

EAST RENFREWSHIRE COUNCIL

PLANNING APPLICATIONS COMMITTEE

8 October 2014

Report by Director of Environment

PLANNING ENFORCEMENT- RESIDENTIAL DEVELOPMENT

AT BARCAPEL AVENUE, NEWTON MEARNS

INTRODUCTION

1. This report is to request that Members authorise formal planning Enforcement action in respect of a breach of planning control relating to a residential development Barcapel Avenue, Newton Mearns

BACKGROUND

2. In April 2014, an application, reference 2012/0625/TP, submitted by Persimmon Homes Ltd and Elphinstone Barcapel Ltd (in Administration) for a residential development comprising the erection of a residential development comprising 91 dwellinghouses and 40 flats with the formation of access roads, SUDS areas, open space and landscaping at a site to and north of Barcapel Avenue, Newton Mearns was approved by the full Council subject to a number of planning conditions and a legal agreement to secure Affordable Housing and Developer Contributions

3. Following the conclusion of the legal agreement, planning consent was issued on the 17 September 2014.

4. On the 23 September 2014, it was noted that work had commenced on site. An Initiation of Development Notice which is a statutory requirement had not been submitted. In addition, details relating to a number of planning conditions had not been submitted or approved in writing prior to work commencing. The applicant was advised to submit the aforementioned outstanding matters and to cease work on site.

5. On the 25 September 2014, the applicant submitted details relating to the planning conditions. These details will take some time to consider and, in some cases, involve consultations with other Council Services. To date, the Initiation of Development Notice is still outstanding. The applicant has continued on site works despite both verbal and written requests to cease. It should be noted that the Councils Roads Service has also communicated with the applicant as the Road Construction Consent and a Road Opening Permit have not been issued.

MAIN ISSUES

6. Commencing works on site prior to the submission of the Initiation of Development Notice is in itself a breach of planning control. There are seven planning conditions that require written approval before work can commence on site. This approval has not yet been given.

RECOMMENDATION

7. Members are requested to authorise formal enforcement action which, in the first instance, would involve serving a Temporary Stop Notice.

Director of Environment, October 2014.