

EAST RENFREWSHIRE COUNCIL**PLANNING APPLICATIONS COMMITTEE****8 June 2016****Report by Director of Environment****NOTICE REQUIRING PROPER MAINTENANCE OF LAND****AT 421 MEARNS ROAD, NEWTON MEARNS****1.0 INTRODUCTION**

- 1.1 This report is to request that Members authorise the service of a Notice Requiring Proper Maintenance of Land under Section 179 of the Town and Country Planning (Scotland) Act 1997 in relation to the former restaurant at 421 Mearns Road, Newton Mearns.

2.0 BACKGROUND

- 2.1 The former restaurant is located adjacent to and on the south side of the Mearnskirk Roundabout. The site has been unoccupied for a number of years and the building on site is boarded up. There is vegetation growing on the external walls of parts of the building and it has also been the target for graffiti.
- 2.2 There is a signboard displayed on site by Montagu Evans advertising the availability of the site for sale. However there have been no recent or current planning applications for the site.
- 2.3 Section 179 of the Town and Country Planning (Scotland) Act 1997 states that if it appears to a planning authority that the amenity of any part of their district, or an adjoining district, is adversely affected by the condition of any land in their district they may serve on the owner, lessee and occupier of the land a notice requiring such steps for abating the adverse effect as may be specified in the notice to be taken within such period as may be so specified.
- 2.4 The steps to be taken to abate the adverse effects are a decision for the planning authority and can cover a range of possible outcomes and could go as far as involving demolition of buildings. In this instance it is considered that the notice should specify that the vegetation on the outside of the building is removed, the graffiti cleaned up and the grounds tidied up.
- 2.5 It should be noted that there is a right of appeal to the Scottish Ministers in relation to the service of this type of notice.

3.0 MAIN ISSUES

- 3.1 The current condition and appearance of the site and in particular the building is of concern and is considered to adversely affect the amenity of the area at this prominent site.
- 3.2 In order to address the adverse effect on the amenity of the area the service of this notice is considered to be appropriate and necessary in this case.

4.0 RECOMMENDATION

- 4.1 Members are requested to authorise the service of a Notice Requiring Proper Maintenance of Land under Section 179 of the Town and Country Planning (Scotland) Act 1997 in relation to the former restaurant at 421 Mearns Road, Newton Mearns.

Director of Environment
May 2016.