

To: Planning and Climate Change Policy Board

On: 1 November 2022

Report by: Chief Executive

Heading: Planning Appeals

1. Summary

- 1.1 This report seeks to inform members about planning and other relevant appeals which are currently under consideration and appeal decisions which have been issued by the Directorate for Planning and Environmental Appeals (DPEA).
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2. Recommendations

- 2.1 It is recommended that the Board:
- Note the appeals which are currently under consideration by the DPEA and are awaiting a decision; and
 - Note the decisions recently issued by the DPEA in respect of development proposals within Renfrewshire.
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3. Background

- 3.1 This will be the first of an annual report to Board that will update members on recent planning application appeals in Renfrewshire and highlight those currently under consideration.
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4. Appeals Lodged

- 4.1 A number of appeals are currently under consideration by DPEA. The appeals include those related to the refusal of planning permission, listed building consent, advertisement consent and the issuing of a high hedge notice.
 - 4.3 Appendix 1 details all appeals currently under consideration by DPEA
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5. Appeals Determined

- 5.1 A number of appeals have recently been determined or the Reporter has issued a notice of intention.
 - 5.2 Details of the recently determined appeals, from February 2022 to date, are detailed in Appendix 2.
 - 5.3 It is significant to note that of the recent appeal determinations concerning planning applications, all five appeals have been allowed and planning permission granted, while a sixth appeal is subject to a notice of intention which indicates the Reporter is minded to issue planning consent subject to conditions and the conclusion of a suitable planning obligation.
 - 5.4 In addition, all appeals determined from February 2022 to date, which concern large scale residential developments, have been allowed by the Reporter.
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6. Claims for Expenses

- 6.1 Three appeals have been the subject of a claim for expenses against the Council by the appellant, in the period from February 2022 to date.
- 6.2 Details of the claims for expenses, from February 2022 to date, are detailed in Appendix 2.
- 6.3 In one case the Reporter declined to award any expenses and found that both the appellant and the Council had acted unreasonable. In two other cases the Reporter found the Council had acted unreasonably and therefore awarded expenses against the Council. The value of both claims have not yet been determined.

Implications of the Report

- 1. **Financial** – None.
- 2. **HR & Organisational Development** – None.
- 3. **Community/Council Planning** – None.
- 4. **Legal** – None.

5. **Property/Assets** – None.
6. **Information Technology** – None.
7. **Equality & Human Rights** – The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights.

No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report.

8. **Health & Safety** – None.
9. **Procurement** – None.
10. **Risk** – None.
11. **Privacy Impact** – None.
12. **Cosla Policy Position** – None.
13. **Climate Risk** – None.

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APPENDIX 1: Appeals Currently Under Consideration

Appeal Reference	Address	Application Reference and Description	Board Refusal Date	Current Status	Decision	Further info
PPA-350-2050	Site between Fordbank Stables and Corseford Avenue, Johnstone	21/1030/PP: Erection of 53 dwelling houses, including roads, car parking and landscaping.	14/06/2022	Under consideration.	DPEA Target Date 05/12/2022	DPEA Online Case File
PPA-350-2049	Land east of Newton Cottage at Elderslie Golf Club, Newton Avenue, Elderslie	20/0516/PP: Erection of residential development comprising 17 dwellinghouses and 8 flats with associated infrastructure, parking and landscaping; and erection of relocated greenkeeping facility with associated storage	14/06/2022	Under consideration.	DPEA Target date 20/10/2022	DPEA Online Case File
WAY-350-8	East of Golf Road, Bishopton	Application for a necessary wayleave for a section of overhead line	n/a	Under consideration.	DPEA target date 22/09/2022	DPEA Online Case File
WAY-350-6	Lands at Fornet Cottage, Greenock Road, Langbank	Application to install and keep installed a section of 132Kv overhead electric line, together with other associated apparatus on lands at Fornet Cottage,	n/a	Under Consideration.	DPEA target date 24/06/2022	DPEA Online Case File

Appeal Reference	Address	Application Reference and Description	Board Refusal Date	Current Status	Decision	Further info
		Greenock Road, Langbank				
WAY-350-7	Drums Estate, Old Greenock Road, Langbank	Application to install and keep installed a section of 132Kv overhead electric line on land at Drums Estate, Old Greenock Road, Langbank	n/a	Under Consideration.	DPEA target date 24/06/2022	DPEA Online Case File
PPA-350-2038	Grounds of Dykebar Hospital, Grahamston Road, Paisley	19/0810/PP: Erection of 603 dwelling houses with associated access, parking and landscaping	02/02/2021	Under consideration.	A notice of intention was issued on 11 th August 2022. Discussions are currently ongoing between the appellants and officers to agree a suitable planning obligation in	DPEA Online Case File

Appeal Reference	Address	Application Reference and Description	Board Refusal Date	Current Status	Decision	Further info
					respect of education provision.	

APPENDIX 2: Recently Determined (February 2022 – to date)

Appeal Reference	Address	Application Reference and Description	Current Status	Decision	Further info
PPA-350-2048	Yard A, Station Road, Bridge of Weir	19/0456/PP: Erection of 29 dwellinghouses and associated infrastructure	Decided.	Appeal allowed subject to conditions.	Decision Notice
	A claim for expenses against the Council was also submitted by the appellant. In considering the claim for expenses the Reporter found that the Council had acted in an unreasonable manner resulting in liability for expenses.				
NA-350-001	Netherton Farm, Abostsinch Road, Renfrew	21/0084/PP: Variation of wording for Condition 3 of planning permission 18/0482/PP to read "That all subsequent applications for Approval of Matters Specified in Conditions, shall be generally in accordance with the parameters set out in the Illustrative Masterplan & Schedule of Uses (January 2021) and supporting documents. For the avoidance of doubt the quantum of development as set out in the Transport Assessment (SWECO	Decided.	Permission granted subject to conditions.	Decision Notice

Appeal Reference	Address	Application Reference and Description	Current Status	Decision	Further info
		June 2018) shall not be exceeded unless otherwise agreed in writing by Renfrewshire Council as Planning Authority."			
LBA-350-2005	4 Ritchieston Cottages, Golf Road, Bishopton	21/1142/LB: Removal of single storey annexe at rear of dwellinghouse and erection of single storey rear extension with associated internal alterations	Decided.	Appeal dismissed.	Decision Notice
PPA-350-2047	Site 400m north west of Sergentlaw, Gleniffer Road, Paisley	21/0034/PP: Installation of greener grid park including energy management and battery storage containers with associated access, landscaping and fencing	Decided.	Appeal allowed subject to conditions.	Decision Notice
ENA-350-2012	200 Arkleston Road, Renfrew	22/0001/E: Siting of unauthorised storage container	Decided.	Appeal dismissed.	Decision Notice
HHA-350-19	8 Troon Place, Bridge of Weir	21/1494/HH: Issuing of a high hedge notice	Decided.	High hedge notice confirmed.	Decision Notice

Appeal Reference	Address	Application Reference and Description	Current Status	Decision	Further info
PAC-350-1	Site 20m south of No. 75 Piper Road, Houston	21/1504/TE: Installation of telecommunications mast and cabinets	Decided.	Appeal dismissed.	Decision Notice
PPA-350-2046	North of Linthills Road, Northwest of property shown on mapping as High Linthills, Lochwinnoch	20/0195/PP: Erection of holiday lodge	Decided.	Appeal allowed subject to conditions.	Decision Notice
LBA-350-2004	Abercorn House, 79 Renfrew Road, Paisley	21/0117/LB: Removal of ridge vents	Decided.	Appeal dismissed.	Decision Notice
PPA-350-2041	Thornly Park Campus, 125 Caplethill Road, Paisley	20/0510/PP: Erection of residential development comprising of 179 units with associated access, landscaping and ancillary works	Decided.	Appeal allowed subject to conditions.	Decision Notice
	A claim for expenses against the Council was also submitted by the appellant. In considering the claim for expenses the Reporter found that the Council had acted in an unreasonable manner resulting in liability for expenses.				Decision Notice
PPA-350-2040	Barratt Homes Sales Office, Mulberry Square, Renfrew	20/0368/PP: Change of use from office to nursery with external play area, single storey front	Decided.	Appeal allowed subject to conditions.	Decision Notice

Appeal Reference	Address	Application Reference and Description	Current Status	Decision	Further info
		extension and external alterations and formation of a community garden			
	A claim for expenses against the Council was also submitted by the appellant. In considering the claim for expenses the Reporter found that both the Council and the appellant had acted in an unreasonable manner and therefore declined to make any award of expenses.				Decision Notice