

EAST RENFREWSHIRE COUNCILLOCAL REVIEW BODY10 August 2016Report by Deputy Chief ExecutiveREVIEW OF CASE - REVIEW/2016/07ERECTION OF DOUBLE GARAGE WITH STORAGE ACCOMMODATION ABOVE
AT 21 CARMUNNOCK ROAD, BUSBY**PURPOSE OF REPORT**

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

DETAILS OF APPLICATION

2. Application type: Full Planning Permission (Ref No:- 2015/0779/TP).
- Applicant: Mr and Mrs Keith.
- Proposal: Erection of double garage with storage accommodation above.
- Location: 21 Carmunnock Road, Busby.
- Council Area/Ward: Busby, Clarkston and Eaglesham (Ward 6).

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 (Planning, Economic Development and City Deal).

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 the 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 preferences are a site inspection and assessment of review documents only, with no further procedure.

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 4 November 2015, 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 agreed to carry out an unaccompanied site inspection on Wednesday, 10 August 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 of similar developments 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' agent has intimated that the case officer had asked him to submit a section drawing showing the height of the proposed garage in relation to the application site property and neighbouring properties. The agent submitted the drawing and advised that there was a similar garage built on East Kilbride Road, Busby together with several other examples that had been built in the surrounding area. However, he was advised that each application was dealt with on its own merits and that if the application was refused he could take it to review. Having submitted the aforementioned drawing, the agent has indicated that he did not think the application would be refused and as a result he did not submit the photographs of similar developments.

18. The Local Review Body must decide whether the new information should be considered as part of the review. In the event that the Local Review Body decides 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 15-20);
- (c) Decision notice and reasons for refusal - Appendix 3 (Pages 21-24); and
- (d) A copy of the applicants' Notice of Review and Statement of Reasons - Appendix 4 (Pages 25-30).

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 31-36).

- (a) Refused – Location Plan;
- (b) Refused – Block Plan;
- (c) Refused – Proposed Elevations; and
- (d) Refused – Proposed Upper 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:- July 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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-1 DEC 2015

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://eplanning.scotland.gov.uk>

1. Applicant's Details <i>2015/0779 HP</i>		2. Agent's Details (if any)	
Title	<i>MR + MRS</i>	Ref No.	
Forename	<i>ALAN</i>	Forename	<i>JOHN</i>
Surname	<i>KEITH</i>	Surname	<i>HUTTON</i>
Company Name		Company Name	
Building No./Name	<i>21</i>	Building No./Name	<i>Flat 0/1, 69</i>
Address Line 1	<i>CARMUNNOCK ROAD</i>	Address Line 1	<i>MURRAY ROAD,</i>
Address Line 2	<i>BUSBY.</i>	Address Line 2	<i>LANESIDE</i>
Town/City	<i>GLASGOW.</i>	Town/City	<i>GLASGOW.</i>
Postcode		Postcode	<i>G42 9UT</i>
Telephone		Telephone	<i>07773 209204.</i>
Mobile		Mobile	
Fax		Fax	
Email		Email	
3. Address or Location of Proposed Development (please include postcode)			
<i>21, CARMUNNOCK ROAD, BUSBY, GLASGOW</i>			
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:			
<i>DOUBLE GARAGE - FACED BRICK TO FRONT ELEV^N + R/CART TO SIDES SIMILAR COLOUR TO EX HOUSE. TILED ROOF. COLOUR - GREY TILES.</i>			
Have the works already been started or completed Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
If yes, please state date of completion, or if not completed, the start date:			
Date started:	<input type="text"/>	Date completed:	<input type="text"/>

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

[Empty box for explanation]

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.:

[Empty box for description of advice]

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 requisite notice has been given to other land owners and /or agricultural tenants Yes No N/A

Signature:



Name:

John A Hutton

Date:

22/11/15.

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.

LAND OWNERSHIP CERTIFICATES

Town and Country Planning (Scotland) Act 1997
Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

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 KEITH* was owner 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 application
- (2) None of the land to which the application relates constitutes or forms part of agricultural land

Signed:

[Redacted Signature]

On behalf of:

MR JAMES A KEITH

Date:

22/11/15

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: 2015/0779/TP

Date Registered: 7th December 2015

Application Type: Full Planning Permission

This application is a Local Development

Ward: 6 -Busby Clarkston Eaglesham

Co-ordinates: 258574/:656691

Applicant/Agent:

Applicant:
Mr. And Mrs. Keith
21 Carmunnock Road
Busby
East Renfrewshire
G76 8SZ

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

Proposal: Erection of double garage with storage accommodation above

Location: 21 Carmunnock Road
Busby
East Renfrewshire
G76 8SZ

CONSULTATIONS/COMMENTS: None.

PUBLICITY:

18.12.2015 Glasgow and Southside Extra Expiry date 01.01.2016

SITE NOTICES: None.

SITE HISTORY:

2010/0335/TPO	Fell:- 1 Chestnut tree.	GRA	02.07.2010
2013/0135/TP	Installation of solar panels on roof at front and side	GRA	12.04.2013
2013/0385/TP	Installation of replacement windows	GRA	06.08.2013
2014/0004/TPO	Fell: One Lime tree and one Cypress tree Plant :Two standard, broadleaf trees	GRA	06.01.2014

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 site is a corner plot located on the north side of Carmunnock Road at its junction with a short cul-de-sac serving 21a, 23a and 23 Carmunnock Road and within the boundaries of the Busby Conservation Area. The area is characterised primarily by large traditional detached villas situated within generous sized plots. The property is a two storey detached sandstone villa (three storeys to the rear) situated within a large garden area and slightly elevated above the road.

Planning permission is being sought for the erection of a double garage with storage area above. The garage has a footprint of approx. 6 by 6metres, with a ridge height of approx. 5metres with the eaves approx. 2.8metres in height.

The proposal is required to be assessed against the Local Development Plan (LDP) and Supplementary Planning Guidance (SPG) on Management and Protection of the Built Heritage and SPG on Householder Design Guidance. The policy requires proposals to be of an appropriate size, scale and massing for the Conservation Area.

It is considered that the height of the garage is excessive, disproportionate and not appropriate in terms of scale, size and massing within the conservation area, contrary to the Local Development Plan (LDP) and Supplementary Planning Guidance (SPG) on Management and Protection of the Built Heritage and SPG on Householder Design Guidance. Furthermore, the proposal includes a 'tiled roof' which is out of keeping with the existing house and therefore not appropriate within the Conservation Area, contrary to the requirements of the LDP.

The applicant was requested to revise the proposal to reduce the height of the proposal, but has not done so. Instead they stated that the proposal is the same height as the neighbouring garage. However, the neighbouring ground level is approx. 1.6metres higher than the application site and the neighbouring garage itself is considered to be more appropriate in terms of its height for a domestic garage.

Consequently it is considered that the proposal will have a detrimental impact on the visual amenity of the Conservation Area, contrary to the requirements of the LDP and SPG. Therefore it is recommended that planning permission is refused.

RECOMMENDATION: Refuse

PLANNING OBLIGATIONS: None.

REASON(S):

The proposal is contrary to the Local Development Plan Policies D1, D11 and D14, and the Supplementary Planning Guidance (SPG) on Householder Design Guide and the SPG on Management and Protection of the Built Heritage as it will, due to its scale, size and massing will be visually prominent and incongruous in the area, to the detriment of the visual amenity and character of the area.

ADDITIONAL NOTES: None.

ADDED VALUE: None

BACKGROUND PAPERS:

Further information on background papers can be obtained from Mr John Drugan on 0141 577 3175.

Ref. No.: 2015/0779/TP
(JODR)

DATE: 25th February 2016

DIRECTOR OF ENVIRONMENT

Strategic Development Plan - None relevant

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 25/02/2016.IM.

**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. **2015/0779/TP**

Applicant

Mr. And Mrs. Keith
21 Carmunnock Road
Busby
East Renfrewshire
G76 8SZ

Agent:

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

With reference to your application which was registered on 7th December 2015 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Erection of double garage with storage accommodation above

at: 21 Carmunnock Road Busby East Renfrewshire G76 8SZ

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 the Local Development Plan Policies D1 and D14, and the Supplementary Planning Guidance on Householder Design Guide as it will, due to its scale, size and massing would be visually prominent in the area, to the detriment of the visual amenity and character of the area.

Dated 25th February 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	000		
Block Plan	001		
Floorplans	002		
Plans and Elevations Proposed	4079/1		

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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RECEIVED

24 MAY 2016

NOTICE OF REVIEW

Under Section 43A(8) Of the Town and County 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	MR + MRS	Ref No.	
Forename	ALAN	Forename	John
Surname	KEITH.	Surname	HUTCHINSON
Company Name		Company Name	
Building No./Name	21	Building No./Name	FAT 011, 69
Address Line 1	CARMUNNOCK ROAD	Address Line 1	MIUBRAE ROAD
Address Line 2	BUSBY	Address Line 2	LANZSIDE
Town/City	GLASGOW.	Town/City	GLASGOW
Postcode	G76 8SZ	Postcode	G42 9UT.
Telephone		Telephone	01773 209204
Mobile		Mobile	r n
Fax		Fax	
Email		Email	
3. Application Details			
Planning authority	EAST DUNFREMPSHIRE COUNCIL		
Planning authority's application reference number	2015/0779/TP		
Site address	21, CARMUNNOCK ROAD, BUSBY		
Description of proposed development	PROPOSED DOUBLE GARAGE.		

Date of application

7/12/15

Date of decision (if any)

25/2/14

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?

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

IT WOULD BE BETTER IF YOU COULD BE ON THE SITE AS YOU CAN THEN SEE THE VARIOUS HEIGHTS OF EXISTING BUILDINGS ON THIS SITE + NEIGHBOURS!!

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.

WE FEEL THAT THE GARAGE WOULD NOT BE TOO HIGH AS YOU CAN SEE FROM THE SECTION SHOWING THE HEIGHTS OF EXISTING HOUSE, CONSERVATORY + NEIGHBOURS GARAGE. OTHER SIMILAR GARAGES ARE ENCLOSED WITH PHOTOS - 77, EAST KILBRIDE ROAD, BUSBY. 5A, EASTWOODMANS ROAD, GIFFNOCK 8, GREENBANK AVE, NM 3, LAIGH ROAD, NM OTHER EXAMPLES CAN BE SEEN AT:- 85E, KILBRIDE RD, BUSBY, 9, THE CRESCENT, BUSBY

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 your 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.

* 3, 10, 16 CAEMMOC ROAD, BUSBY. WE FEEL ALL THESE GARAGES ARE SIMILAR TO OUR APPN.

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

- ① PICTURES OF SIMILAR GARAGES IN THE AREA
- ② PLANS SUBMITTED FOR APPLICATION
- ③ SECTON SHOWING HEIGHTS OF EX + PROPOSED BUSINESS

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, 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. Horton Date: 23/5/16

Any personal information 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

BLANK PAGE

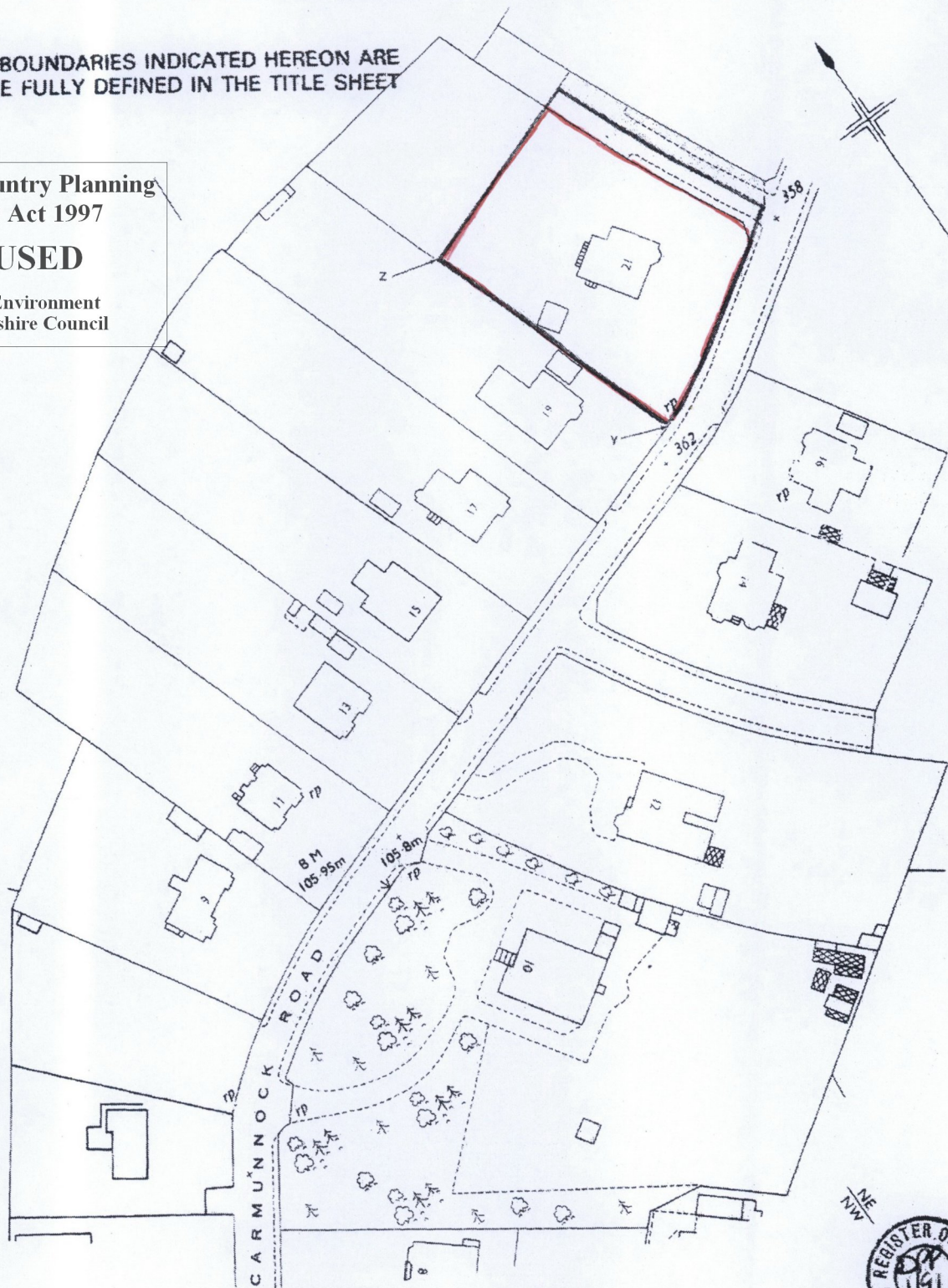
LAND REGISTER OF SCOTLAND		TITLE NUMBER	
		LAN 56542	
ORDNANCE SURVEY PLAN REFERENCE	NS 5856	SECTION J	Scale 1/1250
DISTRICT EAST KILBRIDE			© Crown copyright 1983

THE BOUNDARIES INDICATED HEREON ARE MORE FULLY DEFINED IN THE TITLE SHEET

Town and Country Planning
(Scotland) Act 1997

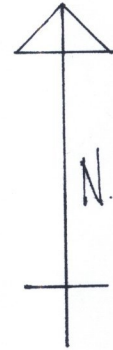
REFUSED

Director of Environment
East Renfrewshire Council



PROPOSED DOUBLE GARAGE
AT 21, CARMUNNOCK ROAD, BUSBY.

PROPOSED DOUBLE
GARAGE. NO PART OF GARAGE
TO ENCROACH BOUNDARY.



Town and Country Planning
(Scotland) Act 1997

REFUSED

Director of Environment
East Renfrewshire Council

AMENDED PLANS RECEIVED
Date: 7 DEC 2015



BLOCK PLAN 1:500

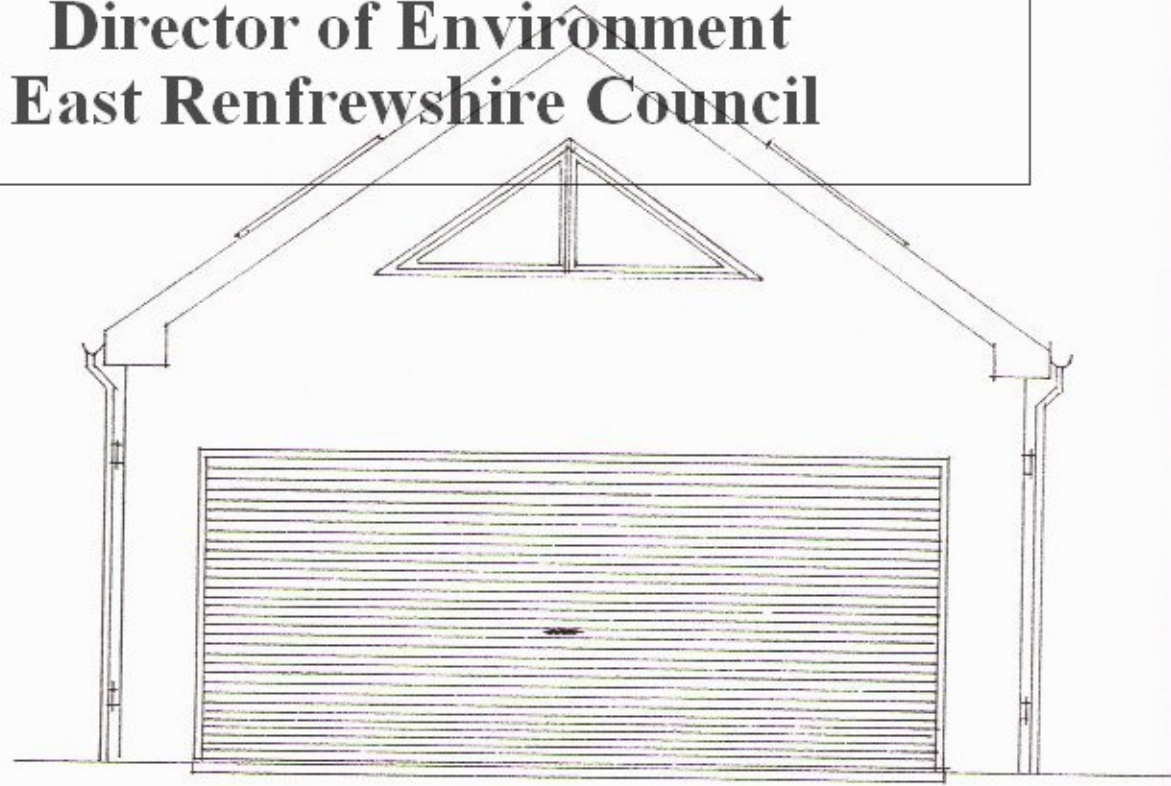
Town and Country Planning
(Scotland) Act 1997

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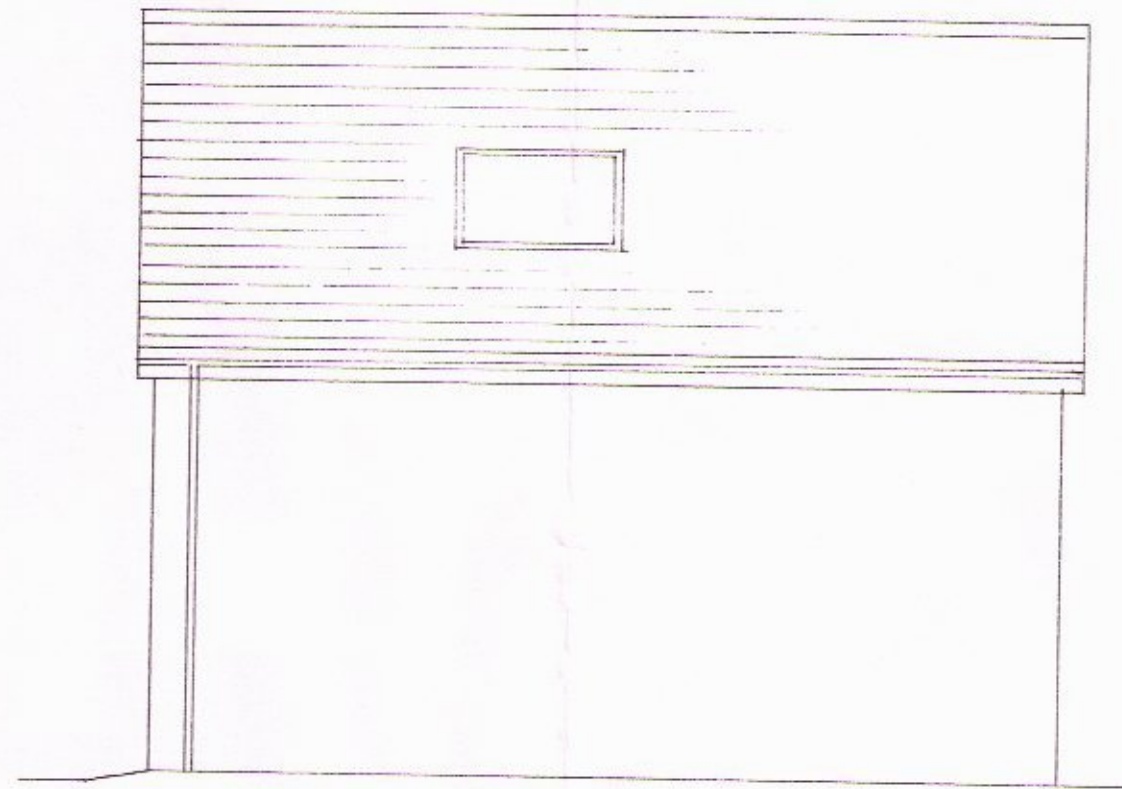
Director of Environment
East Renfrewshire Council

PROPOSED DOUBLE GARAGE + STORAGE
AT 21, CARMUNNOCK ROAD, BUSBY.
PER MR + MRS A. KEITH.

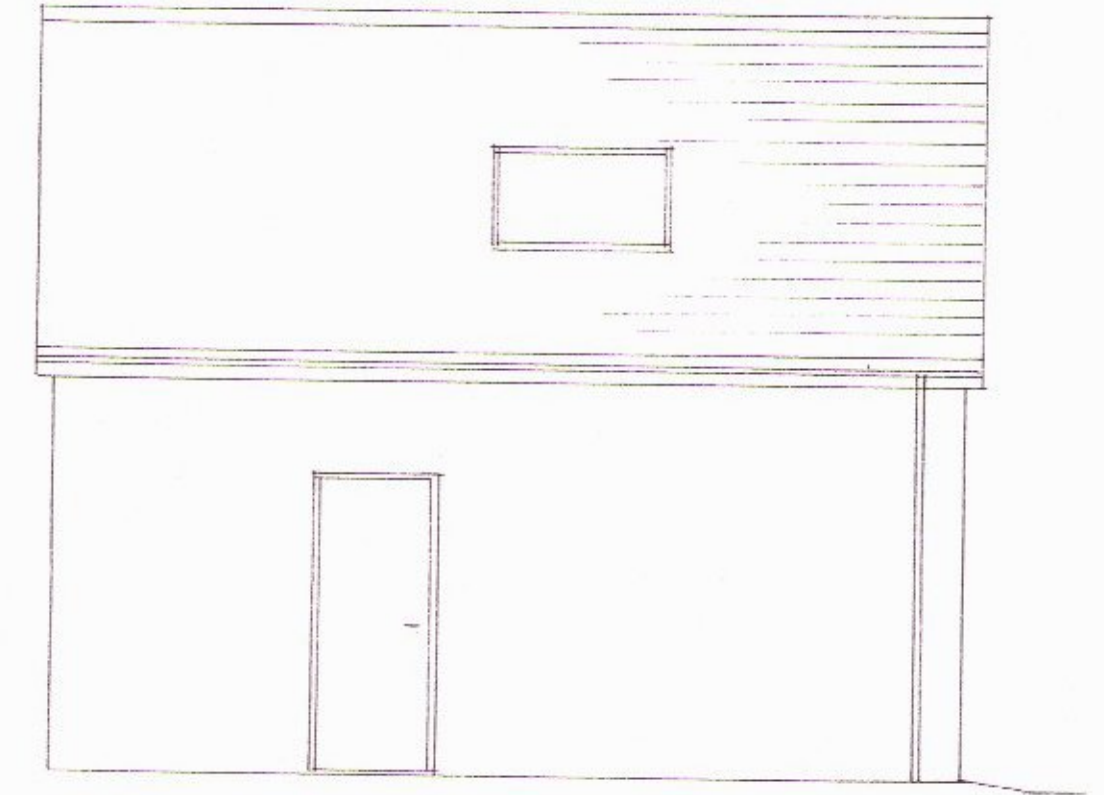
DRG NO: 4079/1.
SCALE: 1:50.
DATE: NOV 2015



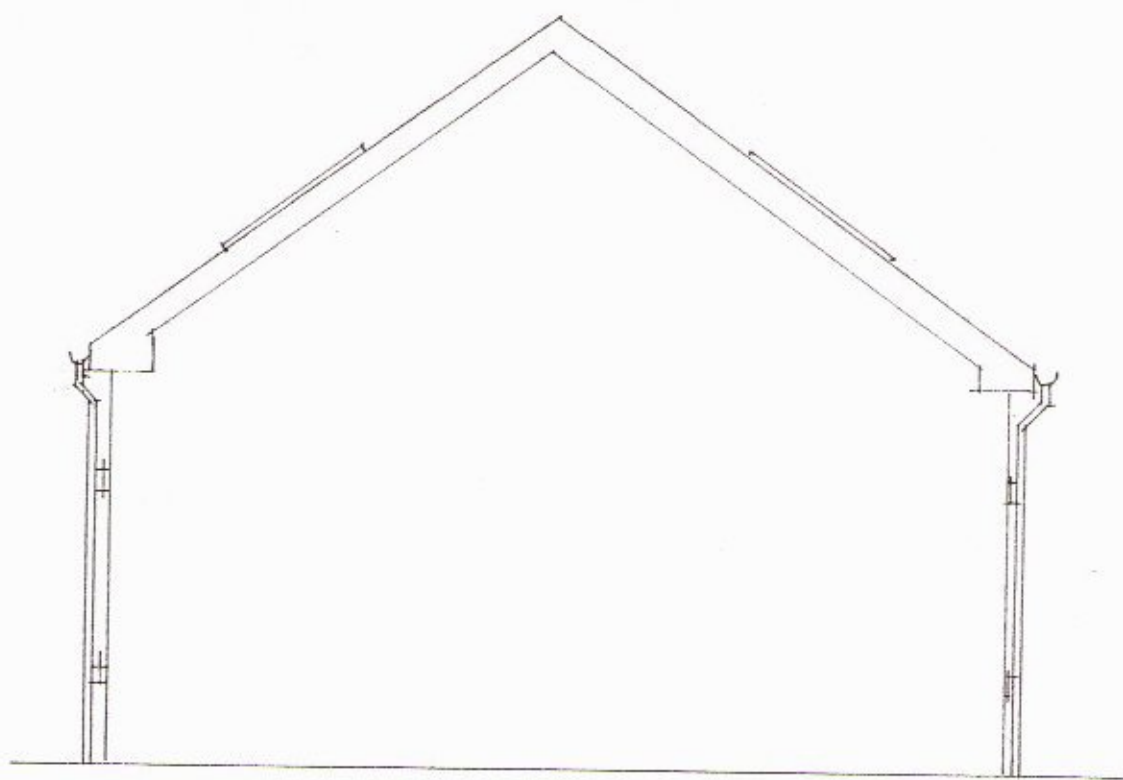
PROPOSED FRONT ELEVATION



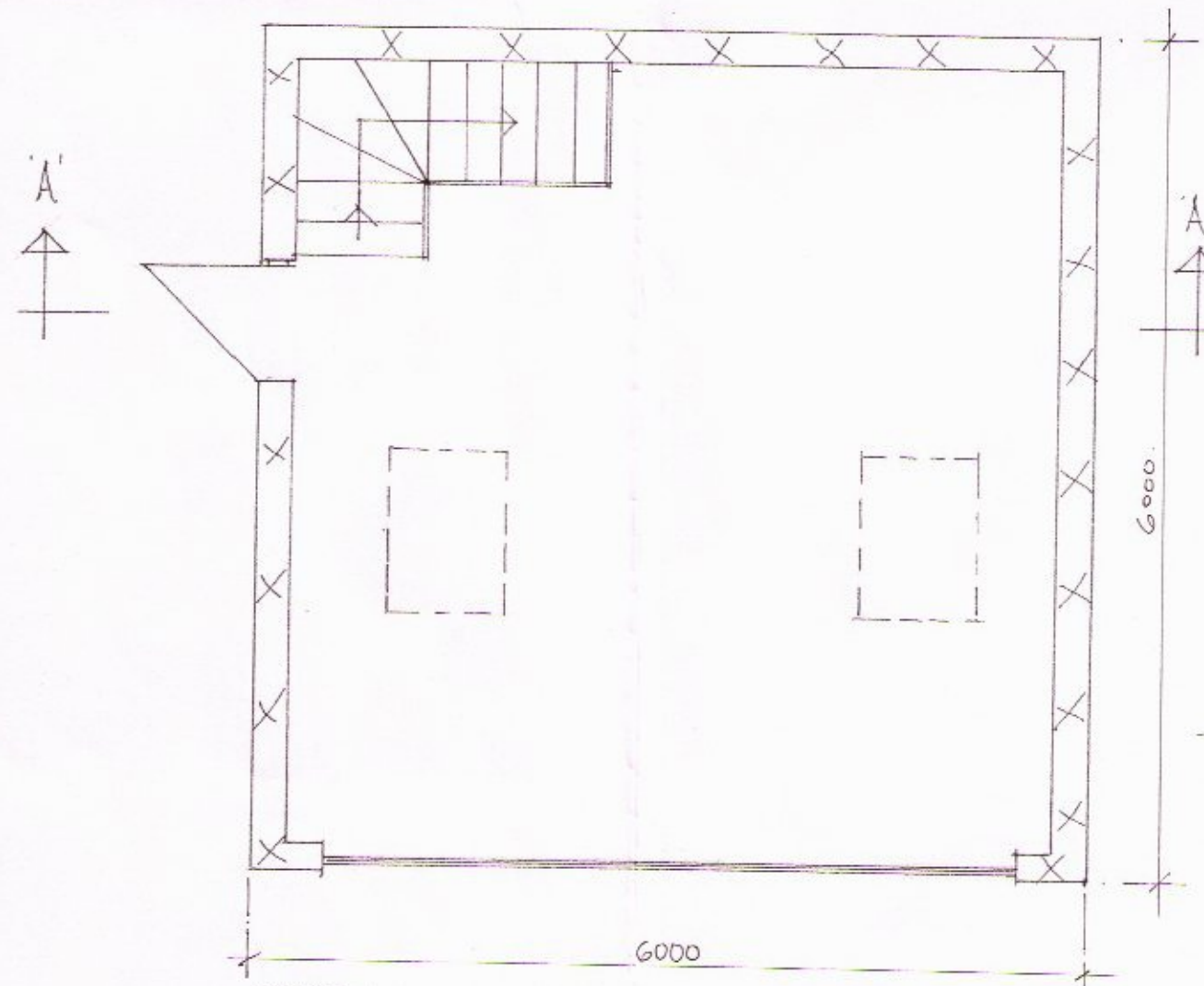
PROPOSED SIDE ELEVATION.



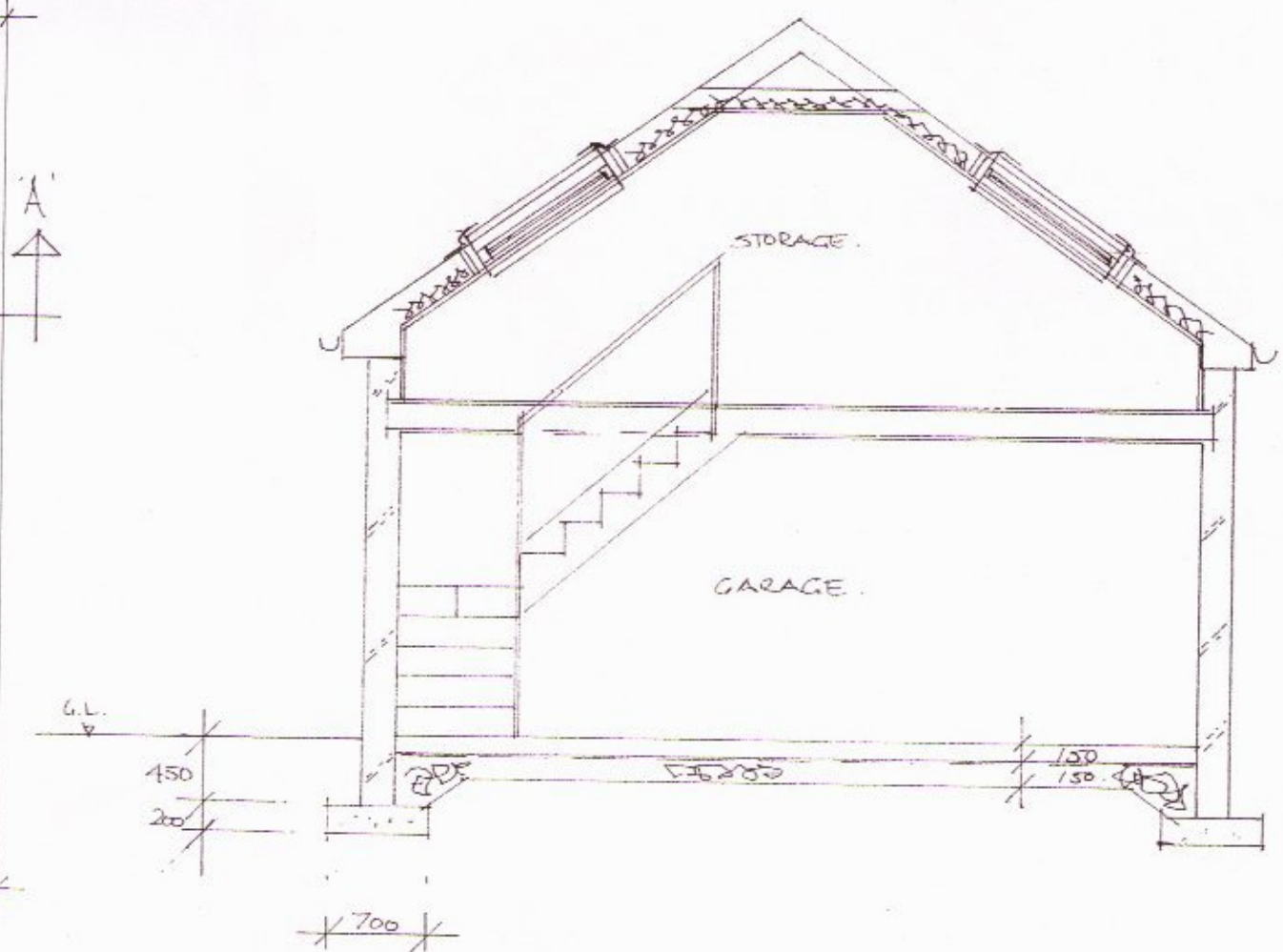
PROPOSED SIDE ELEVATION



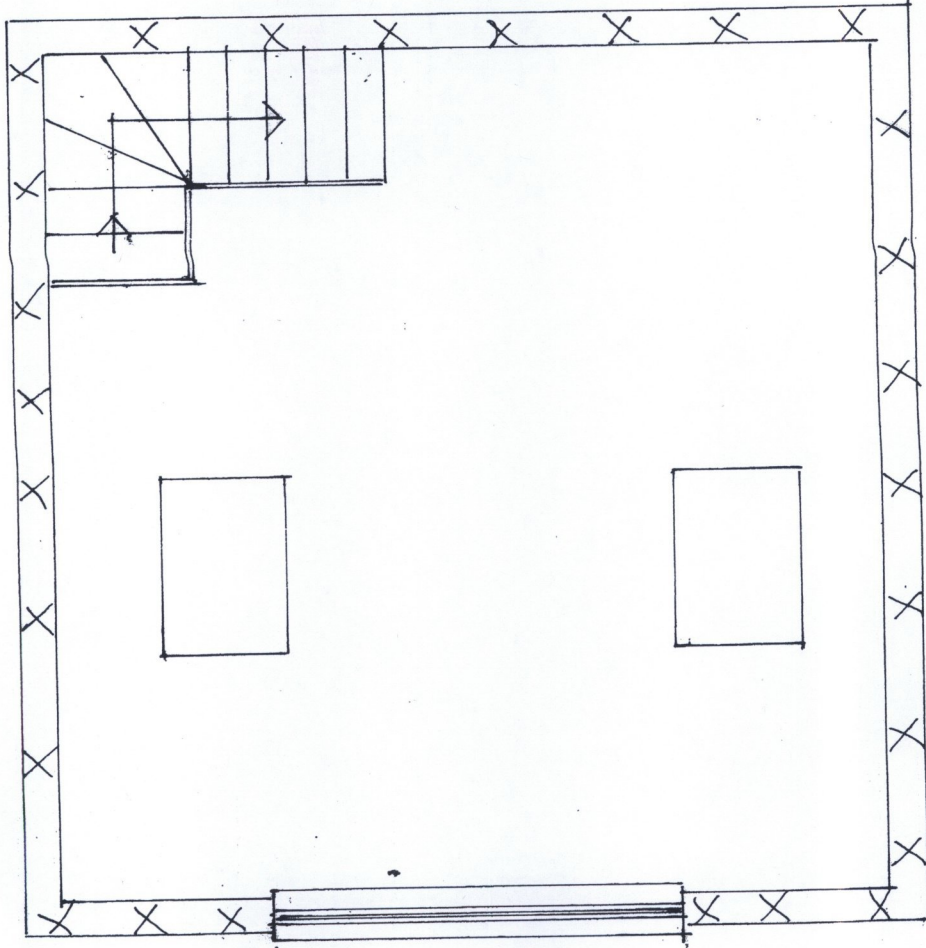
PROPOSED REAR ELEVATION.



PROPOSED PLAN.



SECTION A-A



PROPOSED UPPER FLOOR PLAN

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

ADDITIONAL PLANS RECEIVED
- 7 DEC 2015
Date: _____