

MINUTE
of
PLANNING APPLICATIONS COMMITTEE

Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Giffnock on 8 August 2018.

Present:

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

Councillor Stewart Miller
Councillor Jim Swift

Councillor Ireland in the Chair

Attending:

Sean McDaid, Principal Planner and Ian Walker, Senior Planner, Development Management; Graham Shankland, Principal Business Intelligence Officer; and Paul O'Neil, Committee Services Officer.

Apologies:

Councillors Betty Cunningham (Vice Chair); and Jim McLean.

DECLARATION OF INTEREST

510. Councillor Swift declared a non-financial interest in respect of application (Ref No 2018/0065/TP) on the grounds that he was a social member of East Renfrewshire Golf Club.

NOTIFICATION OF PLANNING APPEALS AND APPEAL DECISIONS

511. The committee considered and noted a report by the Director of Environment, advising of the intimation by the Directorate for Planning and Environmental Appeals (DEPA) of two new appeals that had been lodged against the committee's decision to refuse planning permission.

APPLICATIONS FOR PLANNING PERMISSION

512. 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) 2018/0065/TP — Installation of anaerobic digestion biogas plant with alterations to vehicular access of A77 and earthworks/excavation operations to change ground levels (amendment to Condition 10 of planning permission 2016/0070/TP that does not allow the use of waste materials) at site 300m north east of Greenhags, Ayr Road, Newton Mearns by the Greenhags Energy Company Ltd

The Principal Planner referred to the assessment of the proposal in the course of which he advised that Scottish Government advice regarding Section 42 applications such as the one under consideration was that planning authorities should only consider the proposed amended condition and did not need to re-examine the entire original development proposal.

Whilst noting that further representations had been submitted by the applicant's agent requesting a modification to the wording of Condition 11 that was proposed to be attached to the consent, the Principal Planner reported that a definition of "plant-tissue derived agricultural wastes" had also been provided by the agent. Concluding his remarks, he read out the modification to the wording as proposed by the agent and indicated that the Council's Environmental Health service would require to be consulted on the agent's representations.

Following discussion, in the course of which the committee expressed concerns about the proposal, particularly the type and source of the 'digestate' that would be used in the process and that further information was required in this regard, agreed that;

- (a) consideration of the application be continued to allow consultation to take place with the Environmental Health service;
 - (b) further information be obtained from the applicant regarding the type and source of the 'digestate' that would be used in the process; and
 - (c) a site visit be arranged for those Members of the committee that were present at the meeting to visit an anaerobic digestion biogas plant that was currently operating.
- (ii) 2018/0237/CAC – Complete demolition of garage building (Conservation Area Consent) at Cross Garage, 45 Gilmour Street, Eaglesham by Mr and Mrs G Smith

The Principal Planner explained the reason for the application, provided details about the assessment and indicated that officers were recommending that Conservation Area Consent be granted.

Whilst noting that the objectors had indicated that no access would be granted to the site over ground in their ownership to allow the demolition to take place, Councillor Swift expressed the view that by granting consent this might result in the applicant accessing the site without first obtaining permission to do so.

Councillor Miller stated that Eaglesham had been designated a Conservation Area for a reason and that he did not support the application.

Councillor Ireland stated the existing building was not deemed to be a key building in the conservation area and highlighted that Historic Environment Scotland had offered no objection to the application.

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

Councillor Miller, seconded by Councillor Swift, moved as an amendment that the application be refused on the grounds that the site was located within Eaglesham Conservation Area.

On a vote being taken 3 Members voted for the motion and 2 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.

(iii) 2018/0238/TP – Erection of two storey restaurant following demolition of existing garage at Cross Garage, 45 Gilmour Street, Eaglesham by Mr and Mrs G Smith

The Principal Planner referred to the assessment of the proposal and indicated that officers were recommending that the application be approved, subject to conditions.

In response to a question by Councillor Ireland regarding the opening hours of the proposed restaurant, the Principal Planner stated that the premises would not open beyond 10.00pm each day and that this would be controlled by way of a condition.

Councillor Miller was concerned about the lack of off-street parking at the site in response to which the Principal Planner highlighted that the Council's Roads Service had offered no objection to the proposal.

Councillor Swift sought clarification as to why the applicant was not required to provide parking provision at the site. In reply, the Principal Planner stated the he relied on the advice of the Council's Roads Service regarding this matter and that whilst the service acknowledged there would be no off-street parking at the site it had indicated that parking would be available on adjacent or nearby streets to the site.

In response to the concerns expressed about no off-street parking at the site, Provost Fletcher emphasised that the majority of sites where restaurants were located did not have off-street parking for customers.

Councillor Swift suggested that the approach adopted by the Council regarding the provision of parking at development sites was somewhat inconsistent insofar as no parking provision was required for the application under consideration whereas other developments were required to provide parking.

In reply, the Principal Planner explained that there could be a variety of factors as to why parking was not needed at a particular development site.

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

Councillor Swift, seconded by Councillor Miller, moved as an amendment that the application be refused on the grounds that there was no parking provision at the site.

On a vote being taken 3 Members voted for the motion and 2 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.

- (iv) 2018/0340/TP – Erection of two storey detached dwellinghouse following demolition of existing dwellinghouse at 2 Newtonlea Avenue, Newton Mearns by Mr and Mrs McGraddie

The committee noted that the application had been withdrawn.

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**

Index of applications under the above acts considered by Planning Applications Committee on
08.08.2018

Reference No: 2018/0065/TP

Ward: 2

Applicant:

The Greenhags Energy Company Limited
1 Rutland Court
Edinburgh
Scotland
EH3 8EY

Agent:

Alan Couper
Stevenson Farmhouse
Stevenson Farm
Peebles
Scotland
EH45 8PX

Site: Site 300M North East Of Greenhags Ayr Road Newton Means East Renfrewshire

Description: Installation of anaerobic digestion biogas plant with alterations to vehicular access off A77 and earthworks/excavation operations to change ground levels (amendment to condition 10 of planning permission 2016/0070/TP that does not allow the use of waste materials)

Decision: Continued

Reference No: 2018/0237/CAC

Ward: 5

Applicant:

Mr. & Mrs. G. Smith
Myers Lodge
Over Enoch Road
Eaglesham
East Renfrewshire
G76 0PW

Agent:

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

Site: Cross Garage 45 Gilmour Street Eaglesham East Renfrewshire G76 0AA

Description: Complete demolition of garage building (conservation area consent)

Decision: Approved Subject to Conditions

Reference No: 2018/0238/TP

Ward: 5

Applicant:

Mr. & Mrs. G. Smith
Myres Lodge
Over Enoch Road
Eaglesham
East Renfrewshire
G76 0PW

Agent:

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

Site: Cross Garage 45 Gilmour Street Eaglesham East Renfrewshire G76 0AA

Description: Erection of two storey restaurant following demolition of existing garage

Decision: Approved Subject to Conditions

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Reference No: 2018/0340/TP

Ward: 5

Applicant:

Mr & Mrs McGraddie
C/o DTA Chartered Architects Ltd

Agent:

DTA Chartered Architects Ltd
9 Montgomery Street
The Village
East Kilbride
G74 4SS

Site: 2 Newtonlea Avenue Newton Mearns East Renfrewshire G77 5QA

Description: Erection of two storey detached dwellinghouse following demolition of existing dwellinghouse

Decision: Withdrawn
