

EAST RENFREWSHIRE COUNCIL

LOCAL REVIEW BODY

10 June 2015

Report by Deputy Chief Executive

REVIEW OF CASE - REVIEW/2015/04

ERECTION OF ONE AND A HALF STOREY REAR EXTENSION FORMING GABLE END
AND A SINGLE STOREY FRONT EXTENSION WITH INTSTALLATION OF DORMER
WINDOW AT SIDE AND ENLARGEMENT OF DORMER WINDOW AT FRONT AT 77
STAMPERLAND AVENUE, 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:- 2015/0040/TP).
- Applicant: Mr S Mitchell.
- Proposal: Erection of one and a half storey rear extension forming gable end and a single storey front extension with intstallation of former window at side and enlargement of dormer window at front.
- Location: 77 Stamperland Avenue, Clarkston.
- Council Area/Ward: Netherlee, Stamperland and Williamwood (Ward 4).

REASON FOR REQUESTING REVIEW

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

RECOMMENDATIONS

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

- (b) In the event that further procedure is required to allow it to determine the review, consider:-
 - (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 applicant in submitting the review has stated the reasons for requiring the review of the determination of his application. A copy of the applicant's Notice of Review and Statement of Reasons is attached as Appendix 4.

9. The applicant is entitled to state a preference for the procedure (or combination of procedures) to be followed by the Local Review Body in the determination of the review and has not indicated any preferences.

10. The Local Review Body will decide what procedure will be used in the determination of the review.

INFORMATION AVAILABLE TO ALLOW REVIEW OF APPLICATION

11. Section 43B of the Planning etc (Scotland) Act 2006 restricts the ability of parties to introduce new material at the review stage. The Local Review Body is advised that the focus of the review should, therefore, be on the material which was before the officer who dealt with the application under the Scheme of Delegation.

12. However, the applicant has submitted new information which was not available to the appointed officer at the time the determination of the application was made. The new information relates to a decision notice and plans of another house.

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

“43B Matters which may be raised in a review under section 43A(8)

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

14. The applicant has been given an opportunity to explain why the information was not made available to the appointed officer at the time the application was determined although at the time of writing this report no explanation had been received.

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 applicant's 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) Refused location plan - MIT/01;
- (b) Existing elevations- MIT/02;
- (c) Refused proposed floor plans - MIT/03;

- (d) Refused proposed elevations - MIT/04.

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
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Tel: 0141 577 3011

Date:- May 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**

2015/0040/TP

APPLICATION FOR PLANNING PERMISSION

Town and Country Planning (Scotland) Act 1997
The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008

Please refer to the accompanying Guidance Notes when completing this application
PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS
ELECTRONICALLY VIA <https://eplanning.scotland.gov.uk>

1. Applicant's Details		2. Agent's Details (if any)	
Title	Mr	Ref No.	
Forename	S	Forename	Robert
Surname	Mitchell	Surname	Thompson
Company Name		Company Name	Robert Thompson Designs
Building No./Name	77	Building No./Name	5
Address Line 1	STAMPERLAND AVENUE	Address Line 1	Queen Square
Address Line 2	STAMPERLAND	Address Line 2	Strathbungo
Town/City	EAST RENFREWSHIRE	Town/City	Glasgow
Postcode	G76 8EY	Postcode	G41 2BG
Telephone		Telephone	0141 422 1922
Mobile		Mobile	07711253061
Fax		Fax	
Email		Email	bob@roberthompsondesigns.com
3. Postal Address or Location of Proposed Development (please include postcode)			
AS APPLICANT			
NB. If you do not have a full site address please identify the location of the site(s) in your accompanying documentation.			
4. Type of Application			
What is the application for? Please select one of the following:			
Planning Permission		<input checked="" type="checkbox"/>	
Planning Permission in Principle		<input type="checkbox"/>	
Further Application*		<input type="checkbox"/>	
Application for Approval of Matters Specified in Conditions*		<input type="checkbox"/>	
Application for Mineral Works**		<input type="checkbox"/>	
NB. A 'further application' may be e.g. development that has not yet commenced and where a time limit has been imposed a renewal of planning permission or a modification, variation or removal of a planning condition.			
*Please provide a reference number of the previous application and date when permission was granted:			
Reference No:		Date:	

**Please note that if you are applying for planning permission for mineral works your planning authority may have a separate form or require additional information.

5. Description of the Proposal

Please describe the proposal including any change of use:

ERECT 1.5 STOREY REAR EXTENSION & SINGLE STOREY FRONT EXTENSION

Is this a temporary permission? Yes No

If yes, please state how long permission is required for and why:

Have the works already been started or completed? Yes No

If yes, please state date of completion, or if not completed, the start date:

Date started: Date completed:

If yes, please explain why work has already taken place in advance of making this application

6. Pre-Application Discussion

Have you received any advice from the planning authority in relation to this proposal? Yes No

If yes, please provide details about the advice below:

In what format was the advice given? Meeting Telephone call Letter Email

Have you agreed or are you discussing a Processing Agreement with the planning authority? Yes No

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

Name: Date: Ref No.:

7. Site Area

Please state the site area in either hectares or square metres:

Hectares (ha): Square Metre (sq.m.)

8. Existing Use

Please describe the current or most recent use:

DWELLING

9. Access and Parking

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

If yes, please show in 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 vehicle parking spaces (garaging and open parking) currently exist on the application site?

4

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

4

Please show on your drawings the position of existing and proposed parking spaces and specify if these are to be allocated for particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, etc.)

10. Water Supply and Drainage Arrangements

Will your proposals require new or altered water supply or drainage arrangements? Yes No

Are you proposing to connect to the public drainage network (e.g. to an existing sewer?)

Yes, connecting to a public drainage network
No, proposing to make private drainage arrangements
Not applicable – only arrangement for water supply required

What private arrangements are you proposing for the new/altered septic tank?

Discharge to land via soakaway
Discharge to watercourse(s) (including partial soakaway)
Discharge to coastal waters

Please show more details on your plans and supporting information

What private arrangements are you proposing?
Treatment/Additional treatment (relates to package sewer treatment plants, or passive sewage treatment such as a reed bed)
Other private drainage arrangement (such as a chemical toilets or composting toilets)

Please show more details on your plans and supporting information.

Do your proposals make provision for sustainable drainage of surface water? Yes No

Note:- Please include details of SUDS arrangements on your plans

Are you proposing to connect to the public water supply network?

Yes No

If no, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site)

11. Assessment of Flood Risk

Is the site within an area of known risk of flooding?

Yes No

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your planning authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? Yes No Don't Know

If yes, briefly describe how the risk of flooding might be increased elsewhere.

12. Trees

Are there any trees on or adjacent to the application site?

Yes No

If yes, please show on drawings any trees (including known protected trees) and their canopy spread as they relate to the proposed site and indicate if any are to be cut back or felled.

13. Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste? (including recycling)

Yes No

If yes, please provide details and illustrate on plans.

If no, please provide details as to why no provision for refuse/recycling storage is being made:

14. Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats?

Yes No

If yes how many units do you propose in total?

Please provide full details of the number and types of units on the plan. Additional information may be provided in a supporting statement.

15. For all types of non housing development – new floorspace proposed

Does your proposal alter or create non-residential floorspace? Yes No

If yes, please provide details below:

Use type:

If you are extending a building, please provide details of existing gross floorspace (sq.m):

Proposed gross floorspace (sq.m.):

Please provide details of internal floorspace(sq.m)

Net trading space:

Non-trading space:

Total net floorspace:

16. Schedule 3 Development

Does the proposal involve a class of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008?

Yes No Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in your area. Your planning authority will do this on your behalf but may charge a fee. Please contact your planning authority for advice on planning fees.

17. Planning Service Employee/Elected Member Interest

Are you / the applicant / the applicant's spouse or partner, a member of staff within the planning service or an elected member of the planning authority? Yes No

Or, are you / the applicant / the applicant's spouse or partner a close relative of a member of staff in the planning service or elected member of the planning authority? Yes No

If you have answered yes please provide details:

DECLARATION

I, the applicant/agent certify that this is an application for planning permission The accompanying plans/drawings and additional information are provided as part of this application. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

I, the applicant/agent hereby certify that the attached Land Ownership Certificate has been completed

I, the applicant /agent hereby certify that requisite notice has been given to other land owners and /or agricultural tenants Yes No N/A

Signature:

Name:

R THOMPSON

Date: 15/01/15

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.

LAND OWNERSHIP CERTIFICATES

Town and Country Planning (Scotland) Act 1997
 Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008

CERTIFICATE A, B, C OR CERTIFICATE D MUST BE COMPLETED BY ALL APPLICANTS

CERTIFICATE A

Certificate A is for use where the applicant is the only owner of the land to which the application relates and none of the land is agricultural land.

I hereby certify that -

- (1) No person other than the applicant was owner of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the application.
- (2) None of the land to which the application relates constitutes or forms part of agricultural land.

Signed:

On behalf of:

Date:

CERTIFICATE B

Certificate B is for use where the applicant is not the owner or sole owner of the land to which the application relates and/or where the land is agricultural land and where all owners/agricultural tenants have been identified.

I hereby certify that -

- (1) I have served notice on every person other than myself who, at the beginning of the period of 21 days ending with the date of the application was owner of any part of the land to which the application relates. These persons are:

Name	Address	Date of Service of Notice

- (2) None of the land to which the application relates constitutes or forms part of agricultural land
- or
- (3) The land or part of the land to which the application relates constitutes or forms part of agricultural land and I have served notice on every person other than myself who, at the beginning of the period of 21 days ending with the date of the application was an agricultural tenant. These persons are:

REPORT OF HANDLING

REPORT OF HANDLING

Reference: 2015/0040/TP

Date Registered: 26th January 2015

Application Type: Full Planning Permission

This application is a Local Development

Ward: 4 -Netherlee Stamperland Williamwood

Co-ordinates: 257628/:657886

Applicant/Agent:

Applicant:

Mr S Mitchell
77 Stamperland Avenue
Clarkston
East Renfrewshire
G76 8EY

Agent:

Robert Thompson Designs
5 Queen Square
Glasgow
G41 2BG

Proposal: Erection of one and a half storey rear extension forming gable end and a single storey front extension with installation of dormer window at side and enlargement of dormer window at front

Location: 77 Stamperland Avenue
Clarkston
East Renfrewshire
G76 8EY

CONSULTATIONS/COMMENTS: None.

PUBLICITY: None.

SITE NOTICES: None.

SITE HISTORY:

2001/0288/TP	Installation of front, side and rear dormers	GRA	04.07.2001
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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 pyramidal roofed bungalow with front side and rear attic dormers and its curtilage and lies within an established residential area. This part of Stamperland Avenue is characterised by similar bungalows, whilst further to the north the house types are terraced two storey dwellings. The dwelling is externally finished with white painted render and red concrete roofing tiles. It has a projecting front bay with a secondary hipped roof over. The front door and remainder of the front elevation are recessed. This is a feature of most other bungalows in the street. A characteristic of this street is that the bungalows are regularly and relatively closely spaced.

Planning permission is sought for the erection of a one and half storey rear extension forming a rear gable, a single storey front extension, new front dormer window and a new side dormer window. The proposed rear extension is 4 metres deep and continues the ridge of the dwelling rearwards to the proposed gable. The front extension involves the "infilling" of the front elevation, bringing the recessed section of the front elevation in line with the projecting bay window. A new section of roof with the new

front dormer is proposed to be formed over the front extension. The existing side dormer windows are to be retained and the further dormer window formed on the side elevation (south) to the rear of the existing dormer on the roof of the proposed rear extension.

The application requires to be assessed with regard to Policies DM1 and DM2.1 of the adopted East Renfrewshire Local Development Plan. Policy DM2.1 requires that extensions must compliment the character of the existing building, particularly in terms of scale, style, form and materials. The erection of the front extension and the formation of the dormer windows are considered to compliment the character and design of the existing dwelling. Those elements of the proposal would not therefore be considered to detract from the character or amenity of the wider area and as such would comply with the terms of the adopted Local Plan. However, the formation of a one and half storey rear extension with a gable wall represents a significant change in the style and form of the existing dwelling and that this would be contrary to the terms of Policy DM2.1.

The Planning Act requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

The proposed East Renfrewshire Local Development Plan (LDP) and the associated Supplementary Planning Guidance: Householder Design Guide (SPG) are the Council's most up to date expression of planning policy. They are material in the consideration of this application. Like Policy DM2.1 Policy D14 of the proposed East Renfrewshire Local Development Plan also requires that extensions compliment the existing character of the property in terms of style, form and materials. The SPG expands on this and states that extensions to the rear of bungalows should have the same roof design as the house and not form a gable end. The proposal is therefore considered to be contrary to the terms of the proposed East Renfrewshire Local Development Plan.

The presence of a significant number of similar gable ended extensions in the immediate area could be material to the degree that the character of the street is significantly affected. In this instance however there are none and the street remains characterised by pyramidal or hipped roofed bungalows. The property to the rear at 70 Stamperland Hill has a similar one and a half storey rear extension that features a rear gable. However, this extension granted in 1996, 96/209, is historic and pre-dates the current adopted Local Plan, adopted in 2011.

The adjacent dwelling at 75 Stamperland Avenue has been extended to the rear This extension however, incorporates a rear hip and dormer window and is considered to be more in keeping with the character of the existing dwelling. It was also approved in excess of ten years ago under ref 2004/0211/TP, again significantly predating both the adopted Local Plan and the new LDP and supporting SPG, as referred to above.

The above considerations are noted and do not justify approving the application against the terms of the adopted local plan. Accordingly planning permission should be refused.

RECOMMENDATION: Refuse

PLANNING OBLIGATIONS: None.

REASON(S):

1. The application is contrary to Policy DM2.1 of the adopted East Renfrewshire Local Plan as the proposed new roof and gable end would not be in keeping with the character and design of the existing dwelling in terms of its form and design and would dominate and overwhelm its original form and character.
2. The application is contrary to Policy D14 of the proposed East Renfrewshire Local Development Plan as the proposed new roof and gable end would not be in keeping with the character and design of the existing dwelling in terms of its form and design and would dominate and overwhelm its original form and character.
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.: 2015/0040/TP
(DESC)

DATE: 12th March 2015

DIRECTOR OF ENVIRONMENT

Reference: 2015/0040/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;
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 11/03/2015.IM.

**DECISION NOTICE
AND
REASONS FOR REFUSAL**

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

REFUSAL OF PLANNING PERMISSION

Ref. No. **2015/0040/TP**

Applicant:

Mr S Mitchell
77 Stamperland Avenue
Clarkston
East Renfrewshire
G76 8EY

Agent:

Robert Thompson Designs
5 Queen Square
Glasgow
G41 2BG

With reference to your application which was registered on 26th January 2015 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Erection of one and a half storey rear extension forming gable end and a single storey front extension with installation of dormer window at side and enlargement of dormer window at front

at: 77 Stamperland Avenue Clarkston East Renfrewshire G76 8EY

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 Policy DM2.1 of the adopted East Renfrewshire Local Plan as the proposed new roof and gable end would not be in keeping with the character and design of the existing dwelling in terms of its form and design and would dominate and overwhelm its original form and character.
2. The application is contrary to Policy D14 of the proposed East Renfrewshire Local Development Plan as the proposed new roof and gable end would not be in keeping with the character and design of the existing dwelling in terms of its form and design and would dominate and overwhelm its original form and character.
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.

Dated 11th March 2015



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

The following drawings/plans have been refused

Plan Description	Drawing Number	Drawing Version	Date on Plan
Block Plan and Location Plan Proposed	MIT/01		
Plans Proposed	MIT/03		
Elevations Proposed	MIT/04		

GUIDANCE NOTE FOR REFUSAL OF LOCAL DEVELOPMENTS DETERMINED UNDER DELEGATED POWERS

REVIEW BY EAST RENFREWSHIRE COUNCIL'S LOCAL REVIEW BODY

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. A notice of review should be addressed to the Principal Committee Services Officer, Council Headquarters, Eastwood Park, Rouken Glen Road, Giffnock G46 6UG. Applicants can also ask for a review if the application has not been determined within the 2 month time period for a decision.

Requests for review must be made on the Notice of Review form which is available to download from the Council's website at www.eastrenfrewshire.gov.uk or alternatively call the Planning general enquiry lines on 0141 577 3895 or 3878 to request one. Following submission of the notice, you will receive an acknowledgement letter informing you of the date of the Local Review Body meeting or whether further information is required.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

CONTACT DETAILS

**East Renfrewshire Council
Development Management Service
2 Spiersbridge Way,
Spiersbridge Business Park,
Thornliebank,
G46 8NG**

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

**NOTICE OF REVIEW
AND
STATEMENT OF REASONS**

RECEIVED

27 APR 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:

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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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

Statement

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

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

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

THE MAIN REASON FOR THE REFUSAL OF
 CONSENT RELATES TO THE REAR GABLE, WHICH
 IS NOT IN KEEPING WITH THE COUNCIL'S
 GUIDELINES.
 THERE ARE MANY SIMILAR VERTICAL GABLES
 IN THE SURROUNDING AREA AND IN MANY
 OTHER AREAS THROUGHOUT EAST RENFREWSHIRE.
 I HAD A SIMILAR PROPOSAL APPROVED LAST
 YEAR ON THE 8TH JULY 2014 FOR A MR. CRANSTON
 OF 66 NETHERCLIFFE AVENUE - REF. N° 2014/0315/TP.
 I FEEL IT IS INCONSISTENT OF THE COUNCIL
 TO APPROVE A SIMILAR DESIGN LAST YEAR
 & REJECT ONE THIS YEAR.

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made?

Yes No

If yes, you should explain in the box below, why you are raising new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

List of documents and evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review.

① COPIES OF PLANS AS REFUSED
DRAWING NUMBERS MIT/01 - MIT/02 - MIT/03 - MIT/04

② PHOTOGRAPHS OF PROPERTY (EXISTING) N°4.

③ COPIES OF REFUSAL NOTICE

④ COPY OF APPROVED PLANS FOR MR. J. CRANSTON
66 NETHERCLIFFE AVE. REF: 2014/0315/TP.

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

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Date

23	4	15
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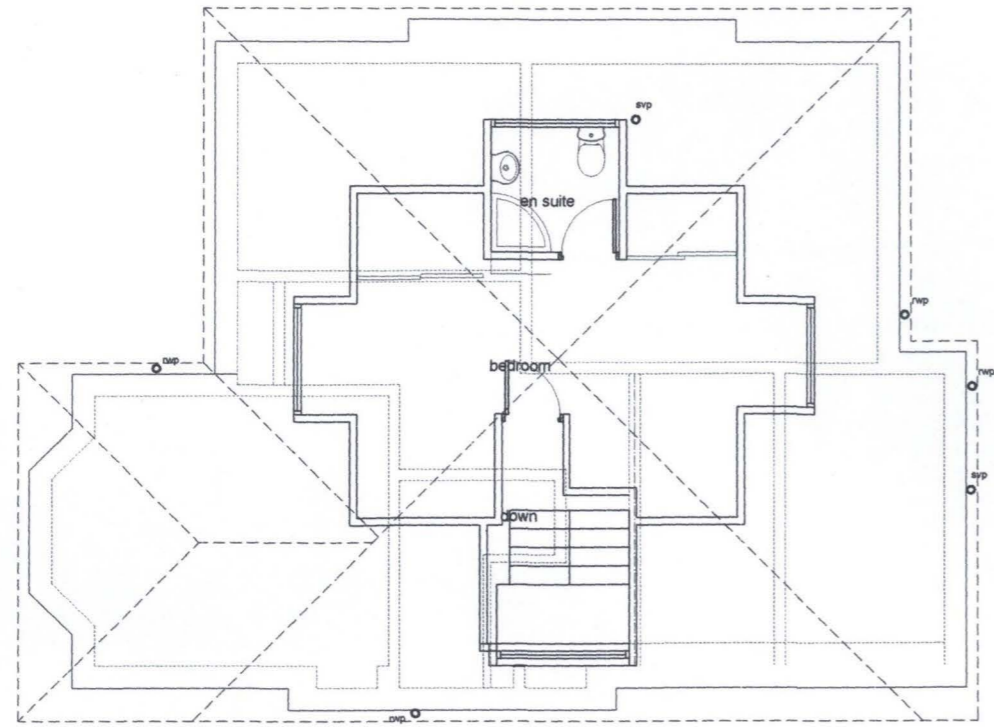
Data Protection Act 1998

East Renfrewshire Council is the Data Controller for the purposes of the Data Protection Act 1998. Please note that the information provided with this application will appear in the public register of applications and will also be published on the Council's website. Personal details such as signatures, personal phone numbers and personal email addresses will not be published on-line. If you wish any further personal information to be excluded from publication, please request this in writing and the Council will consider your request.

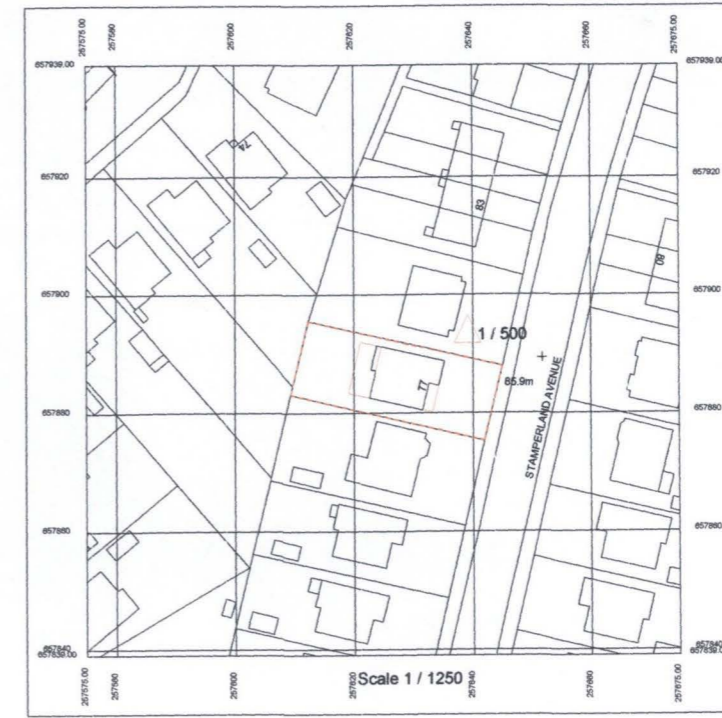
Your completed notice of review should now be returned to: **East Renfrewshire Council, Head of Environment (Planning, Property and Regeneration), 2 Spiersbridge Way, Spiersbridge Business Park, Thornliebank, East Renfrewshire G46 8NG.** Alternatively, you can e-mail your notice of review to planning@eastrenfrewshire.gov.uk

PLANS/PHOTOGRAPHS/DRAWINGS

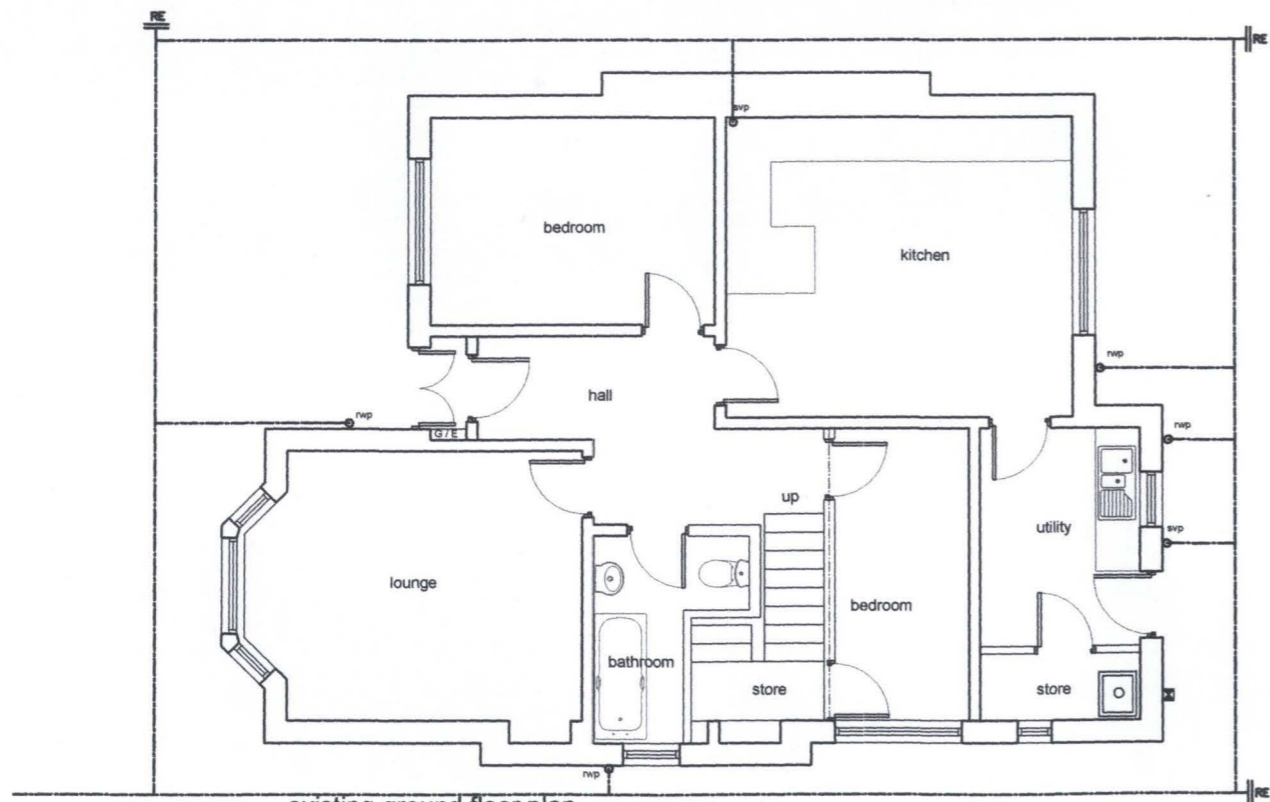
Town and Country Planning
(Scotland) Act 1997
REFUSED
Director of Environment
East Renfrewshire Council



existing first floor plan



Scale 1 / 1250
Metres



existing ground floor plan



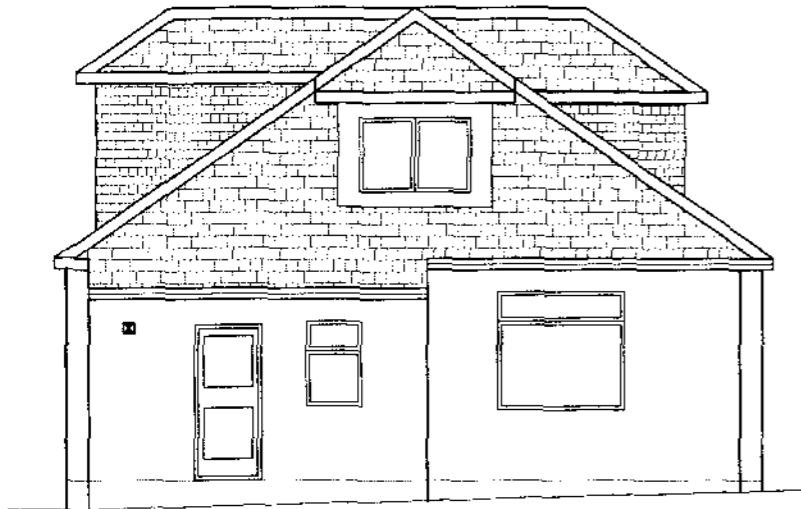
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Revision 1 :
Revision 2 :
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Drawing No : MIT/01
Project : PROPOSED ATTIC CONVERSION
REAR EXTENSION
& FRONT EXTENSION

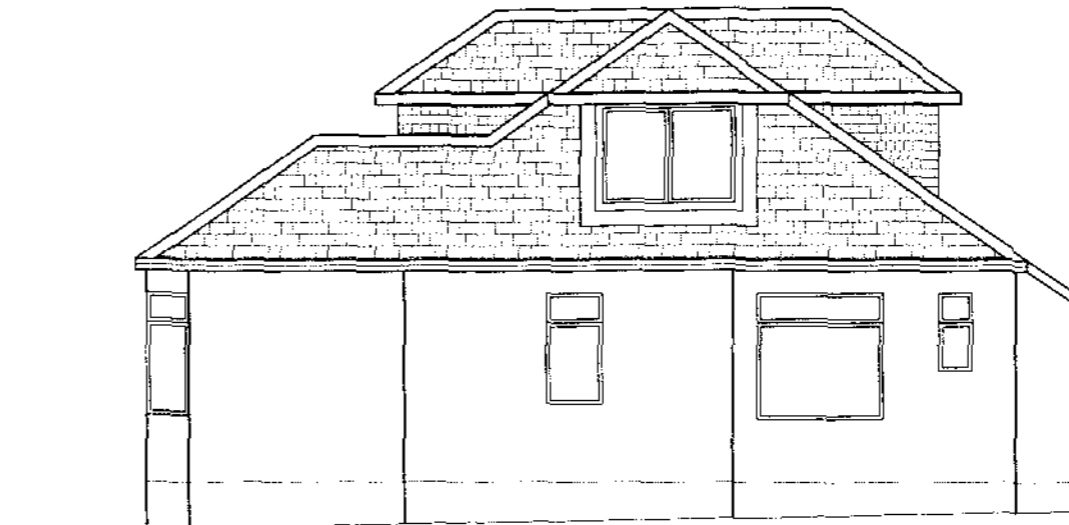
Client : MR & MRS S MITCHELL
Address : 77 STAMPERLAND AVENUE
STAMPERLAND
EAST RENFREWSHIRE
G76 8EY
Date : 27//11/14

ROBERT THOMPSON DESIGNS
5 Queen Square Strathbungo
Glasgow G41 2BG
T-0141 422 1922 M-07711 253 061
E-bob@robertthompsondesigns.com





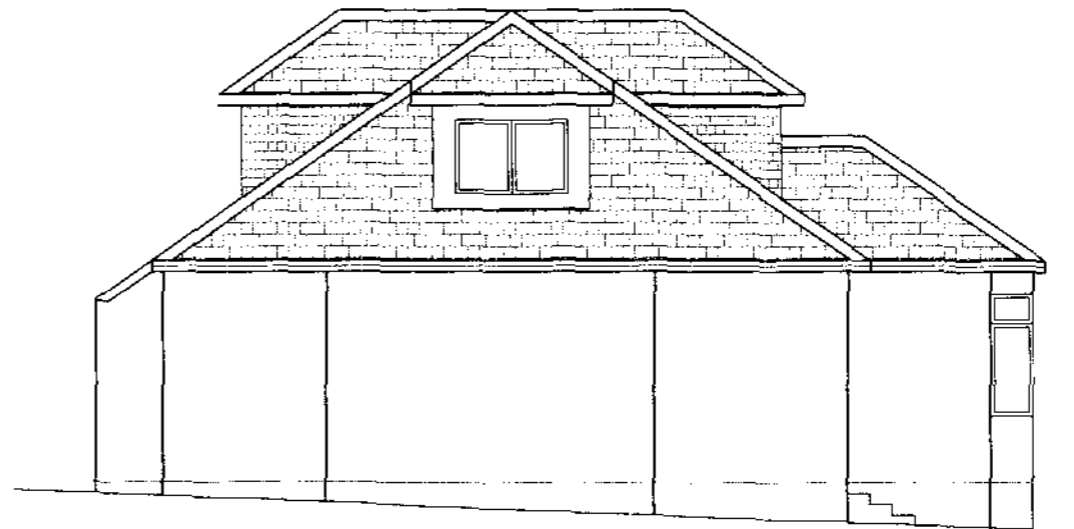
existing rear elevation



existing side elevation



existing front elevation



existing side elevation

Notes :

Revision 1 :	Client :	MR & MRS S MITCHELL
Revision 2 :	Address :	77 STAMPERLAND AVENUE STAMPERLAND EAST RENFREWSHIRE G76 BEY
Scale : 1 : 100	Date :	27//11/14
Drawing No : MIT/02		
Project : PROPOSED ATTIC CONVERSION REAR EXTENSION & FRONT EXTENSION		

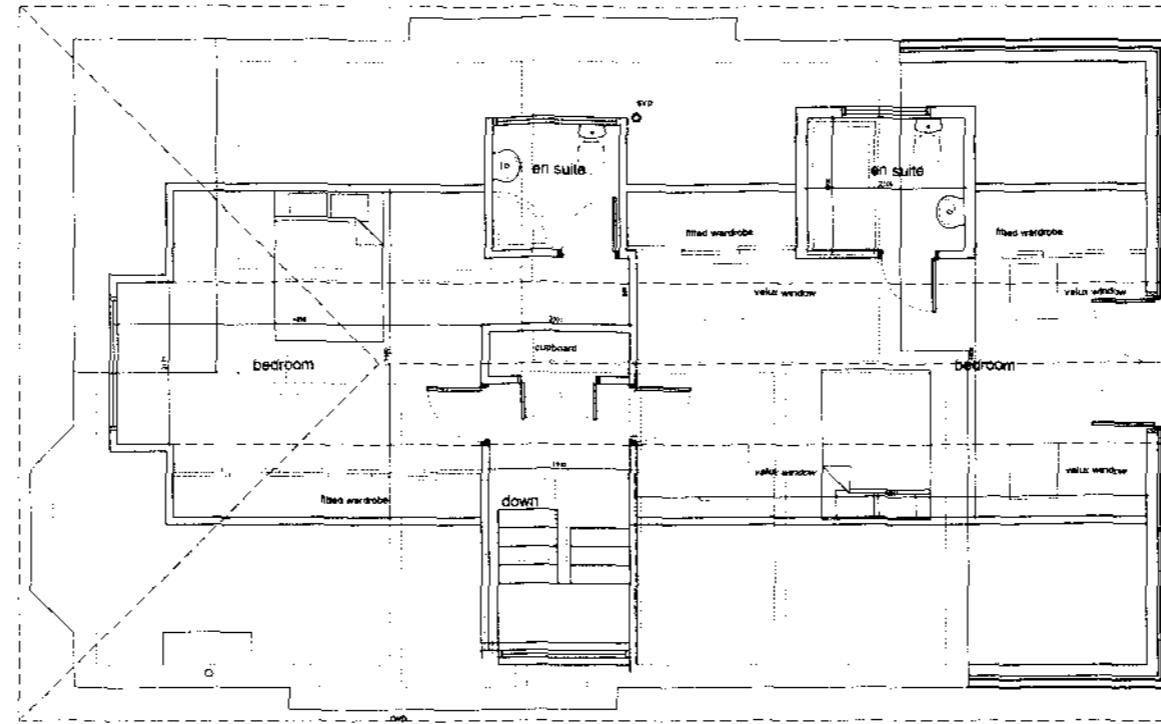
ROBERT THOMPSON DESIGNS
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Glasgow G41 2BG
T-0141 422 1922 M-07711 253 061
E-bob@robertthompsondesigns.com



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

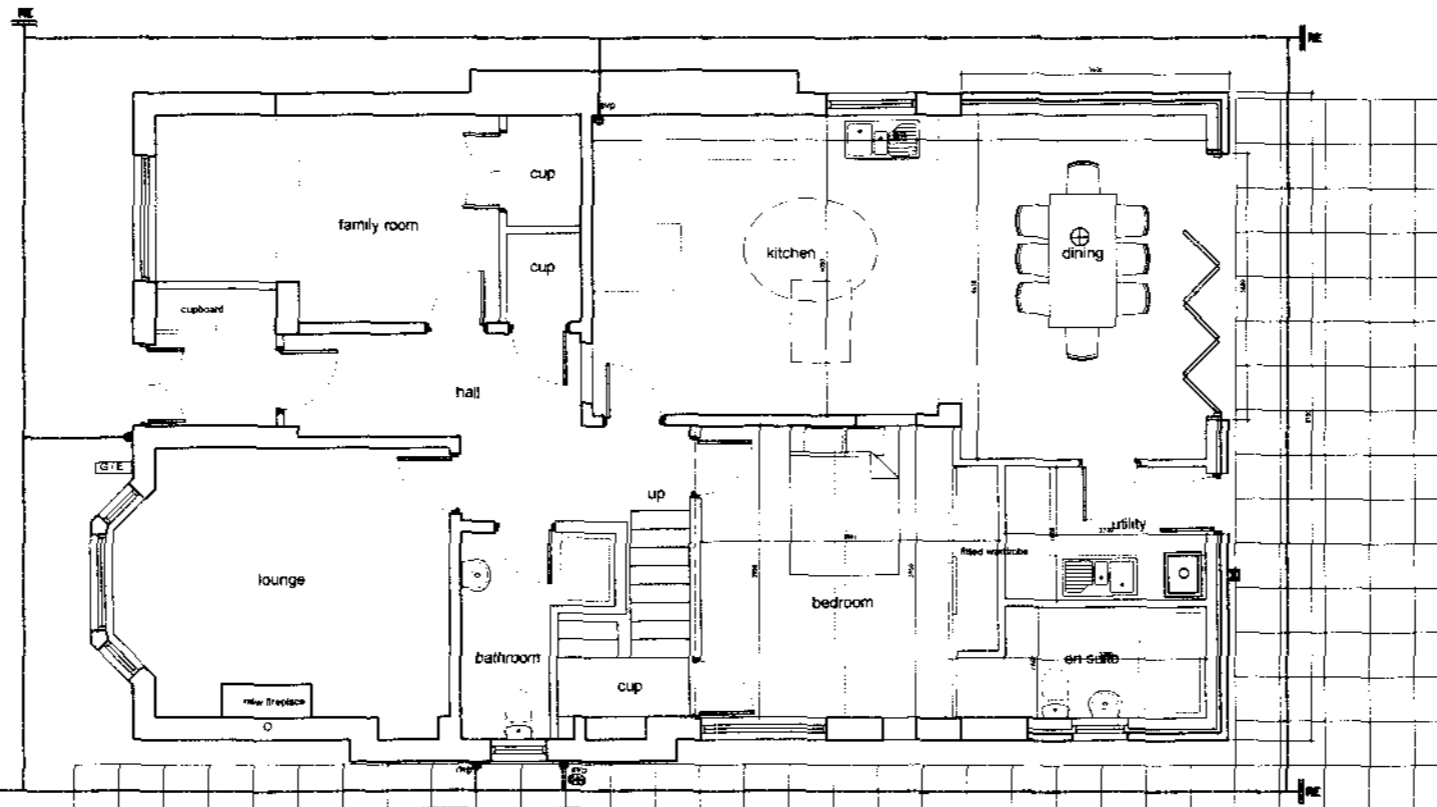
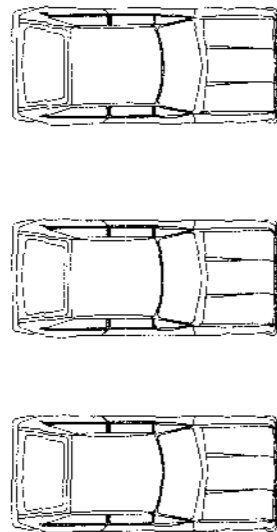
REFUSED

**Director of Environment
East Renfrewshire Council**



proposed first floor plan

□

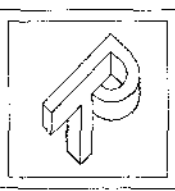


proposed ground floor plan

Notes :

Revision 1 :	Client :	MR & MRS S MITCHELL
Revision 2 :	Address :	77 STAMPERLAND AVENUE
Scale : 1 : 100		STAMPERLAND
Drawing No : MIT/03		EAST RENFREWSHIRE
Project : PROPOSED ATTIC CONVERSION REAR EXTENSION & FRONT EXTENSION		G74 8EY
	Date :	27/11/14

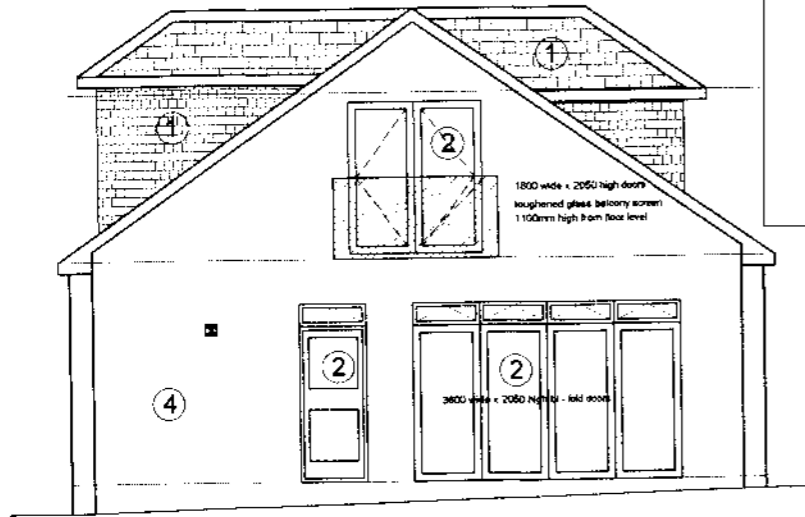
ROBERT THOMPSON DESIGNS
 5 Queen Square Strathbungo
 Glasgow G41 2BG
 T-0141 422 1922 M-07711 253 061
 E-bob@robertthompsondesigns.com



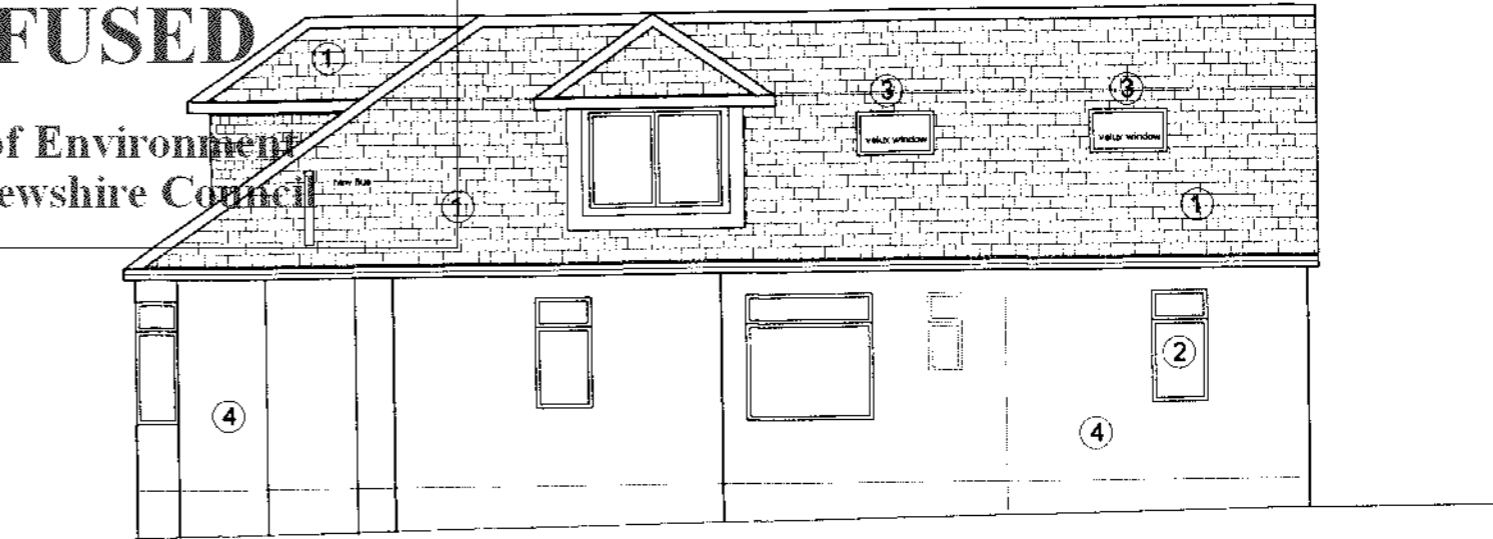
Town and Country Planning
(Scotland) Act 1997

REFUSED

Director of Environment
East Renfrewshire Council



proposed rear elevation

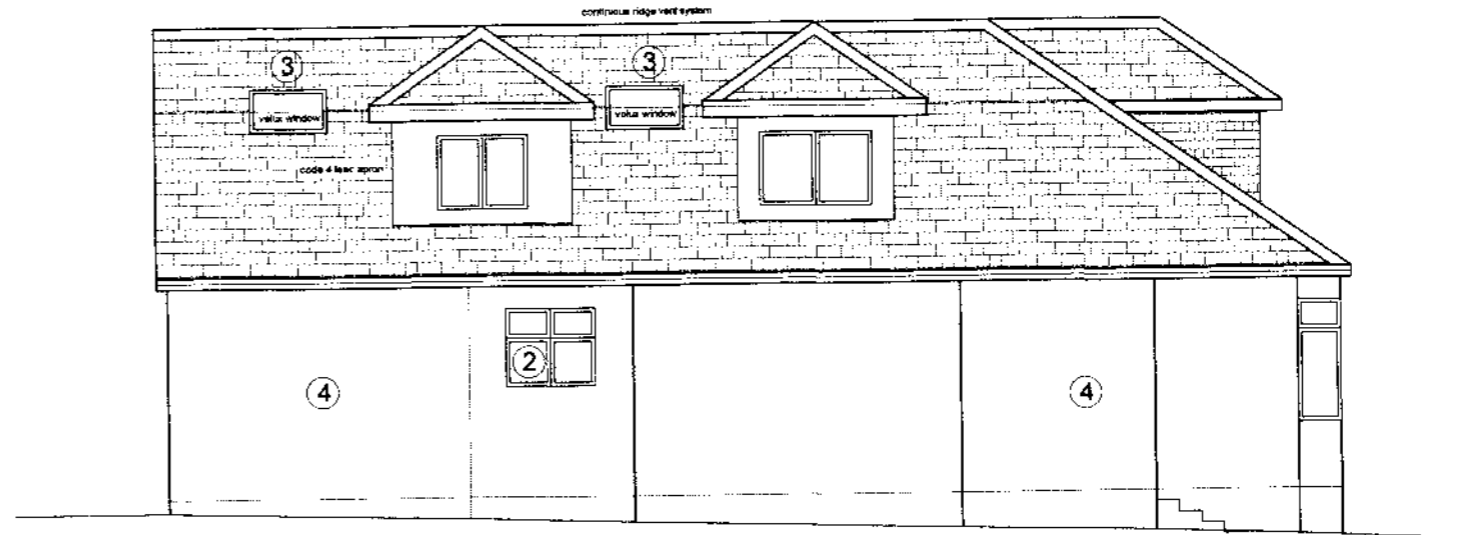


proposed side elevation

Material Legend:
1 = New Plain Tile
2 = PVC Window / Door
3 = Velux Window
4 = New render



proposed front elevation



proposed side elevation

Notes :

Revision 1 :	
Revision 2 :	
Scale :	1 : 100
Drawing No :	MIT/04
Project :	PROPOSED ATTIC CONVERSION REAR EXTENSION & FRONT EXTENSION

Client :	MR & MRS S MITCHELL
Address :	77 STAMPERLAND AVENUE STAMPERLAND EAST RENFREWSHIRE G76 8EY
Date :	27/11/14

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