

EAST RENFREWSHIRE COUNCIL

LOCAL REVIEW BODY

15 February 2017

Report by Deputy Chief Executive

REVIEW OF CASE - REVIEW/2017/01

ERECTION OF TWO STOREY SIDE EXTENSION AND SINGLE STOREY FRONT

EXTENSION AND ERECTION OF DECKING AT REAR

AT 26 ALYTH GARDENS, CLARKSTON

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:- 2016/0646/TP).
- Applicant: Mr and Mrs Hollywood.
- Proposal: Erection of two storey side extension and single storey front extension and erection of raised decking at rear.
- Location: 26 Alyth Gardens, Clarkston.
- Council Area/Ward: Netherlee, Stamperland and Williamwood (Ward 4).

REASON FOR REQUESTING REVIEW

3. The applicants have 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 applicants in submitting the review have stated the reasons for requiring the review of the determination of their application. A copy of the applicants’ Notice of Review and Statement of Reasons is attached as Appendix 5.

9. The applicants are 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 have indicated that their stated preferences are further written submissions and a site inspection.

10. The Local Review Body is not bound to accede to the applicants’ 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, 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. 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) Copies of Objections/Representations – Appendix 2 (Pages);
- (c) Report of Handling by the planning officer under the Scheme of Delegation - Appendix 3 (Pages);
- (d) Decision notice and reasons for refusal - Appendix 4 (Pages); and
- (e) A copy of the applicants' Notice of Review and Statement of Reasons - Appendix 5 (Pages).

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

- (a) Refused – Location Plan and Block Plan;
- (b) Refused – Proposed Side Elevation from Neighbours;
- (c) Refused – Proposed Elevations; and
- (d) Refused – Existing and Proposed Floor Plans.

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 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:- January 2017

**APPLICATION
FOR
PLANNING PERMISSION**

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HOUSEHOLDER APPLICATION FOR PLANNING PERMISSION

Town and Country Planning (SCOTLAND) ACT 1997
 The Town and Country Planning (Development Management Procedure) (SCOTLAND) REGULATIONS 2013

Please refer to the accompanying Guidance Notes when completing this application
 PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://www.eplanning.scot>

1. Applicant's Details 2016/0646/111		2. Agent's Details (if any)	
Title	MR + MRS	Ref No.	
Forename		Forename	John
Surname	HOLLYWOOD	Surname	HUTTON
Company Name		Company Name	
Building No./Name	26	Building No./Name	Frost 0/1, 69
Address Line 1	ALYTH Gdns	Address Line 1	MULLBATE ROAD
Address Line 2	CLARKSTW	Address Line 2	LANZSIDE
Town/City	GLASGOW	Town/City	GLASGOW
Postcode		Postcode	G42 9UT
Telephone		Telephone	07773 209204
Mobile		Mobile	
Fax		Fax	
Email		Email	

3. Address or Location of Proposed Development (please include postcode)

26 ALYTH GDNS, CLARKSTW

NB. If you do not have a full site address please identify the location of the site(s) in your accompanying documentation.

4. Describe the Proposed Works

Please describe accurately the work proposed:

SIDE TWO STOREY EXTENSION WITH FRONT PORCH
 & G.F. EXTN TO FRONT.

Have the works already been started or completed Yes No

If yes, please state date of completion, or if not completed, the start date:

Date started: Date completed:

If yes, please explain why work has already taken place in advance of making this application.

5. Pre-Application Discussion

Have you received any advice from the planning authority in relation to this proposal? Yes No

If yes, please provide details about the advice below:

In what format was the advice given? Meeting Telephone call Letter Email

Have you agreed or are you discussing a Processing Agreement with the planning authority? Yes No

Please provide a description of the advice you were given and who you received the advice from:

Name: Date: Ref No.:

AGAINST NEW POLICY! BUT THERE HAVE BEEN SEVERAL ALLEGEDLY CARRIED OUT IN THE AREA
 112, STANFORDLAND Gdns.
 EXAMPLES: 284, 124 + 125 MONTFITH Drive, CARLTON
 ALSO HOUSE ADJACENT WELL IN FRONT OF OUR HOUSE.

6. Trees

Are there any trees on or adjacent to the application site? Yes No

If yes, please show on drawings any trees (including known protected trees) and their canopy spread as they relate to the proposed site and indicate if any are to be cut back or felled.

7. Changes to Vehicle Access and Parking

Are you proposing a new altered vehicle access to or from a public road? Yes No

If yes, please show in your drawings the position of any existing, altered or new access and explain 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 changes to public paths, public rights of way or affecting any public rights of access? Yes No

If yes, please show on your drawings the position of any affected areas and explain the changes you propose to make, including arrangement for continuing or alternative public access.

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

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 reduced number of spaces)

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, etc.)

8. Planning Service Employee/Elected Member Interest

Are you / the applicant / the applicant's spouse or partner, a member of staff within the planning service or an elected member of the planning authority? Yes No

Or, are you / the applicant / the applicant's spouse or partner a close relative of a member of staff in the planning service or elected member of the planning authority? Yes No

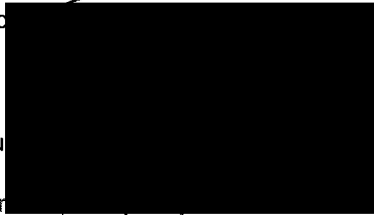
If you have answered yes please provide details:

DECLARATION

I, the applicant / agent certify that this is an application for planning permission and that accompanying plans/drawings and additional information are provided as part of this application. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

I, the applicant/agent hereby certify that the attached Land Ownership Certificate has been completed

I, the applicant/agent hereby certify that requisite notice has been given to other land owners and /or agricultural tenants Yes No N/A

Signature:  Name: John A Hurton Date: 28/9/16

Any personal information provided on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.

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LAND OWNERSHIP CERTIFICATES

Town and Country Planning (Scotland) Act 1997
 Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

CERTIFICATE A, B, C, D OR CERTIFICATE E MUST BE COMPLETED BY ALL APPLICANTS

CERTIFICATE A

Certificate A is for use where the applicant is the only owner of the land to which the application relates and none of the land is agricultural land.

I hereby certify that -

- (1) No person other than myself *Mims Howwood* was owner 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 application.
- (2) None of the land to which the application relates constitutes or forms part of agricultural land.

Signed:

On behalf of:

Date:

CERTIFICATE B

Certificate B is for use where the applicant is not the owner or sole owner of the land to which the application relates and/or where the land is agricultural land and where all owners/agricultural tenants have been identified.

I hereby certify that -

- (1) I have served notice on every person other than myself who, at the beginning of the period of 21 days ending with the date of the application was owner of any part of the land to which the application relates. These persons are:

Name	Address	Date of Service of Notice

- (2) None of the land to which the application relates constitutes or forms part of agricultural land
- or
- (3) The land or part of the land to which the application relates constitutes or forms part of agricultural land and I have served notice on every person other than myself who, at the beginning of the period of 21 days ending with the date of the application was an agricultural tenant. These persons are:

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COPIES OF OBJECTIONS/REPRESENTATIONS

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Comments for Planning Application 2016/0646/TP

Application Summary

Application Number: 2016/0646/TP

Address: 26 Alyth Gardens Clarkston East Renfrewshire G76 8PE

Proposal: Erection of two storey side extension and single storey front extension; erection of raised decking at rear

Case Officer: Ms Fiona Morrison

Customer Details

Name: Mrs Jane McEwan

Address: 14 Alyth Gardens, Clarkston, East Renfrewshire G76 8PE

Comment Details

Commenter Type: Rec'd NeighbourNotification from Council

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Hello, my only concern with the extension to the side of the property is that I cannot review from the drawings whether the driveway will be removed. If the driveway is to be removed where will Mr & Mrs Hollywood park their cars?

Will they use the spaces in the cul de sac or will space be available to park at the front of the property? Parking is a massive concern both in Alyth Gardens and Alyth Crescent so I would not be keen that this extension may add to that.

With this in mind, I'm certain the residents will have taken this into consideration.

Look forward to hearing your response,

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REPORT OF HANDLING

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REPORT OF HANDLING

Reference: 2016/0646/TP

Date Registered: 5th October 2016

Application Type: Full Planning Permission

This application is a Local Development

Ward: 4 -Netherlee Stamperland Williamwood

Co-ordinates: 258190/657939

Applicant/Agent:

Applicant:
Mr. And Mrs. Hollywood
26 Alyth Gardens
Clarkston
East Renfrewshire
G76 8PE

Agent:
Mr John Hutton
Flat 0/1
69 Millbrae Road
Langside
Glasgow
G42 9UT

Proposal: Erection of two storey side extension and single storey front extension;
erection of raised decking at rear

Location: 26 Alyth Gardens
Clarkston
East Renfrewshire
G76 8PE

CONSULTATIONS/COMMENTS: None.

PUBLICITY: None.

SITE NOTICES: None.

SITE HISTORY:

2005/0312/TP	Erection of single storey side/rear extension	ASTC	14.06.2005
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REPRESENTATIONS:

1 representation has been received:

Representation can be summarised as follows:

Concerns relating to car parking within the site.

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

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

ASSESSMENT:

The site comprises a two storey semi-detached property that is situated within an established residential area of similar semi-detached house types. Set back within a small cul de sac the property is bound by a low level wall and hedging to the front and timber fencing to the rear.

The proposal is for a two storey side extension. The two storey element will project 2.4m from the existing side elevation to the mutual boundary with the neighbouring property, and will take up the full depth of the house of approx. 7.6m, to the rear elevation of the house. The two storey extension will also have a single storey mono pitched projection to the front.

The proposed accommodation consists of an enlarged entrance hall, a new living area (attached to an extended kitchen) and utility room on the lower floor. A bedroom with en-suite bathroom will be accommodated on the upper floor. It is also intended to erect a raised timber deck in association with the proposed development.

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 any proposed development should not result in a significant loss of character or amenity to the surrounding area. Furthermore, the amenity of neighbouring properties must not be adversely affected by unreasonably restricting their sunlight or privacy.

This housetype is typical of the area, many of which have been extended in some form. Whilst the proposal raises no concerns in terms of overlooking it is considered that the off set relationship with the neighbouring property at No 28 Alyth Gardens will result a significant impact on the amenity of that property. The two storey extension will present a significant and dominant impact on that property across a depth of almost 8m and have an adverse impact on sunlight and daylight reaching that property.

The proposal is therefore contrary to Policy D1.

Policy D14 requires that any proposed extension must complement the character of the property, particularly in terms of style, form and materials.

The (SPG) goes further in emphasising that side extensions should:

- o Be set back at least 0.5 metres from the front elevation of the house;
- o The ridge line of the extension should be below the ridge line of the original house;
- o Be set back at least 1 metre from the side boundary.

The proposed two storey side extension does not meet the requirements set out above as it maintains the height of the existing dwelling with no set back from the front elevation of the house or the side boundary.

The projection beyond the front elevation of the house is 1.4m and the width is 4m. The SPG states that; no extension (other than a porch) should project beyond the front elevation of the existing house. The criterion for a porch is a maximum projection of 1.5m from the front elevation and no more than 2m in width. A significant area of glazing is also required.

In addition the lack of the recommended separation distance from the mutual boundary with No28 in this instance has a more direct impact on the amenity of that neighbouring property as outlined above.

Overall, the proposal is considered to dominate and detract from the character and design of the existing house and to impact detrimentally on the amenity of neighbouring properties. The proposal does not provide the subordinate appearance as sought after by Policies D1, D14 and the SPG.

A further material consideration is a representation received from the occupant of 14 Alyth gardens which makes reference to parking arrangements within the application site and Alyth Gardens. In response, there is currently a space for one car on the driveway. It is not considered that the proposal would impact on the existing arrangement.

It should be noted that a request to amend the proposal in accordance with the SPG was declined. Details of similar types of development have been submitted in support of the application; however the sites mentioned are not within the immediate area and significantly predate current planning policy.

Consequently, as the proposal is contrary to the provisions of Policy D1 and D14 of the LDP and the requirements of the SPG, and that there are no significant material considerations that outweigh the provisions of the Development Plan, it is recommended that planning permission is refused.

RECOMMENDATION: Refuse

PLANNING OBLIGATIONS: None.

REASON(S):

Reason: The proposal is contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan as it dominates and detracts from the amenity of the neighbouring property by virtue of its depth, height and close proximity.

Reason: The proposal fails to comply with the specific terms of the adopted Supplementary Planning Guidance: Householder Design Guide. In terms of scale forward projection and lack of separation distance to neighbouring property.

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.: 2016/0646/TP
(FIMO)

DATE: 2nd December 2016

DIRECTOR OF ENVIRONMENT

Reference: 2016/0646/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 solums or other development that would remove opportunities to enhance pedestrian and cycle access unless mitigation measures have been demonstrated;
15. The Council requires the submission of a design statement for national and major developments. Design statements must also be submitted in cases where a local development relates to a site within a conservation area or Category A listed building in line with Planning Advice Note 68: Design Statements.
16. Where applicable, developers should explore opportunities for the provision of digital infrastructure to new homes and business premises as an integral part of development.

Policy D14

Extensions to Existing Buildings and Erection of Outbuildings and Garages

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

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

Side extensions should not create an unbroken or terraced appearance.

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

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

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

GOVERNMENT GUIDANCE: None relevant

Finalised 02/12/2016.IM.

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**DECISION NOTICE
AND
REASONS FOR REFUSAL**

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**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
(AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(SCOTLAND) REGULATIONS 2013**

REFUSAL OF PLANNING PERMISSIONRef. No. **2016/0646/TP****Applicant**

Mr. And Mrs. Hollywood
26 Alyth Gardens
Clarkston
East Renfrewshire
G76 8PE

Agent:

Mr John Hutton
Flat 0/1
69 Millbrae Road
Langside
Glasgow
G42 9UT

With reference to your application which was registered on 5th October 2016 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Erection of two storey side extension and single storey front extension; erection of raised decking at rear**at: 26 Alyth Gardens Clarkston East Renfrewshire G76 8PE**

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

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

1. The proposal is contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan as it would detract from the amenity and outlook of the adjacent attached dwelling by virtue of its size in proximity to the common boundary.
2. The proposal fails to comply with the specific terms of the adopted Supplementary Planning Guidance: Householder Design Guide.
3. The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as it dominates and detracts from the character and design of the existing dwelling by virtue of the size, scale and design.

Dated 2nd December 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
Block Plan and Location Plan Proposed	001		
Plans Proposed	4134/2		
Elevations Proposed	4134/1		
Elevations Proposed	003		

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**

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RECEIVED

11 JAN 2017 17:15 PM

Notice of Review



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:

BECAUSE WE NOTED VARIOUS ADDRESSES WITHIN THE LOCALITY WHICH HAVE THE SAME EXTENSIONS & WE WOULD LIKE TO BRING MORE TO THE ATTENTION OF THE REVIEW BODY.

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.

WE BROUGHT TO THE ATTENTION OF PLANNING THAT EXTENSIONS HAD BEEN CARRIED OUT AT 124, 128 + 28, MONTETH DUNE, CLARUSTON WHICH ARE EXACTLY THE SAME AS WE WERE APPLYING FOR.

WE DO NOT AGREE WITH THE REASONS FOR REFUSAL. THIS IS AN END TERRACE HOUSE + THE EXTENSION PROPOSED WOULD NOT IMPACT ON ANY NEIGHBOUR AS THE HOUSE NEXT TO THEM IS AT A DIFFERENT LEVEL AND AT 90° TO OURS.

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

Yes No

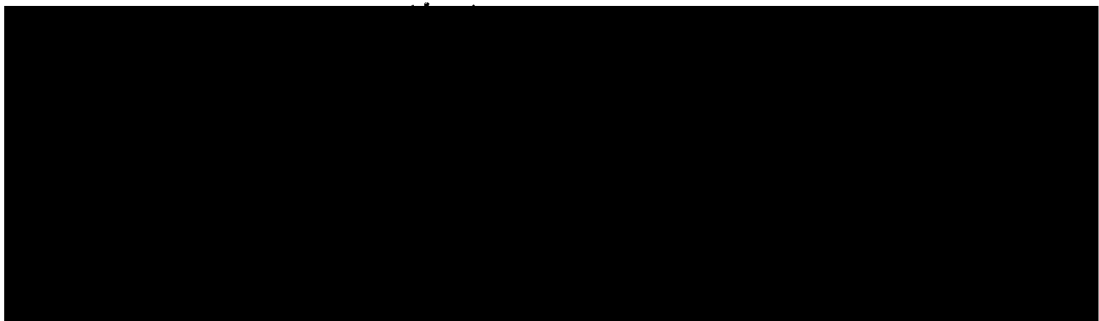
If yes, you should explain in the box below, why you are raising new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

WE HAVE GIVEN FURTHER ADDRESSES OF EXTENSIONS IN THE AREA WHICH ARE AS PER OUR APPLICATION WHICH WAS REFUSED.

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.

OTHER PROPERTIES WITHIN THE AREA WITH SIMILAR EXTENSIONS :



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

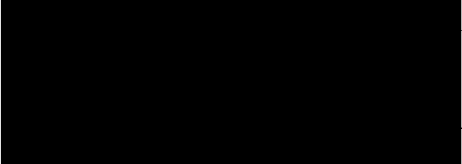
Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

- 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

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

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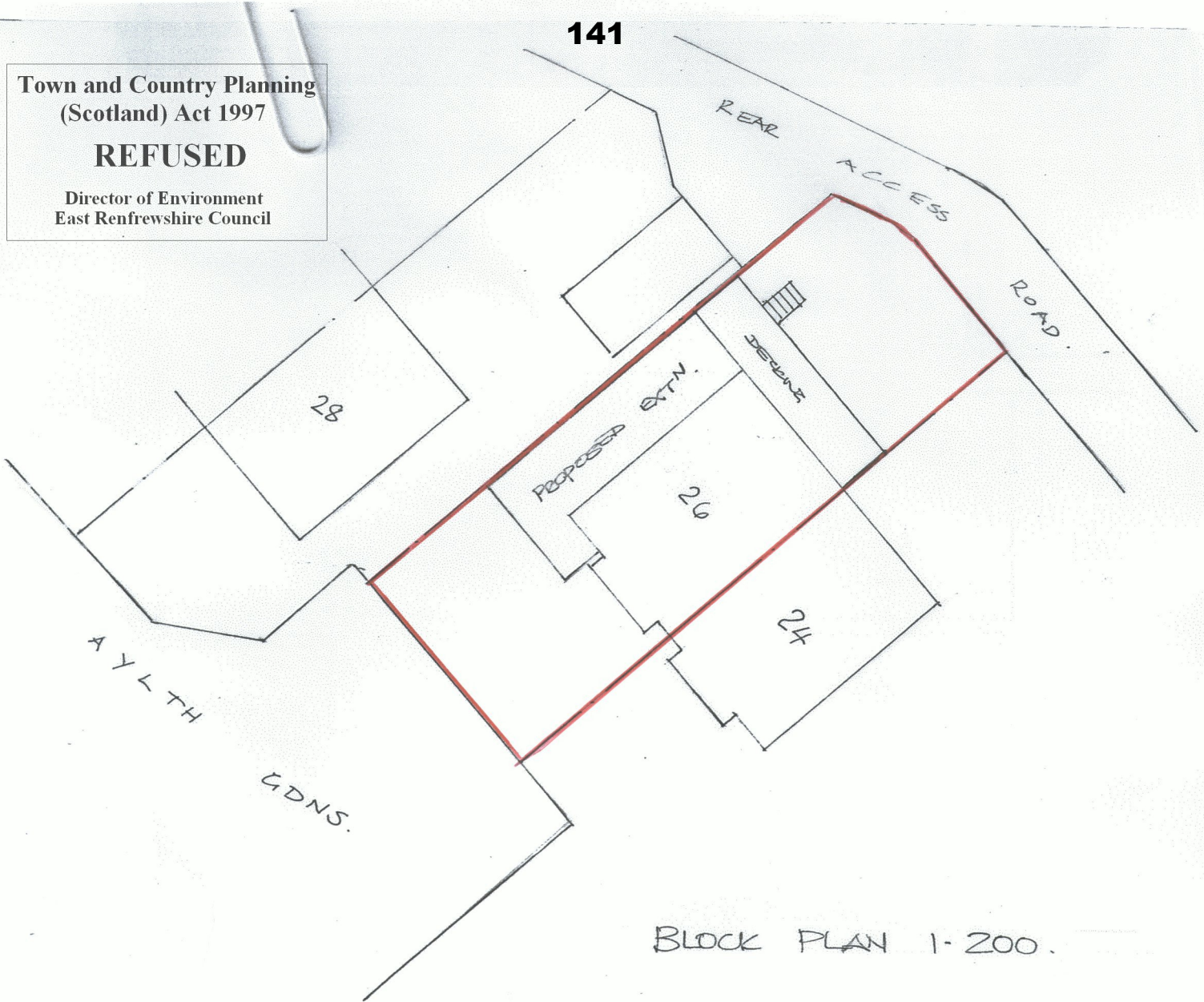
PLANS/PHOTOGRAPHS/DRAWINGS

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Town and Country Planning
(Scotland) Act 1997

REFUSED

Director of Environment
East Renfrewshire Council



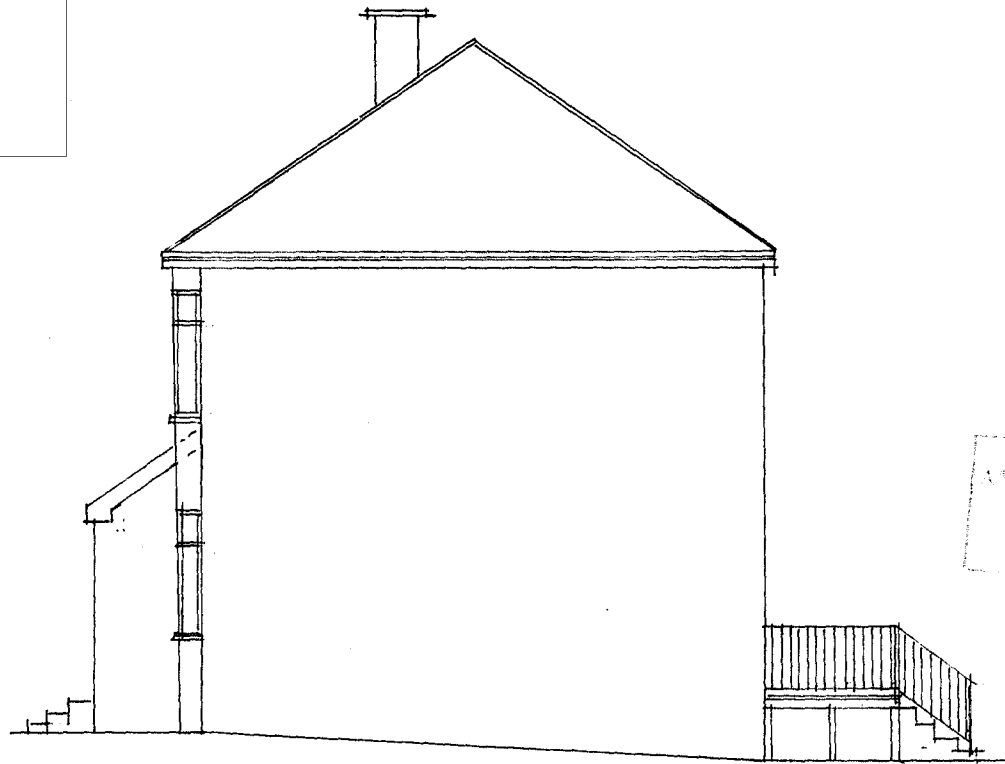
BLOCK PLAN 1-200.



AMENDED PLANS RECEIVED
- 6 OCT 2016
Date: _____

LOCATION PLAN 1:1250

Town and Country Planning
(Scotland) Act 1997
REFUSED
Director of Environment
East Renfrewshire Council



ARCHITECTURAL PLANS RECEIVED
DATE - 6 OCT 2016

PROPOSED SIDE ELEVATION FROM NEIGHBOURS.

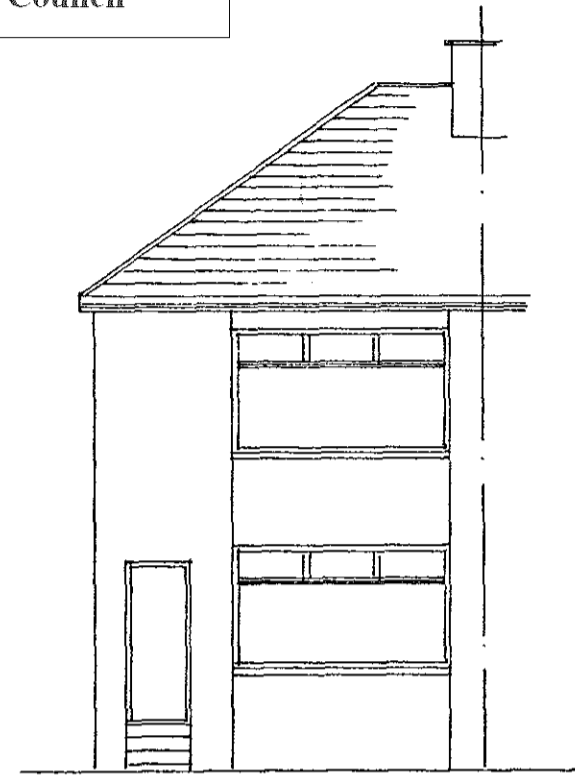
PROPOSED TWO STOREY SIDE EXTENSION & SINGLE STOREY TO FRONT
AT 26, AYLTH GDNS, CLARKSTON.
PER MR & MRS HOLLYWOOD.

SCALE : 1:100
DRG NO : 4134 /
DATE : SEPT 2016 .

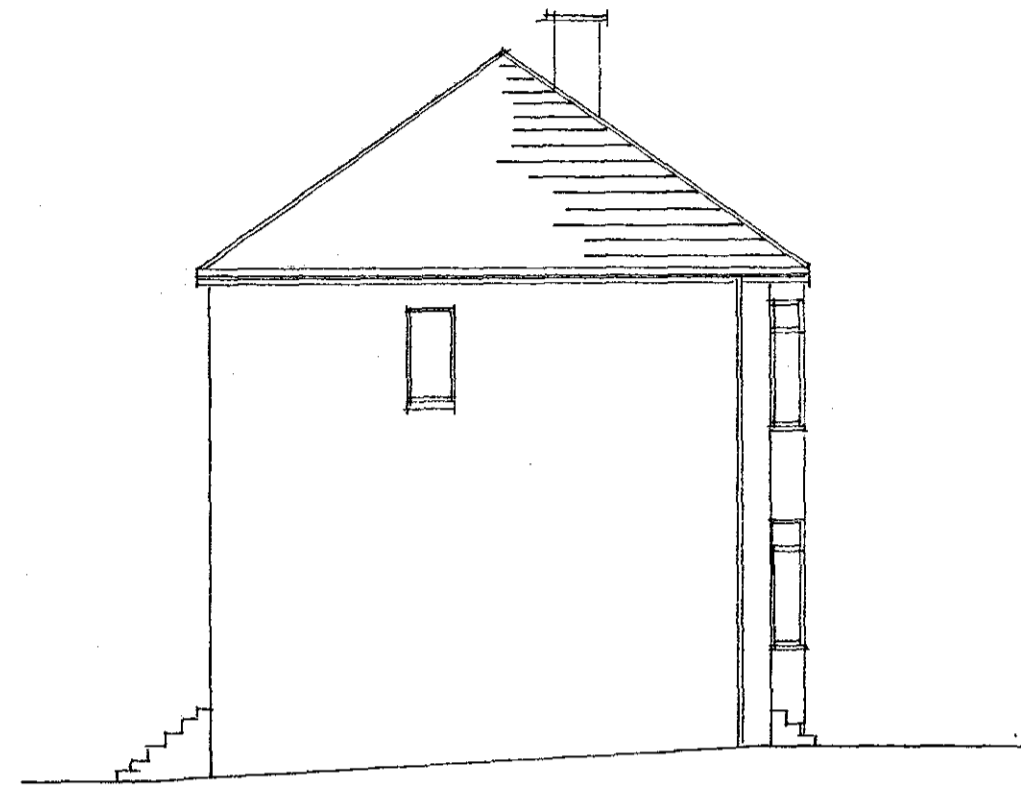
Town and Country Planning
(Scotland) Act 1997

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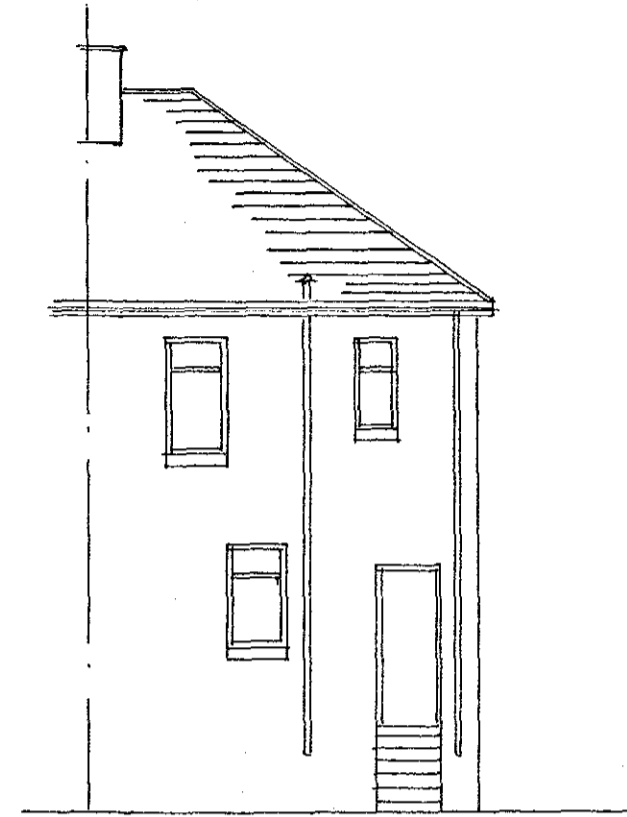
Director of Environment
East Renfrewshire Council



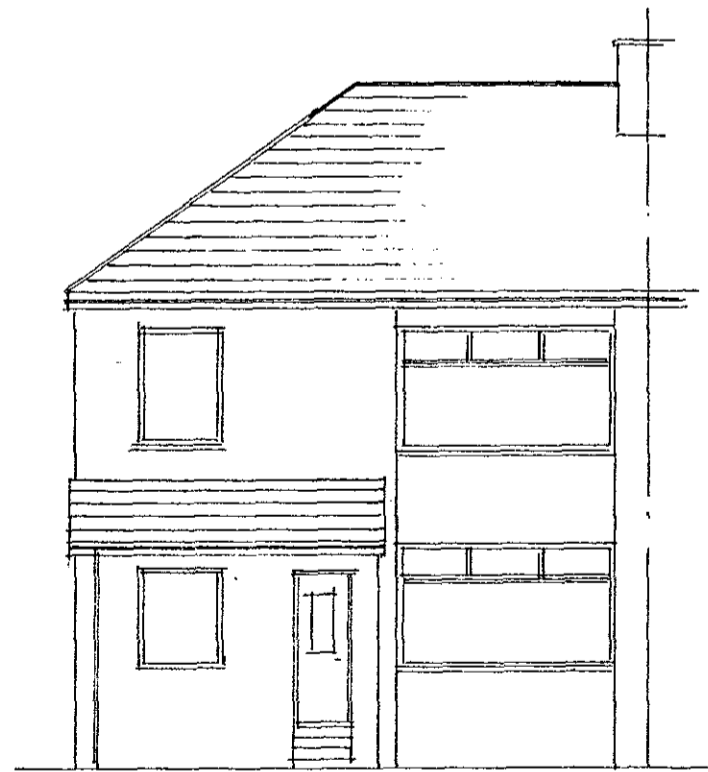
EXISTING FRONT ELEVATION.



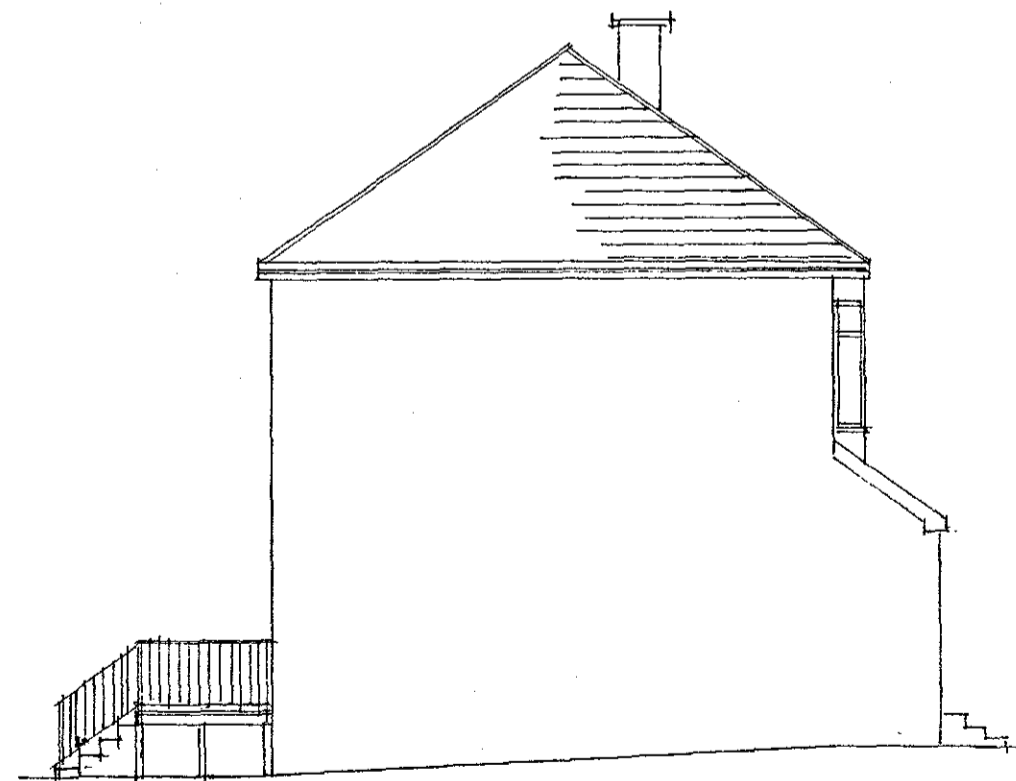
EXISTING SIDE ELEVATION.



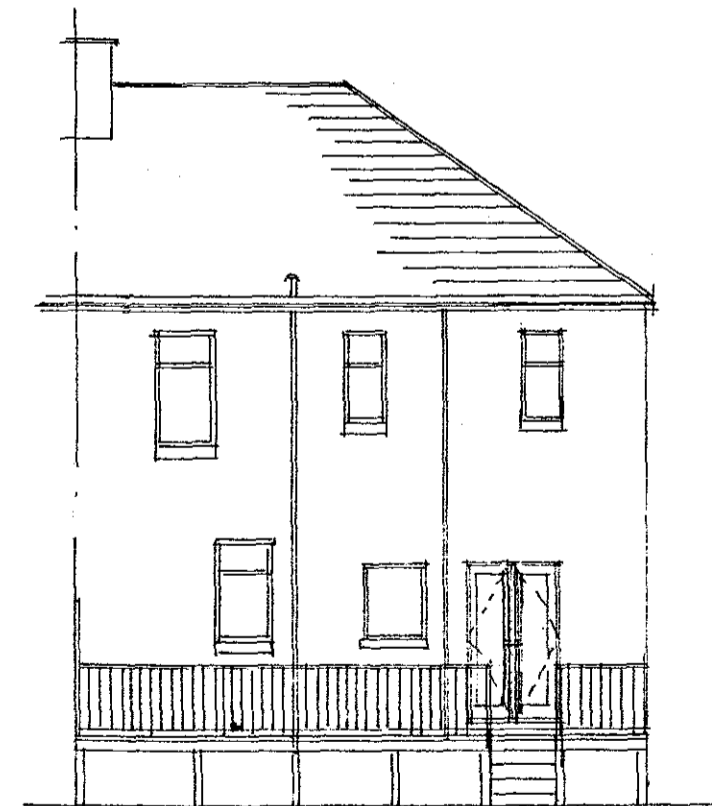
EXISTING REAR ELEVATION.



PROPOSED FRONT ELEVATION.



PROPOSED SIDE ELEVATION.



PROPOSED REAR ELEVATION.

AMENDED 6 OCT 2016
Date: _____

Town and Country Planning
(Scotland) Act 1997

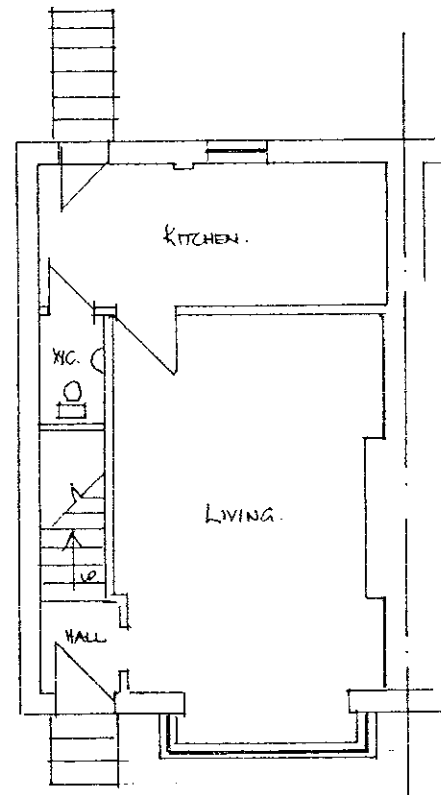
REFUSED

Director of Environment
East Renfrewshire Council

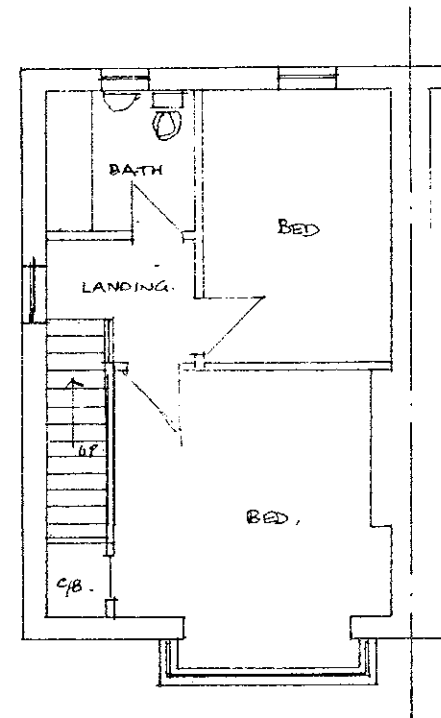
PROPOSED TWO STOREY SIDE EXTENSION & SINGLE STOREY TO FRONT.
AT 26, AYLTH GDNs, CLARKSTON.
PER MR & MRS HOLLYWOOD.

SCALE : 1:50, 1:100.
DRG NO : 4134 / 2
DATE : SEPT 2016.

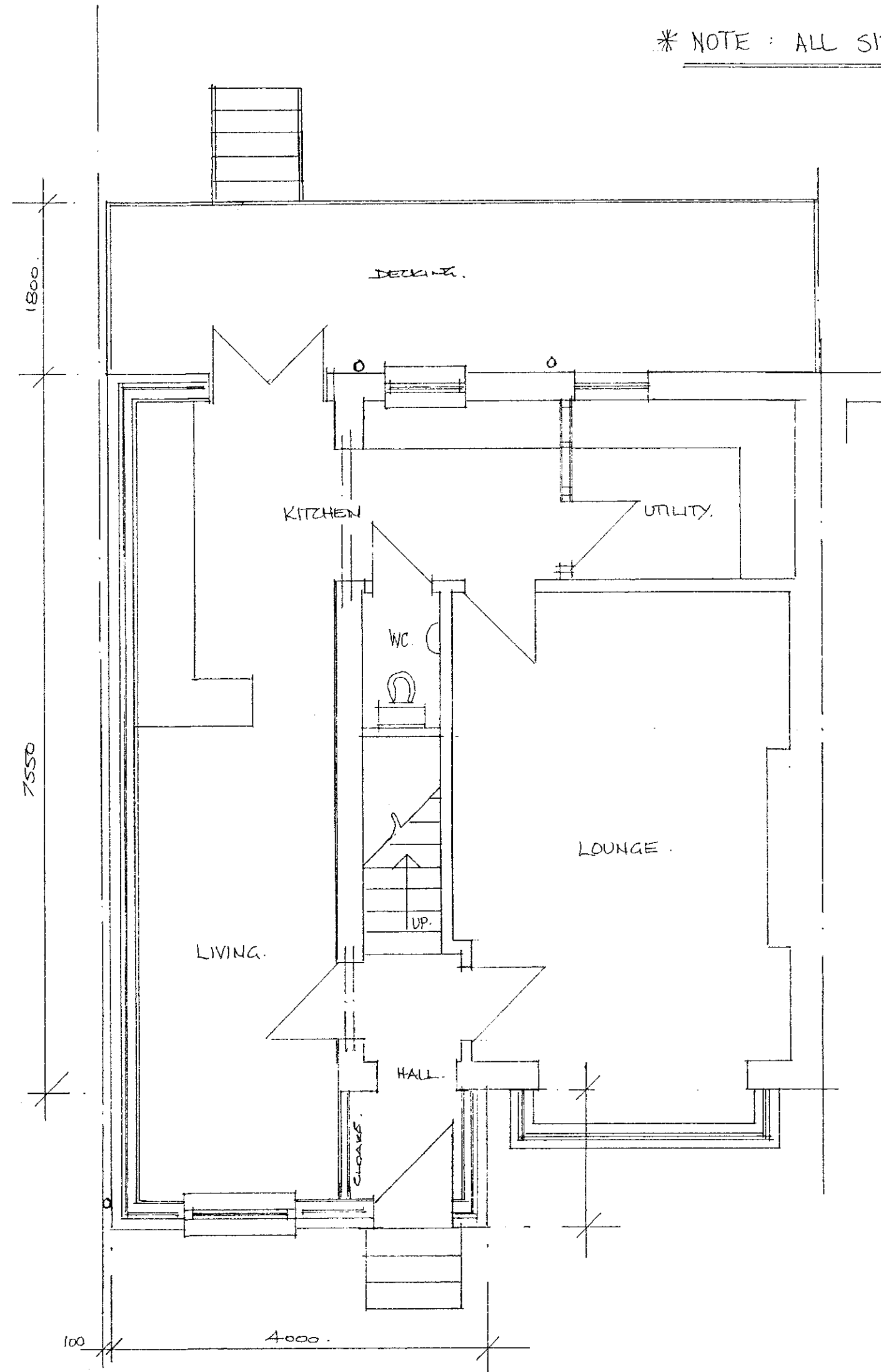
* NOTE : ALL SIZES TO BE CHECKED ON SITE *



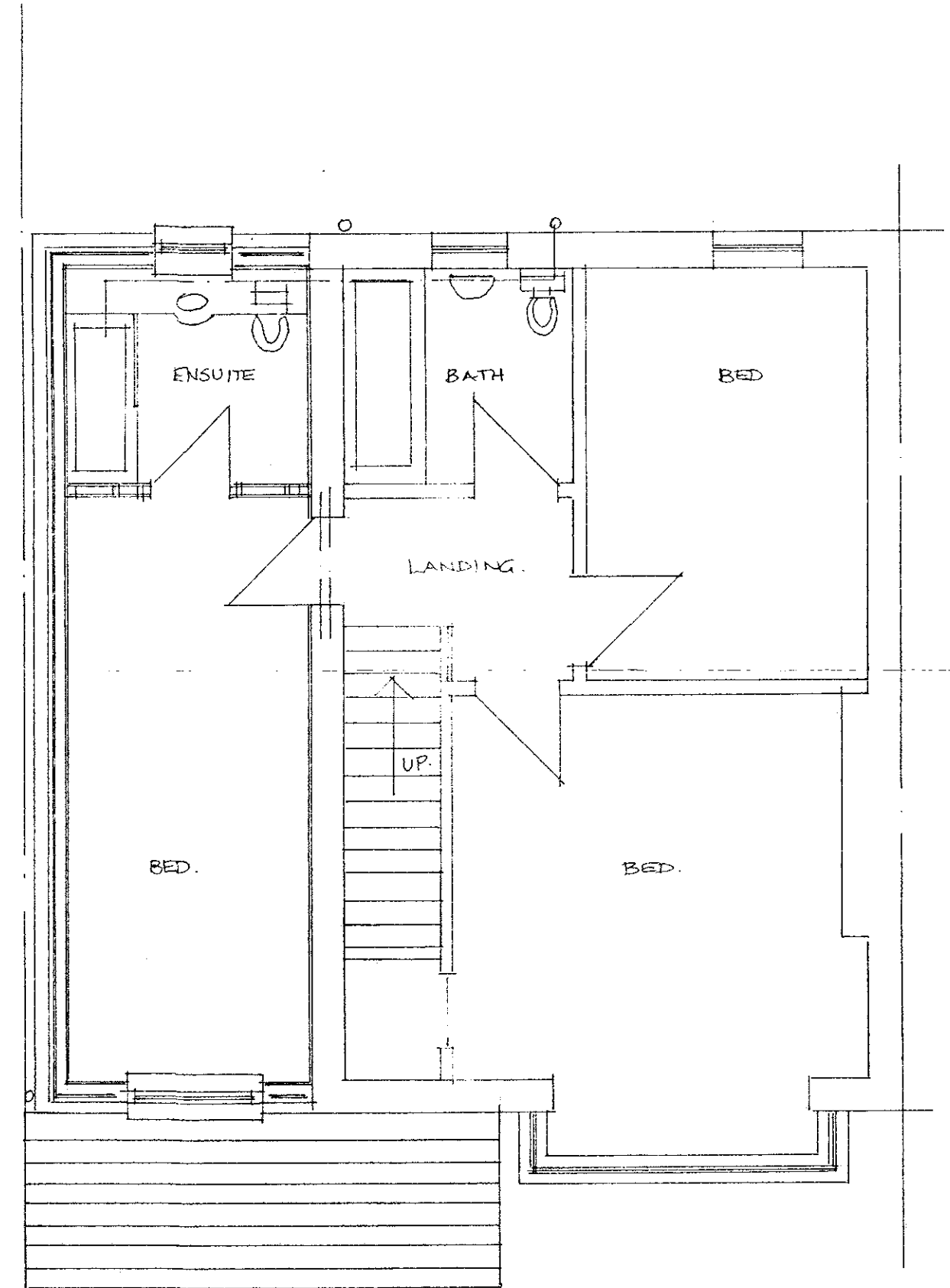
EXISTING G.F. PLAN.



EXISTING 1st FLOOR PLAN.



PROPOSED G.F. PLAN.



PROPOSED 1st FLOOR PLAN.