

EAST RENFREWSHIRE COUNCILLOCAL REVIEW BODY2 October 2019Report by Deputy Chief ExecutiveREVIEW OF CASE - REVIEW/2019/14ERECTION OF SINGLE STOREY SIDE EXTENSIONAND ATTACHED DOUBLE GARAGE AT FRONTAT MELODIE COTTAGE, 4 OLD HUMBIE ROAD, NEWTON MEARNES**PURPOSE OF REPORT**

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

DETAILS OF APPLICATION

2. Application type: Full Planning Permission (Ref No:- 2019/0365/TP).
- Applicant: Ms Lorraine Marchetti.
- Proposal: Erection of single storey side extension and attached double garage at front.
- Location: Melodie Cottage, 4 Old Humbie Road, Newton Mearns.
- Council Area/Ward: Newton Mearns South and Eaglesham (Ward 5).

REASON FOR REQUESTING REVIEW

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

RECOMMENDATIONS

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

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

BACKGROUND

5. At the meeting of the Council on 29 April 2009, consideration was given to a report by the Director of Environment seeking the adoption of a new Scheme of Delegation in terms of the new Section 43A of the Town and Country Planning (Scotland) Act 1997, subject to approval of the scheme by Scottish Ministers.

6. The report provided details of the new hierarchy of developments that took effect from 6 April 2009 explaining that the Scheme of Delegation related to those applications within the “local development” category as set out in the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009, but would in future be determined by an “appointed officer”. In the Council’s case this would be either the Director of Environment or the Head of Roads, Planning and Transportation Service now designated the Head of Environment (Operations).

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

NOTICE OF REVIEW – STATEMENT OF REASONS FOR REQUIRING THE REVIEW

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

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

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

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

12. In accordance with the above decision, the Local Review Body will carry out an unaccompanied site inspection on Wednesday, 2 October 2016 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. 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 67 - 74);
- (b) Copies of Objections/Representations – Appendix 2 (Pages 75 - 80);
- (c) Report of Handling by the planning officer under the Scheme of Delegation - Appendix 3 (Pages 81 - 90);
- (d) Decision notice and reasons for refusal - Appendix 4 (Pages 91 - 96); and
- (d) A copy of the applicant's Notice of Review and Statement of Reasons - Appendix 5 (Pages 97 - 112).

15. The applicant has also submitted the drawings listed below (available for inspection within the Planning Division of the Environment Department prior to the meeting and for reference at the meeting) and these are attached as Appendix 6 (Pages 113 - 126).

- (a) Block Plan as Existing;
- (b) Front and Rear Elevations as Existing;
- (c) Ground Floor as Existing;
- (d) First Floor as Existing;
- (e) North West and South East as Existing;
- (f) Refused – Location Plan;
- (g) Refused – Block Plan as Proposed;
- (h) Refused – Proposed Plan;
- (i) Refused – Proposed Front and Rear Elevations;
- (j) Refused – Proposed First Floor; and
- (k) Refused – Proposed North West and South East Elevations.

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

17. All the documents referred to in this report can be viewed online on the Council's website at www.eastrenfrewshire.gov.uk.

RECOMMENDATIONS

18. The Local Review Body is asked to:-

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

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

Report Author: Paul O'Neil

Director - Caroline Innes, Deputy Chief Executive

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

Date:- September 2019

APPLICATION
FOR
PLANNING PERMISSION

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

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

Thank you for completing this application form:

ONLINE REFERENCE 100168952-001

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

Description of Proposal

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

Proposed single storey side extension to form gym and double garage

Has the work already been started and/ or completed? *

No Yes - Started Yes – Completed

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	David Jarvie		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	David	Building Name:	
Last Name: *	Jarvie	Building Number:	27
Telephone Number: *	0141 423 0905	Address 1 (Street): *	Aytoun Road
Extension Number:		Address 2:	Pollokshields
Mobile Number:		Town/City: *	Glasgow
Fax Number:		Country: *	Scotland
		Postcode: *	G41 5HW
Email Address: *	davejarvie@aol.com		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Ms	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Lorraine	Building Number:	4
Last Name: *	Marchetti	Address 1 (Street): *	Old Humble Road
Company/Organisation:		Address 2:	
Telephone Number: *		Town/City: *	Newton Mearns
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	G77 5DF
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

East Renfrewshire Council

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

Address 1:

MELODIE COTTAGE

Address 2:

4 OLD HUMBIE ROAD

Address 3:

NEWTON MEARNS

Address 4:

Address 5:

Town/City/Settlement:

GLASGOW

Post Code:

G77 5DF

Please identify/describe the location of the site or sites

Northing

654935

Easting

254484

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Trees

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

Yes No

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

Access and Parking

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

Yes No

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

Planning Service Employee/Elected Member Interest

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

Yes No

Certificates and Notices

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

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

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

Yes No

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

Yes No

Certificate Required

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

Certificate A

Land Ownership Certificate

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

Certificate A

I hereby certify that –

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

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

Signed: David Jarvie

On behalf of: Ms Lorraine Marchetti

Date: 13/06/2019

Please tick here to certify this Certificate. *

Checklist – Application for Householder Application

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

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

Continued on the next page

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

You can attach these electronic documents later in the process.

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

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

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

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

Declare – For Householder Application

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

Declaration Name: Mr David Jarvie

Declaration Date: 13/06/2019

Payment Details



Created: 13/06/2019 08:58

COPIES OF OBJECTIONS/REPRESENTATIONS

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Comments for Planning Application 2019/0365/TP

Application Summary

Application Number: 2019/0365/TP

Address: Melodie Cottage 4 Old Humber Road Newton Mearns East Renfrewshire G77 5DF

Proposal: Erection of single storey side extension and attached double garage at front

Case Officer: Mr Derek Scott

Customer Details

Name: Mr Stephen Lambert

Address: The Beeches 2 Old Humber Road, Newton Mearns, East Renfrewshire G77 5DF

Comment Details

Commenter Type: Rec'd Neighbour Notification from Council

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The only aspect of this application which raises possible concern is the provision for a terrace above the proposed gym on the north-west elevation. As the terrace will effectively be at first floor level it will potentially overlook our garden and affect our privacy. This will not in fact be an issue provided the existing trees/shrubs on Melodie's boundary are left undisturbed as these will provide adequate natural screening for our purposes. The plans submitted do not appear to contemplate any interference with these trees/shrubs but this is perhaps a matter which could be clarified with the applicants.

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From:Ian Murdoch
Sent:15 Jul 2019 11:42:29 +0100
To:EN Planning
Subject:Comment on Application 2019/0365/TP
Importance:Normal

1D Humbie Court

Newton Mearns, G77 5PQ

July 15, 2019.

Dear Sir/Madam

I am having difficulty making a comment online in connection with a planning application for which I received postal notification at the end of last month as a neighbour of the Applicant.

Accordingly I am writing my comments herewith.

Comments on the erection of a single storey side extension and attached double garage at front (Melodie Cottage, 4 Old Humbie Road) , application number 2019/0365/TP .

1. The siting of the garage entirely to the fore of the existing front of the property would make a significant difference to its

public view (from Old Humbie Road), rendering it even more out of character with neighbouring properties than at present.

2. The garage roof and adjacent terrace would detract from the view from the Humbie Court driveway.

If the application is granted, it is to be hoped that tradesmen would respect Humbie Court property, specifically grass verges, and also the boundary hedge.

During construction of the main property the boundary wire was cut and a gap forced through the hedge in order to give tradesmen short-cut access. This

resulted in grass verge being converted to mud and extensive littering on the Humbie Court driveway.

Yours sincerely,

Ian Murdoch.

REPORT OF HANDLING

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REPORT OF HANDLING

Reference: 2019/0365/TP

Date Registered: 24th June 2019

Application Type: Full Planning Permission

This application is a Local Development

Ward: 5 -Newton Mearns South And Eaglesham

Co-ordinates: 254484/:654935

Applicant/Agent:

Applicant:
Ms Lorraine Marchetti
4 Old Humble Road
Newton Mearns
G77 5DF

Agent:
David Jarvie
27 Aytoun Road
Pollokshields
Glasgow
G41 5HW

Proposal: Erection of single storey side extension and attached double garage at front

Location: Melodie Cottage
4 Old Humble Road
Newton Mearns
East Renfrewshire
G77 5DF

CONSULTATIONS/COMMENTS: None.

PUBLICITY: None.

SITE NOTICES: None.

SITE HISTORY:

2014/0627/TP	Erection of decking at rear of garden and erection of fencing	Approved Subject to Conditions	08.12.2014
2014/0785/TP	Erection of upper storey extension to form two storey dwellinghouse with two storey side and rear extensions	Refused	22.01.2015
2015/0380/TP	Erection of upper storey extension to form two storey dwellinghouse	Approved Subject to Conditions	09.07.2015
2016/0122/TP	Erection of upper storey extension to form two storey dwellinghouse with	Refused	06.04.2016

	erection of single storey side extension incorporating garage and gym		
2018/0111/TP	Erection of upper storey extension to form two storey dwellinghouse; erection of two storey rear extension; erection of single storey side extension (amendment in retrospect to planning permission 2015/0380/TP to permit increase in eaves line).	Approved Subject to Conditions	25.04.2018

REPRESENTATIONS: Two representations have been received, one making a general comment and the other objecting to the application.

The general comment is summarised as follows: Potential overlooking.

The objection is summarised as follows: Out of character, detrimental to visual amenity, damage to adjacent property during the construction phase.

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

Supporting Statement: Provides a background to the proposal and describes the development. It describes how the applicants will use the proposed extension and garage and how they relate to the existing dwelling. It concludes that the proposals are sympathetic to the existing dwelling and will be in keeping with the character of the wider area.

ASSESSMENT:

The application site comprises a large, recently extended two storey detached dwelling and its curtilage and lies within an established residential area. The existing dwelling has been significantly altered and extended in the past, most recently under planning permissions 2015/0380/TP and 2018/0111/TP. The side and rear boundaries of the site are characterised by established planting and a masonry wall augmented by timber fencing. The wider area is characterised by a variety of single storey, one and a half storey and two storey dwellings of individual designs set within large established plots. The site is a corner plot with its side boundary onto the access road to Humble Court.

The original dwelling was a more modest one and a half storey cottage with a distinctive front eyebrow dormer window. A one and a half storey side extension of a contrasting design was added in the 1960s or 1970s. Planning permission 2015/0380/TP approved the erection of an upper floor extension to form a two storey dwelling. The design was carefully considered by the architect to both rationalise the existing design and maintain something of the character of the original cottage. This involved the use of dormer windows, a low eaves level and the formation of a replica eyebrow dormer window.

Following approval of application 2015/0380/TP, planning application 2016/0122/TP proposed similar alterations but with the erection of a single storey side extension incorporating a garage and gym. The garage was proposed to sit flush with the front of the dwelling and comprised a hipped roof 5 metres high. This application was refused on 6 April 2016 as: i) The proposal is contrary to the terms of Policy D14 of the adopted East Renfrewshire Local Development Plan as the proposed upper floor extension, together with the single storey side extension, would be considered to dominate and overwhelm the original character of the existing dwelling by virtue of its size and design.; and ii) The proposed extension would dominate and detract from the character and design of the existing dwelling by virtue of its size and design and as such, would be contrary to the general principles of the adopted Supplementary Planning Guidance: Householder Design Guide.

The extension of the dwelling was therefore begun under planning permission 2015/0380/TP. The development was not however completed in accordance with the approved plans as the eaves were set higher than approved. Planning permission 2018/0111/TP was granted to allow the increased eaves level.

Planning permission is now sought for the erection of a single storey side/front extension incorporating an attached garage at the front. The proposal has a similar footprint in terms of its area to that refused under 2016/0122/TP. In the current proposal, the garage projects 8.5 metres in front of the dwelling and comprises a pitch roof 6 metres high. It comprises two front-facing doors that are proposed to be 3 metres high. The external materials are proposed to match those of the existing dwelling. Part of the side extension comprises a flat roof that is proposed to serve as a side roof terrace. The proposed garage would lie approx. 3.4 metres from the side boundary and the side extension would lie approx. 2.8 metres from the side boundary.

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 that it should not adversely affect the amenity of adjacent properties by unreasonably restricting their privacy. Policy D14 requires that extensions should complement the character of the existing building in terms of its style, form and materials. The adopted Supplementary Planning Guidance: Householder Design Guide (SPG) that supports and forms part of Policy D14 of also relevant. The SPG states: i) extensions and garages should respect the character of the original house; ii) extensions should not dominate or overwhelm the original form or appearance of the house; and iii) no extension, other than a porch, should project beyond the principal elevation of the existing house. With reference specifically to garages that SPG states that they should not be positioned in front of the front elevation of the house.

The proposed garage, given its scale, massing and design, including its overall height and the 3 metre high doors as well as its location 8.5 metres forward of the existing dwelling would be visually dominant and would detract from the character of the existing dwelling. The scale is considered to go beyond that which would reasonably be expected of a domestic garage. As such, the attached garage would be contrary to the terms of Policy D14 of the adopted East Renfrewshire Local Development Plan and to the specific terms of the adopted Supplementary Planning Guidance: Householder Design Guide.

As noted above, the character of this section of Old Humbie Road is one of dwellings set within large plots. The properties have generous separation distances from each other as well as from their side plot boundaries, particularly on corner plots. The relative proximity of the proposed garage and side extension to the side boundary fronting the access to Humbie Court, in conjunction with the scale and massing of the garage would render them as visually dominant features when approached from the west. This would be at odds with the open and spacious character of the area and would lead to the over-development of the plot in terms of the distance of the proposed extension and garage to the side boundary. Whilst it is accepted that there is

some boundary screening on the boundary with Humble Court, this would not fully screen the proposed extension and garage, particularly during the winter months. The proposal is therefore contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan.

Given the orientation of the proposed development in relation to the adjacent properties, there would be no significant additional overshadowing or loss of daylight. The comments in relation to overlooking from the proposed roof terrace is noted. The distance of the proposed terrace to the nearest adjacent property on the other side of Humble Court is 16 metres and to the nearest windows on that dwelling is 28 metres. It is not therefore considered that this would give rise to a significant additional overlooking issue.

The comment relating to damage to Humble Court's access road is noted. Damage to adjacent property is not a material planning consideration and would be a private matter for the parties to resolve. Any disruption would likely be minimal given the nature of the proposals.

Overall conclusion

In conclusion, the proposal is contrary to Policies D1 and D14 of the adopted East Renfrewshire Local Development Plan and to the specific terms of the SPG. There are no material considerations that outweigh these policies and it is 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 i) the relative proximity of the proposed garage and side extension to the side boundary fronting the access to Humble Court, in conjunction with the scale and massing of the garage would render them visually dominant features which would be at odds with the open and spacious character of the area; and ii) the proposal would lead to the over-development of the plot in terms of the distance of the proposed extension and garage to the side boundary.
2. The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as the proposed garage, given its scale, massing and design, including its overall height and the 3 metre high doors, as well as its location 8.5 metres forward of the existing dwelling, would be visually dominant and would detract from the character of the existing dwelling.
3. The proposal is contrary to the terms of the adopted Supplementary Planning Guidance: Householder Design Guide as the proposed garage, given its scale, massing and design, including its overall height and the 3 metre high doors as well as its location 8.5 metres forward of the existing dwelling would be visually dominant and would detract from the character of the existing 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.: 2019/0365/TP
(DESC)

DATE: 22nd July 2019

DIRECTOR OF ENVIRONMENT

Reference: 2019/0365/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 22/07/19 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. **2019/0365/TP**

Applicant:

Ms Lorraine Marchetti
4 Old Humbie Road
Newton Mearns
G77 5DF

Agent:

David Jarvie
27 Aytoun Road
Pollokshields
Glasgow
G41 5HW

With reference to your application which was registered on 24th June 2019 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Erection of single storey side extension and attached double garage at front

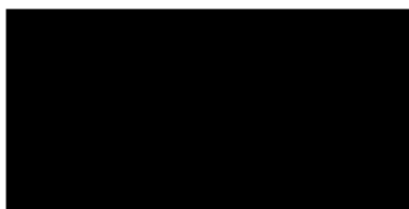
at: Melodie Cottage, 4 Old Humbie Road, Newton Mearns, East Renfrewshire, G77 5DF

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

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

1. The proposal is contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan as i) the relative proximity of the proposed garage and side extension to the side boundary fronting the access to Humbie Court, in conjunction with the scale and massing of the garage would render them visually dominant features which would be at odds with the open and spacious character of the area; and ii) the proposal would lead to the over-development of the plot in terms of the distance of the proposed extension and garage to the side boundary.
2. The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as the proposed garage, given its scale, massing and design, including its overall height and the 3 metre high doors, as well as its location 8.5 metres forward of the existing dwelling, would be visually dominant and would detract from the character of the existing dwelling.
3. The proposal is contrary to the terms of the adopted Supplementary Planning Guidance: Householder Design Guide as the proposed garage, given its scale, massing and design, including its overall height and the 3 metre high doors as well as its location 8.5 metres forward of the existing dwelling would be visually dominant and would detract from the character of the existing dwelling.

Dated 22nd July 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	LOCATION		
Block Plan Proposed	8		
Elevations Proposed	5	A	
Elevations Proposed	6	A	
Plans Proposed	2	A	
Plans Proposed	22		

GUIDANCE NOTE FOR REFUSAL OF LOCAL DEVELOPMENTS DETERMINED UNDER DELEGATED POWERS**REVIEW BY EAST RENFREWSHIRE COUNCIL'S LOCAL REVIEW BODY**

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

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

CONTACT DETAILS

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

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

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**NOTICE OF REVIEW
AND
STATEMENT OF REASONS**

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

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 100176791-001

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

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	<input type="text" value="bennett developments and consulting"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Don"/>	Building Name:	<input type="text"/>
Last Name: *	<input type="text" value="Bennett"/>	Building Number:	<input type="text" value="10"/>
Telephone Number: *	<input type="text" value="01415715432"/>	Address 1 (Street): *	<input type="text" value="Park Court"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text" value="07989417307"/>	Town/City: *	<input type="text" value="Glasgow"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
		Postcode: *	<input type="text" value="G46 7PB"/>
Email Address: *	<input type="text" value="don@bennettgroup.co.uk"/>		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="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="Lorraine"/>	Building Number:	<input type="text" value="4"/>
Last Name: *	<input type="text" value="Marchetti"/>	Address 1 (Street): *	<input type="text" value="Old Humbie Road"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Glasgow"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="G77 5DF"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

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="654935"/>	Easting	<input type="text" value="254484"/>
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Description of Proposal

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

erection of single storey side extension and attached double garage 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.

Failure to properly apply the policies

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 OF APPEAL DECISION NOTICE APPLICATION FORM LOCATION PLAN DRAWINGS

Application Details

Please provide details of the application and decision.

What is the application reference number? *

2019/0265/TP

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

24/06/2019

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

22/07/2019

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 Don Bennett

Declaration Date: 21/08/2019

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**David M Jarvie
Architectural Consultant**

27 Aytoun Road
Pollokshields
Glasgow
G41 5HW

Tel: 0141-423-0905
Mobile: 07711-618-024
E-mail: davejarvie@aol.com

VAT NO. 734 9350 21

PLANNING STATEMENT

**27068: 4 OLD HUMBIE ROAD, NEWTON MEARNES
ERECTION OF SINGLE STOREY EXTENSION TO SIDE OF PROPERTY**

Background

The application property is located in the highly desirable residential area of Newton Mearns, an area characterised by large detached dwellings set in generous garden plots.

The property is a two storey detached house with no garage set back within the site. The house has been extended in the past with additional accommodation to the rear and side. The trees within the site, in common with those in the surrounding area are all protected by a Tree Preservation Order. The rear garden is predominately grass with a wall & hedging forming the rear boundary side boundaries with hedging, shrubs & trees to the Old Humbie Road & Humbie Court.

The changes to the property over the years have reflected the evolving changing domestic circumstances and lifestyle of successive occupants & current occupants.

The proposed development is for a single storey extension for a double garage with gym behind linking the garage to the house via the existing side porch.

Proposals

The new space created will on the ground floor permit the formation of gym with access through the existing porch (hall) to the existing lounge, an area next to the existing kitchen. There will be external doors from the gym, one providing access to the garden while the other will permit access to the existing driveway & shall become the main entrance for the family when returning home. The idea is to create the possibility of access between the house & outside but retain the privacy of the rear garden area & the formality of the existing front garden/access.

In front of the gym shall be a double garage, something one would expect for a house of this size & stature. This shall provide security for the occupant's cars & also direct access from the garage to the house via the gym.

The proposed extension shall form private areas to the house that shall only be used by the occupants having no impact on the public spaces within the house utilised by guests, friends & visitors.

The elevations shall respond to the existing established architecture with all finishes to match existing. Windows & doors shall also match existing proportions.

A side extension simply for a garage would only have enough space to accommodate 1 car without affecting the existing trees, shrubs, planted area. The side widens the further you go away from the house, at this point there is enough width for a double garage. The gym acts as link between the garage & the heart of the house as well as providing a facility for the family who are very health & fitness conscience.

The roof over the gym shall be flat & provide an area that can be accessed from a first floor bedroom providing a private external area. The space is hidden from view by the existing trees & the proposed & existing roof structures. It shall have no impact on the external appearance of the house as it cannot be seen and shall have no impact on the privacy of any neighbours.

The proposals shall not result in a loss of garden space as the area is to the side & is not suitable for planting being currently utilised for parking & access to the house & rear garden. The existing trees shall be unaffected by the proposals & shall be protected during construction.

In keeping with the desire to deliver a harmonious scheme the palette of materials will be that already in evidence on the existing dwelling. The overall thrust of the proposal is to seek to happily integrate an accommodation schedule appropriate to the needs of the applicants while respecting and reflecting the townscape and streetscape values within the area.

Summary

The surrounding dwellings in the area are in the main large detached with front and back gardens and driveways. Many have large double garages. The proposed development at this house is by comparison to many around in keeping, notwithstanding that the house has been extended previously.

All works are to the side of the property having no impact on existing garden space & any neighbours surrounding the property.

The design of the extension has been sympathetically construed as to marry happily with the existing house and grounds, delivering an attractive addition at the same time respecting the essential nature of the area.

bennett *Developments and Consulting*

10 Park Court,

Glasgow, G46 7PB

don@bennettgroup.co.uk

STATEMENT OF APPEAL

12.8.2019

**APPEAL TO THE LOCAL REVIEW BODY AT EAST RENFREWSHIRE COUNCIL AGAINST THE REFUSAL OF PLANNING PERMISSION FOR THE ERECTION OF A SINGLE STOREY SIDE EXTENSION AND ATTACHED DOUBLE GARAGE AT THE FRONT OF MELODIE COTTAGE, 4 OLD HUMBIE ROAD, NEWTON MEARN'S G77 5DF
APPLICATION NO: 2019/0365/TP**

Background:

The property at 4 Old Humble Road is a large and impressive building within an attractive and exclusive enclave in the Newton Mearns area . It is situated within an extensive garden plot, as befits a property of this magnitude with tree belts and hedges on all boundaries to the extent that it enjoys a very high level of privacy. Access is via a red gravel driveway which springs from the junction of Old Humble Road and the access to Humble Court.

The driveway curves upward to the left side of the property such that the whole frontage of the property really only becomes apparent at the top of the driveway.

Despite the impressive nature of the dwelling and the sweeping driveway, it has no garaging on the site which is quite anomalous and indeed exceptional.

Given the lack of garaging, the proposed extension sought to remedy this omission and would see the property extended on the western elevation with a single storey construction which will feature a small gymnasium at the rear, and to the front a double garage.

Notwithstanding the extensive garden area, there are few parts of the grounds where a garage could be located without prejudicing the main house or the lawns. The top of the driveway between the property and the western boundary was the most appropriate location and allowed for the garage and the gym to be seamlessly integrated in to the main house without impacting on the amenity of the main house or of the surrounding area.

To rectify that situation an application for the erection of a single storey side extension and attached double garage was lodged on 24/6/2019

On 22/7/2019, the application was refused.

In refusing the application the local authority cited the following reasons:

1. The proposal was contrary to Policy D1 in particular that **(i)** the relative proximity of the proposed garage and side extension to the side boundary fronting the access to Humble Court, in conjunction with the scale and massing of the garage would render them visually dominant features which would be at odds with the open and spacious character of the area, and **(ii)** the proposal would lead to the overdevelopment of the plot in terms of the distance of the proposed extension and garage to the site boundary.
2. The proposal is contrary to Policy D14 as the proposed garage, given its scale, massing and design including its overall height and the three metre high doors, as well as its location 8.5 metres forward of the existing dwelling, would be visually dominant and would detract from the character of the existing dwelling.
3. The proposal is contrary to the terms of the adopted Supplementary Planning Guidance-Householder Design Guide as the proposed garage, given its scale, massing and design including its overall height and the three metre high doors as well as its location 8.5 meters forward of the existing dwelling would be visually dominant and would detract from the character of the existing dwelling.

Assessment Against Policy:

A requirement on the part of the local authority in their assessment procedures, is the preparation of a Report of Handling (ROH). This is essentially an explanation and justification for how the decision was reached having regard to all the appropriate policies and guidance. In determining any application the local authority are required to assess it within the context of the latest approved and adopted Development Plan, which in this case is the East Renfrewshire Local Plan. Within that plan the relevant policies are cited as:

Policy D1 – This policy requires that no developments should result in a significant loss of character to the surrounding area and that it should not adversely affect the amenity of adjacent properties by unreasonably restricting their privacy.

Policy D14 – This policy refines Policy D1 and requires that with respect to extensions they should complement the character of the existing building in terms of style, form and materials.

Before responding to the claim that the proposed development is contrary to the above policies it is worth reminding ourselves and considering fully the context of the site and the nature of the dwelling currently upon it.

The site at 4 Old Humber Road, which is more akin to a leafy lane, is in a quiet and exclusive area where large properties enjoy equally large gardens. Heavily wooded, the environment is one of dwellings set within a rural landscape, where properties appear to emerge organically from the landscape and where only glimpses of properties are seen. The overall effect is one of exclusivity and seclusion.

The application site itself extends to approx. 2500sq metres and slopes gently upwards from Old Humber Road. Indeed the dwelling is some 30metres back from the road. On all sides it is bounded by trees, those at the front being 200 feet in height, hedges and ground moulding such that it enjoys a high level of privacy and equally, extends that privacy to surrounding properties.

Given the substantial size of the property (approx. 800sq metres over two floors) and grounds it would be reasonable to expect outbuildings for gardening equipment which given the scale of the open space could reasonably include large mechanical/electrical grass cutting equipment, leisure equipment and of course garaging for a number of cars. In fact the premises boasts none of these, which is exceptional for such a substantial property. At the very least it would be normal for such a property to have as a very minimum, a 2 car garage or even larger and that would be perfectly normal.

It is against that background that the proposal to develop a garage and small gymnasium was born, and to design them such that they could be integrated into the existing dwelling rather than create a series of separate outbuildings which would have been a legitimate approach, and one which could expect to receive planning consent.

In pursuit of that aim it was felt that the most appropriate place for the additional accommodation would be on the western elevation where it could be married easily into the existing structures and the internal layout of the property. Of particular importance was the fact that in this location it was a natural extension of the driveway which meant that traffic movements would be concentrated on this corner of the site and not impact on either the main house or the large lawn area. It would also not impact in any way upon the setting of the house or the houses relationship with the surroundings. The edge condition relative to the access to Humber Court is formed by a large hedge which further conceals the site from the road.

With that in mind the proposal was developed and subsequently lodged.

That it was refused was a matter of some disappointment, however it was the reasons given for the refusal which caused the greatest concern and indeed bewilderment.

If we refer back to the reasons as cited earlier, we are of the view that they do not stand up to scrutiny and in fact lack any substantive justification and therefore cannot be founded upon as a legitimate basis for a refusal.

Taking each Policy in turn, we would offer the following response:

Policy D1

The proximity of the proposed garage and extension to the side boundary is irrelevant and immaterial. To then suggest that by virtue of the scale and massing the extension would be visually dominant and would be at odds with the open and spacious character of the area, is simply without foundation. Due to the terrain and the dense tree and hedge foliage they will be virtually invisible, and given that, by the planning officers own claim regarding the closeness to the boundary, there was clearly never a big space there to begin with. In any event the fact that a building may or may not be seen is not the issue. The issue is whether in such a situation it has an impact on amenity, and in this context it clearly does not. One objector who resides in the newer properties in Humble Court complained that they might be able to see the roof of the garage. This complainant is more than 150 metres away from the site and only a side window of their property looks in the direction of this site. Such objections are incompetent and cannot be accorded any significance. Indeed it could be argued that conversely, the applicant has to see the complainant's property when he looks out of a rear window! If any resident/neighbour feels that such a trivial matter constitutes nuisance or to affect their amenity, then perhaps a more isolated form of living would be more suitable.

The planning officer, in defence of his decision also opines that while there may be tree foliage in the summer which screens the proposal, in winter when the trees are bare this will not be the case. Apart from being an odd observation, the lack of foliage in the winter months will make most of the dwellings highly visible so the comment lacks any merit.

The bizarre nature of the planning officers observations is further exposed by the claim that the proposal would lead to the *over development* of the plot in terms of the distance of the proposed extensions to the side boundary. For the sake of clarity, *Over development* is an expression used where the scale of a development relative to the plot it is on would result in their being little usable space left over on the plot. As the plot in his case is the entire site including the lawned garden the claim is foolish and without merit and has nothing whatsoever to do with proximity to a boundary and is yet another irrelevance.

For reference, the proposed development including the existing house will represent less than 30% of the total site area and therefore cannot be considered as over development.

Policy D14

The scale and location of the proposed garage and extension is, as has been demonstrated above, entirely appropriate and is not at odds with the policy guidance. The planning officer cites the Householder Guidance as support for his view that the scale and massing of the proposed extensions are over dominant. Indeed the planning officer goes further and claims that the scale of this double garage, having doors 3 metres high, is ***“beyond what would reasonably be expected of a domestic garage”***. Such a comment lacks any credibility and is without foundation. This is not any standard domestic dwelling, this is a large country house where one would reasonably expect to find large multi garages most with 3 metre high doors which is the standard door height for accommodating SUV and four wheel drive vehicles which are currently the most purchased vehicles on the market and the most common form of transport in this type of semi rural location.

The planning officer also claims that as the proposed extension projects beyond the existing house that this is also unacceptable. It is not disputed that the Householder Guide does require that extensions should not extend in front of the main elevation, but that guide is a generic guide aimed at addressing the majority of circumstances, not large country houses where additional wings often extend beyond the front elevation. Indeed the architectural convention is that where side extensions are added, they should extend forward to prevent the original elevation presenting as over long, and it also reduces the circulation space within the main dwelling. The guidance was designed to relate to standard residential layouts where projecting extensions had the potential to impact on neighbours, and in that context it is a reasonable and competent policy. In the context of this location and this proposal it is not.

It is worth noting that 4 of the 5 large detached dwellings recently built on the Ayr Road at the junction with Davieland all have double garages at the front of the dwellings! In addition these properties are on small plots relative to the size of the house and as a result of having a large double garage at the front, which does dominate the dwelling, have no front gardens. Further, unlike the application site which is all but hidden from view, these dwellings occupy a highly prominent and highly visible site on this major road.

It would appear that the Householder Guide is being imposed in a random and inconsistent manner.

Reference is also made to the fact that extensions should respect the original house. As this property has been substantially altered over the years, to the extent that it is not possible to discern the original building this would appear to be a pointless observation and cannot be founded upon as a reason to refuse the application.

Summary:

The application was for the construction of an extension which would include a small gymnasium and a double car garage. This extension would be constructed against the western gable which would allow direct access from the existing driveway, would not adversely impact on the existing lawns, would not dominate or impose on the existing large dwelling and would be all but invisible to the surrounding area.

The proposed development is an entirely reasonable proposal given that despite the large site and the substantial dwelling there is no garaging of any kind on the site.

The observations and claims advanced by the planning officer in the Report of Handling have been shown to be unfounded and lacking in any substantive justification.

In fact it has been demonstrated that the proposed development is in accord with the policies, aims and spirit of the Local Development Plan.

Given that the reasons cited for the refusal have been shown to be incompetent, it follows that the decision to refuse the application is flawed and cannot be considered safe.

In the circumstances we would ask that the decision to refuse be rescinded and the application approved.

PLANS/PHOTOGRAPHS/DRAWINGS

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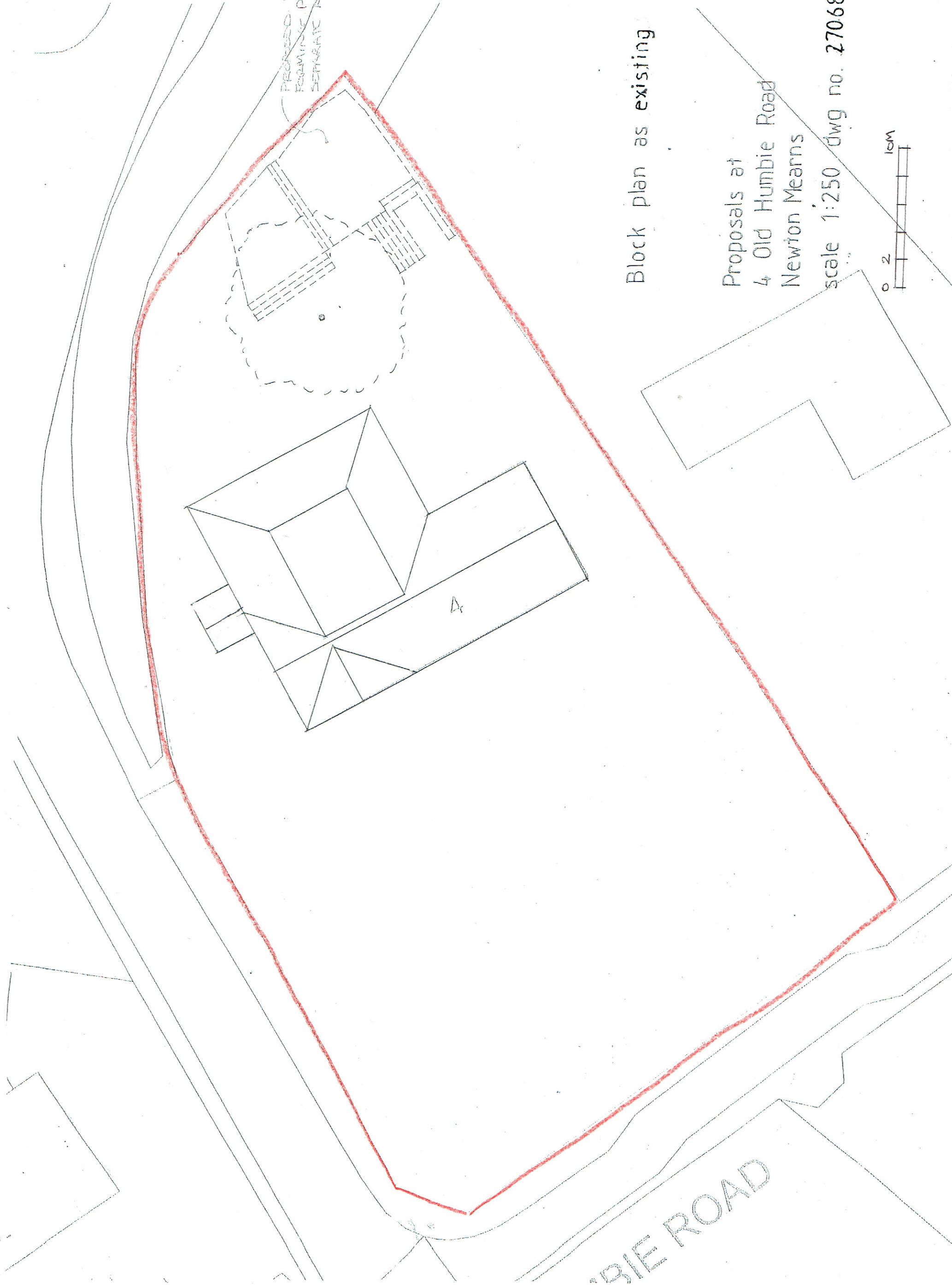
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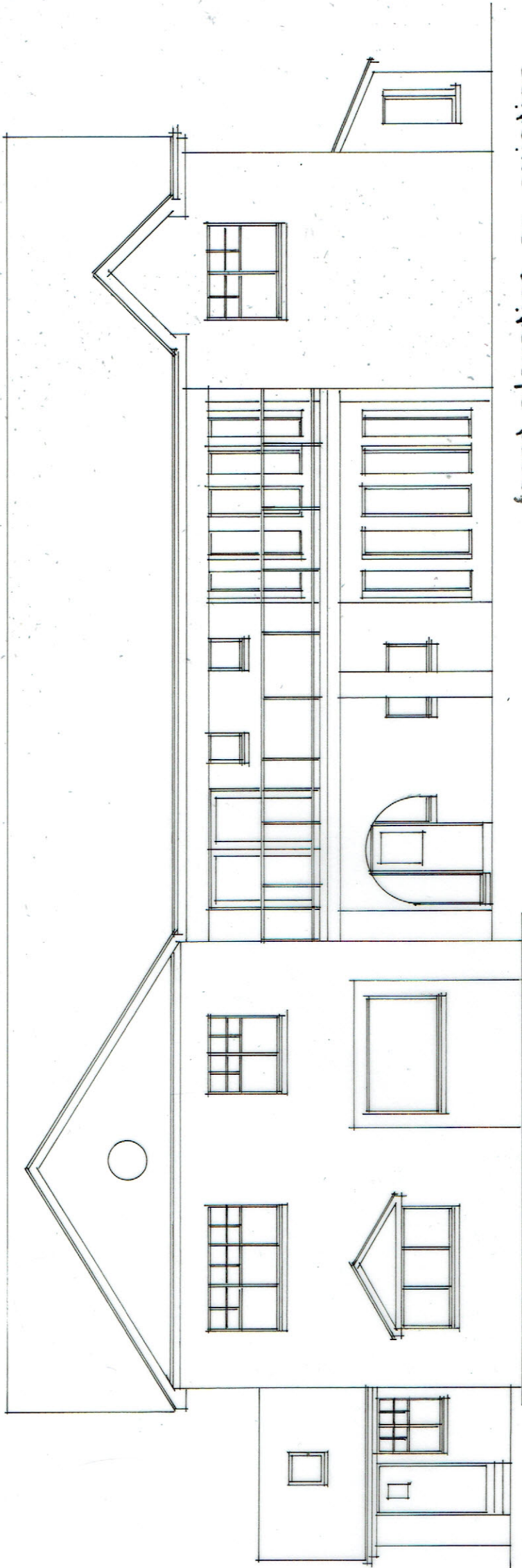
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4 Old Humble Road
Newton Mearns

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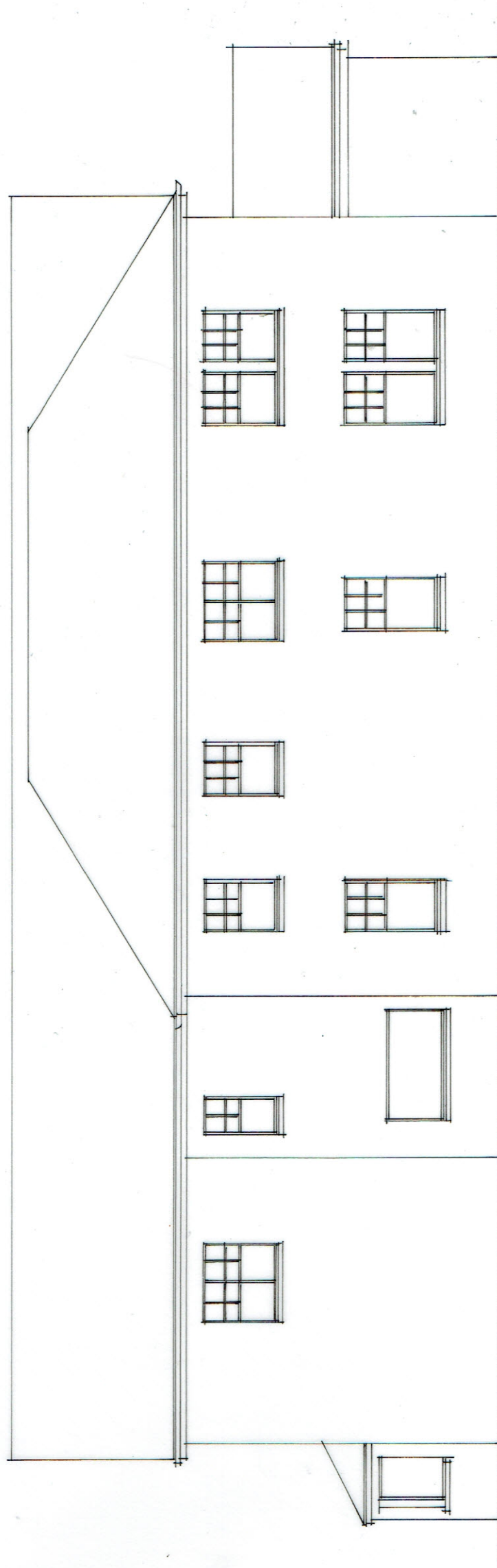


PROPOSED DECK
FORMING PART OF
SEPARATE APPLICATION





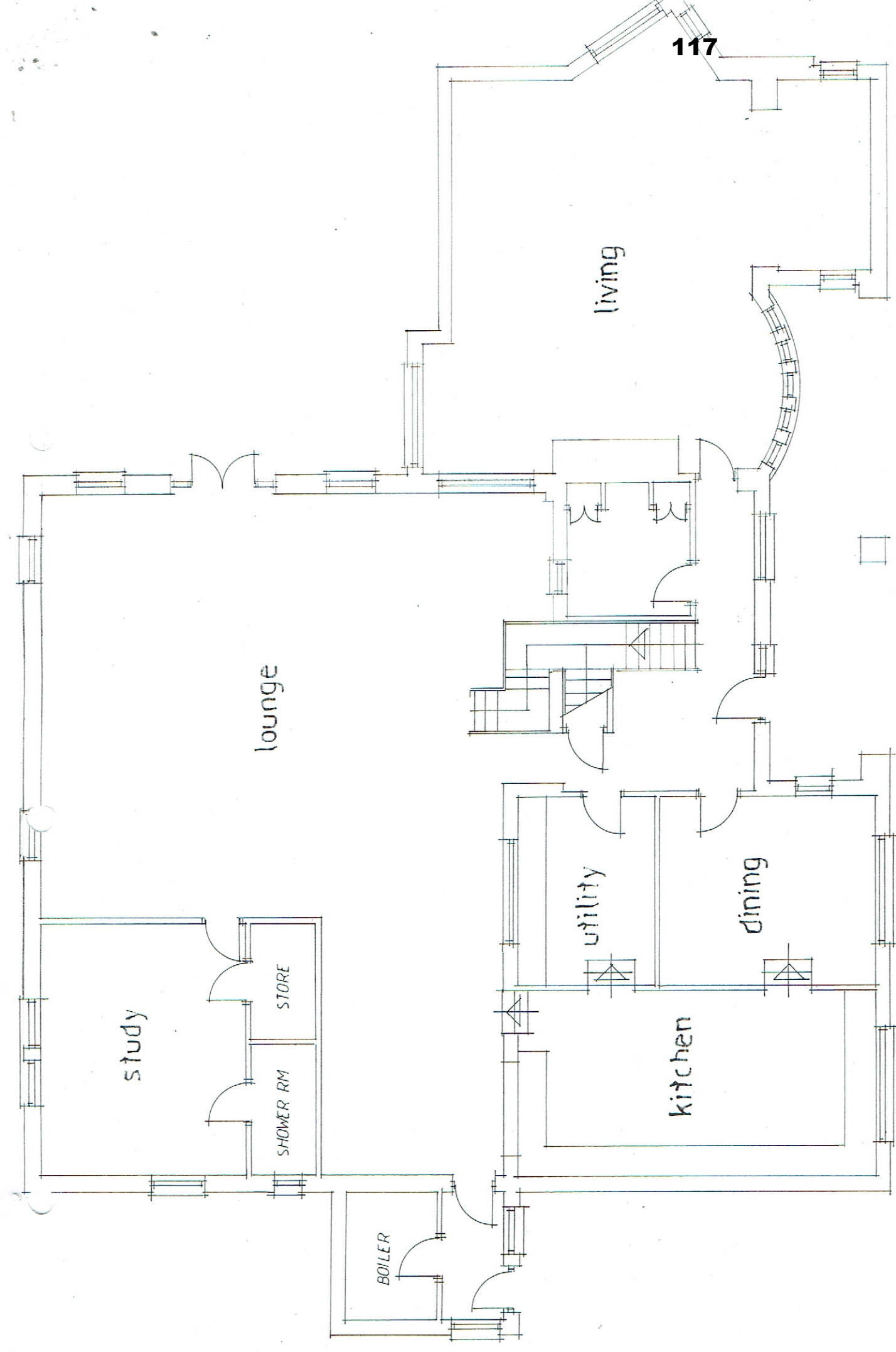
front elevation as existing



rear elevation as existing

Proposals at
 4 Old Humber Road
 Newton Mearns
 scale 1:100 dwg no. 27068/3



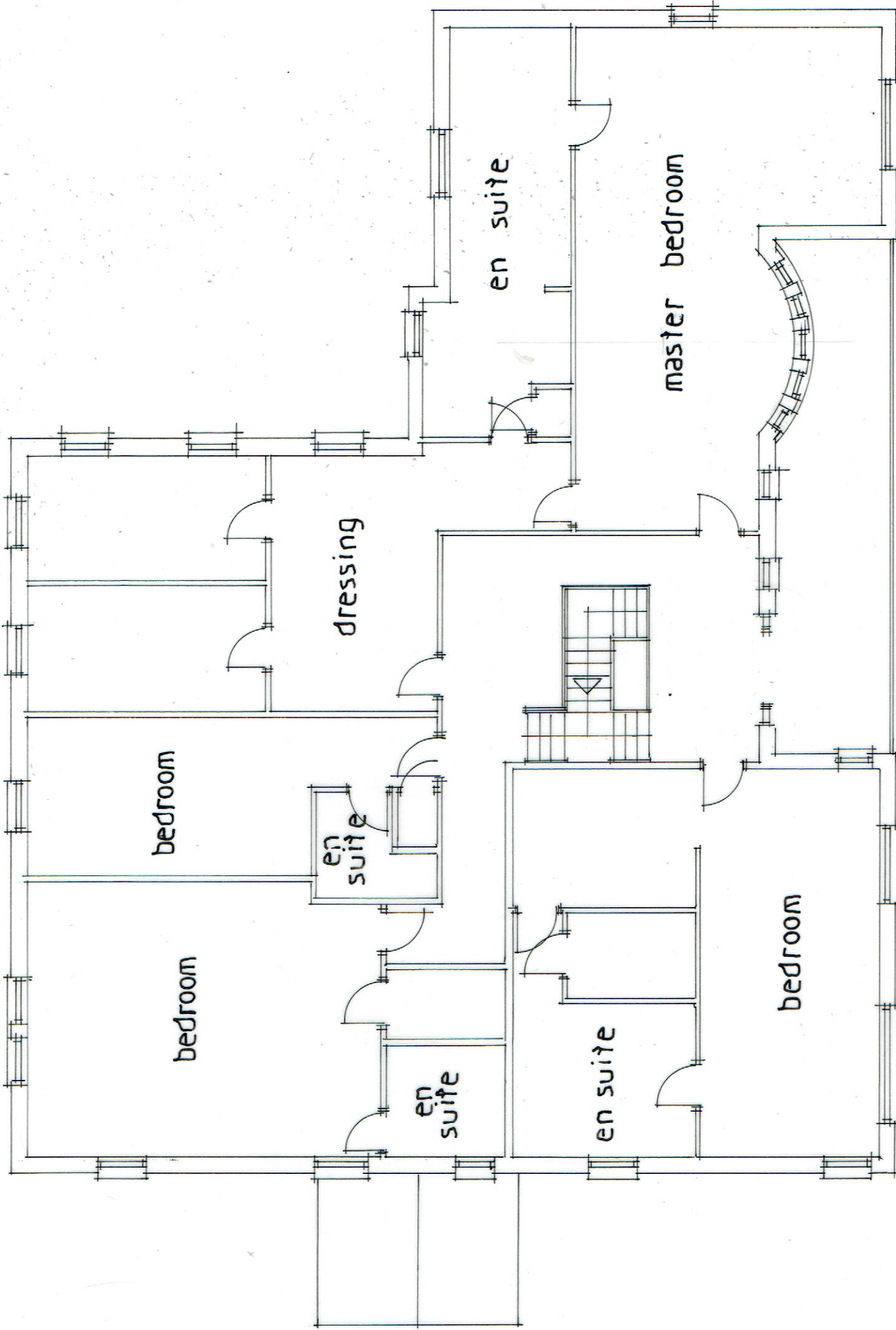


ground floor as existing

Proposals at
4 Old Humber Road
Newton Mearns

scale 1:100 dwg no. 27068/1



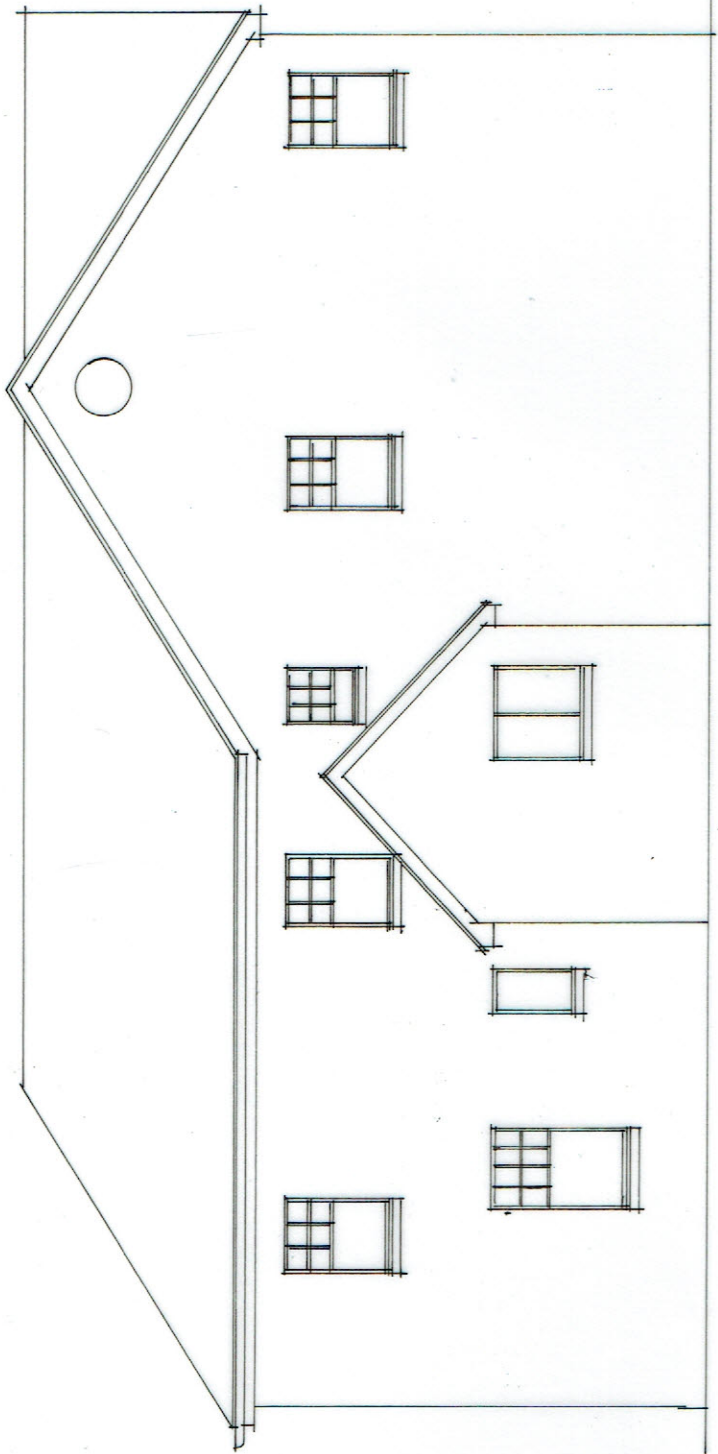


first floor as existing

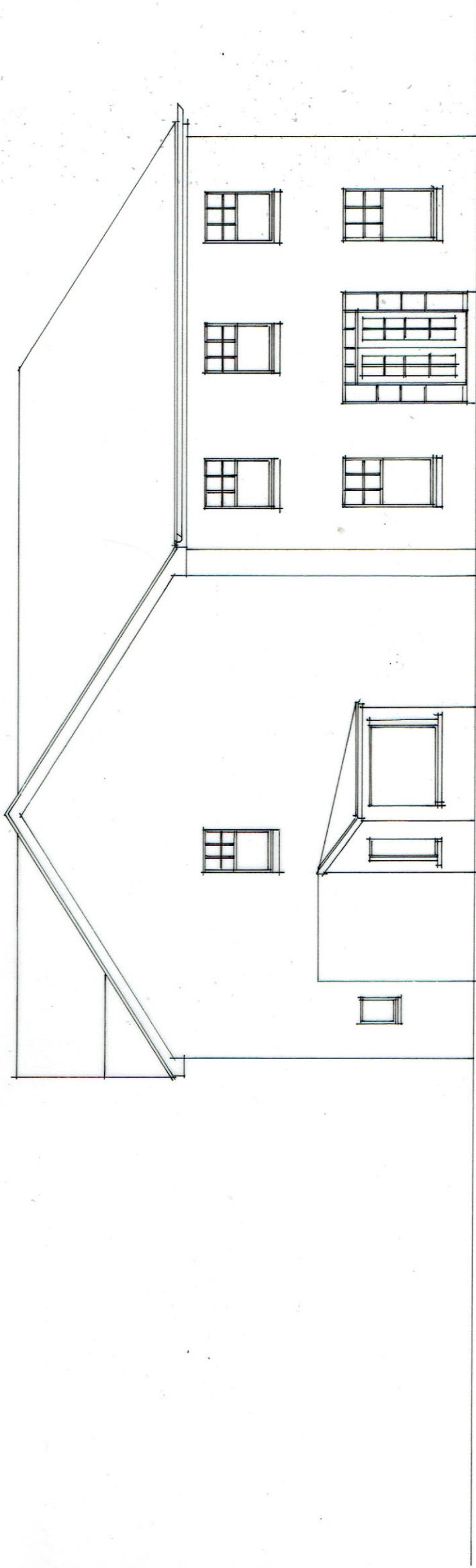


Proposals at
4 Old Humber Road
Newton Mearns

scale 1:100 dwg no. 27068 / 21



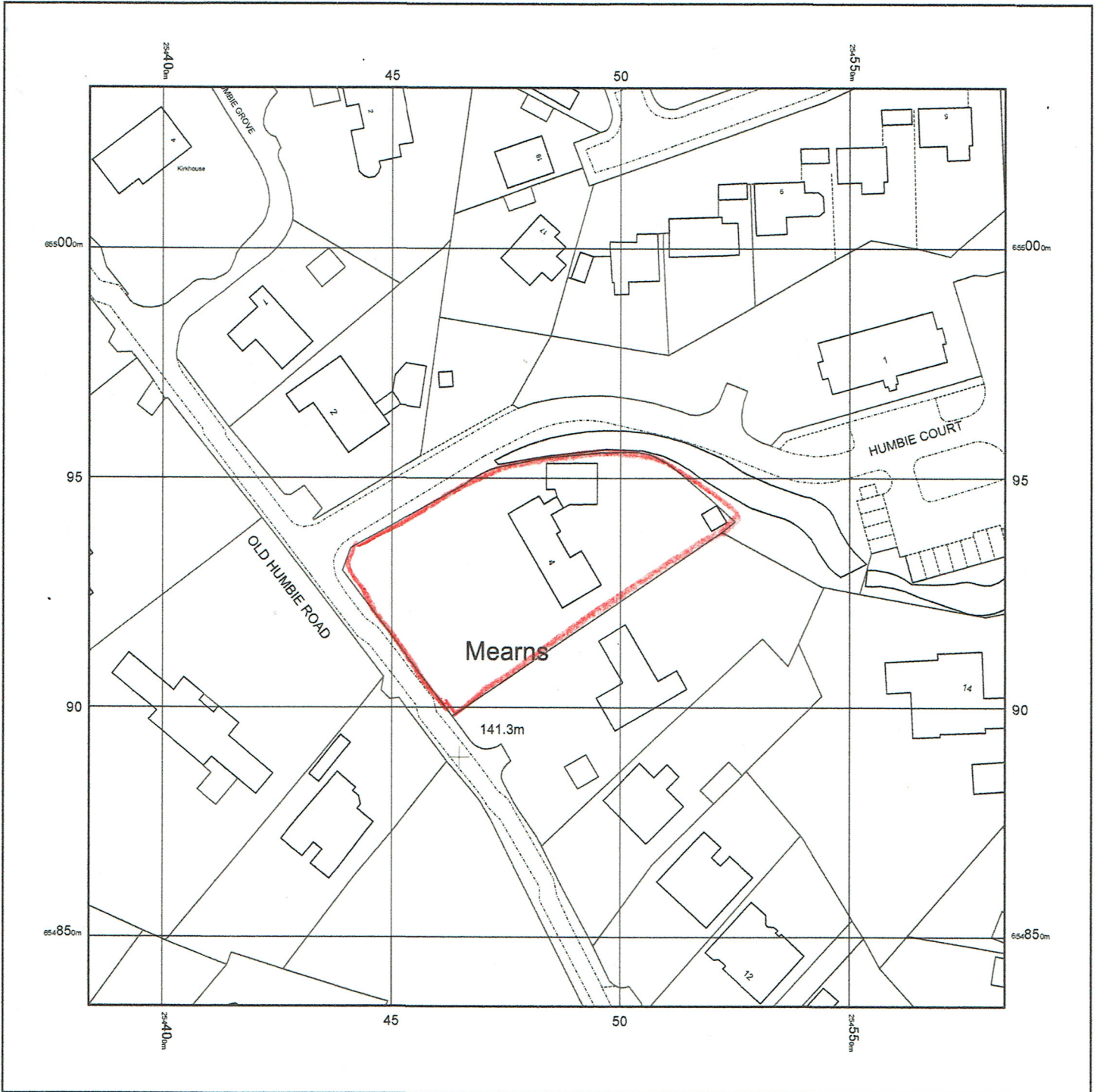
North West elevation as existing



South East elevation as existing

Proposals at
4 Old Humble Road
Newton Mearns
scale 1:100 dwg no. 27068 / 4

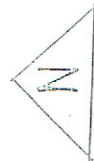




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Serial No: 164197
Centre Coordinates: 254484, 654935
Production Date: 12/06/2019 17:39:35

27068: 4 Old Humble Road, Newton Mearns, G77 5DF

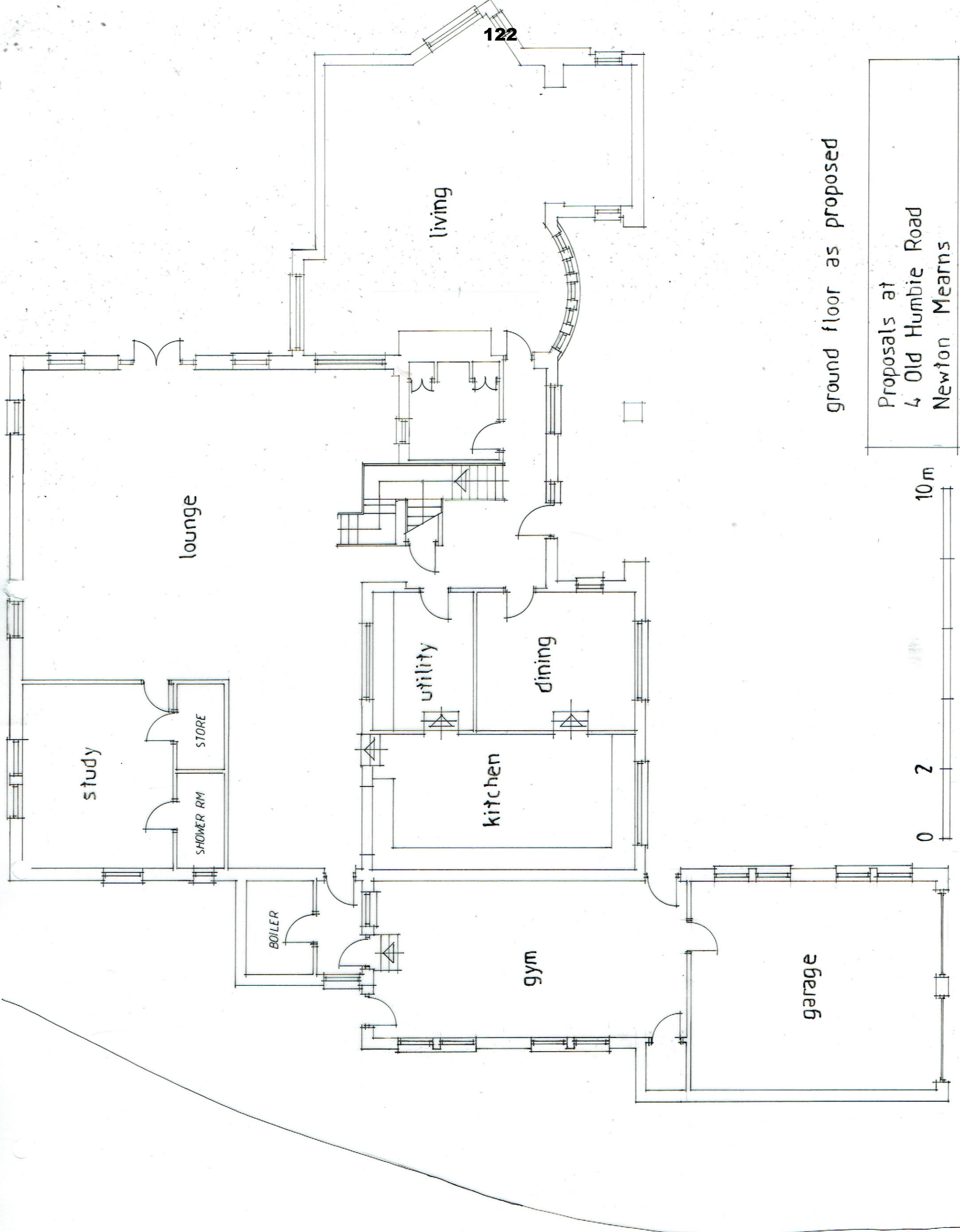


Block plan as proposed

Proposals at
4 Old Humble Road
Newton Mearns

scale 1:250 dwg no. 27068/8





122

living

lounge

study

STORE

SHOWER RM

utility

kitchen

dining

gym

BOILER

garage

ground floor as proposed

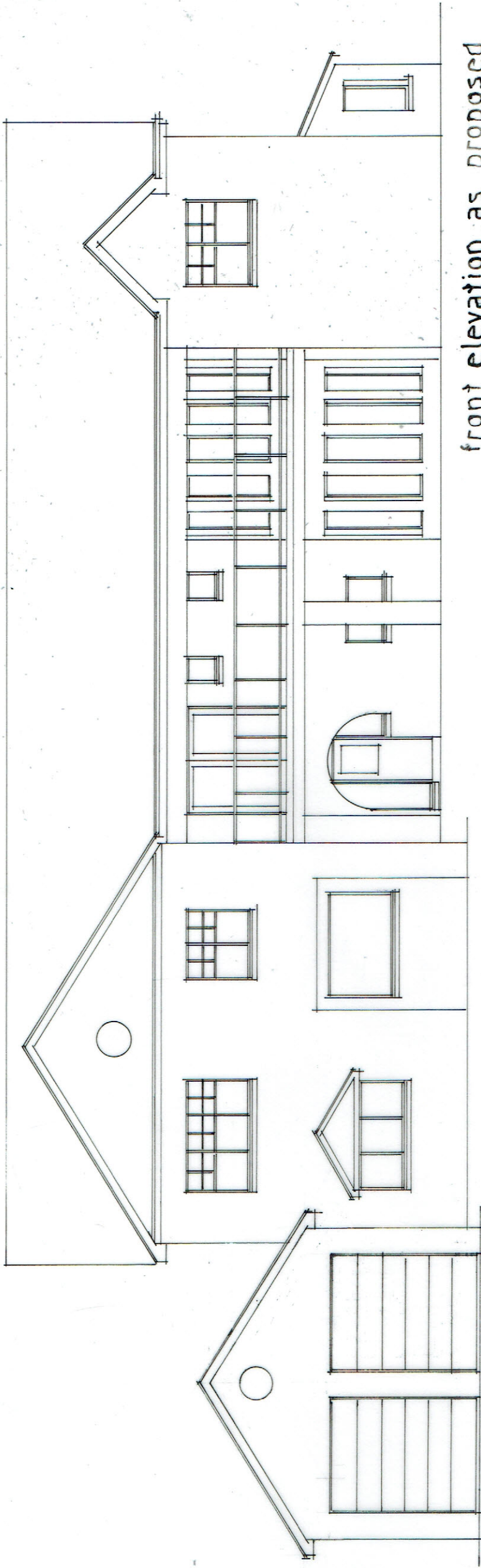
Proposals at
4 Old Humber Road
Newton Mearns

scale 1:100 dwg no. 27068/2A

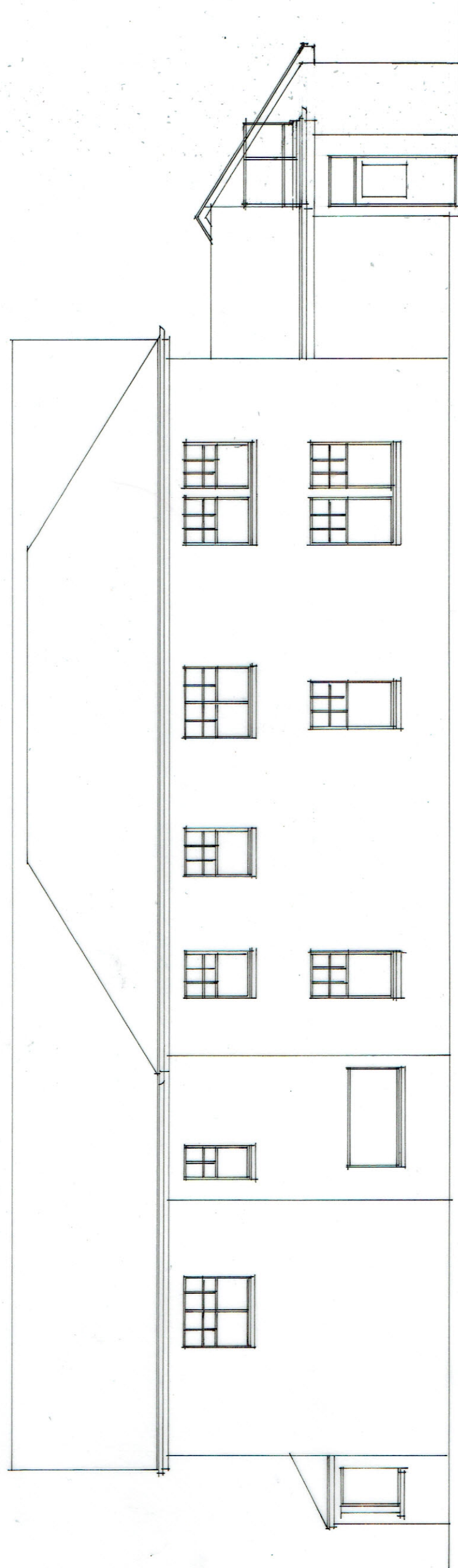
10m

2

0



front elevation as proposed

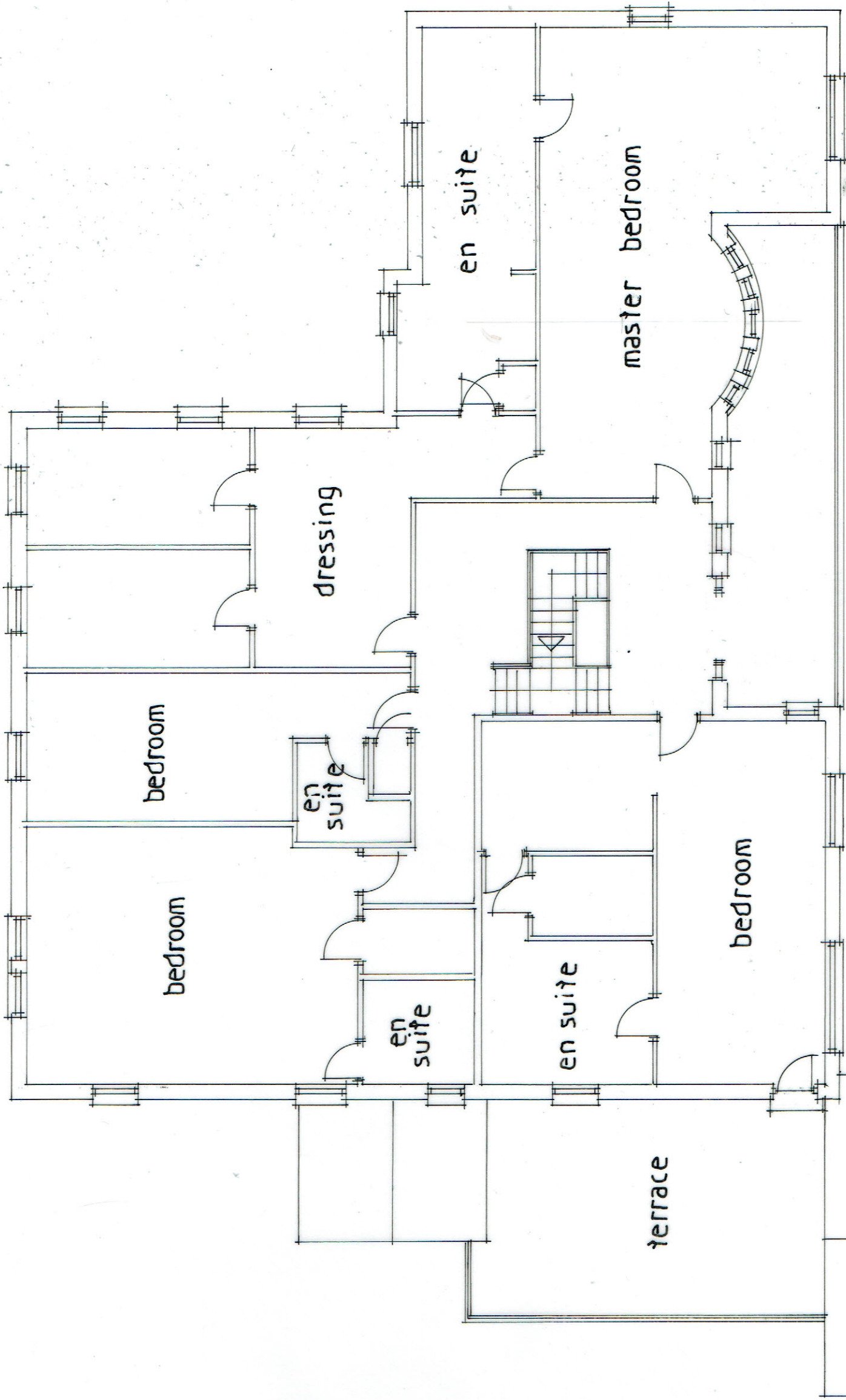


rear elevation as proposed

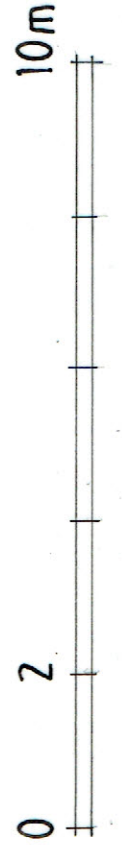
Proposals at
 4 Old Humber Road
 Newton Mearns

scale 1:100 dwg no. 27068/5A

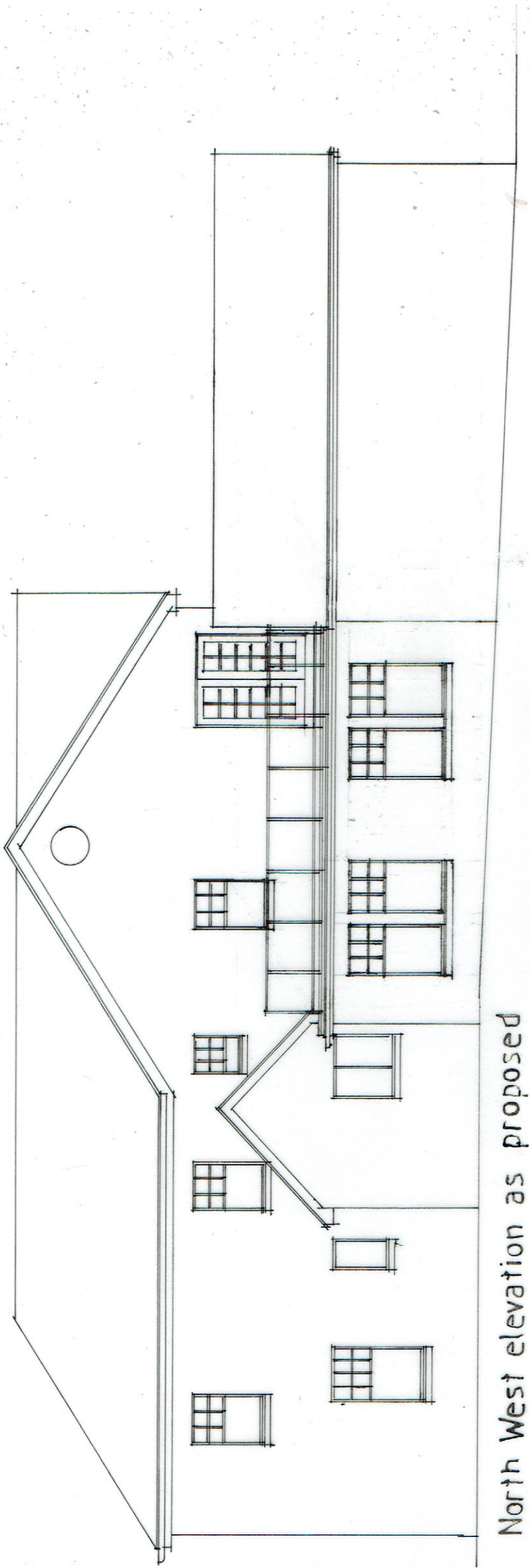




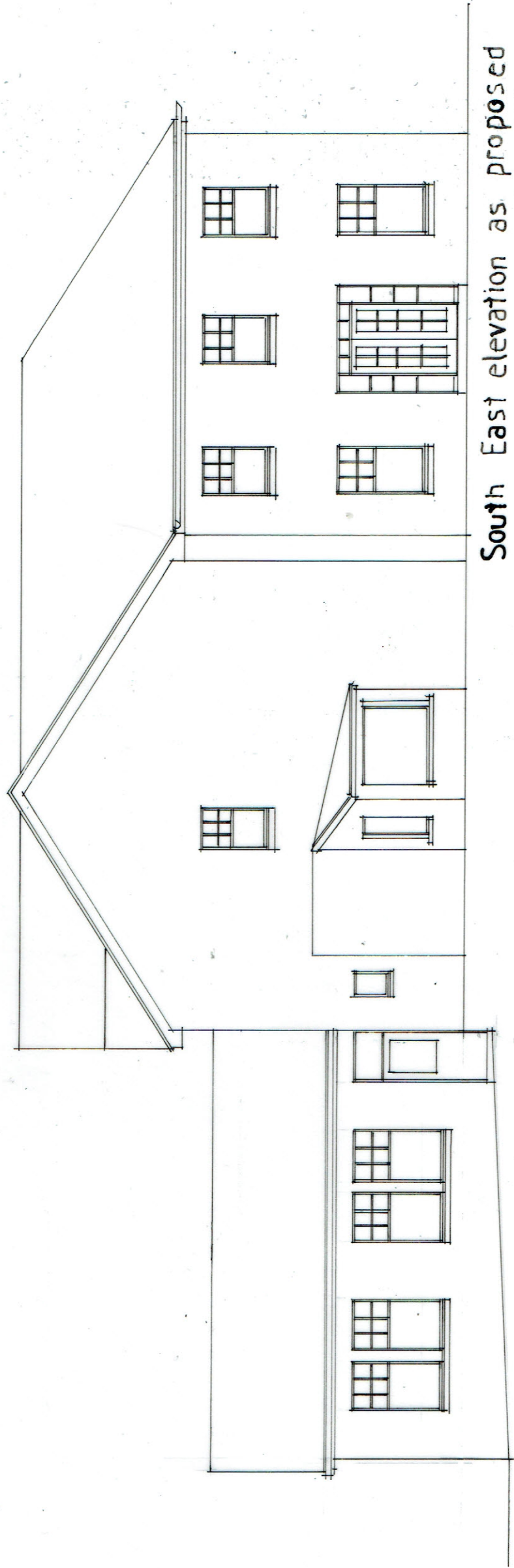
first floor as proposed



Proposals at 4 Old Humbie Road Newton Mearns scale 1:100 dwg no. 27068 / 22
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North West elevation as proposed



South East elevation as proposed

Proposals at
4 Old Humber Road
Newton Mearns

scale 1:100 dwg no. 27068 / 6A



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