

EAST RENFREWSHIRE COUNCILLOCAL REVIEW BODY9 August 2017Report by Deputy Chief ExecutiveREVIEW OF CASE - REVIEW/2017/15ERECTION OF ONE AND A HALF STOREY REAR EXTENSION FORMING GABLE END WITH DORMER WINDOWS AT SIDE; ENLARGEMENT OF DORMER WINDOW AT FRONT; AND ERECTION OF DETACHED GARAGE AT REAR AT 92 DORIAN DRIVE, CLARKSTON**PURPOSE OF REPORT**

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

**DETAILS OF APPLICATION**

2. Application type: Full Planning Permission (Ref No:- 2017/0143/TP).
- Applicant: Mr Sajid Mahmood.
- Proposal: Erection of one and a half storey rear extension forming gable end with dormer windows at side; enlargement of dormer window at front; and erection of detached garage at rear.
- Location: 92 Dorian Drive, Clarkston.
- 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 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, 9 August 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 223 - 230);
- (b) Report of Handling by the planning officer under the Scheme of Delegation - Appendix 2 (Pages 231 - 238);
- (c) Decision notice and reasons for refusal - Appendix 3 (Pages 239 - 242); and
- (e) A copy of the applicant's Notice of Review and Statement of Reasons - Appendix 4 (Pages 243 - 252).

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 253 - 258).

- (a) Existing Plans Section and Elevations;
- (b) Refused – Location and Block Plan;
- (c) Refused – Proposed Floor Plans and Elevations; and
- (d) Refused – Garage Details.

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](http://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:- July 2017

**APPLICATION FORM**

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2 Spiersbridge Way Thornliebank G46 8NG Tel: 0141 577 3001 Email: [planning@eastrenfrewshire.gov.uk](mailto:planning@eastrenfrewshire.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE        100042558-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Description of Proposal

Please describe accurately the work proposed: \* (Max 500 characters)

Erection of rear extension, dormer extensions and detached garage

Has the work already been started and/ or completed? \*

No     Yes - Started     Yes – Completed

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant     Agent

## Agent Details

Please enter Agent details

Company/Organisation:	James Baird Architecture		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	James	Building Name:	Laurnic House
Last Name: *	Baird	Building Number:	<input type="text"/>
Telephone Number: *	01698284665	Address 1 (Street): *	Ross Cottage Drive Ferniegair
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	Hamilton
Fax Number:	<input type="text"/>	Country: *	United Kingdom
		Postcode: *	ML3 7WR
Email Address: *	jim@jba-architecture.co.uk		
Is the applicant an individual or an organisation/corporate entity? *			
<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Organisation/Corporate entity			

## Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	c/o James Baird architecture
First Name: *	Sajid	Building Number:	<input type="text"/>
Last Name: *	Mahmood	Address 1 (Street): *	Laurnic House, Ross Cottage Drive
Company/Organisation	<input type="text"/>	Address 2:	Ross Cottage Drive
Telephone Number: *	<input type="text"/>	Town/City: *	Hamilton
Extension Number:	<input type="text"/>	Country: *	United Kingdom
Mobile Number:	<input type="text"/>	Postcode: *	ML3 7WR
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		



## Site Address Details

Planning Authority:

East Renfrewshire Council

Full postal address of the site (including postcode where available):

Address 1:

92 DORIAN DRIVE

Address 2:

CLARKSTON

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

GLASGOW

Post Code:

G76 7NS

Please identify/describe the location of the site or sites

Northing

657742

Easting

256007

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

Yes  No

## Trees

Are there any trees on or adjacent to the application site? \*

Yes  No

If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

## Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? \*

Yes  No

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

## Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? \*

Yes  No

## Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? \*

Yes  No

Is any of the land part of an agricultural holding? \*

Yes  No

## Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

## Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) 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.

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

Signed: James Baird

On behalf of: Mr Sajid Mahmood

Date: 09/03/2017

Please tick here to certify this Certificate. \*

## Checklist – Application for Householder Application

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

- a) Have you provided a written description of the development to which it relates? \*  Yes  No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? \*  Yes  No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent? \*  Yes  No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? \*. This should have a north point and be drawn to an identified scale.  Yes  No
- e) Have you provided a certificate of ownership? \*  Yes  No
- f) Have you provided the fee payable under the Fees Regulations? \*  Yes  No
- g) Have you provided any other plans as necessary? \*  Yes  No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). \*

You can attach these electronic documents later in the process.

- Existing and Proposed elevations.
- Existing and proposed floor plans.
- Cross sections.
- Site layout plan/Block plans (including access).
- Roof plan.
- Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding.  Yes  No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. \*  Yes  No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

## Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

Declaration Name: Mr James Baird

Declaration Date: 09/03/2017

**Payment Details**



Created: 09/03/2017 12:17

## REPORT OF HANDLING

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# REPORT OF HANDLING

Reference: 2017/0143/TP

Date Registered: 18th April 2017

Application Type: Full Planning Permission

This application is a Local Development

Ward: 4 -Netherlee Stamperland Williamwood

Co-ordinates: 256007/:657742

Applicant/Agent:

Applicant:

Mr Sajid Mahmood

C/o James Baird Architecture

Laurnic House, Ross Cottage Drive

Ross Cottage Drive

Hamilton

ML3 7WR

Agent:

James Baird Architecture

Laurnic House

Ross Cottage Drive

Ferniegair

Hamilton

ML3 7WR

Proposal: Erection of one and a half storey rear extension forming gable end with dormer windows at side; enlargement of dormer window at front; erection of detached garage at rear.

Location: 92 Dorian Drive  
Clarkston  
East Renfrewshire  
G76 7NS

**CONSULTATIONS/COMMENTS:** None.

**PUBLICITY:** None.

**SITE NOTICES:** None.

**SITE HISTORY:** None

**REPRESENTATIONS:** No representations have been received.

**DEVELOPMENT PLAN & GOVERNMENT GUIDANCE:** See Appendix 1

## SUPPORTING REPORTS:

Supporting Statement      The side dormers will not, due to their position, impact on the neighbours. The extension will not overlook properties as railway is at rear of garden. Larger than a normal extension but will, not have adverse impact on surrounding area.

## ASSESSMENT:

The site is located on the north side of Dorian Drive and is situated within an established residential area characterised by detached houses. The property is a 1.5 storey detached bungalow with front and rear dormer windows, a rear conservatory and a detached timber garage with a narrow driveway and dropped kerb. The plot is generally level and has a railway line to the

rear that is elevated above the garden. The house has a pyramidal roof with the ridge aligned parallel to the road.

Planning permission is being sought to alter the front dormer window; erect a 1.5 storey rear extension with gable end and a free standing double garage. The existing front dormer window is approximately 1.6m wide and set back approximately 2.87m from the front of the house. The proposed dormer window would be approximately 2.1m wide, setback approximately 2m from the front of the house, situated below the ridge and between the hips and finished in tiles to match the roof.

The existing conservatory will be removed. The proposed extension will project 5.481m from the original back of the house across the full width and will have a gable end tied into the existing ridge. The extension will accommodate three additional rooms within the new/extended roof space with large dormer windows on both sides, each with two window openings. There would be a single window on the first floor rear elevation. Externally, the extension would be finished in render (pebble dash) and tiles to match the house.

The existing rear garage would be removed and replaced by a larger structure (6.965m x 5.840m) with a dual pitch ridged roof. The garage would be located to the rear of the plot and would require the removal of some small trees of limited amenity value.

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

Policy D1 sets out 16 criteria against which all development proposals are assessed. The relevant criteria in this case are: 1) the development should not result in a significant loss of character and amenity to the surrounding area.; 2) the proposal should be of a size, scale, massing and density and should respect local architecture, building form, design and materials and 3) the amenity of neighbouring neighbours should not be adversely affected by unreasonably restricting their sunlight or privacy.

The area displays a variety of alterations, extensions and free standing outbuildings and, as such, it is considered that the proposals will not have a significant adverse impact on the established amenity and character of the area. The proposal does not conflict with criterion 1.

With regard to criterion 2, it is noted that the extension projects more that 50% of the original depth of the house. However, the site can accommodate the extension without significant detriment to the setting of the house and the amenity of the neighbours. Details of external materials could be secured by a planning condition.

The proposed front and side dormer windows are set below the ridge and between the hips and will be finished to match the roof.

The house has a pyramidal roof which is the prevalent roof profile in the area. It is considered that the straight gable on the rear elevation of the extension does not match or respect the original hipped roofed detail of the existing house. This has an adverse visual impact on the appearance of, and dominates, the original house and its pyramidal roof. Furthermore, the new ridge is approximately 10m long and this, coupled with the gable end, adds to the overbearing nature of the extension relative to the original house which should be secondary in terms of size and scale. On that basis, the extension fails to comply with criterion 2.

The proposed side dormer windows incorporate bedroom and bathroom windows. The proposal would not, in relation to the side neighbours result in facing dormers or raise any significant



amenity/privacy issues. The upper floor rear window would afford oblique views across the rear gardens of the neighbours similar to that from the existing rear dormer. The plot is set on a north/south axis and, as such, it is considered that the proposal will not have an adverse impact on the neighbours in terms of overshadowing. The proposal will not conflict with criterion 3.

Policy D14 sets out six determining criteria against which all residential extensions are assessed. In this case, the relevant criteria are considered to be:

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

For reasons discussed above, it is considered that the proposal fails to comply with all of these criterion and, as such, does not comply with Policy D14.

The Supplementary Planning Guidance (SPG) - Householder Design Guide sets out more detailed guidance on specific development types. Section 2.2.1 provides specific guidance on rear extensions to bungalows and states that they 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.

This aspect of the proposal fails to meet the above criteria and therefore cannot be supported by the SPG.

Drawing all the above matters together, it is considered that while the garage and front dormer window comply with policy however this planning application must be determined as a whole. The rear extension is considered to conflict with policy considerations and more specifically the SPG - Householder Design Guide as discussed in the report. Consequently, the application should be refused unless there are material considerations which would justify setting aside and the Development Plan and approving the application.

The applicant was advised during the processing of the application that the proposal failed to comply with Council policy. The applicant has, in response, reduced the length of the extension and one of the side dormer windows. However, the supporting statement fails to adequately justify setting aside the Development Plan.

It is acknowledged that, in Dorian Drive, there are rear extensions which have gable ends and/or a continuous ridge. However all the existing extensions predate the current Development Plan and SPG and do not represent an established pattern of development which would justify setting aside the current policy considerations.

To conclude, the proposal does not fully accord with the Development Plan and there are no material considerations which would justify setting aside the Development Plan. It is therefore recommended that the application be refused.

**RECOMMENDATION:** Refuse

**PLANNING OBLIGATIONS:** None.

**REASONS FOR REFUSAL:**

1. The proposed one and a half storey rear extension, by reason of its design and scale, is contrary to Policies D1(1), D1(2) and D14 of the East Renfrewshire Local Development Plan. The roof design does not match or respect the original hipped roofed of the existing house and this has an adverse visual impact on the appearance of, and dominates, the original house. The proposed extension will have a detrimental impact on the character of the property.
2. The proposed one and a half storey side extension, by reason of its design and scale, is contrary to the Supplementary Planning Guidance (SPG) - Householder Design Guide as it does not comply with the specific guidance on extensions to the rear of bungalows and will have a detrimental impact on the character of the property.

**ADDITIONAL NOTES:** None.

**ADDED VALUE:**

Design, layout and/or external material improvements have been achieved during the processing of the application to ensure the proposal complies with the Council's Local Plan policies.

**BACKGROUND PAPERS:**

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

Ref. No.: 2017/0143/TP  
(ALMI)

DATE: 2nd June 2017

**DIRECTOR OF ENVIRONMENT**

**Reference: 2017/0143/TP - Appendix 1**

**DEVELOPMENT PLAN:**

**Structure Plan Policies**

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

**Finalised 02/06/17 IM(1)**

**DECISION NOTICE  
AND  
REASONS FOR REFUSAL**

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

**REFUSAL OF PLANNING PERMISSION**

Ref. No.        **2017/0143/TP**

**Applicant**

Mr Sajid Mahmood  
c/o James Baird Architecture  
Laurnic House, Ross Cottage Drive  
Ross Cottage Drive  
Hamilton  
ML3 7WR

**Agent:**

James Baird Architecture  
Laurnic House  
Ross Cottage Drive  
Ferniegair  
Hamilton  
ML3 7WR

With reference to your application which was registered on 18th April 2017 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

**Erection of one and a half storey rear extension forming gable end with dormer windows at side; enlargement of dormer window at front; erection of detached garage at rear.**

**at: 92 Dorian Drive Clarkston East Renfrewshire G76 7NS**

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

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

1. The proposed one and a half storey rear extension, by reason of its design and scale, is contrary to Policies D1(1), D1(2) and D14 of the East Renfrewshire Local Development Plan. The roof design does not match or respect the original hipped roofed of the existing house and this has an adverse visual impact on the appearance of, and dominates, the original house. The proposed extension will have a detrimental impact on the character of the property.
2. The proposed one and a half storey side extension, by reason of its design and scale, is contrary to the Supplementary Planning Guidance (SPG) - Householder Design Guide as it does not comply with the specific guidance on extensions to the rear of bungalows and will have a detrimental impact on the character of the property.

Dated            2nd June 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

<b>Plan Description</b>	<b>Drawing Number</b>	<b>Drawing Version</b>	<b>Date on Plan</b>
Block Plan and Location Plan	01	A	
Plans Proposed	03	B	
Garage plans and elevations	05		

**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](http://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](http://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](mailto:planning@eastrenfrewshire.gov.uk)



**NOTICE OF REVIEW  
AND  
STATEMENT OF REASONS**

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2 Spiersbridge Way Thornliebank G46 8NG Tel: 0141 577 3001 Email: [planning@eastrenfrewshire.gov.uk](mailto:planning@eastrenfrewshire.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100042558-004

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant  Agent

## Agent Details

Please enter Agent details

Company/Organisation:	<input type="text" value="James Baird Architecture"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="James"/>	Building Name:	<input type="text" value="Laurnic House"/>
Last Name: *	<input type="text" value="Baird"/>	Building Number:	<input type="text"/>
Telephone Number: *	<input type="text" value="01698284665"/>	Address 1 (Street): *	<input type="text" value="Ross Cottage Drive Ferniegair"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Hamilton"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
		Postcode: *	<input type="text" value="ML3 7WR"/>
Email Address: *	<input type="text" value="jim@jba-architecture.co.uk"/>		

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="C/O James Baird Architecture"/>
First Name: *	<input type="text" value="Sajid"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Mahmood"/>	Address 1 (Street): *	<input type="text" value="Laurnic House"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text" value="Ross Cottage Drive"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Hamilton"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="ML3 7WR"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

## Site Address Details

Planning Authority:	<input type="text" value="East Renfrewshire Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="92 DORIAN DRIVE"/>
Address 2:	<input type="text" value="CLARKSTON"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="GLASGOW"/>
Post Code:	<input type="text" value="G76 7NS"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="657742"/>	Easting	<input type="text" value="256007"/>
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## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

Erection of rear extension, dormer extension and detached garage

## Type of Application

What type of application did you submit to the planning authority? \*

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? \*

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

This application was refused against Policies D1(1) D1(2) D(14). Similar houses in the area have been approved with this type of extension. The railway is at the back of the garden No privacy issues from behind. Only the side dormers can be seen from the street. Neighbours haven't objected. Side dormers do not look directly into neighbours gardens. There will still be sufficient private garden space available. My client had already reduced the size at the rear at the request of the Planner.

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 the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: \* (Max 500 characters)

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. You can attach these documents electronically later in the process: \* (Max 500 characters)

Block and location plans Existing plans sections and elevations Proposed plans section and elevations Proposed garage details

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

2017/0143/TP

What date was the application submitted to the planning authority? \*

09/03/2017

What date was the decision issued by the planning authority? \*

02/06/2017

## 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.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

Yes  No

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

Can the site be clearly seen from a road or public land? \*

Yes  No

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

Yes  No

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

None

## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. \*

Yes  No

Have you provided the date and reference number of the application which is the subject of this review? \*

Yes  No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

Yes  No  N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

Yes  No

Note: 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. 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.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

Yes  No

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 (if any) from the earlier consent.

## Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr James Baird

Declaration Date: 02/07/2017

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**James Baird Architecture**

JB/396

18 April 2017

## **Supporting Statement**

### **Proposed Rear Extension to House, Formation of Dormers and the Erection of Detached Garage, 92 Dorian Drive, Clarkston**

**Client: Mr Sajid Mahmood**

The application site currently consists of detached bungalow with an existing dormer to the front elevation. The property sits between two houses of similar design with the railway line to the rear.

My client proposes to extend the property to the rear by extending the existing roof profile and forming a gable to the rear with dormers to either side of the roof.

Due to the position of the proposed side dormers there will be no adverse impact on the neighbouring properties.

The proposed extension will not over look any adjoining properties due to the railway at the bottom of the garden.

The proposal is larger than what we would normally propose but we are of the opinion that it will not have an adverse impact on the surrounding properties.

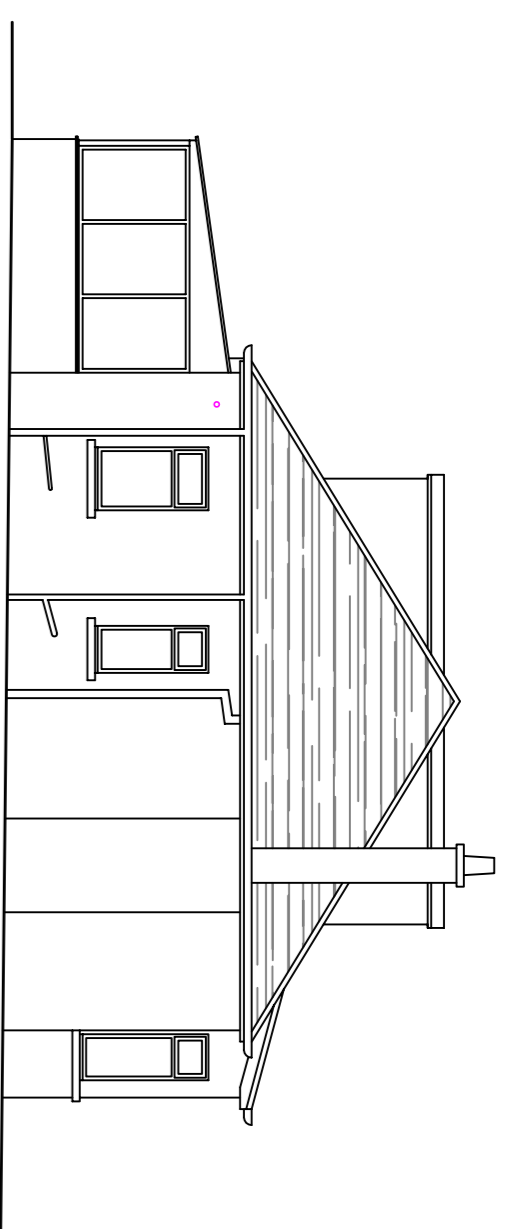
**Laurnic House  
Ross Cottage Drive  
Ferniegair  
Hamilton  
ML3 7WR**

**Tel: 01698 284665  
E-Mail [jim@jba-architecture.co.uk](mailto:jim@jba-architecture.co.uk)**

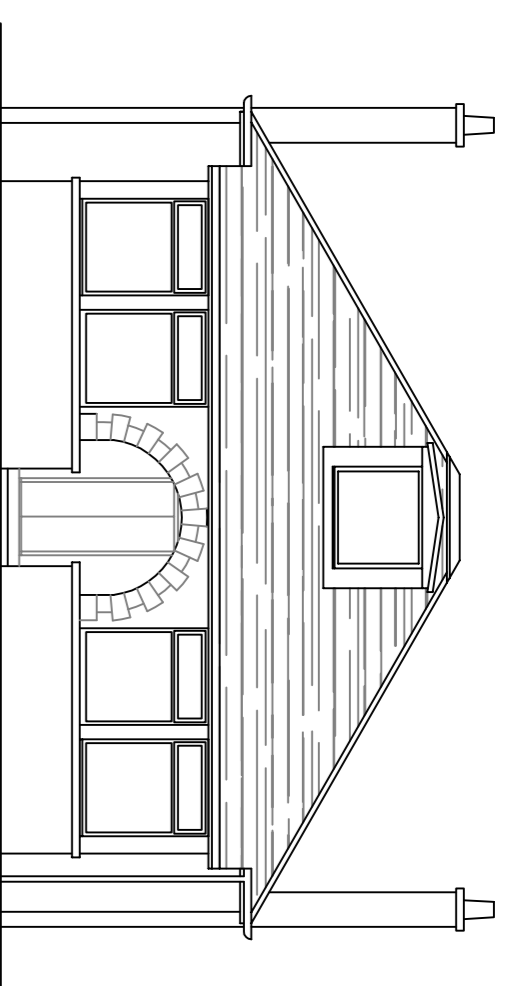
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**PLANS/PHOTOGRAPHS/DRAWINGS**

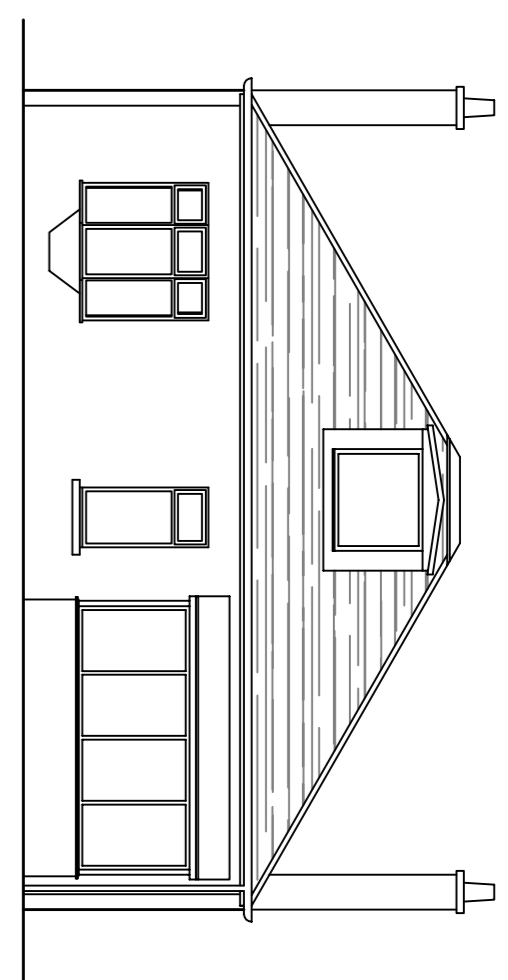
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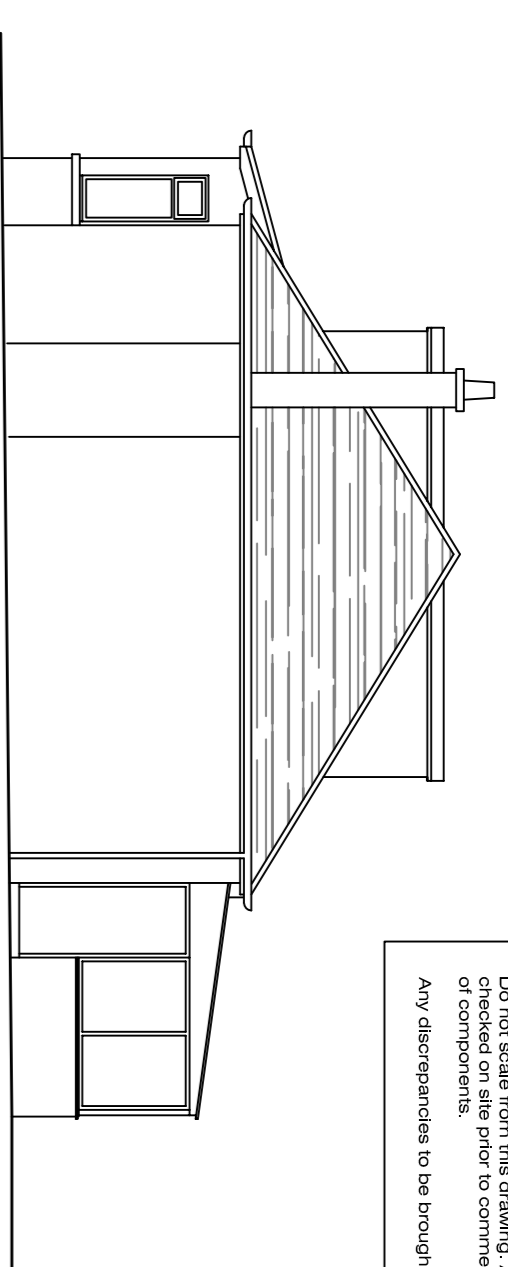
Existing Side Elevation 1:100



Existing Front Elevation 1:100

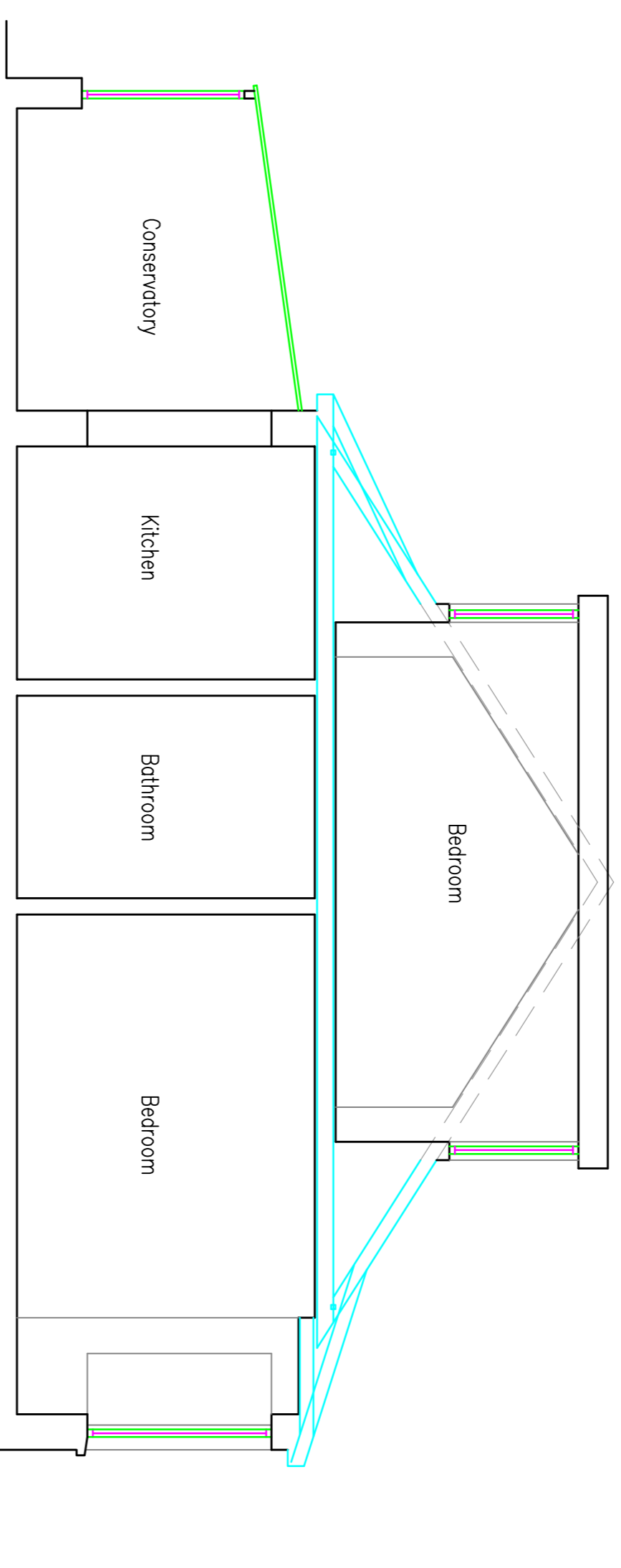


Existing Rear Elevation 1:100

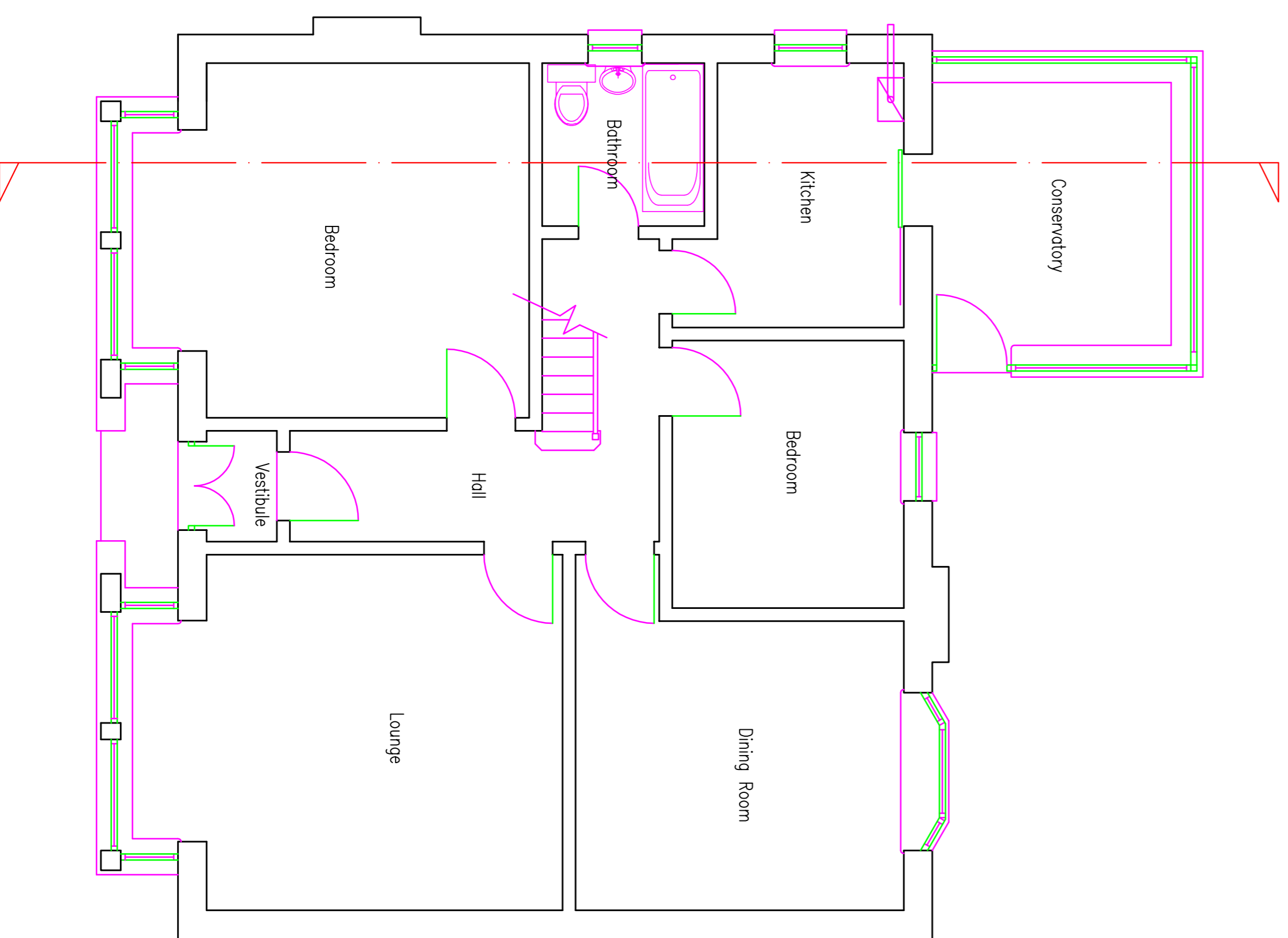


Existing Side Elevation 1:100

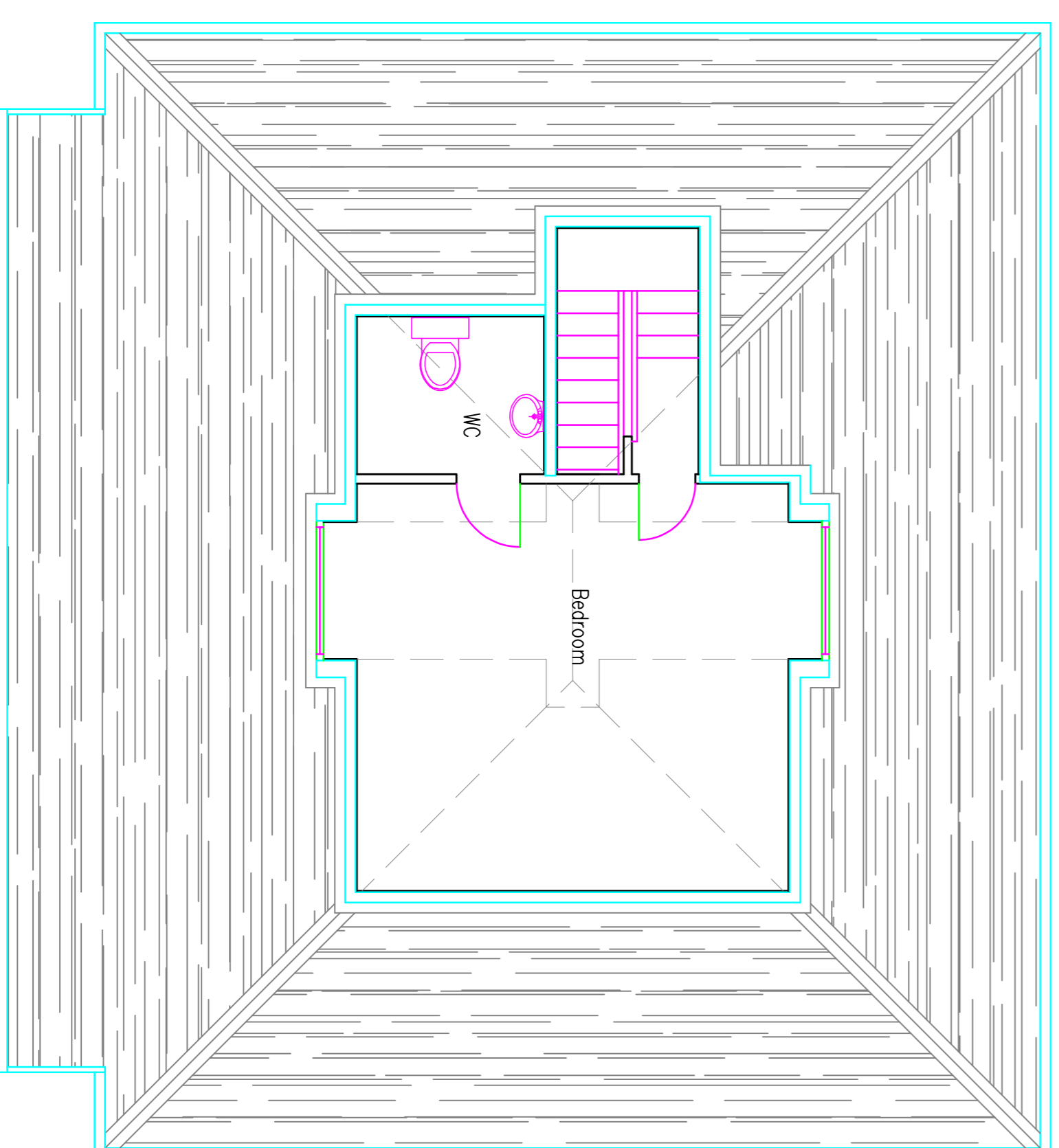
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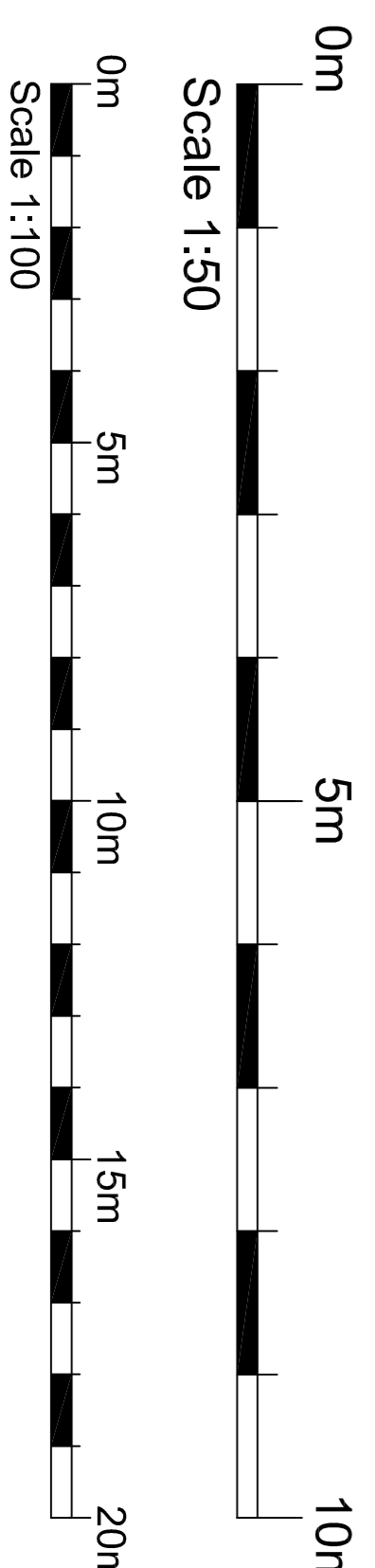
Existing Section 1:50



Existing Ground Floor Plan 1:50



Existing First Floor Plan 1:50



Building Warrant Issue

REV.	AMENDMENT	BY	DATE

**James Baird Architecture**  
 Architecture Project Management  
 CDM Co-ordinators Energy Consultants  
 Lauric House  
 Ross Cottage Drive  
 Fernhill  
 Hillside  
 M13 7WR  
 Telephone: 01698 284655  
 Mobile no.: 07771577770  
 Email: jbm@jba-architecture.co.uk

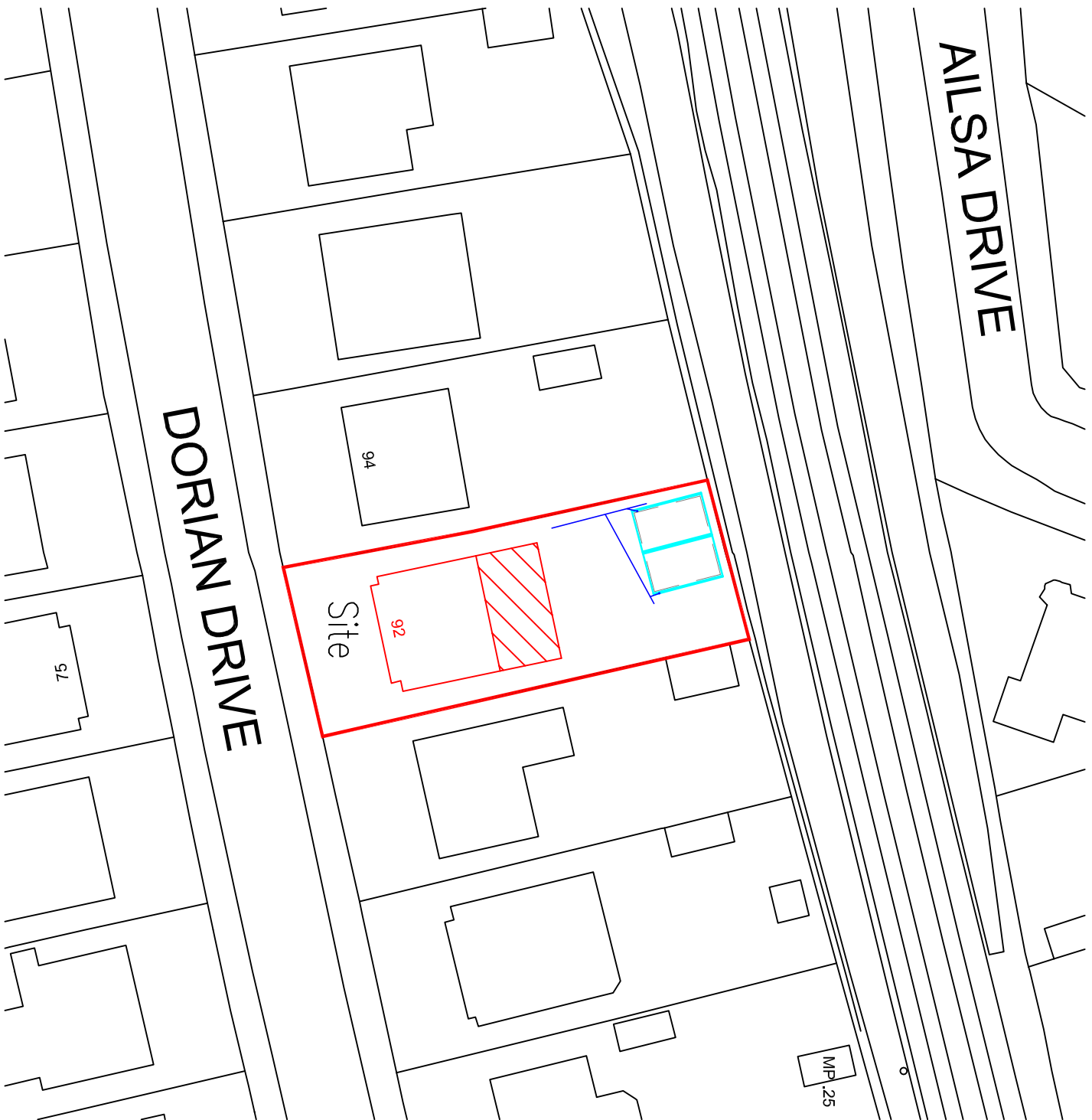
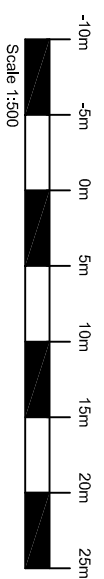
PROJECT:  
 Alterations and Extension to House  
 92 Doran Drive, Clarkson G76 7NS  
 Sald Marnood

SCALE	DATE	DRAWN BY	CHECKED BY
as noted	Feb. 17	J Baird	-

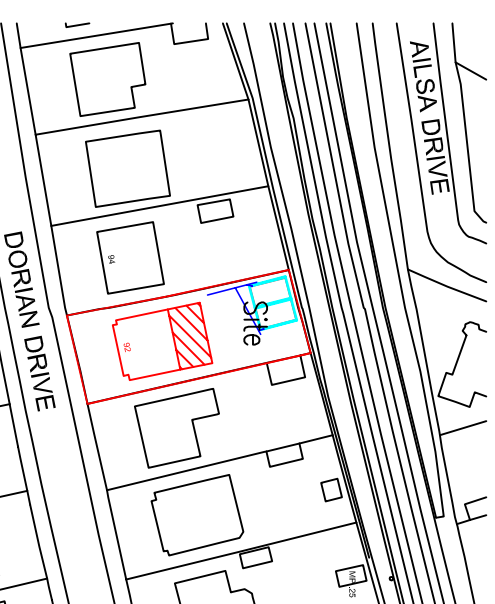
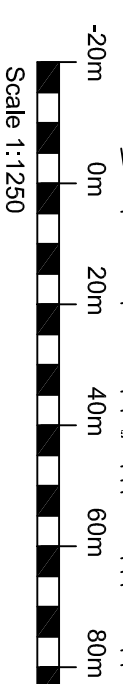
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396	02	-	A1

Block Plan 1:500

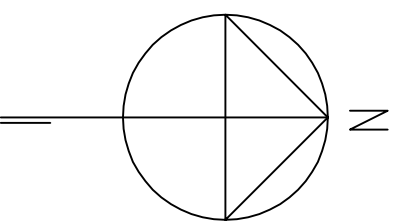


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Location Plan 1:1250



Building Warrant Issue



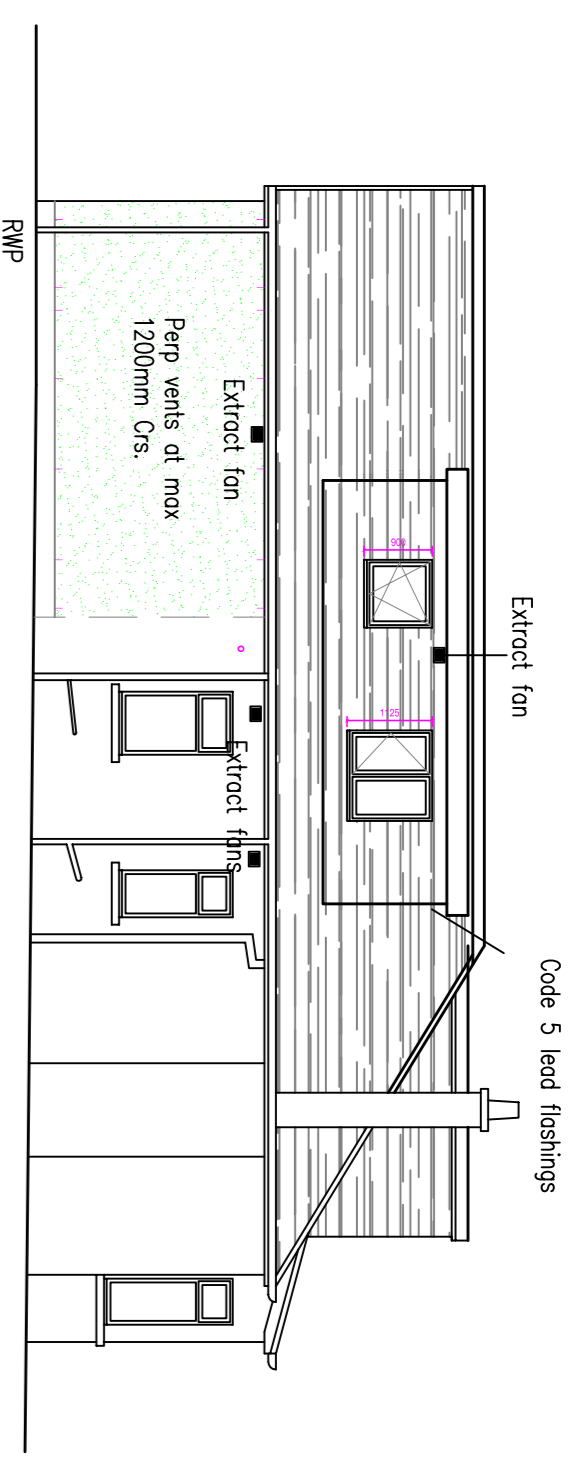
REV.	AMENDMENT	BY	DATE
A.	Extension reduced in size	J Baird	17-04-17
Architecture CDM Co-ordinators		Project Management Energy Consultants	

**James Baird Architecture**  
 Laurmic House  
 Ross Cottage Drive  
 Fernlegair  
 Hamilton  
 ML3 7WR  
 Telephone: 01698 284665  
 Mobile no.: 07771577770  
 Email: jim@jba-architecture.co.uk

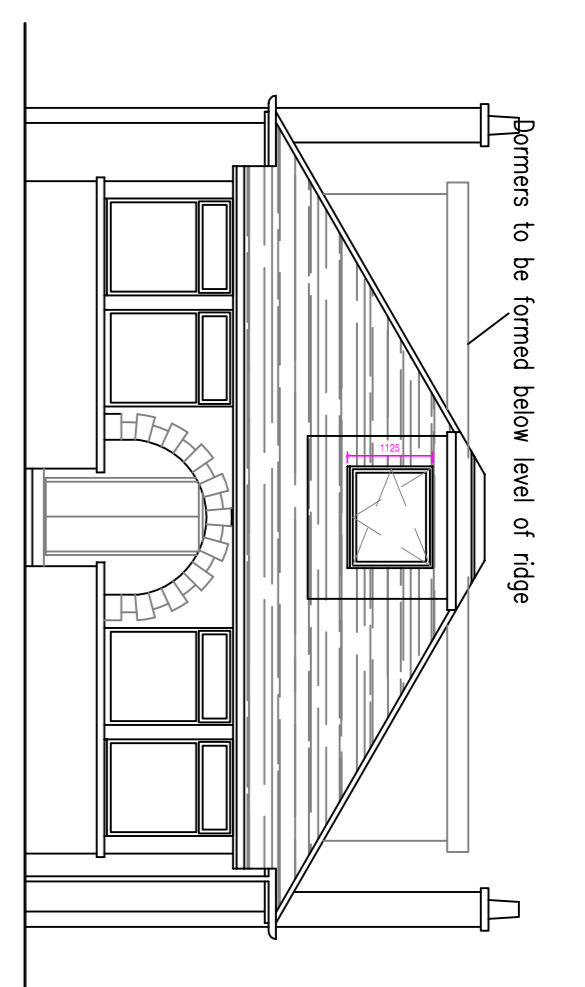
PROJECT:  
 Alterations and Extension to House  
 92 Dorian Drive, Clarkston G76 7NS  
 Sajid Mahmood

DRAWING:  
 Block & Location Plans

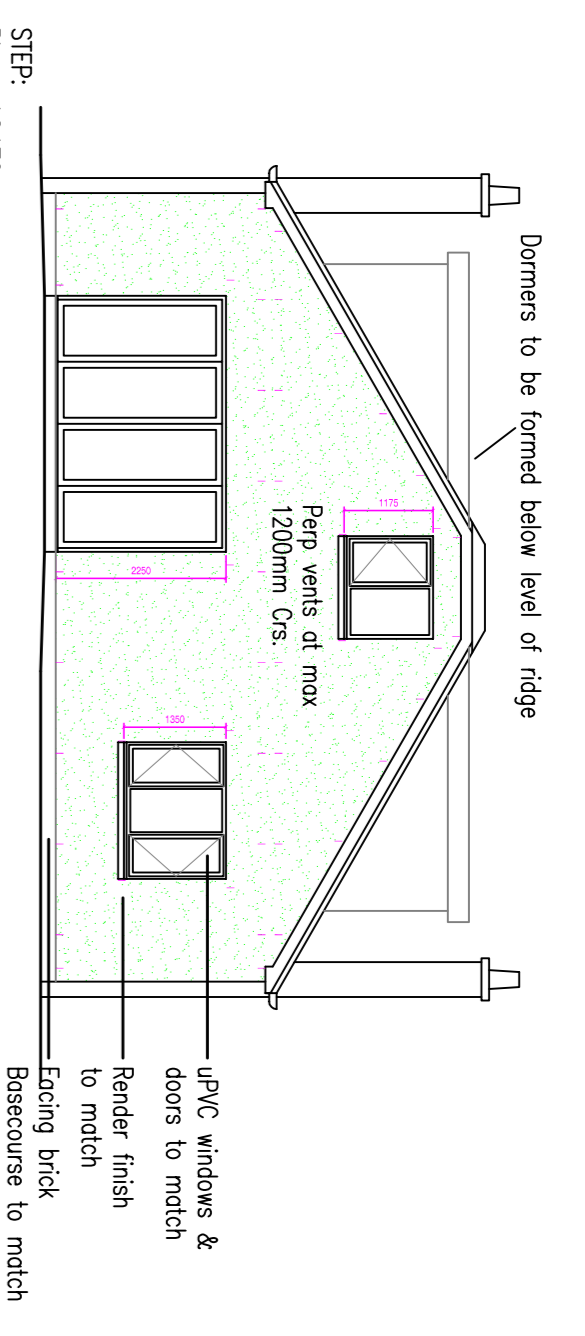
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JOB REF.	DRAWING NUMBER	REV.	SIZE
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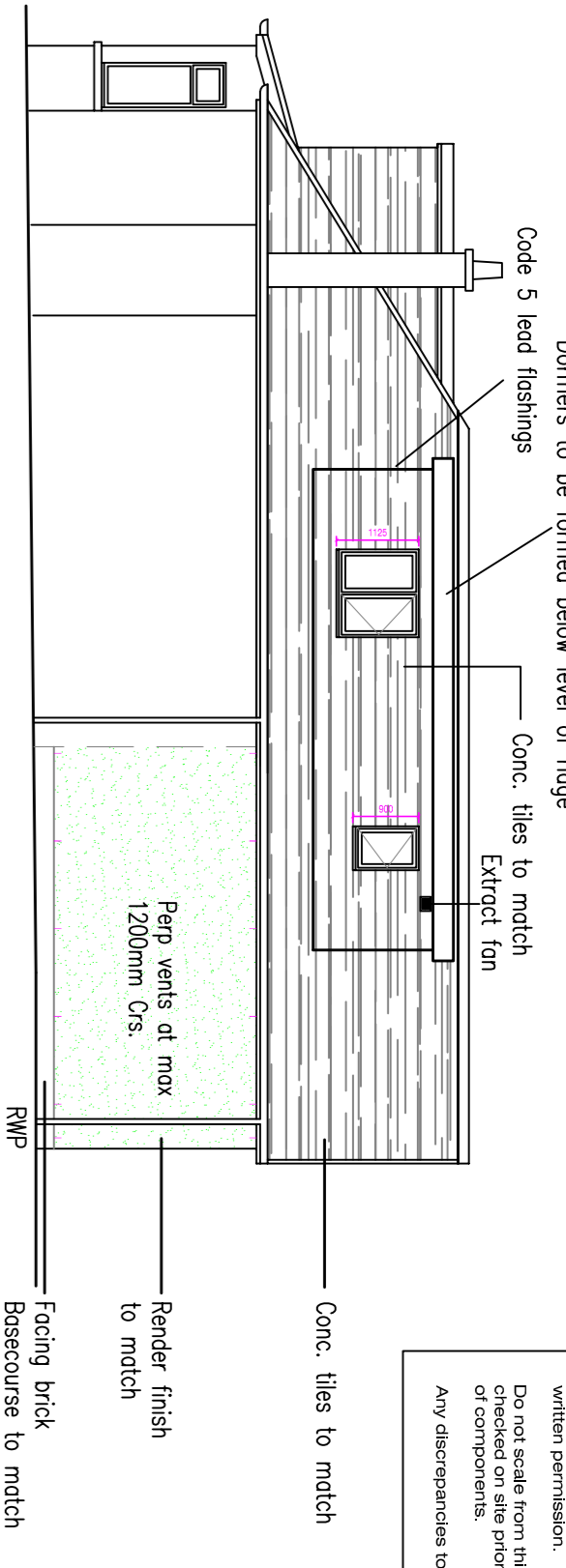
Proposed Side Elevation 1:100



Proposed Front Elevation 1:100

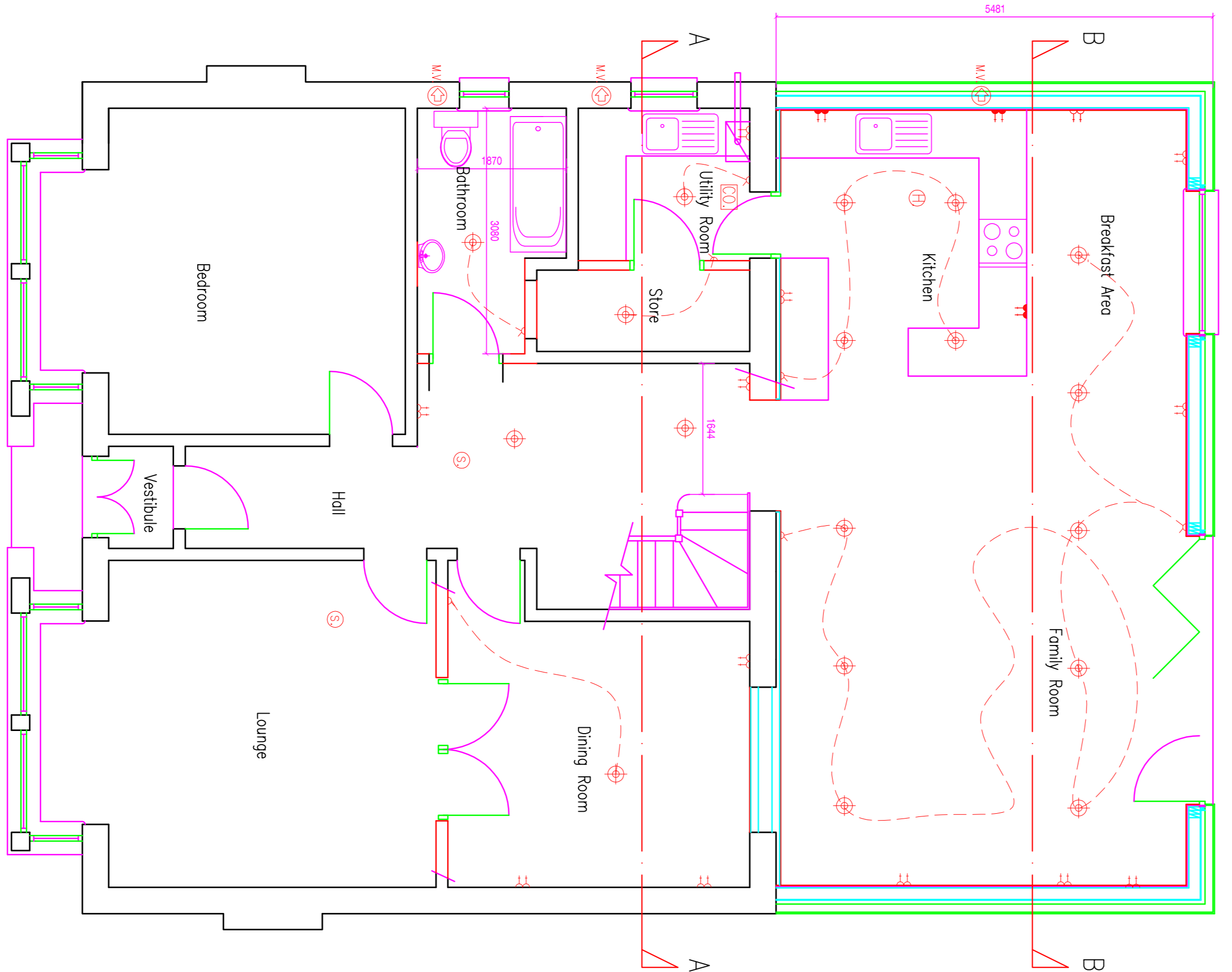


Proposed Rear Elevation 1:100

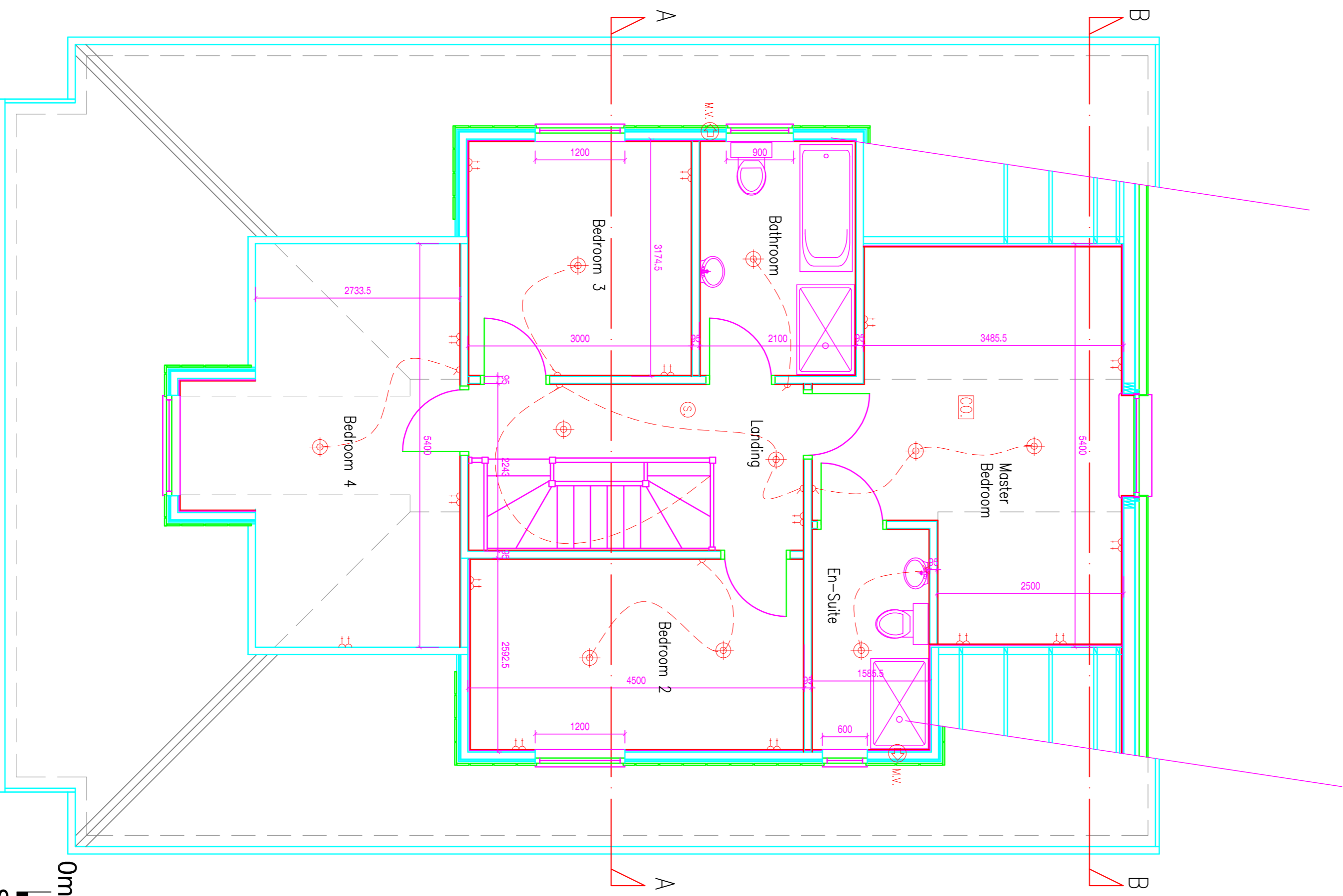


Proposed Side Elevation 1:100

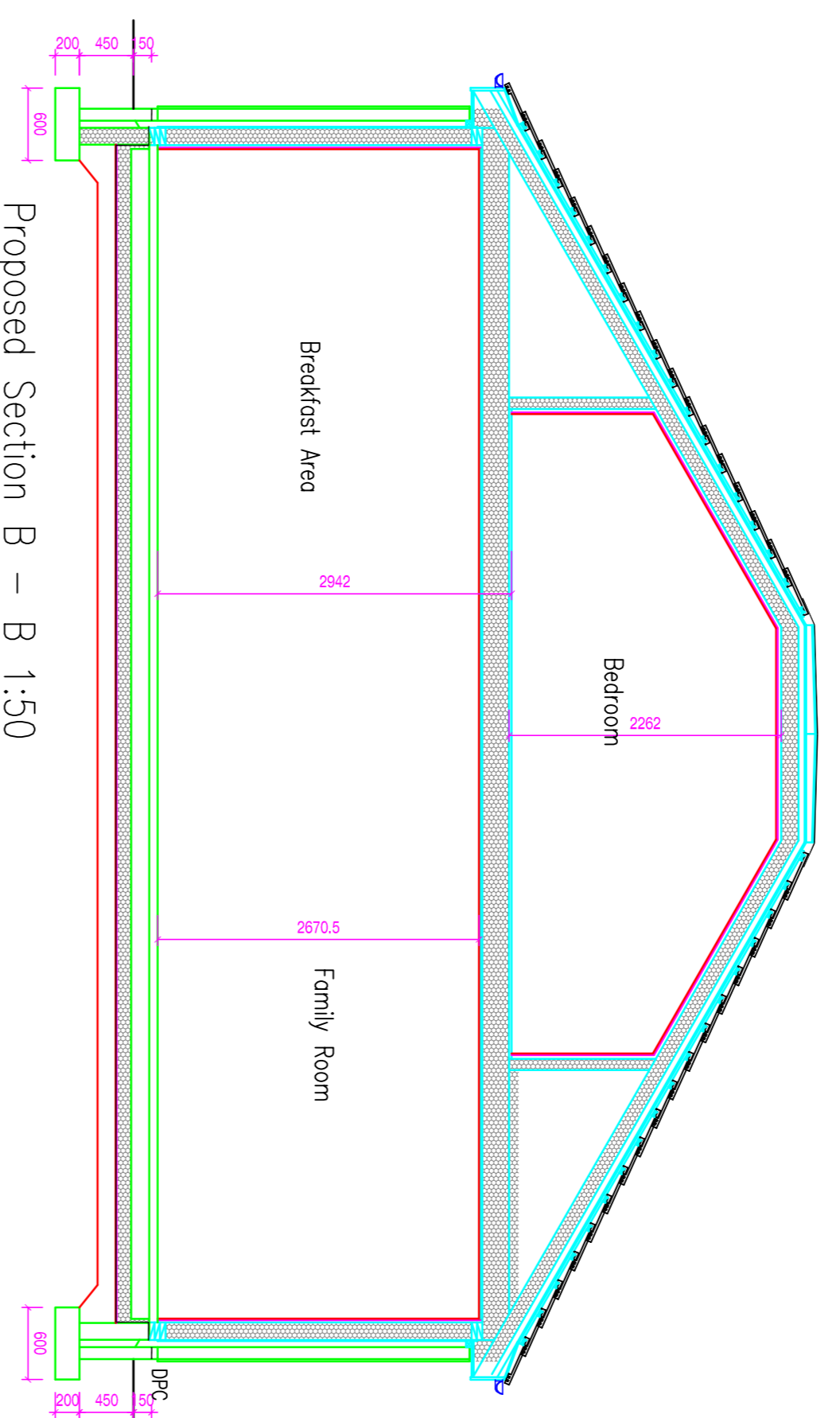
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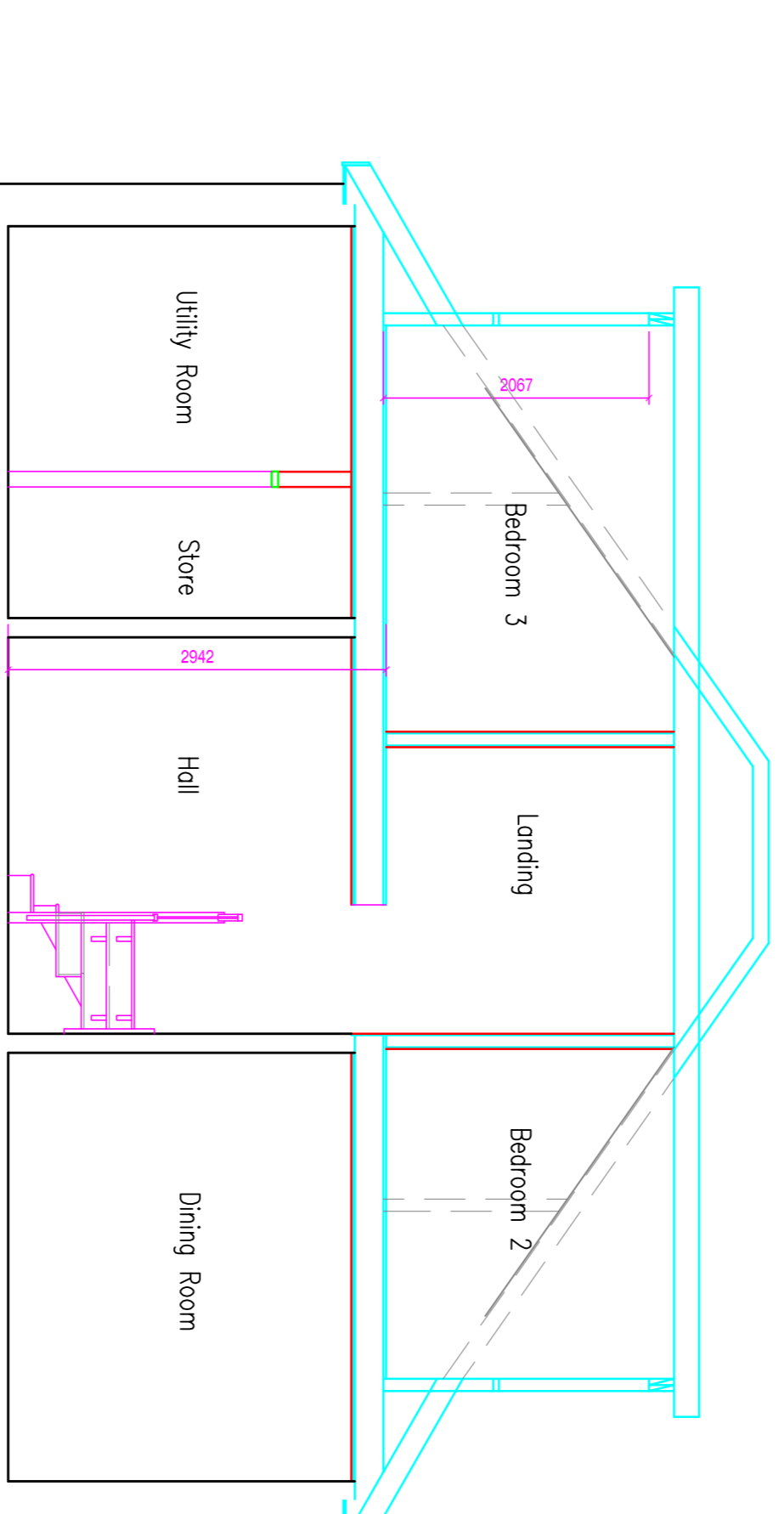
Proposed Ground Floor Plan 1:50



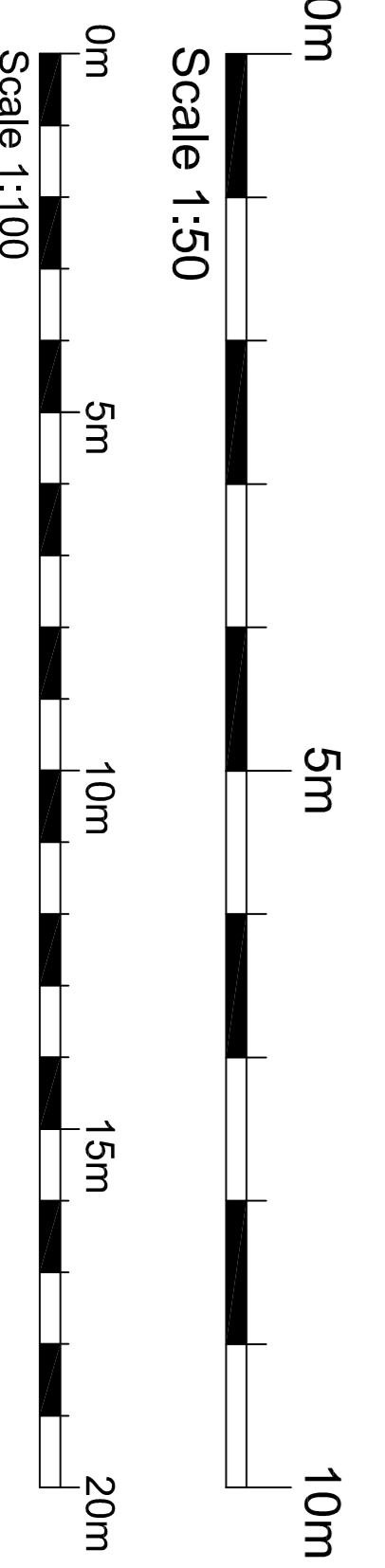
Proposed First Floor Plan 1:50



Proposed Section B - B 1:50



Proposed Section A - A 1:50



Building Warrant Issue

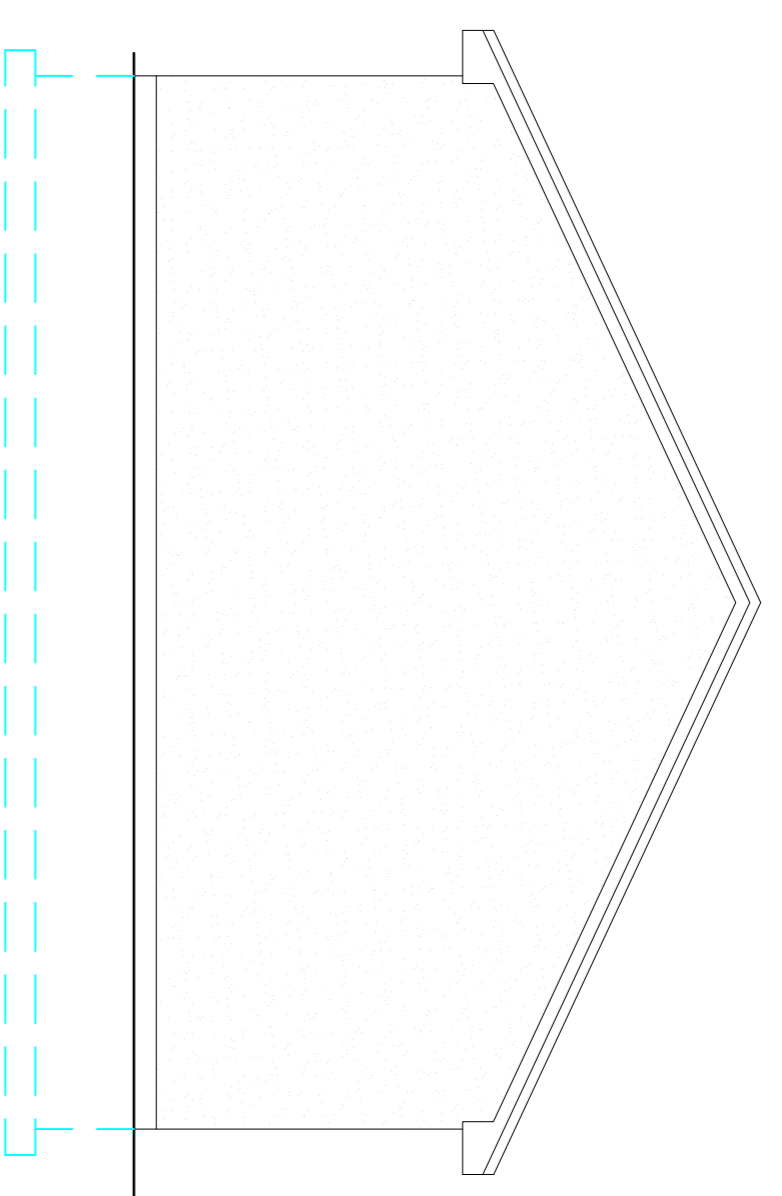
**James Baird Architecture**  
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 Ross Cottage Drive  
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 Telephone: 01698 284655  
 Mobile no.: 07771577770  
 Email: jba@jba-architecture.co.uk

PROJECT:  
 Alterations and Extension to House  
 92 Dorian Drive, Clarkson G76 7NS  
 Saïid Mahmood

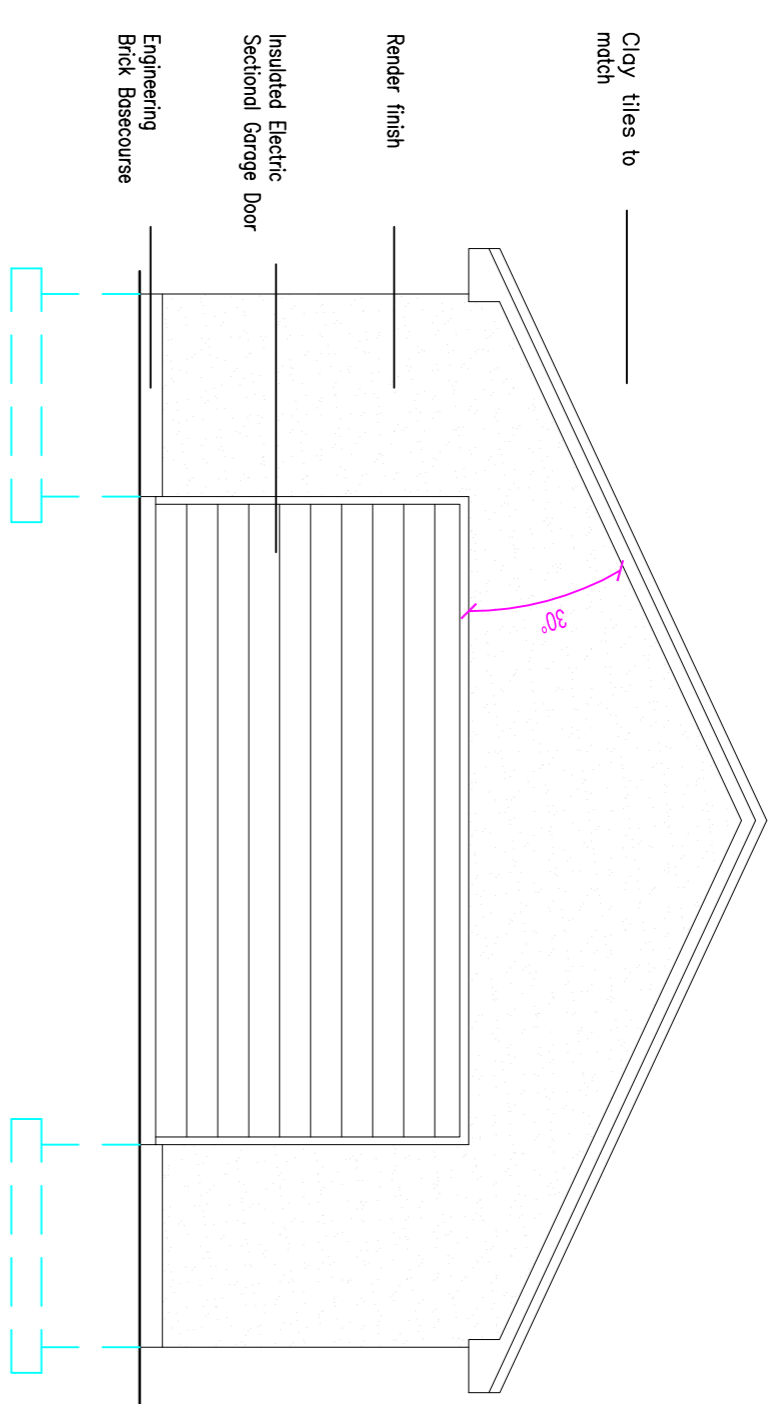
DRAWING:  
 Plans, Elevations & Section as  
 Proposed

SCALE:	DATE:	DRAWN BY:	CHECKED BY:
as noted	Feb. 17	J Baird	-
JOB REF.:	DRAWING NUMBER	REV.	SIZE
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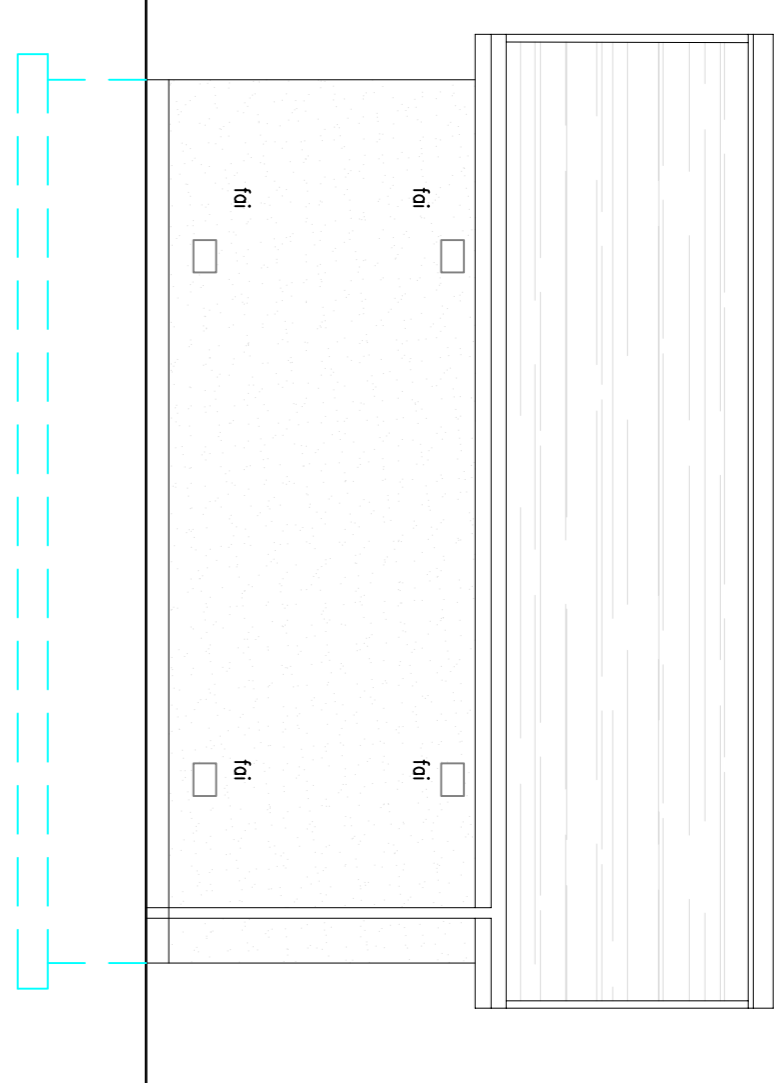
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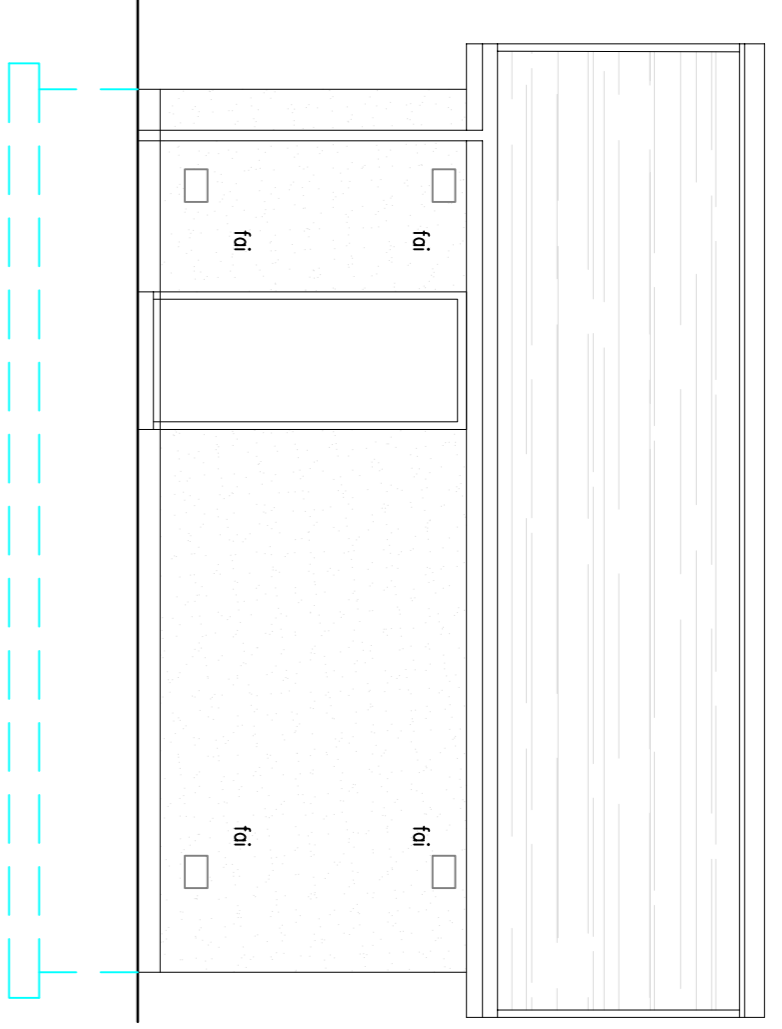
Rear Elevation 1:50



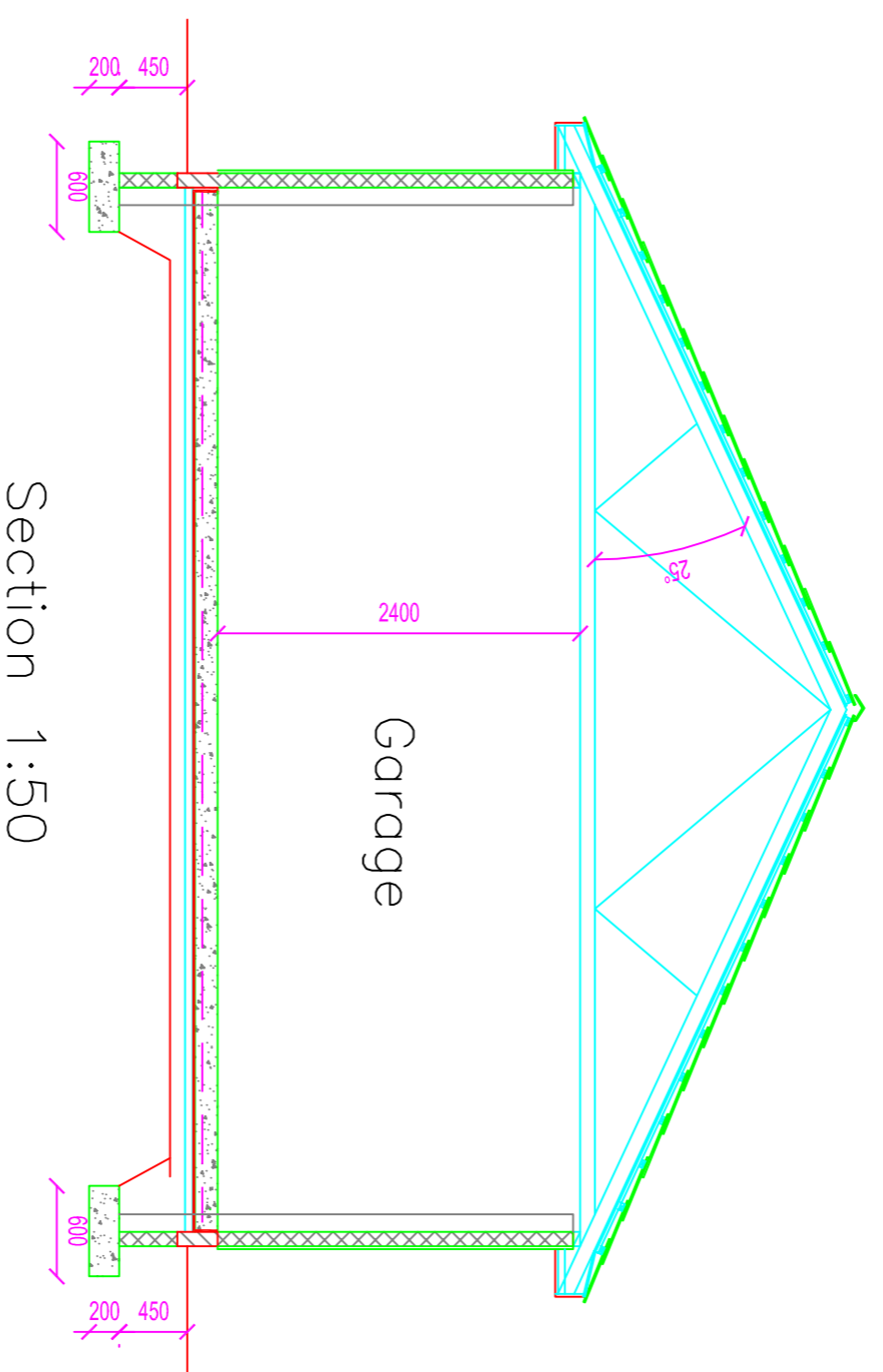
Front Elevation 1:50



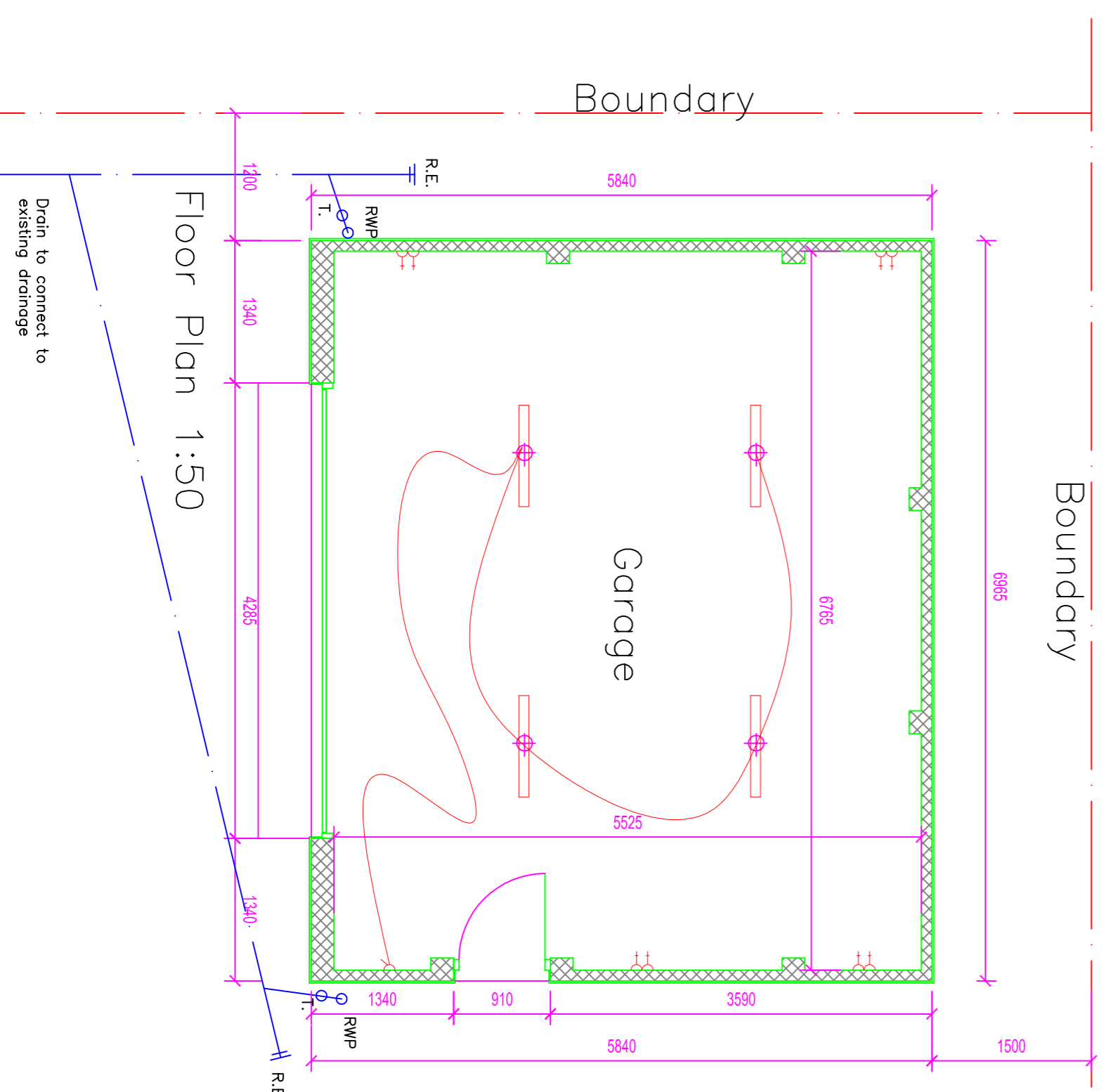
Side Elevation 1:50



Side Elevation 1:50



Section 1:50



Floor Plan 1:50

**ROOF CONSTRUCTION:**

Clay tiles to match on 50 x 25mm treated softwood timber battens on 50 x 19mm treated softwood timber counter battens. 1 Layer type 1F underlating felt on 19mm treated softwood timber roof trusses by specialist manufacturer. Truss members to be 37 x 93/7mm main members with 37 x 72mm internal members. Roof trusses to be in accordance with BS 5268: Part 3.

**EXTERNAL WALL CONSTRUCTION:**

19mm wet dash render to match house on 100mm conc. Block work walls with 100mm conc. Block work courses of Engineering Brickwork to 10mm basecourse. F.A.I.'s to be fitted at both high and low level as indicated on Elevations.

**GARAGE FLOOR CONSTRUCTION:**

150mm thick C35 concrete floor slab (perimeter finish to receive paint) by client laid on 1200 gauge visqueen DPM on 50mm compacted sharp sand and 100mm compacted sharp sand and compacted in 100mm layers

**GARAGE FOUNDATION CONSTRUCTION:**

600x200mm reinforced concrete strip foundation with 100mm concrete finish from 50mm from bottom

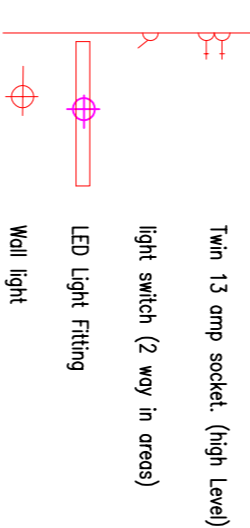
**DRAINAGE/PLUMBING:**

All underground drainage to be 110mm dia. uPVC. Pipe sizes to be: R.W.P. 70mm. Rainwater goods to be coloured brown, less than 900mm below drainage to be enclosed in 100mm concrete, drains laid at less than 600mm to have 1 layer of slabs over and 75mm granular fill round pipe. To the entire satisfaction of the Local Authority Building Control Officer. A meeting to be held on site prior to commencement on site. All connections, joints, etc. to drainage works to be via slip radius bends.

**GENERAL NOTES:**

No high luminia cement to be used. All hollow down stops, truss clips and lateral restraints at wall, floor, ceiling and roof junctions to be in accordance with BS: 8103. All works to be to the entire satisfaction of the client. No deviation to specification, structural or otherwise without consent from the Architect. All dimensions to be checked on site by contractor prior to commencement of the works. DO NOT SCALE DRAWINGS.

**ELECTRICAL LEGEND**



All cabling to be surface run in conduit.

All electrical works to be carried out in accordance with the regulations of the I.E.E. regulations and BS: 7671: 2001. All electrical works to be certified on completion by a competent electrician.

Building Warrant Issue

REV.	AMENDMENT	BY	DATE

**James Baird Architecture**  
 Laurine House  
 Ross Cottage Drive  
 Fernleigh  
 Fernleigh  
 M13 7WR  
 Telephone: 01698 284665  
 Mobile no.: 07771577770  
 Email: jbn@jba-architecture.co.uk

**PROJECT:**  
 Alterations and Extension to House  
 92 Dorlan Drive, Clarkson G76 7NS  
 Sajid Mahmood

**DRAWING:**  
 Garage Details

JOB REF.	DATE	DRAWN BY	CHECKED BY	REV.	SIZE
396	Feb. 17	J Baird	-	-	A1