

EAST RENFREWSHIRE COUNCILLOCAL REVIEW BODY3 October 2018Report by Deputy Chief ExecutiveREVIEW OF CASE - REVIEW/2018/19ERECTION OF TWO STOREY REAR EXTENSION
AT 4 EVAN CRESCENT, 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:- 2018/0379/TP).
Applicant: Mr D MacColl and P Mayes.
Proposal: Erection of two storey rear extension.
Location: 4 Evan Crescent, 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 (Strategic Services).

7. The report highlighted that historically appeals against planning decisions were dealt with by Scottish Ministers. However, following the introduction of the new planning provisions which came into effect on 3 August 2009 all appeals against decisions made in respect of local developments under delegated powers would be heard by a Local Review Body. The Local Review Body would also deal with cases where the appointed officer had failed to determine an application within two months from the date it was lodged.

NOTICE OF REVIEW – STATEMENT OF REASONS FOR REQUIRING THE REVIEW

8. The applicants in submitting the review have stated the reasons for requiring the review of the determination of their application. A copy of the applicants’ Notice of Review and Statement of Reasons is attached as Appendix 5.

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, 3 October 2018 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 123 - 128);
- (b) Copies of Objections/Representations – Appendix 2 (Pages 129 - 134);
- (c) Report of Handling by the planning officer under the Scheme of Delegation - Appendix 3 (Pages 135 - 142);
- (d) Decision notice and reasons for refusal - Appendix 4 (Pages 143 - 146); and
- (e) A copy of the applicants' Notice of Review and Statement of Reasons - Appendix 5 (Pages 147 - 154).

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 are attached as Appendix 6 (Pages 155 - 160).

- (a) Refused – Location Plan;
- (b) Refused – Block Plan;
- (c) Refused – Existing and Proposed Elevations; and
- (d) Refused – Existing and Proposed Floor Plans.

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

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

RECOMMENDATIONS

18. The Local Review Body is asked to:-

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

- (b) In the event that further procedure is required to allow it to determine the review, consider:-
- (i) what further information is required, which parties are to be asked to provide the information and the date by which this is to be provided; and/or;
 - (ii) what procedure or combination of procedures are to be followed in determining the review.

Report Author: Paul O'Neil

Director - Caroline Innes, Deputy Chief Executive

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

Date:- September 2018

APPLICATION
FOR
PLANNING PERMISSION

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2018/0379/TP 125
E202 11/6/18

RECEIVED
12 JUN 2018

HOUSEHOLDER APPLICATION FOR PLANNING PERMISSION

Town and Country Planning (SCOTLAND) ACT 1997
The Town and Country Planning (Development Management Procedure) (SCOTLAND) REGULATIONS 2013

Please refer to the accompanying Guidance Notes when completing this application

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

1. Applicant's Details		2. Agent's Details (if any)	
Title	M R D MACGILL & P. MAYES	Ref No.	
Forename		Forename	JOHN
Surname		Surname	HUTTON
Company Name		Company Name	
Building No./Name	4	Building No./Name	FLAT 0/1, 69
Address Line 1	EVAN CRESC.	Address Line 1	MILBRAE ROAD.
Address Line 2	GIFFNOCK	Address Line 2	LANGSIDE
Town/City	GLASGOW	Town/City	GLASGOW
Postcode		Postcode	G14 2 9UT
Telephone		Telephone	
Mobile		Mobile	
Fax		Fax	
Email		Email	

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

4 EVAN CRESC, GIFFNOCK

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

4. Describe the Proposed Works

Please describe accurately the work proposed:

REAR TWO STOREY EXTENSION

Have the works already been started or completed Yes No

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

Date started: Date completed:

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

5. Pre-Application Discussion

Have you received any advice from the planning authority in relation to this proposal? Yes No

If yes, please provide details about the advice below:

In what format was the advice given? Meeting Telephone call Letter Email

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

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

Name: Date: Ref No.:

6. Trees

Are there any trees on or adjacent to the application site? Yes No

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

7. Changes to Vehicle Access and Parking

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

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

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

If yes, please show on your drawings the position of any affected areas and explain the changes you propose to make, including arrangement 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 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, etc.)

8. Planning Service Employee/Elected Member Interest

Are you / the applicant / the applicant's spouse or partner, a member of staff within the planning service or an elected member of the planning authority? Yes No

Or, are you / the applicant / the applicant's spouse or partner a close relative of a member of staff in the planning service or elected member of the planning authority? Yes No

If you have answered yes please provide details:

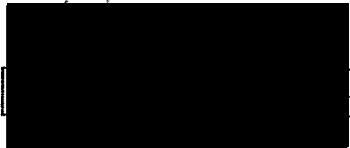
DECLARATION

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

I, the applicant/agent hereby certify that the attached Land Ownership Certificate has been completed

I, the applicant/agent hereby certify that requisite notice has been given to other land owners and /or agricultural tenants Yes No N/A

Signature:



Name:

John A. Higgins

Date:

11/6/18

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

LAND OWNERSHIP CERTIFICATES

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

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

CERTIFICATE A

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

I hereby certify that -

- (1) No person other than myself *D. Morrow & P. Mayes* was owner of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the application.
- (2) None of the land to which the application relates constitutes or forms part of agricultural land.

Signed:

[Redacted Signature]

On behalf of:

D. Morrow & P. Mayes

Date:

11/6/18.

CERTIFICATE B

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

I hereby certify that -

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

Name	Address	Date of Service of Notice

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

or

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

COPIES OF OBJECTIONS/REPRESENTATIONS

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Ack 131 Sent 11/8/18 (DS)

Mr R.Carvill & Miss D.Baird
2 Evan Crescent
Giffnock
G46 6NJ
0141-638-7249

Development Management
2 Spiersbridge Way
Spiersbridge Business Park
Thornliebank
G46 8NG

RECEIVED
10 JUL 2018

Case Officer: Mr Derek Scott

R.E Planning Application 2018/0379/TP: Rear two storey extension at 4 Evan Crescent, Giffnock, G46 6NJ

I am writing as the neighbour to the above proposed planning application, and strongly object to the proposed extension. *This planning application would adversely affect my property and the use of it by overshadowing, overlooking, loss of light and outlook.*

The proposed extension would severely affect the amount of natural daylight into three of our habitable rooms (back bedroom, kitchen and conservatory) Due to the position of the property when the sun rises in the east a large portion of our garden and conservatory will be blocked of all sunlight until late afternoon.

I also believe that the proposed extension will be too close to the boundary and would not allow for proper access or maintenance and no details have been provided of the final external finish for the extension. As this extension is up to the boundary I will not be granting any access to my property for the duration of the proposed works.

Furthermore I have provided 2 drawings A & B, which show the impact this large structure will have to our property, also in drawing A it shows the position of the inspection chamber for the drains. There has been continued problems with the drains in this block which has resulted in a number of visits from Scottish water and was also the cause of an insurance claim, my concern is the impact such works and the end construction will have on the existing drainage network, and if any inspection or consideration has been given to this fact.

Also referring to drawing A, at the rear door there is also a decking with stairs going down to the garden. This decking will be at a height where it should be part of the planning application but is not, furthermore at this height it will overlook our boundary fence further invading our privacy.

Town and County Planning (SCOTLAND) Act 1997
The Town and County Planning (Development Management Procedure (SCOTLAND) Regulations
2013

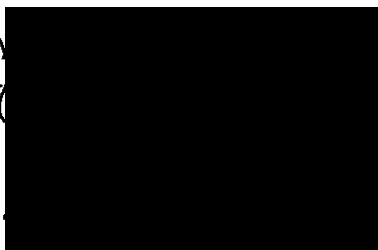
I believe this proposal is contrary to a number of adopted council policies (see below) and should be refused under the powers of the aforementioned Act.

- The proposed two storey rear extension would, by reason of siting, scale, massing and depth along the mutual boundary, be contrary to policy D1(2), Policy D1(3) and policy D14 of the adopted East Renfrewshire Local Development Plan as it will have a detrimental impact on the amenity of the neighbouring properties.
- The proposed two storey rear extension would, by reason of its proximity to the side boundaries, be contrary to the adopted Supplementary Planning Guidance (SPG) – Householder Design Guide as it does not comply with the general principles and the specific guidance on two storey rear extensions contained therein and will have a consequent dominant and overwhelming impact on the neighbouring properties.

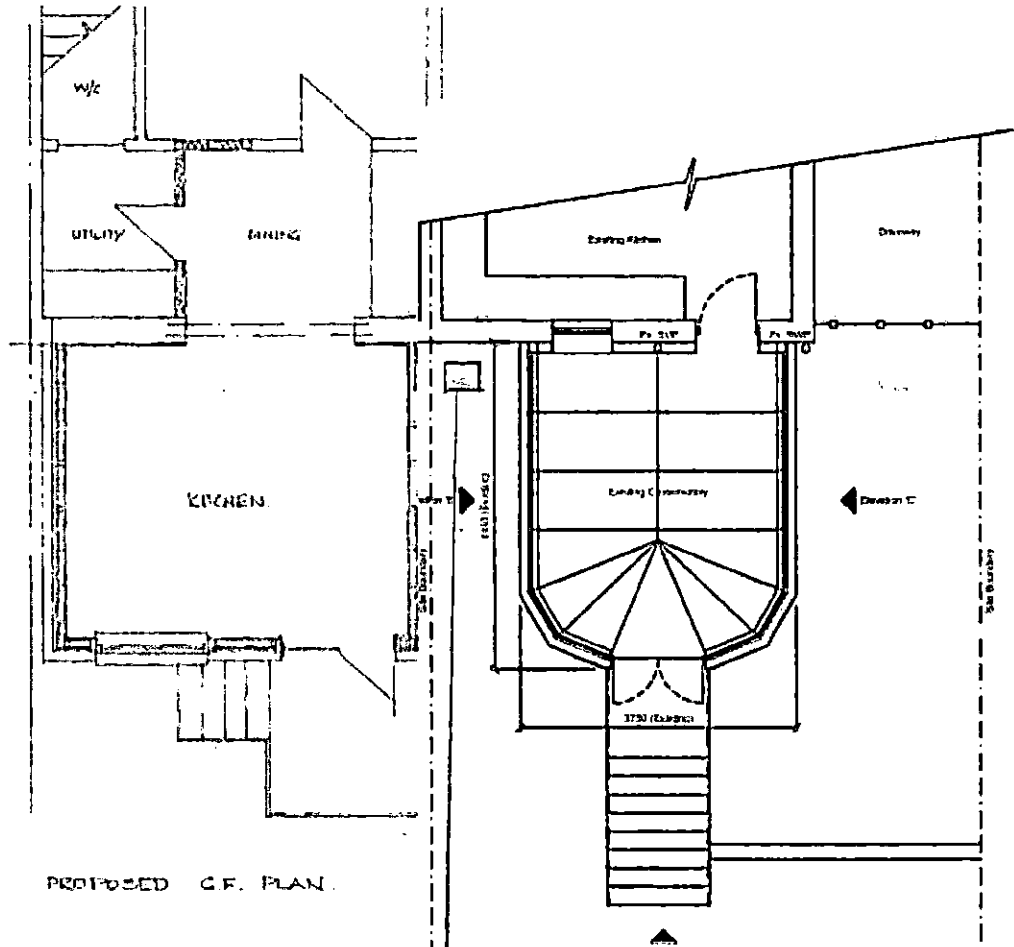
Having lived in and enjoyed our property for over 20 years, this proposed extension is having an adverse effect on our quality of life. The worry and stress over the possibility at not being able to enjoy our home is immeasurable.

We look forward to hearing from you and will be available for contact at any time.

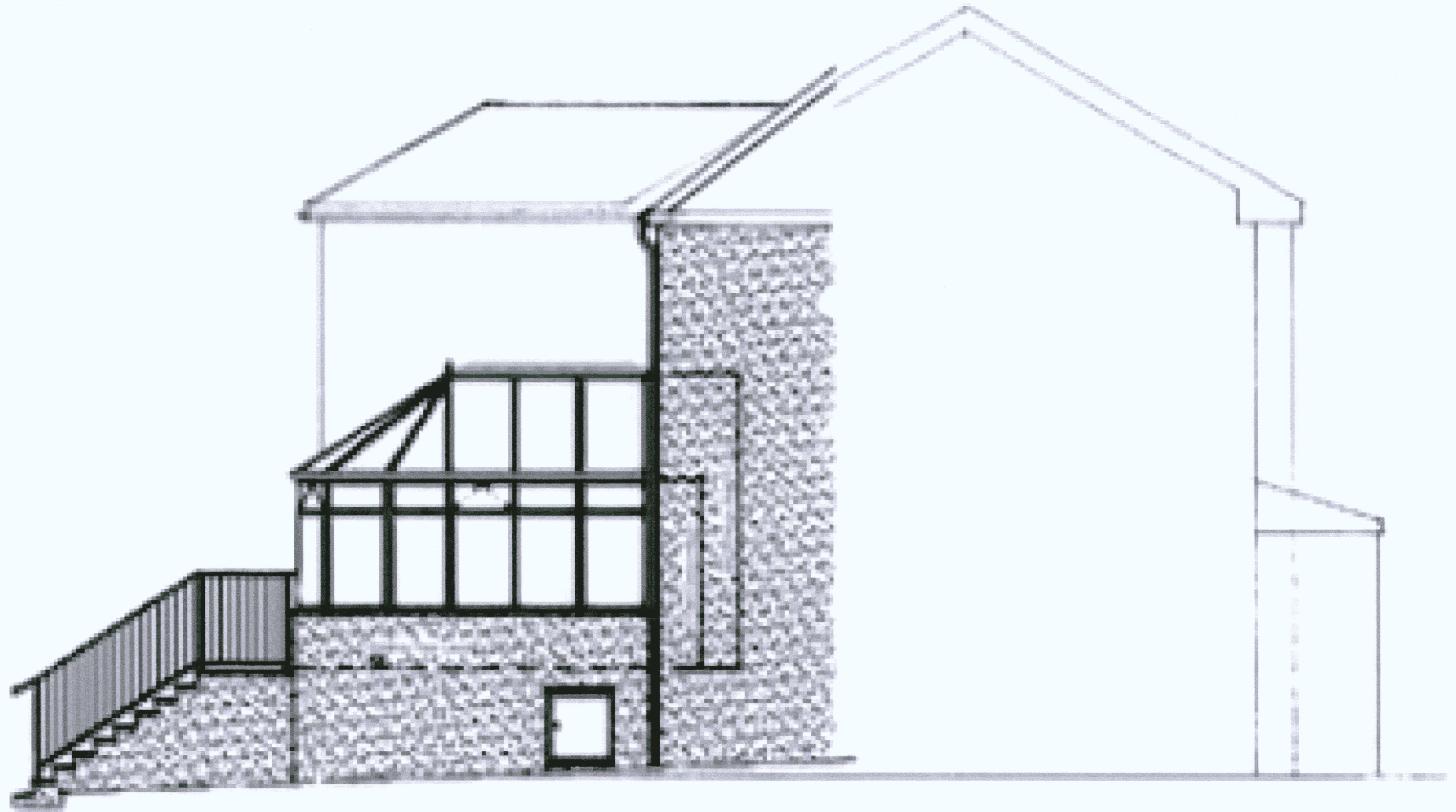
Yours sincerely



Mr Robert Carvill & Miss Denise Baird.



INSPECTION CHAMBER



PROPOSED SIDE ELEVATION.

REPORT OF HANDLING

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REPORT OF HANDLING

Reference: 2018/0379/TP

Date Registered: 12th June 2018

Application Type: Full Planning Permission

This application is a Local Development

Ward: 3 -Giffnock And Thornliebank

Co-ordinates: 256964/:658629

Applicant/Agent:

Applicant:

Mr D MacColl and P Mayes

4 Evan Crescent

Giffnock

East Renfrewshire

G46 6NJ

Agent:

John Hutton

Flat 0/1 69 Millbrae Road

Langside

Glasgow

G42 9UT

Proposal: Erection of two storey rear extension

Location: 4 Evan Crescent

Giffnock

East Renfrewshire

G46 6NJ

CONSULTATIONS/COMMENTS: None.

PUBLICITY: None.

SITE NOTICES: None.

SITE HISTORY:

REPRESENTATIONS: One representation has been received and can be summarised as follows:

Contrary to Policy D1 and Supplementary Planning Guidance: Householder Design Guide
Overshadowing

Overlooking from rear patio and extension

Loss of light

Visual amenity/outlook

Access for maintenance

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

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

ASSESSMENT:

The application site comprises a two storey mid-terraced dwelling and its curtilage and lies within an established residential area. It forms part of a terrace of four dwellings. The dwelling is externally finished in slate and white render. The side and rear boundaries of the rear curtilage are characterised by timber fencing and established planting. The levels fall to the rear such that the ground floor of the dwelling sits approximately 0.8m above the level of the rear garden. The

adjacent attached dwelling at 2 Evan Drive has a rear conservatory that is also elevated above the level of the rear garden.

Planning permission is sought for the erection of a two storey rear extension. The proposed extension has its ridge line set lower than that of the existing dwelling. It measures 4 metres deep by 4.3 metres wide by 8.3 metres high. The extension runs the width of the dwelling and lies contiguous with each of the common rear boundaries. A small raised rear patio, approximately 0.8 metres high to deck level is also proposed.

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 or amenity to the surrounding area, including unreasonably restricting sunlight. Policy D1 is supported by the adopted Supplementary Planning Guidance: Daylight and Sunlight (Daylight SPG). The Daylight SPG states that the impact an extension may have on daylight reaching habitable rooms on neighbouring properties can be measured by the 45 degree approach. Policy D14 requires that extensions should complement the character of the existing building in terms of its style, form and materials. Policy D14 is supported by the adopted Supplementary Planning Guidance: Householder Design Guide (Householder SPG). The Householder SPG states that two storey rear extensions should not lie within 2 metres of the boundaries on a terraced house.

In terms of its general form, the proposed extension is considered to be in keeping with the character and design of the existing dwelling. The windows on the proposed extension are rear-facing and would not therefore give rise to significant additional overlooking. It is accepted that additional overlooking could occur from the proposed raised patio. If the application is otherwise acceptable this can be addressed by a privacy screen or design changes.

It is noted, however, that the proposed extension lies contiguous with the common rear boundaries with 2 and 6 Evan Crescent. Given its height and depth and proximity to the boundaries, this would be considered to create a dominant and overbearing impact on the adjacent neighbours to the detriment of their visual amenity. This is contrary to the terms of Policy D1 of the adopted East Renfrewshire Local Development Plan.

Furthermore, given the height of the proposed extension and its proximity to the side boundaries, the 45 degree daylight assessment indicates that the proposed extension would have a significant impact on the natural daylight entering rooms on the rear of the adjacent dwellings, including the adjacent conservatory. The proposal would also cast an additional shadow over the rear of the adjacent dwellings in the mornings and evenings of the summer months. This is contrary to the terms of Policy D1 of the adopted East Renfrewshire Local Development Plan.

The proposal is also contrary to the terms of the adopted Supplementary Planning Guidance: Householder Design Guide as it would lie contiguous with each side boundary resulting in a significant impact upon visual amenity and daylight/overshadowing.

The points of objection are noted and have been addressed in the above assessment. Access for maintenance is a private legal matter and not therefore a material planning consideration.

It is noted that a similar two storey rear extension to the adjacent property at 6 Evan Crescent was refused planning permission on 2 July 2018. The reasons for refusal relate to impact on daylight and sunlight and impact on visual amenity.

In conclusion, the proposal is contrary to Policy D1 and to the terms of the adopted Supplementary Planning Guidance: Householder Design Guide.

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 the proposed extension would: i) create a dominant and overbearing impact on the neighbouring properties to the detriment of their visual amenity; and ii) give rise to a significant degree of additional overshadowing and loss of daylight to the detriment of the residential amenity of the occupiers of the adjacent properties.
2. The proposal is contrary to the terms of the adopted Supplementary Planning Guidance: Householder Design Guide as the proposed extension would lie within two metres of the common rear boundaries with the adjacent properties to the detriment of the visual and residential amenity of the adjacent properties.

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.: 2018/0379/TP
(DESC)

DATE: 7th August 2018

DIRECTOR OF ENVIRONMENT

Reference: 2018/0379/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 07/08/18 AC(3)

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**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. **2018/0379/TP**

Applicant:

Mr D MacColl & P Mayes
4 Evan Crescent
Giffnock
East Renfrewshire
G46 6NJ

Agent:

John Hutton
Flat 0/1 69 Millbrae Road
Langside
Glasgow
G42 9UT

With reference to your application which was registered on 12th June 2018 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Erection of two storey rear extension

at: 4 Evan Crescent, Giffnock, East Renfrewshire, G46 6NJ

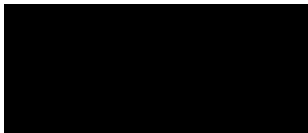
the Council in exercise of their powers under the abovementioned Act and Regulations hereby refuse planning permission for the said development.

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 the proposed extension would: i) create a dominant and overbearing impact on the neighbouring properties to the detriment of their visual amenity; and ii) give rise to a significant degree of additional overshadowing and loss of daylight to the detriment of the residential amenity of the occupiers of the adjacent properties.

2. The proposal is contrary to the terms of the adopted Supplementary Planning Guidance: Householder Design Guide as the proposed extension would lie within two metres of the common rear boundaries with the adjacent properties to the detriment of the visual and residential amenity of the adjacent properties.

Dated 7th August 2018



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	LOCATION		
Block Plan Proposed	BLOCK		
Elevations Proposed	1		
Plans Proposed	2		

GUIDANCE NOTE FOR REFUSAL OF LOCAL DEVELOPMENTS DETERMINED UNDER DELEGATED POWERS

REVIEW BY EAST RENFREWSHIRE COUNCIL'S LOCAL REVIEW BODY

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

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

CONTACT DETAILS

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

**General Inquiry lines 0141 577 3895 or 0141 577 3878
Email planning@eastrenfrewshire.gov.uk**

**NOTICE OF REVIEW
AND
STATEMENT OF REASONS**

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21 AUG 2018

NOTICE OF REVIEW

Under Section 43A(8) Of the Town and Country Planning (SCOTLAND) ACT 1997 (AS AMENDED) IN RESPECT
of Decisions on Local Developments

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

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

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

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

1. Applicant's Details		2. Agent's Details (if any)	
Title	D + P.	Ref No.	
Forename	MICHAEL	Forename	JOHN
Surname	MAYES	Surname	HUTTON
Company Name		Company Name	
Building No./Name	4	Building No./Name	RATO 1, 69
Address Line 1	EVAN CRESC	Address Line 1	MILBERG ROAD
Address Line 2	GIFFNOCK	Address Line 2	LANASIDE
Town/City	GLASGOW	Town/City	GLASGOW
Postcode	G46 6NN	Postcode	G42 9UT
Telephone		Telephone	01773 209204
Mobile		Mobile	
Fax		Fax	
Email		Email	
3. Application Details			
Planning authority	EAST RENFREWSHIRE COUNCIL		
Planning authority's application reference number	2018/0379/TP		
Site address	4, EVAN CRESC, GIFFNOCK G46 6NN		
Description of proposed development	REAR TWO STOREY EXTENSION		

Date of application

12/6/18

Date of decision (if any)

7/8/18

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

4. Nature of Application

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

5. Reasons for seeking review

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

6. Review procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

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

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

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

7. Site inspection

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

- Can the site be viewed entirely from public land?
 - Is it possible for the site to be accessed safely, and without barriers to entry?
- THE CLIENT SHOULD BE CONTACTED AS IT IS A MID-TERACE !*

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

MID TERRACE HOUSE !

8. Statement

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

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

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

SEE SHEET ATTACHED.

Have you raised any matters which were not before the appointed officer at the time your application was determined?

Yes No

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

9. List of Documents and Evidence

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

COPY OF PLANS SHOWING EXISTING + PROPOSED
ELEVATIONS + FLOOR PLANS
BOOK + LOCATION PLANS

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

10. Checklist

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

Full completion of all parts of this form

Statement of your reasons for requesting a review

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

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

DECLARATION

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

Signature: 

Name:

Date:

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

Please consider the following reasons as our grounds for appeal.

We are a family of four living in in a two bed house and hope to extend in order to provide a bedroom each for our two children, as well as a bigger kitchen and a utility room downstairs.

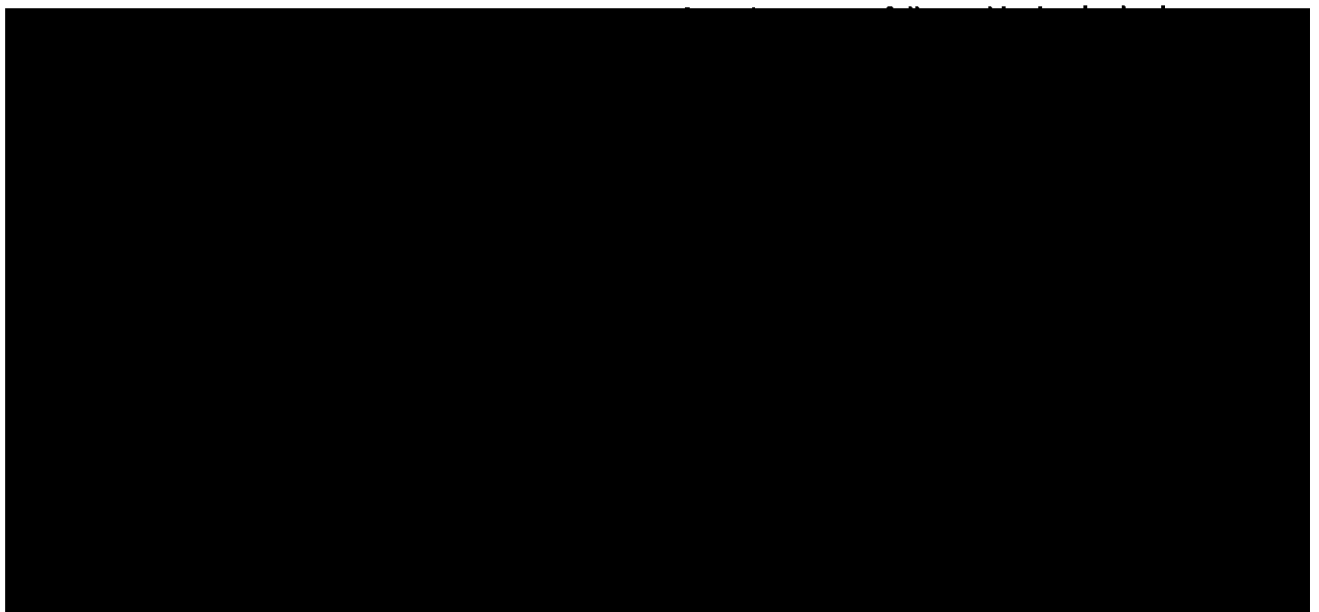
We are carrying out the exact same extension as number 6 (next door neighbours) and in fact this work is intended to be undertaken as a joint project. As such we would kindly request that both projects are considered in conjunction with one another.

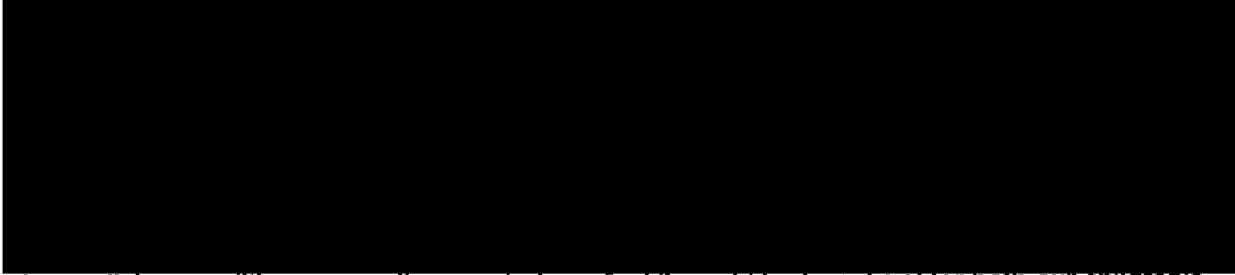
There have been numerous other extensions carried out recently in our street, including at 30 Evan Crescent, which has the same two storey extension that we wish to carry out. Ours would follow the same basic specifications as number 30, which is also situated in a mid-terrace position.

The adjacent properties at either end of our terrace have also been extended. (No 2 and no 8). Therefore once both ourselves and our neighbours' extensions are complete then all 4 houses in the terrace will come out to the same length at the back. We believe that this factor greatly minimises the impact on light and view that our extensions would have on our neighbours in the terrace.

Further to this, our proposed extension is at the back of our property, and so would not in any way affect the look of the terrace from the street. We have a long garden with no properties looking out into our back garden and therefore we feel that the impact overall on the surrounding area would be very minimal. It would provide us with a house that would be big enough to suits our needs, though it would still be of a modest and unimposing size.

Indeed there have been no objections from any neighbouring properties and permission has been agreed for a point of access for the builders via the access lane at the end terrace (no.6)







As our living conditions are quite crowded, we feel it would be beneficial for both our children's wellbeing to each have their own bedroom, and more living space.

Lastly, both of us run a business in the local area, a local deli, which could not be relocated.

PLANS/PHOTOGRAPHS/DRAWINGS

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 LAND REGISTER OF SCOTLAND	Officer's ID / Date	TITLE NUMBER
	30195 14/10/1997	REN6210
 ORDNANCE SURVEY NATIONAL GRID REFERENCE	70m	
	Survey Scale	
NS5658SE NS5758SW NS5658NE NS5758NW		1/1250

CROWN COPYRIGHT © - This copy has been produced from the ROS Digital Mapping System on 16/12/2007 and was made with the authority of Ordnance Survey pursuant to Section 47 of the Copyright, Designs and Patents Act 1988. Unless that act provides a relevant exception to copyright, the copy must not be copied without the prior permission of the copyright owner.



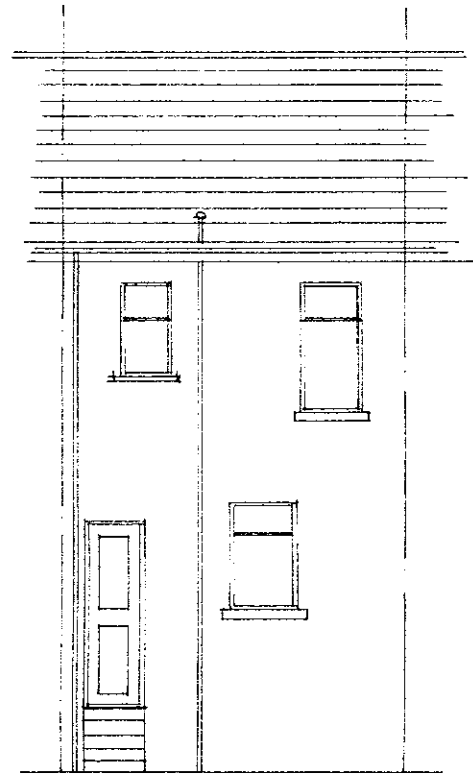
PROPOSED TWO STOREY REAR EXTENSION
AT 4, EVAN CRES, GIFFNOCK.



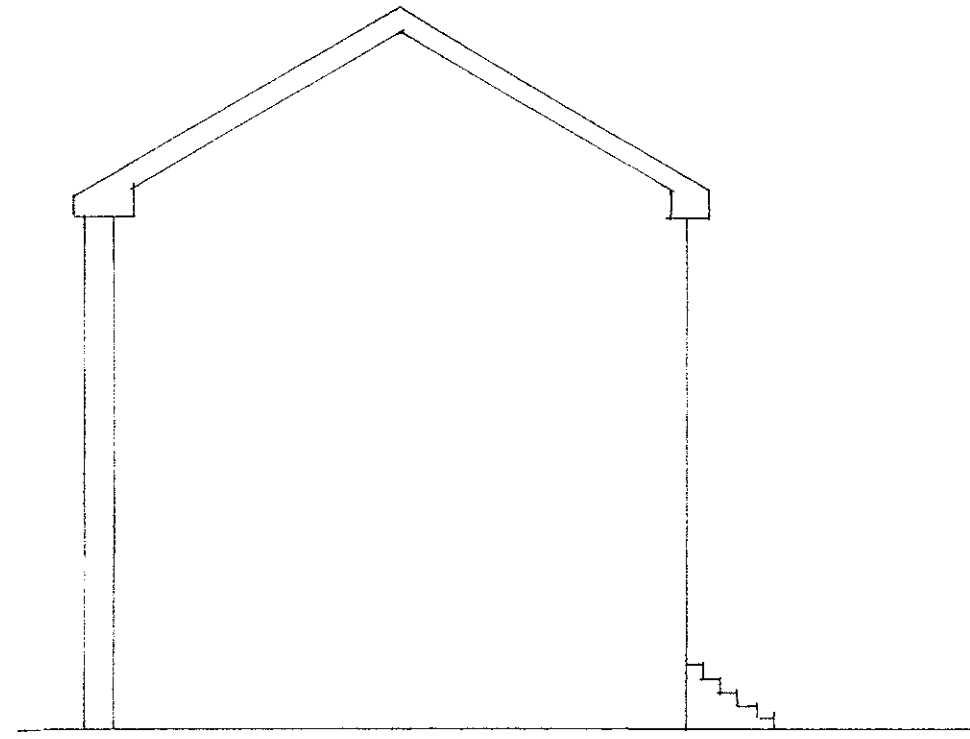
BLOCK PLAN 1:200.

PROPOSED REAR TWO STOREY EXTENSION
AT 4, EVAN CRESCENT, GIFFNOCK
PER D. MACCOLL & P. MAYES.

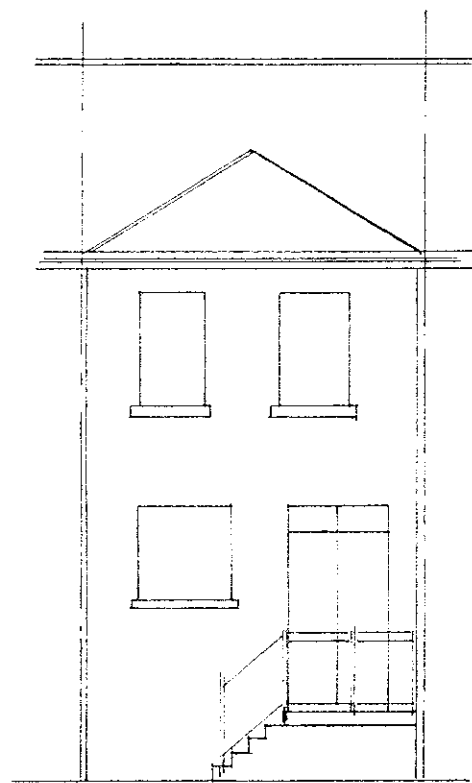
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DRC N° : 4219/1.
DATE : JUNE 2018



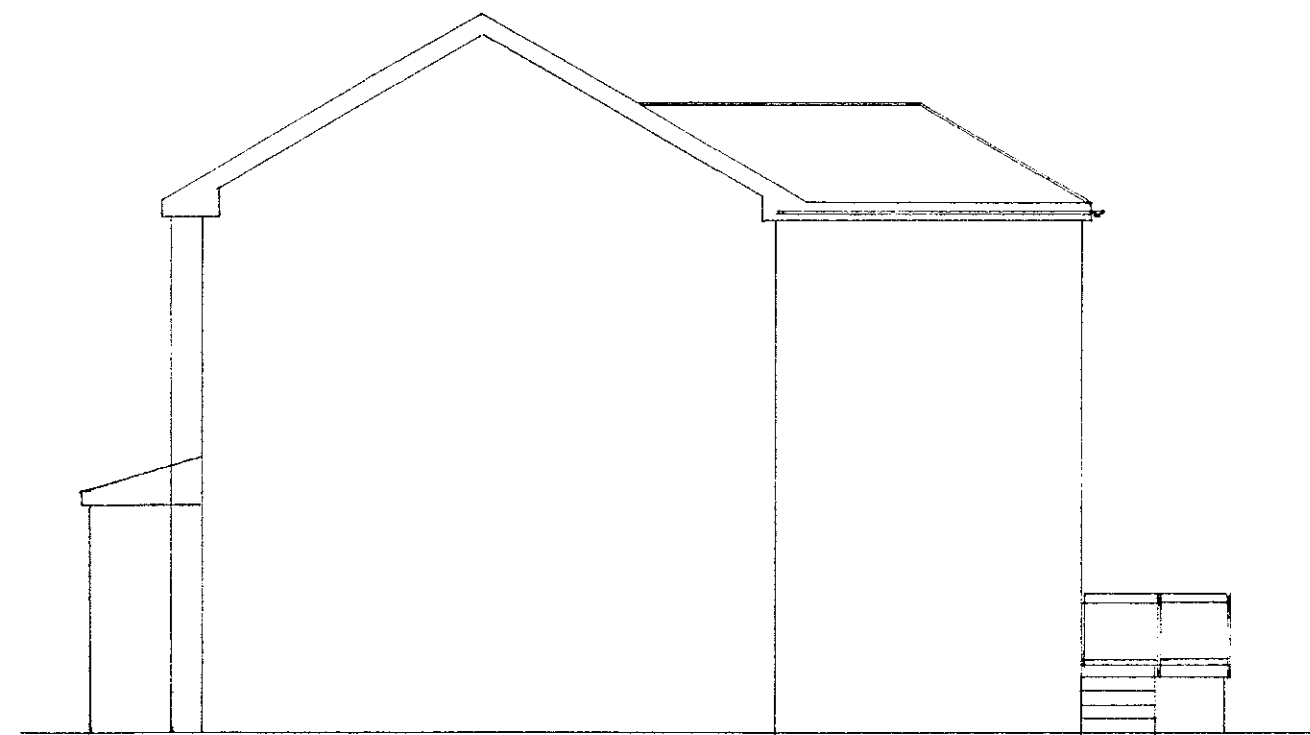
EXISTING REAR ELEVATION.



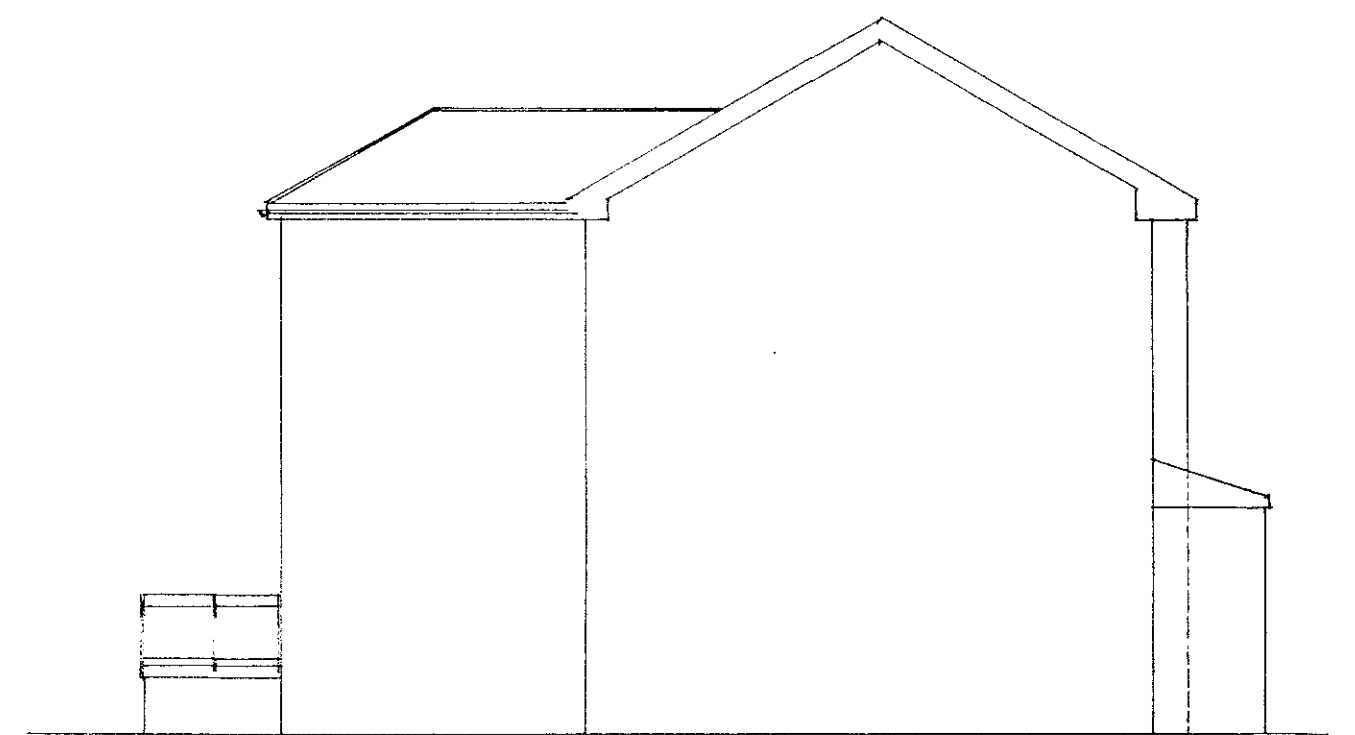
EXISTING SIDE ELEVATION.



PROPOSED REAR ELEVATION



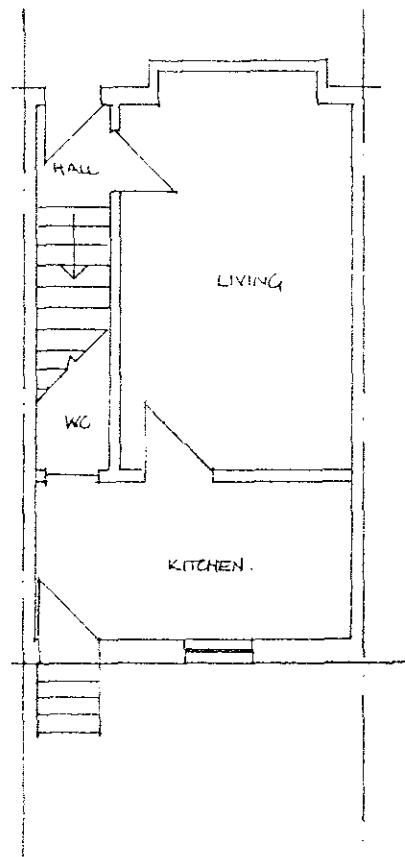
PROPOSED SIDE ELEVATION.



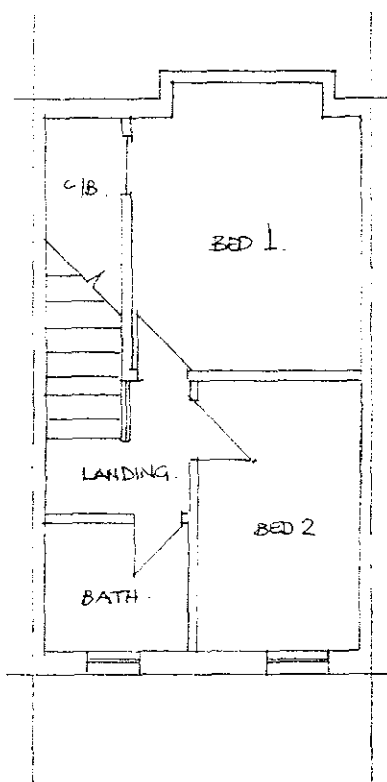
PROPOSED SIDE ELEVATION.

PROPOSED REAR TWO STOREY EXTENSION
AT 4, EVAN CRESCENT, GIFFNOCK.
PER D. MACCOLL & P. MAYES.

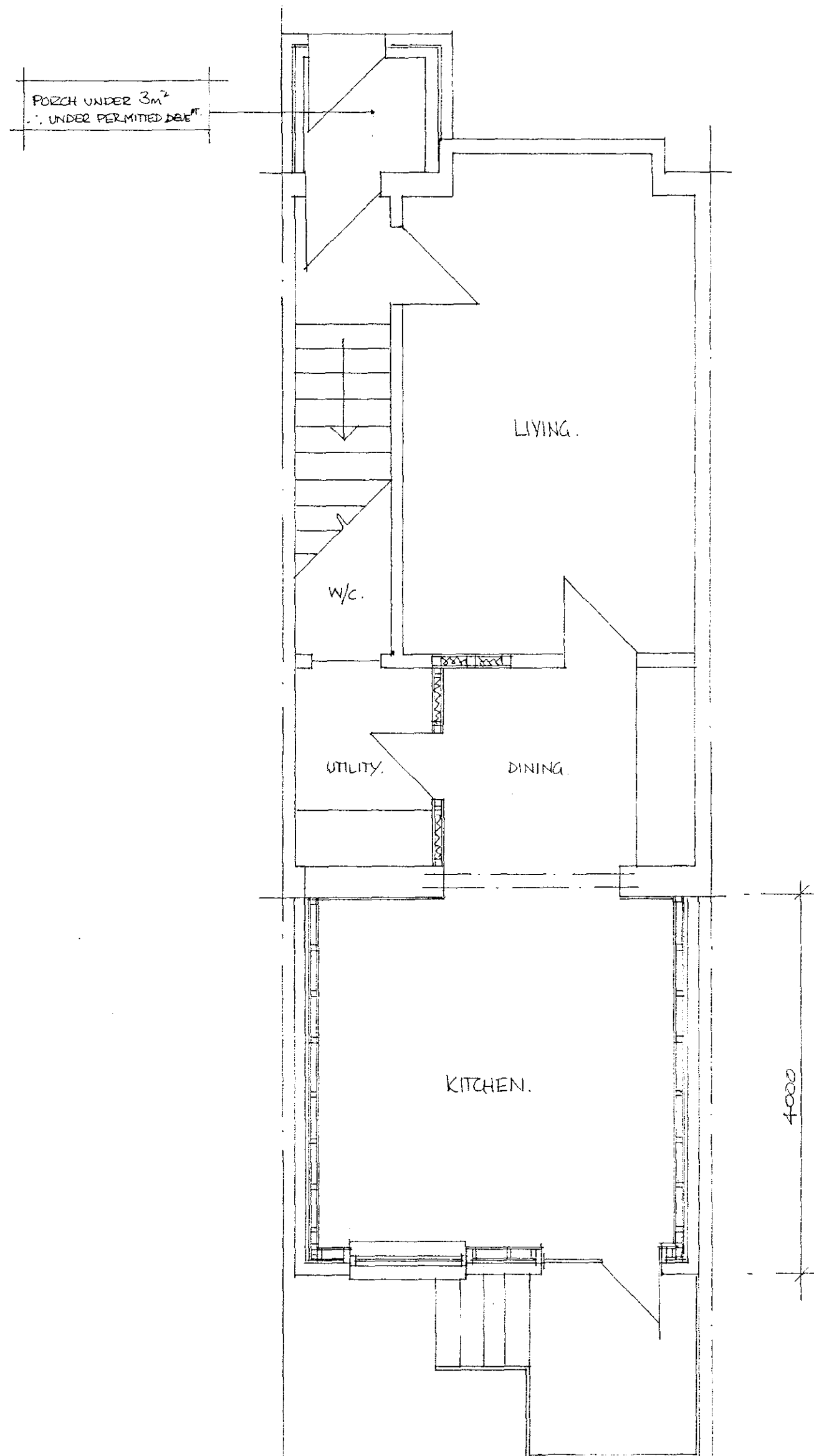
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DRG. NO : 4219/2.
DATE : JUNE 2018.



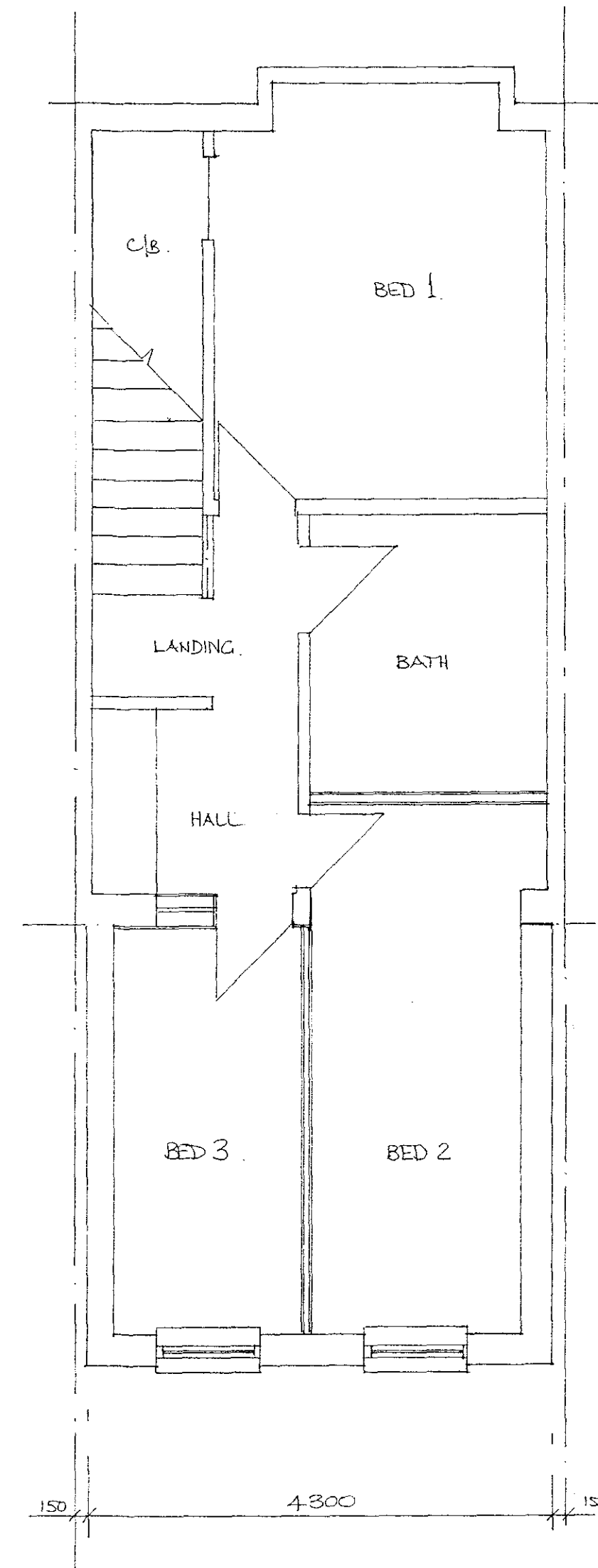
EXISTING G.F. PLAN



EXISTING 1st FLOOR PLAN.



PROPOSED G.F. PLAN.



PROPOSED 1st FLOOR PLAN.