

MINUTE
of
LOCAL REVIEW BODY

Minute of Meeting held at 2.30pm in the Council Chamber, Council Headquarters, Giffnock on 4 September 2019.

Present:

Councillor Annette Ireland (Chair)
Councillor Angela Convery

Provost Jim Fletcher
Councillor Jim Swift

Councillor Ireland in the Chair

Attending:

Graham Shankland, Principal Strategy Officer (Regulatory and Strategy) (Planning Adviser); Gerry Mahon, Chief Officer - Legal and Procurement (Legal Adviser); and Paul O'Neil, Committee Services Officer (Clerk).

Apologies:

Councillors Betty Cunningham (Vice Chair), Jim McLean, and Stewart Miller.

DECLARATIONS OF INTEREST

998. There were no declarations of interest intimated.

NOTICE OF REVIEW – REVIEW 2019/11 – ERECTION OF RAISED DECKING AT REAR (IN RETROSPECT) AT 14 DUNGLASS PLACE, NEWTON MEARNS (REF NO: 2019/0043/TP)

999. The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Ms K Lawson, against the decision taken by officers to refuse planning permission in respect of raised decking at rear (in retrospect) at 14 Dunglass Place, Newton Mearns.

The decision had been made in accordance with the Council's Scheme of Delegation made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997 as amended.

In accordance with the decision taken at the meeting on 10 August 2016, the Local Review Body had carried out an unaccompanied site inspection of the application site immediately prior to the meeting.

The Local Review Body was advised that the applicant had submitted new evidence which was not before the Appointed Officer at the time the determination of the application was made.

At this stage, a copy of an e-mail of 24 July that the applicant had sent to the Local Review Body but had not been received was tabled. This document provided an explanation as to why the new information had not been submitted to the Appointed Officer at the time the determination of the application was made. Details of the procedure that required to be followed should the new information be taken into account were explained to the Local Review Body.

At this stage, the Local Review Body decided not to give consideration to the new information in the determination of the review.

The Local Review Body, having considered the information previously circulated, agreed that it had sufficient information to determine the review without further procedure, this being subject to the inclusion of an e-mail of 13 August that the applicant had sent to the Local Review Body but had not been received, a copy of which was tabled. This document outlined the applicant's response to the further representations she had received from an interested party in respect of her review case.

Following discussion, Councillor Ireland, seconded by Councillor Convery, moved to uphold the decision of the Appointed Officer as set out in the decision notice of 10 April 2019 and refuse planning permission.

Councillor Swift, seconded by Provost Fletcher, moved as an amendment to overturn the decision of the Appointed Officer as detailed in the decision notice of 10 April 2019 and grant planning permission.

On a vote being taken, 2 Members voted for the motion and 2 Members voted for the amendment. There being an equality of votes cast, in accordance with Standing Order 32(c) the Chair had a casting vote which she cast in favour of the motion.

The motion was accordingly declared carried and it was agreed to uphold the decision of the Appointed Officer as set out in the decision notice of 10 April 2019 and refuse planning permission.

NOTICE OF REVIEW – REVIEW 2019/12 – ERECTION OF SINGLE STOREY REAR EXTENSION WITH RAISED PLATFORM; INSTALLATION OF DORMER WINDOWS AT FRONT AND REAR AT 5 EDZELL DRIVE, NEWTON MEARNS (REF NO: 2019/0172/TP)

1000. The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Ms J Raeside against the decision taken by officers to refuse planning permission in respect of the erection of a single storey rear extension with raised platform; installation of dormer windows at front and rear at 5 Edzell Drive, Newton Mearns.

The decision had been made in accordance with the Council's Scheme of Delegation made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997 as amended.

In accordance with the decision taken at the meeting on 10 August 2016, the Local Review Body had carried out an unaccompanied site inspection of the application site immediately prior to the meeting.

Having been advised that the applicant had submitted new evidence which was not before the Appointed Officer at the time the determination of the application was made and having noted the procedure that required to be followed should the new information be taken into

account, the Local Review Body decided not to give consideration to the new information in the determination of the review.

The Local Review Body, having considered the information previously circulated, agreed that it had sufficient information to determine the review without further procedure.

Following discussion, it was agreed that the decision of the Appointed Officer as set out in the decision notice of 17 May 2019 be overturned and that planning permission be granted.

CHAIR

