EAST RENFREWSHIRE COUNCIL

LOCAL REVIEW BODY

14 September 2022

Report by Director of Business Operations and Partnerships

REVIEW OF CASE - REVIEW/2022/06

ERECTION OF TWO STOREY REAR EXTENSION, INSTALLATION OF REAR DORMER AND ASSOCIATED ALTERATIONS

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:- 2021/0457/TP).

Applicant: Mr James Macklin

Proposal: Erection of two storey rear extension, installation of rear dormer

and associated alterations.

Location: 51 Mansefield Crescent, Clarkston, East Renfrewshire, G76

7EA.

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

REASON FOR REQUESTING REVIEW

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

RECOMMENDATIONS

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

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

BACKGROUND

- **5.** At the meeting of the Council on 29 April 2009, consideration was given to a report by the Director of Environment seeking the adoption of a new Scheme of Delegation in terms of the new Section 43A of the Town and Country Planning (Scotland) Act 1997, subject to approval of the scheme by Scottish Ministers.
- 6. The report provided details of the new hierarchy of developments that took effect from 6 April 2009 explaining that the Scheme of Delegation related to those applications within the "local development" category as set out in the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009, but would in future be determined by an "appointed officer". In the Council's case this would be either the Director of Environment or the Head of Roads, Planning and Transportation Service now designated the Head of Environment (Operations).
- 7. The report highlighted that historically appeals against planning decisions were dealt with by Scottish Ministers. However, following the introduction of the new planning provisions with came into effect on 3 August 2009 all appeals against decisions made in respect of local developments under delegated powers would be heard by a Local Review Body. The Local Review Body would also deal with cases where the appointed officer had failed to determine an application within two months from the date it was lodged.

NOTICE OF REVIEW – STATEMENT OF REASONS FOR REQUIRING THE REVIEW

- **8.** The applicant in submitting the review has stated the reasons for requiring the review of the determination of the application. A copy of the applicant's Notice of Review and Statement of Reasons including appeal statement is attached as Appendix 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 detailed in their opinion that this review can continue to conclusion based on the assessment of the review documents only, with no further procedure.
- **10.** The Local Review Body is not bound to accede to the applicant's request as to how it will determine the review and will itself decide what procedure will be used in this regard.
- **11.** At the meeting of the Local Review Body on 10 August 2016, it was decided that the Local Review Body would carry out unaccompanied site inspections for every review case it received prior to the cases being given initial consideration at a meeting of the Local Review Body.
- **12.** In accordance with the above decision, the Local Review Body will carry out an unaccompanied site inspection on Wednesday, 14 September 2022 before the meeting of the Local Review Body which begins at 2.30pm.

INFORMATION AVAILABLE TO ALLOW REVIEW OF APPLICATION

- **13.** Section 43B of the Planning etc (Scotland) Act 2006 restricts the ability of parties to introduce new material at the review stage. The Local Review Body is advised that the focus of the review should, therefore, be on the material which was before the officer who dealt with the application under the Scheme of Delegation.
- **14.** The information detailed below is appended to this report to assist the Local Review Body in carrying out the review of the decision taken by the Appointed Officer:-
 - (a) Application for planning permission Appendix 1 (Pages 7 14);
 - (b) Report of Handling by the planning officer under the Scheme of Delegation Appendix 3 (Pages 37 46);
 - (c) Decision notice and reasons for refusal Appendix 4 (Pages 47 50); and
 - (e) A copy of the applicant's Notice of Review and Statement of Reasons including appeal statement Appendix 5 (Pages 51 60).
- **15.** The applicant has also submitted the drawings listed below and these are attached as Appendix 6 (Pages 61 70).
 - (a) Location Plan 01;
 - (b) Existing and Proposed Layout Plans 001b;
 - (c) Existing Ground Floor and First Floor Plans 002b;
 - (d) Existing Elevations 003b;
 - (e) Refused Location Plan 01;
 - (f) Refused Existing and Proposed Layout Plans 001b;
 - (g) Refused Proposed Plans 004b; and
 - (h) Refused Proposed Elevations 005b.
- **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 and are also included as Appendix 2.
- **17.** All the documents referred to in this report can be viewed online on the Council's website at www.eastrenfrewshire.gov.uk.

RECOMMENDATIONS

- **18.** The Local Review Body is asked to:-
 - (a) consider whether it has sufficient information to allow it to proceed to determine the review without further procedure and, if so, that:-
 - (i) it proceeds to determine whether the decisions taken in respect of the application under review should be upheld, reversed or varied; and

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- (ii) in the event that the decision is reversed or varied, the reasons and the detailed conditions to be attached to the decision letter are agreed; or
- (b) In the event that further procedure is required to allow it to determine the review, consider:-
 - (i) what further information is required, which parties are to be asked to provide the information and the date by which this is to be provided; and/or;
 - (ii) what procedure or combination of procedures are to be followed in determining the review.

Report Author: Sharon McIntyre

Director - Louise Pringle, Director of Business Operations and Partnerships

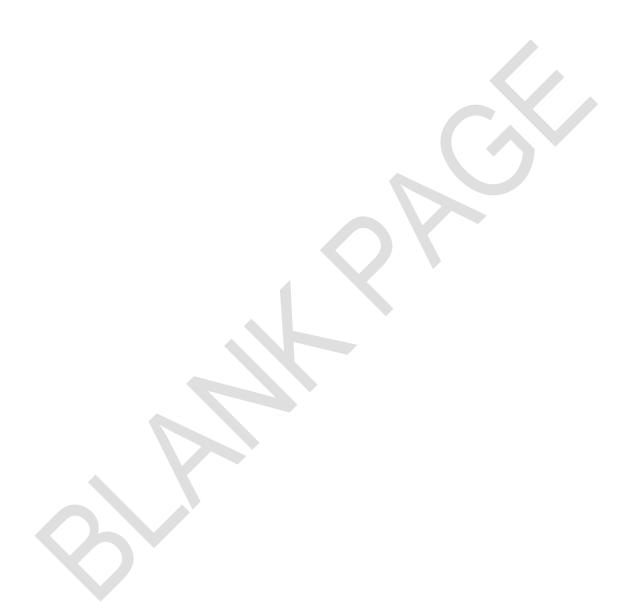
Sharon McIntyre, Committee Services Officer e-mail: sharon.mcintyre@eastrenfrewshire.gov.uk

Tel: 0141 577 3011

Date:- July 2022

APPENDIX 1

APPLICATION FORM





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 100411180-008

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)

Erection of 2 storey rear extension. Alterations to existing loft and formation of dormer to the rear. Basement conversion and underpinning.

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

Applicant or Agent Details

No ☐ Yes - Started ☐ Yes - Completed

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 | Ag

Applicant Details						
Please enter Applicant details						
Title:	Mr	You must enter a Building Name or Number, or both: *				
Other Title:		Building Name:				
First Name: *	James	Building Number:	51			
Last Name: *	Macklin	Address 1 (Street): *	mansefield crescent			
Company/Organisation		Address 2:	51 Mansefield Crescent			
Telephone Number: *		Town/City: *	Glasgow			
Extension Number:		Country: *	Scotland			
Mobile Number:		Postcode: *	G76 7EA			
Fax Number:						
Email Address: *						
Site Address Details						
Planning Authority:	East Renfrewshire Council					
Full postal address of the site (including postcode where available):						
Address 1:	51 MANSEFIELD CRESCENT					
Address 2:	CLARKSTON					
Address 3:						
Address 4:						
Address 5:						
Town/City/Settlement:	GLASGOW					
Post Code:	G76 7EA					
Please identify/describe the location of the site or sites						
Northing	656963	Easting	256935			

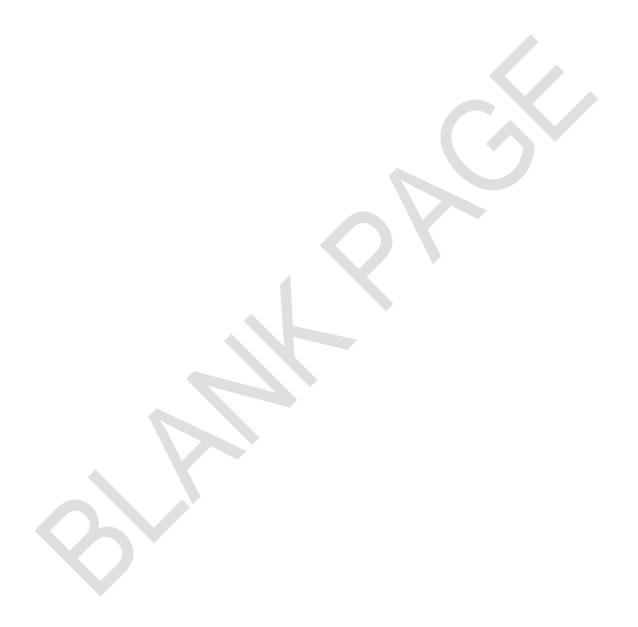
Pre-Applic	cation Discussion				
Have you discusse	☐ Yes ☒ No				
Trees					
Are there any trees	s on or adjacent to the application site? *	☐ Yes ☒ No			
	If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate i any are to be cut back or felled.				
Access ar	nd Parking				
Are you proposing	☐ Yes ☒ No				
If yes, please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you proposed to make. You should also show existing footpaths and note if there will be any impact on these.					
Planning Service Employee/Elected Member Interest					
Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *					
Certificate	es and Notices				
CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013					
One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.					
Are you/the applica	⊠ Yes □ No				
Is any of the land p	☐ Yes ☒ No				
Certificate	Required				
The following Land	d 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 James Macklin				
On behalf of:					
Date:	26/10/2021				
	☒ Please tick here to certify this Certificate. *				

Checklist – Application for Householder Application					
Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.					
a) Have you provided a writte	🛛 Yes 🗌 No				
	stal address of the land to which the development relates, or if the land in question cription of the location of the land? *	⊠ Yes □ No			
c) Have you provided the nan applicant, the name and addr	ne and address of the applicant and, where an agent is acting on behalf of the ess of that agent.? *	⊠ Yes □ No			
	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.				
e) Have you provided a certifi	icate of ownership? *	🛛 Yes 🗌 No			
f) Have you provided the fee p	🛛 Yes 🗌 No				
g) Have you provided any oth	🛛 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 electron	nic documents later in the process.				
■ Existing and Proposed e	levations.				
⊠ Existing and proposed floor plans.					
Cross sections.					
Site layout plan/Block pla	ans (including access).				
Roof plan.					
Photographs and/or photomontages.					
Additional Surveys – for exammay need to submit a survey	☐ Yes ☒ No				
A Supporting Statement – you Proposal. This can be helpful 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 H	ouseholder 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 James Macklin				
Declaration Date:	24/05/2021				

Payment Details

Telephone Payment Reference:

Created: 26/10/2021 21:27



APPENDIX 2

COPIES OF OBJECTIONS/REPRESENTATIONS



Application Summary

Application Number: 2021/0457/TP

Address: 51 Mansefield Crescent Clarkston East Renfrewshire G76 7EA

Proposal: Erection of two storey rear extension, installation of rear dormer and associated

alterations.

Case Officer: Mr Derek Scott

Customer Details

Name: Mrs Alison Young

Address: 36 Sunnybank Drive, Clarkston, East Renfrewshire G76 7ST

Comment Details

Commenter Type: Rec'd NeighbourNotification from Council

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Need more information about size of extension. I am very worried that it will cause a

lack of privacy in our back garden and also that it may cut out some sunlight.

Application Summary

Application Number: 2021/0457/TP

Address: 51 Mansefield Crescent Clarkston East Renfrewshire G76 7EA

Proposal: Erection of two storey rear extension, installation of rear dormer and associated

alterations.

Case Officer: Mr Derek Scott

Customer Details

Name: Mr Peter Dallas

Address: 34 Sunnybank Drive, Clarkston, East Renfrewshire G76 7ST

Comment Details

Commenter Type: Rec'd NeighbourNotification from Council

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: As the owners of 34 Sunnybank Drive, my wife and I firmly object to the proposed plan to build a two storey rear extension at 51 Mansefield Crescent, Clarkston, on the following basis:

- The visual impact of a 2-storey rear extension would be substantial
- The visual impact of a 2-storey rear extension would be incongruous amongst all other adjacent property
- Calculated from the proposed side elevation on Plan Ref 005b, the proposed extension to the rear of 51 Mansfield Crescent would be a permanent structure built 4.3m closer to our back garden (+50% of the current width of 51 Mansefield Crescent according to the Plan)
- The height of extending the existing ground floor (Plan Ref 002b) to create a new two tier building at the rear of 51 Mansefield Crescent (Proposed Plan Ref 004b), would tower over our back garden and the rear of our house resulting in immediate, and irreversible, loss of privacy at 34 Sunnybank Drive
- The height of extending the existing ground floor (Plan Ref 002b) to create a new two tier building at the rear of 51 Mansefield Crescent (Proposed Plan Ref 004b), would create shading and reduce sunlight to our garden, adversely affecting both our enjoyment of the garden and surrounding vegetation
- We have no objection to the erection of the proposed first floor dormer (Proposed Plan Ref 004b) at 51 Mansefield Crescent
- We have no objection to the proposed basement extension (Proposed Plan Ref 004b) at 51 Mansfield Crescent

For the avoidance of doubt, we firmly object to the erection of a two storey extension to the rear of the current structure at 51 Mansfield Crescent.

Application Summary

Application Number: 2021/0457/TP

Address: 51 Mansefield Crescent Clarkston East Renfrewshire G76 7EA

Proposal: Erection of two storey rear extension, installation of rear dormer and associated

alterations.

Case Officer: Mr Derek Scott

Customer Details

Name: Mr Peter Dallas

Address: 34 Sunnybank Drive, Clarkston, East Renfrewshire G76 7ST

Comment Details

Commenter Type: Rec'd NeighbourNotification from Council

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: As the owner of 34 Sunnybank Drive, I firmly object to the proposed plan to build a two storey rear extension at 51 Mansefield Crescent, Clarkston, on the following basis:

- The visual impact of a 2-storey rear extension would be substantial
- The visual impact of a 2-storey rear extension would be incongruous amongst all other adjacent property
- Calculated from the proposed side elevation on Plan Ref 005b, the proposed extension to the rear of 51 Mansfield Crescent would be a permanent structure built 4.3m closer to our back garden (+50% of the current width of 51 Mansefield Crescent according to the Plan)
- The height of extending the existing ground floor (Plan Ref 002b) to create a new two tier building at the rear of 51 Mansefield Crescent (Proposed Plan Ref 004b), would tower over my back garden and the rear of my house resulting in immediate, and irreversible, loss of privacy at 34 Sunnybank Drive
- The height of extending the existing ground floor (Plan Ref 002b) to create a new two tier building at the rear of 51 Mansefield Crescent (Proposed Plan Ref 004b), would create shading and reduce sunlight to my garden, adversely affecting both my enjoyment of the garden and surrounding vegetation
- I have no objection to the erection of the proposed first floor dormer (Proposed Plan Ref 004b) at 51 Mansefield Crescent
- I have no objection to the proposed basement extension (Proposed Plan Ref 004b) at 51 Mansfield Crescent

For the avoidance of doubt, I firmly object to the erection of a two storey extension to the rear of the current structure at 51 Mansfield Crescent.

Application Summary

Application Number: 2021/0457/TP

Address: 51 Mansefield Crescent Clarkston East Renfrewshire G76 7EA

Proposal: Erection of two storey rear extension, installation of rear dormer and associated

alterations.

Case Officer: Mr Derek Scott

Customer Details

Name: Mrs Rosalind Dallas

Address: 34 Sunnybank Drive, Clarkston, East Renfrewshire G76 7ST

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The proposed 2 storey extension would be over 4 metres nearer to my property negatively impacting on my privacy and amount of sunlight reaching my lawn, shrubs and flowering pots. At its towering height it will be looking directly into my dining kitchen, living room, son's bedroom and bathroom which is an unacceptable invasion of privacy. The sheer scale of the proposals is not fitting with any immediate adjacent properties and would look out of place. I would also be concerned about the increased level of sound coming from the property if it encroaches on my property.

Application Summary

Application Number: 2021/0457/TP

Address: 51 Mansefield Crescent Clarkston East Renfrewshire G76 7EA

Proposal: Erection of two storey rear extension, installation of rear dormer and associated

alterations.

Case Officer: Mr Derek Scott

Customer Details

Name: Mrs Elizabeth Nelson

Address: 28 Sunnybank Drive, Clarkston, East Renfrewshire G76 7ST

Comment Details

Commenter Type: Rec'd NeighbourNotification from Council

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I am objecting to this application on the grounds of flooding and drainage issues associated with my garden at 28 Sunnybank Drive. A burn flows behind the rear gardens of Mansefield Crescent and Sunnybank Drive and land disturbance in the past has resulted in the flow of water from the burn flooding my back garden. I have spent a considerable amount of money resolving this problem in my garden. My property sits down hill and down stream from 51 Mansfield Crescent and I am extremely concerned that a considerable amount of disturbance to the land uphill of my property my result in the flooding of my property again if sufficient drainage is not considered as part of the application for this property. Once again to be clear I am objecting to this application on the grounds of flooding and drainage issues to my property.

Application Summary

Application Number: 2021/0457/TP

Address: 51 Mansefield Crescent Clarkston East Renfrewshire G76 7EA

Proposal: Erection of two storey rear extension, installation of rear dormer and associated

alterations.

Case Officer: Mr Derek Scott

Customer Details

Name: Mrs Elaine Anderson

Address: 30 Sunnybank Drive, Clarkston, East Renfrewshire G76 7ST

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:We strongly object to the proposed plan for the erection of the oversized 2 storey extension at 51 Mansfield crescent. Ref 2021\0457\TP. Our objection is firstly based on an already ongoing problem with flooding\drainage\burn from 51 Mansefield Crescent.

51 Mansfield Crescent is highly elevated and slopes down towards our rear garden to the left. At the bottom of their garden is a burn\stream.

We have spent considerable monies having drainage laid. Our grave concern is that due to the large footprint of this proposed extension, this will only exacerbate the problem for us, water will run into the burn which in turn will come in g

To our garden.

We require ERC to carry out a full assessment for additional drainage to confirm no water will come from No51 Mansefield crescent onto our property. We require this report to be passed to ourselves and the residents of Sunnybank Drive affected ie No.s 32,30,28 especially, prior to any approval. Should this plan be approved, we require a copy of drainage completion certifications and plans, and we reserve the right to peruse East Renfrewshire Council and owner\s at 51 Mansfield Crescent legally should water enter our ground from No 51 or from the adjoining property should the drainage from No 51 push water into their garden then into ours. In addition, we object to the extremely large footprint of proposed extension. If allowed, this will set a precedent for the other properties in Mansfield Crescent overlooking Sunnybank Drive to follow suit, resulting in even more significant loss of privacy, sunlight and more problems with flooding\drainage.

Mr and Mrs Anderson 30 Sunnybank Drive G76 7ST

Application Summary

Application Number: 2021/0457/TP

Address: 51 Mansefield Crescent Clarkston East Renfrewshire G76 7EA

Proposal: Erection of two storey rear extension, installation of rear dormer and associated

alterations.

Case Officer: Mr Derek Scott

Customer Details

Name: Mr James McCormick

Address: 32 Sunnybank Drive, Clarkston, East Renfrewshire G76 7ST

Comment Details

Commenter Type: Rec'd NeighbourNotification from Council

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:To The Planning Service, East Renfrewshire Council

FAO Derek Scott

Re: Planning Application Number: 2021/0457/TP

Application Location: 51 Mansefield Crescent, Clarkston, East Renfrewshire G76 7EA

Application Proposal: Erection of two storey rear extension, installation of rear dormer and associated alterations

associated alterations

Applicant: Mr James Macklin, 51 Mansefield Crescent, Clarkston, East Renfrewshire, G76 7EA

I write to object to the above planning application on the following basis.

I object to the proposal on the grounds that the effect of the proposal on the property at 32 Sunnybank Drive, Clarkston, East Renfrewshire, G76 7ST is out of proportion in terms of impact on sunlight and loss of privacy. The property at 51 Mansefield Crescent is a two-storey property overlooking 32 Sunnybank Drive from the rear. It is in an elevated position in relation to the rear of 32 Sunnybank Drive and this planning application would result in a large two-storey permanent rear extension which would extend well over four metres further to the rear of the property in relation to the position of the rear wall of the current property at 51 Mansefield Crescent. This constitutes an extension of more than 50% of the width of the current property which, in my view, is completely disproportionate to the size of the existing buildings.

This proposed extention would, therefore, result in a very significant loss of privacy at 32 Sunnybank Drive and consequent amenity. It would also result in an adverse effect on sunlight in the garden at 32 Sunnybank Drive.

The proposed extension is a very substantial addition to the property and, if allowed in its current form, will be incongruous in relation to adjacent properties. It will also set a precedent which could then be followed by other properties in Mansefield Crescent resulting in significant loss of privacy and amenity to a substantial part of Sunnybank Drive since the rears of properties at Mansefield Crescent overlook the rears of properties in Sunnybank Drive from an elevated position.

The ground area covered by this proposal suffers from drainage problems with the soil consisting of heavy clay. Drainage is an issue which affects many properties adjacent to 51 Mansefield Crescent including 32 Sunnybank Drive.

I add the objection that this development, in its current form, would have the potential to adversely affect drainage in a number of adjacent properties including drainage at 32 Sunnybank Drive. No information has been provided regarding landscaping or additional drainage associated with the proposal. This makes it impossible to judge the extent of the possible impact of the proposal on other properties. Clearly, a key feature of any such development is the provision of suitable drainage which does not impact on other properties. It is common that extensions of this kind impact on drainage as a result of landscaping changes. In my view a full impact assessment of this issue should be conducted as a matter of urgency so that local residents can make an informed judgement regarding this matter.

In conclusion, I reiterate my objection to this planning application (No. 2021/0457/TP). I oppose the erection of a two-storey extension to the rear of the current building at 51 Mansefield Crescent.

Application Summary

Application Number: 2021/0457/TP

Address: 51 Mansefield Crescent Clarkston East Renfrewshire G76 7EA

Proposal: Erection of two storey rear extension, installation of rear dormer and associated

alterations.

Case Officer: Mr Derek Scott

Customer Details

Name: Mrs Mary Lafferty

Address: 32 Sunnybank Drive, Clarkston, East Renfrewshire G76 7ST

Comment Details

Commenter Type: Rec'd NeighbourNotification from Council

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The ground area covered by this proposal suffers from drainage problems with the soil consisting of heavy clay. Drainage is an issue which affects many properties adjacent to 51 Mansefield Crescent including 32 Sunnybank Drive.

I object to this development on the basis that it would have the potential to adversely affect drainage in adjacent properties including the drainage at 32 Sunnybank Drive. There is no information regarding landscaping or additional drainage associated with the proposal. This makes it impossible to judge the extent of the possible impact of the proposal on other properties in terms of drainage. Clearly, a key feature of any such development is the provision of suitable drainage which does not impact on other properties. It is common that extensions of this kind impact on drainage as a result of landscaping changes. In my view a full impact assessment of this issue should be conducted as a matter of urgency so that local residents can make an informed judgement on this matter.

I further object to the proposal on the grounds that the impact on the property at 32 Sunnybank Drive, Clarkston, East Renfrewshire, G76 7ST is significant in relation to impact on sunlight and loss of privacy. The property at 51 Mansefield Crescent is a two-storey property overlooking 32 Sunnybank Drive from the rear. It is in an elevated position in relation to the rear of 32 Sunnybank Drive and this planning application would result in a large two-storey permanent rear extension which would extend well over four metres further to the rear of the property in relation to the position of the rear wall of the current property at 51 Mansefield Crescent. This constitutes an extension of more than 50% of the width of the current property which is entirely disproportionate to the size of the existing buildings.

This proposed extention would, therefore, result in a very significant loss of privacy at 32 Sunnybank Drive and consequent amenity. It would also result in an adverse effect on sunlight in the garden at 32 Sunnybank Drive. This same issue would also affect other adjacent properties on Sunnybank Drive and on Mansefield Crescent.

In conclusion, I reiterate my objection to this planning application (No. 2021/0457/TP). I oppose the erection of a two-storey extension to the rear of the current building at 51 Mansefield Crescent.

19th July 2022

Mr & Mrs Peter Dallas 34 Sunnybank Drive Clarkston Glasgow G76 7ST

Sent via email and original letter posted by recorded delivery.

Sharon McIntyre
Committee Services Officer
Planning and Building Standards Manager
East Renfrewshire Council
Rouken Glen Road
Eastwood Park, Giffnock
G46 6UG

Dear Sharon,

Ref No: REVIEW/2022/06 Planning Ref No: 2021/0457/TP

Location: 51 Mansfield Crescent, Clarkston, G76 7EA

Thank you for your letter dated 8th July in relation to the above planning application.

Your letter advises the applicant is seeking a review of the decision by the Director of Environment to refuse the application, the reasons for which are meticulously detailed in ERC's 'Report of Handling' (RoH), dated 24th May 2021.

The Report highlights in fine detail the reasons for the refusal of the application, several of which amplify my thoughts and observations detailed in my initial representations dated 29th November 2021.

The RoH states the reasons for refusal as follows:

- 1. The proposal by virtue of its scale, massing, location and appearance would represent an incongruous feature that is not subservient nor sympathetic to the host property and would be of detriment to the character of the area. The proposal is therefore contrary to the terms of Policies D1 and D1.1 of the adopted East Renfrewshire Local Development Plan 2.
- 2. The proposal would result in levels of overlooking that would have an unacceptable impact upon neighbouring amenity. The proposal is therefore contrary to the terms of Policies D1 and D1.1 of the adopted East Renfrewshire Local Development Plan 2.

In addition, The Report includes additional notes stating the proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity at the surface or shallow depth, and that any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks.

In light of receiving a copy of the Supporting Statement for 51 Mansfield Crescent, and as requested in your letter dated 8th July, I have made additional comments contained within the Supporting Statement which are a reflection of my original representations noted in November. For ease of reference, I have utilised elements of the Supporting Statement received and marked my comment in red:

Copy from Supporting Statement for 51 Mansefield Crescent in black (PD Comments in red);

The footprint of the existing property is: 68m2

The footprint of the proposed extension is: 28m2

The proposal increases the property footprint by 40%. This well within the 100% maximum footprint increase, and does not represent an "extremely large footprint increase", as stated by one of the representations. There do appear to have been a number of misunderstandings by residents on Sunnybank Drive in relation to understanding both the plans submitted and the relevant ERC Planning guidelines.

I have no misunderstanding in relation to the size, scale and impact of the plans on 34 Sunnybank Drive and immediate neighbourhood. I refer to Point 1 & 2 in The Report of Handling (RoH).

The extension does not increase the width of the property frontage. The neighbour representation comment about the proposal being more than 50% of the width of the current property is not relevant to ERC Planning Guidance, as the Planning guidance relates to the width of the property as viewed from the street. The property is not being extended to the side. This is semantics. The proposal is clearly to the rear of the property and not the side of the property. Using the A4 Plans received, as opposed to CAD, I have calculated the scale as 1 cm = 1.42 m and calculate the increase of the footprint from the front of the property to the rear of the property at just over 50%.

The extension height is in line with the eaves height of the existing property. The extension extends by 4.2m from the rear of the existing property, leaving a garden length of over 11 metres, from the extension to the rear boundary. Using the same scale as above, and the same A4 Plans, I estimate the height of the proposal to be 5.4m in height from the eaves to ground level at the rear of the current property. The plans do not accurately measure the topography of the back garden at 51 Mansefield which slopes downwards from the back of the current property towards Sunnybank Drive. The end result would therefore be a height of over 5.4m from the eaves to the bottom of the extension. I refer to Point 1 & 2 in The RoH, particularly in terms of 'scale and massing' that is not subservient nor sympathetic to the host property and would be detrimental to the character of the area.

The Planner's report agrees that there are no issues with loss of privacy or overshadowing to the properties on Sunnybank Drive. This is factually incorrect — The RoH states; Large openings are proposed on the extension, those at basement would have a limited effect. The openings serving the kitchen/diner would allow an outlook not only to the rear gardens and elevations of those fronting Sunnybank but also across the neighbouring property number 49 Mansefield. Policy D1.1. states that ".... The development should not result in a significant loss of character or amenity to the surrounding area".

It is considered that the first-floor opening would give rise to unacceptable impacts by way of overlooking upon neighbouring properties and is contrary to the policy guidance.

Any overshadowing to the adjoining neighbour at no.53 Mansefield Crescent was deemed acceptable. I have not read any public representations from 53 Mansfield Crescent. The RoH actually states this property <u>would</u> experience increased overshadowing at the latter stages of the day and that the proposed Plans would <u>try</u> to mitigate this.

The issue of the extension windows at the side causing overlooking towards no.49 Mansefield Crescent can be dealt with by a Planning condition, to require frosted glazing.

The Planner's report does comment on the extension not matching the existing building. I have not read any public representations from 49 Manseild Crescent. The fenestration on Level 1 equates to 'wrap round' floor to ceiling glazing which measures 4.7m wide to the rear of the property and 1.5m to the side of the property. I refer to the RoH; The fenestration 'wraps around the side and rear on the upper floor, a similar arrangement is proposed below though there is access in to the rear from bi-folding doors. Pertinent to the assessment is point 2 of policy D1 - it states: 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

However, included in the approved applications below are precedents of flat roofed modern extensions of similar scale being added to properties within the area, taking advantage of the sloping ground topography. Most of these do not match the existing host buildings, and all have been approved.

Precedents – approved applications of two-storey extensions to rear of properties, in the local area

2017/0254/TP 10 Stamperland Drive 2018/0093/TP 44 Overlee Road 2019/0354/TP 144 Hillview Drive 1998/0362/TP 27 Sunnybank Drive 2013/0218/TP 106 Hillview Drive 2013/0425/TP 53 Sunnybank Drive 2020/0063/TP 17 Hillend Road

I fail to see any relevance of the above in relation to the application as each property has its own unique orientation, topography, style and circumstances in relation to location,

immediate neighbours and/or distance to adjacent property. For example, the rear of 17 Hillend Road looks over open fields which is the total opposite of the situation relating to property on Sunnybank Drive.

Further, none of the above property extensions replicate the size, scale, height, massing or density the application for 51 Mansfield Crescent would have on immediate neighbours/property in Sunnybank Drive.

Conclusion (from Supporting Statement received dated 24th My 2022);

In conclusion, notwithstanding the side overlooking issue, that can be simply dealt with by adding a Planning Condition for frosted glazing, there are a large number of very similar type extensions in the surrounding area, that form part of the existing character of the area. The topography of the surrounding area gives rise to these extensions, and modern flat-roofed two-storey extensions have been approved in surrounding streets. This being the case, the current proposal is not out of keeping with the character of the area.

The above conclusion simply disregards the vast majority of points raised in ERC's Report of Handling, taking no cognisance of the various representations made with the exception of frosting a piece of glazing. Indeed, the RoH states: the proposal is considered to be contrary with the terms of Policies D1 and D1.1 of the adopted East Renfrewshire Local Development Plan 2. There are material considerations that indicate this application should not be approved.

Further, ERC's Report of Handling notes the following:

- The form of the extension does not correlate to the host property and would appear 'tacked on' to its rear elevation.
- The extension would dominate the rear façade and its architectural form does not assimilate nor successfully contrast the dwelling in a way to minimise character concerns.
- The extension is out of keeping with the other modifications/extensions/alterations that exist in the locality.
- The proposal would be clearly visible from the rear due to the topography. It is therefore considered that the proposal by virtue of its scale, massing, location and appearance would represent an incongruous feature that is not subservient nor sympathetic to the host property and is out of keeping with the wider character.
- Large openings are proposed on the extension, those at basement would have a limited effect. The openings serving the kitchen/diner would allow an outlook not only to the rear gardens and elevations of those fronting Sunnybank but also across the neighbouring property number 49 Mansefield. Policy D1.1. states "The development should not result in a significant loss of character or amenity to the surrounding area".
- It is considered that the first-floor opening would give rise to unacceptable impacts by way of overlooking upon neighbouring properties and is contrary to the policy guidance.

Given the size and scale of the proposed plans, aligned with the topography of the land between neighbouring back gardens at this location, the proposed plans do not give a true portrayal of the visual impact, nor the compromise in privacy (particularly throughout autumn, winter and early spring when the boundary hedges are bare) this proposal would have on 34 Sunnybank Drive and surrounding property.

I therefore welcome a site inspection by the Local Review Body which will reveal the significant impact of the application, particularly given the content noted within ERC's Report of Handling regards size, scale, height, massing and density.

In conclusion, and on behalf of my wife Rosalind and I, we both object to the application for the same reasons noted in our original representations dated 29th & 30th November2021.

Yours sincerely,

Peter



East Renfrewshire Council Planning Service Eastwood Park Rouken Glen Road Giffnock G46 6UG

Gerry and Mary McCormick 32 Sunnybank Drive Clarkston Glasgow G76 7ST 21 July 2022

To Planning and Building Standards, East Renfrewshire Council

FAO Sharon McIntyre

Dear Ms. McIntyre,

Re: Planning Application Number: 2021/0457/TP Planning Appeal Reference: REVIEW/2022/06

Application Location: 51 Mansefield Crescent, Clarkston, East Renfrewshire G76

7EA

Application Proposal: Erection of two storey rear extension, installation of rear dormer and associated alterations

Applicant: Mr James Macklin, 51 Mansefield Crescent, Clarkston, East Renfrewshire, G76 7EA

Thank you for your letter received in the email from you dated 8th July 2022. In this you indicate that the applicant has submitted a 'Notice of Review' requesting that the Local Review Body carry out a review of the decision by the Director of Environment to refuse the application.

Further to my objection to this proposal (dated 1st December 2021), I now write to make a further submission in respect of this application. I will reference the Report of Handling (dated 24th May 2022) prepared by the Council in relation to this application and the supporting statement made by the applicant in relation to the proposal (dated 27th May 2022).

At the outset I would state that the Report of Handling delineates a number of ways in which the proposal in respect of 51 Mansefield Crescent does not comply with current East Renfrewshire Council Planning Guidelines and Policies.

Having also read the supporting statement provided by 51 Mansefield Crescent, I would note that this statement does not, in the view of the residents of 32 Sunnybank Drive, attempt to address the significant issues clearly outlined in the Council's Report of Handling by offering any major changes to the proposed development bar one suggestion in relation to the possibility of frosted glazing as a planning condition in respect of rear facing wraparound windows.

The Report of Handling states the following reasons for refusal:

- 1. The proposal by virtue of its scale, massing, location and appearance would represent an incongruous feature that is not subservient nor sympathetic to the host property and would be of detriment to the character of the area. The proposal is therefore contrary to the terms of Policies D1 and D1.1 of the adopted East Renfrewshire Local Development Plan 2.
- 2. The proposal would result in levels of overlooking that would have an unacceptable impact upon neighbouring amenity. The proposal is therefore contrary to the terms of Policies D1 and D1.1 of the adopted East Renfrewshire Local Development Plan 2.

The supporting statement made by 51 Mansefield Crescent, in appealing the reasons for refusal, does not address the key points by the submission of alternative plans which significantly mitigate these concerns.

No attempt was made to address the important points made in the Report of Handling in relation to the incongruity of the proposal in respect of scale, massing, location or appearance or in respect of the issue of the unacceptable impact on neighbouring amenity in respect of overlooking.

The concerns of Sunnybank Drive residents were alluded to with the comment that 'there do appear to be a number of misunderstandings by residents on Sunnybank Drive in relation to understanding both the plans submitted and the relevant ERC Planning guidelines.' (quoted verbatim from supporting statement for 51 Mansefield Crescent)

For the sake of complete clarity on this matter, I stress that there is no misunderstanding about the proposal in terms of size, scale and impact on 32 Sunnybank Drive.

The supporting statement makes the comment that the width of the property will not change and adds a statement about the 'neighbour representation' not being relevant to ERC Planning Guidelines as the property is not being extended to the side.

For the sake of clarity, it is well understood by the residents of 32 Sunnybank Drive and, in any case, it is obvious from the drawings provided, that the proposed extension is to the rear of the property and, as shown in the plans, amounts to an extension of at least 50% to the rear of the property.

The supporting statement references the extension length, stated to be 4.2m and claims remaining garden length of over 11m. The garden slopes downwards towards Sunnybank Drive and the full height of the extension must take account of this slope and the fact that its height and slope will add to the overlook of the proposed extension.

The supporting statement is factually incorrect when it claims that the Report of Handling agrees that there are no issues with loss of privacy or overshadowing to the properties on Sunnybank Drive.

The Report of Handling states that:

'Large openings are proposed on the extension, those at basement would have a limited effect. The openings serving the kitchen/diner would allow an outlook not only to the rear gardens and elevations of those fronting Sunnybank but also across the neighbouring property number 49 Mansefield. Policy D1.1. states that ".... The development should not result in a significant loss of character or amenity to the surrounding area".

It is considered that the first-floor opening would give rise to unacceptable impacts by way of overlooking upon neighbouring properties and is contrary to the policy guidance. There are no concerns in relation to the dormer.'

Quoted directly from Report of Handling

The openings proposed for the extension both at ground level and on the first floor of the proposed extension do not match the character of the existing building and the architecture in the local area and represent very large wraparound fenestration which will impact significantly on the issue of overlooking in relation to properties on Sunnybank Drive.

It is in relation to this point that the proposer has now suggested a planning condition of frosted glazing. There are several concerns in respect of this. Firstly, it is the only change to the current plans as submitted being suggested by the proposer. Secondly, it is only at this stage that the proposer appears to accept, to a limited extent, the potential for this aspect of the plans to impact on the privacy of neighbours on Sunnybank Drive and Mansefield Crescent. However, instead of changing the proposed design of the openings, the proposer makes a much more limited suggestion of a planning condition of frosted glazing.

The residents of 32 Sunnybank Drive would also point out that any future resident at 51 Mansefield Crescent could, perhaps unwittingly, seek to alter the nature of any such glazing very easily if these openings were ever to be installed as shown on the plans.

The residents of 32 Sunnybank Drive would refer to Policy D1, point 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;'

In the view of the residents at 32 Sunnybank Drive, nothing in the supporting statement is seen to address the reasons for refusal of this proposal which related to Council polices as outlined in the Report of Handling.

The residents of 32 Sunnybank Drive would reiterate concerns regarding the possible impact on drainage that this extension may have on Sunnybank Drive. Drainage issues already exist due to the nature of the soil in this area, which is composed mainly of clay. At the point of purchase from the previous owners of 32 Sunnybank Drive, they alluded to serious problems with drainage to the rear of the property. Over time, substantial additional drainage has been laid to mitigate this problem. To date there is nothing published in respect of this proposal which guarantees to residents of Sunnybank Drive that the drainage will not be adversely affected were it to be implemented.

Conclusion

The supporting statement provided by the proposer of the plans does not, in the view of the residents at 32 Sunnybank Drive, seek to address the major points highlighted by Council officers in the Report of Handling with the sole exception of a suggestion in respect of a possible planning condition related to frosted glazing. Other key aspects of Council policy highlighted in the Report have been ignored.

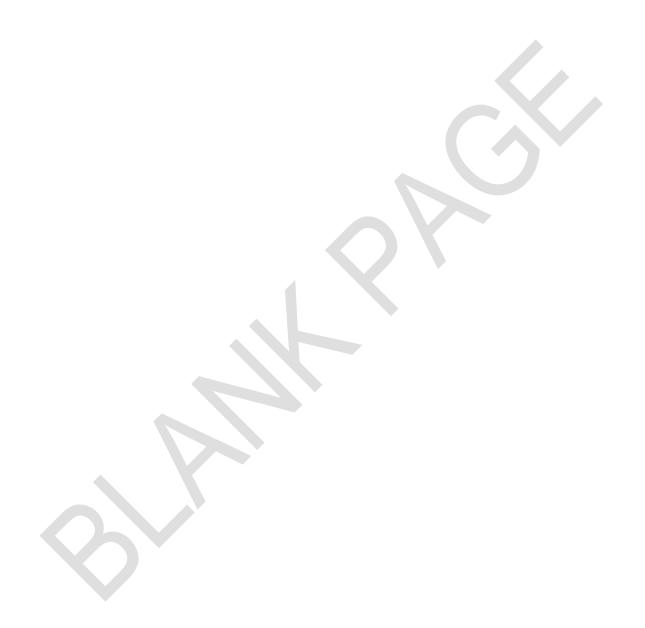
The decision to refuse planning permission has been taken in line with longstanding Council policy. In the view of the residents at 32 Sunnybank Drive, the proposer has chosen not to address key reasons for this refusal and, in our view therefore, the original decision to refuse approval should stand.

Yours sincerely

Signed for and on behalf of Gerry and Mary McCormick 32 Sunnybank Drive Clarkston G76 7ST

APPENDIX 3

REPORT OF HANDLING



REPORT OF HANDLING

Reference: 2021/0457/TP Date Registered: Mon 24 May 2021

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

Ward: 4 -Clarkston, Netherlee And Williamwood

Applicant/Agent: Applicant: Agent:

Mr James Macklin n/a

51 Mansefield Crescent

Glasgow G76 7EA

Proposal: Erection of two storey rear extension, installation of rear dormer and

associated alterations.

Location: 51 Mansefield Crescent

Glasgow G76 7EA

CONSULTATIONS/COMMENTS:

None received

PUBLICITY: None

SITE NOTICES: None

SITE HISTORY: None relevant

REPRESENTATIONS: A total of eight objections have been received from neighbouring properties. Two addresses have submitted two or more objections. The material points are summarised below.

32 Sunnybank Drive, Clarkston

The resident expresses concern in relation to impacts upon loss of residential amenity through overshadowing. The resident considers the form to be disproportionate and its impact is exacerbated by the topography. Drainage concerns are also put forward and this relates to the ground conditions being clay.

2nd Objection

The resident has submitted an additional objection and in addition to the above concerns are expressed in relation to overlooking and lack of information in relation to landscaping.

30 Sunnybank Drive, Clarkston

The resident objects in relation to drainage concerns and suggests that there is already an existing issue. Further objections are made in relation to the large footprint of the extension.

28 Sunnybank Drive, Clarkston

The resident objects on the grounds of flooding and drainage issues

34 Sunnybank Drive, Clarkston

Concerns are expressed that the extensions would lead to overshadowing and privacy impacts. The scale of the extension is not fitting.

Objection 2

The objection is bullet pointed breaking down the elements of the proposal and the harm that ensues from each part of the proposal. Distance and height are mentioned, and these factors would be of detriment to the resident's amenity.

letter 3

The last representation is a request for more information in relation to the size of the proposals.

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

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

ASSESSMENT:

The dwelling fronts Mansefield Crescent and is a left sided semi-detached property. The property is rendered and finished cream with a plain clay tile roof. There is parking provision to the front of the dwelling and a rear amenity area. The house has two floors of living space, and this is a result of the steep topography as the land slopes downward in a north direction. From the front, the basement level cannot be seen however from the rear elevation it is seen. This means that the dwellings along this part of Mansefield are set much higher than the properties to the rear fronting Sunny Bank Drive. The dwelling is located in a residential area of Clarkston.

The applicant seeks planning permission for a two-storey rear extension and installation of rear dormer. The extensions would allow for an internal rearrangement and addition space to the rear would be occupied by an extension to the living room at basement and a large kitchen diner above.

The application requires to be assessed against Policies D1 and D1.1 of the adopted East Renfrewshire Local Development Plan 2. Policy D1 requires that all development should not result in a significant loss of character or amenity to the surrounding area and Policy D1.1 requires that extensions should complement the character of the existing building in terms of its style, form and materials.

The proposed form is a flat roof rear extension with large openings. The fenestration 'wraps around the side and rear on the upper floor, a similar arrangement is proposed below though there is access in to the rear from bi-folding doors. Pertinent to the assessment is point 2 of policy D1 - it states:

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

The form of the extension does not correlate to the host property and would appear 'tacked on' to its rear elevation. The flat roof is in conflict with the existing dual pitched roof structure and the design would have been more sympathetic if it had tied into that structure. The extension would dominate the rear façade and its architectural form does not assimilate nor successfully contrast the dwelling in a way to minimise character concerns. Furthermore, the extension is out of keeping with the other modifications/extensions/alterations that exist in the locality. The proposal would be clearly visible from the rear due to the topography. It is therefore considered that the proposal by virtue of its scale, massing, location and appearance would represent an

incongruous feature that is not subservient nor sympathetic to the host property and is out of keeping with the wider character.

Many objectors are concerned in relation to the overshadowing impact from the development and these come predominantly from residents fronting Sunnybank Drive. Whilst the proposed extension could not be described as modest, there exists a sufficient separation distance from this dwelling to those fronting Sunnybank. This distance would prevent an unacceptable level of overshadowing on those properties despite being located to their south. Number 53 Mansefield Crescent, which is due east of the extension, would experience an increased overshadowing at the later stages of the day, however the proposed form is stepped in from the boundary to try and mitigate this and the result is that the impact is not considered to be unacceptable.

Large openings are proposed on the extension, those at basement would have a limited effect. The openings serving the kitchen/diner would allow an outlook not only to the rear gardens and elevations of those fronting Sunnybank but also across the neighbouring property number 49 Mansefield. Policy D1.1. states that ".... The development should not result in a significant loss of character or amenity to the surrounding area".

It is considered that the first-floor opening would give rise to unacceptable impacts by way of overlooking upon neighbouring properties and is contrary to the policy guidance. There are no concerns in relation to the dormer.

The relationship between the overlooking and those properties to the rear (whist intensifying the feeling of being overlooked) is mitigated by the separation distances. It should be noted that an existing decked area of the garden offers a much more intrusive spot to peruse the neighbours on Sunnybank. However, and despite an existing garage in the neighbours garden, the opening to the side which wraps around does allow a great amount of overlooking into the neighbouring property of 49 Mansefield Crescent. It is therefore considered that relationship is unacceptable and would lead to high level of intrusion across their amenity.

In conclusion, the proposal is considered to be contrary with the terms of Policies D1 and D1.1 of the adopted East Renfrewshire Local Development Plan 2. There are material considerations that indicate this application should not be approved. It is therefore recommended that the application is refused subject to the reasons set out below.

RECOMMENDATION: Refuse

REASONS FOR REFUSAL:

- 1. The proposal by virtue of its scale, massing, location and appearance would represent an incongruous feature that is not subservient nor sympathetic to the host property and would be of detriment to the character of the area. The proposal is therefore contrary to the terms of Policies D1 and D1.1 of the adopted East Renfrewshire Local Development Plan 2.
- 2. The proposal would result in levels of overlooking that would have an unacceptable impact upon neighbouring amenity. The proposal is therefore contrary to the terms of Policies D1 and D1.1 of the adopted East Renfrewshire Local Development Plan 2.

ADDITIONAL NOTES:

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity at the surface or shallow

depth. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of new development taking place.

It is recommended that information outlining how former mining activities may affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), is submitted alongside any subsequent application for Building Warrant approval (if relevant).

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

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

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

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

www.gov.uk/government/organisations/the-coal-authority

ADDED VALUE:

None

BACKGROUND PAPERS:

Further information on background papers can be obtained from planning@eastrenfrewshire.gov.uk

Ref. No.: 2021/0457/TP

(CAPITA)

DATE: 6th April 2022

DIRECTOR OF ENVIRONMENT

Reference: 2021/0457/TP

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 Local Development Plan 2

Policy D1

Placemaking and Design

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

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

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

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

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

Policy D1.1

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

- 1. The development should not result in a significant loss of character or amenity to the surrounding area;
- 2. Should complement the scale and character of the existing building, neighbouring properties and their setting, particularly in terms of style, form and materials;
- 3. The size, scale and height of any development must be appropriate to and not adversely impact or dominate the existing building;

- 4. Should not create an unbroken or terraced appearance;
- 5. Where additional bedrooms are proposed or a garage/driveway is being converted to another use other than for the parking of a vehicle, proposals will be required to provide parking in accordance with the Council's Roads Development Guide; and
- 6. Should avoid over-development of the site by major loss of existing front and rear garden space. No more than 50% of the rear garden should be occupied by the development.

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

GOVERNMENT GUIDANCE:

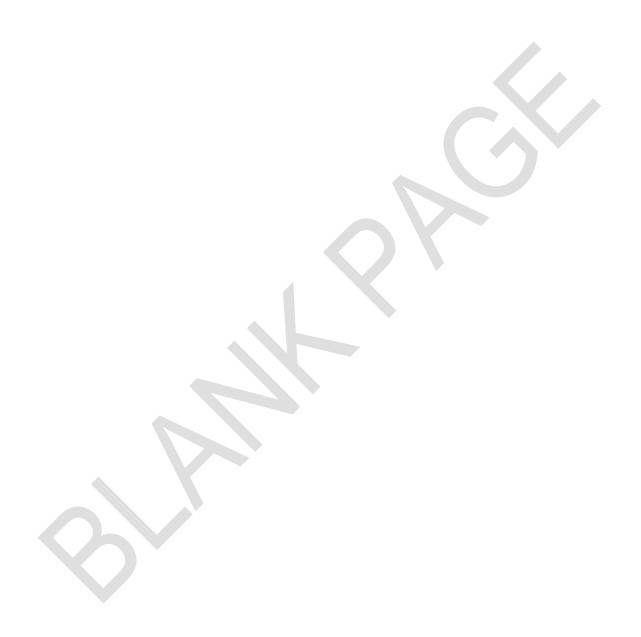
None

Finalised 06/04/2022 AC(6)



APPENDIX 4

AND REASONS FOR REFUSAL



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. 2021/0457/TP

Applicant: Agent:

Mr James Macklin 51 Mansefield Crescent Clarkston East Renfrewshire G76 7EA

With reference to your application which was registered on 11th November 2021 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Erection of two storey rear extension, installation of rear dormer and associated alterations.

at: 51 Mansefield Crescent Clarkston East Renfrewshire G76 7EA

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 by virtue of its scale, massing, location and appearance would represent an incongruous feature that is not subservient nor sympathetic to the host property and would be of detriment to the character of the area. The proposal is therefore contrary to the terms of Policies D1 and D1.1 of the adopted East Renfrewshire Local Development Plan 2.
- The proposal would result in levels of overlooking that would have an unacceptable impact upon neighbouring amenity. The proposal is therefore contrary to the terms of Policies D1 and D1.1 of the adopted East Renfrewshire Local Development Plan 2.

Dated 6th April 2022



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	01	T)	
Existing and proposed layout plans	001b		
Plans Proposed	004b	2.0	20
Elevations Proposed	005b		

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.

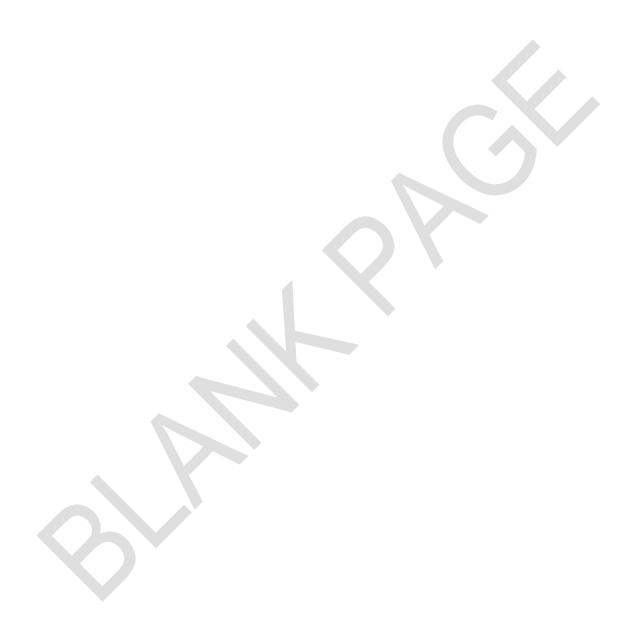
CONTACT DETAILS

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 5

NOTICE OF REVIEW AND SUPPORTING STATEMENT





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 100411180-010

your form is validated. Please quote this reference if you need to contact the planning Authority about this application.				
Applicant or Agent Details				
Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)				
Applicant Deta	ails			
Please enter Applicant de	tails			
Title:	Mr	You must enter a Building Name or Number, or both: *		
Other Title:		Building Name:		
First Name: *	James	Building Number:	51	
Last Name: *	Macklin	Address 1 (Street): *	mansefield Crescent	
Company/Organisation		Address 2:		
Telephone Number: *		Town/City: *	Glasgow	
Extension Number:		Country: *	Scotland	
Mobile Number:		Postcode: *	G76 7EA	
Fax Number:				
Email Address: *				

Site Address Details				
Planning Authority:	East Renfrewshire Council			
Full postal address of the	e site (including postcode where availab	le):	_	
Address 1:	51 MANSEFIELD CRESCENT			
Address 2:	CLARKSTON			
Address 3:				
Address 4:				
Address 5:				
Town/City/Settlement:	GLASGOW			
Post Code:	G76 7EA			
Trease identify/describe	the location of the site or sites			
Northing	656963	Easting	256935	
Description of	f 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)				
Two Storey rear extension with basement conversion and Dormer to rear				
Type of Application				
What type of application did you submit to the planning authority? *				
Application for planning permission (including householder application but excluding application to work minerals). Application for planning permission in principle. Further application. Application for approval of matters specified in conditions.				

What does your review relate to? *				
Refusal Notice.				
Grant of permission with Conditions imposed.				
No decision reached within the prescribed period (two months after validation date or an	ny agreed extension) – c	leemed refus	sal.	
Statement of reasons for seeking review				
You must state in full, why you are a seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)				
Note: you are unlikely to have a further opportunity to add to your statement of appeal at a la all of the information you want the decision-maker to take into account.	ater date, so it is essentia	al that you pr	oduce	
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.				
Appeal supporting statement is attached on Supporting documents				
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 n your application was determined and why you consider it should be considered in your review			efore	
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			d intend	
Supporting statement				
Application Details				
Please provide the application reference no. given to you by your planning authority for your previous application.	2021/0457/TP			
What date was the application submitted to the planning authority? *	11/11/2021			
What date was the decision issued by the planning authority? *	06/04/2022			

Review Proced	ure	
process require that further in required by one or a combina	decide on the procedure to be used to determine your review and may information or representations be made to enable them to determine the ation of procedures, such as: written submissions; the holding of one of the subject of the review case.	ne review. Further information may be
	a conclusion, in your opinion, based on a review of the relevant informather procedures? For example, written submission, hearing session, s	
In the event that the Local Re	eview 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	e accessed safely and without barriers to entry? *	X Yes No
Checklist – App	olication for Notice of Review	
	g checklist to make sure you have provided all the necessary informa may result in your appeal being deemed invalid.	ation in support of your appeal. Failure
Have you provided the name	and address of the applicant?. *	X Yes ☐ No
Have you provided the date a review? *	and reference number of the application which is the subject of this	🛛 Yes 🗌 No
-	n behalf of the applicant, have you provided details of your name whether any notice or correspondence required in connection with the or the applicant? *	☐ Yes ☐ No ☒ N/A
	ent setting out your reasons for requiring a review and by what f procedures) you wish the review to be conducted? *	🛛 Yes 🗌 No
require to be taken into accoat a later date. It is therefore	why you are seeking a review on your application. Your statement mu unt in determining your review. You may not have a further opportunit essential that you submit with your notice of review, all necessary info w Body to consider as part of your review.	y to add to your statement of review
* *	ocuments, material and evidence which you intend to rely on nich are now the subject of this review *	🛛 Yes 🗌 No
planning condition or where i	es to a further application e.g. renewal of planning permission or mod it relates to an application for approval of matters specified in condition r, approved plans and decision notice (if any) from the earlier consent	ns, it is advisable to provide the
Declare - Notic	e of Review	
I/We the applicant/agent cert	ify that this is an application for review on the grounds stated.	
Declaration Name:	Mr James Macklin	
Declaration Date:	30/05/2022	

Date: 27-05-2022

Supporting Statement for 51 Mansefield Crescent

The proposal is to form a two storey rear extension, installation of rear dormer and associated alterations.

Design of the Proposed Extension:

The footprint of the existing property is: 68m2

The footprint of the proposed extension is: 28m2

The proposal increases the property footprint by 40%. This well within the 100% maximum footprint increase, and does not represent an "extremely large footprint increase", as stated by one of the representations. There do appear to have been a number of misunderstandings by residents on Sunnybank Drive in relation to understanding both the plans submitted and the relevant ERC Planning guidelines.

The extension does not increase the width of the property frontage. The neighbour representation comment about the proposal being more than 50% of the width of the current property is not relevant to ERC Planning Guidance, as the Planning guidance relates to the width of the property as viewed from the street. The property is not being extended to the side.

The extension height is in line with the eaves height of the existing property.

The extension extends by 4.2m from the rear of the existing property, leaving a garden length of over 11 metres, from the extension to the rear boundary.

Utilising the 45 degree rule from the BRE Daylighting guide the extension will not restrict any natural light to the properties along Sunnybank Drive. The extension is no higher than the existing property eaves, and no wider than the existing property.

The Planner's report agrees that there are no issues with loss of privacy or overshadowing to the properties on Sunnybank Drive. Any overshadowing to the adjoining neighbour at no.53 Mansefield Crescent was deemed acceptable. The issue of the extension windows at the side causing overlooking towards no.49 Mansefield Crescent can be dealt with by a Planning condition, to require frosted glazing.

The Planner's report does comment on the extension not matching the existing building. However, included in the approved applications below are precedents of flat roofed modern extensions of similar scale being added to properties within the area, taking advantage of the sloping ground topography. Most of these do not match the existing host buildings, and all have been approved.

Precedents – approved applications of two-storey extensions to rear of properties, in the local area

2017/0254/TP 10 Stamperland Drive – Rear two storey extension with flat roof, to a pitched roof property

2018/0093/TP 44 Overlee Road – Rear two storey extension to a pitched roof semi-detached house.

Planning report on the approval for 44 Overlee Road: "The proposed extension is of a modern simple design. It is a departure from the design of the existing house but ...The extension will add a contemporary element to the house not necessarily in keeping but in itself not jarring with the house."

2019/0354/TP 144 Hillview Drive - Erection of side and rear two storey extension with raised patio and decking

1998/0362/TP 27 Sunnybank Drive – 2 storey to existing semi-detached property, where lower storey of extension is in line with basement of existing house, due to topography

2013/0218/TP 106 Hillview Drive – 2 storey rear extension with flat roof design

2013/0425/TP 53 Sunnybank Drive - Rear two-storey on to existing dormer bungalow, where the lower level is below the ground floor level of the street. This has a lot of similarities to the current proposal at no. 51 Mansefield Crescent.

2020/0063/TP - 17 Hillend Road - Erection of two storey rear extension to existing dormer bungalow, which presents as a one-storey bungalow to the street. The two-storey rear extension is the full width of the property, and does not match the existing materials. There is an overlooking issue to the side glazing that was dealt with by a Planning condition, for it to be frosted.

Planning report recommending approval for this application: "It is acknowledged that the proposal differs somewhat from the style and form of the existing house. It would however not be seen in context to the front elevation and would not be easily seen out with the site. It also sits within the proportions of the property and would not over dominate it in terms of size and scale. As such the extension is not considered to have a negative impact on the character and appearance of the property and street. "

Rainfall / drainage:

There are also representations from neighbouring properties, on Sunnybank Drive, relating to drainage. The rainfall falling on no. 51 Mansefield Crescent will not be increased by the formation of an extension. The rain that currently falls on the footprint of where the extension is planned drains naturally into the garden. As part of the extension works this rainfall will be collected by gutters and discharged into the Scottish Water system. So arguably there will be less rainwater being absorbed into the garden of 51 Mansefield Crescent, with these proposals.

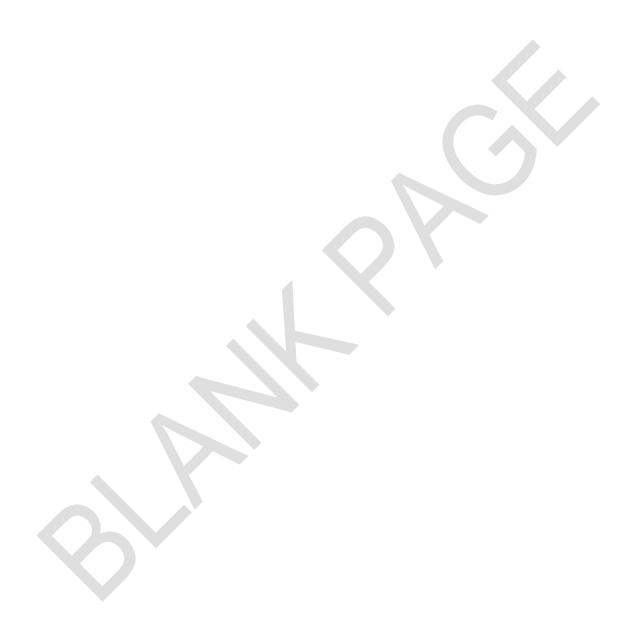
Conclusion:

In conclusion, notwithstanding the side overlooking issue, that can be simply dealt with by adding a Planning Condition for frosted glazing, there are a large number of very similar type extensions in the surrounding area, that form part of the existing character of the area. The topography of the surrounding area gives rise to these extensions, and modern flat-roofed two-storey extensions have been approved in surrounding streets. This being the case, the current proposal is not out of keeping with the character of the area.

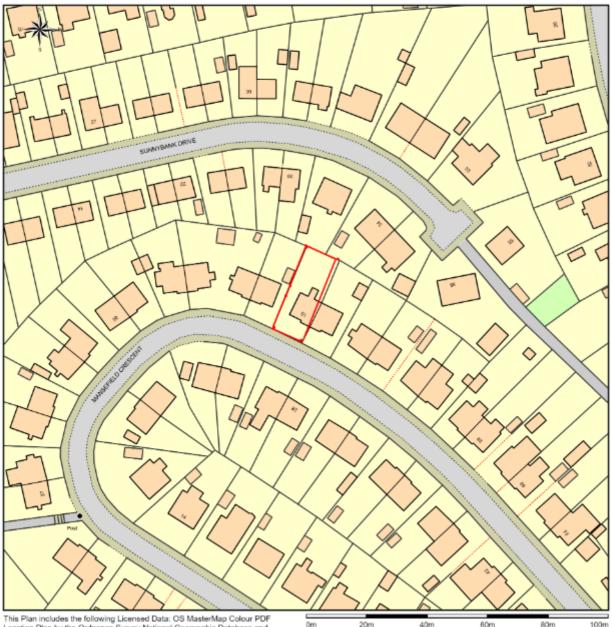


APPENDIX 6

PLANS/DRAWINGS



Location Plan of g76 7ea



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Scale: 1:1250, paper size: A4







 B
 10-09-2021
 Neighbour plans added

 A
 15-09-2021
 Updated plans

 Rev
 Date
 Description

planning

Clients:

Mr and Mrs Macklin

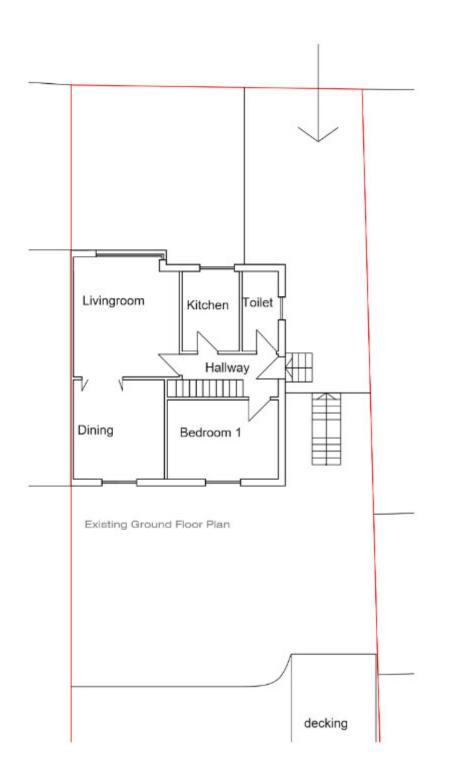
Drawing title: Block Plans

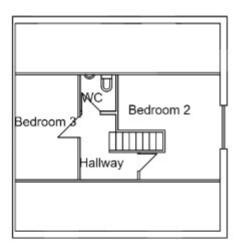
Developer

Proposed extension at 51 Mansefield Crescent

Ref: 001b

scale: 1:200@A3 date: May 2020





Existing First Floor Plan

0 1m 5m 10-



B 10-09-2021 Neighbour plans added A 15-09-2021 Updated plans Rev Date Description

planning

Cliente

Mr and Mrs Macklin

Drawing title:

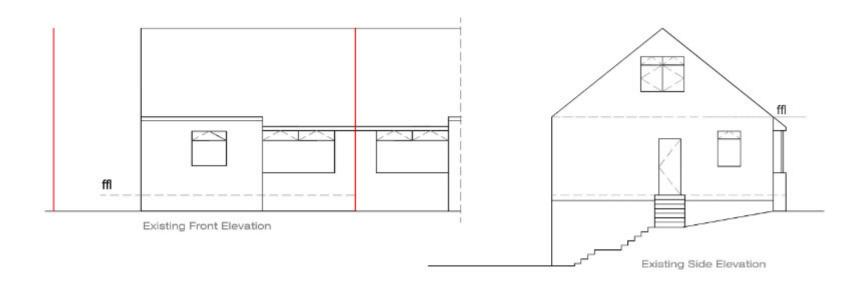
Existing Floor Plans

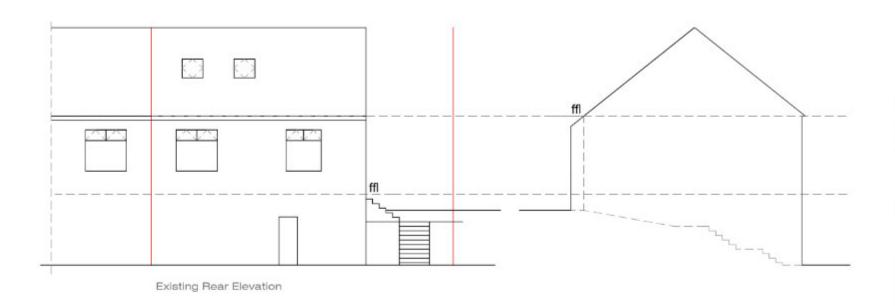
Devise

Proposed extension at 51 Mansefield Crescent

Ref: 002b

scale: 1:100@A3 date: May 2020





10-09-2021 Neighbour added 15-09-2021 Updated plans Description

planning

Mr and Mrs Macklin

Drawing title:

Existing Elevations

Proposed extension at 51 Mansefield Crescent

Ref: 003b

scale: 1:100@A3 date: May 2020

67

Location Plan of g76 7ea



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Scale: 1:1250, paper size: A4







B 10-09-2021 Neighbour plans added A 15-09-2021 Updated plans Rev Date Description

planning

Clients

Mr and Mrs Macklin

Drawing title: Block Plans

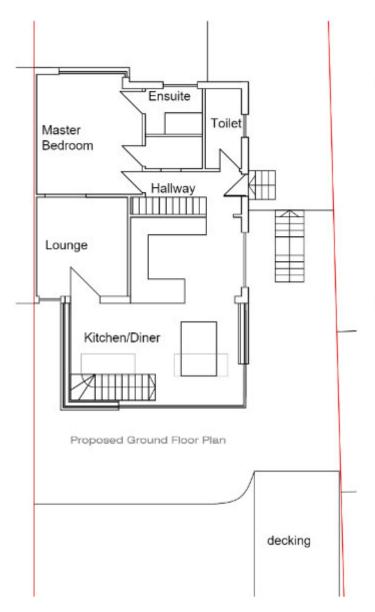
Devil ment

Proposed extension at 51 Mansefield Crescent

Ref: 001b

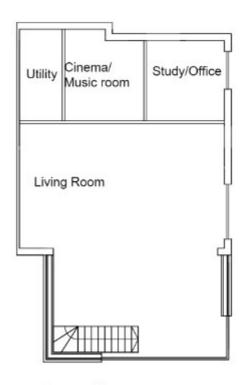
scale: 1:200@A3 date: May 2020











Proposed Basement

1	Bey	Date	Description	
	A	15-09-2021	Updated plans	
	В	10-09-2021	Neighbour added	



Mr and Mrs Macklin

Drawing title:

Proposed Plans

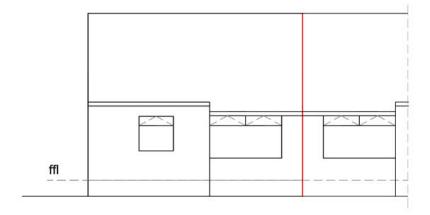
Proposed extension at 51 Mansefield Crescent

Ref: 004b

scale: 1:100@A3 date: May 2020

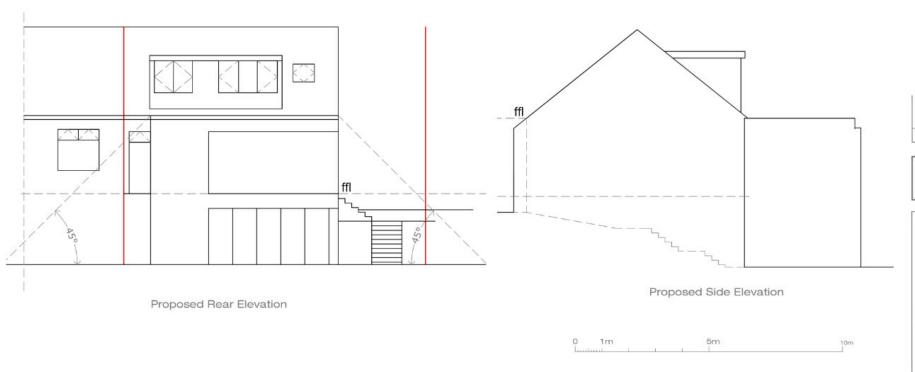
1m





Proposed Front Elevation





B 10-09-2021 Neighbour added A 15-09-2021 Updated plans

Rev Date Description

planning

Clients:

Mr and Mrs Macklin

Drawing title:

Proposed Elevations

roject

Proposed extension at 51 Mansefield Crescent

Ref: 005b

scale: 1:100@A3 date: May 2020