

**MINUTE**  
**of**  
**LOCAL REVIEW BODY**

**Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Giffnock on 11 April 2018.**

**Present:**

Councillor Betty Cunningham (Vice Chair)  
Councillor Angela Convery

Provost Jim Fletcher  
Councillor Stewart Miller

Councillor Cunningham in the Chair

**Attending:**

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

**Apologies:**

Councillors Annette Ireland (Chair); and Jim McLean.

**DECLARATIONS OF INTEREST**

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

**NOTICE OF REVIEW – REVIEW 2018/02 – ERECTION OF FOUR TWO STOREY DETACHED DWELLINGHOUSES WITH FORMATION OF ACCESS AT TREESIDE COTTAGE, AYR ROAD, NEWTON MEARNs (REF NO: 2017/0576/TP)**

**384.** The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Mrs Jules McGeever against the decision taken by officers to refuse planning permission in respect of the erection of four two storey detached dwellinghouses with formation of access at Treeside Cottage, Ayr 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 Two 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.

Prior to the consideration of the review, the Planning Adviser suggested that should the Local Review Body wish to consider overturning the Appointed Officer's decision and grant planning permission, consideration should be given to requesting that a Noise Impact Assessment be carried out to determine the suitability of the site for residential purposes, in accordance with the advice of the Council's Environmental Health Service. In addition, he advised that a tree survey should be carried out.

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

Following discussion, Councillor Miller, seconded by Councillor Convery, moved that the decision of the Appointed Officer as detailed in the decision notice of 11 December 2017 be overturned and that planning permission be granted.

Provost Fletcher moved as an amendment to uphold the decision as set out in the decision notice of 11 December 2017 and refuse planning permission. In the absence of a seconder, his amendment fell.

At this stage, the Local Review Body agreed that the decision of the Appointed Officer as detailed in the decision notice of 11 December 2017 be overturned and that planning permission be granted.

The Planning Adviser then proposed that the Local Review Body should give consideration to attaching a number of standard conditions to the planning permission and that it also be subject to the conclusion of a legal agreement to secure an affordable housing contribution and payment of development contributions.

Following consideration, the Local Review Body agreed the:-

- (a) conditions, details of which were tabled at the meeting and which appear as Appendix 1 to this Minute; and
- (b) the conclusion of a legal agreement to secure an affordable housing contribution and payment of development contributions.

CHAIR

Treeside Cottage, Ayr Road, Newton Mearns

Application Ref:- 2017/0576/TP

Conditions

1. Development shall not commence until samples of materials to be used on all external surfaces of the building and hard surfaces have been submitted to and approved in writing by the planning authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure the development is acceptable in appearance.

2. Development shall not commence until details and location of all walls (including retaining walls) and fences to be erected on the site have been submitted to and approved in writing by the planning authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure the development is acceptable in appearance.

3. Development shall not commence until a scheme of hard and soft landscaping works has been submitted to and approved in writing by the planning authority. Details of the scheme shall include (as appropriate):-
  - i) Details of any earth mounding, hard landscaping, grass seeding and turfing;
  - ii) A scheme of tree and shrub planting, incorporating details of the number, variety and size of trees and shrubs to be planted;
  - iii) Other structures such as street furniture and play equipment;
  - iv) Details of the phasing of the landscaping works; and
  - v) Schedule of maintenance.

Thereafter the landscaping works shall be fully implemented as approved.

Reason: To ensure the implementation of a satisfactory scheme of landscaping to improve the environment quality of the development.

4. There shall be no construction work or offloading of delivered materials at the development site outwith the hours of 0800 to 1900 Monday to Friday and 0800 to 1300 on Saturday with no working on Sunday or local or national public holidays unless minor and temporary amendments have been otherwise agreed in advance in writing by the planning authority.

Reason: To prevent noise nuisance to the surrounding area.

5. Visibility splays of 2.5 metres by 90 metres as shown on the approved drawing L(--)-01E shall be provided in both directions at the junction of the new access with the Malletsheugh Road prior to the occupancy of any house and thereafter maintained free from any obstructions exceeding a height of 1.05m above the adjacent road.

Reason: To enable drivers of vehicles leaving the site to have a clear view over a length of road sufficient to allow safe exit.

6. The 2 metres wide footpath linking the access to the site with the existing footpath on Ayr Road as shown on the approved drawing L(-- )01E shall be formed to the satisfaction of the planning authority prior to the occupation of any of the dwellings.

Reason: In the interest of pedestrian and public road safety.

7. Prior to work commencing on site, detailed levels, diagrams and sections, showing the existing and proposed levels throughout the site and finished floor levels in relation to a fixed datum point shall be submitted and approved in writing by the Planning Authority. Thereafter the development shall be constructed in accordance with the approved level drawings.

Reason: To ensure that the levels are acceptable at this location.

8. Prior to commencement of any works on site, a comprehensive site investigation, carried out to the appropriate level, should be submitted to and accepted in writing by East Renfrewshire Council. This survey shall investigate all aspects of potential contamination, indicated by a Phase 1 Investigation (Desk-Study) of the site. If any contamination hazard is identified on the site, a site-specific risk assessment must be undertaken. Should any significant pollutant linkages be identified, a detailed remediation strategy must be developed and no works other than investigative works should be carried out on site prior to the Council's written acceptance of the remediation plan. Thereafter the development shall be constructed in accordance with the remediation strategy.

Reason: In the interests of public health and to protect users of the development and the wider environment from the effects of contamination.

9. Prior to the commencement of work on site, a plan shall be submitted and approved in writing by the planning authority showing details of where refuse bins will be kept at each of the properties and where they will be presented for collection at kerbside. Thereafter the development shall be implemented in accordance with the approved details and retained in perpetuity.

Reason: To ensure that the bin storage areas are of a size and are in locations able to accommodate East Renfrewshire's waste and recycling facilities and are acceptable in appearance.