# EAST RENFREWSHIRE COUNCIL

# LOCAL REVIEW BODY

# 7 August 2019

# Report by Deputy Chief Executive

# REVIEW OF CASE - REVIEW/2019/07

# ERECTION OF ONE AND A HALF STOREY REAR EXTENSION FORMING GABLE END AT HILTON, 5 CRAIGIE DRIVE, NEWTON MEARNS

#### **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:- 2019/0116/TP).

Applicant: Mr D Grieve.

Proposal: Erection of one and a half storey rear extension forming gable

end.

Location: Hilton, 5 Craigie Drive, 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 (Strategic Services).
- 7. The report highlighted that historically appeals against planning decisions were dealt with by Scottish Ministers. However, following the introduction of the new planning provisions with 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, 7 August 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.** However, the applicant has submitted new information which was not available to the Appointed Officer at the time the determination of the application was made. The new information relates to photographs of a number of properties in the wider area.
- **15.** Members are advised that Section 43B of The Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006 states that:-
  - "43B Matters which may be raised in a review under section 43A(8)
    - (1) In a review under section 43A(8), a party to the proceedings is not to raise any matter which was not before the appointed person at the time the determination reviewed was made unless that party can demonstrate—
      - (a) that the matter could not have been raised before that time, or
      - (b) that its not being raised before that time was a consequence of exceptional circumstances.
    - (2) Nothing in subsection (1) affects any requirement or entitlement to have regard to—
      - (a) the provisions of the development plan, or
      - (b) any other material consideration."
- **16.** The applicant has been given an opportunity to explain why the information was not made available to the Appointed Officer at the time the application was determined.
- 17. In reply, the applicant has explained that whilst his agent did not submit a formal design statement containing the photographs his agent has indicated that the information had been discussed with the case officer. Furthermore, as the photographs were for remodels or new builds in Newton Mearns, the applicant is of the view that by definition they have been reviewed and approved by the Council's Planning Service and therefore cannot be considered new information.
- **18.** The Local Review Body must decide whether the new information should be considered as part of the review. In the event that it does, it is recommended, in the interests of equality of opportunity to all parties that the Appointed Officer be given the opportunity to comment on the new information.
- **19.** Members should note that the new information has been excluded from the applicant's submission.
- **20.** The information detailed below is appended to this report to assist the Local Review Body in carrying out the review of the decision taken by the Appointed Officer:-
  - (a) Application for planning permission Appendix 1 (Pages 133 140);
  - (b) Copies of objections/representations Appendix 2 (Pages 141 148);

- (c) Report of Handling by the planning officer under the Scheme of Delegation Appendix 3 (Pages 149 156);
- (d) Decision notice and reasons for refusal Appendix 4 (Pages 157 160); and
- (e) A copy of the applicant's Notice of Review and Statement of Reasons Appendix 5 (Pages 161 174).
- 21. The applicant has also submitted the drawings listed below (available for inspection within the Planning Division of the Environment Department prior to the meeting and for reference at the meeting) and these are attached as Appendix 6 (Pages 175 190).
  - (a) Existing Location and Site Plan;
  - (b) Existing North and West Elevations;
  - (c) Existing South and East Elevations;
  - (d) Existing Ground Floor Plan;
  - (e) Existing Upper Floor Plan;
  - (f) Existing Roof Plan;
  - (g) Refused Location Plan;
  - (h) Refused Proposed Front and Rear Elevations;
  - (i) Refused Proposed Location and Site Plan;
  - (j) Refused Proposed Ground Floor Plan;
  - (k) Refused First Floor Plan;
  - (I) Refused Proposed Roof Plan; and
  - (m) Refused Proposed Section AA, BB.
- **22.** The Local Review Body is advised that initial consultation responses and representations received if any, relating to the application will be listed in the planning officer's Report of Handling.
- **23.** All the documents referred to in this report can be viewed online on the Council's website at <a href="www.eastrenfrewshire.gov.uk">www.eastrenfrewshire.gov.uk</a> with the exception of any representations that have been made to the application.

# **RECOMMENDATIONS**

- 24. The Local Review Body is asked to:-
  - (a) consider whether it has sufficient information to allow it to proceed to determine the review without further procedure and, if so, that:-
    - 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.

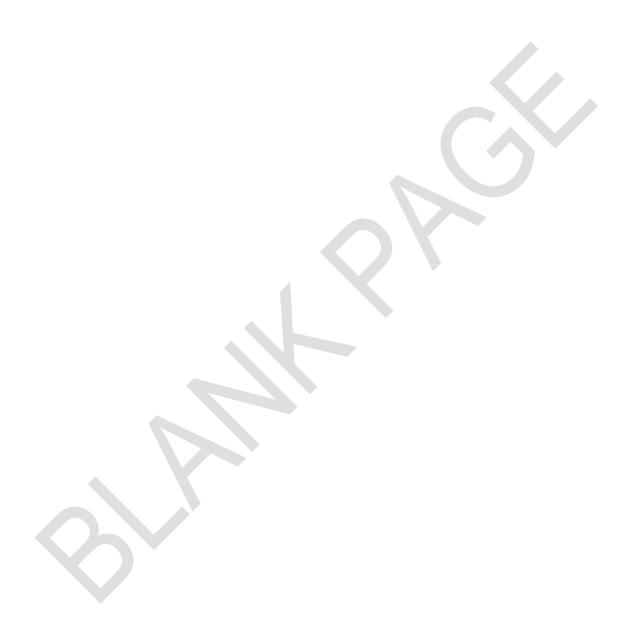
Report Author: Paul O'Neil

Director - Caroline Innes, Deputy Chief Executive

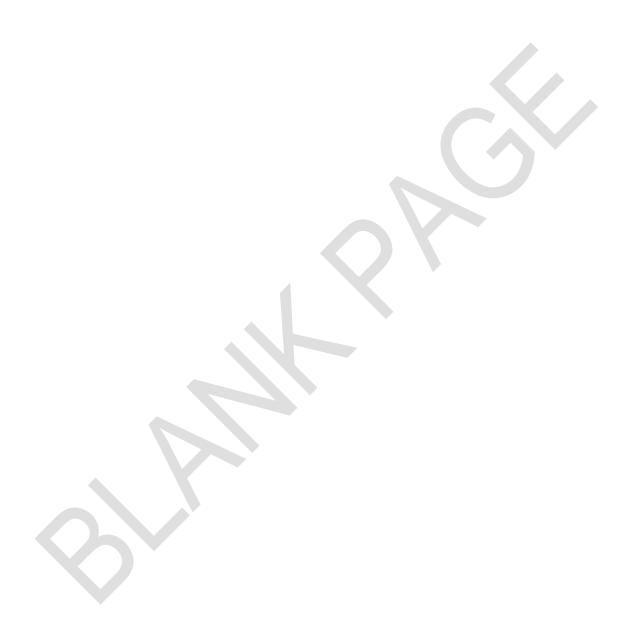
Paul O'Neil, Committee Services Officer e-mail: paul.o'neil@eastrenfrewshire.gov.uk

Tel: 0141 577 3011

Date:- June 2019



# APPLICATION FOR PLANNING PERMISSION





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

100154877-001

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

Description of Proposal	
Please describe accurately the work proposed: * (Max 500 characters)	
Erection of one and a half storey rear extension and internal alterations	
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	S		
Company/Organisation:	inkdesign architecture Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Maurice	Building Name:	Unit 6, The Briggait
Last Name: *	Hickey	Building Number:	141
Telephone Number: *	0141 552 2729	Address 1 (Street): *	Bridgegate
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Glasgow
Fax Number:		Country: *	Scotland
		Postcode: *	G1 5HZ
Email Address: *	info@inkdesign.co.uk		
Is the applicant an individual or an organisation/corporate entity? *  Individual Organisation/Corporate entity			
Applicant Det	ails		
Please enter Applicant de	etails		
Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	D	Building Number:	5
Last Name: *	Grieve	Address 1 (Street): *	Craigie Drive
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Glasgow
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	G77 5DA
Fax Number:			
Email Address: *			

Site Address	Details			
Planning Authority:	East Renfrewshire Council			
Full postal address of the	e site (including postcode where available	e):	_	
Address 1:	HILTON			
Address 2:	5 CRAIGIE DRIVE			
Address 3:	NEWTON MEARNS			
Address 4:				
Address 5:				
Town/City/Settlement:	GLASGOW			
Post Code:	G77 5DA			
Please identify/describe the location of the site or sites				
Northing	655270	Easting	254288	
Pre-Application Discussion  Have you discussed your proposal with the planning authority? *   ☒ Yes ☐ No				
Pre-Application Discussion Details Cont.  In what format was the feedback given? *  Meeting Telephone Letter Email  Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing				
agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (max 500 characters)  It would be difficult to support the proposal under current policy guidelines. Further details would be considered under the full application.				
Title:		Other title:		
First Name:	Zara	Last Name:	Foster	
Correspondence Referer Number:	nce	Date (dd/mm/yyyy):	22/01/2019	
	reement involves setting out the key stag			

Trees		
,	s on or adjacent to the application site? *	☐ Yes ☒ No
If yes, please mark any are to be cut b	on your drawings any trees, known protected trees and their canopy spread close to the pro lack or felled.	oposal site and indicate if
Access ar	nd Parking	
Are you proposing	a new or altered vehicle access to or from a public road? *	☐ Yes ☒ No
	bribe and show on your drawings the position of any existing, altered or new access points, heake. You should also show existing footpaths and note if there will be any impact on these.	ighlighting the changes
Planning \$	Service Employee/Elected Member Interest	
• •	the applicant's spouse/partner, either a member of staff within the planning service or an the planning authority? *	☐ Yes ☒ No
Certificate	es and Notices	
	D NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPME COTLAND) REGULATION 2013	ENT MANAGEMENT
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 applica	ant the sole owner of ALL the land? *	X Yes □ No
Is any of the land p	part of an agricultural holding? *	Yes X No
Certificate	Required	
The following Land	d Ownership Certificate is required to complete this section of the proposal:	
Certificate A		
Land Ov	wnership Certificate	
Certificate and Not Regulations 2013	tice under Regulation 15 of the Town and Country Planning (Development Management Pro	cedure) (Scotland)
Certificate A		
I hereby certify tha	t –	
(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 la	and to which the application relates constitutes or forms part of an agricultural holding	
Signed:	Maurice Hickey	
On behalf of:	Mr D Grieve	
Date:	22/02/2019	
	▼ Please tick here to certify this Certificate. *	

Checklist – App	lication for Householder Application		
in support of your application.	o complete the following checklist in order to ensure that you have provided all the Failure to submit sufficient information with your application may result in your apy will not start processing your application until it is valid.	necessar	ry information being deemed
a) Have you provided a writte	n description of the development to which it relates?. *	X Yes	□No
b) Have you provided the pos has no postal address, a desc	stal address of the land to which the development relates, or if the land in question cription of the location of the land? $^{\star}$	X Yes	No
c) Have you provided the nam applicant, the name and address	ne and address of the applicant and, where an agent is acting on behalf of the ess of that agent.? *	X Yes	No
d) Have you provided a locati- land in relation to the locality and be drawn to an identified	on plan sufficient to identify the land to which it relates showing the situation of the and in particular in relation to neighbouring land? *. This should have a north point scale.	Yes	No
e) Have you provided a certifi	cate of ownership? *	X Yes	□No
f) Have you provided the fee p	payable under the Fees Regulations? *	X Yes	□No
g) Have you provided any oth	er plans as necessary? *	X Yes	□No
Continued on the next page			
A copy of the other plans and (two must be selected). *	drawings or information necessary to describe the proposals		
You can attach these electron	nic documents later in the process.		
X Existing and Proposed e	levations.		
■ Existing and proposed flo	por plans.		
X Cross sections.			
Site layout plan/Block pla	ans (including access).		
X Roof plan.			
Photographs and/or phot	tomontages.		
-	nple a tree survey or habitat survey may be needed. In some instances you about the structural condition of the existing house or outbuilding.	☐ Yes	⊠ No
	u may wish to provide additional background information or justification for your and you should provide this in a single statement. This can be combined with a *	Yes	⊠ No
You must submit a fee with yo Received by the planning auth	our application. Your application will not be able to be validated until the appropria hority.	te fee has	been
Declare – For H	ouseholder Application		
I, the applicant/agent certify the Plans/drawings and additional	nat this is an application for planning permission as described in this form and the il information.	accompa	nying
Declaration Name:	Mr Maurice Hickey		
Declaration Date:	22/02/2019		

# **Payment Details**

Online payment: ZZ0100001789 Payment date: 22/02/2019 14:34:00

Created: 22/02/2019 14:34

# **COPIES OF OBJECTIONS/REPRESENTATIONS**



From

Sent:Wed, 27 Mar 2019 13:56:13 +0000

To:EN Planning

Subject: Planning application with regard to Hilton ,5 Craigie Drive, Newton Mearns G77 5DA

I refer to the above application which is dated 1st March which was not delivered to my house until 13th March.

Having viewed the plans I have no objection to the ground floor extension, as long as the existing privet hedge and Ash tree, both of which are in their property, remain. However I do object to the roof extension and dormer window proposal as the ground floor of the Craigie house already stands more than half way above the ground floor of my property and any windows installed in the roof would completely overlook my garden and ruin any privacy in the rooms at the rear.

As retired people we spend a lot of time in our garden and this proposal causes me great concern. I would also request that no work commences before 8.30 in the morning and that any work at the weekend is not allowed.

Moira Robertson Sent from my iPad ¿x



# O'Neil, Paul [CE]

From:

Sent:

12 June 2019 17:29

To:

O'Neil, Paul [CE]

Cc: Subject:

Re: Local Review Body - Review 2019/07 - 5 Craigie Drive, Newton Mearns (Ref No:-

2019/0116/TP)

#### Dear Sir

Further to your email dated 3rd June re the above subject, I can only reiterate my comments contained in my original complaint and, in doing so, I see that there is to be a site survey carried out. I am under the impression that planning regulations in this area state that consideration should be given to cases where adjoining properties are overlooked and I would claim that my property will be severely overlooked by the development of the upper floor of this development at times when, for most of the year, the trees are leafless. I have photographs to demonstrate this fact which I can forward if desired. There is an adjoining property in Craigie Drive that is being developed at present and it has severely affected the privacy of the property adjoining it in Shawhill Crescent and should be inspected at the time of the inspection of my property to see what I am claiming. As already stated I have no objection to the alterations on the ground floor.

Moira Robertson

Sent from my iPad

On 3 Jun 2019, at 11:43, O'Neil, Paul [CE] <paul.o'neil@eastrenfrewshire.gov.uk> wrote:

Moira,

I refer to your representations in relation to the above application for planning permission.

Please find attached, for your attention, copy letter of today's date advising that the applicant has submitted a 'Notice of Review' requesting that the Local Review Body carry out a review of the decision by the Director of Environment to refuse the application.

You will note that you have until 17 June to submit further representations in respect of the review case.

Paul O'Neil Committee Services Officer Department of Corporate and Community Services

Tel No. 0141 577 3011 Fax No. 0141 577 3129

e-mail:- paul.o'neil@eastrenfrewshire.gov.uk

East Renfrewshire Council: Your Council, Your Future

www.eastrenfrewshire.gov.uk

Please consider the environment - do you need to print this email?



Mr. Paul O'Neil
East Renfrewshire Council
Corporate & Community Services
Council HQ, Eastwood Park
Rouken Glen Road
Giffnock, G46 6UG

Hilton 5 Craigie Drive Newton Mearns Glasgow, G77 5DA

26th July 2019

Your Ref: REVIEW/2019/07

Dear Paul,

Thank you for your letter dated June 25<sup>th</sup> informing us of the meeting of the Local Review Body on August 7<sup>th</sup>, and of the objection to our provisional plans by our neighbour, Mrs. Moira Robertson.

The purpose of this letter is solely to address the concerns of our neighbour. It is clear that Mrs. Robertson will object to any plans that we submit regardless of whether they have a gable end at the rear of the house or a dormer extension. I would like to address her privacy concerns with the following points:

- Between our properties there is a large and thick privet hedge which is approximately 9 feet high.
  It completely blocks out all views into the Robertson's garden. There is also a large, mature tree
  which further blocks any view into their home and garden, even from the upstairs of our home.
- 2. Since these properties were built nearly 80 years ago, they both benefit from generous gardens at the rear of the homes, and as a result there is a lot of mature garden space between the two houses. If we do receive planning approval, the extension will still be a long way from the Robertson's house and so I disagree with the "severe overlook" statement.
- 3. Our neighbour at 3 Craigie Drive was given permission to install three dormer windows at the rear of his redesigned Cape Cod style home.

As I have stated in previous communications we are, in partnership with our architects, looking to propose a remodel that will give us the additional floor space we desire while still maintaining the elegance of the original house design.

I look forward to receiving further updates as the review process moves forward.

Yours sincerely,

**David Grieve** 



# **REPORT OF HANDLING**



# REPORT OF HANDLING

Reference: 2019/0116/TP Date Registered: 22nd February 2019

Application Type: Full Planning Permission This application is a Local Development

Ward: 5 -Newton Mearns South And Eaglesham

Co-ordinates: 254288/:655270

Applicant/Agent: Applicant: Agent:

Mr D Grieve Maurice Hickey
5 Craigie Drive Unit 6, The Briggait
Glasgow 141 Bridgegate

Scotland Glasgow G77 5DA Scotland G1 5HZ

Proposal: Erection of one and a half storey rear extension forming gable end

Location: Hilton

5 Craigie Drive Newton Mearns East Renfrewshire

G77 5DA

CONSULTATIONS/COMMENTS: None.

PUBLICITY: None.

SITE NOTICES: None.

SITE HISTORY: None

**REPRESENTATIONS:** 1 representation has been received. The comments can be summarised as follows:

- The upper floor window will overlook my garden.
- No construction work should commence before 8:30am on weekdays and there should be no construction work during the weekends.

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

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

### ASSESSMENT:

The application site comprises a detached bungalow which is characterised by a hipped roof. The dwelling is externally finished in roughcast painted render, upvc window/door frames and slates. A small hipped roof extension exists along part of the rear elevation. A driveway extends along the side (west) of the property leading to a single garage within the rear garden. The site also contains a small front garden and a generous rear garden which is enclosed by approx. 2m high hedging along the rear and side (east) while a 1m high hedge encloses the opposite side (west) boundary. The topography of the site slopes slowly down from the east side to the west

side and from the front to the rear; subsequently a basement exist along the rear, west side of the property.

The surrounding area is residential in nature and characterised by a range of bungalow styles some of which are similar to the existing. It is noted that the bungalow at No. 3 Craigie Drive has been substantially altered and extended; the works were approved through appeal.

Planning permission is sought for the erection of a one and a half storey rear extension. In terms of the design, the extension is to be apex in style finishing on a gable end, the ridge line is to be set just below the existing while the eaves are to align with the existing. It is to sit alongside the existing rear extension and measure 2.2m in depth and 6.8m in width while the roof is to project 8m (approximately) out from the existing ridge point. The finishes are to comprise painted roughcast, black aluminium window/door frames and natural slate.

The application requires to be assessed against Policies D1 and D14 of the adopted East Renfrewshire Local Development Plan. Policy D1 requires that all development should not result in a significant loss of character to the surrounding area and Policy D14 requires that extensions should complement the character of the existing building in terms of its style, form and materials. The adopted Supplementary Planning Guidance: Householder Design Guide (SPG) is also of relevance. The SPG states that extensions to the rear of bungalows should have the same roof design as the house and not form a gable end.

In this case the existing property is a bungalow in style and characterised by short proportions with a hipped roof. The proposed extension however forms a gable end to the rear, which changes the profile of the house, and as such makes no reference to the existing design and would appear incongruous with the character and appearance of the property. The incongruous roof style is exacerbated by the extent in which it would result in a ridgeline projecting out from the existing by some 8m. The proposal would also be visible from the street and therefore introduce a negative feature along it to the detriment of the character and visual amenity of the area. As such, the extension is considered contrary to Policies D1 and D14 of the adopted East Renfrewshire Local Development Plan and to the specific terms of the SPG.

A pre-application was submitted showing the proposed work. It was advised that the extension was contrary to policy and alterative design options were suggested; however, the opportunity to change the design was resisted.

The proposed extension would also not give rise to significant additional overshadowing or loss of light on neighbouring properties given its sitting and orientation in relation to them. There would also be no significant additional overlooking into neighbouring sites from the ground floor windows than that which already exists. The proposed upper floor window would not facilitate direct overlooking into the adjoining sites at No.3 and No.7, and it is considered a sufficient distance away (approx. 11m to the rear garden boundary) from the sites adjoining the rear (No.10, No12 and No.14 Shawhill Crescent) so as to not result in adverse overlooking/loss of privacy. Notwithstanding, the overall design of the extension is unacceptable and the comments relating to amenity do not in their own justify approval of the application.

A representation has raised concerns regarding overlooking into their site from the proposed upper floor window; this issue has been addressed in the comments above. The representation has also stated that works should not start before 8:30am on weekdays and no works should be done during the weekends. In this case, the proposed development is domestic in scale and therefore unlikely to cause excessive and lengthy periods of noise; notwithstanding, should any issue arise this can be investigated by the Environmental Health department.

In conclusion, the proposed extension is considered to dominate and detract from the character of the property and surrounding area. It is therefore contrary to Policies D1 and D14 of the adopted East Renfrewshire Local Development Plan and to the terms of the SPG. There are no material considerations that outweigh the terms of the policies.

**RECOMMENDATION:** Refuse

**PLANNING OBLIGATIONS:** None.

# REASON(S):

- 1. The proposal is contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan as the proposed extension with its gable style roof fails to respect the architectural style and form of the property and character of the surrounding built environment.
- 2. The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as the rear extension with its gable wall and elongated ridge would detract from, dominate and overwhelm the character and appearance of the hip roofed bungalow.
- 3. The proposal is contrary to the terms of the adopted Supplementary Planning Guidance: Householder Design Guide as it would introduce a roof form that is incongruous to the existing, dominate the appearance of the property and create a negative feature that would be detrimental to the character and appearance of the area.

**ADDITIONAL NOTES: None** 

ADDED VALUE: None

#### **BACKGROUND PAPERS:**

Further information on background papers can be obtained from Mrs Zara Foster.

Ref. No.: 2019/0116/TP

(ZAFO)

DATE: 18th April 2019

**DIRECTOR OF ENVIRONMENT** 

Reference: 2019/0116/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;
- 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

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- 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.

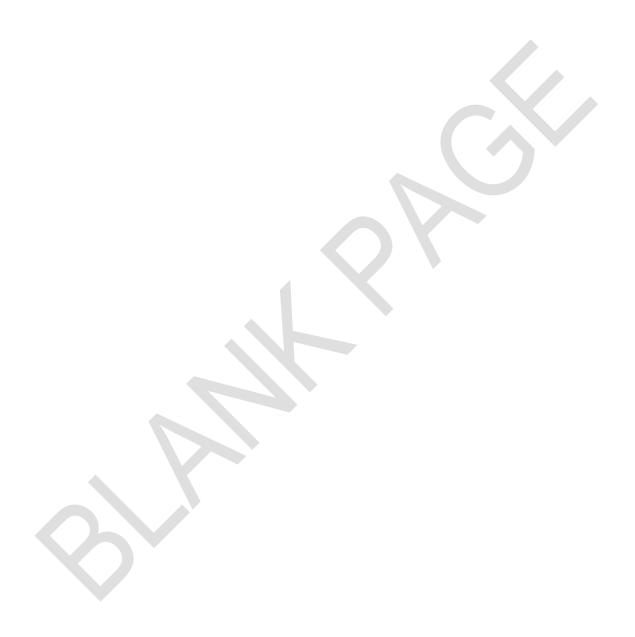
The above are broad requirements and these are further defined in the Householder Design Guide Supplementary Planning Guidance.

**GOVERNMENT GUIDANCE: None** 

Finalised 18<sup>th</sup> April 2019 – AC(1)



# DECISION NOTICE AND REASONS FOR REFUSAL



# 159

# 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. **2019/0116/TP** 

Applicant:

Mr D Grieve 5 Craigie Drive Glasgow G77 5DA Agent:

Maurice Hickey Unit 6, The Briggait 141 Bridgegate Glasgow G1 5HZ

With reference to your application which was registered on 22nd February 2019 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

# Erection of one and a half storey rear extension forming gable end

# at: Hilton 5 Craigie Drive Newton Mearns East Renfrewshire G77 5DA

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:-

- The proposal is contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan as the proposed extension with its gable style roof fails to respect the architectural style and form of the property and character of the surrounding built environment.
- The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as the rear extension with its gable wall and elongated ridge would detract from, dominate and overwhelm the character and appearance of the hip roofed bungalow.
- 3. The proposal is contrary to the terms of the adopted Supplementary Planning Guidance: Householder Design Guide as it would introduce a roof form that is incongruous to the existing, dominate the appearance of the property and create a negative feature that would be detrimental to the character and appearance of the area.

Dated 18th April 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	18-704-PL02		
Elevations Proposed	18-704-PL12		
Roof	18-704-PL11		
Proposed floor plans	18-704-PL09		
Proposed floor plans	18-704-PL10		
Block Plan Proposed	18-704-PL02A		

# 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 <a href="https://www.eplanning.scotland.gov.uk">www.eplanning.scotland.gov.uk</a>. Please note that beyond the content of the appeal or review forms, <a href="https://www.eplanning.scotland.gov.uk">you cannot normally raise new matters</a> 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





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

100154877-002

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

### **Applicant or Agent Details** Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting ☐ Applicant ☒ Agent on behalf of the applicant in connection with this application) **Agent Details** Please enter Agent details inkdesign architecture Ltd Company/Organisation: Ref. Number: You must enter a Building Name or Number, or both: \* Unit 6, The Briggait Maurice First Name: \* **Building Name:** Hickey 141 Last Name: \* **Building Number:** Address 1 0141 552 2729 Bridgegate Telephone Number: \* (Street): \* **Extension Number:** Address 2: Glasgow Mobile Number: Town/City: \* Scotland Fax Number: Country: \* G15HZ Postcode: \* info@inkdesign.co.uk Email Address: \* Is the applicant an individual or an organisation/corporate entity? \* ☑ Individual ☐ Organisation/Corporate entity

### 164

Applicant Details				
Please enter Applicant details				
Title:	Mr	You must enter a Bui	lding Name or Number, or both: *	
Other Title:		Building Name:		
First Name: *	D.	Building Number:	5	
Last Name: *	Grieve	Address 1 (Street): *	Craigie Drive	
Company/Organisation		Address 2:	Newton Mearns	
Telephone Number: *		Town/City: *	Glasgow	
Extension Number:		Country: *	Scotland	
Mobile Number:		Postcode: *	G77 5DA	
Fax Number:				
Email Address: *	dmgrieve85@gmail.com			
Site Address	Details			
Planning Authority:	East Renfrewshire Council			
Full postal address of the	e site (including postcode where available):			
Address 1:	HILTON			
Address 2:	5 CRAIGIE DRIVE			
Address 3:	NEWTON MEARNS			
Address 4:				
Address 5:				
Town/City/Settlement:	GLASGOW			
Post Code:	G77 5DA			
Please identify/describe the location of the site or sites				
Northing	655270	Easting	254288	

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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 one and a half storey rear extension forming gable end.
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 a 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.
Please refer to Supporting Document.
Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *
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)

## 166

Please provide a list of all supporting documents, materials and evidence which you wish to to rely on in support of your review. You can attach these documents electronically later in the			intend
1. Client statement.			
Application Details			
Please provide details of the application and decision.			
What is the application reference number? *	2019/0116/TP		
What date was the application submitted to the planning authority? *	22/01/2019		
What date was the decision issued by the planning authority? *	29/04/2019		
Review Procedure			
The Local Review Body will decide on the procedure to be used to determine your review an process require that further information or representations be made to enable them to determ required by one or a combination of procedures, such as: written submissions; the holding of inspecting the land which is the subject of the review case.	nine the review. Further	information n	
Can this review continue to a conclusion, in your opinion, based on a review of the relevant in parties only, without any further procedures? For example, written submission, hearing sess of the parties only. Yes No		yourself and o	other
In the event that the Local Review Body appointed to consider your application decides to install	spect the site, in your op	oinion:	
Can the site be clearly seen from a road or public land? *		Yes $\square$ 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 in to submit all this information may result in your appeal being deemed invalid.	nformation in support of	your appeal.	Failure
Have you provided the name and address of the applicant?. *	🛛 Yes 🗌 I	No	
Have you provided the date and reference number of the application which is the subject of treview? $^{\star}$	this 🛛 Yes 🗌 I	No	
If you are the agent, acting on behalf of the applicant, have you provided details of your nam and address and indicated whether any notice or correspondence required in connection with review should be sent to you or the applicant? *		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 □ I	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 🗌 I	No	
Note: Where the review relates to a further application e.g. renewal of planning permission o planning condition or where it relates to an application for approval of matters specified in co application reference number, approved plans and decision notice (if any) from the earlier co	nditions, it is advisable		

## **Declare - Notice of Review**

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

Declaration Name: Mr Maurice Hickey

Declaration Date: 22/05/2019



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

Hilton 5 Craigie Drive Newton Mearns Glasgow, G77 5DA

20th May 2019

Your Ref: 2019/0116/TP

Dear Sir / Madam,

Further to the letter sent by East Renfrewshire Council dated April 29<sup>th</sup> informing us of the decision to refuse our planning application for the remodel of our home on 5 Craigie Drive, I am now writing to submit an appeal for the following reasons, which I will lay out point by point:

1. Our next door neighbour at 3 Craigie Drive has been permitted to completely transform his house from a traditional 1930s style bungalow to a Cape Cod-style house with two gable ends and six dormer windows. While I have no objection to what our neighbours have done, no-one can say that the remodeled house bears any resemblance to how it formerly looked. Please refer to images # 1 and 2.



3.

- 4. The new homes at the top of Craigie Drive by Mactaggart & Mickel have been built with gable ends, and look very attractive. If the council is okay with our neighbouring homes having prominent gable ends at the front of their houses, why would it be a problem for us to create a gable end at the back of our property that won't even be visible from the road? Please refer to image # 6.
- 5. In 2018 the Council gave planning permission for six, two level apartments to be built on Kirkview Crescent at the foot of Craigie Drive. Permission was given despite the objections of several homeowners. Since these multi-family apartments will bear no resemblance to the surrounding pre-war bungalows I consider it disingenuous for anyone from the Council to say that our proposed remodel would be detrimental to the character and appearance of the surrounding area. Please refer to image # 7.

In closing, I have seen many bungalow remodels in progress where multiple dormer windows are being added on all sides, large rectangular block extensions are being added at the rear, and houses are being extended to the very edge of the property line. It is not for me to say what is a good bungalow remodel and what is not, but I am absolutely sure that our proposed remodel will enhance our property. Our remodeled home will be an asset to the neighbourhood.

We purchased our house because we love how it looks from the front. We don't want to use multiple dormer windows or oversized block additions at the back of the home to add additional space unless we are given no other choice. The gable end design at the back of the house will be discreet and will be almost unnoticed for anyone walking past our home, just as is the case with the property at therefore request the council to reconsider their position and approve our remodel design.

Thank you for your consideration.

Yours faithfully,



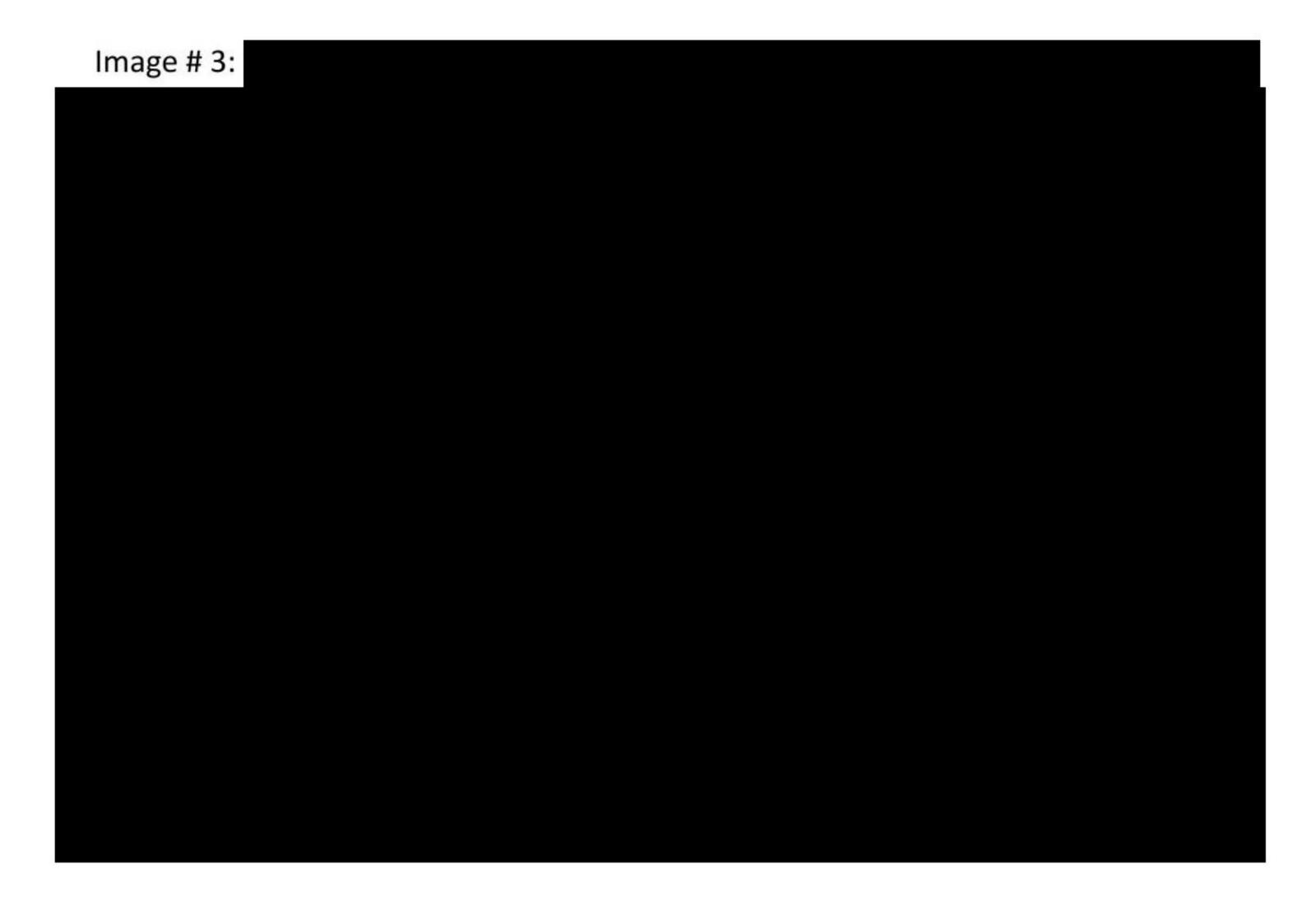
**David Grieve** 

Image # 1: 3 Craigie Drive remodel in progress



Image # 2: 3 Craigie Drive remodel nearing completion







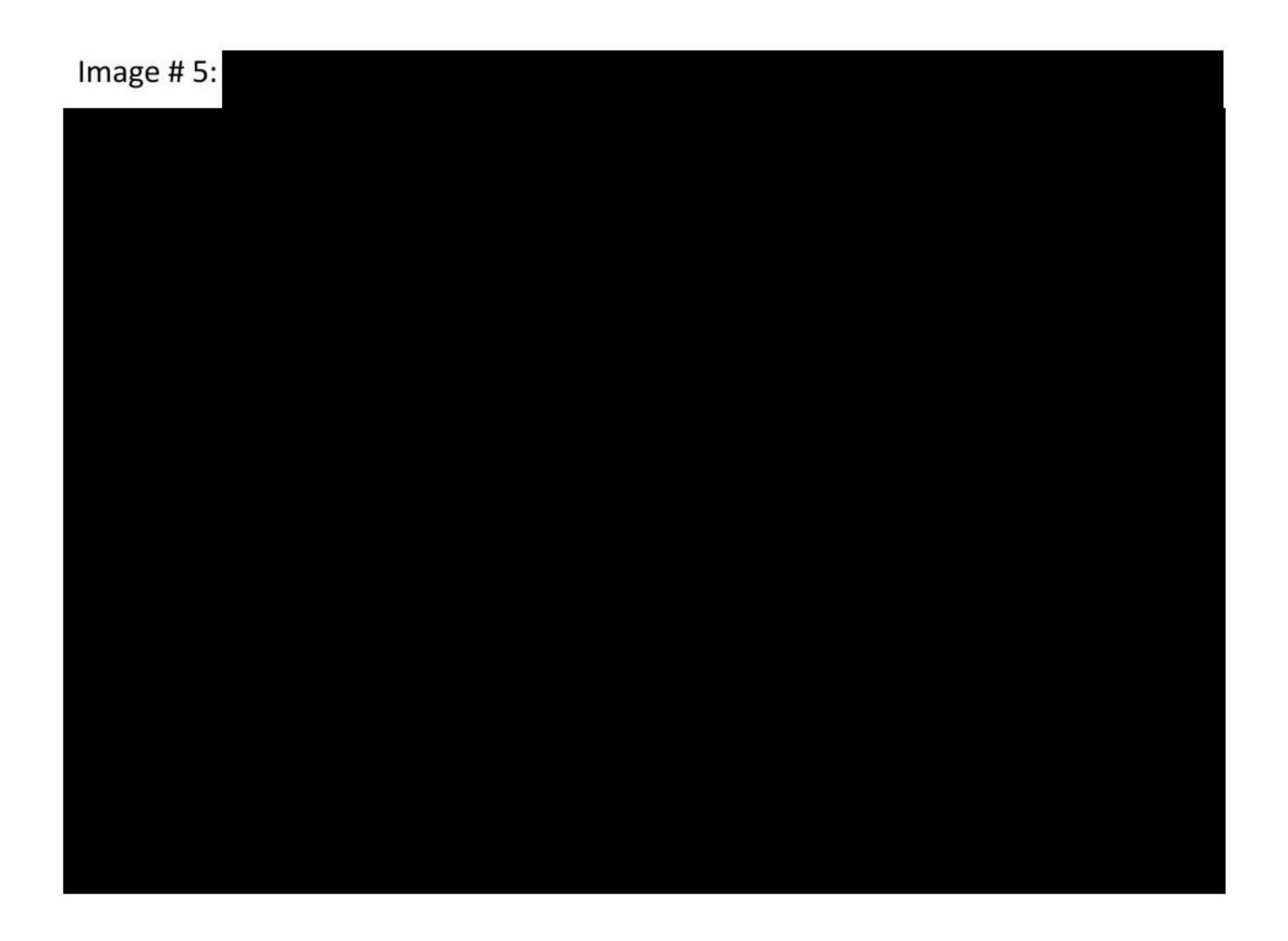


Image # 6: Mactaggart & Mickel homes on Craigie Drive with gable end design



Image # 7: Proposed apartments on Kirkview Crescent



**APPENDIX 6** 

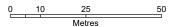
# PLANS/PHOTOGRAPHS/DRAWINGS







# Existing Location Plan @ 1:1250



Existing Site Area: 682 m²

Existing Rear Garden Area: 233.5m<sup>2</sup> Existing Building Footprint: 159 m<sup>2</sup>

### Notes:

Do not scale from this drawing. If in doubt consult the architect.

REV.	REVISION NOTES:	DATE	ISSUED
-	-	-	-



0141 552 2729 info@inkdesign.co.ul

Unit 6, 141 Bridgegate, The Briggait, Glasgow, G1 5HZ.

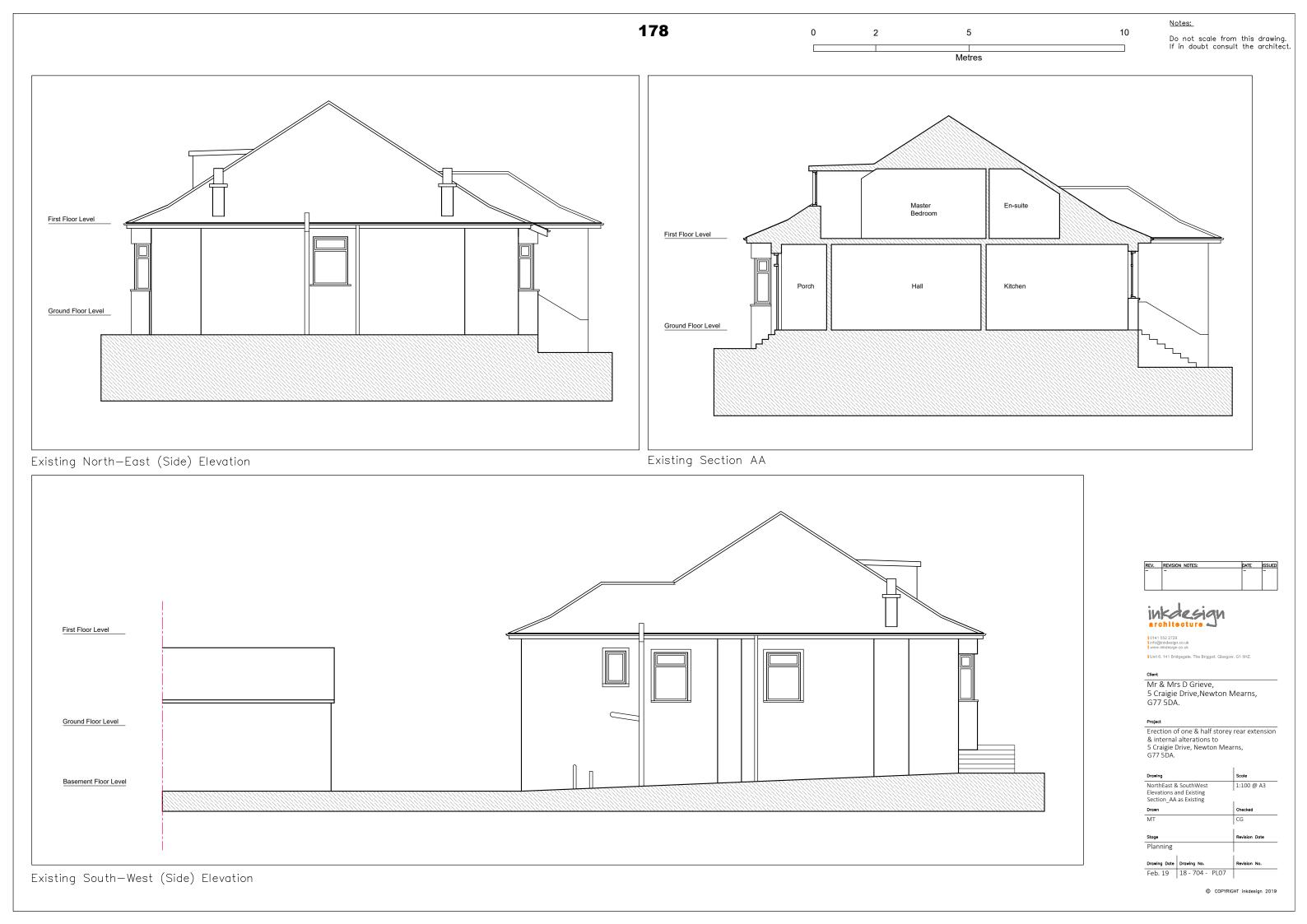
### Client

Mr & Mrs D Grieve, 5 Craigie Drive,Newton Mearns, G77 5DA.

### Projec

Erection of one & half storey rear extension & internal alterations to 5 Craigie Drive, Newton Mearns, G77 5DA.

Drawing		Scale
Existing Location Plan & Site Plan		1:1250 & 1:500 @ A3
Drawn		Checked
MT		CG
		ſ
Stage		Revision Date
Planning		
Drawing Date	Drawing No.	Revision No.
Feb. 19	18 - 704 - PL 02	



Existing Sout—East (Front) Elevation



Existing North-West (Rear) Elevation

Do not scale from this drawing. If in doubt consult the architect.





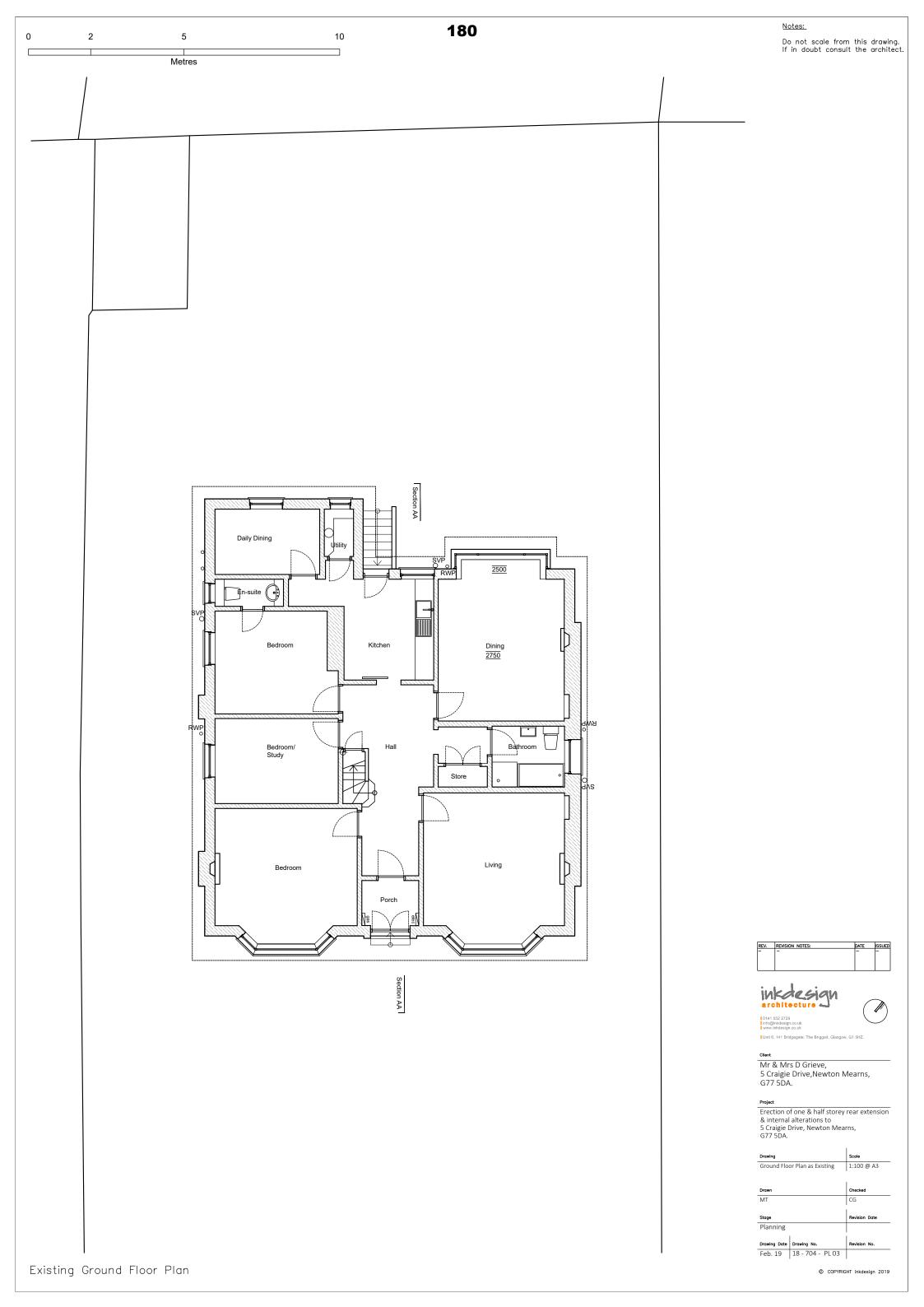
Mr & Mrs D Grieve, 5 Craigie Drive, Newton Mearns, G77 5DA.

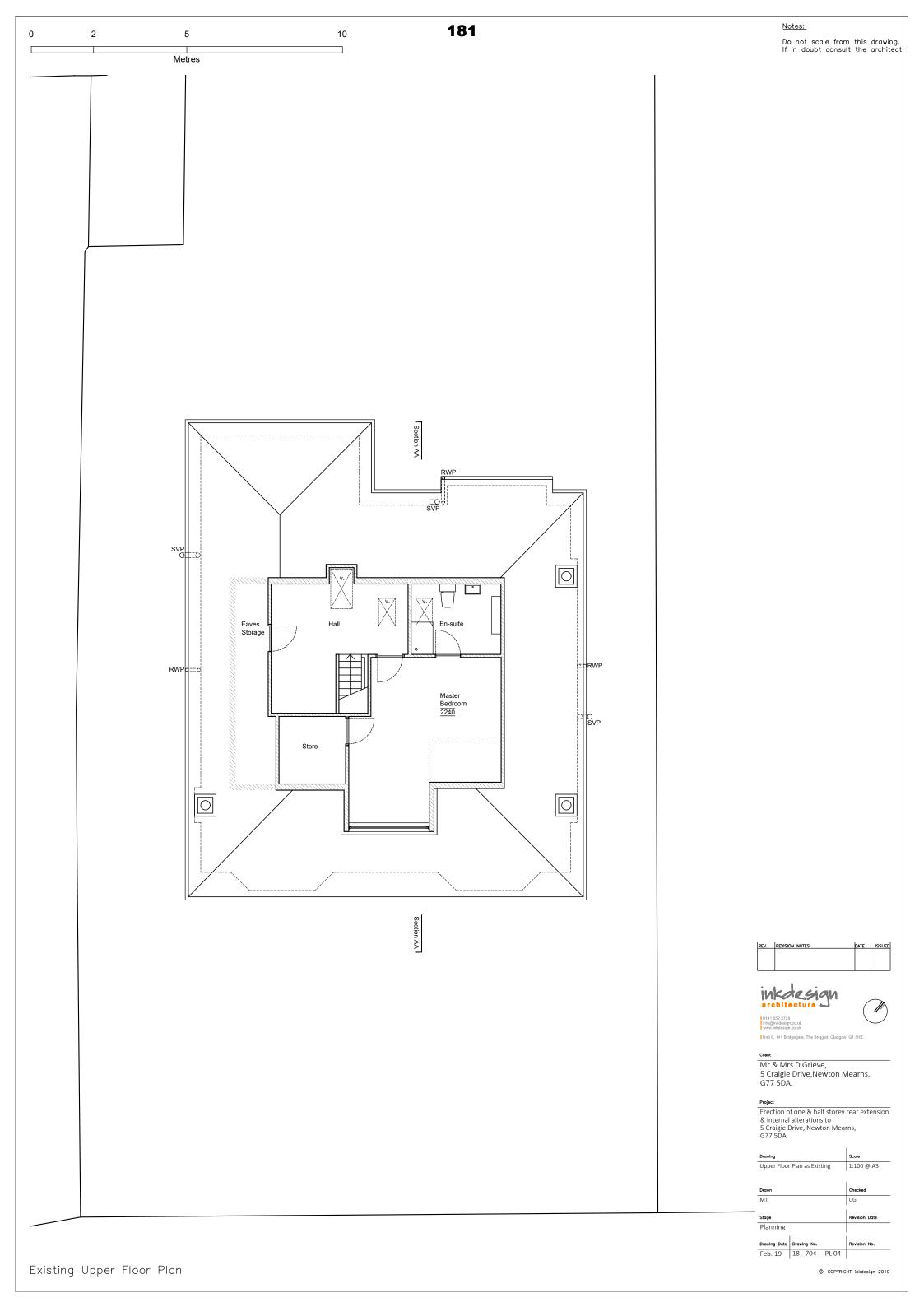
Erection of one & half storey rear extension & internal alterations to 5 Craigie Drive, Newton Mearns, G77 5DA.

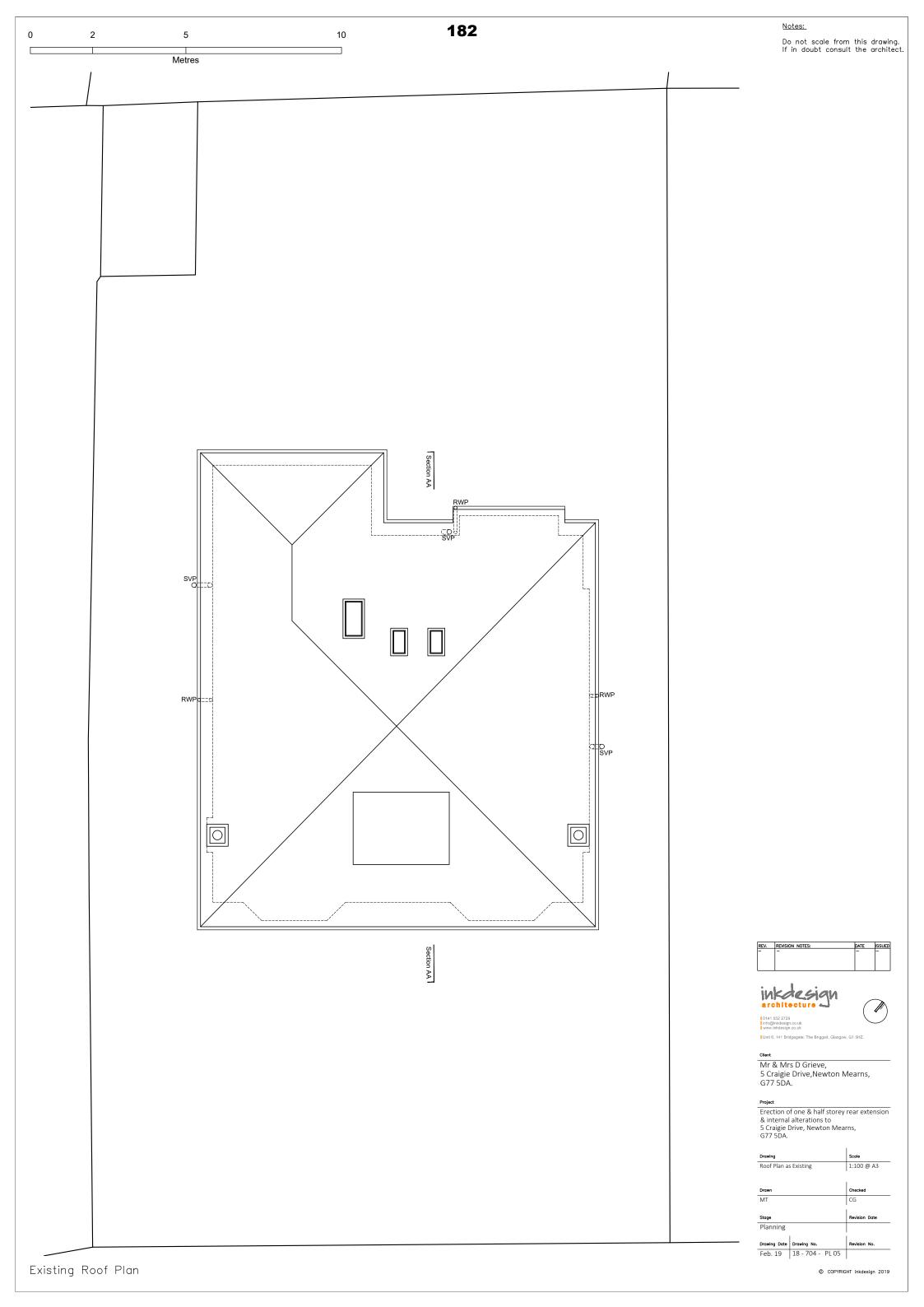
SouthEast (Front) and NorthWest 1:100 @ A3 (Rear) Elevations as Existing

Stage Planning 
 Drawing Date
 Drawing No.

 Feb. 19
 18 - 704 - PL 06









5 Craigie Drive, Newton Mearns,

Erection of one & half storey rear extension 5 Craigie Drive, Newton Mearns, G77 5DA.

Drawing	Scale
Existing Location Plan	1250 @ A4

Drawn		Checked
MT	CG	
Stage	Revision Date	
Planning		
	ĺ	
Drawing Date	Drawing No.	Revision No.
Feb. 19	18 - 704 - PL 01	





Proposed Northwest (Rear) Elevation

Proposed SouthEast (Front) Elevation





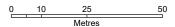
 Drawing Date
 Drawing No.

 Feb. 19
 18 - 704 - PL 13





# Proposed Location Plan @ 1:1250



Existing Site Area: 682 m<sup>2</sup> Existing Rear Garden Area: 233.5m<sup>2</sup> Existing Building Footprint: 159 m<sup>2</sup> Proposed Extension Footprint: 43 m<sup>2</sup>
Do not scale from this drawing.
If in doubt consult the architect.

Proposed Building Footprint: 202 m<sup>2</sup> Proposed Rear Garden Area: 192.3 m²

Ratio of Proposed

Extension to Rear Garden :18.4 %

REV.	REVISION NOTES:	DATE	ISSUED
-	-	-	-

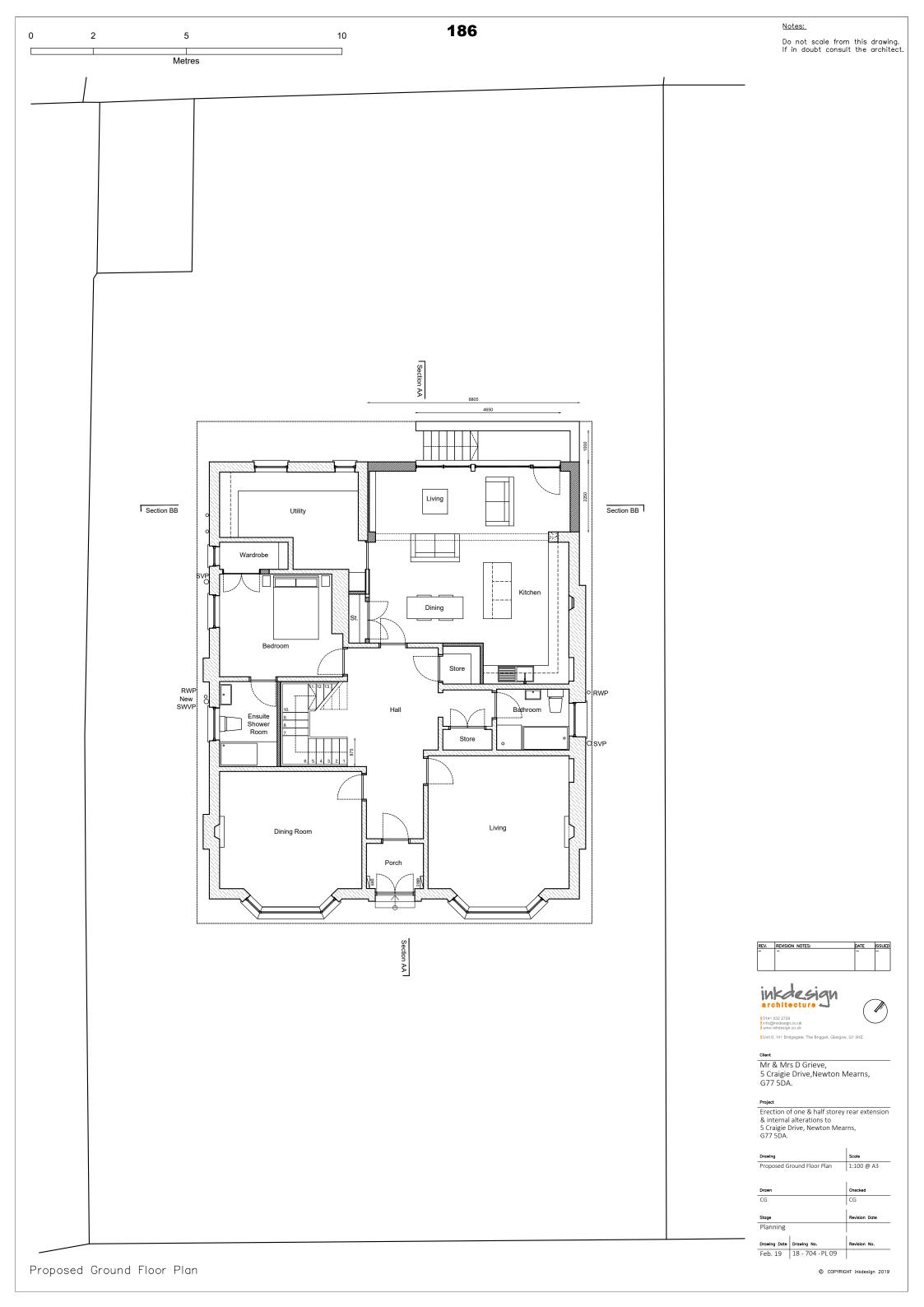


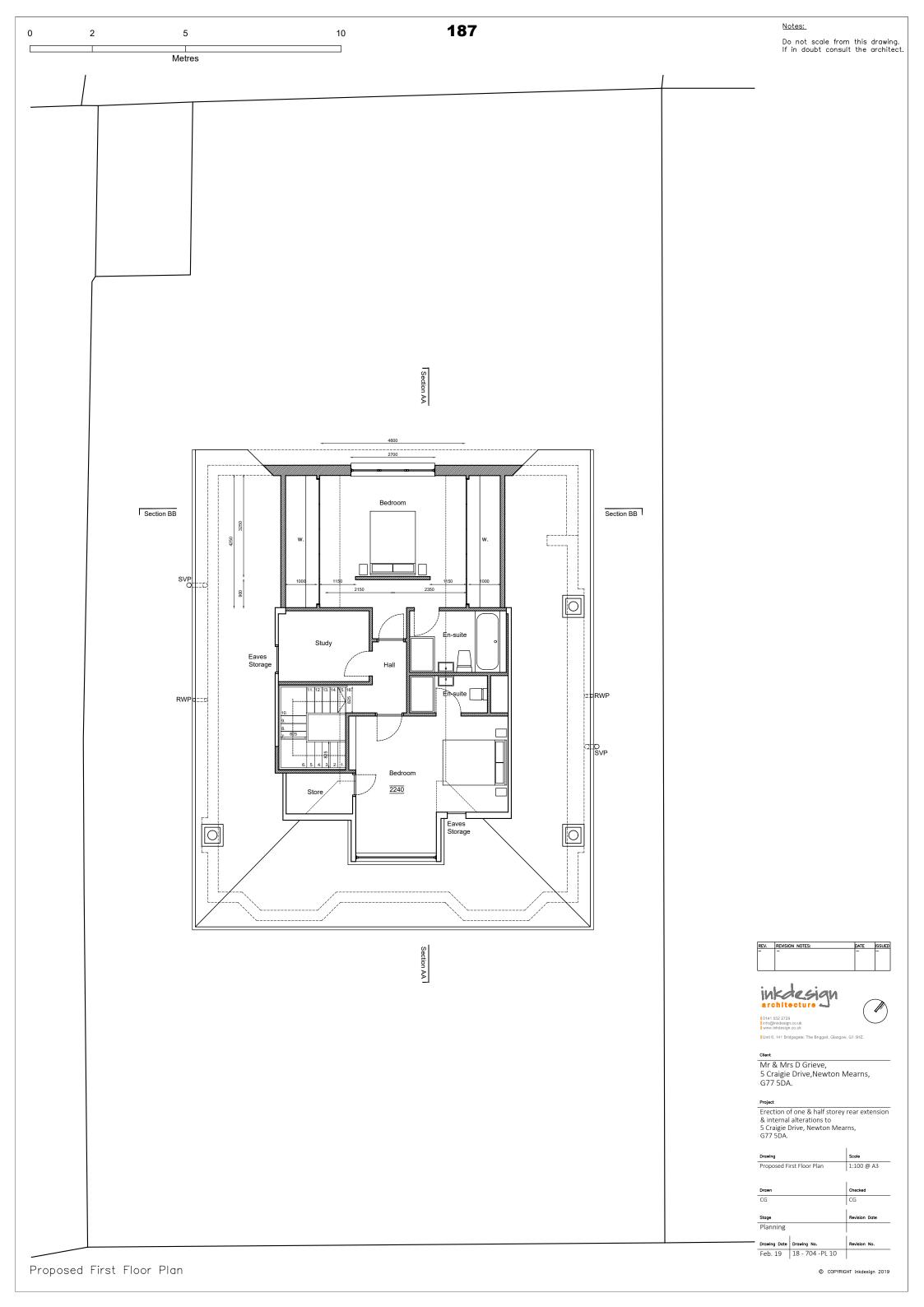
Unit 6, 141 Bridgegate, The Briggait, Glasgow, G1 5HZ.

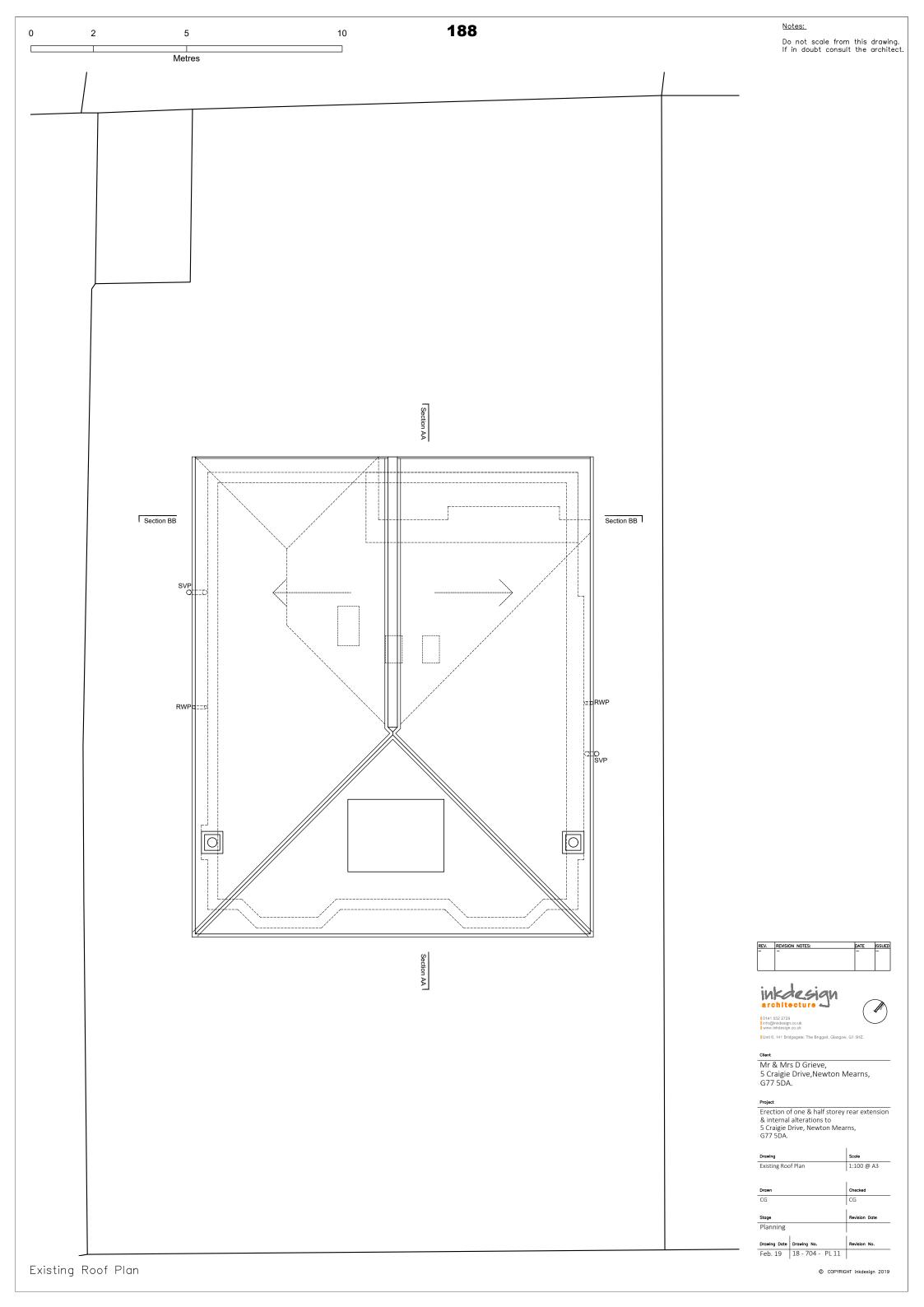
Mr & Mrs D Grieve, 5 Craigie Drive, Newton Mearns, G77 5DA.

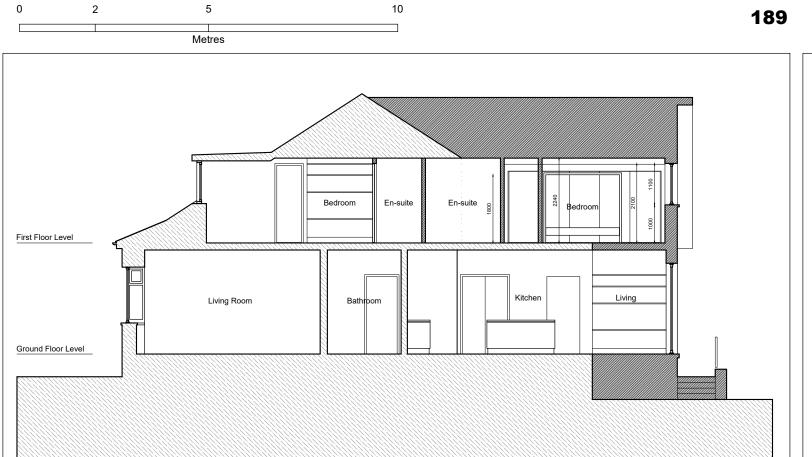
Erection of one & half storey rear extension & internal alterations to 5 Craigie Drive, Newton Mearns, G77 5DA.

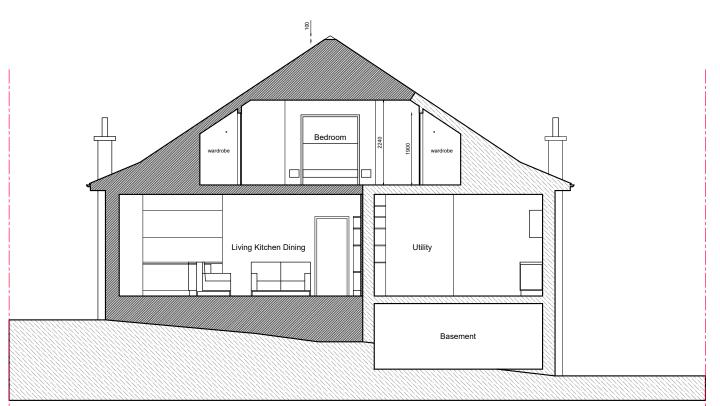
Drawing		Scale	
Proposed Location Plan & Site Plan		1:1250 & 1:500 @ A3	
Drawn		Checked	
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Stage		Revision Date	
Planning			
Drawing Date	Drawing No.	Revision No.	
Feb. 19	18 - 704 - PL 02		



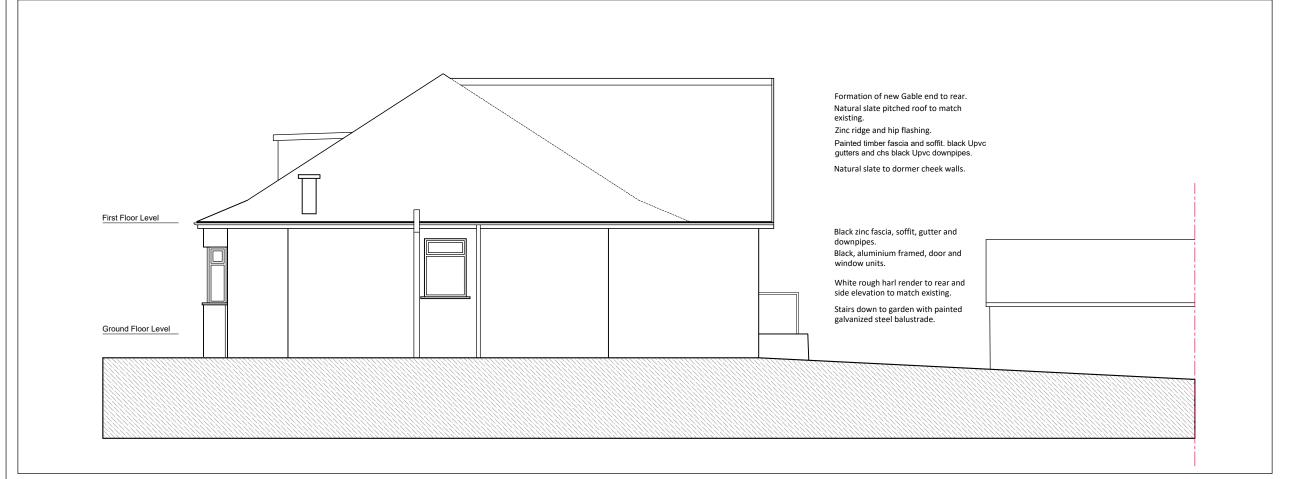








Proposed Section AA Proposed Section BB





 Drawing Date
 Drowing No.

 Feb. 19
 18 - 704 - PL 12

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