TO: Councillors A Ireland (Chair), B Cunningham (Vice Chair), A Convery, J Fletcher, J McLean, S Miller and J Swift.

LOCAL REVIEW BODY

A meeting of the Local Review Body will be held in the Council Chamber, Council Headquarters, Eastwood Park, Giffnock on **Wednesday, 7 November 2018 at 2.30pm or if later at the conclusion of the Planning Applications Committee which begins at 2.00pm.**

The agenda of business is as shown below.

**Caroline Innes**

C INNES
DEPUTY CHIEF EXECUTIVE

**AGENDA**

1. Report apologies for absence.

2. Declarations of interest.


EAST RENFREWSHIRE COUNCIL
LOCAL REVIEW BODY

7 November 2018

Report by Deputy Chief Executive

REVIEW OF CASE - REVIEW/2018/20
ERECITION OF TWO STOREY REAR EXTENSION
AT 25 LOCHLIBO TERRACE, BARRHEAD

PURPOSE OF REPORT

1. The purpose of the report is to present the information currently available to allow a review of the decision taken by officers, in terms of the Scheme of Delegation made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006 in respect of the application detailed below.

DETAILS OF APPLICATION

2. Application type: Full Planning Permission (Ref No:- 2018/0409/TP).
   
   Applicant: Mr D Higgins.
   
   Proposal: Erection of two storey rear extension.
   
   Location: 25 Lochlibo Terrace, Barrhead.
   
   Council Area/Ward: Barrhead, Liboside and Uplawmoor (Ward 1).

REASON FOR REQUESTING REVIEW

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

RECOMMENDATIONS

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

(i) what further information is required, which parties are to be asked to provide the information and the date by which this is to be provided; and/or;

(ii) what procedure or combination of procedures are to be followed in determining the review.

BACKGROUND

5. At the meeting of the Council on 29 April 2009, consideration was given to a report by the Director of Environment seeking the adoption of a new Scheme of Delegation in terms of the new Section 43A of the Town and Country Planning (Scotland) Act 1997, subject to approval of the scheme by Scottish Ministers.

6. The report provided details of the new hierarchy of developments that took effect from 6 April 2009 explaining that the Scheme of Delegation related to those applications within the “local development” category as set out in the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009, but would in future be determined by an “appointed officer”. In the Council’s case this would be either the Director of Environment or the Head of Roads, Planning and Transportation Service now designated the Head of Environment (Strategic Services).

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 is attached as Appendix 5.

9. The applicant is entitled to state a preference for the procedure (or combination of procedures) to be followed by the Local Review Body in the determination of the review and has indicated that his stated preference is 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. However, 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, 7 November 2018 immediately 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 7 - 14);
(b) Copies of Objections/Representations – Appendix 2 (Pages 15 - 22);
(c) Report of Handling by the planning officer under the Scheme of Delegation - Appendix 3 (Pages 23 - 30);
(d) Decision notice and reasons for refusal - Appendix 4 (Pages 31 - 34); and
(d) A copy of the applicant’s Notice of Review and Statement of Reasons - Appendix 5 (Pages 35 - 50).

15. The applicant has also submitted the drawings listed below (available for inspection within the Planning Division of the Environment Department prior to the meeting and for reference at the meeting) and these are attached as Appendix 6 (Pages 51 - 60).

(a) Existing Elevations and First Floor Plan;
(b) Existing and Proposed Sections;
(c) Refused – Location Plan;
(d) Refused – Proposed Plans and Elevations;
(e) Refused – Proposed South Elevations;
(f) Refused – Proposed Floor Plans; and
(g) Refused – Proposed Roof Plan.

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 with the exception of any representations that have been made to the application.

RECOMMENDATIONS

18. The Local Review Body is asked to:-

(a) consider whether it has sufficient information to allow it to proceed to determine the review without further procedure and, if so, that:-

(i) it proceeds to determine whether the decisions taken in respect of the application under review should be upheld, reversed or varied; and
(ii) in the event that the decision is reversed or varied, the reasons and the detailed conditions to be attached to the decision letter are agreed.

(b) In the event that further procedure is required to allow it to determine the review, consider:-

(i) what further information is required, which parties are to be asked to provide the information and the date by which this is to be provided; and/or;

(ii) what procedure or combination of procedures are to be followed in determining the review.

Report Author: Paul O'Neil

Director - Caroline Innes, Deputy Chief Executive

Paul O'Neil, Committee Services Officer
e-mail: paul.o'neil@eastrenfrewshire.gov.uk
Tel: 0141 577 3011
Date: October 2018
APPLICATION
FOR
PLANNING PERMISSION
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 100075948-007

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)

Two storey rear extension

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

☑ No ☐ Yes - Started ☐ Yes – Completed

**Applicant or Agent Details**

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

☐ Applicant ☒ Agent
Agent Details

Company/Organisation: DMac

Ref. Number: 

First Name: * D

Last Name: * Mac

Telephone Number: * 07548948743

Extension Number:

Mobile Number:

Fax Number:

Email Address: * dmac.arc@gmail.com

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

☑ Individual ☐ Organisation/Corporate entity

Applicant Details

Title: Mr

First Name: * D

Last Name: * Higgins

Company/Organisation:

Telephone Number: *

Extension Number:

Mobile Number:

Fax Number:

Email Address: *
Site Address Details

Planning Authority: East Renfrewshire Council

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

Address 1: 25 LOCHLIBO TERRACE
Address 2: BARRHEAD
Address 3:
Address 4:
Address 5:

Town/City/Settlement: GLASGOW
Post Code: G78 1LL

Please identify/describe the location of the site or sites

Northing 658300 Easting 249170

Pre-Application Discussion

Have you discussed your proposal with the planning authority? * □ Yes  X No

Trees

Are there any trees on or adjacent to the application site? * □ Yes  X 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  X 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  X 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.

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Are you/the applicant the sole owner of ALL the land? *</td>
<td>☒ Yes</td>
<td>☐ No</td>
</tr>
<tr>
<td>Is any of the land part of an agricultural holding? *</td>
<td>☐ Yes</td>
<td>☒ No</td>
</tr>
</tbody>
</table>

## 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:      D Mac
On behalf of: Mr D Higgins
Date:        24/06/2018

☒ Please tick here to certify this Certificate. *

---

Page 4 of 5
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 D Mac

Declaration Date: 20/11/2017
COPIES OF OBJECTIONS/REPRESENTATIONS
Comments for Planning Application 2018/0409/TP

Application Summary
Application Number: 2018/0409/TP
Address: 25 Lochlibo Terrace Barrhead East Renfrewshire G78 1LL
Proposal: Erection of two storey rear extension
Case Officer: Ms Fiona Morrison

Customer Details
Name: Mrs Vicki McNee
Address: 21 Lochlibo Terrace, Barrhead, East Renfrewshire G78 1LL

Comment Details
Commenter Type: Rec'd NeighbourNotification from Council
Stance: Customer made comments in support of the Planning Application
Comment Reasons:
Comment: As we live two doors down, we have received a notification regarding this planning application. My husband and I fully support this application and have no objections to the erection of a two storey extension at number 25.
Comments for Planning Application 2018/0409/TP

Application Summary
Application Number: 2018/0409/TP
Address: 25 Lochlibo Terrace Barrhead East Renfrewshire G78 1LL
Proposal: Erection of two storey rear extension
Case Officer: Ms Fiona Morrison

Customer Details
Name: Mr i renfrew
Address: 23 Lochlibo Terrace, Barrhead, East Renfrewshire G78 1LL

Comment Details
Commenter Type: Rec'd NeighbourNotification from Council
Stance: Customer made comments in support of the Planning Application
Comment Reasons:
Comment: i mr Renfrew own the property of 23 lochlibo terrace and is next door to 25 lochlibo terrace that has a planning application for a 2 storey extension in with the council.i received neighbour notice and am showing support.i have already sent yous in a letter from myself.that would of been put in when the application was submitted.i have no problem with this planning either with sunlight or daylight or even my neighbour building on the boundry.thanks
Application Summary
Application Number: 2018/0409/TP
Address: 25 Lochlibo Terrace Barrhead East Renfrewshire G78 1LL
Proposal: Erection of two storey rear extension
Case Officer: Ms Fiona Morrison

Customer Details
Name: Mrs Susan McNaughton
Address: 44 Gateside Crescent, Barrhead, East Renfrewshire G78 1LP

Comment Details
Commenter Type: Rec'd NeighbourNotification from Council
Stance: Customer made comments in support of the Planning Application
Comment Reasons:
Comment:
APPENDIX 3

REPORT OF HANDLING
REPORT OF HANDLING

Reference: 2018/0409/TP          Date Registered: 25th June 2018

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

Ward: 1 - Barrhead, Liboside And Uplawmoor

Co-ordinates: 249170/:658300

Applicant/Agent:

Applicant: Mr D Higgins
25 Lochlibo Terrace
Barrhead
Glasgow
Scotland
G78 1LL

Agent: D Mac
25 Lochlibo Terrace
Barrhead
Glasgow
Scotland
G78 1LL

Proposal: Erection of two storey rear extension

Location: 25 Lochlibo Terrace
Barrhead
East Renfrewshire
G78 1LL

CONSULTATIONS/COMMENTS: None.

PUBLICITY: None.

SITE NOTICES: None.

SITE HISTORY:

2017/0775/TP
Erection of two storey rear extension
Refused 10.04.2018
Local Review withdrawn 21.06.2018

REPRESENTATIONS: 3 representations have been received in support of the application.

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

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

ASSESSMENT:

The site comprises a two storey property that is situated within an established residential area on the outskirts of Barrhead. Located within a terrace of six the property is surrounded by similar terraced and semi-detached house types. A recent application 2017/0775/TP for a two storey rear extension was refused as the proposal was considered to be contrary to current planning policies. A subsequent appeal submitted to the Local Review Body was withdrawn before being determined.
The proposal is identical to the previous submission 2017/0775/TP for a two storey extension to the rear of the property that will provide a dining area and bedroom on the lower floor and two further bedrooms on the upper floor. Comprising a hipped roof the extension will have a 3.5m projection from the rear elevation of the house and a width of 5.6m, the full width of the house. The proposed external materials are to match the existing.

The application requires to be assessed against the East Renfrewshire Local Development Plan and any material considerations. The relevant policies are considered to be D1 and D14 and the adopted Supplementary Planning Guidance (SPG) - Householder Design Guide.

Policy D1 is a general criteria based policy that applies to all forms of development. It is considered that criteria 1, 2 and 3 are the most valid in this case. Criterion 1 refers to the prevention of significant loss of character and amenity of the area.

Much of the surrounding area is characterised, as previously stated, by terraced and semi-detached house types. Given the location of the proposal to the rear of the property there would not be a significant impact on the wider character of the terrace. However as a result of orientation, scale and massing the proposal would have an immediate impact on the amenity of neighbouring properties, particularly the neighbouring property at 23 Lochlibo Terrace by effectively presenting a blank wall 3.5m deep and almost 5m high hard on the mutual rear boundary.

This would be the first two storey rear extension in the immediate area and therefore it does not reflect the built form in the locality. On that basis, the proposal conflicts with criterion 1 and 2 of Policy D1.

Criterion 3 presumes against proposals which would have an adverse impact on neighbouring properties in terms of overshadowing or overlooking. The site is set on a north-west/south-east axis with the potential for overshadowing of side neighbours. Overshadowing calculations have been carried out for March and June. These calculations indicate that the neighbouring property at 23 Lochlibo Terrace, as a direct consequence of the height and massing of the rear extension, will start experiencing additional and direct overshadowing approximately around midday until after 3pm in the afternoon in March and June. In that regard, the proposal is considered to have a marked and immediate impact in the level of sunlight/daylight reaching the neighbouring property at 23 Lochlibo Terrace.

There is no significant overlooking from the proposed extension. However, the above consideration renders the proposal contrary to criterion 3 of Policy D1.

Policy D14 sets out six general criteria for assessing all residential extensions/alterations of which three are considered to be appropriate to the development proposal i.e.: any extension 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 and the development should avoid over-development of the site.

Noting the terms outlined above, it is considered that the proposed rear extension conflicts with Policy D14 notably in terms of the massing and relationship of the two storey extension to the neighbouring properties.

Policy D14 has a supporting Supplementary Planning Guidance (SPG) - Householder Design Guide which provides more detailed design guidance for extensions to certain house types.

Firstly, it should be noted that the SPG lists a number of general principles which will be considered, namely that extensions should not dominate or overwhelm neighbouring properties.
Again, as outlined above, this proposal particularly in respect of the two storey rear extension fails this general principle.

Guidance on two storey rear extensions on terraced two storey houses is specifically referred to in the SPG due, for example, to potential issues of overshadowing and dominating of the adjoining properties. The setback of 2m specified from mutual boundaries is aimed at lessening the impact of a two storey rear extension on the amenity of neighbouring properties. With this setback an extension depth of 4m is indicated in the SPG as acceptable.

This is particularly important in smaller, more modest houses, where the relationship with neighbours is closer. The direct overshadowing, as previously stated in addition to the visual impact of the height of the extension on the mutual boundaries would impact on the neighbours and in particular the occupants of 23 Lochlibo Terrace. The minimum separation distance of 2m is considered to be an appropriate mechanism to maintain an acceptable relationship with the neighbouring properties. The application site cannot meet this requirement.

The SPG requires that two storey rear extensions should be setback 2m from the side boundaries of a terraced house. On that basis, the application should be refused as contrary to the Development Plan unless there are material considerations which would justify setting aside the SPG and approving the application.

The terraced houses in Lochlibo Terrace are narrow and to provide a 2m set back from one or both of the side boundaries would not be practicable.

Although every application is treated on its own merits, in terms of material considerations, it is noted, as referred to above, that there are no two storey extensions in the immediate area. If consent was issued for the application site, the proposal could be repeated in this and other terraces to the wider detriment of residential amenity.

Reference made to a historical planning permission (not implemented) at 36 Gateside Crescent is not relevant in the consideration of this planning application as the decision issued in 2007 predates the requirements of the SPG which was adopted in June 2015.

Support for the application has been received from the occupants of 21 and 23 Lochlibo Terrace and 44 Gateside Crescent. Whilst letters of support are material in the consideration of planning applications they must be relevant to planning issues. The comments of support are based on established relationships between neighbours. Planning decisions are made on the basis of the impact of development assessed against policies within the Local Development Plan and any relevant material considerations.

In addition, photographs have been submitted showing shadows cast at different times during the 29th January. These examples are during the winter months when the sun is low in the sky and casts longer shadows mainly from the properties themselves. As stated above, overshadowing calculations were carried out for the months of March and June when the sun is higher in the sky and the addition of a two storey extension on the mutual boundary is more likely to have a detrimental impact on the amenity of neighbouring properties.

Drawing all the above matters together, the proposed two storey rear extension is considered to conflict with the policy considerations and more specifically the SPG - Householder Design Guide as discussed in the report above. There are no material considerations which would justify setting aside this document and approving the application.

Accordingly it is recommended that this application should be refused.

RECOMMENDATION: Refuse
PLANNING OBLIGATIONS: None

REASONS FOR REFUSAL:

1. The proposed two storey rear extension would, by reason of siting, scale, massing and depth along the mutual boundary, be contrary to Policy D1(2), Policy D1(3) and Policy D14 of the adopted East Renfrewshire Local Development Plan as it will have a detrimental impact on the amenity of the neighbouring properties.

2. The proposed two storey rear extension would, by reason of its proximity to the side boundaries, be contrary to the adopted Supplementary Planning Guidance (SPG) - Householder Design Guide as it does not comply with the general principles and the specific guidance on two storey rear extensions contained therein and will have a consequent dominant and overwhelming impact on the neighbouring properties.

3. The proposed two storey rear extension would, by reason of its height and massing, be contrary to the adopted Supplementary Planning Guidance (SPG) - Daylight and Sunlight Design Guide as it does not comply with the general principles and the specific guidance on overshadowing and will have a consequent detrimental impact on neighbouring properties.

ADDITIONAL NOTES: None

ADDED VALUE: None

BACKGROUND PAPERS:

Further information on background papers can be obtained from Ms Fiona Morrison on 0141 577 3895.

Ref. No.: 2018/0409/TP (FIMO)

DATE: 24th August 2018

DIRECTOR OF ENVIRONMENT

Reference: 2018/0409/TP - Appendix 1

DEVELOPMENT PLAN:

Strategic Development Plan

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

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.

GOVERNMENT GUIDANCE: None

Finalised 24/08/2018 AC.
DECISION NOTICE
AND
REASONS FOR REFUSAL
REFUSAL OF PLANNING PERMISSION

Ref. No. 2018/0409/TP

Applicant: Mr D Higgins 25 Lochlibo Terrace Barrhead Glasgow Scotland G78 1LL

Agent: D Mac 25 Lochlibo Terrace Barrhead Glasgow Scotland G78 1LL

With reference to your application which was registered on 25th June 2018 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Erection of two storey rear extension

at: 25 Lochlibo Terrace Barrhead East Renfrewshire G78 1LL

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

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

1. The proposed two storey rear extension would, by reason of siting, scale, massing and depth along the mutual boundary, be contrary to Policy D1(2), Policy D1(3) and Policy D14 of the adopted East Renfrewshire Local Development Plan as it will have a detrimental impact on the amenity of the neighbouring properties.

2. The proposed two storey rear extension would, by reason of its proximity to the side boundaries, be contrary to the adopted Supplementary Planning Guidance (SPG) - Householder Design Guide as it does not comply with the general principles and the specific guidance on two storey rear extensions contained therein and will have a consequent dominant and overwhelming impact on the neighbouring properties.

3. The proposed two storey rear extension would, by reason of its height and massing be contrary to the adopted Supplementary Planning Guidance (SPG) - Daylight and Sunlight Design Guide as it does not comply with the general principles and the specific guidance on overshadowing and will have a consequent detrimental impact on neighbouring properties.

Dated 24th August 2018

Director of Environment
East Renfrewshire Council
2 Spiersbridge Way,
Spiersbridge Business Park,
Thornliebank,
G46 8NG
Tel. No. 0141 577 3001
The following drawings/plans have been refused

<table>
<thead>
<tr>
<th>Plan Description</th>
<th>Drawing Number</th>
<th>Drawing Version</th>
<th>Date on Plan</th>
</tr>
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<tbody>
<tr>
<td>Location Plan</td>
<td>L001</td>
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<tr>
<td>Proposed floor plans</td>
<td>BW001</td>
<td></td>
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<tr>
<td>Plans and Elevations Proposed</td>
<td>BW002</td>
<td></td>
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<tr>
<td>Roof Plan Proposed</td>
<td>BW004</td>
<td></td>
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<tr>
<td>Elevations Proposed</td>
<td>BW006</td>
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</tbody>
</table>

**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](http://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 3895 or 0141 577 3878  
Email planning@eastrenfrewshire.gov.uk
NOTICE OF REVIEW

AND

STATEMENT OF REASONS
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

Company/Organisation: DMac

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

First Name: *  
Building Name:  

Last Name: *  
Building Number: 31

Telephone Number: *  
Address 1 (Street): *  fern drive

Extension Number:  
Address 2:  

Mobile Number:  
Town/City: *  glasgow

Fax Number:  
Country: *  Glasgow

Postcode: *  G78 1JE

Email Address: *  

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

☑ Individual  ☐ Organisation/Corporate entity
### Applicant Details

<table>
<thead>
<tr>
<th>Field</th>
<th>Value</th>
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</thead>
<tbody>
<tr>
<td>Title</td>
<td>Mr</td>
</tr>
<tr>
<td>Other Title</td>
<td></td>
</tr>
<tr>
<td>First Name: *</td>
<td>D</td>
</tr>
<tr>
<td>Last Name: *</td>
<td>Higgins</td>
</tr>
<tr>
<td>Company/Organisation</td>
<td></td>
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<tr>
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<td>Email Address: *</td>
<td></td>
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<tr>
<td>Building Name:</td>
<td>25</td>
</tr>
<tr>
<td>Building Number:</td>
<td></td>
</tr>
<tr>
<td>Address 1 (Street): *</td>
<td>Lochilo Terrace</td>
</tr>
<tr>
<td>Address 2:</td>
<td>Barrhead</td>
</tr>
<tr>
<td>Town/City: *</td>
<td>Glasgow</td>
</tr>
<tr>
<td>Country: *</td>
<td>Scotland</td>
</tr>
<tr>
<td>Postcode: *</td>
<td>G78 1LL</td>
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</tbody>
</table>

### Site Address Details

<table>
<thead>
<tr>
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<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning Authority:</td>
<td>East Renfrewshire Council</td>
</tr>
<tr>
<td>Full postal address of the site (including postcode where available):</td>
<td></td>
</tr>
<tr>
<td>Address 1:</td>
<td>25 LOCHLIBO TERRACE</td>
</tr>
<tr>
<td>Address 2:</td>
<td>BARRHEAD</td>
</tr>
<tr>
<td>Address 3:</td>
<td></td>
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<tr>
<td>Address 4:</td>
<td></td>
</tr>
<tr>
<td>Address 5:</td>
<td></td>
</tr>
<tr>
<td>Town/City/Settlement:</td>
<td>GLASGOW</td>
</tr>
<tr>
<td>Post Code:</td>
<td>G78 1LL</td>
</tr>
</tbody>
</table>

Please identify/describe the location of the site or sites

Northing: 658300  Easting: 249170
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 two storey rear extension

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

- Application for planning permission (including household 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.

The proposed development is sited within an existing stepped terrace block and as such the extension will not look out of place. There will only be slight overshadowing to 1 neighbouring property due to the orientation of the building and the owner has provided written confirmation that he is happy for the works to go ahead. Given the above information and that no comments had been received under the neighbour notification I would request a Notice of Review.

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

- Yes
- No

If yes, you should explain in the box below, why you are raising 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)

The orientation of the building with regards to daylight issues together with a letter from the neighbouring property owner have been clarified.
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)*

| Letter from homeowner, Letter from neighbour and 7 pictures |

**Application Details**

Please provide details of the application and decision.

| What is the application reference number? * | 2018/0409/TP |
| What date was the application submitted to the planning authority? * | 25/06/2018 |
| What date was the decision issued by the planning authority? * | 06/04/2018 |

**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.

☑ Yes ☐ No

| Have you provided the name and address of the applicant? * |
| 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? * |
| 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 D Mac
Declaration Date: 10/09/2018
To whom it may concern

This is just a letter to give some background to the house and why we need the extension. The house 25 Lochlibo terrace was built in 1969 and my Nana, Papa and my mum moved into that year. I was born in 1973 and also moved into it. This has been my only family home I have had. 44 years in this house and now I have got two boys and my wife living in a two bedroom house, but now I have a baby daughter with no spare room. We want to extend so there is a room for her and with the boys getting bigger for them to get a room each as the rooms they are in is only really big for one. This is there family home and would hope to keep it in the family for another 40 years. I feel that the council are forcing me to move, I do not want to move and shouldn't have to. I have spoken to the owner next door and have went over the plans with them and they have no problem with the building going to their boundary or the over shadowing or the sunlight. It is only number 23 that would be affected as number 27 is already set back from me by about 3m (see picture 1). Mr Renfrew (number 23) has said that his house would just look like mine right now with the 3m wall and has no problem with it, I also enclose a letter from Mr Renfrew and you are more than welcome to contact him. I also enclose some pictures taking on a sunny day. Pic 1 shows number 27 that already is set back 3m and that the sun is already being blocked by this. Pic 2 is number 23 showing the sun already being blocked before my extension. Pic 3 shows the sun being blocked by house on a different street (gateside cressent). Pic 4 is the gap between gateside cressent and number 27. Number 27 blocks most of the sun when the sun enters the gap because it is set back. Pic 5 is number 23 with over shadowing that is already there. Pic 6 and 7 are just more pics from a different time of the day, all pics are dated and timed on the back. To refuse the planning on (spg) daylight and sunlight design guide is not true as these are already here and building my extension would make no difference. Whatever program was used to determent the sun is wrong as you can see from the pics I have taken, pictures don't lie. Can I also add that 36 Gateside Cressent was approved a two storey extension the same as mine some time ago but didn't get round to building it due to money problems at the time. This is the exact same house as mine and same set up out the back door. The refusal is based on guide lines only and not law. Most of it is based on the impact of neighbours that I have proving don't have a problem and the overshadowing that is already there. Mr Renfrew says even if or when he sells his house the people buying it will be buy it with the wall there and they wouldn't even know it was never there. House extension are based on their own merits so the next one doesn't have to be granted because mine is. My extension is purely for my family to have space needed for a expanding family. Thank you for reading this and please don't hesitate to get in touch.

Yours faithfully

David Higgins
Dear sir/madam,

I am writing to you as the neighbour of David Higgins who has been refused an application for an extension to his property, 25 Lochlibo Terrace, Barrhead, G78 1LL. It seems to be refused due to the impact to myself and my property.

I have no concern at all about his proposed extension. I have been neighbours with David for over 40 years and have been very happy with him as a neighbour, he has helped me and my dad throughout the years and I do not want to lose him as a neighbour for something that I have no problem with.

I have no issues at all about overshadowing or loss of sunshine to my property from his proposed extension. I am also happy for the proposed extension to be at the boundary of my property and I am aware of the impact this extension will have as I can see what property number 27 has on property 25 which is the same as the proposed extension.

I have no intentions in selling my property but if I do I am confident that the proposed extension will not affect any potential buyers as this is a sought after location within Barrhead.

I would like it to be noted that I have no objections to the proposed extension whatsoever.

Yours Faithfully,

Ian Renfrew
APPENDIX 6

PLANS/PHOTOGRAPHS/DRAWINGS
25, Lochlibo Crescent, Barrhead, East Renfrewshire, G78 1LT

Block Plan shows area bounded by: 249118.15, 658246.17 249208.15, 658336.17 (at a scale of 1:500), OSGridRef: NS49165829. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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EAST RENFREWSHIRE COUNCIL

LOCAL REVIEW BODY

7 November 2018

Report by Deputy Chief Executive

REVIEW OF CASE - REVIEW/2018/21

FORMATION OF DRIVEWAY INCORPORATING REDUCTION IN GROUND LEVELS
AND ERECTION OF BOUNDARY WALL AT 29 EAST KILBRIDE ROAD, BUSBY

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:- 2018/0385/TP).
   Applicant: Mr Paolo Di Mambro.
   Proposal: Formation of driveway incorporating reduction in ground levels and erection of boundary wall.
   Location: 29 East Kilbride Road, Busby.
   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.
(b) In the event that further procedure is required to allow it to determine the review, consider:--

(i) what further information is required, which parties are to be asked to provide the information and the date by which this is to be provided; and/or;

(ii) what procedure or combination of procedures are to be followed in determining the review.

BACKGROUND

5. At the meeting of the Council on 29 April 2009, consideration was given to a report by the Director of Environment seeking the adoption of a new Scheme of Delegation in terms of the new Section 43A of the Town and Country Planning (Scotland) Act 1997, subject to approval of the scheme by Scottish Ministers.

6. The report provided details of the new hierarchy of developments that took effect from 6 April 2009 explaining that the Scheme of Delegation related to those applications within the “local development” category as set out in the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009, but would in future be determined by an “appointed officer”. In the Council’s case this would be either the Director of Environment or the Head of Roads, Planning and Transportation Service now designated the Head of Environment (Strategic Services).

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 is attached as Appendix 5.

9. The applicant is entitled to state a preference for the procedure (or combination of procedures) to be followed by the Local Review Body in the determination of the review and has indicated that his stated preference is 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. However, 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, 7 November 2018 immediately 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 65 - 74);
(b) Copies of Objections/Representations – Appendix 2 (Pages 75 - 126);
(c) Report of Handling by the planning officer under the Scheme of Delegation - Appendix 3 (Pages 127 - 136);
(d) Decision notice and reasons for refusal - Appendix 4 (Pages 137 - 140); and
(d) A copy of the applicant’s Notice of Review and Statement of Reasons - Appendix 5 (Pages 141 - 190).

15. The applicant has also submitted the drawings listed below (available for inspection within the Planning Division of the Environment Department prior to the meeting and for reference at the meeting) and these are attached as Appendix 6 (Pages 191 - 198).

(a) Visual measurement of the bend;
(b) Visual representation of a car entering and parking in one of the 2 garages;
(c) Visual representation of a car entering and parking in the other garage and leaving;
(d) Refused – Location Plan
(e) Refused – Proposed Elevation and Section Rev B;
(f) Refused – Proposed Plans.

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 with the exception of any representations that have been made to the application.

RECOMMENDATIONS

18. The Local Review Body is asked to:-

(a) consider whether it has sufficient information to allow it to proceed to determine the review without further procedure and, if so, that:-

(i) it proceeds to determine whether the decisions taken in respect of the application under review should be upheld, reversed or varied; and
(ii) in the event that the decision is reversed or varied, the reasons and the detailed conditions to be attached to the decision letter are agreed.

(b) In the event that further procedure is required to allow it to determine the review, consider:-

(i) what further information is required, which parties are to be asked to provide the information and the date by which this is to be provided; and/or;

(ii) what procedure or combination of procedures are to be followed in determining the review.

Report Author: Paul O'Neil

Director - Caroline Innes, Deputy Chief Executive

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

Date:- October 2018
APPLICATION
FOR
PLANNING PERMISSION
67

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  100124763-001

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.

**Type of Application**

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

☑ Application for planning permission (including changes of use and surface mineral working).
☐ Application for planning permission in principle.
☐ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
☐ Application for Approval of Matters specified in conditions.

**Description of Proposal**

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

Excavate the ground to a height of 75CM with a slope to the drive way opening. Remove the entire wall along the boundary with east kilbride road. Create a 2M section of pavement giving 60CM of the boundary to the pavement area for 10M from the wooden fence. Leave an opening of 5M from the wooden fence. Build a wall along the new boundary in common brick. create drainage to conduct rain water from site and mono block the area to the front of the property.

Is this a temporary permission? *

☐ Yes ☒ No

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

☒ Yes ☐ No

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

☐ No ☒ Yes – Started ☐ Yes - Completed

Please state date of completion, or if not completed, the start date (dd/mm/yyyy): *

09/02/2018

Please explain why work has taken place in advance of making this application: * (Max 500 characters)

There was an error in interpretation of permitted development. I had not factored into the fact that this was a classified road.

**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
Applicant Details

Please enter Applicant details

Title: Mr

Other Title: 

First Name: * Paolo

Last Name: * Di Mambro

Company/Orgnisation: 

Telephone Number: * 

Extension Number: 

Mobile Number: 

Fax Number: 

Email Address: *

Building Name: 

Building Number: 29

Address 1 (Street): 

Address 2: 

Town/City: 

Country: Scotland

Postcode: G76 8JY

Site Address Details

Planning Authority: East Renfrewshire Council

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

Address 1: 29 EAST KILBRIDE ROAD

Address 2: BUSBY

Address 3: 

Address 4: 

Address 5: 

Town/City/Settlement: GLASGOW

Post Code: G76 8JY

Please identify/describe the location of the site or sites

Northing: 656517 Easting: 258177
### Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

- Yes [ ]
- No [ ]

### Site Area

Please state the site area: 700.00

Please state the measurement type used:
- [ ] Hectares (ha)
- [x] Square Metres (sq.m)

### Existing Use

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

There is no drive access currently and there is limited parking within the surrounding area which causes friction in the local community.

### Access and Parking

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

- Yes [x]
- No [ ]

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

Are you proposing any change to public paths, public rights of way or affecting any public right of access? *

- Yes [x]
- No [ ]

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application site? 0

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

- 2

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

### Water Supply and Drainage Arrangements

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

- Yes [x]
- No [ ]

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

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

Do your proposals make provision for sustainable drainage of surface water?? *

- Yes [x]
- No [ ]

(e.g. SUDS arrangements) *

Note:-

Please include details of SUDS arrangements on your plans.

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.
Are you proposing to connect to the public water supply network? *
- [ ] Yes
- [ ] No, using a private water supply
- [x] No connection required

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

**Assessment of Flood Risk**

Is the site within an area of known risk of flooding? *
- [ ] Yes
- [x] No
- [ ] Don’t Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? *
- [ ] Yes
- [x] No
- [ ] Don’t Know

**Trees**

Are there any trees on or adjacent to the application site? *
- [ ] Yes
- [x] No

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

**Waste Storage and Collection**

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? *
- [ ] Yes
- [x] No

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

The rain water would be conducted to the gully system which is within my boundary to ensure no water was released onto the road.

**Residential Units Including Conversion**

Does your proposal include new or additional houses and/or flats? *
- [ ] Yes
- [x] No

**All Types of Non Housing Development – Proposed New Floorspace**

Does your proposal alter or create non-residential floorspace? *
- [ ] Yes
- [x] No

**Schedule 3 Development**

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013)*
- [ ] Yes
- [x] No
- [ ] Don’t Know

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

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

**Planning Service Employee/Elected Member Interest**

Is the applicant, or the applicant’s spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *
- [ ] Yes
- [x] 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: Mr Paolo Di Mambro

On behalf of:

Date: 12/06/2018

☐ Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

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

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

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application
Town and Country Planning (Scotland) Act 1997

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

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☒ Site Layout Plan or Block plan.
☒ Elevations.
☐ Floor plans.
☐ Cross sections.
☐ Roof plan.
☐ Master Plan/Framework Plan.
☒ Landscape plan.
☐ Photographs and/or photomontages.
☐ Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. *

☐ Yes ☒ N/A

A Flood Risk Assessment. *

☐ Yes ☒ N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *

☐ Yes ☒ N/A

Drainage/SUDS layout. *

☐ Yes ☒ N/A

A Transport Assessment or Travel Plan

☐ Yes ☒ N/A

Contaminated Land Assessment. *

☐ Yes ☒ N/A

Habitat Survey. *

☐ Yes ☒ N/A

A Processing Agreement. *

☐ Yes ☒ N/A

Other Statements (please specify), (Max 500 characters)
Declare – For Application to Planning Authority

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

Declaration Name: Mr Paolo Di Mambro
Declaration Date: 13/06/2018
COPIES OF OBJECTIONS/REPRESENTATIONS
Dear Mr Scott,

Town and Country Planning (Scotland) Act 1997 (as amended)  
Re: Formation of driveway incorporating reduction in ground levels and erection of boundary wall at 29 East Kilbride Road Busby East Renfrewshire G76 8JY

Thank you for consulting Network Rail regarding the above development.

Whilst Network Rail has no objections in principle to the proposal, due to its close proximity to the operational railway, we would request that the following matters are taken into account, and if necessary and appropriate included as advisory notes, if granting the application:

Construction works must be undertaken in a safe manner which does not disturb the operation of the neighbouring railway. Applicants must be aware of any embankments and supporting structures which are in close proximity to their development.

- Details of all changes in ground levels, laying of foundations, and operation of mechanical plant in proximity to the rail line must be submitted to Network Rail’s Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a “fail-safe” manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a “possession” which must be booked via Network Rail’s Asset Protection Engineer.

Network Rail
Town Planning
1st Floor George House
36 North Hanover Street
Glasgow
G1 2AD

Martin Henderson
Town Planning Technician

Planning reference: 2018/0385/TP
Case Officer: Derek Scott

E-Mail: TownPlanningScotland@networkrail.co.uk

Network Rail ref: 321 2018
12/09/2018

East Renfrewshire Council
Development Management Service
2 Spiersbridge Way
Thornliebank
Glasgow
G46 8NG
Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.

The developer must contact our Asset Protection Engineers regarding the above matters, see contact details below:

**Network Rail Asset Protection Engineer**
151 St. Vincent Street, GLASGOW, G2 5NW
Tel: 0141 555 4352
E-mail: AssetProtectionScotland@networkrail.co.uk

We trust full cognisance will be taken of these comments. We would be grateful if Local Planning Authorities would provide a copy of the Decision Notice.

Yours sincerely

---

Martin Henderson
Town Planning Technician
# Roads Service

**OBSERVATIONS ON PLANNING APPLICATION**

**Our Ref:** 2018/0385/TP  
**D.C Ref** Derek Scott  
**Contact:** Malcolm Matheson  
**Tel:** 0141-577-8431

<table>
<thead>
<tr>
<th>Planning Application No:</th>
<th>2018/0385/TP</th>
<th>Dated: 26/07/18</th>
<th>Received: 26/07/18</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Applicant:</strong></td>
<td>Mr Paolo Di Mambro</td>
<td></td>
<td></td>
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<tr>
<td><strong>Proposed Development:</strong></td>
<td>Formation of driveway incorporating reduction in ground levels and erection of boundary wall</td>
<td></td>
<td></td>
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<tr>
<td><strong>Location:</strong></td>
<td>29 East Kilbride Road, Busby, G76 8JY</td>
<td></td>
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<tr>
<td><strong>Type of Consent:</strong></td>
<td>Full Planning Permission</td>
<td></td>
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<tr>
<td><strong>Ref No. of Dwg.(s) submitted:</strong></td>
<td>As per Idox</td>
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## RECOMMENDATION

<table>
<thead>
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</thead>
<tbody>
<tr>
<td>(a) General principle of development</td>
<td>(a) Widths</td>
<td>(a) Drainage</td>
</tr>
<tr>
<td>(b) Safety Audit Required</td>
<td>(b) Pedestrian Provision</td>
<td>(b) Car Parking Provision</td>
</tr>
<tr>
<td>(c) Traffic Impact Analysis Required</td>
<td>(c) Layout (horizontal/vertical alignment)</td>
<td>(c) Layout of parking bays / Garages</td>
</tr>
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<td></td>
<td>(d) Turning Facilities (Circles / hammerhead)</td>
<td>(d) Servicing Arrangements/Driveways</td>
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<tr>
<td></td>
<td>(e) Junction Details (locations / radii / sightlines)</td>
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<td></td>
<td>(f) Provision for P.U. services</td>
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</tbody>
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## Reasons for Refusal

In the interest of road safety this Service has no option but to refuse this application.

The proposed development, if permitted, would involve the construction of a new vehicular access onto the A727 East Kilbride Road where visibility is severely restricted by the road’s existing horizontal alignment and would be likely to give rise to conditions detrimental to road safety.

The installation of a new access on to the A727 East Kilbride Road would result in the manoeuvring of vehicles on the adjoining road, taking access to or from the site, to the detriment of road safety.

## Comments

1(a) It is noted that the applicant decided to withdraw his previous planning application for the formation of a driveway at the same location – Planning application 2018/0102/TP.

2(a & b) The proposal is to form a new vehicular access on to the A727 for the property at 29 East Kilbride Road. The property sits in the apex of a triangle formed by the Glasgow to East Kilbride railway line to the northeast and the A727 district distributor road (East Kilbride Road) to the southwest, which carries in excess of 19,000 vehicles per day (as per Traffic Survey – 3606-SCO East Kilbride Road, Busby).

Given its unusual location, no vehicular access to the property currently exists and Cleansing advise that they do not service the property from East Kilbride Road.

2(d) The location being proposed for the new access lies west of a low bridge (signed 4.2m / 13’9” clearance) which carries the Glasgow to East Kilbride railway line. Northwest bound traffic approaching the bridge has to negotiate a left hand bend which restricts forward visibility to the site and adversely affects the achievable secondary direction visibility splay of the proposed access.
Due to the horizontal and vertical profile of the road, there is a double white line system installed on this section of the A727 from its junction with the B759 Carmunnock Road to a point 45 metres southeast of its junction with The Paddock. It should be noted that there are no other accesses to individual dwellings along this double white lined section of road or indeed, for some length thereafter.

Fronting the site and over most of the length of the double white line system, there is a ‘no waiting/no loading at any time restriction with sections of ‘no waiting; 8am – 6pm; Monday to Friday’ over the lengths of road opposite the site and Carmunnock Road.

Immediately northwest of the proposed access, and thus adversely impacting the primary direction visibility splay, is an existing lighting column (R9) and a bus stop with associated infrastructure including a bus shelter and a ‘no waiting’ bus stop marking.

If permitted the proposal would introduce right turn vehicular movements into and out of the site which would lead to an increased probability of rear end shunts as vehicles stop to execute a right turn into the site or, when executing a right turn out of the site, interfere with free flow traffic on the A727.

The required visibility for a 30mph road is 2.5m x 90m in both the primary and secondary directions with no interference allowed within the splay above a height of 1.05m. This can clearly not be achieved at the location being proposed for the new access. This is shown within Drawing 903, Rev I where the visibility in the primary direction is significantly less than required. It should be noted that the visibility splays here should be measured to the edge of the nearside carriageway.

For the secondary direction the shown 2.5 x 90m visibility splay is through private land which the applicant has no control over.

Drawing no. 904 shows other junctions / accesses within the Busby area. It is noted that the visibility splays are incorrect as they have not been taken from the correct points. For example the visibility splay for the A727 East Kilbride Road / B759 Carmunnock Road has not been measured from the existing give way line, and 65 East Kilbride Road’s driveway junction has not been measured from the edge of the kerb which separates the carriageway from the footway.

The applicant must under the terms of The Roads (Scotland) Act 1984, apply to this Service for a Section 56 ‘Road Opening Permit’ to carry out the proposed works.

This Roads Service has considered all of the plans submitted with planning application 2018/0385/TP as well as the following supporting statements/information/emails from the applicant:

22/6 Speed data measured by applicant
1/8 email – example of other driveway
7/8 email – example of other driveway
9/8 University of Plymouth paper on calculating speed on a bend
10/8 email re visibility
13/8 email re Designing Streets
13/8 email re Designing Streets
13/8 email re visibility
14/8 email re Designing Streets
14/8 Supporting Statement by applicant
17/8 email re Designing Streets
17/8 Supporting Statement by applicant
19/8 email covering additional info submitted
20/8 email re bus stop
20/8 Supporting Document – excerpt from Designing Streets
20/8 Supporting Document – National Roads Development Guide
20/8 Supporting Document – Weather
20/8 Supporting Statement from applicant
21/8 further email re bus stop
27/8 email re right turn into driveway
5/9 email re table in National Roads Development Guide.

Designing Streets (Scottish Government) and the National Roads Development Guide are both guidance documents.
Designing Streets defines ‘roads’ as, ‘thoroughfares whose main function is to facilitate the movement of motor traffic.’

Designing Streets defines ‘streets’ - ‘Streets have important public realm functions beyond those related to motor traffic. They are typically lined with buildings and public spaces and, whilst facilitation of movement is still a key function, they normally support a range of social, leisure, retail and commercial functions.’

With reference to the above definitions ERC Roads would define A727 East Kilbride Road at this section as a ‘road’ and therefore this guidance is not appropriate in considering this application.

Also, ‘Designing Streets is expected to be used predominantly for the design, construction, adoption and maintenance of new streets, but it is also applicable to existing streets subject to re-design.’ Regardless of the A727 East Kilbride Road not being considered a ‘street’ at this location this planning application does not include a street (or road) re-design therefore again, Design Streets is not appropriate in considering this application.

Section 1.2 of the National Roads Development Guide states that, ‘The National Roads Development Guide provides advice and does not set out any new policy or legal requirements.’

As evidenced above, this Service has a number of road safety concerns with regard to this proposal and has no option therefore, but to recommend refusal.

Notes for Intimation to Applicant:

| (i) Construction Consent (S21)* | Not Required |
| (ii) Road Bond (S17)* | Not Required |
| (iii) Road Opening Permit (S56)* | Required |

* Relevant Section of the Roads (Scotland) Act 1984

Comments Authorised By: John Marley  Date: 14.09.18
pp Environmental Services Manager
Application Summary
Application Number: 2018/0385/TP
Address: 29 East Kilbride Road Busby East Renfrewshire G76 8JY
Proposal: Formation of driveway incorporating reduction in ground levels and erection of boundary wall
Case Officer: Mr Derek Scott

Customer Details
Name: Mr Richard Allison
Address: 440 castle gait, paisley pa1 2he

Comment Details
Commenter Type: Member of Public
Stance: Customer made comments neither objecting to or supporting the Planning Application
Comment Reasons:
Comment:I wish to have this application reviewed by committee to check visibility splay requirements
Comments for Planning Application 2018/0385/TP

Application Summary
Application Number: 2018/0385/TP
Address: 29 East Kilbride Road Busby East Renfrewshire G76 8JY
Proposal: Formation of driveway incorporating reduction in ground levels and erection of boundary wall
Case Officer: Mr Derek Scott

Customer Details
Name: Mr Claudio Bernacchi
Address: 29 East Kilbride Road, Busby, East Renfrewshire G76 8JY

Comment Details
Commenter Type: Member of Public
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment: I object that my from what my uncle says local engineers are ignoring national guidance.
Application Summary
Application Number: 2018/0385/TP
Address: 29 East Kilbride Road Busby East Renfrewshire G76 8JY
Proposal: Formation of driveway incorporating reduction in ground levels and erection of boundary wall
Case Officer: Mr Derek Scott

Customer Details
Name: Mrs Fiona Black
Address: 4Magnolua Gardens, Motherwell, Glasgow ML1 5TL

Comment Details
Commenter Type: Member of Public
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:I wish to have this application reviewed by committee to check visibility splay requirements
Comments for Planning Application 2018/0385/TP

Application Summary
Application Number: 2018/0385/TP
Address: 29 East Kilbride Road Busby East Renfrewshire G76 8JY
Proposal: Formation of driveway incorporating reduction in ground levels and erection of boundary wall
Case Officer: Mr Derek Scott

Customer Details
Name: Miss Suzan Bono
Address: 60 Castleton Drive, Newton Mearns, East Renfrewshire G77 5LE

Comment Details
Commenter Type: Member of Public
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment: I have stayed in Uncle Paul’s house many times. He would create a lovely new house when he gets the chance for him and his family. He tells me that a strange anomaly has come out where national rules don't match local ones. He fits in the national rules. I think a committee review is required.
Comments for Planning Application 2018/0385/TP

Application Summary
Application Number: 2018/0385/TP
Address: 29 East Kilbride Road Busby East Renfrewshire G76 8JY
Proposal: Formation of driveway incorporating reduction in ground levels and erection of boundary wall
Case Officer: Mr Derek Scott

Customer Details
Name: Mr Graeme Church
Address: 67 Lesmuir Drive, Glasgow G14 0EF

Comment Details
Commenter Type: Member of Public
Stance: Customer made comments neither objecting to or supporting the Planning Application
Comment Reasons:
Comment: I wish to have this application reviewed by committee to check visibility splay requirements.
To Whom It May Concern,

I am writing to you with regards to the proposed formation of driveway incorporating a reduction in ground levels and erection of boundary wall at 29 East Kilbride Road, Busby, East Renfrewshire. G76 8JY

Application number: 2018/0385/TP
Application Location: 29 East Kilbride Road, Busby, East Renfrewshire. G76 8JY

Unfortunately I feel I have to object to these proposals due to the road safety issues it would cause. The positioning of the property is on a blind bend of a very busy main road, with the train station bridge right beside it, with high traffic levels and that traffic driving at speed meaning traffic coming in and out of the proposed driveway would cause safety issues, insufficient reaction time for drivers and therefore a high chance of accident. It is also the only side of the road at that point that has a pavement for pedestrians to walk on. Given these factors I feel it would cause a serious safety issue for road users and pedestrians, and therefore I feel I have to object to these plans.

Yours Sincerely,
Patricia Collum-Friel
Comments for Planning Application 2018/0385/TP

Application Summary
Application Number: 2018/0385/TP
Address: 29 East Kilbride Road Busby East Renfrewshire G76 8JY
Proposal: Formation of driveway incorporating reduction in ground levels and erection of boundary wall
Case Officer: Mr Derek Scott

Customer Details
Name: Mr Brian Corbett
Address: 11 Stamperland Crescent, Clarkston, East Renfrewshire G76 8LQ

Comment Details
Commenter Type: Member of Public
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment: I wish to have this application reviewed by committee to check visibility splay requirements
Comments for Planning Application 2018/0385/TP

Application Summary
Application Number: 2018/0385/TP
Address: 29 East Kilbride Road Busby East Renfrewshire G76 8JY
Proposal: Formation of driveway incorporating reduction in ground levels and erection of boundary wall
Case Officer: Mr Derek Scott

Customer Details
Name: Mr Ian Danskin
Address: 191 maxwell avenue, Glasgow G61 1hs

Comment Details
Commenter Type: Member of Public
Stance: Customer made comments neither objecting to or supporting the Planning Application
Comment Reasons:
Comment: Not enough info
Application Summary
Application Number: 2018/0385/TP
Address: 29 East Kilbride Road Busby East Renfrewshire G76 8JY
Proposal: Formation of driveway incorporating reduction in ground levels and erection of boundary wall
Case Officer: Mr Derek Scott

Customer Details
Name: Miss Alicia Di Mambro
Address: 60 Castleton Drive, Newton Mearns, East Renfrewshire G77 5LE

Comment Details
Commenter Type: Member of Public
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:I dont know what to write but i think i like a committee hearing
Comments for Planning Application 2018/0385/TP

Application Summary
Application Number: 2018/0385/TP
Address: 29 East Kilbride Road Busby East Renfrewshire G76 8JY
Proposal: Formation of driveway incorporating reduction in ground levels and erection of boundary wall
Case Officer: Mr Derek Scott

Customer Details
Name: Mr Anthony Di Mambro
Address: 60 Castleton Drive, Newton Mearns, East Renfrewshire G77 5LE

Comment Details
Commenter Type: Member of Public
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment: Uncle has advised me this needs access to a committee and I object that I need to write this
Application Summary
Application Number: 2018/0385/TP
Address: 29 East Kilbride Road Busby East Renfrewshire G76 8JY
Proposal: Formation of driveway incorporating reduction in ground levels and erection of boundary wall
Case Officer: Mr Derek Scott

Customer Details
Name: Miss Beverly Di Mambro
Address: 60 Castleton Drive, Newton Mearns, East Renfrewshire G77 5LE

Comment Details
Commenter Type: Member of Public
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment: Am just not happy
Comments for Planning Application 2018/0385/TP

Application Summary
Application Number: 2018/0385/TP
Address: 29 East Kilbride Road Busby East Renfrewshire G76 8JY
Proposal: Formation of driveway incorporating reduction in ground levels and erection of boundary wall
Case Officer: Mr Derek Scott

Customer Details
Name: Mrs Bridget Di Mambro
Address: 60 Castleton Drive, Newton Mearns, East Renfrewshire G77 5LE

Comment Details
Commenter Type: Member of Public
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment: Brother in law is advising me that there is a lack of rule following. Been told best looked at by the committee
Comments for Planning Application 2018/0385/TP

Application Summary
Application Number: 2018/0385/TP
Address: 29 East Kilbride Road Busby East Renfrewshire G76 8JY
Proposal: Formation of driveway incorporating reduction in ground levels and erection of boundary wall
Case Officer: Mr Derek Scott

Customer Details
Name: Mr Frank Di Mambro
Address: 60 Castleton Drive, Newton Mearns, East Renfrewshire G77 5LE

Comment Details
Commenter Type: Member of Public
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment: This is an issue for the committee
Application Summary
Application Number: 2018/0385/TP
Address: 29 East Kilbride Road Busby East Renfrewshire G76 8JY
Proposal: Formation of driveway incorporating reduction in ground levels and erection of boundary wall
Case Officer: Mr Derek Scott

Customer Details
Name: Mr Frank Jnuior DiMambro
Address: 60 Castleton Drive, Newton Mearns, East Renfrewshire G77 5LE

Comment Details
Commenter Type: Member of Public
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:I think having listed to my uncles reasoned argument. That there is an issue that needs a planning committee to look at.
Comments for Planning Application 2018/0385/TP

Application Summary
Application Number: 2018/0385/TP
Address: 29 East Kilbride Road Busby East Renfrewshire G76 8JY
Proposal: Formation of driveway incorporating reduction in ground levels and erection of boundary wall
Case Officer: Mr Derek Scott

Customer Details
Name: Ms Marina di mambro
Address: 118 Burnside crescent, blantyre G720LE

Comment Details
Commenter Type: Member of Public
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:I wish to have this application reviewed by committee to check visibility splay requirements
Comments for Planning Application 2018/0385/TP

Application Summary
Application Number: 2018/0385/TP
Address: 29 East Kilbride Road Busby East Renfrewshire G76 8JY
Proposal: Formation of driveway incorporating reduction in ground levels and erection of boundary wall
Case Officer: Mr Derek Scott

Customer Details
Name: Mr Paolo Di Mambro
Address: 29 East Kilbride Road, Busby, East Renfrewshire G76 8JY

Comment Details
Commenter Type: Member of Public
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment: As the home owner i am not objecting to the application as i have provided many case of it being safe. But what i require is a Committee hearing to review the applicability of Designing streets. The versification that national guidelines on residential streets are safe. This can only be conducted at a higher level than local level given that in discussions there seems to be an argument that Designing streets is only for new developments and is only applicable to these. So existing streets are not governed by this document. Despite the document stating its for the redesign of existing roads. So any new creation on a road be it existing or fully newly created should be governed by the same document. No exceptions.

A committee hearing i feel needs to be created to answer this question. As its far greater than Mr Scott. He is a hard working individual but the scope of this has legal implications on if Designing streets is limited to full new roads or all new road developments. So instead of one road standard you create an environment of many tiers or standards. To answer this question is important.

For this reason i object to this application and wish it to be referred to committee.
Comments for Planning Application 2018/0385/TP

Application Summary
Application Number: 2018/0385/TP
Address: 29 East Kilbride Road Busby East Renfrewshire G76 8JY
Proposal: Formation of driveway incorporating reduction in ground levels and erection of boundary wall
Case Officer: Mr Derek Scott

Customer Details
Name: Mr Yen Di Mambro
Address: 29 East Kilbride Road, Busby, East Renfrewshire G76 8JY

Comment Details
Commenter Type: Member of Public
Stance: Customer made comments in support of the Planning Application
Comment Reasons:
Comment:I wish this to be put up for committee review.
Application Summary
Application Number: 2018/0385/TP
Address: 29 East Kilbride Road Busby East Renfrewshire G76 8JY
Proposal: Formation of driveway incorporating reduction in ground levels and erection of boundary wall
Case Officer: Mr Derek Scott

Customer Details
Name: Mr Alastair Dunlop
Address: 27 Waverley Gardens, Glasgow G41 2DW

Comment Details
Commenter Type: Member of Public
Stance: Customer made comments neither objecting to or supporting the Planning Application
Comment Reasons:
Comment: I would suggest this application be reviewed by a Planning Committee to check the applicable visibility splay Scottish Government requirements.
Comments for Planning Application 2018/0385/TP

Application Summary
Application Number: 2018/0385/TP
Address: 29 East Kilbride Road Busby East Renfrewshire G76 8JY
Proposal: Formation of driveway incorporating reduction in ground levels and erection of boundary wall
Case Officer: Mr Derek Scott

Customer Details
Name: Mr Patrick Kieran
Address: 101, Stockiemuir Ave, Glasgow G61 3LX

Comment Details
Commenter Type: Member of Public
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:I don't think this is a good idea at all and National Guidelines need to be applied.
Application Summary
Application Number: 2018/0385/TP
Address: 29 East Kilbride Road Busby East Renfrewshire G76 8JY
Proposal: Formation of driveway incorporating reduction in ground levels and erection of boundary wall
Case Officer: Mr Derek Scott

Customer Details
Name: Mr Fraser Richardson
Address: 26 northland drive, Scotstoun, Glasgow G14 9BA

Comment Details
Commenter Type: Member of Public
Stance: Customer made comments neither objecting to or supporting the Planning Application
Comment Reasons:
Comment: There is limited information on this
**Application Summary**

Application Number: 2018/0385/TP  
Address: 29 East Kilbride Road Busby East Renfrewshire G76 8JY  
Proposal: Formation of driveway incorporating reduction in ground levels and erection of boundary wall  
Case Officer: Mr Derek Scott

**Customer Details**

Name: Mr Scott Richardson  
Address: 46 glendaruel avenue, Glasgow G612pr

**Comment Details**

Commenter Type: Member of Public  
Stance: Customer made comments in support of the Planning Application  
Comment Reasons:  
Comment: This application ought to be reviewed by committee chiefs to review the visibility splay requirements and any available drawings.
Beverly Di Mambro  
60 Castleton Drive  
Glasgow  
G775LE  

05/10/2018  

Ref No : Review/2018/21  
Location : 29 East Kilbride Road, Busby, East Renfrewshire  
Proposal : Formation of driveway incorporating reduction in ground levels and erection of boundary wall  

To whom it may concern,  

I would like to advice that I am writing with support from the other individuals who made a representation and were cast aside.  

The matter I wish to show is that in a residential area Designing streets should apply as not to do so would be unsafe. I read roads reply with dismay. I will explain why but first wish to introduce Designing streets.  

Designing streets is a document(guidance) created by the Scottish National Government to help in developing a safe and inclusive roads network. It is to be used in every road, street, drive etc in a residential area regardless of traffic flow as stated in the guidance. The guidance was created after a substantial amount of research was directed into investigating car accidents and traffic control.  

Now I would like to show why I am alarmed at the roads reply. The figures provided by the roads department for a visibility splay of 1.05M by 2.5M by 90M which would be considered dangerous in a residential area. For the road's department they are safe but for a section where there is potential for young children to be walking as would be the case in a residential area they are unsafe as I wish to show with a simple but factual example.  

Why would 1.05M by 2.5M by 90M be unsafe?  

If we consider a situation which presents itself a lot and I have seen on a number of occasions at 29 East Kilbride Road. A father with 2 children, 1 in a pram the other walking ahead. Note : A child takes 4-5 years to reach 1.05M. Walking along the pavement in front of 29 East Kilbride road or any residential street.  

Would a driver leaving 29 East Kilbride road see the young child of 4 a few paces in front of the dad. If the wall to the house is 1.05M high and the visibility stretches to 90M. The roads department would class this as safe. Designing streets would not. Given the driver will not be able to observe the child, who is obscured by the wall, could start to maneuver out of his drive way. The child and driver are now in a vulnerable position. The child is now running the risk of colliding with a moving vehicle. How can this be classed as safe.  

Designing street would set the requirement from 1.05M to 60CM as a child would take to 4 Months to reach that height. I think it would be safe to say at 4 Months a child will not be walking a few paces in
front of his parent. The risk of a child being run over in this circumstances has been eliminated.

Designing streets then looked at the other visibility requirements. Instead of 90M it set a figure of 43M in a 30 MPH zone. The reason for this is that in the research to create designing streets it showed that the braking distance to safely stop in a 30MPH zone was 43M. So there was no requirement to set this to 90M. As it would not make the situation any safer. As at 30MPH the driver will stop within 43M of observing an obstruction. It would just mean the driver would stop 37M further away and not add any efficiency into the safety of any proposal.

The other requirement of 2.5M was an undefined arbitrary figure created for roads and bridges. There is little difference in this figure but Designing streets set this to be 2.4M. Which was more related to bonnet length.

I asked for this to go to committee to ensure awareness to the fact that Designing streets be used on all residential roads, streets etc. As to not use the well prepared and researched guidance would be a major failing in East Renfrewshire. The figures have been robustly created by the national government from detailed and proper research. As I show in a simple real life event that I have seen. Roads figures are unsafe.

Thank you for your time,

Beverly Di Mambro.
REPORT OF HANDLING
REPORT OF HANDLING

Reference: 2018/0385/TP  Date Registered: 23rd July 2018

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

Ward: 4 - Clarkston, Netherlee And Williamwood
Co-ordinates: 258177/:656517

Applicant/Agent:
Applicant: Mr Paolo Di Mambro
29 East Kilbride RD
Glasgow
Scotland
G76 8JY

Agent: No objection. Requests advisory notes to be attached to any planning permission granted to ensure the safe operation of the adjacent railway.

CONSULTATIONS/COMMENTS:

Network Rail  No objection. Requests advisory notes to be attached to any planning permission granted to ensure the safe operation of the adjacent railway.

East Renfrewshire Council Roads Service  Refuse on the grounds of public road safety.

PUBLICITY:  None.

SITE NOTICES:  None.

SITE HISTORY:

2018/0102/TP  Formation of driveway  Withdrawn  16.05.2018

2018/0299/TP  Erection of two storey rear extension  Refused  06.07.2018

REPRESENTATIONS:

21 representations have been received in respect of the application of which 14 have been submitted as objections, 2 in support and 5 neither objecting nor supporting the application. The representations are summarised as follows.
Objections

Detrimental to public road safety
Unhappy at proposal
Proposal not a good idea
National guidelines should be applied
Application should be determined by the Planning Applications Committee

In support

To be reviewed by committee to review the visibility splay requirements and any available drawings

Neither objecting to or supporting the application

Not enough information/limited information
The application should be reviewed by the Planning Committee to check the applicable visibility splays in line with Scottish Government requirements

It should be noted that the Council’s approved Scheme of Delegated Functions requires “local” developments to be determined by the Planning Applications Committee if 10 or more objections have been received. There are 14 representations that have been submitted as objections however only one of the representations contains grounds of objection that relates to public road safety. Two others cite displeasure at the application but give no reason and the remaining 11 are requests to have the application determined by the Planning Applications Committee.

It is considered that objections that do not challenge the granting of planning permission on material planning grounds but which merely seek to drive procedure are not objections in the true sense. They would not therefore count towards the threshold requiring the application to be considered by the Planning Applications Committee as set out in the Council’s approved Scheme of Delegated Functions. The Scheme of Delegated Functions does not allow for applicants or objectors to request that an application be determined by the Planning Applications Committee.

It is considered that this application is to be determined under delegated powers in accordance with the approved Scheme of Delegated Functions.

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING TECHNICAL INFORMATION, STATEMENTS, PLANS AND EMAILS:

Speed data measurements of traffic on East Kilbride Road – Data gathered by applicant outside 29 East Kilbride Road on 4/6/2018.

Excerpts from an academic paper from the University of Plymouth titled “How fast can you drive round a bend?” – Mathematical formulae and a table of results.

Supporting statement from applicant (14/8/2018) – Concludes that the proposed visibility splay is adequate.

Supporting statement from applicant (17/8/2018) – Gives the applicant’s view as to why Designing Streets should apply in this instance and concludes that the proposal would not impact on public road safety.

Supporting statement from applicant (21/8/2018) – States that traffic turning into proposed driveway would not cause accidents.
Supporting documents – excerpts from Designing Streets with covering email stating proposed visibility splay is adequate; excerpt from the National Roads Development Guide (without comment); and weather data on day of applicant’s traffic count (without comment).

In addition, thirteen emails have been received from the applicant between 1 August 2018 and 5 September 2018. The emails argue the merits of the case in terms of public road safety and reference Designing Streets and the National Roads Development Guide.

Drawing 901 – Swept path analysis showing cars entering and exiting the proposed driveway and turning west.

Drawing 902 – Swept path analysis showing cars entering and exiting the proposed driveway and turning east.

Drawing 903 Rev I – Drawing showing achievable visibility splays.

Drawing 903 – Drawing showing examples of visibility splays elsewhere on East Kilbride Road.

**ASSESSMENT:**

The application site comprises a detached two storey dwelling and its curtilage and lies to the north side of the A727 East Kilbride Road, Busby, within an established residential area. The Glasgow to East Kilbride Railway sits elevated immediately to the east of the site and crosses the A727 East Kilbride Road via an overbridge. The railway overbridge lies 10 metres to the east of the application site. Flatted properties with their maintained common areas lie to the west and north of the site. The A727 is a district distributor road.

The curtilage was until recently characterised by established trees and shrubs although the applicant has cleared the entire site and formed areas of hardstanding. The property has a 1.4 metre high sandstone retaining wall that used to run along the entire frontage of the site with East Kilbride Road. The applicant has partially removed this and re-graded some of the ground in front of the dwelling to the level of the adjacent footway with a view to creating a vehicular access. Having been advised that the formation of an access onto a classified road, as well as the earthworks that have been carried out require planning permission, the applicant has ceased work on the formation of the access and positioned large stones to prevent vehicles entering the site. Historically there was no vehicular access to the property. The dwelling is unoccupied having recently been purchased by the applicant.

Planning permission is sought for the formation of driveway incorporating a reduction in ground levels and for the erection of a boundary wall. The access is proposed to be formed 5 metres wide with a dropped kerb at the western-most part of the frontage of the site. The earthworks that have been carried out involve the excavation of soil along the frontage of the site, re-grading the pre-existing ground to form a slope of 9 degrees from the dwelling down to the level of East Kilbride Road. The proposed boundary wall would stand 0.5 metres high and lie 0.6 metres further into the site from the alignment of the existing wall. The remainder of the wall is proposed to be reduced to 0.5 metres in height with the ground behind re-graded. An in-curtilage turning area and two car-parking spaces are proposed.

The application requires to be assessed against Policy D1 of the adopted East Renfrewshire Local Development Plan. Policy D1 requires that all development should not result in a significant loss of character to the surrounding area and that the Council’s parking and access requirements are met.
It is considered that the visual amenity of the site is relatively poor in comparison to the amenity of the surrounding area. However this is due to the fact that the dwelling has been unoccupied and unmaintained for some time and that the applicant has ceased the works. If the application is considered to be acceptable, details of the finish of the driveway and the retaining wall and a landscaping scheme can be submitted for further approval. This would ensure that the development is acceptable in appearance and in keeping with the character and visual amenity of the wider area.

The proposal must now be considered with regard to public road safety. The Council’s Roads Service has recommended that the application is refused on the grounds of public road safety. Roads Service advises that the development, if permitted, would involve the construction of a new vehicular access onto the A727 East Kilbride Road where visibility is severely restricted by the existing horizontal alignment of the road and would be likely to give rise to conditions detrimental to road safety.

Due to the horizontal and vertical profile of the road, there is a double white line system installed on this section of the A727 from its junction with the B759 Carmunnock Road to a point 45m southeast of its junction with The Paddock. It should be noted that there are no other accesses to individual dwellings along this double white lined section of road or indeed, for some length thereafter.

The advice from the Roads Service also states that if permitted the proposal would introduce right turn vehicular movements into and out of the site which would lead to an increased probability of rear end shunts as vehicles stop to execute a right turn into the site or, when executing a right turn out of the site, interfere with free flow traffic on the A727.

The Roads Service also advised that the required primary visibility splay cannot be achieved at the location of the new access. In the secondary direction the visibility splay is through private land which the applicant has no control over.

The Roads Service therefore has significant roads safety concerns about the proposals. The Council's access requirements cannot therefore be met and the development is therefore contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan.

As noted above, the applicant has submitted various supporting statements and technical data in support of the application. The technical data includes speed measurements taken on East Kilbride Road, examples of visibility splays elsewhere on East Kilbride Road, excerpts from an academic paper by the University of Plymouth titled "How fast can you drive round a bend" and excerpts from the National Roads Development Guide. The applicant has also submitted excerpts from the Scottish Government's Policy Document "Designing Streets". The supporting statements are the applicant's interpretation of the technical data and reference how he considers it relates it to this proposal. Supporting drawings showing measurements of the bend on East Kilbride Road as it passes under the railway overbridge, visibility splays at the site and swept path analyses showing vehicles entering and exiting the site have also been submitted. All of this data, and the emails from the applicant that relate to it and that are listed above and the supporting drawings and plans have been considered by the Council's Roads Service prior to providing their consultation response.

The Policy Document "Designing Streets" relates to the design, construction, adoption and maintenance of new streets. It can also be applicable to existing streets that are subject to redesign. The current application is for the formation of an access onto an existing road which is
not subject to a comprehensive redesign. It is therefore considered that Designing Streets has little weight in the determination of this application. The excerpts from the document that the applicant has brought to the attention of the planning authority, regardless of their interpretation, do not therefore outweigh the Local Development Plan and the advice of the Roads Service.

The following comments are made in respect of the representations not specifically addressed above. One objector states they are not happy with the proposal and another states that the proposal is not a good idea. However no reasons are given in either case. It is considered that there is sufficient information to determine the application with sufficient information available to allow the Council’s Roads Service to submit its consultation response.

Overall conclusion

The proposal is considered contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan as the proposed access, given its location on a section of East Kilbride Road where visibility is severely restricted by the road’s horizontal alignment, would be detrimental to public road safety. There are no material planning considerations that would outweigh this policy and allow the application to be approved.

RECOMMENDATION: Refuse

PLANNING OBLIGATIONS: None

REASON FOR REFUSAL:

1. The proposal is contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan as the access would be detrimental to public road safety given its location on a section of East Kilbride Road where visibility is severely restricted by the horizontal alignment of the road.

ADDITIONAL NOTES: None.

ADDED VALUE: None

BACKGROUND PAPERS:

Further information on background papers can be obtained from Mr Derek Scott on 0141 577 3034.

Ref. No.: 2018/0385/TP (DESC)

DATE: 17th September 2018

DIRECTOR OF ENVIRONMENT

Reference: 2018/0385/TP - Appendix 1

DEVELOPMENT PLAN:

Strategic Development Plan
This proposal raises no strategic issues in terms of the Glasgow and the Clyde Valley Strategic Development Plan and therefore the East Renfrewshire Local Plan is the relevant policy document.
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.

GOVERNMENT GUIDANCE: None

Finalised 17/09/18 AC(3)
DECISION NOTICE

AND

REASONS FOR REFUSAL
REFUSAL OF PLANNING PERMISSION

Ref. No. 2018/0385/TP

Applicant: Mr Paolo Di Mambo
             29 East Kilbride Road
             Glasgow
             Scotland
             G76 8JY

Agent: 

With reference to your application which was registered on 23rd July 2018 for planning permission under the abovementioned Act and Regulations for the following development, viz -

Formation of driveway incorporating reduction in ground levels and erection of boundary wall

at: 29 East Kilbride Road, Busby, East Renfrewshire, G76 8JY

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 Policy D1 of the adopted East Renfrewshire Local Development Plan as the access would be detrimental to public road safety given its location on a section of East Kilbride Road where visibility is severely restricted by the horizontal alignment of the road.

Dated 17th September 2018

Director of Environment
East Renfrewshire Council
2 Spiersbridge Way,
Spiersbridge Business Park,
Thornliebank,
G46 8NG
Tel. No. 0141 577 3001

The following drawings/plans have been refused

<table>
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<tr>
<th>Plan Description</th>
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<th>Drawing Version</th>
<th>Date on Plan</th>
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<td>Location Plan</td>
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<td>Block Plan Proposed</td>
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<tr>
<td>Elevations Proposed</td>
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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 3895 or 0141 577 3873
Email planning@eastrenfrewshire.gov.uk
NOTICE OF REVIEW

AND

STATEMENT OF REASONS
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 100124763-018

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)*

- [x] Applicant
  - [ ] Agent

## Applicant Details

Please enter Applicant details

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<thead>
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<th>Field</th>
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<tr>
<td>Title</td>
<td>Mr</td>
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<tr>
<td>Other Title</td>
<td></td>
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<tr>
<td>First Name: *</td>
<td>Paolo</td>
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<tr>
<td>Last Name: *</td>
<td>Di Mambro</td>
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<td>Company/Organisation</td>
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<tr>
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<tr>
<td>Address 1 (Street): *</td>
<td>East Kilbride RD</td>
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<tr>
<td>Address 2:</td>
<td></td>
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<tr>
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<td>Glasgow</td>
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<tr>
<td>Country: *</td>
<td>Scotland</td>
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<tr>
<td>Postcode: *</td>
<td>G76 8JY</td>
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</table>
### Site Address Details

**Planning Authority:** East Renfrewshire Council

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

- **Address 1:** 29 EAST KILBRIDE ROAD
- **Address 2:** BUSBY
- **Address 3:**
- **Address 4:**
- **Address 5:**

**Town/City/Settlement:** GLASGOW

**Post Code:** G76 8JY

Please identify/describe the location of the site or sites

Northing: 656517  Easting: 256177

### 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)

I am looking to create a vehicular access onto East Kilbride road. This is achieved by removing 10M of wall, create an opening of 5M and rebuild a new wall 60CM back. Creating a pavement of 2M for 10M. Then taking the rest of the current wall frontage with East Kilbride road down to 50CM. Internally reduce the soil level and create a grilly at the opening to catch all rain water from site. Then with the help of Mr Adams of road and lighting re-locate the infrastructure to ensure visibility splay.

### Type of Application

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

- [x] 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.

I will be providing a supporting statement. I ask for the review as the planners are not following national guidelines for a safe drive way. They are also not taking into account the requirement of parking in the location which is substantially lacking. National guide lines set a safe visibility splay at 80CM by 2.4M by 43M. The reason why they moved from 1.05M by 2.5M by 90M was firstly its dangerous for small children and secondly this figure was not backed by research. My figures are.

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)*

I wish to add the road speed data, the visibility splay data and a supporting statement.

Application Details

Please provide details of the application and decision.

What is the application reference number? *

2018/0385/TP

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

13/06/2018

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

17/09/2018
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 Paolo Di Membro

Declaration Date: 25/09/2018
Statement in support of my application:

Firstly I added the relevant sections of the national road development guide and designing streets. They are very large documents so I have taken the relevant pages for this statement to add as supporting documents that will allow you to see if the Scottish government would define East Kilbride road as a road or a street. The name of the road be it Road, street, avenue, drive etc does not matter its function matters.

Firstly before I explain more about the section of East kilbride road being defined as a street let me pass comment to the road’s objections.

Before I start I would also like to remind the roads services that this is a new connection to East Kilbride road. So the guidance currently in place should be adopted. Which is designing streets. The question should be asked is the proposal safe. What visibility splay is safe for a vehicle to stop? Guidance in Designing streets put this figure at 43M at 30MPH. I surpass this with a slower traffic speed than 30MPH which means following guidance the proposal is safe. The actual speed in under 30MPH(which this section is actually substantially slower). I enclosed the speed test and visibility splays with my appeal as they have not been put on public display.

The bin's collections while I appreciate the interest in my refuge provisions I am unsure why this is referenced in a road consultation. Personally I have never lived at 29 East Kilbride road and had the opportunity to empty my bins as I would not be able to bring my family to live there as it currently is but I have been advised my bins are emptied within Printerland the development beside mine. I hope that helps the roads department with where my bins are collected. Since they do seem to take interest in this.

The other point of no other residential drive ways is close to the proposed drive way would be because the property is not close to another residential house. So the comment there is no vehicular access along the double line formation is a strange observations. Yes its true but I find it has no bearing. There is junctions with substantially more through put than a residential house. This property would create 15 movements a day. Nothing close to the junctions of the B759 as an example or over the double white line into the railways stations parking and commercial units. Are you saying due to the fact many years ago no one built a house close to the proposed location that the location does not deserve an ability to park and relieve parking tension in the location.

The question of rear end shunts I believe I answered with the supporting statement that cars are doing an equivalent to a right hand turn into my drive way. I have asked to have that statement included with this statement. I hope you can have a read over this statement. There has been zero accidents in the last 10 years at my drive way. So it should be no different with the 5 possible right hand turns I would make. Every drive way will have a right turn into it and out from it at some point.

The other items I have been told by Mr Adams of road and lighting that once approved he will move the items mentioned that are currently in my visibility splay at my full cost. Which i am more than happy to pay. This will mean the council has new infrastructure and long term savings as the infrastructure would have longer longevity.

The roads department questions the accuracy of the visibility splay of the B759 and 65 East Kilbride road, a planning application approved in 2017. If the visibility splay of the B759 and 65 East Kilbride road is wrong. I would like to see the visibility splay roads have. As they will not be out by much. The B759 and 65 East Kilbride road has a visibility splay of about 20M. It would need to be a substantial error in measurement from a civil engineer to be out by over 2 times to just meet current guidance. At this point I would like to say my drive way meets and passes current guidance.
I also find it annoying that the semantics of a definition of a street or road is being used to refuse this application on safety. The fact that all said and done the guidance puts a safe visibility for a 30MPH zone at 2.4 by 43M with a vertical view at 60CM. Proves the safety of a driveway having a visibility splay of over 43M as safe in a 30MPH zone.

I agree that the national road development guide is a guide not enforceable in law but it is the guide by which all new developments need to adhere to or what was the point the government spending a considerable amount of money creating the guidance. The national government would not create policy guidance that was unsafe. The point I am making is my proposal is safe.

So let me examine the national road development guide and see its content to see the definition of East Kilbride road.

1. I think we can most certainly agree that East Kilbride road is within a urban boundary.

2. I think we can again most certainly agree that the speed of the road is 30MPH.

If we look at the 2 graphs which the national development guide gives in connection to how to apply designing street. You can have high movement but with a speed under 60KPH designing street applies. It does state though that this diagram is not the complete picture. Although if you go to the visibility splay information on Designing streets it is. It is to be used independent of traffic flow for speeds under 60KPH. I am most certainly not disagreeing that East Kilbride road is not a busy road. But how does a busy road make a person's time to brake increase. How can a car traveling on the road before your car make you take longer to stop. How can 1 car being on the road before your car or 100000 cars for that matter have an impact on your braking time. As the visibility splay is based on the safe distance for a car to stop. Another car can't change the reaction time and breaking system deceleration of the car to stop. That can only be influenced by the driver and vehicle's speed as well as the vehicles breaking system. Another car traveling on the road has no bearing on your safe breaking distance. Which takes into account a lot of variables to ensure a lot of buffer is added when giving a safe distance to stop. So this figure does not change with traffic flow. In Designing streets it suggest it should be used for every road with a speed lower than 60KPH regardless of traffic flow.

Although that being said the national guide does create another diagram to take into account traffic flow. It could be argued this is for sections with a speed substantially greater than 30MPH. But I am happy to look at this diagram too. So in this diagram it wishes to establish place importance. So sections that have no local content. It is in an urban area but act solely for going from one location to another. A through put section. Which would be the definition of a road. The national road development guide shows how place importance can change along a section of road. So while one section can have zero importance be classed as a road another section along the same road can be classed as a street. I enclosed the relevant page of the national road development guide.

My section does not show this characteristics of solely for through put. It has 2 bus stop's, a train station and pedestrian lights either side of my house within 150M. So this section has a substantial amount of place importance. So the two diagrams where Designing streets has to be applied both are supportive that it is a street. There is no other diagrams. The assumption that because there is a lot of cars that designing street does not apply is to ignore where the document is to be used.
So given there is nothing in the guidance to support that the section of my drive way is a road. I would say it is a street. Therefore we should look at what the guide lines suggest is safe for a new opening onto an existing road. The guidance should apply as the drive way is effectively under construction.

So the first thing Designing streets asks in any new road proposal is know your road speed. So I conducted this in June 2018 for a period of 7 days during a beautiful heat wave. The speeds obtained where 85 percentile of 28.7MPH Westbound and 29.7MPH East bound. This brings me fully into designing street as the speed of the road is now knows. Although the visibility splay is for wet weather so this figure can be reduced by 2.5MPH. I am happy to leave this figure as is. As my visibility splay can fit within the 30MPH speed limit.

So the question now falls what is the national guide lines for visibility splay at 30MPH. This is in the section of designing streets where there is a table which is included with my appeal. At 30MPH or 48KPH the safe visibility splay is 43M. What I demonstrate is 45M and 46M if you look at my visibility splay diagrams. The requirement here is that this is seen to a height of 60CM. As the 1.05M suggested by roads would mean missing small children and dogs and cold be hazardous to these. Why in a residential area 1.05M is no longer adopted as safe. So Designing street changed the requirement for 1.05M to 60CM. To achieve the height I have reduced my entire frontage to 50CM. To create a 2.4M gap from kerb to sight line. I have taken my wall back to give a 2M section of pavement for 10M. Allowing full view of the road without having to go onto the road for visibility.

I would like to note that Eastbound my visibility splay is measured to the central line which is in keeping with designing streets as the section has a solid double white line formation which prohibits overtaking. I enclosed the relevant pages with this appeal confirming everything I have said.

The visibility splay diagrams are correct but I would like to advice that the OS plan has slight discrepancies which makes them look like I am overlapping others land when I am not. The two main issues with the OS plan is it has my pavement in front of my house as the same as the bus stop pavement. My pavement is 60CM smaller. The road on East kilbride road bends along my frontage. The OS plan has my frontage as straight. Easily seen on a sight visit or drive by.

I am not going to include other procedures with my appeal as I dont want to burden you with being forced to come out and view my drive way proposal given you will more likely drive by the location regularly but I would ask if you have time to have a look and stand at my drive opening and watch the traffic flow by also confirm what I mean by slight errors in the OS plan. Traffic goes by the house nice and slowly and my proposal would be safe with the visibility splay I have.

The guide lines in Designing streets were created with safety as its first guiding principle.

East Kilbride road has had 2 planning applications accepted in last 2 years. 2017/0717/TP for an increase in drive way to allow for higher flow from the busby hotel just along from my house and 2016/0286/TP for a drive way opening.

My drive way would have little or no impact on East Kilbride road. Given it would create 15 movements a day from a residential house.

The area is very limited for parking. My drive way would of course remove all my cars from the location and would alleviate a lot of parking tension there exists in the location.
The first question to ask over all others though is my drive way safe. I believe the national road development guide was created as safety as its core. So given I fit within this guidance and the Designing street policy. I would say my drive way is safe.

End of statment
Existing part of an existing plot that crosses both East Kilbride Road and 2500.

2.5 x 90m Visibility Splay

2.5 x 80m Visibility Splay

2.5 x 53m Visibility Splay

2.5 x 32m to Road Line

2.5 x 45m to Road Center Line

2.5 x 32m to Road Line

2.5 x 46m to Road Line

2.5 x 46m to Road Line

2500
Client: Paolo Di Mambro
Project: 3606-SCO East Kilbride Road, Busby
Site: 01-Outside 29 East Kilbride Road, Busby G76 8JY
Start Date: 04/06/2018
Speed Limit: 30

Eastbound Daily Volume Count

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<td>of vehicles are 15mph over PSL (45mph)</td>
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Traffic Composition by Class - Total Surveyed Vehicles

- 1% Pedestrians
- 94% Cars
- 5% Buses
- 0% Motorcycles
- 0% Trucks

Incidents/Observations
No incidents or observations during the survey period.
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**Daily Volume Count**

- **Eastbound**
- **5 Day Avg**
- **7 Day Avg**

**Start Date:** 04/06/2018

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**Tracsis Traffic and Data Services**

- Client: Paolo Di Mambro
- Project: 3606-SCO East Kilbride Road, Busby
- Site: 01 Outside 29 East Kilbride Road, Busby G76 8JY

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**Site:** 01 Outside 29 East Kilbride Road, Busby, G76 8JY
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### ARX Classification Scheme

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<th>Description</th>
<th>Example</th>
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<td>Short - Car, 4WD or Light Van</td>
<td>Medium</td>
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<tr>
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<td>2-3</td>
<td>Short Towing - Trailer, Caravan etc.</td>
<td>Heavy</td>
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<td>Medium Truck or Bus</td>
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<td>Double Articulated Vehicle or Rigids &amp; Trailers</td>
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### Project Details
- **Client:** Paolo Di Mambro
- **Project:** 3606-SCO East Kilbride Road, Busby
- **Site:** 01-Outside 29 East Kilbride Road, Busby G76 8JY
- **Start Date:** 04/06/2018
### Daily Vehicle Class Distribution

#### Eastbound

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<th>PC/MC</th>
<th>CAR</th>
<th>LGV &amp; PSV 2 axle</th>
<th>OGV1 &amp; PSV 3 Axle</th>
<th>OGV2</th>
<th>Total</th>
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#### Westbound

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#### Combined

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**Daily Vehicle Class Distribution**

- **Eastbound**: 44 8646 502 11 32 9235
- **Westbound**: 68 8611 462 20 53
- **Combined**: 112 17257 544 40 85 18438
### Client: Paolo Di Mambro
### Project: 3606-SCO East Kilbride Road, Busby
### Site: 05 Outside 29 East Kilbride Road, Busby G76 8JY
### Start Date: 04/06/2018

| Time   | 00:00 | 01:00 | 02:00 | 03:00 | 04:00 | 05:00 | 06:00 | 07:00 | 08:00 | 09:00 | 10:00 | 11:00 | 12:00 | 13:00 | 14:00 | 15:00 | 16:00 | 17:00 | 18:00 | 19:00 | 20:00 | 21:00 | 22:00 | 23:00 |
|--------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| Time   |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| PSL    |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| START  |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| END    |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| Site   |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| 05     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| 06     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| 07     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| 08     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| 09     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| 10     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| 11     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| 12     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| 13     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| 14     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| 15     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| 16     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| 17     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| 18     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| 19     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| 20     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| 21     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| 22     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| 23     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |

### Abbreviations
- **PSL**: Posted Speed Limit
- **ACPO**: Association of Chief Police Officers (Used to display the speed limit the police will generally enforce, 110% of PSL)
- **DFT**: Department for Transport (Used to display a speed statistic used by the government looking at vehicles travelling over 15mph above the PSL)

### Notes
- Abbreviations are used to denote specific speed limits or statistics relevant to traffic data analysis.

### Additional Information
- The data includes various time intervals from 00:00 to 23:00 with corresponding speeds recorded in different categories.
- The table provides a comprehensive view of traffic conditioner results over a specified period.
### Speed Percentages

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<th>% ACPO</th>
<th>% DFT</th>
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### Speed Statistics (mph)

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### Abbreviations

- **PSL**: Posted Speed Limit
- **ACPO**: Association of Chief Police Officers
- **DFT**: Department for Transport
- **% >PSL**: Percentage exceeding the posted speed limit
- **% >ACPO**: Percentage exceeding the ACPO speed limit
- **% >DFT**: Percentage exceeding the Department for Transport speed limit
- **Avg**: Average Speed
- **85th**: 85th Percentile Speed
- **95th**: 95th Percentile Speed

**Notes:**

- The ACPO speed limit is generally enforced, which is 110% of the posted speed limit + 2 mph.
- The Department for Transport speed limit is used to display a speed statistic used by the government looking at vehicles travelling over 15mph above the PSL.
Statement in support of my application:

Firstly I added the relevant sections of the national road development guide and designing streets. They are very large documents so I have taken the relevant pages for this statement to add as supporting documents that will allow you to see if the Scottish government would define East Kilbride road as a road or a street. The name of the road be it Road, street, avenue, drive etc does not matter its function matters.

Firstly before I explain more about the section of East kilbride road being defined as a street let me pass comment to the road's objections.

Before I start I would also like to remind the roads services that this is a new connection to East Kilbride road. So the guidance currently in place should be adopted. Which is designing streets. The question should be asked is the proposal safe. What visibility splay is safe for a vehicle to stop? Guidance in Designing streets put this figure at 43M at 30MPH. I surpass this with a slower traffic speed than 30MPH which means following guidance the proposal is safe. The actual speed in under 30MPH(which this section is actually substantially slower). I enclosed the speed test and visibility splays with my appeal as they have never been put on public display.

The bin's collections while I appreciate the interest in my refuge provisions I am unsure why this is referenced in a road consultation. Personally I have never lived at 29 East Kilbride road and had the opportunity to empty my bins as I would not be able to bring my family to live there as it currently is but I have been advised my bins are emptied within Printerland the development beside mine. I hope that helps the roads department with where my bins are collected. Since they do seem to take interest in this.

The other point of no other residential drive ways is close to the proposed drive way would be because the property is not close to another residential house. So the comment there is no vehicular access along the double line formation is a strange observations. Yes its true but I find it has no bearing. There is junctions with substantially more through put than a residential house. This property would create 15 movements a day. Nothing close to the junctions of the B759 as an example or over the double white line into the railways stations parking and commercial units. Are you saying due to the fact many years ago no one built a house close to the proposed location that the location does not deserve an ability to park and relieve parking tension in the location.

The question of rear end shunts I believe I answered with the supporting statement that cars are doing an equivalent to a right hand turn into my drive way. I have asked to have that statement included with this statement. I hope you can have a read over this statement. There has been zero accidents in the last 10 years at my drive way. So it should be no different with the 5 possible right hand turns I would make. Every drive way will have a right turn into it and out from it at some point.

The other items I have been told by Mr Adams of road and lighting that once approved he will move the items mentioned that are currently in my visibility splay at my full cost. Which i am more than happy to pay. This will mean the council has new infrastructure and long term savings as the infrastructure would have longer longevity.

The roads department questions the accuracy of the visibility splay of the B759 and 65 East Kilbride road, a planning application approved in 2017. If the visibility splay of the B759 and 65 East Kilbride road is wrong. I would like to see the visibility splay roads have. As they will not be out by much. The B759 and 65 East Kilbride road has a visibility splay of about 20M. It would need to be a substantial error in measurement from a civil engineer to be out by over 2 times to just meet current guidance. At this point I would like to say my drive way meets and passes current guidance.
I also find it annoying that the semantics of a definition of a street or road is being used to refuse this application on safety. The fact that all said and done the guidance puts a safe visibility splay for a 30MPH zone as 43M. Proves the safety of a driveway having a visibility splay of over 43M as safe in a 30MPH zone.

I agree that the national road development guide is a guide not enforceable in law but it is the guide by which all new developments need to adhere to or what was the point the government spending a considerable amount of money creating the guidance. The national government would not create policy guidance that was unsafe. The point I am making is my proposal is safe.

So let me examine the national road development guide and see its content to see the definition of East Kilbride road.

1. I think we can most certainly agree that East kilbride road is within a urban boundary.

2. I think we can again most certainly agree that the speed of he road is 30MPH.

If we look at the 2 graphs which the national development guide gives in connection to how to apply designing street. You can have high movement but with a speed under 60KPH designing street applies. It does state though that this diagram is not the complete picture. Although if you go to the visibility splay information on Designing streets it is. It is to be used independent of traffic flow for speeds under 60KPH. I am most certainly not disagreeing that East Kilbride road is not a busy road. But how does a busy road make a person's time to brake increase. How can a car traveling on the road before your car make you take longer to stop. How can 1 car being on the road before your car or 100000 cars for that matter have an impact on your braking time. As the visibility splay is based on the safe distance for a car to stop. Another car can't change the reaction time and breaking system deceleration of the car to stop. That can only be influenced by the driver and vehicle's speed as well as the vehicles breaking system. Another car traveling on the road has no bearing on your safe breaking distance. Which takes into account a lot of variables to ensure a lot of buffer is added when giving a safe distance to stop. So this figure does not change with traffic flow. In Designing streets it suggest it should be used for every road with a speed lower than 60KPH regardless of traffic flow.

Although that being said the national guide does create another diagram to take into account traffic flow. It could be argued this is for sections with a speed substantially greater than 30MPH. But I am happy to look at this diagram too. So in this diagram it wishes to establish place importance. So sections that have no local content. It is in an urban area but act solely for going from one location to another. A through put section. Which would be the definition of a road. The national road development guide shows how place importance can change along a section of road. So while one section can have zero importance be classed as a road another section along the same road can be classed as a street. I enclosed the relevant page of the national road development guide.

My section does not show this characteristics of solely for through put. It has 2 bus stop's, a train station and pedestrian lights either side of my house within 150M. So this section has a substantial amount of place importance. So the two diagrams where Designing streets has to be applied both are supportive that it is a street. There is no other diagrams. The assumption that because there is a lot of cars that designing street does not apply is to ignore where the document is to be used.
So given there is nothing in the guidance to support that the section of my drive way is a road. I would say it is a street. Therefore we should look at what the guide lines suggest is safe for a new opening onto an existing road. The guidance should apply as the drive way is effectively under construction.

So the first thing Designing streets asks in any new road proposal is know your road speed. So I conducted this in June 2018 for a period of 7 days during a beautiful heat wave. The speeds obtained where 85 percentile of 28.7MPH Westbound and 29.7MPH East bound. This brings me fully into designing street as the speed of the road is now knows. Although the visibility splay is for wet weather so this figure can be reduced by 2.5MPH. I am happy to leave this figure as is. As my visibility splay can fit within the 30MPH speed limit.

So the question now falls what is the national guide lines for visibility splay at 30MPH. This is in the section of designing streets where there is a table which is included with my appeal. At 30MPH or 48KPH the safe visibility splay is 43M. What I demonstrate is 45M and 46M if you look at my visibility splay diagrams. The requirement here is that this is seen to a height of 60CM. As the 1.05M suggested by roads would mean missing small children and dogs. So Designing street changed the requirement for 1.05M to 60CM. To achieve the height I have reduced my entire frontage to 50CM. To create a 2.4M gap from kerb to sight line. I have taken my wall back to give a 2M section of pavement for 10M. Allowing full view of the road without having to go onto the road for visibility.

I would like to note that Eastbound my visibility splay is measured to the central line which is in keeping with designing streets as the section has a solid double white line formation which prohibits overtaking. I enclosed the relevant pages with this appeal confirming everything I have said.

The visibility splay diagrams are correct but I would like to advice that the OS plan has slight discrepancies which makes them look like I am overlapping others land when I am not. The two main issues with the OS plan is it has my pavement in front of my house as the same as the bus stop pavement. My pavement is 60CM smaller. The road on East kilbride road bends along my frontage. The OS plan has my frontage as straight. Easily seen on a sight visit or drive by.

I am not going to include other procedures with my appeal I believe by default you come and visit the site. Which should help you gauge the safety of my proposal and designing streets. I would ask you just stand at my drive way and watch the traffic go by. Traffic goes by the house nice and slowly and my proposal would be safe with the visibility splay I have. You will also be able to confirm what I mean by slight errors in the OS plan.

The guide lines in Designing streets were created with safety as its first guiding principle.

East Kilbride road has had 2 planning applications accepted in last 2 years. 2017/0717/TP for an increase in drive way to allow for higher flow from the busby hotel just along from my house and 2016/0286/TP for a drive way opening.

My drive way would have little or no impact on East Kilbride road. Given it would create 15 movements a day from a residential house.

The area is very limited for parking. My drive way would of course remove all my cars from the location and would alleviate a lot of parking tension there exists in the location.

The first question to ask over all others though is my drive way safe. I believe the national road
development guide with Designing streets was created as safety as its core. So given I fit within this guidance and the Designing street policy. I would say my drive way is safe.
National Roads Development Guide

The National Roads Development Guide was produced by SCOTS, supported by Transport Scotland and Scottish Government Planning and Architecture Division.

The guide supports Designing Streets and expands on its principles to clarify the circumstances in which it can be used.

Download the National Roads Development Guide (PDF, 37MB).

This page can be found at

1.6 Road Network and Context

To assist designers with the place/movement graph in Designing Streets and addressing situations beyond the residential and low trafficked areas that Designing Streets predominantly addresses, the graph and illustrations are expanded to reflect all areas and types of roads with an additional indicator of possible appropriate traffic speeds.

The plan (shown right) within Designing Streets indicating the relationship between Designing Streets to DMRB is expanded to assist with identifying arterial and rural roads which may not comply with either standard easily.

The graph on page 9 of Designing Streets provides a ‘Place and Movement Matrix’ diagram.

**Place:** Place status denotes the significance of a street, junction or part of a street and therefore consideration of place is considered critical in the design of good transport networks.

**Movement:** Movement is activity and can be expressed in terms of traffic volume and strategic importance of the street, or section of that street, it also considers other street users such as pedestrians and cyclists.

To understand the balance between place and movement, the relative importance of the two aspects need to be defined. Some streets will have a high movement status but a low place status, such as strategic or main urban roads. Others will have a low movement status but high place status such as residential streets. In between will be streets such as shopping streets, which are likely to have both high movement and place status.

DMRB only applies directly to trunk roads, but the standard has been adopted on higher speed Local Authority roads where there may be more latitude to depart from these standards at the discretion of the roads authority.

Designers do refer to DMRB and the related Specification for Highway Works (SHW) for detailed technical guidance or specification on specific aspects, for example on strategic inter-urban non-trunk roads, but it is recommended that the key principles of Designing Streets are applied consistently in a way that respects local context.

Examining the relationship between ‘Place and Movement’ in a different context it can be seen that there is a relationship between the place and movement matrix and the expected traffic speed.
It is clear from this graph that adopting speed may be one way forward to identify where Designing Streets can be utilised. However, there are still many other principles which affect the design and any new design has to take account of local context and even identify where some aspects of Designing Streets may be less relevant.

Much of the research utilised in the preparation of Designing Streets is based on the stopping sight distance (SSD) at locations with traffic speeds of less than 40 mph. Similarly, in rural areas many parts of the road network are subject to the national speed limit but have traffic speeds significantly below 60 mph. Generally, in these situations where speeds are lower than 40 mph, evidenced by examination of the 85th percentile, the parameters used in Designing Streets are appropriate.

Town Centres, Commercial/Business areas and Residential areas should be the most walkable part of the network; they should accommodate public transport services, cycle routes and cycle parking, while remaining accessible by service vehicles and private car. Therefore, it is expected that Designing Streets applies.

Strategic and arterial routes form essential parts of the wider road network acting as key links between towns, cities and local centres. They can also be part of the core network for the town or city where it is not easy or appropriate to remove or redirect traffic, including HGVs and buses. The level of activity along these links varies depending on location.
Along some sections of arterial routes the movement function will be most important; arterial routes are key to the functioning and economy of urban areas. Strategic and arterial routes within urban areas may have higher speed limits, in these limited cases it may be appropriate that DMRB principles can be adopted for a range of reasons.

Road networks interlace and connect residential, commercial, urban and suburban areas of cities, towns and villages. They fulfil many functions along their routes catering for many types of journey by different modes. Their interrelated nature means that changes to one part of the network can have implications for adjacent routes and therefore must be understood and taken into account when designing and implementing road improvements.

Major routes in the road network are most commonly classified by the volume of traffic they carry and have been known as Principal Routes or Distributor Roads. In the past these standard classifications have remained constant for the whole route. However, by failing to take account of the changing context along the route this classification system limits understanding of how improvements or maintenance should reflect the wider functions such routes serve.

It is also recognised that the local context of place and movement can vary not only from road to road but also along the length of a road as detailed in images below.
This Figure shows that the Movement function remains largely the same along the route, but the Place function varies according to the changing importance of place within the road length; the predominant type of land use and the level of pedestrian activity. As the Place function becomes more important, the relative weight given to the Movement function will be reduced when deciding on priorities and an appropriate design.

Direct frontage access is common in all urban areas, including where 40 mph speed limits apply, without evidence to suggest that this practice is unsafe. This is confirmed in TD41/953 (Annex 2 paragraph A2.10) which states that “in the urban situation there is no direct relationship between access provision and collision occurrence”. However, this is not true of rural roads (TD41/953 A2.5) where the research identified a “statistically significant relationship for collisions on rural single carriageways with traffic flow, link length and farm accesses. On rural dual carriageways, the significant relationship extended to lay-bys, residential accesses and other types of access including petrol filling stations”. Consequently the level of access to the road network is a factor in deciding the appropriate balance of Designing Streets for busier routes.

A more formal approach to the determination of status level is given to the Place and Movement methodology in the following Table 1. This provides some definitions for different levels of Movement and Place, resulting in a 'matrix' defining where it is appropriate to use Design Streets, DMRB and other variations.

Table 1 identifies where there are significant levels of pedestrian activity associated with the movement of people along the road and this is related to the demand for pedestrians to cross the street. Where there are also high levels of kerbside activity generated by parking, loading and public transport, it would be appropriate to consider that the high level for pedestrian crossings should be utilised.

Four categories are included in the table and definitions of each are detailed below:

(a) DS: The principles of Designing Streets should be applied.
(b) DS BM: This location is predominantly Place dominated and the general principles of Designing Streets should be applied. However, there is also a higher level of traffic on these roads and this should be reflected in the design. The design should therefore be pedestrian dominated but the design elements such as road width, visibility, alignment should be less stringent such that vehicles are allowed to travel more freely at a slightly higher speed.
(c) DMRB BP: This location is predominantly Movement dominated and the general principles of DMRB should be applied. However, there is a higher pedestrian movement at these locations and this should be reflected in the design. The design should therefore allow the free flow of traffic such that drivers realise the change in nature of the road and drive in a more considerate manner.
(d) DMRB: The principles of DMRB should be applied. Strict adherence to DMRB is required on trunk roads but departures can be granted on application to Transport Scotland. Local Authority Roads may not require such strict adherence to the design parameters.
Indications of 'Place' can also be given by other uses for example where there are high levels of kerbside activity generated by parking, loading and public transport, it would be appropriate to consider a higher level of 'Place'.

The Movement function is defined by a combination of the level of traffic flow and the number of accesses on a particular section of road. It is not intended to define levels of traffic flows are the interpretation will vary depending upon the location within Scotland and where the road serves.

The characterisation of junction spacing within 'Movement' will also be location specific where urban situations will have a higher number of junctions than rural area. The decision whether the number of junctions is high or low should therefore be related to the typical number of junctions for that particular area.

An indication of the status of 'Movement' can also be gained from the actual speed of traffic for existing roads and the proposed traffic speeds for new developments. Where speeds are lower, Designing Streets principles are recommended. Where there may be some doubt as to which guidance to adopt, actual speed measurements could be undertaken to help recommend a starting point for any design.

This approach demonstrates that the key Designing Streets principles can be applied widely to improve the quality of roads and their application is not necessarily limited to low speed or lightly trafficked routes.
Stopping sight distance
The stopping sight distance (SSD) is the distance within which drivers need to be able to see ahead and stop from a given speed.

The SSD values used in Designing Streets are based on research into deceleration rates, driver perception-reaction times and speed. These SSD values are appropriate for residential and lightly trafficked streets. The table below shows the effect of speed on SSD. These values are independent of traffic flow or type of road. It is recommended that they are used on all streets with 85th percentile wet weather speeds up to 60 kph.

Below around 20 mph, shorter SSDs themselves may not achieve low vehicle speeds: the design of the whole street and how this will influence speed needs to be considered at the start of the process; e.g. the positioning of buildings and the presence of on-street parking.

Further information on SSDs, including details of the calculation formula, and also the relationship between visibility and speed is available in TRL Report No. 332 and TRL Report No. 661.

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<tr>
<td>SSD adjusted for bonnet length</td>
<td>11</td>
<td>14</td>
<td>17</td>
<td>18</td>
<td>23</td>
<td>25</td>
<td>33</td>
<td>39</td>
<td>43</td>
<td>45</td>
<td>59</td>
</tr>
</tbody>
</table>

**Visibility requirements**

Visibility should be checked at junctions and along the street. Visibility is measured horizontally and vertically.

Using plan views of proposed layouts, checks for visibility in the horizontal plane ensure that views are not obstructed by vertical obstructions.

Checking visibility in the vertical plane is then carried out to ensure that views in the horizontal plane are not compromised by obstructions such as the crest of a hill, or a bridge at a dip in the road ahead. It also takes into account the variation in driver eye height and the height range of obstructions. Eye height is assumed to range from 1.05 m (for car drivers) to 2 m (for lorry drivers). Drivers need to be able to see obstructions 2 m high down to a point 600 mm above the carriageway.
Visibility splays at junctions

The visibility splay at a junction ensures there is adequate inter-visibility between vehicles on the major and minor arms.

The distance back along the minor arm from which visibility is measured is known as the X distance. It is generally measured back from the ‘give way’ line (or an imaginary ‘give way’ line if no such markings are provided). This distance is normally measured along the centreline of the minor arm for simplicity, but in some circumstances (for example where there is a wide splitter island on the minor arm) it will be more appropriate to measure it from the actual position of the driver.

The Y distance represents the distance that a driver who is about to exit from the minor arm can see to his left and right along the main alignment. For simplicity, it is measured along the nearside kerb line of the main arm, although vehicles will normally be travelling a distance from the kerb line. The measurement is taken from the point where this line intersects the centreline of the minor arm (unless, as above there is a splitter island in the minor arm).

When the main alignment is curved and the minor arm joins on the outside of a bend, another check is necessary to make sure that an approaching vehicle on the main arm is visible over the whole of the Y distance. This is done by drawing an additional sight line which meets the nearest wheel track at a tangent.

Some circumstances make it unlikely that vehicles approaching from the left on the main arm will cross the centreline of the main arm – opposing flows may be physically segregated at that point, for example. If so, the visibility splay to the left can be measured to the centreline of the main arm.

Possible features preventing vehicles from crossing centre line

Alternative left-hand visibility splay if vehicle approaching from the left are unable to cross the centre line

X and Y distances

An X distance of 2.4 m should normally be used in most built-up situations, as this represents a reasonable maximum distance between the front of the car and the driver’s eye.

A minimum figure of 2 m may be considered in some very lightly-trafficked and slow-speed situations, but using this value will mean that the front of some vehicles will protrude slightly into the running carriageway of the major arm. The ability of drivers and cyclists to see this overhang from a reasonable distance, and to manoeuvre around it without undue difficulty, should be considered.

Using an X distance in excess of 2.4 m is not generally required in built-up areas.

The Y distance should be based on values for SSD.
From: EN Planning  
Sent: 6 Aug 2018 08:54:44 +0100  
To: Scott, Derek  
Subject: FW: Planning application 2018/0385/TP

Hi Derek,

Could you help with this enquiry?

Thanks
Carla

-----Original Message-----
From: Lindsay Barr  
Sent: 04 August 2018 15:45  
To: EN Planning  
Subject: Planning application 2018/0385/TP

Dear Sir/Madam

With reference to your notification of Planning application 2018/0385/TP, the application form states that there are no trees on or adjacent to the site when in fact there are trees adjacent to the Northern boundary in Printers Land and also adjacent to the north-eastern boundary on land belonging to the railway.

Yours faithfully

Mr L. Barr  
19 Printers Land  
Busby  
G76 8HP
I am now enclosing the visibility splay as defined in Designing streets page 33 so you have this page readily available. I also enclose how the 45M at the bend side is measured. This is defined on page 34 of Designing streets.

To explain my measurements are measured to the central line of the road as the white line formation does not allow overtaking at this section. Which can only be done on certain situations and a double white line stopping overtaking would be such a situation.

I also enclose the explanation on TRL 661 which is why on a assumption or as I call it a surrender to speeding. The roads departments at the time set visibility splay on an assumption cars speed. No desire to slow the roads down and make them safer. Traffic calming and knowing your road speed is now more important for road safety. As speed kills.

I also updated my drawing as my architect forgot to reduce the fence to 50CM. This drawing is also lodged on this additions information section.
Stopping sight distance

The stopping sight distance (SSD) is the distance within which drivers need to be able to see ahead and stop from a given speed.

The SSD values used in Designing Streets are based on research into deceleration rates, driver perception-reaction times and speed. These SSD values are appropriate for residential and lightly trafficked streets. The table below shows the effect of speed on SSD. These values are independent of traffic flow or type of road. It is recommended that they are used on all streets with 85th percentile wet weather speeds up to 60 kph.

Below around 20 mph, shorter SSDs themselves may not achieve low vehicle speeds: the design of the whole street and how this will influence speed needs to be considered at the start of the process; e.g. the positioning of buildings and the presence of on-street parking.

Further information on SSDs, including details of the calculation formula, and also the relationship between visibility and speed is available in TRL Report No. 332\(^1\) and TRL Report No. 661\(^2\).

<table>
<thead>
<tr>
<th>Speed</th>
<th>Kilometres per hour</th>
<th>16</th>
<th>20</th>
<th>24</th>
<th>25</th>
<th>30</th>
<th>32</th>
<th>40</th>
<th>45</th>
<th>48</th>
<th>50</th>
<th>60</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Miles per hour</td>
<td>10</td>
<td>12</td>
<td>15</td>
<td>16</td>
<td>19</td>
<td>20</td>
<td>25</td>
<td>28</td>
<td>30</td>
<td>31</td>
<td>37</td>
</tr>
<tr>
<td>SSD</td>
<td>metres</td>
<td>9</td>
<td>12</td>
<td>15</td>
<td>16</td>
<td>20</td>
<td>22</td>
<td>31</td>
<td>36</td>
<td>40</td>
<td>43</td>
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<tr>
<td>SSD</td>
<td>adjusted for bonnet length</td>
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<td>14</td>
<td>17</td>
<td>18</td>
<td>23</td>
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<td>59</td>
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</table>

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\[
\text{Possible features preventing vehicles from crossing centre line} \quad \text{Alternative left-hand visibility splay if vehicle approaching from the left are unable to cross the centre line}
\]

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Using an X distance in excess of 2.4 m is not generally required in built-up areas.

The Y distance should be based on values for SSD.
1 Introduction

The Manual for Streets (MiS) is intended to consolidate the necessary components for effective street design into a single source of information. The MiS builds upon and updates the guidance contained in Design Bulletin 32 (DB32) and its companion guide ‘Places Streets and Movement: A Companion Guide To Design Bulletin 32, Residential Roads and Footpaths’. Its aim is to provide guidance for practitioners who will shape the developments of the future. It is therefore intended for:

- Developers.
- Local highway authorities.
- Local planning authorities.
- The emergency services.
- Utility and drainage companies.
- Access officers.
- Public transport providers.
- Architects.
- Highway engineers.
- Landscape architects.
- Town planners.
- Transport planners.
- Urban designers.

1.1 Manual for Streets

The Manual for Streets has been designed to recognise the full range of design criteria necessary for the delivery of multi-functional streets, assisting practitioners in making informed decisions relating to appropriate street design. The Manual will initially cover the design considerations for residential streets and other lightly trafficked local roads.

The Manual deals with underlying values that can be creatively deployed by practitioners in order to pursue the Government’s ‘placemaking’ agenda of individually distinctive localities, while ensuring streets remain functional and safe. The Manual for Streets was prepared against a backdrop of sustainable development guidance and initiatives, including the Department for Communities and Local Government’s Communities Plan ‘Sustainable Communities: Building for the Future’ (ODPM, 2003b) to ensure that it facilitates the long-term sustainability of streets, and contributes to an enhanced sense of place.

The Manual for Streets supports the objectives of the Government’s commitment to sustainable development as expressed in ‘A Better Quality of Life: A Strategy for Sustainable Development in the United Kingdom’ (DETR, 1999) and in the latest document on delivering the UK’s sustainable development strategy ‘Securing the Regions’ Futures: Strengthening Delivery of Sustainable Development in the English Regions’ (DEFRA, 2006). This will ensure that residential streets meet the needs of all street users, not just motorised vehicles.

1.2 Design Bulletin 32

The document DB32 was used to assist in designing new housing developments. It was created to remove the restrictive criteria imposed in the post-war period that resulted in a high degree of conformity between estates within the UK. Its purpose was to permit a more flexible approach to design that enabled developments to be better tailored to the requirements of residents, for example Home Zones in which a variety of techniques (speed reductions and surface treatments) are used to create a greater impression of shared space.

However, a number of requirements are included to ensure safety of pedestrians and road users within the estate. These include minimum sight distances in order that vehicles travelling at a design speed are able to react to a danger and safely stop. The sight distances are specified for an observer’s eye being between 1.05 and 2 metres above ground level and in the case of a junction, the car being 4.5 metres from the stop line. The required visibility distances are summarised in Table 1.1, and Figure 1.1.

Table 1.1 DB32 visibility (Y) distances for different design speeds

<table>
<thead>
<tr>
<th>Speed (mph)</th>
<th>5</th>
<th>10</th>
<th>15</th>
<th>20</th>
<th>25</th>
<th>30</th>
</tr>
</thead>
<tbody>
<tr>
<td>Speed (kph)</td>
<td>8</td>
<td>16</td>
<td>24</td>
<td>32</td>
<td>40</td>
<td>48</td>
</tr>
<tr>
<td>Distance (metres)</td>
<td>6</td>
<td>14</td>
<td>23</td>
<td>33</td>
<td>45</td>
<td>60</td>
</tr>
</tbody>
</table>

Figure 1.1 DB32 visibility (Y) distances for different design speeds

However, according to ‘Places Streets and Movement: A Companion Guide To Design Bulletin 32, Residential Roads and Footpaths’ these should be extended to 45 m in a 20 mph zone and 90 m in a 30 mph zone to allow for drivers exceeding the speed limit by up to 10 kph (Table 1.2). Also the Y-distance should be measured for vehicles at the following distances from the stop line on the minor arm of the junction:

- 9.0 m: The normal requirement for major new junctions and for the improvement of existing junctions between access roads and district or local distributor roads - for instances where the minor road is busy.
- 4.5 m: For less busy minor roads and busy private access points.
- 2.4 m: The minimum necessary for junctions within development to enable a driver who has stopped at a junction to see down the major road without encroaching onto it.
- 2.0 m: For single dwellings or small groups of up to half a dozen dwellings or thereabouts.
Ready to Retire in 2018

When can you stop working? If you have a £250,000 portfolio, get ongoing updates and download the must-read guide for retirees called "The 15-Minute Retirement Plan." Don’t miss it!

FISHER INVESTMENTS UK

May 2018

- SUN 5/27
  - Actual Temp 22°/7°
  - Hist. Avg. 16°/8°
- MON 5/28
  - Actual Temp 25°/9°
  - Hist. Avg. 16°/9°
- TUE 5/29
  - Actual Temp 19°/11°
  - Hist. Avg. 16°/9°
- WED 5/30
  - Actual Temp 25°/9°
  - Hist. Avg. 16°/9°
- THU 5/31
  - Actual Temp 20°/14°
  - Hist. Avg. 16°/9°
- FRI 6/1
  - Actual Temp 25°/11°
  - Hist. Avg. 16°/9°
- SAT 6/2
  - Actual Temp 25°/11°
  - Hist. Avg. 16°/9°

June 2018

- SUN 6/3
  - Actual Temp 21°/14°
  - Hist. Avg. 16°/9°
- MON 6/4
  - Actual Temp 21°/11°
  - Hist. Avg. 17°/9°
- TUE 6/5
  - Actual Temp 21°/10°
  - Hist. Avg. 17°/10°
- WED 6/6
  - Actual Temp 24°/9°
  - Hist. Avg. 17°/10°
- THU 6/7
  - Actual Temp 25°/9°
  - Hist. Avg. 17°/10°
- FRI 6/8
  - Actual Temp 22°/11°
  - Hist. Avg. 17°/10°
- SAT 6/9
  - Actual Temp 23°/10°
  - Hist. Avg. 17°/10°

- SUN 6/10
  - Actual Temp 20°/9°
  - Hist. Avg. 17°/10°
- MON 6/11
  - Actual Temp 21°/10°
  - Hist. Avg. 17°/10°
- TUE 6/12
  - Actual Temp 20°/10°
  - Hist. Avg. 17°/10°
- WED 6/13
  - Actual Temp 15°/5°
  - Hist. Avg. 18°/10°
- THU 6/14
  - Actual Temp 16°/10°
  - Hist. Avg. 18°/10°
- FRI 6/15
  - Actual Temp 15°/9°
  - Hist. Avg. 18°/11°
- SAT 6/16
  - Actual Temp 16°/8°
  - Hist. Avg. 18°/11°

- SUN 6/17
  - Actual Temp 17°/7°
  - Hist. Avg. 18°/11°
- MON 6/18
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  - Hist. Avg. 18°/11°
- TUE 6/19
  - Actual Temp 15°/9°
  - Hist. Avg. 18°/11°
- WED 6/20
  - Actual Temp 16°/8°
  - Hist. Avg. 18°/11°
- THU 6/21
  - Actual Temp 17°/7°
  - Hist. Avg. 18°/11°
- FRI 6/22
  - Actual Temp 17°/8°
  - Hist. Avg. 18°/11°
- SAT 6/23
  - Actual Temp 17°/8°
  - Hist. Avg. 18°/11°

- SUN 6/24
  - Actual Temp 22°/7°
  - Hist. Avg. 18°/11°
- MON 6/25
  - Actual Temp 25°/7°
  - Hist. Avg. 18°/11°
- TUE 6/26
  - Actual Temp 26°/8°
  - Hist. Avg. 18°/11°
- WED 6/27
  - Actual Temp 32°/13°
  - Hist. Avg. 18°/11°
- THU 6/28
  - Actual Temp 25°/12°
  - Hist. Avg. 18°/11°
- FRI 6/29
  - Actual Temp 25°/11°
  - Hist. Avg. 18°/11°
- SAT 6/30
  - Actual Temp 25°/11°
  - Hist. Avg. 18°/11°

July 2018

Weather for test period was hot and dry. So wet weather speed in (29.8 - 2.5) = 27.3 MPH EAST DOWNW. = (28.7 - 2.5) = 26.2 MPH WEST DOWNW. OR 85% RELH @ 44 KPH EASTDOWN. 42 KPH WESTDOWN.

May 2018

Temperature Graph June 2018

Mr Di Mambro,

I refer to your email below as well as your email dated 20/09/18.

I should advise you in the first instance that the submitted objections have not been deleted/ignored and they are retained on file. All the representations that were received to the planning application were assessed in determining the application and this was done in the Report of Handling which is available to view online.

In order for a “local” development to be determined at the Planning Applications Committee 10, or more objections have to be received. Given the nature of the submitted objections I sought an opinion from the Council’s Legal Service on whether the application should be presented to the Planning Applications Committee or not. The advice from the Council’s Legal Service is summarised in the “Representations” section of the Report of Handling.

Regards.

Sean McDaid
Principal Planner
East Renfrewshire Council

---

From: Paolo Di Mambro [mailto:pauljdimambro@live.co.uk]
Sent: 21 September 2018 22:21
To: McDaid, Sean
Subject: Just to advice,

Sean,

I thought that the document you sent had no asterics but a clear defined threshold meant you could not delete objections and once met it would go to a planning committee. I was annoyed not to be going to committee. It seems within the councils right to delete objections on the bases of increasing procedure. I asked a planning lawyer. So while disappointed I thought no need send me the exact area of law as a planning lawyer confirmed it.

Take care,

Paul.
APPENDIX 6

PLANS/PHOTOGRAPHS/DRAWINGS
1. Driving from the left hand side, parked car in space one.

2. Option 2 regarding driving from the left with a parked car in space one.

3. Driving from the left hand side, parked car in space two.

4. Option 2 regarding driving from the left with a parked car in space two.
5. Driving from the right hand side, parked car in space one.

6. Option 2 regarding driving from the right with a parked car in space one.

7. Driving from the right hand side, parked car in space two.

8. Option 2 regarding driving from the right with a parked car in space two.
Notes:
Do not scale from drawing
All dimensions to be confirmed on site and any discrepancies notified to Arc Architectural Services
This drawing is solely for the purposes of obtaining Local Authority Approval.
Additional information may be required for construction purposes. No liability will be accepted for any omission from this drawing should the drawing be used for construction purposes.
This drawing is the property of Arc Architectural Services. Copyright is reserved by them and the drawing is issued on the condition that it is not copied, reproduced, retained or disclosed to any unauthorised person, either wholly or in part without the consent in writing of Arc Architectural Services.
N.B. any variations between stated dimensions and site dimensions should be reported to the surveyor prior to work being executed.
Formation of driveway

Proposed elevations and section

Mr. Paolo Di Mambro
29 East Kilbride Road
Busby
East Renfrewshire
G52 2SE

Section through proposed driveway 1:50

Formation of driveway

Proposed elevations and section

Mr. Paolo Di Mambro
29 East Kilbride Road
Busby
East Renfrewshire
G52 2SE

Elevation of proposed wall and driveway 1:100

Elevation of existing wall 1:100

Elevation of existing wall 1:100

Notes:

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arc architectural services ltd
0141 844 0039  :  07799 401 577
mail@arcarchitecture.com
25 Cortmalaw Avenue, Glasgow G33 1TE

1:50 July '18

DP-441-002
Proposed site plan 1:500

Proposed plan 1:100

Formation of driveway

Proposed plans

As shown July '18

Mr. Paolo Di Mambro
29 East Kilbride Road
Busby East Renfrewshire G52 2SE

arc architectural services ltd
25 Cortmalaw Avenue, Glasgow G33 1TE

0141 844 0039 : 07799 401 577
mail@arcarchitecture.com