

**SUPPLEMENTARY MINUTE VOLUME**

**27 APRIL 2022**

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

**Minute of virtual meeting held at 2.06pm on 20 April 2022.**

**Present:**

Councillor Annette Ireland (Chair)  
Councillor Angela Convery  
Provost Jim Fletcher

Councillor Stewart Miller  
Councillor Jim Swift

Councillor Ireland in the Chair

**Attending:**

Gillian McCarney, Head of Environment (Chief Planning Officer); Julie Nicol, Planning and Building Standards Manager; Alan Pepler, Principal Planner (Development Management); John Drugan, Senior Planner; John Marley, East Renfrewshire Council Roads Department; Sharon McIntyre, Committee Services Officer and Liona Allison, Assistant Committee Services Officer.

**Apologies:**

Councillors Betty Cunningham and Jim McLean.

**DECLARATIONS OF INTEREST**

**1965.** No declarations of interest were intimated.

**PLANNING PERFORMANCE FRAMEWORK (PPF)**

**1966.** The committee considered a report by the Director of Environment advising the committee about the Council's Planning Performance Framework and the Scottish Government Feedback report.

Councillor Ireland noted her thanks to the Planning and Building Standards Service given the number of applications processed during the pandemic and the finalisation of the Local Development Plan 2.

The Planning and Building Standards Manager provided a background to the report and advised that of the 13 markers applicable to the Council, 7 of these had been given a green rating, 3 an amber rating and 3 a red rating. The impact of the pandemic and staff turnover was highlighted during this period. However a high workload had been delivered although at a slower rate.

Provost Fletcher offered thanks to the Planning and Building Standards Service for the work that had been undertaken delivered during an extremely difficult period emphasising it was important that the structure and level of staffing was right to enable the department to run as effectively as possible.

The Head of Environment (Chief Planning Officer) outlined the restructure which took place in 2016/17 although advised that there had been a turnover of staff recently. She also outlined that the Planning (Scotland) Act 2019 introduced 62 new duties which was of a matter of concern given current staffing levels.

It was acknowledged that it was important that the incoming Planning Applications Committee Chair should be made aware of the current resourcing/structure of the Planning and Building Standards Service and the requirement for this to be resourced appropriately to deliver the 62 new duties resulting from the Planning (Scotland) Act 2019.

Councillor Miller having noted the importance of the Planning and Building Standards Service as a frontline service and the necessity for it to be properly resourced, Councillor Convery echoed the comments from other councillors and praised the team for the achievement of the green markers which outweigh the red markers.

Councillor Ireland also noted that the Local Development Plan 2 had now been adopted and therefore this marker had been addressed.

Councillor Swift highlighted that the difficult circumstances of the last two years required to be recognised. He also noted that additional funds needed to be provided by the Scottish Government to finance additional duties resulting from the Planning (Scotland) Act 2019.

The Head of Environment (Chief Planning Officer) advised that an increase in planning fees would result in additional income. However the amount of additional income generated would be dependent on the type of application submitted.

Following discussion, the committee noted the Planning Performance Framework and the Scottish Government's feedback.

## **APPLICATION FOR PLANNING PERMISSION**

**1967.** The committee considered a report by the Director of Environment on the following application for planning permission requiring consideration by the committee.

2019/0788/TP Erection of residential development (comprising 80 dwellinghouses and 10 flats) with associated access roads, landscaping and SUDS. Land At Kirkton Road, Neilston, East Renfrewshire.

Councillor Ireland outlined a number of concerns in relation to the application. These were summarised as: no detailed information submitted in relation to the electric vehicle charging points, no mitigation measures proposed in relation to the noise from the railway affecting 37 houses with levels exceeding the World Health Organisation (WHO) guideline value of 45dB(A) at approximately 60dB(A) at night; substantial land raising including the result of a 70 degree slope as detailed in condition seven; overlooking albeit mitigated with planting; flooding and the connection to sewers; safety in the car parks behind the flats; the visibility splays allowing access to

the proposed development and that development of the site would reduce the speed of traffic into the area although this may not be the case. Councillor Ireland therefore suggested that the committee should carry out a site visit prior to the determination of the application.

Councillor Convery supported the suggested site visit. She noted the issues of noise as outlined in the noise and vibration impact assessment; the archaeological report being inconclusive on whether the standing stone was prehistoric or modern; the substantial land raising; and that 1039 representations had been received at the time of the publication of the report.

Councillor Miller noted the loss of green space and productive land; the levels of noise affecting the 37 houses; the substantial land raising; the requirement for the pavement to be erected and possibly widened; that a bridge over the railway would allow for a pedestrian route to the school; and no clarification being provided on whether the standing stone was prehistoric or modern. He did note that the site had been designated in the Local Development Plan for housing since 2015. He noted that 2,500 houses were required to be built by 2030 as outlined by Scottish Government and that there were an inadequate number of suitable brownfield sites in East Renfrewshire. In conclusion he supported the suggestion for a site visit.

Provost Fletcher supported as valid the points raised by fellow councillors. He also noted that the site was designated for housing in the Local Development Plan although given the level of objection received to the application, a site visit would be appropriate to ensure that the site was thoroughly examined.

Councillor Swift referenced the Maidenhill development with regards to the issues of noise and land raising and as a site which was designated for housing within the Local Development Plan. He noted the objection to clear and obvious development of internal green space instead of along the green belt. He was in agreement with a site visit being held although noted that this would be a delay in the process and that the site was ultimately included for development.

The Planning and Building Standards Manager advised that the applicant would be advised of the concerns raised by the committee and the outcome of the decision of the meeting.

The committee agreed to continue the determination of the planning application until after a site visit had been held.

CHAIR



**MINUTE**  
**of**  
**LOCAL REVIEW BODY**

**Minute of virtual meeting held at 3:05pm on 20 April 2022.**

**Present:**

Councillor Annette Ireland (Chair)  
Councillor Angela Convery

Provost Jim Fletcher  
Councillor Stewart Miller

Councillor Ireland in the Chair

**Attending:**

Andrew Bennie, Planning Adviser; Jacqui McCusker, Solicitor (Legal Adviser); Sharon McIntyre, Committee Services Officer (Clerk) and Liona Allison, Assistant Committee Services Officer.

**Apologies:**

Councillors Betty Cunningham, Jim McLean, Jim Swift.

**DECLARATIONS OF INTEREST**

**1968.** There were no declarations of interest intimated.

The Chair advised that unaccompanied site visits had been held prior to the meeting.

**NOTICE OF REVIEW – REVIEW 2022/01 – PROPOSED CHANGE OF USE OF EXISTING OFFICES TO FORM RESTAURANT WITH TAKEAWAY FACILITY INCLUDING ERECTION OF FLUE TO REAR, FORMATION OF NEW SHOPFRONT AND EXTERNAL SEATING. JAMES DAVIS INSURANCE, 203 FENWICK ROAD, GIFFNOCK. (REF NO:- 2021/0592/TP).**

**1969.** The Local Review Body considered a report by the Director of Business Operations and Partnerships relative to a 'Notice of Review' submitted by Fenwick Investments Limited against the decision taken by officers to refuse planning permission in respect of a proposed change of use of existing offices to form restaurant with takeaway facility including erection of flue to rear, formation of new shopfront and external seating, at James Davis Insurance, 203 Fenwick Road, Giffnock.

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.

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

The Planning Adviser outlined the planning application and reasons for refusal as outlined by the Appointed Officer in the decision notice. The Planning Adviser further outlined that should Elected Members be minded to grant planning permission, two suggested additional conditions would be that:-

- 1: *Development shall not commence until exact details and specification of the proposed ventilation system, together with details of the proposed maintenance arrangements, to serve the premises have been submitted to and approved in writing by the planning authority. Thereafter the approved details shall be fully implemented prior to the premises opening for the first time and this ventilation system shall be maintained in accordance with the approved details in perpetuity.*

*Reason: To protect local residents from nuisance from cooking odours.*

- 2: *Development shall not commence until details of the proposed waste storage facilities have been submitted to and approved in writing by the planning authority.*

*Reason: To ensure that the proposed waste storage facilities are acceptable.*

Having heard from the Planning Adviser and following discussion, the Local Review Body agreed to uphold the Appointed Officer's decision to refuse planning permission as set out in the decision notice of 14 January 2022.

**NOTICE OF REVIEW – REVIEW 2022/03 – ERECTION OF TWO STOREY EXTENSION TO FRONT OF DWELLING. 92 GLEN SHEE AVENUE, NEILSTON. (REF NO:- 2021/0847/TP).**

**1970.** The Local Review Body considered a report by the Director of Business Operations and Partnerships relative to a 'Notice of Review' submitted by Mr Lee Hamilton against the decision taken by officers to refuse planning permission in respect of the erection of a two storey extension to the front of a dwelling at 92 Glen Shee Avenue, Neilston, East Renfrewshire.

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.

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

The Planning Adviser outlined the planning application and reasons for refusal as outlined by the Appointed Officer in the decision notice. The Planning Adviser further outlined that should Elected Members be minded to grant planning permission a suggested additional condition would be that:-

*No development shall commence until samples of the external finishing materials to be used on the proposed development have been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.*

*Reason: To ensure the development is acceptable in appearance.*

Councillor Convery noted a similar and larger development in the same area and welcomed that this was in the same render to minimise impact and therefore requested that this should



be included in the condition regarding the external finishing materials to be used on the property. Provost Fletcher was in agreement with the proposal of the same render to lessen the visual impact, should the Local Review Body be minded to overturn the Appointed Officer's decision.

Having heard the Planning Adviser and following discussion, the Local Review Body agreed that the Appointed Officer's decision as set out in the decision notice of 17 February 2022 be overturned and planning permission approved subject to the standard delegated conditions and the following additional condition:-

*No development shall commence until samples of the external finishing materials to be used on the proposed development have been submitted to and approved in writing by the Planning Authority inclusive of render. Thereafter the development shall be implemented in accordance with the approved details.*

*Reason: To ensure the development is acceptable in appearance.*

CHAIR

