

EAST RENFREWSHIRE COUNCIL

LOCAL REVIEW BODY

7 October 2015

Report by Deputy Chief Executive

REVIEW OF CASE - REVIEW/2015/14

ERECTION OF ONE AND A HALF STOREY SIDE EXTENSION AND INSTALLATION OF DORMER WINDOWS AT FRONT AND REAR; ERECTION OF SINGLE STOREY REAR EXTENSION AT 337 MEARNS ROAD, 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:- 2015/0227/TP).
- Applicant: Mr Kayne and Ms McColl.
- Proposal: Erection of one and a half storey side extension and installation of dormer windows at front and rear; erection of single storey rear extension.
- Location: 337 Mearns Road, Newton Mearns.
- Council Area/Ward: Newton Mearns South (Ward 5).

REASON FOR REQUESTING REVIEW

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

RECOMMENDATIONS

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

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

BACKGROUND

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

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

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);
- (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 applicants' Notice of Review and Statement of Reasons - Appendix 4 (Pages).

13. The applicants have also submitted the drawings listed below (available for inspection within the Planning Division of the Environment Department prior to the meeting and for reference at the meeting) and these are attached as Appendix 5 (Pages):

- (a) Existing elevations;
- (b) Refused – Location plan;
- (c) Refused – Elevations and ground floor plan as proposed; and
- (d) Refused – Attic floor plan 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 with the exception of any representations that have been made to the application.

RECOMMENDATIONS

16. The Local Review Body is asked to:-

- (a) consider whether it has sufficient information to allow it to proceed to determine the review without further procedure and, if so, that:-
 - (i) it proceeds to determine whether the decisions taken in respect of the application under review should be upheld, reversed or varied; and
 - (ii) in the event that the decision is reversed or varied, the reasons and the detailed conditions to be attached to the decision letter are agreed.
- (b) In the event that further procedure is required to allow it to determine the review, consider:-
 - (i) what further information is required, which parties are to be asked to provide the information and the date by which this is to be provided; and/or;
 - (ii) what procedure or combination of procedures are to be followed in determining the review.

Report Author: Paul O'Neil, 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:- September 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.

**APPLICATION
FOR
PLANNING PERMISSION**

RECEIVED

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

13 APR 2015



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

OFFICIAL USE ONLY: Reference No. 2015/0227/A 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 KAYNE AND MS M'COLL
Address 337 MEARN'S ROAD
NEWTON MEARN'S
Post Code G77 5LT
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 c/o DEREK THOMPSON ARCHITECTURAL SERVICES
10 HIGH ROAD
PAISLEY
Post Code PA2 6AR
Telephone 0141 889 4468 Fax

Email derek@thompsonarchitectural.co.uk

3

Location of proposed development 337 MEARN'S ROAD
NEWTON MEARN'S
G77 5LT

4

Description of proposed development
REAR AND ONE AND A HALF STOREY EXTENSIONS
WITH DORMERS

5

Building Materials	
Existing	Proposed
Walls ROUGHCAST	Walls ROUGHCAST / VERTICAL TILES TO DORMER
Roofs CONCRETE TILES	Roofs CONCRETE TILES
Boundary N/A	Boundary N/A
Windows WHITE UPVC	Windows WHITE UPVC
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? 2

How many parking spaces do you propose on the application site? 2

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

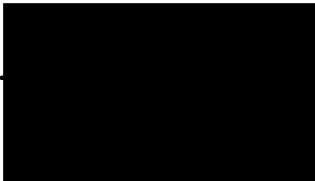
Section 2 - Agricultural holdings

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..... 10/4/15.....

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

Part 2 - Land Ownership Certificate

I have served the necessary notices on all
identified owners / tenants

Checklist and Declaration

I have enclosed 3 copies of the following plans

1:1250 or 1:2500 Location plan

1:200 or 1:500 Block plan

1:50 or 1:100 Detailed plans to include all existing and
proposed plans and elevations

I have enclosed the appropriate fee

Fee enclosed

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) Dated 10/4/15

If you have any difficulties completing this application please call us 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

REPORT OF HANDLING

Reference: 2015/0227/TP

Date Registered: 13th April 2015

Application Type: Full Planning Permission

This application is a Local Development

Ward: 5 -Newton Mearns South

Co-ordinates: 254627/:655502

Applicant/Agent:

Applicant:
Mr. Kayne And Ms. McColl
337 Mearns Road
Newton Mearns
East Renfrewshire
G77 5LT

Agent:

Lindmark Home Improvements
Derek Thompson
97 Spiersbridge Lane
Thornliebank
G46 8AJ

Proposal: Erection of one and a half storey side extension and installation of dormer windows at front and rear; erection of single storey rear extension

Location: 337 Mearns Road
Newton Mearns
East Renfrewshire
G77 5LT

CONSULTATIONS/COMMENTS: None.

PUBLICITY: None.

SITE NOTICES: None.

SITE HISTORY: None

REPRESENTATIONS: No representations have been received.

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

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

ASSESSMENT:

The site comprises a traditional pyramidal bungalow that is situated within an established residential area surrounded by a variety of housetypes. Set back from the public footpath the property has an open aspect to the front and garden ground to the rear that is enclosed by timber fencing. There is a detached single garage within the rear curtilage.

The proposal is for a one and a half storey side extension incorporating two pitched roof dormer windows, a single storey rear extension and the installation of two pitched roof dormer windows on the main body of the house. Projecting 3.8m from the side elevation of the property the one and a half storey extension, incorporating dormer windows to the front and rear, will provide a garage and utility room on the lower floor and two bedrooms and a bathroom on the upper floor. The additional dormer windows on the front and rear roof slope of the main house will accommodate two further bedrooms at upper floor level.

The single storey extension will project 4m from the rear elevation of the property providing a kitchen/dining/living area and a fifth bedroom with en-suite facilities and a dressing room. The proposal will create an additional footprint of 94m².

First and foremost every planning application is site specific and it has to be considered in the first instance whether the proposed development accords with the relevant development plan policies. For this application the relevant policies are Policy DM1 and DM2.1 of the adopted Local Plan and Policies D1 and D14 of the proposed Local Development Plan (LDP). It should be noted that the proposed LDP has been examined by the Scottish Government and is now intended to be adopted. The LDP is the Council's up-to-date policy position.

Policy DM1 and DM2.1 of the adopted plan require that any proposed extension must not result in a loss of character or amenity to the surrounding area and must complement the existing building in terms of size, scale and height.

In terms of scale and design the proposal in particular respect of the side extension is considered to disrupt the symmetrical pyramidal form of the existing bungalow. The extreme siting of the two front dormer windows further increases this disruption to the design of the existing house.

On this basis it is considered that the proposal conflicts with the terms of these policies.

It is noted that there is a variety of housetypes within the area; however given the traditional character of the bungalow it is considered that the proposed development will have an adverse visual effect on the property and the surrounding area.

Comments from the agent relating to other developments at 105 Ayr Road and 185 Mearns Road are noted; however the permission for 105 Ayr Road was an appeal decision and the development at 185 Mearns Road pre-dates current planning policies. In addition, neither property is within close proximity of the application site.

Policies D1, D14 of the LDP largely reflect the corresponding policies in the adopted Local Plan.

Further guidance is provided within the supporting (SPG) Supplementary Planning Guidance: Householder Design Guide in terms of how extensions are required to respect and complement the existing character of the subject property, as follows; bungalow extensions should:

- o Be set back from the front elevation
- o Be set below the ridge and eaves
- o Retain the character of the original house
- o Be subordinate in scale and appearance.

Dormer windows should:

- o Be wholly contained within the roof slope and set below the roof ridge/hip and off the side ridge/hip;
- o Be aligned vertically with windows and doors below
- o Be positioned centrally in a hipped roof

For the reasons stated above, it is considered that the proposal conflicts with policies D1 and D14 of the Proposed Local Development Plan and the relevant SPG.

The SPG is a guide to development and, where there are material considerations, the specific advice in the SPG may be set aside.

It should be noted that the opportunity to amend the proposal in accordance with the criteria set out above was declined by the agent.

Taking all of the above into account it is therefore recommended that the application is refused.

RECOMMENDATION: Refuse

PLANNING OBLIGATIONS: None.

REASON(S):

Reason: The proposed development would be contrary to Policies DM1 and DM2.1 in the East Renfrewshire Local Plan as it would alter the original character and design of the existing house to the detriment of the amenity and character of the surrounding area.

Reason: The proposed development would be contrary to Policies D1 and D14 in the Proposed Local Development Plan as it would result in a one and a half storey side extension which would alter the original character and design of the existing house to the detriment of the amenity and character of the surrounding area.

Reason: The proposed development would be contrary to the Supplementary Planning Guidance- Householder Design Guide as it does not comply with the design principles therein.

ADDITIONAL NOTES: None

ADDED VALUE:

None

BACKGROUND PAPERS:

Any background papers referred to in this report can be viewed at www.ercplanning.eastrenfrewshire.gov.uk/eplanning, where you can enter the Reference Number listed below. Any further information can be obtained from Ms Fiona Morrison on 0141 577 3895.

Ref. No.: 2015/0227/TP
(FIMO)

DATE: 12th June 2015

DIRECTOR OF ENVIRONMENT

2015/0227/TP - APPENDIX 1

DEVELOPMENT PLAN:

Strategic Development Plan

Given the size and scale of the development it is not considered that government guidance is a relevant material consideration.

East Renfrewshire Local Plan (Adopted 14th 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) outlines the Council's most up to date statement of planning policy. The LDP has been examined by the Scottish Government and the Examination Report has been published. It is now intended to adopt the LDP.

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 12/06/2015.IM.

**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. **2015/0227/TP**

Applicant

Mr. Kayne And Ms. McColl
337 Mearns Road
Newton Mearns
East Renfrewshire
G77 5LT

Agent:

Lindmark Home Improvements
Derek Thompson
97 Spiersbridge Lane
Thornliebank
G46 8AJ

With reference to your application which was registered on 13th April 2015 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Erection of one and a half storey side extension and installation of dormer windows at front and rear; erection of single storey rear extension

at: 337 Mearns Road Newton Mearns East Renfrewshire G77 5LT

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

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

1. The proposed development would be contrary to Policies DM1 and DM2.1 in the East Renfrewshire Local Plan as it would alter the original character and design of the existing house to the detriment of the amenity and character of the surrounding area.
2. The proposed development would be contrary to Policies D1 and D14 in the Proposed Local Development Plan as it would result in a one and a half storey side extension which would alter the original character and design of the existing house to the detriment of the amenity and character of the surrounding area.
3. The proposed development would be contrary to the Supplementary Planning Guidance-Householder Design Guide as it does not comply with the design principles therein.

Dated 12th June 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
Block Plan and Location Plan	CSM2399/4		
Plans and Elevations Proposed	CSM2399/2		
Plans Proposed	CSM2399/3		

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 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**

**NOTICE OF REVIEW
AND
STATEMENT OF REASONS**

RECEIVED
07 SEP 2015



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

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Agent (if any)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

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

Yes No

* Do you agree to correspondence regarding your review being sent by e-mail? Yes No

Planning authority

Planning authority's application reference number

Site address

Description of proposed development

Date of application

Date of decision (if any)

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:

THE PROPOSAL IS VERY MUCH IN KEEPING WITH THE DESIGN AND CHARACTER OF THE ORIGINAL HOUSE.

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 PROPOSAL AS APPLIED FOR WAS VERY MUCH IN KEEPING WITH THE DESIGN AND CHARACTER OF THE ORIGINAL HOUSE.

ALL FEATURES INCLUDING WALL FINISH, ROOF FINISH AND WINDOW STYLES AS WELL AS DORMERS ALL MATCH THE ORIGINAL HOUSE.

THE SCALE OF THE EXTENDED AREA IS IN KEEPING WITH THE CURRENT GUIDELINES (LESS THAN 100% OF THE AREA OF THE EXISTING HOUSE AND LESS THAN 50% OF THE CURTILAGE OF THE DWELLING).

THERE HAVE BEEN MANY PROPOSALS SIMILAR WHICH HAVE BEEN APPROVED BY "EAST RENFREWSHIRE COUNCIL" EITHER BY THE PLANNING DEPARTMENT OR ON APPEAL NAMELY - 185 MEARNS ROAD AND 105 AYR ROAD.

THE DEVELOPMENT AT 18-22 EDZELL DRIVE IS ALSO VERY SIMILAR IN SCALE AND PROXIMITY TO BOUNDARY.

THERE HAVE BEEN NO OBJECTIONS SO THE SURROUNDING NEIGHBOURS ARE OBVIOUSLY HAPPY WITH THE PROPOSAL.

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.

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority. It may also be available on the planning authority website.

Checklist

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

- Full completion of all parts of this form
- Statement of your reasons for requiring a review
- All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

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

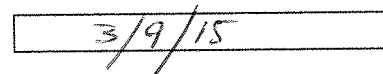
Declaration

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

Signed



Date

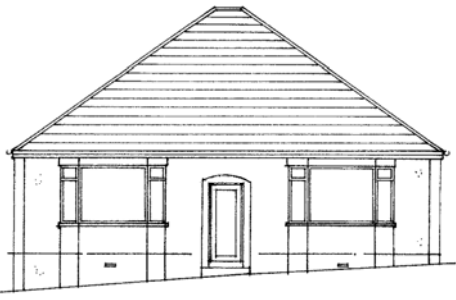


Data Protection Act 1998

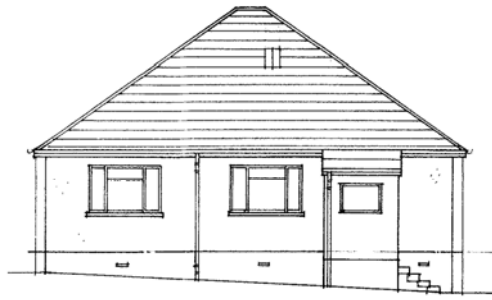
East Renfrewshire Council is the Data Controller for the purposes of the Data Protection Act 1998. Please note that the information provided with this application will appear in the public register of applications and will also be published on the Council's website. Personal details such as signatures, 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

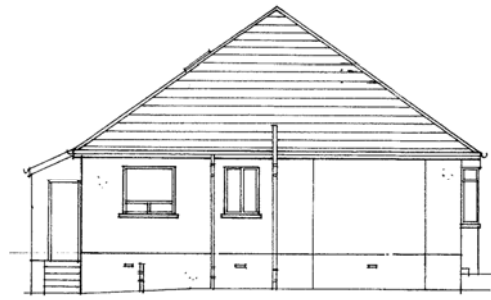
PLANS/PHOTOGRAPHS/DRAWINGS



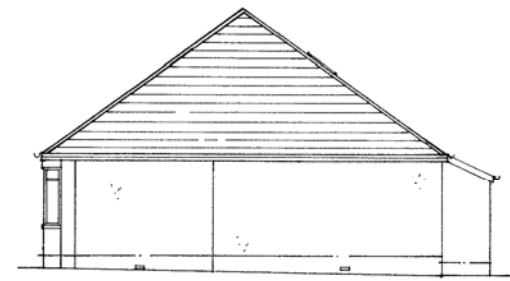
Front Elevation as Existing



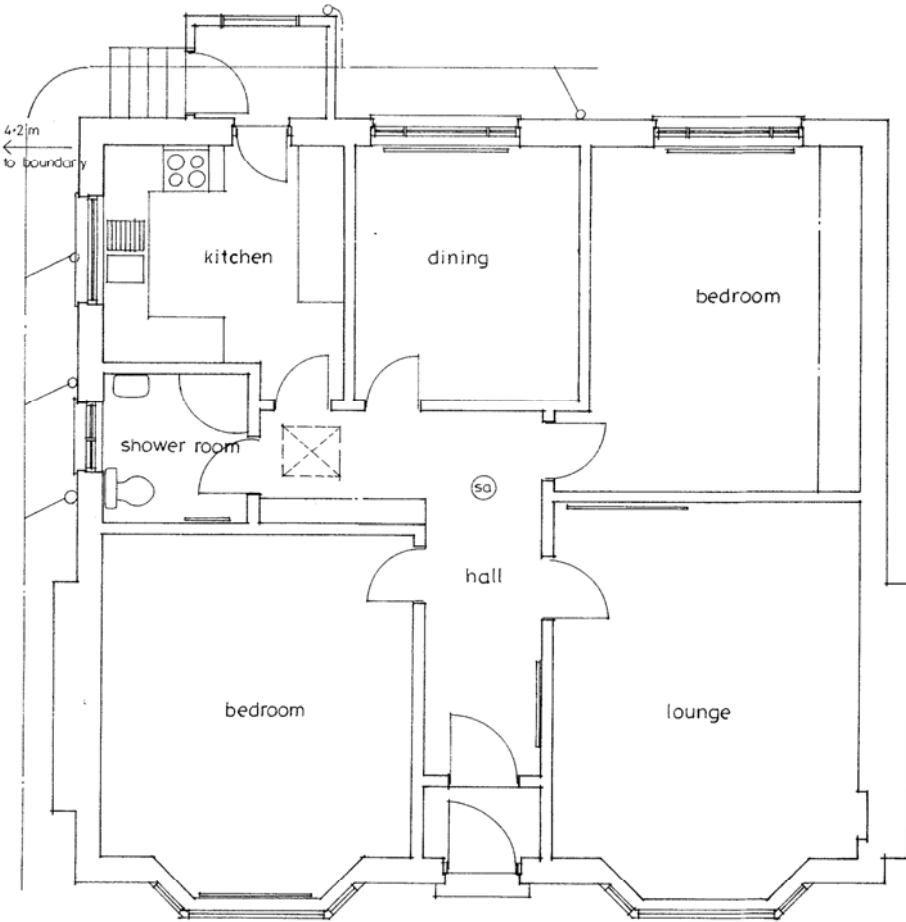
Rear Elevation as Existing



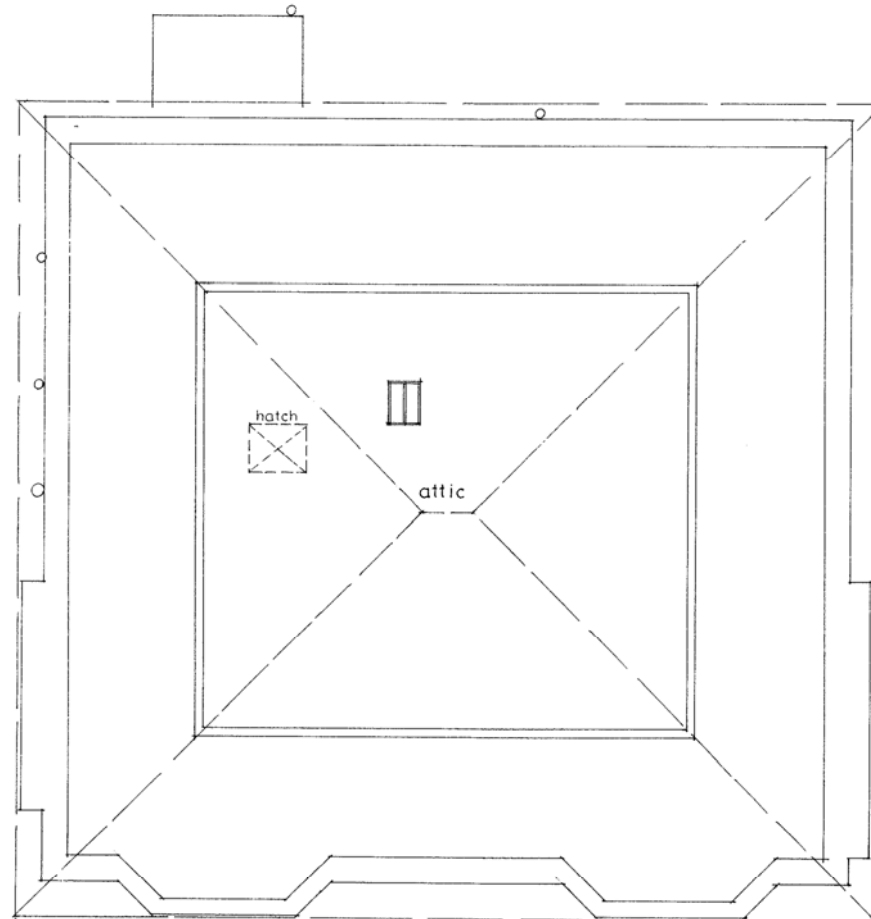
Side Elevation as Existing



Side Elevation as Existing

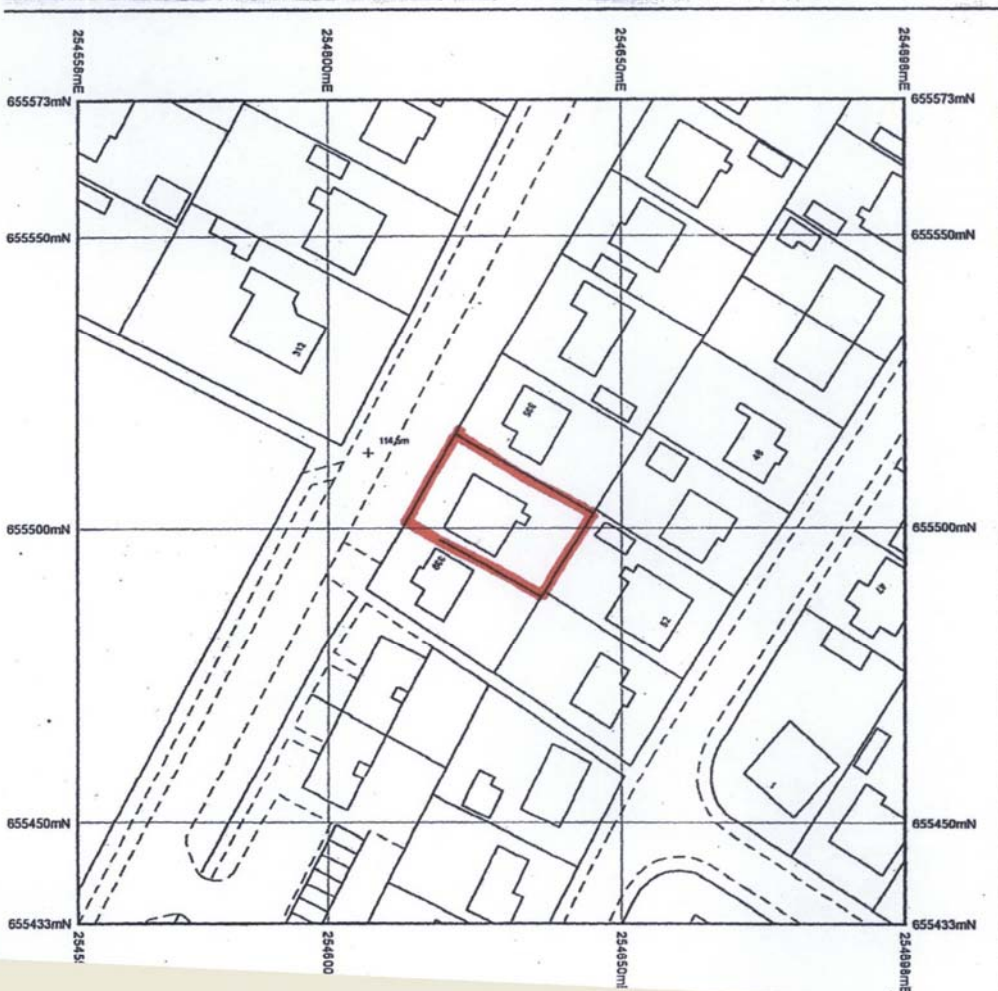
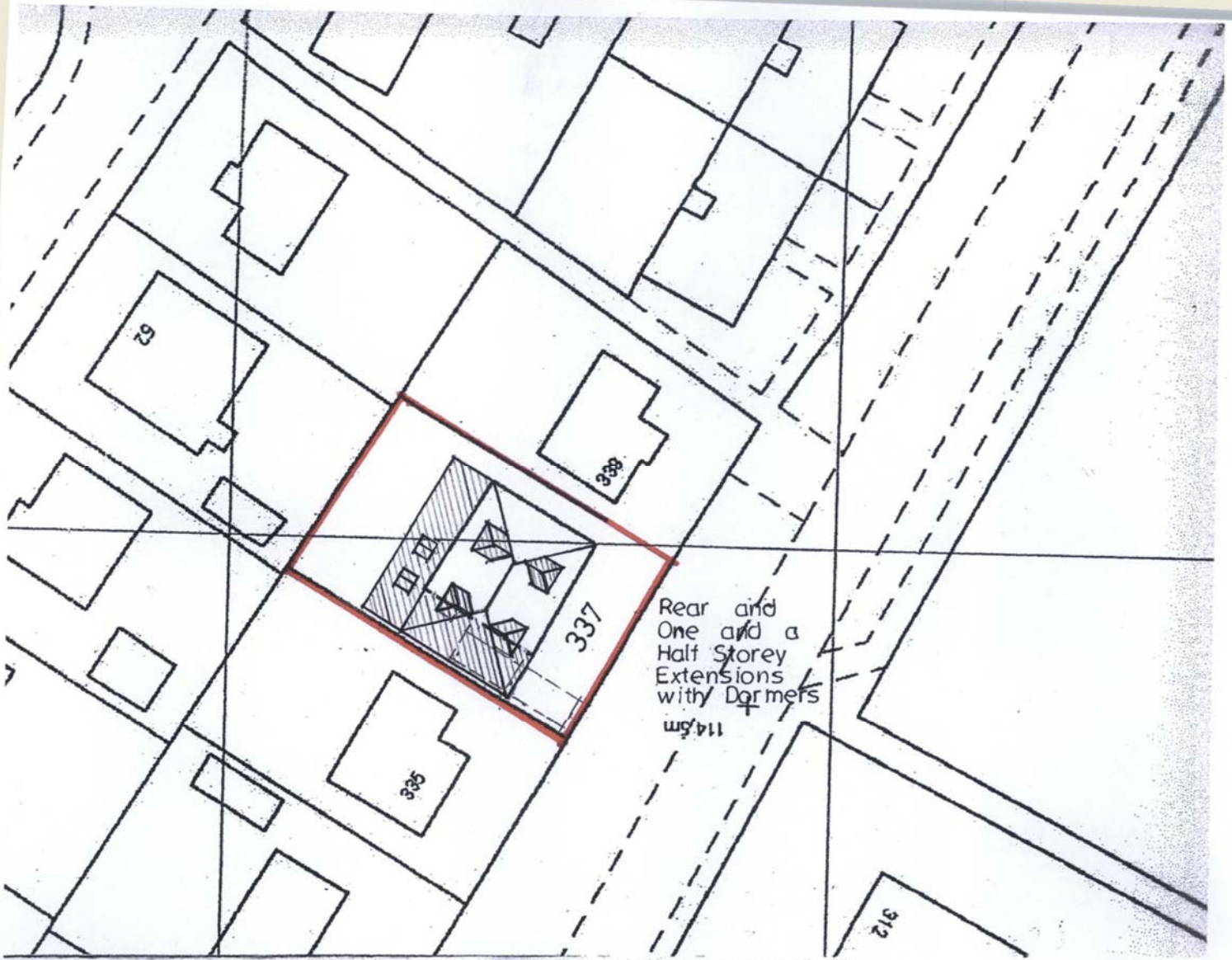


Ground Floor Plan as Existing



Attic Floor Plan as Existing

Mr Kayne and Ms McCall
 337 Mearns Road
 Newton Mearns
 G77 5LT
 Rear and One and a
 Half Storey Extensions
 Plans and Elevations
 as Existing
 1/50, 1/100 CSM 2399/1



Site Plan 1/500



Town and Country Planning
(Scotland) Act 1997

REFUSED

Director of Environment
East Renfrewshire Council

Locality Plan 1/1250

CSM 2399 / 4

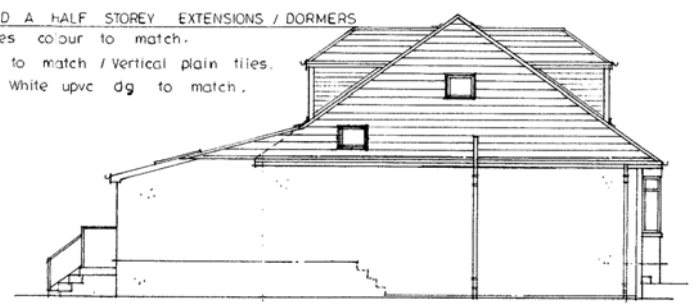


Front Elevation as Proposed

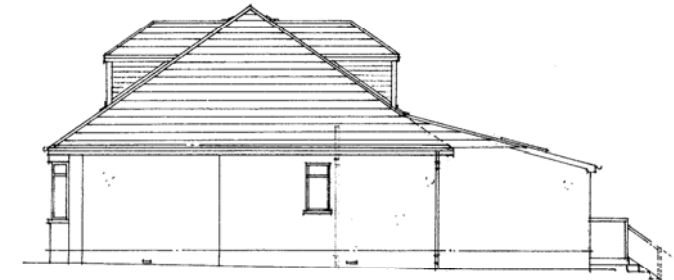


Rear Elevation as Proposed

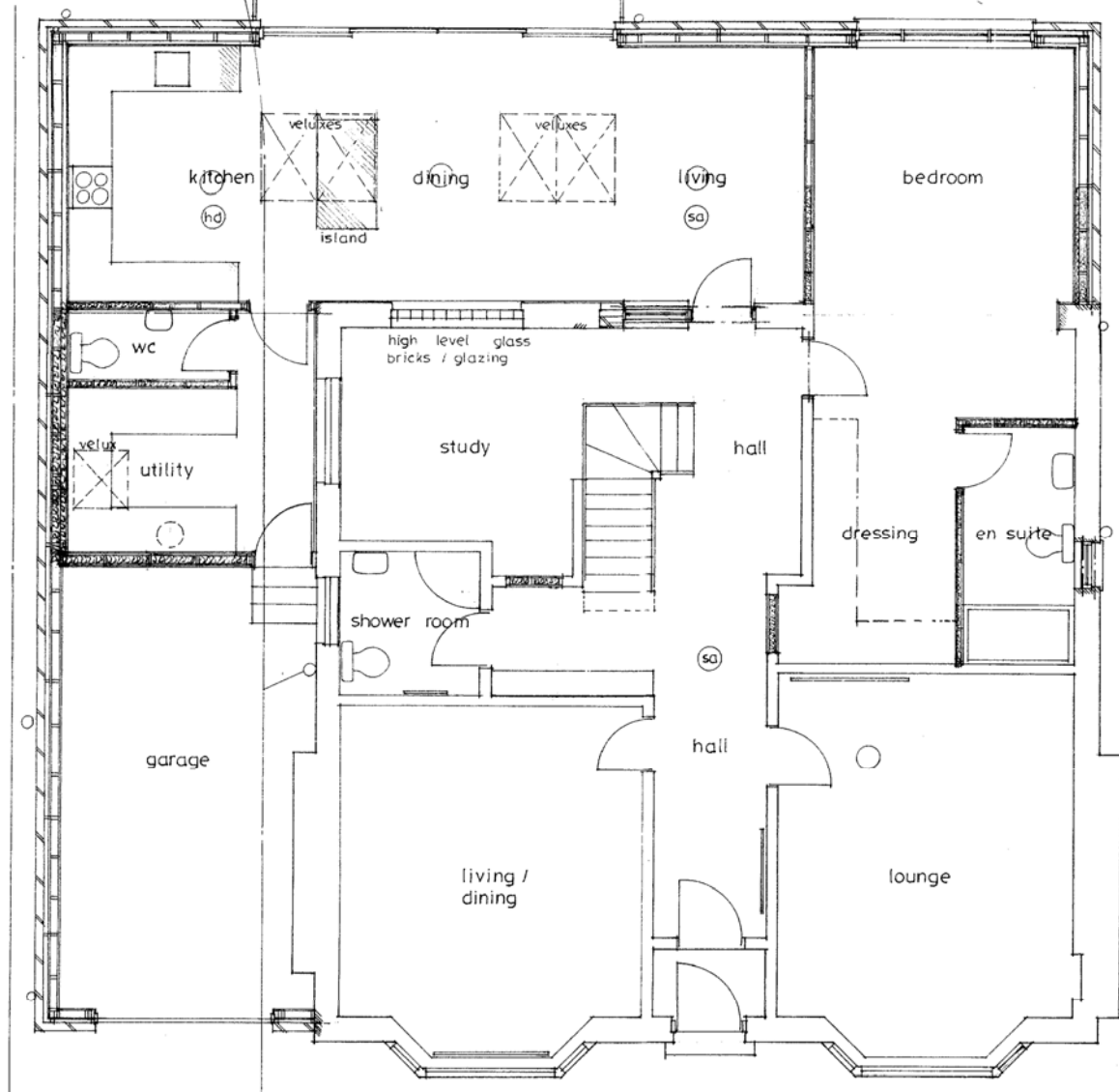
REAR AND ONE AND A HALF STOREY EXTENSIONS / DORMERS
 Roof - Concrete tiles colour to match.
 Walls - Roughcast to match / Vertical plain tiles.
 Windows / Doors - White upvc dg to match.



Side Elevation as Proposed



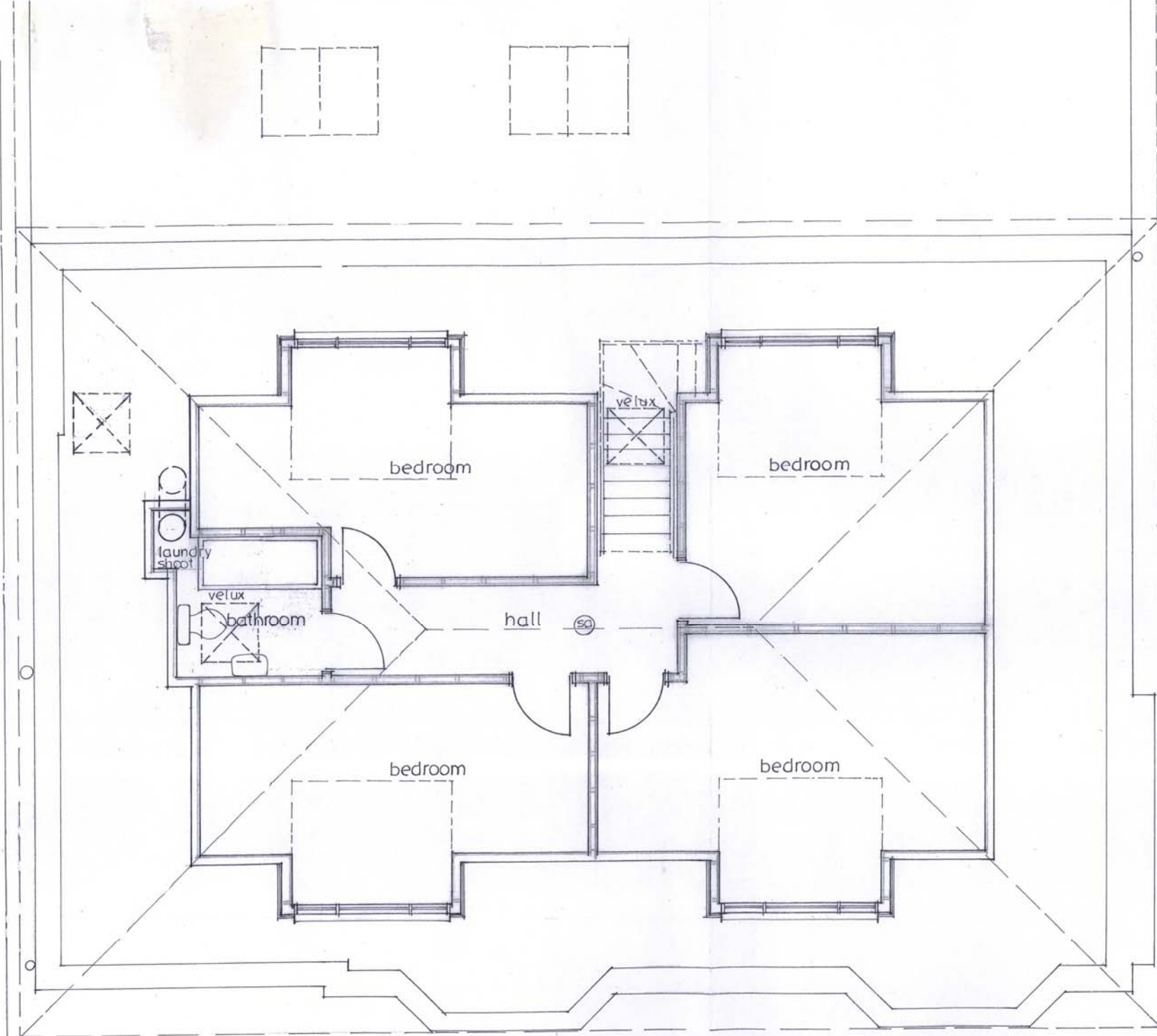
Side Elevation as Proposed



Ground Floor Plan as Proposed

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

Mr Kayne and Ms McColl	
337 Mearns Road Newton Mearns G77 5LT	
Rear and One and a Half Storey Extensions Plan and Elevations as Proposed	
1/50, 1/100	CSM 2399/2



Attic Floor Plan as Proposed

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

Mr Kayne and Ms McColl	
337 Mearns Road Newton Mearns G77 5LT	
Rear and One and a Half Storey Extensions	
Attic Floor Plan as Proposed	
1/50	CSM 2399/3