

MINUTE
of
PLANNING APPLICATIONS COMMITTEE

Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Giffnock on 2 November 2016.

Present:

Councillor Kenny Hay (Chair)	Councillor Stewart Miller
Councillor Betty Cunningham (Vice Chair)	Councillor Gordon McCaskill
Councillor Barbara Grant	Councillor Paul O’Kane

Councillor Hay in the Chair

Attending:

Gillian McCarney, Planning and Building Standards Manager; Sean McDaid and Graham Shankland, Principal Planners (Development Management); Shona Fraser, Environmental Services Manager; and Paul O’Neil, Committee Services Officer.

Apology:

Provost Alastair Carmichael.

DECLARATIONS OF INTEREST

2248. There were no declarations of interest intimated.

NOTIFICATION OF PLANNING APPEALS AND APPEAL DECISIONS

2249. The committee considered a report by the Director of Environment, advising of the intimation by the Directorate for Planning and Environment Appeals (DPEA) of one new appeal relating to the Council’s decision to refuse to issue a High Hedge Notice at 15 Torrington Avenue, Giffnock and the outcome of two appeal decisions both of which had been dismissed by the Reporter.

The committee agreed to note the report.

APPLICATION FOR PLANNING PERMISSION

2250. The committee considered a report by the Director of Environment, on an application for planning permission requiring consideration by the committee.

The committee agreed that the application be determined as indicated at Appendix 1 accompanying this Minute, particular reference being made to the following:-

- (i) 2016/0070/TP – Installation of an anaerobic digestion biogas plant with alterations to vehicular access off A77 and earthworks/excavation operations to change ground levels at site 300 metres north east of Greenhags, Ayr Road, Newton Mearns by the Greenhags Energy Company Limited

The Planning and Building Standards Manager reported that whilst the development was located in the Greenbelt this policy designation did not preclude development from taking place and therefore in terms of the overall assessment of the application, it was considered that the proposal was an acceptable development at this location and accorded with the relevant development plan policies.

Councillor Grant referred to the terms of Condition 10 proposed to be attached to the planning permission and sought assurances that this would prevent another developer taking over the facility with a view to processing materials other than those specified therein. She also expressed concern that the proposed developer did not have a track record in this type of operation.

Councillor McCaskill noted that there was nothing in the conditions to restrict vehicle movements going to and from the site and sought clarification whether it was possible to attach such a condition.

In reply, the Planning and Building Standards Manager stated that the fact the developer did not have a track record in this type of operation was not a material consideration in the assessment of the application. She also explained that should a new developer take over the operation of the facility it would require to obtain planning permission to process materials other than those specified in Condition 10. She also stated that the Council could not impose a condition to restrict the number of lorries/tankers using the A77 as it was a public road and in any event the number of lorries/tankers travelling to and from the site represented only a small percentage of the total number of vehicles using that road on a daily basis.

Councillor Grant stated that she was concerned that should the committee decide to approve the application, local residents might form the view that the decision was made only because the Council had a financial interest in the application site.

Having listened to the remarks of other members of the committee, Councillor McCaskill emphasised that there were no legitimate planning grounds for the committee to refuse the application in the course of which Councillor O’Kane stated that notwithstanding it was important to give consideration to the views expressed by local residents.

In reply to a question by Councillor Cunningham, the Planning and Building Standards Manager stated that the nearest house to the site was approximately 25 metres south of the boundary of the property known as Strathcraig and approximately 30 metres from the boundary with the East Renfrewshire Golf Club which was located to the north west of the site. She also highlighted that the facility would not produce any odours and that the noise of vehicles travelling on the A77 would probably generate more noise than the operation of the facility. She also explained in response to a question by Councillor O’Kane that the Council could not impose a condition to prevent vehicles going to and from the site from using other roads in the area as it would be unenforceable.

At this stage, the committee having heard Councillor Grant suggest that the Council should carry out regular monitoring of the facility given her concerns about residents living nearby, agreed that the application be approved, subject to the conditions detailed in the report.

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
02.11.2016

Reference No: 2016/0070/TP

Ward:

Applicant:

The Greenhags Energy Company Limited
1 Rutland Court
Edinburgh
EH3 8EY

Agent:

Alan Couper Consulting
Stevenson Farm
Peebles
EH45 8PX

Site: Site 300M north east of Greenhags, Ayr Road, Newton Mearns, East Renfrewshire

Description: Installation of anaerobic digestion biogas plant with alterations to vehicular access off A77 and earthworks/excavation operations to change ground levels

Decision: Approved Subject to Conditions
