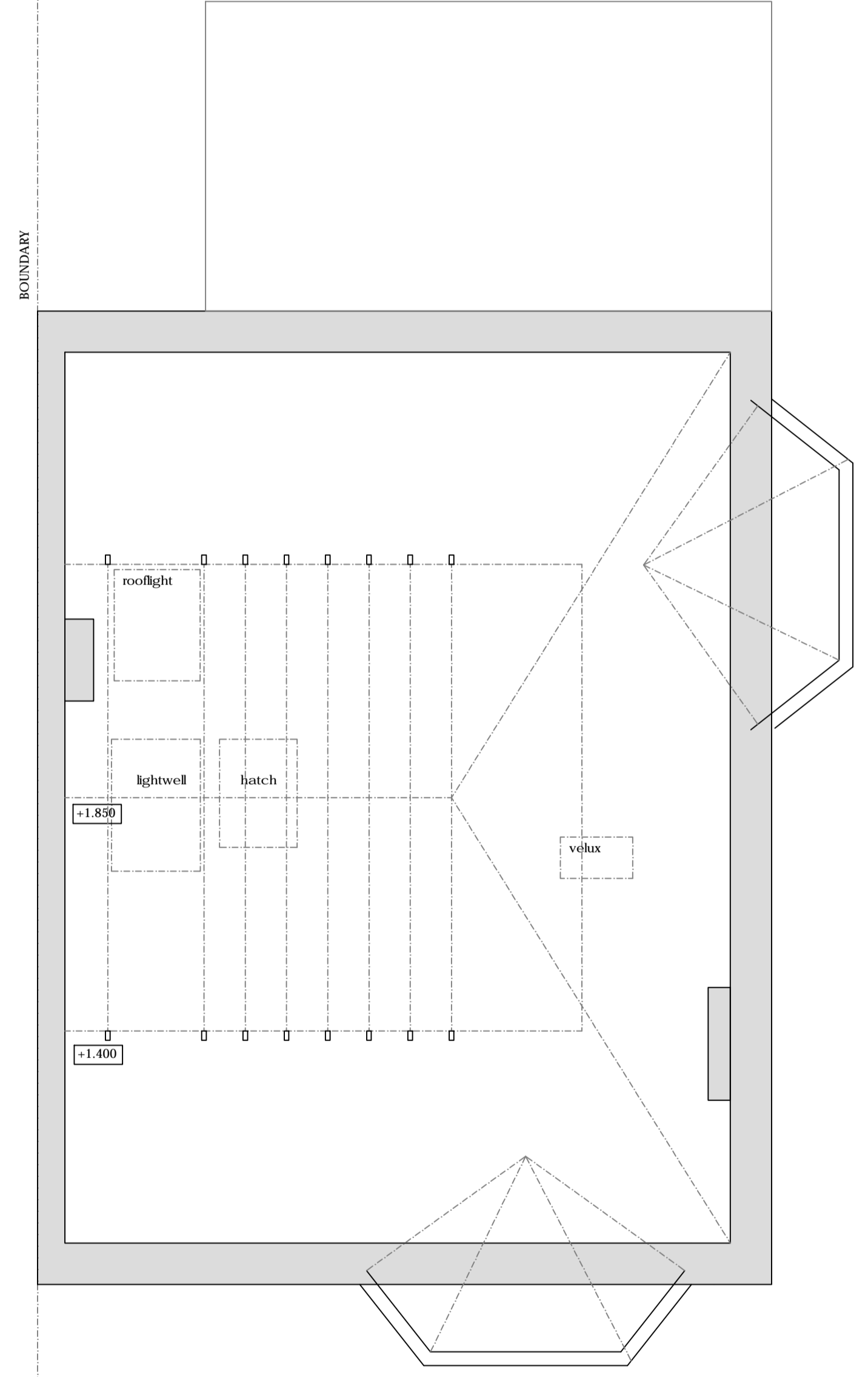
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EXISTING GROUND FLOOR PLAN  
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EXISTING FIRST FLOOR PLAN  
 SCALE 1:100@A3 1:500@A1



EXISTING ATTIC FLOOR PLAN  
 SCALE 1:100@A3 1:500@A1

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[DRAWING]  
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[STATUS] PLANNING

[NUMBER] 17023 AL (0) 010



PROPOSED SECTION  
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PROPOSED SIDE ELEVATION / SECTION  
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[REV]	[DESCRIPTION]				
C	DOOR AND GLAZING UPDATES				
[DRAWN]	ER	[DATE]	06/06/19	[CHECKED]	ER
B	AMENDED FOR REVISED PLANNING APPLICATION				
[DRAWN]	ER	[DATE]	06/05/18	[CHECKED]	ER
A	ROOF PRICE AMENDED				
[DRAWN]	ER	[DATE]	05/05/17	[CHECKED]	ER
#	Plot Issue				



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Alterations + Extension to  
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[REV]	[DESCRIPTION]				
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[DRAWN]	ER	[DATE]	06/09/17	[CHECKED]	ER
[REV]	[DESCRIPTION]				
B	VEHAL UPDATED BY NEW DESIGN				
[DRAWN]	ER	[DATE]	06/09/17	[CHECKED]	ER
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A	VEHAL UPDATED				
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 PROPOSED VIEWS

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[STATUS] PLANNING

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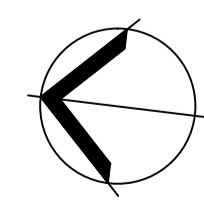
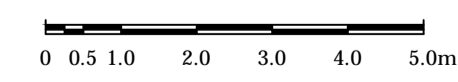


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EXISTING SITE BLOCK PLAN  
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— Site Boundary



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[REV]	[DESCRIPTION]				
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PLANNING  
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[DRAWING]  
EXISTING  
SITE BLOCK PLANS

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[STATUS] PLANNING

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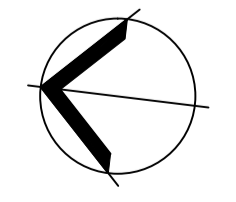
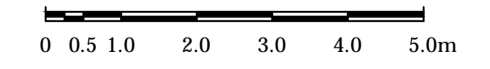


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PROPOSED SITE BLOCK PLAN  
SCALE 1:200 @ A3 1:100 @ A1

— Site Boundary



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PLANNING  
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SITE BLOCK PLANS

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[REV]	[DESCRIPTION]				
#	FIRST ISSUE				



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[PROJECT]  
**Alterations + Extension to  
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[DRAWING]  
**Location and Site Plans**

[SCALE] [CHECKED]  
1:000

[STATUS] **PRELIMINARY**

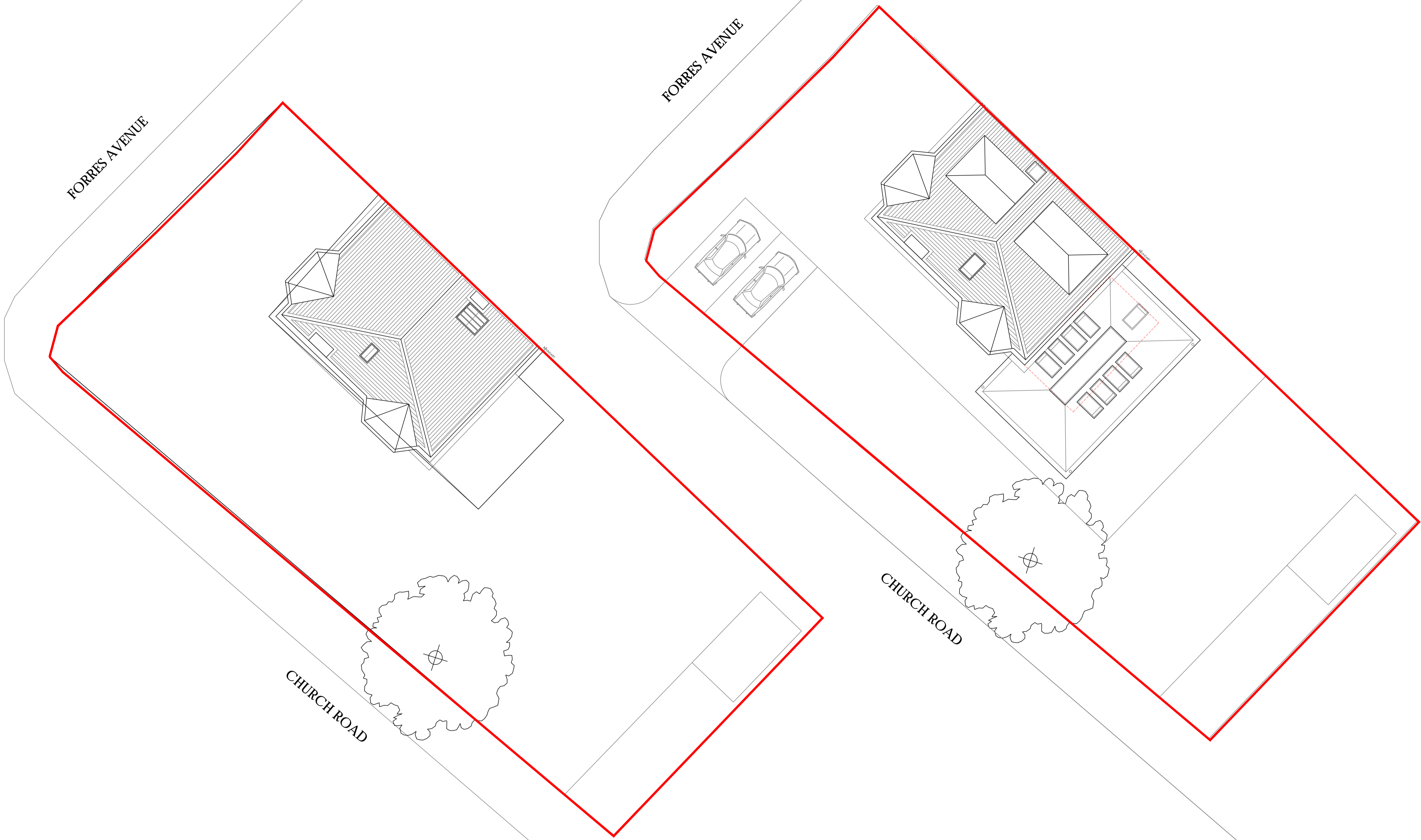
[NUMBER] **17023 AL (0) 001**



— Site Boundary

[CAD Reference]  
11 Forres Avenue Base Planning DrawingRevG.dwg

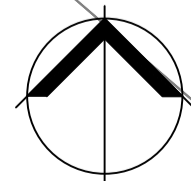




EXISTING SITE BLOCK PLAN  
SCALE 1:200@A3 1:100@A1

PROPOSED SITE BLOCK PLAN  
SCALE 1:200@A3 1:100@A1

— Site Boundary



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[DRAWN]	ES	[DATE]	14/04/19	[CHECKED]	ES
[REV]	[DESCRIPTION]				
E	ISSUED FOR PERMIT				
[DRAWN]	ES	[DATE]	06/04/19	[CHECKED]	ES
[REV]	[DESCRIPTION]				
D	AMENDED FOR EXTENDED PLANNING APPLICATION				
[DRAWN]	ES	[DATE]	06/03/18	[CHECKED]	ES
[REV]	[DESCRIPTION]				
C	ROOF PLAN AMENDED				
[DRAWN]	ES	[DATE]	01/03/17	[CHECKED]	ES
[REV]	[DESCRIPTION]				
B	DOUBLE FLOOR REDUCED				
[DRAWN]	ES	[DATE]	01/03/17	[CHECKED]	ES
[REV]	[DESCRIPTION]				
A	EXISTING FOOTPRINT ENLARGED				
[DRAWN]	ES	[DATE]	01/03/17	[CHECKED]	ES
[REV]	[DESCRIPTION]				
#	Plot Area				



A The Studio  
1A Ledcameroch Road  
Bearsden  
GLASGOW  
G61 4AA  
T (0141) 942 0960  
M 07403 291893  
[www.bespokeglasgow.com](http://www.bespokeglasgow.com)

[PROJECT]  
PLANNING  
11 Forres Avenue  
Giffnock

[DRAWING]  
EXISTING + PROPOSED  
SITE BLOCK PLANS

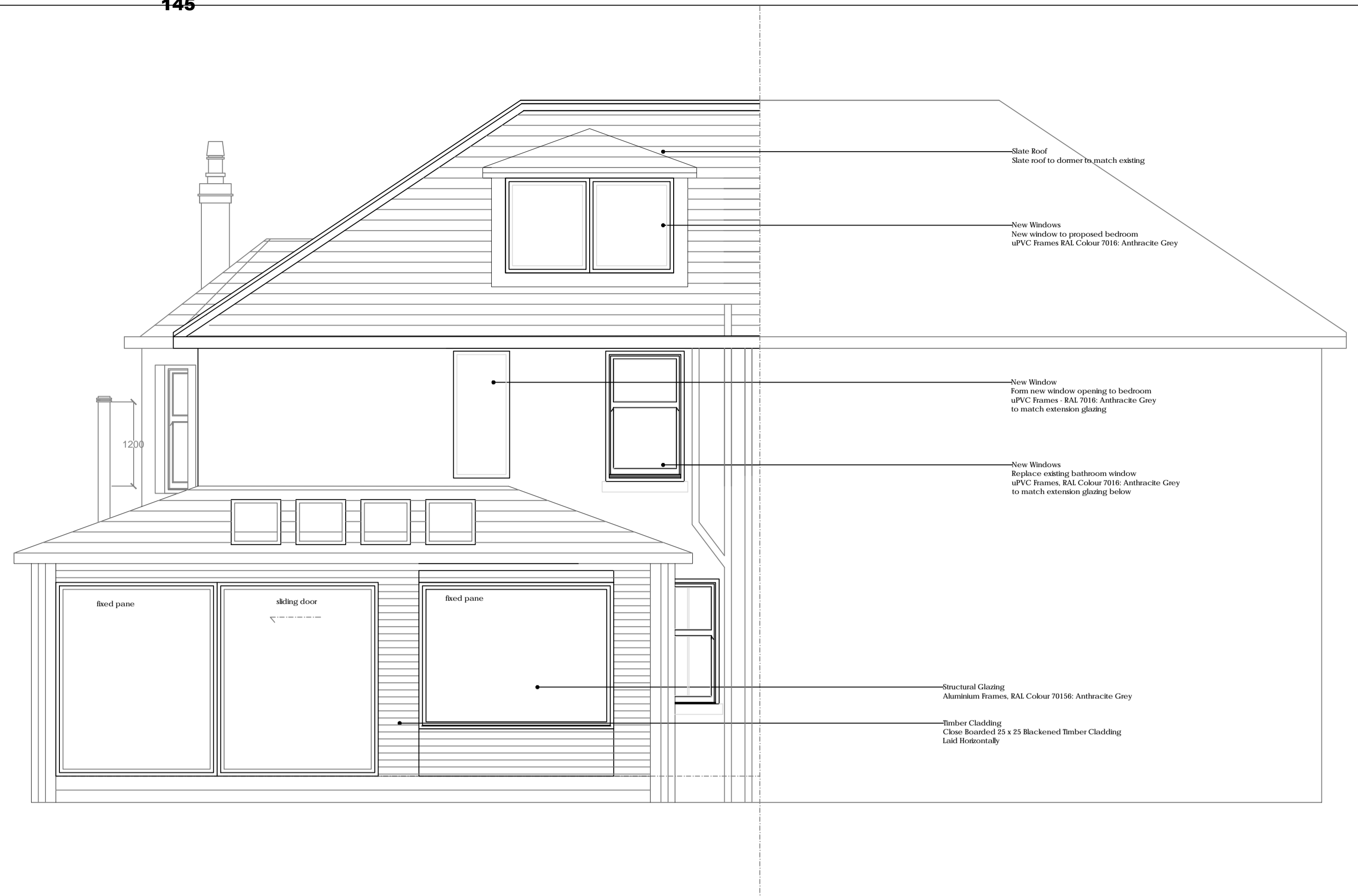
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1:100 @ A1

[STATUS] PLANNING

[NUMBER] 17023 AL (0) 002E



PROPOSED FRONT ELEVATION  
SCALE 1:100@A3 1:50@A1



PROPOSED REAR ELEVATION  
SCALE 1:100@A3 1:50@A1



PROPOSED SIDE ELEVATION  
SCALE 1:100@A3 1:50@A1

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[DRAWN]	ER	[DATE]	06/03/18	[CHECKED]	ER
[REV]	[DESCRIPTION]				
M	ROOF PITCH AMENDED				
[DRAWN]	ER	[DATE]	06/10/17	[CHECKED]	ER
[REV]	[DESCRIPTION]				
L	BEING DOWN REDUCED - WINDOW BEING INCREASED				
[DRAWN]	ER	[DATE]	06/11/17	[CHECKED]	ER
[REV]	[DESCRIPTION]				
K	SIZE OF CURB WINDOW AMENDED - BEING DOOR & 3 LOGS				
[DRAWN]	ER	[DATE]	13/11/17	[CHECKED]	ER
[REV]	[DESCRIPTION]				
J	GENERAL AMENDMENTS				
[DRAWN]	ER	[DATE]	13/11/17	[CHECKED]	ER
[REV]	[DESCRIPTION]				
H	GENERAL AMENDMENTS				
[DRAWN]	ER	[DATE]	13/11/17	[CHECKED]	ER
[REV]	[DESCRIPTION]				
C	GENERAL AMENDMENTS				
[DRAWN]	ER	[DATE]	13/11/17	[CHECKED]	ER
[REV]	[DESCRIPTION]				
F	EXTENSION BE FORWARDED TO BOUNDARY				
[DRAWN]	ER	[DATE]	06/11/17	[CHECKED]	ER
[REV]	[DESCRIPTION]				
E	FOOTPRINT OF EXTENSION - SEE PROVISION REDUCED				
[DRAWN]	ER	[DATE]	06/10/17	[CHECKED]	ER
[REV]	[DESCRIPTION]				
D	DOORBE BEING REDUCED - MATERIAL AMENDED				
[DRAWN]	ER	[DATE]	06/10/17	[CHECKED]	ER
[REV]	[DESCRIPTION]				
C	WINDOW BEING AMENDED				
[DRAWN]	ER	[DATE]	06/10/17	[CHECKED]	ER
[REV]	[DESCRIPTION]				
B	EXTENSION FOOTPRINT AMENDED BY 1.20m				
[DRAWN]	ER	[DATE]	16/09/17	[CHECKED]	ER
[REV]	[DESCRIPTION]				
A	EXTENSION FOOTPRINT AMENDED BY 1.0m				
[DRAWN]	ER	[DATE]	13/08/17	[CHECKED]	ER
[REV]	[DESCRIPTION]				
#	First Issue				

**[BE]**  
bespoke

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[PROJECT]	Alterations + Extension to 11 Fomes Avenue Giffnock
[DRAWING]	PROPOSED ELEVATIONS
[SCALE]	[CHECKED]
1:50 @ A1	
[STATUS]	PLANNING
[NUMBER]	17023 AL (0) 120M





PROPOSED SECTION  
SCALE 1:100@A3 1:50@A1



PROPOSED SIDE ELEVATION / SECTION  
SCALE 1:100@A3 1:50@A1

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[DRAWN]	ER	[DATE]	06/06/19	[CHECKED]	ER
[REV]	[DESCRIPTION]				
C	DOOR AND GLAZING UPDATES				
[DRAWN]	ER	[DATE]	06/06/19	[CHECKED]	ER
B	AMENDED FOR REVISED PLANNING APPLICATION				
[DRAWN]	ER	[DATE]	06/05/18	[CHECKED]	ER
A	ROOF PRICE AMENDED				
[DRAWN]	ER	[DATE]	05/05/17	[CHECKED]	ER
#	Plot Issue				



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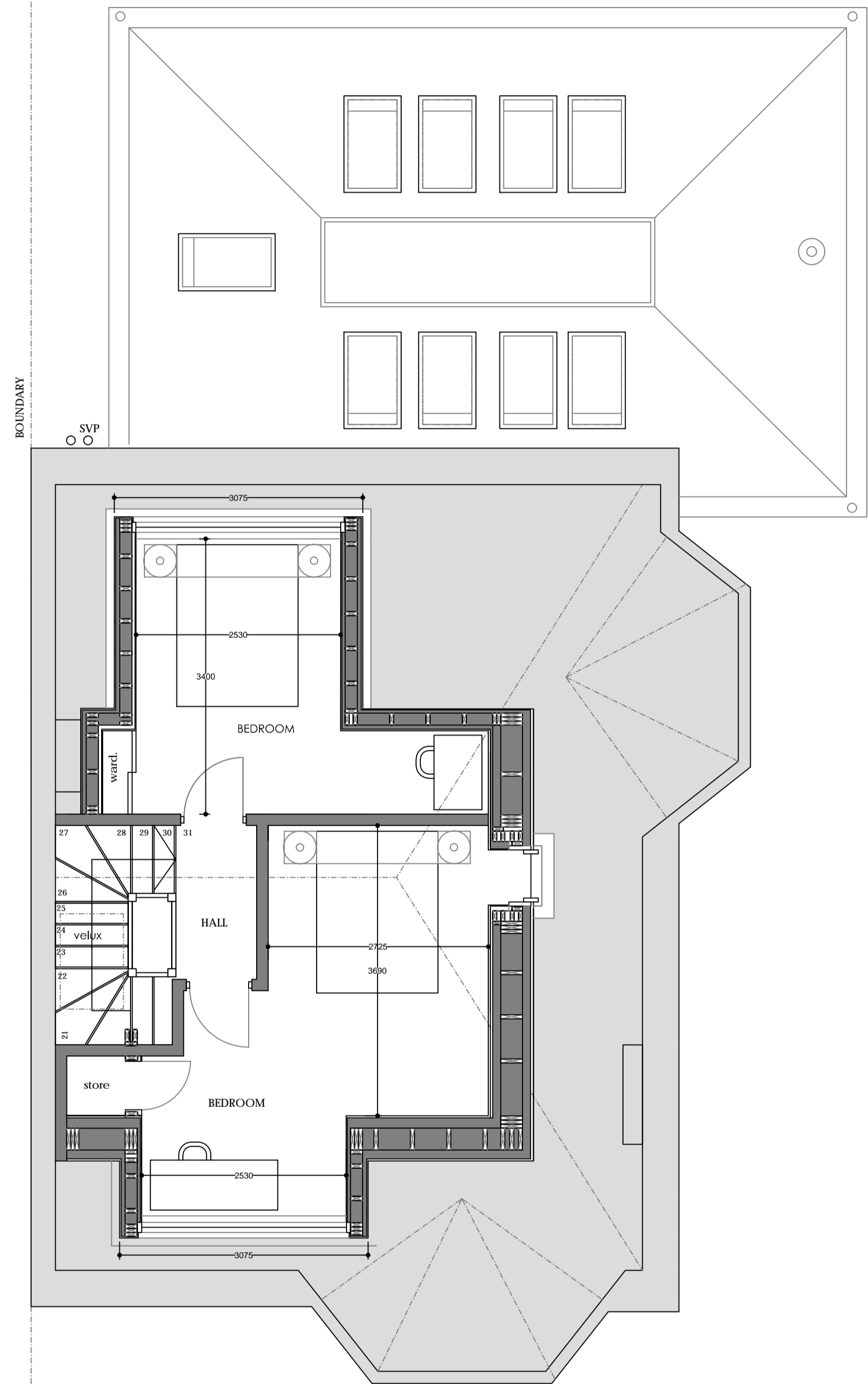
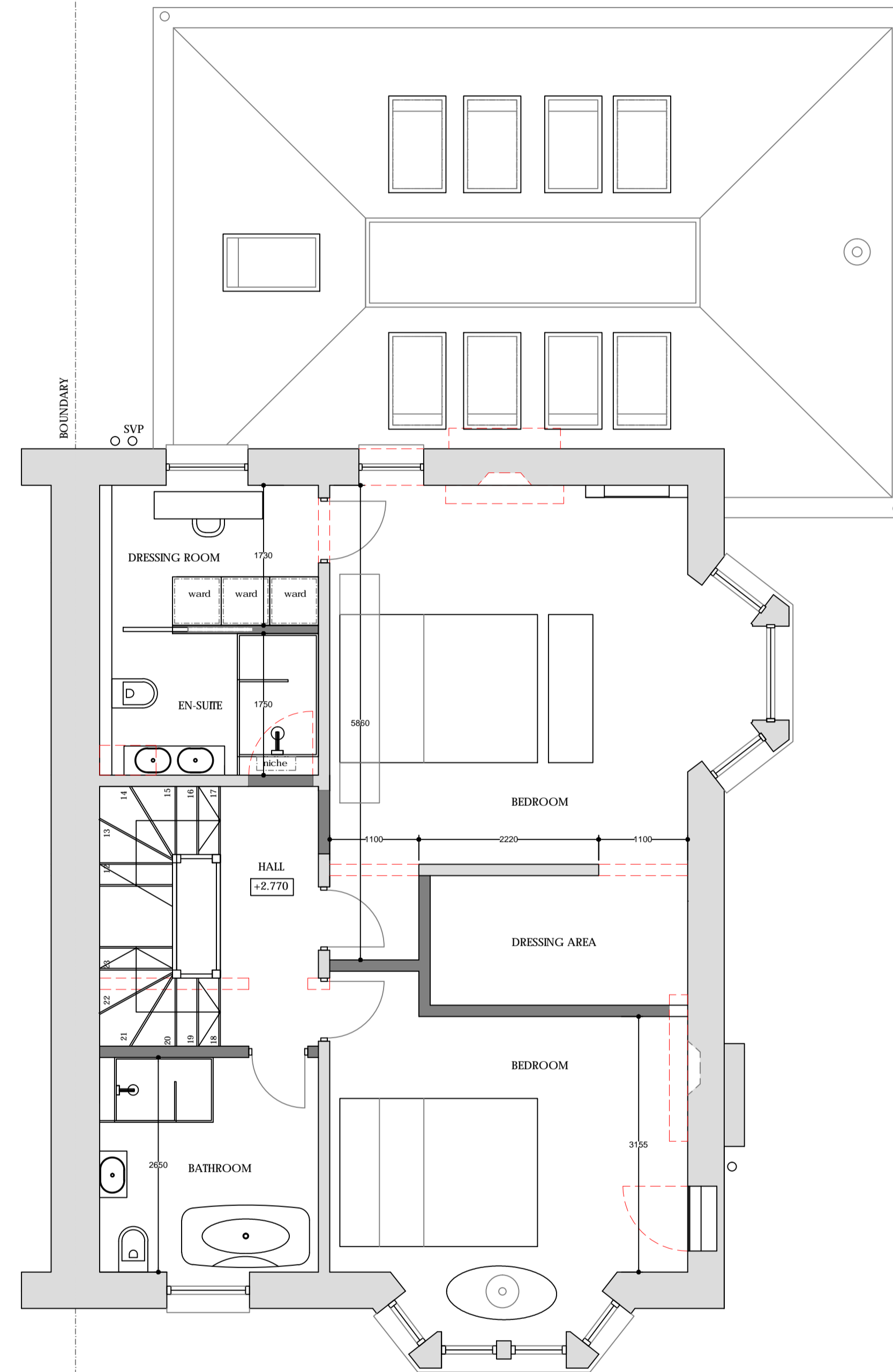
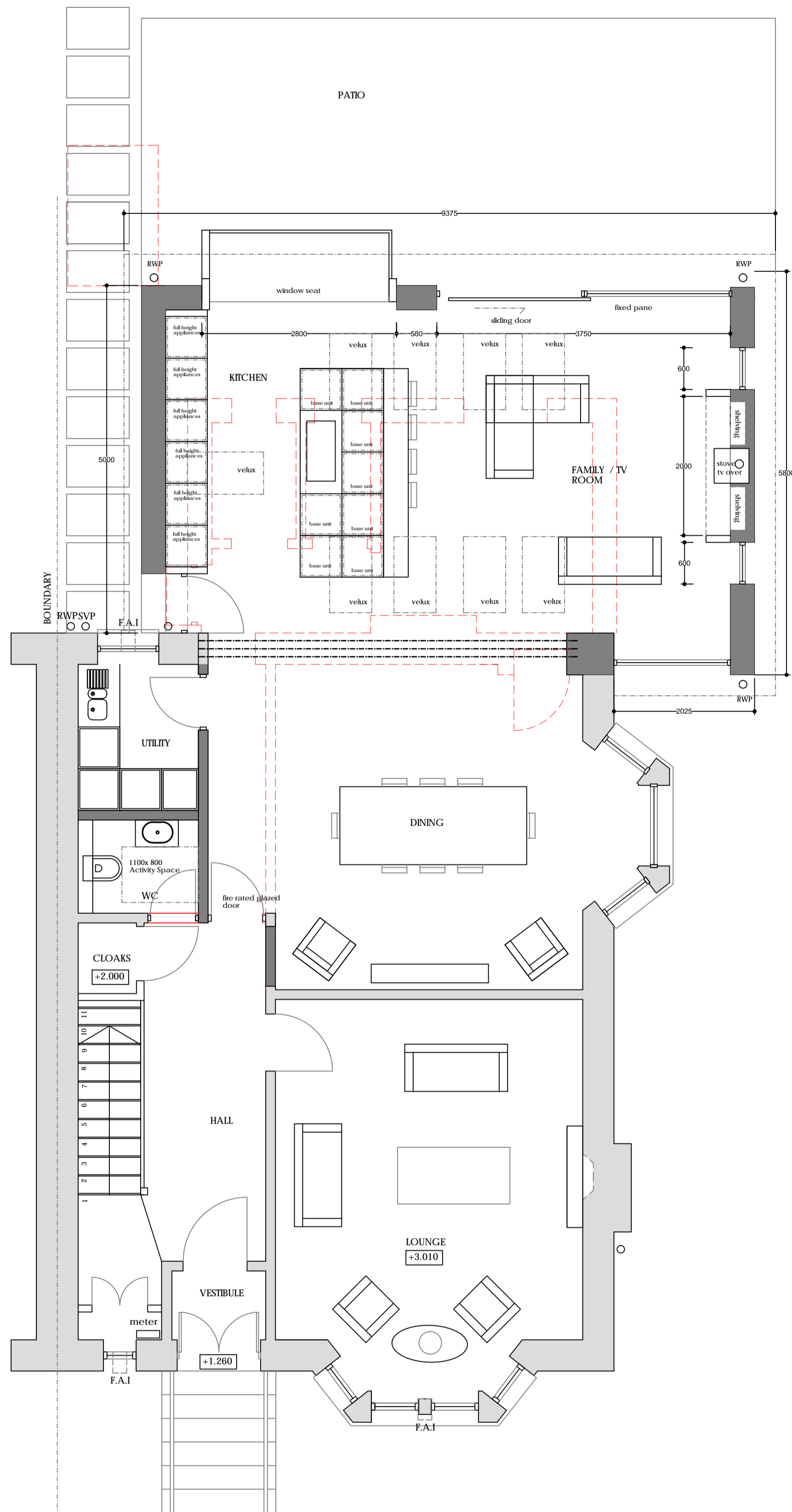
[PROJECT]  
Alterations + Extension to  
11 Fomes Avenue  
Giffnock

[DRAWING]  
PROPOSED SECTIONS

[SCALE] [CHECKED]  
1:50 @ A1

[STATUS] PLANNING

[NUMBER] 17023 AL (0) 121C



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M	REVISION	DATE	BY	CHECKED	DESCRIPTION
L	REVISION	DATE	BY	CHECKED	DESCRIPTION
K	REVISION	DATE	BY	CHECKED	DESCRIPTION
J	REVISION	DATE	BY	CHECKED	DESCRIPTION
H	REVISION	DATE	BY	CHECKED	DESCRIPTION
G	REVISION	DATE	BY	CHECKED	DESCRIPTION
F	REVISION	DATE	BY	CHECKED	DESCRIPTION
E	REVISION	DATE	BY	CHECKED	DESCRIPTION
D	REVISION	DATE	BY	CHECKED	DESCRIPTION
C	REVISION	DATE	BY	CHECKED	DESCRIPTION
B	REVISION	DATE	BY	CHECKED	DESCRIPTION
A	REVISION	DATE	BY	CHECKED	DESCRIPTION
#	REVISION	DATE	BY	CHECKED	DESCRIPTION



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[PROJECT]  
Alterations + Extension to  
11 Fomes Avenue  
Giffnock

[DRAWING]  
PROPOSED FLOOR PLANS

[SCALE] [CHECKED]  
1:50 @ A1

[STATUS] PLANNING

[NUMBER] 17023 AL (0) 110M

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EAST RENFREWSHIRE COUNCILLOCAL REVIEW BODY6 November 2019Report by Deputy Chief ExecutiveREVIEW OF CASE - REVIEW/2019/18ALTERATIONS TO AND REPLACE ROOF TO FORM EXTENDED UPPER FLOOR  
ACCOMMODATION WITH INSTALLATION OF DORMER WINDOWS AT FRONT  
AND SIDE; ERECTION OF RAISED DECKING AT REAR  
AT 79 BEECH AVENUE, NEWTON MEARNES**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:- 2019/0331/TP).
- Applicant: Ms Laura Cunningham.
- Proposal: Alterations to and replace roof to form extended upper floor accommodation with installation of dormer windows at front and side; erection of raised decking at rear.
- Location: 79 Beech Avenue, Newton Mearns.
- Council Area/Ward: Newton Mearns South and Eaglesham (Ward 5).

**REASON FOR REQUESTING REVIEW**

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

**RECOMMENDATIONS**

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

- (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 (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 is attached as Appendix 4.

9. The applicant is entitled to state a preference for the procedure (or combination of procedures) to be followed by the Local Review Body in the determination of the review and has indicated that her stated preference is a site inspection.

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, 6 November 2019 immediately 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 153 - 160);
- (b) Report of Handling by the planning officer under the Scheme of Delegation - Appendix 2 (Pages 161 - 168);
- (c) Decision notice and reasons for refusal - Appendix 3 (Pages 169 - 172); and
- (d) A copy of the applicant's Notice of Review and Statement of Reasons - Appendix 4 (Pages 173 - 198).

**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 5 (Pages 199 - 214).

- (a) Content as Existing and as Proposed;
- (b) Elevations and Section A-A as Existing;
- (c) Ground Floor and First Floor as Existing;
- (d) Roof Plan as Existing and as Proposed;
- (e) Section AA as Proposed;
- (f) Section BB as Proposed;
- (g) Section CC as Proposed;
- (h) Refused – Location and Block Plan;
- (i) Refused – North-East Elevation and South West Elevation;
- (j) Refused – North-West Elevation as Proposed;
- (k) Refused – South-East Elevation as Proposed;
- (l) Refused – Ground Floor Plan as Proposed; and
- (m) Refused – First Floor Plan as Proposed.

**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](http://www.eastrenfrewshire.gov.uk).

**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:- October 2019



**APPLICATION  
FOR  
PLANNING PERMISSION**

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

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

Thank you for completing this application form:

ONLINE REFERENCE      100166595-001

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

## Description of Proposal

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

Replacement first floor and roof structure and internal alternations to the ground floor.

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:	Allison Architecture		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	Stephen	Building Name:	<input type="text"/>
Last Name: *	Allison	Building Number:	13
Telephone Number: *	01413531082	Address 1 (Street): *	Royal Crescent
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	Glasgow
Fax Number:	<input type="text"/>	Country: *	United Kingdom
		Postcode: *	G3 7SL
Email Address: *	francesco@allisonarchitecture.co.uk		

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

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	Ms	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	Laura	Building Number:	79
Last Name: *	Cunningham	Address 1 (Street): *	Beech Avenue
Company/Organisation:	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	Newton Mearns, Glasgow
Extension Number:	<input type="text"/>	Country: *	United Kingdom
Mobile Number:	<input type="text"/>	Postcode: *	G77 5QR
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		



## Site Address Details

Planning Authority:

East Renfrewshire Council

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

Address 1:

79 BEECH AVENUE

Address 2:

NEWTON MEARNES

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

GLASGOW

Post Code:

G77 5QR

Please identify/describe the location of the site or sites

Northing

655810

Easting

254221

## Pre-Application Discussion

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

Yes  No

## Trees

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

Yes  No

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

## Access and Parking

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

Yes  No

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

## Planning Service Employee/Elected Member Interest

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

Yes  No

## Certificates and Notices

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

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

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

Yes  No

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

Yes  No

## Certificate Required

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

Certificate A

## Land Ownership Certificate

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

Certificate A

I hereby certify that –

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

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

Signed: Stephen Allison

On behalf of: Ms Laura Cunningham

Date: 24/05/2019

Please tick here to certify this Certificate. \*

## Checklist – Application for Householder Application

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

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

Continued on the next page

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

You can attach these electronic documents later in the process.

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

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

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

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

## Declare – For Householder Application

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

Declaration Name: Mr Stephen Allison

Declaration Date: 24/05/2019

**Payment Details**



Created: 31/05/2019 10:31



**REPORT OF HANDLING**

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# REPORT OF HANDLING

Reference: 2019/0331/TP

Date Registered: 31st May 2019

Application Type: Full Planning Permission

This application is a Local Development

Ward: 5 -Newton Mearns South And Eaglesham

Co-ordinates: 254221/:655810

Applicant/Agent:

Applicant:

Ms Laura Cunningham

79 Beech Avenue

Newton Mearns, Glasgow

United Kingdom

G77 5QR

Agent:

Stephen Allison

13 Royal Crescent

Glasgow

United Kingdom

G3 7SL

Proposal: Alterations to and replace roof to form extended upper floor accommodation with installation of dormer windows at front and side; erection of raised decking at rear

Location: 79 Beech Avenue  
Newton Mearns  
East Renfrewshire  
G77 5QR

**CONSULTATIONS/COMMENTS:** None.

**PUBLICITY:** None.

**SITE NOTICES:** None.

**SITE HISTORY:**

2002/0638/TP	Erection of single storey side/rear extension	Approved Subject to Conditions	10.12.2002
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1991/0295/TP	ERECTION OF REAR EXTENSION TO DWELLINGHOUSE	Withdrawn	27.08.1991
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**REPRESENTATIONS:** No representations have been received.

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

**SUPPORTING REPORTS:** No supporting reports have been submitted as part of this application.

**ASSESSMENT:**

The site comprises a pyramidal bungalow that is located within an established residential area that predominantly contains bungalows and some two storey properties. The property is set back behind a low boundary wall and hedge and is externally finished in brick, render and clay roof

tiles. Existing development at the site includes a single storey extension at the rear of the property and an attached garage. The boundary at the rear is characterised by a mix of shrubbery, mature trees and timber fencing.

Many of the properties in the street have been extended and altered either to the side, rear or into the roof space. Notwithstanding these alterations, hip-roofs remain the over-riding characteristic of the area.

Planning permission is sought for alterations to the roof and upper floor including the installation of dormer windows on the front and side roof slopes.

It is intended to remove the existing roof and dormer windows and increase the height of the external walls by 553mm to and the construction of a new roof atop these heightened walls. The new roof has a steeper roof pitch of 36 degrees, a central flat roof section and a truncated hip at the rear. Two flat roofed dormer windows will be installed, one on the front roof slope measuring 4423mm in width and one on the side elevation measuring 3108mm in width. The upper floor accommodation will consist of a master bedroom with en-suite, two further bedrooms and a bathroom.

The proposed external materials are roughcast to match the existing, grey concrete roof tiles including the re-roofing of the existing extension and garage and sarnafil single ply membrane on the flat roof section.

A raised timber deck is proposed at the rear of the property. Measuring approximately 23sqm the deck will be enclosed by a 1100mm high handrail.

It is also intended to install new canopies over the existing bay windows at the front and rear of the property.

The proposal is required to be assessed against Policies D1 and D14 of the adopted East Renfrewshire Local Development Plan.

Policy D1 requires that all development should not result in a significant loss of character or amenity to the surrounding area; the proposal should be of a size, scale and massing in keeping with the buildings in the locality and should respect local architecture, building form, design and materials; and the amenity of neighbouring properties should not be adversely affected.

Policy D14 requires that extensions to existing buildings must complement the existing character of the property, particularly in terms of style, form and materials. The size, scale and height of any extension must be appropriate to the existing building.

Taking the above into account, the proposal is considered to be out of character with the surrounding area as a result of its general form and profile. This, in conjunction with its increased massing (principally due to the increase in the roof pitch) at upper floor level, would result in a visually dominant and incongruous addition to the streetscape.

Proposed streetscape elevations indicate the height of the proposal in relation to neighbouring properties. Whilst the increase in the overall height is not significant, this has only been achieved by the introduction of an incongruous flat roofed section and a truncated gable at the rear which in combination with an increase in eaves height and the more steep side roof planes of 36 degrees as opposed to 30 degrees result in a roof structure with an increased massing at odds with the prevailing character of the surrounding area.

As stated above, these alterations to the roof design to achieve the additional useable floor space results in an incongruous roof structure and overall proposal that is considered to be out of keeping with the integrity of the property and consequently be visually prominent to the detriment of the visual amenity and character of the area.

In addition to the above, the adopted Supplementary Planning Guidance: Householder Design Guide (SPG) is also of relevance. The SPG states that developments should have the same roof design as the house particularly when visible from public view.

Therefore in addition to the criteria set out within Policies D1 and D14 the proposal also conflicts with the general principles set out within the SPG.

Given the location and orientation of the proposal in relation to neighbouring properties there would be no significant additional overlooking, overshadowing or loss of light.

The proposed raised decking would be screened from the adjacent neighbours by existing development within the site and the neighbouring garage at 77 Beech Avenue. As such, the raised platform would not be considered to give rise to adverse overlooking of neighbouring properties.

The dormer windows, raised deck, re-roofing of existing extension and garage and installation of canopies over existing windows may have been acceptable however the proposal is determined as a whole and the application has been submitted as a single application.

To conclude, the proposal by way of its scale, massing and design will have a detrimental impact on the character and visual amenity of the area and is therefore contrary to Policies D1 and D14 of the adopted East Renfrewshire Local Development Plan and to the terms of the SPG.

There are no material considerations that outweigh the provisions of the Local Development Plan and accordingly the application is recommended for refusal.

**RECOMMENDATION:** Refuse

**PLANNING OBLIGATIONS:** None.

**REASONS FOR REFUSAL:**

1. The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan and the Supplementary Planning Guidance: Householder Design Guide as the proposed roof, due to its size, massing and design would overwhelm and detract from the character of the original property due to the i) the introduction of an incongruous flat roofed section ii) the increase in roof pitch from 30 degrees to 36 degrees iii) the introduction of a truncated gable end on a hip roof bungalow.
2. The proposal is contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan as the proposed alterations to the roof would increase the massing of the roof and in turn this would be visually dominant and an incongruous feature in a streetscape.

**ADDITIONAL NOTES:** None.

**ADDED VALUE:** None.



**BACKGROUND PAPERS:**

Further information on background papers can be obtained from Ms Fiona Morrison on 0141 577 3895.

Ref. No.: 2019/0331/TP(FIMO)

DATE: 14th August 2019

**DIRECTOR OF ENVIRONMENT**

**Reference: 2019/0331/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 D14

##### Extensions to Existing Buildings and Erection of Outbuildings and Garages

Any extensions must complement the existing character of the property, particularly in terms of style, form and materials.

The size, scale and height of any development must be appropriate to the existing building. In most circumstances, pitched roofs utilising slates or tiles to match the existing house will be the appropriate roof type. Alternatives, such as flat roofs or green roofs, will be considered on a site specific basis.

Side extensions should not create an unbroken or terraced appearance.

The development should avoid over-development of the site by major loss of existing garden space.

Dormer windows should not in general dominate the existing roof, nor rise above or break the existing ridgeline or hip of the roof, and should be finished in materials to match existing roof finishes.

The above are broad requirements and these are further defined in the Householder Design Guide Supplementary Planning Guidance.

**GOVERNMENT GUIDANCE:** None

Finalised 14/08/2019.AC.

**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**

**REFUSAL OF PLANNING PERMISSION**

Ref. No.           **2019/0331/TP**

**Applicant:**

Ms Laura Cunningham  
79 Beech Avenue  
Newton Mearns, Glasgow  
G77 5QR

**Agent:**

Stephen Allison  
13 Royal Crescent  
Glasgow  
G3 7SL

With reference to your application which was registered on 31st May 2019 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

**Alterations to and replace roof to form extended upper floor accommodation with installation of dormer windows at front and side; erection of raised decking at rear**

**at: 79 Beech Avenue Newton Mearns East Renfrewshire G77 5QR**

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 D14 of the adopted East Renfrewshire Local Development Plan and the Supplementary Planning Guidance: Householder Design Guide as the proposed roof, due to its size, massing and design would overwhelm and detract from the character of the original property due to the i) the introduction of an incongruous flat roofed section ii) the increase in roof pitch from 30 degrees to 36 degrees iii) the introduction of a truncated gable end on a hip roof bungalow.
2. The proposal is contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan as the proposed alterations to the roof would increase the massing of the roof and in turn this would be visually dominant and an incongruous feature in a streetscape.

Dated               14th August 2019



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 refused

<b>Plan Description</b>	<b>Drawing Number</b>	<b>Drawing Version</b>	<b>Date on Plan</b>
Block Plan and Location Plan	00-001		
Proposed floor plans	02-001		
Proposed floor plans	02-002		
Elevations Proposed	02-003	A	
Elevations Proposed	02-005	A	
Elevations Proposed	02-004	A	

**GUIDANCE NOTE FOR REFUSAL OF LOCAL DEVELOPMENTS DETERMINED UNDER DELEGATED POWERS**

**REVIEW BY EAST RENFREWSHIRE COUNCIL'S LOCAL REVIEW BODY**

1. If the applicant is aggrieved by a decision to refuse permission (or by an approval subject to conditions), the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. A Notice of Review can be submitted online at [www.eplanning.scotland.gov.uk](http://www.eplanning.scotland.gov.uk). Please note that beyond the content of the appeal or review forms, **you cannot normally raise new matters** in support of an appeal or review, unless you can demonstrate that the matter could not have been raised before, or that its not being raised before is a consequence of exceptional circumstances. Following submission of the notice, you will receive an acknowledgement letter informing you of the date of the Local Review Body meeting or whether further information is required.

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

CONTACT DETAILS

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

**General Inquiry lines 0141 577 3895 or 0141 577 3878  
Email [planning@eastrenfrewshire.gov.uk](mailto:planning@eastrenfrewshire.gov.uk)**

**NOTICE OF REVIEW  
AND  
STATEMENT OF REASONS**

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

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

Thank you for completing this application form:

ONLINE REFERENCE 100180741-001

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:

Ref. Number:

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

First Name: \*

Elaine

Building Name:

Last Name: \*

Anderson

Building Number:

12

Telephone Number: \*

07790731462

Address 1 (Street): \*

Linnet Drive

Extension Number:

Address 2:

Mobile Number:

Town/City: \*

Lenzie

Fax Number:

Country: \*

Scotland

Postcode: \*

G66 3DG

Email Address: \*

elaine@zanderplanning.co.uk

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

Individual  Organisation/Corporate entity



## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Ms"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Laura"/>	Building Number:	<input type="text" value="79"/>
Last Name: *	<input type="text" value="Cunningham"/>	Address 1 (Street): *	<input type="text" value="Beech Avenue"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Newton Mearns"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="G77 5QR"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

## 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="79 BEECH AVENUE"/>
Address 2:	<input type="text" value="NEWTON MEARNNS"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="GLASGOW"/>
Post Code:	<input type="text" value="G77 5QR"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="655810"/>	Easting	<input type="text" value="254221"/>
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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)

Alterations to and replace roof to form extended upper floor accommodation with installation of dormer windows at front and side; erection of raised decking at rear.

## 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 see attached the Statement of Reasons as to why this appeal has been submitted.

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)

Provided Statement of Reasons for appeal to address the reasons for refusal that has been issued in this instance. Letter from Applicant to address the refusal that has been issued for proposal alterations to her property and to highlight the lack of communication received during the planning application process.

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

Statement of Reasons; Letter from Applicant; Application Form; Refused Plans - location & block plan, proposed ground and first floor plans, and elevation plans; Report of Handling; Decision Notice.

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

2019/0331/TP

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

24/05/2019

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

14/08/2019

## 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

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

Please select a further procedure \*

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

We believe that a site inspection and a visit to the area will allow the Local Review Body to fully appreciate the mix of residential properties in this area, and the character and streetscape of Beech Avenue in relation to the proposed alterations to no.79.

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

Can the site be clearly seen from a road or public land? \*

Yes  No

Is it possible for the site to be accessed safely and without barriers to entry? \*

Yes  No

## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. \*

Yes  No

Have you provided the date and reference number of the application which is the subject of this review? \*

Yes  No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

Yes  No  N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

Yes  No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

Yes  No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

## Declare – Notice of Review

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

Declaration Name: Mrs Elaine Anderson

Declaration Date: 24/09/2019

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30<sup>th</sup> May 2019



## Supporting Statement

### 79 Beech Avenue Newton Mearns

#### Project Description

The applicant seeks Planning Permission to replace the existing loft conversion first floor accommodation on their bungalow.

We propose to raise the external walls by 500mm and raising the overall height of the house by 455mm. We look to retain a similar ratio of wall to roof and we are looking to increase our eaves line to no more than that of the adjacent house.

We are also seeking to form a new dormer window to the front, a new dormer with obscured glass to the side and a clipped gable to the rear.

To achieve an increase in the first floor accommodation area we are looking to increase the pitch of the roof. This will involve the formation of a flat (one degree) section which will not be visible to the street or rear.

From the front and rear elevations this will give the impression that there will be new ridge running sided to side which we hope will be regarded as still in keeping with the style of houses in the area.

We are not looking to increase the footprint of the house.

#### Precedent

We note the refusal of application 2019/0152/TP for 73 Beech Avenue.

*'The proposal is contrary to the Supplementary Planning Guidance on Householder Design as the extension would introduce a new roof type that, in combination with the proposed side dormer, would significantly increase the scale and massing of the dwelling to the detriment of the appearance of the dwelling and surrounding area.'*

*Report of Handling excerpt*

The application for 73 Beech Avenue proposes a much larger development and it was mentioned that it is the *combination* of the new roof type, side dormer and scale that would be to detriment.

We hope that due to the considerably smaller scale of the development that our proposal will not present the same overwhelming combination.

We would also like to make a case that although the roof style would be changed at the rear. This would only be seen by properties to the rear, two of which have had the same gable extension treatment within the same SPG.

The adjacent has the same clipped style and the other adjacent has been converted into a full two storey.

We do appreciate that there are similarities between the two applications but hope that this proposal will be considered on its own merits.

We will look forward to receiving any feedback you may be able to offer.

19<sup>th</sup> September 2019

To the Local Review Body

We are the owners of 79 Beech Avenue and would be grateful if you are able to take the factors noted in this letter in to consideration when evaluating our planning review.

We feel significantly dominated by the houses on each side of us. On one side, we have a large two storey villa and on the other two extended one and a half storey bungalows. We wish to create an attractive looking family home, which not only fits our needs as a family but also complements the area. We believe our plans do this. We are not looking to extend the footprint of our home, simply raise the roof slightly to be more fitting with (but still sitting lower than) the neighbouring properties and allow us the space inside the home we need. Our architect illustrated this clearly in our plans. Even in our back garden we are overlooked by extended properties (with gables) which dominate ours. To state that our plans would create a “visually dominant and an incongruous feature in a streetscape” in our opinion is therefore nonsensical (See image 1 – you may struggle to view our property in the current streetscape). We argue that our plans enhance the streetscape as we currently live in a rather unattractive bungalow which visibly requires attention.

We believe that we and our architects should have been given the opportunity to discuss the plans along with any potential issues or concerns during the planning stage, allowing for amendments if necessary, with the aim of agreeing plans suitable for all parties. For example, one of the factors for refusing our application was increasing the roof pitch 6 degrees, which in our opinion would be imperceptible, however we would have welcomed the opportunity to discuss this with the case officer.

Further, the Council do not seem to have considered recent planning approvals, such as the house one-removed from ours (by the two-storey house) who have had an extension approved of a greater mass and scale to our request and includes a truncated gable end on a hip roofed bungalow, which was given as one of the specific reasons for our refusal. Again, this appears to us to defy logic.

We submitted our planning application (2019/0331/TP) on 24 May 2019, which was subsequently refused mid-August with no communication from the Council Planning department and in fact they refused to engage with our architects in relation to the plans or potential decisions. Despite the decision notice stating that the refusal was issued on 14<sup>th</sup> August 2019, we did not receive the Decision Notice until 27 August, almost 2 weeks after the decision was made on our application and over 3 months after our application submission. The Council failed in their obligations under their own policy which states "We will advise you of the reasons for any delay where an application is going to exceed the normal expected decision period (2 months for 'local' developments or 4 months for 'major' developments)" (<https://www.eastrenfrewshire.gov.uk/CHttpHandler.ashx?id=20346&p=0>).

Due to the date of receipt of the Decision Notice, we were unable to submit an appeal to the September LRB, which should have been achievable had the Council met their own timescale of responding within 2 months. Furthermore, as the Council rejected our application after failing to engage or communicate with us during the planning process, we have had to spend time sourcing a planning consultant to assist with this review application. This resulted in further delay as the Council refused to include our review application in the October review board. Thus, our application, submitted on 24 May has taken almost 6 months to be considered and still no consultation with us has taken place.

79 Beech Avenue, Newton Mearns, G77 5QR

Our desire to resolve the current issues with the condition and layout of the property has been hindered by a planning department unwilling to engage with us. Their approach has forced us into submitting what we think should be an unnecessary planning appeal. As a consequence, it has required us to invest significant additional time and money and created a great deal of frustration whilst wasting your time and public funds.

Yours faithfully

Laura and Colin Cunningham

Image 1 – The Current Streetscape (Number 79 is the second house from the left)



# Statement of Reasons

REFUSAL OF PLANNING PERMISSION 2019/0331/TP  
79 BEECH AVENUE, NEWTON MEARNS

SEPTEMBER 2019



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## 1. INTRODUCTION

- 1.1 The applicant, Laura Cunningham, owner of the premises of 79 Beech Avenue, has instructed that a Notice of Review be lodged with East Renfrewshire Council against the recent refusal of planning permission for the proposed development as described below:

“Alterations to and replace roof to form extended upper floor accommodation with installation of dormer windows at front and side; erection of raised decking at rear.”

- 1.2 Refusal of planning permission was issued under delegated powers for this local application on 14<sup>th</sup> August 2019. Two reasons for refusal were applied to the refusal notice as follows:

“1. The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan and the Supplementary Planning Guidance: Householder Design Guide as the proposed roof, due to its size, massing and design would overwhelm and detract from the character of the original property due to i) the introduction of an incongruous flat roofed section ii) the increase in the roof pitch from 30 to 36 degrees iii) the introduction of a truncated gable end on a hip roof bungalow.

2. The proposal is contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan as the proposed alterations to the roof would increase the massing of the roof and in turn this would be visually dominant and an incongruous feature in the streetscape.”

- 1.3 This report is prepared to address the reasons for refusal of planning permission, and to promote the reasons why this appeal to the Local Review Body has been submitted.

## 2. PLANNING HISTORY & DEVELOPMENT PROPOSAL

### Planning History

- 2.1 There have been a few planning applications lodged with East Renfrewshire Council for 79 Beech Avenue, as follows:
- 2.2 Application 1991/0295/TP sought consent for the erection of a rear extension to the dwellinghouse. However, this application was withdrawn post-validation.
- 2.3 Application 2002/0638/TP promoted the erection of a single storey side/rear extension on the property. This was approved subject to conditions on 10 December 2002.
- 2.4 Lastly, 2019/0331/TP, the application now subject to this Notice of Review promoted alterations to and replace roof to form extended upper floor accommodation with installation of dormer windows at front and side; erection of raised decking at rear. This application was refused planning permission on 14 August 2019, for the reasons as stated in Section 1 of the report.

### Development Proposal

- 2.5 Planning application 2019/0331/TP was lodged to East Renfrewshire Council on 24<sup>th</sup> May 2019. The application submission provided detailed floor and elevation plans for the proposed alterations to the premises of 79 Beech Avenue.
- 2.6 In its current state, 79 Beech Avenue is a one and a half storey dwelling with three dormers on the front, rear and southwest elevation.
- 2.7 It boasts a front and large rear garden area, designated off-street car parking. It is set within a wider established residential area where there is a mix of bungalow, one and a half storey and two storey properties, some detached, some semi-detached.
- 2.8 The proposed development at 79 Beech Avenue promotes the enlargement of the upper floor to create a larger habitable area designed to meet the needs of the inhabitants.
- 2.9 The proposal involves the removal of the existing roof and dormer windows and increasing the height of the external walls by 553mm to construct a new roof atop these heightened walls. The new roof has a steeper roof pitch of 36 degrees, a central flat roof section and a truncated hip at the rear. Two flat roofed dormer windows will be installed, one on the front roof slope measuring 4423mm in width and one on the side elevation measuring 3108mm in width.
- 2.10 The upper floor accommodation will consist of a master bedroom with en-suite, two further bedrooms and a bathroom.



- 2.11 The proposed external materials are roughcast to match the existing, grey concrete roof tiles including the re-roofing of the existing extension and garage and sarnafil single ply membrane on the flat roof section.
- 2.12 A raised timber deck is proposed at the rear of the property. Measuring approximately 23sqm the deck will be enclosed by a 1100mm high handrail. It sits approximately 1m high with the handrail above. The raised decking is enclosed to the west by the established property and is screened by the boundary treatments in the rear garden.
- 2.13 It is considered that the scale, design and materials are in character with the wider residential area, and the proposed alterations works to the property fits in with the streetscape of Beech Avenue without dominating or detracting from the character or nature of the residential area.
- 2.14 The purpose of the proposed alterations to 79 Beech Avenue is to create a family home that meets the needs of the owner and is promoted to be of a scale of character that does not dominate the existing property but complements the house and the wider residential area.

### 3. STATEMENT OF REASONS

3.1 East Renfrewshire Council refused planning permission for the proposed alteration works at 79 Beech Avenue, as detailed in Sections 1 and 2. The reasons for refusal issued stated that:

“1. The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan and the Supplementary Planning Guidance: Householder Design Guide as the proposed roof, due to its size, massing and design would overwhelm and detract from the character of the original property due to i) the introduction of an incongruous flat roofed section ii) the increase in the roof pitch from 30 to 36 degrees iii) the introduction of a truncated gable end on a hip roof bungalow.

2. The proposal is contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan as the proposed alterations to the roof would increase the massing of the roof and in turn this would be visually dominant and an incongruous feature in the streetscape.”

3.2 We wish to note that the reasons for refusal relate specifically to the following:

1. The introduction of a flat roofed section
2. The increase in the roof pitch from 30 to 36 degrees
3. The introduction of a truncated gable end on a hip roof bungalow
4. The increased massing of the roof would be visually dominant and incongruous feature in the streetscape.

3.3 The officer’s delegated report stated that the dormer windows, raised deck, re-roofing of existing extension and garage and installation of canopies over existing windows may have been acceptable if submitted as a stand-alone application. Therefore, these matters are deemed to be acceptable and do not require to be addressed in the progression of the review of this application with the Local Review Body.

3.4 In relation to the reasons for refusal, Policies D1 and D14, in addition to Supplementary Planning Guidance: Householder Design Guide have been identified.

3.5 Policy D1: Detailed Guidance for all Development Proposals states:

*“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; ...*”

3.6 Policy D14: Extensions to Existing Buildings and Erection of Outbuildings and Garages states that *“Any extensions must complement the existing character of the property, particularly in terms of style, form and materials. The size, scale and height of any development must be appropriate to the existing building. In most circumstances, pitched roofs utilising slates or tiles to match the existing house will be the appropriate roof type. Alternatives, such as flat roofs or green roofs, will be considered on a site specific basis... Dormer windows should not in general dominate the existing roof, nor rise above or break the existing ridgeline or hip of the roof, and should be finished in materials to match existing roof finishes. The above are broad requirements and these are further defined in the Householder Design Guide Supplementary Planning Guidance”*.

3.7 Supplementary Planning Guidance: Householder Design Guide states:

*“Proposals for house extensions, dormer windows and garages will be considered against the relevant Local Development Plan policies and the design principles set out below, as well as the individual circumstances of the application:*

- *Extensions, dormer windows and garages should respect the character of the original house and the surrounding area in terms of design, scale and materials. No extension, dormer windows or garages should detract from the character of the area. Within this context innovative, contemporary or modern design will be considered;*
- *Extensions should not dominate or overwhelm the original form or appearance of the house and be subordinate in scale and appearance to the original house;*
- *Extensions should be in proportion to the original house and should not exceed 100% of the footprint of the original house. Extensions should not dominate or overwhelm neighbouring properties;*
- *Direct overlooking and excessive overshadowing of neighbouring properties should be avoided. A Design Guide on Daylight and Sunlight SPG is available separately;*
- *Over-development of the site should be avoided and useable private (i.e. rear) garden ground should be retained. No more than 50% of the rear garden should be occupied by the development;*
- *Developments should have the same roof design as the house particularly when visible from public view;*
- *Window and doors should be aligned vertically and horizontally with existing windows and doors;*
- *No extension (other than a porch) should project beyond the front or principal elevation of the existing house;*
- *The external materials should be identical or closely match those on the existing property.”*

3.8 In the context of adopted Local Plan policy and Supplementary Planning Guidance, we wish to address the points raised in the reasons for refusal, as follows:

## Introduction of flat roofed section

- 3.9 It is stated that the introduction of a flat roofed section is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan and Supplementary Planning Guidance: Householder Design Guide as it would overwhelm and detract from the character of the original property.
- 3.10 The planning officer states in his delegated report that the proposal is out of keeping with the integrity of the property and consequently be visually prominent to the detriment of the visual amenity and character of the area.
- 3.11 In this case, the proposed flat roof section and hipped roof style may be different to what exists at 79 Beech Avenue at present, but it is in character with other neighbouring residential properties along Beech Avenue. Not all homes on Beech Avenue have a pyramidal roof, and the proposed hipped roof with a flat roof section is not out of character in the area where roof line and ridges vary. There is evidence in Beech Avenue and Larchfield Avenue that circumstances where there have been extensions built and dormers installed in properties have resulted in what visually appears to be hipped roofs with flat roof sections.
- 3.12 We recognise that Supplementary Planning Guidance states that development should have the same roof design as the house. However, it is stated in Policy D14 that flat roofs should be considered on a site-specific basis, and in this instance, we believe that the design and character of the proposed flat roof section does not detract from the existing property or the character of the wider area.
- 3.13 It is considered that the proposed flat roof section does not wholly change the character of the property. The existing pyramidal point on the roof mentioned by the planner is restricted from view directly from the front as it is screened in part by the existing dormer on the premises. In addition, the installation of dormers on the front, rear and side elevation has altered the visual appearance of the roof.
- 3.14 In terms of the visual amenity of the proposed alterations to the roof, it is considered that this proposal complements the wider mix of character, design and scale of residential properties within the wider area.
- 3.15 The proposed frontage promotes a hipped roof with dormer, similar in visual context to other residential properties in the area. It remains below the ridge line of adjoining properties, it not dominant on the skyline, does not encroach in front of the property or adjoining properties, and is of a scale and character that has taken full account of the character of the wider area. In addition, the design appearing as a hipped roof with dormers at the front is in-keeping with the character and design of other properties in the local area.
- 3.16 Therefore, the proposed alterations to the roof would not significantly affect the character of the property, and fits within the wider residential area.

### Increase of roof pitch from 30 to 36 degrees

- 3.17 Considering the proposed elevation plans, as submitted in the planning application, it is clear that visually, the proposed increase in roof pitch does not overwhelm or detract from the character of the original property. This is still a one and a half storey dwelling with dormers in the roof. Looking at the detailed elevations, the proposed roof does not dominate the original property in terms of its frontage onto Beech Avenue.
- 3.18 The planning officer's report states that the increase in roof pitch, and subsequent increase in massing of the roof, is "at odds with the prevailing character of the area".
- 3.19 Whilst the roof may have increased in pitch and size, it is below the ridge line of adjoining properties, and does not dominate the skyline along the street. Due to the size and scale of the neighbouring properties – one of which is two storeys (2005/0623/TP), and one which has been subject to increase in eaves height, extensions and dormers (2013/0224/TP) as granted by East Renfrewshire Council, the proposed increase in roof pitch and increased massing of the roof is lower and less obtrusive than the adjoining neighbouring properties.
- 3.20 The proposed 36-degree pitch roof is a traditional pitch which is found on the majority of older houses and on new builds.
- 3.21 It is evident that within the local area, along Beech Avenue and beyond, properties promote different roof pitches and massing. What the properties in this area do have in common is that they promote a similar style of pyramidal or hipped roof – some with dormers – against which the proposed development has been considered and the alterations have been drafted to complement.
- 3.22 In addition, as previously stated, the proposed increase in roof height, and subsequent massing of the roof, can be accommodated without impacting on the streetscape and skyline along Beech Avenue and does not create a dominant feature within the wider streetscape and can be accommodated with minimal impact on the wider character of the area.

### Introduction of a truncated gable end on a hip roof bungalow

- 3.23 The introduction of the truncated gable end on the hip roof as part of the overall changes to the design of the roof is considered in the planning officer's delegated report to "result in an incongruous roof structure and overall proposal that is considered to be out of keeping with the integrity of the property and consequently be visually prominent to the detriment of the visual amenity and character of the area".
- 3.24 In terms of the truncated gable end, this is fully to the rear of the property and has been promoted to make full use of habitable space in the upper floor. It is considered that whilst this is not fully in-keeping with the current property, this area of the property is restricted from view from the road front.
- 3.25 An application for the proposed erection of one and a half storey rear extension with installation of dormer window at side; installation of hipped roof over dormer window at front at 73 Beech



Avenue has recently had its refusal of planning permission overturned by the Local Review Body (2019/0152/TP). Similar to the proposals at 79 Beech Avenue now in front of you, this application promoted truncated end on a hip roof to the rear of the property as part of the extension. Whilst it was originally considered by the planning officer that this would detract from the character of the area due to its scale and massing, this opinion was overturned by the LRB and subsequently planning permission granted for the plans as proposed. It was argued by the applicant in this instance that there were numerous extensions of similar scale and nature in the surrounding area, and that the proposed extension would not dominate the skyline or the character of the area as it sits adjacent to a larger two storey detached dwelling. In their consideration of the application, the Local Review Body concluded that whilst the proposal might not be in accordance with planning policy, the development would not affect the character of the area and was of a similar design to other surrounding extensions which justified the departure from policy. We believe a similar view should be taken with the proposed alterations and extensions to 79 Beech Avenue.

- 3.26 In addition, as previously stated, due to the size and scale of the neighbouring properties – one of which is two storeys (2005/0623/TP), and one which has been subject to increase in eaves height, extensions and dormers (2013/0224/TP) as granted by East Renfrewshire Council, any view of the rear of the roof and the proposed truncated gable end is minimal, if not completely restricted.
- 3.27 In the context of the proposed truncated gable end to the hip roof bungalow, there are examples of a variety of extensions and developments within the wider area. As previously stated, no.73 Beech Avenue now has consent for such. In addition, similar extensions exist to properties to the southwest. In relation to the residential properties to the rear of the application site, these have full rear gable 1.5 storey extensions. It is our opinion that there is no typical visual form perceived by a resident privy to these views.
- 3.28 Therefore, the introduction of the truncated gable end of a hip roof bungalow will not be visually prominent to the detriment of the visual amenity and character of the area. As this will not be in the public view, it is considered that this is acceptable in the context of roof designs as promoted in Supplementary Planning Guidance.

### Increased massing of the roof would be visually dominant and incongruous feature in the streetscape

- 3.29 In terms of assessment of the proposals against Policy D1, we wish to address the following:
- 1. The development should not result in a significant loss of character or amenity to the surrounding area*
- 3.30 The development promotes alterations to an existing residential property to increase the habitable floorspace on the upper floor to meet the needs of the owner. It is set in a street where, as previously mentioned, there is a mix of types and styles of residential properties. It is considered that the proposed alterations to the house which increase the massing of the roof

is wholly complementary to the wider character of the area, considering the different styles of properties that surround the application site.

- 3.31 The scale and massing of the proposed roof would not dominate the skyline as it is below the roof ridge of neighbouring properties. To the northeast the neighbouring house is a two-storey detached dwelling, and to the southwest the neighbouring two properties are one and a half storey dwellings that have been extended and have a higher roof height than the dwelling subject to this application. The proposed increased massing of the roof and the raised roof height sits below the ridge line of the neighbouring properties and does not increase the footprint of the property within the site. As such the resulting dwelling would not dominate the streetscape.
- 3.32 Alterations to the rear gable end are not prominent or visible from the road front and would therefore not affect the wider character of the area.
- 3.33 In addition, as highlighted above, there have been approvals granted by the planning officers and Local Review Body for developments that promote a similar style, massing and character, and have been accepted as appropriate within the character of this area.
- 3.34 It is therefore considered that the increased massing of the roof is complementary in character and scale within the local residential area and would not be visually dominant or an incongruous feature in the streetscape.

*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;*

- 3.35 Respect of local architecture, building form, design and materials has been at the forefront of this proposal. As stated above, it is considered that the size, scale, massing is in keeping with the buildings in the locality. The proposed alterations to the dwelling can be accommodated within the skyline and streetscape of Beech Avenue. It is considered that the design and massing is complementary to the character of other residential properties along Beech Avenue and would not be dominant or obtrusive within the streetscape.

*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;*

- 3.36 It is confirmed in the officer's report that there are no issues regarding impact on neighbouring properties by unreasonably restricting their sunlight or privacy. Therefore, the proposal conforms to criteria 3 of Planning Policy D1.

## 4. CONCLUSION

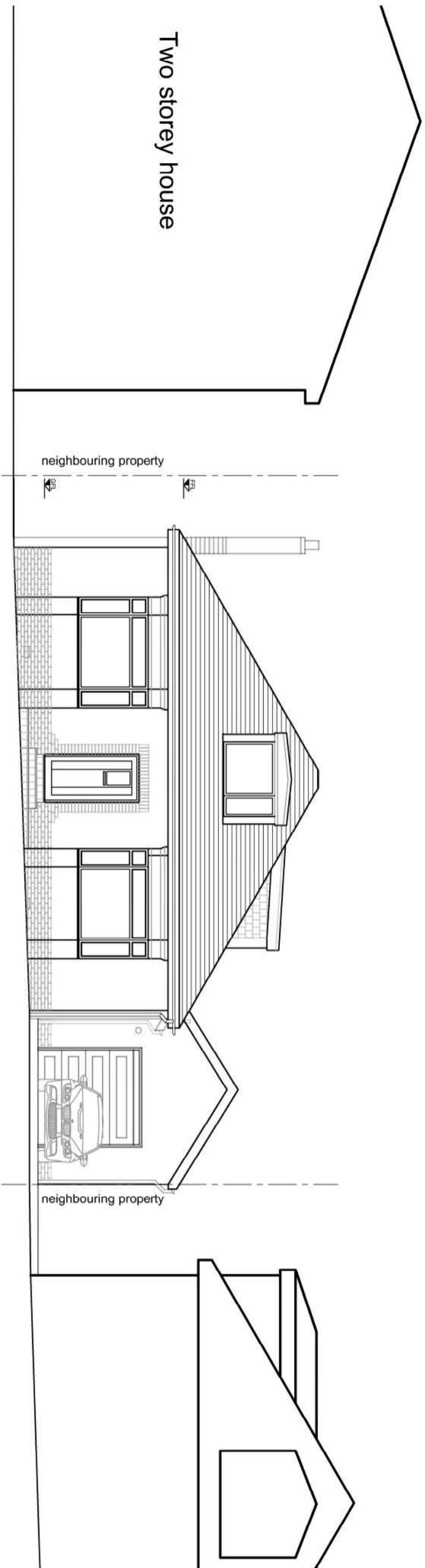
- 4.1 On review of the proposed alterations to 79 Beech Avenue, Newton Mearns in relation to planning policy and guidance, and the reasons for refusal issued, we consider the proposal to be appropriate and acceptable within the streetscape of Beech Avenue.
- 4.2 The area boasts a mix of property types, sizes and designs all of which complement the character of the area. It is our opinion that, based on the plans proposed, alterations to 79 Beech Avenue can be accommodated with minimal impact to the character of the wider residential area. In fact, this proposal has been carefully considered by the applicant and architect to promote an altered residential property that reflects and complements the style and design of surrounding residential properties in this location.
- 4.3 Similar alterations to properties and new developments in the local area have enhanced the mix of styles in the local area, and at the same time complemented the character of the area. It is our opinion that the proposal at 79 Beech Avenue is complementary to the residential area and does not dominate or detract from the original property or the local area.
- 4.4 As such we believe that the decision to refuse planning permission in this instance should be overturned, and the appeal allowed.

**PLANS/PHOTOGRAPHS/DRAWINGS**

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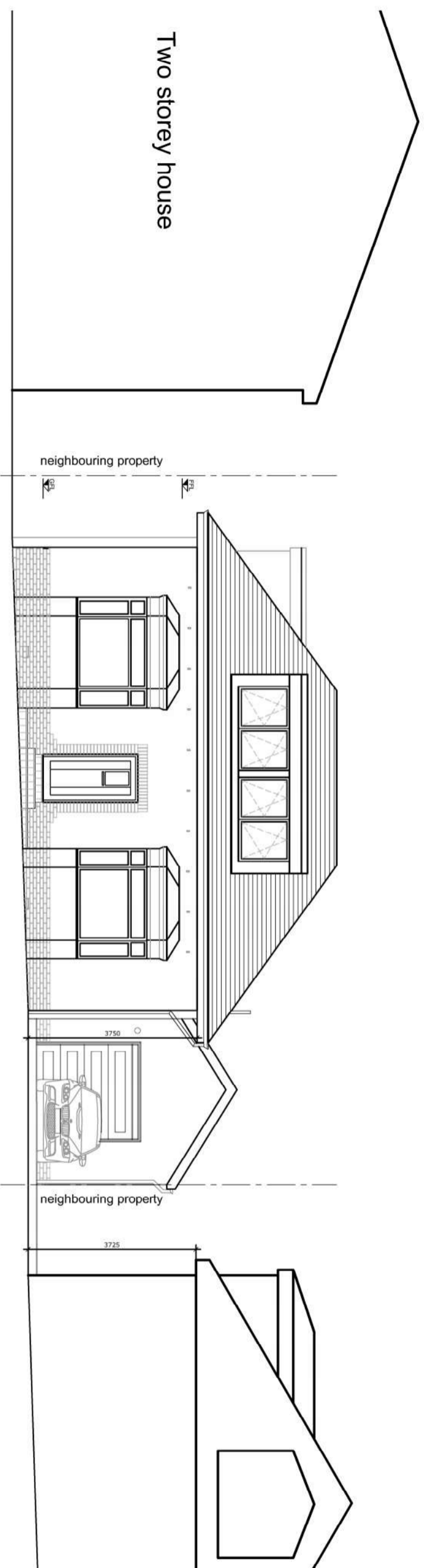
Two storey house



01 Context as existing  
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201

Two storey house



01 Context as proposed  
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A 18.06.19 Thickness of dormer roof has been revised IV

Revisions

Status

PLANNING / BUILDING WARRANT

Client  
Laura Cunningham

Project  
79 Beech Avenue  
Newton Mearns, Glasgow  
G77 5QR

Title  
Context as existing and  
as proposed

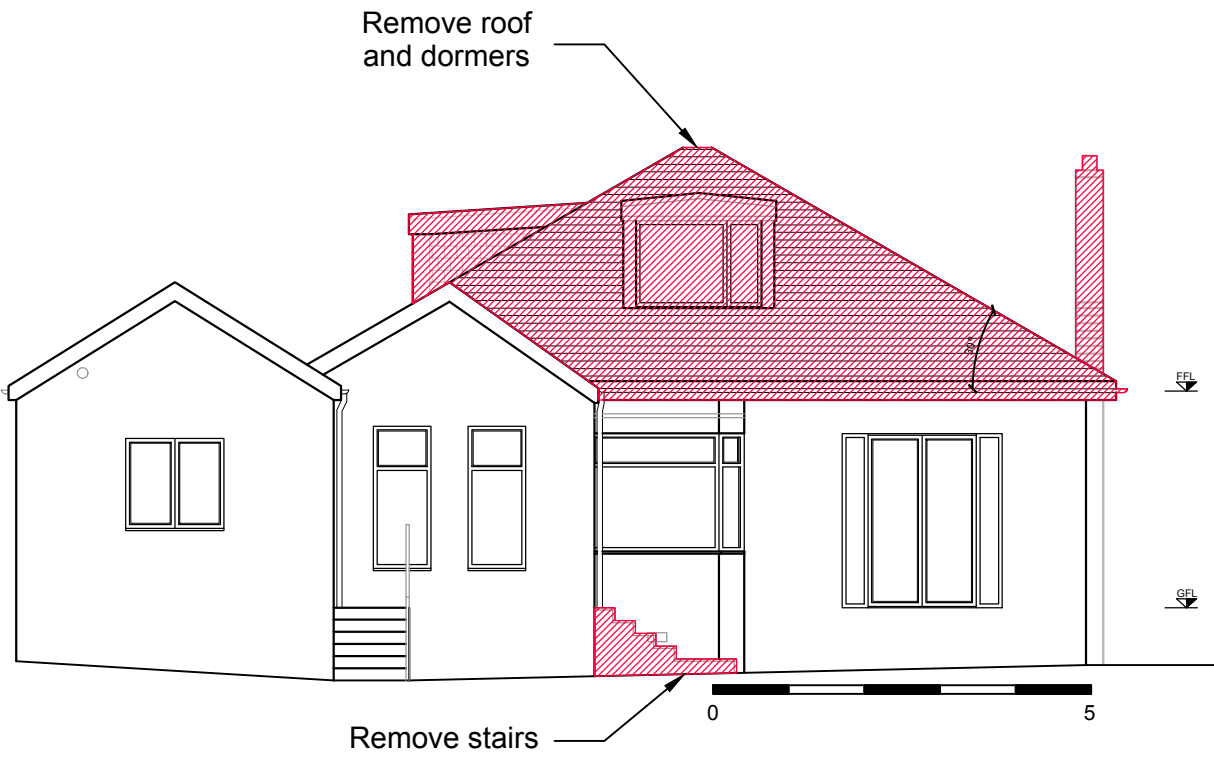
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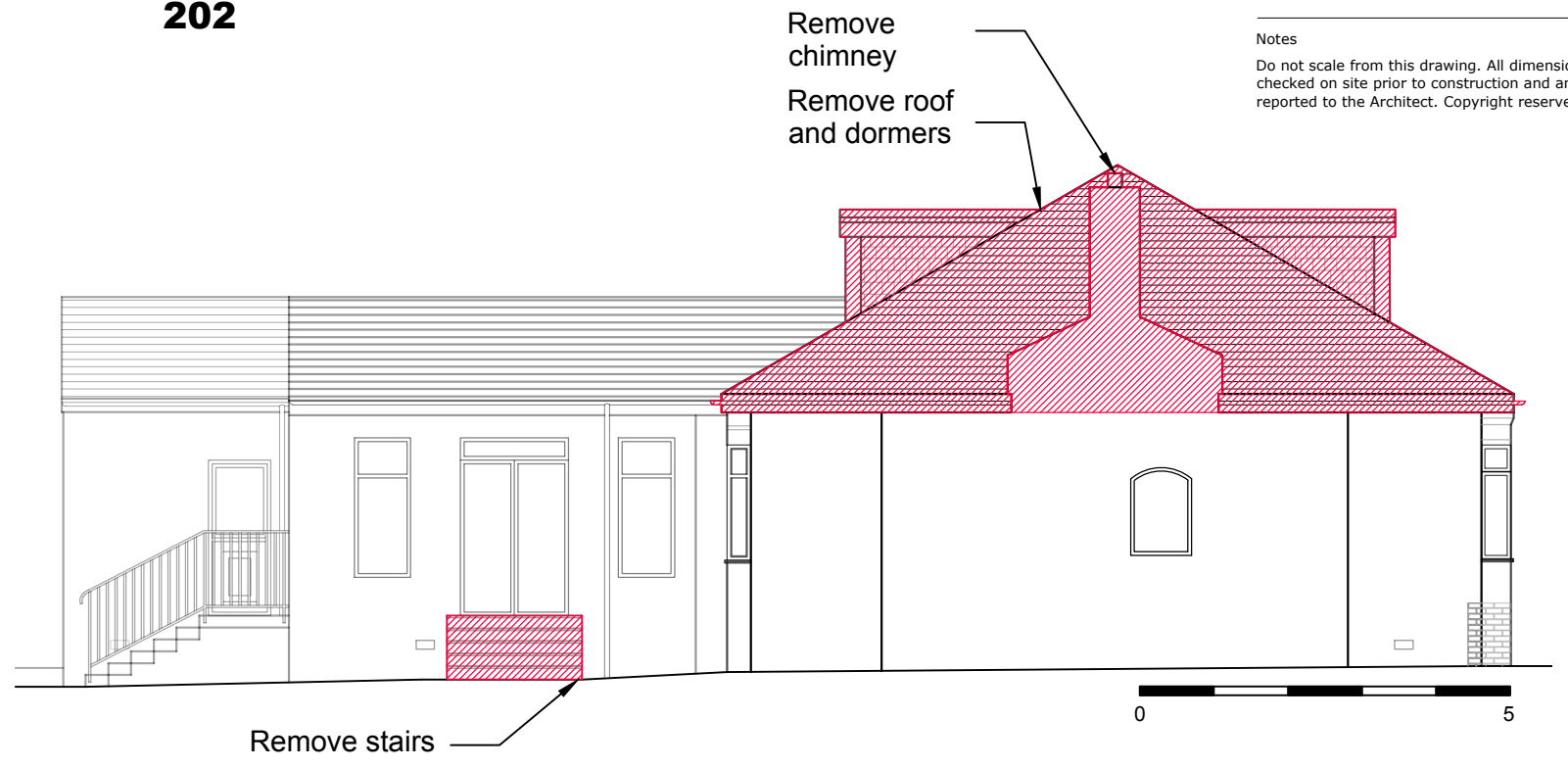
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Project No. 19018  
Drawing No. 01-004  
Rev. A

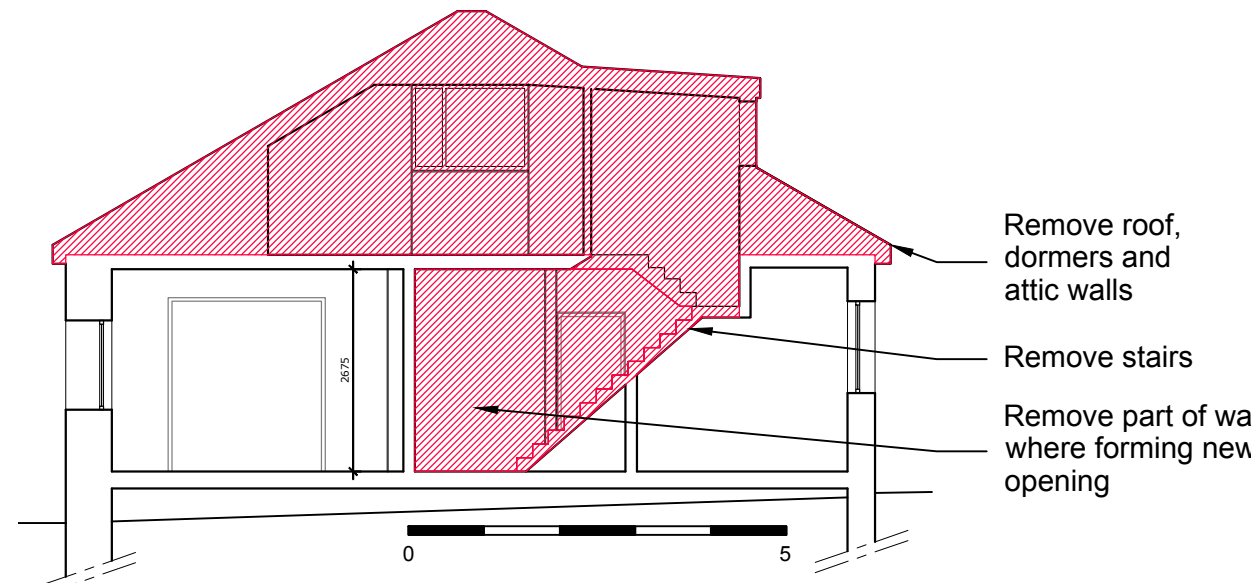
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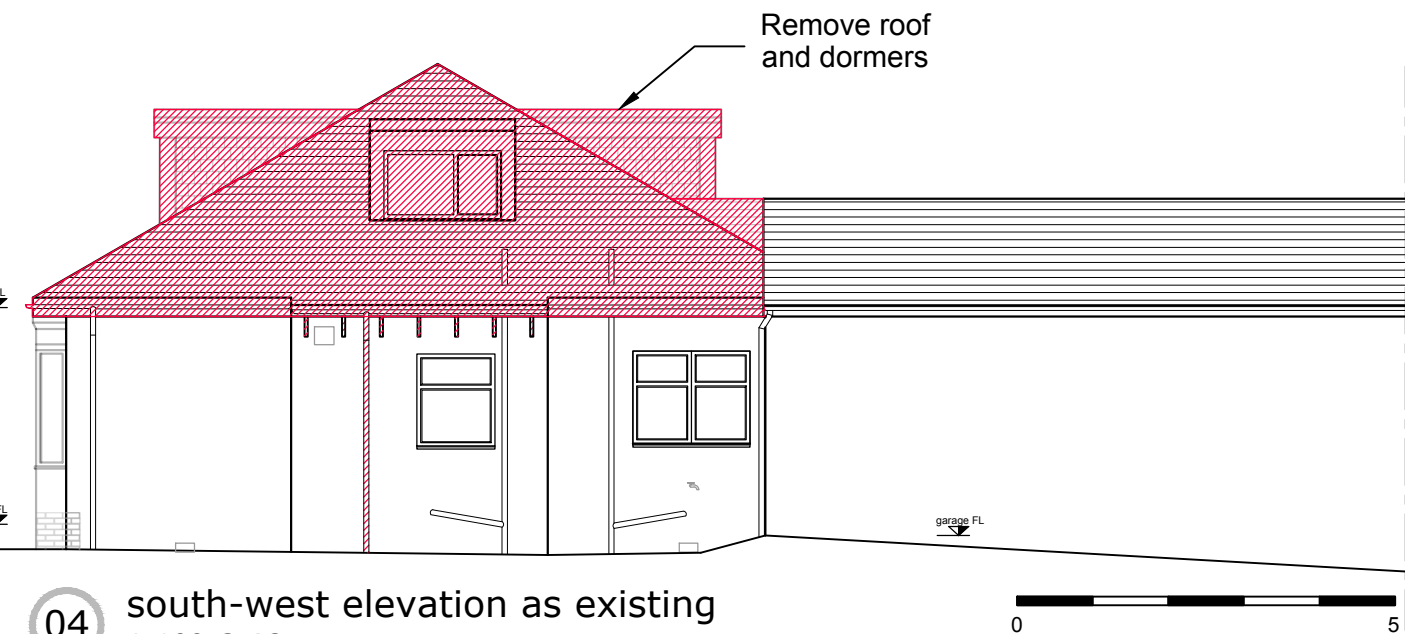
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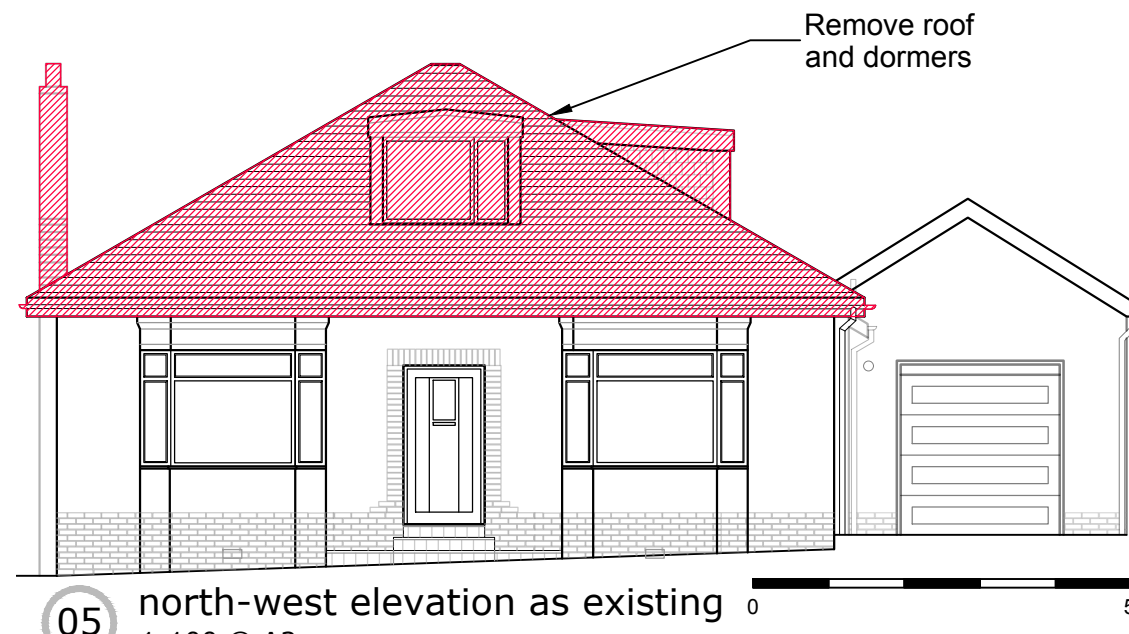
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03 section A-A' as existing  
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04 south-west elevation as existing  
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05 north-west elevation as existing  
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Title  
Elevations and section A-A' as existing

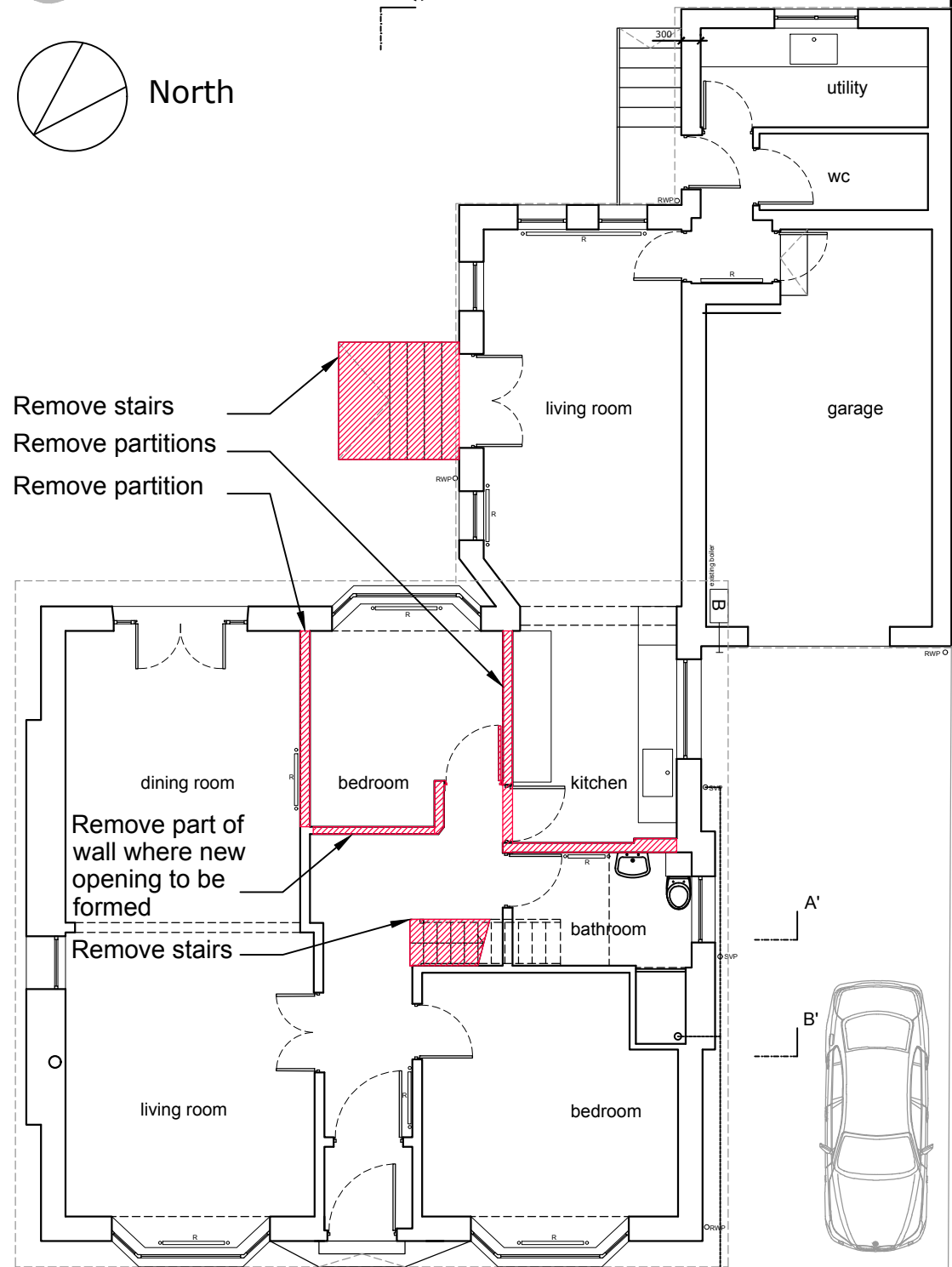
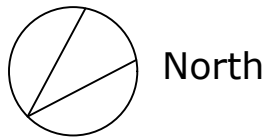
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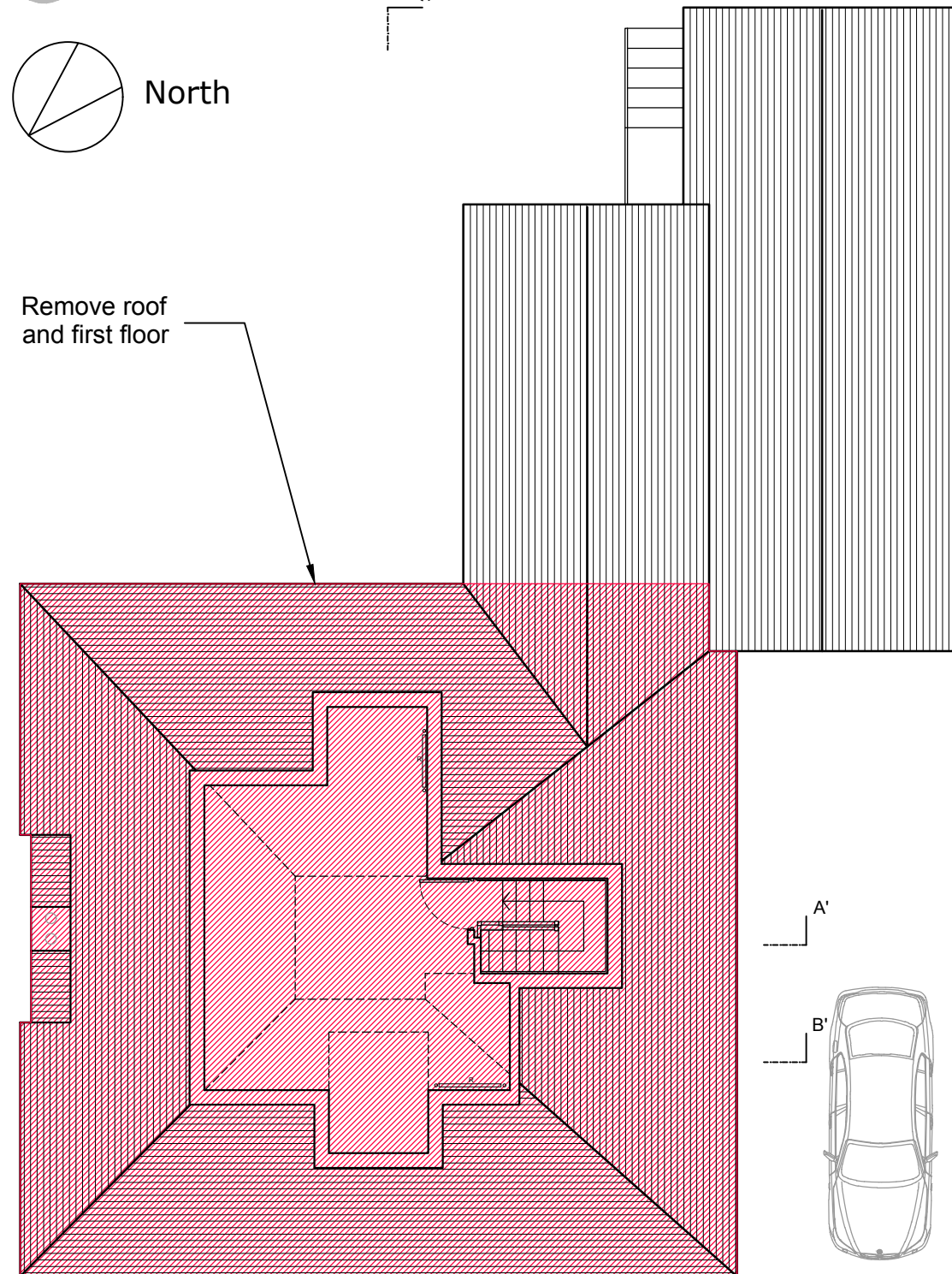
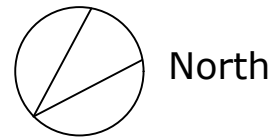
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Project No. Drawing No. Rev.  
19018 01-003 -

01 ground floor plan as existing  
1:100 @ A3



202 first floor plan as existing  
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Title  
**Ground floor and first floor plan as existing**

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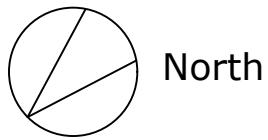


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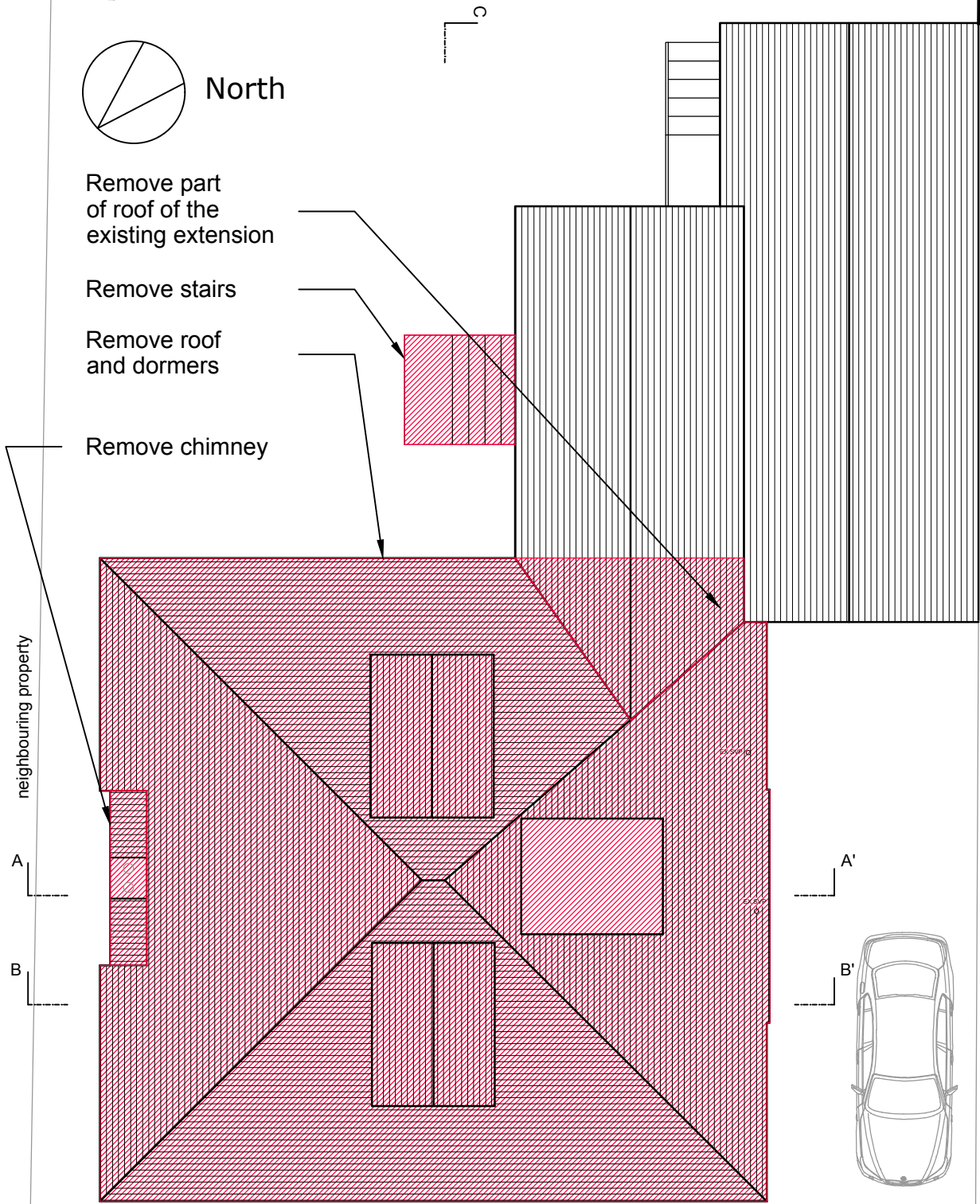
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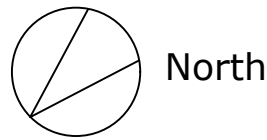
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- Remove part of roof of the existing extension
- Remove stairs
- Remove roof and dormers
- Remove chimney



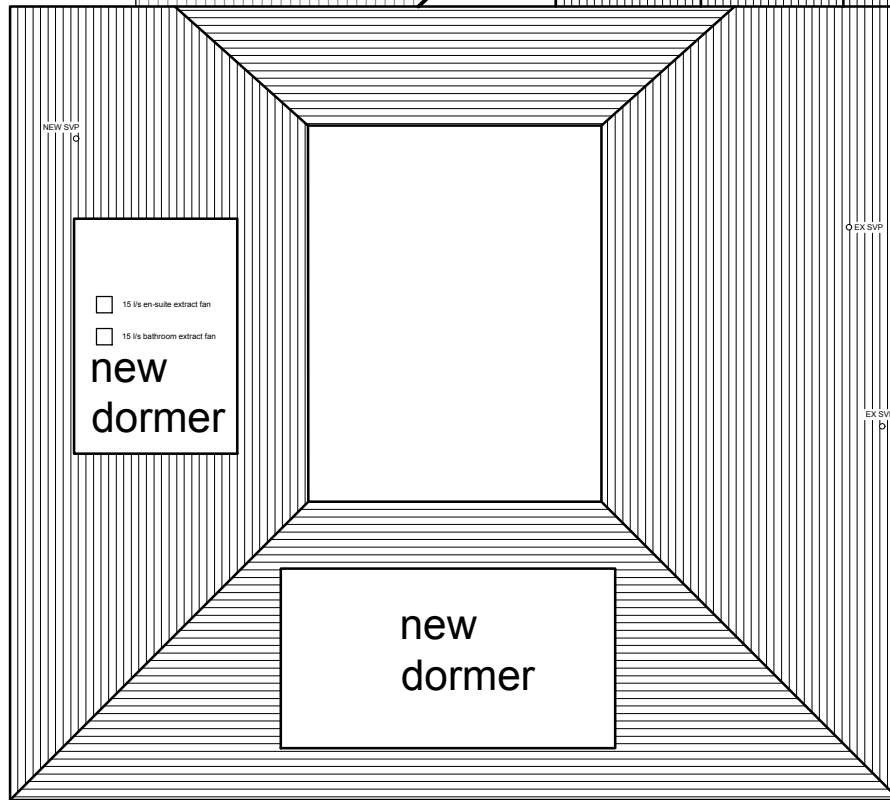
**204** roof plan as proposed  
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new raised timber deck

neighbouring property

A  
B



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**79 Beech Avenue  
Newton Mearns, Glasgow  
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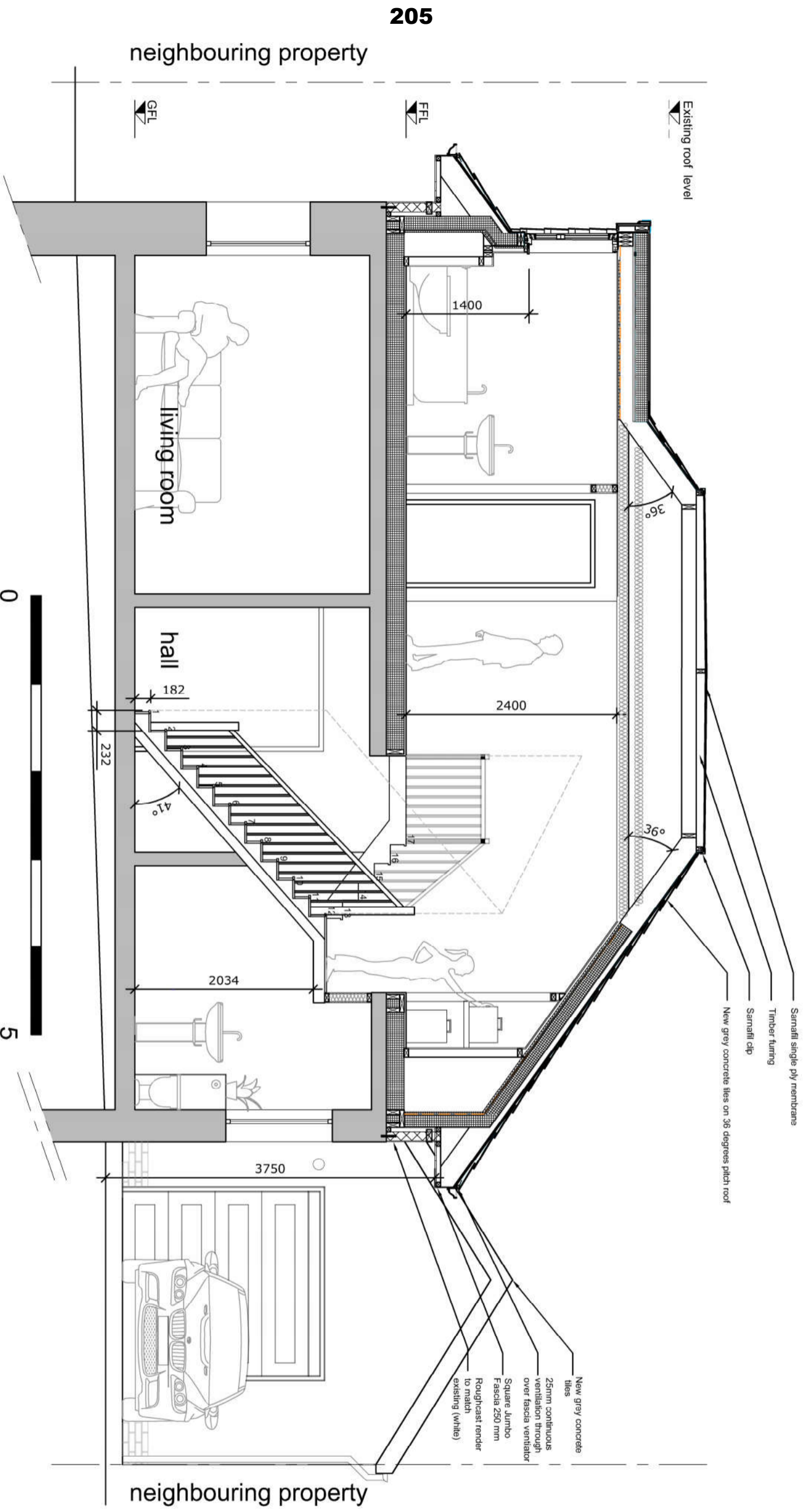
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**Roof plan as existing and as proposed**

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Project No. Drawing No. Rev.  
**19018 01-002 -**



neighbouring property

01 section A-A' as proposed  
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neighbouring property

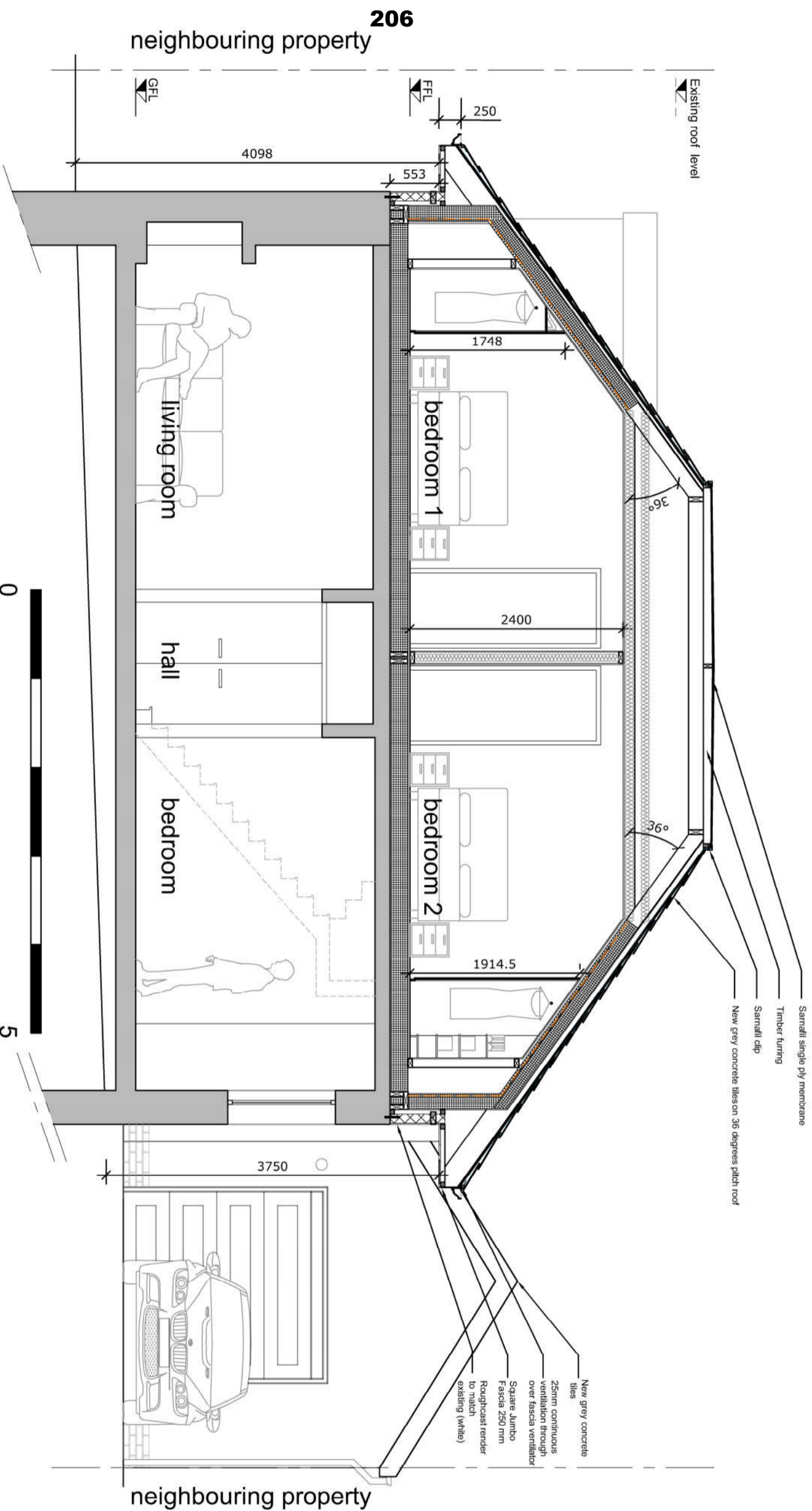
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**PLANNING / BUILDING WARRANT**  
Client  
**Laura Cunningham**  
Project  
79 Beech Avenue  
Newton Mearns, Glasgow  
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Section A-A' as proposed

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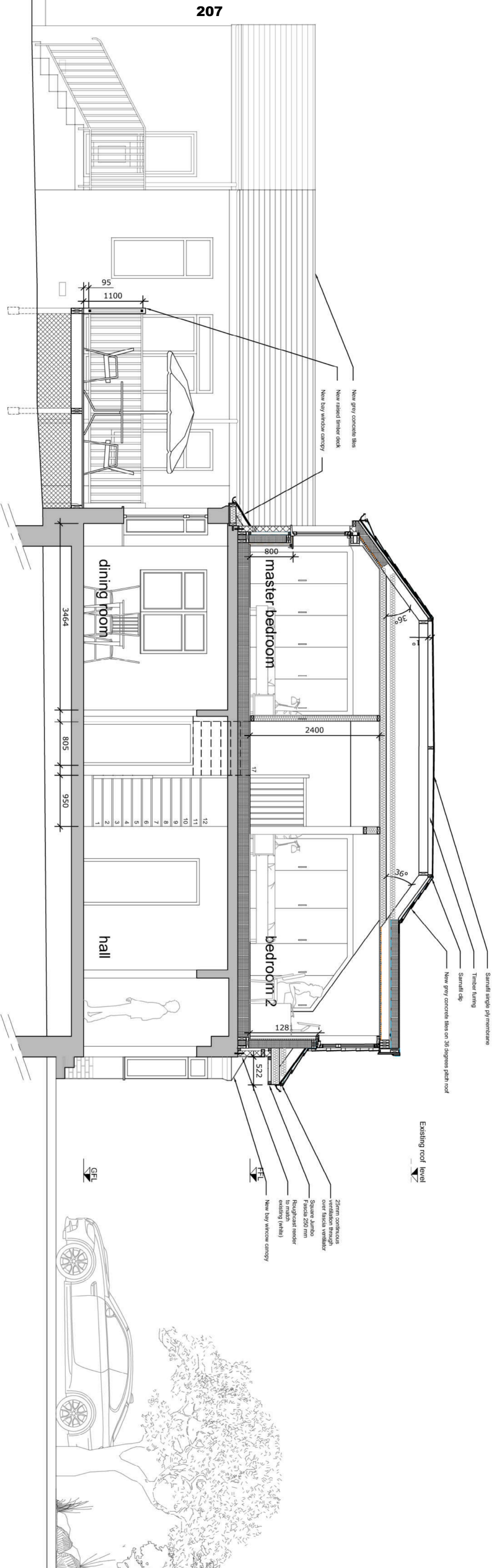
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Status  
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Project  
**79 Beech Avenue  
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Title  
**Section B-B' as proposed**

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Project No. **19018** Drawing No. **02-007** Rev. **A**



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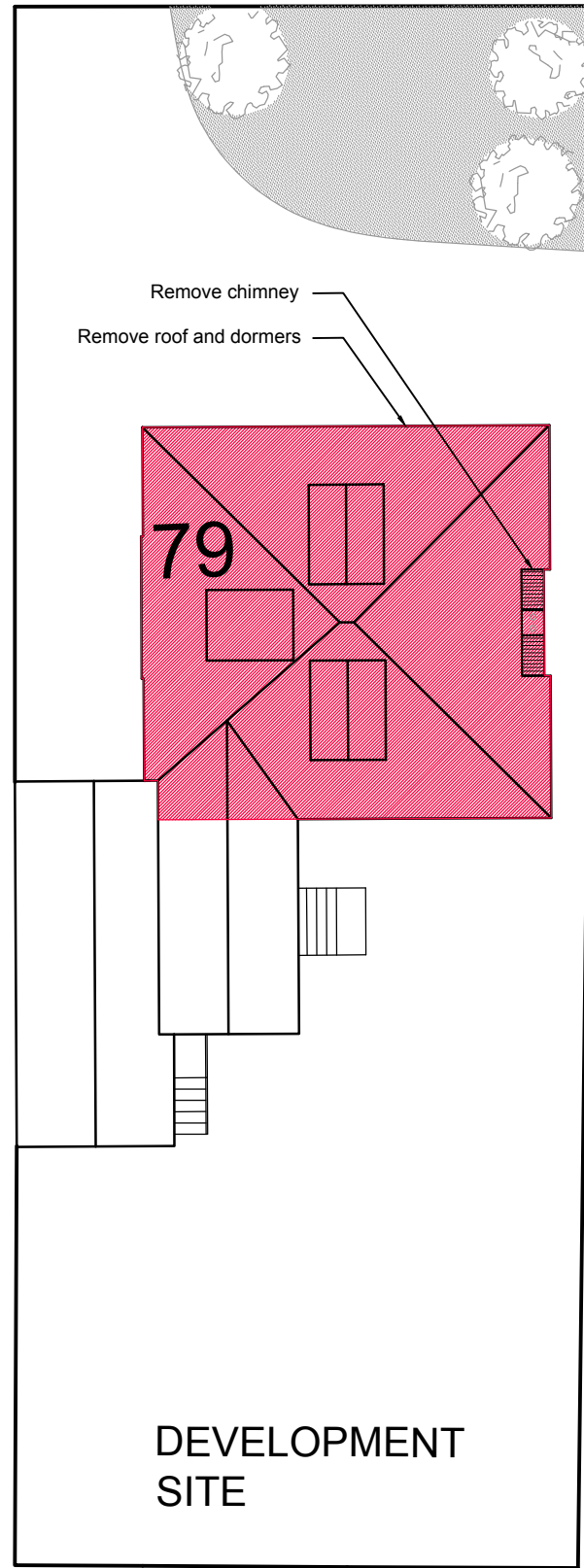
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 Client  
 Laura Cunningham  
 Project  
 79 Beech Avenue  
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 Title  
 Section C-C' as proposed

Scale	Size	Date	Drawn	Checked
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# BEECH AVENUE

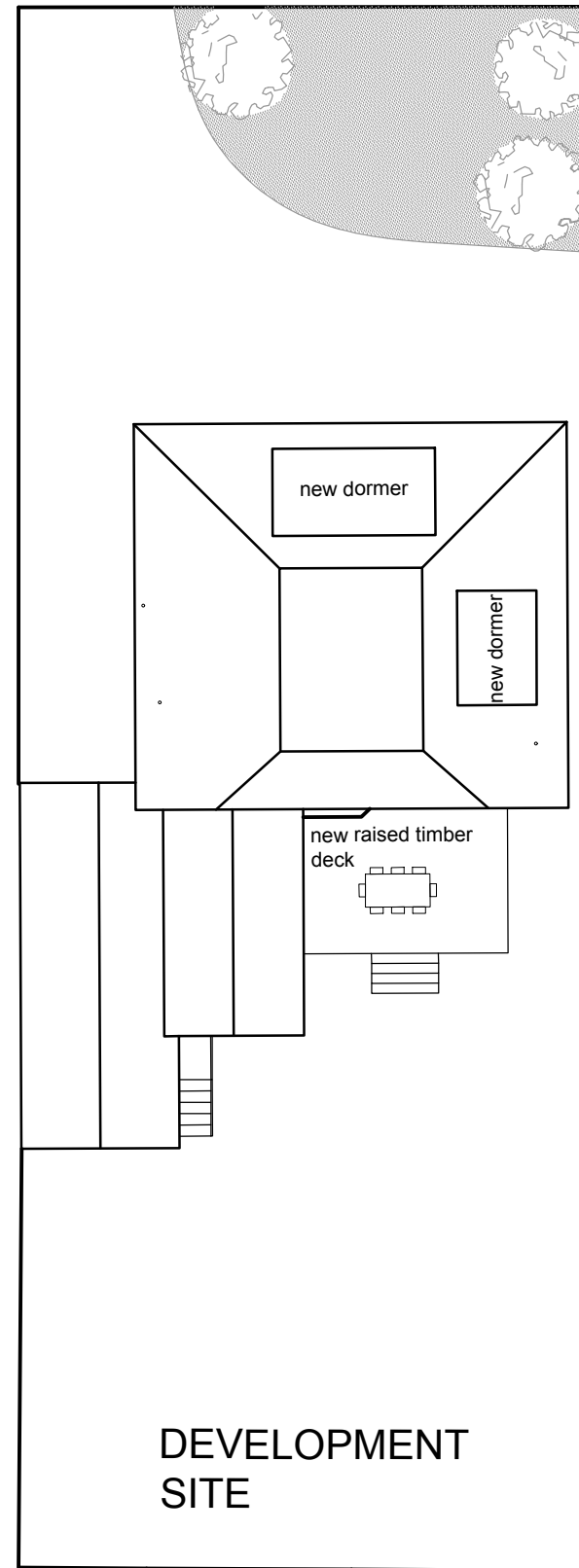


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02 block plan as existing  
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# 208 BEECH AVENUE



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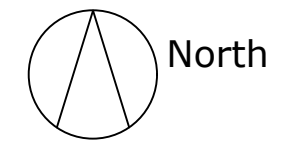
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01 location plan  
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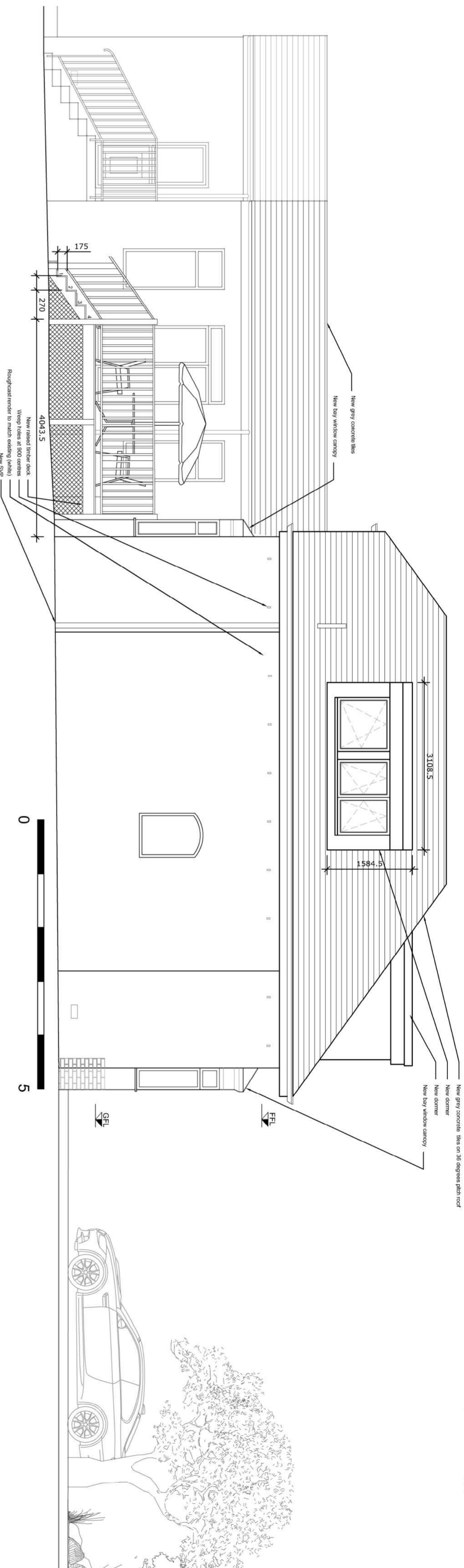
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VAR	A3	23.05.19	IV	SA



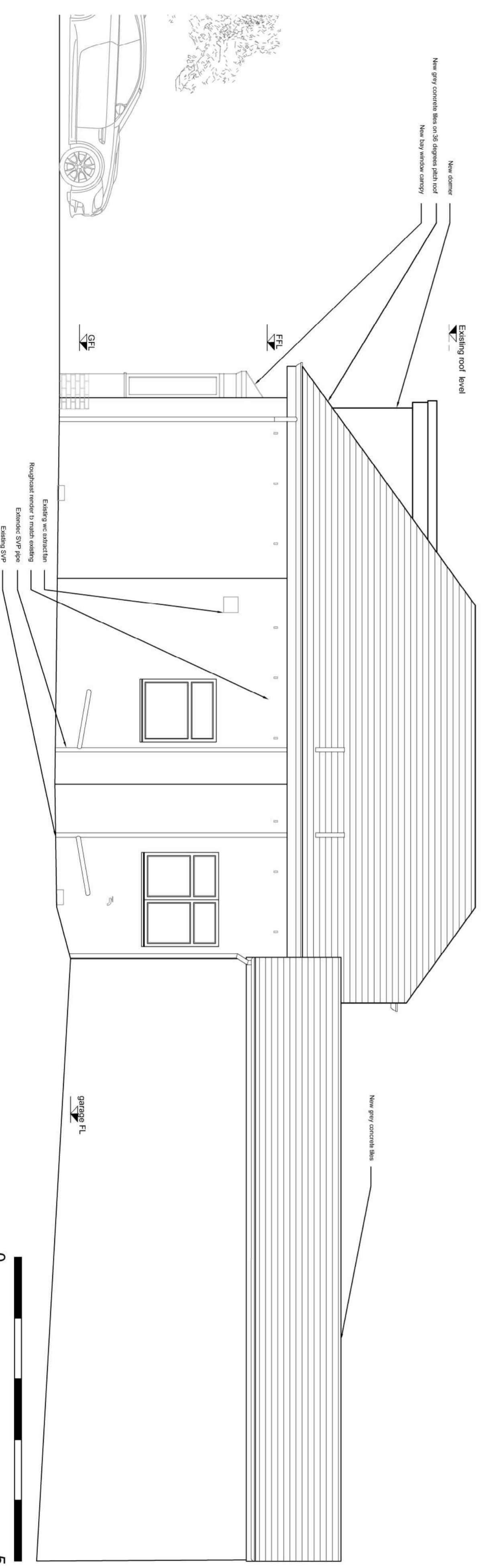
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Glasgow G3 7SL www.allisonarchitecture.co.uk

Project No.	Drawing No.	Rev.
19018	00-001	-



01 north-east elevation as proposed  
1:50 @ A2

209



02 south-west elevation as proposed  
1:50 @ A2

A 18.06.19 Thickness of dormer roof has been revised IV

Revisions

Stipula

PLANNING / BUILDING WARRANT

Client  
Laura Cunningham

Project  
79 Beech Avenue  
Newton Mearns, Glasgow  
G77 5QR

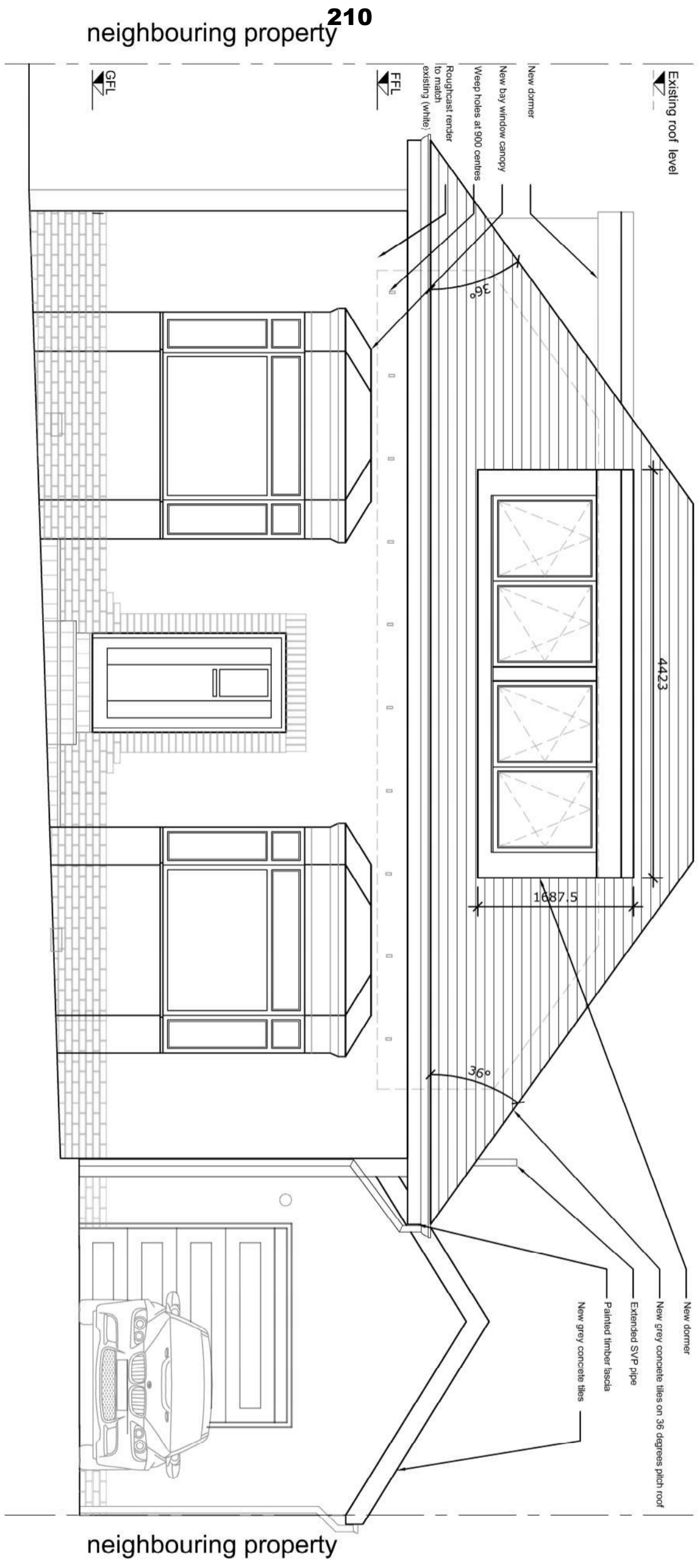
Title  
North-East elevation and  
South-West elevation as proposed

Scale	Size	Date	Drawn	Checked
1:50	A2	23.05.19	IV	SA

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Project No. 19018  
Drawing No. 02-005  
Rev. A

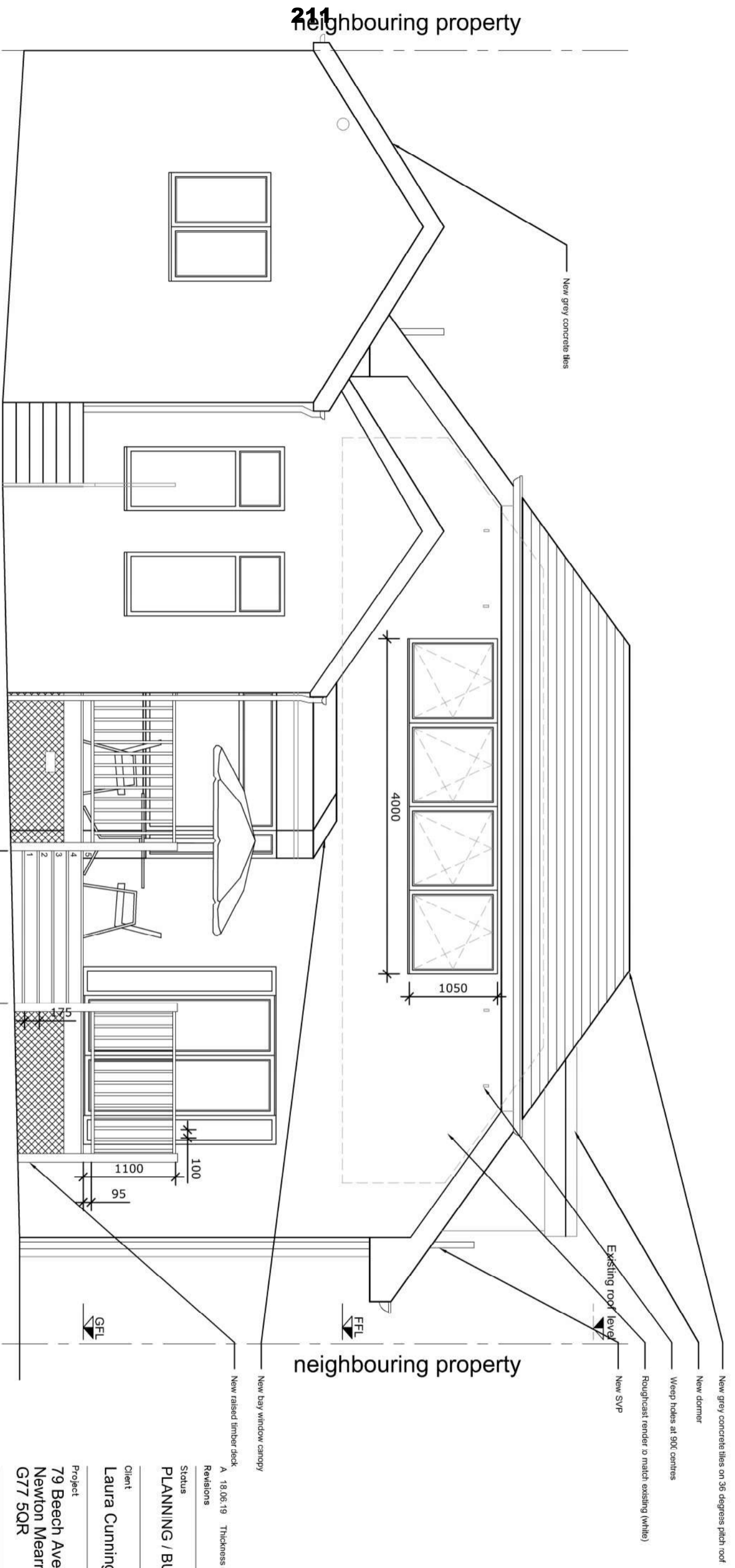




01 north-west elevation as proposed  
1:50 @ A3



Notes  
Do not scale from this drawing. All dimensions to be checked on site prior to construction and any discrepancies reported to the Architect. Copyright reserved.



01 south-east elevation as proposed  
1:50 @ A3



neighbouring property

neighbouring property

New raised timber deck

New bay window canopy

New bay window canopy

New SVP

Existing roof level

Roughcast render to match existing (white)

Weep holes at 90C centres

New dormer

New grey concrete tiles on 36 degrees pitch roof

1100

100

95

175

1821

5603

GFL

EFL

0 5

South-East elevation as proposed

Title

Status  
**PLANNING / BUILDING WARRANT**

Revisions  
A 18.06.19 Thickness of dormer roof has been revised IV

Client  
**Laura Cunningham**

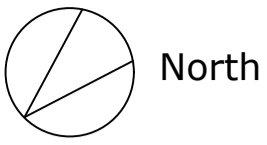
Project  
**79 Beech Avenue  
Newton Mearns, Glasgow  
G77 5QR**

Scale Size Date Drawn Checked  
1:50 A3 23.05.19 IV SA



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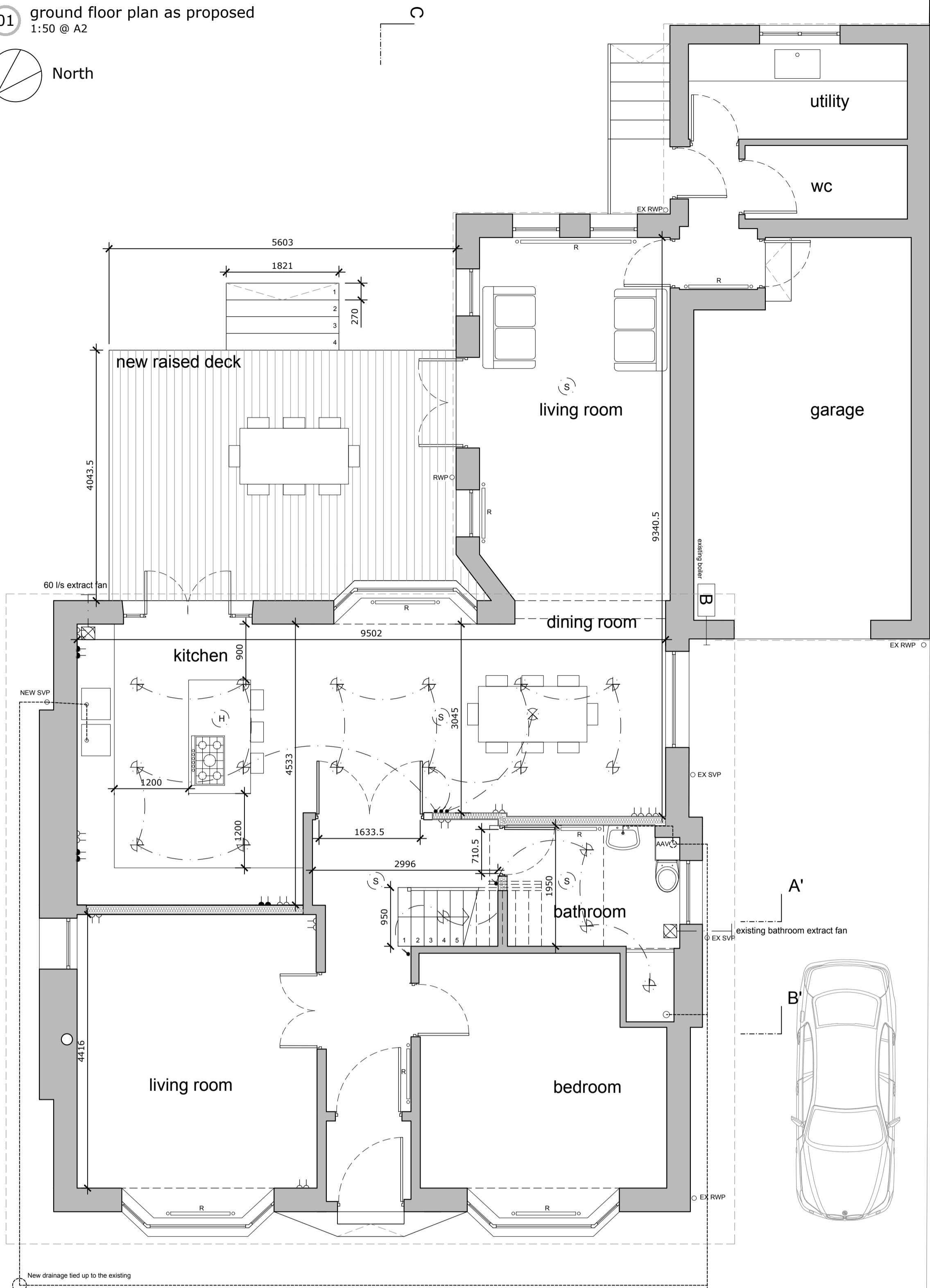
Project No. 19018  
Drawing No. 02-004  
Rev. A



Notes  
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neighbouring property

neighbouring property



New drainage tied up to the existing  
New rodding eye



to sewer

- twin socket outlet
- over worktop twin socket outlet
- light switch
- pendant luminaire
- recessed luminaire
- smoke detector
- CO detector
- heat detector
- Mechanical Extractor Fan

Revisions  
Status  
PLANNING / BUILDING WARRANT

Client  
Laura Cunningham

Project  
79 Beech Avenue  
Newton Mearns, Glasgow  
G77 5QR

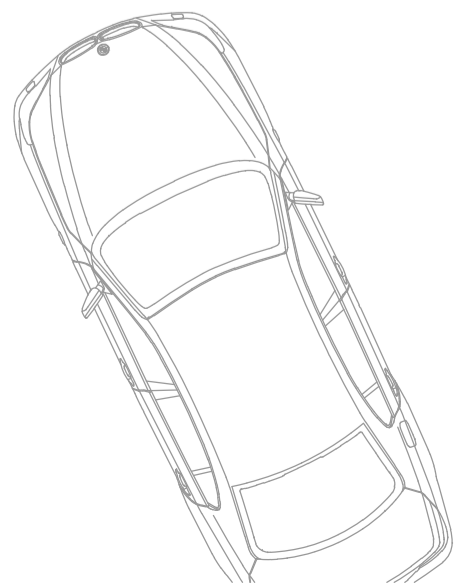
Title  
Ground floor plan as proposed

Scale 1:50 Size A2 Date 23.05.19 Drawn IV Checked SA

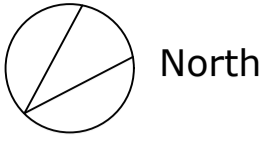


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Project No. 19018 Drawing No. 02-001 Rev. -



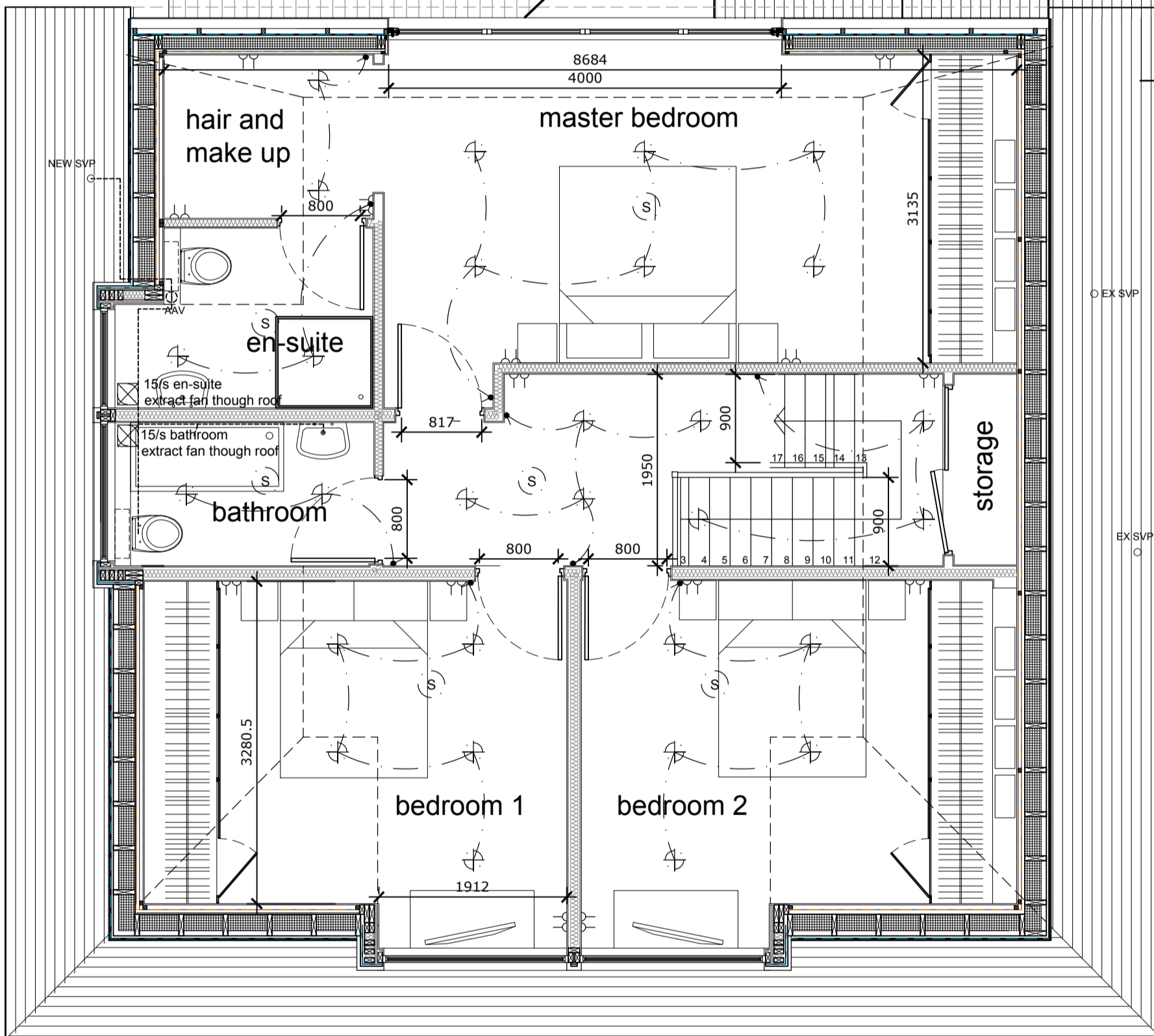
01 first floor plan as proposed  
1:50 @ A2



Notes  
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neighbouring property

neighbouring property



A

B

A'

B'



- twin socket outlet
- over worktop twin socket outlet
- light switch
- pendant luminaire
- recessed luminaire
- smoke detector
- CO detector
- heat detector
- Mechanical Extractor Fan

Revisions  
Status  
**PLANNING / BUILDING WARRANT**

Client  
**Laura Cunningham**

Project  
**79 Beech Avenue  
Newton Mearns, Glasgow  
G77 5QR**

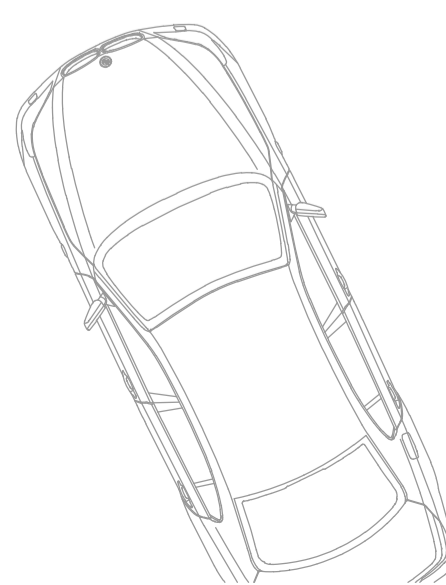
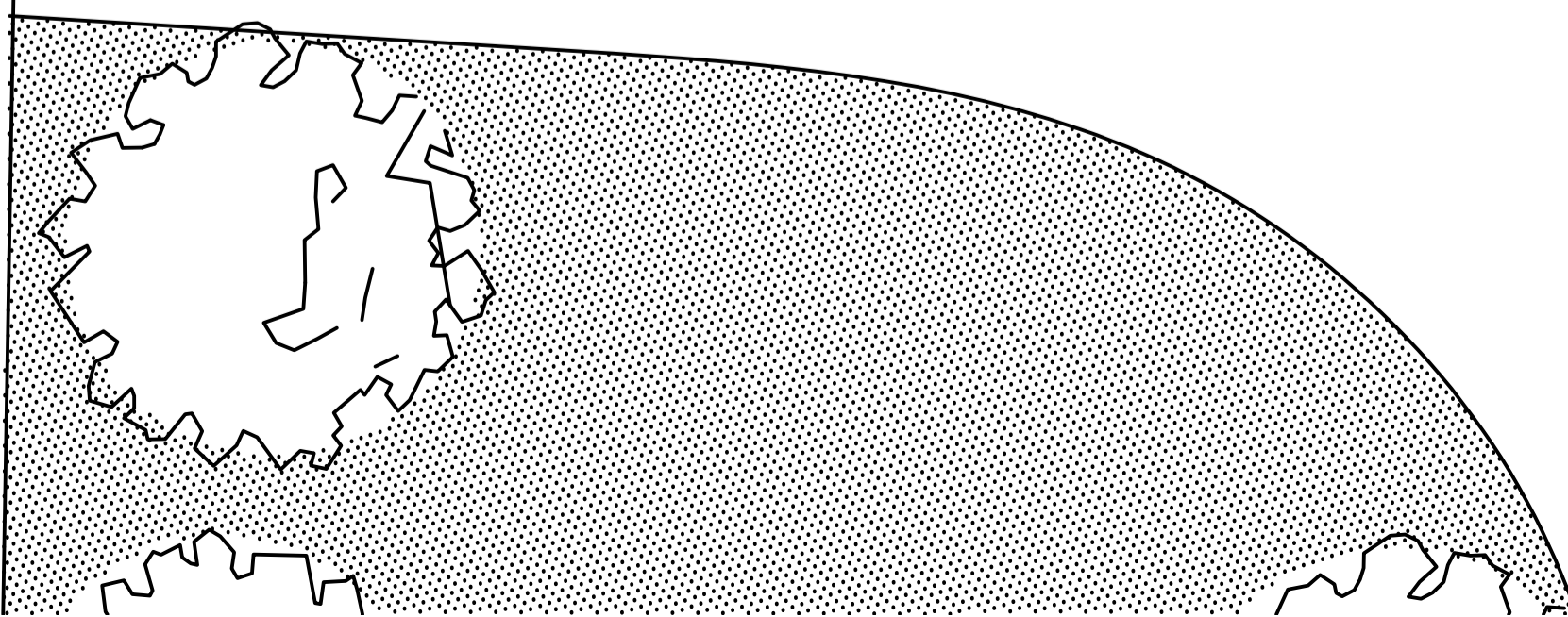
Title  
**First floor plan as proposed**

Scale	Size	Date	Drawn	Checked
1:50	A2	23.05.19	IV	SA



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Project No.	Drawing No.	Rev.
19018	02-002	-



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