

APPELLANT'S SUBMISSIONS

NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY 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 2008; AND THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2008

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 use BLOCK CAPITALS if completing in ink

The completed notice of review and any supporting documents should be sent by e-mail to lrb-planning.cs@renfrewshire.gov.uk, or by mail or by hand to the Head of Corporate Governance, Finance & Resources, Renfrewshire Council, Renfrewshire House, Cotton Street, Paisley, PA1 1TR.

Applicant(s)

Name **CATHERINE ARCHIBALD**

Address **FLAT 1/2
12 BATTLEFIELD AVENUE
BATTLEFIELD**

Postcode **GLASGOW
G42 9HP**

Contact Telephone 1 **[REDACTED]**

Contact Telephone 2 **[REDACTED]**

Fax No **[REDACTED]**

E-mail* **[REDACTED]**

Agent (if any)

Name **[REDACTED]**

Address **[REDACTED]**

Postcode **[REDACTED]**

Contact Telephone 1 **[REDACTED]**

Contact Telephone 2 **[REDACTED]**

Fax No **[REDACTED]**

E-mail* **[REDACTED]**

Mark this box to confirm all contact should be through this representative: ☐

* Do you agree to correspondence regarding your review being sent by e-mail?

Yes ☒ No ☐

Planning authority

Renfrewshire Council

Planning application reference number

20/0077/PP

Site address

**172 HAWKHEAD ROAD
PAISLEY PA2 7BA**

Description of proposed development

**PROPOSED REFURBISHMENT OF EXISTING DOMESTIC
GARAGE TO BE USED AS A COMMERCIAL DOG DAY-CARE
FACILITY**

Date of application

13/2/2020

Date of decision (if any)

6/5/2020

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

Nature of application

Notice of

1. Application for planning permission (including householder application)
2. Application for planning permission in principle
3. 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)
4. Application for approval of matters specified in conditions

Reasons for seeking review

1. Refusal of application by appointed officer
2. Failure by appointed officer to determine the application within the period allowed for determination of the application
3. Conditions imposed on consent by appointed officer

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.

1. Further written submissions
2. One or more hearing sessions
3. Site inspection
4. Assessment of review documents only, with no further procedure

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>

If you have marked box 1 or 2, 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 are necessary:

Site inspection

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

1. Can the site be viewed entirely from public land?
2. Is it possible for the site to be accessed safely, and without barriers to entry?

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The property is a private residence and I would need to get permission by the owner of the house.

Statement

Notice of Review

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.

* Please refer to statement attached.

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 new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

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 and intend to rely on in support of your review.

- NOTICE OF REVIEW STATEMENT
- CLIENT STATEMENT

Note. The Council 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 Renfrewshire House, Cotton Street, Paisley until such time as the review is determined. It may also be available on the Council's website.

Checklist

Please mark the appropriate boxes to confirm 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 requiring 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 [delete as appropriate] hereby serve notice on the Council to review the application as set out on this form and in the supporting documents.

Please sign or type your name if sending by e-mail

Date

23/6/20

For office use only:

LRB Reference No:

Notice of Review – Statement

I wish to appeal the decision to refuse consent of application reference 20/0077/PP dated 6th May 2020. I have outlined the basis for my appeal below.

It has been suggested that our proposal would not comply with Policy P1 of the Adopted Renfrewshire Local Development Plan (2014), the Proposed Renfrewshire Local development Plan (2019) and associated NDSG. The policy states that;

‘New developments within these areas should be compatible and complementary to existing uses and demonstrate that they would cause no significant harm to these uses’.

I would assert that our proposal involves refurbishment only with no new development being undertaken. I would also contend that as our proposed dog daycare facility would be one of three businesses of this type in the local area that it would be fully compatible and complementary to existing uses and would cause no significant harm.

Objection1:

I would dispute this objection as we have taken great care in selecting dogs who do not bark excessively. There are currently two similar enterprises on Hawkhead road, a boarding kennel and a dog walking/daycare business and I would argue that the noise produced from these businesses is far greater than that produced by our dogs. Both these businesses advertise as being fully licenced by Renfrewshire council and have been running for many years. I am finding it difficult to understand why my proposal has been rejected when there are two other similar businesses extremely close which have been approved. I would also like to add that both neighbouring properties have dogs that are known to bark regularly. We have gone to great expense to refurbish the existing garage with sound dampening insulation to ensure that any noise is kept to a minimum and does not cause a nuisance to our neighbours. I would also like to note that the dogs would only be on site for a small portion of the day as the majority of the time they will be out on walks and so I do not agree that the noise would intensify if the application was approved.

Objection 2

Our dogs are not present on site after 5pm Mon – Fri or on weekends so any barking through the night is due to either the existing businesses or the dogs who reside in the area. I refer to my justifications to objection 1 in regards to the exacerbation of noise and disturbance.

Objection 3

I refute this objection as the layout of the garden and the refurbished garage allow for its use with no intrusion on the privacy of the neighbours. The section of the garden used by our dogs is surrounded by trees and high fences which do not afford a view into the neighbouring properties. The garage itself has no windows and so privacy cannot be stated as an issue.

Objection 4

The only temporary aspect of our business was the condition of the existing garage. Our intention was and has always been to refurbish the garage with emphasis on noise reduction and operate the business from there. The neighbours were informed that any disruption during the refurbishment would be temporary.

In reference to vehicular movements, although there will be potentially 8 dogs on site each day, only a small number of these dogs would be dropped off and collected by their owners and so I would estimate the addition of 2 – 3 vehicles twice a day. I would also like to note that the majority of the customers who's dogs will be dropped off and collected live within the local area and carry out drop off's and collections on their commute to and from work so would already be using the surrounding roads and transport links.

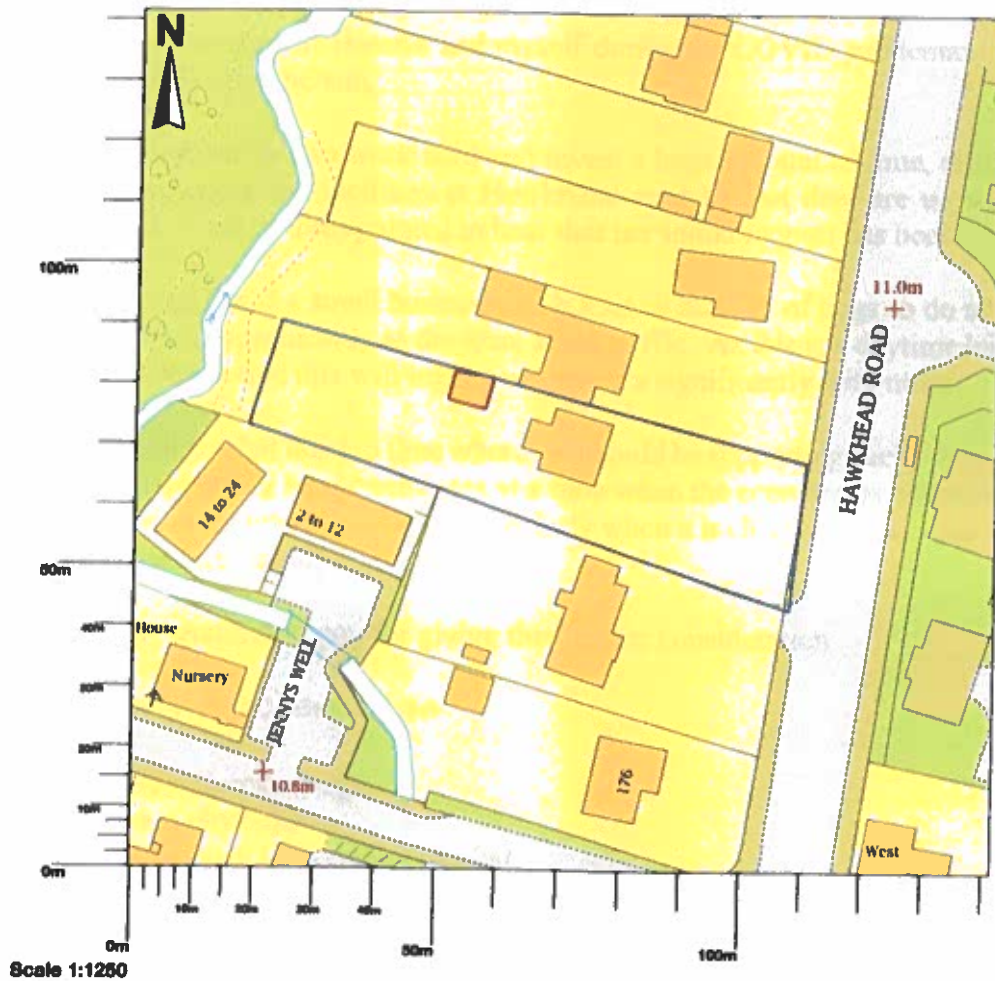
I ask that you consider my appeal and that the decision to not award consent be reviewed. I have been working on this project for nearly two years now and have invested over £15,000 of my own money in refurbishing the existing garage and garden to a high standard with the welfare of the dogs and consideration for our neighbours as my highest priority. We are willing to do whatever it takes to make this business work. We are happy to make any amendments necessary to ensure consent can be given. If consent is not given it would be devastating to not only myself but to my staff members who have worked so hard to get us to this stage.



**UK
Planning
Maps**



172 Hawkhead Road, Paisley, PA2 7BQ



Scale 1:1250

ip area bounded by: 249964,662681 250106,662823. Produced on 13 February 2020 from the OS National Geographic Database. production in whole or part is prohibited without the prior permission of Ordnance Survey. © Crown copyright 2020. Supplied by PlanningMaps.com a licensed OS partner (100054135). Unique plan reference: p2buk/429036/581727