

MINUTE
of
PLANNING APPLICATIONS COMMITTEE

Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Giffnock on 8 October 2014.

Present:

Councillor Kenny Hay (Chair)
Provost Alastair Carmichael

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; and Paul O'Neil, Committee Services Officer.

Apologies:

Councillors Betty Cunningham (Vice Chair); Gordon McCaskill; and Stewart Miller.

DECLARATIONS OF INTEREST

1243. There were no declarations of interest intimated.

APPLICATIONS FOR PLANNING PERMISSION

1244. The committee considered reports by the Director of Environment on applications for planning permission requiring consideration by the committee.

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

- (i) 2014/0533/TP – Sub division and change of use of part of retail unit to café/restaurant with associated alterations to shop front at Clarkston Carpet Centre, 63-65 Seres Road, Clarkston by MPH Properties Commercial Limited

In reply to comments made by Councillor Grant about the concerns expressed by local residents about a hot food takeaway operating at the site, the Planning and Building Standards Manager emphasised that the application was in respect of a café/restaurant and not a hot food takeaway.

She explained that consent for a hot food takeaway would require a separate application for planning permission to be submitted.

The committee agreed that the application be approved, subject to conditions detailed in the report.

- (ii) 2014/0541/MDO – Modification of part of planning obligation associated with the planning permission granted for a licensed restaurant and 3 shop units 1990/0033/TP that does not allow the restaurant or any buildings which may replace it to be used at any time for the sale of alcohol and liquor for consumption off the premises at 86 Broom Road East, Newton Mearns by Pinamar Limited

The Planning and Building Standards Manager stated that the proposal was not an application for planning permission but an application made under Section 75A of the Town and Country Planning (Scotland) Act 1997 to modify/discharge a planning obligation that was associated with planning permission (i.e. Ref No:- 1990/0033/TP) that had previously been granted on 28 May 1991.

Whilst noting that the application could have been dealt with by officers under delegated powers, the Planning and Building Standards Manager advised that due to the number of representations that had been received it was decided to submit the application to the committee for consideration. She advised that the application had been assessed against Scottish Government Circular 3/2012 which gave the most up to date advice on the use of planning obligations and based on that advice it was being recommended that the planning obligation be discharged.

The Planning and Building Standards Manager advised that whilst the applicants could change the use of the restaurant to a shop with an off sales facility without the need of obtaining planning permission they would require to submit an application to the Licensing Board for an appropriate liquor licence.

The committee agreed to grant the discharge of the planning obligation.

PLANNING ENFORCEMENT – AUCHENTIBER COTTAGE, FERENEZE ROAD, NEILSTON

1245. The committee considered a report by the Director of Environment, seeking authority to take formal planning enforcement action in respect of the unauthorised formation of an access road to land at Auchentiber Cottage, Fereneze Road, Neilston.

The committee, having heard the Planning and Building Standards Manager explain the reasons why planning enforcement action was being sought, agreed to authorise officers to take formal enforcement action should it be necessary to have the unauthorised access removed and the land reinstated to its former state.

ONLINE PLANNING INFORMATION

1246. The committee considered a report by the Director of Environment, seeking approval of proposed changes to procedures to the effect that personal data and representations of parties making comment on planning applications would not be displayed online.

The report explained that the policies described in the report brought the Council's procedures up-to-date with the latest Data Protection Guidance for Planning Authorities received from the Information Commissioner's office and Heads of Planning Scotland. It was noted that individuals would continue to have access to the information that they needed to comment on planning applications, whilst at the same time, having their personal information protected in accordance with the Data Protection Act 1998.

The committee approved the proposed changes outlined in the report, particularly by agreeing not to display online the personal data and representations of parties making comment on planning applications.

CUSTOMER SURVEYS OF THE PLANNING AND BUILDING STANDARDS SERVICE

1247. The committee considered and noted a report by the Director of Environment providing details of the results of customer surveys that were conducted into the Planning and Building Standards Service earlier in 2014.

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Councillor Grant left the meeting at this stage.

Urgent Item of Business

The Chair, being of the opinion that the following matter of business was urgent in view of the need for officers to undertake enforcement action, authorised its consideration.

PLANNING ENFORCEMENT – RESIDENTIAL DEVELOPMENT AT BARCAPEL AVENUE, NEWTON MEARNS

1248. The committee considered a report by the Director of Environment, seeking authority to take formal planning enforcement action in respect of a breach of planning control relating to a residential development at Barcapel Avenue, Newton Mearns.

The committee, having heard the Planning and Building Standards Manager explain the reasons why it was necessary to take the action described in the report, authorised the formal enforcement action which, in the first instance, would involve serving a Temporary Stop Notice.

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 8th
October 2014

Reference No: 2014/0533/TP

Ward: 4

Applicant:
MPH Properties Commercial Ltd

Agent:
SJ Convery Architects
12 Lochnagar Drive
Bearsden
G61 4RP

Site: Clarkston Carpet Centre, 63 to 65 Seres Road, Clarkston, East Renfrewshire, G76 7PG

Description: Sub division and change of use of part of retail unit to cafe/restaurant with associated alterations to shopfront

Decision: Approved subject to conditions

Reference No: 2014/0541/MDO

Ward: 5

Applicant:
Pinamar Limited
Burnfield House
4A Burnfield Avenue
Giffnock
G46 7TP

Agent:
TLT LLP
140 West George Street
Glasgow
G2 2HG

Site: 86 Broom Road East, Newton Mearns, East Renfrewshire, G77 5SR

Description: Modification of part of Planning Obligation associated with the planning permission granted for a licensed restaurant and three shop units 1990/0033/TP that does not allow the restaurant or any buildings which may replace it to be used at any time for the sale of alcoholic liquor for consumption off the premises

Decision: Approved modification of planning obligation
