

MINUTE
of
LOCAL REVIEW BODY

Minute of Meeting held at 2.30pm in the Council Chamber, Council Headquarters, Giffnock on 30 April 2014.

Present:

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| Councillor Kenny Hay (Chair) | Councillor Gordon McCaskill |
| Councillor Betty Cunningham (Vice Chair) | Councillor Stewart Miller |
| Provost Alastair Carmichael | Councillor Paul O'Kane |
| Councillor Barbara Grant | |

Councillor Hay in the Chair

Attending:

Graham Shankland, Principal Planner (Planning Adviser); Marie Paterson (Legal Adviser); and Paul O'Neil, Committee Services Officer, (Clerk).

DECLARATIONS OF INTEREST

1028. There were no declarations of interest intimated.

NOTICE OF REVIEW – REVIEW 2014/02 – ERECTION OF 2 STOREY DETACHED DWELLINGHOUSE WITH FORMATION OF DETACHED GARAGE AT REAR AT 5 AND 7 DUNOLLY DRIVE, NEWTON MEARNS (REF NO: 2013/0627/TP)

1029. The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Mr Hugh Hodge against the decision taken by officers to refuse planning permission in respect of the proposed erection of a two storey detached dwellinghouse with formation of detached garage at rear at 5 and 7 Dunolly Drive, Newton Mearns.

It was noted that the decision had been made in accordance with the Council's Scheme of Delegation made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006.

The Local Review Body was advised that the applicant had submitted new evidence which was not before the appointed officer at the time the determination of the application was made and that should the Local Review Body decide to give consideration to the new information, the case officer and those individuals who submitted representations should be given an opportunity to comment on the information. It was noted that once these comments were received, the applicant would also be given an opportunity to submit further comments thereon.

The Local Review Body, having considered the matter, decided not to give consideration to the new information in the determination of the review case and agreed that it had sufficient information to determine the review without further procedure.

Thereafter, following further deliberation, Councillor Hay, seconded by Councillor Cunningham moved that the decision as set out in the decision notice of 21 January 2014 be overturned and that planning permission be granted in accordance with the application dated 18 September 2013, subject to the conditions as detailed at Appendix 1 to this Minute.

Councillor Grant, seconded by Councillor McCaskill moved as an amendment that the Local Review Body uphold the decision as set out in the decision notice of 21 January 2014 and refuse planning permission.

On a vote being taken four Members voted for the motion and two Members for the amendment. The motion was accordingly declared carried and it was agreed that the decision as set out in the decision notice of 21 January 2014 be overturned and that planning permission be granted in accordance with the application dated 18 September 2013, subject to the conditions as detailed at Appendix 1 to this Minute.

CHAIR

APPENDIX

1. There shall be no construction work and no deliveries received at or dispatched from the development site before 0800 or after 1900 hours, Monday to Friday and 0900 to 1300 hours on a Saturday and no time on a Sunday unless otherwise agreed in writing by the Head of Environment (Planning, Property and Regeneration).

Reason: To prevent noise nuisance to residents of nearby houses.

2. Details/samples of materials to be used on all external surfaces of the building to be submitted and approved in writing by the Head of Environment (Planning, Property and Regeneration).

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

3. Details and location of all walls and fences to be submitted and approved in writing by the Head of Environment (Planning, Property and Regeneration)

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

4. Existing trees and shrubs within the application site shall not be felled, removed or disturbed in any way without the prior written approval of the Head of Environment (Planning, Property and Regeneration).

Reason: To protect the existing trees and shrubs so that they continue to contribute to the environmental quality of the area and soften the impact of the development.

5. Visibility splays of 2.5 metres by 20 metres shall be provided in both directions at the junction of the new access with the existing road prior to the occupancy of the house and thereafter maintained free from any obstructions exceeding a height of 1.05m above the adjacent road.

Reason: To enable drivers of vehicles leaving the site to have a clear view over a length of road sufficient to allow safe exit.

6. A 2m footway must be provided along the full frontage of the site prior to the occupation of the dwellinghouse hereby approved.

Reason: In the interests of public safety

7. The driveway must be a minimum of 3m wide with the first 2m paved in a porous material prior to the occupation of the dwellinghouse hereby approved.

Reason: To prevent deleterious material from being carried onto the road and in the interests of public safety

ADDITIONAL NOTES:

The applicant/operator shall provide and maintain on site suitable means for the washing of vehicle wheels at all times during the hours of operation to prevent mud being deposited on the public road.

Drainage must be contained within the site by sloping the driveway away from the heel of the footway or by means of a positive drainage system.

The applicant must arrange for the road to be stopped up in order to extinguish the public right of passage over it. The applicant will be liable for associated costs.

The applicant is advised to contact Scottish Water, Developer Services, Clyde House, 419 Balmore Road, Glasgow, G22 6NU, prior to commencing any works on site.

The Developer is required to consult with East Renfrewshire Council's Development Plans Section on 0141 577 8542 on proposed street naming and numbering at an early stage in the development.

East Renfrewshire Council Roads Service should be consulted regarding a Road Opening Permit for service connections and footway crossover.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com