

Minute of Meeting Planning and Climate Change Policy Board

Date	Time	Venue
Tuesday, 19 March 2024	13:00	Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

Present: Councillor Jennifer Adam, Councillor Alison Ann-Dowling, Councillor Chris Gilmour, Councillor Neill Graham, Councillor Anne Hannigan, Councillor Bruce MacFarlane, Councillor Kenny MacLaren, Councillor Jamie McGuire, Councillor Marie McGurk, Councillor John McNaughtan, Councillor Iain Nicolson, Councillor Jim Paterson, Councillor John Shaw, Councillor Ben Smith

Chair

Councillor Paterson, Convener, presided.

In Attendance

A Morrison, Head of Economy & Development, D Love, Chief Planning Officer, S Boyle, Engineer (Development Control), K Dalrymple (Development Plans & Housing Strategy Team Leader), J McCafferty, Planner, G McCracken, Development Standards Manager, R Smith, Climate Emergency Lead Officer, J Weir, Senior Planning Officer and A Williamson, Strategy & Place Manager (all Chief Executive's); G Hannah, Head of Climate, Public Protection & Roads and G Heaney, Climate & Public Protection Manager (both Environment, Housing & Infrastructure); and R Graham, Senior Solicitor (Litigation & Regulatory Services), V Howie, Finance Business Partner and R Devine and C MacDonald, both Senior Committee Services Officers (all Finance & Resources).

Webcasting of Meeting

Prior to the commencement of the meeting the Convener intimated that this meeting of the Policy Board would be filmed for live or subsequent broadcast via the Council's internet site.

Declarations of Interest and Transparency Statements

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

1 Revenue and Capital Budget Monitoring Report

There was submitted a revenue and capital budget monitoring report by the Director of Finance & Resources for the period 1 April 2023 to 5 January 2024.

The report stated that the projected outturn as at 31 March 2024 for all services reporting to this Policy Board was an overspend position of £0.033 million. It was noted that there were no capital budget projects reporting to this Policy Board. Summaries were provided over the relevant services in the tables within the report, together with further analysis. It was noted that the projected outturn was based on current available information and assumptions made by service budget holders. It was also highlighted that no revenue budget adjustments had been processed since the previous meeting of this Policy Board.

DECIDED: That the projected revenue outturn position, detailed in Table 1 of the report be noted.

2 Renfrewshire Biodiversity Duty Report 2021/23

There was submitted a report by the Chief Executive relative to the Renfrewshire Biodiversity Duty Report 2021/23.

The report advised that the Nature Conservation (Scotland) Act 2004 set out that all public bodies had a duty to further the conservation of biodiversity. The Wildlife and Nature Conservation (Scotland) Act 2011, which amended the 2004 Act included a requirement that public authorities prepare a report every three years on the actions undertaken to meet biodiversity duties. A copy of the proposed Renfrewshire Biodiversity Duty Report 2021/23 was appended to the report. A summary of actions, progress and achievements during the period 2021/23 was provided within the report. It was highlighted in the event the report was approved, arrangements would be made to publish the Renfrewshire Biodiversity Duty Report 2021/23 on the Council's website.

DECIDED:

- (a) That the Renfrewshire Council Biodiversity Duty Report 2021/23 be approved; and
- (b) That it be noted that the report would be published on the Council website in accordance with statutory requirements.

3 Consultation on Heat in Buildings Bill

There was submitted a report by the Director of Environment, Housing & Infrastructure relative to consultation undertaken by the Scottish Government in connection with the Heat in Buildings Bill.

The report stated that reducing carbon emissions was one of the principle measures to address climate change and was a key priority for all local luthorities. Renfrewshire Council recognised that climate change would have far reaching effects on

Renfrewshire's economy, its people and its environment and was determined to lead by example in tackling the causes of climate change. The Council had declared a climate emergency in June 2019 and approved the Plan for Net Zero which committed to working towards net zero by 2030 for both the Renfrewshire area as a whole and Renfrewshire Council as an organisation. This challenging target covered all aspects of energy use within the Renfrewshire wide area. Homeowners could help achieve these targets by ensuring their home was energy efficient. In doing so, there were many long-term benefits, such as carbon savings, reducing energy bills and supporting the local economy.

The consultation proposed new laws that would set a minimum energy efficiency standard for owner occupied and private rented homes, as well as the heating systems that all buildings would be permitted to use in time. The report summarised the proposals and the implications for local authorities. It was highlighted that the deadline for responses to the consultation had been 8 March 2024 and approval of the action taken by the Director of Environment, Housing & Infrastructure in submitting a response by that deadline on behalf of the Council was sought.

DECIDED:

- (a) That the consultation proposals be noted;
- (b) That the response prepared on behalf of the Council, attached as Appendix A of the report, and submission of it to the Scottish Government be homologated; and
- (c) That a further report be submitted to a future meeting of this Policy Board, when the Bill had been finalised, with an update on implications for the Service.

4 **Tree Preservation Order Requests**

Under reference to item 4 of the meeting of this Policy Board held on 7 November 2023 there was submitted a report by the Chief Executive relative to a request to apply Tree Preservation Order (TPO) designations in respect of specific trees along Inchinnan Road, Renfrew.

The report advised that the TPO request had been considered in terms of the relevant legislation, namely, Section 160 of The Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006, and within the procedures set out in the Town and Country Planning (Tree Preservation Order and Trees in Conservation Areas) (Scotland) Regulations 2011. The report advised that following the decision taken at the meeting of this Policy Board held on 7 November 2023 that a TPO designation be placed on specific trees along Inchinnan Road, Renfrew, in accordance with the Renfrewshire Planning and Development Tree Policy 2022, and the relevant legislation relating to Tree Preservation Orders, officers had prepared the relevant orders and made them available online for review; served the orders on relevant parties including landowners; published public notices in the local press advising of the orders; and provided an opportunity for comments to be made by interested parties. At the conclusion of the consultation period no comments had been received,

DECIDED: That the tree preservation orders in respect of specific trees along Inchinnan Road, Renfrew be confirmed and agree that officers make the orders public and register them with the Land Registry for Scotland.

5 **Section 75 Agreements - Update**

There was submitted a report by the Chief Executive relative to agreements currently being negotiated in relation to planning obligations, secured by an agreement in accordance with Section 75 of the Town and Country Planning (Scotland) Act 1997, which sought to mitigate the impacts of the proposed developments and make them acceptable in planning terms.

The report intimated that Section 75 agreements could be used to secure financial contributions to, or in-kind provision of, necessary new social and community infrastructure to support new developments and it was highlighted that planning consent was not issued in respect of the proposal until such time as the Section 75 agreement had been signed and registered as required. The Scottish Government's policy on Planning Obligations was detailed in Circular 3/2012 (Planning Obligations and Good Neighbour Agreements - Revised 2020) which set out five tests which required to be met when seeking to secure a planning obligation. Details of the test criteria were outlined in the report.

Updates were provided within the report in respect of individual ongoing planning applications which were subject to Section 75 negotiations. During discussion it was agreed that appropriate arrangements be made to re-consider planning application 22/0481/PP at the meeting of this Policy Board to be held on 5 November 2024 should no progress be made in respect of the Section 75 agreement.

DECIDED:

(a) That the ongoing negotiations taking place in respect of securing planning obligations, which would be secured by an agreement in accordance with Section 75 of the Town and Country Planning (Scotland) Act 1997, be noted; and

(b) That appropriate arrangements be made to re-consider planning application 22/0481/PP at the meeting of this Policy Board scheduled to be held on 5 November 2024 should no progress be made in respect of the Section 75 agreement.

6 **Site Development Brief – Paisley Grammar School**

There was submitted a report by the Chief Executive relative to the proposed site development brief prepared in respect of the Paisley Grammar School site, Glasgow Road, Paisley.

The report made reference to the decision taken at the meeting of the Education and Children's Services Policy Board held on 21 January 2021 to approve the relocation of Paisley Grammar School to a campus at Renfrew Road, Paisley and advised that the approval of the Infrastructure, Land & Environment Policy Board would be sought at a future meeting of that Board to declare the current Paisley Grammar School building surplus to the Council's requirements. It was noted that the development brief for the site would be progressed subject to this approval.

The proposed site development brief set out a planning framework for the site, identifying a number of factors, including site context; site layout and building design; landscaping and boundary treatments; accessibility; sustainable urban drainage;

renewables/sustainability; digital connections; affordable housing; education provision; open space provision; and supporting information, that required to be addressed in preparing development proposals for the sites. A copy of the proposed site development brief was appended to the report. In addition, the report indicated that in the event the site development brief was approved by this Policy Board, arrangements would be made to publish it on the Council's website, use it to guide development proposals for the site and be a material consideration when considering future planning proposals.

DECIDED: That the site development brief relating to the current Paisley Grammar School site, Glasgow Road, Paisley, be approved.

7 **Developer Contributions (Education) - new planning guidance**

There was submitted a report by the Chief Executive relative to proposed draft planning guidance on potential education contributions from new housing developments in Renfrewshire.

The report advised that the principle aim of the new guidance was to introduce a degree of certainty for all stakeholders concerned with education capacity in Renfrewshire. Linking with the Council's Learning Estate Management Plan, the guidance aimed to clarify how planned housing developments and the pupils they generated would be accommodated within Renfrewshire's schools. Applicants for planning permission for residential development would be expected to use the guidance in shaping their planning application to allow them to make allowance for any financial or other contribution that might be expected from that proposed development. In addition, the report stated that the draft guidance, a copy of which was appended to the report, supplemented and aligned with the current relevant Local Development Plan (LDP) policy I8 on Developer Contributions. Subject to approval of the draft guidance, it would be published for a period of stakeholder consultation before being submitted to a future meeting of this Policy Board.

Following discussion, it was proposed and agreed that the Convener write, on behalf of the Policy Board, to Scottish Ministers encouraging them to present regulations, in terms of section 54 of the Planning (Scotland) Act 2019, that would enable local authorities to introduce an infrastructure levy for their area.

DECIDED:

(a) That the new draft planning guidance on Developer Contributions (Education) appended to the report be noted;

(b) That the draft planning guidance be approved for stakeholder consultation for a six-week period;

(c) That it be noted that the outcomes of the consultation would be submitted to a future meeting of this Policy Board for consideration; and

(d) That authority be delegated to the Convenor, in conjunction with the Head of Economy & Development, to make any further incidental changes to the draft document as may be relevant, to ensure that the consultation document was as up to date as possible at the time of publication.

8 **Local Development Plan 3 Progress Update and Local Place Plans**

Under reference to item 9 of the Minute of the meeting of this Policy Board held on 29 August 2023 there was submitted a report by the Chief Executive relative to progress made in relation to the preparation of the next Local Development Plan for Renfrewshire and the extensive consultation and engagement that would be undertaken in this connection in the coming months.

The report stated that the Planning (Scotland) Act 2019 gave new powers to communities to prepare Local Place Plans for their area, as well as placing associated duties on the Council. Local Place Plans were community led plans which could be prepared by a community council or another community body, as defined by the Community Empowerment Act and focused on proposals for the development and use of land. Invitations to prepare Local Place Plans were sent to local communities across Renfrewshire during May 2023. Local Place Plans would require to be completed and submitted to the Council by May 2025 so they could be taken into account when preparing the next Local Development Plan. The report outlined support that would be available to local communities and the new requirements for the Council to validate and maintain a register of Local Place Plans.

DECIDED:

- (a) That the update on the consultation and engagement that would take place with local communities to inform the preparation of the new Renfrewshire Local Development Plan (LDP3) be noted;
- (b) That the new requirement for the Council to validate and maintain a register of Local Place Plans prepared across Renfrewshire be noted;
- (c) That it be agreed that this Policy Board take the decision on whether a Local Place Plan should be validated; and
- (d) That the support being offered to communities to help them prepare a Local Place Plan for their area be noted.

9 **Planning Applications**

There were submitted reports by the Chief Executive relative to the following applications for planning permission that required to be determined by the Board.

22/0569/PP - Approval of Matters specified in Conditions 2, 4 and 6 of planning permission in principle approval 18/0638/PP, for the erection of a residential development comprising 180 dwellinghouses at land at Junction 29, St James Interchange, Ferguslie Park (bound by Ferguslie Park Avenue, existing Railway) by J29 (Scotland) Ltd

A McKenzie, Planner, made a presentation relative to the proposal.

In terms of Standing Order 59 Councillor Paterson, moved that the application be refused for the reasons detailed within the report. This was agreed unanimously.

DECIDED: That the application be refused for the reasons detailed within the report.

22/0574/PP - Erection of a residential development comprising 45 flats with associated access, parking and landscaping at site between Abbeyfield House and Ivy Gardens Station Road Paisley by Springfield Properties PLC

J Weir, Planner, made a presentation relative to the proposal.

Councillor Smith indicated that he was of the view that the application should be granted, outlining the main reasons for adopting this position.

ADJOURNMENT

The meeting adjourned at 1.33 pm and reconvened at 1.44 pm.

Councillor McNaughtan, seconded by Councillor Shaw moved that the application be refused for the reasons detailed within the report.

Councillor Smith, seconded by Councillor Ann-Dowling, moved as an amendment that the application be granted subject to appropriate conditions and a Section 75 Agreement being entered into by the developer to secure the affordable housing units as the proposal was a continuance of the building form and building environment and complied with Policy 14 of National Planning Framework 4 and Policy 1 of the adopted Renfrewshire Local Development Plan. It was further proposed that delegated authority would be granted to Planning officers to determine the appropriate planning conditions applicable and the terms of the Section 75 agreement to secure the affordable housing units.

On the roll being called, the following members voted for the motion: Councillors Adam, Hannigan, MacFarlane, K MacLaren, McGurk, McNaughtan, Nicolson, Paterson and Shaw.

The following members voted for the amendment: Councillors Ann-Dowling, Gilmour, N Graham, McGuire and Smith.

9 members having voted for the motion and 5 members having voted for the amendment, the motion was accordingly declared carried.

DECIDED: That the application be refused for the reasons detailed within the report.

23/0296/PP - Formation of car park with associated access and landscaping and realignment of boundary wall at India of Inchinnan Greenock Road Inchinnan by City Gate Construction Ltd

J Weir, Planner, made a presentation relative to the proposal.

In terms of Standing Order 59 Councillor Paterson, moved that the application be granted subject to the conditions and reasons detailed within the report. This was agreed unanimously.

DECIDED: That the application be granted subject to the conditions and reasons detailed within the report.

24/0025/LB - Realignment of front boundary wall at India of Inchinnan Greenock Road Inchinnan by City Gate Construction Unit

J Weir, Planner, made a presentation relative to the proposal.

In terms of Standing Order 59 Councillor Paterson, moved that the application be granted subject to the conditions and reasons detailed within the report. This was agreed unanimously.

DECIDED: That the application be granted subject to the conditions and reasons detailed within the report.