

EAST RENFREWSHIRE COUNCILLOCAL REVIEW BODY15 February 2017Report by Deputy Chief ExecutiveREVIEW OF CASE - REVIEW/2016/18ERECTION OF THREE STOREY DETACHED DWELLINGHOUSE AND
DETACHED GARAGE AT REAR OF 23 ELPHINSTONE ROAD, NEWTON MEARNES**PURPOSE OF REPORT**

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

DETAILS OF APPLICATION

2. Application type: Full Planning Permission (Ref No:- 2016/0630/TP).
Applicant: Mr N Iqbal.
Proposal: Erection of three storey detached dwellinghouse and detached garage at rear.
Location: 23 Elphinstone Road, Newton Mearns.
Council Area/Ward: Newton Mearns South (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 (Major Programmes and Projects).

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 his review has stated the reasons for requiring the review of the determination of his application. A copy of the applicant’s Notice of Review and Statement of Reasons is attached as Appendix 4.

9. The applicant is entitled to state a preference for the procedure (or combination of procedures) to be followed by the Local Review Body in the determination of the review and has indicated that his stated preference is a site inspection.

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 has agreed to carry out an unaccompanied site inspection on Wednesday, 15 February 2017 immediately before the meeting of the Local Review Body which is scheduled to 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. 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 other properties in the surrounding area which were not in the application file.

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's agent has explained that in his opinion, the information is not new as the case officer has alluded to the properties in the 'Report of Handling' and were obviously viewed by the case officer on site visits prior to writing the 'Report of Handling'. On this basis, the applicant's agent does not consider the information to be new and argues that it is acceptable in terms of the legislation.

18. The Local Review Body must decide whether the new information should be considered as part of the review. In the event that it does, it is recommended, in the interests of equality of opportunity to all parties that the Appointed Officer be given the opportunity to comment on the new information.

19. Members should note that the new information has been excluded from the applicant's 'Notice of Review' form.

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

- (a) Application for planning permission – Appendix 1 (Pages);
- (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
- (d) A copy of the applicant's Notice of Review and Statement of Reasons - Appendix 4 (Pages).

21. The applicant has also submitted the drawings listed below (available for inspection within the Planning Division of the Environment Department prior to the meeting and for reference at the meeting) and these are attached as Appendix 5 (Pages).

- (a) Location Plan and Site Plans as Existing – PL01;
- (b) Lower Ground Floor as Existing – PL02;
- (c) Ground Floor Plan as Existing – PL03;
- (d) First Floor Plan as Existing – PL04;
- (e) Roof Plan as Existing – PL05;
- (f) Sections AA and BB as Existing – PL06;
- (g) Front and Rear Elevations as Existing – PL07;
- (h) Side Elevations as Existing – PL08;
- (i) Refused - Location Plan and Site Plans as Proposed – PL09;
- (j) Refused - Lower Ground Floor as Proposed – PL10;
- (k) Refused - Ground Floor Plan as Proposed – PL11;
- (l) Refused - First Floor Plan as Proposed – PL12;
- (m) Refused - Roof Plan as Proposed – PL13;
- (n) Refused - Front Elevation as Proposed – PL14;
- (o) Refused - Side Elevation as Proposed – PL15;
- (p) Refused - Side Elevation as Proposed – PL16;
- (q) Refused - Rear Elevation as Proposed – PL17;
- (r) Refused – Elevations As Existing and Proposed – PL18; and
- (s) Refused – Garage Plans and Elevations a Proposed – PL19.

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

23. All the documents referred to in this report can be viewed online on the Council's website at www.eastrenfrewshire.gov.uk with the exception of any representations that have been made to the application.

RECOMMENDATIONS

24. The Local Review Body is asked to:-

- (a) consider whether it has sufficient information to allow it to proceed to determine the review without further procedure and, if so, that:-
 - (i) it proceeds to determine whether the decisions taken in respect of the application under review should be upheld, reversed or varied; and
 - (ii) in the event that the decision is reversed or varied, the reasons and the detailed conditions to be attached to the decision letter are agreed.
- (b) In the event that further procedure is required to allow it to determine the review, consider:-
 - (i) what further information is required, which parties are to be asked to provide the information and the date by which this is to be provided; and/or;
 - (ii) what procedure or combination of procedures are to be followed in determining the review.

Report Author: Paul O'Neil

Director - Caroline Innes, Deputy Chief Executive

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

Date:- January 2017

BLANK PAGE

APPLICATION FORM

BLANK PAGE



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 100026144-003

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

Type of Application

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

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

Description of Proposal

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

Partial demolition of existing dwellinghouse and erection of 3 storey dwellinghouse with detached garage.

Is this a temporary permission? *

Yes No

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

Yes No

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

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

No Yes – Started Yes - Completed

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	inkdesign architecture Ltd		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	Maurice	Building Name:	The Briggait
Last Name: *	Hickey	Building Number:	127
Telephone Number: *	0141 552 2729	Address 1 (Street): *	Bridgeway
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	Glasgow
Fax Number:	<input type="text"/>	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 Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	N	Building Number:	23
Last Name: *	Iqbal	Address 1 (Street): *	Elphinstone Road
Company/Organisation:	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	Newton Mearns
Extension Number:	<input type="text"/>	Country: *	Scotland
Mobile Number:	<input type="text"/>	Postcode: *	G46 6TF
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:

POLBAE

Address 2:

23 ELPHINSTONE ROAD

Address 3:

NEWTON MEARNS

Address 4:

Address 5:

Town/City/Settlement:

GLASGOW

Post Code:

G46 6TF

Please identify/describe the location of the site or sites

Northing

657046

Easting

255594

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)

The built form either side has horizontal emphasis off-set by the verticals of the window openings and mullions, whereas the proposed house introduces strong vertical elements in the two front projections and double height bay. The roof to wall ratio of the adjacent houses is 50% or greater. This is perhaps due in part to the desire to ensure it does not project higher than the houses either side and due also to the depth of the dwelling.

Title:

Mr

Other title:

First Name:

Derek

Last Name:

Scott

Correspondence Reference Number:

PREAPP/2016/0318/TP

Date (dd/mm/yyyy):

28/07/2016

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

Site Area

Please state the site area:

1025.00

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

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

Existing 4 bedroom dwellinghouse

Access and Parking

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

Yes No

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

Are you proposing any change to public paths, public rights of way or affecting any public right of access? *

Yes No

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

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

4

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

4

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

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? *

Yes No

Do your proposals make provision for sustainable drainage of surface water?? * (e.g. SUDS arrangements) *

Yes No

Note:-

Please include details of SUDS arrangements on your plans

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

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

- Yes
 No, using a private water supply
 No connection required

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

Assessment of Flood Risk

Is the site within an area of known risk of flooding? *

Yes No Don't Know

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

Do you think your proposal may increase the flood risk elsewhere? *

Yes No Don't Know

Trees

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

Yes No

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

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? *

Yes No

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

As existing

Residential Units Including Conversion

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

Yes No

All Types of Non Housing Development – Proposed New Floorspace

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

Yes No

Schedule 3 Development

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

Yes No Don't Know

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

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

Planning Service Employee/Elected Member Interest

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

Yes No

Certificates and Notices

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

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

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

Yes No

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

Yes No

Certificate Required

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

Certificate A

Land Ownership Certificate

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

Certificate A

I hereby certify that –

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

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

Signed: Maurice Hickey

On behalf of: Mr N Iqbal

Date: 23/09/2016

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

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

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

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

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

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

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

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

Provide copies of the following documents if applicable:

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

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

Declare – For Application to Planning Authority

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

Declaration Name: Mr Maurice Hickey

Declaration Date: 23/09/2016

REPORT OF HANDLING

BLANK PAGE

REPORT OF HANDLING

Reference: 2016/0630/TP

Date Registered: 3rd October 2016

Application Type: Full Planning Permission

This application is a Local Development

Ward: 5 -Newton Mearns South

Co-ordinates: 255594/:657046

Applicant/Agent:

Applicant:
Mr N Iqbal
23 Elphinstone Road
Newton Mearns
East Renfrewshire
G46 6TF

Agent:
Inkdesign Architecture Ltd
Maurice Hickey
The Briggait
127 Bridgegate
Glasgow
G1 5HZ

Proposal: Erection of three storey detached dwellinghouse and detached garage at rear

Location: Polbae
23 Elphinstone Road
Newton Mearns
East Renfrewshire
G46 6TF

CONSULTATIONS/COMMENTS: None.

PUBLICITY:

14.10.2016 Glasgow and Southside Extra Expiry date 04.11.2016

SITE NOTICES:

Development within a Conservation Area Date posted 14.10.2016 Expiry date 04.11.2016

SITE HISTORY:

2015/0590/TP	Erection of upper floor extension and external alterations to form three and a half storey dwellinghouse in place of two and a half storey dwellinghouse; erection of detached garage at rear	WIT	12.10.2015
2015/0591/CAC	Demolition of existing	ASTC	03.02.2016

dwellinghouse
(conservation area
consent)

2015/0702/TP

Erection of three and a
half storey dwellinghouse
with detached garage at
rear following demolition
of existing dwellinghouse

REF

07.01.2016

REPRESENTATIONS: No representations have been received.

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

A Planning Statement has been submitted with this application. The statement describes the existing situation and seeks to justify the proposed replacement dwelling in terms of the applicant's needs, the roof design and materials.

ASSESSMENT:

The application site comprises a detached one and a half storey dwelling and its curtilage and lies within an established residential area within the Upper Whitecraigs Conservation Area. The site slopes downwards from the frontage with Elphinstone Road towards the rear boundary, such that the rear of the dwelling is two and a half storeys high. This is a feature in common with the adjacent dwellings to either side, which are also one and half storeys when viewed from Elphinstone Road, but which have two and a half storeys to the rear. The dwelling dates from the 1930s but has been extended to the rear and has a large roof terrace. The side and rear boundaries are characterised by established planting, although it is possible at present to look into the rear gardens of the adjacent properties to either side through gaps in the planting. Side windows to habitable rooms on the adjacent house to the north-west are also clearly visible from the roof terrace. To the rear, the gardens are sufficiently large and at a much lower level, such that overlooking does not occur. The existing dwelling stands 6.2 metres high to the ridge when viewed from Elphinstone Road and 8.5 metres to the rear.

The immediate area, when viewed from Elphinstone Road, is characterised by large bungalows and one and a half storey dwellings. A number of properties have been redeveloped in the past to form large two storey villas, although those are further along Elphinstone Road to the north-west and on Erskine Road.

Planning permission is sought for the erection of a three storey dwelling and detached triple garage following the substantial demolition of the dwelling. The applicant proposes to retain the lower ground floor sub-structure in order to minimise ground works, service installation and engineering costs. The existing roof terrace to the rear will also be retained. The proposed dwelling is of a hipped roof, double frontage villa design and measures 10 metres high from ground level at the front to the ridge. From the rear it stands 13.2 metres high taking account of the drop in levels and underbuilding. The dwelling is proposed to be externally finished with clay roofing tiles, render, brown facing brick and timber windows. Mullions and cills will be sandstone. A top floor rear-facing balcony is also proposed.

An associated application for Conservation Area Consent has been submitted (2015/0591/CAC) which relates to the demolition of the house only.

The existing dwelling dates from the 1930s and whilst it has been extended and altered in the past, it nevertheless maintains the relatively modest proportions of a bungalow when viewed from Elphinstone Road. It has some brick detailing around the windows and doors which adds to its character. In this regard, it is considered to be in keeping with the character and scale of the immediately adjacent properties on this stretch of Elphinstone Road and is reflective of the character of the Conservation Area at this locale. The applicant's house and its neighbours sit within mature gardens and neither one stands out relative to the others.

The proposed house with a large, double fronted three storey dwelling (two to the front) could not be considered to be in keeping with the prevailing character, house types and scale of dwellings in the part of the Conservation Area. A large three storey house, positioned between two one and half storey dwellings and opposite bungalows would be an incongruous addition to the streetscape that would draw the eye and detract from the character of the immediate area. The proposed house would be visually dominant.

The site lies within Character Area 2 of the Conservation Area and defined within the Upper Whitecraigs Conservation Area Appraisal. The predominant external materials Character Area 2 are harl, red brick, red or yellow sandstone and slate or clay roofing tiles. The proposed external materials could therefore be considered to be in keeping with this palette. Nevertheless, the Conservation Area Appraisal also lists some negative factors that have degraded the character of the Conservation Area in recent years. Those include modern development that is not sympathetic to the traditional materials and styles of the historic buildings. This current proposal is considered to contribute further to this negative factor as it proposes a house style that is not in keeping with the existing historic fabric. It is therefore considered that, the proposal is considered to be contrary to Policies D1, D11 and D15 of the adopted East Renfrewshire Local Development Plan as it would detract from the character and amenity of the Conservation Area.

It is accepted that it is possible to look into the adjacent gardens to either side at present, especially from the raised patio which is to be retained. However, this situation would be exacerbated by the top floor balcony.

The contents of the Planning statement are noted but are not considered to outweigh the above considerations.

Overall Conclusion

It is considered on balance, that the proposal is contrary to Policies D1 and D11 of the adopted East Renfrewshire Local Development Plan as it would result in an incongruous and dominating addition to the streetscape that would be detrimental to the character and amenity of the Conservation Area and it would give rise to an unacceptable additional overlooking issue.

RECOMMENDATION: Refuse

PLANNING OBLIGATIONS: None.

REASON:

1. The proposal is contrary to Policies D1, D11 and D15 of the adopted East Renfrewshire Local Development Plan as it would result in an incongruous and dominating addition to the streetscape that would be detrimental to the character

and amenity of the Conservation Area and it would give rise to an unacceptable additional overlooking issue.

ADDITIONAL NOTES: None.

ADDED VALUE: None

BACKGROUND PAPERS:

Further information on background papers can be obtained from Mr Derek Scott on 0141 577 3034.

Ref. No.: 2016/0630/TP
(DESC)

DATE: 18th November 2016

DIRECTOR OF ENVIRONMENT

Reference: 2016/0630/TP - Appendix 1

DEVELOPMENT PLAN:

Strategic Development Plan

This proposal raises no strategic issues in terms of the Glasgow and the Clyde Valley Strategic Development Plan and therefore the East Renfrewshire Local Plan is the relevant policy document

Adopted East Renfrewshire Local Development Plan

Policy D1

Detailed Guidance for all Development

Proposals for development should be well designed, sympathetic to the local area and demonstrate that the following criteria have been considered, and, where appropriate, met. In some cases, where the criteria have not been met, a written justification will be required to assist with assessment.

1. The development should not result in a significant loss of character or amenity to the surrounding area;
2. The proposal should be of a size, scale, massing and density that is in keeping with the buildings in the locality and should respect local architecture, building form, design, and materials;
3. The amenity of neighbouring properties should not be adversely affected by unreasonably restricting their sunlight or privacy. Additional guidance on this issue is available in the Daylight and Sunlight Design Guide Supplementary Planning Guidance;
4. The development should not impact adversely on landscape character or the green network, involve a significant loss of trees or other important landscape, greenspace or biodiversity features;
5. Developments should incorporate green infrastructure including access, landscaping, greenspace, water management and Sustainable Urban Drainage Systems at the outset of the design process. Where appropriate, new tree or shrub planting should be

incorporated using native species. The physical area of any development covered by impermeable surfaces should be kept to a minimum to assist with flood risk management. Further guidance is contained within the Green Network and Environmental Management Supplementary Planning Guidance;

6. Development should create safe and secure environments that reduce the scope for anti-social behaviour and fear of crime;
7. Developments must be designed to meet disability needs and include provision for disabled access within public areas;
8. The Council will not accept 'backland' development, that is, development without a road frontage;
9. Parking and access requirements of the Council should be met in all development and appropriate mitigation measures should be introduced to minimise the impact of new development. Development should take account of the principles set out in 'Designing Streets';
10. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the development;
11. Developments should include provision for the recycling, storage, collection and composting of waste materials;
12. Where possible, all waste material arising from construction of the development should be retained on-site for use as part of the new development;
13. Where applicable, new development should take into account the legacy of former mining activity;
14. Development should enhance the opportunity for and access to sustainable transportation, including provision for bus infrastructure, and particularly walking and cycle opportunities including cycle parking and provision of facilities such as showers/lockers, all where appropriate. The Council will not support development on railways solums or other development that would remove opportunities to enhance pedestrian and cycle access unless mitigation measures have been demonstrated;
15. The Council requires the submission of a design statement for national and major developments. Design statements must also be submitted in cases where a local development relates to a site within a conservation area or Category A listed building in line with Planning Advice Note 68: Design Statements.
16. Where applicable, developers should explore opportunities for the provision of digital infrastructure to new homes and business premises as an integral part of development.

Policy D11

Management and Protection of the Built Heritage

The Council will safeguard the special character of conservation areas and the Netherlee Article 4 Direction Area; sites included on the Inventory of Gardens and Designed Landscapes; scheduled monuments and archaeological sites; and listed buildings and their settings. Development likely to adversely affect these assets will be resisted.

Further detailed information and guidance is provided in the Management and Protection of the Built Heritage Supplementary Planning Guidance.

The Council will seek to secure the implementation of the environmental protection projects shown on the Proposals Map and listed in Schedule 5

Policy D15

Sub-division of the Curtilage of a Dwellinghouse for a New Dwellinghouse and Replacement of an Existing House with a New House

The proposed plot should reflect the established pattern of development and should be of a size

and shape capable of accommodating a dwellinghouse. There should also be sufficient land to provide garden ground that is of a scale and character compatible with the locality.

Any new house must reflect the scale and character of the surrounding residences and the established pattern of development in the area. It should be designed to contribute to the visual character of the area.

Existing building lines should be respected.

Development should provide safe vehicular access and parking in accordance with the Council's roads and parking standards.

GOVERNMENT GUIDANCE: None relevant

Finalised18/11/2016.IM.

**DECISION NOTICE
AND
REASONS FOR REFUSAL**

BLANK PAGE

**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. **2016/0630/TP**

Applicant

Mr N Iqbal
23 Elphinstone Road
Newton Mearns
East Renfrewshire
G46 6TF

Agent:

Inkdesign Architecture Ltd
Maurice Hickey
The Briggait
127 Bridgegate
Glasgow
G1 5HZ

With reference to your application which was registered on 3rd October 2016 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Erection of three storey detached dwellinghouse and detached garage at rear

at: Polbae 23 Elphinstone Road Newton Mearns East Renfrewshire G46 6TF

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, D11 and D15 of the adopted East Renfrewshire Local Development Plan as it would result in an incongruous and dominating addition to the streetscape that would be detrimental to the character and amenity of the Conservation Area and it would give rise to an unacceptable additional overlooking issue.

Dated 18th November 2016



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	PL09		
Elevations Proposed	PL14		
Elevations Proposed	PL16		
Elevations Proposed	PL15		
Elevations Proposed	PL17		
Plans Proposed	PL11		
Plans Proposed	PL12		
Plans Proposed	PL10		
Plans Proposed	PL13		
Elevations Proposed	PL19		
Street Scene	PL18		

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. Alternatively, you can download a Notice of Review form (along with notes for guidance) from 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

**NOTICE OF REVIEW
AND
STATEMENT OF REASONS**

BLANK PAGE



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 100031884-001

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

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Bennett Developments and Consulting		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Don	Building Name:	
Last Name: *	Bennett	Building Number:	10
Telephone Number: *	07989417307	Address 1 (Street): *	park court
Extension Number:		Address 2:	
Mobile Number:	07989417307	Town/City: *	glasgow
Fax Number:		Country: *	United Kingdom
		Postcode: *	g467pb
Email Address: *	don@bennettgroup.co.uk		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Polbae"/>
First Name: *	<input type="text" value="Nad"/>	Building Number:	<input type="text" value="23"/>
Last Name: *	<input type="text" value="Iqbal"/>	Address 1 (Street): *	<input type="text" value="Elphinstone Road"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Glasgow"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="G46 6TF"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

Site Address Details

Planning Authority:	<input type="text" value="East Renfrewshire Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="POLBAE"/>
Address 2:	<input type="text" value="23 ELPHINSTONE ROAD"/>
Address 3:	<input type="text" value="NEWTON MEARNS"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="GLASGOW"/>
Post Code:	<input type="text" value="G46 6TF"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="657046"/>	Easting	<input type="text" value="255594"/>
----------	-------------------------------------	---------	-------------------------------------

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 three storey detached dwellinghouse and detached garage at rear

Type of Application

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

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

What does your review relate to? *

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

Statement of reasons for seeking review

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

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

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

Failure to properly consider the application and to properly justify the decision taken

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

PLANNING STATEMENT PHOTOGRAPHS

Application Details

Please provide details of the application and decision.

What is the application reference number? *

2016/0630/TP

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

26/09/2016

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

18/11/2016

Review Procedure

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

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

Yes No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure *

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

A site visit would demonstrate that the stance taken by planning staff is at odds with what is actually on the ground.

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

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

Yes No

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

Yes No

Checklist – Application for Notice of Review

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

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

Yes No

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

Yes No

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

Yes No N/A

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

Yes No

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

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

Yes No

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

Declare – Notice of Review

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

Declaration Name: Mr Don Bennett

Declaration Date: 02/12/2016

BLANK PAGE



PLANNING STATEMENT

20.9.2016

23 ELPHINSTONE ROAD, GIFFNOCK

Background

The property is located to the east end of Elphinstone Road within the Upper Giffnock Conservation Area. While accorded Conservation Area status, no one type of dwelling predominates and no one construction period is prevalent. There is however an eclectic mix of attractive and well mannered properties ranging from turn of the century villas through modern villas to smaller properties and bungalows built between 1930 and 1950. There are few buildings of architectural or historic significance.

The existing property falls into the category of bungalow and was built in the 1940's and comprises of a one and a half storey dwelling on the main front elevation, increasing to three storeys to the rear due to the steeply sloping nature of the site.

The property is small even by the standards of those adjacent and has some features which may owe their origins to the Arts and Craft Movement though the house itself post dates that particular time. Given the small size of the original house, previous owners have extended the property to the rear to provide more accommodation and to avail themselves of the fine views afforded from the rearward facing rooms.

The result is a property which whilst having a significant number of rooms, lacks any rooms of significant size which has prompted the current owners, the applicant, to pursue this proposal to redevelop the property.

Proposal

The proposed development will in the main retain the existing footprint though there will be a small single storey addition added to the westward edge, which will increase the original footprint slightly.

As stated previously the existing property does not offer a schedule of accommodation appropriate to the needs of a modern family and to this end the proposal envisages the complete reworking of the original building.

In dialogue with the planning officer there was much discussion on the context within which the redevelopment of the site should be set. Whilst the properties immediately adjacent are of a similar bungalow design the wider context has a mix of different styles and scales of dwellings and it is in that context that we consider an assessment of the design for this site should be set.

The design therefore is for a two/three storey dwelling featuring a strong vertical theme by highlighting the front elevation which has two "buttresses" flanking a recessed entranceway. Of particular interest is the bold and powerful roof which seeks to balance the vertical scale by focusing emphasis on the steeply raked roof and the way in which it has been taken down to the single storey side extension thereby making the roof the dominant feature and in the process diminishing the two storey elevation. It is worth noting that the design has skilfully managed to

Proprietor: Don Bennett Dip TP MRTPI FFB

produce a roof pitch which is the same as that on the adjacent properties thereby providing a continuity of design and skyline. As a result of that architectural expression, the building happily engages with those on either side without creating a tension or conflict.

Due to the steeply sloping site the rear of the property extends over three floors with both public rooms and bedrooms enjoying the spectacular views while the public rooms enjoy direct access onto a large glazed terrace.

In developing this form and expressing the distribution of rooms over three floors, on the rear, the proposed development is echoing the other properties on the Road, as all have sought quite rightly, to avail themselves of the opportunities offered by the sloping site.

Mindful of the Conservation Area status, a select and restrained palette of materials has been selected which embrace the design philosophy whilst drawing inspiration from the materials used elsewhere within the area. To this end the building will be finished in white rough harl render with a brown facing brick base course, which will echo the brown facing brick on the boundary walls, creating a harmony between the building and its surroundings. Mullions and cills will be picked out in blonde sandstone. The roof will be clad in a dark red clay tile to match that on the adjacent properties.

Windows will be timber double glazed and finished in dark grey.

The overall effect will be of a restrained yet elegant building which whilst of a different style from those adjacent will nonetheless complement the other properties in the area and contribute to the ambience and quality of the surroundings.

Summary

In promoting this proposal, the applicants are seeking to deliver a quality development which will not only meets their needs but in the process create a building of quality using a palette of fine materials to a restrained design which has produced a building of restrained elegance.

That it is different from the buildings adjacent is not contested, but throughout the Conservation Area, difference and variety abound, and it is that mix of different scales and designs which are the hallmark of the Conservation Area. In promoting this design the applicants are continuing that dynamic and delivering a building which can happily take its place in this interesting and diverse area.

Bennett Developments and Consulting

PLANNING STATEMENT

1.12.2016

APPLICATION No: 16/0630/TP

23 ELPHINSTONE ROAD, GIFFNOCK, G46 6TF

**REFUSAL OF PLANNING CONSENT FOR ERECTION OF DETACHED DWELLING WITH
DETACHED GARAGE AT REAR**

REASONS FOR APPEAL

In lodging this appeal it is contested that the planning authority failed to demonstrate or justify their decision, and that their decision was based on nothing more than entrenched views and an unwillingness to properly consider the proposed development.

BACKGROUND

The property, though unremarkable in itself lies within the Upper Giffnock Conservation Area which contrary to the norm in conservation areas has no one dominant house type or design. Indeed the area is characterised by a mix of different house styles, type and age built in the period 1930-1950. There are few if any buildings of architectural significance.

Within this mix of different dwelling types, the property in question was one of the smallest, which explains why previous owners have extended the property to the rear, utilising the steeply sloping site and availing themselves of the panoramic views.

The result is a dwelling which whilst having a number of rooms, has no rooms of any significant size and as a result does not meet the requirements of the owner.

PROPOSED DEVELOPMENT

In formulating the submitted proposal, the design team worked closely with the applicant to explore a number of possible architectural designs which would provide the schedule of accommodation required by the clients and at the same time satisfy the position taken by the planning staff which from the outset, was felt to be restrictive and obstructive.

From the earliest discussions it was made clear to the design team that virtually nothing short of the same scale of house would be acceptable.

Given that the surrounding properties are all of different size, scale and mass, many of them substantially larger than the existing dwelling, the position taken by planning staff was felt to be unsustainable and effectively inhibited any likelihood of a constructive dialogue. Also the existing building is of no architectural merit, makes no significant statement on the streetscape and the demolition of it has already been accepted and approved. In the circumstances to require that we virtually replicate the same again seemed wholly unreasonable.

The attached photographs illustrate the diverse nature of the buildings in the area, none of which are of any great architectural merit and some are really quite poor. The photos also illustrate that the area is characterised by houses of different scale and mass being adjacent to each other and that what we are proposing is entirely in keeping with that pattern.

Notwithstanding, the design team undertook a series of design exercises with the owners to investigate whether or not it was possible to comply with the demands of planning staff and a number of design studies were produced and discussed without any positive response being forthcoming.

These were well considered designs which would have integrated well on the site, yet, the fact that they did not reflect the near enough exact design features of the existing building appeared to render them unacceptable.

Curiously enough the only design which seem to be viewed with some enthusiasm was an ultra modern design which bore no relation to anything in the surrounding area and was constructed of materials not present on any adjacent buildings. However this design was not what the applicant wanted so was not pursued, but it does indicate the strange thought processes of the planning staff who on one hand were insistent on a traditional built form and traditional materials yet seemed at the same time to be positive about a building that was at odds with all of these tenets, and by their own standards should have been instantly dismissed.

It was only after constant reversals that it was decided to lodge the design which is the subject of this appeal. This quality design embraced the language of the surrounding properties, used the same palette of materials and produced a striking design which respected and complemented the surrounding buildings and made a positive and powerful contribution to the conservation area.

Evidence of the design teams attempts to ensure a dwelling which would reflect its setting within the conservation area, is clearly evidenced in the design where the two storey front elevation has been skilfully diminished in scale by the roof which not only reposes at the same angle of pitch as the roofs adjacent but strikes the same ridge height.

The effect is to produce a building which rests comfortably within the adjacent properties by drawing inspiration from design elements of these buildings and thus retaining the linear flow of this group of buildings.

It was felt that this was a very positive and genuine attempt to meet the views of the planning staff and to comply with the terms of the said policies, in that the proposed development was of a scale size and massing of those nearby.

REPORT OF HANDLING

In the Report of Handling and in determining the application reference is made to Policy D1, D11 and D15 and these are used to defend the decision to refuse and to assert that the proposal does not comply with the guidance offered in those policies. Collectively they seek to ensure that any development should be sympathetic to its surroundings and not detract from the area in which it is located.

Whilst the policies do offer guidance, it is just that, guidance and is not overly prescriptive which is entirely appropriate.

It is a matter of concern therefore that the Report of Handling is riddled with inaccuracies and misinformation and there is no constructive, competent or even critical analysis of the design or any recognition of the attempts that have been made to offer a design which we rightly felt embraced the spirit of the said policies. Indeed there is no assessment of the design other than to observe that

the front elevation is too high and is incongruous, which is nothing more than a subjective opinion and is not a matter of fact, making the observation questionable and of limited value.

It is claimed for example, that the proposed three storey development would appear incongruous when seen between the adjacent one and a half storey bungalows. This is a blatant falsehood. In the first place, the proposed dwelling is two storeys at the front, not three as is claimed, and is three at the rear which cannot be seen, just as the adjacent bungalows have extra storeys to the rear. In fact an accurate description of the adjacent bungalows is that they are one and a half storey to the front and two and a half to the rear, while the proposed dwelling is two storeys to the front and three to the rear. To claim therefore that from the street the proposed dwelling would read as a three storey building set between two one and a half storey dwellings is simply untrue. To then claim that it would appear incongruous when seen against the bungalows opposite is also untrue. The bungalows opposite sit on an elevated site relevant to the application site so the proposed dwelling would not appear to dominate as is claimed. In any event the proposed dwelling would not be seen in the context of the aforementioned bungalow, as they are set back some distance from the road and given the hedges and walls both properties cannot be seen at the same time. Further, to claim that the proposed dwelling which, contrary to all the misinformation is not a large building, would detract from the character of the immediate area, is equally fatuous and without foundation. To further suggest that there would be an overlooking situation is equally flawed and it is worth noting that the neighbours who would be the subject of this apparent overlooking had no concerns and offered no objections.

In essence the assessment of the proposed dwelling is so flawed and misleading as to render any critical observation worthless.

This is a design which sought to derive clues from the buildings adjacent, even to the extent of managing to deliver the identical roof pitch as that adjacent, to achieve the same ridge height as that adjacent and to use materials which are to be found on those adjacent, yet all to no avail as it did not have the same frontal elevation as the existing. The Report of Handling goes so far as to suggest that the proposed building would constitute a negative factor as it is not in keeping with the historic fabric yet everything about the building from the detailing to the materials is drawn from the surrounding dwellings.

That is not a competent or constructive analysis of the design, but a dogged determination to impose a personal and in our view, misguided and unsustainable opinion based on a series of falsehoods presented as facts.

Summary

In seeking to redevelop this site we have tried to work with planning staff and to jointly deliver a proposal of which all parties felt comfortable. Unfortunately the entrenched views and the unwillingness to even consider alternative elevation treatments, on the part of the planning service, rendered this endeavour impossible. Despite many attempts to appease the subjective opinions being expressed, it became clear that nothing short of a reworking of the existing dwelling would be acceptable, and this we were unwilling to do as not only would it fail to provide the accommodation sought by the applicant, but would not deliver a building which would make a contribution to the area, or one which the design team felt was worthy.

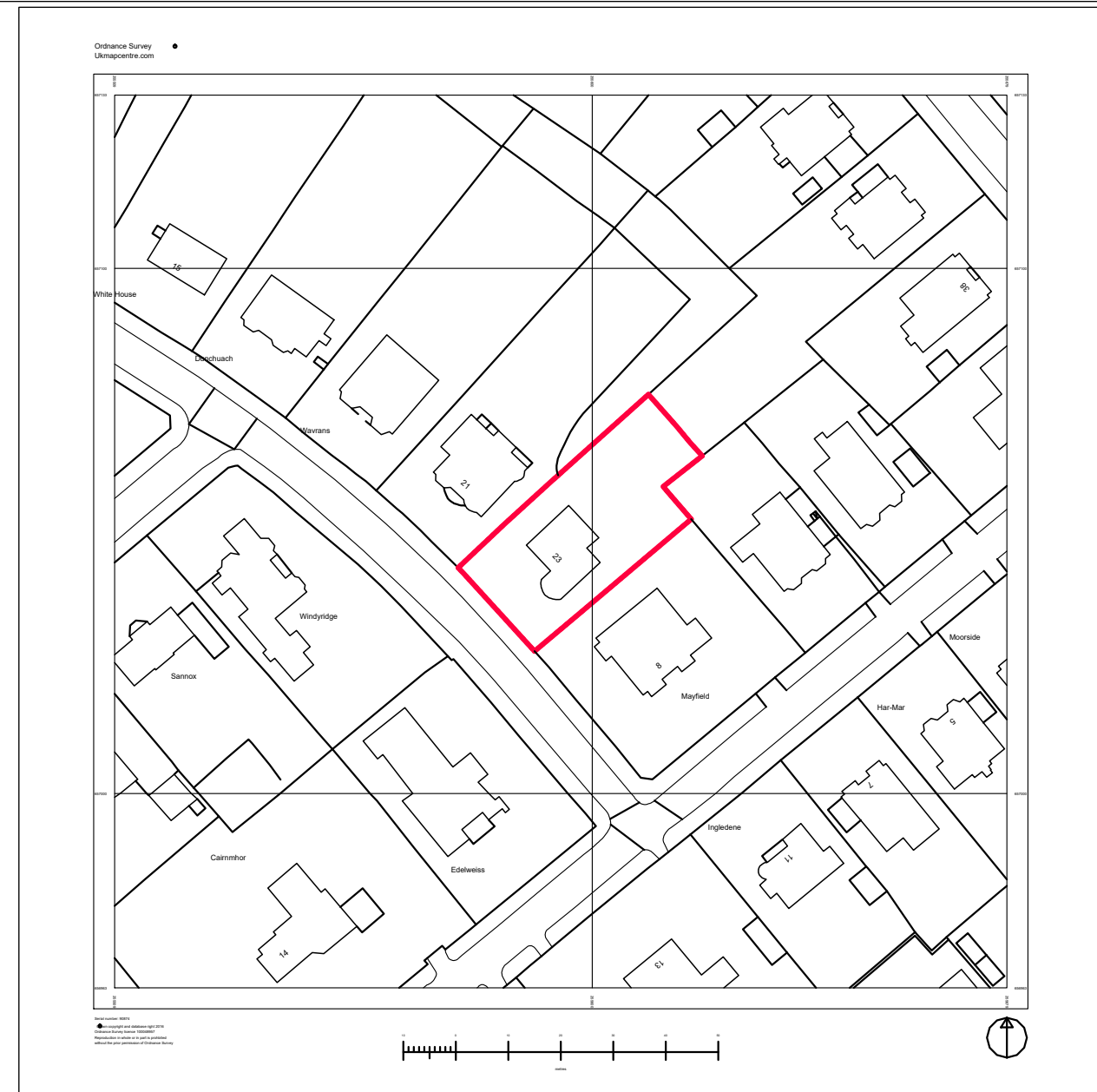
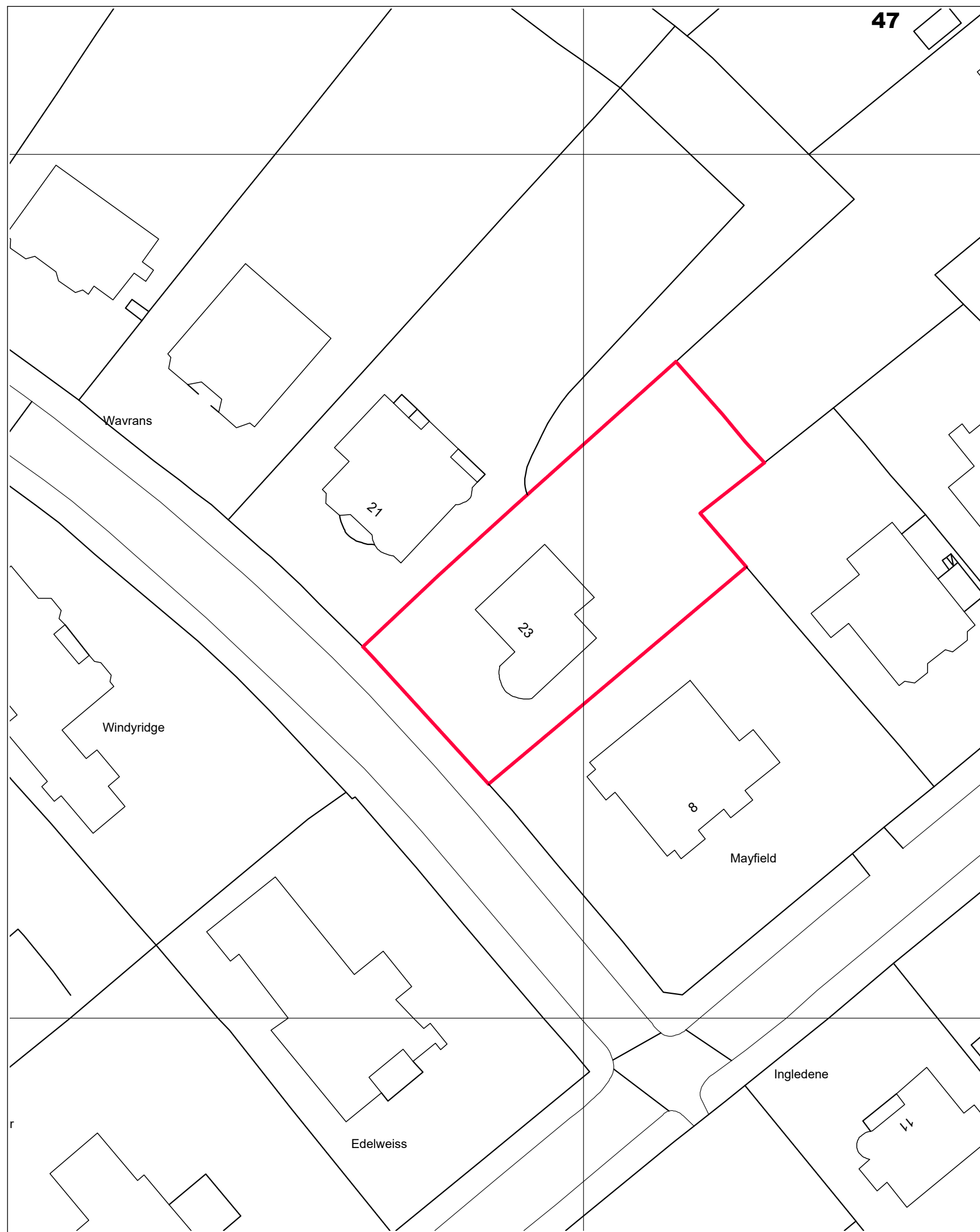
Having regard to all of the above we are of the view that the stance taken by planning staff was untenable in that there was an unwillingness to discuss or engage with the design team on a number of possible design scenarios, but strove constantly to impose unrealistic constraints to achieve what appeared to be a personal agenda with no foundation in either legislation or policy. To seek to defend this position by misleading and inaccurate information is a cause for some concern, but perhaps reflects the fact that there was no factual basis on which to refuse this application.

The proposed design complied fully with the aspirations of Policies D1, D11 and D15 and would be a welcome intervention on this site and a positive addition to the conservation area.

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

PLANS/PHOTOGRAPHS/DRAWINGS

BLANK PAGE



Location Plan as Existing @ 1:1250

REV.	REVISION TO REF. -	DATE.	ISSUED.

inkdesign
architecture

0141 552 2729
info@inkdesign.co.uk
www.inkdesign.co.uk

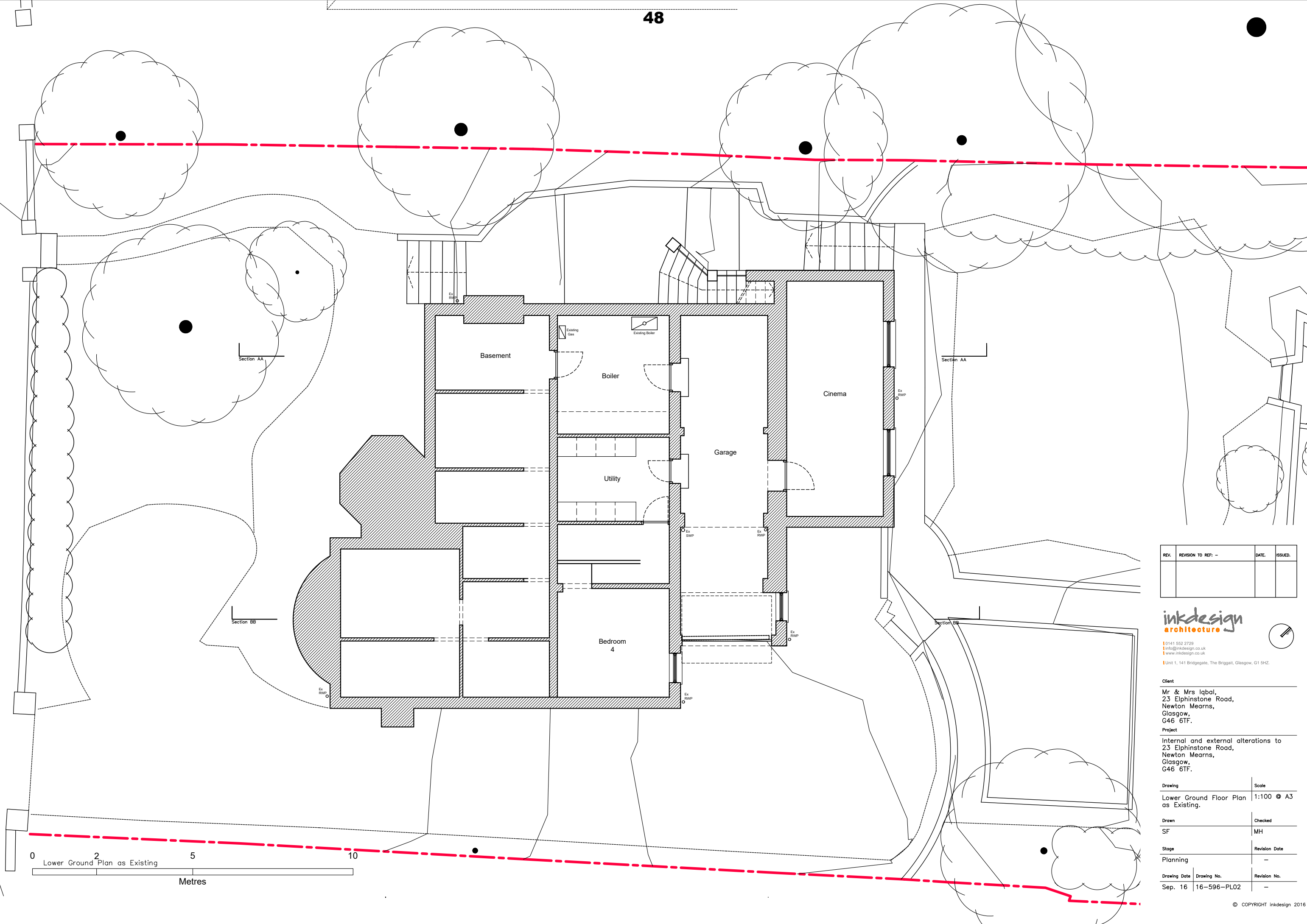
Unit 1, 141 Bridgegate, The Briggait, Glasgow, G1 5HZ.

Client
Mr & Mrs Iqbal,
23 Elphinstone Road,
Newton Mearns,
Glasgow,
G46 6TF.

Project
Internal and external alterations to
23 Elphinstone Road,
Newton Mearns,
Glasgow,
G46 6TF.

Drawing	Scale	
Location and Site Plans as Existing.	1:500/1250 @ A3	
Drawn	Checked	
SF	MH	
Stage	Revision Date	
Planning	-	
Drawing Date	Drawing No.	Revision No.
Sep. 16	16-596-PL01	-

Site Plan as Existing @ 1:500



REV.	REVISION TO REF. -	DATE.	ISSUED.

inkdesign
architecture

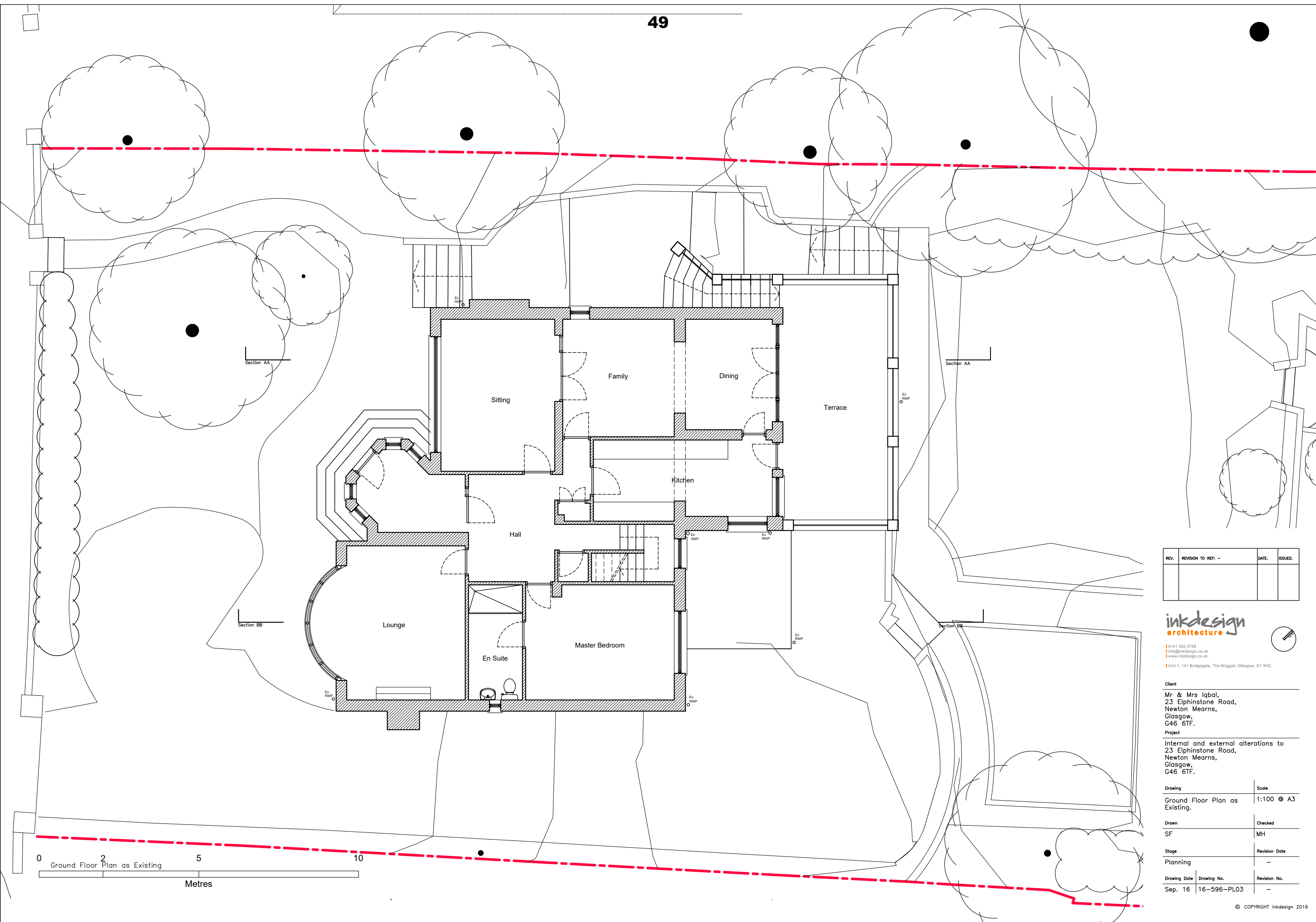
0141 552 2729
info@inkdesign.co.uk
www.inkdesign.co.uk

Unit 1, 141 Bridgewater, The Briggait, Glasgow, G1 5HZ.

Client
Mr & Mrs Iqbal,
23 Elphinstone Road,
Newton Mearns,
Glasgow,
G46 6TF.

Project
Internal and external alterations to
23 Elphinstone Road,
Newton Mearns,
Glasgow,
G46 6TF.

Drawing	Scale	
Lower Ground Floor Plan as Existing.	1:100 @ A3	
Drawn	Checked	
SF	MH	
Stage	Revision Date	
Planning	-	
Drawing Date	Drawing No.	Revision No.
Sep. 16	16-596-PL02	-



REV.	REVISION TO REF. -	DATE.	ISSUED.

inkdesign
architecture

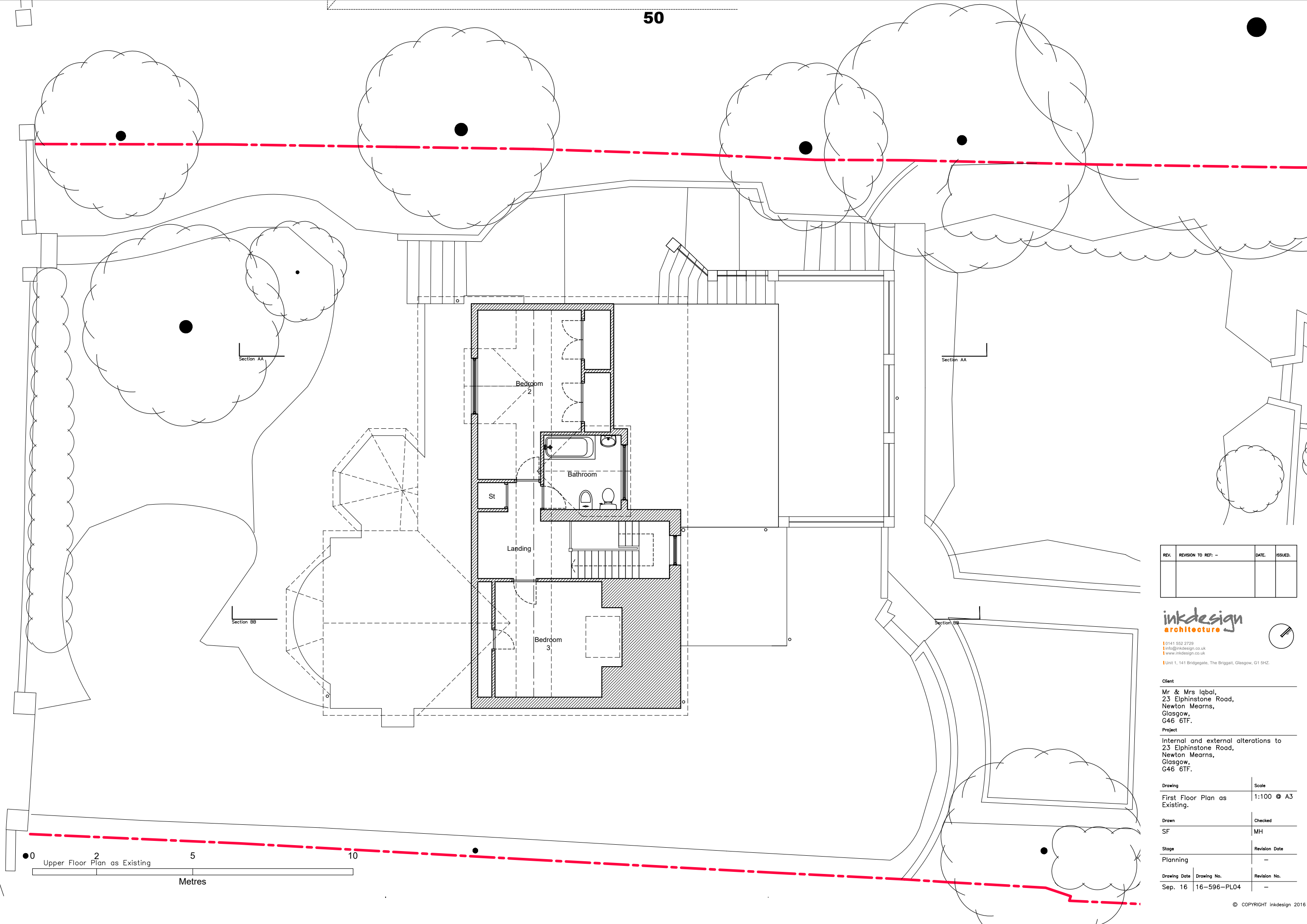
0141 552 2729
info@inkdesign.co.uk
www.inkdesign.co.uk

Unit 1, 141 Bridgegate, The Briggait, Glasgow, G1 5HZ.

Client
Mr & Mrs Iqbal,
23 Elphinstone Road,
Newton Mearns,
Glasgow,
G46 6TF.

Project
Internal and external alterations to
23 Elphinstone Road,
Newton Mearns,
Glasgow,
G46 6TF.

Drawing	Scale	
Ground Floor Plan as Existing.	1:100 @ A3	
Drawn	Checked	
SF	MH	
Stage	Revision Date	
Planning	-	
Drawing Date	Drawing No.	Revision No.
Sep. 16	16-596-PL03	-



REV.	REVISION TO REF. -	DATE.	ISSUED.

inkdesign
architecture

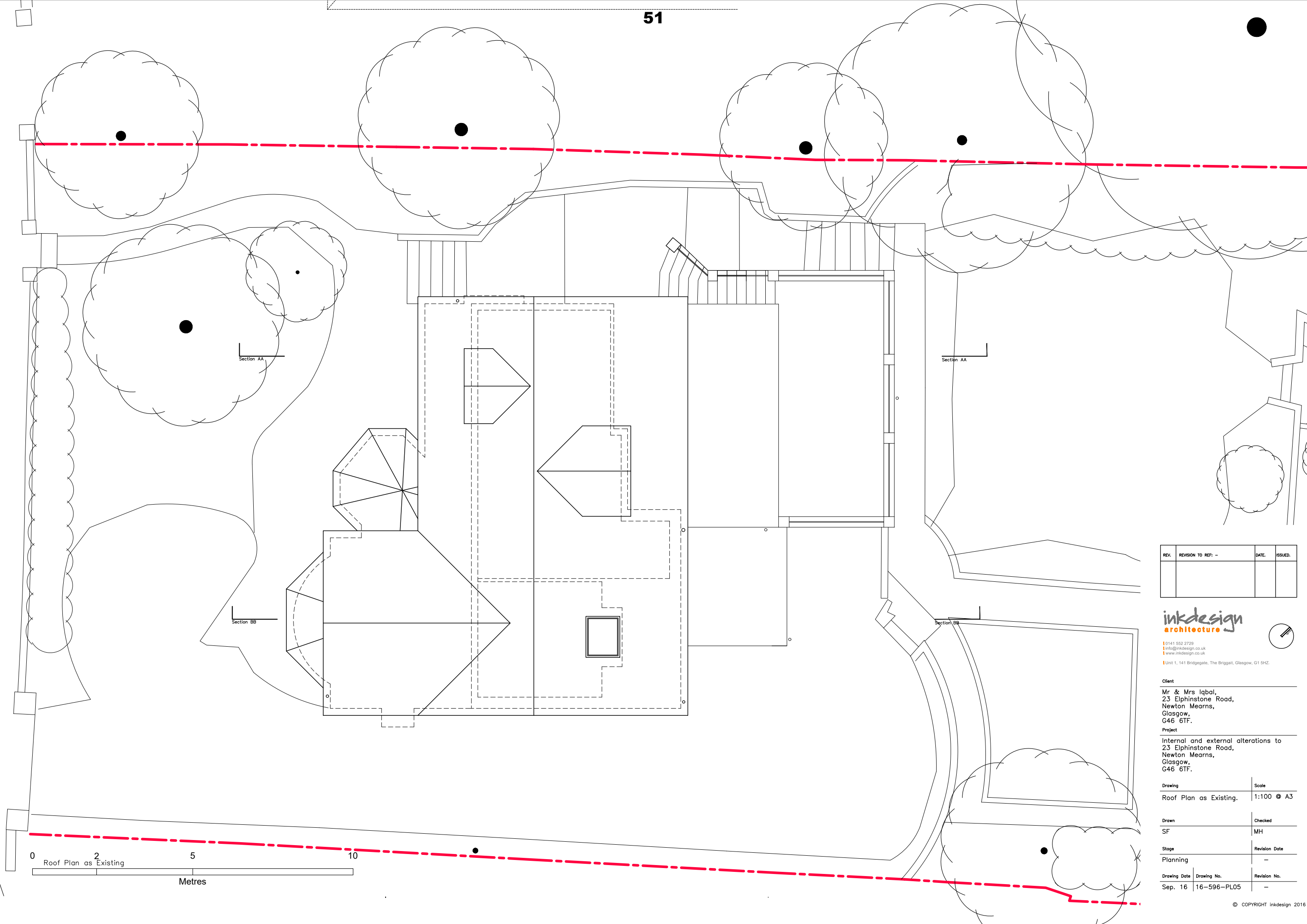
0141 552 2729
info@inkdesign.co.uk
www.inkdesign.co.uk

Unit 1, 141 Bridgegate, The Briggait, Glasgow, G1 5HZ.

Client
Mr & Mrs Iqbal,
23 Elphinstone Road,
Newton Mearns,
Glasgow,
G46 6TF.

Project
Internal and external alterations to
23 Elphinstone Road,
Newton Mearns,
Glasgow,
G46 6TF.

Drawing	Scale	
First Floor Plan as Existing.	1:100 @ A3	
Drawn	Checked	
SF	MH	
Stage	Revision Date	
Planning	-	
Drawing Date	Drawing No.	Revision No.
Sep. 16	16-596-PL04	-



REV.	REVISION TO REF. -	DATE.	ISSUED.

inkdesign
architecture

0141 552 2729
info@inkdesign.co.uk
www.inkdesign.co.uk

Unit 1, 141 Bridgegate, The Briggait, Glasgow, G1 5HZ.

Client
Mr & Mrs Iqbal,
23 Elphinstone Road,
Newton Mearns,
Glasgow,
G46 6TF.

Project
Internal and external alterations to
23 Elphinstone Road,
Newton Mearns,
Glasgow,
G46 6TF.

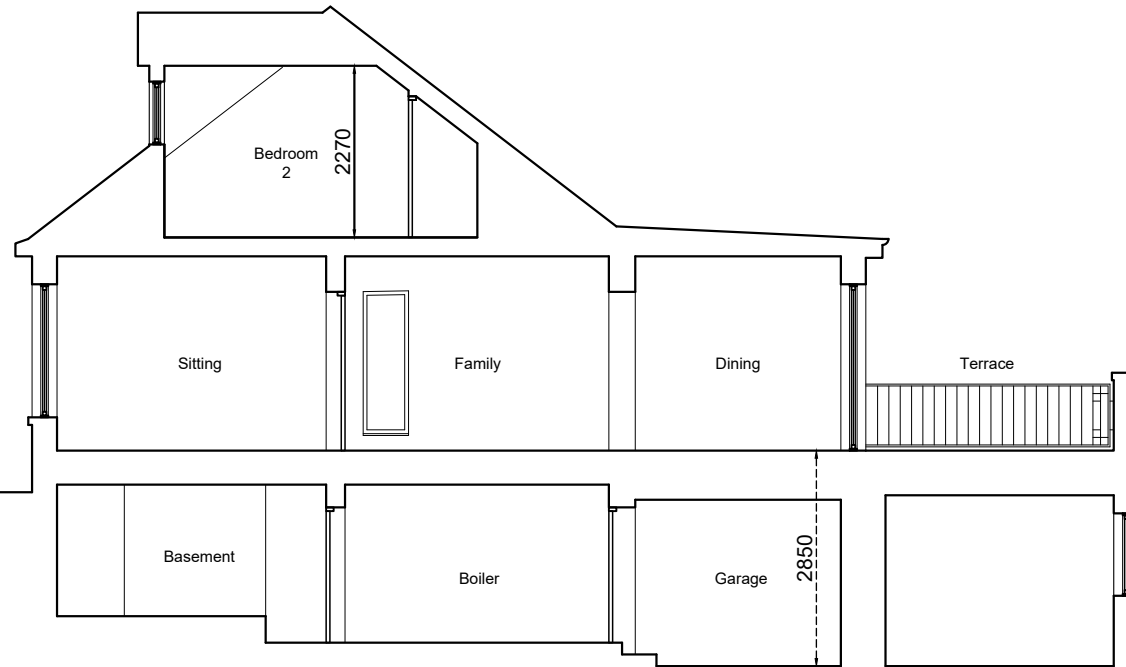
Drawing	Scale
Roof Plan as Existing.	1:100 @ A3

Drawn	Checked
SF	MH

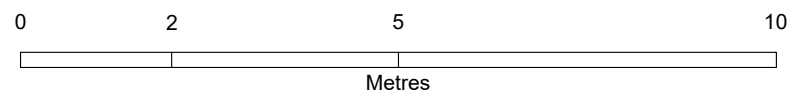
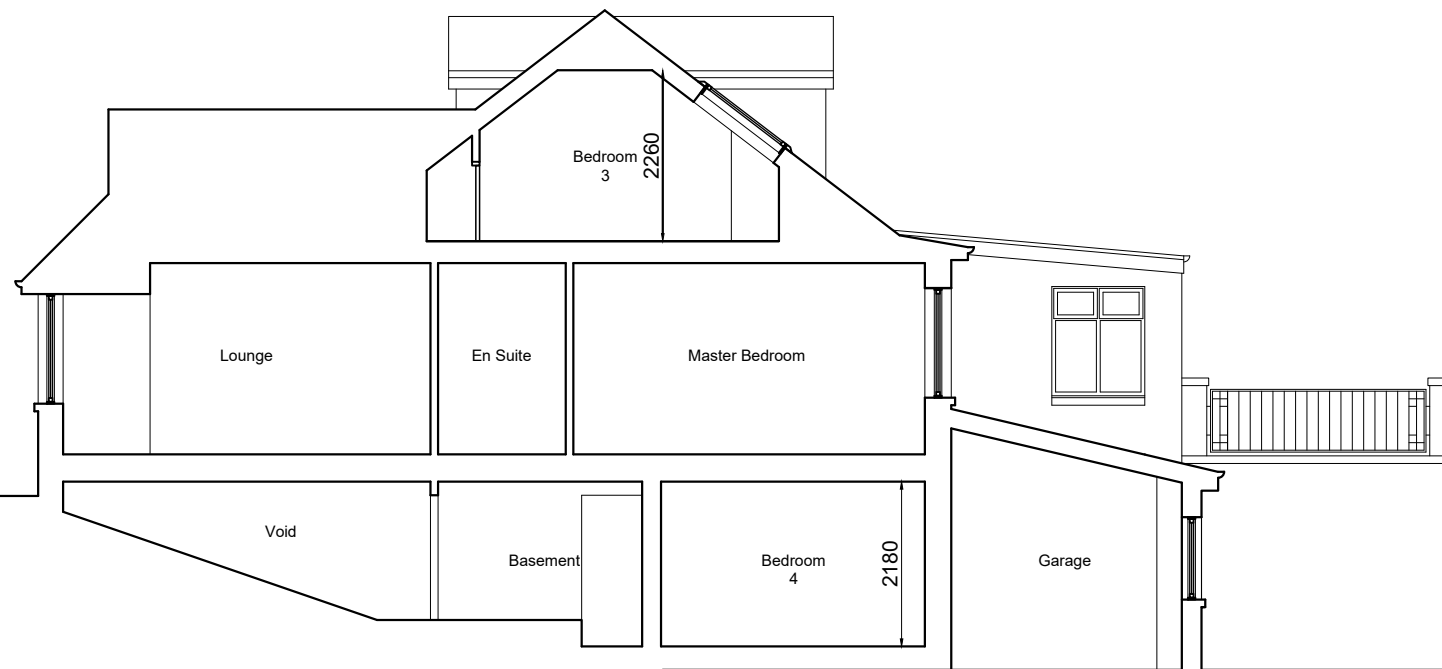
Stage	Revision Date
Planning	-

Drawing Date	Drawing No.	Revision No.
Sep. 16	16-596-PL05	-

Section AA as Existing



Section BB as Existing



REV.	REVISION TO REF. -	DATE.	ISSUED.

inkdesign
architecture

0141 552 2729
info@inkdesign.co.uk
www.inkdesign.co.uk
Unit 1, 141 Bridgegate, The Briggait, Glasgow, G1 5HZ.

Client
Mr & Mrs Iqbal,
23 Elphinstone Road,
Newton Mearns,
Glasgow,
G46 6TF.

Project
Internal and external alterations to
23 Elphinstone Road,
Newton Mearns,
Glasgow,
G46 6TF.

Drawing	Scale
Section AA and BB as Existing.	1:100 @ A3

Drawn	Checked
SF	MH

Stage	Revision Date
Planning	-

Drawing Date	Drawing No.	Revision No.
Sep. 16	16-596-PL06	-



Front Elevation as Existing



AMENITY DESIGN LTD
 30 SEP 2016
 Date: _____

REV.	REVISION TO REF: -	DATE	ISSUED

inkdesign

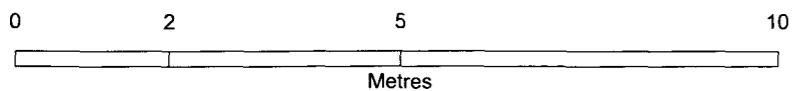
Client
 Mr & Mrs Iqbal,
 23 Elphinstone Road,
 Newton Mearns,
 Glasgow,
 G46 6TF.
 Project
 Internal and external alterations to
 23 Elphinstone Road,
 Newton Mearns,
 Glasgow,
 G46 6TF.

Drawing Scale
 Front and Rear Elevations: 1:100 @ A3
 as Existing.

Drawn Checked
 SF MH

Stage Revision Date
 Planning -

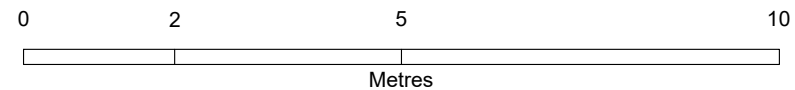
Drawing Date Drawing No. Revision No.
 Sep. 16 16-596-PL07 -



South East Side Elevation as Existing



North West Side Elevation as Existing



REV.	REVISION TO REF. -	DATE.	ISSUED.

inkdesign
architecture

0141 552 2729
info@inkdesign.co.uk
www.inkdesign.co.uk

Unit 1, 141 Bridgegate, The Briggait, Glasgow, G1 5HZ.

Client

Mr & Mrs Iqbal,
23 Elphinstone Road,
Newton Mearns,
Glasgow,
G46 6TF.

Project

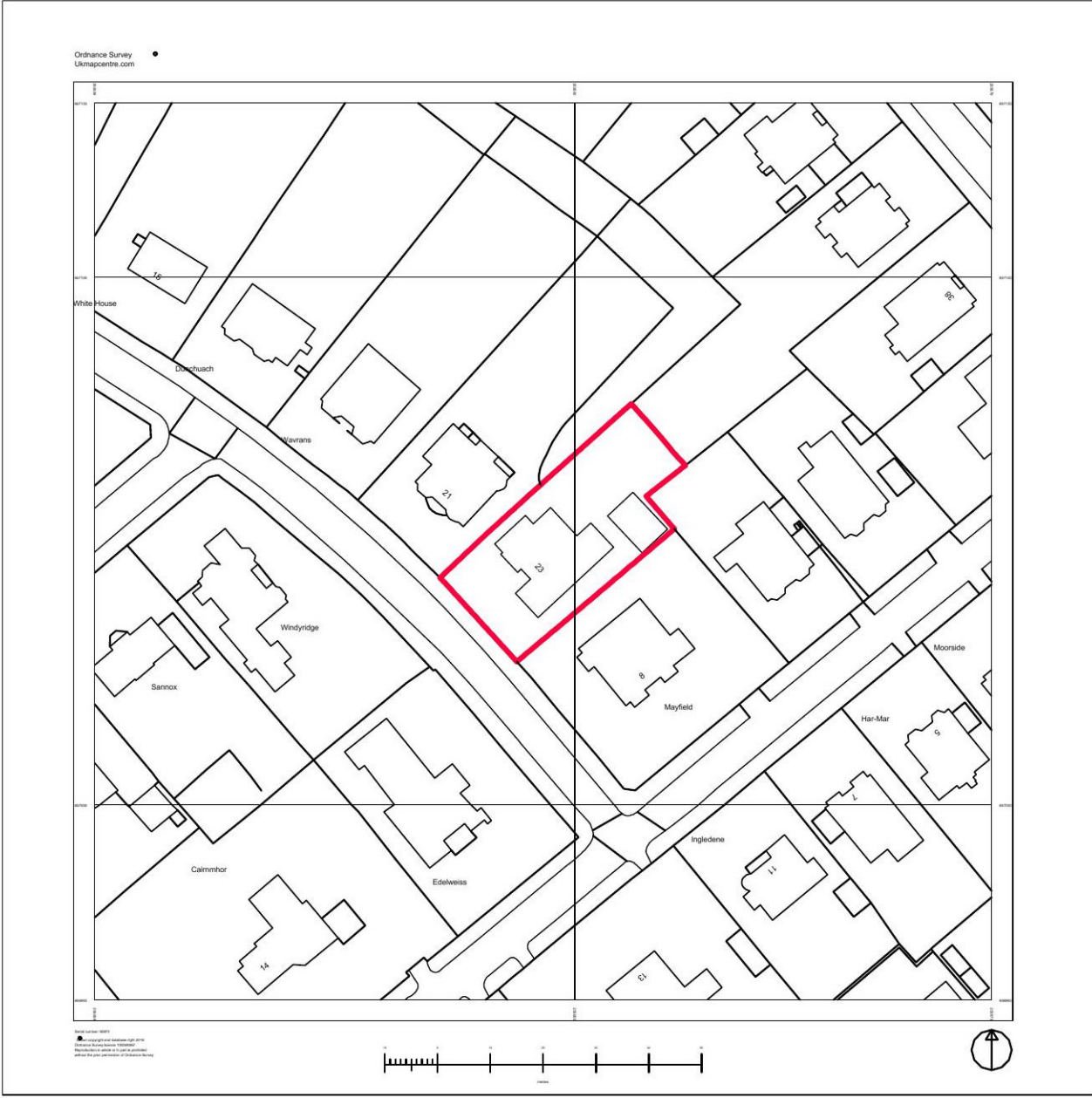
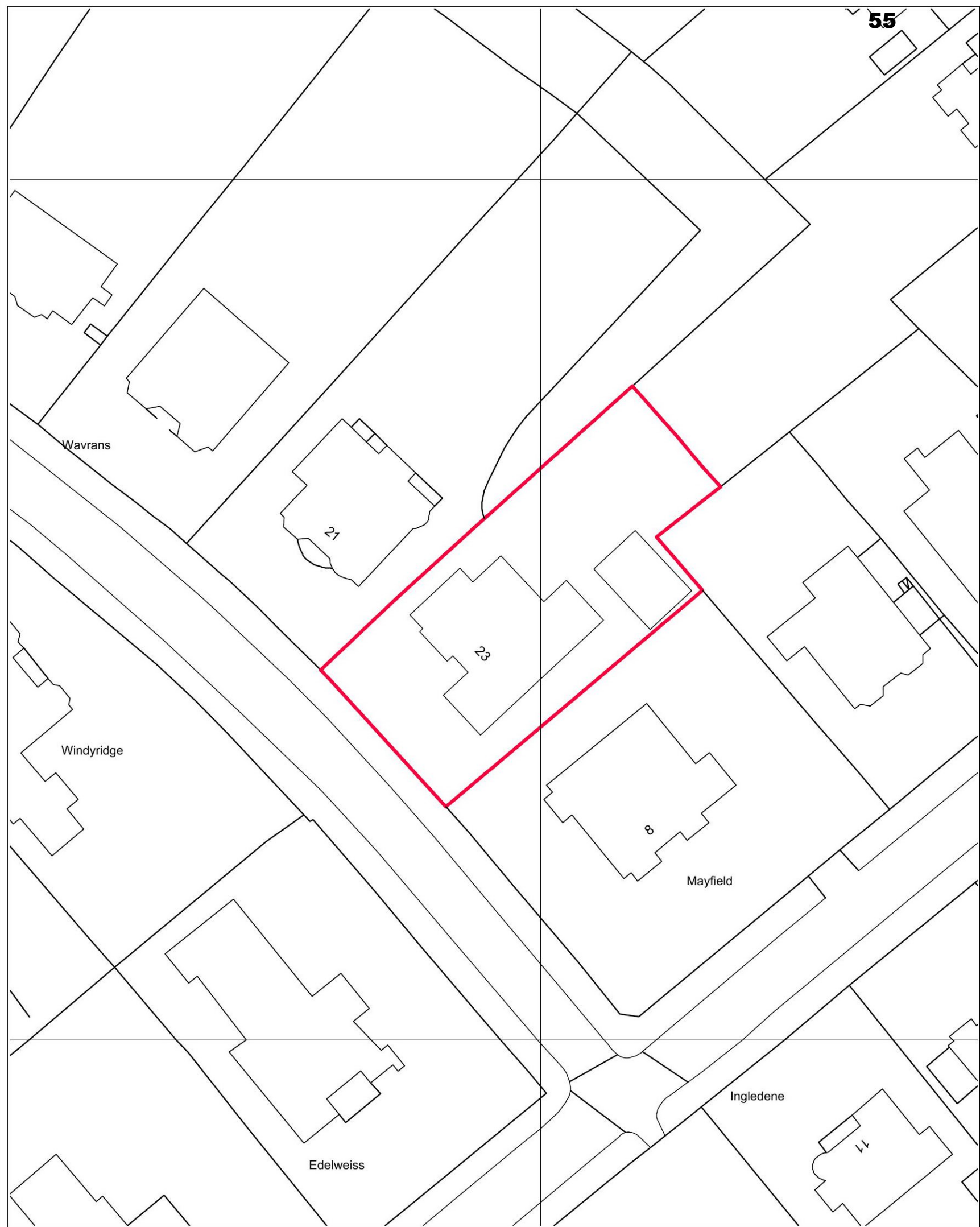
Internal and external alterations to
23 Elphinstone Road,
Newton Mearns,
Glasgow,
G46 6TF.

Drawing	Scale
Side Elevations as Existing.	1:100 @ A3

Drawn	Checked
SF	MH

Stage	Revision Date
Planning	-

Drawing Date	Drawing No.	Revision No.
Sep. 16	16-596-PL08	-



Location Plan as Proposed @ 1:1250

EXISTING SITE AREA: 1025m²
 EXISTING BUILDING FOOTPRINT: 139m²
 PROPOSED BUILDING FOOTPRINT: 193m²
 PROPOSED GARAGE FOOTPRINT: 63m²
 GROSS FOOTPRINT OF EXTENSION: 54m²

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

REFUSED

**Director of Environment
 East Renfrewshire Council**

REV.	REVISION TO REF. -	DATE.	ISSUED.

**inkdesign
 architecture**

0141 552 2729
 info@inkdesign.co.uk
 www.inkdesign.co.uk

Unit 1, 141 Bridgegate, The Briggat, Glasgow, G1 5HZ.

Client
 Mr & Mrs Iabal,
 23 Elphinstone Road,
 Newton Mearns,
 Glasgow,
 G46 6TF.

Project
 Internal and external alterations to
 23 Elphinstone Road,
 Newton Mearns,
 Glasgow,
 G46 6TF.

Drawing	Scale	
Location and Site Plans as Proposed.	1:500/1250 @ A3	
Drawn	Checked	
JM	MH	
Stage	Revision Date	
Planning	-	
Drawing Date	Drawing No.	Revision No.
Sep. 16	15-545-PL09	-

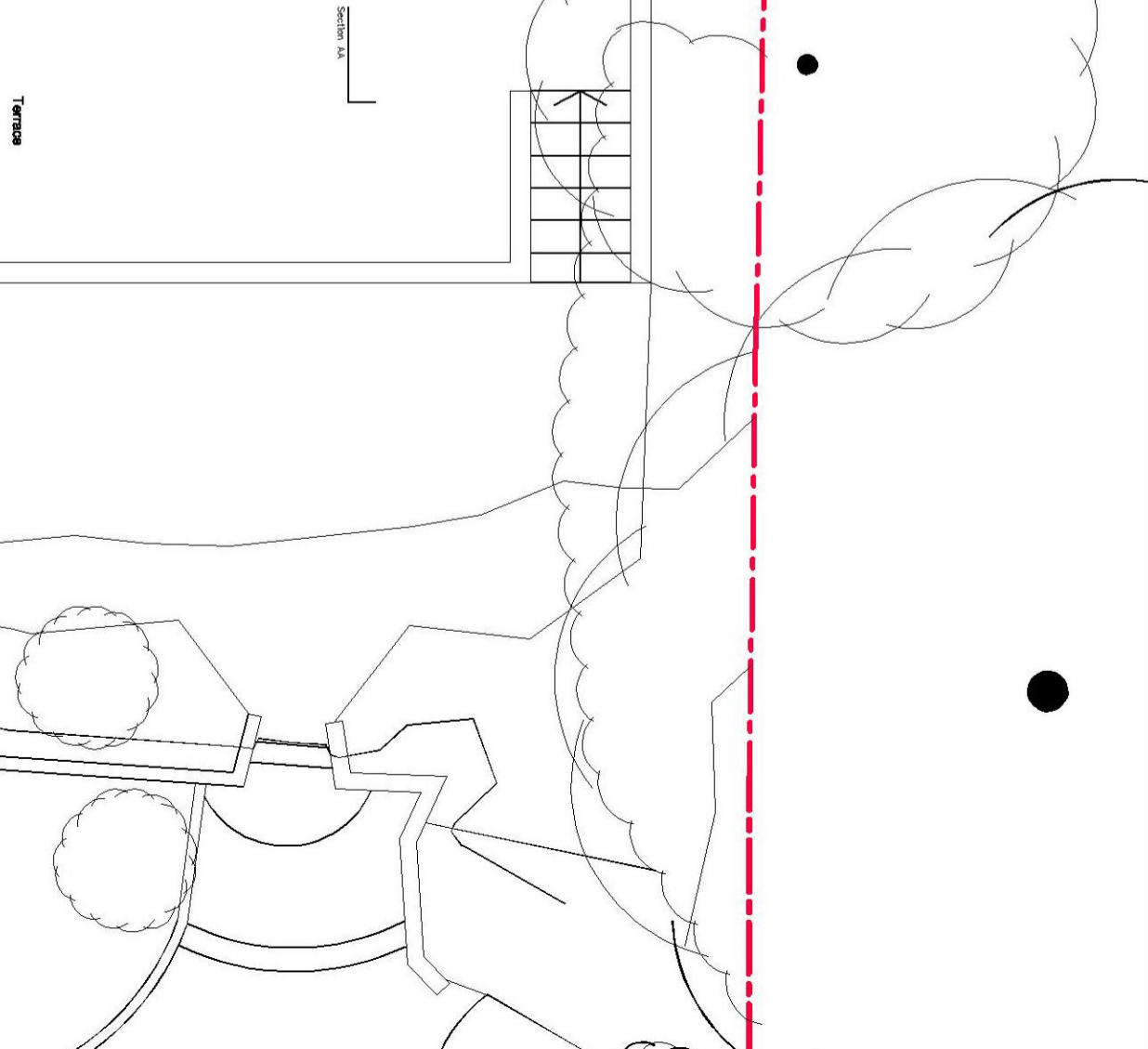
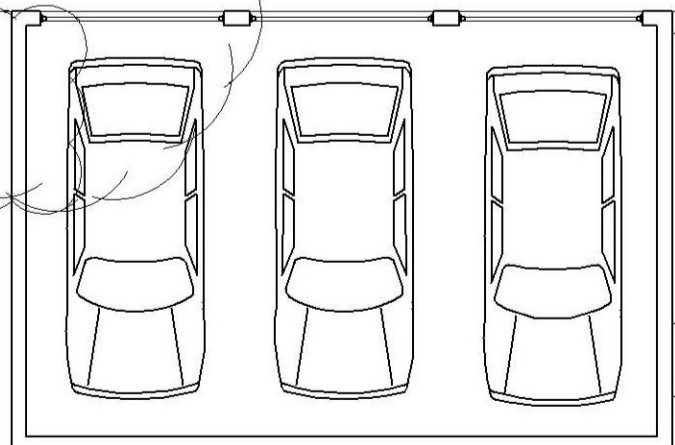
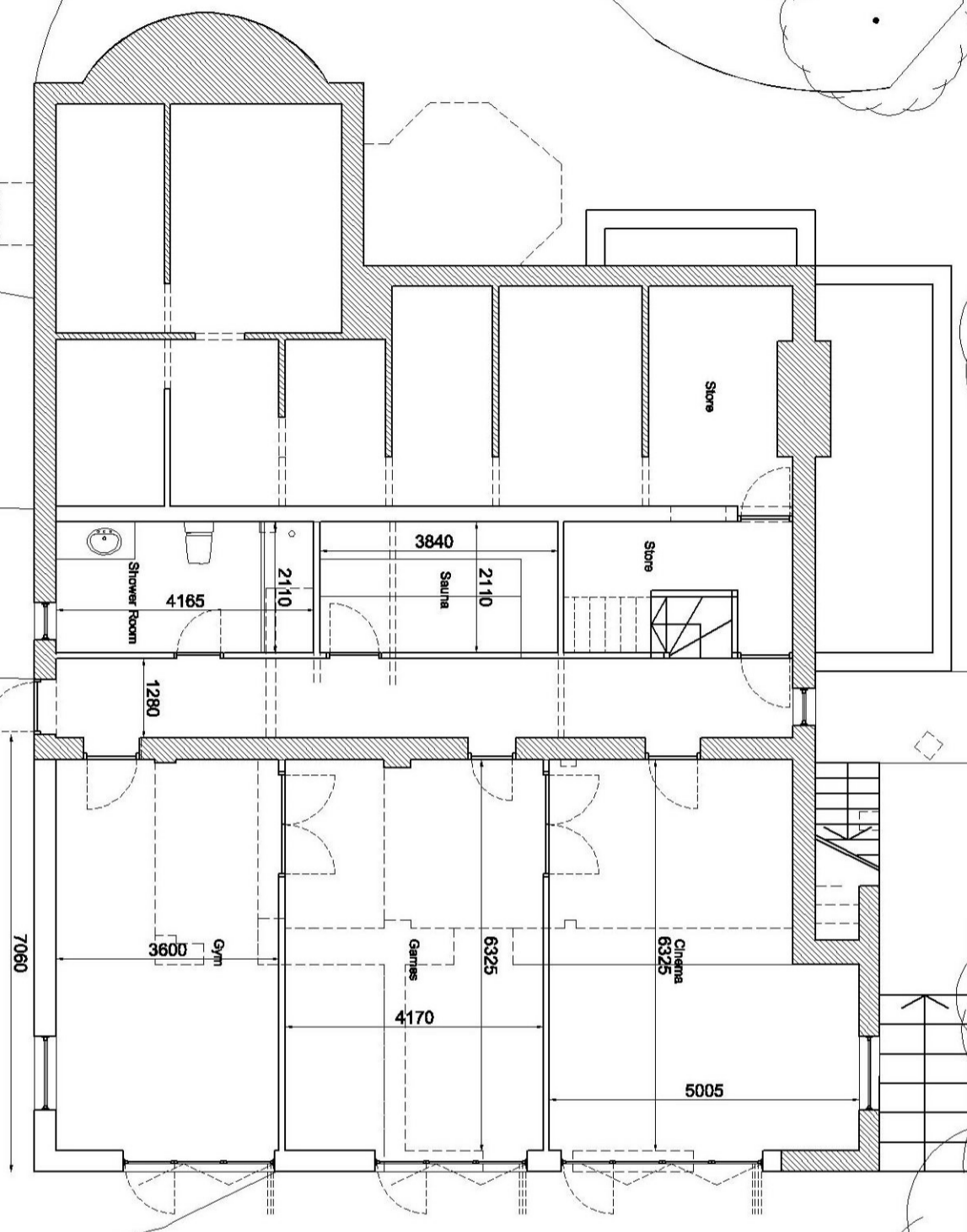
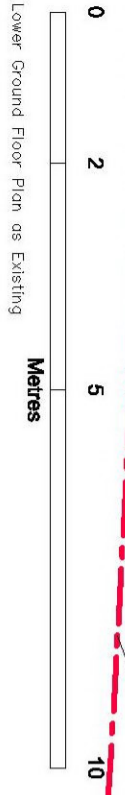
Site Plan as Proposed @ 1:500

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

REFUSED

Director of Environment
East Renfrewshire Council

56



REV.	REVISION TO REF.	DATE	ISSUED

inkdesign
architecture

1944 529 2788
info@inkdesign.co.uk
www.inkdesign.co.uk

Unit 1, 1st Bridgeway, The Signet, Glasgow, G1 6JZ

Client:
Mr & Mrs Ibbot,
23 Eppinstone Road,
Newton Meerns,
Glasgow,
G46 6TF.

Project:
Internal and external alterations to
23 Eppinstone Road,
Newton Meerns,
Glasgow,
G46 6TF.

Drawing: Lower Ground Floor Plan
Scale: 1:100 @ A3
AS Proposed.

Drawn: JM
Checked: MH

Stage: Planning
Revision Date: -

Drawing Date: Drawing No. -
Revision No.: -

Sep. 16 16-596-PL10

Town and Country Planning (Scotland) Act 1997

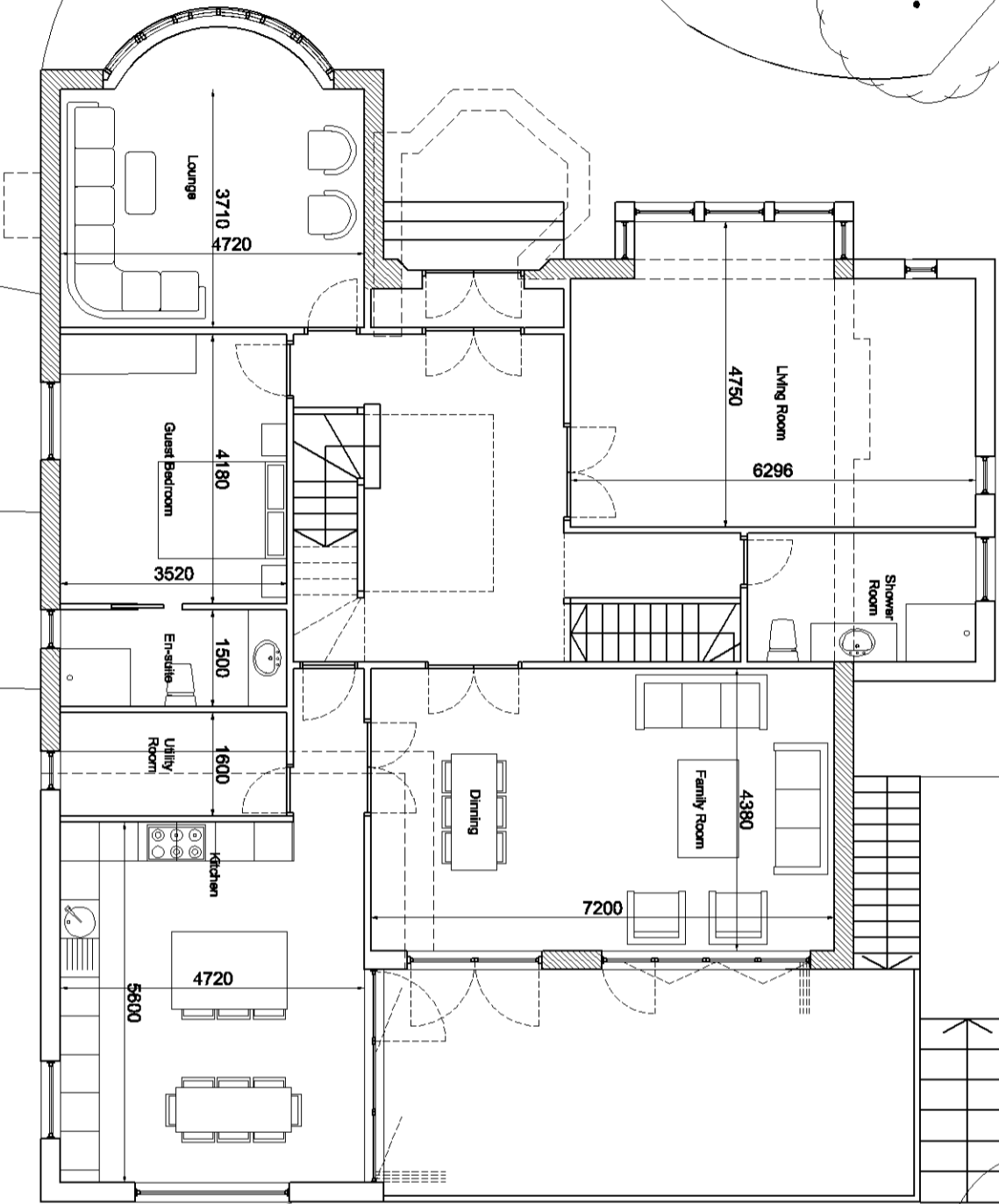
REFUSED

Director of Environment
East Renfrewshire Council

Ground Floor Plan as Proposed

Metres

0 2 5 10



Terrace

1006

REV.	REVISION TO REF.	DATE	ISSUED

inkdesign
 architecture
 1944 529 2780
 info@inkdesign.co.uk
 www.inkdesign.co.uk
 Unit 1, 1st Bridgeway, The Signet, Glasgow, G1 6JZ

Client
 Mr & Mrs Iqbal,
 23 Eppinstone Road,
 Newton Mearns,
 Glasgow,
 G46 6TF.

Project
 Internal and external alterations to
 23 Eppinstone Road,
 Newton Mearns,
 Glasgow,
 G46 6TF.

Drawing
 Ground Floor Plan as
 Proposed.
 Scale: 1:100 @ A3

Drawn
 JM
 Checked
 MH

Stage
 Planning
 Revision Date

Drawing Date Drawing No.
 Sep-16 16-596-PL11
Revision No.
 -

Town and Country Planning
(Scotland) Act 1997

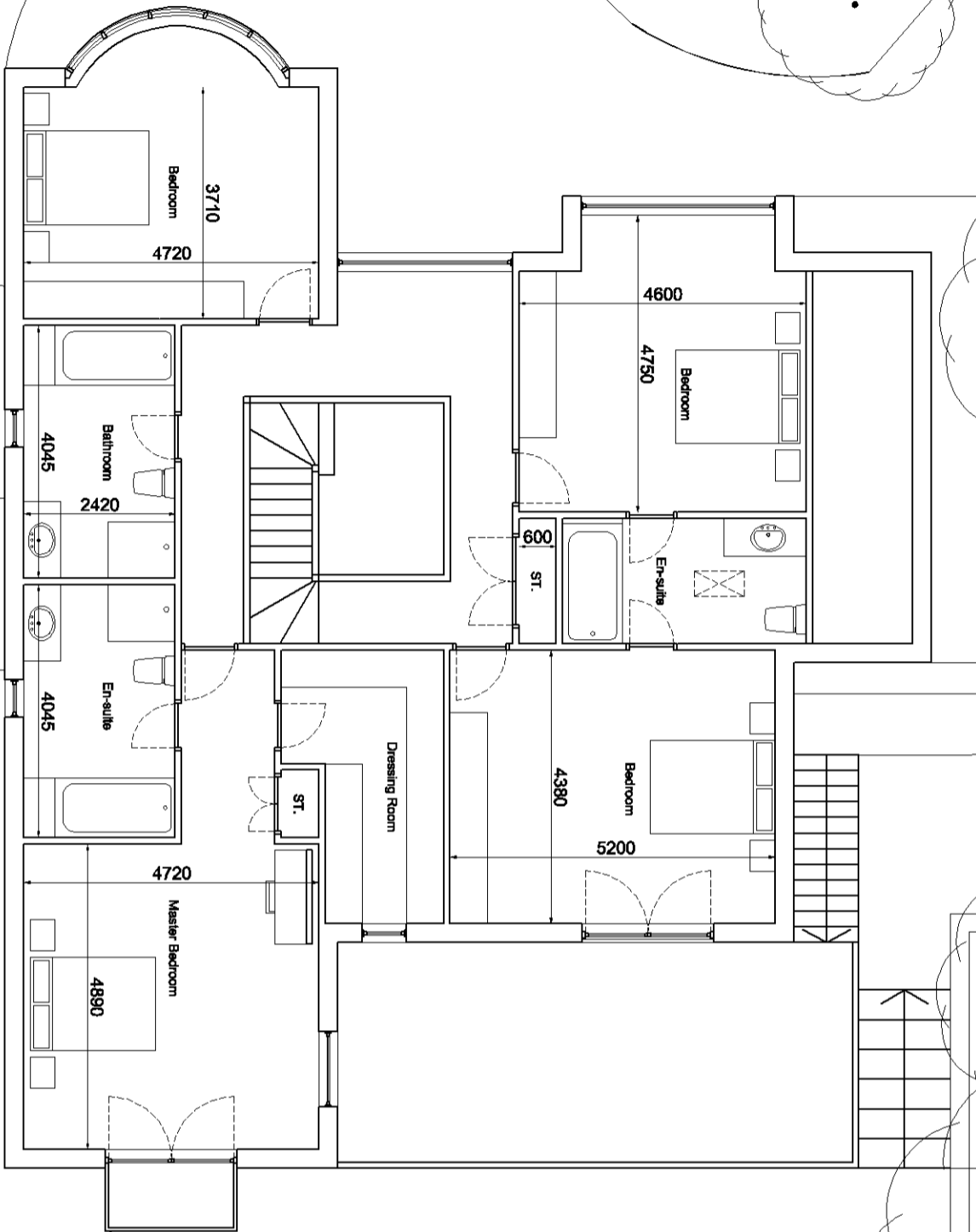
REFUSED

Director of Environment
East Renfrewshire Council

First Floor Plan as Proposed

Metres

0 2 5 10



REV.	REVISION TO REF.	DATE	ISSUED

inkdesign
architecture

1944 529 2780
info@inkdesign.co.uk
www.inkdesign.co.uk
Unit 1, 1st Bridgeway, The Blyth, Glasgow, G1 6JZ

Client
Mr & Mrs Ibbot,
23 Eppinstone Road,
Newton Meerns,
Glasgow,
G46 6TF.

Project
Internal and external alterations to
23 Eppinstone Road,
Newton Meerns,
Glasgow,
G46 6TF.

Drawing
First Floor Plan 03
Proposed.
Scale: 1:100 @ A3

Drawn JM
Checked MH

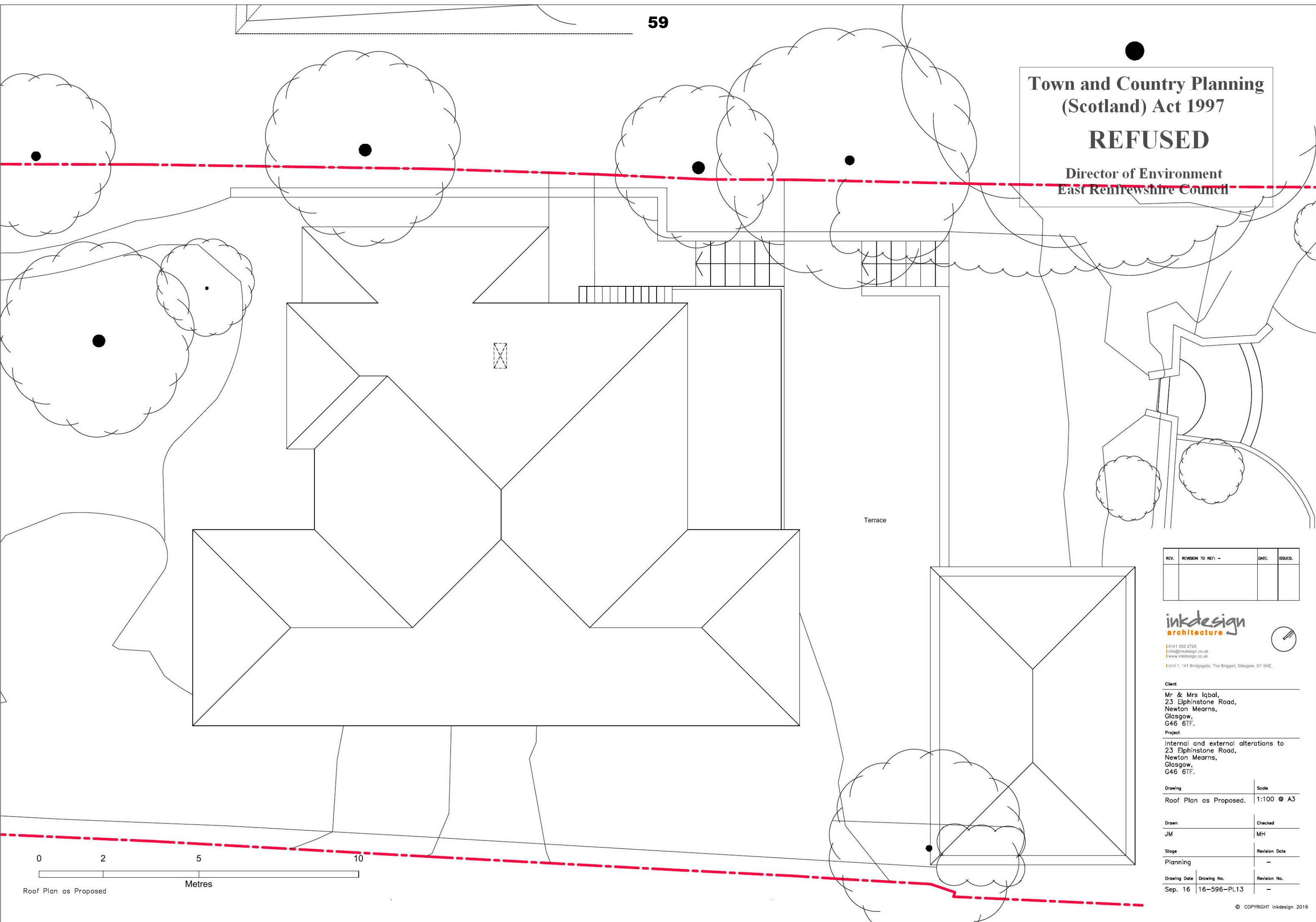
Stage Planning
Revision Date -

Drawing Date Drawing No.
Sep. 16 16-596-PL12
Revision No. -

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

REFUSED

**Director of Environment
East Renfrewshire Council**



Terrace

REV.	REVISION TO REF. -	DATE.	ISSUED.

inkdesign
architecture

0141 552 2729
info@inkdesign.co.uk
www.inkdesign.co.uk
Unit 1, 141 Bridgegate, The Briggait, Glasgow, G1 5HZ.

Client
Mr & Mrs Iqbal,
23 Elphinstone Road,
Newton Mearns,
Glasgow,
G46 6TF.

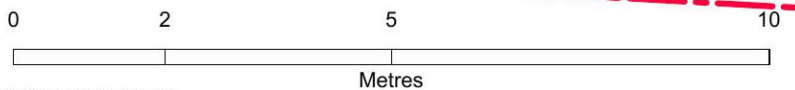
Project
Internal and external alterations to
23 Elphinstone Road,
Newton Mearns,
Glasgow,
G46 6TF.

Drawing Roof Plan as Proposed. **Scale** 1:100 @ A3

Drawn JM **Checked** MH

Stage Planning **Revision Date** -

Drawing Date Sep. 16 **Drawing No.** 16-596-PL13 **Revision No.** -



Roof Plan as Proposed



23 Elphinstone Road

REV.	REVISION TO REF. -	DATE.	ISSUED.

inkdesign
architecture

0141 502 2729
info@inkdesign.co.uk
www.inkdesign.co.uk
Unit 1, 141 Bridgegate, The Briggait, Glasgow, G1 9HZ

Client
Mr & Mrs Iqbal,
23 Elphinstone Road,
Newton Mearns,
Glasgow,
G46 6TF.

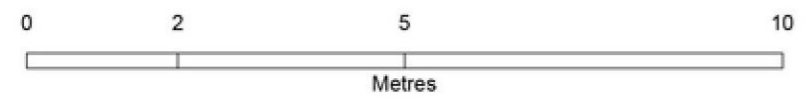
Project
Internal and external alterations to
23 Elphinstone Road,
Newton Mearns,
Glasgow,
G46 6TF.

Drawing	Scale	
Front Elevation as Proposed	1:100 @ A3	
Drawn	Checked	
JM	MH	
Stage	Revision Date	
Planning	-	
Drawing Date	Drawing No.	Revision No.
Sep. 16	16-596-PL14	-

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

REFUSED

**Director of Environment
East Renfrewshire Council**





FFL

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

REFUSED

**Director of Environment
East Renfrewshire Council**

REV.	REVISION TO REF. -	DATE.	ISSUED.

inkdesign
architecture

0141 502 2729
info@inkdesign.co.uk
www.inkdesign.co.uk
Unit 1, 141 Bridgegate, The Briggait, Glasgow, G1 5HZ.

Client
Mr & Mrs Iqbal,
23 Elphinstone Road,
Newton Mearns,
Glasgow,
G46 6TF.

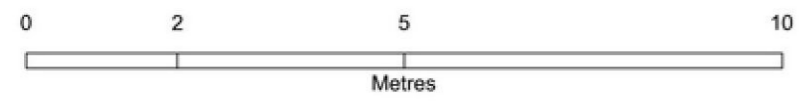
Project
Internal and external alterations to
23 Elphinstone Road,
Newton Mearns,
Glasgow,
G46 6TF.

Drawing	Scale
Side Elevation as Proposed.	1:100 @ A3

Drawn	Checked
JM	MH

Stage	Revision Date
Planning	-

Drawing Date	Drawing No.	Revision No.
Sep. 16	16-596-PL15	-





REV.	REVISION TO REF. -	DATE.	ISSUED.

inkdesign
architecture

0141 502 2720
info@inkdesign.co.uk
www.inkdesign.co.uk
Unit 1, 141 Bridgegate, The Briggait, Glasgow, G1 5RZ.

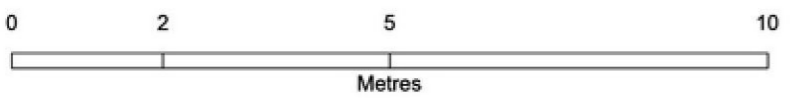
Client
Mr & Mrs Iqbal,
23 Elphinstone Road,
Newton Mearns,
Glasgow,
G46 6TF.
Project
Internal and external alterations to
23 Elphinstone Road,
Newton Mearns,
Glasgow,
G46 6TF.

Drawing	Scale	
Side Elevation as Proposed.	1:100 @ A3	
Drawn	Checked	
JM	MH	
Stage	Revision Date	
Planning	-	
Drawing Date	Drawing No.	Revision No.
Sep. 16	16-596-PL16	-

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

REFUSED

**Director of Environment
East Renfrewshire Council**





REV.	REVISION TO REF. -	DATE.	ISSUED.

inkdesign
architecture

0141 552 2729
info@inkdesign.co.uk
www.inkdesign.co.uk
Unit 1, 141 Bridgegate, The Briggait, Glasgow, G1 5HZ

Client
Mr & Mrs Iqbal,
23 Elphinstone Road,
Newton Mearns,
Glasgow,
G46 6TF.
Project
Internal and external alterations to
23 Elphinstone Road,
Newton Mearns,
Glasgow,
G46 6TF.

Drawing	Scale
Rear Elevation as Proposed	1:100 @ A3

Drawn	Checked
JM	MH

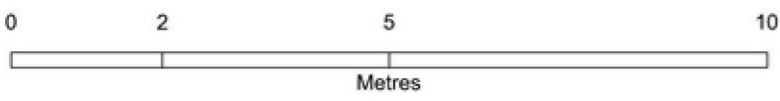
Stage	Revision Date
Planning	-

Drawing Date	Drawing No.	Revision No.
Sep. 16	16-596-PL17	-

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

REFUSED

**Director of Environment
East Renfrewshire Council**





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

REFUSED

**Director of Environment
East Renfrewshire Council**

**inkdesign
architecture**

T 0141 552 2729
 I info@inkdesign.co.uk
 I www.inkdesign.co.uk
 I Unit 1, 141 Bridgegate, The Briggait, Glasgow, G1 5HZ

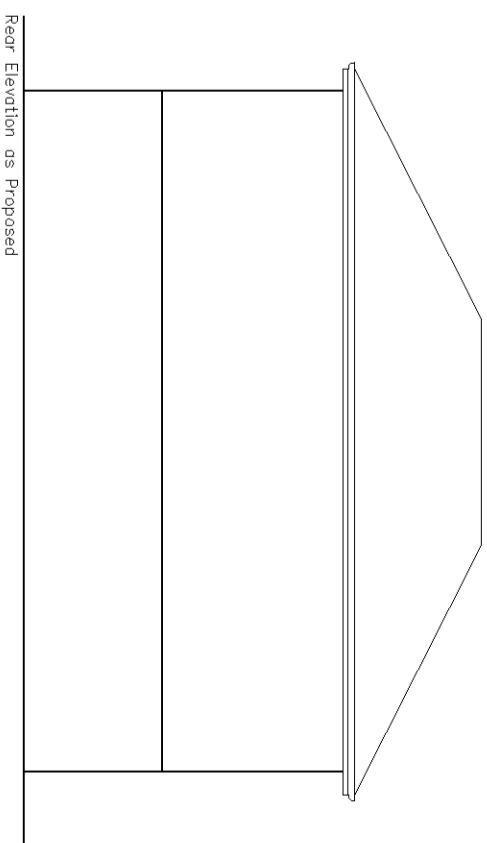
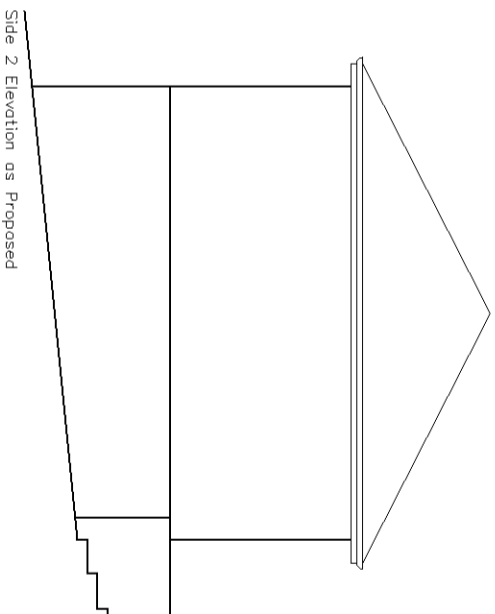
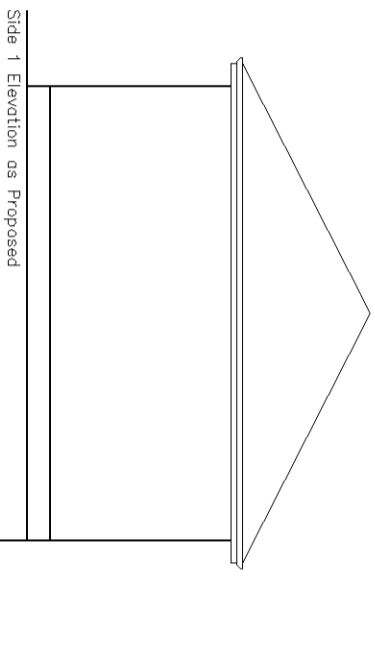
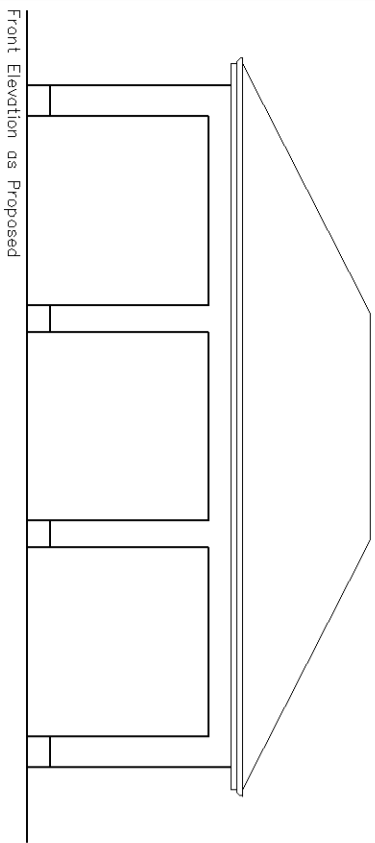
Client

Mr & Mrs Iqbal
 23 Elphinstone Road,
 Newton Mearns,
 Glasgow
 G46 6TF

Project

Internal and external alterations to 23
 Elphinstone Road,
 Newton Mearns,
 Glasgow
 G46 6TF

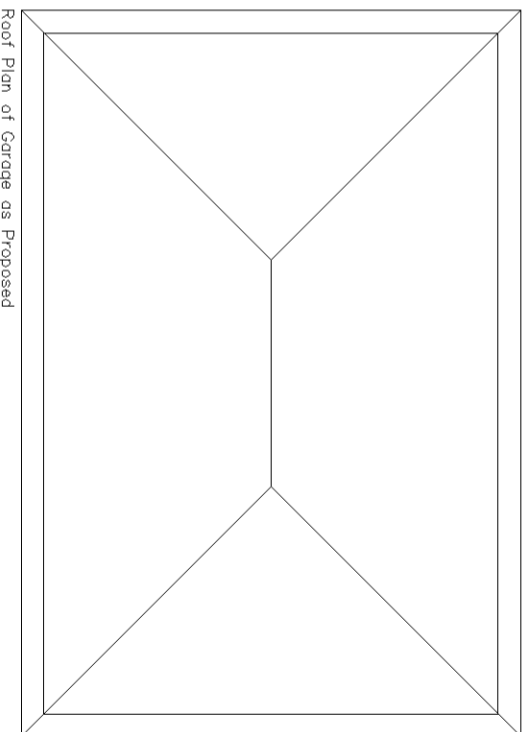
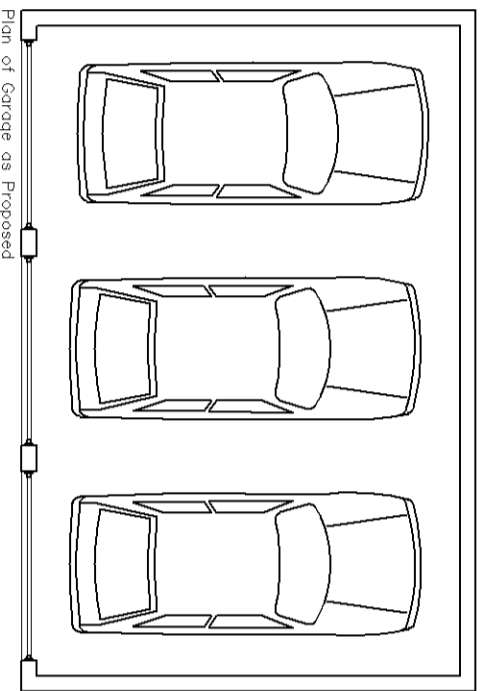
Drawing	Scale	
Elevations as Existing. Elevations as Proposed.	1:200 @ A3	
Drawn	Checked	
JM	MH	
Stage	Revision Date	
Planning		
Drawing Date	Drawing No.	Revision No.
Sep. 16	16-596-PL18	--



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

REFUSED

**Director of Environment
East Renfrewshire Council**



REV.	REVISION TO REF.	DATE	ISSUED

inkdesign
architecture

0144 629 2720
info@inkdesign.co.uk
www.inkdesign.co.uk

Unit 1, 1st Bridgeman, The Square, Glasgow, G1 6JZ

Client
Mr & Mrs Iqbal,
23 Eppinstone Road,
Newton Meerns,
Glasgow,
G46 6TF.

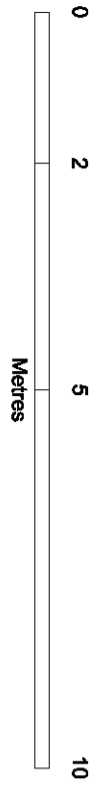
Project
Internal and external alterations to
23 Eppinstone Road,
Newton Meerns,
Glasgow,
G46 6TF.

Drawing Scale
Garage Plans and
Elevations as Proposed 1:100 @ A3

Drawn Checked
JM MH

Stage Revision Date
Planning -

Drawing Date Drawing No. Revision No.
Sep. 16 16-596-PL19 -



BLANK PAGE