

MINUTE
of
PLANNING APPLICATIONS COMMITTEE

Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Giffnock on 13 January 2016.

Present:

Councillor Kenny Hay (Chair)	Councillor Stewart Miller
Councillor Betty Cunningham (Vice Chair)	Councillor Gordon McCaskill
Provost Alastair Carmichael	Councillor Paul O’Kane
Councillor Barbara Grant	

Councillor Hay in the Chair

Attending:

Gillian McCarney, Planning and Building Standards Manager; Sean McDaid and Graham Shankland, Principal Planners, Development Management; Shona Fraser, Environmental Services Manager; Alan Hook, Principal Officer (Technical Services); and Paul O’Neil, Committee Services Officer.

DECLARATIONS OF INTEREST

1860. There were no declarations of interest intimated.

NOTIFICATION OF PLANNING OF PLANNING APPEALS AND APPEAL DECISIONS

1861. The committee considered a report by the Director of Environment, advising of the intimation by the Directorate for Planning and Environmental Appeals (DEPA) of one new appeal against the committee’s decision to refuse planning permission and the outcome of two appeal decisions, one of which had been dismissed by the Reporter.

The report advised that the other appeal decision related to the serving of a ‘High Hedge Notice’, which the Reporter had confirmed the decision to issue the notice and had also confirmed the specified heights of the hedge.

The committee noted the report.

APPLICATIONS FOR PLANNING PERMISSION

1862. 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) 2015/0619/TP – Installation of artificial grass multi-use pitch (1 x rugby pitch or 3 x 7-a-side football pitches) with erection of eight 15 metre high floodlights and 1.1 metre high fencing at Glasgow Hutchesons Aloysians Rugby Club, 84 Braidholm Road, Giffnock by Glasgow Hutchesons Aloysians RFC

The Planning and Building Standards Manager reported on a number of further representations which had been submitted in addition to those that had been received in respect of the application.

In reply to a question by Councillor Miller as to why a noise impact assessment had not been carried out, the Planning and Building Standards Manager advised that the Council's Environmental Health Service had considered the matter and had decided that it was not necessary.

Commenting on the proposed use of the pitches, particularly in the evening, Councillor Miller suggested that local residents would be subjected to shouting and swearing from those using the pitches and noted that the existing pitch was not used to the same extent as to what was being proposed.

In reply, the Planning and Building Standards Manager explained that the existing grass rugby pitch was often waterlogged and therefore could not be used as often as it could be. She stated that the use of the pitches would be limited to 9.00pm on Mondays to Fridays and 6.00pm on Saturday and Sundays at which times the floodlights would be switched off. Concluding her remarks, she stated that the operating hours of the floodlights compared favourably to the operation of the floodlights at the other pitches which were on until 10.00pm.

Councillor Grant expressed concern about the adverse impact the proposed development would have on the lives of local residents, particularly the potential of light pollution from the floodlights.

In reply, the Planning and Building Standards Manager stated that the applicants had submitted a light spill diagram which showed that there would be no light spill over adjacent properties that would exceed a level of 5 lux. Furthermore, the application site was located in an urban area where it was noted that other upright structures, such as street lighting were on for a significant period of time daily. Concluding her remarks, she stated that it was proposed to attach a condition to the planning consent that would address the concerns expressed by Councillor Grant.

The Planning and Building Standards Manager in reply to a question by Councillor McCaskill stated that the distance between the pitch and the nearest boundary of a property on Whitton Drive was 16 metres and the nearest house was a distance of 25 metres. She also referred to a previous survey for the adjacent playing fields which indicated that there was no chromium contamination in the area.

At this stage, the committee agreed that the application be approved, subject to the condition detailed in the report.

- (ii) 2015/0660/TP – Erection of nursery/family centre building with enclosed playground at rear and formation of associated parking with vehicular access off Newford Grove at recreation ground south of Bonnyton House and north of Newford Grove, Clarkston by East Renfrewshire Council

The Planning and Building Standards Manager reported that 8 further objections had been received since the report had been published.

Councillor Grant stated that she did not agree with the applicant's view that the proposed access was the optimum access to the site and in her opinion had simply been chosen on the basis of cost.

In reply, the Planning and Building Standards Manager outlined the factors that had been considered in the assessment of the application, particularly the issues associated with ecology and road safety which were two of the reasons why the previous application had been refused at the meeting of the committee on 10 June 2015. She also responded to the representations that had been submitted by the objectors about the existence of bats in the area, and indicated that this was not a reason to refuse the application. Furthermore, the area had been surveyed, the results of which indicated that there was no evidence of bats in the area. Notwithstanding the foregoing, it was proposed to attach a condition to the planning consent to address these concerns. Concluding her remarks, she stated that the assessment and recommendation to approve the re-submitted application was consistent with the recommendation on the previous application which was refused.

Having considered the roads issues associated with the proposal, Councillor O'Kane stated that he was satisfied with the conclusion of the Transport Assessment Addendum that had been submitted by the applicant which stated that the original site access scored better than the alternative access proposed by the objectors.

Provost Carmichael highlighted that Scottish Water were due to carry out works in close proximity to the application site and questioned whether it would be appropriate for the committee to grant consent for the proposed development in light of these works.

In reply, the Planning and Building Standards Manager stated that the Council was aware of the proposed works by Scottish Water which involved the installation of a Combined Sewerage Overflow (CSO) and that as most of the works would take place underground they would have no impact on the proposed development.

The Principal Officer (Technical Services) in reply to Councillor Grant's earlier comments regarding the reasons why the access point had been chosen outlined the factors that had been considered and indicated that the Scottish Environment Protection Agency (SEPA) was satisfied with the mitigation proposals proposed to address the risk of flooding at the site.

Provost Carmichael stated that in his opinion, the road leading into the application site was too narrow to allow large vehicles to pass one another such as refuse vehicles and school buses. In reply, the Environmental Services Manager stated that the Roads and Transportation service had no concerns about the flow of traffic along Newford Grove.

Councillor O’Kane stated that given that young children would be attending the nursery, it would be very unlikely that buses would have to use the access road to transport the children to and from the nursery.

Councillor Miller stated that he was opposed to the proposed development on a number of grounds. These were noted as road safety; loss of public access; impact on nature conservation, losing habitat of endangered species and the risk of flooding. He stated that he did not accept the conclusion of the transport assessment; considered that the proposal was contrary to the terms of Policy D5 of the adopted East Renfrewshire Local Development Plan regarding the loss of public access and the outcome of the bat survey was inconclusive.

In reply, the Planning and Building Standards Manager explained the reasons why the proposal was considered to be acceptable in terms of Policy D5. She also stated that the reference to the bat survey being inconclusive was a matter which the objectors had raised about the proposed development and not the Council.

Having expressed concern about the risk of flooding at the application site, Councillor Miller suggested that on those occasions when part of the car park was at the risk of flooding, parents might park outwith the car park on the access road and this would exacerbate the existing traffic problems in the area. He also stated that he did not accept the applicant’s assertion that the car park once constructed would be available for use of parents/staff during nursery hours and other users when accessing the existing playground and Williamwood High School facilities. Concluding his remarks, he dismissed the applicant’s view that the proposed car park at the nursery would reduce the problems of cars parking along Newford Grove and causing an obstruction.

In reply, the Planning and Building Standards Manager acknowledged that area where the proposed car park was to be located was partly within an area identified as being at flood risk from over topping of the culvert. She explained to address this problem there was to be some land raising where the car park was to be formed and that whilst SEPA considered this to be contrary to the principles of Scottish Planning Policy (SPP) it had indicated that it would require additional information regarding the proposed land raising to demonstrate that it accorded with the principles of SPP. Concluding her remarks, she stated that SEPA was satisfied that such information could be provided at a later stage, subject to a planning condition being applied to the proposals to that effect. It was noted that this matter had been addressed at Condition 14.

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

Councillor Miller, seconded by Councillor Grant, moved as an amendment that the application be refused on road safety grounds; loss of public access; impact on nature conservation, losing habitat of endangered species and the risk of flooding.

On a vote being taken, four members voted for the motion and three members 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.

Adjournment

At this stage the committee agreed to adjourn for a short break prior to the consideration of the following items of business.

On reconvening, the committee considered the following items of business.

- (iii) 2015/0694/TP – Erection of two storey extension with formation of car parking and associated ground works and relocation of play area at Woodfarm Hall, 1 Burns Grove, Giffnock, by Woodfarm Education Trust

Commenting on the traffic problems that local residents were experiencing on the roads surrounding the application site and the fact that the premises were located in close proximity to a school with one of the largest pupil populations in East Renfrewshire, Councillor McCaskill noted that the bollards which had been installed on Burns Grove were now to be removed and relocated and questioned whether proper consideration of the traffic issues had been taken into account in the assessment of the proposal.

Having heard Councillor Hay highlight that additional car parking was to be provided by the applicant which would improve the flow of traffic in and around the application site, the Planning and Building Standards Manager acknowledged that at peak times there was heavy traffic on the surrounding roads although this only lasted for a short period of time. She stated that with regard to the bollards these were to be repositioned and that access was to be provided from Robslee Road. She also indicated that 70 car parking spaces would be provided in the course of which it was noted that the proposed development was to provide facilities for the existing users of the premises and not to increase in the number of users.

Councillor McCaskill reiterated his concerns about the volume of traffic in and around the application site during the course of the day, particularly on Inglestone Avenue which in his opinion was problematic.

Whilst noting the times of the daily prayers that were proposed to take place at the premises, Councillor Grant sought clarification how the Council would monitor the numbers attending these prayers given that the applicants had not specified how they would enforce a maximum attendance of 200 at the premises.

In reply, the Planning and Building Standards Manager stated that the terms of Condition 10 that was proposed to be attached to the planning consent would address Councillor Grant's concerns.

Councillor O'Kane emphasised that as it was proposed to attach 11 conditions to the planning consent he was satisfied that the terms of the conditions would address the concerns expressed by the objectors.

At this stage, Councillor Hay, seconded by Councillor O'Kane, moved that the application be approved, subject to the conditions detailed in the report.

Councillor Grant, seconded by Councillor McCaskill, moved that the application be refused on the grounds that the proposed development would increase in the volume of vehicles travelling to and from the premises and would have an adverse impact on the surrounding area.

On a vote being taken, four members voted for the motion, and two members 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.

PLANNING SERVICE PERFORMANCE AND CUSTOMER SURVEY 2015

1863. The committee considered a report by the Director of Environment, providing details of the Council's Planning Performance Framework (PPF) that had been submitted to the Scottish Government in 2015 and the results of a customer survey that had been undertaken by the Planning service in 2015.

Whilst noting that the Planning Performance Framework (PPF) was a significant document which showed the wide range of customer service that the Council was delivering and the numerous improvement actions being implemented, the report explained that the Scottish Government continued to promote continuous improvement and modernisation. Furthermore, it was considered that the PPF clearly demonstrated the Council's commitment to the achievement of these aims.

The report also indicated that the generally positive feedback to the planning service customer surveys was to be welcomed which demonstrated that the service was generally providing a good service to its customers.

The committee noted the contents of the report, welcomed the positive feedback to the PPF from the Scottish Government and welcomed the generally positive feedback from the public to the Council's planning service.

PLANNING ENFORCEMENT – 21 BRIARLEA DRIVE, GIFFNOCK

1864. The committee considered a report by the Director of Environment, seeking authority to carry out formal enforcement action against various unauthorised works associated with the erection of a two and a half storey rear extension at 21 Briarlea Drive, Giffnock.

The report outlined the background to the development, the actions taken by the owner of the property without consent and that authority was now being sought to issue a notice requiring application for planning permission for development already carried out under Section 33A of the Planning Act to be issued.

The committee, having heard the Planning and Building Standards Manager explain the objective of the enforcement action and the implications for the owner of the property, authorised the Director of Environment to issue a notice requiring application for planning permission for development already carried out to require the submission of a planning application.

**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**

Decisions of applications under the above acts considered by Planning Applications Committee on
13th January 2016

Reference No: 2015/0619/TP

Ward: 3

Applicant:

Glasgow Hutchesons Aloysians RFC
Mr. Brian Williams
Clubhouse
Braidholm Road
Giffnock
G46 6EB

Agent:

PSD (Professional Sportsturf Design) Ltd
6 Crosshill Drive
Rutherglen
G73 3QU

Site: Glasgow Hutchesons Aloysians Rugby Club, 84 Braidholm Road, Giffnock, East Renfrewshire, G46 6EB

Description: Installation of artificial grass multi-use pitch (1x rugby pitch or 3 x 7-a-side football pitches) with erection of eight 15 metre high floodlights and 1.1 metre high fencing

Decision: Approved subject to conditions

Reference No: 2015/0660/TP

Ward: 6

Applicant:

East Renfrewshire Council
Director of Education
Council Headquarters
Eastwood Park
Rouken Glen Road
Giffnock
G46 6UG

Agent:

Raymond O'Kane
East Renfrewshire Council
2 Spiersbridge Way
Spiersbridge Business Park
Thornliebank
G46 8NG

Site: Recreation Ground south of Bonnyton House and north of Newford Grove, Clarkston, East Renfrewshire

Description: Erection of nursery/family centre building with enclosed playground at rear and formation of associated parking and vehicular access off Newford Grove

Decision: Approved subject to conditions

Reference No: 2015/0694/TP

Ward: 3

Applicant:

Woodfarm Education Trust
Woodfarm Hall
1 Burns Grove
Giffnock
East Renfrewshire
G46 7HF

Agent:

Ingram Architecture & Design
Ingram House
227 Ingram Street
Glasgow
G1 1DA

Site: Woodfarm Hall, 1 Burns Grove, Giffnock, East Renfrewshire, G46 7HF

Description: Erection of two storey extension with formation of car parking and associated ground works and re-location of play area

Decision: Approved subject to conditions
