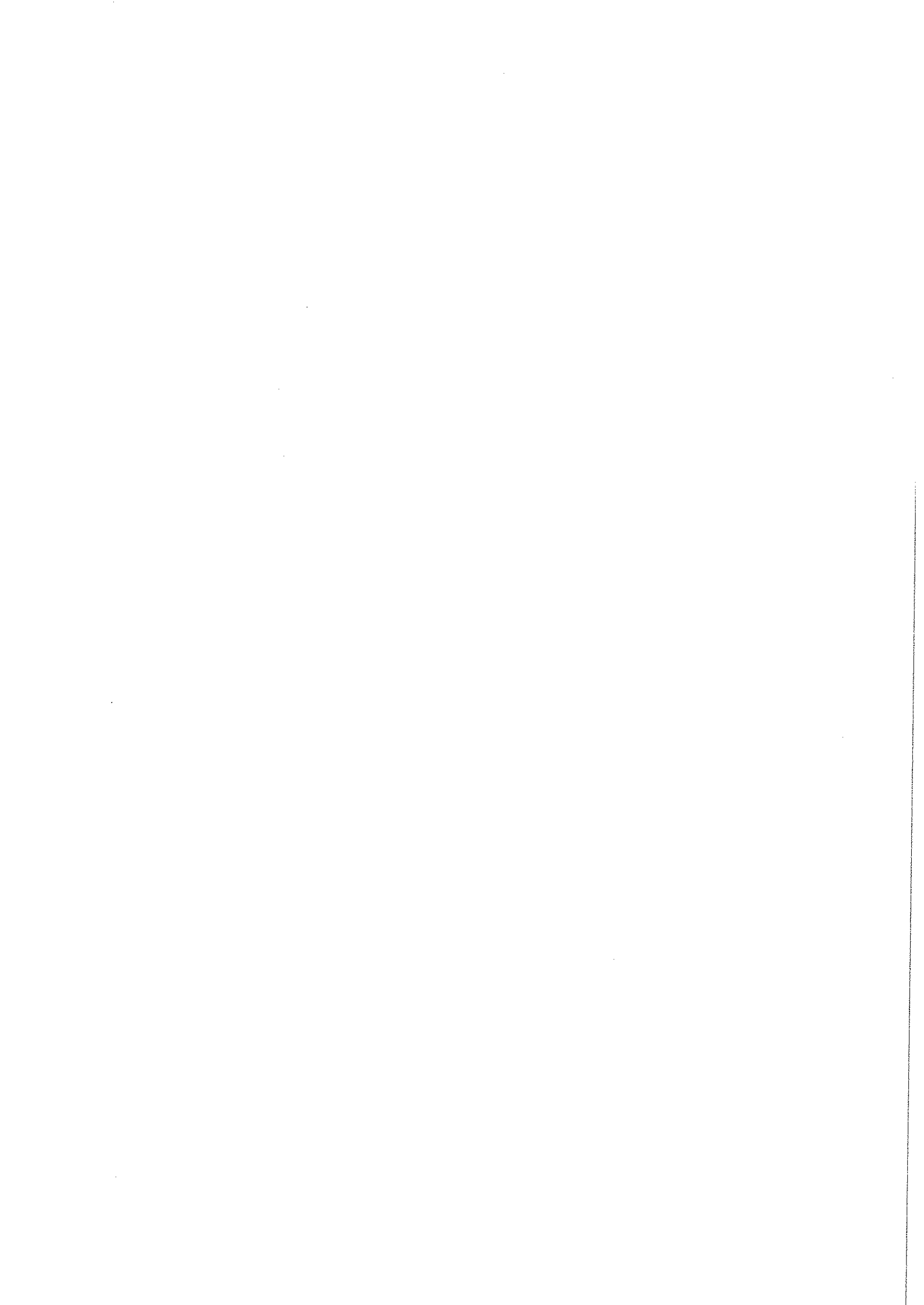


Item No: 4

APPLICATION FOR REVIEW:

DC10/252/FUL



Recd by [signature]
16/12

08 December 2010

Ms. E. Melrose
Executive Director of Housing,
Environmental & Economic Development
West Dunbartonshire Council
Council Offices
Garshake Road
Dumbarton
G82 3PU

Delivered By Hand

Dear Ms Melrose

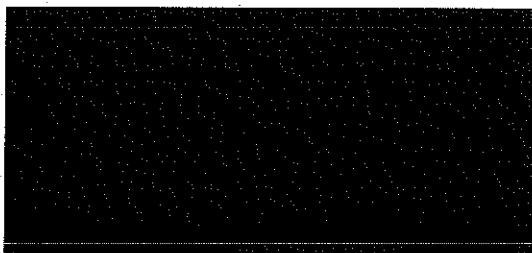
Request for Review – Refusal of Planning Consent – Ref: DC10/252/FUL

I refer to your Notice of 22 October 2010 intimating Refusal of Planning Consent in relation to proposals at Anbarda, Old Dalnottar Road, Old Kilpatrick, Glasgow, G60 5DX and would hereby intimate my request for Formal Review of that decision in terms of the West Dunbartonshire Council Policy in such matters.

Please find attached the completed formal Notice of Review together with Stated Reasons and Productions that I would wish to rely on at the Review Hearing.

It is my intention to present my case personally. I would be obliged to receive Confirmation that this request has been received timeously; and in due course the date and location of the Hearing.

This letter is hand delivered due to current problems being experienced in the postal system. Should you require any further information in this matter please let me know.



J.O. Sayers

PLANNING SERVICES RECEIVED		
21 DEC 2010		
PASS TO		
REF. No.		



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

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.**

Use **BLOCK CAPITALS** if completing in manuscript

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Applicant(s)

Name	OWEN SAYERS
Address	TYNE DENE OLD DALNOTTAR ROAD OLD KILPATRICK GLASGOW
Postcode	G60 5DX
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
<input checked="" type="checkbox"/>	<input type="checkbox"/>

Planning authority	WEST DUNBARTONSHIRE COUNCIL
Planning authority's application reference number	DC10/252/FUL
Site address	ANBARDA, OLD DALNOTTAR ROAD, OLD KILPATRICK, GLASGOW G60 5DX
Description of proposed Development	DEMOLITION OF EXISTING HOUSE AND ERECTION OF REPLACEMENT DWELLINGHOUSE
Date of application	20 AUGUST 2010
Date of decision (if any)	22 OCTOBER 2010

Note. This notice must be served on the planning authority 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

- 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

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:

I WOULD LIKE TO BE HEARD IN REGARD TO THE REASONS GIVEN BY THE DESIGNATED OFFICER FOR THE REFUSAL OF MY APPLICATION. MEMBERS OF THE REVIEW BODY MAY FIND A VISIT TO THE SITE BENEFICIAL IN DETERMINING THIS MATTER.

Site inspection

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

- | | Yes | No |
|--|-------------------------------------|--------------------------|
| 1. Can the site be viewed entirely from public land? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input 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:

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.

PLEASE SEE ATTACHED LETTER.

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.

PRODUCTIONS 1 TO 13 AS REFERRED TO IN THE ATTACHED LETTER

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.

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.

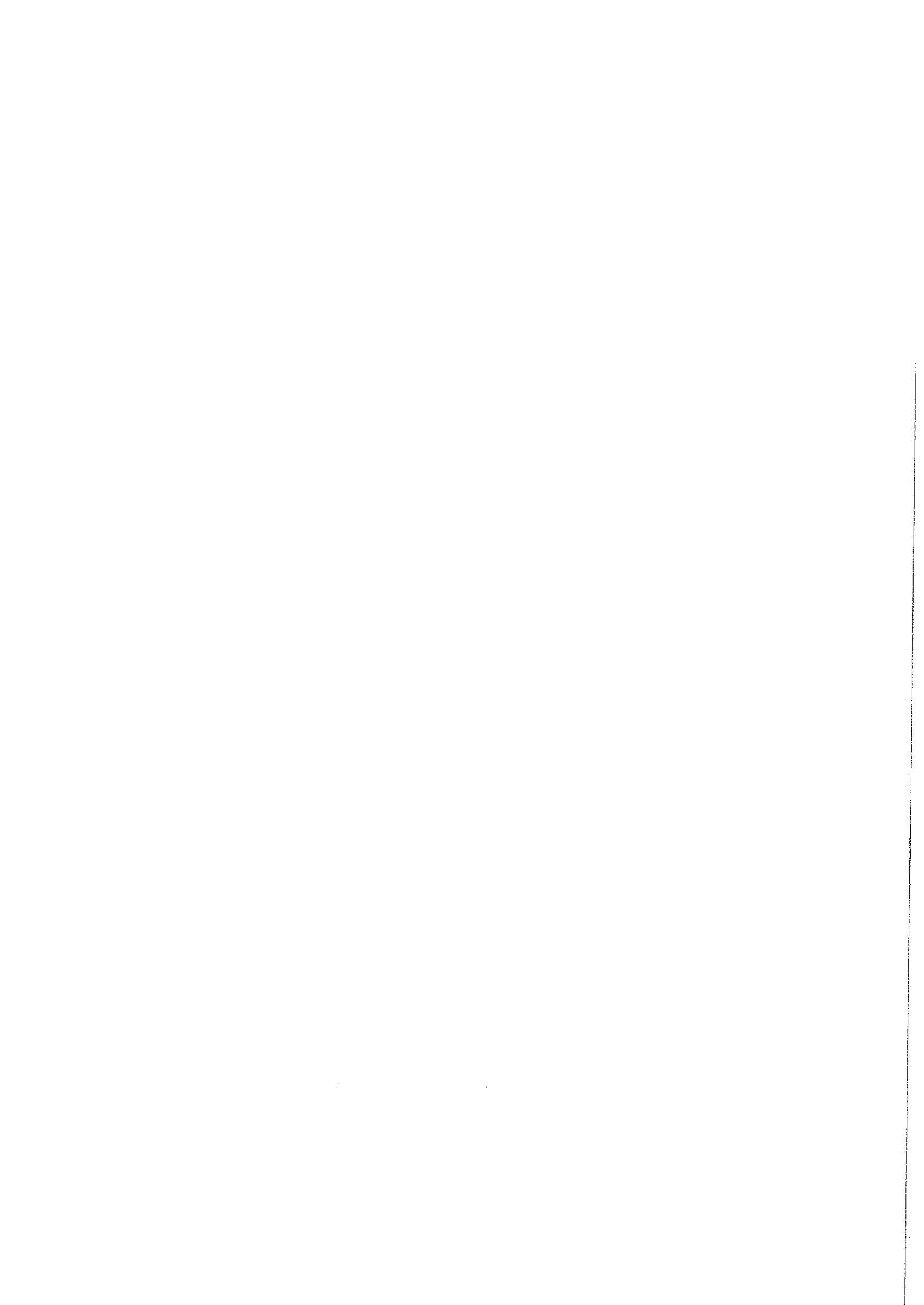
Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number,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

Declaration

I the applicant/ [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

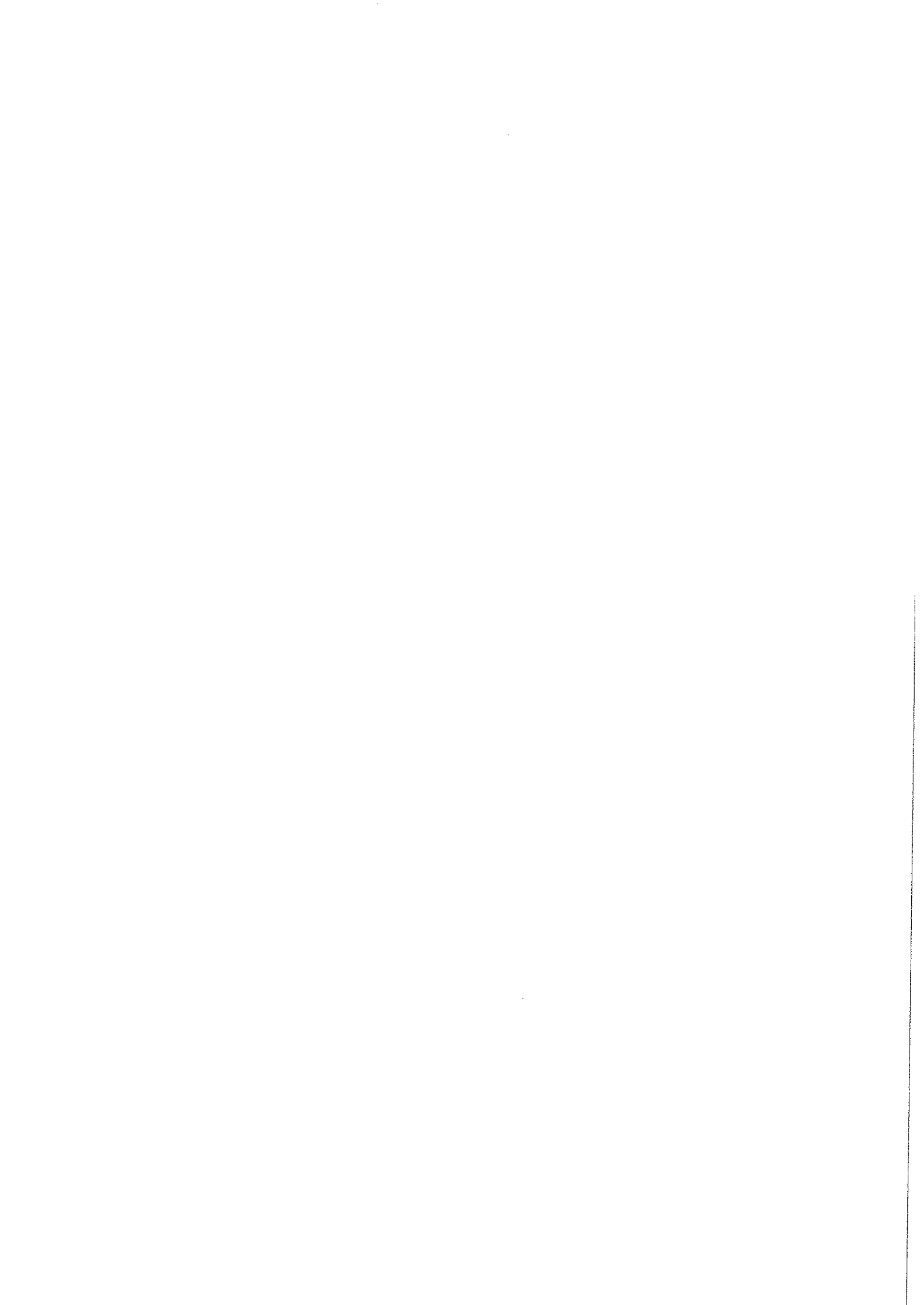
Signed

Date 08 December 2010



APPLICANT'S INFORMATION:

DC10/252/FUL



Ref No – DC10/252/FUL

Refusal of Planning Consent

WEST DUNBARTONSHIRE COUNCIL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT)
(SCOTLAND) ORDERS

Proposal Demolition of existing house and erection of replacement dwellinghouse

Site Former Anbarda
Old Dalnottar Road
Old Kilpatrick
West Dunbartonshire

Applicant Mr Owen Sayers

Agent David Findlay Architecture
Unit B4
Whitcrook Business Centre
Whitcrook Street
Clydebank
G81 1QF

PLANNING SERVICES RECEIVED		
21 DEC 2010		
PASS TO		
REF. No.		

Class of Development Local Development
Decision Type Delegated

WEST DUNBARTONSHIRE COUNCIL, AS PLANNING AUTHORITY, IN EXERCISE OF THEIR POWERS UNDER THE ABOVE-MENTIONED ACTS AND ORDERS, AND HAVING CONSIDERED YOUR PROPOSED DEVELOPMENT, THE PLAN(S) DOCQUETTED AS RELATIVE THERETO AND THE PARTICULARS GIVEN IN THE ABOVE APPLICATION, HEREBY:-

DECISION: REFUSE PLANNING CONSENT FOR THE REASON(S) CONTAINED IN THE ACCOMPANYING PAPER(S) APART.

DATED THIS: 22nd day of October 2010

EXECUTIVE DIRECTOR of HOUSING, ENVIRONMENTAL
AND ECONOMIC DEVELOPMENT
COUNCIL OFFICES,
CLYDEBANK G81 1TG

SIGNED 
for WEST DUNBARTONSHIRE COUNCIL

01. The proposal is contrary to Policies H4 and H5 of the West Dunbartonshire Local Plan, as it would result in the erection of a large dwellinghouse with an unacceptably small private rear garden, with insufficient room to allow for future extension and with resultant overlooking of the neighbouring garden land to the rear. The proposal would therefore be overdevelopment and would detract from the amenities of both the new and the neighbouring properties.

FOR NOTING*Informatives*

01. The plans referred to as part of this decision are Drawing No(s). AL(0)01A, AL(0)02A, AL(0)03A & AL(0)04A.

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
PLANNING ETC. (SCOTLAND) ACT 2006

RIGHTS OF AGGRIEVED APPLICANTS (DELEGATED DECISIONS)

1. If this decision involves a refusal of planning permission or the granting of permission subject to conditions, and if the applicant is aggrieved by this decision, they may seek a review of this decision with the Local Review Body within 3 months of the date of this notice.

The review may be submitted in writing to:

**West Dunbartonshire Council
Planning Local Review Body
Council Offices
Garshake Road
Dumbarton G82 3PU**

Telephone 01389 737210

Review forms can be obtained on request from the above address or can be downloaded from the Council's website:

<http://www.west-dunbarton.gov.uk/building-and-planning/planning-permission/application-forms/appeals-and-reviews/>

2. If permission to develop is refused or granted subject to conditions (whether by the Planning Authority or the Scottish Ministers), 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, he may serve on the Planning Authority a purchase notice requiring the purchase of his/her interest in the land in accordance with Part V of the Town and Country Planning (Scotland) Act 1997.