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#### EAST RENFREWSHIRE COUNCIL

#### LOCAL REVIEW BODY

#### 1 September 2021

#### Report by Deputy Chief Executive

#### REVIEW OF CASE - REVIEW/2021/09

#### ERECTION OF TWO STOREY SIDE EXTENSION WITH REAR DORMER WINDOW AND ERECTION OF FRONT PORCH AT 68 HILL DRIVE, EAGLESHAM, EAST RENFREWSHIRE, G76 0AL.

#### PURPOSE OF REPORT

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

#### DETAILS OF APPLICATION

2.	Application type:	Full Planning Permission (Ref No:- 2021/0053/TP).
	Applicant:	Mr Norman Kettlewell
	Proposal:	Erection of two storey side extension with rear dormer window and erection of front porch
	Location:	68 Hill Drive, Eaglesham, East Renfrewshire, G76 0AL.
	Council Area/Ward:	Newton Mearns South And Eaglesham (Ward 5).

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

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

#### RECOMMENDATIONS

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

- (i) what further information is required, which parties are to be asked to provide the information and the date by which this is to be provided; and/or;
- (ii) what procedure or combination of procedures are to be followed in determining the review.

#### BACKGROUND

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

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

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

#### NOTICE OF REVIEW – STATEMENT OF REASONS FOR REQUIRING THE REVIEW

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

**9.** The applicant is entitled to state a preference for the procedure (or combination of procedures) to be followed by the Local Review Body in the determination of the review although this is not specified in the review documents received.

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

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

**12.** In accordance with the above decision, the Local Review Body will carry out an unaccompanied site inspection on Wednesday, 1 September 2021 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.** However, the applicant has submitted new information which was not available to the Appointed Officer at the time the determination of the application was made. The new information relates to photographs of comparable extensions within the vicinity of the application site.

**15.** Members are advised that Section 43B of The Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006 states that:-

"43B Matters which may be raised in a review under section 43A(8)

- (1) In a review under section 43A(8), a party to the proceedings is not to raise any matter which was not before the appointed person at the time the determination reviewed was made unless that party can demonstrate—
  - (a) that the matter could not have been raised before that time, or
  - (b) that its not being raised before that time was a consequence of exceptional circumstances.
- (2) Nothing in subsection (1) affects any requirement or entitlement to have regard to—
  - (a) the provisions of the development plan, or
  - (b) any other material consideration."

**16.** The applicant has been given an opportunity to explain why the information was not made available to the Appointed Officer at the time the application was determined, please find this response attached as Appendix 6.

**17.** The Local Review Body must decide whether the new information should be considered as part of the review. In the event that it does, it is recommended, in the interests of equality of opportunity to all parties that the Appointed Officer be given the opportunity to comment on the new information.

**18.** Members should note that the new information has been excluded from the applicant's submission.

**19.** 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 447 454);
- (b) Report of Handling by the planning officer under the Scheme of Delegation Appendix 2 (Pages 455 464);
- (c) Decision notice and reasons for refusal Appendix 3 (Pages 465 470); and
- (e) A copy of the applicant's Notice of Review and Statement of Reasons Appendix 4 (Pages 471 488).

**20.** The applicant has also submitted the drawings listed below and these are attached as Appendix 5 (Pages 489 - 494).

- (a) Refused Existing Plans, Sections and Elevations;
- (b) Refused Proposed Plans, Elevations and Section; and
- (c) Refused Existing and Proposed Location and Site Plan.

**21.** The reasoning behind the new information submitted by the applicant, which was not available to the Appointed Officer at the time the determination of the application was made, is attached as Appendix 6 (Pages 495 - 498).

**22.** 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.

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

#### RECOMMENDATIONS

24. The Local Review Body is asked to:-

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

Report Author: Sharon McIntyre

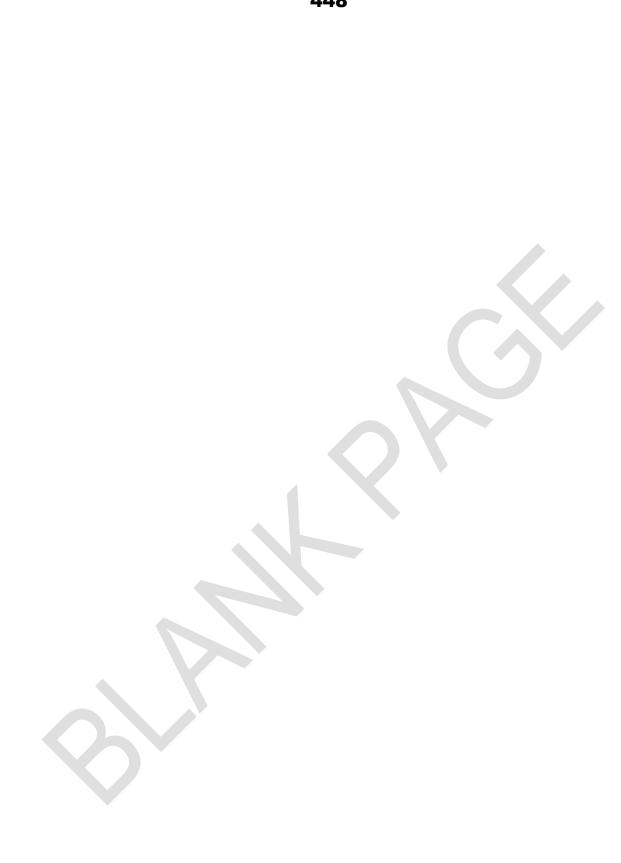
Director - Caroline Innes, Deputy Chief Executive

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

Date:- August 2021

**APPENDIX 1** 

# **APPLICATION FORM**



Renfreushire
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 100320485-002
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 side extension to existing two storey dwelling. Extension to provide open plan kitchen/living on ground floor and two additional bedrooms on first floor.
Has the work already been started and/ or completed? *
X 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)

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Agent Details					
Please enter Agent detail	s				
Company/Organisation:					
Ref. Number:		You must enter a Building Name or Number, or both: *			
First Name: *	Laura	Building Name:	The Mount		
Last Name: *	Baxter	Building Number:	16		
Telephone Number: *	07592080719	Address 1 (Street): *	The Mount		
Extension Number:		Address 2:	Princes Road		
Mobile Number:		Town/City: *	Newton Stewart		
Fax Number:		Country: *	United Kingdom		
		Postcode: *	DG8 6HB		
Email Address: *	laura_baxter88@hotmail.co.uk				
Is the applicant an individual or an organisation/corporate entity? *          Individual       Organisation/Corporate entity					
Please enter Applicant de					
Title:	Mr	You must enter a Bu	uilding Name or Number, or both: *		
Other Title:		Building Name:			
First Name: *	Norman	Building Number:	68		
Last Name: *	Kettlewell	Address 1 (Street): *	Hill Drive		
Company/Organisation		Address 2:	Eaglesham		
Telephone Number: *		Town/City: *	Glasgow		
Extension Number:		Country: *	Scotland		
Mobile Number:		Postcode: *	G76 0AL		
Fax Number:					
Email Address: *					

Site Address Details					
Planning Authority:	East Renfrewshire Council				
Full postal address of the s	ite (including postcode where available	»):			
Address 1:	68 HILL DRIVE				
Address 2:	EAGLESHAM				
Address 3:					
Address 4:					
Address 5:					
Town/City/Settlement:	GLASGOW				
Post Code:	G76 0AL				
Please identify/describe the location of the site or sites					
Northing 65	51677	Easting	257504		
Pre-Applicatio	n Discussion				
	roposal with the planning authority? *			Yes X No	
Trees					
Are there any trees on or adjacent to the application site? *					
If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.					
Access and Parking					
Are you proposing a new or altered vehicle access to or from a public road? *					
If yes, please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you proposed to make. You should also show existing footpaths and note if there will be any impact on these.					
Planning Servi	ice Employee/Elected	d Member Inter	est		
Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an Ves X No elected member of the planning authority? *					

I

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 applic	ant the sole owner of ALL the land? *	🗙 Yes 🗌 No			
Is any of the land (	part of an agricultural holding? *	🗌 Yes 🗶 No			
Certificate	e Required				
The following Land	d Ownership Certificate is required to complete this section of the proposal:				
Certificate A					
Land O	wnership Certificate				
Certificate and No Regulations 2013	tice under Regulation 15 of the Town and Country Planning (Development Management Pro	ocedure) (Scotland)			
Certificate A					
I hereby certify the	t –				
(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.					
(2) - None of the la	and to which the application relates constitutes or forms part of an agricultural holding				
Signed:	Laura Baxter				
On behalf of:	Mr Norman Kettlewell				
Date:	26/01/2021				
	Please tick here to certify this Certificate. *				

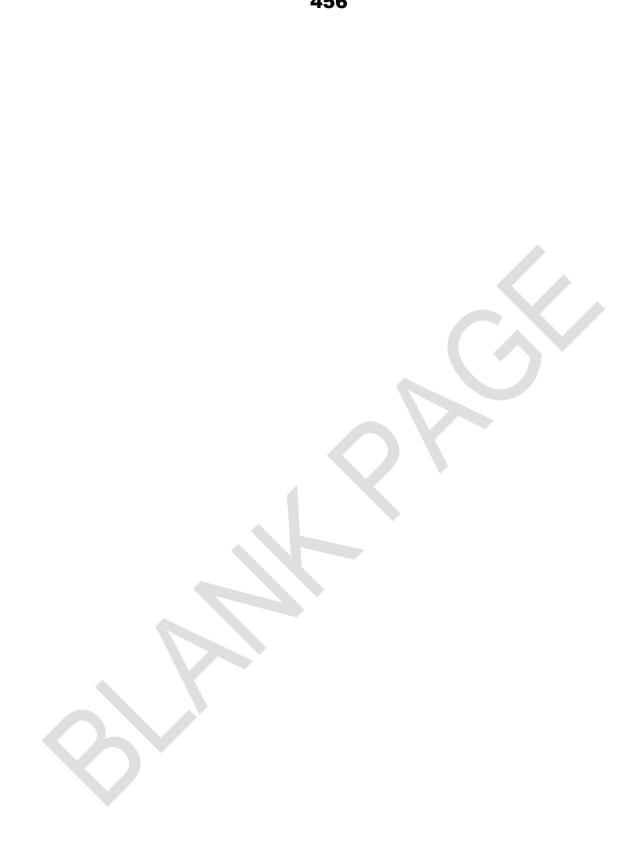
### Checklist – Application for Householder Application

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.					
a) Have you provided a writte	n description of the development to which it relates?. *	X Yes No			
b) Have you provided the pos has no postal address, a des	tal address of the land to which the development relates, or if the land in question cription of the location of the land? $^{\star}$	X Yes 🗌 No			
<li>c) Have you provided the nan applicant, the name and addr</li>	ne and address of the applicant and, where an agent is acting on behalf of the ess of that agent.? ${}^{\star}$	X Yes 🗌 No			
<ul> <li>d) Have you provided a locati</li> <li>land in relation to the locality</li> <li>and be drawn to an identified</li> </ul>	on plan sufficient to identify the land to which it relates showing the situation of the and in particular in relation to neighbouring land? *. This should have a north point scale.	Yes 🗌 No			
e) Have you provided a certifi	cate of ownership? *	🛛 Yes 🗌 No			
f} Have you provided the fee	payable under the Fees Regulations? *	🗙 Yes 🗌 No			
g) Have you provided any oth	er plans as necessary? *	🗙 Yes 🗌 No			
Continued on the next page					
A copy of the other plans and (two must be selected). *	drawings or information necessary to describe the proposals				
You can attach these electror	nic documents later in the process.				
Existing and Proposed e	levations.				
Existing and proposed flo	oor plans.				
Cross sections.					
Site layout plan/Block pla	ans (including access).				
Roof plan.					
Photographs and/or phot	tomontages.				
	nple a tree survey or habitat survey may be needed. In some instances you about the structural condition of the existing house or outbuilding.	Yes 🛛 No			
Proposal. This can be helpful	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. *				
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:	Miss Laura Baxter				
Declaration Date:	26/01/2021				



**APPENDIX 2** 

# **REPORT OF HANDLING**



# **REPORT OF HANDLING**

Reference: 2021/0053/TP

Date Registered: 4th February 2021

Application Type: Full Planning Permission

This application is a Local Development

Ward: Co-ordinates:	5 -Newton Mearns South And Eaglesham 257504/:651677			
Applicant/Agent:	Applicant:	Agent:		
	Mr Norman Kettlewell	Laura Baxter		
	68 Hill Drive	The Mount		
	Eaglesham	16 The Mount		
	East Renfrewshire	Princes Road		
	G76 0AL	Newton Stewart		
		United Kingdom		
		DG8 6HB		

Proposal: Erection of two storey side extension with rear dormer window and erection of front porch Location: 68 Hill Drive Eaglesham East Renfrewshire G76 0AL

CONSULTATIONS/COMMENTS: None.

- PUBLICITY: None.
- SITE NOTICES: None.
- SITE HISTORY: None.

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

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

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

#### ASSESSMENT:

The proposal is in an established residential area and contains a semi-detached dwelling. Planning permission is sought for the erection of a two storey side extension with rear dormer window and the erection of a front porch front porch.

The proposal is required to be assessed against Policies D1 and D14 of the adopted Local Development Plan and Supplementary Planning Guidance (SPG) on Householder Design. Policy D1 requires that new development should not result in a significant loss of character to the surrounding area. The residential amenity of neighbouring properties should not be adversely affected by unreasonably restricting sunlight or privacy. Policy D14 and the SPG require that

residential extensions should respect the dwelling and surrounding area in terms of design, scale and materials. The SPG contains specific criteria for side extensions and porches.

The proposal is contrary to the specific SPG criteria for side extensions as it would be considerably more than 50% of the frontage of the dwelling; it would not be set back from the frontage of the dwelling; and it would have the same ridgeline as the dwelling. It is considered that the size and scale of the extension would be inappropriate to the original form of the dwelling. Consequently, it is considered that it would dominate and overwhelm the dwelling to the detriment of its existing character.

In addition to its impact on the dwelling, it is considered that the size and scale of the extension would unbalance the semi-detached pairing. This would have an adverse impact on the character and visual amenity of the immediate locale especially given that the site is a prominent corner plot. Extensions of this size are not a common feature of the area and it is therefore considered that the proposal is significantly out of keeping with the surrounding built form.

The porch is considered to be appropriate to the original dwelling in terms of size and design. The dormer window is part of the extension. In its own right, the size and design of the dormer window is considered to generally accord with policy.

There is already a degree of overlooking between the properties around the site given it is a relatively built-up, suburban area. In this context, it is not considered that the proposal would lead to a significant increase in overlooking given the position of the windows relative to neighbouring properties. It is not considered that the proposal would significantly overshadow neighbouring properties due to its position relative to the site boundaries.

For the reasons set out above, it is considered that the proposal is contrary to the adopted Local Development Plan as the size, scale and massing of the extension would result in a significant loss of character to the dwelling and surrounding area. The Proposed Local Development Plan 2 is a material consideration and with regard to this planning application, the relevant policies are considered to be D1 and D1.1. The aforementioned policies largely reflect the adopted Local Development Plan policies. Consequently, it is considered that the proposal is contrary to the relevant policies in the Proposed Local Development Plan.

It is considered that the proposal is unacceptable in policy terms and that there are no material considerations that outweigh the adopted Local Development Plan.

#### **RECOMMENDATION:** Refuse

#### PLANNING OBLIGATIONS: None.

#### REASON(S):

- 1. The proposal is contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan as it its size, scale and massing would be significantly out of keeping with the predominant built form of the street resulting in a significant loss of character to the surrounding area.
- 2. The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as the size, scale and massing of the extension would dominate the original form of the dwelling resulting in a significant loss of character to the dwelling.
- 3. The proposal is contrary to the Supplementary Planning Guidance on Householder Design as it would be considerably more than 50% of the frontage of the dwelling; it would not be set back from the frontage of the dwelling; and it would have the same ridgeline as the dwelling.

Consequently, the size, scale and massing of the extension would dominate the original form of the dwelling resulting in a significant loss of character to the dwelling and surrounding area.

#### ADDITIONAL NOTES: None.

#### ADDED VALUE: None

#### **BACKGROUND PAPERS:**

Further information on background papers can be obtained from Mr David Haney on 0141 577 3861.

Ref. No.: 2021/0053/TP (DAHA)

DATE: 26th May 2021

#### DIRECTOR OF ENVIRONMENT

#### Reference: 2021/0053/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,

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greenspace, water management and Sustainable Urban Drainage Systems at the outset of the design process. Where appropriate, new tree or shrub planting should be incorporated using native species. The physical area of any development covered by impermeable surfaces should be kept to a minimum to assist with flood risk management. Further guidance is contained within the Green Network and Environmental Management Supplementary Planning Guidance;

- 6. Development should create safe and secure environments that reduce the scope for anti-social behaviour and fear of crime;
- 7. Developments must be designed to meet disability needs and include provision for disabled access within public areas;
- 8. The Council will not accept 'backland' development, that is, development without a road frontage;
- 9. Parking and access requirements of the Council should be met in all development and appropriate mitigation measures should be introduced to minimise the impact of new development. Development should take account of the principles set out in 'Designing Streets';
- 10. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the development;
- 11. Developments should include provision for the recycling, storage, collection and composting of waste materials;
- 12. Where possible, all waste material arising from construction of the development should be retained on-site for use as part of the new development;
- 13. Where applicable, new development should take into account the legacy of former mining activity;
- 14. Development should enhance the opportunity for and access to sustainable transportation, including provision for bus infrastructure, and particularly walking and cycle opportunities including cycle parking and provision of facilities such as showers/lockers, all where appropriate. The Council will not support development on railways solums or other development that would remove opportunities to enhance pedestrian and cycle access unless mitigation measures have been demonstrated;
- 15. The Council requires the submission of a design statement for national and major developments. Design statements must also be submitted in cases where a local development relates to a site within a conservation area or Category A listed building in line with Planning Advice Note 68: Design Statements.
- 16. Where applicable, developers should explore opportunities for the provision of digital infrastructure to new homes and business premises as an integral part of development.

#### Policy D14

Extensions to Existing Buildings and Erection of Outbuildings and Garages Any extensions must complement the existing character of the property, particularly in terms of style, form and materials.

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

Side extensions should not create an unbroken or terraced appearance.

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

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

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

#### Proposed Local Development Plan 2

#### Policy D1

Placemaking and Design

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

- 1. The development should not result in a significant loss of character or amenity to the surrounding area;
- 2. The proposal should be appropriate to its location, be high quality and of a size, scale, height, massing and density that is in keeping with the buildings in the locality or appropriate to the existing building and should respect local architecture, building form and design;
- 3. Respect existing building lines and heights of the locality;
- 4. Create a well-defined structure of streets, public spaces and buildings;
- 5. Ensure the use of high quality sustainable and durable materials, colours and finishes that complement existing development and buildings in the locality;
- 6. Respond to and complement site topography and not impact adversely upon the green belt and landscape character, green networks, features of historic interest, landmarks, vistas,skylines and key gateways. Existing buildings and natural features of suitable quality, should be retained and sensitively integrated into proposals including greenspace, trees and hedgerows;
- 7. Boundary treatment and landscaping should create a distinctive edge and gateway to the development and reflect local character;
- 8. Promote permeable and legible places through a clear sustainable movement hierarchy favouring walking, then cycling, public transport, then the private car as forms of movement;
- 9. Demonstrate connectivity through the site and to surrounding spaces via a network of safe, direct, attractive and coherent walking and cycling routes. These must be suitable for all age groups, and levels of agility and mobility to allow for ease of movement from place to place;
- 10. Demonstrate that safe and functional pedestrian, cycle and vehicular access, and parking facilities and infrastructure, including for disabled and visitor parking, is provided in accordance with the Council's Roads Development Guide. Where appropriate,

proposals will be required to provide secure and accessible shelters, lockers, showers and seating and be designed to meet the needs of all users. Cycle parking and facilities should be located in close proximity to the entrances of all buildings to provide convenience and choice for users;

- 11. Incorporate integrated and enhance existing green infrastructure assets, such as landscaping, trees and greenspace, water management and SUDs including access and prioritise links to the wider green network as an integral part of the design process from the outset, in accordance with Policies D4 D6. New green infrastructure must be designed to protect and enhance the habitat and biodiversity of the area and demonstrate a net gain;
- 12. There will be a general presumption against all proposals that involve landraising. Where there is a justifiable reason for landraising, proposals must have regard to the scale and visual impact of the resultant changes to the local landscape and amenity. Proposals that adversely impact upon the visual and physical connections through the site and to the surrounding areas will be resisted;
- 13. Backland development should be avoided;
- 14. Provide safe, secure and welcoming places with buildings and spaces, including open spaces, play areas and landscaping, designed and positioned to reduce the scope for anti-social behaviour and fear of crime, improve natural surveillance, passive overlooking, security and street activity;
- 15. The amenity of residents, occupants and users of neighbouring existing and new buildings and spaces should not be adversely affected by unreasonably restricting their sunlight or privacy. Additional guidance on this issue is available in the Daylight and Sunlight Design Guide Supplementary Guidance;
- 16. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the proposal;
- 17. The amenity of residents, occupants and users of neighbouring existing and new buildings and spaces should not be adversely affected by noise, dust, pollution and smell or poor air quality;
- 18. Ensure buildings and spaces are future proof designed to be easily adaptable and flexible to respond to changing social, environmental, technological, digital and economic conditions;
- 19. Incorporate provision for the recycling, storage, collection and composting of waste materials; and
- 20. Incorporate the use of sustainable design and construction methods and materials in the layout and design to support a low carbon economy.

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

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

#### Policy D1.1

Extensions and Alterations to Existing Buildings for Residential Purposes Proposals will be assessed against the following criteria:

1. The development should not result in a significant loss of character or amenity to

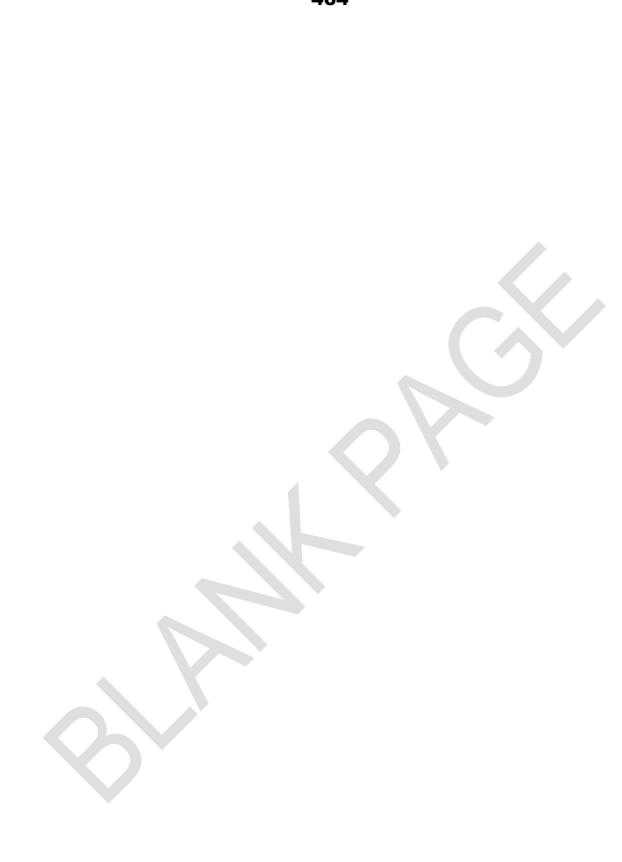
the surrounding area;

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

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

#### **GOVERNMENT GUIDANCE:**

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

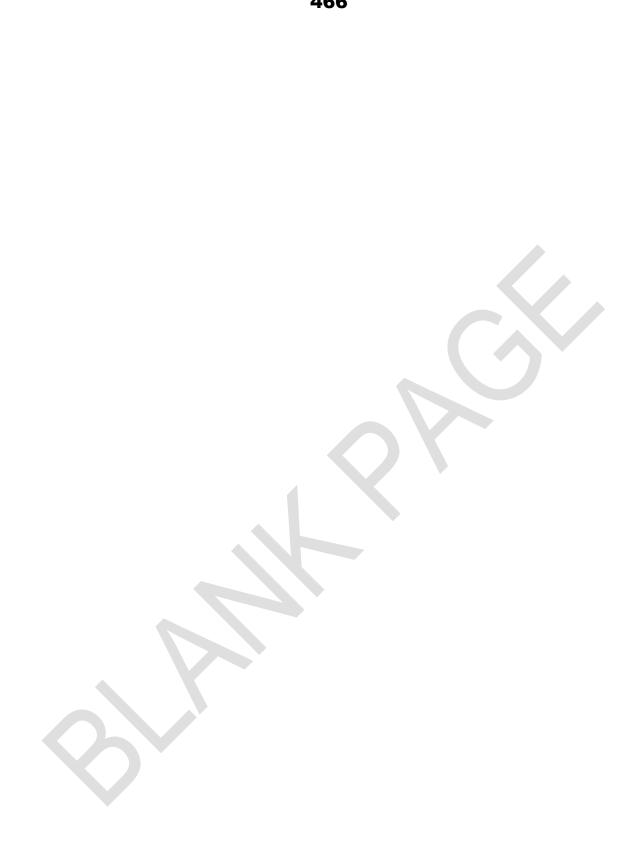


**APPENDIX 3** 

# **DECISION NOTICE**

### AND

**REASONS FOR REFUSAL** 



### 467

#### TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006) TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2013

#### REFUSAL OF PLANNING PERMISSION

#### Ref. No. 2021/0053/TP

#### Applicant:

Mr Norman Kettlewell 68 Hill Drive Eaglesham East Renfrewshire G76 0AL Agent: Laura Baxter The Mount 16 The Mount Princes Road Newton Stewart United Kingdom DG8 6HB

With reference to your application which was registered on 4th February 2021 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

#### Erection of two storey side extension with rear dormer window and erection of front porch

#### at: 68 Hill Drive Eaglesham East Renfrewshire G76 0AL

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:-

- The proposal is contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan as it its size, scale and massing would be significantly out of keeping with the predominant built form of the street resulting in a significant loss of character to the surrounding area.
- The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as the size, scale and massing of the extension would dominate the original form of the dwelling resulting in a significant loss of character to the dwelling.
- 3. The proposal is contrary to the Supplementary Planning Guidance on Householder Design as it would be considerably more than 50% of the frontage of the dwelling; it would not be set back from the frontage of the dwelling; and it would have the same ridgeline as the dwelling. Consequently, the size, scale and massing of the extension would dominate the original form of the dwelling resulting in a significant loss of character to the dwelling and surrounding area.

Dated 26th May 2021



Director of Environment East Renfrewshire Council 2 Spiersbridge Way, Spiersbridge Business Park, Thornliebank, G48 8NG Tel. No. 0141 577 3001 The following drawings/plans have been refused

Plan Description	Drawing Number	Drawing Version	Date on Plan
Location Plan	P100		
Plans and Elevations Proposed	P201 B		

#### GUIDANCE NOTE FOR REFUSAL OF LOCAL DEVELOPMENTS DETERMINED UNDER DELEGATED POWERS

#### REVIEW BY EAST RENFREWSHIRE COUNCIL'S LOCAL REVIEW BODY

1. If the applicant is aggrieved by a decision to refuse permission (or by an approval subject to conditions), the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. A Notice of Review can be submitted online at www.eplanning.scotland.gov.uk\_. Please note that beyond the content of the appeal or review forms, you cannot normally raise new matters in support of an appeal or review, unless you can demonstrate that the matter could not have been raised before, or that its not being raised before is a consequence of exceptional circumstances. Following submission of the notice, you will receive an acknowledgement letter informing you of the date of the Local Review Body meeting or whether further information is required.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

CONTACT DETAILS

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

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



**APPENDIX 4** 

# NOTICE OF REVIEW

### AND

## STATEMENT OF REASONS



2 Spiersbridge Way Thornliebank G46 8NG Tel: 0141 577 3001 Email: planning@eastrenfrewshire.gov.uk						
and the second s	lidated until all the necessary documentatio	n has been submitted	and the required fee has been paid.			
Thank you for completing ONLINE REFERENCE	100320485-005					
The online reference is th			rity will allocate an Application Number when ority about this application.			
Applicant or A	Agent Details					
Succession States	n agent? * (An agent is an architect, consult in connection with this application)	ant or someone else a	acting			
Agent Details						
Please enter Agent detail	S					
Company/Organisation:						
Ref. Number:		You must enter a B	uilding Name or Number, or both: *			
First Name: *	Laura	Building Name:	The Mount			
Last Name: *	Baxter	Building Number:	16			
Telephone Number: *	07592080719	Address 1 (Street): *	The Mount			
Extension Number:		Address 2:	Princes Road			
Mobile Number:		Town/City: *	Newton Stewart			
Fax Number:		Country: *	United Kingdom			
		Postcode: *	DG8 6HB			
Email Address: *	laura_baxter88@hotmail.co.uk					
Is the applicant an individual or an organisation/corporate entity? *						

Applicant Details								
Please enter Applicant d	Please enter Applicant details							
Title:	Mr	You must enter a Bu	ilding Name or Number, or both: *					
Other Title:		Building Name:						
First Name: *	Norman	Building Number:	68					
Last Name: *	Kettlewell	Address 1 (Street): *	Hill Drive					
Company/Organisation		Address 2:						
Telephone Number: *		Town/City: *	Eaglesham					
Extension Number:		Country: *	Scotland					
Mobile Number:		Postcode: *	G76 0AL					
Fax Number:								
Email Address: *								
Site Address	Details							
Planning Authority:	East Renfrewshire Council							
Full postal address of the	Full postal address of the site (including postcode where available):							
Address 1:	68 HILL DRIVE							
Address 2:	EAGLESHAM							
Address 3:								
Address 4:								
Address 5:								
Town/City/Settlement:	GLASGOW							
Post Code:	G76 0AL							
Please identify/describe	Please identify/describe the location of the site or sites							
Northing	651677	Easting	257504					

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 side extension, installation of rear dormer window and erection of front porch	
Type of Application	
What type of application did you submit to the planning authority? *	
Application for planning permission (including householder application but excluding application to work minerals).	
Application for planning permission in principle.	
L Further application.	
Application for approval of matters specified in conditions.	
What does your review relate to? *	
Refusal Notice.	
Grant of permission with Conditions imposed.	
No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.	
Statement of reasons for seeking review	
You must state in full, why you are a seeking a review of the planning authority's decision (or failure to make a decision). Your staten must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided 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 produ all of the information you want the decision-maker to take into account.	се
You should not however raise any new matter which was not before the planning authority at the time it decided your application (or the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before th time or that it not being raised before that time is a consequence of exceptional circumstances.	
Have you raised any matters which were not before the appointed officer at the time the Large Yes Ves Ves Ves Ves Ves Ves Ves Ves Ves V	
f yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer befor your application was determined and why you consider it should be considered in your review: * (Max 500 characters)	e

Please provide a list of all supporting documents, materials and evidence which you wish to to rely on in support of your review. You can attach these documents electronically later in the	submit with your notice o e process: * (Max 500 c	of review and naracters)	intend	
Application Details				
Please provide the application reference no. given to you by your planning authority for your previous application.				
What date was the application submitted to the planning authority? $^{\star}$				
What date was the decision issued by the planning authority? *				
Review Procedure				
The Local Review Body will decide on the procedure to be used to determine your review an process require that further information or representations be made to enable them to determ required by one or a combination of procedures, such as: written submissions; the holding of inspecting the land which is the subject of the review case.	nine the review. Further	nformation n		
Can this review continue to a conclusion, in your opinion, based on a review of the relevant i parties only, without any further procedures? For example, written submission, hearing sess		ourself and o	other	
In the event that the Local Review Body appointed to consider your application decides to in	spect the site, in your op	inion:		
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 in to submit all this information may result in your appeal being deemed invalid.	formation in support of y	/our appeal.	Failure	
Have you provided the name and address of the applicant?. *	X Yes 🗌 N			
Have you provided the date and reference number of the application which is the subject of t review? $^{\star}$	his 🛛 Yes 🗌 N	lo		
If you are the agent, acting on behalf of the applicant, have you provided details of your nam and address and indicated whether any notice or correspondence required in connection with review should be sent to you or the applicant? *		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 🗌 N	lo		
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 🗌 N	lo		
Note: Where the review relates to a further application e.g. renewal of planning permission o planning condition or where it relates to an application for approval of matters specified in co application reference number, approved plans and decision notice (if any) from the earlier co	nditions, it is advisable to			

### **Declare – Notice of Review**

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

Miss Laura Baxter

Declaration Name:

Declaration Date: 14/08/2021





### Head of Environment (Chief Planning Officer): Gillian McCarney

2 Spiersbridge Way, Spiersbridge Business Park, Thornliebank, G46 8NG Phone: 0141 577 3001 Fax: 0141 577 3781 DX: 501601 GIFFNOCK

Laura Baxter The Mount 16 The Mount Princes Road Newton Stewart United Kingdom DG8 6HB

Dear Sir/Madam,

### TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006) TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2008 NOTIFICATION OF DECISION - REFUSAL OF PLANNING PERMISSION

Ref No: 2021/0053/TP

Location: 68 Hill Drive Eaglesham East Renfrewshire G76 0AL Proposal: Erection of two storey side extension with rear dormer window and erection of front porch

The Council has decided to refuse your application for the reasons explained on the enclosed decision notice. The stamped refused drawings are available to view and download from the Council's website <u>www.ercplanning.eastrenfrewshire.gov.uk</u> by searching under the application reference number.

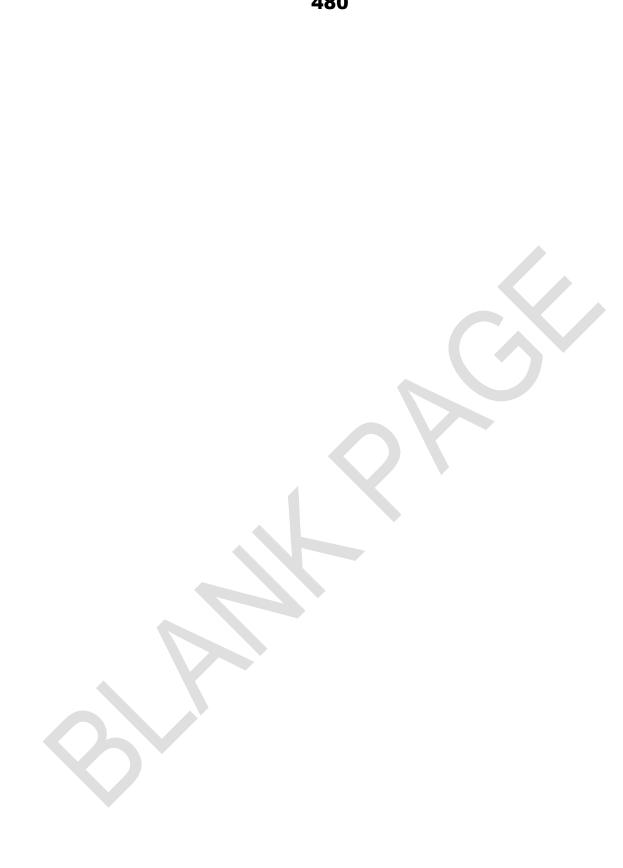
If you are aggrieved by the decision, you may appeal or seek a review of the decision. Please see the notes attached to your decision notice for the procedures you should follow and the timescales involved.

If you would like to discuss the reasons for refusal please contact me.

Yours faithfully

Gillian McCarney Head of Environment (Chief Planning Officer)

Encl.



### TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006) TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2013

### REFUSAL OF PLANNING PERMISSION

Ref. No. 2021/0053/TP

### Applicant:

Mr Norman Kettlewell 68 Hill Drive Eaglesham East Renfrewshire G76 0AL Agent: Laura Baxter The Mount 16 The Mount Princes Road Newton Stewart United Kingdom DG8 6HB

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# Erection of two storey side extension with rear dormer window and erection of front porch

### at: 68 Hill Drive Eaglesham East Renfrewshire G76 0AL

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 it its size, scale and massing would be significantly out of keeping with the predominant built form of the street resulting in a significant loss of character to the surrounding area.
- 2. The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as the size, scale and massing of the extension would dominate the original form of the dwelling resulting in a significant loss of character to the dwelling.
- 3. The proposal is contrary to the Supplementary Planning Guidance on Householder Design as it would be considerably more than 50% of the frontage of the dwelling; it would not be set back from the frontage of the dwelling; and it would have the same ridgeline as the dwelling. Consequently, the size, scale and massing of the extension would dominate the original form of the dwelling resulting in a significant loss of character to the dwelling and surrounding area.

Dated 26th May 2021

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

Plan Description	Drawing Number	Drawing Version	Date on Plan
Location Plan	P100		
Plans and Elevations Proposed	P201 B		

# GUIDANCE NOTE FOR REFUSAL OF LOCA **48** EVELOPMENTS 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 <u>www.eplanning.scotland.gov.uk</u>. Please note that beyond the content of the appeal or review forms, **you cannot normally raise new matters** in support of an appeal or review, unless you can demonstrate that the matter could not have been raised before, or that its not being raised before is a consequence of exceptional circumstances. Following submission of the notice, you will receive an acknowledgement letter informing you of the date of the Local Review Body meeting or whether further information is required.

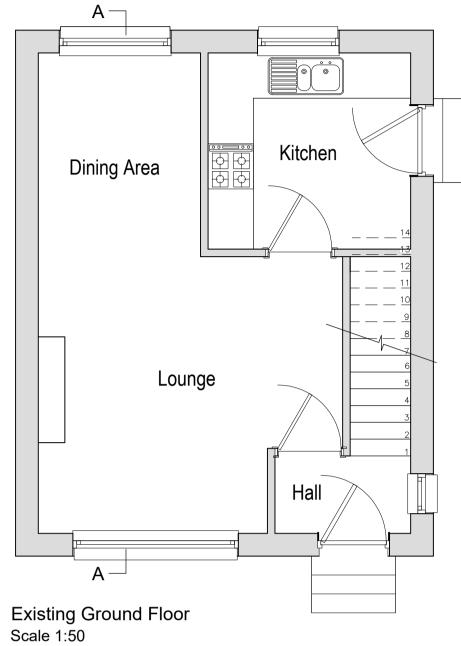
2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

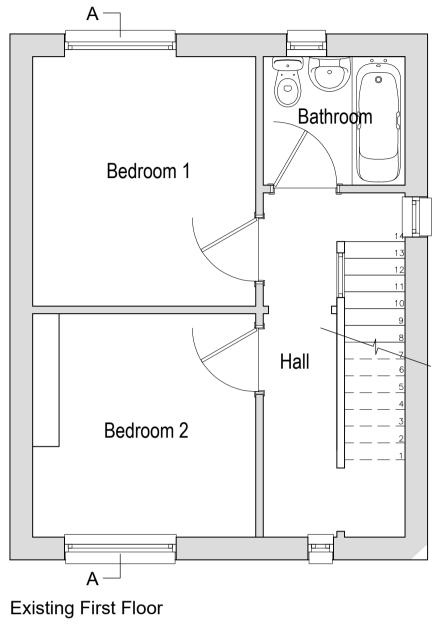
CONTACT DETAILS

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

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





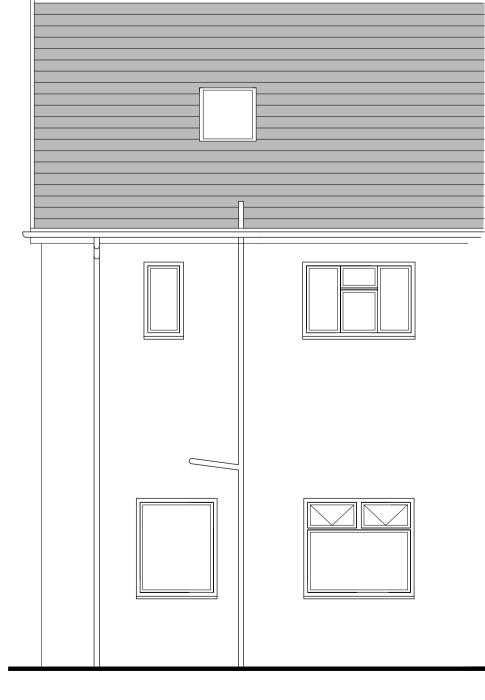


**0** 50cm 100 cm

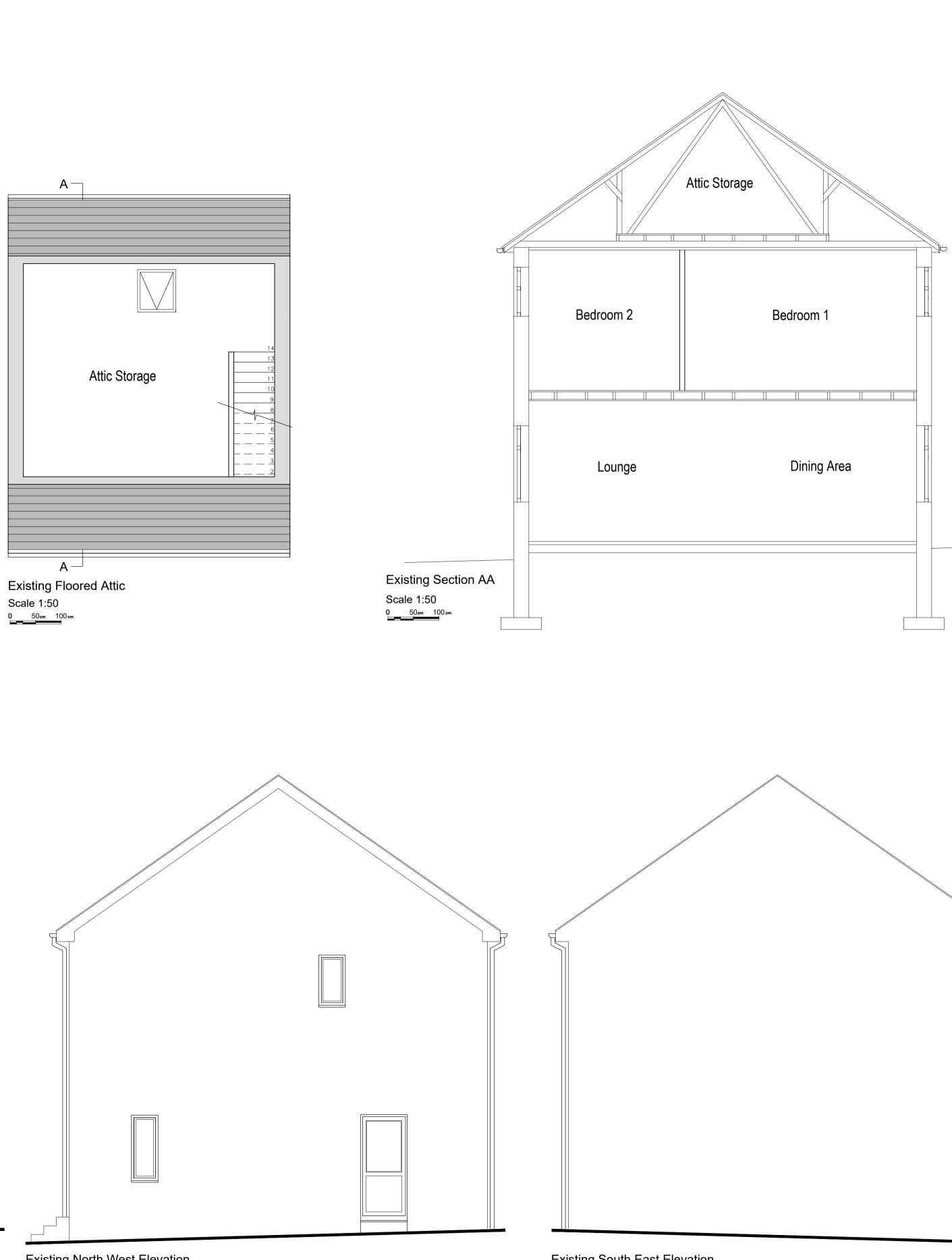
Scale 1:50 0 50 cm 100 cm



Existing North East Elevation Scale 1:50 0 50cm 100cm



Existing South West Elevation Scale 1:50 0\_\_\_\_\_\_ 100 cm



485

Existing North West Elevation Scale 1:50 0\_\_\_\_\_\_\_ 100 cm

Existing South East Elevation Scale 1:50 0\_\_\_\_\_0\_\_\_\_

Notes

DO NOT SCALE FROM THIS DRAWING

The contractor shall check and verify all dimensions on site and report any discrepancies before proceeding work

### FOR ELECTRONIC DATA ISSUE

Electronic Data / drawings are issued as "read only" and should not be interrogated for measurement. All dimensions and levels should read, only from those values stated in test, on the drawing.

### AREA MEASUREMENT

The areas are approximate and can only be verified by a detailed dimensional survey of the completed building. Any decisions to be made on the basis of these predictions, whether as to project viability, pre-letting, lease agreements or otherwise, should include due allowance for the increases and decreases inherent in the design development and building processes. Existing buildings may present anomalies in relation to surveyed/drawn plans that may also effect the stated areas. All areas are subject to Town Planning and Conservation Area Consent and detailed Rights to Light analysis.

HE

Rev Des	cription		Date	
A Issu	Issued for Planning Application			
B Exis	ting South East Ele	vation added	03/02/21	
Draiaati				
,	Project:			
68 Hill Drive, Eaglesham G76 OAL				
Drawing Title:				
Existing Plans, Elevations, Section				
Scale:	Drawing No:	Rev:	Date:	
1:50 @A1	P101	В	25/01/2021	



### Notes

DO NOT SCALE FROM THIS DRAWING

The contractor shall check and verify all dimensions on site and report any discrepancies before proceeding work

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Site Boundary

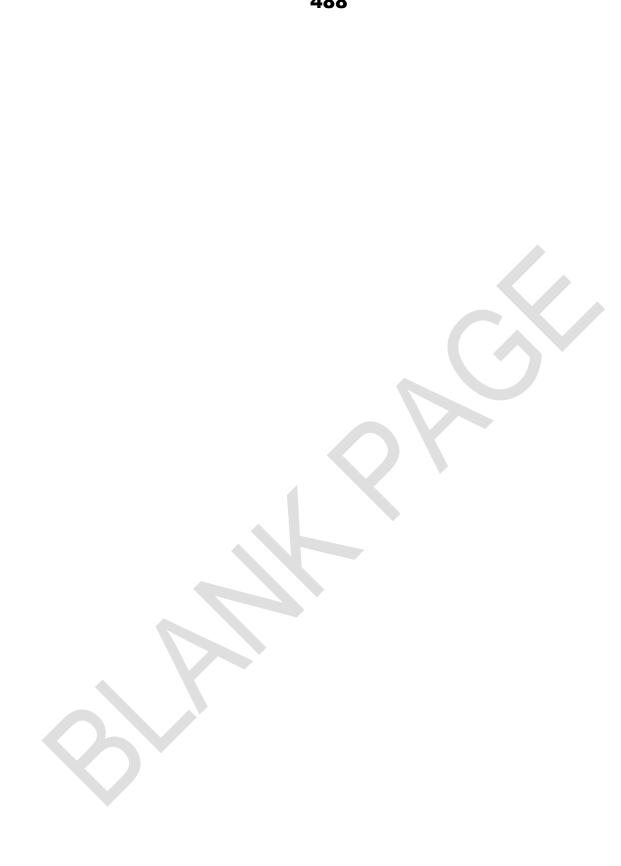
68 Hill Drive

### Key

RevDescriptionDateAIssued for Planning Application25/01/21

Project:			
68 Hill Drive, Eaglesham G76 OAL			
Drawing Title: Existing and Proposed Location and Site Plan			
Scale: as noted	Drawing No: P100	Rev: A	Date: 25/01/2021

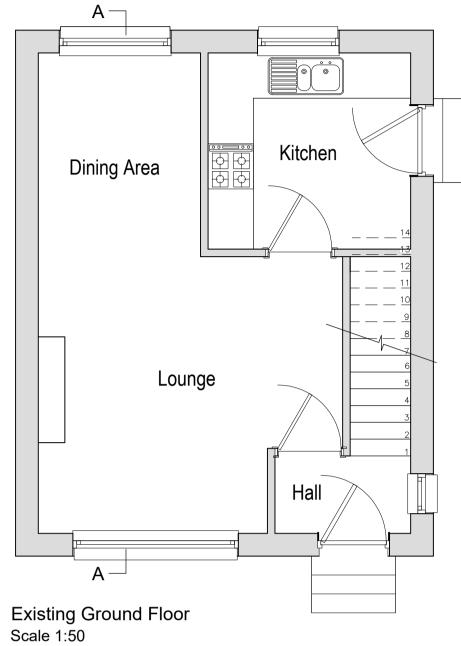


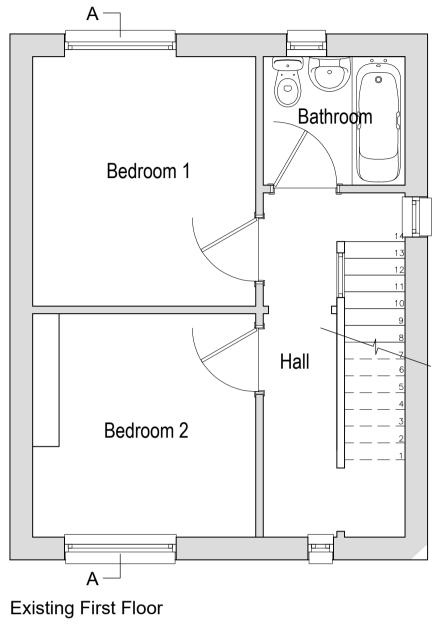


**APPENDIX 5** 

## PLANS/PHOTOGRAPHS/DRAWINGS





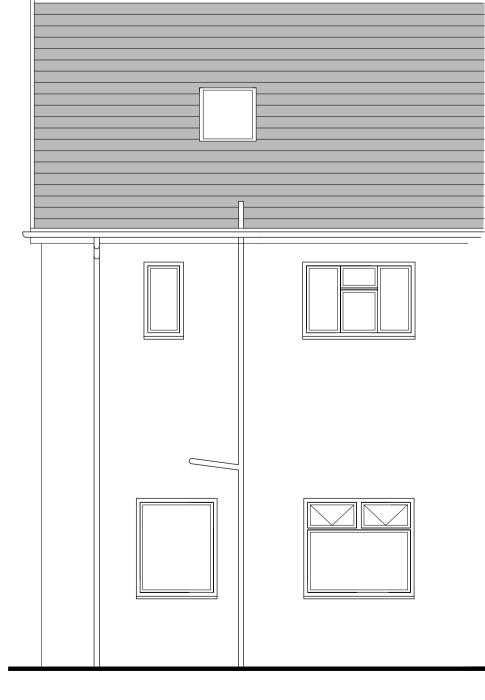


**0** 50cm 100 cm

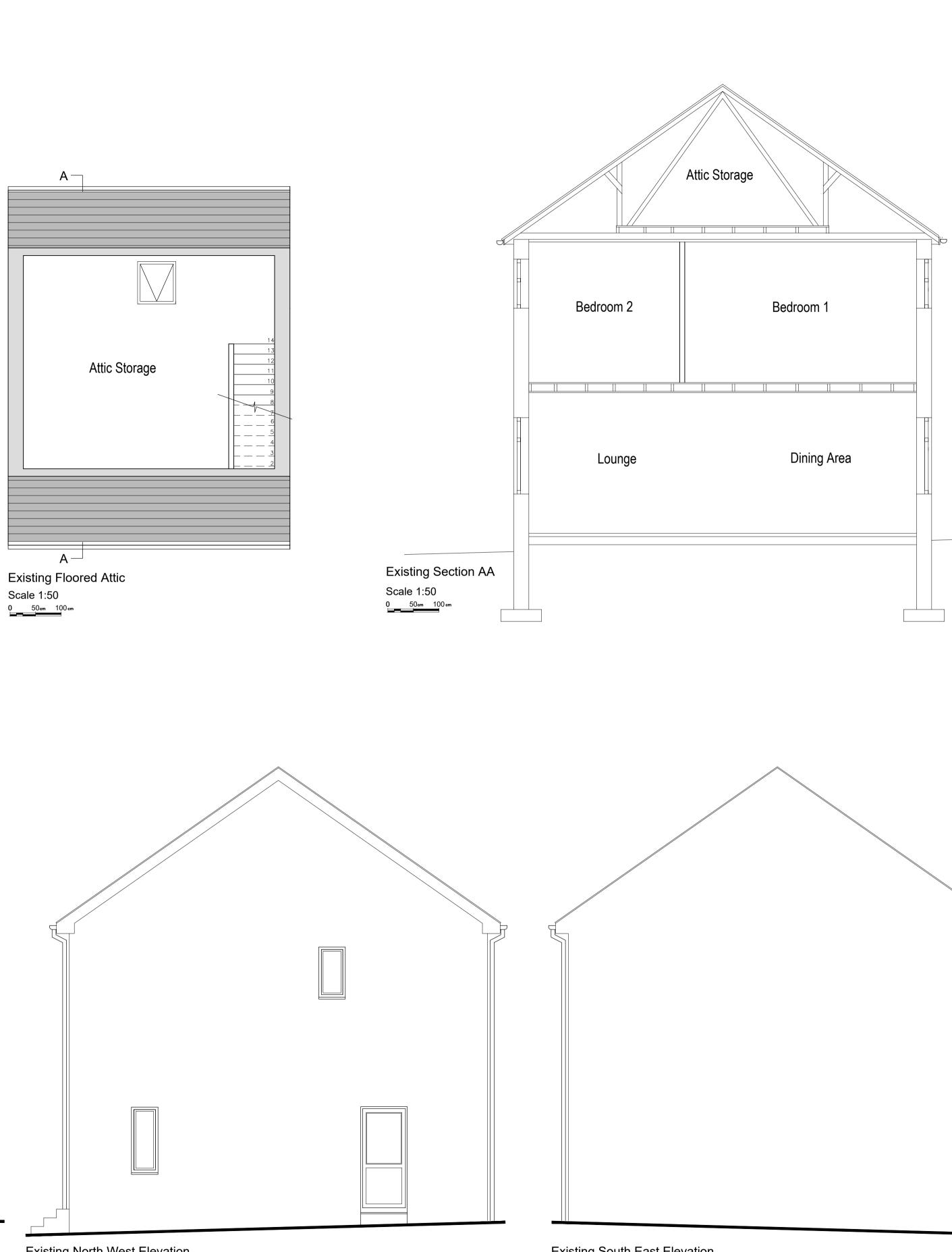
Scale 1:50 0 50 cm 100 cm



Existing North East Elevation Scale 1:50 0 50cm 100cm



Existing South West Elevation Scale 1:50 0\_\_\_\_\_\_ 100 cm



**491** 

Existing North West Elevation Scale 1:50 0\_\_\_\_\_\_\_ 100 cm

Existing South East Elevation Scale 1:50 0\_\_\_\_\_0\_\_\_\_

Notes

DO NOT SCALE FROM THIS DRAWING

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HE

Rev Des	cription		Date	
A Issu	Issued for Planning Application			
B Exis	ting South East Ele	vation added	03/02/21	
Draiaati				
,	Project:			
68 Hill Drive, Eaglesham G76 OAL				
Drawing Title:				
Existing Plans, Elevations, Section				
Scale:	Drawing No:	Rev:	Date:	
1:50 @A1	P101	В	25/01/2021	





### Notes

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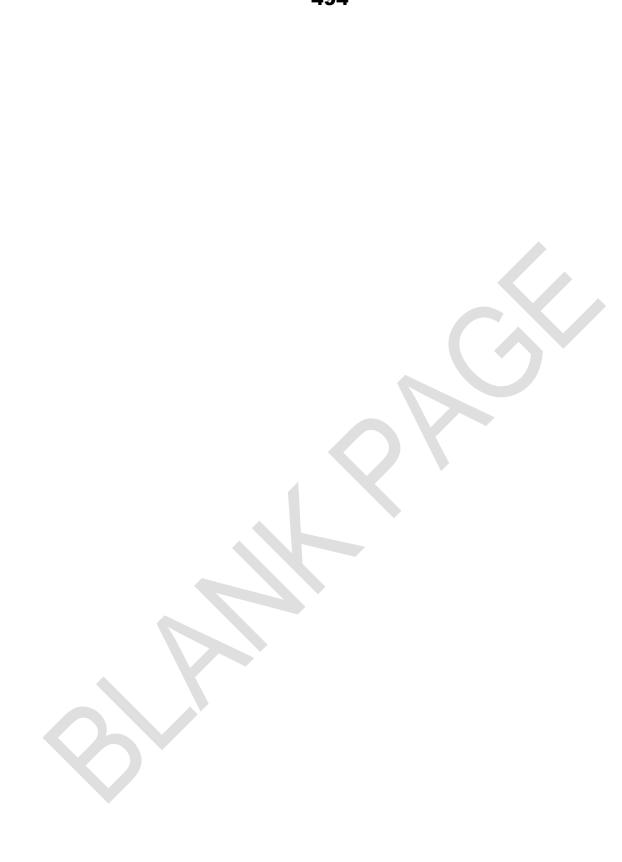
Site Boundary

68 Hill Drive

### Key

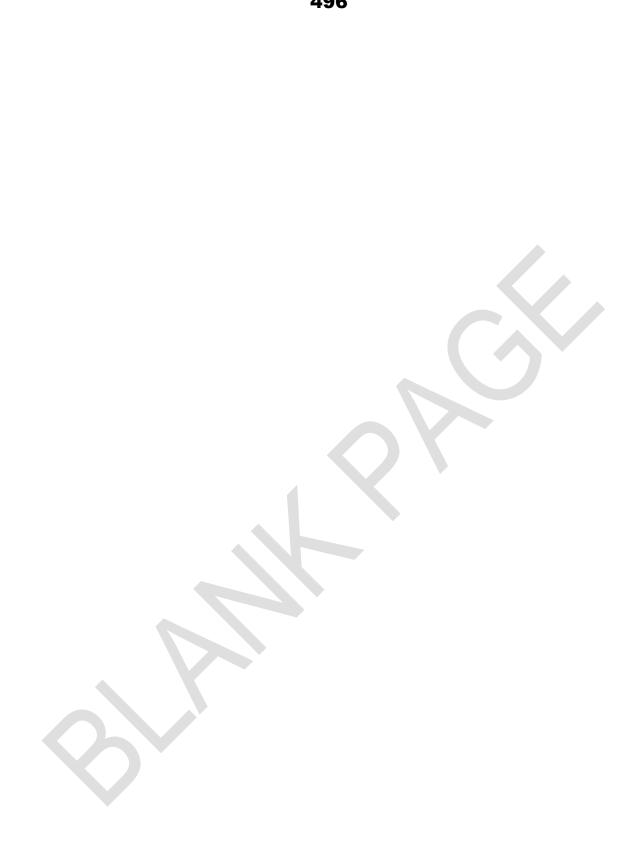
RevDescriptionDateAIssued for Planning Application25/01/21

Project:			
68 Hill Drive, Eaglesham G76 OAL			
Drawing Title:			
Existing and Proposed Location and Site Plan			
Scale:	Drawing No:	Rev:	Date:
as noted	Drawing No: P100	Rev: A	Date: 25/01/2021



**APPENDIX 6** 

# REASONING FOR SUBMISSION OF NEW INFORMATION



### 497

Hi Sharon

Thank you for this, really appreciate it.

Please see paragraph below for including in the meeting papers:

Photographs of comparable extensions within the vicinity have been provided as new information in order to assist with the appeal. The photographs were not provided with the original application as we were hopeful the proposed extension may be approved based on various similar extensions nearby. We would appreciate consideration of the photographs with the appeal to highlight that the proposed extension is not out of character for the area.

Many thanks Laura Baxter

