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East Dunbartonshire Council

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**IMPORTANT – THIS COMMUNICATION AFFECTS THIS
PROPERTY. FAILURE TO COMPLY WITH THE REQUIREMENTS OF
THE NOTICE MAY RESULT IN PROSECUTION**

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
(AS AMENDED)**

ENFORCEMENT NOTICE

REFERENCE NUMBER: ED2026/0034/ENF

PLANNING PERMISSION REFERENCE NUMBER: TP/ED/20/0191

ISSUED BY: East Dunbartonshire Council

ISSUED TO: Owner of the Land: Mark Stevenson Sherlock
36 Kenmure Gardens
Bishopbriggs
East Dunbartonshire
G64 2BX

- 1. THIS IS A FORMAL NOTICE** issued under the provisions of Section 127(1) of the Town and Country Planning (Scotland) Act 1997(as amended) (hereinafter referred to as “the Act”) by East Dunbartonshire Council (hereinafter referred to as “the Council”) as Planning Authority in terms of section 1 of the Act because it is considered by the Council that there has been a breach of planning control, as defined by Section 123(1)(a) of this Act at the land described below.

The Council considers that it is expedient to issue this Notice, having regard to the provisions of the Development Plan and to other material planning considerations.

- 2. THE LAND AFFECTED BY THIS NOTICE**
The land (hereinafter referred to as “the Site”) to which this Notice relates comprises of the dwellinghouse and associated garden ground at **36 Kenmure Gardens**,

Bishopbriggs, East Dunbartonshire, G64 2BX as identified by the Land Register of Scotland under Title Number GLA109914, all as identified and outlined in red on the attached location plan ("the Location Plan").

3. THE BREACHES OF PLANNING CONTROL ALLEGED

Without the required planning permission, the change in design of the dwellinghouse roof from hipped to gabled duo pitched roof and the construction of a flat-roofed dormer window within its rear roof slope at "the Site".

4. REASONS FOR ISSUING THIS NOTICE

The Council as Planning Authority considers it expedient to issue this Enforcement Notice for the following reasons:

- (a) The erection of the dormer window to the rear of the dwellinghouse at the site as described in paragraph 3 of this Notice constitutes 'development' as defined by section 26 of the Act. The Development does not benefit from permitted development rights in terms of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, as amended and does not benefit from express planning permission and in the absence of valid planning permission the Development is unauthorised and is in breach of planning control.
- (b) The change of roof design of the original dwellinghouse from hipped to a gabled duo pitched roof at the site as described in paragraph 3 of this Notice constitutes 'development' as defined by section 26 of the Act. The Development does not benefit from permitted development rights in terms of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, as amended and does not benefit from express planning permission and in the absence of valid planning permission the Development is unauthorised and is in breach of planning control.
- (c) By virtue of section 128 (4)(a) of the Act, the Council is entitled to require the remediation of the injury to amenity which has been caused by the breach.
- (d) Planning permission was granted by the Council on 25 August 2020 under application reference TP/ED/20/0191 for the erection of porch to front elevation, single storey rear extension and upper floor side extension ("Planning Permission TP/ED/20/0191") This design excluded the gabled duo pitched roof design required to accommodate the installation of the flat roofed dormer window within the rear roof slope of gabled duo pitched roof which has been constructed on site as part of the development. A copy of Planning Permission TP/ED/20/0191 forms **Appendix 1**, annexed to this Notice.
- (e) The Development, as built, does not comply with the plans listed in Planning Permission TP/ED20/0191. The 'as-built' Development reflects:
 - 1. The change in design of the house roof from a hipped roof to a gabled duo pitched roof
 - 2. The construction of a flat-roofed dormer window within the rear roof slope of the gabled duo pitched roof
 - 3. Due to the introduction of the gable and the duo pitched roof, the hipped roof of the first-floor side extension cannot be connected to the hipped slope of the original hipped roof structure

4. Various window and door sizes/proportions have been changed or omitted entirely
- (f) Planning permission was subsequently refused by the Council on 27 April 2026 under application reference TP/ED/25/0279 for the retrospective amendment to planning consent TP/ED/20/0191 for a two storey side extension, single storey rear extension, front porch and addition of rear dormer window to the dwellinghouse at the site with the reasons for the refusal listed on the copy of the decision notice forming **Appendix 2.** annexed to this Notice.
- (g) The Council considers that it is expedient that the identified breaches of planning control are remedied by making the Development comply with the terms of Planning Permission TP/ED/20/0191 and the approved plans under that permission.
- (h) The Council believes that the breaches of planning control described herein has occurred within the last 4 years.
- (i) Service Standard 6 of the Council's Planning Enforcement Charter (June 2025) states that 'Where a breach of planning control cannot be resolved and action is justified; a formal notice will be served...' The Council has made multiple requests to the landowner/occupier to resolve the breach of planning control and is of the view that it has afforded the landowner/occupier every opportunity to retrospectively resolve the identified breach of planning control.

5. **WHAT YOU ARE REQUIRED TO DO**

You shall secure compliance with the plans listed in Planning Permission TP/ED/20/0191 in respect of the Site. The works that the Council considers necessary to fulfil this requirement comprise of the following steps:

ROOF WORKS

- Step 1.** Remove the entire unauthorised flat-roofed dormer window from the rear roof slope of the end-terraced house as shown outlined and coloured in red in full accordance with the drawings identified in **Appendix 3.** annexed to this Notice.

Time Period for Compliance: Within **40 weeks** from the date the notice takes effect.

- Step 2.** Remove the unauthorised single gable wall built above the first-floor ceiling level and the unauthorised duo pitched roof structure of the end-terraced house as shown coloured red in full accordance with the drawings identified in **Appendix 4.** annexed to this Notice.

Time Period for Compliance: Within **40 weeks** from the date the notice takes effect.

- Step 3.** Reinstate the original hipped roof design of the end-terraced house in full accordance with the drawings identified in **Appendix 5.** annexed to this

Notice with all ridge tiles, hip tiles and roof tiles to be of the same profile and colour as those of the original roof of the end-terraced house.

Time Period for Compliance: Within **40 weeks** from the date the notice takes effect.

- Step 4.** Alter and extend the hipped roof of the first-floor side extension to connect back into the reinstated hipped roof design of the end-terraced house as shown coloured red in full accordance with the drawings in **Appendix 6.** annexed to this Notice with all ridge tiles, hip tiles and roof tiles to be of the same profile and colour as those of the original roof of the end-terraced house.

Time Period for Compliance: Within **40 weeks** from the date the notice takes effect.

WINDOWS

- Step 5.** Remove the horizontally emphasised window and cill from within the front elevation of the first-floor extension to the side of the end-terraced house as shown coloured red and alter the height of that window opening to accommodate a replacement window of the appropriate height as shown coloured yellow on the approved drawing identified as PL25 PROPOSED FRONT ELEVATION of the planning permission granted under TP/ED/20/0191. All in full accordance with the drawings identified in **Appendix 7.** annexed to this Notice.

Time Period for Compliance: Within **40 weeks** from the date the notice takes effect.

GENERAL

- Step 6.** Permanently remove from the site all associated surplus salvageable materials, arising from compliance with each of the requirements identified in Steps 1. to 5. above.

Time Period for Compliance: Within **40 weeks** from the date the notice takes effect.

- Step 7.** Permanently remove from the site to an authorised place of disposal all associated debris and rubble, arising from compliance with each of the requirements identified in Steps 1. to 5. above.

Time Period for Compliance: Within **40 weeks** from the date the notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **Monday, 29 June 2026** unless an appeal is made to the Scottish Ministers before the date this Notice takes effect.

7. YOUR RIGHT OF APPEAL

You can appeal against this Notice. Your appeal must be received, or posted in time for receipt, by the Scottish Ministers before this Notice takes effect i.e., **before Monday, 29 June 2026**.

Schedule 1, annexed to this Notice contains explanatory notes for those in receipt of an Enforcement Notice. The Schedule contains information on your right of appeal.

Schedule 2, annexed to this Notice contains extracts of relevant legislation. It is reproduced to assist you. It is your responsibility to check the legislation that you consider to be relevant to this Notice and, if you wish, seek legal or other professional advice on your right of appeal.

8. WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this notice, it will take effect on **Monday, 29 June 2026** and you must then ensure that the required steps for complying with it, for which you are held responsible, are taken within the time periods, as specified in the notice. Failure to comply with the requirements of this Notice can result in prosecution and/or remedial action by the Council.

Signed: *Heather Holland*

Dated: 19 May 2026

Heather Holland
Executive Officer – Land Planning & Development

On behalf of: **East Dunbartonshire Council**
Southbank House
Strathkelvin Place
Kirkintilloch
G66 1XQ



This is the Location Plan referred to in the foregoing **Enforcement Notice** in accordance with the terms of Section 127 of the Town and Country Planning (Scotland) Act 1997 (as amended) relating to the land and premises as shown outlined in red at **36 Kenmure Gardens, Bishopbriggs, G64 2BX**.

Signed: *Heather Holland*

Dated: 19 May 2026

Heather Holland, **Executive Officer – Land Planning & Development**, on behalf of **East Dunbartonshire Council**, Southbank House, Strathkelvin Place, Kirkintilloch, G00 1XQ.

SCHEDULE 1

EXPLANATORY NOTE FOR THOSE IN RECEIPT OF AN ENFORCEMENT NOTICE

Right of Appeal

If you wish to appeal against this Enforcement Notice, you should write to the Planning and Environmental Appeals Division, 4 The Courtyard, Callendar Business Park, Callendar Road, Falkirk, FK1 1XR. Alternatively, you may submit your appeal online at <https://eplanning.scotland.gov.uk/WAM/>. The appeal must be received, or posted in time for receipt, by the Planning and Environmental Appeals Division before the date on which this Notice takes effect. The Planning and Environmental Appeals Division acts on behalf of Scottish Ministers and has no power to consider an appeal that is not submitted on time.

The appeal, which must be made in writing, must be based on one or more of the grounds set out in Section 130(1) subsections (b) to (g) of the Act, and you should state the facts on which you propose to rely in support of each of the grounds of the appeal. The grounds of appeal and the statement of facts must be submitted with your appeal or within 14 days of your being required to do so by the Scottish Ministers.

If you lodge an appeal, the Enforcement Notice will be suspended and will not take effect until such time as the appeal is withdrawn or dismissed.

Penalties for Non-Compliance with an Enforcement Notice

In terms of section 136 of the Act, where an enforcement notice requires the discontinuance of a use of land or compliance, in respect of a use of land or the carrying out of operations, with any conditions or limitations, then any person who, without the grant of planning permission uses the land or causes or permits it to be used, or carries out those operations or causes or permits them to be carried out, is guilty of an offence and liable on summary conviction to **a fine not exceeding £50,000, or on conviction on indictment to an unlimited fine**. Furthermore, if the use is continued after conviction the person may be convicted of a second or subsequent offence.

Fixed Penalty Notices

Alternatively, in terms of section 136A of the Act, the Council may serve a fixed penalty notice offering you the opportunity to discharge any liability for conviction. The payment required under the terms of such a notice would be £2,000 if paid within 30 days from the day following the date of service of the notice (reduced to £1,500 if paid within 15 days). There is no right of appeal against a fixed penalty notice.

A fixed penalty notice can be served in respect of a failure to comply with each step required to be taken by the Enforcement Notice or each activity the Enforcement Notice requires to be ceased. Consequently, several fixed penalty notices could be issued.

Direct Action for Non-compliance with an Enforcement Notice

If the steps required by an Enforcement Notice are not taken within the specified period(s), the Council may enter the land and take Direct Action under Section 135 of the Act, to meet those requirements. Please note that it is an offence for any person to wilfully obstruct a person acting in the exercise of such Direct Action. Furthermore, all reasonable costs incurred by the Council during this process, including administration expenses, will be recovered from the owner, or lessee of the land.

If a fixed penalty is paid, the Council retains the power to take direct action to remedy the breach and recover any associated costs.

Further Offences

Compliance with the terms of an enforcement notice does not discharge the notice. It will continue in effect and any repetition of the breach of control may incur further penalties or may result in direct action by the Council.

SCHEDULE 2

EXTRACTS OF RELEVANT LEGISLATION FOR THOSE IN RECEIPT OF AN ENFORCEMENT NOTICE

THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)

Relevant Legislation

A copy of Sections 123, 124, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136 and 136A of the Town and Country Planning (Scotland) Act 1997 (as amended) is below.

Section 123. Expressions used in connection with enforcement.

- (1) For the purposes of this Act -
 - (a) carrying out development without the required planning permission, or
 - (b) failing to comply with any condition or limitation subject to which planning permission has been granted, or
 - (c) initiating development without giving notice in accordance with section 27A (1) of this Act, or
 - (d) carrying out development without displaying a notice in accordance with section 27C (1) of this Act, constitutes a breach of planning control.
- (2) For the purposes of this Act -
 - (a) the issue of an enforcement notice, or
 - (b) the service of a breach of condition notice, under this Part constitutes taking enforcement action as does the issuing of a notice under section 33A.
- (3) In this Part “planning permission” includes planning permission under Part III of the 1947 Act and Part III of the 1972 Act.

Section 124. Time limits.

- (1) Where there has been a breach of planning control consisting in the carrying out without planning permission of building, engineering, mining or other operations in, on, over or under land, no enforcement action may be taken after the end of the period of 4 years beginning with the date on which the operations were substantially completed.
- (2) Where there has been a breach of planning control consisting in the change of use of any building to use as a single dwellinghouse, no enforcement action may be taken after the end of the period of 4 years beginning with the date of the breach.
- (3) In the case of any other breach of planning control, no enforcement action may be taken after the end of the period of 10 years beginning with the date of the breach.
- (4) Subsections (1) to (3) do not prevent—

- (a) the service of a breach of condition notice in respect of any breach of planning control if an enforcement notice in respect of the breach is in effect, or
- (b) taking further enforcement action in respect of any breach of planning control if, during the period of 4 years ending with that action being taken, the planning authority have taken or purported to take enforcement action in respect of that breach.

Section 127. Issue of enforcement notice

- (1) The planning authority may issue a notice (in this Act referred to as an “enforcement notice”) where it appears to them -
 - (a) that there has been a breach of planning control, and
 - (b) that it is expedient to issue the notice, having regard to the provisions of the development plan and to any other material considerations.
- (2) A copy of an enforcement notice shall be served -
 - (a) on the owner and on the occupier of the land to which it relates, and
 - (b) on any other person having an interest in the land, being an interest which, in the opinion of the authority, is materially affected by this notice.
- (3) The service of the notice shall take place -
 - (a) not more than 28 days after its day of issue, and
 - (b) not less than 28 days before the date specified in it as the date on which it is to take effect.

Section 128. Contents and effect of notice.

- (1) An enforcement notice shall state -
 - (a) the matters which appear to the planning authority to constitute the breach of planning control, and
 - (b) the paragraph of section 123(1) within which, in the opinion of the authority, the breach falls.
- (2) A notice complies with subsection (1)(a) if it enables any person on whom a copy of it is served to know what those matters are.
- (3) An enforcement notice shall specify the steps which the authority require to be taken, or the activities which the authority require to cease, in order to achieve, wholly or partly, any of the following purposes.
- (4) Those purposes are -
 - (a) remedying the breach by making any development comply with the terms (including conditions and limitations) of any planning permission which has been granted in respect of the land by discontinuing any use of the land or by restoring the land to its condition before the breach took place; or
 - (b) remedying any injury to amenity which has been caused by the breach.
- (5) An enforcement notice may, for example, require -
 - (a) the alteration or removal of any buildings or works,
 - (b) the carrying out of any building or other operations,
 - (c) any activity on the land not to be carried on except to the extent specified in the notice, or
 - (d) the contour of a deposit of refuse or waste materials on land to be modified by altering the gradient or gradients of its sides.

- (6) An enforcement notice issued in respect of a breach of planning control consisting of demolition of a building may require the construction of a building (in this section referred to as a “replacement building”) which, subject to subsection (7), is as similar as possible to the demolished building.
- (7) A replacement building -
 - (a) must comply with any requirement imposed by or under any enactment applicable to the construction of buildings,
 - (b) may differ from the demolished building in any respect which, if the demolished building had been altered in that respect, would not have constituted a breach of planning control, and
 - (c) must comply with any regulations made for the purposes of this subsection (including regulations modifying paragraphs (a) and (b) of this subsection).
- (8) An enforcement notice shall specify the date on which it is to take effect and, subject to section 131(3), shall take effect on that date.
- (9) An enforcement notice shall specify the period for compliance with the notice at the end of which any steps are required to have been taken or any activities are required to have ceased and may specify different periods for different steps or activities.
- (10) Where different periods apply to different steps or activities, references in this Part to the period for compliance with an enforcement notice, in relation to any step or activity, are to the period at the end of which the step is required to have been taken or the activity is required to have ceased.
- (11) An enforcement notice shall specify such additional matters as may be prescribed.
- (12) Regulations may require every copy of an enforcement notice served under section 127 to be accompanied by an explanatory note giving prescribed information as to the right of appeal under section 130.
- (13) Where -
 - (a) an enforcement notice in respect of any breach of planning control could have required any buildings or works to be removed or any activity to cease, but does not do so, and
 - (b) all the requirements of the notice have been complied with, then, so far as the notice did not so require, planning permission shall be treated as having been granted under section 33 in respect of development consisting of the construction of the buildings or works or, as the case may be, the carrying out of the activities.
- (14) Where -
 - (a) an enforcement notice requires the construction of a replacement building, and
 - (b) all the requirements of the notice with respect to that construction have been complied with, planning permission shall be treated as having been granted under section 33 in respect of development consisting of that construction.

Section 129. Variation and withdrawal of enforcement notice.

- (1) The planning authority may -
 - (a) withdraw an enforcement notice issued by them, or
 - (b) waive or relax any requirement of such a notice and, in particular, may extend any period specified in accordance with section 128(9).

- (2) The powers conferred by subsection (1) may be exercised whether or not the notice has taken effect.
- (3) The planning authority shall, immediately after exercising the powers conferred by subsection (1), give notice of the exercise to every person who has been served with a copy of the enforcement notice or would, if the notice were reissued, be served with a copy of it.
- (4) The withdrawal of an enforcement notice does not affect the power of the planning authority to issue a further enforcement notice.

Section 130. Appeal against enforcement notice.

- (1) A person on whom an enforcement notice is served or any other person having an interest in the land may, at any time before the date specified in the notice as the date on which it is to take effect, appeal to the Secretary of State against the notice on any of the following grounds:
 - (a) [...]
 - (b) that the matters which, by virtue of section 128(1)(a) have been stated in the notice, have not occurred.
 - (c) that those matters (if they occurred) do not constitute a breach of planning control.
 - (d) that, at the date when the notice was issued, no enforcement action could be taken in respect of any breach of planning control which may be constituted by those matters.
 - (e) that copies of the enforcement notice were not served as required by section 127.
 - (f) that the steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by any such breach.
 - (g) that any period specified in the notice in accordance with section 128(9) falls short of what should reasonably be allowed.
- (2) An appeal under this section shall be made -
 - (a) by giving written notice of the appeal to the Secretary of State before the date specified in the enforcement notice as the date on which it is to take effect.
 - (b) by sending such notice to him in a properly addressed and prepaid letter posted to him at such time that, in the ordinary course of post, it would be delivered to him before that date; or
 - (c) by sending such notice to them using electronic communications at such time that, in the ordinary course of transmission, it would be delivered to them before that date.
- (3) A person who gives notice under subsection (2) shall submit to the Secretary of State, either when giving the notice or within the prescribed time, a statement in writing -
 - (a) specifying the grounds on which he is appealing against the enforcement notice, and
 - (b) giving such further information as may be prescribed.

Section 136. Offence where enforcement notice not complied with.

- (1) Where, at any time after the end of the compliance period in respect of an enforcement notice, any step required by the notice to be taken has not been taken or any activity required by the notice to cease is being carried on, the person who is then the owner of the land is in breach of the notice.
- (2) Where the owner of the land is in breach of the notice, he shall be guilty of an offence.

- (3) In proceedings against any person for an offence under subsection (2), it shall be a defence for him to show that he did everything he could be expected to do to secure compliance with the notice.
- (4) A person who has control of or an interest in the land to which an enforcement notice relates (other than the owner) must not carry on any activity which is required by the notice to cease or cause or permit such an activity to be carried on.
- (5) A person who, at any time after the end of the period for compliance with the notice, contravenes subsection (4) shall be guilty of an offence.
- (6) An offence under subsection (2) or (5) may be charged by reference to any day or longer period of time and a person may be convicted of a second or subsequent offence under the subsection in question by reference to any period of time following the preceding conviction for such an offence.
- (7) Where -
 - (a) a person charged with an offence under this section has not been served with a copy of the enforcement notice, and
 - (b) the notice is not contained in the appropriate register kept under section 147; it shall be a defence for him to show that he was not aware of the existence of the notice.
- (8) A person guilty of an offence under this section shall be liable -
 - (a) on summary conviction, to a fine not exceeding £50,000, and
 - (b) on conviction on indictment, to a fine.
- (9) In determining the amount of any fine to be imposed on a person convicted of an offence under this section, the court shall in particular have regard to any financial benefit which has accrued or appears likely to accrue to him in consequence of the offence.

Section 136A. Fixed penalty notice where enforcement notice not complied with.

- (1) Where a planning authority have reason to believe that, by virtue of subsection (1) of section 136, a person is in breach of an enforcement notice they may, provided that the conditions mentioned in subsection (7) are satisfied, serve on him a fixed penalty notice as respects that breach.
- (2) The fixed penalty notice is to specify -
 - (a) the step specified, under subsection (3) of section 128, in the enforcement notice which has not been taken, or
 - (b) the activity so specified which has not ceased.
- (3) It is not competent to serve more than one fixed penalty notice in relation to a particular step or activity.
- (4) For the purposes of this section, a “fixed penalty notice” is a notice offering the person the opportunity of discharging, by paying to the planning authority, within the period of 30 days which immediately follows the day on which that notice is served, a penalty of an amount (being a prescribed amount) specified in the notice, any liability to conviction for an offence under section 136 as respects the breach of the enforcement notice.
- (5) But if payment is made within the first 15 days of the period mentioned in subsection (4) the amount payable is reduced by 25%.

- (6) The fixed penalty notice is to identify the period mentioned in subsection (4) and is also to state that if payment is made within the first 15 days of that period the amount payable is reduced by 25%.
- (7) The conditions are that the fixed penalty notice -
 - (a) is served within the period of 6 months which immediately follows the compliance period in relation to the enforcement notice, and
 - (b) is not served after the person has been charged with an offence under section 136 as respects the breach of the enforcement notice.
- (8) During the period mentioned in subsection (4) it is not competent to commence proceedings against the person for an offence under section 136 as respects that breach.
- (9) If the amount (or as the case may be the reduced amount) is timeously paid it is not competent to commence proceedings against the person for an offence under section 136 as respects that breach.
- (10) A penalty received by a planning authority by virtue of subsection (4) is to accrue to that authority.
- (11) In prescribing an amount for the purposes of subsection (4), the Scottish Ministers may make different provision for different cases or for different classes of case.

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2013

Part 4 of the Town and Country Planning (Appeals) (Scotland) Regulations 2013 provides (under regulations 14-16) some detailed procedural requirements for appeals against enforcement notices (**section 130** of the Town and Country Planning (Scotland) Act 1997).

A copy of regulations 14, 15 and 16 of the Town and Country Planning (Appeals) (Scotland) Regulations 2013 are below.

14. Statement of appeal

- (1) The appellant must at the same time as giving notice of appeal to the Scottish Ministers under section 130(2), 169(2) or 180(2) of the Act or section 35(2) of the Listed Buildings Act, as the case may be, submit a statement ("statement of appeal") on a form obtained from the Scottish Ministers.
- (2) The statement of appeal, in addition to specifying the grounds of appeal as required by section 130(3)(a) (and as applied by section 180(3)) or 169(3) of the Act or section 35(4)(a) of the Listed Buildings Act, as the case may be, is to give the information specified in paragraph (3).
- (3) The information is—
 - (a) all matters which the appellant intends to raise in the appeal.
 - (b) the name and address of the appellant.
 - (c) a copy of the notice against which the appeal is made.
 - (d) the name and address of the representative of the appellant (if any) and whether any notice or other correspondence which is required by these Regulations to be sent to the appellant should be sent to the representative instead of the appellant; and

- (e) a note of the matters which the appellant considers require determination and by what, if any, procedure (or combination of procedures) mentioned in regulation 9(4) the appellant considers the appeal should be determined.
- (4) The statement of appeal is to be accompanied by copies of all documents, materials and evidence which the appellant intends to rely on in the appeal.
- (5) In addition to matters set out in the statement of appeal and the documents accompanying the statement of appeal, the appellant may raise matters only in accordance with and to the extent permitted by regulations 11 and 15, the Hearing Session Rules and the Inquiry Session Rules.
- (6) The following provisions apply in relation to appeals under sections 130, 169 and 180 of the Act and an appeal under section 35 of the Listed Buildings Act—
 - (a) this Part and Parts 1, 3, 9 (other than regulation 29) and 10; and
 - (b) the Hearing Session Rules and the Inquiry Session Rules.
- (7) These Regulations apply to an appeal under section 130 as applied by regulation 25 of the 1984 Regulations as they apply to an appeal under section 130 of the Act as if references to an enforcement notice were references to an enforcement notice served under regulation 24 of the 1984 Regulations.

15. Intimation of appeal to planning authority and planning authority's response

- (1) The appellant must at the same time as giving the notice of appeal to the Scottish Ministers send to the planning authority a copy of—
 - (a) the notice of appeal.
 - (b) the statement of appeal; and
 - (c) all documents, materials, and evidence which the appellant intends to rely on in the appeal, and which accompanied the statement of appeal in accordance with regulation 14(4).
- (2) The planning authority must, not later than 21 days beginning with the date of receipt of notification of an appeal under paragraph (1), send to the Scottish Ministers and the appellant—
 - (a) a statement (“the planning authority’s response”) incorporating a response to each ground of appeal and stating the matters which the planning authority considers require determination and by what, if any, procedure (or combination of procedures) mentioned in regulation 9(4) the planning authority wish the appeal to be conducted; and
 - (b) copies of documents which were before the planning authority, and which were taken into account in reaching its decision to issue the notice which is the subject of the appeal.
- (3) The appellant may, within 14 days beginning with the date of receipt of the planning authority’s response, send to the Scottish Ministers and the planning authority comments on any matters raised in the planning authority’s response.
- (4) The planning authority must until such time as the appeal is determined make copies of—
 - (a) the notice of appeal.
 - (b) the statement of appeal.
 - (c) the planning authority’s response and any comments made under paragraph (3); and

(d) documents which accompanied the statement of appeal, or which were sent with the planning authority's response, available for inspection at an office of the planning authority and to afford any interested party who so requests an opportunity to inspect and, where practicable, to take copies of any such documents (or any part thereof).

16. Notification to other parties

- (1) The planning authority must not later than 14 days following notification of the appeal under regulation 14 give notice of the appeal to each person (other than the appellant) on whom the enforcement notice, listed building enforcement notice or the notice under section 168 or 179 of the Act, as the case may be, was served.
- (2) Notice under paragraph (1) is to—
 - (a) state the name of the appellant and the address of the land to which the appeal relates.
 - (b) describe the steps required by the notice to which the appeal relates.
 - (c) state that representations may be made to the Scottish Ministers and provide information as to how and by when such representations may be made.
 - (d) state where a copy of the notice of appeal, the statement of appeal and the planning authority's response may be inspected.
- (3) The period allowed for making representations is to be no less than 14 days from the date on which notice is given under paragraph (1).



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ENFORCEMENT NOTICE UNDER REFERENCE ED2026/0034/ENF

APPENDIX 1.

PLANNING PERMISSION GRANTED UNDER TP/ED/20/0191.

Planning Permission granted on 25 August 2020 under application reference TP/ED/20/0191 for the construction of a porch to front elevation, single storey rear extension and upper floor side extension to the dwellinghouse at 36 Kenmure Gardens, Bishopbriggs, G64 2BX.

1. Planning Permission Decision Notice – TP/ED/20/0191
2. Report of Handling

Plans detailing the proposed development as listed and identified by the Council as:

3. **PL22 PROPOSED SITE LAYOUT**
(Mark Sherlock, Drawing No.: EXT-36 Kenmure Gardens.002, Revision '03' - 'Proposed Site Layout'),
4. **PL26 PROPOSED GROUND FLOOR PLAN**
(Mark Sherlock, Drawing No.: EXT-36 Kenmure Gardens.007, Revision '02' - 'Proposed Ground Floor Plan'),
5. **PL16 PROPOSED FIRST FLOOR PLAN**
(Mark Sherlock, Drawing No.: EXT-36 Kenmure Gardens.008 - 'Proposed First Floor'),
6. **PL18 PROPOSED LOFT FLOOR PLAN**
(Mark Sherlock, Drawing No.: EXT-36 Kenmure Gardens.009 - 'Proposed Loft Floor'),
7. **PL25 EXISTING AND PROPOSED FRONT AND REAR ELEVATIONS**
(Mark Sherlock, Drawing No.: EXT-36 Kenmure Gardens.003, Revision '03' - 'Existing and Proposed Front and Rear Elevations'),
8. **PL23 EXISTING AND PROPOSED SIDE ELEVATIONS AT ACCESS LANE**
(Mark Sherlock, Drawing No.: EXT-36 Kenmure Gardens.004, Revision '02' - 'Existing and Proposed Side Elevations at access lane'), and
9. **PL24 EXISTING AND PROPOSED SIDE ELEVATIONS AT 34 KENMURE GARDENS**
(Mark Sherlock, Drawing No.: EXT-36 Kenmure Gardens.005, Revision '03' - 'Existing and Proposed Side Elevations at 34 Kenmure Gardens').

**FULL PLANNING PERMISSION CONSENT
NOTICE NO. TP/ED/20/0191**

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
AS AMENDED BY THE PLANNING ETC. (SCOTLAND) ACT 2006**

Applicant

Agent (if applicable)

Mr Mark Sherlock
36 Kenmure Gardens
Bishopbriggs
Glasgow
Scotland
G64 2BX

With reference to your application dated 11 March 2020 for consent to the following;

Erection of porch to front elevation, single storey rear extension and upper floor side extension.

36 Kenmure Gardens, Bishopbriggs, East Dunbartonshire, G64 2BX

The East Dunbartonshire Council in exercise of their powers under the Acts and Orders hereby grant planning permission for the said development in accordance with the plan(s) listed below and the particulars given in the application subject however to the following conditions and reason(s), viz

1. All proposed external finishing materials, including roofing materials, shall match those of the existing building in size, type, colour, specification and texture unless otherwise agreed in writing with this Planning Authority.

Reasons:

1. In the interests of visual amenity and to ensure that the external finishing materials are appropriate to the character of the area

Reason(s) for making decision:

1. Having taken account of all material considerations the proposal is considered to be acceptable in meeting the Development Plan. The proposal is compatible with its surrounds in terms of land use, design and scale and will not cause any unacceptable impact to surrounding properties.

Advisory Notes(s):

1. The development to which this permission relates must begin no later than 3 years from the date of this permission.

2. That the development hereby consented shall not start until a Notice of Initiation has been submitted to the Planning Authority. A copy can be obtained from <https://www.eastdunbarton.gov.uk/residents/planning-and-building-standards/planning-applications/after-decisions-what-do-next>.

3. On completion of the development, you are also required to submit written notification to this Council by completing and returning a Notice of Completion. A copy can be obtained from <https://www.eastdunbarton.gov.uk/residents/planning-and-building-standards/planning-applications/after-decisions-what-do-next>.



4. This permission does not exempt you from obtaining a Building Warrant under the Building (Scotland) Acts. For further information, please contact Building Standards (0141) 578 8600.

The following documents make up the decided application and can be found by searching for TP/ED/20/0191 on the council's Search Planning Application page (<http://planning.eastdunbarton.gov.uk/online-applications>):

- PL1 APPLICATION
- PL2 LOCATION PLAN
- PL3 EXISTING SITE LAYOUT
- PL22 PROPOSED SITE LAYOUT
- PL23 EXISTING AND PROPOSED SIDE ELEVATIONS AT ACCESS LANE
- PL24 EXISTING AND PROPOSED SIDE ELEVATIONS AT MUTUAL BOUNDARY WITH NUMBER 34
- PL25 EXISTING AND PROPOSED FRONT AND REAR ELEVATIONS
- PL26 PROPOSED GROUND FLOOR PLAN
- PL15 Existing Ground and First Floor Plan
- PL16 Proposed First Floor
- PL18 Proposed Loft Floor
- PL20 PROPOSED DOWNTAKINGS

It should be understood that this permission does not carry with it any necessary consent or approval to the proposed development under other statutory enactments.

Dated 25 August 2020

.....
Depute Chief Executive, Place, Neighbourhood and Corporate Assets

(SEE OVER)

DEVELOPMENT QUALITY REPORT

Application Number: TP/ED/20/0191 Application Type: Full planning permission

Proposal Erection of porch to front elevation, single storey rear extension and upper floor side extension.	Site 36 Kenmure Gardens Bishopbriggs East Dunbartonshire G64 2BX
Applicant Mr Mark Sherlock 36 Kenmure Gardens Bishopbriggs Glasgow Scotland G64 2BX	Agent
Date of Application 11 March 2020	Date of Validation 3 April 2020
Local Plan East Dunbartonshire Council Local Development Plan – February 2017	Community Council Bishopbriggs Community Council
Ward Bishopbriggs South	Advert
Recommendation Grant subject to condition	Target Determination Date 2 June 2020
Case Officer Tiwaah Antwi 0300 1234 510 Ext 3400	Decision Type Delegated Decision

DESCRIPTION

Erection of porch to front elevation, single storey rear extension and upper floor side extension.

SITE HISTORY

None detected

POLICY CONTEXT

The application site lies within an area covered by the East Dunbartonshire Local Development Plan February 2017 and is covered by the following policies:

Policy 2 – Design and Placemaking

Policy 4 – Sustainable Transport

The following Council approved Guidance Notes are material policy considerations in the assessment of the application.

LDP Supplementary Guidance - Design and Placemaking
Guidance Note 18 - Road Layout and Design and Parking Standards

REPRESENTATIONS

Number of Neighbours Notified:	22
Total Number of Contributors:	0
Number of Letters of Objections:	0
Number of Letters of Support:	0
Number of Letters of Representation (Neutral):	0

None received

DISCUSSION WITH APPLICANT

Agent was contacted for site photos, parking spaces, overall scale and massing of the proposal. Further concerns raised related to potential tunnelling effect to the rear ground floor windows of immediate neighbouring property (34 Kenmure Gardens).

CONSULTATION

None carried out.

ASSESSMENT

36 Kenmure Gardens is a two bedroom end-terrace dwelling that lies within an established residential area of Bishopbriggs with properties of similar types and sizes. The proposal is to erect a porch to front, single storey rear extension and upper floor side extension. Following correspondence with the applicant, the revised plan sought to reduce the scale of the front extension to a porch, and retain the existing rear extension but replace its flat roof with a mono-pitched roof. Additionally, the first floor side extension has been set down from the existing ridge. The assessment below is therefore based on the revised plans.

Section 25 of the Town and Country Planning (Scotland) Act 1997 states that all planning determinations should be made in accordance with the Statutory Development Plan, unless material considerations indicate otherwise. In this instance, the statutory development Plan consists of the Clydeplan 2017 and East Dunbartonshire Local Development Plan (February 2017) Scottish Planning Policy (SPP), the council's policy decisions and Supplementary Planning Guidance relevant to the application site are also material considerations for this application.

The application is not of strategic significance and therefore will be assessed against the provisions of the Local Development Plan.

Design and Street scene

Policy 2 – Design and Placemaking requires that developments should be designed to ensure a positive impact on the character, function and amenity of the surrounding area. This is further addressed in the guidance notes. In this regard, the Supplementary Guidance requires extensions in general to be visually integrated with the existing building; sympathetic to its surrounding and adjacent properties and subservient in mass, scale and form to the existing property.

The proposed porch will measure 3.2 metres wide, 1.5 metres in length and approximately 3 metres to the ridge. The porch will have a window on the front elevation looking onto the applicant's front garden and the street therefore will not give rise to any overlooking issues. A condition have been attached for the finishing materials to match the existing dwelling therefore complies with Policy 2 – Design and Placemaking.

The proposed development is to establish an upper floor side extension over the existing kitchen which extends to the west (side) boundary with the access path. It will consist of an additional en-suite bedroom and a further attic conversion to accommodate a second en-suite bedroom and storage space. The location of the proposed extension is considered acceptable though it will form part of the existing principal elevation. The extension measures approximately 3.6 metres wide, 7.1 metres in length on the gable elevation and 7 metres to the ridge where it will sit approximately 250mm below the existing ridge height therefore conforms to the Supplementary Guidance. The extension would have windows to the front and rear and three roof lights to serve the attic conversion. Due to their locations, it is considered that the windows and roof lights would not give rise to adverse overlooking to immediate neighbours in that they will overlook the street to the front and the applicant's own garden ground to the rear. It is noted that due to the street layout, overlooking to the rear gardens from the first floor level is inevitable. Based on the above, the proposed extension has been assessed to be of an acceptable scale, massing, design and will not be detrimental to the residential and visual amenities within its surrounding therefore conforms to Policy 2 – Design and Placemaking and its Supplementary Guidance.

With regards to the rear extension, as per the revised plans, the proposal is to replace the existing flat roof with a mono-pitched roof design which incorporates three roof lights. The condition attached seeks to ensure the materials match the existing and therefore considered acceptable and in keeping with the immediate surrounding.

Residential Amenity

The policies and guidance notes also require that residential amenity will be strongly protected. In this instance the following comments are made:

1) Daylight and Sunlight: Due to the south facing orientation of the property, the positioning of the proposed developments in relation to the plot and their subservience to the main house, there will be no adverse impact on loss of daylight or sunlight on neighbouring properties. It is worth noting that majority of overshadowing from the proposed extension will fall within that of the existing dwelling house through the morning and in the applicant's garden thereafter.

2) Privacy and Overlooking: The locations of the proposed windows to serve the extensions will not result in any overlooking issues to neighbouring properties as assessed above.

Roads, Parking and Access

The Road Layout and Design and Parking Standards Supplementary Guidance requires that roads and parking standards should be met and that the garden ground should commensurate with the surrounding area. The level of off-street car parking required for domestic dwelling is dictated by the number of bedrooms or potential bedrooms within the dwelling. There are currently two bedrooms with the proposed extension considered to add two bedrooms after completion. Thus, the parking requirement for this size of property as per the aforementioned Supplementary Guidance is a minimum of three designated parking spaces preferably to be accommodated within an established driveway. Parking may be provided within a front garden, but only where it does not detract from the amenity of the area and recommended to take up no more than 66% of the front garden.

In this regard, the proposed development has incorporated three off street car parking spaces to the front of the dwelling house therefore complies with parking standards. Due to the locations of the proposals, no alteration is expected to the existing rear garden ground which is considered to adequately commensurate the proposed property size. The application is therefore compliant with Policy 4 – Road Layout and Policy 2 – Design and Placemaking and their Supplementary Guidance.

Wheelie Bin Access: The proposed development seeks to rely on the existing communal path it shares boundary with to the west as a wheelie bin access to the dwelling.

Due to the current restrictions on non-essential travel associated with the Coronavirus outbreak the Planning Service is currently unable to carry out site visits. The above assessment is therefore based on information supplied by the applicant, GIS mapping, aerial photography and street view information. The Planning Service was satisfied that these sources provided sufficient information to carry out a thorough assessment of the proposals without the need for a site visit.

CONCLUSION

Taking the above into consideration the proposal will not have an adverse impact on the property, neighbours and wider street scene nor will it compromise local development plan policies and guidance. It is therefore recommended that planning permission be approved.

RECOMMENDATION

Grant subject to condition

CONDITION

1. All proposed external finishing materials, including roofing materials, shall match those of the existing building in size, type, colour, specification and texture unless otherwise agreed in writing with this Planning Authority.

Reason(s):

1. In the interests of visual amenity and to ensure that the external finishing materials are appropriate to the character of the area.

Advisory Notes(s):

1. The development to which this permission relates must begin no later than 3 years from the date of this permission.

2. That the development hereby consented shall not start until a Notice of Initiation has been submitted to the Planning Authority. A copy can be obtained from <https://www.eastdunbarton.gov.uk/residents/planning-and-building-standards/planning-applications/after-decisions-what-do-next>.

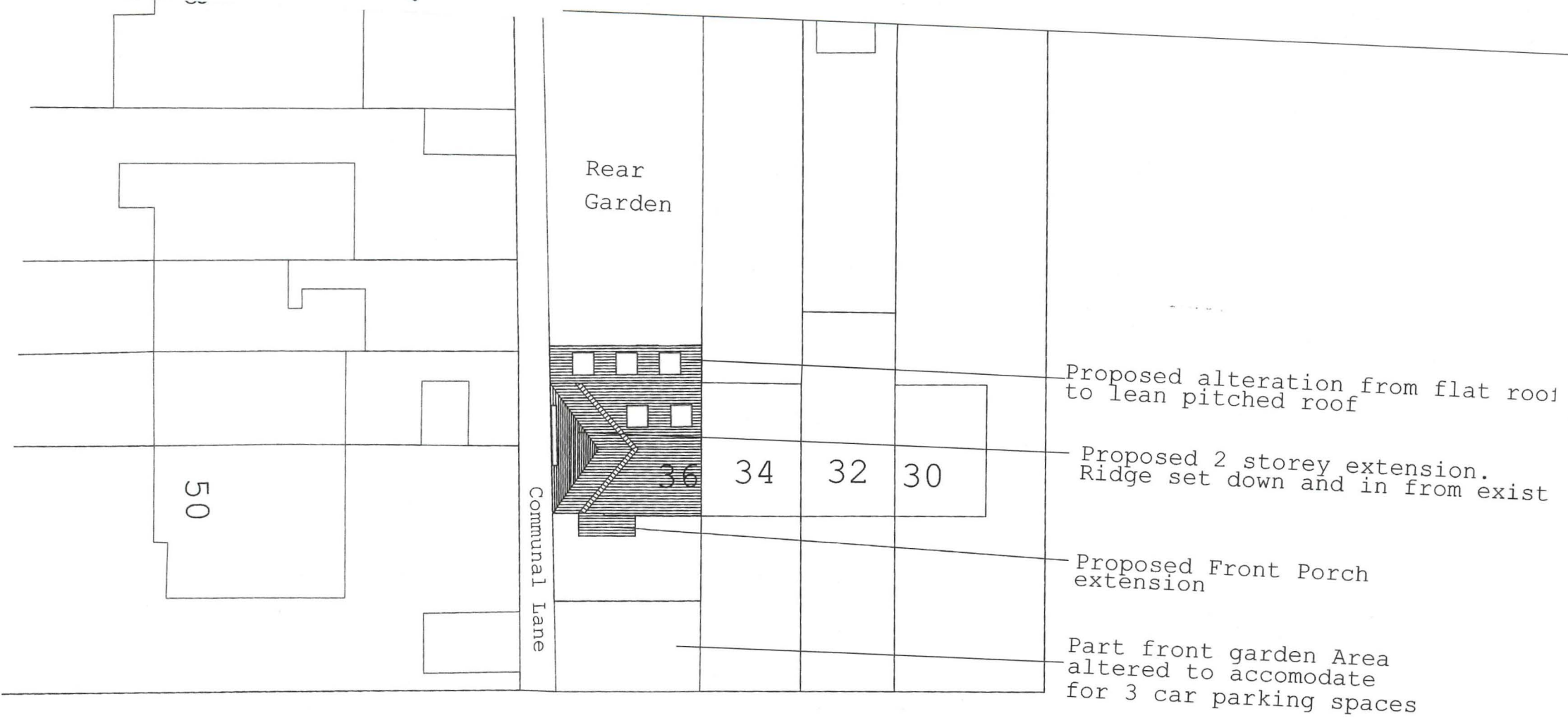
3. On completion of the development, you are also required to submit written notification to this Council by completing and returning a Notice of Completion. A copy can be obtained from <https://www.eastdunbarton.gov.uk/residents/planning-and-building-standards/planning-applications/after-decisions-what-do-next>.

4. This permission does not exempt you from obtaining a Building Warrant under the Building (Scotland) Acts. For further information, please contact Building Standards (0141) 578 8600.



Depute Chief Executive, Place, Neighbourhood and Corporate Assets

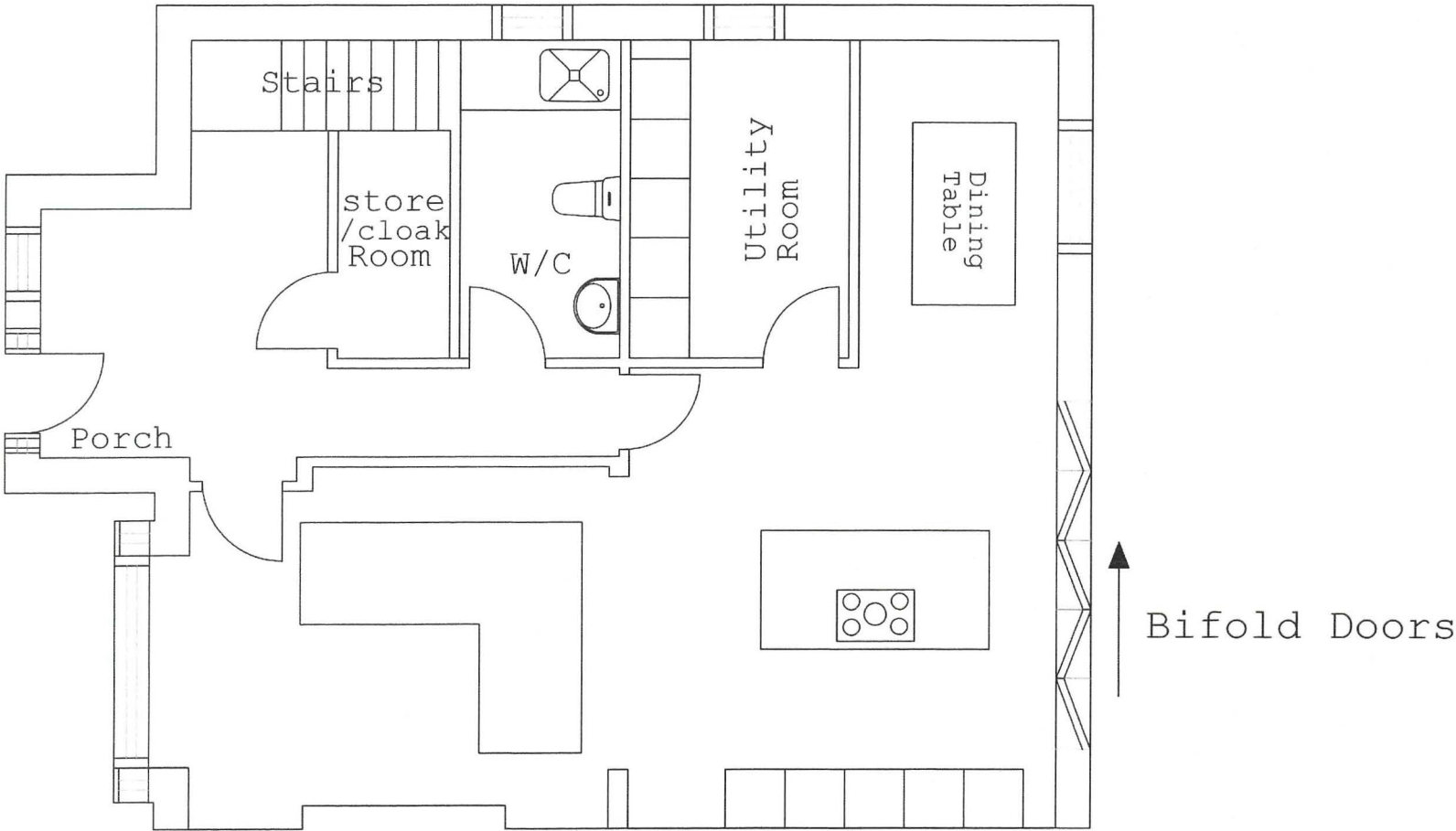
PL 22 PROPOSED SITE LAYOUT



Kenmure Gardens

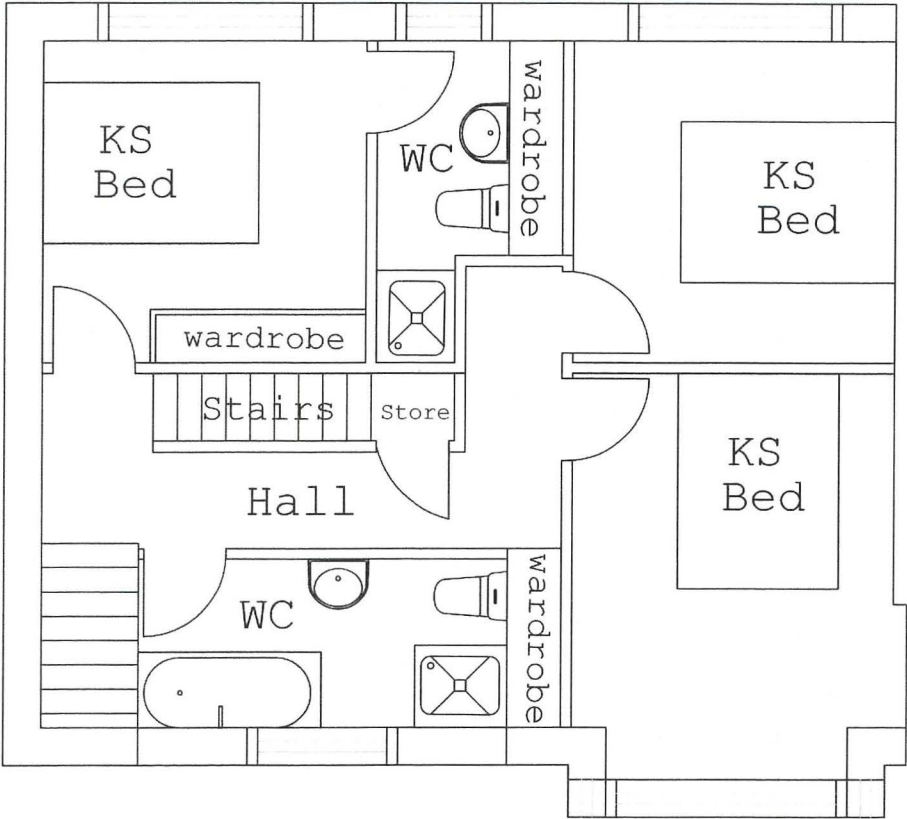
Project Title: Proposed Extension Works 6 Kenmure Gardens 64 2BX	Title: Proposed Site Layout	Drawing Number: EXT-36 Kenmure Gardens.002 Rev 03	Drawn by: Mark Sherlock	Scale at A3 1:250
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PL26 PROPOSED GROUND FLOOR PLAN



Project Title: Proposed Extension Works 36 Kenmure Gardens G64 2BX	Title: Proposed Ground Floor Plan	Drawing Number: EXT-36 Kenmure Gardens.007 Rev 02	Drawn by: Mark Sherlock	Scale at A3 1:5
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PL16 PROPOSED FIRST FLOOR PLAN



Project Title:
Proposed Extension Works
36 Kenmure Gardens
G64 2BX

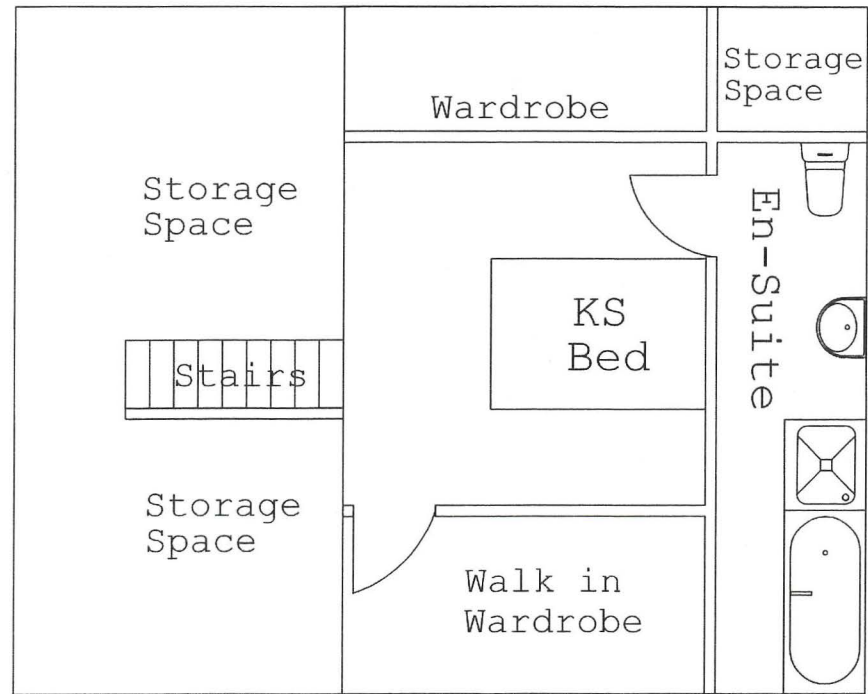
Title:
Proposed First Floor

Drawing Number:
EXT-36 Kenmure Gardens.008

Drawn by:
Mark Sherlock

Scale at A3
1:5

PL18 PROPOSED LOFT FLOOR PLAN



Project Title: Proposed Extension Works 36 Kenmure Gardens G64 2BX	Title: Proposed Loft Floor	Drawing Number: EXT-36 Kenmure Gardens.009	Drawn by: Mark Sherlock	Scale at A3 1:5
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PL 25 EXISTING & PROPOSED
FRONT & REAR ELEVATIONS.



Existing Front Elevation



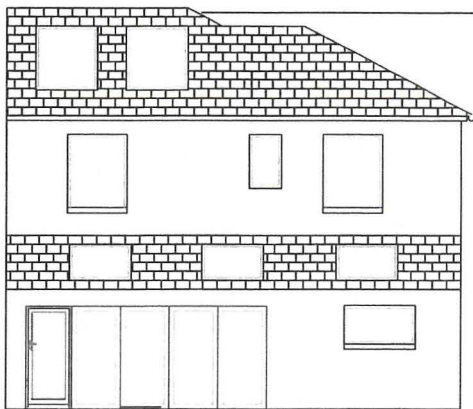
Existing Rear Elevation

Ridge Set Below
Existing 250mm



Proposed Front Elevation

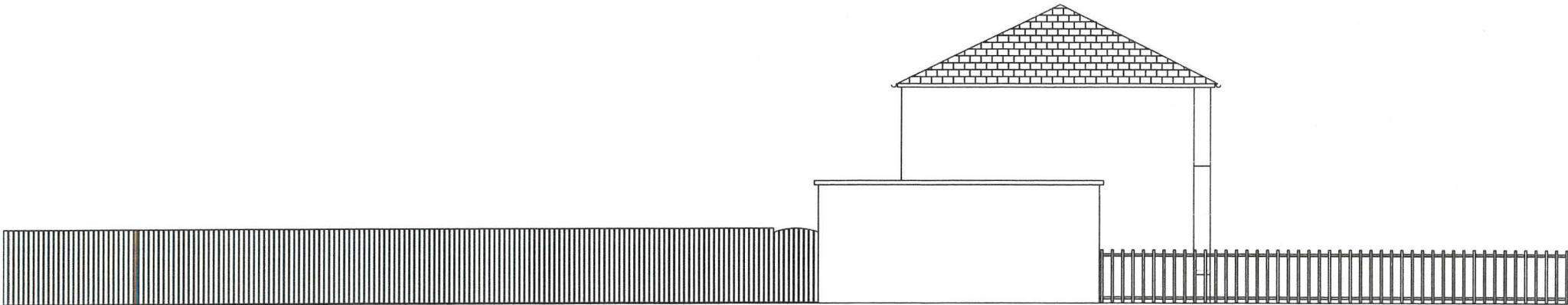
Ridge Set Below
Existing 250mm



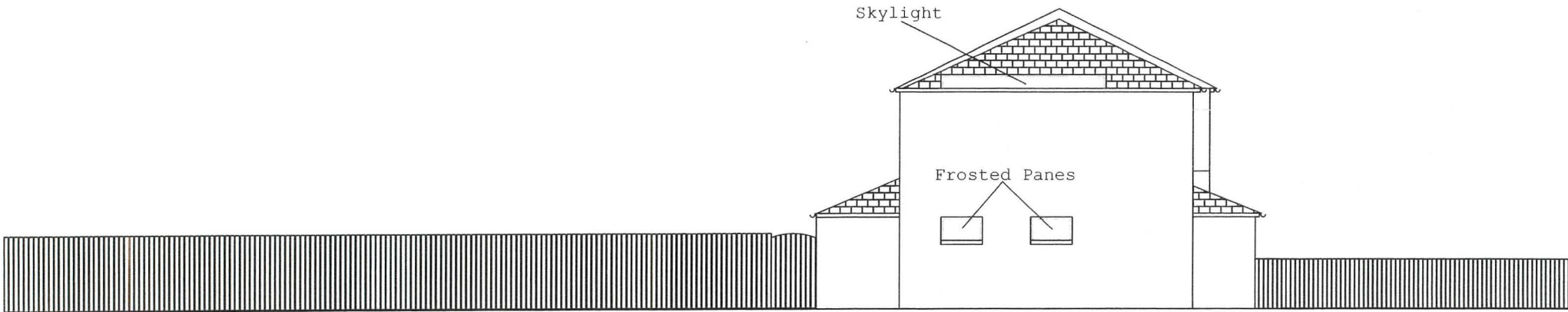
Proposed Rear Elevation

Project Title: Proposed Extension Works 36 Kenmure Gardens 564 2BX	Title: Front and Rear Elevations Existing and Proposed	Drawing Number: EXT-36 Kenmure Gardens.003 Rev 03	Drawn by: Mark Sherlock	Scale at A3 1:100
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PL23 EXISTING & PROPOSED SIDE
ELEVATIONS AT ACCESS LANE ,



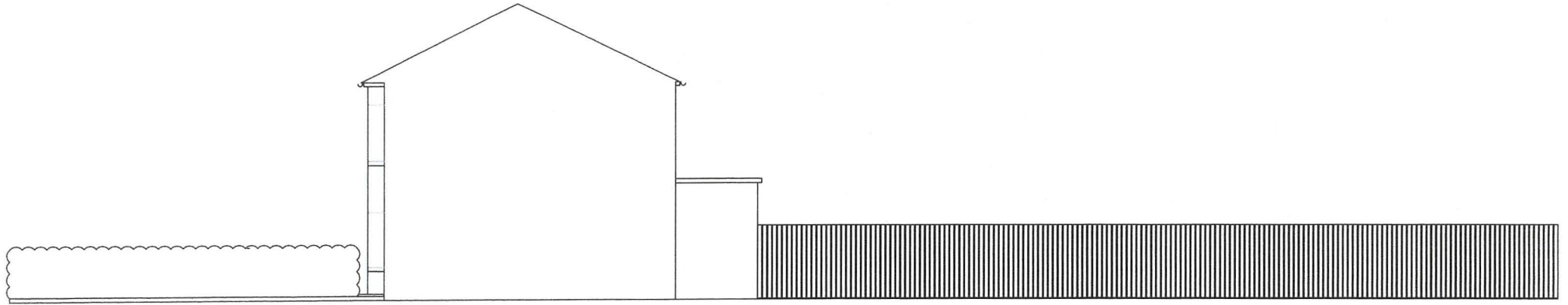
Existing side Elevation at access lane



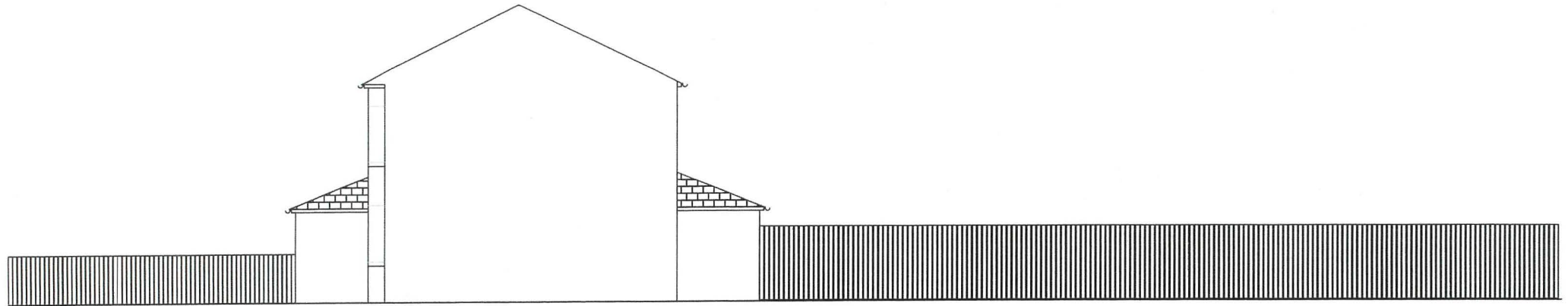
Proposed side Elevation at Access Lane

Project Title: Proposed Extension Works 36 Kenmure Gardens G64 2BX	Title: Existing and proposed Side Elevations at access lane	Drawing Number: EXT-36 Kenmure Gardens.004 Rev 02	Drawn by: Mark Sherlock	Scale at A3 1:100
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PL 24 EXISTING & PROPOSED SIDE
ELEVATIONS AT 34 KENMURE Gdns.



Existing side Elevation at Mutual Boundary with Number 34



Proposed side Elevation on Mutual Boundary with Number 34

Project Title: Proposed Extension Works 36 Kenmure Gardens G64 2BX	Title: Existing and proposed Side Elevations at Number 34	Drawing Number: EXT-36 Kenmure Gardens.005 Rev 03	Drawn by: Mark Sherlock	Scale at A3 1:100
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ENFORCEMENT NOTICE UNDER REFERENCE ED2026/0034/ENF

APPENDIX 2.

PLANNING PERMISSION REFUSED UNDER REFERENCE TP/ED/25/0279

Planning permission refused by the Council on 27 April 2026 under application reference TP/ED/25/0279 for retrospective amendment to Planning Permission TP/ED/20/0191 for a two-storey side extension, single storey rear extension, front porch and addition of rear dormer window to the dwellinghouse at 36 Kenmure Gardens, Bishopbriggs, G64 2BX.

The reasons for the Council's decision to refuse planning permission are contained within the Decision Notice issued under planning application reference TP/ED/25/0279:

1. Planning Permission Decision Notice – TP/ED/20/0191
2. Report of Handling

Plans detailing the proposed development as listed and identified by the Council as:

3. **PL07 PROPOSED SITE LAYOUT**
(Mark Sherlock, Drawing No.: EXT-36 Kenmure Gardens.001, Revision 'C' - 'Proposed Site Layout'),
4. **PL16 PROPOSED ROOF PLAN**
(Mark Sherlock, Drawing No.: EXT-36 Kenmure Gardens.009, Revision 'A' - 'Proposed Roof Plan'),
5. **PL13 PROPOSED GROUND FLOOR LAYOUT**
(Mark Sherlock, Drawing No.: EXT-36 Kenmure Gardens.005, Revision 'B' - 'Proposed Ground Floor Plan'),
6. **PL14 PROPOSED FIRST FLOOR LAYOUT**
(Mark Sherlock, Drawing No.: EXT-36 Kenmure Gardens.006, Rev 'B' - 'Proposed First Floor'),
7. **PL15 PROPOSED LOFT FLOOR LAYOUT**
(Mark Sherlock, Drawing No.: EXT-36 Kenmure Gardens.007, Revision 'B' - 'Proposed Loft Floor'),

8. **PL17 EXISTING AND PROPOSED FRONT AND REAR ELEVATIONS**
(Mark Sherlock, Drawing No.: EXT-36 Kenmure Gardens.003, Revision 'C' - 'Existing and Proposed Front and Rear Elevations'),
9. **PL18 EXISTING AND PROPOSED SIDE ELEVATIONS AT ACCESS LANE**
(Mark Sherlock, Drawing No.: EXT-36 Kenmure Gardens.004, Revision 'C' - 'Existing and Proposed Side Elevations at access lane'), and
10. **PL19 EXISTING AND PROPOSED SIDE ELEVATIONS AT 34 KENMURE GARDENS**
(Mark Sherlock, Drawing No.: EXT-36 Kenmure Gardens.008, Revision 'B' - 'Existing and Proposed Side Elevations at 34 Kenmure Gardens').

**REFUSAL OF AMENDMENT OF PLANNING PERMISSION CONSENT
NOTICE NO. TP/ED/25/0279**

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
AS AMENDED BY THE PLANNING ETC. (SCOTLAND) ACT 2006**

Applicant

Agent (if applicable)

Mr Mark Sherlock
36 Kenmure Gardens
Bishopbriggs
Glasgow
Scotland
G64 2BX

With reference to your application dated 8 May 2025 for consent to the following;

Retrospective amendment to planning consent TP/ED/20/0191 - two storey side extension, single storey rear extension, front porch and addition of rear dormer window

36 Kenmure Gardens, Bishopbriggs, East Dunbartonshire, G64 2BX

The East Dunbartonshire Council in exercise of their powers under the Acts and Orders hereby refuse the amendment of planning permission for the said development.

The reasons for the Council's decision are:-

1. The proposed dormer window by reason of its design, scale, height, form and mass represents an overly dominant, disproportionate, disharmonious and harmful addition to the host dwelling and the character and appearance of the area and in conflict with the overarching principles of good design in the East Dunbartonshire Local Development Plan 2 and National Planning Framework 4. This aspect of the development is therefore contrary to policies 1, 3 and 10 of the East Dunbartonshire Local Development Plan 2 and the guidance contained within the accompanying Design and Placemaking Supplementary Guidance (2022), together with National Planning Framework 4 policies 14 and 16.

The following documents make up the decided application and can be found by searching for TP/ED/25/0279 on the Council's Search Planning Application page (<http://planning.eastdunbarton.gov.uk/online-applications>):

PL01	APPLICATION
PL06	SITE LOCATION PLAN
PL07	PROPOSED SITE LAYOUT - REV C
PL16	PROPOSED ROOF PLAN
PL13	PROPOSED GROUND FLOOR LAYOUT
PL14	PROPOSED FIRST FLOOR LAYOUT
PL15	PROPOSED LOFT FLOOR LAYOUT
PL17	EXISTING AND PROPOSED ELEVATIONS - FRONT AND REAR
PL18	EXISTING AND PROPOSED SIDE ELEVATIONS AT ACCESS LANE
PL19	EXISTING AND PROPOSED SIDE ELEVATIONS AT NO 34

Dated 27 April 2026


Executive Officer of Land Planning and Development

(SEE OVER)

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
AS AMENDED

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or 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. The notice of review should be addressed to LocalReviewBody@eastdunbarton.gov.uk or, if email is unavailable, the Local Review Body, East Dunbartonshire Council, 12 Strathkelvin Place, Kirkintilloch, G66 1TJ.

A copy of the required Notice of Review Form is available online at www.eplanning.scot/ePlanningClient

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.

DEVELOPMENT QUALITY REPORT

Application Number: TP/ED/25/0279 Application Type: Amendment

Proposal Retrospective amendment to planning consent TP/ED/20/0191 - two storey side extension, single storey rear extension, front porch and addition of rear dormer window	Site 36 Kenmure Gardens Bishopbriggs East Dunbartonshire G64 2BX
Applicant Mr Mark Sherlock 36 Kenmure Gardens Bishopbriggs Glasgow Scotland G64 2BX	Agent
Date of Application 8 May 2025	Date of Validation 11 December 2025
Local Plan East Dunbartonshire Local Development Plan 2	Community Council Bishopbriggs Community Council
Ward Bishopbriggs South	Advert
Recommendation Refuse	Target Determination Date 10 February 2026 – Subject to stop the clock
Case Officer Kristie Hung 0300 1234510 Ext 3912	Decision Type Delegated Decision

DESCRIPTION

Retrospective amendment to planning consent TP/ED/20/0191 – two storey side extension, single storey rear extension, front porch and addition of rear dormer window.

SITE HISTORY

Planning Application: TP/ED/20/0191

Description: Erection of porch to front elevation, single storey rear extension and upper floor side extension.

Status: Granted

Decision Date: 25/08/2020

Planning Application: TP/ED/25/0310

Description: Retrospective permission for detached garden room

Status: Granted

Decision Date: 05/12/2025

POLICY CONTEXT

National Planning Framework 4 (NPF4) was formally adopted on 13th February 2023 and as such forms part of the development plan. The following policies are material to the assessment of this application:

Policy 1 - Tackling the climate and nature crises

Policy 13 - Sustainable Transport

Policy 14 - Design, quality and place

Policy 16 - Quality Homes

The application site lies within an area covered by the East Dunbartonshire Local Development Plan 2 (LDP2) approved November 2022 and is covered by the following policies:

Policy 1 - The East Dunbartonshire Development Strategy

Policy 3 - Bishopbriggs

Policy 10 - Design and Placemaking

Policy 11 - Transport

Policy 20 - Managing Waste

The following Council approved Guidance Notes are material policy considerations in the assessment of the application.

LDP Supplementary Guidance - Design and Placemaking - 2022

Sustainable Transport Planning Guidance - August 2022

REPRESENTATIONS

Number of Neighbours Notified:	22
Total Number of Contributors:	0
Number of Letters of Objections:	0
Number of Letters of Support:	0
Number of Letters of Representation (Neutral):	0

No representations have been received to the application.

DISCUSSION WITH APPLICANT

The Applicant was contacted in relation to the dormer window as its design, form and mass is considered to be harmful to the host property and the character and appearance of the area. The Applicant was advised that the scheme as presented and built could not be supported and was asked to remove the dormer window from the application. Amended plans were not forthcoming within the timeframe given. .

CONSULTATION

No consultations were required to determine the application.

ASSESSMENT

Section 25 of the Town and Country Planning (Scotland) Act 1997 states that all planning determinations should be made in accordance with the Statutory Development Plan, unless material considerations indicate otherwise. In this instance, the Statutory Development Plan consists of the National Planning Framework (NPF4, 2023) and East Dunbartonshire Local Development Plan 2 (LDP2, 2022). The Council's policy decisions and Supplementary Planning Guidance relevant to the application site are also material considerations for this application.

Application site

36 Kenmure Gardens is an end-terraced two storey dwelling located in an established residential area of Bishopbriggs. The immediate area comprises of two storey terraced dwellings of a similar design. There are a number of single and two storey side extensions and porch extensions in the vicinity. The property is located at the end of a row of terraced dwellings, with the rear elevations of properties along Pollock Drive facing the western side elevation of the property and its curtilage. The property is also bounded by a footpath along the western extent, providing rear access to dwellings along Pollock Drive and Kenmure Gardens. A 2 metre high horizontal timber fence has been erected along the western boundary and enclosing the rear garden area. Through previous planning enforcement discussions with the applicant, the fence within the front curtilage has been reduced in height to 1 metre to align with the requirements of Class 3E of the Town and Country (General Permitted Development) (Scotland) Order 1992 as amended.

A garden room has been erected within the rear garden area and has recently been granted retrospective planning consent under reference TP/ED/25/0310.

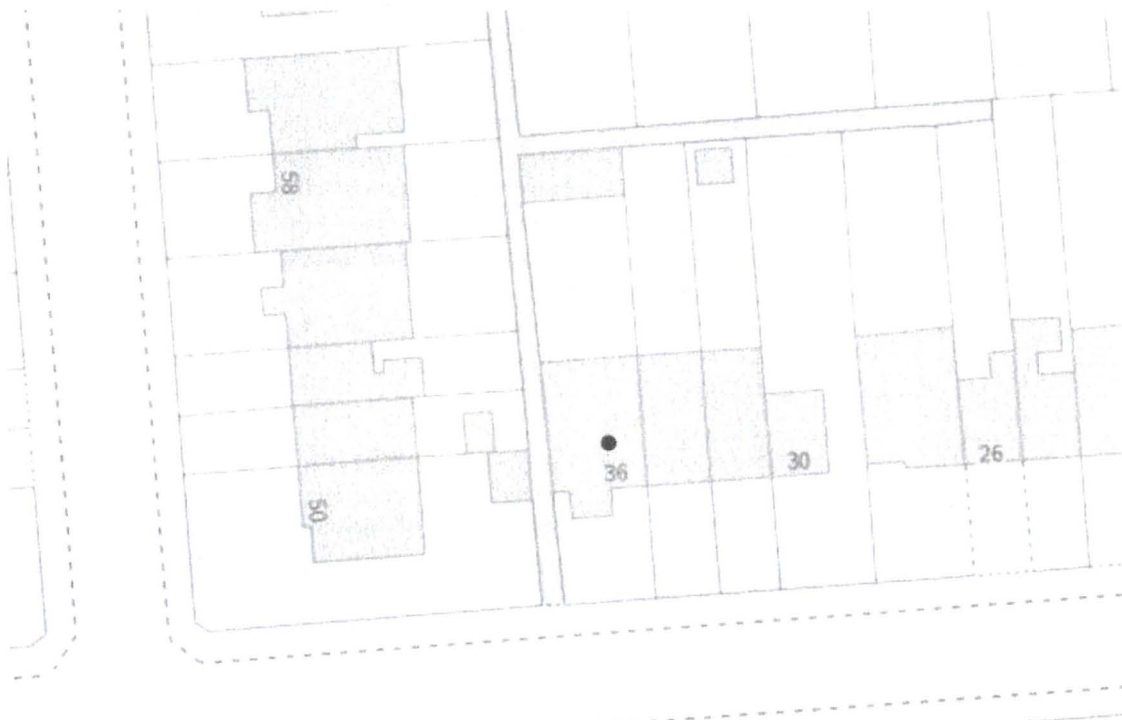


Image 1: Application site and context

Proposed development

This retrospective application seeks consent for a single storey rear extension, two storey side extension, alteration to the roof form of the existing dwelling, a front porch extension and a dormer window to the rear. The application being considered comprises an amendment to a previous application (TP/ED/20/0191) which was proposed for a porch to front elevation, single storey rear extension and upper

floor side extension. The amendments therefore sought include an increase to the footprint of the rear extension, change in roof configuration of the existing dwelling and the two storey side extension, a slight increase in the length of the front porch and the erection of a dormer window to the rear (in part facilitated by the change to the roof configuration of the host dwelling).

The installation of new windows and doors which are also proposed are considered to constitute permitted development under Class 2B of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 as amended and are therefore not considered within this assessment.

Impact upon the host property and the character and appearance of the area

NPF4 Policy 14 - Design, quality and place states that development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported.

NPF4 Policy 16 - Quality Homes (g) outlines that householder development proposals will be supported where they:

- i) Do not have a detrimental impact on the character or environmental quality of the home and the surrounding area in terms of size, design and materials; and
- ii) Do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking.

LDP2 Policy 1 - East Dunbartonshire Development Strategy aims to "*improve the quality of design in our places*" and LDP2 Policy 3 - Bishopbriggs re-states the design-led approach in terms of protecting and enhancing the land use assets which contribute to its sense of place (i.e. character and appearance).

LDP2 Policy 10 - Design and Placemaking requires that developments should be designed to ensure a positive impact on the character, function and amenity of the surrounding area. Local Development Plan Supplementary Guidance on Design and Placemaking requires extensions to be compatible with the amenity and character of the streetscape and not dominate the existing building by way of size, scale, proportions or design.

The Design and Placemaking Supplementary Guidance contains general advice for all types of extensions. Domestic extensions must be designed to respect the style of the main house and to preserve the privacy and amenities of adjacent premises. The scale, siting and materials of any proposal are therefore key considerations. Whether an extension is at the front, rear or side, it should be designed to be:

- o visually integrated with the existing building
- o sympathetic to its surrounding and adjacent properties
- o subservient in mass, scale and form to the existing property

The Design and Placemaking Supplementary Guidance in respect of dormer windows, requires that they should be positioned below the ridge line, unless they make a positive contribution to the street scene, they should be positioned within the hip of the roof and set back from the wall head. In addition, they must not dominate the existing roof in scale. The guidance also states that large flat roofed dormer windows will not normally be acceptable, that vertical faces of dormers should be finished in a material to match the existing roof and that they must not dominate the existing roof in scale and incorporate not less than 50% glass.

With regards to side extensions, the guidance advises that they should be set back a minimum of 250mm from the front wall of the existing house, to create a visual break between new and existing, thereby retaining the form and dominance of the main house. Side extensions must also be set below the main ridgeline, unless the proposal makes a positive contribution to the street scene.

Finally, with regards to rear extensions, the guidance advises that they must not extend more than 4 metres down a shared boundary to the rear of the property. The visual and amenity impact of the extension on the neighbouring property should be considered.

Each aspect of the development as proposed, and as built given the application seeks retrospective consent, is considered in turn below.

Dormer window

The dormer window to the rear appears as a box like structure that has been inserted within the rear roofplane. It is positioned 300mm from the ridge and projects 3 metres from the roof. Although the dormer is positioned below the ridge line, within the hip of the roof and set back from the wall head, it is a prominent addition that substantially alters the roof form and the aesthetic of the property. Moreover, the window which has been inserted only occupies 15% glass within the vertical face of the dormer and this does not comply with the guidance. Finishing material of the face and cheeks of the dormer include anthracite vertical cladding and therefore does not match the existing roof tiles which also does not comply with the guidance.



Image 2: Rear of property as built

The scale and design of the dormer is considered to dominate the existing roof and therefore results in a detrimental visual impact upon the dwelling itself, as well as the row of terraced properties to which the host dwelling is attached. This is in part emphasised by the two storey scale of the host dwelling, resulting in the dormer addition being particularly prominent.

The character of the area is residential in nature and it is acknowledged that properties will generally be altered to reflect the changing needs of the occupiers, and this is reflected by a number of single and two storey extensions. However there are a very limited number of rear dormer windows in the area, and of these none adopt the form proposed. Dormer windows therefore do not form part of the established character within the surrounding streetscene or wider residential area. The dormer window is therefore considered to dominate the property and wider terraced block. It is considered to be out of keeping with the established character of the property, terraced block and wider streetscene.

Alterations to the existing roof form and addition of the two storey side extension

The roof form of the existing property has been altered from a hipped roof to a gable pitch. Considered in isolation, this results in a negative impact upon the visual appearance of the property resulting from the unbalanced design when considering the established character of the terraced block. However, the design of the side extension, the roof of which is hipped, does in effect somewhat soften the impact of the alteration to the main dwelling. .

Whilst this type of design is generally not supported due to the change in roof form of the original dwelling which forms part of an established row of terraced dwellings, the impact upon the character of the property and the wider row of terraced dwellings is not considered to be significantly detrimental. It is of the view that this alteration to the roof form of the dwelling, and the accompanying roof design of the side extension could, on balance, be justified in this instance.

In respect of the design of the two storey side extension, it projects to the west by c. 3.2 metres and extends along the full side elevation of the dwelling, connecting to the single storey rear extension at ground floor level. A horizontal emphasis window is inserted within the front elevation at first floor level, with the front porch straddling the side extension and existing front elevation of the property at ground floor level. Whilst the design and placement of the first floor window does not match those existing, it is not considered to result in significant harm to the character of the property or wider streetscene. A window has been inserted at ground floor level within the western side elevation to serve a utility room and obscure glazing has been utilised. Two new windows have been inserted into the rear elevation at first floor level to serve bedrooms. Whilst the shape and position of these differs from the original dwelling, they offer a balanced glazing solution when viewed from the rear and do not result in any adverse impact upon its character.

The scale and mass of the side extension is not considered to result in significant adverse harm to the character of the original dwelling, nor the wider streetscene. Consideration has been given to the way in which the design of the extension interacts with the alteration to the roof form of the property and, on balance, this is considered to be acceptable in this particular instance.

Single storey rear extension

The single storey rear extension protrudes 4 metres from the rear elevation of the property, which is an additional 2 metres from the original consent. The extension extends along the full width of the property and the side extension and as a result is located immediately adjacent to the boundary with No. 34 Kenmure Gardens to the east and west boundary. A set of three large glazed sliding doors have been inserted within the rear elevation of the extension fronting the private rear garden area.

The projection of 4 metres does not comply with the guidance as the property forms part of a terraced row of properties for which projections are limited to 3 metres. The purpose of this restriction is to limit impact upon neighbouring/ adjoining properties for which potential for adverse impact is generally increased due to the lack of separation between dwellings. It is acknowledged that an extension of 4 metres in depth exists at the adjoining dwelling at 34 Kenmure Gardens, however it is noted that this extension does not benefit from planning permission and it is surmised that this was built at the same time evidenced by the build where there is no separation between properties and having referred to building warrant records.

Whilst the adjacent property does not benefit from planning permission for this addition, the existence of the extension to the rear limits the impact upon this dwelling nonetheless. The scale and design of the extension in the context of the existing dwelling is considered to be of a subservient scale, mass and form to the existing property. Whilst the extension is not set off the shared boundary to the east and west, it is considered to be of a scale which would not result in a significant adverse impact upon the enjoyment of neighbouring dwellings.

Overall, the rear extension would not significantly detract from the character and setting of the surrounding street scene nor the host property and therefore it is considered, on balance, to be acceptable in this instance.

Front porch

The proposed porch has a footprint of 6.5 square metres, which is 1.8 metres larger than the original consented porch. The porch has a mono-pitched roof, with entrance door centrally positioned within the principal elevation. In terms of position, it straddles the front elevation of the original dwelling and that of the side extension. It is considered that the slight increase in size of the porch is acceptable and would not result in an adverse visual impact to the host dwelling, the wider streetscene and surrounding area.

Overall Assessment

The extent of development at No. 36 Kenmure Gardens is considerable. Whilst, on balance, the change to roof form, two storey side extension, rear extension and front porch can be considered acceptable in respect of the relevant policies and guidance, the dormer window as built is considered to result in a

significant adverse impact upon the property and wider terraced block. The dormer window dominates the host property and fails to respect the fundamentals of quality of design or proportion sought within the LDP2, the Design and Placemaking Supplementary Guidance and NPF4 and represents poor design that has a substantially harmful impact on the character and appearance of the host property and the wider context. This aspect of the proposed development is therefore contrary to policies 14 and 16 to NPF4; LDP2 policies 1, 3 and 10.

Car Parking and Access

Local Development Plan 2 policies and associated guidance notes require that roads and parking standards should be met and that the garden ground should be commensurate with the surrounding area.

Garden Ground: There is approximately 110 square metres of private rear garden ground remaining which is commensurate with properties within the surrounding area.

Parking: The Council's Road Layout and Design and Parking Standards requires that dwellings subject to development should retain off-street parking proportionate to the number of bedrooms or potential bedrooms within it. In this regard, the proposed development results in an additional two bedrooms within the property, with a total of 5 bedrooms or potential bedrooms. The parking standards set out that a property of 4 or more bedrooms is required to provide three parking spaces. The proposed site plan sets out that three parking spaces are provided within the front garden area. Therefore the parking provision is considered to be acceptable in this case..

Overall, the development is considered acceptable in respect of parking provision and road safety.

Residential Amenity

The development plan policies and Supplementary Guidance - Design and Placemaking require that residential amenity will be strongly protected.

As detailed in Supplementary Guidance - Design and Placemaking, the Council will carefully examine the implications of development proposals to ensure that a reasonable measure of daylight reaches the windows of residential properties and that appropriate sunlight levels are available in garden areas.

In regard to daylight and sunlight, a 45 degree daylight/sunlight assessment was conducted. This test shows that the proposed development would not result in a significant adverse impact upon the neighbouring windows within the rear elevation of No. 34 Kenmure Gardens given the extension to this property. It is therefore considered that the proposal would not result in the loss of significant amounts of sunlight to neighbouring garden ground or daylight to neighbouring windows.

In terms of overlooking and privacy, the proposed development has to be carefully considered in relation to the layout of properties. The porch, side extension and rear extension do not introduce fenestration that would result in any material harm to neighbouring dwellings in terms of overlooking or loss of privacy. The proposal does however introduce a dormer window to the rear roofplane that is positioned considerably above existing fenestration. The new window serves a bathroom, and therefore it is considered there would be no significant overlooking/privacy issues from this window as it is obscurely glazed. It is considered that the overall works do not raise any significant privacy or overlooking issues for the neighbouring properties.

Overall, the proposal is considered to be in line with the provisions of Supplementary Guidance - Design and Placemaking in relation to residential amenity and Policy 16 of NPF4.

Conclusion

Having considered each element of the development as built, as well as the overall impact of the development, it is considered that, on balance, the alteration to the existing roof form, two storey side extension, front porch and rear extension, do not result in a significant adverse impact upon the established streetscene and therefore are acceptable.

However, with regard to the dormer window, it is considered by reason of its design, scale, height, form and mass to represent an overly dominant, disproportionate and disharmonious addition to the host dwelling and the character and appearance of the area and in conflict with the overarching principles of good design in LDP2 and NPF4. This aspect of the proposed development is therefore contrary to NPF4 policies 14, and 16, policies 1, 3, and 10 of the LDP2 and the Design and Placemaking Supplementary Guidance. It is therefore recommended that planning permission be refused.

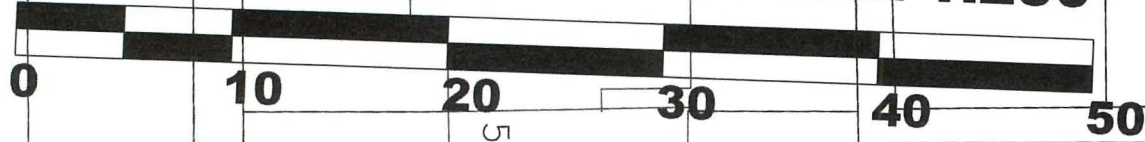
RECOMMENDATION

Refuse.

Reason(s):

1. The proposed dormer window by reason of its design, scale, height, form and mass represents an overly dominant, disproportionate, disharmonious and harmful addition to the host dwelling and the character and appearance of the area and in conflict with the overarching principles of good design in the East Dunbartonshire Local Development Plan 2 and National Planning Framework 4. This aspect of the development is therefore contrary to policies 1, 3 and 10 of the East Dunbartonshire Local Development Plan 2 and the guidance contained within the accompanying Design and Placemaking Supplementary Guidance (2022), together with National Planning Framework 4 policies 14 and 16.

SCALE BAR 1:250



POLLOK DRIVE

Rear Garden

Communal Lane

- Proposed Alteration from flat roof to lean pitched roof
- Proposed Dormer with skylight
- Proposed 2 storey extension. Ridge set down and in from existing.
- Proposed Front Porch extension
- Proposed Front garden Area altered to accomodate for 4 car parking spaces

Kenmure Gardens

Project Title:
Proposed Extension Works
36 Kenmure Gardens
G64 2BX

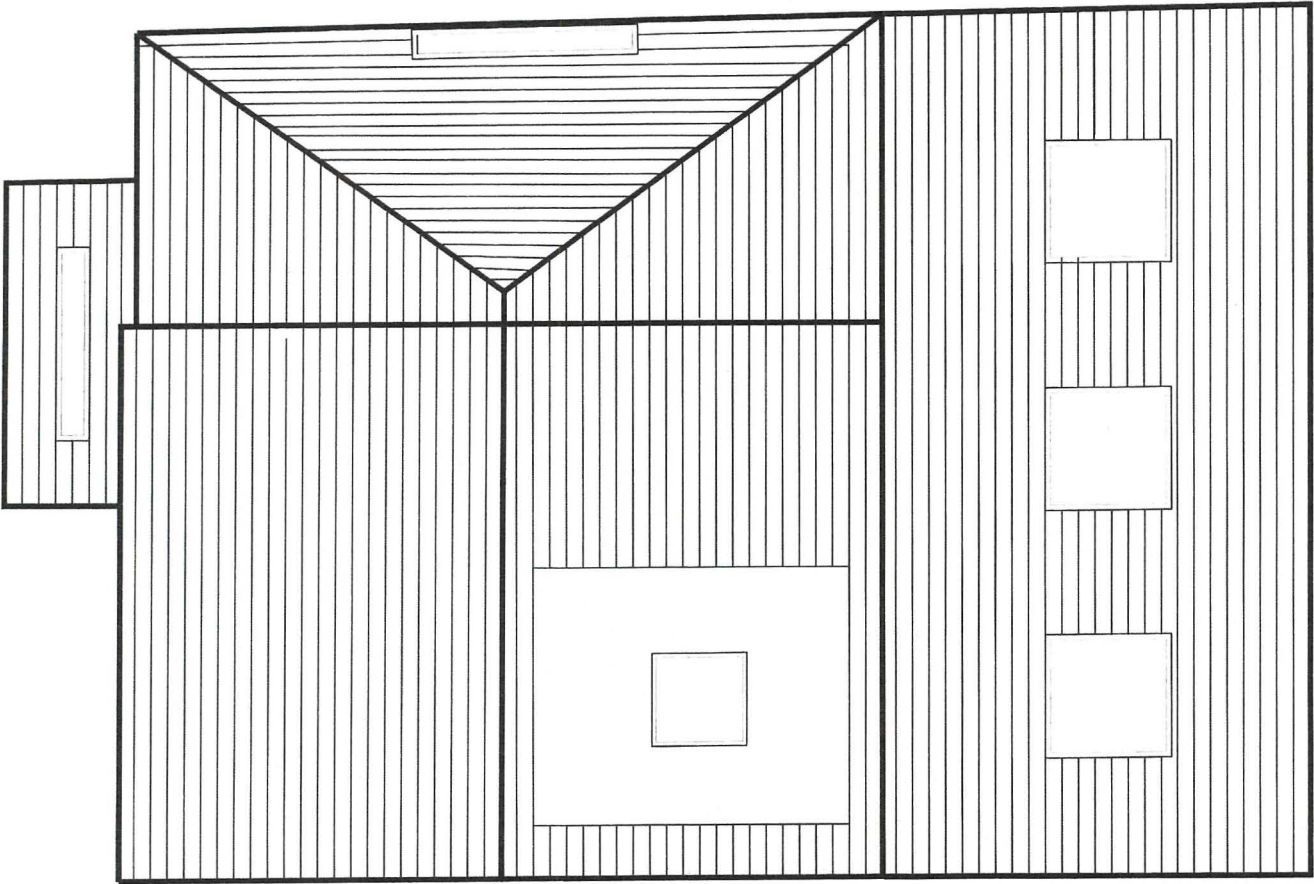
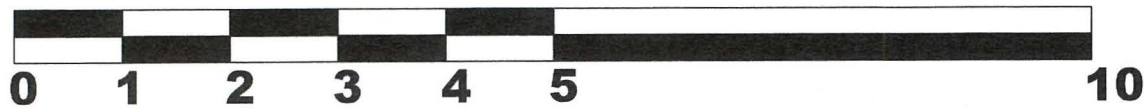
Title:
Proposed Site Layout

Drawing Number:
EXT-36 Kenmure Gardens.001
Rev C - 24-05-2025

Drawn by:
Mark Sherlock

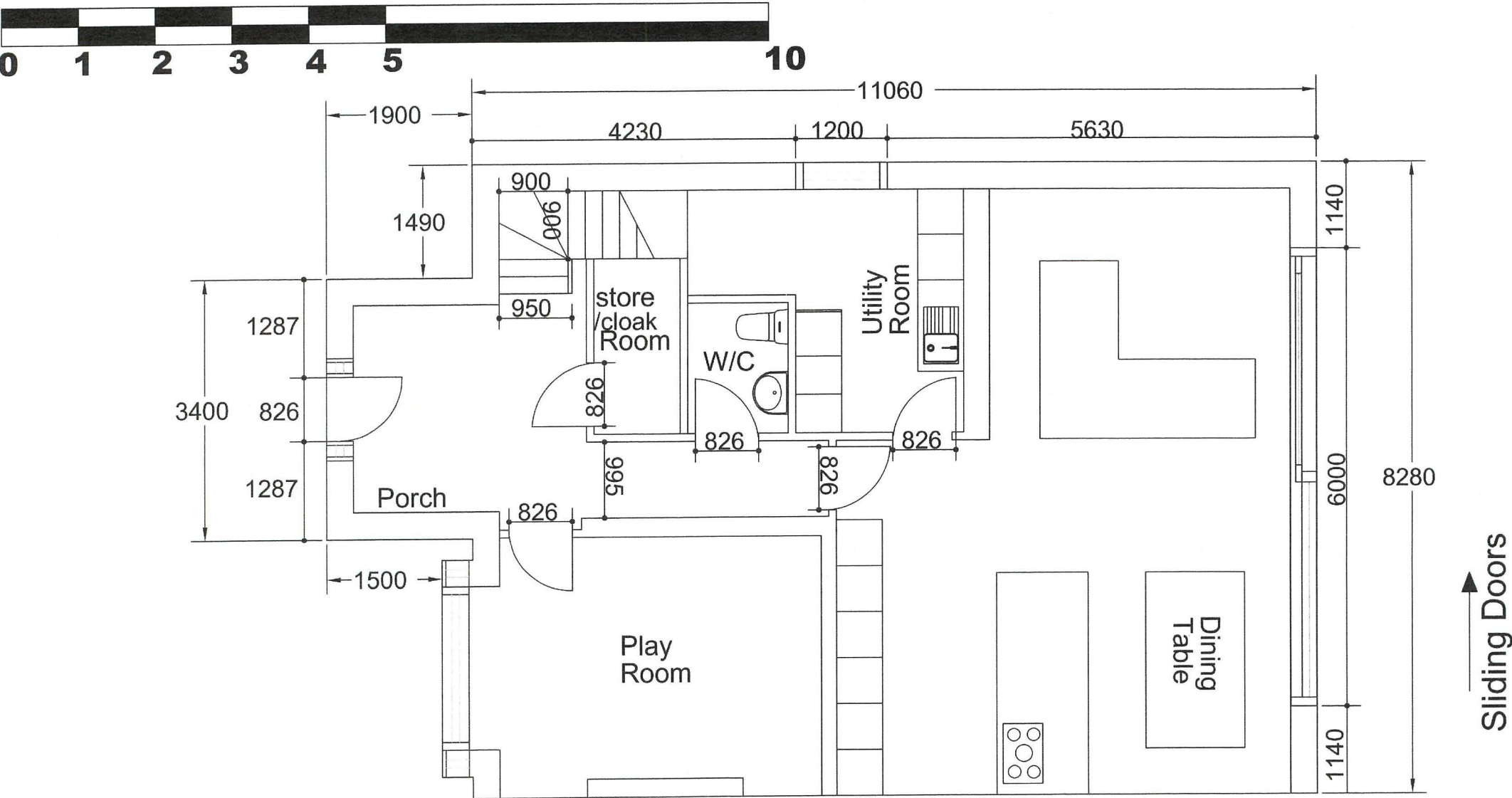
Scale at A3
1:250

SCALE BAR 1:50



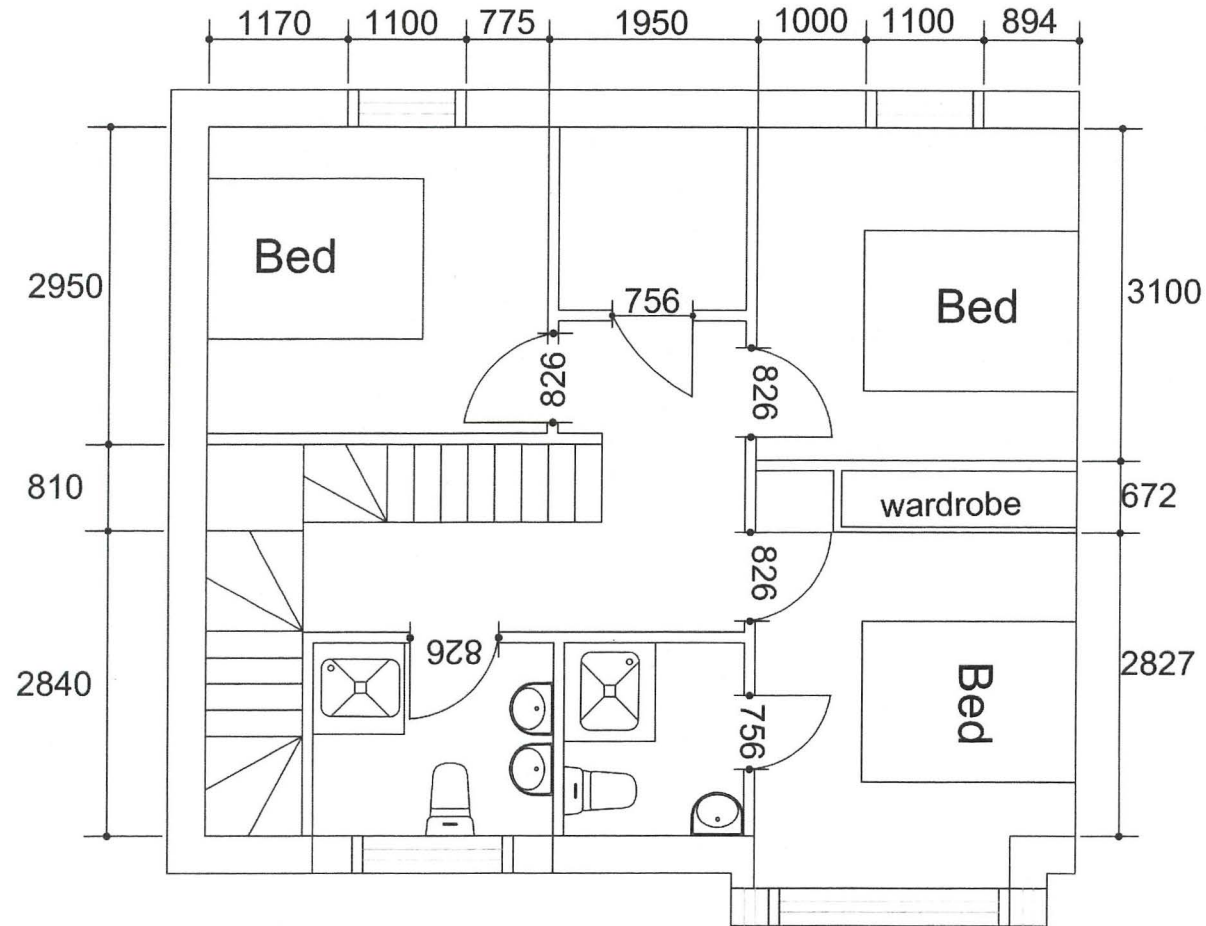
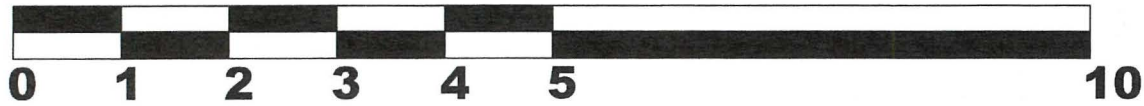
Project Title: Proposed Extension Works 36 Kenmure Gardens G64 2BX	Title: Proposed Roof Plan	Drawing Number: EXT-36 Kenmure Gardens.009 Rev A - 01-12-2025	Drawn by: Mark Sherlock	Scale at A3 1:50
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SCALE BAR 1:50



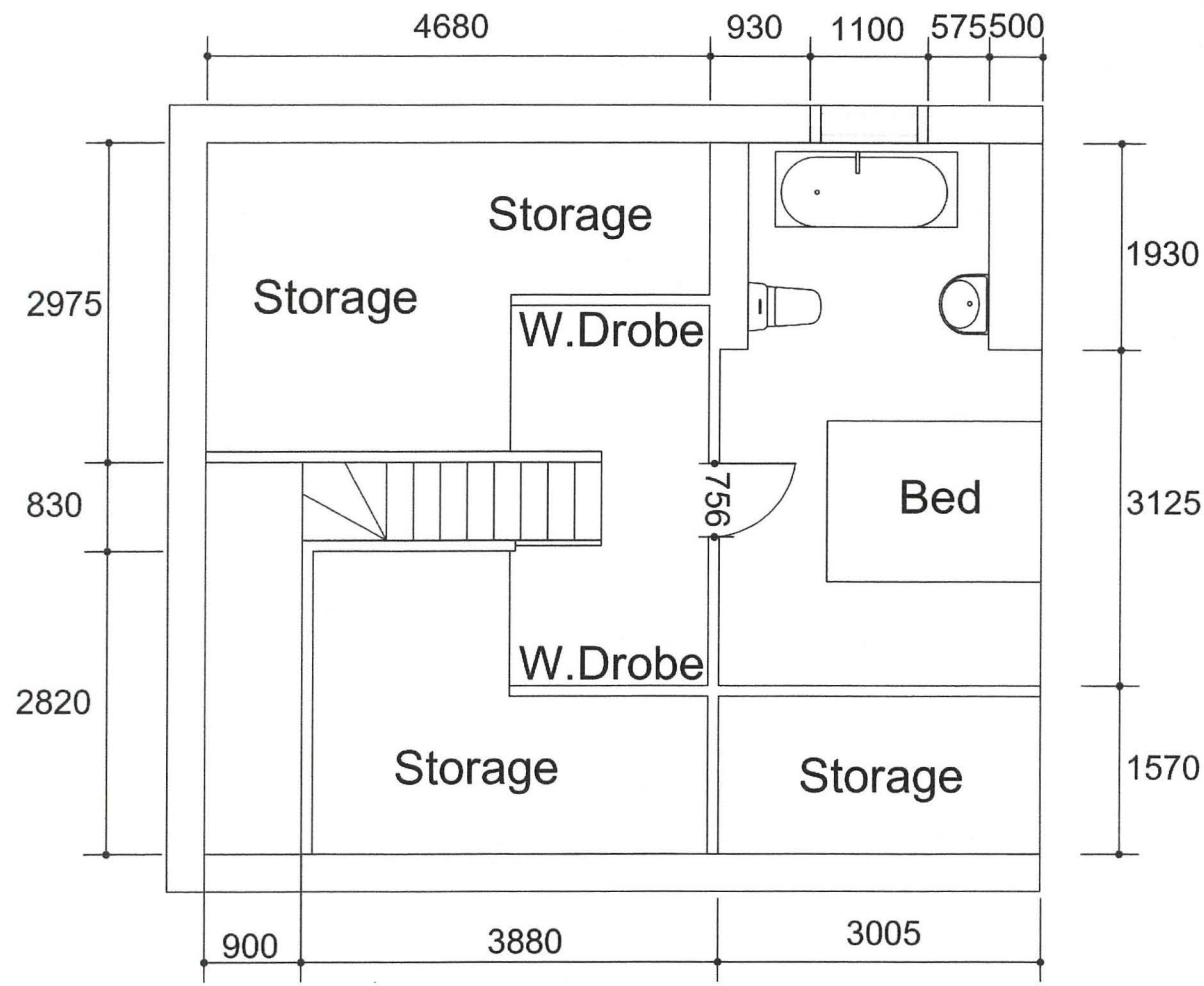
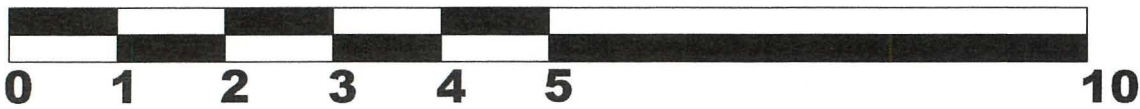
Project Title: Proposed Extension Works 36 Kenmure Gardens G64 2BX	Title: Proposed Ground Floor Plan	Drawing Number: EXT-36 Kenmure Gardens.005 Rev B - 24-05-2025	Drawn by: Mark Sherlock	Scale at A3 1:50
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SCALE BAR 1:50



Project Title: Proposed Extension Works 36 Kenmure Gardens G64 2BX	Title: Proposed First Floor	Drawing Number: EXT-36 Kenmure Gardens.006 Rev B 24-05-2025	Drawn by: Mark Sherlock	Scale at A3 1:50
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SCALE BAR 1:50



Project Title: Proposed Extension Works 36 Kenmure Gardens G64 2BX	Title: Proposed Loft Floor	Drawing Number: EXT-36 Kenmure Gardens.007 Rev B 24-05-2025	Drawn by: Mark Sherlock	Scale at A3 1:50
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PL 17 EXISTING AND PROPOSED ELEVATIONS - FRONT AND REAR.



Existing Front Elevation



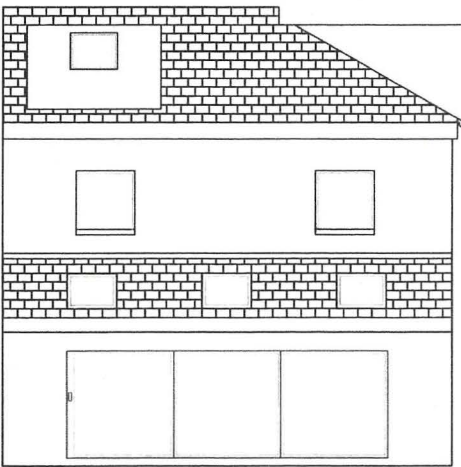
Existing Rear Elevation

Ridge Set Below
Existing



Proposed Front Elevation

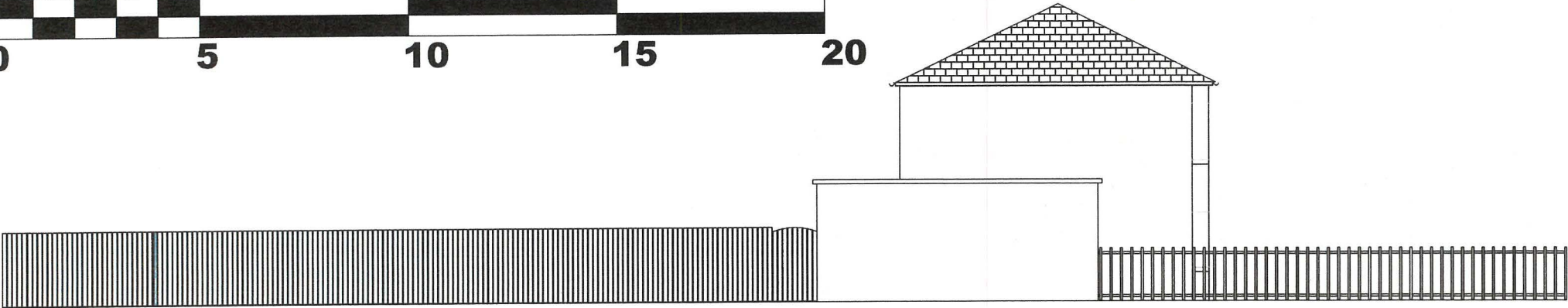
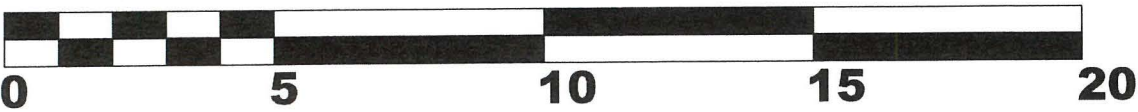
Ridge Set Below
Existing



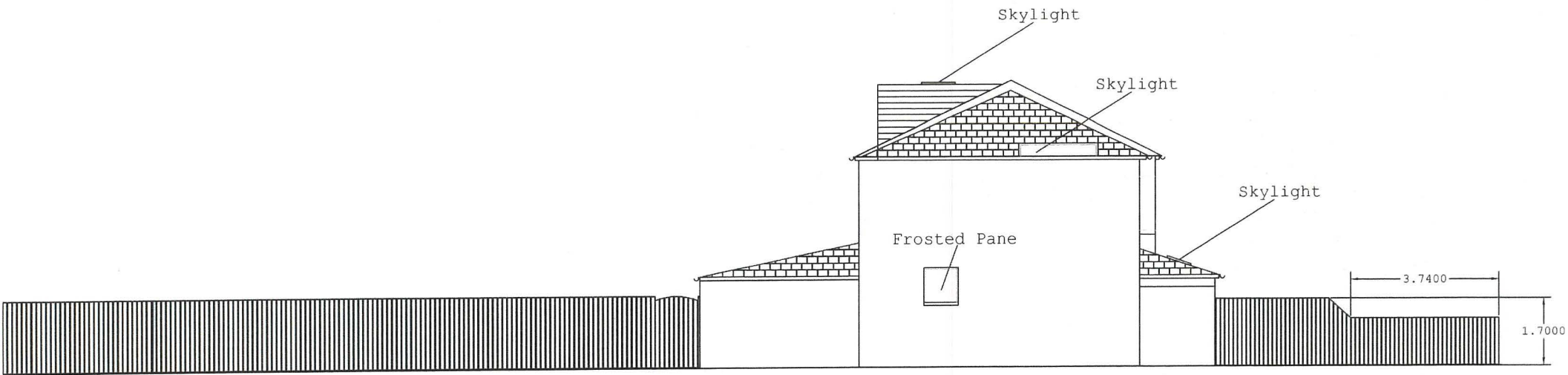
Proposed Rear Elevation

Project Title: Proposed Extension Works 36 Kenmure Gardens G64 2BX	Title: Existing and proposed Elevations - Front and Rear	Drawing Number: EXT-36 Kenmure Gardens.003 Rev C - 24-05-2025	Drawn by: Mark Sherlock	Scale at A3 1:100
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SCALE BAR 1:100



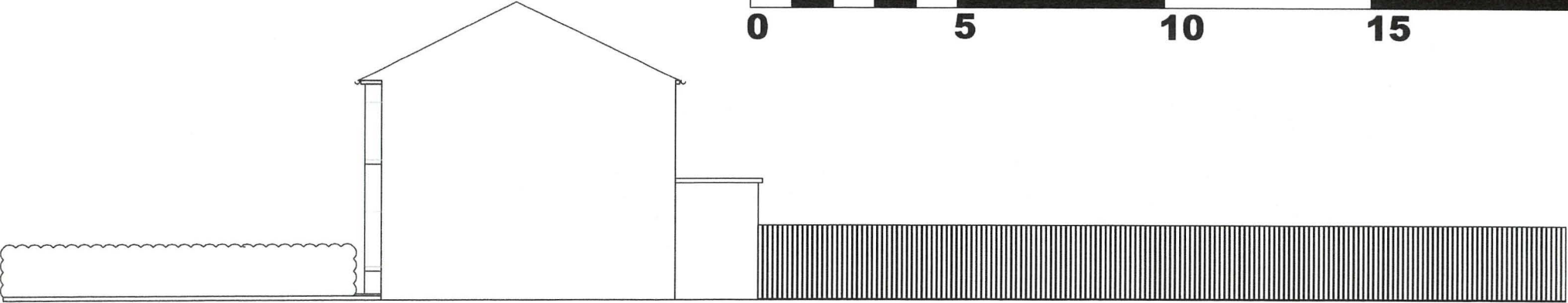
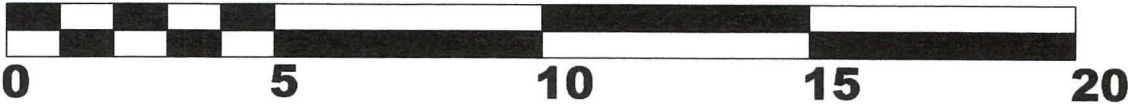
Existing side Elevation at access lane



Proposed side Elevation at Access Lane

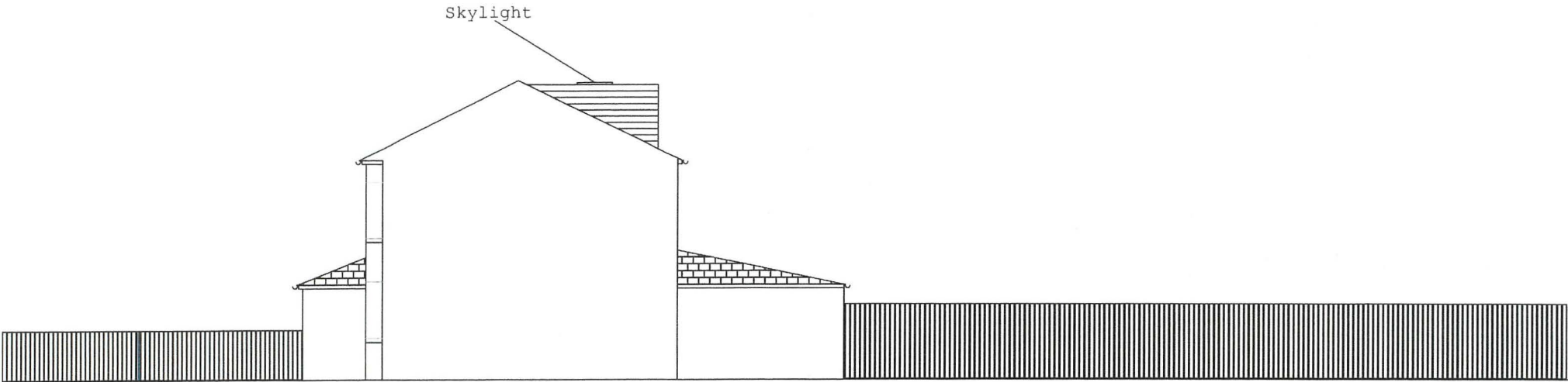
Project Title: Proposed Extension Works 36 Kenmure Gardens G64 2BX	Title: Existing and proposed Side Elevations at access lane	Drawing Number: EXT-36 Kenmure Gardens.004 Rev C - 24-05-2025	Drawn by: Mark Sherlock	Scale at A3 1:100
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SCALE BAR 1:100



Existing side Elevation at Mutual Boundary with Number 34

Skylight



Proposed side Elevation on Mutual Boundary with Number 34

Project Title: Proposed Extension Works 36 Kenmure Gardens G64 2BX	Title: Existing and proposed Side Elevations at No.34	Drawing Number: EXT-36 Kenmure Gardens.008 Rev B - 24-05-2025	Drawn by: Mark Sherlock	Scale at A3 1:100
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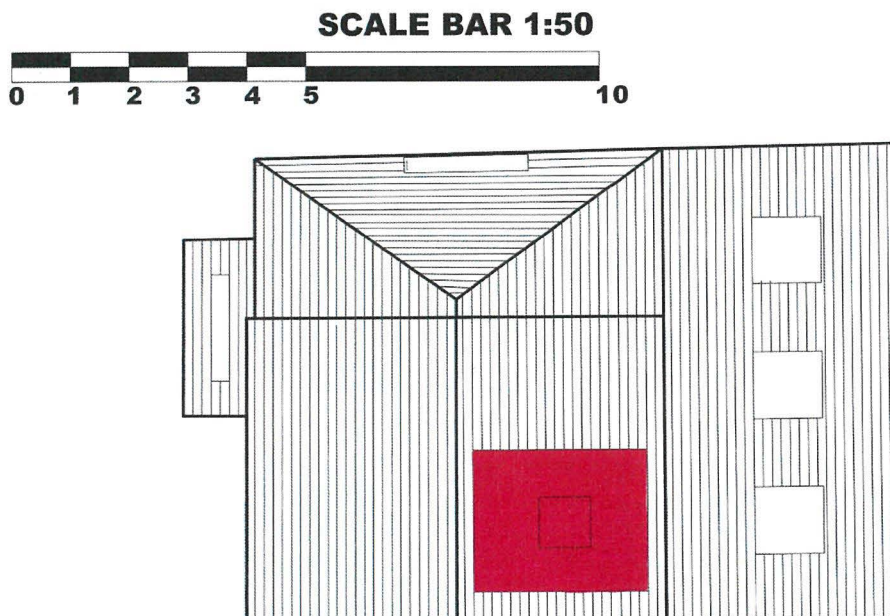
ENFORCEMENT NOTICE UNDER REFERENCE ED2026/0034/ENF

APPENDIX 3.

WHAT YOU ARE REQUIRED TO DO UNDER STEP 1. 'ROOF WORKS'

Step 1.

Remove the entire unauthorised flat-roofed dormer window from the rear roof slope of the end-terraced house as shown outlined and coloured in red in full accordance with the drawings identified below.



Project Title: Proposed Extension Works 36 Kenmure Gardens G64 2BX	Title: Proposed Roof Plan	Drawing Number: EXT-36 Kenmure Gardens.009 Rev A - 01-12-2025	Drawn by: Mark Sherlock	Scale at A3 1:50
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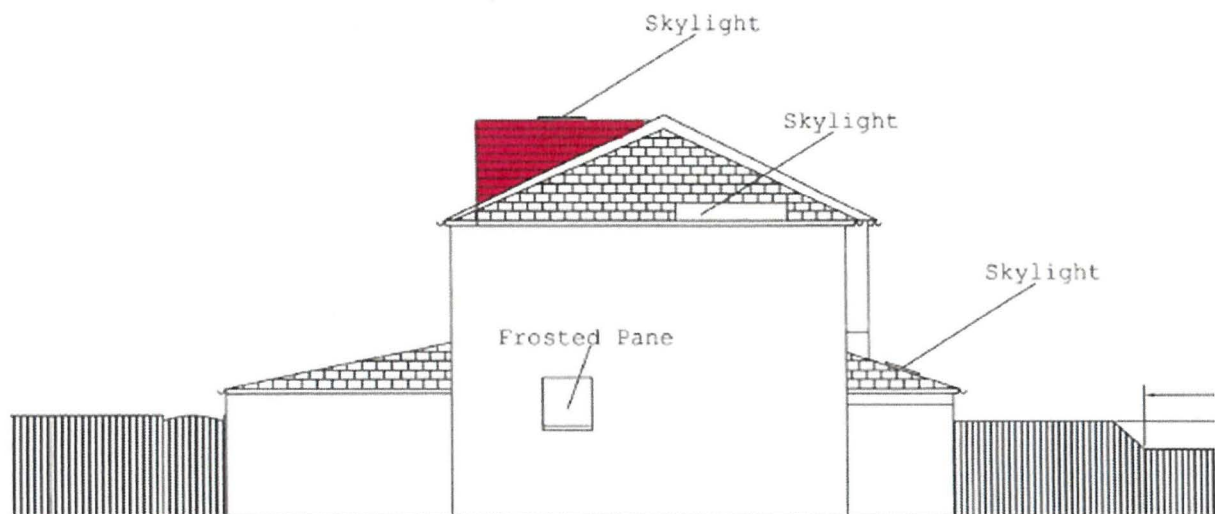
DRAWING No.: PL16 PROPOSED ROOF PLAN - REFUSAL OF PLANNING PERMISSION UNDER REFERENCE TP/ED/25/0279.

(Mark Sherlock, Drawing No.: EX1-36 Kenmure Gardens.009, Revision 'A' - 'Proposed Roof Plan'),



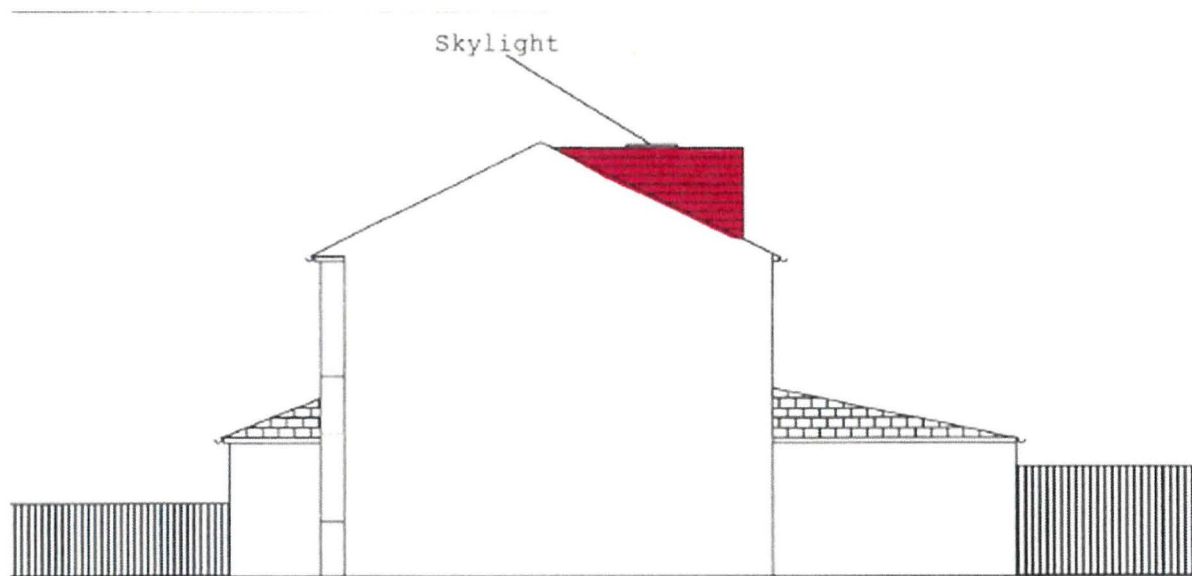
EXTRACT FROM DRAWING No.: PL17 PROPOSED REAR ELEVATION - REFUSAL OF PLANNING PERMISSION UNDER REFERENCE TP/ED/25/0279.

(Mark Sherlock, Drawing No.: EXT-36 Kenmure Gardens.003, Revision 'C' - 'Existing and Proposed Front and Rear Elevations').



EXTRACT FROM DRAWING No.: PL18 PROPOSED SIDE ELEVATION AT ACCESS LANE - REFUSAL OF PLANNING PERMISSION UNDER REFERENCE TP/ED/25/0279.

(Mark Sherlock, Drawing No.: EXT-36 Kenmure Gardens.004, Revision 'C' - 'Existing and Proposed Side Elevations at access lane'),



Proposed side Elevation on Mutual Boundary with Number 34

EXTRACT FROM DRAWING No.: PL19 PROPOSED SIDE ELEVATION AT 34 KENMURE GARDENS - REFUSAL OF PLANNING PERMISSION UNDER REFERENCE TP/ED/25/0279.

(Mark Sherlock, Drawing No.: EXT-36 Kenmure Gardens.008, Revision 'B' - 'Existing and Proposed Side Elevations at 34 Kenmure Gardens).



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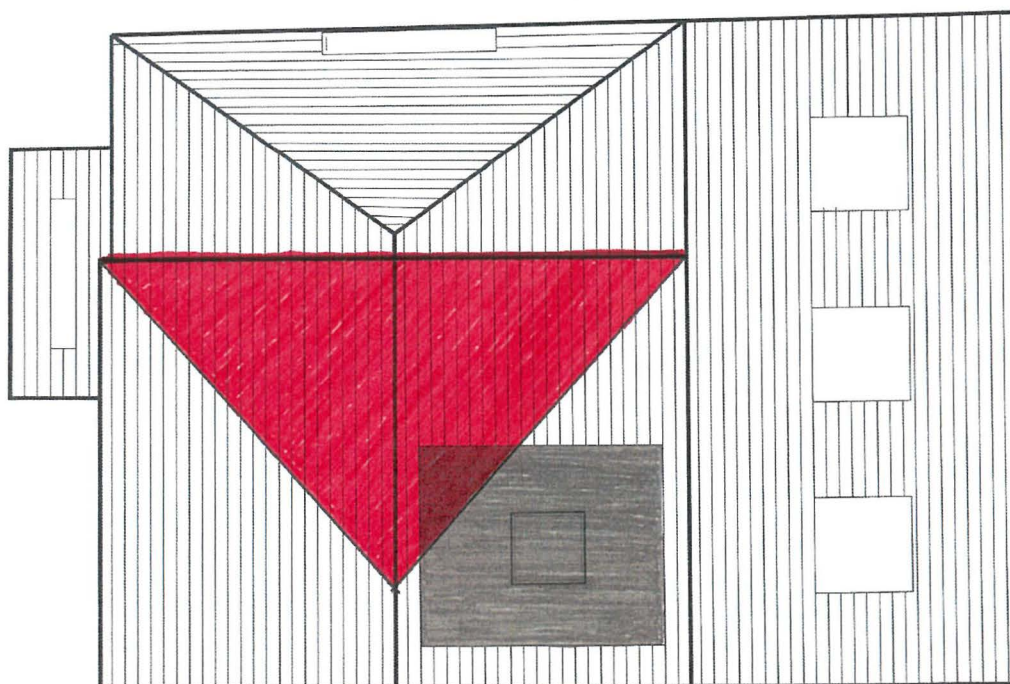
ENFORCEMENT NOTICE UNDER REFERENCE ED2026/0034/ENF

APPENDIX 4.

WHAT YOU ARE REQUIRED TO DO UNDER STEP 2. 'ROOF WORKS'

Step 2.

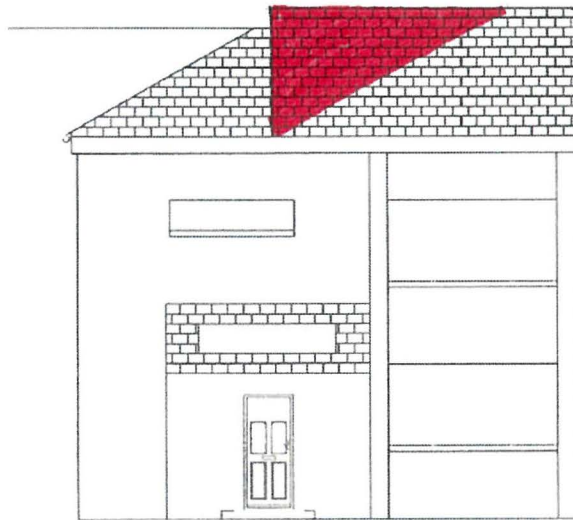
Remove the unauthorised single gable wall built above the first-floor ceiling level and the unauthorised duo pitched roof structure of the end-terraced house as shown coloured red in full accordance with the drawings identified below.



DRAWING No.: PL16 PROPOSED ROOF PLAN - REFUSAL OF PLANNING PERMISSION UNDER REFERENCE TP/ED/25/0279.

(Mark Sherlock, Drawing No.: EXT-36 Kenmure Gardens.009, Revision 'A' - 'Proposed Roof Plan'),

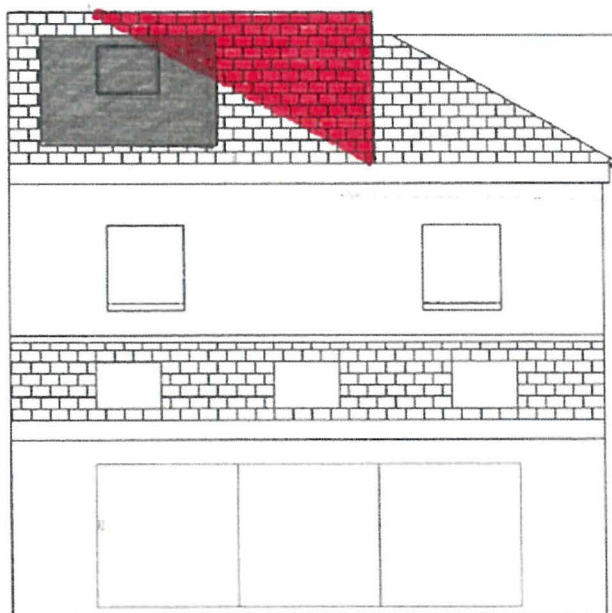
REMOVE SINGLE
GABLE WALL &
DUO PITCHED ROOF
STRUCTURE TO ENABLE
REINSTATEMENT OF
HIPPED ROOF SLOPE.



Proposed Front Elevation

EXTRACT FROM DRAWING No.: PL17 PROPOSED FRONT ELEVATION - REFUSAL OF PLANNING PERMISSION UNDER REFERENCE TP/ED/25/0279.

(Mark Sherlock, Drawing No.: EXT-36 Kenmure Gardens.003, Revision 'C' - 'Existing and Proposed Front and Rear Elevations').



Proposed Rear Elevation

REMOVE SINGLE
GABLE WALL &
DUO PITCHED ROOF
STRUCTURE TO ENABLE
REINSTATEMENT OF
HIPPED ROOF SLOPE.

EXTRACT FROM DRAWING No.: PL18 PROPOSED SIDE ELEVATION AT ACCESS LANE - REFUSAL OF PLANNING PERMISSION UNDER REFERENCE TP/ED/25/0279.

(Mark Sherlock, Drawing No.: EXT-36 Kenmure Gardens.004, Revision 'C' - 'Existing and Proposed Side Elevations at access lane').



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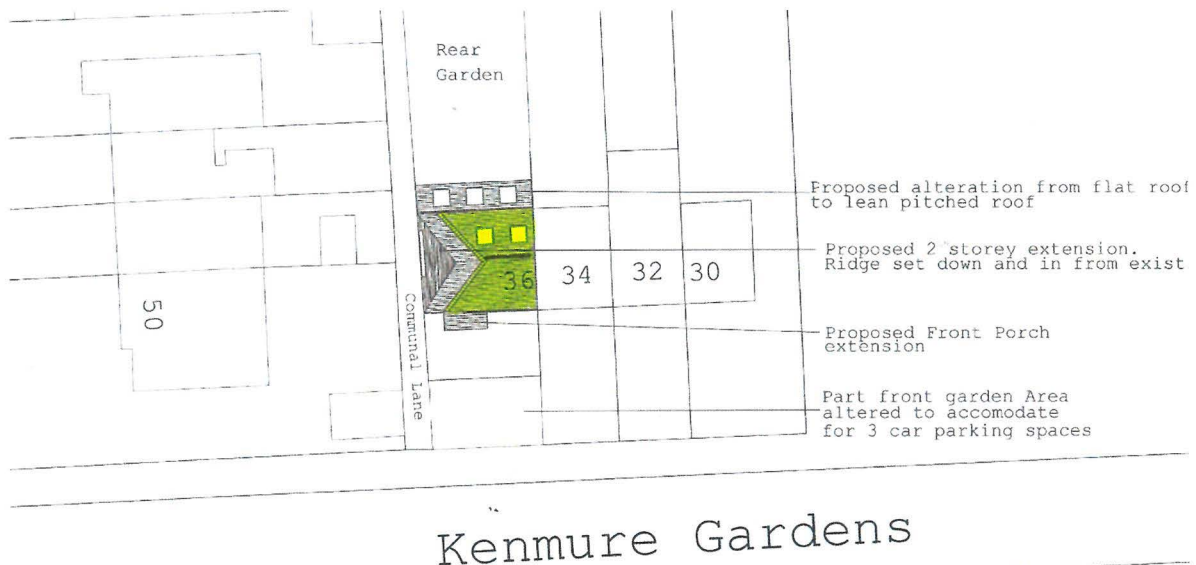
ENFORCEMENT NOTICE UNDER REFERENCE ED2026/0034/ENF

APPENDIX 5.

WHAT YOU ARE REQUIRED TO DO UNDER STEP 3. 'ROOF WORKS'

Step 3.

Reinstate the original hipped roof design of the end-terraced house as shown coloured in yellow in full accordance with the drawings identified below.

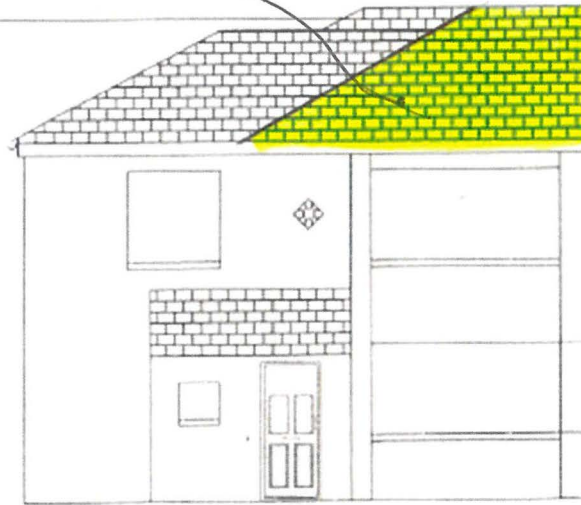


Project Title: Proposed Extension Works 36 Kenmure Gardens 364 2BX	Title: Proposed Site Layout	Drawing Number: EXT-36 Kenmure Gardens.002 Rev 03	Drawn by: Mark Sherlock	Scale at A3 1:250
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DRAWING No.: PL22 PROPOSED SITE LAYOUT - GRANT OF PLANNING PERMISSION UNDER REFERENCE TP/ED/20/0191.

(Mark Sherlock, Drawing No.: EXT-36 Kenmure Gardens.002, Revision '03' - 'Proposed Site Layout').

REINSTATE HIPPED
ROOF DESIGN.

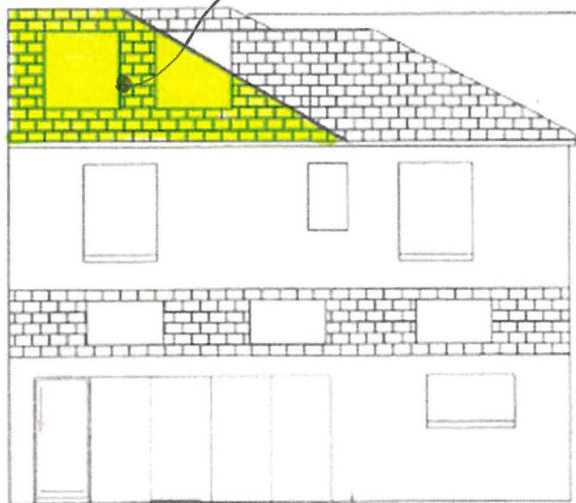


Proposed Front Elevation

EXTRACT FROM DRAWING No.: PL25 PROPOSED FRONT ELEVATION - GRANT OF PLANNING PERMISSION UNDER REFERENCE TP/ED/20/0191.

(Mark Sherlock, Drawing No.: EXT-36 Kenmure Gardens.003, Revision '03' - 'Existing and Proposed Front and Rear Elevations').

REINSTATE HIPPED ROOF
DESIGN.



Proposed Rear Elevation

EXTRACT FROM DRAWING No.: PL25 PROPOSED REAR ELEVATION - GRANT OF PLANNING PERMISSION UNDER REFERENCE TP/ED/20/0191.

(Mark Sherlock, Drawing No.: EXT-36 Kenmure Gardens.003, Revision '03' - 'Existing and Proposed Front and Rear Elevations').



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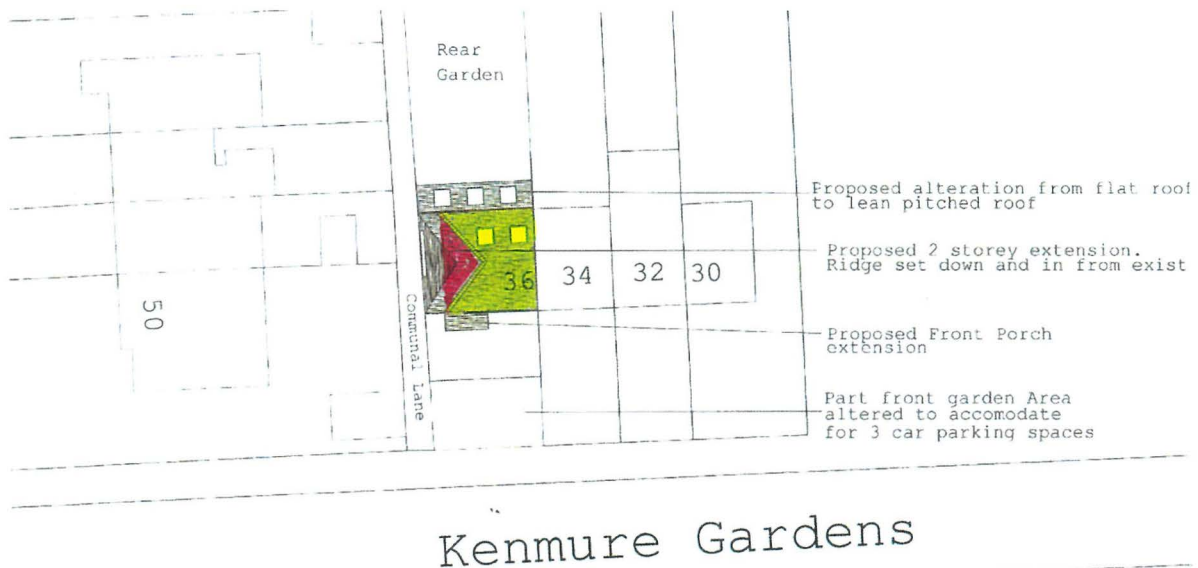
ENFORCEMENT NOTICE UNDER REFERENCE ED2026/0034/ENF

APPENDIX 6.

WHAT YOU ARE REQUIRED TO DO UNDER STEP 4. 'ROOF WORKS'

Step 4.

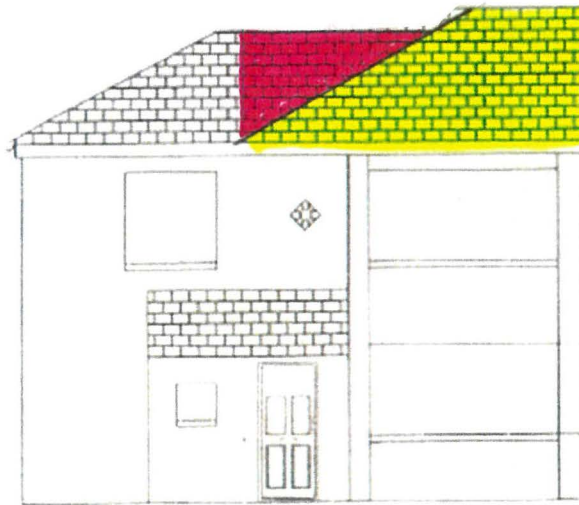
Alter and extend the hipped roof of the first-floor side extension to connect back into the reinstated hipped roof design of the end-terraced house as shown coloured red in full accordance with the drawings identified below..



Project Title: Proposed Extension Works 36 Kenmure Gardens 364 2BX	Title: Proposed Site Layout	Drawing Number: EXT-36 Kenmure Gardens.002 Rev 03	Drawn by: Mark Sherlock	Scale at A3 1:250
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DRAWING No.: PL22 PROPOSED SITE LAYOUT - GRANT OF PLANNING PERMISSION UNDER REFERENCE TP/ED/20/0191.

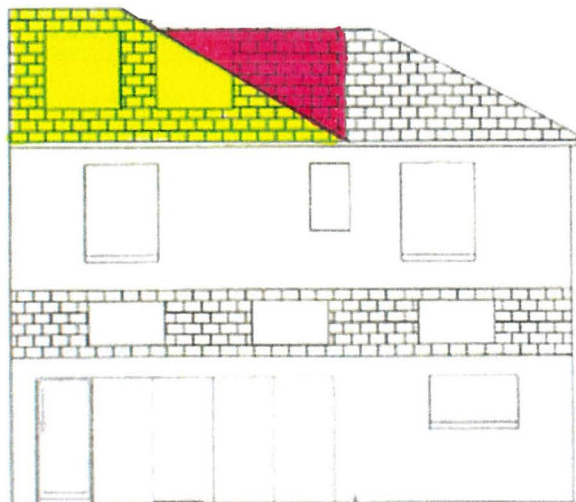
(Mark Sherlock, Drawing No.: EXT-36 Kenmure Gardens.002, Revision '03' - 'Proposed Site Layout').



Proposed Front Elevation

EXTRACT FROM DRAWING No.: PL25 PROPOSED FRONT ELEVATION - GRANT OF PLANNING PERMISSION UNDER REFERENCE TP/ED/20/0191.

(Mark Sherlock, Drawing No.: EXT-36 Kenmure Gardens.003, Revision '03' - 'Existing and Proposed Front and Rear Elevations').



Proposed Rear Elevation

EXTRACT FROM DRAWING No.: PL25 PROPOSED REAR ELEVATION - GRANT OF PLANNING PERMISSION UNDER REFERENCE TP/ED/20/0191.

(Mark Sherlock, Drawing No.: EXT-36 Kenmure Gardens.003, Revision '03' - 'Existing and Proposed Front and Rear Elevations').



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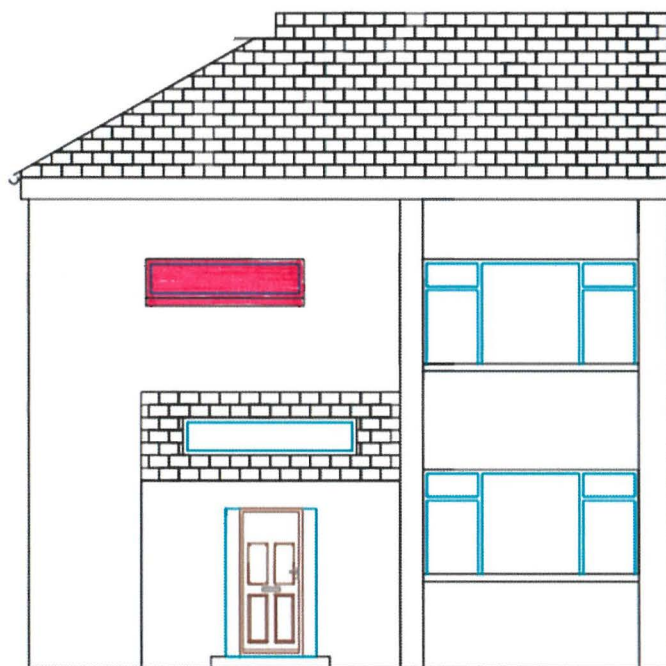
ENFORCEMENT NOTICE UNDER REFERENCE ED2026/0034/ENF

APPENDIX 7.

WHAT YOU ARE REQUIRED TO DO UNDER STEP 5. 'WINDOWS'

Step 5.

Remove the horizontally emphasised window and cill from within the front elevation of the first-floor extension to the side of the end-terraced house as shown coloured red in full accordance with the drawing identified below.



Proposed Front Elevation

EXTRACT FROM DRAWING No.: PL17 PROPOSED REAR ELEVATION - REFUSAL OF PLANNING PERMISSION UNDER REFERENCE TP/ED/25/0279.

(Mark Sherlock, Drawing No.: EXT-36 Kenmure Gardens.003, Revision 'C' - 'Existing and Proposed Front and Rear Elevations').

Upon completion of the above works, alter the height of the window opening to accommodate a replacement window and cill as shown coloured yellow in full accordance with the drawing identified below.



Proposed Front Elevation

EXTRACT FROM DRAWING No.: PL25 PROPOSED FRONT ELEVATION - GRANT OF PLANNING PERMISSION UNDER REFERENCE TP/ED/20/0191.

(Mark Sherlock, Drawing No.: EXT-36 Kenmure Gardens.003, Revision '03' - 'Existing and Proposed Front and Rear Elevations').

Notice Supplement Sheet

CASE UPDATE: 10 AUGUST 2026

Reference Number: ED2026/0034/ENF

Site Address: 36 Kenmure Gardens, Bishopbriggs, East Dunbartonshire,
G64 2BX

Type of Notice Served: Enforcement Notice

Details of the Breach: Without planning permission, the change in design of the dwellinghouse roof from hipped to gabled duo pitched roof and the construction of a flat roofed dormer window within its rear roof of the dwellinghouse.

Requirements of the Notice:

ROOF WORKS

Step 1. Remove the entire unauthorised flat-roofed dormer window from the rear roof slope of the end-terraced house as shown outlined and coloured in red in full accordance with the drawings identified in Appendix 3. annexed to the Notice.

Time for Compliance: Within 40 weeks from the date the notice takes effect.

Step 2. Remove the unauthorised single gable wall built above the first-floor ceiling level and the unauthorised duo pitched roof structure of the end-terraced house as shown coloured red in full accordance with the drawings identified in Appendix 4. annexed to the Notice.

Time for Compliance: Within 40 weeks from the date the notice takes effect.

Step 3. Reinstate the original hipped roof design of the end-terraced house in full accordance with the drawings identified in Appendix 5. annexed to the Notice with all ridge tiles, hip tiles and roof tiles to be of the same profile

and colour as those of the original roof of the end-terraced house.

Time for Compliance: Within 40 weeks from the date the notice takes effect.

- Step 4. Alter and extend the hipped roof of the first-floor side extension to connect back into the reinstated hipped roof design of the end-terraced house as shown coloured red in full accordance with the drawings in Appendix 6. annexed to the Notice with all ridge tiles, hip tiles and roof tiles to be of the same profile and colour as those of the original roof of the end-terraced house.

Time for Compliance: Within 40 weeks from the date the notice takes effect.

WINDOWS

- Step 5. Remove the horizontally emphasised window and cill from within the front elevation of the first-floor extension to the side of the end-terraced house as shown coloured red and alter the height of that window opening to accommodate a replacement window of the appropriate height as shown coloured yellow on the approved drawing identified as PL25 PROPOSED FRONT ELEVATION of the planning permission granted under TP/ED/20/0191. All in full accordance with the drawings identified in Appendix 7. annexed to the Notice.

Time for Compliance: Within 40 weeks from the date the notice takes effect.

GENERAL

- Step 6. Permanently remove from the site all associated surplus salvageable materials, arising from compliance with each of the requirements identified in Steps 1. to 5. above.

Time for Compliance: Within 40 weeks from the date the notice takes effect.

- Step 7. Permanently remove from the site to an authorised place of disposal all associated debris and rubble, arising from

compliance with each of the requirements identified in Steps 1. to 5. above.

Time for Compliance: Within 40 weeks from the date the notice takes effect.

Date of Service: 26 May 2026

Date the Notice Comes into Effect: Monday, 29 June 2026

Information on the Postponement Date of the Notice: Appeal lodged on 31 May 2026.

Enforcement Notice Appeal Reference: ENA-200-2012

Ground(s) of Appeal: The appeal was made on grounds (b) and (c) of section 130(1) of the Town and Country Planning (Scotland) Act 1997, as amended.

(b) the matters stated in the notice to involve a breach of planning control have not occurred., and

(c) the matters stated in the notice (if they occurred) do not constitute a breach of planning control.

Appeal Decision Target Date: 14 September 2026

Appeal Decision:

Date of Appeal Decision:

Date Notice Varied:

Details of Variation(s):

Date Notice Withdrawn:

Date Requirements of Notice Fully Complied With: