

Minute of Meeting Planning & Property Policy Board

| Date | Time | Venue |
|--------------------------|-------|--|
| Tuesday, 26 January 2016 | 15:00 | Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN |

PRESENT

Councillors B Brown, E Devine, Audrey Doig, Gilmour, Grady, Hood, Kelly, J MacLaren, McGurk, Murrin, Nicolson, Perrie and M Sharkey.

CHAIR

Councillor Kelly, Convener, presided.

IN ATTENDANCE

M Crearie, Director of Development & Housing Services; F Carlin, Head of Planning & Housing Services, A Morrison, Head of Regeneration, D Bryce, Development Standards Manager, V Howie, Finance Business Partner and S Marklow, Assistant Manager - Policy (all Development & Housing Services); and J Lynch, Head of Property, D Forbes, Finance Manager, F Hughes, Asset Manager, M O'Neill, Senior Solicitor, N Young, Assistant Managing Solicitor (Litigation & Advice) and K Brown, Committee Services Officer (all Finance & Resources).

APOLOGY

Councillor McGee.

DECLARATIONS OF INTEREST

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

1 REVENUE BUDGET MONITORING REPORT

There was submitted a joint revenue budget monitoring report by the Directors of Finance & Resources, Community Resources and Development & Housing Services for the Planning and Property & Construction Services Divisions for the period 1 April to 13 November 2015.

DECIDED:

(a) That the budget position be noted; and

(b) That it be noted that there had been net budget realignments of £17,208 processed since the last report which primarily related to transfers to corporate landlord.

2 CAPITAL BUDGET MONITORING REPORT

There was submitted a capital budget monitoring report by the Director of Finance & Resources for the Planning Service and Corporate Projects (Property) Divisions for the period 1 April to 13 November 2015.

DECIDED: That the report be noted.

3 LAND ADJACENT TO 202 LINBURN ROAD, ERSKINE

There was submitted a report by the Director of Finance & Resources seeking consent to declare the area of land adjacent to 202 Linburn Road, Erskine surplus to requirements and to dispose of the ground to the adjacent proprietors, Mr and Mrs Scullion.

DECIDED:

(a) That it be agreed that the land adjacent to 202 Linburn Road, Erskine be declared surplus to requirements, which equated to 38 square metres or thereby as indicated on plan E2419, a copy of which was appended to the report;

(b) That it be noted that the sale of the land to the proprietors of 202 Linburn Road, Erskine should be on such terms and conditions as may be negotiated by the Head of Property Service using delegated powers;

(c) That the Head of Corporate Governance be authorised to conclude the sale of the land which would include any such terms and conditions that may be deemed necessary to protect the Council's interests; and

(d) That the Head of Planning & Housing be authorised to place an advert in the local press in terms of the Town & Country Planning (Scotland) Act 1959 for the proposed sale of an area of open space.

4 SHOP PREMISES AT 36 GLENBURN ROAD, PAISLEY

There was submitted a report by the Director of Finance & Resources relative to the provisional terms and conditions agreed for a new lease of the shop premises at 36 Glenburn Road, Paisley.

DECIDED:

(a) That the Heads of Property and Corporate Governance be authorised to conclude a new lease of the shop premises at 36 Glenburn Road, Paisley, on the basis of the main terms and conditions contained within the report; and

(b) That it be noted that the Head of Property, in conjunction with the Head of Corporate Governance, would agree under delegated powers to a renunciation of the existing lease of the shop premises at 26 Glenburn Road, Paisley.

5 SHOP PREMISES AT 64 NETHERHILL ROAD, PAISLEY

There was submitted a report by the Director of Finance & Resources relative to the provisional terms and conditions agreed for a new lease of the shop premises at 64 Netherhill Road, Paisley.

DECIDED: That the Heads of Property and Corporate Governance be authorised to conclude a new lease of the shop premises at 64 Netherhill, Paisley, on the basis of the main terms and conditions contained within the report.

6(a) MUSEUM STORE PREMISES AT 7 HIGH STREET, PAISLEY

There was submitted a report by the Director of Finance & Resources seeking approval to enter into a lease of the lower ground floor store at 7 High Street, Paisley for the purpose of establishing a publicly accessible Museum Store.

DECIDED: That the Heads of Property and Corporate Governance be authorised to enter into a lease of the lower ground floor at 7 High Street, Paisley, based on the main terms and conditions outlined within the report.

6(b) PAISLEY 2021 HUB

There was submitted a report by the Director of Development & Housing Services seeking approval to enter a short-term lease of premises at 5 High Street, Paisley to host the Paisley 2021 core team and act as the focus for the Paisley 2021 bid events and community engagement process.

DECIDED:

(a) That it be agreed that the Council enter into a lease for premises at 5 High Street, Paisley for use as a hub for the Paisley 2021 bid events and engagement; and

(b) That the Director of Finance & Resources be authorised to conclude a lease, subject to the terms and conditions detailed within the report and any other terms and conditions considered necessary by the Heads of Property and Corporate Governance in order to protect the interests of the Council.

7 DEVELOPMENT PLANS UPDATE

There was submitted an update report by the Director of Development & Housing Services relative to progress on the preparation of the replacement Strategic Development Plan (SDP) for the Glasgow & the Clyde Valley (GCV) area and the appeal lodged with the Court of Session challenging the validity of the Adopted Renfrewshire Local Development Plan (LDP).

The report intimated that the replacement SDP for the GCV area, which was now known as Clydeplan, had reached the next stage in the statutory plan preparation process with the approval of the GCV Joint Committee of the Proposed Plan and was issued for formal consultation on 18 January 2016 for a period of six weeks.

The report highlighted that the statutory appeal in relation to the need of Gypsies and Travellers in the Renfrewshire LDP, which had been lodged in the Court of Session by Mr Stuart McGregor had now been awarded legal aid by the Scottish Legal Aid Board. A procedural hearing was to be held on 27 January 2016 with the appeal likely to be heard at the Court of Session in April/May 2016. Further progress reports would be submitted to future meetings of the Board.

DECIDED:

(a) That it be noted that the Proposed SDP “Clydeplan” had been approved by the SDP Joint Committee and that consultation on the document had commenced on 18 January 2016 for a period of six weeks; and

(b) That the progress made in relation to the statutory appeal challenging the validity of the Renfrewshire LDP be noted.

8 5 EAST FULTON HOLDINGS - ENFORCEMENT UPDATE

There was submitted an update report by the Director of Development & Housing Services relative to the breach of planning control in relation to the site at 5 East Fulton Holdings, Clippens Road, Linwood.

The report intimated that the area of 5 East Fulton Holdings had been subject to unauthorised development since May 2010, when the site owner began to bring caravans and mobile homes onto the site and carried out associated works to enable the site to be used for residential purposes. Following failure to comply with two enforcement notices, which had been served on the owner(s) of the site since October 2011, the Procurator Fiscal had raised proceedings against an owner of the site. The case had been called at Paisley Sheriff Court and continued on a number of occasions. The last Court date was 23 November 2015 and the matter was continued to 19 February 2016.

The report detailed that in January 2014, two planning applications were submitted for the site which were refused in May 2014 under the Council's Scheme of Delegation to Officers and Notices of Review in respect of these decisions were lodged with the Council to be considered by the Local Review Body (LRB). At its meeting in November 2014, the LRB rejected both Notices of Review and refused planning permission. Both applicants lodged appeals with the Court of Session challenging the validity of the decisions taken by the LRB. The Council conceded both appeals on one ground only, which related to the adequacy of reasons given by the LRB for its decision in respect of each Notice of Review. The effect of the appeals being allowed was that the decision of the LRB to refuse planning permission was quashed and the Notices of Review were 'revived' and would require to be considered entirely afresh. For the Council to demonstrate an entirely open, transparent, fair and objective process the reconvened LRB would require to be comprised of Members who had not previously been party to earlier decisions of the LRB on these particular matters.

DECIDED:

(a) That the current position with regard to the unauthorised development of the site at 5 East Fulton Holdings be noted; and

(b) That it be noted that following the decisions of the Court of Session in November 2015 that the decisions of the LRB on 11 November 2014 were quashed and that the Notices of Review were 'revived' and a new meeting of the LRB was required to be held to consider afresh the Notices of Review.

9 SOLAR FARMS IN RENFREWSHIRE

There was submitted a report by the Director of Development & Housing Services relative to an increase in interest from developers seeking to take forward proposals for Solar Farms and the proposed development of a criteria based Planning Advice Note related to Solar Farms for submission to the next meeting of the Board.

DECIDED: That the Director of Development & Housing Services be authorised to prepare a Planning Advice Note related specifically to the development of Solar Farms.

10 RENFREWSHIRE'S CENTRES STRATEGIES & ACTION PLAN - UPDATE

There was submitted an update report by the Director of Development & Housing Services relative to the Centre Strategies and Action Plans for Erskine, Johnstone, Linwood, Renfrew and Braehead.

The report intimated that a series of draft Centre Strategies and Action Plan for Erskine, Johnstone, Linwood, Renfrew and Braehead were presented to the Board in early 2015 and formed the basis for consultation with the local community and key stakeholders. Consultation on the draft strategies for Erskine, Johnstone, Linwood and Renfrew was undertaken for a period of 12 weeks from 14 August to 6 November 2015, during which time 34 representations were received. The draft strategy for Braehead was currently out for consultation until 12 February 2016. The finalised Centre Strategies and Action Plan documents would be presented to the Board at its meeting in August 2016.

DECIDED: That the progress made in relation to the Centre Strategies and Action Plan and the representations made through the Centre Strategies consultation be noted.

11 **REVIEW OF THE SCOTTISH PLANNING SYSTEM**

There was submitted a report by the Director of Development & Housing Services relative to the review of the Scottish planning system.

The report intimated that the Scottish Government had appointed an independent panel to undertake a strategic level review of the Scottish planning system to identify the scope for further targeted improvements. A call for written evidence was issued in late October 2015 with responses to be submitted by 1 December 2015. The Renfrewshire Council submission was prepared and submitted by the Head of Planning & Housing in consultation with the Convener, a copy of which was attached as an appendix to the report.

DECIDED: The response to the call for written evidence on the review of the Scottish Planning System, as set out in the appendix to the report, which was submitted to the Scottish Government on the 1 December 2015, be noted.

12 **WESTWAY - REQUEST TO ESTABLISH A SIMPLIFIED PLANNING ZONE**

There was submitted a report by the Director of Development & Housing Services relative to a formal request from WB Westway LP to work in partnership to establish a Simplified Planning Zone (SPZ) at Westway Business Park.

DECIDED:

(a) That the Director of Development & Housing Services be authorised to progress the necessary processes required to establish a SPZ at Westway, as detailed in the appendix to the report, in partnership with WB Westway LP and other interested parties; and

(b) That it be agreed that following the negotiations with key agencies and other statutory consultees on the SPZ scheme's form and content, the completion of statutory procedures, including publicity and consultation, that the SPZ Scheme be referred to the Board for determination.

13 **RENFREWSHIRE OUTDOOR ACCESS STRATEGY 2016 - "OUTDOORS FOR YOU"**

There was submitted a report by the Director of Development & Housing Services relative to the preparation of a draft Outdoor Access Strategy 2016 - "Outdoors for You", a copy of which was appended to the report and seeking authority to submit the document for public consultation and publicity from 1 February to 28 March 2016.

DECIDED:

(a) That the Director of Development & Housing Services be authorised to progress the necessary publicity and consultation in relation to the Renfrewshire Outdoor Access Strategy 2016 – "Outdoors for You"; and

(b) That it be noted that following consultation and consideration of the comments received, the final Access Strategy would be referred to the Board for determination.

14 PROPOSAL OF APPLICATION NOTICES

There was submitted a report by the Director of Development & Housing Services relative to proposal of application notices.

DECIDED: That the key issues identified to date be noted.

15 PLANNING APPLICATIONS

There was submitted a report by the Director of Development & Housing Services relative to applications for planning permission that required to be determined by the Board.

(a) 15/0831/PP – WARD 10: FULL PLANNING PERMISSION: SUBSTITUTION OF HOUSE TYPES ON PLOTS 9 & 29 AND AMENDMENTS TO LAYOUTS ADJACENT TO PLOT 29 (AMENDMENT TO APPLICATION REFERENCE NUMBER 14/0831/PP): SITE ON NORTHERN BOUNDARY OF SHILLINGWORTH STEADINGS, KILGRASTON ROAD, BRIDGE OF WEIR – PERSIMMON HOMES LIMITED

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

(b) 15/0731/PP – WARD 9: FULL PLANNING PERMISSION: ERECTION OF RESIDENTIAL DEVELOPMENT COMPRISING 268 DWELLING HOUSES WITH ASSOCIATED ACCESS, INFRASTRUCTURE AND LANDSCAPING: FORMER MERCHISTON HOSPITAL, BRIDGE OF WEIR ROAD, BROOKFIELD, JOHNSTONE – NHS GREATER GLASGOW & CLYDE AND BDW TRADING LTD

Councillor Kelly, seconded by Councillor Murrin, moved that the application be granted, subject to the conditions and reasons detailed in the report.

Councillor Audrey Doig, seconded by Councillor Nicolson moved as an amendment, that the application be refused for the following reasons:-

The application constitutes an over development of the site and onto undeveloped green space to the west of Merchiston Drive. The applicant stated in their Pre Application Consultation that development was to be 'guided towards the open/cleared areas, which follows the former building footprint.'

The application report fails to define an amount of tree cover removal or retention in a clear or concise manner or provide any measures to protect the remaining trees from damage or removal.

The application does not state if a 'development viability assessment' had been carried out with regards to provision of affordable housing as per Scottish Planning Policy.

The application fails to consider the Local Housing strategy which clearly states that the North and West Renfrewshire HNDA shows that there is a need for affordable housing 4.2.2.

The application fails to meet structure plan policies Policy 6 of providing and meeting a range of tenures across a housing market.

On the roll being called, the following members voted for the amendment: Councillors Audrey Doig, J MacLaren, McGurk, Nicolson and Perrie.

The following members voted for the motion: Councillors B Brown, E Devine, Gilmour, Grady, Hood, Kelly, Murrin and M Sharkey.

5 members having voted for the amendment and 8 members having voted for the motion, the motion was accordingly declared carried.

DECIDED: That the application be granted subject to the conditions and reasons contained in the report.

(c) 15/0739/PP – WARD 1: FULL PLANNING PERMISSION: ERECTION OF RESIDENTIAL DEVELOPMENT COMPRISING 59 DWELLING HOUSES AND 18 FLATS WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING: LAND TO WEST OF, ANDREW AVENUE, RENFREW – ASHLEIGH (SCOTLAND) LTD AND MCL ESTATES (BRAEHEAD) LTD

DECIDED: That the application be granted subject to the conditions and reasons contained in the report and a Section 69 Agreement.

(d) 15/0740/PP – WARD 5: PLANNING PERMISSION IN PRINCIPLE: ERECTION OF MIXED USE DEVELOPMENT COMPRISING CLASS 1 RETAIL STORE AND RESIDENTIAL DEVELOPMENT WITH ASSOCIATED ACCESS, CAR PARKING, LANDSCAPING AND INFRASTRUCTURE WORKS (SECTION 42 APPLICATION TO VARY CONDITION 1 OF PLANNING PERMISSION 12/0421/PP WITH RESPECT TO THE NUMBER OF RESIDENTIAL UNITS PERMITTED IN PHASE 2): 2 PRINTERS PLACE, PAISLEY, PA2 7RX – ALDI STORES LTD

DECIDED: That the application be granted subject to the conditions and reasons contained in the report.

(e) 15/0754/LB – WARD 5: LISTED BUILDING CONSENT FOR DEMOLITION: PART DEMOLITION OF HOSPITAL WARD COMPRISING THE REMOVAL OF WALLS AND CHIMNEY STACKS FROM FRONT, SIDES AND REAR OF BUILDING (IN RETROSPECT): MAIN BUILDING AND GROUNDS, DYKEBAR HOSPITAL, GRAHAMSTON ROAD, PAISLEY, PA2 7DE – NHS GREATER GLASGOW & CLYDE

DECIDED: That the application be disposed to grant subject to the condition and reason contained in the report.

(f) 15/0755/LB – WARD 5: LISTED BUILDING CONSENT FOR DEMOLITION: DEMOLITION OF HOSPITAL WARD: MAIN BUILDING AND GROUNDS, DYKEBAR HOSPITAL, GRAHAMSTON ROAD, PAISLEY, PA2 7DE – NHS GREATER GLASGOW & CLYDE

DECIDED: That the application be disposed to grant subject to the condition and reason contained in the report.

(g) 15/0802/PP – WARD 8: FULL PLANNING PERMISSION: INSTALLATION OF 4.9 MW SOLAR FARM WITH ASSOCIATED INFRASTRUCTURE INCLUDING ACCESS, ERECTION OF COMMUNICATION BUILDING, STORAGE SHED, SUBSTATIONS, CCTV CAMERAS AND BOUNDARY FENCE: WEST MITCHELTON, BRIDESMILL ROAD, LOCHWINNOCH – ENVIRONMENTAL ENERGY INVESTMENTS (SCOTLAND) LTD

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

(h) 15/0821/PP – WARD 8: FULL PLANNING PERMISSION: INSTALLATION OF 4.9 MW SOLAR FARM WITH ASSOCIATED INFRASTRUCTURE INCLUDING ACCESS, ERECTION OF COMMUNICATION BUILDING, STORAGE SHED, SUBSTATIONS, CCTV CAMERAS AND BOUNDARY FENCE: WEELS FARM, KAIM ROAD, LOCHWINNOCH – ENVIRONMENTAL ENERGY INVESTMENTS (SCOTLAND) LTD

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