

EAST RENFREWSHIRE COUNCILLOCAL REVIEW BODY21 June 2017Report by Deputy Chief ExecutiveREVIEW OF CASE - REVIEW/2017/05ERECTION OF ONE AND A HALF STOREY SIDE EXTENSION, ALTER HIPPED ROOF
TO GABLE END AND INSTALL FRONT AND REAR DORMER WINDOWS
AT 3 CRAIGIE DRIVE, NEWTON MEARNES**PURPOSE OF REPORT**

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

DETAILS OF APPLICATION

2. Application type: Full Planning Permission (Ref No:- 2016/0622/TP).
- Applicant: Mr M S Malik.
- Proposal: Erection of one and half storey side extension, alter hipped roof to gable end and install front and rear dormer windows.
- Location: 3 Craigie Drive, Newton Mearns.
- Council Area/Ward: Newton Mearns South and Eaglesham (Ward 5) – Ward formerly known as Newton Mearns South.

REASON FOR REQUESTING REVIEW

3. The applicant has requested a review on the grounds that the Council's Appointed Officer refused the application.

RECOMMENDATIONS

4. The Local Review Body is asked to:-
- (a) consider whether it has sufficient information to allow it to proceed to determine the review without further procedure and, if so, that:-
- (i) it proceeds to determine whether the decision taken in respect of the application under review should be upheld, reversed or varied; and
- (ii) in the event that the decision is reversed or varied, the reasons and the detailed conditions to be attached to the decision letter are agreed.

- (b) In the event that further procedure is required to allow it to determine the review, consider:-
 - (i) what further information is required, which parties are to be asked to provide the information and the date by which this is to be provided; and/or;
 - (ii) what procedure or combination of procedures are to be followed in determining the review.

BACKGROUND

5. At the meeting of the Council on 29 April 2009, consideration was given to a report by the Director of Environment seeking the adoption of a new Scheme of Delegation in terms of the new Section 43A of the Town and Country Planning (Scotland) Act 1997, subject to approval of the scheme by Scottish Ministers.

6. The report provided details of the new hierarchy of developments that took effect from 6 April 2009 explaining that the Scheme of Delegation related to those applications within the “local development” category as set out in the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009, but would in future be determined by an “appointed officer”. In the Council’s case this would be either the Director of Environment or the Head of Roads, Planning and Transportation Service now designated the Head of Environment (Major Programmes and Projects).

7. The report highlighted that historically appeals against planning decisions were dealt with by Scottish Ministers. However, following the introduction of the new planning provisions which came into effect on 3 August 2009 all appeals against decisions made in respect of local developments under delegated powers would be heard by a Local Review Body. The Local Review Body would also deal with cases where the appointed officer had failed to determine an application within two months from the date it was lodged.

NOTICE OF REVIEW – STATEMENT OF REASONS FOR REQUIRING THE REVIEW

8. The applicant in submitting the review has stated the reasons for requiring the review of the determination of their application. A copy of the applicant’s Notice of Review and Statement of Reasons is attached as Appendix 5.

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

10. The Local Review Body is not bound to accede to the applicant’s request as to how it will determine the review and will itself decide what procedure will be used in this regard.

11. 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, an unaccompanied site inspection will be carried out immediately before the meeting of the Local Review Body on Wednesday, 21 June 2017 which begins at 2.30pm.

INFORMATION AVAILABLE TO ALLOW REVIEW OF APPLICATION

13. Section 43B of the Planning etc (Scotland) Act 2006 restricts the ability of parties to introduce new material at the review stage. The Local Review Body is advised that the focus of the review should, therefore, be on the material which was before the officer who dealt with the application under the Scheme of Delegation.

14. At the meeting of the Local Review Body on 12 April 2017, it was noted that applicant had submitted new information which was not before the case officer at the time the determination was made.

15. The applicant was asked for an explanation as to why the information was not made available to the Appointed Officer at the time the application was determined.

16. In response, the applicant's agent stated that the new information which included various photographs of properties in the same street and surrounding area would not normally be lodged with a planning application. The agent requested that the photographs be considered by the Local Review Body as they show other properties in the area with similar styles of development to what is being proposed by the applicant.

17. The Local Review Body agreed that the new information be taken into account and that consideration of the review be continued to a future meeting to allow the case officer an opportunity to comment on the new information.

18. Details of the case officer's comments in response to the new information are attached as Appendix 2. The applicant was given an opportunity to submit further comments on the case officer's comments although chose not to do so.

19. The new information has now been included in the applicant's 'Notice of Review' form for consideration by the Local Review Body.

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

- (a) Application for planning permission – Appendix 1 (Pages 7 - 12);
- (b) Comments by Case Officer on New Information – Appendix 2 (Pages 13 - 16);
- (c) Report of Handling by the planning officer under the Scheme of Delegation - Appendix 3 (Pages 17 - 22);
- (d) Decision notice and reasons for refusal - Appendix 4 (Pages 23 - 26); and
- (e) A copy of the applicant's Notice of Review and Statement of Reasons - Appendix 5 (Pages 27 - 50).

21. The applicant has also submitted the drawings listed below (available for inspection within the Planning Division of the Environment Department prior to the meeting and for reference at the meeting) and are attached as Appendix 6 (Pages 51 - 66).

- (a) Refused – Location Plan;
- (b) Refused – Block Plan;
- (c) Ground and Upper Floor Plans as Existing;
- (d) Refused – Ground Floor Plan as Proposed;
- (e) Refused – Front and Side Elevations as Existing and Proposed;

- (f) Refused – Side and Rear Elevations as Existing and Proposed; and
- (g) Refused – Upper Floor Plan as Proposed.

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

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

RECOMMENDATIONS

24. The Local Review Body is asked to:-

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

Report Author: Paul O'Neil

Director - Caroline Innes, Deputy Chief Executive

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

Date:- May 2017

**APPLICATION
FOR
PLANNING PERMISSION**

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RECEIVED

20 SEP 2016

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 *2016/0622HP*

2. Agent's Details (if any)

Title Mr
Forename MS.
Surname Malik

Ref No. 1647
Forename Matthew
Surname Kavanagh

Company Name
Building No./Name *3*
Address Line 1 *CRAIGIE DRIVE*
Address Line 2 *NEWTON MEARNS*
Town/City *GLASGOW*

Company Name MJK Architects
Building No./Name 33
Address Line 1 Moss St
Address Line 2
Town/City Paisley

Postcode *G77 5DA*
Telephone
Mobile
Fax
Email

Postcode PA1 1DL
Telephone 0141 847 1616
Mobile 07831 571 301
Fax
Email *mjkarchitects@btconnect.com*

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

3 Craigie Drive, Newton Mearns, Glasgow
G77 5DA

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 extension to house and construction of Dormer windows.

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.:

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:

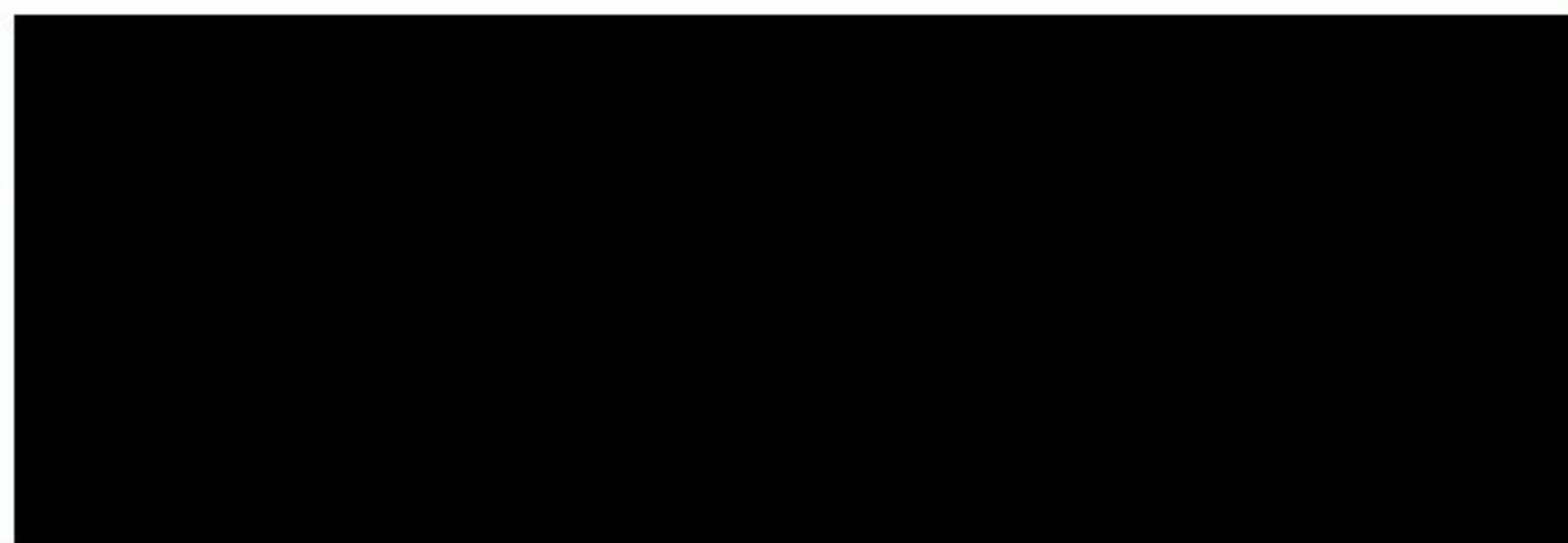
DECLARATION

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:

Matthew Kavanagh

Date:

16th September 2016

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.

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 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:

Mr MS Malik

Date:

16th September 2016

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:

**COMMENTS BY CASE OFFICER
ON NEW INFORMATION**

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O'Neil, Paul [CE]

From: Scott, Derek
Sent: 27 April 2017 12:38
To: O'Neil, Paul [CE]
Subject: RE: Local Review Body - 12 April 2017 - Review 2017/05 - 3 Craigie Drive, Newton Mearns (Ref No:- 2016/0622/TP)

Paul,

I refer to the additional photographs submitted in support of the above review.

Only one photograph, that of the house at 1 Craigie Drive would have any relevance to the review by virtue of its proximity to the application site. This house was referred to in the report of handling. The over-riding character of Craigie Drive is hip roofed bungalows. The dwelling at number 1 is not therefore typical of this character as it incorporates a unique design of steeply pitch gables. Whilst it has its postal address in Craigie Drive, it nevertheless reads as part of the row of houses at the start of Kirkview Crescent and is visually discrete from the area characterised by the hip roofed bungalows. I do not therefore consider that its gable ended design can be used to justify appellants' proposal as an exception to the policies of the adopted Local Development Plan.

The dwelling referred to in the appellants' submission as "house at the end of Graigie Drive" (sic) is in fact number 16 Kirkview Crescent. It neither has its postal address in Craigie Drive or reads visually as a continuation of Craigie Drive. Further it is not inter-visible with 3 Craigie Drive. It is therefore not relevant to the review.

The remaining photographs are of houses at 15, 17, 21, and 22 Kirkview Crescent and Manse of the Mearns. Kirkview Crescent has a different built character than Craigie Drive and the houses cited, including Manse of the Mearns, are not inter-visible with the appellants' house. Therefore development in Kirkview Crescent and Manse of the Mearns cannot be used to justify an inappropriate development in Craigie Drive.

Derek Scott
Planning Officer

Environment (Planning, Economic Development and City Deal)
East Renfrewshire Council

Tel: 0141 577 3034
Fax: 0141 577 3885
East Renfrewshire: Your Council, Your Future
www.eastrenfrewshire.gov.uk

From: O'Neil, Paul [CE]
Sent: 13 April 2017 15:48
To: Scott, Derek
Cc: Shankland, Graham
Subject: Local Review Body - 12 April 2017 - Review 2017/05 - 3 Craigie Drive, Newton Mearns (Ref No:- 2016/0622/TP)
Importance: High

Derek,

At the meeting of the Local Review Body on 12 April 2017, consideration was given to the above review case at which the Local Review Body was advised that the applicant had submitted new information which was not before the Appointed Officer at the time the determination of the application was made.

I understand you were the case officer for the application.

The Local Review Body agreed that consideration of the review case be continued to allow the case officer an opportunity to submit comments, if any, on the new information.

The new information relates to photographs of other properties in the surrounding area. These can be viewed in the applicant's review documents in the DMS.

You now have the opportunity to submit further representations in writing to the Local Review Body by 27 April 2017. The Local Review Body will send any further comments you make to the applicant and the applicant will be able to submit further comments thereon to the Local Review Body.

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

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

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

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www.eastrenfrewshire.gov.uk

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Protective action required

PROTECT+

Additional protective action required DPA sensitive

REPORT OF HANDLING

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REPORT OF HANDLING

Reference: 2016/0622/TP

Date Registered: 20th September 2016

Application Type: Full Planning Permission

This application is a Local Development

Ward: 5 -Newton Mearns South

Co-ordinates: 254272/:655258

Applicant/Agent:

Applicant:

Mr. M.S. Malik

3 Craigie Drive

Newton Mearns

East Renfrewshire

G77 5DA

Agent:

MJK Architects

Matthew Kavanagh

Moss Street Studios

33 Moss Street

Paisley

PA1 1DL

Proposal: Erection of one and half storey side extension, alter hipped roof to gable end and install front and rear dormer windows.

Location: 3 Craigie Drive
Newton Mearns
East Renfrewshire
G77 5DA

CONSULTATIONS/COMMENTS: None.

PUBLICITY: None.

SITE NOTICES: None.

SITE HISTORY: None relevant.

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 application site comprises a detached hip roofed house and lies within an established residential area. The side and rear boundaries are characterised by established planting and the house is externally finished with concrete tiles and white render. Craigie Drive is characterised by similar hip roofed houses, with the exception of the adjacent dwelling to the south west which is unique in the street with an angled frontage and three steeply pitched gables.

Planning permission is sought for the erection of a one and a half storey side extension and for the formation of two side gables and for the installation of front and rear dormer windows. The side extension comprises no set-back or step down in the ridge line.

Policy D14 of the adopted East Renfrewshire Local Development Plan requires that extensions must complement the existing character of the property in terms of style and form and that the size, scale and height of any development must be appropriate to the existing building. The

Supplementary Planning Guidance: Householder Design Guide (SPG) which supports and forms part of Policy D14 expands on this. It states that extensions to dwellings should have roofs to match that of the existing dwelling; that side extensions should comprise a set-back of at least 0.5m from the front building line and the ridge of the roof should be set below that of the existing house. The SPG further states that extensions should not dominate and overwhelm the character and design of the existing house.

In this case, the failure to provide a set back and corresponding drop in the ridge line and the introduction of two side gables is clearly contrary to the terms of the SPG. As such, the proposal is considered to dominate and overwhelm the character and design of the existing hip roofed bungalow. Indeed the characterful hip roof is obliterated by the side gable extensions. The proposal cannot therefore be considered to complement the character or design of the existing house in terms of style and form. As such it is also contrary to the terms of Policy D14 of the adopted Local Development Plan.

Policy D1 of the adopted East Renfrewshire Local Development Plan requires that development should not result in a significant loss of character to the surrounding area and that proposals should be in keeping with local building form and design. As noted above, the street is characterised by hipped roof houses. The introduction of the two side gables and the consequential loss of the hipped roof would be at odds with and detract from this predominant character. The proposal is therefore contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan.

In conclusion, the proposal is considered to be contrary to the terms of the adopted Local Development Plan and there are no material considerations that justify setting aside the terms of the LDP.

RECOMMENDATION: Refuse

PLANNING OBLIGATIONS: None

REASONS FOR REFUSAL:

1. The proposal is contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan and the introduction of the two side gables would result in the loss of the distinctive hip roof which would not be in keeping with the character of the surrounding area.
2. The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as the one and a half storey side extension with its lack of set-back and drop down in the ridge line and the introduction of the two side gable walls would dominate, overwhelm and detract from the character and design of the existing dwelling.
3. The proposal is contrary to the terms of the Supplementary Planning Guidance: Householder Design Guide, as it introduces gable ends to a hip roofed house and comprises a one and a half storey side extension with no set-back from the front building line or corresponding drop in the ridge line.

ADDITIONAL NOTES: None

ADDED VALUE: None

BACKGROUND PAPERS:

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

Ref. No.: 2016/0622/TP
(DESC)

DATE: 2nd December 2016

DIRECTOR OF ENVIRONMENT

**Reference: 2016/0622/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 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 02/12/16 IM(1)

**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. **2016/0622/TP**

Applicant

Mr. M.S. Malik
3 Craigie Drive
Newton Mearns
East Renfrewshire
G77 5DA

Agent:

MJK Architects
Matthew Kavanagh
Moss Street Studios
33 Moss Street
Paisley PA1 1DL

With reference to your application which was registered on 20th September 2016 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Erection of one and half storey side extension, alter hipped roof to gable end and install front and rear dormer windows

at: 3 Craigie Drive Newton Mearns East Renfrewshire G77 5DA

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

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

1. The proposal is contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan and the introduction of the two side gables will result in the loss of the distinctive hip roof which would not be in keeping with the character of the surrounding area.
2. The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as the one and a half storey side extension with its lack of set-back and drop down in the ridge line and the introduction of the two side gable walls would dominate, overwhelm and detract from the character and design of the existing dwelling.
3. The proposal is contrary to the terms of the Supplementary Planning Guidance: Householder Design Guide, as it introduces gable ends to a hip roofed house and comprises a one and a half storey side extension with no set-back from the front building line or corresponding drop in the ridge line.

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
Location Plan	LOCATION		
Block Plan	BLOCK		
Elevations Proposed	04		
Elevations Proposed	05		
Plans Proposed	02		
Plans Proposed	03		

GUIDANCE NOTE FOR REFUSAL OF LOCAL DEVELOPMENTS DETERMINED UNDER DELEGATED POWERS

REVIEW BY EAST RENFREWSHIRE COUNCIL'S LOCAL REVIEW BODY

1. If the applicant is aggrieved by a decision to refuse permission (or by an approval subject to conditions), the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. A Notice of Review can be submitted online at www.eplanning.scotland.gov.uk. 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 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:

Yes No

* 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 (ENCLOSED)
- 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:

I FEEL THAT A SITE VISIT/INSPECTION WOULD PROVIDE A GOOD INDICATION OF WHY THE PROPOSAL DOES NOT DETRACT FROM THE AREA OR OPPOSE THE "LOCAL PLAN."

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"/> |

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

Yes No

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

List of documents and evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review.

- ① REASONS FOR REVIEW A FOUR SHEET (2 Mo).
- ② DRAWINGS. - PLANS AS EXISTING PLANS AS PROPOSED. ELEVATIONS AS PROPOSED & EXISTING. LOCATION PLAN.
- ③ PHOTOGRAPHS OF HOUSES IN VICINITY & DRIVE.
- ④ REFUSAL OF PLANNING PERMISSION (PHIC COPY).
- ⑤ PHOTO OF SIMILAR CONVERSION AT
- ⑥ 19 MATHERTON AVE NEWTON HEARNS (COMPLETED BY MSK ARCHITECTS) Q77SEY.

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.

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

No. The proposal can be viewed from the Road & the rear is accessible to the rear.

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.

SEE ATTACHED SHEET *
* ATTACHED PHOTOGRAPHS

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

27/2/17

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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Contents;

Agent:

Matthew Kavanagh

BSc: Dip Arch: HND: ARB

MJK Architects

33 Moss St

Paisley

PA1 1DL

0141 847 1616

mjkarchitects@btconnect.com

-Notice of Review (Form completed)

-Reason for Review

-Drawings Plans and Elevations as existing and proposed

-Location Plan

-Photographs Houses in vicinity and Drive.

-19 Matherton Ave Photographs of before and after.

Planning Refusal Form Pink copy

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Reasons for Review

To be read in conjunction with the Notice of Review for 3 Craigie Drive Newton Mearns G77 5DA

The applicant is seeking a Review of the Local Authority's decision to refuse the application for

'a side extension, alter the hipped roof to gable and install front and rear dormers.'

At 3 Craigie Drive Newton Mearns G77 5DA

Refusal

The refusal by the Local Authority is based on the assertion that the proposal is contrary to Policy D1 and D14 of the adopted East Renfrewshire Local Development Plan.

D1 seeks to keep hipped roofs and their character.

D14 is the policy to have an extension subservient to the main house in set back and height.

The Proposal

The object of the extension is to create a dwelling better suited to the applicants family needs, with the introduction of further usable bedrooms in the attic and larger family/ public rooms.

At present the sloping coomb ceilings in the bedrooms are restrictive in size and quality and the design of the extensions addresses this.

The house has a single storey side extension in the form of a garage. The proposal is to rebuild the garage with bedroom accommodation above, however making the roof hipped negates much of the reason for enlarging the house with the consequent lack of **quality space** on the first floor.

We would contest that the proposal is not in keeping with the surrounding area.

The houses in the surrounding area and especially in Craigie Drive are varied in style and appearance. No 3 Craigie Drive is **not** one of a row of bungalows of similar nature as in some areas. It is one of a kind in Craigie Drive.

The House to the left of No 3 has a gable and it in no way resembles a hipped bungalow. In the Drive and within the visual compass of the application there is a variety of house types , including Art Deco and even a house that has had a new complete first floor added.

The materials and roofs of the local houses are diverse and varied, with facing brick , timber , roughcast etc.

See attached photographs of house types in the near vicinity

Application

We would submit that the proposal far from being out of character with the general area of Newton Mearns area and the Local Plan is designed in keeping with the aims of that Plan.

-The proposal is positive in all the following areas of the Local Plan.

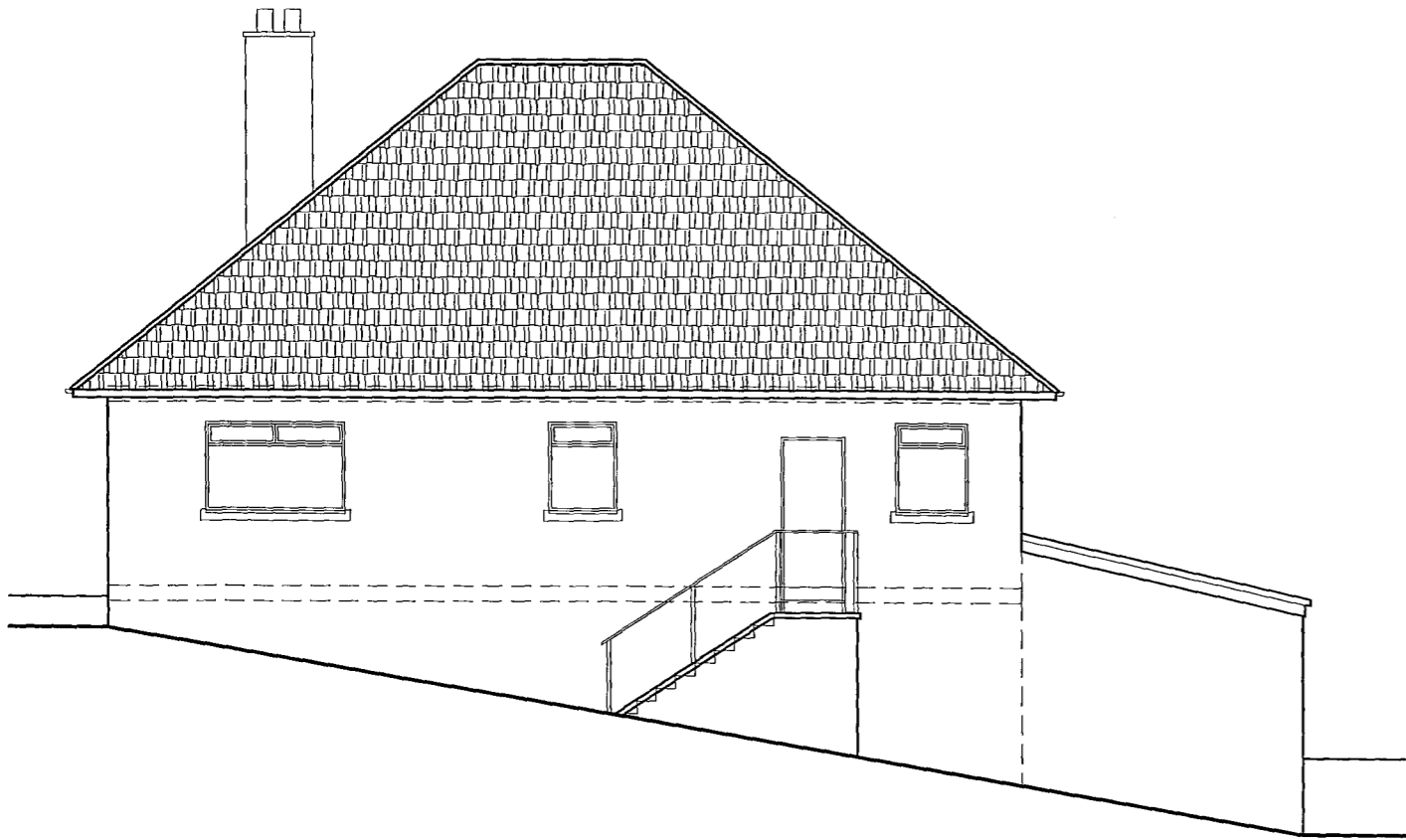
- Better designed internal accommodation with gables.
- Use of pitched roof, and removal of flat roof over garage.
- The existing footprint of house is used with no reduction in garden area, back or front.
- There is no car parking reduction on site.
- Dormers subservient to roof.
- Materials grey plain tiles and white roughcast as per majority of houses.

Attached is a photograph of a house at 19 Matherton Avenue Newton Mearns that we extended and altered from being a double hipped roof bungalow to gabled one and half storey dwelling.

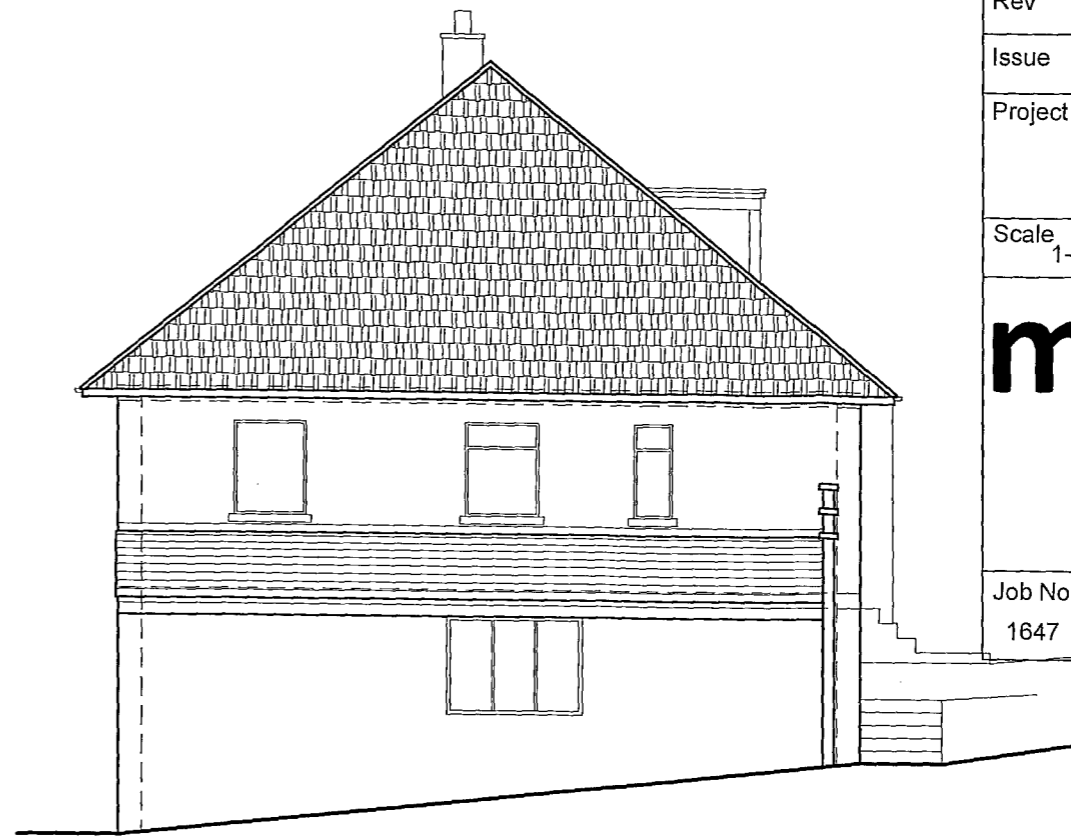
Summary

In summary we feel that the proposal is a proper and reasonable design solution to expanding the house to suit the applicants family needs, and does not contradict the aims of the Local Plan.

Matthew Kavanagh

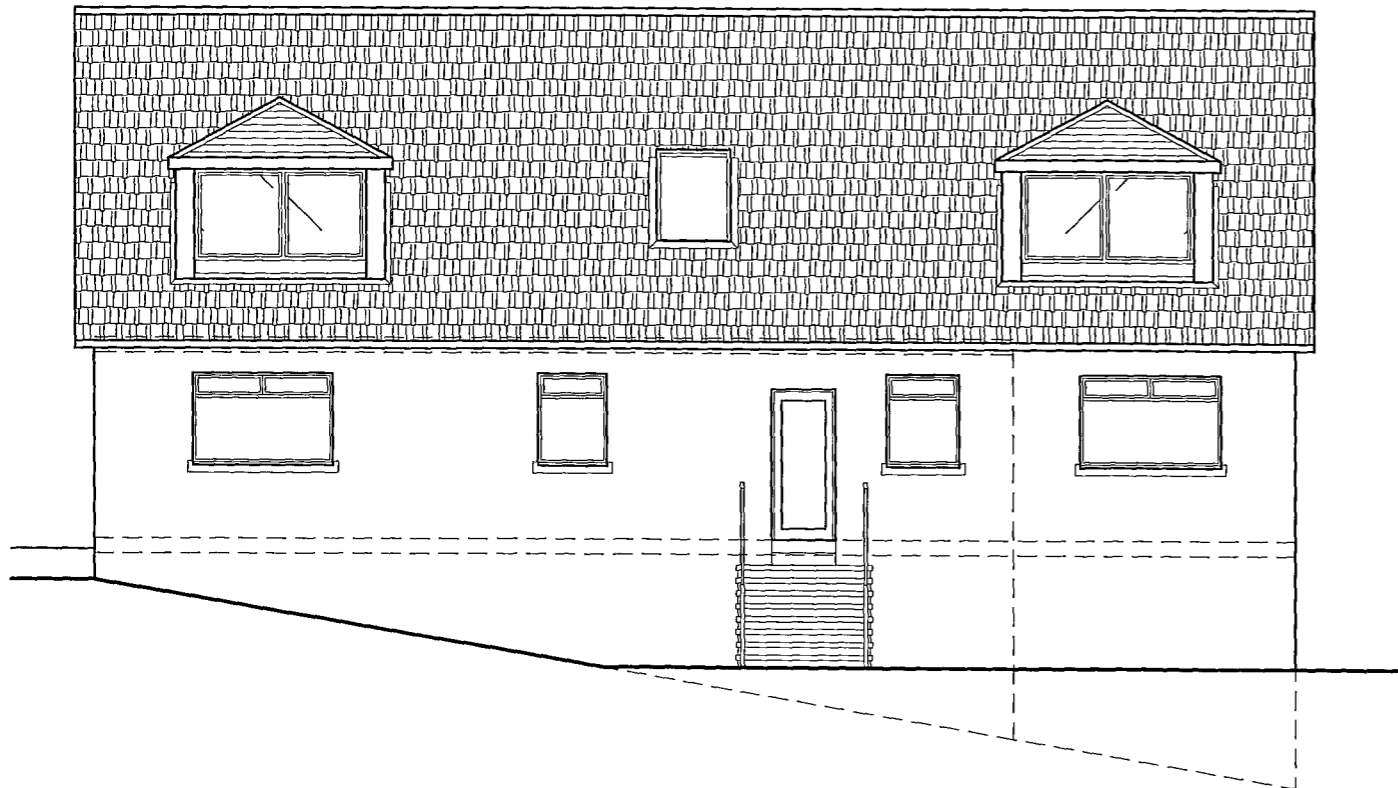


Rear Elevation as existing

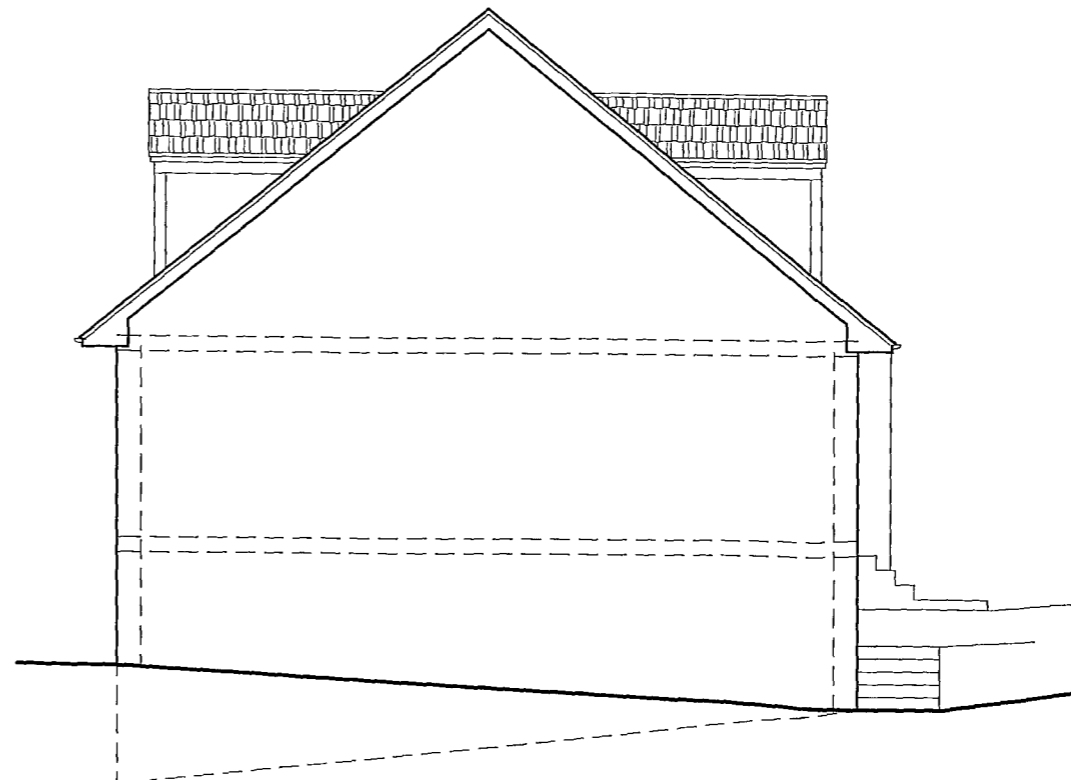


Side Elevation as existing

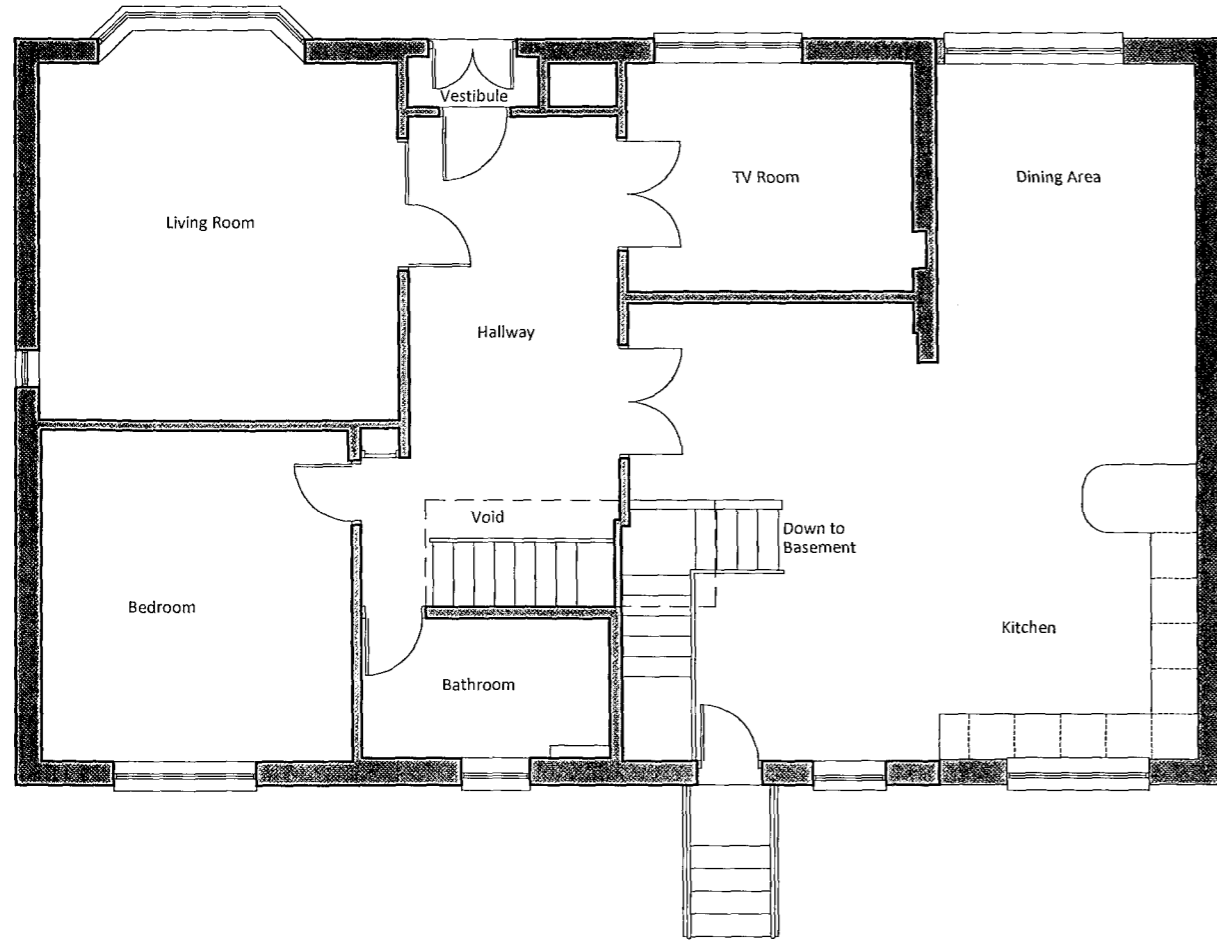
Rev	Date	Desc
Issue	Status	Planning
Project Title 3 Craigie Drive G77 5DA		
Scale 1-100	Date 08-2016	
mjk architects Moss Street studios 33 Moss Street, Paisley PA1 1DL Tel. 0141 847 1616 Mob. 07831 571 301		
Job No 1647	Drawing No 1647-04	Rev



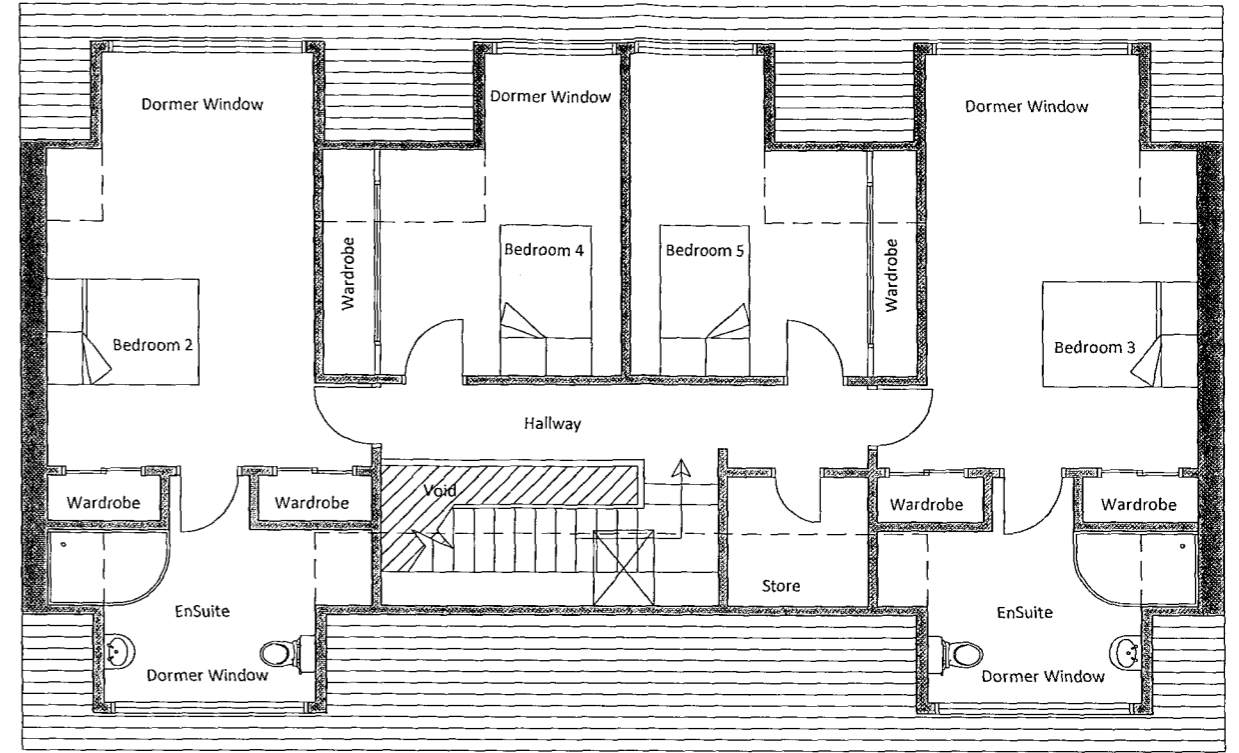
Rear Elevation as proposed



Side Elevation as proposed

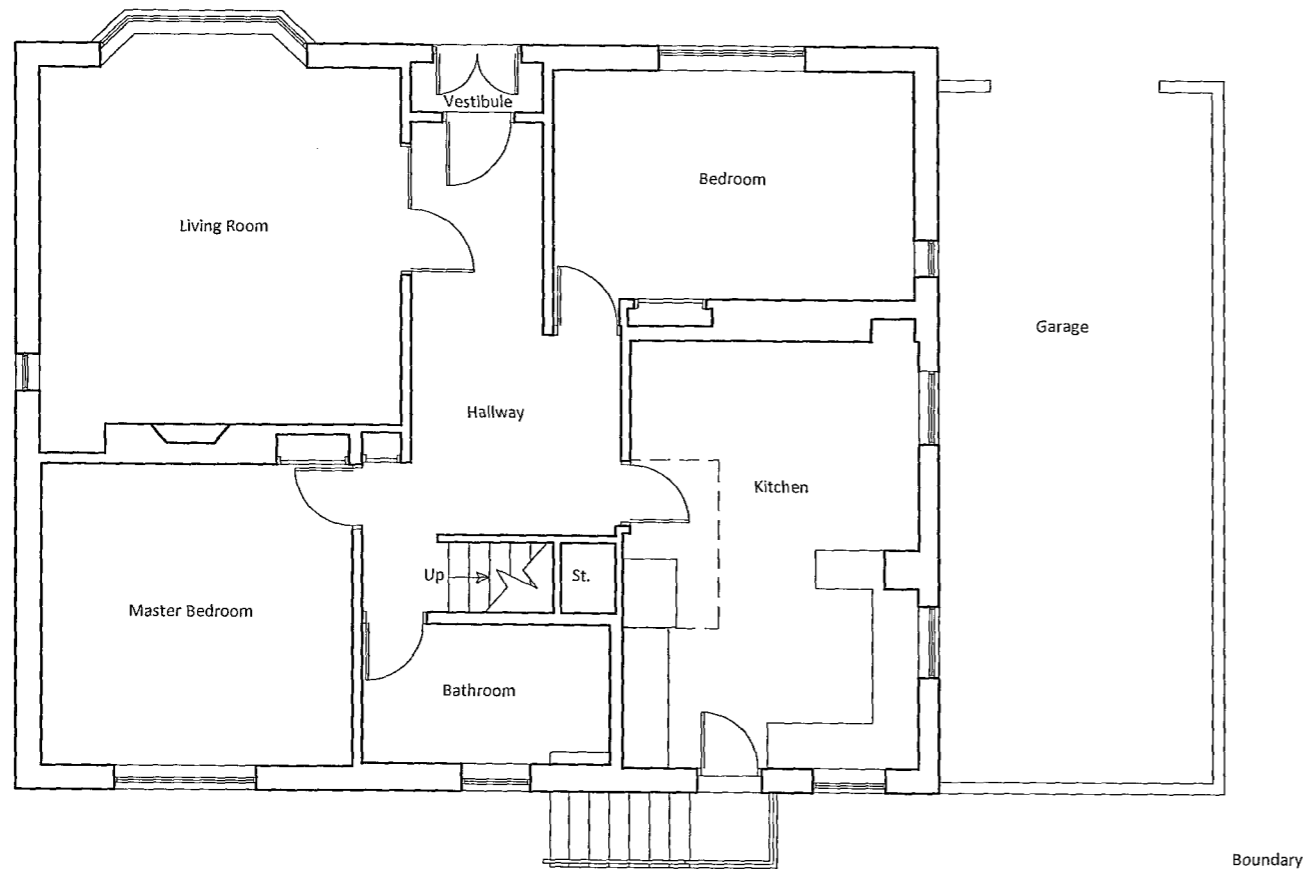


Ground Floor Plan as proposed

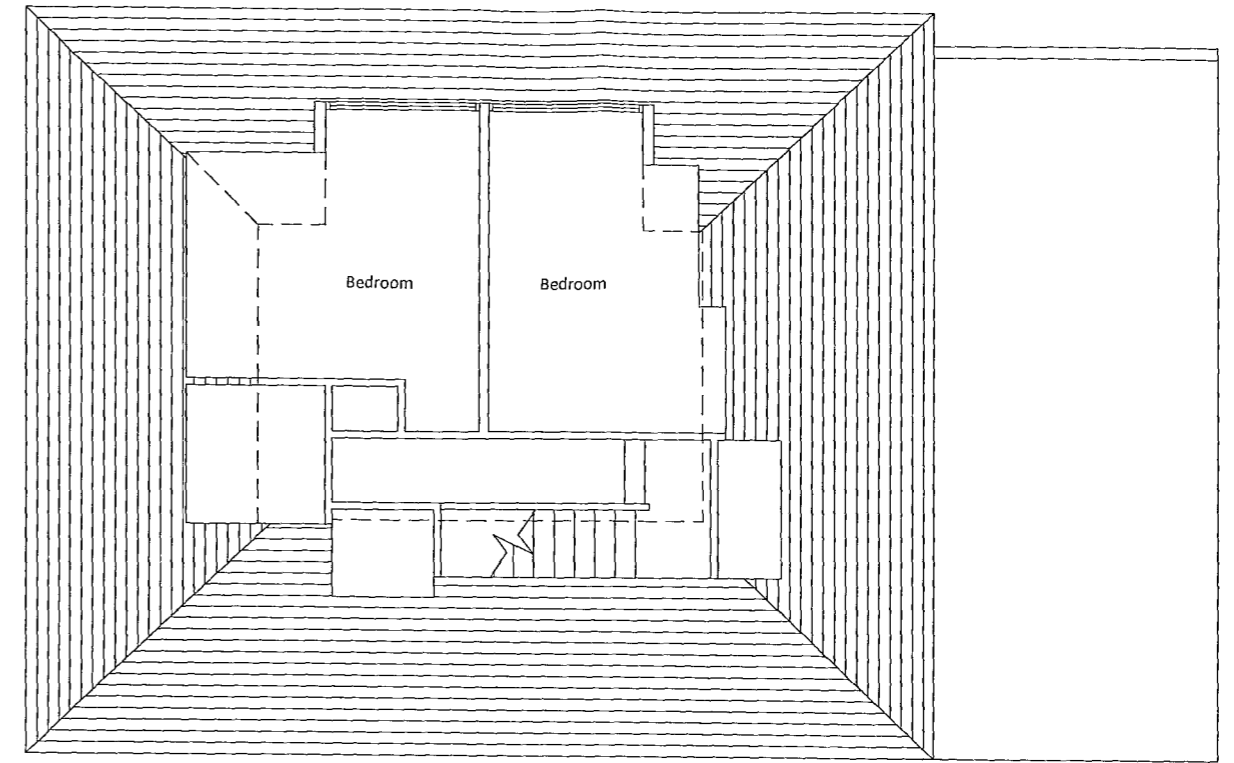


Upper Floor Plan as proposed

Rev	Date	Desc
Issue	Status	Planning
Project Title 3 Craigie Drive G77 5DA		
Scale 1-100	Date 08-2016	
mjk architects Moss Street studios 33 Moss Street, Paisley PA1 1DL Tel. 0141 847 1616 Mob. 07831 571 301		
Job No 1647	Drawing No 1647-02	Rev

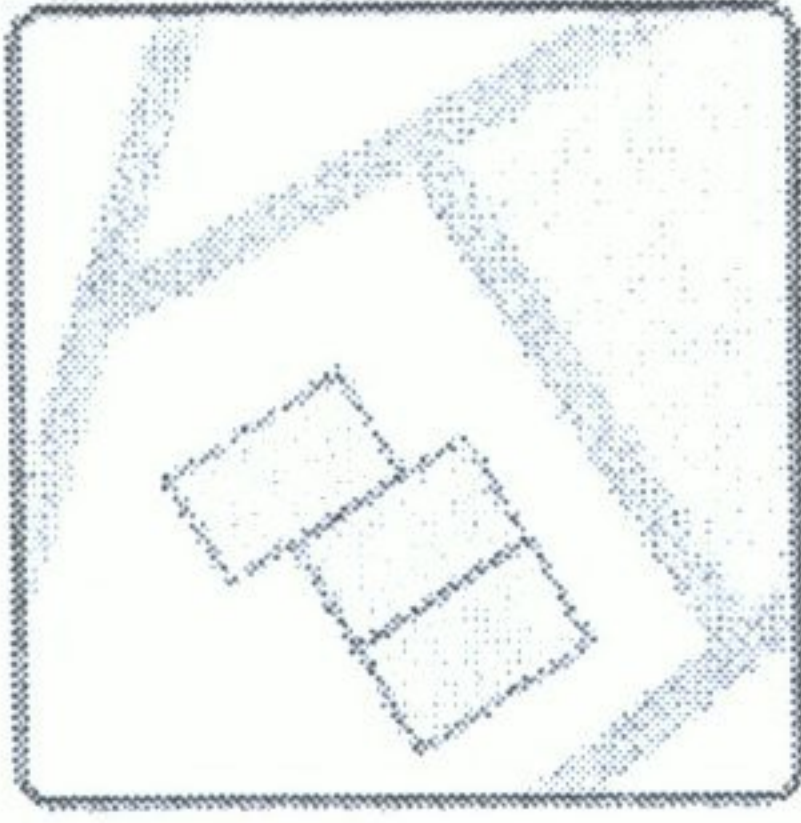


Ground Floor Plan as Existing



Upper Floor Plan as Existing

Rev	Date	Desc
Issue	Status	Planning
Project Title 3 Craigie Drive G77 5DA		
Scale 1-100	Date 08-2016	
mjk architects Moss Street studios 33 Moss Street, Paisley PA1 1DL Tel. 0141 847 1616 Mob. 07831 571 301		
Job No 1647	Drawing No 1647-01	Rev



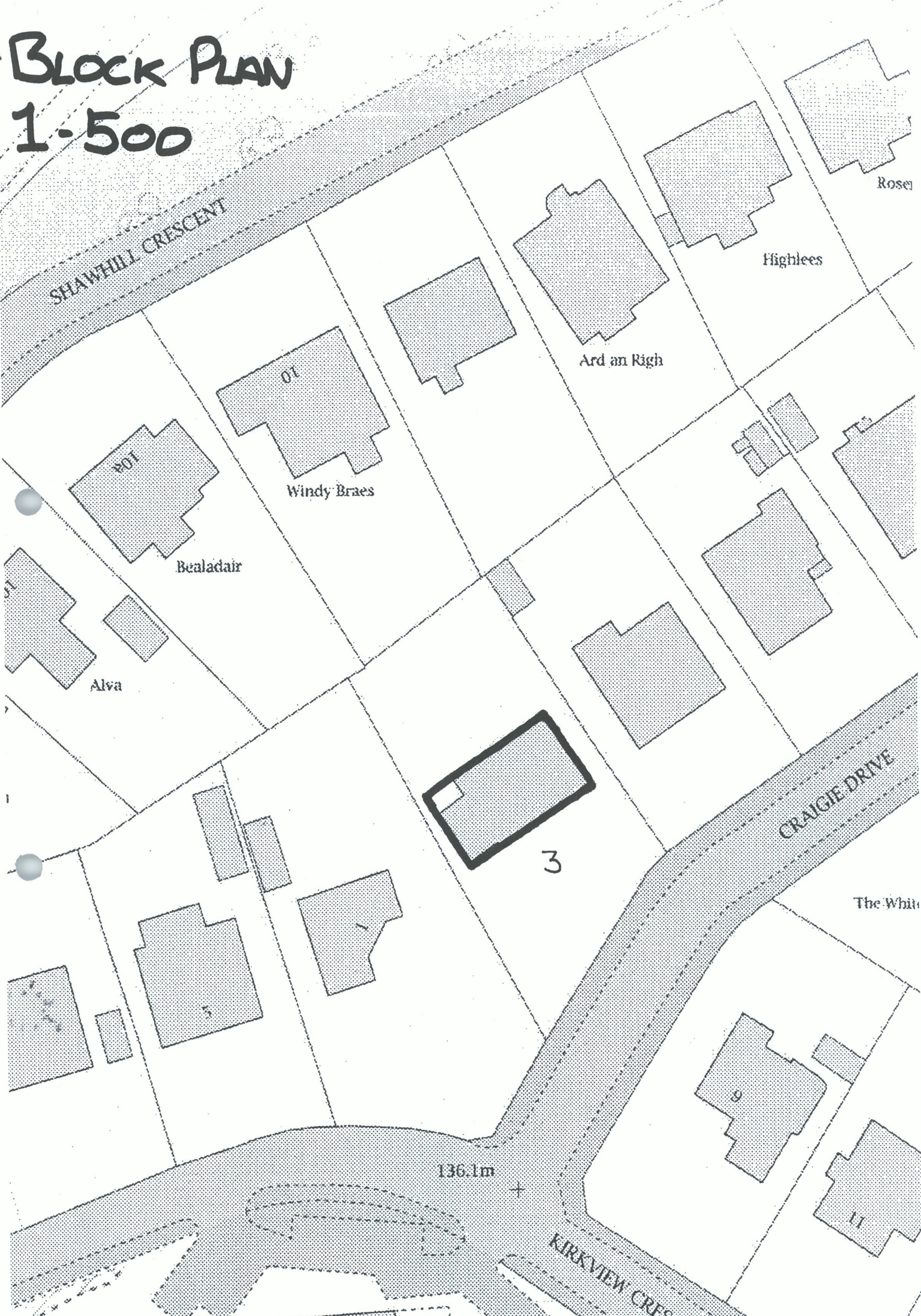
5 Craigie Drive, Newton Mearns, Glasgow, G77 5DA



Map shows area bounded by: 254181.0,655160.0,254381.0,655360.0 at a scale of 1:1250. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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Block Plan 1-500





No 1 Craigie Drive



House types in Craigie Drive and near vicinity



House at end of Graigie Drive



House types in Craigie Drive and near vicinity





19 Matherton Ave. Before conversion



19 Matherton Ave. After conversion



19 Matherton Ave. Rear of house

49
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. **2016/0622/TP**

Applicant:

Mr. M.S. Malik
3 Craigie Drive
Newton Mearns
East Renfrewshire
G77 5DA

Agent:

MJK Architects
Matthew Kavanagh
Moss Street Studios
33 Moss Street
Paisley PA1 1DL

With reference to your application which was registered on 20th September 2016 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Erection of one and half storey side extension, alter hipped roof to gable end and install front and rear dormer windows

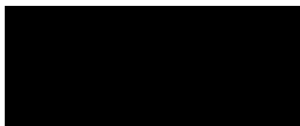
at: 3 Craigie Drive Newton Mearns East Renfrewshire G77 5DA

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

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

1. The proposal is contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan and the introduction of the two side gables will result in the loss of the distinctive hip roof which would not be in keeping with the character of the surrounding area.
2. The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as the one and a half storey side extension with its lack of set-back and drop down in the ridge line and the introduction of the two side gable walls would dominate, overwhelm and detract from the character and design of the existing dwelling.
3. The proposal is contrary to the terms of the Supplementary Planning Guidance: Householder Design Guide, as it introduces gable ends to a hip roofed house and comprises a one and a half storey side extension with no set-back from the front building line or corresponding drop in the ridge line.

Dated 2nd December 2016



Director of Environment
East Renfrewshire Council
2 Spiersbridge Way,
Spiersbridge Business Park,
Thornliebank,
G46 8NG
Tel. No. 0141 577 3001

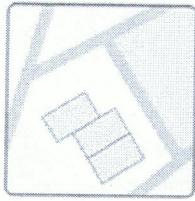
The following drawings/plans have been refused

Plan Description	Drawing Number	Drawing Version	Date on Plan
Location Plan	LOCATION		
Block Plan	BLOCK		
Elevations Proposed	04		
Elevations Proposed	05		
Plans Proposed	02		
Plans Proposed	03		

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PLANS/PHOTOGRAPHS/DRAWINGS

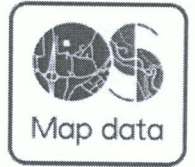
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**UK
Planning
Maps**

53

FILE COPY
2016/0622/TP



5 Craigie Drive, Newton Mearns, Glasgow, G77 5DA

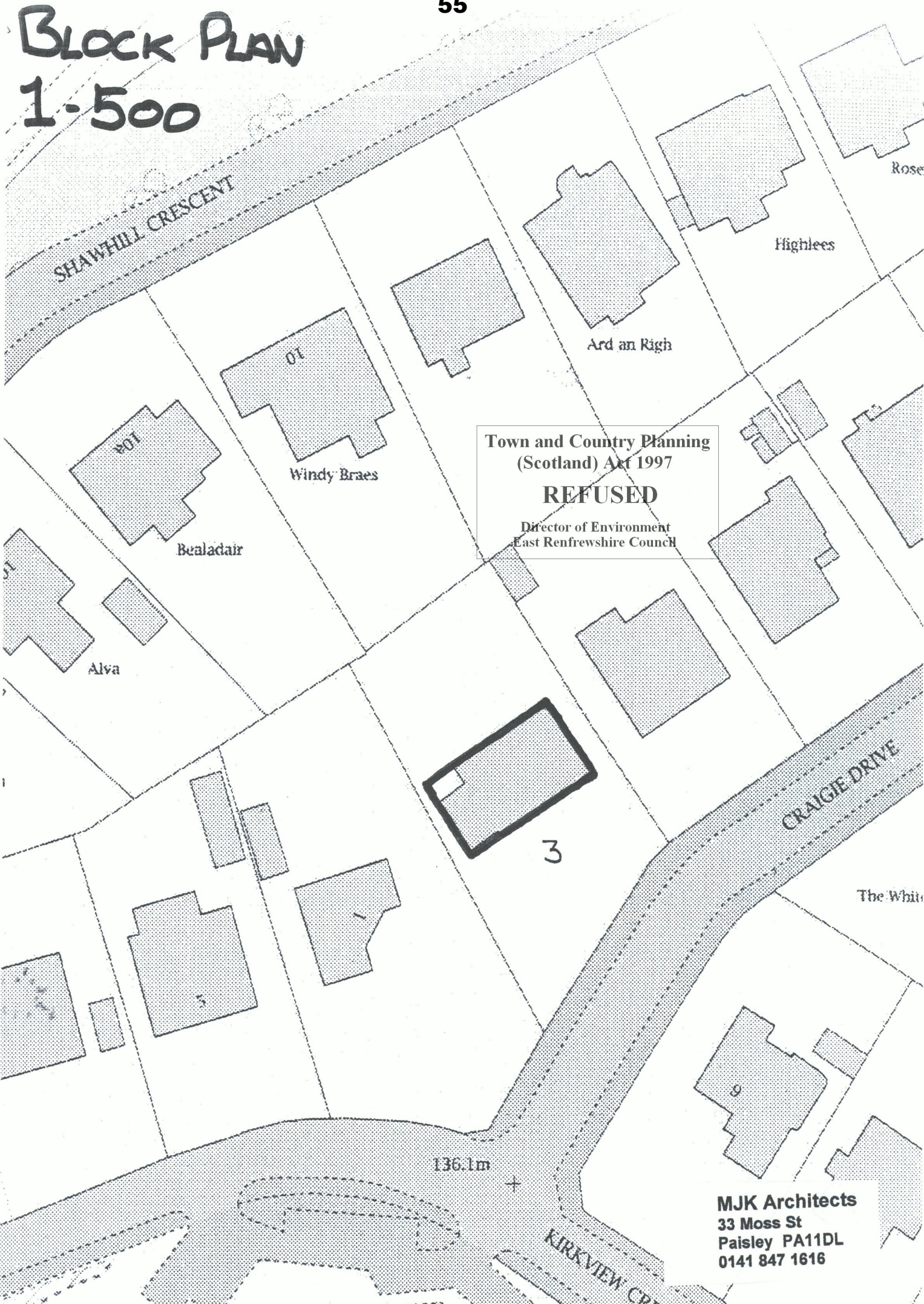


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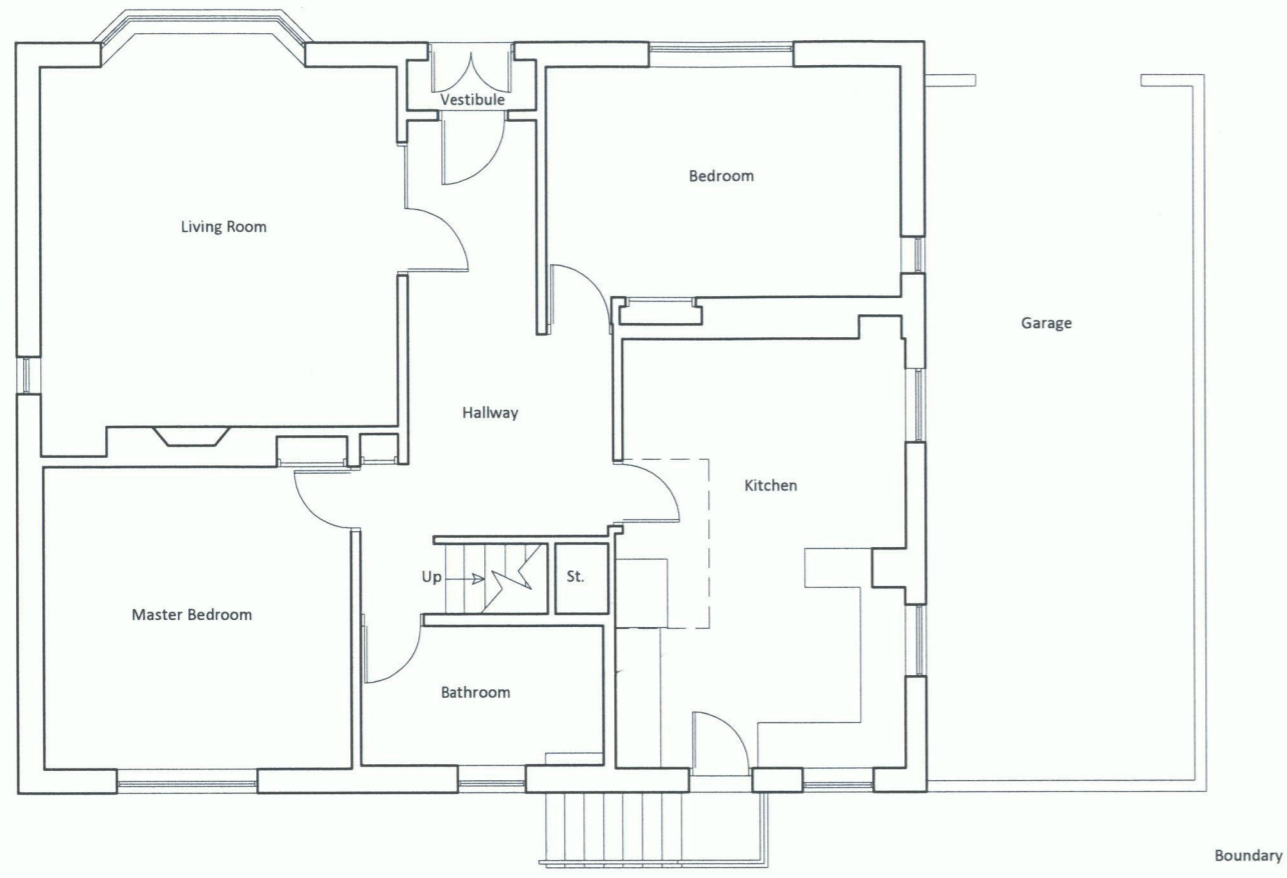
Block Plan 1-500



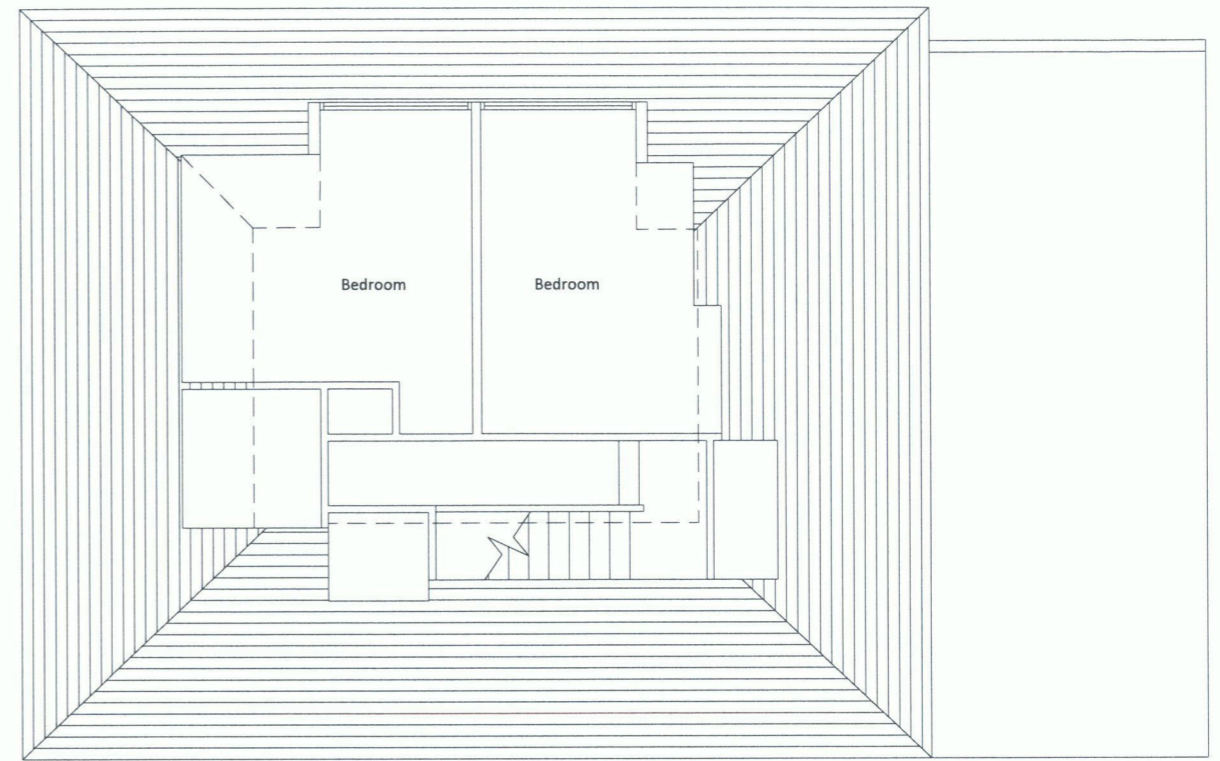
Town and Country Planning
(Scotland) Act 1997
REFUSED
Director of Environment
East Renfrewshire Council

MJK Architects
33 Moss St
Paisley PA11DL
0141 847 1616

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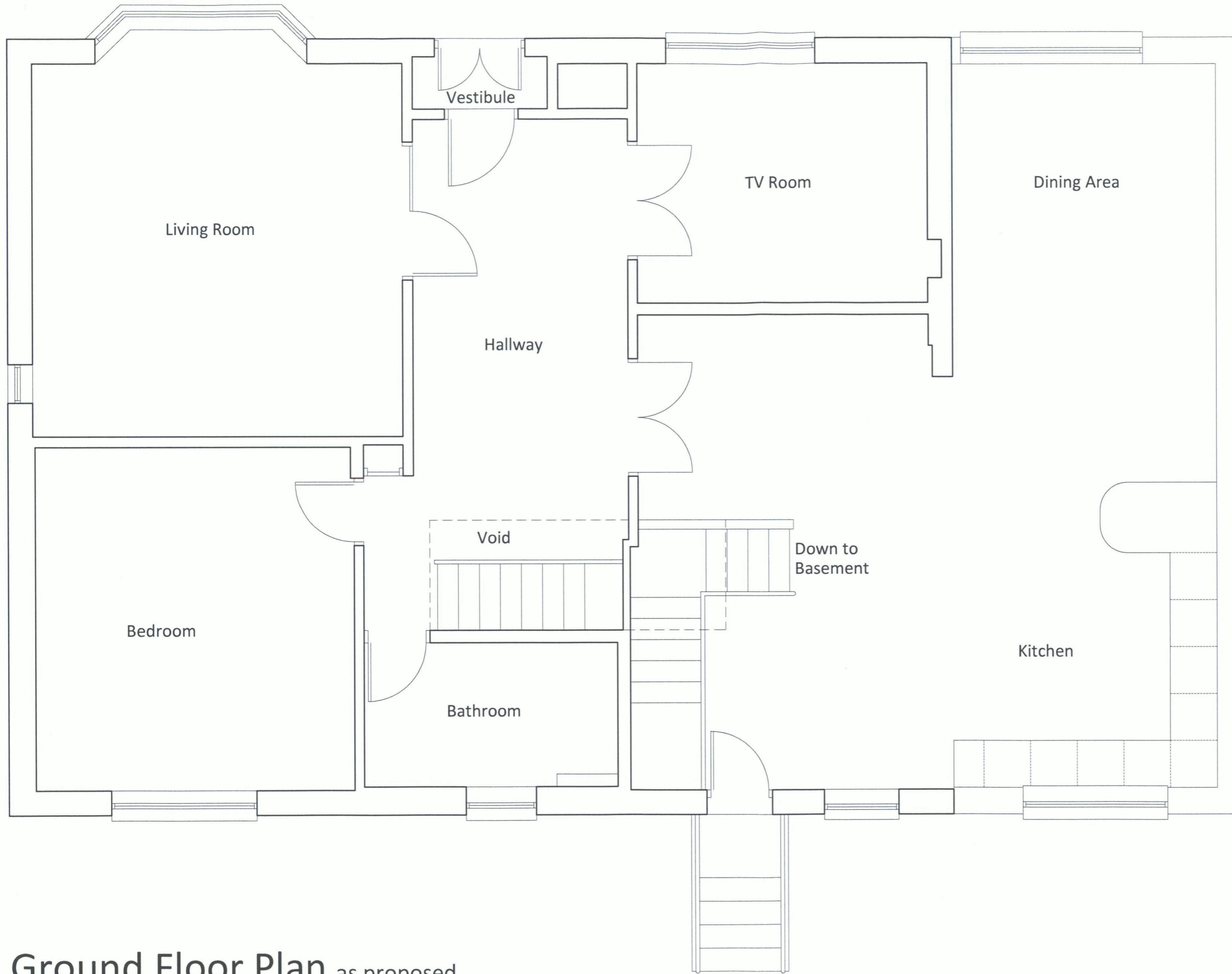
Ground Floor Plan as Existing



Upper Floor Plan as Existing

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Project Title 3 Craigie Drive G77 5DA		
Scale 1-100	Date 08-2016	
mjk architects Moss Street studios 33 Moss Street, Paisley PA1 1DL Tel. 0141 847 1616 Mob. 07831 571 301		
Job No 1647	Drawing No 1647-01	Rev

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

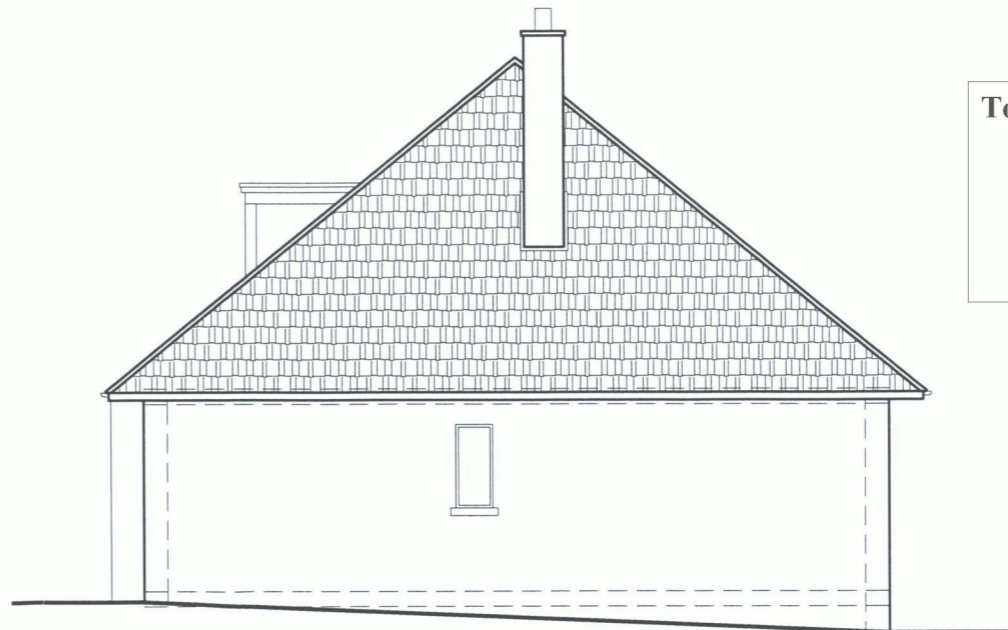
Ground Floor Plan as proposed

Rev	Date	Desc
Issue	Status	Planning
Project Title 3 Craigie Drive G77 5DA		
Scale 1-50	Date 08-2016	
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Job No 1647	Drawing No 1647-02	Rev

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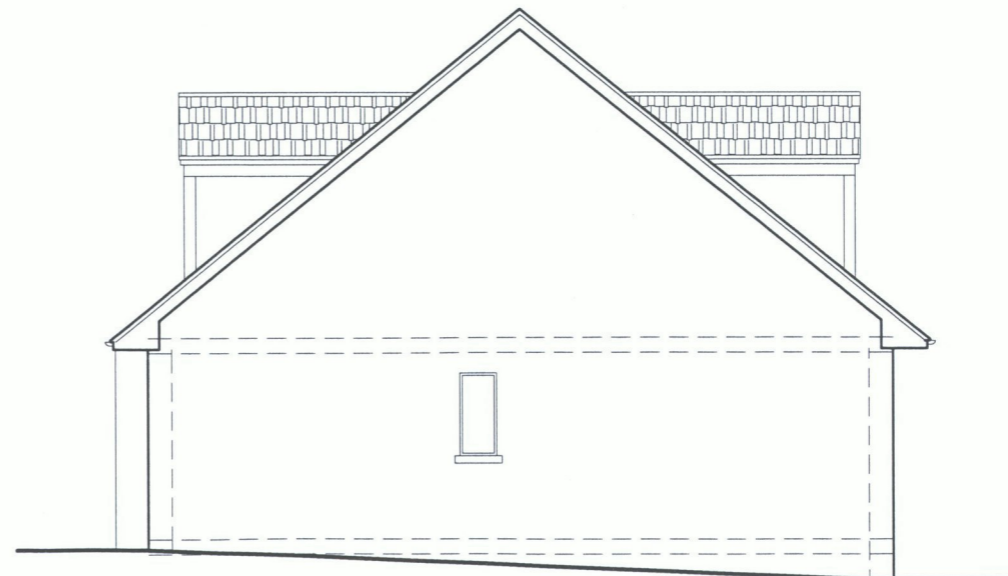
Front Elevation as existing



Side Elevation as existing



Front Elevation as proposed



Side Elevation as proposed

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

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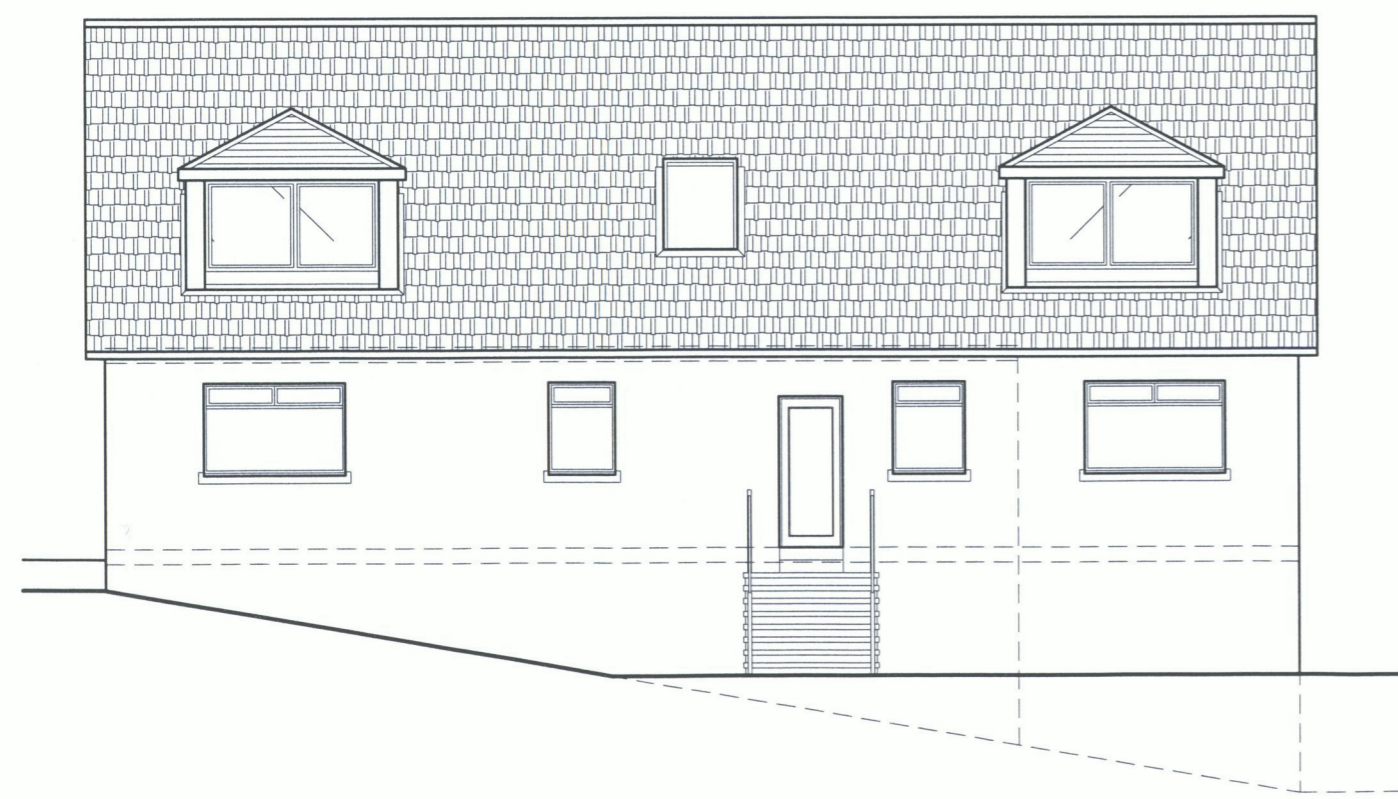


Rear Elevation as existing

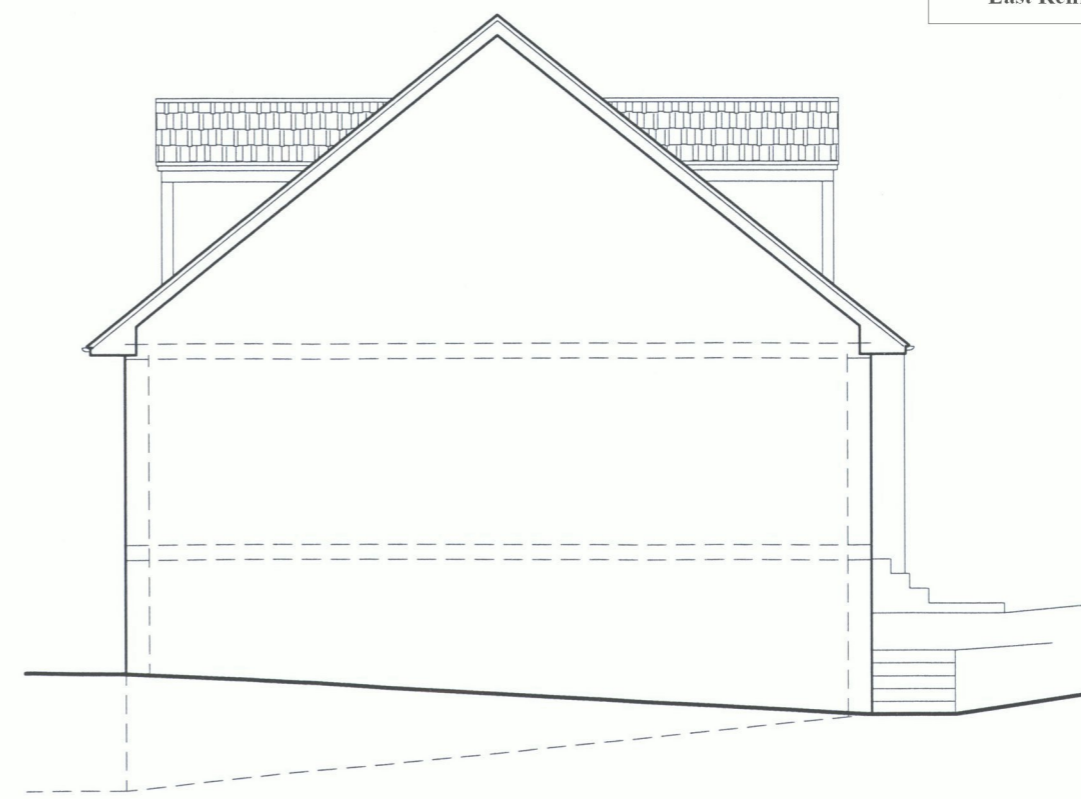


Side Elevation as existing

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

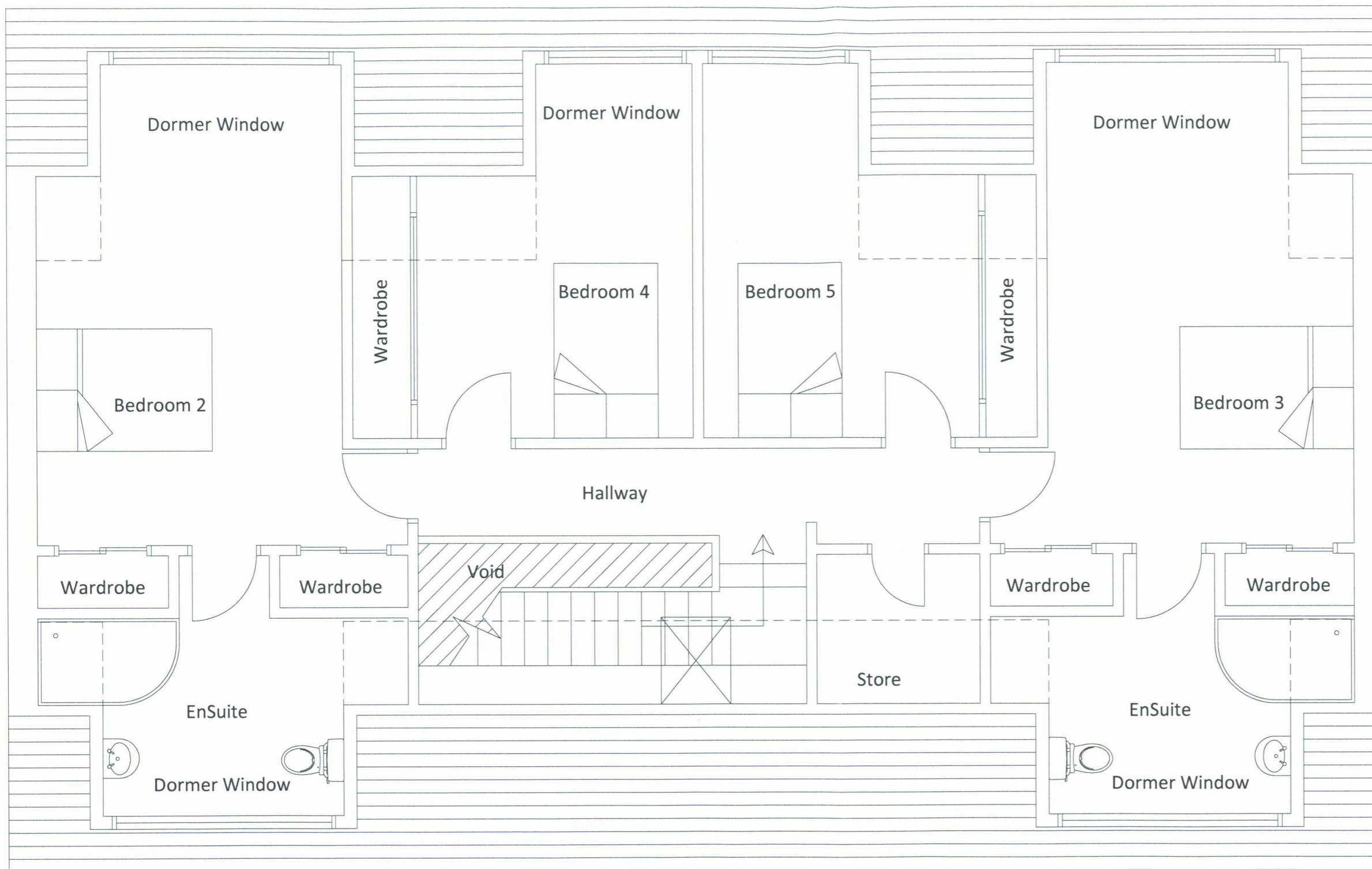


Rear Elevation as proposed



Side Elevation as proposed

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Upper Floor Plan as proposed

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

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mjk architects Moss Street studios 33 Moss Street, Paisley PA1 1DL Tel. 0141 847 1616 Mob. 07831 571 301		
Job No 1647	Drawing No 1647-03	Rev

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