

EAST RENFREWSHIRE COUNCILLOCAL REVIEW BODY13 June 2018Report by Deputy Chief ExecutiveREVIEW OF CASE - REVIEW/2018/03 AND 2018/06CHANGE OF USE OF INDUSTRIAL BUILDING/WORKSHOP TO DOG CENTREINCLUDING DAY CARE, GROOMING AND TRAINING CENTRE (IN RETROSPECT)AT UNIT 4, 6 COGAN STREET, BARRHEAD**PURPOSE OF REPORT**

1. The purpose of the report is to present the information currently available to allow a review of the decision taken by officers, in terms of the Scheme of Delegation made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006 in respect of the application detailed below.

**DETAILS OF APPLICATION**

2. Application type: Full Planning Permission (Ref No:- 2017/0605/TP).
- Applicant: Ms Elizabeth Polson.
- Proposal: Change of Use of Industrial Building/Workshop to Dog Centre including Day Care, Grooming and Training Centre (In Retrospect).
- Location: Unit 4, 6 Cogan Street, Barrhead.
- Council Area/Ward: Barrhead, Liboside and Uplawmoor (Ward 1).

**REASON FOR REQUESTING REVIEW**

3. The applicant has requested a review on the grounds that the Council's Appointed Officer granted the application, subject to conditions.

**RECOMMENDATIONS**

4. The Local Review Body is asked to:-
- (a) consider whether it has sufficient information to allow it to proceed to determine the review without further procedure and, if so, that:-
- (i) it proceeds to determine whether the decision taken in respect of the application under review should be upheld, reversed or varied; and
- (ii) in the event that the decision is reversed or varied, the reasons and the detailed conditions to be attached to the decision letter are agreed.

- (b) In the event that further procedure is required to allow it to determine the review, consider:-
- (i) what further information is required, which parties are to be asked to provide the information and the date by which this is to be provided; and/or;
  - (ii) what procedure or combination of procedures are to be followed in determining the review.

## **BACKGROUND**

5. At the meeting of the Council on 29 April 2009, consideration was given to a report by the Director of Environment seeking the adoption of a new Scheme of Delegation in terms of the new Section 43A of the Town and Country Planning (Scotland) Act 1997, subject to approval of the scheme by Scottish Ministers.

6. The report provided details of the new hierarchy of developments that took effect from 6 April 2009 explaining that the Scheme of Delegation related to those applications within the “local development” category as set out in the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009, but would in future be determined by an “appointed officer”. In the Council’s case this would be either the Director of Environment or the Head of Roads, Planning and Transportation Service now designated the Head of Environment (Planning, Economic Development and City Deal).

7. The report highlighted that historically appeals against planning decisions were dealt with by Scottish Ministers. However, following the introduction of the new planning provisions which came into effect on 3 August 2009 all appeals against decisions made in respect of local developments under delegated powers would be heard by a Local Review Body. The Local Review Body would also deal with cases where the appointed officer had failed to determine an application within two months from the date it was lodged.

## **NOTICE OF REVIEW – STATEMENT OF REASONS FOR REQUIRING THE REVIEW**

8. The applicant in submitting the review has stated the reasons for requiring the review of the determination of her application. Copies of the applicant’s Notices of Review and Statement of Reasons are attached as Appendix 5.

9. The applicant is entitled to state a preference for the procedure (or combination of procedures) to be followed by the Local Review Body in the determination of the review and has indicated that her stated preference is the assessment of the review documents only, with no further procedure.

10. The Local Review Body is not bound to accede to the applicant’s request as to how it will determine the review and will itself decide what procedure will be used in this regard.

11. However, at the meeting of the Local Review Body on 10 August 2016, it was decided that the Local Review Body would carry out unaccompanied site inspections for every review case it received prior to the cases being given initial consideration at a meeting of the Local Review Body.

12. In accordance with the above decision, an unaccompanied site inspection will be carried out immediately before the meeting of the Local Review Body on Wednesday, 13 June 2018 which begins at 2.30pm

## INFORMATION AVAILABLE TO ALLOW REVIEW OF APPLICATION

13. Section 43B of the Planning etc (Scotland) Act 2006 restricts the ability of parties to introduce new material at the review stage. The Local Review Body is advised that the focus of the review should, therefore, be on the material which was before the officer who dealt with the application under the Scheme of Delegation.

14. The information detailed below is appended to this report to assist the Local Review Body in carrying out the review of the decision taken by the Appointed Officer:-

- (a) Application for planning permission – Appendix 1 (Pages 7 - 16);
- (b) Copies of Objections/Representations – Appendix 2 (Pages 17 - 34);
- (c) Report of Handling by the planning officer under the Scheme of Delegation - Appendix 3 (Pages 35 - 42);
- (d) Decision notice and reasons for refusal - Appendix 4 (Pages 43 - 48); and
- (e) Copies of the applicant's Notices of Review and Statement of Reasons - Appendix 5 (Pages 49 - 64).

15. The applicant has also submitted the drawings listed below (available for inspection within the Planning Division of the Environment Department prior to the meeting and for reference at the meeting) and these are attached as Appendix 6 (Pages 65 - 68).

- (a) Amended Location Plan; and
- (b) Amended Layout Plan.

16. The Local Review Body is advised that initial consultation responses and representations received if any, relating to the application will be listed in the planning officer's Report of Handling.

17. All the documents referred to in this report can be viewed online on the Council's website at [www.eastrenfrewshire.gov.uk](http://www.eastrenfrewshire.gov.uk).

## RECOMMENDATIONS

18. The Local Review Body is asked to:-

- (a) consider whether it has sufficient information to allow it to proceed to determine the review without further procedure and, if so, that:-
  - (i) it proceeds to determine whether the decisions taken in respect of the application under review should be upheld, reversed or varied; and
  - (ii) in the event that the decision is reversed or varied, the reasons and the detailed conditions to be attached to the decision letter are agreed.

- (b) In the event that further procedure is required to allow it to determine the review, consider:-
- (i) what further information is required, which parties are to be asked to provide the information and the date by which this is to be provided; and/or;
  - (ii) what procedure or combination of procedures are to be followed in determining the review.

Report Author: Paul O'Neil

Director - Caroline Innes, Deputy Chief Executive

Paul O'Neil, Committee Services Officer  
e-mail: paul.o'neil@eastrenfrewshire.gov.uk  
Tel: 0141 577 3011

Date:- June 2018

**APPLICATION  
FOR  
PLANNING PERMISSION**

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2 Spiersbridge Way Thornliebank G46 8NG Tel: 0141 577 3001 Email: [planning@eastrenfrewshire.gov.uk](mailto:planning@eastrenfrewshire.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE          100065349-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Type of Application

What is this application for? Please select one of the following: \*

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

## Description of Proposal

Please describe the proposal including any change of use: \* (Max 500 characters)

Change of use of building from ventilation construction (med/heavy industry) to dog centre.

Is this a temporary permission? \*

Yes  No

If a change of use is to be included in the proposal has it already taken place?

Yes  No

(Answer 'No' if there is no change of use.) \*

Has the work already been started and/or completed? \*

No  Yes – Started  Yes - Completed

Please state date of completion, or if not completed, the start date (dd/mm/yyyy): \*

01/07/2017

Please explain why work has taken place in advance of making this application: \* (Max 500 characters)

Due to misunderstanding. Local planners aware of situation.

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant  Agent

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Ms"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Canine Cottage"/>
First Name: *	<input type="text" value="elizabeth"/>	Building Number:	<input type="text" value="6"/>
Last Name: *	<input type="text" value="Polson"/>	Address 1 (Street): *	<input type="text" value="Cogan Street"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value="REDACTED"/>	Town/City: *	<input type="text" value="barrhead"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text" value="REDACTED"/>	Postcode: *	<input type="text" value="g78 1QP"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

## Site Address Details

Planning Authority:

Full postal address of the site (including postcode where available):

Address 1:	<input type="text"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text"/>
Post Code:	<input type="text"/>

Please identify/describe the location of the site or sites

Northing

Easting

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

Yes  No

## Pre-Application Discussion Details Cont.

In what format was the feedback given? \*

Meeting  Telephone  Letter  Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) \* (max 500 characters)

Feedback from Mr Iain Walker was that we required change of use planning permission. He is awaiting this application.

Title:	<input type="text" value="Mr"/>	Other title:	<input type="text"/>
First Name:	<input type="text" value="Iain"/>	Last Name:	<input type="text" value="Walker"/>
Correspondence Reference Number:	<input type="text"/>	Date (dd/mm/yyyy):	<input type="text"/>

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

## Site Area

Please state the site area:

Please state the measurement type used:

Hectares (ha)  Square Metres (sq.m)

## Existing Use

Please describe the current or most recent use: \* (Max 500 characters)

Current use is dog centre Previous use was med/heavy industry, the production of steel ventilation systems.

## Access and Parking

Are you proposing a new altered vehicle access to or from a public road? \*

Yes  No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? \*

Yes  No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

0

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? \*

0

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

## Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? \*

 Yes  No

Do your proposals make provision for sustainable drainage of surface water?? \* (e.g. SUDS arrangements) \*

 Yes  No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? \*

- Yes  
 No, using a private water supply  
 No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

## Assessment of Flood Risk

Is the site within an area of known risk of flooding? \*

 Yes  No  Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? \*

 Yes  No  Don't Know

## Trees

Are there any trees on or adjacent to the application site? \*

 Yes  No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

## Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? \*

 Yes  No

If Yes or No, please provide further details: \* (Max 500 characters)

Already exists

## Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? \*

 Yes  No

## All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? \*

Yes  No

### Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013 \*

Yes  No  Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

### Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? \*

Yes  No

### Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? \*

Yes  No

Is any of the land part of an agricultural holding? \*

Yes  No

Are you able to identify and give appropriate notice to ALL the other owners? \*

Yes  No

### Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate B

## Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

I hereby certify that

(1) - No person other than myself/the applicant was an owner [Note 4] of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application;

or –

(1) - I have/The Applicant has served notice on every person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application was owner [Note 4] of any part of the land to which the application relates.

Name:

Mr Danny Kelly

Address:

7, Dunterlie Court, barrhead, United Kingdom, g78 1BH

Date of Service of Notice: \*

15/08/2017

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding;

or –

(2) - The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have/the applicant has served notice on every person other than myself/himself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. These persons are:

Name:

Address:

Date of Service of Notice: \*

Signed: Ms elizabeth Polson

On behalf of:

Date: 06/09/2017

Please tick here to certify this Certificate. \*

## Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? \*

Yes  No  Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? \*

Yes  No  Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? \*

Yes  No  Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? \*

Yes  No  Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? \*

Yes  No  Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? \*

Yes  No  Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

Site Layout Plan or Block plan.

Elevations.

Floor plans.

Cross sections.

Roof plan.

Master Plan/Framework Plan.

Landscape plan.

Photographs and/or photomontages.

Other.

If Other, please specify: \* (Max 500 characters)

Provide copies of the following documents if applicable:

- A copy of an Environmental Statement. \*  Yes  N/A
- A Design Statement or Design and Access Statement. \*  Yes  N/A
- A Flood Risk Assessment. \*  Yes  N/A
- A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). \*  Yes  N/A
- Drainage/SUDS layout. \*  Yes  N/A
- A Transport Assessment or Travel Plan  Yes  N/A
- Contaminated Land Assessment. \*  Yes  N/A
- Habitat Survey. \*  Yes  N/A
- A Processing Agreement. \*  Yes  N/A

Other Statements (please specify). (Max 500 characters)

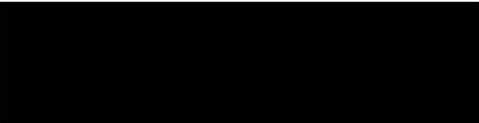
### Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Ms Jackie Polson

Declaration Date: 06/09/2017

### Payment Details



Created: 06/09/2017 16:50

## COPIES OF OBJECTIONS/REPRESENTATIONS

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## Comments for Planning Application 2017/0605/TP

### Application Summary

Application Number: 2017/0605/TP

Address: Unit 4 6 Cogan Street Barrhead East Renfrewshire G78 1QP

Proposal: Change of use of industrial building/workshop to dog centre including day care, grooming and training centre.

Case Officer: Mr Derek Scott

### Customer Details

Name: Mr Alec Leitch

Address: Flat 2-1, 13 Cogan Street, Barrhead, East Renfrewshire G78 1QP

### Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: this place dose not run to normal times and can be open till 10 pm at night i do not think this is right as there are dogs in the place and the noise from this place is bad and it as taken to long for then to put in an application to the council they have been running for about 4 months now and thay got away with doing it the council gave them chance after chance.

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## Comments for Planning Application 2017/0605/TP

### Application Summary

Application Number: 2017/0605/TP

Address: Unit 4 6 Cogan Street Barrhead East Renfrewshire G78 1QP

Proposal: Change of use of industrial building/workshop to dog centre including day care, grooming and training centre.

Case Officer: Mr Derek Scott

### Customer Details

Name: Miss Pauline Mackle

Address: 8 Cogan Place, Barrhead, East Renfrewshire G78 1QZ

### Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: As far as the day care grooming i dont object too but during the summer i could here dogs barking throught the day. I only have limited days holiday, but to hear dogs barking when i am trying to relax isnt very good. I suppose the dog grooming wouldnt be so bad as they are in and out, but i object to the "Party" and prolonged visits to premises, purely because of the constant barking throught the day.

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9TH NOVEMBER 2017.

DEAR SIRS,

RE: REF 2017/0605/TP

I AM WRITING TO YOU REGARDING PLANNING PERMISSION FOR A DOG CENTRE IN COGAN STREET, BARRHEAD.

WHILE I DO NOT DENY THE APPLICANT'S RIGHT TO HAVE A BUSINESS, I WOULD LIKE TO POINT OUT THE FOLLOWING CONCERNS WHICH HAVE ARISEN SINCE THE CENTRE WAS OPENED LAST JUNE, SIX MONTHS AGO.

1. THE OUTSIDE TRAINING AREA IS IN VERY CLOSE PROXIMITY TO RESIDENTS IN COGAN PLACE AND THE INTERMITTING BARKING IS ANNOYING.
2. THE UNIT ITSELF SEEMS TO BE CONSTRUCTED MAINLY OF METAL WITH THE RESULT THAT INDOOR BARKING IS AMPLIFIED.
3. THERE IS NO DESIGNATED AREA FOR CUSTOMER PARKING.

IN CONCLUSION, THE CENTRE WOULD HAVE BEEN BETTER LOCATED IN A NON-RESIDENTIAL AREA. I TRUST THESE CONCERNS WILL BE CONSIDERED.

YOURS FAITHFULLY

MRS A MACKLE

7 COGAN PLACE.

G78 1QZ.

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Flat 1/1 AT REAR,  
9, Cogan Street,  
Barrhead,  
Glasgow G78 1QS.  
20th November 2017

Head of Environment,  
Planning Property & Regeneration,  
2 Spiersbridge Way,  
Spiersbridge Business Park,  
Thornliebank,  
East Renfrewshire G46 8NG.

Dear Sir,

Ref. 2017/0605/TP Unit 4 6 Cogan Street, Barrhead G78 1QP.

I refer to the above application for change of use. I have viewed the submissions and object to the proposed change of use. Is the information provided in support of the application of a standard that allows the planning officer to make a properly informed decision?

There is no indication that the homes in Cogan Place overlooking the location have been informed of the change of use or their right to make representations.

My objections are,

1. Parking. There is no provision for staff and customer parking, minimum required 3 spaces for staff. Cogan Street is already congested and on street parking is already a problem with parking blocking the access lanes and garage at 7 and 9 Cogan Street.
2. Noise. There has been an increase in noise from dogs leading to a loss of amenity.
3. Fouling. There has been an increase in dog fouling in Cogan Street.
4. Outdoor Space. The outdoor space has not been included in the plan nor its use defined. It has metal cages in place that could be used for dogs? There is no provision for refuse or recycling bins.
5. Opening hours. Opening hours should be restricted to 9am-6pm Monday to Friday and 9am-12pm Saturday with no Sunday opening.
6. Exterior finishes. The exterior finishes do not blend with the surrounding brick and sandstone exteriors.

7. Advertising. There is no reference to signage or the placing of advertising boards at the junction of Cogan Street and Cross Arthurlie Street restricting the footpath and creating a crossing hazard at this busy junction.

I hope you will take my submissions into account to preserve the residential amenity of Cogan Street and Cogan Place.

Yours faithfully,

J.R.Hairstans

O'Neil, Paul [CE]

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**From:** James Hairstans [REDACTED]  
**Sent:** 29 March 2018 23:03  
**To:** EN Planning  
**Cc:** O'Neil, Paul [CE]  
**Subject:** 2017/0605/TP REVIEW/2018/03 29-3-2018

Dear Sir,

Application No. 2017/0605TP Change of use Unit 4, 6 Cogan Street, Barrhead G78 1QP.  
 Ref No. REVIEW/2018/03.

I refer to the above conditional planning approval and the subsequent Notice of Review.

As the plans for the original planning application were not prepared professionally there is no evidence that the proper procedures were followed and that all adjacent addresses to the north, south, east and west were advised in writing of the applicants intentions. The result may be a limited number of representations and a limited input to the Local Review Body. Can E.R.C. confirm that all the residents of the homes overlooking Unit 4, 6 Cogan Street have been contacted in writing?

Training, education and the creation of employment are not subject to planning regulations. Intensification of use and the impact this has on the amenity of residential properties is subject to planning regulations.

6 Cogan Street is not an industrial estate but a collection 4 sole traders that have all been the subject of compliance and enforcement issues by E.R.C. since the inception of the site in the late 1970's. The previous occupant of Unit 4 produced ventilation ducting and had to install noise insulation and had restricted working times as conditions of that change of use. The other businesses have mainly low level intermittent noise.

The E.R.C. Environmental Health Officer made five recommendations relating to the above application to ensure it was compliant with animal welfare regulations and to avoid noise nuisance to neighbouring residential properties. Are the premises as currently operated compliant? The current opening times being offered to customers are 9am - 5pm Monday to Saturday. Saturday is a high amenity day for local residential properties spent outside in garden areas or indoors with windows and doors open. The premises as currently operated are offering,

"We offer supervised care, in a home like environment **with a large outdoor play area**". In the Report of Handling "**The applicant stated that the side external yard area is used only as a toilet break area.**"

"Dog training will be offered soon". Indoor or outdoor with no noise?

"We cater for Doggy Parties to help your dog socialise". Indoor or outdoor with no noise?

The Approval Condition No2 was made "to protect adjacent residents from noise/disturbance" as the premises have no dedicated parking area for staff, customers loading and unloading dogs. The amenity of residents is impacted by car engines, car doors closing, command's being shouted and exited dogs barking. This happens next to residential property and is unacceptable.

"People need to drop off animals before 9am" Converts to "request the following:- Mon-Fri 8am-7pm, Sat 8am-5.30pm"

"We also request that we can open until 9.30 one evening per week to provide training"

The adopted East Renfrewshire Local Development Plan Policy D1 Detailed Guidance for all Development states,

1. "The development should not result in a significant loss of character or amenity to the surrounding area"

Given the divergence between the information in support of the original planning application and what is happening and the apparent failure to comply with the conditions applied to the approval E.R.C. should be sceptical about the applicants willingness to comply now or in the future in what is a clear intensification of use to the detriment of residential amenity.

An additional note to the planning approval referred to the need for planning permission and advertising consent for external alterations to the building and for display advertising to be submitted to the Planning Authority. To the best of my knowledge no submission has been made to date?

Will the Planning Officer be progressing this outstanding issue?

Residents rely on the Authority to regulate business activity and development at the outset to protect our amenity and avoid compliance issues and complaints in the future that often happen when council offices are closed or officers are busy. We ask you to review all the information relating to this activity and take our genuine concerns into account.

Yours Faithfully,

J R Hairstans.

Canine Cottage  
Unit4, 6 Cogan Street  
Barrhead  
G78 1QP

East Renfrewshire Council  
Corporate & Community Services,  
Council HQ  
Eastwood Park  
Rouken Glen Road  
Giffnock  
G46 6UG

18<sup>th</sup> April 2018

F.A.O. Paul O'Neil

Dear Sir

In response to the comments made by Mr James Hairstans regarding Application No. 2017/0605TP, Ref. No. REVIEW/2018/03, please note the following :-

1. The complainant states that intensification of use of the area has an impact on amenity. The intensification of use of the area is no greater than the previous occupants of the unit who had customers coming and going on a daily basis and were a very noisy industrial metal ware manufacturing business.
2. Training and education may not be planning considerations, but are for the over all good of the community and its economy.
3. The complainant states that 6 Cogan Street is not an industrial area. Planning application document – Report of Handling Document dated 03/01/18 states that 6 Cogan Street is classified as an industrial building/workshop. The complainant states that all businesses in this area are subject to environmental law compliance. He is correct and as we have not broken any of these laws or compliances, there is no problem.
4. The complainant states that all other businesses in the area emit low level intermittent noise. I would like a copy of the noise report he has undertaken to back up his statement. As far as I am aware there has not been a noise study completed. Our business rarely emits noise at all, we are a quiet business, if we were not we would be dealt with by way of environmental laws and compliances, just like any other business.
5. The complainant states that conditions were attached to planning consent for animal welfare. This is untrue, none of them relate to animal welfare. Animal welfare has never been an issue. Animals in our care are treated with care, dignity and love.

6. The complainant states that Saturday is a high amenity day. This is an industrial/residential mixed use area. We are a low noise business. If we were disturbing neighbours there would have been complaints of noise by now, there have been none. I happen to live in Cogan Street and the only dogs regularly heard barking in the street are those of local residents, not the grooming business. We must be the only business in Barrhead asked to close at 2pm on Saturdays. This is particularly needless as we are a quiet business.

7. The complainant states that dog training will be noisy. The opposite is actually true. In these environments dogs are passive and usually very quiet. I suspect the complainant has no formal animal training experience and is jumping to his own biased conclusions.

8. The complainant has applied Approval Condition No.2 ( 'to protect adjacent residents from noise/disturbance') to noises made by car engines, car doors closing and states that we have no dedicated parking area. This is incorrect we actually have a large accessible area to the rear of our building for customer and staff parking. He also comments on commands being shouted and excitable dogs barking. As previously stated dogs come to grooming in a very passive role and their owners bring them in on leads. There are no scenes of harassed owners and dogs. We are a calm, peaceful and welcoming establishment.

9. The complainant cites East Renfrewshire Council Local Development Plan Policy D1 stating that 'development should not result in significant loss of character or amenity to the surrounding area'. Our dog business has not been detrimental at all. There has been no loss of character or amenity. We have improved the local amenity :-

- a) We have created a pretty garden fronted unit with pleasant appearance in comparison to the previously ugly industrial shed with a metal container at its side with no garden.
- b) We have painted and improved all railings, ours and our neighbours.
- c) We rebuilt a toppled sandstone column.
- d) We removed all weeds from the area
- e) We have reduced the noise level from very noisy constant heavy industry noises to a calm, peaceful external environment.
- f) We have plenty of on site parking and drop off facilities.
- g) We have created jobs and provide human training, vocational and a full apprenticeship.

10. The complainant has stated that East Renfrewshire Council should be sceptical about our willingness to comply. He has no grounds for this statement as we have been compliant to all environmental laws.

11. The complainant has stated that we have intensified use in a residential area. It is not a residential area, it is a mixed industrial / residential area. Our unit is within an industrial site. Use is not intensified as it was a fully operational factory previously.

12. The complainant asks what should the residents do to protect their amenity from our potential non compliance if council offices are closed or officers busy. I would suggest that he does the same as every other Scottish resident in those circumstances. Our business is subject to the same laws as everyone else.

Conclusion

It is our belief that we have vastly improved the appearance and condition of the site. We have dramatically reduced noise levels which were previously loud and continual. We are very community conscious and respect our neighbours. We have never had a complaint regarding noise or anything else from neighbours. We have had many compliments and praise from local residents who say we have improved the area immensely and are very happy to have us here.

On a final point I feel it must be noted that it has come to my attention from local residents and businesses that Mr James Hairstans is a serial complainer. Many local residents have eluded to this.

The owners of Blue Stone Cafe and resident Julie Merchant have both stated that they give permission to be included as witnesses to his serial complaining.

We are an asset to the community and should be permitted to function as a normal business of our type. We fall well within the restraints of the East Renfrewshire Council Local Development Plan.

Yours faithfully

E. Jacqueline Polson

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O'Neil, Paul [CE]

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**From:** James Hairstans [REDACTED]  
**Sent:** 04 May 2018 14:22  
**To:** O'Neil, Paul [CE]  
**Cc:** EN Planning  
**Subject:** Review/2018/06 4-5-2018

Dear Sir,

Further to your letter dated 2nd May 2018 relating to Review/2018/06, Review 2018/03 and Planning Application 2017/0605/TP.

I have not had a response from the **Local Review Body** or the **Planning Department** to the **questions** raised in my email to both dated 29th March 2018.

In my opinion the decision to grant temporary planning approval is fair and reasonable based on the representations made to the original Planning Application and to the Review Body. I believe that the planning officer drew the correct conclusion from an inadequate and unprofessional planning application.

In this area we have a history of non compliance and enforcement e.g. Temporary Approval given 2008/0601/TP with conditions that were only fulfilled by 2013/0654/TP with issues and complaints raised with the Planning Department over a five year period that are all on record.

It is not acceptable that businesses, such as those at 6 Cogan Street, should assume that they can make changes without Planning Approval and without demonstrating that they are willing and able to comply with the conditions set in the approval, if granted in the first instance, in order not to degrade the amenity of the adjacent residential properties. The onus should not be on the residents to complain about an issue that did not pre-exist. Businesses know that they need approval to change use they also know that they need to comply with the conditions set by the Local Authority. Compliance must take precedence over profit as profit benefits the business but non compliance is a loss to the residents.

Yours Faithfully,

James R Hairstans

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## REPORT OF HANDLING

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# REPORT OF HANDLING

Reference: 2017/0605/TP

Date Registered: 2nd November 2017

Application Type: Full Planning Permission

This application is a Local Development

Ward:

Co-ordinates: 249746/:658904

Applicant/Agent: Applicant: Agent:  
 Ms Elizabeth Polson  
 Canine Cottage  
 6 Cogan Street  
 Barrhead  
 G78 1QP

Proposal: Change of use of industrial building/workshop to dog centre including day care, grooming and training centre,(in retrospect).

Location: Unit 4  
 6 Cogan Street  
 Barrhead  
 East Renfrewshire  
 G78 1QP

## CONSULTATIONS/COMMENTS:

East Renfrewshire Council Roads Network Manager No objections.

East Renfrewshire Council Environmental Health Service No objection subject to conditions.

## PUBLICITY:

17.11.2017 Barrhead News Expiry date 01.12.2017

**SITE NOTICES:** None.

**SITE HISTORY:** None relevant.

**REPRESENTATIONS:** Four representations have been received and can be summarised as follows:

Noise from barking  
 Lack of dedicated parking provision  
 Business should be located elsewhere  
 Increase in dog fouling  
 No provision for refuse/recycling bins  
 Opening hours should be restricted  
 Appearance of the building  
 The signage does not appear in the application

**DEVELOPMENT PLAN & GOVERNMENT GUIDANCE:** See Appendix 1

**SUPPORTING REPORTS:** No reports have been submitted for consideration as part of this application

**ASSESSMENT:**

The application site comprises a former industrial shed and its associated front and side yard areas. The site measures 10 metres wide by 27 metres deep and the shed measures 6 metres by 20 metres. The site lies within a mixed use industrial and residential area on the edge of Barrhead Town Centre. A car repair garage lies to the east of the site, residential flatted properties lie to the west and south and residential terraced properties lie to the north west. Further industrial premises lie to the north. The wider area is characterised by a variety of low rise industrial premises and flatted, terraced and semi-detached residential properties.

Planning permission is sought for the change of use of the premises to operate as a dog grooming and day care centre. The use has already begun. The applicant has advised that the business operates as dog grooming, day care and dog training classes. The hours of opening are 9am to 7pm Monday to Saturday with occasional opening until 10pm. The use does not operate on a Sunday. Internally the premises have been divided into a reception area, grooming area and day care area. The applicant has indicated that the side external yard area is used only as a toilet break area. The front yard has been laid with stone chips and forms an entrance area. The applicant has made external changes to the front of the building including cladding and signage. Those changes do not form part of this application. It should be noted that dog boarding is not undertaken.

The application requires to be assessed with regard to Policy D1 of the adopted East Renfrewshire Local Development Plan. Policy D1 requires that any development should not result in a significant loss of amenity to the surrounding area and that the Council's access and parking requirements should be met.

The determining issues in this case are: i) whether the proposal will result in a significant loss of amenity to the occupants of the surrounding residential properties; and ii) whether the Council's access and parking requirements can be met.

In terms of the latter, the Council's Roads Service has offered no objection to the proposal. There is considered to be adequate on-street parking to serve the development and the Council's Parking Manager has confirmed that there are no parking issues in the vicinity of the site.

The location of the site within a mixed use industrial/residential area is noted. At a recent site visit there were a number of industrial activities being carried out in proximity to the site evident by noise emanating from some of the nearby premises. It is therefore considered that a level of amenity that might be expected in a wholly residential setting cannot reasonably be expected during business hours in this mixed use area. It is also noted that the Council's Environmental Health Service has not objected to the proposal.

Taking the above into account the proposal is considered to comply with the terms of Policy D1 of the adopted East Renfrewshire Local Development Plan. On that basis planning permission should be approved unless material considerations indicate otherwise. In this case the material considerations extend primarily to consultations responses and any representations. The consultations as noted above have not given rise to significant concerns.

In terms of the grounds of objection that have not been considered above the following comments are made.

Dog fouling is controlled under other legislation and is not therefore a material planning consideration. A note can be attached to any planning permission granted advising the applicant to contact the Waste Management Section in respect of refuse and recycling provision. The Council must determine the application before it and cannot consider alternative sites. This application relates to the change of use and no details have been given of the exterior changes to the building. A note can be attached to any planning permission granted advising that planning permission and advertisement consent may be required for the external alterations and signage.

However, the propensity for dogs to bark is difficult to predict and can be dependent upon the breed of dog and other conditions. The Council's Environmental Health Service in responding to the consultation on this application has not advised of any direct noise complaints being brought to their attention. It is however considered appropriate to grant planning permission for the change of use for a temporary period of 1 year. This will allow the Council the opportunity to monitor the use and the impact on residential amenity. The applicant can reapply at the end of the period to have the permission renewed or made permanent as appropriate.

Additionally in order to protect residential amenity outwith business hours, it is considered appropriate to limit the hours of the proposed use as follows:

Monday to Wednesday 9am to 7pm;  
Thursday and Friday 9am to 5pm;  
Saturday 9am to 2pm.

**RECOMMENDATION:** Approve Subject to Conditions

**PLANNING OBLIGATIONS:** None

**CONDITIONS:**

1. The development hereby approved shall cease on 31 January 2019. At the end of the period of permission, the use shall be discontinued unless a further planning permission is granted.

Reason: To allow the Council to monitor the impact of the development on residential amenity.

2. The use hereby approved shall operate only within the hours of 09:00 - 19:00 Monday to Wednesday, 09:00 - 17:00 Thursday and Friday, 09:00 - 14:00 on a Saturday and at no time on a Sunday unless otherwise agreed in writing by the Planning Authority.

Reason: To protect adjacent residents from noise/disturbance.

**ADDITIONAL NOTES:**

The applicant is advised that planning permission and advertisement consent may be required for the external alterations to the building and for the display of advertisements respectively. Details of the alterations to the building and any existing and proposed signage should be submitted to the Planning Authority.

The applicant is advised to contact East Renfrewshire Council's Waste Management section for advice on refuse and recycling provision.

**ADDED VALUE:**

Conditions have been added that are necessary to control or enhance the development and to ensure the proposal complies with the Council's Local Plan policies.

**BACKGROUND PAPERS:**

Further information on background papers can be obtained from Mr Derek Scott on 0141 577 3034.

Ref. No.: 2017/0605/TP  
(DESC)

DATE: 3<sup>rd</sup> January 2018.

**DIRECTOR OF ENVIRONMENT**

**Reference: 2017/0605/TP - Appendix 1**

**DEVELOPMENT PLAN:**

**Strategic Development Plan**

This proposal raises no strategic issues in terms of the Glasgow and the Clyde Valley Strategic Development Plan and therefore the East Renfrewshire Local Plan is the relevant policy document

**Adopted East Renfrewshire Local Development Plan**

Policy D1

Detailed Guidance for all Development

Proposals for development should be well designed, sympathetic to the local area and demonstrate that the following criteria have been considered, and, where appropriate, met. In some cases, where the criteria have not been met, a written justification will be required to assist with assessment.

1. The development should not result in a significant loss of character or amenity to the surrounding area;
2. The proposal should be of a size, scale, massing and density that is in keeping with the buildings in the locality and should respect local architecture, building form, design, and materials;
3. The amenity of neighbouring properties should not be adversely affected by unreasonably restricting their sunlight or privacy. Additional guidance on this issue is available in the Daylight and Sunlight Design Guide Supplementary Planning Guidance;
4. The development should not impact adversely on landscape character or the green network, involve a significant loss of trees or other important landscape, greenspace or biodiversity features;
5. Developments should incorporate green infrastructure including access, landscaping, greenspace, water management and Sustainable Urban Drainage Systems at the outset of the design process. Where appropriate, new tree or shrub planting should be incorporated using native species. The physical area of any development covered by impermeable surfaces should be kept to a minimum to assist with flood risk management. Further guidance is contained within the Green Network and

Environmental Management Supplementary Planning Guidance;

6. Development should create safe and secure environments that reduce the scope for anti-social behaviour and fear of crime;
7. Developments must be designed to meet disability needs and include provision for disabled access within public areas;
8. The Council will not accept 'backland' development, that is, development without a road frontage;
9. Parking and access requirements of the Council should be met in all development and appropriate mitigation measures should be introduced to minimise the impact of new development. Development should take account of the principles set out in 'Designing Streets';
10. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the development;
11. Developments should include provision for the recycling, storage, collection and composting of waste materials;
12. Where possible, all waste material arising from construction of the development should be retained on-site for use as part of the new development;
13. Where applicable, new development should take into account the legacy of former mining activity;
14. Development should enhance the opportunity for and access to sustainable transportation, including provision for bus infrastructure, and particularly walking and cycle opportunities including cycle parking and provision of facilities such as showers/lockers, all where appropriate. The Council will not support development on railways solums or other development that would remove opportunities to enhance pedestrian and cycle access unless mitigation measures have been demonstrated;
15. The Council requires the submission of a design statement for national and major developments. Design statements must also be submitted in cases where a local development relates to a site within a conservation area or Category A listed building in line with Planning Advice Note 68: Design Statements.
16. Where applicable, developers should explore opportunities for the provision of digital infrastructure to new homes and business premises as an integral part of development.

**GOVERNMENT GUIDANCE:** None

Finalised 03/01/2018.AC.

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**DECISION NOTICE  
AND  
REASONS FOR REFUSAL**

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## EAST RENFREWSHIRE COUNCIL

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997  
(AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006)  
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)  
(SCOTLAND) REGULATIONS 2013**

**CONDITIONAL PLANNING APPROVAL**REF NO.      **2017/0605/TP****Applicant:**

Ms Elizabeth Polson  
Canine Cottage  
6 Cogan Street  
Barhead  
G78 1QP

**Agent:**

With reference to your application registered on 2nd November 2017 for the following development:-

**Change of use of industrial building/workshop to dog centre including day care, grooming and training centre.**

**at: Unit 4 6 Cogan Street Barrhead East Renfrewshire G78 1QP**

The Council in exercise of its powers under the above Acts and Regulations now grant planning permission for the above development in accordance with the particulars given in the application and the plans listed below.

To comply with the provisions of Section 58 of the above Act, the development must be begun not later than the expiration of three years beginning with the date of this permission. Any condition(s) attached to this consent, with the reasons for imposing them as shown below.

**The reason(s) why the Council made this decision are as follows:**

1. The development is considered to comply with development plan policies.

**The approval is subject to the following condition(s):-**

1. The development hereby approved shall cease on 31 January 2019. At the end of the period of permission, the use shall be discontinued unless a further planning permission is granted.

Reason: To allow the Council to monitor the impact of the development on residential amenity.

2. The use hereby approved shall operate only within the hours of 09:00 - 19:00 Monday to Wednesday, 09:00 - 17:00 Thursday and Friday, 09:00 - 14:00 on a Saturday and at no time on a Sunday unless otherwise agreed in writing by the Planning Authority.

Reason: To protect adjacent residents from noise/disturbance.

Dated            3<sup>rd</sup> January 2018

Director of Environment  
East Renfrewshire Council  
2 Spiersbridge Way,  
Spiersbridge Business Park,  
Thornliebank,  
G46 8NG  
Tel. No. 0141 577 3001

The following drawings/plans have been approved **46**

<b>Plan Description</b>	<b>Drawing Number</b>	<b>Drawing Version</b>	<b>Date on Plan</b>
Location Plan	LOCATION		

### **Notes**

Planning Officials may monitor the site during the course of development to ensure compliance with the planning permission hereby granted.

It should be understood that this planning permission does not carry with it any approval which may be necessary under the Building (Scotland) Act 2003 or any other enactment.

No materials or skips should be placed on the footpath / road without the prior written consent of East Renfrewshire Council Roads and Transportation Service, 2 Spiersbridge Way, Spiersbridge Business Park, Thornliebank, East Renfrewshire, G46 8NG.

It is the applicants responsibility to obtain approval of neighbouring landowners should any part of the development encroach over the boundary or if entry is required during construction.

The applicant is required to comply with the European Council's Directive 92/43/EEC on the Conservation of Natural Habitats, the Wildlife and Countryside Act 1981 (as amended) and the Nature Conservation (Scotland) Act 2004 which provide full protection for certain plant and animal special and European Protected Species. It is illegal to capture, kill, disturb any such animal, damage or destroy breeding or nesting sites or eggs or deliberately or recklessly pick, collect, cut, uproot or destroy European Protected Species of wild plant. In addition, where it is proposed to carry out works which will affect European Protected Species or their shelter/breeding places, a licence is required from the Scottish Government. Further information on these matters can be sought at Scottish Government Species Licensing Team, Countryside and Heritage Unit, Victoria Quay, Edinburgh or from Scottish Natural Heritage.

Information on home and property crime prevention advice can be found at [www.securedbydesign.com/aware](http://www.securedbydesign.com/aware).

The applicant is advised that planning permission and advertisement consent may be required for the external alterations to the building and for the display of advertisements. Details of the alterations to the building and any existing and proposed signage should be submitted to the Planning Authority.

The applicant is advised to contact East Renfrewshire Council's Waste Management section for advice on refuse and recycling provision.

GUIDANCE NOTES FOR 'LOCAL' DEVELOPMENTS  
DETERMINED UNDER DELEGATED POWERS

## NOTICES

### Notification of Intention of Development

Once planning permission has been granted and you have decided when to start work on the development, it is a requirement that you inform the Council's Planning Service of that date. The Notice of Intention of Development form must be submitted before work starts and failure to do so would constitute a breach of planning control. This form is included in the decision pack and is also available to download from the Council's website at [www.eastrenfrewshire.gov.uk](http://www.eastrenfrewshire.gov.uk).

### Notification of Completion of Development

Once the development has been completed you must, as soon as practicable, submit a Notice of Completion of Development to the Council's Planning Service. Where a development is carried out in phases, you are required to submit a notice at the conclusion of each phase. This form is included in the decision pack and is also available to download from the Council's website.

## OTHER INFORMATION

### Variation of Planning Permissions

Applications may be varied provided there is not a substantial change to the development. Where there is a substantial change, a new planning application should be submitted.

To apply for a Variation of Planning Permission you must fill in a Non-Material Variation form and submit 2 sets of amended plans to the Council's Planning Service. A decision letter will be issued by the Council's Planning Service. The Non-Material Variation form is available from the Council's Planning Service at the contact details below.

### Fulfilment of Conditions

Any conditions attached to your planning permission require to be complied with, which may involve discharging the terms of the conditions before the development commences. Failure to discharge the conditions before the development commences may affect the legality of your development.

To discharge the relevant conditions please complete the enclosed 'Approval of Conditions attached to Planning Permission' form and submit it and the relevant information to the Planning Service. Once submitted and considered you will receive a decision notice from the Council.

It should be noted that you can apply to discharge more than one condition at a time.

## REVIEW BY EAST RENFREWSHIRE COUNCIL'S LOCAL REVIEW BODY

1. If the applicant is aggrieved by a decision to refuse permission (or by an approval subject to conditions), the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. A Notice of Review can be submitted online at [www.eplanning.scotland.gov.uk](http://www.eplanning.scotland.gov.uk). Alternatively, you can download a Notice of Review form (along with notes for guidance) from [www.eastrenfrewshire.gov.uk/planning-appeals-reviews](http://www.eastrenfrewshire.gov.uk/planning-appeals-reviews) which should be returned to The Planning Service, 2 Spiersbridge Way, Spiersbridge Business Park, Thornliebank, East Renfrewshire G46 8NA. You may also call the Council on 0141 577 3001 to request the Notice of Review Form. Please note that beyond the content of the appeal or review forms, **you cannot normally raise new matters** in support of an appeal or review, unless you can demonstrate that the matter could not have been raised before, or that its not being raised before is a consequence of exceptional circumstances. Following submission of the notice, you will receive an acknowledgement letter informing you of the date of the Local Review Body meeting or whether further information is required.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

## **CONTACT DETAILS**

East Renfrewshire Council  
Development Management Service  
2 Spiersbridge Way,  
Spiersbridge Business Park,  
Thornliebank,  
G46 8NG  
General Inquiry lines 0141 577 3895 or 0141 577 3878  
Email [planning@eastrenfrewshire.gov.uk](mailto:planning@eastrenfrewshire.gov.uk)

**NOTICE OF REVIEW  
AND  
STATEMENT OF REASONS**

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2 Spiersbridge Way Thornliebank G46 8NG Tel: 0141 577 3001 Email: [planning@eastrenfrewshire.gov.uk](mailto:planning@eastrenfrewshire.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100087419-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant  Agent

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Ms"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Unit 4"/>
First Name: *	<input type="text" value="Jackie"/>	Building Number:	<input type="text" value="6"/>
Last Name: *	<input type="text" value="Polson"/>	Address 1 (Street): *	<input type="text" value="Cogan street"/>
Company/Organisation	<input type="text" value="Authentic dog grooming co. Ltd"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value="01413280404"/>	Town/City: *	<input type="text" value="Barrhead"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Uk"/>
Mobile Number:	<input type="text" value="07930910168"/>	Postcode: *	<input type="text" value="G78 1qp"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="Canine.cottage@hotmail.com"/>		

## Site Address Details

Planning Authority:

East Renfrewshire Council

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing

658918

Easting

249732

## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

Change of use of industrial building/workshop to dog centre including day care, grooming and training centre. at: Unit 4, 6 Cogan Street, Barrhead, G78 1QP

## Type of Application

What type of application did you submit to the planning authority? \*

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? \*

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

I would like to appeal the opening hours stated in conditions of planning consent. Our business involves day-care. Most people start work at 9am and would need to drop off their pet before 9am, and cannot collect them until work is finished, eg. after 5.30pm. To function as day-care we require opening hours from 8am to 7pm and from Monday-Friday as these are the most common work days. We cannot function on the hours consented. Saturday hours are also an issue - PLEASE SEE SUPPORTING DOCUMENT.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? \*

Yes  No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: \* (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: \* (Max 500 characters)

Rationale Re: Opening Hours & Noise

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

2017/0605/TP

What date was the application submitted to the planning authority? \*

02/11/2017

What date was the decision issued by the planning authority? \*

03/01/2018

## Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

Yes  No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? \*

Yes  No

Is it possible for the site to be accessed safely and without barriers to entry? \*

Yes  No

## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. \*

Yes  No

Have you provided the date and reference number of the application which is the subject of this review? \*

Yes  No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

Yes  No  N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

Yes  No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

Yes  No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

## Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Ms Jackie Polson

Declaration Date: 13/03/2018

**Rationale Re: Opening Hours & Noise**

The reason to restrict our opening hours stated by the Conditional Planning Approval is 'To protect adjacent residents from noise/disturbance'.

Re: Noise

We are a very quiet establishment, much quieter than the previous occupants who operated very noisy heavy machinery all day long. We are a vast improvement.

Most days the only barking or animal noises that can be heard are those of a barking dog in the flats adjacent to our building, (this dog barked before we opened ), and a few resident dogs further down Cogan Street. Dogs are territorial and bark when people pass 'their' territory. Generally dogs do not bark in care or whilst being groomed as they are in a passive role, this is not their territory and consequently they do not bark.

We do not create more noise we have improved the noise level in the area dramatically.

If a dog does bark for some reason they are distracted instantly and the situation is diffused.

Re: Hours

As stated in the text box on the form proper. The hours imposed on us are completely prohibitive re: running the day care centre. People need to drop off animals before 9am and generally cannot pick them up until after 5.30pm. That is the whole point of day care i.e. to let people get to work and not leave a dog alone, distressed and howling/barking all day.

A Saturday is a very important business day for us as many customers can only have their animals groomed on weekends. The 2pm finish is also prohibitive to business.

We are providing a service, employment and economic growth to the area and being curtailed on what would be our busiest day is very counter productive on every level.

We also request that we can open until 9.30 one evening per week to provide training.

On discussion with your department it appears that we gave you a rough idea of opening hours very early on in the proceedings, this was before we were open and had not finalised our intended opening hours with you. So please note that these were not definitive hours.

Conclusion

We are a rapidly growing business which is providing a needed service to dog owners, we are training and educating individuals and we are creating employment.

We urge you to review the opening hours and request the following:-

Mon-Fri 8am-7pm

Sat 8am – 5.30pm

You have given us a limited time scale to trade i.e. Until 31<sup>st</sup> January 2019

Please let us trade effectively in the meantime and let us provide you with a track record before prohibitive conditions are set.

We urge you to support our business, after all we are positioned in an industrial estate.

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2 Spiersbridge Way Thornliebank G46 8NG Tel: 0141 577 3001 Email: [planning@eastrenfrewshire.gov.uk](mailto:planning@eastrenfrewshire.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100089179-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant  Agent

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Ms"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Unit 4"/>
First Name: *	<input type="text" value="Jackie"/>	Building Number:	<input type="text" value="6"/>
Last Name: *	<input type="text" value="Polson"/>	Address 1 (Street): *	<input type="text" value="Cogan street"/>
Company/Organisation	<input type="text" value="Authentic dog grooming co. Ltd"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value="01413280404"/>	Town/City: *	<input type="text" value="Barrhead"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Uk"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="G78 1qp"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="Canine.cottage@hotmail.com"/>		

## Site Address Details

Planning Authority:

East Renfrewshire Council

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Unit 4 6 Cogan Street G78 1QP

Northing

658918

Easting

249732

## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

Change of use of industrial building/workshop to dog centre including day care, grooming and training centre at Unit 4, 6 Cogan Street, Barrhead, G78 1QP

## Type of Application

What type of application did you submit to the planning authority? \*

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? \*

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

1. Temporary nature of planning consent. 2. Matter of external cladding of one wall not included in initial application due to exceptional circumstances. PLEASE SEE SUPPORTING DOCUMENT COVERING POINTS 1 & 2.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? \*

Yes  No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: \* (Max 500 characters)

Before submitting my planning application I asked ERC planning if I needed permission for the signage fascia. They advised me that if I was replacing existing signage I did not need new planning. Our sign is dog silhouettes on a wooden background. I have now been told that the wood cladding of our sign is development. It is not development, it is part of our sign. It is on one wall only, not all four. I am appalled at this as a second application is a cost our new business can ill afford.

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: \* (Max 500 characters)

Rationale Re: Temporary Planning Consent & Signage

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

2017/0605/TP

What date was the application submitted to the planning authority? \*

02/11/2017

What date was the decision issued by the planning authority? \*

03/01/2018

## Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

Yes  No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? \*

Yes  No

Is it possible for the site to be accessed safely and without barriers to entry? \*

Yes  No

## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. \*

Yes  No

Have you provided the date and reference number of the application which is the subject of this review? \*

Yes  No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

Yes  No  N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

Yes  No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

Yes  No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

## Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Ms Jackie Polson

Declaration Date: 28/03/2018

## **Rationale Re: Temporary Planning Consent & Signage**

### Temporary Planning Consent

Surely a business of any type is subject to environmental law re: noise pollution, and on reflection I do not see why said law should not be the controlling influence on our business's future, i.e. 'the same as everyone else'. Having to apply for planning permission again in 2019 seems excessive. If our business proves so disruptive that we would be refused future planning consent, surely it would have been addressed by environmental law by then.

Essentially if we have no environmental issues we will get planning in the future,.

If we do have environmental issues and they are grave enough to stop future planning consent, they will have shut us down by then anyway. So it seems to me that putting us through a further application is pointless.

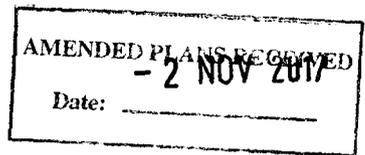
I believe we should be subject to the same environmental controls as other businesses, not constrained by numerous planning applications.

### Signage

This has been discussed in the review form, however for the purposes of clarity will be included here also.

Before submitting my planning application I asked East Renfrewshire Council Planning Department if I needed permission for the signage fascia for our new business in Cogan Street.. They advised me that if I was replacing existing signage I did not need a new planning application. Our sign consists of dog silhouettes on a wooden background. I have now been told that the wood cladding of our sign is development. It is not development, it is part of our sign. It is on one wall only, not all four. It is purely signage for kerb appeal. It is not structural or permanent in any way. I am appalled at this as a second application is a cost our new business can ill afford, and if we had been advised otherwise would have put it in our initial application.

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DOG CENTRE INFO

NO. STAFF : CURRENTLY 3, MAY INCREASE

OPERATING DAYS/TIME : MON - SAT 9am - 7pm<sup>+</sup>  
MAINLY 9am - 5pm.

OCCASIONALLY OPEN UNTIL  
10pm.

NO. DOGS.

DAYCARE : 10 DOGS PER DAY.  
ENUISAGE MUCH LESS. NR  
USUALLY ONLY 1 OR 2. NOT  
BOARDING

DOG GROOMING : CURRENTLY 5 DOGS PER DAY  
ENUISAGE MORE.  
DOGS ATTEND ON ROLLING TIME  
SLOTS LIKE A HAIRDRESSERS.

TRAINING : WE RUN DOG TRAINING  
CLASSES.

WE ALSO TEACH DOG GROOMING  
& BUSINESS SKILLS.

MAINLY DOG GROOMING, DAYCARE &

TRAINING ARE MINIMAL ~ 5%

PLEASE NOTE WE DO NOT HAVE MANY DOGS  
IN AT TITE ONE TIME.

Please note that this unit was previously used for heavy industrial tasks.

was previously a ventilation construction or manufacturing business which was extremely loud all day long 6 days per week.

Also street appearance was dull & ugly - now has pretty well kept frontage & has improved look of street dramatically.

We are given compliments time after time by neighbors who say we have improved the area.

**PLANS/PHOTOGRAPHS/DRAWINGS**

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AMENDED PLANS RECEIVED  
 - 2 NOV 2017  
 Date: \_\_\_\_\_



## Kelvent, Unit 4, 6 Cogan Street, Barrhead, Glasgow, G78 1QP

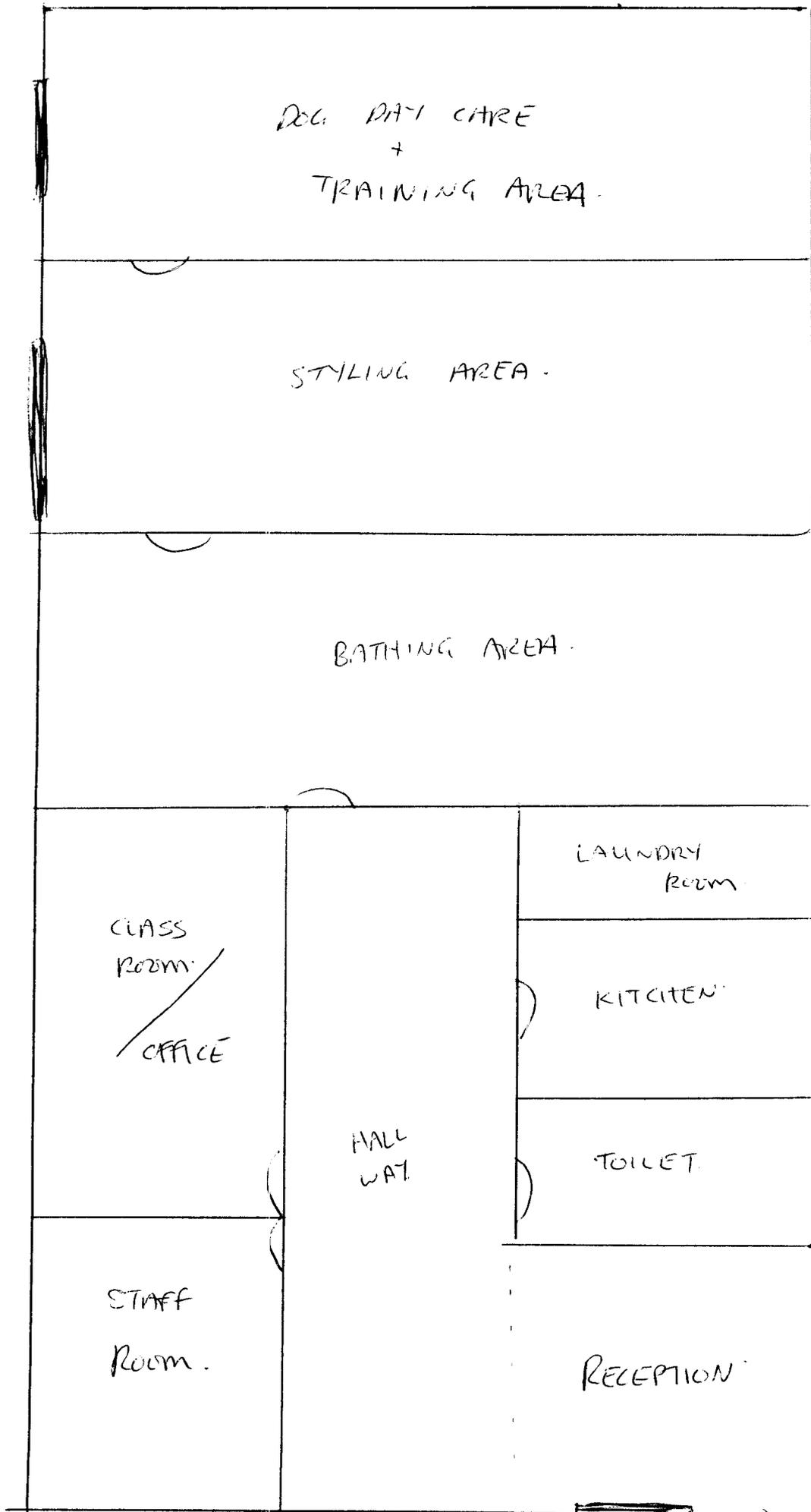


Key  = building  
 Remainder is outdoor space.

Map shows area bounded by: 249691.3,658844.3,249832.7,658985.7 (at a scale of 1:1250) The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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ADDITIONAL PLANS RECEIVED  
Date: - 2 NOV 2017

Not to scale Internal layout of building