

# Appendix 6

## Further Representations

### Further Representation From

### Dated

- ◆ Statement of Observations from Planning Officer on Applicant's Notice of Review
- ◆ Mrs Miller, 9 Whyte Avenue, Cambuslang

21/09/2011



**Notice of review – Town and Country Planning (Schemes of Delegation and Local review Procedure) (Scotland) Regulations 2008**  
**Planning Application No: CR/11/0022**  
**Proposal: Erection of Two Storey Dwellinghouse (Planning Permission in Principle)**

In the submitted 'Notice of Review' and supporting statement the appellant has responded to the reasons for refusal. A summary of the points made by the appellant, together with a response by the Planning Service is given below:

**1 - It was agreed with the Delegated Officer that overshadowing could be an issue, therefore any detailed planning application would be changed to a single storey development.**

Response: Potential overshadowing was not used as a reason for refusal as the application was for Planning Permission in Principle.

**2 - The matter of plot size and shape is spurious as a drawing was submitted showing the plot in keeping with surrounding properties. The shape of the proposed plot does not significantly differ from that of the adjacent houses.**

Response: The plot is irregular in shape and wraps round the adjacent plot at right angles. As a result of this, the proposal would sit behind the parent property. There are no other properties which could accommodate such a development due to their size and shape and therefore the proposal would be completely out of keeping with the settlement pattern of the locality.

**3 - The Delegated Officer's report states that the primary concern is the lack of road frontage. The applicant has produced two examples of similar proposals with the South Lanarkshire Council area one in Blantyre (HM10/0250) and one in Boghead (CL/10/0481). In both these instances the proposed property did not have a proper road frontage. In addition, both properties had a shared access with the existing house. This decision shows a lack of consistency.**

Response: Each planning application is determined on its own merits with regard to the development plan and any other material consideration which may exist. The applicant has submitted examples of other similar proposals which have been approved. The proposal in Blantyre was approved because it was located with an area characterised by an irregular settlement pattern where historically many properties do not have a road frontage. As a result, that proposal was in keeping with its locality. Again in the case of the site in Boghead, there were houses which historically are sited to the rear of existing dwellings. That proposed house therefore fitted in with the established settlement pattern. The site currently under review would be the only example of backland development in its locality and it is perfectly reasonable for the Planning Authority to apply the relevant requirements of Policy DM5.

**4- The applicant has re-submitted a supporting statement providing their assessment of how the proposal would comply with Policy DM5. The Planning Authority has responded to each point individually:**

**(a) The proposal would essentially result in the garden of 11 Whyte Avenue reverting to an area comparable to its original size prior to the extension of the garden. As a result it would be comparable with those adjacent in terms of size, shape and amenity.**

Response: The proposed plot covers an area of 415sqm which is larger than many of those of the existing houses adjacent on Whyte Avenue which are between 250sqm and 350sqm. The plot is approximately 43 metres long compared to number 9 attached which is 28 metres long. The parent plot remaining at number 11 will be approximately 270sqm and a length of 24 metres. As a result of this, the proposal is out of keeping with the settlement pattern of the locality.

**(b) The frontage of the proposed and existing plots will be 7 metres and 9 metres respectively. These lengths are comparable with or indeed larger than the frontages of the surrounding properties. A number of properties on Whyte Avenue are set back some 15 metres from the road. Houses on Fraser Street do not have a road frontage.**

Response: Policy DM5 requires that proposals where the site is sub-divided to accommodate a house must provide a road frontage for the new property. In this instance the new house would sit directly behind the parent property. As a result, it would not have a road frontage. The topography and location of Fraser Street have determined that the settlement pattern is different. The properties there are terraced with remote parking across the road. As a result of this, comparison with the application site is unrealistic.

**(c) The proposed access will have no adverse implications for road safety.**

Response: This matter is not disputed and is not a reason for refusal.

**(d) The proposal will only result in a minimal reduction in garden space to the parent property.**

Response: The original property will have a suitably sized rear garden, however the proposal for the new dwellinghouse cannot meet the minimum standards for garden ground set out in the Council's Residential Development Guide. This seeks a minimum rear garden length of 10 metres. The longest part of the rear garden would be 6 metres. In view of the above the development does not satisfy the terms of Policies DM1 and DM5.

- (e) **The proposed development will not result in a reduction in privacy due to its positioning and any house can be designed to ensure no windows are facing any existing property.**

Response: This matter was not a reason for refusal as the application was for Planning Permission in Principle and window details were not submitted.

- (f) **The proposed development will not overshadow any adjacent properties.**

Response: Potential overshadowing was not used as a reason for refusal as the application was for Planning Permission in Principle and specific design details were not submitted.

- (g) **The proposal will not result in the loss of any trees or any vegetation which add to the character of the area.**

Response: Noted, however this matter was not a reason for refusal.

- (h) **Adequate parking can be provided off-street.**

Response: Noted, however this matter was not a reason for refusal.

- (i) **The proposed development will be of a design and size in keeping with the surrounding properties.**

Response: The site currently under review would be the only example of backland development in its locality and it is perfectly reasonable for the Planning Authority to apply the relevant requirements of Policy DM5. In addition, the proposed site is irregular in shape and would be out of the context and character of the existing settlement pattern of the locality.

- (j) **The proposal does not jeopardise any further development.**

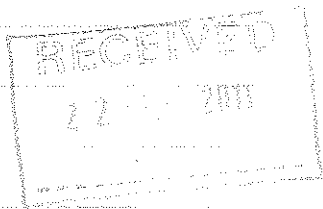
Response: This matter was not a reason for refusal as the application was for Planning Permission in Principle.

- (k) **The proposal does not affect the built heritage and/or nature conservation.**

Response: This matter was not a reason for refusal as the application was for Planning Permission in Principle and specific design details were not submitted.

In addition to these points which the Planning Authority have responded to, the Delegated Report associated with the original planning application to which the review relates, summarises the Planning Authority's position and lists the reasons for the original refusal.

In conclusion, the proposed development does not accord with the provisions of the adopted Local Plan and there are no material considerations which would outweigh the provisions of the development plan. Subsequently, the Planning Authority would therefore request that the Planning Local Review Body dismiss the applicant's request to overturn the refusal of planning permission.



Mrs Mrs Miller  
9 White Ave  
C/Lang  
Glasgow  
G72 7AT  
21/9/11

Dear P. Mac Rae

About Planning app.

CR/11/0022

1/ The plot is too small for a 2. Storey House

2 There is no room for 2 drive ways

3/ No drying green or garden space for family house

4 It overlooks No 9 causing lack of privacy &

over shadows drying green.

5/ It's odd in behind 2 semi detached bungalows and the space would be over crowded

6/ The avenue is narrow and lacks parking spaces for existing tenants causing problems for them

Mrs M. Miller