

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) (SCOTLAND) ACT 1997**

Draft index of applications under the above acts to be considered by Planning Applications Committee on
2nd October 2024.

Reference No: 2024/0118/TP

Ward: 4

Applicant:

Mr Mark Young
34 Strathview Park
Netherlee
Glasgow
Scotland
G44 3EN

Agent:

Barry Coogan
10 William Ure Place
Bishopbriggs
Glasgow
Scotland
G64 3BH

Site: 34 Strathview Park Netherlee East Renfrewshire G44 3EN

Description: Single storey front, side and rear extension, including boundary wall and elevated decking.

Please click [here](#) for further information on this application

Reference No: 2024/0295/TP

Ward: 3

Applicant:

Mr Joshua Ekundayo
53 Burnfield Road
Giffnock
Scotland
G46 7PY

Agent:

Cameron McCue
60 Tradeston St
Glasgow
Scotland
G5 8BH

Site: J H Barclay & Co 53 Burnfield Road Giffnock East Renfrewshire G46 7PY

Description: Demolition of existing commercial buildings and erection of dwelling house, erection of boundary wall with fence above and gate to front

Recommendation: Refuse

Please click [here](#) for further information on this application

REPORT OF HANDLING

Reference: 2024/0118/TP

Date Registered: 6th March 2024

Application Type: Full Planning Permission

This application is a Local Development

Ward: 4 -Clarkston, Netherlee And Williamwood

Co-ordinates: 257411/:658727

Applicant/Agent:

Applicant:

Mr Mark Young
34 Strathview Park
Netherlee
Glasgow
Scotland
G44 3EN

Agent:

Barry Coogan
10 William Ure Place
Bishopbriggs
Glasgow
Scotland
G64 3BH

Proposal: Single storey front, side and rear extension, including boundary wall and elevated decking

Location: 34 Strathview Park
Netherlee
East Renfrewshire
G44 3EN



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CONSULTATIONS/COMMENTS: None.

PUBLICITY: None.

SITE NOTICES: None.

SITE HISTORY: None.

REPRESENTATIONS: 14 representations have been received. These comprised of 12 objections and 2 in support of the proposal. Representations can be summarised as follows:

Objections:

- Pitched roof gable and sloping fascias not in-keeping
- Impact negatively on visual continuity
- Out of proportion to other properties
- Ownership Certificate incorrect
- Contravene the Deed of Conditions
- Demolition of common boundary wall
- Every owner within estate should have been advised
- Relocation of gas pipes dangerous
- Spoil view
- Result in other future ad-hoc development

Support:

- Removal of hedge which obscures pavement
- Enhances the property and desirability of the area
- Little impact on privacy, sunlight, overshadowing and overlooking
- The development area does not have listed buildings or is in a Conservation Area

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE:

National Planning Policy Framework 4 –

<https://www.gov.scot/publications/national-planning-framework-4-revised-draft/>

Local Development Plan2 –

<https://www.eastrenfrewshire.gov.uk/ldp2>

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

ASSESSMENT:

This is a Local development under the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. However, the application is required to be presented to the Planning Applications Committee for determination as more than 10 objections have been received.

Site Description

The application site contains an end-terraced property within an established residential area and is located on the north side of Strathview Park which slopes down from east to west. The property has red/brown facing brick, grey concrete roof tiles and white framed windows and has an existing flat roofed front porch. The front garden slopes down from street level and is characterised by an established conifer hedge along its side boundary which leads to eleven garages and a bin storage area, with the garage associated with the application site situated immediately to the rear. The rear garden is bound on the east by a high dividing wall and a 1.8metre high timber fence. It contains slabbed and grassed areas and slopes downwards to the rear garage. The application site is not a

Listed Building, is not within a Conservation Area, Article 4 Area nor does it have Permitted Development Rights removed.

Proposed development

Planning Permission is sought for the erection of a single storey rear extension and single storey side/front extension. The rear extension will measure 2.7metres by 5.8metres wide and will have a mono-pitched roof. Materials of the walls and roof will match those of the existing house. Fenestration is contained to patio doors on the rear elevation with two grey rooflights and a window on the west facing elevation and will match the style of the existing house. The side/front extension will have a flat grey single ply membrane roof with two grey rooflights and a white cornice/fascia to match the existing porch. It will measure 2metres wide and extend the depth of the existing house including the front porch. Similarly, materials will match those of the existing house. Fenestration on this extension is contained to a small window on the front elevation and two rooflights and will match the style of the existing house.

It should be noted that the proposal also incorporates a raised decking area in the rear garden, however, this is considered to fall under Class 3 Permitted Development Rights and is therefore not included in this assessment.

It should also be noted that this application is an amended proposal following discussions that took place during the application process.

Development Plan

The application has to be determined in accordance with the Development Plan and any material planning considerations. The proposed development is not considered to be a strategic scale development and as a consequence the most relevant policy documents in determining the proposal in relation to this application consists of the National Planning Framework 4 (NPF4), the East Renfrewshire Council Local Development Plan 2 (LDP2) as well as the Adopted Supplementary Guidance – Householder Design Guide (2023) (SG). Policies 14 and 16 of NPF4, and Policies D1, D1.1 and D7 of LDP2 are considered to be the most relevant.

These policies require that all development should not result in a significant loss of character or amenity to the surrounding area and that extensions should complement the character of the existing building in terms of its style, form and materials. It should also not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking. The adopted Supplementary Guidance states that rear extensions should not generally extend more than 4metres down a common rear boundary. Side extensions should not sit forward of the main front building line of the house and should allow for a suitable access to be maintained to the rear of the house. No more than 50% of the rear garden should be occupied by development and extensions should not generally exceed 100% of the footprint of the original house.

With regards to the rear extension it is not considered that it is excessive in scale or that its design would result in a significant loss of character to the dwelling or surrounding area. The proposal accords with the specific SG requirements for rear extensions as it would not extend more than 4 metres down the common rear boundary and the materials will match that of the existing house. It is not considered that it would cause significant overshadowing or loss of light because of its size, orientation and position relative to the neighbouring property nor would it result in significant overlooking due to the position of the windows/patio doors.

In terms of the side/front extension it is not considered to be excessive in terms of scale at only one third the width of the original house with a maximum overall height of 3.2metres. The initially submitted design of this extension had a pitched roof which was similar to the design of the existing side extension at no.36 Strathview Park, which is set back from the main road and is located to the rear of the application site. However, it was considered that, although the property is not located within a Conservation Area or Article 4 Area, it would be more in-keeping if it had a flat-roofed design, aligning it more with the horizontal elements of the various garages and front door canopies which are characteristic of the properties throughout the estate. Indeed, the view of the proposed side extension when travelling east along Strathview Park is not too dissimilar to the view of no.25

and its associated side garage which lies diagonally opposite the application site. It is therefore considered that the design of the proposed side extension would not significantly alter the character of the property to the detriment of the surrounding area.

Due to its location on the plot the side extension is not considered to cause overshadowing or loss of light nor would it result in overlooking. Materials being proposed are in-keeping and the window style will match those of the original house. It is proposed to match the cornice/fascia along the edge of the flat roof to mirror that of the existing porch and neighbouring front door canopies.

It is accepted that the side/front extension is contrary to the SG in that it sits forward of the main front elevation of the house. However, it is considered that as the total footprint of the area that is forward of the front elevation is only 1.6sqm (where it is attached to the front porch) and that the west facing elevation will be the same length as it is currently, it is not considered to be of a scale that would justify refusal of the proposed design. There are various flat roofed garages within the estate that sit forward of the front elevation of their respective houses therefore it is not considered to be an incongruous design to the property in this respect. It is also contrary to the SG in that it does not provide access to the rear of the house directly from the front garden, however this is mitigated by an access which will be retained into the rear of the property via the garage at the end of the garden.

When taken together the footprint of the extensions are considered to comply with the SG in that they do not increase the footprint of the original house by 100% and there remains over 50% of useable rear garden ground. There is also no impact on the Tree Preservation Order that covers the estate.

The new 1.9metre high boundary section of wall will be attached to the rear of the new side extension and will continue back for a distance of approximately 2.8metres until it joins with the existing side boundary wall. The materials will match the existing wall and will be located behind the existing mature boundary hedging. It is therefore considered to be acceptable.

It is therefore considered that the proposed development is generally compliant with Policy and is acceptable unless material considerations indicate otherwise.

Other Material Considerations:

Representations

In terms of the issues raised by representations that have not already been addressed in the assessment of the application above, the following comments are made.

- Every owner within the estate should have been advised of the proposal – All of the properties within the statutory neighbour notification area of the proposal were notified. The Planning Service are therefore satisfied that the correct procedures have been undertaken in this regard.
- Ownership Certificate A is incorrect because the proposal involves the demolition of a common boundary wall – The applicant advised the planning service that they have had their ownership of the land within the redline site confirmed with a Solicitor. The wall being referred to is not a common boundary wall as it is entirely within the site boundary and that the mature hedge, between this wall and the edge of the footway, is entirely their responsibility. The Planning Service are satisfied that the correct Ownership Certificate has been signed and that the wall is not a common boundary wall.
- Contravenes the Deed of Conditions – This is not a material planning consideration. Any issues regarding the Deed of Conditions or Title boundaries is a private legal matter between the parties involved and should be addressed via a Solicitor.
- Relocation of gas pipes is dangerous – This is not a material planning consideration. Any issues in relation to gas pipes would be dealt with by the relevant department under other appropriate legislation.

- Loss of view – this is not a material planning consideration.
- Will result in future ad-hoc developments within the estate - The planning authority can only assess the proposed development of the land through the determination of submitted planning applications and in line with planning legislation. Each application is required to be considered on its merits.

Overall Conclusion

The proposed development, given its design, scale and massing, is not considered to significantly alter the character of the property to the detriment of the surrounding area.

Taking the above matters into account, it is considered that the proposal generally complies with the terms of the development plan. There are no material considerations that indicate the application should not be approved. It is therefore recommended that the application is approved subject to the following condition.

PLANNING OBLIGATIONS: None.

RECOMMENDATION: Approve Subject to Conditions

CONDITION:

- 1 The development hereby approved must be begun not later than the expiration of 3 years beginning with the date on which the permission is granted or, as the case may be, deemed to be granted.

Reason: To comply with the provisions of section 58 of The Town and Country Planning (Scotland) Act 1997, as amended.

ADDITIONAL NOTES:

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

ADDED VALUE:

Design, layout and/or external material improvements have been achieved during the processing of the application to ensure the proposal complies with the Council's Local Plan policies.

BACKGROUND PAPERS:

Further information on background papers can be obtained from Ms Margaret McGleish on 0141 577 3001.

Ref. No.: 2024/0118/TP

(MAMC)

10

DATE: 2nd October 2024

DIRECTOR OF ENVIRONMENT

REPORT OF HANDLING

Reference: 2024/0295/TP

Date Registered: 25th June 2024

Application Type: Full Planning Permission

This application is a Local Development

Ward: 3 -Giffnock And Thornliebank

Co-ordinates: 255999/:659553

Applicant/Agent:

Applicant:

Mr Joshua Ekundayo

53 Burnfield Road

Giffnock

Scotland

G46 7PY

Agent:

Cameron McCue

60 Tradeston St

Glasgow

Scotland

G5 8BH

Proposal: Demolition of existing commercial buildings and erection of dwelling house, erection of boundary wall with fence above and gate to front

Location:

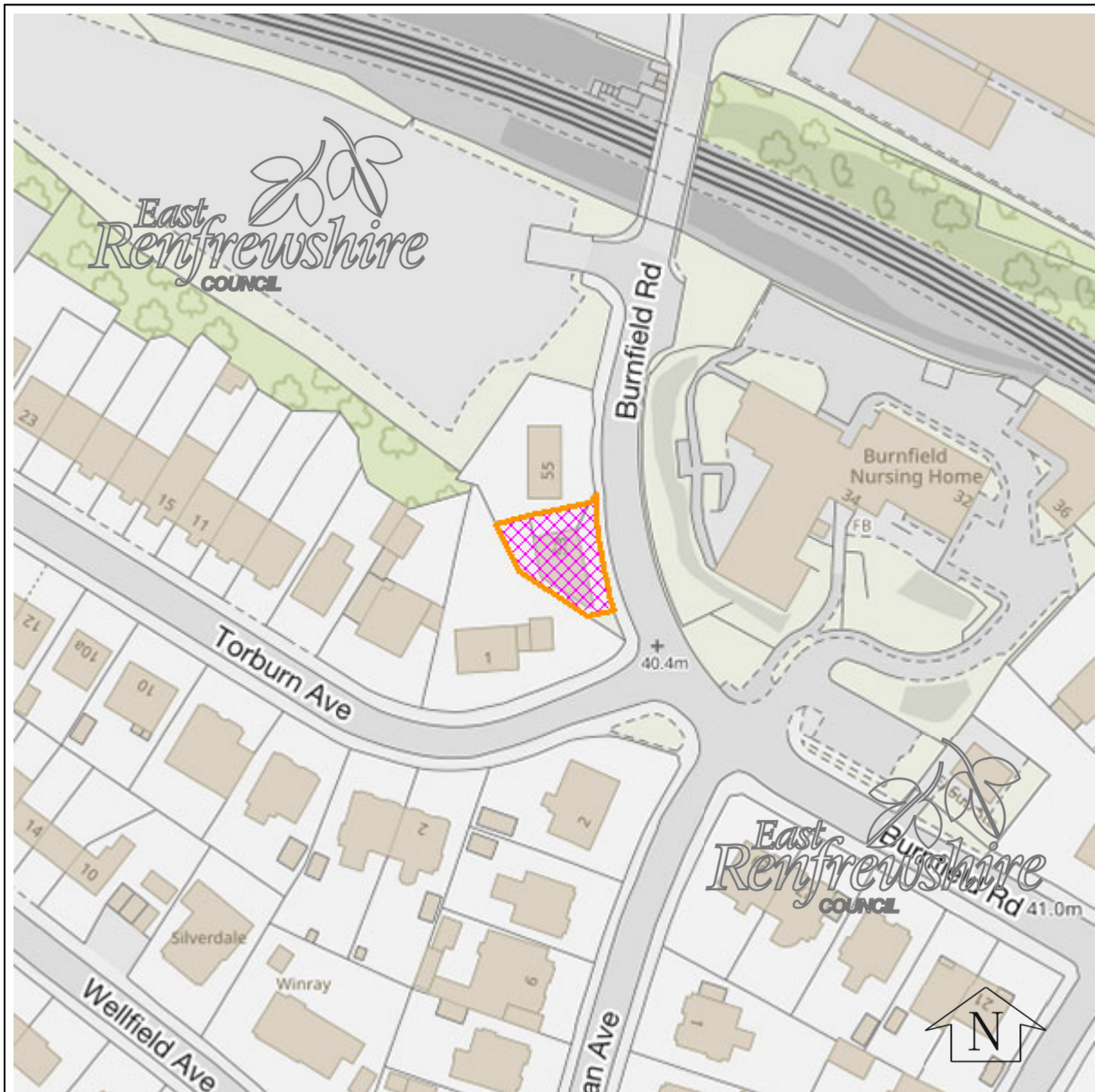
J H Barclay & Co

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CONSULTATIONS/COMMENTS:

East Renfrewshire Council Roads Service	Refuse on the grounds of public road safety.
East Renfrewshire Council Environmental Health Service	No objection subject to conditions
Scottish Water	No objection subject to full consideration of an application by the applicant to Scottish Water for connection to their infrastructure

PUBLICITY:

12.07.2024 Evening Times Expiry date 26.07.2024

SITE NOTICES: None.

SITE HISTORY:

1993/0364/TP	Extension of permission. Part change of use to showroom and siting of store	Granted	19.10.1993
2005/0282/TP	Demolition of existing buildings and erection of dwellinghouse (in outline)	Approved Subject to Conditions	20.06.2005

REPRESENTATIONS: Twelve representations have been received indicating an objection to the proposal: Representations can be summarised as follows:

Overlooking
Overshadowing
Increase in noise
Out of character with the surrounding buildings
Over-development
Dominant feature on the street scape
Visual impact
Inconvenience during the construction phase
Impact on public road safety
Have all neighbours been notified?
No fire escapes
Council would be better to pay attention to the condition of Burnfield Road
Existing community facilities can't cope with new housing
Adjacent property has tyres stored in yard.

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE:

National Planning Policy Framework 4 –
<https://www.gov.scot/publications/national-planning-framework-4-revised-draft/>

Local Development Plan2 –
<https://www.eastrenfrewshire.gov.uk/ldp2>

SUPPORTING REPORTS:

Design and Access Statement – The Design and Access Statement describes the site and its context and provides a description of the development.

ASSESSMENT:

This is a local development under the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. However, the application is required to be determined by the Planning Applications Committee under the Council's Scheme of Delegated Functions as more than 10 objections have been received.

THE SITE

The application site comprises a single storey commercial unit with a basement and lies on the west side of Burnfield Road at a point approximately 80 metres south of where it crosses the Glasgow to East Kilbride railway. The existing building comprises a flat roof and is externally finished with grey render and red facing brick. The overall site area measures 284 square metres and the footprint of the existing building measures 96 square metres. A group of mature trees, mainly conifers, forming a large hedge, grow within the application site, to the rear of the existing building. The site lies within the General Urban Area as defined within the adopted East Renfrewshire Local Development Plan 2 (LDP2), approximately 300 metres west of Giffnock town centre. It does not lie within an area safeguarded for business and employment.

Burnfield Road is a bus route and a relatively busy thoroughfare linking Fenwick Road with Thornliebank Road in the Mansewood area of Glasgow City. The immediate area is of mixed land use character. The area to the south is predominantly residential, characterised by detached, semi-detached and terraced houses of single, one and a half and two storeys. A large modern care home, standing up to three storeys in height, lies immediately opposite the site on the other side of Burnfield Road. The area to the north is predominantly commercial in character, comprising a car repair workshop; and beyond the railway, car sales and a supermarket service entry.

PROPOSAL

Planning permission is sought for the demolition of the existing commercial building and for the erection of a dwelling on the site. The proposed dwelling stands two storeys high with basement accommodation (the existing basement is proposed to be re-used and incorporated into the proposed scheme). It has a footprint of 78 square metres and measures 7.3 metres high to the ridge, comprising a dual pitch roof. It is proposed to be externally finished in render and timber cladding with a standing seam zinc roof. The dwelling is proposed to be oriented such that it occupies the deepest part of the site with its front gable fronting Burnfield Road. A wall and fence feature is proposed to run the remainder of the frontage with Burnfield Road to provide a private garden area to the side of the dwelling. This private garden area measures 91 square metres. The trees at the rear of the site are proposed to be removed to accommodate the dwelling.

The proposed dwelling would lie approximately 0.3 metres from the boundary with the adjacent dwelling at 1 Torburn Avenue at its closest point and the front gable would lie between 1 metre and 1.7 metres from the footpath on Burnfield Road.

DEVELOPMENT PLAN POLICY

The application requires to be assessed with regard to the Development Plan which comprises NPF4 and the East Renfrewshire Local Development Plan 2.

The policies most relevant to this proposal in National Planning Framework 4 (NPF4) are Policy 1 (Tackling the climate and nature crises); Policy 2 (Climate mitigation and adaptation); Policy 3 (Biodiversity); Policy 6 (Forestry, woodland and trees); Policy 9 (Brownfield, vacant and derelict

land and empty buildings); Policy 12 (Zero waste); Policy 14 (Design, quality and place); Policy 15 (Local living and 20 minute neighbourhoods); and Policy 16 (Quality homes).

The policies most relevant to the proposal in the adopted East Renfrewshire Local Development Plan 2 (LDP2) are: Policy D1: Placemaking and Design; Policy D2: General Urban Areas; Policy D6: (Open Space Requirements); and Policy E1: (Sustainable Design).

The texts of those policies can be read at the links above.

Policy D6 is supported by the adopted Supplementary Guidance: Green Networks (June 2023). Appendix A of the adopted Supplementary Guidance provides detailed private open space and garden requirements for new residential development. It states that private gardens for detached houses will be expected to be 1.5 times the ground floor area of the house or 100 square metres, whichever is the greater. It further states that rear gardens should be at least 10 metres deep; front gardens should complement the design of the dwelling and that there should be a minimum of 2 metres from the dwelling to the side plot boundary.

DETAILED CONSIDERATION

It has been noted above that the site lies within the General Urban Area as defined within the adopted Local Development Plan 2. The site lies within a built up area of mixed land use character, including residential properties immediately adjacent to the south and west and a care home lies opposite. Residential development on the site is therefore considered to be in keeping with the mixed character of the area and in particular with the land use character of the adjacent residential development. The erection of a dwelling on the site is therefore considered to be acceptable in principle.

Given the location of the site within the urban area, its location on a bus route and its proximity to Giffnock Town Centre, the proposal would raise no conflict with Policies 1 (Tackling the climate and nature crises); 2 (Climate mitigation and adaptation); and 15 (Local living and 20 minute neighbourhoods) of NPF4.

Given the site's location and the nature of the building, it is not considered that the proposal would give rise to significant conflict with Policy 3 (Biodiversity) of NPF4.

The removal of the conifer hedge to the rear of the site is noted. Given this is a non-native hedge of limited biodiversity value, its loss is not considered to raise significant conflict with Policy 6 (Forestry, woodland and trees) of NPF4.

The proposed re-use of this brownfield site within the urban area is considered to be consistent with the aims of Policy 9 (Brownfield, vacant and derelict land and empty buildings) of NPF4. Whilst complete demolition is discouraged by Policy 12 (Zero waste) of NPF4, it is noted that the existing basement is to be retained and re-used. Further, given the relatively modest scale of the existing building, the demolition is not considered to be significant. The proposal therefore raises no conflict with Policy 12 (Zero waste) of NPF4.

It falls now to be considered whether the design and siting of the proposed dwelling is acceptable at this location, as well as its impact on the amenity of the adjacent properties.

The East Renfrewshire Council Roads Service has recommended the application is refused as the proposed dwelling does not meet the required standards in terms of parking and the design of the driveway, given the site's location, poses a risk to public road safety. The Roads Service advises that three parking spaces are required when only two are proposed and that the driveway should be at least 11 meters in length whereas it is proposed to be only 9.5 metres in length.

Given its orientation in relation to the adjacent residential properties, the proposal would not give rise to significant additional overshadowing or loss of daylight.

It is noted that the immediate area is characterised by a variety of building types and designs. Nevertheless, the dwellings along this section of Burnfield Road are characterised by their

traditional plot layout and setbacks from the footpath comprising front gardens. The proposed dwelling sits only 1 metre to 1.7 metres from the footpath and includes a 3 metres high garden wall running along the edge of the footpath to the south of the dwelling. As such, the proposed dwelling would be an incongruous and dominant feature on the street scape to the detriment of the character and visual amenity of the area.

It is also noted that the proposed dwelling would sit only approximately 0.3 metres from the rear boundary with number 1 Torburn Avenue. This would result in the proposed dwelling having a dominant and overbearing impact when viewed from within number 1 Torburn Avenue, to the detriment of the visual amenity.

Further, Policy D6 of the adopted Local Development Plan 2, through the adopted Supplementary Guidance: Green Networks (June 2023), provides that private rear gardens should be at least 1.5 times the ground floor area of the house or 100 square metres, whichever is the greater. In this case, the private garden area is less than 1.5 times the ground floor area of the house and measures only 91 square metres. Given its size in relation to the size of the plot, the proposed dwelling is considered to have inadequate garden ground, to the detriment of the amenity of the future occupants.

Given the above, the proposal is considered to represent the over-development of the site to the detriment of the character and amenity of the area and to the detriment of the future occupants of the dwelling.

The proposed dwelling comprises a large, rear-facing window that has the potential to overlook the adjacent property at 1 Torburn Avenue at close proximity. This has been shown on the submitted drawings as having a form of privacy screening to prevent overlooking. If the application were to be approved, the use of appropriate screening would need to be secured by condition. It is not, however generally desirable to require screening on a window serving a habitable room where it is the only window serving the room.

The proposal is therefore contrary to Policy 14 (Design, quality and place) of National Planning Framework 4 and Policies D1: (Placemaking and Design), D2: (General Urban Areas); and D6: (Open Space Requirements) of the adopted East Renfrewshire Local Development Plan 2. The proposal is also contrary to the relevant terms of the adopted Supplementary Guidance: Green Networks (June 2023).

Should the application be approved, an appropriate condition can be attached to ensure compliance with Policy E1: (Sustainable Design) of LDP2.

The points of representation not specifically considered above are addressed as follows:

The proposal is for domestic use and would not be considered to give rise to a significant degree of noise disturbance to the adjacent residential properties. Should the application be approved, a condition can be included to control the hours of construction on site.

It is the responsibility of the developer to ensure minimum disruption to adjacent residents during the construction phase. Inappropriate parking would be a matter for Police Scotland to address.

The neighbour notification has been carried out in accordance with the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013.

The provision of fire escapes is not a material planning consideration.

The erection of a dwelling on the site would not be considered to cause undue additional wear on the public roads.

The erection of a single dwelling would not be considered to put significant pressure on public amenities.

The storage of tyres on the adjacent property is not considered to be a reason to refuse the current application. Any concerns over activity on the adjacent site have not been substantiated by the Environmental Health Service.

CONCLUSION

In conclusion, the proposal is contrary to the terms of Policy 14 of National Planning Framework 4 and Policies D1, D2 and D6 of the adopted East Renfrewshire Local Development Plan 2. It is also contrary to the relevant terms of the adopted Supplementary Guidance: Green Networks (June 2023). There are no material considerations that indicate the application should not be refused. It is therefore recommended that the application is refused.

PLANNING OBLIGATIONS: None.

RECOMMENDATION: Refuse

REASONS FOR REFUSAL:

1. The proposal is contrary to Policy 14 of National Planning Framework 4 as: (i) the proposed dwelling, by virtue of the size of the footprint relative to the size of the plot, represents the over-development of the site; (ii) the proposed dwelling, given its proximity to the street frontage, would be a dominant and incongruous addition to the street scape; (iii) the proposed dwelling, by virtue of its proximity to the rear site boundary would be a dominant and over-bearing feature when viewed from the adjacent property at 1 Torburn Avenue; and (iv) the proposed dwelling, by virtue of inadequate parking and access arrangements, would be detrimental to public road safety.
2. The proposal is contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan 2 as: (i) the proposed dwelling, by virtue of the size of the footprint relative to the size of the plot, represents the over-development of the site; (ii) the proposed dwelling, given its proximity to the street frontage, would be a dominant and incongruous addition to the street scape; (iii) the proposed dwelling, by virtue of its proximity to the rear site boundary would be a dominant and over-bearing feature when viewed from the adjacent property at 1 Torburn Avenue; and (iv) the proposed dwelling, by virtue of inadequate parking and access arrangements, would be detrimental to public road safety.
3. The proposal is contrary to Policy D6 of the adopted East Renfrewshire Local Development Plan and its supporting Supplementary Guidance: Green Networks (June 2023) as the minimum requirements for private open space have not been met, to the detriment of the residential amenity of the future occupants.

ADDITIONAL NOTES: None.

ADDED VALUE: None

BACKGROUND PAPERS:

Further information on background papers can be obtained from Mr Derek Scott on 0141 577 3001.

Ref. No.: 2024/0295/TP
(DESC)

DATE: 17th September 2024

18

DIRECTOR OF ENVIRONMENT