EAST RENFREWSHIRE COUNCIL

LOCAL REVIEW BODY

9 September 2015

Report by Deputy Chief Executive

REVIEW OF CASE - REVIEW/2015/09

ERECTION OF TWO STOREY REAR EXTENSION WITH ASSOCIATED RAISING OF RIDGE HEIGHT INCORPORATING RAISED PLATFORM AND BALCONY AT REAR AND ERECTION OF SINGLE STOREY SIDE EXTENSION; ENLARGEMENT OF DORMER WINDOW AT FRONT AT 8 NETHERCLIFFE AVENUE, NETHERLEE

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:- 2015/0085/TP).

Applicant: Mr and Mrs Johnstone.

Proposal: Erection of two storey rear extension with associated raising

of ridge height incorporating raised platform and balcony at rear and erection of single storey side extension; enlargement

of dormer window at front.

Location: 8 Nethercliffe Avenue, Netherlee.

Council Area/Ward: Netherlee, Stamperland and Williamwood (Ward 4).

REASON FOR REQUESTING REVIEW

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

RECOMMENDATIONS

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

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

BACKGROUND

- 5. At the meeting of the Council on 29 April 2009, consideration was given to a report by the Director of Environment seeking the adoption of a new Scheme of Delegation in terms of the new Section 43A of the Town and Country Planning (Scotland) Act 1997, subject to approval of the scheme by Scottish Ministers.
- 6. The report provided details of the new hierarchy of developments that took effect from 6 April 2009 explaining that the Scheme of Delegation related to those applications within the "local development" category as set out in the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009, but would in future be determined by an "appointed officer". In the Council's case this would be either the Director of Environment or the Head of Roads, Planning and Transportation Service now designated the Head of Environment (Planning, Property and Regeneration).
- 7. The report highlighted that historically appeals against planning decisions were dealt with by Scottish Ministers. However, following the introduction of the new planning provisions with came into effect on 3 August 2009 all appeals against decisions made in respect of local developments under delegated powers would be heard by a Local Review Body. The Local Review Body would also deal with cases where the appointed officer had failed to determine an application within two months from the date it was lodged.

NOTICE OF REVIEW - STATEMENT OF REASONS FOR REQUIRING THE REVIEW

- **8.** The applicants in submitting the review have stated the reasons for requiring the review of the determination of their application. A copy of the applicants' Notice of Review and Statement of Reasons is attached as Appendix 6.
- **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 the review can be determined based on the information submitted only without the need for further procedure.
- **10.** The Local Review Body is not bound to accede to the 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.** At the last meeting on 12 August, the Local Review Body was advised that the applicants had submitted new information which was not available to the appointed officer at the time the determination of the application was made. The new information related to plans and photographs of other properties.
- **13.** The Local Review Body agreed that consideration of the review be continued to allow the case officer and the objector an opportunity to comment on the new information.
- **14.** Details of the new information, the case officer's observations thereon and the applicants' response to the case officer's comments are included at Appendix 3 to the report. No further comments were received from the objector.
- **15.** 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) Copies of objections/representations Appendix 2 (Pages);
 - (c) Details of the new Information, the case officer's observations thereon and the applicants' response to the case officer's comments Appendix 3 (Pages).
 - (d) Report of Handling by the planning officer under the Scheme of Delegation Appendix 4 (Pages);
 - (e) Decision notice and reasons for refusal Appendix 5 (Pages); and
 - (d) A copy of the applicants' Notice of Review and Statement of Reasons Appendix 6 (Pages).
- **16.** 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 7 (Pages 47-52):
 - (a) Plans as existing;
 - (b) Refused Location plan; and
 - (c) Refused Elevations as proposed;
- **17.** 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.
- **18.** 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

- **19.** 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:-
 - 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

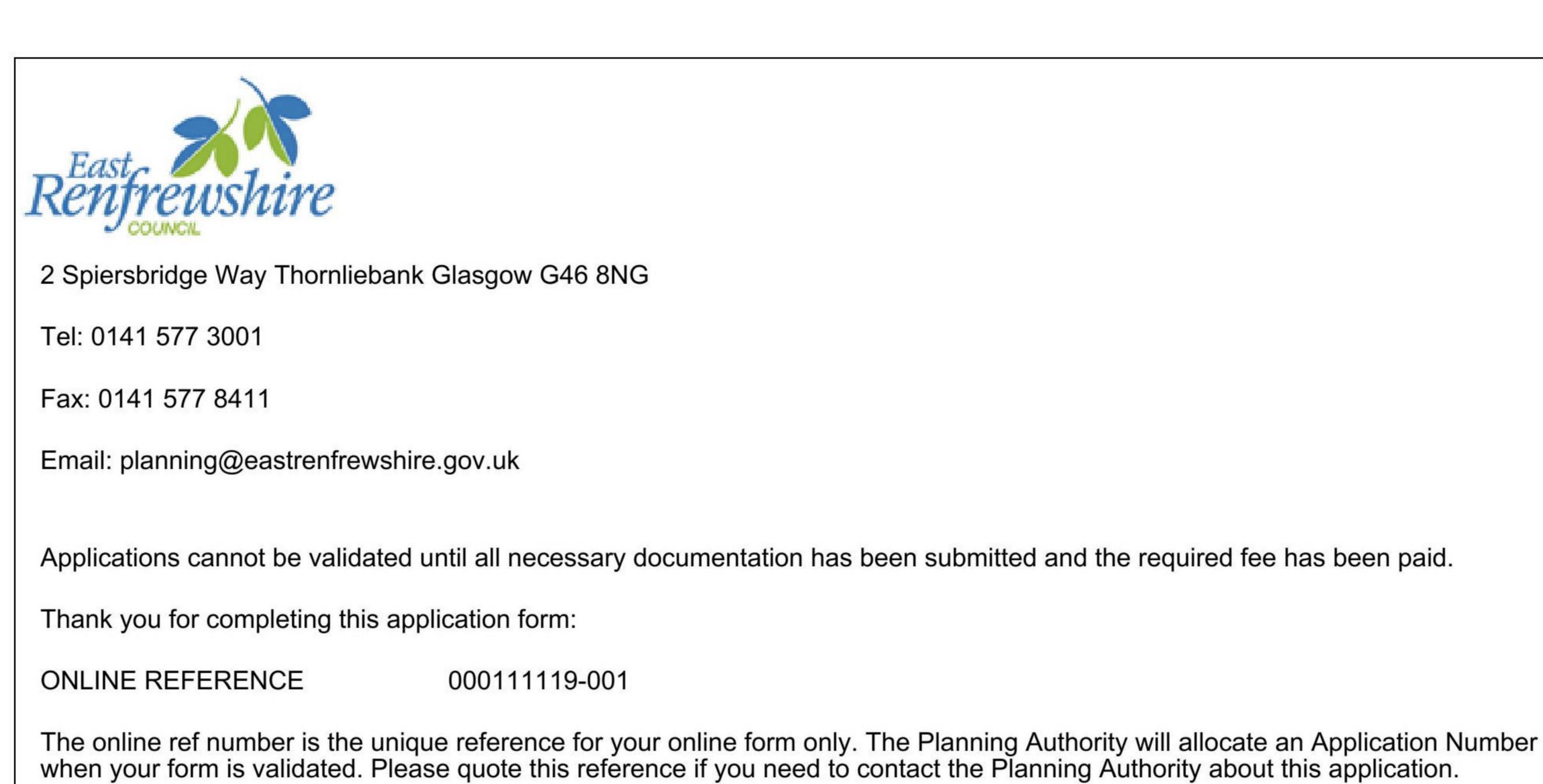
Date:- August 2015

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



when your form is validated. Please quote this reference if you need to contact the Planning Authority will all	1에 2018 전 및 15 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
Description of Proposal	
Please describe accurately the work proposed: * (Max 500 characters)	
Erection of an extension and roof replacement	
Has the work already been started and/or completed? *	
✓ No ☐ Yes - Started ☐ Yes - Completed	
Applicant or Agent Details	
Are you an applicant, or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)	☐ Applicant ✓ Agent

Agent Details			
Please enter Agent details			
Company/Organisation:	John Gordon Associates Ltd.	You must enter a Building Name or Number, or both:*	
Ref. Number:		Building Name:	
First Name: *	John	Building Number:	3
Last Name: *	Gordon	Address 1 (Street): *	Dean Acres
Telephone Number: *	01383850134	Address 2:	Comrie
Extension Number:		Town/City: *	Dunfermline
Mobile Number:		Country: *	UK
Fax Number:	01383850134	Postcode: *	KY12 9XS
Email Address: *	gordonassociates@sky.com		
Is the applicant an individual	or an organisation/corporate entity?	*	
✓ Individual ☐ Organis	ation/Corporate entity		
Applicant Details	S		
Please enter Applicant details	S		
Title: *	Other	You must enter a Building Noth:*	lame or Number, or
Other Title: *	Mr & Mrs	Building Name:	
First Name: *		Building Number:	8
Last Name: *	Johnstone	Address 1 (Street): *	Nethercliffe Avenue
Company/Organisation:		Address 2:	
Telephone Number:		Town/City: *	Glasgow
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	G44 3UP
Fax Number:			
Email Address:			

Site Address	s Details			
Planning Authority:	East Renfrewshire Council			
Full postal address of	the site (including postcode where ava	ailable):		
Address 1:	8 NETHERCLIFFE AVENUE	Address 5:		
Address 2:	NETHERLEE	Town/City/Settlement	GLASGOW	
Address 3:		Post Code:	G44 3UP	
Address 4:				
Please identify/descri	ibe the location of the site or sites.			
Northing	658501	Easting	257668	
Pre-Applicat	tion Discussion			
Have you discussed y	our proposal with the planning authorit	ty? *	Yes No	
Trees				
Are there any trees or	n or adjacent to the application site? *		☐ Yes ✓ No	
If Yes, please mark or if any are to be cut ba		ected trees and their canopy spre	ad close to the proposal site and indicate	
Access and	Parking			
Are you proposing a n	new or altered vehicle access to or fron	n a public road? *	☐ Yes ✓ No	
If Yes please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.				
Planning Service Employee/Elected Member Interest				
Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? [∗] No				
Certificates and Notices				
CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2013				
One Certificate must be completed and submitted along with this application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.				
Are you/the applicant the sole owner of ALL the land ? *				
Is any of the land part	of an agricultural holding? *		☐ Yes ✓ No	

Certificate Required			
The following Land Ownership Certificate is required to complete this section of the proposal:			
Certificate A			
Land Owne	rship Certificate		
Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013			
Certificate A			
I hereby certify that –			
lessee under a lease	than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application of 21 days ending with the date of the accompanying application.		
(2) - None of the land	to which the application relates constitutes or forms part of an agricultural holding.		
Signed:	John Gordon		
On behalf of:	Mr & Mrs - Johnstone		
Date:	10/02/2015		
	✓ Please tick here to certify this Certificate. *		
Checklist -	Application for Householder Application		
in support of your ap	oments to complete the following checklist in order to ensure that you have provided all the necestication. Failure to submit sufficient information with your application may result in your application authority will not start processing your application until it is valid.	essary information tion being deemed	
a) Have you provided	d a written description of the development to which it relates?. *	✓ Yes No	
b) Have you provided has no postal address	d the postal address of the land to which the development relates, or if the land in question is, a description of the location of the land? *	✓ Yes No	
c) Have you provided applicant, the name a	the name and address of the applicant and, where an agent is acting on behalf of the and address of that agent.? *	✓ Yes No	
d) Have you provided land in relation to the and be drawn to an i	d a location plan sufficient to identify the land to which it relates showing the situation of the locality and in particular in relation to neighbouring land? *. This should have a north point dentified scale.	Yes No	
e) Have you provided	d a certificate of ownership? *	✓ Yes No	
f) Have you provided	the fee payable under the Fees Regulations? *	✓ Yes No	
g) Have you provided	d any other plans as necessary? *	✓ Yes No	
Continued on the next page			

A copy of other plans and drawing (two must be selected). *	s or information necessa	ary to describe the proposals		
You can attach these electronic documents later in the process.				
Existing and proposed eleval	ations.			
Existing and Proposed floor	plans.			
✓ Cross sections.				
Site layout plan/Block plans	(including access).			
Roof plan.				
Photographs and/or photom	ontages.			
		survey may be needed. In some instances you of the existing house or outbuilding. *	☐ Yes ✓ No	
A Supporting Statement – you may wish to provide additional background information or justification for your proposals. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. *				
You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been received by the planning authority.				
Declare - For Hous	eholder Appl	ication		
I, the applicant/agent certify that the plans/drawings and additional info		lanning permission as described in this form and the acc	companying	
Declaration Name:	John Gordon			
Declaration Date:	10/02/2015			
Submission Date:	10/02/2015			
Payment Details				
		Created: 1	10/02/2015 13:22	

COPIES OF REPRESENTATIONS

Wallace, Joan

From:

Sheila Watt 02 March 2015 12:40 Planning Sent:

To:

Subject: Attachments: Renerence no. 2015/0085/TP No8 Nethercliffe Ave.doc

Dear Sirs,

Please find my comments as per attached document.

I have also posted by first class mail a duplicate.

S.G. Watt

This email has been scanned.

781 Clarkston Road Netherise Glasgow G44 3XU

Your Ref: 2015/0085/TP

02 March 2015

Head of Environment
Planning, Property and Regeneration
2 Spiersbridge Way
Spiersbridge Business Park
Thornliebank
East Renfrewshire
G46 8NG

Dear Sirs

8 NETHERCLIFFE AVENUE, NETHERLEE, EAST RENFREWSHIRE

With regards to the planning application for the above property, I object to the following aspects:

- (1) Balcony Height At this height the balcony would overshadow my garden and those of other neighbouring properties;
 - (2) Roof Height The proposed height of the roof would introduce a discordancy in the pattern of the surrounding area; and
 - (3) Over-Development of the Property The scale of the proposed development would substantially reduce the size of the garden.

In accordance with section 25 of the Town and Country Planning (Scotland) Acting Y 1997 as amended by the Planning etc (Scotland) Act 2006, in making any determination under the planning acts, regard is to be had to the development plan and the determination is to be made in accordance with that plan, unless material considerations indicate otherwise.

believe that the above aspects are contrary to the following policies of the current Local Development Plan:

Policy D15: Sub-division of the Curtilage of a Dwellinghouse for a New Dwellinghouse and Replacement of an Existing House with a New House

• The proposed plot should reflect the established pattern of development and should be of a size and shape capable of accommodating a dwellinghouse.

There should also be sufficient land to provide garden ground that is of a

- scale and character compatible with the locality.
- Any new house must reflect the scale and character of the surrounding residences and the established pattern of development in the area. It should be designed to contribute to the visual character of the area.
- Existing building lines should be respected.

Policy D14: Extensions to Existing Buildings and Erection of Outbuildings and Garages

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

I also believe that the proposals for the extension do not reflect the General Principles set out in 2.1.1 of the Proposed Supplementary Planning Guidance 2012. These principles are a supplement to the policies and proposals of the Proposed Local Development Plan 2015.

These include:

- Direct overlooking and excessive overshadowing of neighbouring properties should be avoided.
- Over-development of the site should be avoided and useable private (i.e. rear) garden ground should be retained no more than 50% of the rear garden should be occupied by the development.

Also, 'Illustration 3: Rear Extension' states: The extension to the rear of a bungalow should have its ridge line below the ridge of the house.

I feel that to permit this development would be to undermine the principles of the current development plan and its soon to be adopted successor.

Yours faithfully

S. G. Watt

781 Clarkston Road Netherlee Glasgow East Renfrewshire G44 3XU

28th May, 2015

Mr. Paul O'Neil
Head of Democratic & Partnership Services
East Renfrewshire Council
Corporate & Community Services
Council HQ
Eastwood Park
Rouken Glen Road
Giffnock
Glasgow
G46 6UG

Dear Sir

Ref No: REVIEW/2015/09

Location: 8 Nethercliffe Avenue, Netherlee, East Renfrewshire G44 3UP

I refer to you letter of 15th May, 2015.

I have been made aware that the owners of 8 Nethercliffe Avenue intend to appeal the recent planning decision in regard to their application for extension and in the event of the appeal being unsuccessful will be submitting altered plans.

I would be very grateful if the council would ensure that it is clearly specified on any future building warrant/plans that the lane at the side of 8 Nethercliffe Avenue is private property. The lane belongs to me and my neighbours on Clarkston Road and requires 24 hour access.

I am therefore keen that this is noted and made clear to any future contractors in order that they do not use it for **parking**, **unloading** or **access** to the property at no 8 Nethercliffe Avenue.

I look forward to hearing from you in due course.

Yours faithfully,

S. G. Watt

O'Neil, Paul [CE]

From:

John Johnston < john.johnston06@icloud.com>

Sent:

10 June 2015 08:34

To:

O'Neil, Paul [CE]

Subject:

Ref No. REVIEW/2015/09 - 8 Nethercliffe Avenue, Netherlee, East Renfrewshire, G44

3UP.

Dear Mr. O'Neil

Thank you for your letter of 28th May 2015.

The attached submission refers to the private lane at the side of our property. We have lived here for 20 years and we are aware of the need for 24 hour access. Indeed in the past we have taken down a section of our fence at the rear of our property to allow heavy machinery access to our neighbours on Clarkston Road rear gardens. We say this to make the point that we have been considerate neighbours for 20 years and will continue to be so.

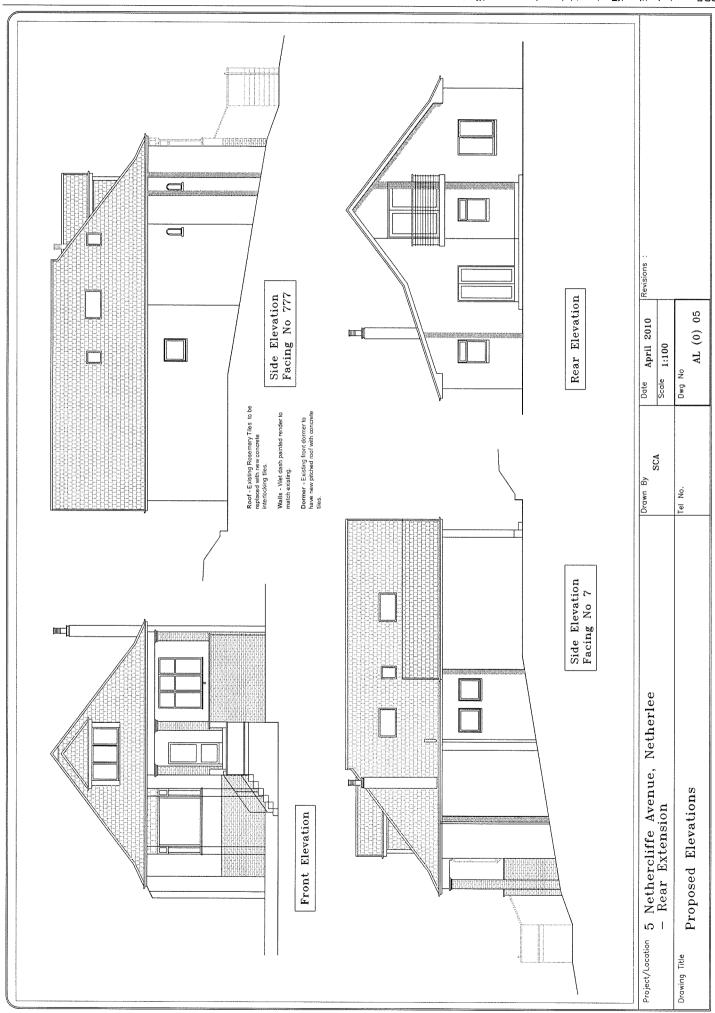
We have not had the opportunity to reassure Sheila face to face that we will not any in away block access as she is in the process of moving to 52 Nethervale Avenue and has spent most of her days preparing house and garden for the move.

Yours sincerely

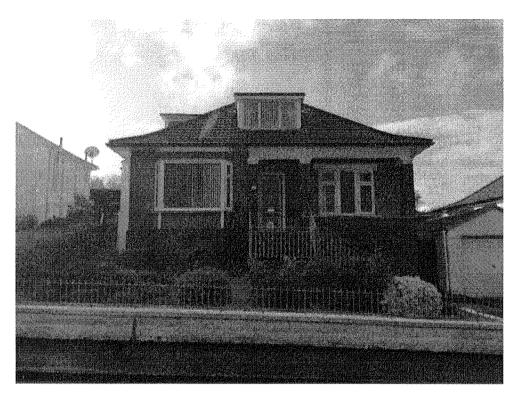
John & Karin Johnston

This email has been scanned.

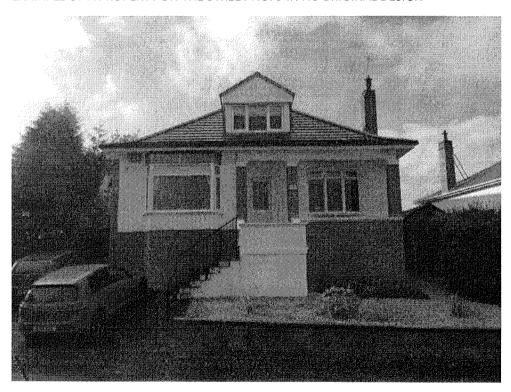
NEW INFORMATION AND COMMENTS BY CASE OFFICER AND APPLICANTS







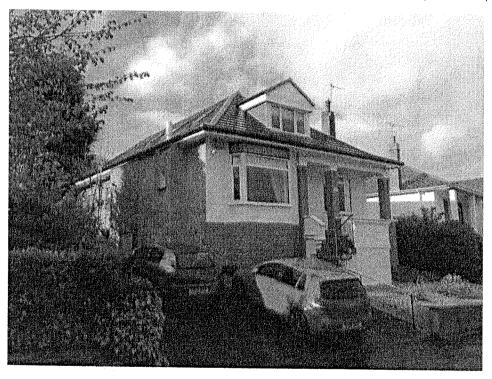
EXAMPLE OF A PROPERTY ON THE STREET NO. 9 IN ITS ORIGINAL DESIGN



PROPERTY AT NO. 5 THAT HAS A SIMILAR EXTENSION TO THE PROPOSED FOR NO. 8 WITH GABLE STYLE ROOF



EXAMPLE OF A PROPERTY ON THE STREET NO. 9 IN ITS ORIGINAL DESIGN (SIDE VIEW)



PROPERTY AT NO. 5 THAT HAS A SIMILAR EXTENSION TO THE PROPOSED FOR NO. 8 WITH GABLE STYLE ROOF

O'Neil, Paul [CE]

From:

Scott, Derek

Sent:

19 August 2015 15:42

To:

O'Neil, Paul [CE]

Subject:

RE: Local Review Body - 12 August 2015 - Review 2015/09 - 8 Nethercliffe Avenue,

Netherlee (Ref No:- 2015/0085/TP)

Dear Paul,

Thank you for your email allowing me to comment on the additional information submitted by the applicants. The information relates to photographs and plans of 5 Nethercliffe Avenue and photographs of 9 Nethercliffe Avenue. I have examined the information and would comment as follows:

Photographs and plans of 5 Nethercliffe Avenue – this relates to planning application 2010/0261/TP for the erection of a one and a half storey rear extension with single storey side extension, associated raising of ridge height and formation of pitched roof over dormer at front. This application was considered under a different set of planning policies within the then adopted Local Plan and granted on 24 June 2010. The Local Plan, with regard to which that application had been assessed, has now been replaced by the adopted East Renfrewshire Local Development Plan and the adopted Supplementary Planning Guidance: Householder Design Guide (both June 2015). Those very up to date policy documents specifically preclude the erection of gable ended rear extensions on hipped roofed bungalows for reasons relating to impact on character and visual amenity. It should also be noted that every application is assessed on its own merits. The specifics of the site at number 5 Nethercliffe Avenue are quite different to those at number 8. Notwithstanding the policy position, the impact of the extension at number 5 is partially mitigated by the slope of the land and the fact it is partially screened by adjacent houses. Number 8, however occupies a corner plot and is open to long views from Clarkston Road. Its impact would therefore be much greater. For those reasons I consider that the example cited by the applicants at number 5 Nethercliffe Avenue has no material weight and would not outweigh the up to date policy position.

Photographs of 9 Nethercliffe Avenue – I am unsure why the applicants have provided details of this property. The Council has not received a planning application for that property and it was noted on a recent site visit that number 9 has not been extended. I therefore offer no further comment.

Derek Scott Planner

Environment (Planning, Economic Development and City Deal)
East Renfrewshire Council

Tel: 0141 577 3034 Fax:0141 577 3885

East Renfrewshire: Your Council, Your Future

www.eastrenfrewshire.gov.uk

From: O'Neil, Paul [CE]
Sent: 14 August 2015 10:31

To: Scott, Derek

Subject: Local Review Body - 12 August 2015 - Review 2015/09 - 8 Nethercliffe Avenue, Netherlee (Ref No:-

2015/0085/TP)

Importance: High

At the meeting of the Local Review Body on Wednesday, 12 August, consideration was given to the above review at which the Local Review Body was advised that the applicants had submitted new information which was not available to the appointed officer at the time the determination of the application was made.

The Local Review Body, having noted the explanation given by the applicants as to why the new information had not been submitted to the appointed officer, details of which were summarised in the report by the Deputy Chief Executive, agreed that consideration of the review case be continued to allow the case officer and objector an opportunity to submit comments, if any, on the new information.

The new information relates to plans of 5 Nethercliffe Avenue, Netherlee and photographs of that property and of 9 Nethercliffe Avenue, Netherlee. Copies attached.

You now have the opportunity to submit further representations in writing to the Local Review Body by 28 August 2015. The Local Review Body will send copies of any further representations received to the applicants and they will be able to submit further comments thereon to the Local Review Body.

Paul O'Neil Committee Services Officer Department of Corporate and Community Services

Tel No. 0141 577 3011 Fax No. 0141 577 3129

e-mail:- paul.o'neil@eastrenfrewshire.gov.uk

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www.eastrenfrewshire.gov.uk

Please consider the environment - do you need to print this email?

Information security classification

No marking

No special handling practices

PROTECT

Protective action required

PROTECT+

Additional protective action required DPA sensitive

Re: Local Review Body - 12 August 2015 - Review 2015/09 - 8 Nethercliffe Avenue, Netherlee (Ref No:- 2015/0085/TP) - Our further comments

- 1. The local plan with regard to which the application for our house (No.8) should have been assessed was replaced by the East Renfrewshire Local Development Plan and the Supplementary Planning Guidance: Householder Design Guide which did not come into force until June 2015. The points we would like to make in regard to this are;
 - Any legislation is binary, that is to say it is either in force or it is not in force.
 - When we submitted our planning application on the 10th February 2015 it was most definitely not in force and the Supplementary Planning Guidance for homeowners relating to the 2015 Development Plan did not exist.
 - Although we submitted our plans on the 10th February 2015, we began our planning process in September the previous year. Had we started the planning process in January or February of this year and submitted the plans in June then legally the Planning Office would have justification for refusal. However we would contend that even in this circumstance it would be more reasonable for the Planning Office to grant some leeway. To reiterate what we said in our original appeal we are in a transitional phase to the 2015 Development Plan and the Planning Office should be working to smooth the transition and not try to impose it retrospectively.
- 2. "Specifics of the site at No.5 Nethercliffe Avenue are quite different to those at No.8..."
 - The assertion that No.8 is a corner plot is incorrect as the house is over 50 yards from the junction of Clarkston Road and Nethercliffe Avenue.
 - The view of No. 8 is partially obscured by the 8 mature trees in the corner park area.
 - The photographs of No.9 Nethercliffe Avenue and No.5 Nethercliffe Avenue were included to show that from the front the two houses look the same but that because of the slope of the land from ¾ side view No.5's extension is quite prominent. Unfortunately because of a combination of perspective and parallax error this is not obvious from these photographs.
 - The slope of the street is downwards from No.5 side to No.8 side and certainly from behind No.5 the slope plays a part in disguising the size of the extension. This is not particularly pertinent as No.5 backs on to a park. However as noted above the No.5's extension is quite prominent

when viewed from the street. As the plot of our house, No.8 is some 15 ft below No.5, the impact of the extension as viewed from the street level will be far less.

- 3. "Those very up to date policy documents specifically preclude the erection of gable ended rear extensions on hipped roof bungalows..."
 - At the risk of repeating ourselves these policy documents post date our application by 5 months and post date the start of our planning process by 9 months. We think that it is unfair to impose these changes retrospectively and again referring to our original appeal document it is morally questionable for the Planning Office to claim that Netherlee is a conservation area when despite many years of promoting it as such it still does not have that status.

REPORT OF HANDLING

REPORT OF HANDLING

Reference: 2015/0085/TP Date Registered: 13th February 2015

Application Type: Full Planning Permission This application is a Local Development

Ward: 4 -Netherlee Stamperland Williamwood

Co-ordinates: 257668/:658501

Applicant/Agent: Applicant: Agent:

Mr & Mrs Johnstone John Gordon Associates Ltd.

8 Nethercliffe Avenue Mr. John Gordon Netherlee 3 Dean Acres

East Renfrewshire Comrie
G44 3UP Dunfermline
KY12 9XS

Proposal: Erection of two storey rear extension with associated raising of ridge height

incorporating raised platform and balcony at rear and erection of single

storey side extension; enlargement of dormer window at front

Location: 8 Nethercliffe Avenue

Netherlee

East Renfrewshire

G44 3UP

CONSULTATIONS/COMMENTS: None.

PUBLICITY: None.

SITE NOTICES: None.

SITE HISTORY:

1991/0215/TP INSTALLATION OF Granted 28.06.1991

SIDE DORMER

WINDOW

REPRESENTATIONS:

One letter of objection has been received in respect of the application. The grounds of objection relate to:

- Overshadowing and overlooking from the proposed balcony;
- The increase in the roof height would be out of character with the area;
- Overdevelopment, leaving a much reduced garden area;
- Contrary to Policies D14 and D15 of the proposed East Renfrewshire Local Development Plan; and
- Contrary to the general principles set out in the proposed Supplementary Planning Guidance: Householder Design Guide.

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 pyramidal hipped-roofed bungalow with front and side facing attic dormers and its curtilage. It is externally finished with a slate roof, white and brown painted render and red painted brick detailing. The side and rear boundaries of the site are characterised by established hedges and timber fencing that provide effective screening at ground level. The property has an existing raised patio that functions as an access landing to rear patio doors. The property sits adjacent to an access lane and an area of open space and as such is open to long views from Nethercliffe Avenue and Clarkston Road.

Planning permission is sought for the erection of a two storey rear extension with a rear gable wall and associated raising of the ridge height and steepening of the roof pitch with the erection of a single

storey side extension as well as the enlargement of the front dormer window. The rear extension comprises a projecting balcony at first floor level and a raised deck accessed via ground level. The ridge height is proposed to be raised from 7.4 metres to 8.2 metres (measured from a point at the centre of the existing dwelling). The proposed extensions are to be externally finished with grey concrete roofing tile with render and brick work to match the existing.

The proposed rear extension, with its large gable wall, is considered to be of a design and form markedly different from that of the existing hipped roofed bungalow. The impact of the proposed extension on the character of the existing building is exacerbated by the increase in the ridge height and the steepening of the roof pitch. As such, the proposed extension is not considered to be in keeping with the existing dwelling in terms of size, scale and height. The additional mass created by the extension is considered to dominate and overwhelm the existing dwelling. As the area is characterised by similar bungalow and as the site is open to views from Nethercliffe Avenue and Clarkston Road, the proposal is considered to be detrimental to the character and amenity of the wider area. From the proposed balcony it would be possible to have unrestricted views over adjacent gardens which would be detrimental to the privacy and amenity of neighbouring properties.

The proposal is therefore considered to be contrary to Policy DM2.1 of the adopted East Renfrewshire Local Plan and Policy D14 of the proposed East Renfrewshire Local Development Plan. Policy D14 of the proposed Local Development Plan is supported by the Supplementary Planning Guidance: Householder Design Guide (SPG). The SPG provides that extensions to the rear of bungalows should have the same roof design as the existing dwelling as well as having a ridge line below that of the existing dwelling. The proposal is therefore considered to be contrary to the terms of the SPG.

Whilst it would be possible to overlook the adjacent rear garden from the proposed raised deck accessed from the ground floor, this would not be considered to be significantly greater than the degree of overlooking possible at present.

The points of objection not specifically addressed above are noted. It is not considered that the proposed extension would give rise to significant additional overshadowing given the orientation of the property in relation to its neighbours. Policy D15 of the proposed Local Development Plan relates to the sub-division of plots and is not considered relevant to the consideration of this application. It is considered that the plot would retain sufficient useable private garden ground and as such, if approved, the proposal would not result in the overdevelopment of the site.

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

RECOMMENDATION: Refuse

PLANNING OBLIGATIONS: None

REASONS FOR REFUSAL:

- 1. The application is contrary to Policies DM1 and DM2.1 of the adopted East Renfrewshire Local Plan as (1) the proposed one and a half storey rear extension and gable end with the increase in ridge height and steepening of the roof pitch would not be in keeping with the character of the existing dwelling in terms of its form and design and would dominate and overwhelm its original form and character; and (2) the proposed balcony would give rise to excessive additional overlooking, all to the detriment of the character and amenity of the wider area and the adjacent dwellings.
- 2. The application is contrary to Policies D1 and D14 of the proposed East Renfrewshire Local Development Plan as (1) the proposed one and a half storey rear extension and gable end with the increase in ridge height and steepening of the roof pitch would not be in keeping with the character of the existing dwelling in terms of its form and design and would dominate and overwhelm its original form and character; and (2) the proposed balcony would give rise to excessive additional overlooking, all to the detriment of the character and amenity of the wider area and the adjacent dwellings.
- 3. The proposed development would be contrary to the Supplementary Planning Guidance; Householder Design Guide as it does not comply with the general design principles.

ADDITIONAL NOTES: None

ADDED VALUE: None

BACKGROUND PAPERS:

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

Ref. No.: 2015/0085/TP

(DESC)

DATE: 18th March 2015

DIRECTOR OF ENVIRONMENT

Reference: 2015/0085/TP - Appendix 1

DEVELOPMENT PLAN:

Strategic Development Plan

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

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;
- 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;
- 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 18/03/15 IM(1)

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. 2015/0085/TP

Applicant:

Mr & Mrs Johnstone 8 Nethercliffe Avenue Netherlee East Renfrewshire

G44 3UP

Agent:

John Gordon Associates Ltd. Mr. John Gordon

3 Dean Acres Comrie. Dunfermline

KY12 9XS

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

Erection of two storey rear extension with associated raising of ridge height incorporating raised platform and balcony at rear and erection of single storey side extension; enlargement of dormer window at front

at: 8 Nethercliffe Avenue Netherlee East Renfrewshire G44 3UP

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 application is contrary to Policies DM1 and DM2.1 of the adopted East Renfrewshire Local Plan as (1) the proposed one and a half storey rear extension and gable end with the increase in ridge height and steepening of the roof pitch would not be in keeping with the character of the existing dwelling in terms of its form and design and would dominate and overwhelm its original form and character; and (2) the proposed balcony would give rise to excessive additional overlooking, all to the detriment of the character and amenity of the wider area and the adjacent dwellings.
- 2. The application is contrary to Policies D1 and D14 of the proposed East Renfrewshire Local Development Plan as (1) the proposed one and a half storey rear extension and gable end with the increase in ridge height and steepening of the roof pitch would not be in keeping with the character of the existing dwelling in terms of its form and design and would dominate and overwhelm its original form and character; and (2) the proposed balcony would give rise to excessive additional overlooking, all to the detriment of the character and amenity of the wider area and the adjacent dwellings.
- 3. The proposed development would be contrary to the Supplementary Planning Guidance: Householder Design Guide as it does not comply with the general design principles.

Director of Environment

Dated

18th March 2015

Andrew I Calif

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	RPG0901/LP		
Plans Proposed	RPG0901/2		

<u>GUIDANCE NOTE FOR REFUSAL OF LOCAL DEVELOPMENTS DETERMINED UNDER</u> 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



2 Spiersbridge Way Thornliebank Glasgow G46 8NG

Tel: 0141 577 3001 Fax: 0141 577 8411

Email: planning@eastrenfrewshire.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 000111119-003

Is the applicant an individual or an organisation/corporate entity? *

✓ Individual Organisation/Corporate entity

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

Applicant or Agent Details Are you an applicant, or an agent? * (An agent is an architect, consultant or someone else acting ☐ Applicant ✓ Agent on behalf of the applicant in connection with this application) **Agent Details** Please enter Agent details You must enter a Building Name or Number, or both:* Company/Organisation: John Gordon Associates Ltd. Ref. Number: **Building Name:** First Name: * John **Building Number:** Last Name: * Gordon Address 1 (Street): * Dean Acres Telephone Number: * 01383850134 Address 2: Comrie **Extension Number:** Town/City: * Dunfermline Mobile Number: Country: * UK Fax Number: 01383850134 Postcode: * **KY12 9XS** Email Address: * gordonassociates@sky.com

Applicant Details			
Please enter Applicant det	tails		
Title: *	Other	You must enter a Bui both:*	lding Name or Number, or
Other Title: *	Mr & Mrs	Building Name:	
First Name: *	-	Building Number:	8
Last Name: *	Johnston	Address 1 (Street): *	Nethercliffe Avenue
Company/Organisation:		Address 2:	
Telephone Number:		Town/City: *	Netherlee
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	G44 3UP
Fax Number:			
Email Address:			
Site Address D	 Details		
Planning Authority:	East Renfrewshire Council		
Full postal address of the	site (including postcode where available	e):	
Address 1:	8 NETHERCLIFFE AVENUE	Address 5:	
Address 2:	NETHERLEE	Town/City/Settlemer	nt: GLASGOW
Address 3:		Post Code:	G44 3UP
Address 4:			
Please identify/describe the	ne location of the site or sites.		
Northing 658	3501	Easting	257668
Description of the Proposal			
Please provide a description of the proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: * (Max 500 characters)			
Erection of two storey rear extension with associated raising of ridge height incorporating raised platform and balcony at rear and erection of single storey side extension; enlargement of dormer window at front			

Type of Application			
What type of application did you submit to the planning authority? *			
Application for planning permission (including householder application but excluding application to work minerals).			
Application for planning permission in principle.			
Further application.			
Application for approval of matters specified in conditions.			
What does your review relate to? *			
Refusal Notice.			
Grant of permission with Conditions imposed.			
No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.			
Statement of reasons for seeking review			
You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)			
Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.			
You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time of expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.			
SEE ATTACHED			
Have you raised any matters which were not before the appointed officer at the time the determination on your application was made? *			
Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)			
DECISION NOTICE			
REFUSAL NOTICE GROUNDS FOR REVIEW			
APPLICATION DRAWINGS			
Application Details			
Please provide details of the application and decision.			
What is the application reference number? * 2015/0085/TP			
What date was the application submitted to the planning authority? * 10/02/15			
What date was the decision issued by the planning authority? * 18/03/15			

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.			
Can this review continue to a con parties only, without any further p	nclusion, in your opinion, based on a review of the relevan procedures? For example, written submission, hearing sea	nt information provission, site inspect	vided by yourself and other ion. *
✓ Yes ☐ No			
In the event that the Local Review	w Body appointed to consider your application decides to	inspect the site, in	n your opinion:
Can the site be clearly seen from	a road or public land? *	Y	es No
Is it possible for the site to be acc	cessed safely and without barriers to entry? *	✓ Y	es No
Checklist - Applica	ation for Notice of Review		
	ecklist to make sure you have provided all the necessary ion may result in your appeal being deemed invalid.	information in sup	oport of your appeal.
Have you provided the name and	d address of the applicant? *		✓ Yes ☐ No
Have you provided the date and i	reference number of the application which is the subject of	of this review? *	✓ Yes ☐ No
	shalf of the applicant, have you provided details of your na ny notice or correspondence required in connection with t icant? *		
			✓ Yes ☐ No ☐ N/A
Have you provided a statement s (or combination of procedures) you	setting out your reasons for requiring a review and by wha ou wish the review to be conducted? *	t procedure	✓ Yes ☐ No
Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.			
Please attach a copy of all docun drawings) which are now the sub	nents, material and evidence which you intend to rely on (ject of this review *	(e.g. plans and	✓ Yes ☐ No
Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.			
Declare - Notice of	f Review		
I/We the applicant/agent certify th	nat this is an application for review on the grounds stated.		
Declaration Name:	John Gordon		
Declaration Date:	13/05/2015		
Submission Date:	13/05/2015		

GROUNDS TO ACCEPT THE ORIGINAL DESIGN PLANS FOR NO. 8 NETHERCLIFFE AVE NETHERLEE PLANNING APPLICATION 2015/0085/TP

- We are submitting this request for a local review based on Point 1, item 1 of the reasons for the council's decision to refuse the application, being the alteration of the roof to incorporate a gable end and associated glazed elements.
- The proposed design of the extension adds less than 100% of the original floor space to the property and as such would not overwhelm the original house.
- The proposed design is not considered overdevelopment of the site and as such the plot would retain sufficient usable private garden
- The proposed extension is principally to the rear of the property and does not significantly alter the view from the front of the property. The pyramidal style roof which is characterised in the area is largely maintained and as such the view from the street is similar to those neighbouring properties (please see attached pictures)
- The proposed extension is very similar in design to the property directly across the road at No. 5, therefore the two properties on entering the street would mirror each other making it aesthetically pleasing
- A precedent has been set for a building of this type as there are a number of modified houses in Nethercliffe Ave and the neighbouring streets.
- The applicant has offered to remove the rear balcony and concedes the point it may be overlooking other properties and has also offered to reduce the ridge height, to reduce the size of the front dormer and to reduce the width of the extension.
- Given the age of the original house the applicant was looking to refurbish the property and renew the somewhat tired and leaking roof. One of the main reasons for the redesign is to increase the size of the public rooms on the ground floor but also to provide a larger guest bedroom with its own en-suite bathroom on the first floor. This is for an elderly relative who stays over on a regular basis and who will move in permanently at some future date. This will afford them bathroom facilities on the same level as their bedroom.
- Can we also draw your attention to other recent similar planning requests that were refused on the same principal's as the proposed plans. The points for refusal were the gable roof style, raised roof ridge height, they were not in keeping with the existing and neighbouring properties, not retaining the pyramidal style roof and they had not taken advantage of the pre submission advice. These jobs were lodged in late 2014 and early 2015, they were both judged as failing to meet the proposed local development plan and the planning guidance rules, despite neither of these directives being applicable at the time the plans were submitted. Both refusals were overturned by the review committee after being considered on their own individual merits.

Case A – Mr Melrose 105 Ayr Rd, Newton Mearns, Glasgow, G77 6RA – 2014/0821/TP Date registered 18/12/2014

Case B – Mr & Mrs Paton 5 Strathearn Rd, Clarkston, Glasgow, G76 7TY – 2015/0013/TP

We accept that we are in the transitional phase between the 2011 Development Plan and the (as yet not approved) 2015 Development Plan. However we feel that the Planning Department has been over zealous in applying the principles outlined in the 2015 Plan before the Plan has been approved.

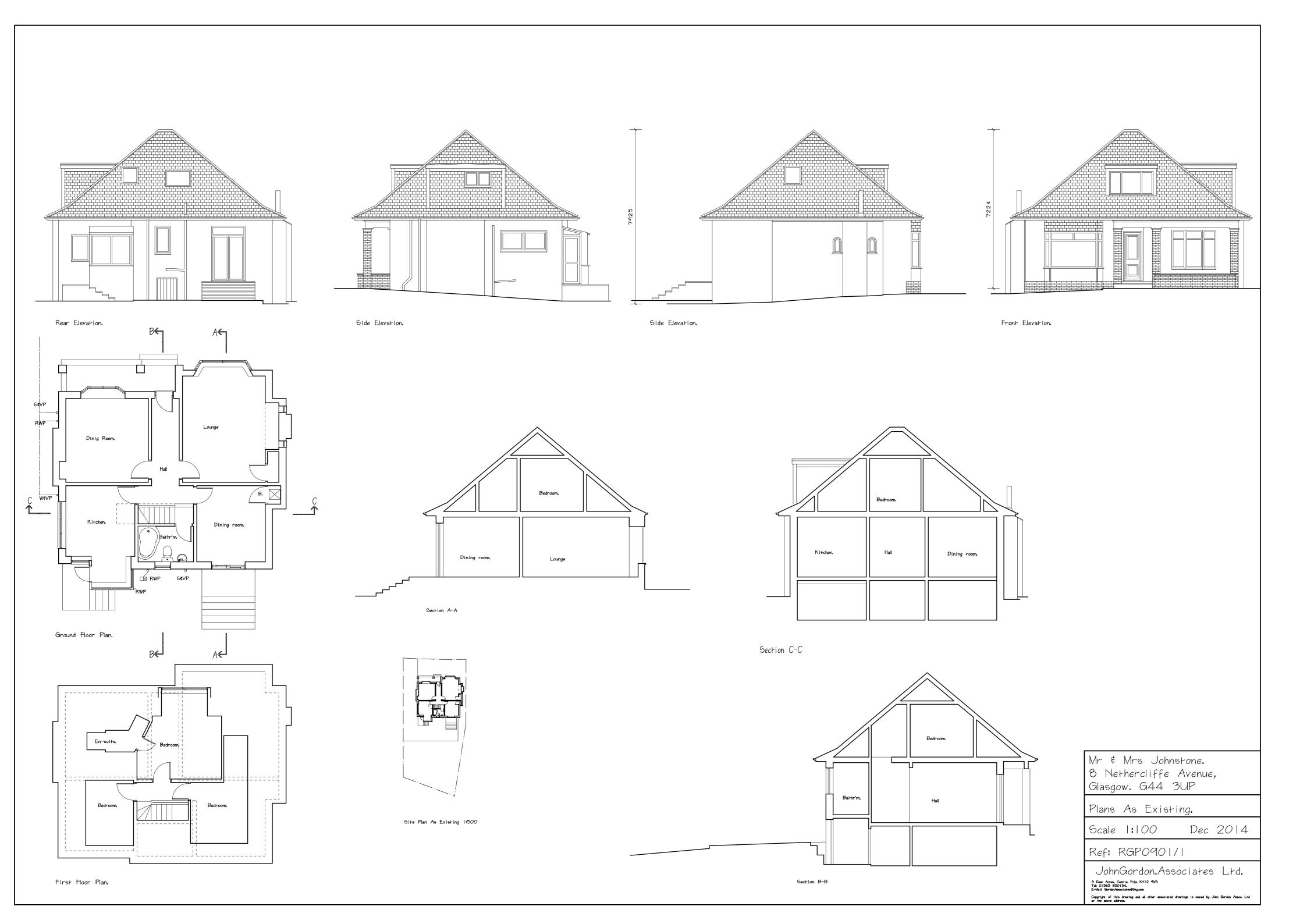
In particular we feel that we were badly treated as we were directed to two documents both of which post-dated our planning application;

- 1. East Renfrewshire Proposed Local Development Plan dated March 2015 but not due to be approved until Summer 2015.
- 2. Supplementary Planning Guidance: Householder Design Guide dated March 2015

Our plans were submitted 10th February 2015, a month before the above two documents were published and several months before they were due to be approved. In both of these documents it stated that any extension with a gable end would be resisted. We accept that this should be the case going forward but to impose this retrospectively is capricious.

During our meeting with Gillian McCarney there was also mention of Netherlee as a conservation area - when I challenged this point on the basis that Netherlee was merely being promoted as a conservation area and did not yet have that status, she conceded that this was the case. Again there seems to be the desire to enforce conditions on the basis of a "status" that has not yet been granted.

PLANS/PHOTOGRAPHS/DRAWINGS





Town and Country Planning (Scotland) Act 1997

REFUSED

Director of Environment East Renfrewshire Council Mr. & Mrs. Johnstone, 8 Nethercliffe Avenue, Glasgow. G44 3UP.

Location Plan

Scale: 1:1250

Dec. 14

Ref: RGP0901/LP



3 DEAN ACRES
COMRIE
FIFE KY12 9XS
Tel/Fax: 01383 850 134
E-mail:
gordonassociates
@sky.com

JOHN GORDON ASSOCIATES LTD

This is a true copy of the plan referred to in our application.

Dated:

Signed:

Copyright of this drawing, and all other associated drawings, is owned by John Gordon Associates Ltd at the above address.

