

EAST RENFREWSHIRE COUNCIL

LOCAL REVIEW BODY

10 June 2015

Report by Deputy Chief Executive

REVIEW OF CASE - REVIEW/2015/05

ERECTION OF TWO STOREY SIDE EXTENSION AND SINGLE STOREY REAR  
EXTENSION AT 22 LOMOND DRIVE, BARRHEAD

**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:- 2015/0114/TP).
- Applicant: Mr William Smart
- Proposal: Erection of two storey side extension and single storey rear extension
- Location: 22 Lomond Drive, Barrhead
- Council Area/Ward: Barrhead (Ward 2).

**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 5.

9. The applicant is entitled to state a preference for the procedure (or combination of procedures) to be followed by the Local Review Body in the determination of the review and has indicated that it can be determined without further procedure.

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.** 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 representations – Appendix 2 (Pages);
- (c) Report of Handling by the planning officer under the Scheme of Delegation - Appendix 3 (Pages);
- (d) Decision notice and reasons for refusal - Appendix 4 (Pages); and
- (d) A copy of the applicant's Notice of Review and Statement of Reasons - Appendix 5 (Pages).

**13.** 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 6 (Pages):

- (a) Existing elevations;
- (b) Existing floor and roof plan;
- (c) Location and block plan;
- (d) Proposed 3D images;
- (e) Refused - Proposed floor plans and roof plan;
- (f) Refused - Proposed elevations; and
- (g) Refused - Location and block plan.

**14.** The Local Review Body is advised that initial consultation responses and representations received if any, relating to the application will be listed in the planning officer's Report of Handling.

**15.** All the documents referred to in this report can be viewed online on the Council's website at [www.eastrenfrewshire.gov.uk](http://www.eastrenfrewshire.gov.uk) with the exception of any representations that have been made to the application.

## **RECOMMENDATIONS**

**16.** The Local Review Body is asked to:-

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

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

Report Author:

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:- 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**





2 Spiersbridge Way Thornliebank Glasgow G46 8NG

Tel: 0141 577 3001

Fax: 0141 577 8411

Email: [planning@eastrenfrewshire.gov.uk](mailto: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                      000112775-001

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

## Description of Proposal

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

form 1 & 3/4 storey side extension to house new garage, master bedroom + kitchen and dining extension

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:	Spacesix Architects
Ref. Number:	
First Name: *	George
Last Name: *	Skinner
Telephone Number: *	0141 237 4878
Extension Number:	
Mobile Number:	
Fax Number:	
Email Address: *	george.skinner@spacesix.com

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

Building Name:	Berkeley Offices
Building Number:	116
Address 1 (Street): *	Elderslie Street
Address 2:	
Town/City: *	Glasgow
Country: *	UK
Postcode: *	G3 7AW

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

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title: *	Mr
Other Title:	
First Name: *	William
Last Name: *	Smart
Company/Organisation:	
Telephone Number:	
Extension Number:	
Mobile Number:	
Fax Number:	
Email Address:	

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

Building Name:	
Building Number:	22
Address 1 (Street): *	Lomond Drive
Address 2:	
Town/City: *	Barrhead
Country: *	Scotland
Postcode: *	G78 1PF



## Site Address Details

Planning Authority:

East Renfrewshire Council

Full postal address of the site (including postcode where available):

Address 1:

22 LOMOND DRIVE

Address 5:

Address 2:

BARRHEAD

Town/City/Settlement:

GLASGOW

Address 3:

Post Code:

G78 1PF

Address 4:

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

Northing

659977

Easting

249996

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

Yes  No

## Pre-Application Discussion Details

In what format was the feedback given? \*

Meeting  Telephone  Letter  Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) \* (Max 500 characters)

There was no objection in principle

Title:

Mr

Other title:

First Name:

Alison

Last Name:

Mitchell

Correspondence Reference Number:

Date (dd/mm/yyyy):

04/02/15

Note 1. A processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

## Trees

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

Yes  No

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



## Access and Parking

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

Yes  No

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

## 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? \*

Yes  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 ? \*

Yes  No

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 Ownership Certificate

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

Certificate A

I hereby certify that –

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

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

Signed: George Skinner

On behalf of: Mr William Smart

Date: 26/02/2015

Please tick here to certify this Certificate. \*



## Checklist - Application for Householder Application

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

- a) Have you provided a written description of the development to which it relates? \*  Yes  No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? \*  Yes  No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent.? \*  Yes  No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? \*. This should have a north point and be drawn to an identified scale.  Yes  No
- e) Have you provided a certificate of ownership? \*  Yes  No
- f) Have you provided the fee payable under the Fees Regulations? \*  Yes  No
- g) Have you provided any other plans as necessary? \*  Yes  No

Continued on the next page

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

You can attach these electronic documents later in the process.

- Existing and proposed elevations.
- Existing and Proposed floor plans.
- Cross sections.
- Site layout plan/Block plans (including access).
- Roof plan.
- Photographs and/or photomontages.

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

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. \*

Yes  No

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

## Declare - For Householder Application

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

Declaration Name: George Skinner

Declaration Date: 26/02/2015

Submission Date: 26/02/2015

## Payment Details



Created: 26/02/2015 23:53



**COPIES OF OBJECTIONS/REPRESENTATIONS**



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**REPORT OF HANDLING**

# REPORT OF HANDLING

Reference: 2015/0114/TP

Date Registered: 5th March 2015

Application Type: Full Planning Permission

This application is a Local Development

Ward: 2 -Barrhead

Co-ordinates: 249996/:659977

Applicant/Agent:

Applicant:  
Mr William Smart  
22 Lomond Drive  
Barrhead  
East Renfrewshire  
G78 1PF

Agent:  
Spacesix Architects  
Mr. George Skinner  
Berkeley Offices  
116 Elderslie Street  
Glasgow  
G3 7AW

Proposal: Erection of two storey side extension and single storey rear extension

Location: 22 Lomond Drive  
Barrhead  
East Renfrewshire  
G78 1PF

**CONSULTATIONS/COMMENTS:** None.

**PUBLICITY:** None.

**SITE NOTICES:** None.

**SITE HISTORY:** None

## REPRESENTATIONS:

One representation has been received:

**The representation can be summarised as follows:**

Design Statement inaccurate and misleading

Out of character

**DEVELOPMENT PLAN & GOVERNMENT GUIDANCE:** See Appendix 1

## SUPPORTING REPORTS:

Design Statement                      The extension is 1 and 3/4 storeys and hidden from public view by mature boundary hedge. There are no overshadowing or overlooking issues and it does not impact on residential amenity.

## ASSESSMENT:

The site is located on a corner plot on the south side of Lomond Drive and is situated within a planned estate characterised by detached and semi-detached chalet bungalows. The property is a detached chalet bungalow with an "L" shaped footprint and a freestanding garage and outbuilding to the rear. The plot is bounded by mature trees and hedging.

Planning permission is being sought to erect a wrap-around side /rear extension on the south-west gable elevation. The extension would project 4.5m from the gable over 10.990m, returning round, and extending 2m beyond, the back wall over 10.595m and would accommodate a garage, utility room and extended kitchen on the ground floor and en-suite bedroom on the upper floor. There would be a dual pitch roof with the ridge running from front to back with gable ends to match the house. To the rear, the roof would have asymmetrical roof plane with the longer section linking into a flat roof glazed rear extension. External materials comprise facing brick, render and a concrete roof tile. To the front, there would be an up and over garage door with a feature "juliet" balcony and clerestory; to the side a



small window to serve the garage and to the rear two standard windows, bi-folding doors on the ground floor and a feature window on the upper floor. The extension roof would have two skylights on both roof planes.

The applicant submitted a Pre-Application enquiry prior to submitting the application and was advised that it did not accord with the Development Plan and would be unlikely to be supported. It is noted that no revisions have been made to the formal planning application submission.

The application requires to be assessed against the Development Plan and any material considerations. The relevant policies in the East Renfrewshire Local Plan are E1, DM1 and DM2.1. Policy E1 presumes against developments which would be out of keeping with, and detrimental to, the surrounding to the surrounding area and requires that, where acceptable, proposals comply with policies DM1 and DM2.1. There are no objections, in principle, to alterations and extension to the property and the acceptability, or otherwise, of the proposal will depend on the detailing.

Policy DM1 provides general criteria against which all proposals would be assessed. In this case, the relevant criteria are considered to be 1) not result in a significant loss of character or amenity to the surrounding area and 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. Policy DM2.1 sets out six criteria by which applications for extensions to existing residential properties will be assessed and the relevant criteria, in this case, are considered to be: 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 and height and 3) incorporate a pitched roof where exposed to public view, with roof tiles or slates to match the existing.

The area is characterised by detached and semi-detached chalet bungalows with the same house as the application site found throughout the estate. It is considered that the erection of a full two storey side extension would represent a significant change to the appearance and design of the house. Furthermore, the extension would have an eaves level approximately 2m higher than the current eaves level and a ridge height approximately 1.3 higher than the existing roof. This is considered to be incongruous with the majority of houses in the area and particularly given the same house design is found throughout the estate. The proposed development would result in a full two storeys on a single storey house which would conflict with the established character and amenity of the area. It should be noted, however, that there are no issues with the single storey rear extension but it is structurally and internally linked to the two storey side extension and, as such, cannot be considered, in this case, as a separate entity.

In terms of size and scale, the projections from the existing side and rear elevations are appropriate relative to the existing footprint and do not represent an overdevelopment of the site. Given the orientation of the plot and house, the proposed fenestration and robust boundary treatment, it is considered that there are no issues with either overshadowing or overlooking. The amenity of the neighbouring properties will not be significantly prejudiced in these respects.

With regard to proposed materials, it is noted that the existing roof tile is profiled while the proposed roof tile is specified as a flat tile. The relevant policies require that external materials match the property.

Drawing all the above matters together, it is considered that the proposal could not be supported by policy DM1 (1), DM1 (2), DM2.1(1), DM2.1(2) and DM2.1(3) and, as such, does not accord with Policy E1.

In terms material considerations, the proposed Local Development Plan represents the current Council policy position in respect of the consideration of development proposal. Significant weight can now be given to this document as the Proposed Local development Plan Examination Report was received from Scottish Governments Directorate for Planning and Environment Appeals in January 2015 and the recommendation will be adopted by the Council in the near future. With regard to this planning application, the relevant policies are considered to be policies D1(1) and D1 (2), D2 and D14 and its supporting Supplementary Planning G (SPG) Guidance- Householder Design Guide. Policies D1, D2 and D14 largely reflect the corresponding policies in the adopted Local Plan. Consequently, for reasons stated above, it is considered that the proposal conflicts with the relevant policies in the Proposed Local Development Plan.

Section 2.1 of the Supplementary Planning Guidance -Householder Design Guidance states that:

- Extensions should respect the character of the original house in terms of design, scale and materials;

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

Section 2.2 provides additional criteria and states that:

- Ridge line of the extension should be below the ridge of the original house;

For reasons given in the preceding paragraphs, the proposal does not comply with the provisions of the SPG and is, therefore, unacceptable.

The applicant has submitted a Design Statement in support of, and justification for, the proposal. It is argued in the statement that the proposal represents a 1 ¾ storey extension which would only be visible when standing directly in front of the house due to the existing trees along the boundary and that there are no issues with residential amenity in terms of overlooking and overshadowing.

In response to the applicants comments , there are aspects of the proposal which are acceptable and comply with the Development Plan and the SPG in respect of, for example, floor area and impact on the amenity of neighbouring properties. However, there are fundamental issues with the design of the extension which does not respect the house in terms of eaves, ridge levels and roofing material. It is considered that the introduction of a non-conforming development with a higher roof than the existing roof would have a detrimental impact on the established visual amenity, the character of the area and the streetscene. In an area where there are the same and similar housetypes as the application site, approval could set an undesirable precedent; have a cumulative adverse impact on the visual amenity of the area and weaken the Councils commitment to the SPG. The applicant considers that the extension would not have a negative impact on the streetscene due to existing trees and restricted views of the house. This view cannot be supported as the trees are of little amenity value and, as such, would not merit either protection by means of a condition or formal designation with Tree Preservation Order. Consequently, the trees could be removed without the Councils consent and open up the site to wider public view. Only when approaching the site from the south-west would there be, if the trees were retained in place, restricted views to the site.

The comments of the representee are noted and have been discussed in the assessment.

To conclude, the proposal:

- o Conflicts with the East Renfrewshire Local Plan as the proposal cannot be supported by Policies DM1(1), DM1(2), DM2.1(1), DM2.1(2) and DM2.1(3) and, as such ,cannot be supported by Policy E1
- o Conflicts within the Proposed Local Development Plan as the proposal cannot be supported by Policies D1(1) and D1 (2), D2 and D14
- o Conflicts with the Supplementary Planning Guidance -Householder Design Guide for which significant weight can now be given as the Proposed Local Development Plan Examination Report, received from the Scottish Governments Directorate for Planning and Environment Appeals in January 2015, raised no issues.

Accordingly, it is considered for reasons stated above, that there are no material considerations, including the applicants Design Statement, which would justify setting aside the Development Plan policies and approving the application. It is, therefore, recommended that the application be refused.

**RECOMMENDATION:** Refuse

**PLANNING OBLIGATIONS:** None.

**REASON(S):**

1.The proposed development would be contrary to Policies E1, DM1(1), DM1(2), DM2.1(1), DM2.1(2) and DM2.1(3) in the East Renfrewshire Local Plan as the proposal will not be in keeping with the character and design of the existing dwelling in terms of eaves height, ridge height and roofing material and will dominate the front elevation, all to the detriment of the character of the dwelling and the character of the wider area.

2. The proposed development would be contrary to Policies D1 (1), D1 (2), D2, D14 in the Proposed Local Development Plan as the proposal will not be in keeping with the character and design of the existing dwelling in terms of eaves height, ridge height and roofing material

and will dominate the front elevation, all to the detriment of the character of the dwelling and the character of the wider area.

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

**ADDITIONAL NOTES:** None.

**ADDED VALUE:** None

**BACKGROUND PAPERS:**

Further information on background papers can be obtained from Ms Alison Mitchell on 0141 577 3117.

Ref. No.: 2015/0114/TP  
(ALMI)

DATE: 20th April 2015

**DIRECTOR OF ENVIRONMENT**

**Reference: 2015/0114/TP - Appendix 1**

**DEVELOPMENT PLAN:**

**Strategic Development Plan:** None relevant.

**East Renfrewshire Local Plan (Adopted 14<sup>th</sup> February 2011)**

Policy E1

General Urban Areas

Within the general urban area, as shown on the Proposals Map, there will be a presumption against significant new development or change of use not compatible with the character and amenity of the locality and its surrounding land uses.

Policy DM1

Detailed Guidance for all Development

Where the principle of development is deemed to be acceptable in terms of the other Policies contained within this

Local Plan, proposals for development will require to conform to the appropriate criteria below:

1. Not result in a significant loss of character or amenity to the surrounding area.
2. Be of a size, scale and density in keeping with the buildings in the locality and respect local architecture, building form, design, and materials.
3. Not constitute backland development without a road frontage.
4. Not impact adversely on the landscape character, involve a significant loss of trees or other Important landscape, greenspace or biodiversity features (see Policies E3 - "Protection of Natural Features", E6 - "Biodiversity" L1 - "Protection of Important Urban Greenspace", and L2- "Safeguarding the Local Greenspace Resource".
5. Ensure that landscaping is an integral element in layout design, taking account of existing physical features (e.g. trees, hedgerows, walls, etc.). Where appropriate, tree planting should augment the amenity and appearance of the site.
6. Ensure that the standards for 'Open Space' are satisfied see Policy L4 - "Open Space Provision in New Developments" and Appendix 1).
7. Meet the parking and access requirements of the Council and provide Appropriate mitigation to minimise the impact of new development (see Policies T3 - "New Transport Infrastructure" and T5 - "Other Traffic Management and Calming Measures).
8. Not prejudice the amenity of neighbouring properties by unreasonably restricting sunlight or privacy.
9. Seek to create safe and secure environments and reduce the scope for anti-social behaviour and fear of crime.
10. Be designed to meet disability needs and include provision for disabled access



within public areas.

11. Minimise the extent of light pollution caused by street and communal lighting and any flood lighting forming part of, or associated with, development.
12. Be designed to include provision for the recycling, storage, Collection and composting of waste materials.
13. Be designed to retain on-site, for use as part of the development, as much as possible of all waste material arising from construction of the development.
14. Be designed where applicable to take into account the legacy of former mining activity.

#### Policy DM2.1

##### Extensions

1. Must complement the existing character of the building, particularly in terms of scale, style, form and materials.
2. Must complement the existing building in terms of size, scale or height.
3. Incorporate a pitched roof where exposed to public view, with roof tiles or slates to match existing.
4. Side extensions should not create an unbroken or terraced appearance along the street frontage.
5. Avoid major loss of existing garden space.
6. Dormer windows should not in general dominate the existing roof profile, nor rise above or break the existing ridgeline or hip of the roof, and should be finished in materials to match existing roof finishes.

The Council will prepare and approve a design guide for householders on alterations to existing dwellinghouses.

#### **Proposed Local Development Plan**

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

#### Policy D1

##### Detailed Guidance for all Development

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

1. The development should not result in a significant loss of character or amenity to the surrounding area;
2. The proposal should be of a size, scale, massing and density that is in keeping with the buildings in the locality and should respect local architecture, building form, design, and materials;
3. The amenity of neighbouring properties should not be adversely affected by unreasonably restricting their sunlight or privacy. Additional guidance on this issue is available in the Daylight and Sunlight Design Guide Supplementary Planning Guidance;
4. The development should not impact adversely on landscape character or the green network, involve a significant loss of trees or other important landscape, greenspace or biodiversity features;
5. Developments should incorporate green infrastructure including access, water management, landscaping, greenspace, water management and Sustainable Urban Drainage Systems at the outset of the design process. Where appropriate, new tree or shrub planting should be incorporated using native species. The physical area of any development covered by impermeable surfaces should be kept to a minimum to assist with flood risk management. Further guidance is contained within the Green Network Supplementary Planning Guidance;
6. Development should create safe and secure environments that reduce the scope for anti-social behaviour and fear of crime;
7. Developments must be designed to meet disability needs and include provision for

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

## Policy D2

### General Urban Areas

Development will be supported within the general urban areas, as defined on the Proposals Map, where compatible with the character and amenity of the locality and surrounding land uses and where it complies with other appropriate policies of the Proposed Plan.

## 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 20/04/2015.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.       **2015/0114/TP**

**Applicant**

Mr William Smart  
22 Lomond Drive  
Barrhead  
East Renfrewshire  
G78 1PF

**Agent:**

Spacesix Architects  
Mr. George Skinner  
Berkeley Offices  
116 Elderslie Street  
Glasgow, G3 7AW

With reference to your application which was registered on 5th March 2015 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

**Erection of two storey side extension and single storey rear extension**

**at: 22 Lomond Drive Barrhead East Renfrewshire G78 1PF**

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

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

1. The proposed development would be contrary to Policies E1, DM1(1), DM1(2), DM2.1(1), DM2.1(2) and DM2.1(3) in the East Renfrewshire Local Plan as the proposal will not be in keeping with the character and design of the existing dwelling in terms of eaves height, ridge height and roofing material and will dominate the front elevation all to the detriment of the character of the dwelling and the character of the wider area.
2. The proposed development would be contrary to Policies D1(1), D1(2), D2, D14 in the Proposed Local Development Plan as the proposal will not be in keeping with the character and design of the existing dwelling in terms of eaves height, ridge height and roofing material and will dominate the front elevation all to the detriment of the character of the dwelling and the character of the wider area.
3. The proposed development would be contrary to the Supplementary Planning Guidance-Householder Design Guidance as it does not comply with the design principles therein.

Dated           20th April 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

<b>Plan Description</b>	<b>Drawing Number</b>	<b>Drawing Version</b>	<b>Date on Plan</b>
Block Plan and Location Plan	AP(0)007		
Proposed floor plans	AP(0)004		
Elevations Proposed	AP(0)005		

## **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](http://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](mailto: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](mailto: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                      000112775-002

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 on behalf of the applicant in connection with this application)

Applicant  Agent

### Agent Details

Please enter Agent details

Company/Organisation:

Ref. Number:

First Name: \*

Last Name: \*

Telephone Number: \*

Extension Number:

Mobile Number:

Fax Number:

Email Address: \*

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

Building Name:

Building Number:

Address 1 (Street): \*

Address 2:

Town/City: \*

Country: \*

Postcode: \*

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

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title: *	<input type="text" value="Mr"/>
Other Title:	<input type="text"/>
First Name: *	<input type="text" value="William"/>
Last Name: *	<input type="text" value="Smart"/>
Company/Organisation:	<input type="text"/>
Telephone Number:	<input type="text"/>
Extension Number:	<input type="text"/>
Mobile Number:	<input type="text"/>
Fax Number:	<input type="text"/>
Email Address:	<input type="text"/>

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

Building Name:	<input type="text"/>
Building Number:	<input type="text" value="22"/>
Address 1 (Street): *	<input type="text" value="Lomond Drive"/>
Address 2:	<input type="text"/>
Town/City: *	<input type="text" value="Barrhead"/>
Country: *	<input type="text" value="Scotland"/>
Postcode: *	<input type="text" value="G78 1PF"/>

## Site Address Details

Planning Authority:	<input type="text" value="East Renfrewshire Council"/>
---------------------	--

Full postal address of the site (including postcode where available):

Address 1:	<input type="text" value="22 LOMOND DRIVE"/>	Address 5:	<input type="text"/>
Address 2:	<input type="text" value="BARRHEAD"/>	Town/City/Settlement:	<input type="text" value="GLASGOW"/>
Address 3:	<input type="text"/>	Post Code:	<input type="text" value="G78 1PF"/>
Address 4:	<input type="text"/>		

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

Northing	<input type="text" value="659977"/>	Easting	<input type="text" value="249996"/>
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## 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)

Proposed side and rear extension to create a new single garage with master bedroom over + open plan kitchen and dining area

## 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.

We seek to have the application reviewed as we fundamentally disagree with the planning departments view of this application

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

Yes  No

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)

All application plans + review statement

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

2015/0114/TP

What date was the application submitted to the planning authority? \*

05/03/15

What date was the decision issued by the planning authority? \*

24/04/15

## 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 conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

Yes  No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? \*

Yes  No

Is it possible for the site to be accessed safely and without barriers to entry? \*

Yes  No

## Checklist - Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant? \*

Yes  No

Have you provided the date and reference number of the application which is the subject of this review? \*

Yes  No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

Yes  No  N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

Yes  No

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

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and drawings) which are now the subject of this review \*

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 Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: George Skinner

Declaration Date: 24/04/2015

Submission Date: 24/04/2015



## Planning review statement

Proposed alterations & extension to 22 Lomond Drive, Barrhead - 2015/0114/TP

We wish to have decision to refuse this application for planning permission reviewed as we extremely disappointed in the planning departments robotic application of the planning policy instead of accessing the proposals in a sensible and logical manner.

The planning department state their reason for refusal on the basis that the extension has increased ridge and eave levels and that the roofing material will be different.

We wish to address their reasoning as follows:

1. The roofing material. The proposals include the re-roofing of the existing house to match the proposed extension. The proposed roofing material is a Marley modern concrete tile. This product is used in tens of thousands of houses across the UK. How can the proposed use be unacceptable in this instance?
2. The refusal states that the proposed extension is detrimental to the character of the existing bungalow. Below is a picture of the existing bungalow. As you will see the house is a 60's bungalow with no architectural merit. It is brick built with concrete roof tiles and UPVC windows. Where is the character exactly? This house is tired and in need of modernisation.



3. The planning department stated that the development would be detrimental to the Street. The picture above clearly illustrates the secluded nature of the application site. (this was highlighted to the case officer prior to the application) The proposed extension will never be seen in the context of the rest of the street due to the

mature planting that bounds the application site. The notion that our streets should be lined with banal characterless housing is sad and depressing outlook. The proposed extension when seen will in fact bring some relief to repetitious character of the area. This is a view shared by all of the neighbours as the applicant shared the plans with all of the neighbours prior to the application. The neighbours are in full support of the proposals and hence the reason why there were no neighbour objections raised during the application.

4. The planning department refused the application on the basis that the proposals would create a development with an increased ridge and eaves level. In essence a building which is in part 2 storey and in part single storey. We may be wrong, but is this such a wild concept for a house or is it seen in almost every street in the UK? Does the application site share two of its boundaries, 1 to the north and 1 to the south with houses which contain double and single storey elements. Surely not, such developments would never be permitted as this would destroy our built environment.

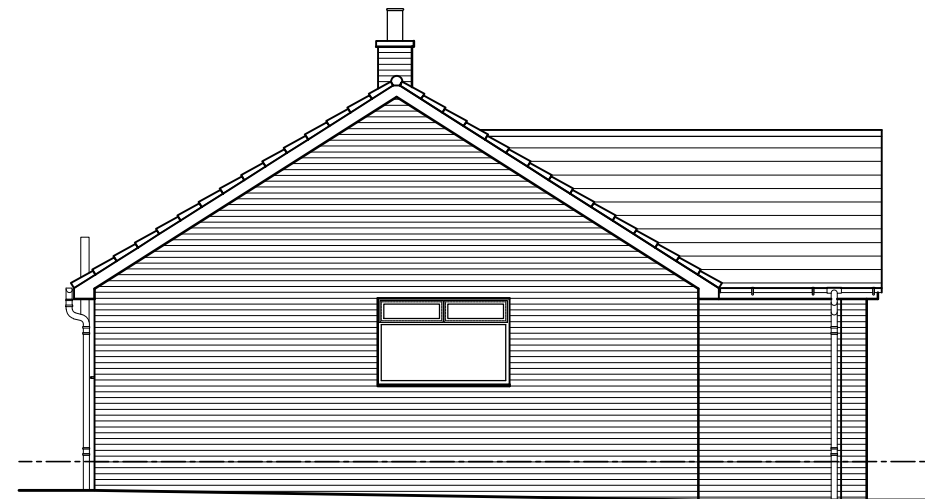
The decision to refuse this application we find completely unjustifiable. The proposals will enhance the look of an otherwise forgettable bungalow and provide essential modern living space for the family. Furthermore the completed building is proposed in a format which has become commonplace within the UK.

**PLANS/PHOTOGRAPHS/DRAWINGS**

Important  
 The contractor will be held to have examined the site and checked all dimensions and levels before commencing construction work. No assumption should be made without reference to the architect. No dimensions should be scaled from this drawing.



EXISTING NORTH WEST ELEVATION



EXISTING NORTH EAST ELEVATION



EXISTING SOUTH EAST ELEVATION



EXISTING SOUTH WEST ELEVATION

**SPACE SIX** architects Ltd  
 Berkeley Offices  
 116 - 118 Elderslie Street  
 Glasgow  
 G3 7AW  
 T 0141 237 4878  
 I www.spacesix.com  
 E info@spacesix.com

<b>PLANNING</b>		
Client MR & MRS W SMART		
Project Title PROPOSED ALTERATION & EXTENSION 22 LOMOND DRIVE BARRHEAD		
Drawing Title EXISTING ELEVATIONS		
Scale 1: 100	Date 26/01/15	
Drawn by GS	Checked by GS	
Job No. 15003	Drawing No. AP(0)003	Rev.

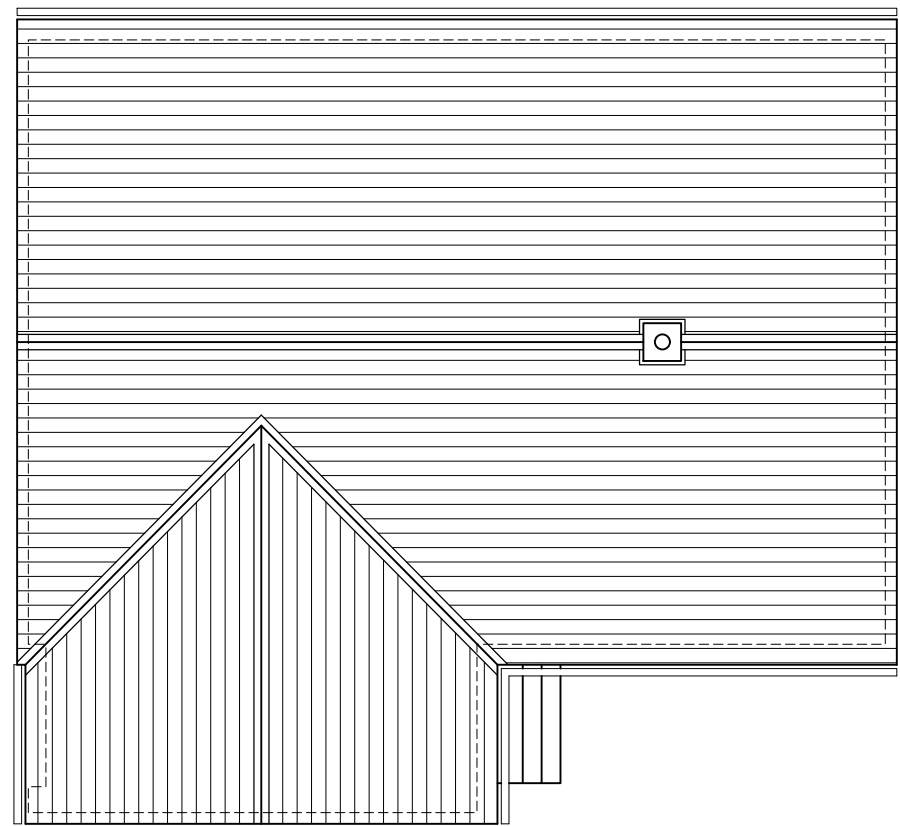
Important

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<small>Revision</small>	<small>Date</small>	<small>By</small>
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EXISTING FLOOR PLAN



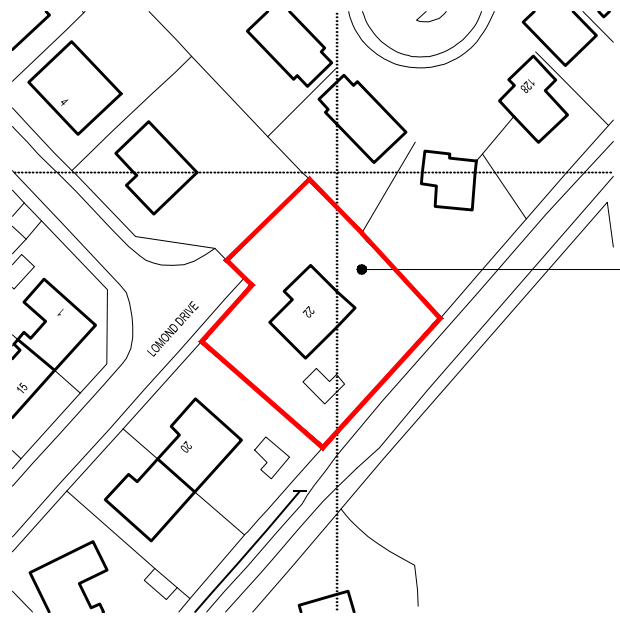
EXISTING ROOF PLAN

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 Berkeley Offices  
 116 - 118 Elderslie Street  
 Glasgow  
 G3 7AW  
 T 0141 237 4878  
 I www.spacesix.com  
 E info@spacesix.com

<b>PLANNING</b>		
<small>Client</small> MR & MRS W SMART		
<small>Project Title</small> PROPOSED ALTERATION & EXTENSION 22 LOMOND DRIVE BARRHEAD		
<small>Drawing Title</small> EXISTING FLOOR PLANS		
<small>Scale</small> 1: 100	<small>Date</small> 26/01/15	
<small>Drawn by</small> GS	<small>Checked by</small> GS	
<small>Job No.</small> 15002	<small>Drawing No.</small> AP(0)002	<small>Rev.</small>

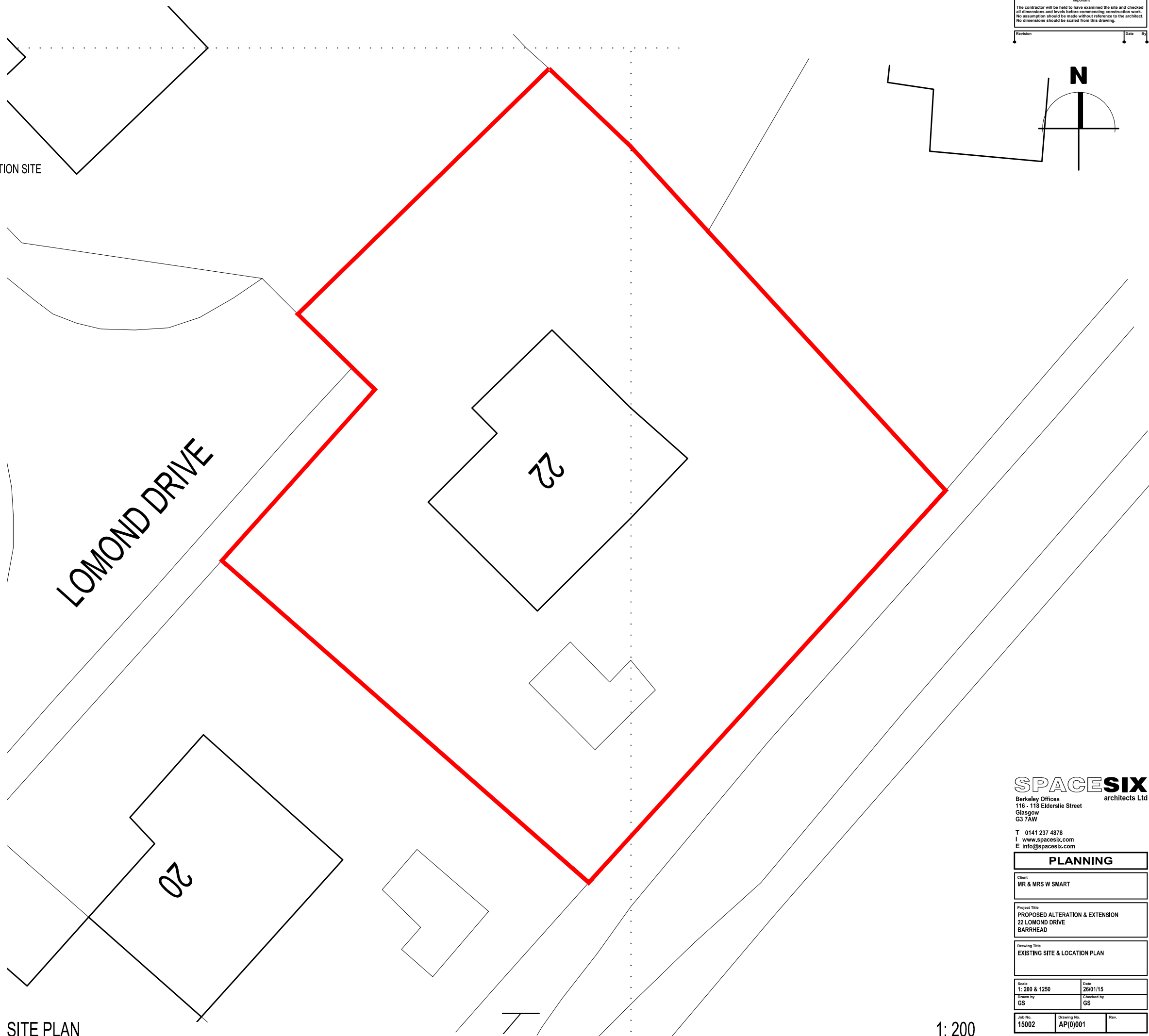
**Important**  
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Revision \_\_\_\_\_ Date \_\_\_\_\_ By \_\_\_\_\_



LOCATION PLAN 1: 1250

APPLICATION SITE



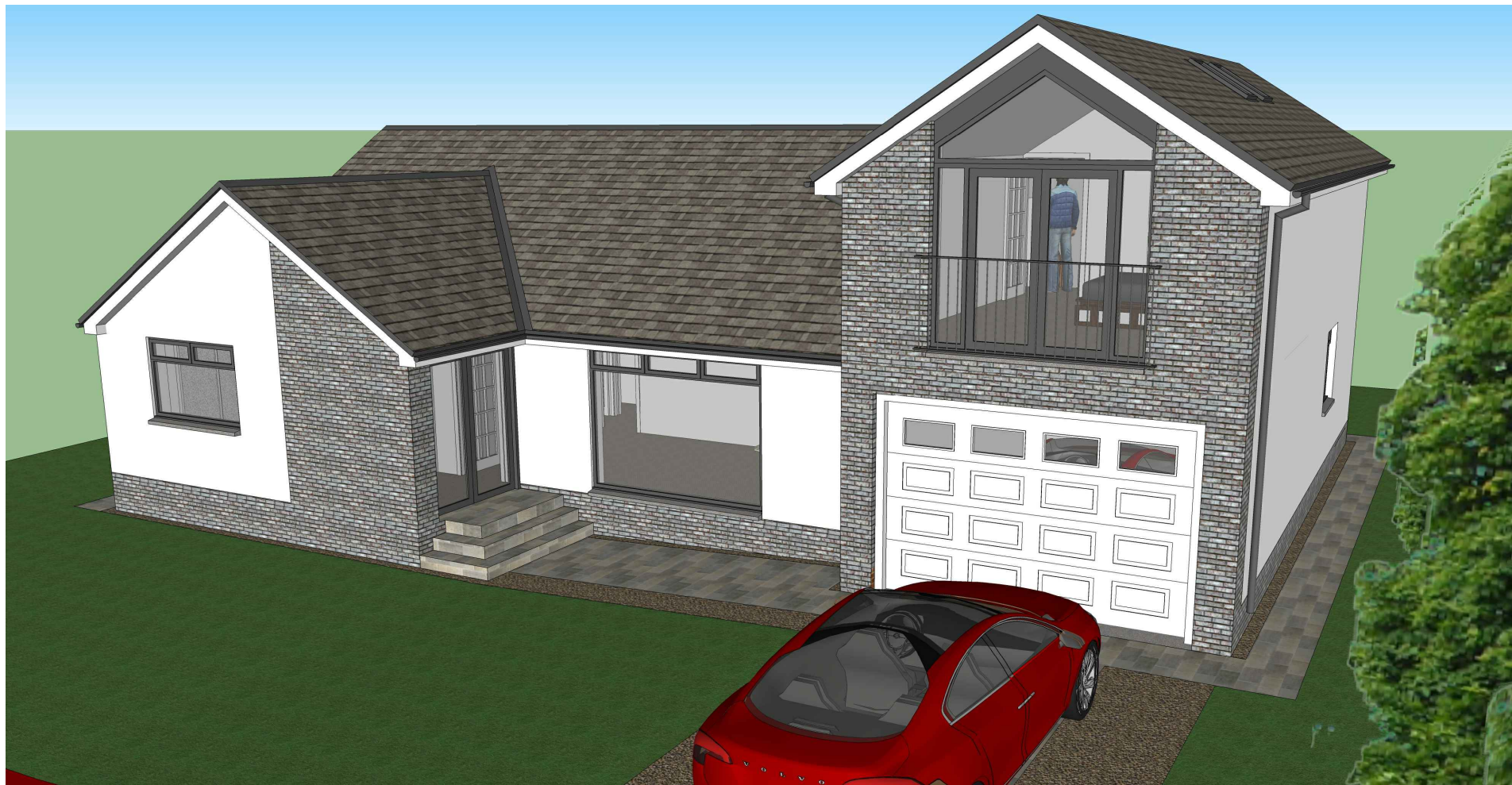
SITE PLAN

1: 200

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 Berkeley Offices  
 116 - 118 Elderslie Street  
 Glasgow  
 G3 7AW  
 T 0141 237 4878  
 I www.spacesix.com  
 E info@spacesix.com

<b>PLANNING</b>		
Client MR & MRS W SMART		
Project Title PROPOSED ALTERATION & EXTENSION 22 LOMOND DRIVE BARRHEAD		
Drawing Title EXISTING SITE & LOCATION PLAN		
Scale 1: 200 & 1250	Date 26/01/15	
Drawn by GS	Checked by GS	
Job No. 15002	Drawing No. AP(0)001	Rev.





FRONT VIEW



REAR VIEW

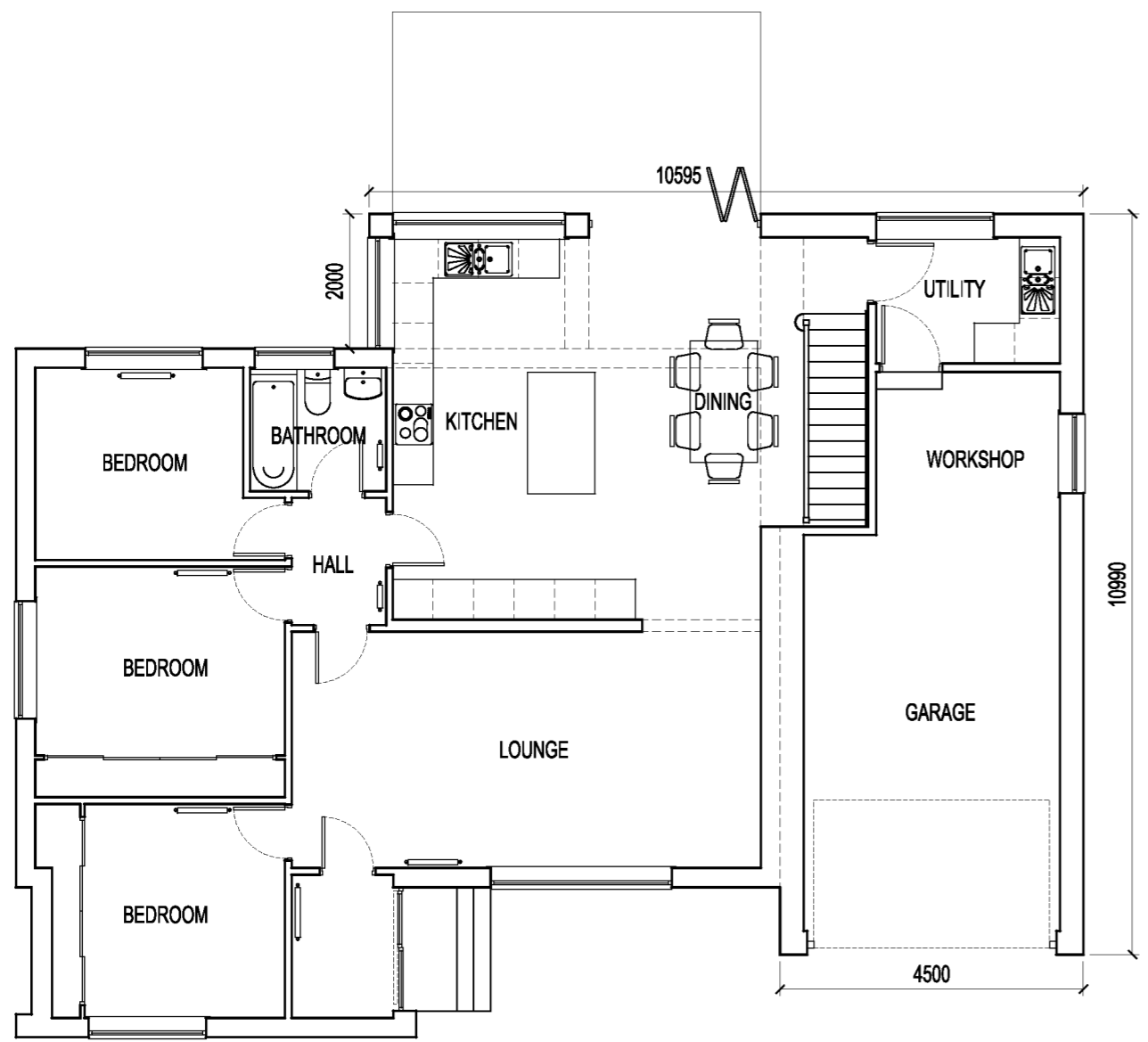
**Important**  
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Revision	Date	By

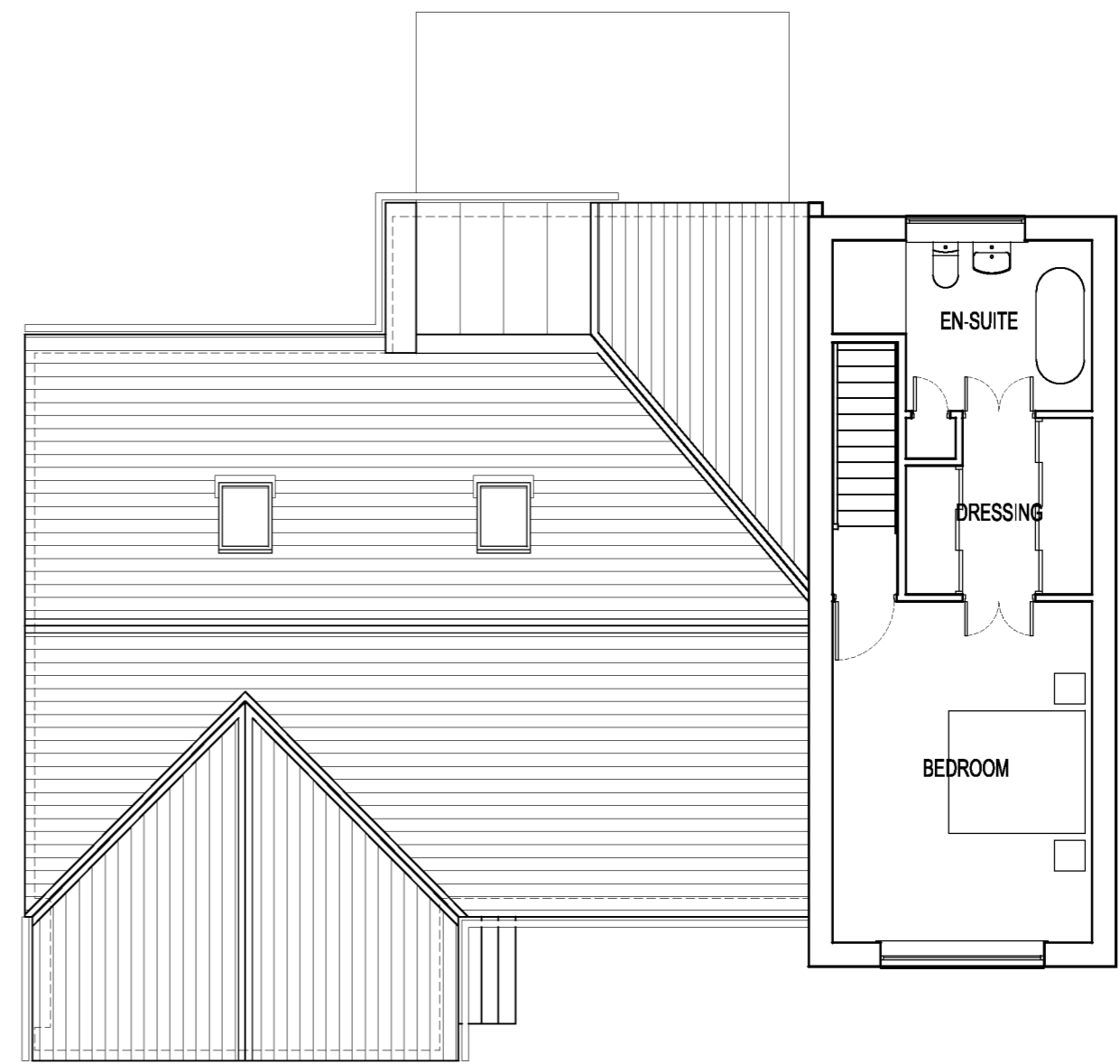
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 Berkeley Offices  
 116 - 118 Elderslie Street  
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PLANNING		
Client MR & MRS W SMART		
Project Title PROPOSED ALTERATION & EXTENSION 22 LOMOND DRIVE BARRHEAD		
Drawing Title 3D VIEWS		
Scale 1: 100	Date 26/01/15	
Drawn by GS	Checked by GS	
Job No. 15003	Drawing No. AP(0)006	Rev.

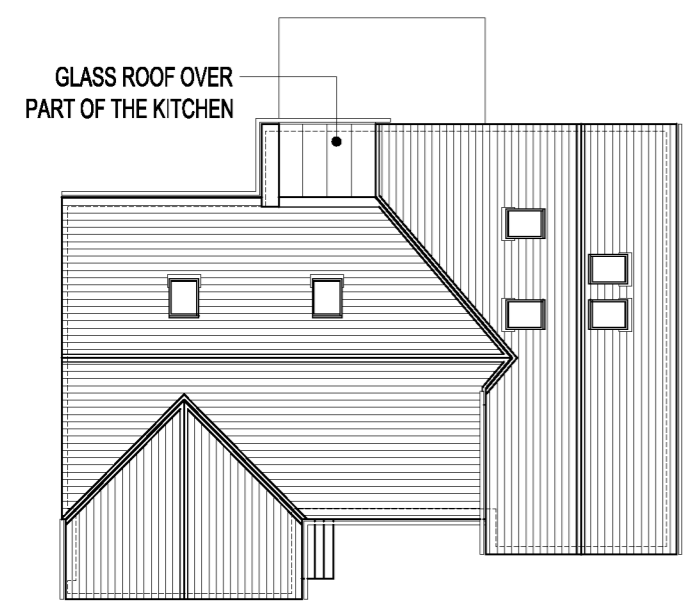




PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN



PROPOSED ROOF PLAN

Town and Country Planning  
 (Scotland) Act 1997

**REFUSED**

Director of Environment  
 East Renfrewshire Council

**SPACE SIX**  
 architects Ltd

Berkeley Offices  
 116 - 118 Elderslie Street  
 Glasgow  
 G3 7AW

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PLANNING		
Client	MR & MRS W SMART	
Project Title	PROPOSED ALTERATION & EXTENSION 22 LOMOND DRIVE BARRHEAD	
Drawing Title	PROPOSED FLOOR PLANS	
Scale	1:100/200	Date 26/01/15
Drawn by	GS	Checked by GS
Job No.	15002	Drawing No. AP(0)004

Town and Country Planning  
(Scotland) Act 1997

**REFUSED**

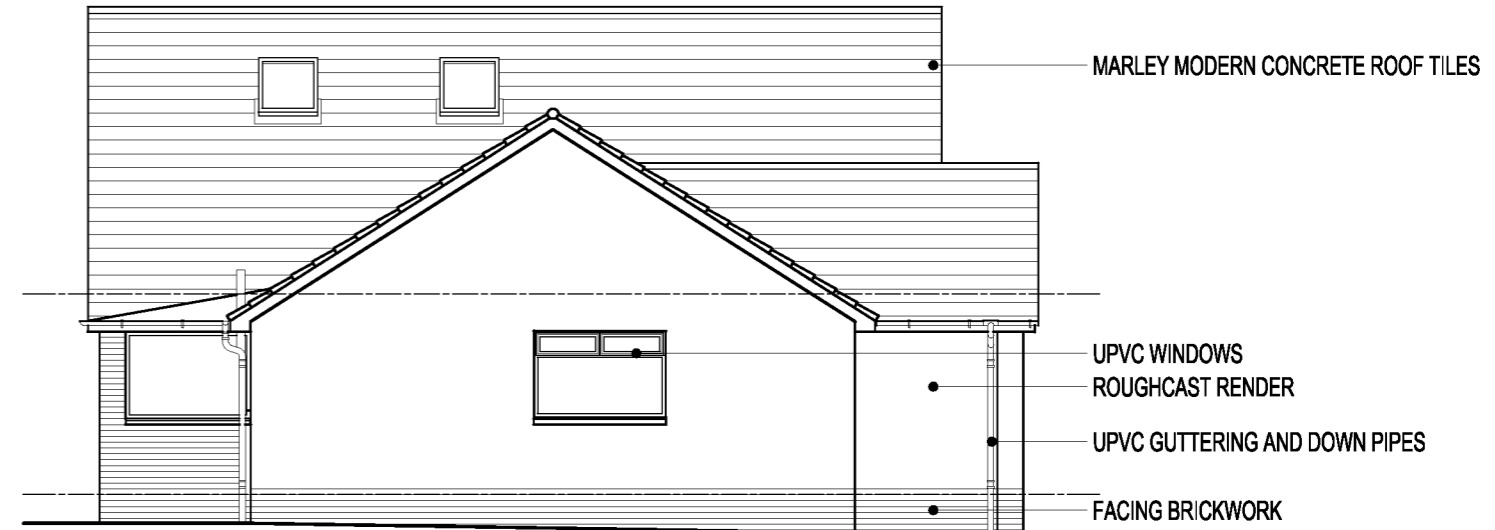
Director of Environment  
East Renfrewshire Council

Important  
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Revision: \_\_\_\_\_ Date: \_\_\_\_\_ By: \_\_\_\_\_



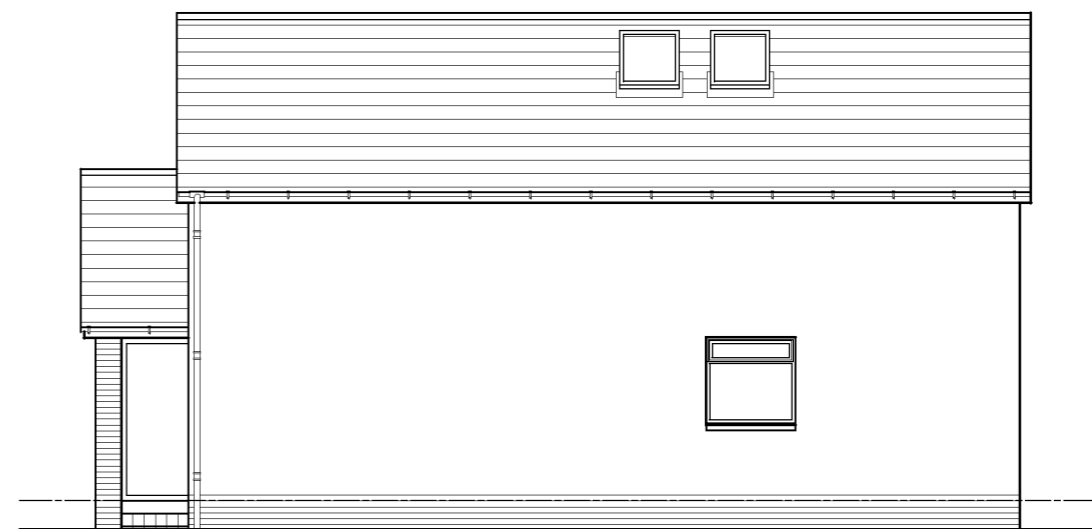
PROPOSED NORTH WEST ELEVATION



PROPOSED NORTH EAST ELEVATION



PROPOSED SOUTH EAST ELEVATION



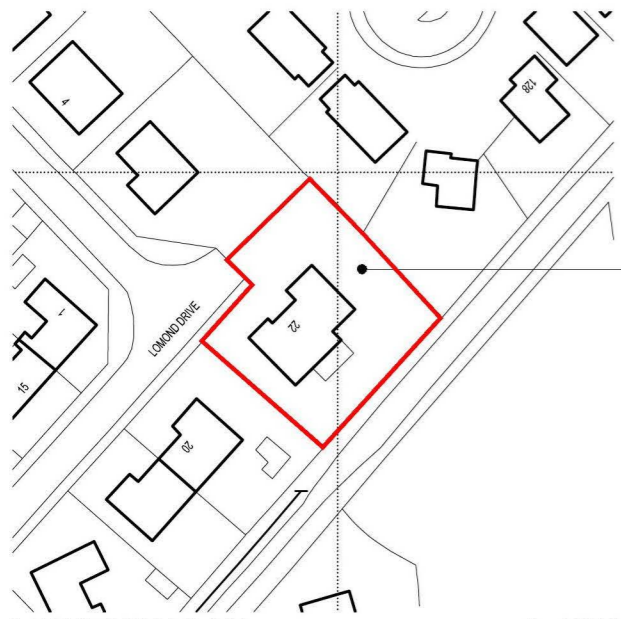
PROPOSED SOUTH WEST ELEVATION

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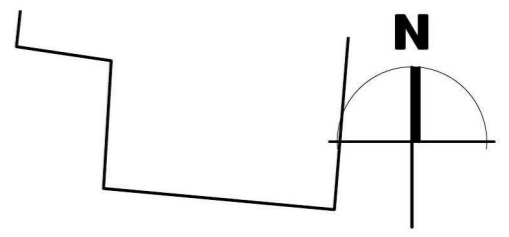
<b>PLANNING</b>		
Client MR & MRS W SMART		
Project Title PROPOSED ALTERATION & EXTENSION 22 LOMOND DRIVE BARRHEAD		
Drawing Title PROPOSED ELEVATIONS		
Scale 1: 100	Date 26/01/15	
Drawn by GS	Checked by GS	
Job No. 15003	Drawing No. AP(0)005	Rev.

Important  
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LOCATION PLAN  
 1: 1250

APPLICATION SITE



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



SITE PLAN

1: 200

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Job No. 15002	Drawing No. AP(0)007	Rev.