#### EAST RENFREWSHIRE COUNCIL

#### **LOCAL REVIEW BODY**

#### 29 November 2023

#### Report by Director of Business Operations and Partnerships

#### REVIEW OF CASE - REVIEW/2023/11

#### INSTALLATION OF SIDE DORMER AND ROOF EXTENSION TO SIDE TO FORM GABLE

#### **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: Further application (Ref No:- 2023/0318/TP).

Applicant: Ms F O'Donnell

Proposal: Installation of side dormer and roof extension to side to form

gable

Location: 15 Nethercliffe Avenue, Netherlee, G44 3UW

Council Area/Ward: Clarkston, Netherlee and Williamwood (Ward 4).

#### **REASON FOR REQUESTING REVIEW**

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

#### **RECOMMENDATIONS**

- 4. The Local Review Body is asked to:-
  - (a) consider whether it has sufficient information to allow it to proceed to determine the review without further procedure and, if so, that:-
    - (i) it proceeds to determine whether the decision taken in respect of the application under review should be upheld, reversed or varied; and
    - (ii) in the event that the decision is reversed or varied, the reasons and the detailed conditions to be attached to the decision letter are agreed; 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 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 the application. A copy of the applicant's Notice of Review and Statement of Reasons including appeal statement 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, 29 November 2023 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 83 90);
  - (b) Reports of Handling by the planning officer under the Scheme of Delegation Appendix 2 (Pages 91 102);
  - (c) Decision notice and reasons for refusal Appendix 3 (Pages 103 106); and
  - (d) A copy of the applicant's Notice of Review and Statement of Reasons including appeal statement Appendix 4 (Pages 107 120).
- **15.** The applicant has also submitted the drawings listed below and these are attached as Appendix 5 (Pages 121 ).
  - (a) Plans, Sections and Elevations as existing;
  - (b) Location Plan; and
  - (c) Plans, Sections and Elevations as proposed.
- **16.** All the documents referred to in this report can be viewed online on the Council's website at <a href="https://www.eastrenfrewshire.gov.uk">www.eastrenfrewshire.gov.uk</a>.

#### **RECOMMENDATIONS**

- 17. 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: John Burke

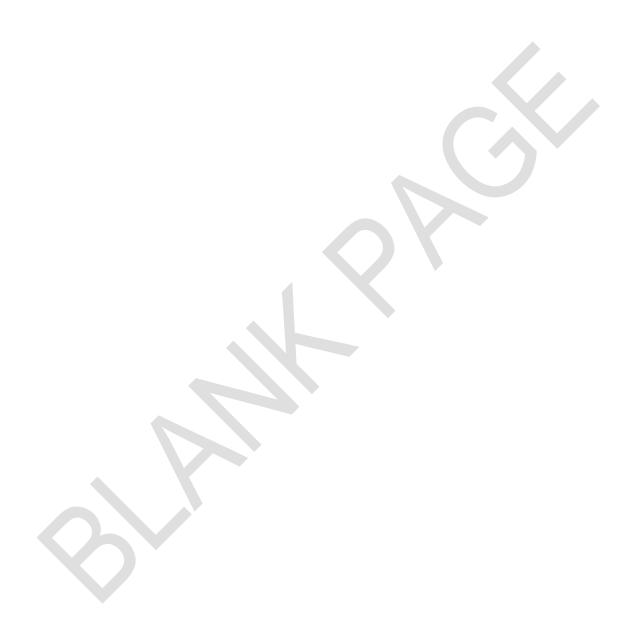
Director – Louise Pringle, Director of Business Operations and Partnerships

John Burke, Committee Services Officer e-mail: john.burke@eastrenfrewshire.gov.uk Tel: 0141 577 3026

Date:- 22 November 2023

**APPENDIX 1** 

## **APPLICATION FOR PLANNING PERMISSION**





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 1006

100629773-001

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)
Dormer Extension to Gable to form Shower Room. Roof Alterations to form Gable to increase floor area of Bedroom.
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)

Agent Details			
Please enter Agent details			
Company/Organisation:	Hiltech Design		
Ref. Number:		You must enter a Bu	uilding Name or Number, or both: *
First Name: *	Richard	Building Name:	Corespace
Last Name: *	Hill	Building Number:	
Telephone Number: *	07970 896127	Address 1 (Street): *	62
Extension Number:		Address 2:	Viewfield Road
Mobile Number:		Town/City: *	Ayr
Fax Number:		Country: *	Scotland
		Postcode: *	KA8 8HH
Email Address: *	info@hiltech-design.co.uk		
Is the applicant an individual or an organisation/corporate entity? *  Individual Organisation/Corporate entity  Applicant Details			
Please enter Applicant de	etails		
Title:	Mrs	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Fiona	Building Number:	15
Last Name: *	O`Donnell	Address 1 (Street): *	Nethercliffe Avenue
Company/Organisation		Address 2:	Netherlee
Telephone Number: *		Town/City: *	Glasgow
Extension Number:		Country: *	Scotland
Mobile Number:	07921000383	Postcode: *	G44 3UW
Fax Number:			
Email Address: *	fionaodonnell456@googlemail.com		

Site Address Details			
Planning Authority:	East Renfrewshire Council		
Full postal address of the	site (including postcode where available	le):	_
Address 1:	15 NETHERCLIFFE AVENUE		
Address 2:	NETHERLEE		
Address 3:			
Address 4:			
Address 5:			
Town/City/Settlement:	GLASGOW		
Post Code:	G44 3UW		
Please identify/describe the location of the site or sites			
Northing	658569	Easting	257740
Pre-Application	on Discussion		
Have you discussed your	proposal with the planning authority? *		☐ Yes ☒ No
Trees			
Are there any trees on or adjacent to the application site? *			
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? *			
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? *			

Certificate	s 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 applica	ant the sole owner of ALL the land? *	X Yes No	
Is any of the land p	art of an agricultural holding? *	Yes X No	
Certificate	Required		
The following Land	Ownership Certificate is required to complete this section of the proposal:		
Certificate A			
Land Ov	wnership 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	t-		
(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:	Richard Hill		
On behalf of:	Mrs Fiona O'Donnell		
Date:	24/05/2023		
	☑ Please tick here to certify this Certificate. *		

Checklist – Application for Householder Application			
in support of your application.	to complete the following checklist in order to ensure that you have provided all the . Failure to submit sufficient information with your application may result in your apy will not start processing your application until it is valid.		
a) Have you provided a writte	en description of the development to which it relates?. *	🛛 Yes 🗌 No	
	stal address of the land to which the development relates, or if the land in question cription of the location of the land? $^{\star}$	⊠ Yes □ No	
c) Have you provided the nan applicant, the name and addr	me and address of the applicant and, where an agent is acting on behalf of the ress of that agent.? $^{\star}$	X Yes ☐ No	
d) Have you provided a locati land in relation to the locality and be drawn to an identified	ion plan sufficient to identify the land to which it relates showing the situation of the and in particular in relation to neighbouring land? *. This should have a north poin scale.	e X Yes No	
e) Have you provided a certifi	icate of ownership? *	X Yes No	
f) Have you provided the fee	payable under the Fees Regulations? *	🛛 Yes 🗌 No	
g) Have you provided any oth	ner plans as necessary? *	🛛 Yes 🗌 No	
Continued on the next page			
A copy of the other plans and (two must be selected). *	d drawings or information necessary to describe the proposals		
You can attach these electron	nic documents later in the process.		
X Existing and Proposed e	elevations.		
X Existing and proposed flo	oor plans.		
X Cross sections.			
☒ Site layout plan/Block pla	ans (including access).		
Roof plan.			
X Photographs and/or pho	otomontages.		
,	nple a tree survey or habitat survey may be needed. In some instances you about the structural condition of the existing house or outbuilding.	Yes No	
	u may wish to provide additional background information or justification for your land you should provide this in a single statement. This can be combined with a .*	X Yes □ No	
You must submit a fee with you Received by the planning aut	our application. Your application will not be able to be validated until the appropria thority.	te fee has been	
Declare – For H	ouseholder Application		
I, the applicant/agent certify the Plans/drawings and additional	hat this is an application for planning permission as described in this form and the al information.	accompanying	
Declaration Name:	Mr Richard Hill		
Declaration Date:	24/05/2023		

## **Payment Details**

Pay Direct

Created: 24/05/2023 13:39

APPENDIX 2

## **REPORT OF HANDLING**



## REPORT OF HANDLING

Reference: 2023/0318/TP Date Registered: 14th June 2023

Application Type: Full Planning Permission This application is a Local Development

Ward: 4 -Clarkston, Netherlee And Williamwood

Co-ordinates: 257740/:658569

Applicant/Agent: Applicant: Agent:

Mrs Fiona O`Donnell Richard Hill
15 Nethercliffe Avenue Corespace

Netherlee 62 Viewfield Road

Glasgow Ayr Scotland Scotland G44 3UW KA8 8HH

Proposal: Installation of side dormer and roof extension to side to former gable end.

Location: 15 Nethercliffe Avenue

Netherlee

East Renfrewshire

G44 3UW

CONSULTATIONS/COMMENTS: None.

PUBLICITY: None.

**SITE NOTICES:** None.

SITE HISTORY:

2016/0641/TP Erection of single storey Granted 30.11.2016

rear extension

2020/0784/TP Formation of continuous Refused 02.02.2021

dormer window extension

to side and rear.

2021/0999/TP Alterations to existing side Refused 17.05.2022

dormer to increase its size and erection of dormer to

rear of dwelling.

**REPRESENTATIONS:** No representations have been received.

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

**SUPPORTING REPORTS:** A design statement was submitted with this application. The design statement provides a description of the existing dwelling, the recent planning history of the site, a description of the current proposal, background information about the reasoning for the current proposal, examples of developments within the area and concludes that the proposal would enhance the area.

#### ASSESSMENT:

The application site comprises a single storey detached bungalow and its curtilage. The dwelling is finished with a white wet-dash render and brick, with a hipped, slate covered roof. The original bungalow has previously been extended to the rear (single storey ground floor extension). The site itself is located in a prominent location on a corner plot at the northeast corner of the junction of Leebank Drive and Nethercliffe Avenue in Netherlee.

Planning permission is sought to form a hip to gable extension on the western elevation of the dwelling. The roof extension would extend the existing ridgeline westwards to form a gable over the existing western elevation and would include a Juliet balcony at 1<sup>st</sup> floor level. Furthermore, the new roof slope includes a new rooflight on the northern elevation. The proposal also includes a new dormer on the eastern roof slope.

The proposal requires to be assessed against Policies D1, D1.1 and D2 of the adopted East Renfrewshire Local Development Plan 2. These policies generally require that development should not result in a significant loss of character or amenity to the surrounding area. Development should be appropriate to the location and respect local architecture, building form and design. Development must also be of a size, scale, height, massing, density and material that is in keeping with the buildings in the locality and must not adversely impact or dominate the existing building. The amenity of neighbouring properties should not be adversely affected by unreasonably restricting their sunlight or privacy.

In terms of the NPF4, the relevant policy is Policy 16. Policy 16 (Quality homes) (g) generally states that the proposal should not have a detrimental impact on the character or environmental quality of the home and the surrounding area. Proposals should not have a detrimental effect on neighbouring residential amenity.

The prevailing residential character of Nethercliffe Avenue and the surrounding area is one of hipped roof detached bungalows. It is noted that there are examples of gable extensions within the area, this is also identified in the accompanying design statement however, it is also noted that those examples are located at the rear of their respective dwellings. Furthermore, rear gables are generally provided with screening from the public road by neighbouring buildings and vegetation.

The proposal would remove an existing dormer and extend the roof to form a gable at the proposed western side elevation. Assessment of the drawings has identified a discrepancy in the proposed elevation drawings. The height of the proposed gable is shown as 7.7m on the Proposed West Elevation and 7.3m on the Proposed North and South Elevations. The position of the flue on the roof is also inconsistent. Regardless of the discrepancies, extending the roof to one side as proposed would significantly increase the massing of the roof at the western side of the dwelling. While it is noted that the western elevation has an existing dormer, the proposed increase in massing would significantly unbalance the appearance of the principal elevation. The proposed hip to gable configuration would therefore be of a heavy and aesthetically unbalanced design. It is considered that the proposed hip to gable (and the associated roof alterations) would have a significant detrimental impact upon the character of the building.

The proposed gable extension would front onto Leebank Drive. The proposed gable extension would be located in a prominent location near the road junction and would be a prominent feature within

the streetscene, particularly when approaching from the west on Nethercliffe Avenue. Given the established character of the immediate locality (which does not have side gables), and noting the highly prominent position of the proposed side gable, the proposal would be an incongruous feature within the streetscene and would not be in keeping with other buildings within the locality. It is considered that the proposed side, hip to gable configuration is not in keeping with other buildings within the locality and would have a significant detrimental impact upon the character of the surrounding area.

In isolation, the proposed dormer on the eastern elevation is generally acceptable in size, scale design and massing. In isolation, the proposed eastern dormer itself would not have a significant detrimental impact upon the character of the building or the surrounding area.

It is noted that the proposed eastern dormer would use opaque glazing. The proposal as a whole raises no significant concerns regarding overlooking, overshadowing, loss of daylight or physical impact.

No representations were received regarding this application.

In summary, the proposed side gable would significantly increase the size, scale and massing of the building to the detriment of its character. Furthermore, due to the prominent nature of the corner plot within the streetscene and the position of the proposed side gable, the proposal is not in keeping with other buildings within the locality and would have a significant detrimental impact upon the character of the surrounding area. The proposed dormer on the eastern elevation is considered to be acceptable in size, scale, massing and in terms of amenity however, in assessing the proposal as a whole, that does not outweigh the other significant conflicts with policy set out above.

Regarding the above, the proposal is contrary to Policies D1, D1.1 and D2 of the adopted East Renfrewshire Local Development Plan 2 and Policy 16 of the National Planning Framework 4. There are no material considerations that indicate the application should not be refused.

**PLANNING OBLIGATIONS:** None.

**RECOMMENDATION: Refuse** 

#### **REASON:**

1. The proposal would significantly increase the size, scale and massing of the property, unbalancing the appearance of the principal elevation to the detriment of the building's original character. Furthermore, the proposal is not in keeping with other buildings within the locality and would have a significant detrimental impact upon the character of the surrounding area. The proposal is therefore contrary to Policies D1, D1.1 and D2 of the Local Development Plan 2 and Policy 16 of the National Planning Framework 4.

#### **ADDITIONAL NOTES:**

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity at the surface or shallow depth. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of new development taking place.

It is recommended that information outlining how former mining activities may affect the proposed development, along with any mitigation measures required (for example the need for gas protection

measures within the foundations), is submitted alongside any subsequent application for Building Warrant approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority.

ADDED VALUE: None.

#### **BACKGROUND PAPERS:**

Further information on background papers can be obtained from Mr Byron Sharp at byron.sharp@eastrenfrewshire.gov.uk.

Ref. No.: 2023/0318/TP

(BYSH)

DATE: 11th August 2023

DIRECTOR OF ENVIRONMENT

Finalised 29<sup>th</sup> August 2023 – GMcC(1)

Reference: 2023/0318/TP - Appendix 1

**DEVELOPMENT PLAN:** 

#### **National Planning Framework 4**

#### **Policy 16: Quality Homes**

- a) Development proposals for new homes on land allocated for housing in LDPs will be supported.
- Development proposals that include 50 or more homes, and smaller developments if required by local policy or guidance, should be accompanied by a Statement of

Community Benefit. The statement will explain the contribution of the proposed development to:

- i. meeting local housing requirements, including affordable homes;
- ii. providing or enhancing local infrastructure, facilities and services; and
- iii. improving the residential amenity of the surrounding area.
- c) Development proposals for new homes that improve affordability and choice by being adaptable to changing and diverse needs, and which address identified gaps in provision, will be supported. This could include:
  - i. self-provided homes;
  - ii. accessible, adaptable and wheelchair accessible homes;
  - iii. build to rent:
  - iv. affordable homes;
  - v. a range of size of homes such as those for larger families;
  - vi. homes for older people, including supported accommodation, care homes and sheltered housing;
  - vii. homes for people undertaking further and higher education; and
  - viii. homes for other specialist groups such as service personnel.
- d) Development proposals for public or private, permanent or temporary, Gypsy/Travellers sites and family yards and Travelling Showpeople yards, including on land not specifically allocated for this use in the LDP, should be supported where a need is identified and the proposal is otherwise consistent with the plan spatial strategy and other relevant policies, including human rights and equality.
- e) Development proposals for new homes will be supported where they make provision for affordable homes to meet an identified need. Proposals for market homes will only be supported where the contribution to the provision of affordable homes on a site will be at least 25% of the total number of homes, unless the LDP sets out locations or circumstances where:
  - i. a higher contribution is justified by evidence of need, or
  - ii. a lower contribution is justified, for example, by evidence of impact on viability, where proposals are small in scale, or to incentivise particular types of homes that are needed to diversify the supply, such as self-build or wheelchair accessible homes.

    The contribution is to be provided in accordance with local policy or guidance.
- f) Development proposals for new homes on land not allocated for housing in the LDP will only be supported in limited circumstances where:
  - i. the proposal is supported by an agreed timescale for build-out; and
  - ii. the proposal is otherwise consistent with the plan spatial strategy and other relevant policies including local living and 20 minute neighbourhoods;
  - iii. and either:
    - delivery of sites is happening earlier than identified in the deliverable housing land pipeline. This will be determined by reference to two consecutive years of

- the Housing Land Audit evidencing substantial delivery earlier than pipeline timescales and that general trend being sustained; or
- the proposal is consistent with policy on rural homes; or
- the proposal is for smaller scale opportunities within an existing settlement boundary; or
- the proposal is for the delivery of less than 50 affordable homes as part of a local authority supported affordable housing plan.
- g) Householder development proposals will be supported where they:
  - i. do not have a detrimental impact on the character or environmental quality of the home and the surrounding area in terms of size, design and materials; and
  - ii. do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking.
- h) Householder development proposals that provide adaptations in response to risks from a changing climate, or relating to people with health conditions that lead to particular accommodation needs will be supported.

#### East Renfrewshire 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;
- 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 antisocial 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

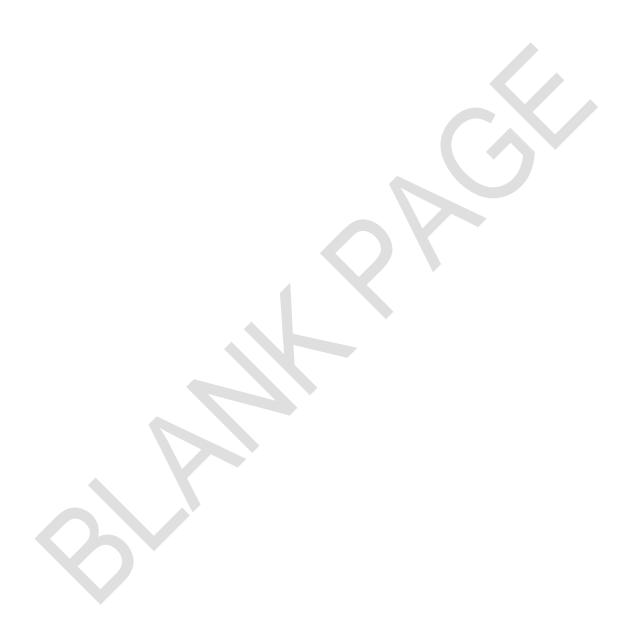
Proposals will be assessed against the following criteria:

- 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.

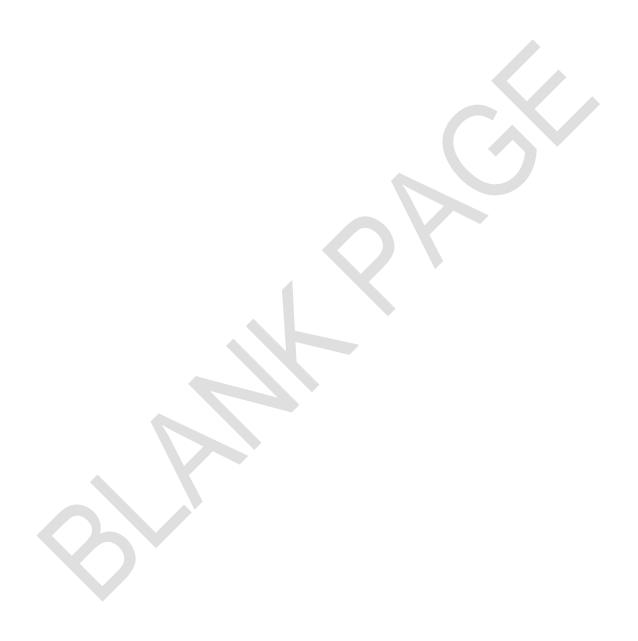
#### Policy D2: General Urban Areas

Development will be supported within the general urban areas, shown on the Proposals Map. Proposals will be required to demonstrate that the proposed development is appropriate in terms of its location and scale and will not result in a significant loss of character or amenity to the surrounding area. Proposals must also comply with appropriate policies of the Proposed Plan.



APPENDIX 3

# **DECISION NOTICE**



#### **EAST RENFREWSHIRE COUNCIL**

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. 2023/0318/TP

Applicant:Agent:Mrs Fiona O`DonnellRichard Hill15 Nethercliffe AvenueCorespaceNetherlee62 Viewfield Road

Glasgow Ayr Scotland Scotland G44 3UW KA8 8HH

With reference to your application which was registered on 14th June 2023 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Installation of side dormer and roof extension to side to former gable end.

#### at: 15 Nethercliffe Avenue Netherlee East Renfrewshire G44 3UW

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 would significantly increase the size, scale and massing of the property, unbalancing the appearance of the principal elevation to the detriment of the building's original character. Furthermore, the proposal is not in keeping with other buildings within the locality and would have a significant detrimental impact upon the character of the surrounding area. The proposal is therefore contrary to Policies D1, D1.1 and D2 of the Local Development Plan 2 and Policy 16 of the National Planning Framework 4.

Dated 29th August 2023 Head of Environment

(Chief Planner)

East Renfrewshire Council

2 Spiersbridge Way,

Spiersbridge Business Park,

Thornliebank,

G46 8NG

Tel. No. 0141 577 3001

The following drawings/plans have been refused

Julian M'Carney

Plan Description	Drawing Number	<b>Drawing Version</b>	Date on Plan
Location Plan	002		
Elevations Proposed	004	Rev:A	

# <u>GUIDANCE NOTE FOR REFUSAL OF LOCAL DEVELOPMENTS DETERMINED UNDER</u> 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 <a href="https://www.eplanning.scotland.gov.uk">www.eplanning.scotland.gov.uk</a>. Please note that beyond the content of the appeal or review forms, <a href="https://www.eplanning.scotland.gov.uk">you cannot normally raise new matters</a> 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 3001 Email planning@eastrenfrewshire.gov.uk

**APPENDIX 4** 

# **NOTICE OF REVIEW**





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

100629773-004

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 ☐ Applicant ☒Agent on behalf of the applicant in connection with this application) **Agent Details** Please enter Agent details Hiltech Design Company/Organisation: Ref. Number: You must enter a Building Name or Number, or both: \* Richard Corespace First Name: \* **Building Name:** Hill Last Name: \* **Building Number:** Address 1 62 07970 896127 Telephone Number: \* (Street): \* Viewfield Road Extension Number: Address 2: Ayr Town/City: \* Mobile Number: Scotland Fax Number: Country: \* KA8 8HH Postcode: \* info@hiltech-design.co.uk Email Address: \* Is the applicant an individual or an organisation/corporate entity? \* ☑ Individual ☐ Organisation/Corporate entity

Applicant Details			
Please enter Applicant	details		
Title:	Mrs	You must enter a Bu	uilding Name or Number, or both: *
Other Title:		Building Name:	
First Name: *	Fiona	Building Number:	15
Last Name: *	O'Donnell	Address 1 (Street): *	Nethercliffe Avenue
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Netherlee
Extension Number:		Country: *	Scotland
Mobile Number:	07921000383	Postcode: *	G44 3UW
Fax Number:			
Email Address: *	fionaodonnell456@gmail.com		
Site Address	s Details		
Planning Authority: East Renfrewshire Council			
Full postal address of th	ne site (including postcode where available	):	
Address 1:	15 NETHERCLIFFE AVENUE		
Address 2:	NETHERLEE		
Address 3:			
Address 4:			
Address 5:			
Town/City/Settlement:	GLASGOW		
Post Code:	G44 3UW		
Please identify/describe the location of the site or sites			
Northing	658569	Easting	257740

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)
Installation of side dormer and roof extension to side to form gable.
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 a 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.
We feel that due to the varying mix of house designs and rooflines within the local area, that this design alteration to the property is justified, both in terms of design and enhancement, not only to the dwelling itself, but also to the local area. The Family are simply trying to alter the dwelling sympathetically, to accommodate their family, as they love the area and their children attend local schools. They do not wish to have to relocate their family.
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 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 so to rely on in support of your review. You can attach these documents electronically later in the			
HDA-155-001 Existing Plans Sections and Elevations HDA-155-002 Location Plan HDA-15 Elevations HDA-155 PL Design Statement	55-004 Proposed plans Sections and		
Application Details			
Please provide the application reference no. given to you by your planning authority for your previous application.	2023/0318/TP		
What date was the application submitted to the planning authority? *	14/06/2023		
What date was the decision issued by the planning authority? *	29/08/2023		
Review Procedure			
The Local Review Body will decide on the procedure to be used to determine your review an process require that further information or representations be made to enable them to determ required by one or a combination of procedures, such as: written submissions; the holding of inspecting the land which is the subject of the review case.	ine the review. Further information may be		
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 \sum No			
In the event that the Local Review Body appointed to consider your application decides to ins	spect the site, in your opinion:		
Can the site be clearly seen from a road or public land? *	X Yes No		
Is it possible for the site to be accessed safely and without barriers to entry? $^{\star}$	X Yes ☐ No		
Checklist – Application for Notice of Review			
Please complete the following checklist to make sure you have provided all the necessary in to submit all this information may result in your appeal being deemed invalid.	formation in support of your appeal. Failure		
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 treview? $^{\star}$	nis X 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 review should be sent to you or the applicant? *			
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? *	Ⅺ 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 Richard Hill

Declaration Date: 12/10/2023





Project: <u>Proposed Dormer Extension and Roofline Extension to Dwelling.</u>

Address: 15 Nethercliffe Avenue, Netherlee, Glasgow, G44 3UW.

Client: Mrs and Mrs O'Donnell, 15 Nethercliffe Avenue, Netherlee, G44 3UW.

Agent: Hiltech Design Architectural Services, Corespace, 62 Viewfield Road Ayr

KA8 8HH.

Brief: To obtaining Planning approval for the alterations to the property, following

previously refused Planning Applications and LRB.

Date: May 2023.

Site: The existing Dwelling sits on the corner of Nethercliffe Avenue and Leebank

Drive, Newton Mearns, with a South Facing Principal Elevation aspect. (See

Location Plan within design package).

**Image 01:** Principal Elevation (Existing) taken from Nethercliffe Avenue.



**Image 02:** Side Elevation (West) taken from Leebank Drive.



**Image 03:** Side Elevation (East) taken from Nethercliffe Avenue.



## **Existing Dwelling:**

As you can see from the above photographs, the existing Dwelling currently has front and side facing Dormers, to allow Bedrooms/Access, within the current Attic Rooms. Side Dormer to Leebank Drive is of "Box" Design, to maximise headroom within the current hipend roof Bedroom. Unfortunately, this headroom and layout of the Attic rooms, results in a pinch point at the current bedroom access, making the room difficult to furnish/use as a Bedroom.

Please read in conjunction with Design Layouts HDA-155-01, 02 and 04.

# **Previous Planning History:**

A previous Planning Application was submitted (registered on the 08<sup>th</sup> December 2020), for extensive proposals to alter and extend the current roofline, to accommodate further facilities, within the Attic Rooms, which was subsequently refused, due to the Design resulting in the Local Authority feeling that, "the Design and Massing would be dominant and an incongruous addition, to the detriment to both design and integrity of the original dwelling

and the visual amenity and character of the local area". Planning Application Reference – 2020/0784/TP.

This Application was refused on the 2<sup>nd</sup> February 2021.

A revised Design Layout was submitted, reducing the Proposals to the Attic Floor, which was also subsequently refused.

Reference – 2021/0999/TP.

## Local Review Body (LRB):

As a result of the above Planning Application refusals, my Client's subsequently requested the LRB, review the Planning Department's refusals. Reference – REVIEW/2022/08. Once submitted the LRB attended the site on the 09<sup>th</sup> November 2022.

The LRB upheld the refusal, dated 17 May 2022, for reasons that the proposal constitutes over development of the roof scape, with detrimental impact to both the existing Dwelling and Neighbourhood, due to the corner location of the Property.

The LRB upheld the Planning Department's Refusal and issued their decision notice of same on the 30<sup>th</sup> November 2022.

## **Current Design Proposals:**

The new Design proposals, include a Dormer Extension to the East Elevation, with Opaque Glazing, to allow the formation of an Attic Shower Room, to facilitate the existing two Bedrooms, which currently exist in the Attic Design. This Dormer will be similar in mass and proportion to the existing Dormer currently located on the Principal Elevation, with finishes to match.

As part of the new Design Proposals, we would like to alter the West Elevation (current hipend roof design) to a traditional gable, with feature window and Juliet Balcony. This change in roof line will allow the removal of the existing unsightly box dormer also, with the existing house and roofline being re-roofed, with new fascias, soffits and rainwater goods. Internally this will remove the headroom issues, which currently exist within the Bedroom and allow for a much more usable floor area.

Externally, this will greatly improve the look of the dwelling and create a much improved visual enhancement, to both the dwelling and streetscape, especially on approach from the Western side of Nethercliffe Avenue.

With the new roofline, replacement roof finish and external upgrades of the property, we feel that this will only enhance the local area.

# **Current Owners:**

The current Owners, Mr and Mrs O`Donnell, have, since purchasing the Property, carried out many home improvements, to their home, investing heavily in the Property, both internally and externally, to provide a comfortable home for their Family.

The new Proposals, would be the final alteration to the property, which would finish their improvements to the dwelling and allow them to complete their works internally and externally, completing their family home, for years to come.

Their children currently attend School in the Local Area and as a family have enjoyed living within the Local Area, for many years. This last development, would allow their family to stay within the Local Area, attend School and Clubs accordingly.

Should this Application be refused also, my Client's would have no choice, but to look to relocate out with the Local Area, resulting in possibly their children having to move Schools, which isn't ideal, for anyone involved.

We would ask ERC Planning Authority, to consider these Proposals favourably, as the works would not only enhance and complete a lovely family home, but would also enhance the Local Area.

It should also be noted that, having spoken to the immediate Neighbouring Owner/Occupiers, that all are in favour of the Design proposals.

## **Existing Examples:**

As the Agent, I took time to look around the local area, for works to existing dwellings, past and present, in order that I could obtain a wider view of the local area and design of the local dwellings.

Within a 1 mile radius of my Client's Property, there currently exist a wide and varied design of dwellings, most of which have been altered/extended, to provide family homes.

As you can see from the photographs below, my client's design proposals are much more sympathetic in Design, Character and Massing, compared to some of the alterations/extensions carried out, in the local area.

I have included a few examples of these dwellings in photographic format below, for you to consider.

It should be noted that some of these dwellings within the local area have had alterations carried out, that were similar in design and massing, to my Client's original Design, which was refused:



















### **Examples:**

As you can see from the above photographs, there are a varied range of Box Dormers, Dormer Roof Extensions, Gable formations and extensive Extensions, within the close proximity of my Client's property.

#### **Programme:**

It is proposed, that should Planning Approval be obtained, a Building Warrant Approval will be sought, with thereafter, with works commencing on site in the Spring of 2024, if not before, depending on Contractor availability, following a Tender Process with suitably chosen Local Contractors and an appointment of the same.

# 119

# **Conclusion:**

Given the above statement and information provided, in support of the Planning Application to the Local Authority, we feel that these alterations to the existing Dwelling, will be a positive addition, not only for the property itself, but the Local area also. We feel that the Design of the alterations proposed, is sympathetic to the surroundings and minimises impact on the Local Area, whilst delivering the needs of the Client.

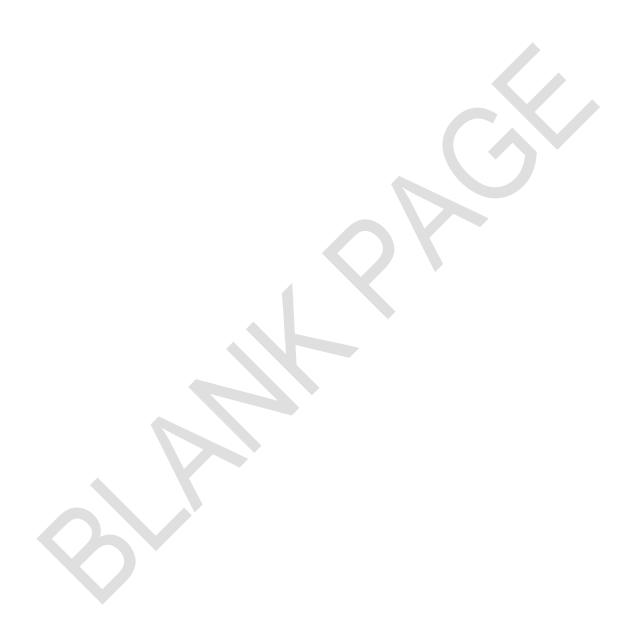
The Proposals can only enhance the Local Area and increase property values accordingly.

We look forward to and hope for a positive response from the Local Authority.



**APPENDIX 5** 

# **PLANS/DRAWINGS**



All Building Work to Building (Scotland) Act 2003 and Building (Scotland) Regulations Current amendment 123

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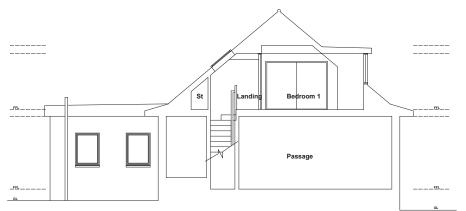
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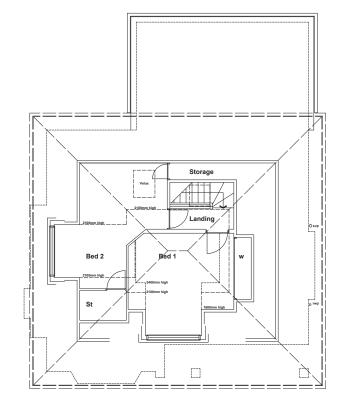
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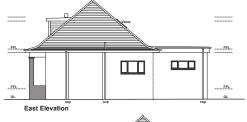


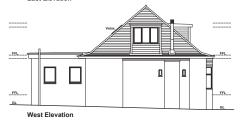












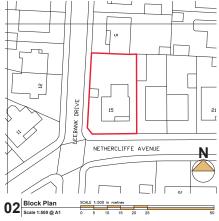


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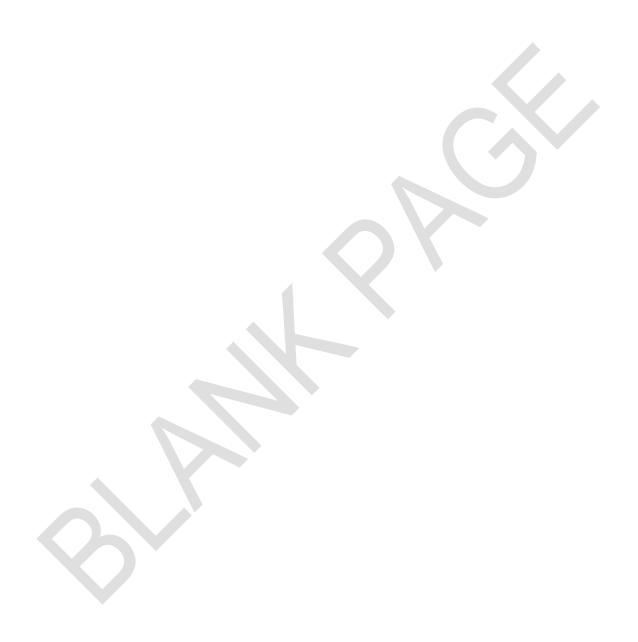
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MR AND MRS O'DONNELL

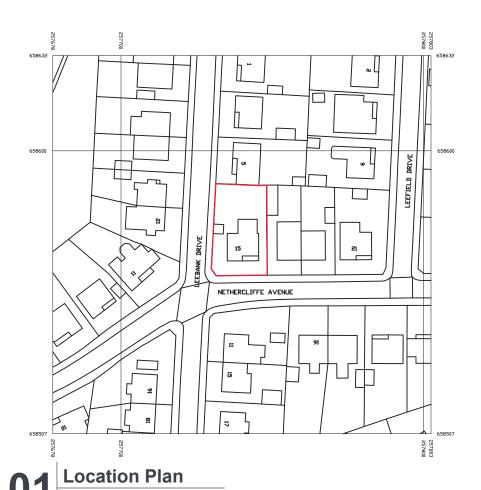
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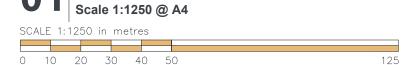
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Description:





# ARCHITECTURAL SERVICES

Setting standards for others to follow

Project Status:

# DESIGN/PL/BW

Project Description:

ATTIC ALTERATIONS TO HOUSE

MR AND MRS O'DONNELL

15 NETHERCLIFFE AVENUE NEWTON MEARNS G44 3UW

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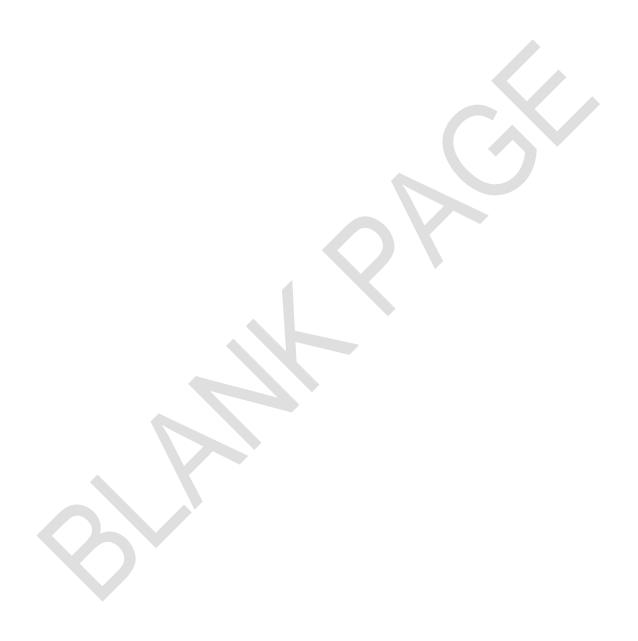
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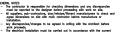
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Except window provision on shown to achieve min 450+50mm to allow except in the event of a fire with a cill height of ret least then 800mm and not more than 1100mm about PT. These measures windonly from PT. to be of bottom frome when apen.

Minimum clear over of opening for except = 0.25m2.



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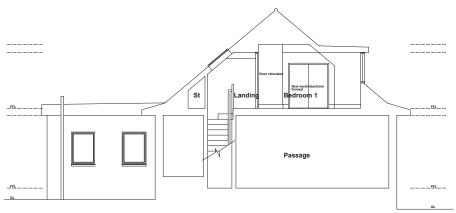
fire alarm break glass point 💢 fire alarm sounder wall mounted

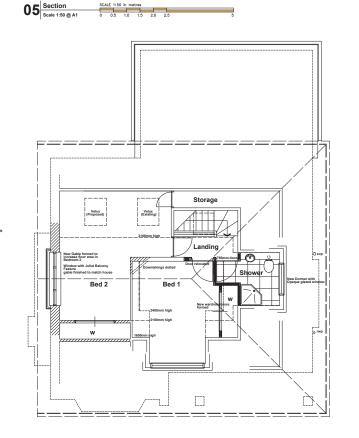
distribution board minimum 3 spare breakers bell push (Illuminated) O door bell sounder wall mounted

**⊚** ext

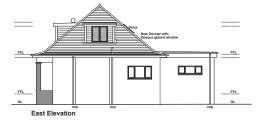
Shwt

.







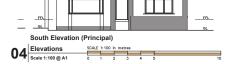




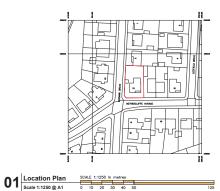


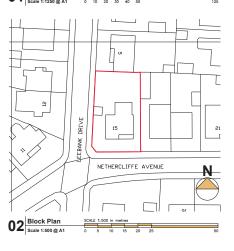


SCALE 1:50 in metre:











external Finishes
Read in conjunction with layouts:

Roof - Stripped and re-slated. Roofline - Stripped and replaced in upvc (colour to be selected). Walls - Rendered to match existing. Windows - White upvc to match existing. Dormer Roof - EPDM Flat Roofing system.





APR 23

SHOWN R Hill

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Do not scale from this drawing All dimensions are to be site checked Any discrepancies to be notified ©This drawing is copyright and the property of HDA

