

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

**Minute of meeting held at 2.00pm in the Council Chamber, Council Headquarters, Giffnock on 7<sup>th</sup> June 2023.**

**Present:**

Councillor Betty Cunningham  
Councillor Paul Edlin  
Councillor Annette Ireland

Councillor Chris Lunday  
Councillor Jim McLean (Vice Chair)  
Councillor Andrew Morrison

Councillor Cunningham in the Chair

**Attending:**

Julie Nicol, Planning and Building Standards Manager; Alan Pepler, Principal Planner (Development Management); John Drugan, Senior Planner; Ian Walker, Senior Planner; John Burke, Committee Services Officer; and Jennifer Graham, Assistant Committee Services Officer.

**Apologies:**

Provost Mary Montague.

**DECLARATIONS OF INTEREST**

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

**APPLICATIONS FOR PLANNING PERMISSION**

**468.** The Committee considered reports by the Director of Environment on applications for planning permission requiring consideration by the Committee.

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

- (i) 2018/0490/TP – Erection of 50 metre high wind turbine (to hub height) with formation of access road and siting of control building (renewal of previous planning permission 2014/0558/TP).

The Principal Planner (Development Management) was heard further on the report, in the course of which he summarised the 10 objections that had been received.

He provided further information on the relevant planning policies and assessments and stated that the proposal was considered to generally comply with the terms of the development plan, including NPF4 and LDP2. The proposal fully complied with NPF4, in particular Policy 11 which

set out key mitigation considerations in terms of wind energy developments. In terms of LDP2 there were no conflicts with any policies.

In the course of discussion, it was established that the Planning Service had reviewed the conditions, particularly in terms of noise, and were satisfied that they protected the local community.

Thereafter, the Committee agreed to approve planning permission, subject to the conditions identified in the report.

- (ii) 2019/0788/TP – Erection of residential development (comprising 80 dwellinghouses and 10 flats) with associated access roads, landscaping and SUDS (Major) (Amended Drawings) at land at Kirkton Road, Neilston, East Renfrewshire.

In the course of discussion, the Planning and Building Standards Manager confirmed that matters of local access to services had been considered as part of the application and although there were known to be GP availability issues in the area, this was not a consideration for the Planning Service when deciding whether to grant planning permission. The development was considered to be compliant with both NPF4 and LDP2.

It was further confirmed that electrical vehicle charging points were now a statutory requirement under the Building (Scotland) Regulations and the conditions attached did include provision for play facilities as well as electrical vehicle charging.

Thereafter, the Committee agreed to approve planning permission, subject to the conditions identified in the report.

Councillor Morrison, having moved to refuse planning permission, but failed to receive a seconder, asked that his dissent be recorded.

- (iii) 2022/0574/TP – Erection of 1.5 storey dwelling with parking and amenity space at land east of 64 Brackenrig Crescent, Eaglesham, East Renfrewshire.

The Principal Planner (Development Management) was heard further on the report, in the course of which he summarised the 24 objections that had been received.

He provided further information on the relevant planning policies and assessments and stated that the proposal was considered to not comply with NPF4 and LDP2 due to the loss of amenity and biodiversity value. The applicant had not provided any analysis of the ecological impact of the development. Furthermore, the proposal had an unusual garden space, which did not comply with established standards of garden size.

In the course of discussion, the members expressed broad agreement with the conclusions laid out in the report.

Thereafter, the Committee agreed to approve planning permission, refuse planning permission for the reasons outlined in the report.

## **APPEALS DECISIONS**

**469.** The Committee considered a report by the Director of Environment on planning appeal decisions that had been issued by the Scottish Government's Planning and Environmental Appeals Division (DPEA).

Each decision was fully detailed in the report and the Planning and Building Standards Manager responded to members' questions in terms of pertinent issues surrounding the appeals process and if any further right of appeal was possible. The Planning and Building Standards Manager confirmed that no further right of appeal was possible following these decisions.

Thereafter, the Committee noted the report.

### **SECTION 33A NOTICE REQUIRING THE SUBMISSION OF A RETROSPECTIVE PLANNING APPLICATION FOR OUTBUILDINGS AND A FENCE ERECTED AT 29 EAST KILBRIDE ROAD, BUSBY, G76 8JY**

**470.** The Committee considered a report by the Director of Environment on a request to authorise the service of a notice under Section 33A of the Town and Country Planning (Scotland) Act 1997 in relation to development that had already taken place without the appropriate planning permission at 29 East Kilbride Road, Busby, G76 8JY.

The Planning Service had received a complaint in relation to the erection of an outbuilding being erected within garden ground associated with 29 East Kilbride Road, Busby, in March 2023. The matter had been investigated and a site visit was carried out on 16 March 2023. The details of what was observed in the site visit were provided in the report.

The landowner had been advised that planning permission was required for the outbuilding and a retrospective application had been submitted on 17 March 2023 then subsequently withdrawn on 18 March 2023 as the landowner was of the view that the outbuilding fell within permitted development.

Further works had since taken place and an e-mail had been sent to the landowner on 31 March 2023 advising that formal action would be considered if an application was not submitted before Friday 14 April 2023. The landowner declined to submit an application and confirmed that he was taking legal advice on the matter.

Further complaints had been received from nearby residents and a site visit on 9 May 2023 confirmed that a timber fence, approximately 2m in height, had been erected at the front of the property which also required retrospective planning permission.

During the course of discussions, it was confirmed that, in the event of significant further objections to the planning application, once submitted, the application would come before the Planning Applications Committee for decision.

Thereafter, the Committee agreed to authorise the service of a Section 33A notice requiring the submission of retrospective planning application in terms of the Town and Country Planning (Scotland) Act 1997 for the erection of outbuildings and a fence within the garden ground associated with the property at 29 East Kilbride Road, Busby, G76 8JY.

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**

Draft index of applications under the above acts to be considered by Planning Applications Committee  
on 7th June 2023.

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**Reference No:** 2018/0490/TP

**Ward:** 2

**Applicant:**

Harelaw Wind Turbine Ltd  
15 Pitreavie Court  
Queensferry Court  
Dunfermline  
UK  
KY11 8UU

**Agent:**

Maura McCormack  
39 Dunipace Crescent  
Dunfermline  
Scotland  
KY12 7LZ

**Site:** Site 120M Southeast Of Commore Bridge Kingston Road Neilston East Renfrewshire

**Description:** Erection of 50 metre high wind turbine (to hub height) with formation of access road and siting of control building (renewal of previous planning permission 2014/0558/TP)

Please click [here](#) for further information on this application

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**Reference No:** 2019/0788/TP

**Ward:** 2

**Applicant:**

Dawn Homes Limited  
220 West George Street  
Glasgow  
Scotland  
G2 2PG

**Agent:**

Jewitt & Wilkie Limited  
38 New City Road  
Glasgow  
Scotland  
G4 9JT

**Site:** Land At Kirkton Road Neilston East Renfrewshire

**Description:** Erection of residential development (comprising 80 dwellinghouses and 10 flats) with associated access roads, landscaping and SUDS (major) (amended drawings).

Please click [here](#) for further information on this application

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**Reference No:** 2022/0574/TP

**Ward:** 5

**Applicant:**

Mr Alexander McCabe  
37 Thornly Park Avenue  
Paisley  
Scotland  
PA2 7SE

**Agent:**

**Site:** Land East Of 64 Brackenrig Crescent Eaglesham East Renfrewshire

**Description:** Erection of 1.5 storey dwelling with parking and amenity space.

Please click [here](#) for further information on this application

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