

EAST RENFREWSHIRE COUNCIL
PLANNING APPLICATIONS COMMITTEE

2 November 2016

Report by Director of Environment

APPEALS

1.0. **INTRODUCTION**

- 1.1. This report is to inform Members about one new planning appeal and two appeal decisions that have been received from the Scottish Government's Directorate for Planning and Environmental Appeals (DPEA)

2.0. **NEW APPEAL**

- 2.1. **APPEAL 0524** (ERC reference 2016/0001/HHN; DPEA reference HHA-220-3). This appeal relates to the decision of the Council to refuse to issue a High Hedge Notice relating to a hedge at 15 Torrington Avenue, Giffnock. It was considered that the hedge did not have an adverse impact on the reasonable enjoyment of the neighbour. The applicant has now appealed the decision.

3.0. **APPEAL DECISIONS**

- 3.1. **APPEAL 0522** (ERC reference 2015/0007/TP; DPEA reference PPA-220-2035) relating to the planning application for the erection of 67 dwellings and 16 flats with associated access roads, landscaping, parking and SUDS area (major development) at land to the west of Ayr Road (south of the Indian Platform and north of Maidenhill Lodge) Newton Mearns. This was an appeal against the non-determination of the application within the specified time period.

- 3.2. The appeal was dismissed and planning permission was refused. In summary, the Reporter found:

- The Council was right to seek to limit housing completions at the site in advance of a new non-denominational school being built;
- That the landscaping buffer and acoustic barriers proposed were insufficient and conflicted with the masterplan;
- That the proposed site layout fails to meet the masterplan design proposals and principles and the council's vision for an exemplar new sustainable neighbourhood; and
- There is an absence of evidence relating to the capacity and condition of culverts and flood risk downstream.

- 3.3. **APPEAL 0523** (ERC reference 16/00011/WKS; DPEA reference ENA-220-2009). This appeal related to an enforcement notice served in relation to the unauthorised erection of a 1.8 metre high fence at a prominent corner at 70 Craighlaw Avenue, Waterfoot.

- 3.4. The appeal was dismissed and the enforcement notice was upheld (subject to a variation in the timescale for compliance with the notice). The Reporter found that the fence did constitute a breach of planning control and that the description of the breach was sufficient. She found that the height of the fencing, the starkness of the new materials, proximity to the pavement edge and prominent corner location all result in a visually obtrusive boundary feature and had an incongruous appearance with the surroundings. She found therefore it had an unacceptable impact on the amenity and character of the immediate surroundings and the area in general. The Reporter allowed 12 weeks from the date of the decision to carry out the required works for compliance with the notice.

4.0 **RECOMMENDATION**

- 4.1 Members are asked to note the above.

Director of Environment
October 2016