

MINUTE
of
LOCAL REVIEW BODY

Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Giffnock on 2 October 2019.

Present:

Councillor Annette Ireland (Chair)
Provost Jim Fletcher

Councillor Stewart Miller
Councillor Jim Swift

Councillor Ireland in the Chair

Attending:

Graham Shankland, Principal Strategy Officer (Regulatory and Strategy) (Planning Adviser);
Siobhan Wilson, Solicitor (Legal Adviser); and Paul O'Neil, Committee Services Officer
(Clerk).

Apologies:

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

DECLARATIONS OF INTEREST

1054. There were no declarations of interest intimated.

NOTICE OF REVIEW – REVIEW 2019/13 – ERECTION OF ONE AND A HALF STOREY REAR EXTENSION WITH RAISING OF RIDGE HEIGHT AND INSTALLATION OF DORMER WINDOWS AT FRONT AND SIDE AT 4 DEVERON AVENUE, GIFFNOCK (REF NO: 2019/0383/TP)

1055. The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Mr Niall MacKinnon, against the decision taken by officers to refuse planning permission in respect of the erection of a one and a half storey rear extension with raising of ridge height and installation of dormer windows at front and side at 4 Deveron Avenue, Giffnock.

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.

In accordance with the decision taken at the meeting on 10 August 2016, the Local Review Body had carried out an unaccompanied site inspection of the application site immediately prior to the meeting.

Having been advised that the applicant had submitted new evidence which was not before the Appointed Officer at the time the determination of the application was made and having noted the procedure that required to be followed should the new information be taken into account, the Local Review Body decided not to give consideration to the new information in the determination of the review.

At this stage, the Local Review Body, having considered the information previously circulated, agreed that it had sufficient information to determine the review without further procedure.

Following discussion, it was agreed that the decision of the Appointed Officer as set out in the decision notice of 9 August 2019 be overturned and that planning permission be granted.

NOTICE OF REVIEW – REVIEW 2019/14 – ERECTION OF SINGLE STOREY SIDE EXTENSION AND ATTACHED DOUBLE GARAGE AT FRONT AT MELODIE COTTAGE, 4 OLD HUMBIE ROAD, NEWTON MEARNS (REF NO: 2019/0365/TP)

1056. The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Ms Lorraine Marchetti, against the decision taken by officers to refuse planning permission in respect of the erection of a single storey side extension and attached double garage at front at Melodie Cottage, 4 Old Humbie 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.

In accordance with the decision taken at the meeting on 10 August 2016, the Local Review Body had carried out an unaccompanied site inspection of the application site immediately prior to the meeting.

The Local Review Body, having considered the information previously circulated, agreed that it had sufficient information to determine the review without further procedure.

Councillor Ireland, seconded by Councillor Miller, moved to uphold the decision of the Appointed Officer as set out in the decision notice of 22 July 2019 and refuse planning permission.

Councillor Swift, seconded by Provost Fletcher, moved as an amendment that the decision of the Appointed Officer as set out in the decision notice of 22 July 2019 be overturned and that planning permission be granted.

On a vote being taken, 2 Members voted for the motion and 2 Members voted for the amendment. There being an equality of votes cast, in accordance with Standing Order 36(d) the Chair had a casting vote which she cast in favour of the motion.

The motion was accordingly declared carried and it was agreed to uphold the decision of the Appointed Officer as set out in the decision notice of 22 July 2019 and refuse planning permission.

NOTICE OF REVIEW – REVIEW 2019/15 – ERECTION OF TWO NEW RETAIL/BUSINESS UNITS INCLUDING PROVISION FOR HOT FOOD TAKEAWAY PLUS EXTERNAL ALTERATIONS TO EXISTING BUILDINGS AND NEW PARKING AREA AT 157 BURNFIELD ROAD, GIFFNOCK (REF NO: 2019/0185/TP)

1057. The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by A12 Properties, against the non-determination of an application in respect of the erection of two new retail/business units including provision for hot food takeaway plus external alterations to existing buildings and new parking area at 157 Burnfield Road, Giffnock.

The report explained that in addition to considering cases where an applicant had submitted a 'Notice of Review' in relation to a decision made by an officer in terms of the Scheme of Delegation, the Local Review Body was also to deal with cases where the Appointed Officer had failed to determine the application within two months from the date it was lodged. This was the case in respect of the application submitted by A12 Properties.

The Local Review Body, having heard the Planning Adviser explain the reasons for the non-determination of the application, agreed that:-

- (a) consideration of the review be continued to allow the Planning Service to prepare a review statement giving an assessment of the proposal and for this statement to be circulated to the applicant giving the applicant the opportunity to submit comments to the Local Review Body within 14 days; and
- (b) in accordance with the decision of the Local Review Body on 10 August 2016 to undertake an unaccompanied site visit prior to the next meeting.

NOTICE OF REVIEW – REVIEW 2019/16 – ERECTION OF ONE AND HALF STOREY REAR EXTENSION INCORPORATING DORMER WINDOW AT REAR; INSTALLATION OF DORMER WINDOWS AT FRONT AND SIDE AT 83 BEECH AVENUE, NEWTON MEARNS (REF NO: 2019/0284/TP)

1058. The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Mr and Mrs Ali, against the decision taken by officers to refuse planning permission in respect of the erection of a one and a half storey rear extension incorporating dormer window at rear; installation of dormer windows at front and rear at 83 Beech Avenue, 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.

In accordance with the decision taken at the meeting on 10 August 2016, the Local Review Body had carried out an unaccompanied site inspection of the application site immediately prior to the meeting.

The Local Review Body, having considered the information previously circulated, agreed that it had sufficient information to determine the review without further procedure.

Councillor Ireland, seconded by Provost Fletcher, moved to uphold the decision of the Appointed Officer as set out in the decision notice of 9 July 2019 and refuse planning permission.

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Councillor Swift, seconded by Councillor Miller, moved as an amendment that the decision of the Appointed Officer as set out in the decision notice of 9 July 2019 be overturned and that planning permission be granted.

On a vote being taken, 2 Members voted for the motion and 2 Members voted for the amendment. There being an equality of votes cast, in accordance with Standing Order 36(d) the Chair had a casting vote which she cast in favour of the motion.

The motion was accordingly declared carried and it was agreed to uphold the decision of the Appointed Officer as set out in the decision notice of 9 July 2019 and refuse planning permission.

CHAIR