

EAST RENFREWSHIRE COUNCILLOCAL REVIEW BODY6 September 2017Report by Deputy Chief ExecutiveREVIEW OF CASE - REVIEW/2017/19ERECTION OF DWELLINGHOUSE (PLANNING PERMISSION IN PRINCIPLE) AT LAND
40 METRES SOUTH EAST OF 31 TANNOCH ROAD, UPLAWMOOR**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: Planning Permission in Principle (Ref No:- 2017/0289/TP).
Applicant: Mr Tony Tierney.
Proposal: Erection of dwellinghouse (Planning Permission in Principle).
Location: Land 40 metres south east of 31 Tannoch Road, Uplawmoor.
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 refused the application.

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 (Major Programmes and Projects).

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 the application. A copy of the applicant’s Notice of Review and Statement of Reasons is 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 not indicated any preference in terms of the procedure to be followed.

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, 6 September 2017 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 65 - 78);
- (b) Copies of objections/representations – Appendix 2 (Pages 79 - 90);
- (c) Report of Handling by the planning officer under the Scheme of Delegation - Appendix 3 (Pages 91 - 100);
- (d) Decision notice and reasons for refusal - Appendix 4 (Pages 101 - 104); and
- (e) A copy of the applicant's Notice of Review and Statement of Reasons - Appendix 5 (Pages 105 - 118).

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 are attached as Appendix 6 (Pages 119 - 134).

- (a) Photo - Locations;
- (b) Photo - Locations – 144-156;
- (c) Proposed Site Plan; and
- (d) Refused – Location 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 with the exception of any representations that have been made to the application.

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:- August 2017

**APPLICATION
FOR
PLANNING PERMISSION**

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2017/0289/TP

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26 APR 2017

APPLICATION FOR PLANNING PERMISSION

Town and Country Planning (Scotland) Act 1997
The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please refer to the accompanying Guidance Notes when completing this application
PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://www.eplanning.scot>

1. Applicant's Details		2. Agent's Details (if any)	
Title	Mr	Ref No.	
Forename	Tony	Forename	
Surname	Tierney	Surname	
Company Name		Company Name	
Building No./Name	Rochomie	Building No./Name	
Address Line 1	75 Neilston Road	Address Line 1	
Address Line 2		Address Line 2	
Town/City	Uplawmoor	Town/City	
Postcode	G78 4AG	Postcode	
Telephone	[REDACTED]	Telephone	
Mobile	[REDACTED]	Mobile	
Fax	[REDACTED]	Fax	
Email	[REDACTED]	Email	

3. Postal Address or Location of Proposed Development (please include postcode)

Ex Railway/Builders Site, Tannoch Road Uplawmoor, Renfrewshire. G78

NB. If you do not have a full site address please identify the location of the site(s) in your accompanying documentation.

4. Type of Application

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

Planning Permission

Planning Permission in Principle

Further Application*

Application for Approval of Matters Specified in Conditions*

Application for Mineral Works**

NB. A 'further application' may be e.g. development that has not yet commenced and where a time limit has been imposed a renewal of planning permission or a modification, variation or removal of a planning condition.

*Please provide a reference number of the previous application and date when permission was granted:

Reference No:

Date:

17/03/2017

**Please note that if you are applying for planning permission for mineral works your planning authority may have a separate form or require additional information.

5. Description of the Proposal

Please describe the proposal including any change of use:

To erect a detached family dwelling on this brownfield site, attached to the village of Uplawmoor.

Is this a temporary permission?

Yes No

If yes, please state how long permission is required for and why:

Have the works already been started or completed?

Yes No

If yes, please state date of completion, or if not completed, the start date:

Date started:

Date completed:

If yes, please explain why work has already taken place in advance of making this application

6. Pre-Application Discussion

Have you received any advice from the planning authority in relation to this proposal?

Yes No

If yes, please provide details about the advice below:

In what format was the advice given?

Meeting Telephone call Letter Email

Have you agreed or are you discussing a Processing Agreement with the planning authority? Yes No

Please provide a description of the advice you were given and who you received the advice from:

Name: Date: Ref No.:

7. Site Area

Please state the site area in either hectares or square metres:

Hectares (ha):

Square Metre (sq.m.)

8. Existing Use

Please describe the current or most recent use:

Storage of Silage.

9. Access and Parking

Are you proposing a new altered vehicle access to or from a public road? Yes No

If yes, please show in your drawings the position of any existing, altered or new access and explain 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 changes to public paths, public rights of way or affecting any public rights of access? Yes No

If yes, please show on your drawings the position of any affected areas and explain 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?

How many vehicle parking spaces (garaging and open parking) do you propose on the site? (i.e. the total number of existing spaces plus any new spaces)

Please show on your drawings the position of existing and proposed parking spaces and specify if these are to be allocated for particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, etc.)

10. Water Supply and Drainage Arrangements

Will your proposals require new or altered water supply or drainage arrangements? Yes No

Are you proposing to connect to the public drainage network (e.g. to an existing sewer?)

Yes, connecting to a public drainage network
No, proposing to make private drainage arrangements
Not applicable – only arrangement for water supply required

What private arrangements are you proposing for the new/altered septic tank?

Discharge to land via soakaway
Discharge to watercourse(s) (including partial soakaway)
Discharge to coastal waters

Please show more details on your plans and supporting information

What private arrangements are you proposing?
Treatment/Additional treatment (relates to package sewer treatment plants, or passive sewage treatment such as a reed bed)
Other private drainage arrangement (such as a chemical toilets or composting toilets)

Please show more details on your plans and supporting information.

Do your proposals make provision for sustainable drainage of surface water? Yes No

Note:- Please include details of SUDS arrangements on your plans

Are you proposing to connect to the public water supply network? Yes No

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

11. Assessment of Flood Risk

Is the site within an area of known risk of flooding? Yes No

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

If yes, briefly describe how the risk of flooding might be increased elsewhere.

12. Trees

Are there any trees on or adjacent to the application site? Yes No

If yes, please show on drawings any trees (including known protected trees) and their canopy spread as they relate to the proposed site and indicate if any are to be cut back or felled.

13. Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste? (including recycling) Yes No

If yes, please provide details and illustrate on plans.
If no, please provide details as to why no provision for refuse/recycling storage is being made:

Household and garden waste to be placed in containers for uplift and disposal by the Council.

14. Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? Yes No

If yes how many units do you propose in total?

Please provide full details of the number and types of units on the plan. Additional information may be provided in a supporting statement.

1 x modest 1 & 1/2 detached Family dwelling with a separate double garage.

15. For all types of non housing development – new floorspace proposed

Does your proposal alter or create non-residential floorspace? Yes No

If yes, please provide details below:
Use type:

If you are extending a building, please provide details of existing gross floorspace (sq.m):

Proposed gross floorspace (sq.m.):

Please provide details of internal floorspace (sq.m)
Net trading space:

Non-trading space:

Total net floorspace:

16. Schedule 3 Development

Does the proposal involve a class of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008?

Yes No Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in your area. Your planning authority will do this on your behalf but may charge a fee. Please contact your planning authority for advice on planning fees.

17. Planning Service Employee/Elected Member Interest

Are you / the applicant / the applicant's spouse or partner, a member of staff within the planning service or an elected member of the planning authority? Yes No

Or, are you / the applicant / the applicant's spouse or partner a close relative of a member of staff in the planning service or elected member of the planning authority? Yes No

If you have answered yes please provide details:

DECLARATION

I, the applicant/agent certify that this is an application for planning permission. The accompanying plans/drawings and additional information are provided as part of this application. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

I, the applicant/agent hereby certify that the attached Land Ownership Certificate has been completed

I, the applicant/agent hereby certify that requisite notice has been given to other land owners and /or agricultural tenants Yes No N/A

Signature: Name: Date:

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.

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LAND OWNERSHIP CERTIFICATES

Town and Country Planning (Scotland) Act 1997
Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland)
Regulations 2013

CERTIFICATE A, B, C, D OR CERTIFICATE E MUST BE COMPLETED BY ALL APPLICANTS

CERTIFICATE A

Certificate A is for use where the applicant is the only owner of the land to which the application relates and none of the land is agricultural land.

I hereby certify that -

- (1) No person other than **myself** was owner 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 application.
- (2) None of the land to which the application relates constitutes or forms part of agricultural land.

Signed:

On behalf of:

Date:

CERTIFICATE B

Certificate B is for use where the applicant is not the owner or sole owner of the land to which the application relates and/or where the land is agricultural land and where all owners/agricultural tenants have been identified.

I hereby certify that -

- (1) I have served notice on every person other than **myself** who, at the beginning of the period of 21 days ending with the date of the application was owner of any part of the land to which the application relates. These persons are:

Name	Address	Date of Service of Notice

- (2) None of the land to which the application relates constitutes or forms part of agricultural land
- or
- (3) The land or part of the land to which the application relates constitutes or forms part of agricultural land and I have served notice on every person other than **myself** who, at the beginning of the period of 21 days ending with the date of the application was an agricultural tenant. These persons are:

Name	Address	Date of Service of Notice

Signed:

On behalf of:

Date:

CERTIFICATE C

Certificate C is for use where the applicant is not the owner or sole owner of the land to which the application relates and/or where the land is agricultural land and where it has not been possible to identify ALL or ANY owners/agricultural tenants.

(1) I have **myself** been unable to serve notice on **every** person other than who, at the beginning of the period of 21 days ending with the date of the application was owner of any part of the land to which the application relates.

or

(2) I have **myself** been unable to serve notice on **any** person other than who, at the beginning of the period of 21 days ending with the date of the accompanying application, was owner of any part of the land to which the application relates.

(3) None of the land to which the application relates constitutes or forms part of an agricultural holding.

or

(4) The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have **myself** been unable to serve notice on any person other than **myself** who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant.

or

(5) The land or part of the land to which the application relates constitutes or forms part of an agricultural holding I have **myself** served notice on each of the following persons other than **myself** who, at the beginning of the period of 21 days ending with the date of the application was an agricultural tenant. These persons are:

Name	Address	Date of Service of Notice

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(6) I have taken reasonable steps, as listed below, to ascertain the names and addresses of all other owners or agricultural tenants and have been unable to do so.

Steps taken:

Signed:

On behalf of:

Date:

CERTIFICATE D

Certificate D is for use where the application is for mineral development.

(1) No person other than **myself** was an owner 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

(2) I have **myself** served notice on each of the following persons other than who, at the beginning of the period of 21 days ending with the date of the accompanying application, was to the applicant's knowledge, the owner, of any part of the land to which the application relates. These persons are:

Name	Address	Date of Service of Notice

(3) None of the land to which the application relates constitutes or forms part of an agricultural holding.

or

(4) The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have served notice on each of the following persons other than **myself** who, at the beginning of the period of 21 days ending with the date of the application, was an agricultural tenant.

(5) Notice of the application as set out below has been published and displayed by public notice

Signed:

On behalf of:

Date:

CERTIFICATE E

Certificate E is required where the applicant is the sole owner of all the land and the land to which the application relates is agricultural land and there are or are not agricultural tenants.

I hereby certify that -

(1) No person other than **myself** was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) The land to which the application relates constitutes or forms part of an agricultural holding and there are no agricultural tenants.

or

(1) No person other than **myself** was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) The land to which the application relates constitutes or forms part of an agricultural holding and there are agricultural tenants. These people are:

Name	Address	Date of Service of Notice

(3) I have taken reasonable steps, as listed below, to ascertain the names and addresses of the other agricultural tenants and have been unable to do so.

Steps taken:

Signed:

On behalf of:

Date:

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act

NOTICE TO OWNERS AND AGRICULTURAL TENANTS

Town and Country Planning (Scotland) Act 1997
Regulation 15 (1) of the Town and Country Planning (Development Management Procedure)
(Scotland) Regulations 2013

Name [Note 1]	
Address	

Proposed development at [Note 2]

Notice is hereby given that an application is being made to

[Note 3]

--

Council by

--

For planning permission to [Note 4]

--

If you wish to obtain further information on the application or to make representations about the application, you should contact the Council at [Note 5]

--

(The grant of planning permission does not affect owners' rights to retain and dispose of their property unless there is some provision to the contrary in an agreement or lease. The grant of planning permission for non-agricultural development may affect agricultural tenants security of tenure.)

Signed
On behalf of
Date

*Delete where appropriate

[Note 1] – Insert name and address of owner or agricultural tenants

[Note 2] – Insert address or location of proposed development.

[Note 3] – Insert name of planning authority.

[Note 4] – Insert description of proposed development.

[Note 5] - Insert planning authority address.

NOTICE TO OWNERS AND AGRICULTURAL TENANTS

The Town and Country Planning (Scotland) Act 1997
The Town and Country Planning (Development Management Procedure) (Scotland)
Regulations 2013 (Regulation 15)

NOTES FOR GUIDANCE

Before applying for planning permission or planning permission in principle under regulations 9 to 11, applicants should notify all persons who (other than themselves), were the owners of any of the land to which the application relates, or were agricultural tenants at the beginning of the prescribed period (in effect 21 days ending with the date on which the application was submitted).

Notices to owners and agricultural tenants should be in the form set out in schedule 1 of the regulations and must include:

1. The name of the applicant
2. The address or location of the proposed development
3. A description of the proposed development and
4. The name and address of the planning authority who will determine the application.

The grant of planning permission will not affect the rights of an owner, or tenant under a lease which has at least 7 years to run, to dispose of the consented property unless there is express provision in the lease/Agreement.

Applications for the working and winning of underground minerals

The notification of site owners and agricultural tenants regarding applications for the working and winning of underground minerals may be both onerous and complex. In addition to those owners and agricultural tenants with rights in relation to the relevant surface land, there may be other people with ownership rights to minerals, other than those vested in the Crown (oil, gas, coal, gold and silver), who may be difficult to identify and notify.

For the purposes of these applications, regulation 15(4) amends the requirement to notify owners to relate to those who "to the applicant's knowledge" are owners

Any personal data that you may be asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.

COPIES OF OBJECTIONS/REPRESENTATIONS

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17 MAY 2017

Ack. 17/05/17 - SM.

"Carsaig"
1 Arthurlie Ave.,
Uplawmoor,
Renfrewshire.
G78 4AJ

Planning Department,
East Renfrewshire Council,
2 Spiersbridge Way,
Speirsbridge Business Park,
Thornliebank,
Glasgow.
G46 8NG

12th May 2017

Dear Sir/Madam,
Reference Planning Application 2017/0289/TP

We refer to the above and wish to lodge our support for the development of this site.

Having lived in the village for over 40 years, we have observed it's deterioration since William Bates ceased operating from his workshop on the site, in the mid 90's.

Since then, it has fallen in to decline and has become a problem with rubbish being left on it and most recently a burnt-out being abandon at its entrance.

We believe that it has always been a part of the village and would be improved with the building of a new property and associated landscaping of the surrounding area.

Yours faithfully,

Stuart Kennedy


Fiona Kennedy



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The Scottish Parliament
Pàrlamaid na h-Alba

2017/0289/TP

RECEIVED

22 MAY 2017

A.M.

Tom Arthur MSP

Member of the Scottish Parliament for Renfrewshire South

Development Management
2 Spiersbridge Way,
Spiersbridge Business Park,
Thornliebank,
East Renfrewshire.
G46 8NG

Our Ref: MJ/TA590

16 May 2017

Dear Sirs

Re: Planning Application Ref: PREAPP/2017/0137
Ex-Railway/Builders Yard, Tannoch Road, Uplawmoor

I have been contacted by a constituent, Mr Tierney, 75 Neilston Road, Uplawmoor regarding his application to build a property at the Ex-Railway/Builders Yard, Tannoch Road, Uplawmoor.

Mr Tierney is hoping to build a new home to meet the accommodation needs of his disabled son who has outgrown their present home in Uplawmoor. Mr Tierney has advised that he had made a previous application for planning permission at the above site some 15 years ago however that application was unsuccessful.

Mr Tierney has advised that the state of the proposed site has become dilapidated and has remained overgrown for a good number of years with the remains of an old garden shed on it. The site is also regularly subjected to fly tipping which is unsightly.

I would be obliged if you could take my constituents concerns into consideration when looking at Mr Tierney's present application

Yours sincerely

Tom Arthur MSP

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23 MAY 2017

ACK 24/05/17 SM

1 Murex Place
Uplawmoor

GT8 4AN

22-5-2017

Planning Dept
East Hampshire Council
2 Sparshidge Way
Glasgow
G14 6 8 NB

Dear Sir/Madam

Re - Ref Planning Application (2017/0289) TP

We would like to support the above application.

We have resided in Uplawmoor for many years & know the site well. It has been an eyesore to this lovely village for years, & would greatly benefit from a lovely house. Nothing looks worse than rubbish being constantly dumped on this site.

We would hope that you give this application to support a change to the site that will improve the site tremendously.

Yours sincerely

M D



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RECEIVED
31 MAY 2017

I & J MacLeod,
East Uplaw Farm,
Uplawmoor.
G78 4DA

Environment Department,
East Renfrewshire Council,
2 Spiersbridge Way,
Speirsbridge Business Park,
Thornliebank,
Glasgow.
G46 8NG

11th May 2017

Dear Sir/Madam,

Reference: Site of Ex-Railway Goods Yard, Tannoch Road, Uplawmoor
Your reference: 2017/0289/TP

We refer to the above and would advise that we are the owners of this parcel of land and support this planning application, made by Mr. Tony Tierney who is acting with our permission.

We would also like to point out the following, which we believe should be taken in to account when assessing his application:

- Each year this site is excluded in our grant application, as it has been designated non-agricultural land, due to its history as a loading bay and due to the concrete foundations of previous buildings which still remain.
- The site itself is a constant problem for us as it is a magnet for fly-tippers and we regularly have to remove rubbish left there taking it to the dump ourselves.
- At times there have been issues with teenagers hanging about the railway bridge with associated anti-social behaviour.
- We therefore feel that development of the site would resolve these issues and greatly enhance this small pocket of the village.

Should you require any further information, please let us know.

Yours faithfully,


Iain McLeod

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East Renfrewshire Council

Ref. Planning application 2017/0289/TP, Erection of Dwelling House on land 40m SE of 31 Tannoch Road.

Dear Sirs

With reference to the Notification of submission of a planning application (ref above) for planning in principle I wish to object to this development of a private dwelling house. The dwelling house is to be located on land out with the village envelope, within the green network and contrary to the development plan.

In addition the granting of permission would, I believe, provide precedence for further development within the area shown hatched on the location plan.

There is currently plots of land available for development in Uplawmoor which are zoned and available for housing development and therefore there is no need for further expansion into the green belt.

It is not clear that the applicant has clearly described the land ownership or if the land owner has been notified of this application. I also draw attention to the gross floor area indicated on the application of 1800m² which is substantially larger than required for a normal private residence.

The land ownership adjacent to the road bridge and the Castburn may affect rights to access over the outfall from a common septic (three houses) and road drainage. These rights must be preserved.

I trust that the above will be taken into consideration when you make your decision.

Regards

Quentin Wilson

31 Tannoch Road

Uplawmoor

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REPORT OF HANDLING

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REPORT OF HANDLING

Reference: 2017/0289/TP

Date Registered: 8th May 2017

Application Type: Planning Permission in Principle This application is a Local Development

Ward: 1 -Barrhead, Liboside And Uplawmoor

Co-ordinates: 243815/:655050

Applicant/Agent: Applicant: Agent:
Mr Tony Tierney
75 Neilston Road
Uplawmoor
East Renfrewshire
G78 4AG

Proposal: Erection of dwellinghouse (planning permission in principle)

Location: Land 40 metres south east of 31 Tannoch Road
Uplawmoor
East Renfrewshire

CONSULTATIONS/COMMENTS:

Scottish Environment Protection Agency

No objection although recommends that that the potential flood risk from the small watercourse is recognised and that the development is set as far back as possible from the watercourse with appropriate finished floor level.

East Renfrewshire Council Roads Network
Manager

No response at time of writing.

PUBLICITY:

19.05.2017

Barrhead News

Expiry date 02.06.2017

SITE NOTICES:

None.

SITE HISTORY:

2002/0832/TP

Erection of dwellinghouse
(in outline)

Refused

18.03.2003

2003/0561/TP

Erection of dwellinghouse
(in outline)

Refused

28.10.2003

Subsequent
appeal dismissed
by the Scottish
Ministers in June

2004

REPRESENTATIONS: A total of 5 representations have been received of which there is one objection and four in support: Representations can be summarised as follows:

Objection

Outwith the village/in green network/contrary to development plan
 Set precedence if approved
 Plots available to build on in Uplawmoor zoned and available for housing
 Size of house indicated is substantially larger than required for a normal private residence

In support

Site fallen into decline/eyesore/subject to fly tipping and anti-social behaviour
 Site always part of the village
 Designated as non-agricultural land and excluded from agricultural grant application each year

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 is located in the Greenbelt to the east of Uplawmoor. The site is irregular in shape and is immediately to the east of a former/dismantled railway line and is over the Cast Bridge. There is an existing vehicular access into the site off Tannoch Road at a bend in the road. The dismantled railway line has mature trees and vegetation beyond which there are existing houses and Uplawmoor Primary School.

The site is generally overgrown in parts and slopes down gently from the access. There is a watercourse along the east side of the site and there are two areas of hardstanding towards the east side of the site that available evidence on Ordnance Survey maps show where the bases of former buildings are.

The application site is approximately 7000 sqm. The submitted drawings do not show the site extending the full length northwards of this irregular tapering site.

Planning permission in principle is sought for a dwellinghouse within the site. The submitted drawings show an indicative position of the house located close to the areas of hardstanding. Information accompanying the application indicates the proposed house is to be single storey/one and a half storey house.

The applicant's justification for the proposal is as follows:

- The site is at the edge of the village and the watercourse that runs along the edge of the site offers a strong defensible boundary in the future.
- The site forms a small portion of the greenbelt and does not function as greenbelt land.
- The site is in a dilapidated state/an eyesore and subject to fly-tipping.
- The site should be reclassified as derelict land under Policy E19 and alternative uses should be considered.
- A local farmer stores silage on the site and alternative sites can be used for this if planning permission is granted.
- Access to the site exists and sightlines can be altered if required.

- The applicant has consulted with SEPA and re-positioned the proposed house to avoid flooding in the future.
- The house is intended for independent living for a family member which does not exist at present.

The applicant has also referred to comments from a Scottish Government Reporter in a previous appeal at this site in 2004 which refers to the Cast Burn being capable of forming a new defensible boundary; that it adheres to policy principles at that time of developing brownfield land or being adjacent to existing settlements; and an agricultural justification is not required for development in the greenbelt.

The application has to be assessed against the relevant policies of the adopted East Renfrewshire Local Development Plan (LDP) including the Rural Development Supplementary Planning Guidance (SPG) as well as any material planning considerations.

Although the site is located in the greenbelt this does not preclude development although it is strictly controlled and the basis of this control is specified in Policy D3 of the adopted LDP. Policy D3 applies to development in the greenbelt and any development will be strictly controlled and limited to that which is required and is appropriate for a rural location and which respects the character of the area. Non-conforming proposals will only be considered favourably in exceptional or mitigating circumstances.

Policy D3 goes on to indicate that favourable consideration will be given to development proposals that are related to agriculture, forestry, outdoor recreation, renewable energy and other uses appropriate to the rural area. Any decision will take into consideration the impact of the proposals will have on the function of the greenbelt and the viability of important agricultural land. Development must be sympathetic in scale and design to the rural location and landscape.

The applicant has indicated that the proposed house is to include independent living for a disabled family member that does not exist in the current family home. The proposed house is to be a family home and not for any of the uses/development types specified in Policy D3. Although particular needs for the family member are indicated no specific justification as to why this house has to be located in the greenbelt or why he/or his family has to live in the greenbelt has been given by the applicant.

The Rural Development Supplementary Planning Guidance indicates that a new dwellinghouse will only be permitted in the greenbelt where it can be clearly demonstrated there is a specific and properly evidenced need for the dwelling to be sited at that location in the countryside and there is no other suitable property available; it is demonstrated that account has been taken of the possibility of conversion or rehabilitation of an existing building in the countryside, or locating a new building on a brownfield site; it is required for a person engaged locally in full-time employment in agriculture or other appropriate rural use and this is controlled through an occupancy restriction that may be subject to a section 75 agreement.

The applicant has not provided any supporting information on how the proposed development accords with these criteria.

It therefore has to be determined whether there are any material planning considerations that would allow the development to proceed.

In terms of the applicant's justification for the development the following comments are made.

The applicant's assertions that the watercourse offers a strong defensible boundary and the site does not function as greenbelt land are not agreed with. The watercourse is not prominent in the landscape and has very little visual impact in the wider landscape whereas the trees/vegetation

along the line of the former railway line forms a strong landscape feature and delineation feature that separates the built-up area from the countryside beyond.

The site could be tidied up without the requirement to have development as a pre-requisite for doing this. In views from the surrounding countryside the current condition of the site is not significant and would not be considered to be an eyesore or detracts in a significant way from the setting of the village.

There is no such Policy E19 in the adopted East Renfrewshire Local Development Plan.

The use of the site to store silage is considered to be an appropriate use for this site.

The Council's Roads Service has been consulted on the application and has not responded at the time of writing. It is considered that the required sightlines can be provided at the existing access into the site.

SEPA has been consulted on the application and has no objections on flood risk grounds and has indicated that the potential flood risk from the small watercourse is recognised and that the proposed development is set as far back as possible from the small watercourse with appropriate finished floor level.

The personal circumstances of the family member are noted however the relevant policies against which the application has to be determined do not provide an exception on this basis. In addition there is a site very close off Pollock Avenue that has been identified for housing development in the LDP (under Policy SG1.36). This site has yet to be developed and the applicant has not indicated why this site has been discounted in favour of the application site.

It should be noted that planning permission (in outline) for a dwellinghouse was refused at this site in March 2003 (2002/0832/TP) as being contrary to the policies of the Local Plans at that time as being a house in the greenbelt without specific justification and setting an undesirable precedent.

Planning permission (in outline) for a dwellinghouse at this location was again refused in October 2003 (2003/0561/TP) for the same reasons as above. A subsequent appeal was dismissed by the Scottish Ministers in June 2004 as the proposal was not consistent with the relevant provisions of the development plan and that no exception to these provisions was justified by other material considerations.

The applicant has also referred to comments from the appeal decision against the refusal of 2003/0561/TP at this site in 2004 (contained in paragraph 13) which refers to the Cast Burn being capable of forming a new defensible boundary; that it adheres to policy principles at that time of developing brownfield land or being adjacent to existing settlements; and an agricultural justification is not required for development in the greenbelt.

It should be noted that the appointed Reporter, in making his decision, did not consider the existing greenbelt boundary to be weak at this point or that the boundary could be made stronger or more defensible. The Reporter considered the belt of trees following the former railway line marks a clear boundary which produces an attractive soft edge to this side of the village and effectively screens the houses behind.

In terms of the grounds of objection that have not been addressed in the assessment above the following comments are made. If the development is approved it is not considered that it would set a precedence for future applications as such applications would be assessed against the relevant development plan policies and material planning considerations at that time. The applicant has referred to the proposed house being for independent living for a family member

which does not exist at present although has not specified what these needs are. The indicated size of the proposed house is not relevant to the assessment of this particular application as it is seeking permission for the principle of the development. If approved the size, massing, scale, etc of any house would be assessed in a subsequent detailed application to ensure the house was appropriate for this location.

In terms of the support for the application that have not been addressed in the assessment above the following comments are made. Although the site had a historical connection with the village this does not now justify a house on the site. The designation as non-agricultural land in an agricultural grant application is not a material planning consideration.

Overall conclusion

The Planning Act requires decisions on planning applications to be made in accordance with the development plan unless material considerations indicate otherwise. Case law states if a proposal accords with the development plan and there are no material considerations indicating that it should be refused, permission should be granted. The same case law states if the proposal does not accord with the development plan, it should be refused unless there are material considerations indicating that it should be granted.

The proposed development does not accord with Policy D3 as it is not for one of the uses/development types specified within the Policy. The applicant has not offered any exceptional or mitigating circumstances that could be considered to be material considerations in order to allow approval against this Policy. The matters that the applicant has referred to in support of the application, either individually or cumulatively, justify approving this development against policy at this greenbelt location.

It is therefore recommended that the application be refused.

RECOMMENDATION: Refuse

PLANNING OBLIGATIONS: None

REASON FOR REFUSAL:

1. The proposed development is contrary to Policy D3 of the adopted East Renfrewshire Local Development Plan as it is not related to agriculture, forestry, outdoor recreation, renewable energy or other uses appropriate to the rural area. The applicant has also not given any exceptional or mitigating circumstances that would allow the development to be approved against Policy D3. There are no material planning considerations that would allow the development to be approved against Policy D3.

ADDITIONAL NOTES: None

ADDED VALUE: None

BACKGROUND PAPERS:

Further information on background papers can be obtained from Mr Sean McDaid on 0141 577 3339.

Ref. No.: 2017/0289/TP
(SEMC)

DATE: 28th June 2017

DIRECTOR OF ENVIRONMENT

Reference: 2017/0289/TP - Appendix 1

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.

Policy D3

Green Belt and Countryside Around Towns

Development in the green belt and countryside around towns as defined in the Proposals Map, will be strictly controlled and limited to that which is required and is appropriate for a rural location and which respects the character of the area.

Where planning permission is sought for development proposals, within the green belt or countryside around towns and these are related to agriculture, forestry, outdoor recreation, renewable energy and other uses appropriate to the rural area, the Council will consider them sympathetically subject to compliance with other relevant policies of the Plan. Any decision will, however, take into consideration the impact the proposals will have on the function of the green belt and countryside around towns and the viability of important agricultural land. Development must be sympathetic in scale and design to the rural location and landscape.

Further detailed information and guidance is provided in the Rural Development Guidance Supplementary Planning Guidance.

GOVERNMENT GUIDANCE:

Scottish Planning Policy indicates that where a planning authority considers it appropriate, such as in the most pressured areas, the development plan may designate a green belt around a town to support the spatial strategy by: directing development to the most appropriate locations and supporting regeneration; protecting and enhancing the character, landscape setting and identity of the settlement; and protecting and providing access to open space. Local development plans should show the detailed boundary of any green belt and describe the types and scales of development which would be appropriate within a green belt.

Scottish Planning Policy on Rural Development in the pressurised areas easily accessible from Scotland's cities and main towns, where ongoing development pressures are likely to continue, it is important to protect against an unsustainable growth in car-based commuting and the suburbanisation of the countryside, particularly where there are environmental assets such as sensitive landscapes or good quality agricultural land. Plans should make provision for most new

urban development to take place within, or in planned extensions to, existing settlements. In remote and fragile areas outwith defined small towns the emphasis should be on maintaining and growing communities by encouraging development that provides suitable sustainable economic activity, while preserving important environmental assets such as landscape and wildlife habitats that underpin continuing tourism visits and quality of place. In areas of intermediate accessibility and pressure for development, plans should be tailored to local circumstances, seeking to provide a sustainable network of settlements and a range of policies that provide for additional housing requirements, economic development, and the varying proposals that may come forward, while taking account of the overarching objectives and other elements of the plan.

Finalised 28/06/2017.IM.

**DECISION NOTICE
AND
REASONS FOR REFUSAL**

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**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**

REFUSAL OF PLANNING PERMISSIONRef. No. **2017/0289/TP****Applicant**

Mr Tony Tiemey
75 Neilston Road
Uplawmoor
East Renfrewshire
G78 4AG

Agent:

With reference to your application which was registered on 8th May 2017 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Erection of dwellinghouse (planning permission in principle)**at: Land 40 Metres South East Of 31 Tannoch Road Uplawmoor East Renfrewshire**

the Council in exercise of their powers under the abovementioned Act and Regulations hereby refuse planning permission for the said development.

The reason(s) for the Council's decision are:-

1. The proposed development is contrary to Policy D3 of the adopted East Renfrewshire Local Development Plan as it is not related to agriculture, forestry, outdoor recreation, renewable energy or other uses appropriate to the rural area. The applicant has also not given any exceptional or mitigating circumstances that would allow the development to be approved against Policy D3. There are no material planning considerations that would allow the development to be approved against Policy D3.

Dated 28th June 2017



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 refused

Plan Description	Drawing Number	Drawing Version	Date on Plan
Location Plan	01		

GUIDANCE NOTE FOR REFUSAL OF LOCAL DEVELOPMENTS DETERMINED UNDER DELEGATED POWERS

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. Alternatively, you can download a Notice of Review form (along with notes for guidance) from 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**

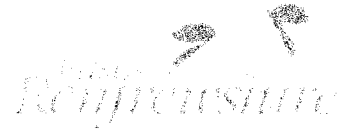
**NOTICE OF REVIEW
AND
STATEMENT OF REASONS**

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RECEIVED

14 JUL 2017

Notice of Review



NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE)
(SCOTLAND) REGULATIONS 2013

Rather than completing this form, you may submit your review online at <https://www.eplanning.scot>

IMPORTANT: Please read and follow the guidance notes provided when completing this form.
Failure to supply all the relevant information could invalidate your notice of review.

Use BLOCK CAPITALS if completing in manuscript

Applicant(s)

Name

TONY TIERNEY

Address

75 NEWTON ROAD,
UPLAWMOOR
RENFREWSHIRE
G48 4AG

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Agent (if any)

Name

N/A

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Mark this box to confirm all contact should be
through this representative:

Yes No

* Do you agree to correspondence regarding your review being sent by e-mail?

Planning authority

EAST RENFREWSHIRE

Planning authority's application reference number

2017/0289/1P

Site address

LAND 40 METRES EAST OF 31 TANNOCK ROAD,
UPLAWMOOR EAST RENFREWSHIREDescription of proposed
developmentERECTOR OF DWELLING HOUSE
(PLANNING PERMISSION IN PRINCIPLE)

Date of application

8/5/2017

Date of decision (if any)

3/7/2017

Note. This notice must be served on the planning authority within three months of the date of the decision notice or from the date of expiry of the period allowed for determining the application.

Nature of application

- 1. Application for planning permission (including householder application)
- 2. Application for planning permission in principle
- 3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition)
- 4. Application for approval of matters specified in conditions

Reasons for seeking review

- 1. Refusal of application by appointed officer
- 2. Failure by appointed officer to determine the application within the period allowed for determination of the application
- 3. Conditions imposed on consent by appointed officer

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.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures. However, please note that the Local Review Body is not bound to accede to your request(s) and will decide what procedure will be used to determine your review.

- 1. Further written submissions
- 2. One or more hearing sessions
- 3. Site inspection
- 4. Assessment of review documents only, with no further procedure

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing are necessary:

AS THE REVIEW PANEL FEEL MOST APPROPRIATE

Site inspection

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

- | | Yes | No |
|--|-------------------------------------|--------------------------|
| 1. Can the site be viewed entirely from public land? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

N/A

Statement

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. Note: 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.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

PLEASE REFER TO THE ATTACHED COPY OF MY ORIGINAL
SUBMISSION LETTER AND ADDITIONAL LETTER FOR THIS
REVIEW

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 new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

List of documents and evidence

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.

ADDITIONAL PLOT / SITE PLANNING SHOWING 2 OF
A PERMITTED BUILDING PLOTS IN THE GREENBELT
ON THE OPPOSITE SIDE OF THE ROAD.

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority. It may also be available on the planning authority website.

Checklist

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

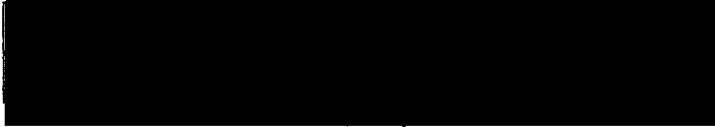
- Full completion of all parts of this form
- Statement of your reasons for requiring a review
- All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

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 from that earlier consent.

Declaration

I the applicant/agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed



Date

11/7/2017

Data Protection Act 1998

East Renfrewshire Council is the Data Controller for the purposes of the Data Protection Act 1998. Please note that the information provided with this application will appear in the public register of applications and will also be published on the Council's website. Personal details such as signatures, personal phone numbers and personal email addresses will not be published on-line. If you wish any further personal information to be excluded from publication, please request this in writing and the Council will consider your request.

Your completed notice of review should now be returned to: East Renfrewshire Council, 2 Spiersbridge Way, Spiersbridge Business Park, Thornliebank, East Renfrewshire G46 8NG. Alternatively, you can e-mail your notice of review to planning@eastrenfrewshire.gov.uk

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To.

The Review Committee

Re-Ex-Railway/Goods Yard, Tannoch Road, Uplawmoor

I refer to my attached application for review of the council's decision re the above and would be grateful if you could consider my original points made in my submission letter (copy attached) together with the following additional points:

- The council have recently granted 4 building plot applications which had no history of development and were in the greenbelt, opposite Pollok Avenue, because they were within the adopted boundary of the village i.e. the dis-used railway line
- My understanding is that the council has scope to encourage re-use of previous developed brownfield sites within the greenbelt
- My site is a small Brownfield site bounded by and adjacent to the dis-used railway line on the other side of the road from these 4 new building plots
- If permission was granted, the river on 3 sides offers a very strong defensible boundary for protection of the greenbelt for the future
- The proposed site and dwelling will and does comply with all the requirements of Policy D1 of the Adopted East Renfrewshire Local Development

Many thanks,

Tony Tierney

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75 Neilston Road,
Uplawmoor,
East Renfrewshire.
G78 4AG

The Planning Department,
East Renfrewshire Council,
2 Spiersbridge Way,
Spiersbridge Business Park,
Thornliebank,
East Renfrewshire.
G46 8NG

RECEIVED
26 APR 2017

24th April 2017

Dear Sir/Madam,

Reference: Ex-Railway/Builders Yard, Tannoch Road, Uplawmoor G78

Your Reference: PREAPP/2017/0137

I refer to the above and wish to formally apply for planning permission for a single 1&1/2 house, positioned as shown on the site map attached.

I acknowledge that I have applied before without success. However, in submitting this new application I would be grateful if the Planning Department could take in to consideration the following points, which I believe justify and merit further consideration, resulting in a successful outcome this time:

- The site, taking the boundary line as the dis-used railway line, whilst not in the village envelope, is right on the edge of the village adjacent to the boundary. It is bounded on 3 sides by a small river, which in the past was recognised as the original boundary of the village, when the railway loading yard was in operation. Should permission be granted, the natural boundary of the river on 3 sides offers a strong defensible boundary in the future, against sporadic development within the Greenbelt.
- The site, accepted and recognised by the Council to be a brownfield site within the Greenbelt, forms a very small portion of the Greenbelt. It doesn't function as greenbelt in the conventional way and since my original application, has not re-generated as hoped. In fact the opposite is true, as the site has degenerated and is in a dilapidated state. It is subject to regular fly-tipping and currently has the remains of someone's garden shed abandoned on it. See attached photo. Additionally, a burnt-out car was left at its entrance at Christmas time and had to be removed in the early part of 2017.
- The site is not in agricultural use and has not been since well before the construction of the goods yard, some 150 years ago and although the existing buildings have been removed - substantial evidence of their existence remains. The ground shows signs of obvious contamination, consistent with its railway usage and the greening that has occurred is not consistent with that of the surrounding green belt. I therefore feel it is entirely consistent with Council policy to classify this land under Policy E19 as vacant and derelict land and to consider alternative uses for this site.
- In its current condition it is used by the local farmer as a dumping ground for silage. He has

with this application.

- Being an eyesore for the villagers, it would be my intention to build a modest sized home for my family and landscape the entire site, planting a hedgerow, consistent with the local hedgerows, around its boundary. *See attached map.* This I believe would significantly improve this small corner of the village, for the benefit of not only myself, but for the village as a whole.
- I can confirm that the existing entrance would be used and the site and plot would allow all vehicles to enter and leave the site in forward gear, as there would be more than enough turning circle within the plot and site itself.
I would also confirm that sight lines could be altered if required, at the entrance and that planting of boundary hedge would take in to account any likely effect on the altered sight lines.
- I have consulted with SEPA, see attached email response and have therefore re-positioned the proposed house on the site, which raises its foundation height, to avoid any possible surface water flooding in the future.
- When making my original application, I stated that I proposed building a dwelling house which could be designed to provide independence for a disabled family member. If successful, this would allow me to provide this independent living, which is not provided in my current property.
A portion of the new house would be devoted to separate accommodation, within the property, but with independent disabled access and parking.

I attach the appropriate application form together with all relevant maps and documentation and look forward to hearing from you.

Your faithfully,

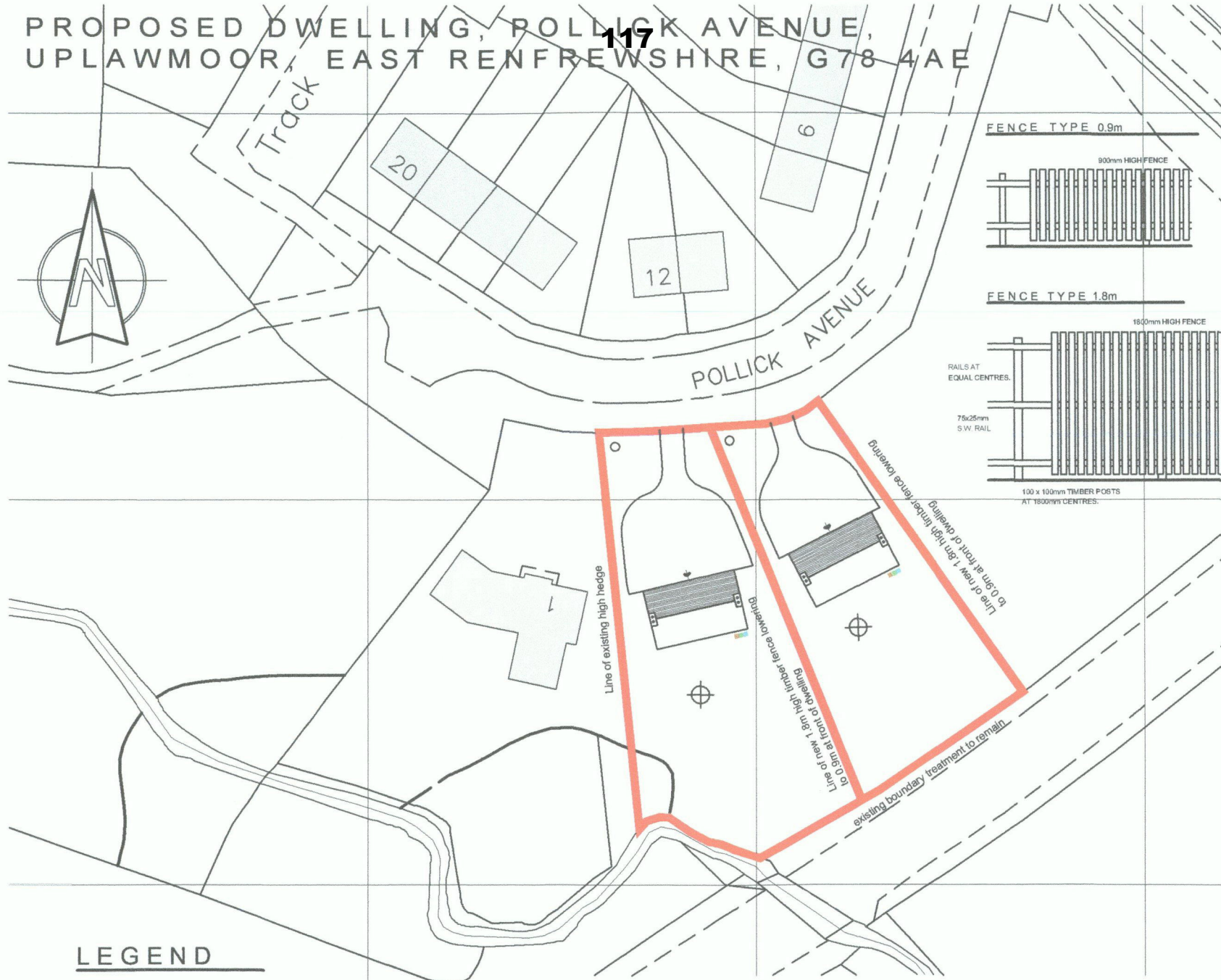
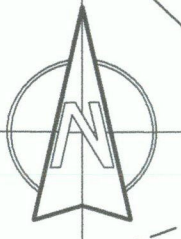


B.A.Tieney

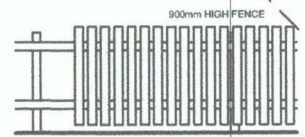
PROPOSED DWELLING, POLLUCK AVENUE, UPLAWMOOR, EAST RENFREWSHIRE, G78 4AE



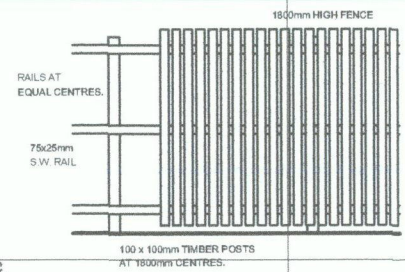
Watson Terrace
Drongan
Ayrshire
KA6 7AB



FENCE TYPE 0.9m



FENCE TYPE 1.8m



LEGEND

- BIN COLLECTION POINT
- ROTARY CLOTHES DRYER
- 3 No. WHEELIE BINS WITH HARDSTANDING

CLIENT
**MR & MRS BRANTON, 57, BFPO,
COSU, HQ, QCIT, BP1 2AT**

PROJECT **PROPOSED DWELLING, POLLUCK AVENUE,
UPLAWMOOR, G78 4AE**

TITLE
SITE LAYOUT

DRG. No. **12/52-LP**

SCALE **1:500** DATE **APR 2015**

Cast Burn

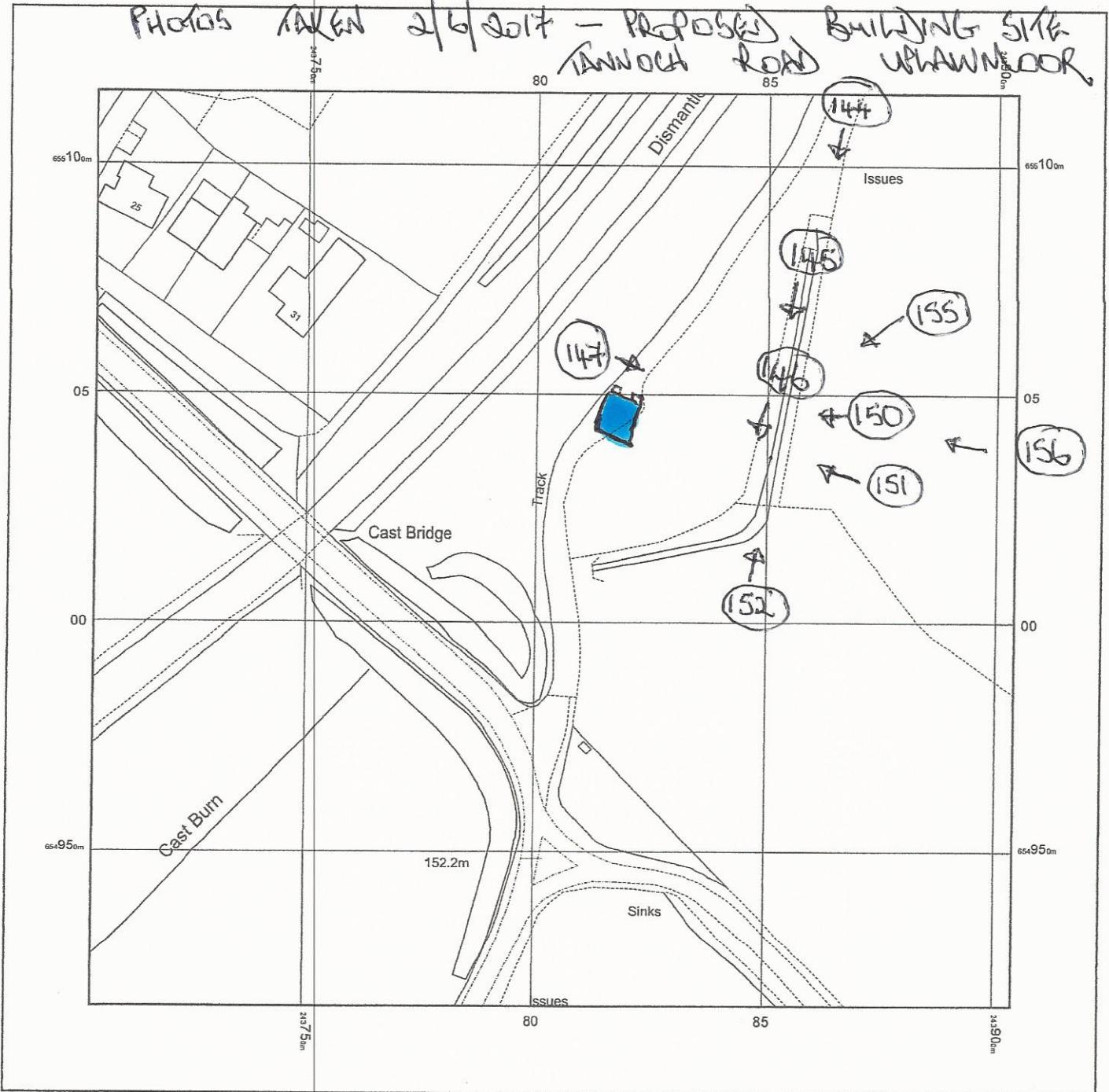
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PLANS/PHOTOGRAPHS/DRAWINGS

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Scale 1:1250

PHOTOS TAKEN 2/6/2017 - PROPOSED BUILDING SITE
TANNOCH ROAD UPLAWMOOR



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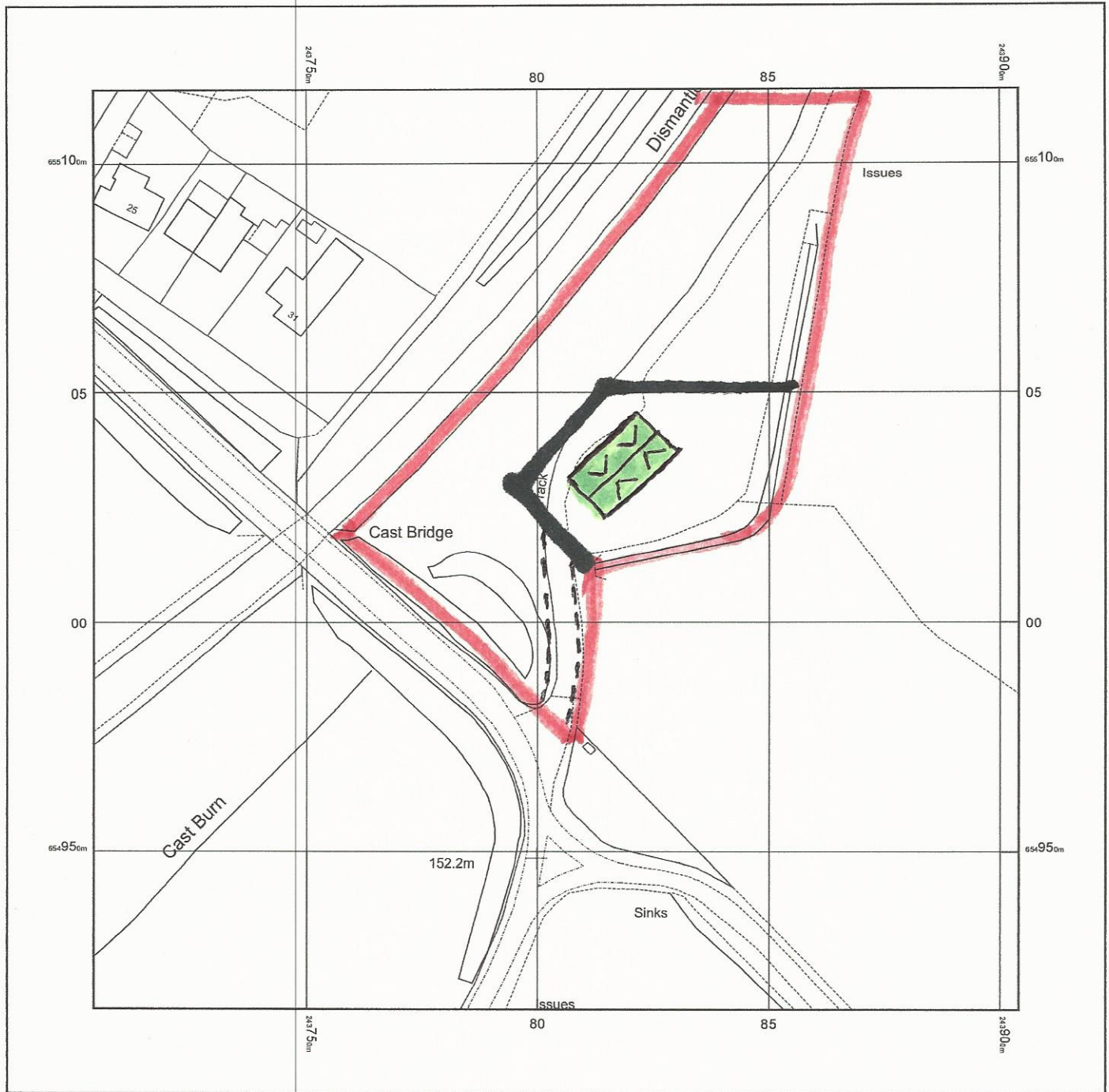












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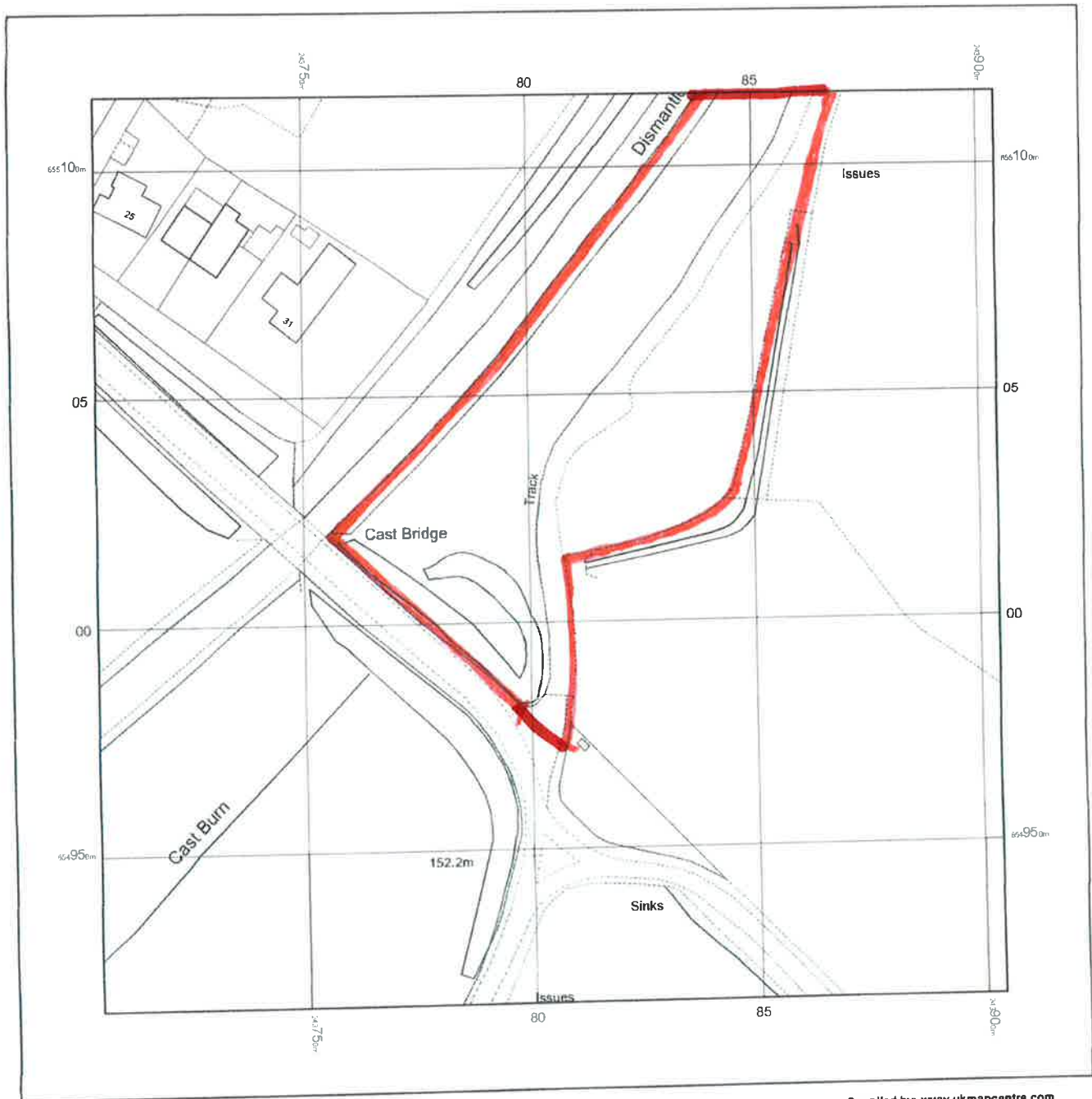
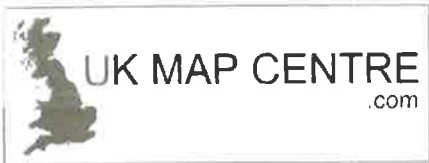


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Ex-Railway Yard, Tannoch Road, Uplawmoor

-  EXTENT OF THE SITE
-  GARDEN / PLOT
-  EXISTING ACCESS ROAD
-  POSITION OF DWELLINGHOUSE - INFORMATION ONLY



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Ex-Railway Yard, Tannoch Road, Uplawmoor

 BOUNDARY OF SITE.