

EAST RENFREWSHIRE COUNCIL  
PLANNING APPLICATIONS COMMITTEE

14 February 2018

Report by Director of Environment

APPEALS

1.0. **INTRODUCTION**

- 1.1. This report is to inform Members about one new planning appeal that has been lodged with the Scottish Government's Planning and Environmental Appeals Division (DPEA) and three appeal decisions.

2.0 **NEW APPEAL**

- 2.1 **APPEAL 0531** (ERC reference 2017/0526/TP; DPEA reference PPA-220-2043). This appeal relates to the erection of a two storey side extension at 14A Carmunnock Road, Busby. The application was refused at the Planning Applications Committee on 4 October 2017.

3.0 **APPEAL DECISIONS**

- 3.1 **APPEAL 0528** (ERC reference 2017/0347/TP; DPEA reference PPA-220-2040). This appeal relates to the decision of the Council to refuse permission for a change of use of a storeroom to a hot food takeaway with installation of extract flue, rooflight, doors and window at 1 Station Road, Giffnock, East Renfrewshire, G46 6JF. The application was refused against recommendation at the Planning Applications Committee on 9 August 2017.
- 3.2 The appointed Reporter considered the proposed development accords overall with the relevant provisions of the development plan and there are no material considerations which would justify refusing the grant of planning permission. The appeal has been upheld with a condition requiring the submission of ventilation/extract systems
- 3.3 An award of expenses on the grounds of unreasonable behaviour had also been made against the Council. The appointed Reporter concluded the Council reached its decision without reasonable grounds for doing so and failed to support its reasons for refusal and to demonstrate through evidence that it had reasonable planning grounds for its decision.
- 3.4 **APPEAL 0529** (ERC reference 2017/0272/TP; DPEA reference PPA-220-2041). This appeal relates to the decision of the Council to refuse permission for a change of use of an office to a hot food takeaway at 568 Clarkston Road, Netherlee, East Renfrewshire, G44 3RT. The application was refused against recommendation at the Planning Applications Committee on 6 September 2017.
- 3.5 The appointed Reporter concluded the proposed development is not contrary to the policies of the local development plan and there are no other material considerations which alter this conclusion. The appeal has been upheld with conditions requiring the submission of ventilation/extract systems and restricting opening hours.

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- 3.6 The appellant also made an application for an award of expenses on the grounds of unreasonable behaviour however the appointed Reporter did not consider that the Council acted unreasonably in making its decision on the planning application.
- 3.7 **APPEAL 0530** (ERC reference 2017/0367/TP: DPEA reference PPA-220-2042). This appeal relates to the non-determination of the planning application by the Council for residential development including affordable housing, local retail, community facilities and associated engineering works (major) (planning permission in principle) at site adjacent to the west of 207-302 Glasgow Road, Waterfoot.
- 3.8 The Council's appeal statement submitted to the DPEA recommended that the appeal be dismissed.
- 3.9 The appeal has been dismissed and the appointed Reporter considered the housing land supply in East Renfrewshire Local Development Plan is adequate in relation to the requirements in the Strategic Development Plan and there are other sites available for the kind of development proposed. While the proposed development would make a valuable contribution to the supply of affordable housing in an area where there is unmet demand for such housing, there are other opportunities to provide such housing on sites within the existing housing land supply. The proposed development is contrary to Strategic Policies 1 and 2 and Green Belt Policy D3 in East Renfrewshire Local Development Plan 2015. There is also conflict with Policies M7 and D4.
- 3.10 The appointed Reporter concluded is that the proposed development does not accord with the development plan and that there are no other material considerations that would justify a grant of planning permission.

### 4.0 **RECOMMENDATION**

- 4.1 Members are asked to note the above.

Director of Environment  
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