

EAST RENFREWSHIRE COUNCIL

LOCAL REVIEW BODY

2 April 2014

Report by Deputy Chief Executive

REVIEW/2014/01

ERECTION OF SINGLE STOREY FRONT/SIDE EXTENSION AND ALTERED VEHICULAR

ACCESS AT 15 BROOMVALE DRIVE, NEWTON MEARNS

**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:- 2013/0748/TP).  
Applicant: Mr and Mrs Darnbourough.  
Proposal: Erection of single storey front/side extension and altered vehicular access.  
Location: 15 Broomvale Drive, Newton Mearns.  
Council Area/Ward: Newton Mearns South (Ward 5).

**REASON FOR REQUESTING REVIEW**

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

**RECOMMENDATIONS**

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

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

## **BACKGROUND**

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

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

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

## **NOTICE OF REVIEW – STATEMENT OF REASONS FOR REQUIRING THE REVIEW**

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

9. The applicants are entitled to state a preference for the procedure (or combination of procedures) to be followed by the Local Review Body in the determination of the review and have indicated that their stated preferences are one or more hearing sessions and/or a site visit.

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

## **INFORMATION AVAILABLE TO ALLOW REVIEW OF APPLICATION**

11. 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.

**12.** 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 7-12)
- (b) Report of Handling by the planning officer under the Scheme of Delegation - Appendix 2 (Pages 13-20);
- (c) Decision notice and reasons for refusal - Appendix 3 (Pages 21-24); and
- (d) A copy of the applicants' Notice of Review and Statement of Reasons - Appendix 4 (Pages 25-32).

**13.** The applicants have also submitted the drawings listed below (available for inspection within the Planning service of the Environment Department prior to the meeting and for reference at the meeting). Copies attached as Appendix 5 (Pages 33-39):-

- (a) Plans and elevations as existing;
- (b) Location plan – refused; and
- (c) Plans and elevations as proposed.

**14.** 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.

**15.** 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).

## **RECOMMENDATIONS**

**16.** The Local Review Body is asked to:-

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

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:- March 2014

**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.

**TOWN AND COUNTRY PLANNING  
(SCOTLAND) ACT 1997 as amended by the Planning etc.  
(Scotland) Act 2006**



**Householder Application for Planning Permission**

Please note that rather than completing these forms, you can now complete and submit your planning application on-line at [www.eplanning.scotland.gov.uk](http://www.eplanning.scotland.gov.uk) 25 NOV 2013

OFFICIAL USE ONLY: Reference No. 2015/0748/FP Registration Date.....

**Part 1 - Application form**

Please read the notes for guidance before completing this part of the form.  
Incorrect completion may result in delay in processing your application.

**1**

Applicant's Name..... MR + MRS DARNBOURGH  
 Address..... 15 BROOMVALE DRIVE  
NEWTON MEARNS  
 ..... Post Code..... G77 5NW  
 Telephone..... Fax .....

Email .....

Is the applicant a member of staff within the planning service or an elected member of East Renfrewshire Council? Yes/No

**2**

Agent's Name..... LINDMARK HOME IMPROVEMENTS  
 Address..... Jo DEREK THOMPSON ARCHITECTURAL SERVICES  
MORVEN HOUSE, 10 HIGH ROAD  
PAISLEY ..... Post Code..... PA2 6AR  
 Telephone..... 889 4468 ..... Fax .....

Email..... derek@thompsonarchitectural.co.uk

**3**

Location of proposed development.....  
15 BROOMVALE DRIVE  
NEWTON MEARNS G77 5NW

**4**

Description of proposed development.....  
FRONT / SIDE EXTENSION AND  
REPOSITIONED VEHICULAR ACCESS

**5**

Building Materials Existing	Proposed
Walls..... <u>ROUGHCAST</u>	Walls..... <u>ROUGHCAST</u>
Roofs..... <u>SLATE</u>	Roofs..... <u>SLATE</u>
Boundary..... <u>N/A</u>	Boundary..... <u>N/A</u>
Windows..... <u>WHITE UPVC</u>	Windows..... <u>WHITE UPVC</u>
Any other relevant information.....	

6

**Pre-Application Advice**

Have you received advice from the planning authority in relation to this proposal?

Yes  No

If yes, please provide details about the advice in the box below:

How was the advice given?

Meeting  Telephone call  Letter  Email

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

Name:

Reference Number:

Date:

Summary of advice received

7

**Trees**

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

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

8

**Changes to Vehicle Access and Parking**

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

If yes, please show on 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 parking spaces currently exist on the application site? 4

How many parking spaces do you propose on the application site? 4

Please show on your drawings the position of existing and proposed parking spaces.

**Part 2 - Land Ownership Certificate**

**Section 1 - Who owns the land?**

Tick one box

- A  The applicant owned all the land to which the application relates for the 21 days to the date of this application  
 or  
 B  The applicant has served notice on all persons listed below who within the 21 days prior to the date of this application owned any part of the land to which it relates.  
 (You must complete and serve Notice 1 on all the people you have listed below)

Name of Owner	Address	Date Notified

**Section 2 - Agricultural holdings**

Tick one box

- A  None of the land to which the application relates, formed part of an agricultural holding for the 21 days prior to the date of this application.  
 or  
 B  The applicant has served notice on all persons listed below who, within the 21 days prior to the date of this application, were tenants of an agricultural smallholding which was on or part of the land to which this application relates.  
 (You must complete and serve Notice 1 on all the people you have listed below)

Name of Owner	Address	Date Notified

Signature of Applicant/Agent.. 

Date..... 21/11/13.....

## Checklist and Declaration

**Please read the notes for guidance before completing this part of the form.**  
Incorrect completion may result in delay in processing your application.

### Checklist

**Please tick all the boxes to ensure that your application is complete.**

**I have completed and enclose two copies of the following**

- |   |                                     |
|---|-------------------------------------|
| Part 1 - Application form .....   | <input checked="" type="checkbox"/> |
| Part 2 - Land Ownership Certificate .....                                       | <input checked="" type="checkbox"/> |
| I have served the necessary notices on all<br>identified owners / tenants ..... | <input checked="" type="checkbox"/> |
| <b>Checklist and Declaration</b> .....  | <input checked="" type="checkbox"/> |

**I have enclosed 3 copies of the following plans**

- |  |                                     |
|--|-------------------------------------|
| 1:1250 or 1:2500 Location plan .....   | <input checked="" type="checkbox"/> |
| 1:200 or 1:500 Block plan .....  | <input checked="" type="checkbox"/> |
| 1:50 or 1:100 Detailed plans to include all existing and<br>proposed plans and elevations..... | <input checked="" type="checkbox"/> |

**I have enclosed the appropriate fee**

Fee enclosed..... £ 192.00

Your completed form should now be returned to: Roads Planning and Transportation Service, East Renfrewshire Council Offices, Eastwood Park, Rouken Glen Road, Giffnock, G46 6UG

### Declaration

I declare that the information given within this form, for the purposes of making a planning application, is true and accurate to the best of my knowledge.

**Signature of Applicant / Agent** (delete where appropriate)..... [REDACTED] Dated..... 21/04/13

If you have any difficulties completing this application form, contact the Council on 0141 577 3001

#### **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.

### Important

**Anyone who knowingly or recklessly makes a false declaration is liable, on conviction, to a fine up to £2,000**



# REPORT OF HANDLING

Reference: 2013/0748/TP

Date Registered: 25th November 2013

Application Type: Full Planning Permission

This application is a Local Development

Ward: 5 -Newton Mearns South

Co-ordinates: 254654/:656328

Applicant/Agent:

Applicant:  
Mr. And Mrs. Darnborough  
15 Broomvale Drive  
Newton Mearns  
East Renfrewshire  
G77 5NN

Agent:  
Lindmark Home Improvements  
C/ Derek Thompson Architectural  
Services  
Morven House  
10 High Road  
Paisley  
PA2 6AR

Proposal: Erection of single storey front/side extension

Location: 15 Broomvale Drive  
Newton Mearns  
East Renfrewshire  
G77 5NN

**CONSULTATIONS/COMMENTS:** None.

**PUBLICITY:** None.

**SITE NOTICES:** None.

**SITE HISTORY:**

2011/0548/TP	Erection of single storey rear extension	GRA	17.10.2011
--------------	--	-----	------------

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

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

**SUPPORTING REPORTS:**

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

**ASSESSMENT:**

The site comprises of a two storey detached property situated within an established residential area, part of the Broom Estate in Newton Mearns. The area is characterised by a range of houses of the same age, style and character with a number of Art Deco stylings. The property sits in an elevated position with a level change from the street level of around 2m. It has a lawned, partially terraced front garden and driveway. The property has an overhanging slate roof, recessed doorway, front bay and corner windows and a side double height window feature. Walls are white roughcast render with a dark brick base to the front; windows are replacement uPVC with multiple pane effect. The house has an existing small rear extension and detached garage sitting behind the rear building line.

The proposal is for a single storey wrap around front and side extension. The extension is 12m in length with front element proposed to project 2.5m from the front of the house with a width of 5.6m. The total floor area is approximately 33sqm. A hipped roof is proposed 4.3m high where it ties into the existing house. The side element of the extension will narrow access to the rear garage by around 2m. The extension is to accommodate an additional living room, study and toilet. Proposed materials are to match existing.

In consideration of the proposal it is necessary to assess the proposal against adopted Local Plan policy. Policy DM1 Detailed Guidance for all Development states that development should "Not result in significant loss of character to the surrounding area" and "be of a size, scale and density in keeping with the buildings in locality and respect local architecture, building form, design and materials".

It is considered that the design of the extension will have an effect on the character and architecture of the property and will therefore impact on the character of the immediate residential area. Policy DM2 Alterations to and Redevelopment of Existing Dwelling Houses follows on from this stating; all extensions "Must complement the existing character of the building, particularly in terms of scale, style, form and materials" and "Must complement the existing building in terms of size, scale and height." The proposal is considered to dominate the front of the building being overlarge in size, form and scale. The proposal is also considered not to complement and consequently be detrimental to the existing character of the house and particular character defining features such as the corner windows, recessed door and the side window feature. As such the proposal is not considered compliant with Local Plan Policy.

Noting the above it is considered that the proposal does not accord with the terms of the Adopted Local Plan and accordingly it should be refused unless material considerations indicate otherwise.

The material considerations in this case are the Proposed Local Development Plan, which includes Supplementary Planning Guidance documents and supporting statements.

The Proposed Local Development Plan was consulted on during February to May and October to November 2013. It represents the Council's formalised view on future land use policy. Policy D1 and Development Management policy D14 reiterate the Local Plan policies.

Supplementary Planning Guidance document Householder Design Guide gives further advice on the policy principles and sets detailed criteria for the design of householder developments such as this proposal. Specific information is given on porches (front extensions) stating they should not project more than 1.5m and be no more than 2m wide. The proposed front extension is considerably in excess of these dimensions, projecting by 2.5m and being 5.6m wide. Information is also given on side extensions stating these should be set back at least 0.5 from the front building line. These dimensions are given to ensure that any new development is subservient to the original dwelling. The proposal is considered to be clearly contrary to the criteria set out in the SPG document.

Within the area there are a number of properties with extensions generally these are to the rear with some side extensions and dormers. There is no precedent set for a large front extension or wrap around design.

The application has been subject to formal pre-application advice in October 2013. At the time the applicants were advised that the proposal was not considered to comply with Local Plan policy DM2.2 and specifically that the front element was considered excessive and would disrupt the character of the house. The applicants were advised to revise the scheme. The currently submitted scheme has not changed since this advice was given.

On submission of the application the agent was asked to revise the scheme in December 2013 with a reminder of the pre-application advice and with a suggested method to revise the scheme with a reduction to the front element of the extension and setting back of the side extension. The agent has advised, however, that the applicants do not wish to amend the design and will not consider changes to the application.

In summary therefore it is considered that approval of this proposal would, due to its corner siting, depth and width, have a detrimental effect on the character of the property and established visual amenity of the area. The application is considered to be contrary to the policies of the adopted East Renfrewshire Local Plan and as such planning permission is refused.

**RECOMMENDATION:** Refuse

**PLANNING OBLIGATIONS:** None.

**REASON(S):**

Reason: The proposal is contrary to the East Renfrewshire Local Plan Policies DM1 and DM2.1 by being detrimental to the character of the property and established visual amenity of the area.

Reason: The proposal is contrary to Policy D14 of the Proposed Local Development Plan and the Proposed Supplementary Planning Guidance: Householder Design Guide as the proposal would, due to its size, design have a detrimental impact on the architectural character of the existing property.

**ADDITIONAL NOTES:** None

**ADDED VALUE:**

None

**BACKGROUND PAPERS:**

Further information on background papers can be obtained from Ms Lynne McMenemy on 0141 577 3057.

Ref. No.: 2013/0748/TP  
(LYMC)

DATE: 16th January 2014

**DIRECTOR OF ENVIRONMENT**

**Reference: 2013/0748/TP - Appendix 1**

**DEVELOPMENT PLAN:**

**Strategic Development Plan:** None relevant

**East Renfrewshire Local Plan (Adopted 14<sup>th</sup> February 2011)**

Policy DM1

Detailed Guidance for all Development

Where the principle of development is deemed to be acceptable in terms of the other Policies contained within this

Local Plan, proposals for development will require to conform to the appropriate criteria below:

1. Not result in a significant loss of character or amenity to the surrounding area.
2. Be of a size, scale and density in keeping with the buildings in the locality and respect local architecture, building form, design, and materials.
3. Not constitute backland development without a road frontage.
4. Not impact adversely on the landscape character, involve a significant loss of trees or other Important landscape, greenspace or biodiversity features (see Policies E3 - "Protection of Natural Features", E6 - "Biodiversity" L1 - "Protection of Important Urban Greenspace", and L2- "Safeguarding the Local Greenspace Resource".
5. Ensure that landscaping is an integral element in layout design, taking account of existing physical features (e.g. trees, hedgerows, walls, etc.). Where appropriate, tree planting should augment the amenity and appearance of the site.
6. Ensure that the standards for 'Open Space' are satisfied see Policy L4 - "Open Space Provision in New Developments" and Appendix 1).
7. Meet the parking and access requirements of the Council and provide Appropriate mitigation to minimise the impact of new development (see Policies T3 - "New Transport Infrastructure" and T5 - "Other Traffic Management and Calming Measures).
8. Not prejudice the amenity of neighbouring properties by unreasonably restricting sunlight or privacy.
9. Seek to create safe and secure environments and reduce the scope for anti-social behaviour and fear of crime.
10. Be designed to meet disability needs and include provision for disabled access within public areas.
11. Minimise the extent of light pollution caused by street and communal lighting and any flood lighting forming part of, or associated with, development.
12. Be designed to include provision for the recycling, storage, Collection and composting of waste materials.
13. Be designed to retain on-site, for use as part of the development, as much as possible of all waste material arising from construction of the development.
14. Be designed where applicable to take into account the legacy of former mining activity.

## Policy DM2.1

### Extensions

1. Must complement the existing character of the building, particularly in terms of scale, style, form and materials.
2. Must complement the existing building in terms of size, scale or height.
3. Incorporate a pitched roof where exposed to public view, with roof tiles or slates to match existing.
4. Side extensions should not create an unbroken or terraced appearance along the street frontage.
5. Avoid major loss of existing garden space.
6. Dormer windows should not in general dominate the existing roof profile, 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 Council will prepare and approve a design guide for householders on alterations to existing dwellinghouses.

### **Proposed Local Development Plan**

The Proposed Local Development Plan (LDP) was issued for consultation on 6<sup>TH</sup> February 2013. The LDP outlines the Council's most up to date statement of planning policy.

### 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, water management, 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 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. As much as 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, particularly walking and cycle opportunities including cycle parking and provision of facilities such as showers/lockers, 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.

#### 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 16/01/2014.IM.**

**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.       **2013/0748/TP**

**Applicant**

Mr. And Mrs. Dambourough  
15 Broomvale Drive  
Newton Mearns  
East Renfrewshire  
G77 5NN

**Agent:**

Lindmark Home Improvements  
C/ Derek Thompson Architectural Services  
Morven House  
10 High Road  
Paisley  
PA2 6AR

With reference to your application which was registered on 25th November 2013 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

**Erection of single storey front/side extension**

**at: 15 Broomvale Drive Newton Mearns East Renfrewshire G77 5NN**

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

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

1. The proposal is contrary to the East Renfrewshire Local Plan Policies DM1 and DM2.1 by being detrimental to the character of the property and established visual amenity of the area.
2. The proposal is contrary to Policy D14 of the Proposed Local Development Plan and the Proposed Supplementary Planning Guidance: Householder Design Guide as the proposal would, due to its size, design have a detrimental impact on the architectural character of the existing property.

Dated           16th January 2014



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>
Location Plan	PL(LO)0001		25.11.2013
Plans and Elevations Proposed	CSM 2330/2		25.11.2013

## **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 the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or 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 should be addressed to the Principal Committee Services Officer, Council Headquarters, Eastwood Park, Rouken Glen Road, Giffnock G46 6UG. Applicants can also ask for a review if the application has not been determined within the 2 month time period for a decision.**

**Requests for review must be made on the Notice of Review form which is available to download from the Council's website at [www.eastrenfrewshire.gov.uk](http://www.eastrenfrewshire.gov.uk) or alternatively call the Planning general enquiry lines on 0141 577 3895 or 3878 to request one. 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)**

RECEIVED

24 FEB 2014

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

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2013

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

Use BLOCK CAPITALS if completing in manuscript

Applicant(s)

Name MR AND MRS DARNBOURGH

Address 15 BROOMVALE DRIVE NEWTON MEARNES EAST RENFREWSHIRE Postcode G77 5NN

Contact Telephone 1 Contact Telephone 2 Fax No

E-mail\*

Agent (if any)

Name LINDMARK HOME IMPROVEMENTS

Address DEREK THOMPSON ARCH. SERVICES MORVEN HOUSE 10 HIGH ROAD PAISLEY PAZ 6AR Postcode

Contact Telephone 1 0141 889 4468 Contact Telephone 2 07778 466610 Fax No

E-mail\* derek@thompsonarchitectural.co.uk

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

Yes [X] No [ ]

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

Planning authority EAST RENFREWSHIRE COUNCIL

Planning authority's application reference number 2013 / 0748 / TP

Site address 15 BROOMVALE DRIVE NEWTON MEARNES G77 5NN

Description of proposed development ERECTION OF SINGLE STOREY FRONT / SIDE EXTENSION AND ALTERED VEHICULAR ACCESS

Date of application 25 / 11 / 13

Date of decision (if any) 16 / 1 / 14



**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:

A HEARING SESSION AND STUDYING OF THE PLANS ALONG WITH A SITE INSPECTION WILL SHOW THE LOCAL REVIEW BODY THAT THE PROPOSALS ARE NOT DETRIMENTAL TO THE EXISTING HOUSE OR AREA.

**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 checked="" type="checkbox"/> | <input 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"/> |

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

### Statement

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

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

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

THE REASON FOR THE REFUSAL ARE MAINLY DUE TO THE PROPOSALS BEING SEEN AS BEING DETRIMENTAL TO THE CHARACTER OF THE PROPERTY AND THE AREA.

WE STRONGLY FEEL THAT OUR DESIGN IS VERY MUCH IN KEEPING WITH THE CHARACTER OF THE PROPERTY. THE ROOF STYLE/MATERIAL AS WELL AS THOSE USED FOR THE WALLS, WINDOWS AND DOOR ALL MATCH THAT ON THE EXISTING HOUSE AND ARE IN NO WAY DETRIMENTAL TO THE CHARACTER OF THE PROPERTY.

THE SCALE OF THE EXTENSION IS VERY MUCH IN KEEPING WITH THE SIZE OF THE HOUSE AND THE DISTANCE IT IS SET BACK FROM THE ROAD MEANS AGAIN IT IS NOT DETRIMENTAL TO THE PROPERTY.

THE SURROUNDING AREA HAS MANY DIFFERING HOUSE TYPES, INCLUDING HOUSES WHICH HAVE PROJECTIONS TO THE FRONT BEYOND THE MAIN ELEVATION SO WE DO NOT FEEL THAT THE VISUAL AMENITY OR CHARACTER OF THE AREA WILL BE IN ANYWAY AFFECTED.

A SITE INSPECTION WILL WE FEEL SUPPORT THESE FACTS AND HOPEFULLY LEAD TO THE ORIGINAL DECISION BEING OVERTURNED.

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.

PLANS AND ELEVATIONS AS EXISTING CSM 2330/1  
 PLANS AND ELEVATIONS AS PROPOSED CSM 2330/2  
 LOCALITY PLAN

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

 *Lundmark HI*

Date

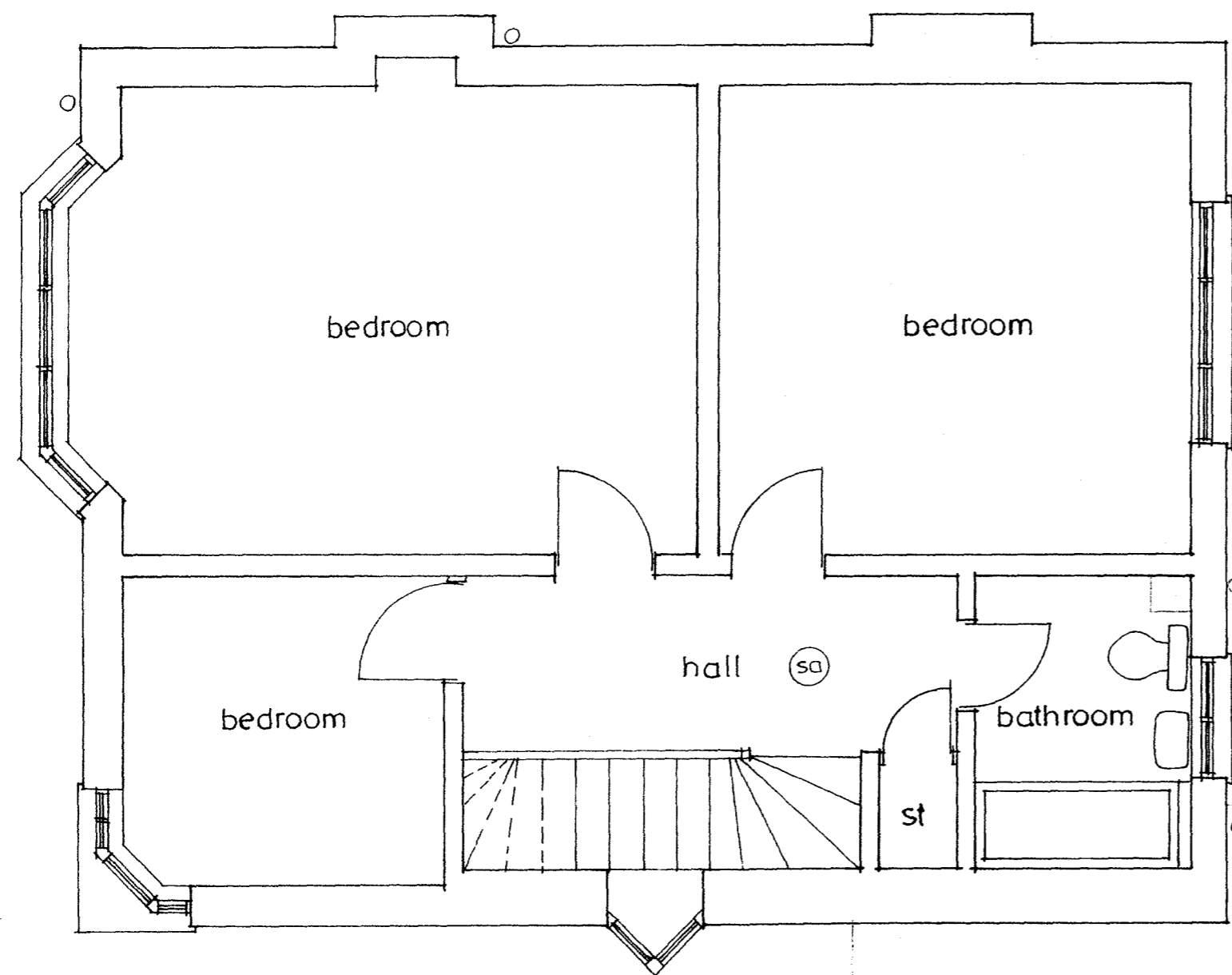
*21/2/14*

---

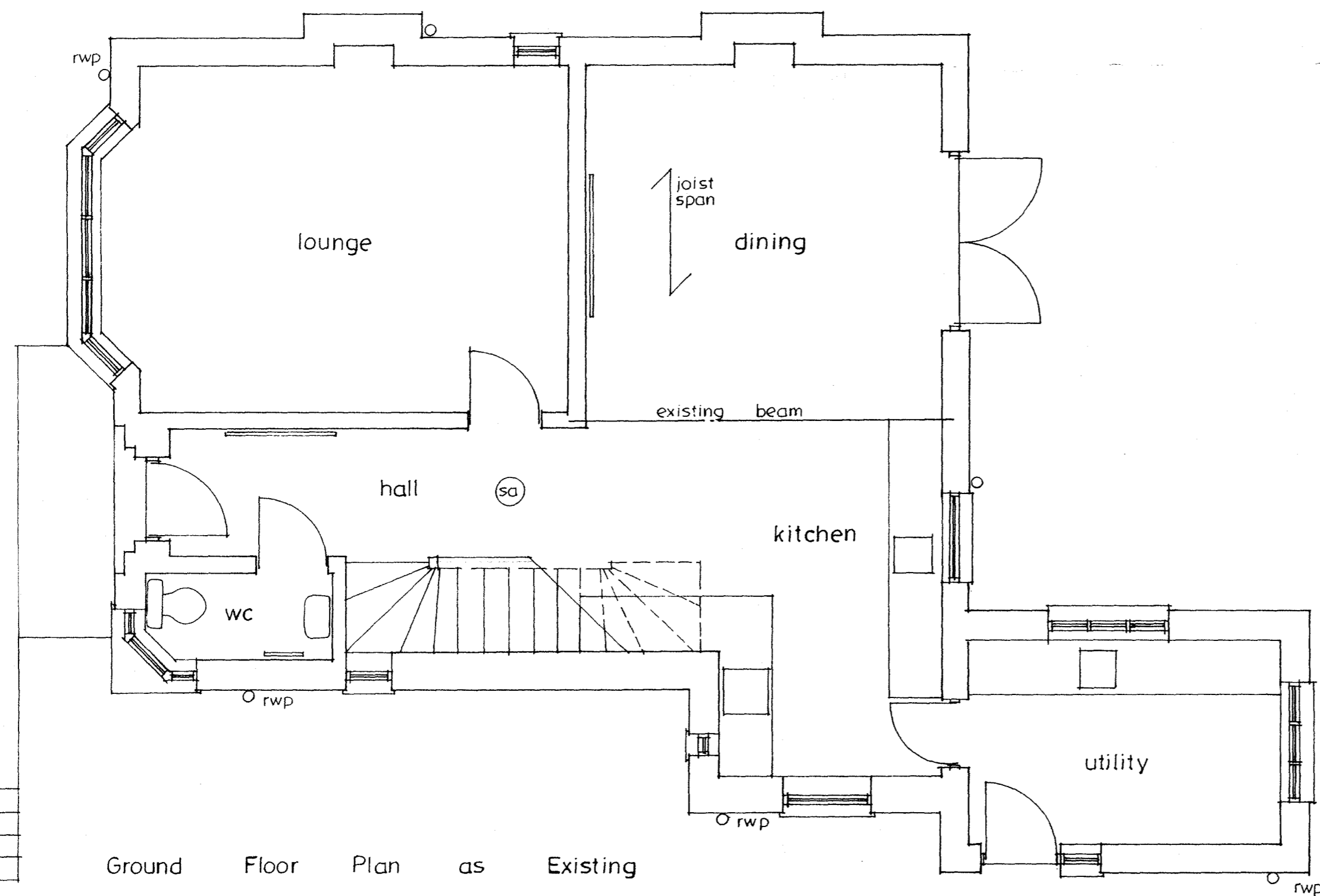
**Data Protection Act 1998**

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.

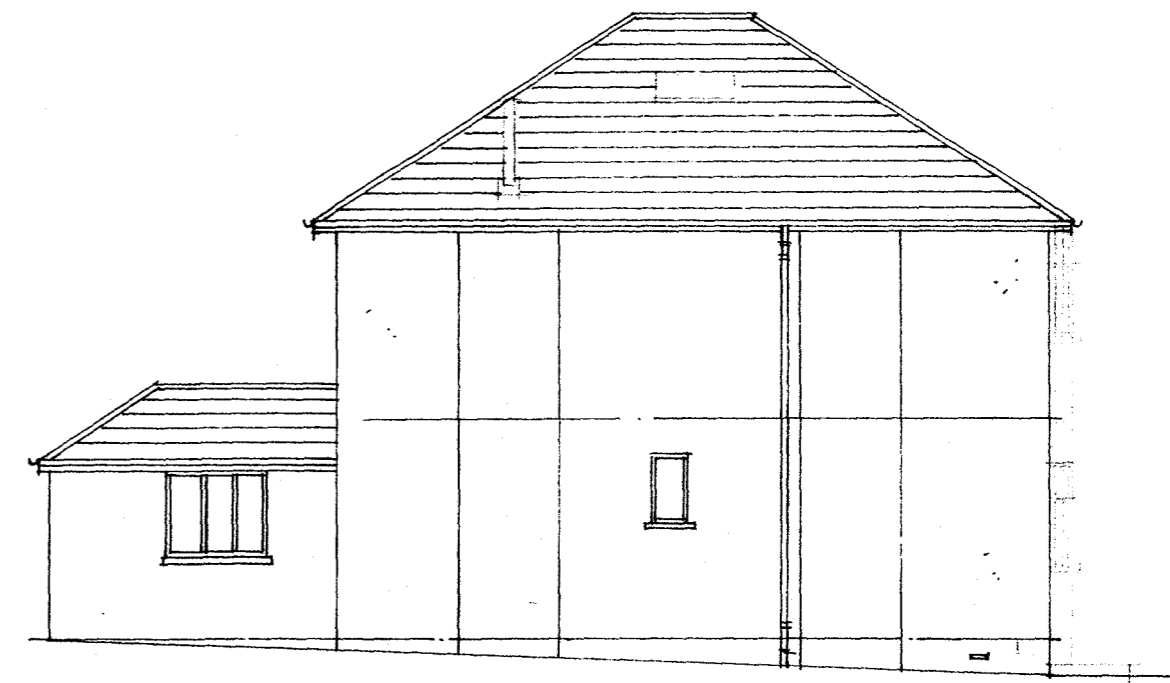
Your completed notice of review should now be returned to: **East Renfrewshire Council, Head of Environment (Planning, Property and Regeneration), 2 Spiersbridge Way, Spiersbridge Business Park, Thornliebank, East Renfrewshire G46 8NG.** Alternatively, you can e-mail your notice of review to [planning@eastrenfrewshire.gov.uk](mailto:planning@eastrenfrewshire.gov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



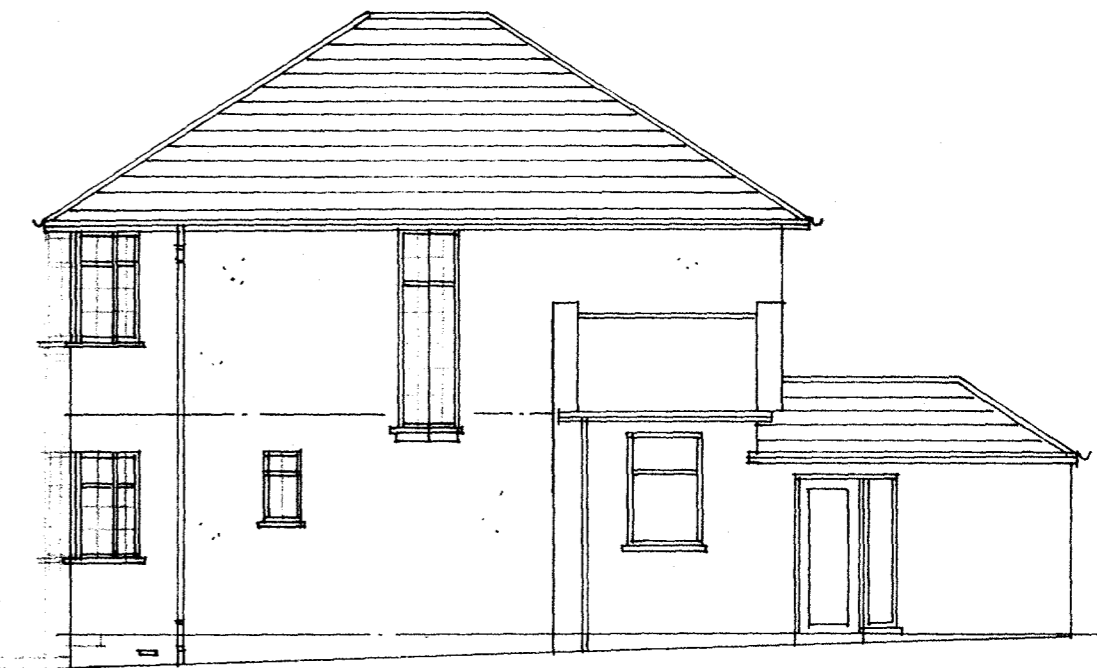
First Floor Plan as Existing



Ground Floor Plan as Existing



Side Elevation as Existing



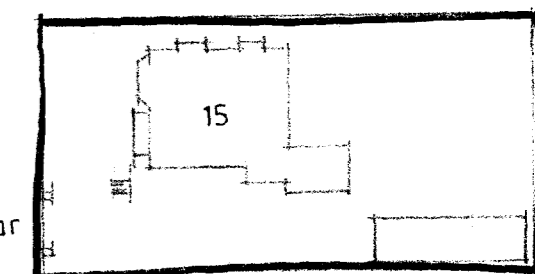
Side Elevation as Existing



Rear Elevation as Existing

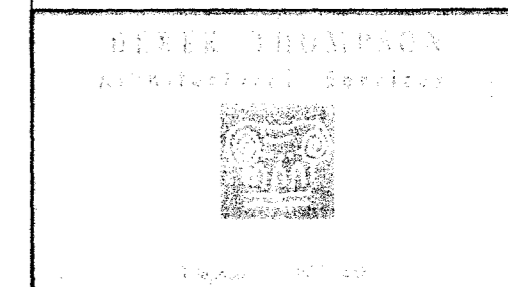


Front Elevation as Existing



Site Plan 1/500 as Existing

Notes:  
 1. All dimensions are based on building regulations. No responsibility is taken for any errors or omissions.  
 2. All drawings are based on the information provided by the client.  
 3. All measurements are taken from the ground level unless otherwise stated.  
 4. The client is responsible for obtaining all necessary permissions and consents.  
 5. The drawings are not to be used for any other purpose without the written consent of the architect.



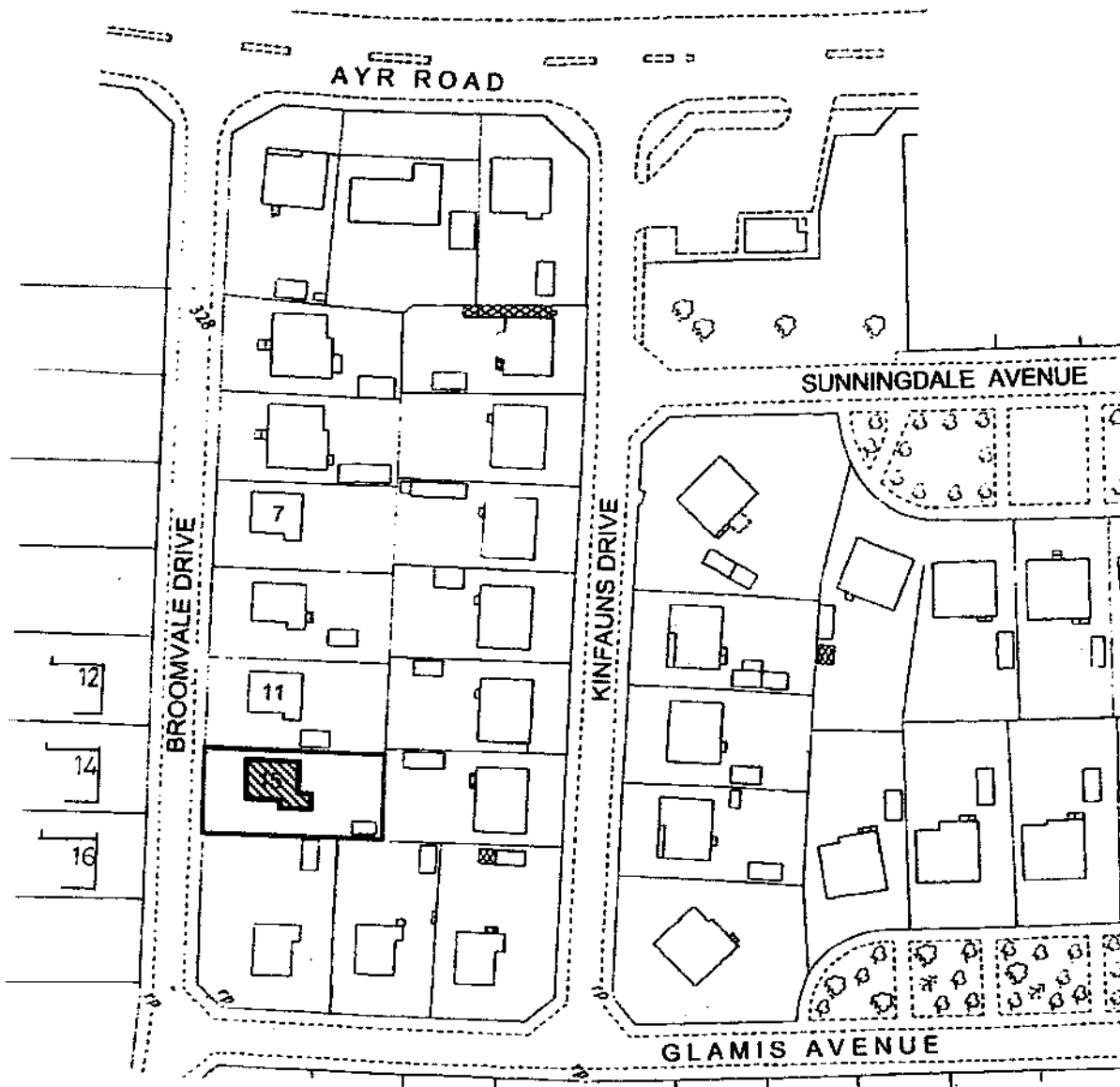
Mr & Mrs Darnborough  
 15 Broomvale Drive  
 Newton Mearns  
 G77 5NN  
 Front/Side Extension  
 and Alterations  
 Plans and Elevations  
 as Existing  
 1/50 1/100 ICSM 2330/11

Town and Country Planning  
(Scotland) Act 1997

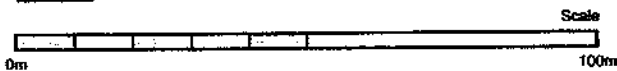
**REFUSED**

Director of Environment  
East Renfrewshire Council

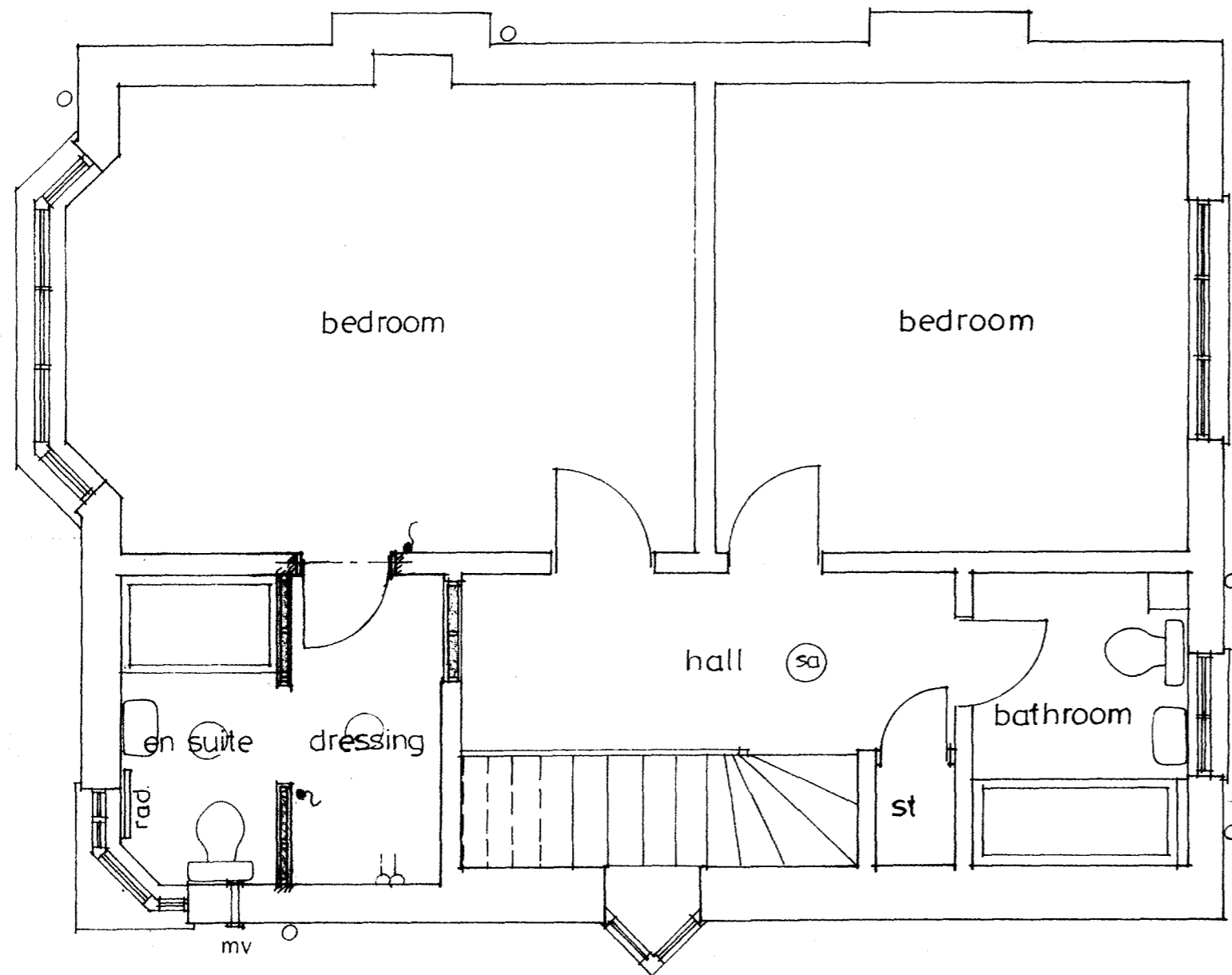
15 Broomvale Drive, Newton Mearns, Glasgow,



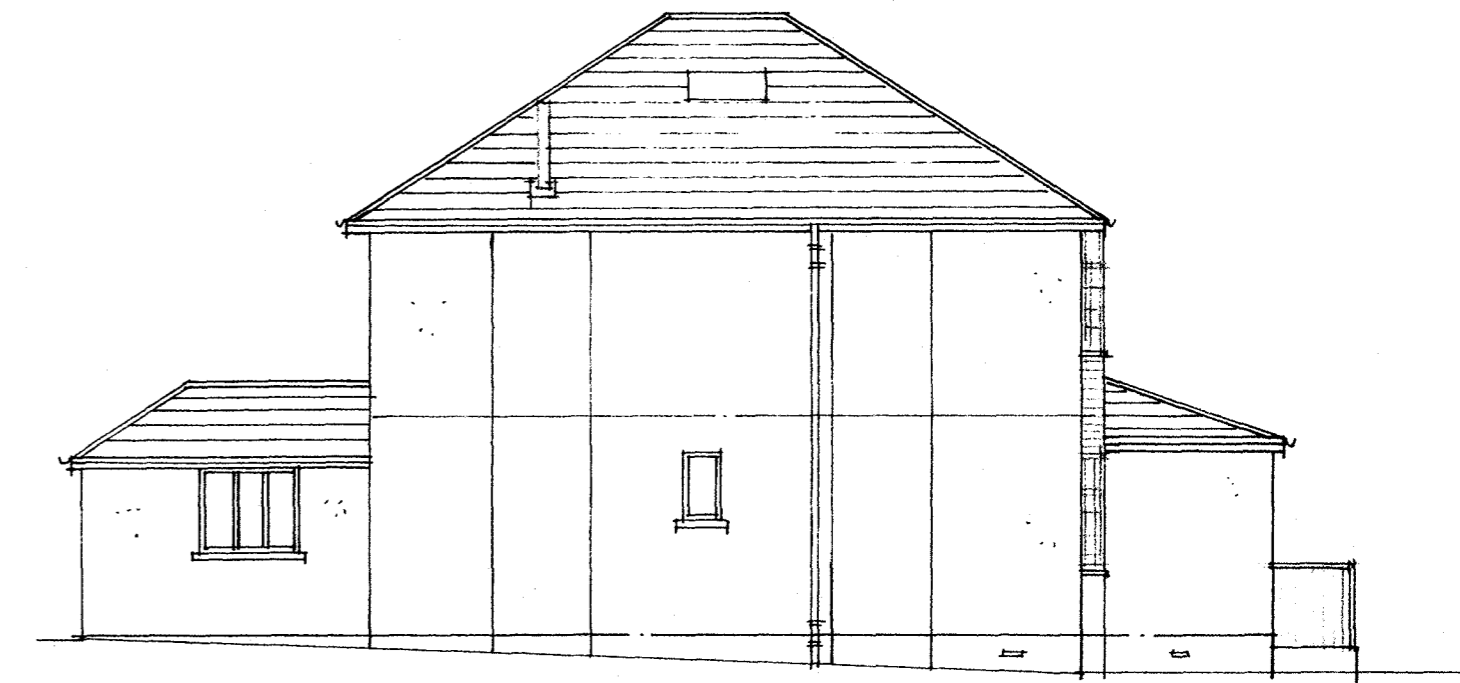
-  HATCHED AREA DENOTES BUILDING LOCATION
-  RED LINE DENOTES SITE LOCATION



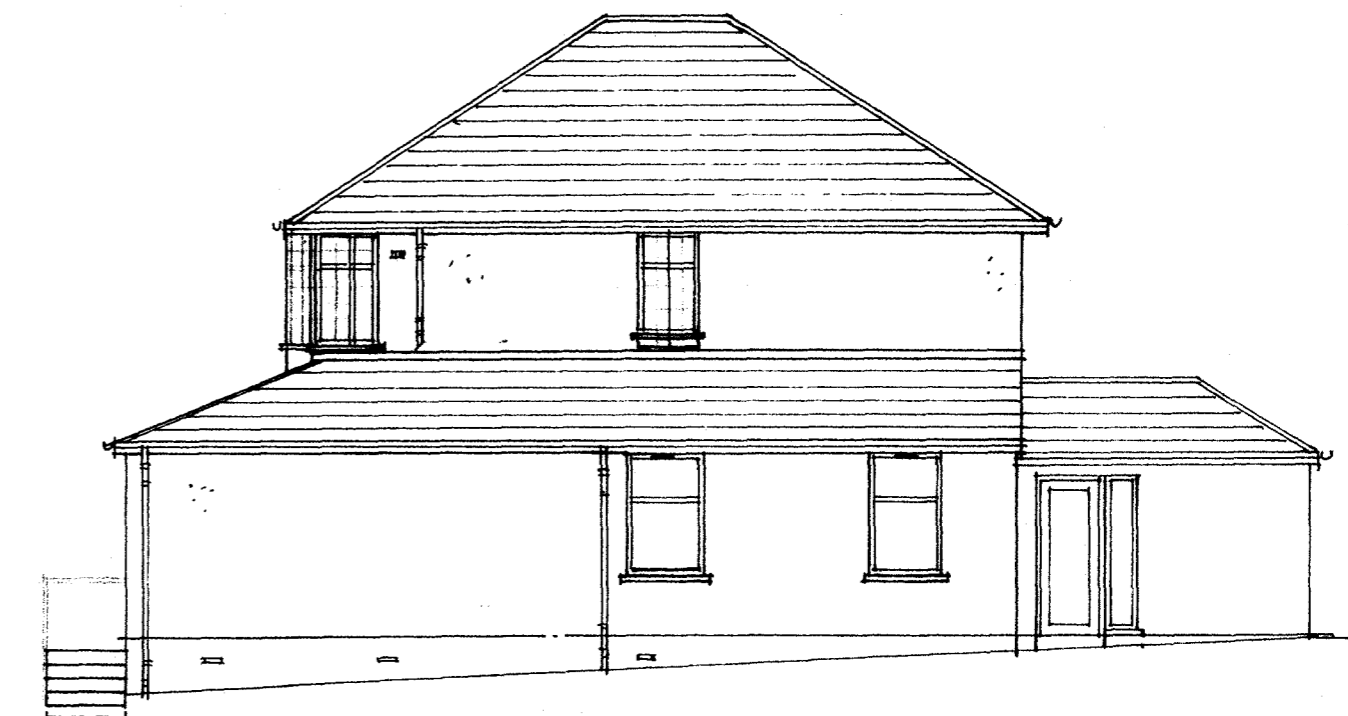
Project	Dwg No: P(LO)001	LOCATION PLAN	1: 1250 at A4
Applicant Mr & Mrs Damborough	Revision 1	Issue PLANNING	Date



First Floor Plan as Proposed

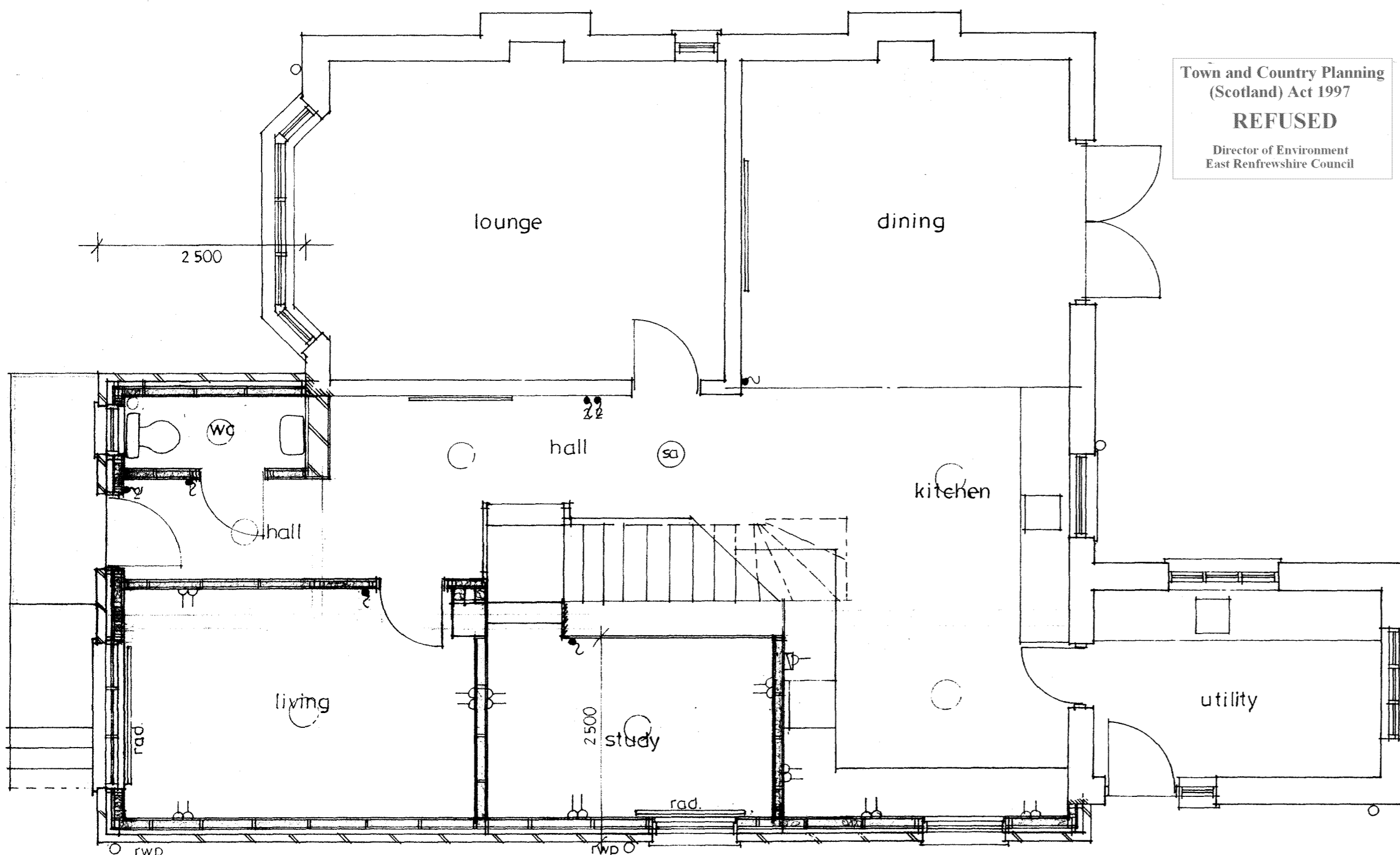


Side Elevation as Proposed



Side Elevation as Proposed

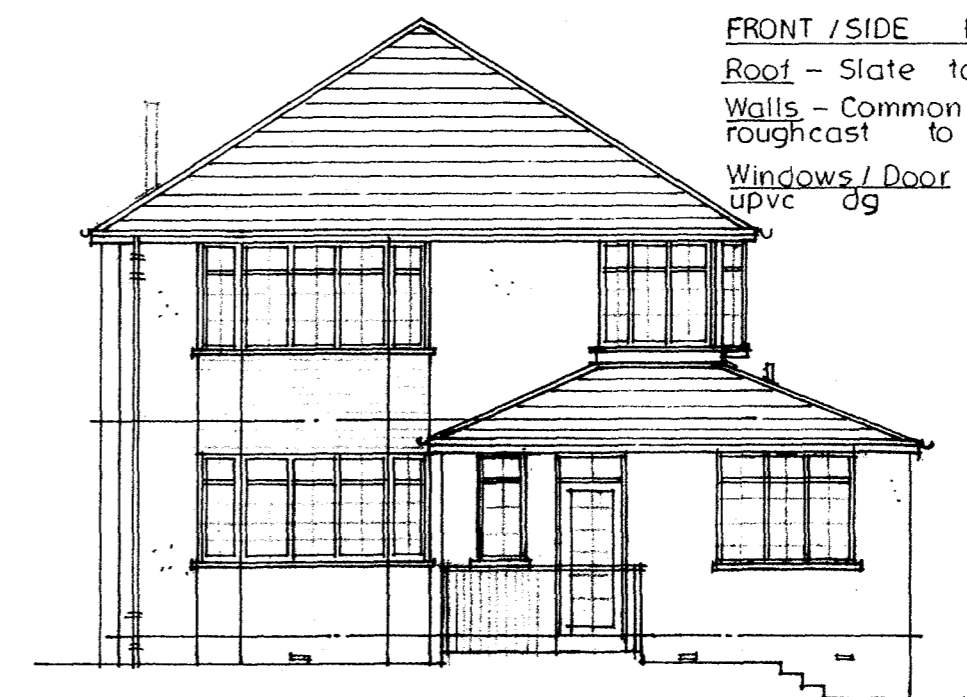
Town and Country Planning  
(Scotland) Act 1997  
**REFUSED**  
Director of Environment  
East Renfrewshire Council



Ground Floor Plan as Proposed

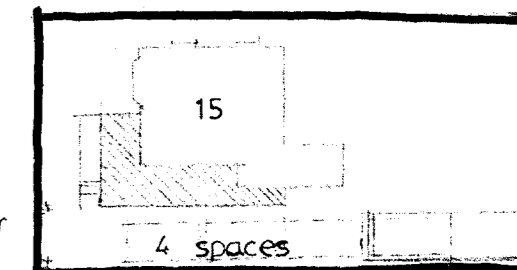


Rear Elevation as Proposed



Front Elevation as Proposed

FRONT / SIDE EXTENSION  
Roof - Slate to match  
Walls - Common brick  
roughcast to match  
Windows / Door - White  
upvc dg



Site Plan 1/500  
as Proposed

Vehicular  
access  
moved.  
3m wide  
hard up  
to rhs  
of site.

Mr & Mrs Darnbourough

15 Broomvale Drive  
Newton Mearns  
G77 5NN

Front/ Side Extension  
and Alterations  
Plans and Elevations  
as Proposed

1/50, 1/100 CSM 2330/2