

**MINUTE**

of

**PLANNING APPLICATIONS COMMITTEE**

**Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Giffnock on 7 November 2018.**

**Present:**

Councillor Annette Ireland (Chair)  
Councillor Angela Convery

Provost Jim Fletcher  
Councillor Stewart Miller

Councillor Ireland in the Chair

**Attending:**

Sean McDaid, Principal Planner; and Ian Walker, Senior Planner, Development Management; Julie Nicol, Principal Strategy Officer (LDP Lead); and Paul O'Neil, Committee Services Officer.

**Apologies:**

Councillors Betty Cunningham, Jim McLean and Jim Swift.

**DECLARATIONS OF INTEREST**

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

**NOTIFICATION OF PLANNING APPEALS AND APPEAL DECISIONS**

**672.** The committee considered a report by the Director of Environment, advising of the intimation by the Directorate for Planning and Environmental Appeals (DPEA) of two new appeals, one of which related to the issue of a High Hedge Notice and the other one had been lodged against the refusal of prior approval. The report also provided details of the outcome of one appeal decision which was dismissed by the Reporter.

Whilst noting that in relation to the appeal decision, the Reporter had upheld the committee's decision to refuse the application for planning permission at its meeting on 14 March 2018, the committee expressed concern that the Scottish Government's Reporters' Unit had in the past overturned a number of other decisions that the committee had made.

In view of these concerns, the committee requested that an invitation be extended to the Scottish Government's Reporters' Unit for a representative to attend an informal meeting with the committee to explain how Reporters reached their decisions in respect of planning appeals that were submitted to them.

The committee agreed:-

- (a) that the Director of Environment write to the Directorate for Planning and Environmental Appeals (DPEA) extending an invitation for a representative to attend an informal meeting with the committee to explain how Reporters reach their decisions in respect of planning appeals submitted to the DPEA; and
- (b) to otherwise note the terms of the report.

## APPLICATION FOR PLANNING PERMISSION

**673.** Under reference to the Minute of the meeting of 8 August 2018 (Page 469, Item 512(i)) when it was agreed to continue consideration of the application for planning permission (i.e. Ref No:- 2018/0065/TP), the committee resumed consideration of the report by the Director of Environment.

It was agreed that the application be determined as indicated as 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 300 metres north east of Greenhags, Ayr Road, Newton Mearns by the Greenhags Energy Company Limited

The Principal Planner referred to the three reasons why the committee had continued consideration of the application. He explained that consultation had now taken place with the Council's Environmental Health Service concerning the revised wording of condition 11 as detailed in the 'Report of Handling' appended to the report and that following further consideration the wording of the condition had been revised further by the Council's Planning Service to ensure that it was precise as to what could and could not be used in the process. Details of the revised wording were outlined in the report.

Whilst noting that the wording was now acceptable to both the applicant and the Council's Environmental Health Service, the Principal Planner commented that the applicant had also provided further information on the type of digestate that would be used in the process it being noted that it would be plant based materials and that no animal manures or slurries would be used.

Concluding his remarks, the Principal Planner referred to the site visit that members of the committee had carried out to an operational biogas plant in East Dunbartonshire on 15 October 2018.

Councillor Miller stated that he had been most impressed with the operation of the biogas plant in East Dunbartonshire in the course of which he emphasised that there were no odours coming from the plant during the course of the site visit and that he had no concerns about the proposal under consideration as it would be a similar operation.

Councillor Convery indicated that she was pleased that the digestate that would be used in the process would not involve slurry, in addition to which Provost Fletcher, whilst acknowledging the concerns that had been expressed by local residents about the proposal stated the he was now reassured about the materials that would be used in the process.

Councillor Ireland indicated that having visited the operational biogas plant she too was impressed by the operation emphasising that everything was self-contained at the site. Furthermore, she was pleased with the additional information provided by the applicant concerning the type of digestate that would be used and the revised wording of condition 11.

The committee agreed that the application be approved, subject to the:-

- (a) conditions detailed in the 'Report of Handling' that was appended to the report; and
- (b) wording of condition 11 being altered to the following:

"For the avoidance of doubt the biogas plant hereby approved shall only be supplied by agricultural feed stocks/crops and plant tissue based agricultural/horticultural residues and agricultural/horticultural by-products (residues and by-products to include wheat straw; misshapen, bruised and undersized fruit and vegetables; and the leaves, roots and toppings of fruit and vegetables. No other waste materials, including cattle slurry or animal slurry, household waste or commercial waste, shall be used at any time.

Reason: In the interests of residential amenity."

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 decided by the Planning Applications Committee  
on 07.11.2018

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**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 Mearns, 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 - amended details have been submitted with digestate being used to start the anaerobic process rather than cattle slurry)

**Decision:** Approved Subject to Conditions

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