

EAST RENFREWSHIRE COUNCILLOCAL REVIEW BODY6 September 2017Report by Deputy Chief ExecutiveREVIEW OF CASE - REVIEW/2017/22ERECTION OF UPPER FLOOR EXTENSION OVER EXISTING EXTENSION AT REARWITH ASSOCIATED RAISING OF RIDGE HEIGHT AND INSTALLATION OF DORMERWINDOW AT SIDE AT 25 LAWRENCE AVENUE, GIFFNOCK**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:- 2017/0200/TP).
- Applicant: Mr Thomas McFadyen.
- Proposal: Erection of upper floor extension over existing extension at rear with associated raising of ridge height and installation of dormer window at side.
- Location: 25 Lawrence Avenue, Giffnock.
- Council Area/Ward: Giffnock and Thornliebank (Ward 3)

REASON FOR REQUESTING REVIEW

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

RECOMMENDATIONS

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

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

BACKGROUND

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

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

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

NOTICE OF REVIEW – STATEMENT OF REASONS FOR REQUIRING THE REVIEW

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

9. The applicant is entitled to state a preference for the procedure (or combination of procedures) to be followed by the Local Review Body in the determination of the review and has indicated that his stated preference is the assessment of the review documents only, with no further procedure.

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. However, 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, 6 September 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 259 - 270);
- (b) Report of Handling by the planning officer under the Scheme of Delegation - Appendix 2 (Pages 271 - 278);
- (c) Decision notice and reasons for refusal - Appendix 3 (Pages 279 - 282); and
- (d) A copy of the applicant's Notice of Review and Statement of Reasons - Appendix 4 (Pages 283 - 290).

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 5 (Pages 291 - 294).

- (a) Refused – Block and Location Plan; and
- (b) Refused – Amended Plan – Plans and Elevations as Proposed Elevations.

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:- August 2017

APPLICATION FORM

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28 MAR 2017

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://eplanning.scotland.gov.uk>

1. Applicant's Details 2017/0200 HP.		2. Agent's Details (if any)	
Title	MR	Ref No.	
Forename	THOMAS	Forename	PAUL
Surname	MCFADYEN	Surname	CIANNON
Company Name		Company Name	BURO6
Building No./Name	25	Building No./Name	101
Address Line 1	LAWRENCE AVE	Address Line 1	DUNDY DR
Address Line 2		Address Line 2	EAST KILBRIDE
Town/City	GLASGOW	Town/City	
Postcode	G46 6PF	Postcode	G74 4LQ
Telephone		Telephone	0798377571
Mobile		Mobile	
Fax		Fax	
Email		Email	buo6@hotmail.co.uk
3. Address or Location of Proposed Development (please include postcode)			
25 LAWRENCE AVE GLASGOW G46 6PF			
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:			
TO EXTEND ROOF ACCOMMODATION & MODIFICATIONS TO ROOF ELEVATION OF EX. DWG UINERASE			
Have the works already been started or completed Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
If yes, please state date of completion, or if not completed, the start date:			
Date started:	<input type="text"/>	Date completed:	<input type="text"/>

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

[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:

[Empty box for 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: [Redacted] Name: P. GANNON Date: 28.3.17

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

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LAND OWNERSHIP CERTIFICATES

Town and Country Planning (Scotland) Act 1997
Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 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 _____ was owner of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the application.
- (2) None of the land to which the application relates constitutes or forms part of agricultural land.

Signed:

On behalf of:

Date:

CERTIFICATE B

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

I hereby certify that -

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

Name	Address	Date of Service of Notice

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

Name	Address	Date of Service of Notice

Signed:

On behalf of:

Date:

CERTIFICATE C

Certificate C 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 it has not been possible to identify ALL or ANY owners/agricultural tenants.

(1) I have been unable to serve 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.

or

(2) I have been unable to serve notice on **any** person other than myself who, at the beginning of the period of 21 days ending with the date of the accompanying application, was owner of any part of the land to which the application relates.

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

or

(4) The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have been unable to serve notice on any person other than myself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant.

or

(5) The land or part of the land to which the application relates constitutes or forms part of an agricultural holding I have served notice on each of the following persons 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:

Name	Address	Date of Service of Notice

- (6) I have _____ taken reasonable steps, as listed below, to ascertain the names and addresses of all other owners or agricultural tenants and have _____ been unable to do so.

Steps taken:

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Signed:

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On behalf of:

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Date:

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CERTIFICATE D

Certificate D is for use where the application is for mineral development.

- (1) No person other than myself _____ was an 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 accompanying application.

or

- (2) I have _____ served notice on each of the following persons other than myself _____ who, at the beginning of the period of 21 days ending with the date of the accompanying application, was to the applicant's knowledge, the owner, of any part of the land to which the application relates. These persons are:

Name	Address	Date of Service of Notice

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

or

- (4) The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have _____ served notice on each of the following persons other than myself _____ who, at the beginning of the period of 21 days ending with the date of the application, was an agricultural tenant.

- (5) Notice of the application as set out below has been published and displayed by public notice

Signed:

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On behalf of:

--

Date:

--

CERTIFICATE E

Certificate E is required where the applicant is the sole owner of all the land and the land to which the application relates is agricultural land and there are or are not agricultural tenants.

I hereby certify that -

(1) No person other than myself _____ was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) The land to which the application relates constitutes or forms part of an agricultural holding and there are no agricultural tenants.

or

(1) No person other than myself _____ was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) The land to which the application relates constitutes or forms part of an agricultural holding and there are agricultural tenants. These people are:

Name	Address	Date of Service of Notice

(3) I have _____ taken reasonable steps, as listed below, to ascertain the names and addresses of the other agricultural tenants and have _____ been unable to do so.

Steps taken:

Signed:

On behalf of:

Date:

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

NOTICE TO OWNERS AND AGRICULTURAL TENANTS

Town and Country Planning (Scotland) Act 1997
 Regulation 15 (1) of the Town and Country Planning (Development Management Procedure)
 (Scotland) Regulations 2013

Name [Note 1]	
Address	

Proposed development at [Note 2]	

Notice is hereby given that an application is being made to

[Note 3]		Council by	
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For planning permission to [Note 4]

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If you wish to obtain further information on the application or to make representations about the application, you should contact the Council at [Note 5]

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(The grant of planning permission does not affect owners' rights to retain and dispose of their property unless there is some provision to the contrary in an agreement or lease. The grant of planning permission for non-agricultural development may affect agricultural tenants security of tenure.)

Signed	
On behalf of	
Date	

*Delete where appropriate

- [Note 1] – Insert name and address of owner or agricultural tenants
 [Note 2] – Insert address or location of proposed development.
 [Note 3] – Insert name of planning authority.
 [Note 4] – Insert description of proposed development.
 [Note 5] - Insert planning authority address.

NOTICE TO OWNERS AND AGRICULTURAL TENANTS

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

NOTES FOR GUIDANCE

Before applying for planning permission or planning permission in principle under regulations 9 to 11, applicants should notify all persons who (other than themselves), were the owners of any of the land to which the application relates, or were agricultural tenants at the beginning of the prescribed period (in effect 21 days ending with the date on which the application was submitted).

Notices to owners and agricultural tenants should be in the form set out in schedule 1 of the regulations and must include:

1. The name of the applicant
2. The address or location of the proposed development
3. A description of the proposed development and
4. The name and address of the planning authority who will determine the application.

The grant of planning permission will not affect the rights of an owner, or tenant under a lease which has at least 7 years to run, to dispose of the consented property unless there is express provision in the lease/Agreement.

Applications for the working and winning of underground minerals

The notification of site owners and agricultural tenants regarding applications for the working and winning of underground minerals may be both onerous and complex. In addition to those owners and agricultural tenants with rights in relation to the relevant surface land, there may be other people with ownership rights to minerals, other than those vested in the Crown (oil, gas, coal, gold and silver), who may be difficult to identify and notify.

For the purposes of these applications, regulation 15(4) amends the requirement to notify owners to relate to those who "to the applicant's knowledge" are owners

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

REPORT OF HANDLING

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REPORT OF HANDLING

Reference: 2017/0200/TP

Date Registered: 10th May 2017

Application Type: Full Planning Permission

This application is a Local Development

Ward: 3 -Giffnock And Thornliebank

Co-ordinates: 256517/:658363

Applicant/Agent:

Applicant:
Mr. Thomas McFadyen
25 Lawrence Avenue
Giffnock
East Renfrewshire
G46 6PF

Agent:

Buro6
Paul Gannon
The Studio
101 Dalrymple Drive
East Kilbride
G744LG

Proposal: Erection of upper floor extension over existing extension at rear with associated raising of ridge height and installation of dormer window at side

Location: 25 Lawrence Avenue
Giffnock
East Renfrewshire
G46 6PF

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 roof bungalow and its curtilage and lies within an established residential area characterised by similar house types. The dwelling has a short ridge line running parallel with the street. It has a flat roof rear extension and a rear dormer window. The eaves of the existing house stand at 4 metres high above the rear garden level and the ridge line at 6.5 metres.

Planning permission is sought for the erection of an upper floor extension over the existing rear extension and for an associated raising of the ridge height with the installation of a side-facing dormer window. The upper floor extension comprises a rear gable end and a split eaves level, rising to two storeys. The higher eaves on the proposed extension would stand at 5.5 metres above the rear garden and the ridge at 6.8 metres.

Policy D14 of the adopted East Renfrewshire Local Development Plan requires that any extensions should complement the existing character of the building in terms of style, form and materials. This is expanded upon in the adopted Supplementary Planning Guidance: Householder Design Guide (SPG) which supports and forms part of Policy D14. The SPG requires that extensions to the rear of bungalows should have the same roof design as the existing house and not form a gable end. Policy D1 requires that all development should not result in a loss of character or amenity to the surrounding area.

In this case the applicant proposes an upper floor extension that, with its gable end, increases the ridge height and elevated eaves height, introduces design elements alien to the existing dwelling. Those features, as a result of their significant size and scale, are considered to dominate, detract from and overwhelm the character of the original hip roof bungalow. As such, the proposal is contrary to Policy D14 and the SPG as it introduces a style and form, including a rear gable wall that would detract from the character and design of the existing house.

It is accepted that there are other single or one and a half storey rear extensions to similar bungalows in the immediate vicinity that have rear gable walls. Notably, those are present at 20, 22, 23 and 27 Lawrence Avenue and at 20 Bromley Drive to the rear of the applicant's house. All of those developments pre-date the adoption of the Local Development Plan with the exception of the one at 27 Lawrence Avenue that was approved by the Local Review Body.

Notwithstanding the above developments, the area is still overwhelmingly characterised by traditional hip roof bungalows. This proposal to introduce a further alien form and style to the area cannot therefore be justified in terms of the Local Development Plan policies. The fact that there are a handful of other developments comprising gable ends, that would now be contrary to policy, in no way justifies a further departure from policy.

The proposal is therefore also considered to be contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan as it would introduce a development that would be detrimental to the character of the wider area.

The applicant was offered the opportunity to amend the proposals to accord with Council policy but elected to have the application determined as it stands.

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, by virtue of its form and design, a development that would detract from the character of the area.
2. The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as it introduces a style and form, including a rear gable wall and raised rear eaves height, that would detract from and overwhelm the character and design of the existing house to the detriment of the character of the area.
3. The proposal is contrary to the terms of the adopted Supplementary Planning Guidance: Householder Design Guide (SPG) which supports and forms part of Policy D14 of the adopted East Renfrewshire Local Development Plan as it introduces a rear gable wall that would detract from and overwhelm the character and design of the existing house to the detriment of the character 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.: 2017/0200/TP
(DESC)

DATE: 12th July 2017

DIRECTOR OF ENVIRONMENT

Reference: 2017/0200/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 soloms 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

Finalised 12/07/17 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. **2017/0200/TP**

Applicant

Mr. Thomas McFadyen
25 Lawrence Avenue
Giffnock
East Renfrewshire
G46 6PF

Agent:

Buro6
Paul Gannon
The Studio
101 Dalrymple Drive
East Kilbride
G744LG

With reference to your application which was registered on 10th May 2017 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Erection of upper floor extension over existing extension at rear with associated raising of ridge height and installation of dormer window at side

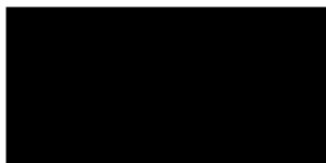
at: 25 Lawrence Avenue Giffnock East Renfrewshire G46 6PF

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, by virtue of its form and design, a development that would detract from the character of the area.
2. The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as it introduces a style and form, including a rear gable wall and raised rear eaves height, that would detract from and overwhelm the character and design of the existing house to the detriment of the character of the area.
3. The proposal is contrary to the terms of the adopted Supplementary Planning Guidance: Householder Design Guide (SPG) which supports and forms part of Policy D14 of the adopted East Renfrewshire Local Development Plan as it introduces a rear gable wall that would detract from and overwhelm the character and design of the existing house to the detriment of the character of the area.

Dated 12th July 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
Block Plan and Location Plan Proposed	01		
Plans Proposed	02	A	

GUIDANCE NOTE FOR REFUSAL OF LOCAL DEVELOPMENTS DETERMINED UNDER DELEGATED POWERS

REVIEW BY EAST RENFREWSHIRE COUNCIL'S LOCAL REVIEW BODY

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

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

CONTACT DETAILS

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

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

**NOTICE OF REVIEW
AND
STATEMENT OF REASONS**

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RECEIVED

11 AUG 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 THOMAS MCFADYEN

Address 25 LAWRENCE AVE
GIFFNOCK.

Postcode G46 6PF.

Contact Telephone 1 [REDACTED]

Contact Telephone 2 [REDACTED]

Fax No [REDACTED]

E-mail* [REDACTED]

Agent (if any)

Name MR P. GANNON

Address 101 DALRYMPLE DR
EAST KILBRIDE

Postcode [REDACTED]

Contact Telephone 1 07983 727 571

Contact Telephone 2 [REDACTED]

Fax No [REDACTED]

E-mail* horo6@hotmail.co.uk

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 2017/0200/TP

Site address 25 LAWRENCE AVE . GIFFNOCK G46 6PF.

Description of proposed development ERECTION OF UPPER FLOOR EXTENSION OVER EXISTING
AT REAR WITH ASSOCIATED RAISING OF RIDGE HEIGHT
& INSTALLATION OF DOWNPIPE AT SILE

Date of application 10.5.17.

Date of decision (if any) 13TH JUL 2017.

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:

I DO BELIEVE A SITE INSPECTION IS RECOMMENDED - AS THE 'CONTEXT' OF THE BUILDING & NATURE OF ADJACENT DEVELOPMENTS IS CRUCIAL IN DETERMINING WHAT IS THE LOCAL CHARACTER!

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:

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.

REASON 1 FOR REFUSAL IS - BY VIRTUE OF 'ITS' FORM & DESIGN THE PROPOSAL WOULD DETRACT FROM THE CHARACTER OF THE AREA. WE WOULD ASK THE REVIEW BODY TO DETERMINE - WHAT IS THE CHARACTER OF THE AREA? GIVEN THE MANY ADJACENT (NEARBY) PROPERTIES THAT HAVE NOW BEEN DEVELOPED ALONG THE SAME LINES

REASON 2. - ... IS CONTRARY TO D.P. OF ADOPTED. L.P. - OUR QUESTION WOULD BE AS PER ITEM 1 ABOVE

REASON 3. - D.P. FORMATION OF LARGE GND - AS PER ITEM 1 & 2 - MANY PROPERTIES. ADJACENT & NEARBY NOW HAVE BEEN LARGE GND WOLVES

IT - WE WOULD ASK ~~THE~~ THE REVIEW BODY TO DETERMINE IS IT UNREASONABLE TO ASK PERMISSION FOR PROPOSALS THAT ARE ENTIRELY IN KEEPING WITH MULTIPLE NEARBY DEVELOPMENTS THAT HAVE BEEN APPROVED & WORKING EXECUTED?

Notice of Review

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.

DRAWING 010-001 EXISTING
 DRAWING 010-002 PROPOSED.
 LIST SHOWING HISTORY OF HERBY PLANNING APPLICATIONS.
 SPECIFICALLY 27 LAWRENCE AVE REF 2015/0452/AP

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

Checklist

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

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

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

Declaration

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

Signed

--	--

Date

01.08.17.

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

Erection of upper floor extension over existing extension at rear with associated raising of ridge height and installation of dormer window at side

25 Lawrence Avenue Giffnock East Renfrewshire G46 6PF
Ref. No. 2017/0200/TP | Validated: Wed 10 May 2017 | Status: Decided

Erection of one and a half storey rear extension forming gable end with associated raising of ridge height and single storey side extension

27 Lawrence Avenue Giffnock East Renfrewshire G46 6PF
Ref. No. 2015/0452/TP | Validated: Wed 15 Jul 2015 | Status: Appeal decided

Erection of one and a half storey extension at rear to form gable end with associated raising of ridge height; alterations and reduction in size of dormer window at front; installation of dormer window at side

22 Lawrence Avenue Giffnock East Renfrewshire G46 6PF
Ref. No. 2014/0723/TP | Validated: Tue 11 Nov 2014 | Status: Decided

Erection of single storey rear extension

20 Lawrence Avenue Giffnock East Renfrewshire G46 6PF
Ref. No. 2012/0139/TP | Validated: Thu 01 Mar 2012 | Status: Decided

Erection of detached garage at rear

8 Lawrence Avenue Giffnock East Renfrewshire G46 6PG
Ref. No. 2010/0411/TP | Validated: Fri 18 Jun 2010 | Status: Decided

Erection of single storey side extension

7 Lawrence Avenue Giffnock East Renfrewshire G46 6PG
Ref. No. 2009/0415/TP | Validated: Fri 24 Jul 2009 | Status: Decided

Erection of single storey rear extension, formation of pitched roofs over existing flat roofed extensions and re-roofing of property

29 Lawrence Avenue Giffnock East Renfrewshire G46 6PF
Ref. No. 2008/0344/TP | Validated: Thu 15 May 2008 | Status: Decided

Erection of one and a half storey rear extension and increase of ridge height of house; installation of dormer window at front

23 Lawrence Avenue Clarkston East Renfrewshire G46 6PF
Ref. No. 2007/0764/TP | Validated: Thu 04 Oct 2007 | Status: Decided

Erection of rear conservatory

11 Lawrence Avenue Giffnock Glasgow G46 6PG
Ref. No. 2006/0351/TP | Validated: Wed 17 May 2006 | Status: Decided

Erection of single storey rear extension

21 Lawrence Avenue Giffnock Glasgow G46 6PF
Ref. No. 2006/0171/TP | Validated: Thu 09 Mar 2006 | Status: Decided

Map Information

The results on this page are shown on the map below. You can see more details by clicking on the search result on the left. Select 'Show results on large map' to see a more detailed map view of your search results.

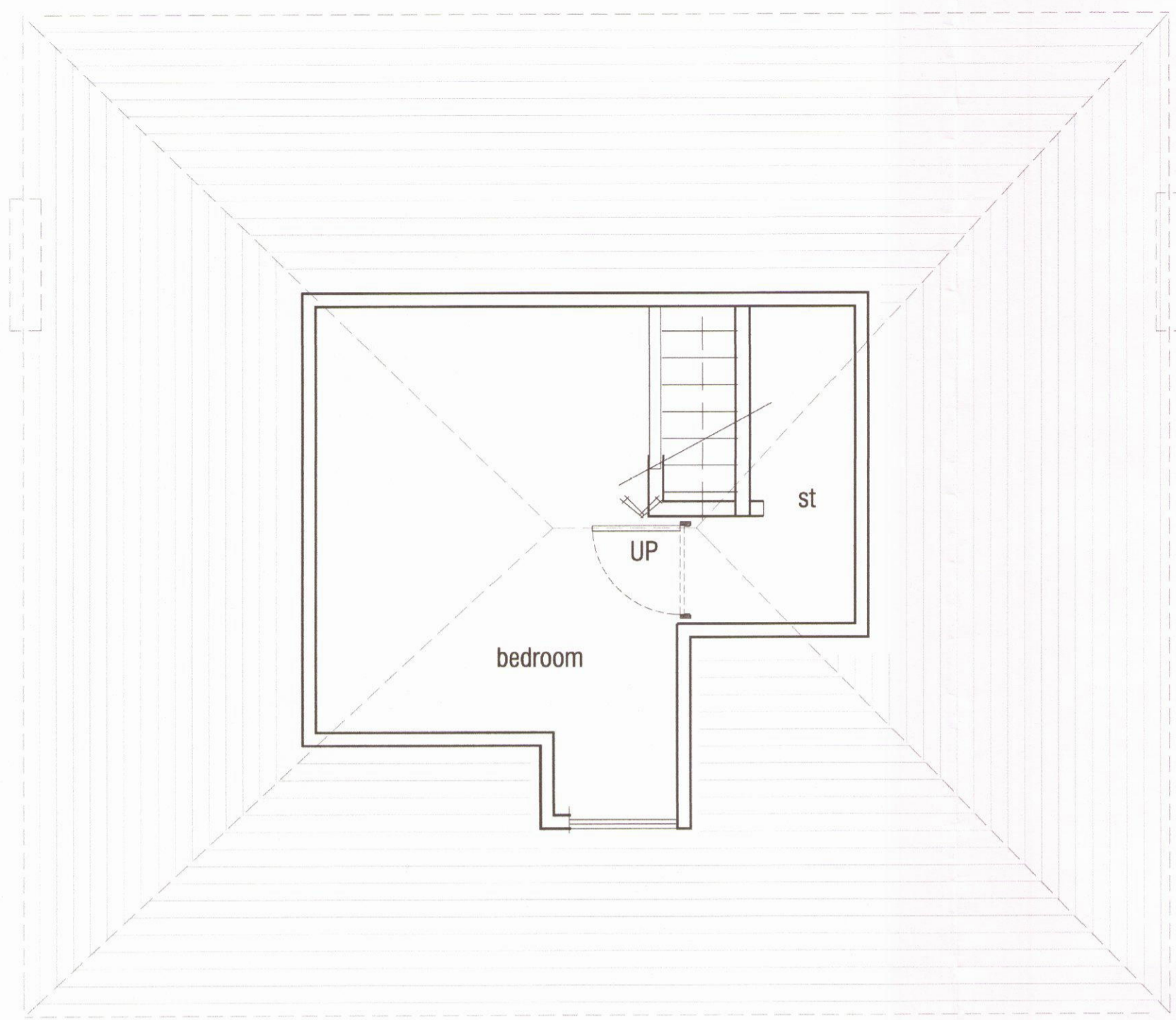


Show results on large map

2015/0452/TP

PLANS/PHOTOGRAPHS/DRAWINGS

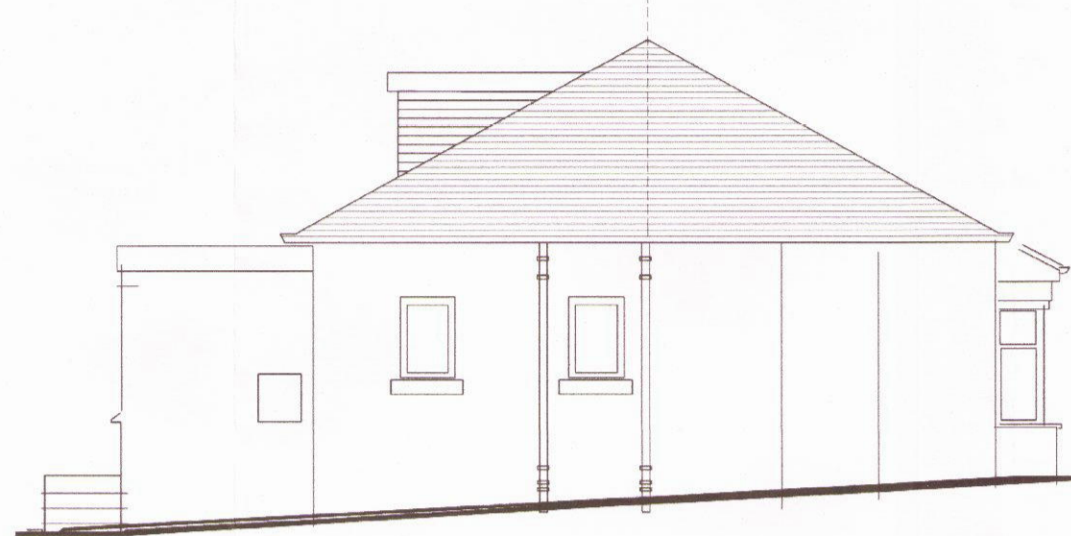
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upper floor plan 1:50



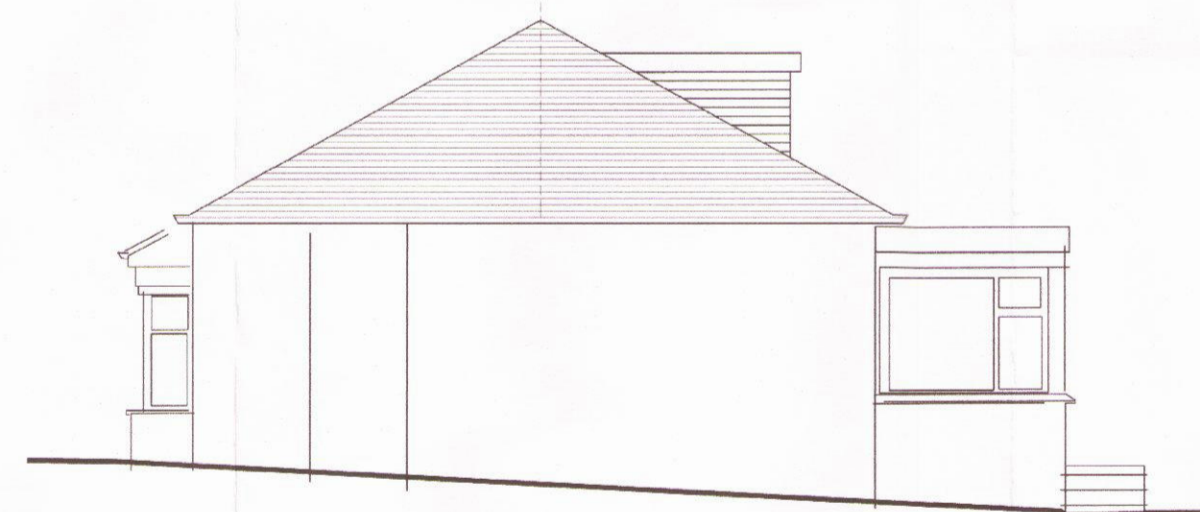
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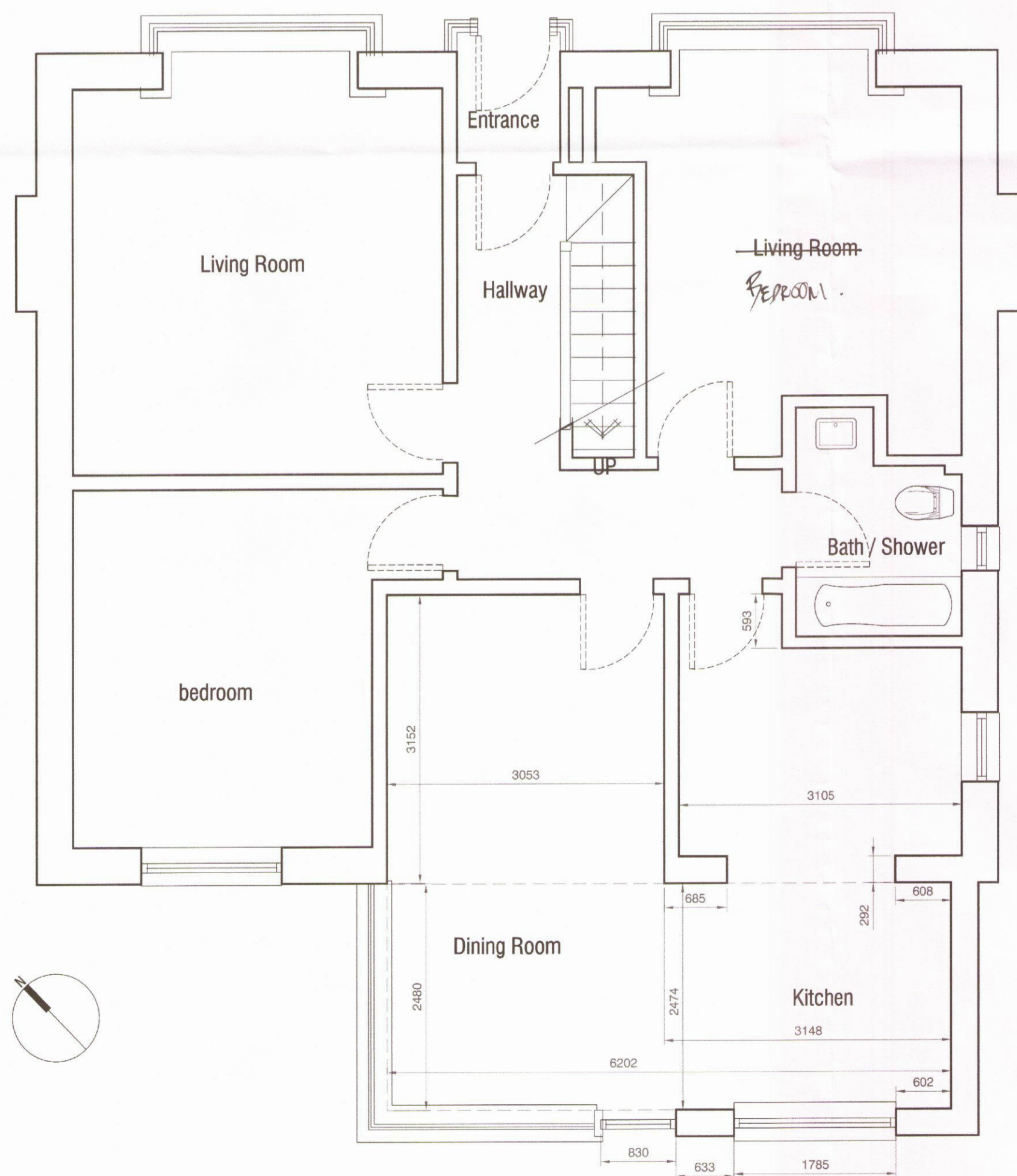
south east elevation 1:100



south west elevation 1:100



north west elevation 1:100



ground floor plan 1:50



Metres
0 5 10 20 30 40 50
Scale: 1:1250

1329858



Supplied by: East Renfrewshire
License number: 100031961
Produced: 08/09/2016
Serial number: 1732226

Plot centre co-ordinates: 256517.658363
Download file: Print.zip
Project name: 1329858

site plan 1:1250



block plan 1:200

Project
PROPOSED EXTENSION AT
25 LAWRENCE AVENUE, GLASGOW, G46 6PF
FOR Mr & Mrs T. McFadyen

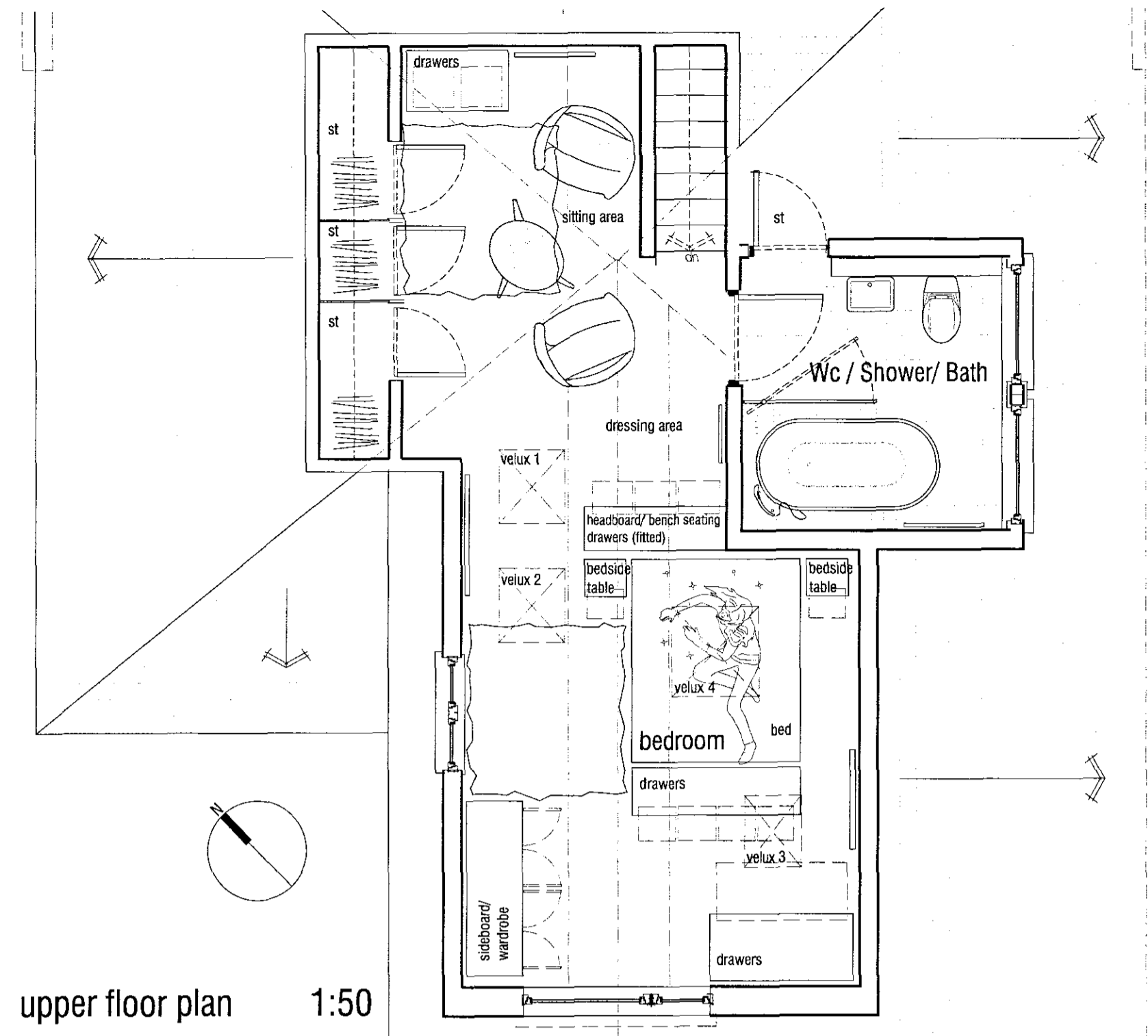
drawing description
PLANS & ELEVATIONS AS PROPOSED **EXISTING**.

drawn by PG date 28.2.17 scale 1:50 [A1] or as noted

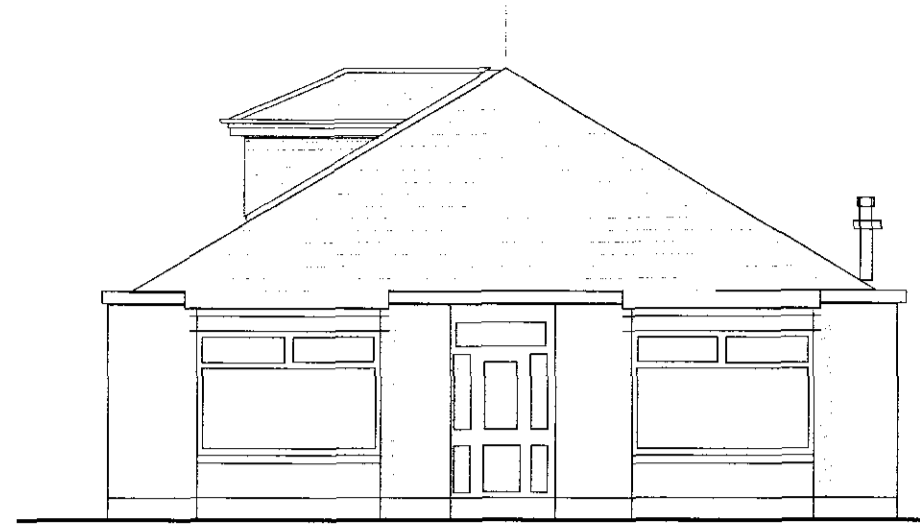
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010_002/1

project no. 010 revision ..

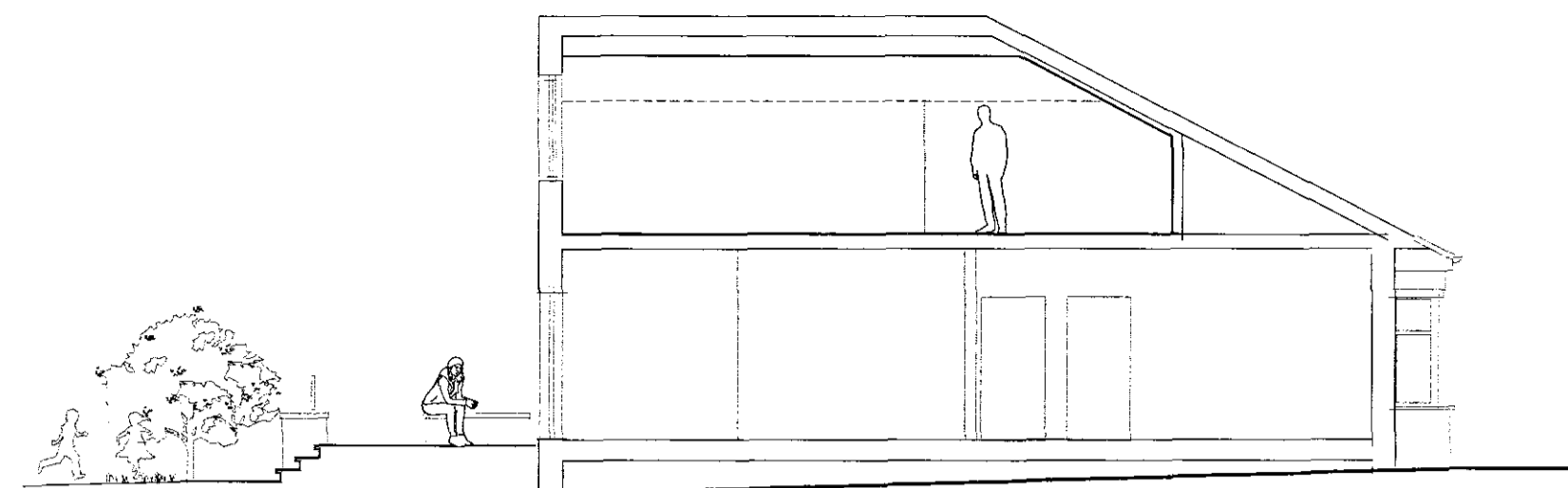
PLANNING



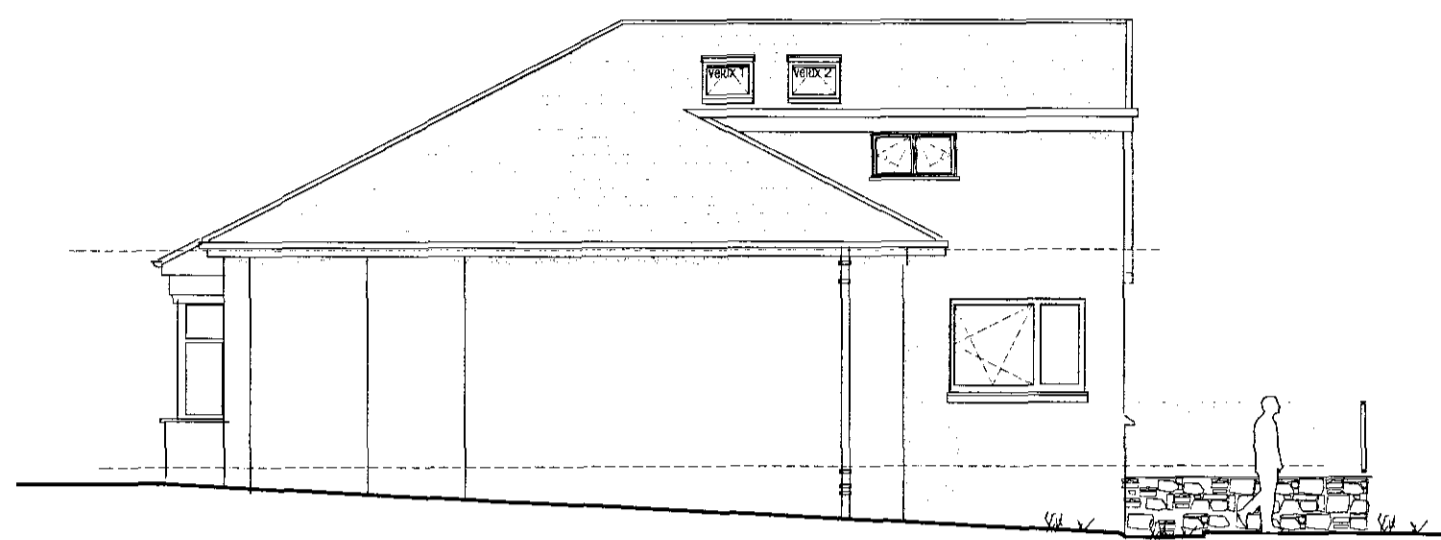
upper floor plan 1:50



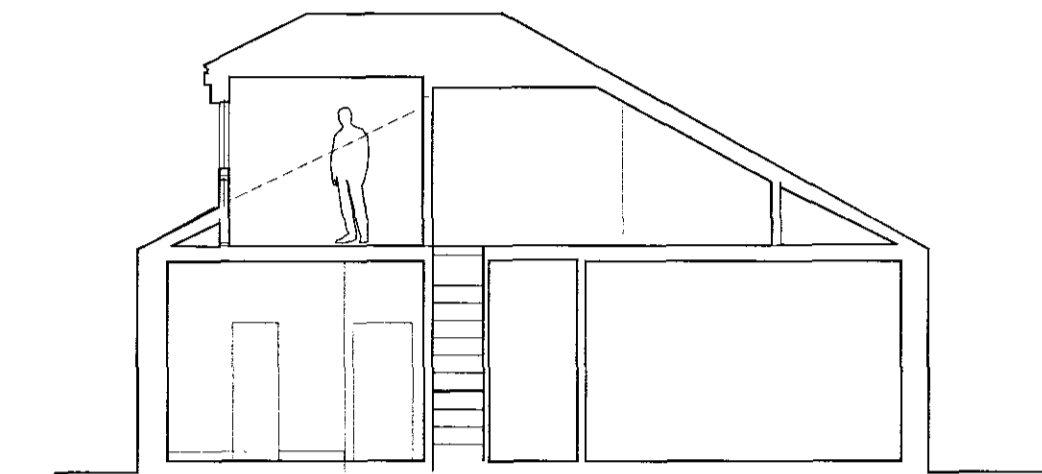
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section A-A 1:100

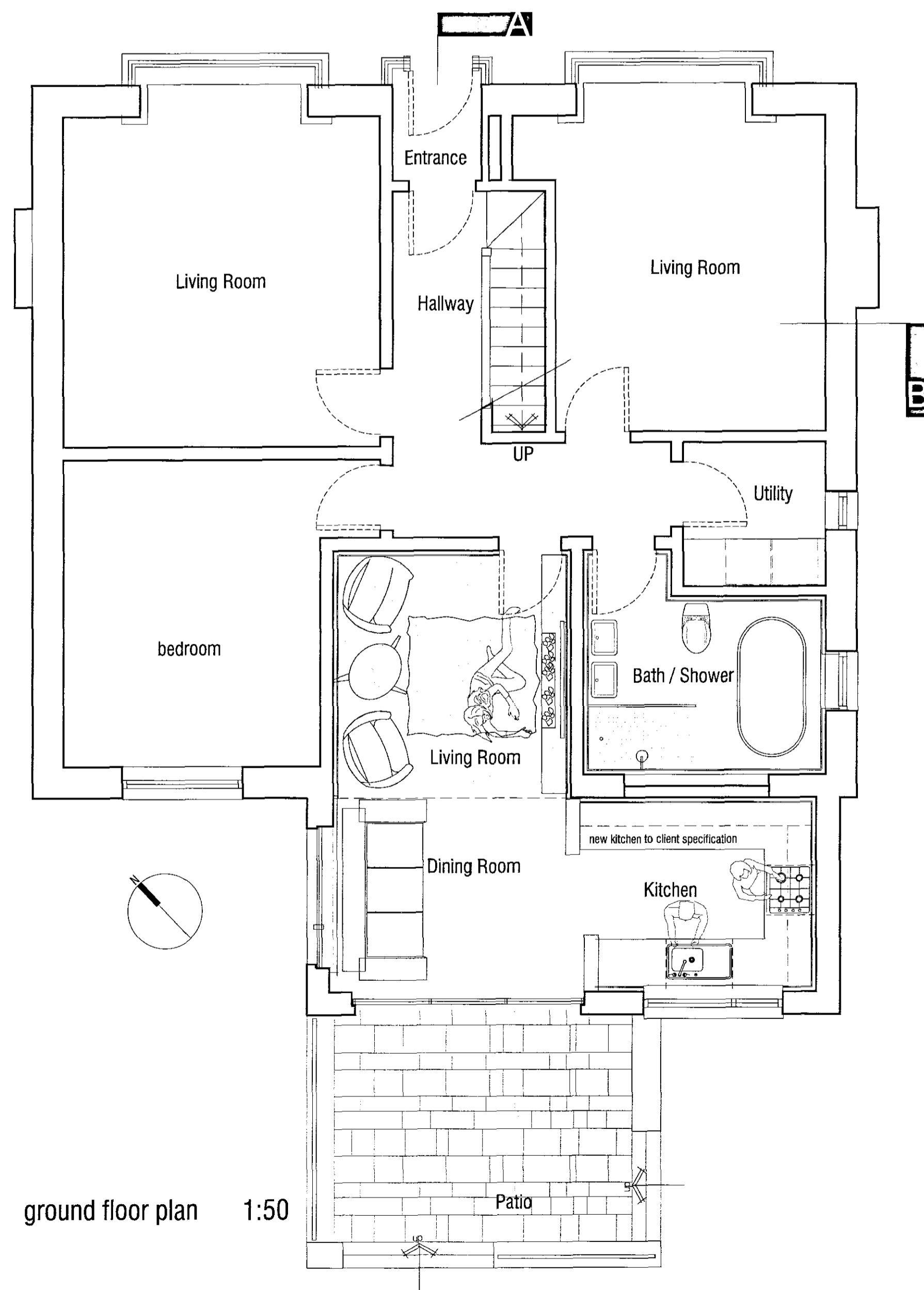


north west elevation 1:100

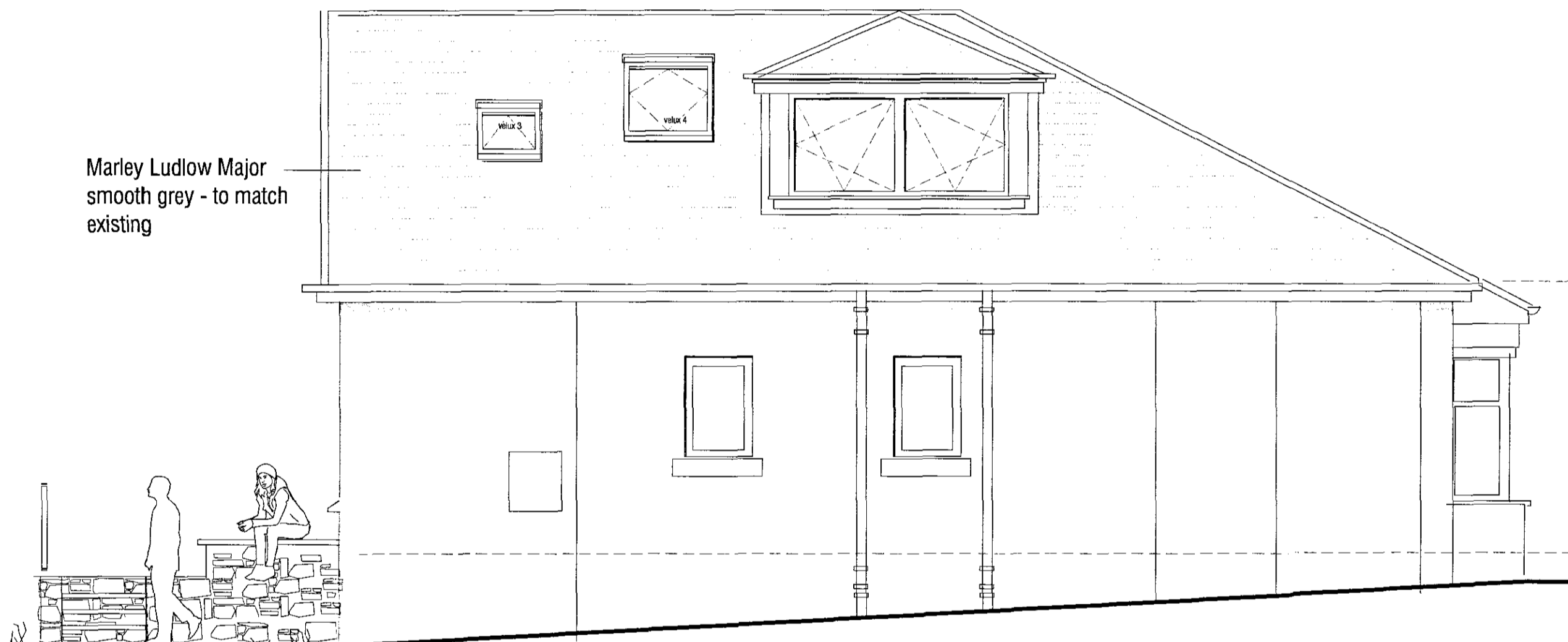


section B-B 1:100

- velux 1 CK02 GGU 550mm WIDE X 780mm HIGH
- velux 2 CK02 GGU 550mm WIDE X 780mm HIGH
- velux 3 FK04 GGU 660mm WIDE X 980mm HIGH
- velux 4 PK04 GGL 940mm WIDE X 980mm HIGH



ground floor plan 1:50



south east elevation 1:50



south west elevation 1:50

A	28.2.17	north-west elev updated to show eaves line in background
REV	date	comment

Project
 PROPOSED EXTENSION AT
 25 LAWRENCE AVENUE, GLASGOW, G46 6PF
 FOR Mr & Mrs T. McFarlayen

drawing description
 PLANS & ELEVATIONS AS PROPOSED

drawn by PG date 28.2.17 scale 1:50 (A1) or as noted

drawing number
010_002

project no. 010 revision A

AMENDED PLANS RECEIVED
 Date: 10 MAY 2017

PLANNING