

## Minute of Meeting Local Review Body.

Date	Time	Venue
Tuesday, 04 June 2024	14:00	Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

**Present:** Councillor Chris Gilmour, Councillor Neill Graham, Councillor Bruce MacFarlane, Councillor Jim Paterson

### Chair

Councillor Paterson, Convener, presided.

### In Attendance

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

### Apology

Councillor Nicolson.

### Declarations of Interest

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

### Transparency Statements

Councillor Gilmour indicated that he and other members of the LRB had a connection to LRB 03.24 by reason of the email correspondence issued on behalf of the applicant to all members regarding the application. However, he indicated that he had applied the objective test and did not consider he had an interest to declare.

## 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 **LRB03.24**

Consideration was given to a Notice of Review submitted in respect of the Planning Authority's decision to refuse planning permission for the erection of dwellinghouse and livestock barn (in principle) at Site 500 metres south west of Undercraig Farm House, Galahill Road, Langbank. (23/0158/PP)

The Convener reminded members that this review had first been considered at a meeting of the LRB held on the 26 March 2024 when the LRB had decided that it was unable to determine the review without further procedure and determined that the review should proceed by means of written submission.

In terms of further written submission, a procedure notice had been issued to the appellant following the LRB meeting held on 24 April 2024 requesting that they provide further written submissions detailing the business reasons, together with supporting evidence, why the proposed dwellinghouse and livestock barn required to be erected at the proposed site.

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

- (i) the Planning Authority's submission, 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 Procedure Notice seeking further information from the appellant together with the response.

The Convener 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 LRB03.24/Planning Application 23/0158/PP. It was agreed that the LRB had sufficient information before it to reach a decision.

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

Councillor MacFarlane indicated that he was of the view that the application should be granted subject to conditions outlining the main reasons for adopting this position and in particular referencing his assessment of the proposal against criteria in terms of Policies 8 – Green Belts; 16 – Quality Homes and 17 – Rural Homes of National Planning Framework 4 and Policies ENV1 -Green Belt of the Renfrewshire Local

Development Plan 2021 and associated New Development Supplementary Guidance.

## **ADJOURNMENT**

The meeting adjourned at 2.06 pm and reconvened at 2.15 pm.

Following consideration, Councillor MacFarlane, seconded by Councillor Gilmour, moved that the application be granted, subject to the following conditions for the reasons detailed;

1. That prior to the commencement of any works on site, a written application and plans in respect of the following matters shall be submitted to, and approved in writing by, the Planning Authority:

(a) the layout of the site, including all buildings, roads, footways, provision for storage of refuse bins, parking areas, lighting and surface finishes, including parking arrangements (based on the parking standards set out within Part 3 of the National Roads Development Guide), and any new internal roads, accesses and circulation routes;

(b) the design of the access including sight lines, dimensions, gradients and surface material;

(c) the siting, design and external appearance of the dwellinghouse and any other outbuildings including details of materials to be used;

(d) a topographical survey detailing the existing and proposed ground levels within the application site, and a proposed site layout defining all engineering works including drainage, retaining walls, finished floor levels and finished ground levels for all ground works and engineering operations;

(e) the design, location and finish of all gates, fences walls and any other means of enclosure to be erected within the site, including any existing fences, walls and other boundary treatments within the site to be retained;

(f) the details of, and timetable for, the provision of drainage works which shall accord with the Council's Drainage Impact Assessment Guidance notes;

(g) the details of, and timetable for, the disposal of sewage;

(h) the phasing of the development; and

(i) a detailed landscaping scheme which includes the location, size and species of all tree planting, areas of turfing, seeding and earth moulding, areas of hard standing, and the location, size and species of shrub planting.

Thereafter the development will be implemented in accordance with the approved matters.

Reason: The approval is in principle only.

2. That prior to occupation of the dwellinghouse, the four passing places as shown in the document titled 'Proposed Passing Places' shall be formed and made available for use to the satisfaction of the Planning Authority.

Reason: To improve the access road that serves the dwellinghouse in the interests of traffic safety.

This was unanimously agreed.

**DECIDED:** That the application be granted subject to the above conditions for the reasons detailed, as the proposal was deemed to comply with the requirements of Policies 8, 16 and 17 of National Planning Framework 4 and Policy ENV1 of the Renfrewshire Local Development Plan 2021 and associated New Development Supplementary Guidance.

### 3 **LRB04.24**

Consideration was given to a Notice of Review submitted in respect of the Planning Authority's decision to refuse planning permission for the erection of a detached two storey dwellinghouse with associated two storey outbuilding and landscaping to operate as smallholding at a site on South-Western Boundary of West Cottage, Houston Road, Bishopton. (23/0496/PP)

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

- (i) the Planning Authority's submission, 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 Procedure Notice seeking further information from the appellant together with the response.

The Convener 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 LRB04.24/Planning Application 23/0496/PP. It was agreed that the LRB had sufficient information before it to reach a decision.

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

Councillor MacFarlane indicated that he was of the view that the application should be granted subject to conditions outlining the main reasons for adopting this position and in particular referencing his assessment of the proposal against various green belt criteria in terms of Policy 8 – Green Belts of National Planning Framework 4 and Policy ENV1- Green Belt of the Renfrewshire Local Development Plan 2021.

Following consideration, Councillor MacFarlane, seconded by Councillor Gilmour, moved that the application be granted, subject to the following conditions for the reasons detailed;

1. A visibility splay of 4.5 metres x 60 metres x 1.05 metres shall be provided and maintained at all times in accordance with the details shown on application drawing

653-AP2-102 Revision A.

Reason: In the interests of road safety.

2. Prior to the commencement of development on site, full details and/or samples of all external finishing materials, including details and/or samples of the proposed finishings for all walls, roofs, windows, doors and rainwater goods, shall be submitted to, and approved in writing by, Renfrewshire Council as Planning Authority. Thereafter only the approved materials shall be used in the development of the site.

Reason: In the interests of visual amenity.

3. Prior to the commencement of development on site, the developer shall provide a plan for the written approval of Renfrewshire Council as Planning Authority confirming the location, design and finish of any new or replacement boundary fences, walls, gates or other means of enclosure. The development shall thereafter be undertaken only in accordance with the approved plan to the satisfaction of the Planning Authority.

Reason: To ensure proposed boundary treatments are appropriate for use at the site in the interests of visual amenity.

4. Prior to the commencement of development, a scheme outlining full measures for the collection and treatment of sewage shall be submitted for the written approval of Renfrewshire Council as Planning Authority. Thereafter, the development shall only proceed on the basis of the approved scheme unless otherwise amended in accordance with any revised scheme which has been agreed in writing by Renfrewshire Council as Planning Authority.

Reason: To ensure that the sewage from the site is treated in an appropriate manner.

5. That during construction the line of trees planted alongside the south-west and south-east boundaries of the site shall be suitably protected in accordance with the measures outlined in British Standard BS5837:2012 'Trees in Relation to Design, Construction and Demolition. Recommendations'.

Reason: In the interests of preserving the existing treecover and rural landscape.

6. Prior to construction details of a tree planting scheme along the south-western and south-eastern boundaries of the site shall be submitted for the written approval of the Council as Planning Authority. Thereafter the approved scheme shall be implemented within the timescale detailed in the planting scheme. Where any trees die, these will be replaced with trees of equivalent species and scale to the satisfaction of Renfrewshire Council as Planning Authority.

Reason: In the interests of preserving the rural landscape and maintaining a defensible greenbelt boundary between the development site and the adjacent green belt.

Information previously submitted by the applicant notes a tank used to be present on the site. While there is no requirement for action at this stage, should ground disturbance uncover any evidence of contamination or unusual materials (e.g. membranes, relict structures, materials with unusual colour/texture/odour, staining/sheens, etc) during the proposed works, all work should cease immediately. The applicant should then seek professional advice regarding the ground conditions at the site, and any implications for the proposed development, and notify the Building Standards section of the Council in the first instance.

This was unanimously agreed.

**DECIDED:** That the proposed development be granted subject to the above conditions for the reasons detailed, as the proposal was deemed to comply with the criteria set out in Policy 8 of National Planning Framework 4 and Policy ENV1 of the Renfrewshire Local Development Plan 2021 and associated New Development Supplementary Guidance.