

EAST RENFREWSHIRE COUNCILLOCAL REVIEW BODY9 June 2021Report by Deputy Chief ExecutiveREVIEW OF CASE - REVIEW/2021/06ERECTION OF SINGLE STOREY REAR EXTENSION AND ERECTION OF DETACHED GARAGE TO SIDE AT 8 RODDINGHEAD ROAD, NEWTON MEARNs, EAST RENFREWSHIRE, G46 6TP.**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:- 2020/0713/TP).
- Applicant: Mr A Samuel
- Proposal: Erection of single storey rear extension and erection of detached garage to side
- Location: 8 Roddinghead Road, Newton Mearns, East Renfrewshire, G46 6TP.
- Council Area/Ward: Newton Mearns South And Eaglesham (Ward 5).

REASON FOR REQUESTING REVIEW

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

RECOMMENDATIONS

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

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

NOTICE OF REVIEW – STATEMENT OF REASONS FOR REQUIRING THE REVIEW

8. The Council has allowed for submission of this review on 31 March 2021 due to a delay in the issuing of the decision notice to the applicant.

9. 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 4.

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

11. 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.

12. 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.

13. However, due to the current restrictions associated with Covid-19, these site inspections are not taking place at the present time.

INFORMATION AVAILABLE TO ALLOW REVIEW OF APPLICATION

14. 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.

15. 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 51 - 58);
- (b) Report of Handling by the planning officer under the Scheme of Delegation - Appendix 2 (Pages 59 - 68);
- (c) Decision notice and reasons for refusal - Appendix 3 (Pages 69 - 72); and
- (e) A copy of the applicant's Notice of Review and Statement of Reasons including covering letter - Appendix 4 (Pages 73 - 82).

16. The applicant has also submitted the drawings listed below and these are attached as Appendix 5 (Pages 83 - 92).

- (a) Elevations as Existing;
- (b) Plans as Existing;
- (c) Topographical Survey;
- (d) Refused – Location Plan;
- (e) Refused – Plans as Proposed;
- (f) Refused – Elevations as Proposed;
- (g) Refused – Garage Plans Elevations and Section as Proposed.

17. 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.

18. All the documents referred to in this report can be viewed online on the Council's website at www.eastrenfrewshire.gov.uk.

RECOMMENDATIONS

19. 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; or

- (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: Sharon McIntyre

Director - Caroline Innes, Deputy Chief Executive

Sharon McIntyre, Committee Services Officer
e-mail: sharon.mcintyre@eastrenfrewshire.gov.uk
Tel: 0141 577 3011

Date:- May 2021

APPLICATION FORM

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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 100333116-001

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

Description of Proposal

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

Proposed Detached Garage

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

No Yes - Started Yes – Completed

Applicant or Agent Details

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

Applicant Agent

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Andrew"/>	Building Number:	<input type="text" value="8"/>
Last Name: *	<input type="text" value="Samuel"/>	Address 1 (Street): *	<input type="text" value="Roddadinghead Road"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text" value="Giffnock"/>
Telephone Number: *	<input type="text" value="REDACTED"/>	Town/City: *	<input type="text" value="Glasgow"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="G466TP"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

Site Address Details

Planning Authority:	<input type="text" value="East Renfrewshire Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="8 RODDINGHEAD ROAD"/>
Address 2:	<input type="text" value="NEWTON MEARNIS"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="GLASGOW"/>
Post Code:	<input type="text" value="G46 6TP"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="656776"/>	Easting	<input type="text" value="255608"/>
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Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Trees

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

Yes No

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

Access and Parking

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

Yes No

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

Planning Service Employee/Elected Member Interest

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

Yes No

Certificates and Notices

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

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

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

Yes No

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

Yes No

Certificate Required

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

Certificate A

Land Ownership Certificate

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

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

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

Signed: Mr Andrew Samuel

On behalf of:

Date: 15/11/2020

Please tick here to certify this Certificate. *

Checklist – Application for Householder Application

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

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

Continued on the next page

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

You can attach these electronic documents later in the process.

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

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

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

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

Declare – For Householder Application

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

Declaration Name: Mr Andrew Samuel

Declaration Date: 15/11/2020

Payment Details



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REPORT OF HANDLING

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REPORT OF HANDLING

Reference: 2020/0713/TP

Date Registered: 16th November 2020

Application Type: Full Planning Permission

This application is a Local Development

Ward: 5 -Newton Mearns South And Eaglesham

Co-ordinates: 255608/:656776

Applicant/Agent: Applicant: Agent:

Mr Andrew Samuel
8 Roddinghead Road
Newton Mearns
East Renfrewshire
G46 6TP

Proposal: Erection of single storey rear extension and erection of detached garage to side.

Location: 8 Roddinghead Road
Newton Mearns
East Renfrewshire
G46 6TP

CONSULTATIONS/COMMENTS: None.

PUBLICITY: None.

SITE NOTICES: None.

SITE HISTORY:

2005/0891/TP	Demolition of existing dwellinghouse and erection of two storey dwellinghouse	Approved Subject to Conditions	18.04.2006
2008/0313/TP	Erection of single storey side extension and installation of 2 no. sets of access gates (in retrospect)	Approved Subject to Conditions	09.06.2008
2008/0832/TP	Installation of two dormer windows and erection of boundary walls	Granted	15.04.2009
2012/0462/TP	Erection of single storey rear extension	Granted	29.10.2012

2016/0747/TP	Erection of detached garage at side and formation of gates and associated pillars facing on to Kenmure Road	Refused and Local Review Dismissed	20.12.2016
2019/0160/TP	Erection of garage at side and formation of driveway onto Kenmure Road	Refused	26.07.2019

REPRESENTATIONS: No representations have been received.

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

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

ASSESSMENT:

The application site consists of an extended detached bungalow and curtilage which sits on the north east side of Roddinghead Road at its junction with Kenmure Road. There is a variety of house designs in the immediate area. The walls of the application property are finished in a white painted render and the roof is clad in red clay tiles. The property has been the subject of various extensions in recent years.

The application seeks planning consent for a rear extension to create a storage area and the erection of a detached garage. The proposed rear extension measures 1.5m by 5.1m and will be of timber construction. The detached garage is located between the existing house and Kenmure Road and measures 5.1m by 6m and is proposed to be finished in white render to match the existing house and dark red Marely Plain Standard Roof Tiles.

The proposal requires to be assessed against Policies D1 and D14 of the adopted Local Development Plan and the (SPG) Supplementary Planning Guidance - Householder Design Guide. Policy D1 requires that any development should not result in a significant loss of character or amenity to the surrounding area and should be of a size, scale and massing that is in keeping with buildings in the locality. The garage will sit forward of the building line on Kenmure Road and thus forward of the front wall of the neighbouring house at number 1 Kenmure Road. It is acknowledged that there is a garage in the side/rear garden of number 6 Roddinghead Road (opposite the property) but that house does not have a frontage onto Kenmure Road, the garage is situated on much lower ground and is barely visible from the roadway. By contrast, the proposed garage within the grounds of number 8 is on higher ground and would be very conspicuous from roadway forward of the house frontage.

It is considered that siting the garage in this position will have significant impact on the character and amenity on residents of Kenmure Road. The design and massing of the garage in this position are considered at odds with the established building line. The primary frontage in this case is significant and it has previously been the subject of debate in relation to previously refused planning applications. It is considered that the design details of the existing Kenmure Road frontage of the house, including the bay window and dormer window and the pedestrian access route suggest that the Kenmure Road frontage is as important to the character of the house and area as is the Roddinghead Road frontage. The proposed garage is thus considered to be contrary to Policy D1.

Policy D14 requires that any development must complement the existing character of the property. In this regard the position of the proposed garage, forward of the existing building line, is considered to have a detrimental impact on the character of the property and the surrounding area. Kenmure Road benefits from a strong front building line and as such the proposed garage would breach the building line and is considered to be insensitive to the character of the existing house and the wider streetscene. The proposed development is therefore found to be contrary to Policy D14 and the adopted Supplementary Planning Guidance: Householder Design Guide.

RECOMMENDATION: Refuse

PLANNING OBLIGATIONS: None.

REASON(S):

Reason: The proposed detached garage is contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan as it would introduce a structure that would protrude beyond the existing building line along the street and thereby create an intrusive and incongruous feature to the detriment of the character and appearance of the street.

Reason: The proposed detached garage is contrary to Policy D14 and the terms of the adopted Supplementary Planning Guidance: Householder Design Guide as it would project forward of the existing property and dominate its setting and thereby diminish its visual integrity.

ADDED VALUE: None.

BACKGROUND PAPERS:

Further information on background papers can be obtained from Mr David Love on 0141 577 3001.

Ref. No.: 2020/0713/TP
(DALO)

DATE: 24th December 2020

DIRECTOR OF ENVIRONMENT

Reference: 2020/0713/TP - Appendix 1

DEVELOPMENT PLAN:

Adopted East Renfrewshire Local Development Plan

Policy D1

Detailed Guidance for all Development

Proposals for development should be well designed, sympathetic to the local area and demonstrate that the following criteria have been considered, and, where appropriate, met.

In some cases, where the criteria have not been met, a written justification will be required to assist with assessment.

1. The development should not result in a significant loss of character or amenity to the surrounding area;

2. The proposal should be of a size, scale, massing and density that is in keeping with the buildings in the locality and should respect local architecture, building form, design, and materials;
3. The amenity of neighbouring properties should not be adversely affected by unreasonably restricting their sunlight or privacy. Additional guidance on this issue is available in the Daylight and Sunlight Design Guide Supplementary Planning Guidance;
4. The development should not impact adversely on landscape character or the green network, involve a significant loss of trees or other important landscape, greenspace or biodiversity features;
5. Developments should incorporate green infrastructure including access, landscaping, greenspace, water management and Sustainable Urban Drainage Systems at the outset of the design process. Where appropriate, new tree or shrub planting should be incorporated using native species. The physical area of any development covered by impermeable surfaces should be kept to a minimum to assist with flood risk management. Further guidance is contained within the Green Network and Environmental Management Supplementary Planning Guidance;
6. Development should create safe and secure environments that reduce the scope for anti-social behaviour and fear of crime;
7. Developments must be designed to meet disability needs and include provision for disabled access within public areas;
8. The Council will not accept 'backland' development, that is, development without a road frontage;
9. Parking and access requirements of the Council should be met in all development and appropriate mitigation measures should be introduced to minimise the impact of new development. Development should take account of the principles set out in 'Designing Streets';
10. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the development;
11. Developments should include provision for the recycling, storage, collection and composting of waste materials;
12. Where possible, all waste material arising from construction of the development should be retained on-site for use as part of the new development;
13. Where applicable, new development should take into account the legacy of former mining activity;
14. Development should enhance the opportunity for and access to sustainable transportation, including provision for bus infrastructure, and particularly walking and cycle opportunities including cycle parking and provision of facilities such as showers/lockers, all where appropriate. The Council will not support development on railways solums or other development that would remove opportunities to enhance pedestrian and cycle access unless mitigation measures have been demonstrated;
15. The Council requires the submission of a design statement for national and major developments. Design statements must also be submitted in cases where a local development relates to a site within a conservation area or Category A listed building inline 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.

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;
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 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.

Finalised 24/12/20 (AC4)

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**DECISION NOTICE
AND
REASONS FOR REFUSAL**

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

REFUSAL OF PLANNING PERMISSION

Ref. No. **2020/0713/TP**

Applicant:

Mr Andrew Samuel
8 Roddinghead Road
Newton Mearns
East Renfrewshire
G46 6TP

Agent:

With reference to your application which was registered on 16th November 2020 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Erection of single storey rear extension and erection of detached garage to side.

at: 8 Roddinghead Road Newton Mearns East Renfrewshire G46 6TP

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

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

1. The proposed detached garage is contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan as it would introduce a structure that would protrude beyond the existing building line along the street and thereby create an intrusive and incongruous feature to the detriment of the character and appearance of the street.
2. The proposed detached garage is contrary to Policy D14 and the terms of the adopted Supplementary Planning Guidance: Householder Design Guide as it would project forward of the existing property and dominate its setting and thereby diminish its visual integrity.

Dated 24th December 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	8-G466TP-001		
Plans Proposed	8-G466TP-005		
Elevations Proposed	8-G466TP-006		
Plans and Elevations Proposed	8-G466TP-007		

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
STATEMENT OF REASONS**

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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 100389504-001

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.

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

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Andrew"/>	Building Number:	<input type="text" value="8"/>
Last Name: *	<input type="text" value="Samuel"/>	Address 1 (Street): *	<input type="text" value="Roddadinghead Road"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text" value="Giffnock"/>
Telephone Number: *	<input type="text" value="REDACTED"/>	Town/City: *	<input type="text" value="Glasgow"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="G466TP"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

Site Address Details

Planning Authority:

East Renfrewshire Council

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

Address 1:

8 RODDINGHEAD ROAD

Address 2:

NEWTON MEARNS

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

GLASGOW

Post Code:

G46 6TP

Please identify/describe the location of the site or sites

Northing

656776

Easting

255608

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 single storey rear extension and erection of detached garage to side.

Type of Application

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

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

What does your review relate to? *

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

Statement of reasons for seeking review

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

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

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

Please see attached document.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

I have enclosed a written statement which shows a computer generated image highlighting that the garage is situated on much lower ground and barely visible from the roadway.

Application Details

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

2020/0713/TP

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

16/11/2020

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

24/12/2020

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 information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

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

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

Yes No

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

Yes No

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

The site cannot be clearly seen from the road as there is a boundary hedge around the property. However it is possible for the site to be assessed safely and without barriers to entry.

Checklist – Application for Notice of Review

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

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

Yes No

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

Yes No

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

Yes No N/A

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

Yes No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

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

Yes No

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

Declare – Notice of Review

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

Declaration Name: Mr Andrew Samuel

Declaration Date: 31/03/2021

Mr & Mrs Samuel8 Roddinghead Road, Giffnock, Glasgow G46 6TPReference: 2020/0713/TPGarage Appeal

The purpose of this appeal document is to explain the rationale for our third garage application for a single garage at the side of our property. We purchased 8 Roddinghead Road in Whitecraigs, 5 years ago, on the 14 March 2016. The property did not have an existing garage or any outside storage area.

Application 1 (2016/0747/TP) & Application 2 (2019/0160/TP), were both based on access from Kenmure Road and therefore visibly different to what we are proposing in Application 3 which is to utilise the existing access from the front of our home on Roddinghead Road and building the garage on the much lower street level at the side of our home, in the only remaining area, left for a garage. The property has high hedge rows therefore the proposed garage would be barely visible from the roadway.

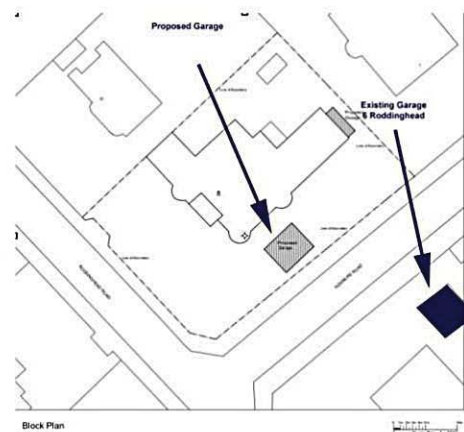
The proposed garage would sit 640mm, just over 2 feet lower than the previous two applications. The height of the land where the first 2 applications were located was 105.01, above Ordnance Datum (AOD). The height of the land where our current application would be located is 104.37 AOD.

Please see the two images of 8 Roddinghead Road (CGI - Left) and 6 Roddinghead Road (Actual - Right) when centred and looking towards Kenmure Road from Roddinghead Road. The height of the boundary hedge at the entry gate on 8 Roddinghead Road is 9 feet which is higher than the height of the garage walls at 8.5 feet, therefore you would only see the apex roof of the garage which is identical to our immediate neighbour 6 Roddinghead Road. Both garages would be inconspicuous.



Mr & Mrs Sommerville from 1 Kenmure Road who are currently in the process of building a brand-new house, have no objections to our single garage.

We have both agreed to a new building wall between the back of our property and the side of theirs. This will provide even less visibility to the proposed garage looking towards Kenmure Road from roadway. (See their email dated 15th March, Appendix 1).



If you have any questions or queries, please do not hesitate to call my mobile [REDACTED] or my email address. [REDACTED]

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Appendix 1

From: Mark Sommerville [REDACTED]
Sent: 15 March 2021 20:18
To: Andrew Samuel [REDACTED]
Subject: Proposed Garage

Hi Andrew,

I have studied the drawings proposing your garage, and having visited your site, I have no objections to your proposed garage.

Kind Regards

Mark Sommerville
1 Kenmure Road
Whitecraigs
Glasgow
G46 6TU

Mobile: [REDACTED]

**The Reel house 7 [West Regent Street, Glasgow, G2 1RW](#), Tel: [REDACTED]
SC538101**

Thomas Fox is licensed in the UK to act as an Insolvency Practitioner by the Insolvency Practitioners Association.

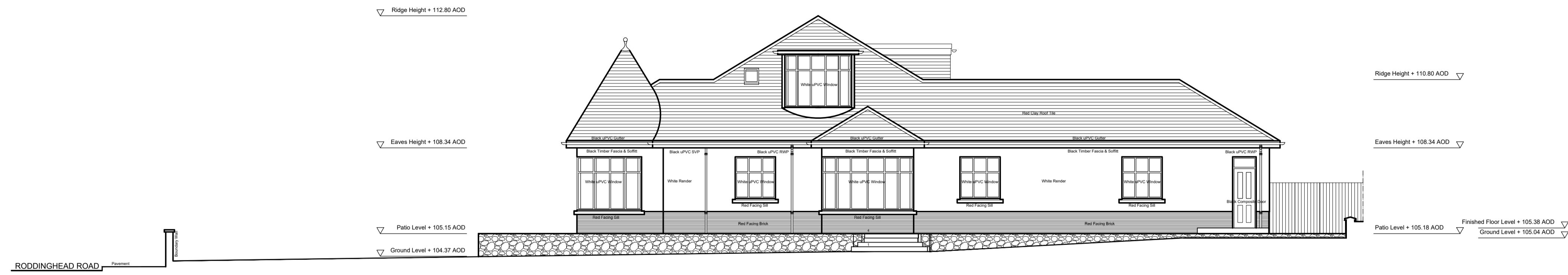
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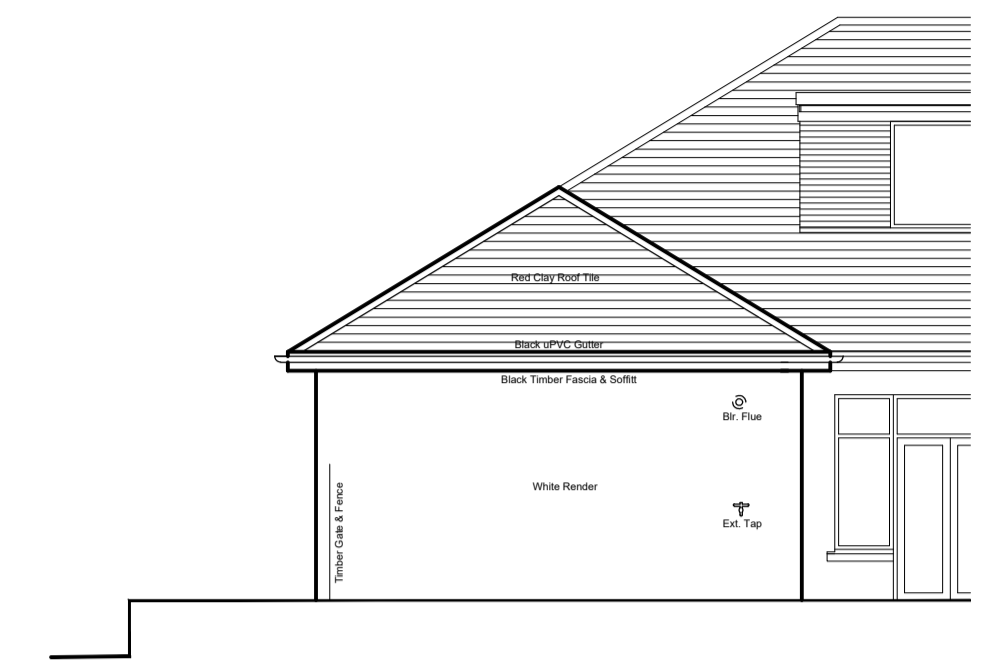
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PLANS/PHOTOGRAPHS/DRAWINGS

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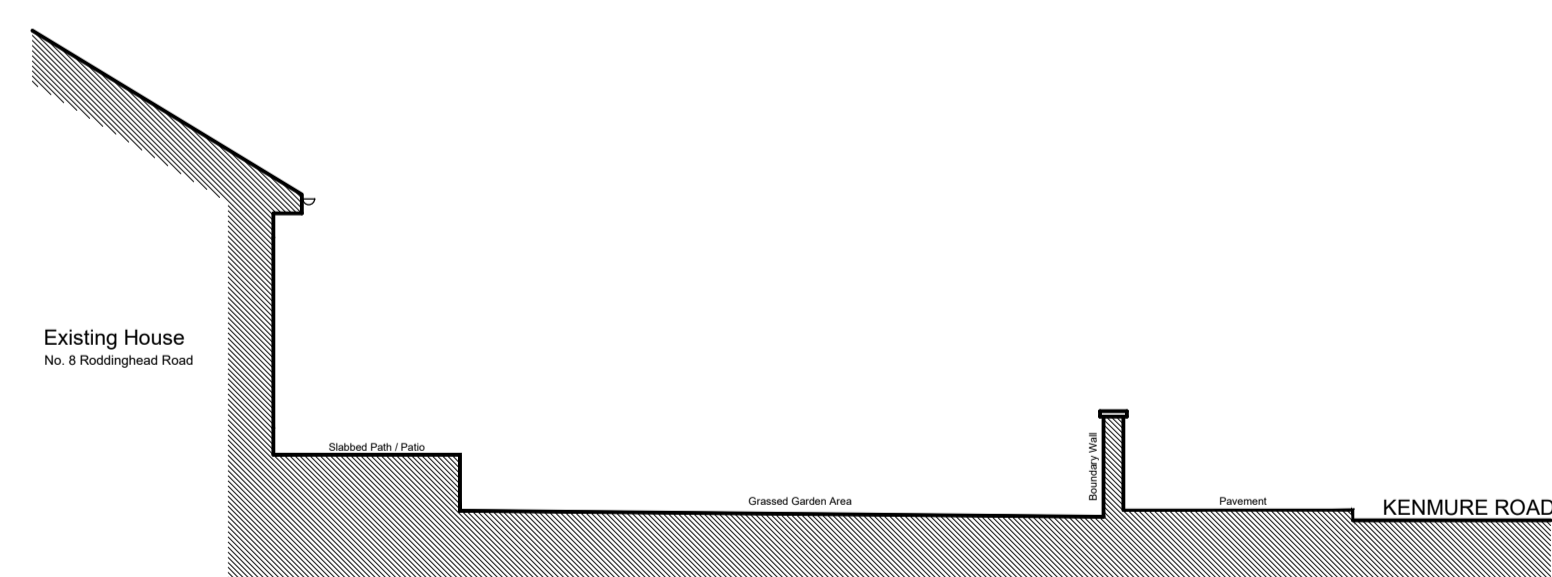
Elevation to House (Kenmure Road)
Scale 1 : 100



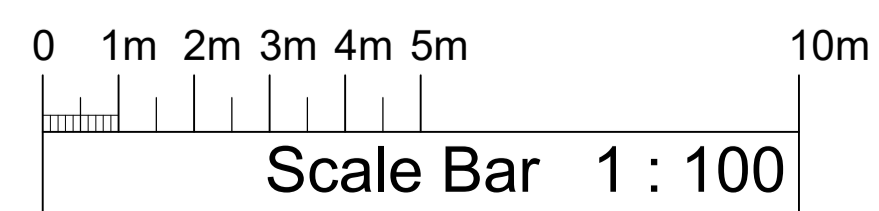
End Elevation to House
Scale 1 : 100



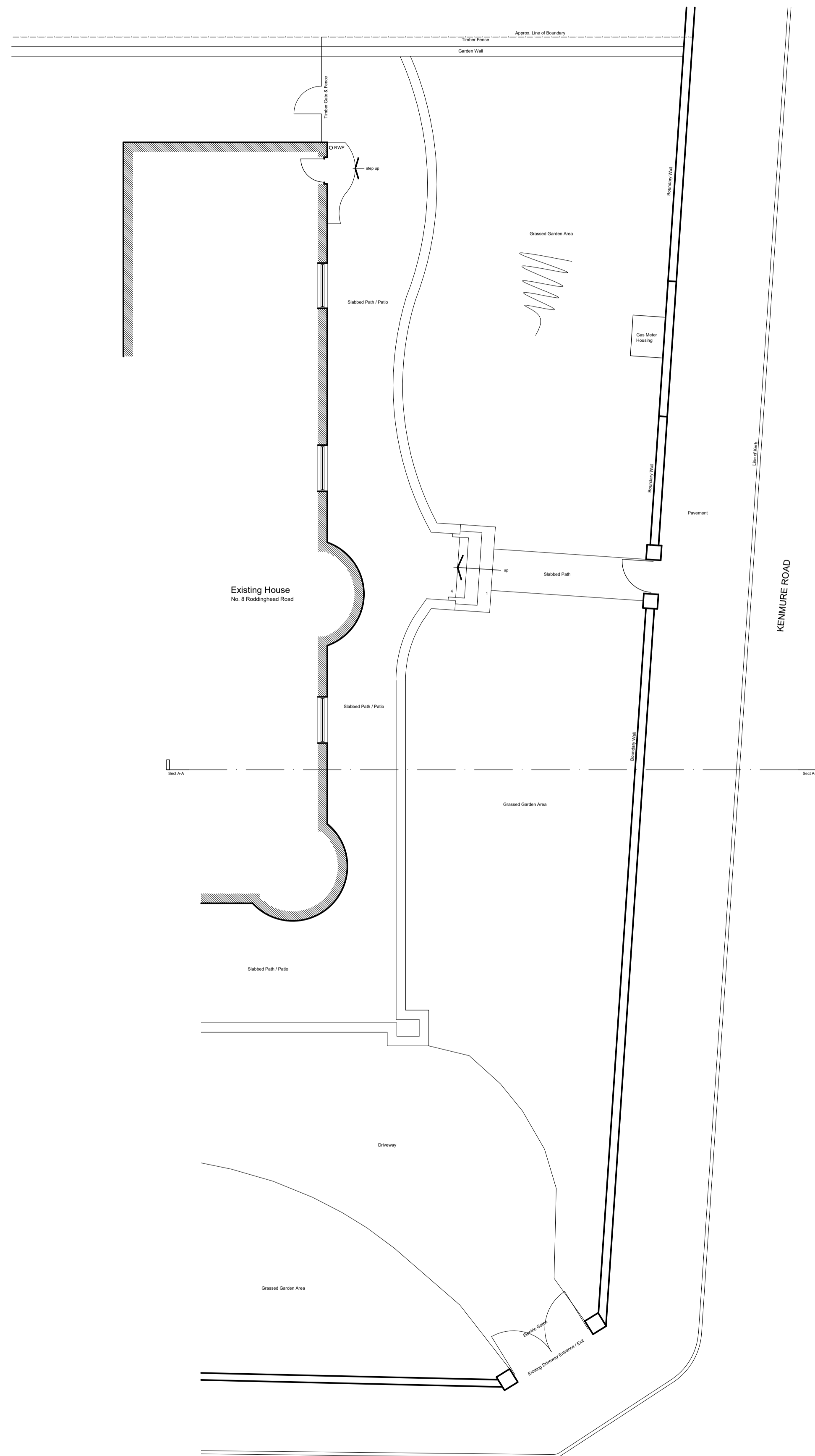
Elevation to Street (Kenmure Road)
Scale 1 : 100



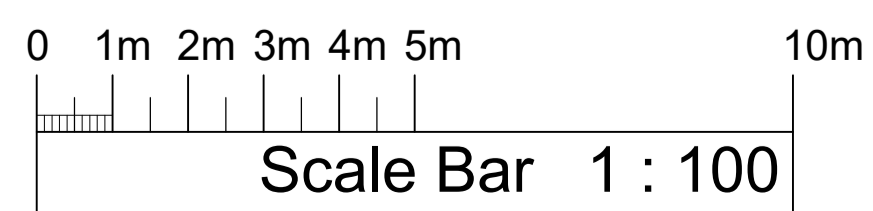
Section A - A
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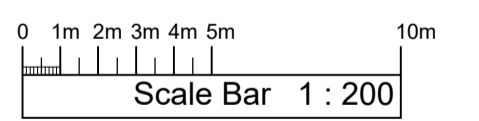
Mr & Mrs. A. Samuel 8 Roddinghead Road, Giffnock G46 6TP	
Elevations & Section - as Existing	
1 : 100	A1
8-G466TP-004	



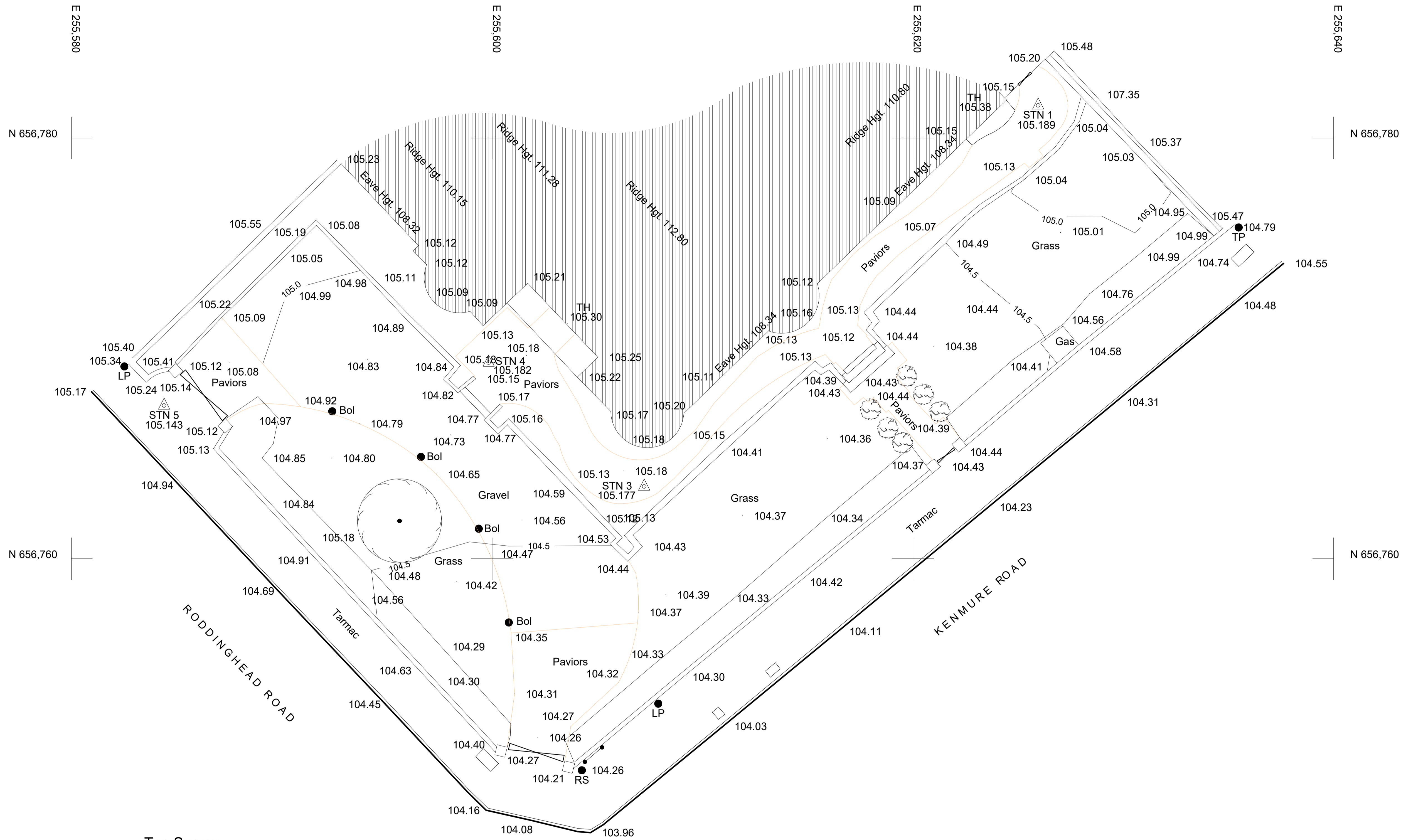
Ground Floor Plan
Scale 1 : 100



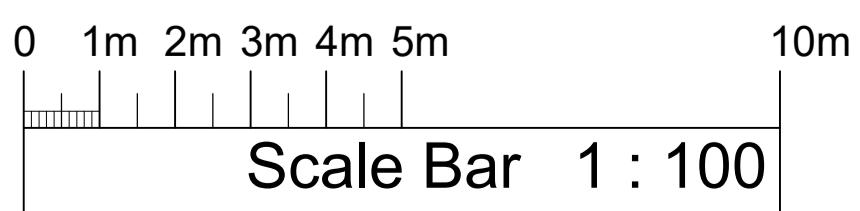
Block Plan
Scale 1 : 200



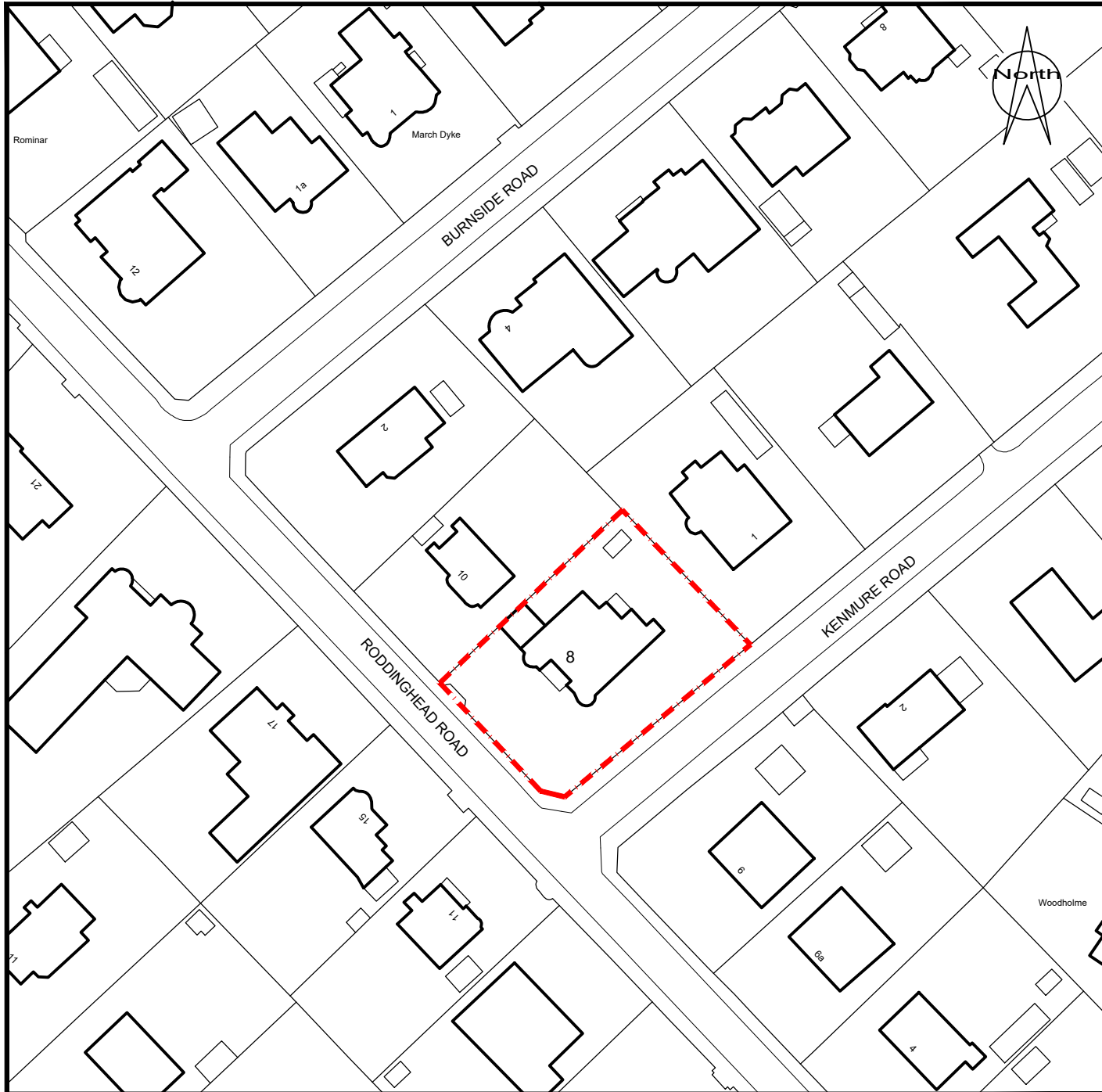
Mr & Mrs. A. Samuel	
8 Roddinghead Road, Giffnock G46 6TP	
Plans - as Existing	
1 : 100 / 1:200	A1
8-G466TP-003	



Top Survey
Scale 1 : 100



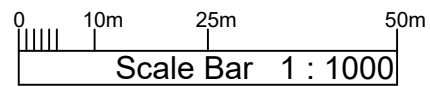
Mr & Mrs. A. Samuel 8 Roddinghead Road, Giffnock G46 6TP	
Topo Survey	
1 : 100 / 1:200	A1
8-G466TP-002	



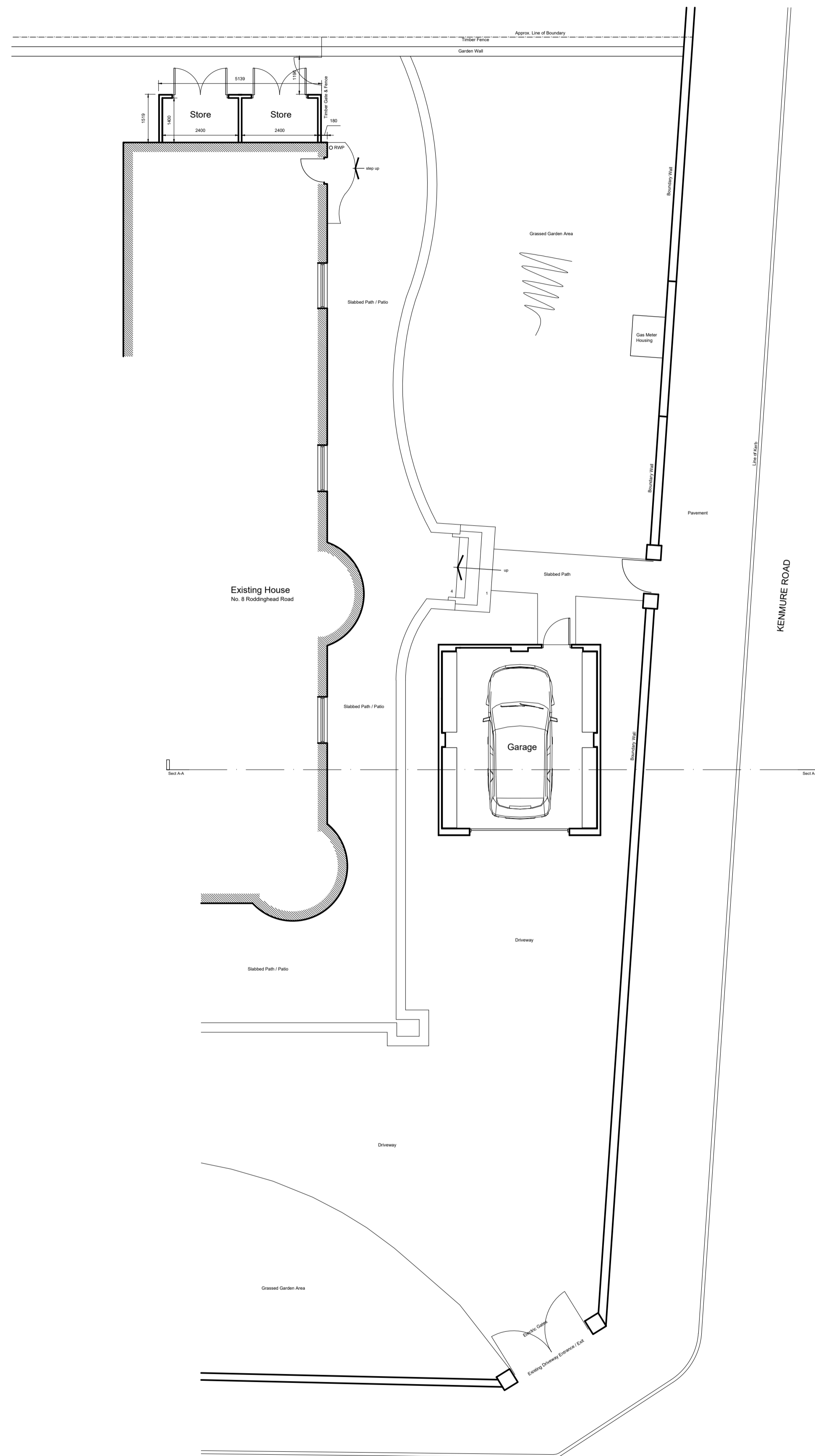
Property Subject of Application Outlined RED

Location Plan

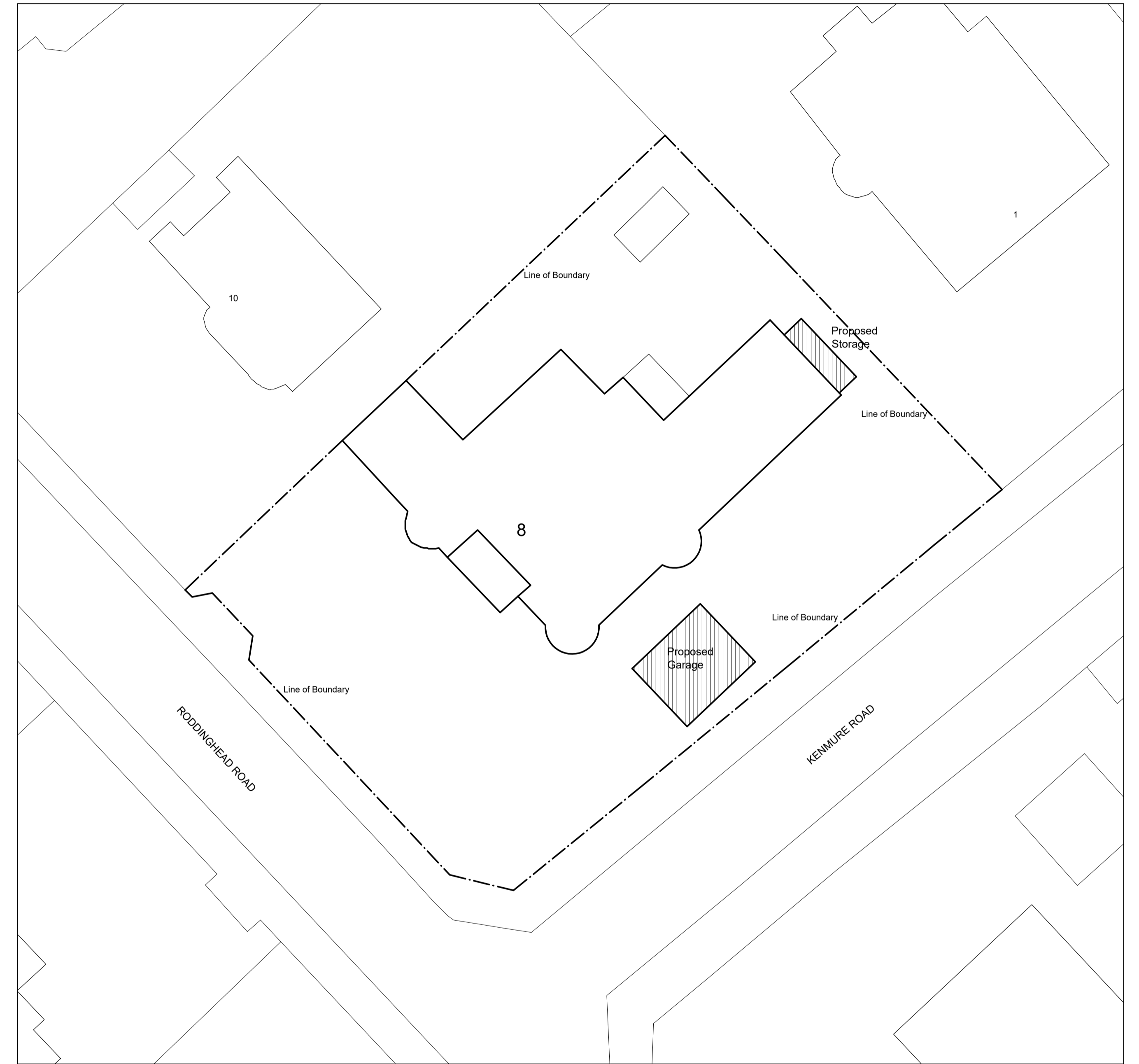
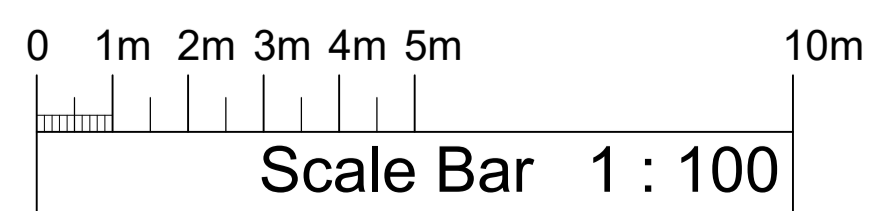
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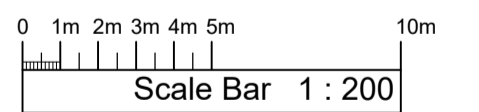
Mr & Mrs. A. Samuel 8 Roddinghead Road, Giffnock G46 6TP	
Location Plan - as Existing	
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8-G466TP-001	



Ground Floor Plan
Scale 1 : 100



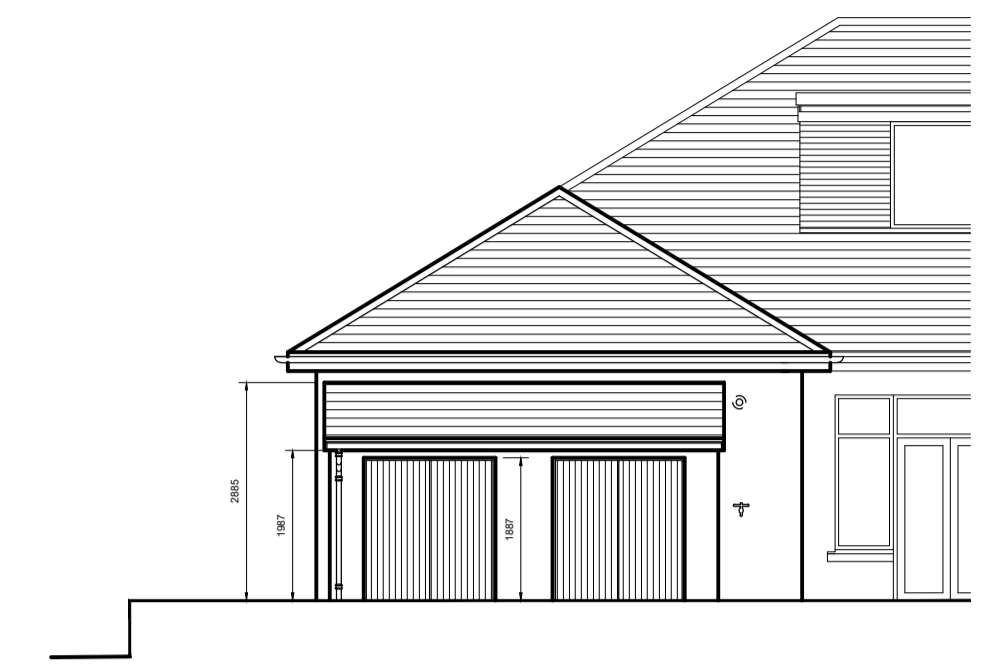
Block Plan
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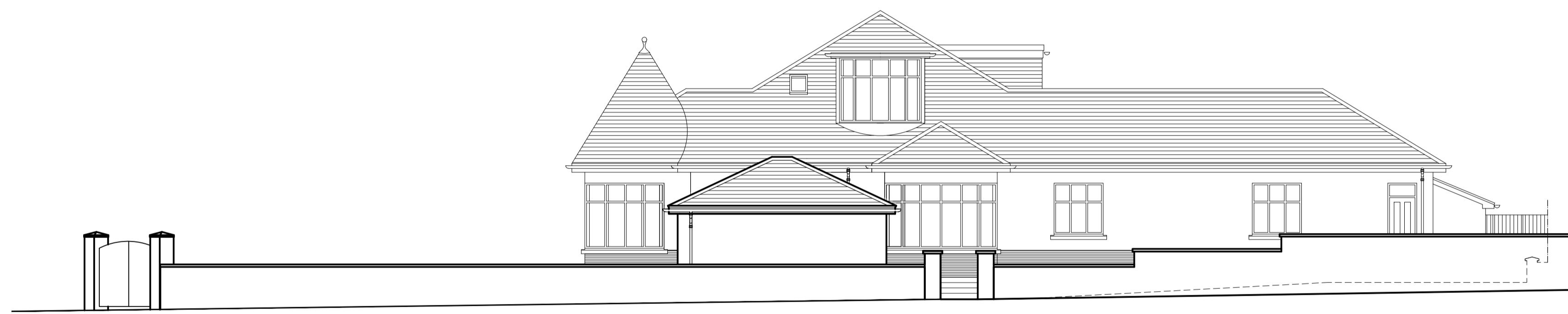
Mr & Mrs. A. Samuel	
8 Roddinghead Road, Giffnock G46 6TP	
Plans - as Proposed	
1 : 100 / 1:200	A1
8-G466TP-005	



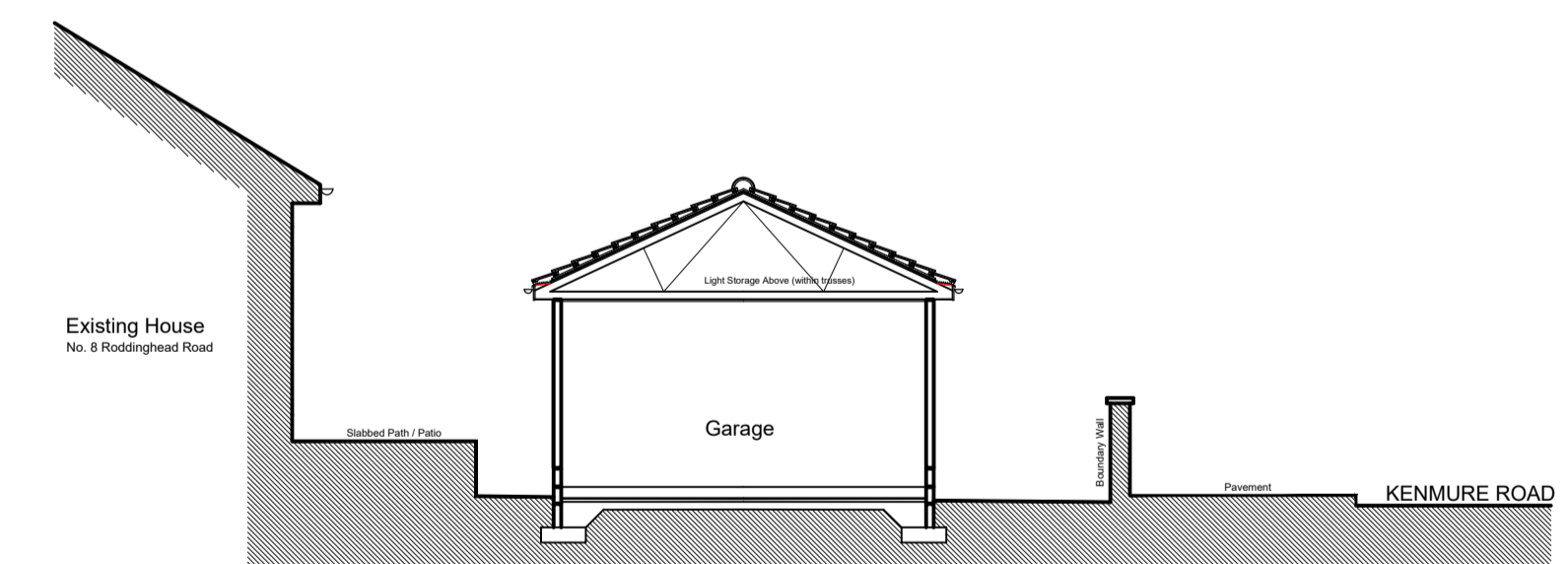
Elevation to House (Kenmure Road)
Scale 1 : 100



End Elevation to House
Scale 1 : 100



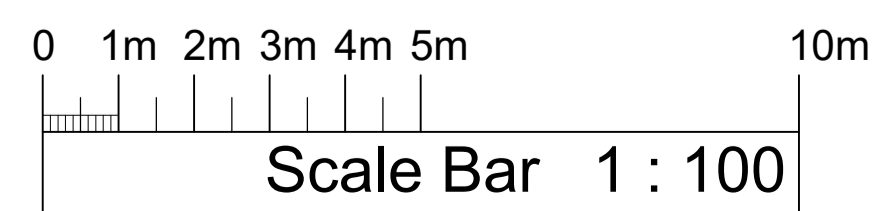
Elevation to Street (Kenmure Road)
Scale 1 : 100

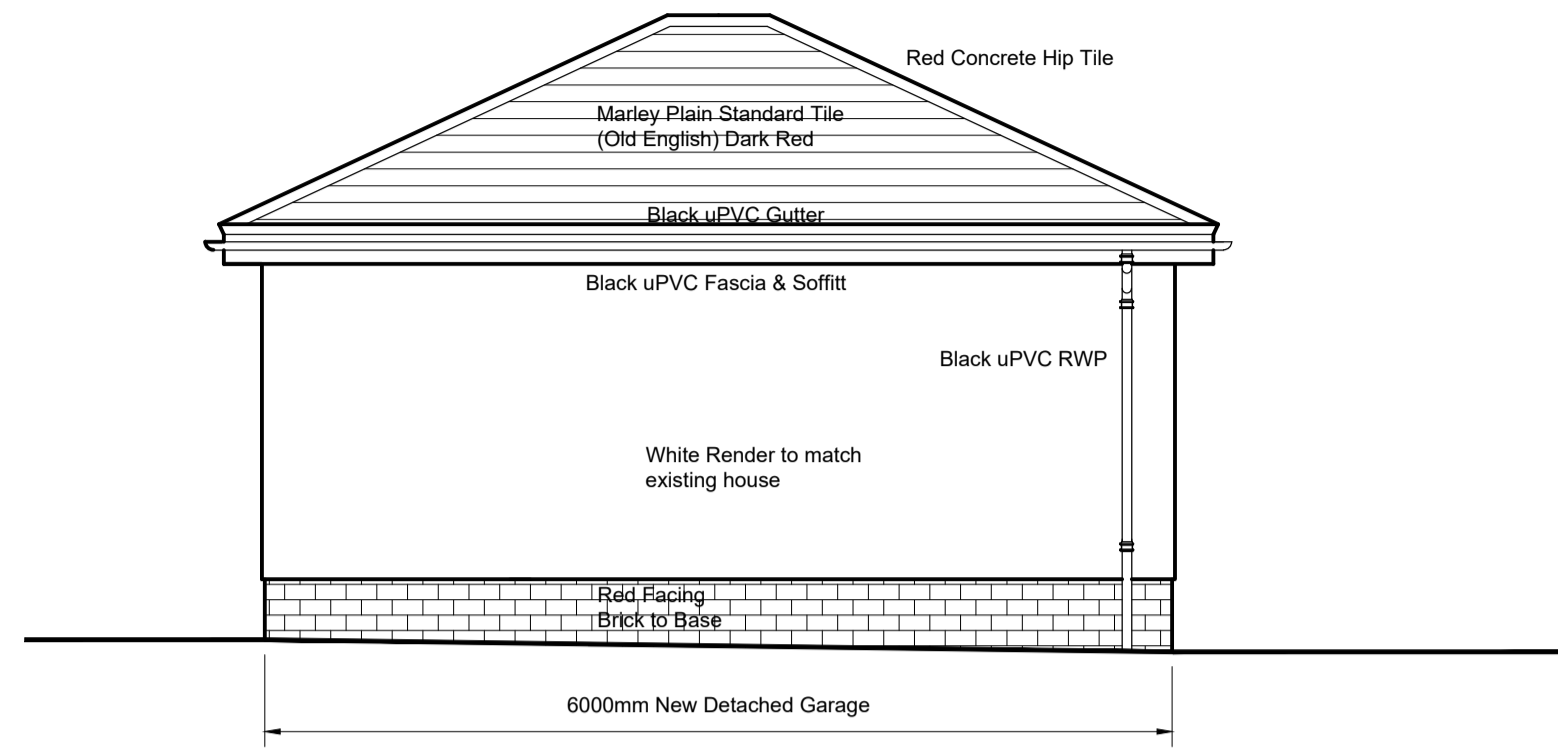


Section A - A
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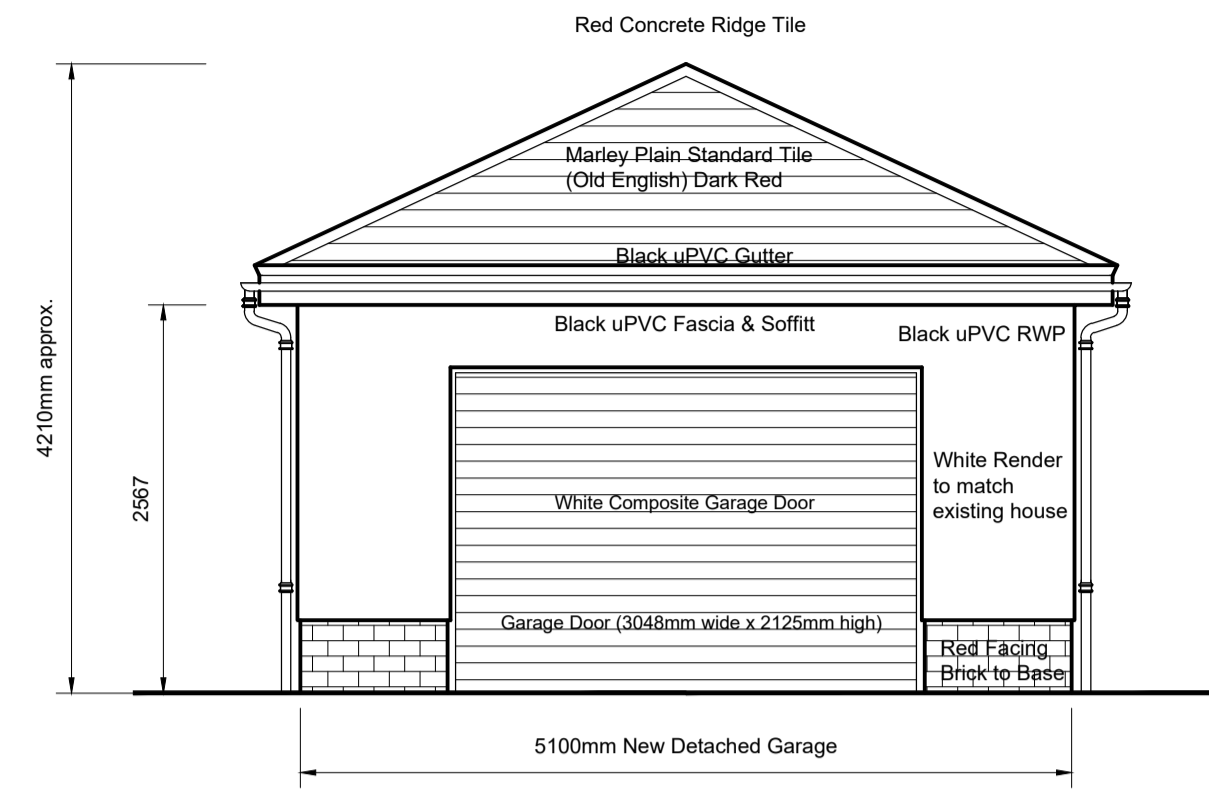


Section to House (Kenmure Road)
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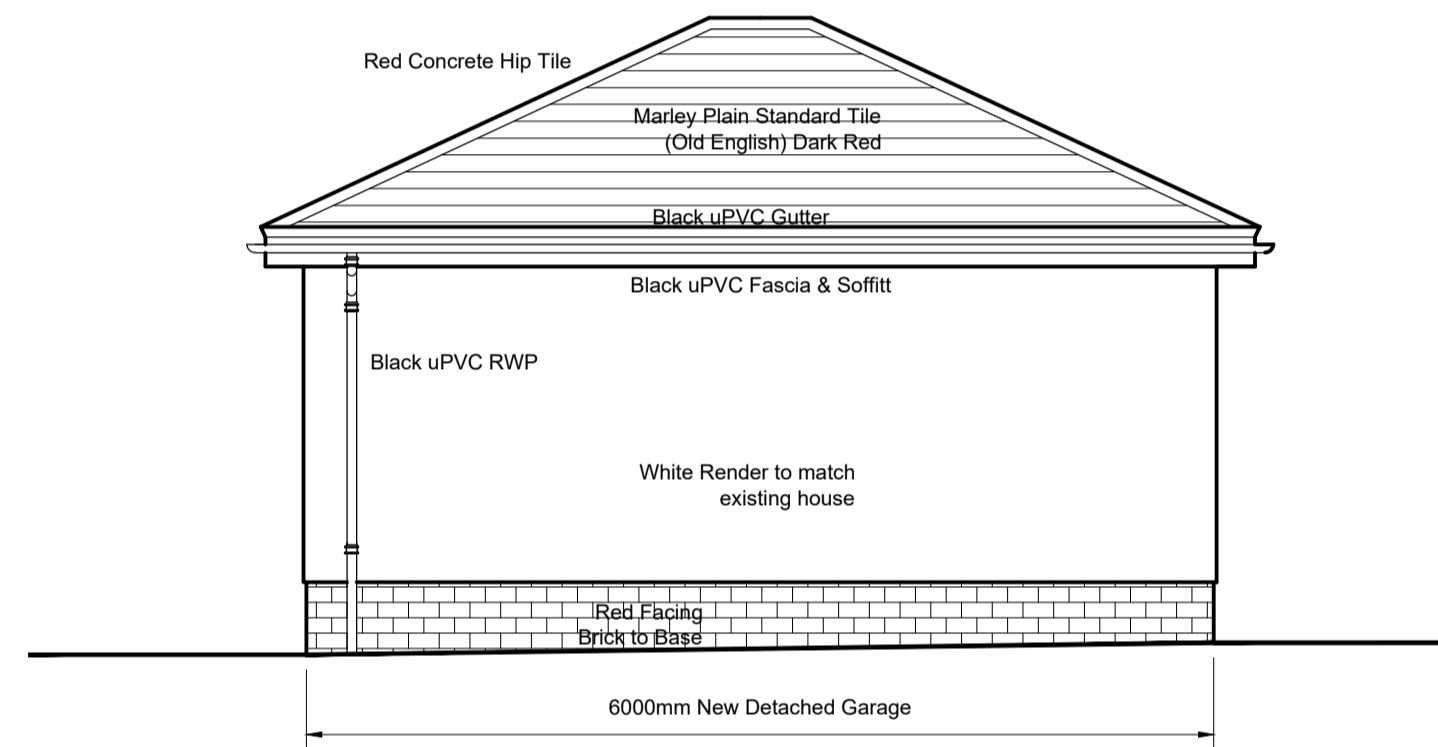




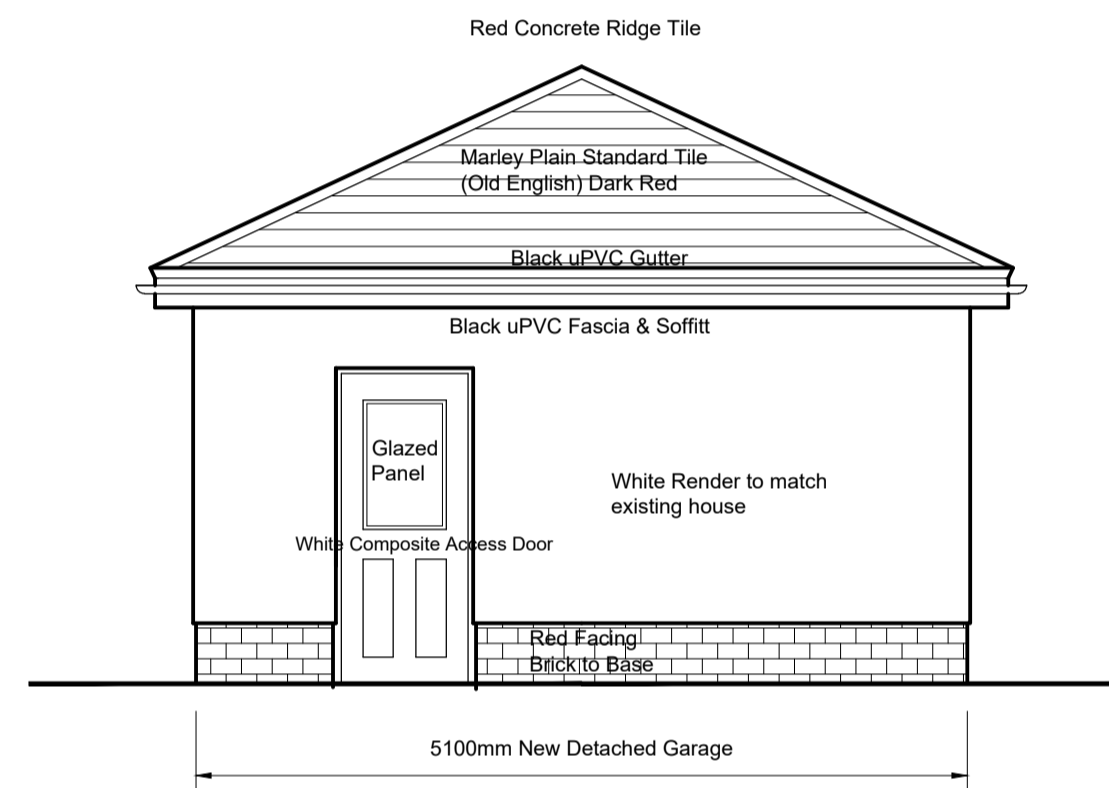
End Elevation
Scale 1 : 50



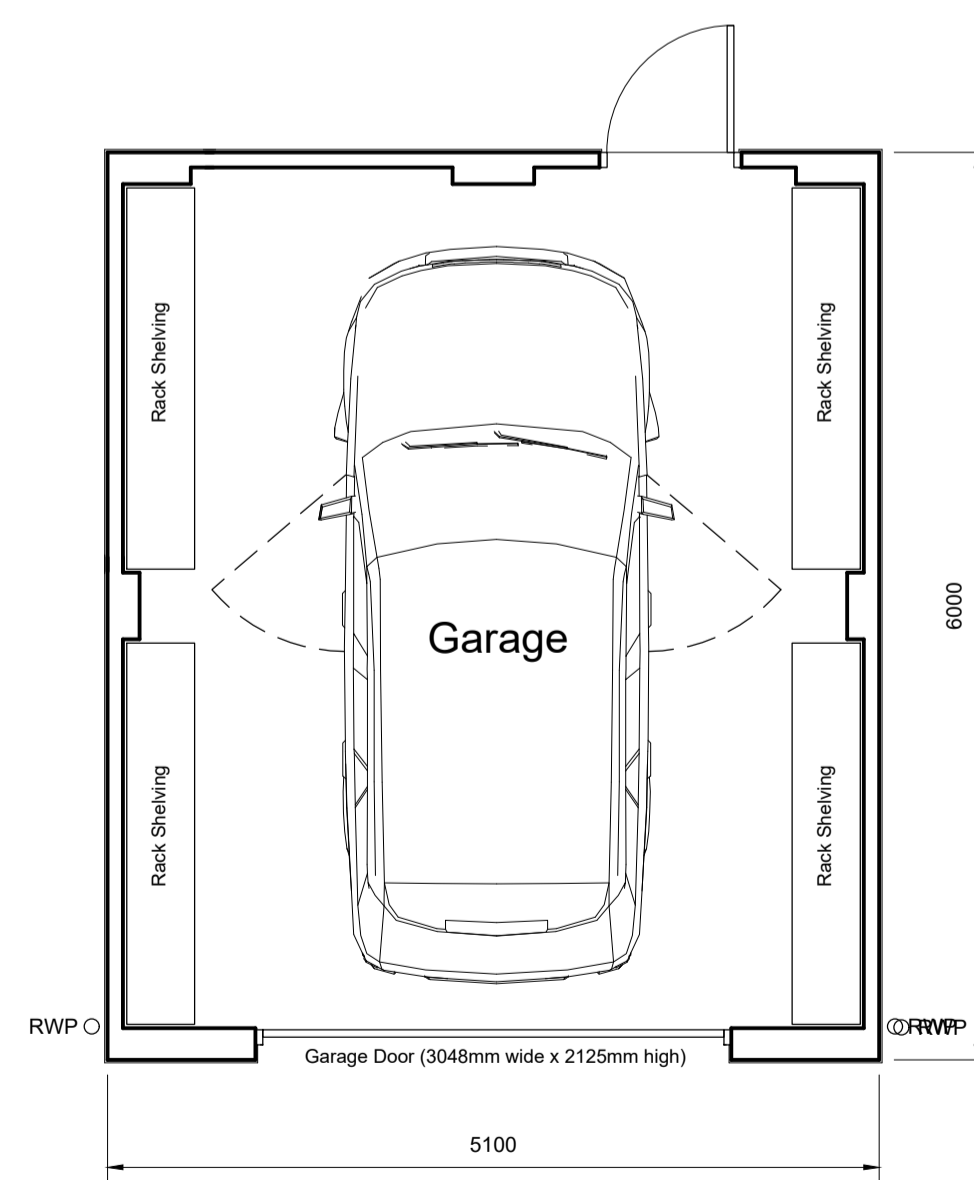
Front Elevation
Scale 1 : 50



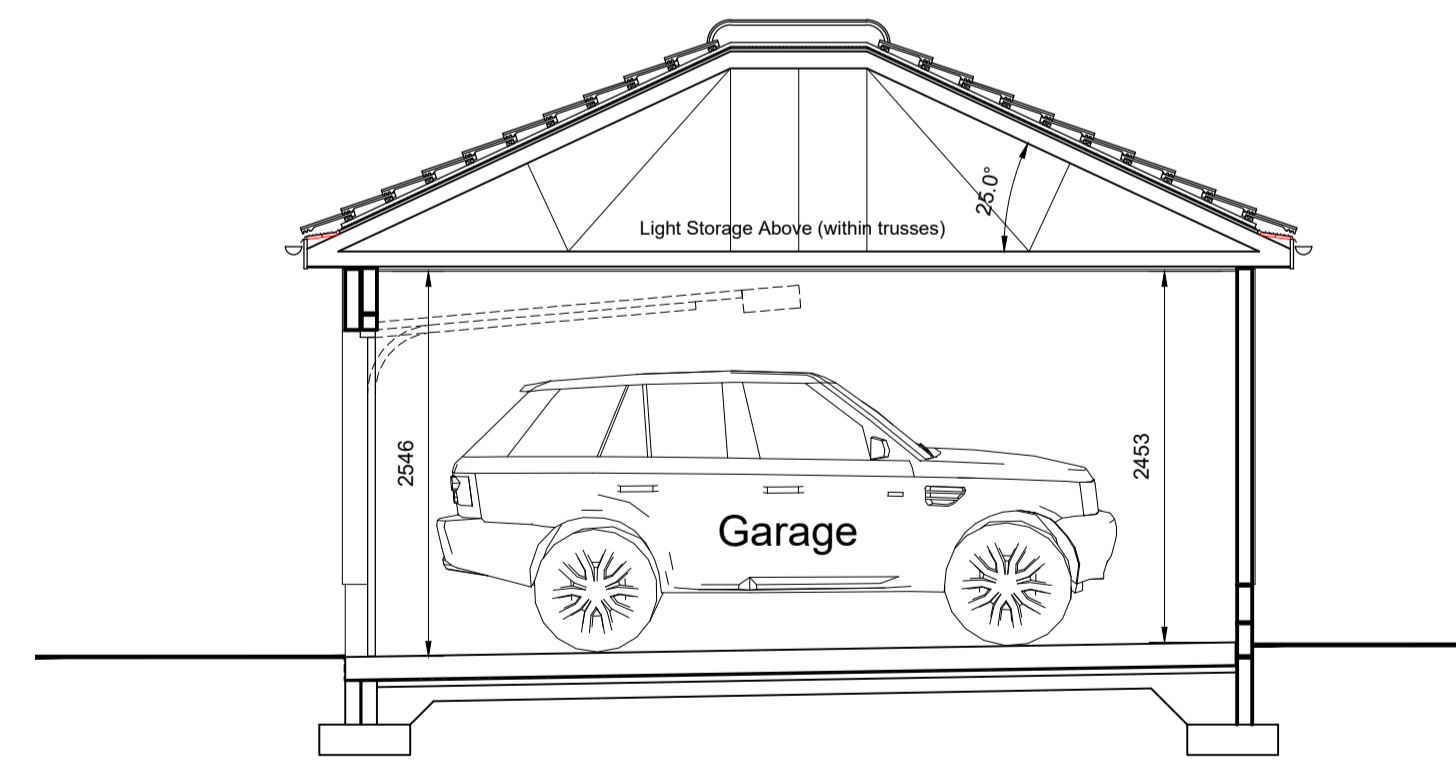
End Elevation
Scale 1 : 50



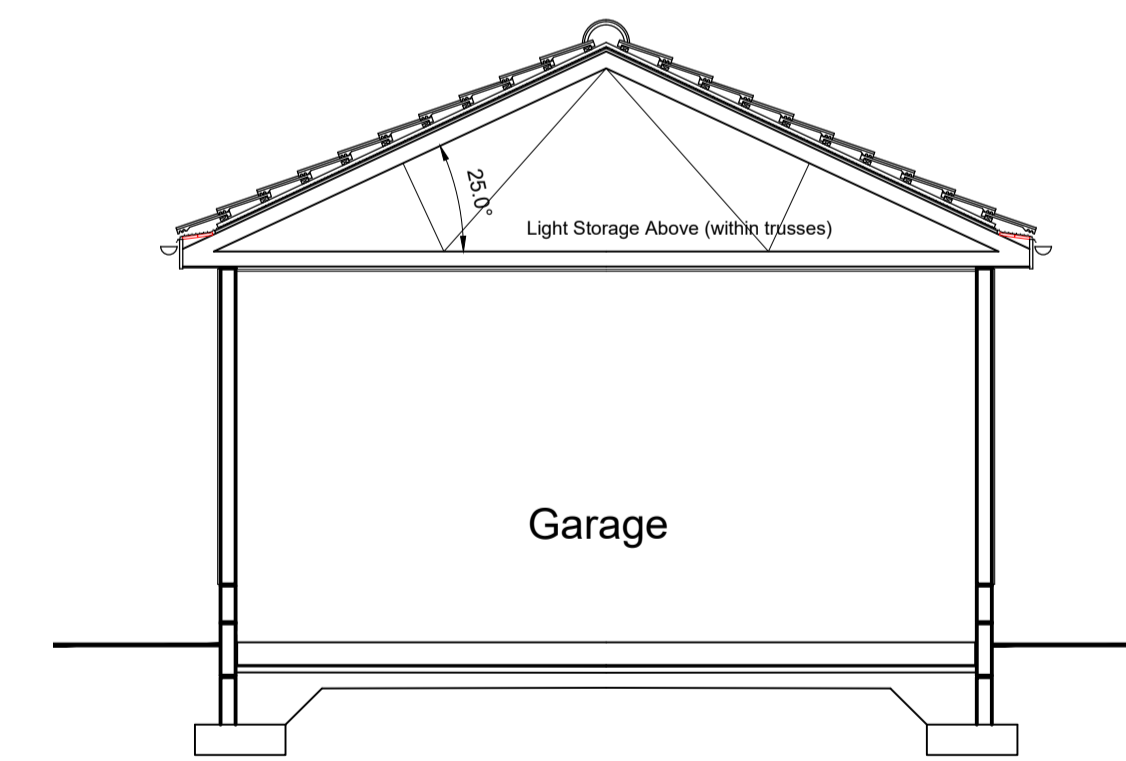
Rear Elevation
Scale 1 : 50



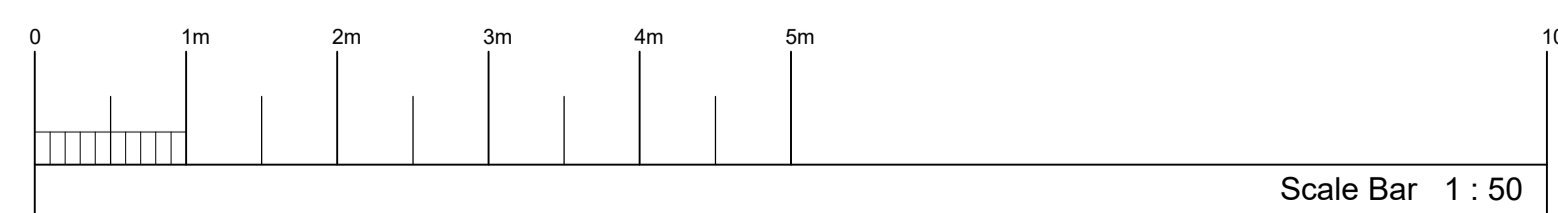
Plan
Scale 1 : 50



Long Section
Scale 1 : 50



Cross Section
Scale 1 : 50



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