EAST RENFREWSHIRE COUNCIL

LOCAL REVIEW BODY

4 November 2015

Report by Deputy Chief Executive

REVIEW OF CASE - REVIEW/2015/16

ERECTION OF ONE AND A HALF STOREY REAR EXTENSION FORMING GABLE END WITH FRONT AND SIDE DORMER WINDOWS AT 130 KILPATRICK GARDENS, 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:- 2015/0374/TP).		
	Applicant:	Mr Scot McCormick.		
	Proposal:	Erection of one and a half storey rear extension forming gable end with front and side dormer windows.		
	Location:	130 Kilpatrick Gardens, 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:-
 - 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 with 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 5.

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 the review can be determined based on the information submitted only without the need for further procedure.

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

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. However, the applicant has submitted new information which was not available to the appointed officer at the time the determination of the application was made. The new information relates to reports and plans of other properties in the surrounding area.

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

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

14. The applicant has been given an opportunity to explain why the information was not made available to the appointed officer at the time the application was determined.

15. In reply, the applicant's agent has indicated that at the time of lodging the original application it was not anticipated that there would be a problem with the proposal as numerous other properties in the immediate vicinity had been developed in a similar manner. Furthermore, the first time the agent was advised that there was an issue with the proposal was when the refusal of the application was received. The agent has stated that had the concerns about the proposal been raised earlier then the new information would have been submitted in support of the original application.

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

17. Members should note that the new information has been excluded from the applicant's 'Notice of Review' form.

18. 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);
- (b) Report of Handling by the planning officer under the Scheme of Delegation Appendix 2 (Pages);
- (c) Decision notice and reasons for refusal Appendix 3 (Pages); and
- (d) A copy of the applicant's Notice of Review and Statement of Reasons Appendix 4 (Pages).

19. 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):

- (a) Existing plans and elevations;
- (b) Refused Existing and proposed site plan; and
- (c) Refused Proposed plans and elevations.

20. 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.

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

RECOMMENDATIONS

- 22. 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:-
 - 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, Committee Services Officer

Director - Caroline Innes, Deputy Chief Executive

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

Date:- October 2015

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.

APPENDIX 1

APPLICATION

FOR

PLANNING PERMISSION



2 Spiersbridge Way Thornliebank Glasgow G46 8NG

Tel: 0141 577 3001

Fax: 0141 577 8411

Email: planning@eastrenfrewshire.gov.uk

Applications cannot be validated until all necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 000121891-001

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

Description of Proposal

Please describe accurately the work proposed: * (Max 500 characters)

Proposed Installation of New Roof to form habitable accommodation with various internal alterations

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

No Yes - Started Yes - Completed

Applicant or Agent Details

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

Applicant 🖌 Agent

Page 1 of 5

Agent C)etails
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Please enter Agent details

Company/Organisation:

Ref. Number:

First Name: *

Last Name: *

Telephone Number: *

Rebecchi Architectural	
Services Ltd	

Marco

Rebecchi

01475 634844

You must enter a Building Name or Number, or both:*

Building Name:

Building Number:

Address 1 (Street): *

Address 2:

55
Kempock Street

Extension Number:		Town/City: *	Gourock
Mobile Number:		Country: *	UK
Fax Number:		Postcode: *	PA19 1NF
Email Address: *	marco@rebecchiarchitectural. co.uk		
Is the applicant an individual or	an organisation/corporate entity?	*	
🖌 Individual 🗌 Organisat	ion/Corporate entity		
Applicant Details			
Please enter Applicant details			
Title: *	Mr	You must enter a Building Nan both:*	ne or Number, or
Other Title:		Building Name:	
First Name: *	Scot	Building Number:	130
Last Name: *	McCormick	Address 1 (Street): *	Kilpatrick Gardens
Company/Organisation:		Address 2:	
Telephone Number:		Town/City: *	Clarkston
Extension Number:		Country: *	East Renfrewshire
Mobile Number:		Postcode: *	G76 7RW
Fax Number:			
Email Address			

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Site Address Details							
Planning Authority:							
Full postal address of the site (Full postal address of the site (including postcode where available):						
Address 1:	130 KILPATRICK GARDENS	Address 5:					
Address 2:	CLARKSTON	Town/City/Settlement:	GLASGOW				
Address 3:		Post Code:	G76 7RW				
Address 4:							

Please identify/describe the location of the site or sites.

Northing	657670	Easting	256014	
Pre-Applicat	tion Discussion			
Have you discussed y	our proposal with the planning authority? *		Yes 🖌 No	
Trees				
Are there any trees or	n or adjacent to the application site? *			Yes 🗸 No

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

Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? *

Yes No

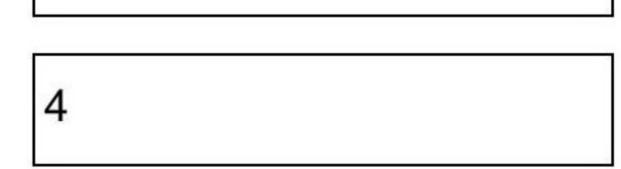
If Yes please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

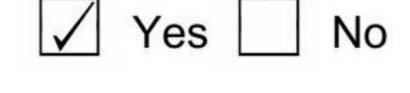
How many vehicle parking spaces (garaging and open parking) currently exist on the application site? *

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

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

Planning Service Employee/Elected Member Interest





Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *



Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2013

One Certificate must be completed and submitted along with this application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land ? *

Is any of the land part of an agricultural holding? *

Yes 🖌 No

No

Yes

|

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that -

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

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

Signed: Marco Rebecchi

On behalf of: Mr Scot McCormick

Date:

01/06/2015

Please tick here to certify this Certificate. *

Checklist - Application for Householder Application

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) Have you provided a written description of the development to which it relates?. *

b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? *

c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent.? *

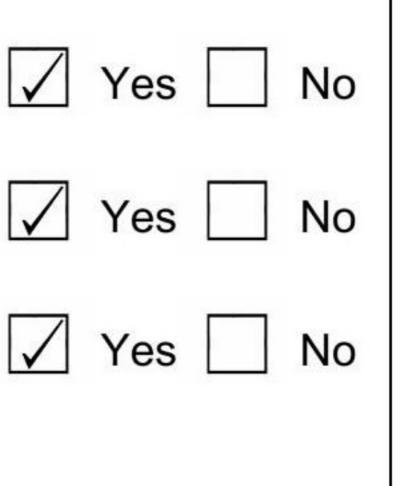
d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? *. This should have a north point and be drawn to an identified scale.

e) Have you provided a certificate of ownership? *

f) Have you provided the fee payable under the Fees Regulations? *

g) Have you provided any other plans as necessary? *

Continued on the next page



✓ Yes

✓ Yes

Yes

Yes

No

No

No

No

A copy of other plans and drawings or information necessary to describe the proposals (two must be selected). *

You can attach these electronic documents later in the process.

 \checkmark

Existing and proposed elevations.





Cross sections.

	/
	/
	/
1	v

Site layout plan/Block plans (including access).



Roof plan.

Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding. *

A Supporting Statement – you may wish to provide additional background information or justification for your proposals. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. *

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been received by the planning authority.

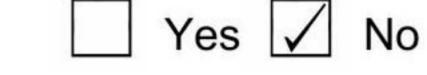
Declare - For Householder Application

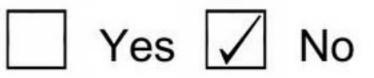
I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying plans/drawings and additional information.

Marco Rebecchi Declaration Name:

Declaration Date: 01/06/2015

Submission Date: 01/06/2015







Created: 01/06/2015 15:43

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APPENDIX 2

REPORT OF HANDLING

REPORT OF HANDLING

Reference: 2015/0374/TP

Date Registered: 3rd July 2015

Application Type: Full Planning Permission

This application is a Local Development

Ward: Co-ordinates: Applicant/Agent:	4 -Netherlee Stamperland Williamwoo 256014/:657670 Applicant: Mr Scot McCormick 130 Kilpatrick Gardens Clarkston East Renfrewshire G76 7RW	od Agent: Rebecchi Architectural Services Ltd 55 Kempock Street Gourock PA19 1NF
Proposal:	Erection of one and a half storey rear and side dormer windows	extension forming gable end with front
Location:	130 Kilpatrick Gardens Clarkston East Renfrewshire G76 7RW	

CONSULTATIONS/COMMENTS: None.

PUBLICITY: None.

SITE NOTICES: None.

SITE HISTORY: None relevant.

REPRESENTATIONS: No representations have been received.

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

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

ASSESSMENT:

The application site comprises a detached hipped roofed bungalow and its curtilage and lies within an established residential area. It is externally finished with slate and painted render. When viewed from the street, the dwelling has a distinct squat appearance with a short side to side ridge line. The dwelling has an existing single storey flat roofed rear extension.

Planning permission is sought for the erection of a one and a half storey rear extension forming a gable end at the rear with the associated raising of the ridge height and for the installation of dormer windows at the front and sides. The proposed rear extension measures 3.6 metres deep by 10.4 metres wide by 7.2 metres high. The ridge height is proposed to be increased by 1.2 metres. The rear extension is to be removed. The proposed dormer windows are relatively large and comprise partially hipped roofs with flat upper sections. The side dormers have large non-glazed areas on the front faces.

The proposed rear extension with its large rear gable wall is considered to be of a design and form markedly different from that of the existing hipped roofed bungalow. The impact of the proposed extension on the character of the existing building is exacerbated by the significant increase in the ridge height and the large dormer windows. As such, the proposed extension cannot be considered to be in keeping with the existing dwelling in terms of its size, scale and height. The additional mass created by the proposed extension is considered to dominate and overwhelm the existing dwelling.

The proposal is therefore contrary to Policy D14 of the adopted Local Development Plan. Policy D14 is supported the Supplementary Planning Guidance: Householder Design Guide (SPG). The SPG states that extensions to the rear of bungalows should have a roof design to match that of the existing dwelling as well as having a ridge line below that of the existing dwelling. It also provides that dormer windows should be wholly set within the roof planes and should have a high proportion of glazing. The

front dormer window is not set wholly within the roof plane and the side dormers have large non-glazed areas on their front faces. This further detracts from the character and design of the existing dwelling. The proposal is therefore also contrary to the terms of the SPG. As there are no material considerations that outweigh the above policy considerations, the application is recommended to be refused.

RECOMMENDATION: Refuse

PLANNING OBLIGATIONS: None

REASONS FOR REFUSAL:

- 1. The development is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as the proposed one and a half storey rear extension and gable end with the increase in ridge height and dominating dormer windows would not be in keeping with the character of the existing dwelling in terms of its form and design and would dominate and overwhelm its original form and character.
- 2. The proposed development is contrary to the adopted Supplementary Planning Guidance; Householder Design Guide as it does not comply with the general design principles.

ADDITIONAL NOTES: None

ADDED VALUE: None

BACKGROUND PAPERS:

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

Ref. No.: 2015/0374/TP (DESC)

DATE: 7th August 2015

DIRECTOR OF ENVIRONMENT

Reference: 2015/0374/TP - Appendix 1 DEVELOPMENT PLAN:

Strategic Development Plan

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

Adopted East Renfrewshire Local Development Plan

Policy D1

Detailed Guidance for all Development

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

- 1. The development should not result in a significant loss of character or amenity to the surrounding area;
- 2. The proposal should be of a size, scale, massing and density that is in keeping with the buildings in the locality and should respect local architecture, building form, design, and materials;
- 3. The amenity of neighbouring properties should not be adversely affected by unreasonably restricting their sunlight or privacy. Additional guidance on this issue is available in the Daylight and Sunlight Design Guide Supplementary Planning Guidance;
- 4. The development should not impact adversely on landscape character or the green network, involve a significant loss of trees or other important landscape, greenspace or biodiversity features;
- 5. Developments should incorporate green infrastructure including access, landscaping,

greenspace, water management and Sustainable Urban Drainage Systems at the outset of the design process. Where appropriate, new tree or shrub planting should be incorporated using native species. The physical area of any development covered by impermeable surfaces should be kept to a minimum to assist with flood risk management. Further guidance is contained within the Green Network and Environmental Management Supplementary Planning Guidance;

- 6. Development should create safe and secure environments that reduce the scope for anti-social behaviour and fear of crime;
- 7. Developments must be designed to meet disability needs and include provision for disabled access within public areas;
- 8. The Council will not accept 'backland' development, that is, development without a road frontage;
- 9. Parking and access requirements of the Council should be met in all development and appropriate mitigation measures should be introduced to minimise the impact of new development. Development should take account of the principles set out in 'Designing Streets';
- 10. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the development;
- 11. Developments should include provision for the recycling, storage, collection and composting of waste materials;
- 12. Where possible, all waste material arising from construction of the development should be retained on-site for use as part of the new development;
- 13. Where applicable, new development should take into account the legacy of former mining activity;
- 14. Development should enhance the opportunity for and access to sustainable transportation, including provision for bus infrastructure, and particularly walking and cycle opportunities including cycle parking and provision of facilities such as showers/lockers, all where appropriate. The Council will not support development on railways solums or other development that would remove opportunities to enhance pedestrian and cycle access unless mitigation measures have been demonstrated;
- 15. The Council requires the submission of a design statement for national and major developments. Design statements must also be submitted in cases where a local development relates to a site within a conservation area or Category A listed building in line with Planning Advice Note 68: Design Statements.
- 16. Where applicable, developers should explore opportunities for the provision of digital infrastructure to new homes and business premises as an integral part of development.

Policy D14

Extensions to Existing Buildings and Erection of Outbuildings and Garages Any extensions must complement the existing character of the property, particularly in terms of style, form and materials.

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

Side extensions should not create an unbroken or terraced appearance.

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

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

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

GOVERNMENT GUIDANCE: None relevant

Finalised 07/08/15 IM(1)

APPENDIX 3

DECISION NOTICE

AND

REASONS FOR REFUSAL

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

REFUSAL OF PLANNING PERMISSION

Ref. No. 2015/0374/TP

Applicant

Mr Scot McCormick 130 Kilpatrick Gardens Clarkston East Renfrewshire G76 7RW Agent: Rebecchi Architectural Services Ltd Mr. Marco Rebecchi 55 Kempock Street Gourock PA19 1NF

With reference to your application which was registered on 3rd July 2015 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Erection of one and a half storey rear extension forming gable end with front and side dormer windows

at: 130 Kilpatrick Gardens Clarkston East Renfrewshire G76 7RW

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:-

- The development is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as the proposed one and a half storey rear extension and gable end with the increase in ridge height and dominating dormer windows would not be in keeping with the character of the existing dwelling in terms of its form and design and would dominate and overwhelm its original form and character.
- 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 7th August 2015



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

The following drawings/plans have been refused

Plan Description	Drawing Number	Drawing Version	Date on Plan
Location Plan	003		
Plans Proposed	002		

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 <u>www.eastrenfrewshire.gov.uk</u> 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

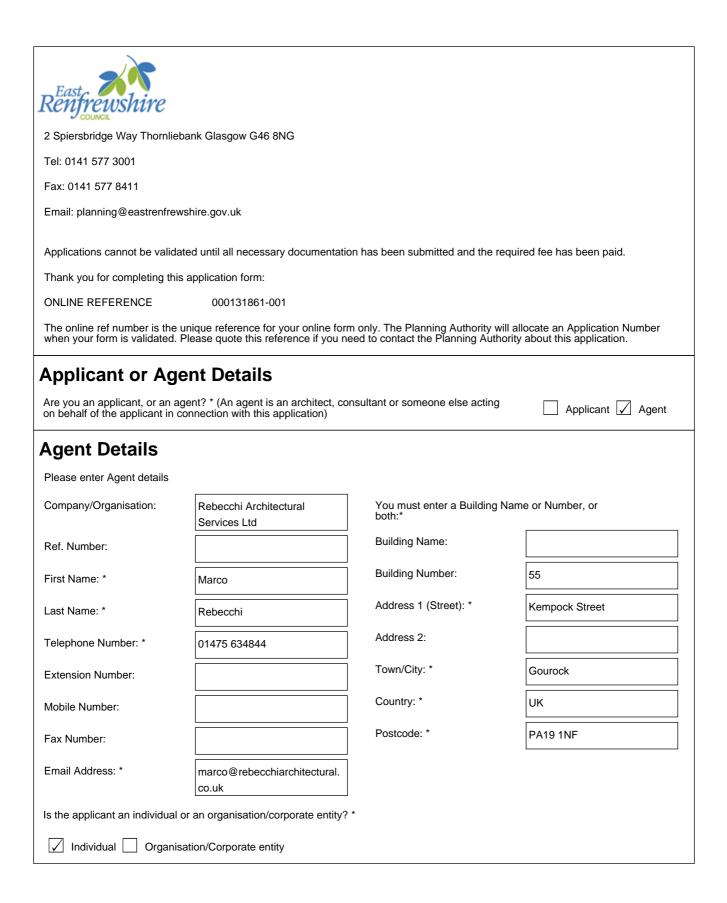
General Inquiry lines 0141 577 3895 or 0141 577 3878 Email planning@eastrenfrewshire.gov.uk

APPENDIX 4

NOTICE OF REVIEW

AND

STATEMENT OF REASONS



Applicant D	etails		
Please enter Applica	nt details		
Title: *	Mr	You must enter a B both:*	Building Name or Number, or
Other Title:		Building Name:	
First Name: *	Scot	Building Number:	130
Last Name: *	McCormick	Address 1 (Street):	* 130 Kilpatrick Gardens
Company/Organisati	on:	Address 2:	Clarkston
Telephone Number:		Town/City: *	Glasgow
Extension Number:		Country: *	East Renfrewshire
Mobile Number:		Postcode: *	G76 7RW
Fax Number:			
Email Address:			
Site Addres	s Details		
Planning Authority:	East Renfrewshire Council	East Renfrewshire Council	
Full postal address o	f the site (including postcode where ava	ailable):	
Address 1:	130 KILPATRICK GARDEN	S Address 5:	
Address 2:	CLARKSTON	Town/City/Settlem	nent: GLASGOW
Address 3:		Post Code:	G76 7RW
Address 4:			
Please identify/desc	ribe the location of the site or sites.		
Northing	657670	Easting	256014
Description	of the Proposal		
Please provide a des application form, or a (Max 500 characters)	cription of the proposal to which your re is amended with the agreement of the p	eview relates. The description planning authority: *	should be the same as given in the
Erection of one and	a half storey rear extension forming gat	ble end with front and side dor	rmer windows

Type of Application							
What type of application did you submit to the planning authority? *							
Application for planning permission (including householder application but excluding application to work minerals).							
Application for planning permission in principle.							
Further application.							
Application for approval of matters specified in conditions.							
What does your review relate to? *							
Refusal Notice.							
Grant of permission with Conditions imposed.							
No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.							
Statement of reasons for seeking review							
You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)							
Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.							
You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time of expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.							
See Supporting Documentation							
Have you raised any matters which were not before the appointed officer at the time the							
determination on your application was made? *							
Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)							
Full appeal statement, including previous consents, drawings and reports of handling for neighbouring extensions.							
Application Details							
Application Details							
Please provide details of the application and decision. What is the application reference number? *							
What date was the application submitted to the planning authority? * 01/06/15							
What date was the decision issued by the planning authority? * 10/08/15							

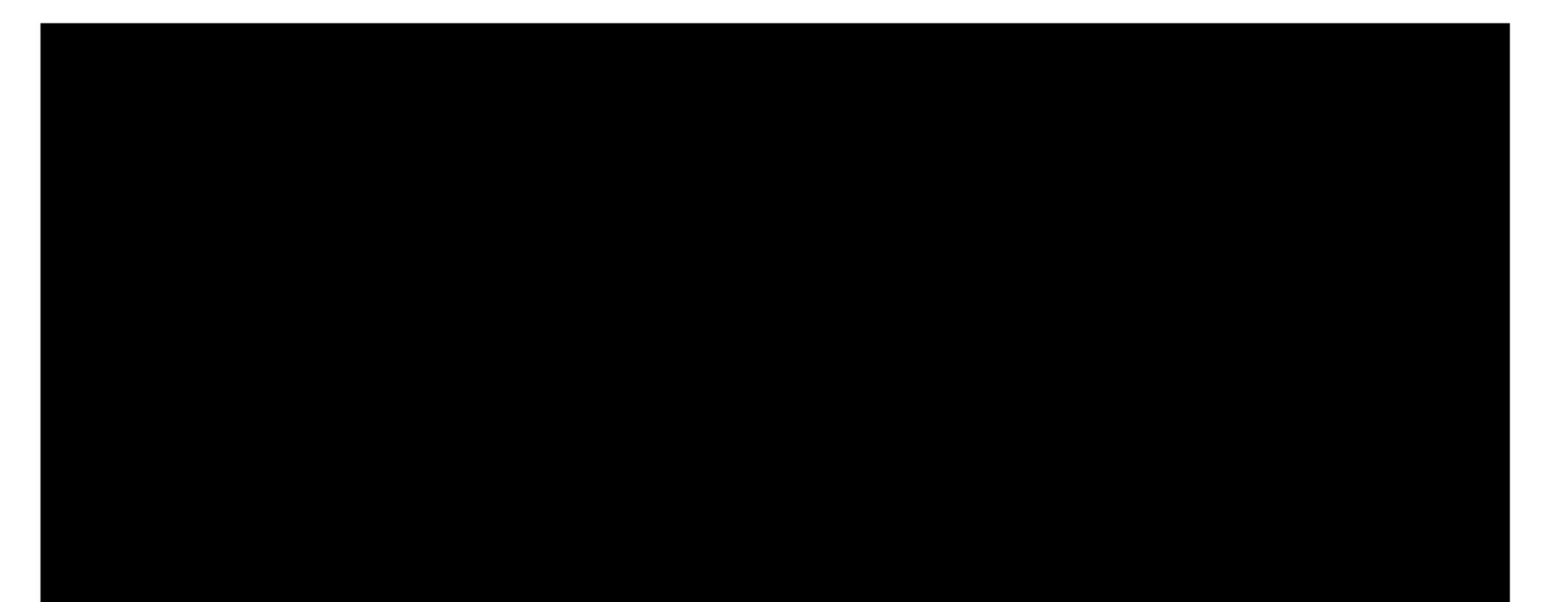
Review Procedure						
process require that further inform	e on the procedure to be used to determine your review ation or representations be made to enable them to det ion of procedures, such as: written submissions; the hole ubject of the review case.	termine the review.	. Further information may			
Can this review continue to a con parties only, without any further p	clusion, in your opinion, based on a review of the releva rocedures? For example, written submission, hearing se	nt information provession, site inspect	vided by yourself and other ion. *			
Ves 🗌 No						
In the event that the Local Review	v Body appointed to consider your application decides to	o inspect the site, i	n your opinion:			
Can the site be clearly seen from	a road or public land? *	V Y	es 🗌 No			
Is it possible for the site to be acc	essed safely and without barriers to entry? *	V Y	es 🗌 No			
Checklist - Applica	ation for Notice of Review					
	ecklist to make sure you have provided all the necessary on may result in your appeal being deemed invalid.	y information in su	pport of your appeal.			
Have you provided the name and	address of the applicant? *		🖌 Yes 🗌 No			
Have you provided the date and r	eference number of the application which is the subject	of this review? *	🖌 Yes 🗌 No			
	half of the applicant, have you provided details of your n ny notice or correspondence required in connection with cant? *					
			Yes No N/A			
Have you provided a statement so (or combination of procedures) yo	etting out your reasons for requiring a review and by who ou wish the review to be conducted? *	at procedure	🖌 Yes 🗌 No			
Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.						
Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and drawings) which are now the subject of this review *						
Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.						
Declare - Notice of	Review					
I/We the applicant/agent certify th	at this is an application for review on the grounds stated	1.				
Declaration Name:	Marco Rebecchi					
Declaration Date:	17/09/2015					
Submission Date:	17/09/2015					

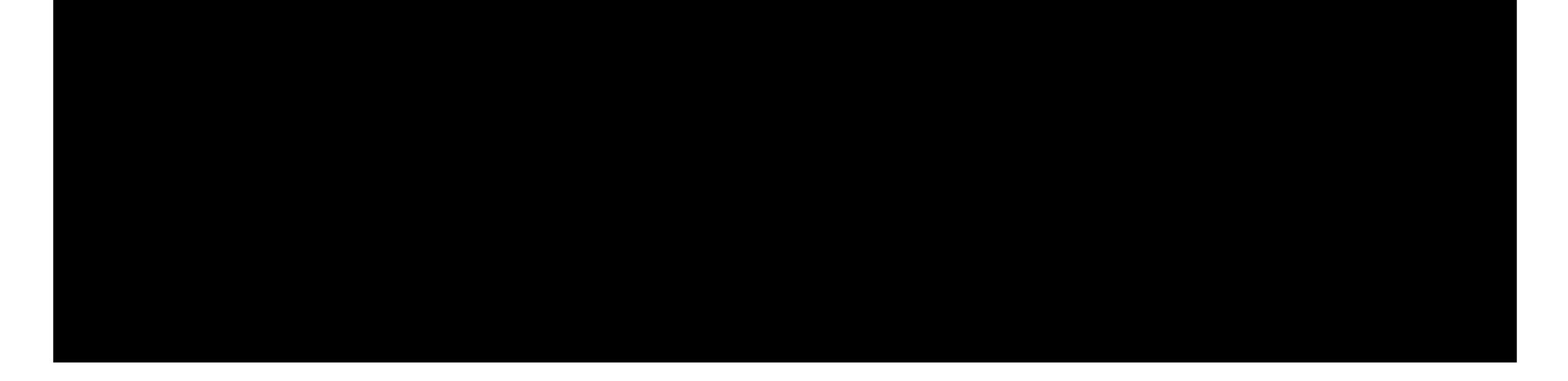
Image: Construction of the service of the service

We have read the refusal notice (Appendix 1) carefully and noted its conclusions, we would like to address these in support of our review. We had presumed that the precedent set by East Renfrewshire Council of very similar, recently granted alterations, would secure permission for our property and we would like the details outlined in this statement to be taken into consideration.

The basis for the refusal appears to be primarily the alteration from a hipped roof to a rear gable end which has been *"considered to overwhelm and dominate the existing dwelling"*. The idea for our design came from trying to find the best possible way to accommodate the needs of our family whilst wholly maintaining the footprint of the original house. As there are several similar bungalows in this street and adjacent and nearby streets, our architect and ourselves agreed this would be the best fit for the property and for the surrounding area.

A few examples of bungalows in the vicinity with a similar rear gable end are:





Company Registration Number 457333



It is also worth noting that no objections have been filed against our planning request, this would suggest that those who would be directly affected do not deem the proposal as detrimental to the dwelling and its surrounding area.

It appears that the issue of changing a hipped roof to that of a pitched roof to form a rear gable end has always been contrary to policy D14 of the Local Development Plan yet in the examples outlined above these terms have been put aside and if these policies had been strictly reviewed in all of the above we are understandably unsure as to why it has been acceptable to do so and approve the proposals so similar to ours.

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Tel: 01475 634844 / 07813 858 124 Email: marco@rebecchiarchitectural.co.uk

Appendix 1

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55 Kempock Street, Gourock, PA19 1NF
Tel: 01475 634844 / 07813 858 124 Email: marco@rebecchiarchitectural.co.uk

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

REFUSAL OF PLANNING PERMISSION

Ref. No. 2015/0374/TP

Applicant: Mr Scot McCormick 130 Kilpatrick Gardens Clarkston East Renfrewshire G76 7RW

Agent: Rebecchi Architectural Services Ltd Mr. Marco Rebecchi 55 Kempock Street Gourock PA19 1NF

With reference to your application which was registered on 3rd July 2015 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Erection of one and a half storey rear extension forming gable end with front and side dormer windows

at: 130 Kilpatrick Gardens Clarkston East Renfrewshire G76 7RW

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 development is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as the proposed one and a half storey rear extension and gable end with the increase in ridge height and dominating dormer windows would not be in

keeping with the character of the existing dwelling in terms of its form and design and would dominate and overwhelm its original form and character.

2. 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 7th August 2015

Andrew J Calif

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

The following drawings/plans have been refused

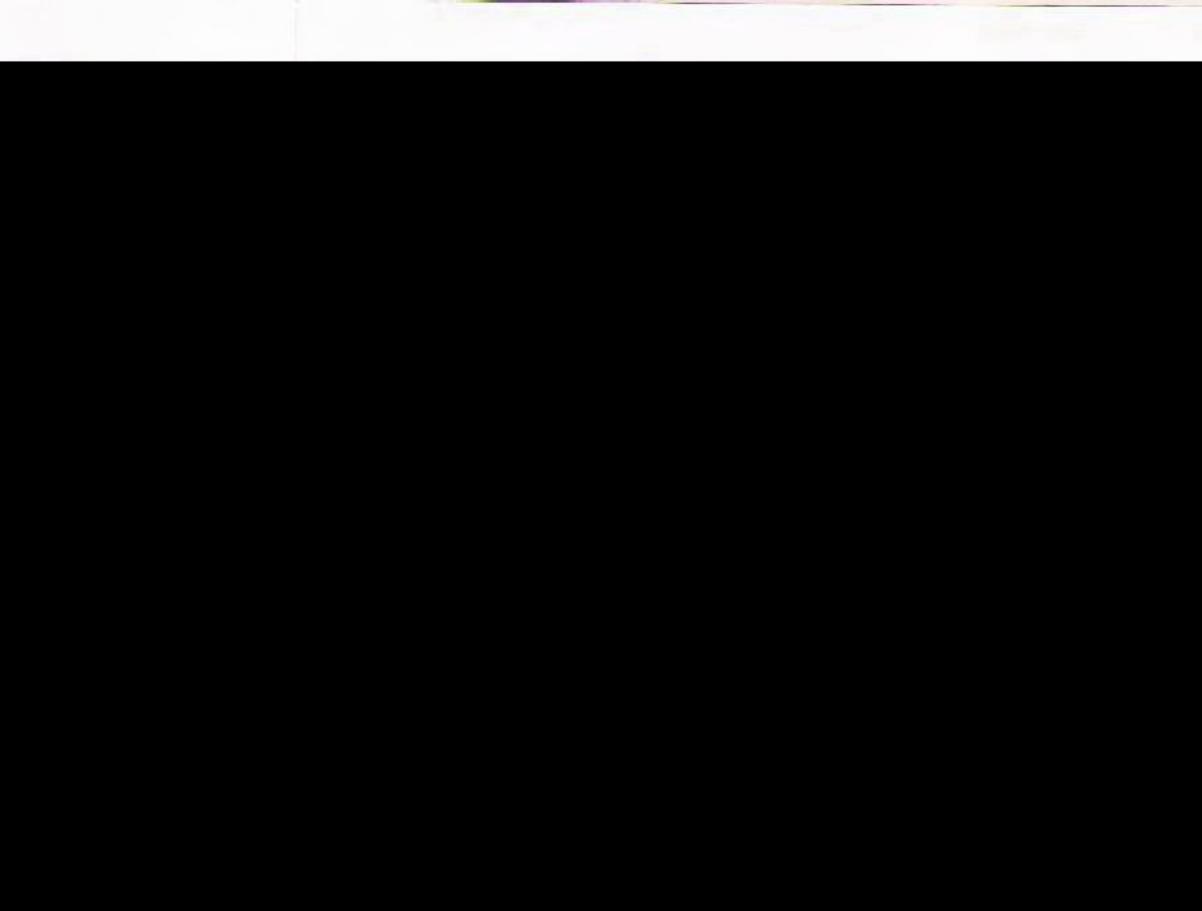
Plan Description	Drawing Number	Drawing Version	Date on Plan
Location Plan	003		
Plans Proposed	002		

Appendix 2

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55 Kempock Street, Gourock, PA19 1NF
Tel: 01475 634844 / 07813 858 124 Email: marco@rebecchiarchitectural.co.uk



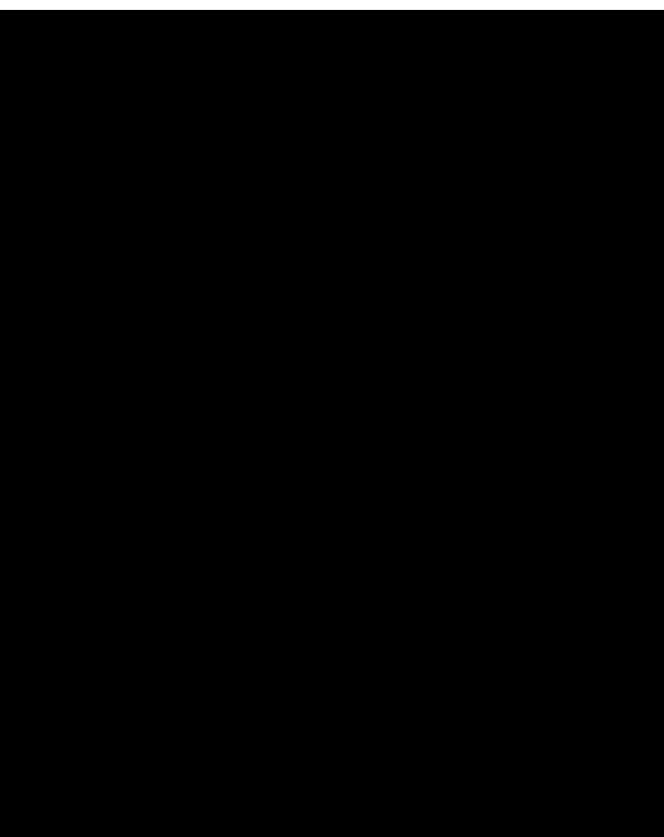




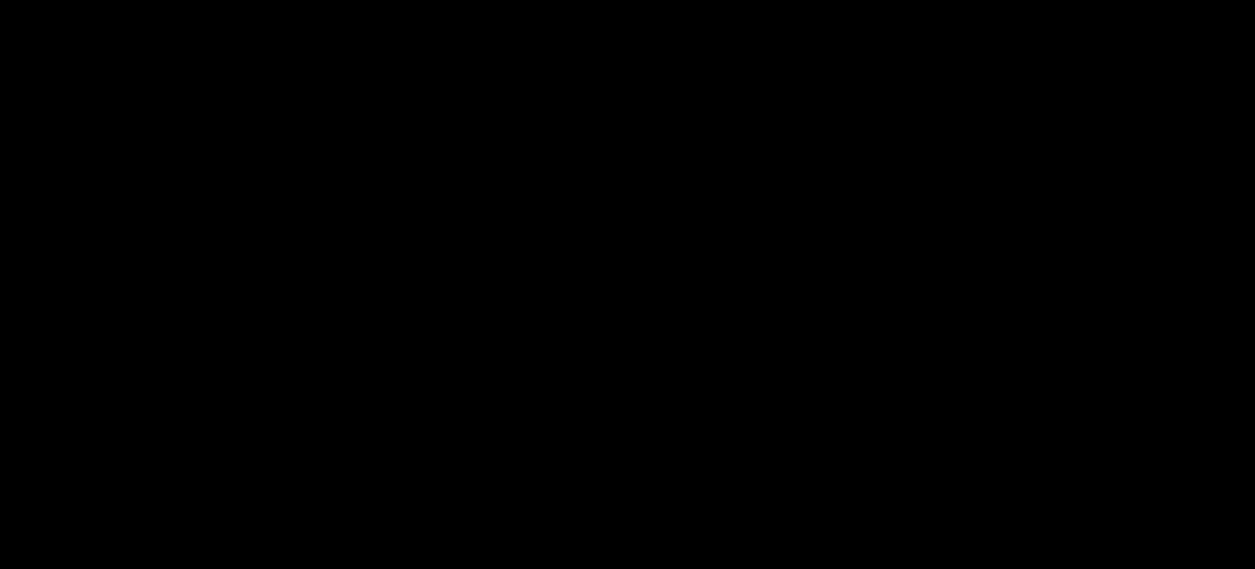
Appendix 3

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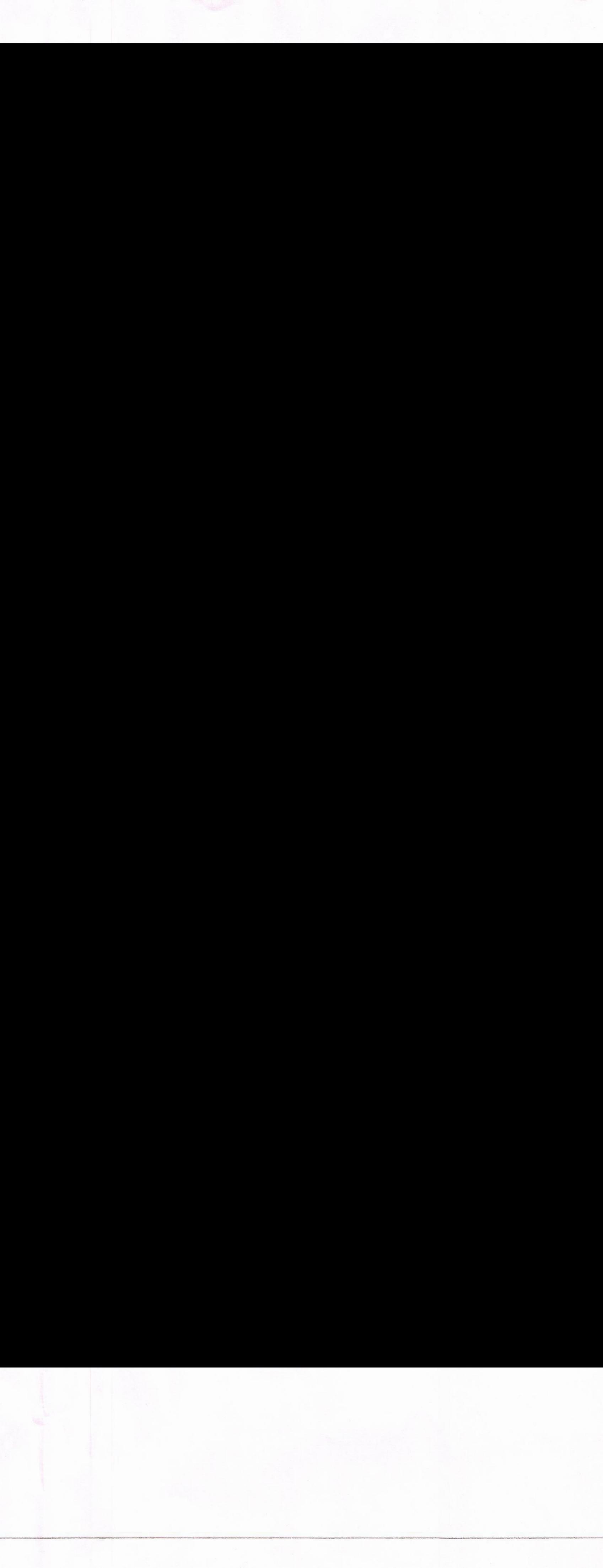
55 Kempock Street, Gourock, PA19 1NF
Tel: 01475 634844 / 07813 858 124 Email: marco@rebecchiarchitectural.co.uk

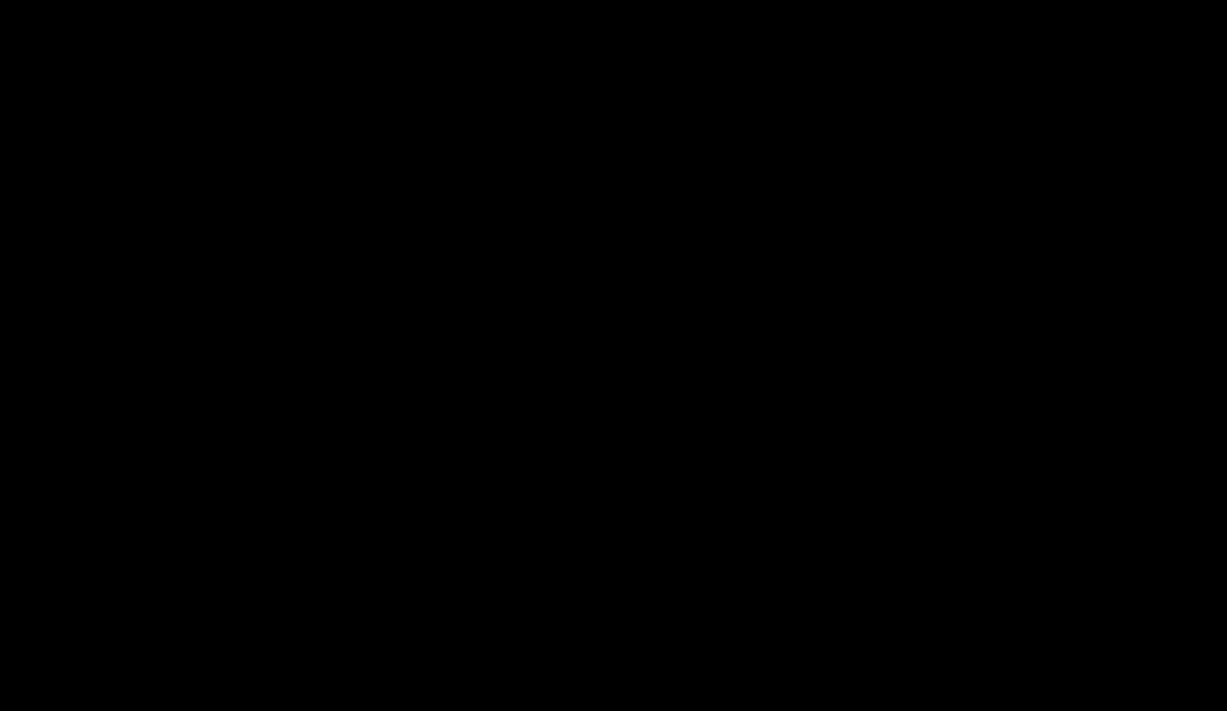






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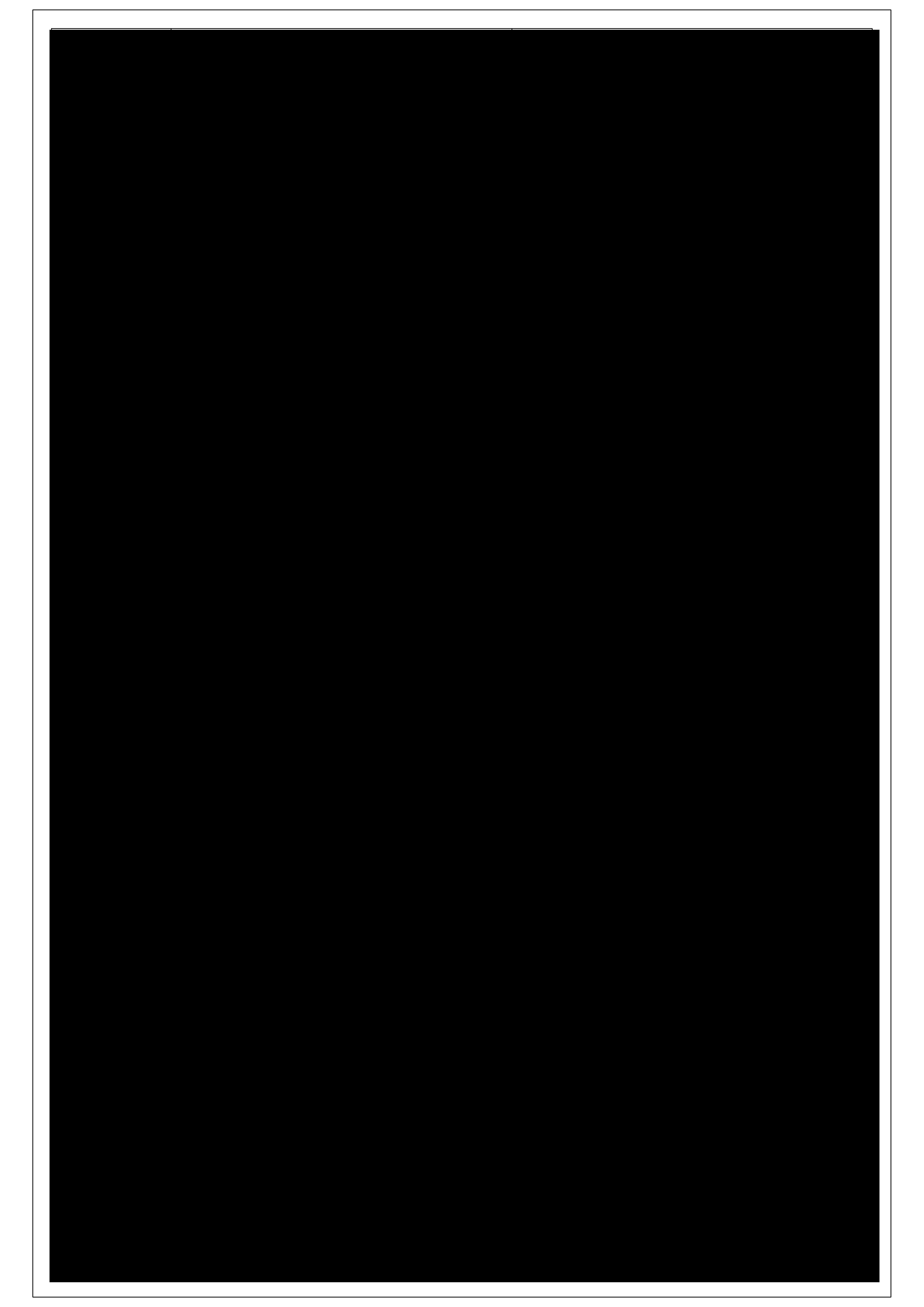
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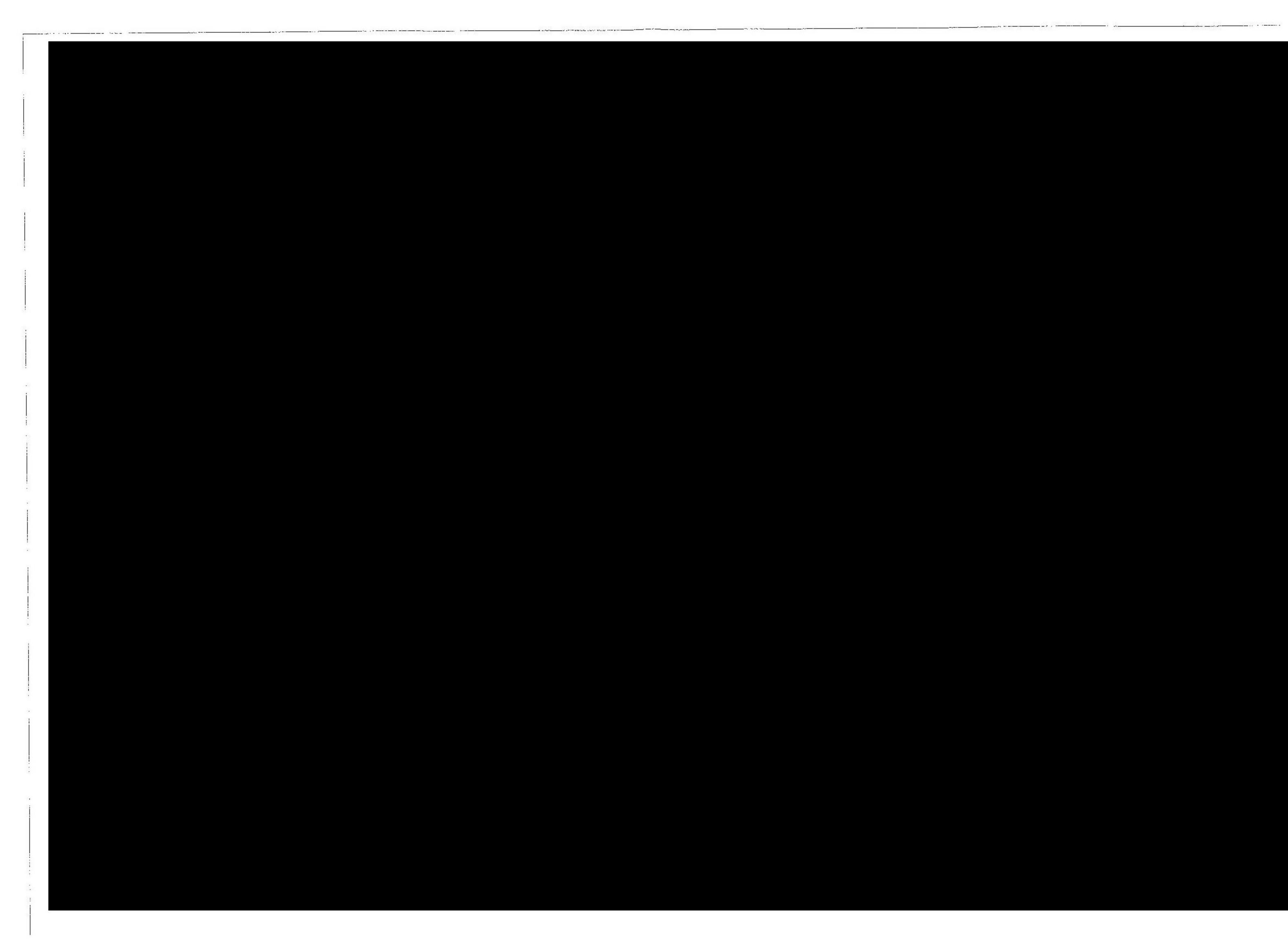






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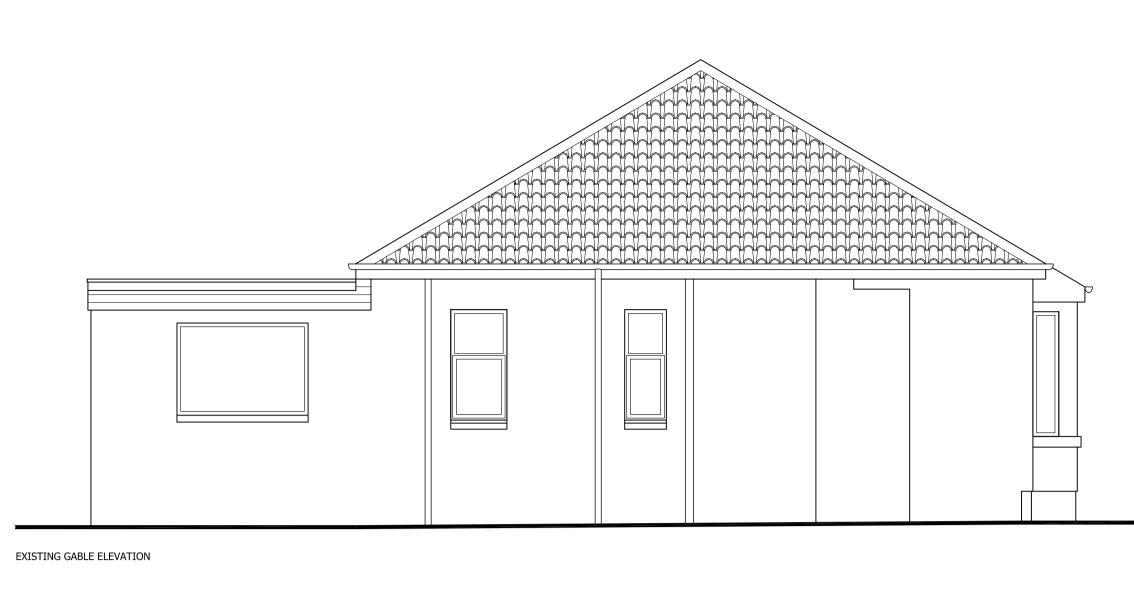


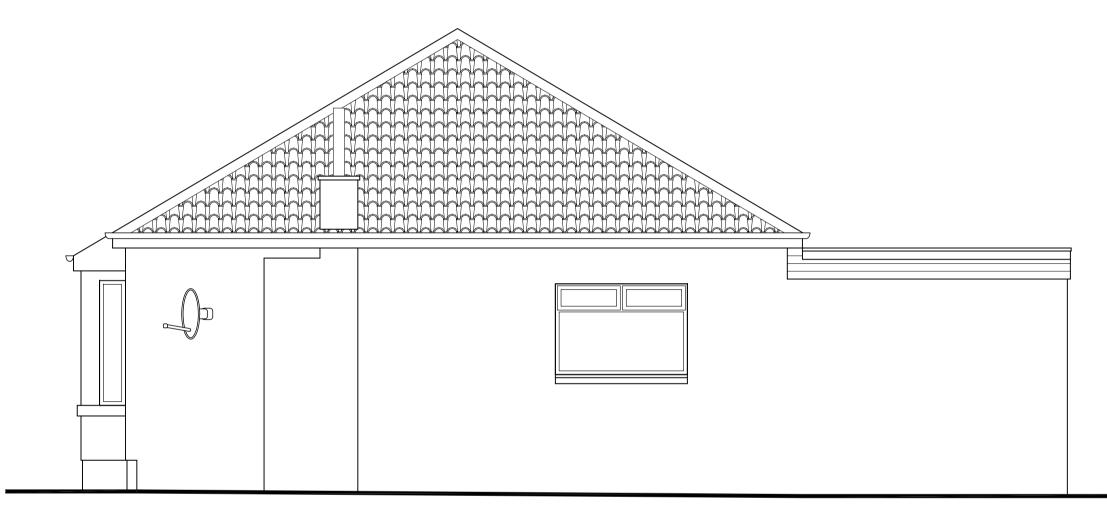
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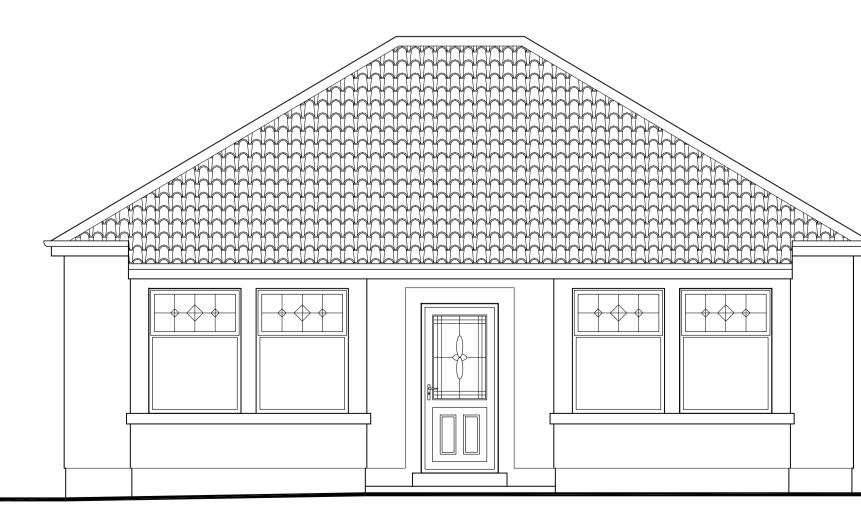
APPENDIX 5

PLANS/PHOTOGRAPHS/DRAWINGS

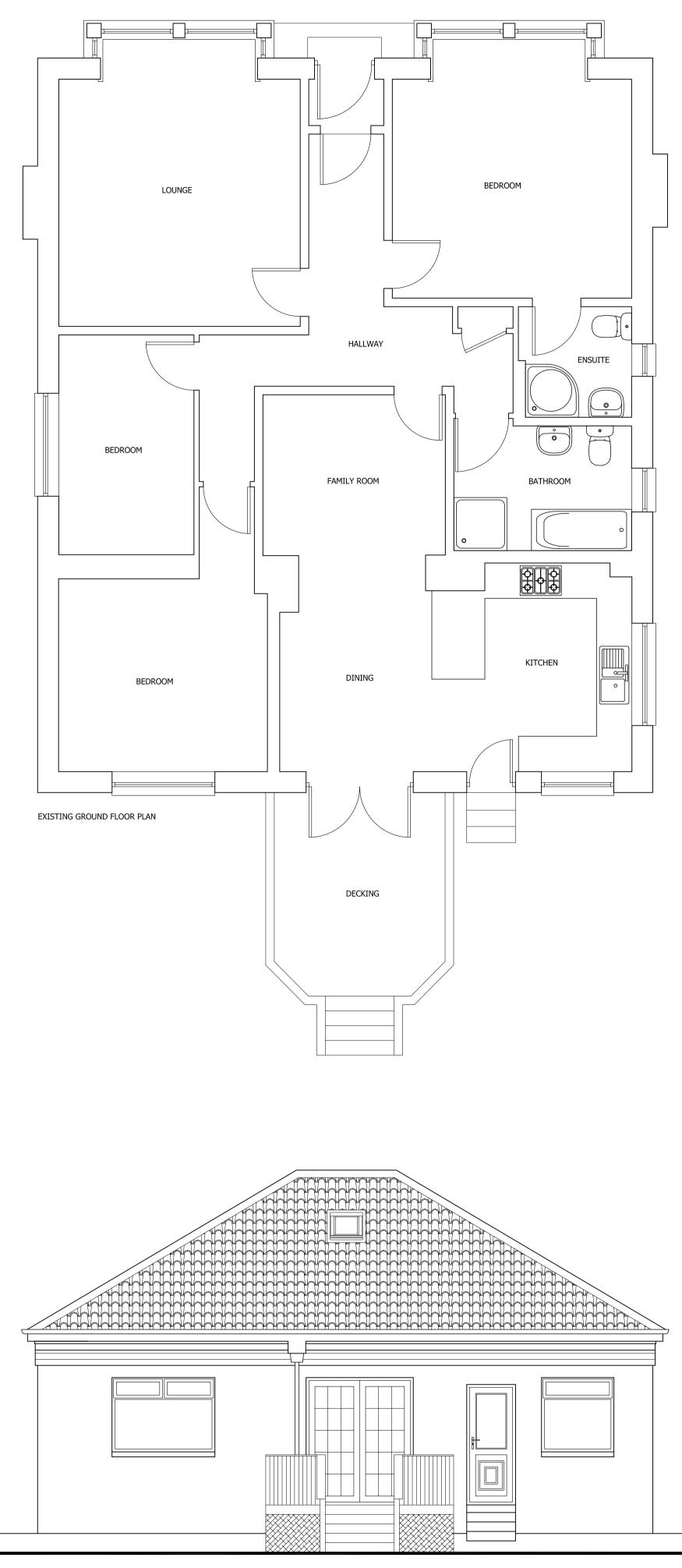




EXISTING GABLE ELEVATION



EXISTING ELEVATION TO STREET



EXISTING ELEVATION TO REAR GARDEN



