

EAST RENFREWSHIRE COUNCILLOCAL REVIEW BODY30 November 2016Report by Deputy Chief ExecutiveREVIEW OF CASE - REVIEW/2016/14INSTALLATION OF MONO-PITCH ROOF OVER EXISTING EXTENSION AT REARAT 27 DRUMBY CRESCENT, CLARKSTON**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:- 2016/0471/TP).  
Applicant: Mr Michael Byers.  
Proposal: Installation of mono-pitch roof over existing extension at rear.  
Location: 27 Drumby Crescent, Clarkston.  
Council Area/Ward: Netherlee, Stamperland and Williamwood (Ward 4).

**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 their 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 preferences are one or more hearing sessions and/or a site visit.

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

12. In accordance with the above decision, the Local Review Body agreed to carry out an unaccompanied site inspection on Wednesday, 30 November 2016 immediately before the meeting of the Local Review Body which is scheduled to begin at 2.30pm on that date.

## INFORMATION AVAILABLE TO ALLOW REVIEW OF APPLICATION

13. Section 43B of the Planning etc (Scotland) Act 2006 restricts the ability of parties to introduce new material at the review stage. The Local Review Body is advised that the focus of the review should, therefore, be on the material which was before the officer who dealt with the application under the Scheme of Delegation.

14. 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 47 - 58);
- (b) Report of Handling by the planning officer under the Scheme of Delegation - Appendix 2 (Pages 59 - 66);
- (c) Decision notice and reasons for refusal - Appendix 3 (Pages 67 - 70); and
- (e) A copy of the applicant's Notice of Review and Statement of Reasons - Appendix 4 (Pages 71 - 80).

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 81 - 96).

- (a) Refused – Location Plan;
- (b) Refused – Block Plan;
- (c) Existing Elevations;
- (d) Refused – Proposed Elevations;
- (e) Existing Lower Floor Plan;
- (f) Existing and Proposed Lower Floor Plan; and
- (g) Refused – Proposed Roof Plan.

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](http://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:- November 2016

**APPLICATION  
FOR  
PLANNING PERMISSION**

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# 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>20160411 HP.</i>		2. Agent's Details (if any)	
Title	<i>MR</i>	Ref No.	
Forename	<i>MICHAEL</i>	Forename	<i>PATRICK</i>
Surname	<i>BYERS</i>	Surname	<i>DOLAN</i>
Company Name		Company Name	<i>PSD DRAWING SERVICES</i>
Building No./Name	<i>76</i>	Building No./Name	<i>37</i>
Address Line 1	<i>DRUMBY CRES.</i>	Address Line 1	<i>LOCHREC DRIVE</i>
Address Line 2	<i>CLACKSTON</i>	Address Line 2	<i>M.O.C.</i>
Town/City		Town/City	
Postcode	<i>G76 7HN</i>	Postcode	<i>G66 8ET</i>
Telephone		Telephone	<i>01360 311 842</i>
Mobile		Mobile	<i>07871 4949 48</i>
Fax		Fax	
Email		Email	<i>psd.drawingervices@btinternet.com</i>

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

*76 DRUMBY CRES.  
CLACKSTON  
G76 7HN*

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

**4. Type of Application**

What is the application for? Please select one of the following:

- Planning Permission
- Planning Permission in Principle
- Further Application\*
- Application for Approval of Matters Specified in Conditions\*
- Application for Mineral Works\*\*

NB. A 'further application' may be e.g. development that has not yet commenced and where a time limit has been imposed a renewal of planning permission or a modification, variation or removal of a planning condition.

\*Please provide a reference number of the previous application and date when permission was granted:

Reference No:  Date:

\*\*Please note that if you are applying for planning permission for mineral works your planning authority may have a separate form or require additional information.

### 5. Description of the Proposal

Please describe the proposal including any change of use:

REPLACE EXISTING FLAT ROOF WITH MONO-PITCH ROOF + INTERNAL LOAD-BEARING WALL TO BE REMOVED

Is this a temporary permission?

Yes  No

If yes, please state how long permission is required for and why:

Have the works already been started or completed?

Yes  No

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

Date started:

Date completed:

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

### 6. 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:

DUTY OFFICER

Date:

Ref No.:

NEEDS PLANNING

### 7. Site Area

Please state the site area in either hectares or square metres:

Hectares (ha):

Square Metre (sq.m.)

240m<sup>2</sup>



**8. Existing Use**

Please describe the current or most recent use:

Dwelling

**9. 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 arrangements for continuing or alternative public access.*

How many vehicle parking spaces (garaging and open parking) currently exist on the application site? 3

How many vehicle parking spaces (garaging and open parking) do you propose on the site? (i.e. the total number of existing spaces plus any new spaces) 3

*Please show on your drawings the position of existing and proposed parking spaces and specify if these are to be allocated for particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, etc.)*

**10. Water Supply and Drainage Arrangements**

Will your proposals require new or altered water supply or drainage arrangements? Yes  No

Are you proposing to connect to the public drainage network (e.g. to an existing sewer?)

- Yes, connecting to a public drainage network
- No, proposing to make private drainage arrangements
- Not applicable – only arrangement for water supply required

What private arrangements are you proposing for the new/altered septic tank?

- Discharge to land via soakaway
- Discharge to watercourse(s) (including partial soakaway)
- Discharge to coastal waters

*Please show more details on your plans and supporting information*

- What private arrangements are you proposing?
- Treatment/Additional treatment (relates to package sewer treatment plants, or passive sewage treatment such as a reed bed)
  - Other private drainage arrangement (such as a chemical toilets or composting toilets)

*Please show more details on your plans and supporting information.*

Do your proposals make provision for sustainable drainage of surface water? Yes  No

Note:- Please include details of SUDS arrangements on your plans

Are you proposing to connect to the public water supply network?

Yes  No

If no, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site)

### 11. Assessment of Flood Risk

Is the site within an area of known risk of flooding?

Yes  No

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your planning authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? Yes  No  Don't Know

If yes, briefly describe how the risk of flooding might be increased elsewhere.

### 12. 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.

### 13. Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste? (including recycling)

Yes  No

If yes, please provide details and illustrate on plans.

If no, please provide details as to why no provision for refuse/recycling storage is being made:

### 14. Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats?

Yes  No

If yes how many units do you propose in total?

Please provide full details of the number and types of units on the plan. Additional information may be provided in a supporting statement.

**15. For all types of non housing development – new floorspace proposed**Does your proposal alter or create non-residential floorspace? Yes  No 

If yes, please provide details below:

Use type:

If you are extending a building, please provide details of existing gross floorspace (sq.m):

Proposed gross floorspace (sq.m.):

Please provide details of internal floorspace(sq.m)

Net trading space:

Non-trading space:

Total net floorspace:

**16. Schedule 3 Development**

Does the proposal involve a class of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008?

Yes  No  Don't Know 

If yes, your proposal will additionally have to be advertised in a newspaper circulating in your area. Your planning authority will do this on your behalf but may charge a fee. Please contact your planning authority for advice on planning fees.

**17. 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. The 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:

PATRICK DOWD

Date:

7<sup>th</sup> July 2016

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 \_\_\_\_\_ 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: \_\_\_\_\_

On behalf of: \_\_\_\_\_

Date: \_\_\_\_\_

### 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:

Name	Address	Date of Service of Notice

**CERTIFICATE C**

Certificate C 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 it has not been possible to identify ALL or ANY owners/agricultural tenants.

(1) I have  been unable to serve 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.

or

(2) I have  been unable to serve notice on **any** person other than myself who, at the beginning of the period of 21 days ending with the date of the accompanying application, was owner of any part of the land to which the application relates.

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

or

(4) The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have  been unable to serve notice on any person other than myself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant.

or

(5) The land or part of the land to which the application relates constitutes or forms part of an agricultural holding I have  served notice on each of the following persons 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:

Name	Address	Date of Service of Notice

(6) I have taken reasonable steps, as listed below, to ascertain the names and addresses of all other owners or agricultural tenants and have been unable to do so.

Steps taken:

CERTIFICATE D

Certificate D is for use where the application is for mineral development.

(1) No person other than myself \_\_\_\_\_ was an 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 accompanying application.

or

(2) I have \_\_\_\_\_ served notice on each of the following persons other than myself \_\_\_\_\_ who, at the beginning of the period of 21 days ending with the date of the accompanying application, was to the applicant's knowledge, the owner, of any part of the land to which the application relates. These persons are:

Name	Address	Date of Service of Notice

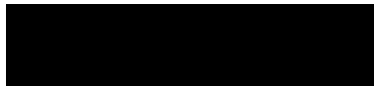
(3) None of the land to which the application relates constitutes or forms part of an agricultural holding.

or

(4) The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have \_\_\_\_\_ served notice on each of the following persons other than myself \_\_\_\_\_ who, at the beginning of the period of 21 days ending with the date of the application, was an agricultural tenant.

(5) Notice of the application as set out below has been published and displayed by public notice

Signed:



On behalf of:

~~MR.~~ MR. BYECS

Date:

7<sup>TH</sup> JULY 2016

CERTIFICATE E

Certificate E is required where the applicant is the sole owner of all the land and the land to which the application relates is agricultural land and there are or are not agricultural tenants.

I hereby certify that -

(1) No person other than myself \_\_\_\_\_ was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) The land to which the application relates constitutes or forms part of an agricultural holding and there are no agricultural tenants.

or

(1) No person other than myself \_\_\_\_\_ was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) The land to which the application relates constitutes or forms part of an agricultural holding and there are agricultural tenants. These people are:

Name	Address	Date of Service of Notice

(3) I have \_\_\_\_\_ taken reasonable steps, as listed below, to ascertain the names and addresses of the other agricultural tenants and have \_\_\_\_\_ been unable to do so.

Steps taken:

Signed:

On behalf of:

Date:

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

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## REPORT OF HANDLING

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# REPORT OF HANDLING

Reference: 2016/0471/TP

Date Registered: 13th September 2016

Application Type: Full Planning Permission

This application is a Local Development

Ward: 4 -Netherlee Stamperland Williamwood

Co-ordinates: 256963/:657947

Applicant/Agent:

Applicant:  
Mr. Michael Byers  
27 Drumby Crescent  
Clarkston  
East Renfrewshire  
G76 7HN

Agent:  
Patrick Dolan  
PSD Drawing Services  
37 Lochiel Drive  
Milton Of Campsie  
Glasgow  
G66 8ET

Proposal: Installation of mono-pitch roof over existing extension at rear

Location: 27 Drumby Crescent  
Clarkston  
East Renfrewshire  
G76 7HN

**CONSULTATIONS/COMMENTS:** None.

**PUBLICITY:** None.

**SITE NOTICES:** None.

**SITE HISTORY:** None

**REPRESENTATIONS:** No representations have been received.

**DEVELOPMENT PLAN & GOVERNMENT GUIDANCE:** See Appendix 1

**SUPPORTING REPORTS:**

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

**ASSESSMENT:**

The application site consists of a two storey semi-detached house and curtilage on the north side of Drumby Crescent within an established residential area of Clarkston. The majority of houses in the immediate area are of similar design. The application property has brown rendered front and side elevations and a white painted rear elevation. The roof is clad in red tiles. There is a wooded area to the rear of the property with a railway line beyond this.

The proposal is to install a mono-pitched roof over an existing flat roofed rear extension. The design is other than the conventional in that it will be at 2.9m high where it is linked to the original two storey house rising to a height of 4m at its extreme end.

The walls of the extension will be largely unchanged as will the door and window on the side facing elevation. A glazed panel will be formed above the doors on the rear facing elevation. Of

significance is that the extension extends almost to the mutual boundary with the adjoining property. The roof will be clad in concrete tiles.

The proposal requires to be assessed against Policies D1 and D14 of the adopted Local Development Plan and the (SPG) Supplementary Planning Guidance - Householder Design Guide. Policy D1 requires that any development should not result in a significant loss of character or amenity to the surrounding area and should respect local building form, design and materials. In favour of the proposal it is accepted that the extension will not be readily seen from wider public views. It is considered however that the design due to its pronounced change in roofline proposed detracts from the character of the existing house and due to its design its extreme rear section will due to its pronounced height result in a significant loss of amenity to the immediate mutual neighbour. The application is considered to fail Policy D1.

Policy D14 requires that any extension must complement the existing character of the property, particularly in terms of style, form and materials and that in most circumstances they should have pitched roofs to match the existing house. The works proposed will create an extension which is considered due to its roof pitch to be markedly out of character with the existing house. It is considered that the proposal would thus fail Policy D14. The proposal fails the general design principals of the Supplementary Planning Guidance (SPG) - Householder Design Guide for the same reasons.

Taking all of the above into account it is considered that the proposed works will due to their design have a detrimental impact on the on both the character of the existing property and visual amenity of the immediate area contrary to the provisions of Policies D1 and D14 of the Local Development Plan and the general design principals as described in the Council's Householder Design Guide. Accordingly planning permission should be refused unless material considerations indicate otherwise.

Other than a similar roof form to an immediate neighbour most other single storey rear extensions in the vicinity have mono-pitched roofs of the more conventional form more in keeping with the character of the local house types.

The design has been discussed with the applicant who has highlighted that a similar roof form to that now proposed is present on the neighbouring property at 29 Drumby Crescent (see note below).

(The general form of this roof was approved in 2006 (2006/0951/TP -Erection of single storey rear extension) however it differs from the approved roof design in that specific design elements have been omitted. This proposal was approved in part as it could be considered as a contemporary addition to the house and thus not one which necessarily reflected in full the character of the existing house. The completed extension does not however appear to display the design qualities in the 2006 planning submission).

It is considered that there are no significant material considerations that outweigh the provisions of the Development Plan and the SPG. It is therefore recommended that planning permission is refused.

**RECOMMENDATION:** Refuse

**REASONS FOR REFUSAL:**

1. The proposed development is contrary to Policy D1 of the adopted Local Development Plan as the proposed roof will due to its design have a detrimental impact on the amenity of the neighbouring property at No 25 Drumby Crescent.

2. The development is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as the proposed side extension would not complement the existing character of the property in terms of style and form.
3. The proposed development is contrary to the adopted Supplementary Planning Guidance; Householder Design Guide as it does not respect the character of the original house

**PLANNING OBLIGATIONS:** None

**ADDITIONAL NOTES:** None.

**ADDED VALUE:** None

**BACKGROUND PAPERS:**

Further information on background papers can be obtained from Mr Ralph Howden on 0141 577 3694.

Ref. No.: 2016/0471/TP  
(RAHO)

DATE: 3<sup>rd</sup> October 2016

**DIRECTOR OF ENVIRONMENT**

**Reference: 2016/0471/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 soliums 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 ridge line 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

**Finalised IM 03/10/16**

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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.       **2016/0471/TP**

**Applicant**

Mr. Michael Byers  
27 Drumby Crescent  
Clarkston  
East Renfrewshire  
G76 7HN

**Agent:**

Patrick Dolan  
PSD Drawing Services  
37 Lochiel Drive  
Milton Of Campsie  
Glasgow  
G66 8ET

With reference to your application which was registered on 13th September 2016 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

**Installation of monopitch roof over existing extension at rear**

**at: 27 Drumby Crescent Clarkston East Renfrewshire G76 7HN**

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

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

1. The proposed development is contrary to Policy D1 of the adopted Local Development Plan as the proposed roof will due to its design have a detrimental impact on the amenity of the occupants of neighbouring properties.
2. The development is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as the proposed side extension would not complement the existing character of the property in terms of style and form.
3. The proposed development is contrary to the adopted Supplementary Planning Guidance; Householder Design Guide as it does not comply with the general design principles.

Dated           3rd October 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

<b>Plan Description</b>	<b>Drawing Number</b>	<b>Drawing Version</b>	<b>Date on Plan</b>
Roof Plan Proposed	0/3		
Location Plan	0/1		
Block Plan	0/2		
Elevations Proposed	0/4		

**GUIDANCE NOTE FOR REFUSAL OF LOCAL DEVELOPMENTS DETERMINED UNDER DELEGATED POWERS**

**REVIEW BY EAST RENFREWSHIRE COUNCIL'S LOCAL REVIEW BODY**

1. If the applicant is aggrieved by a decision to refuse permission (or by an approval subject to conditions), the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. A Notice of Review can be submitted online at [www.eplanning.scotland.gov.uk](http://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](http://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](mailto:planning@eastrenfrewshire.gov.uk)**

**NOTICE OF REVIEW  
AND  
STATEMENT OF REASONS**

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RECEIVED

07 NOV 2016

Notice of Review



## NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997  
AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE)  
(SCOTLAND) REGULATIONS 2013

**Rather than completing this form, you may submit your review online at <https://www.eplanning.scot>**

**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.

Use BLOCK CAPITALS if completing in manuscript

### Applicant(s)

Name **MR MICHAEL BYERS**

Address **27 DRUMBY CRESCENT  
CLARKSTON  
EAST RENFREWSHIRE**

Postcode **G76 7HN.**

Contact Telephone 1 [REDACTED]

Contact Telephone 2 [REDACTED]

Fax No [REDACTED]

E-mail\* [REDACTED]

### Agent (if any)

Name **MR PATRICK DOLAN.**

Address **PSD DRAWING SERVICES  
37 LOCHIEL DRIVE  
MILTON OF CAMPSIE**

Postcode **G66 8ET**

Contact Telephone 1 **01360 311842**

Contact Telephone 2 **07871 494948**

Fax No [REDACTED]

E-mail\* **psd.drawingsservices@hotmail.com**

Mark this box to confirm all contact should be  
through this representative:

\* Do you agree to correspondence regarding your review being sent by e-mail?

Yes  No

Planning authority

**EAST RENFREWSHIRE COUNCIL.**

Planning authority's application reference number

**2016/0471/TP**

Site address

**2 SPIERSBRIDGE WAY, SPIERSBRIDGE BUSINESS PARK,  
THORNLEIBANK, G46 8NG.**

Description of proposed  
development

**INSTALLATION OF MONO-PITCH ROOF OVER EXISTING  
EXTENSION AT REAR PLUS KITCHEN/DINING ROOM ALTERATION**

Date of application

**13/09/2016**

Date of decision (if any)

**03/10/2016.**

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

### Nature of application

1. Application for planning permission (including householder application)
2. Application for planning permission in principle
3. 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)
4. Application for approval of matters specified in conditions

### Reasons for seeking review

1. Refusal of application by appointed officer
2. Failure by appointed officer to determine the application within the period allowed for determination of the application
3. Conditions imposed on consent by appointed officer

### 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. However, please note that the Local Review Body is not bound to accede to your request(s) and will decide what procedure will be used to determine your review.

1. Further written submissions
2. One or more hearing sessions
3. Site inspection
4. Assessment of review documents only, with no further procedure

If you have marked box 1 or 2, 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 are necessary:

TO ALLOW REVIEW BODY THE OPPORTUNITY TO DIRECTLY QUESTION ARCHITECT ON ANY MATTERS THEY WISH ANSWERED.

### Site inspection

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

- |  | Yes                                 | No                                  |
|--|-------------------------------------|-------------------------------------|
| 1. Can the site be viewed entirely from public land?                                 | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |



## Notice of Review

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

LOCKED GATE/FENCE AT FRONT OF PROPERTY PREVENTING UNACCOMPANIED ACCESS TO REAR OF PROPERTY .

**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.

SEE ATTACHED PAGE OVERLEAF.

Statement of Reasons for Requiring a Review

1. It should be noted that our neighbouring property situated at 29 Drumby Crescent, directly adjacent to our property, received planning approval (2006/0951/TP) in 2007 for an extension with an identical roof structure to our proposal. (see appendix 1)
2. Based on an architectural assessment of the roof structure in the approved plans (2006/0951/TP) there does not appear to be any significant or material difference in our proposal to that of the approved plans at our neighbouring property. (see appendices 1 and 2).
3. When completed, our proposal for the installation of a mono-pitch roof on an existing extension will be similarly angled upwards on the outside with directly comparable ridge height, shape and direction to that of 2006 plans that received planning consent. (see appendices 1 and 2)
4. We acknowledge that the plans we have submitted for installation of our roof structure differ marginally from the 2006 approved plans. However, it is our contention that this variance is representative only of a difference in design approach and should not be considered as an influencing factor in the decision-making process with regards to the refusal of planning permission.
5. It should also be noted that our roof design and the detailed specifications provided for valley guttering adhere to all current building regulations. Moreover, the local building firm we have appointed to undertake the works, with over 20 years-experience in home improvement construction, believe the design to be technically accurate and one that will ensure a structurally sound roof when completed.
6. The assertion that our proposal will detract and/or have a detrimental impact on the character of the existing house is not one that we share. We believe that once completed our proposal will have the look of a contemporary addition and is not one which is intended to reflect in full the character of the existing house.
7. It is noteworthy that no concerns or objections were raised with regards to our planning submission.
8. In respect of the claim that our proposal will result in the significant loss of amenity to our immediate mutual neighbour (25 Drumby Crescent) it should be noted our proposal for mono-pitch roof on existing extension builds up from existing foot print i.e. current extension, and its impact in terms of overshadowing will be no greater than if we constructed a more traditional pitched roof structure on the existing extension i.e. regardless of the slope of any mono-pitched roof our neighbours at 25 Drumby Crescent would experience a slight loss of amenity.
9. We believe that an important feature of our proposal has been overlooked. Namely the significant increase in the levels of natural light that will flow into our home on completion of the proposed works. As our plans highlight, the design of an upper angle on the outer edge of the new roof will allow a bank of windows to be inserted above a set of patio doors. Together with the inclusion of two Velux windows on the proposed roof this will provide our home with significantly increased levels of natural light, allowing us to significantly lower our heating bills in the winter and our overall heating and lighting costs in general.
10. On a more traditional roof structure, with a downward sloping roof it would not be possible to insert this bank of windows on the current extension on our property.
11. It is worth noting also that our proposed development will be situated at the rear of our property, directly facing a railway embankment and will be unsighted from the front of the property.

## Notice of Review

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 new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

### 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 and intend to rely on in support of your review.

Separate sheet - Statement of reasons for requiring a review.  
 appendix 1 - Copy of proposed side and rear elevations (2006/0951/TP).  
 appendix 2 - Copy of proposed side and rear elevations (2016/0471/TP).

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. It may also be available on the planning authority website.

### Checklist

Please mark the appropriate boxes to confirm 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 requiring a review
- All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

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

### Declaration

I the applicant/agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed




Date

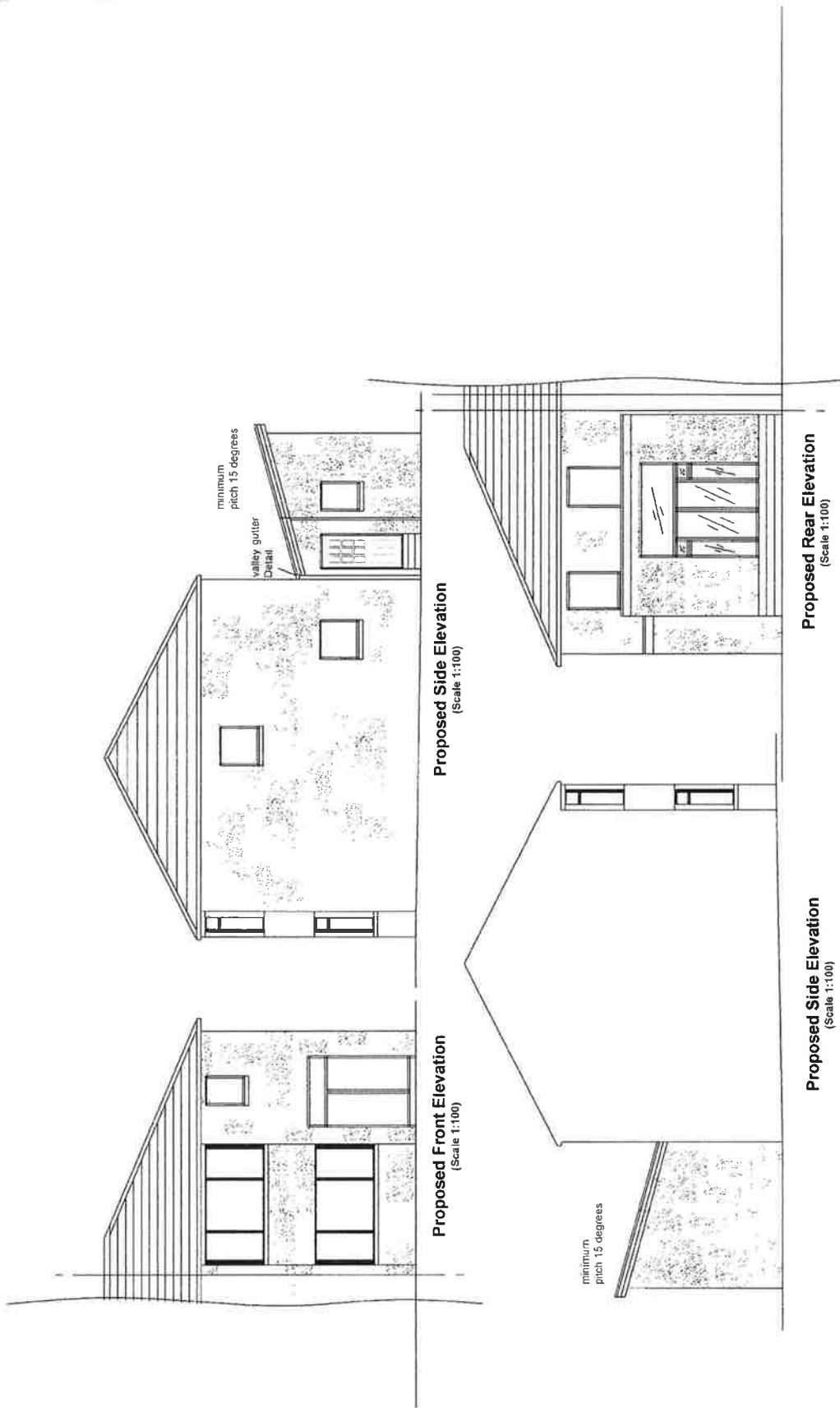
04 | 11 | 2016.

### Data Protection Act 1998

East Renfrewshire Council is the Data Controller for the purposes of the Data Protection Act 1998. Please note that the information provided with this application will appear in the public register of applications and will also be published on the Council's website. Personal details such as signatures, personal phone numbers and personal email addresses will not be published on-line. If you wish any further personal information to be excluded from publication, please request this in writing and the Council will consider your request.

Your completed notice of review should now be returned to: East Renfrewshire Council, Head of Environment (Planning, Economic Development & City Deal), 2 Spiersbridge Way, Spiersbridge Business Park, Thornliebank, East Renfrewshire G46 8NG. Alternatively, you can e-mail your notice of review to [planning@eastrenfrewshire.gov.uk](mailto:planning@eastrenfrewshire.gov.uk)





**PLANS/PHOTOGRAPHS/DRAWINGS**

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Town and Country Planning  
(Scotland) Act 1997

**REFUSED**

Director of Environment  
East Renfrewshire Council



LOCATION PLAN  
(SCALE 1:1250)



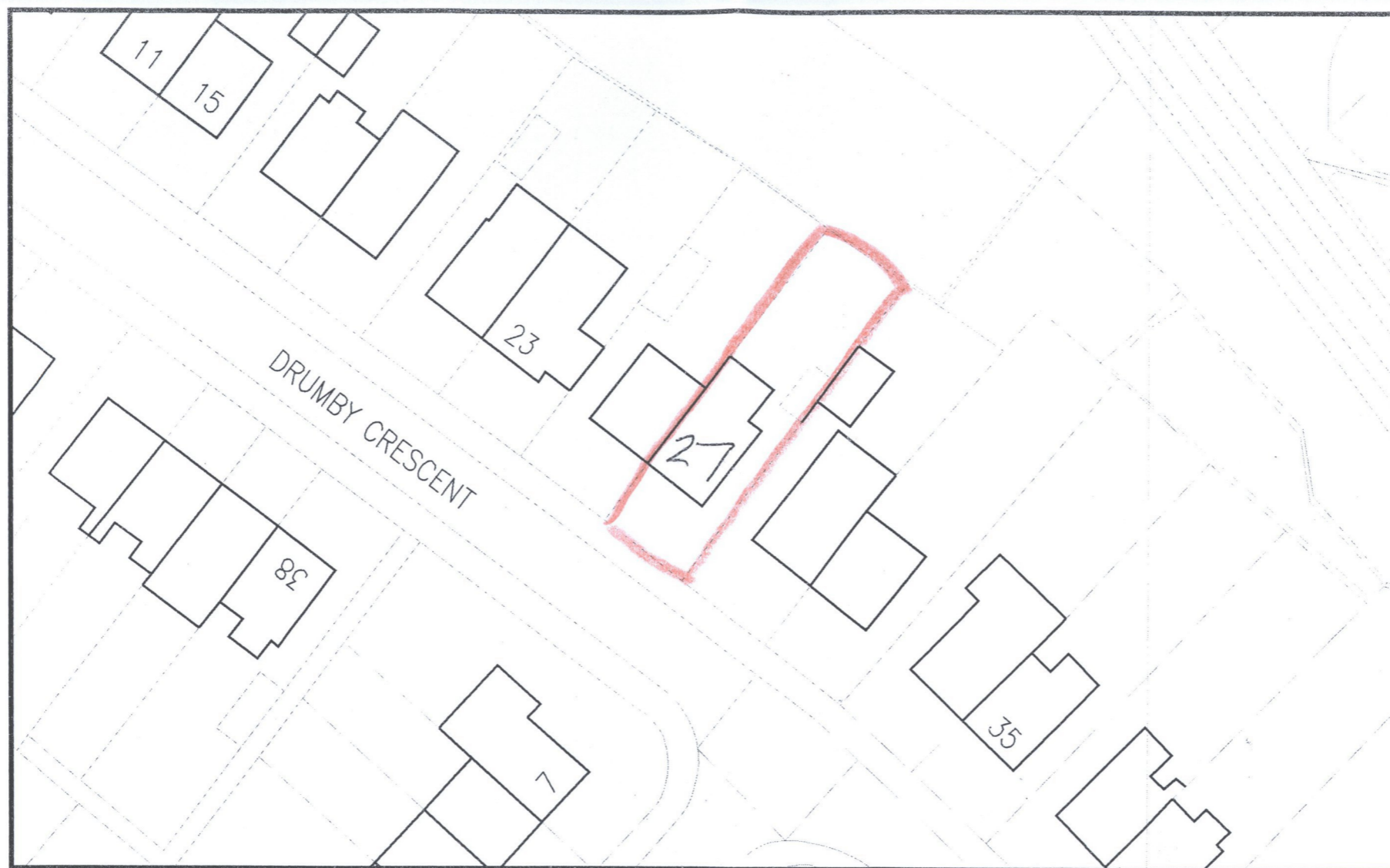
PROPOSED ALTERATION AND NEW ROOF @  
27 Drumby Crescent Clarkston G76 7HN

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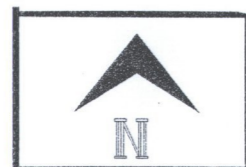
Town and Country Planning  
(Scotland) Act 1997

**REFUSED**

Director of Environment  
East Renfrewshire Council



**BLOCK PLAN**  
(SCALE 1:500)



PROPOSED ALTERATION AND NEW ROOF @  
27 Drumby Crescent Clarkston G76 7HN ②

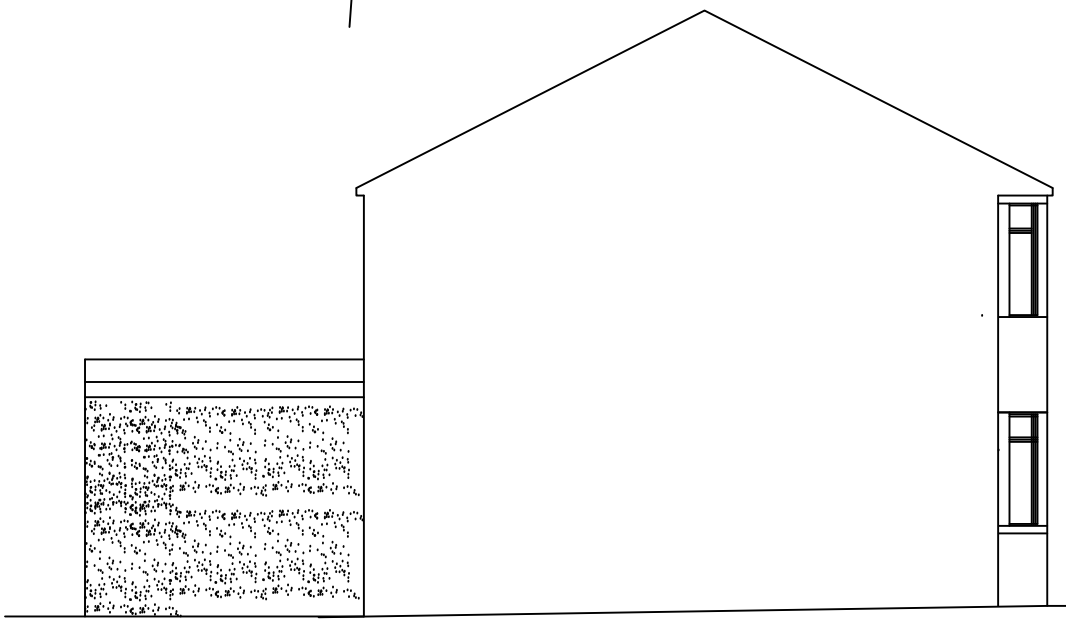
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**Existing Front Elevation**  
(Scale 1:100)



**Existing Side Elevation**  
(Scale 1:100)



**Existing Side Elevation**  
(Scale 1:100)



**Existing Rear Elevation**  
(Scale 1:100)

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Town and Country Planning  
(Scotland) Act 1997

**REFUSED**

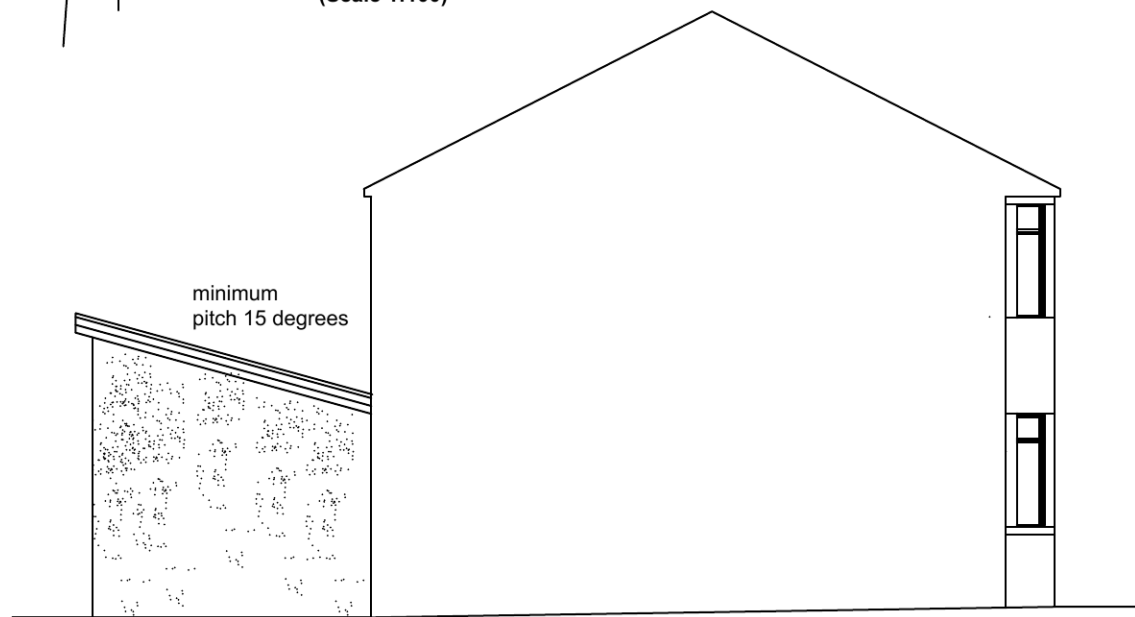
Director of Environment  
East Renfrewshire Council



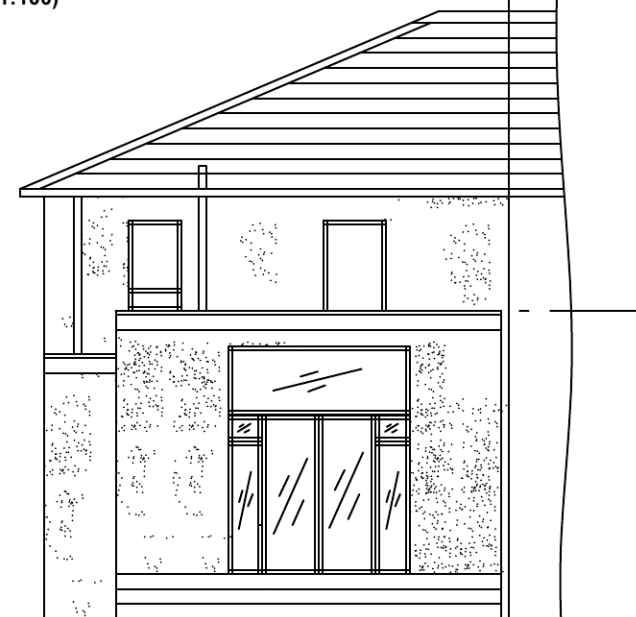
**Proposed Front Elevation**  
(Scale 1:100)



**Proposed Side Elevation**  
(Scale 1:100)



**Proposed Side Elevation**  
(Scale 1:100)

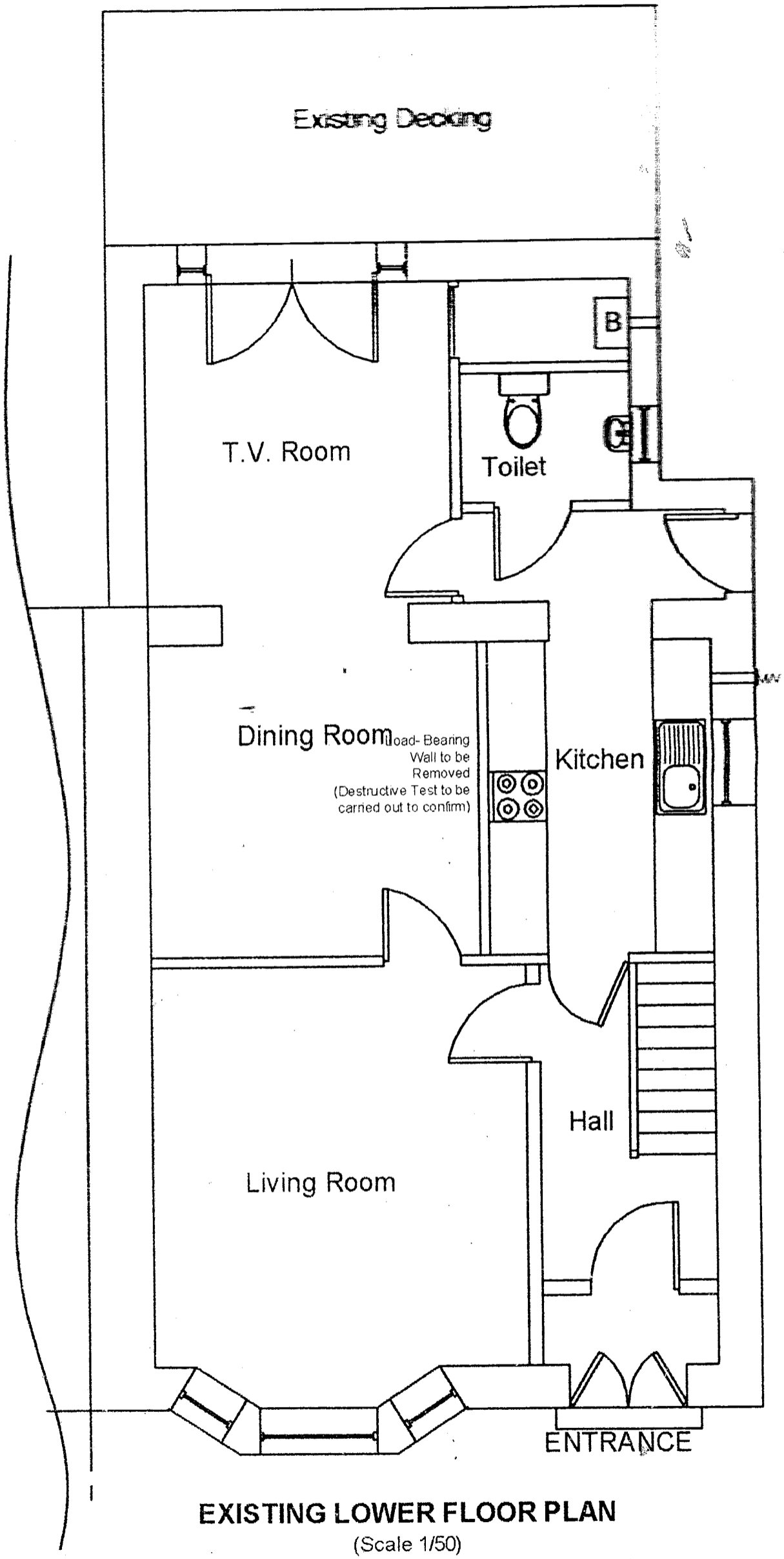


**Proposed Rear Elevation**  
(Scale 1:100)

Height  
Approx  
4000mm

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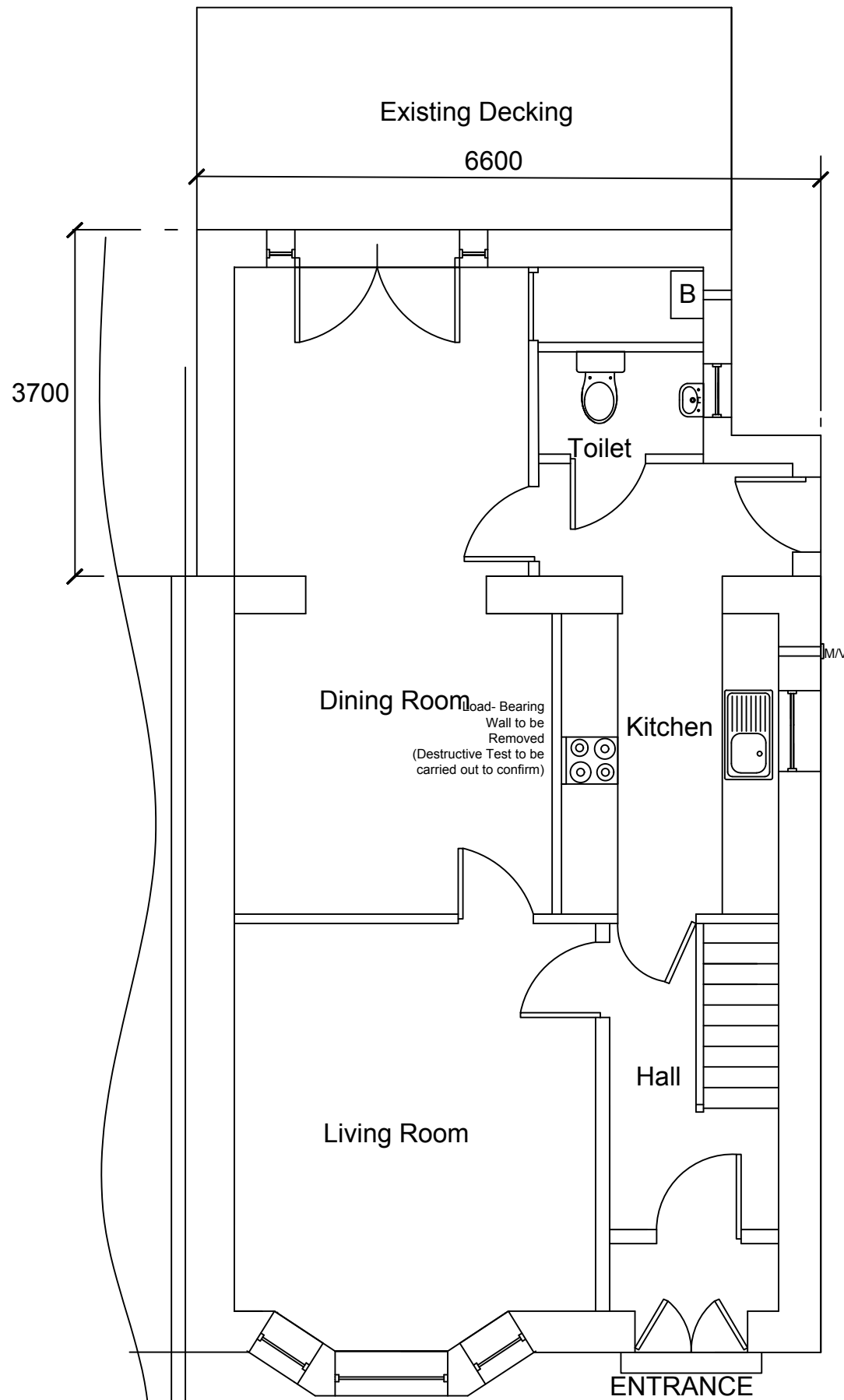




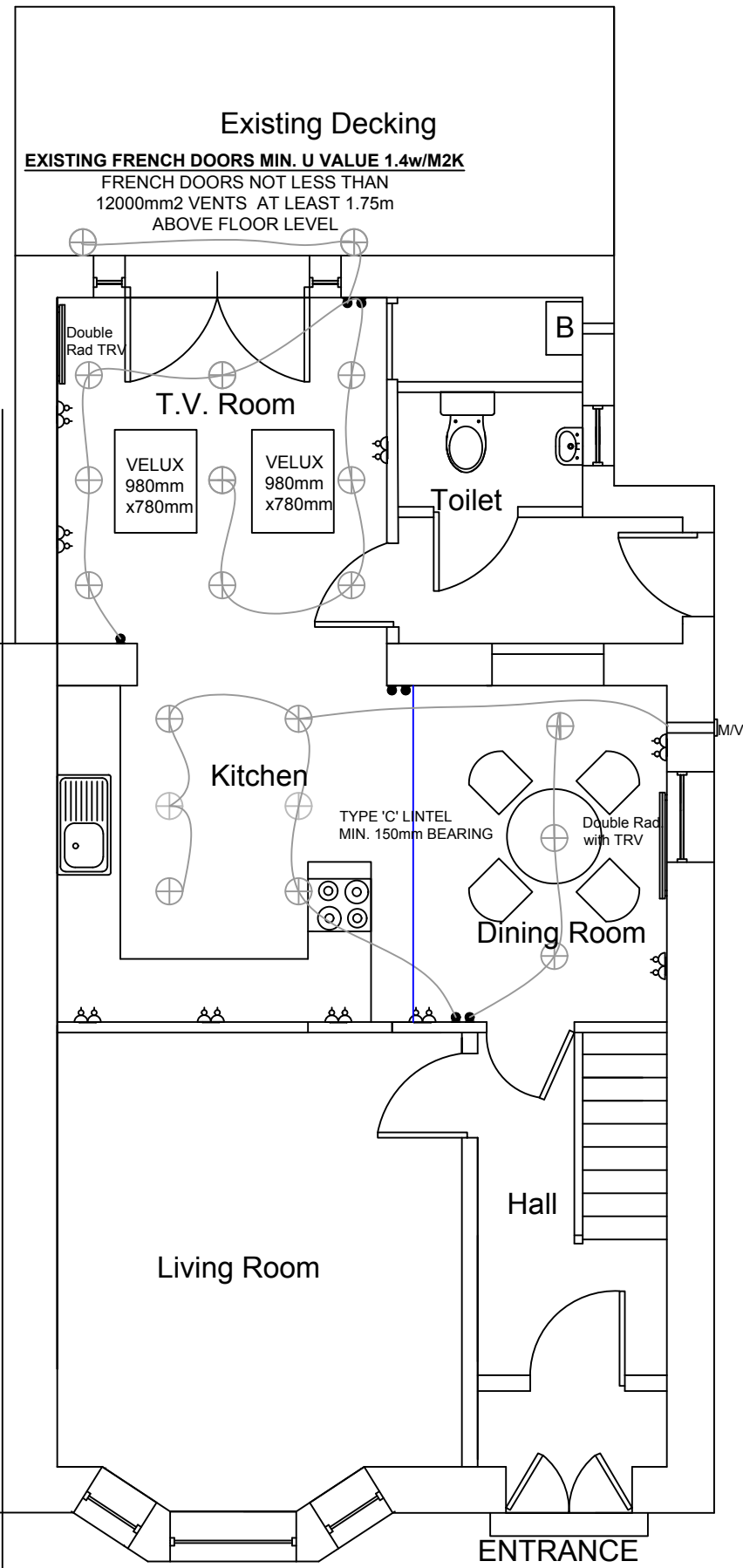
EXISTING LOWER FLOOR PLAN

(Scale 1/50)

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**EXISTING LOWER FLOOR PLAN**  
(Scale 1/50)



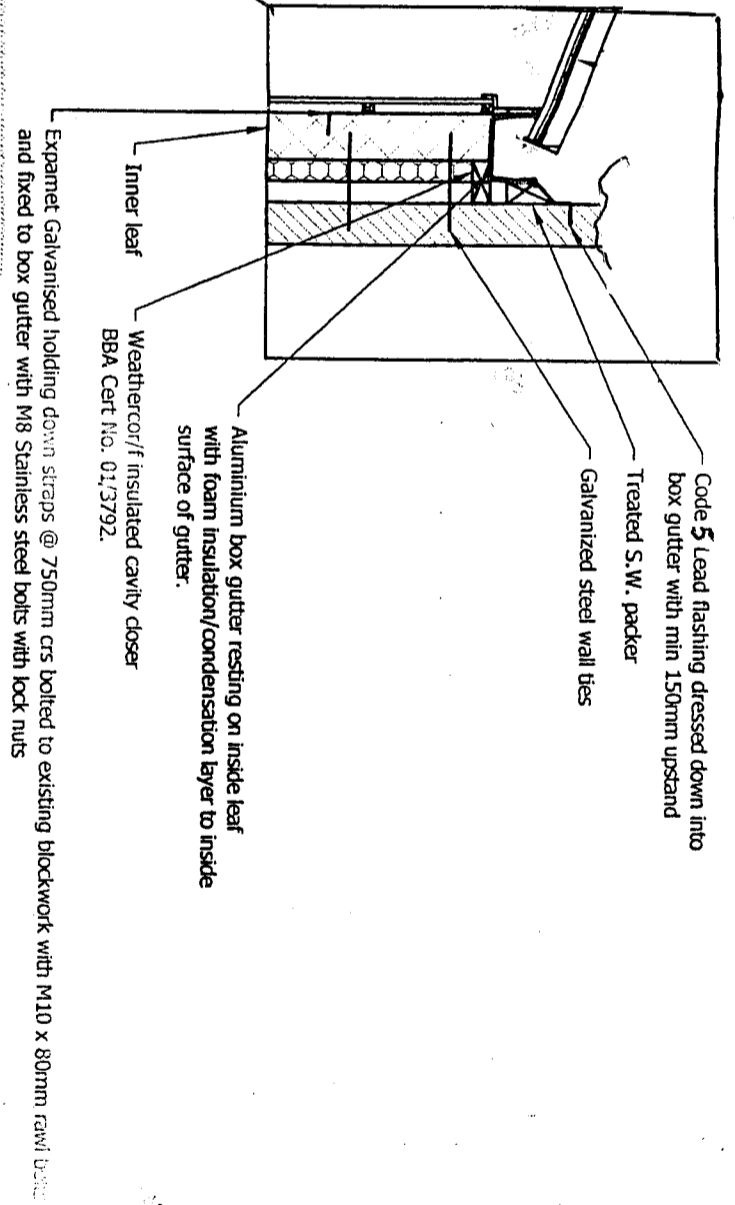
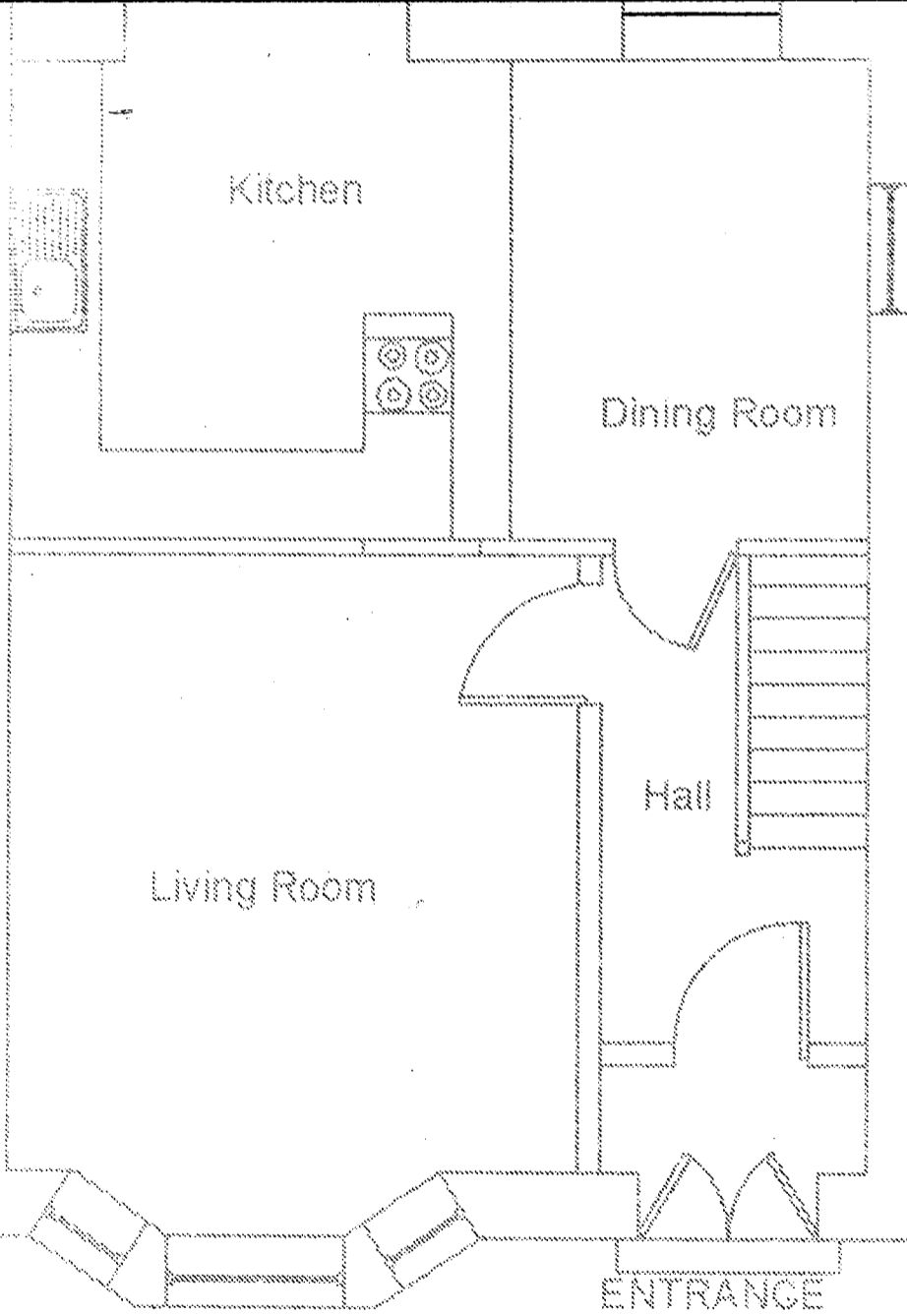
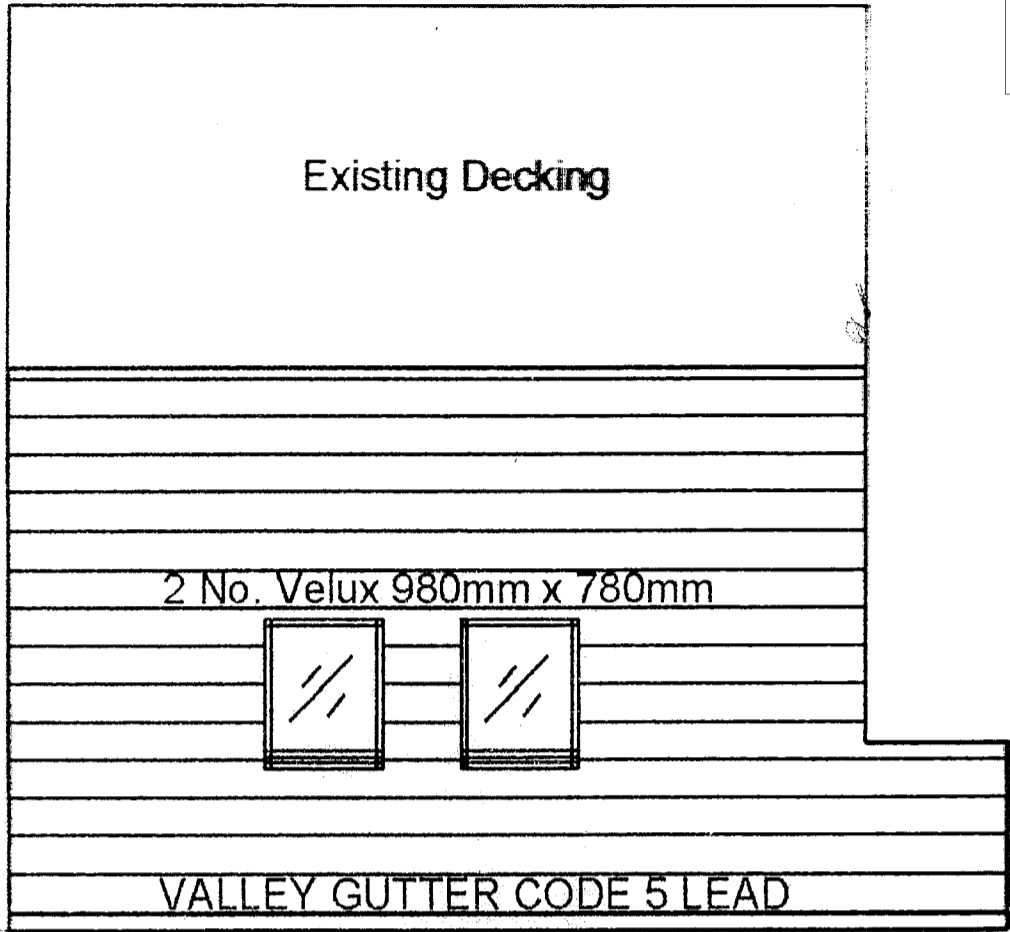
**PROPOSED LOWER FLOOR PLAN**  
(Scale 1/50)

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Town and Country Planning  
(Scotland) Act 1997

**REFUSED**

Director of Environment  
East Renfrewshire Council



**PROPOSED ROOF PLAN**

(Scale 1/50)

PROPOSED ALTERATION AND NEW ROOF @  
27 Drumby Crescent Clarkston G76 7HN

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