

MINUTE
of
PLANNING APPLICATIONS COMMITTEE

Minute of virtual meeting held at 2.00pm on 30 September 2020.

Present:

Councillor Annette Ireland (Chair)
Councillor Angela Convery
Councillor Betty Cunningham

Provost Jim Fletcher
Councillor Stewart Miller
Councillor Jim Swift

Councillor Ireland in the Chair

Attending:

Gillian McCarney, Head of Environment (Chief Planning Officer); Graham Shankland, Planning and Building Standards Manager; Derek Scott, Planner, Development Management; and Paul O'Neil, Committee Services Officer.

Apology:

Councillor Jim McLean.

DECLARATIONS OF INTEREST

1380. There were no declarations of interest intimated.

NOTIFICATION OF PLANNING APPEALS AND APPEAL DECISIONS

1381. The committee considered a report by the Director of Environment, advising of the intimation by the Directorate for Planning and Environmental Appeals (DPEA) of the outcome of two appeals against the committee's decision to refuse planning permission.

The report explained that the appointed Reporter had dismissed one appeal and granted the other. The Reporter allowed the one appeal and had granted planning permission in respect of the erection of a one and a half storey side extension, upper storey rear extension and single storey side and rear extensions at 99 East Kilbride Road, Busby. He was of the view that the proposal was generally well designed and sympathetic to the area and concluded that it accorded overall with the relevant provisions of the development plan and that there were no material considerations which would justify refusing to grant planning permission.

Councillor Miller supported by Councillors Convery and Cunningham expressed their concern about the Reporter's decision to overturn the committee's decision.

At this stage, it was agreed that the:-

- (a) Planning Service be instructed to write to the Scottish Government's Reporters' Unit (DPEA) asking for a meeting to discuss the decision making processes of Reporters; and
- (b) report be otherwise noted.

APPLICATIONS FOR PLANNING PERMISSION

1382. The committee considered reports by the Director of Environment, on applications for planning permission requiring consideration by the committee.

It was agreed that the applications be determined as indicated at Appendix 1 accompanying this Minute, particular reference being made to the following:-

- (i) 2019/0858/TP – Erection of 4 retail units following demolition of existing dwellinghouse at 37 Busby Road, Clarkston by Ms Sabah Hassan

Having heard the Planning and Building Standards Manager refer to the assessment of the application and that it was being recommended for approval, subject to conditions, Councillor Miller supported by Councillor Cunningham, stated that he was opposed to the application on the grounds that in his opinion the proposal represented an overdevelopment of the site, there was no parking provision at the site and the proposal would offer no economic benefit to Clarkston town centre.

Provost Fletcher suggested a contrary view highlighting that that in his opinion there was nothing in planning terms to suggest that the application be refused. He indicated that the proposal had the potential of creating job opportunities and the committee should be positive about such proposals.

In response to the absence of objections from the Council's Roads service, the Head of Environment (Chief Planning Officer) indicated that it was not uncommon for the Roads service not to object to applications in town centre areas in addition to which the Planning and Building Standards Manager referred the committee to conditions 1 and 2 in the report which dealt with roads issues.

Councillor Ireland noted that the application had previously been rejected because further reports had been requested one of which was to ensure there would no significant individual or cumulative impact on the vitality or viability of the existing town centre.

She noted that in the Economic impact Report (EIR) submitted by the applicant they were basing their figures on the fact that Clarkston had a 10% void rate at the moment. The EIR compared Clarkston to Dumbarton, Kilmarnock, Ayr, Kirkcaldy, and Alloa because they all had much higher void numbers. She suggested that was not something that Clarkston should be aiming for as the UK average for voids was 9% and approving the application would result in going above that figure. This was supported by Councillor Miller.

Councillor Ireland also stated that she did not feel that the application complied with policy SG7 because the case had not been made that there would not be a significant individual or cumulative impact, and that the town centre would be impacted by the additional units.

Councillor Ireland also referred to the condition of the existing building and questioned whether any action was being taken to make the building safe either through negotiation with the owner or enforcement action.

She further referred to the comments made by the Environmental Health Service regarding restricted operating hours and questioned why these had not been made one of the proposed conditions of grant.

In response to Councillor Ireland's questions it was explained that the Building Standards service could serve notices on the property owners if required. However the service had not been asked to take any action to date. If it became a significant eyesore then there were planning enforcement powers available but officers were not aware of any suggestion that this stage had been reached.

In respect of restricted hours it was explained that such a condition tended to be applied when there were residential properties in the immediate vicinity, particularly if the proposal sat within a residential area. The view had been taken that as the site was on the edge of the town centre later opening hours would be expected. It had therefore been determined inappropriate to attach such a condition but could be added were the committee minded to grant the application.

Councillor Ireland, seconded by Councillor Miller, moved that the application be refused for the following reasons:-

1. The proposal is contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan due to the scale and massing of the proposal;
2. The proposal is contrary to Policy SG7 of the adopted East Renfrewshire Local Development Plan due to the adverse impact that the proposal would have on the vitality and viability of Clarkston Town Centre;
3. The proposal is contrary to road safety in the area as no on-site parking is being provided; and
4. The proposal is contrary to the built heritage of the area due to the loss of an historic building.

Provost Fletcher moved as an amendment that the application be approved, subject to conditions. In the absence of a seconder his amendment fell.

At this stage, the committee agreed that the application be refused for the following reasons:-

1. The proposal is contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan due to the scale and massing of the proposal;

2. The proposal is contrary to Policy SG7 of the adopted East Renfrewshire Local Development Plan due to the adverse impact that the proposal would have on the vitality and viability of Clarkston Town Centre;
3. The proposal is contrary to road safety in the area as no on-site parking is being provided; and
4. The proposal is contrary to the built heritage of the area due to the loss of an historic building.

CHAIR

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) (SCOTLAND) ACT 1997**

Index of applications under the above acts considered by Planning Applications Committee on
30.09.2020

Reference No: 2019/0858/TP

Ward: 4

Applicant:

Ms Sabah Hassan
7 Ferguston Road
Bearsden
Glasgow
Scotland
G61 2DX

Agent:

Maura McCormack
39 Dunipace Crescent
Dunfermline
Scotland
KY12 7LZ

Site: 37 Busby Road Clarkston East Renfrewshire G76 7BN

Description: Erection of 4 retail units following demolition of existing dwellinghouse

Decision: Refused

Reference No: 2020/0330/TP

Ward: 4

Applicant:

Mr and Mrs S McAleer
18 Gordon Road
Netherlee
Glasgow
Scotland
G44 3TW

Agent:

Donna Kennedy
32 Treebank Crescent
Ayr
Scotland
KA7 3NF

Site: 18 Gordon Road Netherlee East Renfrewshire G44 3TW

Description: Erection of a one and half storey dwelling following demolition of existing dwellinghouse.

Decision: Refused

