

EAST RENFREWSHIRE COUNCILLOCAL REVIEW BODY12 April 2017Report by Deputy Chief ExecutiveREVIEW OF CASE - REVIEW/2017/08ERECTION OF SINGLE STOREY SIDE EXTENSION  
AT 47 DOUBLE HEDGES ROAD, NEILSTON**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:- 2016/0776/TP).  
Applicant: Mrs Emma MacLean.  
Proposal: Erection of single storey side extension.  
Location: 47 Double Hedges Road, Neilston.  
Council Area/Ward: Neilston, Newton Mearns North and Uplawmoor (Ward 1).

**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 (Planning, Economic Development and City Deal).

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 their 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. Members will recall however that 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 agreed to carry out an unaccompanied site inspection on Wednesday, 12 April 2017 immediately before the meeting of the Local Review Body which will begin at 2.30pm on that date.

**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);
- (b) Report of Handling by the planning officer under the Scheme of Delegation - Appendix 2 (Pages);
- (c) Decision notice and reasons for refusal - Appendix 3 (Pages); and
- (e) A copy of the applicant's Notice of Review and Statement of Reasons - Appendix 4 (Pages).

**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 are attached as Appendix 5 (Pages).

- (a) Existing Elevations;
- (b) Existing Floorplans;
- (c) Existing Layouts;
- (d) Refused – Location and Block Plan;
- (e) Refused – Proposed Elevations;
- (f) Refused – Ground Floor Layout; and
- (g) Refused – First Floor Plan Layout.

**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](http://www.eastrenfrewshire.gov.uk) with the exception of any representations that have been made to the application.

**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:- March 2017



**APPLICATION  
FOR  
PLANNING PERMISSION**

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

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

Thank you for completing this application form:

ONLINE REFERENCE 100020504-002

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.

## Description of Proposal

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

Single storey extension to form new entrance and living room

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:	Andjess Ltd		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	Steven	Building Name:	<input type="text"/>
Last Name: *	Cromb	Building Number:	97
Telephone Number: *	01418815678	Address 1 (Street): *	Kingston Avenue
Extension Number:	<input type="text"/>	Address 2:	Neilston
Mobile Number:	<input type="text"/>	Town/City: *	Glasgow
Fax Number:	<input type="text"/>	Country: *	Scotland
		Postcode: *	G78 3JE
Email Address: *	steve@andjessltd.co.uk		

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

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	Mrs	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	Emma	Building Number:	47
Last Name: *	MacLean	Address 1 (Street): *	Double Hedges
Company/Organisation	<input type="text"/>	Address 2:	Neilston
Telephone Number: *	<input type="text"/>	Town/City: *	Glasgow
Extension Number:	<input type="text"/>	Country: *	Scotland
Mobile Number:	<input type="text"/>	Postcode: *	G78 3JQ
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

## Site Address Details

Planning Authority:

East Renfrewshire Council

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

Address 1:

47 DOUBLE HEDGES ROAD

Address 2:

NEILSTON

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

GLASGOW

Post Code:

G78 3JQ

Please identify/describe the location of the site or sites

Northing

656810

Easting

247724

## Pre-Application Discussion

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

Yes  No

## Trees

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

Yes  No

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

## Access and Parking

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

Yes  No

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

## Planning Service Employee/Elected Member Interest

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

Yes  No

## Certificates and Notices

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

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

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

Yes  No

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

Yes  No

## Certificate Required

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

Certificate A

## Land Ownership Certificate

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

Certificate A

I hereby certify that –

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

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

Signed: Steven Cromb

On behalf of: Mrs Emma MacLean

Date: 28/11/2016

Please tick here to certify this Certificate. \*

## Checklist – Application for Householder Application

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

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

Continued on the next page

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

You can attach these electronic documents later in the process.

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

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

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

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

## Declare – For Householder Application

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

Declaration Name: Mr Steven Cromb

Declaration Date: 28/11/2016

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## REPORT OF HANDLING

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# REPORT OF HANDLING

Reference: 2016/0776/TP

Date Registered: 30th November 2016

Application Type: Full Planning Permission

This application is a Local Development

Ward: 1 Neilston Newton Mearns North Uplawmoor

Co-ordinates: 247724/:656810

Applicant/Agent:

Applicant:

Mrs Emma MacLean  
47 Double Hedges Road  
Neilston  
East Renfrewshire  
G78 3JQ

Agent:

Andjess Ltd  
Steven Cromb  
97 Kingston Avenue  
Neilston  
East Renfrewshire  
G78 3JE

Proposal: Erection of single storey side extension

Location: 47 Double Hedges Road  
Neilston  
East Renfrewshire  
G78 3JQ

**CONSULTATIONS/COMMENTS:** None.

**PUBLICITY:** None.

**SITE NOTICES:** None.

**SITE HISTORY:**

1975/0708/PRW	ERECTION OF A HOUSE (IN OUTLINE).	ASTC	09.12.1975
1976/0051/PRW	ERECTION OF A HOUSE.	GRA	10.02.1976
2016/0508/TP	Erection of single storey side extension	WIT	20.09.2016

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

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

**SUPPORTING REPORTS:**

A design and access statement has been submitted in support of the proposal. In the main it references a number of other examples of extensions that are considered to support the proposal against Council policy.

#### **ASSESSMENT:**

The site comprises a modest two storey semi-detached property that is situated within a residential cul-de-sac of similar house types. The property is sited prominently at a higher position relative to the road and footway just on the edge of the roundel where the cul-de-sac terminates. It has been altered in the past with a rear extension and side extension to form an enlarged porch. It currently has an open aspect to the front and side in common with its immediate neighbours. Garden ground to the rear is screened by high level timber fencing.

The proposal is for a single storey extension to the side of the property providing a vestibule, hall and living area. Comprising a pitched roof forming a gable end the extension will project 5m from the side elevation of the house and 7.5m front to rear elevation. The proposed external materials are to match the existing.

Concerns were raised over its scale relative to the relevant Council policies; however the applicant has requested that the application be determined as presented.

The proposal requires to be assessed against Policies D1 and D14 of the adopted Local Plan and the (SPG) Supplementary Planning Guidance - Householder Design Guide.

Policy D1 requires that the proposal should be of a size, scale, massing and density that is in keeping with the buildings in the locality and must not result in a significant loss of character or amenity to the surrounding area. Furthermore, the amenity of the neighbouring properties should not be adversely affected by unreasonably restricting their sunlight or privacy.

It is considered that the property can accommodate an extension; however in this instance the proposed extension is of a scale and size that it is considered out of proportion with the original house. The neighbouring properties are not affected by overshadowing or overlooking; however it is considered that the 5m projection from the side elevation of the house is excessive and as a result, will have a significant visual impact on the constrained corner within the locus. This is exacerbated further by the properties elevated position close to the public footpath. On that basis, the proposed extension is considered due to its width to have a detrimental impact on the character and visual amenity of the locus and immediate area and consequently fails to meet the terms of Policy D1.

Policy D14 refers directly to extensions to and requires that any extension must complement the existing character of the property, particularly in terms of style, form and materials. The SPG goes further in emphasising parameters for side extensions. The proposal achieves more than required set back from the side boundary and the front elevation of the house; however the most valid parameter being that side extensions should be no more than 50% of the frontage of the original house has not been achieved.

The width of the extension is 5m which constitutes 91% of the 5.5m frontage of the original house. This results in a proposal that is proportionally out of scale with the original house. As stated above the porch on the side elevation does not form part of the original house.

In summary taking the above into account the proposal due to its scale and siting will be visually intrusive within the area to the detriment of the residential and visual amenity of the area and the dwellinghouse itself contrary to the terms set out within the adopted Local Plan and the SPG.

Additionally as noted above a request to reduce the scale of the proposal to be more in keeping with the house and to comply with current planning policy was declined, as the agent considered any changes would compromise the accommodation sought by his client. The supporting statement makes reference to several other examples of development within the surrounding area; however these mixed examples in combination they all predate current planning policy and or involve different housetypes in differing contexts.

There is specific reference to similar housetypes in close proximity to the application site; Nos 43 and 53 Double Hedges Road. Both of these were considered approximately 20 years ago. No 43 is approximately 6m wide in a context that mitigates its impact on the wider locale. The Report of Handling on the application at the time confirms that such a wide extension would not be supported in other circumstances.

No 53 is in a similar context to this application but it is sited lower and significantly further away from the adjacent roadway and less wide at approx. 4.5m with a different scale.

As referred to above it is considered that there is scope for side extension but the proposed extension at 5m is disproportionately wide and excessive given the context of the site and scale of the existing house.

To conclude, it is considered that the proposal does not accord with the Development Plan and there are no material considerations which would justify setting aside the Development Plan and approving the application.

It is therefore recommended that the application be refused.

**RECOMMENDATION:** Refuse

**PLANNING OBLIGATIONS:** None.

**REASON(S):**

Reason: The proposal is contrary to Policies D1 and D14 of the East Renfrewshire Local Development Plan as due to its scale context and massing it would be detrimental to the design and integrity of the original dwellinghouse and in addition have a dominant and incongruous impact on the visual amenity and character of the area.

Reason: The proposed development is by reason of scale and width contrary to the Supplementary Planning Guidance-Householder Design Guidance and will have a detrimental impact on the design of the existing dwellinghouse.

**ADDITIONAL NOTES:** None

**ADDED VALUE:**

None

**BACKGROUND PAPERS:**

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

Ref. No.: 2016/0776/TP  
(FIMO)

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DATE: 6<sup>th</sup> February 2017

**DIRECTOR OF ENVIRONMENT**

**Reference: 2016/0776/TP - Appendix 1**

**DEVELOPMENT PLAN:**

**Strategic Development Plan**

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

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

#### Policy D14

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

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

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

Side extensions should not create an unbroken or terraced appearance.

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

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

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

**GOVERNMENT GUIDANCE:** None relevant

Finalised 06/02/2017.IM.



**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.       **2016/0776/TP**

**Applicant**

Mrs Emma MacLean  
47 Double Hedges Road  
Neilston  
East Renfrewshire  
G78 3JQ

**Agent:**

Andjess Ltd  
Steven Cromb  
97 Kingston Avenue  
Neilston  
East Renfrewshire  
G78 3JE

With reference to your application which was registered on 30th November 2016 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

**Erection of single storey side extension**

**at: 47 Double Hedges Road Neilston East Renfrewshire G78 3JQ**

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 Policies D1 and D14 of the East Renfrewshire Local Development Plan as due to its scale context and massing it would be detrimental to the design and integrity of the original dwellinghouse and in addition have a dominant and incongruous impact on the visual amenity and character of the area.
2. The proposed development is by reason of scale and width contrary to the Supplementary Planning Guidance-Householder Design Guidance and will have a detrimental impact on the design of the existing dwellinghouse.

Dated           6th February 2017

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

<b>Plan Description</b>	<b>Drawing Number</b>	<b>Drawing Version</b>	<b>Date on Plan</b>
Block Plan and Location Plan	PL 01		
Proposed floor plans	PL 02		
Elevations Proposed	PL 04		
Roof Plan	PL 03		

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

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

1. If the applicant is aggrieved by a decision to refuse permission (or by an approval subject to conditions), the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. A Notice of Review can be submitted online at [www.eplanning.scotland.gov.uk](http://www.eplanning.scotland.gov.uk). Alternatively, you can download a Notice of Review form (along with notes for guidance) from [www.eastrenfrewshire.gov.uk/planning-appeals-reviews](http://www.eastrenfrewshire.gov.uk/planning-appeals-reviews) which should be returned to The Planning Service, 2 Spiersbridge Way, Spiersbridge Business Park, Thornliebank, East Renfrewshire G46 8NA. You may also call the Council on 0141 577 3001 to request the Notice of Review Form. Please note that beyond the content of the appeal or review forms, you cannot normally raise new matters in support of an appeal or review, unless you can demonstrate that the matter could not have been raised before, or that its not being raised before is a consequence of exceptional circumstances. Following submission of the notice, you will receive an acknowledgement letter informing you of the date of the Local Review Body meeting or whether further information is required.
  
2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

**CONTACT DETAILS**

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

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

**NOTICE OF REVIEW  
AND  
STATEMENT OF REASONS**

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## NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997  
AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE)  
(SCOTLAND) REGULATIONS 2013

Rather than completing this form, you may submit your review online at <https://www.eplanning.scot>

**IMPORTANT:** Please read and follow the guidance notes provided when completing this form.  
Failure to supply all the relevant information could invalidate your notice of review.

Use BLOCK CAPITALS if completing in manuscript

### Applicant(s)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail\*

### Agent (if any)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail\*

Mark this box to confirm all contact should be  
through this representative:

\* Do you agree to correspondence regarding your review being sent by e-mail?

Yes  No

Planning authority

Planning authority's application reference number

Site address

Description of proposed development

Date of application

Date of decision (if any)



**Note.** This notice must be served on the planning authority within three months of the date of the decision notice or from the date of expiry of the period allowed for determining the application.

### Nature of application

1. Application for planning permission (including householder application)
2. Application for planning permission in principle
3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition)
4. Application for approval of matters specified in conditions

### Reasons for seeking review

1. Refusal of application by appointed officer
2. Failure by appointed officer to determine the application within the period allowed for determination of the application
3. Conditions imposed on consent by appointed officer

### 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.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures. However, please note that the Local Review Body is not bound to accede to your request(s) and will decide what procedure will be used to determine your review.

1. Further written submissions
2. One or more hearing sessions
3. Site inspection
4. Assessment of review documents only, with no further procedure

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing are necessary:

### Site inspection

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

- |  | Yes                                 | No                       |
|--|-------------------------------------|--------------------------|
| 1. Can the site be viewed entirely from public land?                                 | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |



If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

### Statement

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. Note: 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.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

PLEASE REFER TO PLANNING RESPONSE SECTION  
IN ATTACHED DESIGN & ACCESS STATEMENT



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 new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

### List of documents and evidence

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.

EXISTING LAYOUT  
 EXISTING ELEVATIONS  
 SITE PLAN  
 PROPOSED LAYOUT  
 PROPOSED ROOF PLAN  
 PROPOSED ELEVATIONS  
 DESIGN & ACCESS STATEMENT  
 PLANNING REFUSAL  
 PLANNING APPLICATION

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority. It may also be available on the planning authority website.

### Checklist

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

- Full completion of all parts of this form
- Statement of your reasons for requiring a review
- All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.



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 from that earlier consent.

---

### Declaration

I the ~~applicant~~/agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed



Date

07/03/2017

---

### Data Protection Act 1998

East Renfrewshire Council is the Data Controller for the purposes of the Data Protection Act 1998. Please note that the information provided with this application will appear in the public register of applications and will also be published on the Council's website. Personal details such as signatures, personal phone numbers and personal email addresses will not be published on-line. If you wish any further personal information to be excluded from publication, please request this in writing and the Council will consider your request.

Your completed notice of review should now be returned to: **East Renfrewshire Council, 2 Spiersbridge Way, Spiersbridge Business Park, Thornliebank, East Renfrewshire G46 8NG.** Alternatively, you can e-mail your notice of review to [planning@eastrenfrewshire.gov.uk](mailto:planning@eastrenfrewshire.gov.uk)



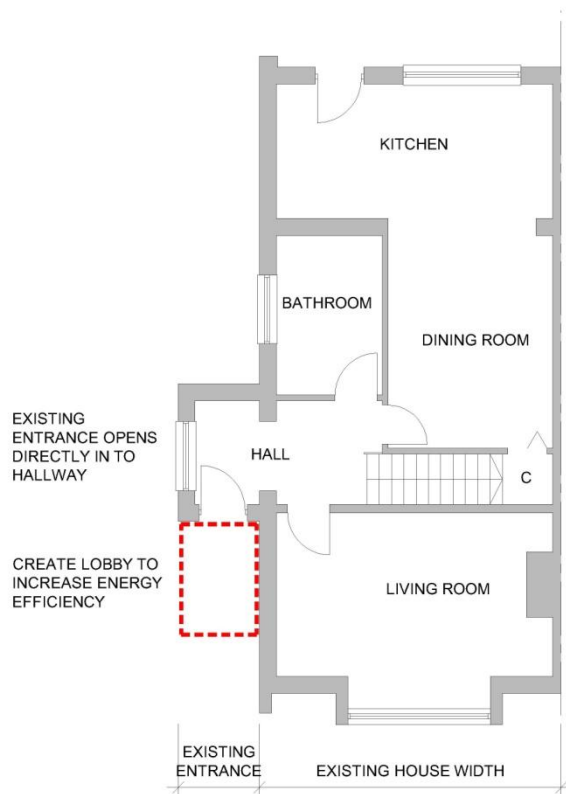
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## DESIGN AND ACCESS STATEMENT & PLANNING RESPONSE

### 47 Double Hedges, Neilston G78 3JQ

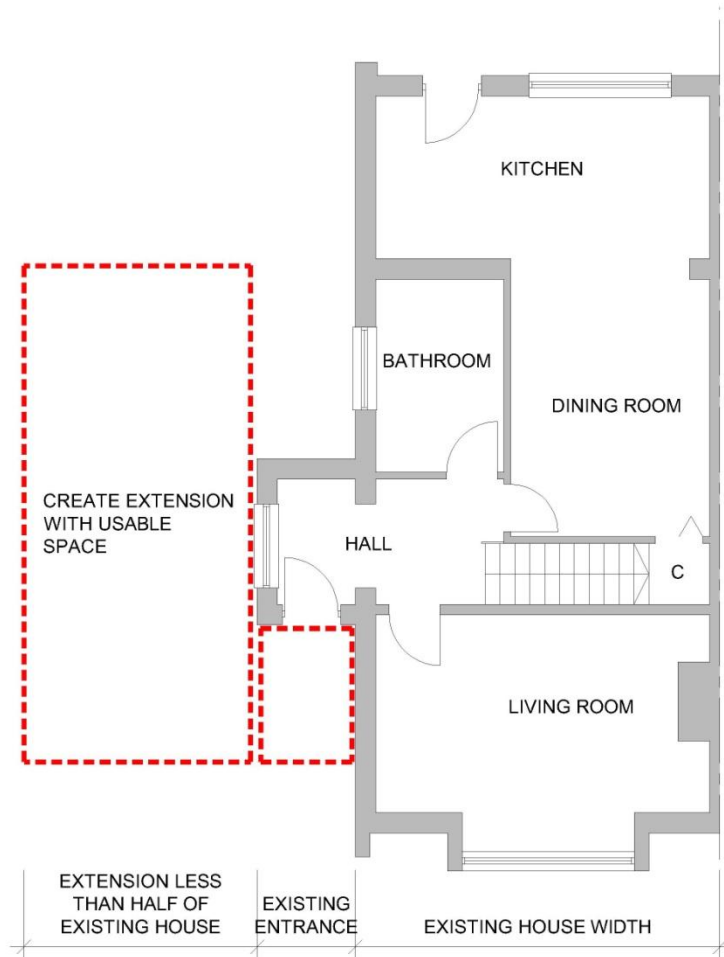
Further to your email dated 5<sup>th</sup> April, we would like to make the following response to your points:

#### Design Process



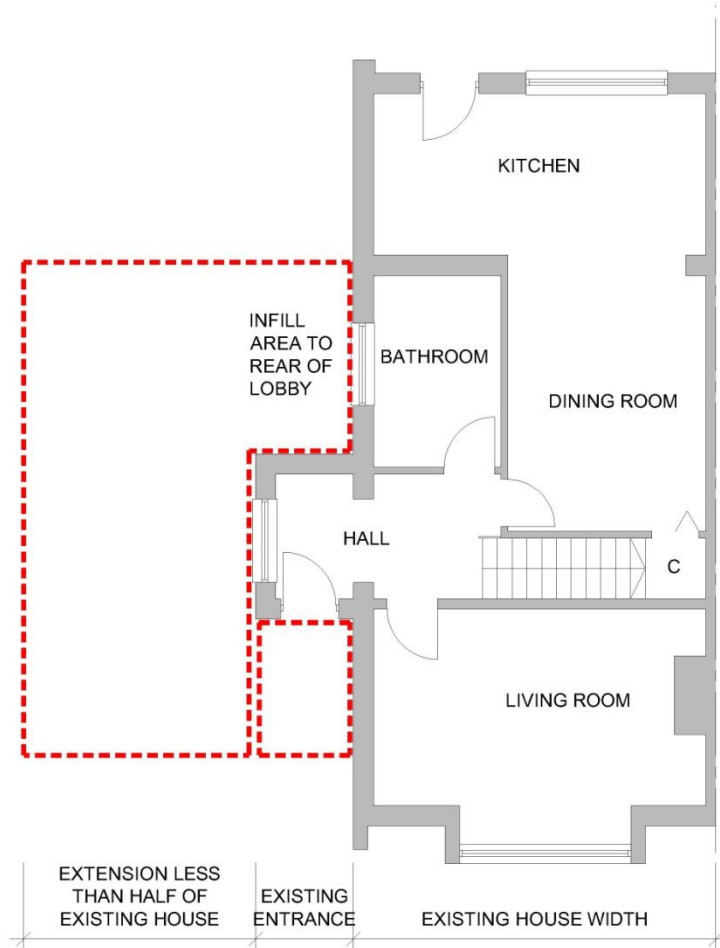
#### Step 1

Existing entrance in to house enters directly in to hallway allowing cold air in and warm air out when the door is opened. The first step was to create a lobby to the front of the existing entrance forming a barrier between the inside and outside creating an more energy efficient entrance



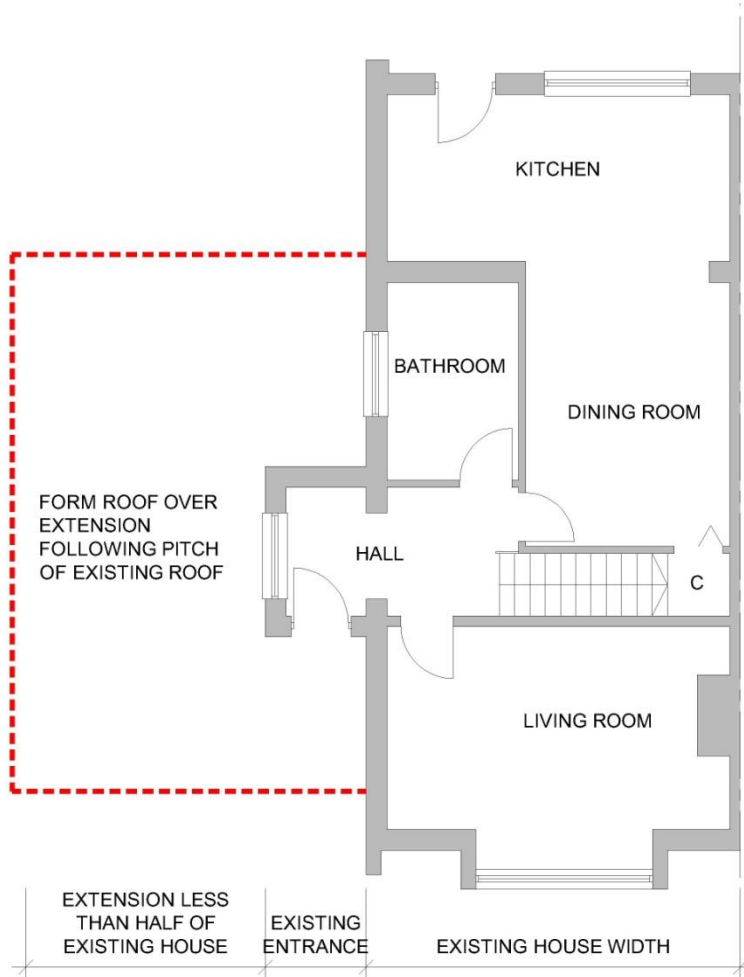
## Step 2

Create extension to gable end of existing house out with existing entrance. Width of extension to be half width of existing house in compliance with Policy D14



### Step 3

Infill small area to rear of existing entrance.



#### Step 4

Roof over extension following existing roof alignment and pitch



**Policy D1 – Daylight and Sunlight Design Guide**

As indicated on PL 01 Site Plan the 12m rule at an angle of 45 degrees from proposed extension corner does not adversely impact any of the neighbouring properties.

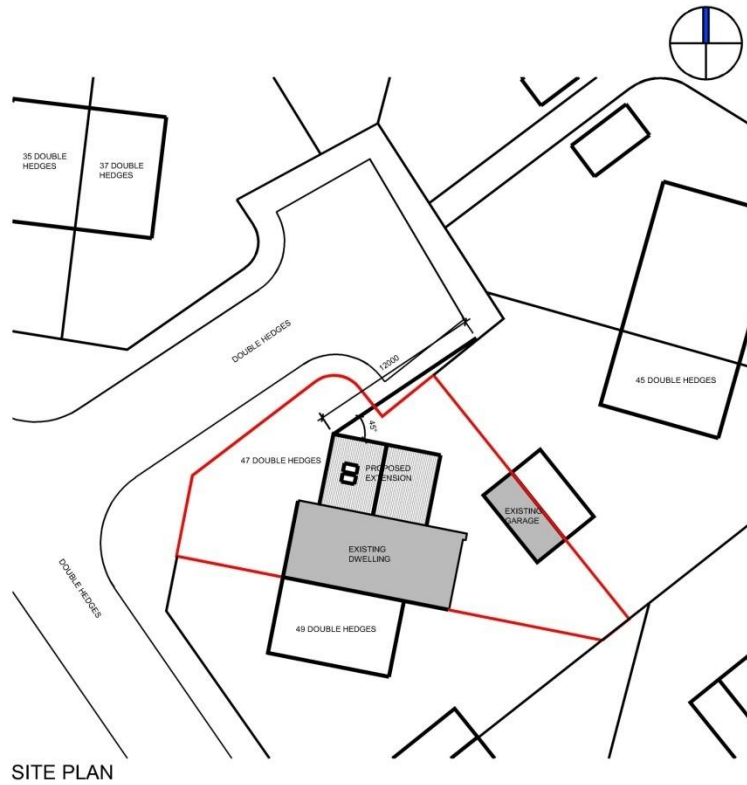


Image above indicates no adverse effect to neighbouring buildings

**Policy D14 – Extensions to existing Buildings**

Existing Area	
Ground Floor	- 40.3sqm
First Floor	- 32.6sqm
Total	- 72.9sqm
Extension Area	- 33.9sqm

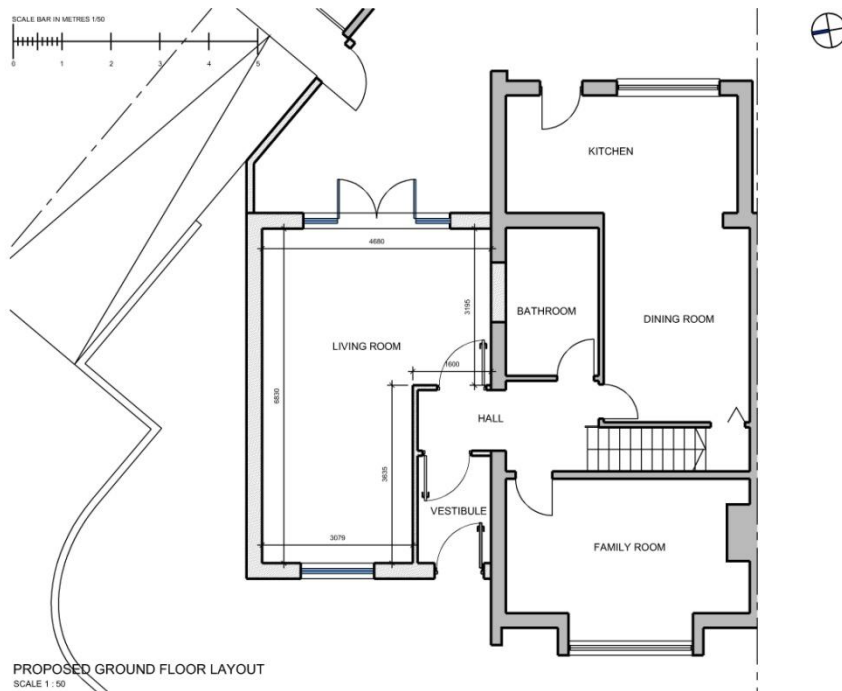
Extension equates to less than 50% of existing original area and all buildings including garage cover less than 35% of the total land associated within the boundary

**Proposal**

Proposals are for a single storey extension to form a new entrance and living area. The front facade of the extension starts 1m from front face of the existing dwelling. The walls will be finished with sandstone coloured bricks to match existing.

The new roof follows the existing pitch and will be finished with concrete tiles to match existing roof finish.

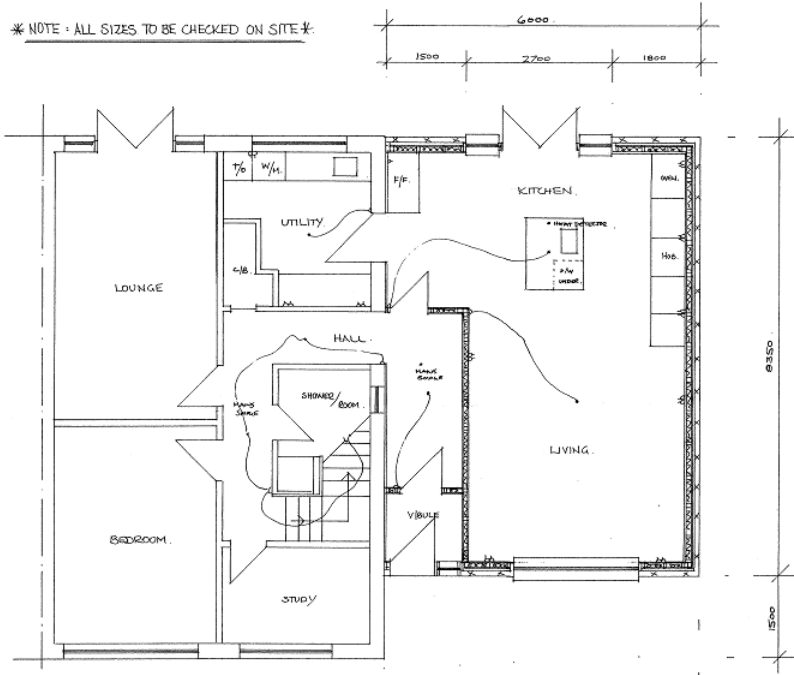
The layout retains access to the rear of the existing dwelling and will create a larger and safer rear garden for the children to play.



**Existing Photographs**



**Surrounding Extensions larger than 50% of existing dwelling**



EXISTING FRONT ELEVATION.



PROPOSED FRONT ELEVATION

24 Kingston Avenue, Neilston with extension the same width as the original house





43 Double Hedges with the house doubled in size with roofline following existing pitch



50 Double Hedges with the house with a large gable extension almost doubling size of existing house and roof following existing pitch



53 Double Hedges



56 Double Hedges





76 Double Hedges



76 Double Hedges



59 Kingston Avenue

97 Kingston Avenue, Neilston, Glasgow G78 3JE  
01418815678/07912 295 472  
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Registered in Scotland 338551

## **PLANNING REFUSAL RESPONSE**

### ***Planning Response***

*The proposal is contrary to Policies D1 and D14 of the East Renfrewshire Local Development Plan as due to its scale context and massing it would be detrimental to the design and integrity of the original dwellinghouse and in addition have a dominant and incongruous impact on the visual amenity and character of the area.*

### **Policy D1: Detailed Guidance for all Development**

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
6. Development should create safe and secure environments that reduce the scope for anti-social behaviour and fear of crime

### **Design Response**

- 1 & 3. As indicated on PL 01 Site Plan the 12m rule at an angle of 45 degrees from proposed extension corner does not adversely impact any of the neighbouring properties.
2. The proposals are in keeping with surrounding properties that are all of a similar scale and design and follow the scale, massing and density of these properties. Please refer to the Surrounding Extensions section of this document which clearly illustrates extended designs of the surrounding properties. In that respect. Our proposals clearly follow the local area vernacular.
6. The development is designed to provide a safe and secure area for the applicants small children by using the extension to for an enclosed rear garden reducing any scope for fear of crime.

### **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.

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.

### **Design Response**

The proposed design the existing design, scale and material palette of the existing dwelling. The walls will be finished with sandstone coloured bricks to match existing. The new roof follows the existing pitch and will be finished with concrete tiles to match existing roof finish.



The total extension area equates to less than 50% of existing original dwelling area and all buildings including garage cover less than 35% of the total land associated within the boundary. This clearly defines that the proposals are not over developing the land.

#### *Planning Response*

*The proposed development is by reason of scale and width contrary to the Supplementary Planning Guidance-Householder Design Guidance and will have a detrimental impact on the design of the existing dwellinghouse.*

#### **Supplementary Planning Guidance-Householder Design Guidance**

Extensions, dormer windows and garages should respect the character of the original house and the surrounding area in terms of design, scale and materials.

Extensions should not dominate or overwhelm the original form or appearance of the house and be subordinate in scale and appearance to the original house.

Extensions should be in proportion to the original house and should not exceed 100% of the footprint of the original house.

Extensions should not dominate or overwhelm neighbouring properties.

Direct overlooking and excessive overshadowing of neighbouring properties should be avoided.

A Design Guide on Daylight and Sunlight is available separately.

Over-development of the site should be avoided and useable private (i.e. rear) garden ground should be retained. No more than 50% of the rear garden should be occupied by the development.

Developments should have the same roof design as the house particularly when visible from public view.

Window and doors should be aligned vertically and horizontally with existing windows and doors.

No extension (other than a porch) should project beyond the front or principal elevation of the existing house.

The external materials should be identical or closely match those on the existing property.

#### **Design Response**

The extension proposals are clearly designed in respect of all the points listed above although there is a clear contradiction between Policy D14 and the Planning Guidance listed above.

The policy D14 states 'Side extensions should not create an unbroken or terraced appearance' while the Planning Guidance states 'No extension should project beyond the front or principal elevation of the existing house'.

Simply put, one policy states an extension should not look like an extension but the other states that an extension must look like an extension.

I trust the points responded to above will be suitable to approve the Planning Appeal process.

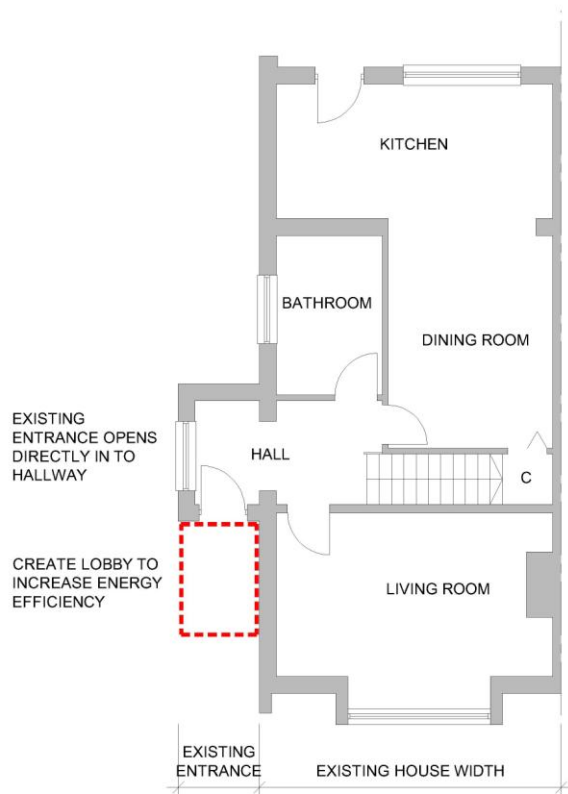
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## DESIGN AND ACCESS STATEMENT

### 47 Double Hedges, Neilston G78 3JQ

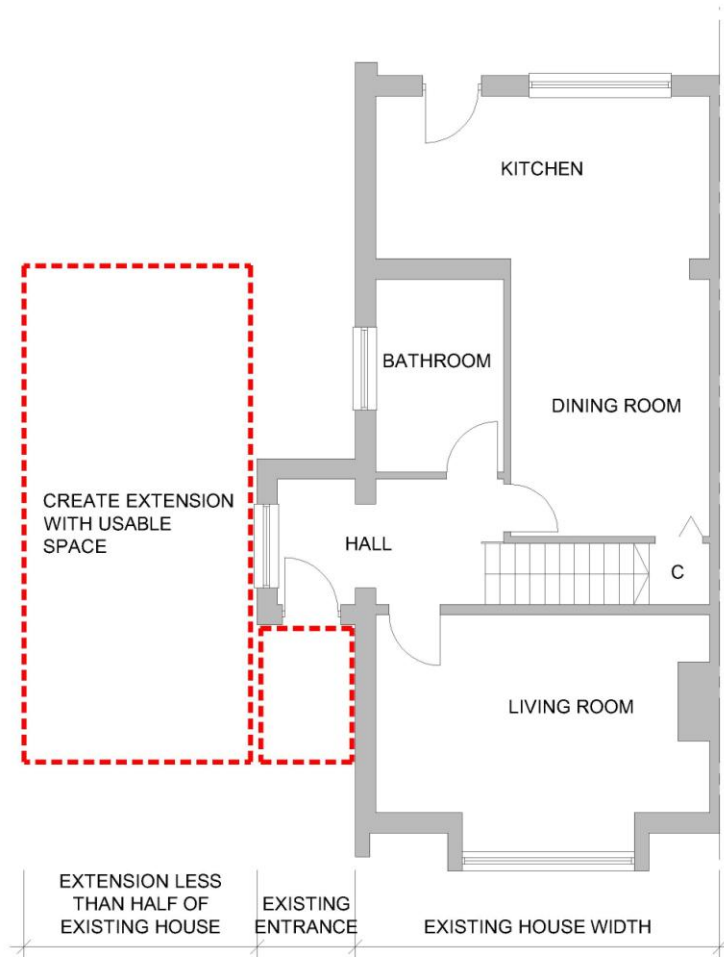
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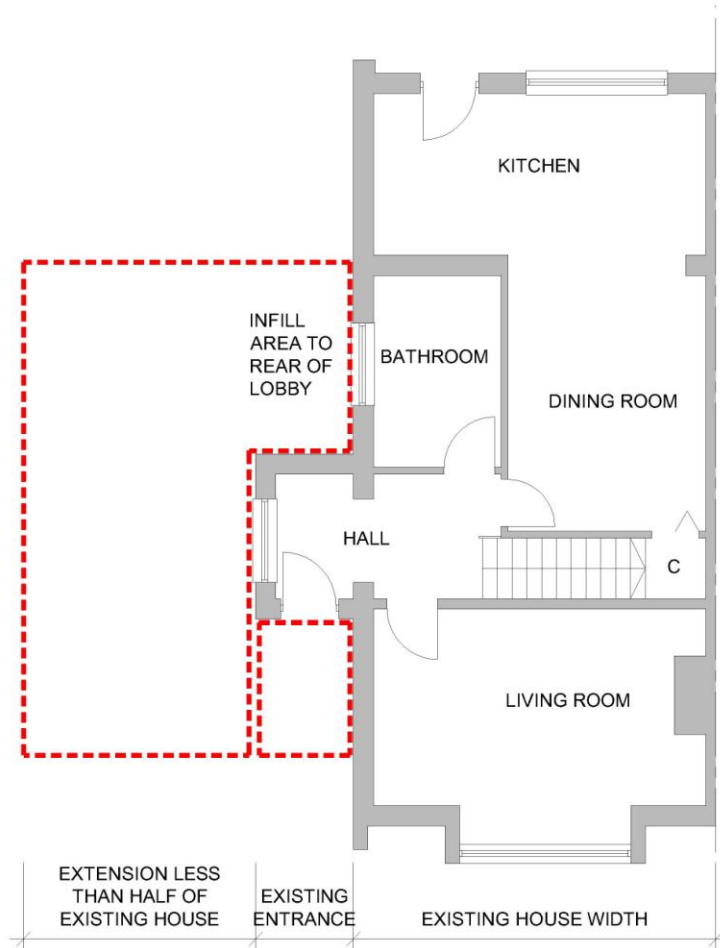
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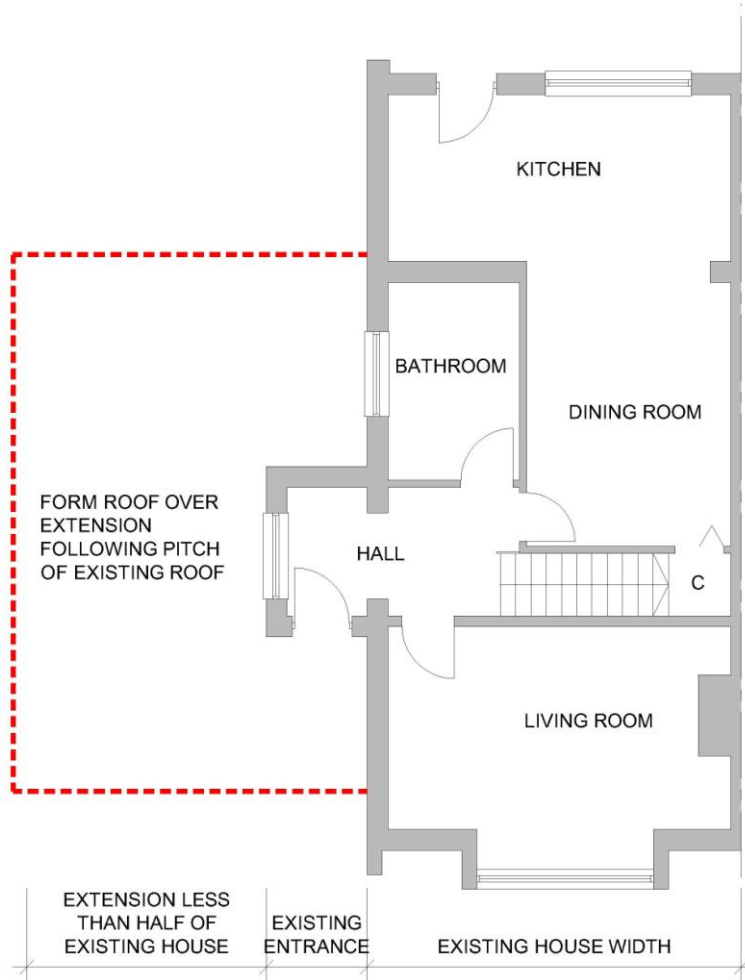
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### Step 3

Infill small area to rear of existing entrance.



#### Step 4

Roof over extension following existing roof alignment and pitch

**Policy D1 – Daylight and Sunlight Design Guide**

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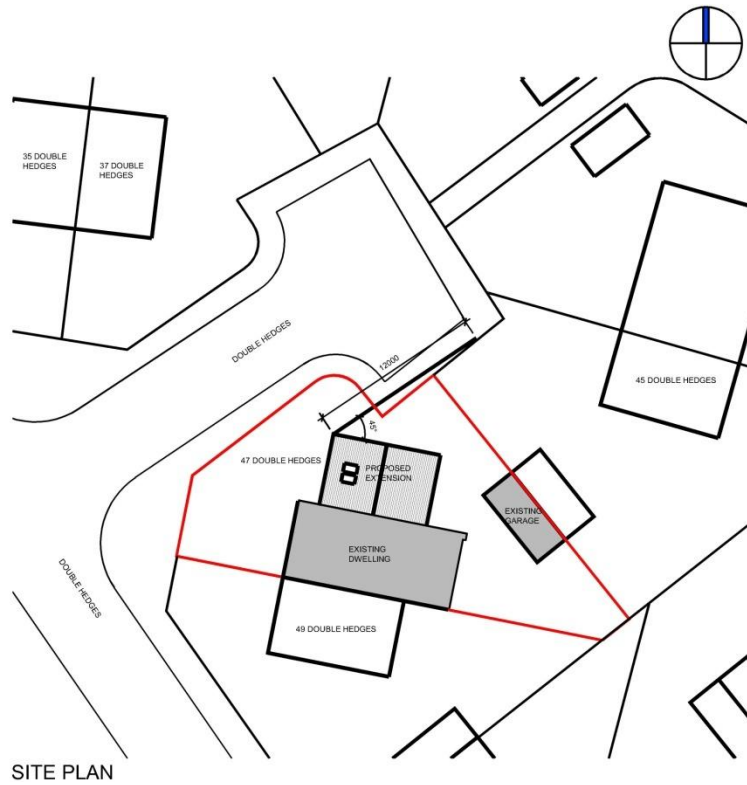


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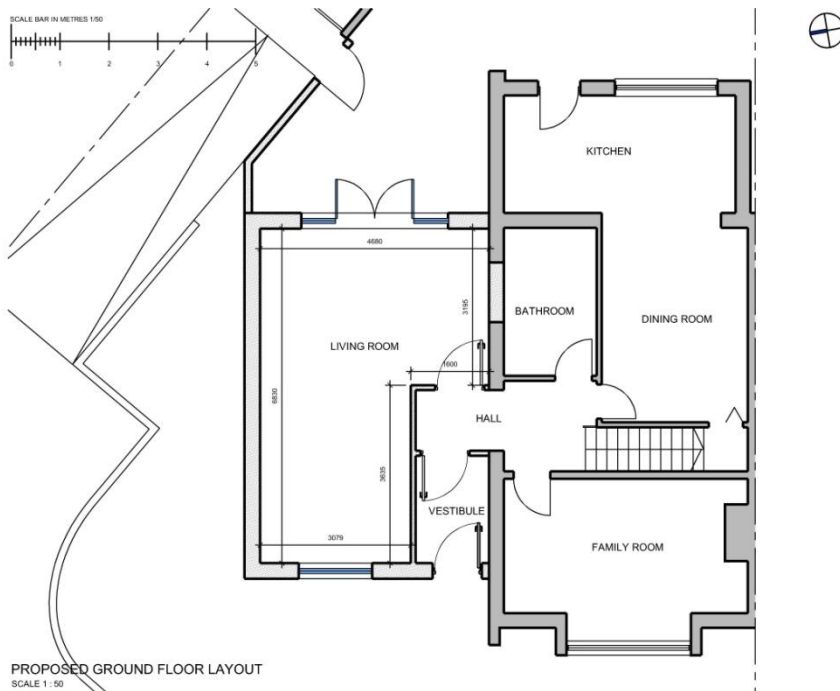
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**FINISHES**  
 ROOF TILES TO MATCH EXISTING  
 BRICKWORK TO MATCH EXISTING  
 WINDOWS TO MATCH EXISTING  
 RAINWATER DOWNPIPES AND  
 GUTTER TO MATCH EXISTING

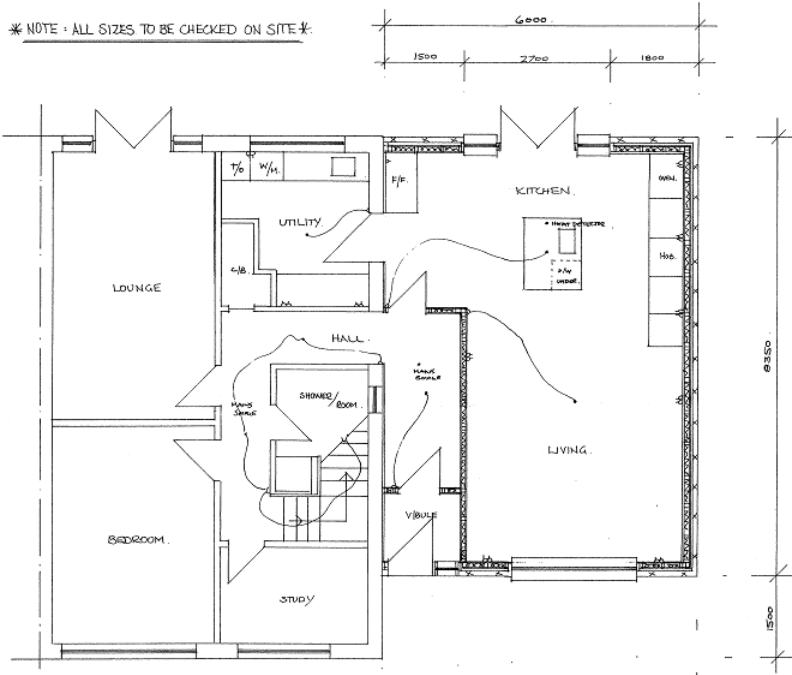




**Existing Photographs**



**Surrounding Extensions larger than 50% of existing dwelling**



EXISTING FRONT ELEVATION.



PROPOSED FRONT ELEVATION

24 Kingston Avenue, Neilston with extension the same width as the original house



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53 Double Hedges



56 Double Hedges





76 Double Hedges



76 Double Hedges



59 Kingston Avenue

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01418815678/07912 295 472  
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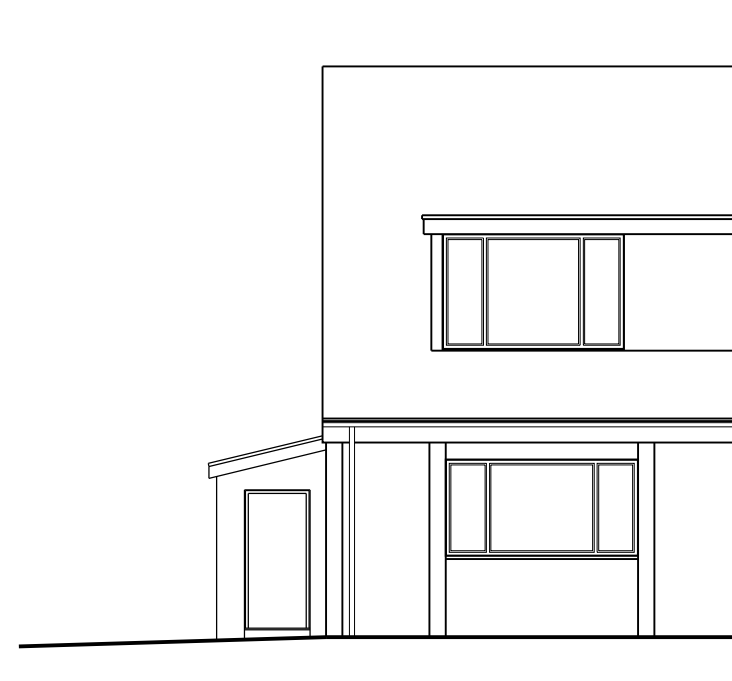
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**EXISTING NORTH ELEVATION**  
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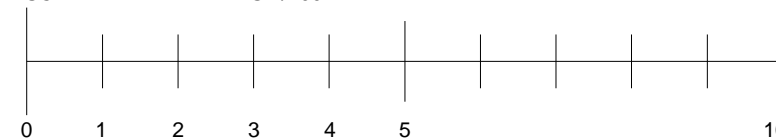


**EXISTING WEST ELEVATION**  
SCALE 1 : 100



**EXISTING EAST ELEVATION**  
SCALE 1 : 100

SCALE BAR IN METRES 1/100



CLIENT

MR & MRS MacLEAN

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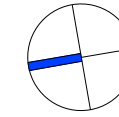
REV	DATE	DESCRIPTION	DWN	CHD

ADDRESS  
**47 DOUBLE HEDGES  
NEILSTON  
GLASGOW G78 3JQ**

TITLE  
**EXISTING LAYOUT  
& ELEVATIONS**

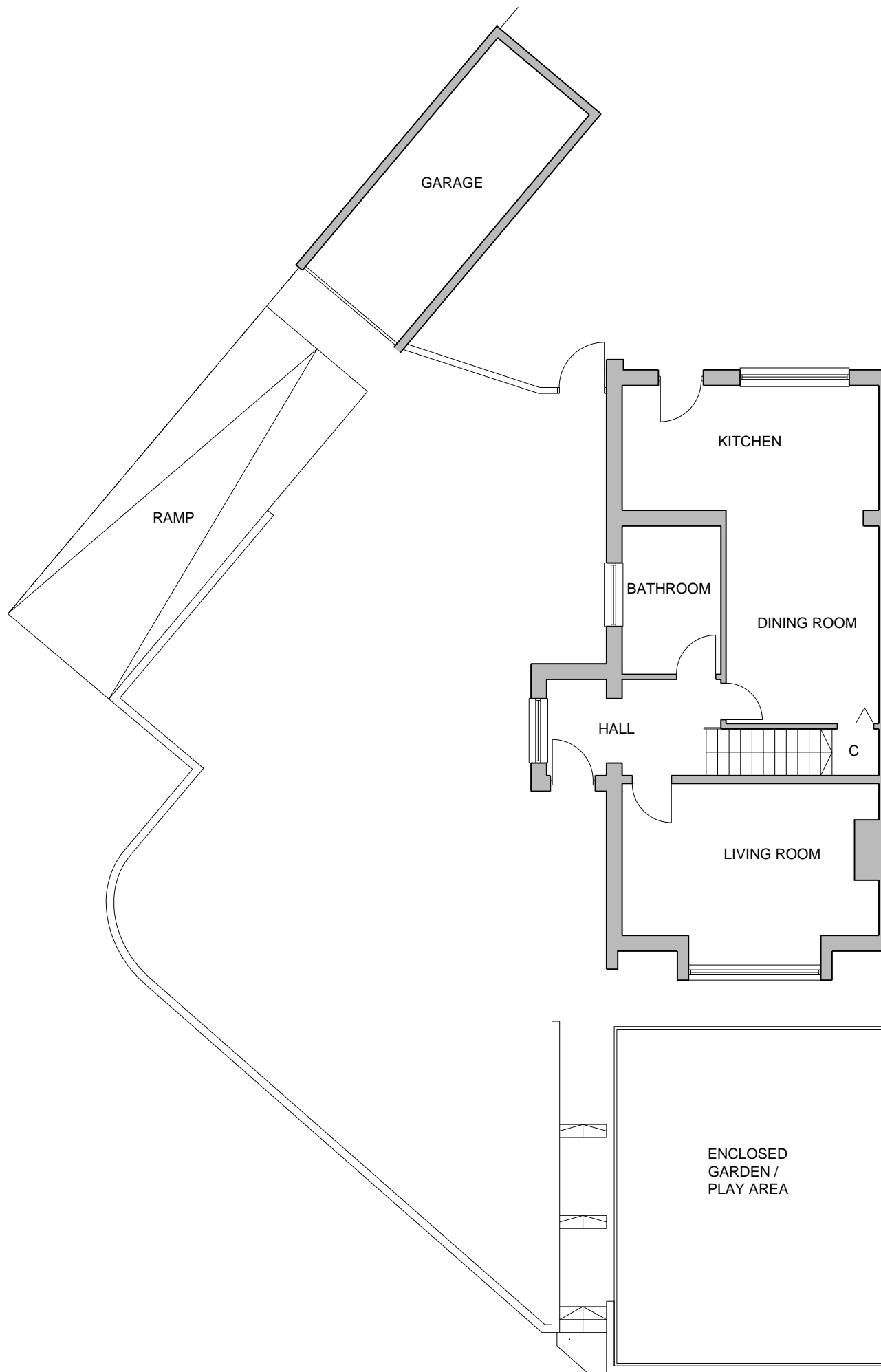
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SCALE	1:50 @ A3	CHECKED BY	
DATE	JULY 2016	DWG	REV
PROJECT No.	441_DBL HEDGES	EX 02	-

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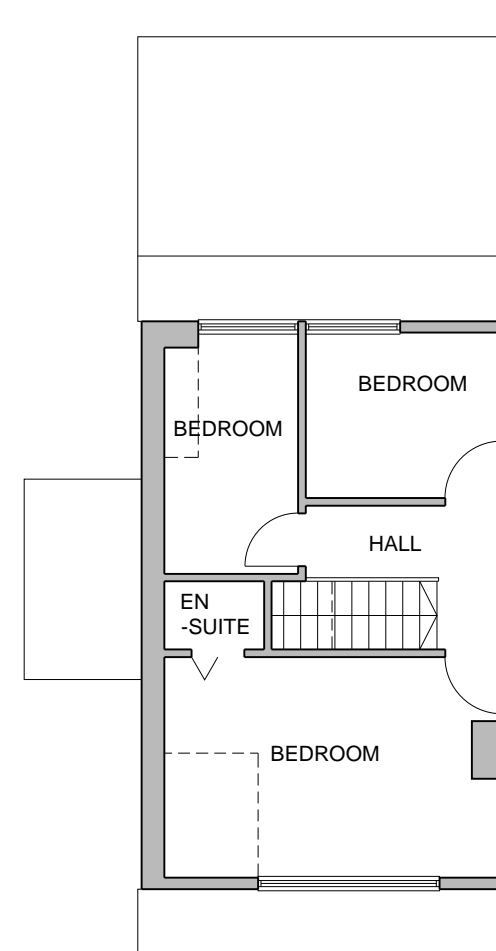


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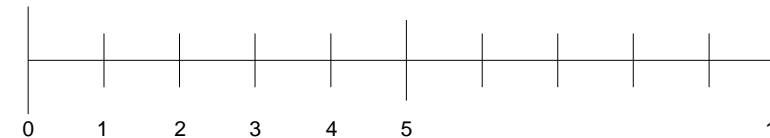


**EXISTING GROUND FLOOR LAYOUT**  
SCALE 1 : 100



**EXISTING FIRST FLOOR LAYOUT**  
SCALE 1 : 100

SCALE BAR IN METRES 1/100



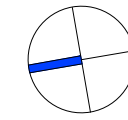
A	FEB 17	SITE UPDATED	SC	
REV	DATE	DESCRIPTION	DWN	CHD

ADDRESS  
**47 DOUBLE HEDGES  
NEILSTON  
GLASGOW G78 3JQ**

TITLE  
**EXISTING LAYOUT  
& ELEVATIONS**

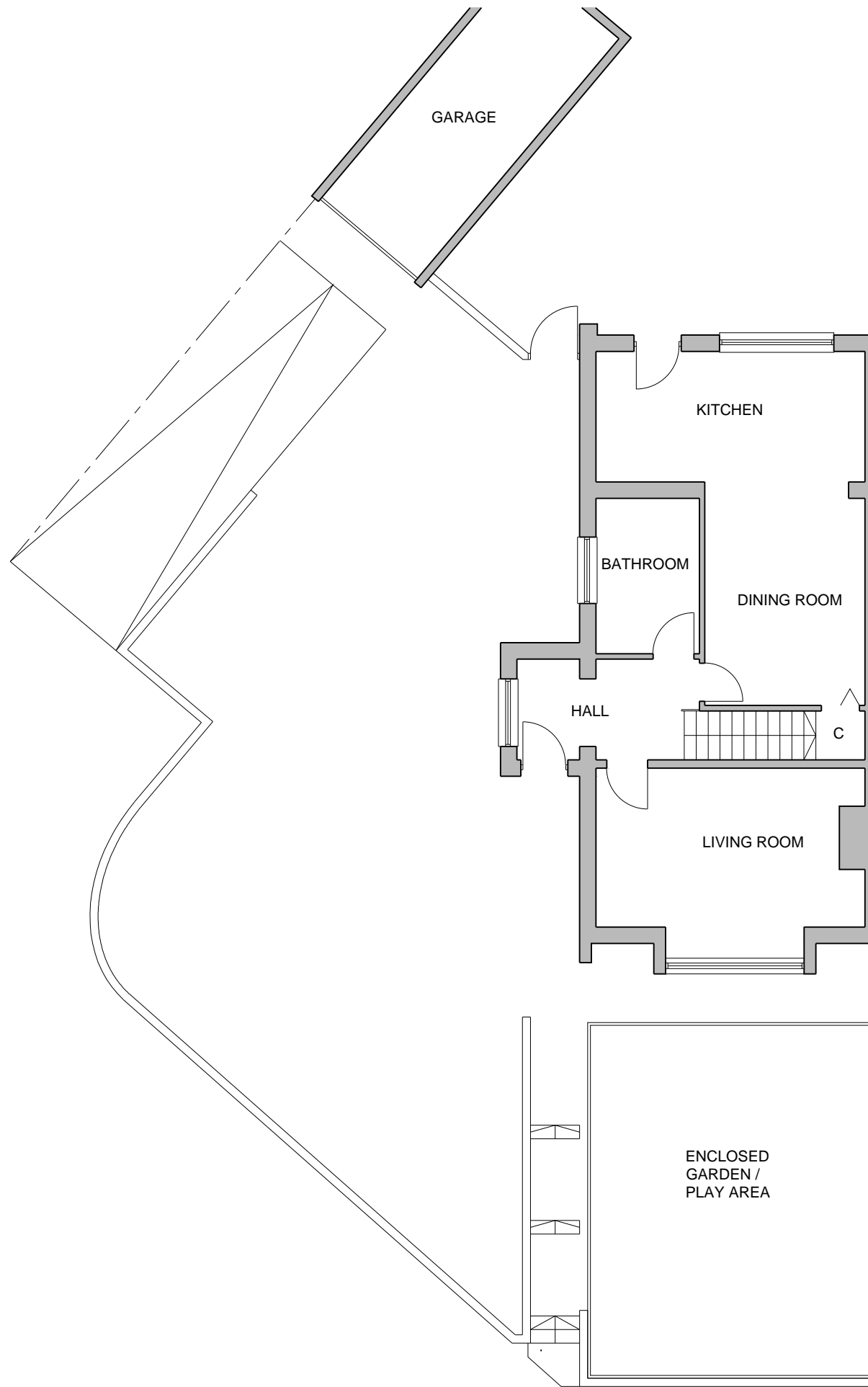
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DATE	JULY 2016	DWG	REV
PROJECT No.	441_DBL HEDGES	EX 01	A

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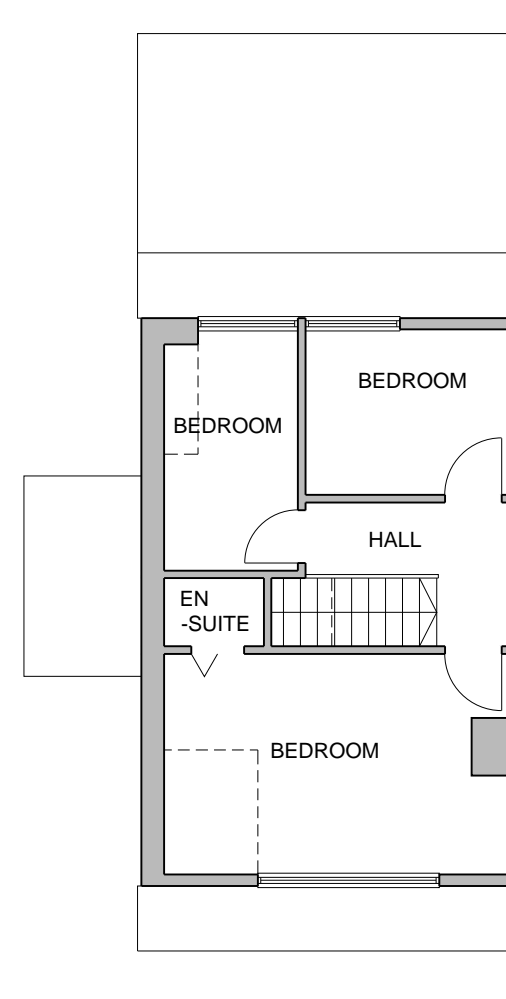


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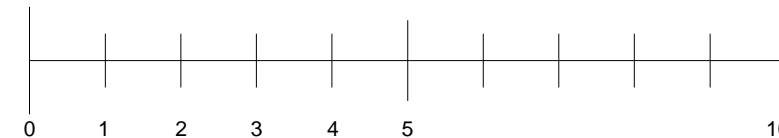


**EXISTING GROUND FLOOR LAYOUT**  
SCALE 1 : 100



**EXISTING FIRST FLOOR LAYOUT**  
SCALE 1 : 100

SCALE BAR IN METRES 1/100



REV	DATE	DESCRIPTION	DWN	CHD
ADDRESS				
47 DOUBLE HEDGES NEILSTON GLASGOW G78 3JQ				
TITLE				
EXISTING LAYOUT & ELEVATIONS				
STATUS	PLANNING	DRAWN BY SC		
SCALE	1:50 @ A3	CHECKED BY		
DATE	JULY 2016	DWG	REV	
PROJECT No.	441_DBL HEDGES	EX 01	-	

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97 KINGSTON AVENUE  
NEILSTON  
GLASGOW  
G78 3JE  
Tel: 0141 881 5678  
Mob: 07912 295 472  
email: steve@andjessltd.co.uk  
web: www.andjessltd.co.uk

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**LOCATION PLAN**  
SCALE 1 : 1250  
SCALE BAR IN METRES 1/1250  
0 5 10 20 30 40 50



**SITE PLAN**  
SCALE 1 : 250  
SCALE BAR IN METRES 1/250  
0 1 2 3 4 5 10 15 20 25

**Town and Country Planning  
(Scotland) Act 1997**

**REFUSED**

Director of Environment  
East Renfrewshire Council

A	FEB 17	SITE UPDATED	SC	
REV	DATE	DESCRIPTION	DWN	CHD
ADDRESS <b>47 DOUBLE HEDGES NEILSTON GLASGOW G78 3JQ</b>				
TITLE <b>PROPOSED LAYOUT &amp; ELEVATIONS</b>				
STATUS	PLANNING		DRAWN BY SC	
SCALE	1:VARIES @ A3		CHECKED BY	
DATE	MARCH 2016		DWG	REV
PROJECT No.	441_DBL HEDGES		PL 01 A	

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FINISHES

ROOF TILES TO MATCH EXISTING  
BRICKWORK TO MATCH EXISTING  
WINDOWS TO MATCH EXISTING  
RAINWATER DOWNPIPES AND  
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CLIENT

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**PROPOSED WEST ELEVATION**  
SCALE 1 : 100

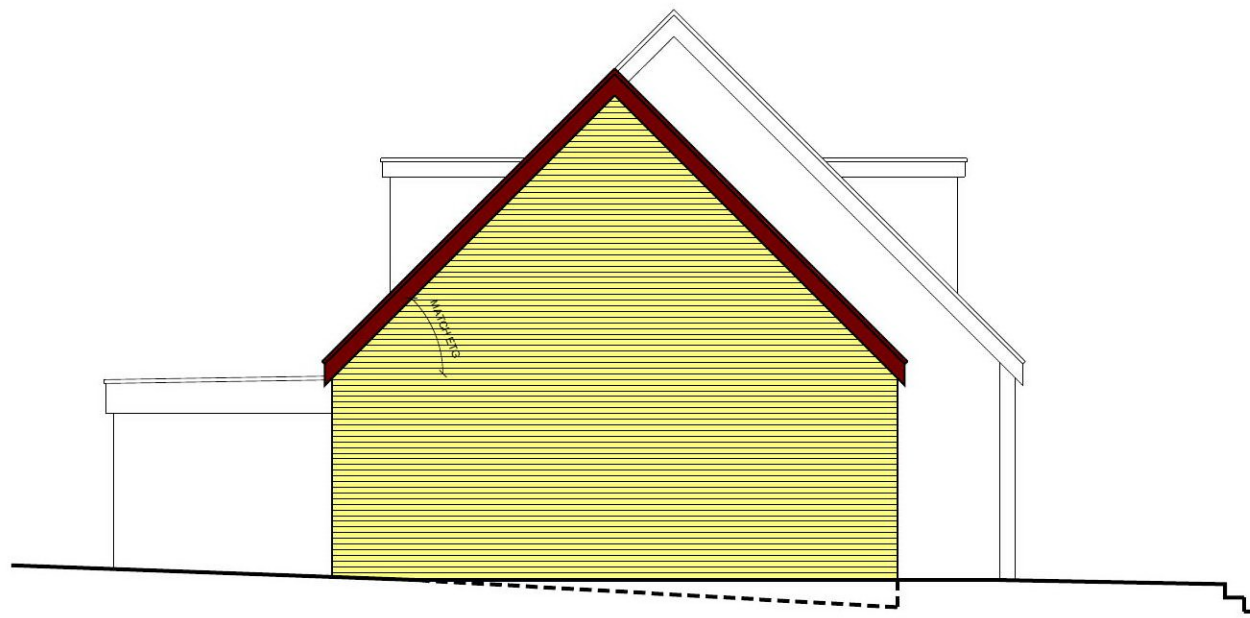


**PROPOSED EAST ELEVATION**  
SCALE 1 : 100

**Town and Country Planning  
(Scotland) Act 1997**

**REFUSED**

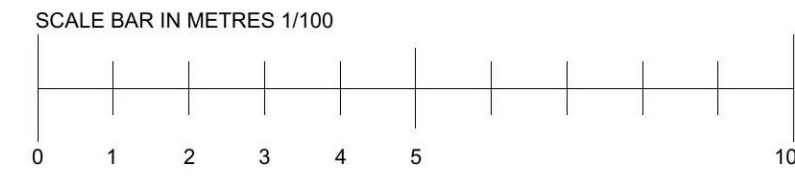
**Director of Environment  
East Renfrewshire Council**



**PROPOSED NORTH ELEVATION**  
SCALE 1 : 100



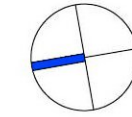
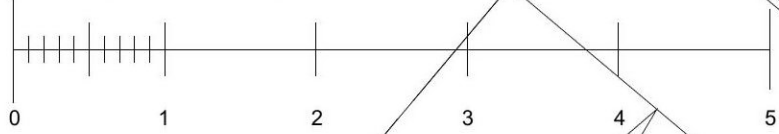
**PROPOSED SECTION**  
SCALE 1 : 100



REV	DATE	DESCRIPTION	DWN	CHD
A	FEB 17	GROUND LEVELS REVISED	SC	
ADDRESS				
47 DOUBLE HEDGES NEILSTON GLASGOW G78 3JQ				
TITLE				
PROPOSED LAYOUT & ELEVATIONS				
STATUS	PLANNING	DRAWN BY SC		
SCALE	1:100 @ A3	CHECKED BY		
DATE	JULY 2016	DWG	REV	
PROJECT No.	441_DBL HEDGES	PL 04 A		

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SCALE BAR IN METRES 1/50



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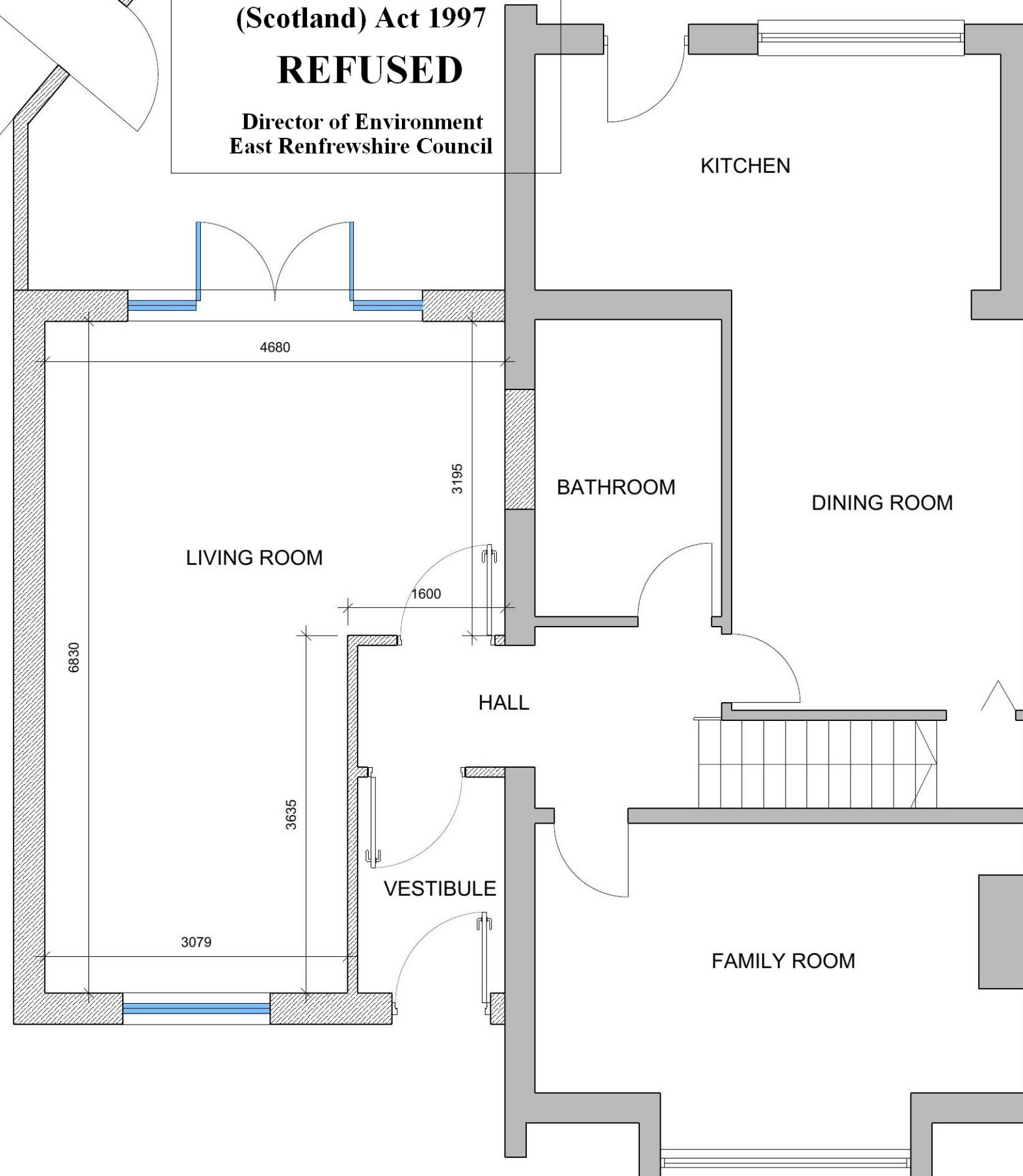
97 KINGSTON AVENUE  
NEILSTON  
GLASGOW  
G78 3JE  
Tel: 0141 881 5678  
Mob: 07912 295 472  
email: steve@andjessltd.co.uk  
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**Town and Country Planning  
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A	FEB 17	SITE UPDATED	SC
REV	DATE	DESCRIPTION	DWN CHD

ADDRESS  
**47 DOUBLE HEDGES  
NEILSTON  
GLASGOW G78 3JQ**

TITLE  
**PROPOSED LAYOUT  
& ELEVATIONS**

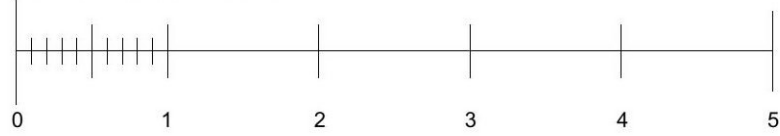
STATUS	PLANNING	DRAWN BY SC
SCALE	1:50 @ A3	CHECKED BY
DATE	JULY 2016	DWG REV PL 02 A
PROJECT No.	441_DBL HEDGES	

**PROPOSED GROUND FLOOR LAYOUT**  
SCALE 1 : 50

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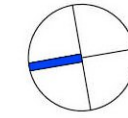
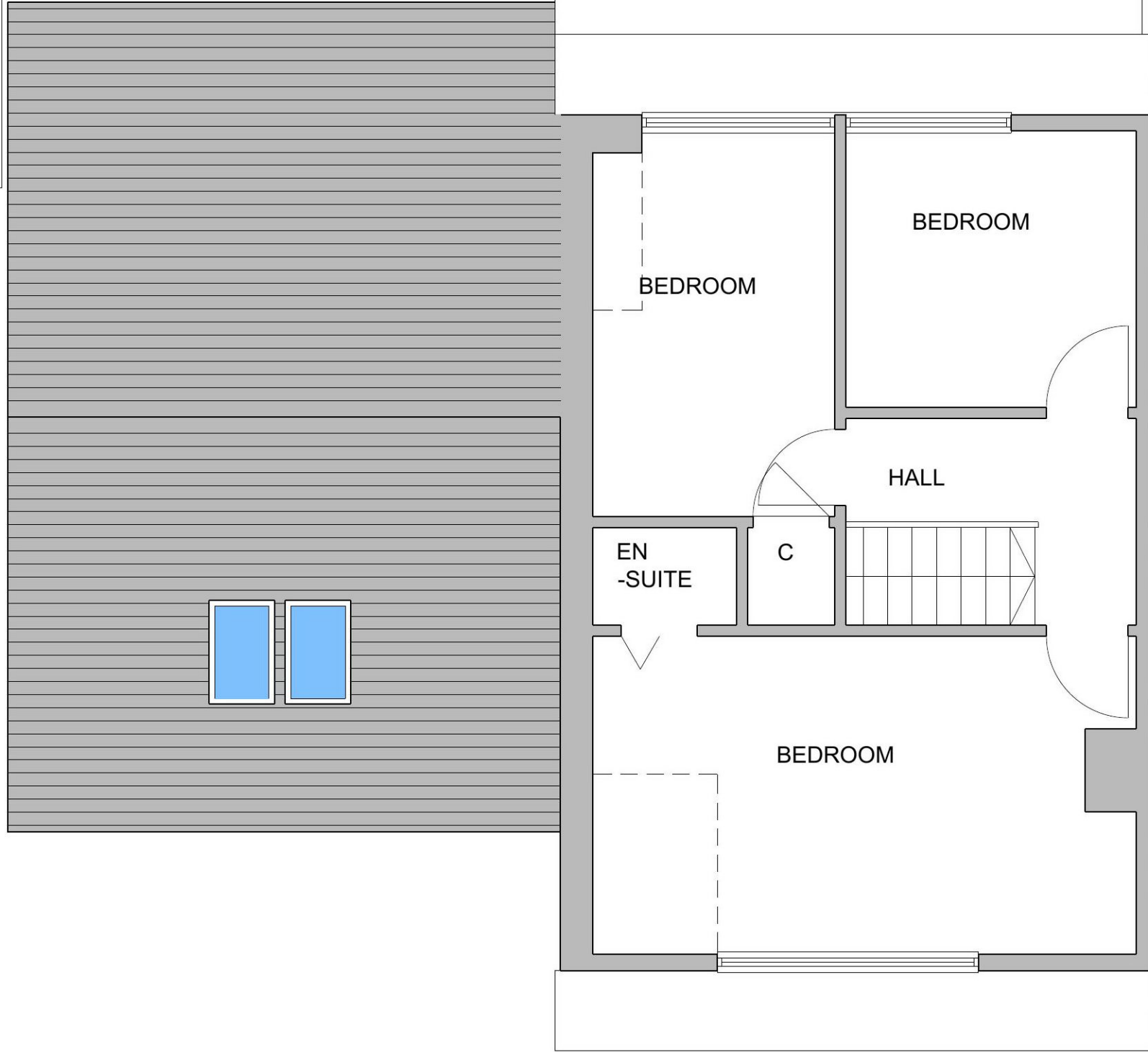
SCALE BAR IN METRES 1/50



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REV	DATE	DESCRIPTION	DWN	CHD
-	-	-	-	-

ADDRESS  
47 DOUBLE HEDGES  
NEILSTON  
GLASGOW G78 3JQ

TITLE  
PROPOSED LAYOUT  
& ELEVATIONS

STATUS	PLANNING	DRAWN BY	SC
SCALE	1:50 @ A3	CHECKED BY	
DATE	JULY 2016	DWG	REV
PROJECT No.	441_DBL HEDGES	PL 03	-

**PROPOSED FIRST FLOOR LAYOUT**  
SCALE 1 : 50

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