

EAST RENFREWSHIRE COUNCIL

LOCAL REVIEW BODY

8 April 2015

Report by Deputy Chief Executive

REVIEW OF CASE - REVIEW/2015/02

ALTERATIONS TO ENLARGE ROOF TO FORM GABLE ENDS IN PLACE OF HIPPED
ROOF WITH INSTALLATION OF DORMER WINDOWS AT FRONT AND REAR;
ERECTION OF TWO STOREY REAR EXTENSION WITH RAISED TIMBER DECK AT 5
STRATHEARN ROAD, 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:- 2015/0013/TP).
- Applicant: Mr and Mrs Paton.
- Proposal: Alterations to enlarge roof to form gable ends in place of hipped roof with installation of dormer windows at front and rear; erection of two storey rear extension with raised timber deck.
- Location: 5 Strathearn Road, Clarkston.
- Council Area/Ward: Busby, Clarkston and Eaglesham (Ward 6).

REASON FOR REQUESTING REVIEW

3. The applicants 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 the review have stated the reasons for requiring the review of the determination of his 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 further written submissions.

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. However, the applicants have submitted new information which was not available to the appointed officer at the time the determination of the application was made. The new information is detailed in the applicants' supporting statement and appendices.

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 applicants have been given an opportunity to explain why the information was not made available to the appointed officer at the time the application was determined. At the time of writing this report the applicants' had still to submit their explanation.

15. 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.

16. Members should note that the new information has been excluded from the applicants' 'Notice of Review' form.

17. 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).

18. 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) Attic plan as existing;
- (b) Front elevation as existing;

- (c) Ground floor plan as existing;
- (d) Rear elevation as existing;
- (e) Section A-A as existing;
- (f) Side elevation as existing;
- (g) Side elevation as existing;
- (h) Site plan as existing;
- (i) Refused – Location plan;
- (j) Refused – Site plan as proposed;
- (k) Refused – Ground floor plan as proposed;
- (l) Refused – Upper floor plan as proposed;
- (m) Refused – Front elevation as proposed;
- (n) Refused – Side elevation as proposed;
- (o) Refused – Rear elevation as proposed; and
- (p) Refused – Side elevation.

19. 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.

20. All the documents referred to in this report can be viewed online on the Council's website at www.eastrenfrewshire.gov.uk .

RECOMMENDATIONS

21. 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:

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 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.

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**APPLICATION
FOR
PLANNING PERMISSION**

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Householder Application for Planning Permission

Town & Country Planning (Scotland) Act 1997
as amended by the Planning etc. (Scotland) Act 2006



OFFICIAL USE ONLY LPA Ref No. 2015/003179 Receipt Date 13 JAN 2014

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

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

Part 1 - Application form

1

Applicant's Name MR AND MRS GRAHAM PATON
 Address 10 KEATHLEARN ROAD
GLASGOW
RENFREWSHIRE Post Code G17 1JY
 Telephone [REDACTED] Fax [REDACTED]
 Email [REDACTED]
 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 CHRIE TEAK ARCHITECTS
 Address 20 SPIRIT STREET
GLASGOW Post Code G13 3UN
 Telephone 0141 206 1100 Fax [REDACTED]
 Email chrie@teakarchitects.co.uk

3

Location of proposed development 10 KEATHLEARN ROAD
GLASGOW G17 1JY

4

Description of proposed development ALTERATIONS TO FRONT
NOSE AND SIDE WALLS AND FRONT AND
REAR PORCHES AND SECTION OF SIDE GARDEN
REAR EXTENSION AND FENCE

5

Building Materials Existing	Proposed
Walls <u>BRICK</u>	Walls <u>CONCRETE</u>
Roofs <u>SLATE</u>	Roofs <u>CONCRETE</u>
Boundary	Boundary
Windows <u>UPVC</u>	Windows <u>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
PRIVATE CONVERSATION BETWEEN IAN WALKER
AND APPLICANT

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? 4/5

How many parking spaces do you propose on the application site? 4/5

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

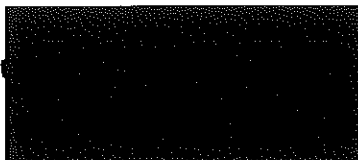
Section 2 - Agricultural holdings

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
 (delete where appropriate)



Date 12 January 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

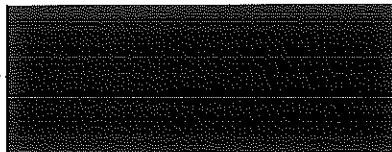
Fee enclosed £ 0/0

Your completed form should now be returned to: Head of Environment (Planning, Property and
Regeneration), 2 Spiersbridge Way, Spiersbridge Business Park, Thornliebank, East Renfrewshire
G46 8NG.

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)



Date 12 Jan 15

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

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REPORT OF HANDLING

Reference: 2015/0013/TP

Date Registered: 13th January 2015

Application Type: Full Planning Permission

This application is a Local Development

Ward: 6 -Busby Clarkston Eaglesham

Co-ordinates: 257202/:656681

Applicant/Agent:

Applicant:
Mr. And Mrs. Paton
5 Strathearn Road
Clarkston
East Renfrewshire
G76 7TY

Agent:
Chris Doak Architect
5 Shaftesbury Street
Anderston
Glasgow
G3 8UN

Proposal: Alterations to enlarge roof to form gable ends in place of hipped roof with installation of dormer windows at front and rear; erection of two storey rear extension with raised timber deck

Location: 5 Strathearn Road
Clarkston
East Renfrewshire
G76 7TY

CONSULTATIONS/COMMENTS: None.

PUBLICITY: None

SITE NOTICES: None

SITE HISTORY: None

REPRESENTATIONS: No representations have been received.

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

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

ASSESSMENT:

The application site comprises a detached hipped roofed bungalow and its curtilage and lies within an established residential area. Whilst the immediately adjacent dwelling at number 7 Strathearn Road has been altered and extended to form two gable ends, the area is characterised by detached and semi-detached hipped roofed bungalows which are similar to the applicant's dwelling. The dwelling is externally finished with sandstone on the front elevation, white render and red concrete roofing tiles. The rear garden slopes down from the rear of the dwelling towards the rear boundary.

Planning permission is sought for alterations to enlarge the roof to form two gable ends in place of the hipped roof, installation of two front and two rear dormer windows and for the erection of a two storey rear extension, as a result of the fall in levels towards the rear of the site.

As noted above, the adjacent dwelling at 7 Strathearn Road has been extended in a similar fashion. Planning permission for alterations to the roof including increasing the ridge height, formation of two gables and formation of two front and two rear dormer windows was refused on 13 February 2006 under 2005/1036/TP. The refusal of planning permission was appealed to the Scottish Ministers and planning permission was granted on appeal on 25 July 2006.

The application requires to be assessed with regard to Policies DM1 and DM2.1 of the adopted East Renfrewshire Local Plan and other material considerations including Policies D1 and D14 of the proposed East Renfrewshire Local Development Plan and the Supplementary Planning Guidance: Householder Design Guide (SPG). It is considered that the formation of the gable walls and four dormer windows in place of the hipped roof represents a significant change to the appearance and design of the dwelling. Notwithstanding the alterations to the adjacent dwelling, the alterations to form

the gable ends in place of the hipped roof are considered to be a substantial change to the appearance of the house itself resulting in a change to the profile of the house. This is considered to be out of keeping with the character of the majority of the wider area which is predominantly characterised by hipped roofed bungalows.

The increase in the ridge height from 6.3 metres (from ground level at front) to 7.6 metres along with the formation of the gable walls and dormer windows is considered to significantly increase the massing of the roof. The result of this is that it dominates the dwelling to the extent that the original character of the dwelling is lost. This is considered to be incongruous with the majority of the dwellings in the surrounding area and it is considered that the changes that were granted on appeal at 7 Stratthern Road emphasises the differences between it and the surrounding area.

Section 2.1 of the Supplementary Planning Guidance: Householder Design Guide "General Principles" states that:

- Extensions should respect the character of the original house in terms of design, scale and materials;
- Extensions should not dominate or overwhelm the original form or appearance of the house;
- Developments should have the same roof design as the house, particularly when visible from public view.

For the reasons given in the paragraphs above, the proposal is therefore considered to be contrary to Policies DM1 and DM2.1 of the adopted East Renfrewshire Local Plan and Policies D1 and D14 of the proposed East Renfrewshire Local Development Plan and the SPG which are recent expressions of Council Policy.

Whereas the neighbouring house has been developed it nevertheless pre-dates the adopted Local Plan, the proposed Local Development Plan and the SPG. It also represents such a significant departure from current and proposed policy that it could not be considered to be of sufficient weight as would justify laying aside the terms of those Policies. The proposed rear extension which is secondary in appearance to the existing dwelling and the proposed deck which would not give rise to significant additional overlooking would in themselves be considered to be acceptable. Other aspects of the development have been assessed but would not be considered to outweigh the above considerations.

It should be noted that a refusal of this planning application is consistent with the Council's refusal of the planning application at 7 Stratthern Road. Furthermore, other than at 7 Stratthern Road, there are no comparable examples of this type of development in the immediate area.

RECOMMENDATION: Refuse

PLANNING OBLIGATIONS: None

REASON FOR REFUSAL:

1. The proposed increase in ridge height, formation of gable walls and installation of four dormer windows are considered to be contrary to Policies DM1 and DM2.1 of the adopted East Renfrewshire Local Plan and Policies D1 and D14 of the proposed East Renfrewshire Local Development Plan as they are out of keeping with the character and design of the existing dwelling in terms of scale and design; dominate and overwhelm the original form and character of the dwelling; and incorporate a roof design significantly different to that of the existing dwelling, all to the detriment of the character of the dwelling and the character of the wider area.

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.: 2015/0013/TP
(DESC)

DATE: 12th February 2015

DIRECTOR OF ENVIRONMENT

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

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.

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 12/02/15 IM(1)

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**DECISION NOTICE
AND
REASONS FOR REFUSAL**

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

REFUSAL OF PLANNING PERMISSION

Ref. No. **2015/0013/TP**

Applicant:

Mr. And Mrs. Paton
5 Strathearn Road
Clarkston
East Renfrewshire
G76 7TY

Agent:

Chris Doak Architect
5 Shaftesbury Street
Anderston
Glasgow
G3 8UN

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

Alterations to enlarge roof to form gable ends in place of hipped roof with installation of dormer windows at front and rear; erection of two storey rear extension with raised timber deck

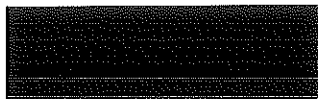
at: 5 Strathearn Road Clarkston East Renfrewshire G76 7TY

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 increase in ridge height, formation of gable walls and installation of four dormer windows are considered to be contrary to Policies DM1 and DM2.1 of the adopted East Renfrewshire Local Plan and Policies D1 and D14 of the proposed East Renfrewshire Local Development Plan as they are out of keeping with the character and design of the existing dwelling in terms of scale and design; dominate and overwhelm the original form and character of the dwelling; and incorporate a roof design significantly different to that of the existing dwelling, all to the detriment of the character of the dwelling and the character of the wider area.

Dated 12th February 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	01		
Block Plan Proposed	10	B	
Plans Proposed	11	B	
Plans Proposed	12	B	
Elevations Proposed	14	A	
Elevations Proposed	15	B	
Elevations Proposed	16	B	
Elevations Proposed	17	B	

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**NOTICE OF REVIEW
AND
STATEMENT OF REASONS**

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RECEIVED

23 MAR 2015

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

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:

* 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:

We have used the statement section on page 3 to put our point of view across that other similar developments have been granted planning permission in the East Renfrewshire area. We have made a comment on the lack of objections and included a note on our chosen roof design. A supporting letter from my GP, not presented in the original application, is now included in this review.

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.

Please see attached sheet titled "Statement"

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.

We had assumed that similar, previously allowed, alterations would secure permission for our property. We feel that the information provided in our "Statement" should be taken into consideration.

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.

Copies of the documents we would like to submit with our review are held by East Renfrewshire Council.
 They are :-
 existing plans of 5 Strathearn Road
 proposed plans of 5 Strathearn Road
 report of handling issued by East Renfrewshire Council
 refusal of planning issued by East Renfrewshire Council

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

[Redacted signature box]

Date

23/3/15

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

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Statement

We have read the refusal document carefully and noted its conclusions. From what we have read, the extension to the back of our property would be allowed. The changes to the roof design would not be allowed and this is the part we are asking to appeal.

The idea for our roof design came from the same type of alterations carried out on similar properties in the area and these had planning permission granted through the planning department.

My architect highlighted a number of properties in our vicinity that have been altered in a fashion similar to our proposed plans :-

7 Ashfield Road

17 Glendoune Road

39 Craighill Drive

These three properties are all similar and we have shown images of the before and after front elevation of one of these, 17 Glendoune Road, in Appendix A.

In the "report of handling" issued by East Renfrewshire council, it notes that the house next door to ours at 7 Strathearn Road has had the same alterations to the roof design that we would like and we consider this to have created a precedence. We've put the front elevation of no 7 on Appendix B along with our proposed elevation to show that the alterations would be the same. The reporter who heard the appeal for number 7 Strathearn Road made a note in his report that *"Your house would remain a bungalow, albeit a cottage style one rather than chalet style. There are already four others in the adjoining street, and they do not detract from the character of the area and they do not look top heavy."*

We noted an example at 39 Sundale Avenue 2 streets away. Planning permission has been granted in 2011 for the same type of roof design that we would like. I've copied the existing and proposed illustrations from the council website and these are shown on appendix C.

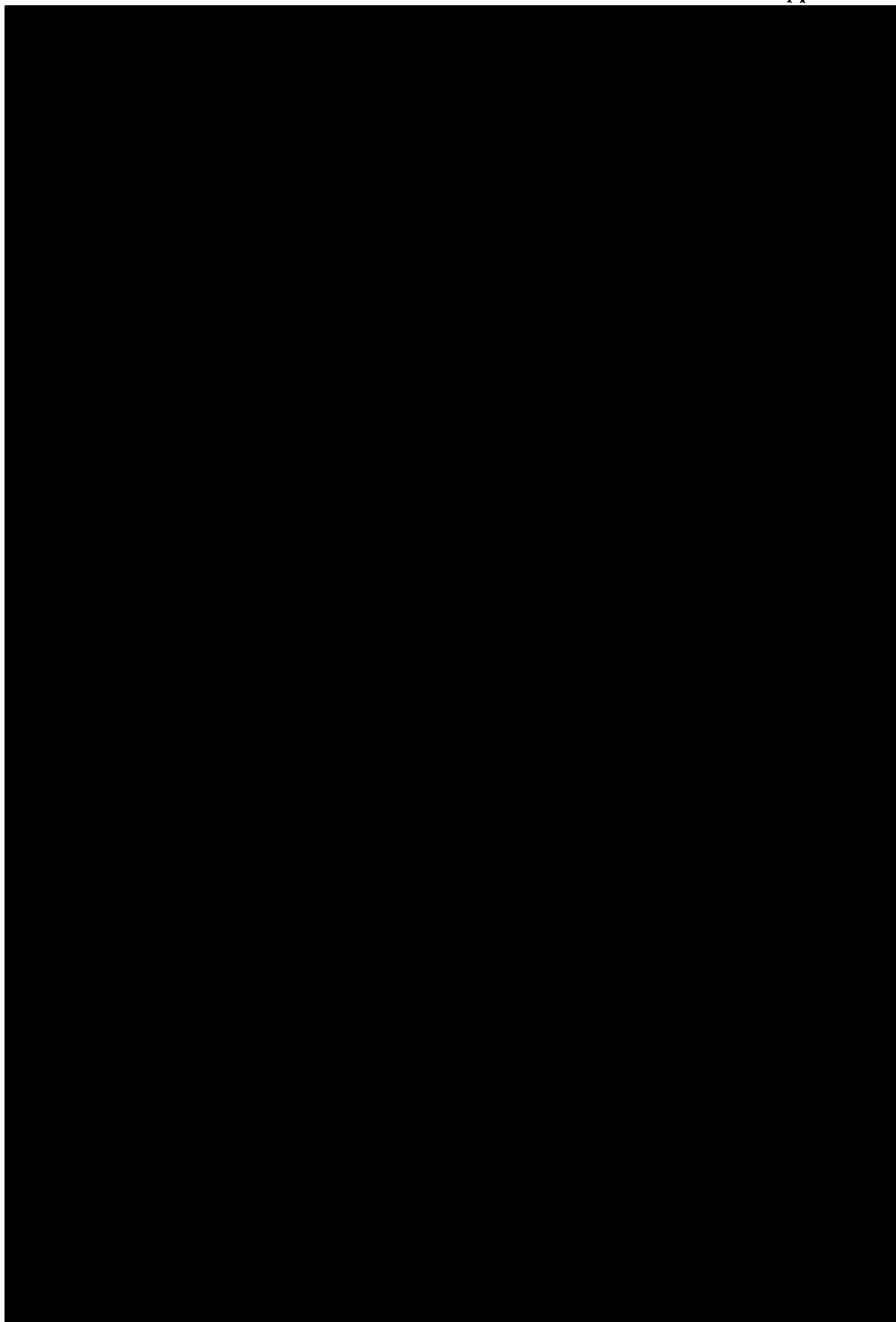
In the conclusions of the planning permission refusal on our property it states that our roof design is contrary to certain policies. If these other planning applications had been strictly reviewed according to these policies we are understandably unsure how they have been approved.

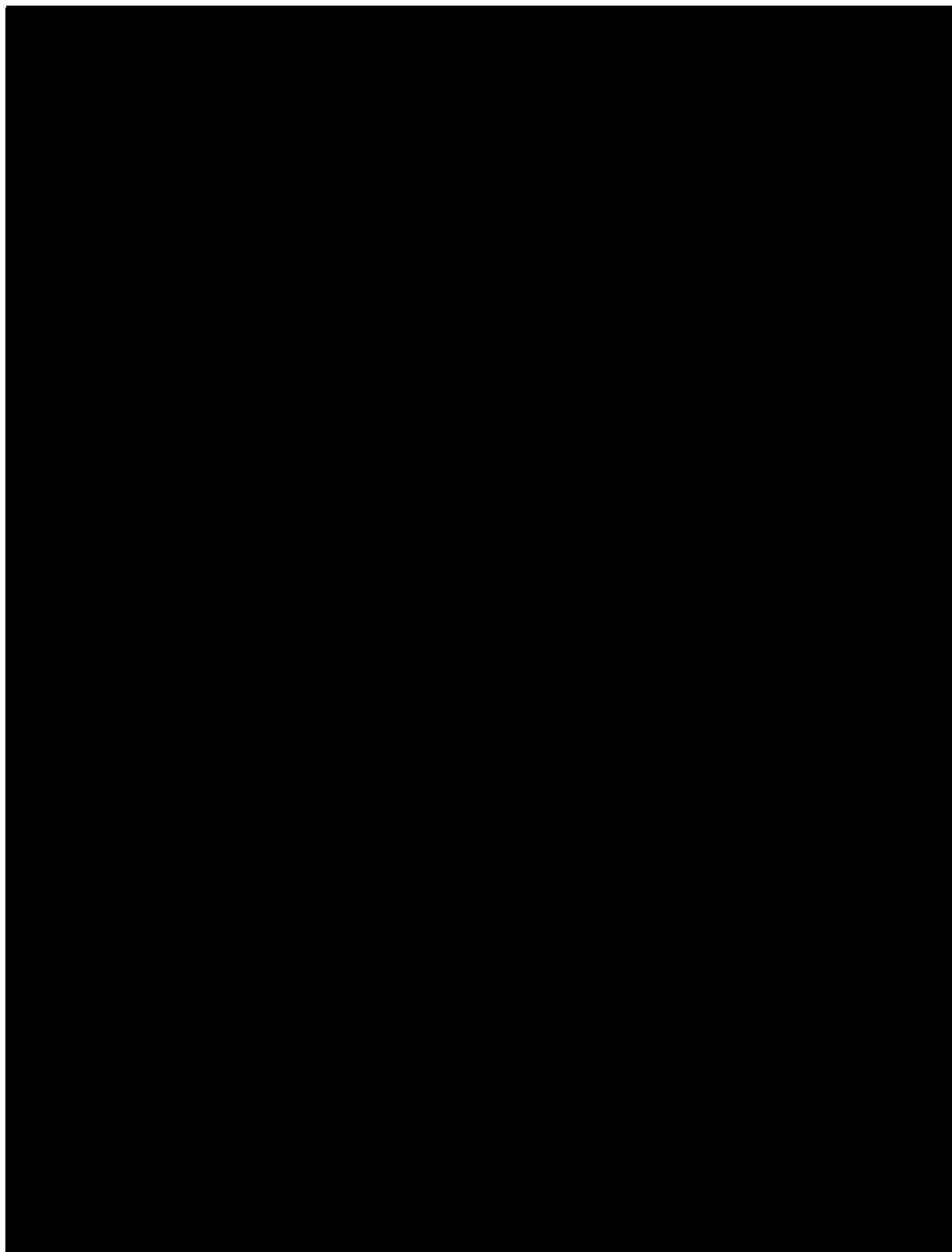
Possibly most importantly, no complaints have been filed against our planning request. This is a good indication of what our neighbours see as a reasonable development. The appeal reporter for number 7 noted that the *"proposal constitutes a rational approach to the provision of additional first floor accommodation in this house, giving a more attractive and balanced appearance than has been achieved in many other properties where additional dormers have been inserted in the existing roof planes."*

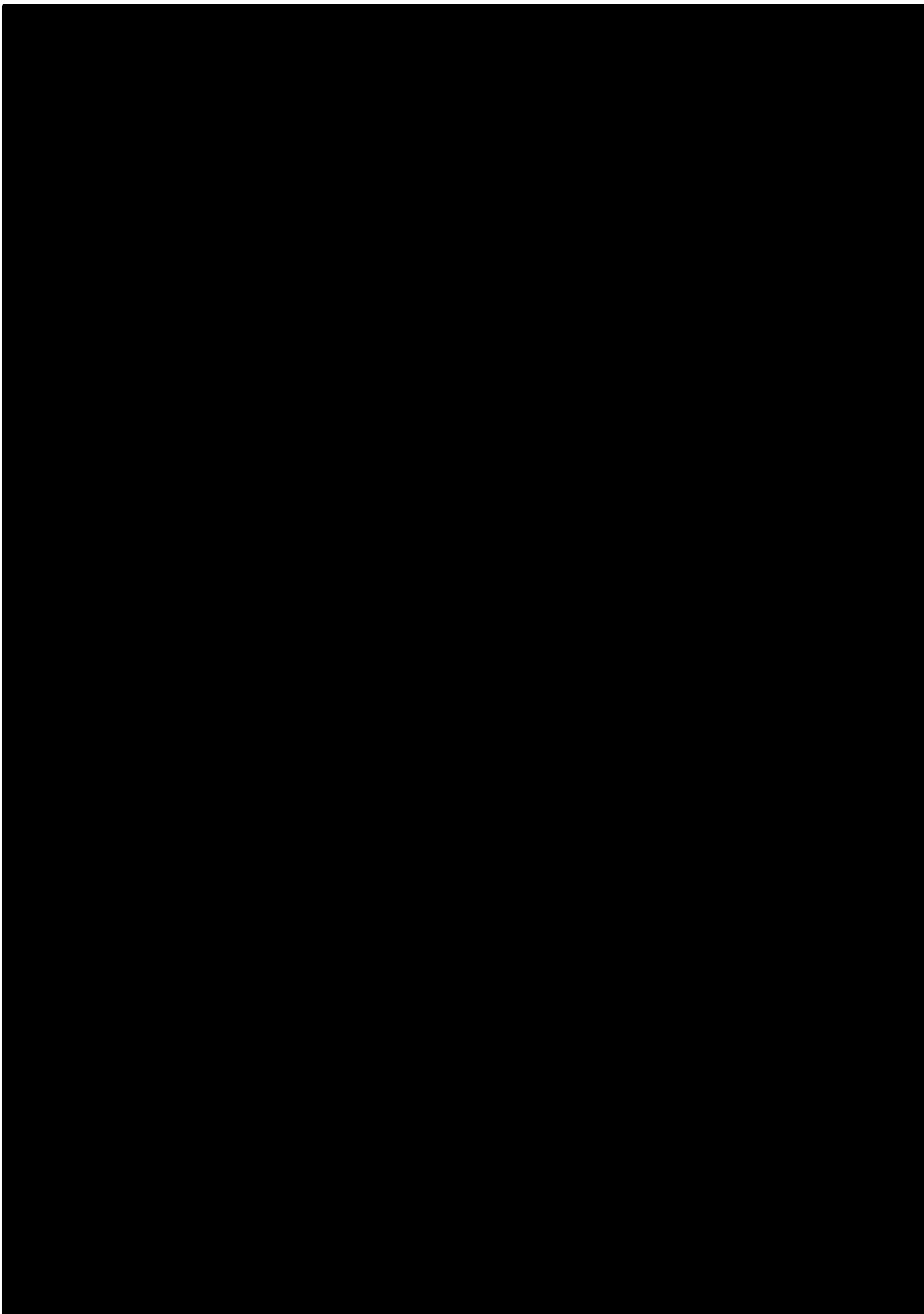
We researched and explored other possible ways of extending the house to accommodate the needs of our family and this was the most appropriate and environmentally friendly way taking into consideration the sloping site and the location of our garage. Our development ensures the smallest footprint, allows us to maintain a good sized garden for our children and it avoids building a large rear wall (due to the sloping site). It also means there will be fewer steps at the back of the house allowing me, with my medical problems, easier access. The letter from my General Practitioner, mentioned on page 2, supports my medical history and this has been attached as Appendix D. As indicated by the date on the letter this should have been submitted with my original planning application but wasn't.

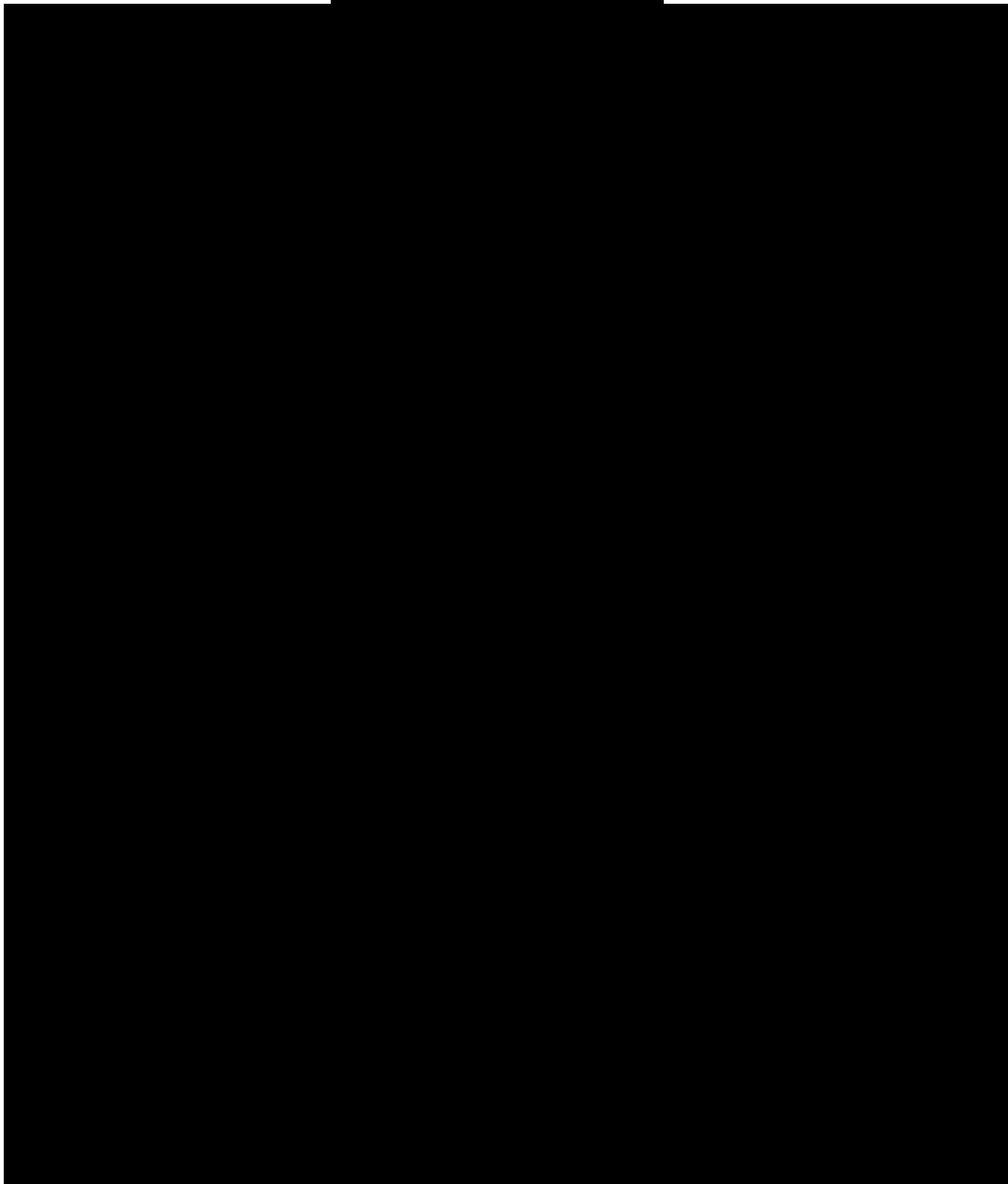
Finally, we've attached a photograph in Appendix E showing the final result of number 7 Strathearn Road.

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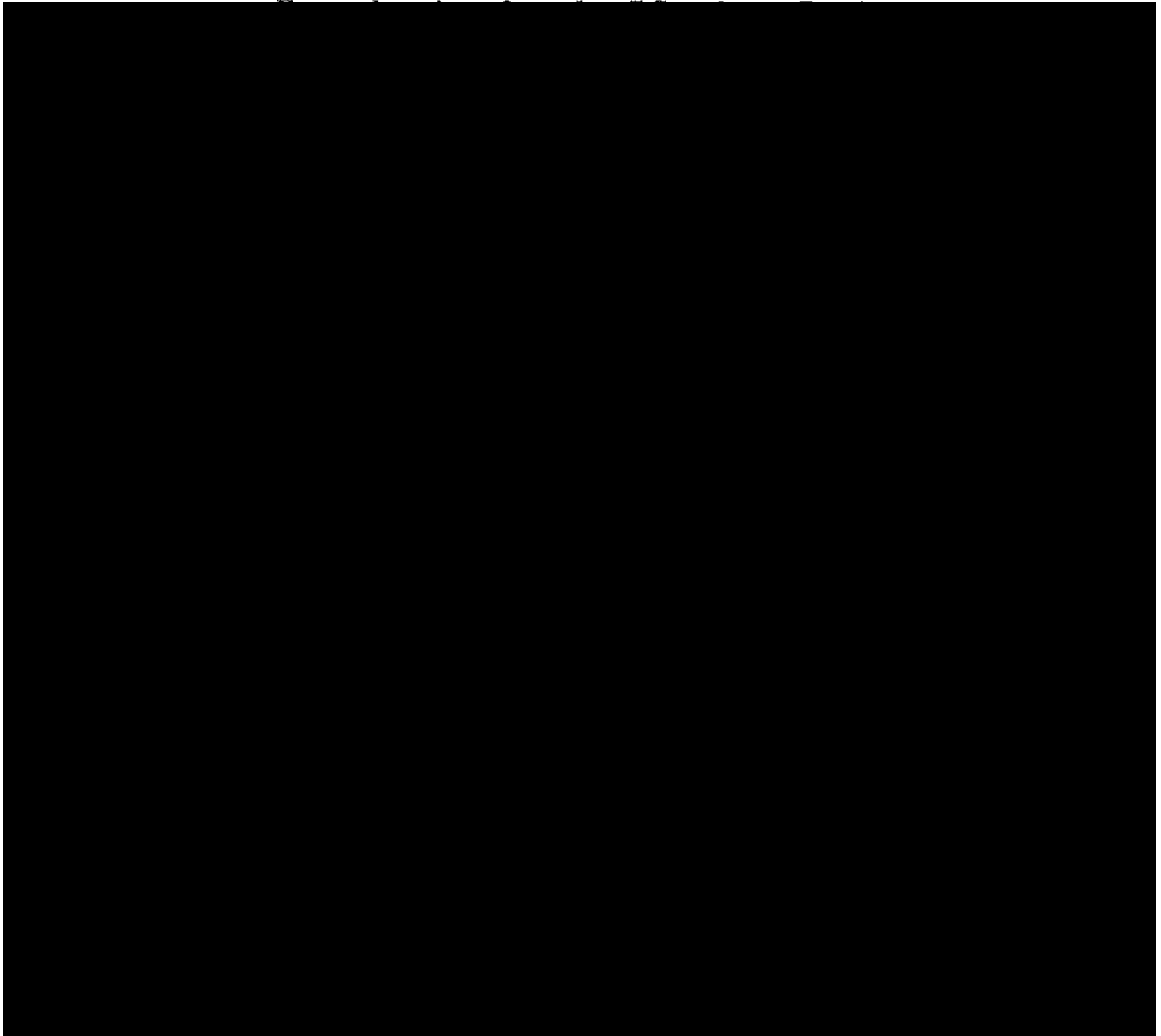








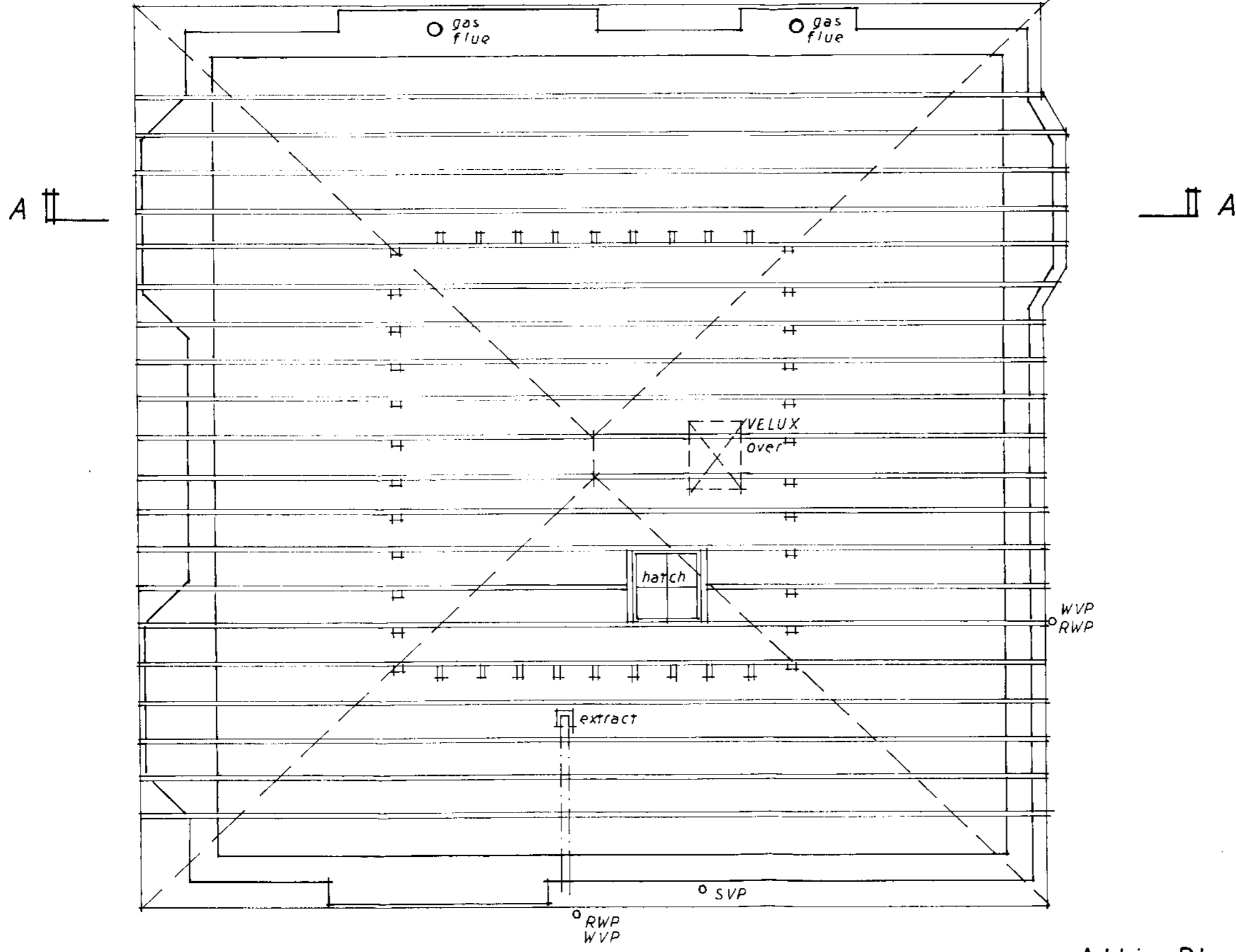
Appendix E



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PLANS/PHOTOGRAPHS/DRAWINGS

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Attic Plan
(Existing)

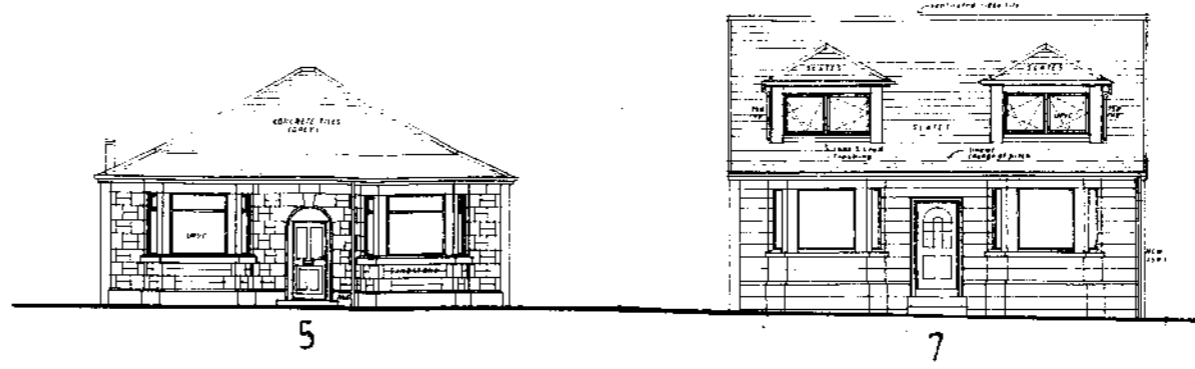
DATE 27 October 14
SCALE 1:50
DRG. NO. 04
rev.

JOB ALTERATIONS TO 5 STRATHEARN ROAD, CLARKSTON

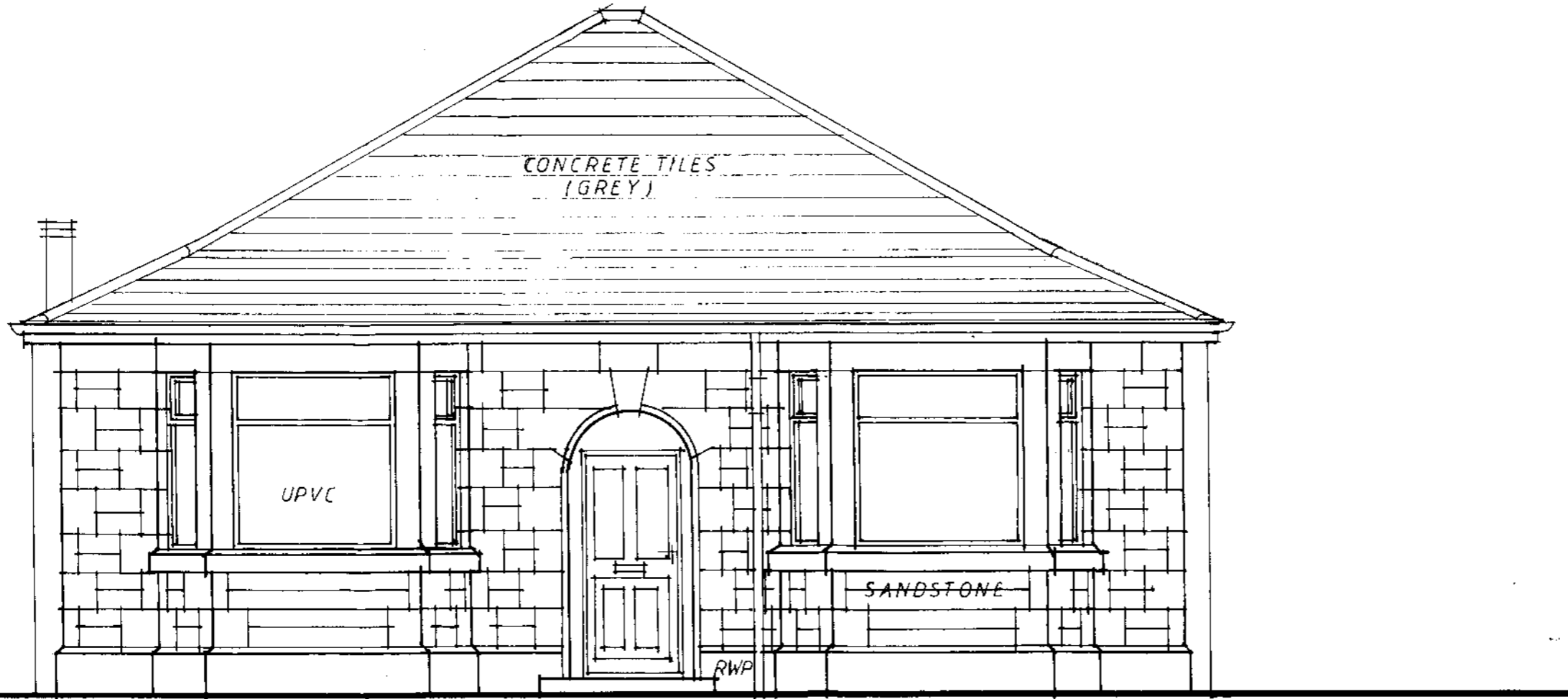
DRAWING *Attic Plan as Existing*

CHRIS DOAK
chartered architect

Christopher A. M. Doak, RIAS
5 Shaftesbury Street,
Anderston, Glasgow G3 7UN
0141 248 4263
doak.architect@yahoo.co.uk



street elevation
 showing relationship
 with neighbour 1.200



Front Elevation
 (Existing)

REVISIONS

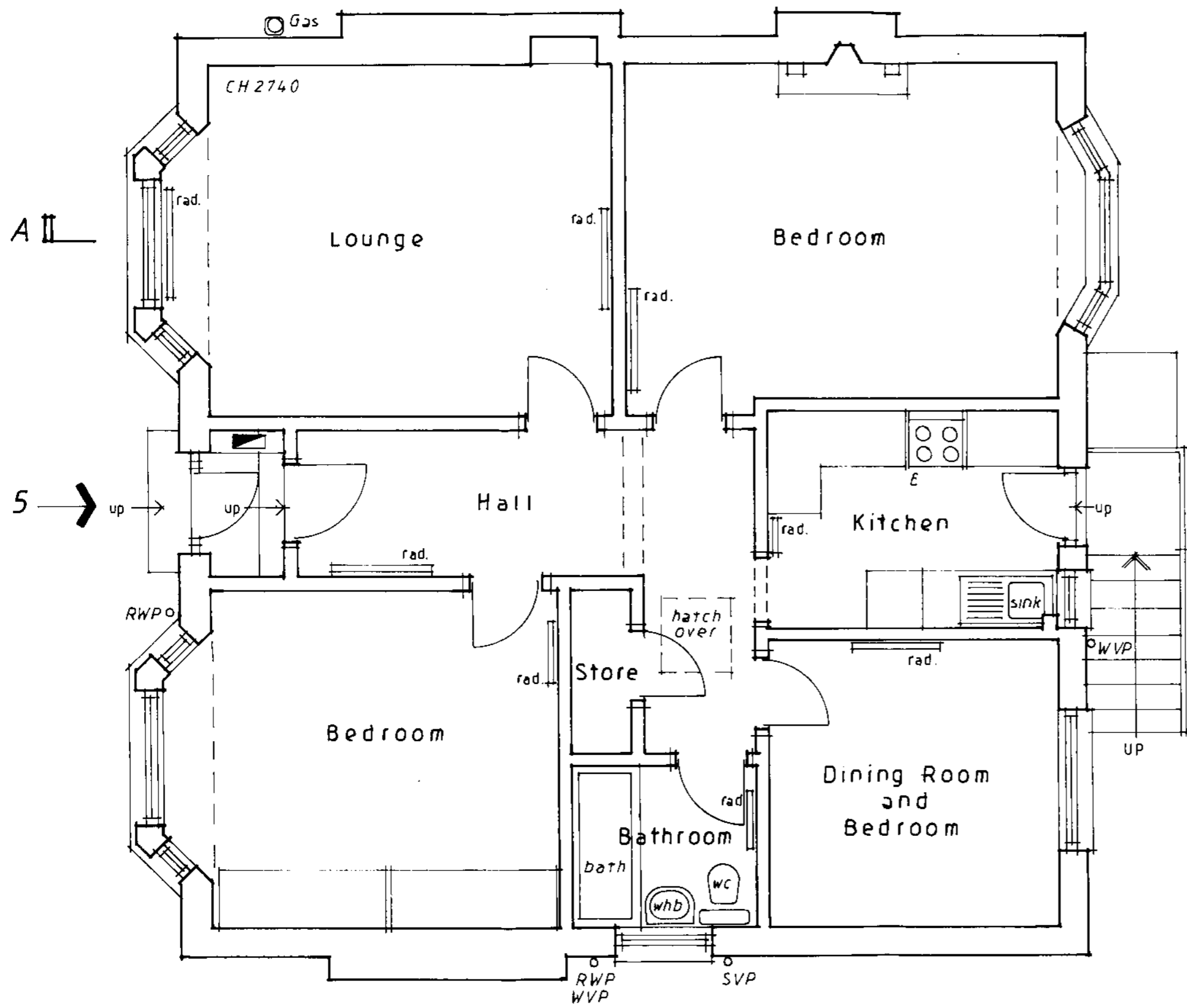
DATE	27 October 14
SCALE	1:50
DRG. NO.	06
rev	

JOB
 ALTERATIONS TO 5 STRATHEARN ROAD, CLARKSTON

DRAWING
Front Elevation as Existing

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Ground Floor Plan
(Existing)

JOB	ALTERATIONS TO 5 STRATHEARN ROAD, CLARKSTON	DATE	27 October 14	SCALE	1:50	DRG. NO.	rcv
	DRAWING					03	
CHRIS DOAK Chartered architect		Ground Floor Plan as Existing					
<small>Christopher A. M. Doak, RIAS 5 Leith Walk, Glasgow G3 7LN 0141 248 4263 doak.architect@yahoo.co.uk</small>							



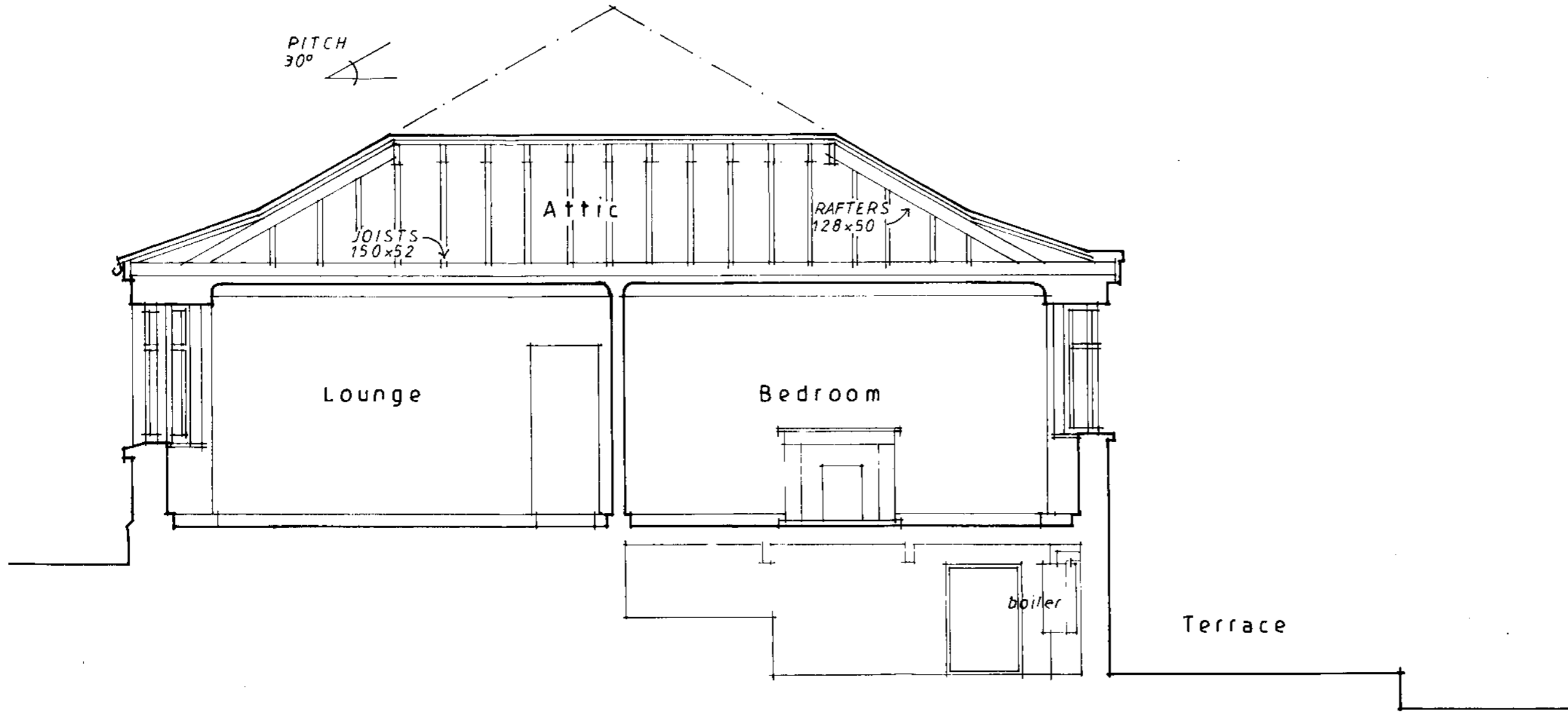
REVISIONS

Rear Elevation
(Existing)

DATE	27 October 14
SCALE	1:50
DRG. NO.	08
rev	

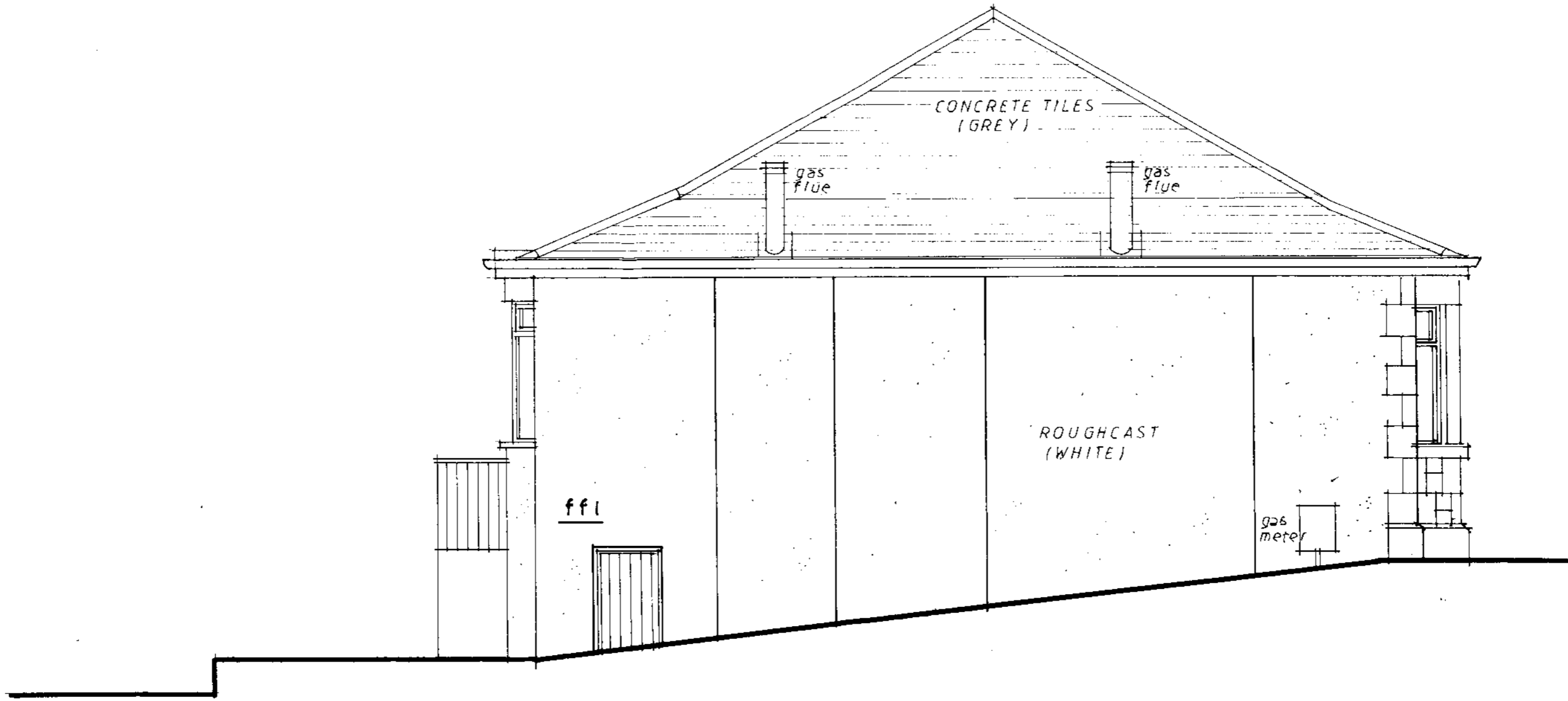
JOB
ALTERATIONS TO 5 STRATHEARN ROAD, CLARKSTON
DRAWING
Rear Elevation as Existing

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Section A - A
(Existing)

JOB	DATE	27 October 14
	SCALE	1:50
DRAWING	DRG. NO.	05
	rev.	
ALTERATIONS TO 5 STRATHEARN ROAD, CLARKSTON		
Section A - A as Existing		
CHRIS DOAK chartered architect Christopher A. M. Doak, RIBA 5 Sharncliffe Street Glasgow G3 8UN 0141 218 4263 doak.architect@yahoo.co.uk		



REVISIONS

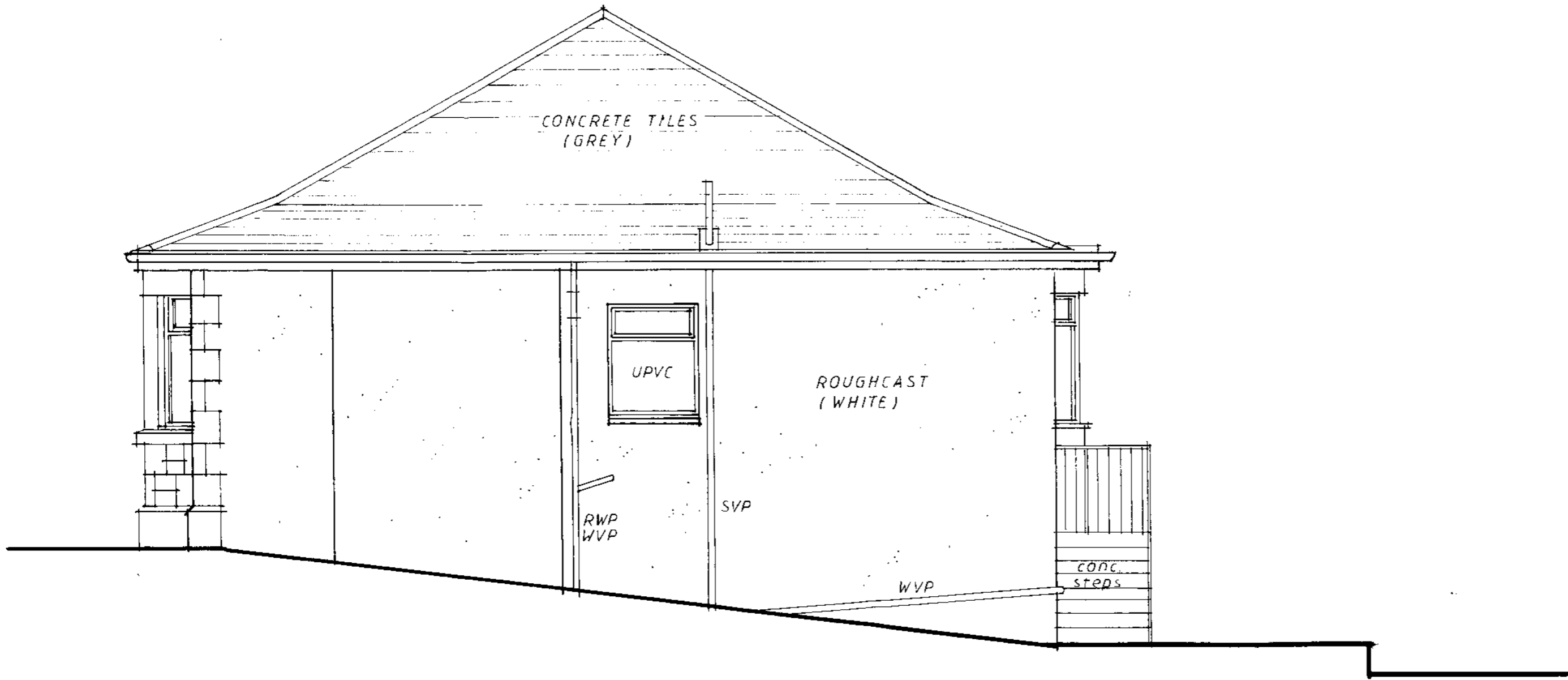
Side Elevation
(Existing)

DATE	27 October 14
SCALE	1:50
DRG. NO.	07
REV.	

JOB	ALTERATIONS TO 5 STRATHEARN ROAD, CLARKSTON
DRAWING	Side Elevation as Existing

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Side Elevation
(Existing)

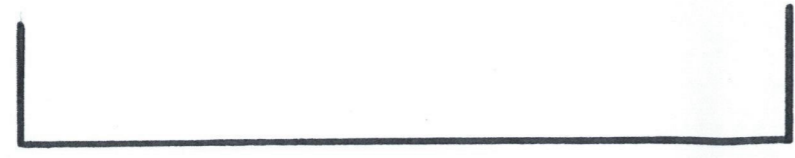
REVISIONS

DATE	27 October 14
SCALE	1:50
DRG. NO.	09
REV	

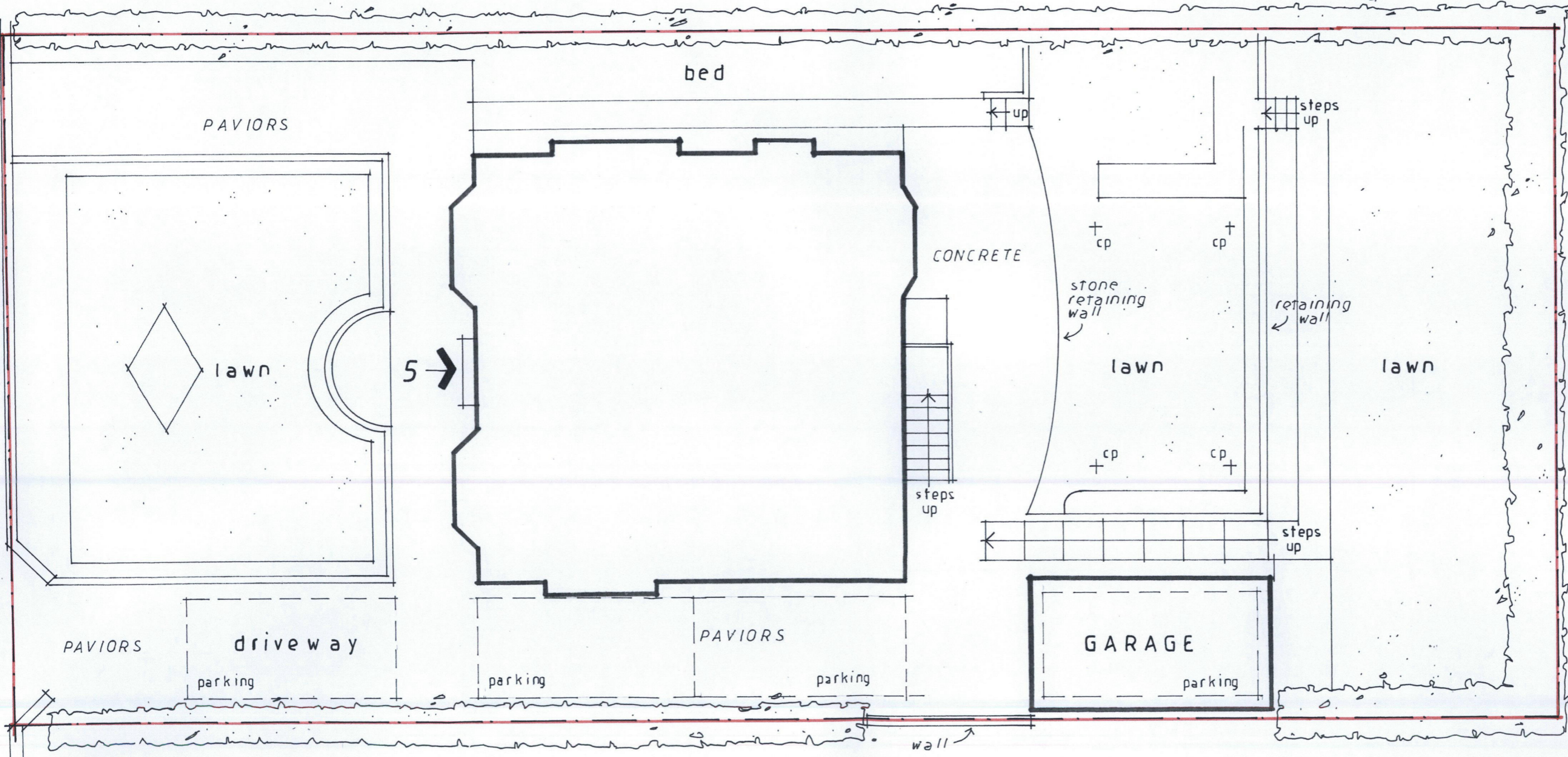
JOB	ALTERATIONS TO 5 STRATHEARN ROAD, CLARKSTON
DRAWING	Side Elevation as Existing

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REVISIONS



Site Plan
(Existing)



DATE	27 October 14
SCALE	1:50
DRG. NO.	02
REV	

JOB
ALTERATIONS TO 5 STRATHEARN ROAD, CLARKSTON
DRAWING

Site Plan as Existing

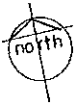
CHRIS DOAK
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Town and Country Planning
(Scotland) Act 1997

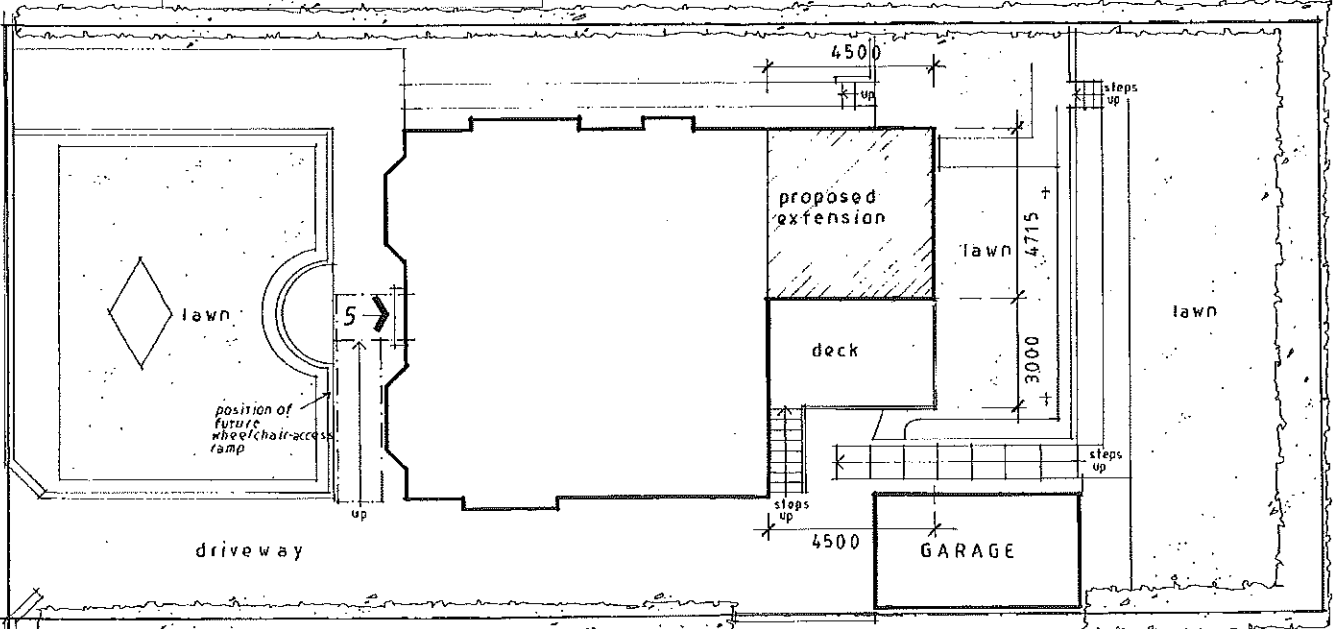
REFUSED

Director of Environment
East Renfrewshire Council



note:
area of back garden = 252m²
area of proposed extension = 21.2m²
area of proposed decking = 13.5m²

REVISIONS
A. Extension extended by 200mm
24 Nov. 2014
B. Ramp added for App.PP. 12/Jan 15



Site Plan
(Proposed)

JOB	ALTERATIONS TO 5 STRATHEARN ROAD, CLARKSTON
DRAWING	Site Plan as Proposed
DATE	1 November 14
SCALE	1:50
DRAWING NO.	REV B

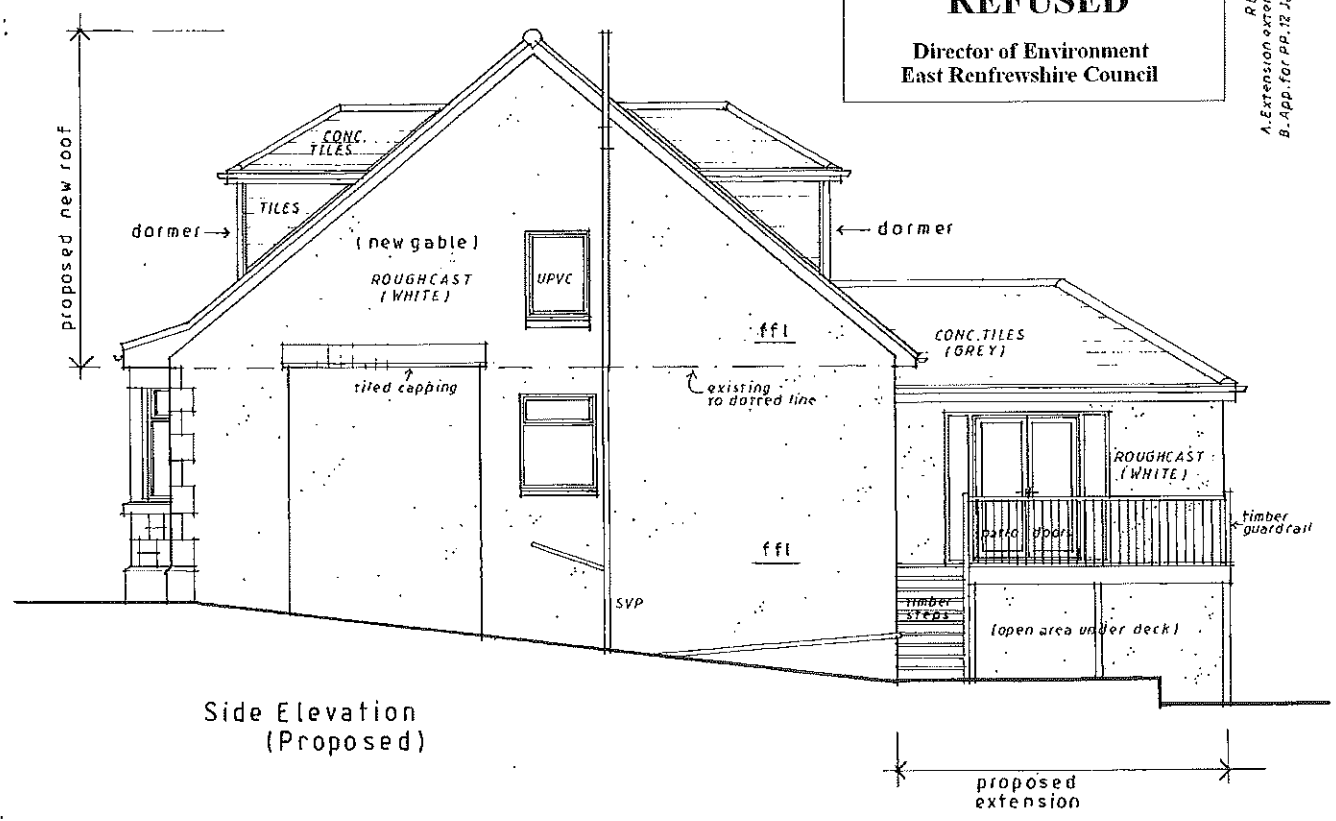
CHRIS DOAK
chartered architect
Chris Doak & Co. (UK) Ltd
177 Dundas Street, Glasgow
G1 1JH
0141 206 1111
www.chrisdoak.co.uk

**Town and Country Planning
(Scotland) Act 1997**

REFUSED

Director of Environment
East Renfrewshire Council

REVISIONS
A. Extension extended by 500mm. 24 Nov 14
B. App. for P.P. 12 Jan 15



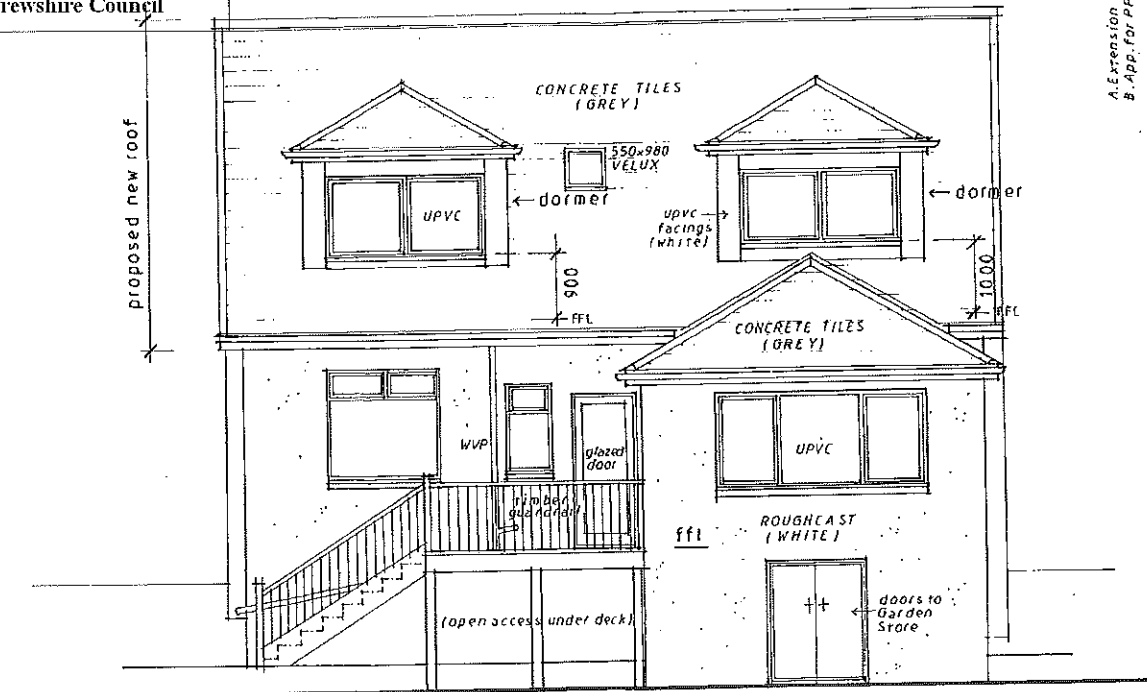
Side Elevation
(Proposed)

JOB	DATE	31 October 14	REV
	SCALE	1:50	
DRAWING	ALTERATIONS TO 5 STRATHEARN ROAD, CLARKSTON		DRG. NO.
	Side Elevation as Proposed		17
CHRIS DOAK chartered architect <small>Chartered Architect, Registered Architect 23 Strathclyde Road, Glasgow G11 7JG Tel: 0141 274 2025 www.chrisdoak.co.uk</small>			

Town and Country Planning
(Scotland) Act 1997

REFUSED

Director of Environment
East Renfrewshire Council



Rear Elevation
(Proposed)

← proposed extension →

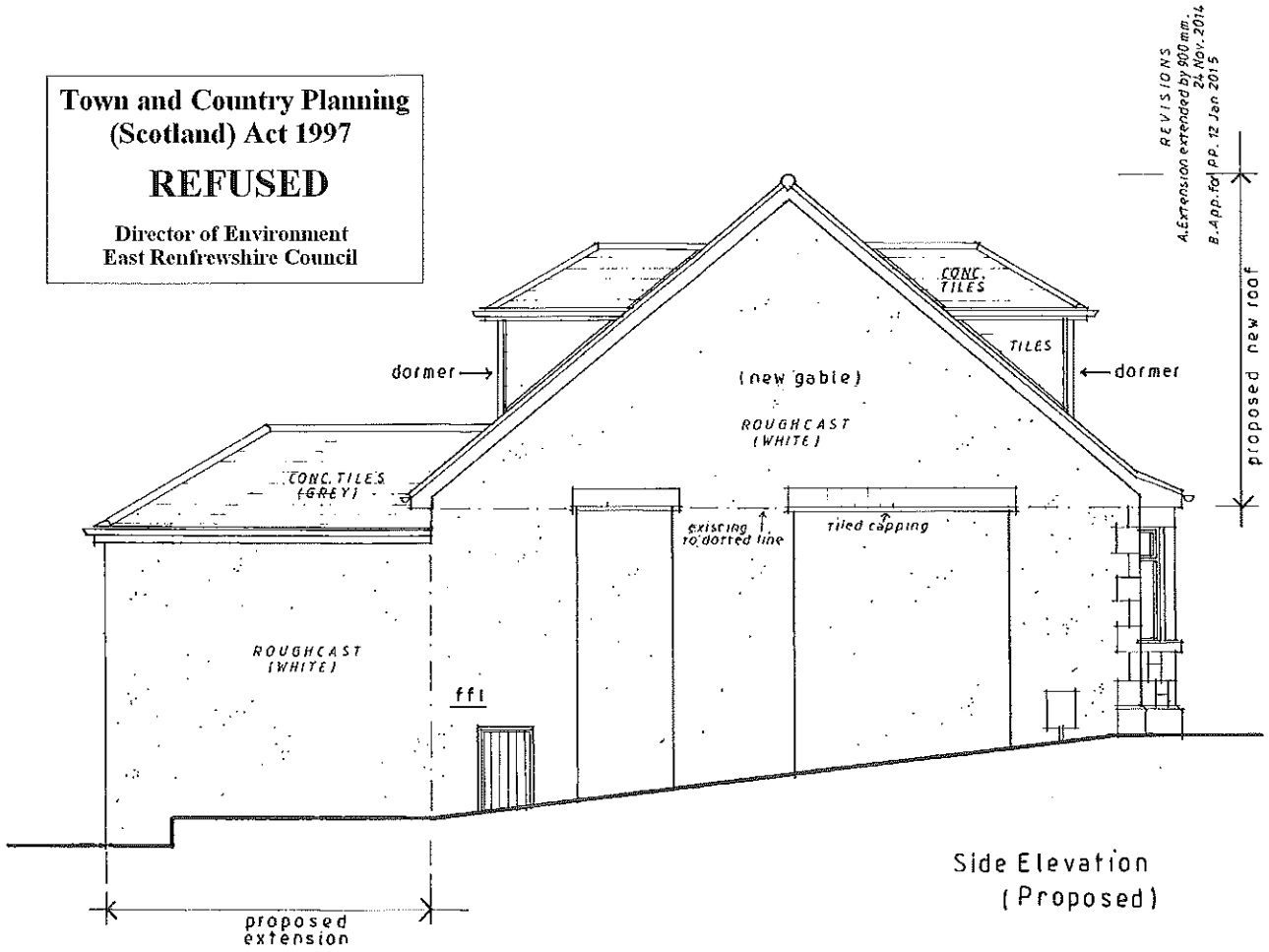
REVISIONS
A. Extension window widened, 26 Nov 14
B. App. for PP, 12 Jan 15

JOB	DATE	1 November 14
	SCALE	1:50
DRAWING	DRG. NO.	16
	REV.	B
ALTERATIONS TO 5 STRATHEARN ROAD, CLARKSTON		
Rear Elevation as Proposed		
CHRIS DOAK Chartered architect		
<small> Chartered Architect, No. 100 5 The Quadrant, Glasgow, G1 1 2JH Tel: 0141 287 2323 Email: info@chrisdoak.co.uk </small>		

**Town and Country Planning
(Scotland) Act 1997**

REFUSED

Director of Environment
East Renfrewshire Council



Side Elevation
(Proposed)

REVISIONS
A. Extension extended by 900 mm.
B. App. for PP. 12 Jan 2015

DATE	30 October 14
SCALE	1:50
DRG. NO.	rev 15
JOB	ALTERATIONS TO 5 STRATHEARN ROAD, CLARKSTON
DRAWING	Side Elevation as Proposed
CHRIS DOAK	Chartered architect
<small>Chris Doak & Associates 24 Stratheden Road, Glasgow G11 7JH 0141 286 2222 www.chrisdoak.co.uk</small>	