

Minute of Meeting Local Review Body.

| Date | Time | Venue |
|----------------------|-------|--|
| Tuesday, 30 May 2023 | 14:00 | Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN |

Present: Councillor Chris Gilmour, Ross Graham, Councillor Anne Hannigan, Councillor Bruce MacFarlane

Chair

Councillor MacFarlane, presided.

In Attendance

K Dalrymple, Development Plans & Housing Strategy Team Leader (Independent Planning Adviser to the Local Review Body) (Chief Executives); R Graham, Senior Solicitor (Litigation & Regulatory Services) (Independent Legal Adviser to the Local Review Body); C Gregory, Solicitor and R Devine, Senior Committee Services Officer (Clerk to the Local Review Body) (all Finance & Resources).

Apologies

Councillor Nicolson and Councillor Paterson.

Declarations of Interest

There were no declarations of interest intimated prior to the commencement of the meeting.

1 Procedure Note

The Convener summarised the procedure to be followed at the meeting of the Local Review Body (LRB), a copy of which had been circulated to members prior to the meeting.

2 Notice of Review 06.22

Consideration was given to a Notice of Review in respect of the Planning Authority's decision to attach conditions to the granting of planning permission for the formation of extension to a watersports storage compound with associated boundary fence, access and road at Ground A, Lochlip Road, Lochwinnoch. (22/0414/PP).

The following materials were before members in relation to the Notice of Review:

(i) the Planning Authority's Submissions which included the report of handling, accompanying documents and decision notice;

(ii) the Notice of Review, together with supporting statement and productions submitted by the applicant; and

(iii) The Planning Authority's written submission setting out an assessment of the proposal in relation to relevant policies contained in National Planning Framework 4.

Cllr MacFarlane confirmed that the LRB required to decide whether it had sufficient information before it to make a decision on this matter or whether further procedure was required to allow the LRB to determine Planning Application 22/0414/PP. It was agreed that the LRB had sufficient information before it to reach a decision.

Cllr MacFarlane then advised that the LRB required to determine the application in accordance with the provisions of the local development plan, including any supplementary guidance, unless material considerations indicated otherwise.

Councillor MacFarlane, seconded by Councillor Gilmour, moved that the application be granted, subject to conditions, as the proposal accorded with the provisions of the Development Plan and there were no material considerations which outweighed the presumption in favour of development according with the Development Plan. This was agreed.

DECIDED: That Planning Application 22/0414/PP be granted for the undernoted reason and subject to the following conditions;

1. The proposal accords with the provisions of the Development Plan and there were no material considerations which outweighed the presumption in favour of development according with the Development Plan.

Conditions

1. That all construction work associated with the implementation of the development hereby approved shall be undertaken in accordance with the Construction Method

Statement dated the 23 August 2022.

Reason: To reduce pollution risk in the interests of protecting the water environment

2. That prior to the commencement of development on site, the developer shall provide a plan for the written approval of the Planning Authority detailing the location of the path network to the northeast of the proposed storage compound within the area demarcated by a blue line on the approved location plan. Should the development be found to encroach upon the path network the plan shall provide details of the realignment of the path network and when works associated with the realignment of the path will be undertaken. Any works associated with the realignment of the path shall thereafter be undertaken in accordance with the approved plan.

Reason: To ensure the existing path network is protected in the interests of maintaining connections between the site and the national cycle network.

3. That prior to the commencement of development on site, the developer shall provide a species protection plan for the written approval of the Planning Authority. The plan shall set out measures to ensure that otters and nesting birds are protected during the construction process and shall include provision for site surveys prior to work commencing and also for cessation of works should any otters or nesting birds be encountered. The development shall thereafter be implemented in accordance with the approved plans.

Reason: To ensure that appropriate measures are put in place to ensure otters and nesting birds are protected during the implementation of the development.

4. That prior to the commencement of development on site, the developer shall provide a plan and further details for the written approval of the Planning Authority specifying all earth moving, associated level changes and wall retention required along the north-western boundary of the site. The plan shall specifically detail these works in relation to the tree protection zones associated with the trees along the north-western boundary. The plan shall take cognisance of the recommendations within BS 3857 (2012) Trees in Relation to Design, Demolition and Construction. Only the works detailed in the approved plan shall thereafter be implemented on site including any measures to protect the existing trees.

Reason: To ensure the trees along the north-western boundary of the site are protected in the interests of natural heritage and visual amenity.

3 Notice of Review 01.23

Consideration was given to a Notice of Review in respect of the Planning Authority's decision to refuse planning permission for the erection of a dwellinghouse (in principle) 50 metres east of St Brydes Cottage, Shields Holdings, Lochwinnoch. (22/0399/PP).

The following materials were before members in relation to the Notice of Review:

(i) the Planning Authority's Submissions which included the report of handling, decision notice and accompanying documentation;

(ii) the Notice of Review, together with supporting statement and productions submitted by the applicant;

(iii) The Planning Authority's written submission setting out an assessment of the proposal in relation to relevant policies contained in National Planning Framework 4; and

(iv) the appellants' response to the Planning Authority's written submission.

Cllr MacFarlane confirmed that the LRB required to decide whether it had sufficient information before it to make a decision on this matter or whether further procedure was required to allow the LRB to determine Planning Application 22/0399/PP. It was agreed that the LRB had sufficient information before it to reach a decision.

Cllr MacFarlane then advised that the LRB required to determine the application in accordance with the provisions of the local development plan, including any supplementary guidance, unless material considerations indicated otherwise.

Councillor Gilmour, seconded by Councillor MacFarlane, moved that the application be refused as it did not accord with Policy 8 of National Planning Framework 4 and for the reasons detailed within the report. This was agreed.

DECIDED: That Planning Application 22/0399/PP be refused as the proposed development did not comply with Policy 8 of National Planning Framework 4, Policy ENV1 of the Adopted Renfrewshire Local Development Plan 2021 and the New Development Supplementary Guidance on Housing in the Green Belt as it had not been demonstrated that there was a specific locational need for a dwellinghouse; and the proposed development did not comply with Policy ENV1 of the Adopted Renfrewshire Local Development Plan 2021 and the New Development Supplementary Guidance on Green Belt Development as it had not been demonstrated that Development as it had not been demonstrated that the site could be accessed safely, and that traffic and access infrastructure could be accommodated sensitively.