**Corporate and Community Services Department** Council Headquarters, Eastwood Park, Giffnock, East Renfrewshire, G46 6UG Phone: 0141 577 3000 Fax: 0141 577 3834 website: www.eastrenfrewshire.gov.uk

Date: 27 November 2020 When calling please ask for: Paul O'Neil (Tel No. 07584 116619) e-mail:- <u>eamonn.daly@eastrenfrewshire.gov.uk</u>

TO: Councillors A Ireland (Chair), B Cunningham (Vice Chair), A Convery, J Fletcher, J McLean, S Miller and J Swift.

# LOCAL REVIEW BODY

A meeting of the Local Review Body will be held on <u>Wednesday 2 December 2020 at 2.30pm or</u> <u>if later at the conclusion of the Planning Applications Committee.</u>

The agenda of business is as shown below.

Please note this is a virtual meeting.

# **Caroline Innes**

C INNES DEPUTY CHIEF EXECUTIVE

# AGENDA

- 1. Report apologies for absence.
- 2. Declarations of Interest.
- 3. Notice of Review Review 2020/12 Erection of two storey rear extension with single storey rear extension at 10 Lauriston Grove, Newton Mearns (Ref No: 2020/0145/TP) Report by Deputy Chief Executive (copy attached, pages 3 68).
- 4. Notice of Review Review 2020/13 Sub-division of feu and erection of two semidetached dwellinghouses at 2 Bon Accord Road, Busby (Ref No: 2020/0156/TP) -Report by Deputy Chief Executive (copy attached, pages 69 - 116).

This document can be explained to you in other languages and can be provided in alternative formats such as large print and Braille. For further information, please contact Customer First on 0141 577 3001 or email customerservices@eastrenfrewshire.gov.uk

# EAST RENFREWSHIRE COUNCIL

# LOCAL REVIEW BODY

# 2 December 2020

# Report by Deputy Chief Executive

# REVIEW OF CASE - REVIEW/2020/12

# ERECTION OF TWO STOREY REAR EXTENSION WITH SINGLE STOREY REAR EXTENSION AT 10 LAURISTON GROVE, NEWTON MEARNS

# 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: 2020/0145/TP).
	Applicant:	Mrs Isabelle Mohan.
	Proposal:	Erection of two storey rear extension with single storey rear extension
	Location:	10 Lauriston Grove, Newton Mearns.
	Council Area/Ward:	Newton Mearns North and Neilston (Ward 2).

### **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:-
  - (a) to consider whether it has sufficient information to allow it to proceed to determine the review without further procedure and, if so, that it proceeds to determine the application under review; or
  - (b) that 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 (Chief Planning Officer).

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 with came into effect on 3 August 2009 all appeals against decisions made in respect of local developments under delegated powers would be heard by a Local Review Body. The Local Review Body would also deal with cases where the appointed officer had failed to determine an application within two months from the date it was lodged.

# NOTICE OF REVIEW – STATEMENT OF REASONS FOR REQUIRING THE REVIEW

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

**9.** The applicant is entitled to state a preference for the procedure (or combination of procedures) to be followed by the Local Review Body in the determination of the review and has indicated that her 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.** Given the current restrictions that are in place associated with the Covid-19 pandemic it is not possible for the Local Review Body to visit the site. As an alternative photographs taken as part of the original assessment of the application by the Planning Service have been circulated in advance of the meeting to members of the LRB.

# 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 7 16);
- (b) Copies of Objections/Representations Appendix 2 (Pages 17 22);
- (c) Report of Handling by the planning officer Appendix 3 (Pages 23 32);
- (d) Decision notice and reasons for refusal Appendix 4 (Pages 33 38); and
- (e) Applicant's Notice of Review and Statement of Reasons Appendix 5 (Pages 39 50).
- **15.** The applicant has also submitted the following supporting information Appendix 6
  - (a) Planning Decision Notice (Pages 53 56)
  - (b) Proposed Location Plan (Page 57)
  - (c) Drawing L(90) 003 Daylight Study 45 degree approach (Page 58)
  - (d) Drawing L(90) 001 01 Existing Block Plan (Page 59)
  - (e) Drawing L(90) 002 01 Proposed Block Plan (Page 60)
  - (f) Drawing L(EX) 001 Existing Ground Floor Plan (Page 61)
  - (g) Drawing L(20) 001 01 Proposed Ground Floor Plan (Page 62)
  - (h) Drawing L(EX) 002 Existing First Floor Plan (Page 63)
  - (i) Drawing L(20) 002 02 Proposed First Floor Plan (Page 64)
  - (j) Drawing L(EX) 003 Ele 1 Existing Elevations 1 (Page 65)
  - (k) Drawing L(50) 001 01 Proposed Elevations 1 (Page 66)
  - (I) Drawing L(EX) 004 Ele 2 Existing Elevations 2 (Page 67)
  - (m) Drawing L(50) 002 01 Proposed Elevations 2 (Page 68)

**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 <u>www.eastrenfrewshire.gov.uk/search-planning-applications</u>

### 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:-
  - 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: Eamonn Daly, Democratic Services Manager

email: <u>eamonn.daly@eastrenfrewshire.gov.uk</u> Tel: 07584 116619

Date:- 17 November 2020

**APPENDIX 1** 

# **APPLICATION FORM**





2 Spiersbridge Way Thornliebank G46 8NG Tel: 0141 577 3001 Email: 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 100196027-003

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.

# **Type of Application**

What is this application for? Please select one of the following: \*

Application for planning permission (including changes of use and surface mineral working).

Application for planning permission in principle.

Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)

Application for Approval of Matters specified in conditions.

# **Description of Proposal**

Please describe the proposal including any change of use: \* (Max 500 characters)

Proposed Double Height Rear Extension

Is this a temporary permission? *	🗌 Yes 🛛 No
If a change of use is to be included in the proposal has it already taken place? (Answer 'No' if there is no change of use.) *	Yes X No
Has the work already been started and/or completed? *	
X 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 XAgent

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#### **Agent Details** Please enter Agent details **GMDL** Architecture Company/Organisation: Ref. Number: You must enter a Building Name or Number, or both: \* Graham First Name: \* Building Name: 11 Mckay Last Name: \* **Building Number:** Address 1 **Orchard Street** 07717042257 Telephone Number: \* (Street): \* Extension Number: Address 2: Carluke Town/City: \* Mobile Number: Scotland Fax Number: Country: \* ML8 5AJ Postcode: \* gmckay-gmdl@live.co.uk Email Address: \* Is the applicant an individual or an organisation/corporate entity? \* Individual Organisation/Corporate entity **Applicant Details** Please enter Applicant details Mrs Title: You must enter a Building Name or Number, or both: \* Other Title: Building Name: Т 10 First Name: \* Building Number: Address 1 (Street): \* L Lauriston Grove Last Name: \* Company/Organisation Address 2: Newton Mearns Town/City: \* Telephone Number: \* GB Extension Number: Country: \* G77 6YP Mobile Number: Postcode: \* Fax Number: gmckay-gmdl@live.co.uk Email Address: \*

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1	1	

Site Address Details			
Planning Authority: East Renfrewshire Council			
Full postal address of the s	site (including postcode where available):		
Address 1:	10 LAURISTON GROVE		
Address 2:	NEWTON MEARNS		
Address 3:			
Address 4:			
Address 5:			
Town/City/Settlement:	GLASGOW		
Post Code:	G77 6YP		
Please identify/describe the	e location of the site or sites		
Northing 6	56027 Easting 252552		
Pre-Applicatio	n Discussion		
Have you discussed your p	proposal with the planning authority? *		
Site Area			
Please state the site area: 475.00			
Please state the measurement type used:			
Existing Use			
Please describe the current or most recent use: * (Max 500 characters)			
Domestic			
Access and Parking			
Are you proposing a new altered vehicle access to or from a public road? * If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting 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 change to public paths, public rights of way or affecting any public right of acces	s? *	Yes X No		
If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.				
How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?	4			
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 a reduced number of spaces)? *	4			
Please show on your drawings the position of existing and proposed parking spaces and identify if thes types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles 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, cycles spaces).			
Water Supply and Drainage Arrangements				
Will your proposal require new or altered water supply or drainage arrangements? *		Yes 🛛 No		
Do your proposals make provision for sustainable drainage of surface water?? * (e.g. SUDS arrangements) *		Yes X No		
Note:-				
Please include details of SUDS arrangements on your plans				
Selecting 'No' to the above question means that you could be in breach of Environmental legislation.				
Are you proposing to connect to the public water supply network? *				
No, using a private water supply				
If No, using a private water supply, please show on plans the supply and all works needed to provide it	(on or o	off oito)		
		in site).		
Assessment of Flood Risk				
Is the site within an area of known risk of flooding? *	Yes	🗙 No 🗌 Don't Know		
If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.				
Do you think your proposal may increase the flood risk elsewhere? *	] Yes	🗙 No 🗌 Don't Know		
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 t any are to be cut back or felled.	o the pr	oposal site and indicate if		
Waste Storage and Collection				
Do the plans incorporate areas to store and aid the collection of waste (including recycling)? *		X Yes No		

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If Yes or No, please provide further details: * (Max 500 characters)			
As Existing			
<b>Residential Units Including Conversion</b>			
Does your proposal include new or additional houses and/or flats? *	🗌 Yes 🛛 No		
All Types of Non Housing Development – Proposed	New Floorspace		
Does your proposal alter or create non-residential floorspace? *	Yes X No		
Schedule 3 Development			
Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013 *			
If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area authority will do this on your behalf but will charge you a fee. Please check the planning authority fee and add this to your planning fee.			
If you are unsure whether your proposal involves a form of development listed in Schedule 3, ple notes before contacting your planning authority.	ase check the Help Text and Guidance		
Planning Service Employee/Elected Member Interes	st		
Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning se elected member of the planning authority? *	ervice or an 🗌 Yes 🛛 No		
Certificates and Notices			
CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING ( PROCEDURE) (SCOTLAND) REGULATION 2013	DEVELOPMENT MANAGEMENT		
One Certificate must be completed and submitted along with the application form. This is most us Certificate B, Certificate C or Certificate E.	sually Certificate A, Form 1,		
Are you/the applicant the sole owner of ALL the land? *	X 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:			

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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: Graham Mckay On behalf of: Mrs I I

Date: 06/03/2020

Please tick here to certify this Certificate. \*

# **Checklist – Application for Planning Permission**

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

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) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? \*

Yes No X Not applicable to this application

b) If this is an application for planning permission or planning permission in principal where there is a crown interest in the land, have you provided a statement to that effect? \*

Yes IN No X Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? \*

Yes No X Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? \*

Yes No X Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? \*

Yes No X Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration?\*

Yes 🗌 No 🛛 Not applicable to this application

g) If this is an applicatior conditions or an applicat	for planning permission, planning permission in principle, an application for a ion for mineral development, have you provided any other plans or drawings	approval of matters specified in as necessary:		
Site Layout Plan or	Block plan			
Elevations.				
Floor plans.				
Cross sections.				
Roof plan.				
Master Plan/Frame	vork Plan.			
Landscape plan.				
Photographs and/or	photomontages.			
Other.				
If Other, please specify:	* (Max 500 characters)			
Provide copies of the foll	owing documents if applicable:			
A copy of an Environmer	ntal Statement. *	🗌 Yes 🔀 N/A		
A Design Statement or D	esign and Access Statement. *	Yes 🛛 N/A		
A Flood Risk Assessmer	ıt. *	🗌 Yes 🔀 N/A		
A Drainage Impact Asse	ssment (including proposals for Sustainable Drainage Systems). $^{\star}$	🗌 Yes 🔀 N/A		
Drainage/SUDS layout.		Yes 🛛 N/A		
A Transport Assessment	or Travel Plan	Yes 🛛 N/A		
Contaminated Land Asse	essment. *	Yes X N/A		
Habitat Survey. *		Yes 🛛 N/A		
A Processing Agreemen	t. *	🗌 Yes 🔀 N/A		
Other Statements (pleas	e specify). (Max 500 characters)			
	Application 2019/0701/TP was withdrawn prior to approval, this application is or plan accommodation	a re-sub of same with an		
I, the applicant/agent cer	• Application to Planning Authority tify that this is an application to the planning authority as described in this for tional information are provided as a part of this application.	m. The accompanying		
Declaration Name:	Mr Graham Mckay			
Declaration Date:	06/03/2020			



**APPENDIX 2** 

# **COPIES OF OBJECTIONS/REPRESENTATIONS**



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# **Comments for Planning Application 2020/0145/TP**

# **Application Summary**

Application Number: 2020/0145/TP Address: 10 Lauriston Grove Newton Mearns East Renfrewshire G77 6YP Proposal: Erection of two storey rear extension with single storey rear extension. Case Officer: Mr David Haney

# **Customer Details**

Name: Mrs Julie Barnes Address: 12 Lauriston Grove, Newton Mearns, East Renfrewshire G77 6YP

# **Comment Details**

Commenter Type: Rec'd NeighbourNotification from Council Stance: Customer objects to the Planning Application Comment Reasons: Comment:We would like to object to planning application 2020/0145/TP proposing the erection of

two storey rear extension with single storey rear extension at 10 Lauriston Grove.

Amongst other points, Policy D1: Detailed Guidance for all Development of the Council's Local Development Plan (LDP) states that the development should not result in a significant loss of character or amenity to the surrounding area; that 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; and that the amenity of neighbouring properties should not be adversely affected by unreasonably restricting their sunlight or privacy.

Our significant concerns with the proposed extension relate to the size, scale, massing and positioning of the rear extensions and the unacceptable impact they will have on the amenity of our property.

The extension proposed on this site is significantly large in size and would overwhelm the original form and appearance of the house and dominate the site by further eroding the rear garden space. Despite other recent extensions in the area being granted, this planning application needs to be assessed and determined on its own merits taking into account the individual site, the property's setting within that site and its relationship with surrounding properties and area.

It is our view that the proposed rear extension would overwhelm both the site (by excessively extending out from the original house, further still than the existing single storey extension) and our neighbouring property. The two storey element of the proposal is of particular concern - this is significantly large and given the particular circumstances of this site, would have a significant impact on our property by unreasonably restricting the sunlight and daylight to both our house

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(including main inhabited rooms) and garden and would cause excessive overshadowing.

The overbearing proposals, given the offset position of the existing house, proximity and extension height, would lead to our garden being almost fully enclosed on one side (all but a very small triangle at the very end). This would lead to a greater sense of enclosure and a feeling of being hemmed in.

It is our strong view that the proposal would be contrary to the Local Development Plan Policy D1 (Detailed Guidance for all Development), Supplementary Planning Guidance: Householder Design Guide, and Supplementary Planning Guidance Daylight and Sunlight (which both form part of the Adopted Local Development Plan) as it would dominate and overwhelm the original property from its original form and appearance; would dominate, overwhelm and enclose neighbouring properties; would result in overdevelopment of the site; and would have a significant impact on the amenity and sunlight of the neighbouring priorities, particularly given the length, size, scale, height and position of the proposed extension.

We would encourage the Planning Case Officer to visit our property in order to see first-hand the impacts that this proposal would have on the amenity and enjoyment of our property.

Kind regards, Julie Barnes

Julie Barnes 12 Lauriston Grove Newton Mearns, G77 6YP 13<sup>th</sup> October 2020

Corporate & Community Services Council HQ, Eastwood Park Rouken Glen Road Giffnock, G46 6UG

Dear Sir/Madam,

Ref No: REVIEW/2020/12 Planning Application: 2020/0145/TP Location: 10 Lauriston Grove, Newton Mearns Proposal: Erection of two storey rear extension with single storey rear extension.

Thankyou for your email in regard to the 'Notice of Review'. I just wanted to say that my position on the application remains as set out in my previous comments, which I've copied again below. However, I would also like to stress that given the new normal and current restrictions that we now all face with COVID-19, it is more important than ever to ensure that myself and my family can enjoy our garden. We definitely don't want to be subject to an increased feeling of confinement and enclosure by an oversized extension. It is also crucial that we get adequate sunlight into our garden and home.

Also for your consideration are my original objection comments:

We would like to object to planning application 2020/0145/TP proposing the erection of two storey rear extension with single storey rear extension at 10 Lauriston Grove.

Amongst other points, Policy D1: Detailed Guidance for all Development of the Council's Local Development Plan (LDP) states that the development should not result in a significant loss of character or amenity to the surrounding area; that 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; and that the amenity of neighbouring properties should not be adversely affected by unreasonably restricting their sunlight or privacy.

Our significant concerns with the proposed extension relate to the size, scale, massing and positioning of the rear extensions and the unacceptable impact they will have on the amenity of our property.

The extension proposed on this site is significantly large in size and would overwhelm the original form and appearance of the house and dominate the site by further eroding the rear garden space. Despite other recent extensions in the area being granted, this planning application needs to be assessed and determined on its own merits taking into account the individual site, the property's setting within that site and its relationship with surrounding properties and area.

It is our view that the proposed rear extension would overwhelm both the site (by excessively extending out from the original house, further still than the existing single storey extension) and our neighbouring property. The two storey element of the proposal is of particular concern - this is significantly large and given the particular circumstances of this site, would have a significant impact on our property by unreasonably restricting the sunlight and daylight to both our house (including main inhabited rooms) and garden and would cause excessive overshadowing.

The overbearing proposals, given the offset position of the existing house, proximity and extension height, would lead to our garden being almost fully enclosed on one side (all but a very small triangle at the very end). This would lead to a greater sense of enclosure and a feeling of being hemmed in.

It is our strong view that the proposal would be contrary to the Local Development Plan Policy D1 (Detailed Guidance for all Development), Supplementary Planning Guidance: Householder Design Guide, and Supplementary Planning Guidance Daylight and Sunlight (which both form part of the Adopted Local Development Plan) as it would dominate and overwhelm the original property from its original form and appearance; would dominate, overwhelm and enclose neighbouring properties; would result in overdevelopment of the site; and would have a significant impact on the amenity and sunlight of the neighbouring priorities, particularly given the length, size, scale, height and position of the proposed extension.

We would encourage the Planning Case Officer to visit our property in order to see first-hand the impacts that this proposal would have on the amenity and enjoyment of our property.

Thankyou for your time.

Yours faithfully,

Julie Barnes

**APPENDIX 3** 

# **REPORT OF HANDLING**



# **REPORT OF HANDLING**

Reference: 2020/0145/TP		Date Registered: 13th March 2020	
Application Type: Full Planning Permission		This application is a Local Development	
Ward: Co-ordinates:	5 -Newton Mearns South An 252552/:656027	d Eaglesham	
Applicant/Agent:	Applicant: Mrs Li 10 Lauriston Grove Newton Mearns East Renfrewshire G77 6YP	Agent: Graham 11 Orch Carluke ML8 5A	ard Street
Proposal: Location:	Erection of two storey rear extension with single storey rear extension. 10 Lauriston Grove Newton Mearns East Renfrewshire G77 6YP		
CONSULTATIONS/	COMMENTS: None.		
PUBLICITY:	None.		
SITE NOTICES:	None.		
SITE HISTORY:			
2013/0283/TP	Erection of upper storey extension above garage and erection of attached double garage; erection of single storey rear extension (amended drawings)	Approved Subject to Conditions	24.09.2013
2019/0701/TP	Erection of two storey rear extension with single storey rear extension	Withdrawn	18.12.2019

**REPRESENTATIONS:** One objection has been received and can be summarised as follows:

The proposal will overwhelm the existing dwelling Over-development Overshadowing Loss of daylight Contrary to Local Development Plan.

# 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 two storey dwelling and its curtilage and lies within an established residential area. The dwelling is externally finished in white render and grey concrete roofing tiles. The side and rear boundaries are characterised by timber fencing and established planting. The dwelling is characterised by its various gable features and its dual pitched roofs at approximately 40 degrees. It has an existing single storey rear projection that measures 3 metres deep and extends across the entire rear elevation. The dwelling sits further back in its plot relative to the adjacent dwelling to the east at number 12 Lauriston Grove.

Planning permission is sought for the erection of a two storey rear extension and a single storey rear extension. The two storey element measures 3 metres deep by 11 metres wide, extending across the entire rear elevation. It measures 7.4 metres high and comprises a shallow dual pitch roof at a 20 degree pitch. The extension generally occupies the position of the existing single storey projection and lies 1 metre from the common boundary with the dwelling to the east at number 12. The single storey element is proposed to be attached to the rear of the two storey extension. It measures a further 3 metres deep and again extends the entire width of the dwelling. It measures 3.3 metres high with a flat roof.

The application requires to be assessed against Policies D1 and D14 of the adopted East Renfrewshire Local Development Plan. Policy D1 requires that all development should not result in a significant loss of character or amenity to the surrounding area and Policy D14 requires that extensions should complement the character of the existing building in terms of its style, form and materials.

As noted, the applicant's dwelling is positioned further to the rear in its plot relative to the adjacent dwelling to the east at number 12. The proposed two storey rear extension in conjunction with the existing dwelling would result in a two storey wall extending approximately 9.3 metres beyond the rear of the adjacent house only 1 metre from the common rear boundary. This would have a significant visual impact to the detriment of the amenity of the residents of the adjacent dwelling. The cumulative impact of the two storey rear extension and the existing dwelling and the proximity of the two storey rear extension to the boundary would have a significant impact on daylight reaching the rooms on the rear elevation of the adjacent dwelling. It would also result in significant additional overshadowing over the rear garden of the adjacent house in the late afternoons and evenings during the summer months.

Whilst the single storey rear extension may have been acceptable on its own, it nevertheless exacerbates the visual impact of the proposal when viewed from number 12 Lauriston Grove. The cumulative length of both extensions and the part of the existing dwelling that projects beyond the rear of the adjacent house is approximately 12.3 metres.

The proposal is therefore contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan.

The proposed two storey rear extension would detract from the character and design of the existing dwelling by virtue of its width and shallow roof pitch. This would be at odds with the steeper pitches of the main roof sections and gable features that are a distinct character of the

dwelling. As such, the proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan.

The proposal is therefore contrary to Policies D1 and D14 of the adopted Local Development Plan.

The following comments are made on the points of objection not specifically addressed above. Whilst, as noted, the proposed two storey rear extension detracts from the character and design of the dwelling by virtue of its width and shallow roof pitch, its roof pitch is set slightly below that of the existing dwelling. It is not considered that the proposal would overwhelm the existing dwelling in design terms. The proposal retains adequate rear garden ground and would not therefore be considered to lead to the over-development of the plot.

The Proposed Local Development Plan 2 is a material consideration and with regard to this planning application, the relevant policies are considered to be D1 and D1.1. The aforementioned policies largely reflect the adopted Local Development Plan policies. Consequently, for reasons stated above, it is considered that the proposed works would be contrary to the terms of the relevant policies in the Proposed Local Development Plan.

In conclusion, the proposal is contrary to the terms of Policies D1 and D14 of the adopted East Renfrewshire Local Development Plan. There are no material considerations that indicate the application should not be refused. It is therefore recommended that the application is refused for the reasons set out below.

### **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: i) the cumulative impact of the two storey rear extension; the single storey rear extension; and the existing dwelling would have a significant impact on the visual amenity of the adjacent property to the east given their size and proximity to the site boundary; and ii) the cumulative impact of the proposed two storey rear extension; the single storey rear extension; and the existing dwelling would give rise to a significant degree of overshadowing and loss of daylight towards the adjacent dwelling to the east given their size and proximity to the site boundary.
- 2. The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as the proposed two storey rear extension would detract from the character and design of the existing dwelling by virtue of its size and shallow roof pitch.

## ADDITIONAL NOTES: None.

### ADDED VALUE: None

### **BACKGROUND PAPERS:**

Further information on background papers can be obtained from Mr Derek Scott on 0141 577 3861.

Ref. No.: 2020/0145/TP (DESC)

DATE: 1st July 2020

# DIRECTOR OF ENVIRONMENT

Reference: 2020/0145/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;

- 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.

Proposed Local Development Plan 2

Policy D1

Placemaking and Design

Proposals for development within the urban and rural areas should be well designed, sympathetic to the local area and demonstrate that the following criteria have been considered, and, where appropriate, met. Proposals will be assessed against the 6 qualities of a successful place as outlined in SPP, Designing Streets and the Placemaking and Design Supplementary Guidance.

- 1. The development should not result in a significant loss of character or amenity to the surrounding area;
- 2. The proposal should be appropriate to its location, be high quality and of a size, scale, height, massing and density that is in keeping with the buildings in the locality or appropriate to the existing building and should respect local architecture, building form and design;
- 3. Respect existing building lines and heights of the locality;
- 4. Create a well-defined structure of streets, public spaces and buildings;
- 5. Ensure the use of high quality sustainable and durable materials, colours and finishes that complement existing development and buildings in the locality;
- 6. Respond to and complement site topography and not impact adversely upon the green belt and landscape character, green networks, features of historic interest, landmarks, vistas,skylines and key gateways. Existing buildings and natural features of suitable quality, should be retained and sensitively integrated into proposals including greenspace, trees and hedgerows;
- 7. Boundary treatment and landscaping should create a distinctive edge and gateway to the development and reflect local character;
- 8. Promote permeable and legible places through a clear sustainable movement hierarchy favouring walking, then cycling, public transport, then the private car as forms of movement;
- Demonstrate connectivity through the site and to surrounding spaces via a network of safe, direct, attractive and coherent walking and cycling routes. These must be suitable for all age groups, and levels of agility and mobility to allow for ease of movement from place to place;
- 10. Demonstrate that safe and functional pedestrian, cycle and vehicular access, and parking facilities and infrastructure, including for disabled and visitor parking, is provided in accordance with the Council's Roads Development Guide. Where appropriate, proposals will be required to provide secure and accessible shelters, lockers, showers and seating and be designed to meet the needs of all users. Cycle parking and facilities should be located in close proximity to the entrances of all buildings to provide convenience and choice for users;
- 11. Incorporate integrated and enhance existing green infrastructure assets, such as landscaping,trees and greenspace, water management and SUDs including access and prioritise links to the wider green network as an integral part of the design process from the outset, in accordance with Policies D4 D6. New green infrastructure must be designed to protect and enhance the habitat and biodiversity of the area and demonstrate a net gain;
- 12. There will be a general presumption against all proposals that involve landraising. Where there is a justifiable reason for landraising, proposals must have regard to the scale and visual impact of the resultant changes to the local landscape and amenity. Proposals that

adversely impact upon the visual and physical connections through the site and to the surrounding areas will be resisted;

- 13. Backland development should be avoided;
- 14. Provide safe, secure and welcoming places with buildings and spaces, including open spaces, play areas and landscaping, designed and positioned to reduce the scope for anti-social behaviour and fear of crime, improve natural surveillance, passive overlooking, security and street activity;
- 15. The amenity of residents, occupants and users of neighbouring existing and new buildings and spaces 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 Guidance;
- 16. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the proposal;
- 17. The amenity of residents, occupants and users of neighbouring existing and new buildings and spaces should not be adversely affected by noise, dust, pollution and smell or poor air quality;
- 18. Ensure buildings and spaces are future proof designed to be easily adaptable and flexible to respond to changing social, environmental, technological, digital and economic conditions;
- 19. Incorporate provision for the recycling, storage, collection and composting of waste materials; and
- 20. Incorporate the use of sustainable design and construction methods and materials in the layout and design to support a low carbon economy.

Proposals must meet the requirements of any development brief prepared by the Council for an allocated site.

Further detailed guidance and information will be set out in the Placemaking and Design Supplementary Guidance, Householder Design Supplementary Guidance and the Daylight and Sunlight Design Supplementary Guidance.

# Policy D1.1

Extensions and Alterations to Existing Buildings for Residential Purposes Proposals will be assessed against the following criteria:

- 1. The development should not result in a significant loss of character or amenity to the surrounding area;
- 2. Should complement the scale and character of the existing building, neighbouring properties and their setting, particularly in terms of style, form and materials;
- 3. The size, scale and height of any development must be appropriate to and not adversely impact or dominate the existing building;
- 4. Should not create an unbroken or terraced appearance;
- 5. Where additional bedrooms are proposed or a garage/driveway is being converted to another use other than for the parking of a vehicle, proposals will be required to provide parking in accordance with the Council's Roads Development Guide; and
- 6. Should avoid over-development of the site by major loss of existing front and rear garden space. No more than 50% of the rear garden should be occupied by the development.

Further detailed information and guidance will be set out in the Householder Design Guide Supplementary Guidance.

# GOVERNMENT GUIDANCE: None.

Finalised 01/07/2020.AC.

**APPENDIX 4** 

# **DECISION NOTICE**

# AND

# **REASONS FOR REFUSAL**



# 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. 2020/0145/TP

Applicant: Mrs I I 10 Lauriston Grove Newton Mearns East Renfrewshire G77 6YP

Agent: Graham Mckay 11 Orchard Street Carluke Scotland ML8 5AJ

With reference to your application which was registered on 13th March 2020 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

# Erection of two storey rear extension with single storey rear extension.

## at: 10 Lauriston Grove Newton Meams East Renfrewshire G77 6YP

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: i) the cumulative impact of the two storey rear extension; the single storey rear extension; and the existing dwelling would have a significant impact on the visual amenity of the adjacent property to the east given their size and proximity to the site boundary; and ii) the cumulative impact of the proposed two storey rear extension; the single storey rear extension; and the existing dwelling would give rise to a significant degree of overshadowing and loss of daylight towards the adjacent dwelling to the east given their size and proximity to the site boundary.
- 2. The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as the proposed two storey rear extension would detract from the character and design of the existing dwelling by virtue of its size and shallow roof pitch.

Dated 1 st July 2020

Director of Environment East Renfrewshire Council 2 Spiersbridge Way, Spiersbridge Business Park, Thornliebank, G46 8NG Tel. No. 0141 577 3001 The following drawings/plans have been refused

Plan Description	Drawing Number	Drawing Version	Date on Plan
Location Plan	LOCATION		
Elevations Proposed	L(50)001	01	
Elevations Proposed	L(50)002	01	
Plans Proposed	L(20)002	02	
Plans Proposed	L(20)001	01	
Block Plan Proposed	L(90)002	01	

## GUIDANCE NOTE FOR REFUSAL OF LOCAL DEVELOPMENTS DETERMINED UNDER DELEGATED POWERS

### REVIEW BY EAST RENFREWSHIRE COUNCIL'S LOCAL REVIEW BODY

I. 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. 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



**APPENDIX 5** 

# NOTICE OF REVIEW

# AND

# STATEMENT OF REASONS





Please enter Applicant details         Tife:       Mrs       You must enter a Building Name or Number, or both: *         Other Title:       Building Number:       10         First Name: *       Mohan       Address 1         Company/Organisation       Address 2:	Applicant Details					
Title:       Mts       You must enter a Building Name or Number, or both: *         Other Title:       Building Name:       10         First Name: *       Isabelle       Building Name:       10         Last Name: *       Mohan       Address 1       Lauriston Grove         Company/Organisation       Address 2:       Isabelle         Telephone Number:       Town/City: *       Newton Mearns         Extension Number:       Country: *       UK         Mobile Number:       Country: *       UK         Mobile Number:       Country: *       UK         Mobile Number:       Country: *       G77 6YP         Extension Number:       gmckay-gmdi@lve.co.uk       G77 6YP         Email Address :       gmckay-gmdi@lve.co.uk       G77 6YP         Entersion Softee Stetis       Fax Number:       G77 6YP         Full poskal address of the site (including postcode where available):       Address 1:       ID LAURISTON GROVE         Address 1:       ID LAURISTON GROVE       G77 6YP       G77 6YP         Address 3:       G.       GAGdress Group       GAGress Group         Address 5:       G77 6YP       G77 6YP       G77 6YP         Post Code:       G77 6YP       G77 6YP       GOM						
First Name: * Isabelle   Building Number: 10   Last Name: * Mohan   Address 1 Lauriston Grove   Company/Organisation Address 2:   Telephone Number: * Town/City: *   Newton Mearns Extension Number:   Extension Number: Country: *   Mohile Number: Country: *   Mohile Number: Country: *   Mohile Number: Country: *   Mohile Number: Postcode: *   G77 6VP      Fax Number: gmckay-gmdl@ilve.co.uk      Site Address Details   Planning Authority: East Renfrewshire Council   Full postal address of the site (including postcode where available):   Address 1: 10 LAURISTON GROVE   Address 2: NEWTON MEARNS   Address 3:			You must enter a Bu	ilding Name or Number, or both: *		
First Name: * Isabelle   Building Number: 10   Last Name: * Mohan   Address 1 Lauriston Grove   Company/Organisation Address 2:   Telephone Number: * Town/City: *   Newton Mearns Extension Number:   Extension Number: Country: *   Mohile Number: Country: *   Mohile Number: Country: *   Mohile Number: Country: *   Mohile Number: Postcode: *   G77 6VP      Fax Number: gmckay-gmdl@ilve.co.uk      Site Address Details   Planning Authority: East Renfrewshire Council   Full postal address of the site (including postcode where available):   Address 1: 10 LAURISTON GROVE   Address 2: NEWTON MEARNS   Address 3:	Other Title		Building Name <sup>.</sup>			
First Name: Building Number:   Last Name: Mohan   Address 1: Lauriston Grove   Company/Organisation Address 2:   Company/Organisation Address 2:   Telephone Number: Town/City:   Extension Number: Country:   WK Mohan   Mobile Number: Country:   Postcode: G77 6YP   Fax Number: gmckay-gmdl@ilve.co.uk     Site Address Details   Planning Authority: East Renfrewshire Council   Full postal address of the site (including postcode where available):   Address 1: 10 LAURISTON GROVE   Address 2: NEWTON MEARNS   Address 3:						
Last Name:* Introduction   Company/Organisation Address 2:   Telephone Number: * Town/City:*   Extension Number: Country: *   UK Mobile Number:   Postcode: * G77 6YP   Fax Number:   gmokay-gmdl@live.co.uk    Site Address Details   Planning Authority: East Renfrewshire Council   Full postal address of the site (including postcode where available):   Address 1: 10 LAURISTON GROVE   Address 2: NEWTON MEARNS   Address 3:	First Name: *		1			
Telephone Number: * Town/City: * Newton Mearns   Extension Number: Country: * UK   Mobile Number: Postcode: * G77 6YP   Fax Number: gmckay-gmdl@live.co.uk G77 6YP    Site Address Details  Ful postal address of the site (including postcode where available):  Address 1: <ul> <li>10 LAURISTON GROVE</li> <li>Address 3:</li> <li>MeWTON MEARNS</li> </ul> Address 5: <ul> <li>Country: *</li> <li>GLASGOW</li> <li>Post Code:</li> <li>G77 6YP</li> </ul> Please identify/describe the location of the site or sites <ul> <li>Endentify/describe the location of the site or sites</li> </ul>	Last Name: *	Mohan		Lauriston Grove		
Telephone Number: Extension Number: Extension Number: Country: Mobile Number: Fax Number: Email Address: G77 6YP Site Address Details Planning Authority: East Renfrewshire Council Full postal address of the site (including postcode where available): Address 1: 10 LAURISTON GROVE Address 2: NEWTON MEARNS Address 3: Address 4: Town/City/Settlement: GLASGOW Post Code: G77 6YP Please identify/describe the location of the site or sites	Company/Organisation		Address 2:			
Extension Number: Country: ' G77 6YP Mobile Number: Postcode: ' G77 6YP Fax Number: gmckay-gmdl@live.co.uk  Site Address Details Planning Authority: East Renfrewshire Council Full postal address of the site (including postcode where available): Address 1: 10 LAURISTON GROVE Address 2: NEWTON MEARNS Address 3: Address 5: G77 6YP Please Identify/describe the location of the site or sites	Telephone Number: *		Town/City: *	Newton Mearns		
Nobile Number: Postcode:   Fax Number:   Email Address: gmckay-gmdl@live.co.uk   Site Address Details   Planning Authority: East Renfrewshire Council   Full postal address of the site (including postcode where available):   Address 1: 10 LAURISTON GROVE   Address 2: NEWTON MEARNS   Address 3:	Extension Number:		Country: *	UK		
Email Address: *       gmckay-gmdl@live.co.uk         Site Address Details         Planning Authority:       East Renfrewshire Council         Full postal address of the site (including postcode where available):         Address 1:       10 LAURISTON GROVE         Address 2:       NEWTON MEARNS         Address 3:	Mobile Number:		Postcode: *	G77 6YP		
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Full postal address of the site (including postcode where available):     Address 1:   10 LAURISTON GROVE   Address 2:   NEWTON MEARNS   Address 3:   Address 4:   Address 5:   Town/City/Settlement:   GLASGOW   Post Code:   G77 6YP   Please identify/describe the location of the site or sites   Image: Code image:	Site Address Details					
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Address 2:     Address 3:     Address 4:     Address 5:     Town/City/Settlement:     GLASGOW     Post Code:     G77 6YP   Please identify/describe the location of the site or sites   Image: Code:     Please identify/describe the location of the site or sites	Address 1:	10 LAURISTON GROVE				
Address 4:   Address 5:   Town/City/Settlement:   GLASGOW   Post Code:   G77 6YP   Please identify/describe the location of the site or sites	Address 2:	NEWTON MEARNS				
Address 5:   Town/City/Settlement:   GLASGOW   Post Code:   G77 6YP   Please identify/describe the location of the site or sites	Address 3:					
Town/City/Settlement:       GLASGOW         Post Code:       G77 6YP         Please identify/describe the location of the site or sites	Address 4:					
Post Code: G77 6YP Please identify/describe the location of the site or sites	Address 5:					
Please identify/describe the location of the site or sites	Town/City/Settlement:	GLASGOW				
	Post Code:	G77 6YP				
	Please identify/describe the location of the site or sites					
Northing 656027 Easting 252552	Northing	656027	Easting	252552		

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 two storey rear extension with single storey rear extension.
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 a 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.
With reference to the above Planning application refusal and response to your letter dated 1st July 2020, please find enclosed our response to the refusal reasons received. We believe the proposed design follows closely the Policy D1 and D14 mentioned in the refusal letter and would ask to reconsider the decision based on the submitted justification.
Have you raised any matters which were not before the appointed officer at the time the Section 2010 Yes No Determination on your application was made? *
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 to rely on in support of your review. You can attach these documents electronically later in the			lintend
Planning Refusal response 27072020. L(90)003- Daylight study Planning refusal Location L(EX)001 - Ground Floor Plan L(EX)002 - First Floor Plan L(EX)003 - Ele 1 L(EX)004 - Ele - 01 L(50)002 - 01 Planning refusal		,	01
Application Details			
Please provide the application reference no. given to you by your planning authority for your previous application.	2020/0145/TP		
What date was the application submitted to the planning authority? *	13/03/2020		
What date was the decision issued by the planning authority? *	01/07/2020		
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 i parties only, without any further procedures? For example, written submission, hearing sess Yes No		ourself and o	other
In the event that the Local Review Body appointed to consider your application decides to in	spect the site, in your op	inion:	
Can the site be clearly seen from a road or public land? *			
Is it possible for the site to be accessed safely and without barriers to entry? *	X	Yes 🗌 No	
Checklist – Application for Notice of Review			
Please complete the following checklist to make sure you have provided all the necessary in to submit all this information may result in your appeal being deemed invalid.	formation in support of	/our appeal.	Failure
Have you provided the name and address of the applicant?. *	X Yes 🗆 N	10	
Have you provided the date and reference number of the application which is the subject of t review? $^{\ast}$	his 🛛 Yes 🗌 N	10	
If you are the agent, acting on behalf of the applicant, have you provided details of your nam and address and indicated whether any notice or correspondence required in connection with review should be sent to you or the applicant? *		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? *	X Yes 🗆 N	10	
Note: You must state, in full, why you are seeking a review on your application. Your statemer require to be taken into account in determining your review. You may not have a further opport at a later date. It is therefore essential that you submit with your notice of review, all necessary on and wish the Local Review Body to consider as part of your review.	ortunity to add to your sta	atement of re	eview
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 *	X Yes 🗆 N	10	
Note: Where the review relates to a further application e.g. renewal of planning permission o planning condition or where it relates to an application for approval of matters specified in co application reference number, approved plans and decision notice (if any) from the earlier co	nditions, it is advisable t		

# **Declare – Notice of Review**

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

Mr Graham Mckay

Declaration Name:

Declaration Date: 20/09/2020



27..07.2020

FAO: Andrew J Cahill and Gillian McCarney 2 Spiersbridge Way Spiersbridge Business Park Thornliebank G46 8NG

Dear Andrew J Cahill and Gillian McCarney

#### Reference: 2020/0145/TP Proposal: Erection of two storey rear extension with single storey rear extension. Location: 10 Lauriston Grove Newton Mearns East Renfrewshire G77 6YP

With reference to the above Planning application refusal and response to your letter dated 1<sup>st</sup> July 2020, please find enclosed our response to the refusal reasons received.

We would like to discuss the matter further, therefore please contact myself at your earliest convenience.

Yours faithfully



Joanna McKay for GMDL Architecture

The list of reasons for the Council's planning application refusal decision and GMDL Architectture response as follow:

#### <u>1</u>

The proposal is contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan as: i) the cumulative impact of the two storey rear extension; the single storey rear extension; and the existing dwelling would have a significant impact on the visual amenity of the adjacent property to the east given their size and proximity to the site boundary; and ii) the cumulative impact of the proposed two storey rear extension; the single storey rear extension; and the existing dwelling would give rise to a significant degree of overshadowing and loss of daylight towards the adjacent dwelling to the east given their size and proximity to the site boundary.

#### GMDL Architecture response:

The design followed closely the Policy D1 guidance being in line with the following policy advice as the extension do not dominate or overwhelm the original form or appearance of the house and is subordinate in scale and appearance to the existing house.

Extension is in proportion to the original house and does not exceed 100% of the footprint of the original house. Extensions does not dominate or overwhelm neighbouring properties as it is extended only 2.6m from the existing building mass (Accordingly to the guidance, double story extension should not extend more than 4m from the rear elevation of the existing house and not be within 2 metres of the boundary on a terrace or semi-detached house – which is not).

Extension is not in direct overlooking or overshadowing of neighbouring properties – please see the attached daylight study based on the guidance of 45deg approach.

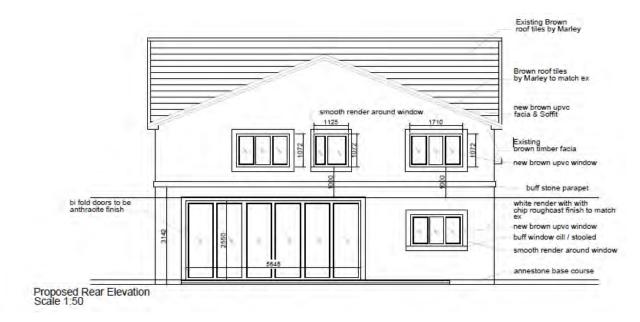


#### <u>2</u>

The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as the proposed two storey rear extension would detract from the character and design of the existing dwelling by virtue of its size and shallow roof pitch.

#### **GMDL** Architecture response:

Double story extension has the same roof pitch design as the existing house. It is extended 2.6m from the existing building mass which has minimal impact on the building size. Please clarify.





**APPENDIX 6** 

# SUPPORTING INFORMATION







### Head of Environment (Chief Planning Officer): Gillian McCarney

2 Spiersbridge Way, Spiersbridge Business Park, Thornliebank, G46 8NG Phone: 0141 577 3001 Fax: 0141 577 3781 DX: 501601 GIFFNOCK

Graham Mckay 11 Orchard Street Carluke Scotland ML8 5AJ

Dear Sir/Madam,

# 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 2008 NOTIFICATION OF DECISION - REFUSAL OF PLANNING PERMISSION

Ref No: 2020/0145/TP

Location: 10 Lauriston Grove Newton Mearns East Renfrewshire G77 6YP Proposal: Erection of two storey rear extension with single storey rear extension.

The Council has decided to refuse your application for the reasons explained on the enclosed decision notice. The stamped refused drawings are available to view and download from the Council's website <u>www.ercplanning.eastrenfrewshire.gov.uk</u> by searching under the application reference number.

If you are aggrieved by the decision, you may appeal or seek a review of the decision. Please see the notes attached to your decision notice for the procedures you should follow and the timescales involved.

If you would like to discuss the reasons for refusal please contact me.

Yours faithfully

Gillian McCarney Head of Environment (Chief Planning Officer)

Encl.

### 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. 2020/0145/TP

## Applicant:

Mrs I I 10 Lauriston Grove Newton Mearns East Renfrewshire G77 6YP Agent: Graham Mckay 11 Orchard Street Carluke Scotland ML8 5AJ

With reference to your application which was registered on 13th March 2020 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

### Erection of two storey rear extension with single storey rear extension.

### at: 10 Lauriston Grove Newton Mearns East Renfrewshire G77 6YP

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: i) the cumulative impact of the two storey rear extension; the single storey rear extension; and the existing dwelling would have a significant impact on the visual amenity of the adjacent property to the east given their size and proximity to the site boundary; and ii) the cumulative impact of the proposed two storey rear extension; the single storey rear extension; and the existing dwelling would give rise to a significant degree of overshadowing and loss of daylight towards the adjacent dwelling to the east given their size and proximity to the site boundary.
- 2. The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as the proposed two storey rear extension would detract from the character and design of the existing dwelling by virtue of its size and shallow roof pitch.

Dated 1st July 2020

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

The following drawings/plans have been refused

Plan Description	Drawing Number	Drawing Version	Date on Plan
Location Plan	LOCATION		
Elevations Proposed	L(50)001	01	
Elevations Proposed	L(50)002	01	
Plans Proposed	L(20)002	02	
Plans Proposed	L(20)001	01	
Block Plan Proposed	L(90)002	01	

# GUIDANCE NOTE FOR REFUSAL OF LOCAL SEVELOPMENTS 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 <u>www.eplanning.scotland.gov.uk</u>. 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

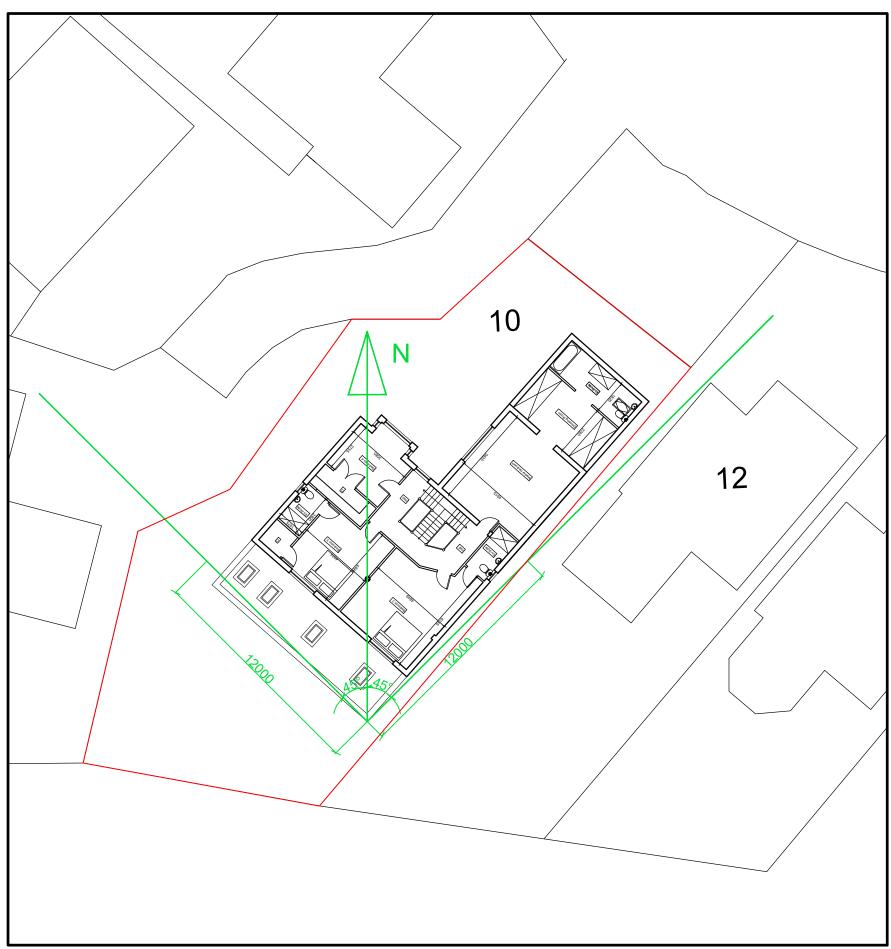




# 10 Lauriston Grove, Newton Mearns, Glasgow, G77 6YP



Map area bounded by: 252480,655956 252622,656098. Produced on 30 October 2019 from the OS National Geographic Database. Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey. © Crown copyright 2019. Supplied by UKPlanningMaps.com a licensed OS partner (100054135). Unique plan reference: p2buk/399894/542541



Date: 27.07.2020 Status: PLANNING

Drawing By

GM

Rev. 00

Drawing No.

L(90)003

<sub>Scale</sub> As Shown @ A3

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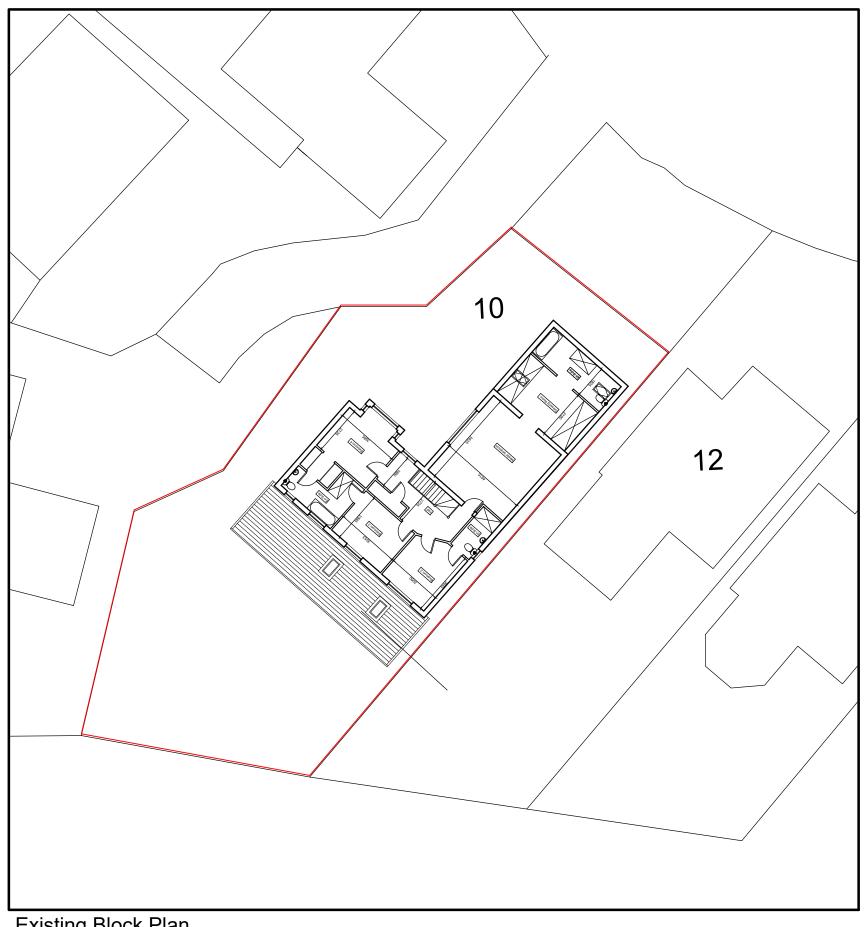
Project Double height rear extension & Internal Alterations

<sup>Client</sup> 10 Lauriston Grove Glasgow G77 6XD

Drawing Daylight Study - 45deg approach Policy D1

# **GMDL ARCHITECTURE**

Rev. Mark. Drawn. Check. Date.



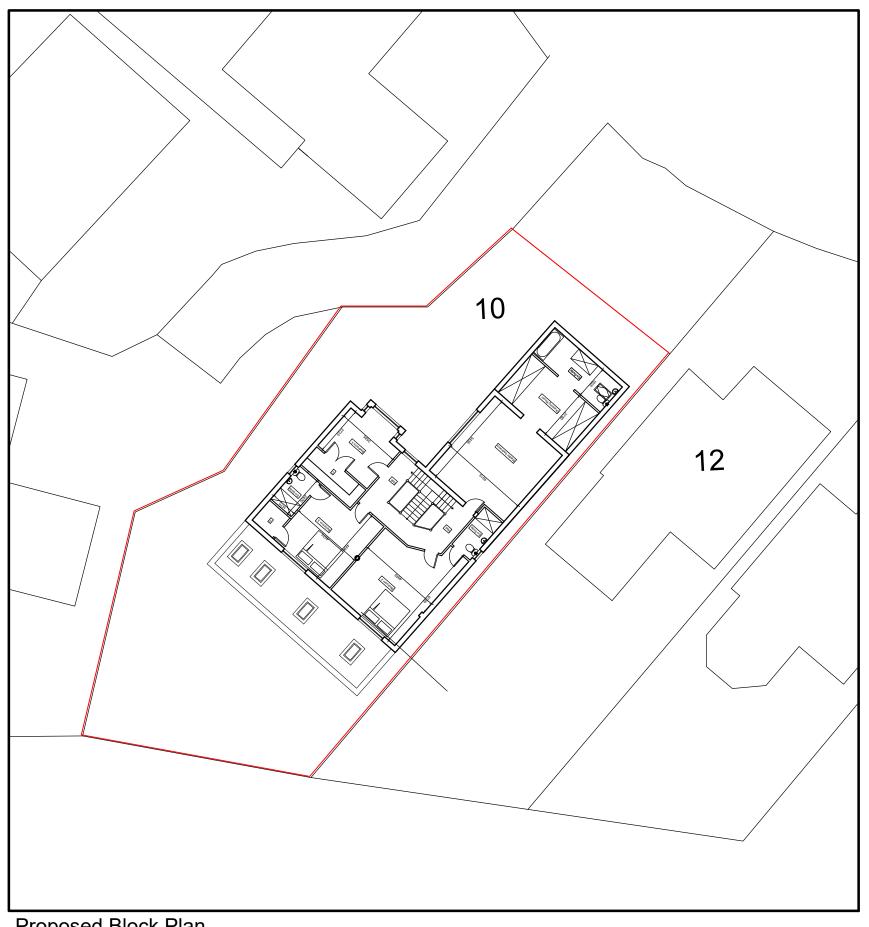
Existing Block Plan Scale 1:200

Drawing Existing Block Plan Client 10 Lauriston Grove Glasgow G77 6XD \_\_\_\_ Proje

Project Double height rear & Internal Alteratio	extension ns	
<sub>Scale</sub>	Drawing By	Drawing No.
As Shown @ A3	GM	L(90)001
Date:	Status:	Rev.
27.08.2019	PLANNING	01

# GMDL ARCHITECTURE

01 1st Floor Plan Added for Planning clarity Rev. Mark. Drawn. Check. Date



Proposed Block Plan Scale 1:200

Drawing Client 10 Lauriston Grove Glasgow G77 6XD

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Scale As S

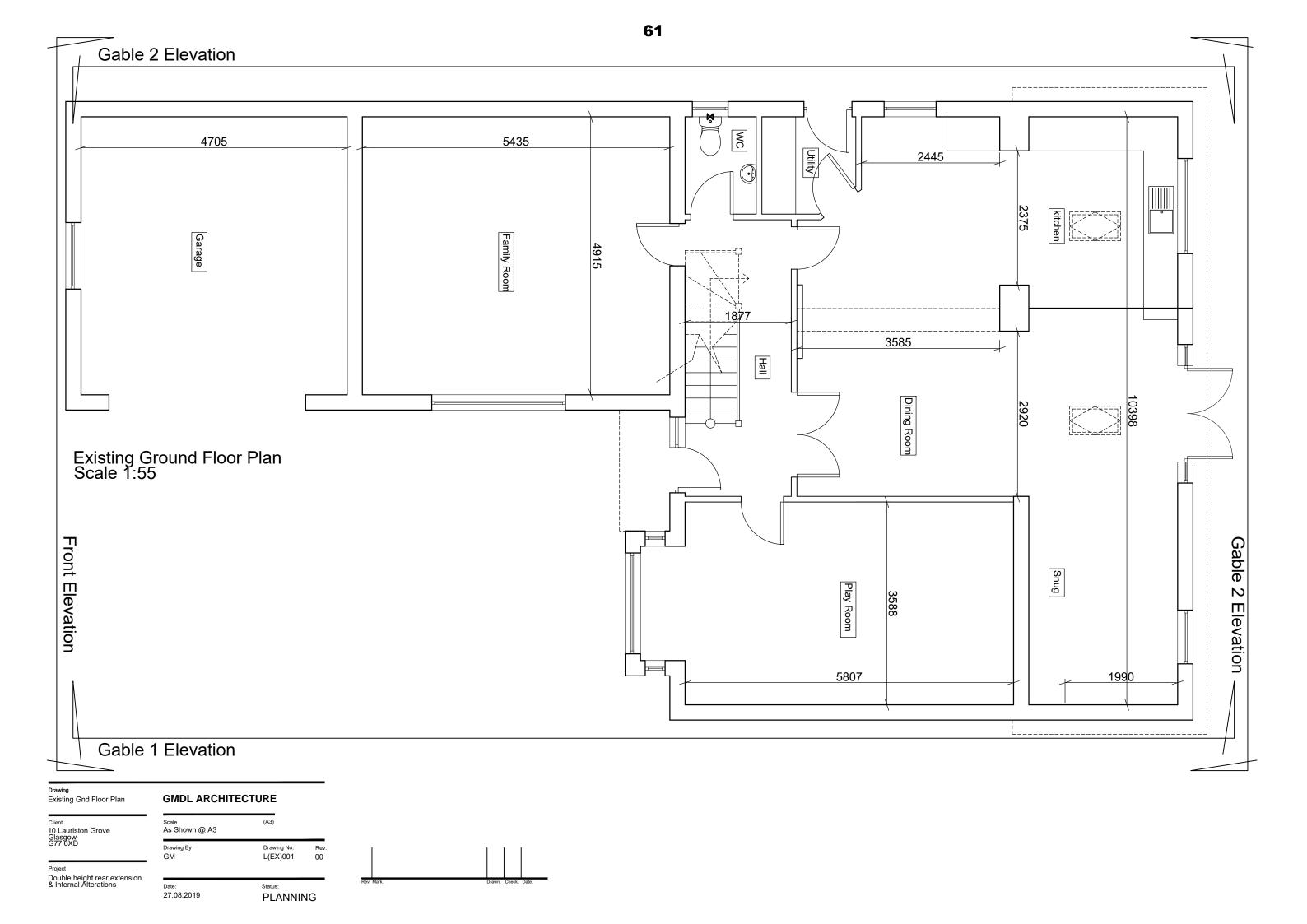
Date: 27.0

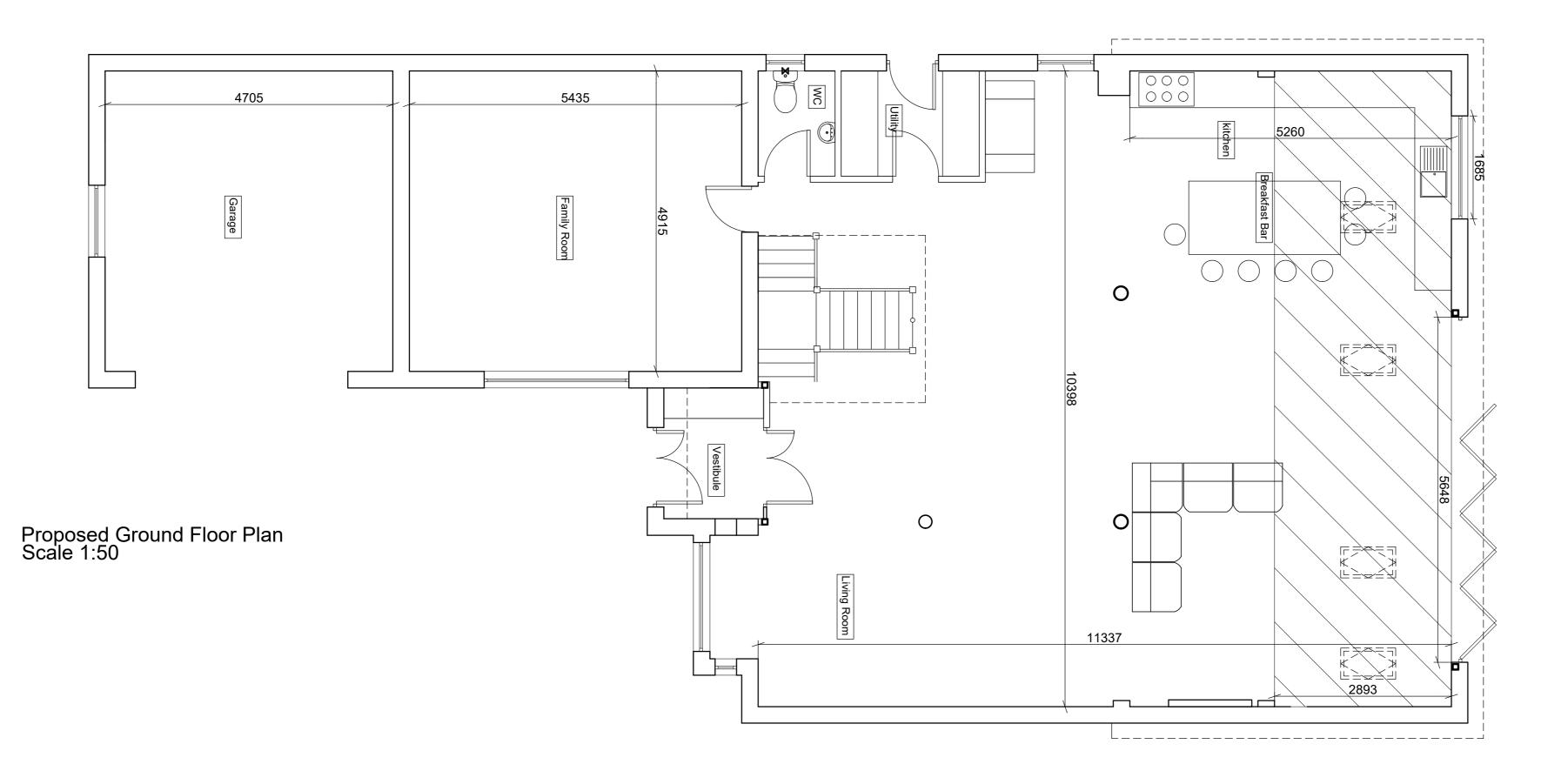
<sup>ect</sup> Ible height rear Iternal Alteration	extension ns	
∍	Drawing By	Drawing No.
Shown @ A3	GM	L(90)002
:	Status:	Rev.
08.2019	PLANNING	01

Proposed Block Plan

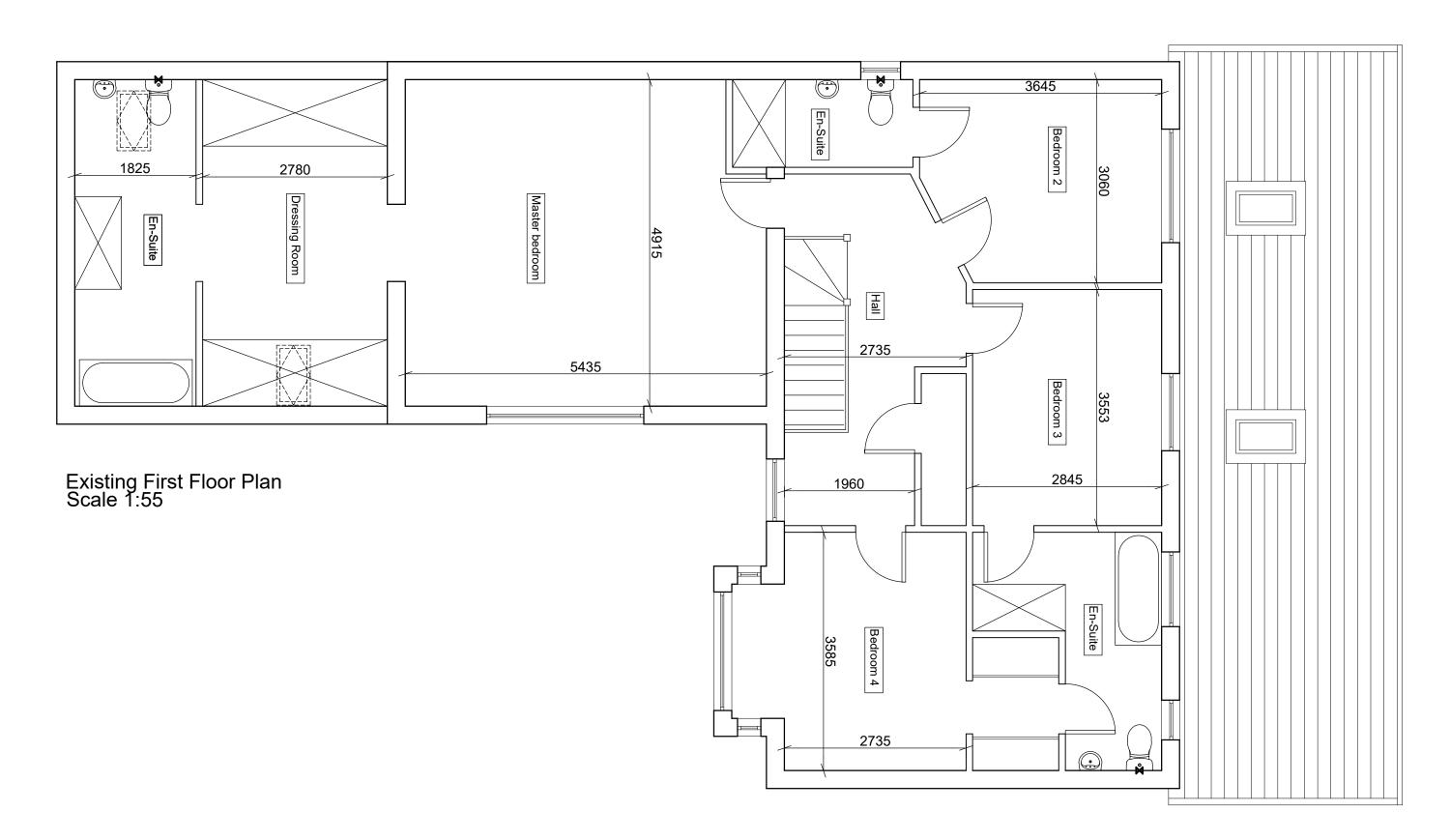
# GMDL ARCHITECTURE

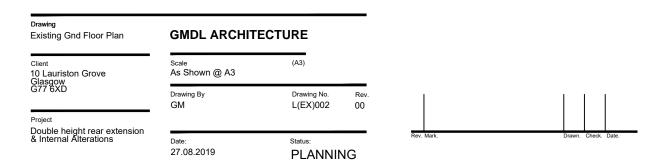
01 1st Floor Plan Added for Planning clarity Rev. Mark. Drawn. Check. Date

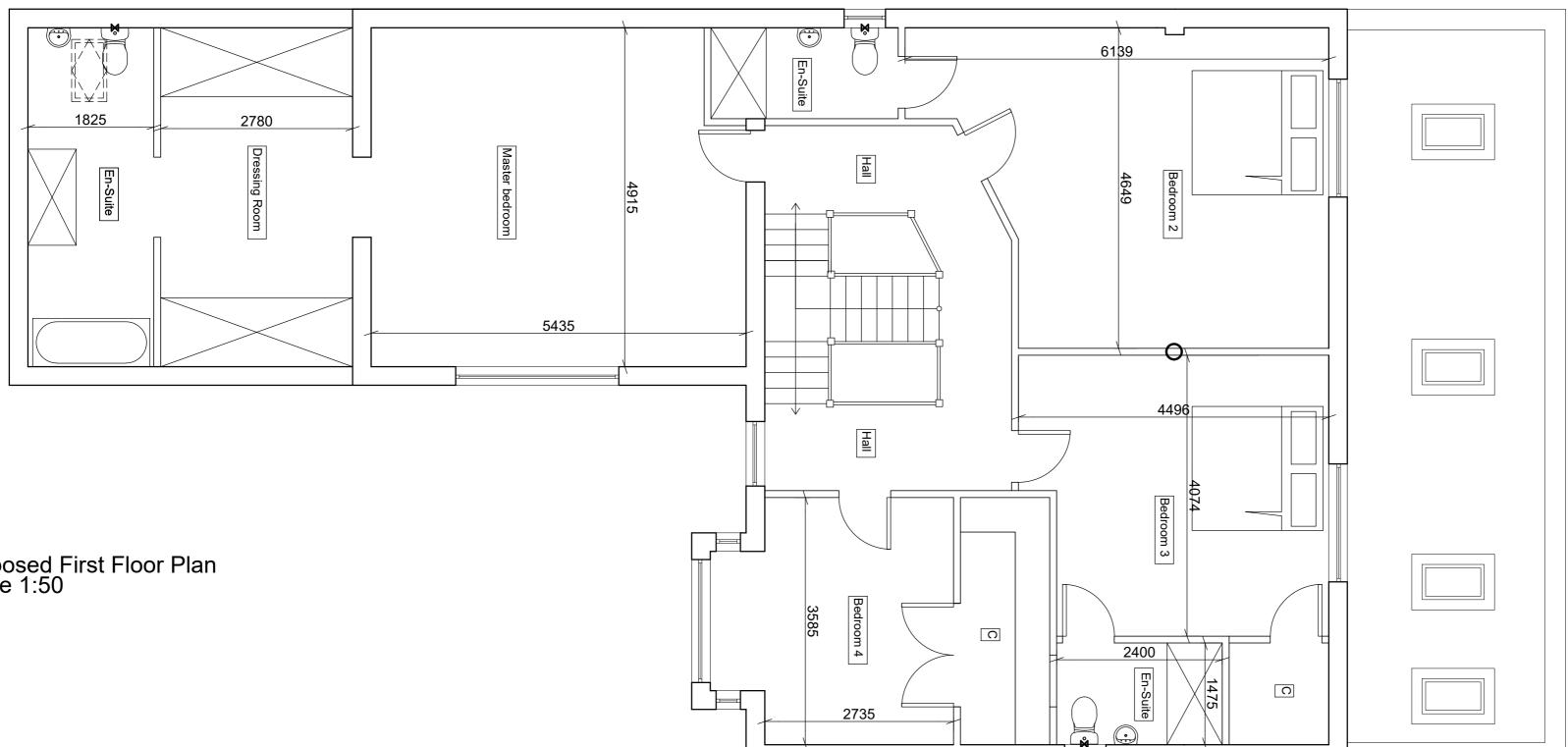




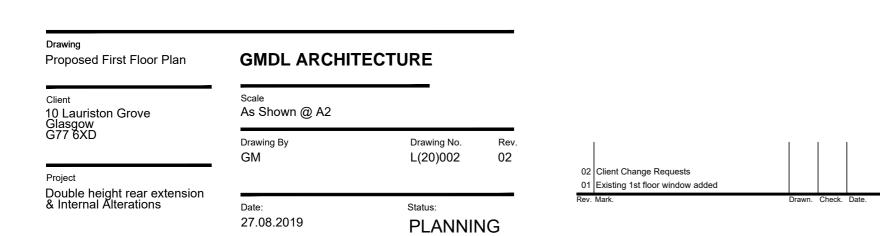
Drawing Proposed Ground Floor Plan	GMDL ARCHITI	ECTURE					
<sup>Client</sup> 10 Lauriston Grove Glasgow	<sub>Scale</sub> As Shown @ A2						
Glasgow G77 6XD	Drawing By GM	Drawing No. L(20)001	Rev. 01				
Project				01 Client Change Requests			
Double height rear extension & Internal Alterations	Date: 27.08.2019	Status: PLANNII	١G	Rev. Mark.	Drawn.	Check.	. Date



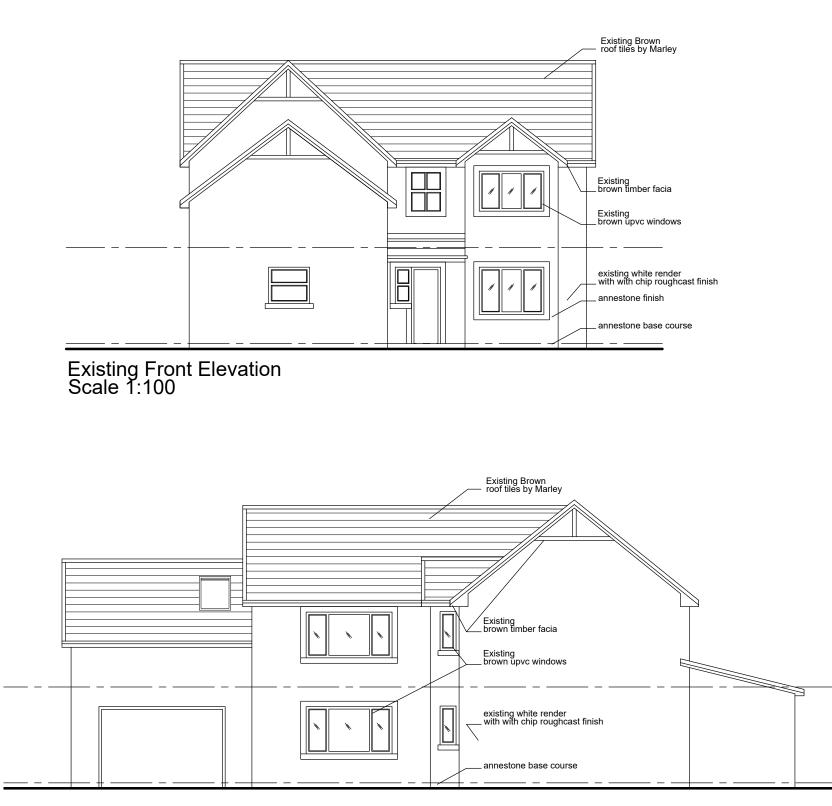


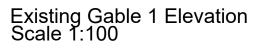


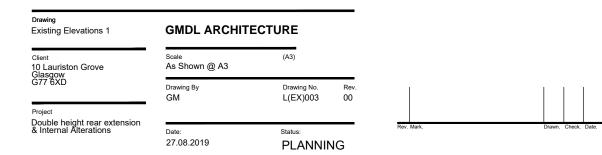
Proposed First Floor Plan Scale 1:50

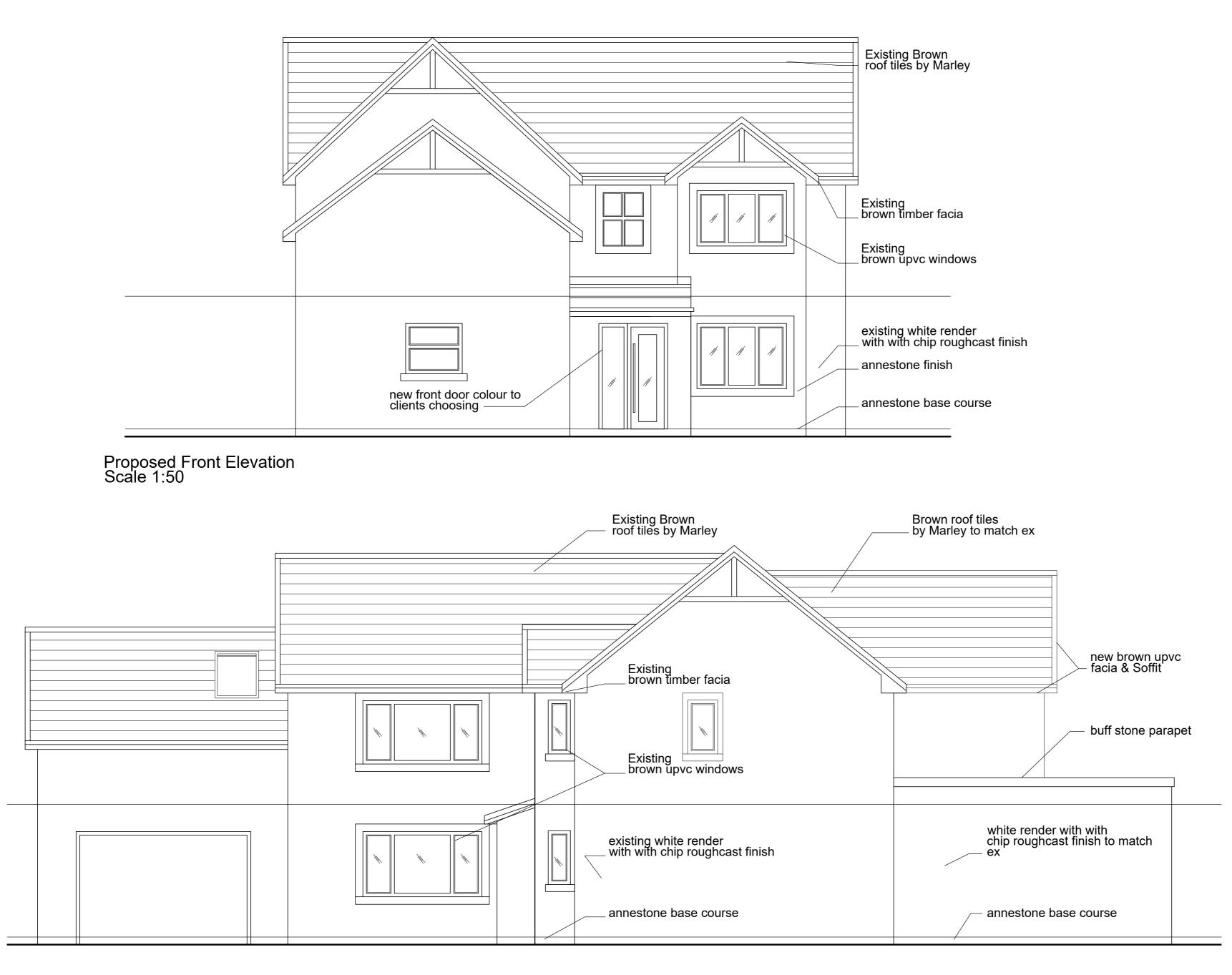


Figured dimensions only are to be taken from this drawing. All dimensions are to be checked on site before any work is put in hand. . . If in doubt, ASK.









Figured dimensions only are to be taken from this drawing. All dimensions are to be checked on site before any work is put in hand. . . If in doubt, ASK.

### 01 Client Change requests Rev. Mark.

# GMDL ARCHITECTURE

Drawing Proposed Elevations 1

Client 10 Lauriston Grove Glasgow G77 6XD

Project

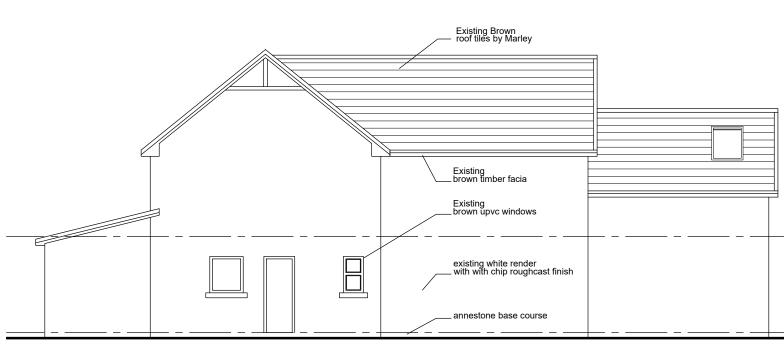
Double height rear extension & Internal Alterations

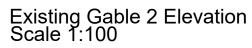
Scale Drawing By As Shown @ A2 GM

Drawing No. L(50)001

Drawn. Check. Date.

Date: Status: Rev. PLANNING 27.08.2019 01



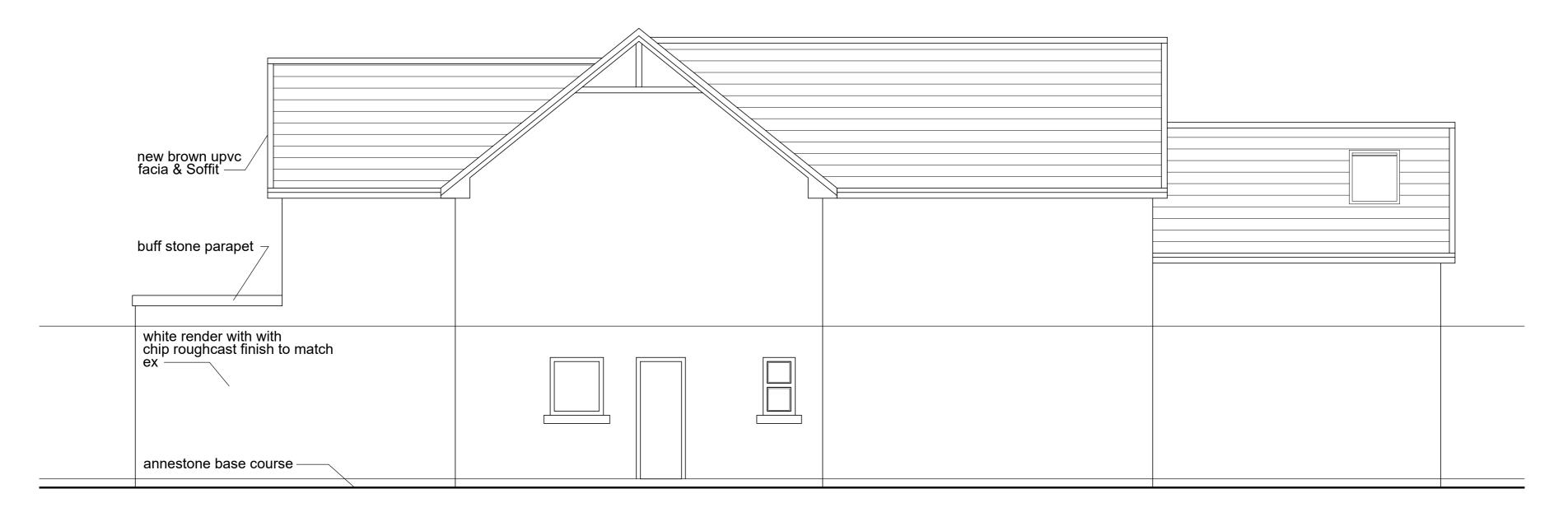




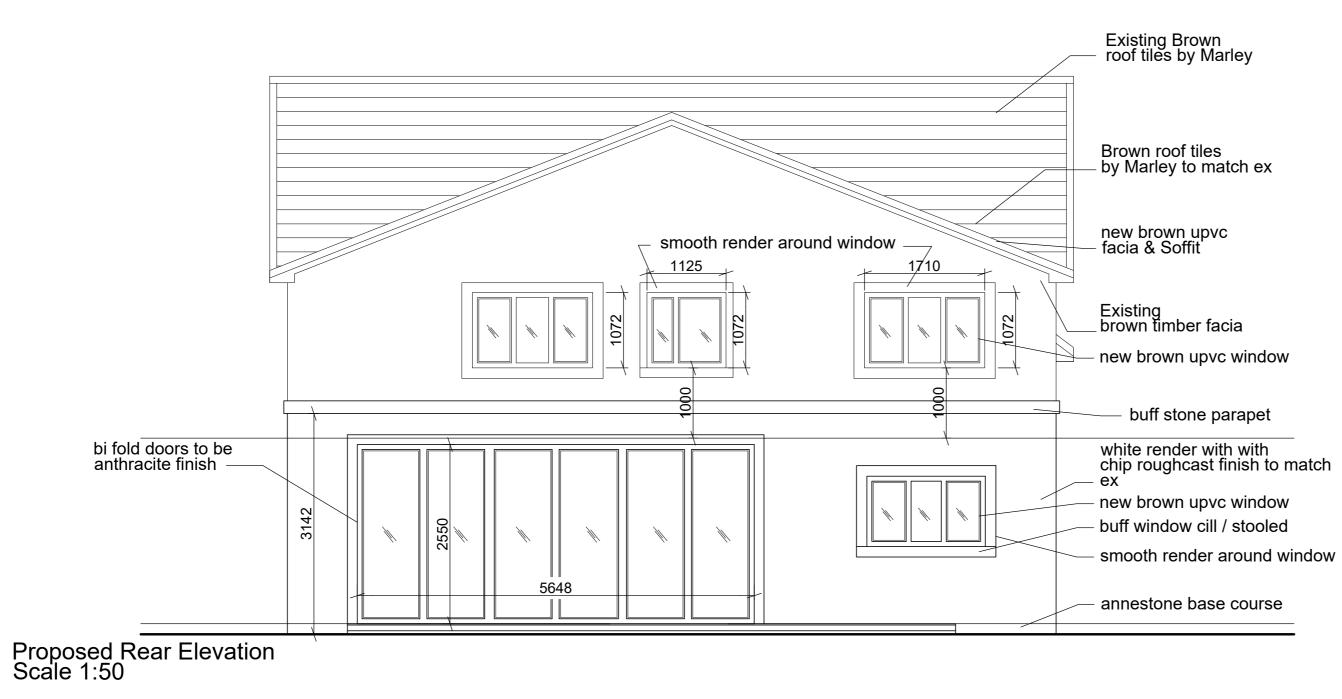








Proposed Gable 2 Elevation Scale 1:50



# 01 Client Change requests Rev. Mark.

# GMDL ARCHITECTURE

Drawn. Check. Date.

Drawing Proposed Elevations 2

<sup>Client</sup> 10 Lauriston Grove Glasgow G77 6XD

Project Double height rear extension & Internal Alterations

Scale	Drawing By	Drawing No.
As Shown @ A2	GM	L(50)002

Date:	Status:	Rev.
27.08.2019	PLANNING	01

## EAST RENFREWSHIRE COUNCIL

## LOCAL REVIEW BODY

## 2 December 2020

### Report by Deputy Chief Executive

# REVIEW OF CASE - REVIEW/2020/13

### SUB-DIVISION OF FEU AND ERECTION OF TWO SEMI-DETACHED DWELLINGHOUSES AT 2 BON ACCORD ROAD, BUSBY

### 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: 2020/0156/TP).		
	Applicant:	Innovate Homes Ltd.		
	Proposal:	Sub-division of feu and erection of 2 semi-detached dwellinghouses		
	Location:	2 Bon Accord Road, Busby.		
	Council Area/Ward:	Clarkston, Netherlee and Williamwood (Ward 4).		

### **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:-
  - (a) to consider whether it has sufficient information to allow it to proceed to determine the review without further procedure and, if so, that it proceeds to determine the application under review; or
  - (b) that in the event that further procedure is required to allow it to determine the review, consider:-
    - 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 (Chief Planning Officer).

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 with came into effect on 3 August 2009 all appeals against decisions made in respect of local developments under delegated powers would be heard by a Local Review Body. The Local Review Body would also deal with cases where the appointed officer had failed to determine an application within two months from the date it was lodged.

### NOTICE OF REVIEW – STATEMENT OF REASONS FOR REQUIRING THE REVIEW

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

**9.** The applicant is entitled to state a preference for the procedure (or combination of procedures) to be followed by the Local Review Body in the determination of the review. The applicant has intimated that in addition to the assessment of the review documents they would like a site visit to be undertaken by the Local Review Body. The reason given for the request is that the site has had shrubs and trees removed which in the applicant's view shows clearly the space available.

**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.** Given the current restrictions that are in place associated with the Covid-19 pandemic it will not possible for members of the Local Review Body to visit the site to carry out their inspection in accordance with the aforementioned decision. As an alternative photographs taken as part of the original assessment of the application by the Planning Service have been circulated in advance of the meeting to members of the LRB. In addition, more recent photographs taken by the LRB's Planning Adviser showing the cleared site have also been circulated.

### 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 73 82);
- (b) Report of Handling by the planning officer Appendix 2 (Pages 83 92);
- (c) Consultation response from Roads with recommended conditions in the event the application was granted Appendix 3 (Pages 93 96);
- (d) Decision notice and reasons for refusal Appendix 4 (Pages 97 100); and
- (e) Applicant's Notice of Review and Statement of Reasons Appendix 5 (Pages 101 108).
- **15.** The applicant has also submitted the following supporting information Appendix 6
  - (a) Drawing 19.229.01A Location Plan (Page 111)
  - (b) Drawing 19.229.02A Site Plan as existing (Page 112)
  - (c) Drawing 19.229.03A Site Plan as proposed (Page 113)
  - (d) Drawing 19.229.04 Floor Plans and elevations as proposed (Page 114)
  - (e) Drawing 19.229.05 Site Sections as proposed (Page 115)

**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 <u>www.eastrenfrewshire.gov.uk/search-planning-applications</u>

### 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:-
  - 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: Eamonn Daly, Democratic Services Manager

email: <u>eamonn.daly@eastrenfrewshire.gov.uk</u> Tel: 07584 116619

Date:- 17 November 2020

**APPENDIX 1** 

## **APPLICATION FORM**





75

2 Spiersbridge Way Thornliebank G46 8NG Tel: 0141 577 3001 Email: 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 100241089-001

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.

### **Type of Application**

What is this application for? Please select one of the following: \*

Application for planning permission (including changes of use and surface mineral working).

Application for planning permission in principle.

Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)

Application for Approval of Matters specified in conditions.

### **Description of Proposal**

Please describe the proposal including any change of use: \* (Max 500 characters)

Proposed erection of new semi-detached dwelling

Is this a temporary permission? *	🗌 Yes 🛛 No		
If a change of use is to be included in the proposal has it already taken place? (Answer 'No' if there is no change of use.) *	🗌 Yes 🔀 No		
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 XAgent

Agent Details				
Please enter Agent details	8			
Company/Organisation:	Thomson Hunter Architects Ltd			
Ref. Number:		You must enter a Bu	uilding Name or Number, or both: *	
First Name: *	Grant	Building Name:	Thomson Hunter Architects Ltd	
Last Name: *	Herron	Building Number:	21	
Telephone Number: *	01563524171	Address 1 (Street): *	Portland Road	
Extension Number:		Address 2:		
Mobile Number:		Town/City: *	Kilmarnock	
Fax Number:		Country: *	Scotland	
		Postcode: *	KA1 2BT	
Email Address: *	grant@thomsonhunter.co.uk			
Is the applicant an individual or an organisation/corporate entity? *				
Individual 🛛 Organisation/Corporate entity				

## **Applicant Details**

Please enter Applicant de	etails		
Title:		You must enter a Bui	Iding Name or Number, or both: *
Other Title:		Building Name:	Beach View
First Name: *		Building Number:	25
Last Name: *		Address 1 (Street): *	Beach Road
Company/Organisation	Innovate Homes Ltd	Address 2:	
Telephone Number: *		Town/City: *	Troon
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	KA10 6XQ
Fax Number:			
Email Address: *			

Site Address Details				
Planning Authority:	East Renfrewshire Council			
Full postal address of the	site (including postcode where availab	le):		
Address 1:	2 BON ACCORD ROAD			
Address 2:	BUSBY			
Address 3:				
Address 4:				
Address 5:				
Town/City/Settlement:	GLASGOW			
Post Code:	G76 8EG			
Please identify/describe t	he location of the site or sites			
Northing	656650	Easting	257730	
Pre-Application	on Discussion			
Have you discussed you	r proposal with the planning authority? *		X Yes No	
Pre-Application Discussion Details Cont.				
In what format was the fe	edback given? *			
	-	Email		
Please provide a descrip agreement [note 1] is cur	tion of the feedback you were given and rently in place or if you are currently dis	d the name of the officer who scussing a processing agreem	provided this feedback. If a processing tent with the planning authority, please	
	his will help the authority to deal with th	is application more efficiently.	)* (max 500 characters)	
Various discussions				
Title:	Miss	Other title:		
First Name:	Fiona	Last Name:	Morrison	
Correspondence Referer Number:	PREAPP/2019/0348	Date (dd/mm/yyyy):	19/02/2020	
	reement involves setting out the key stand from whom and setting timescales fo			

Site Area		
	626.00	
Please state the site area:	020.00	
Please state the measurement type used:	Hectares (ha) X Square Metres (sq.m)	
Existing Use		
Please describe the current or most recent use:	* (Max 500 characters)	
Vacant ground		
Access and Parking		
Are you proposing a new altered vehicle access	a to or from a public road? *	🛛 Yes 🗌 No
, , , , , , , , , , , , , , , , , , , ,	ngs the position of any existing. Altered or new access p	
, , , , , , , , , , , , , , , , , , , ,	isting footpaths and note if there will be any impact on the	
Are you proposing any change to public paths,	public rights of way or affecting any public right of acces	ss? * 🗌 Yes 🛛 No
	on of any affected areas highlighting the changes you pr	opose to make, including
arrangements for continuing or alternative publi	c access.	
How many vehicle parking spaces (garaging ar Site?	d open parking) currently exist on the application	0
How many vehicle parking spaces (garaging ar Total of existing and any new spaces or a reduc	d open parking) do you propose on the site (i.e. the ced number of spaces)? *	4
Please show on your drawings the position of e types of vehicles (e.g. parking for disabled peop	xisting and proposed parking spaces and identify if thes ole, coaches, HGV vehicles, cycles spaces).	e are for the use of particular
Water Supply and Draina	ge Arrangements	
Will your proposal require new or altered water	supply or drainage arrangements? *	X Yes 🗌 No
Are you proposing to connect to the public drain	nage network (eg. to an existing sewer)? *	
Yes – connecting to public drainage netwo	rk	
No – proposing to make private drainage a	irrangements	
Not Applicable – only arrangements for wa	ter supply required	
Do your proposals make provision for sustainat (e.g. SUDS arrangements) *	ole drainage of surface water?? *	Ves X No
Note:-		
Please include details of SUDS arrangements of	on your plans	

Are you proposing to connect to the public water supply network? *	
No, using a private water supply	
If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).	
Assessment of Flood Risk	
Is the site within an area of known risk of flooding? *	o 🗌 Don't Know
If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your app determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required	
Do you think your proposal may increase the flood risk elsewhere? *	o 🗌 Don't Know
Trees	
Are there any trees on or adjacent to the application site? *	es 🗌 No
If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal s any are to be cut back or felled.	site and indicate if
Waste Storage and Collection	
Do the plans incorporate areas to store and aid the collection of waste (including recycling)? *	es 🛛 No
If Yes or No, please provide further details: * (Max 500 characters)	
Hard standing at street edge	
Residential Units Including Conversion	
Deep your proposal include new or additional bouses and/or flate2 *	es 🗆 No
Does your proposal include new or additional houses and/or flats? *	
How many units do you propose in total? * 2	
Please provide full details of the number and types of units on the plans. Additional information may be provided in a significant set of the number and types of units on the plans.	supporting
statement.	
All Types of Non Housing Development – Proposed New Floors	space
Does your proposal alter or create non-residential floorspace? *	es 🛛 No
Schedule 3 Development	
Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013 *	Don't Know
If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. A authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice of fee and add this to your planning fee.	
If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Te notes before contacting your planning authority.	ext and Guidance

Planning Servic	ce Employee/Elected Member Interest		
Is the applicant, or the applic elected member of the plann	ant's spouse/partner, either a member of staff within the planning service or an ing authority? *	Yes X No	
Certificates and	l 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 sol	e owner of ALL the land? *	X Yes No	
Is any of the land part of an a	agricultural holding? *	Yes X No	
Certificate Required			
The following Land Ownersh	ip 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	ch the application relates constitutes or forms part of an agricultural holding		
Signed: Grant He	erron		

On behalf of: Innovate Homes Ltd

Date: 09/03/2020

Please tick here to certify this Certificate. \*

Checklist – Application for Planning Permission
Town and Country Planning (Scotland) Act 1997
The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013
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) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *
b) If this is an application for planning permission or planning permission in principal where there is a crown interest in the land, have you provided a statement to that effect? *
Yes No X Not applicable to this application
c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *
Town and Country Planning (Scotland) Act 1997
The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013
d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *
Yes No X Not applicable to this application
<ul> <li>e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *</li> <li>Yes No X Not applicable to this application</li> </ul>
f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *
Yes No X Not applicable to this application
g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:
Site Layout Plan or Block plan.
Elevations.
Floor plans.
Cross sections.
🔀 Roof plan.
Master Plan/Framework Plan.
Landscape plan.
Photographs and/or photomontages.
Other.
If Other, please specify: * (Max 500 characters)

### Provide copies of the following documents if applicable: Yes X N/A A copy of an Environmental Statement. \* Yes X N/A A Design Statement or Design and Access Statement. \* Yes X N/A A Flood Risk Assessment. \* Yes X N/A A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). \* Yes X N/A Drainage/SUDS layout. \* Yes X N/A A Transport Assessment or Travel Plan Yes X N/A Contaminated Land Assessment. \* Yes X N/A Habitat Survey. \* Yes X N/A A Processing Agreement. \* Other Statements (please specify). (Max 500 characters)

### **Declare – For Application to Planning Authority**

09/03/2020

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Grant Herron

Declaration Date:

### **Payment Details**

Pay Direct

Created: 09/03/2020 14:51

**APPENDIX 2** 

## **REPORT OF HANDLING**



## **REPORT OF HANDLING**

Reference: 2020/0156/TP

Date Registered: 27th March 2020

Application Type: Full Planning Permission

This application is a Local Development

Ward:	4 -Clarkston, Netherlee And Williamwood		
Co-ordinates:	257730/:656650		
Applicant/Agent:	Applicant:	Agent:	
	Innovate Homes Ltd	Grant Herron	
	Beach View	21 Portland Road	
	25 Beach Road	Kilmarnock	
	Troon	KA1 2BT	
	KA10 6XQ		
Proposal:	Sub-division of feu and erection of two	semi-detached dwellinghouses	
Location:	2 Bon Accord Road		
	Busby		
	East Renfrewshire		
	G76 8EG		

### CONSULTATIONS/COMMENTS:

East Renfrewshire Council Roads Service – No objections

- PUBLICITY: None.
- SITE NOTICES: None.

SITE HISTORY:

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

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

### **SUPPORTING REPORTS:**

### ASSESSMENT:

The application site is an area of overgrown land located at the junction of Bon Accord Road and Bull Road, Busby. The site is garden ground previously associated with one of the adjacent flats in Bon Accord Road. It is generally triangular in shape; narrow at the front and widening towards the rear.

The external long side boundary of the site is bound by Bull Road which narrows to a lane beyond Bon Accord Road as it drops towards Main Street. The site is therefore elevated from Bull Road by a stone retaining wall topped by trees and shrubs. The boundary treatment between the site and the neighbouring donor flats is defined by sporadic hedging.

The immediate area as you approach the front of the site is dominated by two storey cottage flats set out in a regular street pattern.

Planning permission is sought for the erection of two semi-detached villas. The proposed villas comprising pitched roofs and a shared gabled front projection would extend over two storeys each measuring approximately 5.5m in width and 11.2m in depth. Each house has a footprint of approximately 55sqm and the overall height to roof ridge is approximately 8.4m.

The accommodation for each house would comprise a family room, kitchen/dining area and shower room on the lower floor and three bedrooms, one with en-suite bathroom and a further family bathroom on the upper floor.

The proposed external finishes are smooth white render, buff facing brick, timber cladding and grey roof tiles, windows and doors.

Two car parking spaces would be provided at the front of each house in a parking court accessed by way of a shared driveway from the corner Bull Road.

The proposal requires to be assessed with regard to Policies D1,D2 and D15 of the adopted East Renfrewshire Local Development Plan in addition to the (SPG) Supplementary Planning Guidance - Green Network and Environmental Management associated with Policy D7.

Policy D1 requires that all development should not result in a significant loss of character or amenity to the surrounding area; the proposal should be of a size, scale and massing in keeping with the buildings in the locality and should respect local architecture, building form, design and materials; the amenity of neighbouring properties should not be adversely affected; and the Council's access and parking requirements should be met.

Policy D2 states that development will be supported within the general urban area where compatible with the character and amenity of the locality and where it complies with other appropriate policies of the plan.

Policy D15 states that any new house must reflect the scale and character of the surrounding residences and the established pattern of development in the area, respect existing building lines and should be designed to contribute towards the visual character of the area.

Noting these policy terms the area as you approach the site from the south along Bull Road is characterised by blocks of cottage flats with generous gardens and wide separation between the blocks. The site is formerly garden ground associated with these flats.

As noted above, the site is elevated the proposed houses will sit approximately 2m higher than Bull Road at their front and in excess of 2.5m higher at the rear. The proposed houses are set further back than the flatted blocks to the extent that addresses neither Bon Accord nor Bull Road. This siting will mean the aspect from Bull Road on approaching the site from the front would be incongruous due to the marked change of house type and its prominent elevated position on a narrow fronted site.

This incongruous siting has been selected to address off street parking which will be accommodated in a courtyard in front of the houses. The parking area will dominate the front of the site and the corner with Bull Road.

It is considered that the proposed houses would be a visually dominant addition to the streetscape that would give the impression of the proposal having being "shoe horned" into the site. This would be in sharp contrast to the established character of the area where as outlined above the properties are set in a regular street pattern with consistent building lines and have generous gardens with good separation between them. It is considered that this constrained

layout of an over-dominant design in an elevated site with limited setting occupied by car parking would be detrimental to the character and visual amenity of the area.

The proposal raises no significant issues in terms of overshadowing however the contrived siting of the houses at an angle behind the existing cottage flats has an impact on the donor cottage flats at No 2 and 4 existing Bon Accord Road. The distance of approximately 4m from the shared boundary and less than 10m from proposed House No 2 to the rear elevation of the flats will be an oppressive and enclosing impact to a degree that is considered detrimental impact on the amenity of the flats.

In addition House No 2 will have views from a lower floor family room and upper floor bedroom towards the rear elevation of these immediately adjacent flats and associated garden ground. The separation distance off the common boundary with the neighbouring properties is not considered to be sufficient to mitigate against this impact. It is considered that the proposal would result in adverse overlooking of the adjacent properties to the detriment of neighbouring amenity.

As a result of the site being elevated in addition to proximity to side boundaries the proposed houses would be a visually dominant addition to the streetscape that would give the impression of the proposal having being "shoe horned" into the site. This would be in sharp contrast to the established character of the area where properties have generous settings within established plots.

With regard to the proposed parking the Councils Roads service has confirmed that this arrangement is acceptable in road safety terms. This notwithstanding the parking court is indicative of the constrained nature of the development adding to the impression that the proposal is overdeveloped.

Taking the above into account the proposal is considered to be contrary to Policies D1, of the adopted East Renfrewshire Local Development Plan by reason of its unsympathetic siting scale and design.

In particular regard to Policy D15 it is considered that the proposal again by reason of its elevated, prominent siting, scale and proximity to the adjacent flatted block does not reflect the character of the area and pattern of development. Indeed it will have a detrimental impact on that character.

There is one pair of semi-detached houses in close proximity to the site they are an exception. They also sit at a much lower elevation and a larger set back from Bull Road.

In conclusion, the proposal is contrary to Policies D1, and D15 of the adopted East Renfrewshire Local Development Plan. There are no material considerations that are considered to outweigh these policies. It is recommended that the application be refused.

### **RECOMMENDATION:** Refuse

### PLANNING OBLIGATIONS: None.

REASON(S):

Reason: The proposal is contrary to Policies D1 of the adopted East Renfrewshire Local Development Plan as the proposed dwellinghouses would be a dominant and incongruous addition to the streetscape, they would, due to proximity, constitute a close and overbearing feature towards the adjacent properties at 2 and 4 Bon Accord Road and would give rise to significant additional overlooking over the adjacent garden associated with the properties all to the detriment of residential and visual amenity.

Reason: The proposal is contrary to Policy D15 of the adopted East Renfrewshire Local Development Plan as the proposed dwellinghouses by reason of their elevated, prominent siting, scale and proximity to the adjacent flatted block do not reflect the character of the area and the established pattern of development and as a result will have a detrimental visual impact on the character of the wider area.

### ADDITIONAL NOTES: None.

### ADDED VALUE: None.

### **BACKGROUND PAPERS:**

Further information on background papers can be obtained from Ms Fiona Morrison on 0141 577 3861.

Ref. No.: 2020/0156/TP (FIMO)

DATE: 17th August 2020

### DIRECTOR OF ENVIRONMENT

Reference: 2020/0156/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;
- Parking and access requirements of the Council should be met in all development and appropriate mitigation measures should be introduced to minimise the impact of new development. Development should take account of the principles set out in 'Designing Streets';
- 10. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the development;
- 11. Developments should include provision for the recycling, storage, collection and composting of waste materials;
- 12. Where possible, all waste material arising from construction of the development should be retained on-site for use as part of the new development;
- 13. Where applicable, new development should take into account the legacy of former mining activity;
- 14. Development should enhance the opportunity for and access to sustainable transportation, including provision for bus infrastructure, and particularly walking and cycle opportunities including cycle parking and provision of facilities such as showers/lockers, all where appropriate. The Council will not support development on railways solums or other development that would remove opportunities to enhance pedestrian and cycle access unless mitigation measures have been demonstrated;
- 15. The Council requires the submission of a design statement for national and major developments. Design statements must also be submitted in cases where a local development relates to a site within a conservation area or Category A listed building in line with Planning Advice Note 68: Design Statements.
- 16. Where applicable, developers should explore opportunities for the provision of digital infrastructure to new homes and business premises as an integral part of development.

### Policy D2

### General Urban Areas

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

Policy D15

Sub-division of the Curtilage of a Dwellinghouse for a New Dwellinghouse and Replacement of an Existing House with a New House

The proposed plot should reflect the established pattern of development and should be of a size and shape capable of accommodating a dwellinghouse. There should also be sufficient land to provide garden ground that is of a scale and character compatible with the locality.

Any new house must reflect the scale and character of the surrounding residences and the established pattern of development in the area. It should be designed to contribute to the visual character of the area.

Existing building lines should be respected.

Development should provide safe vehicular access and parking in accordance with the Council's roads and parking standards.

### Proposed Local Development Plan 2

Policy D1

Placemaking and Design

Proposals for development within the urban and rural areas should be well designed, sympathetic to the local area and demonstrate that the following criteria have been considered, and, where appropriate, met. Proposals will be assessed against the 6 qualities of a successful place as outlined in SPP, Designing Streets and the Placemaking and Design Supplementary Guidance.

- 1. The development should not result in a significant loss of character or amenity to the surrounding area;
- 2. The proposal should be appropriate to its location, be high quality and of a size, scale, height, massing and density that is in keeping with the buildings in the locality or appropriate to the existing building and should respect local architecture, building form and design;
- 3. Respect existing building lines and heights of the locality;
- 4. Create a well-defined structure of streets, public spaces and buildings;
- 5. Ensure the use of high quality sustainable and durable materials, colours and finishes that complement existing development and buildings in the locality;
- 6. Respond to and complement site topography and not impact adversely upon the green belt and landscape character, green networks, features of historic interest, landmarks, vistas,skylines and key gateways. Existing buildings and natural features of suitable quality, should be retained and sensitively integrated into proposals including greenspace, trees and hedgerows;
- 7. Boundary treatment and landscaping should create a distinctive edge and gateway to the development and reflect local character;
- 8. Promote permeable and legible places through a clear sustainable movement hierarchy favouring walking, then cycling, public transport, then the private car as forms of movement;
- 9. Demonstrate connectivity through the site and to surrounding spaces via a network of

safe, direct, attractive and coherent walking and cycling routes. These must be suitable for all age groups, and levels of agility and mobility to allow for ease of movement from place to place;

- 10. Demonstrate that safe and functional pedestrian, cycle and vehicular access, and parking facilities and infrastructure, including for disabled and visitor parking, is provided in accordance with the Council's Roads Development Guide. Where appropriate, proposals will be required to provide secure and accessible shelters, lockers, showers and seating and be designed to meet the needs of all users. Cycle parking and facilities should be located in close proximity to the entrances of all buildings to provide convenience and choice for users;
- 11. Incorporate integrated and enhance existing green infrastructure assets, such as landscaping, trees and greenspace, water management and SUDs including access and prioritise links to the wider green network as an integral part of the design process from the outset, in accordance with Policies D4 D6. New green infrastructure must be designed to protect and enhance the habitat and biodiversity of the area and demonstrate a net gain;
- 12. There will be a general presumption against all proposals that involve landraising. Where there is a justifiable reason for landraising, proposals must have regard to the scale and visual impact of the resultant changes to the local landscape and amenity. Proposals that adversely impact upon the visual and physical connections through the site and to the surrounding areas will be resisted;
- 13. Backland development should be avoided;
- 14. Provide safe, secure and welcoming places with buildings and spaces, including open spaces, play areas and landscaping, designed and positioned to reduce the scope for anti-social behaviour and fear of crime, improve natural surveillance, passive overlooking, security and street activity;
- 15. The amenity of residents, occupants and users of neighbouring existing and new buildings and spaces 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 Guidance;
- 16. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the proposal;
- 17. The amenity of residents, occupants and users of neighbouring existing and new buildings and spaces should not be adversely affected by noise, dust, pollution and smell or poor air quality;
- 18. Ensure buildings and spaces are future proof designed to be easily adaptable and flexible to respond to changing social, environmental, technological, digital and economic conditions;
- 19. Incorporate provision for the recycling, storage, collection and composting of waste materials; and
- 20. Incorporate the use of sustainable design and construction methods and materials in the layout and design to support a low carbon economy.

Proposals must meet the requirements of any development brief prepared by the Council for an allocated site.

Further detailed guidance and information will be set out in the Placemaking and Design Supplementary Guidance, Householder Design Supplementary Guidance and the Daylight and Sunlight Design Supplementary Guidance.

Policy D2:

General Urban Areas

Development will be supported within the general urban areas, shown on the Proposals Map. Proposals will be required to demonstrate that the proposed development is appropriate in terms of its location and scale and will not result in a significant loss of character or amenity to the surrounding area. Proposals must also comply with appropriate policies of the Proposed Plan.

Policy D1.2

Residential Sub-division and Replacement

Proposals will be assessed against the following criteria:

- 1. Reflect the scale and character of the surrounding residences and the established pattern of development in the area;
- 2. Should be of a size and shape capable of accommodating a residential property and compatible with the locality;
- 3. There should be sufficient land to provide garden ground that is of a scale and character compatible with the locality for the proposed and donor properties;
- 4. Provide safe vehicular access and parking for the proposed and donor properties;
- 5. Not adversely impact upon the setting of the donor property; and
- 6. Respect existing building lines.

### **GOVERNMENT GUIDANCE:** None

Finalised 17/08/2020.AC.

**APPENDIX 3** 

## CONSULTATION RESPONSE FROM ROADS SERVICE



# Roads **95** ervice OBSERVATIONS ON PLANNING APPLICATION

Our Ref: 2020/0156/TP

D.C Ref: Miss Fiona Morrison

Contact: Mr Allan Telfer

Planning Application No:<br/>Applicant:2020/0156/TPDated:02.04.2020Received:02.04.2020Innovate Homes LtdInnovate Homes LtdSub-division of feu and erection of two semi-detached dwellinghouses2 Bon Accord Road, BusbyType of Consent:Full Planning Permission

### **RECOMMENDATION:**

No Objections Subject to Conditions

N/A N/A

N/A

Proposals Acceptable Y/N or N/A

Proposals Acceptable Y/N or N/A

Proposals Acceptable Y/N or N/A

### 1. General

(a) General principle of development	Y
(b) Safety Audit Required	Y
(c) Traffic Impact Analysis Required	N

### 2. Existing Roads

(a) Type of Connection	Y
(junction / footway crossing)	
(b) Location(s) of Connection(s)	Y
(c) Pedestrian Provision	N/A
(d) Sightlines (2.5m x 90m x 1.05m)	Ν

3. New Roads	
(a) Widths	
(b) Pedestrian Provision	
(c) Layout (horizontal/vertical alignment)	

(d) Turning Facilities	
(Circles / hammerhead)	N/A
(e) Junction Details	N/A
(locations / radii / sightlines)	INA
(f) Provision for P.U. services	N/A

### 4. Servicing & Car Parking

(a) Drainage	Ν
(b) Car Parking Provision	Y
(c) Layout of parking bays	Y
(d) Servicing Arrangements	N/A

### 5. Signing

(a) Location	N/A
(b) Illumination	N/A

	COMMENTS
2(a)	A footway crossover will be required in order to provide access to the proposed development
	A Road opening permit will be required in order to construct the access.
2(d)	The required visibility splay where the proposed access meets Bull Road is 2.5 x 25m in both the primary and secondary directions with no interference allowed within the splay above a height of 1.05m. In the interests of road safety, this visibility splay must be maintained in perpetuity.
4(a)	Surface water run-off from the development site must be contained and not permitted to issue onto the public road.
4(b & c)	It is noted from drawing 19.229.03A that 4 parking spaces are to be provided and the layout of the parking area would permit vehicles to enter and exit in a forward gear which is acceptable.
	<u>Miscellaneous</u>
	In the interest of road safety landscaping, both existing and proposed, should be carefully examined such as to ensure that it does not compromise relevant visibility splays. Future, short and long term maintenance of any landscaped areas should also be considered.



During all phases associated with delivering the Solosed development, all vehicles associated with the development must be parked within the site and not parked on the public road network. This is to prevent adjacent public roads from being obstructed.

When any works are taking place within the site, the adjacent public road network must be kept free from deleterious materials at all times.

	CONDITIONS
2(d)	The required visibility splay where the proposed access meets Bull Road is 2.5 x 25m in both the primary and secondary directions with no interference allowed within the splay above a height of 1.05m. In the interests of road safety, this visibility splay must be maintained in perpetuity.
4(a)	Surface water run-off from the development site must be contained and not permitted to issue onto the public road.

### Notes for Intimation to Applicant:

(i) Construction Consent (S21)*	Not Required
(ii) Road Bond (S17)*	Not Required
(iii) Road Opening Permit (S56)*	Required

\* Relevant Section of the Roads (Scotland) Act 1984

Comments Authorised By: John Marley Date: 01/06/20 pp Roads and Transportation Controller



**APPENDIX 4** 

## **DECISION NOTICE**

## AND

**REASONS FOR REFUSAL** 



### 99

### 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. 2020/0156/TP

Applicant: Innovate Homes Ltd Beach View 25 Beach Road Troon KA10 6XQ Agent: Grant Herron 21 Portland Road Kilmarnock KA1 2BT

With reference to your application which was registered on 27th March 2020 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

### Sub-division of feu and erection of two semi-detached dwellinghouses

### at: 2 Bon Accord Road Busby East Renfrewshire G76 8EG

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 Policies D1 of the adopted East Renfrewshire Local Development Plan as the proposed dwellinghouses would be a dominant and incongruous addition to the streetscape, they would, due to proximity, constitute a close and overbearing feature towards the adjacent properties at 2 and 4 Bon Accord Road and would give rise to significant additional overlooking over the adjacent garden associated with the properties all to the detriment of residential and visual amenity.
- 2. The proposal is contrary to Policy D15 of the adopted East Renfrewshire Local Development Plan as the proposed dwellinghouses by reason of their elevated, prominent siting, scale and proximity to the adjacent flatted block do not reflect the character of the area and the established pattern of development and as a result will have a detrimental visual impact on the character of the wider area.

Dated 17th August 2020



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

The following drawings/plans have been refused

Plan Description	Drawing Number	Drawing Version	Date on Plan
Location Plan	19.229.01A		
Site Plan	19.229.03A		
Plans and Elevations Proposed	19.229.04		
Sections Proposed	19.229.05		

### **100** <u>GUIDANCE NOTE FOR REFUSAL OF LOCAL DEVELOPMENTS DETERMINED UNDER DELEGATED</u> 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. 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

**APPENDIX 5** 

## NOTICE OF REVIEW

## AND

## STATEMENT OF REASONS





Applicant Details			
Please enter Applicant de	tails		
Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	beach view
First Name: *		Building Number:	25
Last Name: *		Address 1 (Street): *	beach road
Company/Organisation	innovate homes Itd	Address 2:	
Telephone Number: *	07711264600	Town/City: *	troon
Extension Number:		Country: *	United Kingdom
Mobile Number:		Postcode: *	KA10 6XQ
Fax Number:			
Email Address: *	craig@thomsonhunter.co.uk		
Site Address	Details		
Planning Authority:	East Renfrewshire Council		
Full postal address of the	site (including postcode where available):		
Address 1:	2 BON ACCORD ROAD		
Address 2:	BUSBY		
Address 3:			
Address 4:			
Address 5:			
Town/City/Settlement:	GLASGOW		
Post Code:	G76 8EG		
Please identify/describe the location of the site or sites			
Northing	656650	Easting	257730

	proposal to which your review relates. The description shoul the agreement of the planning authority: *	Id be the same as given in the
Max 500 characters)		
sub-divsion of feu and erection of t	wo semi detached dwellinghouses at 2 Bon Accord Road Bi	usby, East Renfrewshire g76 8EG
Type of Application		
Vhat type of application did you sub	mit to the planning authority? *	
Application for planning permiss	ion (including householder application but excluding applica	ation to work minerals).
Application for planning permiss	ion in principle.	
Further application.		
Application for approval of matte	ers specified in conditions.	
Vhat does your review relate to? *		
Refusal Notice.		
Grant of permission with Condition	ons imposed.	
- -	, prescribed period (two months after validation date or any a	greed extension) – deemed refusal.
Statement of reaso	ns for seeking review	
nust set out all matters you consider	seeking a review of the planning authority's decision (or fail require to be taken into account in determining your review g Documents' section: * (Max 500 characters)	
lote: you are unlikely to have a furth Il of the information you want the de	er opportunity to add to your statement of appeal at a later occision-maker to take into account.	date, so it is essential that you produce
ne time expiry of the period of deter	ew matter which was not before the planning authority at the mination), unless you can demonstrate that the new matter or that time is a consequence of exceptional circumstances.	
as the proposed semi-detached h ridge line is lower. We further disa	fusal. 1) Proposal contrary to policy D1 of development plan. ouses are subservient to the mass of the adjacent four in a agree with statement that the development will overlook the verlooking can occur. NOTE continued in the supporting doc	block flatted development and the adjacent gardens. Simply there are
lave you raised any matters which v Determination on your application wa	vere not before the appointed officer at the time the as made? *	Yes X No
	below, why you are raising the new matter, why it was not ra I why you consider it should be considered in your review: *	

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)

2) Contrary to Policy D15.... We disagree with this statement, the houses are in keeping with the areas style and are smaller in mass and scale than the adjacent block. The site is unusual having an elevated aspect but is large with good garden space. Both the car parking area (as per Roads comments) and garden space are in accordance with policies. 3) No adverse comments were received during pre-application process, We would ask the site be visited to see the space available at first hand.

### **Application Details**

2020/0156/TP Please provide the application reference no. given to you by your planning authority for your previous application.

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

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

### **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 ng 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

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure \*

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

The ground has had the shrubs and trees removed which shows clearly the space available.

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? \*

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

X Yes No X Yes No

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more	hearır

27/03/2020

17/08/2020

Checklist – App	olication 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	e and address of the applicant?. *	🗙 Yes 🗌 No	
Have you provided the date review? *	and reference number of the application which is the subject of this	🗙 Yes 🗌 No	
	on behalf of the applicant, have you provided details of your name whether any notice or correspondence required in connection with the u or the applicant? *	X Yes No N/A	
	ent setting out your reasons for requiring a review and by what f procedures) you wish the review to be conducted? *	X 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 a part of your review.			
	ocuments, material and evidence which you intend to rely on hich 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 craig thomson		
Declaration Date:	06/10/2020		



**APPENDIX 6** 

## SUPPORTING INFORMATION





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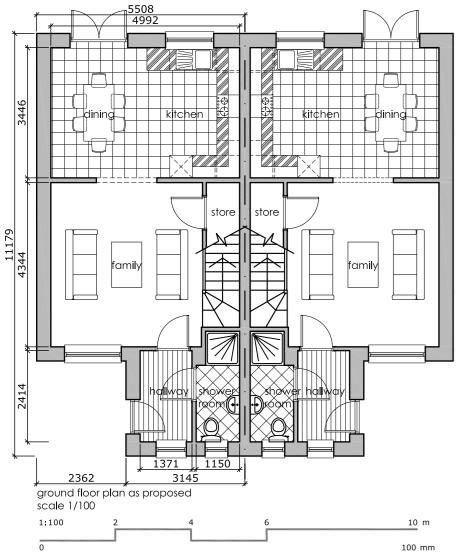
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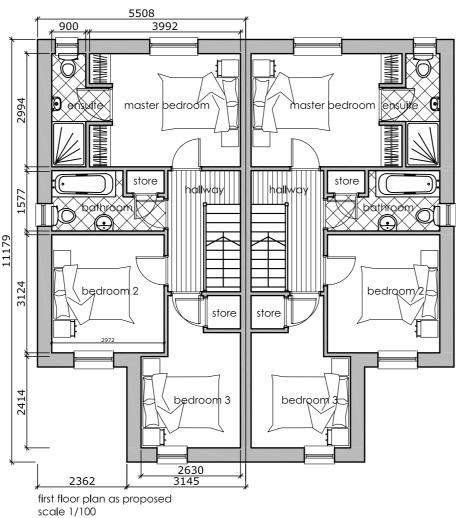




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