

EAST RENFREWSHIRE COUNCIL

PLANNING APPLICATIONS COMMITTEE

10 September 2014

Report by Director of Environment

SECTION 207 OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS

PROMOTION OF A STOPPING UP ORDER – GREENLAW WAY, NEWTON MEARNES
(2014/0270/TP)

1.0 INTRODUCTION

1.1 The Council, as Planning Authority can, through the making of formal orders, authorise the stopping-up of roads (public and/or private) or parts thereof, and footways associated with them. The procedures are set out in the Town and Country Planning (Scotland) Act 1997.

1.2 In order to promote a stopping-up order under the 1997 Act the Planning Authority must be satisfied that the stopping-up is necessary to enable a development to be carried out in accordance with a planning permission.

2.0 BACKGROUND

2.1. A planning application 2014/0270/TP for the erection of residential development (substitution of house types and alterations to layout in part of overall site granted planning permission on appeal by the Scottish Ministers on 19th December 2012 under PPA-220-2010, together with the closure of an existing road junction, and alterations to the existing roundabout) was granted on 11th August 2014 under delegated powers. This application was applied for by Robertson Homes Limited.

2.2. The application site forms part of the Greenlaw Business Park that was granted planning permission for residential development on appeal by the Scottish Ministers on 19th December 2012. In particular this site comprises two parcels of land, one of which is located to the south of recently completed houses at Lavender Drive and the other to the north of The Osprey.

2.3. The existing road that runs through the Greenlaw Business Park from Stewarton Road to the M77 slip road had been constructed with a roundabout located towards its centre and various bell mouth accesses into the parcels of land flanking the road. This road had originally been intended to serve business development at this location. As indicated in the planning permission 2014/0270/TP above the development includes closure of an existing access and alterations to the roundabout. This entails closure of the access into the parcel of land to the south of Lavender Drive and alterations to the position of the access from the roundabout.

2.4. It is therefore considered necessary to promote the Stopping Up Order to enable the development to be carried out in accordance with planning permission 2014/0270/TP. The Stopping Up Order will require to be advertised for a 28 day period and there will be the opportunity for third party's or consultee's to make representation. Should the representation not be withdrawn or capable of being address by means of an amendment to the Order the matter requires to be referred to the Scottish Ministers who may hold an inquiry to resolve the matter.

2.5. Planning permission has been granted for the change in house types and layout at this particular site and work has also commenced on the residential development on adjacent sites within the Greenlaw Business Park. Accordingly it is now considered appropriate to seek the Planning Applications Committee's authorisation to promote the stopping up order for the closure of the access and alterations to the access at the roundabout.

2.6. The Town and Country Planning acts empowers Planning Authorities to promote an Order Stopping up a road and associated footpaths where they are satisfied that it is necessary to do so in order to enable development to be carried out in accordance with planning permission granted under Part III of the same Act. It is considered necessary to do this in this instance.

3.0. RECOMMENDATION

3.1. The committee is requested to note the content of this report and agree to authorise the commencement of the Stopping Up process.

Director of Environment

September 2014