

EAST RENFREWSHIRE COUNCILLOCAL REVIEW BODY11 March 2015Report by Deputy Chief ExecutiveREVIEW OF CASE - REVIEW/2014/07SUB DIVISION OF FEU AND ERECTION OF ONE AND A HALF STOREY DETACHED DWELLINGHOUSE AT REAR WITH FORMATION OF DRIVEWAY OFF CROOKFUR ROAD AT 8 THE LAURELS, NEWTON MEARNES**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:- 2014/0475/TP).
- Applicant: Ms Amanda Flynn.
- Proposal: Sub- division of feu and erection of one and a half storey detached dwellinghouse at rear with formation of driveway off Crookfur Road
- Location: 8 The Laurels, Newton Mearns.
- Council Area/Ward: Neilston, Uplawmoor and Newton Mearns North (Ward 1).

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.

PREVIOUS CONSIDERATION OF REVIEW CASE

8. The Local Review Body at its meeting on 14 January 2015, was advised that some information had been omitted from the applicant's appeal statement in error and that should the Local Review Body decide to give consideration to the new information, the case officer and those individuals who submitted representations should be given an opportunity to comment on the information. It was noted that once these comments were received, the applicant would also be given an opportunity to submit further comments thereon.

At that meeting it was agreed that:-

- (a) the new information submitted by the applicant should be taken into account as part of the review and that the case officer and those individuals who had submitted representations be given an opportunity to comment on the information and that once these comments were received the applicant be given an opportunity to submit further comments on these comments; and
- (b) consideration of the review be continued to allow comments on the new information to be submitted as referred to above.

9. The new information which is attached as Appendix 6 has now been circulated to those interested parties as described above and their representations together with the applicant's comments in response are now attached as further representations at Appendix 7.

NOTICE OF REVIEW – STATEMENT OF REASONS FOR REQUIRING THE REVIEW

10. 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.

11. 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 her stated preference is one or more hearing sessions.

12. The Local Review Body is not bound to accede to the applicant's request as to how it will determine the review and will itself decide what procedure will be used in this regard.

INFORMATION AVAILABLE TO ALLOW REVIEW OF APPLICATION

13. 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.

14. 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 7-16);
- (b) Copies of comments/representations – Appendix 2 (Pages 17-28);
- (c) Report of Handling by the planning officer under the Scheme of Delegation - Appendix 3 (Pages 29-36);
- (d) Decision notice and reasons for refusal - Appendix 4 (Pages 37-40);
- (e) A copy of the applicant's Notice of Review and Statement of Reasons - Appendix 5 (Pages 41-84);
- (f) New Information – Appendix 6 (Pages 85-96); and
- (g) Further comments on new information from interested parties and response to them by applicant – Appendix 7 (Pages 97-126).

15. The applicant has also submitted the drawing 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 8 (Pages 127-129):-

- (a) Existing and proposed plans and elevations.

16. 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.

17. All the documents referred to in this report with the exception of representations can be viewed online on the Council's website at www.eastrenfrewshire.gov.uk .

RECOMMENDATIONS

18. The Local Review Body is asked to:-

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

Report Author:

Director - Caroline Innes, Deputy Chief Executive

Paul O'Neil, Committee Services Officer
e-mail: paul.o'neil@eastrenfrewshire.gov.uk
Tel: 0141 577 3011

Date:- March 2015

KEY WORDS:

A report presenting information to allow the Local Review Body to review the decision taken by the appointed officer to refuse the application for planning permission in terms of the scheme of delegation.

Key Words:- Local Review Body, Notice of Review, Statement, Reasons.

**APPLICATION
FOR
PLANNING PERMISSION**

BLANK PAGE



2 Spiersbridge Way Thornliebank Glasgow G46 8NG

Tel: 0141 577 3001

Fax: 0141 577 8411

Email: planningapplications@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 000093989-001

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.

Type of Application

What is this application for? Please select one of the following: *

We strongly recommend that you refer to the help text before you complete this section.

- Application for Planning Permission (including changes of use and surface mineral working)
- Application for Planning Permission in Principle
- Further Application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Erection of a new dwelling on land to the rear of 8 The Laurels

Is this a temporary permission? * Yes No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) * Yes No

Have the works already been started 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:	GCPlanning
Ref. Number:	
First Name: *	Graham
Last Name: *	Cann
Telephone Number: *	07739478137
Extension Number:	
Mobile Number:	
Fax Number:	
Email Address: *	gcplanning@btinternet.com

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

Building Name:	
Building Number:	5
Address 1 (Street): *	Hawthorn Hill
Address 2:	
Town/City: *	Hamilton
Country: *	UK
Postcode: *	ML3 7LR

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title: *	Ms
Other Title:	
First Name: *	Amanda
Last Name: *	Flynn
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:	8
Address 1 (Street): *	The Laurels
Address 2:	
Town/City: *	Newton Mearns
Country: *	Scotland
Postcode: *	G77 6XR

Site Address Details

Planning Authority:

East Renfrewshire Council

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

Address 1:

Address 5:

Address 2:

Town/City/Settlement:

Address 3:

Post Code:

Address 4:

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

Northing

656400

Easting

253830

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)

Outlined proposal and discussion of planning policies

Title:

Mr

Other title:

First Name:

Last Name:

Correspondence Reference Number:

Date (dd/mm/yyyy):

20/06/14

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.

Site Area

Please state the site area:

0.07

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: (Max 500 characters)

Residential garden area

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.

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 highlighting 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? *

0

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

3

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycle spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? *

Yes No

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

- Yes – connecting to public drainage network
- No – proposing to make private drainage arrangements
- Not Applicable – only arrangements for water supply required

Do your proposals make provision for sustainable drainage of surface water? (e.g. SUDS arrangements) *

Yes No

Note: -

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

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

- Yes
- No, using a private water supply
- No connection required

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

Assessment of Flood Risk

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

Yes No Don't Know

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

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.

Waste Storage and Collection

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

Yes No

If Yes or No, please provide further details:(Max 500 characters)

Bin storage contained within the residential curtilage of new dwelling.

Residential Units Including Conversion

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

Yes No

How many units do you propose in total? *

1

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

All Types of Non Housing Development - Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

Yes No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013? *

Yes No Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

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: Graham Cann

On behalf of: Ms Amanda Flynn

Date: 01/07/2014

Please tick here to certify this Certificate. *

Checklist - Application for Planning Permission

Town and County Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

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) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

Yes No Not applicable to this application

b) If this is an application for planning permission or planning permission in principal where there is a crown interest in the land, have you provided a statement to that effect? *

Yes No Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major developments (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

Yes No Not applicable to this application

Town and County Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

Yes No Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

Yes No Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

Yes No Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

Site Layout Plan or Block plan.

Elevations.

Floor plans.

Cross sections.

Roof plan.

Master Plan/Framework Plan.

Landscape plan.

Photographs and/or photomontages.

Other.

Provide copies of the following documents if applicable:

- A copy of an Environmental Statement. * Yes N/A
- A Design Statement or Design and Access Statement. * Yes N/A
- A Flood Risk Assessment. * Yes N/A
- A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * Yes N/A
- Drainage/SUDS layout. * Yes N/A
- A Transport Assessment or Travel Plan. * Yes N/A
- Contaminated Land Assessment. * Yes N/A
- Habitat Survey. * Yes N/A
- A Processing Agreement * Yes N/A

Other Statements (please specify). (Max 500 characters)

Declare - For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying plans/drawings and additional information are provided as a part of this application .

Declaration Name: Graham Cann
Declaration Date: 08/07/2014
Submission Date: 08/07/2014

Payment Details

Departmental Charge Code: 1

Created: 08/07/2014 00:29

COMMENTS/REPRESENTATIONS

BLANK PAGE

**Roads Service
OBSERVATIONS ON
PLANNING APPLICATION**

Our Ref: 2014/0475/TP
D.C Ref Jamie Gilliland
Contact: Allan Telfer
Tel: 0141-577-3712

Planning Application No: 2014/0475/TP **Dated:** 12/8/14 **Received:** 13/8/14
Applicant: Amanda Flynn
Proposed Development: Sub division of feu and erection of one and a half storey detached dwellinghouse at rear with formation of driveway off Crookfur Road.
Location: 8 The Laurels Newton Mearns East Renfrewshire G77 6XR
Type of Consent: Full Planning Permission
Ref No. of Dwg.(s) submitted: DWG 1

RECOMMENDATION	REFUSE
-----------------------	---------------

Proposals Acceptable Y/N or N/A

Proposals Acceptable Y/N or N/A

Proposals Acceptable Y/N or N/A

1. General

(a) General principle of development	N
(b) Safety Audit Required	N
(c) Traffic Impact Analysis Required	N

2. Existing Roads

(a) Type of Connection (junction / footway crossing)	N
(b) Location(s) of Connection(s)	N
(c) Pedestrian Provision	N
(d) Sightlines (2.5m x 90m x 1.05m)	N

3. New Roads

(a) Widths	N/A
(b) Pedestrian Provision	N/A
(c) Layout (horizontal/vertical alignment)	N/A
(d) Turning Facilities (Circles / hammerhead)	N/A
(e) Junction Details (locations / radii / sightlines)	N/A
(f) Provision for P.U. services	N/A

4. Servicing & Car Parking

(a) Drainage	N
(b) Car Parking Provision	N
(c) Layout of parking bays / Garages	N
(d) Servicing Arrangements/Driveways	N/A

5. Signing

(a) Location	N/A
(b) Illumination	N/A

Ref.	COMMENTS
	I refer to previous planning application 2007/0708/TP and the comments remain the same. Crookfur road acts as a distributor road linking Newton Mearns to Glasgow city centre and Kilmarnock via the M77. Whilst historically access to individual properties were established at the south eastern end of Crookfur Road, this Service could not in the interests of road safety support the provision of additional driveways onto this class of road.

	Reason for Refusal
	Isolated individual accesses should not be taken onto distributor roads in the interests of safety.

Notes for Intimation to Applicant:

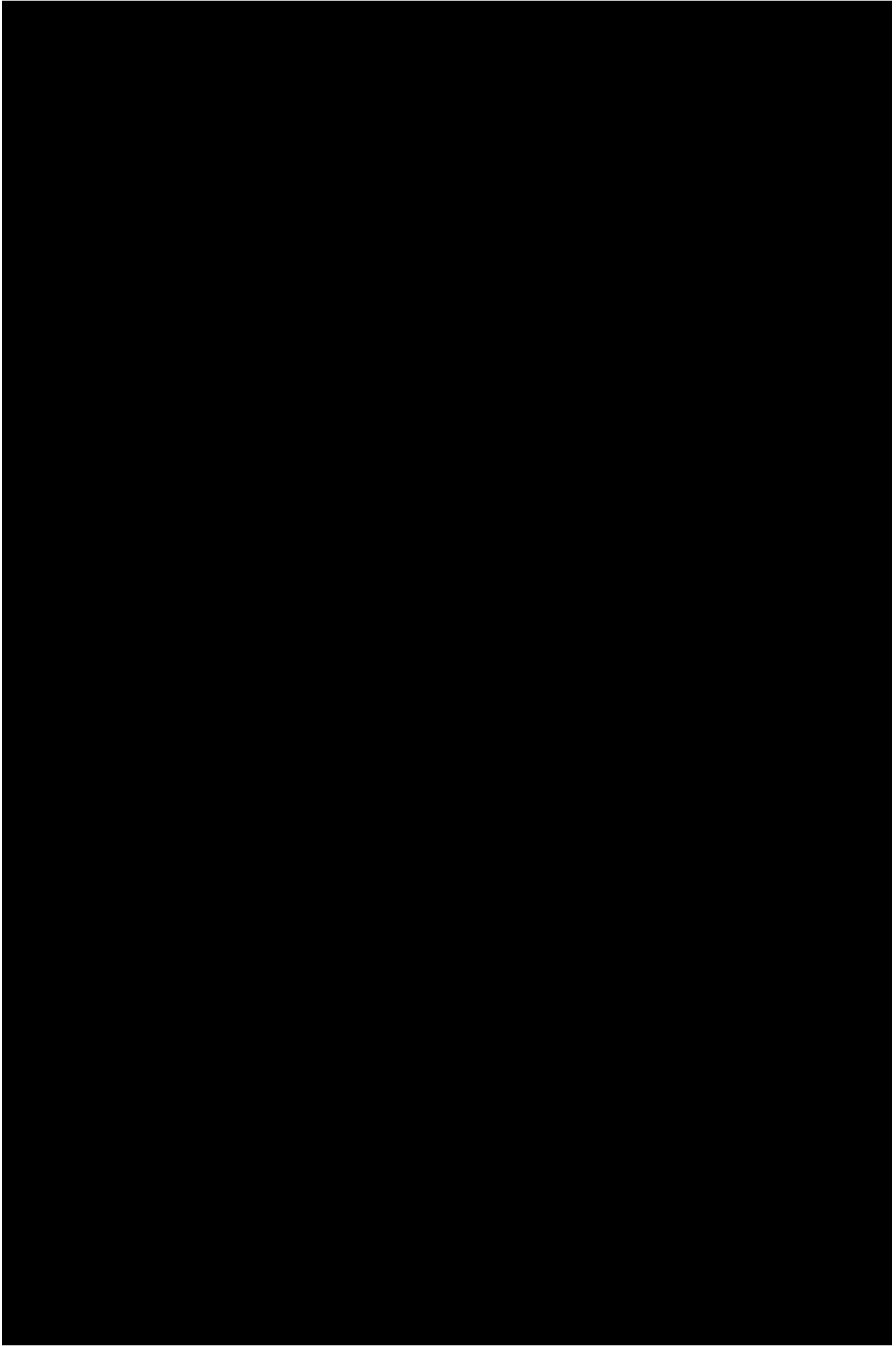
(i) Construction Consent (S21)*	
(ii) Road Bond (S17)*	
(iii) Road Opening Permit (S56)*	

* Relevant Section of the Roads (Scotland) Act 1984

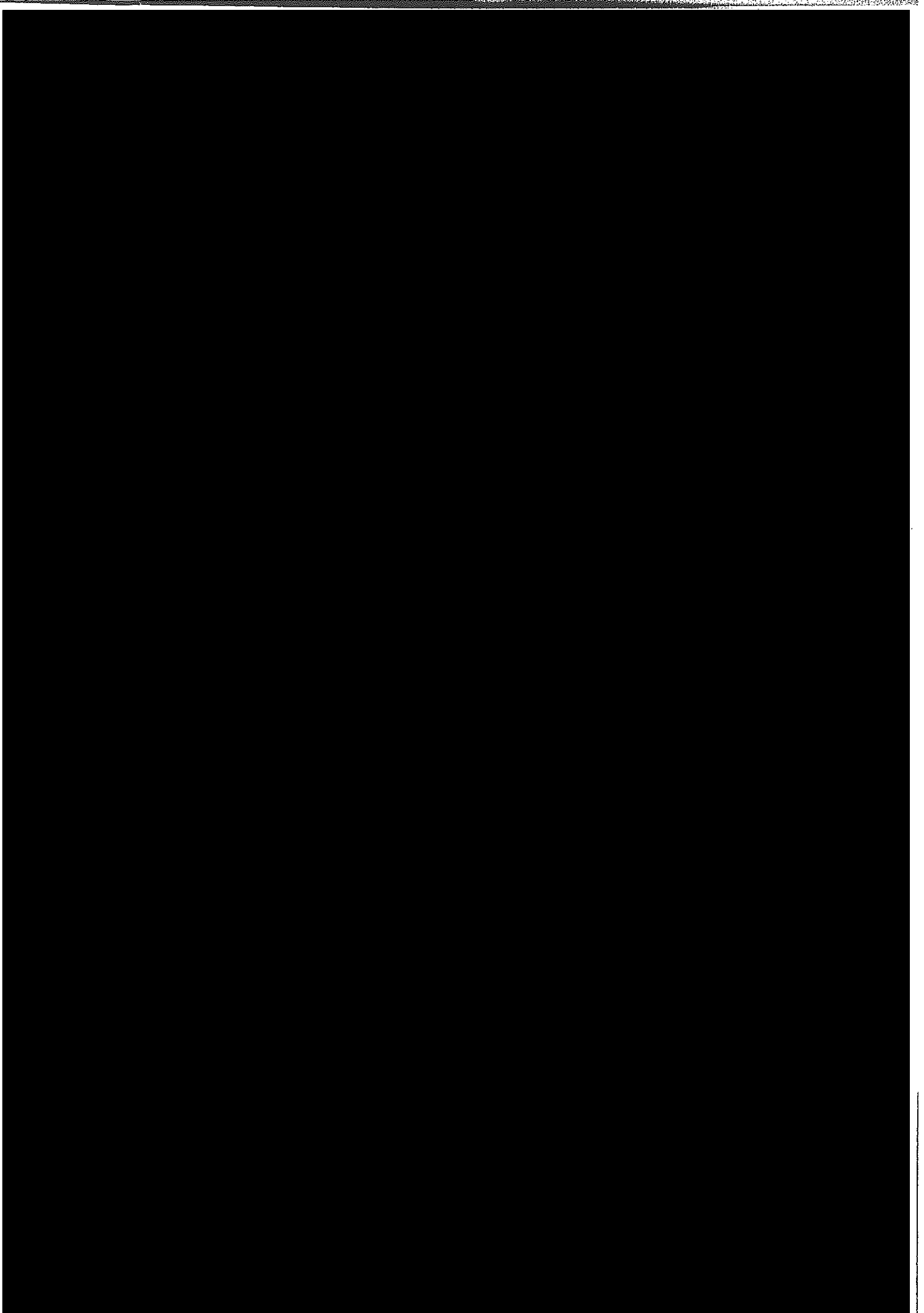
Comments Authorised By: John Marley
pp Roads and Transportation Manager

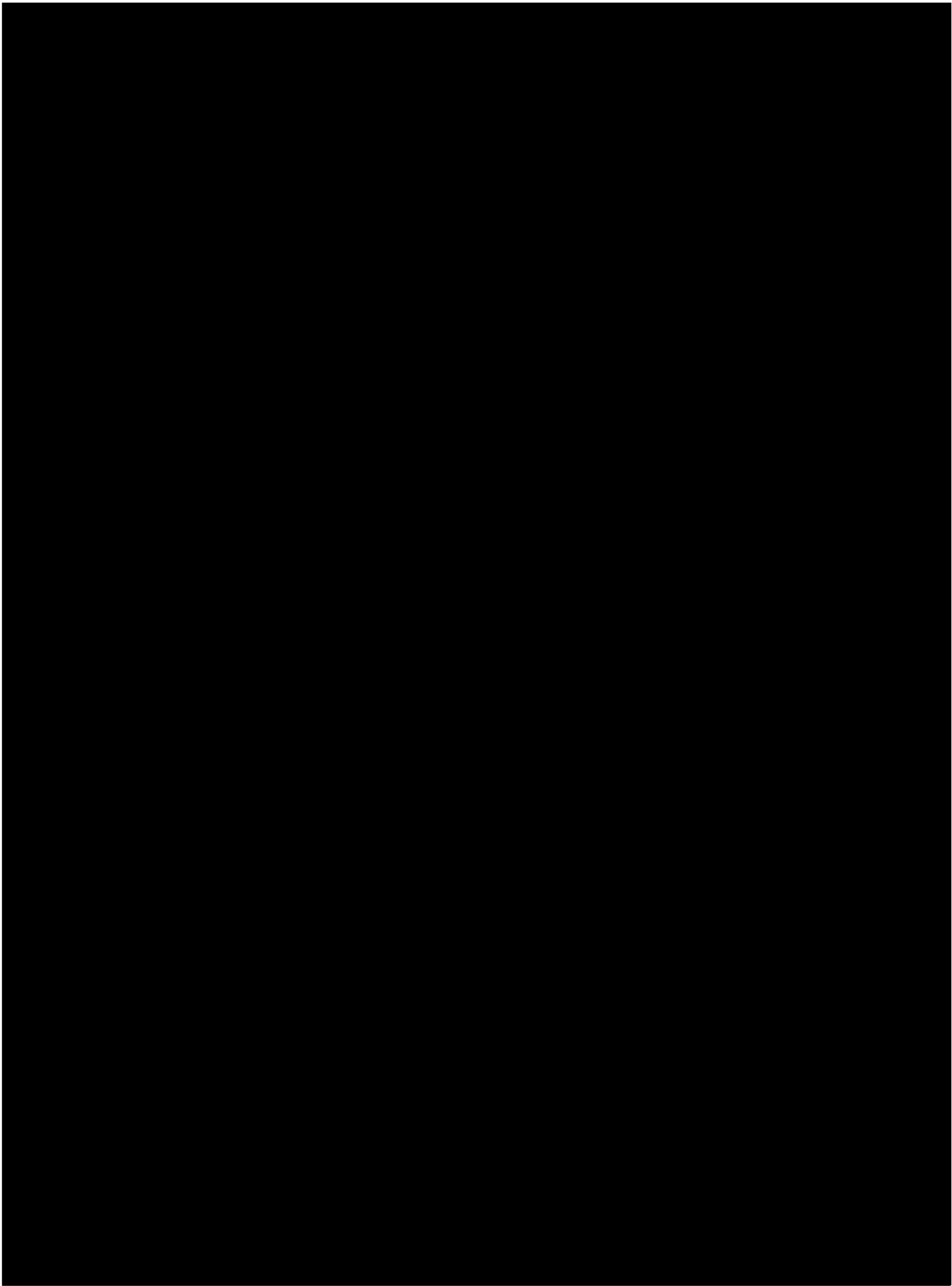
Date: 14/08/14

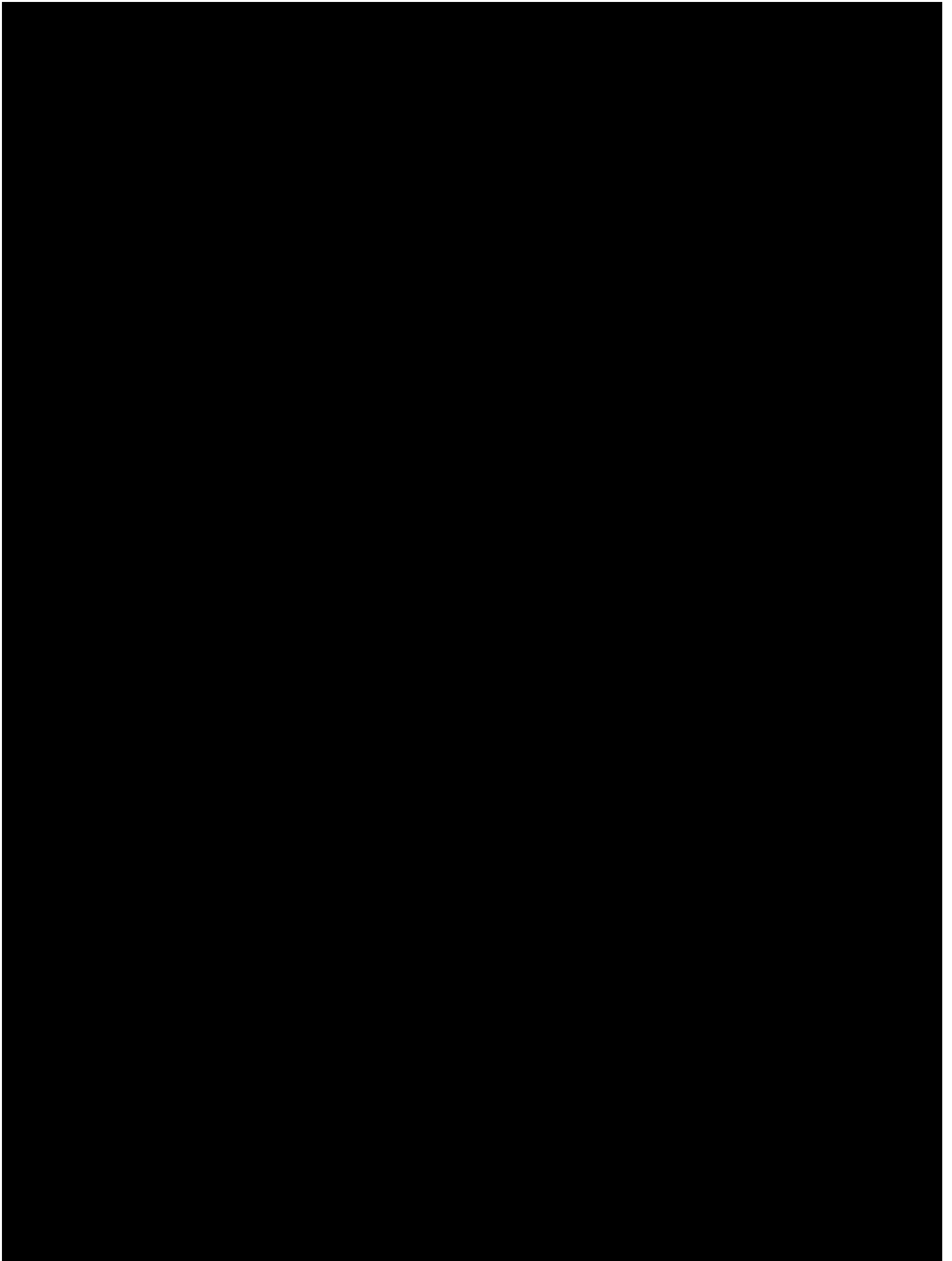
BLANK PAGE

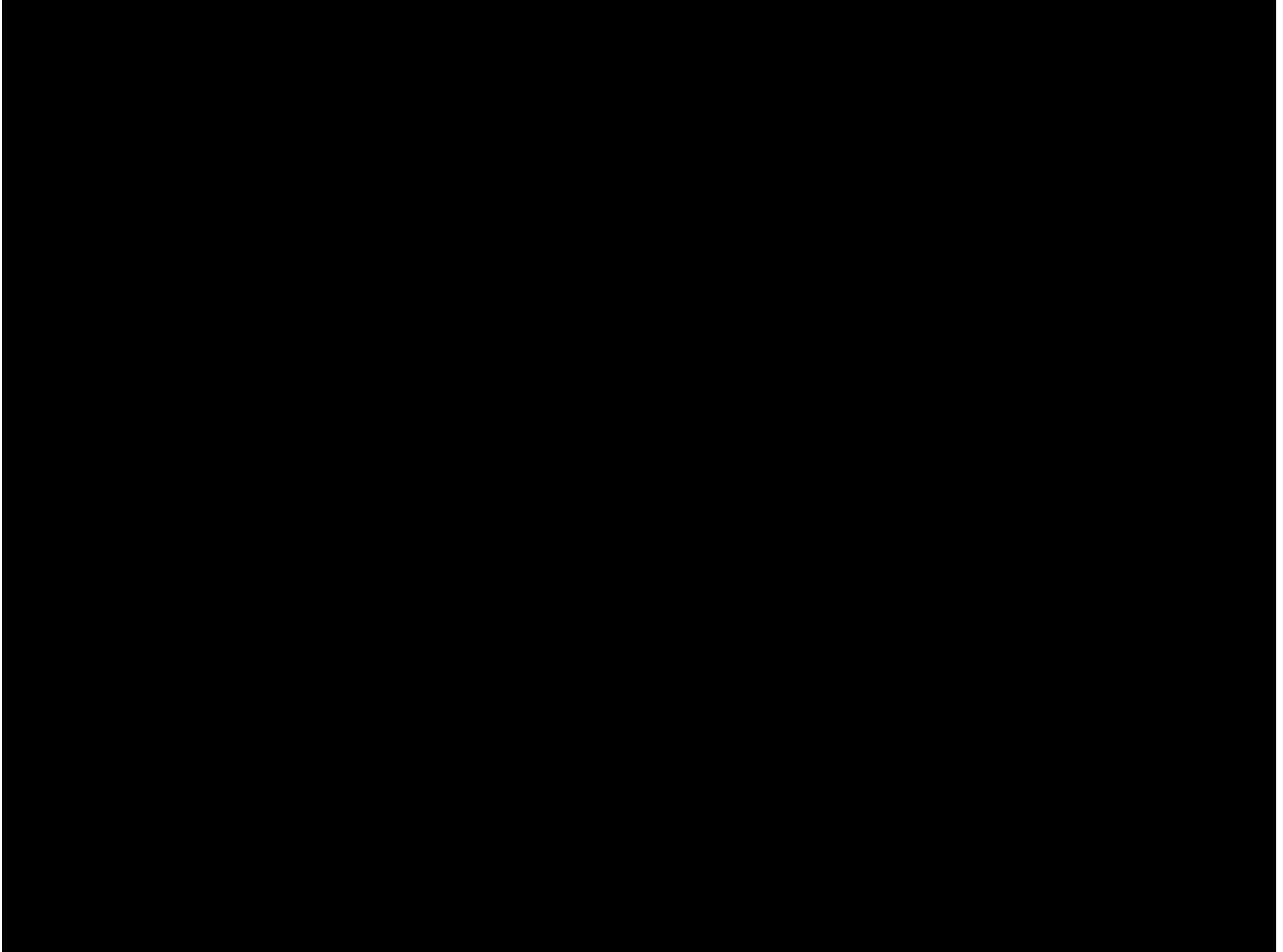


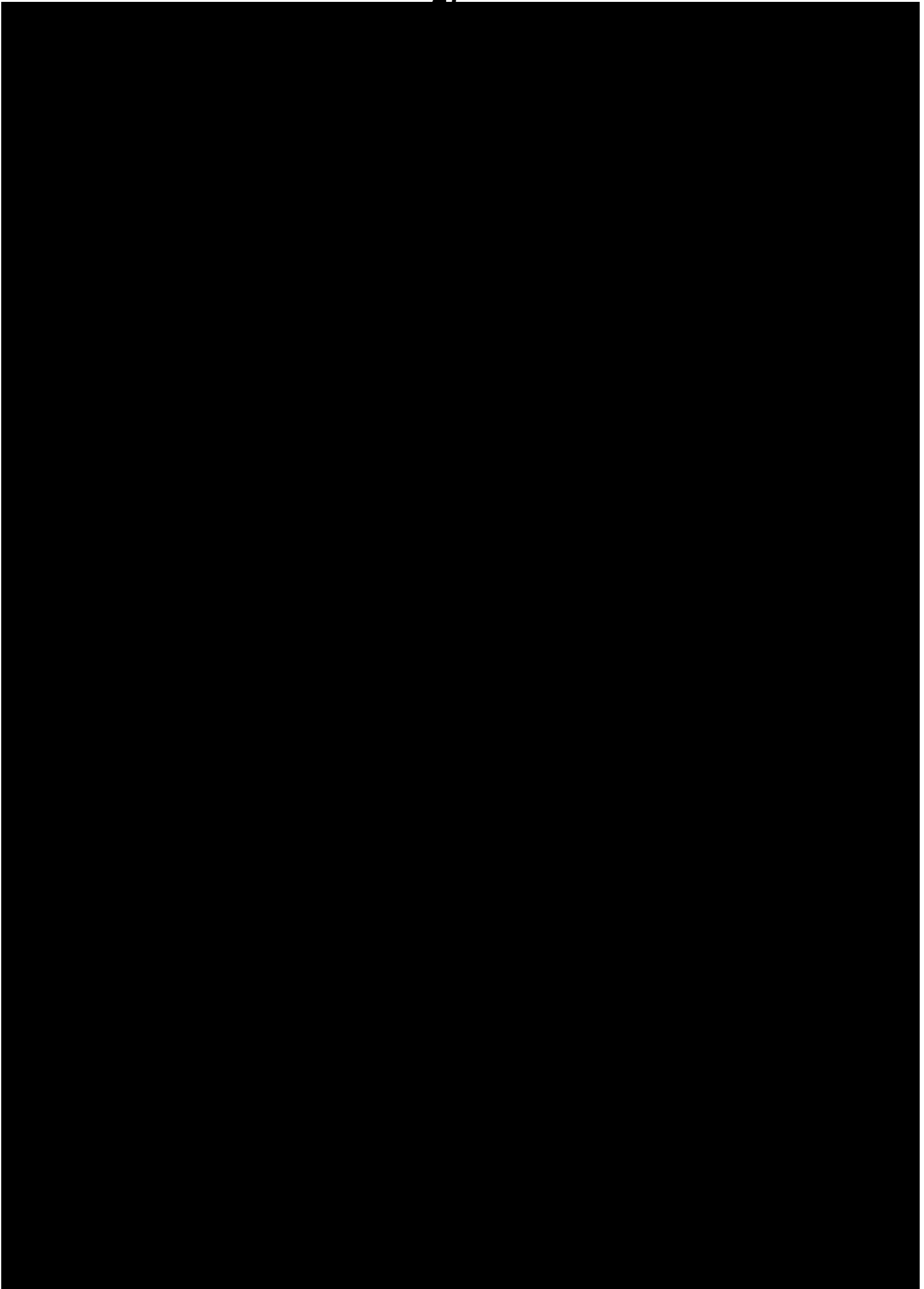
This email has been scanned.











BLANK PAGE

REPORT OF HANDLING

BLANK PAGE

REPORT OF HANDLING

Reference: 2014/0475/TP

Date Registered: 31st July 2014

Application Type: Full Planning Permission

This application is a Local Development

Ward: 1 Neilston Newton Mearns North Uplawmoor

Co-ordinates: 253832/:656404

Applicant/Agent:

Applicant:

Ms Amanda Flynn

8 The Laurels

Newton Mearns

East Renfrewshire

G77 6XR

Agent:

GCPlanning

Mr. Graham Cann

5 Hawthorn Hill

Hamilton

ML3 7LR

Proposal: Sub division of feu and erection of one and a half storey detached dwellinghouse at rear with formation of driveway off Crookfur Road

Location: 8 The Laurels
Newton Mearns
East Renfrewshire
G77 6XR

CONSULTATIONS/COMMENTS:

Ms Karen Barrie

No objections

Roads And Transportation Service

Refuse

PUBLICITY:

22.08.2014

Glasgow and Southside Extra

Expiry date 05.09.2014

SITE NOTICES: None.

SITE HISTORY:

2007/0708/TP

Sub division of feu and erection of two storey detached dwellinghouse (in outline)

REF

24.12.2007

2008/0314/TP

Sub division of feu and erection of two storey detached dwellinghouse (in outline)

REF

14.07.2008

REPRESENTATIONS:

4 representations have been received:

Mr. And Mrs. Newton 2 The Laurels Newton Mearns East Renfrewshire G77 6XR

John And Jacqueline Harkin 6 The Laurels Newton Mearns East Renfrewshire G77 6XR

Mr. Angus Mcleod 7 The Laurels Newton Mearns East Renfrewshire G77 6XR

Mr Bryson Mcneil Kismuil 20 Greenlaw Road Newton Mearns East Renfrewshire G77 6ND

Representations can be summarised as follows:

Impact on amenity and character

Impact on garden grounds

Road safety/access issues

Parking issues

Incompatibility with the Local Plan

Previous refusal

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 is located to the north of Crookfur Road in Newton Mearns. The site is currently an area of garden ground within the boundary of 8 The Laurels. The site also includes a small area of land beyond the existing rear fence line. The topography of the site includes a significant slope downwards from the eastern boundary. Two previous applications for outline planning permission have been refused at this site (2007/0708/TP and 2008/0314/TP).

Planning Permission is now sought for the sub division of the feu and erection of a one and a half storey detached dwellinghouse at rear with formation of driveway off Crookfur Road. The applicant has submitted plans and a supporting statement. The plans show that the proposed house would be located to the rear of the donor property and would face towards Crookfur Road. The house would measure approximately 9.55 metres in width, 11.2 metres in depth and 6.4 metres in height. It would have a fully pitched roof, with a gable front and rear. The house would contain a living room, kitchen, utility room, study, bedroom and bathroom on the ground floor, with an additional bedroom and shower room on the first floor.

The planning statement states that the site area is 0.25 acres and suggests that the location within a residential area containing a variety of house styles would help the house to merge into the immediate locality.

The proposal requires to be assessed against Policies E1, DM1 and DM2.2 of the adopted Local Plan and D1, D2 and D15 of the proposed Local Development Plan, as well as any material planning considerations. Policy E1 states that there will be a presumption against significant new development not compatible with the character and amenity of the locality and its surrounding land uses. As the proposal is for a new dwellinghouse in an established residential area the proposed development could be considered to accord with this policy. However, it has to be considered whether the plot is capable of accommodating a dwellinghouse and how the proposed house would relate to its surroundings.

Policy DM1 contains criteria for assessing all development proposals. It states that development should not result in a significant loss of character or amenity to the surrounding area, and should be of a size, scale and density in keeping with the buildings in the locality and respect local architecture, building form, design, and materials. There are detached houses in the locality, however this proposal would result in a single house that sits behind the existing properties and therefore does not follow the pattern of development in the surrounding area. The position of any proposed house on the site is likely to have a detrimental impact on the setting and privacy enjoyed by the existing houses and it is considered that it would give rise to an unacceptable development at this site.

Policy DM2.2 relates to the sub-division of the curtilage of a dwellinghouse for a new dwellinghouse and contains criteria for assessing such proposals. This policy indicates that the proposed plot should reflect the established pattern of development and be of a size, shape and disposition capable of accommodating a dwellinghouse; have sufficient garden ground; respect established building lines; preserve and enhance the character and amenity of the area. Although the plot size may be able to accommodate a house in terms of house footprint to plot ratio with sufficient garden ground being provided for the development, it will not follow established building lines or follow the pattern of development in the surrounding area and the more local development of the Laurels itself. In addition, the creation of a house on the proposed plot would have a significant detrimental impact on the garden ground of the donor site. It is considered that as a result of these factors the proposed development will not preserve or enhance the character or amenity of the area.

Policies D1, D2 and D15 of the proposed Local Development Plan contain similar criteria to the adopted Local Plan policies referred to above.

Accordingly, it is considered that the proposal conflicts with the adopted Local Plan and proposed Local Development Plan, and should be refused unless other material considerations indicate otherwise. The material considerations are outlined below.

The two previously refused applications (2007/0733/TP and 2008/0314/TP) highlighted concerns regarding the use of the area of garden ground for a new house. The concerns raised in these applications still apply, although it is acknowledged that the applicant has submitted a supporting statement to attempt to address some of these concerns.

The Roads Service has been consulted regarding this application and has recommended refusal of the application. The concerns mainly focus on road safety at the distributor road, with the Roads Service stating that they "could not in the interests of road safety support the provision of additional driveways onto this class of road".

The Council's Development Contributions officer has stated no objections to the proposal.

A total of four representations have been received from properties in Newton Mearns. The objections cover a number of points such as impact on amenity and character, impact on garden grounds, road safety/access issues, parking issues, incompatibility with the Local Plan, previous refusal, rainwater issues resulting from excavation. In response to these points, the planning process has to determine whether a house should be built at this site. Although the plot size may be able to accommodate the house in terms of house footprint to plot ratio, the impact of building a house on this plot would be significantly detrimental to the amenity and character of the area and in particular to its immediate surroundings.

Issues regarding road safety and access have been assessed by the Roads Service and a recommendation to refuse has been received.

The proposed development has been assessed against the development plan and material planning considerations which indicate that the development is not acceptable.

The previous refusals are material considerations and have been included in the above assessment.

Any building or creation of hard surfaces would be likely to have an impact on drainage/flooding in the immediate area, however, the scale of development would be unlikely to cause significant changes to the impact of rainwater in the area.

Taking all of the above information into account, it is considered that the proposal does not accord with the relevant policies in the adopted Local Plan and proposed Local Development Plan. The proposal would result in an inappropriate and unacceptable development and would be an intrusive and overbearing addition to the area that does not follow established building lines or reflect the pattern of development in the surrounding area.

The proposed access onto Crookfur Road would also have a detrimental impact on road safety. It is therefore recommended that this application is refused.

RECOMMENDATION: Refuse

PLANNING OBLIGATIONS: None.

REASON(S):

1. The proposal is contrary to Policies E1, DM1 and DM2.2 of the adopted East Renfrewshire Local Plan and Policies D1, D2 and D15 of the proposed Local Development Plan as it would result in development which due to its scale design and siting would have a detrimental impact on the donor and adjacent properties and the immediate surrounding area.
2. The proposed development would be detrimental to road safety at the locus as it would create an isolated individual access onto a major local distributor road.

ADDITIONAL NOTES: None.

ADDED VALUE: None.

BACKGROUND PAPERS: Further information on background papers can be obtained from Mr Jamie Gilliland on 0141 577 3057.

DATE: 23rd September 2014

DIRECTOR OF ENVIRONMENT

Reference: 2014/0475/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 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 DM2.2

1. The proposed plot should reflect the established pattern of development and should be of a size, shape and disposition capable of accommodating a dwellinghouse and attached land behind the front building line and surrounded by enclosure that provides secluded garden ground of a scale and character compatible with the neighbourhood.
2. A sufficient area of ground for a garden and associated uses for the existing house must be retained in line with Policy L4 - "Open Space Provision in New Developments" and Appendix 1.
3. Existing building lines should be respected.
4. Proposals should preserve and enhance the character and amenity of the area.

Proposed Local Development Plan

The Proposed Local Development Plan (LDP) has been sent for Examination to the Scottish Government. The LDP outlines the Council's most up to date statement of planning policy.

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 and lockers, where appropriate. The Council will not support development on railway 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 D15

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

- The proposed plot should reflect the established pattern of development and should be of a size and shape capable of accommodating a dwellinghouse. There should also be sufficient land to provide garden ground that is of a scale and character compatible with the locality.
- Any new house must reflect the scale and character of the surrounding residences and the established pattern of development in the area. It should be designed to contribute to the visual character of the area.
- Existing building lines should be respected.
- Development should provide safe vehicular access and parking in accordance with the Council's roads and parking standards.

GOVERNMENT GUIDANCE:

Scottish Planning Policy on Housing indicates that planning authorities should ensure that sufficient land is available to meet the housing requirements for each housing market area in full unless there are serious local environmental or infrastructure restraints. Redevelopment of urban and rural brownfield sites is preferred to development on greenfield sites.

Finalised 22/09/2014.IM.

**DECISION NOTICE
AND
REASONS FOR REFUSAL**

BLANK PAGE

**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. **2014/0475/TP**

Applicant:

Ms Amanda Flynn
8 The Laurels
Newton Mearns
East Renfrewshire
G77 6XR

Agent:

GCPlanning
Mr. Graham Cann
5 Hawthorn Hill
Hamilton
ML3 7LR

With reference to your application which was registered on 31st July 2014 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Sub division of feu and erection of one and a half storey detached dwellinghouse at rear with formation of driveway off Crookfur Road

at: 8 The Laurels Newton Mearns East Renfrewshire G77 6XR

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 proposal is contrary to Policies E1, DM1 and DM2.2 of the adopted East Renfrewshire Local Plan and Policies D1, D2 and D15 of the proposed Local Development Plan as it would result in development which due to its scale design and siting would have a detrimental impact on the donor and adjacent properties and the immediate surrounding area.

2. The proposed development would be detrimental to road safety at the locus as it would create an isolated individual access onto a major local distributor road.

Dated 22nd September 2014



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
Plans Proposed	1		

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**

BLANK PAGE



NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE)
(SCOTLAND) REGULATIONS 2013

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2013

IMPORTANT: Please read and follow the guidance notes provided when completing this form.
Failure to supply all the relevant information could invalidate your notice of review.

Use **BLOCK CAPITALS** if completing in manuscript

Applicant(s)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Agent (if any)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

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

Yes No

* Do you agree to correspondence regarding your review being sent by e-mail?

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:

TO ALLOW FULL CONSIDERATION OF REASONS FOR REFUSAL.

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:

No.

Statement

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

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

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

PLEASE SEE ATTACHED APPEAL STATEMENT.

Notice of Review

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.

AS DETAILED IN STATEMENT.

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.

PLANNING STATEMENT
ELEVATION DRAWINGS
DECISION NOTICE
REPORT OF HANDLING.
CONSULTEE COMMENTS.

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

Checklist

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

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

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

Declaration

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

Signed

Date

Data Protection Act 1998

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

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

Background Information

Location

The application site is located in the settlement boundary of Newton Mearns.

Site Description

The total area of the application site is 0.25 acres. The site is bounded to the north and west by residential dwellings fronting onto The Laurels, with an area of woodland and the main Crookfur Road to the east and south of the site.

The topography of the site slopes away from the eastern boundary, down to the lower section adjacent to the western boundary of the site. It is situated amongst large two storey dwellings, all detached and forming a small enclave of dwellings in their own right.



Site History

There have been two previous planning applications registered and determined on this site for the erection of a detached dwelling within the confines of the rear garden area. The applications were;

- 2007/0708/TP – Subdivision of feu and erection of two storey detached dwelling (in outline). Refused Planning Permission in 2007.
- 2008/0314/TP – Subdivision of feu and erection of two storey detached dwelling (in outline). Refused Planning Permission in 2008.

Ownership

All of the land to which this application relates, highlighted within the site boundary, is owned by the applicant.

Connection – Vehicular Movements

Public Transport: The site benefits from good public transport links with bus stops serving 5 local routes within 5mins walk and four routes within a 15min walk. Whitecraigs and Patterson Railway

Stations are located 20mins walk away, serving Neilston, Cathcart, Polokshields East, and Glasgow Central Station.

Glasgow Central Rail Station is accessible within 20mins, with links throughout Scotland and England.

Road Links: The site would be accessible from a new access leading in from Crookfur Road to the south of the site, with accessibility to the wider highways network and surrounding infrastructure.

The M77 is located 3.5km to the west, giving access to Kilmarnock, Prestwick and Ayr to the south. The M77 northbound presents connections to the M8 for Stirling, Falkirk and Edinburgh; whilst the M74 presents journeys to Hamilton and Motherwell.

The proposal demonstrates that the site is able to accommodate residents need for parking.

Connection - Pedestrian Access

Access to the site is taken from Crookfur Road. All pedestrian routes around the site are well maintained and secure. Local Primary and Secondary Schools are within 20 minutes walking distance. All major amenities, including a nearby shopping centre are in reach within a 10 minute walk. There are numerous leisure, sports and cultural activities/facilities available within a 5 minute walk.

The site is well located to reduce the reliance upon the car; with various bus stops located along the main roads and again, within a 5 minute walk of the application site and a train station within a 20 minute walk of the site.

Context – Local Area

The area is recognised as being highly sought after for residence, and the neighbouring properties are well maintained. The application site presently forms part of the residential curtilage of No. The Laurels, with the proposal seeking to subdivide the rear garden area into a new plot and retain an element of residential garden area for the enjoyment of No.8. The site is currently well maintained, with various landscaping features throughout the site.

Identity – Surrounding Buildings

The surrounding residential area comprised principally of large two storey detached dwellings, sited within plot sites of varying size and scale. The site borders a property with a comparable dwelling size and rear garden area but do not have the ample front garden which is enjoyed by No.8 The Laurels.

In the wider area, there is a considerable mixture of detached, semi-detached, and terraced and bungalow dwellings, of various size and scale. With so many properties of varying sizes, it is important to acknowledge the evolving requirements of modern families. With this in mind, it is felt that the 1.5 storey proposal is the most suitable option for the application site.

Planning Policies

Aims of Planning Policy relating to the site

The site is to be developed in line with its Policy Designation as a General Urban Area. The purpose of the designations at this site is to accommodate developments or change of use compatible with the character and amenity of the locality and its surrounding land use.

Suitability of the site for development

The proposed residential development is situated centrally within the urban area on a site which has a considerable sized back garden area. The site is located within a small pocket development which has its own unique character, scale and appearance, separate to that of the surrounding area. The properties within The Laurels are of varying sizes with some large dwellings sited on rather small plots and other instances of large dwellings within large plots. Due to the size of this corner plot, the site lends itself to sub-division and the formation of a detached dwelling within the rear confines of the site. Due to the orientation of the site and overall layout, any development within the rear garden area of No.8 The Laurels would have to have vehicular access taken from Crookfur Road to the south of the site.

The proposal encompasses a two bedroomed, detached dwelling with driveway. The property would benefit from a first floor area, albeit the rooms would be located within the roofspace as a means of ensuring that the property sits well within the plot given the topography of the site in relation to that of the existing dwelling and that of the neighbouring sites. The plan would maintain a minimum 1.5m distance from the nearest part of the dwelling to the site boundaries.

The current plot is accessed from The Laurels however the proposed site would be accessed from Crookfur Road, with an enclosed residential area forming the curtilage of the dwelling and a driveway leading up to the front and side of the dwelling. The applicant wishes to create a home which merges into the immediate locality and surrounding residential development and can provide modern requirements in the long term.

Policy Considerations

The design, size, layout, form and bulk of the dwelling have been developed with reference to the Local Plan 2 pertaining to the relevant designations. It is believed that this development proposal overcomes the reasons for refusal as set out in the previous planning decisions for this site as the proposal acknowledges the need to be compatible in character with the surrounding area and draws recognition with the amenity of the local area within terms of the policies set out below.

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 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.

Proposal H1

New Housing Development

The Council supports the development of the sites listed below and shown on the Proposals Map which are allocated for predominantly private sector residential development.

All proposals will require to comply with the terms of Policy H3 on Affordable Housing, unless Planning Permission for private sector housing was granted before the introduction of the Affordable Housing policy in March 2006 and remains extant.

All proposals will require to comply with Policies Strat2 Assessment of Development Proposals and DM1 - Detailed Guidance for all Development and the open space standards for residential development referred to in Policy L4 Open Space Provision in New Developments, expanded upon in Appendix 1.

Proposals for new housing elsewhere will be positively considered where there is a demonstrable need and subject to compliance with Policy Strat 2 and the Council's Supplementary Planning Policy Guidance

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 conforming 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.

Proposed Local Development Plan

The Proposed Local Development Plan (LDP) has been sent for Examination to the Scottish Government. The LDP outlines the Council's most up to date statement of planning policy.

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. This proposal is acceptable in this regard.

Policy SG1 - Housing Supply

The Council has identified sufficient land for a minimum of 4100 homes and associated infrastructure to be delivered in East Renfrewshire between 2009 and 2025 to comply with the Strategic Development Plan requirements. Sites listed under Schedules 8 to 11 (including past completions 2008/09-2012) will contribute towards meeting these targets.

The land supply will be monitored annually through the Housing Land Audit, Housing Trajectory and the Action Programme. At all times a 5 year continuous effective land supply will be maintained.

The Council will support housing development on the established housing sites as shown on the Proposals Map and listed under Schedule 8. All proposals will be required to comply with the terms of Policy SG5 Affordable Housing and Strategic Policy 3. This policy is not applicable in this instance due to the small scale nature of the development proposal however the site is well located in terms of being located on previously developed brownfield land.

Sequential Approach

The Council will adopt a sequential approach in the assessment of all development proposals with preference being given to urban locations and in particular brownfield sites. Preference will also be given to sustainable locations (town and neighbourhood centres and other sites within the urban area well-served by public transport, walking and cycling). Where this is not possible, the Council will entertain other sites within the urban area. In all cases, the proposal should not prejudice other Local Plan policies and proposals. Locations within the Green Belt will only be considered where it has been clearly demonstrated that a suitable site does not exist within the urban area. The onus will be on the prospective developer to prove to the Council that the first or second preferences cannot be met. The development accords with this requirement in terms of its location within an urban location.

Precautionary Principle

The Council will apply the precautionary principle, which states a general presumption against development that is judged to pose a significant risk of serious or irreversible environmental damage or adverse impact on public safety. However, if measures can be taken by the developer to minimise this potential threat to levels acceptable to the Council, then planning permission may be granted, subject to appropriate conditions.

This development would provide a small scale residential unit within the confines of an existing residential curtilage. There would be no unacceptable environmental impacts as a result of the development proposal.

Developer Contributions

The Council wishes to secure community, infrastructure and environmental benefits arising from new development to offset their environmental or social costs. Where a proposed development would create new or exacerbate existing deficiencies in local physical or community infrastructure, facilities or the environment, the Council will seek contributions from developers to assist in making good the deficiencies. The Council will also encourage 'percent for art' contributions from developers to fund public artwork in appropriate developments. Developers will be expected to assist in developing local work skills and employability in line with the Scottish Governments initiatives in relation to securing 'Community Benefits in Procurement' and 'Linking Opportunity and Need'. It is the Council's intention to produce Supplementary Planning Guidance on the matter of Developer Contributions.

Material Considerations

The site is located on the north side of Crookfur Road, centrally within the built up area of Newton Mearns. Extending to the east, the site is currently residential garden. The main dwellings within the Laurel's development form a cul-de-sac development, separate from the estate development surrounding this small development. The Laurel is accessed from the main distributor road leading through this area, with the application site proposing a separate access further along this distributor road with conjoined pedestrian and vehicular access.

Planning permission is being sought to erect a 1.5 storey house, all with on-site car parking and residential garden space. The development would reflect the principles of "Designing Streets" by, for example, the use of different materials and a development which respects the size and scale of the surrounding area. Private amenity space is provided within the confines of the site, in accordance with good practice principles of sustainable development.

The size, design and scale of the dwelling would be comparable with that of other properties within the surrounding area and would not result in a development which is at odds with any established character. The access into the development would be located on Crookfur Road, wherein visibility splays in each direction of the egress would be compliant with highway regulations. The formation of an additional access at this point would not represent a highway safety issue as there is the existing access into The Laurels a short distance along the highway. Furthermore, it has to be noted that other residential dwellings are accessed directly from Crookfur Road, therefore this development proposal would not be introducing any aspect which does not already exist elsewhere along this highway.

In terms of residential amenity, the development would be principally visible from No.7 and No. 8 The Laurels only due to the orientation of the other properties within this development. Given the topography of the site, a section of the roof would be visible to these two dwellings above the level of the boundary fencing; however this in isolation would not result in a negative impact to either dwelling. The distance of 1.5m between the dwelling and the common boundary of the site would ensure that the combination of the 1.5 storey height of the dwelling and the height of the boundary fencing would ensure there would be no unacceptable degree of loss of amenities to these neighbouring residents. The design of the dwelling has been carefully carried out to ensure there would be no direct overlooking into neighbouring properties and this is further illustrated by the fact

that the proposed dwelling would have the first floor habitable rooms within the roofspace of the dwelling, with no windows facing towards the residential garden area on No.7. The applicant would accept a condition preventing any windows being inserted into this elevation at a later date to preserve the amenities of these residents. Furthermore, a detailed landscaping scheme can be conditioned to provide additional landscaping along this boundary if the Planning Authority considers it acceptable.

Defining Parameters

In terms of setting out the building parameters, the development honours the set behind the flank elevation of No.8 facing towards this highway, creating a fluid continuation between the existing dwelling and the proposed dwelling. Further to this, the development has maintained East Renfrewshire's policy of a minimum garden size of 1.5 times the building footprint.

With reference to the analysis of adjacent house styles/appearances, the design of the proposed dwelling has been formulated as a standalone development due to its access separate from that of the Laurels development. As such, the development respects the scale and mass of the surrounding properties but has been designed in isolation to ensure that the property does not appear simply as an extension of this small cul-de-sac development, although the final design would ensure a sympathetic transition between the proposed dwelling and that of No.8 The Laurels.

Site Proposals

The proposed site plan is similar in shape and size to that of the adjacent properties within The Laurels. The proposal is within the building line of the adjacent property (No.8). The orientation and location of the property would maximise the garden area of the site, with views into and out of the site achieved due to the open access into the site. The two bedroom dwelling would be modest in relation to previous schemes put forward for this site. This development has sought to overcome the concerns of previous applications through a simplified development which respects both the existing dwellings within the vicinity and the Development Plan policies which govern development in this area. A quality solution to the design is the expressed objective of the applicant, whilst maintaining a coherent consistency that is definitive of the character of the locality.

Materials

The building would adopt similar external finishes and proportions of neighbouring houses.

Conclusions

The Proposed Local Development Plan (LDP) represents the current Council position in respect of the consideration of development proposals and generally reflects the policies in the adopted Local Plan.

This proposed development will;

- Provide a residential dwelling in scale and proportion with that of the adjacent properties;
- Remove a gap in the urban area and ensure its development is well maintained to preserve and enhance the character of this area;
- Employ a high quality design with appropriate materials compatible with its local surrounding character and amenity, utilising advice from the local selling agent;

- Follow sustainable design principles, utilising renewable energies to minimise the impact on the Environment;
- Retain a build line congruous with the flank elevation of No.8 The Laurel's and a ridge height which would site below that of the neighbouring properties.

Drawing all the above matters together, it is recommended that the application be approved subject to appropriate conditions.

Suggested Planning conditions

1. Construction traffic should not access the site before 0915 hours and between 1530-1630 hours Monday to Friday during school terms.

Reason: In the interests of public safety and to avoid conflict with school traffic

2. Notwithstanding the terms of condition 1, there shall be no construction work and no deliveries received at or dispatched from the development site before 0800 hours or after 1900 hours from Monday to Friday, 0800hours -1300 hours on a Saturday and no work on a Sunday unless otherwise agreed on writing by the Head of Environment (Planning, Property and Regeneration)

Reason: To prevent noise nuisance to residents of nearby houses.

3. The applicant/operator shall provide and maintain on site suitable means for the washing of vehicle wheels at all times during the hours of operation to prevent mud being deposited on the public road

Reason: In the interests of road and public safety.

4. Visibility splays of 2.5 metres by 35 metres shall be provided in both directions at the junction of the cul-de-sac with the access road and shall be maintained free from any obstructions exceeding a height of 1.05 metres above the adjacent road.

Reason: To enable drivers of vehicles leaving the site to have a clear view over a length of road sufficient to allow safe exit.

5. Details of a scheme of hard and soft landscaping works shall be submitted and approved in writing by the Head of Environment (Planning, Property and Regeneration). Thereafter, the approved scheme should be implemented to the satisfaction of the Head of Environment (Planning, Property and Regeneration). Any trees or shrubs removed, dying or severely damaged and/or deceased within five years of planting shall be replaced by trees or shrubs of a similar size and species to those originally planted.

Reason: To ensure the implementation of a satisfactory scheme of landscaping to improve the environmental quality of the development

6. Details and location of all walls (including retaining walls) and fences to be erected on the site shall be submitted and approved in writing by the Head of Environment (Planning, Property and Regeneration).

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

BLANK PAGE

CONTENTS

1.0 Introduction

2.0 The Appeal Applications

3.0 The Appeal Site and the Surrounding area

4.0 Planning History

5.0 The Appeal Proposals

6.0 Planning Policy

7.0 The Case for the Appellant

8.0 Conclusion

9.0 List of Documents to which reference may be made by the Appellant

1.0 INTRODUCTION

- 1.1 This statement has been prepared on behalf of the appellant, Mrs Amanda Flynn, in relation to the decision of East Renfrewshire Council to refuse planning permission for an application for the development of a section of land to the rear of 8 The Laurels in Newton Mearns.

2.0 THE APPEAL APPLICATION

2.1 The planning application to which the appeal relates is as follows:

“Sub division of feu and erection of one and a half storey detached dwellinghouse at rear with formation of driveway off Crookfur Road” at Land at 8 The Laurels, Newton Mearns, East Renfrewshire, G77 6XR”

2.2 The application was registered on the 8th July 2014 under planning reference 2014/0475/TP and was refused planning permission on the 25th September 2014 for the following reasons;

Reason 1

The proposal is contrary to Policies E1, DM1 and DM2.2 of the adopted East Renfrewshire Local Plan and Policies D1, D2 and D15 of the proposed Local Development Plan as it would result in development which due to its scale design and siting would have a detrimental impact on the donor and adjacent properties and the immediate surrounding area.

Reason 2

The proposed development would be detrimental to road safety at the locus as it would create an isolated individual access onto a major local distributor road.

3.0 THE APPEAL SITE AND SURROUNDING AREA

- 3.1 The application site is located in the settlement boundary of Newton Mearns. The total area of the application site is 0.25 acres. The site is bounded to the north and west by residential dwellings fronting onto The Laurels, with an area of woodland and the main Crookfur Road to the east and south of the site.
- 3.2 The topography of the site slopes away from the eastern boundary, down to the lower section adjacent to the western boundary of the site. It is situated amongst large two storey dwellings, all detached and forming a small enclave of dwellings in their own right.
- 3.3 The area is recognised as being highly sought after for residence, and the neighbouring properties are well maintained. The application site presently forms part of the residential curtilage of No.8 The Laurels, with the proposal seeking to subdivide the rear garden area into a new plot and retain an element of residential garden area for the enjoyment of No.8. The site is currently well maintained, with various landscaping features throughout the site.
- 3.4 The surrounding residential area comprised principally of large two storey detached dwellings, sited within plot sites of varying size and scale. The site borders a property with a comparable dwelling size and rear garden area but the neighbouring property does not have a large front garden unlike that which is enjoyed by No.8 The Laurels.
- 3.5 In the wider area, there is a considerable mixture of detached, semi-detached, and terraced and bungalow dwellings, of various size and scale. With so many properties of varying sizes, it is important to acknowledge the evolving requirements of modern families. With this in mind, it is felt that the 1.5 storey proposal is the most suitable option for the application site.

4.0 PLANNING HISTORY

4.1 There have been two previous planning application registered and determined on this site for the erection of a detached dwelling within the confines of the rear garden area. The applications were;

- 2007/0708/TP – Subdivision of feu and erection of two storey detached dwelling (in outline). Refused Planning Permission in 2007.
- 2008/0314/TP – Subdivision of feu and erection of two storey detached dwelling (in outline). Refused Planning Permission in 2008.

5.0 THE APPEAL PROPOSAL

- 5.1 The proposal was for the *“Sub division of feu and erection of one and a half storey detached dwellinghouse at rear with formation of driveway off Crookfur Road” at Land at 8 The Laurels, Newton Mearns, East Renfrewshire, G77 6XR*”.
- 5.2 The development sought to provide a single storey dwelling in appearance, albeit with habitable accommodation contained within the roofspace of the building. Careful attention was paid to the design of the development, to ensure there would be no direct overlooking of neighbouring properties via windows facing towards neighbours, and ensuring there would be minimal visual impacts over the level of the existing mature screening along the site boundaries.
- 5.3 The detached dwelling would be located in a parcel of land to the rear of No.8 The Laurels, with an access being created onto Crookfur Road to the south of the site. The property would have a largely glazed frontage to provide natural light into the habitable rooms at both ground level and within the roofspace accommodation. Additional rooflights would be provided within the roofslope as a means of providing additional natural light to these rooms. The window on the rear elevation would serve the bathroom and would be obscurely glazed to prevent views into and out of the neighbouring site.
- 5.4 A hard-surfaced driveway would lead from the highway, to the front entrance of the dwelling with provision for up to four vehicles to park within the confines of the site, with turning and manoeuvring achievable within the site to ensure vehicles egress the site in a forward gear. Sufficient distance would be retained between the hard surfaced driveway and the adjacent tree planting to ensure there would be no issues of compaction of the tree roots to the detriment of the long term survival of these trees.
- 5.5 The driveway access would have visibility splays in excess of 50m in both directions along the carriageway.
- 5.6 Over 50% of the overall plot would be retained as a landscaped area to provide a recreational area for the future occupiers of the site. The retention of the existing landscaping would ensure that soft boundaries would be retained and it is proposed to provide additional landscaping along the northern boundary of the site to further screen the development.
- 5.7 The materials proposed would match that of the properties within The Laurels development to ensure there is a harmonious appearance with this neighbouring development. The size, scale and proportion of the dwelling proposed would be commensurate with both the size of the plot and that of the properties within the surrounding area.
- 5.8 All of the land to which the application relates, highlighted within the site boundary, is owned by the applicant.
-

- 5.9 The site benefits from good public transport links with bus stops serving 5 local routes within 5mins walk and four routes within a 15min walk. Whitecraigs and Patterton Railway Stations are located 20mins walk away, serving Neilston, Cathcart, Polokshields East, and Glasgow Central Station.
- 5.10 Glasgow Central Rail Station is accessible within 20mins, with links throughout Scotland and England.
- 5.11 The site would be accessible from a new access leading in from Crookfur Road to the south of the site, with accessibility to the wider highways network and surrounding infrastructure.
- 5.12 The M77 is located 3.5km to the west, giving access to Kilmarnock, Prestwick and Ayr to the south. The M77 northbound presents connections to the M8 for Stirling, Falkirk and Edinburgh; whilst the M74 presents journeys to Hamilton and Motherwell.
- 5.13 Access to the site is taken from Crookfur Road. All pedestrian routes around the site are well maintained and secure. Local Primary and Secondary Schools are within 20 minutes walking distance. All major amenities, including a nearby shopping centre are in reach within a 10 minute walk. There are numerous leisure, sports and cultural activities/facilities available within a 5 minute walk.
- 5.14 The site is well located to reduce the reliance upon the car; with various bus stops located along the main roads and again, within a 5 minute walk of the application site and a train station within a 20 minute walk of the site.

6.0 PLANNING POLICIES

6.1 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of this application the development plan comprises the East Renfrewshire Local Plan and the Proposed Local Development Plan.

6.3 East Renfrewshire Local Plan (Adopted 14th 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.

Proposal H1

New Housing Development

The Council supports the development of the sites listed below and shown on the Proposals Map which are allocated for predominantly private sector residential development.

All proposals will require to comply with the terms of Policy H3 on Affordable Housing, unless Planning Permission for private sector housing was granted before the introduction of the Affordable Housing policy in March 2006 and remains extant.

All proposals will require to comply with Policies Strat2 Assessment of Development Proposals and DM1 - Detailed Guidance for all Development and the open space standards for residential development referred to in Policy L4 Open Space Provision in New Developments, expanded upon in Appendix 1.

Proposals for new housing elsewhere will be positively considered where there is a demonstrable need and subject to compliance with Policy Strat 2 and the Council's Supplementary Planning Policy Guidance

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 conforming 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.

6.4 Proposed Local Development Plan

The Proposed Local Development Plan (LDP) has been sent for Examination to the Scottish Government. The LDP outlines the Council's most up to date statement of planning policy.

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. This proposal is acceptable in this regard.

Policy SG1 - Housing Supply

The Council has identified sufficient land for a minimum of 4100 homes and associated infrastructure to be delivered in East Renfrewshire between 2009 and 2025 to comply with the Strategic Development Plan requirements. Sites listed under Schedules 8 to 11 (including past completions 2008/09-2012) will contribute towards meeting these targets.

The land supply will be monitored annually through the Housing Land Audit, Housing Trajectory and the Action Programme. At all times a 5 year continuous effective land supply will be maintained.

The Council will support housing development on the established housing sites as shown on the Proposals Map and listed under Schedule 8. All proposals will be required to comply with the terms of Policy SG5 Affordable Housing and Strategic Policy 3. This policy is not applicable in this instance due to the small scale nature of the development proposal however the site is well located in terms of being located on previously developed brownfield land.

6.5 Sequential Approach

The Council will adopt a sequential approach in the assessment of all development proposals with preference being given to urban locations and in particular brownfield sites. Preference will also be given to sustainable locations (town and neighbourhood centres and other sites within the urban area well-served by public transport, walking and cycling). Where this is not possible, the Council will entertain other sites within the urban area. In all cases, the proposal should not prejudice other Local Plan policies and proposals. Locations within the Green Belt will only be considered where it has been clearly demonstrated that a suitable site does not exist within the urban area. The onus will be on the prospective developer to prove to the Council that the first or second preferences cannot be met. The development accords with this requirement in terms of its location within an urban location.

6.6 Precautionary Principle

The Council will apply the precautionary principle, which states a general presumption against development that is judged to pose a significant risk of serious or irreversible environmental damage or adverse impact on public safety. However, if measures can be taken by the developer to minimise this potential threat to levels acceptable to the Council, then planning permission may be granted, subject to appropriate conditions.

This development would provide a small scale residential unit within the confines of an existing residential curtilage. There would be no unacceptable environmental impacts as a result of the development proposal.

6.7 Developer Contributions

The Council wishes to secure community, infrastructure and environmental benefits arising from new development to offset their environmental or social costs. Where a proposed development would create new or exacerbate existing deficiencies in local physical or community infrastructure, facilities or the environment, the Council will seek contributions from developers to assist in making good the deficiencies. The Council will also encourage 'percent for art' contributions from developers to fund public artwork in appropriate developments. Developers will be expected to assist in developing local work skills and employability in line with the Scottish Governments initiatives in relation to securing 'Community Benefits in Procurement' and 'Linking Opportunity and Need'. It is the Council's intention to produce Supplementary Planning Guidance on the matter of Developer Contributions.

7.0 The Case for the Appellant

Reason for Refusal 1

7.1 Reason 1

The proposal is contrary to Policies E1, DM1 and DM2.2 of the adopted East Renfrewshire Local Plan and Policies D1, D2 and D15 of the proposed Local Development Plan as it would result in development which due to its scale design and siting would have a detrimental impact on the donor and adjacent properties and the immediate surrounding area.

7.2 The application site is located within a residential area containing a variety of house styles, both in terms of overall size/bulk and appearance. There is a considerable mixture of single storey dwelling, two storey dwellings, detached properties, semi-detached properties and terraced dwellings within the vicinity of the application site. The Council state in the reason for refusal that the development would be detrimental to the donor dwelling and the immediate surrounding area. Given the development would front onto Crookfur Road, the development would be read visually in relation to the donor dwelling only, as no other public vista would provide visibility of the proposed dwelling and a neighbouring property, as such, the proposal can only be assessed visually against the appearance of No.8 The Laurels.

7.3 Taking this as a practical starting point, the question of assessing the character of the area has to be undertaken. As stated above, the application site is located within an urban area wherein there is a variety of dwellings styles and appearances. An assessment of a site plan illustrates the considerable variation in the plot sizes of sites within the locality and a further assessment of the locality demonstrates that there is not an established pattern or style of development which is prevalent or is of such architectural merit that warrants replication in either the scale or form within a development proposal.

7.4 That said, the appellant carried out extensive research into a design for the dwelling which would be commensurate with the size and scale of the host dwelling, No.8 and that of any properties within the vicinity. The formation of a one and a half storey dwelling was formed to ensure that existing landscaping and any additional landscaping conditioned would be sufficient to ensure no adverse impacts on the neighbouring residents through overlooking or overshadowing. It should be noted that that the reason for refusal fails to state what the detrimental impact is on the donor property and neighbouring properties, which fails to accord with the requirements of the Conditions Circular.

7.5 The Report of Handling states 'There are detached houses in the locality, however this proposal would result in a single house that sits behind the existing properties and therefore does not follow the pattern of development in the surrounding area'. However, whilst the proposed dwelling would sit to the rear of No.8, it would have a street frontage onto Crookfur Road, which is a common place relationship with properties within urban areas. Due to the street frontage, the development would not be tantamount to backland

development and would preserve the Government's aspirations for preventing unacceptable backland developments wherein there could be adverse impacts.

- 7.6 The elevated nature of the site would mean that view of the dwelling would be possible between the proposed dwelling and that of the existing dwelling at No.8. However, the appellant stipulated in the planning submission that landscaping would be maintained and enhanced along this common boundary to obscure views between the two dwellings. Subject to an appropriate condition to secure the landscaping, this would not be an acceptable reason for refusal.
- 7.7 Moving onto the issues of the size of the proposed plot and the overall subdivision of the existing plot, the main policy on this matter (DM2.2) acknowledges that this is a discretionary and interpretational issue. When viewing the size of adjacent sites, the application site would be commensurate with the plot sizes, albeit noting that there are both smaller and larger sites within the surrounding area. The Report of Handling states ' it will not follow established building lines or follow the pattern of development in the surrounding area and the more local development of the laurels itself'. This is inaccurate as the development would not be part of the Laurels by definition of its street frontage onto Crookfur Road and therefore should be viewed as a development in isolation of The Laurels development to the north of the site. As such, it cannot be stated that the development would be out of keeping with an established building line as there is not an established building line along Crookfur Road and the report is fundamentally wrong in this regard.
- 7.8 In terms of the matter of the pattern of development, Crookfur Road is characterised by a variation of development types, size, scale, bulks and densities. Properties with access and egress points onto Crookfur Road are prevalent and again easily acknowledgeable from a review of a site map for this area. The development proposal would be wholly in-keeping with the mixed pattern of development along Crookfur Road and whilst it would be different to the enclosed development to the north, The Laurels, it is inaccurate to assess a development on the basis of properties within an alternative street.
- 7.9 As such, it is asserted that the decision to refuse the development for the reasons set out in Reason 1, are unacceptable. The development is not within The Laurels and therefore should not be assessed as part of this development. The landscaping along the site boundaries would obscure views of the development from both the neighbouring site and that of the host dwelling. However it should be observed that no information has been substantiated at the detrimental impacts to which the development is asserted to have on the neighbouring dwelling – whether it is overlooking, or overbearing or loss of material light or loss of privacy. The reason for refusal is deficient in this regard as the Report of Handling is silent in this regard. No information has been provided by the Council to support the assertions set out in the Report of Handling and there is no further clarity in either the report on Handling or any consultation comments. Appendix 1 provides evidence of existing dwellings fronting onto Crookfur Road. For the reasons set out above it is asserted that the application is compliant in this regard.

7.10 Reason 2

The proposed development would be detrimental to road safety at the locus as it would create an isolated individual access onto a major local distributor road.

7.11 This reason for refusal has again be set forward with no information to support it. The consultation response from the Highway's department fails to address how an additional access/egress onto Crookfur Road would provide an unacceptable hazard to road safety over and above the existing situation. Crookfur Road is characterised by developments fronting onto it and access roads leading into housing developments. Appendix 1 provides evidence of existing dwellings fronting onto Crookfur Road and Appendix 3 provides views along Crookfur Road at the location of the proposed access. It is clear to see that visibility splays are achievable in both directions along to the highway to acceptable standards.

7.12 Given there are a plethora of existing accesses onto Crookfur Road, it is illogical to state that an additional access would be detrimental to highway safety, as given the existing accesses are in close proximity to the application site, there is an existing perception to drivers of vehicles egressing sites along this road. Whilst it is accepted that Crookfur Road is a busy road, it does not preclude that the formation of an additional access would result in an increase highway safety issue. No data or evidence has been provided in support of the Highway Officers comments therefore it is considered that this reason for refusal is deficient. No consideration has been provided within the Report of Handling to show proper consideration of the highway's matters has taken place. It is not acceptable to take a consultees comments at face value wherein there is no supporting information to substantiate the comments. Both the Highway's Officer and the Planning Officer have been remiss in this regard.

7.13 Given no information has been provided to demonstrate any existing highway issue along Crookfur Road, it is not possible to provide any information to refute this. However, it should be undernoted that existing developments have

8.0 Conclusion

8.1 For the above reasons the Appellant considers that its decision is soundly based and therefore respectfully requests that the appeal is permitted.

9.0 List of Documents to which reference may be made by the Appellant

6.8 Material Considerations

The site is located on the north side of Crookfur Road, centrally within the built up area of Newton Mearns. Extending to the east, the site is currently residential garden. The main dwellings within the Laurel's development form a cul-de-sac development, separate from the estate development surrounding this small development. The Laurel is accessed from the main distributor road leading through this area, with the application site proposing a separate access further along this distributor road with conjoined pedestrian and vehicular access.

Planning permission is being sought to erect a 1.5 storey house, all with on-site car parking and residential garden space. The development would reflect the principles of "Designing Streets" by, for example, the use of different materials and a development which respects the size and scale of the surrounding area. Private amenity space is provided within the confines of the site, in accordance with good practice principles of sustainable development.

The size, design and scale of the dwelling would be comparable with that of other properties within the surrounding area and would not result in a development which is at odds with any established character. The access into the development would be located on Crookfur Road, wherein visibility splays in each direction of the egress would be compliant with highway regulations. The formation of an additional access at this point would not represent a highway safety issue as there is the existing access into The Laurels a short distance along the highway. Furthermore, it has to be noted that other residential dwellings are accessed directly from Crookfur Road, therefore this development proposal would not be introducing any aspect which does not already exist elsewhere along this highway.

In terms of residential amenity, the development would be principally visible from No.7 and No. 8 The Laurels only due to the orientation of the other properties within this development. Given the topography of the site, a section of the roof would be visible to these two dwellings above the level of the boundary fencing; however this in isolation would not result in a negative impact to either dwelling. The distance of 1.5m between the dwelling and the common boundary of the site would ensure that the combination of the 1.5 storey height of the dwelling and the height of the boundary fencing would ensure there would be no unacceptable degree of loss of amenities to these neighbouring residents. The design of the dwelling has been carefully carried out to ensure there would be no direct overlooking into neighbouring properties and this is further illustrated by the fact that the proposed dwelling would have the first floor habitable rooms within the roofspace of the dwelling, with only a bathroom window facing towards the residential garden area on No.7 which can be conditioned to be opaque. The applicant would accept a condition preventing any windows being inserted into this elevation at a later date to preserve the amenities of these residents. Furthermore, a detailed landscaping scheme can be conditioned to provide additional landscaping along this boundary if the Planning Authority considers it acceptable.

Suitability of the site for development

The proposed residential development is situated centrally within the urban area on a site which has a considerable sized back garden area. The site is located within a small pocket development which has its own unique character, scale and appearance, separate to that of the surrounding area. The properties within The Laurels are of varying sizes with some large dwellings sited on rather small plots and other instances of large dwellings within large plots. Due to the size of this corner plot, the site lends itself to sub-division and the formation of a detached dwelling within the rear confines of the site. Due to the orientation of the site and overall layout, any development within the rear garden area of No.8 The Laurels would have to have vehicular access taken from Crookfur Road to the south of the site.

The proposal encompasses a two bedroomed, detached dwelling with driveway. The property would benefit from a first floor area, albeit the rooms would be located within the roofspace as a means of ensuring that the property sits well within the plot given the topography of the site in relation to that of the existing dwelling and that of the neighbouring sites. The plan would maintain a minimum 1.5m distance from the nearest part of the dwelling to the site boundaries.

The current plot is accessed from The Laurels however the proposed site would be accessed from Crookfur Road, with an enclosed residential area forming the curtilage of the dwelling and a driveway leading up to the front and side of the dwelling. The applicant wishes to create a home which merges into the immediate locality and surrounding residential development and can provide modern requirements in the long term.

Policy Considerations

The design, size, layout, form and bulk of the dwelling have been developed with reference to the Local Plan 2 pertaining to the relevant designations. It is believed that this development proposal overcomes the reasons for refusal as set out in the previous planning decisions for this site as the proposal acknowledges the need to be compatible in character with the surrounding area and draws recognition with the amenity of the local area within terms of the policies set out below.

Defining Parameters

In terms of setting out the building parameters, the development honours the set behind the flank elevation of No.8 facing towards this highway, creating a fluid continuation between the existing dwelling and the proposed dwelling. Further to this, the development has maintained East Renfrewshire's policy of a minimum garden size of 1.5 times the building footprint.

With reference to the analysis of adjacent house styles/appearances, the design of the proposed dwelling has been formulated as a standalone development due to its access separate from that of the Laurels development. As such, the development respects the scale and mass of the surrounding properties but has been designed in isolation to ensure that the property does not appear simply as an extension of this small cul-de-sac development, although the final design would ensure a sympathetic transition between the proposed dwelling and that of No.8 The Laurels.

Site Proposals

The proposed site plan is similar in shape and size to that of the adjacent properties within The Laurel's. The proposal is within the building line of the adjacent property (No.8). The orientation and location of the property would maximise the garden area of the site, with views into and out of the site achieved due to the open access into the site. The two bedroom dwelling would be modest in relation to previous schemes put forward for this site. This development has sought to overcome the concerns of previous applications through a simplified development which respects both the existing dwellings within the vicinity and the Development Plan policies which govern development in this area. A quality solution to the design is the expressed objective of the applicant, whilst maintaining a coherent consistency that is definitive of the character of the locality.

Materials

The building would adopt similar external finishes and proportions of neighbouring houses.

Conclusions

The Proposed Local Development Plan (LDP) represents the current Council position in respect of the consideration of development proposals and generally reflects the policies in the adopted Local Plan.

This proposed development will;

- Provide a residential dwelling in scale and proportion with that of the adjacent properties;
- Remove a gap in the urban area and ensure its development is well maintained to preserve and enhance the character of this area;
- Provide safe access and egress into and out of the site onto Crookfur Road, in similar fashion to the recently permitted BUPA Care Home Scheme;
- Employ a high quality design with appropriate materials compatible with its local surrounding character and amenity, utilising advice from the local selling agent;
- Follow sustainable design principles, utilising renewable energies to minimise the impact on the Environment;
- Retain a build line congruous with the flank elevation of No.8 The Laurel's and a ridge height which would sit below that of the neighbouring properties.

Drawing all the above matters together, it is recommended that the application be approved subject to appropriate conditions.

REASONS FOR REFUSAL

The reasons for refusal, as set out on the Decision Notices, issued on the 25th September 2014

- 1. The proposal is contrary to Policies E1, DM1 and DM2.2 of the adopted East Renfrewshire Local Plan and Policies D1, D2 and D15 of the proposed Local Development Plan as it would result in development which due to its scale design and siting would have a detrimental impact on the donor and adjacent properties and the immediate surrounding area.**
- 2. The proposed development would be detrimental to road safety at the locus as it would create an isolated individual access onto a major local distributor road.**

The policies as set out in support of the reasons for refusal are set out below for reference

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 building in the locality and respect the local architecture, building form, design and materials;
3. Not constitute “backland” development without a road frontage;
4. No impact adversely on the landscape character, involve a significant loss of trees or other important landscape, greenspace or biodiversity features;
5. Ensure that landscaping is an integral element in layout design, taking account of existing physical features. Where appropriate, tree planting should augment the amenity and appearance of the site;
6. Ensure that the standards for “open space” are satisfied;
7. Meet the parking and access requirements of the Council and provide appropriate mitigation to minimise the impact of new development.
8. Not prejudice 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 disabled access within public areas;
11. Minimise the extent of light pollution caused by street lighting and communal lighting and any floodlighting forming part of, or associated with, development;
12. Be designed to include provision for recycling, storage, collection and composting or 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; and
14. Be designed where applicable to take into account the legacy of former mining activity.

Policy DM2.2

Sub-division of the Curtilage of a dwellinghouse for a new dwellinghouse and replacement of an existing dwellinghouse

1. The proposed plot should reflect the established pattern of development and should be of a size and shape capable of accommodating a dwellinghouse. There should also be sufficient land to provide garden ground that is of a scale and character compatible with the locality.
2. A sufficient area of ground for garden and associated uses for the existing house must be retained in line with Policy L4 – “Open Space Provision within New Developments”.
3. Existing building lines should be respected.
4. Proposals should preserve and enhance the character of the area.

PROPOSED LOCAL PLAN POLICIES

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, 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 and Environmental Management 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. Where 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;

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

- The proposed plot should reflect the established pattern of development and should be of a size and shape capable of accommodating a dwellinghouse. There should also be sufficient land to provide garden ground that is of a scale and character compatible with the locality.
- Any new house must reflect the scale and character of the surrounding residences and the established pattern of development in the area. It should be designed to contribute to the visual character of the area.
- Existing building lines should be respected.
- Development should provide safe vehicular access and parking in accordance with the Council's roads and parking standards.

Without prejudice to the determination of the appeal process, if successful, the applicant would accept planning conditions on the development along the lines detailed below;

Suggested Planning conditions

-
1. Construction traffic should not access the site before 0915 hours and between 1530-1630 hours Monday to Friday during school terms.

Reason: In the interests of public safety and to avoid conflict with school traffic

2. Notwithstanding the terms of condition 1, there shall be no construction work and no deliveries received at or dispatched from the development site before 0800 hours or after 1900 hours from Monday to Friday, 0800hours -1300 hours on a Saturday and no work on a Sunday unless otherwise agreed on writing by the Head of Environment (Planning, Property and Regeneration)

Reason: To prevent noise nuisance to residents of nearby houses.

3. The applicant/operator shall provide and maintain on site suitable means for the washing of vehicle wheels at all times during the hours of operation to prevent mud being deposited on the public road

Reason: In the interests of road and public safety.

4. Visibility splays of 2.5 metres by 35 metres shall be provided in both directions at the junction of the cul-de-sac with the access road and shall be maintained free from any obstructions exceeding a height of 1.05 metres above the adjacent road.

Reason: To enable drivers of vehicles leaving the site to have a clear view over a length of road sufficient to allow safe exit.

5. Details of a scheme of hard and soft landscaping works shall be submitted and approved in writing by the Head of Environment (Planning, Property and Regeneration). Thereafter, the approved scheme should be implemented to the satisfaction of the Head of Environment (Planning, Property and Regeneration). Any trees or shrubs removed, dying or severely damaged and/or deceased within five years of planting shall be replaced by trees or shrubs of a similar size and species to those originally planted.

Reason: To ensure the implementation of a satisfactory scheme of landscaping to improve the environmental quality of the development

6. Details and location of all walls (including retaining walls) and fences to be erected on the site shall be submitted and approved in writing by the Head of Environment (Planning, Property and Regeneration).

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

BLANK PAGE

NEW INFORMATION

BLANK PAGE

Houses on Crookfur Road

The following houses have access on to Crookfur Road:

1. 184 Ayr Road – detached 1.5 storey bungalow, recently extended & refurbished. Situated on corner of Crookfur Road & Ayr Road at mini-roundabout. No vehicular access from Ayr Road. Parking for 2 cars on single access driveway.



2. 1 Crookfur Road – detached single storey bungalow with parking for 2 cars on single access driveway



3. 2 Crookfur Road – detached 1.5 storey bungalow with parking for 2 cars on double access driveway



4. 3 Crookfur Road – detached 1.5 storey bungalow, recently extended & refurbished with parking for 4 cars on double access driveway



5. 4 Crookfur Road – detached 1.5 storey bungalow with parking for 2 cars on single access driveway



6. 5 Crookfur Road – detached single storey bungalow with parking for 3 cars on single access driveway



7. 6 Crookfur Road – detached 1.5 storey bungalow with parking for 3 cars on single access driveway



8. 7 Crookfur Road – detached 1.5 storey bungalow with pedestrian access off Crookfur Road & vehicular access off lane to Rysland Avenue



9. The Pines – detached 2 storey villa with double access off lane & shared driveway



10. – detached 2 storey villa with access off shared driveway



11. Villa Roma – detached single storey bungalow with parking for 2 cars on single access driveway



12. Willowbank – detached 1.5 storey bungalow with parking for 2 cars on single access driveway



13. Greenlaw Farm – detached farmhouse with parking for 4 cars on single access driveway



14. – detached single storey bungalow with parking for 4 cars on single access driveway



Character of Crookfur Road

The following houses are all within 200 metres of the proposed development & face directly on to Crookfur Road, although some are accessed from feeder roads. The house types range from 4 bedroom detached bungalows to 1 bedroom cottage flats. The first in particular is very similar in both design & size to the proposed development:









Clear Sightline of over 150m in each direction from proposed access



Heading west down Crookfur Road. Traffic already slowing as prominent speed camera located on left at bottom of hill near junction with Meadow Hill & traffic lights at Harvie Avenue/Greenlaw Road.

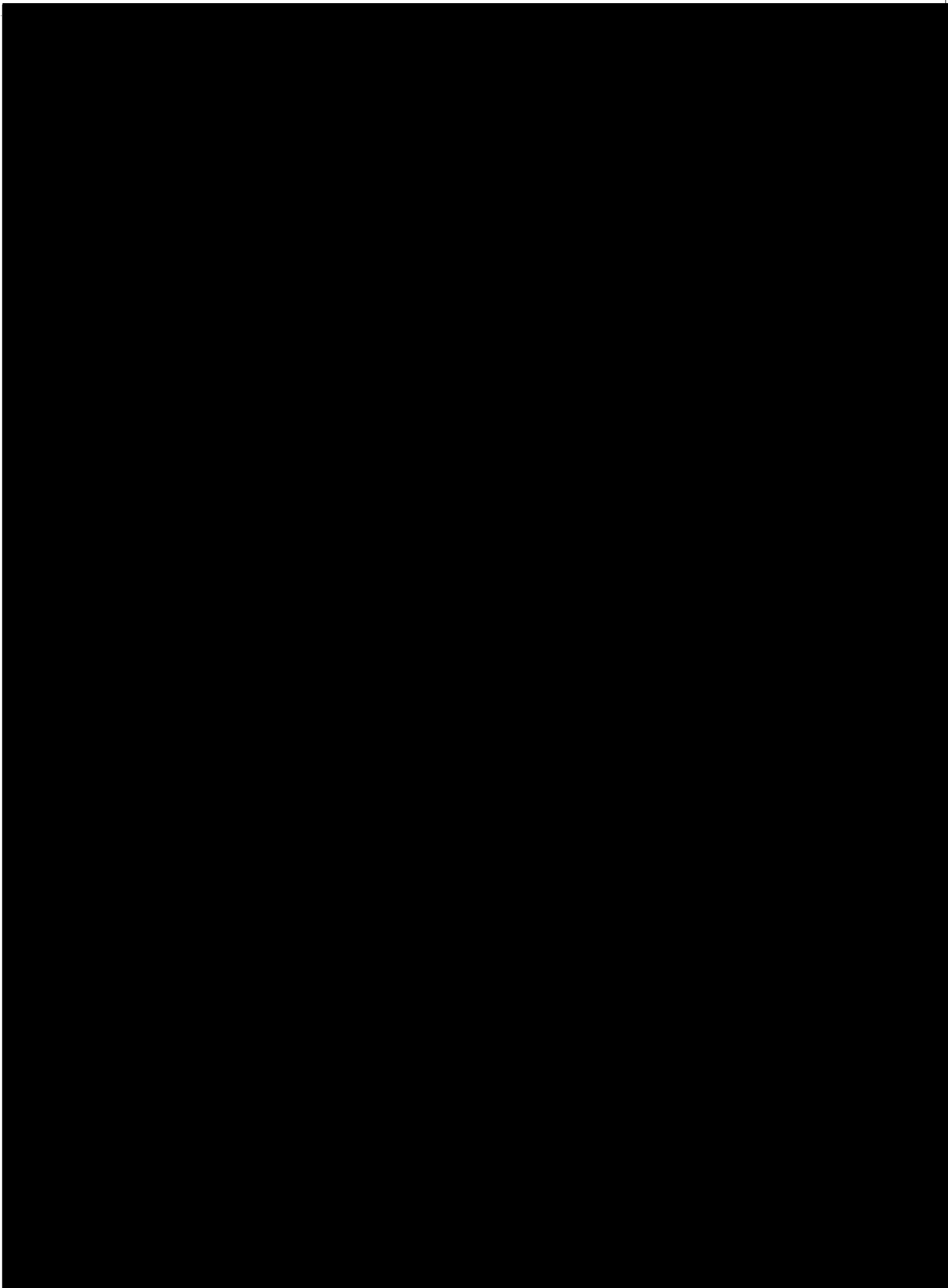


Heading east up Crookfur Road. Several junctions located on left – Wellmeadow Way, The Laurels, Capelrig Road and Forestfield Crescent. Access to new BUPA Care Home & Retail Trust Estate on right & pedestrian crossing at top of road.

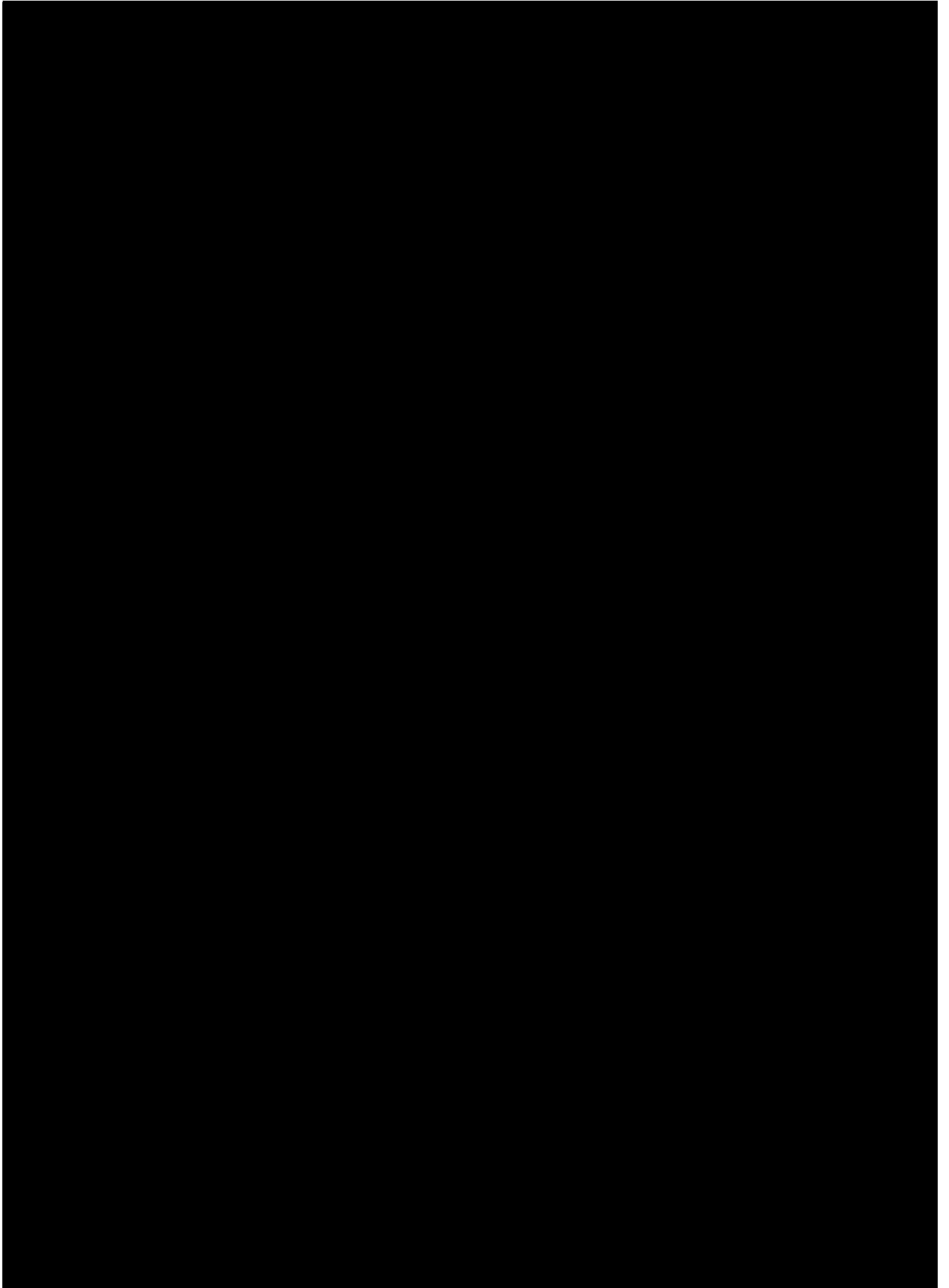
BLANK PAGE

**FURTHER COMMENTS ON NEW
INFORMATION FROM INTERESTED
PARTIES AND APPLICANT'S RESPONSE**

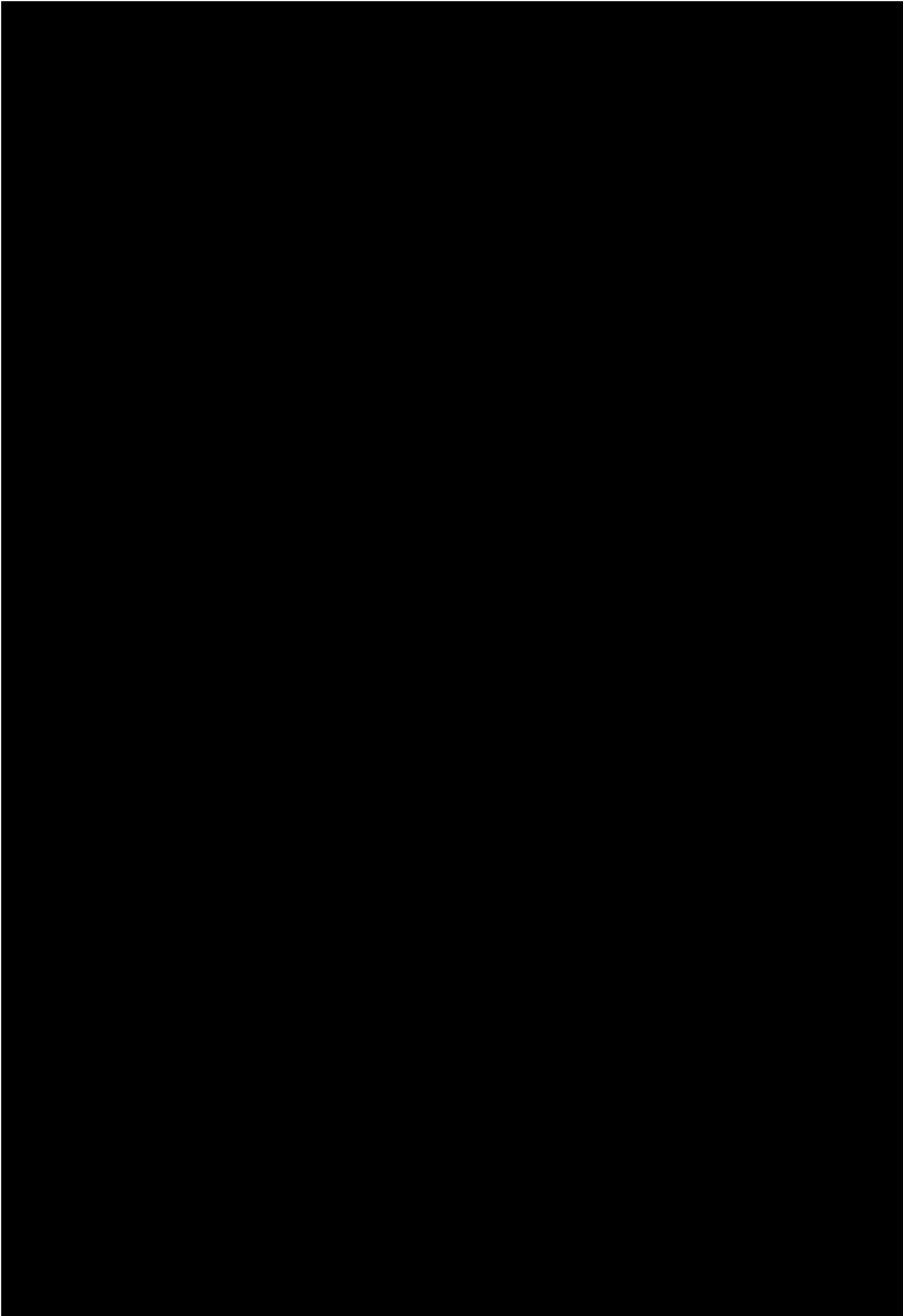
BLANK PAGE

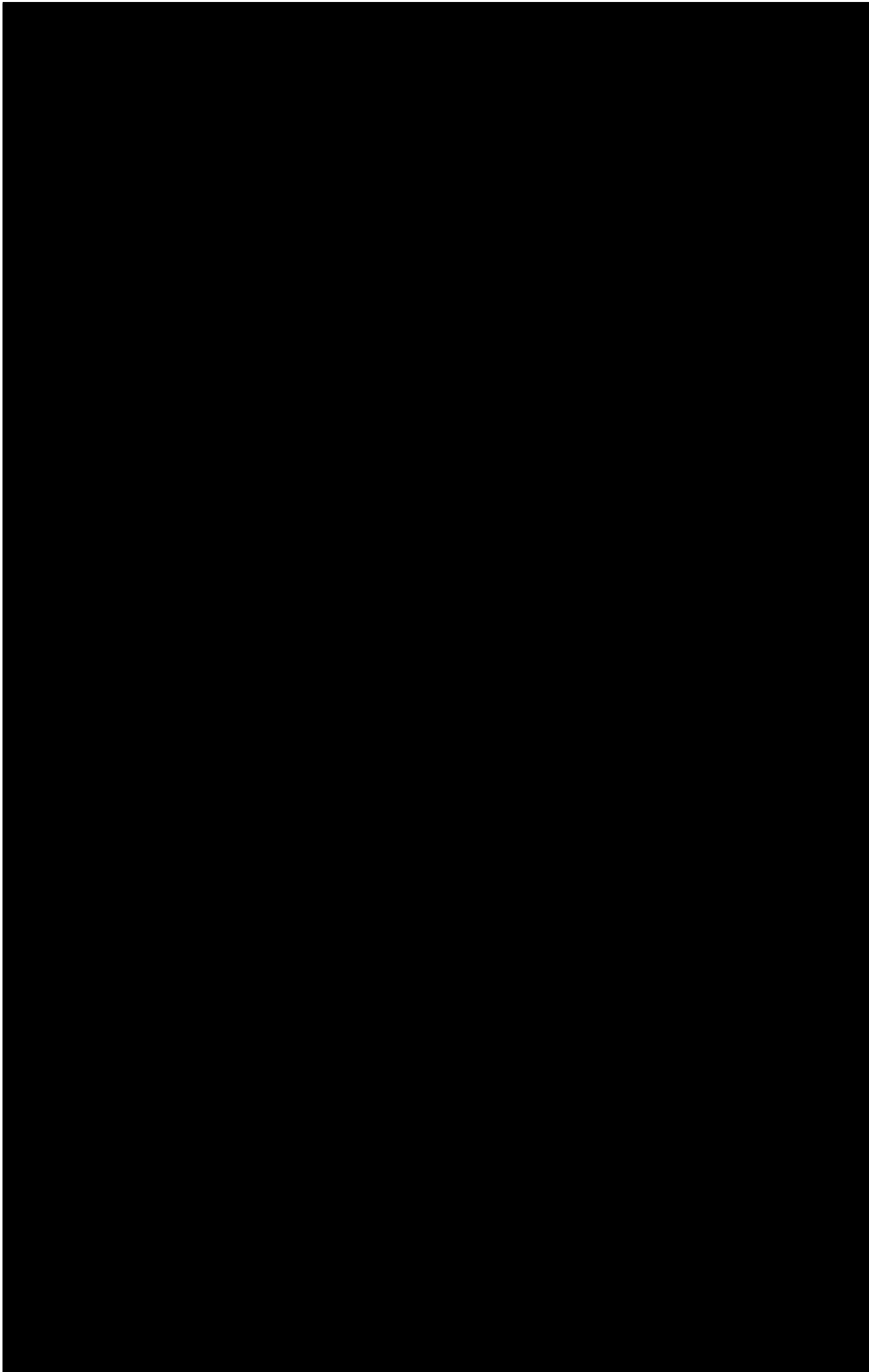


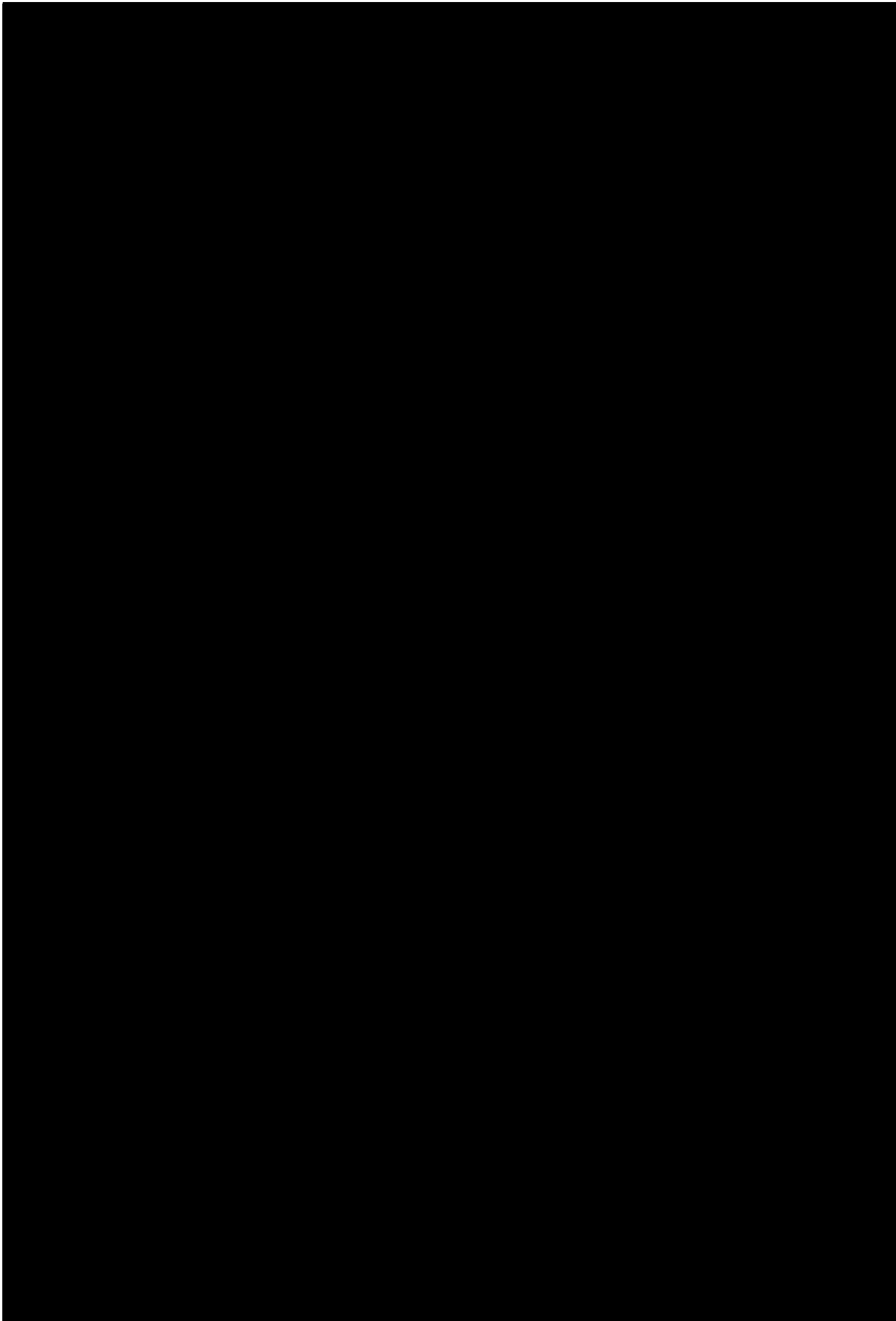
BLANK PAGE



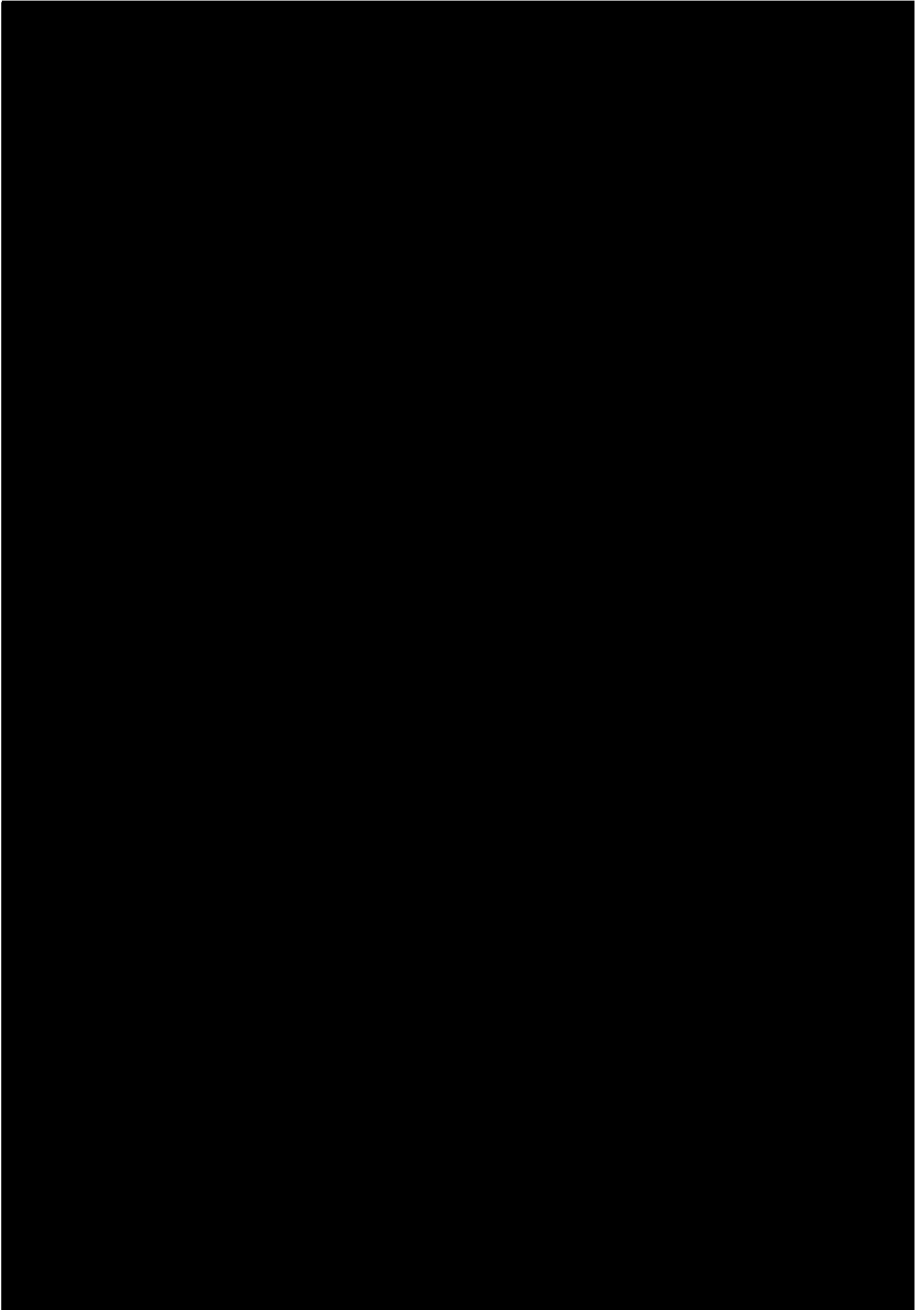
BLANK PAGE

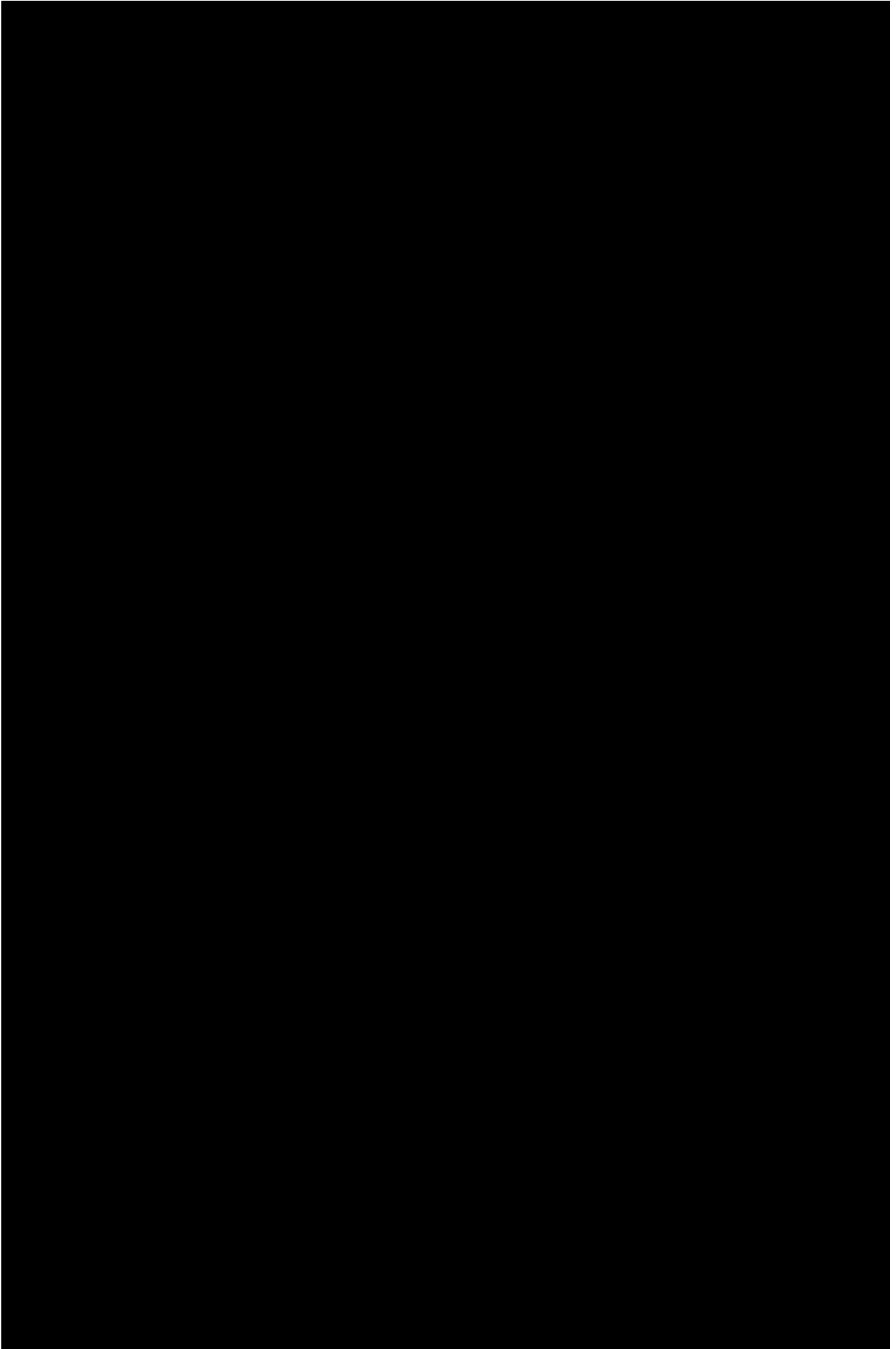


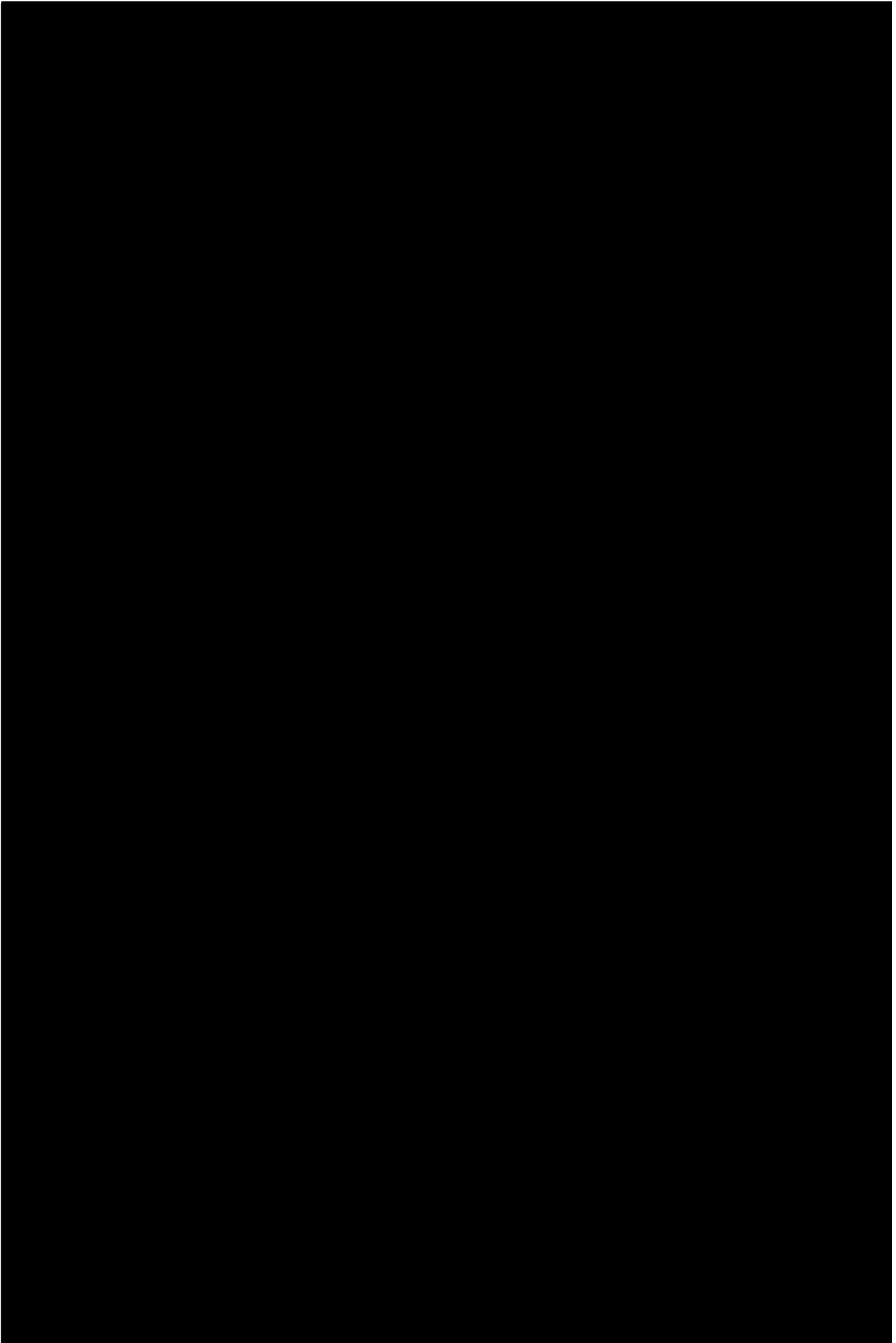


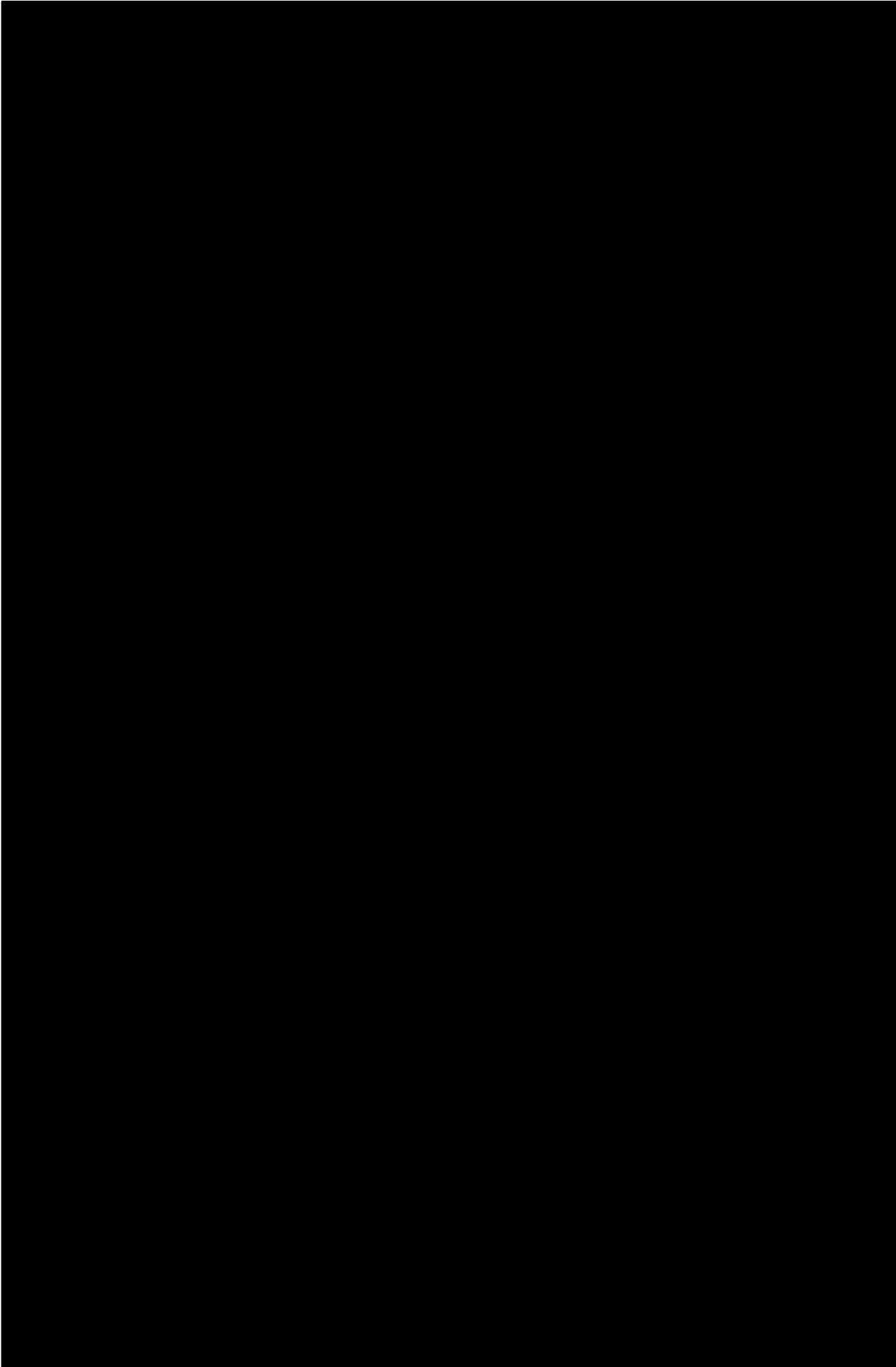


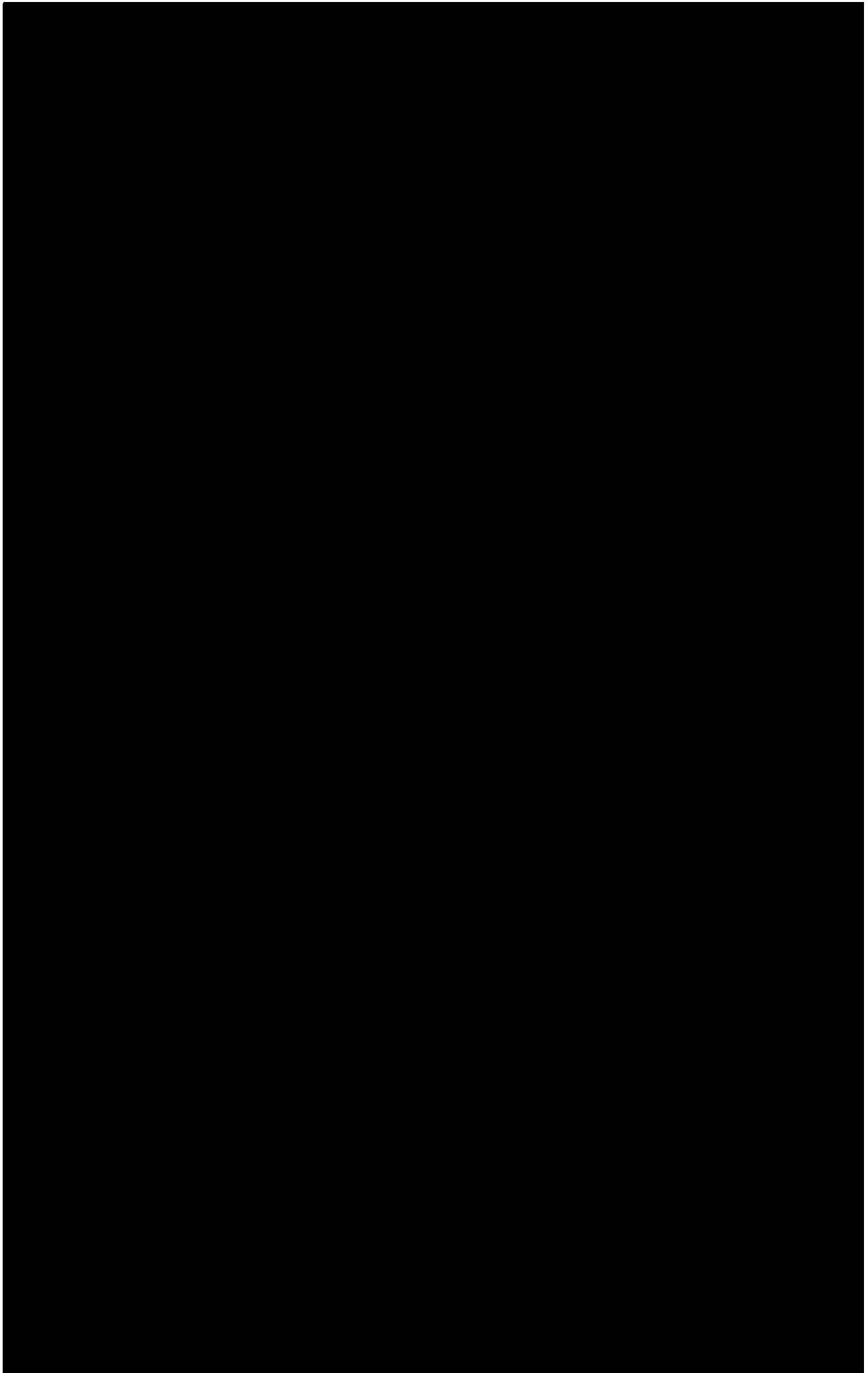
BLANK PAGE

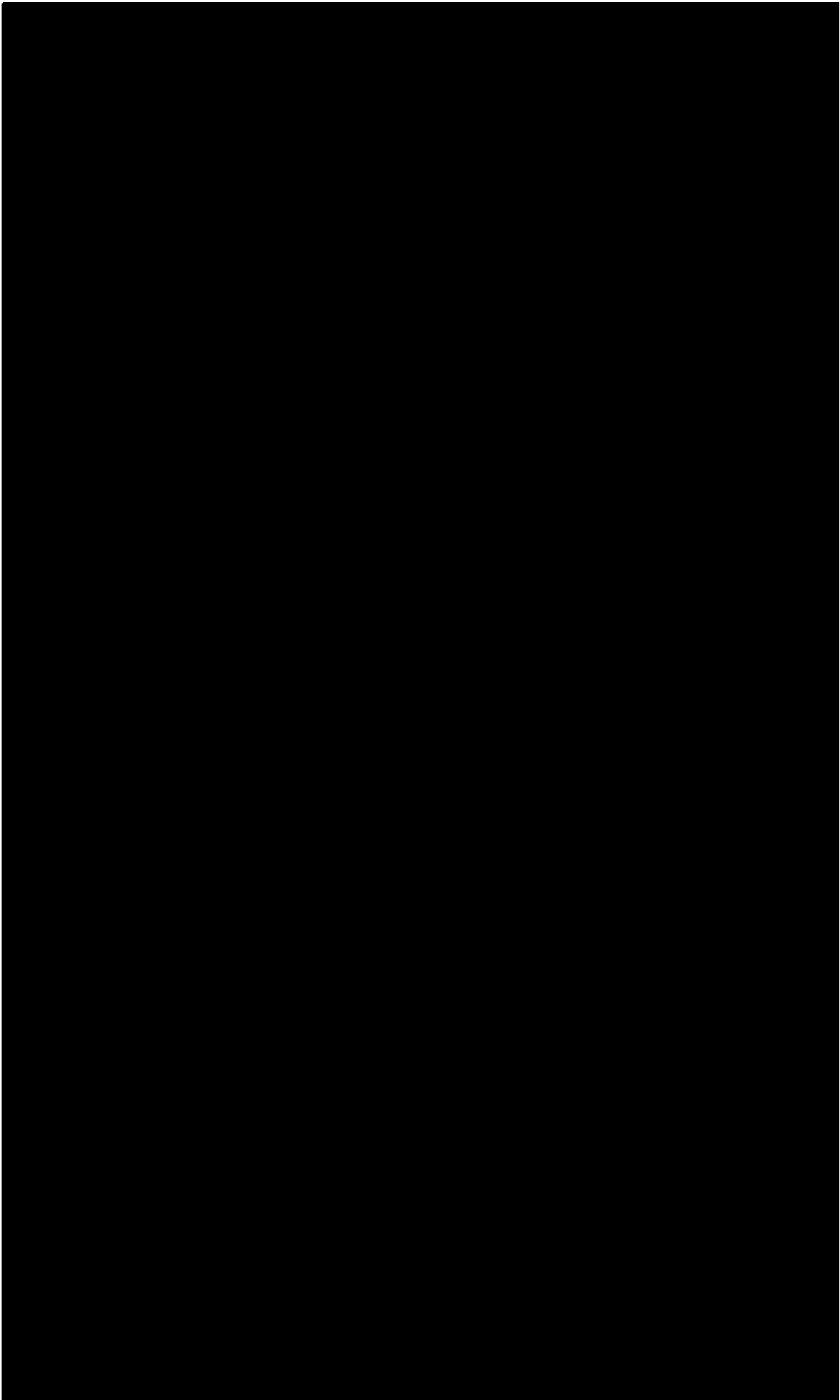


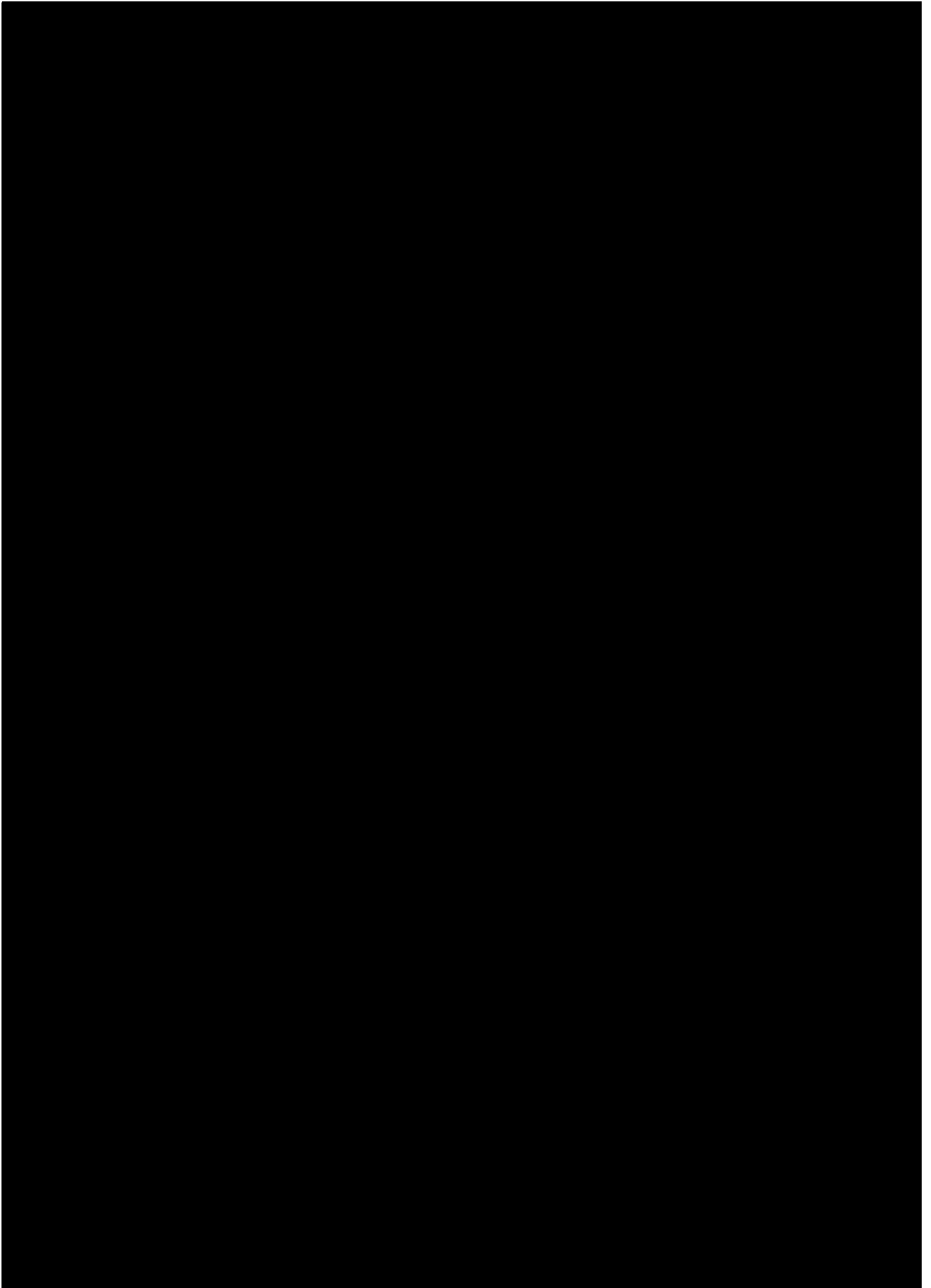


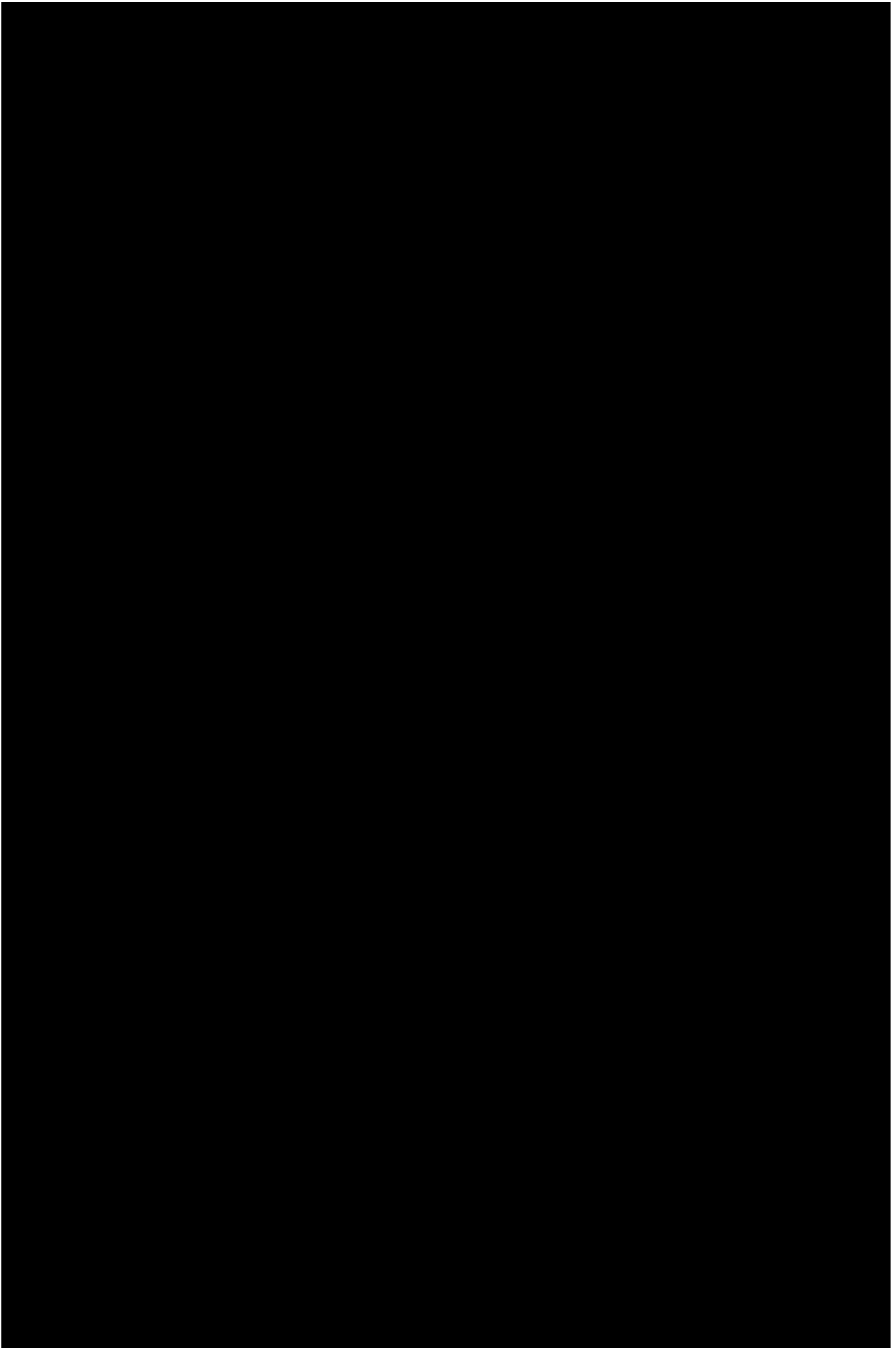


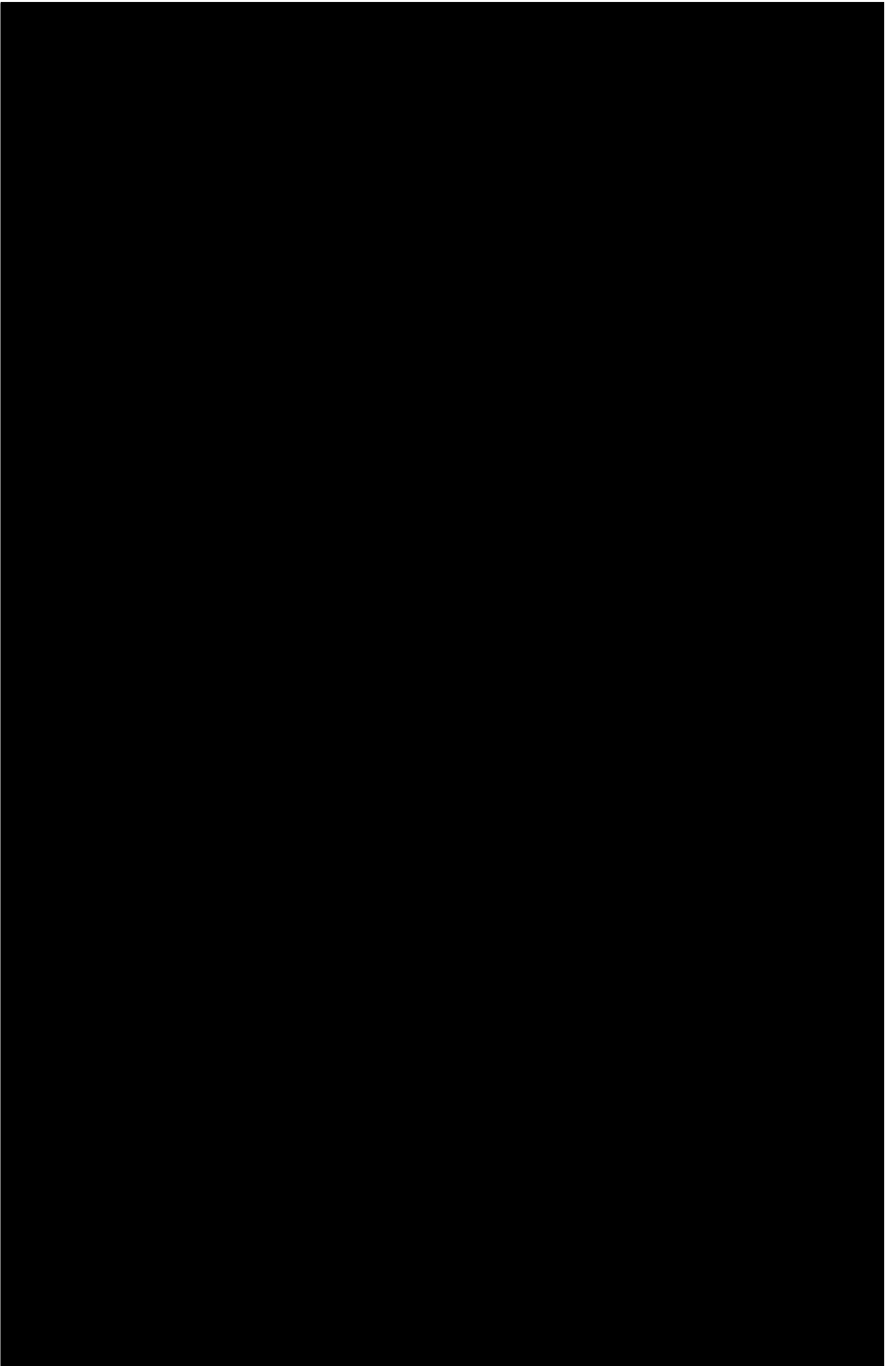


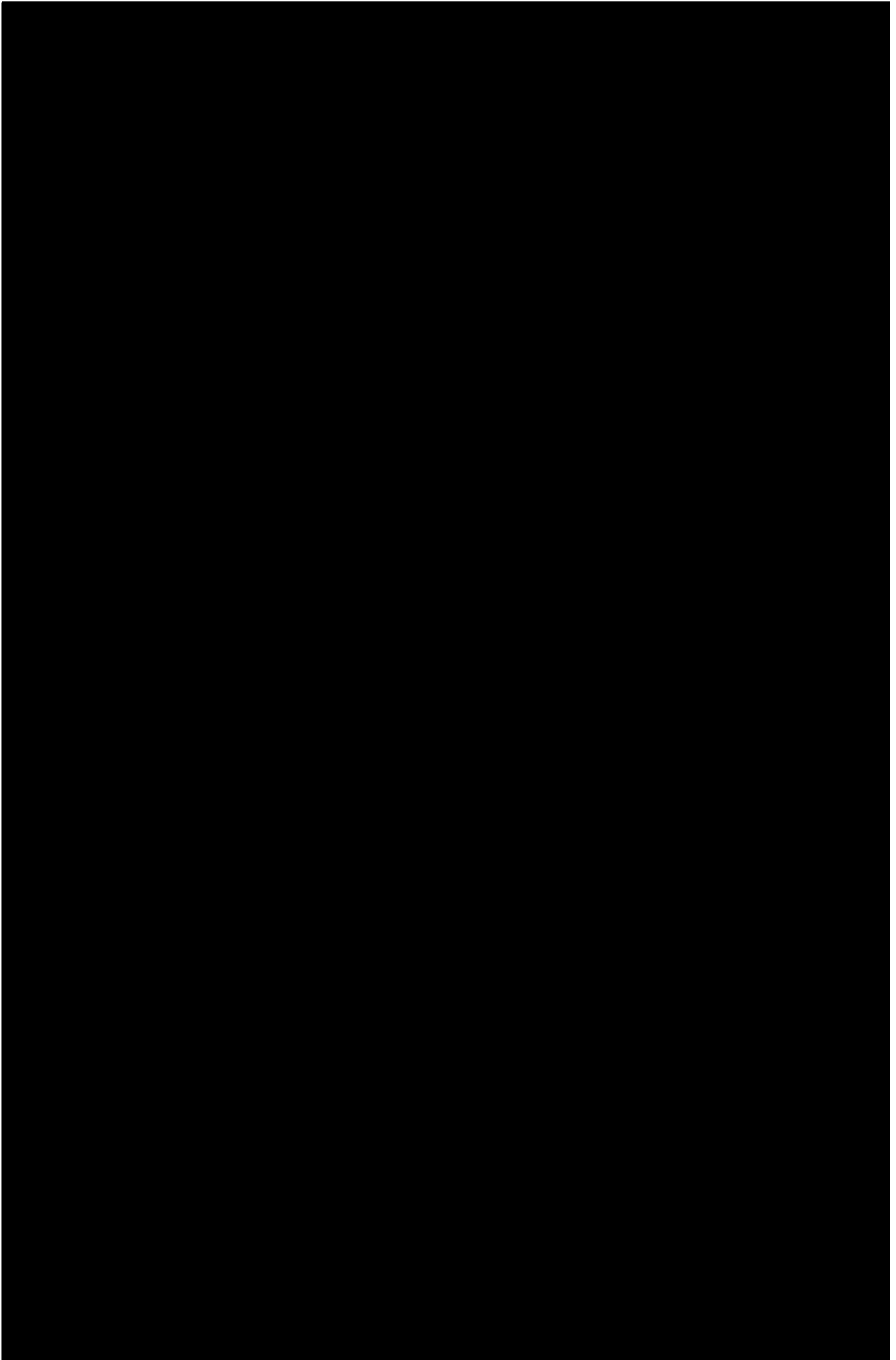












O'Neil, Paul [CE]

From: Daly, Eamonn
Sent: 12 February 2015 08:20
To: O'Neil, Paul [CE]
Subject: FW: 8 The Laurels: Response to Planning Objections
Attachments: No 20.docx; No6.docx; No7.docx

Importance: High

Paul

Further comments from applicant.

Can you acknowledge etc.

Thanks

Eamonn

Eamonn Daly
Democratic Services Manager
Department of Corporate and Community Services

Phone 0141 577 3023
Fax 0141 577 3834

e-mail:- eamonn.daly@eastrenfrewshire.gov.uk

EAST RENFREWSHIRE: YOUR COUNCIL, YOUR FUTURE

www.eastrenfrewshire.gov.uk

Information security classification

No marking *No special handling practices*

PROTECT *Protective action required*

PROTECT+ *Additional protective action required*

From: Amanda [<mailto:ajf4444@hotmail.com>]
Sent: 11 February 2015 20:44
To: Daly, Eamonn
Cc: Shankland, Graham
Subject: 8 The Laurels: Response to Planning Objections
Importance: High

Hello Eamonn

120

Thank you for the opportunity to respond the Planning Objections.
Please find our comments attached. For clarity I have titled each with reference to the Objection.
Please confirm if this will be considered at the next LRB Meeting & the proposed date/time.
I would appreciate if you could also confirm receipt of this email & attachments.
I look forward to hearing from you in due course.

Kind regards

Amanda Flynn
Sent from Windows Mail

Response to 6 The Laurels

1. Loss of Local Amenity – To be part of The Laurels, this development would require access from The Laurels. The proposed development will not form part of The Laurels & will not be visible from any part of it with the exception of Nos. 7 & 8. It will be accessed from & sited on Crookfur Road so this is the road it should be measured against, hence the relevance of the Character of Crookfur Road.

2. Effect on Area's Character – The design of the proposed development is in keeping with the other houses on Crookfur Road in that they are all bungalows. It is not trying to compare with the large two storey houses on The Laurels. It could be argued that the development of The Laurels was not in keeping with the character of the local area when it was developed.

3. Access, Traffic, Parking & Road Safety Concerns – There will be no access to the site from The Laurels for vehicles or site workers. The current driveway of No.8 has sufficient parking for at least seven vehicles which can be utilised during the build, if required. It should be noted that none of the residents with young children have any objection to the proposed build & in fact, it is only the residents of Nos.6 & 7 who complain about the children playing in the street. Deliveries will be made via the access on Crookfur Road, arranged out with peak traffic times & with all appropriate road permits in place. The rear garden area of No.8 will also be made available for machinery & materials to be stored. As the proposed development covers less than 30% of the site there is ample space for all works to be contained within it. The new disabled access bus stop is at least 5m from the proposed access and will in no way be compromised. Appendix 3 shows the sightlines from the proposed access which are far in excess of the requirements of ERC Roads Department. The proposed access is on the concave of the bend on Crookfur Road & therefore any vehicle exiting the site would have ample vision in both directions before reaching the road. This is much safer than the access granted to the new BUPA Care Home on the opposite side of the road. Its' access is on the convex of the bend and barely meets the statutory minimum requirement for visibility splays. It should also be noted that the BUPA development was initially refused planning permission due to issues of road safety. The decision was reversed by the Transportation Statement commissioned by BUPA which showed that further access on to Crookfur Road was not a safety issue. Traffic is already slowing on approach to the proposed access due to several factors – the bus stop, access to The Laurels & access to Capelrig Road. On the opposite side, traffic has slowed to allow for frequent right turns into Capelrig Road, and the proposed access will be visible from this point. The bridge parapet does not impede the sightlines in anyway.

4. Incompatibility with Local Plan – As previously stated, the proposed development is compatible with the local area as the majority of homes on Crookfur Road are bungalows of differing sizes. This development is not part of The Laurels & does not purport to be so. The plot size of No.8 is significantly larger than most of the others in The Laurels & the subdivision of this plot will still allow for usable gardens for both houses in excess of those currently at Nos. 5, 6 & 7

BLANK PAGE

Response to No 7

1. The proposed development is not part of the The Laurels & as such would not increase either traffic or parking in this street. If it was part of The Laurels it would have access from The Laurels. The site itself is designed to allow at least five vehicles to park comfortably and access & egress safely. This could be increased if required.
2. The experiences of Mr McLeod's family build have no bearing on this application. The access point is on the concave of the bend of Crookfur Road and as such affords the site access sightlines far in excess of the statutory requirements of ERC Roads Department. The flyover Capelrig structure no way impedes the sightline as the proposed access is several metres away from it. The proposed access is safer than the recently granted access for the new BUPA Care Home which is sited on the opposite side of the road, on the convex of the bend of Crookfur Road which barely meets the ERC Roads Department guidelines.
3. In the Report of Handling, the Planning Officer, has already addressed the issue of rainwater & determined that the proposed development would have no detrimental effect on the neighbouring property.
4. As previously stated, this proposed development is not part of The Laurels and should not be compared to properties in this street. It is a standalone development with frontage onto Crookfur Road. The two previous planning applications were made on behalf of a developer with a view to maximising the financial return on the site. However this development is proposed by the applicant as a dwelling house which she & her husband would retire into & is therefore substantially smaller than previous applications therefore allowing for a significantly larger garden area.

BLANK PAGE

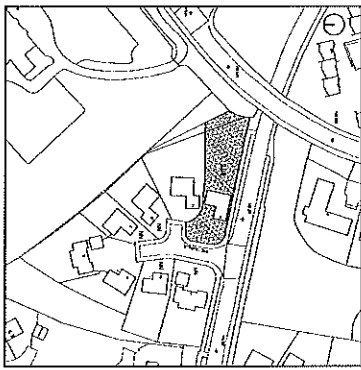
Response to 20 Greenlaw Road

1. The photographs are evidence of the variety of properties fronting onto & with vehicular access onto Crookfur Road for comparison purposes.
2. Any issues with the gradient & stability of the site have been addressed by the design of the proposed development.
3. As previously mentioned the sightlines from the proposed site are substantially greater than ERC Road Department guidelines. Based on the concave of the bend allows for far greater visibility splays than the recently granted access for BUPA, which sited on the convex of the bends limits visibility to the ERC Roads Department minimum.
4. There are no direct accesses from the junction of Capelrig Road to Harvie Avenue as, with the exception of this site, there is no privately owned land available for development.

BLANK PAGE

PLANS/PHOTOGRAPHS/DRAWINGS

BLANK PAGE



LOCATION PLAN
1:250

EXTERNAL FINISHES
New external finishes to match existing building material in colour and texture as follows:
Facades a Yengo W Facade UPVC fascia
Guttering a Yengo W Facade UPVC fascia
Roofing a Yengo W Facade UPVC fascia
Windows a Yengo W Facade UPVC fascia
Slab/7mm concrete slab

Road finish to be Mowbray interlocking concrete road tiles with matching edge and dry verge details to match.

UPVC fascias throughout to verge and fascia, matching existing including to match existing with Mowbray driveway and dry verge units or similar.

External doors and windows to be UPVC to match existing.

All windows supplied by John Carr Limited or similar to sizes shown on plans and elevations.

White UPVC finish to external fascia.

White UPVC finish internally throughout.

Brown widegrain tile ramp finish to external base. White UPVC finish internally throughout.

WINDOWS AND DOORS
All windows and doors to be UPVC.
New windows glazing to comprise Argon filled units to provide a U value of 1.1W/m²K.
All new windows to upper floor to be double opening to provide emergency escape.
New all and turn windows to provide the escape windows.
New all and turn windows to be UPVC to match existing with internal opening doors with double glazed units to be double glazed safety film glass.
All windows to be fitted with vermin mesh at head. Glazing throughout to be BS 6202.
Toughened glass on all windows with a minimum of 10mm.
90mm wide perimeter doors throughout, unless indicated.

PERFORMING VENTILATION
New windows to be fitted with vermin mesh at head. Glazing throughout to be BS 6202.
90mm wide perimeter doors throughout, unless indicated.
New windows throughout to be high performance UPVC windows by John Carr or similar to match existing. All windows to be fitted at least with permanent.
New windows to be fitted with vermin mesh at head. Glazing throughout to be BS 6202.
90mm wide perimeter doors throughout, unless indicated.

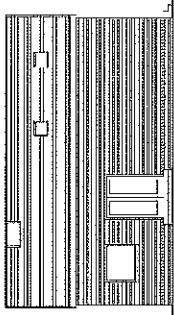
STAIRS AND LANDING
Landing required for all steps that exceed 1000mm. Max rise of steps to be 170mm max concrete path overhead min 1800mm beyond max wing of floor slab in covered position.
New steps to have rise max of 170mm and going of 250mm.

POURCHASE
All materials to be carried out to the complete satisfaction of the local authority.
Money PVC deep flow gater. Half height fence with matching PVC down pipes with roofing tiles to be dressed into gutter.

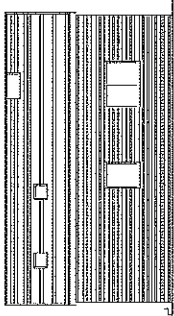
THIS IS THE PROPERTY OF THE ARCHITECT REFERRED TO IN THE ACCOMPANYING APPLICATION FOR PLANNING PERMISSION AND BUILDING PERMISSION.
DRAWN BY: AMANDA FLITMAN
DATE: 12/06/2014

PROPOSAL FOR BACKYARD DEVELOPMENT
APPLICANT: AUSTIN LYNN & THE LAURELS
NEWTON HEARNS
COURTLINE PLANNING PERMISSION
TITLE: EXISTING AND PROPOSED PLANS AND ELEVATIONS
SCALE: 1:1250 1:100 1:50
DWG NO: LDF 1

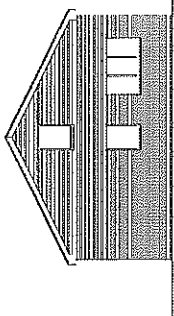
Towns and Country Planning (Scotland) Act 1977
REFUSED
Refusal of Development Consent
Date: 12/06/2014



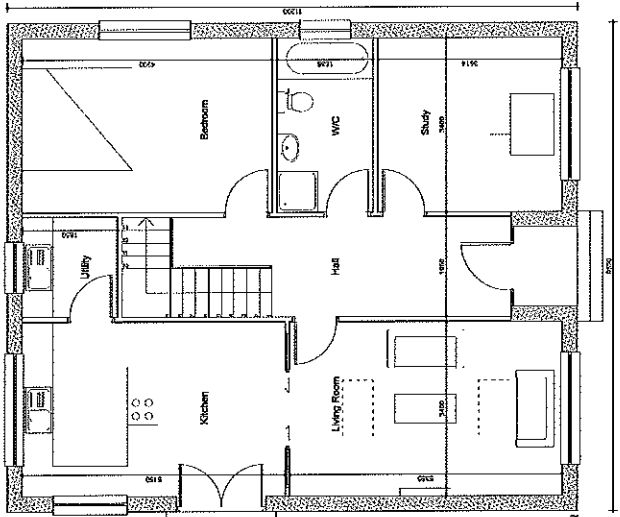
PROPOSED WEST ELEVATION
1:100



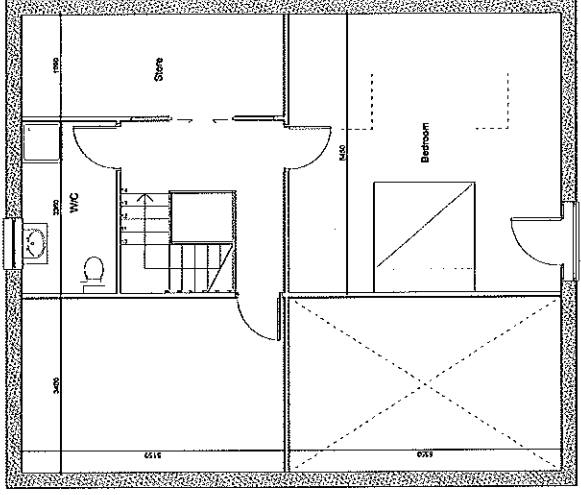
PROPOSED NORTH ELEVATION
1:100



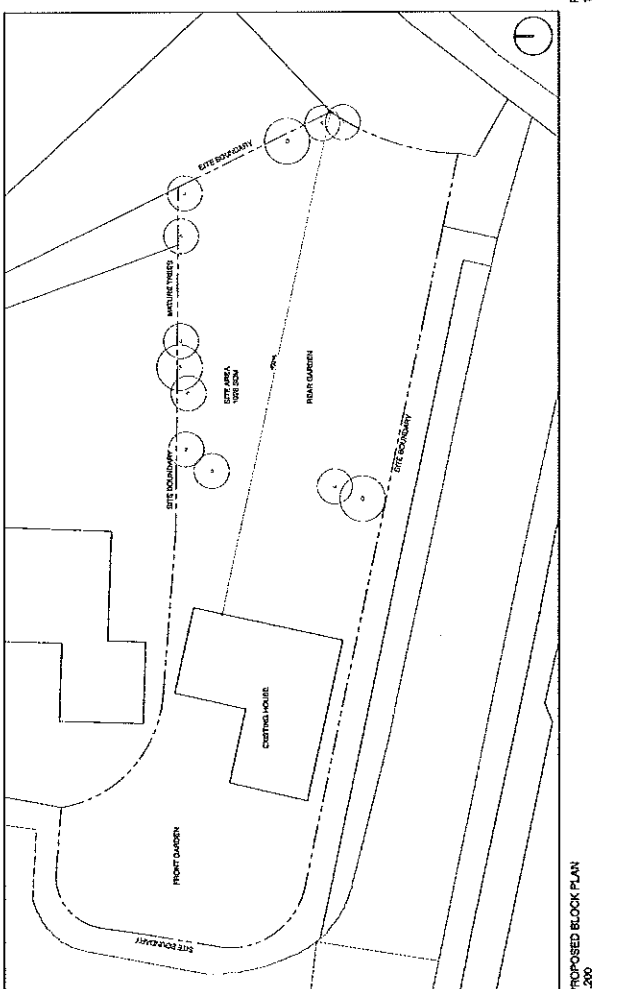
PROPOSED SOUTH ELEVATION
1:100



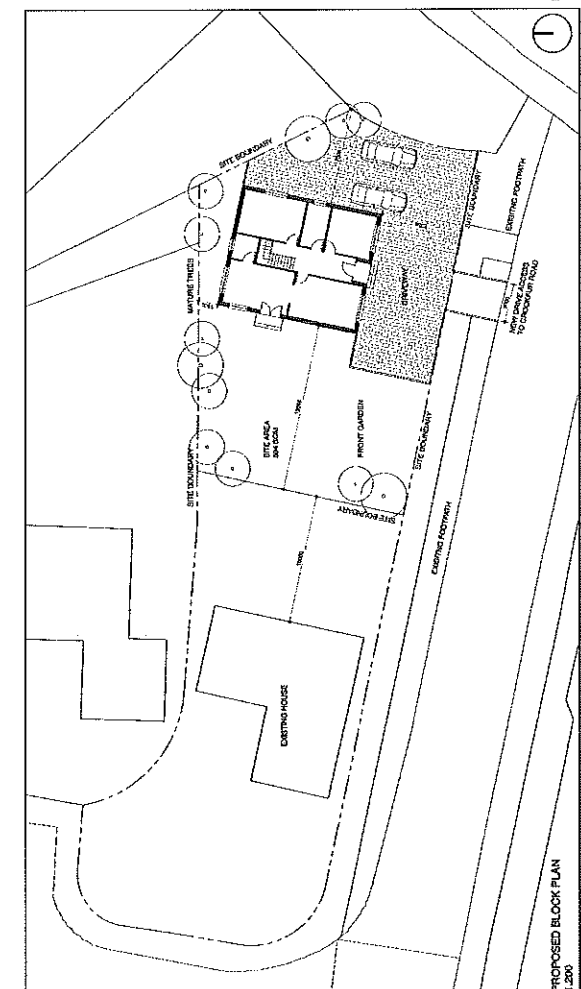
PROPOSED GROUND FLOOR PLAN
1:200



PROPOSED FIRST FLOOR PLAN
1:200



PROPOSED BLOCK PLAN
1:200



PROPOSED BLOCK PLAN
1:200