

EAST RENFREWSHIRE COUNCIL

PLANNING APPLICATIONS COMMITTEE

10 June 2015

Report by Director of Environment

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

PROMOTION OF A STOPPING UP ORDER - MEARNS ROAD, NEWTON MEARNS (2014/0416/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 the planning permission.

2.0 BACKGROUND

- 2.1 A planning application 2014/0416/TP for the erection of a 76 bed care home with formation of access road and car parking and alterations to access from Mearns Road was granted on the 8 April 2015 by the Planning Applications Committee. This application was applied for by Care Concern Group.
- 2.2 The site is a former nursery on the west side of Mearns Road at the roundabout junction with Humble Road. The current access would be upgraded and retained but the junction arrangement would be realigned to provide a safer arrangement for accessing the site and the two properties fronting Mearns Road i.e. Chavey Down and Blueacre. This entails closing off a small part of the grass verge and reverting part of the footpath back to private ownership.
- 2.3 It is therefore considered necessary to promote the Stopping Up Order to enable the development to be carried out in accordance with planning permission 2014/0416/TP. The Stopping Up Order will require to be advertised for a 28 day period and there shall be the opportunity for third parties or consultees to make representation. Should the representation not be withdrawn or capable of being addressed by means of an amendment to the Order, the matter requires to be referred to the Scottish Ministers who may hold an inquiry to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.

- 2.4 Planning permission has been granted for the erection of the care home and alterations to access from Mearns Road. Accordingly, it is considered appropriate to seek the Planning Applications Committees authorisation to promote the stopping up order for the alterations to the access at Mearns Road.
- 2.5 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 developments 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 contents of this report and agree to authorise the commencement of the Stopping Up process.

Director of Environment
June 2015