

EAST RENFREWSHIRE COUNCILPLANNING APPLICATIONS COMMITTEE4 September 2019Report by Director of EnvironmentAPPEALS**1.0. INTRODUCTION**

- 1.1. This report is to inform Members about two appeal decisions that has been received from the Scottish Government's Directorate for Planning and Environmental Appeals (DPEA).

2.0 APPEAL DECISIONS

- 2.1 **APPEAL 0537** (ERC reference 2019/0098/TP; DPEA reference PPA-220-2053). This appeal relates to the formation of a driveway incorporating reduction in ground levels and reduction in height of boundary wall with formation of lowered and raised kerbs at footpath at front at 29 East Kilbride Road, Busby.

- 2.2 This appeal was against non-determination of the planning application and was dismissed on 8 August 2019. The appointed Reporter considered the main issue in the appeal to the effect upon road and pedestrian safety.

- 2.3 In dismissing the appeal the appointed Reporter considered that any movement of vehicles onto and off the road at this address would significantly increase the risk of vehicular conflict and would therefore be detrimental to road safety. In terms of pedestrian safety the appointed Reporter was concerned that a driveway crossover at this address could encourage pedestrians, generally and wheelchair users in particular (because a dropped kerb is required to allow them to cross the road) to use the crossover as an informal crossing point in order to access the bus stop or the railway station on the opposite side of the road. Consequently the proposal would increase the risk of vehicle/pedestrian conflict and would therefore be detrimental to pedestrian safety.

- 3.0 **APPEAL 0539** (ERC reference 2019/0085/TP; DPEA reference PPA-220-2055). This appeal relates to the change of use of a public house to a funeral parlour at the former Toby Carvery, Glasgow Road, Hurler, Barrhead.

- 3.1 Planning application 2019/0085/TP was refused by the Planning Applications Committee on 15 May 2019 against the recommendation to approve. This application was refused as the development will result in congestion on the roads at this location and a lack of parking provision.

- 3.2 The appointed Reporter considered the main issues in this appeal are: (a) the impact of traffic generated by the proposed development on the adjoining road network; and (b) the impact of the development on the overall amenity of the area.

- 3.3 The Reporter upheld the appeal and noted that Transport Scotland did not advise against the granting of the planning application and also noted the Council's Roads Service indicated the requisite amount of parking spaces, which the Reporter considered to be adequate. The Reporter did not consider the funeral parlour would exacerbate traffic problems compared to the previous use at this location.

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3.4 The Reporter also considered that as the proposal involves the re-use of an existing building in the greenbelt, it would have no significant impact on the character or visual amenity of the adjacent rural area.

3.5 The Reporter concluded the proposed development accords overall with the relevant provisions of the development plan and that there are no material considerations which would justify refusing to grant planning permission.

3.6 The Reporter attached two conditions to the approval as follows:

1. Notwithstanding the terms of the Town & Country Planning (Use Classes)(Scotland) Order 1997, as amended, (or of any order amending, revoking or re-enacting that Order) the premises hereby granted planning permission shall operate as a funeral parlour only and for no other use in Class 1 of the Schedule to that Order.

Reason: To ensure the council retains control over the future use of the site.

2. The car parking shown on the approved site plan (drawing no. 26193/11) shall be available for use prior to the operation of the funeral parlour hereby approved, and shall be maintained within the site free from obstruction thereafter.

Reason: To ensure that adequate car parking is provided, in the interest of public road safety.

4.0 RECOMMENDATION

4.1 Members are asked to note the above.

Director of Environment
August 2019