EAST RENFREWSHIRE COUNCIL

LOCAL REVIEW BODY

10 February 2021

Report by Deputy Chief Executive

REVIEW OF CASE - REVIEW/2020/15

ERECTION OF ONE AND A HALF STOREY SIDE AND REAR EXTENSION AND INSTALLATION OF DORMER WINDOW AT FRONT AT 2 BRIARLEA DRIVE, GIFFNOCK

PURPOSE OF REPORT

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

DETAILS OF APPLICATION

2. Application type: Full Planning Permission (Ref: No: 2020/0283/TP).

Applicant: Mr & Mrs N Shahban.

Proposal: Erection of one and a half storey side and rear extension and

installation of dormer window at front.

Location: 2 Briarlea Drive, Giffnock.

Council Area/Ward: Giffnock and Thornliebank (Ward 3).

REASON FOR REQUESTING REVIEW

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

RECOMMENDATIONS

- 4. The Local Review Body is asked:-
 - (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 (Planning Review Statement) 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 confirmed that in their opinion the review can be concluded based on a review of the information provided.
- **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. 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 at present. In the event the Local Review Body decides it wishes to carry out a site visit, consideration of the review will be continued until arrangements can be made to ensure all members of the Local Review Body and supporting officers can safely attend.

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 14);
 - (b) Copies of Objections/Representations Appendix 2 (Pages 15 18);
 - (c) Report of Handling by the planning officer Appendix 3 (Pages 19 28);
 - (d) Decision notice and reasons for refusal Appendix 4 (Pages 29 32); and
 - (e) Applicant's Notice of Review and Planning Review Submission Appendix 5 (Pages 33 44).
 - (f) Copies of additional objections/representations Appendix 6 (Pages 45 48).
- **15.** The following supporting information is also provided for consideration by the Local Review Body Appendix 7 (Pages 49 60).
 - (a) Drawing AL(1)001 Existing Floor Plans (Pages 51)
 - (b) Drawing AL(1)002 E Proposed Floor Plans (Page 52)
 - (c) Drawing AL(1)003 B Roof Plan (Page 53)
 - (d) Drawing AL(2)001 Block Plan (Page 54)
 - (e) Drawing AL(2)002 D Existing and Proposed Site Plan (Page 55)
 - (f) Drawing AL(4)001 A Existing Elevations (Page 56)
 - (g) Drawing AL(4)002 D Proposed Elevations (Page 57)
 - (h) Drawing AL(4)003 D Proposed Elevations (Page 58)
 - (i) Drawing AL(4)004 E Proposed Elevations (Page 59)
- **16.** The Local Review Body is advised that initial consultation responses and representations received if any, relating to the application will be listed in the planning officer's Report of Handling.
- **17.** All the documents referred to in this report can be viewed online on the Council's website at www.eastrenfrewshire.gov.uk/search-planning-applications

RECOMMENDATIONS/...

RECOMMENDATIONS

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

Report Author:

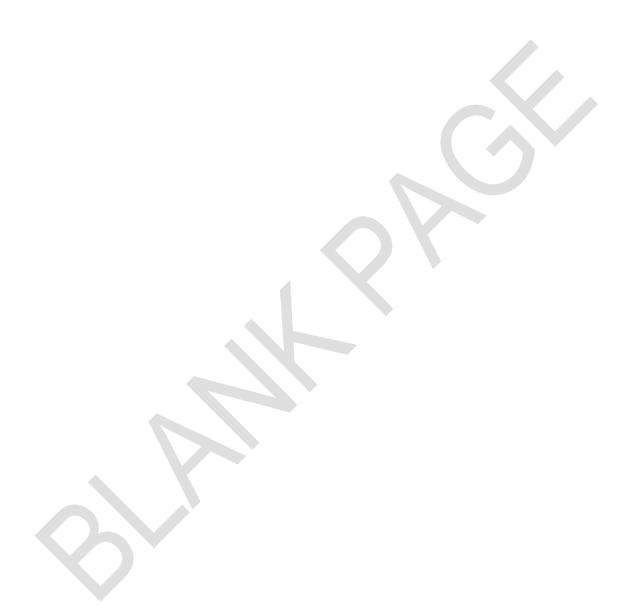
Eamonn Daly, Democratic Services Manager

email: eamonn.daly@eastrenfrewshire.gov.uk

Tel: 07584 116619

Date: - 3 February 2021

PLANNING 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

100178930-004

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

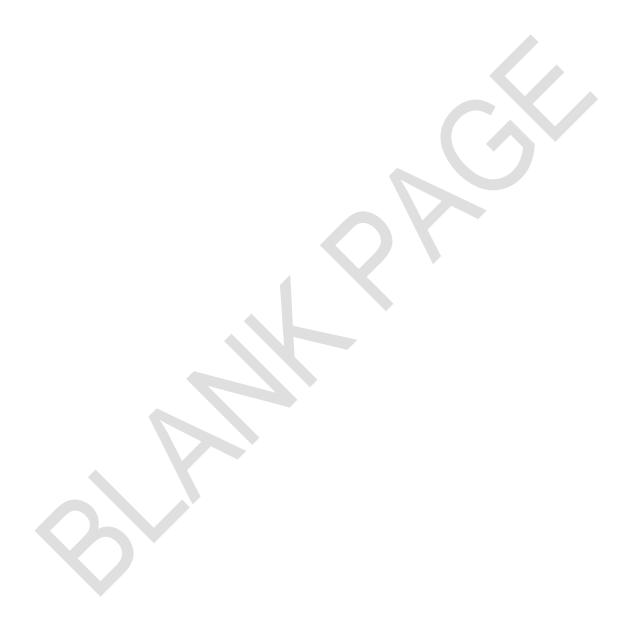
Description of Proposal	
Please describe accurately the work proposed: * (Max 500 characters)	
Extension of 2 storey extension to side and rear. Provision of dormers to front elevation.	
Has the work already been started and/ or completed? *	
No Yes - Started Yes - Completed	
Applicant or Agent Details	
Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)	☐ Applicant ☒ Agent

Agent Details				
Please enter Agent details				
Company/Organisation:	A10 Architects Ltd			
Ref. Number:		You must enter a Bu	uilding Name or Number, or both: *	
First Name: *	Darren	Building Name:		
Last Name: *	Glennie	Building Number:	40B	
Telephone Number: *	0141 649 2296	Address 1 (Street): *	Speirs Wharf	
Extension Number:		Address 2:		
Mobile Number:		Town/City: *	Glasgow	
Fax Number:		Country: *	Scotland	
		Postcode: *	G4 9TH	
Email Address: *	info@a10architects.com			
Is the applicant an individual or an organisation/corporate entity? * Individual Organisation/Corporate entity				
Applicant Det	ails			
Please enter Applicant de	etails			
Title:	Other	You must enter a Bu	uilding Name or Number, or both: *	
Other Title:	Mr & Mrs	Building Name:		
First Name: *	N	Building Number:	2	
Last Name: *	Shahban	Address 1 (Street): *	Briarlea Drive	
Company/Organisation		Address 2:		
Telephone Number: *		Town/City: *	Glasgow	
Extension Number:		Country: *	Scotland	
Mobile Number:		Postcode: *	G46 6DS	
Fax Number:				
Email Address: *				

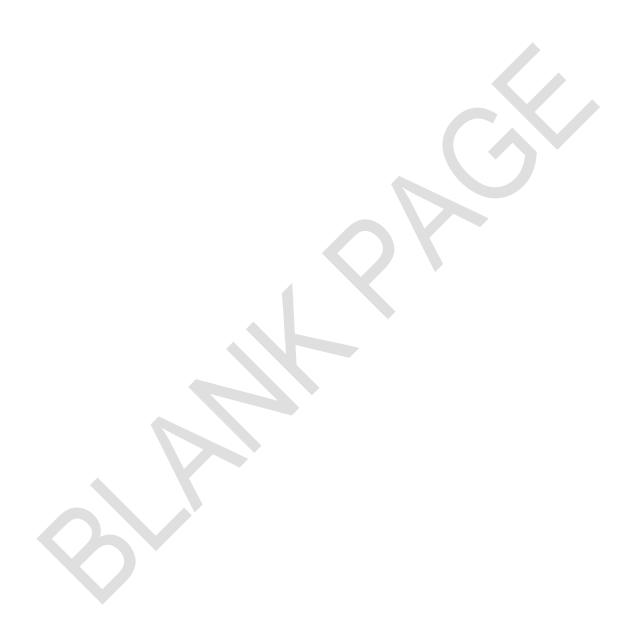
Site Address	Details			
Planning Authority:	East Renfrewshire Council			
Full postal address of the	site (including postcode where availab	le):	_	
Address 1:	2 BRIARLEA DRIVE			
Address 2:	GIFFNOCK			
Address 3:				
Address 4:				
Address 5:				
Town/City/Settlement:	GLASGOW			
Post Code:	G46 6DS			
Please identify/describe the location of the site or sites				
Northing	660067	Easting	256533	
Pre-Application	on Discussion			
Have you discussed your	proposal with the planning authority? *		☑ Yes ☐ No	
Pre-Application	on Discussion Details	s Cont.		
In what format was the fee	edback given? *			
	•	Email		
agreement [note 1] is curr	ion of the feedback you were given and ently in place or if you are currently dis iis will help the authority to deal with thi	cussing a processing agreem	ent with the planning authority, please	
Various discussion due to withdrawal of original application				
Title:	Mr	Other title:		
First Name:	David	Last Name:	Haney	
Correspondence Reference Number:	ce	Date (dd/mm/yyyy):	02/03/2020	
	eement involves setting out the key sta d from whom and setting timescales fo	-		

Trees				
Are there any trees	s on or adjacent to the application site? *	Yes X No		
If yes, please mark any are to be cut b	c on your drawings any trees, known protected trees and their canopy spread close to the proack or felled.	oposal site and indicate if		
Access ar	nd Parking			
Are you proposing	a new or altered vehicle access to or from a public road? *	☐ Yes ☒ No		
	cribe and show on your drawings the position of any existing, altered or new access points, hake. You should also show existing footpaths and note if there will be any impact on these.	ighlighting the changes		
Planning	Service Employee/Elected Member Interest			
1	the applicant's spouse/partner, either a member of staff within the planning service or an f the planning authority? *	Yes 🗵 No		
Certificate	es and Notices			
	D NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPME COTLAND) REGULATION 2013	ENT MANAGEMENT		
	ist be completed and submitted along with the application form. This is most usually Certification for Certificate C or Certificate E.	ate A, Form 1,		
Are you/the applica	ant the sole owner of ALL the land? *	⊠ Yes □ No		
Is any of the land p	part of an agricultural holding? *	☐ Yes ☒ No		
Certificate	Required			
The following Land	d Ownership Certificate is required to complete this section of the proposal:			
Certificate A				
Land O	wnership Certificate			
Certificate and Not Regulations 2013	tice under Regulation 15 of the Town and Country Planning (Development Management Pro	cedure) (Scotland)		
Certificate A				
I hereby certify tha	t –			
(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 la	and to which the application relates constitutes or forms part of an agricultural holding			
Signed:	Darren Glennie			
On behalf of:	Mr & Mrs N Shahban			
Date:	25/05/2020			
	▼ Please tick here to certify this Certificate. *			

Checklist – App	olication for Householder Application	
in support of your application.	o complete the following checklist in order to ensure that you have provided all the . Failure to submit sufficient information with your application may result in your apy will not start processing your application until it is valid.	
a) Have you provided a writte	en description of the development to which it relates?. *	🛛 Yes 🗌 No
b) Have you provided the pos has no postal address, a des	stal address of the land to which the development relates, or if the land in question cription of the location of the land? *	🗵 Yes 🗌 No
c) Have you provided the nan applicant, the name and addr	me and address of the applicant and, where an agent is acting on behalf of the ress of that agent.? *	⊠ Yes □ No
d) Have you provided a locati land in relation to the locality and be drawn to an identified	ion plan sufficient to identify the land to which it relates showing the situation of the and in particular in relation to neighbouring land? *. This should have a north point scale.	Yes No
e) Have you provided a certifi	icate of ownership? *	🛛 Yes 🗌 No
f) Have you provided the fee	payable under the Fees Regulations? *	🛛 Yes 🗌 No
g) Have you provided any oth	ner plans as necessary? *	🛛 Yes 🗌 No
Continued on the next page		
A copy of the other plans and (two must be selected). *	I drawings or information necessary to describe the proposals	
You can attach these electron	nic documents later in the process.	
■ Existing and Proposed existing an	elevations.	
☒ Existing and proposed flo	oor plans.	
Cross sections.		
Site layout plan/Block pla	ans (including access).	
⊠ Roof plan.		
Photographs and/or pho	tomontages.	
· ·	nple a tree survey or habitat survey may be needed. In some instances you about the structural condition of the existing house or outbuilding.	Yes 🗵 No
	u may wish to provide additional background information or justification for your and you should provide this in a single statement. This can be combined with a .*	X Yes □ No
You must submit a fee with you Received by the planning aut	our application. Your application will not be able to be validated until the appropria hority.	te fee has been
Declare – For H	ouseholder Application	
I, the applicant/agent certify the Plans/drawings and additional	hat this is an application for planning permission as described in this form and the al information.	accompanying
Declaration Name:	Mr Darren Glennie	
Declaration Date:	03/09/2019	



COPIES OF OBJECTIONS/REPRESENTATIONS



Comments for Planning Application 2020/0283/TP

Application Summary

Application Number: 2020/0283/TP

Address: 2 Briarlea Drive Giffnock East Renfrewshire G46 6DS

Proposal: Erection of one and a half storey side and rear extension; installation of dormer window

at front

Case Officer: Ms Fiona Morrison

Customer Details

Name: Mr Ewan McInnes

Address: 4 Briarlea Drive, Giffnock, East Renfrewshire G46 6DS

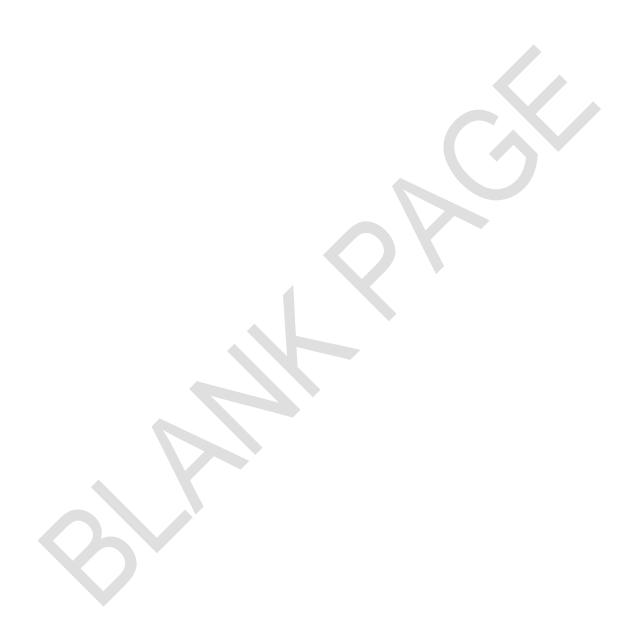
Comment Details

Commenter Type: Rec'd NeighbourNotification from Council

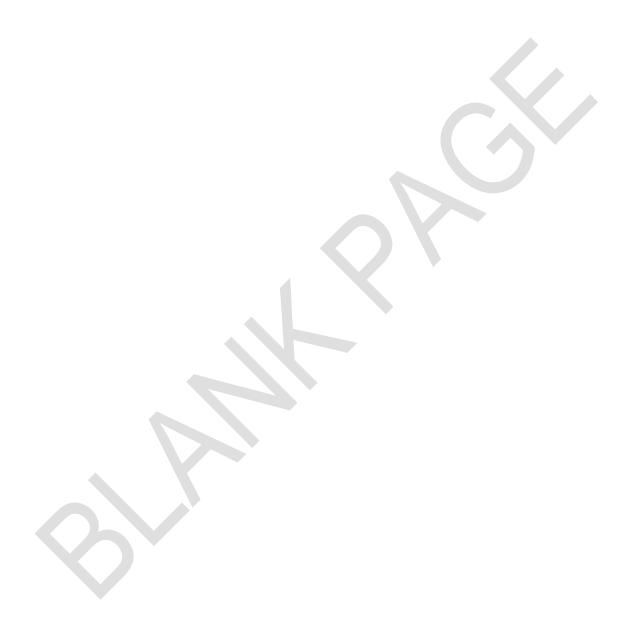
Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:We are not opposed to an extension in principal however, we are concerned that the rear dormer is out of scale with the extension and out of proportion to the size of the house.



REPORT OF HANDLING



REPORT OF HANDLING

Reference: 2020/0283/TP Date Registered: 25th May 2020

Application Type: Full Planning Permission This application is a Local Development

Ward: 3 -Giffnock And Thornliebank

Co-ordinates: 256533/:660067

Applicant/Agent: Applicant: Agent:

Mr & Mrs N Shahban Darren Glennie
2 Briarlea Drive 40B Speirs Wharf

Giffnock Glasgow East Renfrewshire Scotland G46 6DS G4 9TH

Proposal: Erection of one and a half storey side and rear extension; installation of

dormer window at front

Location: 2 Briarlea Drive

Giffnock

East Renfrewshire

G46 6DS

CONSULTATIONS/COMMENTS: None.

PUBLICITY: None.

SITE NOTICES: None.

SITE HISTORY:

1993/0358/TP INSTALLATION OF Granted 21.09.1993

FRONT AND REAR DORMER WINDOWS

2013/0423/TP Erection of single storey Granted 23.09.2013

rear extension

2019/0707/TP Erection of one and a half Withdrawn 20.12.2019

storey side extension incorporating dormer windows at front and rear and two storey rear extension; installation of dormer windows at front

REPRESENTATIONS: 1 representation has been received: Representation can be summarised as follows:

Concerns relating to scale and proportion of the proposal

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS: No reports have been submitted for consideration as part of this application.

ASSESSMENT:

The site comprises a one and a half storey semi-detached property located at the junction of Briarlea Drive and Merryvale Place in Giffnock. Previous development at the site includes a single storey rear extension and a car port situated at the side of the property.

The proposal is for a one and a half storey side and rear extension and the installation of a flat roofed dormer window on the front roof slope of the property.

The side extension continues the form of the original house extending approximately 3.5m from the side elevation and 7m in depth front to back, widening by 1m and extending a further 5.2m, across and approximately 3.8 beyond the rear elevation. Incorporating an existing rear extension the single storey element at the rear will have an overall width of approximately 14m and a depth of 3.8m along the mutual boundary. The upper storey extension comprising a flat roof will have a width of approximately 7m extending 4.7m from the roof slope.

The dormer window on the front roof slope will measure approximately 5.4m in width.

The accommodation includes a garage, bathroom, dining area, bedroom and reception on the lower floor and two further bedrooms with en-suite bathrooms and additional floor space to existing bedrooms on the upper floor.

The proposed external finishes are anthracite and timber cladding, black composite windows and doors.

The proposal must be assessed against Policies D1 and D14 of the adopted Local Development Plan and Supplementary Planning Guidance on Householder Design. Policy and guidance requires new extensions to complement the existing character of the property and surrounding area, particularly in terms of style, form and materials. The amenity of neighbouring properties should not be adversely affected by unreasonably restricting sunlight or privacy.

It is considered that the scale and form of the side extension and front dormer window is acceptable as it would not overwhelm or dominate the property nor raise issues with neighbouring properties. In addition the proposed flat roofed single storey element at the rear of the property is of a scale, size and height that is considered appropriate to the existing building.

However the addition of the upper storey flat roofed element at the rear would effectively result in a two storey box extending from the rear of a modest single storey semi-detached building. It is considered that the 4.7m depth of the upper storey in addition to the external finish of anthracite cladding would be an incongruous addition that would have a detrimental impact on the character of the property. The property's prominent location at the junction of Briarlea Drive and Merryvale Place is such, that this impact would be experienced beyond the confines of the subject property, affecting the surrounding area

Furthermore, the proposed floor to ceiling windows of the upper storey by way of their location and proximity result in an elevated view directly in to the private garden ground associated with 4 Briarlea Drive resulting in significant overlooking that will adversely affect the amenity/privacy of that neighbouring property.

Although the side extension, dormer window and single storey extension in their own right are considered to be acceptable the upper storey proposed at the rear of the property by way of design and proposed external finishes would dominate and overwhelm the property to the detriment of its original character and the visual amenity of the wider area. In addition, the potential overlooking from the upper storey extension would be detrimental to the amenity of neighbouring properties. For this reason the proposal as a whole is considered contrary to Policies D1 and D14 of the adopted Local Plan and the Supplementary Planning Guidance on Householder Design.

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 do not fully accord with the relevant policies in the Proposed Local Development Plan.

It is considered that the representees comments have been addressed in the paragraphs above.

Taking the above in to account it is recommended that planning permission is refused.

RECOMMENDATION: Refuse

PLANNING OBLIGATIONS: None.

REASON

The proposal is contrary to Policies D1 and D14 of the adopted East Renfrewshire Local Development Plan and the Supplementary Planning Guidance - Householder Design Guide, as it will due to its location, massing, design and proposed external finishes visually dominate and overwhelm the property, to the detriment of the property and the visual amenity of the area. In addition, the proposed upper storey at the rear would give rise to unacceptable overlooking which would be detrimental to the amenity and privacy of the occupants of the neighbouring property.

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.: 2020/0283/TP

(FIMO)

DATE: 18th September 2020

DIRECTOR OF ENVIRONMENT

Reference: 2020/0283/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:

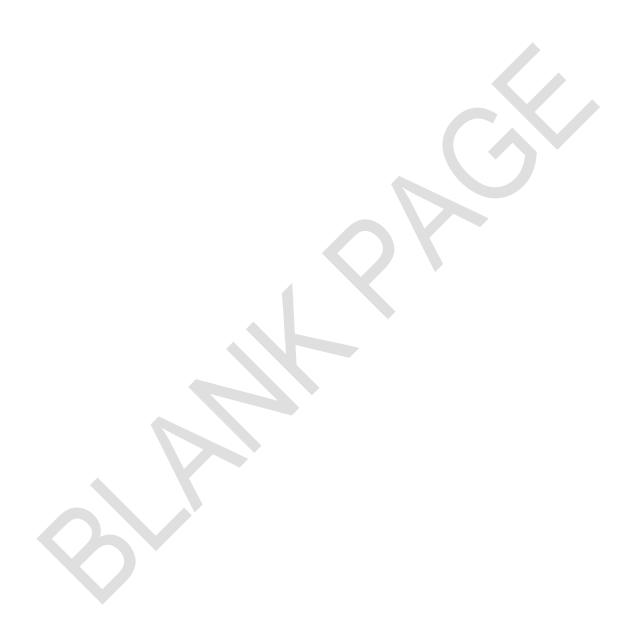
- 1. The development should not result in a significant loss of character or amenity to the surrounding area;
- 2. Should complement the scale and character of the existing building, neighbouring properties and their setting, particularly in terms of style, form and materials;
- 3. The size, scale and 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 18.09.2020.AC

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. **2020/0283/TP**

Applicant: Agent:

Mr & Mrs N ShahbanDarren Glennie2 Briarlea Drive40B Speirs WharfGiffnockGlasgowEast RenfrewshireScotland

G46 6DS G4 9TH

With reference to your application which was registered on 25th May 2020 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Erection of one and a half storey side and rear extension; installation of dormer window at front

at: 2 Briarlea Drive Giffnock East Renfrewshire G46 6DS

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:-

The proposal is contrary to Policies D1 and D14 of the adopted East Renfrewshire Local Development Plan and the Supplementary Planning Guidance - Householder Design Guide, as it will due to its location, massing, design and proposed external finishes visually dominate and overwhelm the property, to the detriment of the property and the visual amenity of the area. In addition, the proposed upper storey at the rear would give rise to unacceptable overlooking which would be detrimental to the amenity and privacy of the occupants of the neighbouring property.

Dated 18th September 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	AL(2)001		
Site Plan	AL(2)002		
Plans Proposed	AL(1)002		
Elevations Proposed	AL(4)002		
Elevations Proposed	AL(4)004		
Roof Plan	AL(1)003	REV B	

GUIDANCE NOTE FOR REFUSAL OF LOCAL DEVELOPMENTS DETERMINED UNDER DELEGATED POWERS

REVIEW BY EAST RENFREWSHIRE COUNCIL'S LOCAL REVIEW BODY

- 1. If the applicant is aggrieved by a decision to refuse permission (or by an approval subject to conditions), the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. A Notice of Review can be submitted online at www.eplanning.scotland.gov.uk. Please note that beyond the content of the appeal or review forms, you cannot normally raise new matters in support of an appeal or review, unless you can demonstrate that the matter could not have been raised before, or that its not being raised before is a consequence of exceptional circumstances. Following submission of the notice, you will receive an acknowledgement letter informing you of the date of the Local Review Body meeting or whether further information is required.
- 2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

CONTACT DETAILS

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

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

NOTICE OF REVIEW AND PLANNING REVIEW SUBMISSION





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

100178930-005

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

Applicant or Agent Details					
	Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application) Applicant Applicant				
Agent Details	Agent Details				
Please enter Agent details	S				
Company/Organisation:	A10 Architects Ltd				
Ref. Number:		You must enter a Building Name or Number, or both: *			
First Name: *	Darren	Building Name:			
Last Name: *	Glennie	Building Number:	40B		
Telephone Number: *	0141 649 2296	Address 1 (Street): *	Spiers Wharf		
Extension Number:		Address 2:			
Mobile Number:		Town/City: *	Glasgow		
Fax Number:		Country: *	Scotland		
		Postcode: *	G4 9TH		
Email Address: *	info@a10architects.com				
Is the applicant an individual or an organisation/corporate entity? *					
☑ Individual ☐ Organisation/Corporate entity					

Applicant Details				
Please enter Applicant details				
Title:	Other	You must enter a Bu	ilding Name or Number, or both: *	
Other Title:	Mr & Mrs	Building Name:		
First Name: *	N	Building Number:	2	
Last Name: *	Shahban	Address 1 (Street): *	Briarlea Drive	
Company/Organisation		Address 2:		
Telephone Number: *		Town/City: *	Glasgow	
Extension Number:		Country: *	Scotland	
Mobile Number:		Postcode: *	G46 6DS	
Fax Number:				
Email Address: *				
Site Address	Details			
Planning Authority:	East Renfrewshire Council			
Full postal address of th	ne site (including postcode where available):		
Address 1:	2 BRIARLEA DRIVE			
Address 2:	GIFFNOCK			
Address 3:				
Address 4:				
Address 5:				
Town/City/Settlement:	GLASGOW			
Post Code:	G46 6DS			
Please identify/describe the location of the site or sites				
Northing	660067	Easting	256533	

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 one and a half storey side and rear extension; installation of dormer window at front at: 2 Briarlea Drive Giffnock East Renfrewshire G46 6DS
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.
Please refer to submitted planning review submission for details. Reasons for request: Previous discussions with planning officer for application 2019/0707/TP which was withdrawn to not appear to have been taken into consideration - these discussions formed the basis of the revised application 2020/0283/TP President has been set elsewhere in East Renfrewshire for similar scale of works President has been set elsewhere in East Renfrewshire for similar elements of the proposal
Have you raised any matters which were not before the appointed officer at the time the 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)

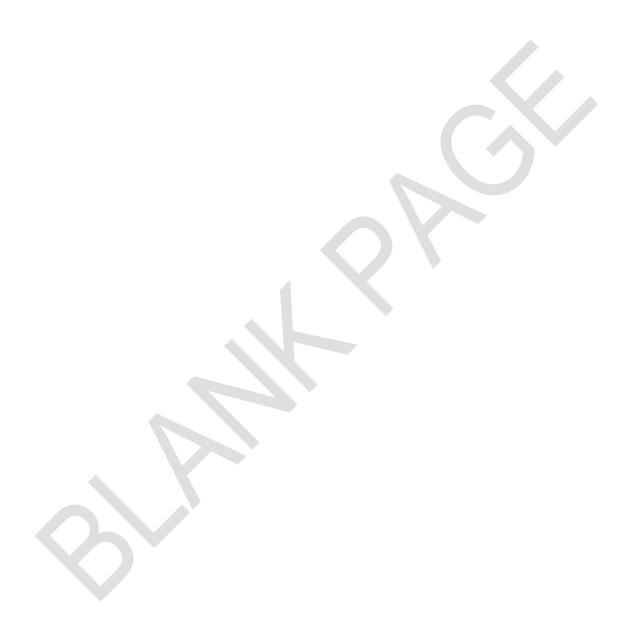
Please provide a list of all supporting documents, materials and evidence which you wish to to rely on in support of your review. You can attach these documents electronically later in the			ntend	
Planning Review Submission				
Application Details				
Please provide the application reference no. given to you by your planning authority for your previous application.	2020/0283/TP			
What date was the application submitted to the planning authority? *	25/05/2020			
What date was the decision issued by the planning authority? *	18/09/2020			
Review Procedure				
The Local Review Body will decide on the procedure to be used to determine your review an process require that further information or representations be made to enable them to determ required by one or a combination of procedures, such as: written submissions; the holding of inspecting the land which is the subject of the review case.	nine the review. Further	information ma	ay be	
Can this review continue to a conclusion, in your opinion, based on a review of the relevant in parties only, without any further procedures? For example, written submission, hearing sess Yes No		ourself and oth	her	
In the event that the Local Review Body appointed to consider your application decides to install	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? *		Yes 🗌 No		
Checklist – Application for Notice of Review				
Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.				
Have you provided the name and address of the applicant?. *	🛛 Yes 🗌 N	lo		
Have you provided the date and reference number of the application which is the subject of treview? *	his 🗵 Yes 🗌 N	lo		
If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with 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? *	⊠ Yes □ N	lo		
Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.				
Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *	⊠ Yes □ N	lo		
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 Darren Glennie

Declaration Date: 16/12/2020



Planning Review Submission for:

Application: 2020/0283/TP Address: 2 Briarlea Drive

Date: 14/12/20

We note that the application 2020/0283/TP was refused on the 18th September 2020 and as advised to the planning officer on the 27th November we were advised by a third party that the application had been refused. As client's agent we had not received any formal notification of this and have check our email system to confirm that no email was received to advise on the refusal. As we have experienced on other projects we understood that the delay in the process was due to the effect of Covid 19.

Notwithstanding the lack of notification, as client's agent, we were not aware of the issue noted in the handling report which supported the refusal as we had previously had detail and discussion with a previous planning officer taking on board various recommendations provided in correspondence prior to resubmission. Despite this, and we understand that further issues can be raised, that points now raised under the new application were not raised as an issue previously or had been addressed. Previous concerns were as follows and were addressed:

- The side extension is not excessive in terms of width however I would recommend that the tapered section be removed. The tapered section, and particularly its roof, would look incongruous with the existing house/neighbouring property.
- The roof pitch of any side extension should replicate that of the existing house.
- I would recommend consolidating the front dormer windows. Please note that the resultant dormer should not dominate the roof
- I note that the upper level of the rear extension is approximately 1.4 metres off the boundary. I would suggest increasing this to 2 metres so it complies with the SPG requirements.

(content of email of 16th April 2020 from Planning Officer)

We note the acceptance in the handling report for the refused application for various elements:

'It is considered that the scale and form of the side extension and front dormer window is acceptable as it would not overwhelm or dominate the property nor raise issues with neighbouring properties. In addition, the proposed flat roofed single storey element at the rear of the property is of a scale, size and height that is considered appropriate to the existing building.'

and note that the refusal centres on the first-floor portion of the rear extension

'However, the addition of the upper storey flat roofed element at the rear would effectively result in a two storey box extending from the rear of a modest single storey semi-detached building. It is considered that the 4.7m depth of the upper storey in addition to the external finish of anthracite cladding would be an incongruous addition that would have a detrimental impact on the character of the property.'

Cladding can be altered if this is not acceptable to a 'traditional finish', however we note that traditional dormers, including that to, 4 Briarlea Drive, is slate which is of similar colour and extends the dark nature of the roof. The first floor was stepped back from the ground floor footprint to give the appearance of a mansard dormer which is prevalent in the local area. We would note that the use of anthracite cladding to the dormer to the front of the property facing Briarlea Drive is acceptable and is more visible than the rear of the property.

We understand the planning requirement for 'new extensions to complement the existing character of the property and surrounding area, particularly in terms of style, form and materials.' However, there are is a lack of consistency to even just Brairlea Drive, Merryvale Place / Ave, Merrycrest Ave and Thornlea Drive on the character or extensions, dormers and other alterations to property. We do understand many of these will have be done under permitted development and therefore control is limited but it does affect the ability to compliment a 'style' or 'material' when so many have been used.

'The property's prominent location at the junction of Briarlea Drive and Merryvale Place is such, that this impact would be experienced beyond the confines of the subject property, affecting the surrounding area.'

We agree that the site can be viewed from various areas including Merryvale Place, Fenwick Road and Fernleigh Road however from all positions viewing the site the property cannot be viewed in isolation of measured against no 4 only as there is a mixture of various architectural languages including the shops and various residential properties and mixture or extensions and dormer windows that have been added historically. We would agree that and extension to the existing property will affect the surrounding area, hence the modern choice of materials and language rather than a 'traditional' solution.

'Furthermore, the proposed floor to ceiling windows of the upper storey by way of their location and proximity result in an elevated view directly in to the private garden ground associated with 4 Briarlea Drive resulting in significant overlooking that will adversely affect the amenity/privacy of that neighbouring property.'

We note that the neighbouring property has a large dormer window which overlooks our clients plot, this window is larger than a standard bedroom with cill level being at 450mm above FFL. We also not that other approved planning applications which overlook to side properties and rear properties have full height windows / doors such as 2014/0406/TP 8 Torburn Avenue.



Neighbouring property dormer with window cill level at 450mm which overlooks 2 Brairlea Drive

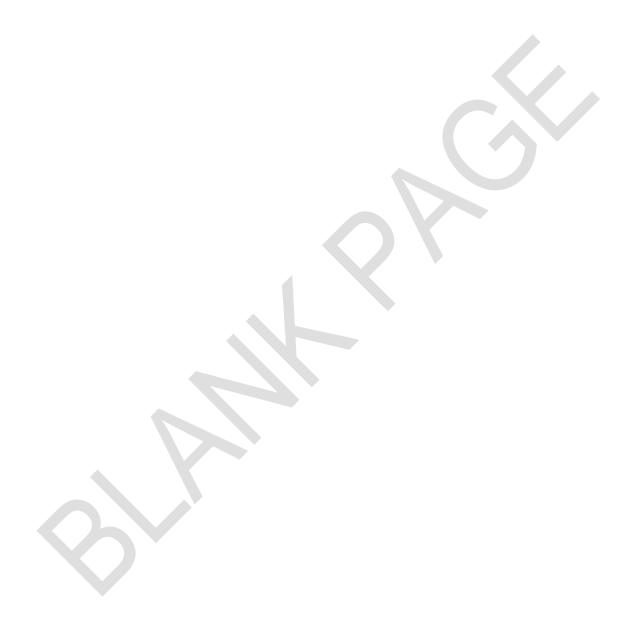
In addition, we would also not that as part of the design process we reviewed similar extension to the area and would note that the following examples were used to support the design:

- 2016/0619/TP 1 Merryton Avenue Large rear extension essentially doubling the footprint of the property. This is a storey and a half and is under 2m to the neighbouring property. This property overlooks property directly to the rear also.
- 2016/0573/TP 57 Orchard Park Avenue Giffnock Rear extension over 2 floors (1.5m from boundary) with windows to rear overlooking neighbouring property (noted this are not floor level and as noted this can be amended to the proposal)
- 2005/0696/TP 55 Orchard Park Avenue Giffnock Rear extension over 2 floors (1.5m from boundary) with windows to rear overlooking neighbouring property (noted this are not floor level and as noted this can be amended to the proposal)

- 2006/0031/TP 53 Orchard Park Avenue Giffnock Rear extension over 2 floors (1.5m from boundary) with windows to rear overlooking neighbouring property (noted this are not floor level and as noted this can be amended to the proposal)
- 2014/0406/TP 8 Torburn Avenue Use of first floor large window (doors) to floor level which can be viewed from Wellfield Ave. Overlooking both neighbouring side properties and properties to Wellfield Ave.

All of the above properties with the exception of those on Orchard Park overlook both neighbours to the side and rear of the property noted. The site at 2 Briarlea Drive only overlooks No 4 as there is commercial property directly to the rear of the property which is built directly on the boundary.

We consider the above noted points reflect the request for the application to be appealed especially considering advise was provided previously and the proposal altered to meet this guidance.



APPENDIX 6

COPIES OF ADDITIONAL OBJECTIONS/REPRESENTATIONS



From:
To:
Daly, Eamonn

 Subject:
 Your ref: REVIEW/2020/15

 Date:
 03 January 2021 19:26:13

Dear Eamonn

Thank you for your letter dated 21 December 2020 ref number: REVIEW/2020/15.

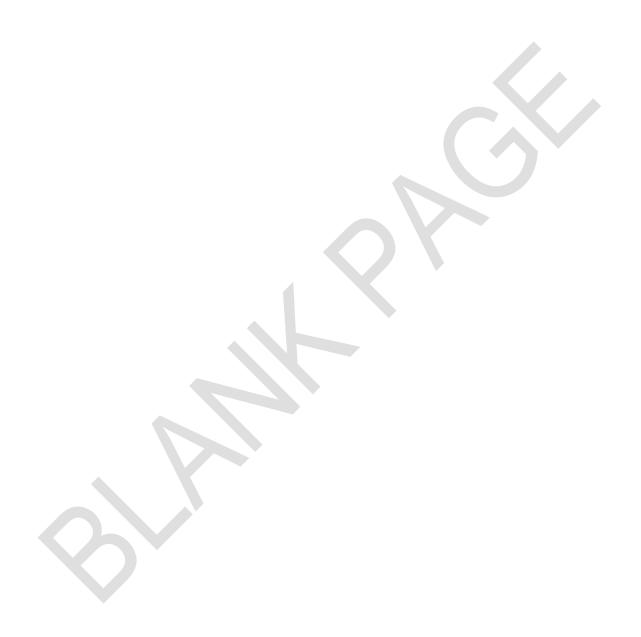
Please note our comments are, as stated previously on East Renfrewshire Council's website, that we are not opposed to the plans in principal however, we still remain concerned that the rear dormer is out of scale with the extension and out of proportion to the size of the house.

Please also note the privacy of our home and our garden is of the utmost importance and we do not want this compromised in any way.

Should you or the local review body need to discuss our comments further please do not hesitate to contact me.

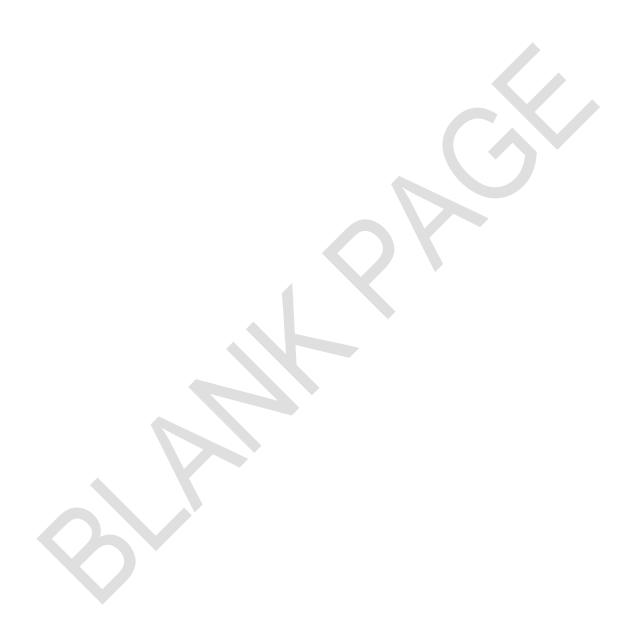
Yours sincerely

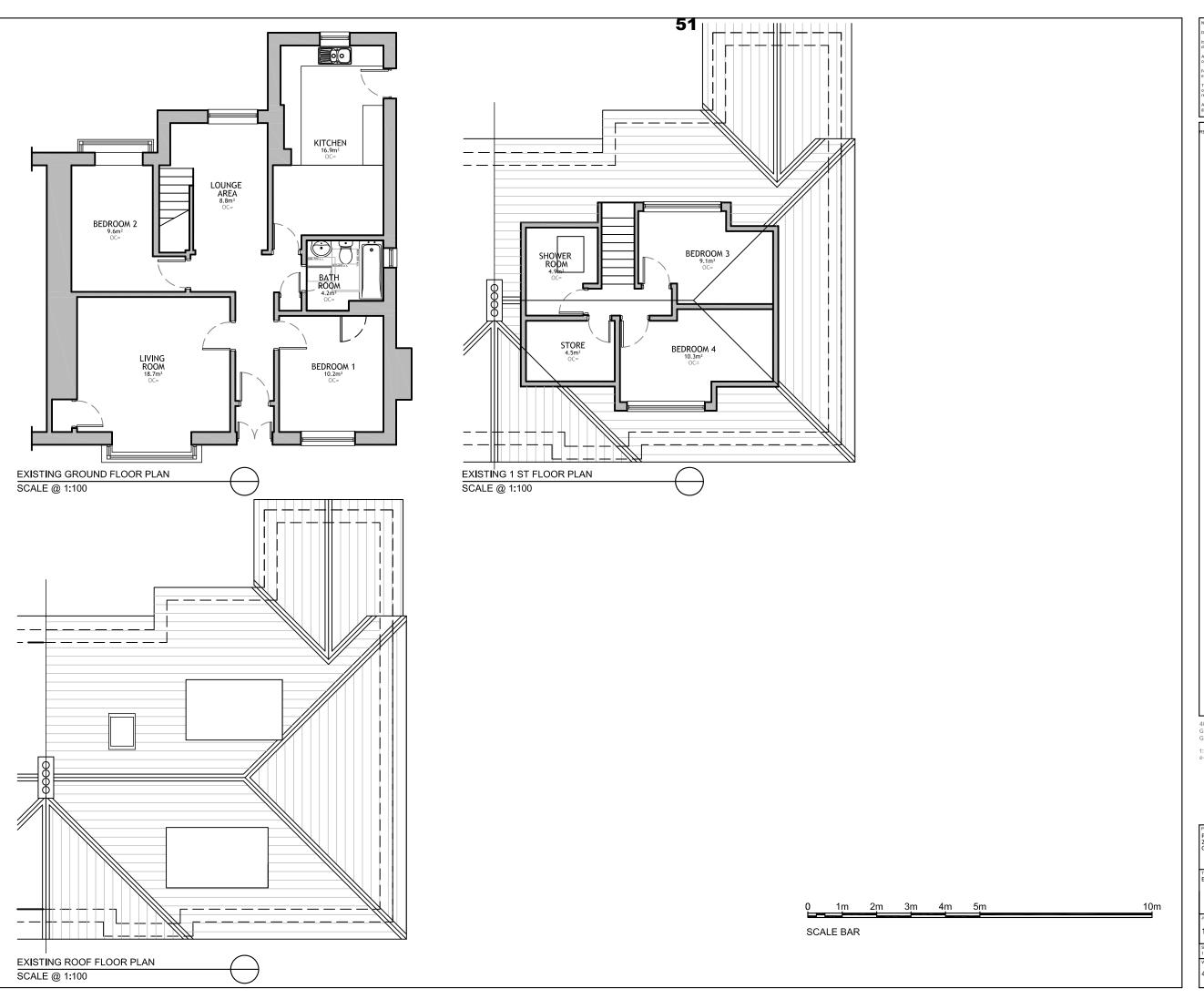
Ewan McInnes



APPENDIX 7

PLANS AND DRAWINGS





NOTES

Do not scale this

It is the Contractor's responsibility to report any inconsistencies on this drawing, or between drawings, to the Architects and to request clarification and instruction before proceeding.

All dimensions to be checked on site prior to commencement of construction and prior to ordering of materials and components.

following electronic transfer of drawing information, it is the responsibility of the recensure scale accuracy

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40B Speirs Wharf Glasgow G4 9TH

t: 0141 649 2296 e-mail : info@a10architects.co

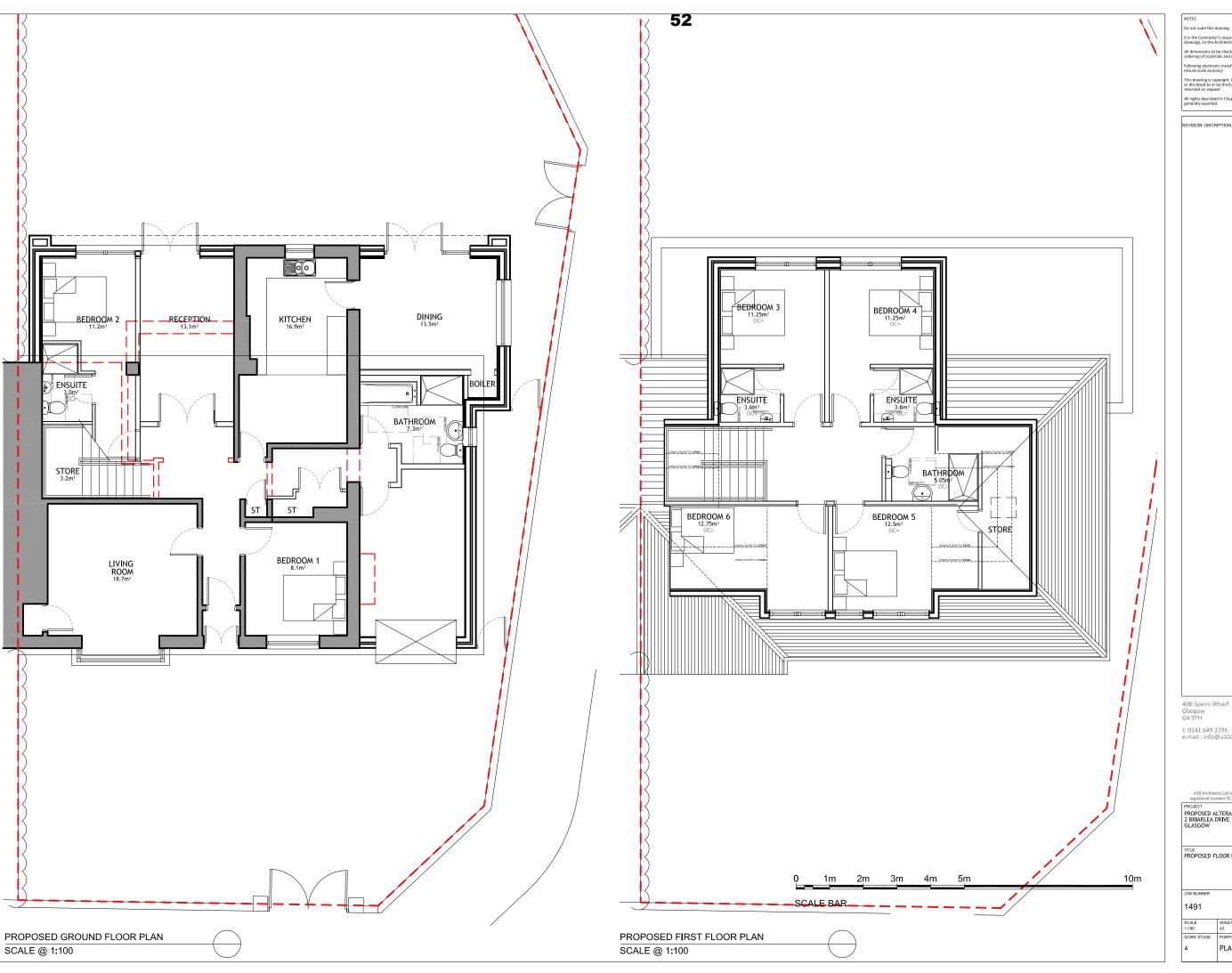


registered number SC375564. Registered office: 12 Moss-side Road, Glasgow, G41 31

PROJECT
PROPOSED ALTERATIONS TO
2 BRIARLEA DRIVE
GLASGOW

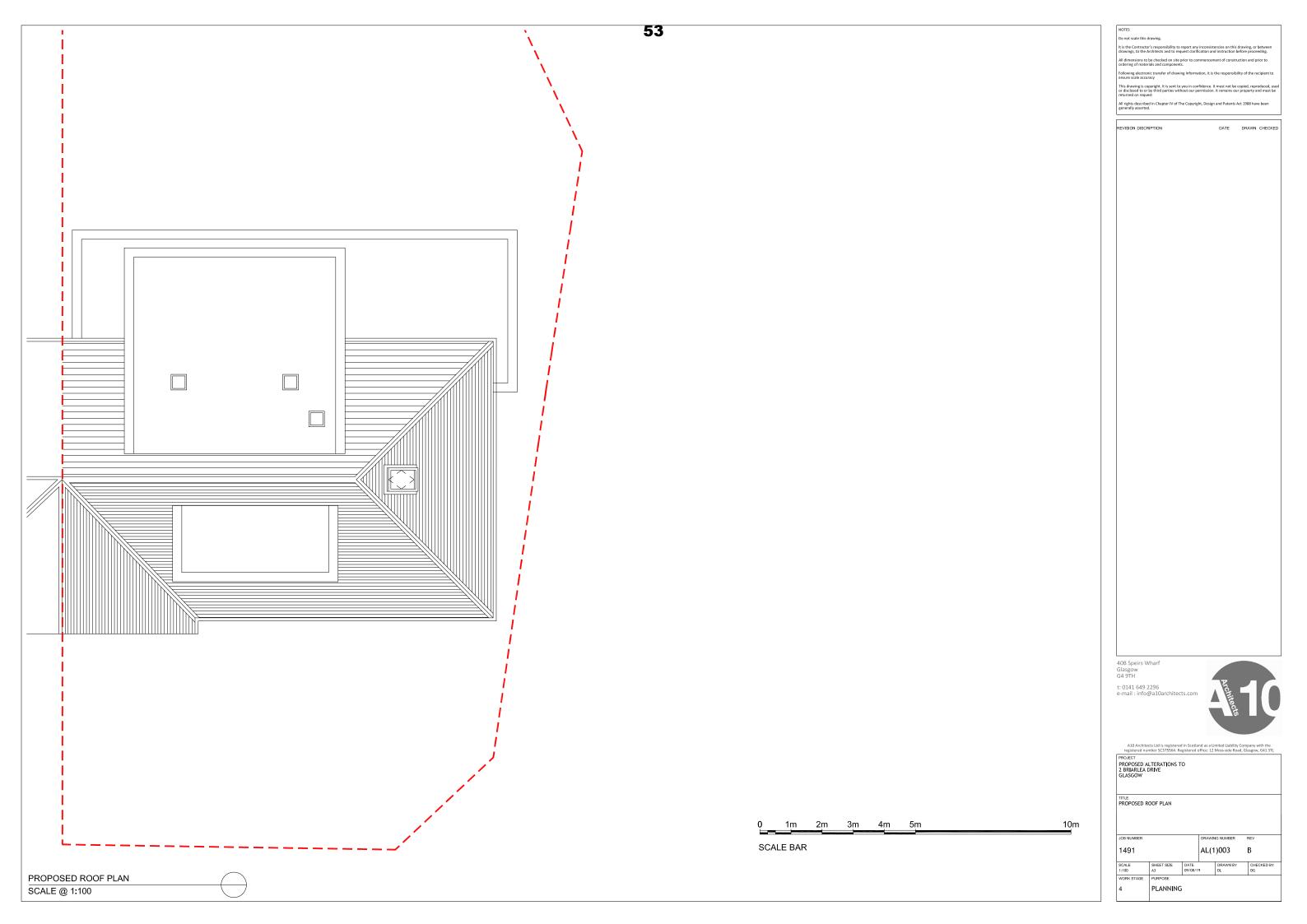
EXISTING FLOOR PLANS

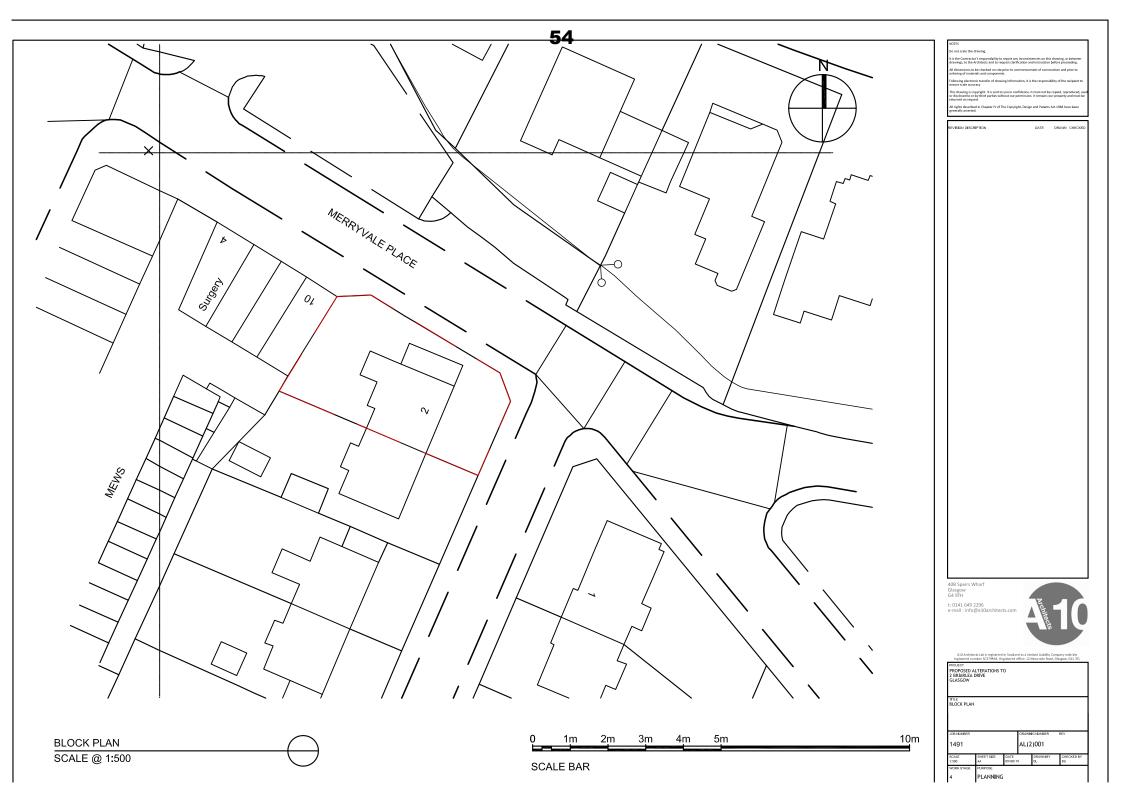
PLANNING



TITLE PROPOSED FLOOR PLANS

JOB NUMBER		DRAWING NUMBER		REV	
1491			AL(1)002	Е
SCALE 1:100	SHEET SIZE A3	DATE 09/08/19	9	DRAWN BY DL	CHECKED BY
WORK STAGE	PURPOSE			1	<u> </u>
4	DI ANNUN	_			







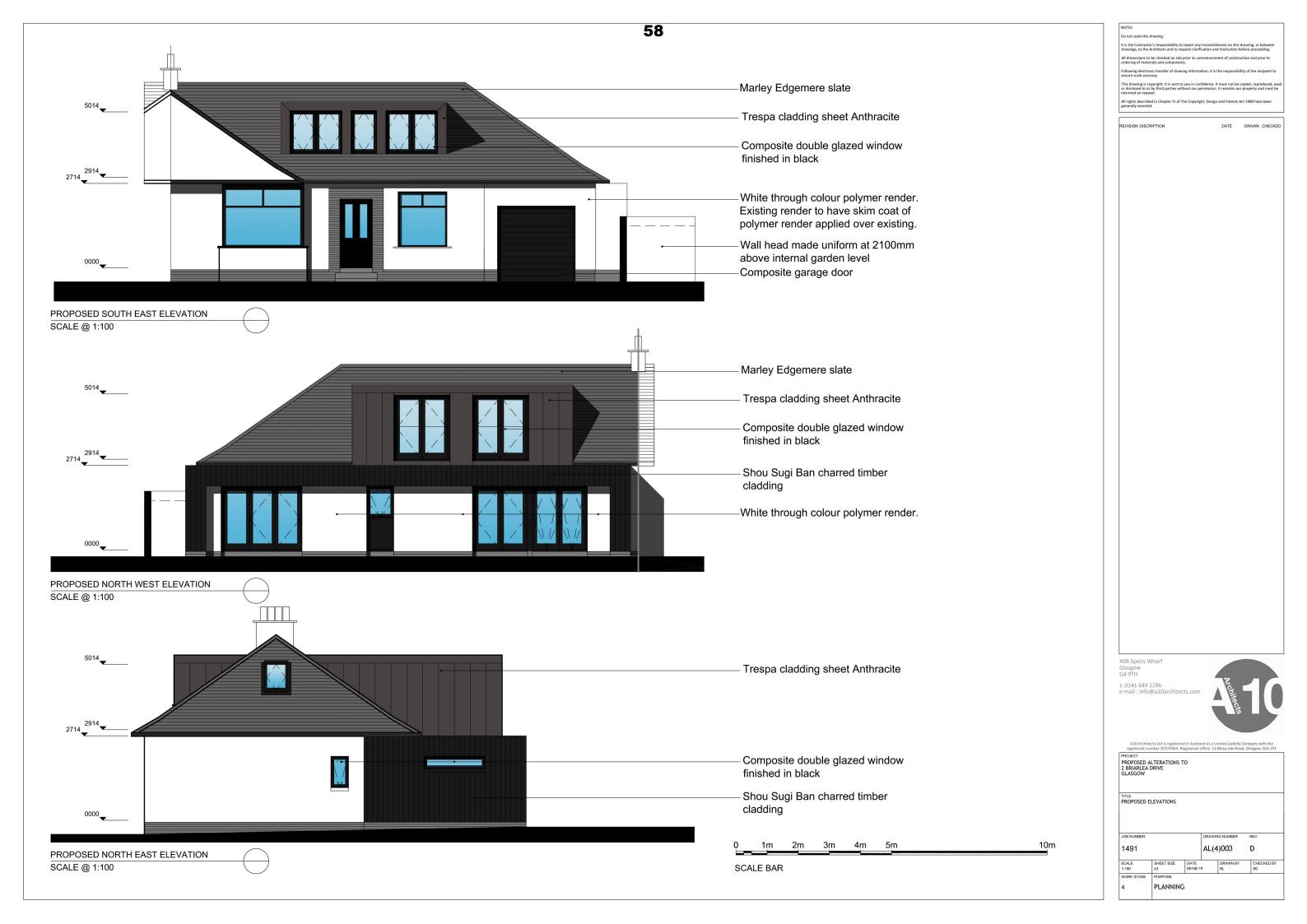




ЈОВ NUMBER 1491		AL(4)001		A A	
WORK STAGE	PURPOSE				
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	cts Ltd is registered mber SC375564. Re				
PROJECT PROPOSED A 2 BRIARLEA I GLASGOW	LTERATIONS TO	0			
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WORK STAGE	PURPOSE				





AL(4)004 E

PLANNING

