

**MINUTE**  
**of**  
**PLANNING APPLICATIONS COMMITTEE**

**Minute of virtual meeting held at 2.00pm on 19 May 2021.**

**Present:**

Councillor Annette Ireland (Chair)  
Provost Jim Fletcher  
Councillor Jim McLean

Councillor Stewart Miller  
Councillor Jim Swift

Councillor Ireland in the Chair

**Attending:**

Graham Shankland, Planning and Building Standards Manager; Derek Scott, Planning Officer, Sharon McIntyre, Committee Services Officer, and Liona Allison, Assistant Committee Services Officer.

**Apologies:**

Councillors Angela Convery and Betty Cunningham.

**DECLARATIONS OF INTEREST**

**1641.** There were no declarations of interest intimated.

**NOTIFICATION OF A PLANNING APPEAL AND AN APPEAL DECISION**

**1642.** The committee considered a report by the Director of Environment, advising of the receipt of a planning appeal relating to the Change of Use of land for outdoor pre and after school at the site Adjacent East of Williamwood High School, Eaglesham Road, Clarkston. The application was refused planning permission at the Planning Applications Committee on 10 March 2021.

The report also explained that an appeal to the Directorate for Planning and Environmental Appeals (DPEA) regarding the decision of the Council to refuse planning permission for the formation of a driveway, realign front boundary and adjacent footway, including lowering of ground levels at 29 East Kilbride Road, Busby had been dismissed.

Councillor Miller having noted this outcome, Councillor Ireland referred to the DPEA Reporter's findings that the principle of a new direct access would gain no support from the guidance within Designing Streets and that the visibility splays required could not be met.

The committee noted the report.

## APPLICATIONS FOR PLANNING PERMISSION

**1643.** The committee considered reports by the Director of Environment on applications for planning permission requiring consideration by the committee.

The Planning and Building Standards Manager advised that application 2021/0110/TP – Subdivision and change of use of retail unit (class 1) to create 3 units (1 x class 1 - shops/retail, 1 x sui generis - hot foot takeaway 1 x class 3 - cafe/restaurant) and associated shopfront alterations at site American Golf 6 Fenwick Road Giffnock East Renfrewshire G46 6AN would be continued to a future meeting of the Planning Applications Committee following further discussion with the Applicant, Planning Officer and Roads Service.

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

- (i) 2021/0076/TP - Change of use from retail unit (class 1) to hot food takeaway (sui generis) at Men Zone 47 Eastwoodmains Road Giffnock

Having heard the Planning and Building Standards Manager refer to the significant number of representations received and provide details of the proposal, Councillor Miller referenced the appeal against a similar proposal in the parade of shops which was refused by the then Secretary of State for Scotland in 1989 and also enquired as to the type of outlet detailed in the proposed application.

The Planning and Building Standards Manager advised that relevance to the previous appeal was very limited, if any, and that the application should be based on the current proposed application and current planning policy. The Planning and Building Standards Manager also confirmed that the application was for a takeaway pizzeria.

Councillor Miller enquired as to the route of appeal for the application should it be refused in response to which the Planning and Building Standards Manager advised this would be to Scottish Ministers through the Directorate for Planning and Environmental Appeals (DPEA).

Provost Fletcher was heard in relation to the recommendation to approve planning permission for the proposed application. He drew attention to the substantial number of objections received and the reasons for objecting namely litter, vermin, anti-social behaviour, limited car parking and road safety. Provost Fletcher also referred to the appeal to the Secretary of State for Scotland in 1989 and that this was dismissed for similar reasons to the objections received for the proposed application. He highlighted that Eastwoodmains Road was an extremely busy road, and expressed concern that insufficient parking was a concern for road safety in addition to access to the site.

Councillor McLean mirrored Provost Fletcher's concerns regarding access and insufficient parking at the site given the nature of the proposed business.

Councillor Swift appreciated the concerns already raised with regards to parking and access onto Eastwoodmains Road although acknowledged that the site had lain vacant for a significant period of time.

Councillor Ireland sought confirmation from the Planning and Building Standards Manager that Policy SG9 had been met. In reply, the Planning and Building Standards Manager advised that it was considered that the proposal complied with the terms of Policy SG9 of the adopted East Renfrewshire Local Development Plan in that the site had been sufficiently marketed and had lain vacant for over six months.

Councillor Miller noted that the previous use of the site was as a gentlemen's hairdresser, which had closed during previous COVID-19 restrictions. Whilst recognising that the site had lain vacant for some time, Councillor Miller also referred to the issue of insufficient parking.

Councillor Ireland noted the issues raised by shop owners with regard to the character of the area although not wishing a unit to sit empty moved the recommendation to approve the application subject to the conditions as outlined in the report. Councillor Swift seconded the motion.

Provost Fletcher, seconded by Councillor McLean, moved as an amendment that planning permission be refused on the grounds of roads safety as a result of insufficient parking and difficult access to the site.

On a vote being taken Councillors Ireland, Miller and Swift voted for the motion.

Provost Fletcher and Councillor McLean voted for the amendment.

There being 3 votes for the motion and 2 votes for the amendment the motion was accordingly declared carried and the application approved subject to conditions as outlined in the report.

(i) 2021/0183/TP – Erection of single flat roof extension to rear single storey front extension; installation of flue at 4 Wigton Avenue, Newton Mearns.

The Planning and Building Standards Manager referred to the number of representations received and provided details of the proposal brought to committee in accordance with the Scheme of Delegation, as the applicant was an officer within the Planning and Buildings Standards Service.

In response to a question from Councillor Ireland regarding the positioning of the proposed front/side extension, the Planning and Building Standards Manager confirmed this was within a metre of the side boundary although access to the site was maintained.

Provost Fletcher sought to confirm that the Planning Officer's recommendation would have been to approve the application regardless of whether the applicant was an officer within the Planning and Buildings Standards Service. In reply, the Planning and Building Standards Manager, whilst recognising the concerns of neighbours, confirmed that the recommendation would have been to grant planning permission for the reasons set out in the report.

Councillor Miller enquired regarding the ownership of the existing boundary hedge intended for removal and if the roof overhang was positioned at the back of the rear extension. The Planning and Building Standards Manager advised that removal of the hedge would require the permission of the owner(s) and confirmed that the roof overhang was at the back of the rear extension.

Councillor Swift noted that the proposed front/side extension was contrary to Supplementary Planning Guidance Householder Design Guide in that it was not set back at least one metre from the side boundary.

Councillor Ireland moved the recommendation to approve the application subject to conditions as outlined in the report. Provost Fletcher seconded the motion.

Councillor Swift, seconded by Councillor Miller, moved as an amendment that planning permission be refused on the grounds that the proposed front/side extension was contrary to Supplementary Planning Guidance Householder Design Guide in that it was not set back at least one metre from the side boundary.

Councillor Swift restated his earlier position that the application was a breach of the Supplementary Planning Guidance and for this reason the application should be refused. Councillor Miller and Councillor McLean supported this position.

On a vote being taken Councillor Ireland and Provost Fletcher voted for the motion.

Councillors Swift, Miller and McLean voted for the amendment.

There being 2 votes for the motion and 3 votes for the amendment, the amendment was accordingly declared carried and the application was refused on the grounds that the proposed front/side extension was contrary to Supplementary Planning Guidance Householder Design Guide in that it was not set back at least one metre from the side boundary.

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  
19.05.2021

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**Reference No:** 2021/0076/TP

**Ward:** 3

**Applicant:**

Trattoria 47 Limited C/o Blackadders LLP  
6/1 Mercantile Chambers  
53 Bothwell Street  
Glasgow  
Scotland  
G2 6TS

**Agent:**

Natalie Righetti  
Parkside  
83 Skirving Street  
Glasgow  
Scotland  
G41 3BF

**Site:** Men Zone 47 Eastwoodmains Road Giffnock East Renfrewshire G46 6PW

**Description:** Change of use from retail unit (class 1) to hot food takeaway (sui generis)

**Decision:** Approved

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**Reference No:** 2021/0110/TP

**Ward:** 3

**Applicant:**

Mr Andrew Forrest  
19 The Loaning  
Giffnock  
Scotland  
G46 6SF

**Agent:**

William Ewing  
226 West George Street  
Glasgow  
Scotland  
G2 2PQ

**Site:** American Golf 6 Fenwick Road Giffnock East Renfrewshire G46 6AN

**Description:** Subdivision and change of use of retail unit (class 1) to create 3 units (1 x class 1 - shops/retail, 1 x sui generis - hot foot takeway 1 x class 3 - cafe/restaurant) and associated shopfront alterations

**Decision:** Application 2021/0110/TP to be continued to a future meeting of the Planning Applications Committee.

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**Reference No:** 2021/0183/TP

**Ward:** 2

**Applicant:**

Mrs Gillian Morgan  
4 Wigton Avenue  
Newton Mearns  
Scotland  
G776JG

**Agent:**

Malcolm McCallie  
14 Ballingall Drive  
GLENROTHES  
Scotland  
KY6 3QD

**Site:** 4 Wigton Avenue Newton Mearns East Renfrewshire G77 6JG

**Description:** Erection of single storey flat roof extension to rear single storey front extension; installation of flue.

**Decision:** Refused

