

EAST RENFREWSHIRE COUNCILLOCAL REVIEW BODY2 November 2016Report by Deputy Chief ExecutiveREVIEW OF CASE - REVIEW/2016/12ERECTION OF TWO STOREY SIDE EXTENSION WITH SINGLE STOREYREAR EXTENSION AT 9 KIRKVALE DRIVE, NEWTON MEARNES**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:- 2016/0400/TP).
- Applicant: Mr and Mrs Walker.
- Proposal: Erection of two storey side extension with single storey rear extension.
- Location: 9 Kirkvale Drive, Newton Mearns.
- Council Area/Ward: Newton Mearns South (Ward 5).

REASON FOR REQUESTING REVIEW

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

RECOMMENDATIONS

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

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

BACKGROUND

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

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

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

NOTICE OF REVIEW – STATEMENT OF REASONS FOR REQUIRING THE REVIEW

8. The applicants in submitting their review have stated the reasons for requiring the review of the determination of their application. A copy of the applicants’ Notice of Review and Statement of Reasons is attached as Appendix 4.

9. The applicants are 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 have indicated that their stated preference is a site inspection.

10. The Local Review Body is not bound to accede to the applicants’ request as to how it will determine the review and will itself decide what procedure will be used in this regard.

11. Members will recall however that at the meeting of the Local Review Body on 10 August 2016, it was decided that the Local Review Body would carry out unaccompanied site inspections for every review case it received prior to the cases being given initial consideration at a meeting of the Local Review Body.

12. In accordance with the above decision, the Local Review Body has agreed to carry out an unaccompanied site inspection on Wednesday, 2 November 2016 immediately before the meeting of the Local Review Body which is scheduled to begin at 2.30pm on that date.

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. However, the applicants have submitted new information which was not available to the Appointed Officer at the time the determination of the application was made. The new information relates to photographs and plans of other properties in the surrounding area which were not in the application file.

15. Members are advised that Section 43B of The Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006 states that:-

“43B Matters which may be raised in a review under section 43A(8)

- (1) In a review under section 43A(8), a party to the proceedings is not to raise any matter which was not before the appointed person at the time the determination reviewed was made unless that party can demonstrate—
 - (a) that the matter could not have been raised before that time, or
 - (b) that its not being raised before that time was a consequence of exceptional circumstances.
- (2) Nothing in subsection (1) affects any requirement or entitlement to have regard to—
 - (a) the provisions of the development plan, or
 - (b) any other material consideration.”

16. The applicants have been given an opportunity to explain why the information was not made available to the Appointed Officer at the time the application was determined.

17. In reply, the applicants have explained that the new information is all matter of public record as defined by precedent applications for consent by the Council or is visually observable in the surrounding area. On this basis, the applicants do not consider the information to be new.

18. The Local Review Body must decide whether the new information should be considered as part of the review. In the event that it does decide that the new information should be considered as part of the review, it is recommended, in the interests of equality of opportunity to all parties that the Appointed Officer be given the opportunity to comment on the new information.

19. Members should note that the new information has been excluded from the applicants' 'Notice of Review' form.

20. 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 9-14);
- (b) Report of Handling by the planning officer under the Scheme of Delegation - Appendix 2 (Pages 15-22);
- (c) Decision notice and reasons for refusal - Appendix 3 (Pages 23-26); and
- (d) A copy of the applicants' Notice of Review and Statement of Reasons - Appendix 4 (Pages 27-32).

21. The applicants have also submitted the drawings listed below (available for inspection within the Planning Division of the Environment Department prior to the meeting and for reference at the meeting) and these are attached as Appendix 5 (Pages 33-44).

- (a) Refused - Location Plan;
- (b) Refused - Existing and Proposed Elevations;
- (c) Refused – Block Plan and Existing and Proposed Elevations from Neighbours;
- (d) Refused – Existing and Proposed Ground Floor Plan; and
- (e) Refused – Existing and Proposed First Floor Plan.

22. 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.

23. All the documents referred to in this report can be viewed online on the Council's website at www.eastrenfrewshire.gov.uk with the exception of any representations that have been made to the application.

RECOMMENDATIONS

24. The Local Review Body is asked to:-

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

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

Report Author: Paul O'Neil

Director - Caroline Innes, Deputy Chief Executive

Paul O'Neil, Committee Services Officer
e-mail: paul.o'neil@eastrenfrewshire.gov.uk
Tel: 0141 577 3011

Date:- October 2016

KEY WORDS:

A report presenting information to allow the Local Review Body to review the decision taken by the appointed officer to refuse the application for planning permission in terms of the scheme of delegation.

Key Words:- Local Review Body, Notice of Review, Statement, Reasons.

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**APPLICATION
FOR
PLANNING PERMISSION**

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2016/0400/TP¹¹

RECEIVED

17 JUN 2016

HOUSEHOLDER APPLICATION FOR PLANNING PERMISSION

Town and Country Planning (SCOTLAND) ACT 1997
The Town and Country Planning (Development Management Procedure) (SCOTLAND) REGULATIONS 2013

Please refer to the accompanying Guidance Notes when completing this application
PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://www.cplanning.scot>

1. Applicant's Details		2. Agent's Details (if any)	
Title	MRT MRS	Ref No.	
Forename		Forename	JOHN A
Surname	WAUCHE	Surname	HUTTON
Company Name		Company Name	FUT 0/1.
Building No./Name	9	Building No./Name	69
Address Line 1	KIRKWAVE DRIVE	Address Line 1	MURRAE ROAD,
Address Line 2	NEWTON MEANS	Address Line 2	LANZSIDE
Town/City	GUTHRIE	Town/City	GUTHRIE
Postcode	G77 5HD	Postcode	G42 9UT
Telephone		Telephone	
Mobile		Mobile	
Fax		Fax	
Email		Email	

3. Address or Location of Proposed Development (please include postcode)

9, KIRKWAVE DRIVE,
NEWTON MEANS

NB. If you do not have a full site address please identify the location of the site(s) in your accompanying documentation

4. Describe the Proposed Works

Please describe accurately the work proposed:

SIDE TWO STOREY & REAR SINGLE STOREY EXTENSIONS - ALL MATS TO MATCH EXISTING

Have the works already been started or completed? Yes No

If yes, please state date of completion, or if not completed, the start date.

Date started: Date completed:

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

5. Pre-Application Discussion

Have you received any advice from the planning authority in relation to this proposal? Yes No

If yes, please provide details about the advice below:

In what format was the advice given? Meeting Telephone call Letter Email

Have you agreed or are you discussing a Processing Agreement with the planning authority? Yes No

Please provide a description of the advice you were given and who you received the advice from:

Name: Date: Ref No.:

6. Trees

Are there any trees on or adjacent to the application site? Yes No

If yes, please show on drawings any trees (including known protected trees) and their canopy spread as they relate to the proposed site and indicate if any are to be cut back or felled.

7. Changes to Vehicle Access and Parking

Are you proposing a new altered vehicle access to or from a public road? Yes No

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

Are you proposing any changes to public paths, public rights of way or affecting any public rights of access? Yes No

If yes, please show on your drawings the position of any affected areas and explain the changes you propose to make, including arrangement for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application site?

How many vehicle parking spaces (garaging and open parking) do you propose on the site? (i.e. the total of existing and any new spaces or reduced number of spaces)

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, etc.

8. Planning Service Employee/Elected Member Interest

Are you / the applicant / the applicant's spouse or partner, a member of staff within the planning service or an elected member of the planning authority? Yes No

Or, are you / the applicant / the applicant's spouse or partner a close relative of a member of staff in the planning service or elected member of the planning authority? Yes No

If you have answered yes please provide details:

DECLARATION

I, the applicant / agent certify that this is an application for planning permission and that accompanying plans/drawings and additional information are provided as part of this application. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

I, the applicant/agent hereby certify that the attached Land Ownership Certificate has been completed

I, the applicant/agent hereby certify that site notice has been given to other land owners and /or agricultural tenants Yes No N/A

Signature

Name:

John A. Hutton

Date:

6/6/16

Any person providing information on this form will be held and processed in accordance with the Access to Information Act.

LAND OWNERSHIP CERTIFICATES

Town and Country Planning (Scotland) Act 1997
 Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2015

CERTIFICATE A, B, C, D OR CERTIFICATE E MUST BE COMPLETED BY ALL APPLICANTS

CERTIFICATE A

Certificate A is for use where the applicant is the only owner of the land to which the application relates and none of the land is agricultural land.

I hereby certify that -

- (1) No person other than myself MR JAMES WATKINS was owner of any part of the land to which the application relates during the period of 21 days ending with the date of the application.
- (2) None of the land to which the application relates constitutes or forms part of agricultural land.

Signed:

On behalf of:

Date:

[Redacted Signature]

MR James WATKINS

16/6/16.

CERTIFICATE B

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

I hereby certify that -

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

Name	Address	Date of Service of Notice

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

REPORT OF HANDLING

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REPORT OF HANDLING

Reference: 2016/0400/TP

Date Registered: 17th June 2016

Application Type: Full Planning Permission

This application is a Local Development

Ward: 5 -Newton Mearns South

Co-ordinates: 255720/:656331

Applicant/Agent:

Applicant:
Mr And Mrs Walker
9 Kirkvale Drive
Newton Mearns
East Renfrewshire
G77 5HD

Agent:
Mr John Hutton
Flat 0/1
69 Millbrae Road
Langside
Glasgow
G42 9UT

Proposal: Erection of two storey side extension with single storey rear extension

Location: 9 Kirkvale Drive
Newton Mearns
East Renfrewshire
G77 5HD

CONSULTATIONS/COMMENTS: None.

PUBLICITY: None.

SITE NOTICES: None.

SITE HISTORY: None relevant.

REPRESENTATIONS: No representations have been received.

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

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

ASSESSMENT:

The application site comprises a semi-detached two storey dwelling and its curtilage and lies within an established residential area. The property has a single garage built concurrent with the dwelling. The garage is attached to the dwelling via a covered walkway, accessing the dwelling and rear garden. This is an original design feature of this house type. This section of Kirkvale Drive is characterised predominantly by detached and semi-detached dwellings with flatted blocks further to the south west.

Planning permission is sought for the erection of a two storey side extension and a single storey rear extension. An enlarged vestibule/front porch feature is also proposed. The side extension is proposed to measure approximately 3.3 metres wide. It projects the existing ridge line and the existing front building line sideways without a set-back or step down and would lie 0.7 metres from the side boundary. The single storey rear extension measures 4 metres deep and the front porch measures 1.25 metres deep by 4.9 metres wide.

It is noted that the nearest dwelling on the adjacent semi-detached block at number 11 Kirkvale Drive, which is the same house type, has a similar two storey side extension with no set-back or step-down. This was approved under reference 2002/0782/TP on 21/01/2003 and pre-dates the policies in the adopted Local Development Plan

The application requires to be assessed with regard to Policies D1 and D14 of the adopted East Renfrewshire Local Development Plan. Policy D1 requires that development should not result in a significant loss of character to the area. It further states that extensions should be of a size, scale and massing in keeping with the building to which they relate and should respect the architecture, building form and materials.

Policy D14 requires that extensions should complement the existing character of the property, the size scale and height should be appropriate and that side extensions should not create an unbroken or terraced appearance.

The adopted Supplementary Planning Guidance: Householder Design Guide, which supports and forms part of Policy D14, adds that side extensions should be set back at least 0.5 metres from the front elevation of the original house, should have a ridge line below that of the original house and should be set back at least 1 metres from the side boundary. It also states that front porches should not be more than 2 metres in width.

Given the lack of step-down and set-back, the proposed side extension is considered to give rise to a terracing effect along Kirkvale Drive. This is exacerbated by the adjacent extension at 11 Kirkvale Drive. This is at odds with the existing street-scape which is characterised at this point by detached and semi-detached dwellings set within established gardens with generous spacing between dwellings at upper floor level (the garages being generally attached one with the other). Whilst this character has been partially eroded by the adjacent extension at 11 Kirkvale Drive, this should not be seen as a reason to further erode the established character by allowing this side extension. The proposal is therefore contrary to Policy D1 of the adopted Local Development Plan as it would detract from the established character of the area by virtue of it giving rise to a terracing effect.

The existing dwelling is characterised by a larger two storey element with a single garage attached to the dwelling by a covered walkway. This helps break up the massing of the dwelling and adds interest and articulation to the front elevation. The proposed two storey side extension is considered to detract from this articulation as it introduces a side projection that results in a large unbroken elevation fronting the street. This is exacerbated by the fact that the ridge and eaves lines carry through without any set-back or drop-down. This is further exacerbated by the extended front porch feature that appears as a heavy and ungainly addition to the front of the dwelling by virtue of its size and design. The proposal is therefore contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as it dominates and detracts from the original character of the dwelling.

The proposal is also contrary to the specific terms of the adopted Supplementary Planning Guidance: Householder Design Guide (SPG) as i) it does not comprise a set-back from the front building line or drop in the ridge line; ii) lies within 1 metre of the side boundary; and iii) comprises a front porch that is in excess of 2 metres in width.

On its own, the single storey rear extension would not give rise to any significant policy or amenity issues.

The applicant's agent has been advised verbally that the proposal is contrary to the terms of the adopted Local Development Plan. In response he verbally contends that the application should be supported as there is a similar extension on the adjacent dwelling. However, for the reasons given above, this does not justify setting aside the terms of the Development Plan.

The proposal is considered to be contrary to the terms of Policies D1 and D14 of the adopted East Renfrewshire Local Development Plan and the adopted Supplementary Planning Guidance: Householder Design Guide (SPG) that supports and forms part of Policy D14. There are no material considerations that justify laying aside the terms of the Development Plan.

RECOMMENDATION: Refuse

PLANNING OBLIGATIONS: None

REASONS FOR REFUSAL:

1. The proposal is contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan as it would detract from the established and open character of the area by giving rise to a terracing effect. This would be at odds with the predominant pattern of detached and semi-detached dwellings.
2. The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as it dominates and detracts from the original character and design of the dwelling by introducing a two storey side extension and large front porch with no set back from the front building line whilst carrying through the ridge and eaves lines of the dwelling.
3. The proposal is contrary to the specific terms of the adopted Supplementary Planning Guidance: Householder Design Guide (SPG) as i) it does not comprise a set-back from the front building line or drop in the ridge line; ii) lies within 1 metre of the side boundary; and iii) comprises a front porch that is in excess of 2 metres in width.

ADDITIONAL NOTES: None

ADDED VALUE: None

BACKGROUND PAPERS:

Further information on background papers can be obtained from Mr Ian Walker on 0141 577 3042.

Ref. No.: 2016/0400/TP
(DS)

DATE: 9th September 2016

DIRECTOR OF ENVIRONMENT

Reference: 2016/0400/TP - Appendix 1
DEVELOPMENT PLAN:

Strategic Development Plan

This proposal raises no strategic issues in terms of the Glasgow and the Clyde Valley Strategic Development Plan and therefore the East Renfrewshire Local Plan is the relevant policy document

Adopted East Renfrewshire Local Development Plan

Policy D1

Detailed Guidance for all Development

Proposals for development should be well designed, sympathetic to the local area and demonstrate that the following criteria have been considered, and, where appropriate, met. In some cases, where the criteria have not been met, a written justification will be required to assist with assessment.

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

- activity;
14. Development should enhance the opportunity for and access to sustainable transportation, including provision for bus infrastructure, and particularly walking and cycle opportunities including cycle parking and provision of facilities such as showers/lockers, all where appropriate. The Council will not support development on railways solums or other development that would remove opportunities to enhance pedestrian and cycle access unless mitigation measures have been demonstrated;
 15. The Council requires the submission of a design statement for national and major developments. Design statements must also be submitted in cases where a local development relates to a site within a conservation area or Category A listed building in line with Planning Advice Note 68: Design Statements.
 16. Where applicable, developers should explore opportunities for the provision of digital infrastructure to new homes and business premises as an integral part of development.

Policy D14

Extensions to Existing Buildings and Erection of Outbuildings and Garages

Any extensions must complement the existing character of the property, particularly in terms of style, form and materials.

The size, scale and height of any development must be appropriate to the existing building. In most circumstances, pitched roofs utilising slates or tiles to match the existing house will be the appropriate roof type. Alternatives, such as flat roofs or green roofs, will be considered on a site specific basis.

Side extensions should not create an unbroken or terraced appearance.

The development should avoid over-development of the site by major loss of existing garden space.

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

The above are broad requirements and these are further defined in the Householder Design Guide Supplementary Planning Guidance.

GOVERNMENT GUIDANCE: None relevant

Finalised 09/09/16 IM(1)

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**DECISION NOTICE
AND
REASONS FOR REFUSAL**

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

REFUSAL OF PLANNING PERMISSION

Ref. No. **2016/0400/TP**

Applicant

Mr And Mrs Walker
9 Kirkvale Drive
Newton Mearns
East Renfrewshire
G77 5HD

Agent:

Mr John Hutton
Flat 0/1
69 Millbrae Road
Langside
Glasgow G42 9UT

With reference to your application which was registered on 17th June 2016 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Erection of two storey side extension with single storey rear extension

at: 9 Kirkvale Drive Newton Mearns East Renfrewshire G77 5HD

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

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

1. The proposal is contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan as it would detract from the established and open character of the area by giving rise to a terracing effect. This would be at odds with the predominant pattern of detached and semi-detached dwellings.
2. The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as it dominates and detracts from the original character and design of the dwelling by introducing a two storey side extension and large front porch with no set back from the front building line whilst carrying through the ridge and eaves lines of the dwelling.
3. The proposal is contrary to the specific terms of the adopted Supplementary Planning Guidance: Householder Design Guide (SPG) as i) it does not comprise a set-back from the front building line or drop in the ridge line; ii) lies within 1 metre of the side boundary; and iii) comprises a front porch that is in excess of 2 metres in width.

Dated 9th September 2016

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



The following drawings/plans have been refused

Plan Description	Drawing Number	Drawing Version	Date on Plan
Location Plan	LOCATION		
Block Plan	2		
Elevations Proposed	1		
Plans Proposed	3		
Plans Proposed	4		

GUIDANCE NOTE FOR REFUSAL OF LOCAL DEVELOPMENTS DETERMINED UNDER DELEGATED POWERS

REVIEW BY EAST RENFREWSHIRE COUNCIL'S LOCAL REVIEW BODY

1. If the applicant is aggrieved by a decision to refuse permission (or by an approval subject to conditions), the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. A Notice of Review can be submitted online at www.eplanning.scotland.gov.uk. Alternatively, you can download a Notice of Review form (along with notes for guidance) from www.eastrenfrewshire.gov.uk/planning-appeals-reviews which should be returned to The Planning Service, 2 Spiersbridge Way, Spiersbridge Business Park, Thornliebank, East Renfrewshire G46 8NA. You may also call the Council on 0141 577 3001 to request the Notice of Review Form. Please note that beyond the content of the appeal or review forms, you cannot normally raise new matters in support of an appeal or review, unless you can demonstrate that the matter could not have been raised before, or that its not being raised before is a consequence of exceptional circumstances. Following submission of the notice, you will receive an acknowledgement letter informing you of the date of the Local Review Body meeting or whether further information is required.
2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

CONTACT DETAILS

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

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

**NOTICE OF REVIEW
AND
STATEMENT OF REASONS**

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NOTICE OF REVIEW

Under Section 43A(8) Of the Town and Country Planning (SCOTLAND) ACT 1997 (As amended) In Respect
of Decisions on Local Developments
The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (SCOTLAND)
Regulations 2013
The Town and Country Planning (Appeals) (SCOTLAND) Regulations 2013

IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.

PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS
ELECTRONICALLY VIA <https://www.eplanning.scot>

1. Applicant's Details		2. Agent's Details (if any)	
Title	MRS & MRS	Ref No.	
Forename		Forename	JOHN
Surname	WALKER	Surname	HUTTON
Company Name		Company Name	
Building No./Name	9	Building No./Name	FLAT 0/1, 69
Address Line 1	KIRKVALE DRIVE	Address Line 1	MILBRAE ROAD
Address Line 2	NEWTON MEANS	Address Line 2	LANGSIDE
Town/City	GLASGOW	Town/City	GLASGOW
Postcode	G77 5HD	Postcode	G42 9UT
Telephone		Telephone	01773 209204
Mobile		Mobile	-
Fax		Fax	
Email		Email	
3. Application Details			
Planning authority	EAST DUNFREMESHIRE COUNCIL		
Planning authority's application reference number	2016 / 0400 / TP		
Site address	9, KIRKVALE DRIVE, NEWTON MEANS.		
Description of proposed development	SIDE TWO STOREY EXT ^N , SINGLE STOREY TO FRONT & REAR.		

Date of application

17/6/16

Date of decision (if any)

9/9/16

Note. This notice must be served on the planning authority within three months of the date of decision notice or from the date of expiry of the period allowed for determining the application.

4. Nature of Application

Application for planning permission (including householder application)

Application for planning permission in principle

Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission and/or modification, variation or removal of a planning condition)

Application for approval of matters specified in conditions

5. Reasons for seeking review

Refusal of application by appointed officer

Failure by appointed officer to determine the application within the period allowed for determination of the application

Conditions imposed on consent by appointed officer

6. Review procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

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

Further written submissions

One or more hearing sessions

Site inspection

Assessment of review documents only, with no further procedure

If you have marked either of the first 2 options, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing necessary.

[Empty box for explanation]

7. Site inspection

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

Can the site be viewed entirely from public land?

Is it possible for the site to be accessed safely, and without barriers to entry? CLIENT WILL GIVE ACCESS TO ROAD.

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

IF THEY WANT ACCESS TO REAR THE OWNER WILL GIVE ACCESS.

8. Statement

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

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

THE REASON FOR THE REVIEW IS AT THE TIME OF APPLICATION THE OFFICER WAS ASKED TO TAKE INTO CONSIDERATION THE NEIGHBOUR TO RIGHT HAND SIDE HAS EXACTLY THE SAME EXTENSION AS WE APPLIED FOR AND FURTHER EXAMPLES WERE POINTED OUT WITHIN THE LOCALITY. WE ENCLOSE PICTURES SHOWING EXTNS TO GABLE & FRONT HARD TO BOUNDARY!
WE HOPE THE REVIEW BODY WILL TAKE THESE INTO CONSIDERATION?
THE STREET HAS VARIOUS DIFFERENT HOUSES, FLATS DETACHED, BUNGALOWS ETC.

Have you raised any matters which were not before the appointed officer at the time your application was determined? Yes No

If yes, please explain below a) why you are raising new material b) why it was not raised with the appointed officer before your application was determined and c) why you believe it should now be considered with your review.

VARIOUS ADDRESSES WERE MENTIONED TO OFFICER BUT WE HAVE NOW INCLUDED PICTURES FOR THE REVIEW BODY.

9. List of Documents and Evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review

PICTURES OF SIMILAR EXTENSIONS CARRIED OUT IN THE LOCAE.
MOST HARD TO BOUNDARY, ROOF IN LINE WITH EXISTING + FORWARD EXTENSIONS!
PLANS OF REFUSED APPN.

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

10. Checklist

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

Full completion of all parts of this form



Statement of your reasons for requesting a review



All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.



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

DECLARATION

I, the applicant/agent hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

Signature: 



Name: JOHN A. HUTTON

Date: 21/9/16

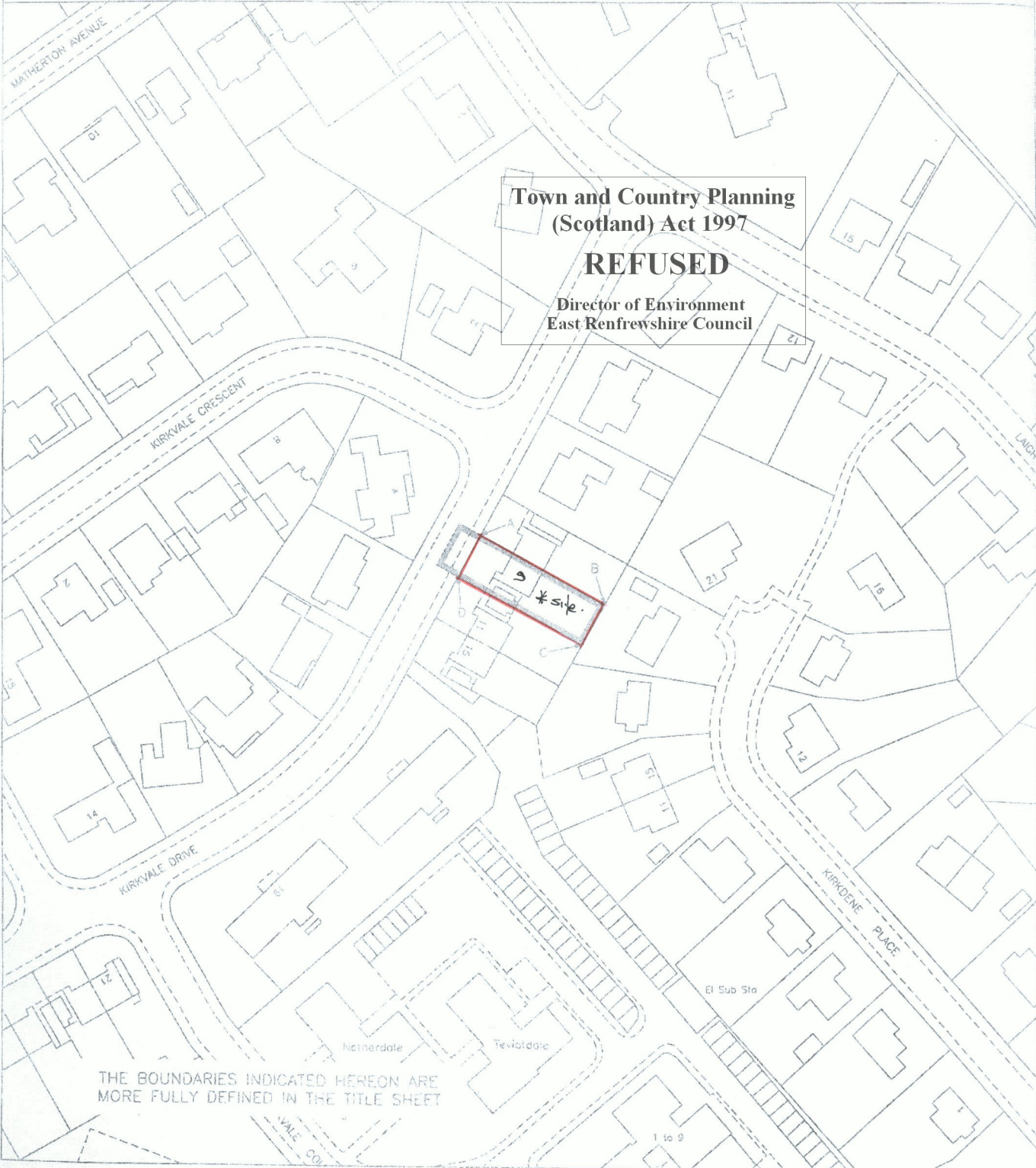
Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.

PLANS/PHOTOGRAPHS/DRAWINGS

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 LAND REGISTER OF SCOTLAND	Officer's ID / Date	TITLE NUMBER
	30300 16/10/1997	REN34706
 ORDNANCE SURVEY NATIONAL GRID REFERENCE	Scale	
	1/1250	
NS5556SE NS5556NE	Survey Scale	
	1/1250	

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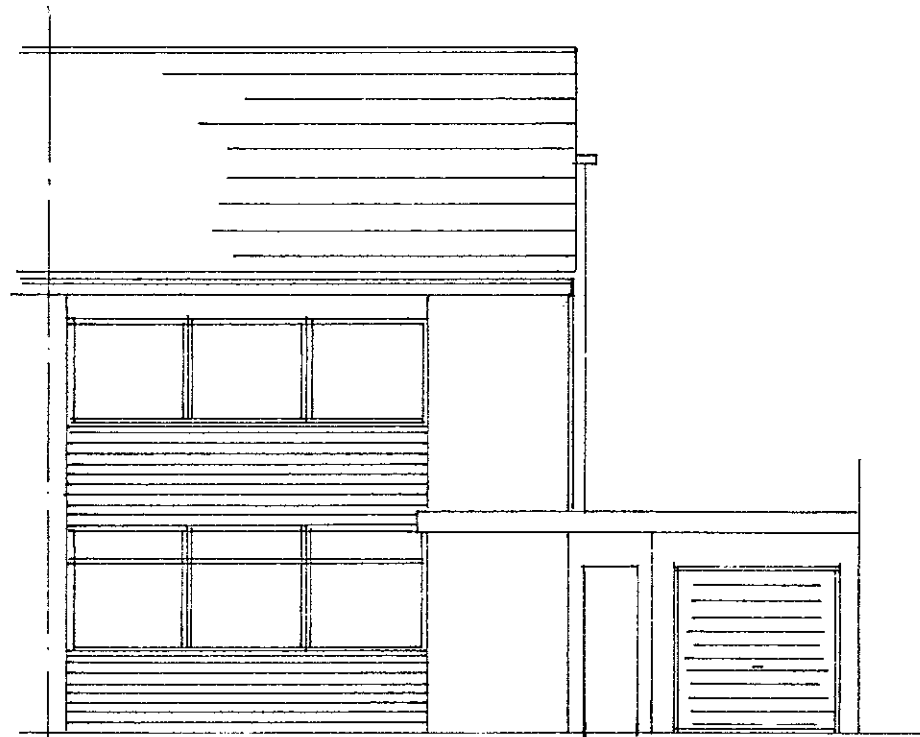
**Town and Country Planning
(Scotland) Act 1997**
REFUSED
 Director of Environment
 East Renfrewshire Council

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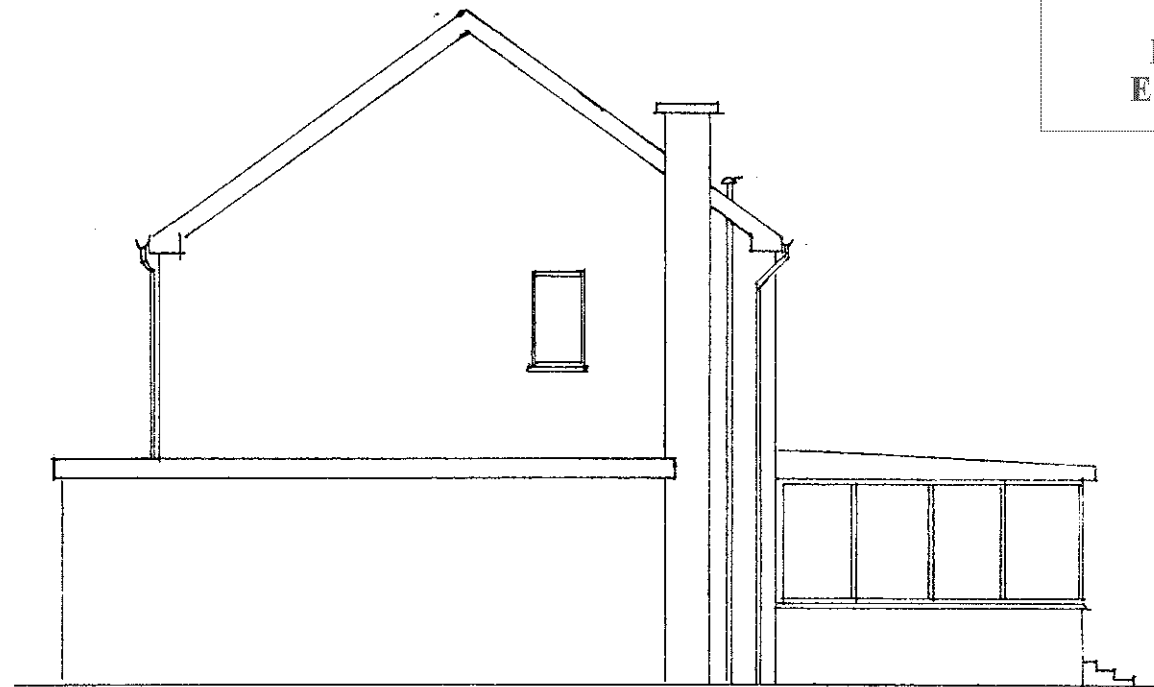
PROPOSED TWO STOREY EXTENSION TO SIDE + SINGLE TO REAR.
AT 9, KIRKVALE DRIVE, NEWTON MEARNIS G77 5HD
PER MR + MRS WALKER.

SCALE : 1:100
DRGNº : 4120/1
DATE : JUNE 2016.

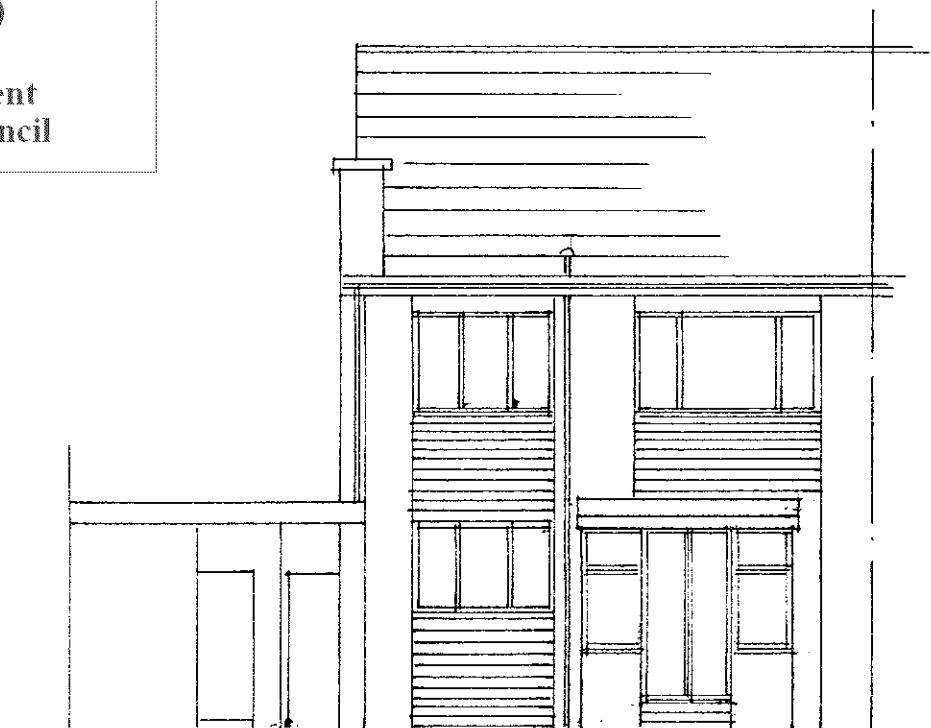
Town and Country Planning
(Scotland) Act 1997
REFUSED
Director of Environment
East Renfrewshire Council



EXISTING FRONT ELEVATION



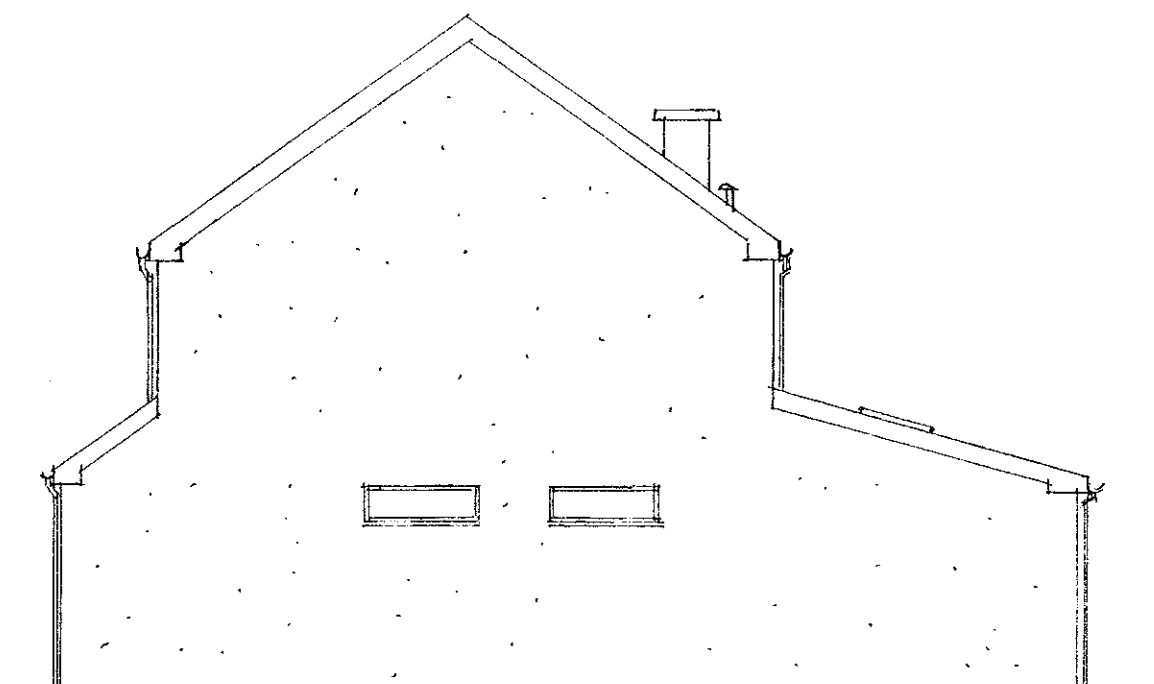
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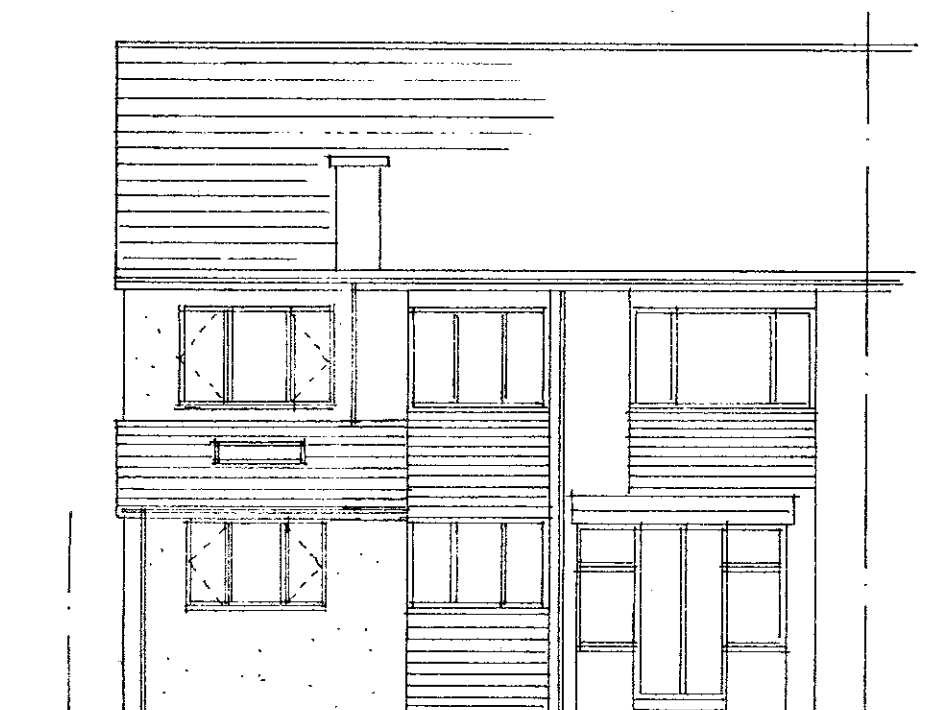
EXISTING REAR ELEVATION.



PROPOSED FRONT ELEVATION.



PROPOSED SIDE ELEVATION.



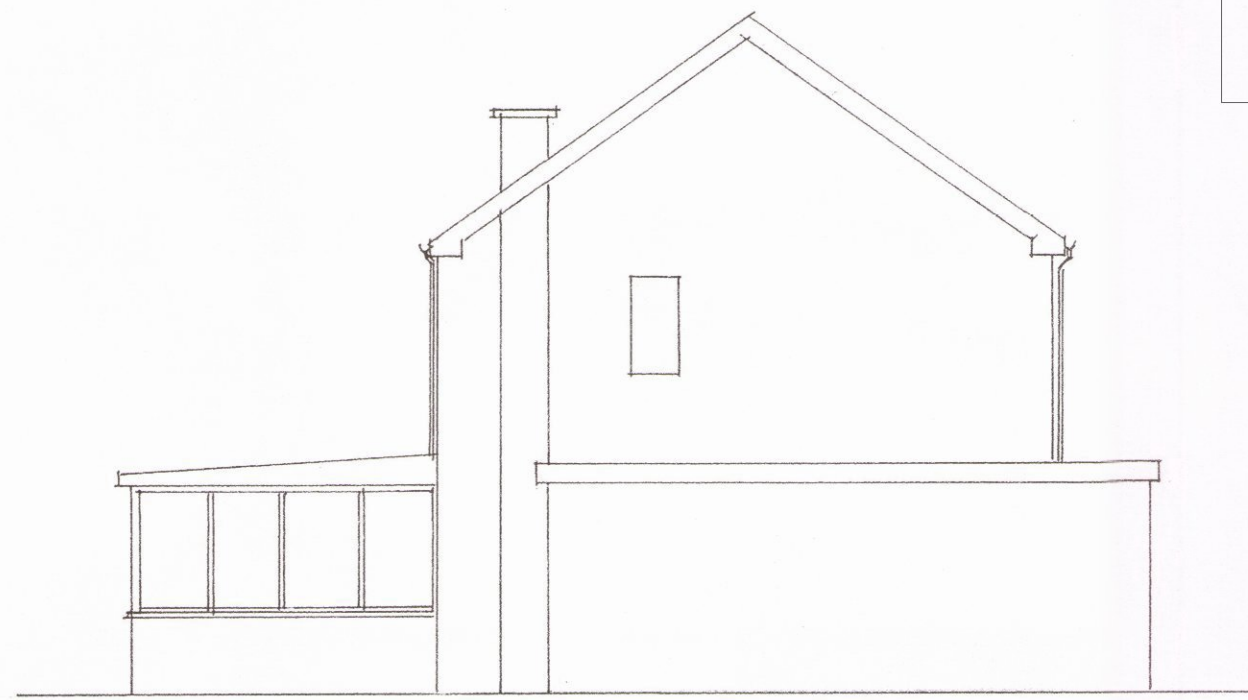
PROPOSED REAR ELEVATION.

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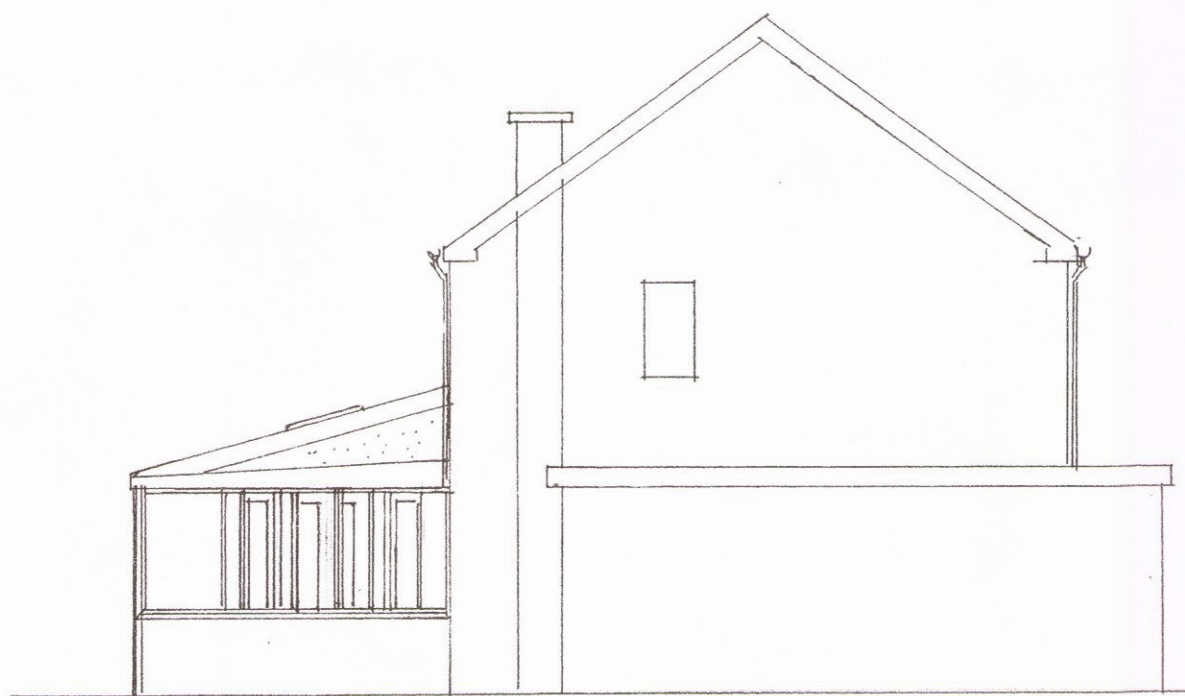
PROPOSED TWO STOREY EXTENSION TO SIDE + SINGLE TO REAR
AT 9, KIRKVALE DRIVE, NEWTON MEARNIS G77 5HD
PER MR + MRS WALKER.

SCALE : 1:100
DEGN° : 4120/2.
DATE : JUNE 2016.

Town and Country Planning
(Scotland) Act 1997
REFUSED
Director of Environment
East Renfrewshire Council



EXISTING SIDE ELEVATION FROM NEIGHBOURS.



PROPOSED SIDE ELEVATION FROM NEIGHBOURS.



BLOCK PLAN 1:200.

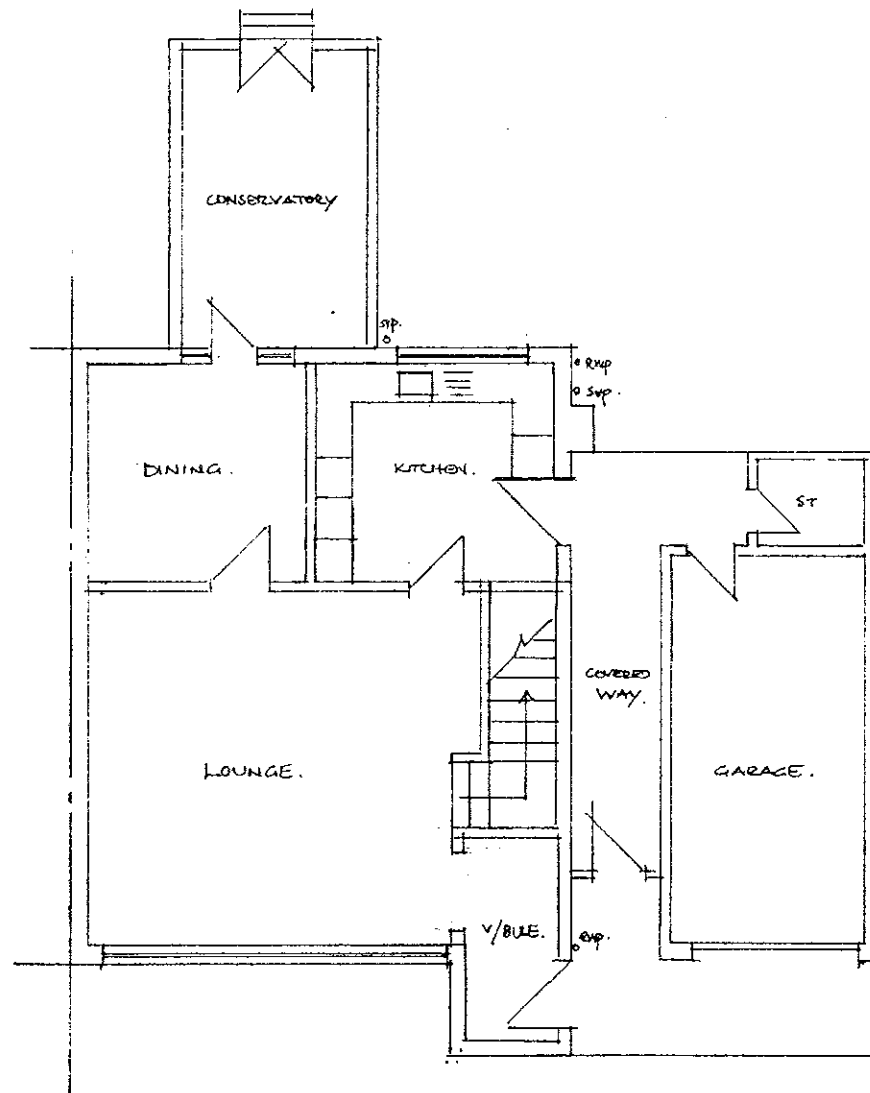
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PROPOSED TWO STOREY EXTENSION TO SIDE & SINGLE TO REAR
AT 9, KIRKVALE DRIVE, NEWTON MEARNS G77 5HD.
PER MR & MRS WALKER.

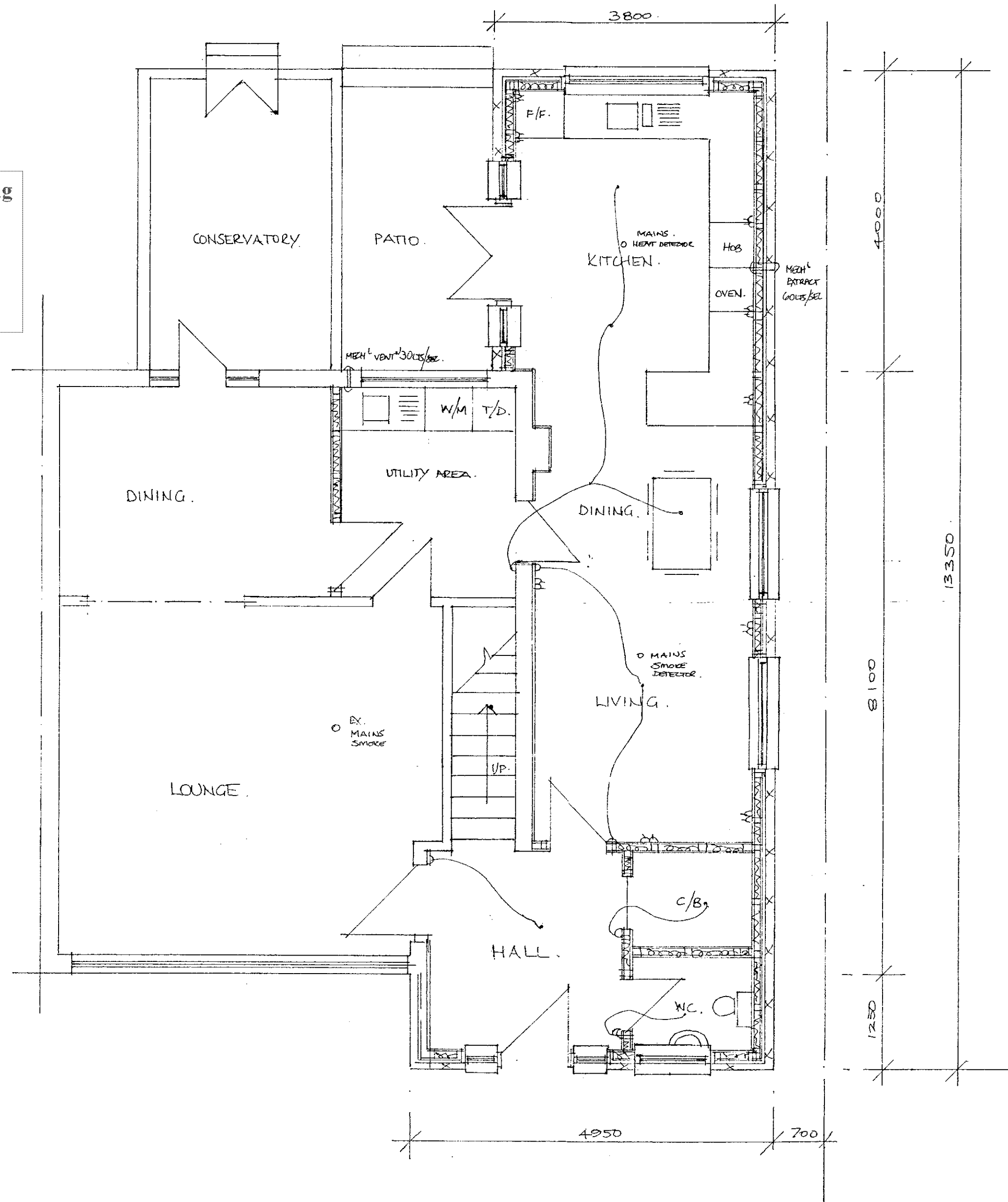
SCALE : 1:50, 1:100.
DRG NO : 4120/3.
DATE : JUNE 2016.

* NOTE : ALL SIZES TO BE CHECKED ON SITE *

Town and Country Planning
(Scotland) Act 1997
REFUSED
Director of Environment
East Renfrewshire Council



EXISTING G.F. PLAN.



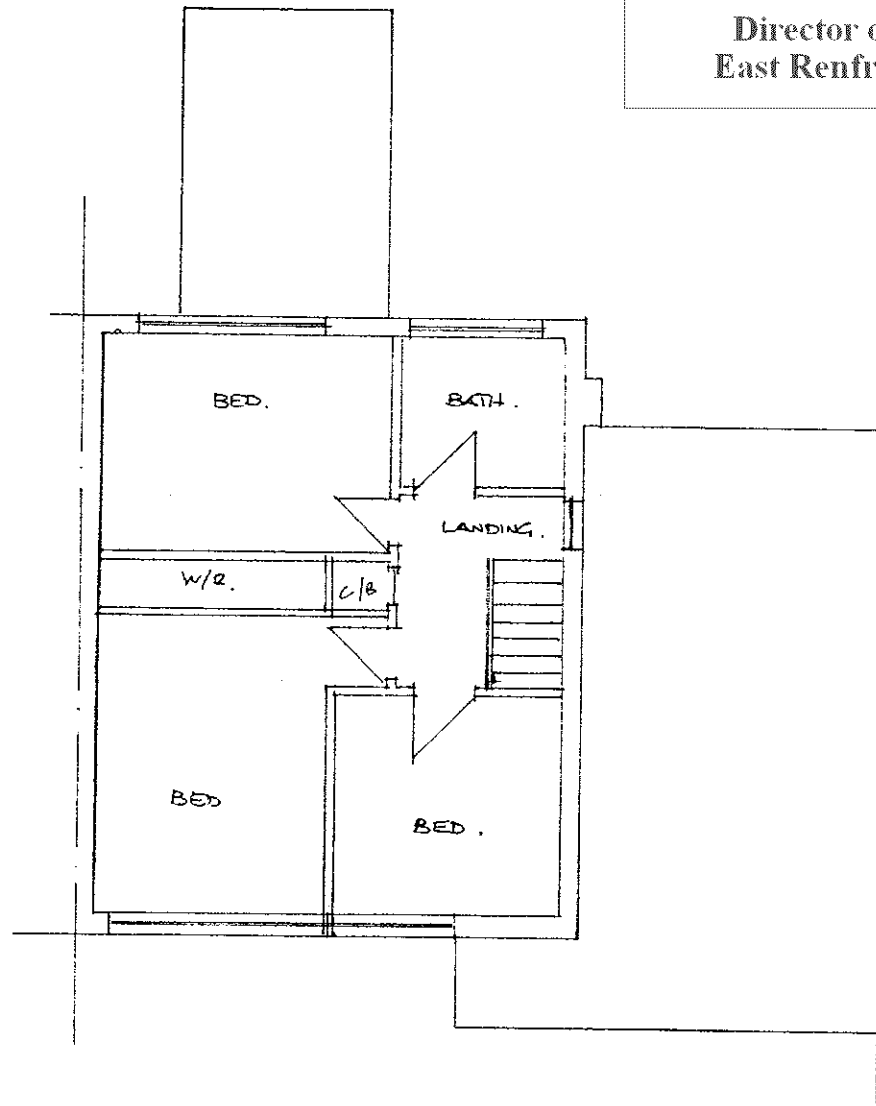
PROPOSED G.F. PLAN.

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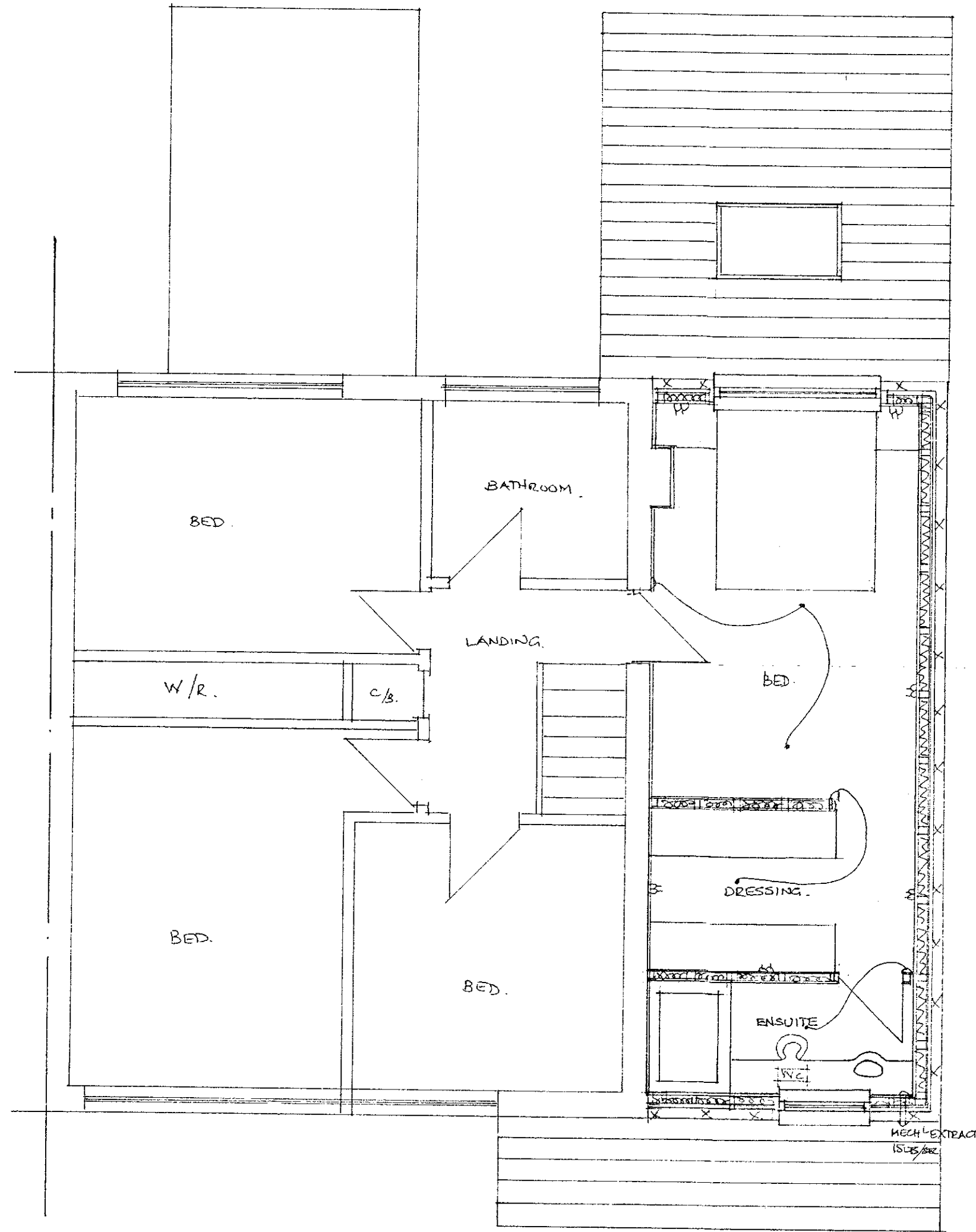
PROPOSED TWO STOREY EXTENSION TO SIDE & SINGLE TO REAR.
AT 9, KIRKVALE DRIVE, NEWTON MEARNES. G77 5HD
PER MR & MRS WALKER.

SCALE : 1:50, 1:100
DRG N° : 4120/4.
DATE : JUNE 2016.

**Town and Country Planning
(Scotland) Act 1997**
REFUSED
Director of Environment
East Renfrewshire Council



EXISTING 1ST FLOOR PLAN.



PROPOSED 1ST FLOOR PLAN.

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