

**EAST RENFREWSHIRE COUNCIL**

**PLANNING APPLICATIONS COMMITTEE**

**3 December 2014**

**Report by Director of Environment**

**PLANNING ENFORCEMENT**

**LAND FORMERLY ASSOCIATED WITH WATERFOOT FARM**

**305 EAGLESHAM ROAD, WATERFOOT**

**1.0 INTRODUCTION**

- 1.1 This report is to request that Members authorise formal planning enforcement action in respect of various unauthorised matters on land formerly associated with Waterfoot Farm, 305 Eaglesham Road, Waterfoot, G76 8RJ.

**2.0 BACKGROUND**

- 2.1 In March 2014 the Planning Service was made aware of unauthorised development within a field which had formerly formed part of the now redundant Waterfoot Farm. The former farmhouse had by that time been renovated, a barn converted to a separate dwelling and three new houses built in an area previously occupied by farm buildings. The owner of the land, who by that time owned and resided at one of the new houses, at 311 Eaglesham Road, had formed a new access gate into the adjacent field, extended his garden ground into the field by placing various pieces of garden furniture, etc in an area adjacent to his house, and placed a steel shipping container in the field. Large quantities of excess building materials, possibly from the renovation of the farmhouse, had also been deposited in the field. A level platform on which the garden furniture had been placed had been formed by undertaking unauthorised engineering works. Immediate neighbours considered the various unauthorised matters to have significant detrimental impact on their residential amenity. There is an alternative established field access off Eaglesham Road some 260m north of the renovated farmhouse/new dwellinghouses.
- 2.2 Contact was made with the owner and he claimed the building materials were not his as he had by that time sold the former farmhouse. He argued that the new access was to allow him to operate the field as a smallholding and that permission was not required for the shipping container as he considered it for agricultural purposes. The Planning Service advised him that it was not considered that the land is an active agricultural unit and did not benefit from agricultural permitted developments rights. In addition the Planning Service is of the opinion that even if the land could be considered part of an active agricultural unit, these rights would not extend to siting the container in the field without planning permission.
- 2.3 The owner then erected two sheds in the field. A retrospective planning application submitted by him in respect of the sheds and was refused on 5 November 2014 (2014/0494/TP). One of the primary reasons for refusal was that accessing the sheds from the residential grouping would have significant impact on residential amenity particularly if the owner was to further intensify the agricultural use of the field as suggested by him. Removal of the unauthorised sheds may also prove necessary.

2.4 Dialogue has continued since April 2014 via the owner's agent towards removal of the various unauthorised matters, particularly the new access, the shipping container and the building materials. These exchanges have to date proved fruitless.

### **3.0 MAIN ISSUES**

3.1 The various unauthorised matters detailed above have significant impact on residential amenity.

### **4.0 RECOMMENDATION**

4.1 Members are requested to authorise formal enforcement action should it be necessary to have the unauthorised matters removed and the land reinstated to its former state.

Director of Environment, December 2014.