

Corporate and Community Services Department

Council Headquarters, Eastwood Park, Giffnock, East Renfrewshire, G46 6UG

Phone: 0141 577 3000 Fax: 0141 577 3834

website: www.eastrenfrewshire.gov.uk

Date: 8 March 2019

When calling please ask for: Paul O'Neil (Tel No. 0141 577 3011)

e-mail:- paul.o'neil@eastrenfrewshire.gov.uk

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

LOCAL REVIEW BODY

A meeting of the Local Review Body will be held in the Council Chamber, Council Headquarters, Eastwood Park, Giffnock on **Wednesday, 13 March 2019 at 2.30pm or if later at the conclusion of the Planning Applications Committee which begins at 2.00pm.**

The agenda of business is as shown below.

Caroline Innes

C INNES

DEPUTY CHIEF EXECUTIVE

AGENDA

1. Report apologies for absence.
2. Declarations of Interest.
3. Notice of Review – Review 2019/01 – Formation of Driveway incorporating Reduction in Height of Boundary Wall at 29 East Kilbride Road, Busby – Report by Deputy Chief Executive (copy attached, pages 3 - 112).
4. Notice of Review 2019/02 – Erection of Single Storey Side and Rear Extensions and Installation of Two Front Dormer Windows and One Dormer Window at Rear at 22 Victoria Crescent, Clarkston - Report by Deputy Chief Executive (copy attached, pages 113 - 162).
5. Notice of Review 2019/03 - Erection of 5 Flats following the Demolition of Existing Dwellinghouse with associated Car Parking and Landscaping with associated Parking and Bin Storage at 163 Ayr Road, Newton Mearns - Report by Deputy Chief Executive (copy attached, pages 163 - 332).

This document can be explained to you in other languages and can be provided in alternative formats such as large print and Braille. For further information, please contact Customer First on 0141 577 3001 or email customerservices@eastrenfrewshire.gov.uk

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EAST RENFREWSHIRE COUNCILLOCAL REVIEW BODY13 March 2019Report by Deputy Chief ExecutiveREVIEW OF CASE - REVIEW/2019/01FORMATION OF DRIVEWAY INCORPORATING REDUCTION IN GROUND LEVELSAND REDUCTION IN HEIGHT OF BOUNDARY WALLAT 29 EAST KILBRIDE ROAD, BUSBY**PURPOSE OF REPORT**

1. To advise the Local Review Body of the outcome of the consultation with the Roads Service as to whether it would be appropriate to attach a condition to the planning permission to the effect that egress from the application site would be restricted to a left hand turn only onto East Kilbride Road, Busby.

RECOMMENDATION

2. The Local Review Body is asked to consider the advice of the Roads Service as detailed in this report in the consideration of the review case.

REASON FOR CONTINUATION OF REVIEW CASE

3. At the meeting of the Local Review Body on 13 February, it was agreed that consideration of the review case be continued to allow the Planning Adviser to seek clarification from the Roads Service that in the event that the Local Review Body was to overturn the decision of the Appointed Officer as set out in the Decision Notice of 9 January 2019 and grant planning permission, whether it would be appropriate to attach a condition to the consent to the effect that egress from the application site would be restricted to a left hand turn only onto East Kilbride Road, Busby.

RESULTS OF CONSULTATION

4. The Planning Adviser has now consulted the Council's Roads Service with regard to this matter. The Roads Service has advised that 'to attach a condition to the consent to the effect that egress from the application site would be restricted to a left hand turn only onto East Kilbride Road' would fail to address the adverse impact on road safety that a vehicular access onto the A727 East Kilbride Road at this location would create.

5. Furthermore, East Renfrewshire Council Wardens and Council Officers cannot enforce moving vehicle offences. Only Police Scotland has powers to enforce moving vehicle offences.

6. Roads legislation does not permit a Traffic Regulation Order being promoted to prohibit right turn manoeuvres from a private access.

7. The only physical means of preventing a right turn manoeuvre out of the site (or into the site) would be a central reserve with an upstand of 100mm or greater. There is insufficient carriageway width at this location to introduce such a physical measure.

8. The Roads Service has further advised that the condition being proposed:

- (i) Cannot be effectively policed;
- (ii) Cannot be enforced and would be without the threat of punitive action (e.g. penalty points on driving licence);
- (iii) Has the potential to introduce unsafe consequential manoeuvres on other parts of the public road network (e.g. having turned left from the access, a vehicle may use the mouth of the B759 Carmunnock Road to about-turn in order to head in the desired direction); and
- (iv) Fails to address the more serious concern of vehicles turning right into the site.

9. Attached as Appendix 1 are the agenda papers relating to the case which were previously circulated and considered at the meeting of the Local Review Body on 13 February 2019.

RECOMMENDATION

10. The Local Review Body is asked to consider the advice of the Roads Service as detailed in this report in the consideration of the review case.

Report Author: Paul O'Neil

Director - Caroline Innes, Deputy Chief Executive

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

Date:- March 2019

EAST RENFREWSHIRE COUNCILLOCAL REVIEW BODY13 February 2019Report by Deputy Chief ExecutiveREVIEW OF CASE - REVIEW/2019/01FORMATION OF DRIVEWAY INCORPORATING REDUCTION IN GROUND LEVELSAND REDUCTION IN HEIGHT OF BOUNDARY WALLAT 29 EAST KILBRIDE ROAD, BUSBY**PURPOSE OF REPORT**

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

DETAILS OF APPLICATION

2. Application type: Full Planning Permission (Ref No:- 2018/0691/TP).
- Applicant: Mr Paolo Di Mambro.
- Proposal: Formation of driveway incorporating reduction in ground levels and reduction in height of boundary wall.
- Location: 29 East Kilbride Road, Busby.
- Council Area/Ward: Clarkston, Netherlee and Williamwood (Ward 4).

REASON FOR REQUESTING REVIEW

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

RECOMMENDATIONS

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

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

BACKGROUND

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

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

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

NOTICE OF REVIEW – STATEMENT OF REASONS FOR REQUIRING THE REVIEW

8. The applicant in submitting the review has stated the reasons for requiring the review of the determination of the application. A copy of the applicant’s Notice of Review and Statement of Reasons is attached as Appendix 5.

9. The applicant is entitled to state a preference for the procedure (or combination of procedures) to be followed by the Local Review Body in the determination of the review and has indicated that his stated preference is the assessment of the review documents only, with no further procedure.

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

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

12. In accordance with the above decision, the Local Review Body will carry out an unaccompanied site inspection on Wednesday, 13 February 2019 immediately before the meeting of the Local Review Body which begins at 2.30pm.

INFORMATION AVAILABLE TO ALLOW REVIEW OF APPLICATION

13. Section 43B of the Planning etc (Scotland) Act 2006 restricts the ability of parties to introduce new material at the review stage. The Local Review Body is advised that the focus of the review should, therefore, be on the material which was before the officer who dealt with the application under the Scheme of Delegation.

14. The information detailed below is appended to this report to assist the Local Review Body in carrying out the review of the decision taken by the Appointed Officer:-

- (a) Application for planning permission – Appendix 1 (Pages 9 - 16);
- (b) Copies of Objections/Representations – Appendix 2 (Pages 17 - 52);
- (c) Report of Handling by the planning officer under the Scheme of Delegation - Appendix 3 (Pages 53 - 60);
- (d) Decision notice and reasons for refusal - Appendix 4 (Pages 61 - 64); and
- (d) A copy of the applicant's Notice of Review and Statement of Reasons - Appendix 5 (Pages 62 - 102).

15. The applicant has also submitted the drawings listed below (available for inspection within the Planning Division of the Environment Department prior to the meeting and for reference at the meeting) and these are attached as Appendix 6 (Pages 103 - 112).

- (a) Ground Level and Height;
- (b) Visibility Splay of Driveway;
- (c) Other Visibility Splay;
- (d) Plan;
- (e) Visibility Splay 46 metres to left and 45 metres to right;
- (f) Refused – Location Plan
- (g) Refused – Plan; and
- (h) Refused – Driveway levels.

16. The Local Review Body is advised that initial consultation responses and representations received if any, relating to the application will be listed in the planning officer's Report of Handling.

17. All the documents referred to in this report can be viewed online on the Council's website at www.eastrenfrewshire.gov.uk with the exception of any representations that have been made to the application.

RECOMMENDATIONS

18. The Local Review Body is asked to:-

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

Report Author: Paul O'Neil

Director - Caroline Innes, Deputy Chief Executive

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

Date:- February 2019

**APPLICATION
FOR
PLANNING PERMISSION**

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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 100142873-001

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)

Take the 1.4M boundary wall along east kilbride road. Reduce it to 50CM and take 10M away and rebuild 5M 60CM further back also at height of 50CM. Leave an opening of 5M with gully. Take the boundary fence at the side joining the pavement and remove it entirely. So there is a 2M run of pavement along the front which keeps the pavement uniform at 2M. Reduce the height internally to accommodate a lower gradient.

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

No Yes - Started Yes – Completed

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

01/02/2018

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

I mis-read the permitted development rights. This being a classified road you need planning permission to do these works.

Applicant or Agent Details

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

Applicant Agent

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Paolo"/>	Building Number:	<input type="text" value="29"/>
Last Name: *	<input type="text" value="Di Mambro"/>	Address 1 (Street): *	<input type="text" value="East Kilbride RD"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value="REDACTED"/>	Town/City: *	<input type="text" value="Glasgow"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="G76 8JY"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

Site Address Details

Planning Authority:	<input type="text" value="East Renfrewshire Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="29 EAST KILBRIDE ROAD"/>
Address 2:	<input type="text" value="BUSBY"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="GLASGOW"/>
Post Code:	<input type="text" value="G76 8JY"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="656517"/>	Easting	<input type="text" value="258177"/>
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Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

Meeting Telephone Letter Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (max 500 characters)

LRB required me to present the application again with the verification of the boundary fence.

Title:

Mr

Other title:

Mr

First Name:

Paolo

Last Name:

Di Mambro

Correspondence Reference Number:

2018/0385/TP

Date (dd/mm/yyyy):

07/11/2018

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Trees

Are there any trees on or adjacent to the application site? *

Yes No

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

Access and Parking

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

Yes No

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

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

0

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

3

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 Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

Yes No

Is any of the land part of an agricultural holding? *

Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Mr Paolo Di Mambro

On behalf of:

Date: 07/11/2018

Please tick here to certify this Certificate. *

Checklist – Application for Householder Application

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

- a) Have you provided a written description of the development to which it relates? * Yes No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? * Yes No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent? * Yes No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? *. This should have a north point and be drawn to an identified scale. Yes No
- e) Have you provided a certificate of ownership? * Yes No
- f) Have you provided the fee payable under the Fees Regulations? * Yes No
- g) Have you provided any other plans as necessary? * Yes No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). *

You can attach these electronic documents later in the process.

- Existing and Proposed elevations.
- Existing and proposed floor plans.
- Cross sections.
- Site layout plan/Block plans (including access).
- Roof plan.
- Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding. Yes No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. * Yes No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

Declaration Name: Mr Paolo Di Mambro

Declaration Date: 07/11/2018

Payment Details

Telephone Payment Reference [REDACTED]

Created: 07/11/2018 16:11

COPIES OF OBJECTIONS/REPRESENTATIONS

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Roads Service OBSERVATIONS ON PLANNING APPLICATION

Our Ref: 2018/0691/TP
D.C Ref Derek Scott
Contact: Malcolm Matheson
Tel: 0141-577-8431

Planning Application No: 2018/0691/TP **Dated:** 08/11/18 **Received:** 15/11/18
Applicant: Mr Paolo Di Mambro
Proposed Development: Formation of driveway incorporating reduction in ground levels and erection of boundary wall
Location: 29 East Kilbride Road, Busby, G76 8JY
Type of Consent: Full Planning Permission
Ref No. of Dwg.(s) submitted: As per Idox

RECOMMENDATION	Refusal
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Proposals Acceptable Y/N or N/A	Proposals Acceptable Y/N or N/A	Proposals Acceptable Y/N or N/A
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1. General

(a) General principle of development	Y
(b) Safety Audit Required	N
(c) Traffic Impact Analysis Required	N

2. Existing Roads

(a) Type of Connection (junction / footway crossing)	N
(b) Location(s) of Connection(s)	N
(c) Pedestrian Provision	N/A
(d) Sightlines	N

3. New Roads

(a) Widths	N/A
(b) Pedestrian Provision	N/A
(c) Layout (horizontal/vertical alignment)	N/A
(d) Turning Facilities (Circles / hammerhead)	N/A
(e) Junction Details (locations / radii / sightlines)	N/A
(f) Provision for P.U. services	N/A

4. Servicing & Car Parking

(a) Drainage	N
(b) Car Parking Provision	N
(c) Layout of parking bays / Garages	N
(d) Servicing Arrangements/Driveways	N

5. Signing

(a) Location	N/A
(b) Illumination	N/A

Ref.	Reasons for Refusal
	<p>In the interest of road safety this Service has no option but to refuse this application.</p> <p>The proposed development, if permitted, would involve the construction of a new vehicular access onto the A727 East Kilbride Road where visibility is severely restricted by the road's existing horizontal alignment and would be likely to give rise to conditions detrimental to road safety.</p> <p>The installation of a new access on to the A727 East Kilbride Road would result in the manoeuvring of vehicles on the adjoining road, taking access to or from the site, to the detriment of road safety.</p>

Ref.	Comments
1(a)	<p>It is understood that there is a proposed reduction in the height of the fence at the site's western boundary. Despite the reduction in fence height the applicant cannot meet the required visibility splay in this direction. It should also be noted that the visibility splay should not cross private land. Roads comments regarding previous application 2018/0385/TP are still relevant.</p> <p>It is noted that the applicant decided to withdraw a previous planning application for the formation of a driveway at the same location – Planning application 2018/0102/TP.</p>
2(a & b)	<p>The proposal is to form a new vehicular access on to the A727 for the property at 29 East Kilbride Road. The property sits in the apex of a triangle formed by the Glasgow to East Kilbride railway line to the northeast and the A727 district distributor road (East Kilbride Road) to the southwest, which carries in excess of 19,000 vehicles per day (as per Traffic Survey – 3606-SCO East Kilbride Road, Busby).</p> <p>Given its unusual location, no vehicular access to the property currently exists and Cleansing advise that they do not service the property from East Kilbride Road.</p>

Controller (M&O)	N/A	Date		by	
VC letter	N/A	Date		by	

DEV File Ref	N/A	Date		by	
CC File Ref	N/A	Date		by	

2(d)	<p>The location being proposed for the new access lies west of a low bridge (signed 4.2m / 13'9" clearance) which carries the Glasgow to East Kilbride railway line. Northwest bound traffic approaching the bridge has to negotiate a left hand bend which restricts forward visibility to the site and adversely affects the achievable secondary direction visibility splay of the proposed access.</p> <p>Due to the horizontal and vertical profile of the road, there is a double white line system installed on this section of the A727 from its junction with the B759 Carmunnock Road to a point 45 metres southeast of its junction with The Paddock. It should be noted that there are no other accesses to individual dwellings along this double white lined section of road or indeed, for some length thereafter.</p> <p>Fronting the site and over most of the length of the double white line system, there is a 'no waiting/no loading at any time restriction with sections of 'no waiting; 8am – 6pm; Monday to Friday' over the lengths of road opposite the site and Carmunnock Road.</p> <p>Immediately northwest of the proposed access, and thus adversely impacting the primary direction visibility splay, is an existing lighting column (R9) and a bus stop with associated infrastructure including a bus shelter and a 'no waiting' bus stop marking.</p> <p>If permitted the proposal would introduce right turn vehicular movements into and out of the site which would lead to an increased probability of rear end shunts as vehicles stop to execute a right turn into the site or, when executing a right turn out of the site, interfere with free flow traffic on the A727.</p> <p>The required visibility for a 30mph road is 2.5m x 90m in both the primary and secondary directions with no interference allowed within the splay above a height of 1.05m. This can clearly not be achieved at the location being proposed for the new access. This is shown within Drawing no. 900 where the visibility in the primary direction is significant less than required. It should be noted that the visibility splays here should be measured to the edge of the nearside carriageway.</p> <p>For the secondary direction the shown 2.5 x 80m visibility splay is through private land which the applicant has no control over.</p> <p>Drawing no. 904 shows other junctions / accesses within the Busby area. It is noted that the visibility splays are incorrect as they have not been taken from the correct points. For example the visibility splay for the A727 East Kilbride Road / B759 Carmunnock Road has not been measured from the existing give way line, and 65 East Kilbride Road's driveway junction has not been measured from the edge of the kerb which separates the carriageway from the footway.</p> <p>The applicant must under the terms of The Roads (Scotland) Act 1984, apply to this Service for a Section 56 'Road Opening Permit' to carry out the proposed works.</p> <p>As evidenced above, this Service clearly has a number of road safety concerns with regard to this proposal and has no option therefore, but to recommend refusal.</p>
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Notes for Intimation to Applicant:

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

* Relevant Section of the Roads (Scotland) Act 1984

Comments Authorised By: John Marley
pp Environmental Services Manager

Date: 08.01.19

2018/0691/TP. (DS)

33 PRINTERSLAND

G76 8HP.

26th November 2018.

Dear Sir/Madam,

For the vast 25 years I have resided at 33 Printersland, for the last 25 years there has been a problem which the water department has attended on several occasions with excess water running down past Printersland on East Kilbride road. The heavier the rain the worse the problem.

I feel lowering the ground level would add to this problem. Also so far the poor standard of workmanship in 29 East Kilbride road which has been done so far I feel it would cause further problems.

My view from the window was once a beautiful picturesque woodland scene, now it is a pathetic dump.

As previously stated I think the formation of a driveway would cause danger as the only foot path from the main road and the railway runs along that side of the road.

In the last two years there have been several accidents at

The bridge traffic is already congested in East Kivande road. Any further existing of that vehicles would bring traffic to a standstill.

The test days of numbers had have already been subjected to enough upset with the unprofessional way the changes that happened in 2011. The road took place. I have already previously sent you this enclosed but if necessary can prove it again.

The children supposed to walk under a dark railway bridge which is the only foot path on one side of the road and risk getting knocked down on a blind corner.

Please accept my sincere apologies and if you require any further information please contact me.

Thank you



THE ABOVE IS APPROVED THE WAY
IT SHOULD BE SENT

O'Neil, Paul [CE]

From: EN Planning
Sent: 04 February 2019 09:45
To: Nicol, Julie; O'Neil, Paul [CE]
Subject: FW: REVIEW 2019/01

Please see below objection to above review, he has sent 8 other emails with photos etc, if you need me to forward these on to you please let me know.

Thanks
Carla

-----Original Message-----

From: Peter Mcconnell [REDACTED]
Sent: 03 February 2019 13:27
To: EN Planning
Subject: REVIEW 2019/01

To whom it may concern The owner of 29 EK road does not have any facilities for loading or unloading How can he possibly do the alterations without heavy goods vehicles blocking the Eastkilbride road at a very bad bend The residents of PrintersLand have been subjected to enough upset and will tolerate no more We have been advised to call Police Scotland if our cars are blocked in again or he sets the rubbish on fire again and emergency services have to be called The alterations that were done to the property without permission were accessed via PrintersLand This indeed will not be tolerated a second time I hope you understand my reasoning and I strongly object to the formation of a dangerous driveway causing further drainage and and road problems Thank you Philomena McConnell

Sent from my iPhone

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O'Neil, Paul [CE]

From: EN Planning
Sent: 05 February 2019 10:17
To: O'Neil, Paul [CE]
Subject: FW: REVIEW/2019/01

Hi Paul,

Email from Mr McConnell, there is another 11 emails.

Thanks
Carla

From: Peter McConnell [REDACTED]
Sent: 03 February 2019 12:55
To: EN Planning
Subject: REVIEW/2019/01

To whom it may concern I would like you to take into consideration my initial letter of objection I will resubmit with more comments to follow

Sent from my iPhone

Begin forwarded message:

From: Peter McConnell [REDACTED]
Date: 26 November 2018 at 14:30:38 GMT
To: planning@eastrenfrewshire.gov.uk
Subject: 29 Eastkilbride Rd

33 PRINTERSLAND

G76 8HP
26th November 2018.

Dear Sir/Wedem,

For the vast 25 years I have resided at 33 Printersland, for the last 25 years there has been a problem which the water department has attended on several occasions with excess water running down East Printersland on East Kilbride road. The heavier the rain the worse the problem.

I feel lowering the ground level would add to this problem. Also so far the poor standard of workmanship in 29 East Kilbride road which has been done so far I feel it would cause further problems.

My view from the window was once a beautiful picturesque woodland scene, now it is a pathetic dump.
As previously stated.

Sent from my iPhone

O'Neil, Paul [CE]

From: EN Planning
Sent: 05 February 2019 10:17
To: O'Neil, Paul [CE]
Subject: FW: REVIEW 2019/01

From: Peter Mcconnell [REDACTED]
Sent: 03 February 2019 12:57
To: EN Planning
Subject: REVIEW 2019/01

Page 2 of initial objection From P McConnell

Sent from my iPhone

Begin forwarded message:

From: Peter Mcconnell [REDACTED]
Date: 26 November 2018 at 14:31:47 GMT
To: planning@eastrenfrewshire.gov.uk
Subject: 29 East Kilbride rd

The bridge traffic is already congested in East Kibrid road and further exiting of ~~the~~ vehicles would bring traffic to a standstill.

The residents of Printerstand have already been subjected to enough upset with the unprofessional way the changes that happened wh. E.K. road took place. I have already previously sent you this evidence but if necessary can prove it again.

Are children supposed to walk under a dark railway bridge which is the only foot path on one side of the road and risk getting knocked down on a blind corner.

Please accept my comments and if you require any further information please

Sent from my iPhone

O'Neil, Paul [CE]

From: EN Planning
Sent: 05 February 2019 10:17
To: O'Neil, Paul [CE]
Subject: FW: Review 2019/01
Attachments: IMG_4384.JPG; ATT00001.txt

-----Original Message-----

From: Peter Mcconnell [REDACTED]
Sent: 03 February 2019 13:01
To: EN Planning
Subject: Review 2019/01

[REDACTED]



O'Neil, Paul [CE]

From: EN Planning
Sent: 05 February 2019 10:17
To: O'Neil, Paul [CE]
Subject: FW: Review 2019/01
Attachments: IMG_4406.JPG; ATT00001.txt

-----Original Message-----

From: Peter Mcconnell [REDACTED]
Sent: 03 February 2019 13:03
To: EN Planning
Subject: Review 2019/01

[REDACTED]



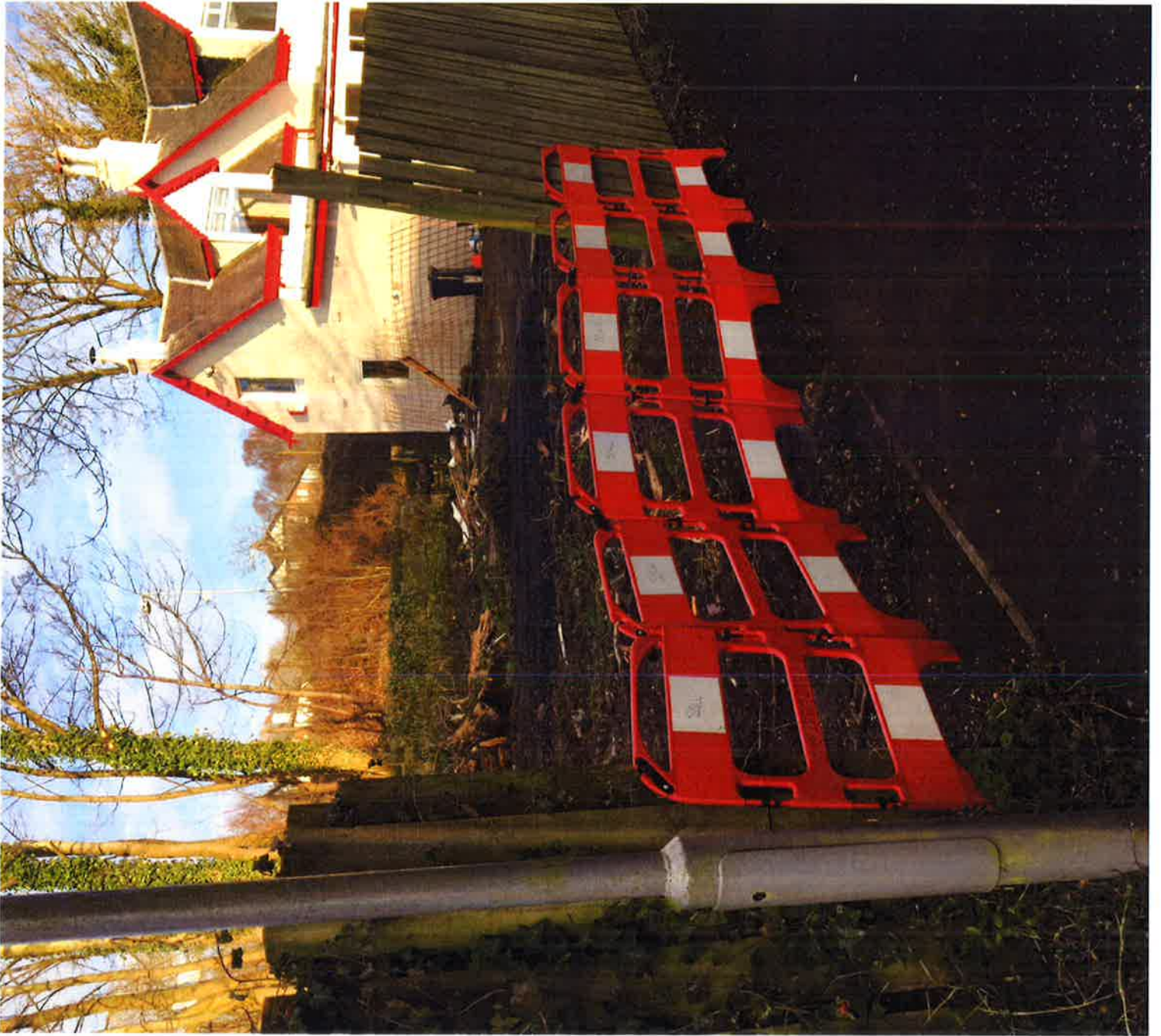
O'Neil, Paul [CE]

From: EN Planning
Sent: 05 February 2019 10:18
To: O'Neil, Paul [CE]
Subject: FW: Review 2019/01
Attachments: IMG_4496.JPG; ATT00001.txt

-----Original Message-----

From: Peter Mcconnell [REDACTED]
Sent: 03 February 2019 13:05
To: EN Planning
Subject: Review 2019/01

My perimeter fence had been removed without my permission I also had to further stop the attempt to demolish the whole perimeter fence without my permission



O'Neil, Paul [CE]

From: EN Planning
Sent: 05 February 2019 10:18
To: O'Neil, Paul [CE]
Subject: FW: REVIEW
Attachments: IMG_4499.JPG; ATT00001.txt

-----Original Message-----

From: Peter Mcconnell [REDACTED]
Sent: 03 February 2019 13:07
To: EN Planning
Subject: REVIEW

[REDACTED]



O'Neil, Paul [CE]

From: EN Planning
Sent: 05 February 2019 10:18
To: O'Neil, Paul [CE]
Subject: FW: REVIEW 2019/01
Attachments: IMG_4546.PNG; ATT00001.txt; IMG_4548.PNG; ATT00002.txt

-----Original Message-----

From: Peter Mcconnell [REDACTED]
Sent: 03 February 2019 13:16
To: EN Planning
Subject: REVIEW 2019/01

We needed intervention from our MP

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Done

Printers Land signed.pdf



The Scottish Parliament
Parlamead na h-Alba

Jackson Cartow MSP
Member for Eastwood

Mr Andrew Cahill
Director of Environment
East Renfrewshire Council
7 Spiersbridge Way
Spiersbridge Business Park
Thornliebank
G46 8NG

17th April 2018

Dear Andrew 

Unauthorised changes and other disturbances at Printers Land, Busby, Clarkston, G76 8HP

I have been contacted by a concerned constituent regarding unauthorised changes that have been made to the grounds at the Printers Land residential area in Busby alongside other disturbances by a new neighbour.

I have been advised that it is a matter causing some consternation to residents many of whom are elderly.

I will relay the matter as it has been expressed to me.

As I understand it the individual concerned has been blocking residents' vehicles and also a footpath with large cement trucks and tractors. The result of this has been that some residents have been unable to move their cars and enter their properties.

I am told that a long standing wall has been taken down and that on Easter Monday, an attempt was made to demolish a perimeter fence that has been maintained by residents for approximately three decades.

I have been made aware that the new neighbour has been making unauthorised alterations to the structure and layout of the road to the dismay of those inhabiting Printers Land.

Some of the other disturbances include high levels of smoke that has required the emergency services to make a visit to the area; logs and debris being dumped on communal garden areas; and the removal of trees inhabited by a protected species.

Done

Printers Land signed.pdf

Tel: 0131 348 6800 email: jackson.carlaw.msp@parliament.scot

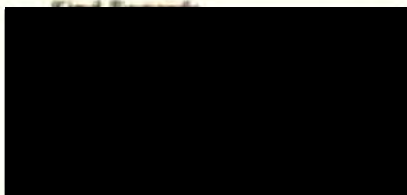
It is my understanding that planning consent has not been sought for the changes that would normally require prior approval from East Renfrewshire Council before action could be taken although the individual concerned has now submitted an application for planning permission to construct a driveway following contact from council officers.

It has been relayed to me that many of the households at Printers Land are deeply dissatisfied by the ongoing situation and the unauthorised changes that have been made to their place of residence.

The matter has caused a great deal of discomfort to residents who are feeling less secure and comfortable in their homes.

It would be very much appreciated if a planning officer could inform me of the council's own investigation into the matter and outline what steps are being taken to redress the outstanding issues.

I look forward to hearing from you.



Jackson Carlaw MSP
 Deputy Leader of the Scottish Conservatives
 Shadow Cabinet Secretary for Europe & External Affairs
 Member of the Scottish Parliament for Eastwood

F: [@JacksonEastwood](https://twitter.com/JacksonEastwood)
 T: [@CarlawEastwood](https://twitter.com/CarlawEastwood)
 W: www.jacksoncarlaw.org.uk

O'Neil, Paul [CE]

From: EN Planning
Sent: 05 February 2019 10:18
To: O'Neil, Paul [CE]
Subject: FW: REVIEW 2019/01
Attachments: IMG_4512.JPG; ATT00001.txt

-----Original Message-----

From: Peter Mcconnell [REDACTED]
Sent: 03 February 2019 13:13
To: EN Planning
Subject: REVIEW 2019/01

Wall already knocked down without permission



O'Neil, Paul [CE]

From: EN Planning
Sent: 05 February 2019 10:18
To: O'Neil, Paul [CE]
Subject: FW: REVIEW 2019/01
Attachments: IMG_4513.JPG; ATT00001.txt

-----Original Message-----

From: Peter Mcconnell [REDACTED]
Sent: 03 February 2019 13:14
To: EN Planning
Subject: REVIEW 2019/01

Entrance already in use from EK Rd



O'Neil, Paul [CE]

From: EN Planning
Sent: 05 February 2019 10:18
To: O'Neil, Paul [CE]
Subject: FW: REVIEW/2019/01
Attachments: IMG_4552.JPG; ATT00001.txt

-----Original Message-----

From: Peter Mcconnell [REDACTED]
Sent: 03 February 2019 13:35
To: EN Planning
Subject: REVIEW/2019/01

The entrance was already used as a driveway from EK road to bring in Vans [REDACTED]
[REDACTED]
[REDACTED]



idoxsoftware@eastrenfrewshire.gov.uk

From: idoxsoftware@eastrenfrewshire.gov.uk
Sent: Wed, 28 Nov 2018 18:59:51 +0000
To: EN Planning
Subject: Comments for Planning Application 2018/0691/TP

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 6:57 PM on 28 Nov 2018 from Miss Alicia Di Mambro.

Application Summary

Address: 29 East Kilbride Road Busby East Renfrewshire G76 8JY
Proposal: Formation of driveway incorporating reduction in ground levels and reduction in height of boundary wall
Case Officer: Mr Derek Scott

[Click for further information](#)

Customer Details

Name: Miss Alicia Di Mambro
Email: [REDACTED]
Address: 60 Castleton Drive, Newton Mearns, East Renfrewshire G77 5LE

Comments Details

Commenter Type: Member of Public
Stance: Customer made comments in support of the Planning Application
Reasons for comment:

Comments: While Paul may advice me not to register a comment I thought i should and simply reference a section of Designing streets. If this guidance is followed we would not have the roads department issuing figures for roads and bridges not suitable for a residential area. I support the application as it follows current guidance for residential areas and not old figures not researched that the roads department issued in the consultation for planning application 2018/0385/TP.

Quote :
Page 4 Designing streets:

Reference should no longer be made to road hierarchies based on terminology such as local distributor/local access roads.

This is saying if you go to page 4 and also see the diagram where it is to be used that all roads with residential context should be classed as streets regardless of use to ensure safety and the visibility within the document should be used. Which is 60CM by 2.4M by 43M in a 30MPH road. If you look at the figures

provided by the roads department you see that in a residential area they miss vital pedestrians and as such their visibility splay is deficient. Why the Scottish government does not guide using them in a residential area. The point of a visibility splay is to declare a safe visibility to see everything in it's path. Not possible when you cant see children. Why on this instance Designing streets is far safer and the roads department needs to look at its figures.

Alicia Di Mambro
60 Castleton Drive
Glasgow
G77 5LE

Review/2019/01
ref 29 East Kilbride Road, Busby
Formation of driveway

25/01/2019

Now I wish to go to the point I wish to make which was my original representation. The applicability of the horizontal visibility splay in designing streets.

I enclose the exert from the National road development guide page 17.

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

The parameters used in designing street are appropriate. I think that in not an interpretation but a legally based fact which given these are national documents have high standing in law. It is saying if you know the 85% speed Designing streets should be used in a residential area with speeds under 40MPH.

The issue before the councillors is the visibility in Designing streets safe. Which is the visibility the drive way has. I would like to also add how does a road being existing or new change the braking distance of a car. The friction co-efficient for the road surface given both are made of asphalt does not enter into the equation. For visibility splay. The road speed, the drivers observation time, the drivers reaction time and the cars braking system have a bearing. So other cars and road's age does not.

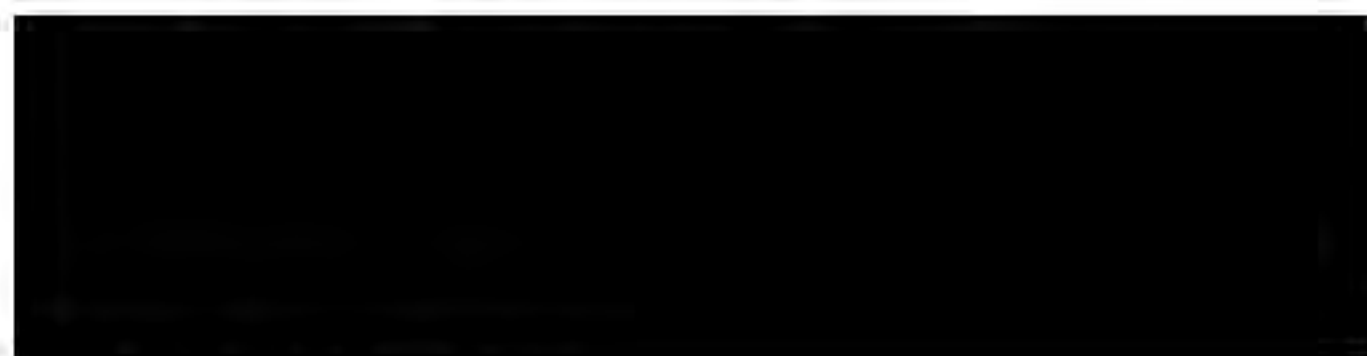
Designing streets has in its descriptions road limiters, moving houses closer to the road, having parked cars at the side of the road, narrow the road down and more. All measures to give a perception of danger. This perception is enough to slow the motorist down. So that the 85% speed of the road can be accurate. The section the house is in has a natural speed limiter which does this. The 85% speed is 28.7MPH

and 29.8MPH in a heat wave. So we can be sure the 85% speed is under the 30MPH of the road and the visibility splay given by Paul for the drive way meets this.

Therefore the point the drive way was refused on horizontal road layout is proven wrong by the visibility splay in Designing streets as well as every other drive on East Kilbride road which says the proposal has enough visibility splay. This I hope can be seen as not the interpretation but use of simple logic by reading Designing street and the national road development guide plus the speed data and looking at East Kilbride road where no house has 90M either side not planning application **2016/0286/TP 65 East Kilbride road for a new drive way onto east Kilbride road and 2017/0717/TP for the house at the light opposite called busby hotel for a drive widening which visibility hits the traffic lights.** The section on East Kilbride road does not need redesigned. It has a constant, verifiable and accurate 85% which is less than 30MPH. So Designing streets figures of 60CM by 43M by 2.4M are applicable as confirmed by the national road development guide page 17. The drive way has more visibility splay as horizontally it has 45M once Paul and Mr Adams move the items required. I see nothing wrong with this proposal and a lot of gain in respect to local context. It widens the pavement enhancing pavement safety and certainly is more wheelchair and pedestrian friendly, removes parking tension by having all cars for the house removed to the house and creates a driveway that fits in with the national guidance. I ask the councillors to consider that the drive way meets and surpasses the horizontal visibility splay in the national documents for road safety which are the National road development guide and designing streets.

I fully support this proposal.

Thank you for you time,

A solid black rectangular box used to redact the signature of Alicia Di Mambro.

Alicia Di Mambro.

I would ask the council to end the 14 Days time frame for my representations as I will not be making a further representation after this and if possible would like to have this meet the February local review body meeting.

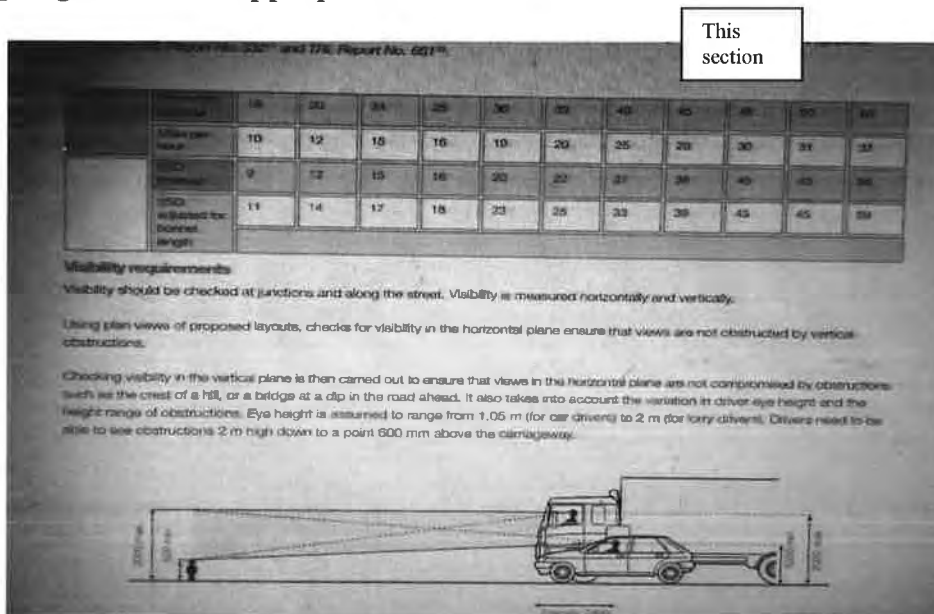
Paul Di Mambro
 29 East Kilbride road
 Glasgow
 G77 5LE

Review/2019/01
 29 East Kilbride Road, Busby, East Renfrewshire
 Formation of driveway incorporating reduction in ground level and reduction in height of boundary wall
 5/02/2019

I agree with Alicia and would like to make further representation on her point as I feel I have not mentioned it and it needs emphasised. The roads excuse for ignoring national guidance is wrong. The statement in the National road development guide is clear and does not require interpretation. The 85 percentile has nothing to do with the age of the road but the actual measured speed. The statement does not ask for age but speed to be verified. The parameters it asks to be set are below and on page 33 of Designing streets.

I enclose the exert from the National road development guide page 17.

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



This section

Page 33 of Designing streets

The 85% speed is 28.7MPH Westbound and 29.8MPH Eastbound. The figure that is appropriate given the 85% speed was checked and verified is 60CM vertical, 43M Horizontal and recessed 2.4M. All met and surpassed. The National documents would fully support my visibility splay. These are not documents that should be ignored given the research that went into creating them. Evolving the knowledge of road design beyond that of the old figures the road department are using.

I have provided as proof of the 85 percentile speed. Therefore the reason my drive was refused which is horizontal road alignment can be verified as wrong as the figure that should be used is 43M not 90M. The bus stop opposite my drive for right turns is safe as I explained in my supporting statement. I hope the councillors can be confident that I meet all criteria's for a safe drive way and as such I would ask the councillors to grant my application.

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REPORT OF HANDLING

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REPORT OF HANDLING

Reference: 2018/0691/TP

Date Registered: 8th November 2018

Application Type: Full Planning Permission

This application is a Local Development

Ward: 4 -Clarkston, Netherlee And Williamwood

Co-ordinates: 258177/656517

Applicant/Agent: Applicant: Agent:

Mr Paolo Di Mambro
29 East Kilbride Road
East Renfrewshire
G76 8JY

Proposal: Formation of driveway incorporating reduction in ground levels and reduction in height of boundary wall

Location: 29 East Kilbride Road
Busby
East Renfrewshire
G76 8JY

CONSULTATIONS/COMMENTS:

East Renfrewshire Council Roads Service

Recommends refusal on the grounds of public road safety.

PUBLICITY: None.

SITE NOTICES: None.

SITE HISTORY:

2018/0102/TP	Formation of driveway	Withdrawn	16.05.2018
2018/0299/TP	Erection of two storey rear extension	Refused	06.07.2018
2018/0385/TP	Formation of driveway incorporating reduction in ground levels and erection of boundary wall	Refused Local Review Dismissed	17.09.2018 28.11.2018

REPRESENTATIONS: Two representations have been received in respect of the application of which one objects and the other supports the application. The representations are summarised as follows:

Objection

Detrimental to public road safety
Surface water run-off
Visual impact.

In support

A visibility splay of 2.4 metres by 43 metres with no obstruction over 0.6 metre should be used.

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

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

Drawing 904 – Visibility splays for Easter Road, B759 and 65 East Kilbride Road.

Supporting Statement – Outlines the applicant's view as to why the proposed access would be safe. It includes a statement on the removal of part of the boundary fence and indicates the applicant's willingness to remove existing infrastructure within the required visibility splay.

ASSESSMENT:

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

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

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

A similar planning application (2018/0385/TP) for the formation of a driveway incorporating a reduction in ground levels and for the erection of a boundary wall at the site was refused on 17 September 2018. A subsequent review to the Local Review Body (under reference REVIEW/2018/21) was dismissed on 28 November 2018. This current application is differs only in that a section of boundary fence on the western-most boundary of the site has been removed.

The application requires to be assessed against Policy D1 of the adopted East Renfrewshire Local Development Plan. Policy D1 requires that all development should not result in a

significant loss of character to the surrounding area and that the Council's parking and access requirements are met.

It is considered that the visual amenity of the site is relatively poor in comparison the amenity of the surrounding area. However this is due to the fact that the dwelling has been unoccupied and unmaintained for some time and that the applicant has ceased the works. If the application is considered to be acceptable, details of the finish of the driveway and the retaining wall and a landscaping scheme can be submitted for further approval. This would ensure that the development is acceptable in appearance and in keeping with the character and visual amenity of the wider area.

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

The Roads Service further advises that northwest bound traffic approaching the bridge has to negotiate a left hand bend which restricts forward visibility to the site and adversely affects the achievable secondary direction visibility splay of the access.

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

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

Notwithstanding the removal of part of the western boundary fence, the Roads Service advises that the required primary visibility splay cannot be achieved at the location of the new access. This is because the required visibility splay is over private land that the applicant does not control. In the secondary direction the visibility splay is also through private land over which the applicant has no control.

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

As noted above, the applicant has submitted a supporting statement and technical data in support of the application. The technical data includes speed measurements taken on East Kilbride Road and examples of visibility splays elsewhere on East Kilbride Road. The supporting statement is the applicant's interpretation of the technical data and reference how he considers it relates it to this proposal and includes a statement on the removal of part of the boundary fence. Supporting drawings showing measurements of the bend on East Kilbride Road as it passes under the railway overbridge, visibility splays at the site and swept path analyses showing vehicles entering and exiting the site have also been submitted. All of this data and the supporting drawings and plans have been considered by the Council's Roads Service prior to providing their consultation response. The supporting statement and technical data are not considered to outweigh Roads Service response.

In relation to the representation in support of the application, which states that a visibility splay of 2.4 metres by 43 metres with no obstruction over 0.60 metre in height, those figures have been extracted from the Scottish Government's Policy Document "Designing Streets". That document relates to the design, construction, adoption and maintenance of new streets. It can also be applicable to existing streets that are subject to redesign. The current application is for the formation of an access onto an existing road which is not subject to a comprehensive redesign. It is therefore considered that Designing Streets has little weight in the determination of this application. The Roads Service is the Planning Authority's consultee on matters relating to public road safety and their advice must be given significant weight. It is not considered that this representation in support should outweigh the comments of the Roads Service for the reasons given above.

The following comment is made in respect of the point of objection not specifically addressed above. If the application is approved, a condition can be attached to any planning permission granted requiring surface water to be contained within the site.

Overall conclusion

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

RECOMMENDATION: Refuse

PLANNING OBLIGATIONS: None.

REASON FOR REFUSAL:

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

ADDITIONAL NOTES: None.

ADDED VALUE: None

BACKGROUND PAPERS:

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

Ref. No.: 2018/0691/TP
(DESC)

DATE: 9th January 2019

DIRECTOR OF ENVIRONMENT

Reference: 2018/0691/TP - Appendix 1

DEVELOPMENT PLAN:**Strategic Development Plan**

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

Adopted East Renfrewshire Local Development Plan

Policy D1

Detailed Guidance for all Development

Proposals for development should be well designed, sympathetic to the local area and demonstrate that the following criteria have been considered, and, where appropriate, met. In some cases, where the criteria have not been met, a written justification will be required to assist with assessment.

1. The development should not result in a significant loss of character or amenity to the surrounding area;
2. The proposal should be of a size, scale, massing and density that is in keeping with the buildings in the locality and should respect local architecture, building form, design, and materials;
3. The amenity of neighbouring properties should not be adversely affected by unreasonably restricting their sunlight or privacy. Additional guidance on this issue is available in the Daylight and Sunlight Design Guide Supplementary Planning Guidance;
4. The development should not impact adversely on landscape character or the green network, involve a significant loss of trees or other important landscape, greenspace or biodiversity features;
5. Developments should incorporate green infrastructure including access, landscaping, greenspace, water management and Sustainable Urban Drainage Systems at the outset of the design process. Where appropriate, new tree or shrub planting should be incorporated using native species. The physical area of any development covered by impermeable surfaces should be kept to a minimum to assist with flood risk management. Further guidance is contained within the Green Network and Environmental Management Supplementary Planning Guidance;
6. Development should create safe and secure environments that reduce the scope for anti-social behaviour and fear of crime;
7. Developments must be designed to meet disability needs and include provision for disabled access within public areas;
8. The Council will not accept 'backland' development, that is, development without a road frontage;
9. Parking and access requirements of the Council should be met in all development and appropriate mitigation measures should be introduced to minimise the impact of new development. Development should take account of the principles set out in 'Designing Streets';
10. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the development;
11. Developments should include provision for the recycling, storage, collection and composting of waste materials;
12. Where possible, all waste material arising from construction of the development should

- be retained on-site for use as part of the new development;
13. Where applicable, new development should take into account the legacy of former mining activity;
 14. Development should enhance the opportunity for and access to sustainable transportation, including provision for bus infrastructure, and particularly walking and cycle opportunities including cycle parking and provision of facilities such as showers/lockers, all where appropriate. The Council will not support development on railways solums or other development that would remove opportunities to enhance pedestrian and cycle access unless mitigation measures have been demonstrated;
 15. The Council requires the submission of a design statement for national and major developments. Design statements must also be submitted in cases where a local development relates to a site within a conservation area or Category A listed building in line with Planning Advice Note 68: Design Statements.
 16. Where applicable, developers should explore opportunities for the provision of digital infrastructure to new homes and business premises as an integral part of development.

GOVERNMENT GUIDANCE: None

Finalised 09/01/19 AC(3)

**DECISION NOTICE
AND
REASONS FOR REFUSAL**

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**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. **2018/0691/TP**

Applicant:

Mr Paolo Di Mambro
29 East Kilbride Road
East Renfrewshire
G76 8JY

Agent:

With reference to your application which was registered on 8th November 2018 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

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

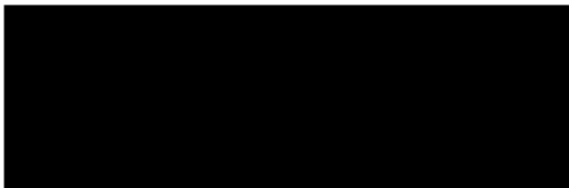
at: 29 East Kilbride Road, Busby, East Renfrewshire, G76 8JY

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

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

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

Dated 9th January 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 refused

Plan Description	Drawing Number	Drawing Version	Date on Plan
Location Plan	LOCATION		
Plans Proposed	DP-441-001		
Elevations Proposed	DP-441-002	B	

GUIDANCE NOTE FOR REFUSAL OF LOCAL DEVELOPMENTS DETERMINED UNDER DELEGATED POWERS

REVIEW BY EAST RENFREWSHIRE COUNCIL'S LOCAL REVIEW BODY

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

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

CONTACT DETAILS

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

**General Inquiry lines 0141 577 3895 or 0141 577 3878
Email planning@eastrenfrewshire.gov.uk**

**NOTICE OF REVIEW
AND
STATEMENT OF REASONS**

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2 Spiersbridge Way Thornliebank G46 8NG Tel: 0141 577 3001 Email: planning@eastrenfrewshire.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100124763-021

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

Applicant or Agent Details

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

Applicant Agent

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Paolo"/>	Building Number:	<input type="text" value="29"/>
Last Name: *	<input type="text" value="Di Mambro"/>	Address 1 (Street): *	<input type="text" value="East Kilbride RD"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value="██████████"/>	Town/City: *	<input type="text" value="Glasgow"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="G76 8JY"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="██"/>		

Site Address Details

Planning Authority:

East Renfrewshire Council

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

Address 1:

29 EAST KILBRIDE ROAD

Address 2:

BUSBY

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

GLASGOW

Post Code:

G76 8JY

Please identify/describe the location of the site or sites

Northing

656517

Easting

258177

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)

Create an pavement in front of 2M for 10M with 5M being at the opening of my driveway and 5M a recessed wall of 40cm.
Remove the entire wall and rebuild the wall with similar material to a height of 90CM. Lower the existing ground and mono block.

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 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 planning authority are not following national guidance for visibility splay in a residential area. I will be including a supporting statement

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

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Speed test of East Kilbride road done during a heat wave in June 2018 as well as the forms submitted with the planning application

Application Details

Please provide details of the application and decision.

What is the application reference number? *

2018/0691/TP

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

09/11/2018

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

09/01/2019

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

Yes No

Is it possible for the site to be accessed safely and without barriers to entry? *

Yes No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

Yes No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

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

Declaration Name: Mr Paolo Di Mambro

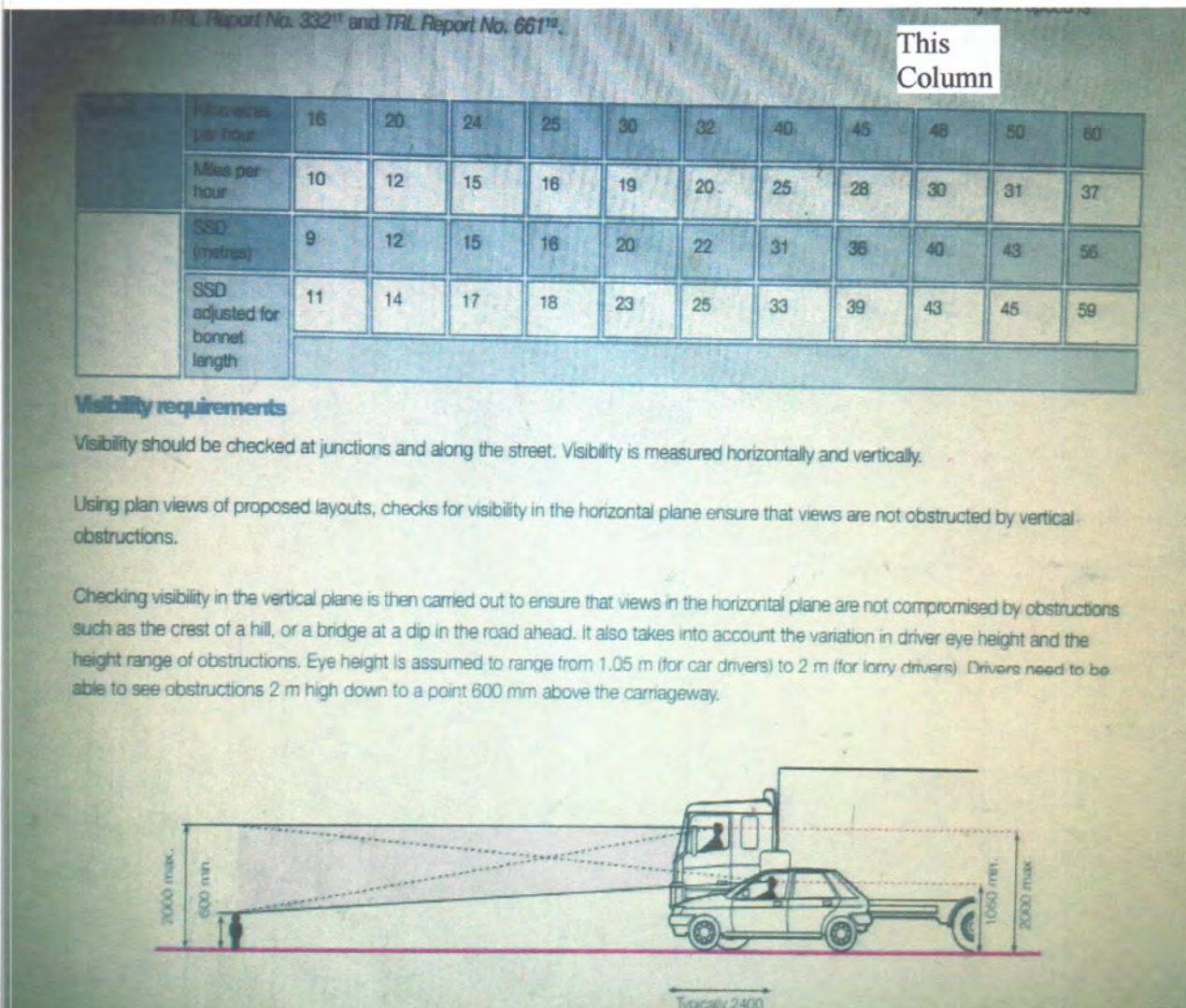
Declaration Date: 10/01/2019

I would like to add this statement to my planning application with the diagrams inside to confirm each point:

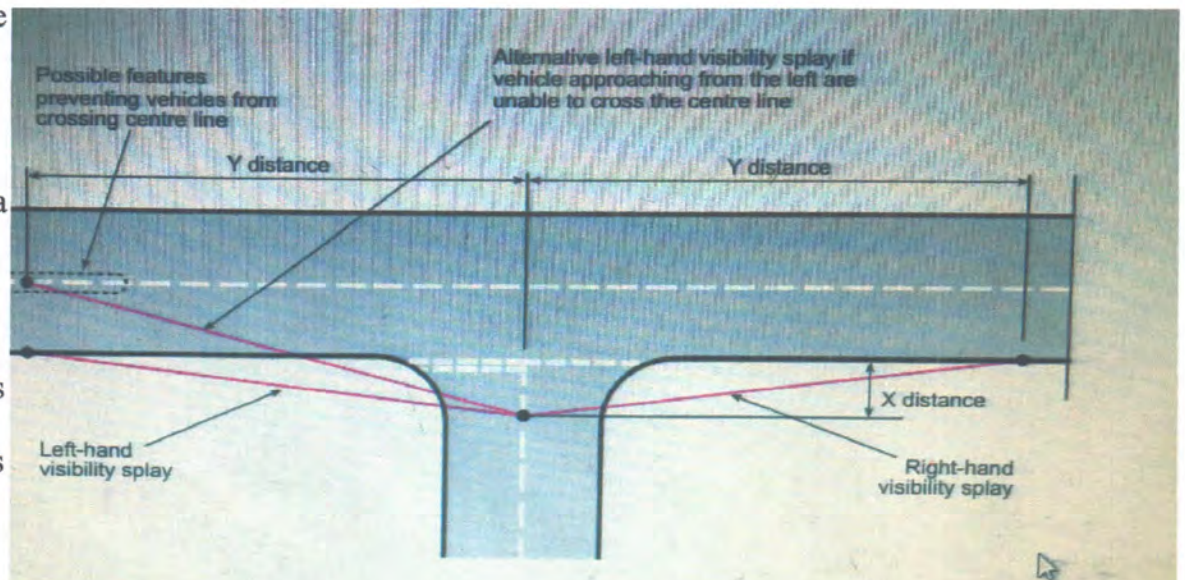
Visibility Splay

Firstly : we have come to a place where roads are applying 2 standards to road safety. The one they applied to the driver way application 2018/0385/TP is unsafe for children of 1.05M which would be common in a residential area and is common on the section of East Kilbride road. This is evident in the vertical height being too high and meaning anything lower than 1.05M which are children to the age of 4-5 years would be missed in this requirement and unreasonably put in danger. Roads needs to revise its guidance.

Secondly : The standard which has been promoted by the Scottish National government in Designing streets is vertically 60CM this ensures all children are caught as a child will be higher than this height at 4 months. Definitely not walking independently. Table from Designing streets below and also how to measure the visibility splay. This is current guidance and best practice to develop a safe visibility splay. Later I will show why not using current guidance and best practice is dangerous. Why my visibility splay is safer than the one provided by the roads department in their consultation.



Solid Double White Line formation at the center line makes it illegal to overtake. You can still cross this into a junction or driveway. There is none close so cars should under any circumstances cross this double white line formation. This means I have a visibility splay of 45M.



X and Y distances

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

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

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

The Y distance should be based on values for SSD.

Thirdly : Despite this anomaly on two different standards it is hard to understand how a drive way can be classed as unsafe due to visibility splay when it surpasses the national guidelines for a drive way in a 30MPH zone. Given Visibility splay is based on road speed which I have tested and is fully known how can the road being existing or under construction change the reaction time, cars breaking time and observation time. The road can't change these items. Also having a number of cars on the road prior to your car does not affect these parameters. The only thing that can affect the visibility splay is the speed of the car. So given the speed of the road/car is fully known which was done in a speed check it is near impossible to say that the visibility splay which conforms to higher than that guided by Designing streets is unsafe. Unless you are saying that the Scottish government wasted their time and created a dangerous visibility splay. Which would be a ridiculous argument to make. The visibility splay in Designing streets was created with research. The one given by roads in their consultation for planning application 2018/0385/TP was arbitrary figures not backed by any hard facts and as I will show later is dangerous in a residential area. Making my visibility considerably safer as it meets current best practice and safety standards for visibility splay in a 30MPH zone as per Designing streets.

Right Turns

The bus stop opposite my house has a lay by which is 2.5M. This is short of a minimum standard bus stop lay by 1.1M, please see picture on next page. A lay by should allow the whole bus out of the way of traffic. This means that when a bus stops to pick up passengers opposite my house depending on the traffic behind it the bus randomly stops traffic on East Kilbride road. This means that depending on the flow of traffic the bus halts traffic and the next car after the bus will be in the same place as a right turn

into my drive way. This has happened randomly many times over the course of the years. The time it takes for the bus to move off after this event is enough time for the car behind it to take a right turn into my drive way. Why I state randomly through the day cars have been doing right turns into my drive way. Using a web site to check car accidents at this location it was revealed looking back 10 years that 0 accidents occurred while the bus stopped traffic randomly in this period. The road is free flowing and buses randomly impede traffic on an ongoing bases. My drive way being a residential home would have near zero affect on free flowing traffic as are the buses.



Bend is a natural speed limiter

The speed of the cars after the bend at the bridge given the shape of the bend is very slow. The bend has a calculated max speed using mathematical modeling of 25MPH. If you wish to test this in practical terms I would ask you to drive your car round this bend at speeds greater than 25MPH. You will experience side forces causing your tyres to slide despite turning your steering wheel to go round the bend which will make you hit your brakes. If you fail to do so you will see your car move over the double white line formation onto oncoming traffic. This means that people drive slowly round the bend or they brake while going round the bend. Both make this section very safe as a natural speed limiter.

Other sections to note

I would ask you to take a right turn at the B759 a little along East Kilbride Road. This has a visibility splay of about half that proposed by my drive way. When you sit at the junction to execute a right turn over the double white line formation I ask you to appreciate that the visibility splay I offer is more than double this but you, I will assume, will execute the right turn with little or no trouble. It is not really a desirable visibility splay and not in keeping with current guidance but it is not strikingly dangerous. Yet the same section of road should have a visibility splay of over 4 times this at 90M to be safe. Somewhat ridiculous to suggest that 90m is required given the shortness of the visibility splay at the B759. If the section was indeed dangerous under public safety the roads department has a duty to close this junction under public safety. Note when you do this maneuver my drive way has more than double the visibility splay of this junction. I am enclosing a picture on the next page to show the visibility splay.



Number of movements a day

I also wish to note that the number of movements my drive way would execute in a day. For a single family home is in the order of **15** movements a day. This mean that my drive way would have the most **miniscule** effect on East Kilbride road. There has already been 2 approved alterations of a full drive way and enlargement of an openings on East Kilbride road in 2017 and 2016. My drive way has a visibility splay of vertical 60CM which is desirable in a residential area for the protection of children and 2.4M back from the road to allow for a clear view without impeding traffic flow and this stretches to 45M both sides without going over anyone's land. Which is 2M greater than the 43M required at 30MPH that is required in Designing streets and almost 26M greater than the B759. I meet and surpass current safe visibility splay standards and best practice as defined in Designing streets enclosed in the **National Road Development Guide** found on the Scottish governments website.

No parking and wheelchair access,

There is limited parking within the area which can be obtained across the road if the area opposite is not full. The scheme beside mine is Printerland states for residents only. Although of course the argument that in theory parking on private land in Scotland cant be restricted especially as there is no bay allocation or permits but it is unfair to have my cars impose themselves on their area especially when parking there is also full. So there is no parking in the area for the house. For wheel chair access there is no provisions and only a narrow pavement of 1.4M which is restricted by the light column at my house which is wheelchair unfriendly given its narrowness when you take into account the light column. I intend to help the situation by giving 60CM of my land to the pavement and pay for the light column to be moved to a move convenient location. Giving wheelchairs more ability to move along the section. I will be improving pavement safety in the location substantially. Currently I am in good health but I wish it noted that this is not even being considered. That an inhabitant of the house may need to use a wheelchair and all the risk factors of getting across the road and along the narrow pavement with a wheelchair have just been ignored. A house with a visibility splay in keeping with current road safety

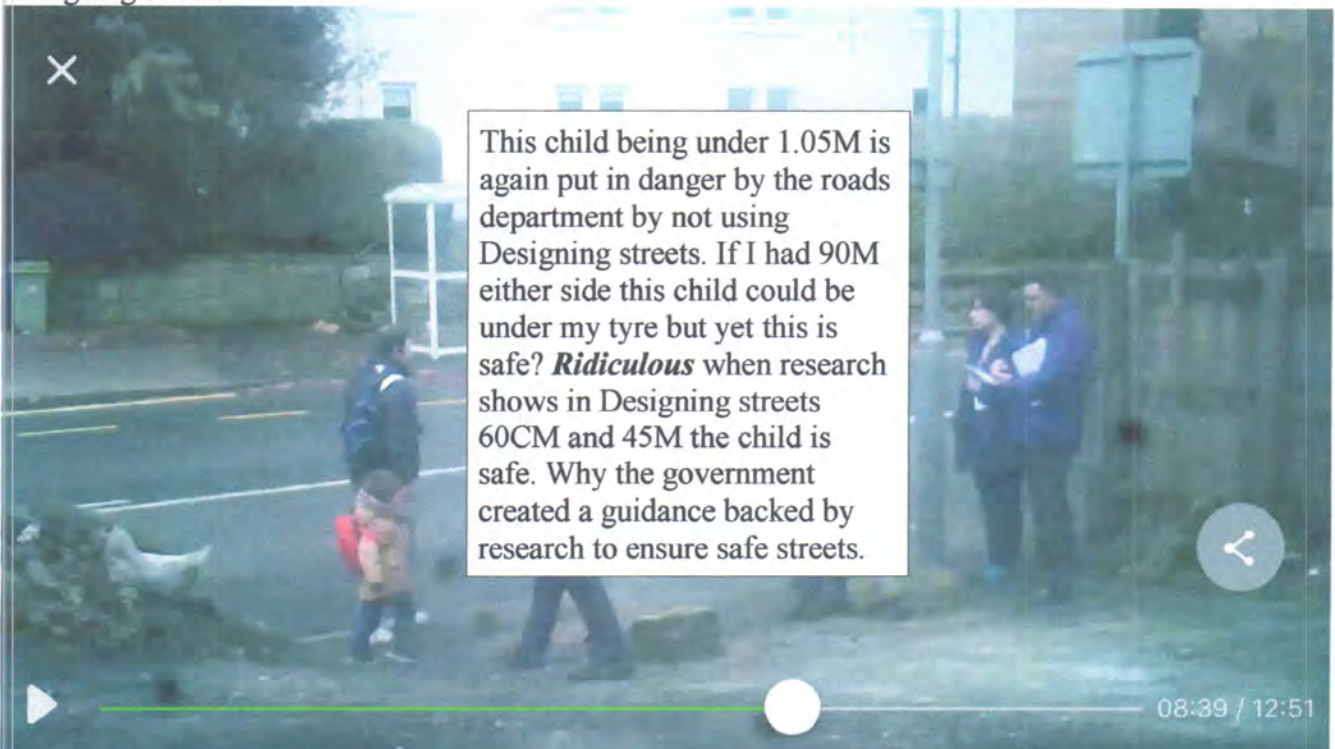
guidance and safer in a residential area, than those provided by the roads department, would be reasonable that this drive be accepted.

Infrastructure currently in my visibility splay

Infrastructure at the house which blocks the visibility splay I have had discussions with Mr Adams of road and lighting and he has advised that he is happy to move what is needed as long as I am willing to pay for such a move. This I am more than happy to do and I would be happy to have that as a condition of approval.

Roads visibility splay figures are incompatible with a residential area.

I wish to show with a couple of pictures why this is a residential area and why applying road standards in a residential area is unsafe. Why Designing streets fixes this and why my visibility is safe and fits in with best practice and current safety guidance in the document. During the time the councilors visited my house on the 7th Of November 2018 I recorded their visit as I was advised I could not attend. In this recording a number of people passed but the 2 pictures I am adding are those that children are put in danger from using old figure and wrongly classing the section as a road. It shows how in the 12 minute recording 2 children walked by my house who were under the 1.05M that roads classes as safe. Even though they would be missed out of the drivers visibility and potentially killed. This is in the space of a 12 minute video during the councilors visit. This issue is resolved by following current guidance and Designing streets.



This picture and one on the page opposite both children would be safe with Designing streets and not be in danger as unlike roads figures, Designing streets was created with research. Best practice and current guidance state that to ensure we see these children the vertical visibility splay is set to 60CM not the dangerous 1.05M. Again it also sets a horizontal visibility splay of 43M in a 30MPH zone. So given best practice and current guidance shows my visibility is safe. My drive way should be approved.



Lastly so we can see how in a residential area the figures provided by the roads department for a safe visibility is absolutely absurd of course the horizontal is dangerous but lets now look at the vertical figure of 90M. Few if any Junction or house on East Kilbride road meets this figure not even the ones planing accepted in 2017 and 2016 on East Kilbride Road which were far short of the 90M and even less than the national guidelines. Lets think for a moment though what the figures are. They are saying for a drive way to be safe it needs 90M or equivalent to a football field either side. Of course this is not the case and the figures were arbitrarily chosen not researched and confirmed as was Designing streets which says this should be 43M. Roads have tried to suggest 45M is too short but yet not many junctions or houses on East Kilbride road even come close to my 45M visibility splay. Designing streets would say my drive way is safe as would almost all the junctions and houses which have a drive way visibility splay similar or less than mine with no issues which is most of the Junctions and houses on East Kilbride road. You would be hard pushed to find even one with 90M either side. I meet and surpass the proper researched national guidance on visibility splay called Designing streets.

The Fence which boundaries the pavement and was a concern in the previous local review has been removed under permitted development to allow a 2M section of pavement to run from bus stop area to 10M in front on my house. I am giving 60CM of my land to improve the pavement safety to allow the creation of a 2M pavement as with the light column the pavement goes down to 1.1M before I start to improve the area. 1.1M Pavement is in itself dangerous and not wheelchair friendly or allow more than 1 pedestrian walking together but resolved with my proposal.

My Drive way follows the National Road Development guide and more specifically Designing streets. I meet and surpass current guidance. My drive way is **safe**

I would like to add this statement to my planning review with the diagrams inside to confirm each point but before I do I would like to answer a few points raised by the roads department:

Firstly The 2.5 by 90M I will explain in my statement why this is not for a residential area

Secondly I have advised the roads department that last review my refuge collection is from Printerland,

Thirdly As there is no other access close it surely confirms that any movement out of the drive only needs focus on the road and not have to focus on access to the road by other accesses as well. But no houses exist close by which would be the reason.

Fourth I am unsure the 90M over someone's land the road department mentions as my diagrams I presented don't show 90M but 46M and 45M and these don't go over anyone's land, 90M is not required and does not add anything to the safety of a drive way. Every driveway on East Kilbride road and the National road development guide confirms this as I will explain.

Visibility Splay

Firstly : we have come to a place where roads are classing a road with substantial residential context as a road which is not in keeping with the national guidance on road development. The visibility splay the roads department applied to the driver way application is unsafe for children of 1.05M which would be common in a residential area and is common on the section of East Kilbride road. This is evident in the vertical height being too high and meaning anything lower than 1.05M which are children to the age of 4-5 years would be missed in this requirement. Why Designing streets suggests a more appropriate visibility splay in a residential area on all roads, streets, drives etc regardless of traffic flow.

Secondly : Designing streets used in the national road development guide would class East Kilbride road as a street and set a safe vertical visibility of 60CM which ensures all children are seen as a child will be higher than this height at 4 months. Definitely not walking independently. Table from Designing streets below and also how to measure the visibility splay on next page.

Source: TRL Report No. 332¹¹ and TRL Report No. 661¹².

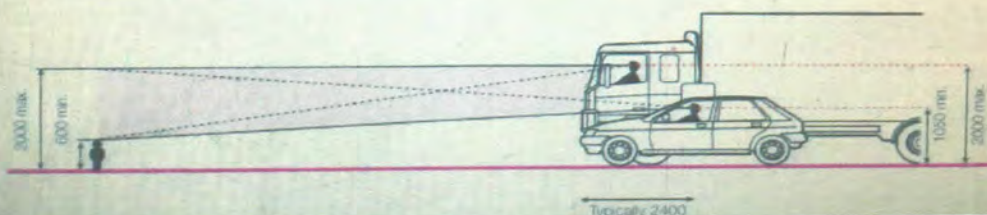
Speed	kilometres per hour	16	20	24	25	30	32	40	45	48	50	60
	Miles per hour	10	12	15	16	19	20	25	28	30	31	37
SSD (metres)	9	12	15	16	20	22	31	36	40	43	56	
SSD adjusted for bonnet length	11	14	17	18	23	25	33	39	43	45	59	

Visibility requirements

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

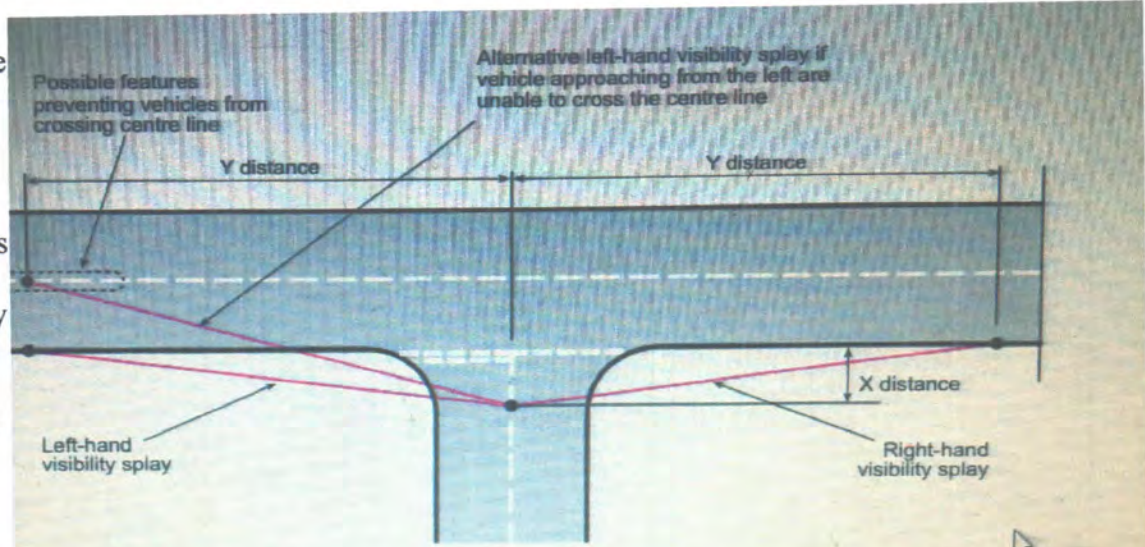
Using plan views of proposed layouts, checks for visibility in the horizontal plane ensure that views are not obstructed by vertical obstructions.

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



This Column

Solid Double White Line formation at the center line makes it illegal to overtake. You can still cross this into a junction or driveway. There is none close so cars should not under any circumstances cross this double white line formation. This means I have a visibility splay of 45M.



X and Y distances

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

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

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

The Y distance should be based on values for SSD.

Thirdly Despite the classification of the section wrongly it is hard to understand how a drive way can be classed as unsafe due to visibility splay when it surpasses the national guidelines for a drive way in a 30MPH zone. Given Visibility splay is based on road speed which I have tested and is fully known how can the road being existing or under construction change the reaction time, cars breaking time and observation time. The road can't change theses items. Also having a number of cars on the road prior to your car does not affect these parameters. The only thing that can affect the visibility splay is the speed of the car. So given the speed of the road is fully known which was done in a speed check it is near impossible to say that the visibility splay which conforms to higher than that guided by Designing streets is unsafe. Unless you are saying that the Scottish government wasted their time and created a dangerous visibility splay. Which would be a ridiculous argument to make. The visibility splay in Designing streets was created with research the one given by roads in their consultation was arbitrary figures not backed by any hard facts.

Right Turns

The bus stop opposite my house has a lay by which is 2.5M which is short by 1.1M of a minimum standard bus stop lay by please see picture on next page. A lay by should allow the whole bus out of the way of traffic. This lay by is too narrow to do so. This means that when a bus stops to pick up passengers opposite my house depending on the traffic behind it the bus randomly stops traffic on East Kilbride road. This means that depending on the flow of traffic the bus halts traffic and the next car after the bus will be in the same place as a right turn into my drive way and the time the bus is picking up passengers is enough time for a car to drive into the drive way. This occurs randomly daily on East Kilbride road. Using a web site to check car accidents on the road opposite my house to gauge if this

causes accidents it was revealed looking back 10 years that 0 accidents occurred opposite my house while the bus stopped traffic.



Desirable in designing streets the bend is a natural speed limiter

The speed of the cars after the bend given the shape of the bend is a lot under 25MPH. The bend has a calculated max speed using mathematical modeling of 25MPH. If you wish to test this in practical terms I would ask you to drive your car round this bend at speeds greater than 25MPH. You will experience side forces which will make you hit your brake. If you fail to do so you will see your car move over the double white line formation onto oncoming traffic. This means that people drive slowly round the corner or they brake while going round the corner. Both make this section very safe as a natural speed limiter. In a speed test 50M away from the bend at my drive way it was noted that cars only managed to recover to a speed of 28.7MPH and as this test was done in a heat wave the figure expected to be more 26.2MPH. Cars after a restriction in speed tend to accelerate back to the speed limit which would mean a figure of 20MPH at the bend seems more appropriate which will account for the safety of the section.

Other sections to note

I would ask you to take a right turn at the B759 a little along East Kilbride Road. This has a visibility splay of about half that proposed by my drive way. This is disputed by the roads department as wrong so I would ask you to look at the picture or sit at the junction and you will see my figure is correct. When you sit at the junction to execute a right turn over the double white line formation I ask you to appreciate that the visibility splay I offer is more than double this but you, I will assume, will execute the right turn with little or no trouble. It is not really a desirable visibility splay and not in keeping with current guidance but it is not strikingly dangerous. Yet the same section of road should have a visibility splay of over 4 times this at 90M to be safe. Somewhat ridiculous to suggest that 90m is required given the shortness of the visibility splay at the B759. Which carries substantially more vehicles than a single family home. If the section was indeed dangerous under public safety the roads department has a duty to close this junction under public safety. Note when you do this maneuver my drive way has more than double the visibility splay of this junction. I am enclosing a picture to show the visibility splay.



Number of movements a day

I also wish to note that the number of movements my drive way would execute in a day. For a single family home it is in the order of **15** movements a day. This mean that my drive way would have the most **miniscule** effect on East Kilbride road. Its a residential house with 2 cars. Its almost comical to suggest that the 2 cars would have any real impact on east kilbride road. Any impact that would occur from a car leaving the house would be fleeting if at all. There has already been 2 approved alterations of a full drive way and enlargement of an openings on East Kilbride road in 2017 and 2016. All with horizontal visibility splays considerably less than my figure of 45M either way. I at least surpass National guidance.

No parking and wheelchair access,

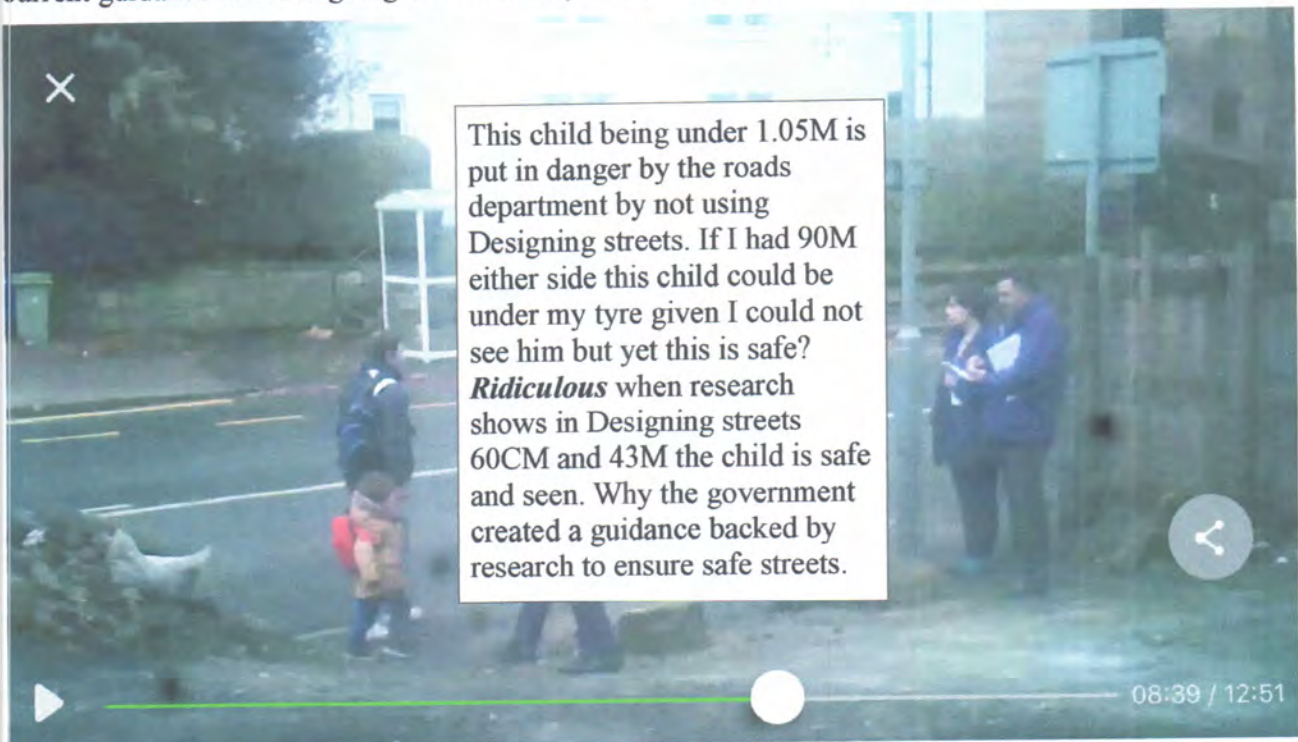
There is limited parking within the area which can be obtained across the road if the area opposite is not full. The scheme beside mine is Printerland states for residents only. Although of course the argument that in theory parking on private land in Scotland cant be restricted especially as there is no bay allocation or permits but it is unfair to have my cars impose themselves on their area especially when parking there is also full. So there is no parking in the area for the house. For wheel chair access there is no provisions and only a narrow pavement of 1.4M which is restricted by the light column at my house which is wheelchair unfriendly given its narrowness when you take into account the light column. I intend to help the situation by giving 60CM of my land to the pavement and pay for the light column to be moved to a more convenient location. As well as other infrastructure required to be moved. Giving wheelchairs more ability to move along the section. I will be improving pavement safety in the location substantially. Currently I am in good health but I wish it noted that this is not even being considered. That an inhabitant of the house may need to use a wheelchair and all the risk factors of getting across the road and along the narrow pavement with a wheelchair have just been ignored. A house with a visibility splay in keeping with current road safety guidance and safer in a residential area, than those provided by the roads department, would be reasonable that this drive be accepted.

Infrastructure currently in my visibility splay

Infrastructure at the house which blocks the visibility splay I have had discussions with Mr Adams of road and lighting and he has advised that he is happy to move what is needed as long as I am willing to pay for such a move. This I am more than happy to do and I would be happy to have that as a condition of approval.

The Road department's visibility splay figures are incompatible with a residential area.

I wish to show with a couple of pictures why this is a residential area and why applying road standards in a residential area is unsafe. Why Designing streets fixes this and why my visibility is safe and fits in with best practice and current safety guidance in the document. During the time the councilors visited my house on the 7th Of November 2018 I recorded their visit as I was advised I could not attend. In this recording a number of people passed but the 2 pictures I am adding are those that children are put in danger from using old figures and wrongly classing the section as a road. It shows how in the 12 minute recording 2 children walked by my house who were under the 1.05M that the road department classes as safe. Even though they would be missed out of the drivers visibility and potentially killed. This is in the space of a 12 minute video during the councilors visit. This issue is resolved by following current guidance and Designing streets. Safety is more important than classification.



This picture and one on the page opposite both children would be safe with Designing streets and not be in danger. Designing streets was created with research. Best practice and current guidance state that to ensure we see these children the vertical visibility splay is set to 60CM not the dangerous 1.05M. Again it also sets a horizontal visibility splay of 43M in a 30MPH zone. To achieve the 60CM vertical visibility I will be bringing my boundary wall to 50CM and removing all permitted development rights so it can't be changed in perpetuity. So given best practice and current guidance shows my visibility is safe. My drive way should be approved.

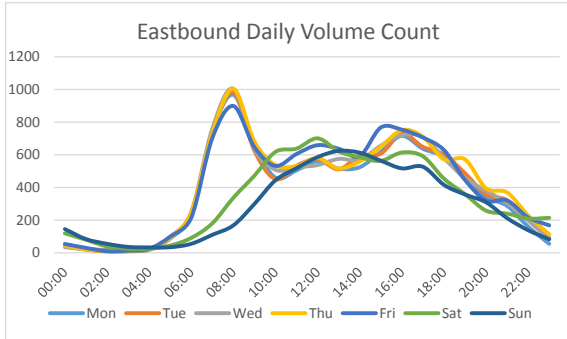


Lastly so we can see how in a residential area the figures provided by the roads department for a safe visibility is wrong. The vertical is dangerous by virtue that for a residential area 1.05M misses children which is common in residential areas. That alone should be enough to confirm that my visibility is safe or if you wish Designing streets the national guidance is safe but let's now look at the horizontal figure of 90M. Yes this is the size of a football pitch. For a driveway to be safe if we are to believe the road departments figure in their consultation for this planning application a drive way needs a clear section of road of 180M with the drive in the middle. I wonder if there is **any** drive ways on East kilbride road with this figure looking at East Kilbride road it is a winding road so the probability is there are **none, I certainly cant see even one**. I know for sure the two proposals that were approved on East Kilbride road in 2017 and 2016 did not have a visibility splay of horizontal 90M. I provided 65 East Kilbride roads visibility splay. It was in line with the B759 at 20M. Just walk along to 65 East Kilbride road and look for yourself. I would say most visibility splay on East Kilbride road is 45M or less. I have more visibility splay than most drive ways. So the idea that 90M is needed to be safe not only disagrees with the national guidance but also is shown false just by looking at what's already on East Kilbride road.

The Fence which boundaries the pavement and was a concern in the previous local review and had councilor split in the middle as to get clarification on the fence. I would advice the fence has been removed under permitted development. It boundaries the pavement by 60CM and I removed this so the pavement can have a straight run from before where the fence was to 10M in front of my house to give a 2M pavement along my frontage and allow for a set back 2.4M visibility splay.

My Drive way follows the National Road Development guide and more specifically Designing streets. I meet and surpass current guidance and best practice as I hope I have shown and the figures the road department provides are not for a residential area as I also hope I have demonstrated. All aspects of my drive way are confirmed as safe with research given in Designing streets who's visibility splay was created with research showing how speed limiters such as I have give benefit and are a key part to the research in Designing streets. I would ask that my drive be approved with the condition that I understand will be required to ensure the visibility such as a restriction on permitted development height on the wall and the 60CM I give to the pavement to create a 2M pavement in front of my house I fully understand if I need to gift this to the council so it can be joined to the pavement and councils property if this is not possible as I am unsure what can be placed as a condition. The removal of permitted development rights and that I need to level this bit of ground to the pavement level would be allow this to be joined to the pavement and not changed. Either way I will level the 60CM bit of land and prepare it to be part of the pavement. The last condition I accept will be needed is a condition to move items in my visibility splay. Mr Adams of roads and lighting is waiting for my call to start the process. I would ask the councilors approve my drive way with the mentioned conditions.

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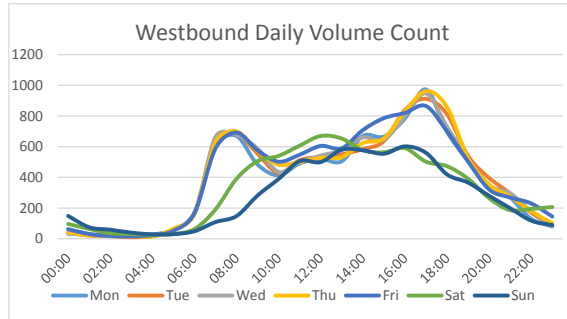
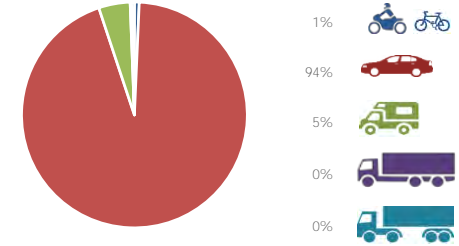


Direction	7-Day Average Speed	7-Day 85th %ile Speed
Eastbound	26.2	29.8
Westbound	24.2	28.7
Combined	25.2	29.3

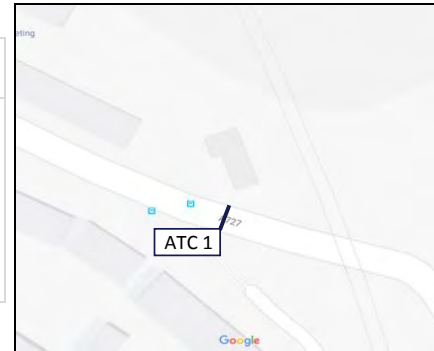
30 mph mph

On a 7-day average		
13.9%	1.4%	0.0%
7.6%	0.6%	0.0%
10.8%	1.0%	0.0%
of vehicles are travelling over posted speed limit (PSL)	of vehicles are traveling 10% +2 over PSL (35mph)	of vehicles are 15mph over PSL (45mph)

Traffic Composition by Class - Total Surveyed Vehicles



Direction	Weekday Average Total Traffic	7-Day Average Traffic	Weekday Traffic Total
Eastbound	9674	9053.9	63377
Westbound	9543	8897	62279
Combined	19217	17951	125656

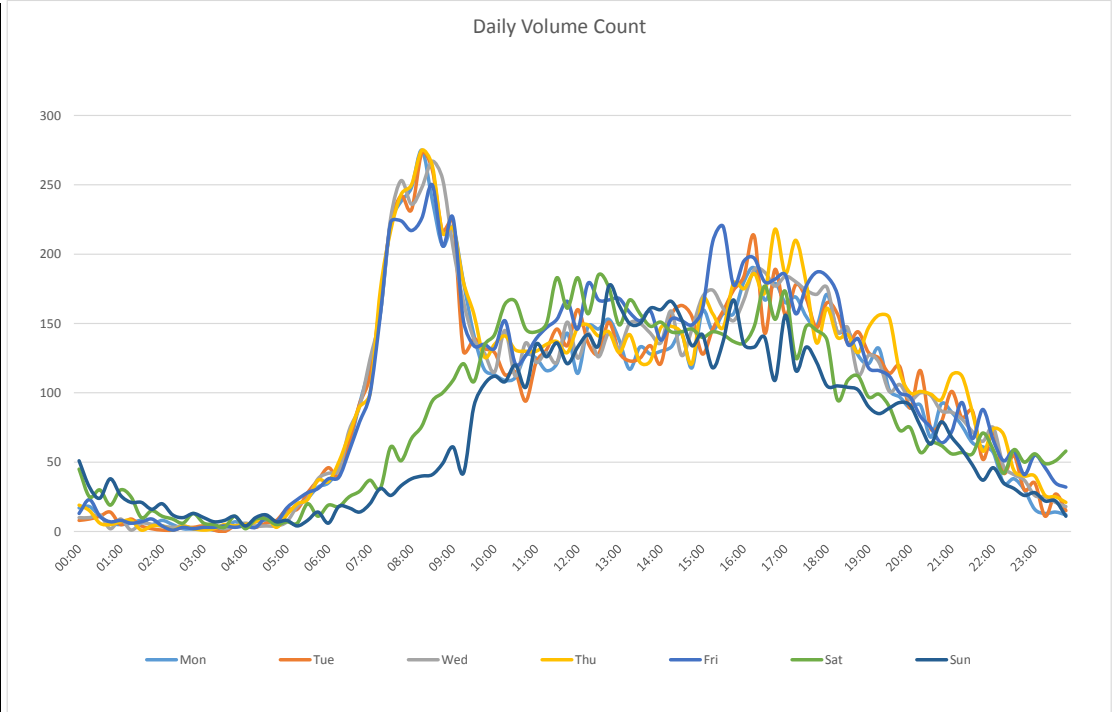


Incidents/Observations
No incidents or observations during the survey period.

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Eastbound ▼

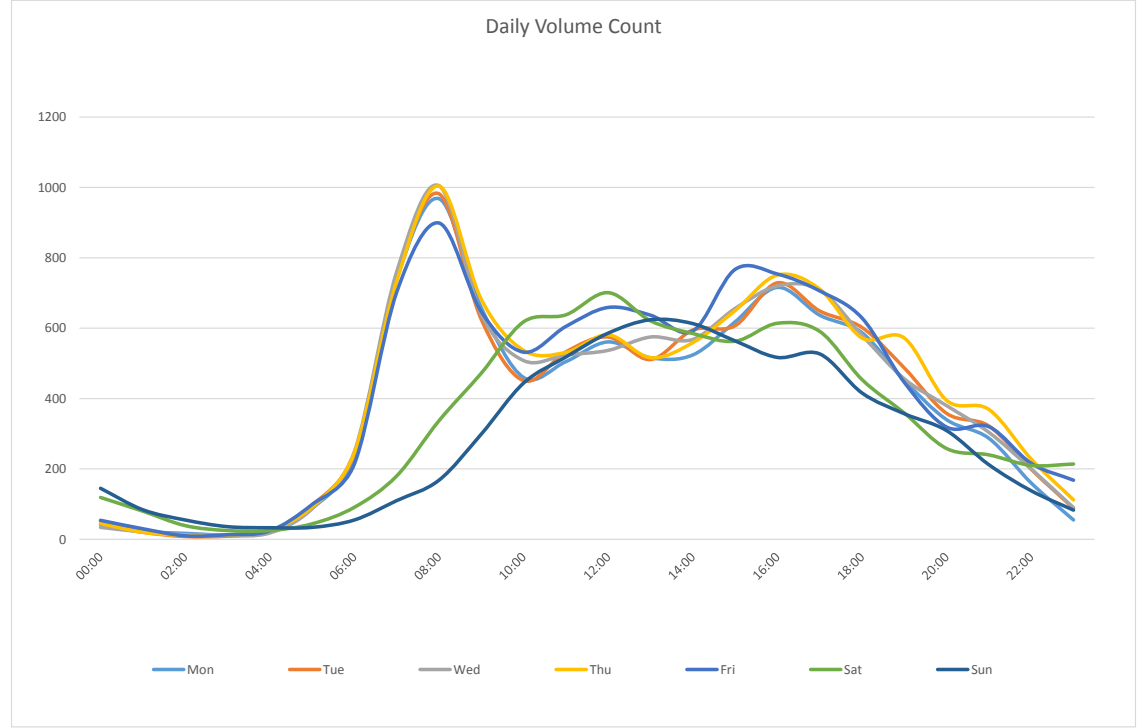
Time	Eastbound							5 Day Avg	7 Day Avg
	Mon 04-Jun	Tue 05-Jun	Wed 06-Jun	Thu 07-Jun	Fri 08-Jun	Sat 09-Jun	Sun 10-Jun		
00:00	17	8	10	19	13	45	51	13	23
00:15	18	9	10	15	23	25	32	15	19
00:30	11	11	12	6	11	30	24	10	15
00:45	6	14	2	5	7	19	38	7	13
01:00	5	5	9	7	8	30	26	7	13
01:15	6	9	1	8	6	25	21	6	11
01:30	8	4	6	1	7	10	21	5	8
01:45	5	2	5	4	9	15	16	5	8
02:00	8	1	4	4	4	11	20	4	7
02:15	5	1	3	1	1	9	12	2	5
02:30	2	3	4	4	3	6	10	3	5
02:45	2	3	2	2	2	13	13	2	5
03:00	3	4	2	1	3	6	10	3	4
03:15	1	1	4	2	3	5	7	2	3
03:30	2	0	2	5	4	3	8	3	3
03:45	7	4	4	4	3	11	11	4	6
04:00	4	4	6	5	4	2	4	5	4
04:15	7	3	4	7	3	9	10	5	6
04:30	8	6	4	11	10	9	12	8	9
04:45	6	8	4	3	7	5	7	6	6
05:00	13	16	7	12	17	7	8	13	11
05:15	19	16	18	20	23	6	4	19	15
05:30	24	28	24	23	28	20	8	25	22
05:45	32	37	38	37	31	11	14	35	29
06:00	35	46	42	36	38	19	6	39	32
06:15	45	40	44	50	39	18	18	44	36
06:30	62	65	73	70	58	25	17	66	53
06:45	92	92	90	90	79	29	14	89	69
07:00	120	112	124	99	99	37	20	111	87
07:15	157	166	157	174	156	31	31	162	125
07:30	223	222	226	217	223	61	26	222	171
07:45	238	242	253	243	224	51	33	240	183
08:00	248	232	236	250	217	67	38	237	184
08:15	275	273	248	275	226	76	40	259	202
08:30	239	261	267	264	250	94	41	256	202
08:45	206	216	254	215	206	100	49	219	178
09:00	219	224	205	219	226	109	61	219	180
09:15	180	130	166	180	152	121	42	162	139
09:30	142	139	139	157	134	108	90	142	130
09:45	117	132	129	126	135	134	106	128	126
10:00	113	129	115	135	132	142	112	125	125
10:15	109	113	145	141	152	164	108	132	133
10:30	111	115	112	131	121	166	120	118	125



10:45	127	94	136	130	127	146	104	123	123
11:00	125	122	122	130	139	144	135	128	131
11:15	116	131	129	135	147	150	126	132	133
11:30	121	146	122	137	153	183	136	136	143
11:45	143	134	151	129	166	161	121	145	144
12:00	114	160	125	147	146	183	133	138	144
12:15	148	136	143	149	179	157	142	151	151
12:30	146	128	126	141	167	185	134	142	147
12:45	153	151	143	144	167	176	177	152	159
13:00	138	129	132	129	168	149	163	139	144
13:15	117	123	150	142	158	167	150	138	144
13:30	133	125	150	122	152	157	150	136	141
13:45	128	134	143	123	159	148	161	137	142
14:00	130	121	136	147	138	151	160	134	140
14:15	133	156	159	148	153	144	166	150	151
14:30	143	163	127	143	152	144	153	146	146
14:45	118	155	146	121	149	146	134	138	138
15:00	159	128	169	167	160	140	142	157	152
15:15	145	146	174	157	209	144	118	166	156
15:30	157	159	161	147	220	142	137	169	160
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16:00	180	184	167	175	195	136	135	180	167
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16:30	167	143	187	172	180	177	140	170	167
16:45	179	189	177	218	182	153	109	189	172
17:00	165	156	184	186	185	173	156	175	172
17:15	169	178	180	210	157	125	116	179	162
17:30	155	168	174	179	177	148	133	171	162
17:45	148	147	171	136	187	145	122	158	151
18:00	171	165	176	161	184	138	105	171	157
18:15	144	157	144	140	171	95	105	151	137
18:30	145	136	147	142	135	109	104	141	131
18:45	127	144	113	129	139	112	102	130	124
19:00	121	129	127	147	118	97	90	128	118
19:15	132	125	122	156	116	99	85	130	119
19:30	102	114	101	154	112	90	89	117	109
19:45	97	119	106	115	100	73	93	107	100
20:00	89	89	95	100	97	75	91	94	91
20:15	91	116	100	101	83	57	76	98	89
20:30	68	74	98	99	75	64	63	83	77
20:45	92	79	87	95	64	62	79	83	80
21:00	86	101	86	113	72	56	68	92	83
21:15	76	82	81	112	93	57	59	89	80
21:30	64	87	72	86	67	56	48	75	69
21:45	61	52	65	58	88	71	37	65	62
22:00	57	72	75	74	66	59	46	69	64
22:15	35	42	47	70	51	42	35	49	46
22:30	38	55	41	44	58	59	31	47	47
22:45	30	30	37	40	41	50	26	36	36
23:00	16	35	26	40	55	56	28	34	37
23:15	13	11	25	26	46	49	22	24	27
23:30	14	27	21	25	35	51	22	24	28
23:45	12	15	18	21	32	58	11	20	24
07-19	7488	7601	7781	7827	8129	6374	5386	7765	7227
06-22	8801	9011	9170	9409	9428	7322	6319	9164	8494
06-00	9016	9298	9460	9749	9812	7746	6540	9467	8803
00-00	9235	9495	9645	9955	10042	8078	6927	9674	9054

Eastbound ▼

Time	Eastbound							5 Day Avg	7 Day Avg
	Mon 04-Jun	Tue 05-Jun	Wed 06-Jun	Thu 07-Jun	Fri 08-Jun	Sat 09-Jun	Sun 10-Jun		
00:00	52	42	34	45	54	119	145	45	70
01:00	24	20	21	20	30	80	84	23	40
02:00	17	8	13	11	10	39	55	12	22
03:00	13	9	12	12	13	25	36	12	17
04:00	25	21	18	26	24	25	33	23	25
05:00	88	97	87	92	99	44	34	93	77
06:00	234	243	249	246	214	91	55	237	190
07:00	738	742	760	733	702	180	110	735	566
08:00	968	982	1005	1004	899	337	168	972	766
09:00	658	625	639	682	647	472	299	650	575
10:00	460	451	508	537	532	618	444	498	507
11:00	505	533	524	531	605	638	518	540	551
12:00	561	575	537	581	659	701	586	583	600
13:00	516	511	575	516	637	621	624	551	571
14:00	524	595	568	559	592	585	613	568	577
15:00	618	607	656	650	767	563	564	660	632
16:00	716	729	720	751	754	614	517	734	686
17:00	637	649	709	711	706	591	527	682	647
18:00	587	602	580	572	629	454	416	594	549
19:00	452	487	456	572	446	359	357	483	447
20:00	340	358	380	395	319	258	309	358	337
21:00	287	322	304	369	320	240	212	320	293
22:00	160	199	200	228	216	210	138	201	193
23:00	55	88	90	112	168	214	83	103	116
07-19	7488	7601	7781	7827	8129	6374	5386	7765	7227
06-22	8801	9011	9170	9409	9428	7322	6319	9164	8494
06-00	9016	9298	9460	9749	9812	7746	6540	9467	8803
00-00	9235	9495	9645	9955	10042	8078	6927	9674	9054



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

Monday ▼ Eastbound ▼

Eastbound
Classes

Total	1	2	3	4	5	6	7	8	9	10	11	12
04-Jun												
00:00	17	0	14	0	3	0	0	0	0	0	0	0
00:15	18	0	15	0	3	0	0	0	0	0	0	0
00:30	11	0	10	0	1	0	0	0	0	0	0	0
00:45	6	0	6	0	0	0	0	0	0	0	0	0
01:00	5	0	5	0	0	0	0	0	0	0	0	0
01:15	6	0	6	0	0	0	0	0	0	0	0	0
01:30	8	0	7	0	1	0	0	0	0	0	0	0
01:45	5	0	5	0	0	0	0	0	0	0	0	0
02:00	8	0	8	0	0	0	0	0	0	0	0	0
02:15	5	0	4	0	1	0	0	0	0	0	0	0
02:30	2	0	2	0	0	0	0	0	0	0	0	0
02:45	2	0	2	0	0	0	0	0	0	0	0	0
03:00	3	0	3	0	0	0	0	0	0	0	0	0
03:15	1	0	1	0	0	0	0	0	0	0	0	0
03:30	2	0	2	0	0	0	0	0	0	0	0	0
03:45	7	1	6	0	0	0	0	0	0	0	0	0
04:00	4	0	4	0	0	0	0	0	0	0	0	0
04:15	7	0	6	0	1	0	0	0	0	0	0	0
04:30	8	0	8	0	0	0	0	0	0	0	0	0
04:45	6	0	5	0	1	0	0	0	0	0	0	0
05:00	13	0	13	0	0	0	0	0	0	0	0	0
05:15	19	1	14	0	2	1	1	0	0	0	0	0
05:30	24	0	20	0	3	1	0	0	0	0	0	0
05:45	32	0	28	0	4	0	0	0	0	0	0	0
06:00	35	0	31	0	4	0	0	0	0	0	0	0
06:15	45	1	42	0	2	0	0	0	0	0	0	0
06:30	62	0	55	0	5	1	0	0	1	0	0	0
06:45	92	0	86	0	5	0	0	1	0	0	0	0
07:00	120	2	111	0	7	0	0	0	0	0	0	0
07:15	157	0	150	0	6	0	0	0	1	0	0	0
07:30	223	0	213	0	9	0	0	1	0	0	0	0
07:45	238	1	220	2	14	1	0	0	0	0	0	0
08:00	248	0	233	1	13	0	0	1	0	0	0	0
08:15	275	2	254	3	13	0	2	0	0	1	0	0

ARX Classification Scheme					
Class No.	No. Axles	Axle Groups	Description	Aggregate	Vehicle Example
1	2	1 or 2	Very Short - Bicycle or Motorcycle	Light	
2	2	1 or 2	Short - Car, 4WD or Light Van		
3	3/4/5	3	Short Towing - Trailer, Caravan etc.		
4	2	2	2-Axle Truck or Bus	Medium	
5	3	2	3-Axle Truck or Bus		
6	>3	2	4-Axle Truck		
7	3	3	3-Axle Articulated Vehicle or Rigid Vehicle & Trailer	Heavy	
8	4	>2	4-Axle Articulated Vehicle or Rigid Vehicle & Trailer		
9	5	>2	5-Axle Articulated Vehicle or Rigid Vehicle & Trailer		
10	>=6	>2	6 (or more) Axle Articulated Vehicle or Rigid Vehicle & Trailer		
11	>6	4	B-Double or Heavy Truck & Trailer		
12	>6	>=5	Double or Triple Heavy Truck & 2 (or more) Trailers		

08:30	239	1	223	1	12	0	1	0	1	0	0	0
08:45	206	1	197	0	7	1	0	0	0	0	0	0
09:00	219	1	208	2	7	0	0	0	1	0	0	0
09:15	180	0	166	4	10	0	0	0	0	0	0	0
09:30	142	0	135	0	7	0	0	0	0	0	0	0
09:45	117	0	109	0	8	0	0	0	0	0	0	0
10:00	113	2	102	0	9	0	0	0	0	0	0	0
10:15	109	0	98	0	9	0	1	0	1	0	0	0
10:30	111	0	95	0	14	0	1	0	1	0	0	0
10:45	127	1	112	0	13	0	0	0	0	1	0	0
11:00	125	0	116	0	9	0	0	0	0	0	0	0
11:15	116	0	107	1	8	0	0	0	0	0	0	0
11:30	121	1	107	0	13	0	0	0	0	0	0	0
11:45	143	0	134	0	9	0	0	0	0	0	0	0
12:00	114	1	105	0	8	0	0	0	0	0	0	0
12:15	148	1	136	0	9	0	1	1	0	0	0	0
12:30	146	0	134	1	9	2	0	0	0	0	0	0
12:45	153	2	138	1	11	1	0	0	0	0	0	0
13:00	138	1	127	0	10	0	0	0	0	0	0	0
13:15	117	0	107	1	9	0	0	0	0	0	0	0
13:30	133	1	124	1	6	0	0	0	1	0	0	0
13:45	128	0	115	0	12	0	1	0	0	0	0	0
14:00	130	0	124	1	4	0	0	0	1	0	0	0
14:15	133	0	121	1	11	0	0	0	0	0	0	0
14:30	143	0	129	2	11	0	1	0	0	0	0	0
14:45	118	0	113	0	5	0	0	0	0	0	0	0
15:00	159	0	147	0	12	0	0	0	0	0	0	0
15:15	145	1	136	0	8	0	0	0	0	0	0	0
15:30	157	0	148	0	8	0	0	0	0	1	0	0
15:45	157	1	142	1	13	0	0	0	0	0	0	0
16:00	180	2	169	0	8	0	1	0	0	0	0	0
16:15	190	0	173	0	17	0	0	0	0	0	0	0
16:30	167	1	156	0	9	0	1	0	0	0	0	0
16:45	179	1	166	2	8	1	1	0	0	0	0	0
17:00	165	1	159	0	5	0	0	0	0	0	0	0
17:15	169	0	159	0	9	1	0	0	0	0	0	0
17:30	155	1	151	0	3	0	0	0	0	0	0	0
17:45	148	0	141	1	6	0	0	0	0	0	0	0
18:00	171	0	163	1	6	0	1	0	0	0	0	0
18:15	144	0	135	1	7	1	0	0	0	0	0	0
18:30	145	0	137	0	7	0	1	0	0	0	0	0
18:45	127	2	118	1	4	0	1	0	0	0	1	0
19:00	121	1	118	0	2	0	0	0	0	0	0	0
19:15	132	0	129	0	3	0	0	0	0	0	0	0
19:30	102	1	97	1	3	0	0	0	0	0	0	0
19:45	97	1	95	0	1	0	0	0	0	0	0	0
20:00	89	1	87	0	1	0	0	0	0	0	0	0
20:15	91	2	86	0	3	0	0	0	0	0	0	0
20:30	68	0	67	0	1	0	0	0	0	0	0	0

20:45	92	1	87	1	3	0	0	0	0	0	0	0	0
21:00	86	0	81	0	4	0	0	0	1	0	0	0	0
21:15	76	0	73	0	3	0	0	0	0	0	0	0	0
21:30	64	2	60	0	2	0	0	0	0	0	0	0	0
21:45	61	1	59	0	1	0	0	0	0	0	0	0	0
22:00	57	0	54	0	3	0	0	0	0	0	0	0	0
22:15	35	0	33	0	2	0	0	0	0	0	0	0	0
22:30	38	1	35	0	2	0	0	0	0	0	0	0	0
22:45	30	0	30	0	0	0	0	0	0	0	0	0	0
23:00	16	1	15	0	0	0	0	0	0	0	0	0	0
23:15	13	0	13	0	0	0	0	0	0	0	0	0	0
23:30	14	0	14	0	0	0	0	0	0	0	0	0	0
23:45	12	1	11	0	0	0	0	0	0	0	0	0	0
07-19	7488	28	6963	29	432	8	14	1	8	2	3	0	0
06-22	8801	39	8216	31	475	9	14	1	11	2	3	0	0
06-00	9016	42	8421	31	482	9	14	1	11	2	3	0	0
00-00	9235	44	8615	31	502	11	15	1	11	2	3	0	0

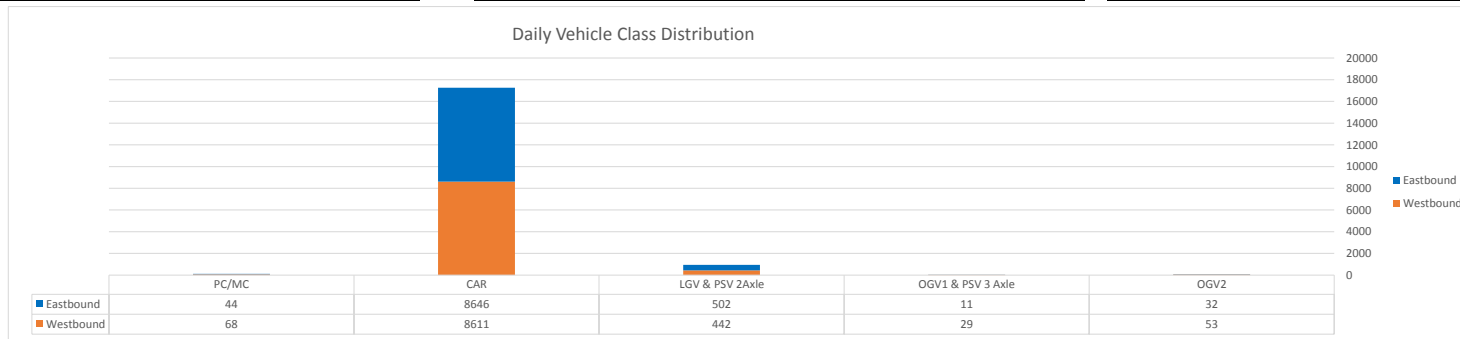
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Eastbound						
Day	PC/MC	CAR	LGV & PSV 2Axle	OGV1 & PSV 3 Axle	OGV2	Total
Monday	44	8646	502	11	32	9235
Tuesday	74	8888	498	12	23	9495
Wednesday	62	9057	487	15	23	9644
Thursday	63	9336	513	25	17	9954
Friday	62	9405	525	20	26	10038
Saturday	39	7758	254	7	19	8077
Sunday	45	6706	167	0	9	6927
5day	61	9066	505	17	24	9673
7day	60	8889	455	16	22	9053

Westbound						
Day	PC/MC	CAR	LGV & PSV 2Axle	OGV1 & PSV 3 Axle	OGV2	Total
Monday	68	8611	442	29	53	9203
Tuesday	84	8851	464	39	69	9507
Wednesday	73	8882	475	29	68	9527
Thursday	72	9005	473	34	72	9656
Friday	70	9167	490	26	66	9819
Saturday	58	7547	223	6	20	7854
Sunday	48	6506	145	2	10	6711
5day	73	8903	469	31	66	9542
7day	68	8367	387	24	51	8897

Combined						
Day	PC/MC	CAR	LGV & PSV 2Axle	OGV1 & PSV 3 Axle	OGV2	Total
Monday	112	17257	944	40	85	18438
Tuesday	158	17739	962	51	92	19002
Wednesday	135	17939	962	44	91	19171
Thursday	135	18341	986	59	89	19610
Friday	132	18572	1015	46	92	19857
Saturday	97	15305	477	13	39	15931
Sunday	93	13212	312	2	19	13638
5day	134	17970	974	48	90	19216
7day	123	16909	808	36	72	17950

Monday



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Monday

Eastbound

04-Jun Time	Total	Speed Ranges																		30		35		45		Avg	85th	95th	
		0-10	10-15	15-20	20-25	25-30	30-35	35-40	40-45	45-50	50-55	55-60	60-65	65-70	70-75	75-80	80-85	85-90	90-95	95-100	100+	>PSL	%	ACPO	%				DFT
00:00	52	0	1	0	6	27	14	4	0	0	0	0	0	0	0	0	0	0	0	0	18	35%	4	8%	0	0%	28.9	33.9	36.3
01:00	24	0	1	0	4	7	11	1	0	0	0	0	0	0	0	0	0	0	0	0	12	50%	1	4%	0	0%	29.0	33.9	35.2
02:00	17	1	0	0	2	7	4	2	1	0	0	0	0	0	0	0	0	0	0	0	7	41%	3	18%	0	0%	29.0	35.4	-
03:00	13	0	1	0	1	6	2	2	1	0	0	0	0	0	0	0	0	0	0	0	5	38%	3	23%	0	0%	29.2	36.3	-
04:00	25	0	0	0	1	5	13	5	1	0	0	0	0	0	0	0	0	0	0	0	19	76%	6	24%	0	0%	32.0	36.1	39.1
05:00	88	0	1	3	10	27	38	9	0	0	0	0	0	0	0	0	0	0	0	0	47	53%	9	10%	0	0%	29.5	34.0	36.6
06:00	234	0	3	6	16	116	80	10	3	0	0	0	0	0	0	0	0	0	0	0	93	40%	13	6%	0	0%	29.2	33.2	35.1
07:00	738	6	25	73	208	348	77	1	0	0	0	0	0	0	0	0	0	0	0	0	78	11%	1	0%	0	0%	25.0	29.4	31.3
08:00	968	4	31	120	388	395	30	0	0	0	0	0	0	0	0	0	0	0	0	0	30	3%	0	0%	0	0%	23.8	27.5	29.4
09:00	658	1	7	30	199	378	40	3	0	0	0	0	0	0	0	0	0	0	0	0	43	7%	3	0%	0	0%	25.7	28.8	30.4
10:00	460	0	5	30	116	246	61	2	0	0	0	0	0	0	0	0	0	0	0	0	63	14%	2	0%	0	0%	26.2	29.9	31.8
11:00	505	0	3	20	108	311	57	4	1	0	0	0	1	0	0	0	0	0	0	0	63	12%	6	1%	1	0%	26.7	29.8	31.9
12:00	561	0	8	15	148	338	49	0	3	0	0	0	0	0	0	0	0	0	0	0	52	9%	3	1%	0	0%	26.2	29.3	31.2
13:00	516	1	2	18	163	295	35	2	0	0	0	0	0	0	0	0	0	0	0	0	37	7%	2	0%	0	0%	25.8	28.8	30.9
14:00	524	0	3	8	150	304	58	1	0	0	0	0	0	0	0	0	0	0	0	0	59	11%	1	0%	0	0%	26.4	29.4	31.1
15:00	618	0	1	17	233	322	43	2	0	0	0	0	0	0	0	0	0	0	0	0	45	7%	2	0%	0	0%	25.6	28.6	30.5
16:00	716	2	8	60	244	327	65	9	1	0	0	0	0	0	0	0	0	0	0	0	75	10%	10	1%	0	0%	25.3	28.9	31.5
17:00	637	5	27	59	212	290	44	0	0	0	0	0	0	0	0	0	0	0	0	0	44	7%	0	0%	0	0%	24.4	28.4	30.5
18:00	587	1	5	32	147	319	78	5	0	0	0	0	0	0	0	0	0	0	0	0	83	14%	5	1%	0	0%	26.2	29.9	31.6
19:00	452	0	5	4	69	279	89	6	0	0	0	0	0	0	0	0	0	0	0	0	95	21%	6	1%	0	0%	27.7	30.4	32.3
20:00	340	0	1	15	56	189	71	7	0	1	0	0	0	0	0	0	0	0	0	0	79	23%	8	2%	1	0%	27.6	31.2	34.2
21:00	287	0	2	7	30	196	49	3	0	0	0	0	0	0	0	0	0	0	0	0	52	18%	3	1%	0	0%	27.5	30.3	31.8
22:00	460	1	1	6	28	78	36	9	1	0	0	0	0	0	0	0	0	0	0	0	46	29%	10	6%	0	0%	27.8	32.8	35.4
23:00	65	0	1	0	3	22	23	4	2	0	0	0	0	0	0	0	0	0	0	0	29	53%	6	11%	0	0%	30.2	34.0	38.3
07-19	7488	20	125	482	2316	3873	637	29	5	0	0	0	1	0	0	0	0	0	0	0	672	9%	35	0%	1	0%	25.5	29.0	31.0
06-22	8801	20	136	514	2487	4653	926	55	8	1	0	0	1	0	0	0	0	0	0	0	991	11%	65	1%	2	0%	25.8	29.5	31.5
06-00	9016	21	138	520	2518	4753	985	68	11	1	0	0	1	0	0	0	0	0	0	0	1066	12%	81	1%	2	0%	25.9	29.5	31.7
00-00	9235	22	142	523	2542	4832	1067	91	14	1	0	0	1	0	0	0	0	0	0	0	1174	13%	107	1%	2	0%	26.0	29.7	31.9

Abbreviations	
PSL	Posted Speed Limit
ACPO	Association of Chief Police Officers (Used to display the speed limit the police will generally enforce, 110% of PSL +2mph)
DFT	Department for Transport (Used to display a speed statistic used by the government looking at vehicles travelling over 15mph above the PSL)

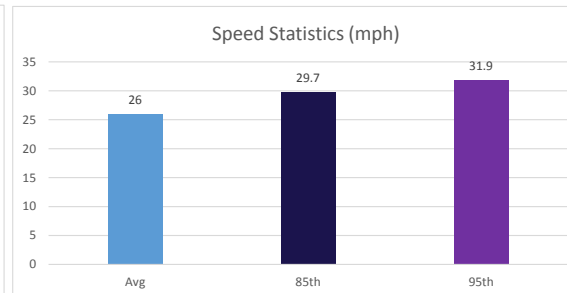
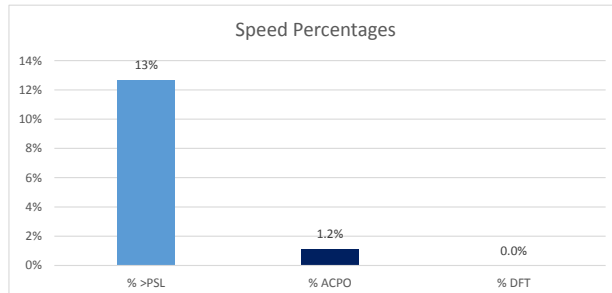
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Eastbound						
Day	Avg	85th	95th	% >PSL	% >ACPO	%>DFT
Monday	26	29.7	31.9	13%	1%	0.0%
Tuesday	25.8	29.6	31.9	13%	1%	0.0%
Wednesday	25.8	29.6	32	13%	1%	0.0%
Thursday	25.6	29.5	31.8	12%	1%	0.0%
Friday	26.1	29.5	32.1	12%	1%	0.0%
Saturday	26.9	30.3	32.7	18%	2%	0.0%
Sunday	27.3	30.6	32.9	19%	2%	0.0%
5day	25.9	29.6	32	12%	1%	0.0%
7day	26.2	29.8	32.2	14%	1%	0.0%

Westbound						
Day	Avg	85th	95th	% >PSL	% >ACPO	%>DFT
Monday	23.8	28.3	30.6	7%	1%	0.1%
Tuesday	23.2	28.4	30.6	7%	1%	0.0%
Wednesday	23.5	28.4	30.5	7%	0%	0.0%
Thursday	23.3	28.3	30.4	6%	0%	0.0%
Friday	24.2	28.5	30.5	7%	0%	0.0%
Saturday	26	29.3	31.3	10%	1%	0.0%
Sunday	26.4	29.5	31.7	11%	1%	0.0%
5day	23.6	28.4	30.5	7%	1%	0.0%
7day	24.2	28.7	30.8	8%	1%	0.0%

Combined						
Day	Avg	85th	95th	% >PSL	% >ACPO	%>DFT
Monday	24.9	29.1	31.3	10%	1%	0.0%
Tuesday	24.5	29.1	31.4	10%	1%	0.0%
Wednesday	24.6	29	31.4	10%	1%	0.0%
Thursday	24.5	28.9	31.2	9%	1%	0.0%
Friday	25.2	29.1	31.4	10%	1%	0.0%
Saturday	26.5	29.8	32.1	14%	1%	0.0%
Sunday	26.9	30.1	32.4	16%	1%	0.0%
5day	24.7	29	31.3	10%	1%	0.0%
7day	25.2	29	31.3	11%	1%	0.0%

Eastbound ▼
Monday ▼



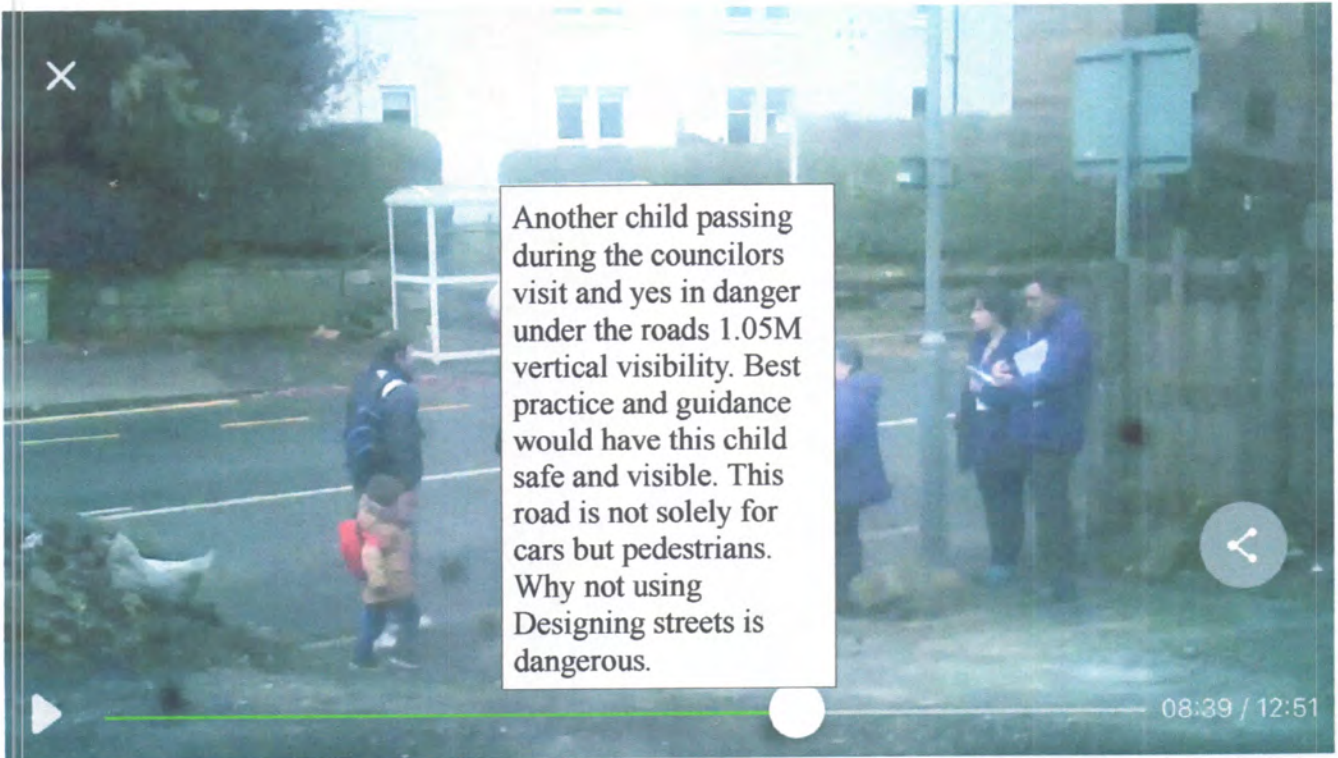
Abbreviations	
PSL	Posted Speed Limit
ACPO	Association of Chief Police Officers (Used to display the speed limit the police will generally enforce, 110% of PSL +2mph)
DFT	Department for Transport (Used to display a speed statistic used by the government looking at vehicles travelling over 15mph above the PSL)

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We should not make the mistake of calling the section a road.

The section outside my house is a residential area. It has substantial foot traffic. Which means it should have a visibility splay to accommodate this. While the councilors in a 12 minute recording of their visit to my house. A number of pedestrians passed but the three pictures are of those that had children or animals which were put in danger by a policy of not using the best advice for visibility splay using the most up to date research and best practice we have. 1.05M is just dangerous and 90M is just not required. Designing streets was created for a reason.

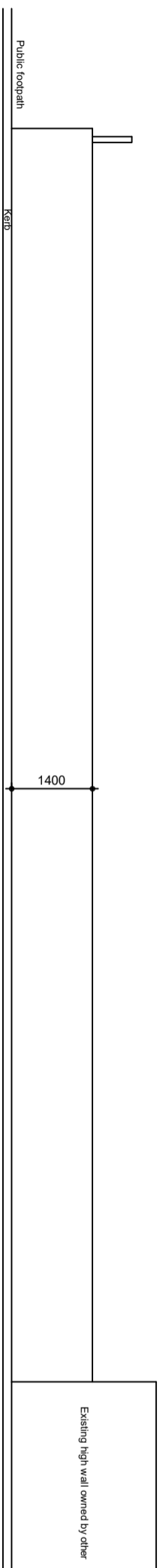




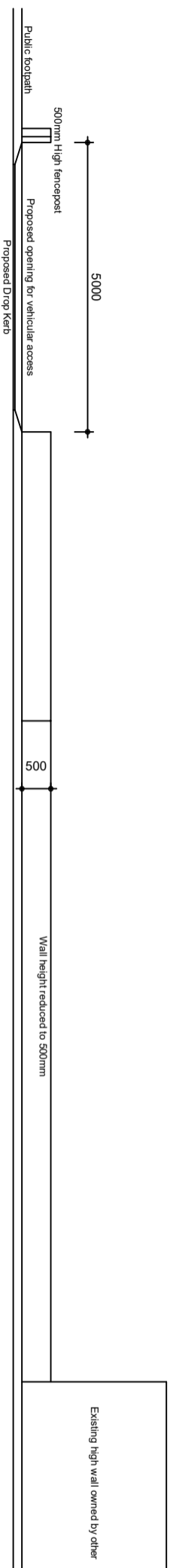
Firstly its obvious that the section has a number of pedestrians. Designing streets would ensure the safety of every one. Roads wrongly allocating this as a road despite evidence that it should be classed as a street is ignoring best practices and current guidance. Assuming I did have 90M either side. I would be classed as safe in their eyes but yet in the space of slightly over 12 minutes I could of killed 2 children and a dog. **Not very safe.** Designing streets stops this danger and accordingly defines my visibility as safe.

PLANS/PHOTOGRAPHS/DRAWINGS

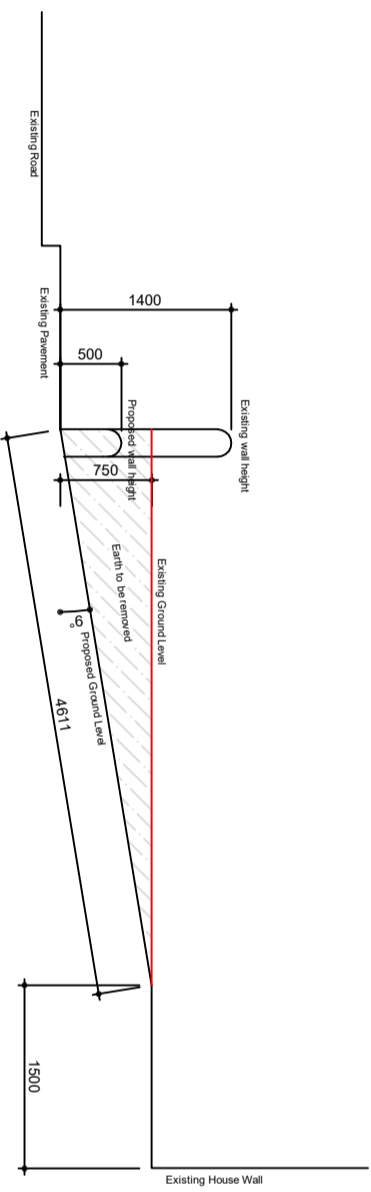
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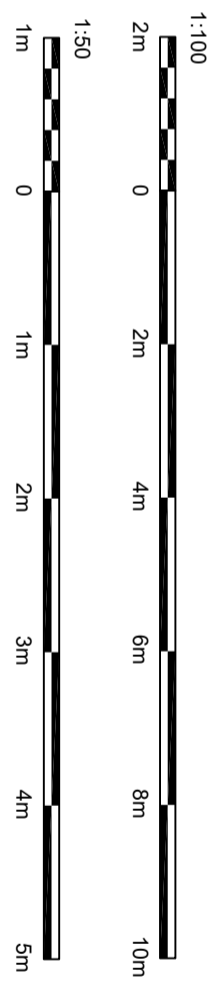
Elevation of existing wall 1:100



Elevation of proposed wall and driveway 1:100



Section through proposed driveway 1:50



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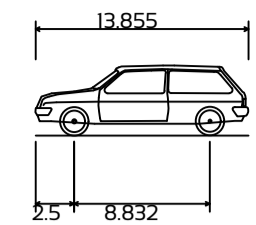
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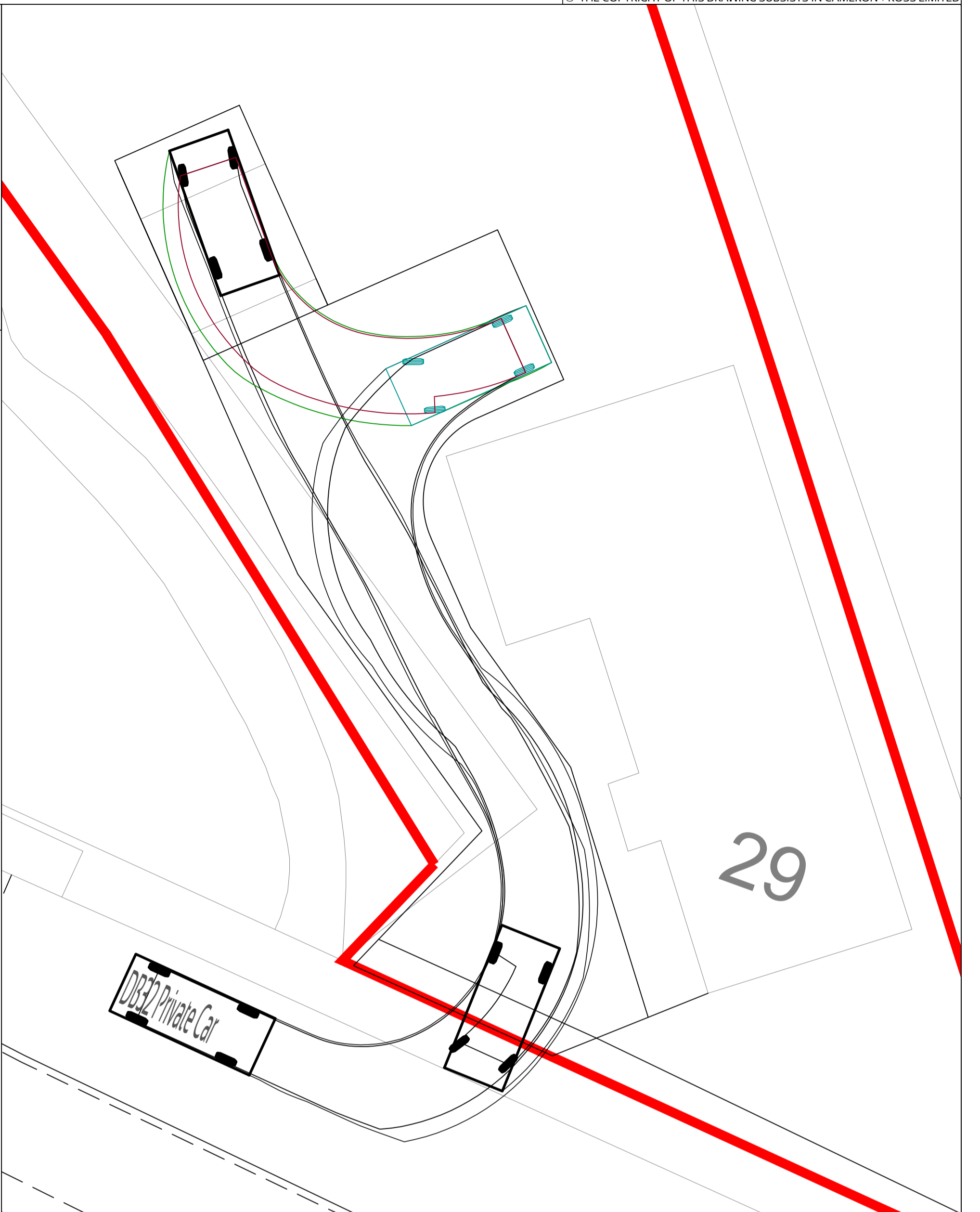
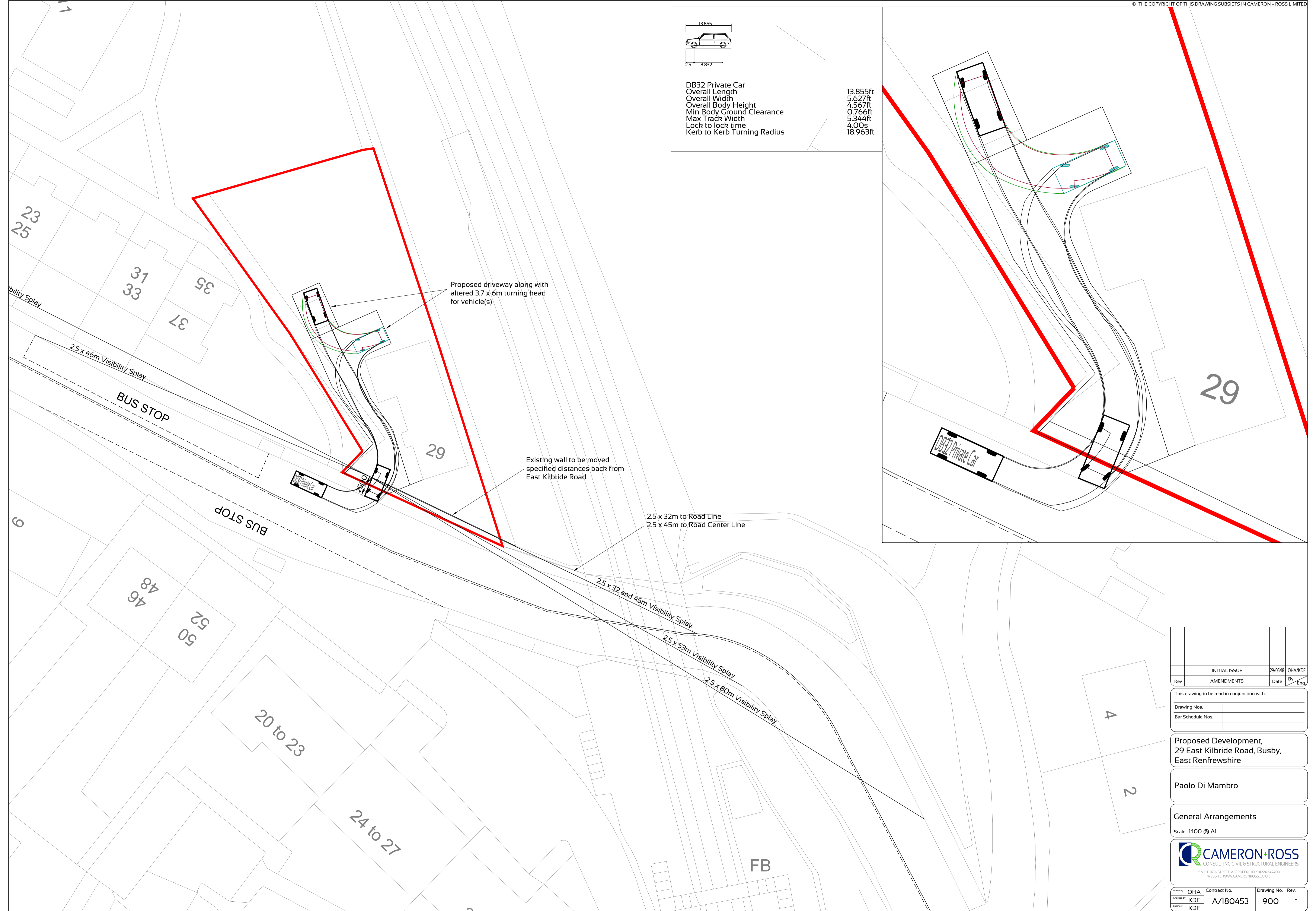
Mr. Paolo Di Mambro
29 East Kilbride Road
Busby
East Renfrewshire
G52 2SE

Formation of driveway
Proposed elevations and section

SCALE 1:50	DATE July '18	BY
DWG NO DP-441-002		REV B



DB32 Private Car
 Overall Length 13.855ft
 Overall Width 5.627ft
 Overall Body Height 4.567ft
 Min Body Ground Clearance 0.766ft
 Max Track Width 5.344ft
 Lock to lock time 4.00s
 Kerb to Kerb Turning Radius 18.963ft



Rev	DESCRIPTION	Date	By	Eng
	INITIAL ISSUE	29/05/18	OHA/KDF	
	AMENDMENTS			

This drawing to be read in conjunction with:
 Drawing Nos.
 Bar Schedule Nos.

Proposed Development,
 29 East Kilbride Road, Busby,
 East Renfrewshire

Paolo Di Mambro

General Arrangements
 Scale 1:100 @ A1



Drawn by: OHA	Contract No.	Drawing No.	Rev.
Checked by: KDF	A/180453	900	-
Engineer: KDF			



Rev	INITIAL ISSUE	22/06/18	OHA/KDF
	AMENDMENTS	Date	By Eng

This drawing to be read in conjunction with:
 Drawing Nos. _____
 Bar Schedule Nos. _____

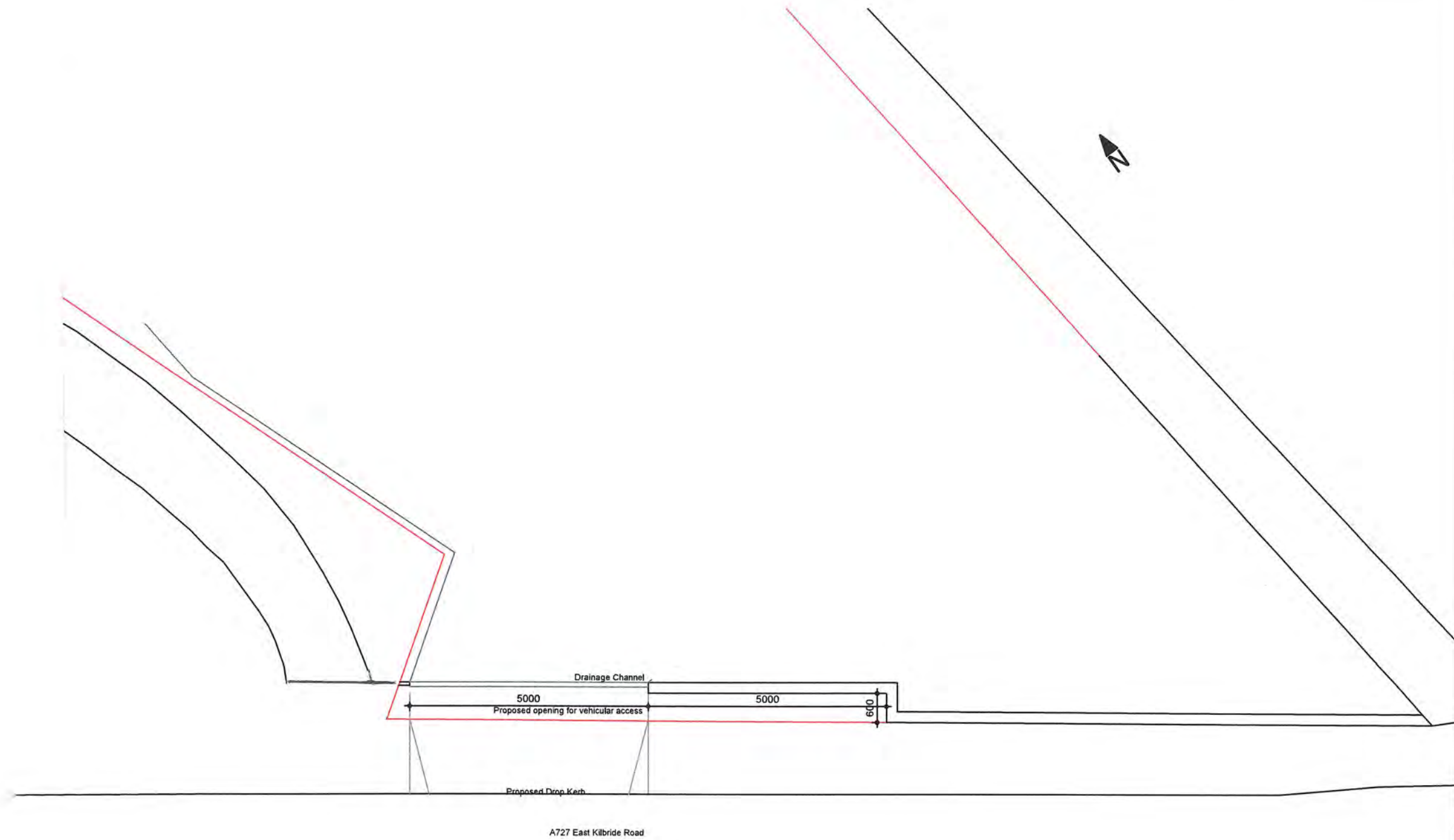
Proposed Development,
 29 East Kilbride, Busby,
 East Renfrewshire

Paolo Di Mambro

Visibility Splays for Easter Road,
 B759 and 65 East Kilbride Road
 Scale



Drawn by	OHA	Contract No.	A/180453	Drawing No.	904	Rev.	-
Checked by	KDF	Engineer	KDF				



Proposed plan 1:100

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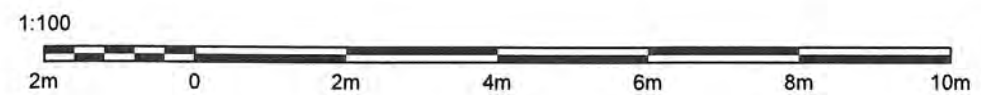
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mail@arcarchitecture.com
25 cortmalaw avenue, glasgow g33 1te

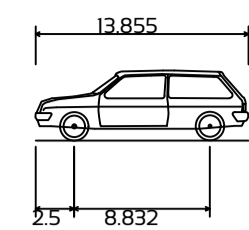
Mr. Paolo Di Mambro
29 East Kilbride Road
Busby
East Renfrewshire
G52 2SE

Formation of driveway
Proposed plans

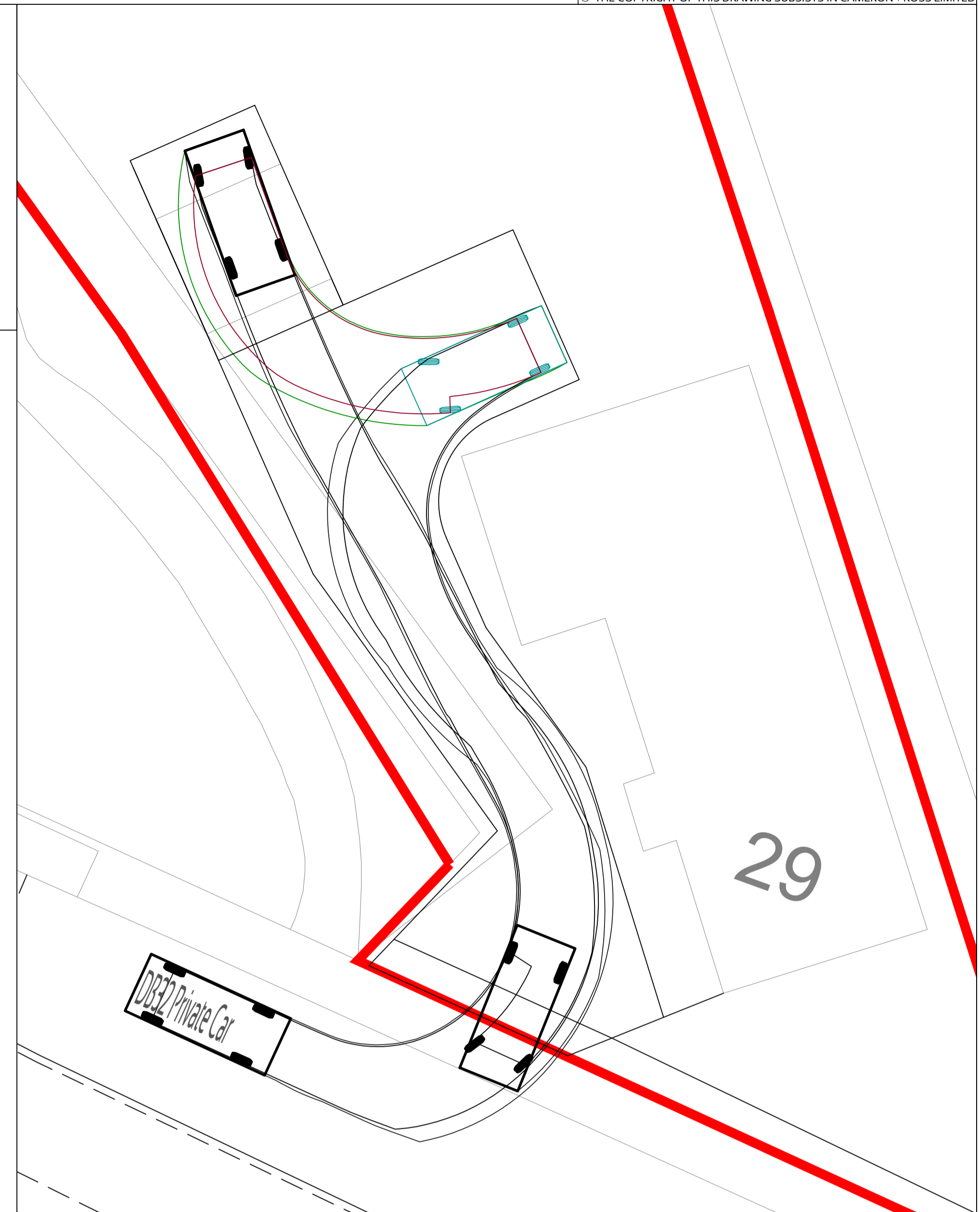
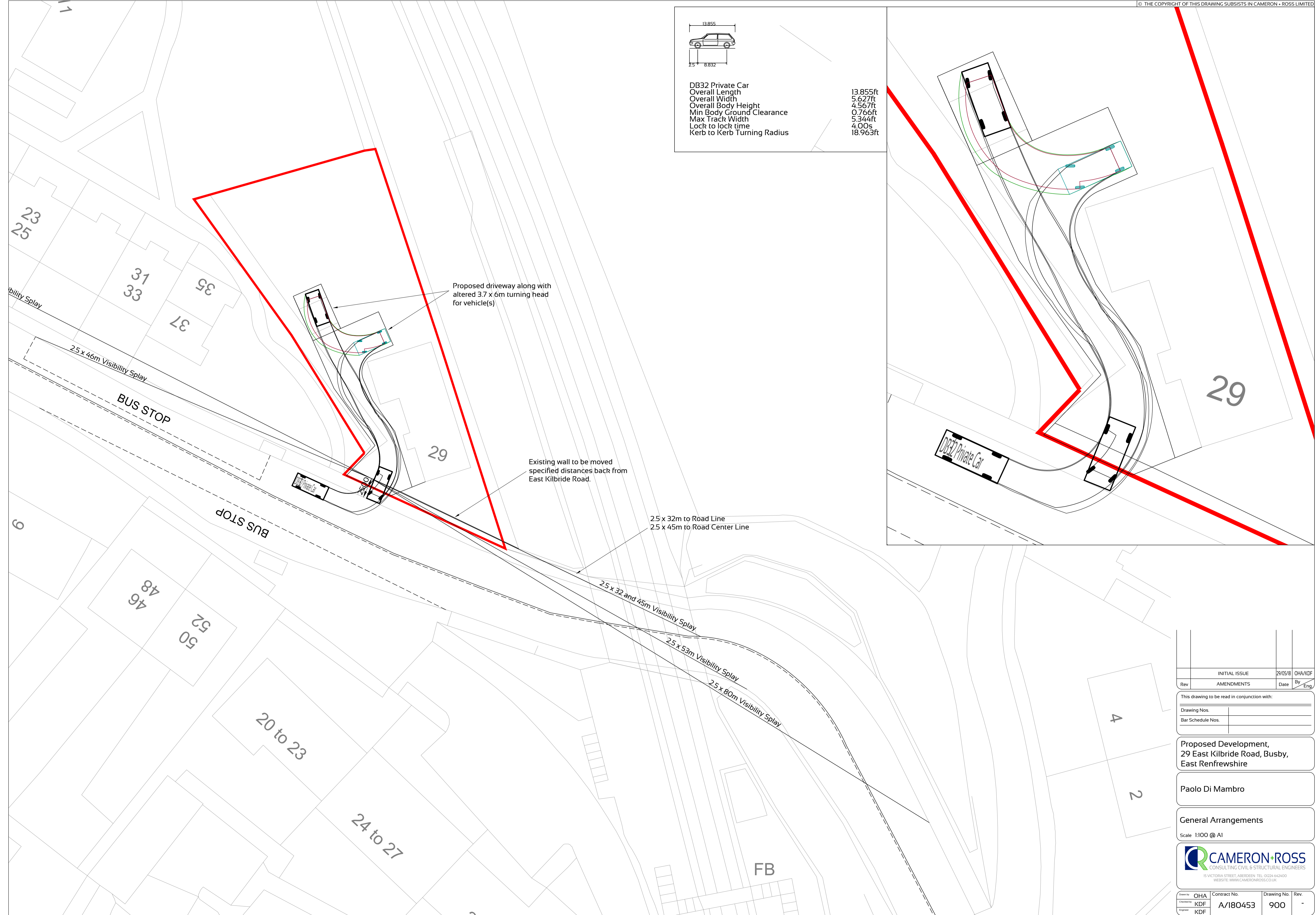
SCALE As shown DATE Dec '18 BY

DWG NO DP-441-001 REV





DB32 Private Car
 Overall Length 13.855ft
 Overall Width 5.627ft
 Overall Body Height 4.567ft
 Min Body Ground Clearance 0.766ft
 Max Track Width 5.344ft
 Lock to lock time 4.00s
 Kerb to Kerb Turning Radius 18.963ft



Rev	INITIAL ISSUE	29/05/18	OHA/KDF
	AMENDMENTS	Date	By Eng

This drawing to be read in conjunction with:
 Drawing Nos.
 Bar Schedule Nos.

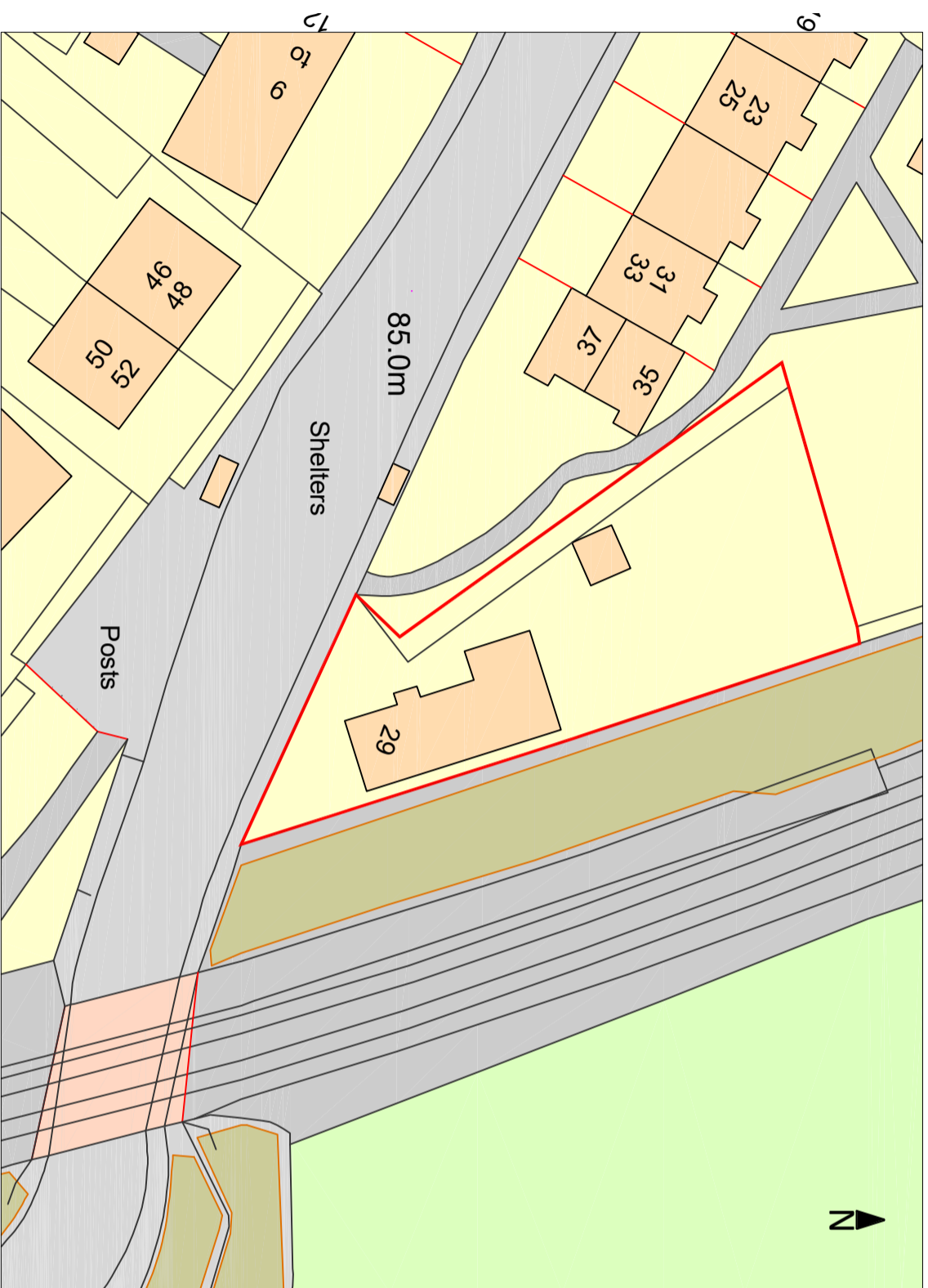
Proposed Development,
 29 East Kilbride Road, Busby,
 East Renfrewshire

Paolo Di Mambro

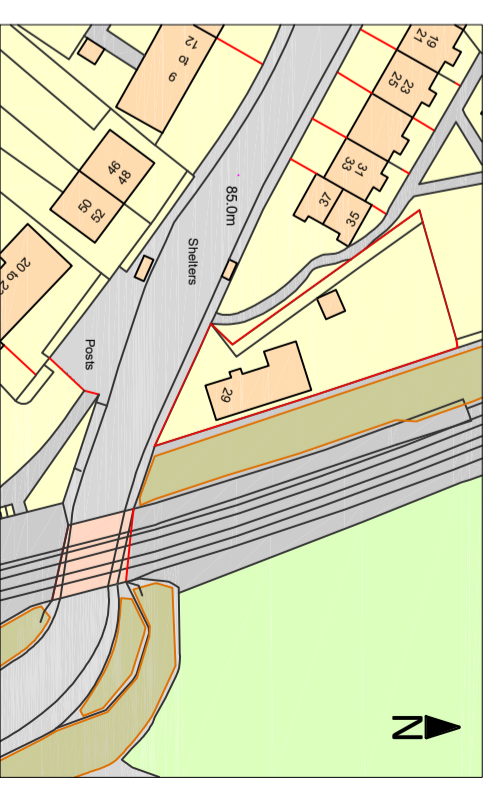
General Arrangements
 Scale 1:100 @ A1



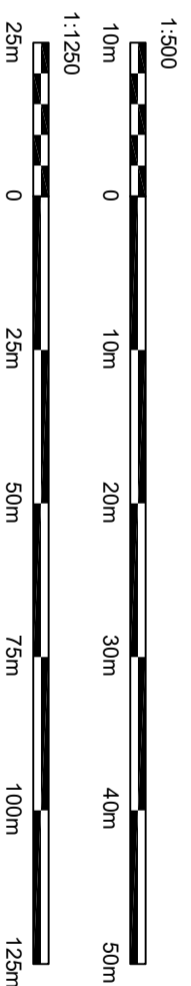
Drawn by: OHA	Contract No.	Drawing No.	Rev.
Checked by: KDF	A/180453	900	-
Engineer: KDF			



Site plan 1:500



Location plan 1:1250



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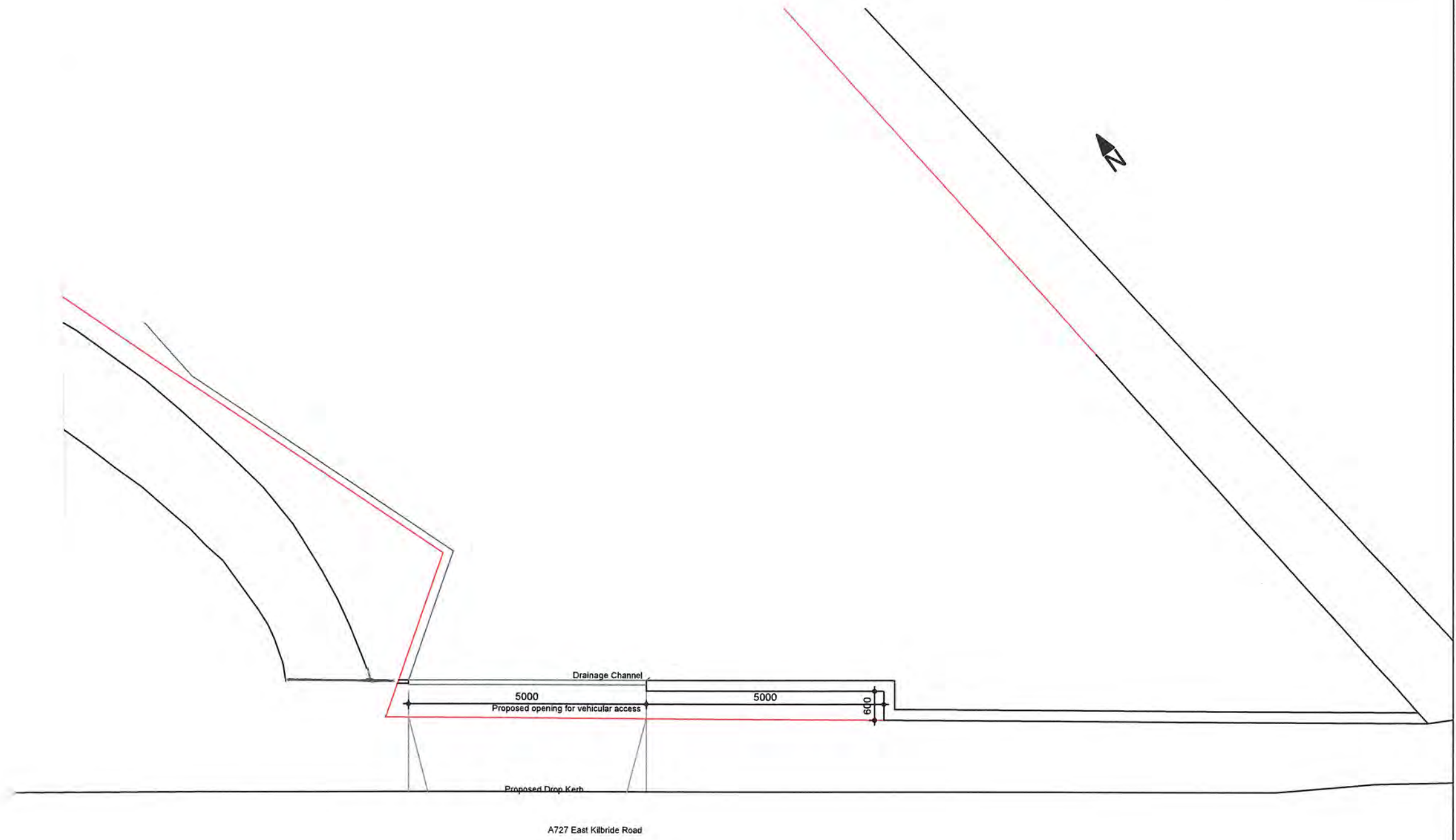
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Mr. Paolo Di Mambro
 29 East Kilbride Road
 Busby
 East Renfrewshire
 G52 2SE

**Formation of driveway
 Existing location plan & site plan**

SCALE 1:1250 / 1:500	DATE Mar '18	BY
DWG NO P-441-001		REV



Proposed plan 1:100

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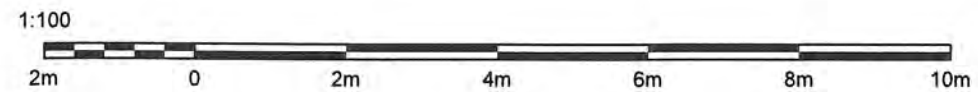
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mail@arcarchitecture.com
25 cortmalaw avenue, glasgow g33 1te

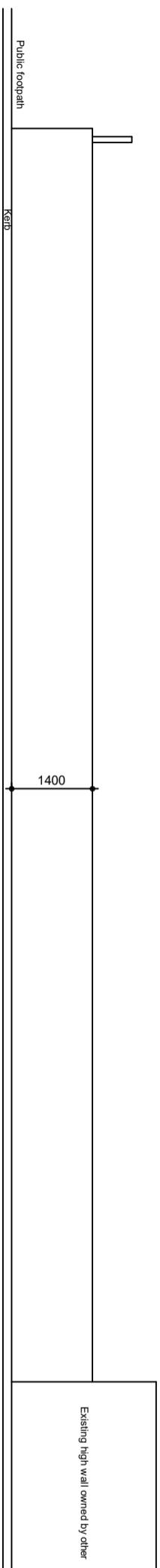
Mr. Paolo Di Mambro
29 East Kilbride Road
Busby
East Renfrewshire
G52 2SE

Formation of driveway
Proposed plans

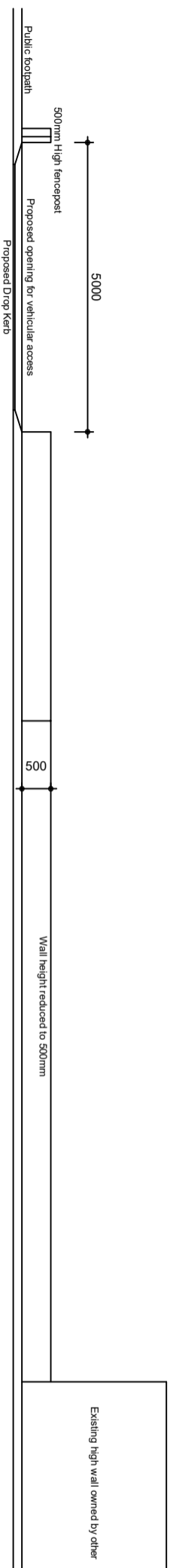
SCALE As shown DATE Dec '18 BY

DWG NO DP-441-001 REV

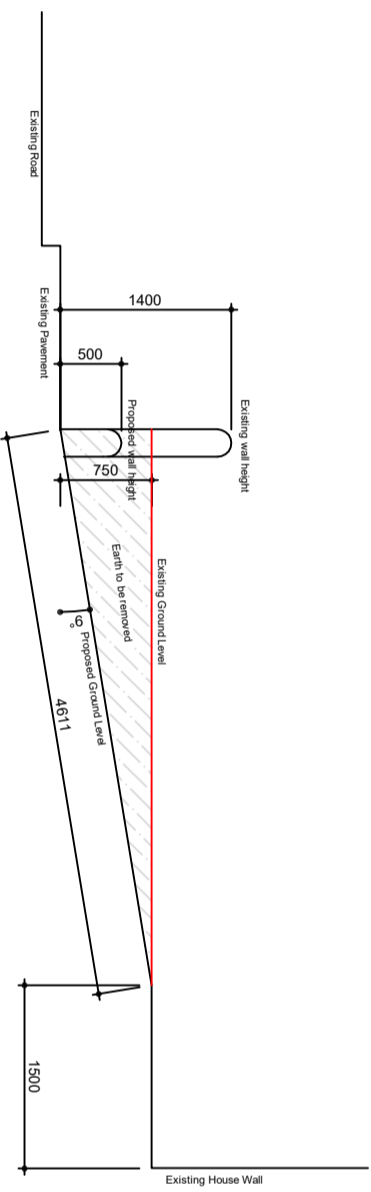




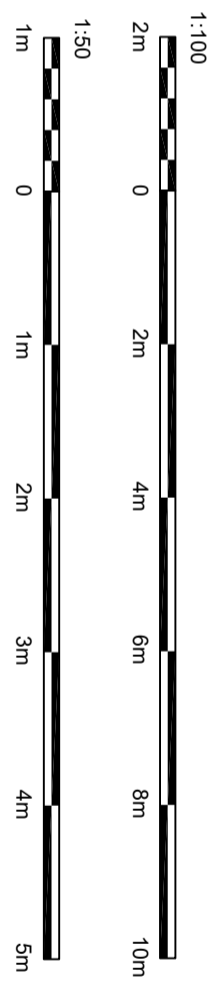
Elevation of existing wall 1:100



Elevation of proposed wall and driveway 1:100



Section through proposed driveway 1:50



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Notes:

Do not scale from drawing
All dimensions to be confirmed on site and any discrepancies notified to Arc Architectural Services
This drawing is solely for the purposes of obtaining Local Authority Approval. Additional information may be required for construction purposes. No liability will be accepted for any omission from this drawing should the drawing be used for construction purposes

arc architectural services ltd

0141 844 0039 : 07799 401 577
mail@arcarchitecture.com
25 cortmallow avenue, glasgow g33 1te

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

Formation of driveway
Proposed elevations and section

SCALE 1:50	DATE July '18	BY
DWG NO DP-441-002		REV B

EAST RENFREWSHIRE COUNCILLOCAL REVIEW BODY13 March 2019Report by Deputy Chief ExecutiveREVIEW OF CASE - REVIEW/2019/02ERECTION OF SINGLE STOREY SIDE AND REAR EXTENSIONS AND INSTALLATIONOF TWO FRONT DORMER WINDOWS AND ONE DORMER WINDOW AT REARAT 22 VICTORIA CRESCENT, CLARKSTON**PURPOSE OF REPORT**

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

DETAILS OF APPLICATION

2. Application type: Full Planning Permission (Ref No:- 2018/0721/TP).
- Applicant: Tim Hunter and Naula Ashe.
- Proposal: Erection of single storey side and rear extensions and installation of two front dormer windows and one dormer window at the rear.
- Location: 22 Victoria Crescent, Clarkston.
- Council Area/Ward: Clarkston, Netherlee and Williamwood (Ward 4).

REASON FOR REQUESTING REVIEW

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

RECOMMENDATIONS

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

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

BACKGROUND

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

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

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

NOTICE OF REVIEW – STATEMENT OF REASONS FOR REQUIRING THE REVIEW

8. The applicants in submitting the review have stated the reasons for requiring the review of the determination of the application. A copy of the applicants’ Notice of Review and Statement of Reasons is attached as Appendix 5.

9. The applicants are 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 have indicated that their stated preferences are further written submissions and site inspection.

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

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

12. In accordance with the above decision, the Local Review Body will carry out an unaccompanied site inspection on Wednesday, 13 March 2019 immediately before the meeting of the Local Review Body which begins at 2.30pm.

INFORMATION AVAILABLE TO ALLOW REVIEW OF APPLICATION

13. Section 43B of the Planning etc (Scotland) Act 2006 restricts the ability of parties to introduce new material at the review stage. The Local Review Body is advised that the focus of the review should, therefore, be on the material which was before the officer who dealt with the application under the Scheme of Delegation.

14. The information detailed below is appended to this report to assist the Local Review Body in carrying out the review of the decision taken by the Appointed Officer:-

- (a) Application for planning permission – Appendix 1 (Pages 117 - 122);
- (b) Copies of Objections/Representations – Appendix 2 (Pages 123 - 126);
- (c) Report of Handling by the planning officer under the Scheme of Delegation - Appendix 3 (Pages 127 - 134);
- (d) Decision notice and reasons for refusal - Appendix 4 (Pages 135 - 138); and
- (d) A copy of the applicants' Notice of Review and Statement of Reasons - Appendix 5 (Pages 139 - 154).

15. The applicants have also submitted the drawings listed below (available for inspection within the Planning Division of the Environment Department prior to the meeting and for reference at the meeting) and these are attached as Appendix 6 (Pages 155 - 162).

- (a) Existing Elevations;
- (b) Refused – Location Plan;
- (c) Refused – Block Plan;
- (d) Refused – Proposed Elevations – Plan 2A;
- (e) Refused – Proposed Ground Floor Plan – Plan 3; and
- (f) Refused - Proposed Loft Floor Plan – Plan 4.

16. The Local Review Body is advised that initial consultation responses and representations received if any, relating to the application will be listed in the planning officer's Report of Handling.

17. All the documents referred to in this report can be viewed online on the Council's website at www.eastrenfrewshire.gov.uk with the exception of any representations that have been made to the application.

RECOMMENDATIONS

18. The Local Review Body is asked to:-

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

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

Report Author: Paul O'Neil

Director - Caroline Innes, Deputy Chief Executive

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

Date:- March 2019

**APPLICATION
FOR
PLANNING PERMISSION**

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HOUSEHOLDER APPLICATION FOR PLANNING PERMISSION

RECEIVED

Town and Country Planning (SCOTLAND) ACT 1997
 The Town and Country Planning (Development Management Procedure) (SCOTLAND) REGULATIONS 2013

6 DEC 2018

Please refer to the accompanying Guidance Notes when completing this application
 PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://www.eplanning.scot>

1. Applicant's Details		2. Agent's Details (if any)	
Title		Ref No.	
Forename	TIM HUNTER NAULA ASHE	Forename	JOHN
Surname	HUNTER, ASHE	Surname	HUTTON
Company Name		Company Name	
Building No./Name	22	Building No./Name	FLAT 0/1, 69
Address Line 1	VICTORIA CRESC.	Address Line 1	MILBROSE ROAD
Address Line 2	CLACKSTON	Address Line 2	LANIASIDE
Town/City	GLASGOW	Town/City	GLASGOW
Postcode		Postcode	G42 9UT
Telephone		Telephone	
Mobile		Mobile	07773 209204
Fax		Fax	
Email		Email	

3. Address or Location of Proposed Development (please include postcode)

22, VICTORIA CRESC, CLACKSTON

NB. If you do not have a full site address please identify the location of the site(s) in your accompanying documentation.

4. Describe the Proposed Works

Please describe accurately the work proposed:

REAR EXTENSION & LOFT CONVN WITH CORNERS

Have the works already been started or completed Yes No

If yes, please state date of completion, or if not completed, the start date:

Date started: Date completed:

If yes, please explain why work has already taken place in advance of making this application.

5. Pre-Application Discussion

Have you received any advice from the planning authority in relation to this proposal? Yes No

If yes, please provide details about the advice below:

In what format was the advice given? Meeting Telephone call Letter Email

Have you agreed or are you discussing a Processing Agreement with the planning authority? Yes No

Please provide a description of the advice you were given and who you received the advice from:

Name: Date: Ref No.:

6. Trees

Are there any trees on or adjacent to the application site? Yes No

If yes, please show on drawings any trees (including known protected trees) and their canopy spread as they relate to the proposed site and indicate if any are to be cut back or felled.

7. Changes to Vehicle Access and Parking

Are you proposing a new altered vehicle access to or from a public road? Yes No

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

Are you proposing any changes to public paths, public rights of way or affecting any public rights of access? Yes No

If yes, please show on your drawings the position of any affected areas and explain the changes you propose to make, including arrangement for continuing or alternative public access.

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

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

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, etc.)

8. Planning Service Employee/Elected Member Interest

Are you / the applicant / the applicant's spouse or partner, a member of staff within the planning service or an elected member of the planning authority? Yes No

Or, are you / the applicant / the applicant's spouse or partner a close relative of a member of staff in the planning service or elected member of the planning authority? Yes No

If you have answered yes please provide details:

DECLARATION

I, the applicant / agent certify that this is an application for planning permission and that accompanying plans/drawings and additional information are provided as part of this application. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

I, the applicant/agent hereby certify that the attached Land Ownership Certificate has been completed

I, the applicant/agent hereby certify that requisite notice has been given to other land owners and /or agricultural tenants Yes No N/A

Signature:



Name:

JOHN AUSTIN

Date:

21/11/18

Any person who provides information to provide on this form will be held and processed in accordance with the requirements of the Information Act.

OTHER EXAMPLES OF SIMILAR SIDE EXTENSIONS
↓ DOWNERS IN VICTORIA CASE,

LAND OWNERSHIP CERTIFICATES


Town and Country Planning (Scotland) Act 1997
 Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

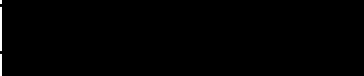
CERTIFICATE A, B, C, D OR CERTIFICATE E MUST BE COMPLETED BY ALL APPLICANTS

CERTIFICATE A

Certificate A is for use where the applicant is the only owner of the land to which the application relates and none of the land is agricultural land.

I hereby certify that -

- (1) No person other than myself MR + MRS T. HUNTER was owner 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 application.
- (2) None of the land  constitutes or forms part of agricultural land.

Signed: 

On behalf of: MR + MRS T. HUNTER

Date: 21/11/18

CERTIFICATE B

Certificate B is for use where the applicant is not the owner or sole owner of the land to which the application relates and/or where the land is agricultural land and where all owners/agricultural tenants have been identified.

I hereby certify that -

- (1) I have _____ served notice on every person other than myself _____ who, at the beginning of the period of 21 days ending with the date of the application was owner of any part of the land to which the application relates. These persons are:

Name	Address	Date of Service of Notice

- (2) None of the land to which the application relates constitutes or forms part of agricultural land

or

- (3) The land or part of the land to which the application relates constitutes or forms part of agricultural land and I have _____ served notice on every person other than myself _____ who, at the beginning of the period of 21 days ending with the date of the application was an agricultural tenant. These persons are:

COPIES OF OBJECTIONS/REPRESENTATIONS

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Comments for Planning Application 2018/0721/TP

Application Summary

Application Number: 2018/0721/TP

Address: 22 Victoria Crescent Clarkston East Renfrewshire G76 8BP

Proposal: Single storey side and rear extensions and installation of two front and one rear dormer windows.

Case Officer: Mr Derek Scott

Customer Details

Name: Mr Joseph Pakenham

Address: 15 Victoria Crescent, Clarkston, East Renfrewshire G76 8BP

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: Hello,

Are there more detailed plans to be uploaded to this file? At the moment the only file is a very rough hand-drawn plan of the proposals, so I am unable to comment appropriately.

thanks

Joseph

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REPORT OF HANDLING

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REPORT OF HANDLING

Reference: 2018/0721/TP

Date Registered: 20th December 2018

Application Type: Full Planning Permission

This application is a Local Development

Ward: 4 -Clarkston, Netherlee And Williamwood

Co-ordinates: 257590/657078

Applicant/Agent:

Applicant:

Tim Hunter and Naula Ashe

22 Victoria Crescent

Clarkston

East Renfrewshire

G76 8BP

Agent:

John Hutton

Flat 0/1, 69 Millbrae Road

Langside

Glasgow

G42 9UT

Proposal: Erection of single storey side and rear extensions and installation of two front dormer windows and one dormer window at the rear

Location: 22 Victoria Crescent
Clarkston
East Renfrewshire
G76 8BP

CONSULTATIONS/COMMENTS: None.

PUBLICITY: None.

SITE NOTICES: None.

SITE HISTORY: None relevant.

REPRESENTATIONS: One representation (neither objecting nor supporting the application) has been received and relates to the ability to view the plans.

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

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

ASSESSMENT:

The application site comprises a detached hip roofed bungalow and its curtilage and lies within an established residential area. The dwelling is characterised by its pyramidal roof form with each of the four planes being generally of similar proportions. With the exception of a small attached garage and a recessed side extension, the front of the dwelling is generally symmetrical in character, with two windows on either side of the centrally-positioned front door. The dwelling is externally finished in white render and red concrete tiles. The side and rear boundaries are characterised by timber fencing and planting.

Victoria Crescent is generally characterised by detached and semi-detached hip roofed bungalows, with two storey sandstone houses and a more recent detached gable-ended dwelling at the far western end of the street. The detached hip roofed bungalows are characterised by

pyramidal roof forms, although several have been extended to the side such that this original character has been altered.

Planning permission is sought for the erection of a single storey side extension and a single storey rear extension and for the installation of dormer windows at the front and rear. The proposed side extension measures approximately 2.7 metres wide and sits flush with the front and existing rear elevations of the dwelling. It comprises a hipped roof with a ridge line rising to meet flush with that of the original dwelling. The rear extension measures approximately 3.5 metres deep by 12.1 metres wide by 4.4 metres high. It comprises a mono-pitch roof. The front and rear dormer windows comprise hipped roofs. The proposed external materials have not been specified. The existing side extension and an existing rear extension are to be removed.

The application requires to be assessed against Policies D1 and D14 of the adopted East Renfrewshire Local Development Plan. Policy D1 requires that all development should not result in a significant loss of character to the surrounding area and Policy D14 requires that extensions should complement the character of the existing building in terms of its style, form and materials. It also states that dormer windows should not in general dominate the existing roof. The adopted Supplementary Planning Guidance: Householder Design Guide (SPG), which supports and forms part of Policy D14, is also relevant. The SPG states that extensions to dwellings should not dominate or overwhelm the original form of the dwelling. It also states that side extensions should be set back at least 0.5m from the front elevation of the original dwelling and have a ridge line lower than that of the existing dwelling. Regarding dormer windows, the SPG states that they should be set below the ridge of the dwelling and that they should be vertically aligned with window and door openings below.

It is accepted that the proposed side extension, by virtue of its lack of set back and drop in the ridge line would result in the loss of the original pyramidal form of the roof to the detriment of the original character of the dwelling. This would be contrary to Policy D14 and to the specific terms of the SPG. However, similar extensions in close proximity to the application site, that do not comprise a drop in the ridge or a set-back from the front building line, have changed the character of this part of Victoria Crescent to one of more varied roofscapes. In this case, given the altered character of the area and the relatively modest side projection, the impact of the side extension, on its own, would not significantly detract from the character of the area.

Nevertheless, the proposal also includes the installation of two front and one rear dormer windows. The rear dormer window, whilst not centrally positioned on the roof plane, would have minimal impact on the street scape. However, the two front-facing dormer windows, which sit flush with the ridge of the dwelling, coupled with the side-wards extension of the roof plane (which, on its own, may have been acceptable), significantly add to the massing of the proposal, further dominating and detracting from the original character. This is contrary to the Policy D14 and to the specific terms of the SPG.

The resulting development would be a visually dominant and incongruous addition to the streetscape to the detriment of the visual amenity of the area. As such, the proposal is contrary to Policy D1.

The rear extension is not considered to give rise to any significant amenity or design issues. The proposal in its entirety would not give rise to significant additional overlooking, overshadowing or loss of daylight. Two additional side-facing windows are proposed to be formed in the fabric of the existing dwelling. Whilst it would be possible to look towards the side-facing kitchen in the adjacent dwelling, those windows do not require planning permission and their impact is not assessed.

The representation related to viewing the plans on-line and is not material to the consideration of the application.

It is noted that there are some inconsistencies in the drawings; however, they are adequate to allow assessment of the proposal against the policies of the Local Development Plan. Given the proposal is unacceptable against policy and recommended for refusal, it would be unreasonable for the Planning Service to request that the applicant submit amended plans.

In conclusion, the proposal is contrary to Policies D1 and D14 of the adopted East Renfrewshire Local Development Plan and contrary to the terms of the adopted Supplementary Planning Guidance by virtue of the additional massing which would dominate and detract from the original form and character of the dwelling and result in a visually dominant and incongruous addition to the streetscape. The material consideration of the change in roofscapes in the immediate area has been considered but does not outweigh the terms of the development plan.

RECOMMENDATION: Refuse

PLANNING OBLIGATIONS: None.

REASONS FOR REFUSAL:

1. The proposal is contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan as the proposed single storey side extension, in conjunction with the two front-facing dormer windows, would give rise to a visually dominant and incongruous addition to the streetscape to the detriment of the visual amenity of the area.
2. The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as the proposed single storey side extension, in conjunction with the two front-facing dormer windows, would dominate and overwhelm the original character and form of the dwelling by virtue of the significant increase in massing.
3. The proposal is contrary to the specific terms of the adopted Supplementary Planning Guidance: Householder Design Guide as i) the proposed single storey side extension does not comprise a drop in the ridge line or a set back from the front building line; and ii) the proposed dormer windows are not set below the ridge line, to the detriment of the character and design of the original dwelling by virtue of the increase in massing.

ADDITIONAL NOTES: None.

ADDED VALUE: None

BACKGROUND PAPERS:

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

Ref. No.: 2018/0721/TP
(DESC)

DATE: 18th January 2019

DIRECTOR OF ENVIRONMENT

Reference: 2018/0721/TP - Appendix 1

DEVELOPMENT PLAN:**Strategic Development Plan**

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

Adopted East Renfrewshire Local Development Plan

Policy D1 - Detailed Guidance for all Development

Proposals for development should be well designed, sympathetic to the local area and demonstrate that the following criteria have been considered, and, where appropriate, met. In some cases, where the criteria have not been met, a written justification will be required to assist with assessment.

1. The development should not result in a significant loss of character or amenity to the surrounding area;
2. The proposal should be of a size, scale, massing and density that is in keeping with the buildings in the locality and should respect local architecture, building form, design, and materials;
3. The amenity of neighbouring properties should not be adversely affected by unreasonably restricting their sunlight or privacy. Additional guidance on this issue is available in the Daylight and Sunlight Design Guide Supplementary Planning Guidance;
4. The development should not impact adversely on landscape character or the green network, involve a significant loss of trees or other important landscape, greenspace or biodiversity features;
5. Developments should incorporate green infrastructure including access, landscaping, greenspace, water management and Sustainable Urban Drainage Systems at the outset of the design process. Where appropriate, new tree or shrub planting should be incorporated using native species. The physical area of any development covered by impermeable surfaces should be kept to a minimum to assist with flood risk management. Further guidance is contained within the Green Network and Environmental Management Supplementary Planning Guidance;
6. Development should create safe and secure environments that reduce the scope for anti-social behaviour and fear of crime;
7. Developments must be designed to meet disability needs and include provision for disabled access within public areas;
8. The Council will not accept 'backland' development, that is, development without a road frontage;
9. Parking and access requirements of the Council should be met in all development and appropriate mitigation measures should be introduced to minimise the impact of new development. Development should take account of the principles set out in 'Designing Streets';
10. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the development;
11. Developments should include provision for the recycling, storage, collection and composting of waste materials;
12. Where possible, all waste material arising from construction of the development should be retained on-site for use as part of the new development;

13. Where applicable, new development should take into account the legacy of former mining activity;
14. Development should enhance the opportunity for and access to sustainable transportation, including provision for bus infrastructure, and particularly walking and cycle opportunities including cycle parking and provision of facilities such as showers/lockers, all where appropriate. The Council will not support development on railways solums or other development that would remove opportunities to enhance pedestrian and cycle access unless mitigation measures have been demonstrated;
15. The Council requires the submission of a design statement for national and major developments. Design statements must also be submitted in cases where a local development relates to a site within a conservation area or Category A listed building in line with Planning Advice Note 68: Design Statements.
16. Where applicable, developers should explore opportunities for the provision of digital infrastructure to new homes and business premises as an integral part of development.

Policy D14 - Extensions to Existing Buildings and Erection of Outbuildings and Garages

Any extensions must complement the existing character of the property, particularly in terms of style, form and materials.

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

Side extensions should not create an unbroken or terraced appearance.

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

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

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

GOVERNMENT GUIDANCE: None

Finalised 18th January 2019 – AC(1)

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**DECISION NOTICE
AND
REASONS FOR REFUSAL**

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**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. **2018/0721/TP**

Applicant:

Tim Hunter & Naula Ashe
22 Victoria Crescent
Clarkston
East Renfrewshire
G76 8BP

Agent:

John Hutton
Flat 0/1, 69 Millbrae Road
Langside
Glasgow
G42 9UT

With reference to your application which was registered on 20th December 2018 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Erection of single storey side and rear extensions and installation of two front dormer windows and one dormer window at the rear

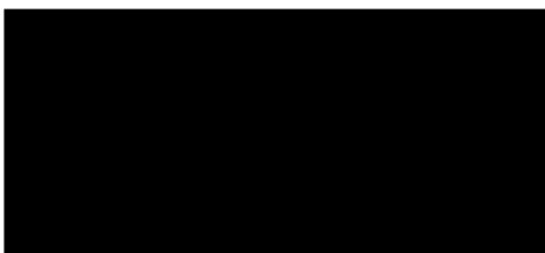
at: 22 Victoria Crescent Clarkston East Renfrewshire G76 8BP

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

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

1. The proposal is contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan as the proposed single storey side extension, in conjunction with the two front-facing dormer windows, would give rise to a dominant and incongruous addition to the streetscape to the detriment of the visual amenity of the area.
2. The proposal is contrary to Policy D14 of the adopted East Renfrewshire Local Development Plan as the proposed single storey side extension, in conjunction with the two front-facing dormer windows, would dominate and overwhelm the original character and form of the dwelling by virtue of the significant increase in massing.
3. The proposal is contrary to the specific terms of the adopted Supplementary Planning Guidance: Householder Design Guide as i) the proposed single storey side extension does not comprise a drop in the ridge line or a set back from the front building line; and ii) the proposed dormer windows are not set below the ridge line, to the detriment of the character and design of the original dwelling by virtue of the increase in massing.

Dated 18th January 2019



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

138

The following drawings/plans have been refused

Plan Description	Drawing Number	Drawing Version	Date on Plan
Location Plan	LOCATION		
Block Plan Proposed	BLOCK		
Elevations Proposed	2	A	
Plans Proposed	3		
Plans Proposed	4		

GUIDANCE NOTE FOR REFUSAL OF LOCAL DEVELOPMENTS DETERMINED UNDER DELEGATED POWERS

REVIEW BY EAST RENFREWSHIRE COUNCIL'S LOCAL REVIEW BODY

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

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

CONTACT DETAILS

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

**General Inquiry lines 0141 577 3895 or 0141 577 3878
Email planning@eastrenfrewshire.gov.uk**

**NOTICE OF REVIEW
AND
STATEMENT OF REASONS**

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11 FEB 2019

NOTICE OF REVIEW

Under Section 43A(8) Of the Town and County Planning (SCOTLAND) ACT 1997 (As amended) In Respect of Decisions on Local Developments
The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (SCOTLAND) Regulations 2013
The Town and Country Planning (Appeals) (SCOTLAND) Regulations 2013

IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.

PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://www.eplanning.scot>

1. Applicant's Details		2. Agent's Details (if any)	
Title	MR MS	Ref No.	
Forename	TIM	Forename	JOHN A.
Surname	HUNTER	Surname	HUTTON
Company Name		Company Name	
Building No./Name	22, VICTORIA CRESC.	Building No./Name	FLAT 0/1. 69.
Address Line 1	CLARKSTON	Address Line 1	MILBRAE ROAD
Address Line 2	EAST RENFREWSHIRE	Address Line 2	LANGSIDE
Town/City	GLASGOW	Town/City	GLASGOW
Postcode	G76 8BP	Postcode	G42 9UT
Telephone		Telephone	07773 209204
Mobile		Mobile	" "
Fax		Fax	
Email		Email	Jhplanning@gmail.com
3. Application Details			
Planning authority	EAST RENFREWSHIRE		
Planning authority's application reference number	2018/0721/TP		
Site address	<p>22 VICTORIA CRESC, CLARKSTON</p> <p>G76 8BP</p>		
Description of proposed development	<p>ERECTION OF SINGLE STOREY SIDE & REAR EXTENSIONS AND INSTALLATION OF TWO FRONT DORMERS & ONE TO REAR.</p>		

Date of application

20/12/18

Date of decision (if any)

18/1/19

Note. This notice must be served on the planning authority within three months of the date of decision notice or from the date of expiry of the period allowed for determining the application.

4. Nature of Application

Application for planning permission (including householder application)

Application for planning permission in principle

Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission and/or modification, variation or removal of a planning condition)

Application for approval of matters specified in conditions

5. Reasons for seeking review

Refusal of application by appointed officer

Failure by appointed officer to determine the application within the period allowed for determination of the application

Conditions imposed on consent by appointed officer

6. 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.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

Further written submissions

One or more hearing sessions

Site inspection

Assessment of review documents only, with no further procedure

If you have marked either of the first 2 options, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing necessary.

WE FEEL THE OFFICER HAS NOT TAKEN INTO ACCOUNT THE NUMBER OF SIMILAR EXTENSIONS + DORMERS ARE IN THE SAME STREET!

7. Site inspection

In the event that the Local Review Body decides to inspect the review site, in your opinion:

Can the site be viewed entirely from public land?

Is it possible for the site to be accessed safely, and without barriers to entry?

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

8. Statement

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

VICTORIA CRESCENT HAS ALL DIFFERENT HOUSES, BUNGALOWS, SEMI + DETACHED, TWO STOREY HOUSES ETC WE POINTED OUT IN OUR APPLICATION THAT THERE WERE MANY SIMILAR EXTENSIONS + DORMERS ALREADY CARRIED OUT.

THE EXTENSIONS AT NO 24 + 26 ARE THE SAME AS WE ARE PROPOSING i.e. RIDGE HEIGHT AT EXISTING RIDGE HEIGHT & IN LINE WITH FRONT OF PROPERTY (PHOTOS ENCLOSED)

NOS 20, 15, 11 & 9 ALL HAVE PITCH ROOF DORMERS + WE CONSIDER OUR APPLICATION WOULD ENHANCE THE PROPERTY. (PHOTOS ENCLOSED)

Have you raised any matters which were not before the appointed officer at the time your application was determined? Yes No

If yes, please explain below a) why your are raising new material b) why it was not raised with the appointed officer before your application was determined and c) why you believe it should now be considered with your review.

9. List of Documents and Evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review

PLANS + ELEVATIONS OF EXISTING & PROPOSED,
 BLOCK PLAN
 LOCATION PLAN,
 PHOTO'S

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

10. Checklist

Please mark the appropriate boxes to confirm that you have provided all supporting documents and evidence relevant to your review:

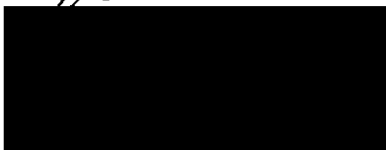
- Full completion of all parts of this form
- Statement of your reasons for requesting a review
- All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

DECLARATION

I, the applicant/agent hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

Signature:



Name:

JOHN A. HUTTON

Date:

11/2/19

Any personal data that you have been asked to provide on this form will be held and processed in accordance with Data Protection Legislation.

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PLANS/PHOTOGRAPHS/DRAWINGS

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PROPOSED LOFT CONVERSION + REAR SINGLE STOREY EXTENSION.

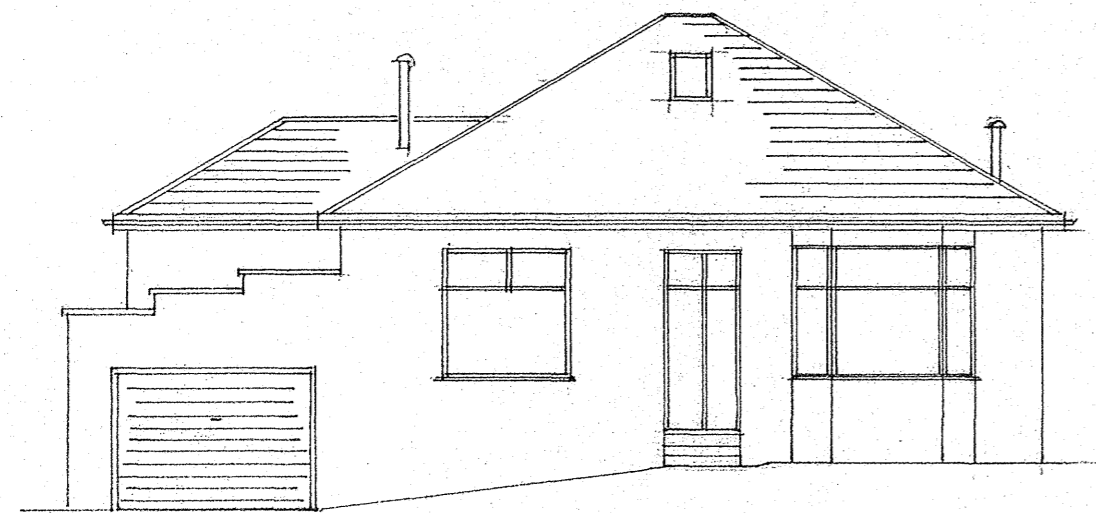
AT 22 VICTORIA CRESC, CLARKSTON.

PER T. HUNTER / N. ASHE

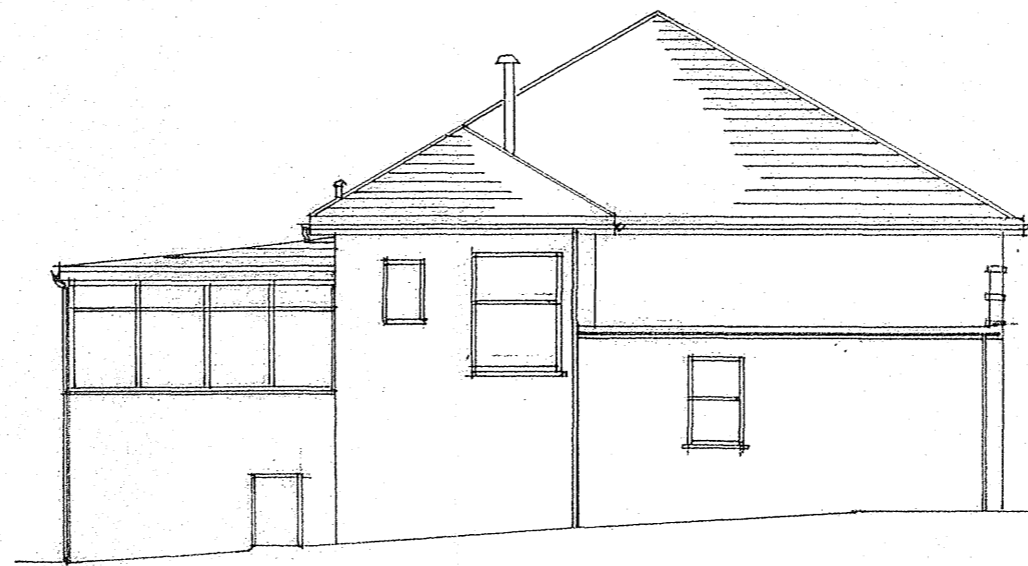
SCALE : 1:100

DRGN° : 4238 / 1

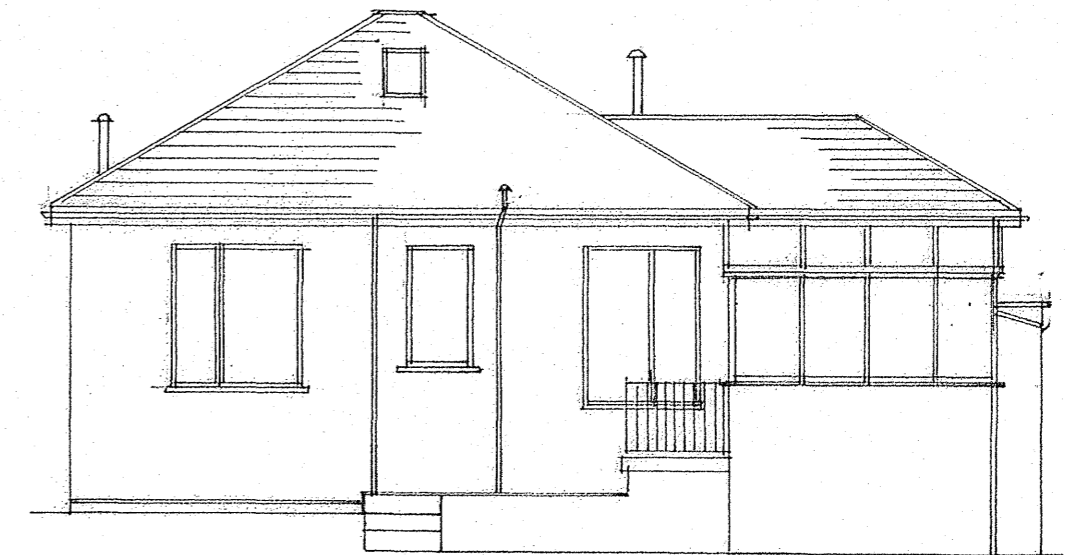
DATE : OCT 2018.



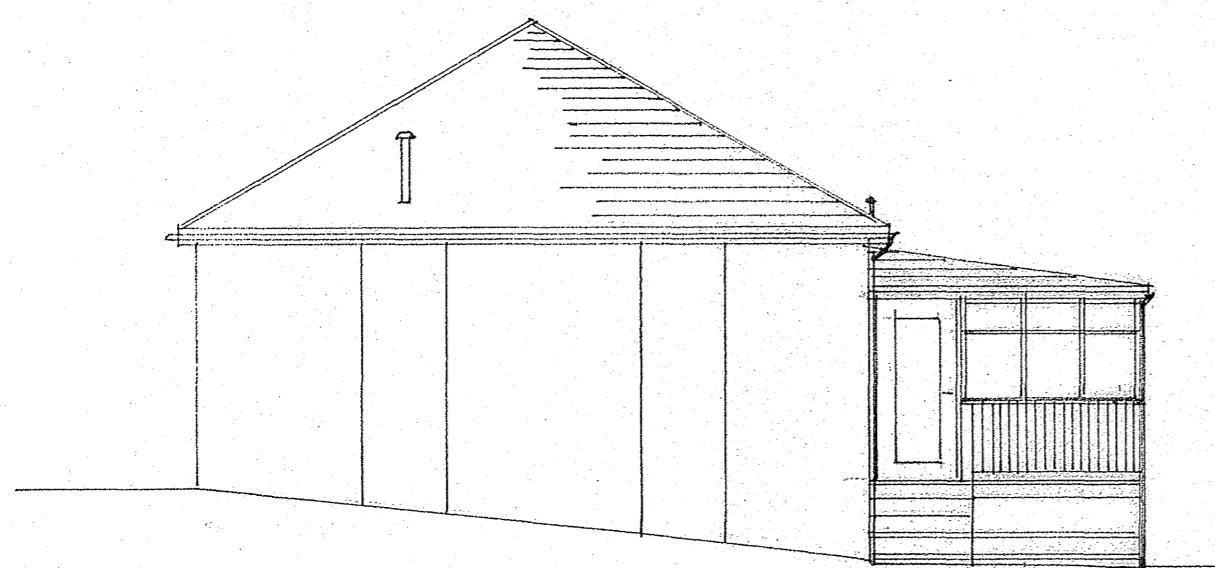
EXISTING FRONT ELEVATION.





EXISTING SIDE ELEVATION.



EXISTING REAR ELEVATION.

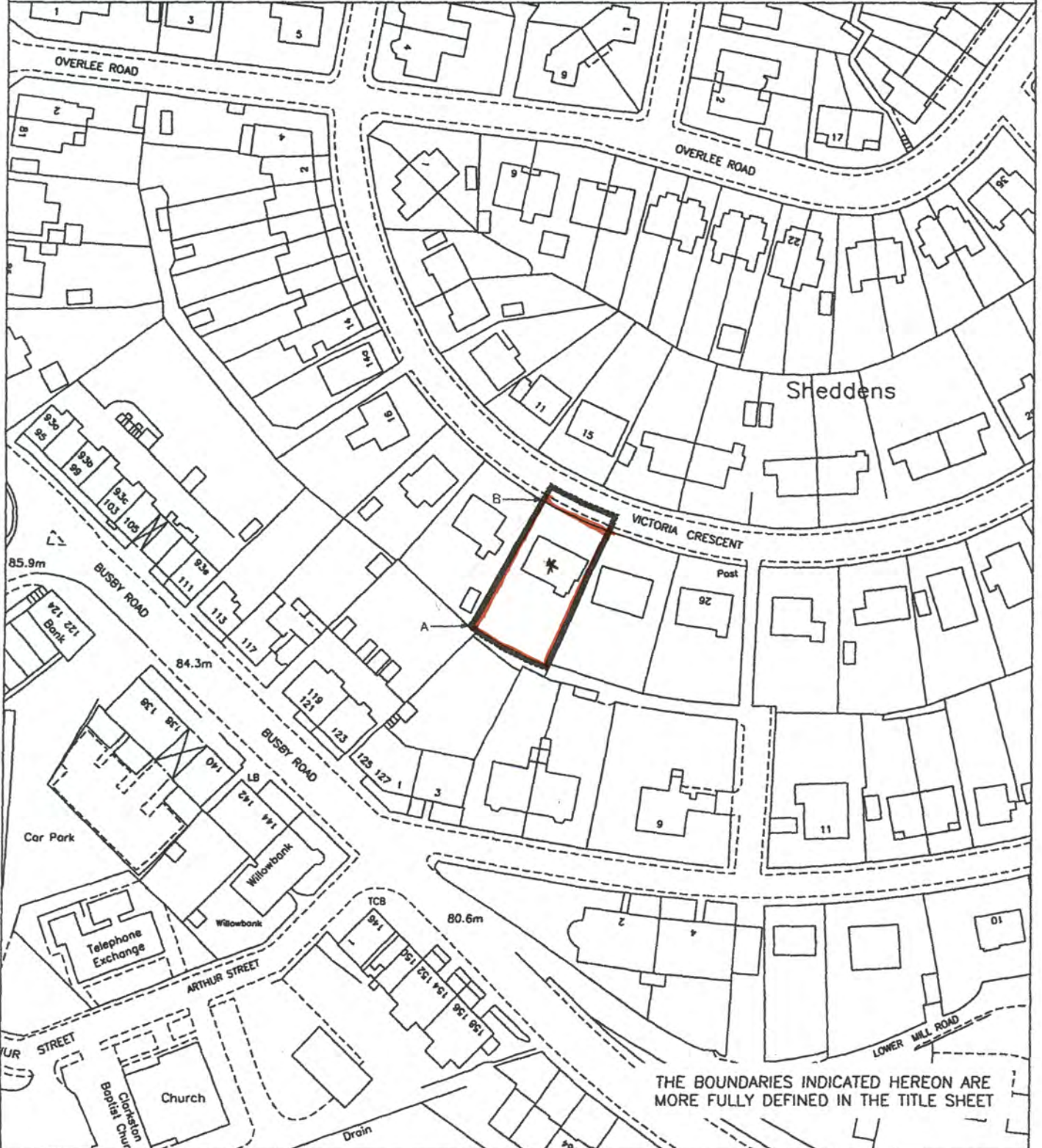


EXISTING SIDE ELEVATION.

 LAND REGISTER OF SCOTLAND	Officer's ID / Date	TITLE NUMBER
	30376 17/10/1997	REN36457
 ORDNANCE SURVEY NATIONAL GRID REFERENCE	70m	
	Survey Scale 1/1250	

NS5756NW NS5756NE NS5757SW NS5757SE

CROWN COPYRIGHT © - This copy has been produced from the ROS Digital Mapping System on 21/03/2018 with the authority of Ordnance Survey under Section 47 of the Copyright, Designs and Patents Act 1988. Unless there is a relevant exception to copyright, the copy must not be copied without the prior permission of the copyright owner. OS Licence no 100041182.



PROPOSED REAR EXTENSION
+ LOFT CONVERSION WITH DORMERS
AT 22, VICTORIA CRESC, CLARKSTON.

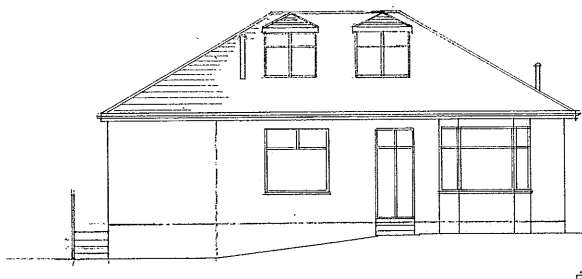


BLOCK PLAN

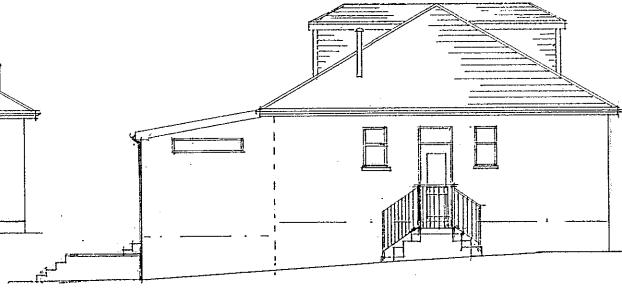
1:200

PROPOSED LOFT CONVERSION + REAR SINGLE STOREY EXTENSION
AT 22, VICTORIA CRESC, CLARKSTON.
PER: T. HUNTER / N. ASHE.

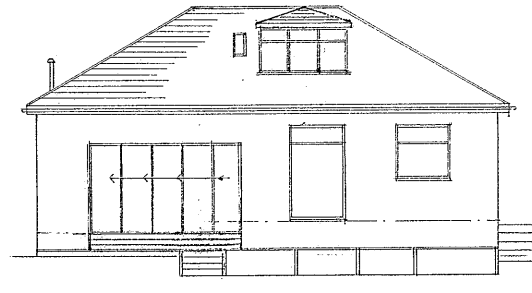
SCALE: 1:100
DRGN: 4238/2A.
DATE: OCT 2018.



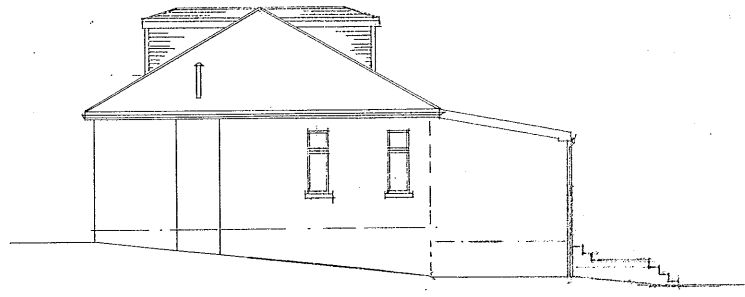
PROPOSED FRONT ELEVATION.



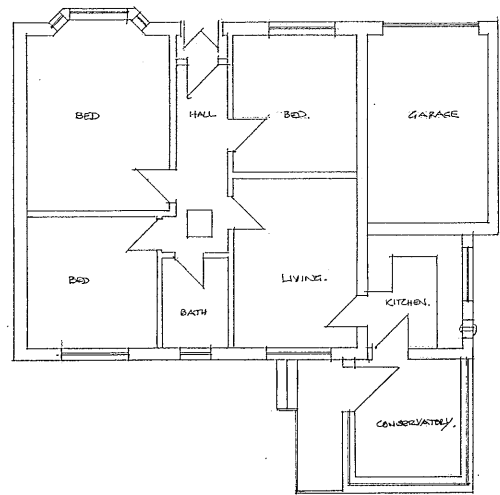
PROPOSED SIDE ELEVATION.



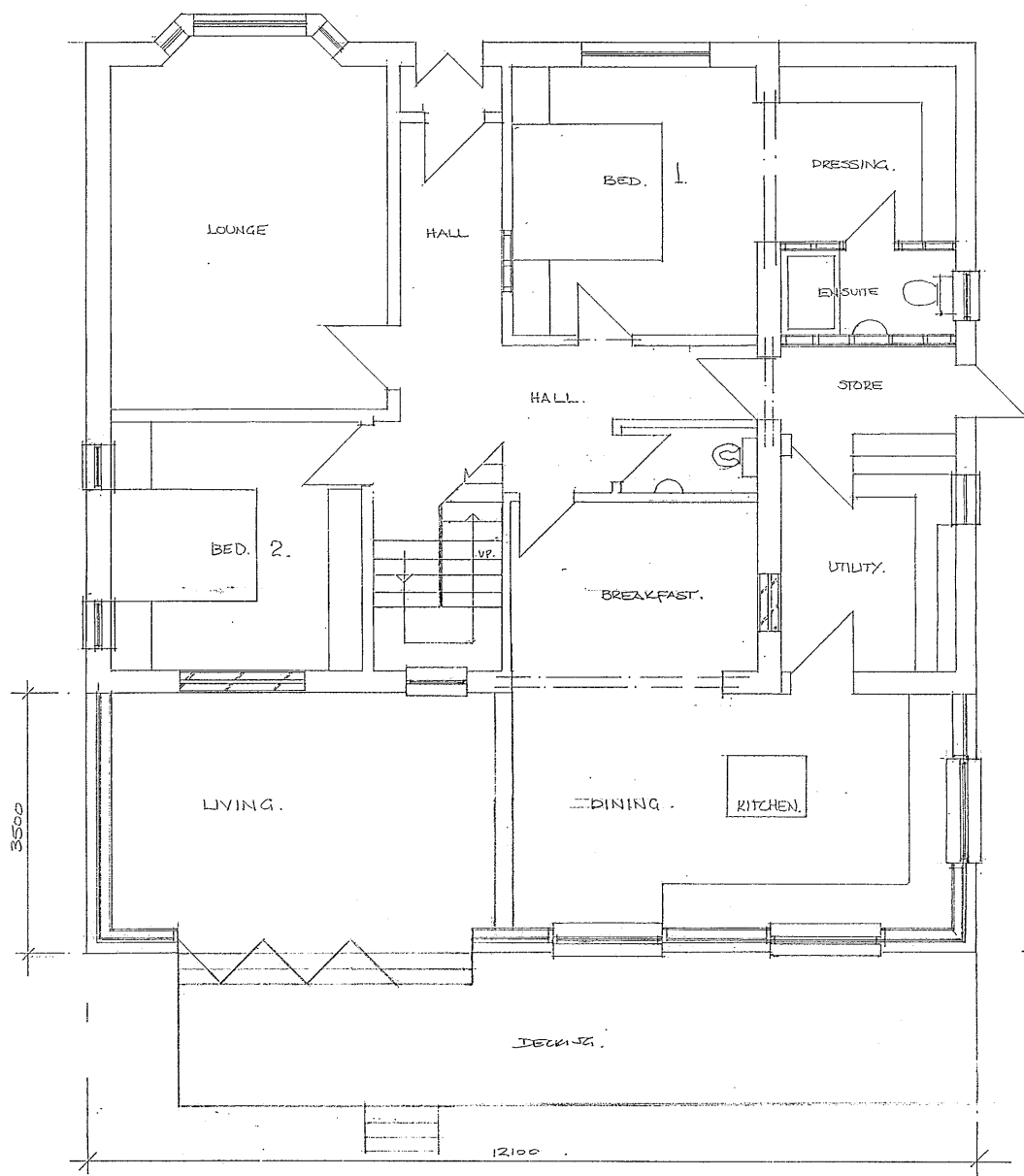
PROPOSED REAR ELEVATION.



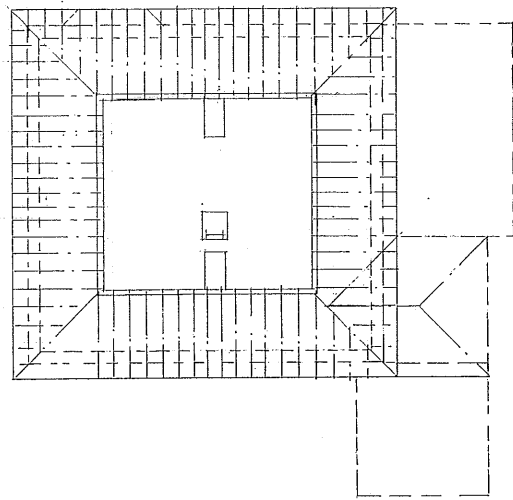
PROPOSED SIDE ELEVATION.



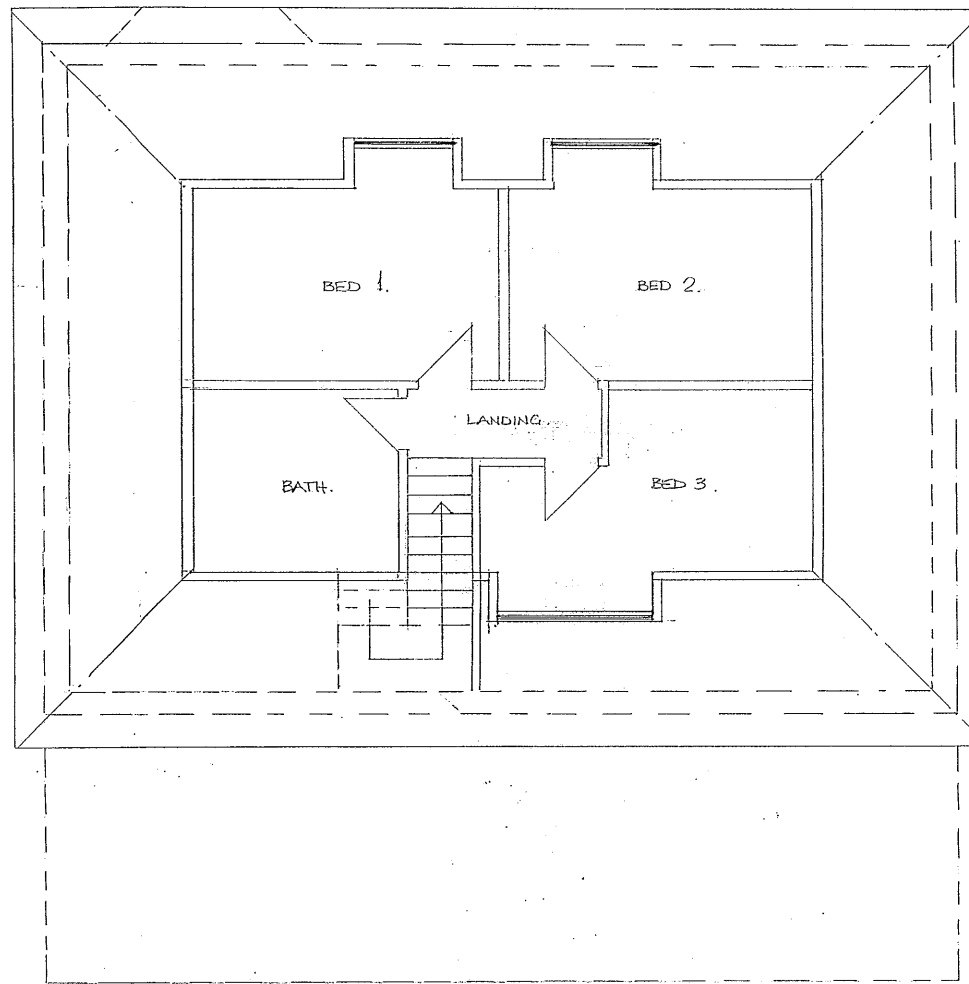
EXISTING G.F. PLAN.



PROPOSED G.F. PLAN.



EXISTING LOFT FLOOR PLAN.



PROPOSED LOFT FLOOR PLAN.

EAST RENFREWSHIRE COUNCILLOCAL REVIEW BODY13 March 2019Report by Deputy Chief ExecutiveREVIEW OF CASE - REVIEW/2019/03ERECTION OF FIVE FLATS FOLLOWING DEMOLITION OF EXISTING
DWELLINGHOUSE WITH ASSOCIATED CAR PARKING AND LANDSCAPING WITH
ASSOCIATED PARKING AND BIN STORAGE AT 163 AYR ROAD, NEWTON MEARNES**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:- 2017/0850/TP).
- Applicant: AYA Developments Ltd.
- Proposal: Erection of five flats following demolition of existing dwellinghouse with associated car parking and landscaping with associated parking and bin storage.
- Location: 163 Ayr Road, Newton Mearns.
- 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.

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

BACKGROUND

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

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

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

NOTICE OF REVIEW – STATEMENT OF REASONS FOR REQUIRING THE REVIEW

8. The applicant in submitting the review has stated the reasons for requiring the review of the determination of the application. A copy of the applicant’s Notice of Review and Statement of Reasons is attached as Appendix 5.

9. The applicant is entitled to state a preference for the procedure (or combination of procedures) to be followed by the Local Review Body in the determination of the review and has indicated that the stated preference is a site inspection.

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

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

12. In accordance with the above decision, the Local Review Body will carry out an unaccompanied site inspection on Wednesday, 13 March 2019 immediately before the meeting of the Local Review Body which begins at 2.30pm.

INFORMATION AVAILABLE TO ALLOW REVIEW OF APPLICATION

13. Section 43B of the Planning etc (Scotland) Act 2006 restricts the ability of parties to introduce new material at the review stage. The Local Review Body is advised that the focus of the review should, therefore, be on the material which was before the officer who dealt with the application under the Scheme of Delegation.

14. However, the applicant has submitted new information which was not available to the Appointed Officer at the time the determination of the application was made. The new information relates to overshadowing diagrams.

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

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

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

16. The applicant has been given an opportunity to explain why the information was not made available to the Appointed Officer at the time the application was determined.

17. In response, the applicant’s agent has advised that one of the reasons for refusal of the application was that the proposal would give rise to significant additional overshadowing and loss of daylight to the adjacent dwelling at 161 Ayr Road, Newton Mearns. The agent states that the Council did not request information on this matter during consideration of the application. Two overshadowing diagrams have been submitted in support of the review case as they show overshadowing at the spring solstice as existing and proposed.

18. 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.

19. Members should note that the new information has been excluded from the applicant’s submission.

20. 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 169 - 178);

- (b) Copies of Objections/Representations – Appendix 2 (Pages 179 - 210);
- (c) Report of Handling by the planning officer under the Scheme of Delegation - Appendix 3 (Pages 211 - 222);
- (d) Decision notice and reasons for refusal - Appendix 4 (Pages 223 - 226); and
- (d) A copy of the applicant's Notice of Review and Statement of Reasons - Appendix 5 (Pages 227 - 316).

15. The applicant has also submitted the drawings listed below (available for inspection within the Planning Division of the Environment Department prior to the meeting and for reference at the meeting) and these are attached as Appendix 6 (Pages 317 - 332).

- (a) Plans and elevations – AYA 4;
- (b) Elevations as proposed – AYA 5;
- (c) Proposed front and rear elevations – AYA 6;
- (d) NW elevation in context – AYA 10;
- (e) Section – AYA 11;
- (f) Section – AYA 12;
- (g) Section – AYA 13;
- (h) Section – AYA 14;
- (i) Section – AYA 15;
- (j) Refused - Location plan/site plan as existing – AYA 2 – E(0) 001;
- (k) Refused - Site plan as proposed – AYA 3 - D(43) 200;
- (l) Refused - First floor and attic floor plans – AYA 9 - D(43) 101;
- (m) Refused - Basement and ground floor plans – AYA 8 - D(43) 100; and
- (n) Refused - Elevations as proposed – AYA 7 – D(43) 122.

16. The Local Review Body is advised that initial consultation responses and representations received if any, relating to the application will be listed in the planning officer's Report of Handling.

17. All the documents referred to in this report can be viewed online on the Council's website at www.eastrenfrewshire.gov.uk with the exception of any representations that have been made to the application.

RECOMMENDATIONS

18. The Local Review Body is asked to:-

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

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

Report Author: Paul O'Neil

Director - Caroline Innes, Deputy Chief Executive

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

Date:- March 2019

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**APPLICATION
FOR
PLANNING PERMISSION**

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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 100079085-001

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

Type of Application

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

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

Description of Proposal

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

Application for the erection of a flatted development with associated parking, bin storage and outdoor space.

Is this a temporary permission? *

Yes No

If a change of use is to be included in the proposal has it already taken place?

Yes No

(Answer 'No' if there is no change of use.) *

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

No Yes – Started Yes - Completed

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	NVDC Architects		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	Farahbod	Building Name:	Bradbury House
Last Name: *	Nakhaei	Building Number:	10
Telephone Number: *	<input type="text"/>	Address 1 (Street): *	High Craighall Road
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	Glasgow
Fax Number:	<input type="text"/>	Country: *	UK
		Postcode: *	G4 9UD
Email Address: *	enquiries@nvdc.co.uk		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	Bradbury House
First Name: *	<input type="text"/>	Building Number:	10
Last Name: *	<input type="text"/>	Address 1 (Street): *	High Craighall Road
Company/Organisation	AYA Developments Ltd	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	Glasgow
Extension Number:	<input type="text"/>	Country: *	United Kingdom
Mobile Number:	<input type="text"/>	Postcode: *	G4 9UD
Fax Number:	<input type="text"/>		
Email Address: *	farahbod@nvdc.co.uk		

Site Address Details

Planning Authority:

East Renfrewshire Council

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

Address 1:

163 AYR ROAD

Address 2:

NEWTON MEARNES

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

GLASGOW

Post Code:

G77 6RE

Please identify/describe the location of the site or sites

Northing

655720

Easting

253853

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

Meeting Telephone Letter Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (max 500 characters)

Please see the Consultation part in our Design Statement.

Title:

Ms

Other title:

First Name:

Alison

Last Name:

Mitchell

Correspondence Reference Number:

PREAPP/2017/0370

Date (dd/mm/yyyy):

30/08/2017

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area:

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

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

Access and Parking

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

Yes No

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

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

Yes No

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

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

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

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

Water Supply and Drainage Arrangements

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

Yes No

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

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

Do your proposals make provision for sustainable drainage of surface water?? *
(e.g. SUDS arrangements) *

Yes No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

- Yes
 No, using a private water supply
 No connection required

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

Assessment of Flood Risk

Is the site within an area of known risk of flooding? *

Yes No Don't Know

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

Do you think your proposal may increase the flood risk elsewhere? *

Yes No Don't Know

Trees

Are there any trees on or adjacent to the application site? *

Yes No

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

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? *

Yes No

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

A Bin Store will be provided to the front of the property for easy collection via Ayr Rd.

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

Yes No

How many units do you propose in total? *

5

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

Yes No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) *

Yes No Don't Know

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

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

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? * Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? * Yes No

Is any of the land part of an agricultural holding? * Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Farahbod Nakhaei

On behalf of: AYA Developments Ltd

Date: 18/12/2017

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

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

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

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

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

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Site Layout Plan or Block plan.

Elevations.

Floor plans.

Cross sections.

Roof plan.

Master Plan/Framework Plan.

Landscape plan.

Photographs and/or photomontages.

Other.

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

Design Statement

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

Yes N/A

A Design Statement or Design and Access Statement. *

Yes N/A

A Flood Risk Assessment. *

Yes N/A

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

Yes N/A

Drainage/SUDS layout. *

Yes N/A

A Transport Assessment or Travel Plan

Yes N/A

Contaminated Land Assessment. *

Yes N/A

Habitat Survey. *

Yes N/A

A Processing Agreement. *

Yes N/A

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

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

Declaration Name: Mr Farahbod Nakhaei

Declaration Date: 18/12/2017

Payment Details

Online payment XXXXXXXXXX
Payment date: 18/12/2017 16:59:00

Created: 18/12/2017 16:59

COPIES OF OBJECTIONS/REPRESENTATIONS

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Comments for Planning Application 2017/0850/TP

Application Summary

Application Number: 2017/0850/TP

Address: 163 Ayr Road Newton Mearns East Renfrewshire G77 6RE

Proposal: Erection of five flats following demolition of existing dwellinghouse with associated car parking and landscaping with associated parking and bin storage.

Case Officer: Mr Derek Scott

Customer Details

Name: Dr William L Maxwell

Address: 4 Dunure Place, Newton Mearns, East Renfrewshire G77 5TZ

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: 163 Ayr Road, Newton Mearns

Erection of five flats following demolition of existing dwelling house with associated car parking and landscaping with associated parking and bin storage

The BKM Community Council does object to the above planning application for the following reasons:

- The height of the proposed block of flats is at least one storey too high. It is out of scale and proportion to the adjacent and nearby residential properties.
- It does not reflect the nature of the surrounding residential properties in Ayr Road and Maple Avenue, and does not contribute to the visual character of the area. This is particularly true of the adjacent property at 161 Ayr Road, which will be visually dominated by this structure. It is accepted that Ayr Road has a variety of building styles in the immediate area, but its impact on the amenity of the adjacent house should be a significant factor in the consideration of this planning application.

2 Feb 2018

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Comments for Planning Application 2017/0850/TP

Application Summary

Application Number: 2017/0850/TP

Address: 163 Ayr Road Newton Mearns East Renfrewshire G77 6RE

Proposal: Erection of five flats following demolition of existing dwellinghouse with associated car parking and landscaping with associated parking and bin storage.

Case Officer: Mr Derek Scott

Customer Details

Name: Mr William McGuire

Address: 15 Maple Avenue, Newton Mearns, East Renfrewshire G77 5BQ

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I would like to object to the above planning application on the following grounds.

Firstly. The erection of the 5 flats consisting of 4 storeys would result in a considerable loss of privacy to the front and side of my dwelling which consists of 2 bedrooms including the master bedroom at the front. My front lounge and dining room, none of which are currently intruded by the existing building.

The erection of this 4 storey building would result in a considerable loss of the limited sunlight in what is a north facing aspect of Maple Avenue.

Secondly. The multiplication from 1 house to 5 with the consequent multiplication of vehicle ownership and other household activity would result in a significant increase in noise and pollution particularly given the proposal for parking to be adjacent to Maple Avenue.

Thirdly. There is already well documented problems with parking and traffic flow in the area. This application proposal would only exacerbate an already unacceptable situation as there is no capacity to accommodate visitor parking, deliveries or trades vehicles other than to cause further congestion in an already saturated area.

I would also add that the egress point of the flats would cause further congestion when the traffic is queued at the light controlled junction.

Forthly. The proposed development can only be described as an eye sore, totally out of keeping in both height and design of all the properties on both sides and behind. The applicant choosing to compare his proposed development with a former bank opposite and an unique structure built 100 years ago almost 100 meters distant from it.

Fifthly. There would be a significant detrimental environmental impact given the proposal to replace 1 household with 5 on the same foot print.

The last thing that this area needs is increasingly elevated flatted accommodation to replace a perfectly good and serviceable bungalow which is entirely in keeping with the houses surrounding

it. The applicant having dressed his application in much exaggerated ecological terms to service only commercial interest.

The applicant citing of other developments within the greater area in no way justifies the approval of this application, as each should be judged in there own merits and not as a general principle.

From:William McGuire
Sent:Sun, 4 Feb 2018 14:11:35 +0000
To:EN Planning
Subject:OBJECTION 2017/0850/TP 163 AYR ROAD NEWTON MEARNs

Dear Sir/Madam

I would like to object to the planning application submitted by NVDC Architects for the demolition of the house at 163 Ayr Road and the planned erection of 5 flats on the following grounds.

The proposed flats do not reflect the established pattern of development within the area or the scale and character of the surroundings.

In their consultation document the architects have only drawn a comparison with the property on the Ayr Road in particular the new flats that have been built on the site of the old Mearns Primary, they do not offer any comparison with the houses in Maple Avenue which are almost exclusively detached and semi detached bungalows and villas.

The proposed development lies to the north west which receives the sunlight in the afternoon. At present this is not a great problem as the houses in Maple Avenue are far enough away from the houses on the Ayr Road that it does not affect them. This proposed development dwarfs the current houses on the Ayr Road and would definitely overshadow the house in Maple Avenue.

There is also the problem of overlooking the properties in Maple Avenue. At present due to the fact that there are no houses directly opposite the majority of houses in Maple Avenue the residents enjoy a high degree of privacy. The introduction of a large flatted construction would mean that the residents of the flats would be looking directly into all public and bedroom areas of the houses in Maple Avenue.

As the architects pointed out in their consultation there will be a problem with parking on the Ayr Road during the peak period when the road is subject to parking restrictions. This would lead to an increase in the number of vehicles being parked in Maple Avenue which is already at breaking point with the ever increasing number of all day parkers. Maple Avenue is at present part of an active consultation regarding the introduction of parking restrictions following years of considerable traffic problems a which have been highlighted to the council and police

Another area of concern is the infrastructure of the area, at present there are two planning applications submitted to the planning department in East Renfrewshire, one for 163 Ayr Road and one for the vacant ground adjacent to 163 Ayr Road. I have lived in Maple Avenue for 28 years and there has only been one household between the two plots. The proposals is that we now have 11 households feeding into a sewerage and drainage system which is vastly overworked and in need of upgrading.

My conclusion is what we have here is a developer who paid £440,000 to purchase the property at 163 Ayr Road and who is now looking to make a huge profit by building and selling 5 flats with no regard for the current or future residents of the area.

Regards
William McGuire
15 Maple Avenue
Newton Mearns
G77 5BQ

Sent from my iPad

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Comments for Planning Application 2017/0850/TP

Application Summary

Application Number: 2017/0850/TP

Address: 163 Ayr Road Newton Mearns East Renfrewshire G77 6RE

Proposal: Erection of five flats following demolition of existing dwellinghouse with associated car parking and landscaping with associated parking and bin storage.

Case Officer: Mr Derek Scott

Customer Details

Name: Mr John O'Brien

Address: 47 Rodger Avenue, Newton Mearns, East Renfrewshire G77 6JS

Comment Details

Commenter Type: Ward Councillor

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: On behalf of Crookfur, Greenfarm & Mearns Village I would like to object to planning application 2017/0850/TP.

Many local residents have expressed a number of concerns such as:

- Size and scale outwith of neighbourhood
- Overlooking neighbouring properties
- Over shadowing neighbouring properties
- Insufficient parking in vicinity
- Concern over emergency vehicles access
- No visitor parking planned, a must given the new parking restrictions on Ayr Road
- Not required to squeeze 5 flats into an area where only one house before. Given the size of Maidenhill development there is no need to cram in so many people into such a small plot.

Furthermore given that the development is larger than 3 units should 25% of affordable housing not apply?

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Comments for Planning Application 2017/0850/TP

Application Summary

Application Number: 2017/0850/TP

Address: 163 Ayr Road Newton Mearns East Renfrewshire G77 6RE

Proposal: Erection of five flats following demolition of existing dwellinghouse with associated car parking and landscaping with associated parking and bin storage

Case Officer: Mr Derek Scott

Customer Details

Name: Mr Brian Kilcoyne

Address: 159 Ayr Road, Newton Mearns, East Renfrewshire G77 6RE

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I would like to lodge my objection to this proposal based upon the following:

- 1 - Building is outwith of local neighbourhood character;
- 2 - Applicant states that this is a town centre development in their application, whereas the property is in a residential neighbourhood. The middle of the Ayr Road is the dividing line for town centre classification and therefore the property lies on the residential side of the district;
- 3 - Materials are outwith of character of adjacent properties, Neighbours are all Red sandstone and not blonde as applicants proposal.
- 4 - Property is too tall. Applicant has based their heights upon this being comparable to the town centre development on the other side of Ayr Road, whereas this is a residential area and therefore the surrounding residential properties heights should be used.
- 5 - Not enough car parking on site given the number of flats and parking restrictions placed upon Ayr Road. Not enough visitor parking. Insufficient turning space at rear of property for vehicles to safely move around without performing 3 or 4 point turns;
- 6 - Proposal overlooks too much the properties at 161 and 159 Ayr Road and the empty plot at Maple Avenue / Ayr Road.
- 7 - Amenity space calculation is wrong. Applicant has calculated the provision as shown on calculation for Area A includes land that belongs to the owners of properties in Maple Avenue. The land beyond the burn at the rear of the garden should therefore be excluded from the applicant amenity space. Therefore no proof that they are able to provide the required 150m² of amenity space required.
- 8 - Proposal is forward of the existing streetscape and will cause significant overshadowing of Properties at 161 and 159 Ayr road.
- 9 - Applicant states that area is not prone to flooding. This is inaccurate, the burn at the rear of the property floods on a regular basis;

regards

Bran Kilcoyne
159 Ayr Road
Newton Mearns

Comments for Planning Application 2017/0850/TP

Application Summary

Application Number: 2017/0850/TP

Address: 163 Ayr Road Newton Mearns East Renfrewshire G77 6RE

Proposal: Erection of five flats following demolition of existing dwellinghouse with associated car parking and landscaping with associated parking and bin storage.

Case Officer: Mr Derek Scott

Customer Details

Name: Mr Brian Kilcoyne

Address: 159 Ayr Road, Newton Mearns, East Renfrewshire G77 6RE

Comment Details

Commenter Type: Rec'd Neighbour Notification from Council

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The application should be rejected as the applicant states that they own all the land that the proposal will be built upon. There is a ransom strip at the rear of this property that belongs to the associated properties in Maple Avenue. The applicant has used their land to work out the relevant amenity space calculations.

My further objections fall into the following

Size and scale out with of neighborhood

Overlooking

Over shadowing

Insufficient parking

Emergency vehicles access

No visitor parking, a must given the new parking restrictions on Ayr Road

Not required to squeeze 5 flats into an area where only one house before. Given the size of maidenhill development then there is no need to cram in so many people into such a small plot.

Application makes mention to size of former mearns primary flats. These are in the town centre zone whereas this application is within the residential zone and therefore should be more in keeping within the houses around it that is bungalows and 2 storey properties.

Not in keeping with street scene as property is now recessed further back from original house.

regards

Comments for Planning Application 2017/0850/TP

Application Summary

Application Number: 2017/0850/TP

Address: 163 Ayr Road Newton Mearns East Renfrewshire G77 6RE

Proposal: Erection of five flats following demolition of existing dwellinghouse with associated car parking and landscaping with associated parking and bin storage

Case Officer: Mr Derek Scott

Customer Details

Name: Mr Giorgio Pitisci

Address: 161 Ayr Road, Newton Mearns, East Renfrewshire G77 6RE

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: To whom it may concern

We would like to lodge our objection to the proposal 2017/0850/TP based upon the following:

1. In appearance the proposed building is not in keeping with neighbouring properties of Red Sandstone, the traditional upstairs/ downstairs residential properties in Maple Avenue or indeed the red brick medical centre. The ultra-modern aluminium, blonde brick, glass and timber cladding clashes with the character of all the buildings in its vicinity.
2. Applicant states that this is a town centre development in application, however, the property is in a residential neighbourhood. The middle of the Ayr Road is the dividing line for town centre classification.
3. The proposed property is considerably taller than our house (from drawings appears to be a full floor taller). The applicant appears to be respecting the existing height of the buildings on the other side of the road (the designated town centre) and not the existing height of the properties on this side of the road i.e. the residential area.
4. From the plans there would not appear to be sufficient manoeuvring space for the designated number of car parking spaces. This being particularly relevant at this time as the Council is in the midst of consultation that could lead to further on-street parking restrictions placed upon Ayr Road.
5. Amenity space calculation is wrong. Applicant has calculated the provision for Area A including land that belongs to the owners of properties in Maple Avenue (i.e. the land beyond the burn).
6. Plans show the proposal projecting beyond the existing streetscape - both at the front and at the back - and will cause overshadowing of our property as well as invade our privacy.

Yours sincerely

Angela and Giorgio Pitisci
161 Ayr Road

22/1/18

Comments for Planning Application 2017/0850/TP

Application Summary

Application Number: 2017/0850/TP

Address: 163 Ayr Road Newton Mearns East Renfrewshire G77 6RE

Proposal: Erection of five flats following demolition of existing dwellinghouse with associated car parking and landscaping with associated parking and bin storage

Case Officer: Mr Derek Scott

Customer Details

Name: Mrs Angela Pitisci

Address: 161 Ayr Road, Newton Mearns, East Renfrewshire G77 6RE

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: To whom it may concern

I stand by the objection filed by son (G.Pitisci). In addition, I would like to raise the following concerns:

1. is there sufficient visitor/owner car parking space? The Ayr Road is already congested to the point that people park across existing access (ignoring existing parking restrictions e.g. the bollards and double yellow line in front of the restaurant).
2. Drains have been problematic and I worry about further addition to the system.
3. I am concerned about the extent to which the proposal protrudes beyond the footprint of the existing buildings (in height and depth) creating overshadowing and intrusion of privacy.
4. The burn at the back is already prone to flooding.

Yours truly

Angela Pitisci

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Comments for Planning Application 2017/0850/TP

Application Summary

Application Number: 2017/0850/TP

Address: 163 Ayr Road Newton Mearns East Renfrewshire G77 6RE

Proposal: Erection of five flats following demolition of existing dwellinghouse with associated car parking and landscaping with associated parking and bin storage.

Case Officer: Mr Derek Scott

Customer Details

Name: Mr Giorgio Pitisci

Address: 161 Ayr Road, Newton Mearns, East Renfrewshire G77 6RE

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: To whom it may concern

I would like to lodge my objection to the proposal 2017/0850/TP (163 Ayr Road) based upon the following points:

HEIGHT

In the submission the applicant has gone to great lengths to point out other buildings to justify the height of the proposed building, however:

1. The architect has not addressed the fact that 163 Ayr Road is not designated 'town centre' i.e. the height of the flats in Scholars Court is not an appropriate yardstick.
2. The proposed height is not in line or keeping with the existing buildings which are bungalows in Ayr Road and in Maple Avenue traditional two storey houses. The proposed building is at least a full storey taller than my property at 161 Ayr Road leaving me with a feeling of being 'dwarfed' by the plan.
3. The buildings he highlights as justification for the proposed height are not comparable as they are not in the immediate vicinity (some over a mile away!) and all of which are within plots of considerably greater scale.
4. As the immediate neighbour I know the sun moves diagonally across us (from the rear of the building to the front) and that shading already exists in the afternoon / evening. Shading of my back garden will obviously be augmented by the siting and height of the proposed building.
5. In his submission the applicant justifies height by linking his plan with the plan and application for 6 flats in the adjacent vacant site. Surely this is irrelevant? Does each application not stand on its own merits and not on speculation of other applications?

PRIVACY

The proposed building is extending over the existing driveway and well beyond the present site-line at the rear, leaving me with a feeling of encroachment on both my space and privacy.

LIGHT

1. The only window I have in my dining room looks out along the boundary (towards Maple Avenue), therefore the proposed extension of the footprint both way away from Ayr Road and towards my property will have implications on both the quality of light and privacy of my dining room.
2. Given the proposed height and re-siting of the building I believe that the side of my house / path run the risk of being in permanent shade.

PARKING & ACCESS

1. There appears to be no provision for visitor parking, potentially creating more traffic on roads that have new parking restrictions now in place.
2. I cannot understand from the plans how the proposed car parking will allow adequate and safe space for cars to manoeuvre in/out of bays whilst trying to see traffic on Ayr Road and potentially other users simultaneously trying to come into the car park!
3. By re-siting the entrance it takes it closer to the bus stop.
4. The proposed building would be a multi-occupancy property set further back than at present; would there be suitable space / access for emergency service vehicles in the event of an emergency?
5. I do not believe that the applicant has considered space for delivery, again pushing vehicles onto a road with parking restrictions.
6. The plans are not user-friendly and are unclear as to the issue of the emptying of the bins, are operatives been expected to collect refuse walking through a car park?

MATERIALITY

The applicant claims to have taken his 'palette' from the existing buildings, where has he seen zinc cladding in the vicinity?

LANDSCAPING / AMENITY SPACE

1. As the building is 'moving back' is there really appropriate landscaping space? Are we totally losing green space simply for more development?
2. A constant feature of all existing buildings in the immediate vicinity is garden space, in this proposal we are losing one of the characteristic and desirable points of the area.
3. The applicant claims to be proposing development of family housing; is there really adequate and appropriate space at the back for children to play in?
4. In the amended plans, the applicant does not appear to have addressed the issue of the 'ransom strip' in Maple Avenue in his calculation of amenity space.

Comments for Planning Application 2017/0850/TP

Application Summary

Application Number: 2017/0850/TP

Address: 163 Ayr Road Newton Mearns East Renfrewshire G77 6RE

Proposal: Erection of five flats following demolition of existing dwellinghouse with associated car parking and landscaping with associated parking and bin storage.

Case Officer: Mr Derek Scott

Customer Details

Name: Mr Giorgio Pitisci

Address: 161 Ayr Road, Newton Mearns, East Renfrewshire G77 6RE

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: To whom it may concern

I would like to lodge my objection to the proposal 2017/0850/TP (163 Ayr Road) based upon the following points:

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In the submission the applicant has gone to great lengths to point out other buildings to justify the height of the proposed building, however:

1. The architect has not addressed the fact that 163 Ayr Road is not designated 'town centre' i.e. the height of the flats in Scholars Court is not an appropriate yardstick.
2. The proposed height is not in line or keeping with the existing buildings which are bungalows in Ayr Road and in Maple Avenue traditional two storey houses. The proposed building is at least a full storey taller than my property at 161 Ayr Road leaving me with a feeling of being 'dwarfed' by the plan.
3. The buildings he highlights as justification for the proposed height are not comparable as they are not in the immediate vicinity (some over a mile away!) and all of which are within plots of considerably greater scale.
4. As the immediate neighbour I know the sun moves diagonally across us (from the rear of the building to the front) and that shading already exists in the afternoon / evening. Shading of my back garden will obviously be augmented by the siting and height of the proposed building.
5. In his submission the applicant justifies height by linking his plan with the plan and application for 6 flats in the adjacent vacant site. Surely this is irrelevant? Does each application not stand on its own merits and not on speculation of other applications?

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Comments for Planning Application 2017/0850/TP

Application Summary

Application Number: 2017/0850/TP

Address: 163 Ayr Road Newton Mearns East Renfrewshire G77 6RE

Proposal: Erection of five flats following demolition of existing dwellinghouse with associated car parking and landscaping with associated parking and bin storage.

Case Officer: Mr Derek Scott

Customer Details

Name: Mrs Angela Pitisci

Address: 161 Ayr Road, Newton Mearns, East Renfrewshire G77 6RE

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: To whom it may concern

I would like to lodge my objection to the proposal 2017/0850/TP based upon the following:

I strongly feel that the height of the proposed building is well out of keeping with that of the surrounding properties in Ayr Road and Maple Avenue (a mixture of bungalows and 2 storey houses). The plan singles out Pollok House as an exception, yet that, too, is a 2 storey house. The one window in the dining room of 161 Ayr Road looks onto Maple Avenue along the 161/163 boundary, the proposed height and re-siting of the building would reduce my view to that of the side of a building that considerably towers my property, and will, undoubtedly impact on the quality of light (even accepting the plan's 45° rule).

Indeed, the re-siting of the proposed building would throw its footprint out of line with the other buildings in Ayr Road (a well-established line that extends ½ mile to Firwood Road and beyond). The plan, between its re-siting and new car park, effectively takes away the garden, reducing green space to a narrow strip between the rear of the building and a well-established tree line; thus creating an area devoid of direct sunlight as shade would be created by the trees in the morning then by the building itself in the afternoon/evening. The gardens and green space are a well-sought feature of all the houses in the area (even the flats at Scholars Court have introduced landscaping - then the plot allows this as it is of a totally different scale).

I also wish to express concern over the car park; the plans do not convince me of there being adequate space for safe and comfortable manoeuvrability, particularly for those parking in the corner bays.

Overall, I feel that the plan does not sit well within the physical limitations of the plot and does not reflect the local character.

Comments for Planning Application 2017/0850/TP

Application Summary

Application Number: 2017/0850/TP

Address: 163 Ayr Road Newton Mearns East Renfrewshire G77 6RE

Proposal: Erection of five flats following demolition of existing dwellinghouse with associated car parking and landscaping with associated parking and bin storage

Case Officer: Mr Derek Scott

Customer Details

Name: Mr bryson mcneil

Address: Kismuil 20 Greenlaw Road, Newton Mearns, East Renfrewshire G77 6ND

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to this proposal as it will create 5 households in place of one and add our overloaded infrastructure. It is entirely inappropriate and if other proposals in this area are allowed the character of and culture will soon be completely destroyed.

If everyone knocked down their bungalows and built flats as proposed the area will descend into a warren of rabbit-like overcrowded and undesirable to the community hutches. Proposals like this bring no benefit to the community and are fuelled purely by avarice and greed.

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Newton Mearns Residents Flood Prevention Group Buidheann Casg Thuiltean aig Muinntir Baile Ùr na Maoirne

c/o 11 Belhaven Place, Newton Mearns, Glasgow G77 5FJ
mearnsresidents@gmail.com

4th February 2018

Planning Department,
2 Spiersbridge Way,
Spiersbridge Business Park,
Thornliebank,
East Renfrewshire.
G46 8NG
Ecopy: planning@eastrenfrewshire.gov.uk

Dear Sir/Madam,

Planning Application 2017/0850/TP - Erection of five flats following demolition of existing dwelling house with associated car parking and landscaping with associated parking and bin storage, 163 Ayr Road, Newton Mearns, East Renfrewshire

We have been asked by a resident to review, comment and make a representation on the above planning application, as there is a significant watercourse draining through the site (*Applicant's Job Number NVO337, Drawing Number E(0)100, Existing Site Plan (Figure 1)*). This watercourse is Burn 'E' referred to in the *Maidenhill Masterplan Area: Supplementary Planning Guidance (2015)*. We hope that our observations are useful to the applicant, East Renfrewshire Council, and the relevant statutory consultees: SEPA and the Broom, Kirkhill and Mearnskirk Community Council.

We note that the applicant seeks planning permission to erect five flats on a sloping site between Ayr Road and Maple Avenue, following demolition of an existing three-story dwelling house. Burn 'E' flows through the site, draining 15 hectares to the west of Cheviot Drive. It also drains additional run-off from land between Cheviot Drive and Maple Avenue, much of which is impermeable having been developed as domestic housing. Burn 'E' is a headwater of the Shaw Linn and is culverted from Langrig Road/Gilmourton Crescent to Maple Avenue. Burn 'E' issues in Maple Avenue immediately south of the proposed development site (*Figure 3*), at the northern end of the aforementioned culvert, of some 280 metres in length.

The outfall into Maple avenue is from a pipe through a vertical, concrete chamber, with an outlet aperture some 1m square. Burn 'E' drains through the part of the proposed development site identified as Amenity Area 'A' on the drawings (*Drawing Number D(43)100, Basement & GF Layout*

as Proposed; and Drawing Number D(43)200 Amenity and Waste Layout, (Figure 2)). The development is shown to extend to within approximately 800mm of the centre-line of the watercourse, with construction of a raised car park. The clearance between the retaining wall of the car park and the watercourse is shown to be less than 500mm. It is possible that the concrete foundation of this retaining wall will encroach on the watercourse and/or its flood plain (Drawing Number D(43)120 Elevations as Proposed).

Downstream of the proposed development site, Burn 'E' drains under Beech Avenue, Shaw Road, Hazelwood Avenue, Firwood Road and drains into the Shaw Linn adjacent to Oakwood Drive. Before reaching the Shaw Linn, it passes through four private gardens; in two gardens through areas laid to lawn, in another through a rockery, and in another alongside a children's play area.

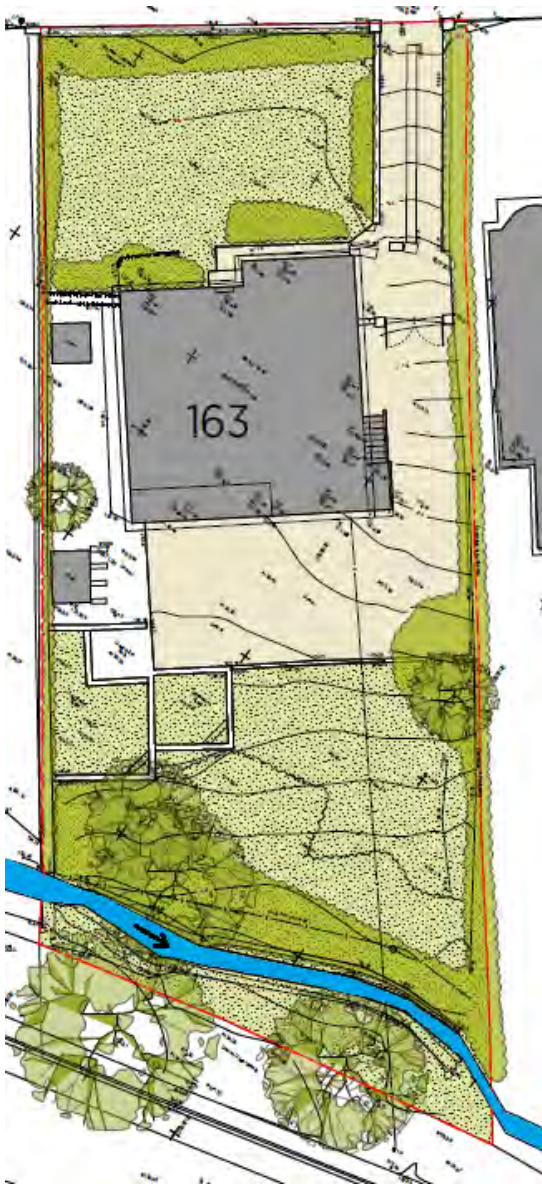


Figure 1 – **Existing** site plan,
Drawing Number E(0)100.
Burn 'E' is shown in blue.

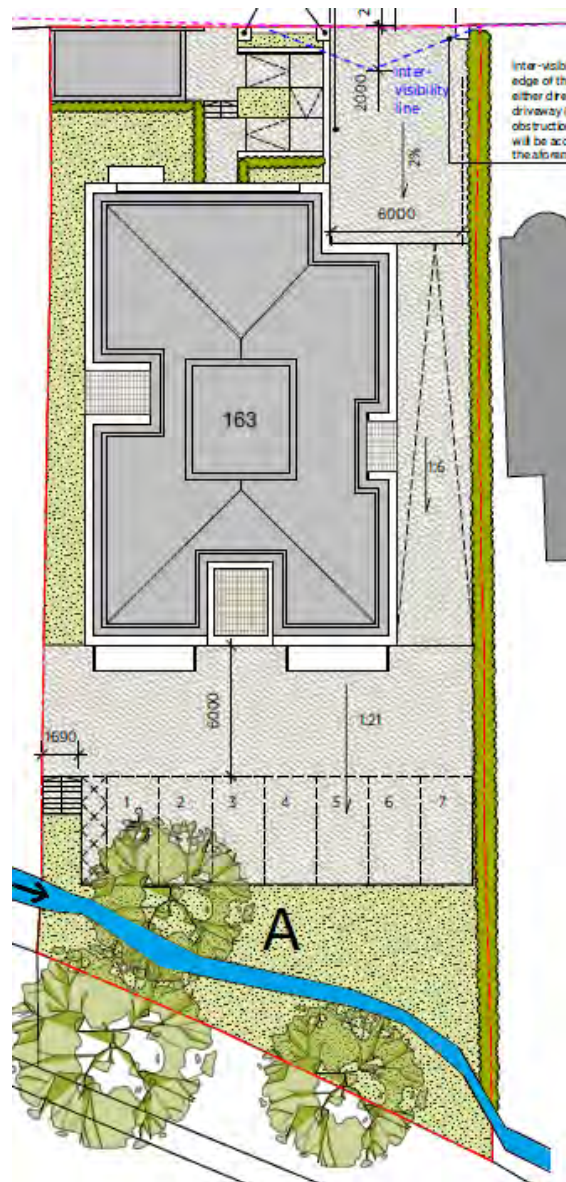


Figure 2 – **Proposed** amenity and waste
layout, Drawing Number D(43)200.
Burn 'E' is shown in blue.

Flood Risk

Newton Mearns is classified as a Potentially Vulnerable Area (PVA) for surface water flooding by SEPA. The flooding includes interaction with watercourses and foul sewers. Burn 'E' is one of the watercourses known to be at Flood Risk.

The Hydrological Scoping Study, East Renfrewshire Council, October 2013 states that: "No drainage system should be connected with Burn 'E' near Cheviot Drive or culverts connecting with this burn". The East Renfrewshire Local Development Plan, Supplementary Planning Guidance: Maidenhill Master Plan, June 2015, further states that: "Due to known existing capacity issues, under no circumstances should any drainage system be connected to the unnamed burn adjacent to Cheviot Drive or any culverts connecting to this burn".

We know that the burn in Maple Avenue breaches its banks during periods of heavy rainfall (*Figure 4*) and poses a major risk for flooding for about twenty downstream properties. The culvert downstream of the site is checked at least quarterly by East Renfrewshire Council in order to clear any blockages (*Bi-annual Flooding Report, East Renfrewshire Council, 2011*). The burn may flood Amenity Area 'A' and reach the retaining wall of the car-park (*Figure 2*) during heavy rain-fall.



Figure 3 - Burn 'E' issues at Maple Avenue, immediately upstream of the proposed development site, 19 November 2012



Figure 4 - Burn 'E' flooding at Maple Avenue, just downstream of the proposed development site, 19 November 2012

Burn 'E' is also at risk of sewer flooding and resultant pollution from time-to-time, especially during periods of heavy rainfall. The combined sewer network upstream of the proposed development site floods during periods of high rainfall. This existing sewer flooding is highlighted in Scottish Water's recent *Development Impact Assessment, Maidenhill Farm, September 2015*.

Sewer flooding was last recorded as recently as Tuesday 23rd January 2018. This was reported to Scottish Water. Some of the sewage run-off enters Burn 'E', contrary to *The Water Environment (Controlled Activities) (Scotland) Regulations (2011)*. In the context of such flooding, Scottish Water advises that contaminated areas should not be walked upon for up to 20 days until the harmful

bacteria are rendered safe (*Scottish Water Fact Sheet 10: External Flooding (EF3 03/15), 2015*; and *Scottish Water Sewer Flooding Guide, Final Version, 6 March 2015*).

Site Inflow

There is no Flood Risk Assessment submitted with the application. However, we know from the Flood Risk Assessment prepared for CALA Queen's Gait development in 2011 (by Dougal Baillie Associates, on behalf of Stewart Milne Homes), that the catchment upstream of Cheviot Drive is 15 hectares. Of this catchment 4.86 hectares is developed (CALA Queen's Gait development) and 10.1 hectares is undeveloped (Fa'side House estate).

The inflow from the undeveloped area (10.1 ha) is attenuated by an orifice plate on the outflow of a Compensatory Flood Store at Mearnswood Place/Cheviot Drive. The rate is attenuated to a 100-year run-off rate of 174 l/s. The run-off from the developed area is attenuated by a hydro-brake on the outflow of the Sustainable Drainage System (SuDS) at Mearnswood Place/Cheviot Drive to a 2-year run-off rate of 29 l/s. The total inflow at Maple Avenue is therefore in excess of 203 l/s for a 100 to 200-year return period.

The volume and rate of the inflow from the additional catchment area between Cheviot Drive and Maple Avenue is unknown to the Flood Prevention group. However, this inflow would presumably be included in any future Flood Risk Assessment for the development site.

The total inflow data from the complete catchment area would enable the applicant to determine the maximum depth of the watercourse during a 200-year rainfall event together with the advisory 20% allowance for climate change (*Technical Flood Risk Guidance for Stakeholders (Reference: SS-NFR-P-002), SEPA, 2015*). We would note that there is no data submitted with the application to demonstrate that the proposed car park does not encroach on the 1:200 flood-plain/extent of Burn 'E' (*Job Number NVO337, Drawing Number D(43)100, Basement & GF Layout as Proposed & D(43)200, Amenity and Waste Layout (Figure 2)*). We would further note that there may be the potential for the car park and its foundations to be undercut when Burn 'E' is in spate. The car park may need to be re-configured and reinforced with a barrier wall, resistant to scouring and erosion to prevent undercutting.

Drainage drawings

Please can we have sight of the onsite drainage drawings, showing connection to the sewer. They have not been published online.

Sustainable Drainage System (SuDS)

We note that the applicant proposes to use SuDS. That should reduce the site run-off into Burn 'E' burn to the 2-year greenfield rate up to a 200-year return period plus climate change allowance, as

required by East Renfrewshire Council. The site specific greenfield rate should presumably be calculated using current methods recommended by SEPA. However, no drawings, specifications or calculations have been submitted or published to demonstrate this. It is presumed that the raised car park would allow for installation of an underground attenuation tank solution (e.g. 'Stormcell' or equivalent), with an attenuated outflow to the watercourse, to match the site specific greenfield rate.

When designing a surface water management system for a sloping site such as this, we are of the understanding that the following issues should be considered:

1. The effective utilisation of storage capacity within the SuDS components.
2. The likely velocities in infiltration drains on the driveway, pipes and underground tank due to the steep gradients, which may affect resuspension of pollutants, as well as health and safety. (The issue with possible pollutants from the car park is especially important with respect to the *The Water Environment (Controlled Activities) (Scotland) Regulations (2011)*. We would note that the downstream watercourse passes through five private gardens (Beech Avenue, Hazelwood Drive (x2), Firwood Road, Broomvale Drive/Knowes Road) and adjoins tens of private gardens, including those where it forms the garden boundary (e.g. Dunbeath Avenue, Doune Crescent and Broompark Drive). Consequently, a duty of care is especially required to ensure that the SuDS run-off from the car park does not include petrol, diesel, motor oil, antifreeze etc.)
3. The risks of infiltrating water reappearing as spring lines further down the driveway and car park.

We hope that our observations and our contemporary local knowledge are useful to the applicant and the statutory consultees.

Yours sincerely,

Dr Michael Bradnam, Chartered Engineer
Technical Adviser
Newton Mearns Residents Flood Prevention Group

Copy:

Roads Service, East Renfrewshire Council, c/o barry.scott@eastrenfrewshire.gov.uk
Flood Prevention Officer, East Renfrewshire, Council, c/o shona.fraser@eastrenfrewshire.gov.uk
Farahbod Nakhai, NVDC Architects, farahbod@nvdc.co.uk
Lorna Maclean, South West Planning Team, SEPA, lorna.maclean@sepa.org.uk
Dr Will Maxwell, Chair, Broom, Kirkhill and Mearns Kirk Community Council

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REPORT OF HANDLING

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REPORT OF HANDLING

Reference: 2017/0850/TP

Date Re-registered: 14th August 2018

Application Type: Full Planning Permission

This application is a Local Development

Ward: 5 -Newton Mearns South And Eaglesham

Co-ordinates: 253853/655720

Applicant/Agent:

Applicant:
AYA Developments Ltd
Bradbury House
10 High Craighall Road
Glasgow
United Kingdom
G4 9UD

Agent:
NVDC Architects
Bradbury House
10 High Craighall Road
Glasgow
UK
G4 9UD

Proposal: Erection of five flats following demolition of existing dwellinghouse with associated car parking and landscaping with associated parking and bin storage.

Location: 163 Ayr Road
Newton Mearns
East Renfrewshire
G77 6RE

CONSULTATIONS/COMMENTS:

East Renfrewshire Council Roads Service

No objection subject to conditions.

Affordable Housing and Developer Contributions
Officer

The payment of a commuted sum will be acceptable to address the affordable housing obligations. This has been agreed in principle with the applicant.

Contributions will be required for education (pre-five, primary and secondary); community facilities; and parks and open space. The applicant has been advised of these obligations.

Scottish Environment Protection Agency

No objection on flood risk grounds.

Glasgow Airport

No objection.

Glasgow Prestwick Airport

No objection.

Ministry Of Defence

No objection.

National Air Traffic Service

No objection.

PUBLICITY:

26.01.2018 Glasgow and Southside Expiry date 09.02.2018
Extra

SITE NOTICES: None.

SITE HISTORY:

2001/0590/TP Erection of garage Approved Subject 26.09.2001
to Conditions

REPRESENTATIONS: A total of 12 representations have been received. It should be noted that representations from some of the parties have been received following the receipt of amended drawings and re-notifying neighbours. As a consequence 8 representations have been counted for the purposes of the Scheme of Delegated Functions. The representations can be summarised as follows:

- Design and materials out of character with the surrounding development
- This is not a town centre site
- Too tall/impact on 161 Ayr Road
- Insufficient car-parking and manoeuvring space; inadequate access for emergency vehicles
- Detrimental to public road safety
- Overlooking
- Overshadowing
- Breaks building line
- Flooding
- Impact on infrastructure
- Inadequate amenity space
- Affordable Housing policy should apply

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

Flood Risk Assessment – The assessment details the flood risk to the site and provides a hydrological assessment. It concludes that no difficulty is foreseen with safe access to and egress from the development during extreme flow events as the area of development does not lie within the predicted floodplain. It states that development may proceed without significant risk of flooding from the watercourse and that it would not increase the flow of floodwater downstream.

Design and Access Statement – The statement describes the site, its location, the development and its context. It seeks to justify the scale and massing by providing a context appraisal. The context appraisal draws heavily on the scale and massing of commercial residential developments in the nearby town centre and refers to flatted developments at Broompark Drive and Whitecraigs Station.

ASSESSMENT:

The application site comprises a detached dwelling and its curtilage and lies within an established residential area, adjacent to the eastern edge of Newton Mearns town centre on the

south-east side of Ayr Road. A vacant site lies adjacent to the south-west within the town centre, beyond which lies the Mearns Medical Centre. A further detached dwelling lies immediately to the north-east and detached and semi-detached dwellings lie to the rear on Maple Avenue. A variety of commercial and residential properties lie opposite on the other side of Ayr Road including a flatted development further to the north-east on Ayr Road. A water course lies within the site, running parallel with the south boundary.

The site measures approximately 45 metres by 20 metres and slopes down from Ayr Road towards Maple Avenue. Given the sloping nature of the site, the dwelling reads as a bungalow on Ayr Road, with two storeys to the rear. The five adjacent dwellings to the north-east also present as single storey dwellings onto Ayr Road, beyond which sits a two storey dwelling some 60 metres north-east of the application site. To the rear of the site, Maple Avenue is characterised by two storey detached and semi-detached houses. The existing dwelling on the site has a footprint of 10.5 metres by 11 metres.

The wider area is characterised by a variety of commercial and residential properties, including detached and semi-detached houses, flatted properties, a health centre, petrol filling station and a shopping mall. Ayr Road, at this point, is approximately 21 metres wide, comprising carriageways, cycle lanes and footpaths.

Planning permission is sought for the erection of a building containing 5 flats with partially covered car-parking at ground level; formation of vehicular access off Ayr Road; and for associated landscaping and amenity space, following the demolition of the existing dwelling. The proposal involves earthworks to build up the site adjacent to Ayr Road, providing a level area for the access and car-parking. The proposed building measures approximately 8.5 metres high at the front, fronting Ayr Road and approximately 13 metres high at the rear onto Maple Avenue, taking account of the drop in levels. The block has a footprint of 24 metres deep by 14.5 metres wide. It comprises three storeys plus the basement. The building is proposed to have a flat roof and balconies on the rear elevation. It is proposed to be externally finished in natural stone, blonde facing brick and zinc cladding. The proposed building would lie 1.2 metres from the south-west boundary at its closest point and 6.5 metres from Ayr Road.

The proposed layout has a vehicular access from Ayr Road at ground level with 10 ground level parking spaces, a cycle store and bin store area. The bin and cycle store areas and two of the car-parking spaces are open air. The remaining 8 car-parking spaces are under the cover of the first and second floors. The proposal includes amenity open space in the south-east of the site.

It should be noted that the Council is also currently considering an application for the erection of 6 flats and associated access from Maple Avenue, car-parking and landscaping on the adjacent vacant site to the south-west (2017/0213/TP).

The application requires to be assessed against Strategic Policies 2 and 3 and Policies D1, D2, D7 and SG5 of the adopted East Renfrewshire Local Development Plan as well as with regard to Appendix 1 of the adopted Supplementary Planning Guidance: Green Network and Environmental Management (Green Network SPG).

Strategic Policy 2 promotes a sequential approach to development giving priority to brownfield sites within the urban area.

Strategic Policy 3 states that the Council will seek to secure community, infrastructure and environmental benefits to mitigate the impact of new developments.

Policy D1 requires that all development should not result in a significant loss of character or amenity to the surrounding area including visual impact, overlooking, overshadowing or loss of daylight. It also states that proposals should be of a size, scale and massing that is in keeping

with the buildings in the locality and should respect local architecture, building form, design and materials and that the Council's access and parking requirements are met.

Policy D2 supports development within the general urban area where compatible with surrounding land uses and where it complies with other appropriate policies of the Local Development Plan.

Policy D7 states that new development proposals should incorporate a range of green infrastructure including open space provision. This expanded upon in Appendix 1 of the Green Network SPG where it provides the minimum open space standards for flatted developments.

Policy SG5 states that for development of 4 or more dwellings or flats, the Council will require a minimum provision of 25% affording housing contribution.

As the application site is within the urban area, it is considered to accord with the general terms of Strategic Policy 2.

In terms of Strategic Policy 3, the applicant has agreed to the payment of development contributions.

In terms of Policy D1, it is accepted that the wider area is characterised by a variety of built forms, massing and storey heights. It is also noted that the applicant's supporting Design and Access Statement gives weight to the fact that opposite the site, on the north-west side of Ayr Road lies The Avenue Shopping Centre, large commercial premises and a recently completed flatted development. Indeed, the Design and Access statement contends that the development on the opposite site of Ayr Road as well and the two storey dwelling some 60 metres to the north-east should be an indicator of appropriate scale for the development of the application site.

This wider context is nevertheless physically separated from the site and its immediate environs by Ayr Road which is in excess of 20 metres wide at this point. The immediate context on the south-east side of Ayr Road and Maple Avenue to the rear is therefore considered to be more relevant in indicating the scale and massing of any proposed development on the site and must be given significant weight. The immediate context to the north-east is informed by detached and semi-detached hip-roofed dwellings which present as single storey to Ayr Road, albeit two storeys to the rear given the fall in levels. There is a two storey, gable-ended dwelling fronting Ayr Road further to the north east, however this lies approximately 60 metres from the site. As such, it is less relevant to the context of the application site than the immediately adjacent dwellings. Immediately to the south-west lies a vacant site, beyond which, lies a car-park and medical centre comprising shallow-pitch hipped and semi-hipped roofs. The medical centre sits below the level of Ayr Road and behind a hedgerow such that only its roof planes and small sections of wall head are visible from Ayr Road. It is therefore considered that the context of the application site in relation to its frontage with Ayr Road is one of low density, low profile built form. This is in stark contrast to the proposed flat-roofed, four storey (including the under basement storey) flatted block which would stand approximately 3.5 metres higher than the ridge of the adjacent hip-roofed bungalow to the north-east at 161 Ayr Road.

Given its height, depth and width, the proposed development would have a massing significantly greater than that of the surrounding development on the south-east side of Ayr Road. The impact of the development's massing on the streetscape is exacerbated by the fact the building projects approximately 1.5 metres forward of the front corner of the adjacent dwelling at 161 Ayr Road. Further, its flat-roofed, box-like form, whilst in another setting may have been acceptable, is also in stark contrast to the low profile, hip roofed forms on the south east side of Ayr Road. The proposed development is therefore considered to be a dominant and incongruous feature on the Ayr Road streetscape given its design and massing, to the detriment of the character and amenity of the area.

The proposed flatted block would also visually dominate and overwhelm the setting of the adjacent dwelling at 161 Ayr Road given its size and proximity to the site boundary.

Given the height of the flatted block and its proximity to the site boundary, it would be considered to give rise to significant additional overshadowing and loss of daylight relative to the adjacent dwelling at 161 Ayr Road.

Whilst an application for a flatted development is also being considered on the adjacent vacant site, there is no guarantee that that application would be approved. Further, the planning authority is required to consider the proposal with regard to the present adjacent development, character and land uses.

The context and character of Maple Avenue must also be considered. As noted above, Maple Avenue is characterised by two storey detached and semi-detached dwellings on the south side of the street. The north site of the street is undeveloped with the exception of the medical centre and is characterised by mature, established planting which forms part of the rear gardens of the properties on Ayr Road. This planting and absence of development contributes significantly towards the open and spacious character of Maple Avenue. It is noted that the planting is proposed to be retained along Maple Avenue. The potential impact on Maple Avenue is therefore considered to be acceptable and mitigated by the retained planting.

The proposed balconies on the rear elevation of the building are proposed to have translucent side panels. This would mitigate any overlooking towards the adjacent properties to the side. There would be no significant additional overlooking towards the properties on Maple Avenue as the window to window separation distance and the separation distance between the balconies and the rear boundary planting. It is noted that there are side-facing windows that look towards 161 Ayr Road at, first and second floor levels. Whilst those windows have the potential to overlook 163 Ayr Road, this is mitigated by their positioning on the building relative to the adjacent dwelling. There would be no significant additional overshadowing towards the properties on Maple Avenue given the boundary treatment, orientation and separation distance.

Nevertheless, for the reasons given above relating to character, amenity and the setting of the adjacent dwellings, the proposal is considered to be contrary to the terms of Policy D1 of the adopted East Renfrewshire Local Development Plan.

Appendix 1 of the adopted Supplementary Planning Guidance: Green Network and Environmental Management, which forms part of Policy D7, requires that for 5 flatted properties the minimum amenity open space requirement is 150 square metres. In this case, approximately 260 square metres of amenity open space is proposed. The proposal therefore meets the requirements of the SPG and Policy D7.

In terms of Policy SG5, the applicant has agreed in principle to the payment of a commuted sum for the provision of affordable housing off-site.

Whilst Policy D2 supports residential development within the general urban area, this is subject to proposals being of an appropriate scale and design. As noted above, the proposal is contrary to Policy D1 given its impact on character and amenity as a result of its scale and massing. It therefore does not meet the terms of Policy D2.

In terms of the grounds of objection not addressed above the following comments are made. The Council's Roads Service has not objected to the proposals subject to conditions relating to the formation of the access, visibility splays, drainage, parking provision and layout. If approved the applicant will require the separate consent of utilities/infrastructure providers to connect to

existing infrastructure. SEPA has not objected to the proposal. The Affordable Housing policy does apply and has been considered.

In conclusion, the proposal is contrary to Policies D1 and D2 of the adopted East Renfrewshire Local Development Plan. There are no material considerations that outweigh the development plan and it is therefore recommended that the application is refused.

RECOMMENDATION: Refuse

PLANNING OBLIGATIONS: None.

REASON FOR REFUSAL:

1. The proposal is contrary to Policies D1 and D2 of the adopted East Renfrewshire Local Development Plan as the proposed flatted block: i) would be a dominant and incongruous feature on the streetscape of Ayr Road as a result of its size and massing relative to the adjacent development; ii) would visually dominate and overwhelm the setting of the adjacent dwellings on Ayr Road as a result of its size and scale; and iii) would give rise to significant additional overshadowing and loss of daylight to the adjacent dwelling at 161 Ayr Road. These factors are all to the detriment of the character and visual amenity of the area and to the residential amenity of the adjacent dwelling at 161 Ayr Road.

ADDITIONAL NOTES: None.

ADDED VALUE: None.

BACKGROUND PAPERS:

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

Ref. No.: 2017/0850/TP
(DESC)

DATE: 14th December 2018

DIRECTOR OF ENVIRONMENT

Reference: 2017/0850/TP - Appendix 1

DEVELOPMENT PLAN:

Strategic Development Plan

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

Adopted East Renfrewshire Local Development Plan

Strategic Policy 2

Assessment of Development Proposals

Proposals for new development, other than smaller scale proposals (such as applications for single houses, householder or shop frontage alterations), will be assessed against relevant criteria below as well as Policy D1:

1. Application of a sequential approach which gives priority to the use of Brownfield sites within the urban area then to Greenfield land within the urban area and finally to land adjacent to the urban area. Sites within the green belt will only be considered where it has been demonstrated that a suitable site does not exist within the urban area;
2. Provision of a mix of house types, sizes and tenures to meet housing needs and accord with the Council's Local Housing Strategy and the Glasgow and Clyde Valley Strategic Housing Need and Demand Assessment;
3. Resulting positive community and economic benefits;
4. The impact on the landscape character as informed by the Glasgow and Clyde Valley and the East Renfrewshire Landscape Character Assessments, the character and amenity of communities, individual properties and existing land uses;
5. The impact on existing and planned infrastructure;
6. The impact upon existing community, leisure and educational facilities;
7. The transport impact of the development on both the trunk and local road network and the rail network, taking into account the need for a transport assessment and the scope for green transport and travel plans;
8. The impact on the built and natural environment, including the green belt and green network taking into account the need for an Environmental Impact Assessment and the requirement for proposals to provide a defensible green belt boundary and links to the green network;
9. The impact on air, soil, including peat and water quality and avoiding areas where development could be at significant risk from flooding and/or could increase flood risk elsewhere;
10. The potential for remedial or compensatory environmental measures including temporary greening;
11. The contribution to energy reduction and sustainable development.
12. The impact on health and well being;
13. The cumulative impact of the development;
14. The impact of proposals on other proposals or designations (including the Town and Neighbourhood Centres in Schedule 14) set out in the Local Development Plan;
15. The suitability of proposals when assessed against any relevant Adopted Supplementary Planning Guidance.

Policy D1

Detailed Guidance for all Development

Proposals for development should be well designed, sympathetic to the local area and demonstrate that the following criteria have been considered, and, where appropriate, met. In some cases, where the criteria have not been met, a written justification will be required to assist with assessment.

1. The development should not result in a significant loss of character or amenity to the surrounding area;
2. The proposal should be of a size, scale, massing and density that is in keeping with the buildings in the locality and should respect local architecture, building form, design, and materials;

3. The amenity of neighbouring properties should not be adversely affected by unreasonably restricting their sunlight or privacy. Additional guidance on this issue is available in the Daylight and Sunlight Design Guide Supplementary Planning Guidance;
4. The development should not impact adversely on landscape character or the green network, involve a significant loss of trees or other important landscape, greenspace or biodiversity features;
5. Developments should incorporate green infrastructure including access, landscaping, greenspace, water management and Sustainable Urban Drainage Systems at the outset of the design process. Where appropriate, new tree or shrub planting should be incorporated using native species. The physical area of any development covered by impermeable surfaces should be kept to a minimum to assist with flood risk management. Further guidance is contained within the Green Network and Environmental Management Supplementary Planning Guidance;
6. Development should create safe and secure environments that reduce the scope for anti-social behaviour and fear of crime;
7. Developments must be designed to meet disability needs and include provision for disabled access within public areas;
8. The Council will not accept 'backland' development, that is, development without a road frontage;
9. Parking and access requirements of the Council should be met in all development and appropriate mitigation measures should be introduced to minimise the impact of new development. Development should take account of the principles set out in 'Designing Streets';
10. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the development;
11. Developments should include provision for the recycling, storage, collection and composting of waste materials;
12. Where possible, all waste material arising from construction of the development should be retained on-site for use as part of the new development;
13. Where applicable, new development should take into account the legacy of former mining activity;
14. Development should enhance the opportunity for and access to sustainable transportation, including provision for bus infrastructure, and particularly walking and cycle opportunities including cycle parking and provision of facilities such as showers/lockers, all where appropriate. The Council will not support development on railways solums or other development that would remove opportunities to enhance pedestrian and cycle access unless mitigation measures have been demonstrated;
15. The Council requires the submission of a design statement for national and major developments. Design statements must also be submitted in cases where a local development relates to a site within a conservation area or Category A listed building in line with Planning Advice Note 68: Design Statements.
16. Where applicable, developers should explore opportunities for the provision of digital infrastructure to new homes and business premises as an integral part of development.

Development will be supported within the general urban areas, as defined on the Proposals Map, where compatible with the character and amenity of the locality and surrounding land uses and where it complies with other appropriate policies of the Plan.

Policy SG5

Affordable Housing

Throughout East Renfrewshire, where planning permission is sought for residential developments of 4 or more dwellings, including conversions, the Council will require provision to be made for a minimum 25% affordable housing contribution. This contribution may be made on site; or by means of a commuted sum payment; or off site. The affordable housing should be well integrated into the overall development. For all proposals viability will be a key consideration when determining the suitable level of contributions. All proposals will require to comply with Strategic Policy 2 and Policy D1.

Further detailed information and guidance is provided in the Affordable Housing Supplementary Planning Guidance.

Strategic Policy 3

Development Contributions

The Council wishes to secure community infrastructure and environmental benefits arising from new developments to mitigate their impacts.

New developments that individually or cumulatively generate a requirement for new or enhanced infrastructure or services will be expected to deliver, or contribute towards the provision of, supporting services and facilities. Developer contributions will be agreed in accordance with the five tests of Circular 3/2012 - Planning Obligations and Good Neighbour Agreements. Planning permission will only be granted for new development where the identified level and range of supporting infrastructure or services to meet the needs of the new development is already available or will be available in accordance with an agreed timescale.

The master plans for the areas for change are required to identify the infrastructure requirements and development contributions required to support development. The master plans should identify how the infrastructure or services will be delivered to support the proposed development.

For all proposals viability will be a key consideration when determining the suitable level of development contributions.

Further detailed information and guidance is provided in the Development Contributions Supplementary Planning Guidance.

Policy D7

Green Infrastructure and Open Space Provision within New Development

New development proposals should incorporate a range of green infrastructure including open space provision, multi use access, sustainable urban drainage, wildlife habitat and landscaping. This infrastructure should not only form an integral part of the proposed scheme but should complement its surrounding environment.

Further detailed information and guidance is set out in the Green Network and Environmental Management Supplementary Planning Guidance.

GOVERNMENT GUIDANCE:

Scottish Planning Policy on Managing Flood Risk and Drainage indicates the planning system should promote a precautionary approach to flood risk from all sources; flood avoidance by safeguarding flood storage and conveying capacity, and locating development away from functional flood plains and medium to high risk areas; flood reduction by assessing flood risk and, where appropriate, undertaking natural and structural flood management measures, including flood protection, restoring natural features and characteristics, enhancing flood storage capacity, avoiding the construction of new culverts and opening existing culverts where possible; and avoidance of increased surface water flooding through requirements for Sustainable Drainage Systems and minimising the area of impermeable surface. To achieve this the planning system should prevent development which would have a significant probability of being affected by flooding or would increase the probability of flooding elsewhere. Piecemeal reduction of the functional floodplain should be avoided given the cumulative effects of reducing storage capacity.

Scottish Planning Policy on the Delivery of New Homes indicates the planning system should identify a generous supply of land for each housing market area within the plan area to support the achievement of the housing land requirement across all tenures, maintaining at least a 5-year supply of effective housing land at all times; enable provision of a range of attractive, well-designed, energy efficient, good quality housing, contributing to the creation of successful and sustainable places; and have a sharp focus on the delivery of allocated sites embedded in action programmes, informed by strong engagement with stakeholders.

Finalised 14/12/18 AC(3)

**DECISION NOTICE
AND
REASONS FOR REFUSAL**

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**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. **2017/0850/TP**

Applicant:

AYA Developments Ltd
Bradbury House
10 High Craighall Road
Glasgow
United Kingdom
G4 9UD

Agent:

NVDC Architects
Bradbury House
10 High Craighall Road
Glasgow
UK
G4 9UD

With reference to your application which was registered on 14th August 2018 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Erection of five flats following demolition of existing dwellinghouse with associated car parking and landscaping with associated parking and bin storage.

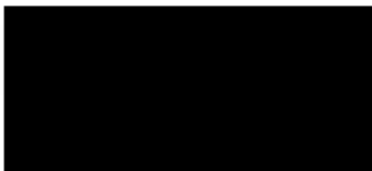
at: 163 Ayr Road, Newton Meams, East Renfrewshire, G77 6RE

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

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

1. The proposal is contrary to Policies D1 and D2 of the adopted East Renfrewshire Local Development Plan as the proposed flatted block: i) would be a dominant and incongruous feature on the streetscape of Ayr Road as a result of its size and massing relative to the adjacent development; ii) would visually dominate and overwhelm the setting of the adjacent dwellings on Ayr Road as a result of its size and scale; and iii) would give rise to significant additional overshadowing and loss of daylight to the adjacent dwelling at 161 Ayr Road. These factors are all to the detriment of the character and visual amenity of the area and to the residential amenity of the adjacent dwelling at 161 Ayr Road.

Dated 14th December 2018



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

The following drawings/plans have been refused

Plan Description	Drawing Number	Drawing Version	Date on Plan
Location Plan	E(0)001		
Block Plan Proposed	D(43)200		
Plans Proposed	D(43)101		
Plans Proposed	D(43)100		

Elevations Proposed	D(43)122		
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GUIDANCE NOTE FOR REFUSAL OF LOCAL DEVELOPMENTS DETERMINED UNDER DELEGATED POWERS

REVIEW BY EAST RENFREWSHIRE COUNCIL'S LOCAL REVIEW BODY

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

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

CONTACT DETAILS

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

**General Inquiry lines 0141 577 3895 or 0141 577 3878
Email planning@eastrenfrewshire.gov.uk**

**NOTICE OF REVIEW
AND
STATEMENT OF REASONS**

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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 100152858-001

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 on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Ryden LLP		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Brian	Building Name:	
Last Name: *	Muir	Building Number:	130
Telephone Number: *	0141 270 3120	Address 1 (Street): *	St Vincent Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Glasgow
Fax Number:		Country: *	Scotland
		Postcode: *	G2 5HF
Email Address: *	brian.muir@ryden.co.uk		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Bradbury House"/>
First Name: *	<input type="text"/>	Building Number:	<input type="text" value="10"/>
Last Name: *	<input type="text"/>	Address 1 (Street): *	<input type="text" value="High Craighall Road"/>
Company/Organisation	<input type="text" value="AYA Developments Limited"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Glasgow"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="G4 9UD"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

Site Address Details

Planning Authority:	<input type="text" value="East Renfrewshire Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="163 AYR ROAD"/>
Address 2:	<input type="text" value="NEWTON MEARNS"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="GLASGOW"/>
Post Code:	<input type="text" value="G77 6RE"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="655720"/>	Easting	<input type="text" value="253853"/>
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Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Erection of five flats following demolition of existing dwellinghouse with associated car parking and landscaping and bin storage

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 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.

See paper apart: Applicant's Statement

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

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Part (iii) of the Reason for Refusal alleges overshadowing and loss of daylight in relation to the adjacent property. The planning authority did not request information on this matter during the consideration of the application. Part (iii) was a surprise. For this reason, the applicant has included two additional documents in support of this Notice of Review. These documents track overshadowing at the spring solstice as existing (Document AYA17), and as proposed (Document AYA18).

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)

See paper apart: List of Documents

Application Details

Please provide details of the application and decision.

What is the application reference number? *

2017/0850/TP

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

14/08/2018

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

14/12/2018

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure *

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

Although the location of the site will be familiar to members of the LRB, the specifics of this proposal, and the basis on which it is being promoted and justified, mean that members may benefit from a careful site visit and inspection.

Please select a further procedure *

Holding one or more hearing sessions on specific matters

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

Although the location of the site will be familiar to members of the LRB, the specifics of this proposal, and the basis on which it is being promoted and justified, mean that members may benefit from an opportunity to question the applicant within the context of a brief hearing..

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

Yes No

Is it possible for the site to be accessed safely and without barriers to entry? *

Yes No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

Yes No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

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

Declaration Name: Mr Brian Muir

Declaration Date: 08/02/2019

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Notice of Review Site: 163 Ayr Road, Newton Mearns, G77 6RE

Notice of Review Proposal: Erection of five flats following demolition of existing dwellinghouse with associated car parking and landscaping with associated parking and bin storage

Applicant for Notice of Review: AYA Developments Limited

Agent: Ryden LLP

LPA Ref: 2017/0850/TP

**NOTICE OF REVIEW
APPLICANT'S STATEMENT
(PAPER APART)**

(This document extends to 6 pages)

Applicant's Reasons for submitting a Notice of Review

The reasons for refusal set out within the Decision Notice, (**Document AYA20**) and the terms of the case officer's Report of Handling, (**Document AYA19**) give a single reason for refusal which is divided into three parts.

The reason for refusal is:

The proposal is contrary to Policies D1 and D2 of the adopted East Renfrewshire Local Development Plan as the proposed flatted block:

- (i) Would be a dominant and incongruous feature on the streetscape of Ayr Road as a result of its size and massing relative to the adjacent development;***
- (ii) Would visually dominate and overwhelm the setting on adjacent dwellings on Ayr Road as a result of its size and scale; and***
- (iii) Would give rise to significant additional overshadowing and loss of daylight to the adjacent dwelling to 161 Ayr Road.***

These factors are all to the detriment to the character and visual amenity of the area and to the residential amenity of the adjacent dwelling at 161 Ayr Road.

The applicant takes the view that this reason for refusal is unreasonable. The applicant submits that the Local Review Body is entitled to apply different judgements in relation to the above matters, and therefore to reach a decision different to that of the case officer.

The applicant believes that there is sufficient supporting evidence for that view. The evidence is set out in this statement.

The application site

The application site is located on Ayr Road within the general locale of Mearns Cross town centre. The application site contains an existing, detached residential property. The existing property has two storeys to the front and three storeys to the rear, due to the sloping nature of the site.

Unlike the vast majority of residential property sites within Newton Mearns, the application site located is within an area of mixed use. Visually and psychologically it is within the Mearns Cross "town centre" locale with a wide range of uses very close to the site (**Document AYA16A, Section 1.3, aerial photograph**).

Administration

The applicant notes the following matters of fact:

- The planning application was originally submitted to the planning authority on 19 December 2017. It was registered on 8 January 2018, but with a 2017 reference number.
- Following discussions and the submission of additional information, the planning authority decided to re-start the clock for the application and changed the start date from 8 January 2018 to 14 August 2018, the latter date being used on the Decision Notice.

Overview of applicant's case

The town centre area at Mearns Cross has evolved considerably over the past 5 decades. The Design and Access Statement (Document AYA16C, Section 4.1) describes the evolution from the village of Newton Mearns from the late 18th century to the present day. However, for the past five to six decades, the evolution of what has become the town centre for the greater Newton Mearns can be summarised as follows:

- Originally there was a church, a school, and a few local shops;
- A small shopping mall was then developed;
- A superstore (Asda) was added in due course, at the southern end of the shopping mall, this being accommodated by a major realignment of Barrhead Road at its junction with Ayr Road;
- Later still, an additional supermarket (M&S) was added at the northern end of the mall; and
- More recently, a flatted development of retirement homes has been developed on the site of the former school buildings.

Mearns Cross is now a more substantive focal point for Newton Mearns. It is also an ideal location for those who have lived in Newton Mearns all of their lives but who want to downsize because they like the idea of being close to all amenities. The various flatted developments along Ayr Road illustrate this. The flats recently developed by Westpoint Homes at Mearns Cross emphasise this trend.

It is the opinion of the applicant that this trend for flatted/retirement dwellings will accelerate. The application proposal is part of this trend.

The application site is well-located to support this trend. It is at the heart of Newton Mearns and Mearns Cross. Although it is on the other side of Ayr Road when compared to the main body of Mearns Cross centre, it is visually and psychologically part of the centre.

In summary:

- The nature, function, and form of the built environment at Mearns Cross has experienced considerable evolution over the past 5 decades and continues to evolve.
- Current and future trends for the locale have implications for the Mearns Cross area, particularly in relation to flatted/retirement housing.
- The application site provides a real opportunity to set a new benchmark in terms of design for the development of flatted accommodation within the Mearns Cross centre locale.

Supporting evidence

General Comments

The applicant notes that there are **no objections** to the proposed development from the relevant departments or authorities in relation to the following matters:

- Access for vehicles, pedestrians, and cyclists;
- Parking arrangements for vehicles and cycles;
- General accessibility to public transport;
- Drainage;
- Flooding;
- Ecology; and
- Environmental Health matters.

Parts (i) and (ii) of the reason for refusal (see page 2 above) are matters of judgement.

Part (iii) of the reason for refusal is not supported by any evidence in the Planning Authority's Report of Handling (**Document AYA19**).

Each of these issues is now considered in turn.

Part (i) and (ii) of the reason for refusal

The applicant wishes to draw to the attention of the members of the Local Review Body the Design & Access Statement which was submitted in support of the application proposals (**Documents AYA 16A – 16E**).

Members are invited to read the document as a whole. It sets out a coherent narrative regarding the scale and massing of the proposed building and how that building would sit within the general urban environment which currently exists. In the opinion of the applicant, the case officer failed to give sufficient weight to the information and evidence contained within **Documents AYA16A – 16E**.

In addition to inviting members to read and consider the Design & Access Statement as a whole, the applicant would wish to draw particular attention to the following:

- **Section 1.3** (Site Location), which shows the range of uses in the locale.
- **Section 2.1** (Local Development Plan) which shows the application site being located immediately adjacent to the boundary of Mearns Cross town centre.
- **Section 2.2** (Assessment of Proposal in relation to Relevant Policy) which illustrates the Scale and Massing and the land-uses in the locale.
- **Section 2.2** (Assessment of Proposal in relation to Relevant Policy) which shows the existing and proposed massing and skyline along Ayr Road.
- **Section 2.2** (Assessment of Proposal in relation to Relevant Policy) which shows how the proposal would sit, when viewed from the east, against the visual bulk of Mearns Cross centre and the new Westpoint Homes flats.
- **Section 2.3** (Looking to the Future) which shows the proposed development in relation to the similar proposed development for the plot immediately to the south of the application site (that other development currently being the subject of a separate planning application).

- **Section 3.2** (Existing Street Site Sections and Elevations) which set the existing building on the site and the proposed development within the context of cross sections.
- **The whole of Chapter 4** (Context Appraisal) which illustrates the significant diversity and building form, scale, and massing, along the extent of Ayr Road.

The applicant submits that, had this substantive supporting information been properly considered, and given appropriate weight, in the consideration of the application, the case officer may have reached a different conclusion in relation to the matters set out in Parts (i) and (ii) of the Reason for Refusal.

The applicant also lodges, as supporting evidence on this point, an e-mail which was sent to the case office on 13 August 2018 (**Document AYA 21**), which submits that the above points should be accorded due weight.

Part (iii) of the reason for refusal

East Renfrewshire Council published Supplementary Guidance in relation to Daylight and Sunlight in June 2015. The document is not a technical document. Rather, it sets out general principles in relation to the potential effects on daylighting and sunlight when new development is proposed. The document also accepts that it is inevitable that new development will result in additional overshadowing to neighbouring houses and gardens and it is a matter of judgement as to whether the effects of any particular scheme will be at a level which is unacceptable.

The Design & Access Statement (**Document AYA16E**) contains, at Section 6.7 (Shading and Privacy), an assessment of the proposal in relation to the effect on the amenity of neighbouring properties in relation to sunlight or privacy. The information and diagrams there demonstrate that there is no adverse effect which could form the basis of a refusal of the application proposals.

No further information was requested from planning officers during the consideration of the application. The applicant was therefore surprised to note the terms of Part (iii) of the reason for refusal, as the applicant had not been given any opportunity to address any concerns which may have been thought to be important by officers.

For this reason, the applicant has included two additional documents in support of this Notice of Review. These documents track overshadowing at the spring solstice as existing (**Document AYA17**), and as proposed (**Document AYA18**).

In the submission of the applicant, this further demonstrates that there is no unacceptable adverse effect in relation to daylight, sunlight, and overshadowing, such that it would lead to a basis for refusing the current application proposals.

Conclusion

The proposed development is in line with the existing evolution of the Mearns Cross locale, and anticipates the changes in social circumstances which will lead to residents in Newton Mearns downsizing and seeking to locate closer to Mearns Cross in flatted developments.

The design and scale of the proposed building sits well within the varied urban context of the surrounding locale. It will add visual interest and quality to the area.

The proposals will not have an effect on the surrounding residential properties which will be of a scale and nature sufficient to form a basis for refusing the application.

Conversely, the well-considered modern design will set a benchmark for the council to apply when considering any future development proposals in the Mearns Cross locale which seek to provide the same type of residential accommodation.

For all the reasons set out within the submission, the applicant requests that the Local Review Body, having reviewed all relevant matters, concludes that the applicant's proposal is reasonable, and therefore grants planning permission for application 2017/0850/TP.

(END OF 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 100079085-001

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

Type of Application

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

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

Description of Proposal

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

Application for the erection of a flatted development with associated parking, bin storage and outdoor space.

Is this a temporary permission? *

Yes No

If a change of use is to be included in the proposal has it already taken place?

(Answer 'No' if there is no change of use.) *

Yes No

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

No Yes - Started Yes - Completed

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	NVDC Architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Farahbod	Building Name:	Bradbury House
Last Name: *	Nakhaei	Building Number:	10
Telephone Number: *		Address 1 (Street): *	High Craighall Road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Glasgow
Fax Number:		Country: *	UK
		Postcode: *	G4 9UD
Email Address: *	enquiries@nvdc.co.uk		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:		You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Bradbury House
First Name: *		Building Number:	10
Last Name: *		Address 1 (Street): *	High Craighall Road
Company/Organisation	AYA Developments Ltd	Address 2:	
Telephone Number: *		Town/City: *	Glasgow
Extension Number:		Country: *	United Kingdom
Mobile Number:		Postcode: *	G4 9UD
Fax Number:			
Email Address: *	farahbod@nvdc.co.uk		

Site Address Details

Planning Authority:

East Renfrewshire Council

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

Address 1:

163 AYR ROAD

Address 2:

NEWTON MEARNNS

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

GLASGOW

Post Code:

G77 6RE

Please identify/describe the location of the site or sites

Northing

655720

Easting

253853

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

Meeting Telephone Letter Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (max 500 characters)

Please see the Consultation part in our Design Statement.

Title:

Ms

Other title:

First Name:

Alison

Last Name:

Mitchell

Correspondence Reference Number:

PREAPP/2017/0370

Date (dd/mm/yyyy):

30/08/2017

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area:

945.60

Please state the measurement type used:

Hectares (ha)

Square Metres (sq.m)

Existing Use

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

Residential

Access and Parking

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

Yes No

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

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

Yes No

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

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

3

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

11

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

Water Supply and Drainage Arrangements

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

Yes No

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

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

Do your proposals make provision for sustainable drainage of surface water?? * (e.g. SUDS arrangements) *

Yes No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

- Yes
 No, using a private water supply
 No connection required

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

Assessment of Flood Risk

Is the site within an area of known risk of flooding? * Yes No Don't Know

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

Do you think your proposal may increase the flood risk elsewhere? * Yes No Don't Know

Trees

Are there any trees on or adjacent to the application site? * Yes No

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

Waste Storage and Collection

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

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

A Bin Store will be provided to the front of the property for easy collection via Ayr Rd.

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? * Yes No

How many units do you propose in total? *

5

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

All Types of Non Housing Development – Proposed New Floorspace

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

Schedule 3 Development

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

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

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

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? * Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? * Yes No

Is any of the land part of an agricultural holding? * Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Farahbod Nakhaei

On behalf of: AYA Developments Ltd

Date: 18/12/2017

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

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

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

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

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

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

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

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

Design Statement

Provide copies of the following documents if applicable:

- A copy of an Environmental Statement. * Yes N/A
- A Design Statement or Design and Access Statement. * Yes N/A
- A Flood Risk Assessment. * Yes N/A
- A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * Yes N/A
- Drainage/SUDS layout. * Yes N/A
- A Transport Assessment or Travel Plan Yes N/A
- Contaminated Land Assessment. * Yes N/A
- Habitat Survey. * Yes N/A
- A Processing Agreement. * Yes N/A

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

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

Declaration Name: Mr Farahbod Nakhaei

Declaration Date: 18/12/2017

Payment Details

Online payment XXXXXXXXXX
Payment date: 18/12/2017 16:59:00

Created: 18/12/2017 16:59

DESIGN AND ACCESS STATEMENT

PROPOSED FLATTED DEVELOPMENT



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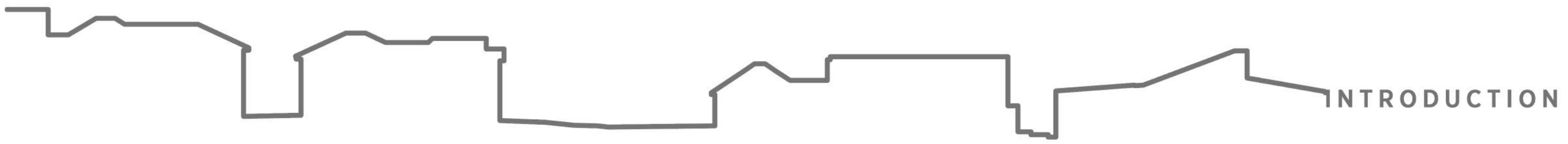
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1.0 INTRODUCTION

1.1 PROJECT AIMS AND AMBITIONS

Creating a Vibrant Community and a Strong Sense of Place

The above objective lies at the core of our proposed scheme for the application site. As our Design statement will demonstrate, Newton Mearns Town Centre like many of other towns and cities in Scotland has gone through substantial changes through the years and we now have an opportunity to continue this transformation in a way that will help to deliver a stronger Sense of enclosure & Place with an equally strong sense of community at Newton Mearns Town Centre.

We believe one key factor in the continual revitalization of Newton Mearns will be population densification through the introduction of more appropriate housing types and increased building scale in and around the town centre. Increasing the population in the town centre can have many positive effects for the whole community, as it encourages efficiency, conservation and sustainability. Living within walking distance to the centre can result in a decreased use of cars with people favouring other means of transportation such as walking, biking and public transport. Walkable neighbourhoods connect communities and promote social cohesion as well as generating an increased use of local facilities. The rise in footfall can create a safer environment with longer amenity opening hours, such as restaurants and bars, leading to economic prosperity and increased local employment opportunities.

An increase in building scale will also help to create a much stronger sense of place, enclosure and arrival, particularly in the context of "The Avenue" Shopping Centre. The new flatted-development by WestPoint Homes at the former Newton Mearns Primary site is a good example of such appropriate densification, both in terms of population and housing type. This new development also introduces a more suitable building scale in relation to the size and massing of "The Avenue" and other public buildings in the town centre. To build on this renaissance of Newton Mearns town centre as the true heart of the community, we believe our proposal to build a flatted development on our client's site will inject much needed life into the town centre while providing an appropriate building scale and grain conducive to defining a strong sense of place and arrival.

"A sustainable and vibrant community where people live, work, eat, play, shop and learn all within convenient walkable distances."



MAP SHOWING NEWTON MEARN'S TOWN CENTRE THIS DIAGRAM SHOWS THE LOCATION OF THE TOWN CENTRE AND THE PATH OF AYR ROAD (MAIN THOROUGHFARE).



MAP SHOWING NEWTON MEARN'S TOWN CENTRE LINE ILLUSTRATES SHORT WALKING DISTANCE TO AMENITIES.



VIEW OF EASTERN APPROACH TOWARDS NEWTON MEARN'S TOWN CENTRE



VIEW OF WESTERN APPROACH TOWARDS NEWTON MEARN'S TOWN CENTRE

1.0 INTRODUCTION

1.2 DESCRIPTION OF DEVELOPMENT

This document accompanies the formal Planning Application for the erection of a flatted development with associated parking, bin storage and outdoor space at 163 Ayr Road, Newton Mearns, G77 6RE.


This design statement (prepared with guidance set out in PAN 68) relates to the proposed erection of a small residential development and has been prepared by NVDC Architects on behalf of our client, AYA Developments Ltd.

NVDC has compiled this document following advice from East Renfrewshire Council. It aims to discuss in detail, the site, its location and our proposed design with reference to the Local Plan, the local neighbourhood and design guidelines.

The site currently contains a detached property with accommodation over three-storeys. The proposal is to develop the site, which shares a boundary with the Newton Mearns Town Centre envelope, on the local development plan. Our proposal is for the provision of five good quality high-end apartments, to meet the high demand in the area for young professionals and older couples looking to downsize from large family homes but with a desire to stay within the same community and be near to their family and local amenities. The scale of the development aims to reflect the sites key location in the town centre and reflect the existing and emerging scale at this section of Ayr Road. Car parking and bicycle storage will be provided in the basement and to the rear of the building, in order to reduce its impact on the site. A bin store will also be provided in close proximity to the main road for ease of disposal.



Location Plan, 1:2500

 Application Site Boundary

0 25 50 75 100 125 150 175 200 225 250 M



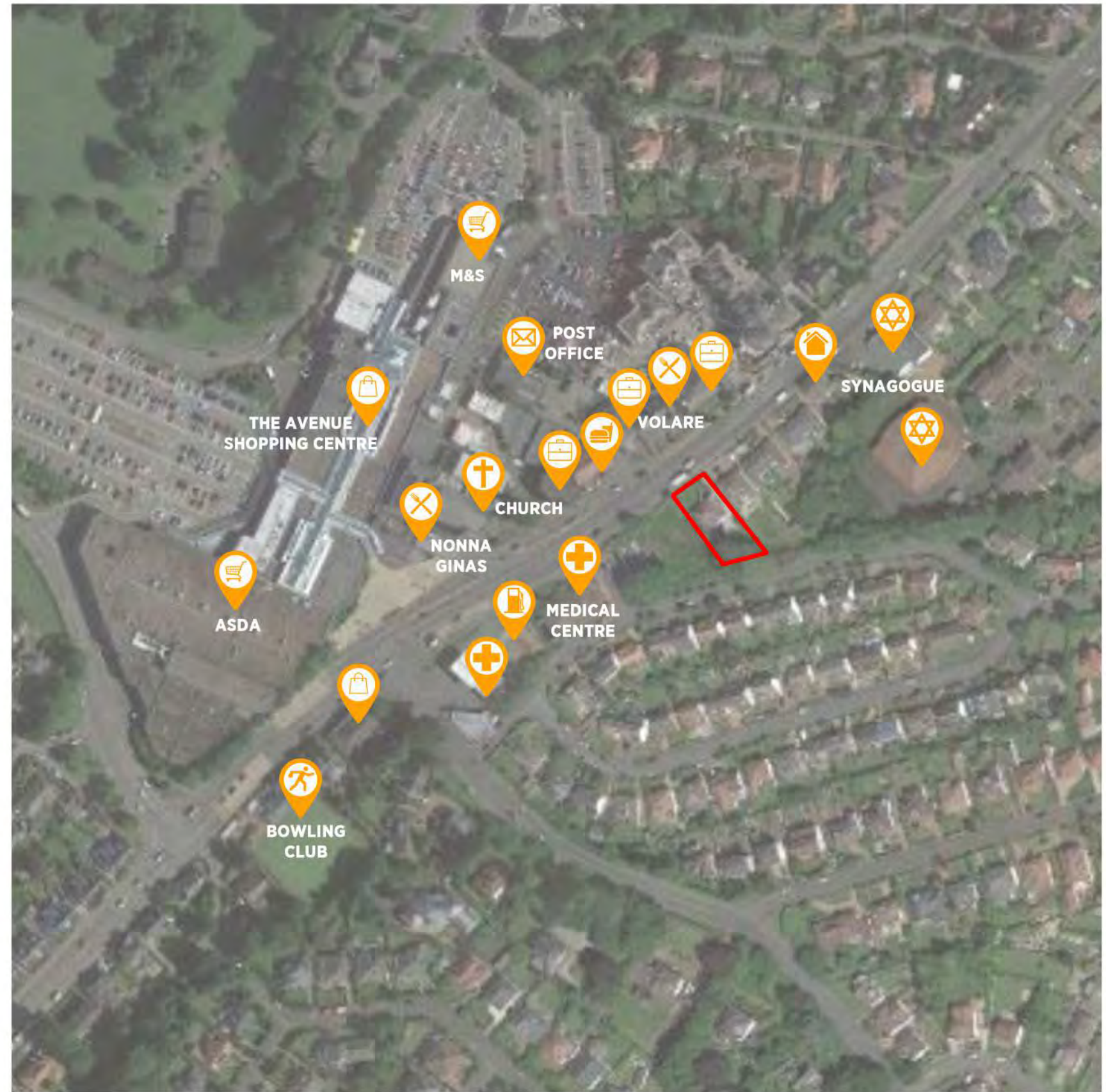
1.0 INTRODUCTION

1.3 SITE LOCATION


The site is located on the main thoroughfare to the East end of Ayr Road, within the town centre of Newton Mearns. The site forms an approximate area of 940sqm, 123sqm of which currently contains a detached residential property. The existing property has two storeys to the front and three-storeys to the rear due to the sloping nature of the existing terrain. There is currently level access via Ayr Road; the site then slopes downwards towards Maple Avenue at the rear. A small burn runs through the site at the bottom of the slope. The property is not in a conservation area and is not listed. The site is located on the edge of both a commercial boundary and a residential boundary.

LEGEND:

- | | |
|--|---|
|  SUPERMARKET |  SYNAGOGUE |
|  RETAIL |  FAST FOOD OUTLETS |
|  POST OFFICE |  RESTAURANT |
|  CHURCH |  OFFICES |
|  BOWLING GREEN |  MEDICAL CENTRE |
|  PETROL STATION |  POLLOK HOUSE |



Aerial Photograph 1:2500

 Application Site Boundary



1.0 INTRODUCTION

1.4 EXISTING BUILT ENVIRONMENT

North Boundary (Ayr Road)

Ayr Road sits to the north boundary and contains a wide variety of building typologies. The scale ranges from 1 to 3 storeys, however the emerging town centre scale is of 3-4 storeys, aiding to create an effective 'gateway' for the town. The Avenue Shopping centre is situated directly across from the site, as is Newton Mearns Parish Church, TSB Bank, a row of hot food premises, offices and a restaurant. Further along Ayr Road to the East there is a vacant site with plans to erect a 3-5 storey residential flatted development, planning ref: 2016/0202/TP.

East Boundary

To the east of the site is a row of 2-3 storey detached and semi-detached residential properties.

South Boundary (Maple Avenue)

Maple Avenue sits to the south of the site, to the rear of the existing property and down a slope. The street and surrounding area contains a variety of semi-detached and detached residential properties varying between 2 and 3 storeys.

West Boundary

Mearns Medical Centre sits to the west of the site, however directly adjoining the site is a vacant plot of land. This vacant site currently contains planning permission for 3 units however there is currently an application pending for the erection of a 4-5 storey high residential flatted development, planning ref: 2017/0213/TP.

STREET ELEVATION OF 163 AYR ROAD



OLDEST HOUSE ON THE STREET



ACROSS FROM SITE (CHURCH)



NEW FLATTED DEVELOPMENT ON AYR ROAD



ACROSS FROM SITE (THE AVENUE)



3-STOREY BANK



PLANNING POLICY ASSESSMENT AND STATEMENT

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2.0 PLANNING POLICY ASSESSMENT AND STATEMENT

2.1 LOCAL DEVELOPMENT PLAN AND POLICY APPRAISAL

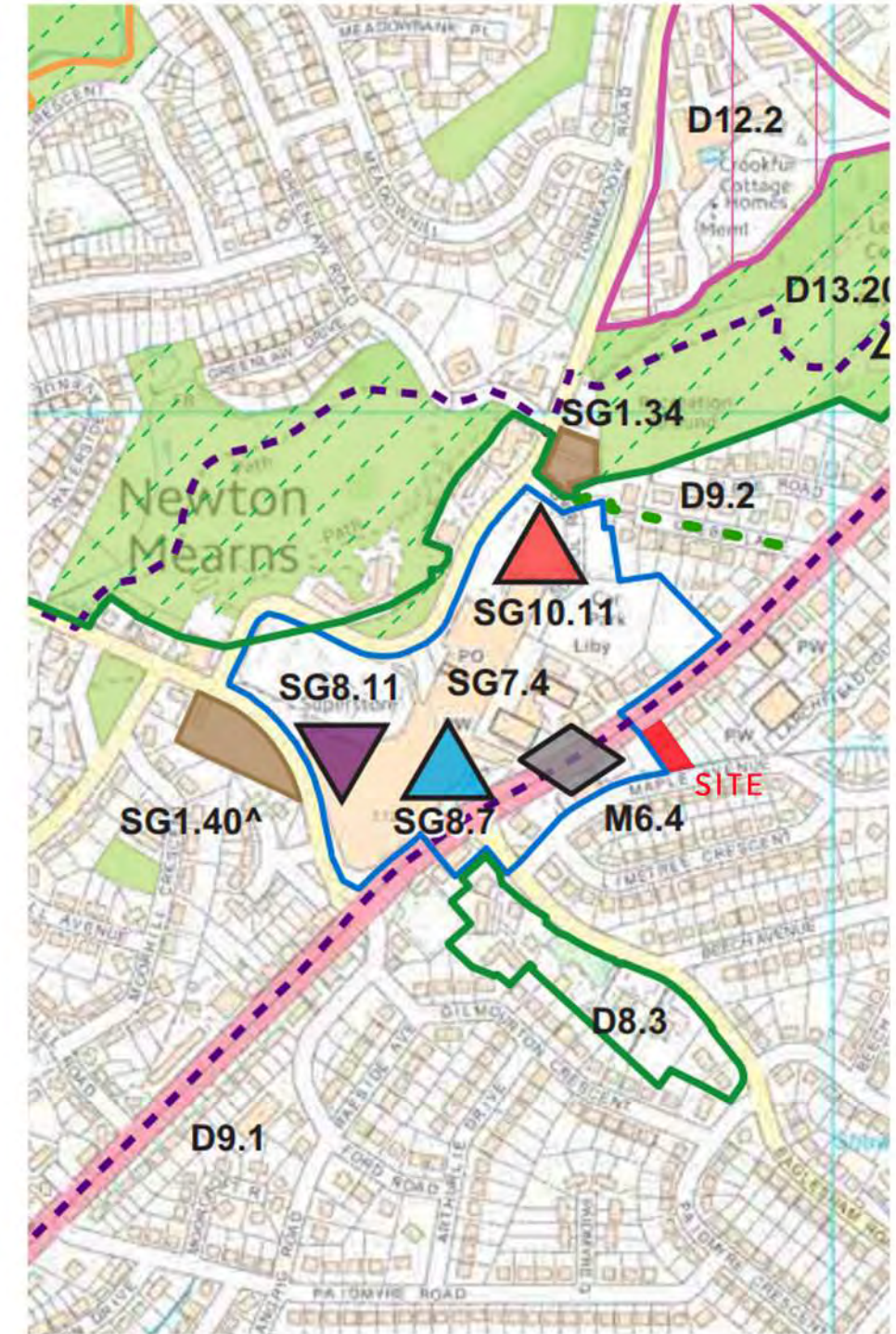
The site is currently designated as residential within the adopted Local Plan and is located adjacent to the Town Centre envelope. The surrounding area includes a new shopping development, a sustainable transport zone, a regeneration area and a business improvement district.

The development plan comprises the Glasgow and The Clyde Valley Strategic Development Plan 2006 (Approved May 2012) and the East Renfrewshire Local Development Plan (Adopted June 2015).

Given the scale and nature of the proposed development, the provisions of the strategic development plan are not relevant.

In relation to the local development plan, the following context and policies are relevant:

- The site is located immediately adjacent to the boundary of Newton Mearns town center;
- Policy M6.4 promotes the regeneration of Newton Mearns town center ;
- The application site itself is not covered by any site-specific policy;
- General Policy D1 (Detailed Guidance for all Development);
- General Policy D2 (General Urban Areas);
- General Policy D15 (Sub-Division of the Curtilage of a Dwelling House for a New Dwelling House and replacement of an existing House with a New House); and
- Policy SG5 (Affordable Housing).



2.0 PLANNING POLICY ASSESSMENT AND STATEMENT

2.2 ASSESSMENT OF PROPOSAL IN RELATION TO RELEVANT POLICY

POLICY D2

The application proposes the redevelopment of an existing residential site for new residential development. The principle of the use is therefore acceptable and, in terms of the provisions of Policy D2, there may be assumed to be a presumption in favour of development, subject to assessment against other relevant policies.

POLICY D15

- Policy D15 relates to sub-division of existing plots or the replacement of an existing house with a new house. The current application does not propose the sub-division of the plot. It involves the replacement of a single dwelling house with a flatted development.
- Policy D15 requires that any new development must reflect the scale and character of the surrounding area and the established pattern of development.
- Policy D15 requires that existing building lines should be respected and the proposed development should contribute to the character of the area.

Our design appraisal of our proposed development in the context of this policy is as follows:

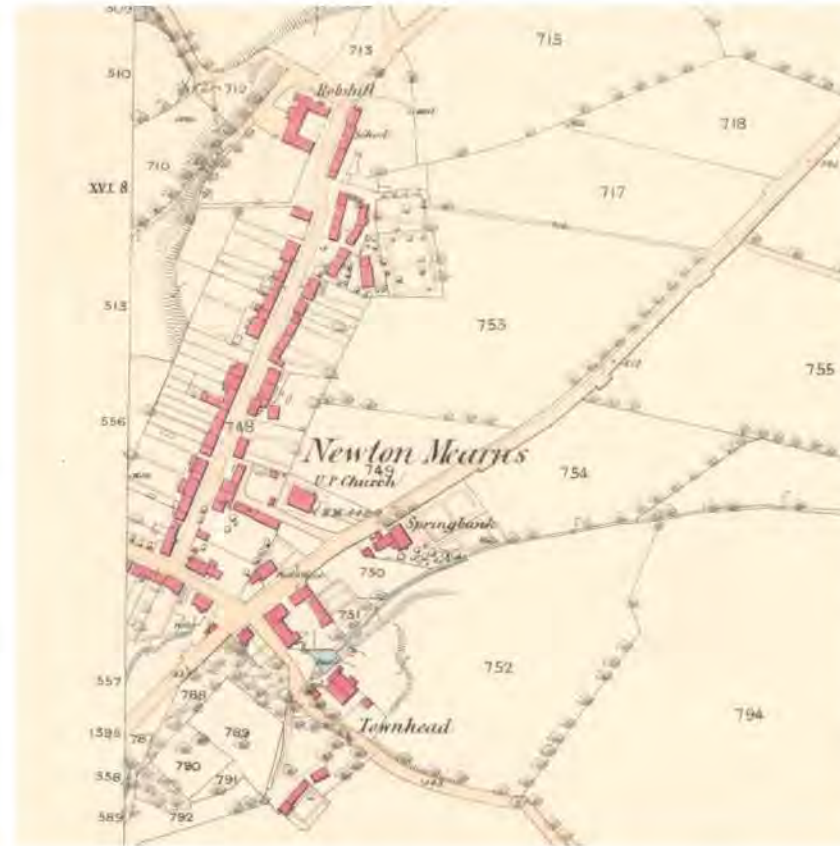
SCALE & CHARACTER OF THE SURROUNDING AREA AND ESTABLISHED PATTERN OF DEVELOPMENT:

Policy D15 requires for any new development to reflect the scale and character of the surrounding area and the established pattern of development. By “surrounding area” we understand this to mean the larger context around our proposal site and not just the adjacent plots on either side of our proposal site. Therefore the relevant scale and established pattern to take into consideration would be the scale and established pattern of development in the larger context and not the immediate neighbouring plots/sites to the proposal site.

The proposal site is located in close proximity of the historical and current town centre for Newton Mearns. We have therefore carried out an appraisal of the site in the context of Newton Mearns Town Centre and Pollok House which is one of the oldest houses in Newton Mearns Town Centre and our assessment is as follows:

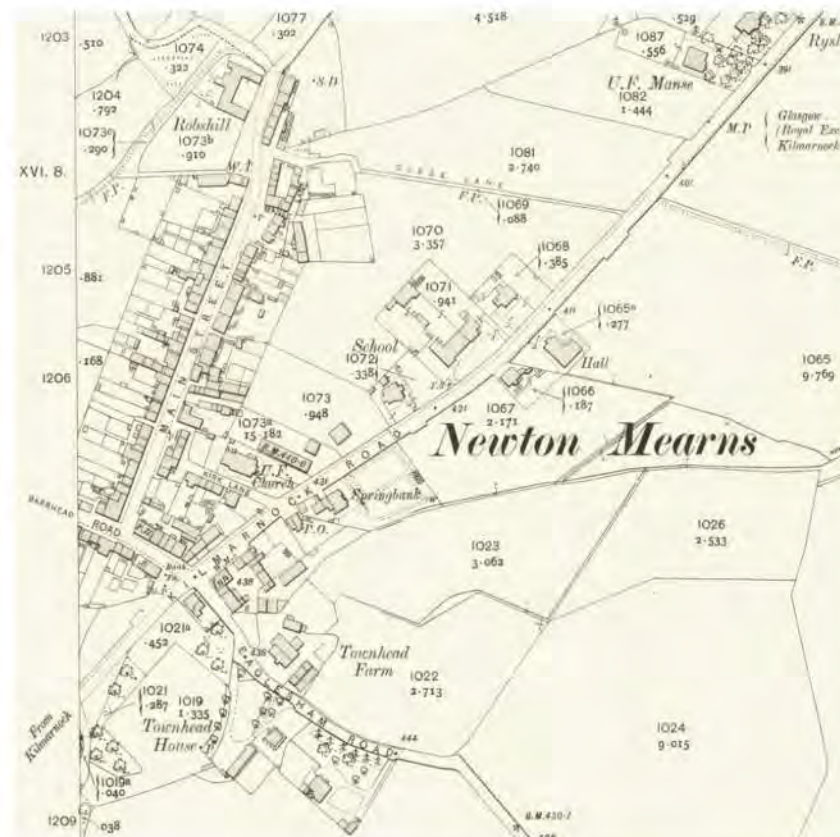
Established Pattern of Development

- Policy D15 requires for any new development to reflect the scale and character of the surrounding area and the established pattern of development.
- Based on our study of the historical development of Newton Mearns, it is clear that Newton Mearns Village began as a single street (Main Street) which can be seen from the historical maps dated 1856 in section 4.1 of our Design Statement Document.
- Laterally, Newton Mearns Village began to develop along Kilmarnock Road as it can be seen from the historical map dated 1911 in section 4.1 of our Design Statement Document.



MEARNS VILLAGE, 1856

The village is still based around the single main street with few buildings



MEARNS VILLAGE, 1911

The village has begun to expand along Kilmarnock Road (Ayr Road).

2.0 PLANNING POLICY ASSESSMENT AND STATEMENT

2.2 ASSESSMENT OF PROPOSAL IN RELATION TO RELEVANT POLICY

- Newton Mearns popularity as a suburb to Glasgow resulted in densification and expansion of the town into the countryside by mass housing developments consisting of a mixture of bungalows, two storey houses and flatted developments. This pattern of development and expansion of Newton Mearns can be seen from the historical maps dated 1939 & 1959 in section 4.1 of our Design Statement Document.

- During the 1960's, Ayr Road (previously know as Kilmarnock Road) was widened due to increased traffic and The Shopping Centre was erected in place of the old village centre and expanded over the old bus depot plot and garage plot. Laterally, Barrhead Road (previously know as Main Street) was rerouted in 1980s to accommodate the expansion of ASDA superstore southwards.

- We now have a growing aging population who need to live in close proximity of the Town centre and the amenities and good transport links that it offers.

- Recent flatted developments along Ayr Road are a clear response to meet the need for providing this type of suitable housing along main arteries with good transport links which address the particular needs of our aging population.

- A more recent development by West Point Homes at Newton Mearns Primary School site at 218 Ayr Road (which sits diagonally across from our site and within 50M radius of our site), is yet again another recent development built to meet this pressing need to provide suitable housing for our aging population close to town centres, local amenities and public transport.

- Our proposal for 5 flatted units at 163 Ayr Road is a continuation of the established and evolving Pattern of Development along Ayr Road and in particular around Newton Mearns Town centre.

- It is our view therefore that our proposal is entirely in line with the Established and ongoing Pattern of Development of the surrounding area



NEWTON MEARN'S TOWN, 1939

Many Bungalows and two-storey houses were built along and

NEWTON MEARN'S, 1959



NEWTON MEARN'S, 2017

In the 1960's Ayr Road was widened due to increased traffic in the town. The Shopping Centre was erected in the place of the old village and expanded over the old bus depot plot and garage plot. Barrhead Road has been rerouted to suit the changes. There is almost no trace of the 'old village'. Pollok House on Ayr Road, is one of the oldest houses in Newton Mearns Town Centre.

NEWTON MEARN'S, 2018

Incorporating the current planning applications for 165 & 163 Ayr Rd.

2.0 PLANNING POLICY ASSESSMENT AND STATEMENT

2.2 ASSESSMENT OF PROPOSAL IN RELATION TO RELEVANT POLICY

Scale & Character of the Surrounding Area

- Policy D15 requires for any new development to reflect the scale and character of the surrounding area and the established pattern of development.
- The scale and character of the surrounding area to our proposal site is characterised by the variety and mixture of buildings types, scale and massing rather than one being characterised by a dominant and consistent scale, massing and building type as it can be seen in sections 4.2, 4.3 & 4.4 of our Design Statement Document.
- There are also a clear mixture of residential dwelling types in the surrounding area that range from one and a half storey bungalows, two and a half storey bungalows, two storey houses, traditional 2 storey houses (such as Pollok House) and 3 & 4 storey blocks of flats (please refer to sections 4.2, 4.3 & 4.4 of our Design Statement Document).
- There are also a mixture of Religious buildings such as Newton Mearns Parish Church, Glasgow Reform Synagogue and Newton Mearns Hebrew Congregation Synagogue (please refer to sections 4.2, 4.3 & 4.4 of our Design Statement Document).
- There are also a mixture of commercial buildings along Ayr Road ranging between one and a half storey to 3 storeys (please refer to sections 4.2, 4.3 & 4.4 of our Design Statement Document).



Scale & Massing

KEY:

- 3-5 storeys
- 1-2 storeys



Mix of Use

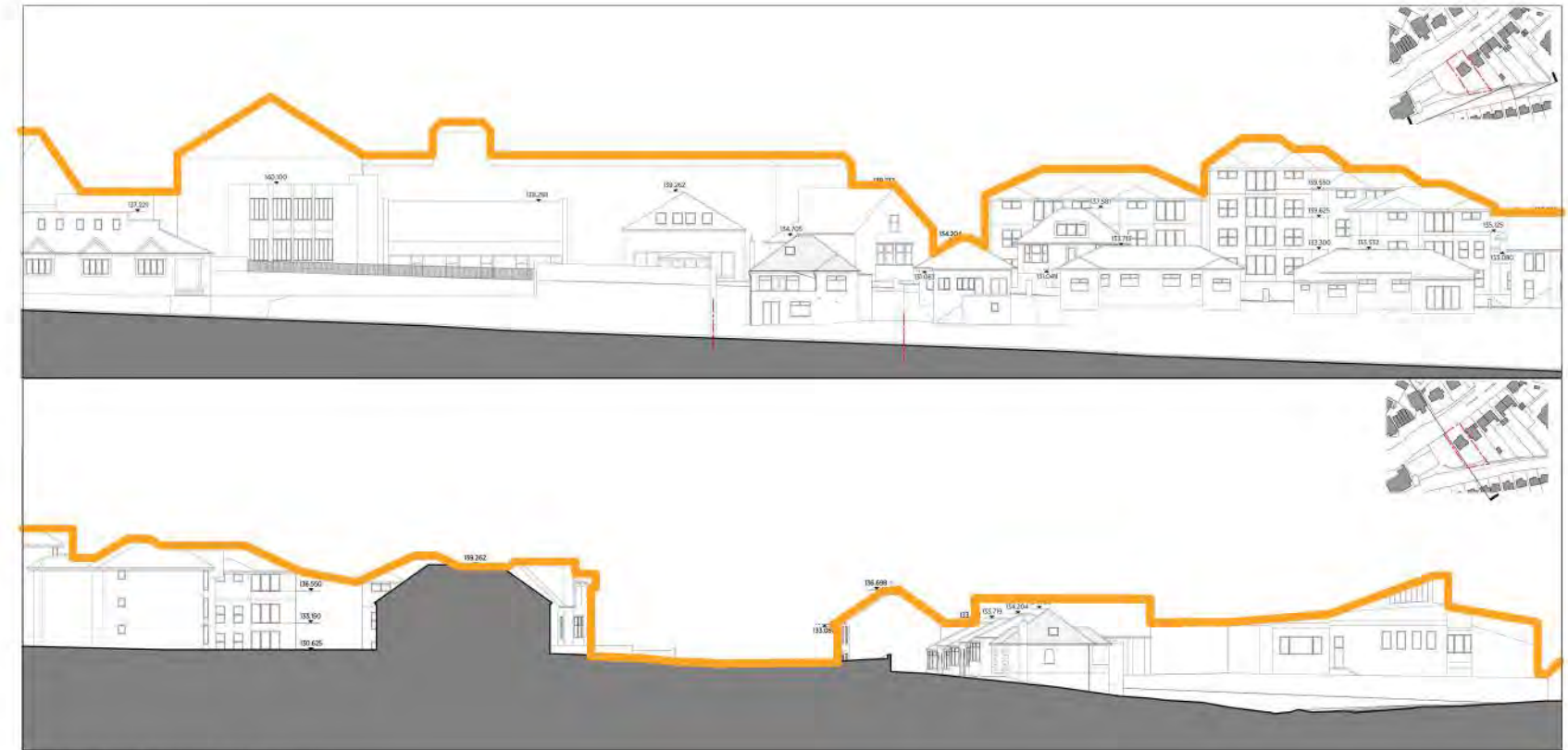
KEY:

- Flatted Development
- Private single dwelling
- Commercial/Retail
- Health/Leisure
- Religious

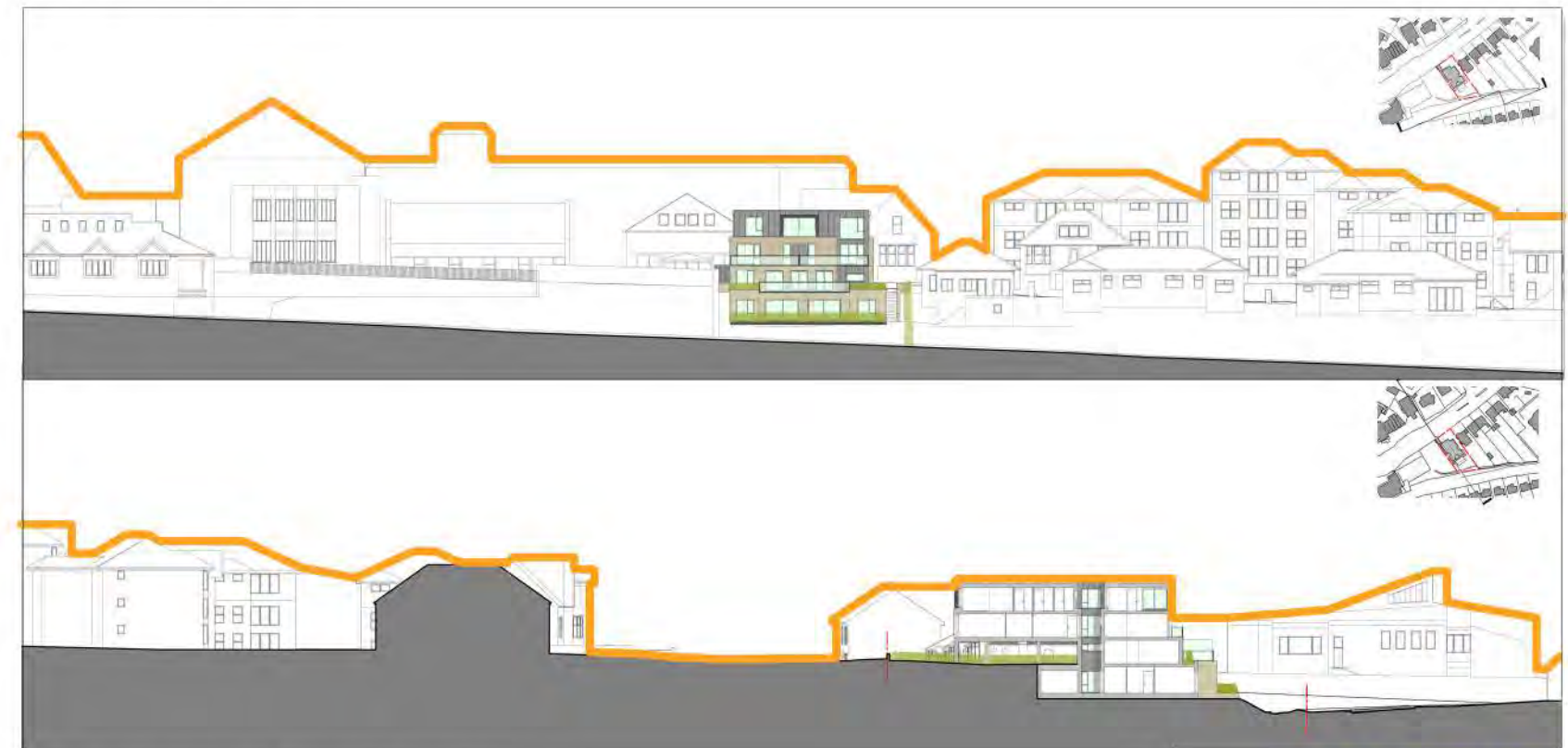
2.0 PLANNING POLICY ASSESSMENT AND STATEMENT

2.2 ASSESSMENT OF PROPOSAL IN RELATION TO RELEVANT POLICY

- Pollok House which is one of the oldest original houses within old Newton Mearns, is a traditional 2 storey sandstone property that sits on the heel of the kerb and has a ridge level of 136.698 (above OD) which is 8.438M above pavement level at 128.260 (above OD).
- A more recent development by West Point Homes at Newton Mearns Primary School site at 218 Ayr Road (which sits diagonally across from our site and within 50M radius of our site) is predominantly 3 and 4 storeys with floor level of the uppermost floor level being 139.550 (above OD) which is 5.346M above the ridge level of the existing bungalow located on the neighbouring plot to the application site.
- The two and a half storey bungalows between Pollok House and the application site were late additions and built in the 1930s before Ayr Road was widened and are a complete anomaly in the area.
- And finally we have “The Avenue” shopping centre which sits on the opposite side of Ayr Road and dominates the immediate context by it’s scale and mass as it can be seen from our contextual elevation drawing Nos. D(43)210 & D(43) 211.
- In summary the majority of the building’s scale and heights along Ayr Road within the immediate surrounding area of our proposal site is 3 storeys and the group of single storey bungalows along Ayr Road between our application site and Pollok House are a complete anomaly and not the norm for this area.
- Our proposal roof height at 137.540 (above OD) is 2.198M lower than the ridge height for the cottage building immediately across the road from our application site and at least 6M lower than the ridge height of the roof to the tallest apartment block in the West Point Homes development diagonally across from our site.
- It is our view therefore that our proposal is entirely in keeping with the predominant Scale and Character of the Surrounding Area



Existing Massing & Skyline



Proposal in Context of Existing Massing & Skyline

2.0 PLANNING POLICY ASSESSMENT AND STATEMENT

2.2 ASSESSMENT OF PROPOSAL IN RELATION TO RELEVANT POLICY



Existing Massing & Skyline along Ayr Road



Proposal in Context of Existing Massing & Skyline along Ayr Road

2.0 PLANNING POLICY ASSESSMENT AND STATEMENT

2.2 ASSESSMENT OF PROPOSAL IN RELATION TO RELEVANT POLICY

EXISTING BUILDING LINES

Policy D15 requires for any new development to respect Existing Building Lines and the proposed development should contribute to the character of the area.

For a proposed development to contribute to the character of the area whilst respecting existing building lines, we should again be assessing and understanding the existing building lines within a larger context and not simply viewing our proposal in the context of properties on adjoining sites/plots. We have therefore carried out an appraisal of the existing building lines in the context of Newton Mearns Town Centre and Pollok House (which is one of the oldest houses in Newton Mearns Town Centre) and our assessment is as follows:

- As you can see from our appraisal of existing building lines for the surrounding area (see section 4.4 of our Design Statement Document), there is a highly varied and irregular established existing building line along this stretch of Ayr Road.
- It is our view therefore that our proposal is entirely in keeping with the established highly irregular Existing Building line within the area and thus contributes to the character of the area.

In conclusion, it is our view that as Policy D15 states, any new development should be viewed in the context of "The surrounding area" and not just in the context of the immediate neighbouring property. Based on our Design Appraisal of the proposed development in context of this policy as outlined above and our Design statement Document, it is submitted that, on the basis of this assessment, the provisions of Policy D15 can be satisfied.



Building Lines and Massing along Ayr Road



Building Lines and Massing along Ayr Road

2.0 PLANNING POLICY ASSESSMENT AND STATEMENT

2.2 ASSESSMENT OF PROPOSAL IN RELATION TO RELEVANT POLICY

POLICY D1

Policy D1 sets out detailed guidance for all development. 16 criteria are set out. These are summarised below, together with a planning assessment in relation to each criterion.

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

Assessment: A contextual assessment of the proposed development is set out in our Design Statement Sections 3, 4 & 6. It is submitted that, on the basis of this assessment, the provisions of this criterion can be satisfied.

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.

Assessment: A design appraisal of the proposed development, and the local context, is set out in our Design Statement Sections 3, 4 & 6. It is submitted that, on the basis of this assessment, the provisions of this criterion can be satisfied.

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

Assessment: An assessment of sunlight and shading is set out in our Design Statement Section 6.7. It is submitted that, on the basis of this assessment, the provisions of this criterion can be satisfied.

4. The development should not impact adversely on landscape character of the green network, involve a significant loss of trees or other important landscape, greenspace or biodiversity features.

Assessment: the development will have no impact on the green network.



Considering Overlooking and Privacy to Neighbours

Considering the Daylight Reaching Habitable Rooms



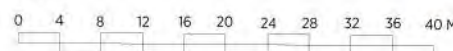
Overlooking and Privacy Plan as Proposed (45 degree approach)
1:400@A3

Sightlines

Sun Shading Plan as Proposed (45 degree approach)
1:400@A3

Sun Shading Elevation as proposed (45 degree approach)
1:200@A3

Possible Shading



2.0 PLANNING POLICY ASSESSMENT AND STATEMENT

2.2 ASSESSMENT OF PROPOSAL IN RELATION TO RELEVANT POLICY

5. Developments should incorporate green infrastructure including access, landscaping, greenspace, water management and Sustainable Urban Drainage Systems at the outset of the design process.

Assessment: This information is provided in Design Statement Sections 6.3, 6.4 & 6.5.

6. Development should create safe and secure environments that reduce the scope for anti-social behaviour in fear of crime.

Assessment: The supporting information provided complies with the terms of this criterion.

7. Developments must be designed to meet disability needs and include provision for disabled access within public areas.

Assessment: The supporting information provided complies with the terms of this criterion.

8. The council will not accept “back land” development, that is development without a road frontage.

Assessment: No back land development is proposed.

9. Parking and access requirements of the council should be met in all development and appropriate mitigation measures should be introduced to minimise the impact of new development.

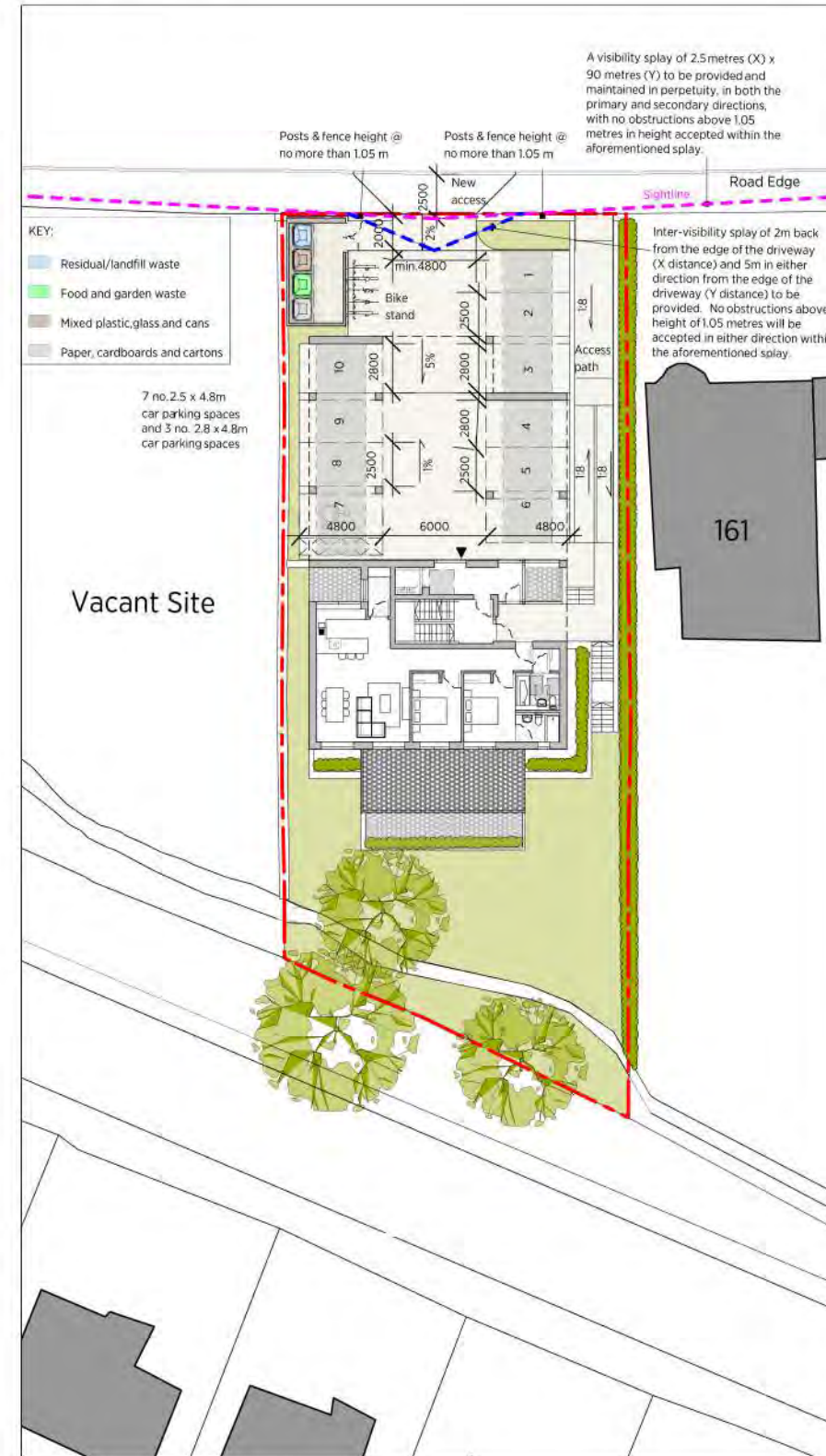
Assessment: The supporting information provided complies with the terms of this criterion.

10. Development should minimise the extent of light pollution caused by street and communal lighting and any flood lighting associated with the development.

Assessment: The supporting information provided complies with the terms of this criterion.

11. Developments should include provision for the recycling, storage, collection and composting of waste materials.

Assessment: The supporting information provided complies with the terms of this criterion.



Parking and Access Layout



Amenity Provision

2.0 PLANNING POLICY ASSESSMENT AND STATEMENT

2.2 ASSESSMENT OF PROPOSAL IN RELATION TO RELEVANT POLICY

12. Where possible, all waste material arising from construction of the development should be retained on-site for use as part of the new development.

Assessment: The supporting information provided complies with the terms of this criterion.

13. Where applicable, new development should take into account the legacy of former mining activity.

Assessment: This is not relevant.

14. Development should enhance the opportunity for, and access to, sustainable transportation, including provision for bus infrastructure, and particularly walking and cycling opportunities including cycle parking.

Assessment: The location of the proposed development could not be better placed to comply with the terms of this criterion.

15. The council requires the submission of a design statement for national and major developments. Design statements must also be submitted in cases where the local development relates to a site within a conservation area or Category A listed building.

Assessment: Full, relevant supporting information has been provided.



A-A Ayr Road Street Section/Elevation



B-B Maple Avenue Street Section/Elevation

POLICY D2

Policy D2 states that development will be supported within the general urban areas, as defined on the Proposals Map, where compatible with the character and amenity of the locality and surrounding land uses and where it complies with other appropriate policies of the plan.

According to our assessment of the context as set out above and in our Design statement Document, the scale and massing in this area/locality has changed so dramatically over recent years and is still evolving so much that the Town Centre Boundary as defined by the Local Development Plan is no longer relevant. It is submitted that, on the basis of this assessment, our proposal is entirely in line with the evolving scale, massing and character of the area and in fact will make a positive contribution towards the creation of an emerging and appropriate Scale and Massing at the heart of Newton Mearns Town Centre and reinforce & celebrate a Sense of Place in this locality.



2.0 PLANNING POLICY ASSESSMENT AND STATEMENT

2.2 ASSESSMENT OF PROPOSAL IN RELATION TO RELEVANT POLICY

POLICY SG5 (Affordable Housing)

This matter has now been addressed as per attached email from Karen Barrie of Affordable Housing section which you had been copied on

From: Barrie, Karen <Karen.Barrie@eastrenfrewshire.gov.uk>
Sent: 04 June 2018 09:55
To: Farahbod Nakhaei <farahbod@nvdc.co.uk>
Cc: Scott, Derek <Derek.Scott@eastrenfrewshire.gov.uk>
Subject: RE: 2017/0850/TP 163 Ayr Road, Newton Mearns

Good morning Farahbod,

Thank you for your email. As discussed, at this stage your email will allow me to send a finalised consultation response back to the planning case officer.

If the application progresses to a positive recommendation, I will be back in touch to discuss the affordable housing commuted sum valuation.

Regards
Karen

Karen Barrie
Principal Strategy Officer (Affordable Housing & Development Contributions Lead)

Strategic Services
Environment
Tel: 0141 577 3568
Mob: 07741701480

2.0 PLANNING POLICY ASSESSMENT AND STATEMENT

2.3 LOOKING TO THE FUTURE

Our Town Centers are changing in the face of recent challenges in the retail sector and new solutions are needed to retain and reinforce our Town Centers as the heart of our communities.

It is also our view that good urban design & planning can help us to look ahead to the future by seizing opportunities in order to manage & enhance the changes in our towns & Cities. Our Town Centers will need to remain the heart of our communities and this can only be achieved by increased intensity of scale and mix of uses.

The Western approach to Newton Mearns Town Centre along Ayr Road is well defined by the row of 2 storey traditional houses which are closely arranged together and all built at or above road level. The density, close proximity and scale of these houses help to define an appropriate sense of enclosure and arrival towards Newton Mearns town centre.

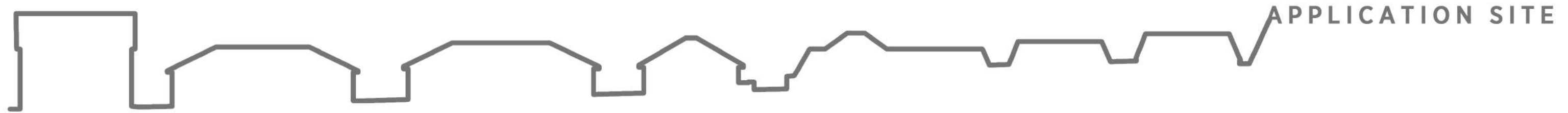
The Eastern approach on the other hand lacks any great sense of enclosure, scale and density. This issue is made worst by the row of bungalows between 153-163 Ayr Road. Not only these are single storey bungalows facing onto Ayr Road, they are well set back from Ayr Road as well as being built on a lower ground level relative to Ayr Road level leading to a complete lack of enclosure, sense of place and arrival along this stretch of approach to Town Centre.

As our site appraisal has identified, our proposed development not only fits in with the scale & character of the surrounding area as well as the pattern of development along Ayr Road, but also offers a true opportunity to create an appropriate scale and use in this location that will make a hugely positive contribution to enhance, re-create and reinforce a sense of place at the heart of Newton Mearns.

The potential opportunity offered by our proposed development could be further magnified by the proposed flatted development by Mosaic Architecture on the vacant plot to the west of our site. Together, they will make a fantastic contribution to the built and townscape qualities of Newton Mearns Town Centre while injecting a much needed sense of vitality & life that will only strengthen the sense of community at the heart of Newton Mearns Town Center (see attached drawing).



A-A Ayr Road Street Section/Elevation



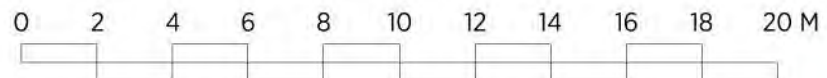
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3.0 APPLICATION SITE

3.1 SITE TOPOGRAPHY



Topographical Site Plan as Existing
Scale 1:200@A3



Application Site Boundary



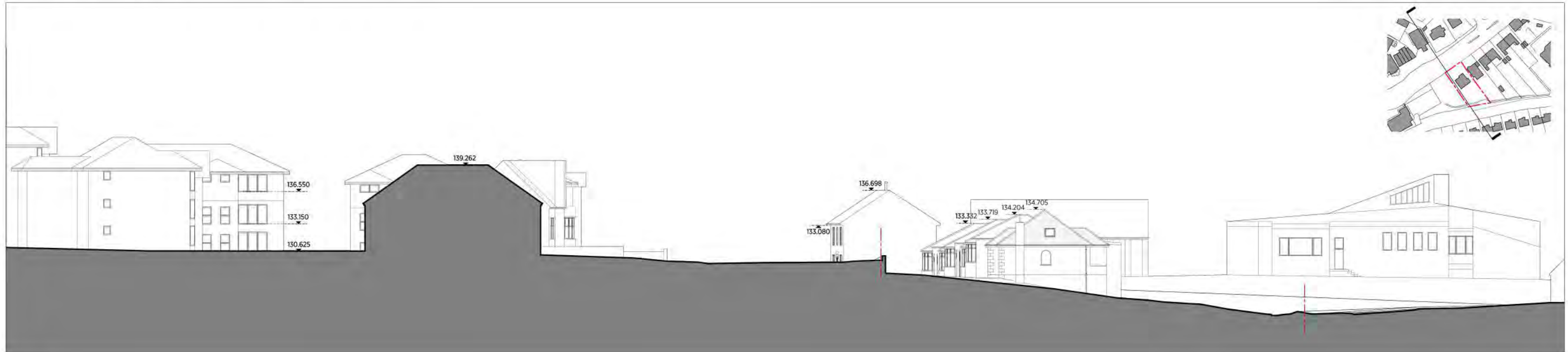
3.0 APPLICATION SITE

3.2 EXISTING STREET SITE SECTIONS & ELEVATIONS

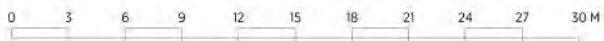
The plot currently contains a 1950's detached house that linguistically relates to the peripheral suburban environment. Our proposal aims to create a new improved relationship and site appropriate scale correlating to the main road (Ayr Road) and town centre setting.



B-B Maple Avenue Street Section/Elevation
1:400@A3



C-C Cross Section through Ayr Road & Maple Avenue
1:400@A3

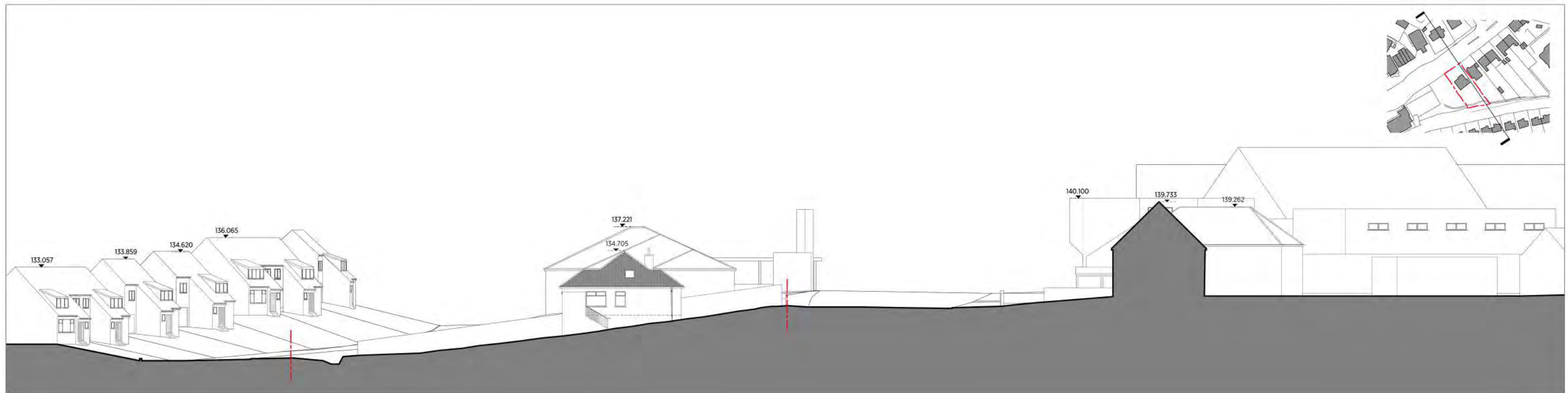


3.0 APPLICATION SITE

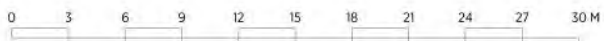
3.2 EXISTING STREET SITE SECTIONS & ELEVATIONS



A-A Ayr Road Street Section/Elevation
1:400@A3

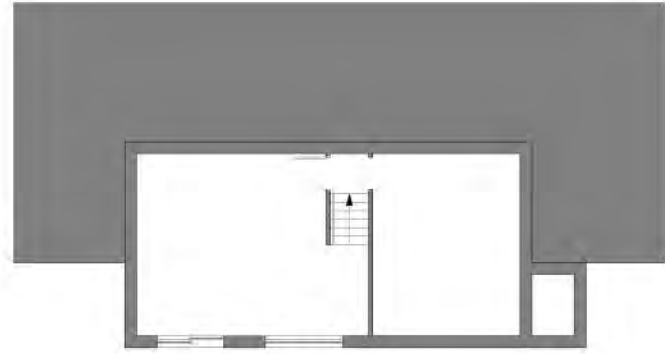


D-D Cross Section through Ayr Road & Maple Avenue
1:400@A3



3.0 APPLICATION SITE

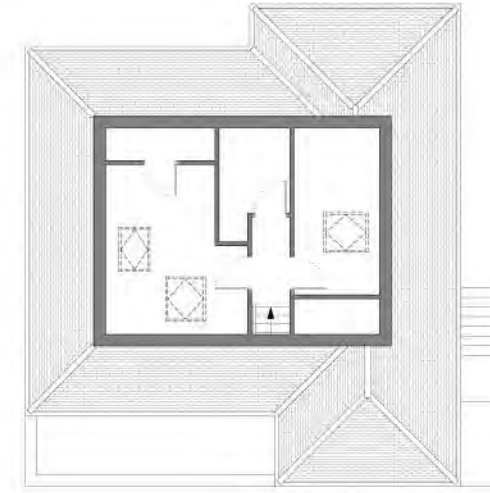
3.3 EXISTING PROPERTY PLANS



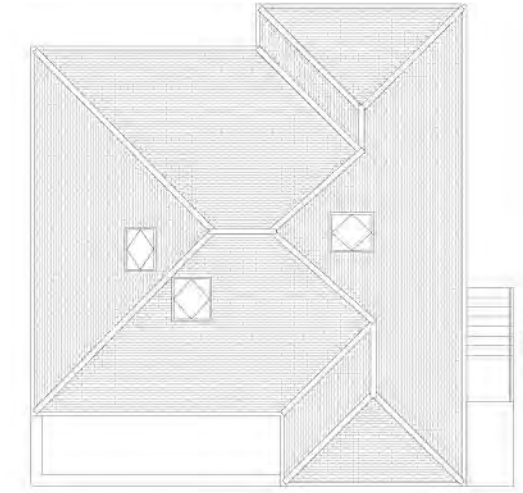
Basement as Existing
1:100@A1/1:200@A3



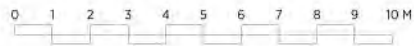
Ground Floor as Existing
1:100@A1/1:200@A3



First Floor as Existing
1:100@A1/1:200@A3



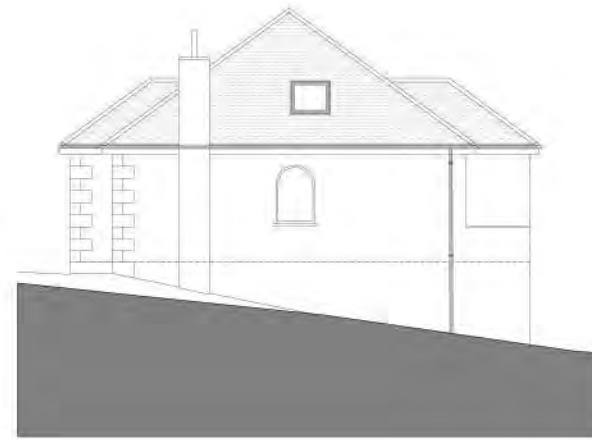
Roof Plan as Existing
1:100@A1/1:200@A3



3.5 EXISTING PROPERTY ELEVATIONS



North - West Elevation as Existing
1:100@A1/1:200@A3



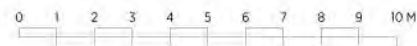
South - West Elevation as Existing
1:100@A1/1:200@A3

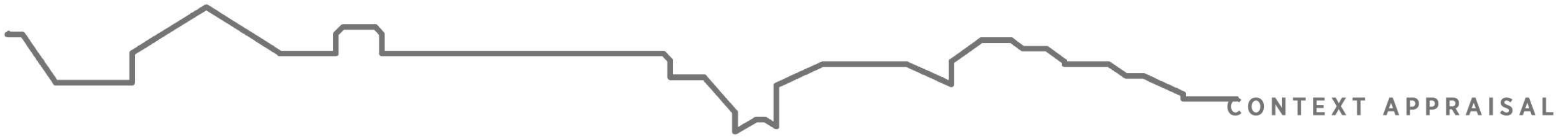


South - East Elevation as Existing
1:100@A1/1:200@A3



North - East Elevation as Existing
1:100@A1/1:200@A3





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4.0 CONTEXT APPRAISAL

4.1 HISTORIC DEVELOPMENT

Mearns Village:

Newton Mearns began as a single isolated street surrounded only by farms, bleach works, textile mills and private estates. However in 1832 a new main access road was built, now known as Ayr Road, this improved travel and allowed people to live in Mearns and commute to the city of Glasgow. Whitecraigs railway station was opened in 1903 further improving transport to Glasgow; this led to a large increase in housing development in the area.

Throughout the early 1900's Newton Mearns was an ideal place to live with a host of local employment opportunities, great transport infrastructure, a countryside setting and local education facilities. There were also plenty of local amenities including two butchers, three bakers, three newsagents, four grocers, two hairdressers, three banks, a pharmacist, a sweet shop, a fishmonger, a fruit shop, a shoe shop, a dairy, a dry cleaner, a haberdashery, a tea room, a jenny a' things, a post office and a petrol station.



STAR TEAROOM, MAIN ST



BRINGANS STORE, MAIN ST



POST OFFICE AND STORE, MAIN ST



VIEW ALONG MEARN'S MAIN STREET, 1916



MEARN'S CROSS, BARRHEAD ROAD



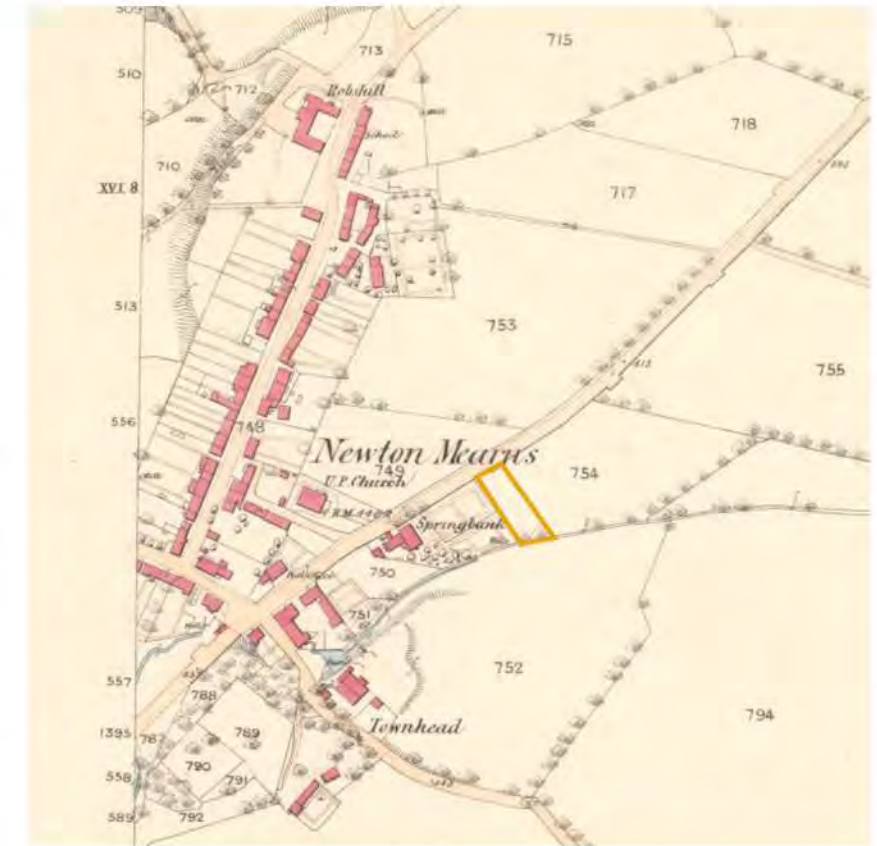
MEARN'S CROSS, MEARN'S INN AND THE DRINKING FOUNTAIN



CRAIGARD HOUSE BUILT IN 1902 NEXT TO ANDERSONS GARAGE ON AYR ROAD

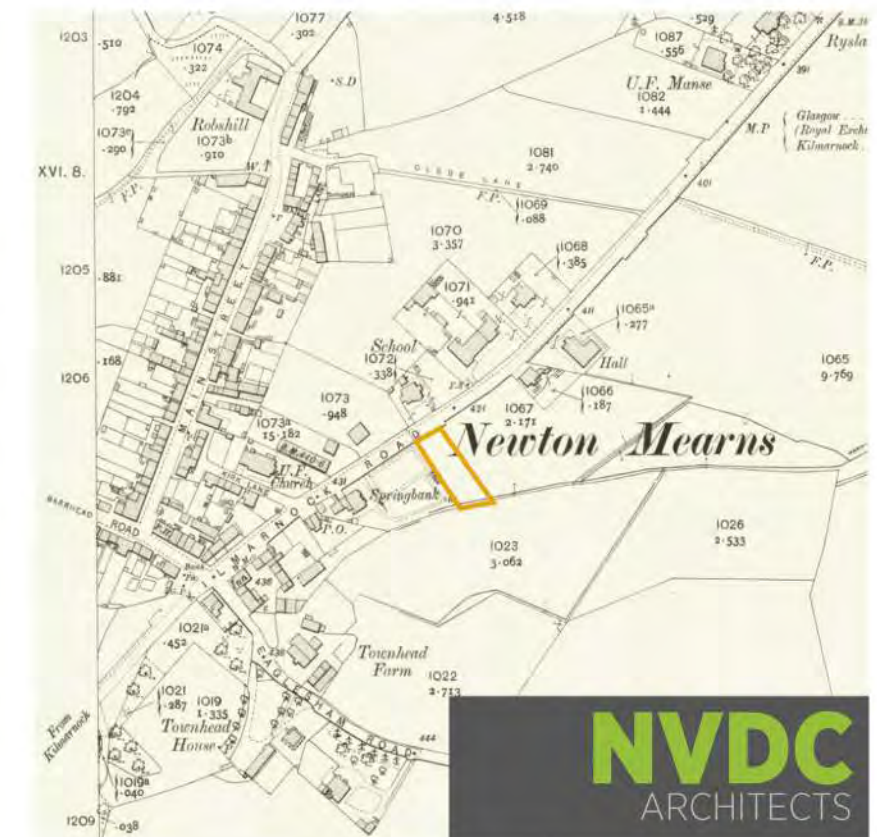
MEARN'S VILLAGE, 1856

The village is still based around the single main street with few buildings outwith.



MEARN'S VILLAGE, 1911

The village has begun to expand along Kilmarnock Road (Ayr Road).



4.0 CONTEXT APPRAISAL

4.1 HISTORIC DEVELOPMENT

Mass Housing Development:

Mass housing developing ensued in the 1930's and around 6,000 houses were developed, along with a new Bus Depot. House building and developing was halted throughout World War II period but resumed in the 1950's. Unfortunately, by the 1960's the old village and original main road of Newton Mearns had become derelict due to disuse and neglect throughout WW2.

In 1972 what was left of the old village was demolished and the new Mearns Shopping Centre was erected in its place. The opening of the centre signified the end for small local businesses and the end of Newton Mearns being known as 'a village'. The relocation of the local bus depot in 1968 and the closing of a long-serving local garage in 1980 left large areas of vacant land in the town centre, so in 1988 the Mearns Shopping Centre was further expanded.



HOUSE BUILDING ALONG AYR ROAD NEXT TO ANDERSONS GARAGE



A 1930'S BUNGALOW TEAROOM NOW A PRIVATE RESIDENCE



MEARNS CROSS SHOPPING CENTRE, 1972



NEWTON MEARNS TOWN, 1939
Many Bungalows and two-storey houses were built along and around Ayr Road throughout the 30's. Vacant sites had begun to appear on the old village main street.

NEWTON MEARNS, 1959
Mass housing development had taken place, expanding Newton Mearns out into the countryside and further along Ayr Road. The 'old village' had begun to look sparse and neglected.



NEWTON MEARNS, 2017
In the 1960's Ayr Road was widened due to increased traffic in the town. The Shopping Centre was erected in the place of the old village and expanded over the old bus depot plot and garage plot. Barrhead Road has been rerouted to suit the changes. There is almost no trace of the 'old village'. Pollok House on Ayr Road, is one of the oldest houses in Newton Mearns Town Centre.



4.0 CONTEXT APPRAISAL

4.1 HISTORIC DEVELOPMENT

The Suburban Town of Newton Mearns:

Newton Mearns has since continued to be a sought after commuter suburb to live in and housing development has progressed accordingly. However, despite continual housing development only 0.5% of the population of Newton Mearns live within the town centre, this is very low in comparison to other vibrant Scottish commuter towns and suburbs. The consequences of this include high car ownership, high car use, a large portion of the centre occupied by car parking, as well as a quiet town centre out-with the Shopping Centre opening hours.

The town centre has received much needed regeneration over the recent years in order to re-create a sense of place and identity that has been lost. Through restoring and enhancing the setting of much loved historical remnants such as the 'Drinking Fountain' as well as the upgrading and renaming of the shopping centre to, 'The Avenue'.



'THE AVENUE' SHOPPING CENTRE AFTER REGENERATION WORKS



INSIDE 'THE AVENUE' SHOPPING CENTRE



THE TOWN CENTRE IS NOW FOCUSED AROUND AYR ROAD AND THE AVENUE SHOPPING CENTRE. HOUSE DEVELOPING HAS CONTINUED TO SPRAWL INTO THE COUNTRYSIDE.



THE HISTORIC DRINKING FOUNTAIN WAS RELOCATED TO THE TOWN CENTRE SHOPPING PRECINCT AS A REMANANT OF THE OLD VILLAGE.



MEARNS WAR MEMORIAL ON AYR ROAD



POLLOK HOUSE BUILT CIRCA 1910 FOR THE LOCAL TAILOR. THE HOUSE REMAINS TODAY AND IS ONE OF THE OLDEST HOUSES IN NEWTON MEARN'S TOWN CENTRE.

4.0 CONTEXT APPRAISAL

4.2 SCALE AND MASSING

The scale of the buildings on Ayr Road (Town Centre) range from single to four storeys, however future development opportunities would assume the larger scale to be appropriate in order to create an effective town centre gateway and corridor. Due to the locale there are many amenities within the vicinity, this includes The Avenue Shopping Centre as well as many other retail units, businesses, restaurants, hot food takeaways, leisure facilities and a medical centre. The mix of residential and commercial buildings means the surrounding architecture varies greatly in scale, style and form. Directly opposite the site, in front of 'The Avenue Shopping Centre' is a 3-storey bank premises, this is an indicator of appropriate future scale.

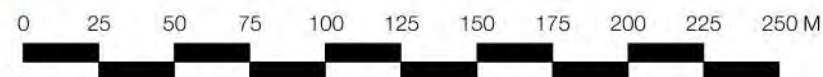


KEY:

- 3-5 storeys
- 1-2 storeys

Location Plan, 1:2500

Application Site Boundary



4.0 CONTEXT APPRAISAL

4.3 BUILDING USE APPRAISAL

The scale of the buildings on Ayr Road (Town Centre) range from single to four storeys, however future development opportunities would assume the larger scale to be appropriate in order to create an effective town centre gateway and corridor. Due to the locale there are many amenities within the vicinity, this includes The Avenue Shopping Centre as well as many other retail units, businesses, restaurants, hot food takeaways, leisure facilities and a medical centre. The mix of residential and commercial buildings means the surrounding architecture varies greatly in scale, style and form. Directly opposite the site, in front of 'The Avenue Shopping Centre' is a 3-storey bank premises, this is an indicator of appropriate future scale.

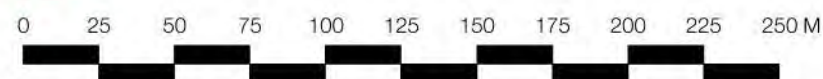
KEY:

- Flatted Development
- Private single dwelling
- Commercial/Retail
- Health/Leisure
- Religious



Location Plan, 1:2500

Application Site Boundary



4.0 CONTEXT APPRAISAL

4.4 BUILDING LINES AND MASSING ALONG AYR ROAD

The existing streetscape and built environment of Ayr Road is highly irregular and has no definitive patterns or trends. Building styles and language range from period Victorian circa 1900 to present day contemporary 2000's. The context comprises a mixed use town centre environment creating varied massing and scales ranging from one to five storeys in height with both flat and pitched roofscapes and assorted plot sizes. Materiality is also extremely diverse with no particularly distinguishing palettes. Below and throughout the following pages we have highlighted the existing building line along Ayr Road, in order to illustrate the diverse character of the local built environment.



4.0 CONTEXT APPRAISAL

4.4 BUILDING LINES AND MASSING ALONG AYR ROAD

PRECEDENT A - Former Mearns primary School Site

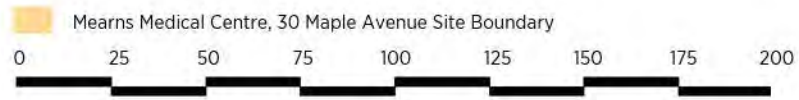
Erection of 27 flats (in four blocks) with formation of vehicular access and associated car parking

Planning REF: 2016/0202/TP

Status: Approved - On Site



Site Plan



4.0 CONTEXT APPRAISAL

4.4 BUILDING LINES AND MASSING ALONG AYR ROAD

PRECEDENT B - 141 Ayr Road, Newton Mearns, G77 6RE

Demolition of existing dwellinghouse and erection of 2 flats (amendment to previous consent 2008/0159/TP to alter fenestration on building and including the erection of car port with store adjacent to rear boundary)

Planning REF: 2008/0610/TP

Status: Approved - Built 2010



Site Plan



4.0 CONTEXT APPRAISAL

4.4 BUILDING LINES AND MASSING ALONG AYR ROAD

PRECEDENT C - 30 Maple Avenue, Newton Mearns, G77 5TU

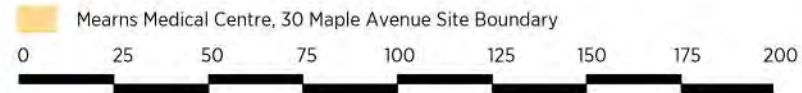
Erection of 3 flats and parking, formation of vehicular access off Maple Avenue and culverting of burn

Planning REF: 2010/0102/TP

Status: Approved (new application submitted for site)



Site Plan



PRECEDENT C - 30 Maple Avenue, Newton Mearns, G77 5TU

Erection of 6 flats/apartments with undercroft car parking, formation of vehicular access off Maple Avenue and associated landscaping with amenity space.

Planning REF: 2017/0213/TP

Status: Registered



4.0 CONTEXT APPRAISAL

4.4 BUILDING LINES AND MASSING ALONG AYR ROAD

PRECEDENT D - 103 Ayr Road, Newton Mearns, East Renfrewshire
Demolition of house and erection of 6 flats
Planning REF: 1998/0627/TP
Status: Approved & Built



Site Plan



4.0 CONTEXT APPRAISAL

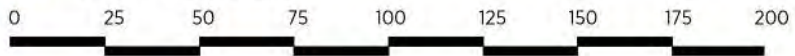
4.4 BUILDING LINES AND MASSING ALONG AYR ROAD

PRECEDENT E - 99 Ayr Road, Newton Mearns, G77 6RA
Erection of residential development of 5 flats
Planning REF: 2003/0204/TP
Status: Approved & Built



Site Plan

99 Ayr Road Site Boundary



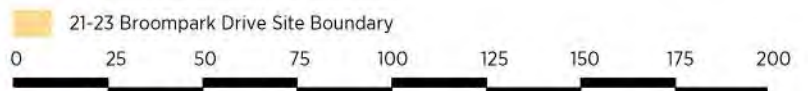
4.0 CONTEXT APPRAISAL

4.4 BUILDING LINES AND MASSING ALONG AYR ROAD

PRECEDENT F - 21-23 Broompark Drive, Newton Mearns, East Renfrewshire
Erection of 12 flats and formation of access
Planning REF: 2005/0536/TP
Status: Approved & Built



Site Plan



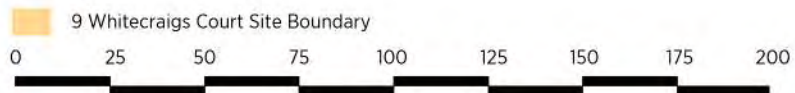
4.0 CONTEXT APPRAISAL

4.4 BUILDING LINES AND MASSING ALONG AYR ROAD

PRECEDENT G - 9 Whitecraigs Court, Newton Mearns, G46 6SY
Erection of 63 flats (2 x 4 storey blocks), 1 house, formation of access and associated garaging, parking and landscape
Planning REF: 2001/0032/TP
Status: Approved & Built



Site Plan



4.0 CONTEXT APPRAISAL

4.4 BUILDING LINES AND MASSING ALONG AYR ROAD

PRECEDENT H - 48, 50 and 52 Ayr Road, Newton Mearns, G46 6SA

Erection of 12 flats with associated parking and formation of vehicular access off Ayr Road

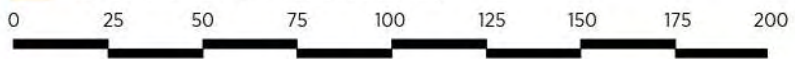
Planning REF: 2015/0063/TP

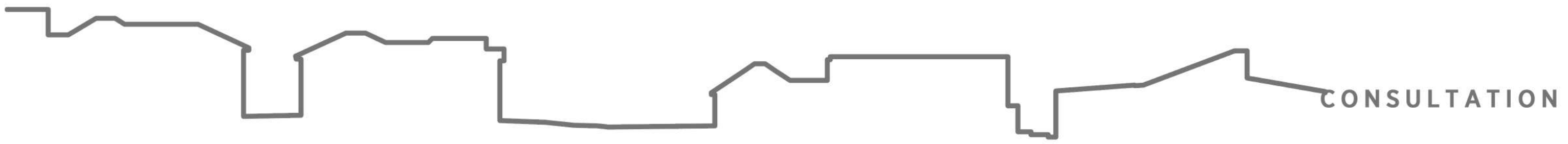
Status: Approved & Built



Site Plan

48, 50 and 52 Ayr Road Site Boundary





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5.0 CONSULTATION

We have taken on board the preliminary advice we have received via e-mail from (Case Officer) Ms Fiona Morrison, (Principal Planner) Mr Ian Walker and (Senior Planner) Ms Alison Mitchell between July and November 2017. Feedback has also been received from roads and waste management. We have designed our proposal accordingly and have consulted the local plan and supplementary guidance documents throughout the process. All relevant e-mail correspondence is copied below:

From: Morrison, Fiona (Environment) [mailto:Fiona.Morrison2@eastrenfrewshire.gov.uk]
Sent: 06 July 2017 11:14
To: Farahbod Nakhaei <farahbod@nvdc.co.uk>
Subject: RE: PROPOSED FLATETD DEVELOPMENT - 163 Ayr Road, Newton Mearns, Glasgow, G77 6RE

Hello Farahbod,

I refer to your email in connection with the above.

The site is located within the General Urban Area as identified in the East Renfrewshire Local Development Plan. You are proposing the erection of approximately 8 flats and have not submitted any detailed drawings for consideration. On submission of a formal application, the proposal would be assessed against the relevant policies in the East Renfrewshire Local Development Plan and any material considerations. The relevant policies are Strategic Policy 2, Strategic Policy 3, SG1, SG5, D1, D2, and the supporting Supplementary Planning Guidance (SPG). The East Renfrewshire Local Development Plan and SPGs can be viewed on line at www.eastrenfrewshire.gov.uk/local-development-plan. I would draw your attention to policies Strategic Policy 3 and SG5. The latter requires that, for four or more units, a 25% affordable housing contribution is required in addition to the Development Contributions.

Although you have not submitted any detailed plans, I would suggest that, given the size and location of the site, there could be issues with, for example, the size and scale of the development; detrimental impact on the amenity and privacy of the residents in the surrounding area e.g. potential overlooking/overshadowing; arrangements for waste management/bin stores; provision of appropriate car parking and provision of open space (30sq m per unit). Should you wish to forward more detailed plans I would happily comment further.

I trust the above comments which are made without prejudice to the consideration of a formal application are of assistance to you. It should not be assumed, however, that every aspect which may impact on an application has been addressed. On submission of a formal application, cognisance would be given to comments from consultees and any representations received.

Regards
 Fiona

From: "Morrison, Fiona" <Fiona.Morrison2@eastre
Date: 2 August 2017 at 13:45:39 BST
To: 'Farahbod Nakhaei' <farahbod@nvdc.co.uk>
Subject: RE: PROPOSED FLATETD DEVELOPMENT - G77 6RE

Hello Farahbod,

Apologies for the delay in my response, we are slightly thin on the ground with annual leave etc.

As previously advised, I would suggest that the proposed flats do not reflect the established pattern of development within the area or the scale and character of the surrounding residences. Given the size and location of the site, there could be issues with, for example, the size and scale of the development; detrimental impact on the amenity and privacy of the residents in the surrounding area and potential overlooking and overshadowing. I trust the above comments which are made without prejudice to the consideration of a formal application are of assistance to you. It should not be assumed, however, that every aspect which may impact on an application has been addressed. On submission of a formal application, cognisance would be given to comments from consultees and any representations received.

Regards
 Fiona

From: "Mitchell, Alison (Env)" <alison.Mitchell@eastrenfrewshire.gov.uk>
Date: 30 August 2017 at 16:36:11 BST
To: "Farahbod@nvdc.co.uk" <farahbod@nvdc.co.uk>
Subject: erection of 8 flats at 163 ayr road newton mearns

Our ref PREAPP/2017/0370

I refer to your voicemail in connection with the above.

There are outstanding consultation responses from the Roads Service and the Projects Officer. With regard to the latter, you will be aware that your proposal will be subject to a 25% affordable housing contribution and developer contributions as detailed in the Councils Supplementary Planning Guidance which can be viewed on –line at www.eastrenfrewshire.gov.uk/local-development-plan.

I will revert to you with a composite response as soon as possible.

Regards
 Alison

From: "Mitchell, Alison (Env)" <alison.Mitchell@eastrenfrewshire.gov.uk>
Date: 21 September 2017 at 17:25:55 BST
To: 'Farahbod Nakhaei' <farahbod@nvdc.co.uk>
Subject: erection of 5 flats at 163 Ayr Road

Our Ref PREAPP/2017/0370

I refer to your Design and Access Statement received on the 11 August 2017 in connection with the above.

The site is located within an established residential area on the periphery of the Newton Mearns Town Centre. You are proposing the demolition of the existing dwellinghouse and the erection of a five flats over 2.5/3.5 storeys. On submission of a formal application, the proposal would be assessed against the East Renfrewshire Local Development Plan and any material considerations. The relevant policies, and their supporting Supplementary Planning Guidance (SPGs), are considered to be Strategic Policy 2, Strategic Policy 3, D1, D2, D7 and SG5, details of which can be viewed on-line at www.eastrenfrewshire.gov.uk/local-development-plan.

There are no objections, in principle, to development of the site for residential purposes. However, the acceptability, or otherwise, of a proposal would depend on the detailing.

I have not, to date, received comments from the Roads Service. However, from the information you have supplied, I would anticipate that there will be a shortfall in the number of car parking spaces as a minimum of 2 spaces per unit would be required plus visitor parking. Furthermore, it is likely that there would be issues with parking spaces 1,2,9 and 11 due, for example, to difficulties with manoeuvres. All vehicles should be able to enter and leave the site in forward gear. There are parking restrictions on Ayr Road. I will revert to you on receipt of comments from the Roads Service.

It is likely that the location of the bin store is unacceptable, e.g. to the rear of the disabled parking space and the number of bins is likely to be inadequate. Appropriate and separate provision will require to be made for general waste; plastic, cardboard and cartons; and food waste for five properties. I will revert to you on receipt of a consultation response.

The application of the minimum 25% affordable housing policy requirement to this proposal would result in a contribution requirement of 1.25 units. Provisional advice is that a payment of a commuted sum may be acceptable. The commuted sum required would be of a value equivalent to the cost of providing the percentage of serviced land required by the policy, and at a reasonable density for the end use as affordable housing. The value would be determined independently by the District Valuer unless the applicant requests otherwise. Further detail on this process and costs involved would be given at the point of application. Each commuted sum is valued individually on a site specific basis, therefore it is not possible to give accurate advice on the requirement level until a valuation has been carried out.

In terms of development contributions, a full and detailed assessment of development contribution requirements would be carried out at the point of application when there would be consultations with relevant Council services to determine capacity. However if you intend to move forward with the proposal, a summary of likely contributions (prior to any application being submitted) could be provided. I would suggest that you refer to the SPG on Development Contributions and look at the requirements set out in terms of Education (contributions would be required towards Pre-five at Hazeldene, Mearns Primary, St Cadoc's Primary, and St Ninian's High schools. The requirement for contributions toward Mearns Castle High School would have to be assessed at the point of any future application to determine capacity at that point); Parks and Open Space, Community Facilities (see individual requirements for libraries & community halls and sports); Green Network and Access; and Roads & Transportation.

Affordable Housing and Development Contributions would be secured by means of a section 75 legal agreement and an applicant would be responsible for the Councils legal fees and outlays involved in the preparation and completion the agreement. For further information on the affordable housing and development contributions, you may wish to contact my colleague Karen Barrie (Principal Project Officer) on 0141.577.3568 Karen.barrie@eastrenfrewshire.gov.uk

Policy D7, and its supporting SPG, sets out open space requirements for new developments. A minimum of 30sq m of meaningful amenity open space per flat should be provided.

In terms of policy D1, I would offer the following general comments. The building is forward of the established building line. The height and treatment of the upper floor/roof profile does not respect the established streetscape and introduces an alien quality when considered against the adjacent pattern of low profile single storey residential units. The proposal would have an impact on the neighbouring property in terms of overshadowing.

Drawing all the above matters together, there are some matters which will require to be revisited. I would be happy to comment on draft revisions.

I trust the above comments, which are made without prejudice to the consideration of a formal application, are of assistance to you. It should not be assumed, however, that every aspect which may impact on an application have been addressed. On submission of a formal application, cognisance would be given to any representations received and consultation responses.

Regards
 Alison



5.0 CONSULTATION

From: "Mitchell, Alison (Env)" <alison.Mitchell@eastrenfrewshire.gov.uk>
Date: 2 October 2017 at 17:38:59 BST
To: 'Farahbod Nakhaei' <farahbod@nvdc.co.uk>
Subject: PREAPP/2017/0370 AYR ROAD

With reference to the above, please find attached general comments on waste management requirements for new developments.

My colleague in Waste Management has advised that provision must be made for the appropriate storage capacity, access for waste and recycling bins for the number of proposed dwellings. The current drawings do not show any provision, nor clear proposals for servicing bins or vehicular access to the development. It should be noted that bins will not be serviced at the kerbside on Ayr Road due to the potential volume of bins presented on any given collection day- resulting in reduced visual amenity and safety implications of service vehicle being stationary for prolonged periods on a busy route.

Any amended drawings should take cognisance of the above and should be submitted in advance of a meeting.

Regards
Alison

Roads Feedback and Comments	
1	<p>The proposed flatted development is to replace an existing property located at number 163 Ayr Road, Newton Mearns. The site currently contains a detached residential property with accommodation over three storeys. The existing house has two storeys to the front and three storeys to the rear due to the sloping nature of the existing site. There is currently level access from Ayr Road; the site then slopes downwards towards Maple Avenue at the rear.</p> <p>There is currently off-street parking available for three cars located to the rear of the existing house accessed from Ayr Road via a footway crossing, through a shared vehicle / pedestrian access, and a steep driveway leading to the 3 No. on-site parking bays.</p>
2	<p>It is proposed to construct five, three bedroom, flats over four levels with access provided from Ayr Road by means of the existing dropped kerb footway crossing. Curtilage parking is to be provided at the front and rear of the new building. Three spaces including one designated disabled space will be provided at the front of the property immediately adjacent to the proposed access from Ayr Road. A further eight spaces are proposed to the rear of the property with access provided from the front by a steep and narrow driveway.</p>
3	<p>The section of the Ayr Road (A77) fronting this property is covered by formal waiting restrictions that prohibits on-street parking at certain times of the day. In addition to these restrictions an on road cycle lane covers this section of Ayr Road.</p>
4	<p>Vehicle Access Crossing</p> <p>There is an existing dropped kerb footway crossing that may have to be extended to accommodate the increase in vehicular traffic entering the development site. This work would have to be carried out in accordance with the Roads Service Specification. The applicant should therefore be advised that under the terms of The Roads (Scotland) Act 1984, they must apply to this service for a section 56 'Road Opening Permit' to carry out the works, which will be at the applicant's expense. The work will include the installation of additional 'drop kerbing', alteration to the public footway and the provision of a delineation kerb along the property boundary line, across the driveway access to distinguish between the public and private responsibility.</p>
5	<p>Vehicle Access and Egress</p> <p>The first 10 metres of the proposed vehicle access should be a minimum of 4.8 metres in width to allow opposing vehicles to pass and have a gradient of not more than 2%. The first 2 metres of the private driveway nearest the public footway should be surfaced or paved to prevent any deleterious material, e.g. loose chippings, being carried onto the adjacent footway.</p>

In the interest of road safety, the internal layout of the proposed private access / parking area(s) should also include a suitable turning facility to allow vehicles to enter and leave the site in a forward gear.

6 Internal Parking Layout

Within the rear parking area a minimum aisle width of 6 metres is required to allow vehicles to manoeuvre safely in and out of a parking space. In addition, the design and layout of the parking areas should be functional to allow safe manoeuvrability of vehicles to be undertaken particularly to and from the designated spaces.

It is unlikely that parking space numbers 1 & 2 to the rear of the property plus 9 & 11 at the front could be safely negotiated without the need for multiple manoeuvres. Under no circumstances should the internal parking layout, particularly at the front of the property, encourage vehicles to leave the site in a reverse gear.

7 Sightlines

Clear sightlines, from any private access, are essential to enable drivers, exiting the driveway, to check in both directions for vehicular traffic and pedestrians before safely joining the adjacent public road. That is from a point 'X' metres back from the road edge there should be an unrestricted view, above a height of 1.05 metres, for a distance of 'Y' metres in both directions.

A visibility splay therefore, of 2.5 metres (X) x 90 metres (Y) should be provided and maintained in perpetuity, in both the primary and secondary directions, with no obstructions above 1.05 metres in height accepted within the aforementioned splay.

To ensure an adequate and safe inter-visibility between vehicles exiting from a driveway and pedestrians on any adjacent footway, a visibility splay of 2m back from the edge of the driveway (X distance) and 5m in either direction from the edge of the driveway (Y distance) should be provided. No obstructions above a height of 1.05 metres will be accepted in either direction within the aforementioned splay.

8 Drainage

Surface water drainage must be contained within the curtilage of the applicants site by ensuring that the access slopes away from the back of the public footway or, if not feasible, by means of a suitable positive drainage system.

If the development was to proceed, the applicant would be required to demonstrate / provide evidence from Scottish Water / SEPA that the proposed surface water / sewerage treatment / discharge will be acceptable and can be accommodated within the current infrastructure.

9 1. Proposed Parking Provision

The section of the Ayr Road (A77) fronting this property is covered by formal waiting restrictions that prohibits waiting from 8.00am until 6.30pm. Currently, on-street parking also takes place on Maple Avenue and neighbouring streets to the rear of this property. In addition to these waiting restrictions and existing on-street parking an on road cycle lane covers this section of Ayr Road.

The parking provision for this development therefore must meet the required standards as no on-street parking is likely to be available in the immediate vicinity of this new development.

Five, three bedroom flats are proposed for this development therefore in line with the Councils Policy on parking and taking into account the necessary allocation for visitors; the parking requirement shall be 10 allocated curtilage spaces plus 2 additional spaces for visitors. Given the restrictions with on-street parking at this location these spaces must be provided within the curtilage of the applicant's site.

It should be noted that there will be no relaxation of parking standards for affordable housing or flatted developments.

From: Roche, Erica
Sent: 25 October 2017 16:52
To: Mitchell, Alison (Env)
Subject: RE: proposed erection of 5 flats at ayr road newton mearns

Hi Alison

Some critical concerns arise from this proposal.

Clearly under this proposal, the refuse collection vehicle cannot enter and exit the site in forward gear. Presumably, this would require the RCV to reverse off Ayr Road, presumably over a dropped kerb access. This is not advisable due to the volume and speed of traffic. We have a duty to minimise risk to our employees and this would be a hazardous manoeuvre, with a vehicle banksman being required to stop oncoming traffic. Unfortunately, a standard on street collection would not be possible because it would not be acceptable for bins to be placed on the kerbside by residents for collection due to the large grouping of bins (a minimum of 12 x 240 litre bins) that would result, with prolonged stopping times for the vehicle while servicing these. The only potential solution that I can envisage is a secure bin store (accommodating larger communal bins) closer to or with access directly from the kerbside with corresponding dropped kerb. In this scenario, the RCV would stop on Ayr Road and service a smaller number of larger communal bins thereby reducing stopping time. However, it is questionable how convenient this would be for residents. Another option would be to revise the layout to accommodate the turning of a vehicle to allow for the vehicle to enter and exit in forward gear. Also, it should be noted that the bins depicted under this proposal do not appear to fit through the access door to the bin store and this would not be acceptable.

Again, I am happy to discuss.

Thanks
Erica

From: "Mitchell, Alison (Env)" <alison.Mitchell@eastrenfrewshire.gov.uk>
Date: 17 November 2017 at 17:33:15 GMT
To: 'Farahbod Nakhaei' <farahbod@nvdc.co.uk>
Subject: FW: Proposed erection of five flats at 163 Ayr Road Newton Mearns

With reference to the undernoted, I would confirm that, to date, I have not received further comments from the Roads Service. I would suggest, however, that the Roads Service is unlikely to support the tandem parking arrangement at spaces 6,7,8 and 9. I will revert to you on receipt of updated comments from the Roads Service.

Notwithstanding your supporting information, my previous concerns regarding, for example, the size and scale of the proposal and the visual impact on the streetscape remain. I do not think there would be any merit in having a meeting given the exchanges of correspondence and information conveyed to you from the consultees. I would, therefore, suggest that you progress to a formal application and include, for example, a supporting statement justifying the proposal against the Development Plan and a design statement. I would remind you that your proposed development will trigger the requirement for Affordable Housing and Developer Contributions and you should take this into consideration.

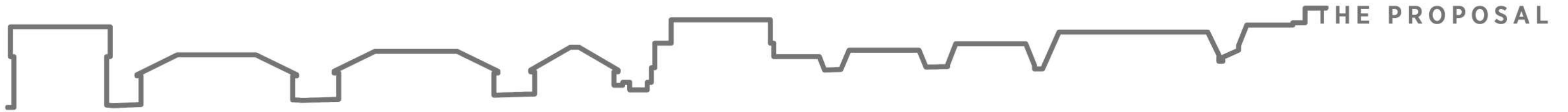
With regards to a planning application, your proposal would be regarded as a Local Development and would not require to be submitted to the planning applications committee for determination unless the application generated more than 10 objections.

I trust the above comments which are made without prejudice to the consideration of an application are of assistance to you. It should not be assumed, however, that every aspect which may impact on an application has been addressed. On submission of a formal application, cognisance would be given to consultation responses and any representations received.

Any future communications should be sent to planni@nvdc.co.uk

Regards
Alison.

NVDC
ARCHITECTS



THE PROPOSAL

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6.0 THE PROPOSAL

6.1 RESPONDING TO WIDER CONTEXT

Our proposal of a flatted development will help to increase the amount of residential dwellings in the town centre area, which is currently very low in comparison to other Scottish town centres, with only 0.5% of the population of Newton Mearns actually living in the centre. Newton Mearns housing typology comprises 76% detached, semi-detached and terraced housing and only 24% flats. Our proposal for a flatted development will provide the area with much needed good quality apartments. The existing street elevations and sections below, help to illustrate the emerging scale on Ayr Road. We have highlighted the roofscape of the built environment in orange to illustrate how the massing of our proposal relates to the surrounding context.



6.0 THE PROPOSAL

6.1 RESPONDING TO WIDER CONTEXT



Proposal Building Lines in Context
1:1250@A3



A-A Ayr Road Street Section/Elevation
1:400@A3



6.0 THE PROPOSAL

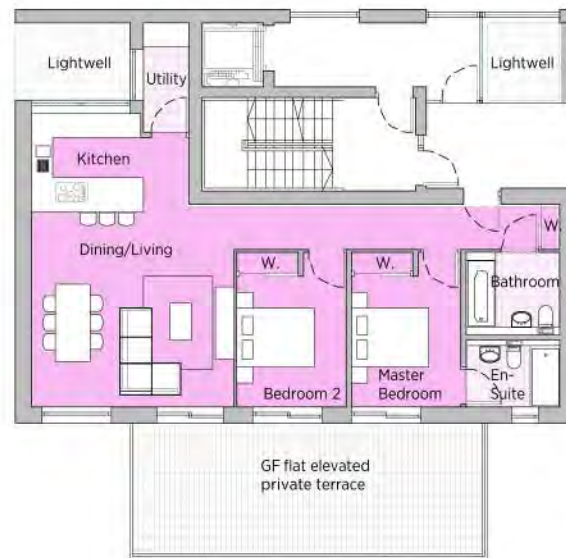
6.2 ACCOMMODATION BREAKDOWN

Our proposal comprises 5 unique apartments over four-storeys with one on each floor with the exception of the first floor. The apartments ranges in size from 89sqm to 184 sqm and have either two or three bedrooms. Other accomodation includes open plan living, kitchen and dining, accessible bathroom, utility room and ensuite to master bedroom. See table:

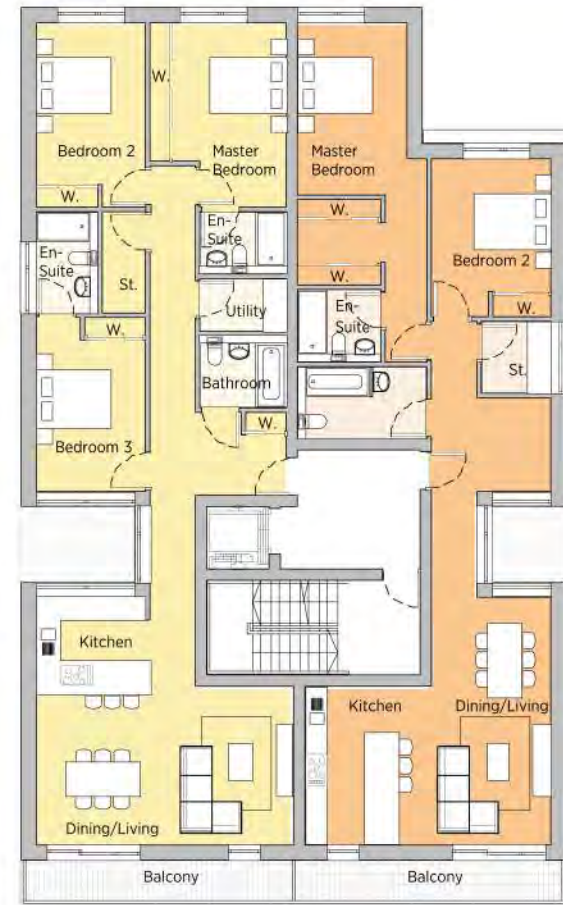
APARTMENT NO.	NO. OF BEDROOMS	SIZE (SQM)
-1/1	2	152
0/1	2	89
1/1	3	124
1/2	2	103
2/1	3	184



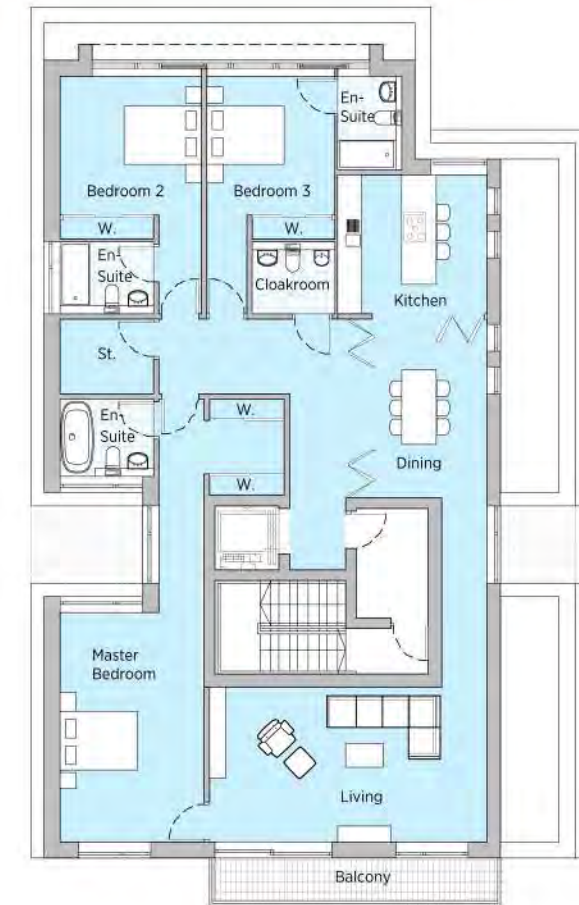
Basement Plan as Proposed
1:200@A3



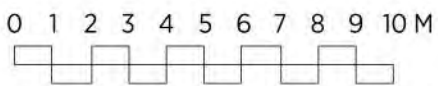
Ground Floor Plan as Proposed
1:200@A3



First Floor Plan as Proposed
1:200@A3



Attic Floor Plan as Proposed
1:200@A3



6.0 THE PROPOSAL

6.3 PARKING AND ACCESS

PROPOSAL:

The proposal is to construct five apartments (2no. three bedroom & 3no. two bedroom) over four levels with access provided from Ayr Road by means of the new dropped kerb footway crossing. Curtilage parking is to be provided to the front of the new building. This will be in the form of one designated disabled space and a further nine standard spaces provided to the front of the property with access provided from Ayr Road.

VEHICLE ACCESS CROSSING:

The proposal is to create a new dropped kerb footway crossing to accommodate the increase in vehicular traffic entering the development site. This work will be carried out in accordance with the Roads Service Specification using a section 56 'Road Opening Permit' to carry out the works. The work will include the installation of additional 'drop kerbing', alteration to the public footway and the provision of a delineation kerb along the property boundary line, across the driveway access to distinguish between the public and private responsibility.

VEHICLE ACCESS AND EGRESS:

The first 10 metres of the proposed vehicle access will have a minimum width of 4.8 metres to allow opposing vehicles to pass. The gradient will not be more than 2%. The first 2 metres of the private driveway nearest the public footway will be surfaced or paved to prevent any deleterious material, e.g. loose chippings, being carried onto the adjacent footway.

PARKING LAYOUT:

There shall be a minimum aisle width of 6m, within the parking area to allow vehicles to manoeuvre safely in and out of parking spaces.

SIGHTLINES:

A visibility splay therefore, of 2.5 metres (X) x 90 metres (Y) will be provided and maintained in perpetuity, in both the primary and secondary directions, with no obstructions above 1.05 metres in height accepted within the aforementioned splay.

PARKING PROVISION:

As on-street parking will not be suitable on Ayr Road, adequate parking has been provided within the curtilage of the development. Two three bedroom flats and three two bedroom flats are proposed. In line with the Councils Policy on parking and taking into account the necessary allocation for visitors, the parking requirement shall be 10 spaces. This comprises:

2 Bedroom flat requirement = $1.65 \times 3 = 4.95$

3 Bedroom flat requirement = $2.25 \times 2 = 4.5$

Total development requirement = $4.95 + 4.5 = 9.45 = 10$ spaces (1 of which is Disabled)



Parking and Access Layout

1:400@A3

6.0 THE PROPOSAL

6.4 WASTE MANAGEMENT

EAST RENFREWSHIRE SERVICE DETAILS:

East Renfrewshire Council operates a four bin collection policy in order to meet its obligations under the Waste (Scotland) Regulations 2012 and the National Charter for Household Recycling.

Presently this consists of:

Residual /landfill waste - Once every 3 weeks

Food and garden waste - Weekly

Mixed plastics, glass and cans - Once every 3 weeks

Paper, cardboards and cartons - Once every 3 weeks

FLATTED AND COMMUNAL PROPERTIES:

Flatted properties generally use communal, larger bins for waste and recycling.

STORAGE AREA:

A Bin Store will be provided to the front of the property for ease of collection via Ayr Road. The store will be adequately lit and ventilated with a smooth floor. The Bin Store will have a flat roof with suitable drainage. The internal height of the bin store will allow for the bin lids to open. Access doors will have the ability to be secured in an open position to aid collection and should be wide enough to allow for 200mm clearance on either side of the wheeled bin. There will be a minimum width of 150mm between each container and the surrounding enclosure.

MOVEMENT BETWEEN STORAGE AREA AND COLLECTION VEHICLE:

Bigger Bins: The collector should not normally be required to move four-wheeled waste storage containers (>240 litre bins) for a distance of more than 10m, from the collection point to collecting vehicle. The Bin Store has been positioned with direct access to the kerb (Ayr Road) in accordance with British Standard 5906:2005 Waste Management in Buildings Code of Practice.

VEHICLE INFORMATION AND MANOEUVRE:

A secure bin store will be provided (accommodating larger communal bins) with access directly from the kerbside with corresponding dropped kerb. The RCV can stop on Ayr Road and service a smaller number of larger communal bins thereby reducing stopping time.

WASTE PROVISION:

Residual/landfill waste:

Required: 5 flats x Volume 240l = 1200l

Proposed: 1 x Volume 1280l

Mixed plastic, glass and cans:

Required: 5 flats x Volume 240l = 1200l

Proposed: 1 x Volume 1280l

Food and garden waste:

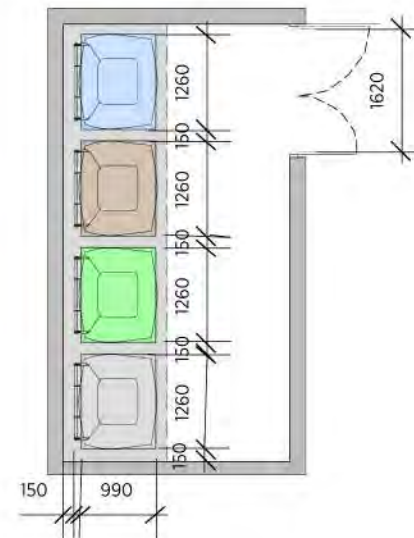
Required: 5 flats x Volume 240l = 1200l

Proposed: 1 x Volume 1280l

Paper, cardboards and cartons:

Required: 5 flats x Volume 240l = 1200l

Proposed: 1 x Volume 1280l



Bin Store Layout

1:100@A3

KEY:

- Residual/landfill waste
- Food and garden waste
- Mixed plastic, glass and cans
- Paper, cardboards and cartons

LARGE BIN CAPACITY AND DIMENSIONS:

Volume (Litres)	Height (mm)	Width (mm)	Depth (mm)
1280l	1470	1260	990



Waste Management Layout

1:400@A3

6.0 THE PROPOSAL

6.5 AMENITY PROVISION

LOCAL DEVELOPMENT PLAN

POLICY D7: Green Infrastructure and Open Space Provision within New Development
New development proposals should incorporate a range of green infrastructure including open space provision, multi use access, sustainable urban drainage, wildlife habitat and landscaping. This infrastructure should not only form an integral part of the proposed scheme but should complement its surrounding environment.

SUPPLEMENTARY GUIDANCE

HEADLINE PROVISION PER DWELLINGS:

For flatted/sheltered developments there will be a minimum requirement of 30m²/dwelling. This provision must provide reasonable privacy from parking and public areas out with the site. There will be no requirement for on-site provision of active open space equipment.

PROPOSED AMENITY SPACE: (see drawing opposite)

Required Space:	5 flats x 30m ²	= 150m ²
Proposed Space:	Total Area	= 337m ²
	Area A	= 260m ²
	Area B	= 20m ²
	Area C	= 33m ²
	Area D	= 17m ²
	Area E	= 9m ²



Amenity Provision
1:400@A3

6.0 THE PROPOSAL

6.6 MATERIALITY

The proposed materiality is derived from the surrounding context, mainly the oldest existing house in the vicinity known as 'Pollok House'. The house was built circa 1910 and comprises blonde sandstone walls with grey slate roofing. We strive to take this palette and use it in a contemporary manner to form an outstanding addition to the streetscape. Below is an example of how sandstone, brick and zinc can be used in a contemporary manner even in a historic setting such as St Andrews.



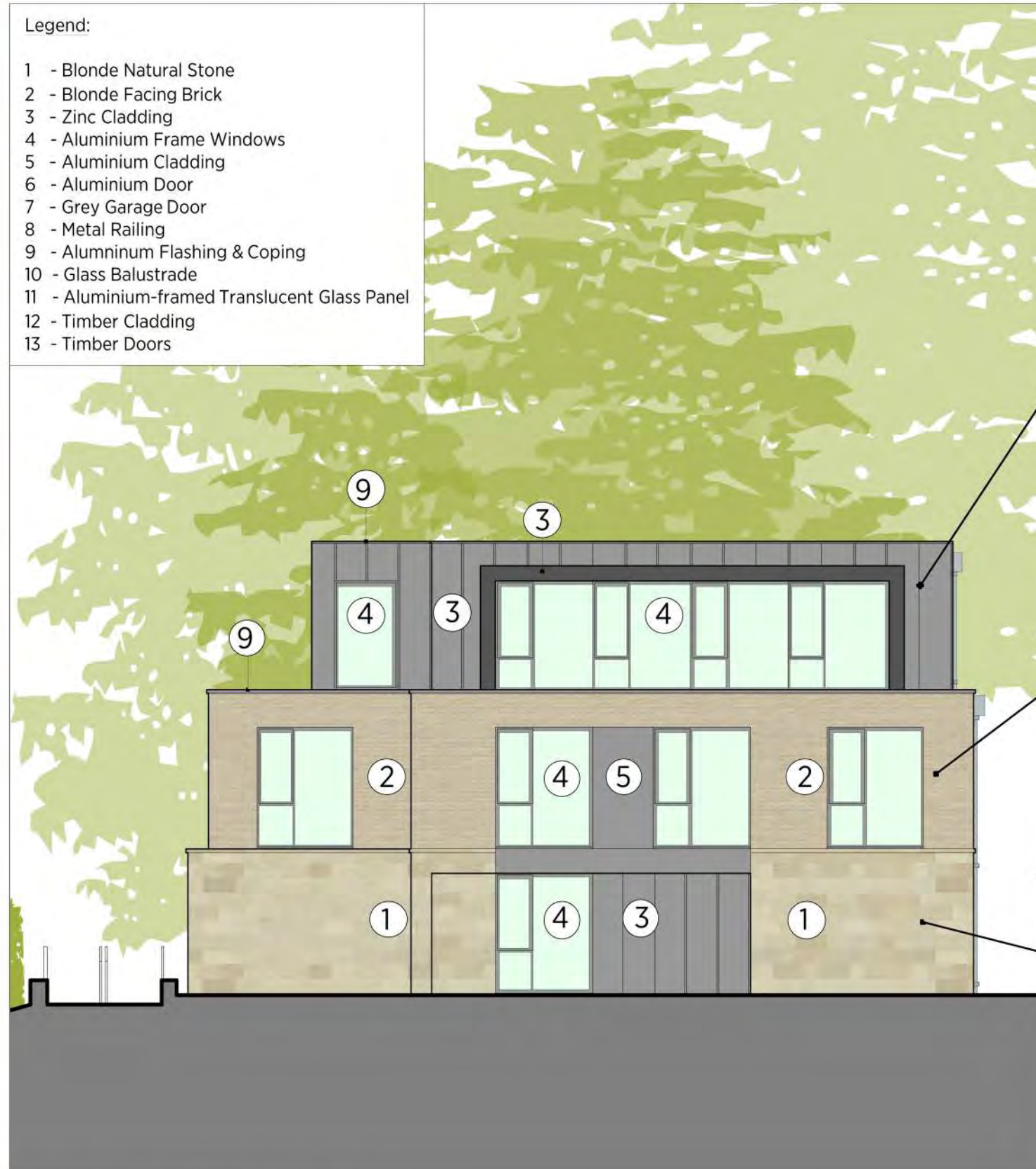
West Burn Lane by Sutherland Hussey Architects



'Pollok House' (built circa 1910), 151 Ayr Road

Legend:

- 1 - Blonde Natural Stone
- 2 - Blonde Facing Brick
- 3 - Zinc Cladding
- 4 - Aluminium Frame Windows
- 5 - Aluminium Cladding
- 6 - Aluminium Door
- 7 - Grey Garage Door
- 8 - Metal Railing
- 9 - Aluminium Flashing & Coping
- 10 - Glass Balustrade
- 11 - Aluminium-framed Translucent Glass Panel
- 12 - Timber Cladding
- 13 - Timber Doors



North - West Elevation as Proposed

1:200@A3

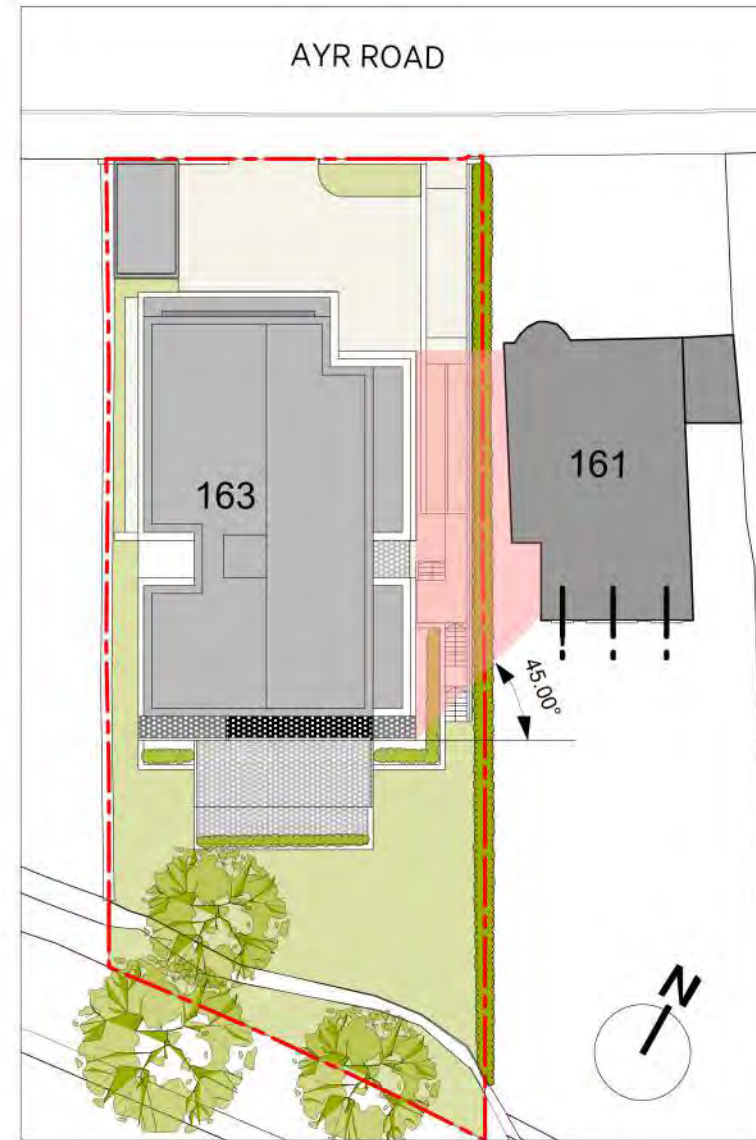
6.0 THE PROPOSAL

6.7 SHADING AND PRIVACY

It can be observed from the following diagrams that the amenity of the neighbouring property, 161 Ayr Road, should not be adversely affected by our proposal both in terms of restricting sunlight and breaching privacy. To illustrate the proposed sun shading we have adopted the '45 degree approach' mentioned in Supplementary Guidance document 'Daylight and Sunlight' section 2.4.

Considering Overlooking and Privacy to Neighbours

Considering the Daylight Reaching Habitable Rooms



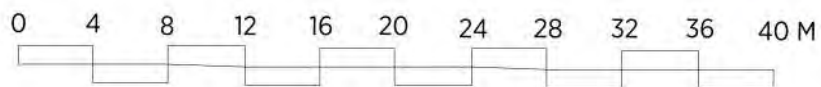
Overlooking and Privacy Plan as Proposed
(45 degree approach)
1:400@A3

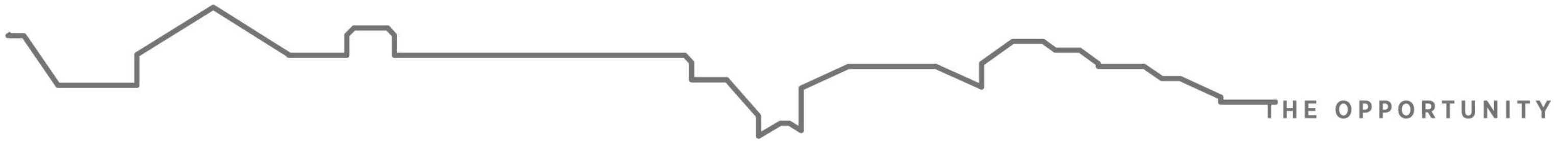
Sightlines

Sun Shading Plan as Proposed
(45 degree approach)
1:400@A3

Sun Shading Elevation as proposed
(45 degree approach)
1:200@A3

Possible Shading





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7.0 THE OPPORTUNITY

'Creating a Vibrant Community with a Strong Sense of Place.'

As our Design statement has demonstrated, Newton Mearns Town Centre like many of other towns and cities in Scotland has gone through substantial changes through the years and we now have an opportunity to continue this transformation in a way that will help to deliver a stronger Sense of Enclosure & Place with an equally strong sense of community at Newton Mearns Town Centre.

We believe the key factor in the continual revitalization of Newton Mearns will be population densification through the introduction of more appropriate housing types and increased building scale in and around the town centre. Our proposal at 163 Ayr Road will deliver increased population, introduce a much needed housing type near the Town Centre while creating a stronger sense of enclosure and place by the increased and yet sensitive scale and height of our proposal.

The potential opportunity offered by our proposed development could be further magnified by the proposed flatted development by Mosaic Architecture on the vacant plot to the west of our site. Together, they will make a fantastic and accomplished contribution to the quality of the architecture and townscape in this locality while injecting a much needed sense of vitality & life that will only strengthen the sense of community at the heart of Newton Mearns Town Center (see attached drawing).

"A sustainable and vibrant community where people live, work, eat, play, shop and learn all within convenient walkable distances."



Ayr Road Street Section/Elevation

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From: Farahbod Nakhaei

Sent: 13 August 2018 18:00

To: Scott, Derek <Derek.Scott@eastrenfrewshire.gov.uk>

Subject: RE: 2017/0850/TP - Erection of five flats following demolition of existing dwellinghouse with associated car parking and landscaping with associated parking and bin storage at 163 Ayr Road, Newton Mearns.

Dear Derek hi,

Further to your email below I write to confirm that we have now uploaded the full set of revised drawings and Design Statement onto East Ren. Portal as requested.

I would also like to take this opportunity to note below a brief summary of the key points that have governed our thinking and approach to the design for our proposal for this site, which I hope you will find helpful in your reading of our proposal.

PLANNING POLICIES

- We believe that our proposal for 163 Ayr Road should be viewed in the much wider context of Ayr Road as well as the immediate wider context of Newton Mearns Town Centre and not simply in the immediate context of it's neighbouring properties on either side of the plot boundary.
- An inherent requirement of all planning policies is a deep understanding of the context, so that proposals that are developed will be contextual and will make a positive contribution to the townscape qualities of our towns and cities.
- We believe the deep understanding of context will come from looking beyond the immediate confines of the site boundaries and it's neighbouring properties.
- We have therefore looked at the history of our site in the context of Newton Mearns and it's Historical Development in order to better understand the role that our site has played and can or should play in terms of the role it has within Newton Mearns Townscape.

NEWTON MEARNS TOWN CENTRE

- As we all know Newton Mearns has gone through quite substantial changes through the years, most notably the development of the shopping centre in the 60s which involved wholesale removal/demolition of large swathes of buildings as well as rearrangement/re-alignment of historical road layout in order to accommodate this change.
- The new shopping Centre has provided a much needed facility for the burgeoning and prospering town and community of Newton Mearns.
- The council had the confidence and vision to be bold and forward thinking in their approach to managing the changes that were required.
- However this transformation in the Townscape of Newton Mearns has not been without it's knock on effects on the Town Scape qualities of what we now know as the new Town Centre.

- Where once stood a densely arranged pattern of housing/buildings with a strong sense of enclosure, definition and correlation with the road layouts/external spaces in the old town centre for a century between 1850s-1950s, we now have a lack of definition, enclosure or approach from the East (Glasgow City Centre), particularly along the stretch of Ayr Road between Nos. 153 and 163 Ayr Road.
- Whilst the row of single storey properties between 153 and 163 Ayr Road may have made sense in terms of their scale and townscape qualities when first built in the 1930s, they no longer make sense after all the changes that have taken place such as the widening of Ayr Road and the increase in building scale which has come about from the building of the shopping centre and other new & recent developments on the opposite side of Ayr Road to our application site.
- The Western Approach to Town Centre on the other hand is still well defined and has a strong sense of definition and enclosure by the virtue of the larger building scale and closer proximity of buildings to Ayr Road and one another (appropriate density & scale).
- We therefore believe our development on 163 Ayr Road has a significant role to play in repairing and restoring the fabric of Newton Mearns Town Centre along the Eastern approach to Town Centre by introducing a much needed sense of scale and definition through appropriate density & scale.
- We believe that our proposal is not only justifiable but desirable in terms of how it adheres and responds to the various planning policy requirements while addressing the Townscape shortcomings of our site context.

AYR ROAD

- Ayr Road has a diverse character all the way along it's full length from Rouken Glen Road roundabout to Newton Mearns Town centre.
- There are numerous occasions along Ayr Road where new recent large scale developments (both in terms of footprint and height) have been built next to much lower scale neighbouring properties and this is very much the character and pattern of development along Ayr Road in terms of architectural style and mixture of buildings of different scale co-existing along Ayr Road.
- We therefore believe that our proposal is not only justifiable but desirable in terms of its scale, and it is entirely in keeping with the pattern of development along Ayr Road.

LOOKING TO THE FUTURE

- We believe there are overriding townscape issues that need to be taken into consideration when considering our proposal.
- We believe our proposal is an opportunity to repair and restore the townscape along this stretch of Ayr Road on the Eastern Approach to Newton Mearns town centre.
- Whilst coincidental, we believe there is an even bigger opportunity offered by viewing our proposal in the context of the proposals for our neighbouring site to the west of our site which is currently in for planning.

- Whilst separate applications and each should be considered on its own merits, viewed together, we can see that there is an even greater opportunity to hugely enhance the townscape on the Eastern approach to Town Centre as well as introducing the much needed mix and type of housing that is needed to not only serve the needs of our growing aging population but also to inject the sense of life and vitality which will be so instrumental to retaining a thriving community.

BUILDING DESIGN

- We have further developed the proposed building design in response to your concerns regarding aspects of the design.
- We have introduced steps in the massing of our building design in order to reduce and breakdown the scale and mass of the building and creating a gradual rise in scale of our proposal and hence creating a much better fit into the context of the immediate property at 161 Ayr Road.

I do hope that the above explanatory notes together with the revised drawings and Design Statement will clearly set out the aspirations of our proposal, which is to make a positive contribution to the townscape of Newton Mearns by repairing and restoring a sense of place on this Eastern Approach to the Town Centre of Newton Mearns.

If any of the above or downloaded documents and drawings are not clear or you wish to discuss further refinements to our proposal before determination, please do not hesitate to contact me.

Kind regards

Farahbod

Farahbod Nakhaei
BSc.(Hons), BArch RIAS ARB

Managing Director

NVDC

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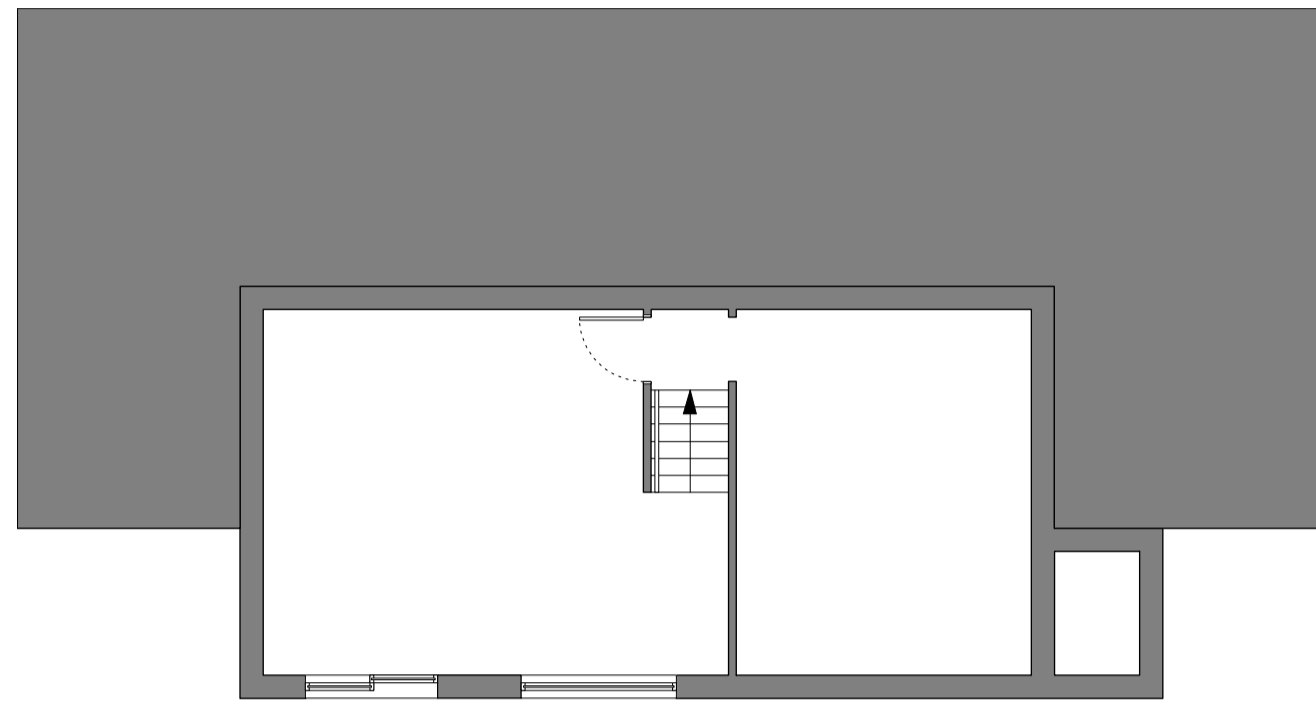
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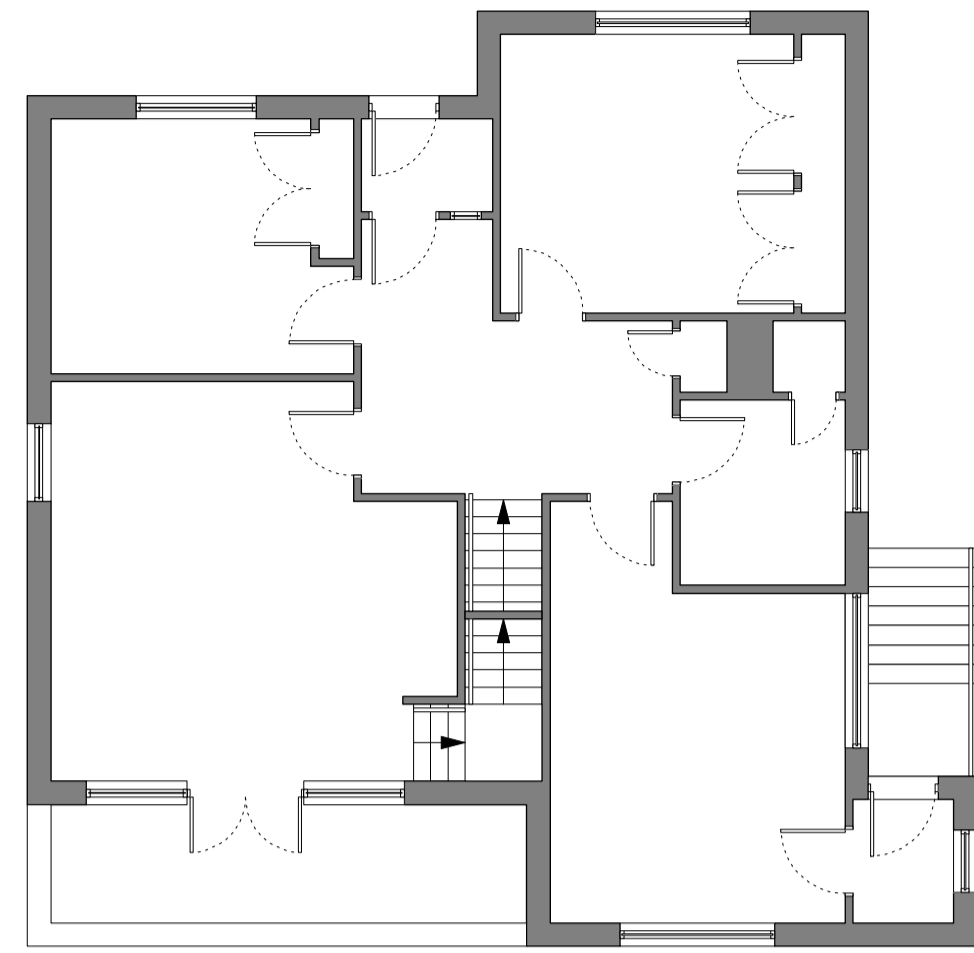
You must therefore take full responsibility for virus checking.

PLANS/PHOTOGRAPHS/DRAWINGS

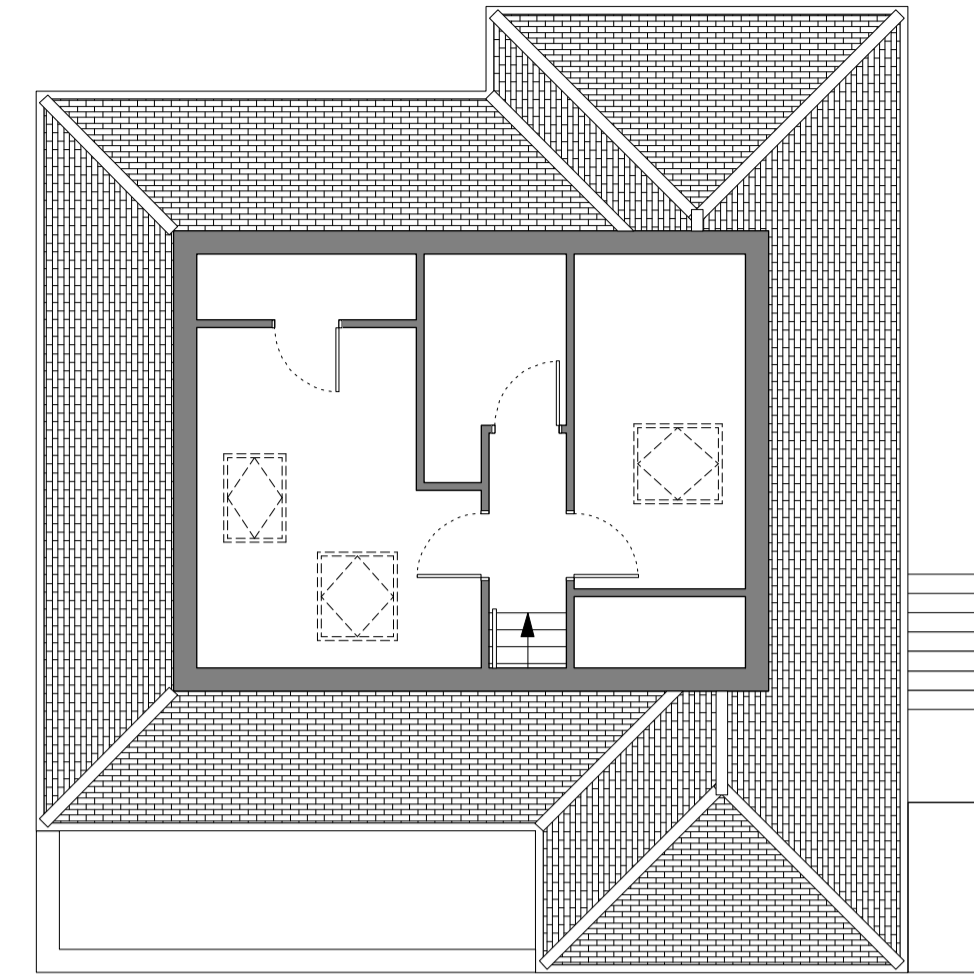
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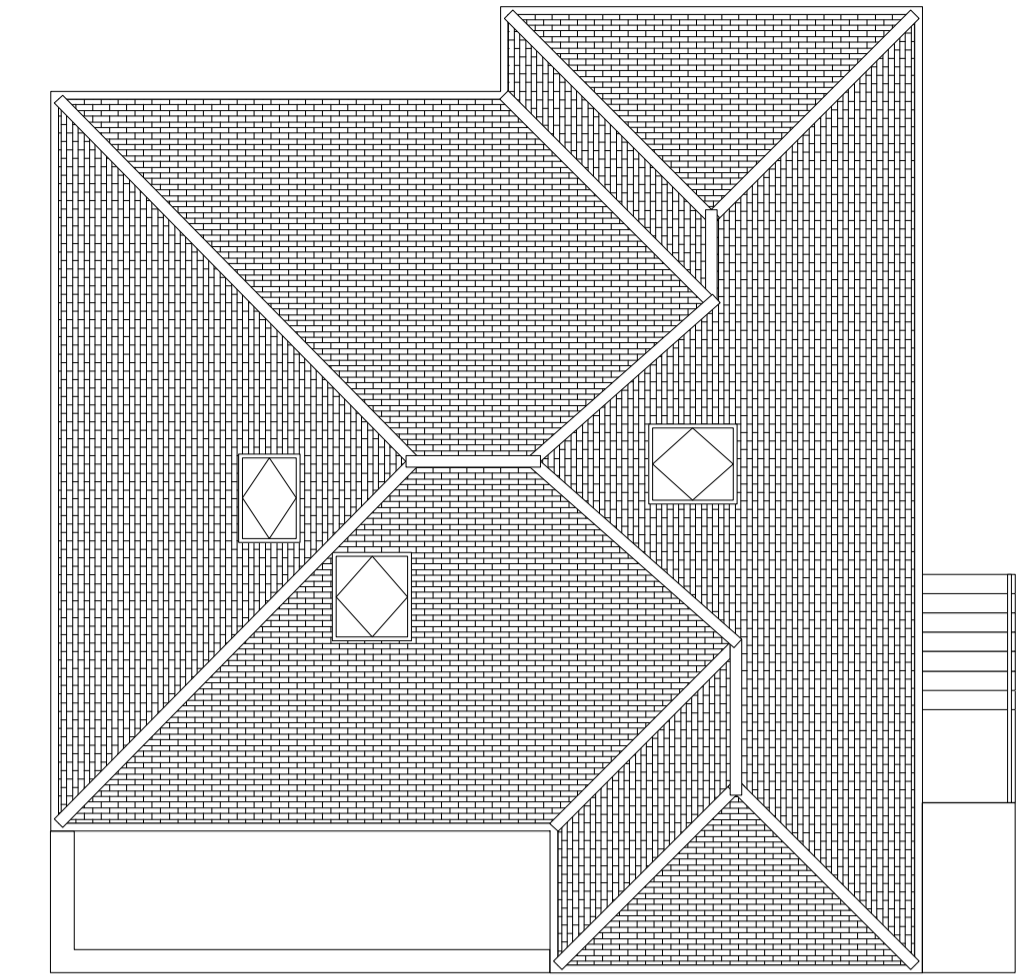
Basement as Existing
1:100@A1/1:200@A3



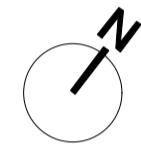
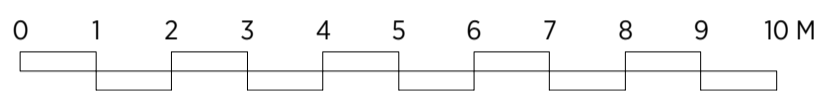
Ground Floor as Existing
1:100@A1/1:200@A3



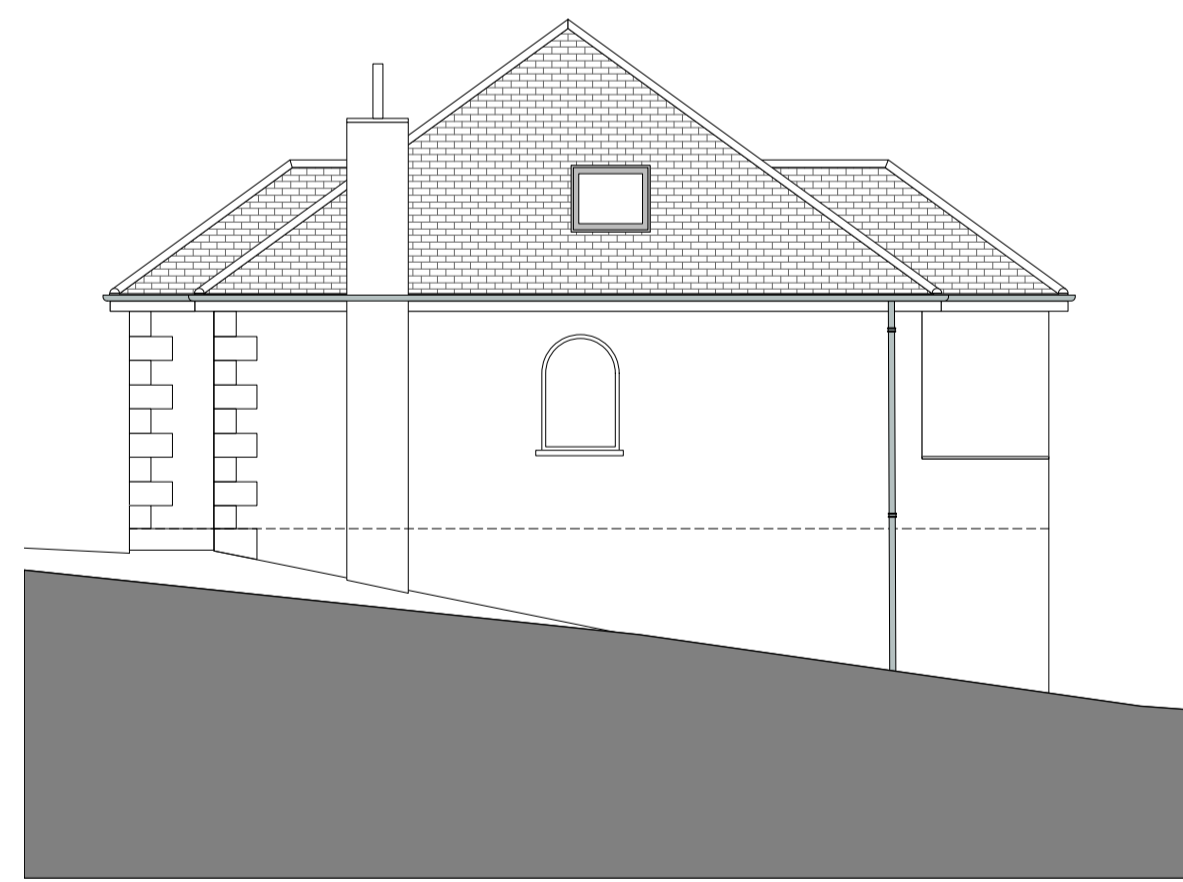
First Floor as Existing
1:100@A1/1:200@A3



Roof Plan as Existing
1:100@A1/1:200@A3



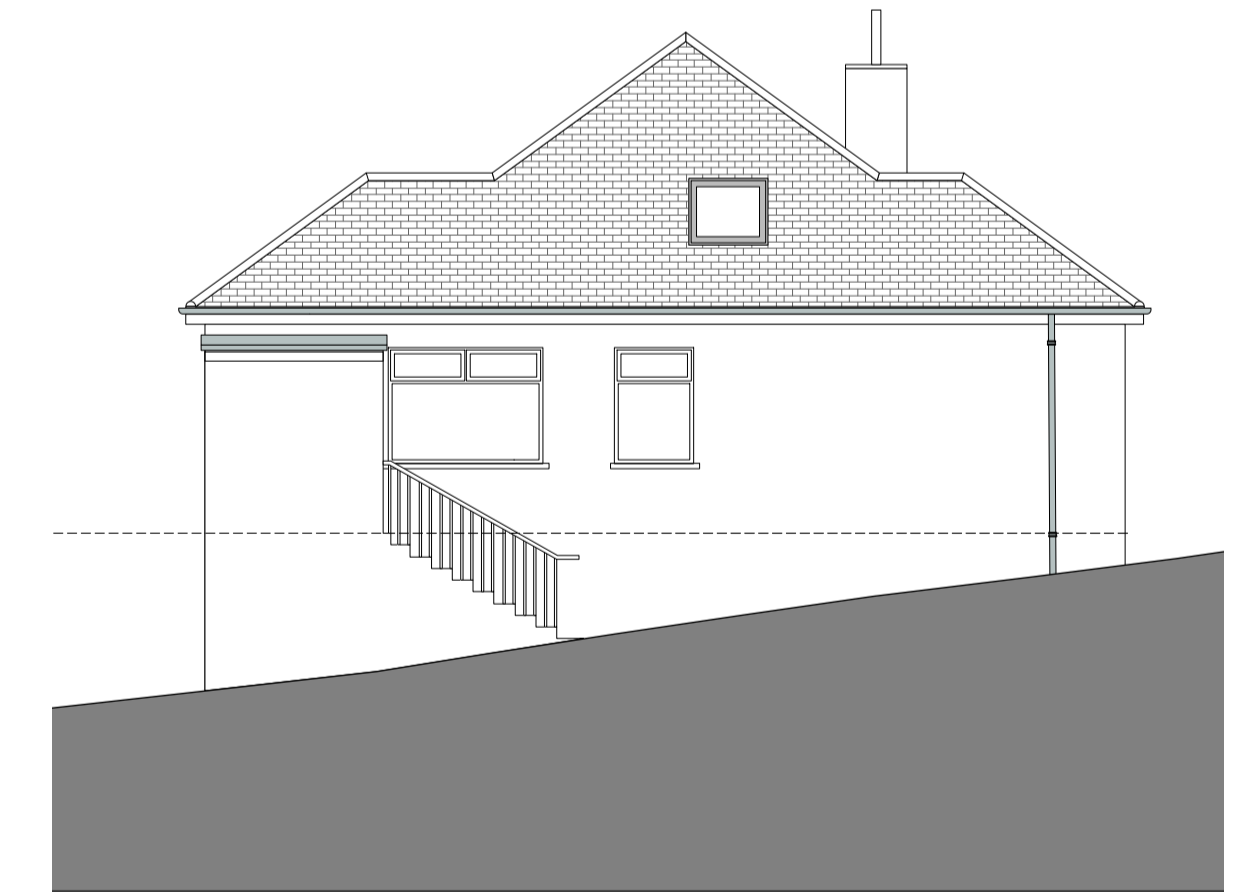
North - West Elevation as Existing
1:100@A1/1:200@A3



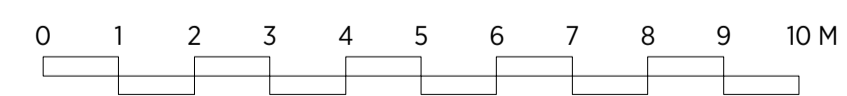
South - West Elevation as Existing
1:100@A1/1:200@A3



South - East Elevation as Existing
1:100@A1/1:200@A3



North - East Elevation as Existing
1:100@A1/1:200@A3



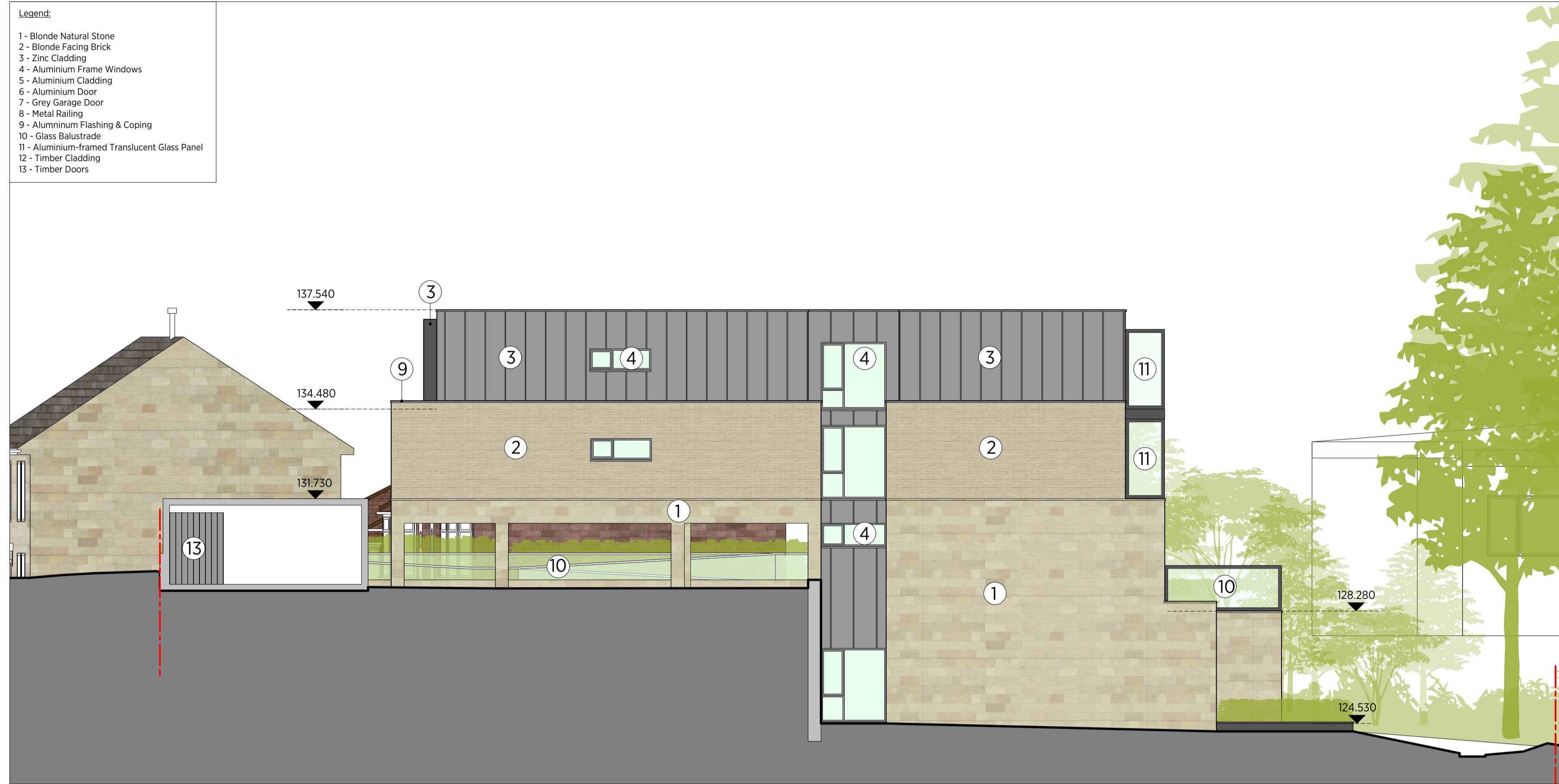
Project: Proposed flatted development
for 163 Ayr Road
Client: AYA Developments Ltd.
Job No: NV0337
Dwg. No: E(0)100
Title: Plans & Elevations as Existing
Scale: 1:100 @ A1/ 1:200 @ A3
Drawn: AD
Date: 08.12.17

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North - West Elevation as Proposed
1:100@A1/1:200@A3



South - West Elevation as Proposed
1:100@A1/1:200@A3

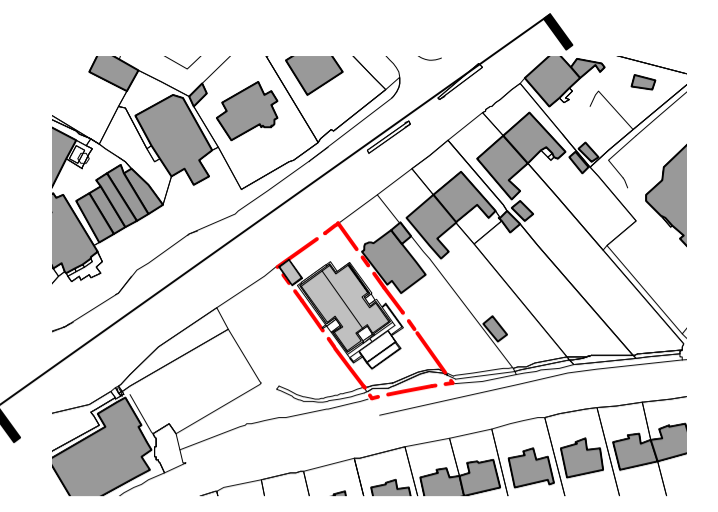


South - East Elevation as Proposed
1:100@A1/1:200@A3



North - East Elevation as Proposed
1:100@A1/1:200@A3

Rev: A: 07.08.18 - Revised Layout
 Project: Proposed flatted development for 163 Ayr Road
 Client: AYA Developments Ltd.
 Job No: NV0337
 Dwg. No: D(43)120
 Title: Elevations as Proposed
 Scale: 1:100 @ A1/ 1:200 @ A3
 Drawn: AD
 Date: 08.12.17



Proposed Ayr Road Street Elevation
1:200@A1/1:400@A3

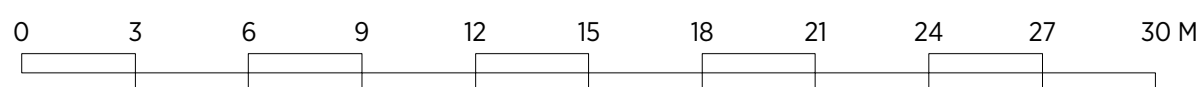


Proposed Maple Avenue Street Elevation
1:200@A1/1:400@A3

Project: Proposed flatted development for 163 Ayr Road
 Client: AYA Developments Ltd.
 Job No: NV0337
 Dwg. No: D(43)215
 Title: Proposed Front & Rear Elevations incorporating Proposed Scheme for 165 Ayr Rd.
 Scale: 1:200 @ A1/1:400 @ A3
 Drawn: AD
 Date: 08.12.17

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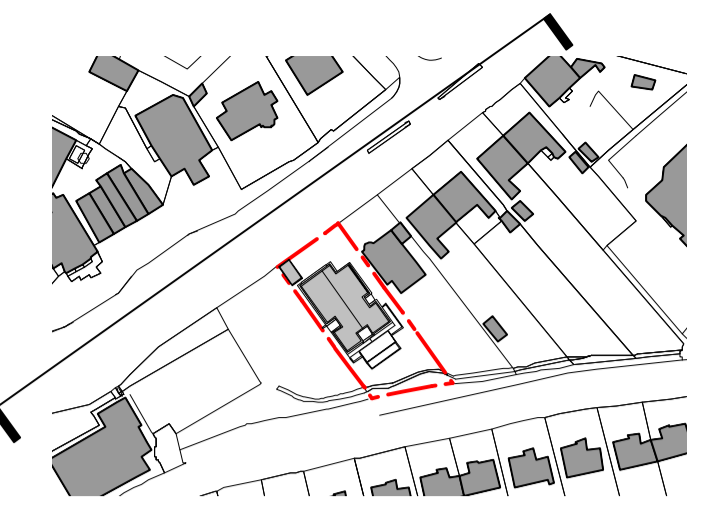




North - West Elevation in Context
 1:100@A1/1:200@A3

0 1 2 3 4 5 6 7 8 9 10 M

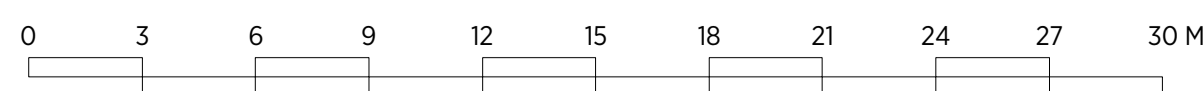
Rev:	A: 07.08.18 - Revised Layout
Project:	Proposed flatted development for 163 Ayr Road
Client:	AYA Developments Ltd.
Job No:	NV0337
Dwg. No:	D(43)121
Title:	North - West Elevation in Context
Scale:	1:100 @ A1/ 1:200 @ A3
Drawn:	AD
Date:	08.12.17



A-A Street Section
1:200@A1/1:400@A3



B-B Street Section
1:200@A1/1:400@A3



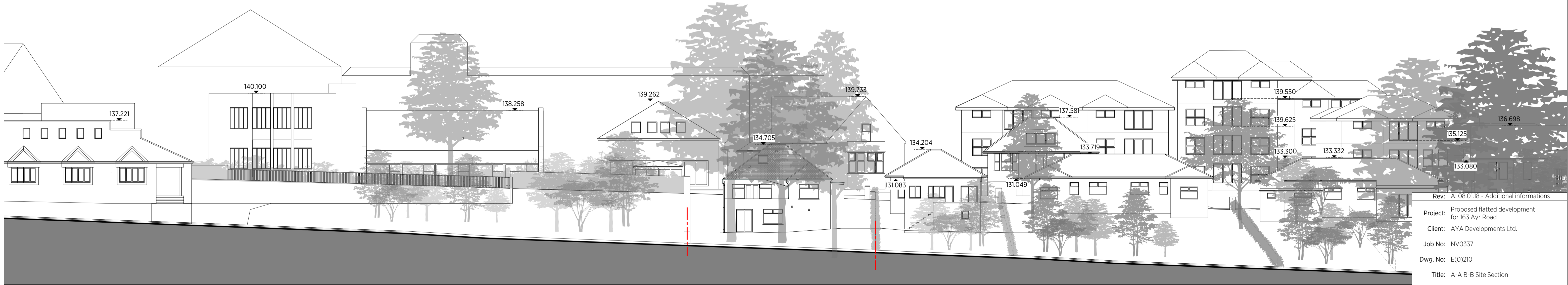
Rev: A: 07.08.18 - Revised Layout
 Project: Proposed flatted development for 163 Ayr Road
 Client: AYA Developments Ltd.
 Job No: NV0337
 Dwg. No: D(43)210
 Title: A-A B-B Site Section
 Scale: 1:200 @ A1/1:400 @ A3
 Drawn: AD
 Date: 08.12.17

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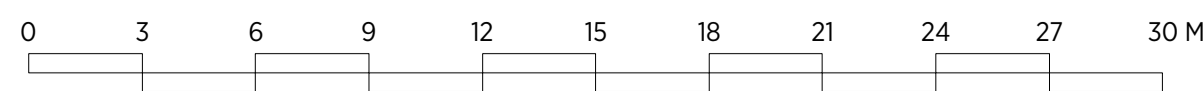
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A-A Street Section
1:200@A1/1:400@A3



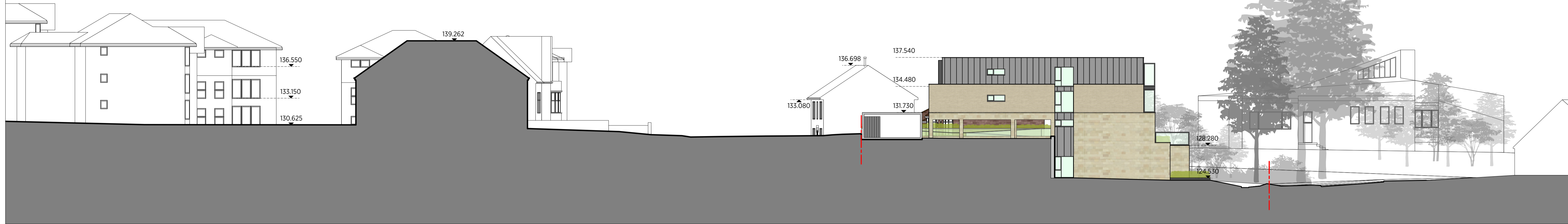
B-B Street Section
1:200@A1/1:400@A3



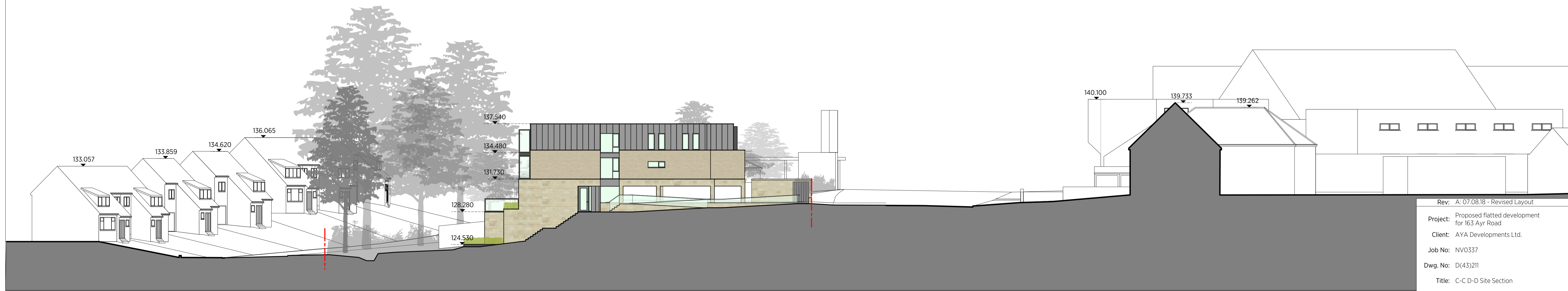
Rev: A: 08.01.18 - Additional informations
 Project: Proposed flatted development for 163 Ayr Road
 Client: AYA Developments Ltd.
 Job No: NV0337
 Dwg. No: E(0)210
 Title: A-A B-B Site Section
 Scale: 1:200 @ A1/1:400 @ A3
 Drawn: AD
 Date: 05.12.17

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C-C Street Section
1:200@A1/1:400@A3

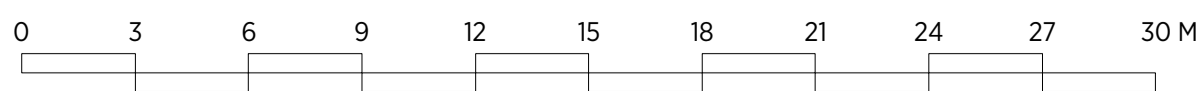


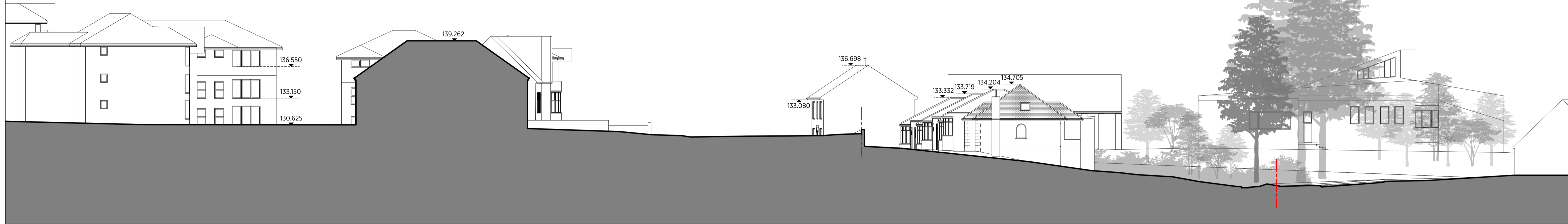
D-D Street Section
1:200@A1/1:400@A3

Rev: A: 07.08.18 - Revised Layout
 Project: Proposed flatted development for 163 Ayr Road
 Client: AYA Developments Ltd.
 Job No: NV0337
 Dwg. No: D(43)211
 Title: C-C-D Site Section
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 Drawn: AD
 Date: 08.12.17

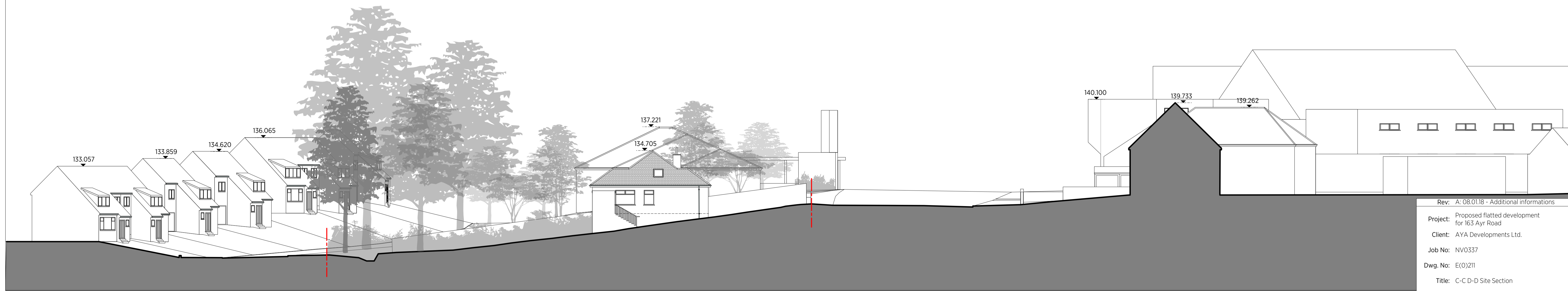
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C-C Street Section
1:200@A1/1:400@A3



D-D Street Section
1:200@A1/1:400@A3

Rev: A: 08.01.18 - Additional informations

Project: Proposed flatted development for 163 Ayr Road

Client: AYA Developments Ltd.

Job No: NV0337

Dwg. No: E(0)211

Title: C-C-D Site Section

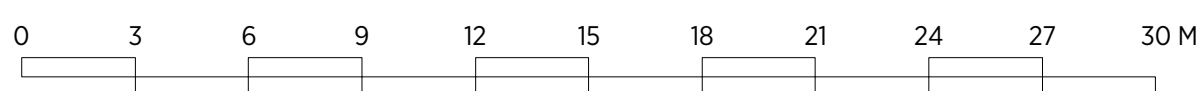
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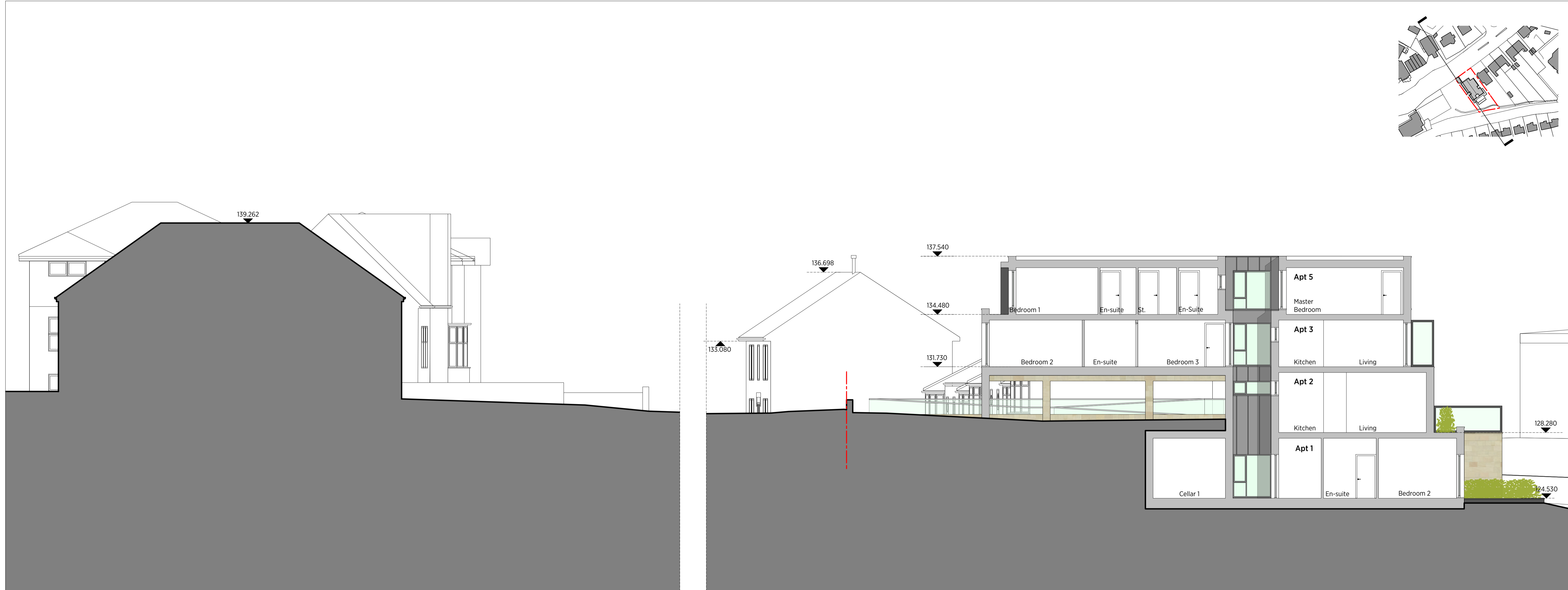
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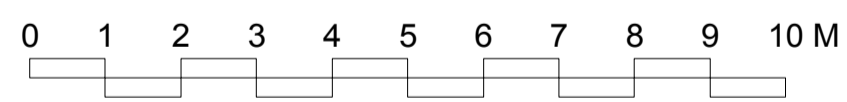
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AA Section
1:100@A1/1:200@A3



Rev:	A: 07.08.18 - Revised Layout
Project:	Proposed flatted development for 163 Ayr Road
Client:	AYA Developments Ltd.
Job No:	NV0337
Dwg. No:	D(43)110
Title:	A-A Section as Proposed
Scale:	1:100 @ A1/ 1:200 @ A3
Drawn:	AD
Date:	08.12.17

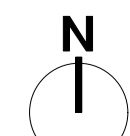
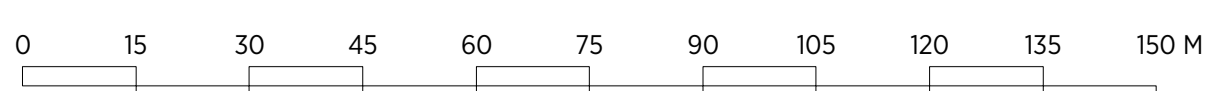
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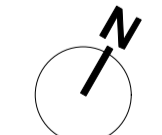
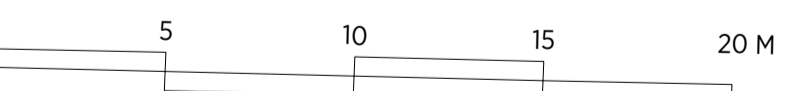
Location Plan
1:1000@A1/1:2000@A3

Application Site Boundary



Site Plan as Existing
1:200@A1/1:400@A3

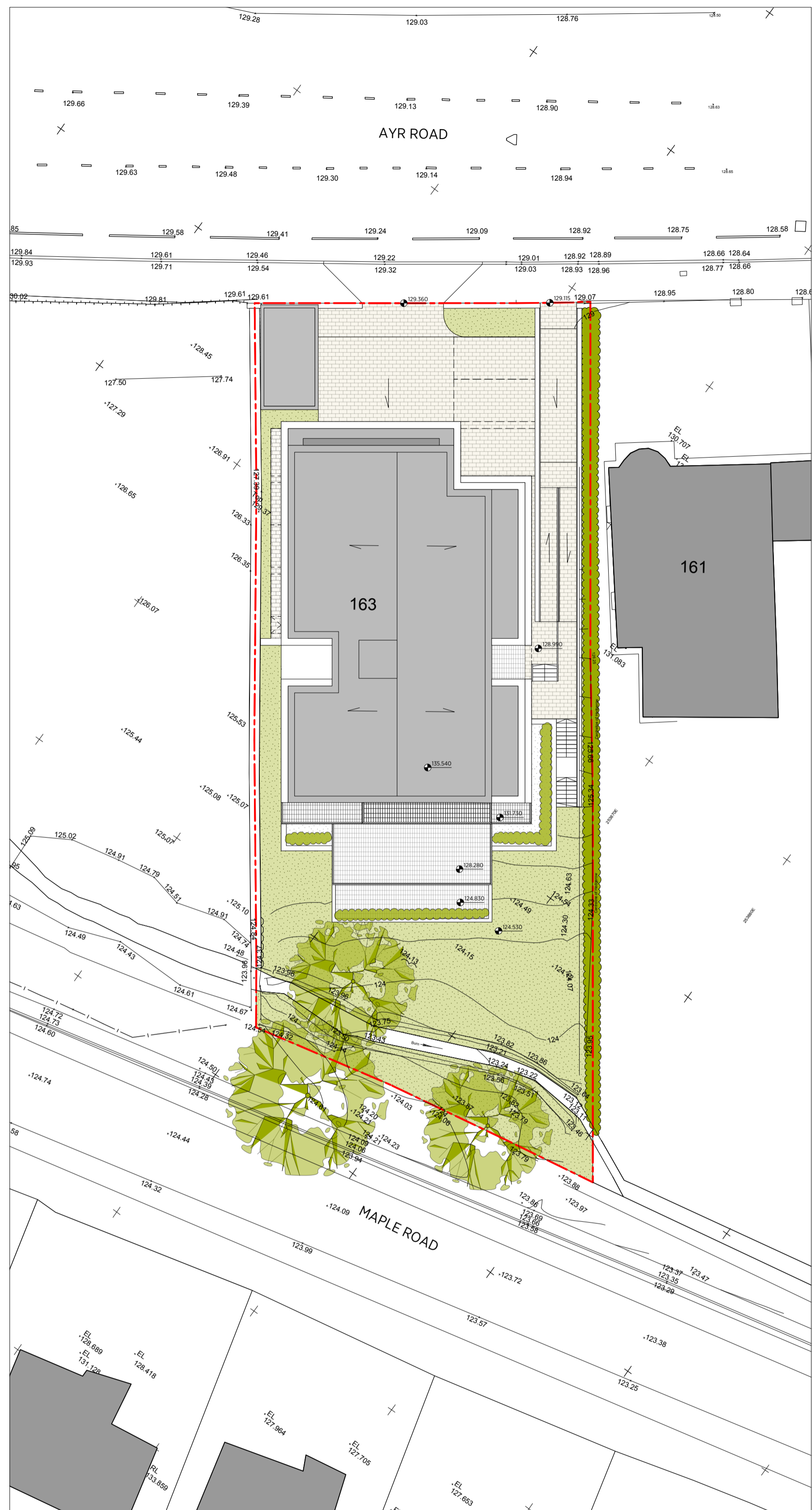
Application Site Boundary



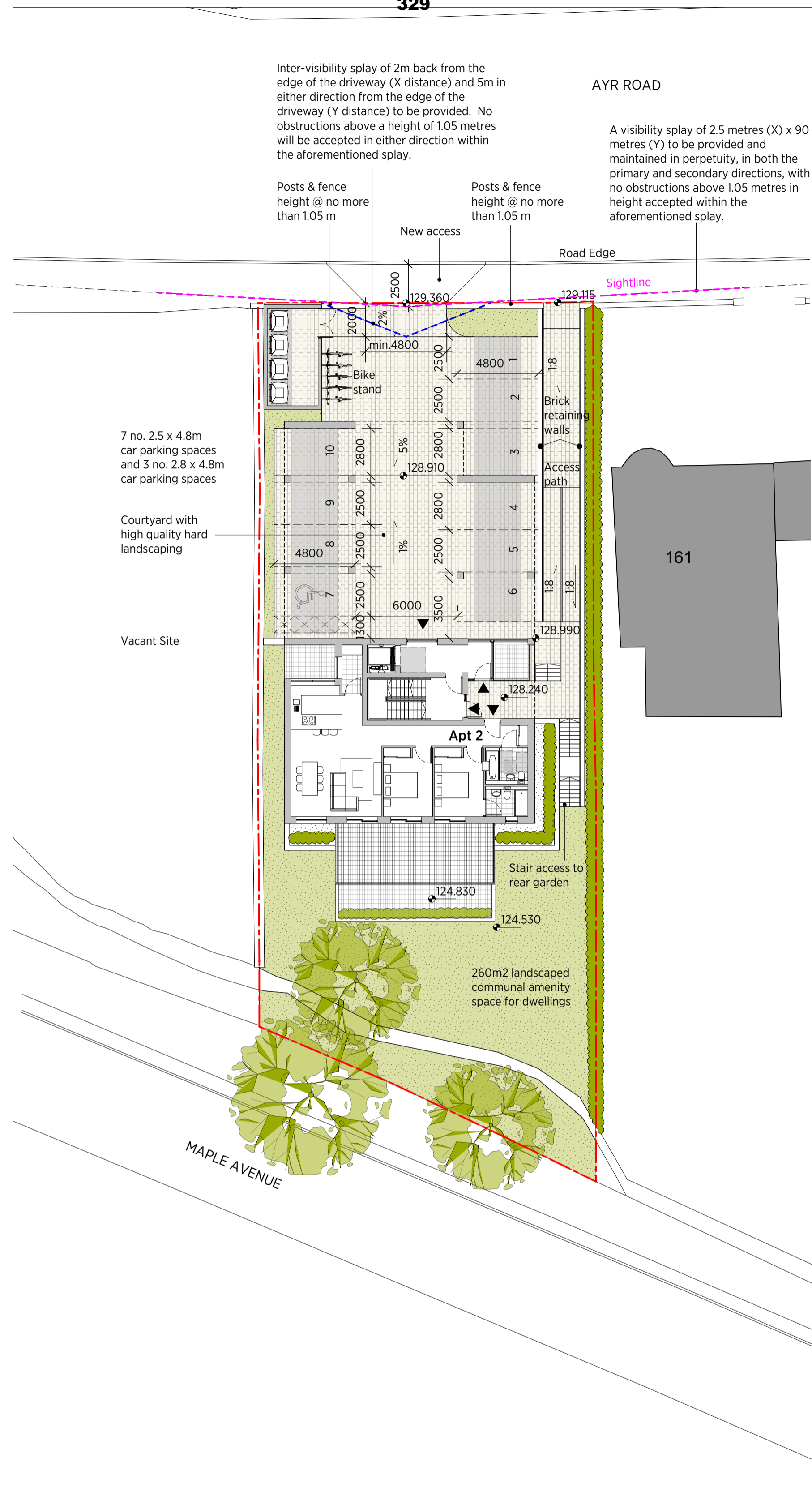
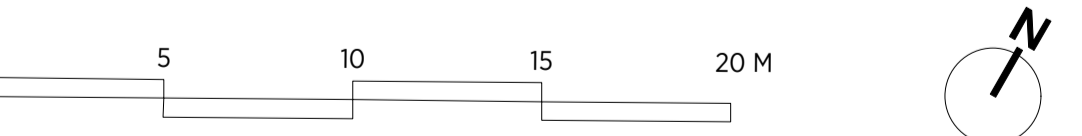
Rev:	A: 08.01.18 - Additional Informations
Project:	Proposed flatted development for 163 Ayr Road
Client:	AYA Developments Ltd.
Job No:	NV0337
Dwg. No:	E(0)001
Title:	Location & Site Plan as Existing
Scale:	1:100 @ A1/ 1:200 @ A3
Drawn:	AD
Date:	08.12.17



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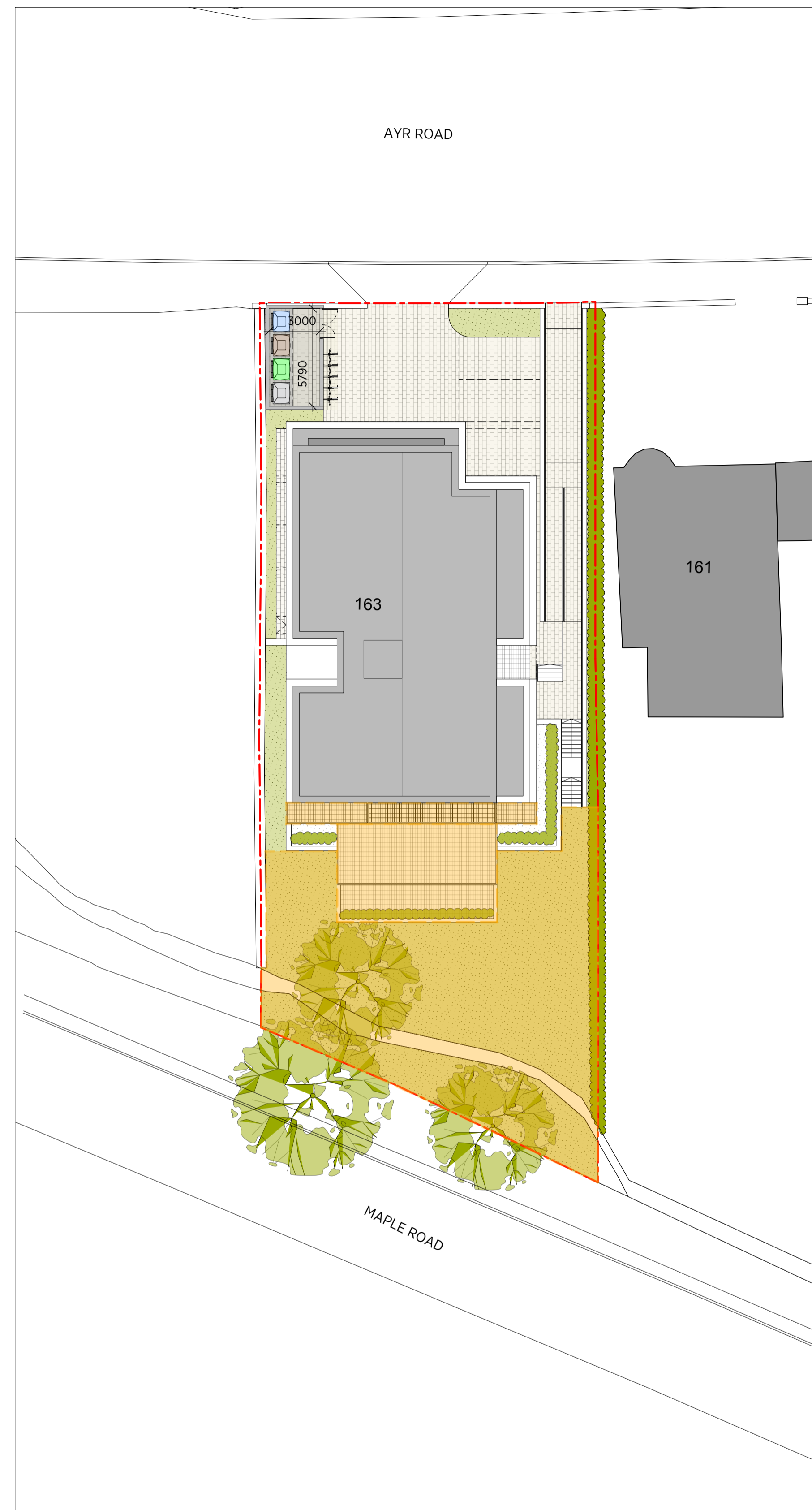
Site Plan as Proposed
1:200@A1/1:400@A3



Access Layout
1:200@A1/1:400@A3

Required: 2 Bedroom flat requirement = 1.65 x 3 = 4.95
 3 Bedroom flat requirement = 2.25 x 2 = 4.5
 Total development requirement = 10 spaces (1 of which is Disabled)

Proposed: 10 no. car parking spaces:
 7 no. 2.5 x 4.8m car parking spaces
 3 no. 2.8 x 4.8m car parking spaces



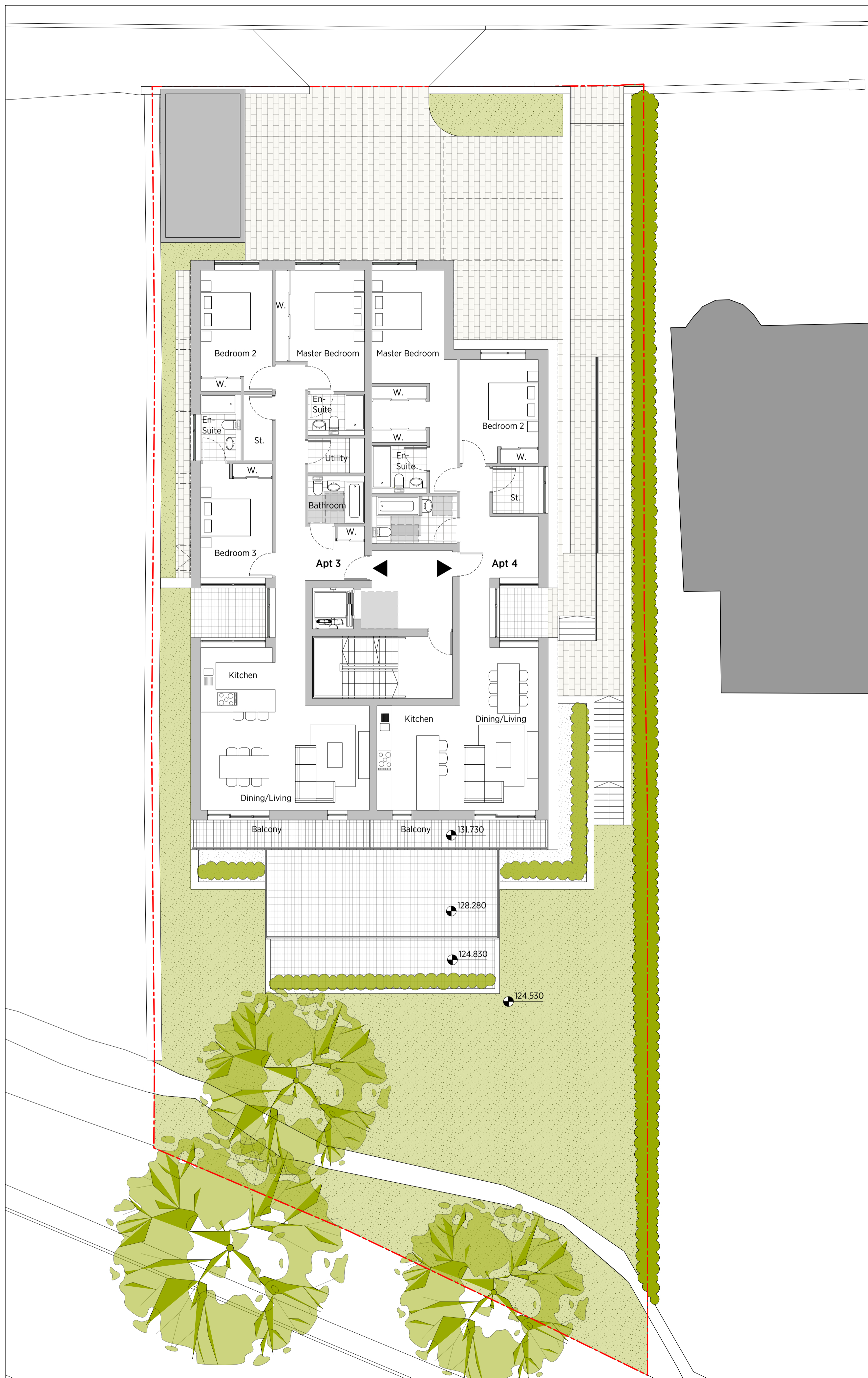
Amenity & Waste Layout
1:200@A1/1:400@A3

Waste Bins:
 Residual/landfill waste: Required: 5 flats x Volume 240l = 1200l
 Proposed: 1 x Volume 1280l
 Food and garden waste: Required: 5 flats x Volume 240l = 1200l
 Proposed: 1 x Volume 1280l
 Mixed plastic, glass and cans: Required: 5 flats x Volume 240l = 1200l
 Proposed: 1 x Volume 1280l
 Paper, cardboards and cartons: Required: 5 flats x Volume 240l = 1200l
 Proposed: 1 x Volume 1280l

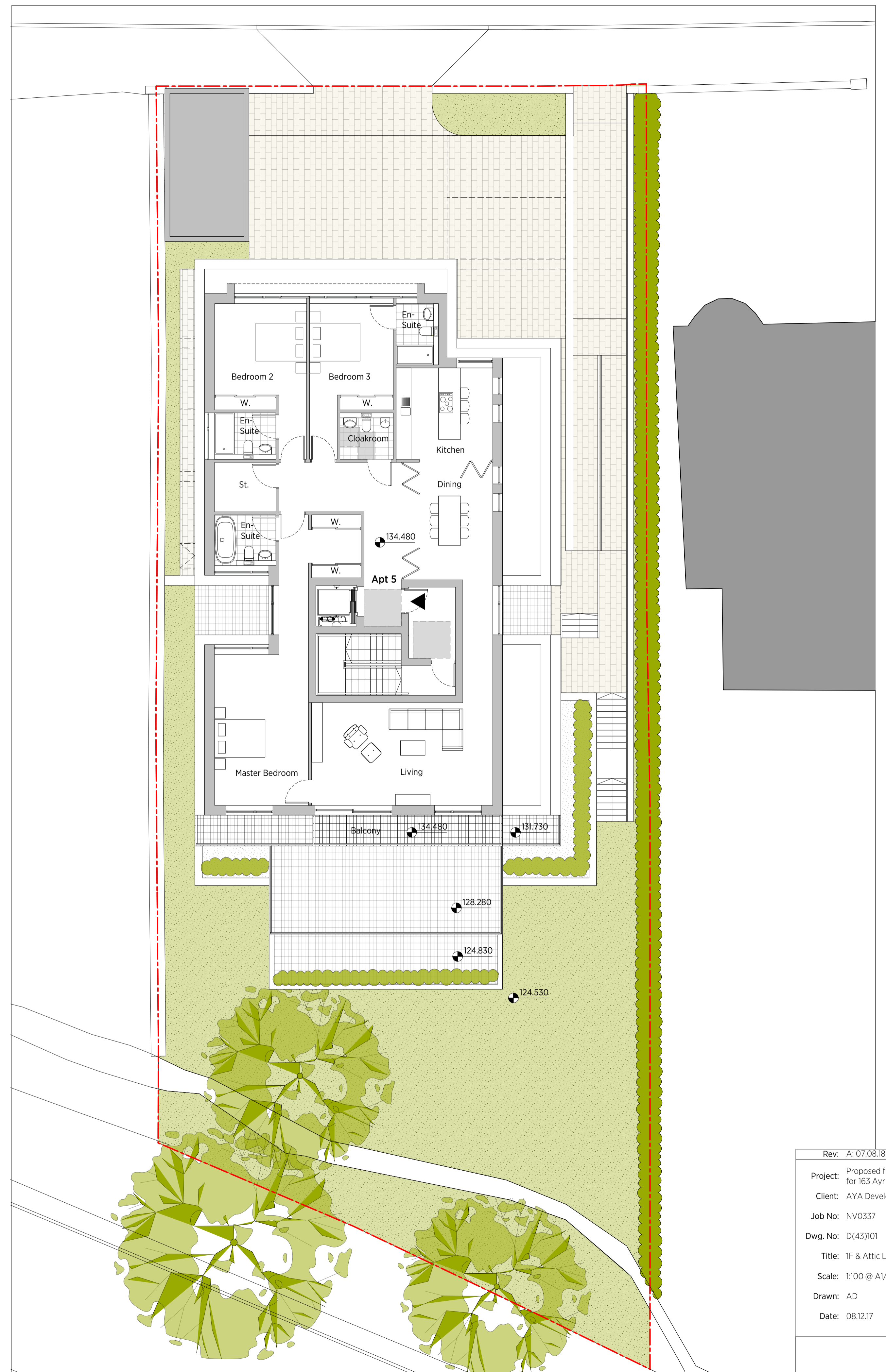
Amenity Space:
 Required: 5 flats x 30m² = 150m²
 Proposed: Total = 337m²
 A = 260m²
 B = 20m²
 C = 33m²
 D = 17m²
 E = 9m²

Rev: A: 08.01.18 - Additional Informations
 B: 07.08.18 - Revised Layout

Project: Proposed flatted development for 163 Ayr Road
 Client: AYA Developments Ltd.
 Job No: NV0337
 Dwg. No: D(43)200
 Title: Site Plan as Proposed
 Scale: 1:250 @ A1/1:500 @ A3
 Drawn: AD
 Date: 08.12.17



First Floor Layout as Proposed
1:100@A1/1:200@A3

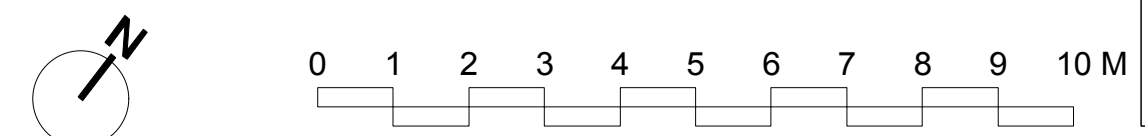


Attic Layout as Proposed
1:100@A1/1:200@A3

Rev:	A: 07.08.18 - Revised Layout
Project:	Proposed flatted development for 163 Ayr Road
Client:	AYA Developments Ltd.
Job No:	NV0337
Dwg. No:	D(43)101
Title:	1F & Attic Layout as Proposed
Scale:	1:100 @ A1/ 1:200 @ A3
Drawn:	AD
Date:	08.12.17

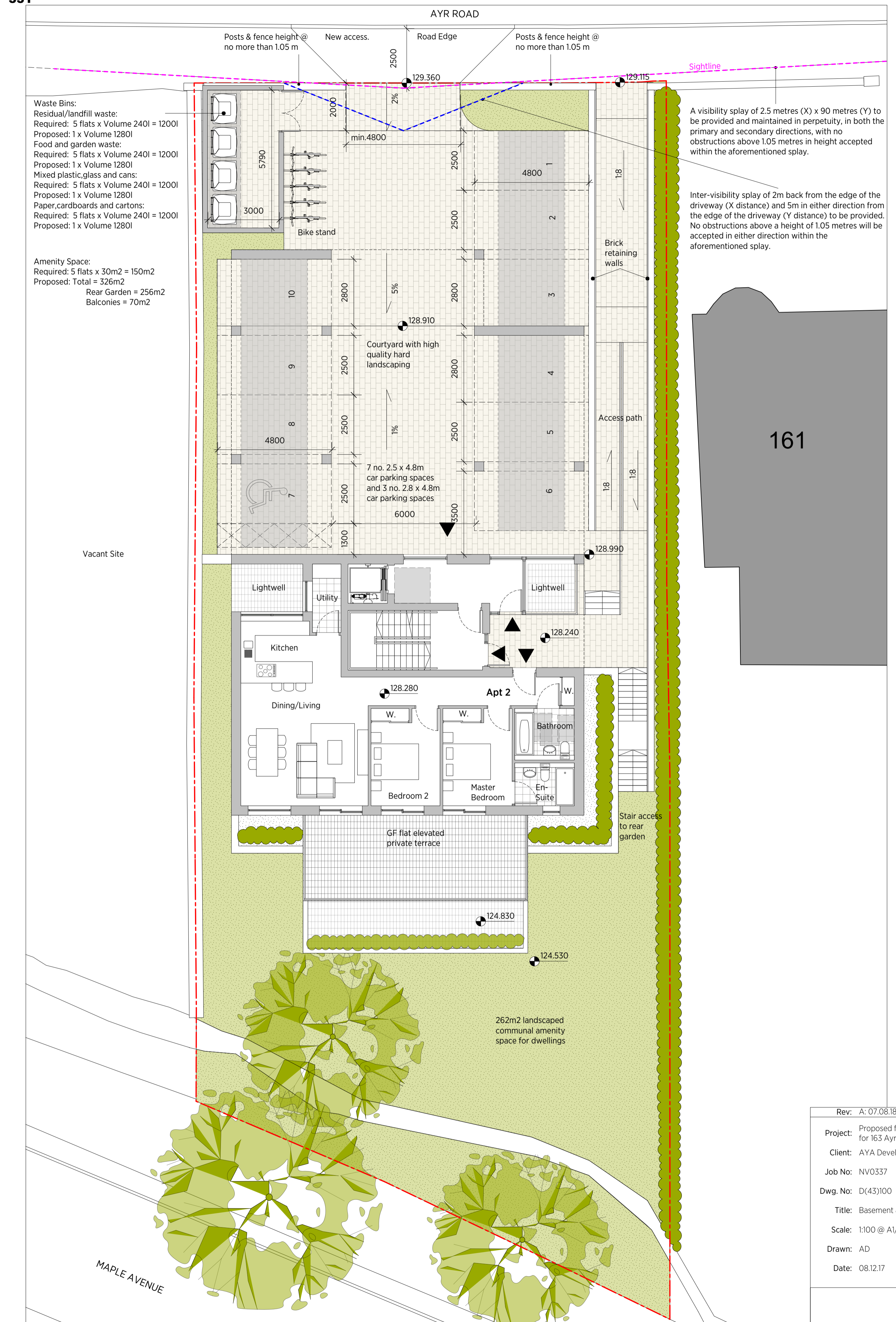
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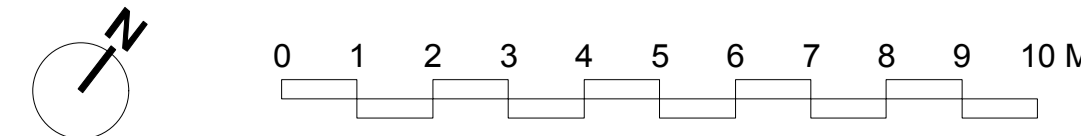




Basement Layout as Proposed
1:100@A1/1:200@A3

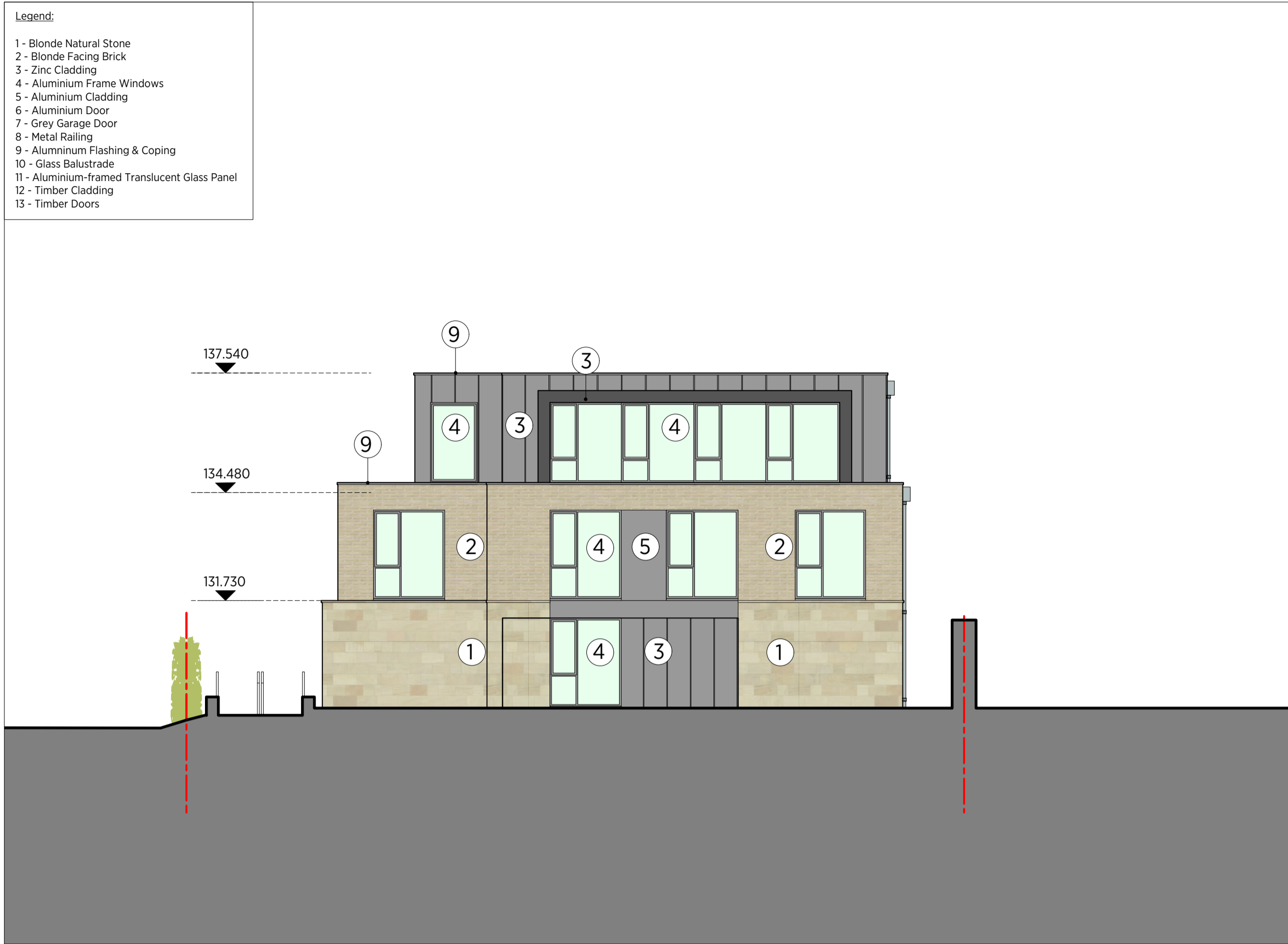


Ground Floor Layout as Proposed
1:100@A1/1:200@A3

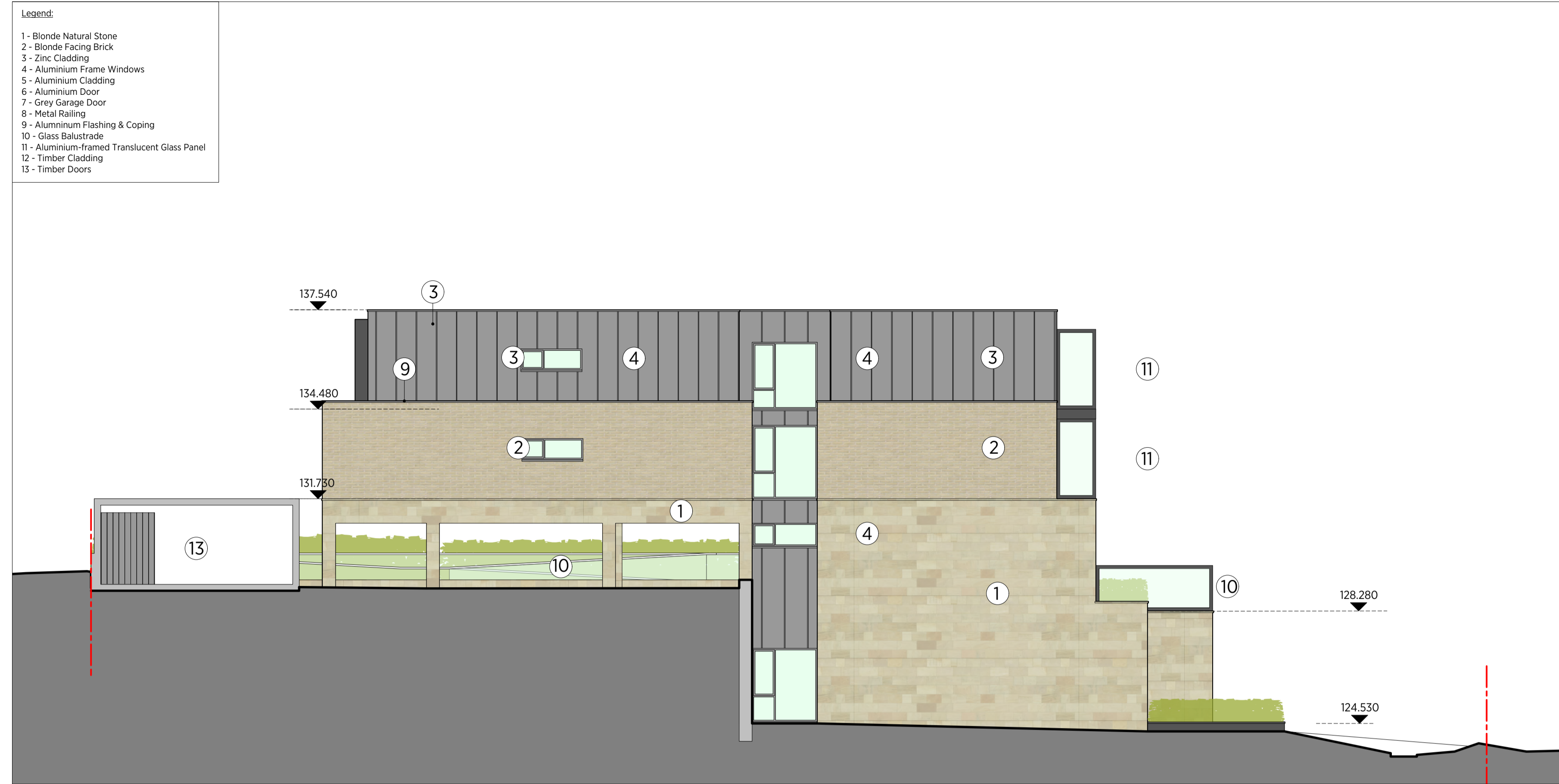


Rev: A: 07.08.18 - Revised Layout
 Project: Proposed flatted development for 163 Ayr Road
 Client: AYA Developments Ltd.
 Job No: NV0337
 Dwg. No: D(43)100
 Title: Basement & GF Layout as Proposed
 Scale: 1:100 @ A1/ 1:200 @ A3
 Drawn: AD
 Date: 08.12.17

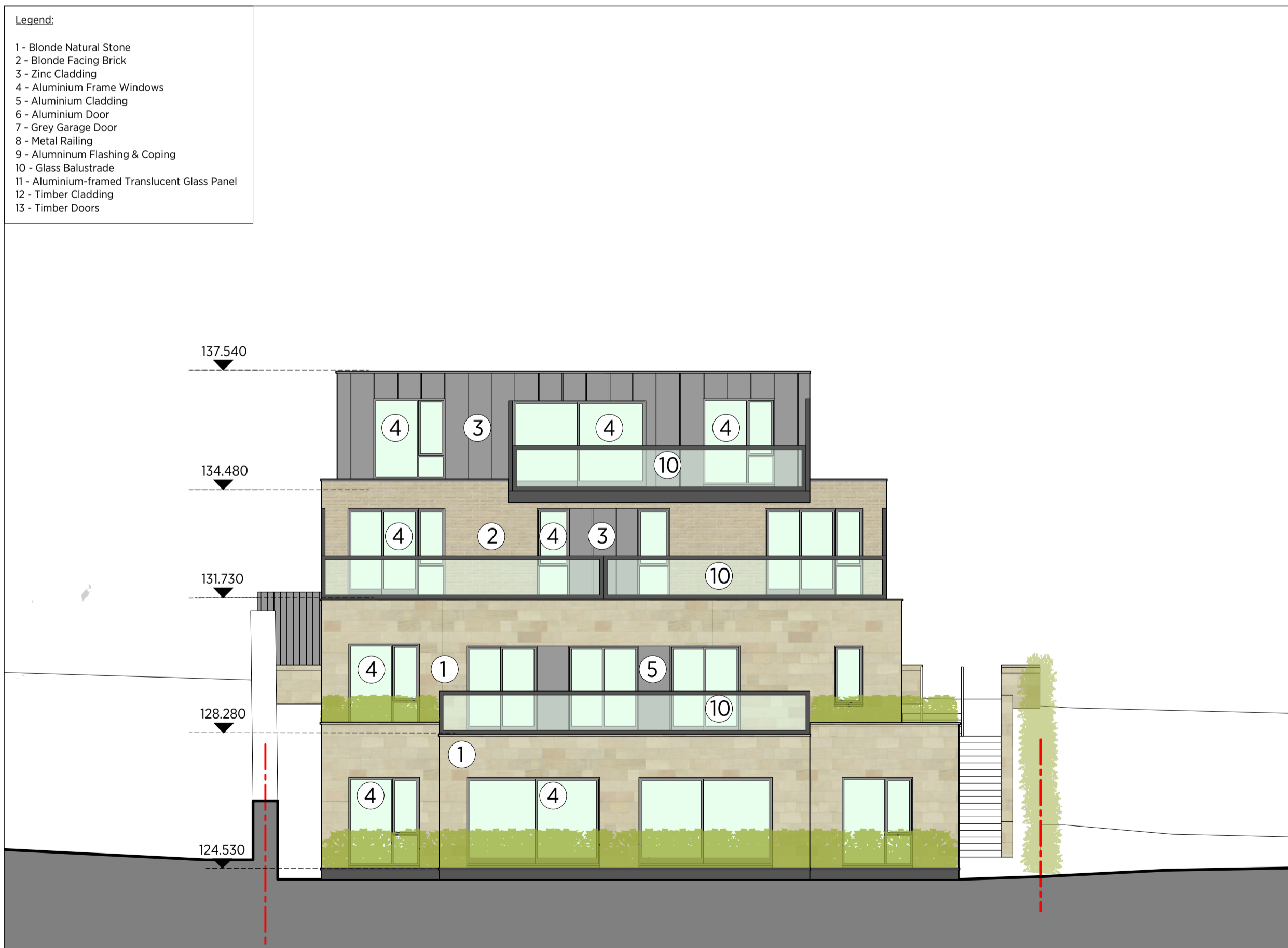
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North - West Elevation as Proposed
1:100@A1/1:200@A3



South - West Elevation as Proposed
1:100@A1/1:200@A3



South - East Elevation as Proposed
1:100@A1/1:200@A3



North - East Elevation as Proposed
1:100@A1/1:200@A3

Rev: A: 07.08.18 - Revised Layout
 Project: Proposed flatted development for 163 Ayr Road
 Client: AYA Developments Ltd.
 Job No: NV0337
 Dwg. No: D(48)122
 Title: Elevations as Proposed
 Scale: 1:100 @ A1/ 1:200 @ A3
 Drawn: AD
 Date: 08.01.18