

EAST RENFREWSHIRE COUNCILLOCAL REVIEW BODY15 February 2017Report by Deputy Chief ExecutiveREVIEW OF CASE - REVIEW/2017/02ERECTION OF TWO STOREY EXTENSION AND FRONT PORCHAT 61 HILLEND CRESCENT, 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:- 2016/0686/TP).
Applicant: Mr and Mrs M Murphy.
Proposal: Erection of two storey extension and front porch.
Location: 61 Hillend Crescent, Clarkston.
Council Area/Ward: Busby, Clarkston and Eaglesham (Ward 6).

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 one or more hearing sessions 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) Report of Handling by the planning officer under the Scheme of Delegation - Appendix 2 (Pages);
- (c) Decision notice and reasons for refusal - Appendix 3 (Pages); and
- (e) A copy of the applicants' Notice of Review and Statement of Reasons - Appendix 4 (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 5 (Pages).

- (a) Plans as existing – CSM 2491/2;
- (b) Refused – Location plan – CSM 2491/3; and
- (c) Refused – Plans and elevations – CSM 2391/1.

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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RECEIVED
19 OCT 2016

HOUSEHOLDER APPLICATION FOR PLANNING PERMISSION

Town and Country Planning (SCOTLAND) ACT 1997
The Town and Country Planning (Development Management Procedure) (SCOTLAND) REGULATIONS 2008

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://eplanning.scotland.gov.uk>

1. Applicant's Details		2. Agent's Details (if any)	
Title	MR AND MRS	Ref No.	
Forename	M.	Forename	DEREK
Surname	MURPHY	Surname	THOMPSON
Company Name		Company Name	LINDMARK HOME IMPROVEMENTS
Building No./Name	G1	Building No./Name	MORVEN HOUSE, 10
Address Line 1	HILLEN D CRESCENT	Address Line 1	HIGH ROAD
Address Line 2		Address Line 2	
Town/City	CLARKSTON	Town/City	PAISLEY
Postcode	G76 7XU	Postcode	PA2 6AR
Telephone		Telephone	0141 889 4468
Mobile		Mobile	07778 466610
Fax		Fax	
Email		Email	derek@thompsonarchitectural.co.uk
3. Address or Location of Proposed Development (please include postcode)			
G1 HILLEN D CRESCENT CLARKSTON G76 7XU			
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:			
TWO STOREY EXTENSION AND PORCH			
Have the works already been started or completed Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
If yes, please state date of completion, or if not completed, the start date:			
Date started:	<input type="text"/>	Date completed:	<input type="text"/>

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.:

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:

[Redacted area]

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: [Redacted] Name: DEREK THOMPSON Date: 17/10/16
LANDMARK HOME IMPROVEMENTS

Any personal data that you have been asked to provide 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 2008

CERTIFICATE A, B, C OR CERTIFICATE D 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/^{the} applicant 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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REPORT OF HANDLING

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REPORT OF HANDLING

Reference: 2016/0686/TP

Date Registered: 19th October 2016

Application Type: Full Planning Permission

This application is a Local Development

Ward: 6 -Busby Clarkston Eaglesham

Co-ordinates: 256352/:656804

Applicant/Agent:

Applicant:
Mr And Mrs M Murphy
61 Hillend Crescent
Clarkston
East Renfrewshire
G76 7XU

Agent:
Lindmark Home Improvements
Derek Thompson
10 High Road
Paisley
PA2 6AR

Proposal: Erection of two storey extension and front porch

Location: 61 Hillend Crescent
Clarkston
East Renfrewshire
G76 7XU

CONSULTATIONS/COMMENTS: None.

PUBLICITY: None.

SITE NOTICES: None.

SITE HISTORY:

2008/0755/TP	Erection of two storey side extension, single storey rear extension and front porch	REFUSED	05.01.2009
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REPRESENTATIONS: No representations have been received.

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

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

ASSESSMENT:

The site is located on the west side of Hillend Crescent, at its junction with Flenders Avenue, and is situated within an established planned estate comprising a variety of housetypes and built forms. The property is a two storey semi-detached house with a low level of understorey rising from front to rear reflecting the topography of the area. The side garden area is bounded by fencing approximately 1.8m high aligning from the front of the house out to the heel of the footway onto Flenders Avenue and round to the rear.

The front garden area is bounded by low fencing (approximately 1m high). The attached neighbouring property has a single storey side /rear extension projecting part way around the front of the house to form a porch.

Planning permission is being sought to erect a two storey side extension and front porch. The two storey side extension would align with the front and rear walls and project 4m from the existing gable. A front porch, 1.6m by 3.2m, would straddle across the existing front door and part of the front elevation of the proposed extension. Internally, the extension would accommodate two rooms on the ground floor and an ensuite bedroom on the upper floor. Externally, the existing ridge would be extended to incorporate the extension with a gable end to match the existing roof. The new porch would have a shallow lean-to roof. New windows on the front and rear elevations over both floors would respect the current window openings. On the rear elevation, French doors would open out onto a small platt and steps. The submission suggests that the external materials would match the house ie facing brick, render and roof tiles.

The application requires to be assessed against the Development Plan and any material considerations. The relevant policies in the East Renfrewshire Local Development Plan are considered to be D1, D2 and D14 and it's supporting Supplementary Planning Guidance - Householder Design Guide.

Policy D1 is a general criteria based policy that applies to all forms of development. It is considered that criteria 1, 2 and 3 are the most relevant in this case.

The area is characterised by a variety of housetypes and pockets of properties laid out in a "Radburn" layouts. Many properties within the area have been altered and extended and therefore there are no objections in principle to a two story side extension and front porch at the application property. The acceptability or otherwise will depend on the detailing.

Many properties on corner plots are positioned gable end onto adjoining roads often with larger than average side garden areas. There are clearly defined building lines where properties are located at road junctions. The application property is currently set back approximately 5 to 6 metres from the heel of the footway on Flenders Road. The proposed extension would reduce the setback to approximately 2 to 3 metres. As a consequence, the extended property would project significantly forward of the neighbouring properties which have a frontage onto Flenders Avenue e.g. 120 Hillend Road and 6 Flenders Avenue, the latter being an end terrace in a row of five. The erection of a large two storey extension on a prominent site which breaches the established building line would have a detrimental visual impact on the street scene and the established amenity and character of the area. The proposal therefore conflicts with criterion 1.

The extension does respect the building form and design of the house. Details of the external materials could be secured by a planning condition to ensure that they matched existing materials. However, the existing property is approximately 4.7m wide and the proposed extension would increase the width by a further 4m. Extensions should be subsidiary to the property and subordinate in scale and appearance to the original house. The proposal would represent almost a 100% increase in the size of the property and is therefore inappropriate in terms of size, scale and massing, the corner context adds to this concern. It is considered that the proposal conflicts with criterion 2.

Due to the orientation of the plot and the configuration of the windows, it is considered that the proposal does not raise any issues with overlooking and/or overshadowing. The proposal does not conflict with criterion 3.

Although there are no issues with overshadowing or overlooking, the proposal is contrary to criteria 1 and 2 and therefore, in combination, these aspects are sufficient to render the proposal contrary to policy D1 and, as such it also cannot be supported by D2 which presumes against developments that are not compatible with the character and amenity of the locality.

Policy D14 sets out six general criteria against which all proposals for alterations and extensions to dwelling houses are assessed. The relevant criteria are considered to be:

- Any extensions must complement the existing character of the property in terms of style, form and materials.
- For reasons discussed above, it is considered that the proposal does not conflict with this criterion.
- The size, scale and height of any development must be appropriate to the existing building

For reasons discussed above, it is considered that the proposal conflicts with this criterion.

- Side extensions should not create an unbroken or terraced appearance.
- Because the extension is so large, it potentially creates the appearance of another house and a terrace of three.
- The development should avoid over development of the site by major loss of existing garden space.

Although the extension represents an increase of almost 100% of the existing footprint of the house and would be prominent in the street scene, the site can accommodate the extension without significant detriment to the setting of the house.

The proposal does not fully comply with policy D14.

The Supplementary Planning Guidance (SPG)-Householder Design Guide lists a number of general principles and sets out more detailed guidance on specific development types. These are as follows:

- Extensions.....should respect the character of the original house and the surrounding area in terms of design, scale and materials. No extension.... should detract from the character of the area
- Extensions should not dominate or overwhelm the original form or appearance of the house and should be subordinate in scale and appearance to the original house.
- Extension should be in proportion to the original house and should not exceed 100% of the footprint of the original house.

The specific guidance on front porches advises that they should:

- Not project more than 1.5metres from the front elevation of the house and should be no more than 2 metres wide
- Include a significant area of glazing
- Have pitched roof rather than a flat roof when on the front or principle elevation of the house.

The proposal does not comply with the first criterion and is therefore unacceptable.

The specific guidance on side extensions advises that they should:

- Be no more than 50% of the frontage of the original house

- Be set back at least 0.5m from the front elevation of the original house
- The ridge line of the extension should be below the ridge line of the original house.

For reasons given in the preceding paragraphs, the proposal does not comply with the specific guidance on side extensions and is therefore unacceptable.

Drawing all the above matters together, it is considered that the proposal does not fully comply with policies D1 and D14 in the East Renfrewshire Local Development Plan and the provisions of the SPG. On that basis, the application should be refused unless there are material considerations which would justify setting aside the Development Plan and SPG and approving the application.

Matters material to the consideration of the application are considered to be: similar developments in the area and the application site history. With regard to the former, it should be noted that all planning applications are treated on their own merits and rarely are two sites and /or development proposals identical.

The applicant was advised that the proposal did not comply with the SPG but confirmed that the application was to be determined as submitted. The applicant did, however, make specific reference to a similar development at 34 Flenders Avenue, reference 2011/0422/TP. This application is not considered directly comparable as: it was for the erection of upper storey extension at side; the original ground floor extension was 3.5m wide and the application predates the publication of the SPG.

It is acknowledged that a more recent application (reference 2013/0168/TP) for a two storey extension at 55 Hillend Crescent was approved with no setback at the front and the existing ridge extended to incorporate the extension. In this case, the extension was much narrower at 2.25m wide and the application predated the publication of the SPG.

In addition this same application site was the subject of a previous application, reference 2008/0755/TP, for the "erection of two story side extension, single story rear extension and front porch" which was refused in January 2009.

The reasons for refusal were as follows:

1. It is considered that the proposed development, by reason of its size, scale and design, is contrary to Policies DC1 and DC2/2 of the East Renfrewshire Local Plan and Policies DM1 and DM2.1 of the Finalised Replacement East Renfrewshire Local Plan. In addition the proposed two storey extension breaks the existing established building line to the detriment of the visual amenity of the existing area and overall it constitutes an overdevelopment of the site.
2. The proposed boundary fence at the side will be detrimental to roads safety and will compromise the visibility at the junction of Hillend Crescent with Flenders Avenue because of its position and height.

With regard to the two storey element of that proposal, the extension projected approximately 4m from the gable end, it was built flush with the front of the house and the existing ridge was extended to incorporate the extension. It is acknowledged that the proposed development also included a front porch (similar dimensions to that currently proposed) and a large rear extension, but the issues in respect of the size of the side extension are the same as the current proposal.

With reference to the second reason for refusal, it is noted that the existing fencing does not have the benefit of planning permission.

To conclude, the proposal:

- Conflicts with the East Renfrewshire Local Development Plan as the proposal cannot be supported by policies D1, D2 and D14
- Conflicts with Supplementary Planning Guidance -Householder Design Guide

Accordingly, it is recommended that the planning application must be refused as its contrary to the Development Plan and there are no material considerations which would justify setting aside the Development Plan and approving the application .

RECOMMENDATION: Refuse

PLANNING OBLIGATIONS: None.

REASON(S):

1. The proposed development is contrary to policies D1 (1), D1 (2), D2 and D14 in the East Renfrewshire Local Development Plan as the two story side extension, due to its location, size, scale and massing, would not be subservient to the original dwellinghouse and would be visually prominent in the street scene to the detriment of the character and visual amenity of the area.
2. The proposed development would be contrary to the Supplementary Planning Guidance -Householder Design Guide as it does not comply with the specific guidance on side extensions and front porches.

ADDITIONAL NOTES: None.

ADDED VALUE: None

BACKGROUND PAPERS:

Further information on background papers can be obtained from Ms Alison Mitchell on 0141 577 3117.

Ref. No.: 2016/0686/TP (ALMI)

DATE: 7th December 2016

DIRECTOR OF ENVIRONMENT

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Reference: 2016/0686/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 D2

General Urban Areas

Development will be supported within the general urban areas, as defined on the Proposals Map, where compatible with the character and amenity of the locality and surrounding land uses and where it complies with other appropriate policies of the Plan.

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 07/12/2016.IM

**DECISION NOTICE
AND
REASONS FOR REFUSAL**

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

REFUSAL OF PLANNING PERMISSION

Ref. No. **2016/0686/TP**

Applicant

Mr And Mrs M Murphy
61 Hillend Crescent
Clarkston
East Renfrewshire
G76 7XU

Agent:

Lindmark Home Improvements
Derek Thompson
10 High Road
Paisley
PA2 6AR

With reference to your application which was registered on 19th October 2016 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Erection of two storey extension and front porch

at: 61 Hillend Crescent Clarkston East Renfrewshire G76 7XU

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 proposed development is contrary to policies D1 (1), D1 (2), D2 and D14 in the East Renfrewshire Local Development Plan as the two storey side extension, due to its location, size, scale and massing, would not be subservient to the original dwellinghouse and would be visually prominent in the streetscene to the detriment of the character and visual amenity of the area.
2. The proposed development would be contrary to the Supplementary Planning Guidance - Householder Design Guide as it does not comply with the specific guidance on side extensions and front porches.

Dated 7th 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
Location and Block Plan	CSM2491/3		
Plans Existing and Proposed	CSM2491/1		

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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NOTICE OF REVIEW

Under Section 43A(8) Of the Town and County Planning (SCOTLAND) ACT 1997 (As amended) In Respect of Decisions on Local Developments
 The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (SCOTLAND) Regulations 2013
 The Town and Country Planning (Appeals) (SCOTLAND) Regulations 2013

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.

PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <http://www.scotland.gov.uk/Topics/Planning/Developments/NoticeofReview>

1. Applicant's Details		2. Agent's Details (if any)	
Title	MR + MRS	Ref No.	
Forename	M.	Forename	DEREK
Surname	MURPHY	Surname	THOMPSON
Company Name		Company Name	LINDMARK HOME IMPROVEMENTS
Building No./Name	G1	Building No./Name	10
Address Line 1	HILLEND CRESCENT	Address Line 1	HIGH ROAD
Address Line 2	CLARKSTON	Address Line 2	
Town/City		Town/City	PAISLEY
Postcode	G76 7XU	Postcode	PA2 6AR
Telephone		Telephone	0141 889 4468
Mobile		Mobile	07778 466610
Fax		Fax	
Email		Email	derek@thompsonarchitectural.co.uk
3. Application Details			
Planning authority	EAST RENFREWSHIRE COUNCIL		
Planning authority's application reference number	2016/0686 / TP		
Site address	G1 HILLEND CRESCENT CLARKSTON EAST RENFREWSHIRE G76 7XU		
Description of proposed development	ERECTION OF TWO STOREY EXTENSION AND FRONT PORCH		

Date of application

19/10/16

Date of decision (if any)

7/12/16

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

4. Nature of Application

Application for planning permission (including householder application)

Application for planning permission in principle

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)

Application for approval of matters specified in conditions

5. Reasons for seeking review

Refusal of application by appointed officer

Failure by appointed officer to determine the application within the period allowed for determination of the application

Conditions imposed on consent by appointed officer

6. 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.

Further written submissions

One or more hearing sessions

Site inspection

Assessment of review documents only, with no further procedure

If you have marked either of the first 2 options, 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 necessary.

THE DESIGN IS SYMPATHETIC TO THE EXISTING DWELLING AND FITS IN WELL WITH THE SURROUNDING AREA AND THIS IS WORTHY LOOKING AT.

7. Site inspection

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

Can the site be viewed entirely from public land?

Yes

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

Yes

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

No

8. 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.

THE EXTENSION AND PORCH COMPLEMENT THE EXISTING HOUSE IN BOTH SCALE AND DESIGN AND IS A REASONABLE SIZE FOR THE SITE IN WHICH IT SITS.
 THE EXTENSION CANNOT BE SET BACK AS IT WOULD THEN BE IMPOSSIBLE TO GAIN ACCESS INTO IT AT GROUND LEVEL. THE PORCH PROVIDES A BREAK UP IN THE FRONT ELEVATION AND TAKES AWAY THE POSSIBLE TERRACED EFFECT WHICH IS OFTEN A WORRY TO THE PLANNING DEPARTMENT.
 CLOSE BY AT 34 FLEUDERS AVENUE THERE IS A CORNER SITE WITH A FLUSH 2 STOREY SIDE EXTENSION WITH PORCH (WHICH WAS APPROVED) AS WELL AS A TWO STOREY SIDE EXTENSION WITH FRONT EXTENSION AT 57 FLEUDERS AVENUE.

Have you raised any matters which were not before the appointed officer at the time your application was determined? Yes No

If yes, please explain below a) why your are raising new material b) why it was not raised with the appointed officer before your application was determined and c) why you believe it should now be considered with your review.

9. 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

PLANS AS EXISTING CSM 2491/1
 PLANS AS PROPOSED CSM 2491/2
 LOCALITY AND SITE PLANS CSM 2491/3

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 until such time as the review is determined. It may also be available on the planning authority website.

10. Checklist

Please mark the appropriate boxes to confirm that 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 requesting 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

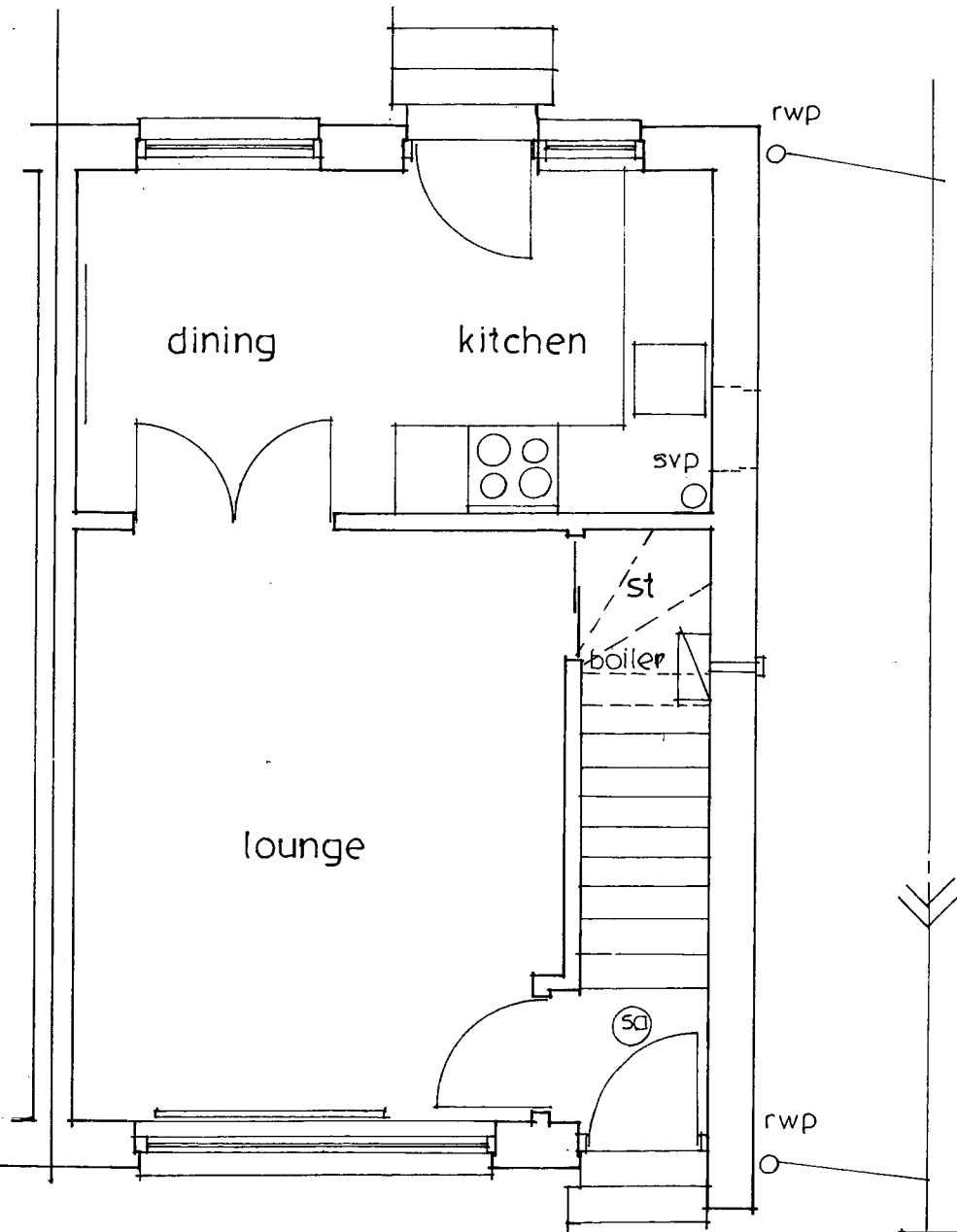
I, the ~~applicant~~ ^{agent} hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

Signature: [REDACTED] Name: DAVID THOMPSON Date: 16/1/17
LANDMARK HOME IMPROVEMENTS

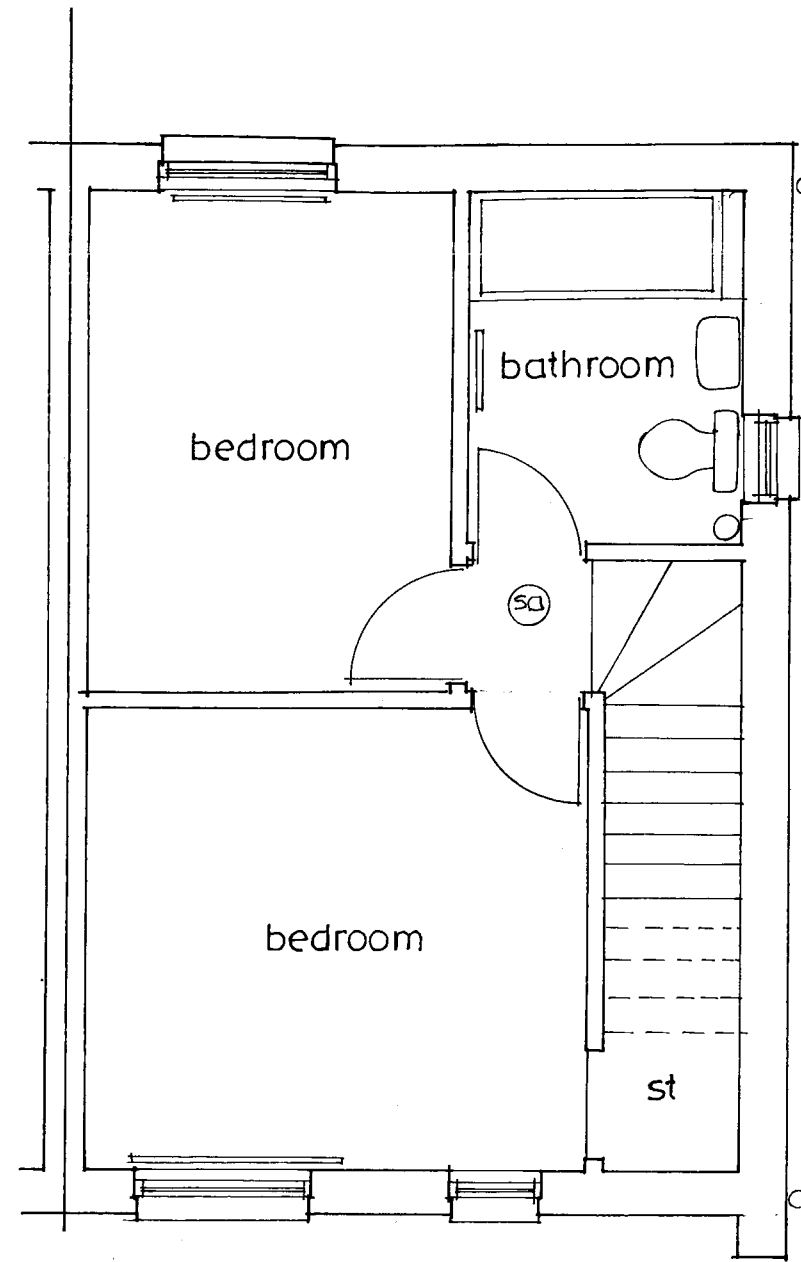
Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.

PLANS/PHOTOGRAPHS/DRAWINGS

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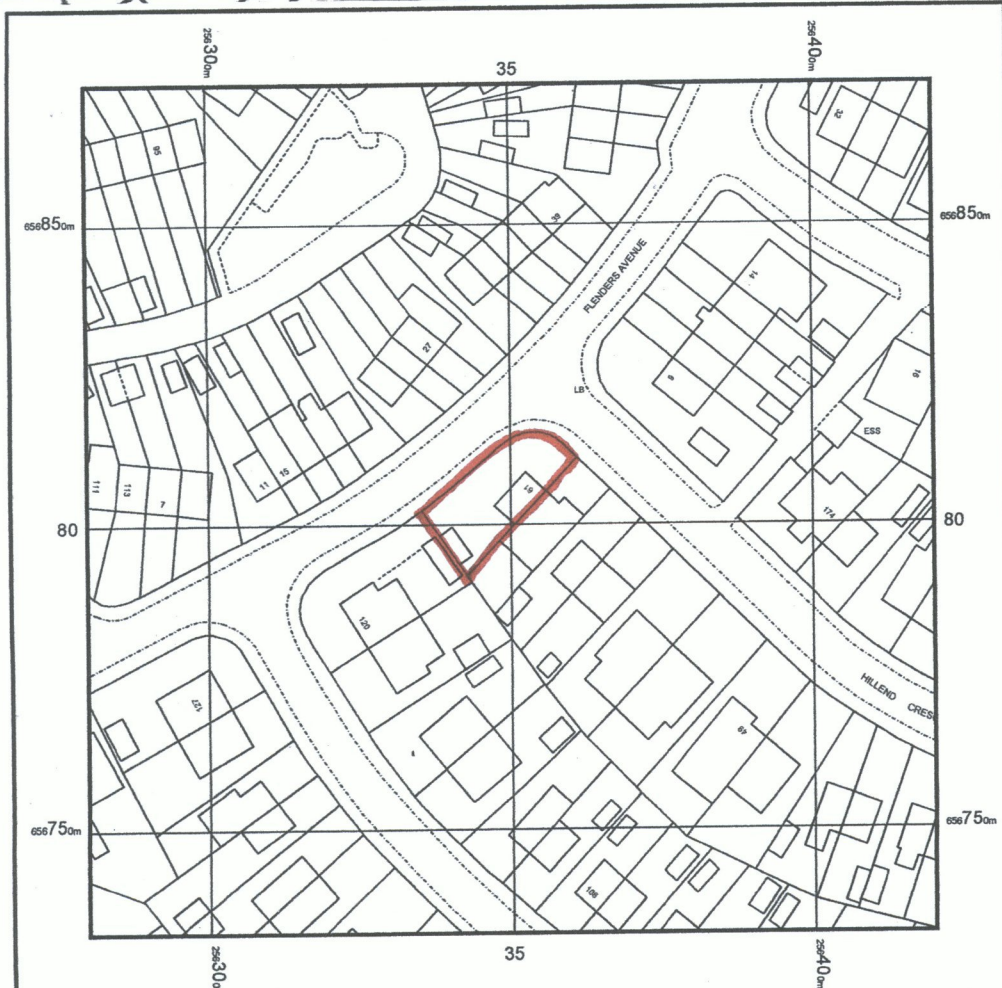
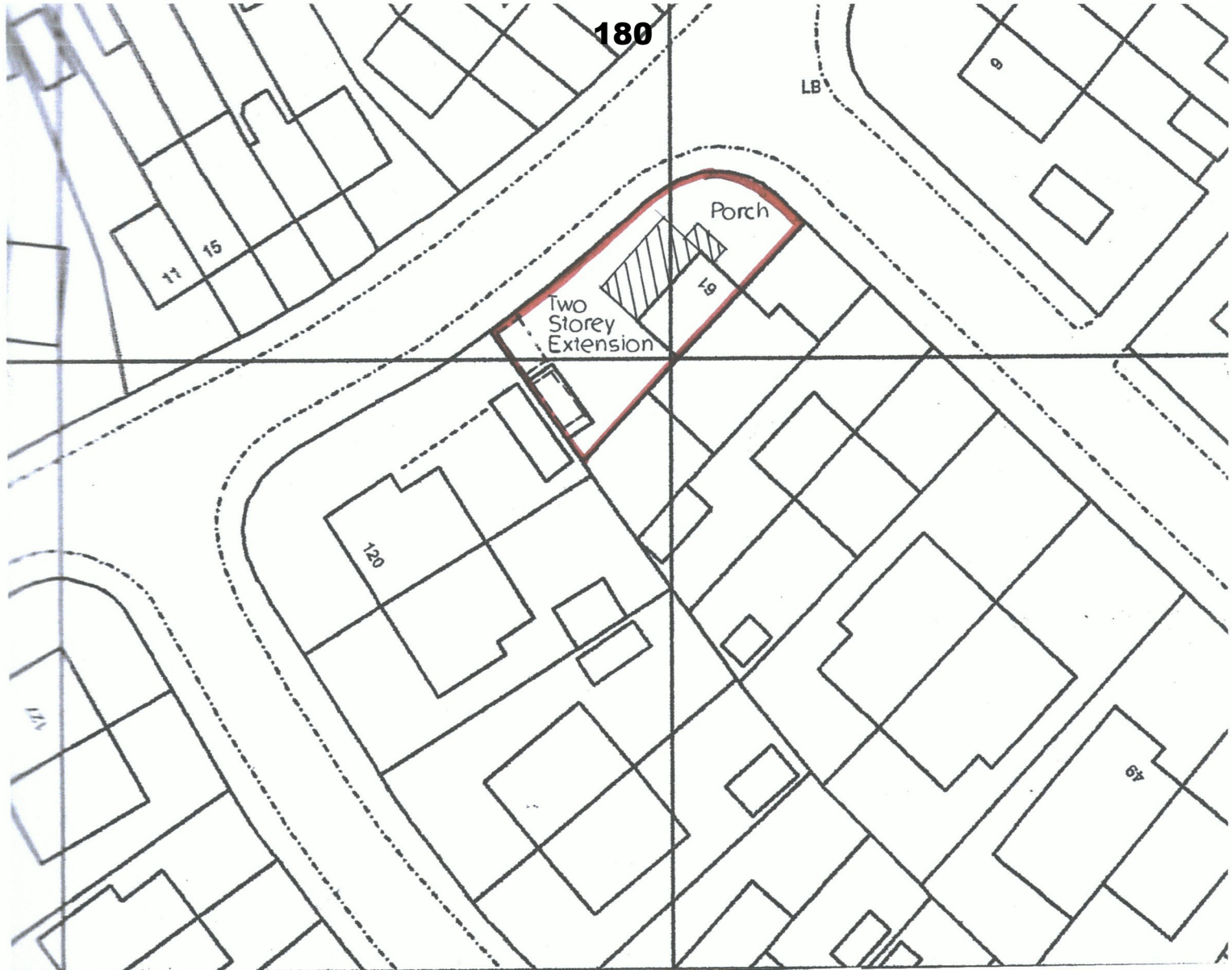


Ground Floor Plan as Existing



Upper Floor Plan as Existing

Mr and Mrs Murphy	
61 Hillend Crescent Clarkston G76 7XU	
Two Storey Extension and Porch	
Plans as Existing	
1/50	CSM 2491 / 2



Site Plan 1/500

Town and Country Planning
(Scotland) Act 1997

REFUSED

Director of Environment
East Renfrewshire Council

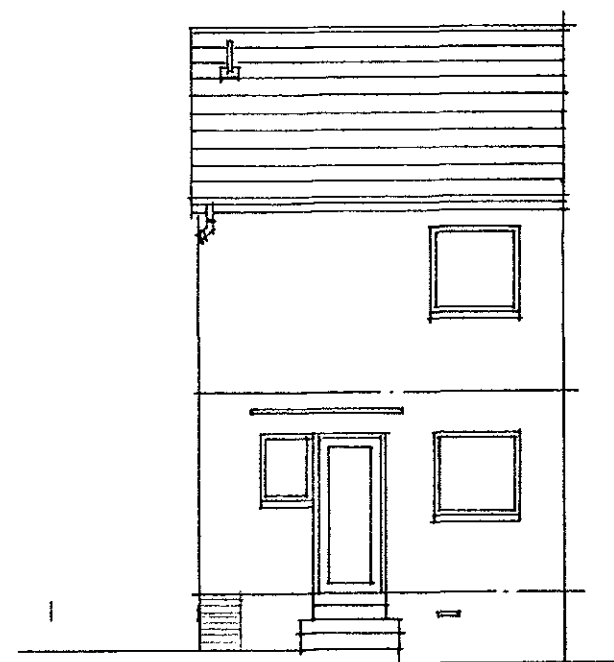


Locality Plan
1/1250

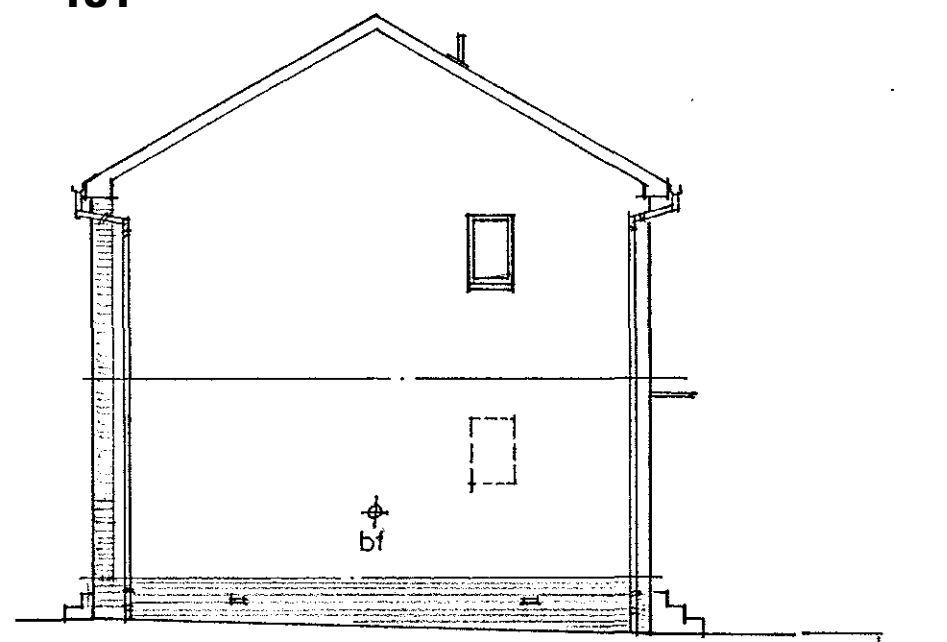
CSM 2491/3



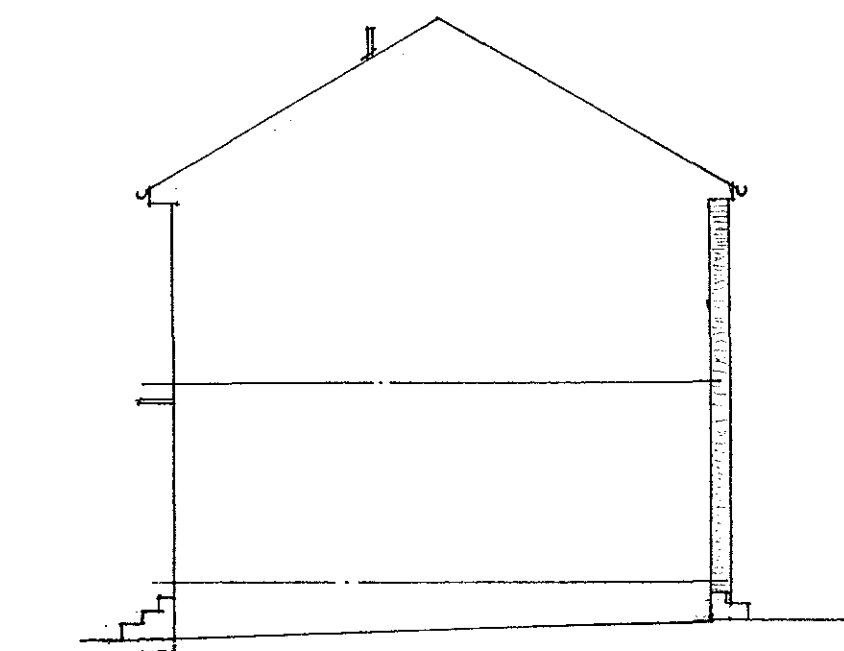
Front as Existing Elevation



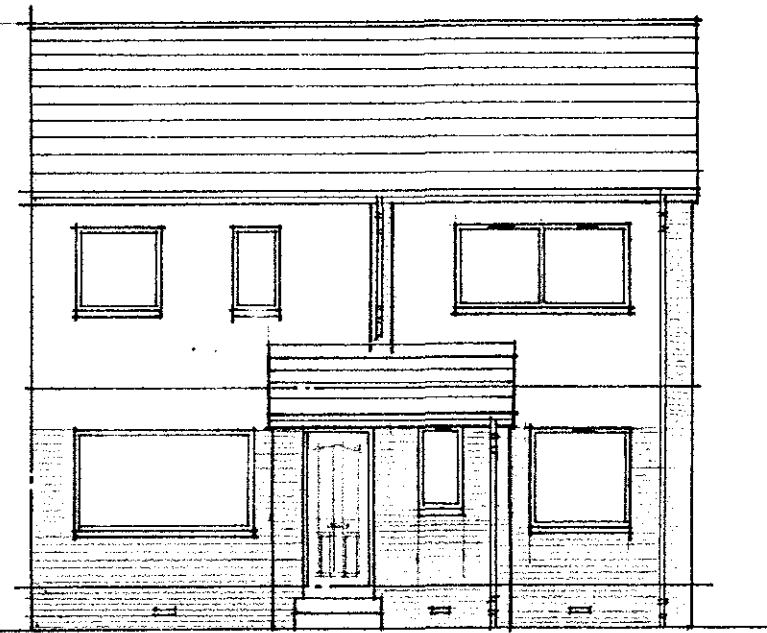
Rear as Existing Elevation



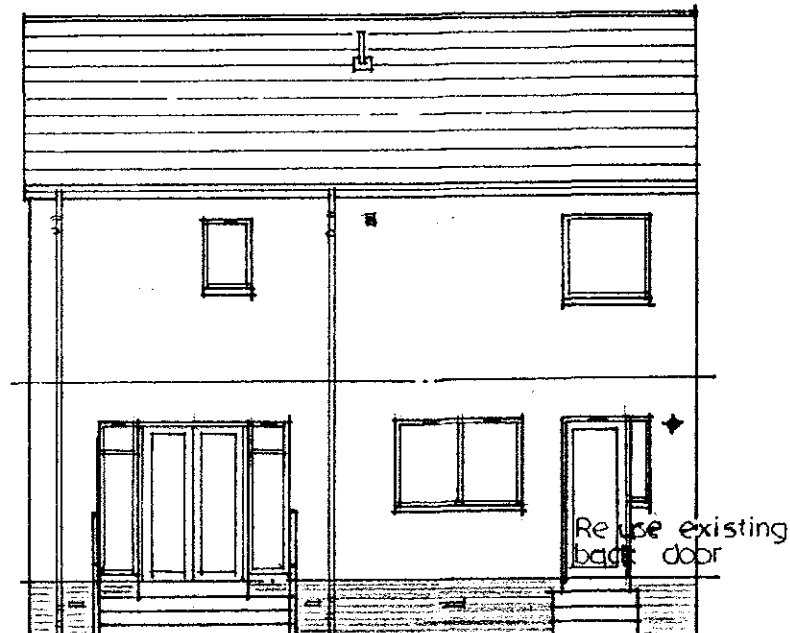
Side as Existing Elevation



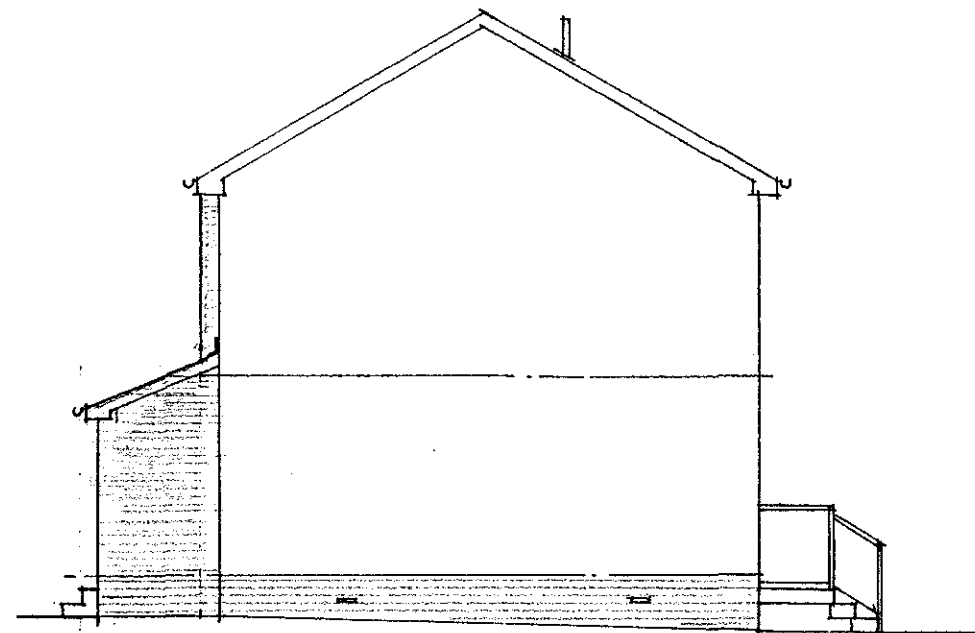
Side as Existing Elevation



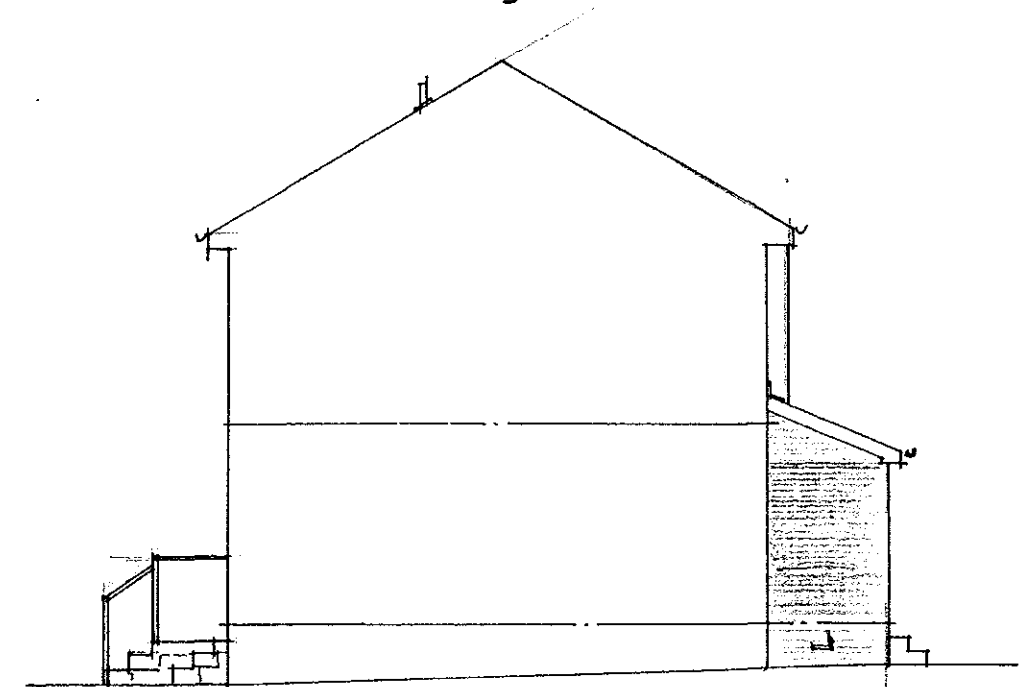
Front as Proposed Elevation



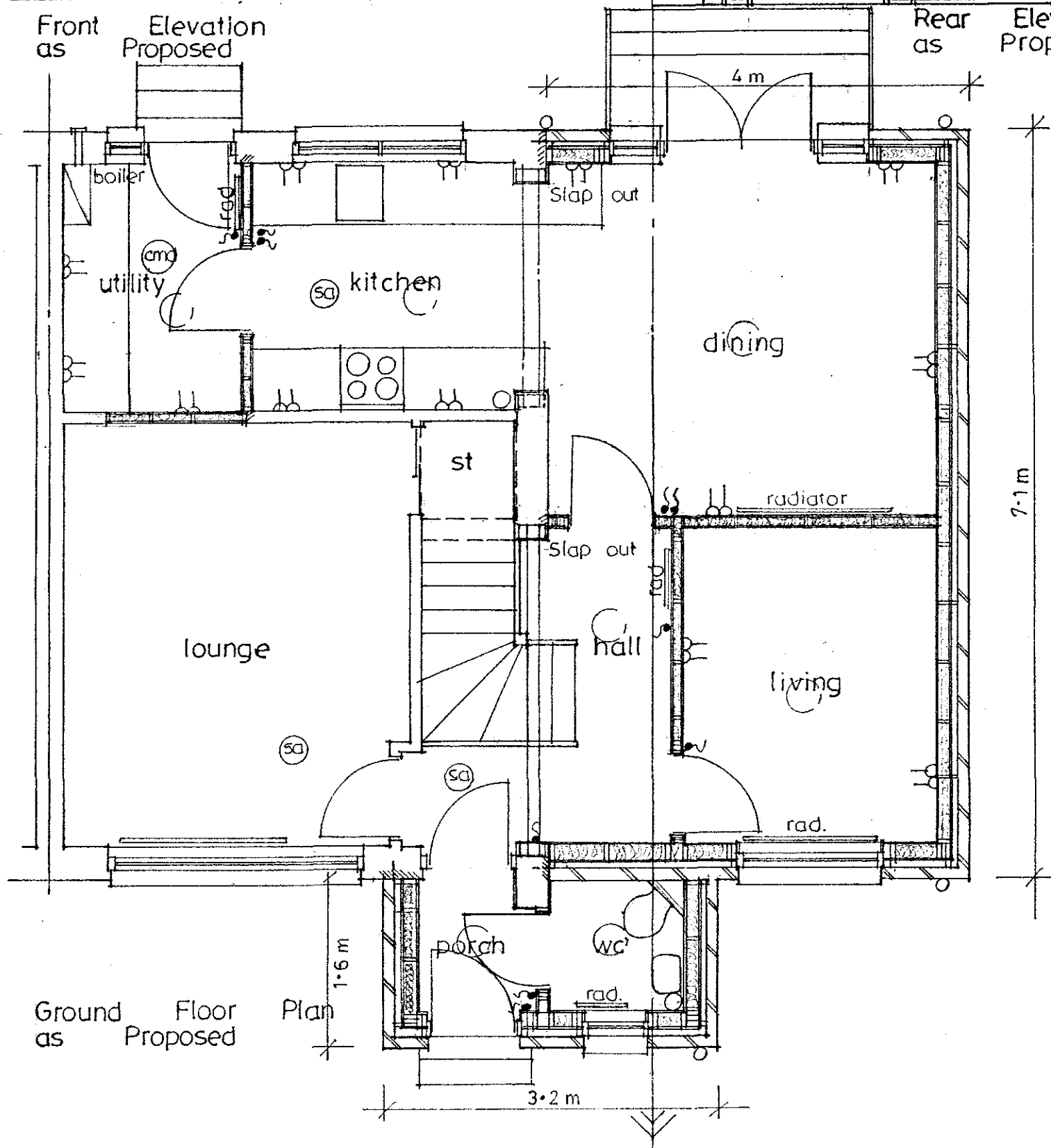
Rear as Proposed Elevation



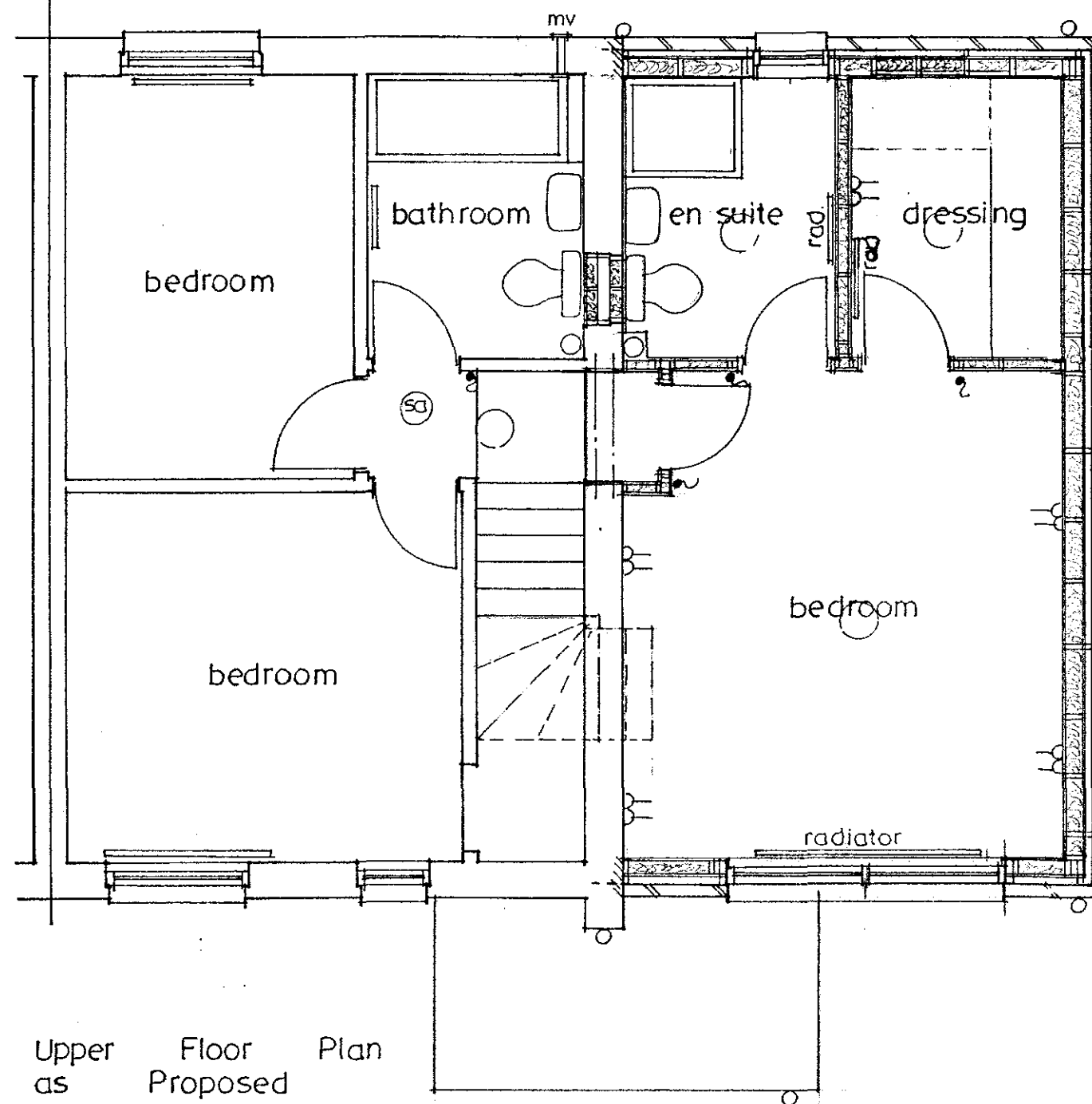
Side as Proposed Elevation



Side as Proposed Elevation



Ground Floor as Proposed Plan



Upper Floor as Proposed Plan

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

Notes
All works to comply with current building regulations. No high alumina cement to be used.
All drainage to satisfaction of local authority.
All electrics to comply with IEE regulation 16th edition.
Do not scale from the drawing check sizes on site.
Building Control to be notified in writing 7 days prior to commencement.

DEREK THOMPSON
Architectural Services

Telephone: 889 4468

client
Mr and Mrs Murphy
address
61 Hillend Crescent
Clarkston
G76 7XU

Two Storey Extension
and Porch
drawing
Plans and Elevations

scale
1/50, 1/100
job no
CSM 2491/11

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