

EAST RENFREWSHIRE COUNCILLOCAL REVIEW BODY4 December 2019Report by Deputy Chief ExecutiveREVIEW OF CASE - REVIEW/2019/20ERECTION OF UPPER FLOOR SIDE EXTENSION AND TWO STOREY
REAR EXTENSION AT 93 CUNNINGHAM DRIVE, GIFFNOCK**PURPOSE OF REPORT**

1. The purpose of the report is to present the information currently available to allow a review of the non-determination of the application for planning permission as detailed below. A determination should have been made 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.

DETAILS OF APPLICATION

2. Application type: Full Planning Permission (Ref No:- 2019/0272/TP).
- Applicant: Mr Joseph Madden.
- Proposal: Erection of upper floor side extension and two storey rear extension.
- Location: 93 Cunningham Drive, Giffnock.
- Council Area/Ward: Giffnock and Thornliebank (Ward 3).

REASON FOR REQUESTING REVIEW

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

RECOMMENDATIONS

4. The Local Review Body is asked:-
- (a) to consider whether it has sufficient information to allow it to proceed to determine the review without further procedure and, if so, that it proceeds to determine the application under review; or
 - (b) that 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 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, 4 December 2019 immediately before the meeting of the Local Review Body which begins at 2.30pm.

INFORMATION AVAILABLE TO ALLOW REVIEW OF APPLICATION

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

14. The information detailed below is appended to this report to assist the Local Review Body in carrying out the review of the decision taken by the Appointed Officer:-

- (a) Application for planning permission – Appendix 1 (Pages 7 - 16);
- (b) Copies of Objections/Representations – Appendix 2 (Pages 17 - 20);
- (c) Report of Handling by the planning officer under the Scheme of Delegation - Appendix 3 (Pages 21 - 28);
- (d) Decision notice and reasons for refusal - Appendix 4 (Pages 29 - 32); and
- (d) A copy of the applicant's Notice of Review and Statement of Reasons - Appendix 5 (Pages 33 - 40).

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 41 - 44).

- (a) Exiting Plans; and
- (b) Refused – Location Plan and Proposed Drawings – L002B.

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:- November 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 100160241-001

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.

Type of Application

What is this application for? Please select one of the following: *

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Proposed side and rear extension two storey

Is this a temporary permission? *

Yes No

If a change of use is to be included in the proposal has it already taken place?

Yes No

(Answer 'No' if there is no change of use.) *

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:

Ref. Number:

You must enter a Building Name or Number, or both: *

First Name: *

Craig

Building Name:

Last Name: *

Dunn

Building Number:

60

Telephone Number: *

07990665950

Address 1
(Street): *

60 Rosendale Road

Extension Number:

Address 2:

Mobile Number:

Town/City: *

Glasgow

Fax Number:

Country: *

United Kingdom

Postcode: *

G41 3RH

Email Address: *

craigsdunn@gmail.com

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:

Mr

You must enter a Building Name or Number, or both: *

Other Title:

Building Name:

First Name: *

Joseph

Building Number:

93

Last Name: *

Madden

Address 1
(Street): *

Cunningham Drive

Company/Organisation

Address 2:

Telephone Number: *

Town/City: *

Glasgow

Extension Number:

Country: *

UK

Mobile Number:

Postcode: *

G46 6EW

Fax Number:

Email Address: *

Site Address Details

Planning Authority:

East Renfrewshire Council

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

Address 1:

91 CUNNINGHAM DRIVE

Address 2:

GIFFNOCK

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

GLASGOW

Post Code:

G46 6EW

Please identify/describe the location of the site or sites

Northing

659182

Easting

257235

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Site Area

Please state the site area:

347.00

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

rESIDENTIAL DWELLING

Access and Parking

Are you proposing a new 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 propose to make. You should also show existing footpaths and note if there will be any impact on these.

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

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

1

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *

1

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? * Yes No

Do your proposals make provision for sustainable drainage of surface water?? * (e.g. SUDS arrangements) * Yes No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

Yes

No, using a private water supply

No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? * Yes No Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? * Yes No Don't Know

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.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * Yes No

If Yes or No, please provide further details: * (Max 500 characters)

PROVISION ALREADY IN PLACE

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

Yes No

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

Yes No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) *

Yes No Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

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: Craig Dunn

On behalf of: Mr Joseph Madden

Date: 02/05/2019

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

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) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

Yes No Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

Yes No Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

Yes No Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

Yes No Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

Yes No Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- Site Layout Plan or Block plan.
- Elevations.
- Floor plans.
- Cross sections.
- Roof plan.
- Master Plan/Framework Plan.
- Landscape plan.
- Photographs and/or photomontages.
- Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

- | | | |
|--|------------------------------|---|
| A copy of an Environmental Statement. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Flood Risk Assessment. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Habitat Survey. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Craig Dunn
Declaration Date: 02/05/2019

Payment Details

Pay Direct

Created: 02/05/2019 15:48

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COPIES OF OBJECTIONS/REPRESENTATIONS

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91 Cunningham Drive
Giffnock
Glasgow G46 6JQ

Head of Operations
East Renfrewshire Council
2 Speirsbridge Way
Thornliebank
Glasgow G46 8NG
By Email: planning@eastrenfrewshire.gov.uk

Dear Sir

Planning Application Number 2019/0272/TP
93 Cunningham Drive, Giffnock, Glasgow G46 6EW

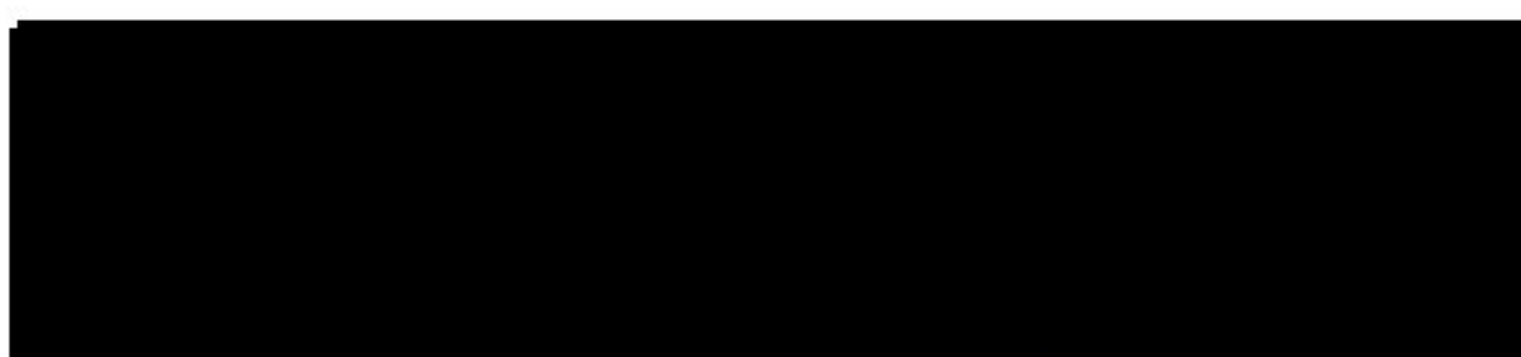
We are in receipt of the Notice to Neighbours dated 3 June 2019 in respect of the proposed two-storey side and rear extension to 93 Cunningham Drive. We are the current proprietors of the next-door property at 91 Cunningham Drive.

We would like to object to the proposed extension on the following grounds:-

- (i) The size of the extension is too large. We note that the guidance rules issued by the Council state that two-storey extensions should be 2 metres from the boundary line and not more than 4 metres from the rear elevation of the original house. The plans submitted for this application show the proposed extension as being straight down the boundary line and 4.3 metres from the rear elevation. We also believe that this would cover more than 50% of the garden ground.
- (ii) The proposed extension would completely overshadow our house and our garden and cut off our light. We feel that it would completely overwhelm our property.

We trust that you will take our objections into account when considering this application.

Yours faithfully



Malcolm J McKee

11/6/19



Paula J McKee

11/6/19

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REPORT OF HANDLING

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REPORT OF HANDLING

Reference: 2019/0272/TP

Date Registered: 30th May 2019

Application Type: Full Planning Permission

This application is a Local Development

Ward: 3 -Giffnock And Thornliebank

Co-ordinates: 257231/:659185

Applicant/Agent:

Applicant:
Mr Joseph Madden
93 Cunningham Drive
Glasgow
UK
G46 6EW

Agent:

Craig Dunn
60 Rossendale Road
Glasgow
United Kingdom
G41 3RH

Proposal: Erection of upper floor side extension and two storey rear extension

Location: 93 Cunningham Drive
Giffnock
East Renfrewshire
G46 6EW

CONSULTATIONS/COMMENTS: None.

PUBLICITY: None.

SITE NOTICES: None.

SITE HISTORY: None.

REPRESENTATIONS:

One representation was received that raised concerns about the following:

- Size of extension
- Position of extension
- Overshadowing/loss of light
- Loss of garden ground

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

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

ASSESSMENT:

The site is in an established residential area comprised of short rows of terraced properties that lie perpendicular to Cunningham Drive. It contains an end of terrace dwelling finished in brick, white painted render and concrete roof tiles. The dwelling has a single storey side extension which is 4.3 metres wide. Its rear elevation is south-west facing.

The proposal is for an upper storey side and two storey rear extension. The upper storey side extension would be the same width as the existing extension. It would have a pitched roof with a

lower ridgeline than the dwelling. The rear extension would have a hipped roof and be 9.4 metres wide and 4.3 metres deep.

The proposal is required to be assessed against Policies D1 and D14 of the adopted Local Development Plan and Supplementary Planning Guidance on Householder Design (SPG). It should complement the dwelling in terms of style, form and materials. It must not result in a significant loss of character to the surrounding area. It should be an appropriate size, scale and massing and the footprint of the original dwelling should not be exceeded by the combined floor area of extensions. The SPG contains specific criteria for side and rear extensions. The residential amenity of neighbouring properties should not be adversely affected by unreasonably restricting sunlight, daylight or privacy.

The side extension would be contrary to the specific SPG criteria because it would be more than 50% of the frontage of the dwelling. However, it is noted that the majority of the end of terrace properties bordering Cunningham Drive have two storey side extensions of a comparable size, scale and massing to that being proposed. It is therefore not considered that the side extension would be significantly out of keeping with the surrounding area. The rear extension is contrary to the specific SPG criteria as it would project from the rear elevation by more than 4 metres and would be hard onto the boundary with the adjoining neighbouring property.

Whilst there are other examples of large side extensions in the area, these properties do not have the addition of a large rear extension. Taken as a whole, it is considered that the proposal would be excessive in terms of size, scale and massing and would dominate and overwhelm the dwelling. The combined floor area of the extensions would be substantially more than the original dwelling. Furthermore, since the entire proposal would be visible from Cunningham Drive due to the orientation of the site, it is considered that it would significantly detract from the character of the area as it is would be significantly larger than surrounding terraced properties.

The proposal would raise no significant issues in terms of loss of privacy however it would have an adverse effect on the residential amenity of the adjoining property because it would unreasonably restrict daylight and sunlight. It is considered that the rear extension would significantly overshadow the adjoining property because of its orientation, depth, height and position on the shared boundary.

It is considered that the points raised in the representation relating to the size and position of the proposal and its impact on the residential amenity of the neighbouring property have been addressed above. It is not considered that the proposal would result in an unreasonable loss of garden ground.

It is noted that the proposed ground floor plan shows a porch that does not appear on the other plan or elevation drawings and is not referred to in the application form. It is not considered that this forms part of the proposal and has not been assessed.

To conclude, it is considered that the proposal would overwhelm and dominate the dwelling, significantly detract from the character of the area and have an adverse effect on the residential amenity of the neighbouring property. It is considered that the proposal is contrary to the Local Development Plan and that there are no material considerations that outweigh the policies.

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) its size, scale and massing would be out of keeping with the surrounding terraced properties and would significantly detract from the character of the area and, ii) it would have an adverse effect on the residential amenity of the adjoining neighbouring property by unreasonably restricting daylight and sunlight.
2. The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as its size and scale would be inappropriate to the dwelling and would significantly detract from its existing character.
3. The proposal is contrary to the Supplementary Planning Guidance on Householder Design as it would result in a two storey rear extension that would extend more than 4 metres from the rear elevation and be within 2 metres of the shared boundary, and the total combined floor space of extensions would exceed that of the original dwelling, all to the detriment of the residential amenity of the attached neighbouring property and to the character of the dwelling.

ADDITIONAL NOTES: None.

ADDED VALUE:

Improvements to the proposal were achieved at the pre-application stage.

BACKGROUND PAPERS:

Further information on background papers can be obtained from Mr David Haney on 0141 577 3854.

Ref. No.: 2019/0272/TP
(DAHA)

DATE: 26th July 2019

DIRECTOR OF ENVIRONMENT

Reference: 2019/0272/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 soloms or other development that would remove opportunities to enhance pedestrian and cycle access unless mitigation measures have been demonstrated;
15. The Council requires the submission of a design statement for national and major developments. Design statements must also be submitted in cases where a local development relates to a site within a conservation area or Category A listed building in

line with Planning Advice Note 68: Design Statements.

16. Where applicable, developers should explore opportunities for the provision of digital infrastructure to new homes and business premises as an integral part of development.

Policy D14

Extensions to Existing Buildings and Erection of Outbuildings and Garages

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

The size, scale and height of any development must be appropriate to the existing building. In most circumstances, pitched roofs utilising slates or tiles to match the existing house will be the appropriate roof type. Alternatives, such as flat roofs or green roofs, will be considered on a site specific basis.

Side extensions should not create an unbroken or terraced appearance.

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

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

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

GOVERNMENT GUIDANCE:

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

Finalised 26/07/19 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. **2019/0272/TP**

Applicant:

Mr Joseph Madden
93 Cunningham Drive
Glasgow
UK
G46 6EW

Agent:

Craig Dunn
60 Rossendale Road
Glasgow
United Kingdom
G41 3RH

With reference to your application which was registered on 30th May 2019 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Erection of upper floor side extension and two storey rear extension

at: 93 Cunningham Drive, Giffnock, East Renfrewshire, G46 6EW

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) its size, scale and massing would be out of keeping with the surrounding terraced properties and would significantly detract from the character of the area and, ii) it would have an adverse effect on the residential amenity of the adjoining neighbouring property by unreasonably restricting daylight and sunlight.
2. The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as its size and scale would be inappropriate to the dwelling and would significantly detract from its existing character.
3. The proposal is contrary to the Supplementary Planning Guidance on Householder Design as it would result in a two storey rear extension that would extend more than 4 metres from the rear elevation and be within 2 metres of the shared boundary, and the total combined floor space of extensions would exceed that of the original dwelling, all to the detriment of the residential amenity of the attached neighbouring property and to the character of the dwelling.

Dated 26th 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
Plans Proposed	L002 B		

GUIDANCE NOTE FOR REFUSAL OF LOCAL DEVELOPMENTS DETERMINED UNDER DELEGATED POWERS

REVIEW BY EAST RENFREWSHIRE COUNCIL'S LOCAL REVIEW BODY

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

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

CONTACT DETAILS

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

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

**NOTICE OF REVIEW
AND
STATEMENT OF REASONS**

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

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

Thank you for completing this application form:

ONLINE REFERENCE 100160241-004

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:

Ref. Number:

You must enter a Building Name or Number, or both: *

First Name: *

Craig

Building Name:

60

Last Name: *

Dunn

Building Number:

Telephone Number: *

Address 1
(Street): *

Rosendale Road

Extension Number:

Address 2:

Mobile Number:

Town/City: *

Glasgow

Fax Number:

Country: *

United Kingdom

Postcode: *

G41 3RH

Email Address: *

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="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="Joseph"/>	Building Number:	<input type="text" value="93"/>
Last Name: *	<input type="text" value="Madden"/>	Address 1 (Street): *	<input type="text" value="Cunningham Drive"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Glasgow"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="UK"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="G46 6EW"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="[REDACTED]"/>		

Site Address Details

Planning Authority:	<input type="text" value="East Renfrewshire Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="91 CUNNINGHAM DRIVE"/>
Address 2:	<input type="text" value="GIFFNOCK"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="GLASGOW"/>
Post Code:	<input type="text" value="G46 6EW"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="659182"/>	Easting	<input type="text" value="257235"/>
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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)

2019/0272/TP Erection of upper floor side extension and single storey rear extension

Type of Application

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

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

What does your review relate to? *

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

Statement of reasons for seeking review

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

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

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

amendments have been made to the proposals to align with the reasons for refusal and comply with policy. These were issued by email on 6th September following a telephone conversation with the planning officer on 5th September. The rear extension has been reduced to a single storey in order that there is no adverse effect on the residential amenity of adjoining neighbouring property and the extension area has been reduced to extending only 4m from the existing rear elevation.

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)

There was no discussion or opportunity to provide amendments to the application during the application process. Discussion with the planning officer upon receipt of determined that additional information could be sent to be reviewed. This was sent by email and no response was ever received. Applicant has been awaiting approval on revised proposals for some time.

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)

L003 - Proposed plans (rear single storey)

Application Details

Please provide details of the application and decision.

What is the application reference number? *

2019/0272/TP

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

30/05/2019

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

26/07/2019

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.

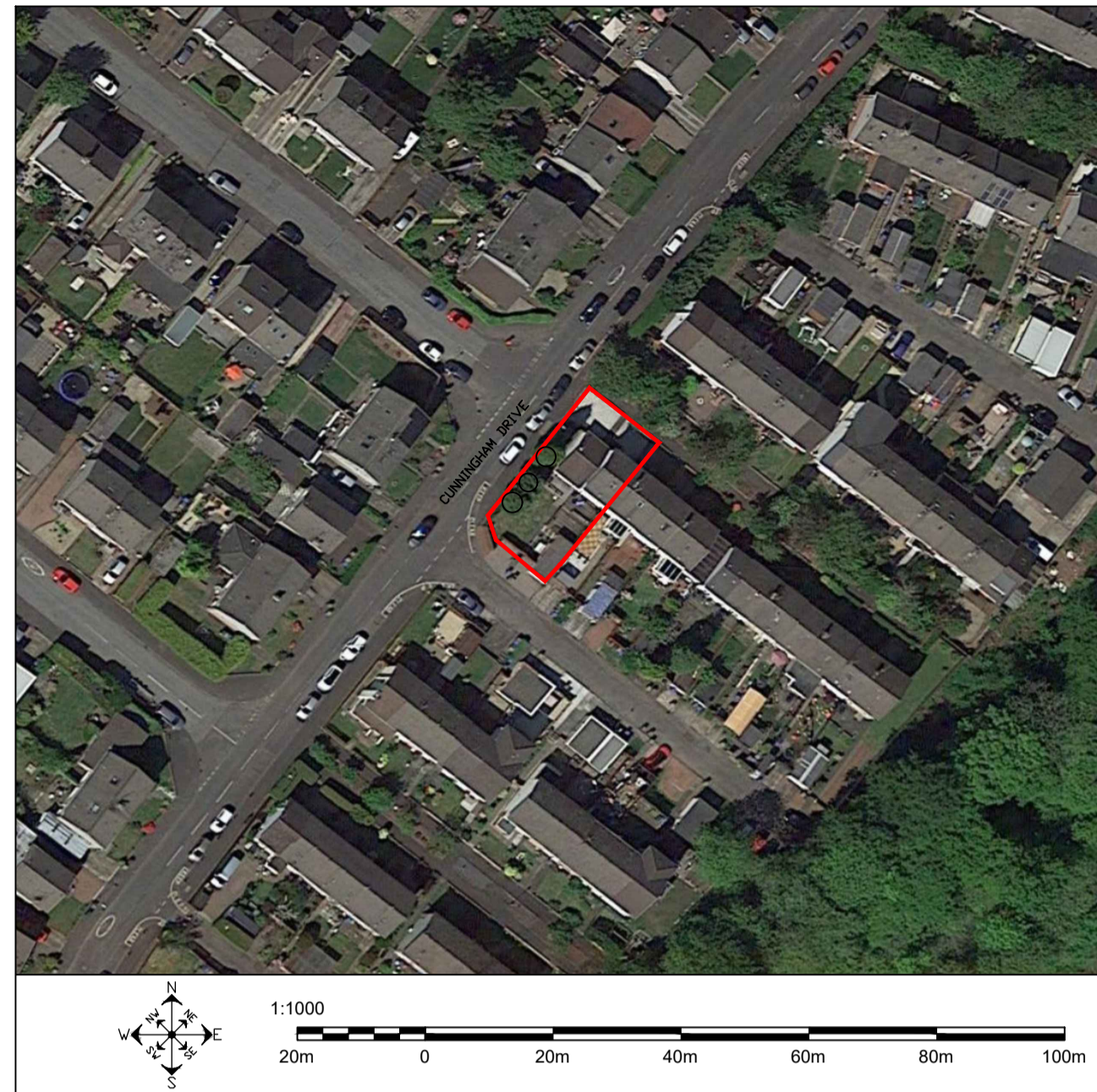
Declaration Name: Mr Craig Dunn

Declaration Date: 25/10/2019

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PLANS/PHOTOGRAPHS/DRAWINGS

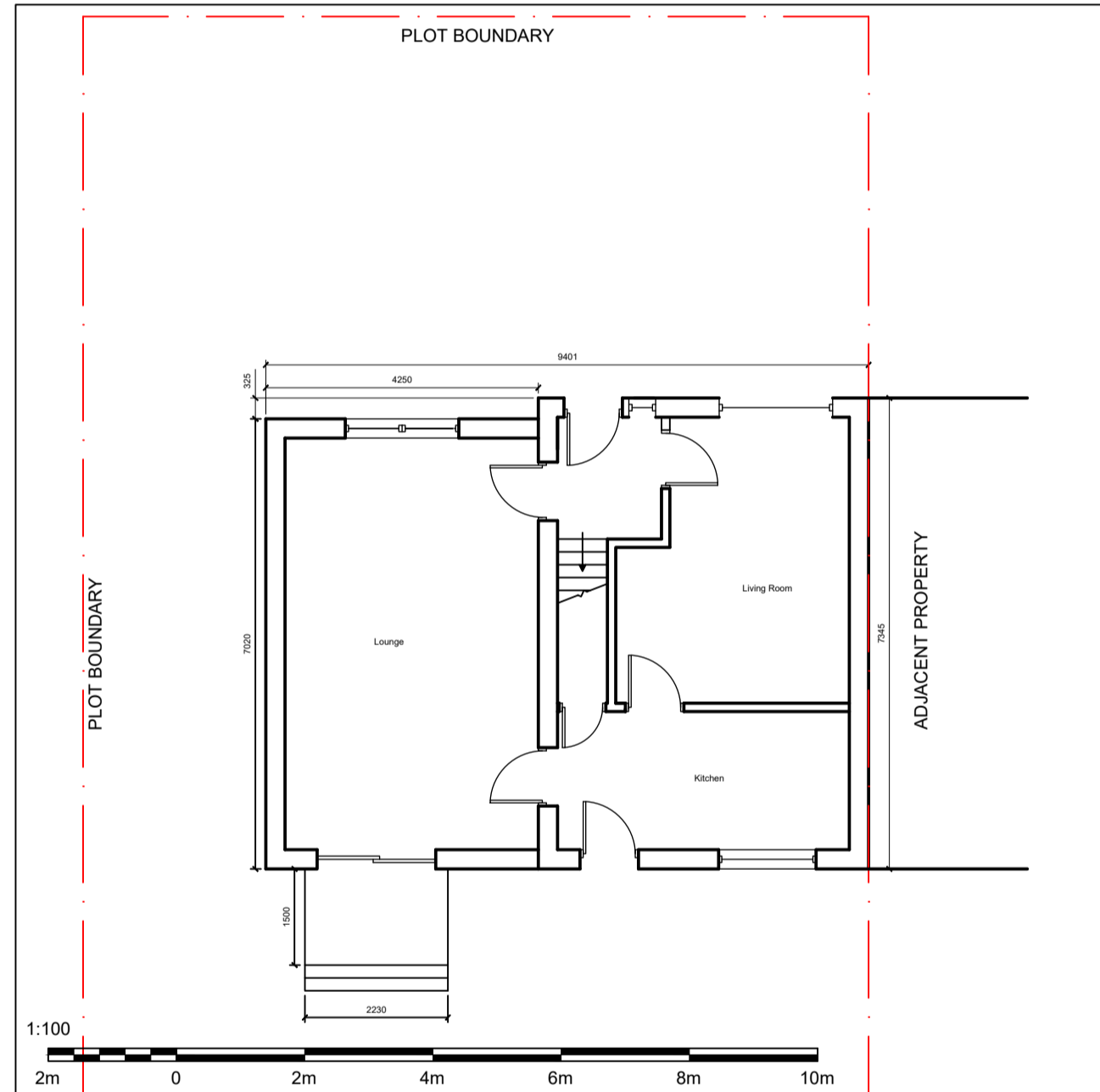
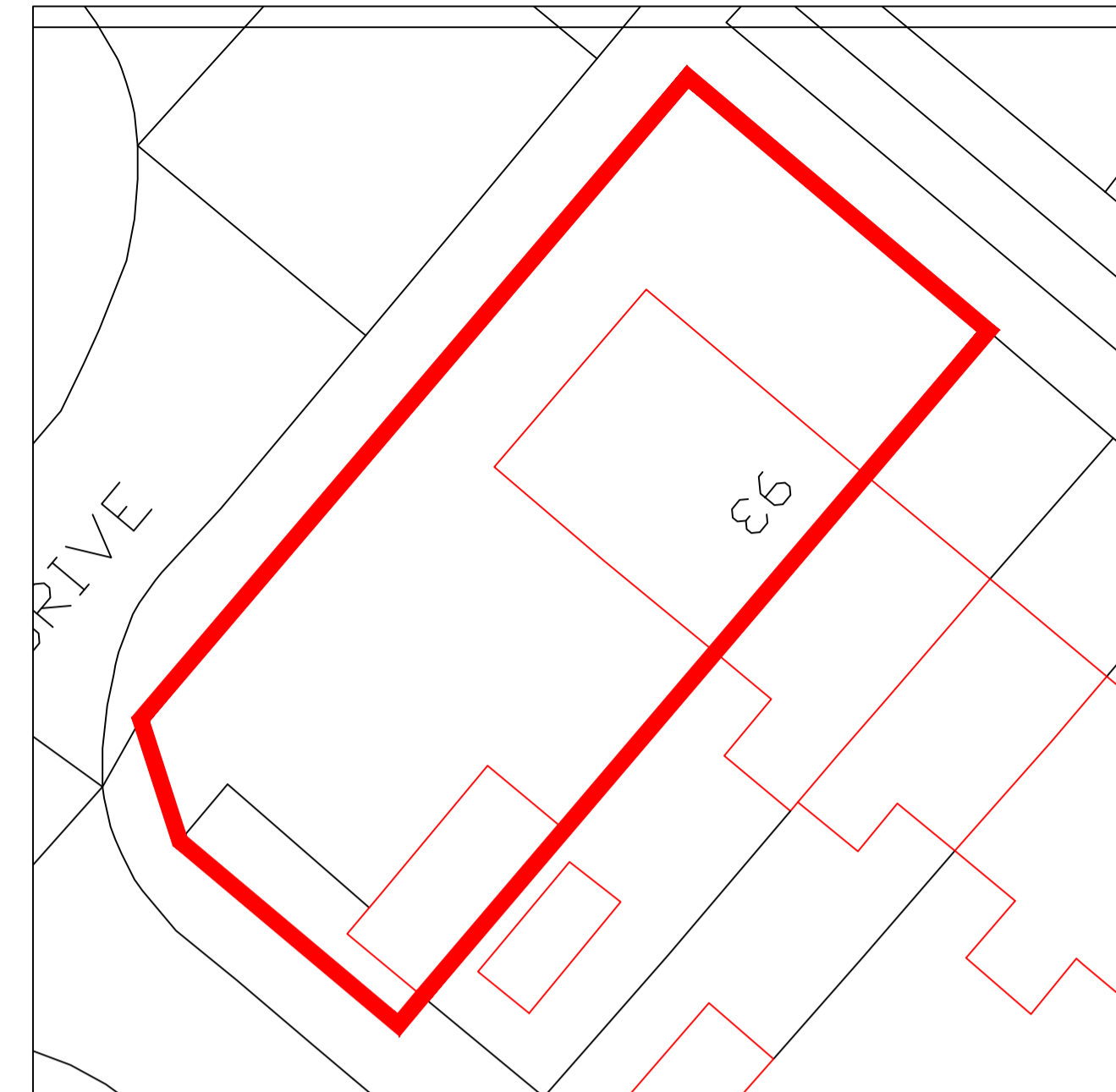
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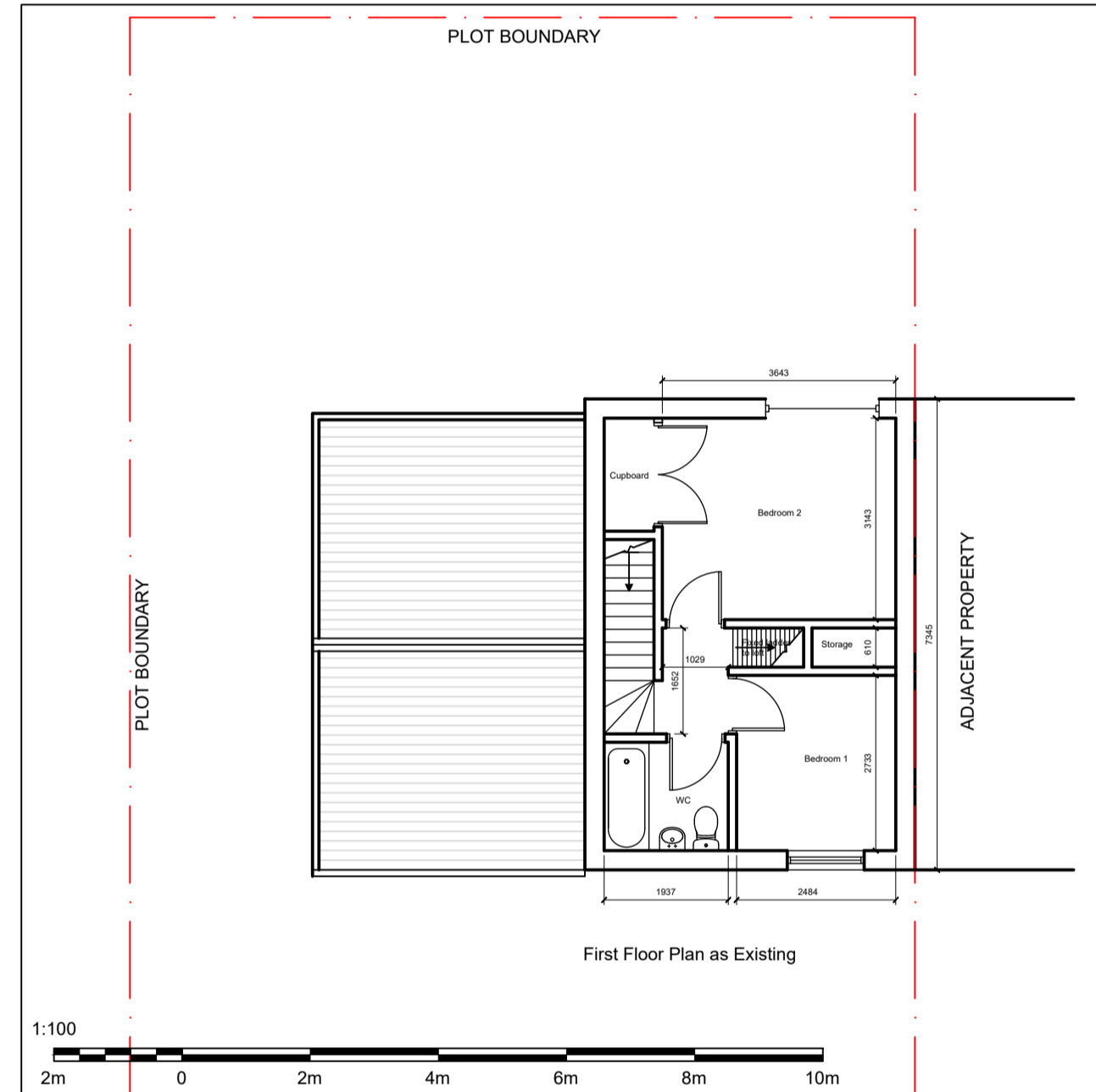
LOCATION PLAN 1:1000



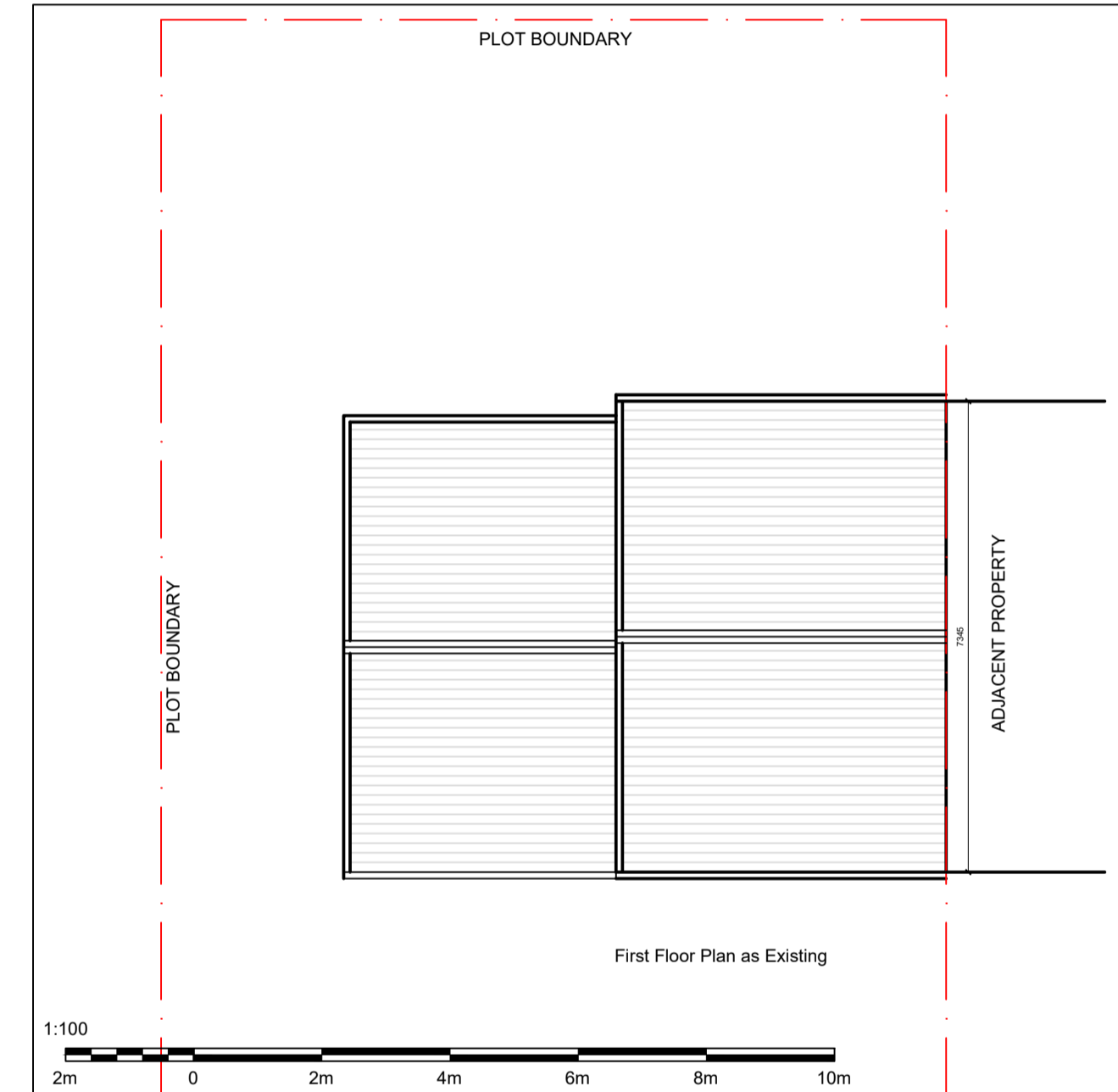
EXISTING BLOCK PLAN 1:500



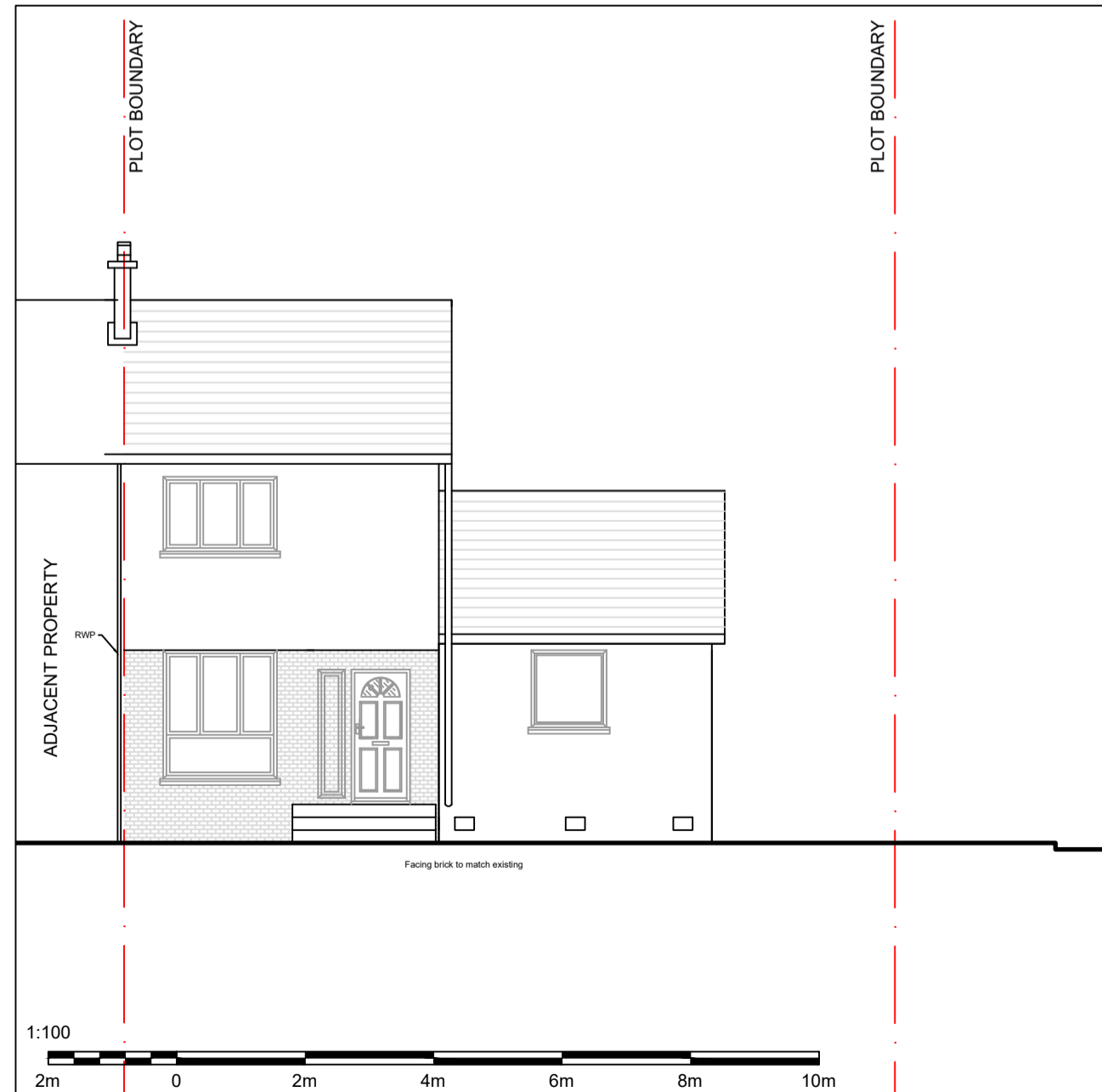
EXISTING GROUND FLOOR PLAN 1:100



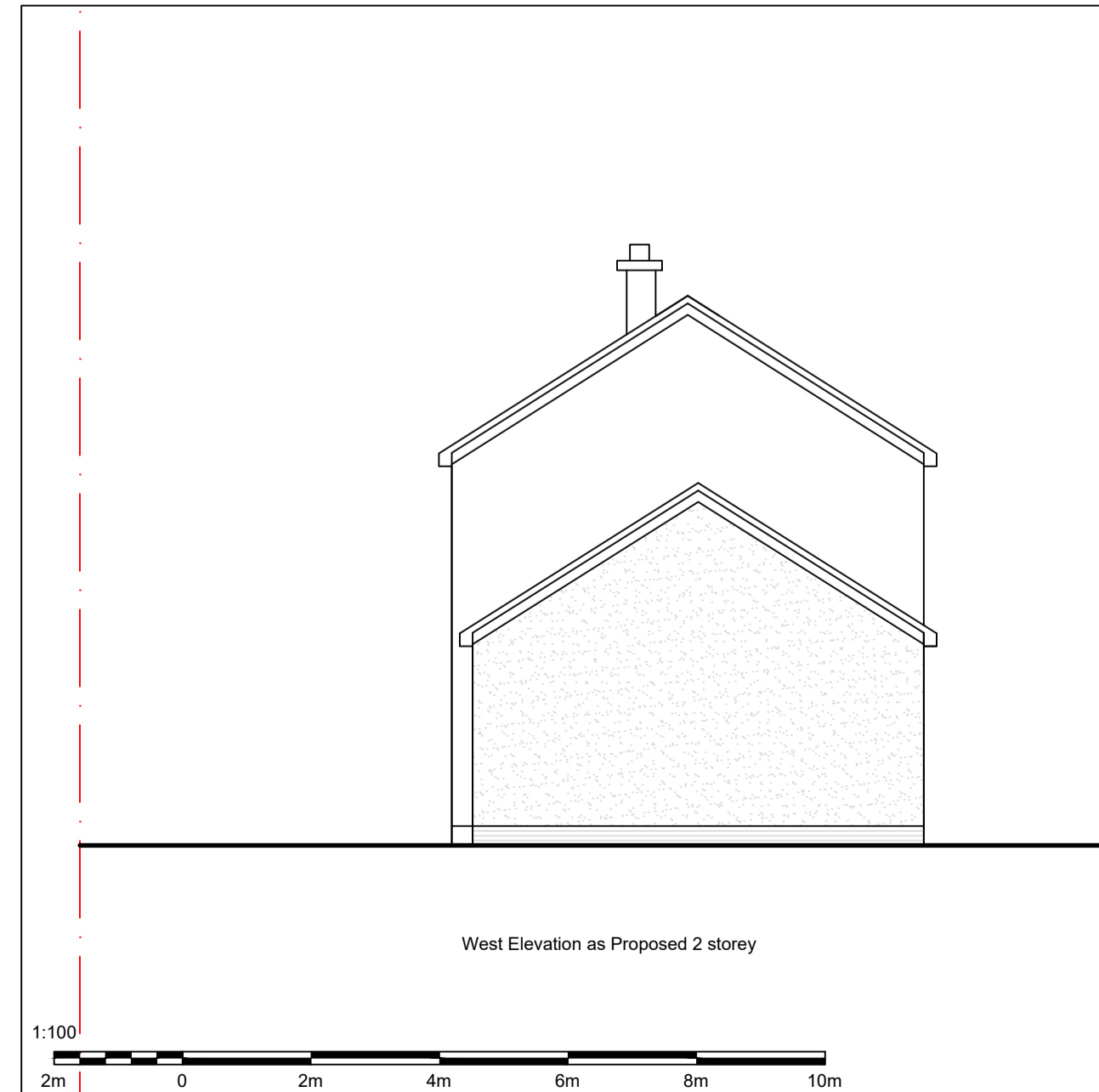
EXISTING FIRST FLOOR PLAN 1:100



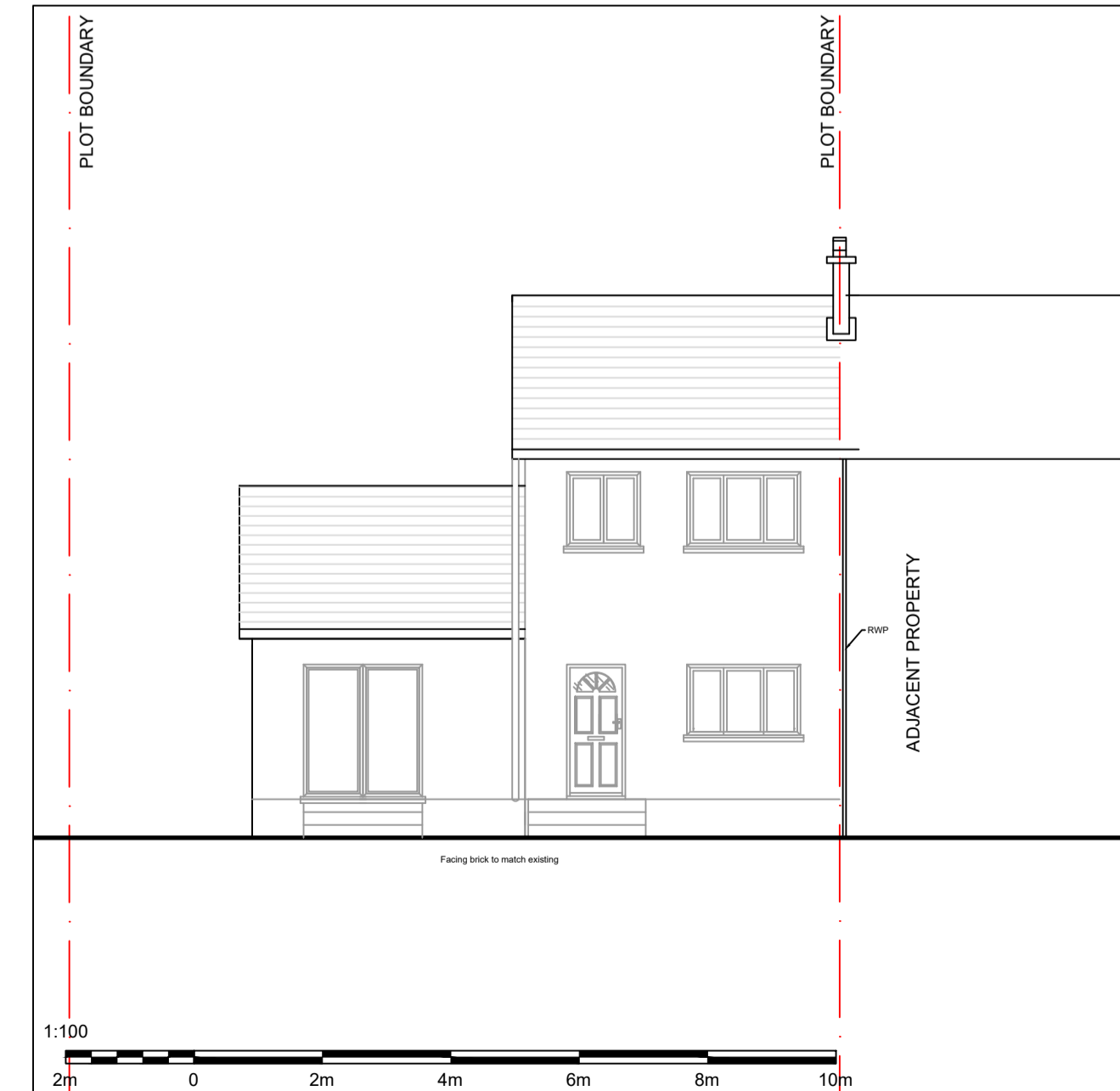
EXISTING ROOF PLAN 1:100



EXISTING FRONT ELEVATION 1:100



EXISTING GABLE ELEVATION 1:100

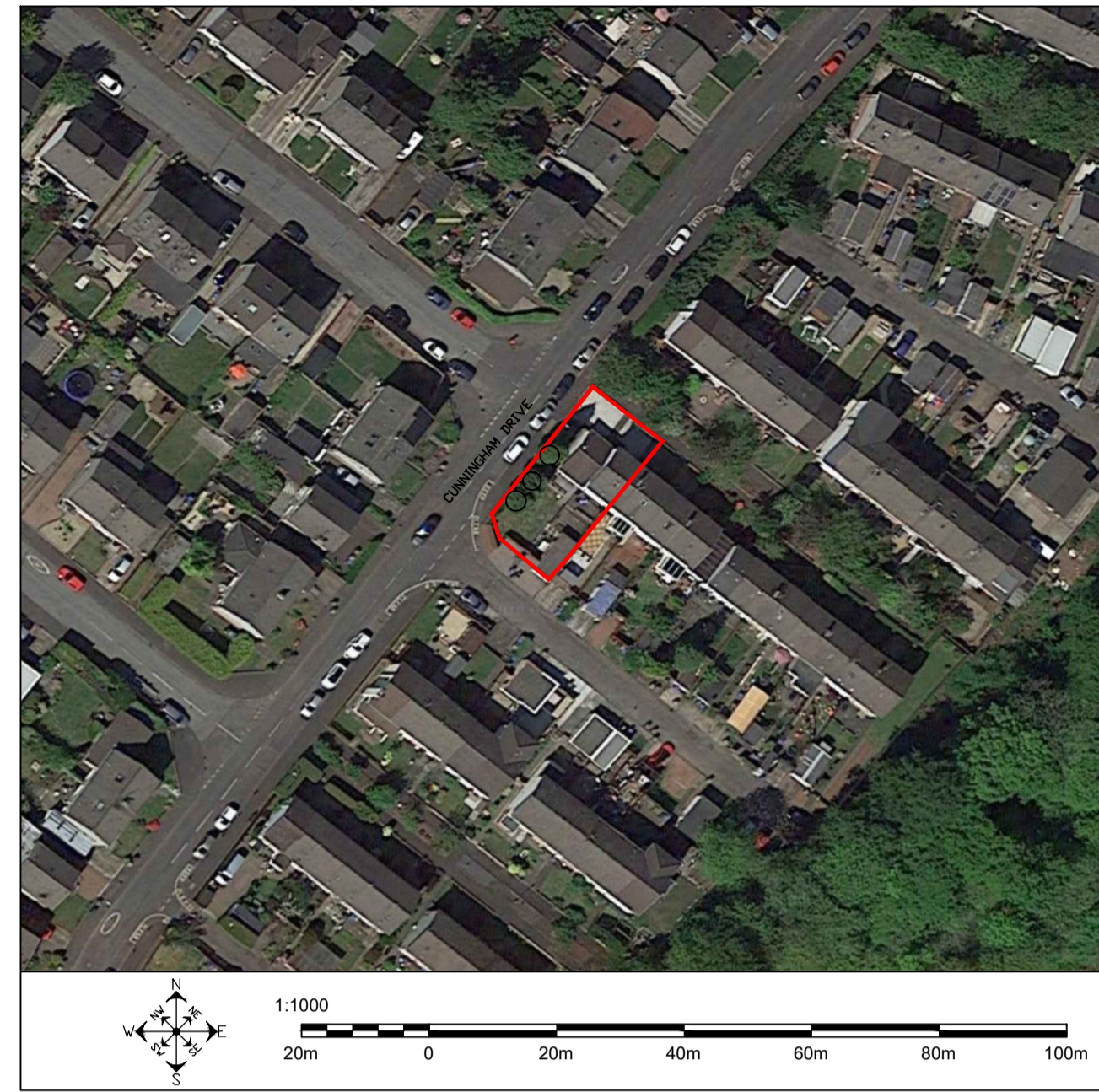


EXISTING REAR ELEVATION 1:100

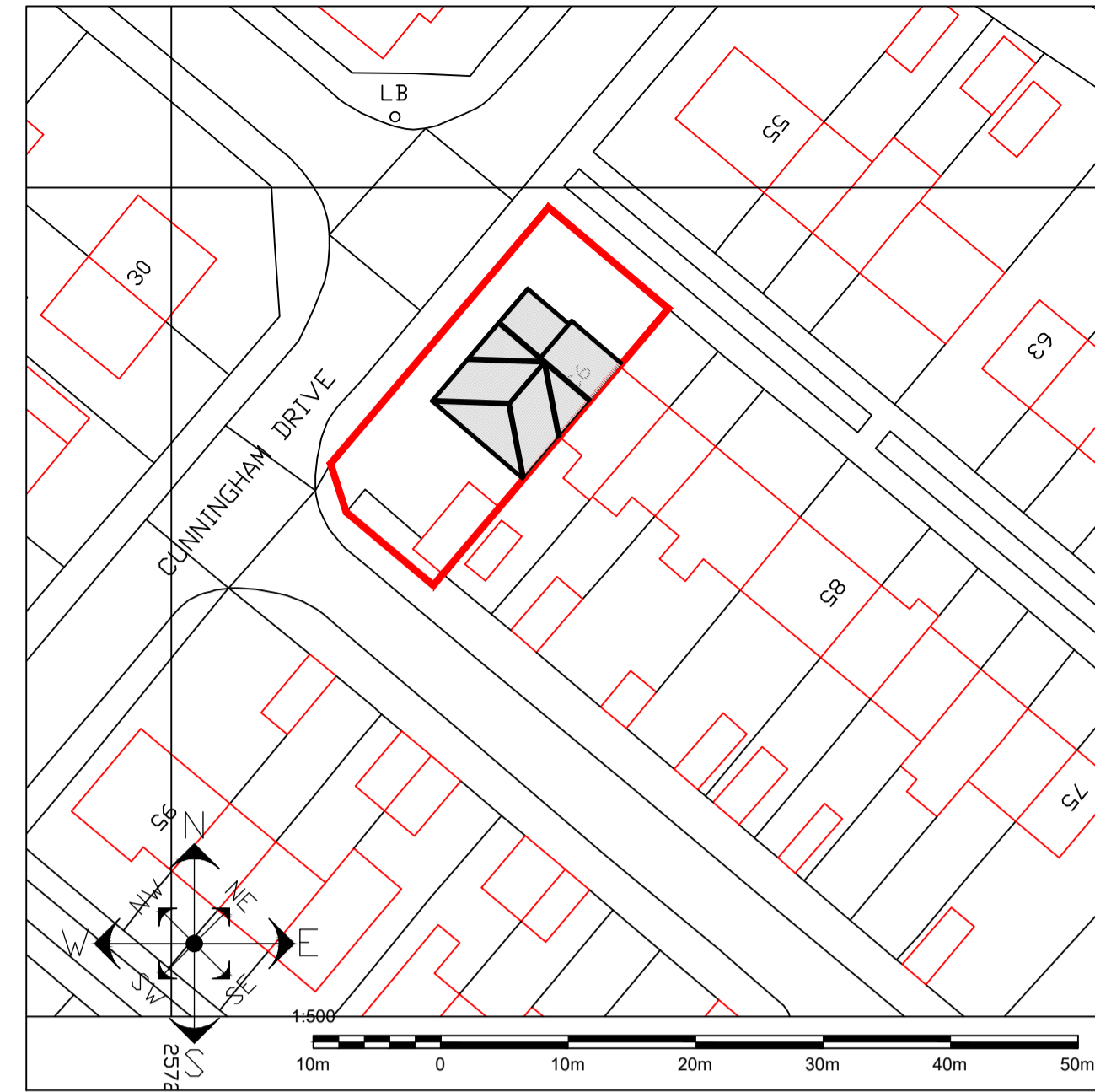
- Notes
1. Do not scale from this drawing. If in doubt ask.
 2. Contractor to check all dimensions on site prior to the commencement of works and report any discrepancies immediately.
 3. To be read in conjunction with all other drawings, bills and specification documents.
 4. Cross refer to structural engineers design for all structural information.

Rev	Date	Description	Rev by	Chkd
PLANNING				

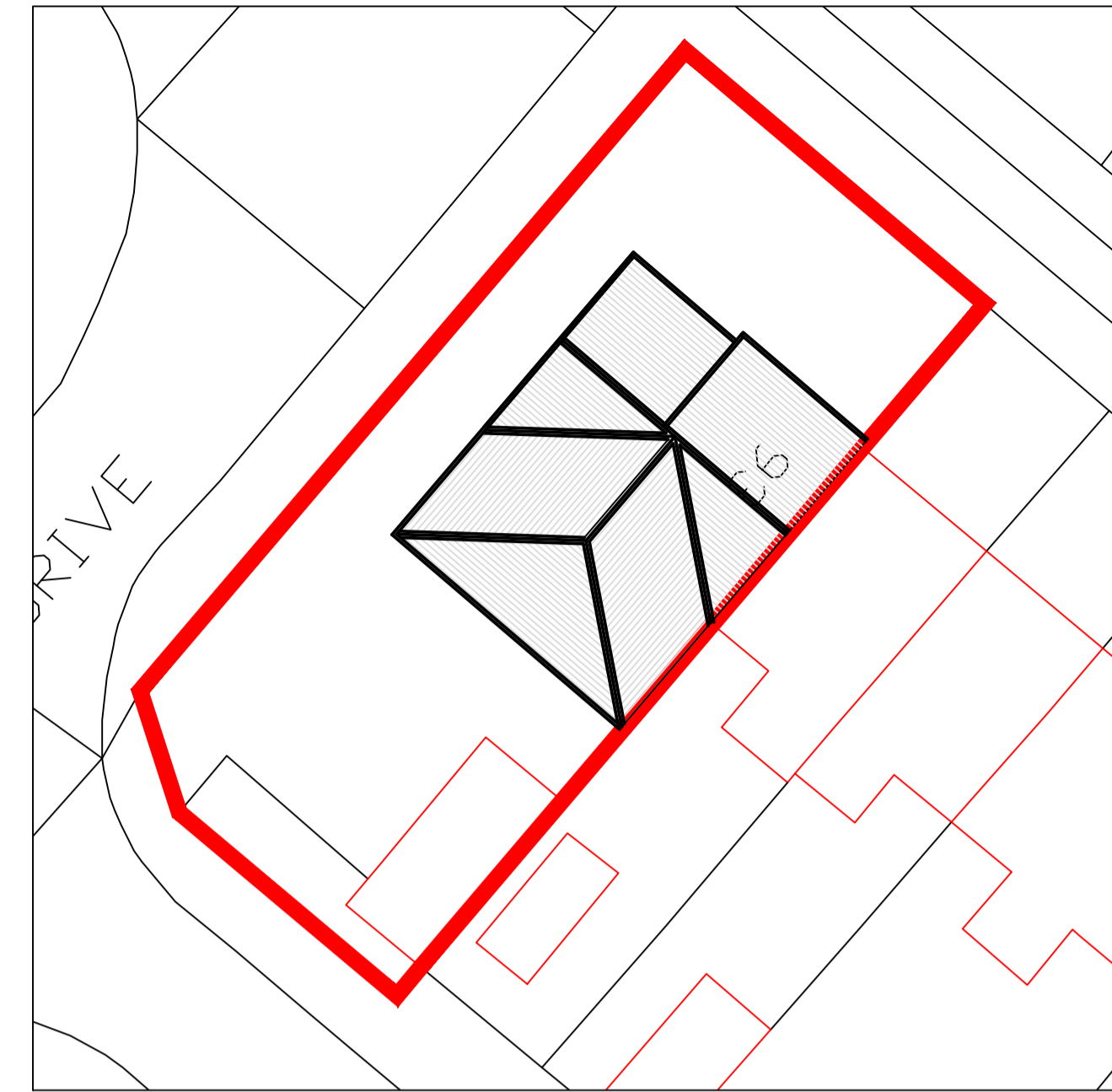
205 T. ELLEN 93 CUNNINGHAM DRIVE FOR MR & MRS MADDEN				
DRAWING TITLE EXISTING PLANS, ELEVATIONS, SECTIONS				
PROJ: 1901 DATE: APRIL 2019	CD: AS NOTED 1901	CD: CD L001	CD: CD CD: CD	



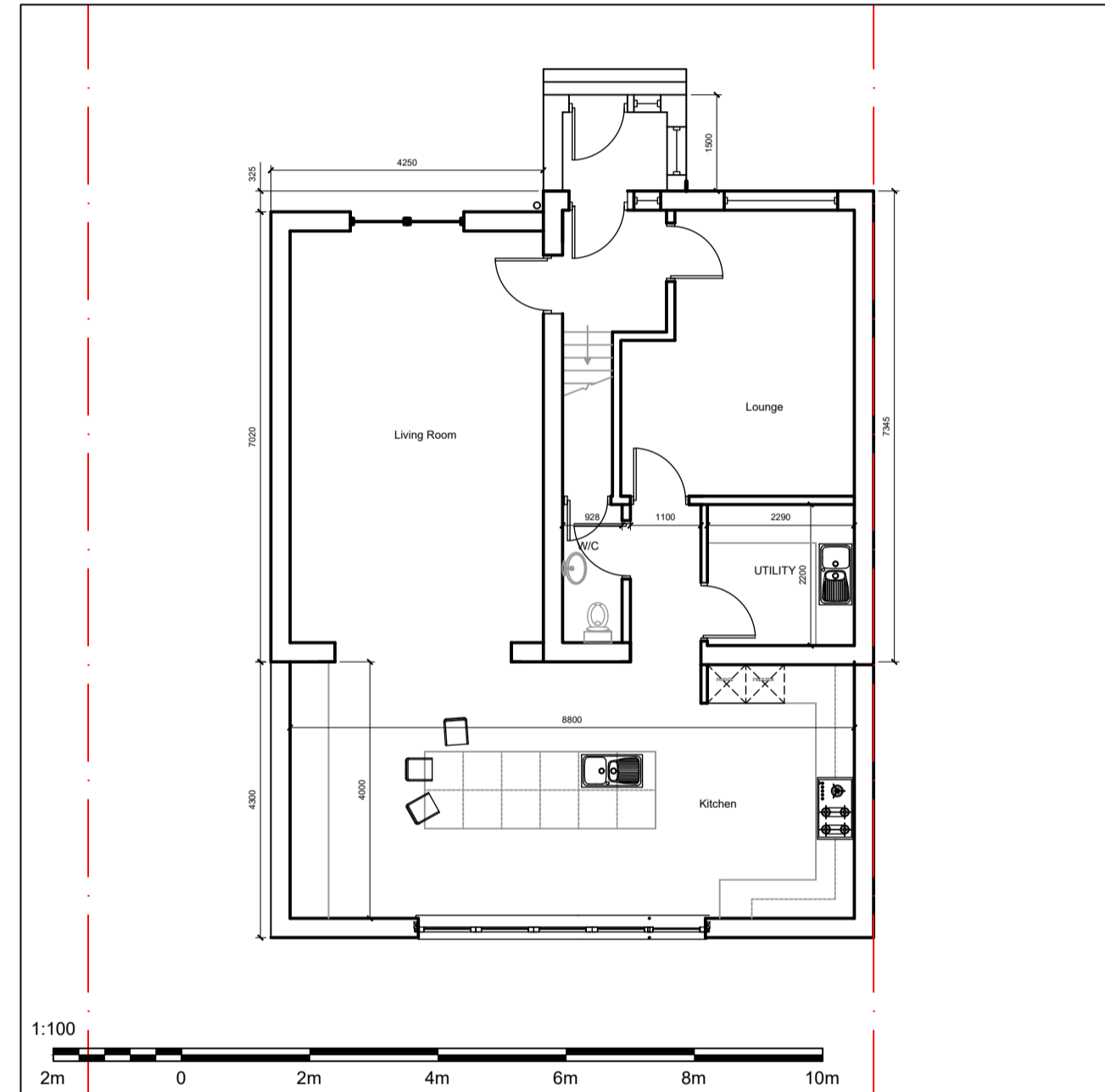
LOCATION PLAN 1:1000



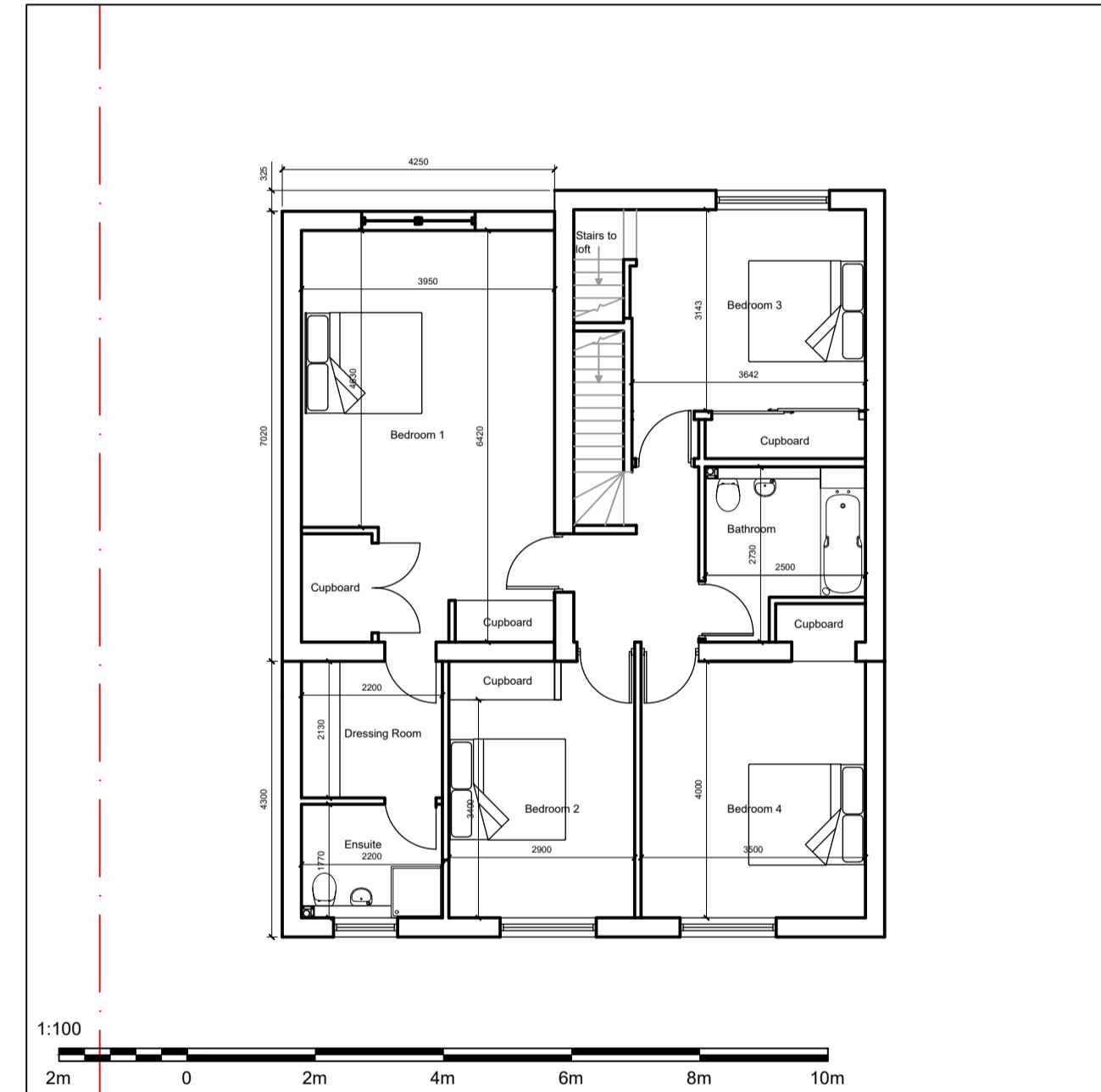
PROPOSED BLOCK PLAN 1:500



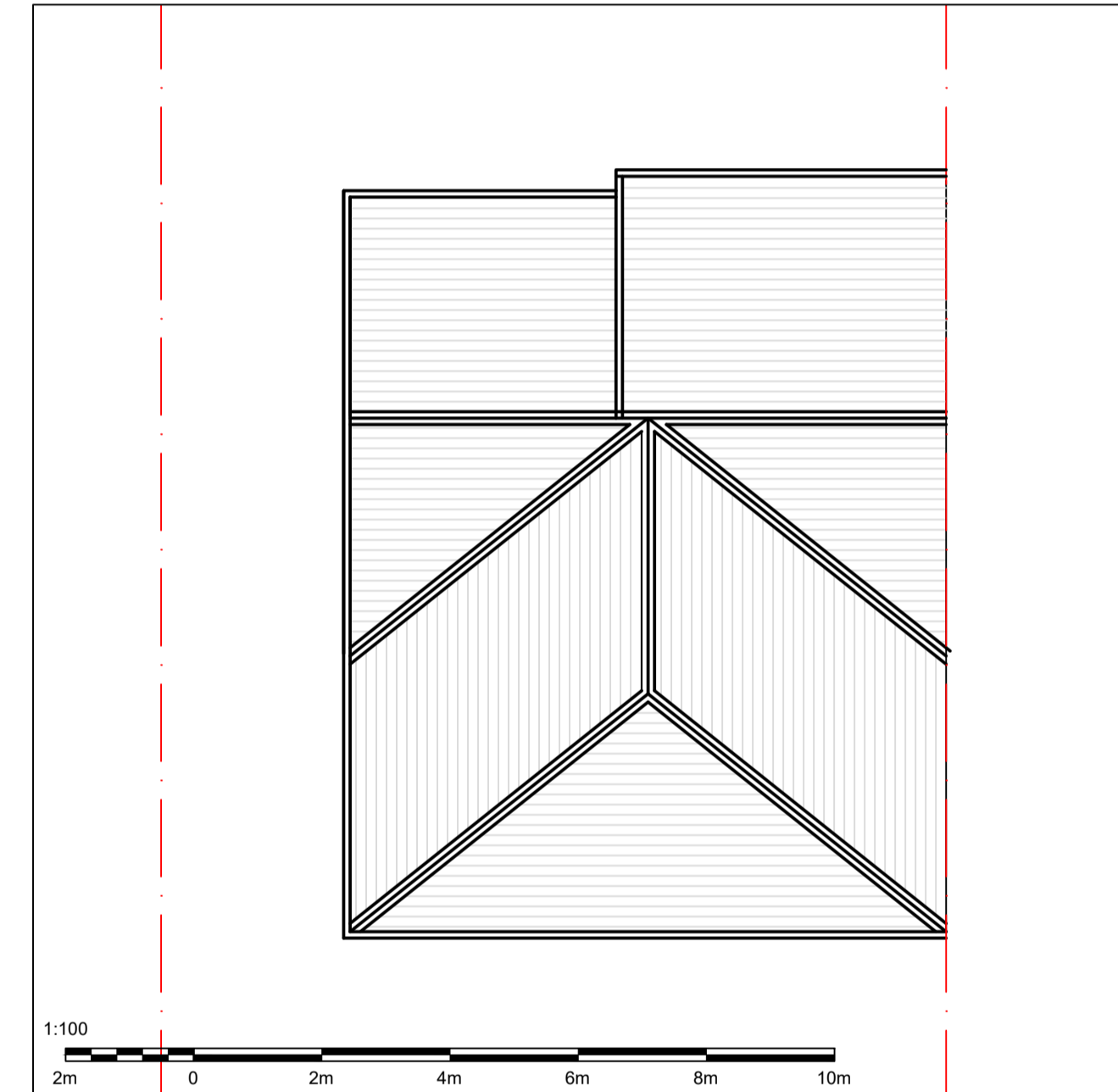
PROPOSED SITE PLAN 1:200



PROPOSED GROUND FLOOR PLAN 1:100



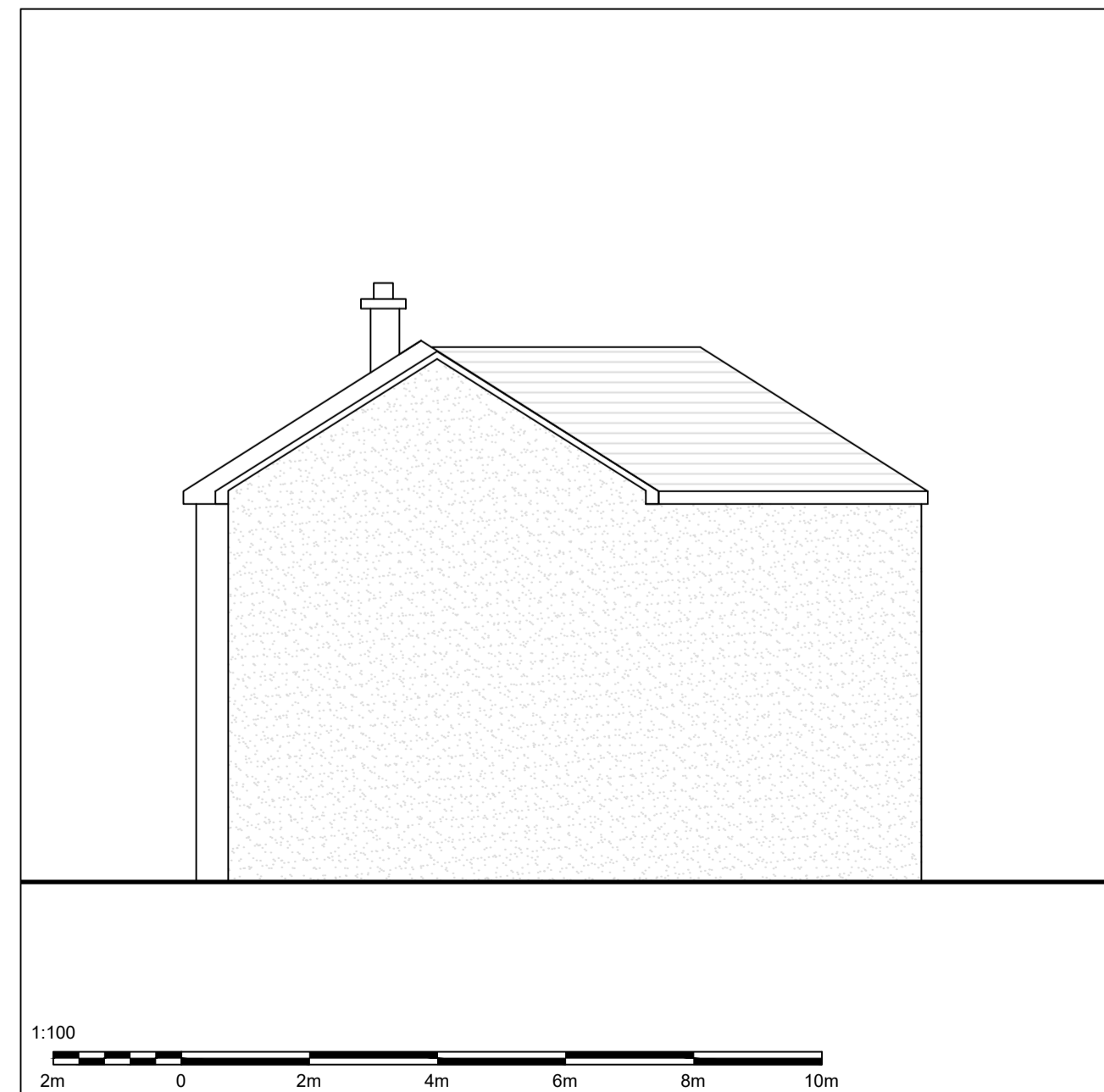
PROPOSED FIRST FLOOR PLAN 1:100



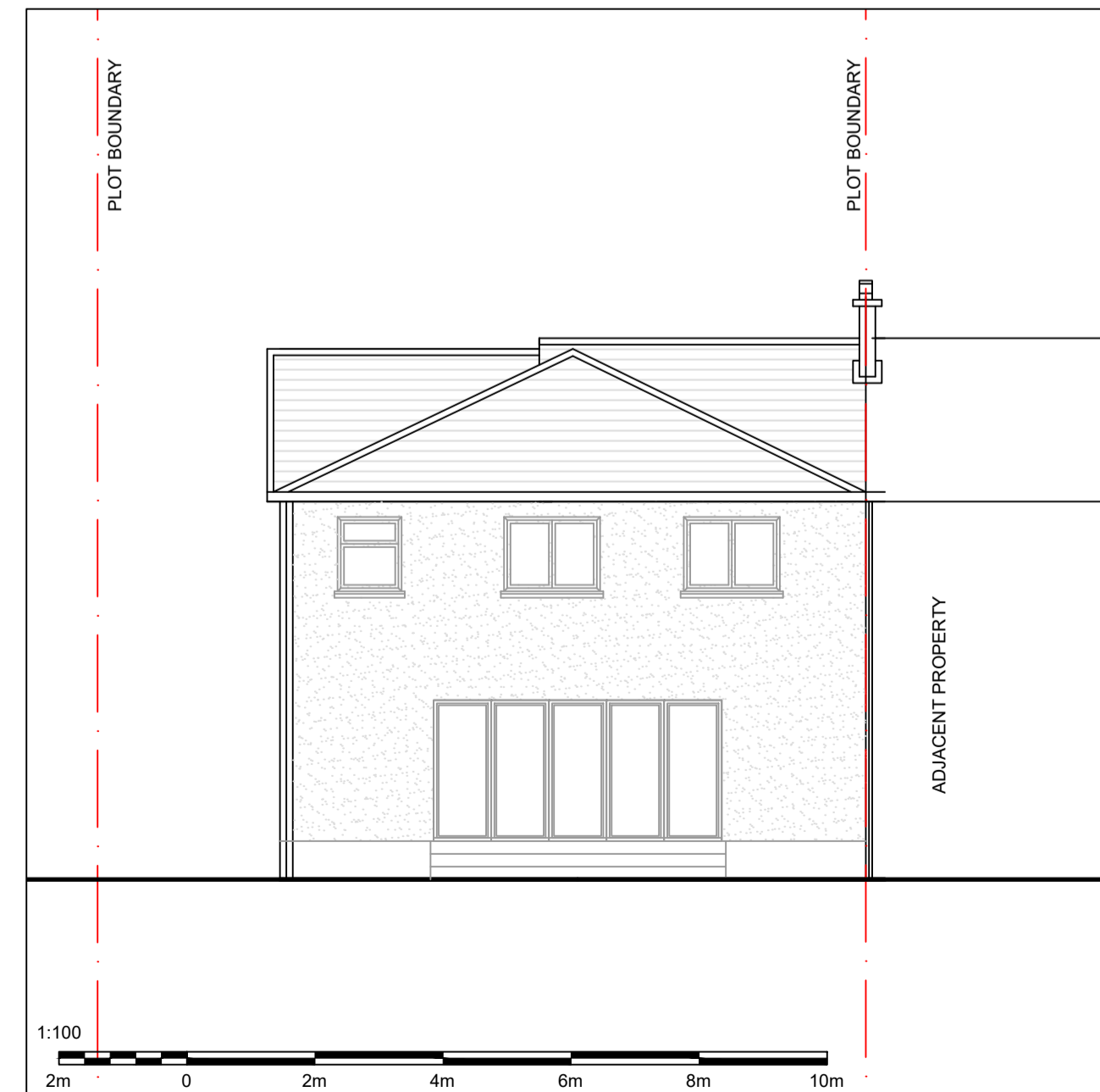
PROPOSED ROOF PLAN 1:100



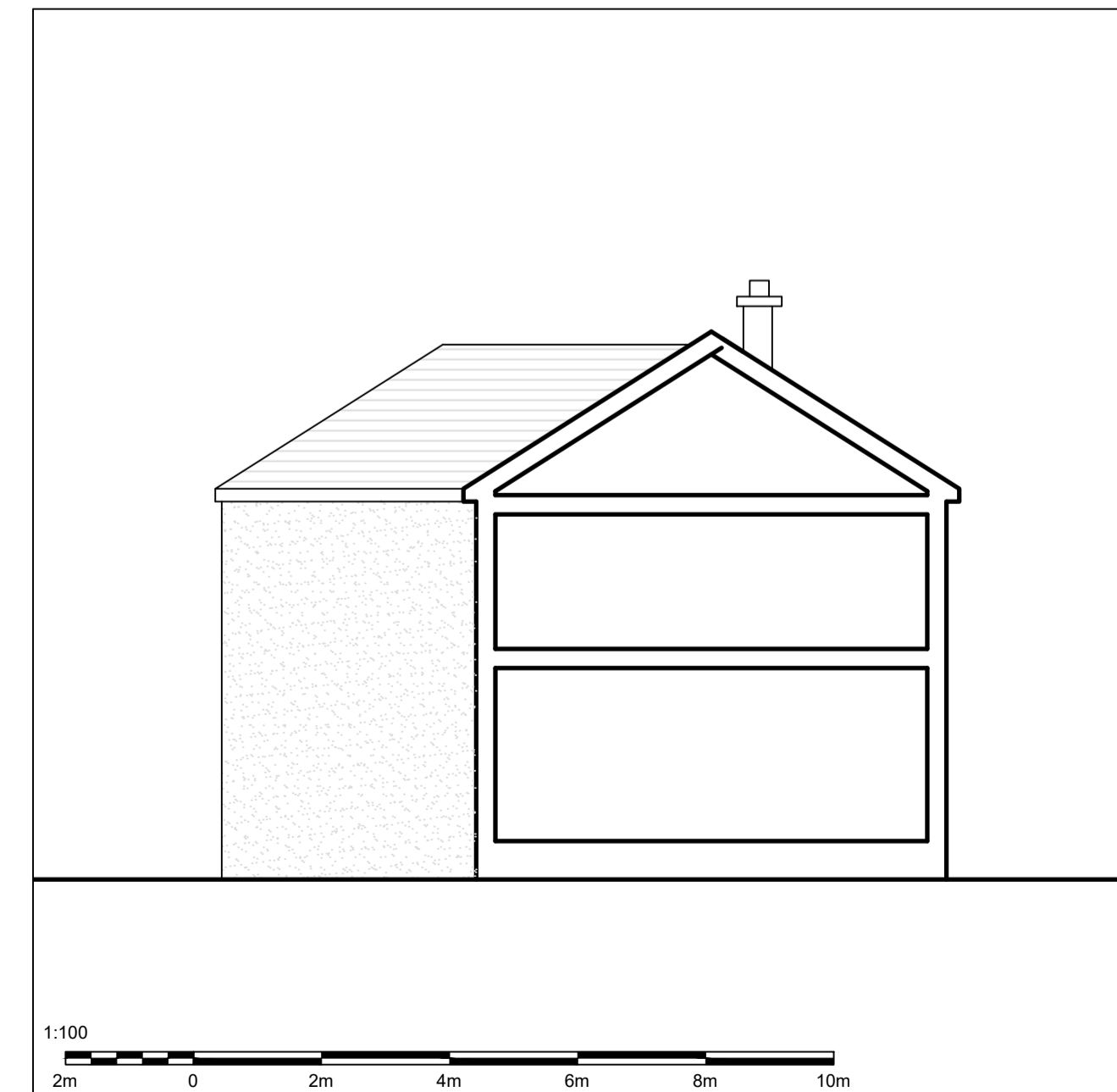
PROPOSED FRONT ELEVATION 1:100



PROPOSED GABLE ELEVATION 1:100



PROPOSED REAR ELEVATION 1:100



PROPOSED SIDE ELEVATION 1:100

- Notes
1. Do not scale from this drawing. If in doubt ask.
 2. Contractor to check all dimensions on site prior to the commencement of works and report any discrepancies immediately.
 3. To be read in conjunction with all other drawings, bills and specification documents.
 4. Cross refer to structural engineers design for all structural information.

Rev	Date	Description	Rev by	Chkd
B	29.05.19	Window omitted to dressing room. Window positions updated.		
A	09.05.19	Bathroom window indicated on upper floor plan. Roof Plan updated. Side elevation added to drawing. Site plan updated. Kitchen layout revised. Rear elevation altered to align with revised plan.		CD

Status: **PLANNING**

205 T. KLEWIT
93 CUNNINGHAM DRIVE
FOR MR & MRS MADDEN

PROPOSED PLANS, ELEVATIONS, SECTIONS

Rev	Date	Description	Rev by	Chkd
001	APRIL 2019	1901		L002 B

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