

EAST RENFREWSHIRE COUNCILLOCAL REVIEW BODY20 April 2022Report by Director of Business Operations and PartnershipsREVIEW OF CASE - REVIEW/2022/03

ERECTION OF TWO STOREY EXTENSION TO FRONT OF DWELLING AT 92 GLEN SHEE AVENUE, NEILSTON, EAST RENFREWSHIRE.

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:- 2021/0847/TP).
Applicant: Mr Lee Hamilton
Proposal: Erection of two storey extension to front of dwelling
Location: 92 Glen Shee Avenue, Neilston, East Renfrewshire, G78 3QD
Council Area/Ward: Newton Mearns North And Neilston (Ward 2).

REASON FOR REQUESTING REVIEW

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

RECOMMENDATIONS

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

7. The report highlighted that historically appeals against planning decisions were dealt with by Scottish Ministers. However, following the introduction of the new planning provisions which came into effect on 3 August 2009 all appeals against decisions made in respect of local developments under delegated powers would be heard by a Local Review Body. The Local Review Body would also deal with cases where the appointed officer had failed to determine an application within two months from the date it was lodged.

NOTICE OF REVIEW – STATEMENT OF REASONS FOR REQUIRING THE REVIEW

8. The applicant in submitting the review has stated the reasons for requiring the review of the determination of the application. A copy of the applicant’s Notice of Review and Statement of Reasons including appeal statement and documentation 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 detailed in their opinion that this review can continue to conclusion based on the assessment of the review documents only, with no further procedure.

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.

11. At the meeting of the Local Review Body on 10 August 2016, it was decided that the Local Review Body would carry out unaccompanied site inspections for every review case it received prior to the cases being given initial consideration at a meeting of the Local Review Body.

12. In accordance with the above decision, the Local Review Body will carry out an unaccompanied site inspection on Wednesday, 20 April 2022 before the meeting of the Local Review Body which begins at 2.30pm.

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 133 - 140);
- (b) Report of Handling by the planning officer under the Scheme of Delegation - Appendix 2 (Pages 141 - 150);
- (c) Decision notice and reasons for refusal - Appendix 3 (Pages 151 - 156); and
- (e) A copy of the applicant's Notice of Review and Statement of Reasons including appeal statement and further documentation - Appendix 4 (Pages 157 - 170).

15. The applicant has also submitted the drawings listed below and these are attached as Appendix 5 (Pages 171 - 186).

- (a) Existing Floor Plans;
- (b) Existing Front Elevation;
- (c) Existing Side Elevation;
- (d) Refused – Location Plan 001;
- (e) Refused – Location Block Plan 002;
- (f) Refused – Floor Plans as Proposed 003;
- (g) Refused – Proposed Front Elevation 004;
- (h) Refused – Proposed Side Elevations 005; and
- (i) Photos 1 – 6.

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 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; or
- (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: Sharon McIntyre

Director – Louise Pringle, Director of Business Operations and Partnerships

Sharon McIntyre, Committee Services Officer
e-mail: sharon.mcintyre@eastrenfrewshire.gov.uk
Tel: 0141 577 3011

Date:- March 2022

APPLICATION FORM

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2 Spiersbridge Way Thornliebank G46 8NG Tel: 0141 577 3001 Email: planning@eastrenfrewshire.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 100482988-001

The online reference 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)

Proposed double storey extension to front of house , creating larger bedroom on upper floor and porch area on the ground floor

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:

Ref. Number:

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

First Name: *

Grahame

Building Name:

Last Name: *

Rennie

Building Number:

50

Telephone Number: *

07734474454

Address 1
(Street): *

Kinmount Avenue

Extension Number:

Address 2:

Mobile Number:

Town/City: *

Glasgow

Fax Number:

Country: *

Scotland

Postcode: *

G44 4RS

Email Address: *

g.rennie61@gmail.com

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:

Mr

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

Other Title:

Building Name:

First Name: *

Lee

Building Number:

92

Last Name: *

Hamilton

Address 1
(Street): *

Glen Shee Avenue

Company/Organisation

Address 2:

Telephone Number: *

Town/City: *

Glasgow

Extension Number:

Country: *

Scotland

Mobile Number:

Postcode: *

G78 3QD

Fax Number:

Email Address: *

Site Address Details

Planning Authority:

East Renfrewshire Council

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

Address 1:

92 GLEN SHEE AVENUE

Address 2:

NEILSTON

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

GLASGOW

Post Code:

G78 3QD

Please identify/describe the location of the site or sites

Northing

656697

Easting

247230

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Trees

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

Yes No

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

Access and Parking

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

Yes No

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

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the 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: Grahame Rennie

On behalf of: Mr Lee Hamilton

Date: 13/10/2021

Please tick here to certify this Certificate. *

Checklist – Application for Householder Application

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

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

Continued on the next page

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

You can attach these electronic documents later in the process.

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

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding. Yes No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. * Yes No

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

Declare – For Householder Application

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

Declaration Name: Mr Grahame Rennie

Declaration Date: 21/10/2021

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REPORT OF HANDLING

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REPORT OF HANDLING

Reference: 2021/0847/TP

Date Registered: 1st December 2021

Application Type: Full Planning Permission

This application is a Local Development

Ward: 2 -Newton Mearns North And Neilston

Co-ordinates: 247230/:656697

Applicant/Agent:

Applicant:

Mr Lee Hamilton

92 Glen Shee Avenue

Glasgow

Scotland

G78 3QD

Agent:

Grahame Rennie

50 Kinmount Avenue

Glasgow

Scotland

G44 4RS

Proposal: Erection of two storey extension to front of dwelling.

Location: 92 Glen Shee Avenue

Neilston

East Renfrewshire

G78 3QD

CONSULTATIONS/COMMENTS: None.**PUBLICITY:** None.**SITE NOTICES:** None.**SITE HISTORY:**

1982/0108/PRW	ERECTION OF A GARAGE.	Approved Subject to Conditions	30.03.1982
1981/0300/PRW	ERECTION OF A FRONT PORCH.	Granted	12.05.1981
2021/0719/TP	Erection of side dormer to dwelling.	Withdrawn	11.10.2021

REPRESENTATIONS: No representations have been received.**DEVELOPMENT PLAN & GOVERNMENT GUIDANCE:** See Appendix 1**SUPPORTING REPORTS:** Supporting Statement on 29th Nov, 2021.**ASSESSMENT:**

The application site comprises a two storey semi-detached dwelling and its curtilage; and lies within an established residential area.

Planning permission is sought for the erection of a two storey extension on the front elevation of the property. The existing porch is to be demolished, in order to accommodate the proposed extension.

The application requires to be assessed against Policies D1 and D14 of the adopted East Renfrewshire Local Development Plan. Policy D1 requires that all development should not result in a significant loss of character or amenity to the surrounding area. Policy D14 requires that extensions should complement the character of the existing building in terms of its style, form and materials and that they should be appropriate in size, scale and height to the existing building.

The adopted Supplementary Planning Guidance: Householder Design Guide (SPG) that supports and forms part of Policy D14 is also relevant. The SPG states that extensions should be subordinate in scale and appearance. The SPG also specifically states that no extension (other than a porch) should project beyond the front or principal elevation of the existing house.

In dealing with the proposal, it is clear that it projects beyond the front elevation of the existing house. It is also clear by virtue of the scale, form and appearance, that the extension is significantly more than a porch. The proposal is a two storey design that is considered to be incongruous and detrimental to the character of the existing house and surrounding area. The proposed extension is visually dominant and unsympathetic to the visual amenity of the surrounding area, and consequently is considered unacceptable and contrary to the terms of the above policies.

In conclusion, the proposal is contrary to Policies D1 and D14 of the adopted East Renfrewshire Local Development Plan 2015 as well as the East Renfrewshire SPG (Supplementary Planning Guidance) on Householder Design. The Proposed Local Development Plan 2 is a material consideration and with regard to this planning application, the relevant policies are considered to be D1 and D1.1. These proposed policies largely reflect the adopted Local Development Plan policies. Consequently, it is considered that the proposal is contrary to the Proposed Local Development Plan.

There are no material considerations that indicate the application should not be refused. It is therefore, recommended that the application is refused for the reasons set out below.

RECOMMENDATION: Refuse

PLANNING OBLIGATIONS: None.

REASON(S):

- 1 The proposal is contrary to Policies D1 and D14 of the adopted East Renfrewshire Local Development Plan 2015 and associated Supplementary Planning Guidance on Householder Design and Policies D1 and D1.1 of the Proposed East Renfrewshire Local Development Plan 2 as due to its design, massing and height the extension would be incongruous and visually intrusive to the detriment of the character and visual amenity of the local area.

ADDITIONAL NOTES: None.

ADDED VALUE: None.

BACKGROUND PAPERS:

Further information on background papers can be obtained from Mr Philip Sweeney on 0141 577 3861.

Ref. No.: 2021/0847/TP
(PHSW)

DATE: 17th February 2022

DIRECTOR OF ENVIRONMENT

Reference: 2021/0847/TP - Appendix 1

DEVELOPMENT PLAN:

Adopted East Renfrewshire Local Development Plan

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;
14. Development should enhance the opportunity for and access to sustainable transportation, including provision for bus infrastructure, and particularly walking and cycle opportunities including cycle parking and provision of facilities such as showers/lockers, all 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.
16. Where applicable, developers should explore opportunities for the provision of digital infrastructure to new homes and business premises as an integral part of development.

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.

Proposed Local Development Plan 2

Policy D1

Placemaking and Design

Proposals for development within the urban and rural areas should be well designed, sympathetic to the local area and demonstrate that the following criteria have been considered, and, where appropriate, met. Proposals will be assessed against the 6 qualities of a successful place as outlined in SPP, Designing Streets and the Placemaking and Design Supplementary Guidance.

1. The development should not result in a significant loss of character or amenity to the surrounding area;
2. The proposal should be appropriate to its location, be high quality and of a size, scale, height, massing and density that is in keeping with the buildings in the locality or appropriate to the existing building and should respect local architecture, building form and design;
3. Respect existing building lines and heights of the locality;
4. Create a well-defined structure of streets, public spaces and buildings;
5. Ensure the use of high quality sustainable and durable materials, colours and finishes that complement existing development and buildings in the locality;
6. Respond to and complement site topography and not impact adversely upon the green belt and landscape character, green networks, features of historic interest, landmarks, vistas, skylines and key gateways. Existing buildings and natural features of suitable quality, should be retained and sensitively integrated into proposals including greenspace, trees and hedgerows;
7. Boundary treatment and landscaping should create a distinctive edge and gateway to the development and reflect local character;
8. Promote permeable and legible places through a clear sustainable movement hierarchy favouring walking, then cycling, public transport, then the private car as forms of movement;
9. Demonstrate connectivity through the site and to surrounding spaces via a network of safe, direct, attractive and coherent walking and cycling routes. These must be suitable for all age groups, and levels of agility and mobility to allow for ease of movement from place to place;
10. Demonstrate that safe and functional pedestrian, cycle and vehicular access, and parking facilities and infrastructure, including for disabled and visitor parking, is provided in accordance with the Council's Roads Development Guide. Where appropriate, proposals will be required to provide secure and accessible shelters, lockers, showers and seating and be designed to meet the needs of all users. Cycle parking and facilities should be located in close proximity to the entrances of all buildings to provide convenience and choice for users;
11. Incorporate integrated and enhance existing green infrastructure assets, such as landscaping, trees and greenspace, water management and SUDs including access and prioritise links to the wider green network as an integral part of the design process from the outset, in accordance with Policies D4 - D6. New green infrastructure must be designed to protect and enhance the habitat and biodiversity of the area and demonstrate a net gain;
12. There will be a general presumption against all proposals that involve landraising. Where there is a justifiable reason for landraising, proposals must have regard to the scale and visual impact of the resultant changes to the local landscape and amenity. Proposals that

- adversely impact upon the visual and physical connections through the site and to the surrounding areas will be resisted;
13. Backland development should be avoided;
 14. Provide safe, secure and welcoming places with buildings and spaces, including open spaces, play areas and landscaping, designed and positioned to reduce the scope for anti-social behaviour and fear of crime, improve natural surveillance, passive overlooking, security and street activity;
 15. The amenity of residents, occupants and users of neighbouring existing and new buildings and spaces 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 Guidance;
 16. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the proposal;
 17. The amenity of residents, occupants and users of neighbouring existing and new buildings and spaces should not be adversely affected by noise, dust, pollution and smell or poor air quality;
 18. Ensure buildings and spaces are future proof designed to be easily adaptable and flexible to respond to changing social, environmental, technological, digital and economic conditions;
 19. Incorporate provision for the recycling, storage, collection and composting of waste materials; and
 20. Incorporate the use of sustainable design and construction methods and materials in the layout and design to support a low carbon economy.

Proposals must meet the requirements of any development brief prepared by the Council for an allocated site.

Further detailed guidance and information will be set out in the Placemaking and Design Supplementary Guidance, Householder Design Supplementary Guidance and the Daylight and Sunlight Design Supplementary Guidance.

Policy D1.1

Extensions and Alterations to Existing Buildings for Residential Purposes

Proposals will be assessed against the following criteria:

1. The development should not result in a significant loss of character or amenity to the surrounding area;
2. Should complement the scale and character of the existing building, neighbouring properties and their setting, particularly in terms of style, form and materials;
3. The size, scale and height of any development must be appropriate to and not adversely impact or dominate the existing building;
4. Should not create an unbroken or terraced appearance;
5. Where additional bedrooms are proposed or a garage/driveway is being converted to another use other than for the parking of a vehicle, proposals will be required to provide parking in accordance with the Council's Roads Development Guide; and
6. Should avoid over-development of the site by major loss of existing front and rear garden space. No more than 50% of the rear garden should be occupied by the development.

Further detailed information and guidance will be set out in the Householder Design Guide Supplementary Guidance.

GOVERNMENT GUIDANCE: None.

Finalised 17/02/2022 AC(6)

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DECISION NOTICE
AND
REASONS FOR REFUSAL

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**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 PERMISSIONRef. No. **2021/0847/TP****Applicant:**

Mr Lee Hamilton
92 Glen Shee Avenue
Glasgow
Scotland
G78 3QD

Agent:

Grahame Rennie
50 Kinmount Avenue
Glasgow
Scotland
G44 4RS

With reference to your application which was registered on 1st December 2021 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Erection of two storey extension to front of dwelling.**at: 92 Glen Shee Avenue Neilston East Renfrewshire G78 3QD**

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 D1 and D14 of the adopted East Renfrewshire Local Development Plan 2015 and associated Supplementary Planning Guidance on Householder Design and Policies D1 and D1.1 of the Proposed East Renfrewshire Local Development Plan 2 as due to its design, massing and height the extension would be incongruous and visually intrusive to the detriment of the character and visual amenity of the local area.

Dated 17th February 2022

Director of Environment
East Renfrewshire Council
2 Spiersbridge Way,
Spiersbridge Business Park,
Thornliebank,
G48 8NG
Tel. No. 0141 577 3001

The following drawings/plans have been refused

Plan Description	Drawing Number	Drawing Version	Date on Plan
Location Plan	001		
Block Plan and Location Plan Proposed	002		

154

Proposed floor plans	003		
Elevations Proposed	004		
Elevations Proposed	005		

GUIDANCE NOTE FOR REFUSAL OF LOCAL DEVELOPMENTS DETERMINED UNDER DELEGATED POWERS

REVIEW BY EAST RENFREWSHIRE COUNCIL'S LOCAL REVIEW BODY

1. If the applicant is aggrieved by a decision to refuse permission (or by an 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 can be submitted online at www.eplanning.scotland.gov.uk. Please note that beyond the content of the appeal or review forms, **you cannot normally raise new matters** in support of an appeal or review, unless you can demonstrate that the matter could not have been raised before, or that its not being raised before is a consequence of exceptional circumstances. 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 3861
Email planning@eastrenfrewshire.gov.uk**

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**NOTICE OF REVIEW
AND
STATEMENT OF REASONS**

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2 Spiersbridge Way Thornliebank G46 8NG Tel: 0141 577 3001 Email: planning@eastrenfrewshire.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 100482988-003

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

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:

Ref. Number:

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

First Name: *

Grahame

Building Name:

Last Name: *

Rennie

Building Number:

50

Telephone Number: *

07734474454

Address 1
(Street): *

Kinmount Avenue

Extension Number:

Address 2:

Mobile Number:

Town/City: *

Glasgow

Fax Number:

Country: *

Scotland

Postcode: *

G44 4RS

Email Address: *

g.rennie61@gmail.com

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Lee"/>	Building Number:	<input type="text" value="92"/>
Last Name: *	<input type="text" value="Hamilton"/>	Address 1 (Street): *	<input type="text" value="Glen Shee Avenue"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Neilston"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="G78 3QD"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

Site Address Details

Planning Authority:	<input type="text" value="East Renfrewshire Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="92 GLEN SHEE AVENUE"/>
Address 2:	<input type="text" value="NEILSTON"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="GLASGOW"/>
Post Code:	<input type="text" value="G78 3QD"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="656697"/>	Easting	<input type="text" value="247230"/>
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Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Erection of 2 storey extension to front of house

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

See supporting statement and Appendix

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 the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Supporting Statement ref GS 001 Appendix A

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

2021/0847/TP

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

01/12/2021

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

24/02/2022

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

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

Yes No

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

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

Yes No

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

Yes No

Checklist – Application for Notice of Review

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

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

Yes No

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

Yes No

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

Yes No N/A

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

Yes No

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

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

Yes No

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

Declare – Notice of Review

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

Declaration Name: Mr Grahame Rennie

Declaration Date: 04/03/2022

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Supporting Statement Planning ref 2021/0847/TP

92 Glen Shee Avenue, Neilston

We note a 2 storey extension was granted by ERC for Planning permission ref 2020/0373/TP (approved 07/07/2020), at No 62 Glen Shee Avenue. This extension has a 6.3 m² footprint and is also the full 2 storey high to the front elevation. This proposal dominates the street more than our proposal

(See Appendix A)

Our proposal is slightly smaller at 5.0 m² in footprint and also 2 stories high, similar in roof design and with matching materials to blend with the surrounding properties.

The design is not incongruous or intrusive to the character of the local area if a neighbouring house has built an identical and larger feature. The proposed design maintains the character of the original property. The extension does not dominate the original form and there are no over- looking issues as the new window is to the front as per the original design.

The proposed extension does not result in a significant loss of character or amenity to the surrounding area

The proposal is of a size, scale, massing and density that matches local architecture, building form, design, and materials. The amenity of neighbouring properties is also unaffected as there is only one adjoining neighbour.

Also noted :

The extension complements the existing character of the property, particularly in terms of style, form and materials.

The size, scale and height of extension is appropriate to the existing building and improves the layout, adding value.

Proposed material are brick and render to match the existing palette, and a pitched roof utilising tiles to match the existing and surrounding properties.

The development is not over-development of the site with little loss to existing garden space.

We would also note we had no communication from the Planning Department that this application would be refused.

Pre application consultation was also refused by ERC due to staff and covid issues

I would ask that this application be re considered in light of the above.

Regards

Grahame Rennie

Agent for Lee Hamilton

Appendix A

No 62 Glen Shee Avenue



**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 PERMISSIONRef. No. **2021/0847/TP****Applicant:**

Mr Lee Hamilton
92 Glen Shee Avenue
Glasgow
Scotland
G78 3QD

Agent:

Grahame Rennie
50 Kinmount Avenue
Glasgow
Scotland
G44 4RS

With reference to your application which was registered on 1st December 2021 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Erection of two storey extension to front of dwelling.**at: 92 Glen Shee Avenue Neilston East Renfrewshire G78 3QD**

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 D1 and D14 of the adopted East Renfrewshire Local Development Plan 2015 and associated Supplementary Planning Guidance on Householder Design and Policies D1 and D1.1 of the Proposed East Renfrewshire Local Development Plan 2 as due to its design, massing and height the extension would be incongruous and visually intrusive to the detriment of the character and visual amenity of the local area.

Dated 17th February 2022

Director of Environment
East Renfrewshire Council
2 Spiersbridge Way,
Spiersbridge Business Park,
Thornliebank,
G48 8NG
Tel. No. 0141 577 3001

The following drawings/plans have been refused

Plan Description	Drawing Number	Drawing Version	Date on Plan
Location Plan	001		
Block Plan and Location Plan Proposed	002		

168

Proposed floor plans	003		
Elevations Proposed	004		
Elevations Proposed	005		

GUIDANCE NOTE FOR REFUSAL OF LOCAL DEVELOPMENTS DETERMINED UNDER DELEGATED POWERS

REVIEW BY EAST RENFREWSHIRE COUNCIL'S LOCAL REVIEW BODY

1. If the applicant is aggrieved by a decision to refuse permission (or by an 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 can be submitted online at www.eplanning.scotland.gov.uk. Please note that beyond the content of the appeal or review forms, **you cannot normally raise new matters** in support of an appeal or review, unless you can demonstrate that the matter could not have been raised before, or that its not being raised before is a consequence of exceptional circumstances. 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

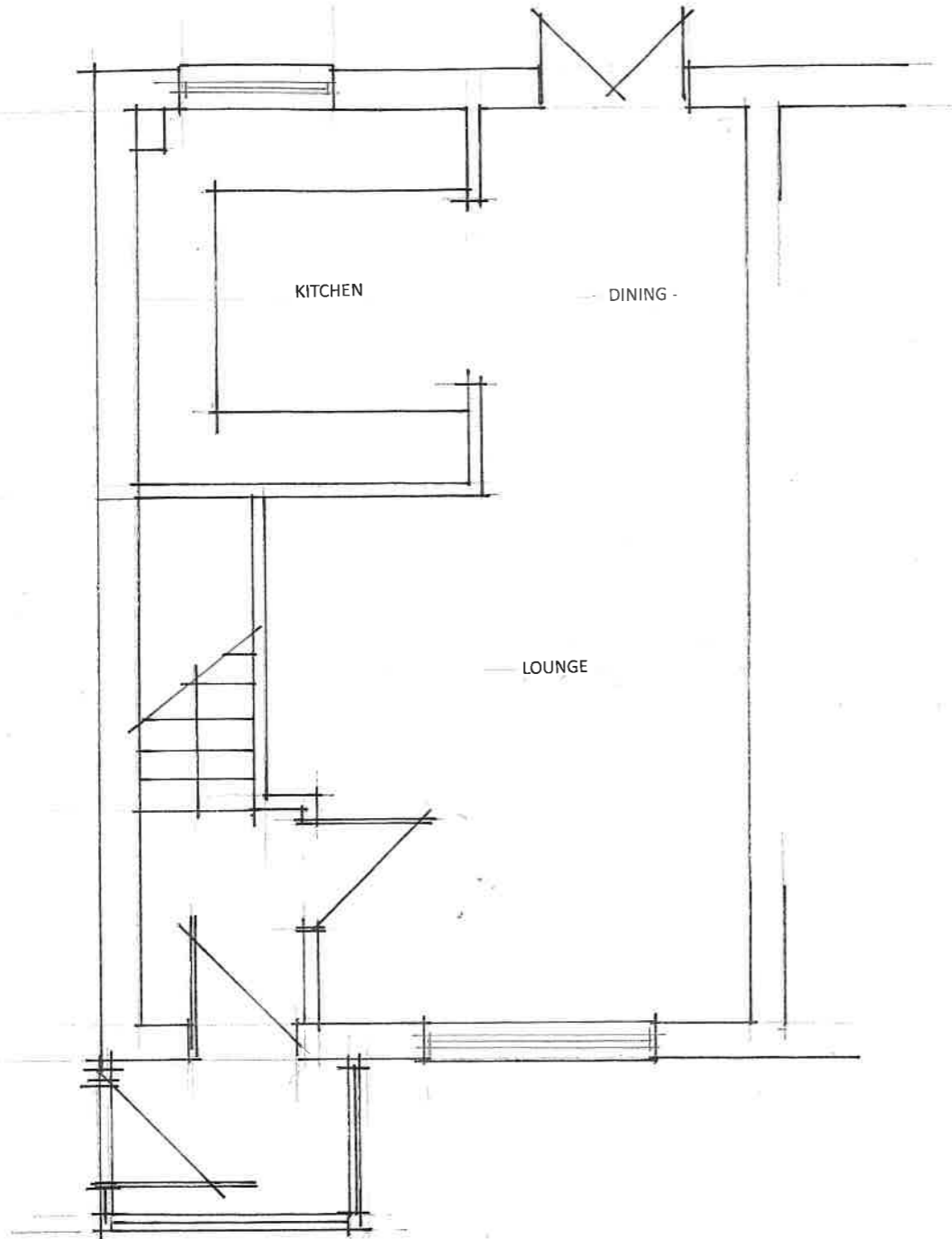
**East Renfrewshire Council
Development Management Service
2 Spiersbridge Way,
Spiersbridge Business Park,
Thornliebank,
G46 8NG**

**General Inquiry lines 0141 577 3861
Email planning@eastrenfrewshire.gov.uk**

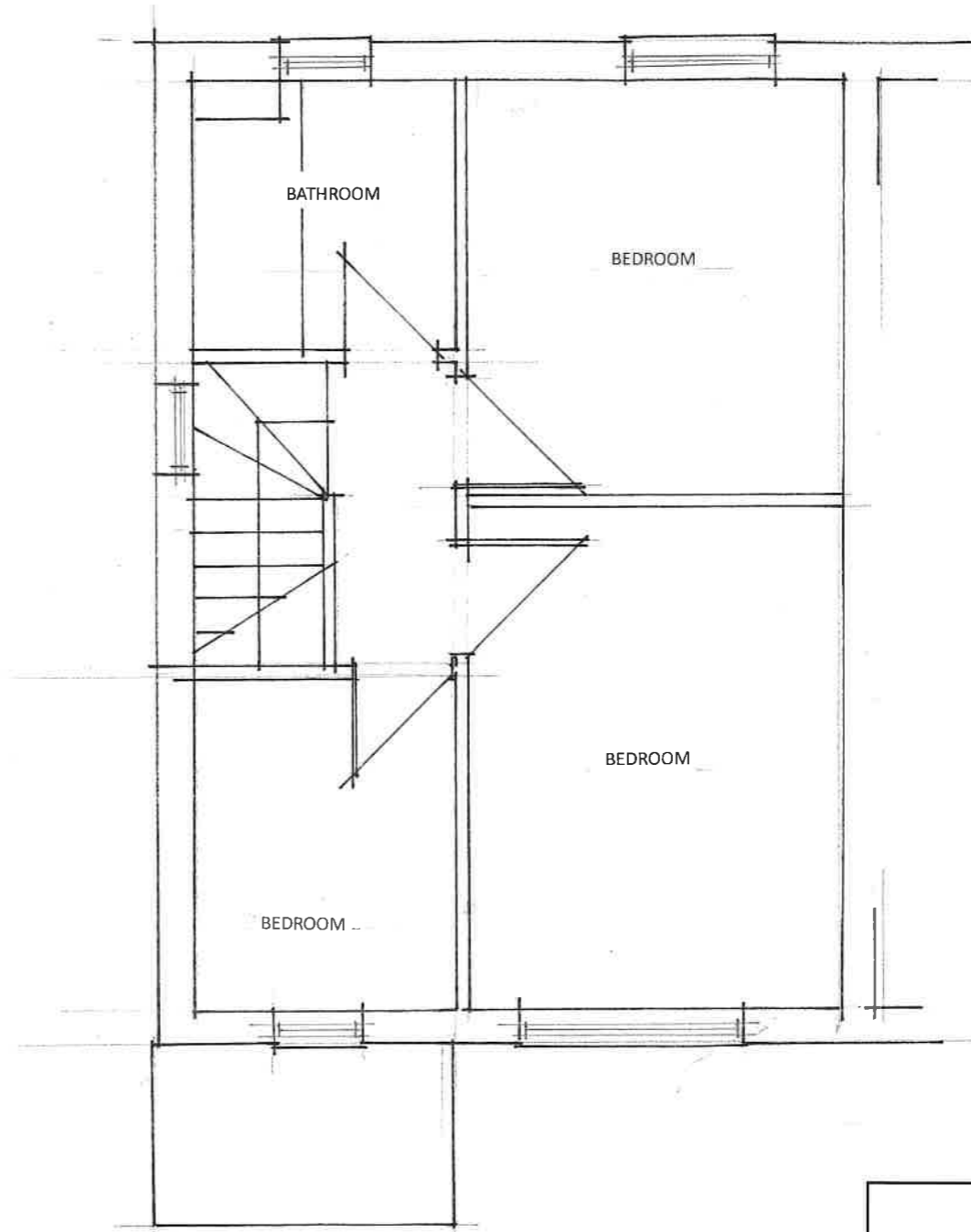
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PLANS/PHOTOGRAPHS/DRAWINGS

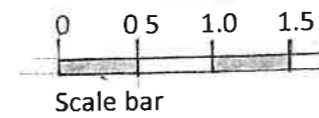
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EXISTING GROUND PLAN



EXISTING UPPER FLOOR PLAN



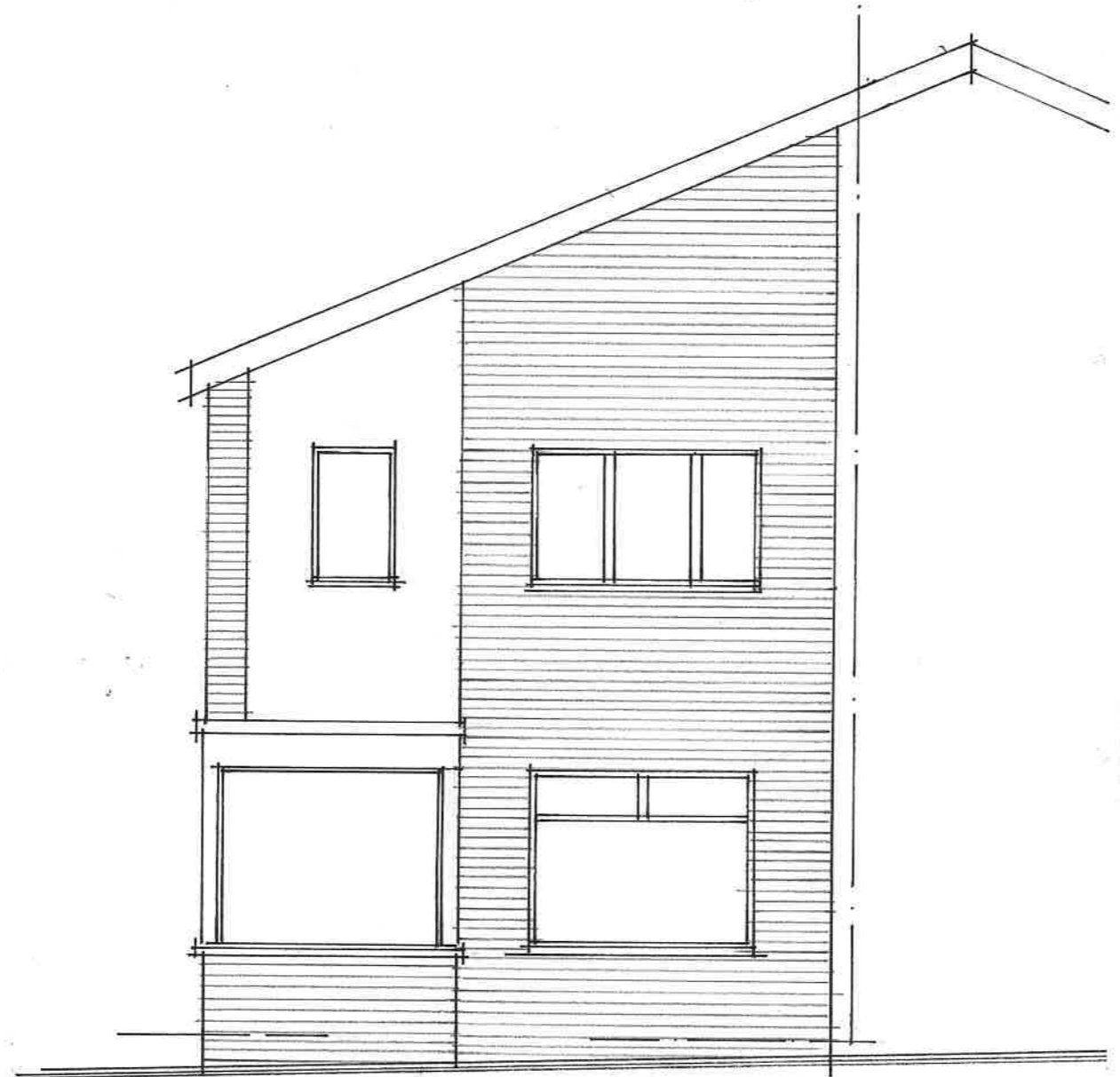
MR L HAMILTON

92 GLEN SHEE AVENUE

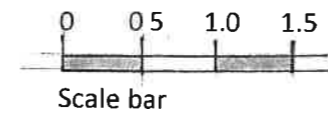
EXISTING FLOOR PLANS

GS 002





EXISTING FRONT ELEVATION



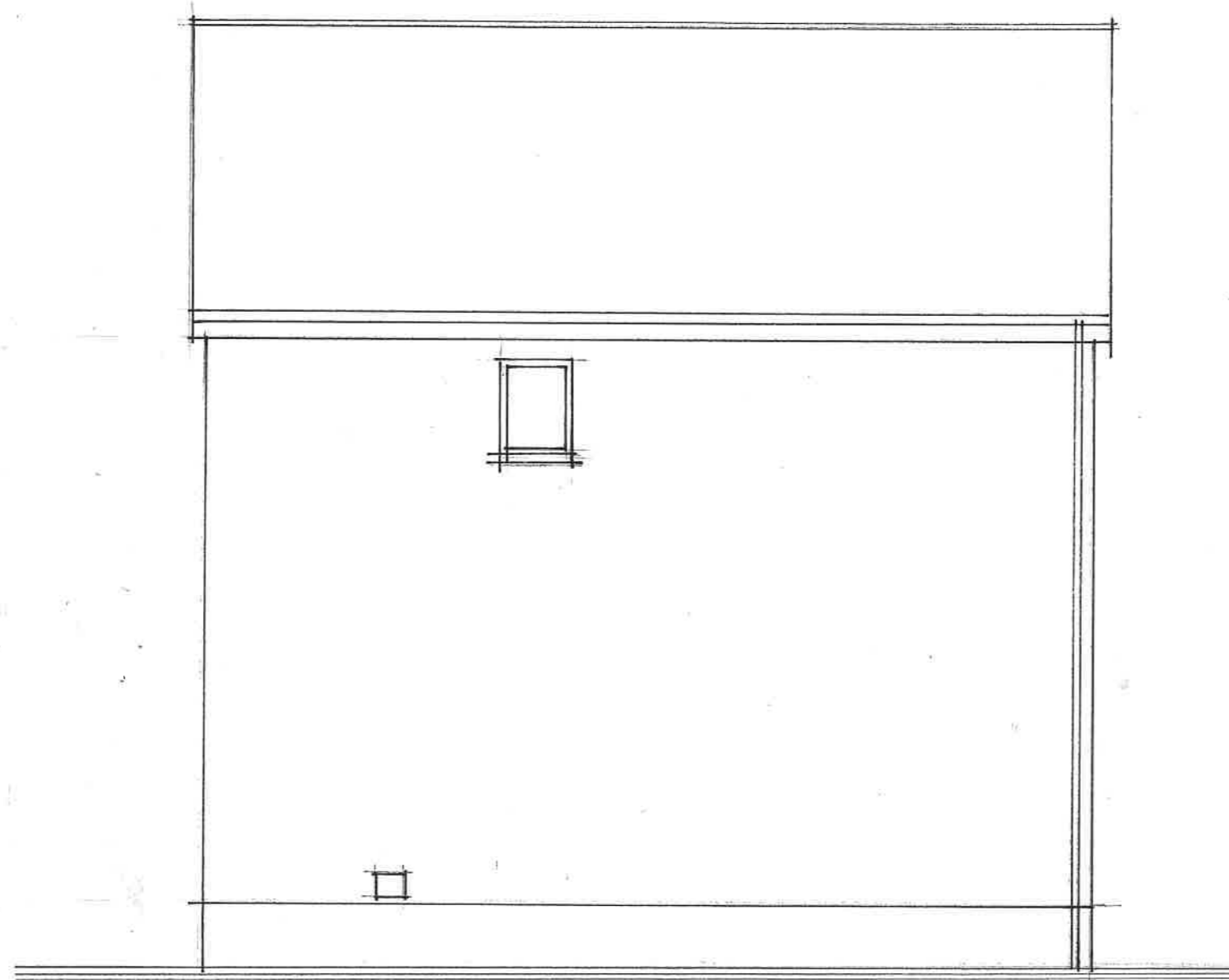
MR L HAMILTON

92 GLEN SHEE AVENUE

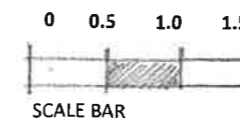
EXISTING FRONT ELEVATION

GS 004





EXISTING SIDE ELEVATION



MR L HAMILTON

92 GLEN SHEE AVENUE

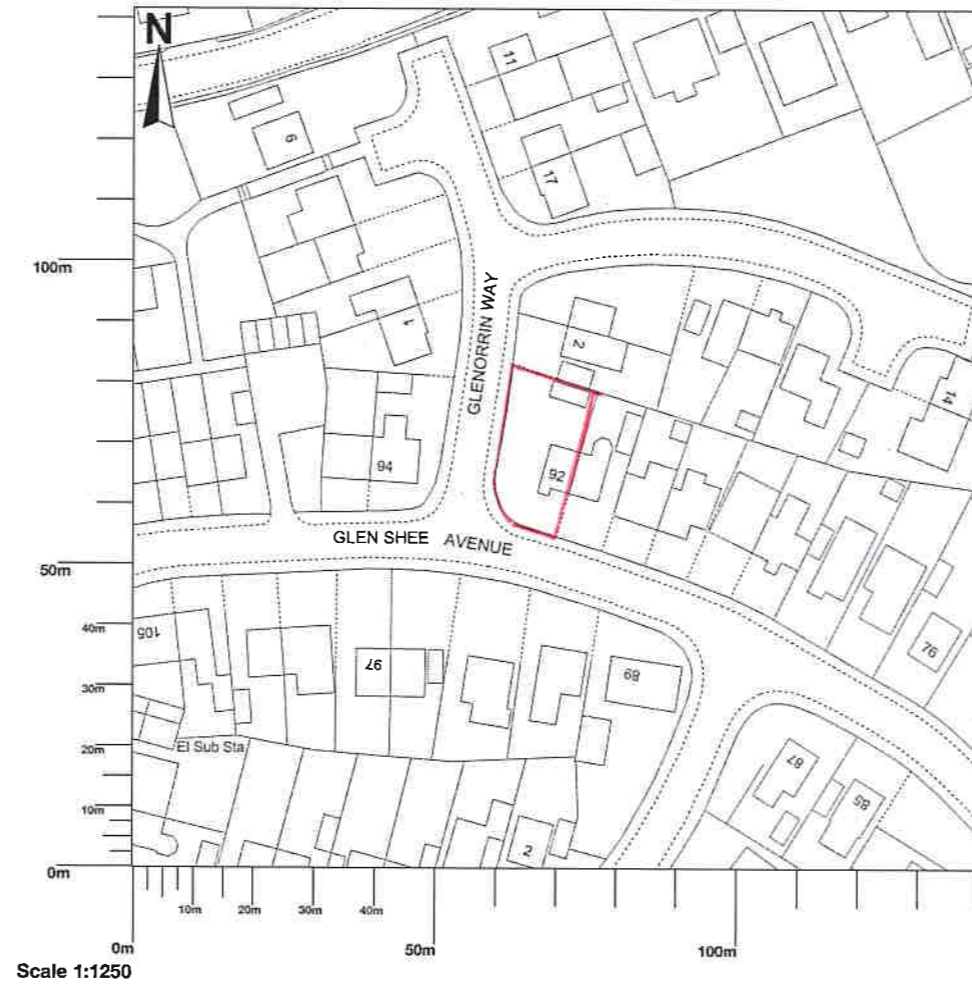
EXISTING SIDE ELEVATION

GS 005





92 Glen Shee Ave



Location Plan

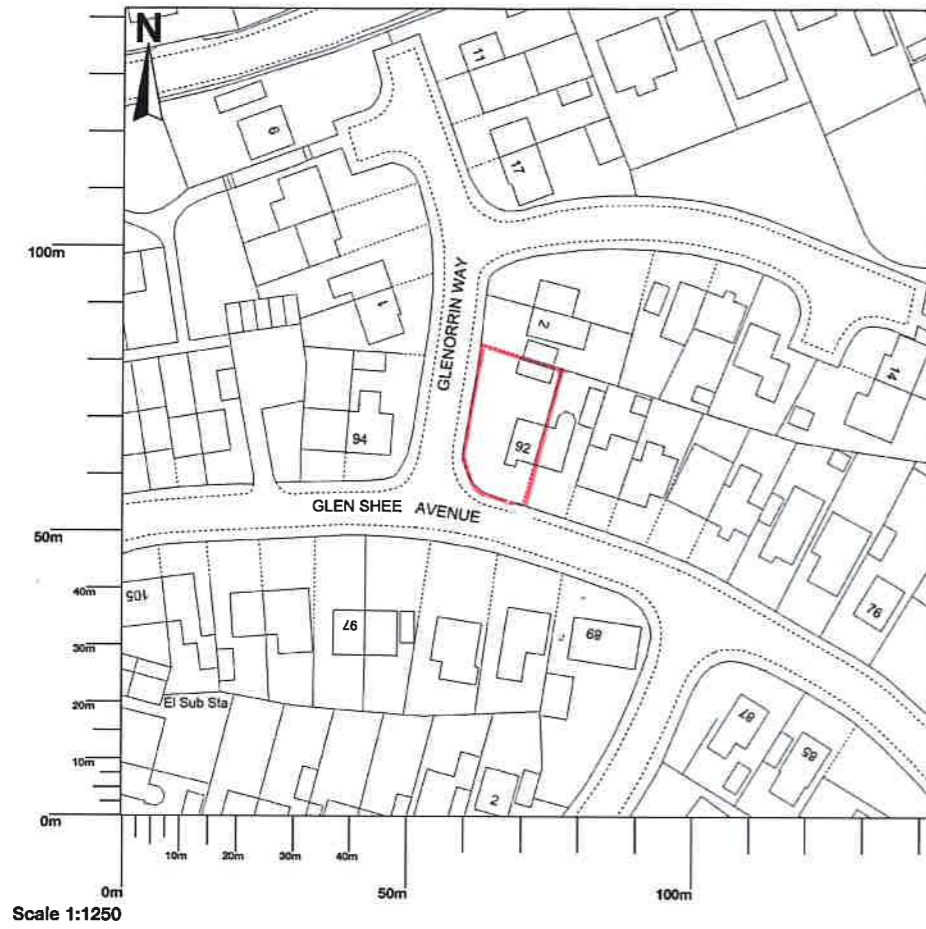
MR L HAMILTON

92 GLEN SHEE AVENUE

LOCATION PLAN

GS 001

GRAHAME RENNIE
ARCHITECTURAL PLANS
EXTENSIONS | CONVERSIONS | ALTERATIONS



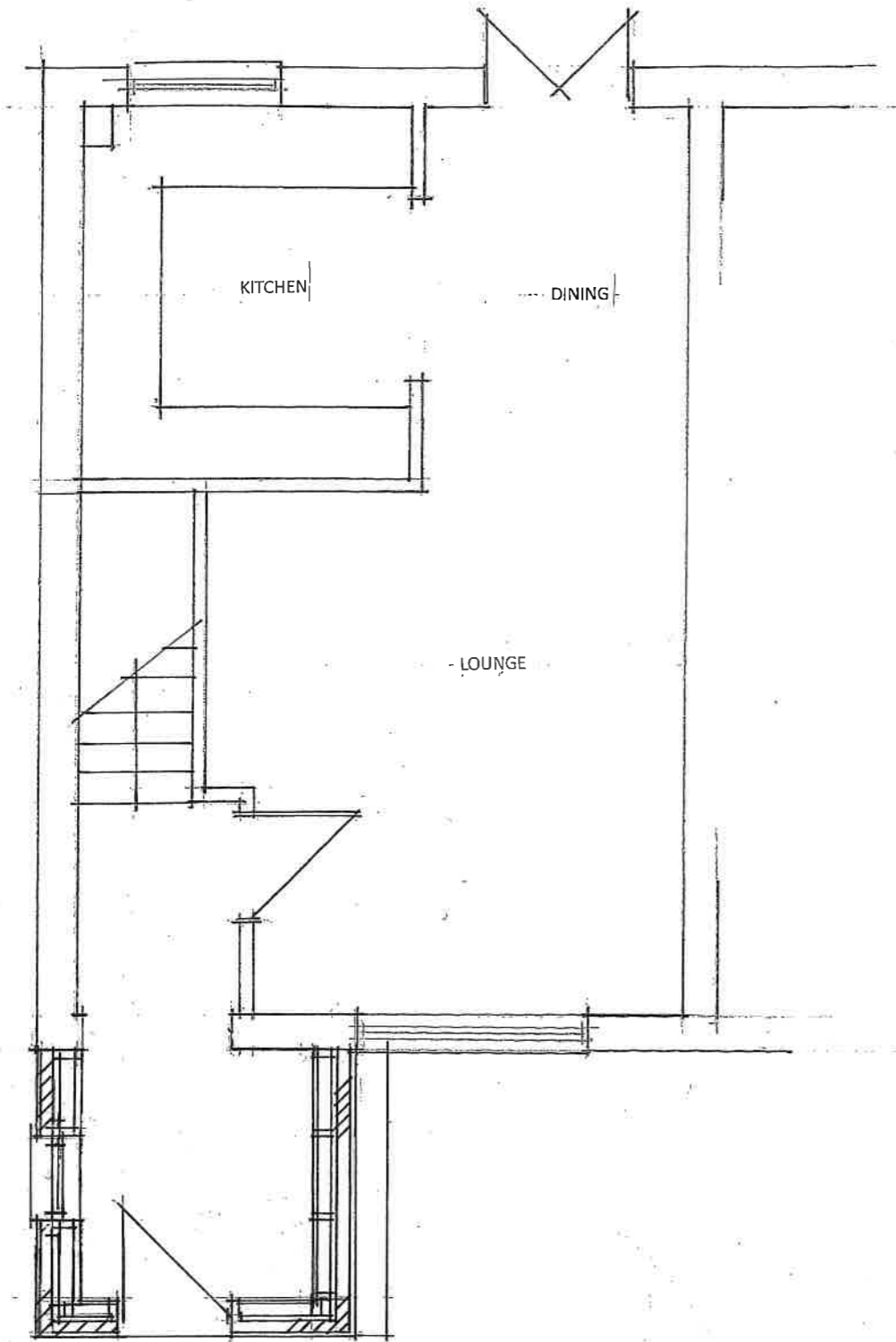
LOCATION PLAN 1; 1250



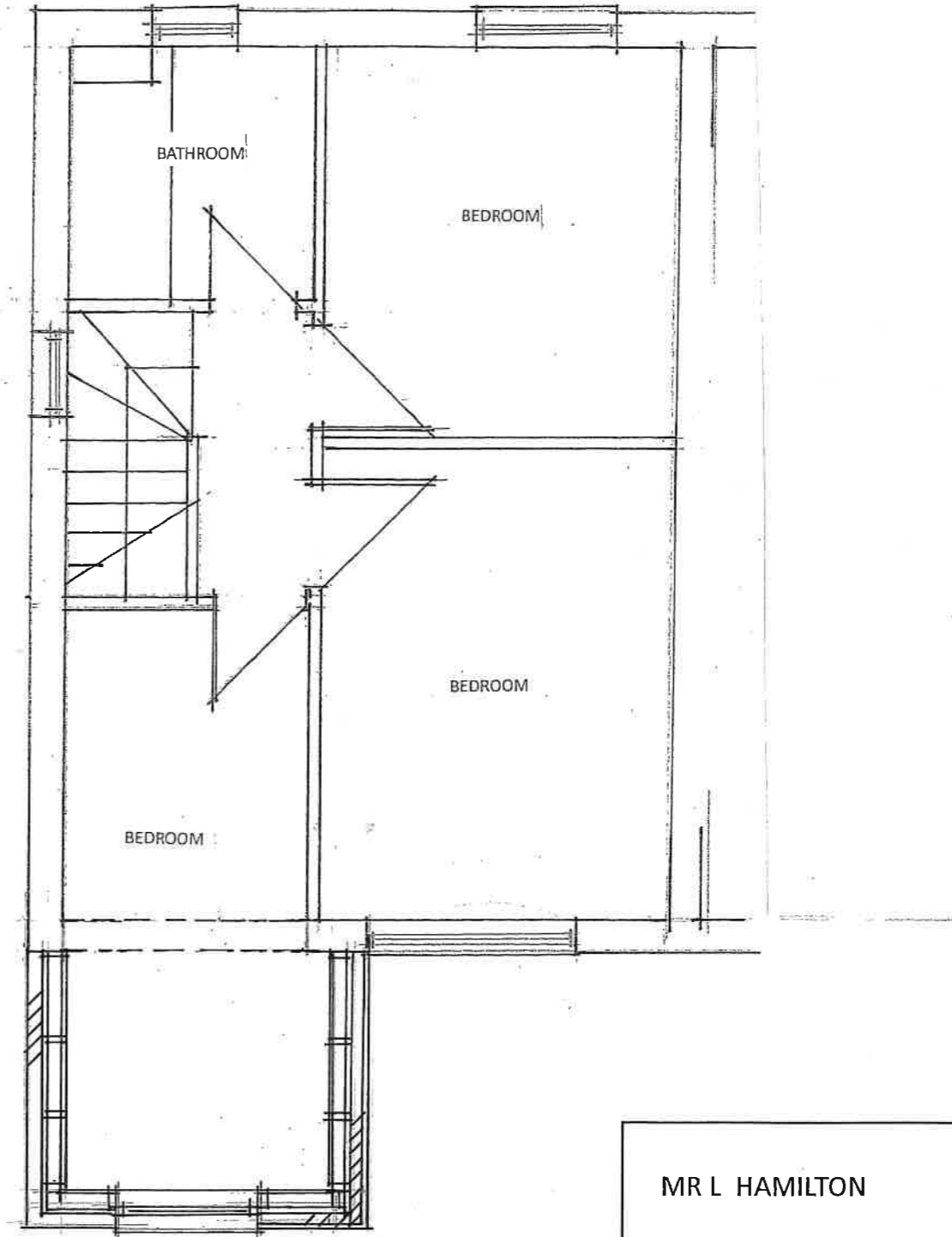
BLOCK PLAN 1;500

MR L HAMILTON
 92 GLEN SHEE AVENUE
 PROPOSED FLOOR PLANS
 GS 001 A

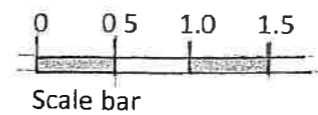




GROUND FLOOR PLAN

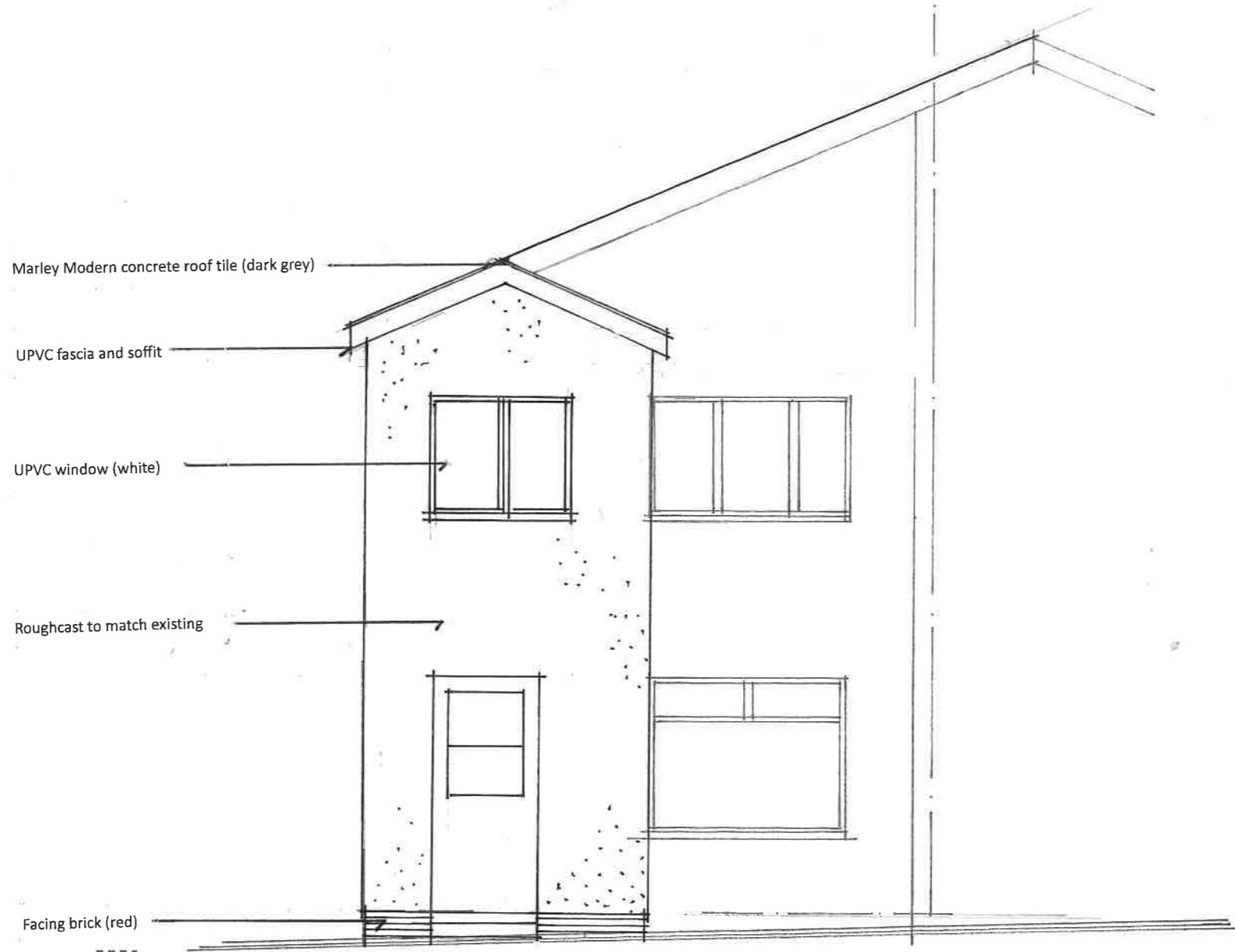


UPPER FLOOR PLAN

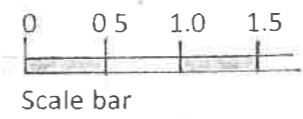


MR L HAMILTON
 92 GLEN SHEE AVENUE
 PROPOSED FLOOR PLANS
 GS 003



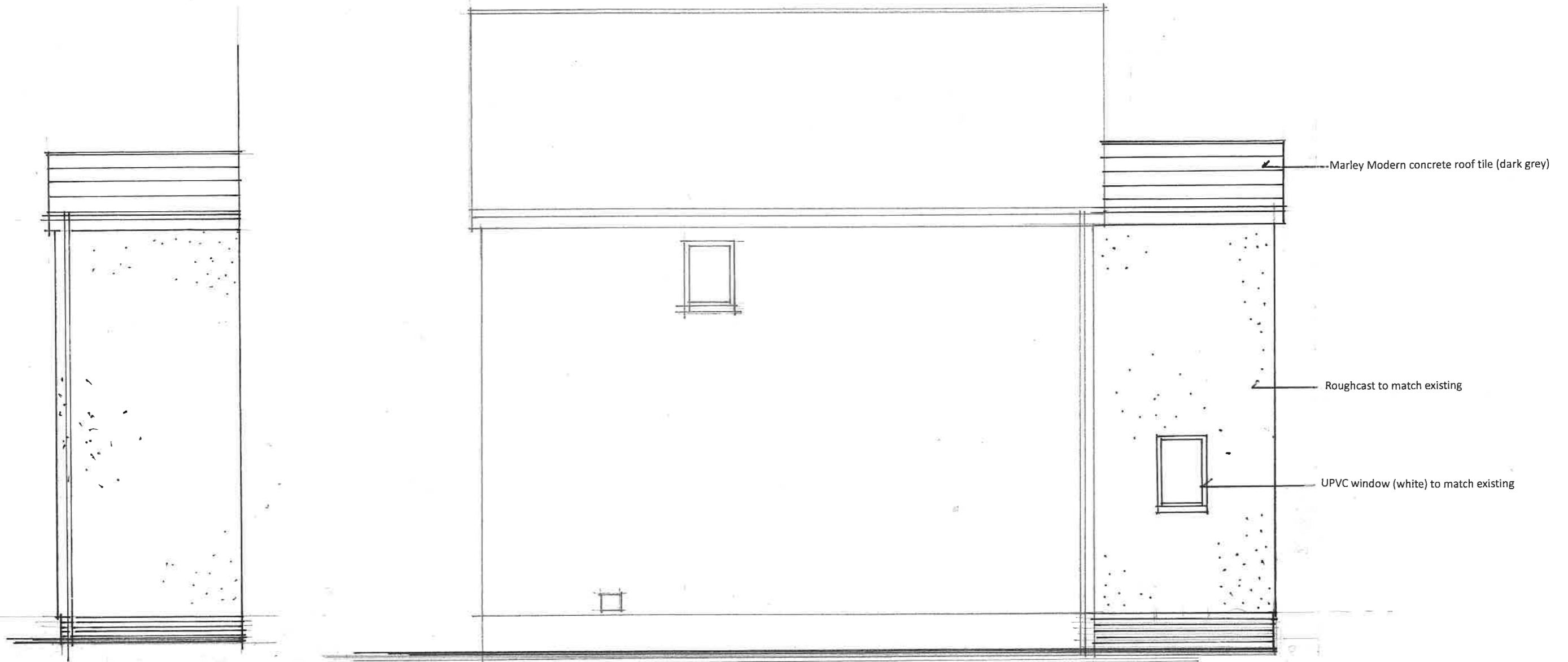


PROPOSED FRONT ELEVATION



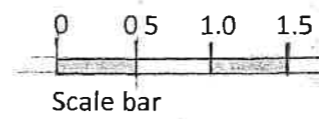
MR L HAMILTON
92 GLEN SHEE AVENUE
PROPOSED FRONT ELEVATION
GS 007





ELEVATION FROM No 90

PROPOSED SIDE ELEVATION



MR L HAMILTON
92 GLEN SHEE AVENUE
PROPOSED SIDE ELEVATIONS
GS 008













