

EAST RENFREWSHIRE COUNCILLOCAL REVIEW BODY10 August 2016Report by Deputy Chief ExecutiveREVIEW OF CASE - REVIEW/2016/09ERECTION OF ONE AND A HALF STOREY REAR EXTENSION FORMING GABLE END WITH INSTALLATION OF DORMER WINDOWS AT SIDES WITH FORMATION OF PITCHED ROOF AT SIDE; ENLARGEMENT OF DORMER WINDOW AT FRONT; ERECTION OF DETACHED GARAGE AT REAR AT 8 PERCY DRIVE, GIFFNOCK**PURPOSE OF REPORT**

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

DETAILS OF APPLICATION

2. Application type: Full Planning Permission (Ref No:- 2016/0172/TP).
- Applicant: Mr Hamid Ali.
- Proposal: Erection of one and a half storey rear extension forming gable end with installation of dormer windows at sides with formation of pitched roof at side; enlargement of dormer window at front; erection of detached garage at rear.
- Location: 8 Percy Drive, Giffnock.
- Council Area/Ward: Giffnock and Thornliebank (Ward 3).

REASON FOR REQUESTING REVIEW

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

RECOMMENDATIONS

4. The Local Review Body is asked 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 applicant in submitting the review has stated the reasons for requiring the review of the determination of his application. A copy of the applicant’s Notice of Review and Statement of Reasons is attached as Appendix 4.

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

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

11. 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. 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 87-94);
- (b) Report of Handling by the planning officer under the Scheme of Delegation - Appendix 2 (Pages 95-102);
- (c) Decision notice and reasons for refusal - Appendix 3 (Pages 103-106); and
- (d) A copy of the applicant's Notice of Review and Statement of Reasons - Appendix 4 (Pages 107-120).

15. The applicant has 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 121-126).

- (a) Existing Elevations; and Existing Ground and Attic Floors Layout;
- (b) Refused - Location Plan;
- (c) Refused - Proposed Elevations; and Ground and Attic Floors Layout as Proposed; and
- (d) Refused – Garage Details;

16. The Local Review Body is advised that initial consultation responses and representations received if any, relating to the application will be listed in the planning officer's Report of Handling.

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

RECOMMENDATIONS

18. The Local Review Body is asked to:-

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

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

Report Author: 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.

**APPLICATION
FOR
PLANNING PERMISSION**

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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 100006920-001

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)

Alterations and extension to rear, including enlargement of front dormer, new dormers to sides, new pitched roof over existing side mono pitched roof and erection of garage to rear.

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

No Yes - Started Yes – Completed

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Lennox Design Architectural Services		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	Barry	Building Name:	<input type="text"/>
Last Name: *	Lennox	Building Number:	6
Telephone Number: *	01563 534455	Address 1 (Street): *	Cromdale Road
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	Kilmarnock
Fax Number:	<input type="text"/>	Country: *	Scotland
		Postcode: *	KA1 3RJ
Email Address: *	barrylennox@aol.com		

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	Hamid	Building Number:	8
Last Name: *	Ali	Address 1 (Street): *	Percy Drive
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	Glasgow
Extension Number:	<input type="text"/>	Country: *	uk
Mobile Number:	<input type="text"/>	Postcode: *	g46 6pa
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

Site Address Details

Planning Authority:

East Renfrewshire Council

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

Address 1:

8 PERCY DRIVE

Address 2:

GIFFNOCK

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

GLASGOW

Post Code:

G46 6PA

Please identify/describe the location of the site or sites

Northing

658353

Easting

256322

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: Barry Lennox

On behalf of: Mr Hamid Ali

Date: 18/03/2016

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 Barry Lennox

Declaration Date: 18/03/2016

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REPORT OF HANDLING

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REPORT OF HANDLING

Reference: 2016/0172/TP

Date Registered: 25th March 2016

Application Type: Full Planning Permission

This application is a Local Development

Ward: 3 -Giffnock And Thornliebank

Co-ordinates: 256322/:658353

Applicant/Agent:

Applicant:
Mr Hamid Ali
8 Percy Drive
Giffnock
East Renfrewshire
G46 6PA

Agent:

Lennox Design Architectural Services
Barry Lennox
6 Cromdale Road
Kilmarnock
Scotland
KA1 3RJ

Proposal: Erection of one and a half storey rear extension forming gable end with installation of dormer windows at sides with formation of pitched roof at side; enlargement of dormer window at front; erection of detached garage at rear

Location: 8 Percy Drive
Giffnock
East Renfrewshire
G46 6PA

CONSULTATIONS/COMMENTS: None.

PUBLICITY: None.

SITE NOTICES: None.

SITE HISTORY:

2015/0795/TP	Erection of one and a half storey rear and side extension with dormer windows at sides; installation of enlarged dormer window at front; erection of detached garage at rear	Withdrawn	10.02.2016
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REPRESENTATIONS: No representations have been received.

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

The agent has submitted a statement that seeks to justify the proposals citing mixed house types in the area, precedent and that the hipped roof forms on other parts of the extensions as well as the increase in the ridge height mitigates the impact of the gable wall to the rear.

ASSESSMENT:

The application site comprises a detached hipped roof bungalow with attic dormers and its curtilage and lies within an established residential area. The site lies adjacent to but outwith the Giffnock Conservation Area. Further residential properties lie to the north east and west whilst tennis courts lie to the south. The dwelling has an existing mono-pitch roofed side extension.

Planning permission is sought for the erection of a one and a half storey rear extension incorporating a gable end wall, the erection of a hipped roof over the existing side extension, erection of a single storey side and rear extension, enlargement of the front dormer window, installation of new side dormer windows and for the erection of a single garage to the rear. The proposal involves an increase in the ridge height as the extension roof has a higher ridge than that of the existing dwelling.

Policy D14 of the adopted East Renfrewshire Local Development Plan requires that all extensions should complement the existing character of the property particularly in terms of style, form and materials. The adopted Supplementary Planning Guidance: Householder Design Guide (SPG) expands on this and states that extensions to the rear of bungalows should have the same roof design as the house, not form a gable end and have its ridge line below that of the existing house. The erection of a rear gable wall cannot be considered to be in keeping with the hipped roof either in form or style. Indeed, the erection of the large rear gable wall is considered to dominate and detract from the character and appearance of the existing dwelling. Its impact is exacerbated by the increase in the ridge height. The proposal is therefore clearly contrary to the terms of the adopted East Renfrewshire Local Development Plan. Furthermore, the proposal is contrary to the specific terms of the adopted SPG as it comprises a rear gable wall and incorporates an increase in the ridge height.

The points raised by the agent in the supporting statement are noted but not agreed with. However, precedent is not a material planning consideration and cannot be taken into account in the consideration of this application. Furthermore, for the reasons given above, the increase in the ridge height and the installation of hipped roofs above the dormers and the side extension are not considered to mitigate the unacceptable impact of the rear gable wall.

The erection of the garage in its own right is considered to be acceptable however the planning application has to be considered as a whole.

The proposal is considered to be contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as: i) it incorporates a large rear gable wall that dominates and detract from the original hipped roof character of the existing dwelling by virtue of its form and style; and ii) contrary to the specific terms of the adopted Supplementary Planning Guidance: Householder Design Guide as it incorporates a gable wall and a ridge line higher than that of the existing dwelling.

RECOMMENDATION: Refuse

PLANNING OBLIGATIONS: None

REASONS FOR REFUSAL:

1. The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as it incorporates a large rear gable wall that dominates and detracts from the original hipped roof character of the existing dwelling by virtue of its form and style.

2. The proposal is contrary to the specific terms of the adopted Supplementary Planning Guidance: Householder Design Guide as it incorporates a gable wall and a ridge line higher than that of the existing dwelling to the detriment of the character and design of the existing dwelling.

ADDITIONAL NOTES: None

ADDED VALUE: None

BACKGROUND PAPERS:

Further information on background papers can be obtained from Mr Derek Scott on 0141 577 3034.

Ref. No.: 2016/0172/TP
(DESC)

DATE: 12th May 2016

DIRECTOR OF ENVIRONMENT

Reference: 2016/0172/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 12/05/16 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. **2016/0172/TP**

Applicant

Mr Hamid Ali
8 Percy Drive
Giffnock
East Renfrewshire
G46 6PA

Agent:

Lennox Design Architectural Services
Barry Lennox
6 Cromdale Road
Kilmarnock
Scotland
KA1 3RJ

With reference to your application which was registered on 25th March 2016 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Erection of one and a half storey rear extension forming gable end with installation of dormer windows at sides with formation of pitched roof at side; enlargement of dormer window at front; erection of detached garage at rear

at: 8 Percy Drive Giffnock East Renfrewshire G46 6PA

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 D14 of the adopted East Renfrewshire Local Development Plan as it incorporates a large rear gable wall that dominates and detracts from the original hipped roof character of the existing dwelling by virtue of its form and style.
2. The proposal is contrary to the specific terms of the adopted Supplementary Planning Guidance: Householder Design Guide as it incorporates a gable wall and a ridge line higher than that of the existing dwelling to the detriment of the character and design of the existing dwelling.

Dated 12th May 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	738/P4		
Plans Proposed	738/P2		
Plans Proposed	738/P3		

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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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 100006920-003

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

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Lennox Design Architectural Services		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Barry	Building Name:	
Last Name: *	Lennox	Building Number:	6
Telephone Number: *	01563 534455	Address 1 (Street): *	Cromdale Road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Kilmarnock
Fax Number:		Country: *	Scotland
		Postcode: *	KA1 3RJ
Email Address: *	barrylennox@aol.com		

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

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="Hamid"/>	Building Number:	<input type="text" value="8"/>
Last Name: *	<input type="text" value="Ali"/>	Address 1 (Street): *	<input type="text" value="Percy Drive"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Glasgow"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="uk"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="G46 6PA"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

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 PERCY DRIVE"/>
Address 2:	<input type="text" value="GIFFNOCK"/>
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 6PA"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="658353"/>	Easting	<input type="text" value="256322"/>
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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)

Proposal: Erection of one and a half storey rear extension forming gable end with installation of dormer windows at sides with formation of pitched roof at side; enlargement of dormer window at front; erection of detached garage at rear

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.

The proposals would enhance the appearance of the house, very similar extensions in area have been allowed gable end rear extensions to existing hip ended bungalows after the new planning supplementary guidance was published, the gable end is out of site from main road, various properties in local vicinity have similar extensions.

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)

One of the points recommending refusal was the fact the ridgeline was being raised 500mm, the planning officer advised me the raising the roofline was not an issue.

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 will attach supporting statement and full set of drawings.

Application Details

Please provide details of the application and decision.

What is the application reference number? *

2016/0172/TP

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

18/03/2016

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

17/05/2016

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

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 Barry Lennox

Declaration Date: 14/06/2016

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Head of Environment : Iain MacLean FCIH

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

Our Ref: 2016/0172/TP
Your Ref:
Date: 17th May 2016
When calling Please ask for: Mr Derek Scott derek.scott@eastrenfrewshire.gov.uk
Telephone No: 0141 577 3034

Lennox Design Architectural Services
Barry Lennox
6 Cromdale Road
Kilmarnock
Scotland
KA1 3RJ

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
(AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (SCOTLAND) REGULATIONS 2008
NOTIFICATION OF DECISION - REFUSAL OF PLANNING PERMISSION

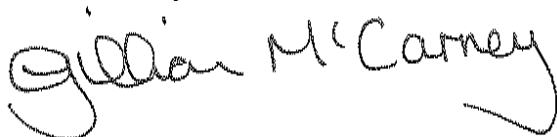
Ref No: 2016/0172/TP
Location: 8 Percy Drive Giffnock East Renfrewshire G46 6PA
Proposal: Erection of one and a half storey rear extension forming gable end with installation of dormer windows at sides with formation of pitched roof at side; enlargement of dormer window at front; erection of detached garage at rear

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

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

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

Yours faithfully



Planning and Building Standards Manager

Encl.

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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. **2016/0172/TP**

Applicant:

Mr Hamid Ali
8 Percy Drive
Giffnock
East Renfrewshire
G46 6PA

Agent:

Lennox Design Architectural Services
Barry Lennox
6 Cromdale Road
Kilmarnock
Scotland
KA1 3RJ

With reference to your application which was registered on 25th March 2016 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Erection of one and a half storey rear extension forming gable end with installation of dormer windows at sides with formation of pitched roof at side; enlargement of dormer window at front; erection of detached garage at rear

at: 8 Percy Drive Giffnock East Renfrewshire G46 6PA

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 D14 of the adopted East Renfrewshire Local Development Plan as it incorporates a large rear gable wall that dominates and detracts from the original hipped roof character of the existing dwelling by virtue of its form and style.
2. The proposal is contrary to the specific terms of the adopted Supplementary Planning Guidance: Householder Design Guide as it incorporates a gable wall and a ridge line higher than that of the existing dwelling to the detriment of the character and design of the existing dwelling.

Dated 12th May 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	738/P4		
Plans Proposed	738/P2		
Plans Proposed	738/P3		

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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**



Lennox Design

Architectural Services

Dear Sir/Madam,

Appeal against decision refusing planning for Alterations and extension at 9 Percy Drive, Glasgow. Planning reference 2016/0172/TP

With regards to the above refused planning application we are formally appealing this decision, I would like to clarify a few points with regards to the design. Although a previous application was recommended for refusal we feel the new design is in keeping with surrounding properties. The surrounding properties comprise a vast mixture of 2 storey, 1 ½ storey and single storey buildings, and varies with hip end roofs, gable end roofs and a mixture of both. It was brought to my attention that a new planning supplementary guidance publication was recently published stating that gable ended extensions would not be allowed onto existing hip ended houses.

A large number of properties have been developed close by with a similar design to my clients, the most important being the introduction of a gable end rear extension which my client and I counted at least 7 with some still being built, some of which has been applied and approved after the afore said publication from the planning department was issued which does not allow this.

In our new application we still have the gable to the rear extension, however to offset this we have raised the ridge of the existing house by 500mm in order to remove any flat roof area, this in turn allows us to have pitched roofs on all the dormers (which were previously flat roofs). On the front elevation we have set back the new pitched roof from the main roof (previously low pitch mono roof).

The rear of the property is out of site and we are not going out any further than the existing kitchen extension, which is an eyesore. If the rear was to be a hipped roof as the front then it would drastically reduce the floor space in the attic, in order to get the required space my client would have to accommodate all the roof the right hand side of the building which would be too costly to do.

6 Cromdale Road, Kilmarnock, Ayrshire KA1 3RJ
Tel: 01563 534455 Mob: 07825215207
Email: barrylennox@aol.com
www.lennoxdesignarchitectural.co.uk

After the first planning application was recommended for refusal I withdrew it, at this time I liaised with Mr Derek Scott who was dealing with this application, I was informed at this time that raising the roof by 500mm was not an issue with him, so I am confused to read point 2 of the reasons for refusal, which states the ridge line higher than that of the existing dwelling would be detrimental of the character and design of existing dwelling. I am sure you will agree that as the roof height, style, character and size differences of the surrounding houses that any change in form or height would not be detrimental.

I hope this is satisfactory and hope to hear from you in due course.

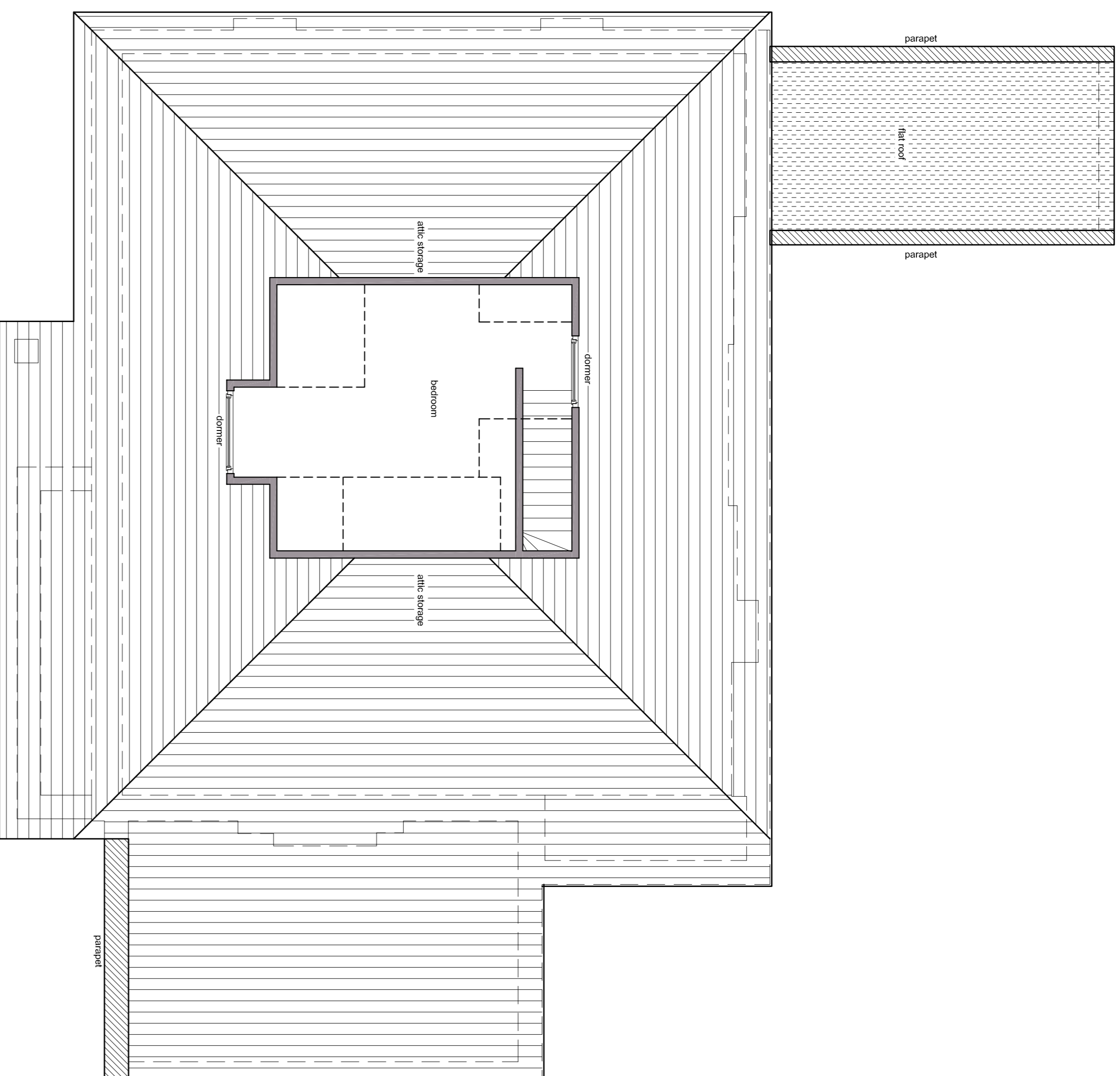
Yours Sincerely

Barry Lennox

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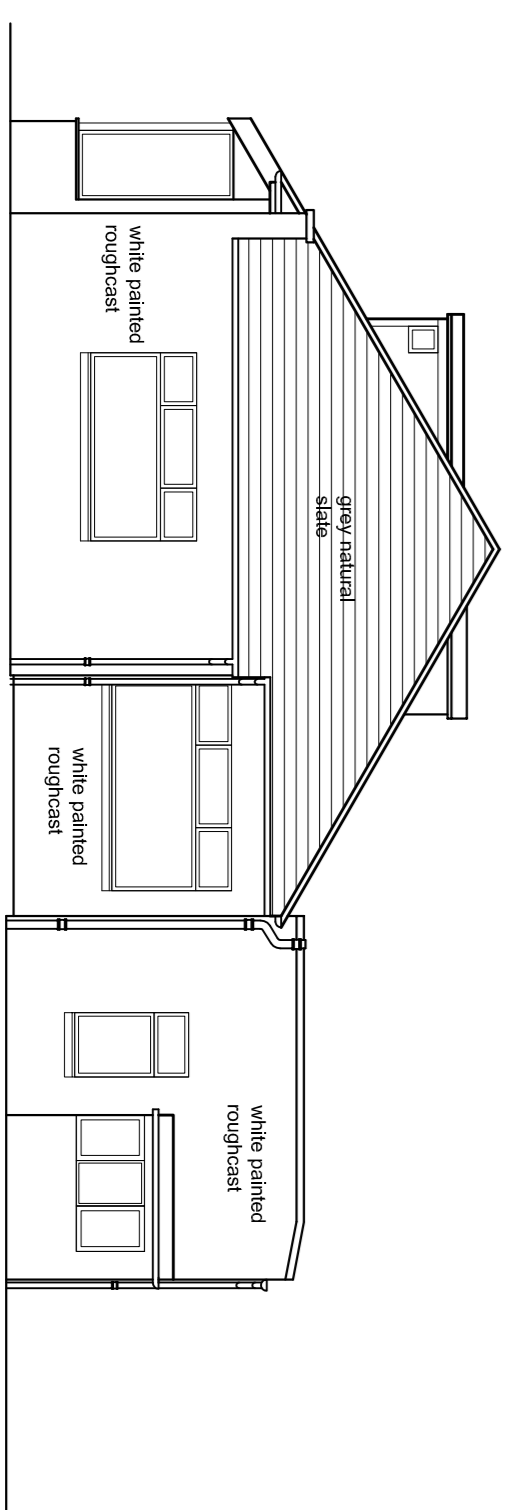
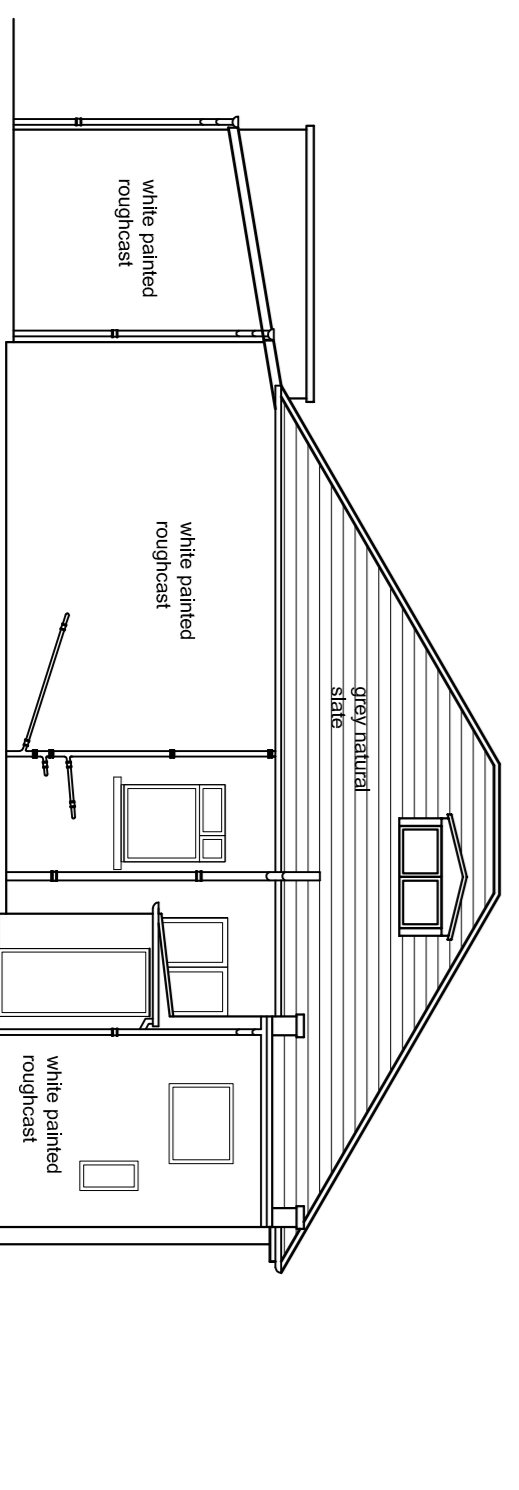
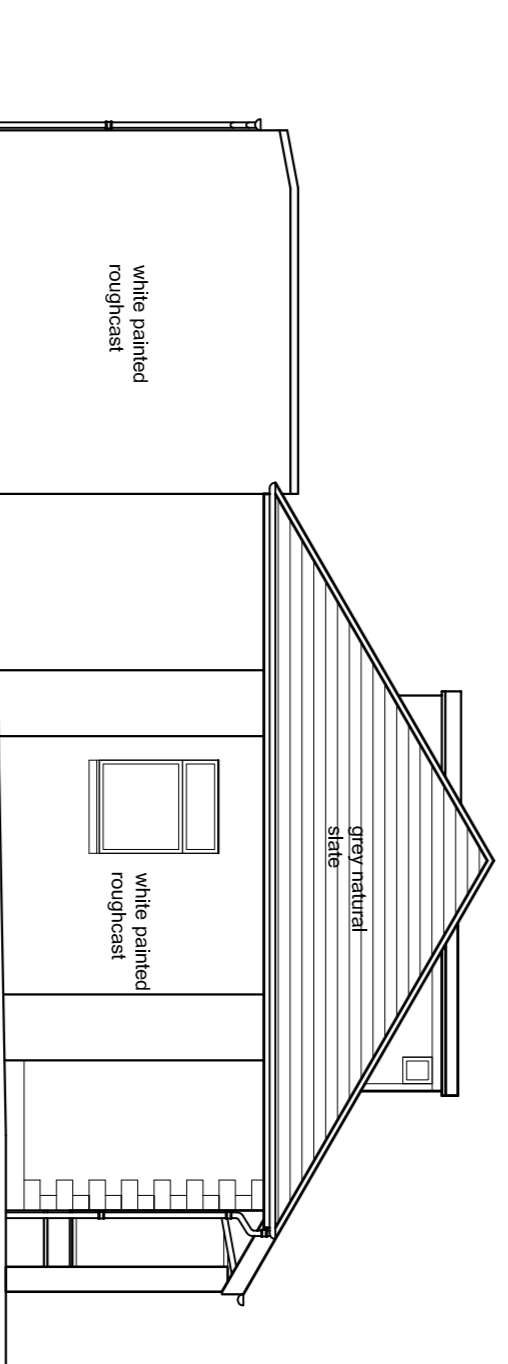
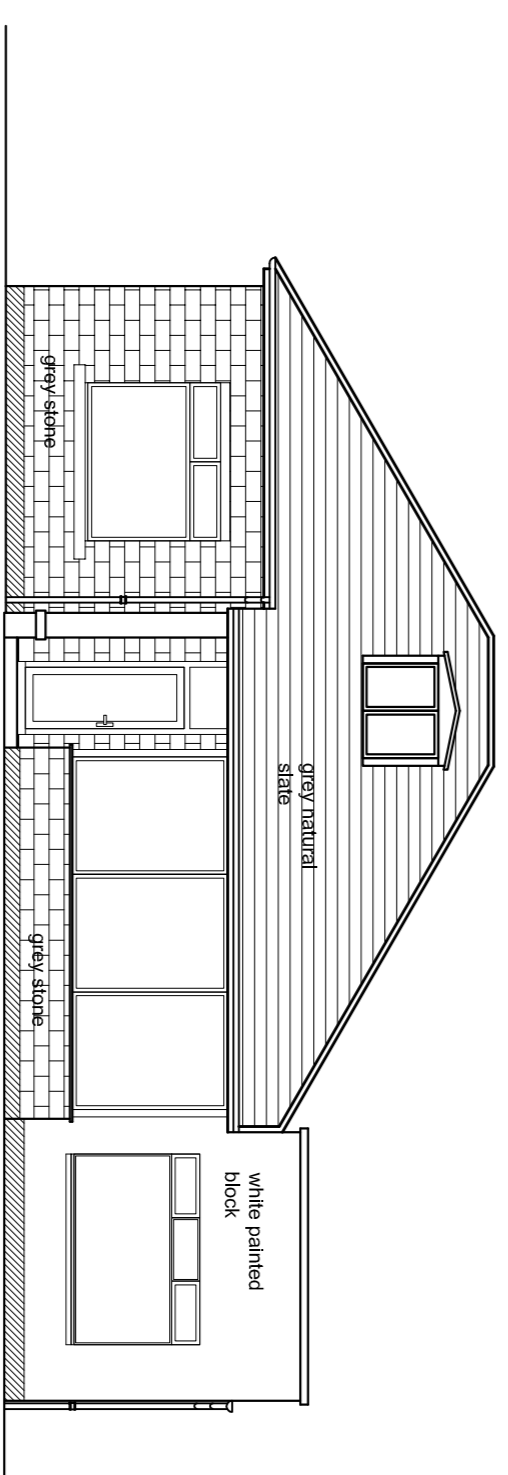
PLANS/PHOTOGRAPHS/DRAWINGS

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GROUND FLOOR WALL LAYOUT AS EXISTING
SHOWING DOWNTAKINGS

ATTIC FLOOR WALL LAYOUT AS EXISTING
SHOWING DOWNTAKINGS



1. All materials and workmanship to comply with all current British standards and codes of practice.

2. All drainage to be to the satisfaction of the building control department.

3. Building control to be notified 5 working days prior to work commencing and within two weeks of completion of the works.

4. The contractor is deemed to have visited the site to ascertain the full extent of the works.

5. Any discrepancies and missing information must be immediately notified in writing to the Designer.

6. All drawings must be read in conjunction and in accordance with all other drawings and specifications prepared for this project.

The purpose of these drawings are solely for the purposes of obtaining building warrant/planning approval. The drawing may be suitable for construction purposes, but it may be necessary to augment/and or amend this information for this purpose. No liability will be accepted for any omission on this drawing should the drawing be used for construction purposes.

**PLANNING
ISSUE**

PLEASE READ-

1. Do not scale from the drawings, if in doubt, ask.
2. All dimensions in millimetres.
3. All dimensions, levels and angles to be checked on site prior to the ordering of materials.

This is a true copy of the plan as referred to in the application.

Date **7/12/2015** Signed **Geney Kenned** (agent)

PROJECT DESCRIPTION:-

Alterations/Extension

LOCATION:-

8 Percy Drive
Glasgow
G46 6PA

CLIENT:-

Mr & Mrs Hamid Ali

DWG TITLE:-

Existing plans and elevations

SCALE
1:50/100

DRAWN BY
BL

DRAWING NO. 738/P1

REV #



Lennox Design
Architectural Services

6 Cromdale Road, Kilmarnock, Ayrshire KA1 3RD

Tel: 01563 534455

info@lennoxdesignarchitectural.co.uk

www.lennoxdesignarchitectural.co.uk

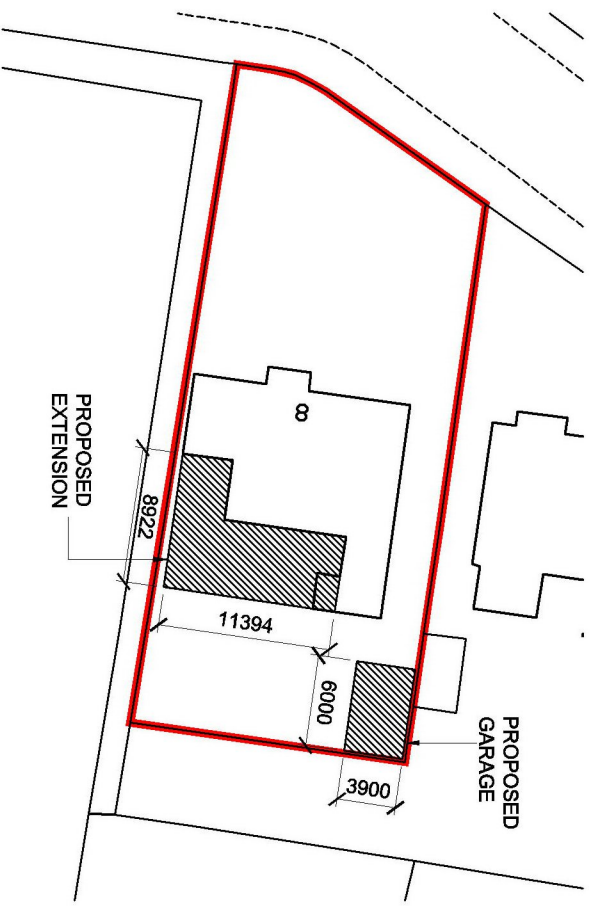


Drainance Survey (c) Crown Copyright 2015. All rights reserved. Licence number 100022432

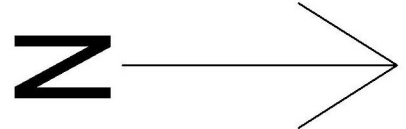
1:1250 Location Plan

NOTE:
RED OUTLINE SHOWS BOUNDARY AND APPLICATION SITE

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



1:500 Block Plan



1. All materials and workmanship to comply with all current British standards and codes of practice.
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3. All dimensions, levels and angles to be checked on site prior to the ordering of materials.

This is a true copy of the plan as referred to in the application.

Date 7/12/2015
 Signed Garry Lennox (agent)

PROJECT DESCRIPTION:
 Alterations/Extension

LOCATION:
 8 Percy Drive
 Glasgow
 G46 6PA

CLIENT:
 Mr & Mrs Hamid Ali

DWG TITLE:
 Block/location plans

SCALE
 as noted

DRAWN BY
 BL

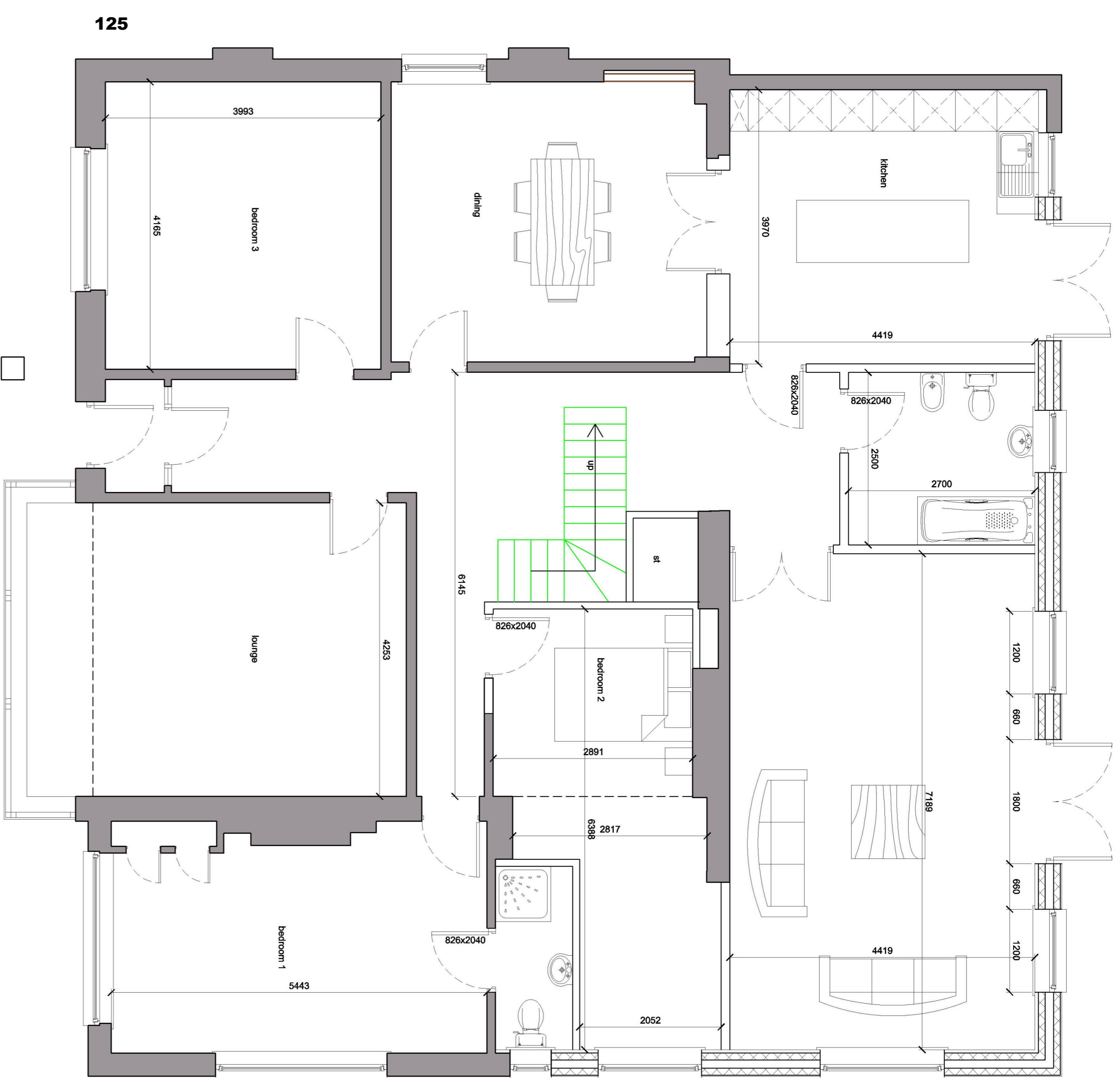
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DRAWING NO. 738/P4

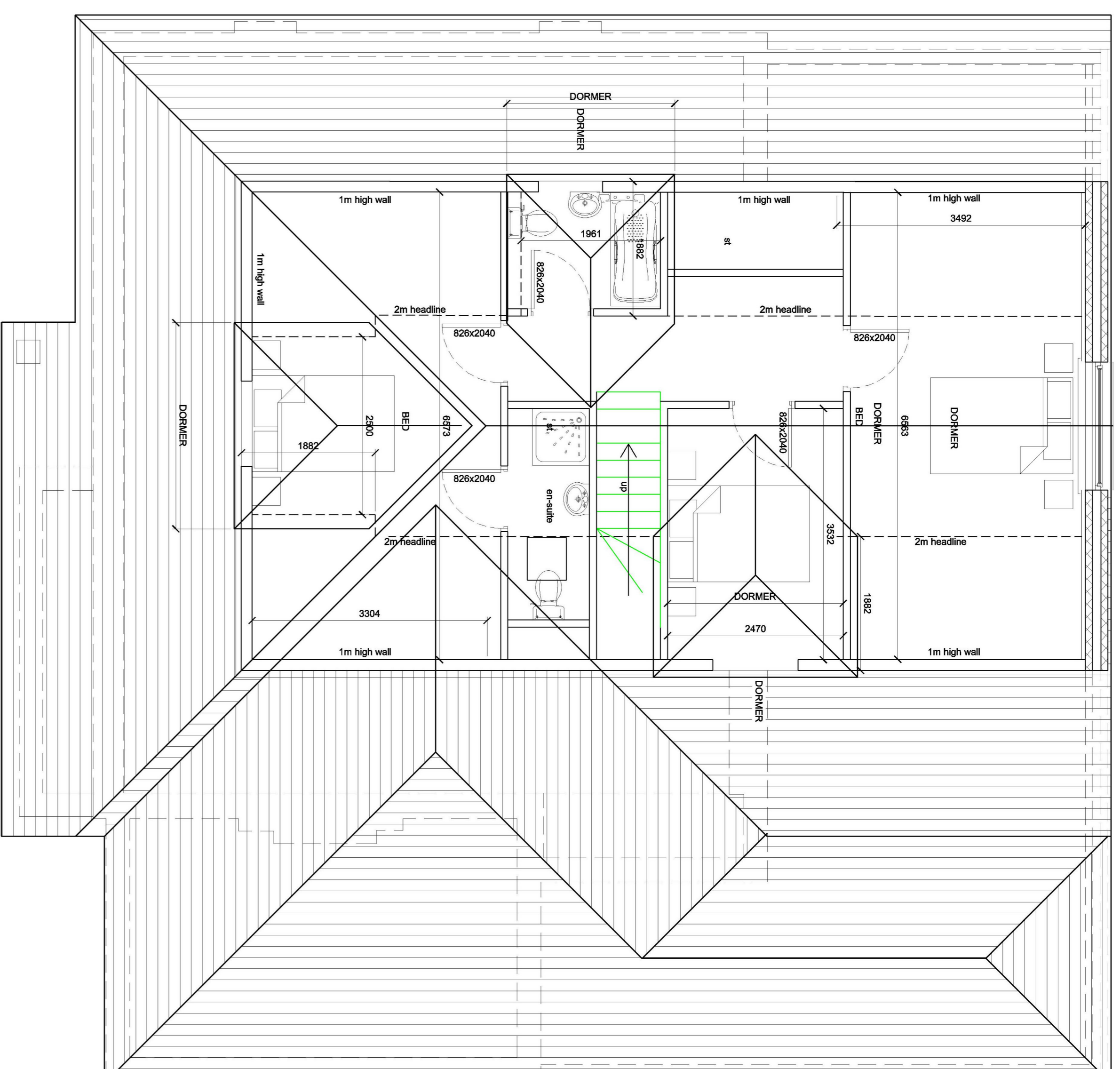


Lennox Design
 Architectural Services

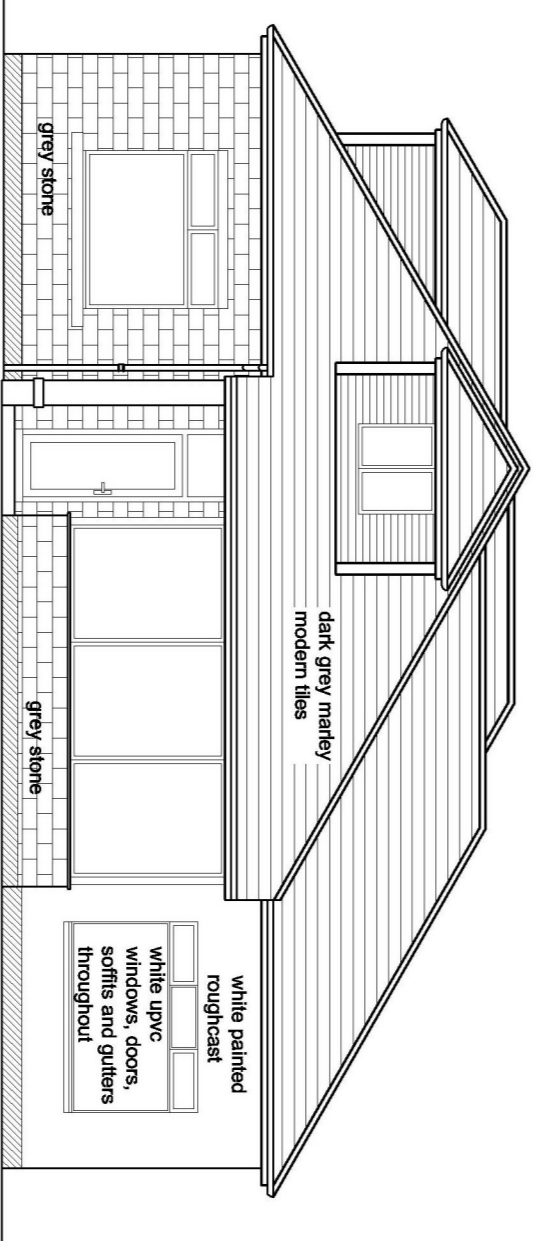
6 Cromdale Road, Kilmarnock, Avonshire KA1 3RJ
 Tel: 01563 534455
 Mob: 07825215207
 info@lennoxdesignarchitectural.co.uk
 www.lennoxdesignarchitectural.co.uk



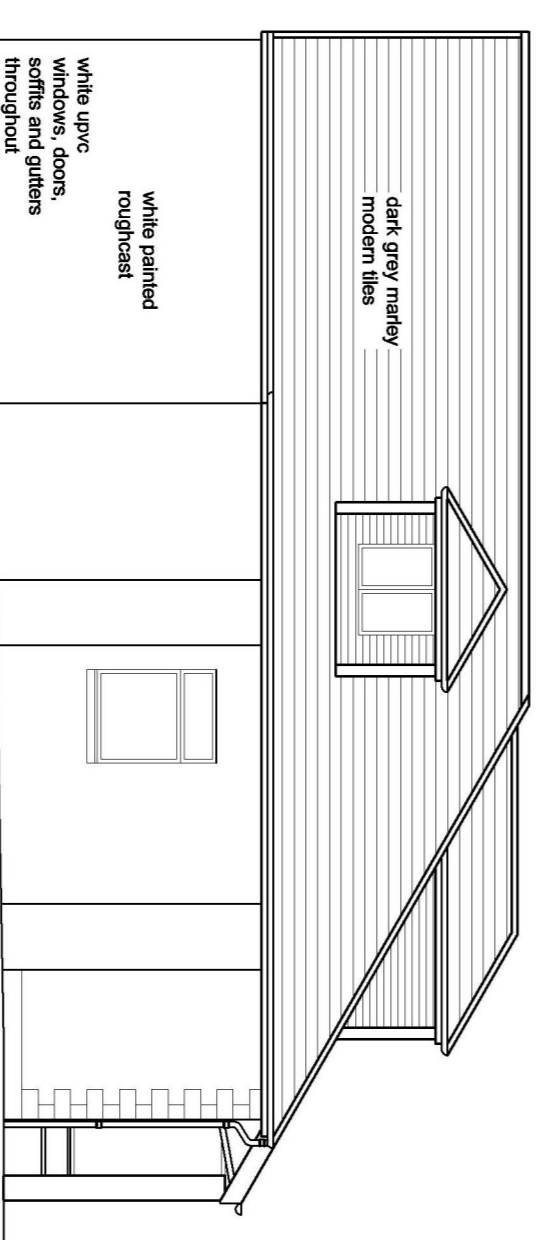
GROUND FLOOR WALL LAYOUT AS PROPOSED



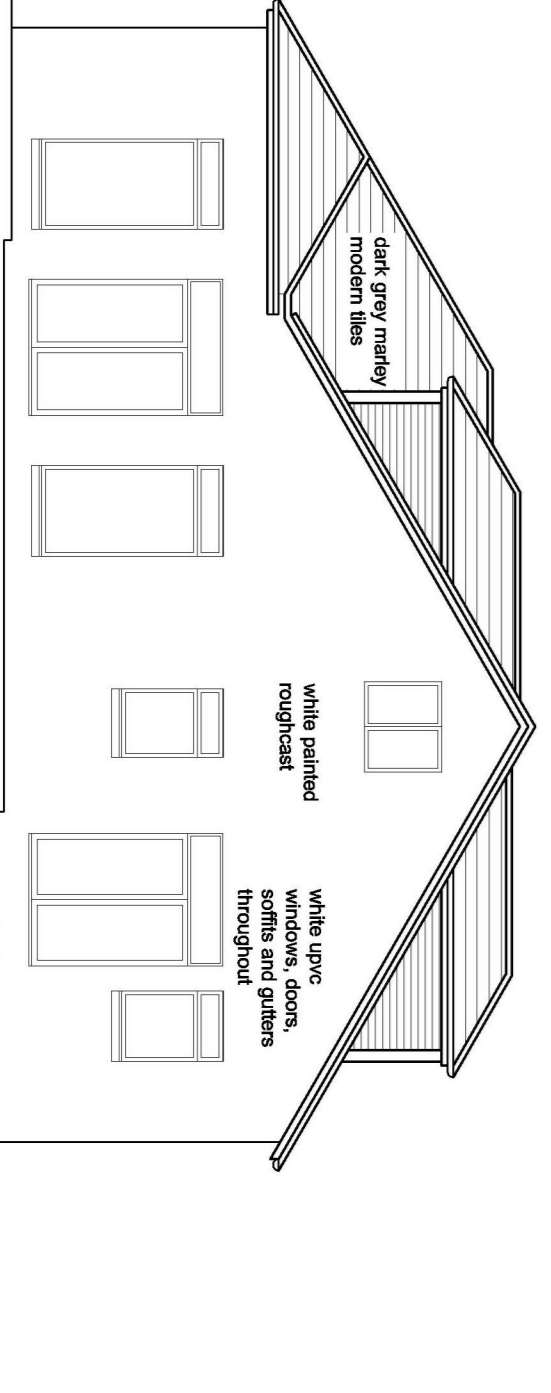
ATTIC FLOOR WALL LAYOUT AS PROPOSED



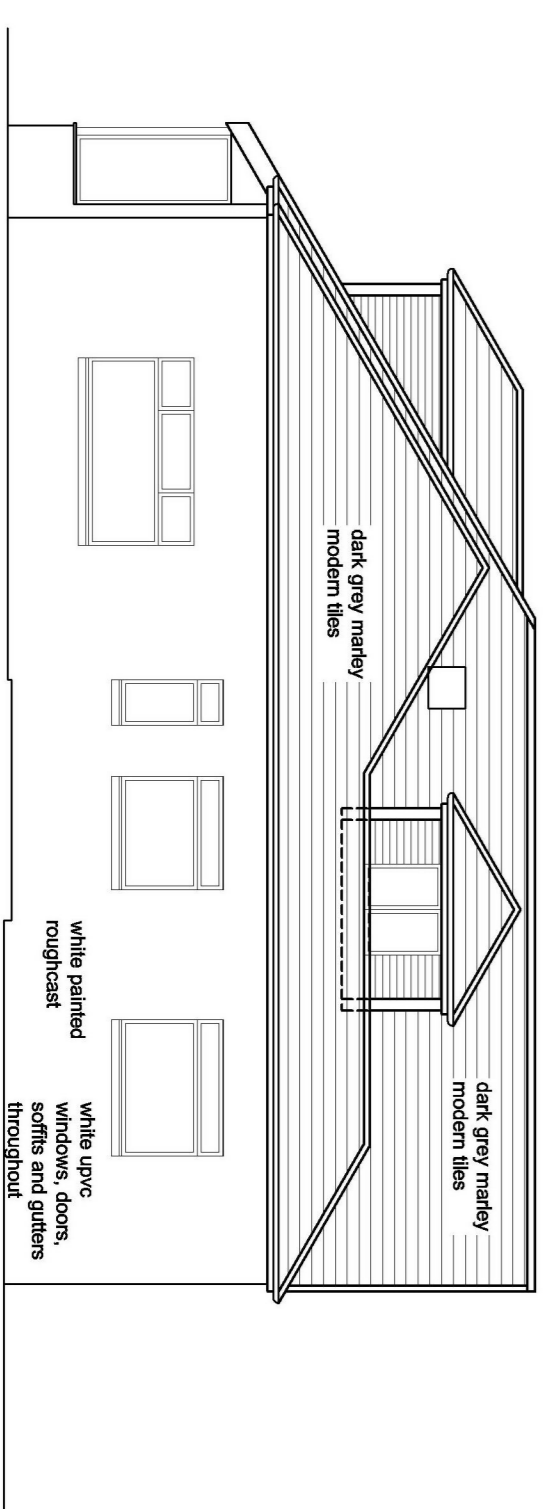
PROPOSED FRONT ELEVATION



PROPOSED SIDE ELEVATION



PROPOSED REAR ELEVATION



PROPOSED SIDE ELEVATION

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

1. All materials and workmanship to comply with all current British standards and codes of practice.
 2. All drainage to be to the satisfaction of the building control department.
 3. Building control to be notified 5 working days prior to work commencing and within two weeks of completion of the works.
 4. The contractor is deemed to have visited the site to ascertain the full extent of the works.
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**PLANNING
ISSUE**

PLEASE READ-

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2. All dimensions in millimetres.
3. All dimensions, levels and angles to be checked on site prior to the ordering of materials.

This is a true copy of the plan as referred to in the application.

Date 7/12/2015 Signed *Gerry Kerridge* (agent)

PROJECT DESCRIPTION:
Alterations/Extension

LOCATION:
8 Percy Drive
Glasgow
G46 6PA

CLIENT:
Mr & Mrs Hamid Ali

DWG TITLE: Proposed plans and elevations
SCALE: 1:50/100
DRAWN BY: BL
REV: #

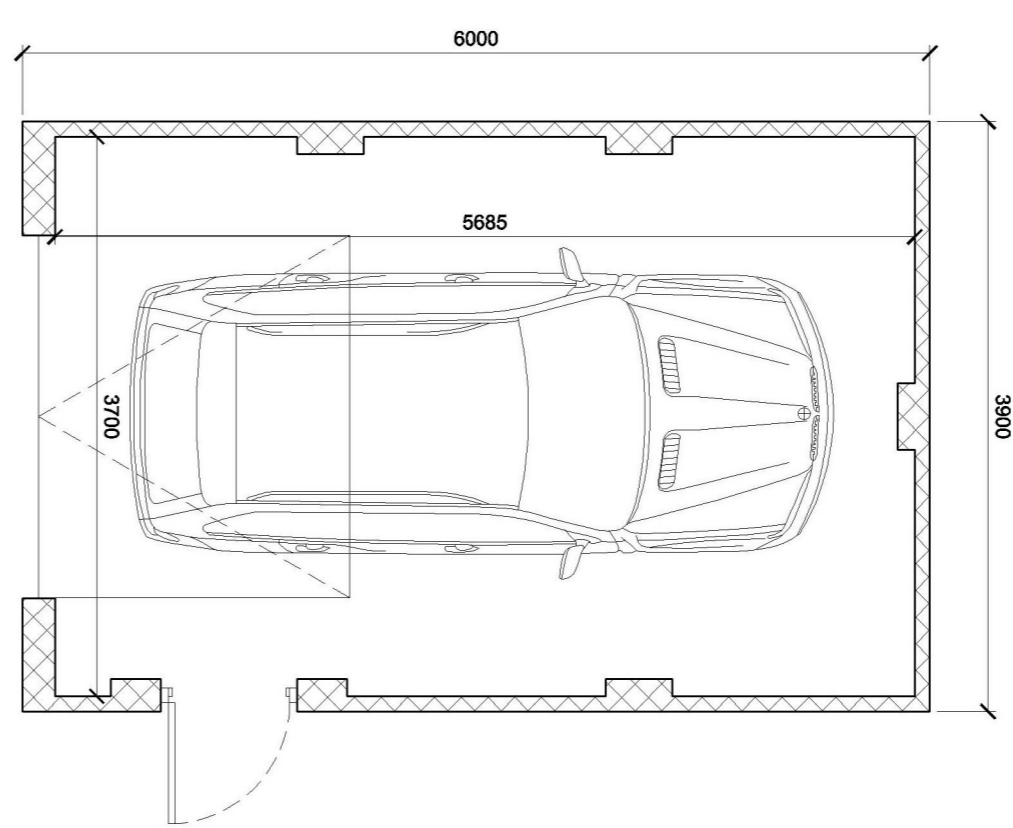
DRAWING NO. 738/P2



1. All materials and workmanship to comply with all current British standards and codes of practice.
2. All drainage to be to the satisfaction of the building control department.
3. Building control to be notified 5 working days prior to work commencing and within two weeks of completion of the works.
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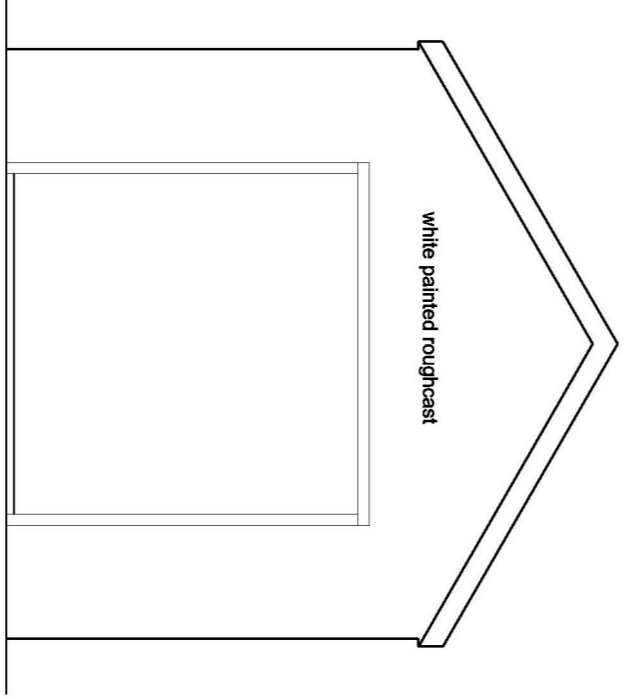
The purpose of these drawings are solely for the purposes of obtaining building warrant/planning approval. The drawing may be suitable for construction purposes, but it may be necessary to augment/and or amend this information for this purpose. No liability will be accepted for any omission on this drawing should the drawing be used for construction purposes.

3990

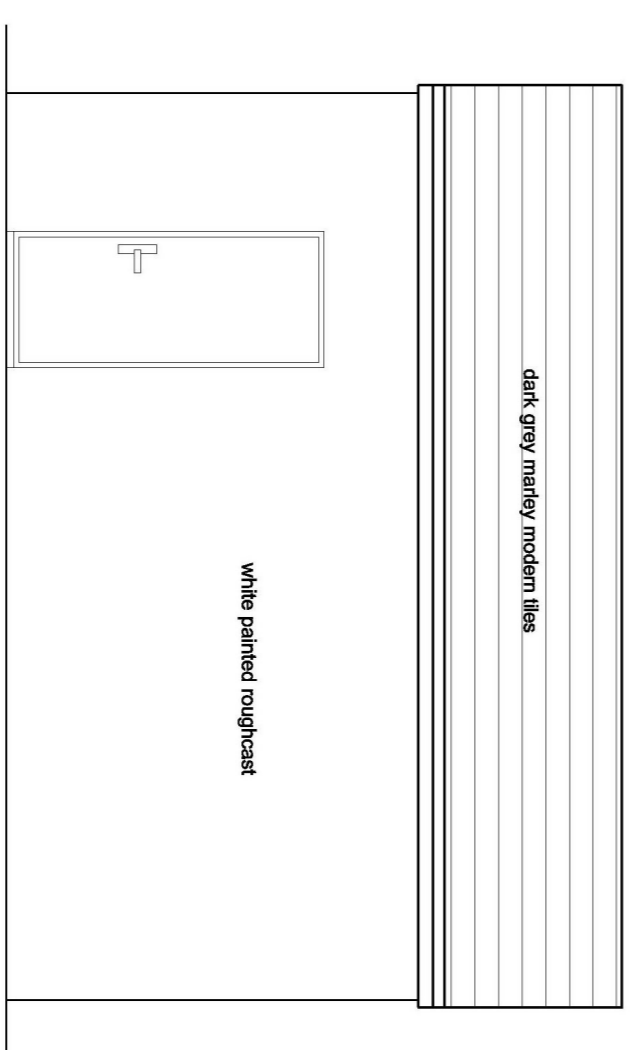


Town and Country Planning
(Scotland) Act 1997
REFUSED
Director of Environment
East Renfrewshire Council

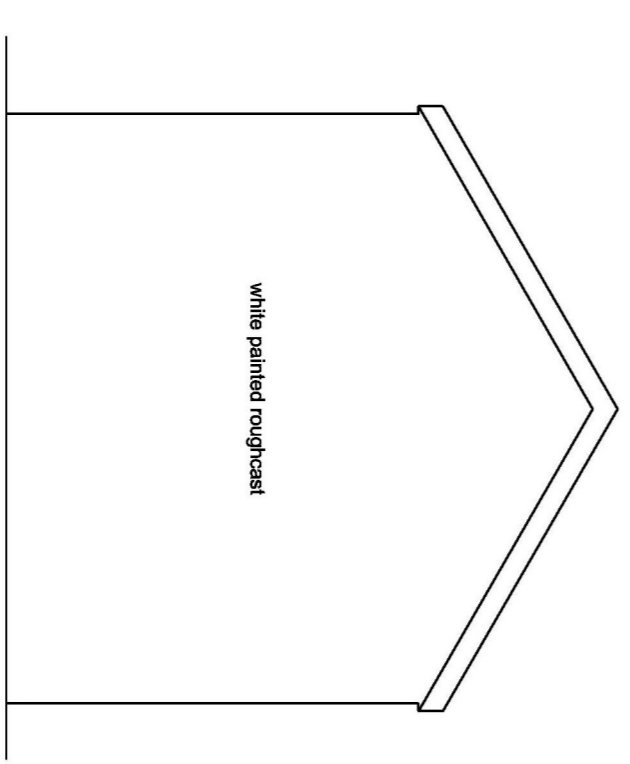
WALL LAYOUT



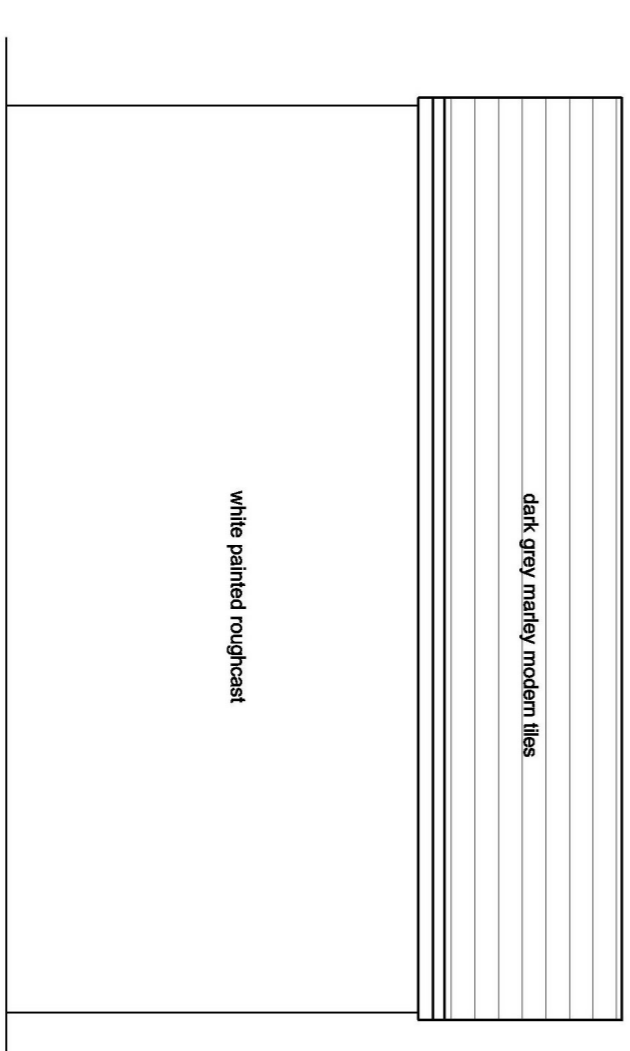
FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION

PLANNING ISSUE

- PLEASE READ-**
1. Do not scale from the drawings, if in doubt, ask.
 2. All dimensions in millimetres.
 3. All dimensions, levels and angles to be checked on site prior to the ordering of materials.

This is a true copy of the plan as referred to in the application.

Date 27/12/2015 Signed Energy Zennae (agent)

PROJECT DESCRIPTION:
Alterations/Extension

LOCATION:
8 Percy Drive
Glasgow
G46 6PA

CLIENT:
Mr & Mrs Hamid Ali

DWG TITLE:
Proposed garage details

SCALE
1:50

DRAWN BY
BL

REV #

DRAWING No. 738/P3



Lennox Design
Architectural Services