EAST RENFREWSHIRE COUNCIL

LOCAL REVIEW BODY

14 September 2022

Report by Director of Business Operations and Partnerships

REVIEW OF CASE - REVIEW/2022/07

EXTENSION AND ALTERATIONS TO DWELLING, INCLUDING RAISING AND ALTERING THE ROOF DESIGN, INSTALLATION OF DORMERS, TWO AND A HALF STOREY REAR EXTENSION AND ERECTION OF DOUBLE GARAGE.

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:- 2021/0900/TP).

Applicant: Mrs Jillian Nicholas

Proposal: Extension and alterations to dwelling, including raising and

altering the roof design, installation of dormers, two and a half

storey rear extension and erection of double garage.

Location: 133 Ayr Road, Newton Mearns, East Renfrewshire, G77 6RF.

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 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.** 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 consists of an example on the same street of an application for an extension to create a two storey dwelling at 143 Ayr Road, Newton Mearns which was approved on 24th April 2019 (Application Ref: 2019/0006/TP) included in Appendix 7.
- **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 advised of the reasoning behind this submission, please find this response attached in Appendix 8.
- 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.** 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 77 94);
 - (b) Report of Handling by the planning officer under the Scheme of Delegation Appendix 3 (Pages 105 112);
 - (c) Decision notice and reasons for refusal Appendix 4 (Pages 113 116); and
 - (d) A copy of the applicant's Notice of Review and Statement of Reasons including appeal statement Appendix 5 (Pages 117 136).

- **19.** The applicant has also submitted the drawings listed below and these are attached as Appendix 6 (Pages 137 150).
 - (a) Location Plan PL 001;
 - (b) Plans as Proposed and Block Plan L(20)001-C;
 - (c) Proposed Elevations L(20)002-C;
 - (d) General Arrangement as Existing L(20)000;
 - (e) Cross Sections L(20)003-B;
 - (f) Garage Proposals L(20)004-A;
 - (g) Refused Location Plan PL 001;
 - (h) Refused Plans as Proposed and Block Plan L(20)001-C;
 - (i) Refused Proposed Elevations L(20)002-C;
 - (j) Refused Cross Sections L(20)003-B; and
 - (k) Garage Proposals L(20)004-A.
- **20.** 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.
- **21.** All the documents referred to in this report can be viewed online on the Council's website at www.eastrenfrewshire.gov.uk.

RECOMMENDATIONS

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

Report Author: Sharon McIntyre

Director – Louise Pringle, Director of Business Operations and Partnerships

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

Date:- August 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

100498157-001

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

Description of Proposal
Please describe accurately the work proposed: * (Max 500 characters)
Extension and alteration works to existing house including rear extension and attic conversion with dormer windows and detached garage being rebuilt.
Has the work already been started and/ or completed? * No Yes - Started Yes - Completed
Applicant or Agent Details
Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

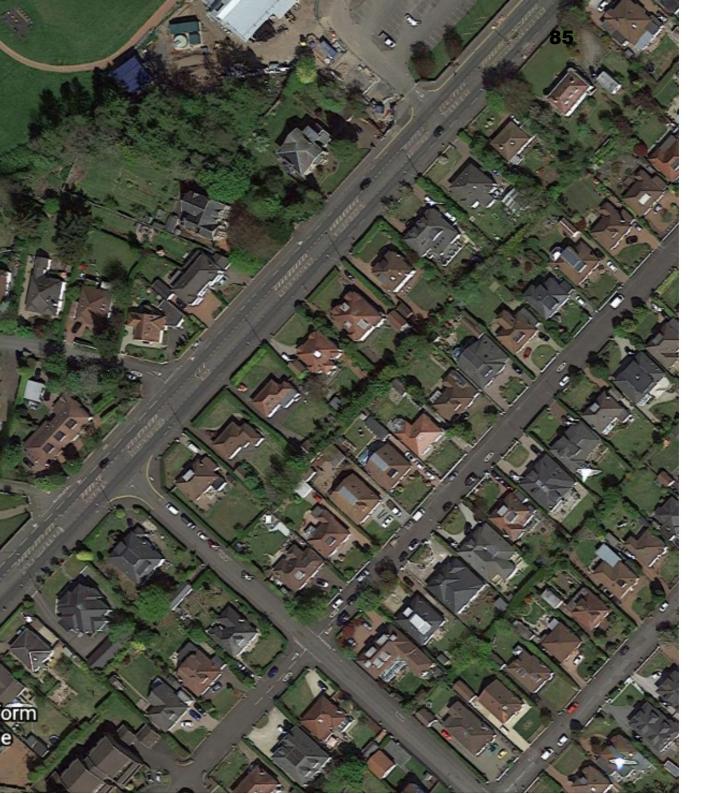
Agent Details					
Please enter Agent details	S				
Company/Organisation:	S2 Architecture Ltd				
Ref. Number:		You must enter a Building Name or Number, or both: *			
First Name: *	Steven	Building Name:	Unit 3		
Last Name: *	Strang	Building Number:	5		
Telephone Number: *	07984 341 767	Address 1 (Street): *	Auchinairn Road		
Extension Number:		Address 2:			
Mobile Number:		Town/City: *	Bishopbriggs		
Fax Number:		Country: *	Scotland		
		Postcode: *	G64 1RX		
Email Address: *	info@s2arch.co.uk				
Is the applicant an individual or an organisation/corporate entity? * Individual Organisation/Corporate entity					
Applicant Det	ails				
Please enter Applicant de	tails				
Title:	Ms	You must enter a Building Name or Number, or both: *			
Other Title:		Building Name:			
First Name: *	Jillian	Building Number:	133		
Last Name: *	Nicholas	Address 1 (Street): *	Ayr Road		
Company/Organisation		Address 2:			
Telephone Number: *		Town/City: *	Newton Mearns		
Extension Number:		Country: *	Scotland		
Mobile Number:		Postcode: *	G77 6RF		
Fax Number:					
Email Address: *					

Site Address Details				
Planning Authority:	East Renfrewshire Council			
Full postal address of th	ne site (including postcode where availab	ole):	_	
Address 1:	133 AYR ROAD			
Address 2:	NEWTON MEARNS			
Address 3:				
Address 4:				
Address 5:				
Town/City/Settlement:	GLASGOW			
Post Code:	G77 6RF			
Please identify/describe	the location of the site or sites			
Northing	655914	Easting	254062	
Pre-Application Discussion				
Have you discussed yo	ur proposal with the planning authority? *	*	☐ Yes ☒ No	
Trees				
Are there any trees on o	or adjacent to the application site? *		☐ Yes ☒ No	
If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.				
Access and Parking				
Are you proposing a new or altered vehicle access to or from a public road? *				
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.				
How many vehicle park site? *	ing spaces (garaging and open parking)	currently exist on the applicati	on 6	
	ing spaces (garaging and open parking) new spaces or a reduced number of spa		e. the 6	
Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycle spaces).				

Planning S	Service Employee/Elected Member Interest			
	the applicant's spouse/partner, either a member of staff within the planning service or an the planning authority? *	☐ Yes ☒ No		
Certificate	s and Notices			
	D NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPME COTLAND) REGULATION 2013	NT MANAGEMENT		
	st be completed and submitted along with the application form. This is most usually Certifical icate C or Certificate E.	te A, Form 1,		
Are you/the applica	ant the sole owner of ALL the land? *	X Yes □ No		
Is any of the land p	art of an agricultural holding? *	☐ Yes ☒ No		
Certificate	Required			
The following Land	Ownership Certificate is required to complete this section of the proposal:			
Certificate A				
Land Ov	wnership Certificate			
Certificate and Noti Regulations 2013	ice under Regulation 15 of the Town and Country Planning (Development Management Prod	cedure) (Scotland)		
Certificate A				
I hereby certify that	t-			
(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.				
(2) - None of the la	nd to which the application relates constitutes or forms part of an agricultural holding			
Signed:	Steven Strang			
On behalf of:	Ms Jillian Nicholas			
Date:	09/11/2021			
	✓ Please tick here to certify this Certificate. *			

Checklist – Application for Householder Application				
in support of your application.	o complete the following checklist in order to ensure that you have provided all the . Failure to submit sufficient information with your application may result in your apy will not start processing your application until it is valid.			
a) Have you provided a writte	n description of the development to which it relates?. *	⊠ Yes □ No		
b) Have you provided the pos has no postal address, a desc	stal address of the land to which the development relates, or if the land in question cription of the location of the land? *	X 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 less of that agent.? *	X Yes ☐ No		
d) Have you provided a locati land in relation to the locality and be drawn to an identified	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 poin scale.	yes □ No		
e) Have you provided a certifi	icate of ownership? *	▼ Yes □ No		
f) Have you provided the fee p	payable under the Fees Regulations? *	⊠ Yes □ No		
g) Have you provided any oth	ner plans as necessary? *	X 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.			
X Existing and Proposed e	levations.			
Existing and proposed flo	oor plans.			
Site layout plan/Block pla	ans (including access).			
X Roof plan.				
Photographs and/or photographs	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 X No		
	u may wish to provide additional background information or justification for your and you should provide this in a single statement. This can be combined with a	X Yes ☐ No		
You must submit a fee with yo Received by the planning aut	our application. Your application will not be able to be validated until the appropria hority.	te fee has been		
Declare – For H	ouseholder Application			
I, the applicant/agent certify the Plans/drawings and additional	hat this is an application for planning permission as described in this form and the li information.	accompanying		
Declaration Name:	Mr Steven Strang			
Declaration Date:	09/11/2021			

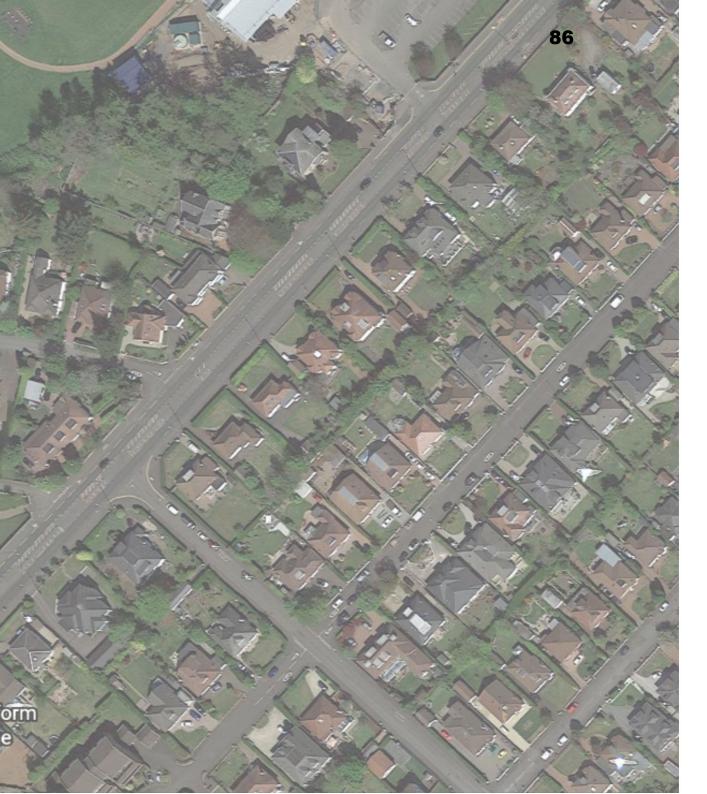
Payment Details Created: 09/11/2021 09:35



133 AYR ROAD

SUPPORTING DOCUMENT

S2 ARCHITECTURE



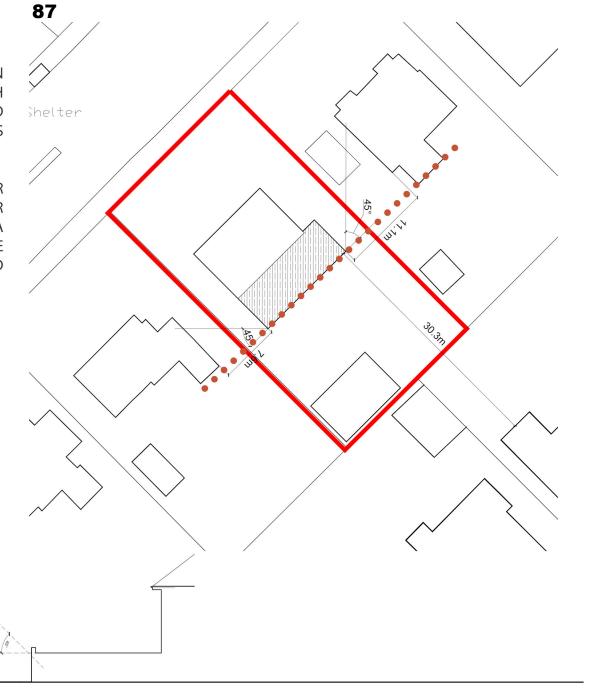
INTRODUCTION

THE PURPOSE OF THIS BOOKLET IS PROVIDE FURTHER SUPPORT THE THE DRAWINGS SUBMITTED TO CONFIRM THAT THE PROPOSALS DO MEET EAST RENFREWSHIRE'S HOUSEHOLDER PLANNING GUIDANCE

DAYLIGHT AND OVERLOOKING

THE 45 DEGREE METHOD HAS BEEN APPLIED TO BOTH THE PLAN AND SECTION AND IT IS EVIDENT THAT THERE IS NO ISSUES WITH OVERDOMINATING THE ADJACENT HOUSES. THE ORANGE DOTTED LINES SHOWS THAT THE LINE OF THE PROPOSED EXTENSION LINES THROUGH WITH 131 AYR ROADs EXTENSION

DIMENSIONS HAVE ALSO BEEN ADDED TO THE BLOCK PLAN TO CONFIR THAT THE DISTANCE TO 135 AYR ROAD IS 7.6m AND 11.1m TO 131 AYR ROAD. WITH ADOPTING AN APPOACH OF INTRODUCING A LARGE AREA OF GLASS TO THE REAR ELEVATION WE HAVE ENSURED THAT THERE ARE NO OVERLOOKING ISSUES TO THE REAR OF THE HOUSES AT LARCHFIELD AVENUE AS THE DISTANCE ELEVATION TO ELEVATION IS 30.3m



AYR ROAD

THE SECTION OF AYR ROAD IDEBTIFIED IN THE MAP BELOW CONSISTS PREDOMINANTLY OF A STOREY AND A HALF DETACHED BUNGALOWS. THE MATERIALS OF TEHSE PLOTS ARE OF TRADITIONAL RENDER AND SLATE.

THE ROOF FORMATION OF THE HOUSES WITHIN THE AREA ARE VARIED AS IDENTIFIED IN THE ADJACENT IMAGES. OUR PROPOSALS ARE TO FOLLOW THE METHOD OF THE HOUSE AT 139 AYR ROAD WHICH WAS GRANTED CONSENT IN 2015 (2015/0298/TP), WITH THE ONE CONSISTENT ROOF BEING BUILT OVER THE EXISTING HOUSE AND EXTENSION.











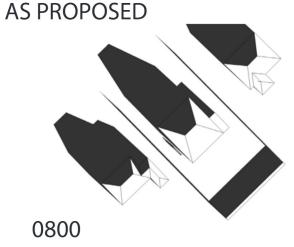


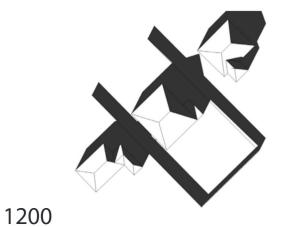
SUNLIGHT STUDY

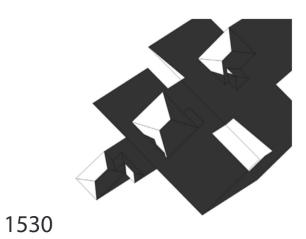
THE SUNLIGHT STUDIES ARE A TRUE REFLECTION OF THE SUNLIGHT AT THE WINTER EQUINOX (DEC 21st) AND SUMMER SOLSTICE (JUNE 20th). THE STUDIES IDENTIFY THE PROPOSED SHADING AS A RESULT OF THE EXTENSION AT 0800, 12 MIDDAY AND AT 1530.



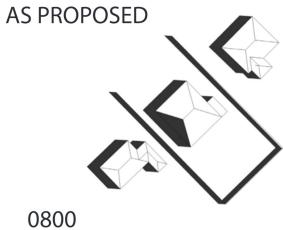
WINTER EQUINOX

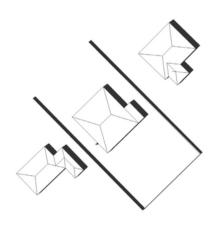


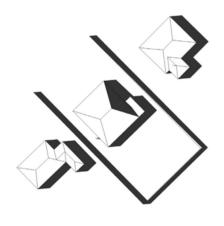




SUMMER SOLSTICE







1200

1530











APPENDIX 2

COPIES OF OBJECTIONS/REPRESENTATIONS



Objection Letter: Planning Application 2021/0900/TP FAO Mr Sharp

Thu 13/01/2022 18:50

To: EN Planning <Planning@eastrenfrewshire.gov.uk>

Dear Mr Sharp,

RE: Planning Application 2021/0900/TP [133 Ayr Road, Newton Mearns, Glasgow G77 6RF

I would like the late notification for this planning application logged as it was only received by us on 9th January 2022, providing only 6 days to respond.

We wish to make you aware of a number of strong objections that we have with regard to the proposed extension and alterations to the property at 133 Ayr Road Newton Mearns, application number referenced above. As an immediate neighbour to the site of the proposed development, we are of the view that the proposed development will have a serious impact on our standard of living. Our specific objections are as follows:

1. Loss of Privacy and Overlooking

District Plan 2.1 General Principles - • Direct overlooking and excessive overshadowing of neighbouring properties should be avoided .

The amenity of neighbouring properties should not be adversely affected by unreasonably restricting their sunlight or **privacy**.

LPD2 9.2 Human rights - respect for your private and family life,

All new developments should ensure adequate privacy for the occupants of the building and of adjacent residential properties. The proposed design for the rear of this new extension, extensive floor to ceiling windows across two floors, two dormer windows on the upper floor and a glass balcony, would result in the rear of our property and garden being severely overlooked from the new extension, resulting in a serious invasion of our privacy. We believe that the proposed extension is a direct contravention of Policy 2.1 of the District Wide Local Plan. The design of the proposed extension does not afford adequate privacy for the occupants of the building or our adjacent property, particularly with regard to our right to the quiet enjoyment of garden amenities. We believe that the proposed development would have a dominating impact on us and our right to the quiet enjoyment of our property and garden. Article 8 of the Human Rights Act states that a person has the substantive right to respect for their private and family life.

I have attached pictures which show the current view of this property from our rear garden and upper bedroom for reference.

2. Ridge Line is Above the Ridge Line of the Existing Bungalow

Local District Plan 2.1 General Principles: The riage line of the extension should be below the ridge line of the original house.

The proposed design reflects Section 2.2 Bungalow Extensions C which shows 'Extension which doesn't retain the character of original house by imbalancing the principal elevation and not secondary in appearance'

We believe that the proposed design of this new extension is a direct contravention of Policy 2.1 of the District Wide Local Plan as the roofline is being substantially raised and exasperates the aspect of overlooking and privacy due to its elevated position.

3. The proposed extension would be out of keeping with the design and character of other Bungalows in this area of Ayr Road

District Plan 2.1 General Principles Extensions, dormer windows and garages should respect the character of the original house and the surrounding area in terms of design, scale and materials. No extension, dormer windows or garages should detract from the character of the area. • Extensions should not dominate or overwhelm the original form or appearance of the house and be subordinate in scale and appearance to the original house

Local District Plan 1.1.4. When designing an extension, householders should consider not just what internal space is created, but also how the extension will look from the outside and how it will complement the character of the existing house. Well designed extensions will maintain the character of the original property and the area in general. A well designed extension will also contribute to the value of the property.

Local Policy D1: Appendix: 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-

- 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;

We believe that the proposed extension, by reason of its scale and bulk, and extended roofline, would be out of keeping with the design and character of the existing dwelling, and would have an adverse effect on the visual amenity of the area as a whole and other bungalows adjacent in Ayr Road. The proposed extension, by reason of its size, siting and design would represent an unneighbourly form of development, detrimental to the amenities of the occupiers of adjoining residential property, particularly by reason of the overbearing effect.

We would be grateful if the council would take our objections into consideration when deciding this application. We would welcome the opportunity to meet with a representative of the planning department at our home to illustrate our objections at first hand and discuss possible compromises.

Yours Sincerely,

Irene & Paul Baillie

Newton Mearns

Glasgow G77 5QN





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Comments for Planning Application 2021/0900/TP

Application Summary

Application Number: 2021/0900/TP

Address: 133 Ayr Road Newton Mearns East Renfrewshire G77 6RF

Proposal: Extension and alterations to dwelling, including raising and altering the roof design, installation of dormers, two and a half storey rear extension and erection of double garage.

Case Officer: Mr Byron Sharp

Customer Details

Name: Mrs MARY ROBERTSON

Address: 68 Larchfield Avenue, Newton Mearns, East Renfrewshire G77 5QN

Comment Details

Commenter Type: Rec'd NeighbourNotification from Council

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:We are concerned that the height of the proposed extension will mean it is overlooking what are currently very private gardens. This is especially the case as the houses on Ayr Road are already uphill of those in Larchfield Avenue which will make overlooking even more likely.

objection reference 2021/0900/TP

yu an <

Fri 14/01/2022 00:03

To: EN Planning <Planning@eastrenfrewshire.gov.uk>

Dear sir/madam

This is Yu An from 66 Larchfield Avenue, Newton Mearns Glasgow G77 5QN. Regarding as a neighbouring property to 133 Ayr Road, Newton Mearns, G77 6RF. We hope to record our objection to the proposed extensions and alterations to the property at the above address, application reference 2021/0900/TP.

We understand the design for the rear of this extension would severely overlook our property and invade our family's privacy. It does not provide adequate privacy for the occupants of the building or our property, particularly with regards to our rights to our respect for our private and family life and our privacy to enjoy our garden. The percentage of glass windows proposed at the rear is excessive and has no respect for neighbouring properties.

In addition, the proposal shows an increase to the roofline height which is direct contravention of the local plan which states that the ridge line of any extensions should be below the line of the original house, The raising of this roofline and use of large dormer windows at the rear being an elevated site, only compounds the overlooking issue and is not consistent with other bungalows in this section of Ayr road, having an adverse effects on the visual amenity of the area as a whole.

We would be grateful if the council would take these objections into account and would welcome further discussions with the council to reach an agreement which would be acceptable to all parties.

please email me back for further information.

best regards

Yu An

From:

Sent: 21 July 2022 17:31

To: McIntyre, Sharon2 <Sharon.McIntyre@eastrenfrewshire.gov.uk>

Subject: Ref No: 2021/0900/TP 33 Ayr Road, Newton Mearns, East Renfrewshire, G77 6RF.

Thank you for informing us regarding the review to be carried out regarding Ref No: 2021/0900/TP for the above development.

Our feedback and concerns regarding this application remain as per our correspondence received by yourselves on 28/01. Recently whilst sitting in our lounge and whilst enjoying family time in our garden, we have tried to imagine what the impact would be should this application be approved and it has increased our concern. I think a number of compromises would need to be considered to minimise the environmental impact to ourselves and the adjacent properties;-

- 1. The roof level should not be raised as documented in my previous correspondence, This is a breach of regulations and as Ayr Road already sits on an elevated position to Larchfield Avenue, this only exasperates the overlooking aspect. Due to the elevation, no screening of an acceptable height is feasible.
- 2. The use of velux windows instead of dormer windows.
- 3. A reduction in the amount of glass to the rear of the property which sits fully backing on to the adjacent properties, not even at an angle. The current application would be a fish bowl effect for neighbouring properties and the applicants which is not desirable for all parties concerned and provides little privacy.

I hope these concerns will be taken into account when carrying out the forthcoming review.

Yours faithfully,

Irene & Paul Bailie 64 Larchfield Avenue Newton Mearns G77 5QN From: Katie MacMillan <katie.macmillan@dta.scot>

Sent: 08 August 2022 17:19

To: McIntyre, Sharon2 <Sharon.McIntyre@eastrenfrewshire.gov.uk>

Subject: RE: Local Review Body - Review 2022/07 - 133 Ayr Road, Newton Mearns, East

Renfrewshire, G77 6RF.

Good Evening Sharon,

Hope you're well and had a great weekend.

Many thanks for your email of 26th July attaching further representation from Mr & Mrs Baillie dated 21st July 2022.

We have no further comments to make with regards to this representation, however the applicant Ms Nicholas would like to add as an example on the same street that an application for an extension to create a two storey dwelling at 143 Ayr Road, Newton Mearns was approved on 24th April 2019 (Application Ref: 2019/0006/TP). We have attached the approval and associated drawings for reference.

We trust you find these in order and thank you for your continued assistance with the case.

Kind Regards,

Katie

Katie MacMillan | Project Manager



9 Montgomery Street, The Village, East Kilbride, Glasgow, G74 4JS T: 01355-260909 | W: www.dta.scot

From: McIntyre, Sharon2 < Sharon.McIntyre@eastrenfrewshire.gov.uk >

Sent: 26 July 2022 16:41

To: Katie MacMillan < katie.macmillan@dta.scot >

Cc: Nicol, Julie < <u>Julie.Nicol@eastrenfrewshire.gov.uk</u>>; Pepler, Alan

<<u>Alan.Pepler@eastrenfrewshire.gov.uk</u>>; Bennie, Andrew

<a href="mailto: eastrenfrewshire.gov.uk

Subject: Local Review Body - Review 2022/07 - 133 Ayr Road, Newton Mearns, East Renfrewshire, G77 6RF.

Dear Ms Nicholas,

Please find attached for your attention information regarding Notice of Review 2022/07.

Kind regards,

Sharon

Sharon McIntyre Committee Services Officer Department of Business Operations and Partnerships

Phone: 0141 577 3011 Mobile: 07584 116 608

e-mail:- sharon.mcintyre@eastrenfrewshire.gov.uk

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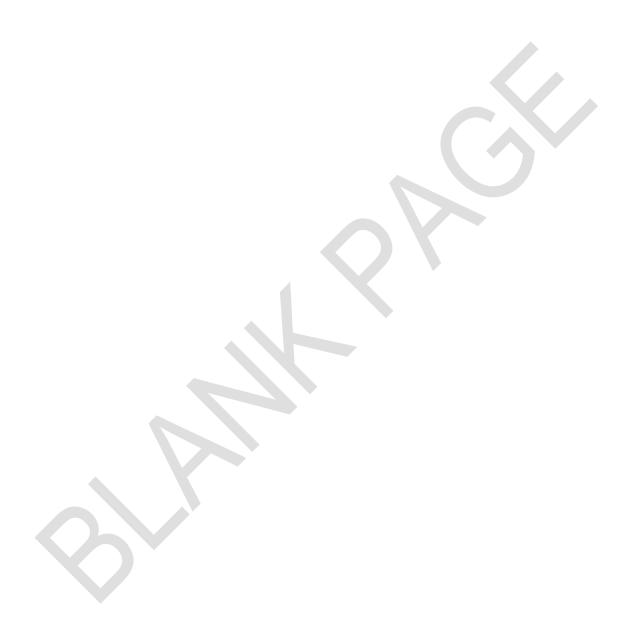
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APPENDIX 3

REPORT OF HANDLING



REPORT OF HANDLING

Reference: 2021/0900/TP Date Registered: 9th December 2021

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

Ward: 5 -Newton Mearns South And Eaglesham

Co-ordinates: 254062/:655914

Applicant/Agent: Applicant: Agent:

Ms Jillian Nicholas Steven Strang

133 Ayr Road Unit 3

Newton Mearns 5 Auchinairn Road

Scotland Bishopbriggs
G77 6RF Scotland

G64 1RX

Proposal: Extension and alterations to dwelling, including raising and altering the roof

design, installation of dormers, two and a half storey rear extension and

erection of double garage.

Location: 133 Ayr Road

Newton Mearns East Renfrewshire

G77 6RF

CONSULTATIONS/COMMENTS: None.

PUBLICITY: None.

SITE NOTICES: None.

SITE HISTORY: None.

REPRESENTATIONS: Four representations have been received: Representations can be summarised as follows:

- Loss of Privacy and Overlooking.
- Ridgeline above the ridgeline of the existing bungalow.
- The proposed extension would be out of keeping with the design and character of other bungalows on Ayr Road.

The points raised in the representations are considered in the report below.

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS: A Supporting Statement was submitted with this application.

ASSESSMENT:

The application site comprises single storey detached bungalow and its curtilage. The site is located on a main arterial road within an established residential area.

Planning permission is sought for a 2.5 storey rear extension and alterations to the dwelling, including raising the ridge of the roof and introducing a half-hipped roof design, the installation of dormers and the erection of a double garage. The existing rear extension is to be demolished, in order to accommodate the proposed 2.5 storey rear extension. Furthermore, the existing garage will be demolished to accommodate the proposed garage.

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

The prevailing residential character of this part of Ayr Road is one of bungalows with hipped roofs. Assessment of the proposal has confirmed that the proposed roof alterations would raise the existing ridgeline of the roof and introduce a half-hipped roof design. It is considered that raising the roof and introducing a half-hipped design would not be in keeping with the original building or local architecture, building form and design, particularly with regards to neighbouring properties along Ayr Road. In this context, the proposed roof alterations would be inappropriate and detrimental to the character of the existing building and that of the surrounding area. The proposal is therefore contrary to policy D1 and D1.1 of the adopted East Renfrewshire Local Development Plan 2.

Furthermore, the proposed increase in the ridge height, in combination with the introduction of a half-hipped roof design would significantly increase the massing of the roof, and the size and scale of the building. In conjunction with the proposed 2.5 storey rear extension, the proposed roof alterations would significantly increase the size, massing and scale of the original building to the detriment of its original character. It is therefore considered that the proposal is not in keeping with the original building in terms of size, scale, massing and design. As such, the proposal is contrary to policy D1 and D1.1 of the adopted East Renfrewshire Local Development Plan 2.

With regards to overlooking, the rear elevation of the proposed rear extension would be located approximately 17m from the rear boundary and the ground floor level would remain at its current height. Furthermore, the internal mezzanine level is set back from the rear elevation, which reduces overlooking further. It is noted that the area of glazing on the rear elevation would be increased however, given the separation distance, it is considered that it would not result in an unacceptable level of overlooking. In this context, the proposed basement and ground floor levels do not create an unacceptable level of overlooking neighbouring properties. With regards to the proposed rear dormer, at approximately 17m from the rear boundary, the proposed rear dormer is set back sufficiently from the rear boundary and does not create an unacceptable level of overlooking. The front dormer raises no concerns regarding overlooking. With regards to impacts on sunlight and daylight, the proposal raises no unacceptable impacts regarding sunlight or daylight.

Assessment of the proposed outbuilding has determined that it is of a size, scale and height which does not adversely impact or dominate the existing building. Furthermore, the proposed outbuilding is considered to compliment the scale and character of the existing building, neighbouring properties and their setting.

The proposed formation of an access is considered to be acceptable and the Council's Roads Services have raised no objections to the formation of the access.

It is noted that four objections were received regarding this application. These raised concerns regarding loss of privacy and overlooking, the raised ridgeline and the design not being in keeping with the established character of Ayr Road. These matters have been assessed and explained above.

Discussions have taken place with the applicant over potential alterations that could reduce the visual impact to an acceptable level. The applicant has suggested some alterations to the proposed roof design, primarily in respect of the position and angle of the half-hipped element. These proposed alterations have been assessed, however it is considered that the proposed change to the design will not alter the visual impact of the proposal in a significant manner to allow approval of this application.

In conclusion, the introduction of the half-hipped roof design in conjunction with raising the ridgeline of the roof will significantly increase the size, scale and massing of the property to the detriment of the character of the original building and that of the locality. The proposal is therefore contrary to Policies D1 and D1.1 of the adopted East Renfrewshire Local Development Plan 2. There are no material considerations that indicate the application should not be refused. It is therefore, recommended that the application is refused for the reasons set out below.

RECOMMENDATION: Refuse

REASON FOR REFUSAL:

- The proposed extension will have a significant adverse visual impact on the character of the area and is not in keeping with local architecture, building form and design. As such, the proposal is contrary to the Adopted Local Development Plan 2 Policies D1 and D1.1.
- 2. The proposal is contrary to the Adopted Local Development Plan 2 Policies D1 and D1.1. The development is not in keeping with the original building in terms of size, scale and massing.

PLANNING OBLIGATIONS: None.

ADDED VALUE: None.

BACKGROUND PAPERS:

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

Ref. No.: 2021/0900/TP

(BYSH)

DATE: 28th April 2022

DIRECTOR OF ENVIRONMENT

Reference: 2021/0900/TP - Appendix 1

DEVELOPMENT PLAN:

Adopted East Renfrewshire Local Development Plan 2

Policy D1: Placemaking and Design

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

- 1. The development should not result in a significant loss of character or amenity to the surrounding area;
- 2. The proposal should be appropriate to its location, be high quality and of a size, scale, height, massing and density that is in keeping with the buildings in the locality or appropriate to the existing building and should respect local architecture, building form and design;
- 3. Respect existing building lines and heights of the locality;
- 4. Create a well-defined structure of streets, public spaces and buildings;
- 5. Ensure the use of high quality sustainable and durable materials, colours and finishes that complement existing development and buildings in the locality;
- 6. Respond to and complement site topography and not impact adversely upon the green belt and landscape character, green networks, features of historic interest, landmarks, vistas,skylines and key gateways. Existing buildings and natural features of suitable quality, should be retained and sensitively integrated into proposals including greenspace, trees and hedgerows;
- 7. Boundary treatment and landscaping should create a distinctive edge and gateway to the development and reflect local character;
- 8. Promote permeable and legible places through a clear sustainable movement hierarchy favouring walking, then cycling, public transport, then the private car as forms of movement;
- 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.

GOVERNMENT GUIDANCE: None.

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. 2021/0900/TP

Applicant: Ms Jillian Nicholas 133 Ayr Road Newton Mearns

Scotland G77 6RF Agent:

Steven Strang

Unit 3

5 Auchinairn Road Bishopbriggs Scotland

G64 1RX

With reference to your application which was registered on 9th December 2021 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Extension and alterations to dwelling, including raising and altering the roof design, installation of dormers, two and a half storey rear extension and erection of double garage.

at: 133 Ayr Road Newton Mearns East Renfrewshire G77 6RF

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

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

- 1. The proposed extension will have a significant adverse visual impact on the character of the area and is not in keeping with local architecture, building form and design. As such, the proposal is contrary to the Adopted Local Development Plan 2 Policies D1 and D1.1.
- 2. The proposal is contrary to the Adopted Local Development Plan 2 Policies D1 and D1.1. The development is not in keeping with the original building in terms of size, scale and massing.

Dated

28th 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	A Location Plan	PL_001	
Cross Sections	Cross Sections	L(20)003-B	
Elevations	Garage Proposals	L(20)004-A	
Supporting Statement	Supporting Statement		
Plans Proposed	Plans as Proposed and Block Plan	L(20)001-C	

Elevations Proposed Proposed Elevations L(20)002-C

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.

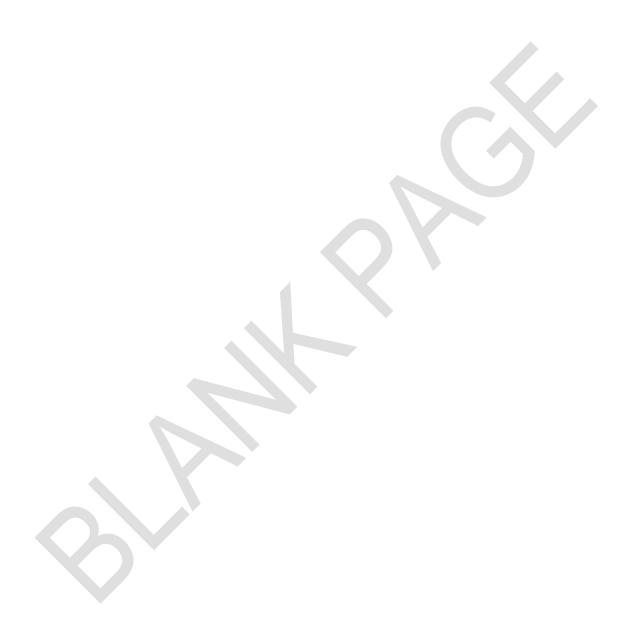
CONTACT DETAILS

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

100573596-001

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

Applicant or Agent Details Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting ☐ Applicant ☒ Agent on behalf of the applicant in connection with this application) **Agent Details** Please enter Agent details DTA Company/Organisation: Ref. Number: You must enter a Building Name or Number, or both: * DTA First Name: * **Building Name:** Building Number: Last Name: * Address 1 Montgomery Street 01355260909 Telephone Number: * (Street): * The Village Address 2: Extension Number: East Kilbride Mobile Number: Town/City: * Scotland Fax Number: Country: * G74 4JS Postcode: * katie.macmillan@dta.scot Email Address: * Is the applicant an individual or an organisation/corporate entity? * ☑ Individual ☐ Organisation/Corporate entity

Applicant Details				
Please enter Applicant	details	_		
Title:	Ms	You must enter a Building Name or Number, or both: *		
Other Title:		Building Name:		
First Name: *	Jillian	Building Number:	9	
Last Name: *	Nicholas	Address 1 (Street): *	Montgomery Street	
Company/Organisation		Address 2:	The Village	
Telephone Number: *		Town/City: *	East Kilbride	
Extension Number:		Country: *	Scotland	
Mobile Number:		Postcode: *	G74 4JS	
Fax Number:				
Email Address: *	katie.macmillan@dta.scot			
Site Address Details				
Planning Authority:	East Renfrewshire Council			
Full postal address of the site (including postcode where available):				
Address 1:	133 AYR ROAD			
Address 2:	NEWTON MEARNS			
Address 3:				
Address 4:				
Address 5:				
Town/City/Settlement:	GLASGOW			
Post Code:	G77 6RF			
Please identify/describe the location of the site or sites				
Northing	655914	Easting	254062	

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)
Extension and alterations to dwelling, including raising and altering the roof design, installation of dormers, two and a half storey rear extension and erection of double garage
Type of Application
What type of application did you submit to the planning authority? *
Application for planning permission (including householder application but excluding application to work minerals). Application for planning permission in principle. Further application. Application for approval of matters specified in conditions.
What does your review relate to? *
Refusal Notice. Grant of permission with Conditions imposed. No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.
Statement of reasons for seeking review
You must state in full, why you are a seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)
Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.
You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.
The application was refused under Delegated Powers (Please see attached Supporting Statement).
Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *
If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

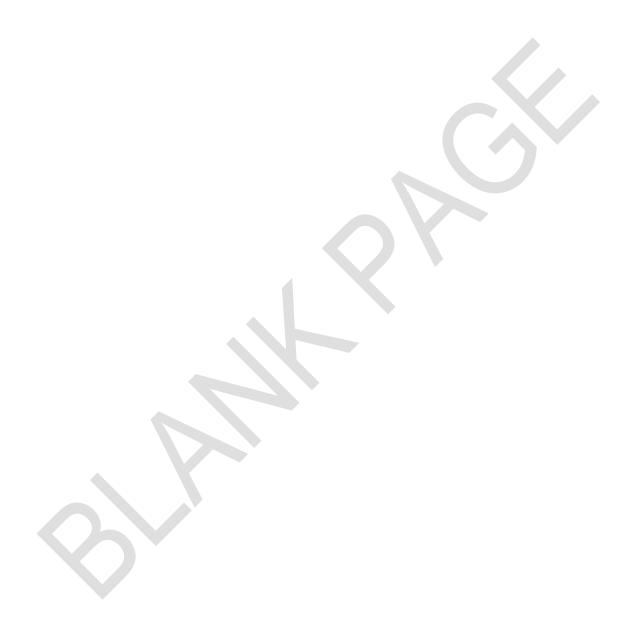
Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)				
Supporting Statement				
Application 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? * 09/11/2021				
What date was the decision issued by the planning authority? * 28/04/2022				
Review Procedure				
The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.				
Can this review continue to a conclusion, in your opinion, based on a review of the relevant i parties only, without any further procedures? For example, written submission, hearing sess X Yes X No		yourself and o	other	
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Declare - Notice of Review

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

Declaration Name: . DTA .

Declaration Date: 03/06/2022





REQUEST FOR REVIEW FOR REFUSAL OF PLANNING APPLICATION REFERENCE 2021/0900/TP

SUPPORTING STATEMENT

JUNE 2022

CLIENT:
MS JILLIAN NICHOLAS
PROJECT:
EXTENSION AND ALTERATION OF EXISTING ONE AND A HALF STOREY DWELLING
133 AYR ROAD
NEWTON MEARNS
G77 6RF
JOB No:
T1.08
REV:

Introduction

This Request for Review is submitted to members of the Local Review Body by DTA Architects on behalf of the applicant (Ms Jillian Nicholas). It is in connection with the refusal of the application under delegated powers for the extension and alteration of an existing 1.5 storey dwelling including raising and altering the roof design, installation of dormers, a two and a half storey rear extension and erection of double garage at 133 Ayr Road, Newton Mearns, G77 6RF (planning application reference 2021/0900/TP).

Brief Description of the Application Site and Proposal

The application site comprises of a detached bungalow with attic accommodation (1.5 storey) set within a relatively large plot typical of the area. The dwelling has a white painted external finish to the elevations and a red tiled hipped roof. There is an existing garage within the rear garden. The property fronts onto and takes access from the Ayr Road (A77). The dwelling is partly screened from Ayr Road by an existing wall and mature hedge. The area exhibits a reasonable variety of house types. Many are 1.5 storey properties similar to the Applicant's home. Some of these have been extended and otherwise altered, and some demolished and re-built to a different design.

The aerial image below shows the application site bounded indicatively in red. The image after that is of the existing dwelling viewed from Ayr Road.





The Applicant has applied to alter and extend the existing property. This will include raising and altering the roof design and installing of dormers. There will be a two and a half storey rear extension constructed. The existing garage will be demolished and a new double garage erected largely on the same footprint. There will be a second access point created thereby allowing vehicles to access and egress easily and safely in forward gear at all times. The proposal will provide multi car parking that exceeds the Council's requirements.

The Applicant has endeavored to retain the symmetry of the existing dwelling (i.e. a front door with window on either side. The hipped roof has been altered to a half hip, thereby retaining some of the original character. Whilst the roof's ridge height will be increased this has been limited to what is required to provide useable accommodation. Care has been taken to set back the new dormers from the wall head and also the ridge. The external elevational finishes incorporating synthetic stone and render along with a flat dark grey roof tile will be of a quality and appearance that adds to the visual amenity of the locale.

Further, whilst the rear extension will be 2.5 storey in height, the rear garden level is significantly lower than the front allowing this to be easily accommodated and without breaching the ridge height. In this regard the rear extension will be largely unnoticed when viewed from the front of the house. Also, the rear elevation of the proposed extension was designed to align with the extension on the neighbouring property.

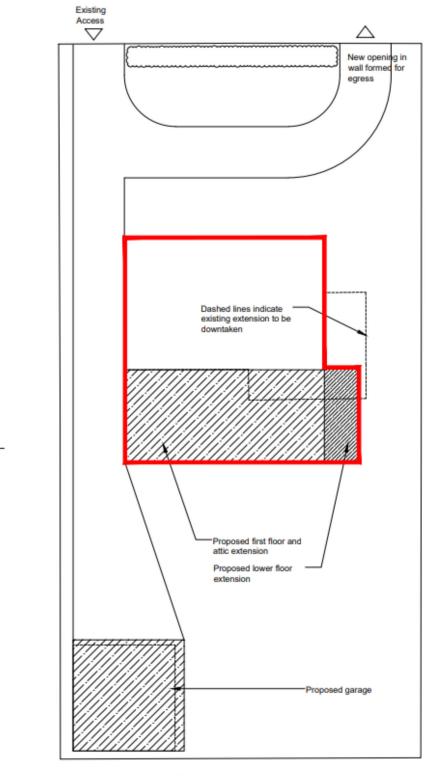
The Applicant went to significant lengths to design and support her application professionally. For example, her agent provided drawings indicating that there would be no loss of daylight through overshadowing for neighbouring properties.

Further, the supporting information demonstrates that the development does not occupy more than 50% of the rear garden which is a requirement of the Planning Authority's planning policy (Policy D1.1), indeed the development occupies significantly less than that.

Members will note the absence of any gable windows that could cause overlooking/privacy problems for neighbours on either side of the application site. Also, the significant distance between the rear elevation of the proposed extension and the rear elevations of the properties directly to behind (perhaps 30m) helps protect privacy and general amenity. Additionally, the trees/hedges along the rear boundary of the application site and similar planting evident along the rear boundaries of most of the neighboring properties helps aid privacy and a feeling of seclusion.

However, the Applicant stresses that the presence of that planting is in no way required to justify the proposal.

The Plot Layout plan below shows the footprint of the new dwelling/garage and its access/parking arrangement and garden area. After that is a computer generated image of the proposed front/gable elevations. Lastly a drawing of the Proposed Elevations is provided.



Plot Layout (1:200)





Brief Summary of the Planning Authority's Objections to the Proposal and Applicant's Justification

Members should note that neither the Applicant or her agent (original architect) appear to have received a refusal notice. Also, the Council's planning portal has posted only the application form and no Report of Handling. Therefore, the Applicant is running this request for review "blind" until these are provided or placed on the public portal. The Applicant reserves the right to add to this Statement of Case once she has had the opportunity to review these.

It is understood from email exchanges between the Planning Authority and the Applicant during determination of the application, specifically an email on 31.03.2022 from the Planning Authority to the Applicant, that the Planning Authority's main objection relates to the inclusion of a half hipped roof rather than a fully hipped roof. In this regard the Planning Authority stated the following:

"I have considered the information that you have put forward however, I note that the application you have identified is located on a street which accommodates a number of half hipped roof designs and is therefore of a different character. As stated in your email, the street you have identified is characterised by truncated style properties and as such that proposal does not sit at odds with the character and appearance of the street. All proposals are assessed on a site by site basis. The half-hip roof on your proposal is not in keeping with the character of the original house or the locality. Your proposal is contrary to the Local Development Plan (Adopted and Proposed) and policies within the Supplementary Planning Guidance. I therefore intend to recommend refusal for the current design."

The Applicant was quite shocked that the Planning Authority consider her proposal to be out of keeping with the area. The streetscape in the area is reasonably diverse. Also, she highlights that refusal of her proposal conflicts with decisions to approve other proposals within the immediate locale that deviate much further than hers from the fully hipped roof design mentioned by the Planning Authority. These proposals have been completed with no adverse impact on the streetscape, character or amenity of the surrounding area. The below examples exhibit the point.

Example 1: 141 Ayr Road (see image below)

A dwelling similar to the Applicant's (1.5 storey with hipped roof) was demolished and a new 2 storey dwelling constructed in its place. If that is deemed more in keeping than the Applicant's proposal she requests a hearing for the Planning Authority to explain why. Further, this development has been completed with no adverse impact on the streetscape, character or amenity of the surrounding area.



Example 2: 192 Ayr Road (see image below)

A dwelling similar to the Applicant's (1.5 storey with hipped roof) was demolished and a new dwelling constructed in its place. If that is deemed more in keeping than the Applicant's proposal she requests a hearing for the Planning Authority to explain why. Further, this development has been completed with no adverse impact on the streetscape, character or amenity of the surrounding area.



Example 3: 105 Ayr Road (see image below)

A dwelling similar to the Applicant's (1.5 storey with hipped roof) was altered by erecting a one and a half storey side extension with associated alterations to the roof to form a gable end in place of the hipped roof. When doing so the ridge height was raised and dormer windows installed at front and rear. There was also a single storey rear extension erected. That has been completed with no adverse impact on the streetscape, character or amenity of the surrounding area. The Applicant considers her proposal to be more in keeping than this proposal. It was granted permission by the Review Body (reference REVIEW/2015/01, planning application reference 2014/0821/TP).



Example 4: 115b Ayr Road (see image below)

A dwelling similar to the Applicant's (1.5 storey with hipped roof) was demolished and a new dwelling constructed in its place a photograph of which is below. If that is more in keeping than the Applicant's proposal she requests a hearing for the Planning Authority to explain why. Further, this development has been completed with no adverse impact on the streetscape, character or amenity of the surrounding area.



Example 5: 139 Ayr Road (see image below)

A dwelling similar to the Applicant's (1.5 storey with hipped roof) was altered and extended. The roof in particular was altered removing its original fully hipped configuration and incorporating a flat section along the ridge. The Applicant's agent had highlighted to the Planning authority this recent planning approval as an example that they took some design influences from. For example, the Applicant's agent incorporated one consistent roof over both the house and extension as it was apparent that the development at 139 Ayr Road successfully incorporated this feature and it has been completed with no adverse impact on the streetscape, character or amenity of the surrounding area.



Planning Precedent, Review of Relevant Planning Policy and the Planning Authority's Opinion on the Proposal

Planning Precedent: It is established planning practice that a proposal should be assessed based on its merits and that a planning application must be determined in accordance with the Development Plan unless material considerations indicate otherwise. This Statement of Case shows that the application does accord sufficiently with the Development Plan to justify approval in its own right.

However, the Applicant's agent had pointed out to the Planning Authority during their determination of the proposal examples of other developments that have been granted planning permission in the immediate locale involving what were originally 1.5 storey hipped roofed dwellings, many of which arguably represent a more significant change from their original design than the Applicant's proposal does. These are mentioned in the preceding section of this Statement and are only some of the examples we could provide, there are others. These examples can be viewed as precedents. But importantly it was not the mere presence of these other developments close to the application site that can be considered as forming <u>positive</u> planning precedents. It was their existence combined with the fact that they have had no adverse planning impacts on the locale which is important and has material relevance to the proposal.

Members should be aware that precedent is a material planning consideration, which can in certain circumstances outweigh the Development Plan. Reference to the Royal Town Planning Institute, any knowledgeable planning consultant/planning lawyer and all other planning authorities this Practice has operated within confirms that 'precedent' is indeed one such material consideration.

We reiterate that this Statement of Case shows that the proposal does accord sufficiently with the Development Plan to warrant approval in its own right. However, what has went before with no adverse planning impact on its surroundings is very much of relevance.

Planning Policy: The application site is located within the designated urban area. Local Development Plan 2, Policy D1.1: "Extensions and alterations to existing buildings for residential purposes" is the most relevant policy in relation to the Applicant's proposal. In this regard the proposals must be assessed against the following 6 policy criteria, and we have remarked on each:

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

A simple review of the details of the proposal provided within this Statement and a visit to the locale clearly evidences that approval of the proposals will not result in a significant loss of character or amenity to the surrounding area. There is a reasonable variety of house types within the area and the characteristics of the proposed development will blend sympathetically into the existing streetscape and wider neighborhood.

2. The development should complement the scale and character of the existing building, neighbouring properties and their setting, particularly in terms of style, form and materials.

A simple review of the details of the proposal provided within this Statement and a visit to the locale clearly evidences that the proposed style, form and materials compliment neighbouring properties. Whilst the proposed development will change the appearance of the existing property, a brief review of the proposed designs proves that the change will not be so transformative that it results in the creation of an incongruous feature in the streetscape.

3. The size, scale and height of any development must be appropriate to and not adversely impact or dominate the existing building.

The proposal is to alter and extend the existing dwelling comprehensively in a manner that successfully retains some of its original character. Given the holistic nature of the proposal it cannot adversely impact or dominate the existing building.

4. Should not create an unbroken or terraced appearance.

The proposal does 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.

The proposal will provide adequate car parking that exceeds the Council's requirements.

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

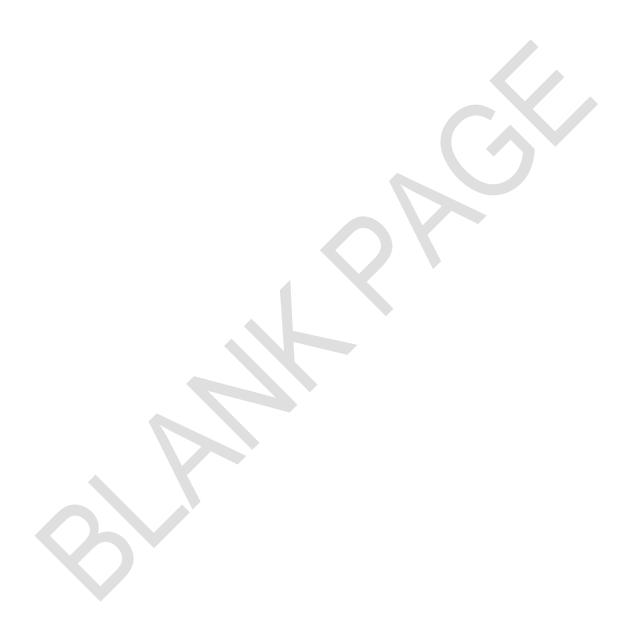
The supporting information demonstrates that the development does not occupy more than 50% of the rear garden.

Conclusion

As outlined above the proposal accords with planning policy of the adopted East Renfrewshire Local Development Plan 2 (LDP2).

There are examples of other developments that have been granted planning permission in the immediate locale involving what were originally 1.5 storey hipped roofed dwellings, many of which represent a more significant change from their original design than the Applicant's proposal does. These developments have been completed with no adverse impact on the streetscape, character or amenity of the surrounding area.

Accordingly, Members are asked to approve the planning application.



APPENDIX 6

PLANS/DRAWINGS



139



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All dimensions to be checked on site by Contractor and any discrepancies to be notified to the Architect prior to works being commenced. USe Figured Dimensions ONLY.

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Notes:
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Project Statu
2
ARCHITECTU
Project Title
Mr & Mrs Wo
133 Ayr Road Newton Mea

Description

JRE

Unit 3, 5 Auchinairn Road Bishopbriggs

> Tel: 0141 772 3669 info@s2arch.co.uk

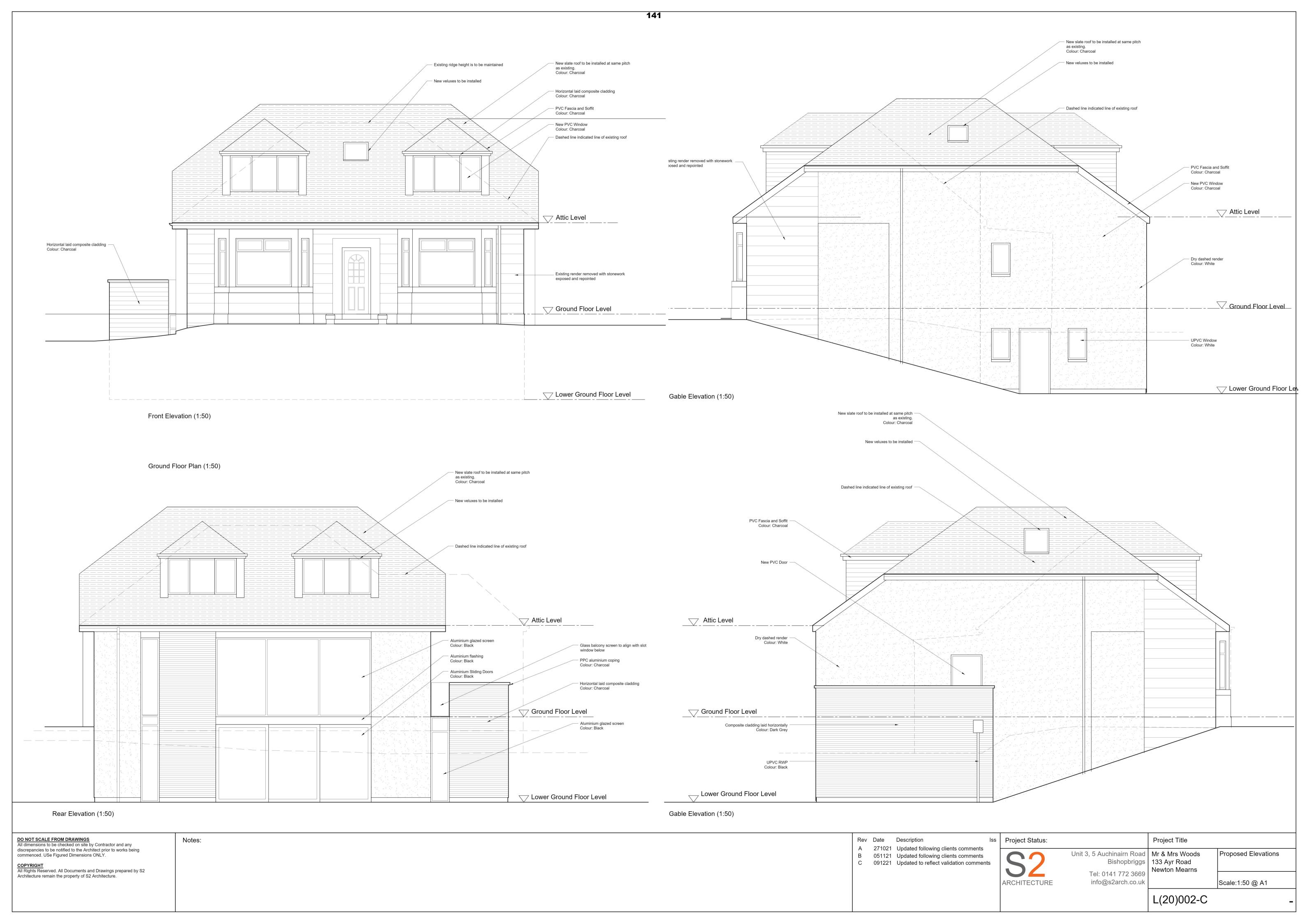
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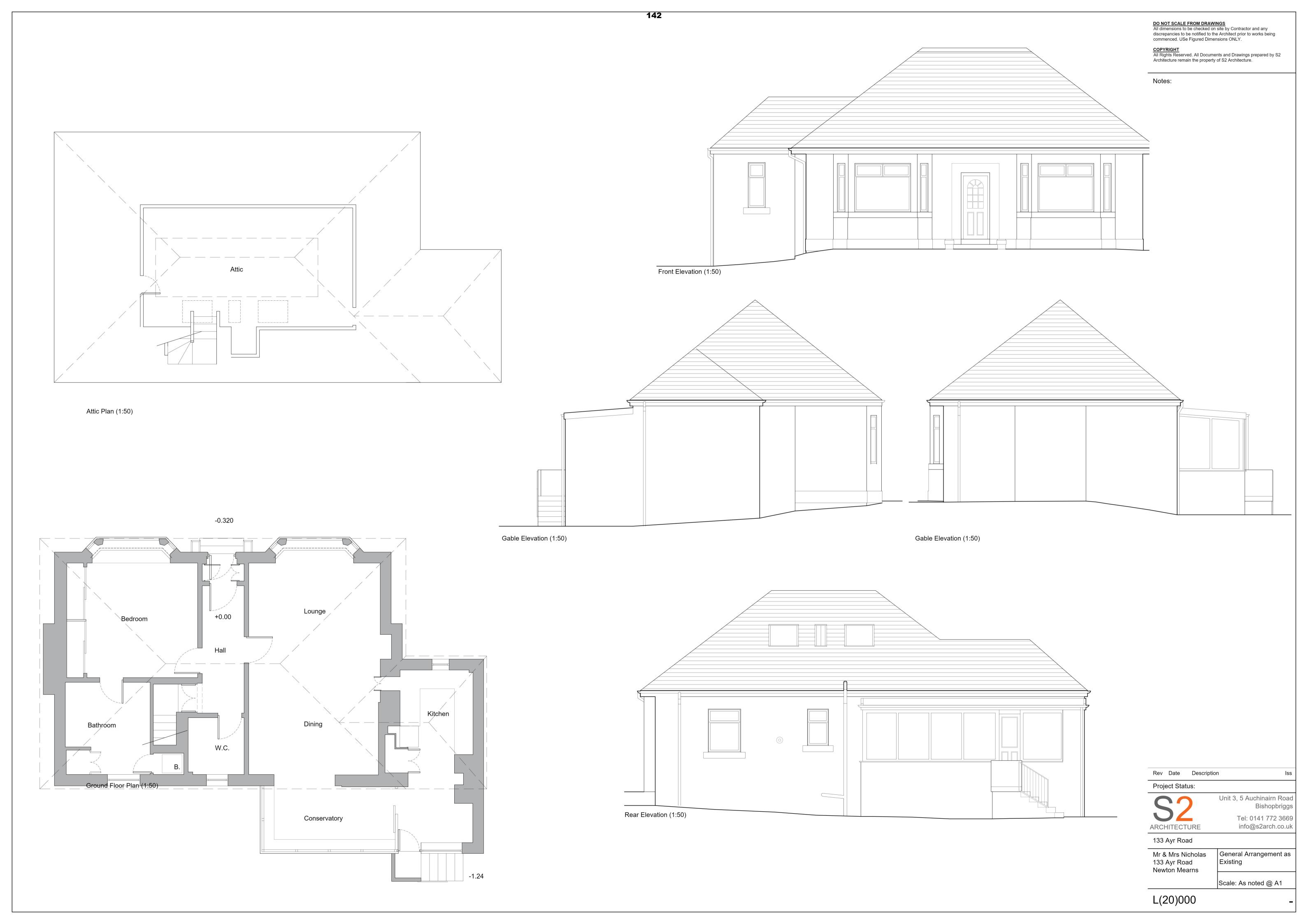
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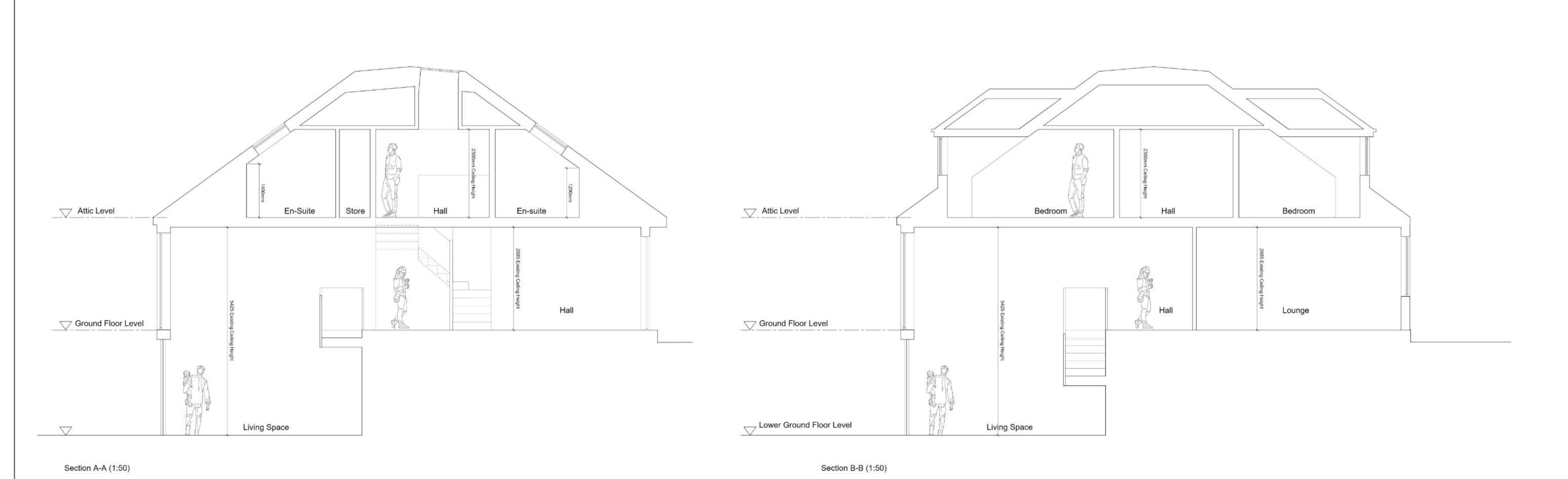
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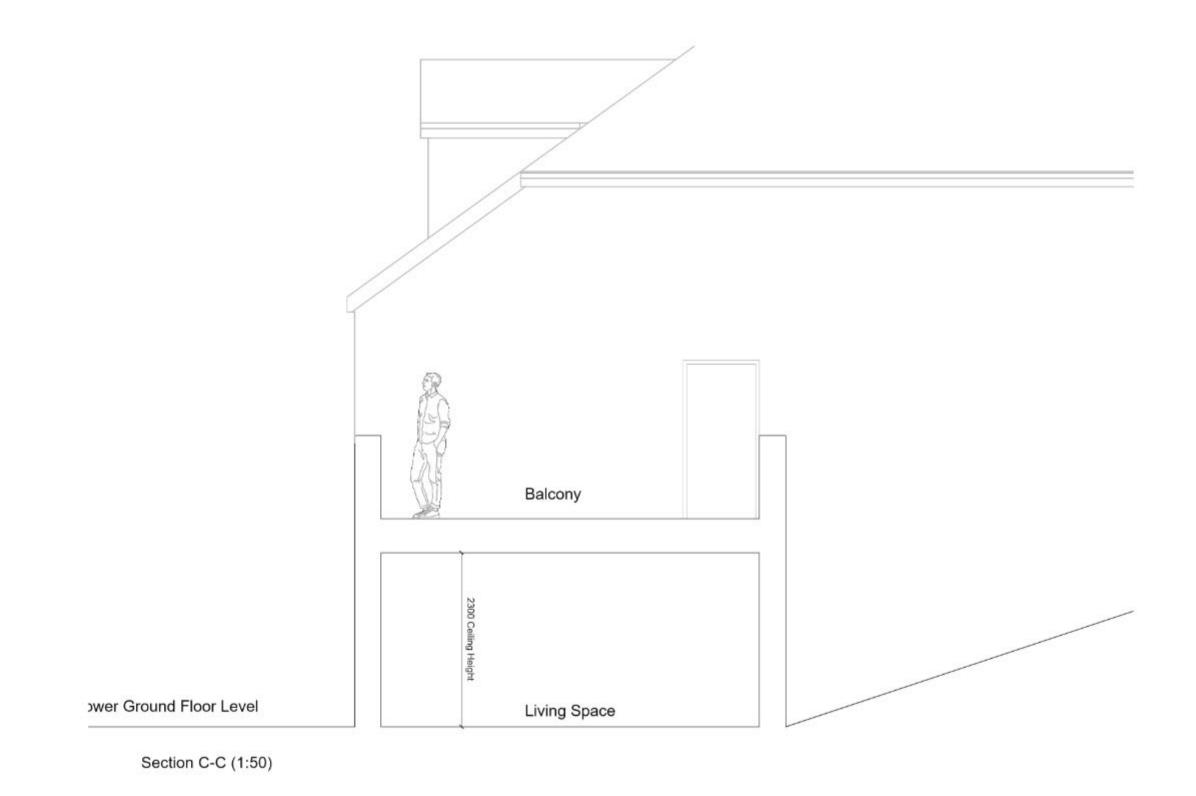
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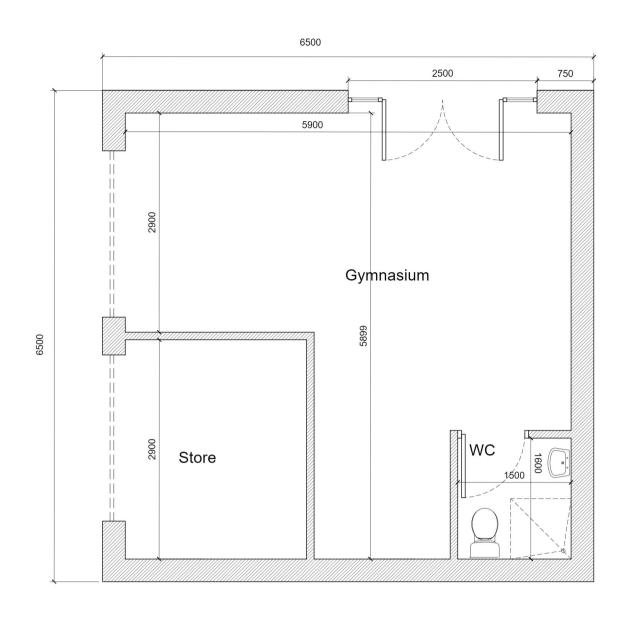
Architecture remain the property of S2 Architecture. Newton Mearns Tel: 0141 772 3669 info@s2arch.co.uk Scale:1:50 @ A1 ARCHITECTURE L(20)003-B

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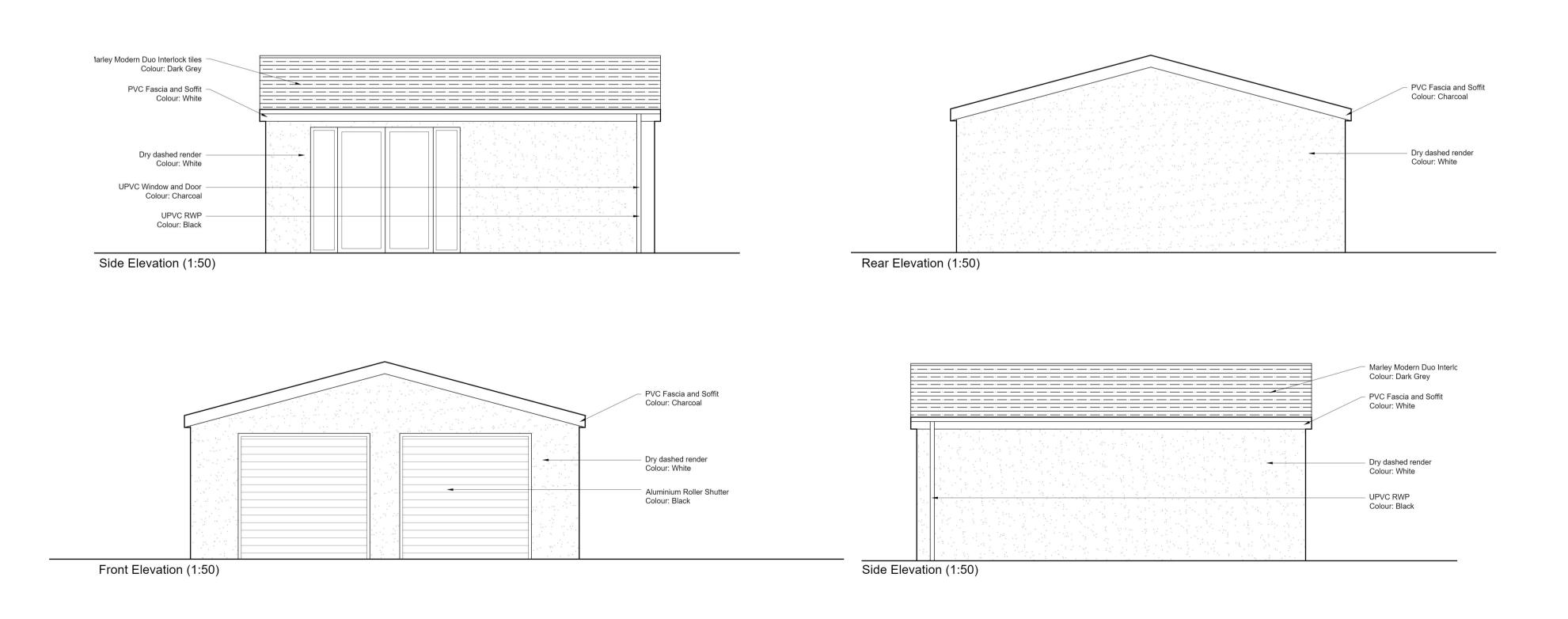
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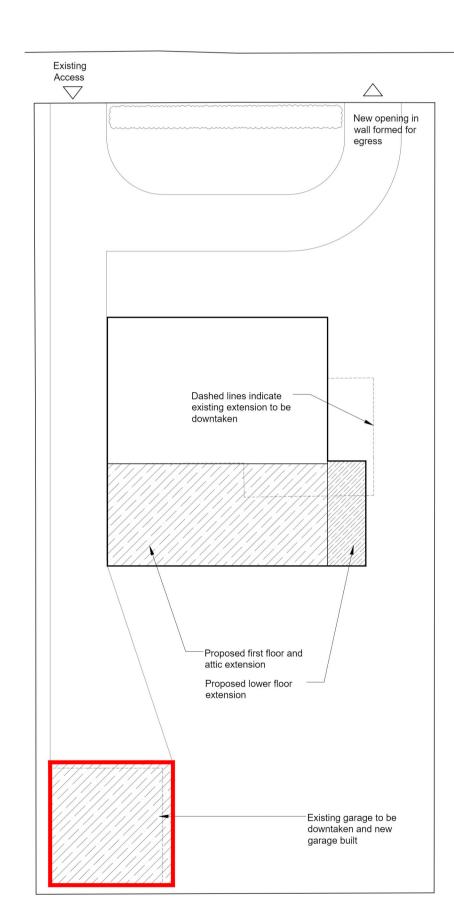
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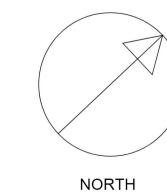


Ground Floor Plan (1:50)





Plot Layout (1:200)



A 271021 Updated following clients comments Rev Date Description

Project Status:

ARCHITECTURE

Unit 3, 5 Auchinairn Road Bishopbriggs Tel: 0141 772 3669 info@s2arch.co.uk

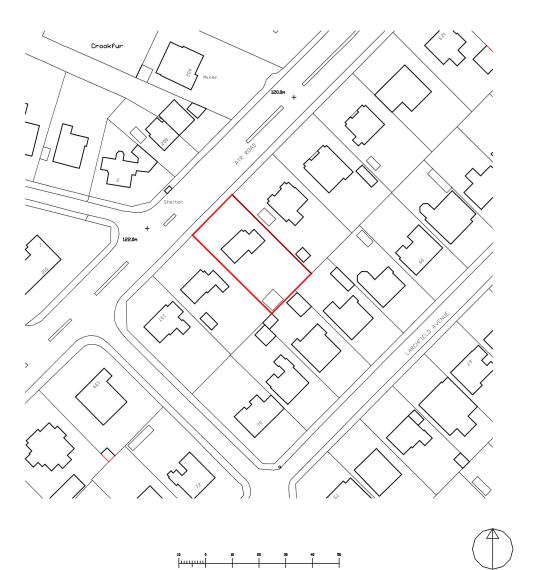
133 Ayr Road

Garage Proposals Mr & Mrs Nicholas 133 Ayr Road Newton Mearns

Scale: As noted @ A1

L(20)004-A

145



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Bishopbriggs

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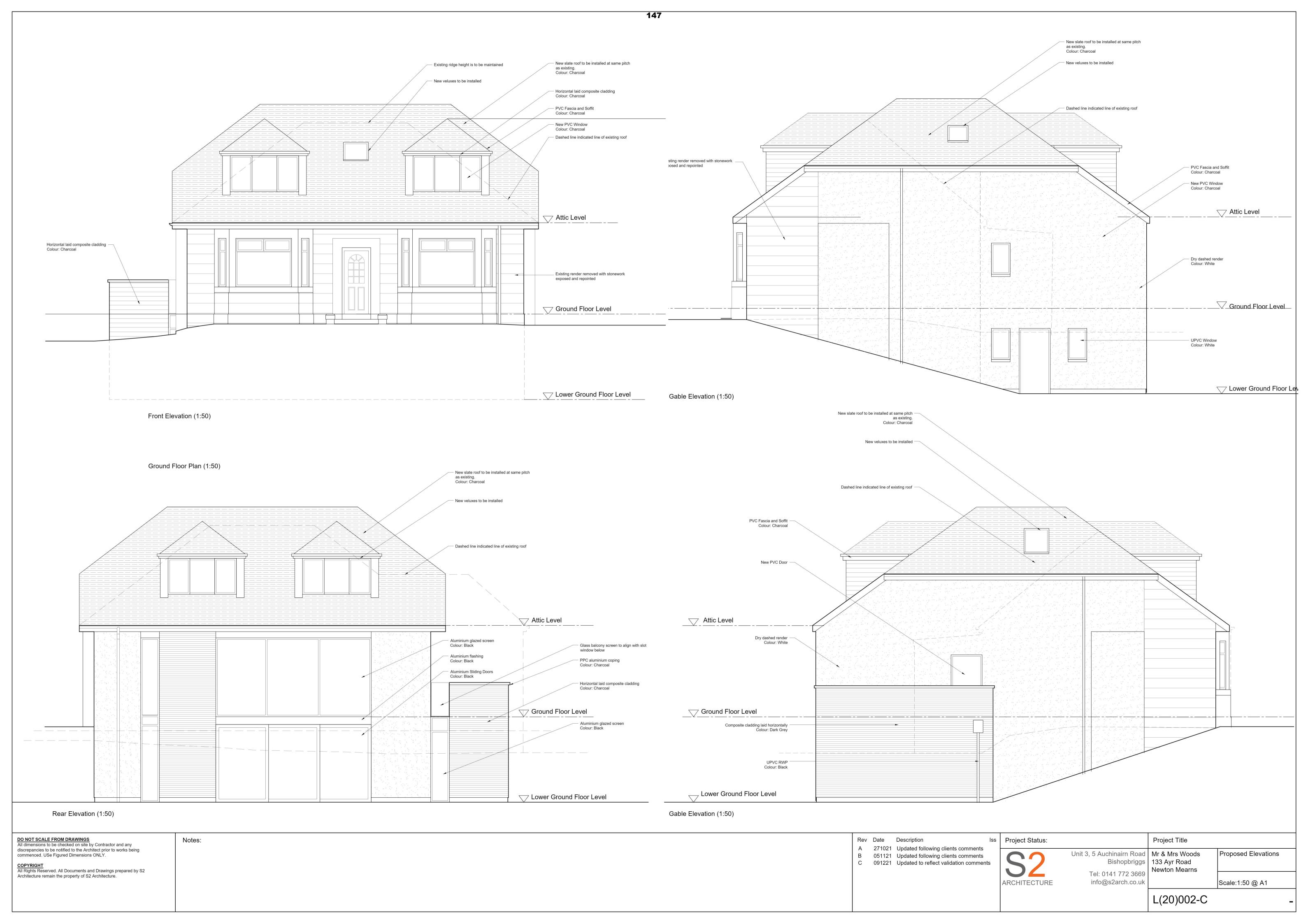
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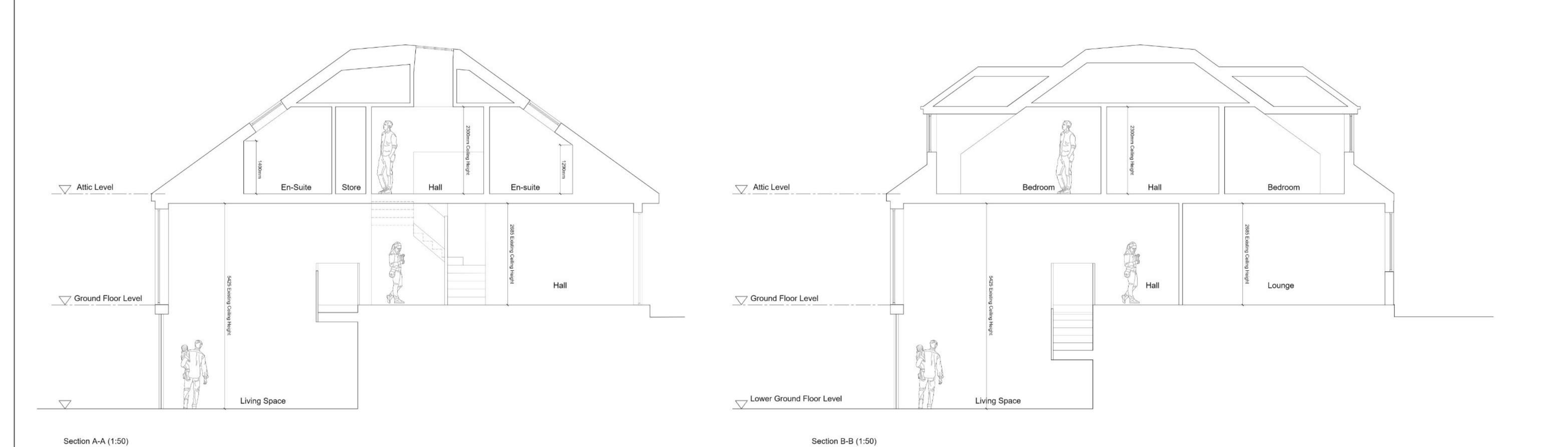
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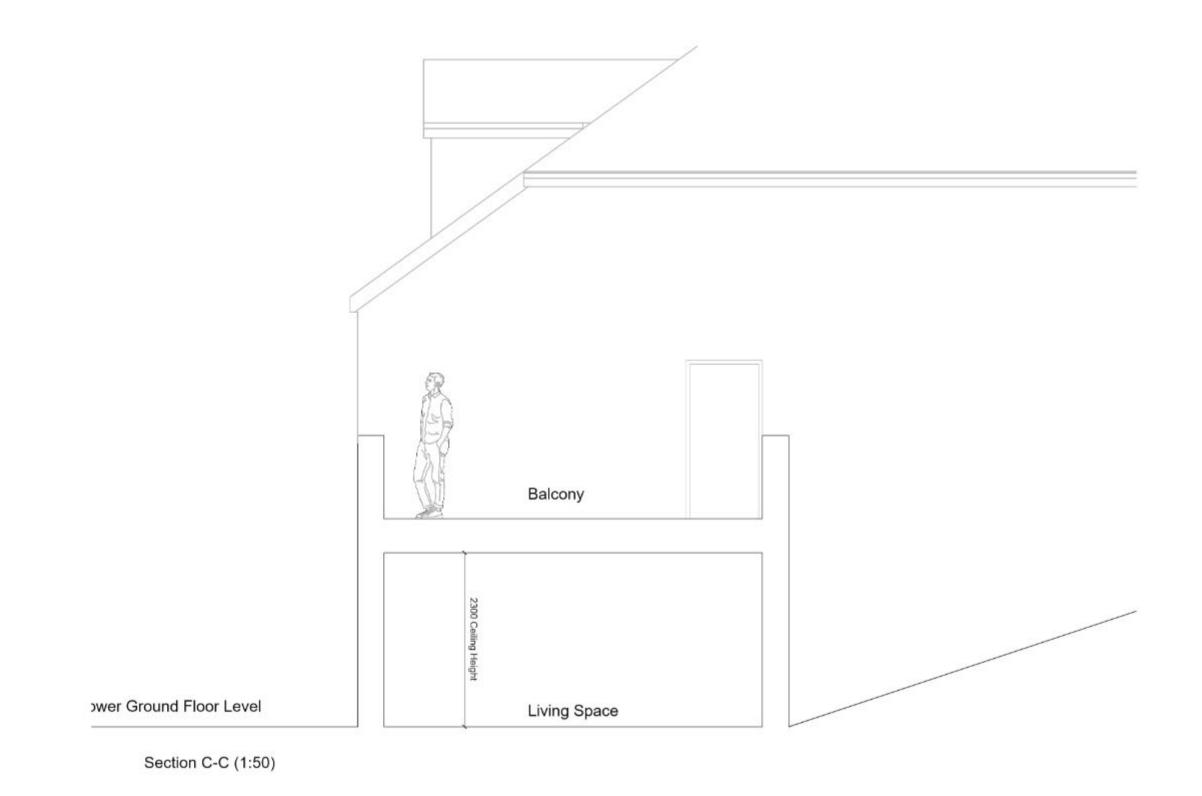
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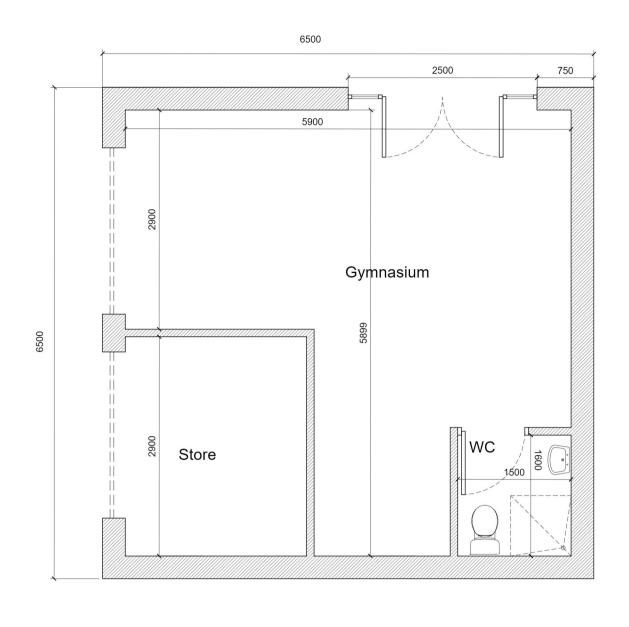
Architecture remain the property of S2 Architecture. Newton Mearns Tel: 0141 772 3669 info@s2arch.co.uk Scale:1:50 @ A1 ARCHITECTURE L(20)003-B

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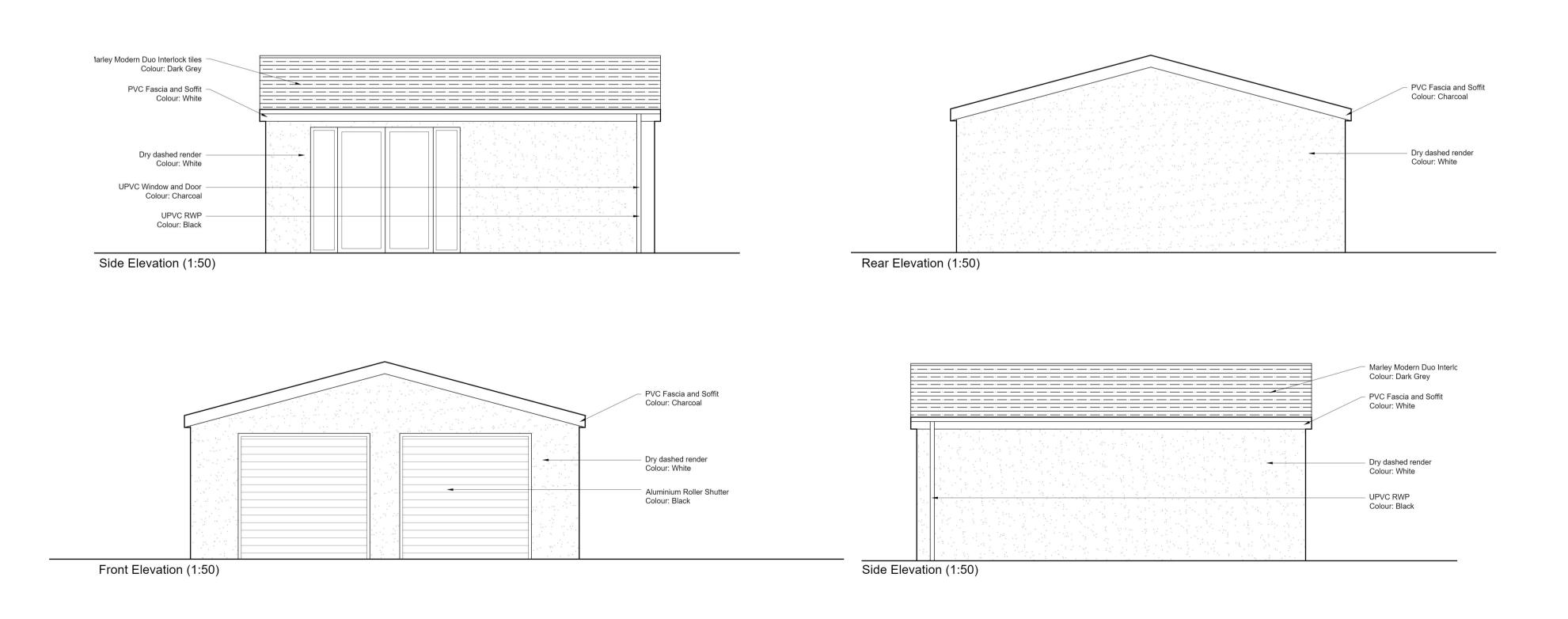
All dimensions to be checked on site by Contractor and any discrepancies to be notified to the Architect prior to works being commenced. USe Figured Dimensions ONLY.

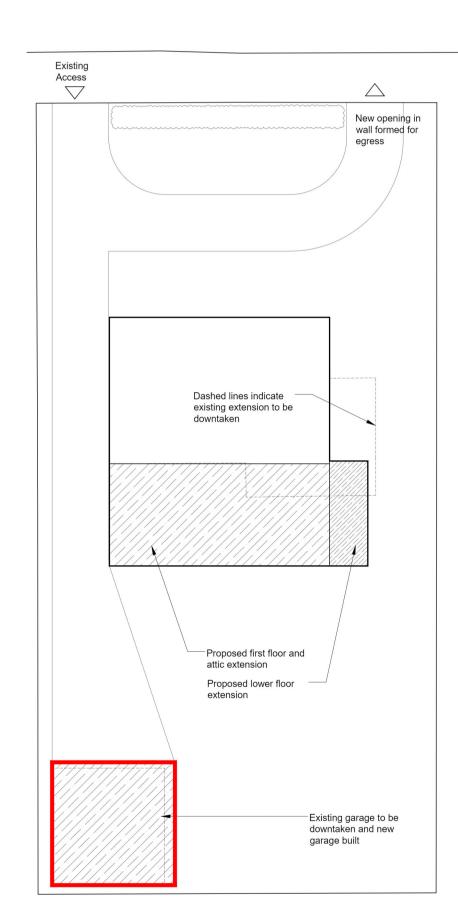
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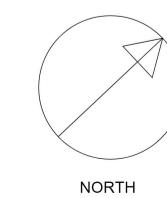


Ground Floor Plan (1:50)





Plot Layout (1:200)



A 271021 Updated following clients comments Rev Date Description

Project Status:

ARCHITECTURE

Unit 3, 5 Auchinairn Road Bishopbriggs Tel: 0141 772 3669 info@s2arch.co.uk

133 Ayr Road

Garage Proposals Mr & Mrs Nicholas 133 Ayr Road Newton Mearns

Scale: As noted @ A1

L(20)004-A



APPENDIX 7

REASONING FOR SUBMISSION OF NEW INFORMATION



From: Katie MacMillan <katie.macmillan@dta.scot>

Sent: 08 August 2022 17:19

To: McIntyre, Sharon2 <Sharon.McIntyre@eastrenfrewshire.gov.uk>

Subject: RE: Local Review Body - Review 2022/07 - 133 Ayr Road, Newton Mearns, East

Renfrewshire, G77 6RF.

Good Evening Sharon,

Hope you're well and had a great weekend.

Many thanks for your email of 26th July attaching further representation from Mr & Mrs Baillie dated 21st July 2022.

We have no further comments to make with regards to this representation, however the applicant Ms Nicholas would like to add as an example on the same street that an application for an extension to create a two storey dwelling at 143 Ayr Road, Newton Mearns was approved on 24th April 2019 (Application Ref: 2019/0006/TP). We have attached the approval and associated drawings for reference.

We trust you find these in order and thank you for your continued assistance with the case.

Kind Regards,

Katie

Katie MacMillan | Project Manager



9 Montgomery Street, The Village, East Kilbride, Glasgow, G74 4JS T: 01355-260909 | W: www.dta.scot

From: McIntyre, Sharon2 < Sharon.McIntyre@eastrenfrewshire.gov.uk >

Sent: 26 July 2022 16:41

To: Katie MacMillan < katie.macmillan@dta.scot >

Cc: Nicol, Julie < <u>Julie.Nicol@eastrenfrewshire.gov.uk</u>>; Pepler, Alan

<<u>Alan.Pepler@eastrenfrewshire.gov.uk</u>>; Bennie, Andrew

<a href="mailto: eastrenfrewshire.gov.uk

Subject: Local Review Body - Review 2022/07 - 133 Ayr Road, Newton Mearns, East Renfrewshire,

G77 6RF.

Dear Ms Nicholas,

Please find attached for your attention information regarding Notice of Review 2022/07.

Kind regards,

Sharon

Sharon McIntyre Committee Services Officer Department of Business Operations and Partnerships

Phone: 0141 577 3011 Mobile: 07584 116 608

e-mail:- sharon.mcintyre@eastrenfrewshire.gov.uk

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155 EAST RENFREWSHIRE COUNCIL

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

CONDITIONAL PLANNING APPROVAL

REF NO. 2019/0006/TP

Applicant:

Mr Colin Campbell c/o agent

Agent:

Ronald Gellan 4 Rannoch Avenue Hamilton

ML3 8UD

With reference to your application registered on 11th January 2019 for the following development:-

Erection of upper storey extension to form two storey dwellinghouse with erection of single storey side and rear extensions

at: 143 Ayr Road, Newton Mearns, East Renfrewshire, G77 6RE

The Council in exercise of its powers under the above Acts and Regulations now grant planning permission for the above development in accordance with the particulars given in the application and the plans listed below.

To comply with the provisions of Section 58 of the above Act, the development must be begun not later than the expiration of three years beginning with the date of this permission. Any condition(s) attached to this consent, with the reasons for imposing them as shown below.

The reason(s) why the Council made this decision are as follows:

 The development is considered to generally comply with the development plan policy and where it does not fully comply there are material considerations to indicate the development should be approved as detailed in the Report of Handling.

The approval is subject to the following condition(s):-

 Development shall not commence until samples of materials to be used on all external surfaces of the building and hard surfaces have been submitted to and approved in writing by the planning authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure the development is acceptable in appearance.

Dated 24th April 2019



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 approved

Plan Description	Drawing Number	Drawing Version	Date on Plan
Block Plan and Location Plan	AR17172(BW)012	Α	8

Proposed floor plans	AR17172(BW)9056	С	
Proposed floor plans	AR17172(BW)009	F	ı'l
Elevations Proposed	AR17172(BW)010	С	Ţ.
Elevations Proposed	AR17172(BW)011	С	

Notes

Planning Officials may monitor the site during the course of development to ensure compliance with the planning permission hereby granted.

It should be understood that this planning permission does not carry with it any approval which may be necessary under the Building (Scotland) Act 2003 or any other enactment.

No materials or skips should be placed on the footpath / road without the prior written consent of East Renfrewshire Council Roads and Transportation Service, 2 Spiersbridge Way, Spiersbridge Business Park, Thornliebank, East Renfrewshire, G46 8NG.

It is the applicant's responsibility to obtain approval of neighbouring landowners should any part of the development encroach over the boundary or if entry is required during construction.

The applicant is required to comply with the European Council's Directive 92/43/EEC on the Conservation of Natural Habitats, the Wildlife and Countryside Act 1981 (as amended) and the Nature Conservation (Scotland) Act 2004 which provide full protection for certain plant and animal special and European Protected Species. It is illegal to capture, kill, disturb any such animal, damage or destroy breeding or nesting sites or eggs or deliberately or recklessly pick, collect, cut, uproot or destroy European Protected Species of wild plant. In addition, where it is proposed to carry out works which will affect European Protected Species or their shelter/breeding places, a licence is required from the Scottish Government. Further information on these matters can be sought at Scottish Government Species Licensing Team, Countryside and Heritage Unit, Victoria Quay, Edinburgh or from Scottish Natural Heritage.

Information on home and property crime prevention advice can be found at www.securedbydesign.com/aware.

GUIDANCE NOTES FOR 'LOCAL' DEVELOPMENTS 157 DETERMINED UNDER DELEGATED POWERS

NOTICES

Notification of Intention of Development

Once planning permission has been granted and you have decided when to start work on the development, it is a requirement that you inform the Council's Planning Service of that date. The Notice of Intention of Development form must be submitted before work starts and failure to do so would constitute a breach of planning control. This form is included in the decision pack and is also available to download from the Council's website at www.eastrenfrewshire.gov.uk.

Notification of Completion of Development

Once the development has been completed you must, as soon as practicable, submit a Notice of Completion of Development to the Council's Planning Service. Where a development is carried out in phases, you are required to submit a notice at the conclusion of each phase. This form is included in the decision pack and is also available to download from the Council's website.

OTHER INFORMATION

Variation of Planning Permissions

Applications may be varied provided there is not a substantial change to the development. Where there is a substantial change, a new planning application should be submitted.

To apply for a Variation of Planning Permission you must fill in a Non-Material Variation form and submit 2 sets of amended plans to the Council's Planning Service. A decision letter will be issued by the Council's Planning Service. The Non-Material Variation form is available from the Council's Planning Service at the contact details below.

Fulfilment of Conditions

Any conditions attached to your planning permission require to be complied with, which may involve discharging the terms of the conditions before the development commences. Failure to discharge the conditions before the development commences may affect the legality of your development.

To discharge the relevant conditions please complete the enclosed 'Approval of Conditions attached to Planning Permission' form and submit it and the relevant information to the Planning Service. Once submitted and considered you will receive a decision notice from the Council.

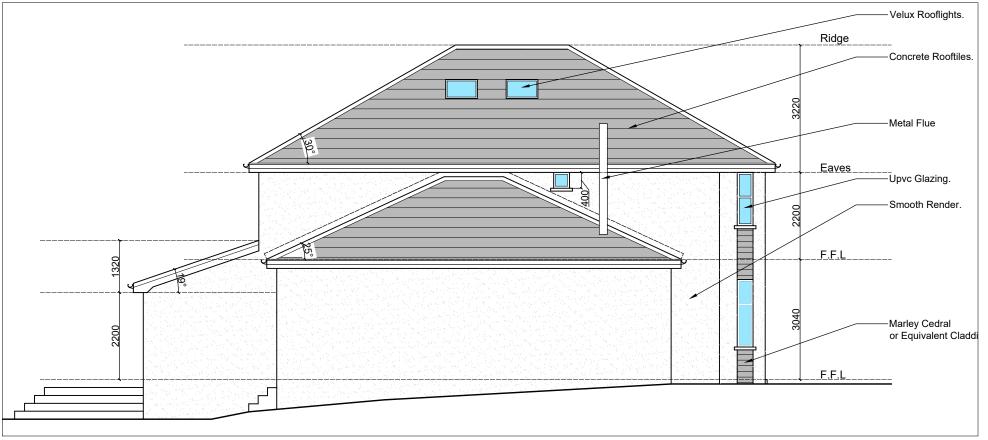
It should be noted that you can apply to discharge more than one condition at a time.

REVIEW BY EAST RENFREWSHIRE COUNCIL'S LOCAL REVIEW BODY

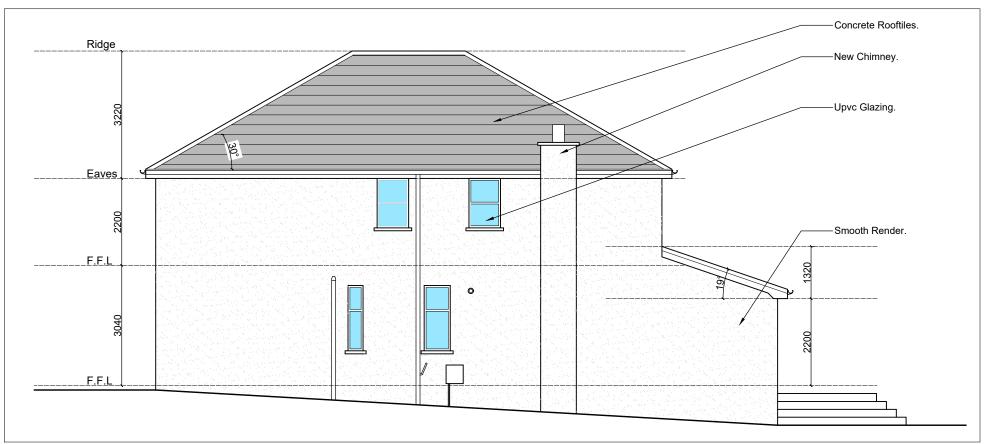
- 1. If the applicant is aggrieved by a decision to refuse permission (or by an approval subject to conditions), the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. 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 matters in support of an appeal or review, unless you can demonstrate that the matter could not have been raised before, or that its not being raised before is a consequence of exceptional circumstances. Following submission of the notice, you will receive an acknowledgement letter informing you of the date of the Local Review Body meeting or whether further information is required.
- 2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

CONTACT DETAILS

East Renfrewshire Council
Development Management Service
2 Spiersbridge Way,
Spiersbridge Business Park,
Thornliebank,
G46 8NG
General Inquiry lines 0141 577 3895 or 0141 577 3878
Email planning@eastrenfrewshire.gov.uk



SIDE ELEVATION AS PROPOSED 1/100 @ A3



SIDE ELEVATION AS PROPOSED 1/100 @ A3

Do not scale dimensions from this drawing all dimensions to be verified on site.

Any discrepancies in printed drawings to be brought to Bare Architecture's attention for clarification.

All variations to construction works carried out on site to be brought to our attention prior to carrying out work.

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The contractor will be held to have examined the site and checked all dimensions and levels before commencing construction work.

Any discrepancies must be brought to the attention of the architect

No dimensions should be scaled from this drawing.

Bare Architecture Ltd

41 Millar Street

Date

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t: +44 (0)1698 209659

e:info@barearchitecture.com

w : www.barearchitecture.com architecture

Job Title

Campbell Project

143 Ayr Road

Newton Mearns, G77 6RE

Drawing Title

Proposed Drawings

Option B - Extension to Existing Dwelling House

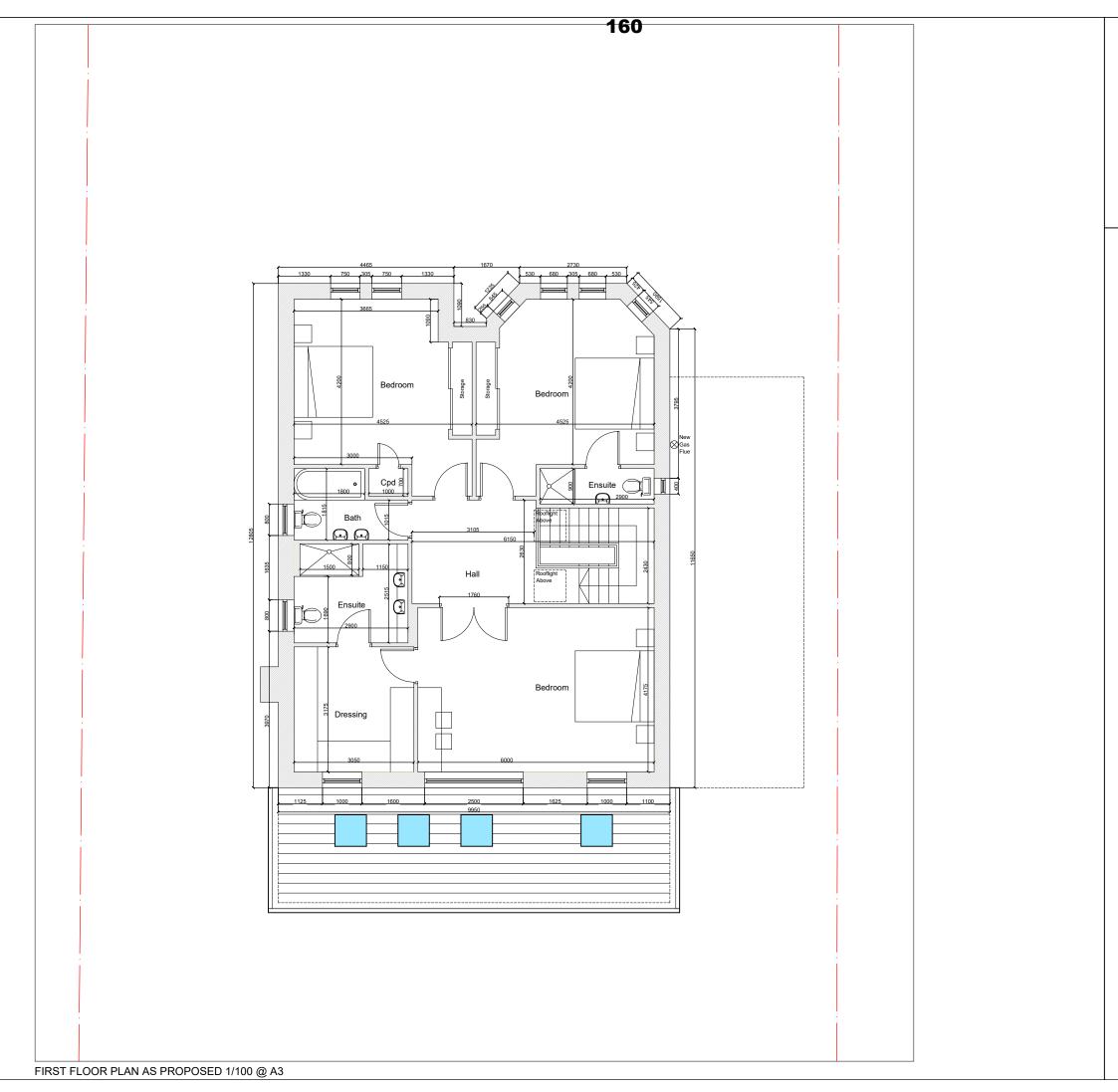
AS INDICATED A3

21.09.17 BMcM

File name

AR17172

AR17172 (BW) 011 D



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File name AR17172

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REAR ELEVATION AS PROPOSED 1/100 @ A3



FRONT ELEVATION AS PROPOSED 1/100 @ A3

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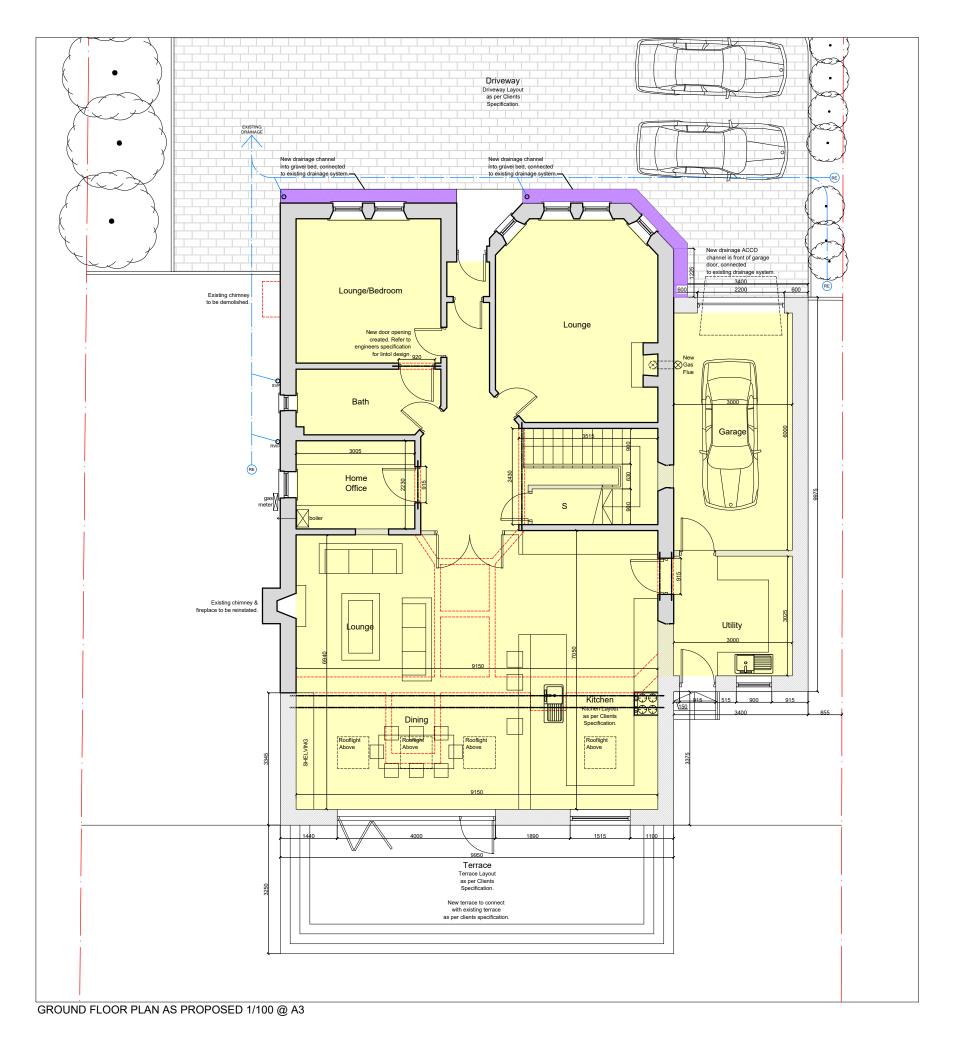
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Option B - Extension to Existing Dwelling House

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File name AR17172

AR17172 (BW) 010 C



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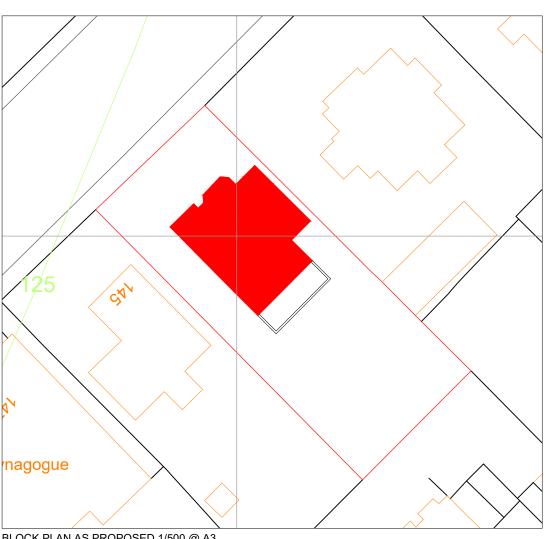
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AR17172 (BW) 008 C

21.09.17



LOCATION PLAN AS PROPOSED 1/1250 @ A3



BLOCK PLAN AS PROPOSED 1/500 @ A3

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File name AR17172

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