

**MINUTE**  
**of**  
**PLANNING APPLICATIONS COMMITTEE**

**Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Giffnock on 16 January 2019.**

**Present:**

Councillor Annette Ireland (Chair)  
Councillor Betty Cunningham (Vice Chair)  
Councillor Angela Convery  
Provost Jim Fletcher

Councillor Jim McLean  
Councillor Stewart Miller  
Councillor Jim Swift

Councillor Ireland in the Chair

**Attending:**

Sean McDaid, Principal Planner; and Derek Scott, Planner, Development Management; Colin Hutton, Senior Communications Officer; Eamonn Daly, Democratic Services Manager and Liona Allison, Assistant Committee Services Officer.

**DECLARATIONS OF INTEREST**

**750.** There were no declarations of interest intimated.

**APPLICATIONS FOR PLANNING PERMISSION**

**751.** The committee considered reports by the Director of Environment, on applications for planning permission requiring consideration by the committee.

The committee agreed that the applications be determined as indicated at Appendix 1 accompanying this Minute, particular reference being made to the following:-

- (i) 2018/0551/TP – Installation of three ground based telecommunications cabinets at site opposite 1-1A Polnoon Street, Eaglesham (in retrospect)

The Principal Planner summarised the assessment of the proposed development and indicated that officers were recommending that the application be approved, subject to the conditions detailed in the report.

Having referred to the decision taken by the committee on 14 February 2018 to refuse permission for 2 cabinets on the same site on the grounds that the proposal was contrary to policies D1 and D11, Councillor McLean informed the committee that he had been in discussions with both Morrisons Utility Services and BT Openreach regarding the location of the cabinets. During those discussions it had been suggested and agreed that the cabinets could

be moved further up the street nearer the bus stop. However he had subsequently been advised that it would not be possible to change the proposed location. He expressed disappointment that the applicant appeared to be disregarding the previous decision the committee had made in respect of cabinets on the site.

Councillor Cunningham supported by other Members expressed concern that this was not the first retrospective application submitted by this company and suggested that they be advised that this was not acceptable practice.

Provost Fletcher having supported the concerns raised by Councillor Cunningham, Councillor Swift sought clarification from the Principal Planner as to what action could be taken to have the cabinets removed as there was no planning permission in place. In reply, the Principal Planner indicated that as the application was of a retrospective nature, the committee could authorise enforcement action to have the cabinets removed if the application was refused. He further clarified in response to Councillor Convery that were the committee to refuse the application and agree to take enforcement action, that action could not specify where the cabinets should be located once removed.

Councillor Ireland stated that although the cabinets were not far from the original site they were in her view more intrusive and so therefore she shared the concerns that had been expressed by the other Members and stated that in her opinion, the proposed development was contrary to Policies D1 and D11 of the adopted East Renfrewshire Local Development Plan and that the application should be refused.

Following further discussion in the course of which the possibility of taking enforcement action in the event the application was refused was again raised, the committee agreed:-

- (a) that the application be refused on the grounds that the development was contrary to Policies D1 and D11 of the adopted East Renfrewshire Local Development Plan as the position and appearance of the cabinets had an adverse visual impact on the Conservation Area with a resultant loss of character and amenity to the surrounding area; and
  - (b) that enforcement action be taken to remove the cabinets.
- (ii) 2018/0619/TP – Erection of nursery school with link corridor to primary school and erection of plant room, bin store and cycle/pram shelter; and extension to car parking area at Eaglesham Primary School, 25 Strathaven Road, Eaglesham

The Principal Planner summarised the assessment of the proposed development and indicated that officers were recommending that the application be approved, subject to the conditions detailed in the report.

Councillor McLean highlighted that there were ongoing issues with the parking at Eaglesham Primary School and raised concerns that the new nursery proposal could potentially cause further disruption. He highlighted that Police Scotland were also investigating the ongoing traffic issues at the school.

In reply, the Principal Planner informed the committee that the number of parking spaces would increase from the current 43 spaces to 91 spaces including 5 disabled spaces.

Councillor Ireland having welcomed the proposed new pedestrian crossing, Councillor Swift praised the Education Department for taking account of concerns raised by the Parent/Teacher Council.

Provost Fletcher having been heard on the need generally for additional nursery provision in the East Renfrewshire area, and Councillor Swift remind the committee that they had to assess any proposals before them in terms of the development plan, the committee agreed that the application be approved, subject to the conditions detailed in the report.

(iii) 2018/0620/TP – Erection of nursery school, plant room and cycle/pram shelter; and extension to car parking area at Busby Primary School, 23 Church Road, Busby

The Principal Planner summarised the assessment of the proposed development and indicated that officers were recommending that the application be approved, subject to the conditions detailed in the report.

Councillor Miller was heard at length on the proposals in the course of which he highlighted that the plan contained within the report did not accurately reflect the land use position as it did not show the multi-use games area (MUGA) that had been installed, the play equipment at the front of the school or the access ramp leading to the extension. He suggested that when these areas were excluded from the total area of open space available the remaining amount of open space per pupil would be below the 9.3sqm as set out in the School Premises Regulations 1967 (as amended).

Having further raised concerns that sportscotland had not been consulted, Councillor Miller referred to the comments in the report about drainage at the site suggesting that this had only become an issue in recent years due to the lack of adequate drainage being maintained. He also challenged the claim that the field was not available for public use giving recent examples of public access. In addition, referring to the reasons given for locating the nursery next to the school he suggested that many of the children attending the nursery would go on to other primary schools in the area and so the location next to the school was not critical. He also challenged the view that the proposal would not have any impact on landscape or nature conservation.

Having acknowledged the need for additional nursery places in the area, Councillor Miller suggested that the Council should be working in collaboration with private providers removing the need for additional facilities such as the one being proposed.

In reply, the Principal Planner highlighted the criteria set out in The Town and Country Planning (Development Management Procedure)(Scotland) Regulations 2013 and explained that in view of these there was no requirement to consult sportscotland on the proposals.

Provost Fletcher sought clarification of whether approving the proposals if approved would be in breach of any of the Council's planning policies in response to which, making specific reference to whether or not the proposal was contrary to policies on urban greenspace, the Principal Planner explained that the loss of greenspace was conditional on certain criteria being met in Policy D5; that officers had assessed the proposals against these criteria and were satisfied on balance that the proposal complied with the policy. The assessment of the proposal also indicated that the proposal also complied with the other relevant policies.

Councillor McLean having indicated that the need to provide additional provision needed to be balanced against the wishes of local communities, Councillor Swift highlighted that educational outcomes were not only about examination success rates and that access to outdoor space was also important. He noted that the proposed site had been used as a football pitch as recently as 2017, and suggested that the proposal was at least contrary to policy D1 of the local plan.

Both Councillor Miller and Councillor Swift highlighted that there were three other potential sites that could be considered, however, Councillor Ireland reminded them that the committee could only consider the application that was before them.

At this stage, Councillor Ireland, seconded by Councillor Cunningham, moved that the application be approved, subject to the conditions detailed in the report.

Councillor Miller, seconded by Councillor McLean, moved as an amendment that the application be refused on the grounds that it was contrary to Policies D1, D2 and D5 of the local plan.

On a vote being taken, 4 Members voted for the motion and 3 voted for the amendment. The motion was accordingly declared carried and it was agreed that the application be approved, subject to the conditions detailed in the report.

CHAIR

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997  
AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006  
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) (SCOTLAND) ACT 1997**

Index of applications under the above acts decided by the Planning Applications Committee on  
16th January 2019.

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**Reference No:** 2018/0551/TP

**Ward:** 5

**Applicant:**

Morrison Utility Services  
Alexander Bain House  
James Watt Street  
Glasgow  
Scotland  
G2 8LA

**Agent:**

CATSURVEYS LTD  
The Stable  
Codham Hall Lane  
Brentwood  
Essex  
CM13 3JT

**Site:** Opposite 1-1A Polnoon Street, Eaglesham, East Renfrewshire

**Description:** Installation of three ground based telecommunications cabinets (in retrospect)

**Decision:** Refused

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**Reference No:** 2018/0619/TP

**Ward:** 5

**Applicant:**

Director of Education  
East Renfrewshire Council  
211 Main Street  
Barrhead  
UK  
G78 1SY

**Agent:**

JM Architects  
50 Bell St  
Glasgow  
United Kingdom  
G1 1LQ

**Site:** Eaglesham Primary School, 25 Strathaven Road, Eaglesham, East Renfrewshire, G76 0LF

**Description:** Erection of nursery school with link corridor to primary school and erection of plant room, bin store and cycle/pram shelter; extension to car parking area

**Decision:** Approved subject to conditions

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**Reference No:** 2018/0620/TP

**Ward:** 4

**Applicant:**

Director of Education  
East Renfrewshire Council  
211 Main Street  
Barrhead  
United Kingdom  
G78 1SY

**Agent:**

JM Architects  
50 Bell Street  
Glasgow  
Scotland  
G1 1LQ

**Site:** Busby Primary School, 23 Church Road, Busby, East Renfrewshire, G76 8EB

**Description:** Erection of nursery school, plant room and cycle/pram shelter; extension to car parking area

**Decision:** Approved subject to conditions

