

EAST RENFREWSHIRE COUNCILLOCAL REVIEW BODY12 June 2019Report by Deputy Chief ExecutiveREVIEW OF CASE - REVIEW/2019/06ERECTION OF ONE AND A HALF STOREY REAR EXTENSION WITH INCREASE IN RIDGE HEIGHT AND INSTALLATION OF DORMER WINDOWS AT FRONT AND REAR AT 44 EAGLESHAM ROAD, CLARKSTON**PURPOSE OF REPORT**

1. The purpose of the report is to present the information currently available to allow a review of the decision taken by officers, in terms of the Scheme of Delegation made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006 in respect of the application detailed below.

**DETAILS OF APPLICATION**

2. Application type: Full Planning Permission (Ref No:- 2018/0739/TP).
- Applicant: Mr Martin Connor.
- Proposal: Erection of one and a half storey rear extension with increase in ridge height and installation of dormer windows at front and rear.
- Location: 44 Eaglesham Road, Clarkston.
- Council Area/Ward: Clarkston, Netherlee and Williamwood (Ward 4).

**REASON FOR REQUESTING REVIEW**

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

9. The applicant is entitled to state a preference for the procedure (or combination of procedures) to be followed by the Local Review Body in the determination of the review and has indicated that his 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, 12 June 2019 immediately before the meeting of the Local Review Body which begins at 2.00pm.

## INFORMATION AVAILABLE TO ALLOW REVIEW OF APPLICATION

13. Section 43B of the Planning etc (Scotland) Act 2006 restricts the ability of parties to introduce new material at the review stage. The Local Review Body is advised that the focus of the review should, therefore, be on the material which was before the officer who dealt with the application under the Scheme of Delegation.

14. 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 another planning application plans close to the applicant's property.

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, he has stated that the information was not submitted with his application for planning permission as he believed that his application was going to be given favourable consideration and be approved.

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 7 - 14);
- (b) Report of Handling by the planning officer under the Scheme of Delegation - Appendix 2 (Pages 15 - 22);
- (c) Decision notice and reasons for refusal - Appendix 3 (Pages 23 - 26); and
- (d) A copy of the applicant's Notice of Review and Statement of Reasons - Appendix 4 (Pages 27 - 34).

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 35 - 42).

- (a) Plan of 53 Eaglesham Road, Clarkston – East Elevation;
- (b) Plan of 53 Eaglesham Road, Clarkston – Elevations;
- (c) Existing Plans, Elevations and Block Plan;
- (d) Refused – Location Plan; and
- (e) Refused – Plans and Elevations Proposed.

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

23. All the documents referred to in this report can be viewed online on the Council's website at [www.eastrenfrewshire.gov.uk](http://www.eastrenfrewshire.gov.uk) 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](mailto:paul.o'neil@eastrenfrewshire.gov.uk)  
Tel: 0141 577 3011

Date:- June 2019

# APPLICATION FORM

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

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

Thank you for completing this application form:

ONLINE REFERENCE        100145567-001

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)

Erection of rear extension and new roof extension to form new sleeping accommodation

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

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	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="Martin"/>	Building Number:	<input type="text" value="44"/>
Last Name: *	<input type="text" value="Connor"/>	Address 1 (Street): *	<input type="text" value="Eaglesham Road"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value="REDACTED"/>	Town/City: *	<input type="text" value="Eaglesham"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="G76 7TW"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

## Site Address Details

Planning Authority:

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

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing	<input type="text" value="656687"/>	Easting	<input type="text" value="257337"/>
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## Pre-Application Discussion

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

Yes  No

## Pre-Application Discussion Details Cont.

In what format was the feedback given? \*

Meeting  Telephone  Letter  Email

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

Policy D14 requires that dormer windows should not dominate the existing roof. The (SPG) Supplementary Planning Guidance – Householder Design Guide requires that dormer windows should: Be wholly contained within the roof slope and set below the roof ridge/hip and off the side ridge/hip, Not be built up from the wallhead and be set well back from the eaves, not occupy more than 50% of the area of the roof, have roof, sides and front faces to match the existing house.

Title:	<input type="text" value="Ms"/>	Other title:	<input type="text"/>
First Name:	<input type="text" value="Fiona"/>	Last Name:	<input type="text" value="Morrison"/>
Correspondence Reference Number:	<input type="text" value="PREAPP/2018/0191"/>	Date (dd/mm/yyyy):	<input type="text" value="16/08/2018"/>

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

## 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: Mr Martin Connor

On behalf of:

Date: 01/12/2018

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 Martin Connor  
Declaration Date: 01/12/2018

### Payment Details

Telephone Payment Reference:

Created: 01/12/2018 08:53

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## REPORT OF HANDLING

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# REPORT OF HANDLING

Reference: 2018/0739/TP

Date Registered: 18th December 2018

Application Type: Full Planning Permission

This application is a Local Development

Ward: 4 -Clarkston, Netherlee And Williamwood

Co-ordinates: 257337/:656687

Applicant/Agent: Applicant: Agent:

Mr Martin Connor  
44 Eaglesham Road  
Eaglesham  
Scotland  
G76 7TW

Proposal: Erection of one and a half storey rear extension with increase in ridge height and installation of dormer windows at front and rear

Location: 44 Eaglesham Road  
Clarkston  
East Renfrewshire  
G76 7TW

**CONSULTATIONS/COMMENTS:** None.

**PUBLICITY:** None.

**SITE NOTICES:** None.

**SITE HISTORY:**

2002/0578/TP	Installation of side dormer and erection of rear extension	Approved Subject to Conditions	10.09.2002
2004/1092/TP	Erection of one and a half storey rear extension	Approved Subject to Conditions	02.03.2005

**REPRESENTATIONS:** No representations have been received.

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

**SUPPORTING REPORTS:** None.

**ASSESSMENT:**

The site comprises a detached bungalow that is situated within an established residential area surrounded by a mix of house types. The property which is set back behind a low boundary wall and hedge currently has a single storey extension at the rear and a detached timber garage within the rear curtilage.

It is proposed to increase the ridge height of the original house by approximately 1.4m and extend it to the rear in addition to installing hipped roof dormer windows on the front and rear roof slopes.

The accommodation will comprise additional kitchen and living space on the lower floor and four additional bedrooms, one with en-suite and a further bathroom on the upper floor. Each dormer window will measure approximately 3.4m in width.

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.

The adopted Supplementary Planning Guidance: Householder Design Guide (SPG) is also of relevance. The SPG states that extensions to the rear of bungalows should have their ridge line below the ridge of the house. Dormer windows should be wholly contained within the roof slope and set below the roof slope and set below the roof ridge/hip and the side ridge/hip.

The proposal, by virtue of its design and increased height of the ridge line, results in the loss of the original form of the roof to the detriment of the original character of the dwelling. The massing and scale is significantly out of keeping with what is otherwise a well-proportioned house. This would result in a visually dominant development. This is contrary to Policy D14 and to the specific terms of the SPG. The resultant visual impact of this is considered to significantly detract from the character of the area and will have a detrimental visual impact on neighbouring properties in conflict with Policy D1.

It is considered that the proposal conflicts with the terms of the East Renfrewshire Local Development Plan and should be refused unless material considerations indicate otherwise.

Material considerations would include an established pattern of similar developments within the surrounding area. While there are neighbouring properties that have been extended by way of altering the roof to accommodate dormer windows and a rear extension there are none to this extent. Meetings with the applicant to discuss possible options to reduce the overall scale of the proposal were unsuccessful.

In conclusion, the proposal is considered to dominate and detract from the character and appearance of the property as well as the residential and visual amenity of the neighbouring properties and the immediate locale. The proposal is therefore contrary to Policies D1 and D14 of the adopted East Renfrewshire Local Development Plan and to the terms of the SPG. There are no material considerations that outweigh the terms of the policies. It is therefore recommended that the application 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 it will due to its location, height and massing, visually dominate and impinge on the neighbouring properties, to the detriment of the residential and visual amenity of the area.



2. The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan and the Supplementary Planning Guidance: Householder Design Guide as, due to its size, massing and height it will have a dominant and detrimental impact on the appearance of the original house.

**ADDITIONAL NOTES:** None.

**ADDED VALUE:** None.

**BACKGROUND PAPERS:**

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

Ref. No.: 2018/0739/TP  
(FIMO)

DATE: 7th March 2019

**DIRECTOR OF ENVIRONMENT**

**Reference: 2018/0739/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 solms or other development that would remove opportunities to enhance pedestrian and cycle access unless mitigation measures have been demonstrated;
  15. The Council requires the submission of a design statement for national and major developments. Design statements must also be submitted in cases where a local development relates to a site within a conservation area or Category A listed building in line with Planning Advice Note 68: Design Statements.
  16. Where applicable, developers should explore opportunities for the provision of digital infrastructure to new homes and business premises as an integral part of development.

#### Policy D14

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

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

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

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

Side extensions should not create an unbroken or terraced appearance.

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

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

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

**GOVERNMENT GUIDANCE:** None

**Finalised 07/03/19 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.           **2018/0739/TP**

**Applicant:**

Mr Martin Connor  
44 Eaglesham Road  
Eaglesham  
Scotland  
G76 7TW

**Agent:**

With reference to your application which was registered on 18th December 2018 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

**Erection of one and a half storey rear extension with increase in ridge height and installation of dormer windows at front and rear**

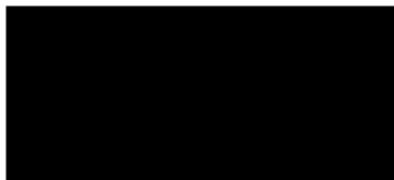
**at: 44 Eaglesham Road, Clarkston, East Renfrewshire, G76 7TW**

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 it will due to its location, height and massing, visually dominate and impinge on the neighbouring properties, to the detriment of the residential and visual amenity of the area.
2. The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan and the Supplementary Planning Guidance: Householder Design Guide as, due to its size, massing and height it will have a dominant and detrimental impact on the appearance of the original house.

Dated               7th March 2019



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

The following drawings/plans have been refused

Plan Description	Drawing Number	Drawing Version	Date on Plan
Location Plan	001		
Plans and Elevations Proposed	010		

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

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

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

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

CONTACT DETAILS

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

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



**NOTICE OF REVIEW  
AND  
STATEMENT OF REASONS**

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

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

Thank you for completing this application form:

ONLINE REFERENCE      100145567-003

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

## Applicant or Agent Details

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

Applicant  Agent

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	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="Martin"/>	Building Number:	<input type="text" value="44"/>
Last Name: *	<input type="text" value="Connor"/>	Address 1 (Street): *	<input type="text" value="Eaglesham Road"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value="REDACTED"/>	Town/City: *	<input type="text" value="Clarkston"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="G76 7TW"/>
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:

44 EAGLESHAM ROAD

Address 2:

CLARKSTON

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

GLASGOW

Post Code:

G76 7TW

Please identify/describe the location of the site or sites

Northing

656687

Easting

257337

## 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 one and a half storey rear extension and installation of dormer windows at front and rear

## Type of Application

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

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

What does your review relate to? \*

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

## Statement of reasons for seeking review

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

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

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

We wish to request a planning condition for the following reasons and further noted in the attached in the supporting documents section: 1. We believe the decision did not take into account the precedent set by approving other applications within the area - see notes 2. We believe the recommendations noted within in the East Renfrewshire Design guides have been met 3. We believe that the advise giving by the planning authority made no reference to the reasons given within the refusal

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)

- statement on the decision notice and response to each point raised

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

2018/0739/TP

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

03/12/2018

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

07/03/2019

## Review Procedure

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

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

Yes  No

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

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

Yes  No

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

Yes  No

## Checklist – Application for Notice of Review

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

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

Yes  No

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

Yes  No

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

Yes  No  N/A

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

Yes  No

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

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

Yes  No

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

## Declare – Notice of Review

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

Declaration Name: Mr Martin Connor

Declaration Date: 09/05/2019

Ref. No. 2018/0739/TP

**Erection of one and a half storey rear extension with increase in ridge height and installation of dormer windows at front and rear**

at: 44 Eaglesham Road, Clarkston, East Renfrewshire, G76 7TW

With regards to the decision for the above property, we would like to make the following comments in response to the applications decisions and wish to add some commentary in support of our application within the appeal.

**Point 1:**

*The proposal is contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan, as it will due to its location, height and massing, visually dominate and impinge on the neighbouring properties, to the detriment of the residential and visual amenity of the area.*

Applicant's response:

In regards to the Policy D1 and the note that we impinge on the neighbouring properties we wish to note that the following sections we have complied with and have followed the context in which our property is situated:

1. The development should not result in a significant loss of character or amenity to the surrounding area; - **we believe that no loss of character has occurred with the design and follows the precedents set by other developments in the surrounding arear, must notably the properties at:**

- 53 Eaglesham Road, Clarkston - 2010/0747/TP
- 79 Stamperland Avenue, Clarkston - 2016/0150/TP

*In relation to the application at 79 Stamperland Avenue - 2016/0150/TP the planning officer was quoted as noted the following: ' Whilst the extension is relatively large in terms of its footprint, it is nevertheless readily accommodated within the site. Furthermore, it's hipped roof design is considered to generally compliment the character and design of the existing house and as such, it would not detract from the character or amenity of the wider area.'*

*In relation to the application at 53 Eaglesham Road, Clarkston - 2010/0747/TP the planning officer is quoted as stating the following: 'The front and rear hipped roof dormers are also considered to compliment the character and design of the dwelling.'*

*Each of these statements, furthermore reenforcethe precedents set and approved in the area in the last few years, all of which align with the design intent within this application.*

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; **we believe that the scale and character of the properties along Eaglesham Road vary greatly and that the design and follows the precedents set by other developments in the surrounding arear, must notably the properties at:**

- 53 Eaglesham Road, Clarkston - 2010/0747/TP
- 79 Stamperland Avenue, Clarkston - 2016/0150/TP

In our opinion all other remaining points numbered 3 – 16 have been met within the confines of the design or are not applicable to this application.

**Point 2:**

*The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan and the Supplementary Planning Guidance: Householder Design Guide as, due to its size, massing and height it will have a dominant and detrimental impact on the appearance of the original house.*

In regards to Policy D14 and the note that design is dominant and detrimental impact on the original house we note the following and demonstrate compliance with the standards:

- Any extensions must complement the existing character of the property, particularly in terms of style, form and materials. – **we believe that the style, form and materials of the proposed extensions matches and compliments the existing property**
- The size, scale and height of any development must be appropriate to the existing building. - **we believe that the size, scale and height of the properties along Eaglesham Road vary greatly and that the design and follows the precedents set by other developments in the surrounding area, must notably the properties at :**
  - 53 Eaglesham Road, Clarkston - 2010/0747/TP
  - 79 Stamperland Avenue, Clarkston - 2016/0150/TP

- 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. – **We have followed below extract from the East Renfrewshire Design guide where noted**

In response to the claim that the dormer does not meet the guidelines  
Dormer windows should...

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

It is our opinion that the guidelines have been met and that they follow the surrounding character of the area. We have also followed and met the pre-application advice which was previously in support of the drawings and design pending the small changes to the dormer windows.



**PLANS/PHOTOGRAPHS/DRAWINGS**

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Town and Country Planning  
(Scotland) Act 1997  
**APPROVED**  
Director of Environment  
East Renfrewshire Council

**PERFORMANCE SPECIFICATION**

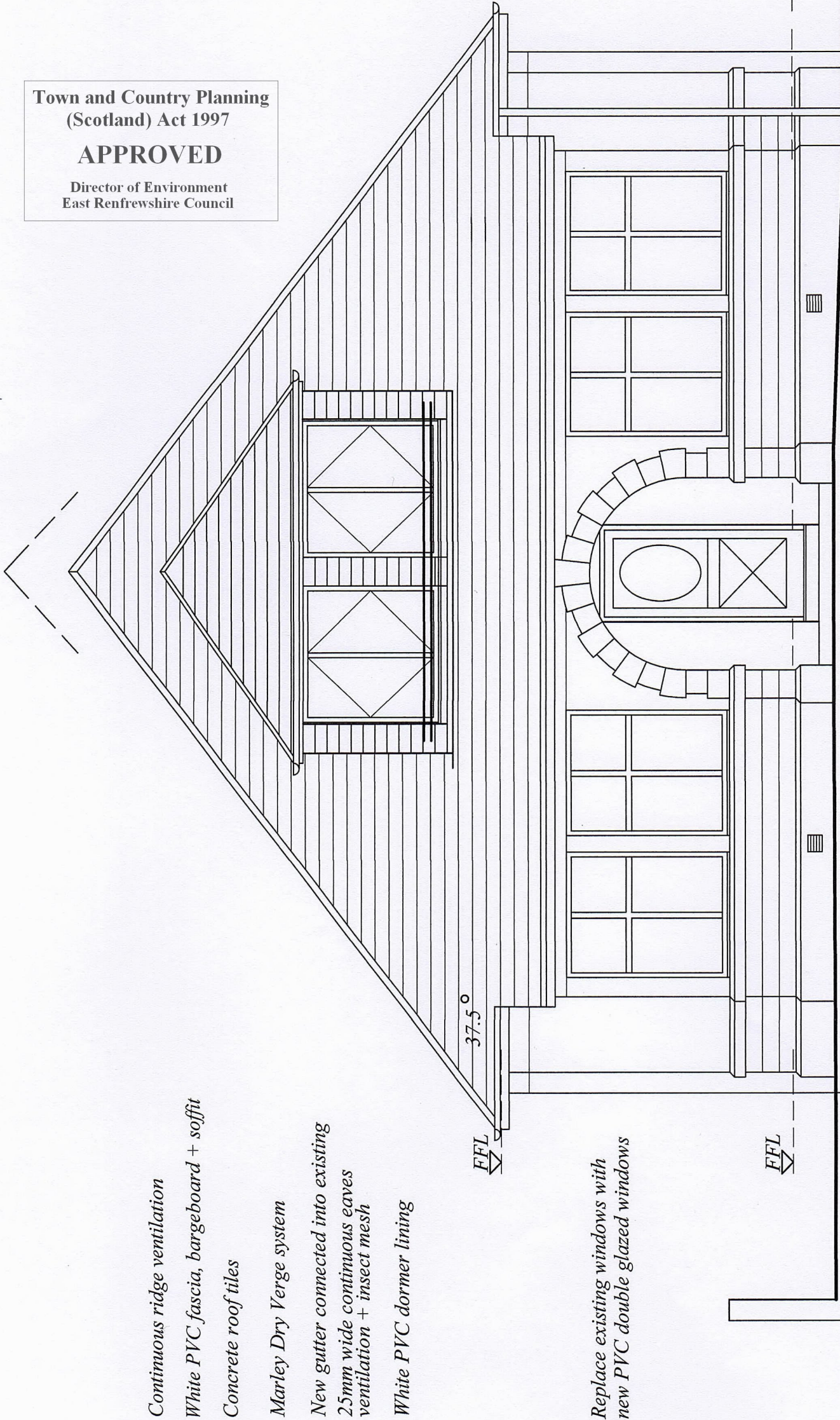
**Windows + Doors**

Windows and doors shall be designed and fabricated by a specialist window manufacturer in accordance with BS 6262. Glazing and its fixings to be designed to resist a wind loading of 0.80 kN/m<sup>2</sup>, established in accordance with BS 6399 part 2 for grid reference NS708583. Glazing to all doors and windows with cills lower than 0.8m above ffl shall incorporate toughened safety glass to BS 6206 and BS 6262 to sustain lateral loads specified in BS 6399 part 1.

Double glazed window  
800mm high metal railings

**NOTES**

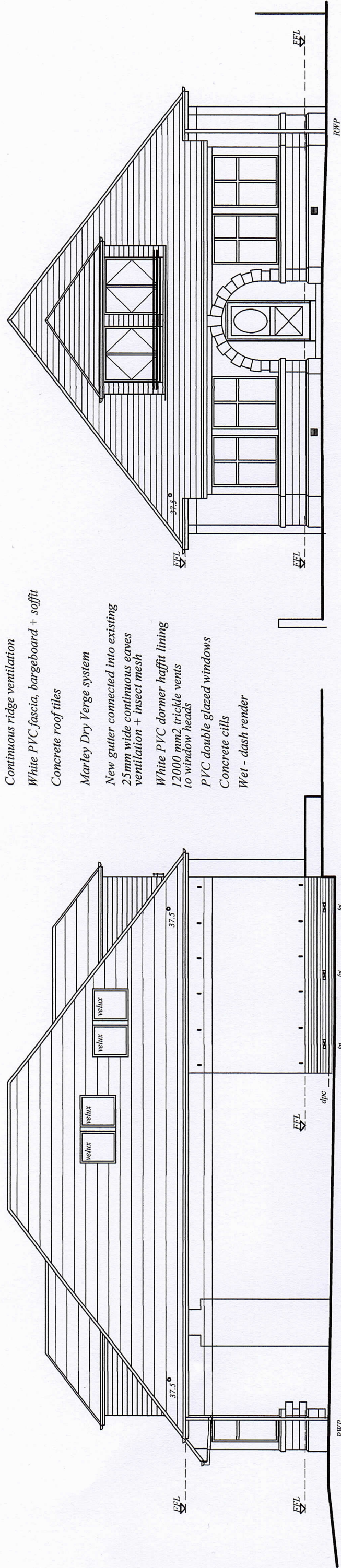
- 01 Double glazed UPVC frames.
- 02 Colour ~ White + white handles.
- 03 12000mm<sup>2</sup> trickle vents in head rails.
- 04 All low level glazing to be toughened / laminated safety glass.
- 05 All glazing to comply with BS 6262: Part 4: 2005
- 06 Openable area of windows to be minimum 1/50 th of floor area of room.
- 07 Natural daylight - windows to be minimum 1/5 th of floor area of room.
- 08 Dimensions are finished external sizes.
- 09 First floor windows to be capable of being cleaned safely from inside room and provide escape opening Min. 0.33m<sup>2</sup> ~ min. 450mm x 450mm with bottom of opening max. 1100mm above floor level.
- 10 Doors + windows to comply with "Secured by Design" ~ BS 7950 + BS PAS 24:2007.
- 11 Glazed door + window U-value ~ 1.4 W / m<sup>2</sup>K



**PROPOSED EAST ELEVATION**

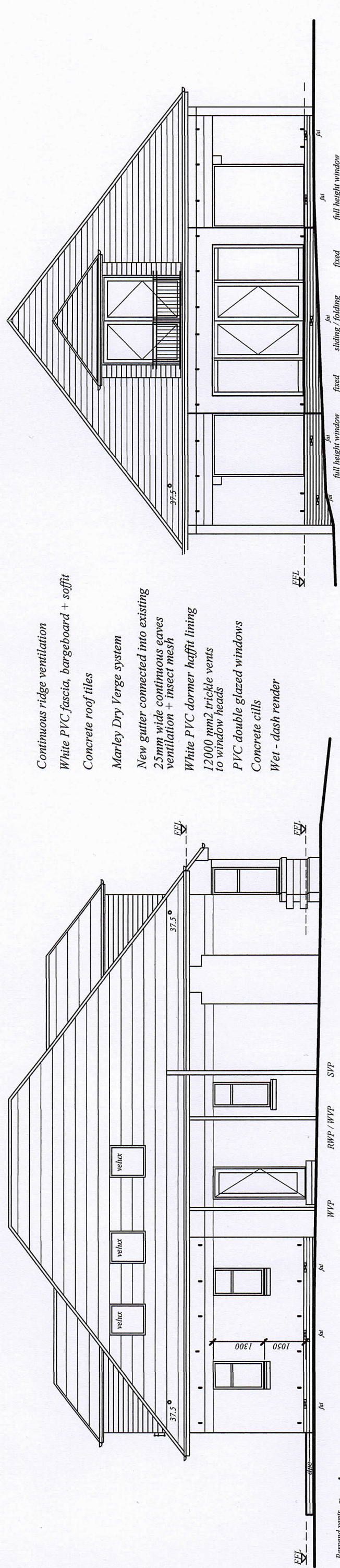
Rev A ~ Roof pitch altered ~ Feb 2016

ARCHITECT <b>II X II</b> 0141 ~ 644 ~ 2428	Project: 79 STAMPERLAND AVENUE ~ CLARKSTON	Date	Scale	Drng. No.
	Title: PROPOSED EAST ELEVATION	April 2015	1 : 50	09 15 16 A



NORTH ELEVATION

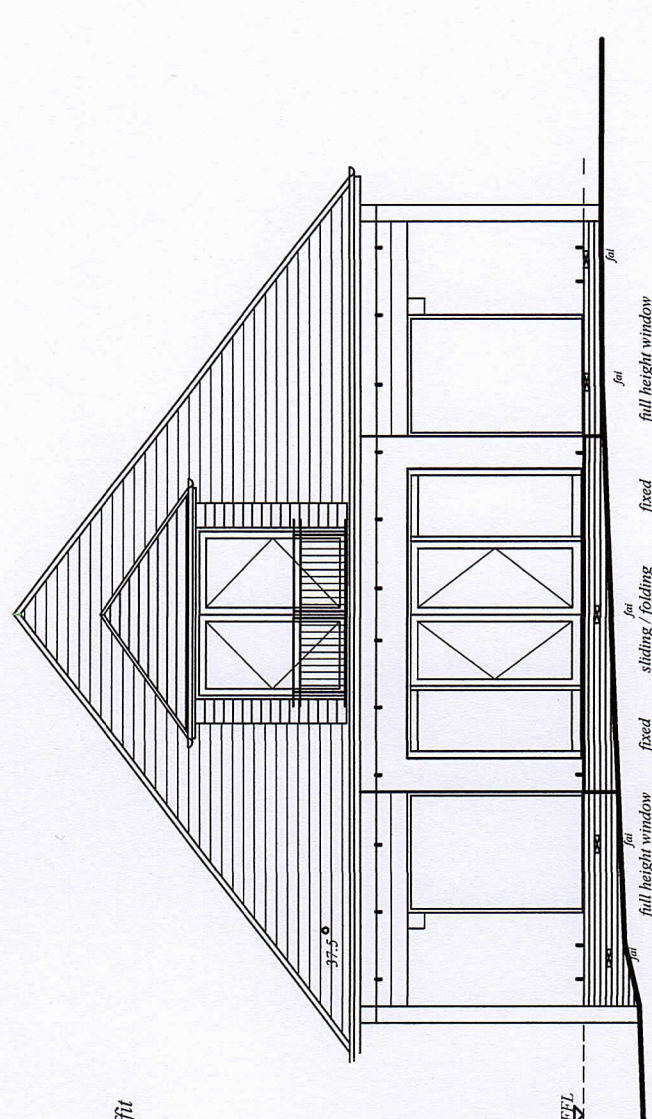
- Continuous ridge ventilation
- White PVC fascia, bargeboard + soffit
- Concrete roof tiles
- Marley Dry Verge system
- New gutter connected into existing 25mm wide continuous eaves ventilation + insect mesh
- White PVC dormer haffit lining
- 12000 mm<sup>2</sup> trickle vents to window heads
- PVC double glazed windows
- Concrete cills
- Wet - dash render



SOUTH ELEVATION

- Continuous ridge ventilation
- White PVC fascia, bargeboard + soffit
- Concrete roof tiles
- Marley Dry Verge system
- New gutter connected into existing 25mm wide continuous eaves ventilation + insect mesh
- White PVC dormer haffit lining
- 12000 mm<sup>2</sup> trickle vents to window heads
- PVC double glazed windows
- Concrete cills
- Wet - dash render

EAST ELEVATION



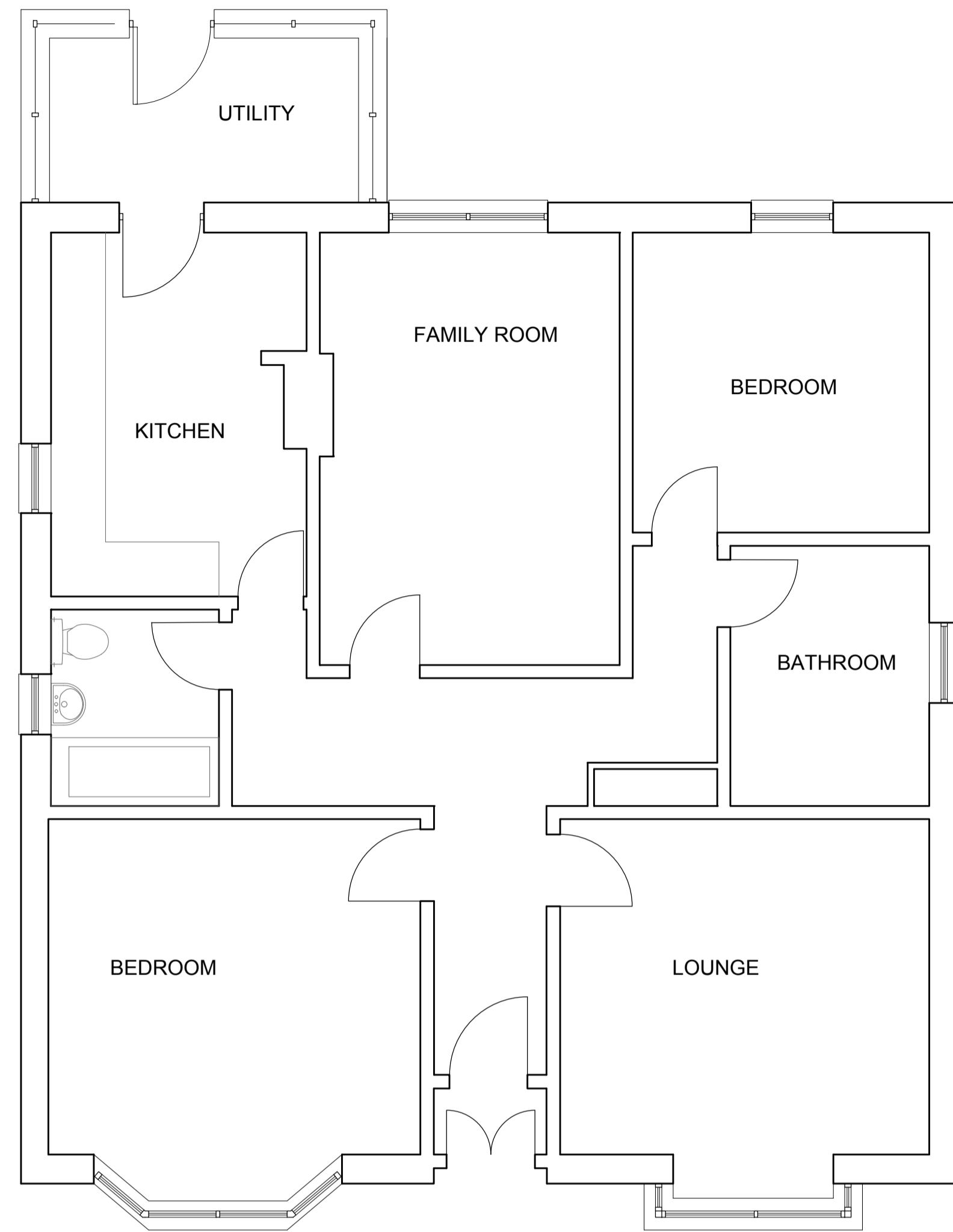
WEST ELEVATION

Rev A ~ Roof pitch altered ~ Feb 2016

Date	Scale	Dwg. No.
April 2015	1 : 100	09 15
		08 A

Project: 79 STAMPERLAND AVENUE ~ CLARKSTON  
 Title: PROPOSED ELEVATIONS

ARCHITECT  
 IIXII  
 0141 ~ 644 ~ 2428



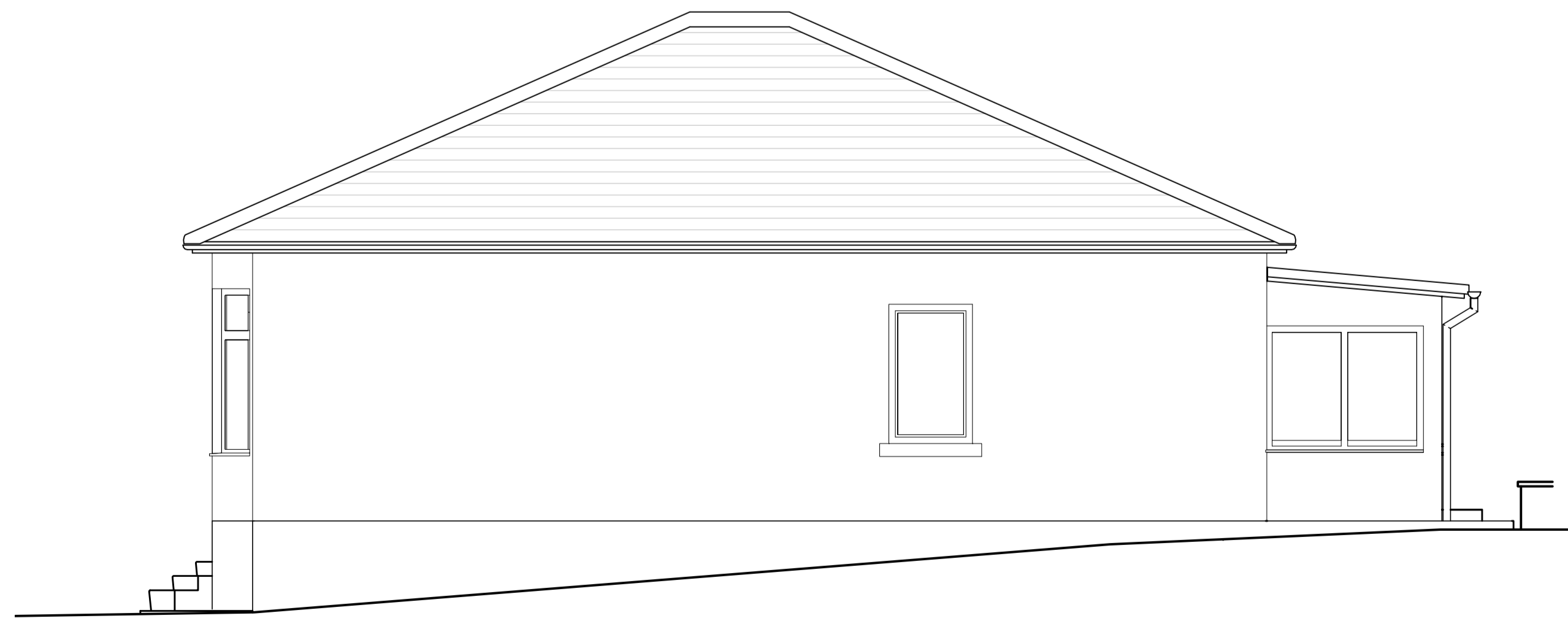
GROUND FLOOR PLAN - 1:50



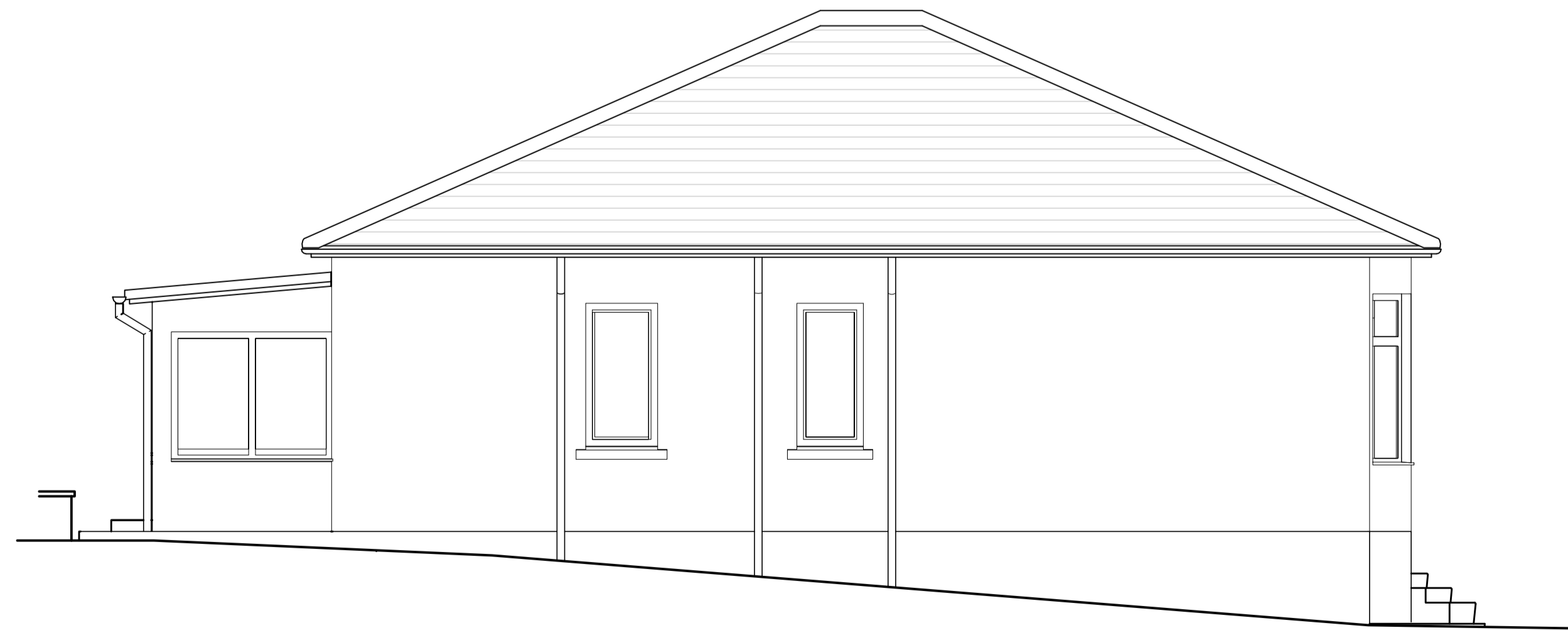
REAR ELEVATION - 1:50



FRONT ELEVATION - 1:50



SIDE ELEVATION - 1:50



SIDE ELEVATION - 1:50

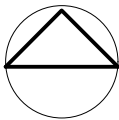
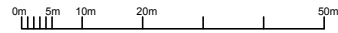


BLOCK PLAN - 1:500



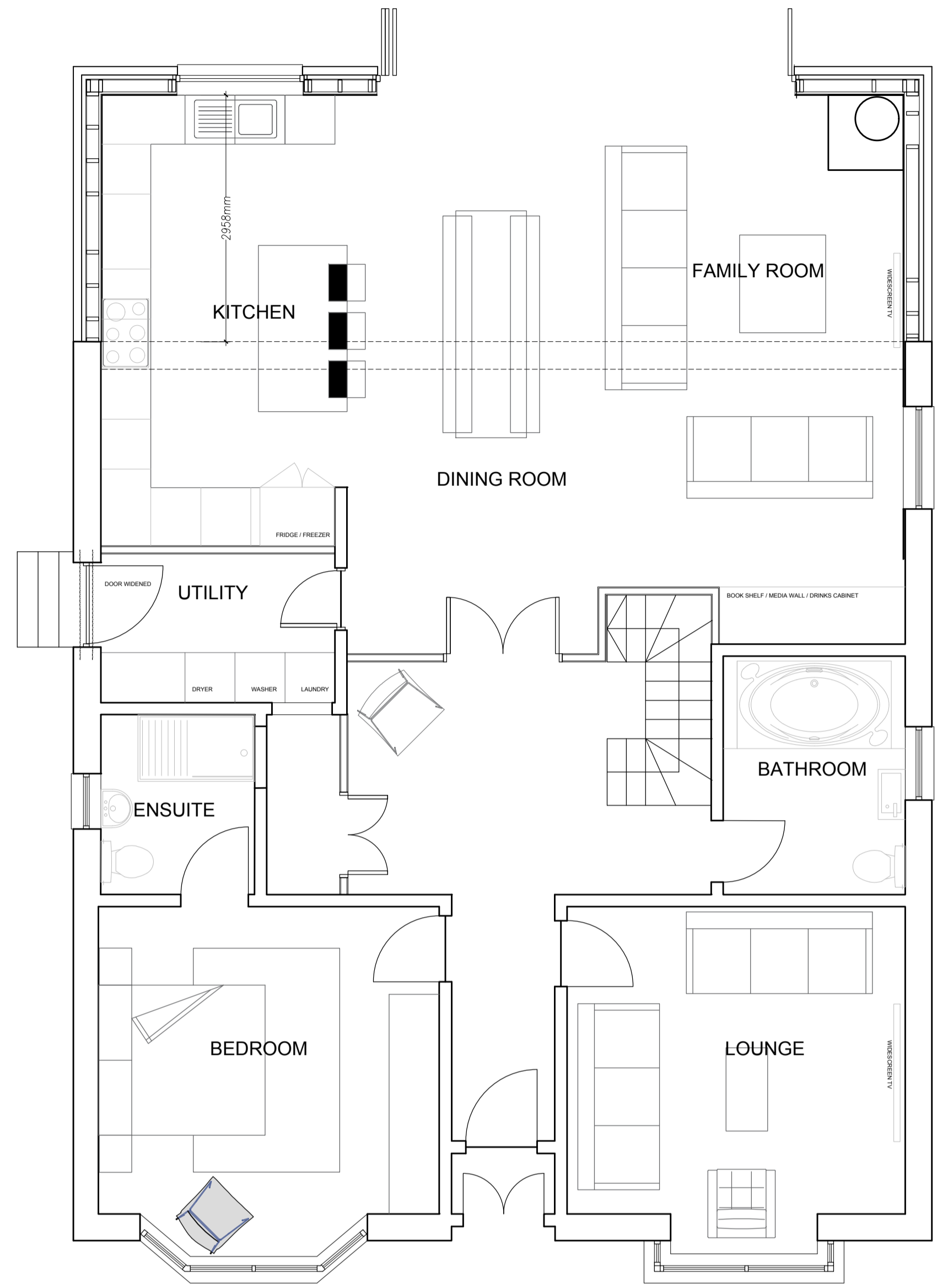
FINISHES:  
 ROOF: CONCRETE ROOF TILE - RED CLAY  
 WALLS: RENDER - HUNG TILE TO DORMER  
 WINDOWS / DOORS: WHITE TO MATCH EXISTING

rev	date	description	client	project no.
			Mr & Mrs M & G Connor	1033
			project 44 EAGLESHAM ROAD CLARKSTON G76 7TW	drawing no. 002
			drawing EXISTING & PROPOSED PLANS, SECTION & ELEVATIONS BLOCK & LOCATION PLANS	status PLANNING
				scale 1:50 @ A1
				date NOV 2018
				revision #

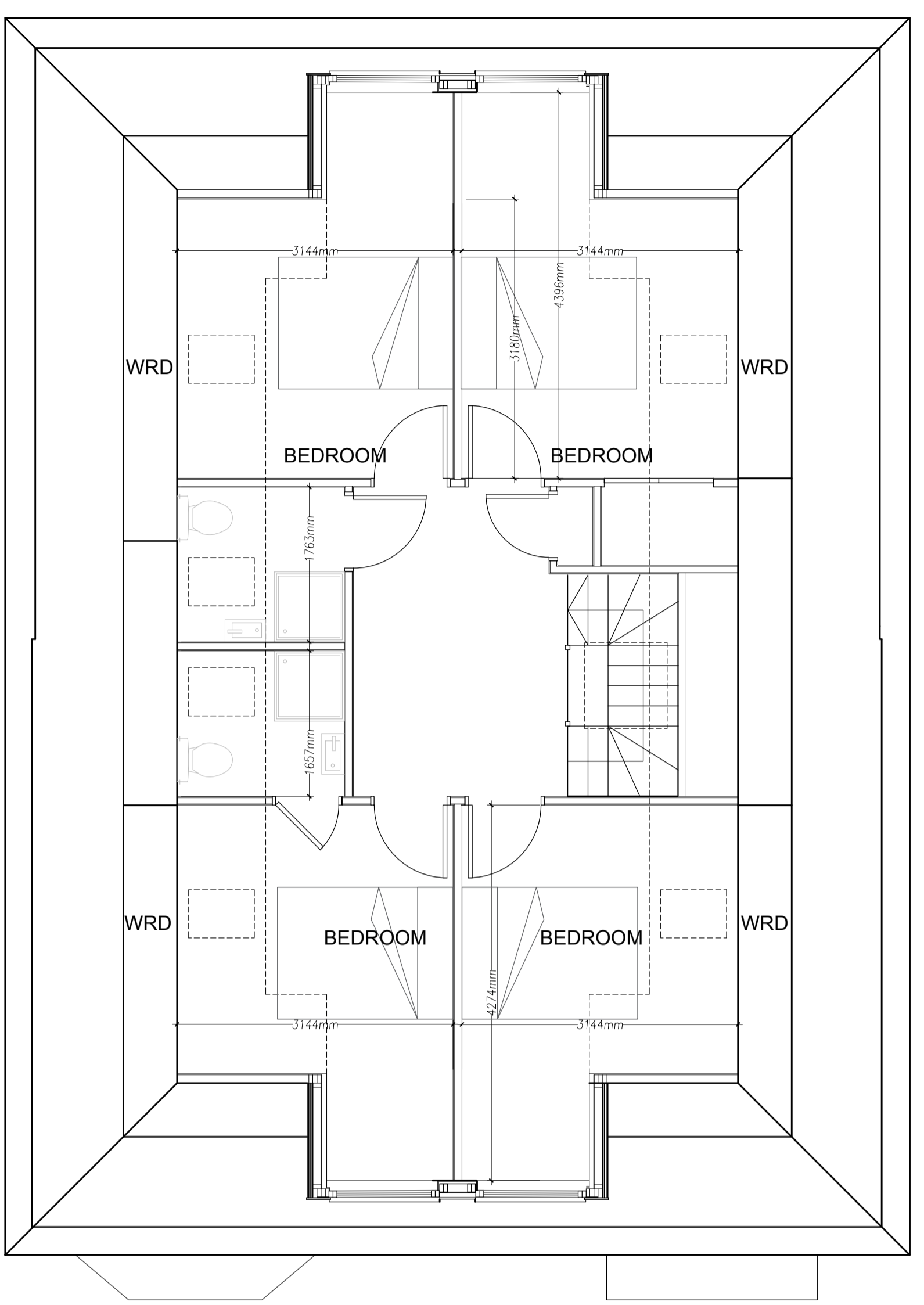


LOCATION PLAN 1:1250  
TO 44 EAGLESHAM ROAD,  
G73 7TW

0m 1m 5m



GROUND FLOOR PLAN - 1:50



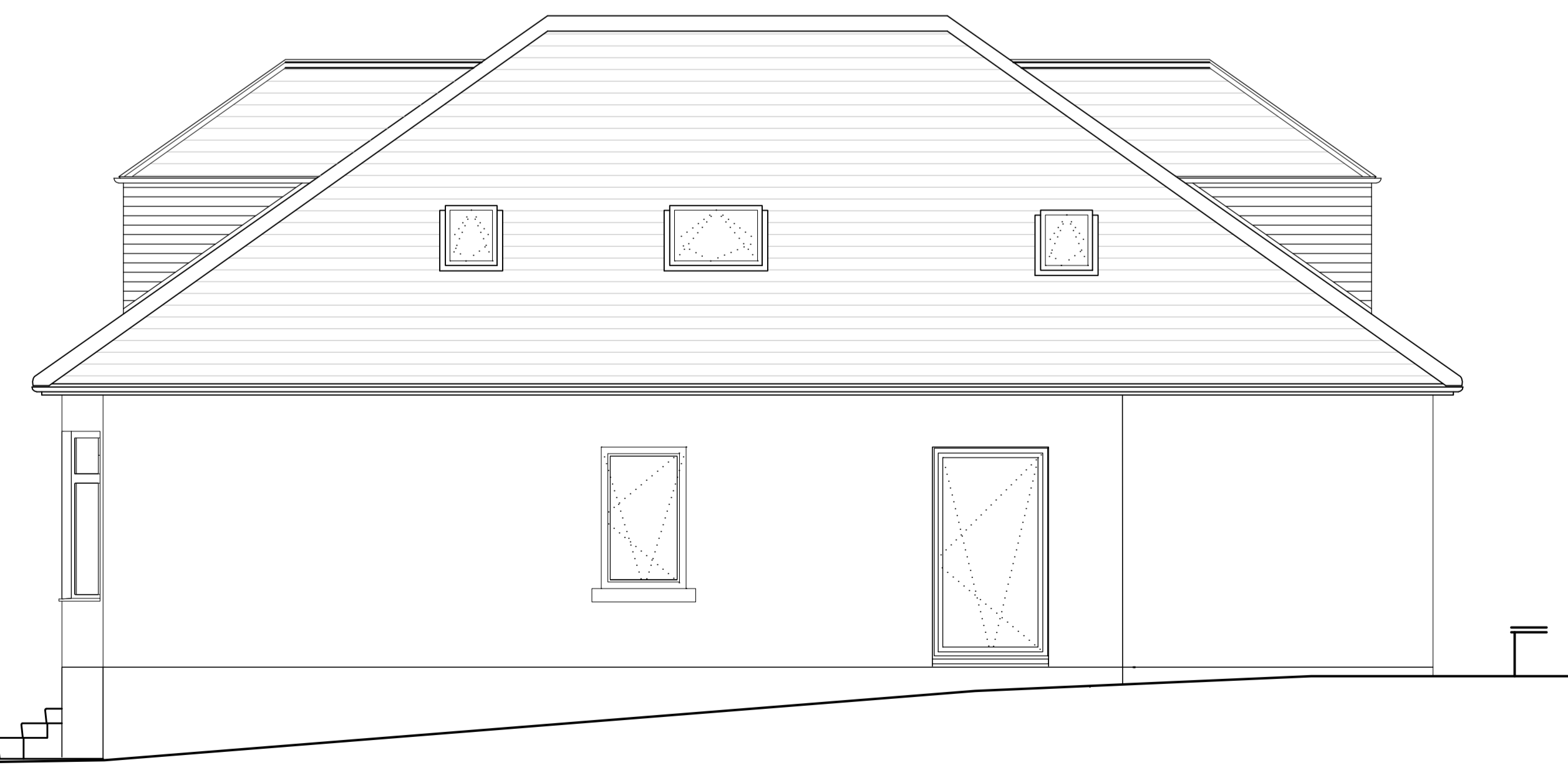
FIRST FLOOR PLAN - 1:50



REAR ELEVATION - 1:50



FRONT ELEVATION - 1:50



SIDE ELEVATION - 1:50



SIDE ELEVATION - 1:50



BLOCK PLAN - 1:500

FINISHES:  
 ROOF: CONCRETE ROOF TILE - RED CLAY  
 WALLS: RENDER - HUNG TILE TO DORMER  
 WINDOWS / DOORS: WHITE TO MATCH EXISTING

rev	date	description	client	Mr & Mrs M & G Connor	project no.	1033
			project	44 EAGLESHAM ROAD CLARKSTON G76 7TW	drawing no.	010
			drawing	EXISTING & PROPOSED PLANS, SECTION & ELEVATIONS BLOCK & LOCATION PLANS	scale	1:50 @ A1
					status	PLANNING
					date	NOV 2018
					revision	#

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