

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

**Minute of meeting held at 2.45pm in the Council Chamber, Council Headquarters, Giffnock on 14 September 2022.**

**Present:**

Councillor Betty Cunningham (Chair)	Councillor Jim McLean (Vice-Chair)
Councillor Paul Edlin	Provost Mary Montague
Councillor Annette Ireland	Councillor Andrew Morrison
Councillor Chris Lunday	

Councillor McLean in the Chair

**Attending:**

Mark Brand, Planning Adviser; Siobhan Wilson, Solicitor (Legal Adviser); Sharon McIntyre, Committee Services Officer (Clerk) and Liona Allison, Assistant Committee Services Officer.

**HM QUEEN ELIZABETH II**

**125.** Prior to the start of the meeting the Local Review Body observed a minute's silence in remembrance of Her Majesty Queen Elizabeth II.

**DECLARATIONS OF INTEREST**

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

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

**NOTICE OF REVIEW – REVIEW 2022/06 – ERECTION OF TWO STOREY REAR EXTENSION, INSTALLATION OF REAR DORMER AND ASSOCIATED ALTERATIONS. 51 MANSEFIELD CRESCENT, CLARKSTON (REF NO:- 2021/0457/TP).**

**127.** The Local Review Body considered a report by the Director of Business Operations and Partnerships relative to a 'Notice of Review' submitted by Mr James Macklin against the decision taken by officers to refuse planning permission in respect of erection of two storey rear extension, installation of rear dormer and associated alterations at 51 Mansefield Crescent, Clarkston.

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 and the grounds for review. 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 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 that the appearance of the proposed development is acceptable.*

*2: The window shaded on the approved plan shall be glazed with obscure glass prior to the development being brought into use. The obscure glass shall be retained in position and shall not be removed unless approved in writing by the planning authority. Development shall not commence until a sample of the obscure glass has been submitted to and approved in writing by the planning authority.*

*Reason: To protect the privacy of the adjacent property and to prevent overlooking.*

Having heard from the Planning Adviser and following discussion, Councillor Cunningham, seconded by Councillor Edlin, moved as an amendment that the Appointed Officer's decision as set out in the decision notice of 6 April 2022 be overturned and planning permission approved subject to the inclusion of the proposed conditions.

Councillor Morrison, seconded by Councillor Ireland, moved that the Local Review Body uphold the decision to refuse planning permission for the reasons as outlined in the decision notice.

On a vote being taken, 3 Members voted for the motion and 4 for the amendment. Accordingly the Local Review Body agreed to overturn the Appointed Officer's decision as set out in the decision notice of 6 April 2022 and approve planning permission subject to the following conditions in addition to the standard delegated conditions:-

1: Development shall not 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 that the appearance of the proposed development is acceptable.*

2: The window shaded on the approved plan shall be glazed with obscure glass prior to the development being brought into use. The obscure glass shall be retained in position and shall not be removed unless approved in writing by the planning authority. Development shall not commence until a sample of the obscure glass has been submitted to and approved in writing by the planning authority.

*Reason: To protect the privacy of the adjacent property and to prevent overlooking.*

**NOTICE OF REVIEW – REVIEW 2022/07 – EXTENSION AND ALTERATIONS TO DWELLING, INCLUDING RAISING AND ALTERING THE ROOF DESIGN, INSTALLATION OF DORMERS, TWO AND A HALF STOREY REAR EXTENSION AND ERECTION OF DOUBLE GARAGE. 133 AYR ROAD, NEWTON MEARNS (REF NO:- 2021/0900/TP)**

**128.** The Local Review Body considered a report by the Director of Business Operations and Partnerships relative to a ‘Notice of Review’ submitted by Mrs Jillian Nicholas against the decision taken by officers to refuse planning permission in respect of extension and alterations to dwelling, including raising and altering the roof design, installation of dormers, two and a half storey rear extension and erection of double garage. 133 Ayr Road, 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.

The Planning Adviser outlined that the first issue to consider was whether the Local Review Body wished to give consideration to the new evidence. This new evidence was an example on the same street of an application for an extension to create a two storey dwelling at 143 Ayr Road, Newton Mearns approved on 24<sup>th</sup> April 2019 (Application Ref: 2019/0006/TP) included in Appendix 7. This new evidence was submitted by the applicant and was not before the Appointed Officer when the original decision was made as outlined in the covering report. The Committee confirmed that it did not wish to include the consideration of this item in its determination.

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 and the grounds for review. The Planning Adviser further outlined that should Elected Members be minded to grant planning permission a suggested additional condition would be that:-

*1: Development shall not 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 that the appearance of the proposed development is acceptable.*

Having heard from 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 28 April 2022 be overturned and planning permission approved subject to the following condition in addition to the standard delegated conditions:-

1: Development shall not 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 that the appearance of the proposed development is acceptable.*

