EAST RENFREWSHIRE COUNCIL

LOCAL REVIEW BODY

14 January 2015

Report by Deputy Chief Executive

REVIEW OF CASE - REVIEW/2014/06

ERECTION OF TWO STOREY SIDE EXTENSION WITH RAISED DECK AT FRONT; ERECTION OF RAISED DECK AT REAR; ERECTION OF DETACHED GARAGE AT REAR; ERECTION OF 1.8 METRE HIGH FENCE AT 25 KINLOCH ROAD, NEWTON MEARNS

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:- 2014/0536/TP).
	Applicant:	Mr Brian McGuiness.
	Proposal:	Erection of two storey side extension with raised deck at front; erection of raised deck at rear; erection of detached garage at rear; erection of 1.8 metre high fence.
	Location:	25 Kinloch Road, 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 with came into effect on 3 August 2009 all appeals against decisions made in respect of local developments under delegated powers would be heard by a Local Review Body. The Local Review Body would also deal with cases where the appointed officer had failed to determine an application within two months from the date it was lodged.

NOTICE OF REVIEW – STATEMENT OF REASONS FOR REQUIRING THE REVIEW

8. The applicant in submitting the review has stated the reasons for requiring the review of the determination of his application. A copy of the applicant's Notice of Review and Statement of Reasons is attached as Appendix 4.

9. The applicant is entitled to state a preference for the procedure (or combination of procedures) to be followed by the Local Review Body in the determination of the review and has indicated that his stated preferences are one or more hearing sessions, and/or a site visit.

10. 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

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

12. The information detailed below is appended to this report to assist the Local Review Body in carrying out the review of the decision taken by the appointed officer:-

- (a) Application for planning permission Appendix 1 (Pages 7-14);
- (b) Report of Handling by the planning officer under the Scheme of Delegation Appendix 2 (Pages 15-22);
- (c) Decision notice and reasons for refusal Appendix 3 (Pages 23-26); and
- (d) A copy of the applicant's Notice of Review and Statement of Reasons Appendix 4 (Pages 27-34).

13. The applicant has also submitted the drawings listed below (available for inspection within the Planning Division of the Environment Department prior to the meeting and for reference at the meeting) and these are attached as Appendix 5 (Pages):- 35-56

- (a) Location plan 151/100;
- (b) Existing Site Plan 151/101A;
- (c) Refused Proposed Site Plan 151/102D;
- (d) Existing Ground Floor Plan 151/200A;
- (e) Existing Upper Floor Plan 151/201A;
- (f) Refused Proposed Ground Floor Plan 151/206B;
- (g) Refused Proposed Upper Floor Plan 151/207B;
- (h) Existing Front Elevation 151/300A;
- (i) Existing Rear Elevation 151/301A;
- (j) Existing Side (South East) Elevation 151/302A;
- (k) Existing Side (North West) Elevation 151/303A;
- (I) Refused Proposed Front Elevation 151/304C;
- (m) Refused Proposed Rear Elevation 151/305C;
- (n) Refused Proposed Side (South East) Elevation 151/306C;
- (o) Refused Proposed Side (North West) Elevation 151/307C;
- (p) Refused Proposed Garage Elevations 151/308;
- (q) Existing Section AA Section BB 151/400A;
- (r) Refused Proposed Section AA 151/404/B;
- (s) Refused Proposed Section BB 151/405B; and
- (t) Refused Proposed Section CC 151/406B.

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

15. All the documents referred to in this report can be viewed online on the Council's website at <u>www.eastrenfrewshire.gov.uk</u>.

RECOMMENDATIONS

16. The Local Review Body is asked to:-

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

Report Author:

Director - Caroline Innes, Deputy Chief Executive

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

Date:- January 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.



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 000097098-001

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

Description of Proposal

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

2-storey extension to side of existing house, internal alterations, demolish existing garage and erect new garage in new location, landscaping works including new enclosing treatment to boundary.

Has the work already been started and/or completed? *

No Yes - Started Yes - Completed

Applicant or Agent Details

Are you an applicant, or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant 🗸 Agent

Agent Details			
Please enter Agent details			
Company/Organisation:	Coogan Architects	You must enter a Building both:*	Name or Number, or
Ref. Number:		Building Name:	Omnia Building
First Name: *	Coogan	Building Number:	
Last Name: *	Architects	Address 1 (Street): *	Studio 15, Westerhill Road
Telephone Number: *	01417722224	Address 2:	Bishopbriggs
Extension Number:		Town/City: *	Glasgow
Mobile Number:		Country: *	UK
Fax Number:		Postcode: *	G64 2TQ
Email Address: *	info@cooganarchitects.com		
Is the applicant an individua	l or an organisation/corporate entity?	*	
📝 Individual 🗌 Organ	isation/Corporate entity		
Applicant Detai	ls		
Please enter Applicant deta	ils		
Title: *	Mr	You must enter a Building both:*	Name or Number, or
Other Title:		Building Name:	
First Name: *	Brian	Building Number:	25
Last Name: *	McGuiness	Address 1 (Street): *	Kinloch Road
Company/Organisation:		Address 2:	Newton Mearns
Telephone Number:		Town/City: *	Glasgow
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	G77 6LY
Fax Number:			
Email Address:			

Site Addres	s Details					
Planning Authority:	East Renfrewshire Council					
Full postal address of	the site (including postcode where av	ailable):				
Address 1:	25 KINLOCH ROAD	Address 5:				
Address 2:	NEWTON MEARNS	Town/City/Settlemen	t: GLASGO	W		
Address 3:		Post Code:	G77 6LY	,		
Address 4:						
Please identify/descr	ibe the location of the site or sites.					
Northing	656772	Easting	253584			
Pre-Application Discussion						
Have you discussed y	our proposal with the planning author	ity? *	Yes 📈 No			
Trees						
Are there any trees on or adjacent to the application site? *						
If Yes, please mark o if any are to be cut ba	n your drawings any trees, known prot ick or felled.	ected trees and their canopy spr	ead close to the pro	posal site and indicate		
Access and	Parking					
Are you proposing a r	new or altered vehicle access to or from	n a public road? *		🖌 Yes 🗌 No		
If Yes please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.						
How many vehicle pa site? *	How many vehicle parking spaces (garaging and open parking) currently exist on the application 1 1					
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)? *						
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).						
Planning Se	rvice Employee/Elec	ted Member Inter	est			
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? *						

Certificates and Notices				
CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2013				
	t be completed and submitted along with this application form. This is most usually Certificate cate C or Certificate E.	A, Form 1,		
Are you/the applican	it the sole owner of ALL the land ? *	🗸 Yes 🗌 No		
Is any of the land pa	rt of an agricultural holding? *	🗌 Yes 📈 No		
Certificate I	Required			
The following Land 0	Ownership Certificate is required to complete this section of the proposal:			
Certificate A				
Land Owne	rship Certificate			
Certificate and Notic Regulations 2013	e under Regulation 15 of the Town and Country Planning (Development Management Proced	ure) (Scotland)		
Certificate A				
I hereby certify that -	-			
lessee under a lease	r than myself/the applicant was an owner (Any person who, in respect of any part of the land, e thereof of which not less than 7 years remain unexpired.) of any part of the land to which the ne period of 21 days ending with the date of the accompanying application.			
(2) - None of the land	d to which the application relates constitutes or forms part of an agricultural holding.			
Signed:	Coogan Architects			
On behalf of:	Mr Brian McGuiness			
Date:	11/08/2014			
	Please tick here to certify this Certificate. *			
Checklist -	Application for Householder Application			
Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.				

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

A copy of other plans and drawings or information necessary to describe the proposals (two must be selected). *					
You can attach these electronic documents later in the process.					
Existing and proposed elevations.					
Existing and Proposed floor plans.					
Cross sections.					
Site layout plan/Block plans (including access).					
Roof plan.					
Photographs and/or photomontages.					
Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding. *					
A Supporting Statement – you may wish to provide additional background information or justification for your proposals. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. *					
You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been received by the planning authority.					
Declare - For Householder Application					
I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying plans/drawings and additional information.					
Declaration Name: Coogan Architects					
Declaration Date: 11/08/2014					
Submission Date: 11/08/2014					
Payment Details					

Cheque: Client to pay over phone, Client to pay over phone

Created: 11/08/2014 12:08

REPORT OF HANDLING

Reference: 2014/0536/TP

Date Registered: 21st August 2014

Application Type: Full Planning Permission

This application is a Local Development

Ward: Co-ordinates: Applicant/Agent:	1 Neilston Newton Mearns North Up 253584/:656772 Applicant: Mr Brian McGuiness 25 Kinloch Road Newton Mearns East Renfrewshire G77 6LY	lawmoor Agent: Coogan Architects Omnia Building Studio 15, Westerhill Road Bishopbriggs Glasgow G64 2TQ
Proposal:	Erection of two storey side extension raised deck at rear; erection of detack metre high fence	-
Location:	25 Kinloch Road Newton Mearns East Renfrewshire G77 6LY	

CONSULTATIONS/COMMENTS: None.

PUBLICITY: None.

SITE NOTICES: None.

SITE HISTORY:

REPRESENTATIONS: No representations have been received.

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

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

ASSESSMENT:

The site contains an existing two storey detached dwellinghouse located within an established residential area of Newton Mearns. This area contains a number of properties which are similar in size and design, with many having been previously extended.

The side garden area slopes downwards towards Harvie Avenue and has high hedges on the boundaries. The site also contains an existing flat roof detached garage at the rear.

The proposal is for the erection of a two storey side extension with raised deck at the front, erection of raised deck at the rear, erection of detached garage at the rear and erection of 1.8 metre high fence. The extension would be on the south east facing side of the house and is approximately 4.6 metres wide width, 7.5 metres in length and 7.3 metres maximum height. It would have a pitched roof which would be located below the ridgeline of the main house.

The extension would create space for a living room and kitchen on the ground floor in combination with a reconfiguration of the internal layout of the existing house. A new master bedroom containing a wardrobe and en-suite dressing room would be formed on the upper floor. On the front elevation, the extension would contain a set of patio doors at ground floor level and a set of windows at first floor level. On the south east facing side elevation, there would be single windows at ground floor and first floor level. On the rear elevation, there would be a set of windows at ground floor level and another set at first floor level. The extension would be finished with smooth off white render for the lower walls and rough white render for the upper walls, with profiled concrete tiles for the roof.

The raised rear deck would measure approximately 2.9 metres in length, 6 metres in width and 0.8 metres in height. The raised front deck would measure approximately 3.2 metres maximum length, 4.6 metres maximum width and 0.8 metres in height. Both decking areas would have 1.1 metre high balustrades and steps leading to the garden area. The existing flat roofed rear garage would be removed to provide additional garden ground, with a new single garage being formed in a new position within the garden area. The new garage would have a pitched roof and would measure approximately 3.5 metres in width, 5.8 metres in length and 3.1 metres in height.

The new timber boundary fence would measure 1.8 metres in height and would be located on the front boundary and side boundary to Harvie Avenue.

The proposal requires to be assessed against the relevant policies of the Adopted Local Plan and the Proposed Local Development Plan. It is considered that although the principle of the proposal is acceptable, the scale of the proposed side extension raises concerns.

Policy DM2 of the Adopted Local Plan refers to extensions to dwelling houses and confirms the preferred approach across a number of criteria maintaining in the first instance that extensions must complement the existing character of the building in terms of scale, size height.

The side extension accords with certain principles but its width proposed at some 4.6 metres represents 75% of the width of the existing house. It is considered that this width is excessive and uncomplimentary and therefore the proposal is considered on this aspect to conflict significantly with this policy.

The LDP and Supplementary Planning Guidance Householder Design Guidance confirms that side extensions should not exceed 50% of the width of the existing /original house. This is the latest Council advice on such extensions and is a material consideration in the assessment of such applications. As outlined above this proposal represents an extension significantly in excess of this recommended proportion which is considered to be sufficient to provide a balanced and proportionate design solution.

Recent assessments of side extensions of similar housetypes have been closer to these proportions, for example a recent application for a side extension at the neighbouring property at 1 Kinloch Road (2014/0547/TP) was approved on 10th October 2014. This side extension measured 3.8 metres in width.

The applicant at 25 Kinloch Road was advised to reduce the width of the side extension but decided not to alter the proposal. As outlined above it is considered that the extension is excessive in width and not proportionate to the existing house. It would also result in over development of the side garden area and would be a prominent structure in close proximity to the footpath on Harvie Avenue.

Although other aspects of the proposal may be acceptable in their own right, it is considered that the overriding impact of the side extension means that the full application should be refused planning permission.

It is considered that the proposal will have a detrimental effect on the existing house at 25 Kinloch Road and the proposed width is excessive. It is therefore recommended that planning permission is refused.

RECOMMENDATION: Refuse

PLANNING OBLIGATIONS: None.

REASON(S):

The proposal is contrary to policies DM1 and DM2.1 of the Adopted Local Plan and policies D1 and D14 of the Proposed Local Development Plan, as due to its size, scale, and siting, the extension would represent the overdevelopment of the side garden area with a consequent excessive and detrimental impact on the existing house, the residential area, and the amenity of the neighbouring properties.

ADDITIONAL NOTES: None.

ADDED VALUE: None.

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

Ref. No.: 2014/0536/TP (JAGI)

DATE: 21st October 2014

DIRECTOR OF ENVIRONMENT

Reference: 2014/0536/TP - Appendix 1

DEVELOPMENT PLAN:

Strategic Development Plan

Given the size and scale of the development it is not considered that government guidance is a relevant material consideration.

East Renfrewshire Local Plan (Adopted 14th February 2011)

Policy DM1

Detailed Guidance for all Development

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

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

- 1. Not result in a significant loss of character or amenity to the surrounding area.
- 2. Be of a size, scale and density in keeping with the buildings in the locality and respect local architecture, building form, design, and materials.
- 3. Not constitute backland development without a road frontage.
- 4. Not impact adversely on the landscape character, involve a significant loss of trees or other Important landscape, greenspace or biodiversity features (see Policies E3 "Protection of Natural Features", E6 "Biodiversity" L1 "Protection of Important Urban Greenspace", and L2- "Safeguarding the Local Greenspace".
- 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).
- Meet the parking and access requirements of the Council and provide Appropriate mitigation to minimise the impact of new development (see Policies T3 - "New Transport Infrastructure" and T5 - "Other Traffic Management and Calming Measures).
- 8. Not prejudice the amenity of neighbouring properties by unreasonably restricting sunlight or privacy.
- 9. Seek to create safe and secure environments and reduce the scope for anti-social behaviour and fear of crime.
- 10. Be designed to meet disability needs and include provision for disabled access within public areas.
- 11. Minimise the extent of light pollution caused by street and communal lighting and any flood lighting forming part of, or associated with, development.
- 12. Be designed to include provision for the recycling, storage, Collection and composting of waste materials.
- 13. Be designed to retain on-site, for use as part of the development, as much as possible of all waste material arising from construction of the development.
- 14. Be designed where applicable to take into account the legacy of former mining activity.

Policy DM2.1

Extensions

1. Must complement the existing character of the building, particularly in terms of scale, style, form and materials.

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

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

Proposed Local Development Plan

The Proposed Local Development Plan (LDP) was issued for consultation on 6TH February 2013. 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 D14

Extensions to Existing Buildings and Erection of Outbuildings and Garages

-Any extensions must complement the existing character of the property, particularly in terms of style, form and materials.

-The size, scale and height of any development must be appropriate to the existing building. -In most circumstances, pitched roofs utilising slates or tiles to match the existing house will be the appropriate roof type. Alternatives, such as flat roofs or green roofs, will be considered on a site specific basis.

-Side extensions should not create an unbroken or terraced appearance.

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

-Dormer windows should not in general dominate the existing roof, nor rise above or break the existing ridgeline or hip of the roof, and should be finished in materials to match existing roof finishes.

The above are broad requirements and these are further defined in the Householder Design Guide Supplementary Planning Guidance.

GOVERNMENT GUIDANCE: None relevant

Finalised 21/10/2014.IM.

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. 2014/0536/TP

Applicant: Mr Brian McGuiness 25 Kinloch Road

Newton Mearns East Renfrewshire G77 6LY Agent: Coogan Architects Omnia Building Studio 15, Westerhill Road Bishopbriggs Glasgow G64 2TQ

With reference to your application which was registered on 21st August 2014 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Erection of two storey side extension with raised deck at front; erection of raised deck at rear; erection of detached garage at rear; erection of 1.8 metre high fence

at: 25 Kinloch Road Newton Mearns East Renfrewshire G77 6LY

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 DM1 and DM2.1 of the Adopted Local Plan and policies D1 and D14 of the Proposed Local Development Plan, as due to its size, scale, and siting, the extension would represent the overdevelopment of the side garden area with a consequent excessive and detrimental impact on the existing house, the residential area, and the amenity of the neighbouring properties.

Dated 21st October 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
Site Plans	102D	2	
Elevations Proposed	304C	1	
Elevations Proposed	305C	1	
Elevations Proposed	306C	1	
Proposed floor plans	206B	1	
Proposed floor plans	207B	1	
Elevations Proposed	308	1	
Sections Proposed	404B	1	
Sections Proposed	405B	1	
Sections Proposed	406B	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 <u>www.eastrenfrewshire.gov.uk</u> 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

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)	Agent (if any)		
Name MR BRIAN MEGUINESS	Name COOGAN ARCHITECTS LTD		
Address 25 KINLOCH ROAD NEWTON MEARNS	Address STUDIO 15 OMMA BUILDING WESTERHILL ROAD		
Postcode G77 6LY	Postcode $G64 2TQ$		
Contact Telephone 1 Contact Telephone 2 Fax No	Contact Telephone 1 0141 772 2224 Contact Telephone 2 Fax No		
E-mail*	E-mail* Info@ cooganarchitects.com		
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	EAST LENFREWSHIRE		
Planning authority's application reference number	2014/0536/TP		
Site address 25 KINLOCH RO	AD, NEWTON MEARNS, G776LY		
Description of proposed development DETACHED GALAGE A	Y SIDE EXTENSION WITH RAISED DECK AT RAISED DECK AT REAR, ERECTION OF T REAR, ELECTION OF 1.8m HIGH FENCE		
Date of application 21.08.14 Da	te of decision (if any)		

<u>Note.</u> 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:

ASSESSMENT OF IMPACT ON EXISTING HOUSE, NEIGHBOURING PROPERTIES AND WIDER STREETSCAPE .

Site inspection

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

- 1. Can the site be viewed entirely from public land?
- 2 Is it possible for the site to be accessed safely, and without barriers to entry?



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

Statement

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. <u>Note</u>: 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.

REASONS FOR REVIEW:

- () OWE CLIENT WOULD LIKE TO STAY AT THIS ADDRESS AND DEVELOP THE PROPERTY TO MEET THE NEEDS OF HIS FAMILY. THE PLANNING DEPT'S REQUEST TO REDUCE THE WIDTH OF THE EXTENSION WOULD RESULT IN A SPACE THAT WAS INADEQUATE FOR CREATING THE SPACE REQUIRED.
- (2) IT IS OUR OPINION THAT THE SCALE OF THE EXTENSION IS APPROPRIATE TO THAT OF THE EXISTING HOUSE AND WOULD THEREFORE NOT HAVE THE IMPLIED NEGATIVE IMPACT.
- (3) IT IS OUR OPINION THAT THE EXTENSION, BEING SITED AT THE END OF A STREET AND AFFORDED GREATER VISUAL SPACE BY HARVIG AVENUE, WILL NOT HAVE THE IMPLIED NEGATIVE IMPACT ON THE NEIGHBOURING PROPERTIES OR WIDER STREETSCAPE.

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



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

List of documents and evidence

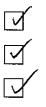
Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review.

ARCHITECTUR	AL DRAWINGS:		
· 151/100	· 151/ 207B	· 151/ 305C	-151/406B
· 151/ 101A	· 151 / 300 A	· 151 / 306 C	•
· 151/102D	·151/301A	151/3070	
· 151/200A	· 151/302A	· 151/400 A	
· 151/201A	151/303A	· 151/ 404B	
· 151/2068	· 151/304C	· 151 / 405 B	

<u>Note.</u> 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.

<u>Note.</u> 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.

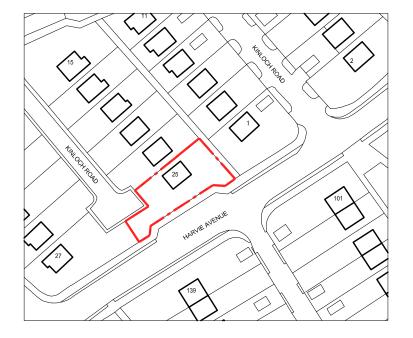
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	FOR	COOGAN ARCHITEUTS		•	

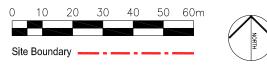
Data Protection Act 1998

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

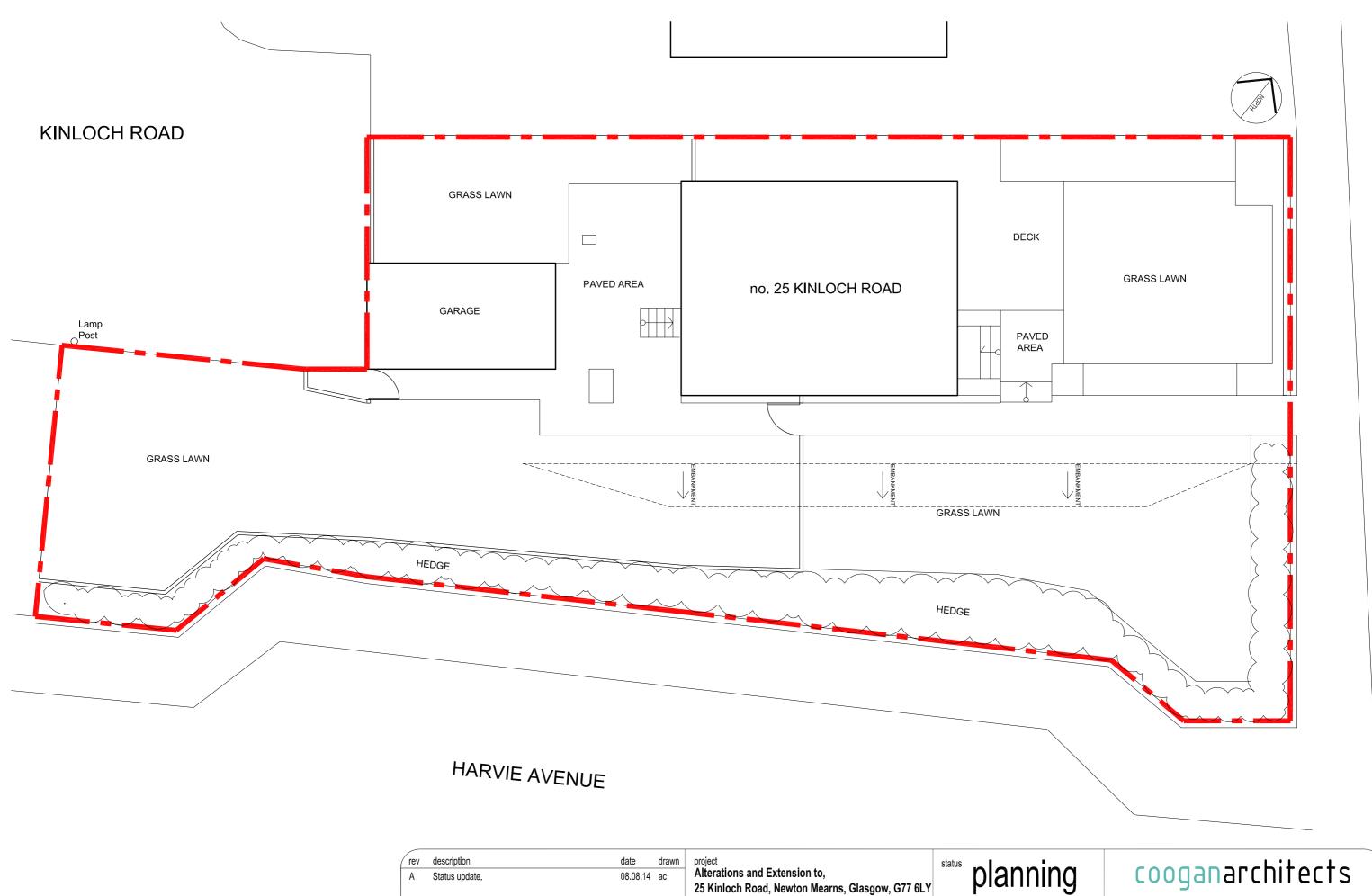
Your completed notice of review should now be returned to: East Renfrewshire Council, Head of Environment (Planning, Property and Regeneration), 2 Spiersbridge Way, Spiersbridge Business Park, Thornliebank, East Renfrewshire G46 8NG. Alternatively, you can e-mail your notice of review to planning@eastrenfrewshire.gov.uk

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Location Plan	151	100		t: 0141 772 2224
client	scale	date	drawn	e: info@cooganarchitects.com
Mr Brian McGuiness	1:1250 @ A4	08.08.14	ac	www.cooganarchitects.com

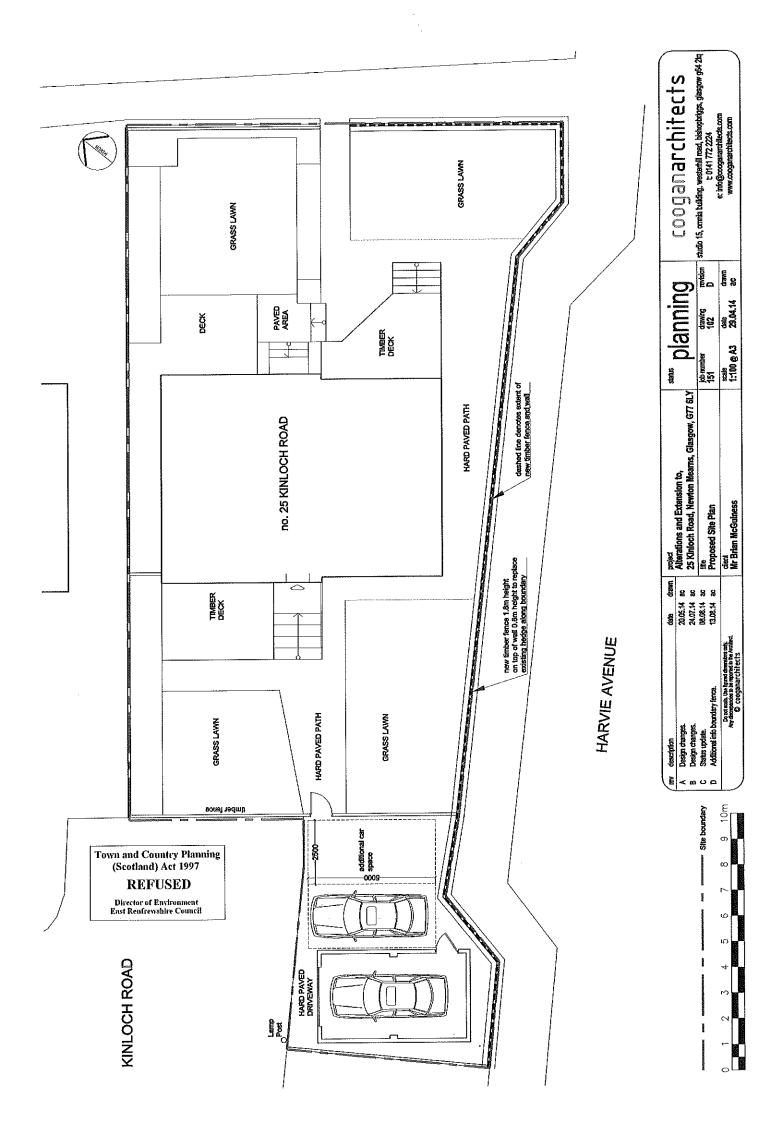


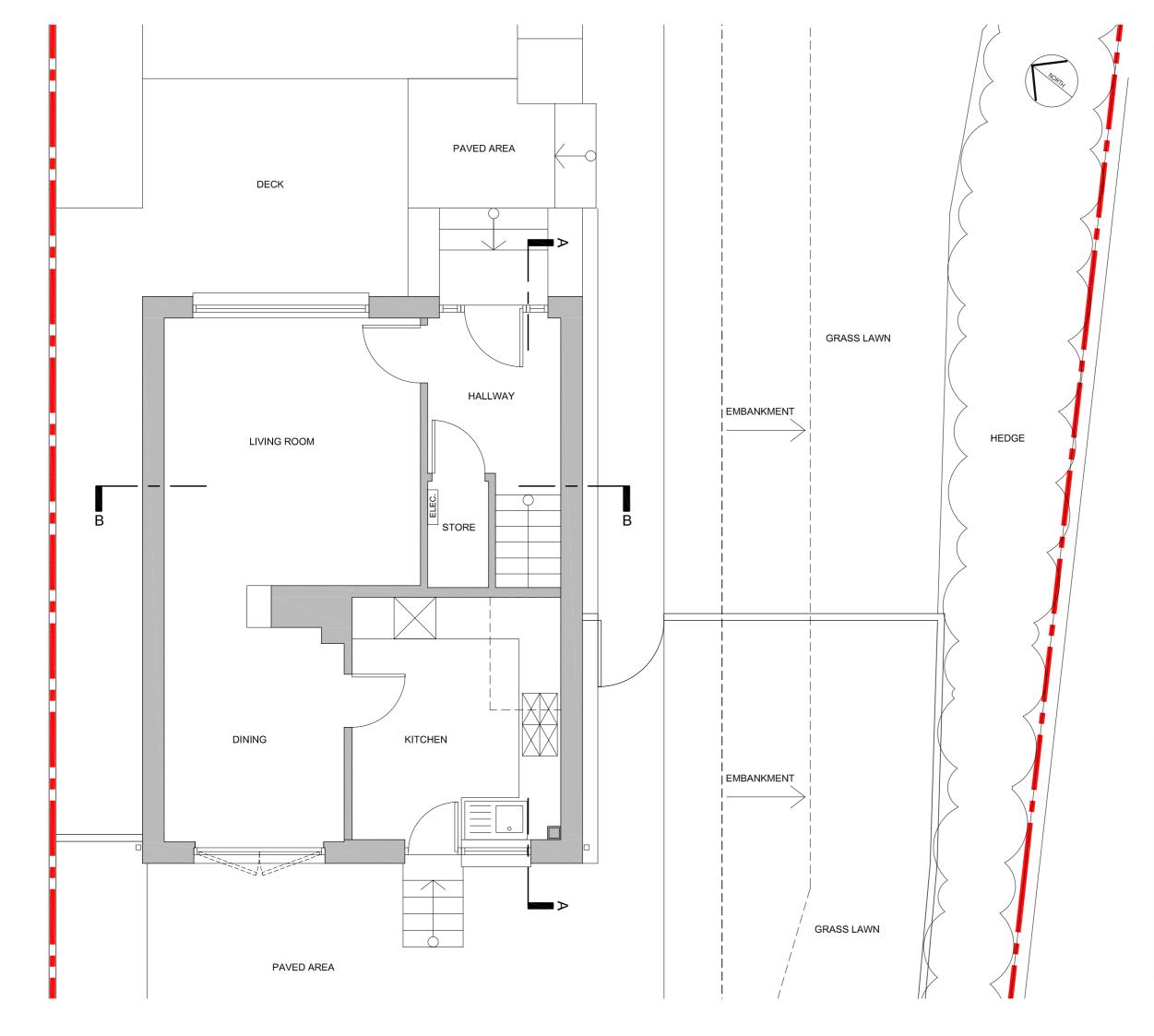
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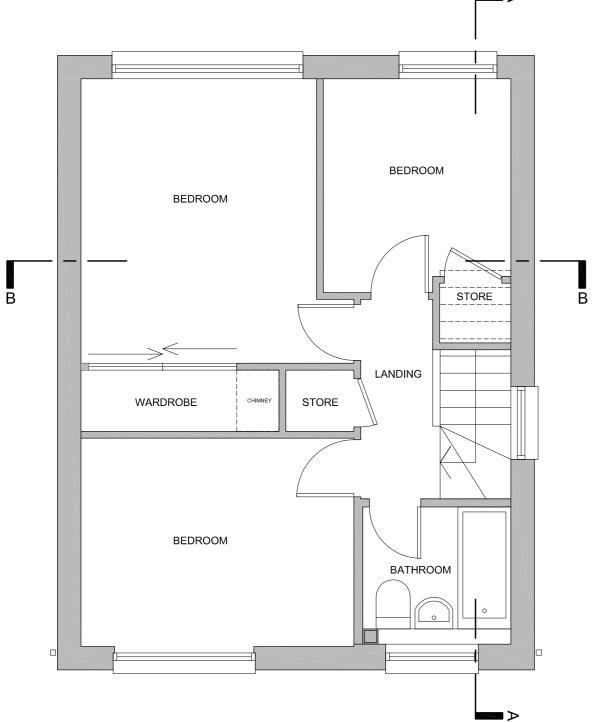




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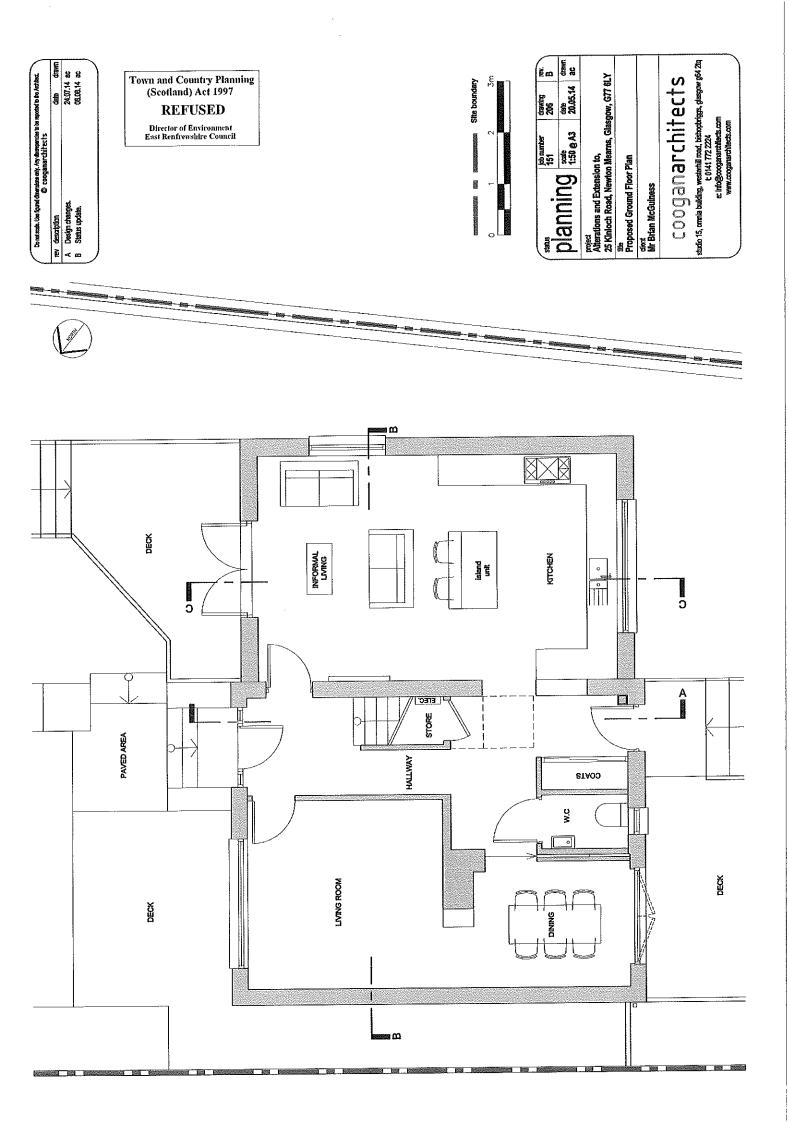
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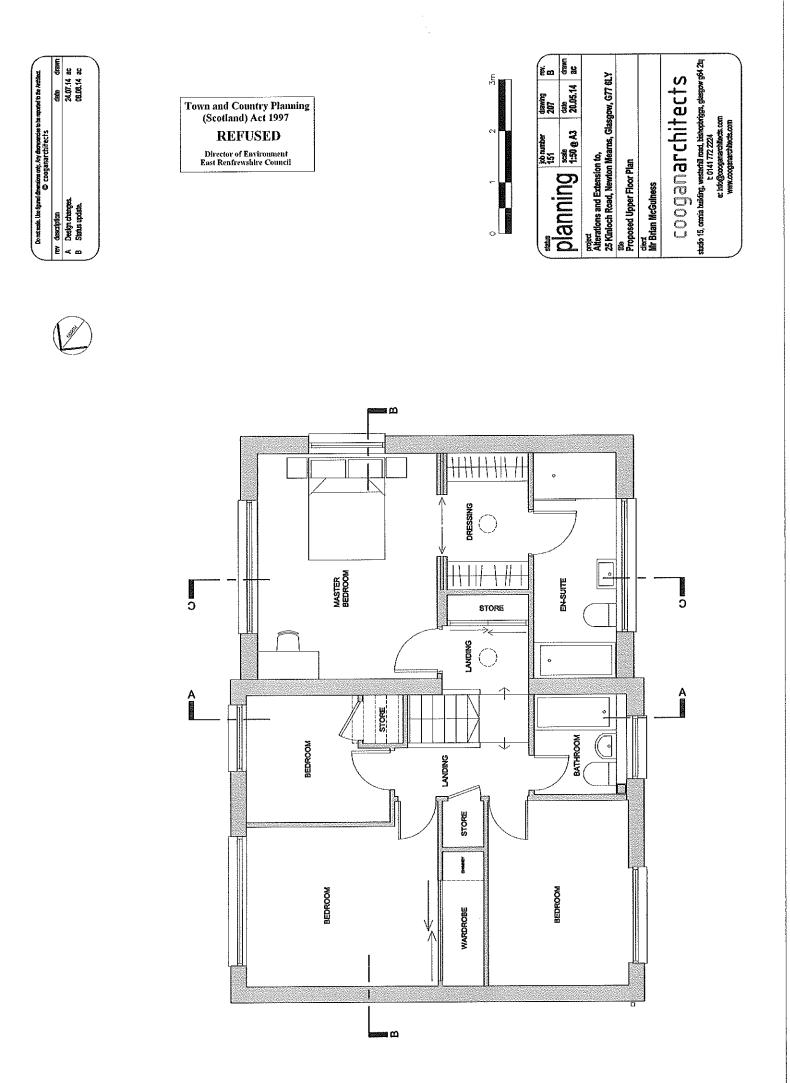
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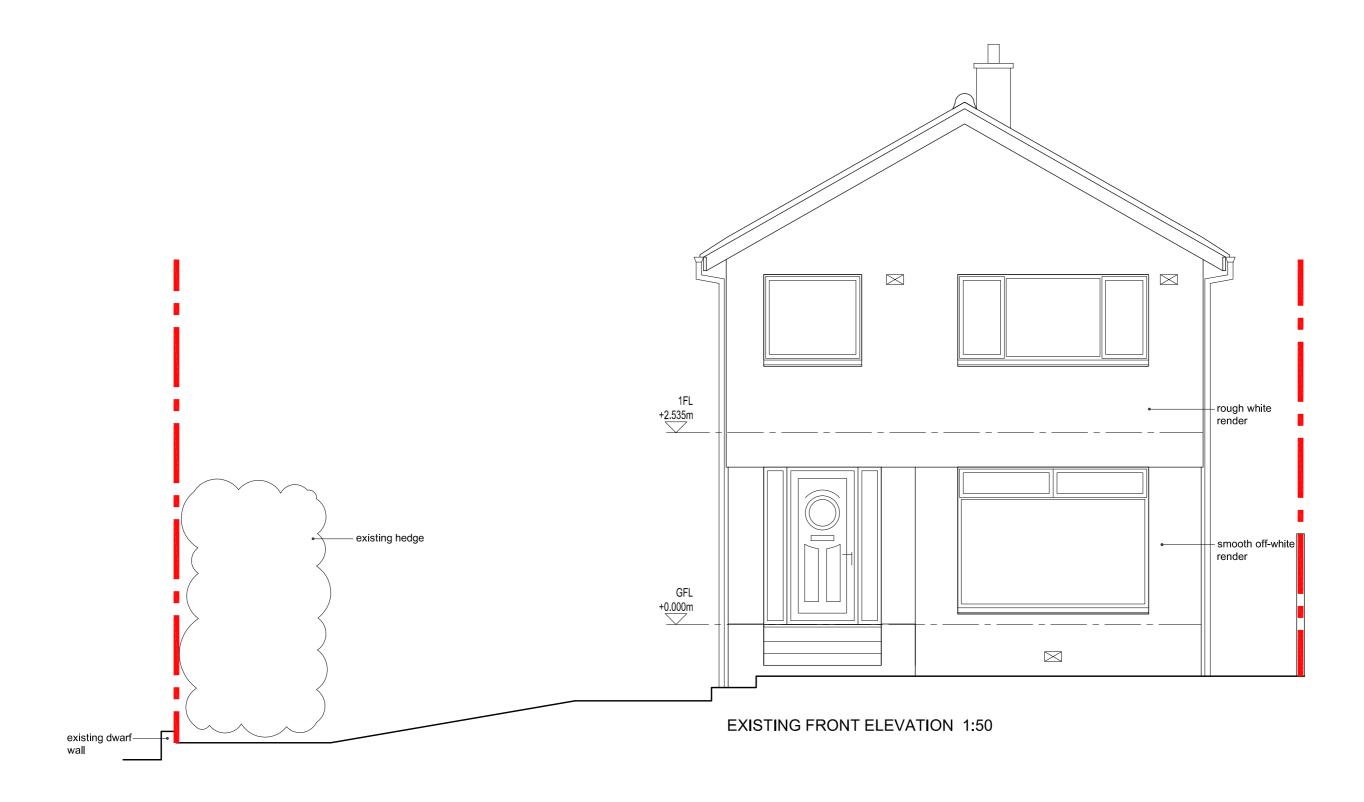


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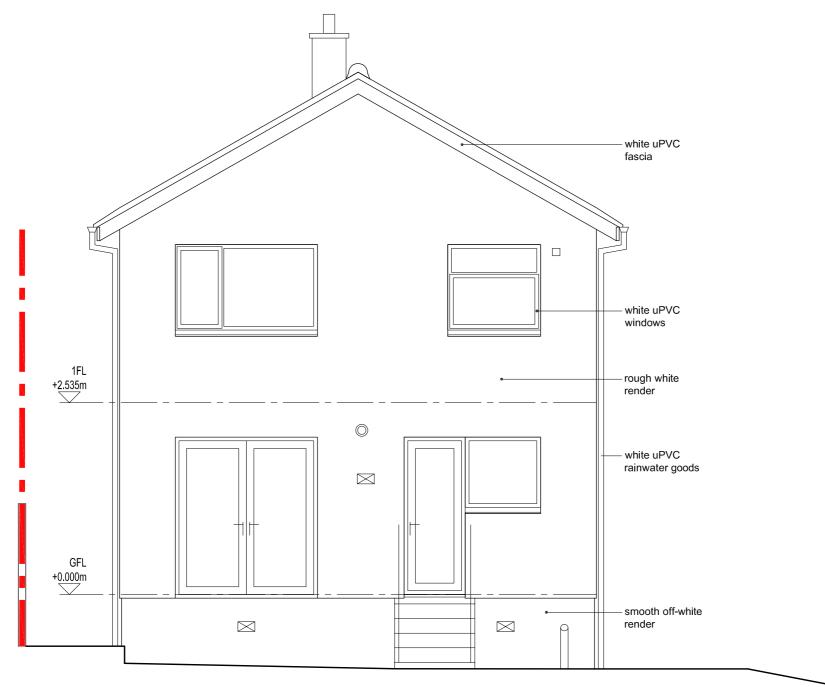
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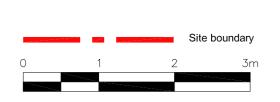
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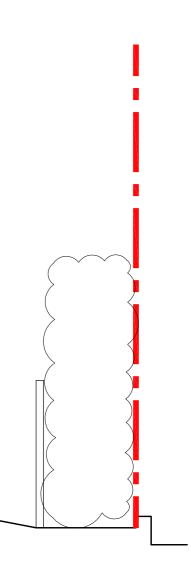


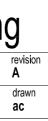


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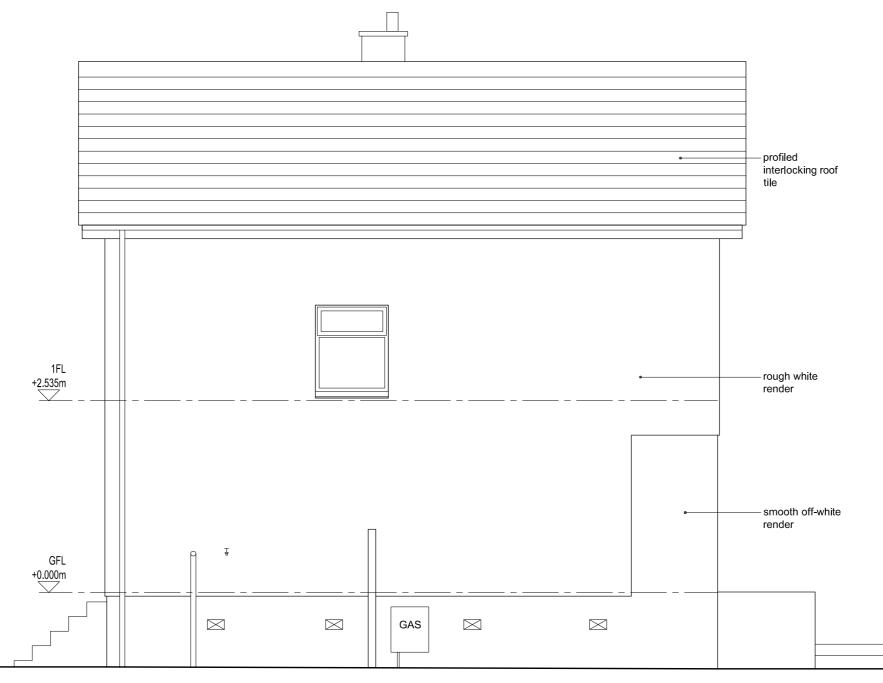




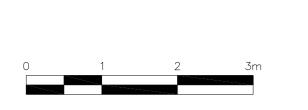
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e: info@cooganarchitects.com www.cooganarchitects.com



EXISTING SIDE (SOUTH EAST) ELEVATION 1:50



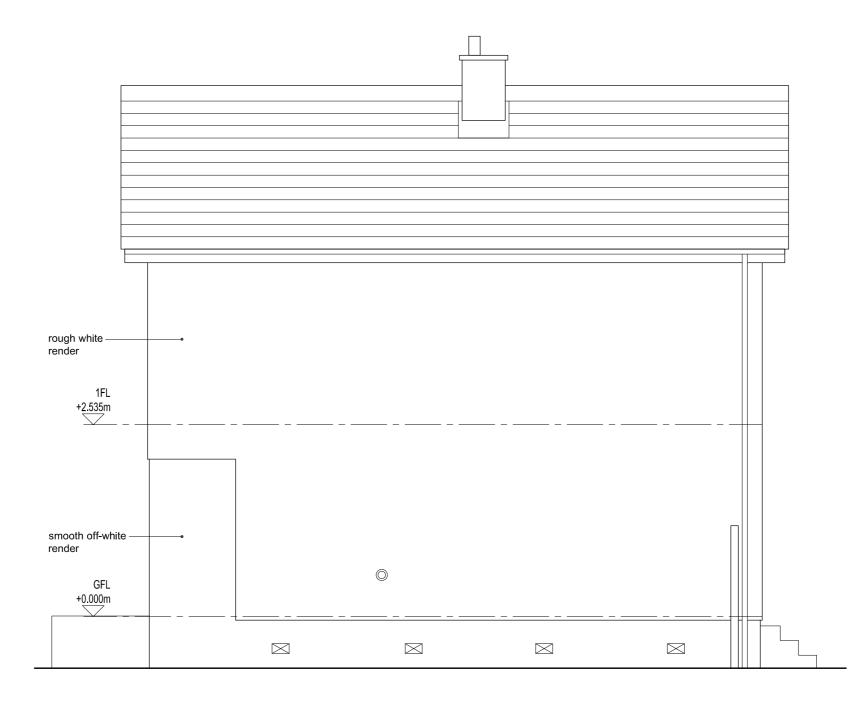
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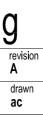
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EXISTING SIDE (NORTH WEST) ELEVATION 1:50

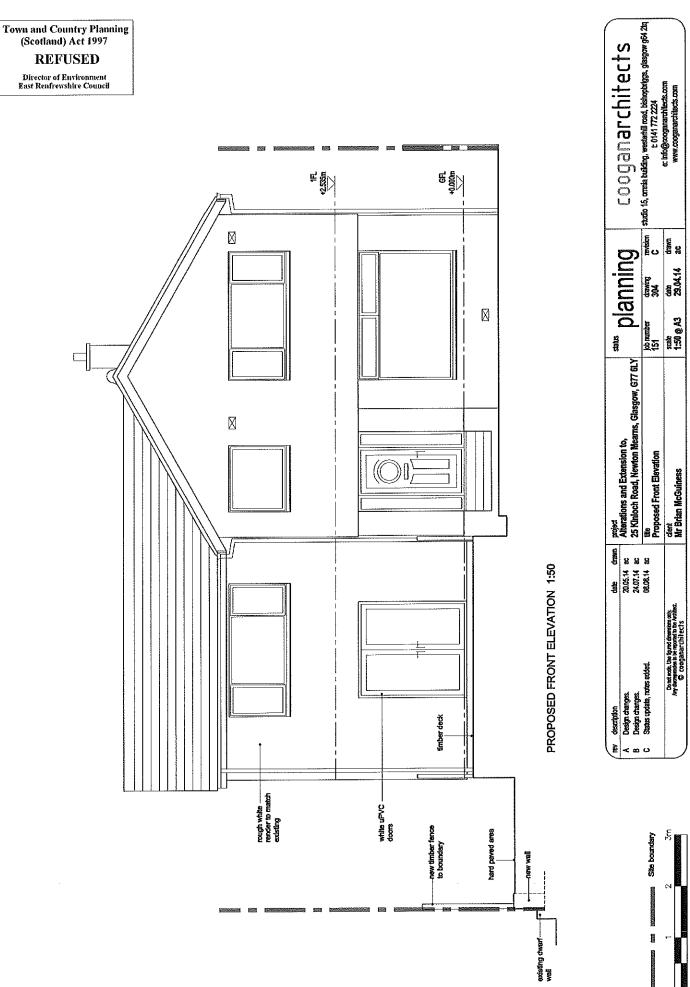
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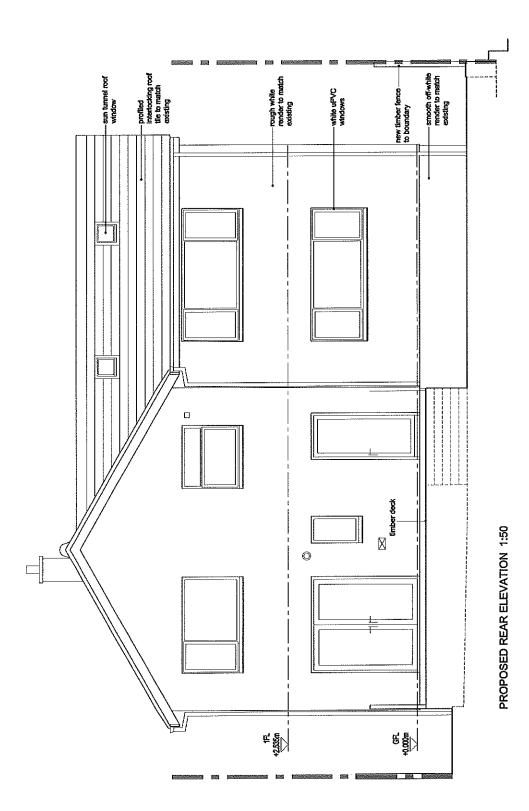
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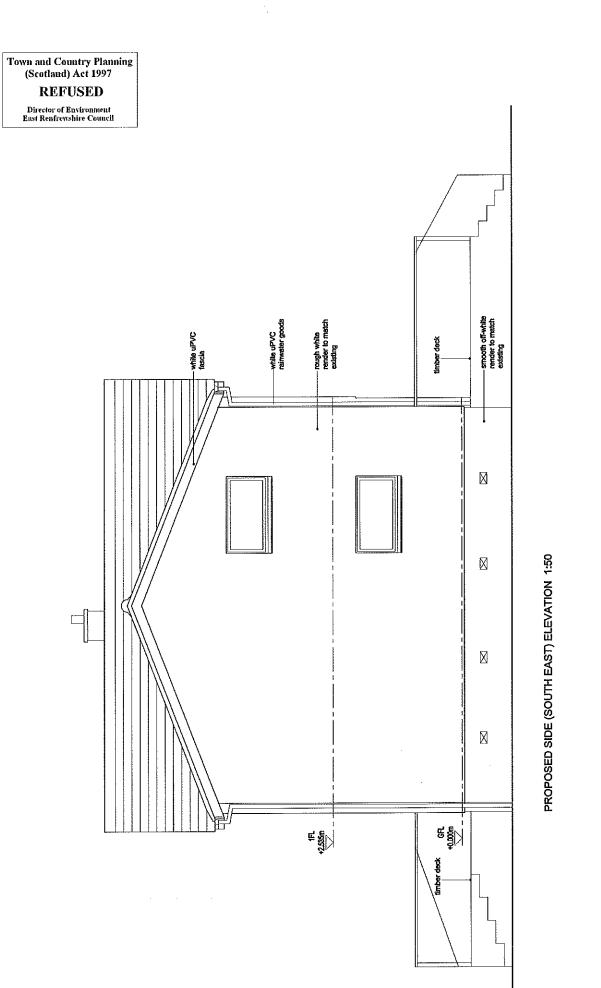


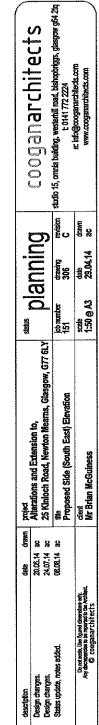




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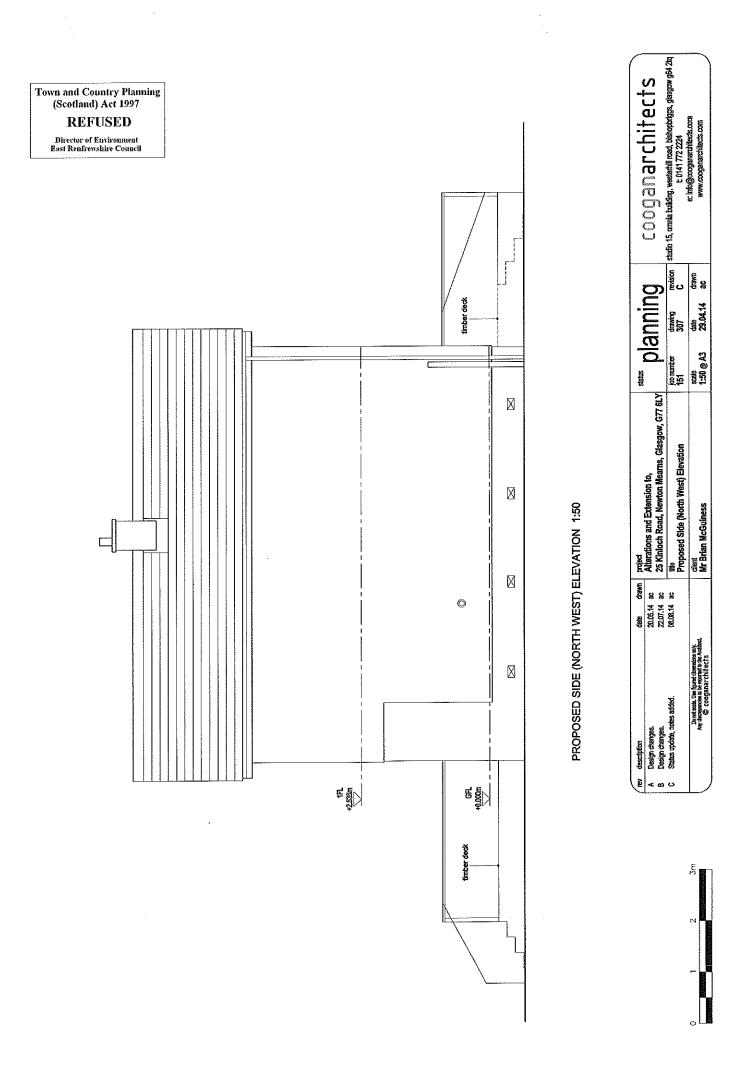


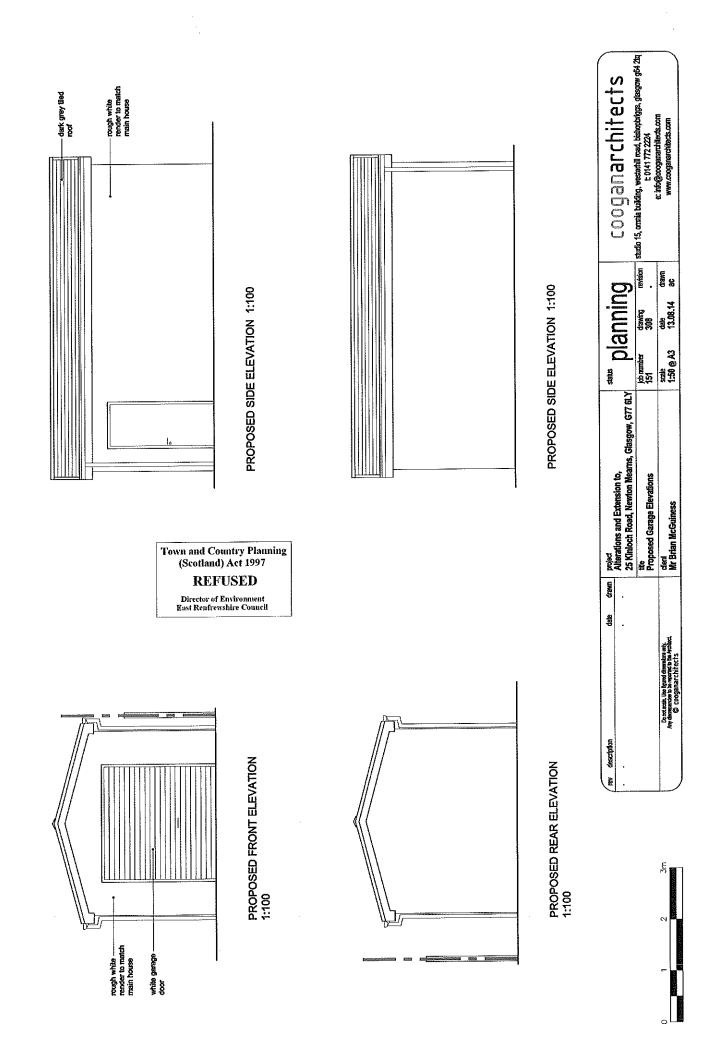


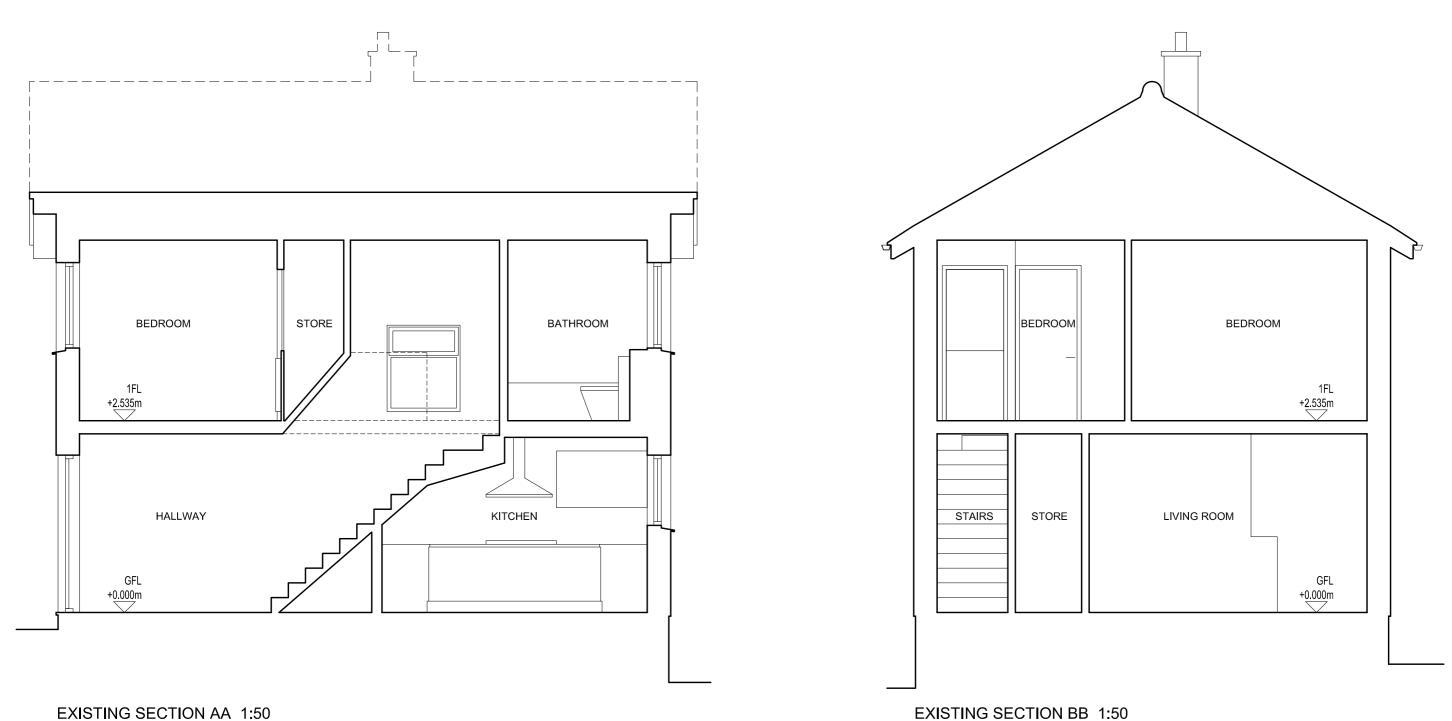




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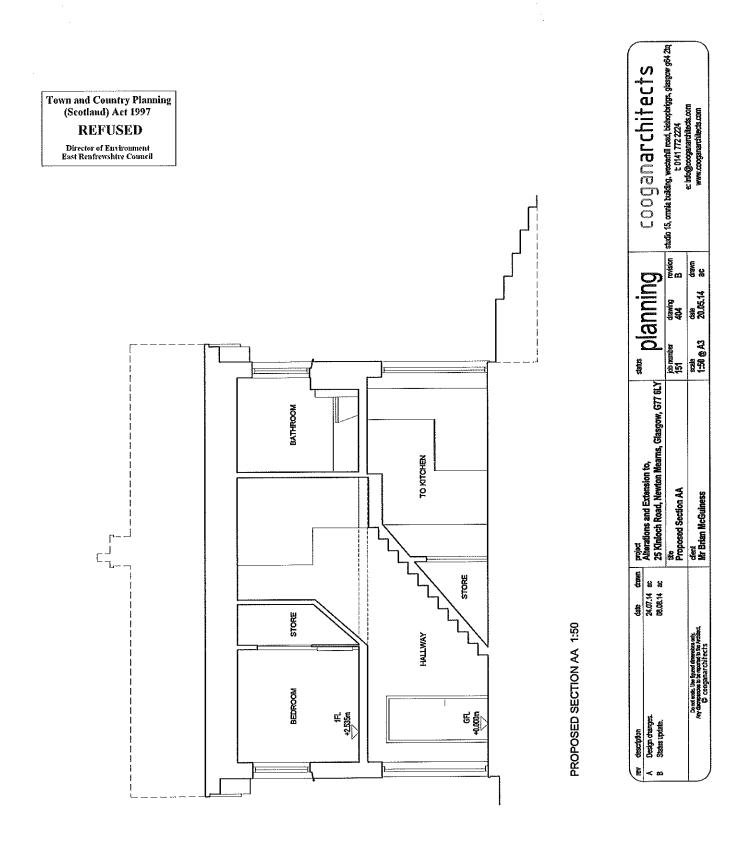


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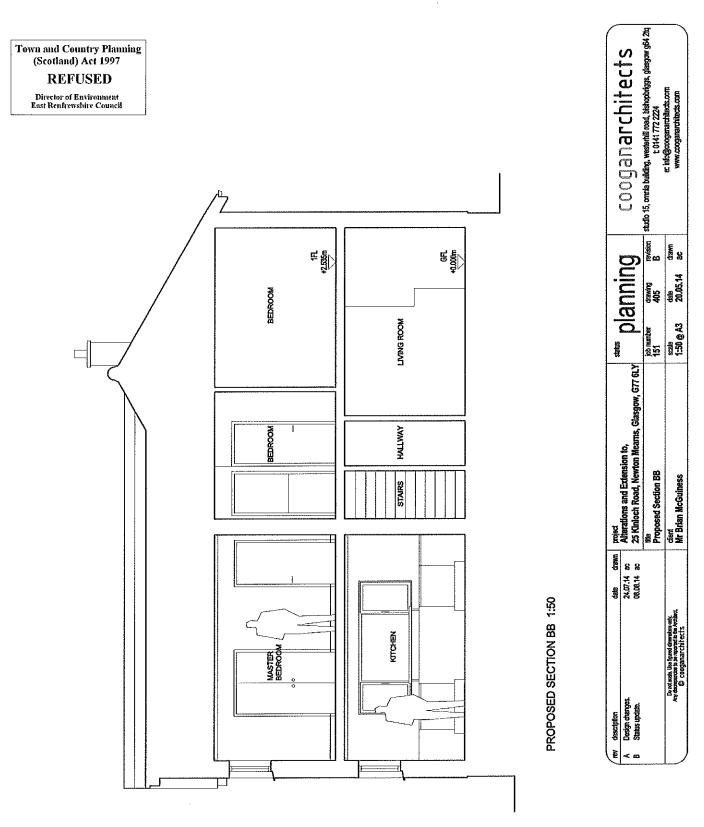
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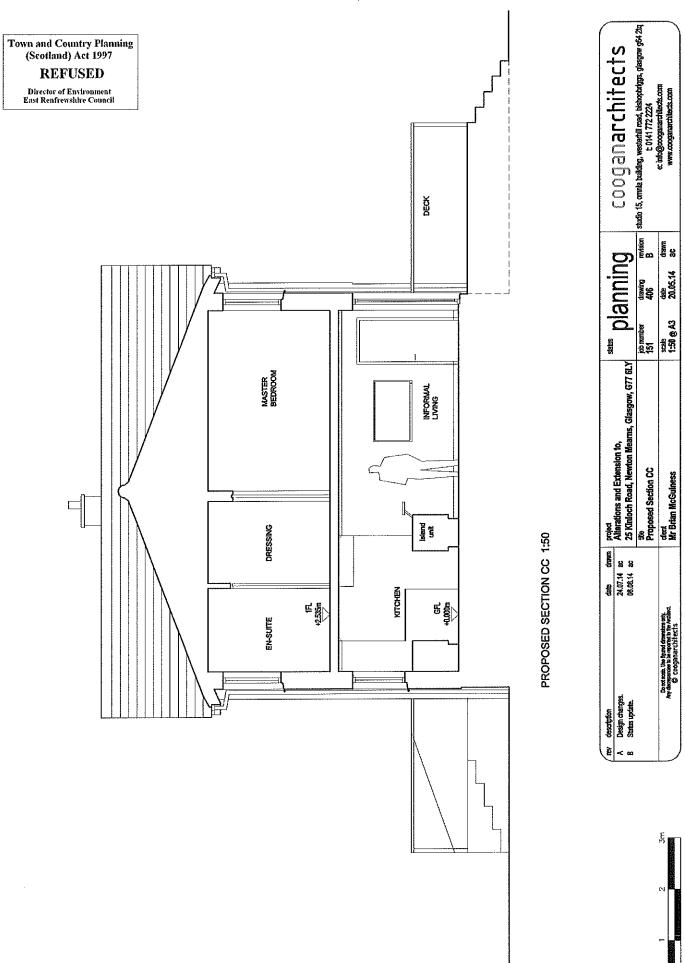












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