

**To: Planning and Climate Change Policy Board**

**On: 7 November 2023**

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**Report by: Chief Executive**

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**Heading: Planning Appeals**

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## **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) in the past 12 months.

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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.
  - Note the award of expenses against the Council.
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## **3. Appeals Lodged**

3.1 Several appeals are currently under consideration by DPEA. The appeals include those related to the refusal of planning permission, advertisement consent and notification as a result of an objection from a statutory consultee.

3.2 Appendix 1 details all appeals currently under consideration by DPEA.

#### **4. Appeals Determined**

- 4.1 A number of appeals have recently been determined or the Reporter has issued a notice of intention.
- 4.2 Details of the recently determined appeals, from November 2022 to date, are detailed in Appendix 2.
- 4.3 It is significant to note that of the recent appeal determinations concerning planning applications, four appeals have been allowed and planning permission granted with two appeals being dismissed.
- 4.4 All appeals determined within the stated time frame, which concern large scale residential developments refused by Renfrewshire Council have been allowed by the Reporter.

#### **5. Claim for Expenses**

- 5.1 No appeals within the stated timeframe have been the subject of a claim for expenses.
- 5.2 Notwithstanding the above, it should be noted that claims for expenses were awarded in relation to two planning appeals from the previous 12 months. The planning appeals in question relate to the development at Yard A, Station Road, Bridge of Weir and the UWS Thornly Park Campus Site at Caplethill Road, Paisley.
- 5.3 In light of the above, the Council have agreed an award of expenses totalling £7,250 in respect of the site at Yard A, Station Road, Bridge of Weir.
- 5.4 The value of the expense claim in relation to the application at UWS Thornly Park Campus has not yet been agreed between the relevant parties.

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#### **Implications of the Report**

1. **Financial** – Costs of defending appeals are met from within existing staff budgets. Costs arising from awards of expenses against the Council are met from the authority's General Fund.
2. **HR & Organisational Development** – None
3. **Community/Council Planning** – None.
4. **Legal** – Where the Council refuses planning permission in cases where the officer recommendation is to approve, the Council's Legal Services Team take responsibility for defending the Council's decision.
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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#### **Background Report:**

Board Report – [Planning Appeals as agreed at meeting of Planning and Climate Change Board, 1<sup>st</sup> November 2022.](#)

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## APPENDIX 1: Renfrewshire Appeals Currently Under Consideration

Appeal Reference	Address	Application Reference and Description	Current Status	DPEA Target	Further info
ADA-350-2007	30 Abercorn Street, Paisley	Display of one 48-sheet digital advert	Ready for allocation to Reporter	20/12/2023	<a href="#">DPEA Online Case File</a>
ADA-350-2006	13 Maxwellton Street, Paisley	Display of one digital hoarding advert	Under consideration by Reporter	29/11/2023	<a href="#">DPEA Online Case File</a>
WAY-350-9	The north side of Chestnut Avenue, Bishopton	Application for a necessary wayleave for a section of overhead line – subjects on the north side of Chestnut Avenue, Bishopton	Under consideration by Reporter	19/12/2023	<a href="#">DPEA Online Case File</a>
NA-350-002	2 Lyon Road, Linwood	Erection of waste tyre and rubber recycling and processing plant (Use Class 5, General Industry) with ancillary office and staff welfare facilities and associated access, parking, landscape and infrastructure proposals	Under consideration by Reporter	21/11/2023	<a href="#">DPEA Online Case File</a>

**APPENDIX 2: Recently Determined Renfrewshire Appeals (November 2022 – to date)**

<b>Appeal Reference</b>	<b>Address</b>	<b>Application Reference and Description</b>	<b>Current Status</b>	<b>Decision</b>	<b>Further info</b>
TWCA-350-2002	1 Acacia Drive, Paisley	Removal of 2 coniferous trees that are in close proximity to the property	Decided	No remit to consider.	<a href="#">DPEA Online Case File</a>
PPA-350-2053	8 Church Street, Johnstone, Renfrewshire	Alteration to shopfront comprising of the removal of 2 signs and night safe	Decided	Appeal allowed subject to conditions.	<a href="#">DPEA Online Case File</a>
PPA-350-2052	Sawmill Goldenlea Farm, Houstonhead Road, Bridge of Weir	Erection of four dwelling houses (in principle)	Decided	Appeal dismissed.	<a href="#">DPEA Online Case File</a>
PPA-350-2051	Site on south-western boundary of West Cottage, Houston Road, Bishopton	Erection of two storey detached dwellinghouse with associated two storey detached outbuilding and landscaping.	Decided	Appeal dismissed.	<a href="#">DPEA Online Case File</a>
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.	Decided	Appeal allowed subject to conditions.	<a href="#">DPEA Online Case File</a>

Appeal Reference	Address	Application Reference and Description	Current Status	Decision	Further info
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	Decided	Appeal allowed subject to conditions.	<a href="#">DPEA Online Case File</a>
WAY-350-8	East of Golf Road, Bishopton	Application for a necessary wayleave for a section of overhead line	Decided	Application granted.	<a href="#">DPEA Online Case File</a>
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, Greenock Road, Langbank	Decided	Application granted.	<a href="#">DPEA Online Case File</a>
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	Withdrawn	Application withdrawn.	<a href="#">DPEA Online Case File</a>
PPA-350-2038	Grounds of Dykebar Hospital,	19/0810/PP: Erection of 603 dwelling houses with associated access, parking and landscaping	Decided	Appeal allowed subject to	<a href="#">DPEA Online Case File</a>

<b>Appeal Reference</b>	<b>Address</b>	<b>Application Reference and Description</b>	<b>Current Status</b>	<b>Decision</b>	<b>Further info</b>
	Grahamston Road, Paisley			conditions and S75.	