

Minute of Meeting Local Review Body.

Date	Time	Venue
Tuesday, 29 March 2022	14:00	Microsoft TEAMS platform,

Present: Councillor Bill Binks, Councillor Andy Doig, Councillor Marie McGurk, Councillor John McNaughtan, Councillor Iain Nicolson

Chair

Councillor McGurk, Convener, presided.

In Attendance

K Dalrymple, Development Plans & Housing Strategy Team Leader (Independent Planning Adviser to the Local Review Body) (Chief Executive's); R Graham, Senior Solicitor (Litigation and Regulatory Services) (Independent Legal Adviser to the Local Review Body); and R Devine, Senior Committee Services Officer (Clerk to the Local Review Body); C MacDonald, Senior Committee Services Officer, D Cunningham, Assistant Committee Services Officer and D Pole, End User Technician (all Finance & Resources).

Declarations of Interest

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

Procedure Note

The Convener indicated that the procedure to be followed at the meeting of the Local Review Body (LRB), was as detailed in item 1 of the agenda, a copy of which had been circulated to members prior to the meeting.

1 **LRB01.22**

Consideration was given to a Notice of Review in respect of the Planning Authority's decision to refuse planning permission for the conversion of workshop to form a new dwelling house with direct access at Bankview, Station Road, Howwood, Johnstone PA9 1AY (21/1456/PP)

Preliminary Matters

The Independent Legal Adviser informed members of the LRB that there were two preliminary matters to be dealt with prior to considering the specifics of the Notice of Review LRB01.22 in that (a) the Applicant had submitted letters of support for the proposal and (b) the proposal had been amended, in relation to vehicular access, following consideration by the Planning Officer who had made the original decision.

It was highlighted that the letters of support had not been before the Planning Officer when the decision, which was under review by the LRB, was made and in a review, no party was entitled to raise new matters unless they could demonstrate either (a) that the matter could not have been raised before that time, or (b) that the matter not being raised before that time was a consequence of exceptional circumstances. As a result, the letters of support had not been circulated to members of the LRB prior to the meeting.

The Applicant had asked for the letters of support to be considered by the LRB and had provided an explanation. Having heard the explanation, the LRB decided to allow the letters to be considered as part of the review.

It was noted that the amendment to the planning proposal was referenced in the Notice of Review documentation and had been included in the paperwork circulated to members prior to the meeting. No specific reason had been provided as to why it should be considered as a new matter however it was suggested that the amendment had been proposed as a consequence of the original planning decision. Members were advised that in the event that they did not accept that the proposed amendment to the application justified consideration as a new matter then the information was to be disregarded. The LRB decided not to allow the proposed amendment to the planning application to be considered as part of the review.

Adjournment

The meeting adjourned at 2.11pm and reconvened at 2.21pm.

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

- (i) Planning Authority's Submissions which included the report of handling, accompanying documents and decision notice;
- (ii) The Notice of Review, together with productions submitted by the applicant; and
- (iii) Letters of support submitted and agreed by the LRB to be considered as new material.

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 Planning Application 21/1456/PP. It was agreed that the LRB had sufficient information before it to reach a decision.

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

There then followed a general discussion in relation to the Notice of Review. The independent Planning Adviser outlined suggested conditions, to be attached should planning permission be granted, together with reasons for these conditions.

Councillor McNaughtan, seconded by Councillor Andy Doig, moved that the application be granted, subject to the conditions suggested as the proposed development would follow or respect the established pattern of development within the area and would not be detrimental to amenity, and that accordingly the proposal accords with the provision of Policy P1, and the Draft New Supplementary Guidance contained within the Adopted Renfrewshire Local Development Plan. There were no material considerations which outweighed the presumption in favour of development according with the Development Plan.

Councillor Nicolson, seconded by Councillor McGurk, moved as an amendment that the application be refused for the reasons detailed in the report of handling prepared by the Planning Case Officer and included within the papers circulated prior to the meeting.

On the roll being called, the following members voted for the amendment: Councillors McGurk and Nicolson.

The following members voted for the motion: Councillors Binks, Andy Doig, and McNaughtan.

3 members having voted for the motion and 2 members having voted for the amendment, the motion was declared carried.

DECIDED: That Planning Application 21/1456/PP be granted, subject to the following conditions and reasons:

(a) That prior to the commencement of development, full details of external finishes, boundary treatments, 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: These details have not been submitted.

(b) That prior to the occupation of the dwellinghouse hereby approved, parking as per National Roads Development Guide, shall be formed and thereafter maintained to the satisfaction of Renfrewshire Council as Planning Authority.

Reason: To ensure that adequate parking is provided.

Informative: The applicant is advised that no part of the development should impact on the footpath that runs adjacent to the shared access.

Consideration was given to a Notice of Review in respect of the Planning Authority's decision to refuse planning permission for the relocation, conversion and extension of stone byre to form a dwellinghouse at site 20 metres west of Greenhill Farm, Barochan Road, Houston, Johnstone (21/1405/PP).

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

- (i) Planning Authority's Submissions which included the report of handling, accompanying documents and decision notice; and
- (ii) The Notice of Review, together with productions submitted by the applicant.

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 Planning Application 21/1405/PP. It was agreed that the LRB had sufficient information before it to reach a decision.

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

There then followed a general discussion in relation to the Notice of Review. The independent Planning Adviser was heard in response to various issues raised by members. The Convener proposed that the application be refused for the reasons detailed in the report of handling prepared by the Planning Case Officer and included within the papers circulated prior to the meeting. This was agreed unanimously.

DECIDED:

(a) That Planning Application 21/1405/PP be refused as the proposed development would be contrary to Policy ENV1 of the adopted Renfrewshire Local Development Plan 2021 in that it would result in development within the designated Green Belt without appropriate justification and due to its location would not be commensurate with the aims of enhancing the character and landscape setting of an area; and

(b) That the proposal was contrary to the Adopted Renfrewshire Local Development Plan 2021 and Draft New Development Supplementary Guidance - Delivering the Environment Strategy as it did not require a specific Green Belt location and did not maintain or support an established activity which was suitable in the Green Belt. The proposal would thereby introduce an inappropriate form of development into the Green Belt, result in an unacceptable erosion of the Green Belt and result in an adverse and detrimental impact on its character.