

EAST RENFREWSHIRE COUNCILLOCAL REVIEW BODY21 June 2017Report by Deputy Chief ExecutiveREVIEW OF CASE - REVIEW/2017/11ERECTION OF TWO AND A HALF STOREY REAR EXTENSION INCORPORATING
GABLE ENDED ROOF AT 73 NETHERCLIFFE AVENUE, NETHERLEE**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:- 2016/0813/TP).
- Applicant: Mr and Mrs Scott Melaney.
- Proposal: Erection of two and a half storey rear extension incorporating gable ended roof.
- Location: 73 Nethercliffe Avenue, Netherlee.
- Council Area/Ward: Clarkston, Netherlee and Williamwood (Ward 4) – Ward formerly known as Netherlee, Stamperland and Williamwood.

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 applicants in submitting their 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 preference is 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. 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. 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 151 - 156);
- (b) Copies of objections/representations – Appendix 2 (Pages 157 - 160);
- (c) Report of Handling by the planning officer under the Scheme of Delegation - Appendix 3 (Pages 161 - 168);
- (d) Decision notice and reasons for refusal - Appendix 4 (Pages 169 - 172); and
- (e) A copy of the applicants' Notice of Review and Statement of Reasons - Appendix 5 (Pages 173 - 180).

15. The applicant has also submitted the drawings listed below (available for inspection within the Planning Division of the Environment Department prior to the meeting and for reference at the meeting) and are attached as Appendix 6 (Pages 181 - 194).

- (a) Refused – Location Plan;
- (b) Refused – Block Plan;
- (c) Existing Elevations;
- (d) Refused – Proposed Elevations – No. 2;
- (e) Refused – Existing and Proposed Plans for Basement and Ground Floor – No. 3; and
- (f) Refused – Existing and Proposed Plans for First Floor – No. 4.

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:- May 2017

**APPLICATION
FOR
PLANNING PERMISSION**

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RECEIVED

16 DEC 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		2. Agent's Details (if any)	
Title	MR + MRS	Ref No.	
Forename	SCOTT	Forename	JOHN
Surname	MAHONEY	Surname	HUTTON
Company Name		Company Name	
Building No./Name	73	Building No./Name	F1501, 69
Address Line 1	NETHERCLIFFE AVE,	Address Line 1	MURRAY ROAD
Address Line 2	NETHERCLIFFE	Address Line 2	LANZSIDE
Town/City	GLASGOW.	Town/City	GLASGOW.
Postcode		Postcode	G42 9UT
Telephone		Telephone	07773 209204
Mobile		Mobile	
Fax		Fax	
Email		Email	
3. Address or Location of Proposed Development (please include postcode)			
<p>73, NETHERCLIFFE AVE, NETHERCLIFFE.</p> <p>I WOULD LIKE TO BRING TO ATTN OF PLANNING THERE ARE MANY OF THIS TYPE OF EXTN i.e 5, 59, 67, 66, 32 NETHERCLIFFE - MANY MORE IN NETHERCLIFFE SURROUNDING AREA!</p>			
<p>NB. If you do not have a full site address please identify the location of the site(s) in your accompanying documentation.</p>			
4. Describe the Proposed Works			
Please describe accurately the work proposed:			
<p>PROPOSED REAR EXTENSION WITH GARAGE END.</p>			
<p>Have the works already been started or completed Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>			
<p>If yes, please state date of completion, or if not completed, the start date:</p>			
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.

[Empty box for explanation]

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.:

[Empty box for description of advice]

6. Trees

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

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

7. Changes to Vehicle Access and Parking

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

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

Are you proposing any changes to public paths, public rights of way or affecting any public rights of access? Yes No

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

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

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

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

8. Planning Service Employee/Elected Member Interest

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

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

If you have answered yes please provide details:

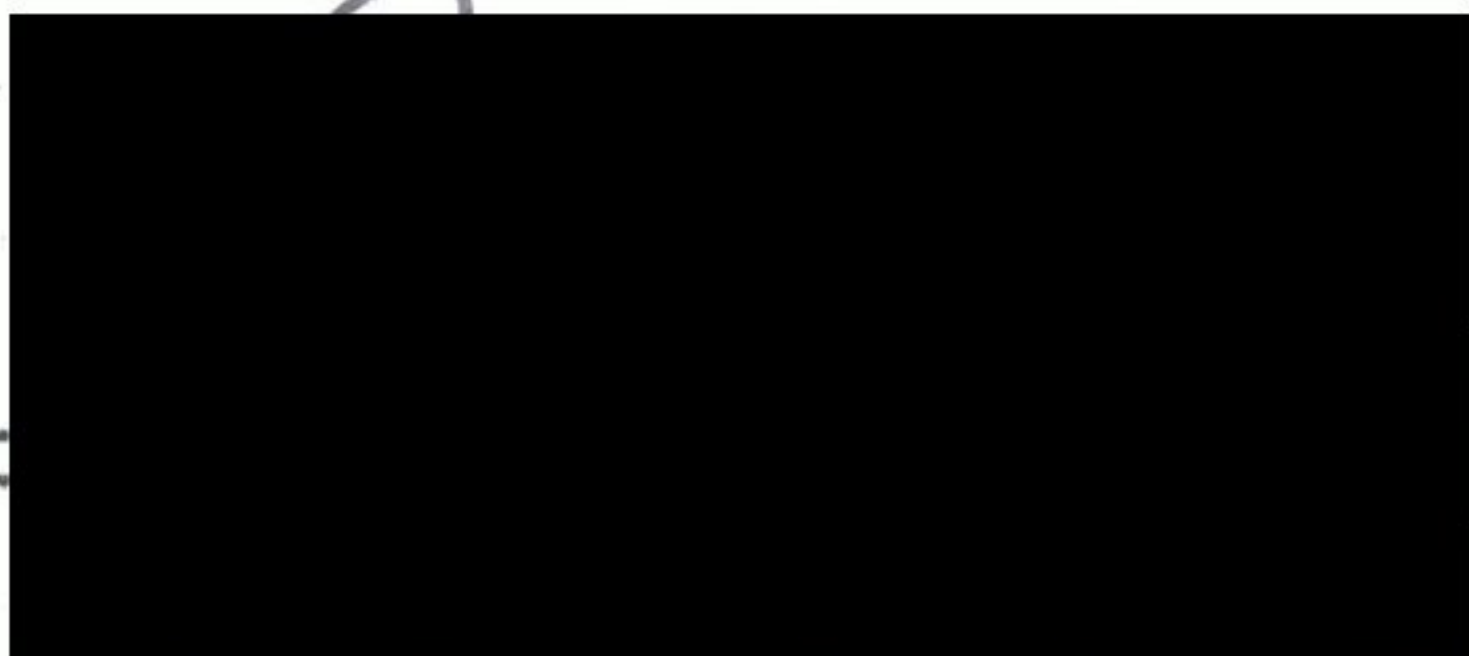
DECLARATION

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

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

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

Signature:



Name:

John A Hutton
16/12/16.

Date:

16/12/16

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

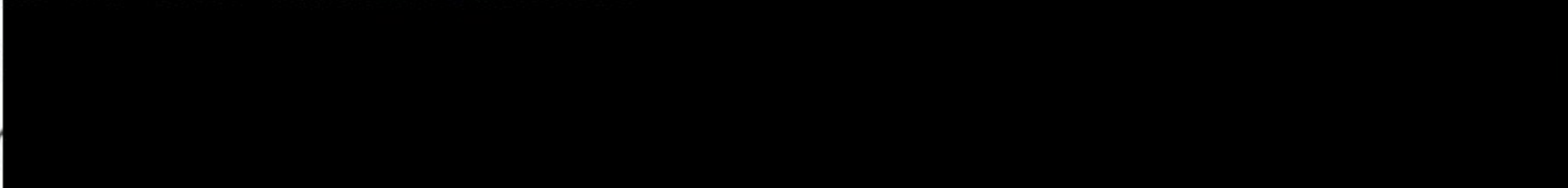
CERTIFICATE A, B, C, D OR CERTIFICATE E MUST BE COMPLETED BY ALL APPLICANTS

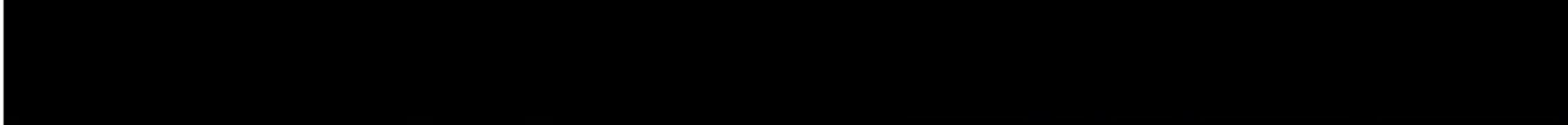
CERTIFICATE A

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.

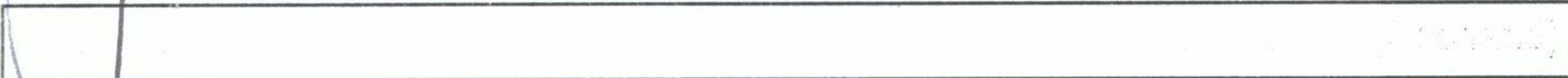
I hereby certify that -

(1) No person other than myself *me Mrs Maaney* 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) No  constitutes or forms part of agricultural land.

Signed: 

On behalf of: *MR Mrs S. MAANEY*

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:

COPIES OF OBJECTIONS/REPRESENTATIONS

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Comments for Planning Application 2016/0813/TP

Application Summary

Application Number: 2016/0813/TP

Address: 73 Nethercliffe Avenue Netherlee East Renfrewshire G44 3UJ

Proposal: Erection of two and a half storey rear extension incorporating gable ended roof

Case Officer: Mr Derek Scott

Customer Details

Name: Ms Fiona Coulter

Address: 72 Nethercliffe Avenue, Netherlee, East Renfrewshire G44 3UL

Comment Details

Commenter Type: Rec'd Neighbour Notification from Council

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Dear Sir/Madam

With reference to planning application 2016/0813/TP, 73 Nethercliffe Avenue, G44 3UJ

The property in question is opposite our own property at 72 Nethercliffe Avenue.

I would like to raise some concerns regarding the design and scale of the proposed development. Firstly, the formation of a gable end within the roof to the rear of the property. My objection is on the basis of concerns that the visual impact will be detrimental to the traditional character of the area with its low lying houses and the general outlook to the woodland area behind the property. The proposal is to create a 3 storey building out of the current single storey house with one small dormer to the front elevation. I also note that the roofline of the proposed extension appear to be out with a number of the guidelines set down in the Supplementary Planning Guidance, Householder Design Guide, published June 2015.

Extensions to the rear of bungalows should:

- Have the same roof design as the house and not form a gable end;
- Have its ridge line below the ridge of the house.

General principles:

- Extensions should not dominate or overwhelm the original form or appearance of the house and be subordinate in scale and appearance to the original house;
- Developments should have the same roof design as the house particularly when visible from public view.

Furthermore, Policy D14 of the East Renfrewshire Local Development Plan, June 2015, states:

- 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.

It would appear strange that the planning department would deem such a development appropriate when it is so far in excess of the guidelines and proposed gable end developments in recent years to 2 other properties on Nethercliffe Avenue have been rejected. Namely 2015/0085/TP and 2013/0305/TP.

There is no mention within the documents available online regarding off street parking provision. Currently the owners of the property have 2 cars, neither of which are parked off street, despite the fact that the property has a driveway. Due to the narrow nature of the street and general increased on street parking within the vicinity, this is making access to our own driveway (which we use on a daily basis) difficult at certain times of the day. It is concerning that it would be permissible to massively increase the size of a property, without also increasing usable off street parking provision. If possible, I would appreciate a response back from the Planning Department on this point.

As there is also currently an application for development of 71 Nethercliffe Avenue (2016/0744/TP), I am also concerned about the potential impact of building works for 2 large developments next door to each other taking place concurrently or within a short period of time of each other. Recent experience of large scale developments nearby (at numbers 66 and 67) is that the building work takes protracted periods of time, with disruptive noise and mess that spills past the property boundaries onto the public pavements and road.

In summary, I would request that the Planning Department take these concerns into consideration when making their decision. Having been brought up nearby, it saddens me that more is not done to protect the character and environment of the bungalow area of Netherlee against overdevelopment. Other parts of Netherlee are subject to tighter planning restrictions. Indeed it is my understanding from local history that some of the 'red sandstone' streets are only in the region of 10-15 years older than the bungalows.

Yours faithfully
Fiona Coulter

REPORT OF HANDLING

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REPORT OF HANDLING

Reference: 2016/0813/TP

Date Registered: 21st December 2016

Application Type: Full Planning Permission

This application is a Local Development

Ward: 4 -Netherlee Stamperland Williamwood

Co-ordinates: 258152/:658508

Applicant/Agent:

Applicant:

Mr And Mrs Scott Melaney

73 Nethercliffe Avenue

Netherlee

East Renfrewshire

G44 3UJ

Agent:

Mr John Hutton

Flat 0/1

69 Millbrae Road

Langside

Glasgow

G42 9UT

Proposal: Erection of two and a half storey rear extension incorporating gable ended roof

Location: 73 Nethercliffe Avenue
Netherlee
East Renfrewshire
G44 3UJ**CONSULTATIONS/COMMENTS:** None.**PUBLICITY:** None.**SITE NOTICES:** None.**SITE HISTORY:**

1989/0472/TP	INSTALLATION OF SIDE DORMER WINDOW	Granted	19.12.1989
1991/0240/TP	ERECTION OF REAR EXTENSION TO DWELLINGHOUSE	Granted	27.08.1991

REPRESENTATIONS:

One representation has been received and can be summarised as follows:

Unacceptable visual impact

Contrary to the terms of the Local Development Plan and the SPG

Inadequate car-parking

Unacceptable impact on amenity of two adjacent developments potentially being undertaken at the same time

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 pyramidal roofed detached bungalow with a front attic dormer window and its curtilage and lies within an established residential area. The dwelling has a short ridge line that runs parallel to the road. The site slopes down from front to back. Given this change in levels the dwelling has a degree of underbuilding to the rear. The property has a rear porch and a single storey rear extension. The side and rear boundaries are characterised by established planting. The street is characterised by hipped roofed bungalows either detached or within semi-detached blocks.

Planning permission is sought for the erection of a two and a half storey rear extension incorporating a gable ended roof and a raising of the ridge height by approximately 0.75m.

The application requires to be assessed against Policies D1 and D4 of the adopted East Renfrewshire Local Development Plan and the adopted Supplementary Planning Guidance: Householder Design Guide (SPG) that supports and forms part of Policy D14.

Policy D14 states that extensions must complement the existing character of the property in terms of style, form and materials. The SPG requires that extensions to the rear of bungalows should have the same roof design as the house and not form and gable end and that the ridge of the extension should be set below that of the existing ridge. Policy D1 states that development should not result in a significant loss of character or amenity to the surrounding area.

The proposed erection of a two and a half storey rear extension with its gable end is considered to be out of character with the existing hip roofed pyramidal bungalow. The proposed extension completely changes the profile and appearance of the house. Together with the proposed increase in the ridge of the existing house and the absence of a drop in the ridge of the extension is considered to dominate and overwhelm the character and form of the original dwelling. Furthermore the additional massing of the extended roof with its gable end and increase in ridge height would be at odds with the prevailing character of the area, informed by hipped and pyramidal roofed bungalows. As such, the proposal would represent an incongruous addition to the streetscape and would be detrimental to the visual amenity of the wider area.

The proposal is therefore contrary to the relevant policies of the adopted Local Development Plan and no material considerations have been given by the applicant that would allow the application to be approved against policy.

With regard to the points of objection not specifically addressed above, there is considered to be adequate car-parking for the extended dwelling. The proposal is domestic in scale and as such, the impact of construction activities of this and the adjacent consented proposal at 71 Nethercliffe Avenue would not be considered to be as severe as would justify a refusal of the application.

The proposal is contrary to Policies D1 and D14 of the adopted East Renfrewshire Local Development Plan and fails to comply with the specific terms of the SPG and there are no material considerations to allow approval of the application.

RECOMMENDATION: Refuse

PLANNING OBLIGATIONS: None

REASONS FOR REFUSAL:

1. The proposal is contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan as it represents a form of development that is at odds with the surrounding character of shallow pitched, hip roofed bungalows and which would be an incongruous addition to the streetscape to the detriment of the visual amenity of the wider area.
2. The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as it would dominate and overwhelm the character of the original dwelling by virtue of its size and design, including the introduction of a gable end and the increase in the ridge height.
3. The proposal is contrary to the specific terms of the adopted Supplementary Planning Guidance: Householder Design Guide that supports and forms part of Policy D14 as it represents a gable-ended extension to a hip roofed bungalow with an increase in the ridge height, do the detriment of the character and visual amenity of the area.

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.: 2016/0813/TP
(DESC)

DATE: 16th February 2017

DIRECTOR OF ENVIRONMENT

Reference: 2016/0813/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 16/02/17 IM(1)

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**DECISION NOTICE
AND
REASONS FOR REFUSAL**

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

REFUSAL OF PLANNING PERMISSION

Ref. No. **2016/0813/TP**

Applicant

Mr And Mrs Scott Melaney
73 Nethercliffe Avenue
Netherlee
East Renfrewshire
G44 3UJ

Agent:

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

With reference to your application which was registered on 21st December 2016 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Erection of two and a half storey rear extension incorporating gable ended roof

at: 73 Nethercliffe Avenue Netherlee East Renfrewshire G44 3UJ

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

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

1. The proposal is contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan as it represents a form of development that is at odds with the surrounding character of shallow pitched, hip roofed bungalows and which would be an incongruous addition to the streetscape to the detriment of the visual amenity of the wider area.
2. The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as it would dominate and overwhelm the character of the original dwelling by virtue of its size and design, including the introduction of a gable end and the increase in the ridge height.
3. The proposal is contrary to the specific terms of the adopted Supplementary Planning Guidance: Householder Design Guide that supports and forms part of Policy D14 as it represents a gable-ended extension to a hip roofed bungalow with an increase in the ridge height, do the detriment of the character and visual amenity of the area.

Dated 16th February 2017



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

The following drawings/plans have been refused

Plan Description	Drawing Number	Drawing Version	Date on Plan
Location Plan	LOCATION		
Block Plan	BLOCK		
Elevations Proposed	2		
Plans Proposed	3		
Plans Proposed	4		

GUIDANCE NOTE FOR REFUSAL OF LOCAL DEVELOPMENTS DETERMINED UNDER DELEGATED POWERS

REVIEW BY EAST RENFREWSHIRE COUNCIL'S LOCAL REVIEW BODY

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

CONTACT DETAILS

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

**General Inquiry lines 0141 577 3895 or 0141 577 3878
Email planning@eastrenfrewshire.gov.uk**

**NOTICE OF REVIEW
AND
STATEMENT OF REASONS**

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RECEIVED

- 4 APR 2017

Notice of Review



NOTICE OF REVIEW

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

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

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

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

Use BLOCK CAPITALS if completing in manuscript

Applicant(s)

Name MR+MRS S. MALANEY

Address 73, NETHERCLIFFE AVE,
NETHERLEE.

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Agent (if any)

Name J. A. HUTTON

Address FAT 0/1, 69,
MILBRAE ROAD,
LANGSIDE

Postcode G42 9UT.

Contact Telephone 1 07773 209204

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?

Planning authority EAST RENFREWSHIRE COUNCIL

Planning authority's application reference number 2016/0813/TP

Site address 73, NETHERCLIFFE AVE, NETHERLEE

Description of proposed development REAR 2 1/2 STOREY EXTENSION.

Date of application 16/12/16

Date of decision (if any) 16/2/17

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

Nature of application

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

Reasons for seeking review

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

Review procedure

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

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

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

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

Site inspection

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

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

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

No!

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 REASONS WE ARE SEEKING A REVIEW ARE : AS POINTED OUT IN OUR APPLICATION WE GAVE SEVERAL ADDRESSES WHERE THE REAR EXTENSION WHICH WE APPLIED FOR HAD BEEN CARRIED OUT VERY LOCAL TO OUR PROPERTY. THE HOUSE DIAGONALLY OPPOSITE OURS WAS CARRIED OUT VERY RECENTLY AND THIS IS AN ELEVATED SITE. WE FEEL AS OUR PROPERTY FALLS AWAY AT REAR + BACKS ONTO WOODED LAND THAT THE EXTENSION WE PROPOSED WOULD NOT IMPACT ON ANY OTHER PROPERTY!

ADDRESSES WHERE EXTENSIONS HAVE BEEN CARRIED OUT:

9 & 12, NETHERHILL AVE, 2 + 4 NETHERWAY,
 22 NETHERVIEW AVE, 59, 32, 66 + 5 NETHERCLIFFE AVE
 17, 23, 25, 34 + 43 NETHERBURN AVE, NETHERLEE.

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.

OTHER ADDRESSES WHERE PROPERTY EXTENDED AS PER OUR APPLICATION.

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.

PLANS EXISTING & PROPOSED, SITE LOCATION & BLOCK PLANS.

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

Checklist

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

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

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

Declaration

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

Signed



Date

Data Protection Act 1998

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

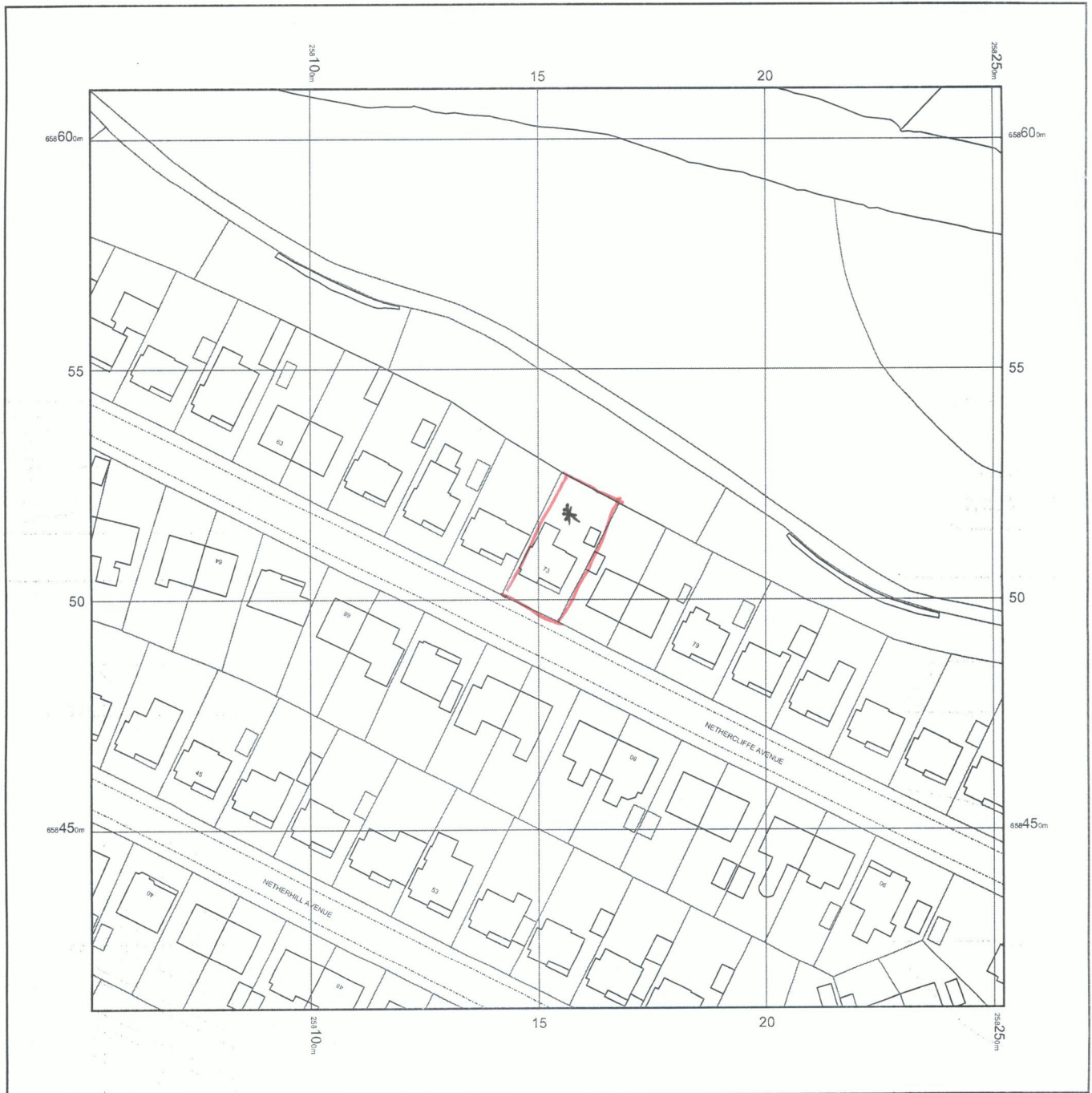
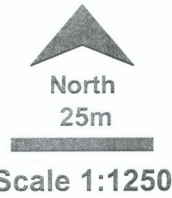
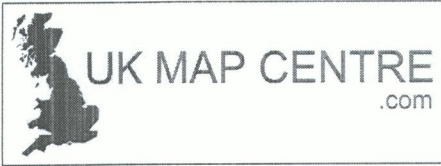
Your completed notice of review should now be returned to: East Renfrewshire Council, 2 Spiersbridge Way, Spiersbridge Business Park, Thornliebank, East Renfrewshire G46 8NG. Alternatively, you can e-mail your notice of review to planning@eastrenfrewshire.gov.uk

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PLANS/PHOTOGRAPHS/DRAWINGS

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Serial No: 105706
Centre Coordinates: 258152, 658511
Production Date: 15/12/2016 14:56:13

73 Nethercliffe Avenue, Netherlee, G44 3UJ

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

REFUSED

**Director of Environment
East Renfrewshire Council**

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PROPOSED EXTENSION

AT 73 NETHERCLIFFS AVE
NETHERLEE.

Town and Country Planning
(Scotland) Act 1997

REFUSED

Director of Environment
East Renfrewshire Council



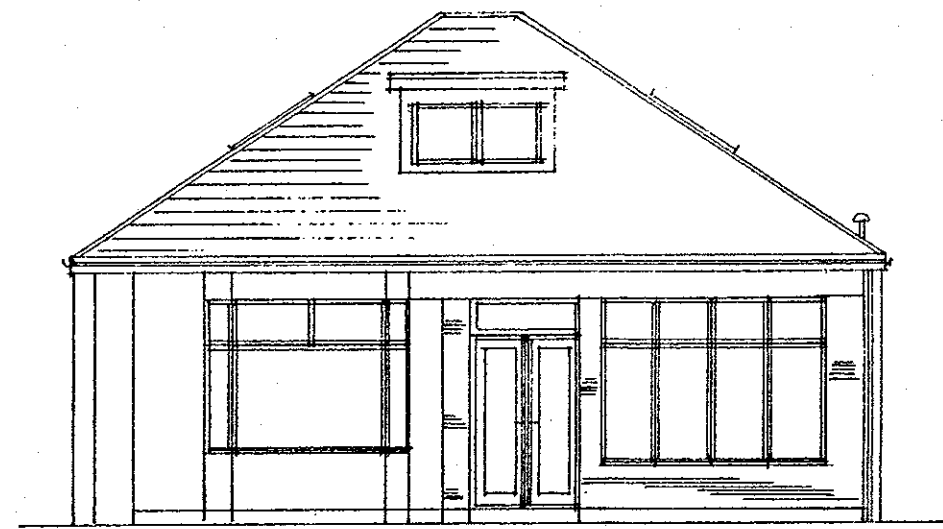
Block Plan

1-200

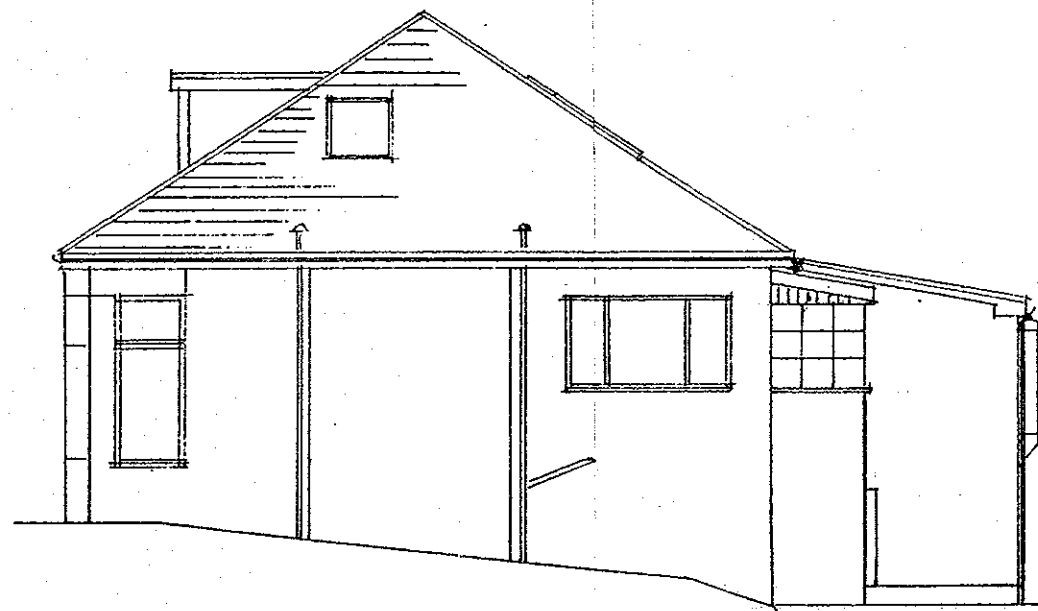
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PROPOSED REAR STOREY EXTENSION TO REAR.
AT 73, NETHERCLIFFE AVE, NETHERLEE, GLASGOW.
PER MR & MRS S. MALLANEY.

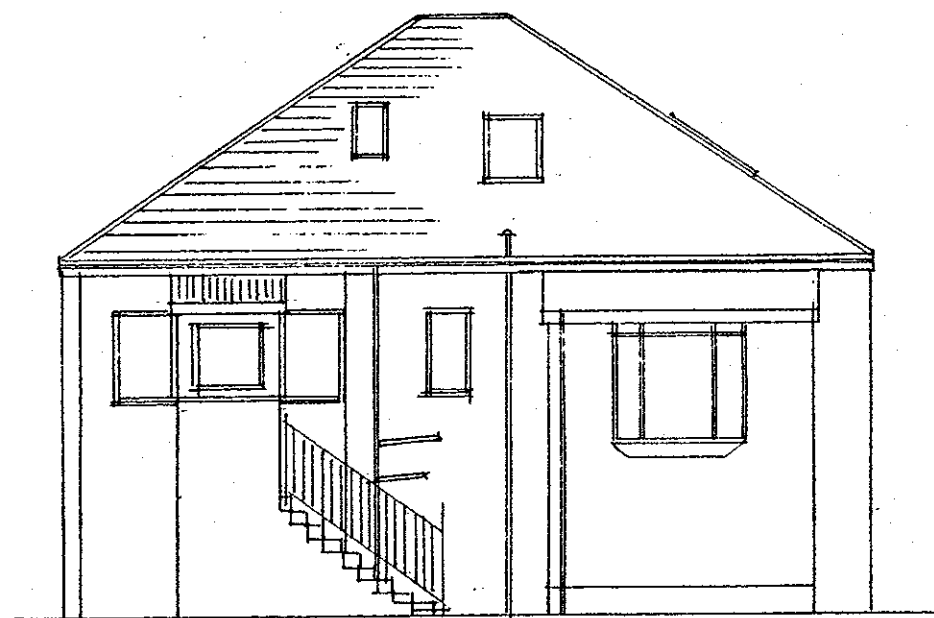
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DRG NO : 4135/1.
DATE : OCT 2016.



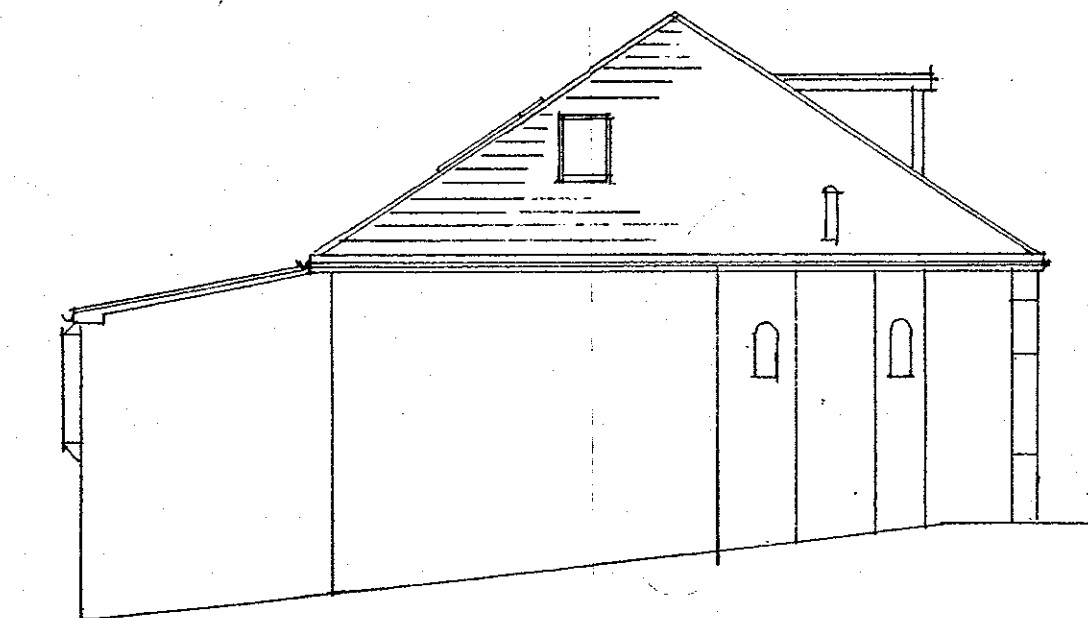
EXISTING FRONT ELEVATION.



EXISTING SIDE ELEVATION.



EXISTING REAR ELEVATION.



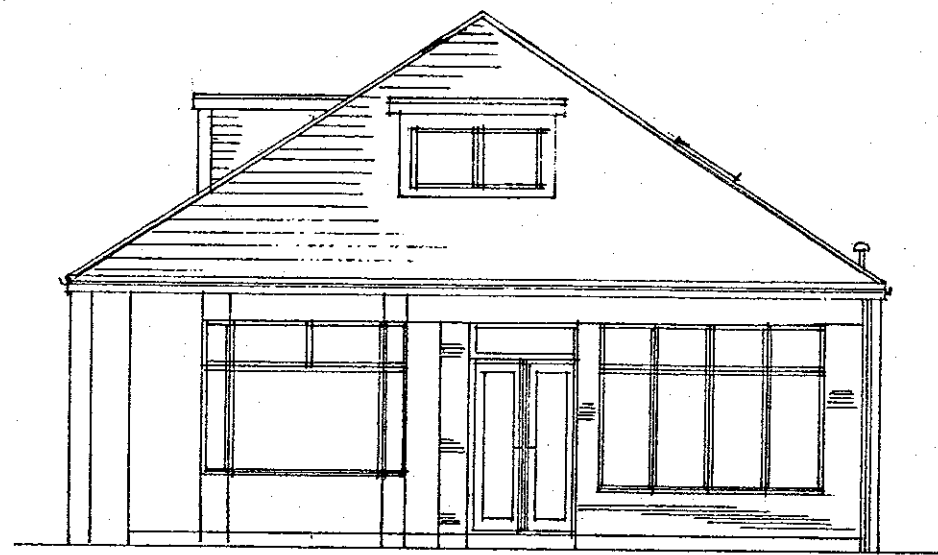
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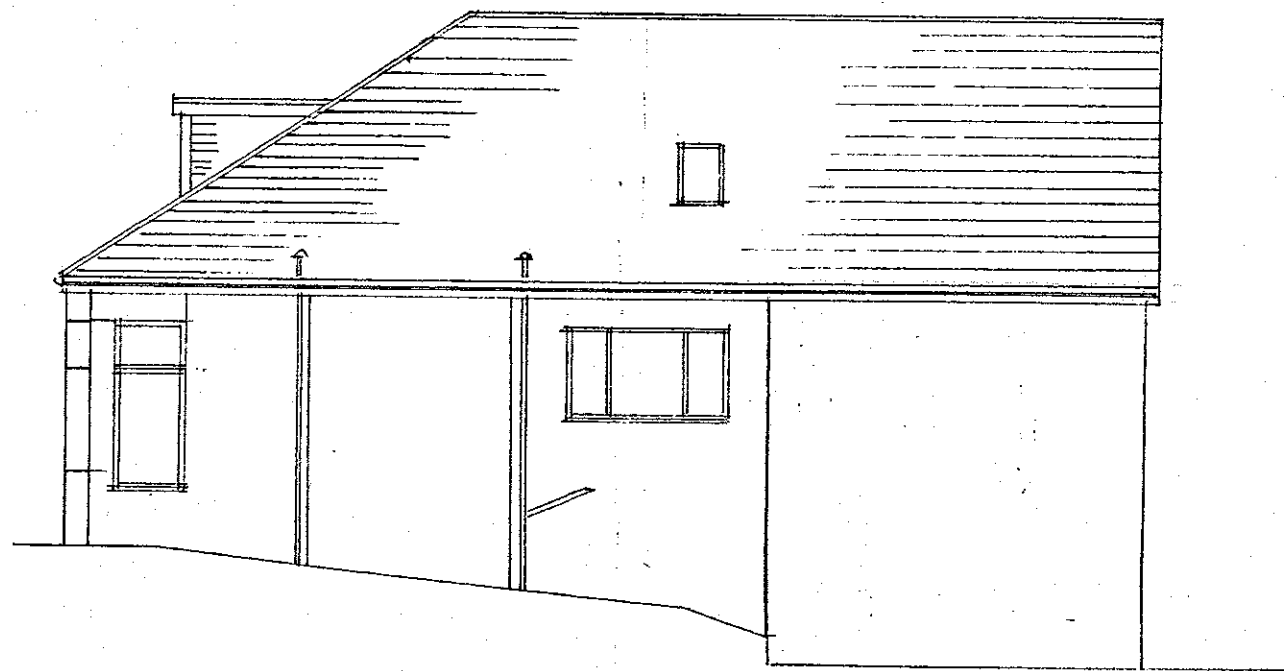
PROPOSED REAR 1/2 STOREY EXTENSION TO REAR.
AT 73, NETHERCLIFFE AVE, NETHERLEE, GLASGOW.
PER MR & MRS S. MALLANEY.

SCALE : 1:100
DRG. NO : 4135/2
DATE : OCT 2016.

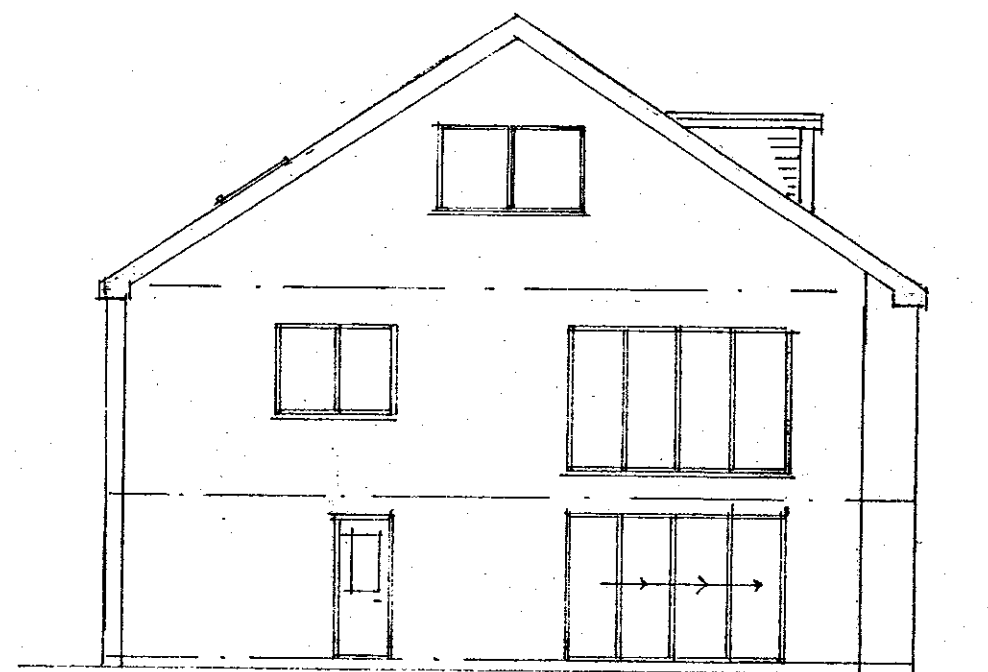
**Town and Country Planning
(Scotland) Act 1997**
REFUSED
Director of Environment
East Renfrewshire Council



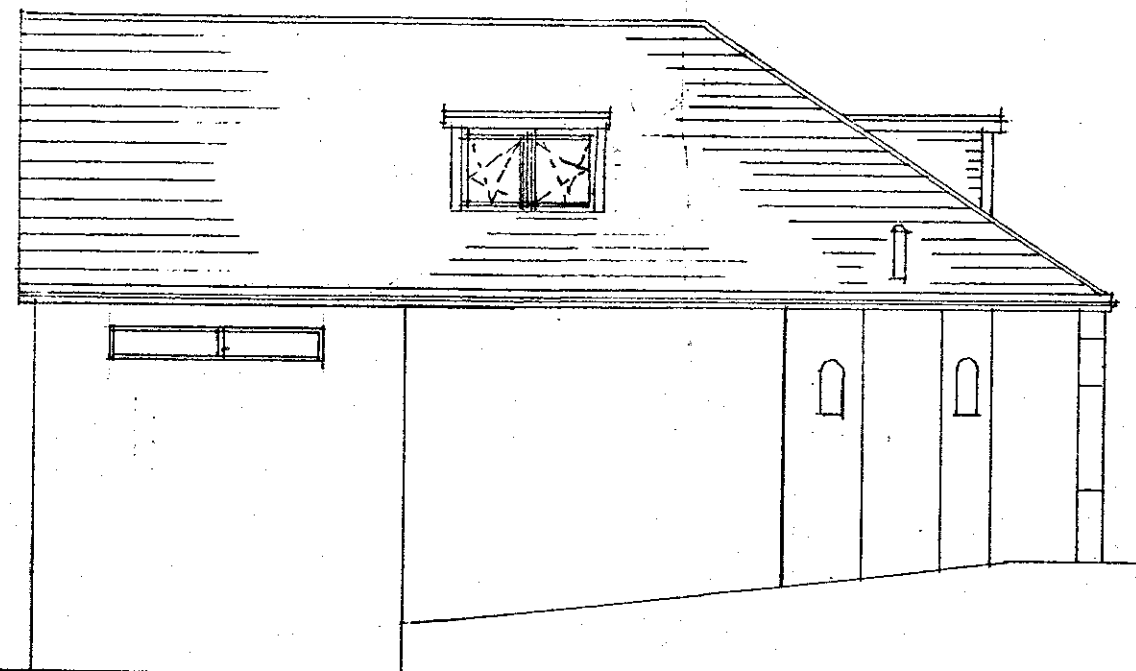
FRONT ELEVATION.



SIDE ELEVATION.



REAR ELEVATION.



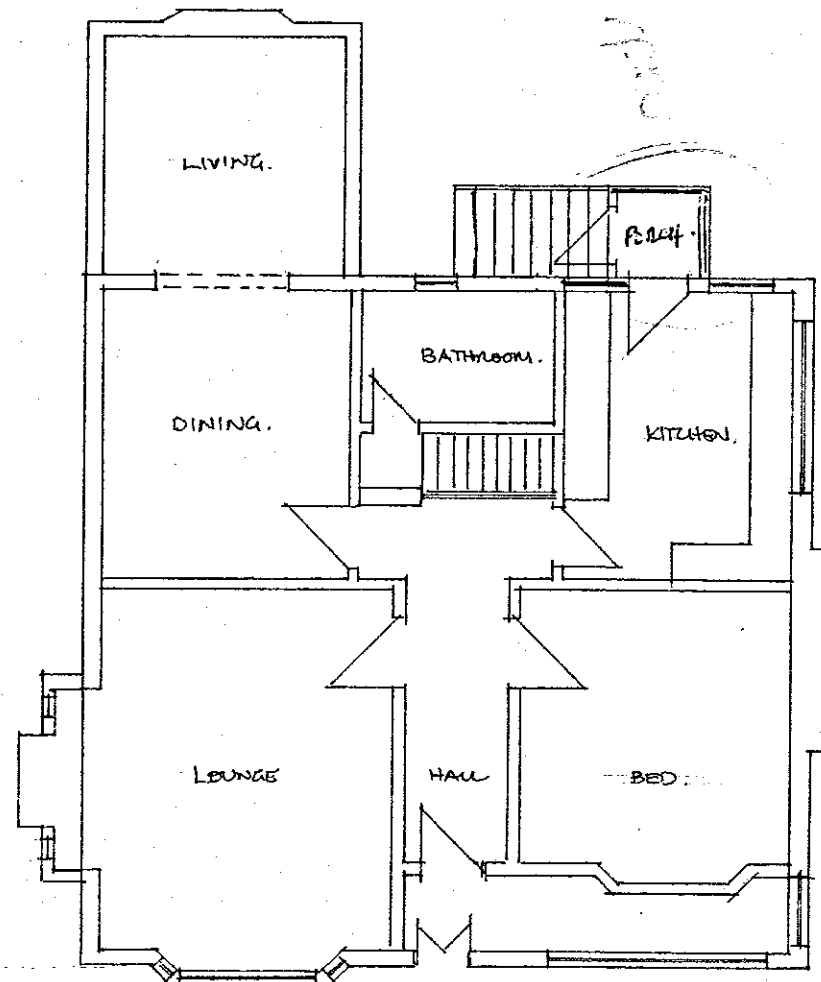
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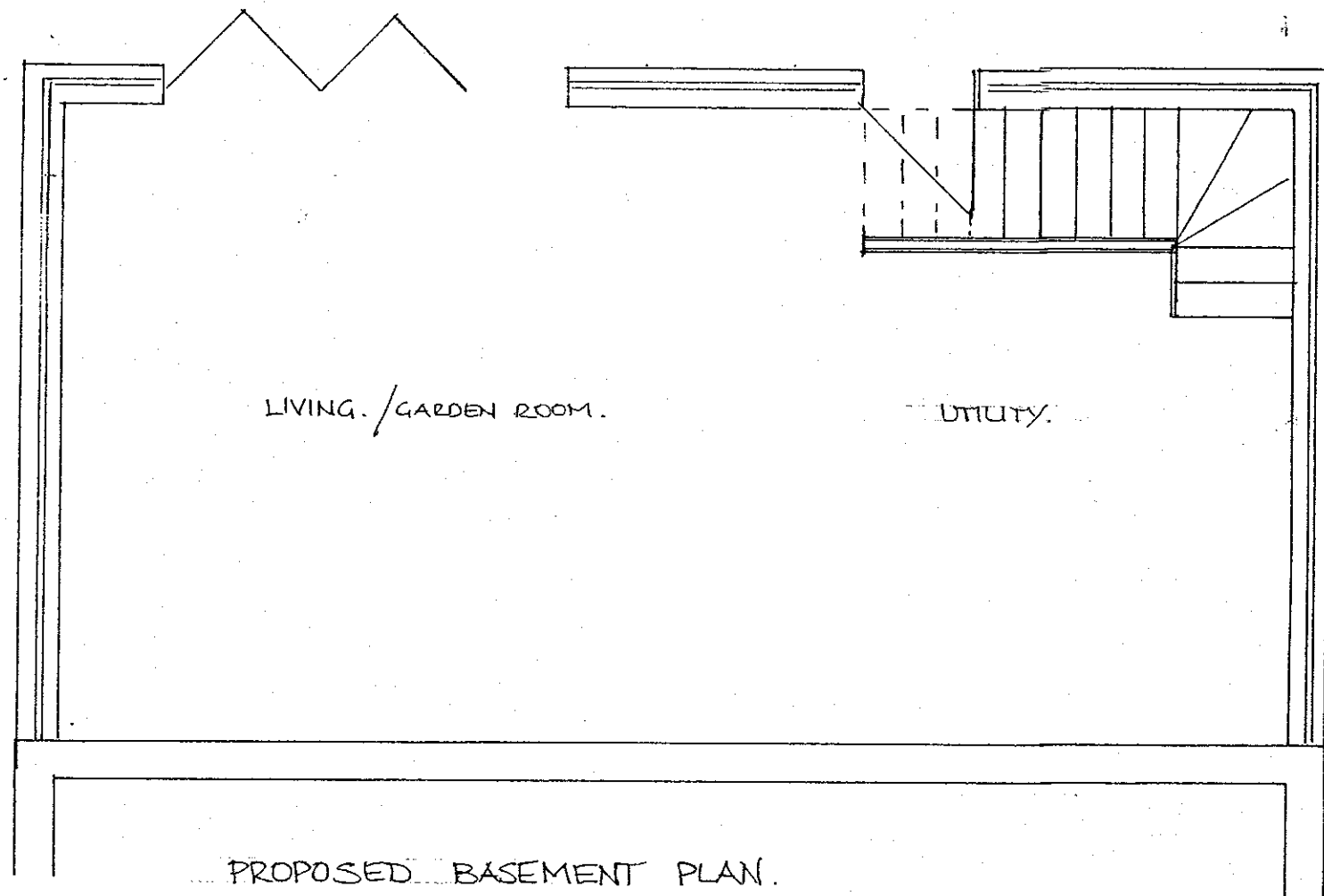
PROPOSED REAR 1/2 STOREY EXTENSION TO REAR.
AT 73 NETHERCLIFFE AVE, NETHERLEE, GLASGOW.
PER MR & MRS S. MALLANEY.

SCALE : 1:50, 1:100.
DRG NO : 4135/3
DATE : OCT 2016.

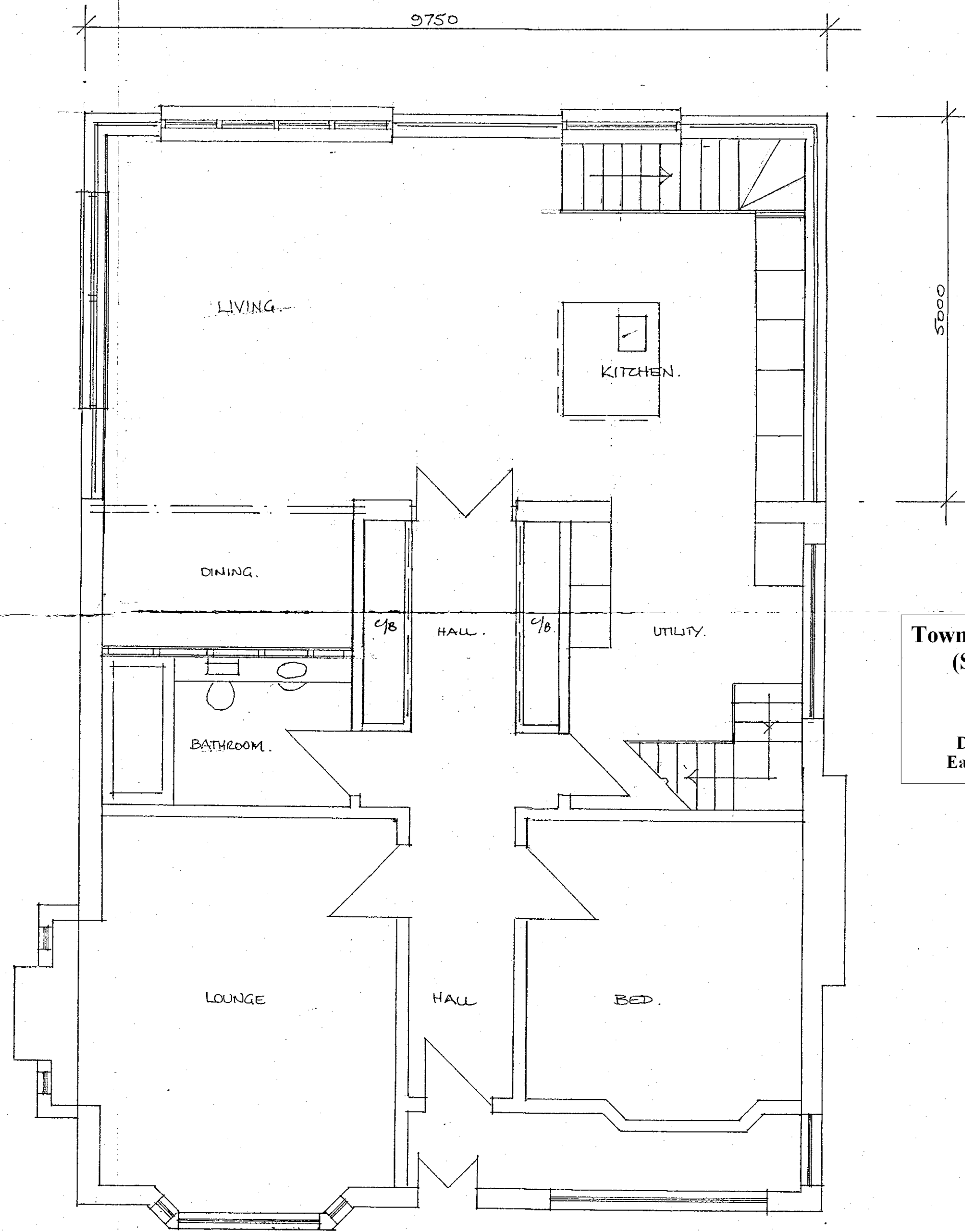
* NOTE : ALL SIZES TO BE CHECKED ON SITE *



EXISTING G.F. PLAN



PROPOSED BASEMENT PLAN



PROPOSED G.F. PLAN

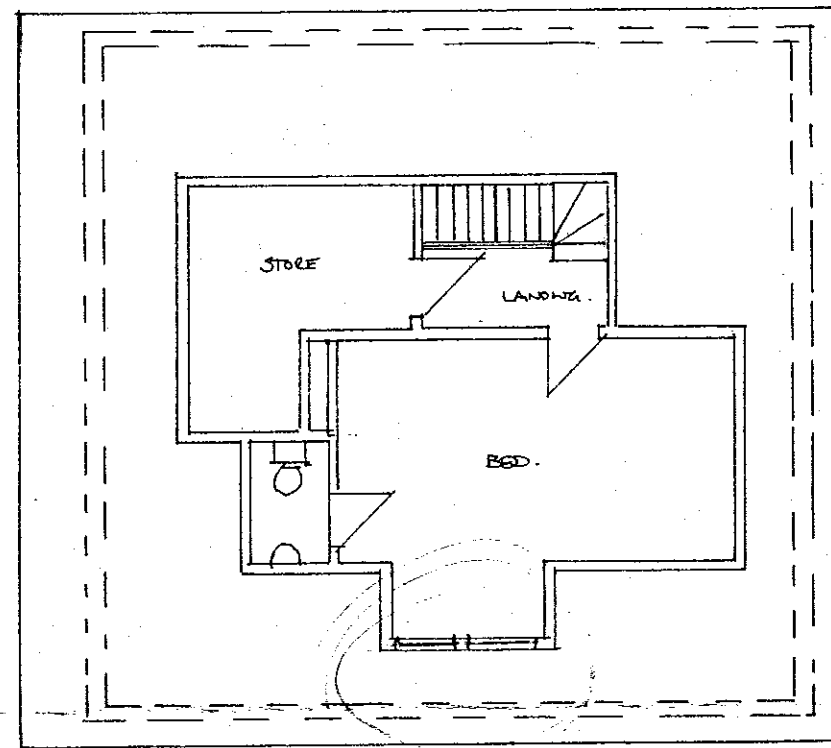
Town and Country Planning
(Scotland) Act 1997
REFUSED
Director of Environment
East Renfrewshire Council

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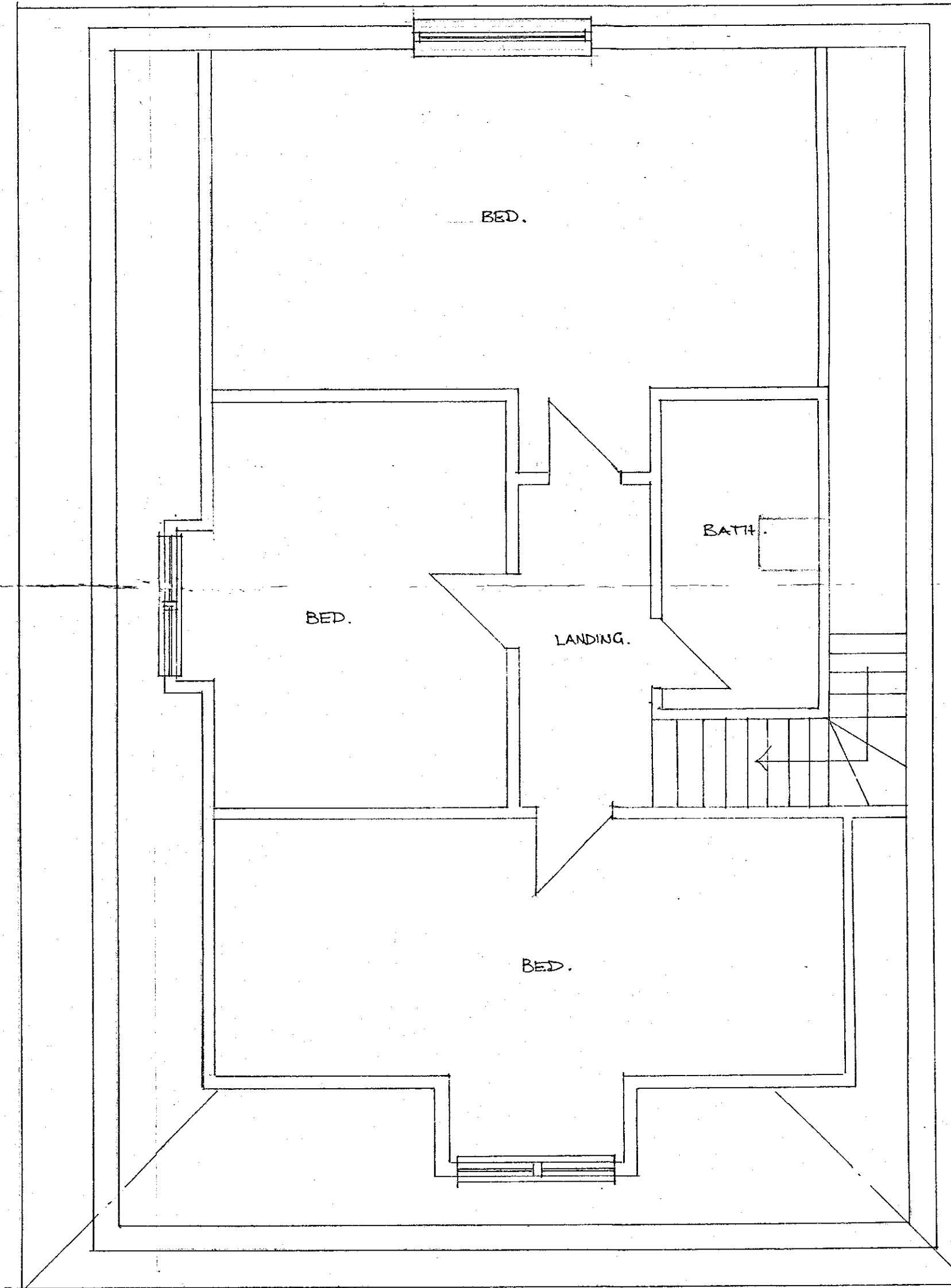
PROPOSED REAR 1/2 STOREY EXTENSION TO REAR.
AT 73 NETHERCLIFFE AVE, NETHERLEE, GLASGOW.
PER MR & MRS S. MALLANEY.

SCALE : 1:50, 1:100.
DRGN^o : 4135/4.
DATE : OCT 2016.

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



EXISTING 1st FLOOR PLAN.



PROPOSED 1st FLOOR PLAN.

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