

## MINUTE

of

### PLANNING APPLICATIONS COMMITTEE

**Minute of Special Meeting held at 4.00pm in the Council Chamber, Council Headquarters, Giffnock on 3 May 2018.**

#### **Present:**

Councillor Annette Ireland (Chair)	Councillor Alan Lafferty
Councillor Betty Cunningham (Vice Chair)	Councillor David Macdonald
Councillor Paul Aitken	Councillor Colm Merrick
Councillor Caroline Bamforth	Councillor Stewart Miller
Councillor Angela Convery	Councillor Paul O'Kane
Councillor Danny Devlin	Councillor Jim Swift
Councillor Charlie Gilbert	Councillor Gordon Wallace

Councillor Ireland in the Chair

#### **Attending:**

Andy Cahill, Director of Environment; Sean McDaid, Principal Planner; Graham Shankland, Principal Business Intelligence Officer; Ian Walker, Senior Planner; Eamonn Daly, Democratic Services Manager; and Paul O'Neil, Committee Services Officer.

#### **Apologies:**

Provost Jim Fletcher; and Councillors Tony Buchanan; Barbara Grant; and Jim McLean.

#### **DECLARATIONS OF INTEREST**

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

#### **PRE-DETERMINATION HEARING – PROPOSED RESIDENTIAL DEVELOPMENT WITH ASSOCIATED ENGINEERING WORKS AND LANDSCAPING (PLANNING PERMISSION IN PRINCIPLE) (MAJOR) AT LAND TO THE NORTH OF THE FORMER BOYLESTONE QUARRY AND WEST OF BROWNSIDE AVENUE, BARRHEAD (REF NO: 2017/0784/TP) BY GLADMAN DEVELOPMENTS LIMITED**

**401.** The committee considered a report by the Director of Environment, on an application for planning permission for the proposed residential development with associated engineering works and landscaping (Planning Permission in Principle)(Major) at land to the north of the former Boylestone Quarry and west of Brownside Avenue, Barrhead (Ref No: 2017/0784/TP).

The Chair advised that the applicants, Gladman Developments Limited had intimated that they did not wish to be speak at the hearing. However, Mr Tom Lagan; Ms Kirsty Menzies; and Mr Brian Robb had requested to speak in support of the representations they had submitted against the proposed development.

The Principal Planner explained that the application was a Major development under the terms of the Town and Country Planning (Hierarchy of Developments)(Scotland) Regulations 2009; that it was considered to be a significant departure from the development plan and required a pre-determination hearing by the Planning Applications Committee before being determined by the full Council. He referred to the assessment of the proposal against national and local planning policies as well as material planning considerations which appeared in the "Report of Handling" and to the report's recommendations.

Mr Tom Lagan, Mr Brian Robb; and Ms Kirsty Menzies were heard in support of their representations in the course of which they highlighted that their main concerns related to safety; increased traffic; the adverse impact the development would have on the Green Belt, Wildlife, Recreation, local Bio-Diversity; the application site not being a "windfall" site; and the potential contamination of the proposed site.

At this point the Chair explained that the public part of the hearing had concluded and that Members thereafter had the opportunity to give consideration to the "Report of Handling" and ask questions of officers on any points they had in relation to the assessment of the application.

Councillors Convery and Cunningham were heard in support of and shared the concerns expressed by the objectors in the course of which Councillor Devlin sought clarification about the planning status and history of the site.

In response, the Principal Planner explained that the site was designated as Green Belt in the adopted East Renfrewshire Local Development Plan (LDP) and was also within the Green Network. Furthermore, in 2010 the site was identified as a housing site as a result of a recommendation by the Reporter appointed by Scottish Government who undertook the Examination of the previous Local Plan. He indicated that it was the Reporters' view at that time that the site could assist with topping up the available land supply and would result in a minor adjustment of the Green Belt boundary.

Furthermore, whilst the Council had not supported the promotion of the site for development, the Reporter's findings were binding and the Council was directed to include the site within the then adopted Local Plan. However, the Council had consistently favoured the area being retained as Green Belt and promoted its deletion through the production of the current Local Development Plan. The Reporter who undertook the Examination of the LDP agreed with the Council that the site should be deleted as a housing opportunity and its status returned to Green Belt and Green Network in the currently adopted LDP.

Having heard the Principal Planner's explanation of the planning status and history of the site, Councillor Miller expressed the view that the applicants should have been aware of the designation of the land and that it was contrary to policy as detailed in the report before they submitted their application. In view of this, he supported the recommendation to refuse the application.

Councillor Aitken stated that he also shared the concerns expressed by Ms Menzies, particularly in relation to the adverse impact the proposed development would have on the local bio-diversity in the area and sought clarification whether the application site was a specially protected area or whether it could be designated as such.

In reply, the Principal Planner advised that Ms Menzies had contacted the Council requesting that the natural heritage in the area be extended to protect the area from future development. However, he emphasised that this would not necessarily prevent development taking place although there would have to be good reasons to justify the approval of a development.

Councillor Lafferty sought clarification whether the applicants had entered into discussions with the Council about the proposed development in the course of which the Principal Planner stated that the applicants had not discussed the proposal directly with officers from Development Management.

The Principal Planner also explained in response to a question by Councillor Convery that should the committee decide to refuse the application, the applicants could submit another application and commented that there were the provisions within planning legislation which would permit the Council to decline to determine an application, subject to certain criteria being satisfied.

Whilst commenting on the views expressed by local residents about the proposed development which emphasised that there was no support for the proposal in the local area, Councillor Swift stated that clearly there was no justification for proposed development at the site. Concluding his remarks, he suggested that consideration should be given to the issues that had been raised in respect of the application when giving consideration to identifying suitable sites for housing in the new local development plan.

Councillor Devlin sought clarification whether in the event that the committee refused the application and the applicants were to appeal the decision would the Scottish Government's Reporters' unit automatically dismiss the appeal given what the committee has heard about the planning status and history of the site.

In reply, the Principal Planner referred to the precedent that had been established regarding the decision the Reporters' Unit had reached in relation to the application which the applicants had submitted for a proposed housing development at a site at Waterfoot. He also explained the procedure that a Reporter required to follow in the determination of an appeal which was known as the 'de-novo' approach which meant that the Reporter would also assess the appeal against planning policies and would give consideration to any material considerations associated with the proposal.

Councillor Wallace welcomed the fact that the area around Barrhead had been retained as Green Belt and sought clarification under what circumstances development would be permitted to take place in the Green Belt. In reply, the Principal Planner explained that if there was a lack of land supply for development in an area then this would be a factor in the consideration and possible approval for development to take place.

At this stage, the committee **recommended to the Council** that the Council refuse the application for the reasons outlined in the report.

CHAIR

