

EAST RENFREWSHIRE COUNCILLOCAL REVIEW BODY5 September 2018Report by Deputy Chief ExecutiveREVIEW OF CASE - REVIEW/2018/14ERECTION OF SINGLE STOREY REAR EXTENSION AND ENLARGEMENT OF SINGLE STOREY EXTENSION/PORCH AT FRONT AT 48 ABERCORN ROAD, 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:- 2018/0133/TP).
- Applicant: Mr and Mrs William Lithgow.
- Proposal: Erection of single storey rear extension; enlargement of single storey extension/porch at front.
- Location: 48 Abercorn Road, Newton Mearns.
- Council Area/Ward: Newton Mearns North and Neilston (Ward 2).

REASON FOR REQUESTING REVIEW

3. The applicants have requested a review on the grounds that the Council's Appointed Officer refused their 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 the application. A copy of the applicants’ Notice of Review and Statement of Reasons is attached as Appendix 4.

9. The applicants are entitled to state a preference for the procedure (or combination of procedures) to be followed by the Local Review Body in the determination of the review and have indicated that their stated preference is the assessment of the review documents only, with no further procedure.

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, 5 September 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 applicants have submitted new information which was not available to the Appointed Officer at the time the determination of the application was made. The new information relates to a health condition Mr Lithgow suffers from. In addition, a photograph of another extension to a property was submitted though no address of the property was given. Both of the foregoing were not in the application file.

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

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

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

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

17. In response, the applicants have intimated that they did not submit details of Mr Lithgow’s health condition as they were advised by their architect that it was not necessary to do so at the time. As regards, the photograph that was submitted this was of an extension at 25 Rankin Drive, Newton Mearns and the applicants were not aware of the extension until July 2018.

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

19. Members should note that the new information has been excluded from the applicants’ submission with their ‘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 71 - 76);
- (b) Report of Handling by the planning officer under the Scheme of Delegation - Appendix 2 (Pages 77 - 84);
- (c) Decision notice and reasons for refusal - Appendix 3 (Pages 85 - 88); and

- (d) A copy of the applicants' Notice of Review and Statement of Reasons - Appendix 4 (Pages 89 - 96).

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 these are attached as Appendix 5 (Pages 97 - 102).

- (a) Refused - Block Location Plans;
- (b) Refused – Plans, Sections, and Elevations; and
- (c) Refused – Proposed Plans.

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

23. All the documents referred to in this report can be viewed online on the Council's website at www.eastrenfrewshire.gov.uk 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:- August 2018

APPLICATION FORM

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2018/0133/TP 73
R202 6/3/18

RECEIVED

- 6 MAR 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	MR & MRS	Ref No.	
Forename	WILLIAM	Forename	ALASTAIR
Surname	LITHGOW	Surname	MACFARLANE
Company Name	N/A	Company Name	ARCHITECT
Building No./Name	48	Building No./Name	41
Address Line 1	ABERCORN RD.	Address Line 1	SOUTHILL AVENUE
Address Line 2	NEWTON MEARNES	Address Line 2	BURNSIDE
Town/City	GLASGOW	Town/City	RUTHERGLEN
Postcode	G77 6NA	Postcode	G73 3TB
Telephone	-	Telephone	0141 647 1009
Mobile	-	Mobile	07977 419739
Fax	-	Fax	
Email	-	Email	amacf_architect@btinternet.com
3. Address or Location of Proposed Development (please include postcode)			
AS NO 1			
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:			
SINGLE STOREY EXTENSION TO REAR AND EXTENSION TO EXISTING FRONT PORCH			
Have the works already been started or completed Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
If yes, please state date of completion, or if not completed, the start date:			
Date started: <input type="text"/>		Date completed: <input type="text"/>	

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

N/A

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: [REDACTED] Name: ANNI PARLANE Date: 28.2.18

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 the applicant was owner of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the application.
- (2) None of the land to which the application relates constitutes or forms part of agricultural land.

Signed:



On behalf of:

MR & MRS W. LITHGOW

Date:

28.2.18.

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:

REPORT OF HANDLING

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REPORT OF HANDLING

Reference: 2018/0133/TP

Date Registered: 23rd March 2018

Application Type: Full Planning Permission

This application is a Local Development

Ward: 2 -Newton Mearns North And Neilston

Co-ordinates: 253264/:656781

Applicant/Agent:

Applicant:

Mr and Mrs William Lithgow

48 Abercorn Road

Newton Mearns

East Renfrewshire

G77 6NA

Agent:

Alastair MacFarlane

41 Southhill Avenue

Burnside

Rutherglen

G73 3TB

Proposal: Erection of single storey rear extension; enlargement of single storey extension/porch at front

Location: 48 Abercorn Road
Newton Mearns
East Renfrewshire
G77 6NA

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 application site comprises a two storey detached dwelling and its curtilage and lies within an established residential area. The dwelling is externally finished in grey render and grey concrete roofing tiles. The dwelling has an existing front extension/porch and an existing double garage in the rear garden. The area has been designed with a "Radburn" type layout with vehicular access to the rear and pedestrian access at the front. The garage is accessed via the road to the rear. In common with the other properties in the area, the private rear gardens are to the rear with the front garden generally open to the pedestrian access path.

Planning permission is sought for the erection of a single storey rear extension and for the erection of a single storey addition to the front extension/porch. The proposed rear extension measures 4 metres deep by 7.65 metres wide and comprises a mono-pitch roof. It lies 1 metre from each side boundary and approximately 1.6 metres from the double garage. The double

garage is proposed to be retained. The front extension measures approximately 0.6 metres by 1.9 metres. The external materials are proposed to match the existing finishes.

The application requires to be assessed against Policies D1 and D14 of the adopted East Renfrewshire Local Development Plan. Policy D1 requires that all development should not result in a significant loss of character to the surrounding area and Policy D14 requires that extensions should complement the character of the existing building in terms of its style, form and materials and that development should avoid the over-development of the site by major loss of garden ground.

In general terms the proposed rear extension and front extension are considered to complement the character and design of the existing dwelling in terms of their design and matching materials. They would not give rise to significant additional overlooking, overshadowing or loss of light given their design and orientation in relation to the adjacent properties.

However, the proposed rear extension would result in the loss of a significant amount of useable rear garden ground. Indeed, the cumulative impact of the existing garage and the proposed rear extension would result in there being almost no remaining useable private rear garden ground. This would represent the over-development of the site. This would be to the significant detriment of the occupiers and future occupiers of the dwelling and is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan.

Whilst other properties in the area have rear garages, where they have rear extensions, those are much more modest than that currently proposed. Indeed, the development pattern of the area is characterised by useable private spaces to the rear. The loss of rear garden ground resulting from the proposal would therefore be out of keeping with the character and development pattern of the surrounding area and as such, the proposal is contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan.

The front porch is considered to be acceptable however the application shall be considered in its entirety.

In conclusion, the proposal is considered to be contrary to Policies D1 and D14 of the adopted Local Development Plan and there are no material considerations that outweigh these policies.

It should be noted that the applicant was advised under pre-application reference PREAPP/2017/0458 on 25 October 2017 that the proposal would give rise to an unacceptable loss of garden ground and would be unlikely to be supported.

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 rear extension would give rise to a significant loss of rear garden ground that would be out of keeping with the character and development pattern of the area.
2. The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as the proposed rear extension would give rise to a significant loss of private rear garden ground which would be detrimental to the amenity of the occupants and future occupants of the dwelling.

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.: 2018/0133/TP
(DESC)

DATE: 10th May 2018

DIRECTOR OF ENVIRONMENT

Reference: 2018/0133/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 10/05/18 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. **2018/0133/TP**

Applicant:

Mr & Mrs William Lithgow
48 Abercorn Road
Newton Mearns
East Renfrewshire
G77 6NA

Agent:

Alastair MacFarlane
41 Southhill Avenue
Burnside
Rutherglen
G73 3TB

With reference to your application which was registered on 23rd March 2018 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Erection of single storey rear extension; enlargement of single storey extension/porch at front

at: 48 Abercorn Road, Newton Mearns, East Renfrewshire, G77 6NA

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 rear extension would give rise to a significant loss of rear garden ground that would be out of keeping with the character and development pattern of the area.
2. The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as the proposed rear extension would give rise to a significant loss of private rear garden ground which would be detrimental to the amenity of the occupants and future occupants of the dwelling.

Dated 10th May 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
Block Plan and Location Plan Proposed	1		
Plans Proposed	2		
Plans Proposed	3	A	

GUIDANCE NOTE FOR REFUSAL OF LOCAL DEVELOPMENTS DETERMINED UNDER DELEGATED POWERS

REVIEW BY EAST RENFREWSHIRE COUNCIL'S LOCAL REVIEW BODY

1. If the applicant is aggrieved by a decision to refuse permission (or by an approval subject to conditions), the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. A Notice of Review can be submitted online at www.eplanning.scotland.gov.uk. Alternatively, you can download a Notice of Review form (along with notes for guidance) from www.eastrenfrewshire.gov.uk/planning-appeals-reviews which should be returned to The Planning Service, 2 Spiersbridge Way, Spiersbridge Business Park, Thornliebank, East Renfrewshire G46 8NA. You may also call the Council on 0141 577 3001 to request the Notice of Review Form. 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 100129638-001

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

Applicant or Agent Details

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

Applicant Agent

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mrs"/>	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="Isobel"/>	Building Number:	<input type="text" value="48"/>
Last Name: *	<input type="text" value="Lithgow"/>	Address 1 (Street): *	<input type="text" value="Abercorn Road"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text" value="Newton Mearns"/>
Telephone Number: *	<input type="text" value="[REDACTED]"/>	Town/City: *	<input type="text" value="Glasgow"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text" value="[REDACTED]"/>	Postcode: *	<input type="text" value="G77 6NA"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="[REDACTED]"/>		

Site Address Details

Planning Authority:

East Renfrewshire Council

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

Address 1:

48 ABERCORN ROAD

Address 2:

NEWTON MEARNS

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

GLASGOW

Post Code:

G77 6NA

Please identify/describe the location of the site or sites

Northing

656781

Easting

253264

Description of Proposal

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

(Max 500 characters)

erection of single storey rear extension; enlargement of single storey extension/porch at front

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.

garden adequate for our requirements

Future occupant they have the choice of removing the garage

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)

architect told us that it was not necessary to state we were going to change our lounge into bedroom. I am aware that this extension could be granted if we demolished the double garage but due to the fact that we garage our cars and in the winter

Regarding any future owner if they need a larger garden they can remove the garage. we cannot afford to move due to Mr Lithgow's recent retirement because of ill health.

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)

our garage which measures 24ft x 11ft this area will be garden plus the remaining area of rear garden. we also have a large front garden and also there is communal grass beyond our front garden.

Application Details

Please provide details of the application and decision.

What is the application reference number? *

2018/0133/TP

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

23/03/2018

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

10/05/2018

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

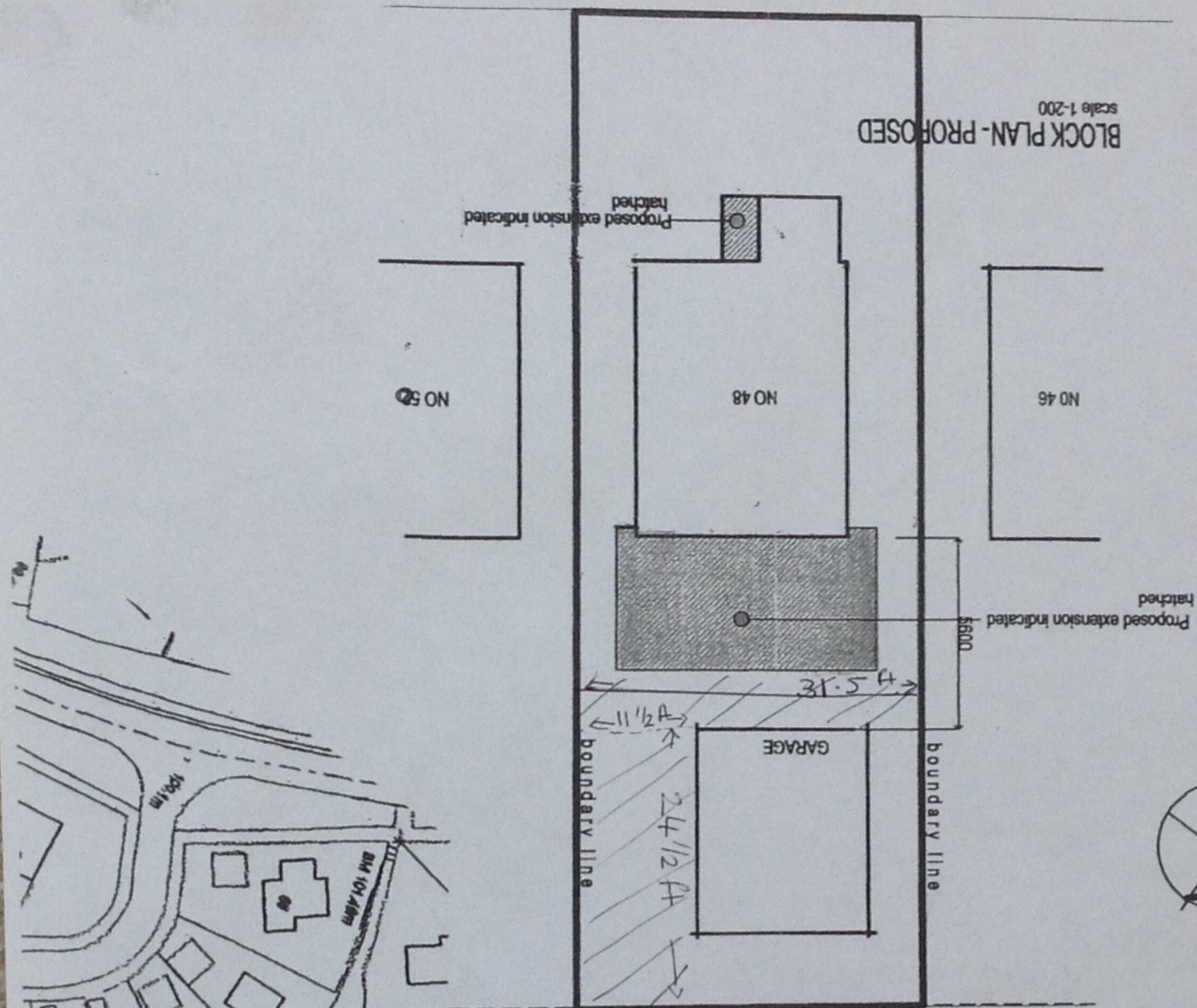
Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, 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: Mrs Isobel Lithgow

Declaration Date: 26/07/2018



//// = Area to be grassed

Area of $11\frac{1}{2} \text{ ft} \times 24\frac{1}{2} \text{ ft} = 281.75 \text{ ft}^2 / 26.18 \text{ m}^2$

plus Area between Garage and Proposed new extension this Area is $31\frac{1}{2} \text{ ft} \times 7.6 \text{ ft}$ which equals $239.40 \text{ ft}^2 / 22.24 \text{ m}^2$

Overall rear back private garden would $48.42 \text{ M}^2 / 521.15 \text{ ft}^2$

PLUS SIDES ON EITHER SIDE OF HOUSE WHICH I HAVE NOT TAKEN INTO ACCOUNT.

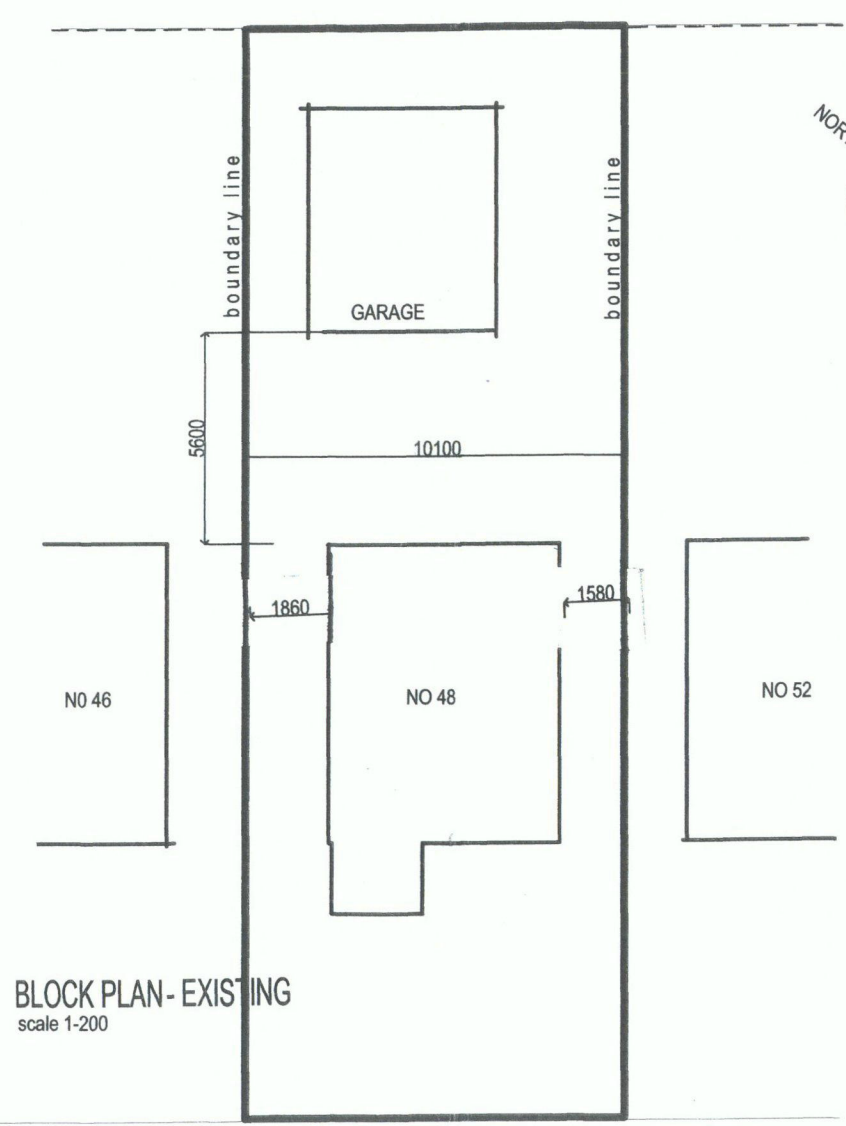
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PLANS/PHOTOGRAPHS/DRAWINGS

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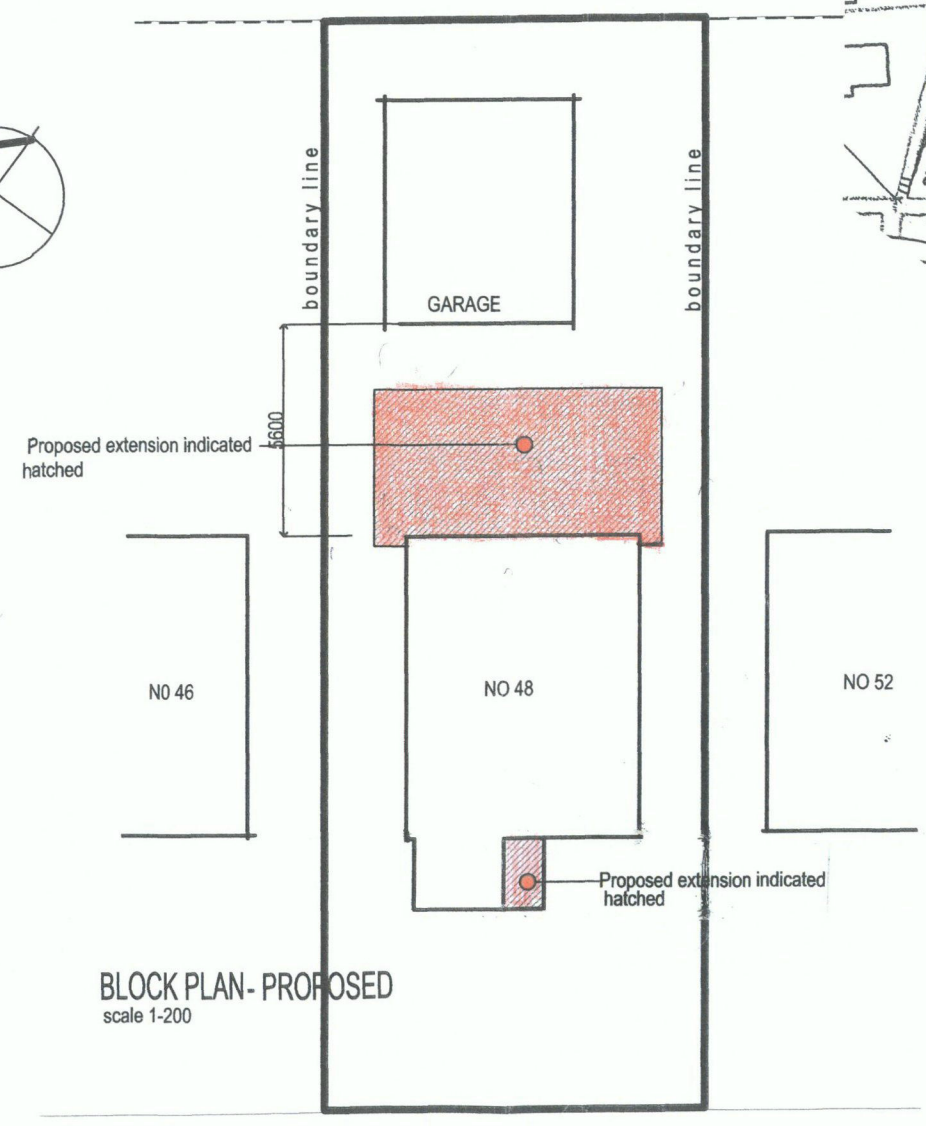
Crookh

FOWLS DRIVE



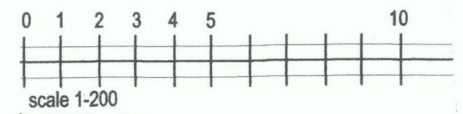
BLOCK PLAN - EXISTING
scale 1-200

ABERCORN ROAD



BLOCK PLAN - PROPOSED
scale 1-200

ABERCORN ROAD



client
MR & MRS W. LITHGOW
 48, ABERCORN ROAD, NEWTON MEARNES
 G77 6NA

project
 SINGLE STOREY EXTENSION TO REAR
 EXTENSION TO FRONT PORCH

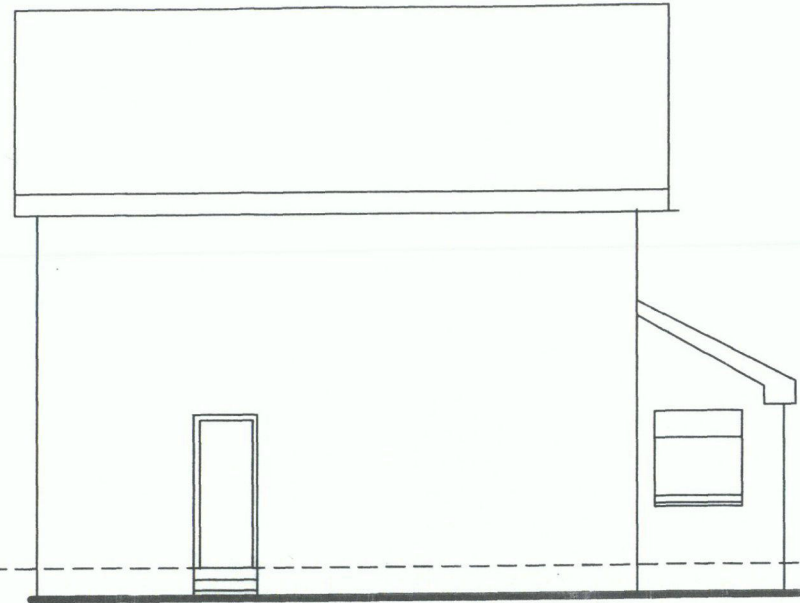
drg. title
 BLOCK / LOCATION PLANS

drg.no
 1

date

ALASTAIR MACFARLANE RIBA
 Chartered Architect
 Member of the Architects Registration Board
 41, SOUTH HILL AVENUE, BURNSIDE, RUTHERGLEN, G73 3TB
 T.01416471009. E-mail: amac_architect@btinternet.com

100



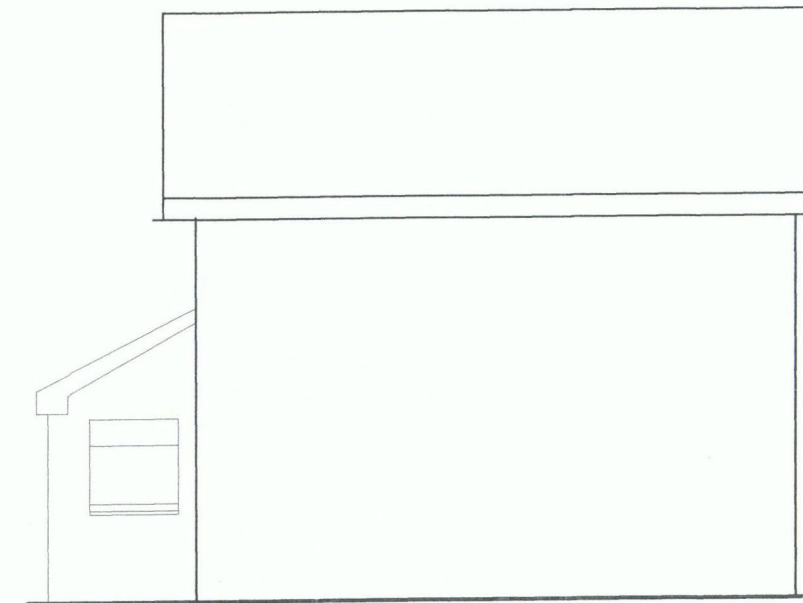
SIDE ELEVATION
scale 1-100



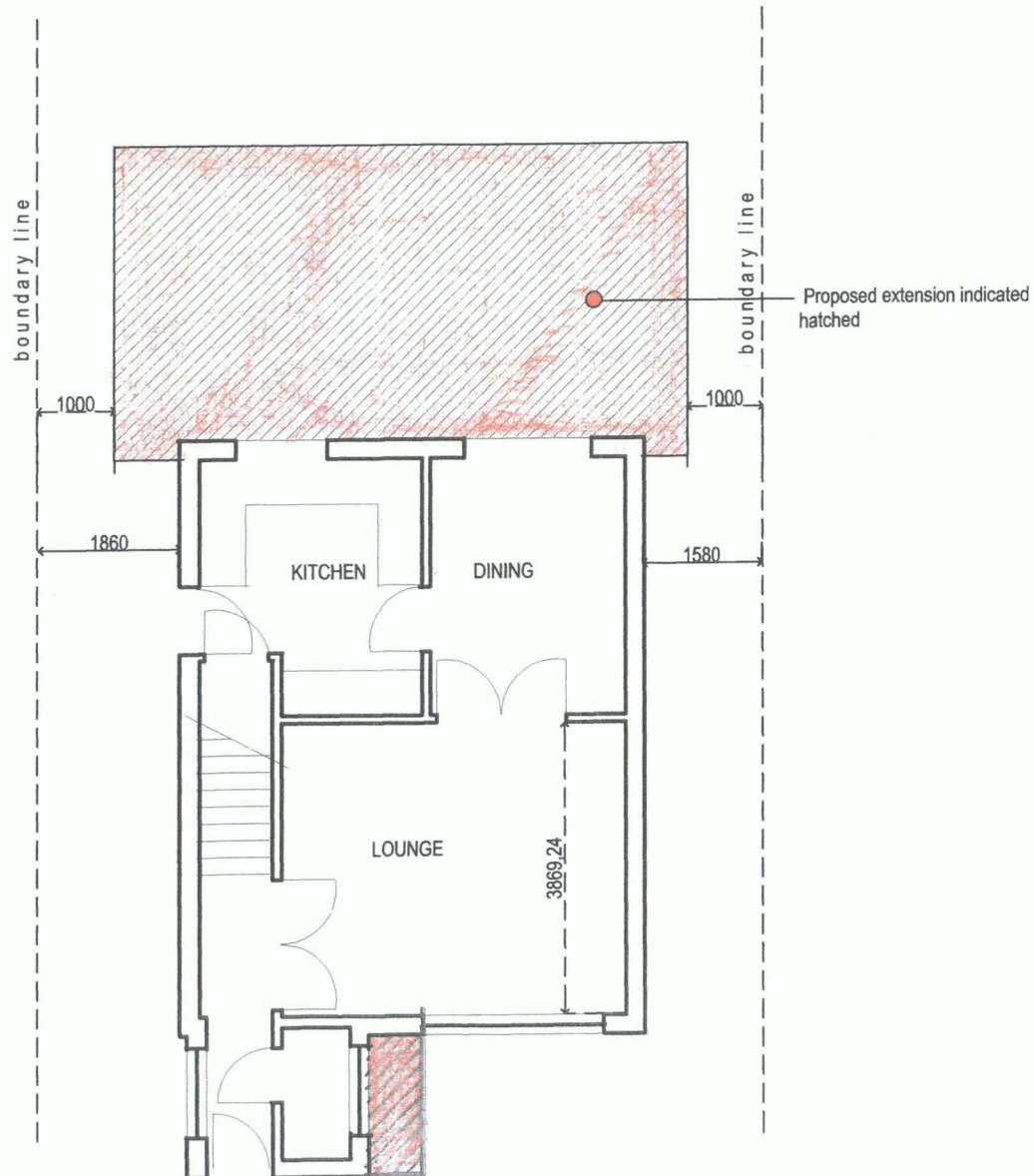
FRONT ELEVATION
scale 1-100



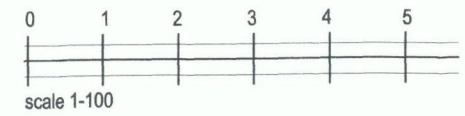
REAR ELEVATION
scale 1-100



SIDE ELEVATION I
scale 1-100



GROUND FLOOR PLAN
scale 1-100



client
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48, ABERCORN ROAD, NEWTON MEARN
G77 6NA

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SINGLE STOREY EXTENSION TO REAR
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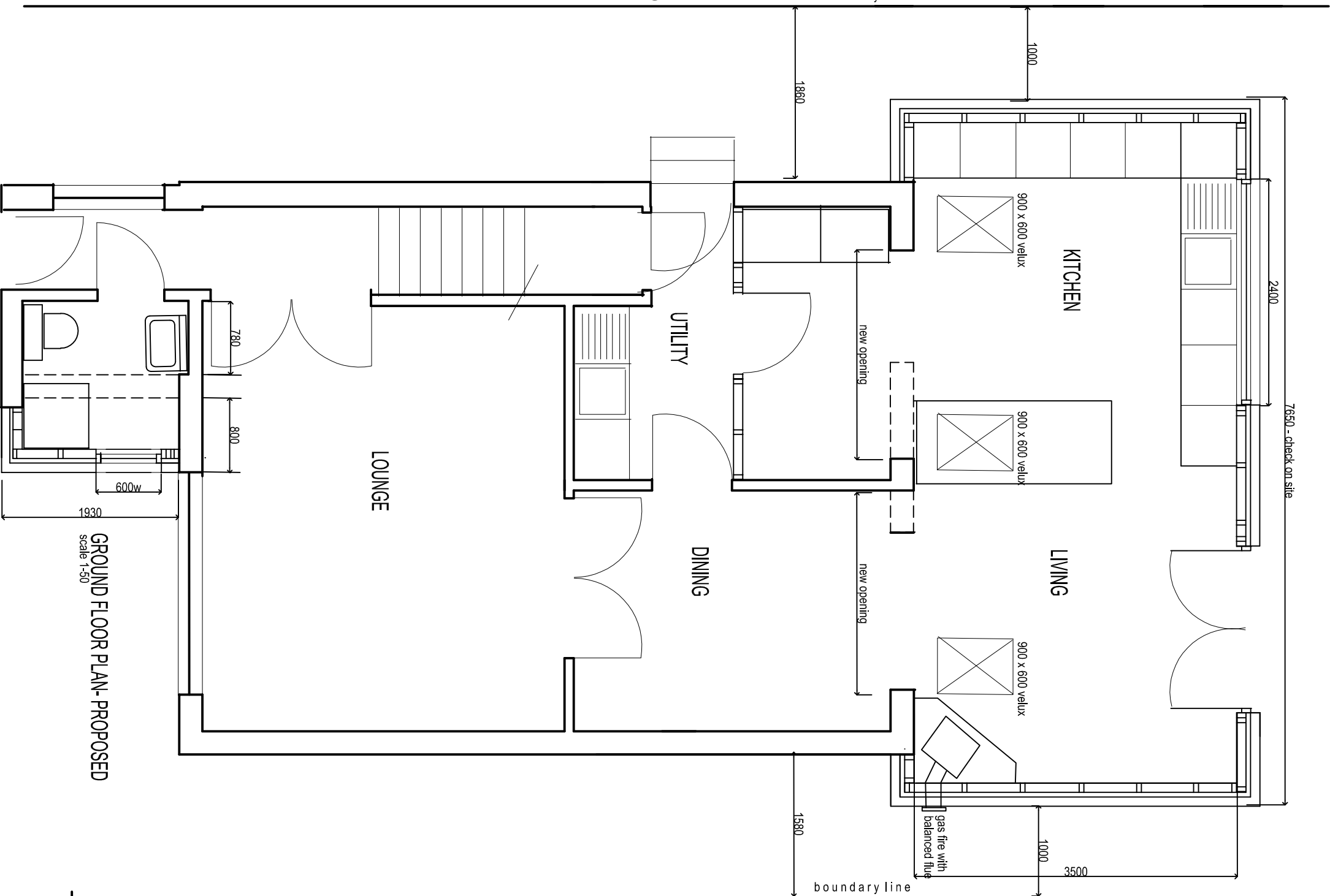
drg. title
PLANS SECTIONS ELEVATIONS

drg.no

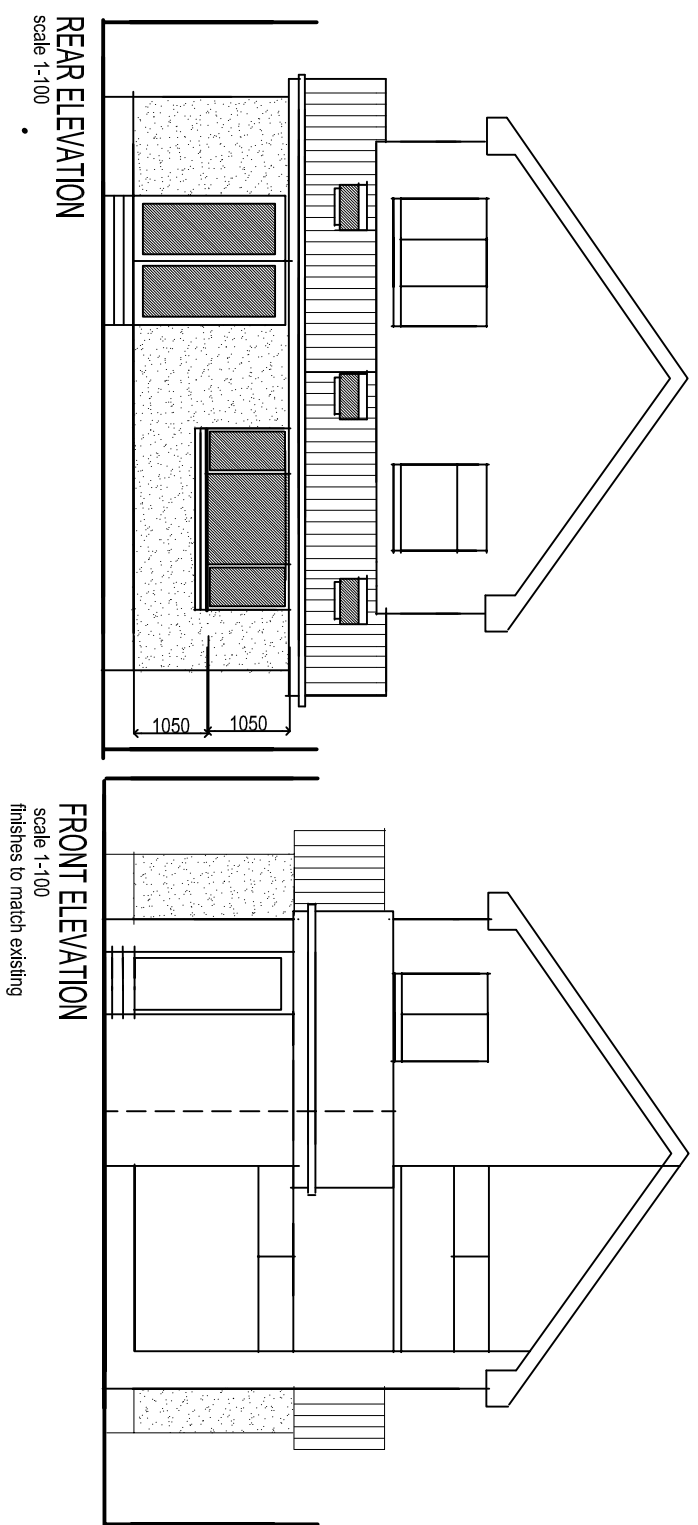
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date

ALASTAIR MACFARLANE RIBA
Chartered Architect
Member of the Architects Registration Board
41, SOUTH HILL AVENUE, BURNSIDE, RUTHERGLEN, G73 3TB
T.01416471009. E-mail-amacf_architect@btinternet.com

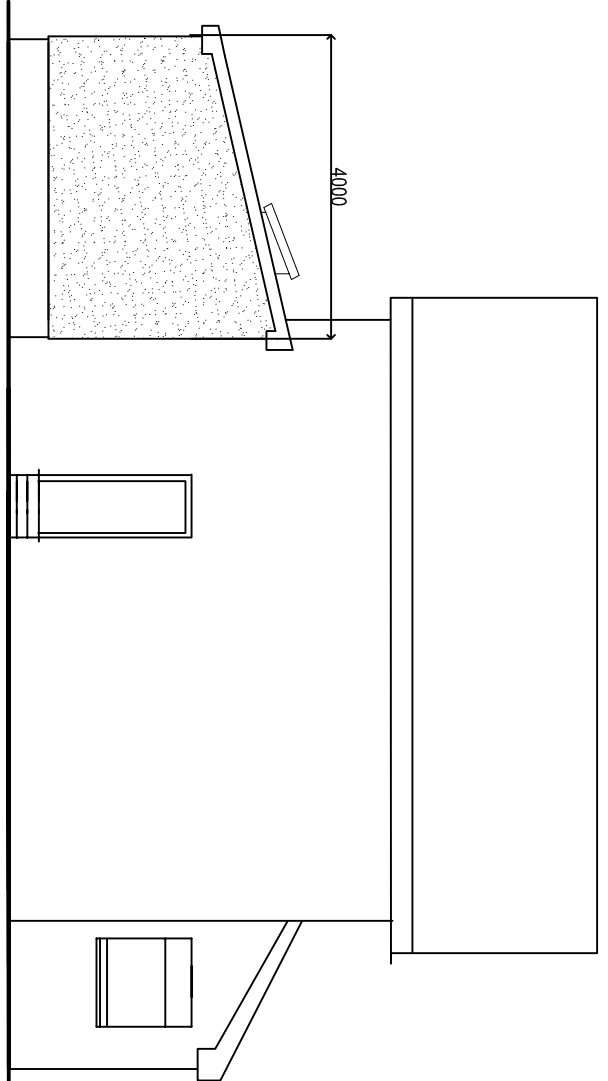


GROUND FLOOR PLAN- PROPOSED
scale 1-50

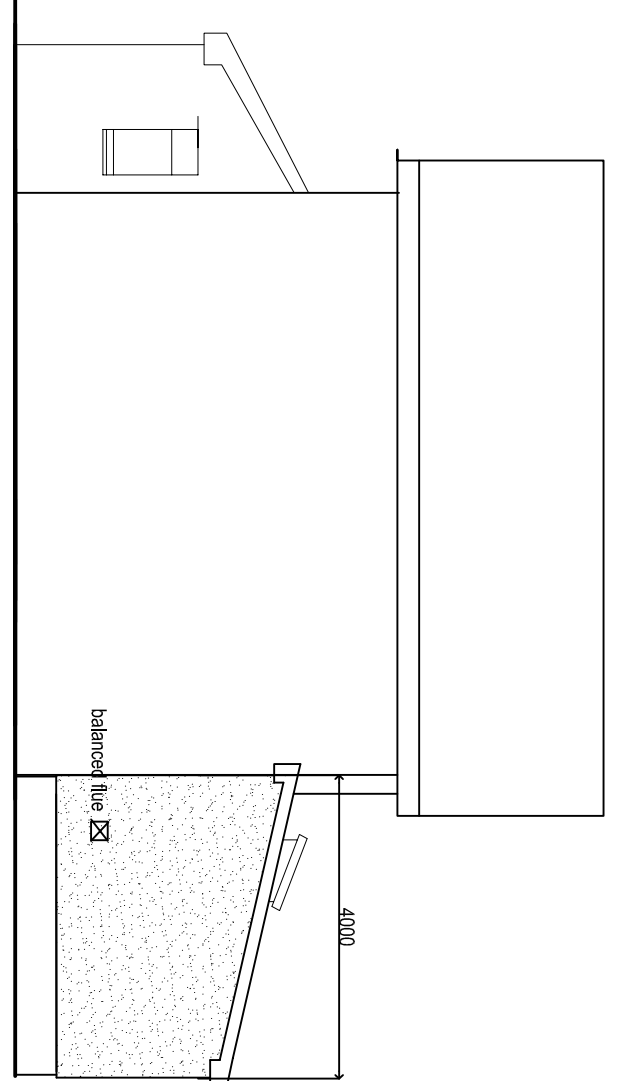


REAR ELEVATION
scale 1-100

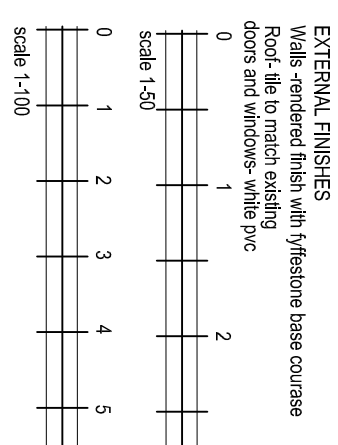
FRONT ELEVATION
scale 1-100
finishes to match existing



SIDE ELEVATION
scale 1-100



SDSIDE ELEVATION
scale 1-100



AMENDMENT A- Side elevation dimensions amended

Client
MR & MRS W. LITGOW
48, ABERCOORN ROAD, NEWTON WEARNS
G77 6NA

Project
SINGLE STOREY EXTENSION TO REAR
EXTENSION TO FRONT PORCH

drafter
PLANS SECTIONS ELEVATIONS

date
3 A

ALASTAIR MACFARLANE RIBA
Chartered Architect
Member of the Architects Registration Board
41, SOUTH HILL AVENUE, BURNSIDE, RUTHERGLEN, G73 3TB
T:0146471009; E:mal@macof.architect@btinternet.com

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