

EAST RENFREWSHIRE COUNCILLOCAL REVIEW BODY5 December 2018Report by Deputy Chief ExecutiveREVIEW OF CASE - REVIEW/2018/23ERECTION OF SIDE AND REAR EXTENSION INCORPORATING RAISED PATIOAT REAR AT 16 CROSSLEES DRIVE, 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:- 2018/0315/TP).
- Applicant: Miss Joan Donnelly.
- Proposal: Erection of side and rear extension incorporating raised patio at rear.
- Location: 16 Crosslees Drive, Giffnock.
- Council Area/Ward: Giffnock and Thornliebank (Ward 3).

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 (Strategic Services).

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

NOTICE OF REVIEW – STATEMENT OF REASONS FOR REQUIRING THE REVIEW

8. The applicant in submitting the review has stated the reasons for requiring the review of the determination of his 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 the assessment of the review documents only, with no further procedure.

10. The Local Review Body is not bound to accede to the applicant’s request as to how it will determine the review and will itself decide what procedure will be used in this regard.

11. However at the meeting of the Local Review Body on 10 August 2016, it was decided that the Local Review Body would carry out unaccompanied site inspections for every review case it received prior to the cases being given initial consideration at a meeting of the Local Review Body.

12. In accordance with the above decision, the Local Review Body will carry out an unaccompanied site inspection on Wednesday, 5 December 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. 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 plans which address sunlight and massing issues.

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 applicant has 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 applicant’s agent has stated that in his opinion, the information is not new as it simply demonstrates that all the aspects of the proposal complies with planning policy.

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 applicant’s ‘Notice of Review’ form.

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 61 - 68);
- (b) Report of Handling by the planning officer under the Scheme of Delegation - Appendix 2 (Pages 69 - 76);
- (c) Decision notice and reasons for refusal - Appendix 3 (Pages 77 - 80); and
- (e) A copy of the applicant’s Notice of Review and Statement of Reasons - Appendix 4 (Pages 81 - 92).

21. 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 5 (Pages 93 - 102).

- (a) Existing Elevations and Sections;
- (b) Existing Floor Plans;
- (c) Proposed 3D Views;
- (d) Refused – Location Plan – AP(0) 001;
- (e) Refused – Proposed Location and Site Plan - AP(0) 004;
- (f) Refused – Proposed Basement Ground and First Floor - AP(0) 005;
- (g) Refused – Proposed Attic and Roof Plans - AP(0) 006; and
- (h) Refused – Proposed Elevations and Sections - AP(0) 007.

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 with the exception of any representations that have been made to the application.

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:- November 2018

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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

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 100105483-001

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

Description of Proposal

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

Proposed rear and side extension to form a kitchen, family room, ground floor bedroom, bathroom and patio

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:	Spacesix Architects		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	George	Building Name:	<input type="text"/>
Last Name: *	Skinner	Building Number:	272
Telephone Number: *	0141 354 1376	Address 1 (Street): *	Bath 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: *	G2 4JR
Email Address: *	george.skinner@spacesix.com		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Miss	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	Joan	Building Number:	16
Last Name: *	Donnelly	Address 1 (Street): *	Crosslees Drive
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	Glasgow
Extension Number:	<input type="text"/>	Country: *	Scotland
Mobile Number:	<input type="text"/>	Postcode: *	G46 7DS
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:

16 CROSSLEES DRIVE

Address 2:

THORNLIEBANK

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

GLASGOW

Post Code:

G46 7DS

Please identify/describe the location of the site or sites

Northing

659507

Easting

254998

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: George Skinner

On behalf of: Miss Joan Donnelly

Date: 15/05/2018

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 George Skinner

Declaration Date: 15/05/2018

Payment Details

Pay Direct

Created: 15/05/2018 17:03

REPORT OF HANDLING

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REPORT OF HANDLING

Reference: 2018/0315/TP

Date Registered: 16th May 2018

Application Type: Full Planning Permission

This application is a Local Development

Ward: 3 -Giffnock And Thornliebank

Co-ordinates: 254998/659507

Applicant/Agent:

Applicant:

Miss Joan Donnelly

16 Crosslees Drive

Glasgow

Scotland

G46 7DS

Agent:

George Skinner

272 Bath Street

Glasgow

Scotland

G2 4JR

Proposal: Erection of side and rear extension incorporating raised patio at rear

Location: 16 Crosslees Drive

Thornliebank

East Renfrewshire

G46 7DS

CONSULTATIONS/COMMENTS: None

PUBLICITY: None

SITE NOTICES: None

SITE HISTORY: None

REPRESENTATIONS: No representations have been received.

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

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

ASSESSMENT:

The site is on an established residential street and contains a one and a half storey, semi-detached dwelling. A driveway at the side of the dwelling leads to a detached garage/shed and the back garden. The site is on a hillside and as a result, drops in level from front to rear. This means the ground floor is elevated above ground level at the rear of the property. The garden is north facing and split into three levels dictated by the gradient comprising a patio, lawn and seating/barbecue area.

The proposal is to erect a single storey side and rear extension with a raised terrace and basement storage area. The existing garage/shed structure would be removed.

The extension would be approximately 7.4 metres wide. It would protrude approximately 4.6 metres from the rear elevation (excluding the raised terrace). The roof would be mono-pitched and join the rear elevation just below the sill of the first floor window. The roof at the side of the

dwelling would incorporate pitched and hipped sections. The wall render and roof tiles of the extension would match the existing dwelling.

The raised terrace would be accessed through double doors at the rear of the extension. It would be approximately 1.7 metres above ground level. The storage area would be underneath the proposed kitchen and would be partially dug into the slope of the site. A narrow walkway would be left to the side of the extension leading to the raised terrace and steps to the garden.

The proposal must be assessed against Policies D1 and D14 of the adopted Local Plan and Supplementary Planning Guidance on *Householder Design* and *Daylight and Sunlight*. Policy and guidance requires that extensions must not restrict the sunlight or privacy of neighbouring dwellings. Extensions should complement the existing character of the property, particularly in terms of style, form and materials.

The extension would be substantial in scale relative to the existing dwelling. It would significantly increase the footprint of the dwelling. Its height and bulk would be exacerbated by the steep gradient of the site. The dwelling is a modest semi-detached property and it is considered that the scale of the proposed extension would harm its character.

In order to protect the amenity of neighbouring properties, the Householder Design SPG advises that single storey extensions should not extend more than 4 metres down a common rear boundary. The proposal exceeds this at 4.5 metres. The impact on the neighbouring property would be exacerbated as the garden is north facing. This means the extension would restrict the amount of light entering the rear windows of the neighbouring property.

The raised terrace would overlook the neighbouring garden. It is acknowledged that the gardens are currently open and that there is no fencing/screening affording any level of privacy between the two. However, it is considered that the introduction of a raised terrace at the proposed height would result in an unacceptable impact on the amenity of the neighbouring property. It would cause unbalance in the relationship between the gardens, which currently share the same levels and gradients. An elevated area would result in a degree of direct overlooking that does not exist at present.

The side extension is considered to be appropriate in terms of scale and form. The proposed materials of the extension as a whole match the existing dwelling and would be supported by Policy D14 and the Householder Design SPG.

It is considered that the impact of the proposed extension on the amenity of the neighbouring property would be contrary to policy. The scale of the extension at the rear of the dwelling is excessive and raised terrace area would result in direct overlooking. Whilst some elements of the proposal could be acceptable, these do not outweigh the detrimental impact the extension would have on the neighbouring property. For this reason, it is considered that the proposal does not accord with Policies D1 and D14 of the adopted Local Plan or the Supplementary Planning Guidance on *Householder Design* and *Daylight and Sunlight*. It is recommended that planning permission is 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 the proposal would be detrimental to the amenity and privacy of the occupants of the attached neighbouring property. This is because: i) the height of the

extension and its proximity to the neighbouring property would result in an unacceptable level of overshadowing; and ii) the raised terrace would give rise to an unacceptable amount of direct overlooking.

2. The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as the extension does not complement the existing character of the dwelling. This is because the scale is excessive relative to the dwelling.
3. The proposal is contrary to the adopted Supplementary Planning Guidance: Householder Design Guide as: i) the rear extension would project more than 4 metres down the common rear boundary; ii) the rear extension and raised terrace would result in direct overlooking and excessive overshadowing; and iii) the proposal would dominate the original form of the house.
4. The proposal is contrary to the adopted Supplementary Planning Guidance: Daylight and Sunlight as the extension's scale, orientation and proximity to the attached neighbouring property mean it would unacceptably restrict the amount of daylight entering the rear windows of the neighbouring property.

ADDITIONAL NOTES: None

ADDED VALUE: None

BACKGROUND PAPERS:

Further information on background papers can be obtained from Mr David Haney on 0141 5773854.

Ref. No.: 2018/0315/TP
(DAHA)

DATE: 25th September 2018

DIRECTOR OF ENVIRONMENT

Reference: 2018/0315/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:

Given the size and scale of the development it is not considered that government guidance is a relevant material consideration.

Finalised 25/09/18 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. **2018/0315/TP**

Applicant:

Miss Joan Donnelly
16 Crosslees Drive
Glasgow
Scotland
G46 7DS

Agent:

George Skinner
272 Bath Street
Glasgow
Scotland
G2 4JR

With reference to your application which was registered on 16th May 2018 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Erection of side and rear extension incorporating raised patio at rear

at: 16 Crosslees Drive, Thornliebank, East Renfrewshire, G46 7DS

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 proposal would be detrimental to the amenity and privacy of the occupants of the attached neighbouring property. This is because: i) the height of the extension and its proximity to the neighbouring property would result in an unacceptable level of overshadowing; and ii) the raised terrace would give rise to an unacceptable amount of direct overlooking.
2. The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as the extension does not complement the existing character of the dwelling. This is because the scale is excessive relative to the dwelling.
3. The proposal is contrary to the adopted Supplementary Planning Guidance: Householder Design Guide as: i) the rear extension would project more than 4 metres down the common rear boundary; ii) the rear extension and raised terrace would result in direct overlooking and excessive overshadowing; and iii) the proposal would dominate the original form of the house.
4. The proposal is contrary to the adopted Supplementary Planning Guidance: Daylight and Sunlight as the extension's scale, orientation and proximity to the attached neighbouring property mean it would unacceptably restrict the amount of daylight entering the rear windows of the neighbouring property.

Dated 25th September 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	AP(0)001		
Site Location Plan	AP(0)004		
Proposed floor plans	AP(0)005		
Proposed floor plans	AP(0)006		
Elevations Proposed	AP(0)007		

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

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

Thank you for completing this application form:

ONLINE REFERENCE 100105483-002

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.

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="Spacesix Architects"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="George"/>	Building Name:	<input type="text"/>
Last Name: *	<input type="text" value="Skinner"/>	Building Number:	<input type="text" value="272"/>
Telephone Number: *	<input type="text" value="0141 354 1376"/>	Address 1 (Street): *	<input type="text" value="Bath 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="G2 4JR"/>
Email Address: *	<input type="text" value="george.skinner@spacesix.com"/>		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Miss"/>	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="Joan"/>	Building Number:	<input type="text" value="16"/>
Last Name: *	<input type="text" value="Donnally"/>	Address 1 (Street): *	<input type="text" value="Crosslees Drive"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
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 7DS"/>
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="16 CROSSLEES DRIVE"/>
Address 2:	<input type="text" value="THORNLIBANK"/>
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 7DS"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="659507"/>	Easting	<input type="text" value="254998"/>
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Description of Proposal

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

Proposed single storey rear and side extension

Type of Application

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

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

What does your review relate to? *

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

Statement of reasons for seeking review

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

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

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

We are applying for a review of this application because the proposals are in accordance with the planning policy and householder design guide. Despite this the planning department have refused the application. The planning department state that the proposals are out of scale with the existing house. They fail to recognise that the scale of the extension is a direct response to the existing topography of the site.

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)

The existing location and site plan, existing plans, existing elevations and sections, proposed location and site plan, proposed basement, ground and first floor, proposed attic and roof plan, proposed elevations and sections, Householder Design Guide Compliance sheets 1 & 2 daylight and sunlight compliance and massing justification.

Application Details

Please provide details of the application and decision.

What is the application reference number? *

2018/0315/TP

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

15/05/2018

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

02/10/2018

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.

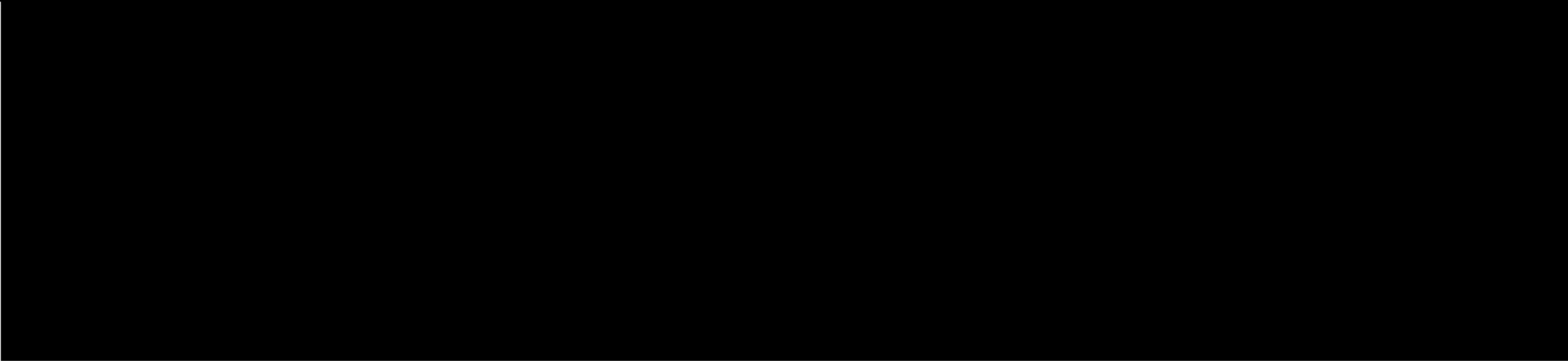
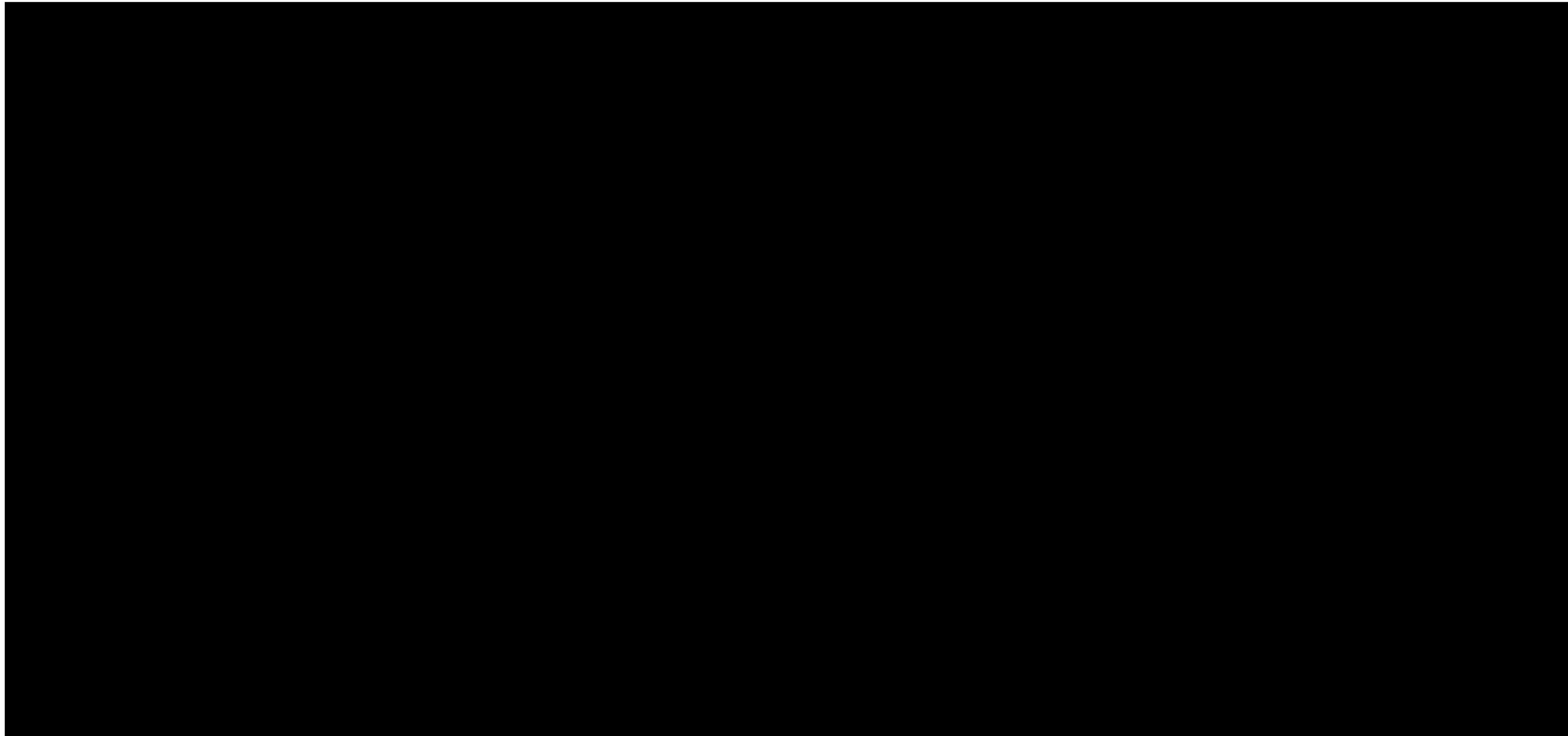
Declaration Name: Mr George Skinner

Declaration Date: 18/10/2018

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Important
The contractor will be held to have examined the site and checked all dimensions and levels before commencing construction work. No assumption should be made without reference to the architect. No dimensions should be scaled from this drawing.

Revision Date By



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PLANNING

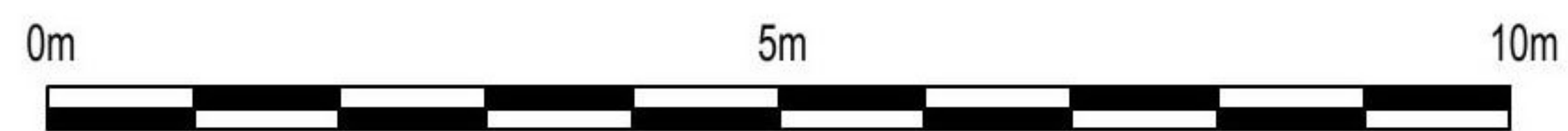
Client
MISS JOAN DONNELLY

Project Title
PROPOSED ALTERATION & EXTENSION
16 CROSSLEES DRIVE
GLASGOW

Drawing Title
HOUSEHOLDER DESIGN GUIDE COMPLIANCE
SHEET 1

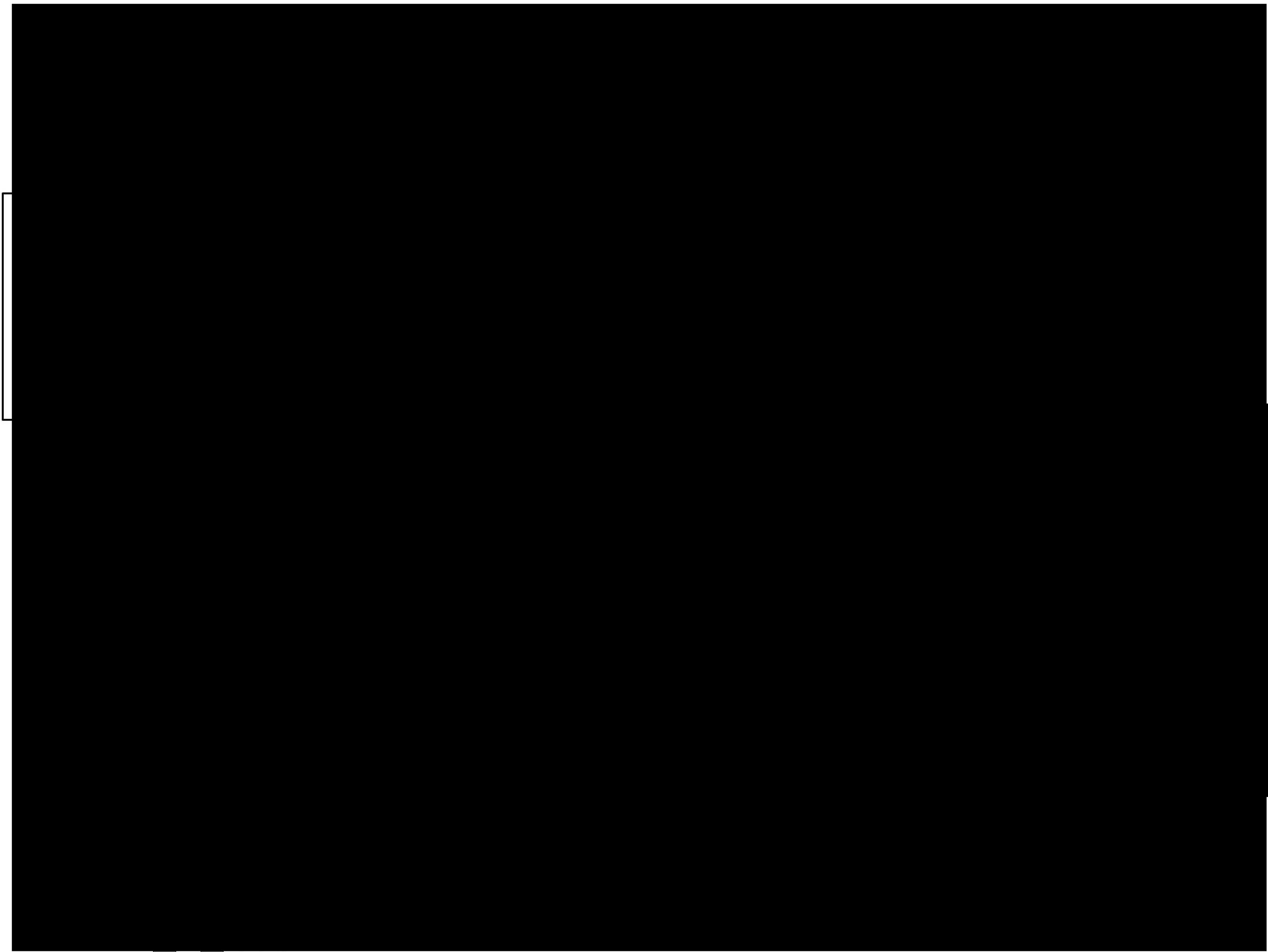
Scale 1:100 Date 03/10/18
Drawn by GS Checked by GS

Job No. 17009 Drawing No. AP(0)009 Rev.



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PLANNING

Client
MISS JOAN DONNELLY

Project Title
PROPOSED ALTERATION & EXTENSION
16 CROSSLEES DRIVE
GLASGOW

Drawing Title
HOUSEHOLDER DESIGN GUIDE COMPLIANCE
SHEET 2

Scale
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Date
03/10/18

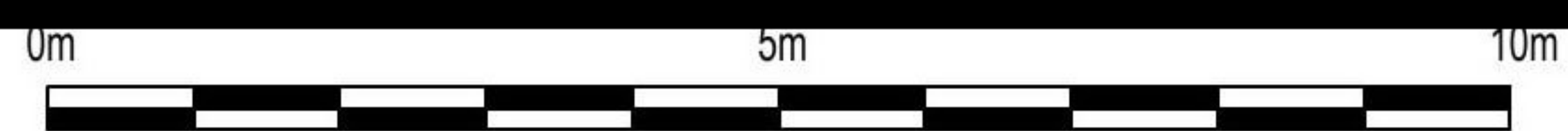
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GS

Checked by
GS

Job No.
17009

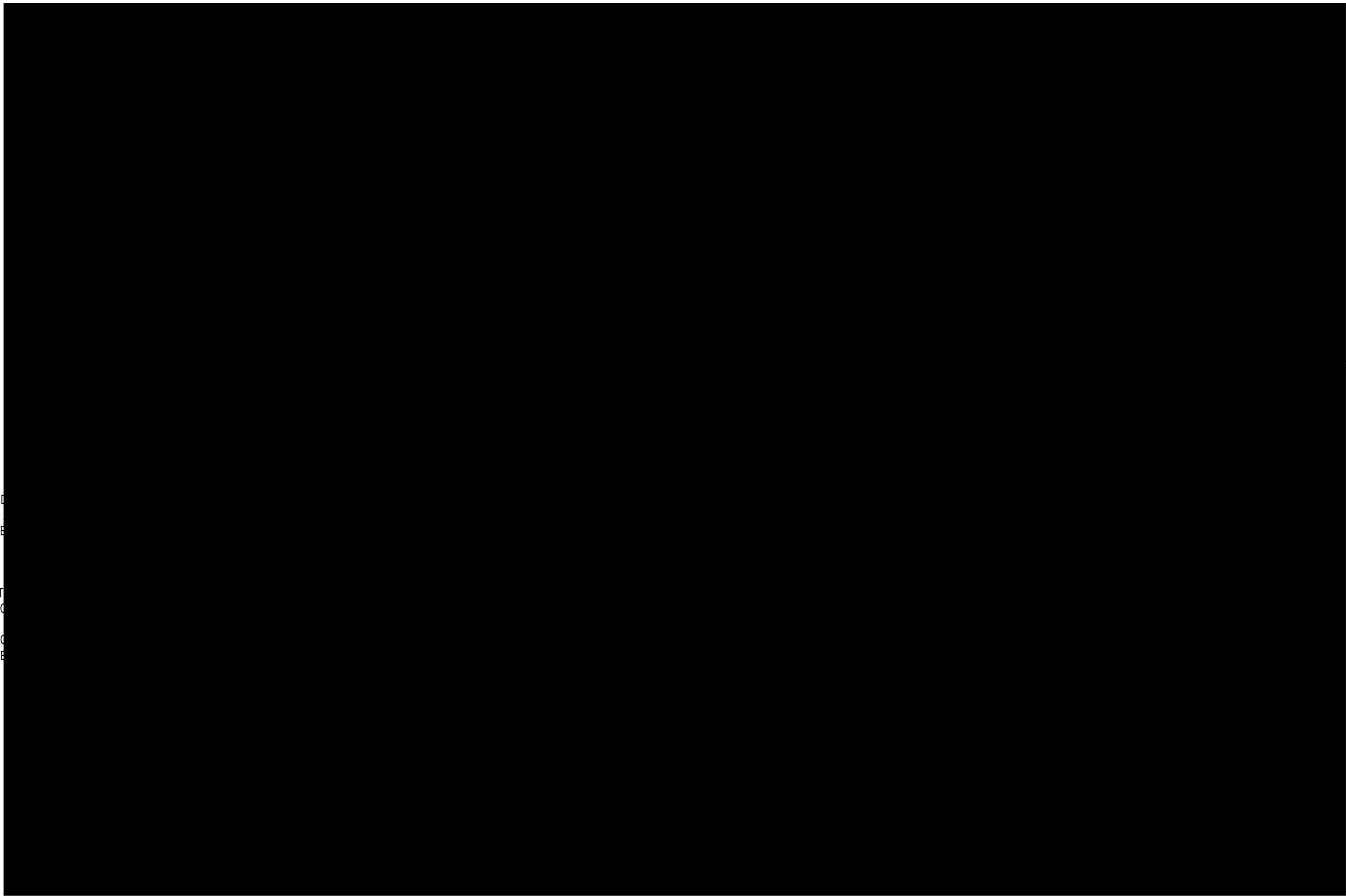
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AP(0)010

Rev.



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Revision: _____ Date: _____ By: _____

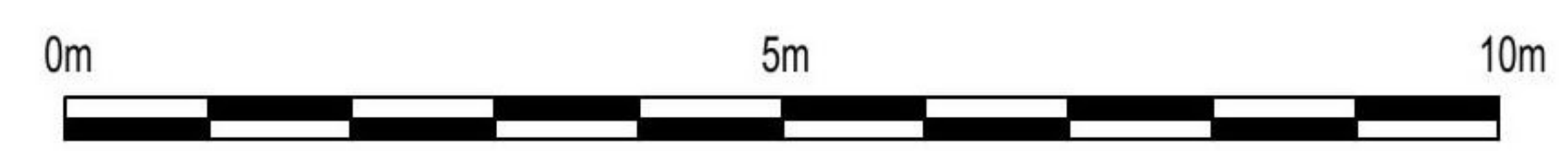


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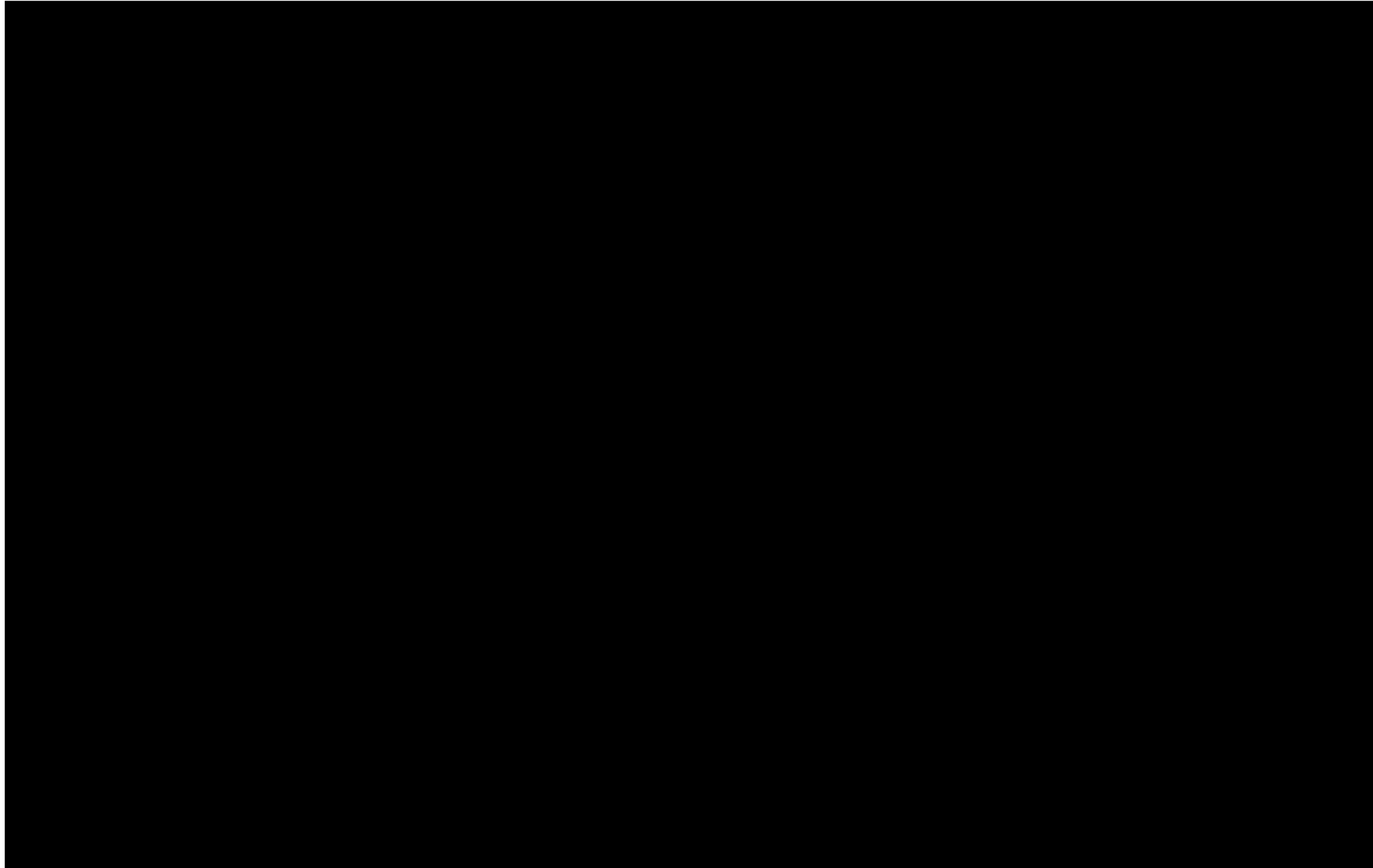
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Project Title PROPOSED ALTERATION & EXTENSION 16 CROSSLEES DRIVE GLASGOW		
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Drawn by GS	Checked by GS	
Job No. 17009	Drawing No. AP(0)011	Rev.



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<small>Revision</small>	<small>Date</small>
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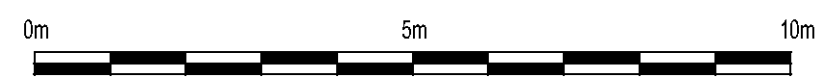


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PLANNING	
<small>Client</small> MISS JOAN DONNELLY	
<small>Project Title</small> PROPOSED ALTERATION & EXTENSION 16 CROSSLEES DRIVE GLASGOW	
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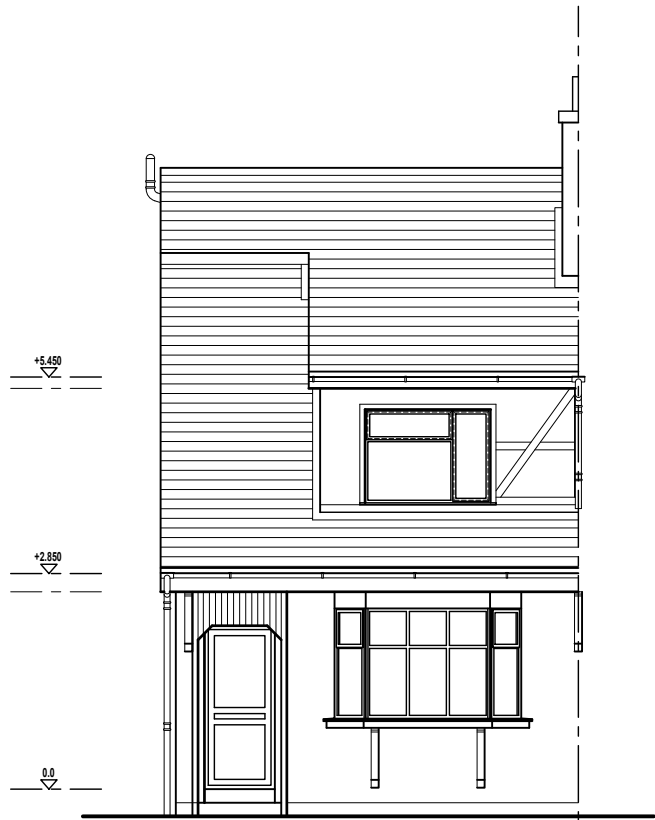


PLANS/PHOTOGRAPHS/DRAWINGS

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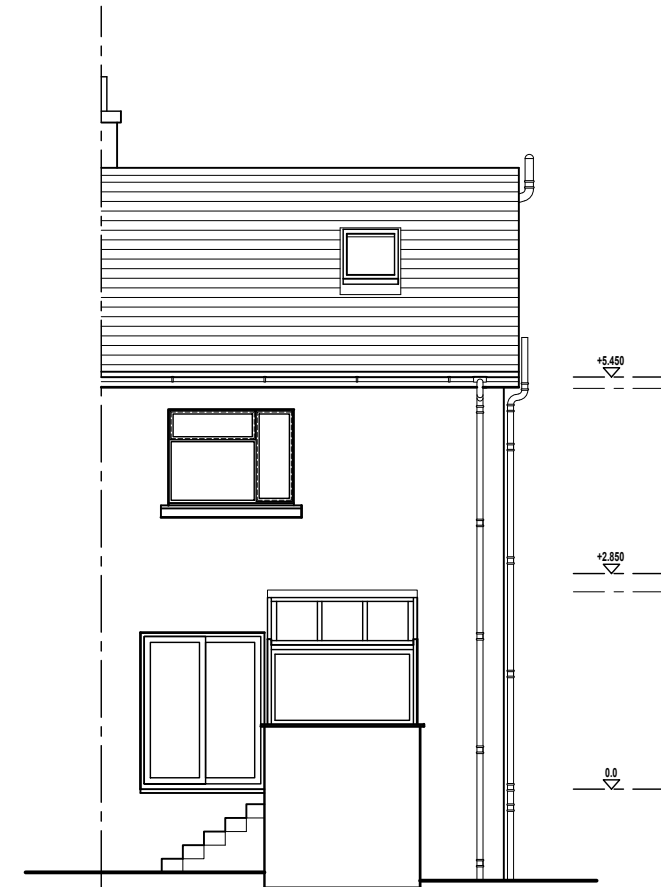
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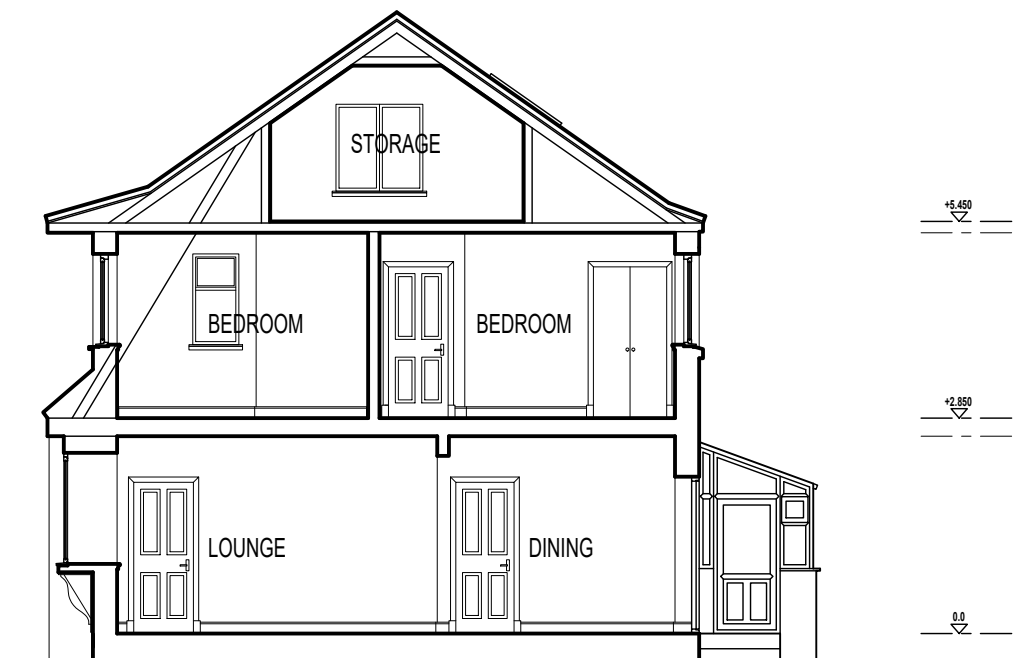
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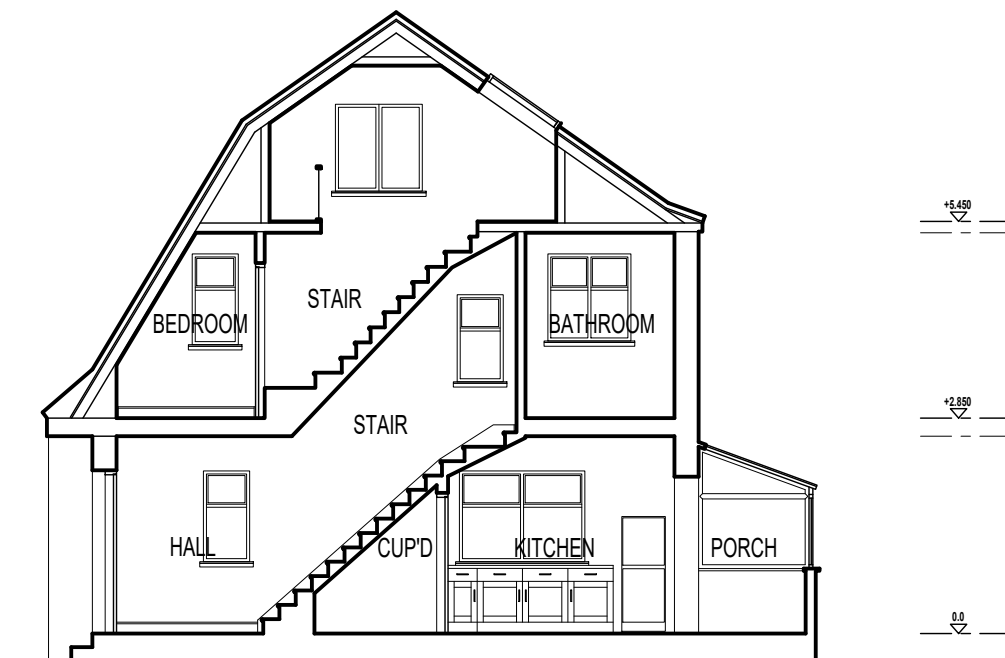
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EXISTING NORTH WEST ELEVATION



EXISTING SECTION A - A



EXISTING SECTION B - B



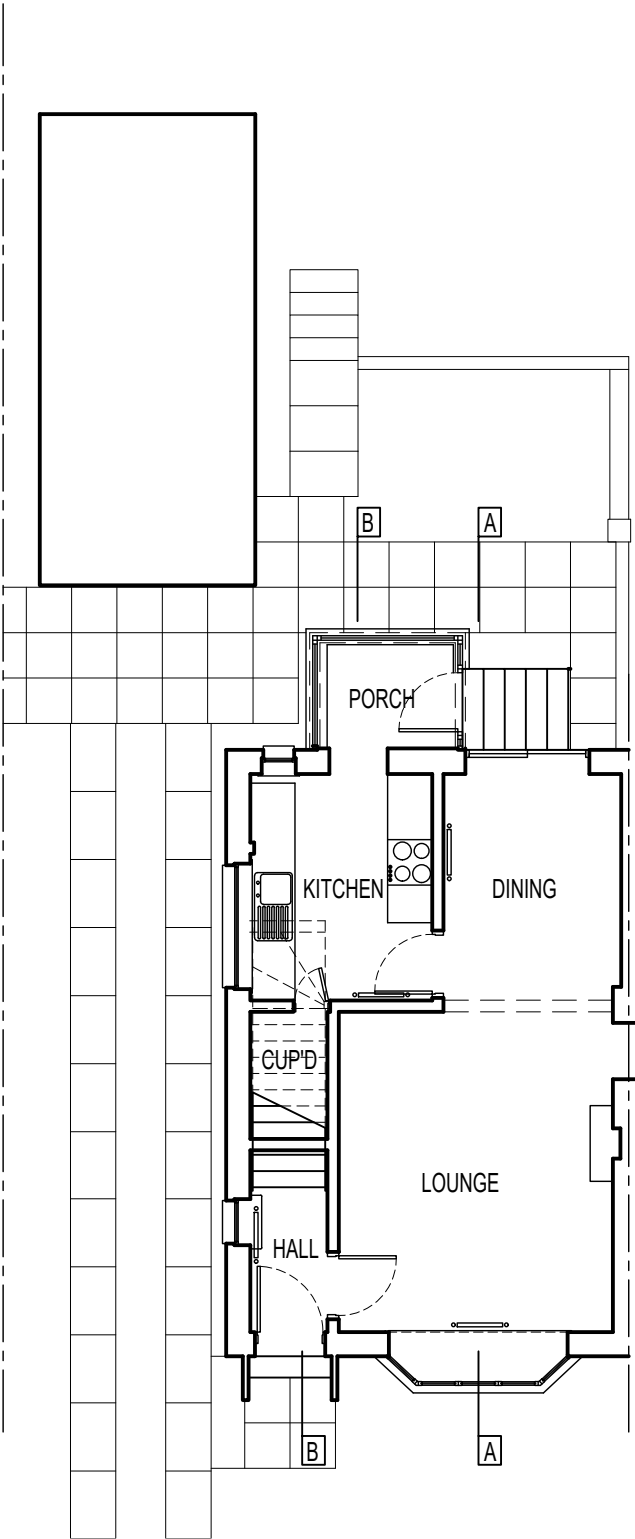
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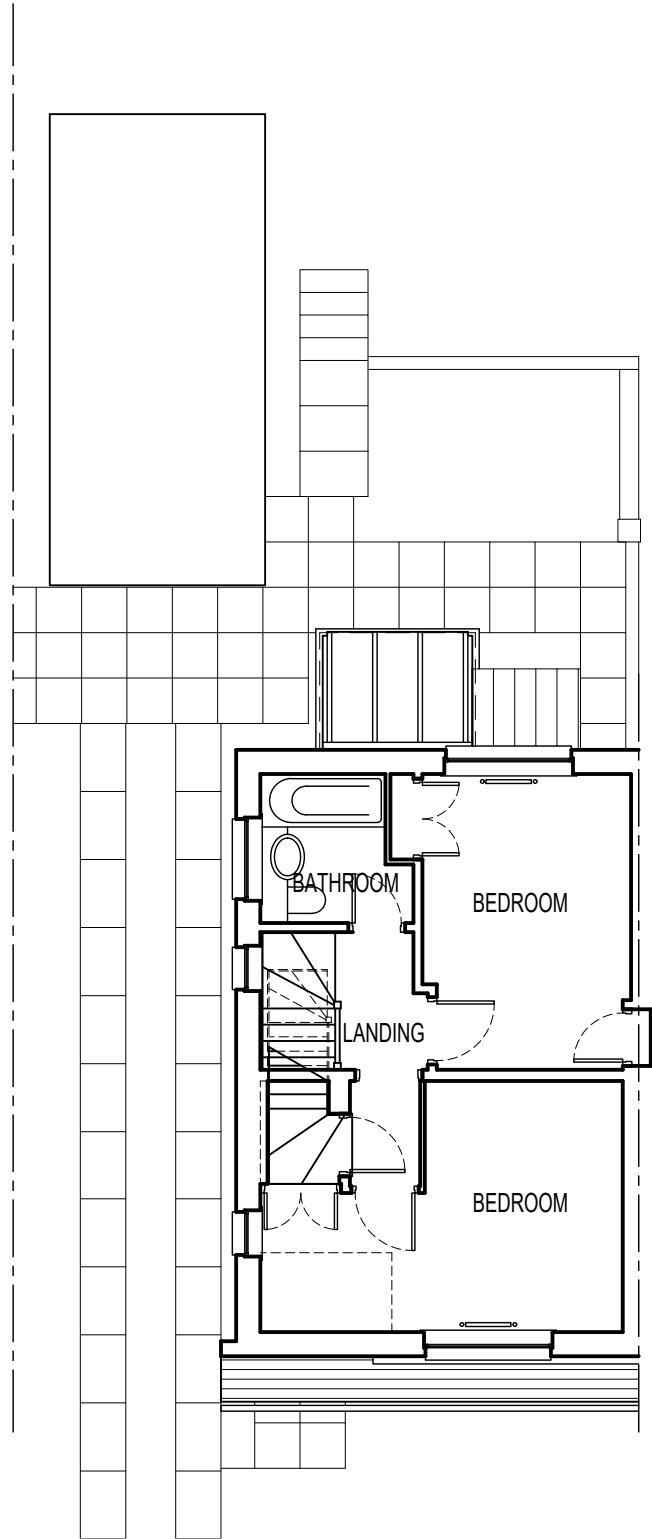
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Project Title PROPOSED ALTERATION & EXTENSION 16 CROSSLEES DRIVE GLASGOW		
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Scale 1: 100	Date 15/05/18	
Drawn by GS	Checked by GS	
Job No. 17009	Drawing No. AP(0)003	Rev.

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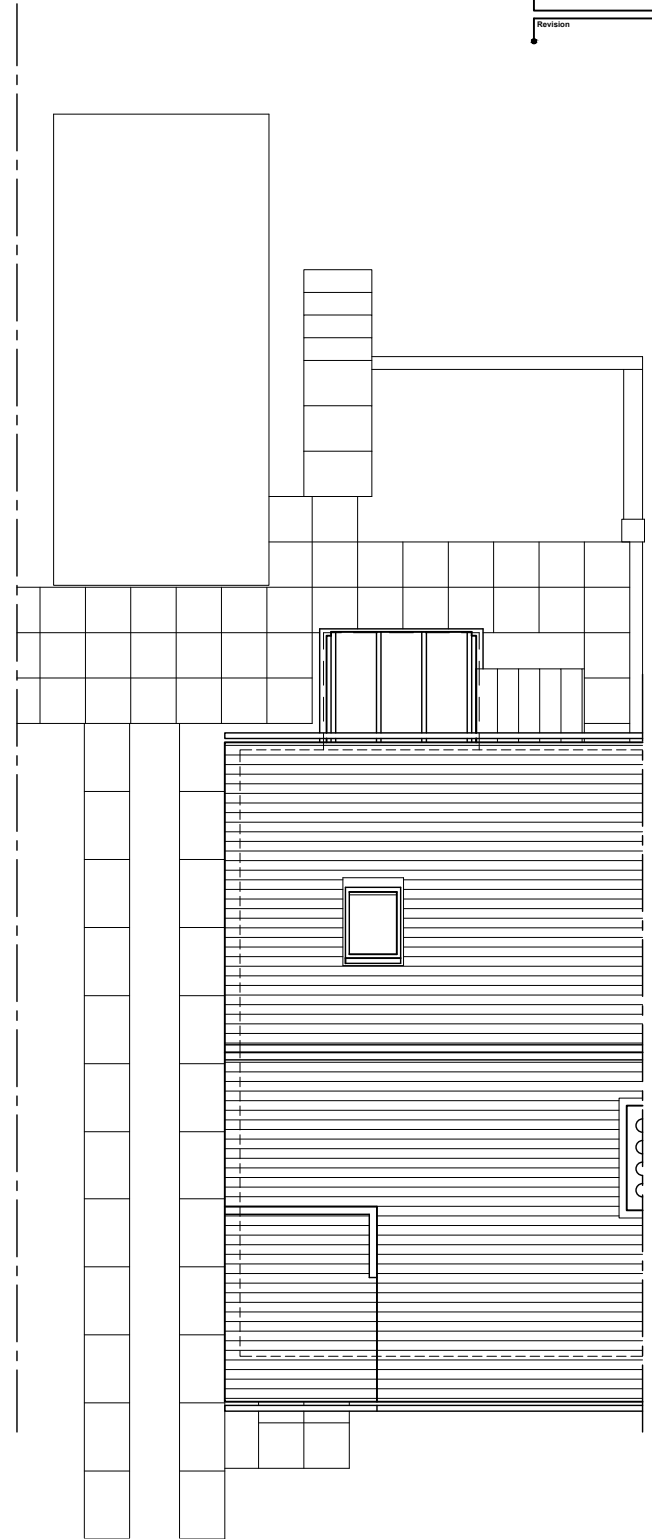
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EXISTING FIRST FLOOR PLAN



EXISTING ATTIC FLOOR PLAN



EXISTING ROOF PLAN



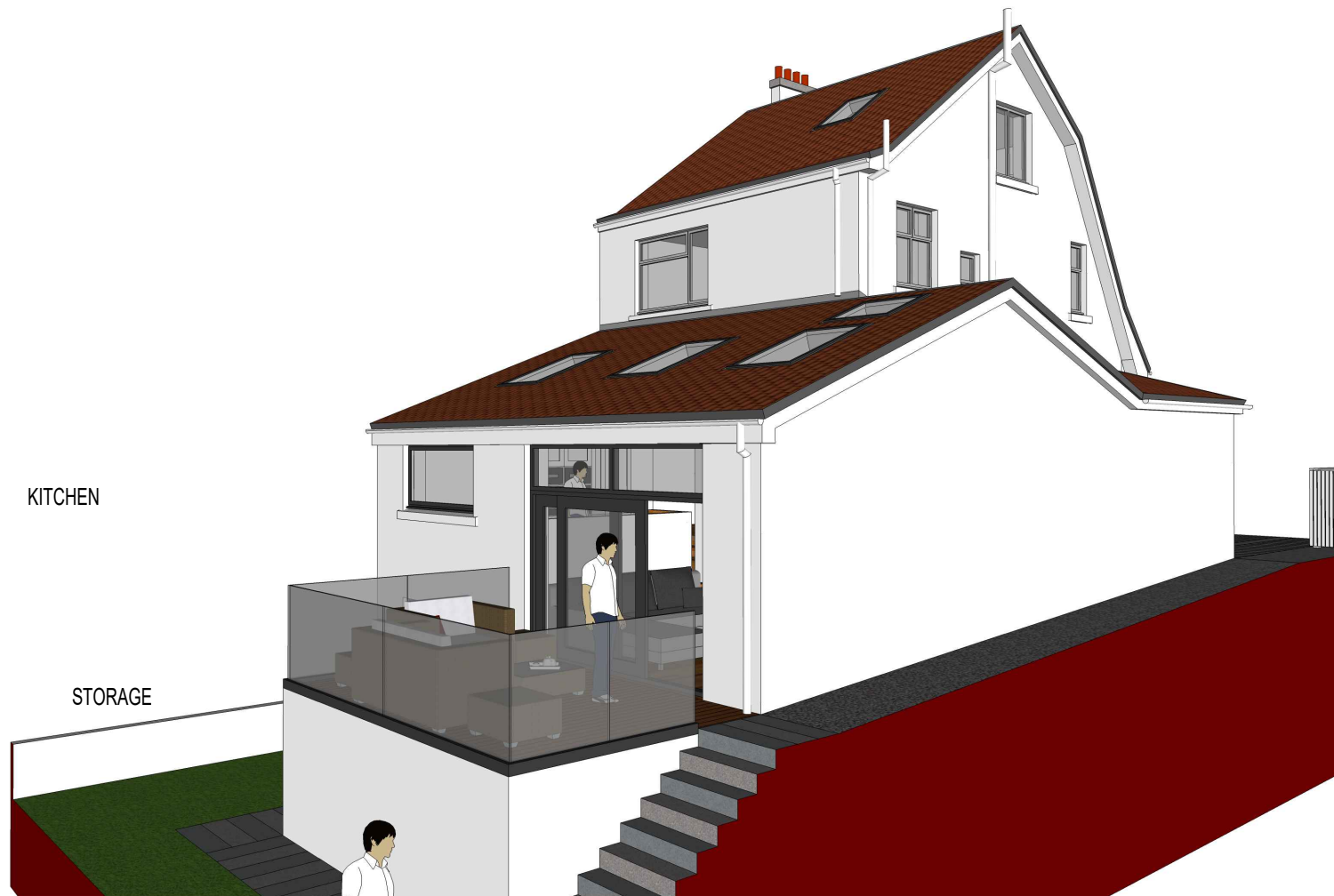
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PLANNING		
Client MISS JOAN DONNELLY		
Project Title PROPOSED ALTERATION & EXTENSION 16 CROSSLEES DRIVE GLASGOW		
Drawing Title EXISTING FLOOR PLANS		
Scale 1: 100	Drawn by GS	Date 15/05/18
Checked by GS	Rev.	
Job No. 17009	Drawing No. AP(0)002	

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PROPOSED 3D VIEWS

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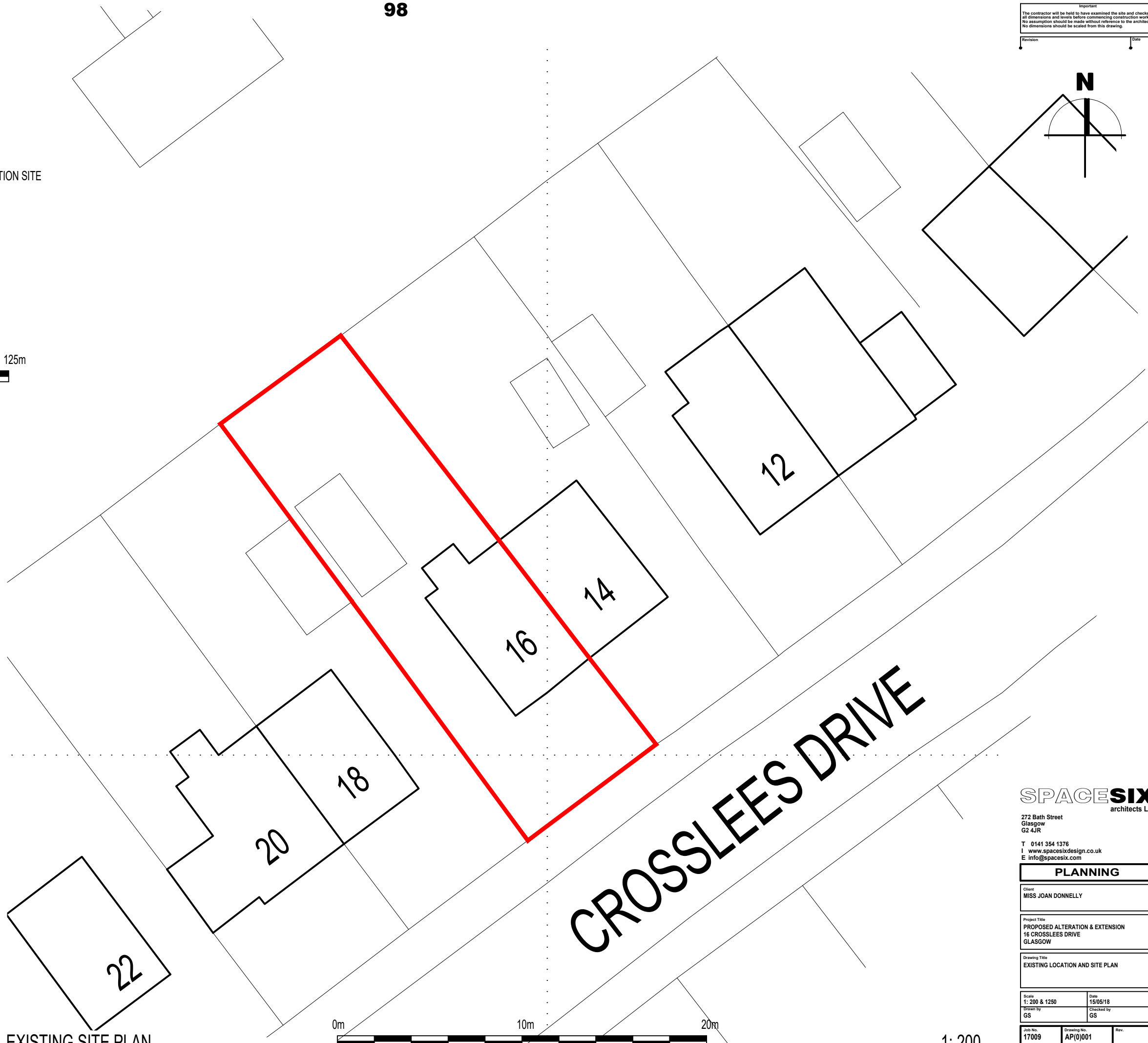
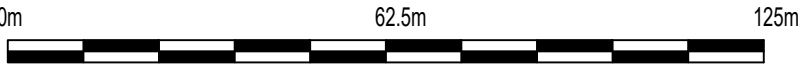
PLANNING		
Client MISS JOAN DONNELLY		
Project Title PROPOSED ALTERATION & EXTENSION 16 CROSSLEES DRIVE GLASGOW		
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Drawn by GS	Checked by GS	
Job No. 17009	Drawing No. AP(0)008	Rev.

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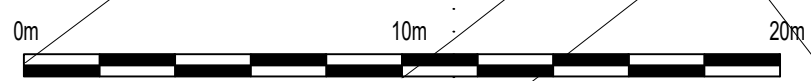
Revision	Date	By
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EXISTING LOCATION PLAN 1: 1250



EXISTING SITE PLAN



1: 200

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PLANNING		
Client MISS JOAN DONNELLY		
Project Title PROPOSED ALTERATION & EXTENSION 16 CROSSEES DRIVE GLASGOW		
Drawing Title EXISTING LOCATION AND SITE PLAN		
Scale 1: 200 & 1250	Date 15/05/18	
Drawn by GS	Checked by GS	
Job No. 17009	Drawing No. AP(0)001	Rev.

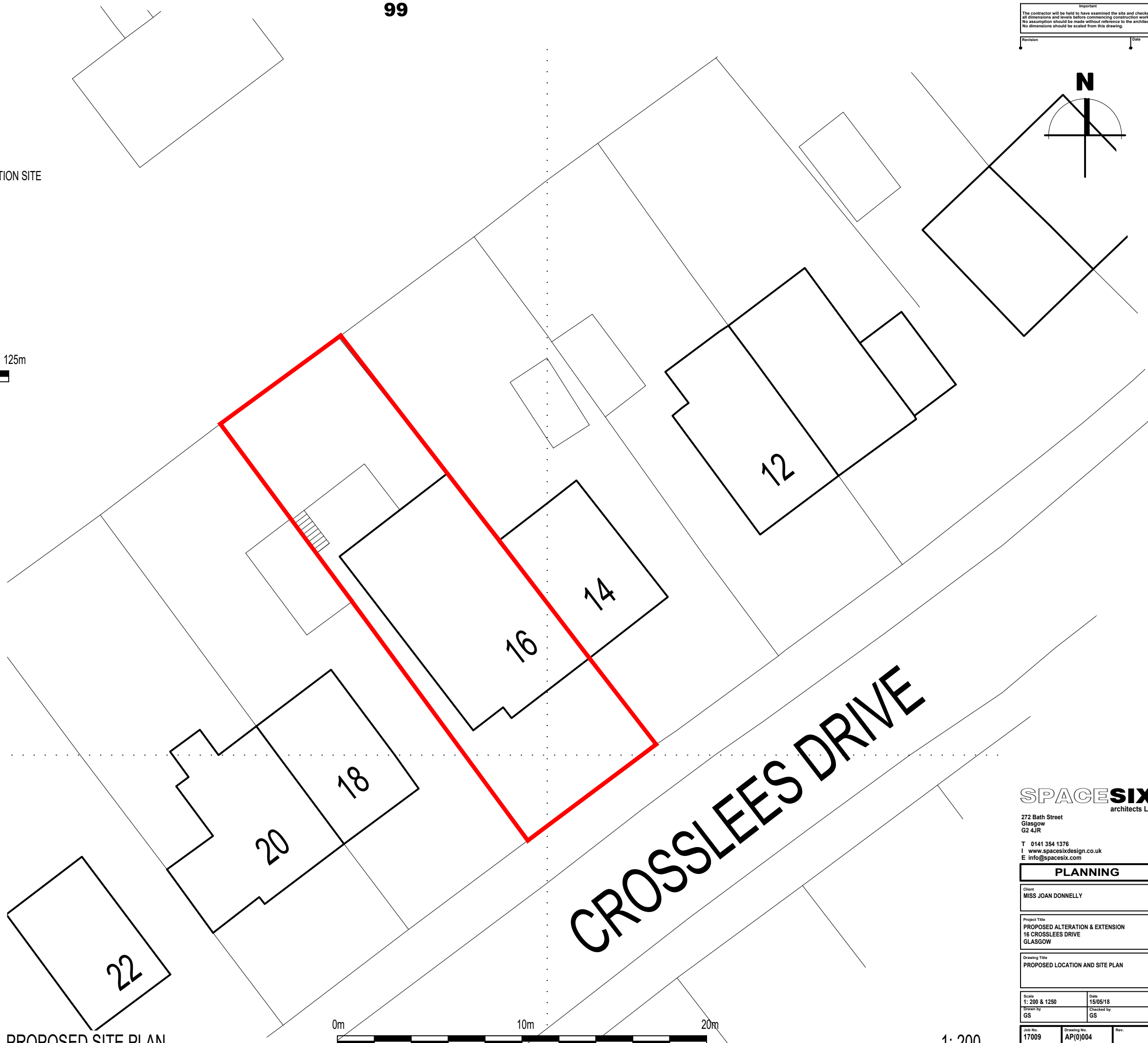
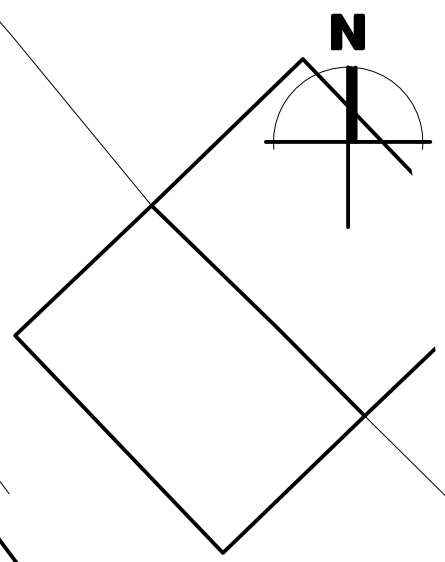
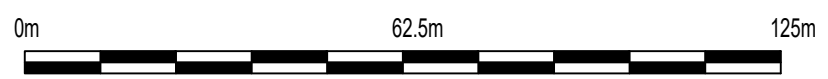
Important
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Revision	Date	By
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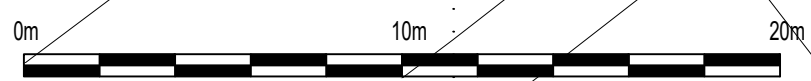
APPLICATION SITE

PROPOSED LOCATION PLAN 1: 1250



CROSSEES DRIVE

PROPOSED SITE PLAN



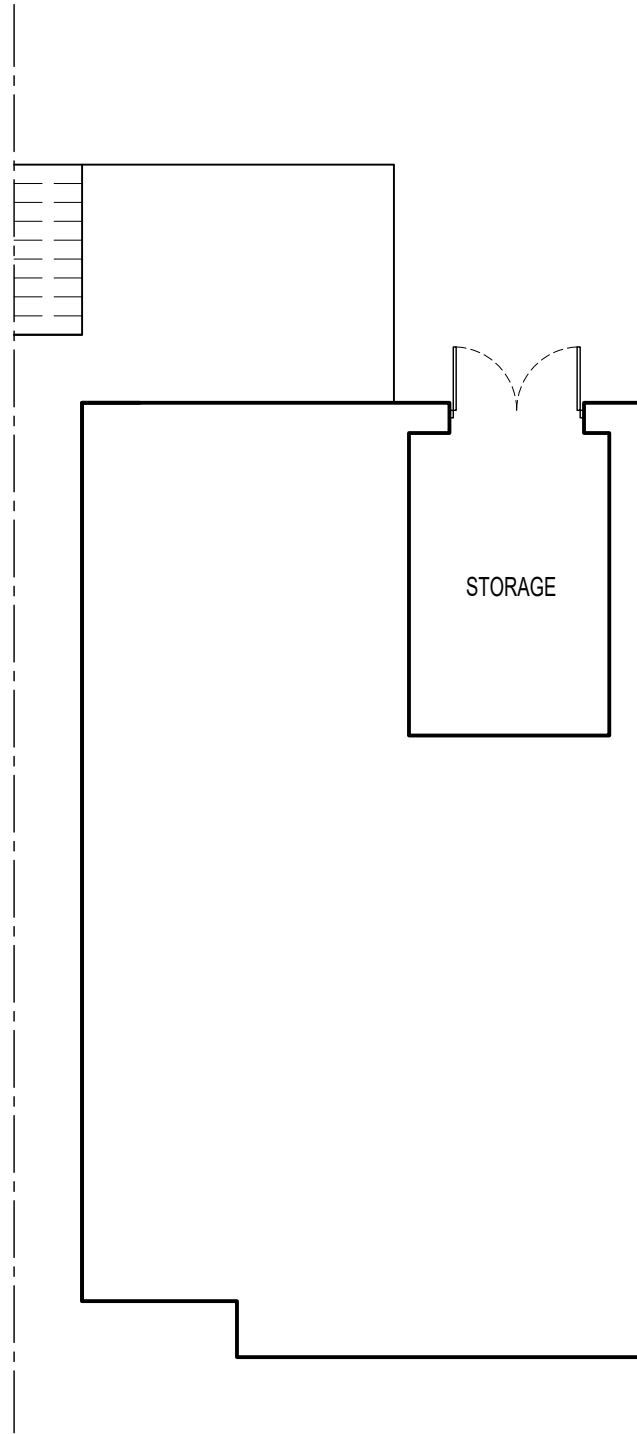
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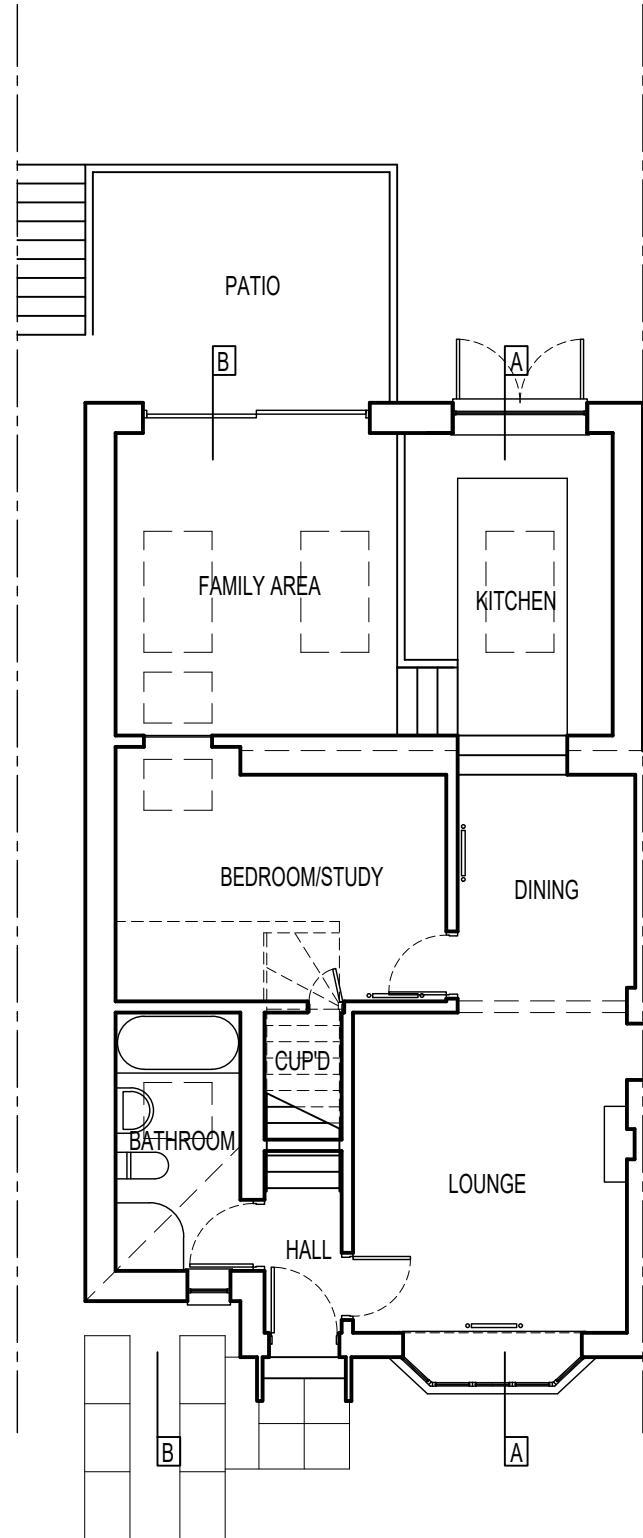
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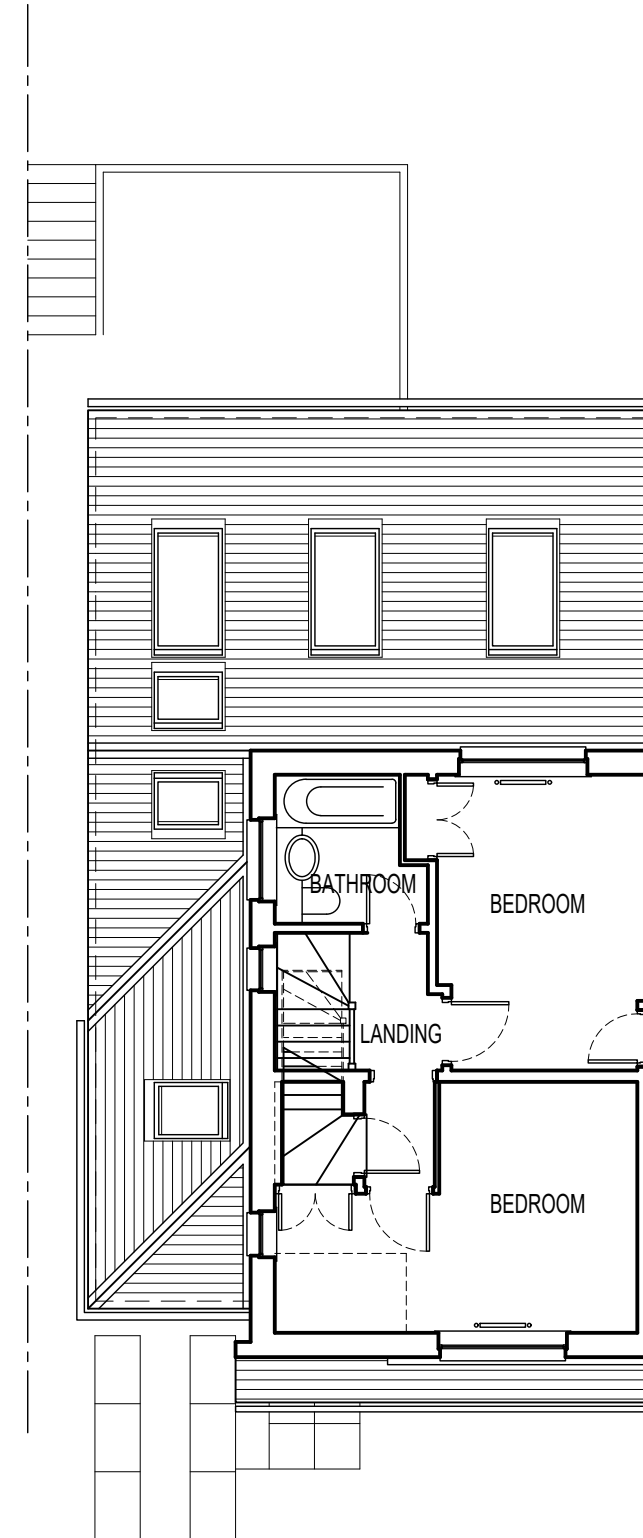
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Drawing Title	PROPOSED LOCATION AND SITE PLAN	
Scale	1: 200 & 1250	Date
Drawn by	GS	Checked by
GS		GS
Job No.	Drawing No.	Rev.
17009	AP(0)004	



PROPOSED BASEMENT FLOOR PLAN



PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN



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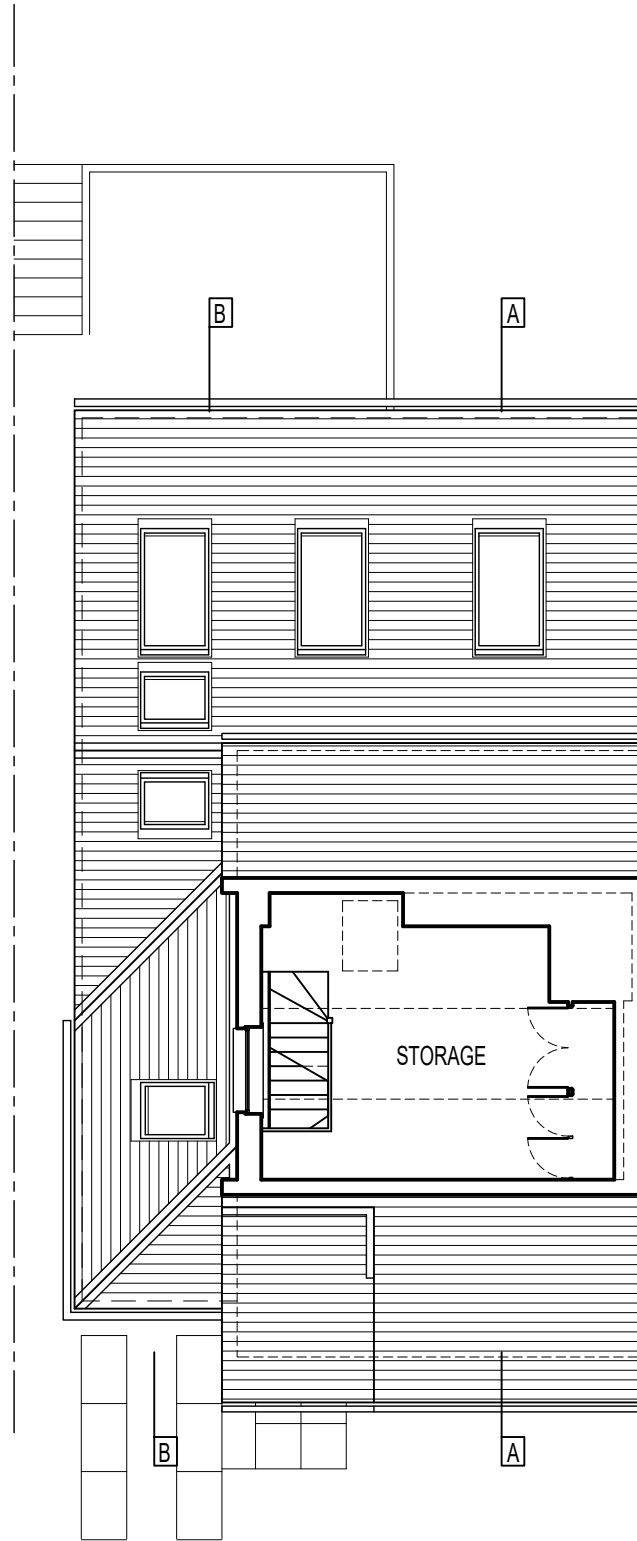
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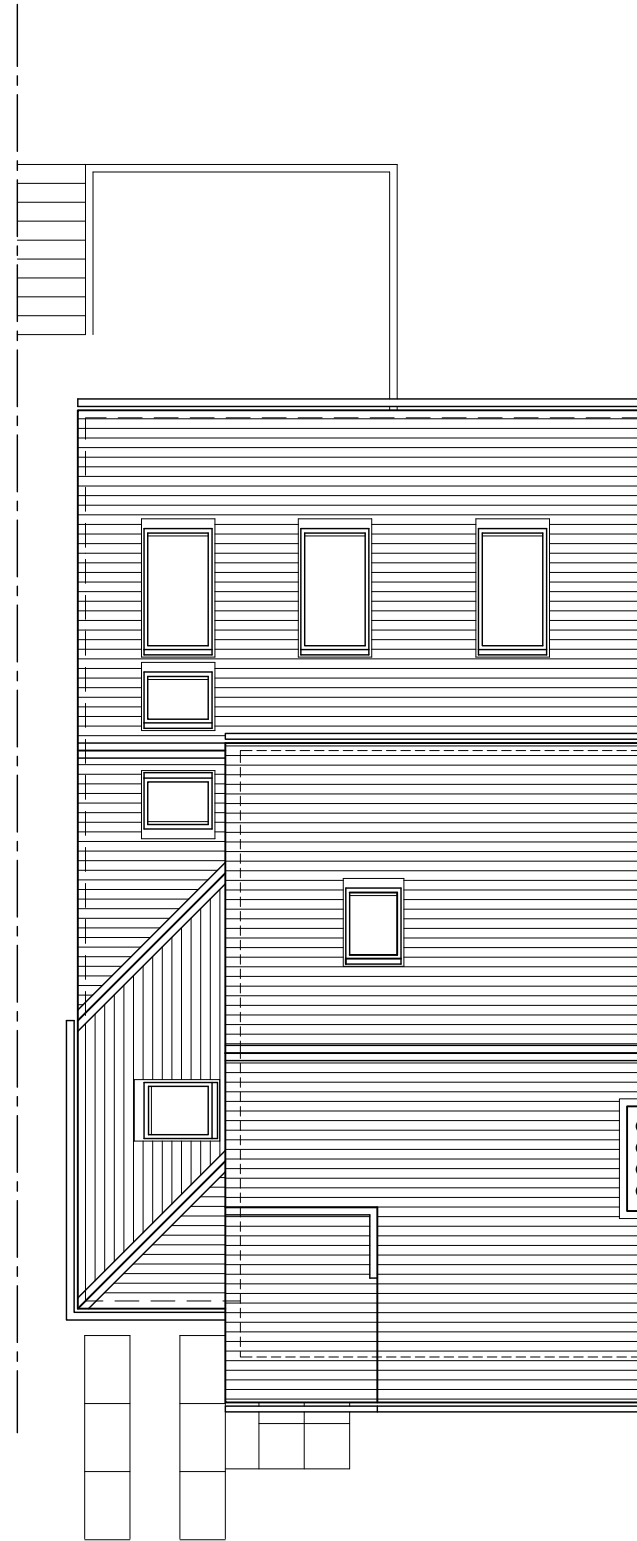
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Project Title	PROPOSED ALTERATION & EXTENSION 16 CROSSLEES DRIVE GLASGOW
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Scale	1:100
Date	15/05/18
Drawn by	GS
Checked by	GS
Job No.	17009
Drawing No.	AP(0)005
Rev.	

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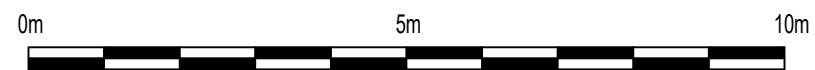
Revision	Date	By



PROPOSED ATTIC FLOOR PLAN



PROPOSED ROOF PLAN



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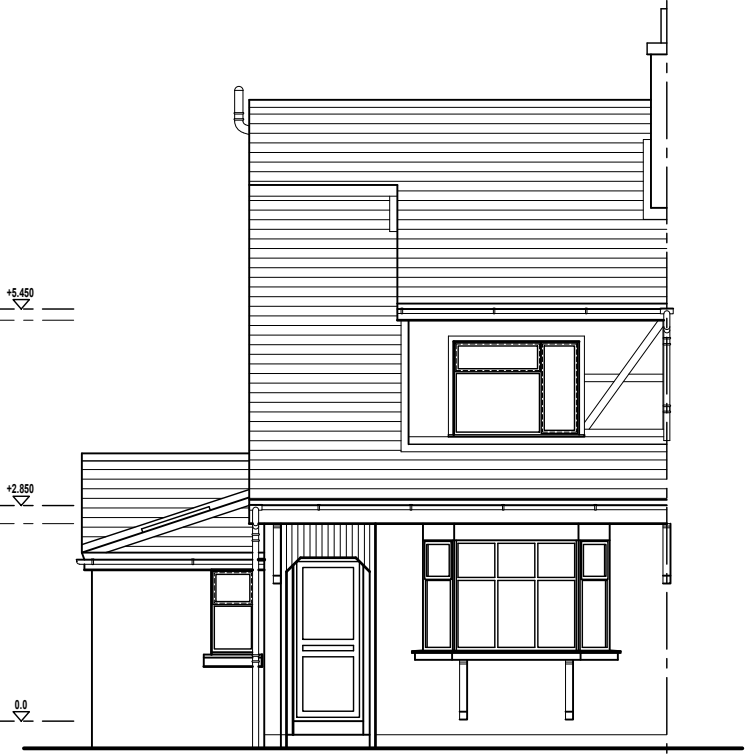
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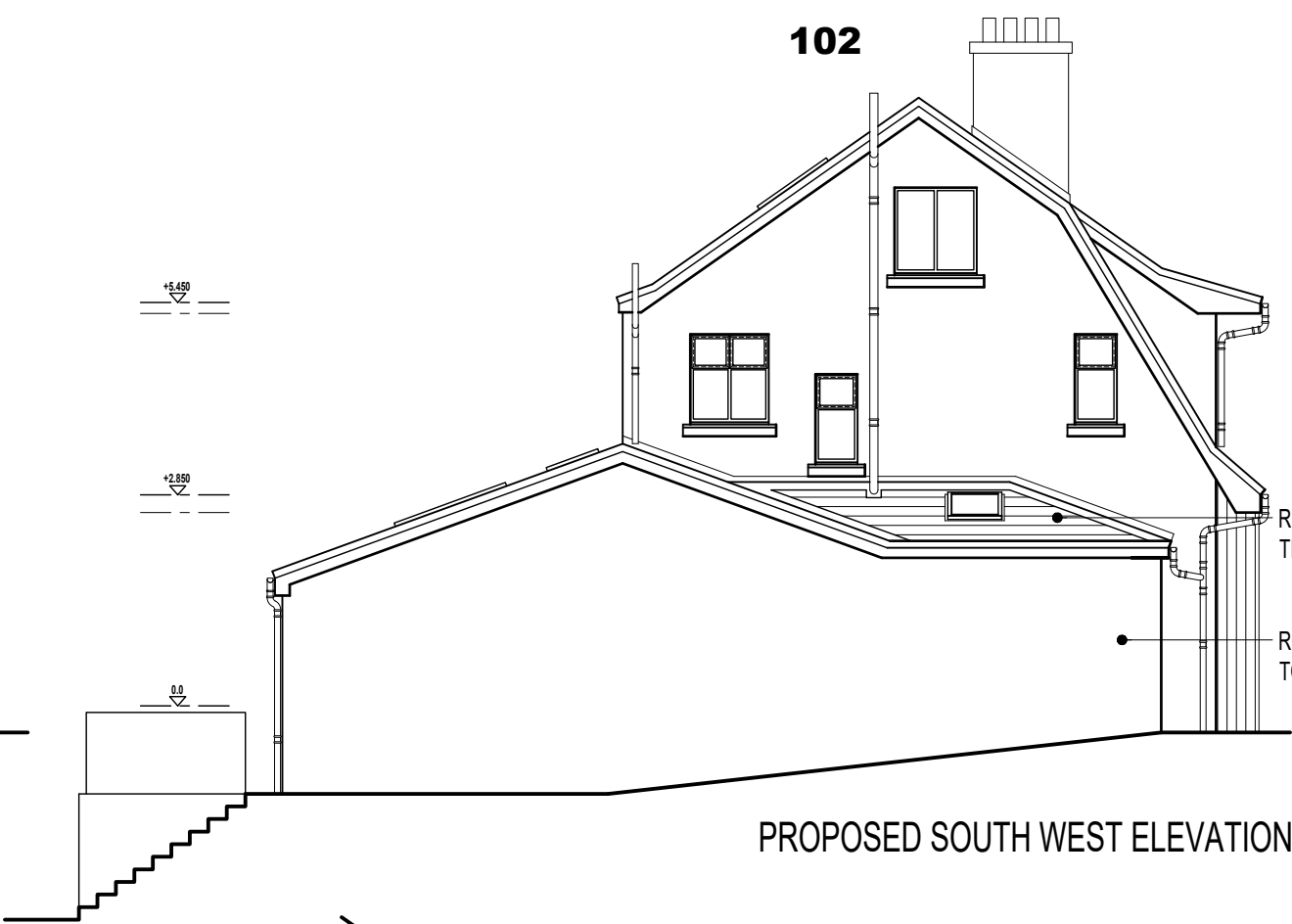
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Project Title	PROPOSED ALTERATION & EXTENSION 16 CROSSLEES DRIVE GLASGOW
Drawing Title	PROPOSED ATTIC & ROOF PLANS
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Drawn by	GS
Checked by	GS
Job No.	17009
Drawing No.	AP(0)006
Rev.	

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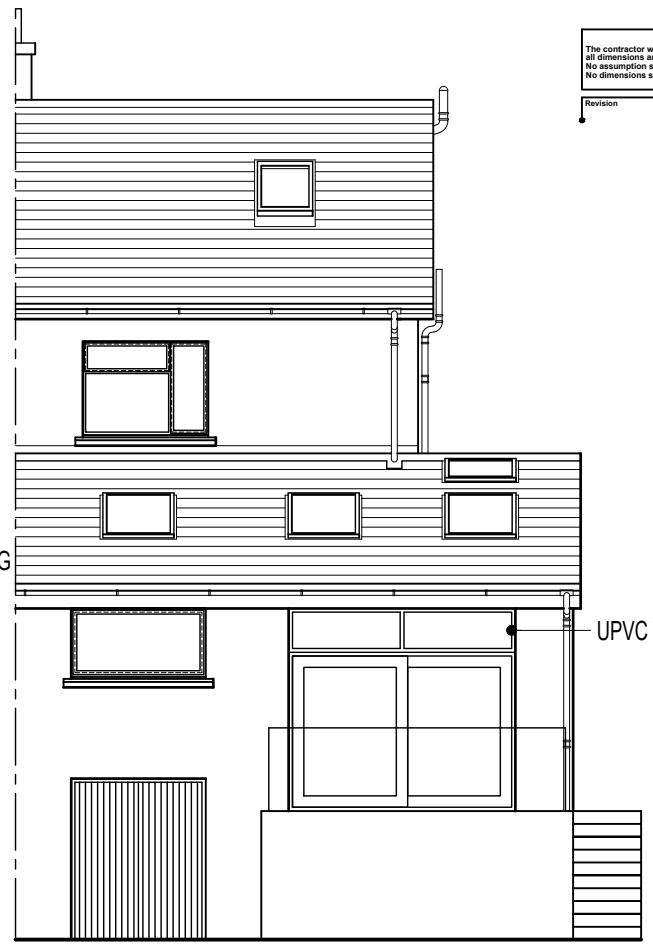
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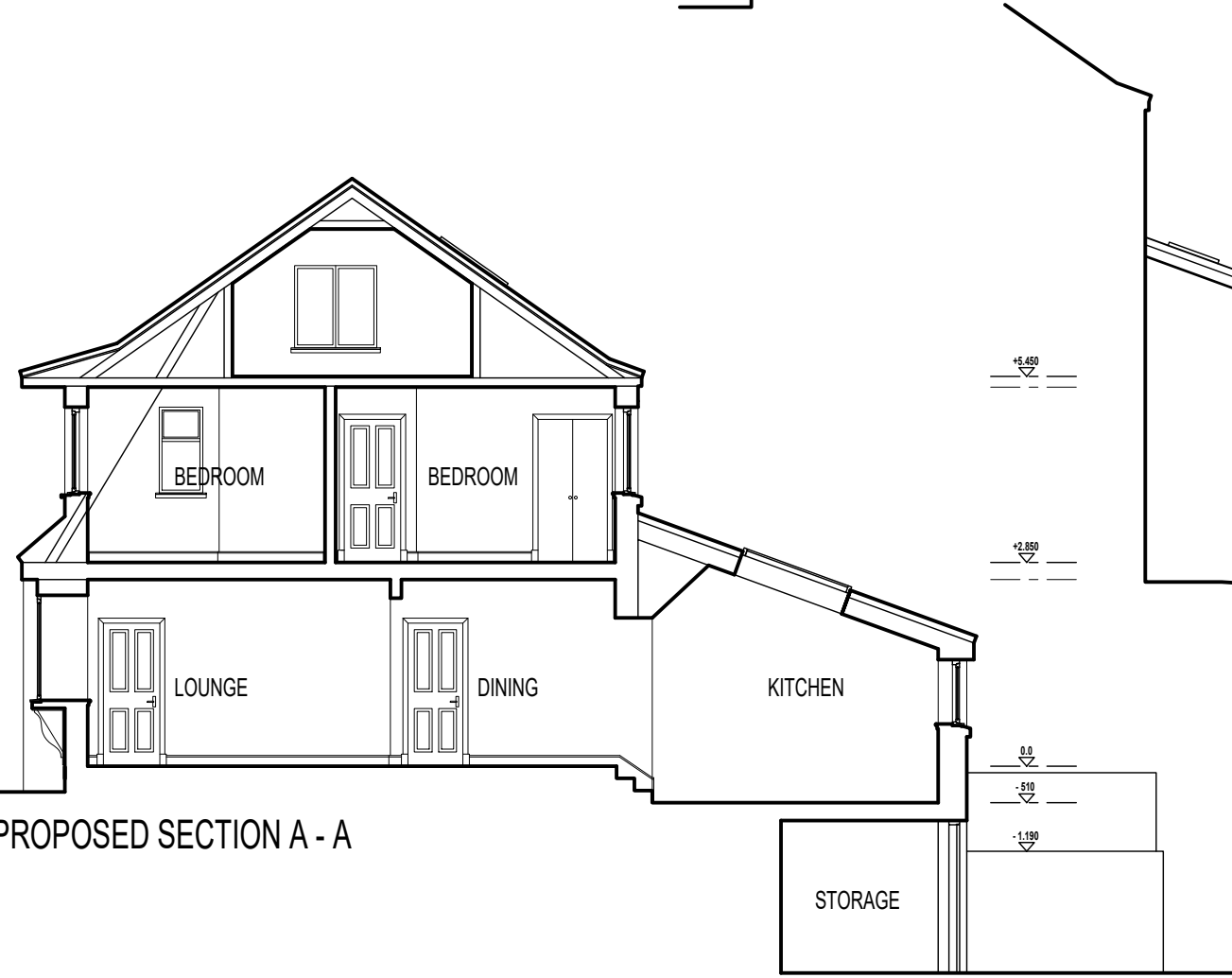
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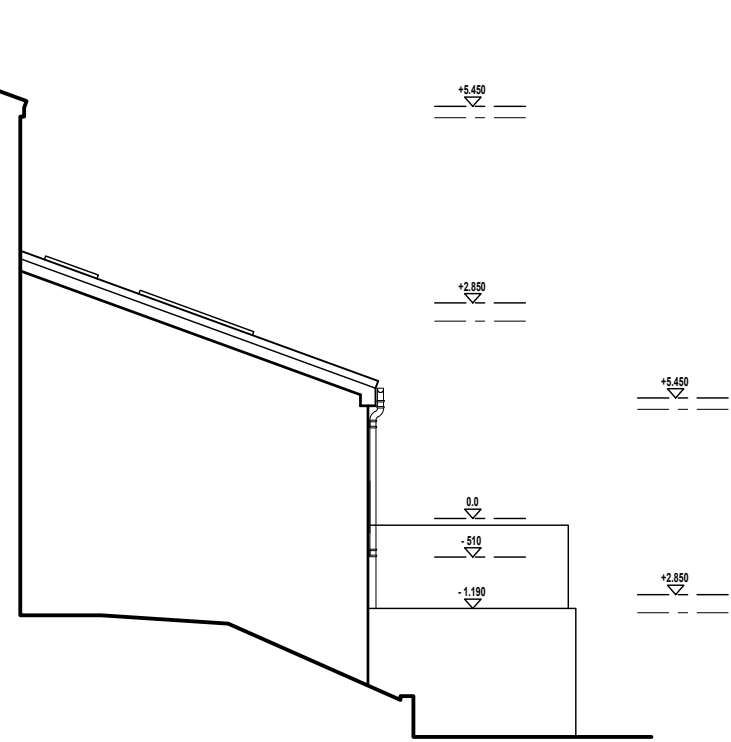
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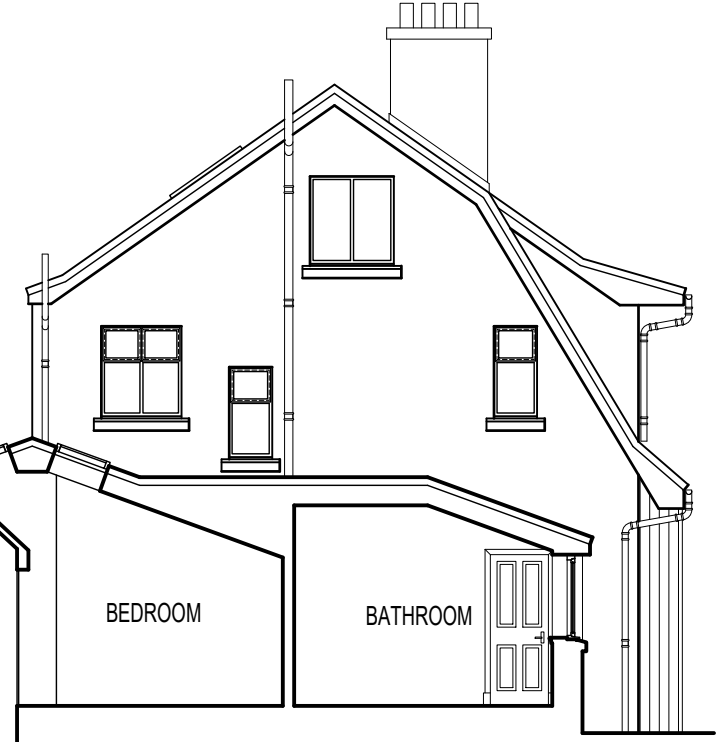
PROPOSED NORTH WEST ELEVATION



PROPOSED SECTION A - A



PROPOSED NORTH EAST ELEVATION



PROPOSED SECTION B - B



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PLANNING					
Client	MISS JOAN DONNELLY				
Project Title	PROPOSED ALTERATION & EXTENSION 16 CROSSLEES DRIVE GLASGOW				
Drawing Title	PROPOSED ELEVATIONS & SECTIONS				
Scale	1: 100	Date	15/05/18		
Drawn by	GS	Checked by	GS		
Job No.	17009	Drawing No.	AP(0)007	Rev.	