

## Minute of Meeting Planning & Property Policy Board

Date	Time	Venue
Tuesday, 23 August 2016	15:00	Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

### **PRESENT**

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

### **CHAIR**

Councillor B Brown, Convener, presided.

### **IN ATTENDANCE**

M Crearie, Director of Development & Housing Services; F Carlin, Head of Planning & Housing Services, D Bryce, Development Standards Manager and S Marklow, Assistant Manager - Policy (all Development & Housing Services); D McLavin, Senior Press & Media Relations Officer (Chief Executive's); C Dalrymple, Regulatory & Enforcement Manager (Community Resources); and J Lynch, Head of Property Services, V Howie, Finance Business Partner, F Hughes, Asset Manager, N Young, Assistant Managing Solicitor (Litigation and Advice) and K Brown, Committee Services Officer (all Finance & Resources).

### **ALSO IN ATTENDANCE FOR THE PRE-DETERMINATION HEARINGS**

Planning Application 16/0139/PP:

C Graham (representing Miller Developments Limited).

Planning Application 16/0291/PP:

R Morgan (representing Gladman Development Limited), T Fulton (representing Bridge of Weir Community Council) and L Taylor.

### **DECLARATIONS OF INTEREST**

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

## 1 PRE-DETERMINATION HEARING

The Convener invited the Head of Planning & Housing Services to provide an overview of the purpose of the pre-determination hearing and the procedure to be followed. The Head of Planning & Housing Services advised that the purpose of the pre-determination hearing was to hear from the applicant and objectors in relation to the above application, as it was considered a major development which was significantly contrary to the development plan. It was noted that it was a mandatory requirement under section 38A of the Planning etc (Scotland) Act 2006 and the related Development Management Regulations to hold a pre-determination hearing for such applications.

The Head of Planning & Housing Services referred to the procedure for conducting the hearing, a copy of which had been included with the agenda for the meeting, and explained the order in which the parties would be heard. He reminded elected members present that they should not express any views on the application, which would be submitted to a future meeting of the Council.

### (a) PRE-DETERMINATION HEARING - LAND AT 144 HAWKHEAD ROAD, PAISLEY PLANNING APPLICATION REFERENCE 16/0139/PP – MILLER DEVELOPMENTS LIMITED: LAND AT 144 HAWKHEAD ROAD, PAISLEY - ERECTION OF RESIDENTIAL DEVELOPMENT WITH ASSOCIATED REMEDIATION/ENABLING WORKS AND FORMATION OF VEHICULAR ACCESS.

There was submitted a report by the Director of Development & Housing Services in summary of the application.

The Convener invited the applicant to make his representations on the application to the Board. The elected members were then given the opportunity to ask questions on factual matters or to seek guidance.

The Convener thanked everyone for their participation in the hearing.

**DECIDED:** That the representations be noted.

### (b) PRE-DETERMINATION HEARING - LAND TO THE NORTH EAST OF STRATHGRYFFE CRESCENT, GRYFFE CASTLE, BRIDGE OF WEIR PLANNING APPLICATION REFERENCE 16/0291/PP – GLADMAN DEVELOPMENTS LIMITED: LAND TO THE NORTH EAST OF STRATHGRYFFE CRESCENT, GRYFFE CASTLE, BRIDGE OF WEIR – ERECTION OF RESIDENTIAL DEVELOPMENT INCLUDING FORMATION OF VEHICULAR ACCESS, OPEN SPACE AND LANDSCAPING, PROVISION OF SUSTAINABLE URBAN DRAINAGE (SUDS) AND ASSOCIATED ENGINEERING WORKS.

There was submitted a report by the Director of Development & Housing Services in summary of the application.

The Convener invited the applicant and then the other parties to make their representations on the application to the Board. The applicant was given an opportunity to respond to the points raised during the representations and the elected members were given the opportunity to ask questions on factual matters or to seek guidance.

The Convener thanked everyone for their participation in the hearing.

**DECIDED:** That the representations be noted.

**2 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 24 June 2016.

**DECIDED:**

(a) That the budget position be noted; and

(b) That it be noted that there had been net budget realignments of £1,008,418 processed since the budget was approved which primarily related to transfers to corporate landlord for Education Services and lighting maintenance from Community Resources.

**3 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 24 June 2016.

**DECIDED:** That the report be noted.

**4 8 COLLIER STREET, JOHNSTONE**

There was submitted a report by the Director of Finance & Resources seeking authority to grant a five-year full repairing and insuring lease of the property at 8 Collier Street, Johnstone to Beau Ami Hair and Beauty Limited on the basis of the terms and conditions detailed within the report.

**DECIDED:** That it be agreed to grant a five-year full repairing and insuring lease of the property at 8 Collier Street, Johnstone to Beau Ami Hair and Beauty Limited on the basis of the terms and conditions detailed within the report.

**5 LEASE REQUEST - 5/1 HIGH STREET**

There was submitted a report by the Director of Finance & Resources seeking authority to grant a lease of nine years to the existing tenant of 5/1 High Street, Johnstone.

**DECIDED:**

(a) That it be agreed to grant a nine-year lease to the existing tenant, Mr Neil Murray, of the subject property on the basis of the terms and conditions detailed within the report; and

(b) That the Head of Corporate Governance be authorised to conclude the lease on behalf of the Council with the existing tenant subject to the terms and conditions detailed within the report.

**6 FORMER FOXBAR CIVIC AMENITY SITE, LEITCHLAND ROAD, PAISLEY**

There was submitted a report by the Director of Finance & Resources seeking authority to conclude a lease of the former Foxbar Civic Amenity Site, Leitchland Road, Paisley to Mr Sam Crawley.

**DECIDED:** That the Heads of Property Services and Corporate Governance be authorised to conclude a lease of the former Foxbar Civic Amenity Site, Leitchland Road, Paisley on the basis of the main terms and conditions detailed within the report.

**7 LEASE RENEWAL - GLASGOW AND THE CLYDE VALLEY STRATEGIC DEVELOPMENT PLANNING AUTHORITY (CLYDEPLAN)**

There was submitted a report by the Director of Finance & Resources seeking authority to conclude a lease extension of the premises at 125 West Regent Street, Glasgow (the Premises) for the Glasgow and the Clyde Valley Strategic Development Planning Authority (GCVSDPA).

The report intimated that Renfrewshire Council, as the lead authority for the GCVSDPA maintained a lease of premises at 125 West Regent Street, Glasgow, extending to 242 sqm or thereby with one parking space, as operational offices for that group. For continuation of the service, the lease was proposed to be extended for a term of three years, with the Tenant only ability to terminate the extended lease at the end of the first year of the extended lease period.

**DECIDED:**

(a) That the Head of Corporate Governance be authorised to conclude a lease extension for the Premises on the basis of the provisional terms and conditions detailed within the report and subject to such other conditions as may be considered necessary by the Heads of Corporate Governance and Property Services; and

(b) That it be noted that the GCVSDPA Joint Committee would be asked to approve the continuation of the service at this location at its Committee meeting on the 12 September 2016.

**8 GLENBURN RESOURCE CENTRE, 91 DONALDSWOOD ROAD, PAISLEY**

There was submitted a report by the Director of Finance & Resources seeking consent to grant a lease of the Glenburn Resource Centre, 91 Donaldswood Road, Paisley to Glenburn Resource Centre Limited for the purpose of providing a community and information centre with associated cafe.

**DECIDED:**

(a) That it be agreed to grant a lease of Glenburn Resource Centre to Glenburn Resource Centre Limited for a period of 20 years on the basis of the terms and conditions detailed within the report; and

(b) That the Head of Corporate Governance be authorised to conclude the lease on behalf of the Council with Glenburn Resource Centre Limited, subject to the terms and conditions detailed within the report.

9 **BRIDGEWATER, ERSKINE SITES 4A & 4B - PROPOSED DISPOSAL/OPTION AGREEMENT**

There was submitted a report by the Director of Finance & Resources seeking approval to dispose of site 4A and grant a three-year option to purchase site 4B, as indicated on plan E2495, to Tom Wylie and on the basis on the terms and conditions detailed within the report.

**DECIDED:**

(a) That the Heads of Property Services and Corporate Governance be authorised to conclude the disposal of site 4A to the applicant, subject to the terms and conditions detailed within the report and any other terms and conditions considered necessary by the Heads of Property Services and Corporate Governance in order to protect the Council's interests;

(b) That it be agreed to grant an option to purchase site 4B, the land shown on plan E2495, in favour of Tom Wylie for a period of three years from the date of conclusion of formal legal documentation on the basis of the terms and conditions detailed within the report; and

(c) That it be noted that the Board could anticipate that it would be asked to consider a future planning application for this site from Tom Wylie or his agents at a later date.

10 **ARDGRYFFE FOOTBALL PARK HOUSTON - PROPOSED LEASE TO HOUSTON UNITED**

There was submitted a report by the Director of Finance & Resources seeking authority to lease the football park at Ardgryffe Park, Houston along with an ancillary area for proposed changing facilities to Houston United on the basis of the terms and conditions detailed within the report.

**DECIDED:**

(a) That the Heads of Property Services and Corporate Governance be authorised to conclude a lease of Ardgryffe football park with an additional area for changing facilities with Houston United, subject to the terms and conditions detailed within the report and any other terms and conditions considered necessary by the Heads of Property Services and Corporate Governance in order to protect the Council's interests;

(b) That it be noted that the proposed lease plan would be amended to reflect the area set aside for the proposed changing facilities, which exact location had as yet not been determined;

(c) That the Head of Planning & Housing be authorised to advertise the potential lease of an open space area in terms of the Town & Country Planning (Scotland) 1959 Act; and

(d) That it be noted that the Board could anticipate that it would be asked to consider a future planning application for this site from Houston United or their agents at a later date.

**11 LAND AT EAST LANE, PAISLEY**

There was submitted a report by the Director of Finance & Resources seeking authority to dispose of land at East Lane, Paisley to the Council's sitting tenant, Ingram Brothers Limited, on the basis of the terms and conditions detailed within the report.

**DECIDED:**

(a) That the Heads of Property Services and Corporate Governance be authorised to conclude the disposal of land at East Lane, Paisley, as shown shaded on the plan appended to the report, to Ingram Brothers Limited and subject to the terms and conditions detailed within the report;

(b) That it be agreed to grant an option to purchase the area of land at East Lane, Paisley, as shown hatched on the plan appended to the report, in favour of Ingram Brothers Limited, and subject to the terms and conditions detailed within the report; and

(c) That it be agreed that both the shaded and hatched areas of ground, as detailed on the plan appended to the report, be declared surplus to requirements in order to progress the proposed disposals to Ingram Brothers Limited.

**12 DISPOSAL OF SITE OF FORMER STEWART HOUSE, GLENDEE ROAD, RENFREW**

Under reference to item 13 (b) of the Minute of the meeting of the Board held on 12 May 2015, there was submitted a report by the Director of Finance & Resources relative to the ongoing negotiations to adjust the offer price for the sale of the site of the Former Stewart House, Glendee Road, Renfrew and seeking approval of the final purchase price to allow the sale to be concluded.

The report intimated that the Board at its meeting on 12 May 2015 considered the offer submitted for the purchase of the site and agreed to accept the offer submitted on behalf of Miller Homes Limited, as their offer was the most suitable in terms of the offer price and also in terms of the number of housing units proposed at the site. Miller Homes Limited had undertaken the required site investigations to allow them to finalise development proposals for the site. During discussions with Miller Homes Limited it was identified that a secondary access would be beneficial to the site to assist with the development outcome proposed. The access proposed was identified as Area 1 on plan E2409, a copy of which was appended to the report, held separately within the Housing Revenue Account (HRA). It was considered appropriate to pro-rata the sale value achieved based on respective site areas as proportions of the overall sale site area, therefore the HRA would be credited by an amount of £47,385 representing 3.9% of the land total and the sale price.

The report highlighted that discussions between Miller Homes Limited and Property Services had resulted in a provisional agreement being reached as to the extraordinary development costs associated with the suspensive conditions to be included in the missives of the sale. The Council's Engineers considered the submission by Miller Homes Limited and were satisfied that the reduction sought was fair and reasonable given the information provided from the ground condition reports. In recognition of the difficulties presented in progressing a development by

the purchaser, a function of both previous historic uses and the topography of the site, confirmed by the existing condition reports provided to the Council by the purchaser, it was proposed that the original offer price of £1,815,000 be adjusted to £1,215,000 to reflect abnormal site development costs and current market appraisal.

**DECIDED:** That the Head of Corporate Governance be authorised to conclude the sale of the site to Miller Homes Limited at the revised purchase prices as detailed within the report.

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

Under reference to item 13 of the Minute of the meeting of the Board held on 26 January 2016, there was submitted a report by the Director of Development & Housing Services seeking approval of the Renfrewshire Outdoor Access Strategy 2016 – ‘Outdoors for You’, which had been finalised following an eight week public consultation period. A copy of the Strategy was appended to the report.

**DECIDED:** That the Outdoors Access Strategy 2016/21 – ‘Outdoors for You’, as detailed in the appendix to the report, be approved.

**14 PLANNING APPLICATION 13/0049/PP: BRAEHEAD**

Under reference to item 11 of the Minute of the meeting of the Board held on 15 March 2016, there was submitted a report by the Director of Development & Housing Services relative to Scottish Ministers' feedback in relation to planning application 13/0049/PP.

The report intimated that at its meeting on 15 March 2016, the Board considered a planning application for a mixed use development at Braehead, Kings Inch Drive/Kings Inch Road, Renfrew and determined that it was disposed to grant planning permission, subject to the application being referred to Scottish Ministers as a result of objections from two adjoining planning authorities. Scottish Ministers had responded advising that it was not Scottish Ministers' intention to intervene in this application and that the Council was authorised to deal with the application in the manner it thought fit. A Decision Notice, granting planning permission in principle and subject to conditions was issued dated 16 June 2016.

**DECIDED:** That it be noted that following the advice from Scottish Ministers the decision of the Board to grant planning permission in principle, subject to conditions for application 13/0049/PP, had been implemented.

**15 RENFREWSHIRE PLANNING PERFORMANCE FRAMEWORK 2015/16**

There was submitted a report by the Director of Development & Housing Services relative to the submission of the fifth Renfrewshire Planning Performance Framework to the Scottish Government. A copy of the Framework was appended to the report.

**DECIDED:** That it be noted that the Renfrewshire Planning Performance Framework 2015/16, as set out in the appendix to the report, had been submitted to the Scottish Government on 29 July 2016.

## 16 REVIEW OF FEES FOR HIGH HEDGE APPLICATIONS

Under reference to item 25 of the Minute of the meeting of the Council held on 28 April 2016, there was submitted a report by the Director of Development & Housing Services relative to a review of the high hedge application fees and the assessment process.

The report intimated that each local authority was required to set a fee for dealing with a high hedge application and a survey had been undertaken of other local authorities in Scotland, the results of which were detailed in Appendix 2 to the report. The fees varied from the lowest at £192 and the highest at £500, with the fee for Renfrewshire set at £401, which was representative of the average fee charged. Local authorities could also vary or refund fees in certain circumstances where the applicant was in receipt of a low income, if the application was dismissed or if the application related to multiple hedges. Renfrewshire Council already operated a variation in relation to the latter two categories, similar to a small number of other authorities. In order to ensure that Renfrewshire residents who were on a low or fixed income were not unreasonably denied access to the High Hedge legislation, it was considered appropriate to apply a concessionary rate of 25% of the normal fee to those applicants who could demonstrate they were in receipt of a means tested benefit, such as guaranteed pension credit, income support, jobseekers allowance, income-related employment and support allowance, council tax reduction, housing benefit and working tax credits.

The report highlighted that Renfrewshire Council's current guidance stated that on receipt of an enquiry, officers would visit the site and would offer general advice as to whether or not a hedge was likely to fall within the scope of the Act and the statutory definition of a 'high hedge'. Appendix 2 to the report indicated that one local authority was known to offer a 'pre-application advice' service and this was charged at a rate of £80. The authority made clear that this service was only intended to advise on whether an application could be accepted, not whether a notice was likely to be served. This was not dissimilar to the approach that Renfrewshire Council already adopted, in that advice was given, on a non-chargeable basis, but was limited to whether an application could be accepted. There was no evidence to support the introduction of a 'free pre-application' service which would offer more than was currently provided and crucially which would avoid the perception of bias being introduced into the early stages of the formal process.

Councillor B Brown, seconded by Councillor Gilmour, moved:

- (a) That the High Hedge guidance and fee structure, as detailed in Appendix 1 to the report, be approved; and
- (b) That it be noted that officers would continue, on a non-chargeable basis, to inspect alleged 'nuisance' trees on site in advance of a formal application and offer general advice on the circumstances where the High Hedges (Scotland) Act 2013 may offer a route for independent adjudication/arbitration.

Councillor Nicolson, seconded by Councillor McGurk, moved as an amendment to:

Approve the High Hedge Guidance and the fee structure attached as Appendix 1 to this report with the following amendments:

That the fee be set at £200.



That the guidance be amended to specifically refer to the availability of pre-inspection and the non chargeable basis in advance of any formal application being submitted.

Dismissed applications to receive a 75% refund.

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

The following members voted for the motion: Councillors B Brown, Caldwell, E Devine, Gilmour, Glen, Hood, J MacLaren and Murrin.

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

**DECIDED:**

(a) That the High Hedge guidance and fee structure, as detailed in Appendix 1 to the report, be approved; and

(b) That it be noted that officers would continue, on a non-chargeable basis, to inspect alleged 'nuisance' trees on site in advance of a formal application and offer general advice on the circumstances where the High Hedges (Scotland) Act 2013 may offer a route for independent adjudication/arbitration.

**17 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.

**18 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) 16/0083/PP – WARD 2: VARY/DELETE CONDITION(S) OF PLANNING CONSENT: ERECTION OF RESIDENTIAL DEVELOPMENT (IN PRINCIPLE). SECTION 42 APPLICATION TO DELETE CONDITIONS 1 AND 2 OF PLANNING PERMISSION 13/0154/PP: 95 WRIGHT STREET, RENFREW, PA4 8AN: FORFARMERS UK, HOUSTON BOTTLING & CO-PACK LTD AND PETER REID**

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

**(b) 16/0318/LB – WARD 3: LISTED BUILDING CONSENT: ERECTION OF TWO STOREY EXTENSION TO WESTERN ELEVATION (RENEWAL OF LISTED BUILDING CONSENT 13/0156/LB): MAIN BUILDING, PAISLEY ABBEY, ABBEY CLOSE, PAISLEY, PA1 1JG: PAISLEY ABBEY KIRK SESSION**

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

**(c) 16/0322/PP – WARD 3: FULL PLANNING PERMISSION: ERECTION OF TWO STOREY EXTENSION TO WESTERN ELEVATION (RENEWAL OF PLANNING APPROVAL 13/0155/PP): MAIN BUILDING, PAISLEY ABBEY, ABBEY CLOSE, PAISLEY, PA1 1JG: PAISLEY ABBEY KIRK SESSION**

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

**(d) 16/0350/PP – WARD 11: PLANNING PERMISSION: DEMOLITION OF TWO PRIMARY SCHOOLS AND ERECTION JOINT CAMPUS PRIMARY SCHOOL AND NURSERY: BARGARRAN PRIMARY SCHOOL AND ST JOHN BOSCO PRIMARY SCHOOL, BARRHILL ROAD, ERSKINE: RENFREWSHIRE COUNCIL**

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

### **EXCLUSION OF PRESS AND PUBLIC**

The Board resolved that the press and public be excluded from the meeting during consideration of the following items of business as it was likely, in view of the nature of the business to be transacted, that if members of the press and public were present, there would be disclosure to them of exempt information as defined in paragraph 6 of Part I of Schedule 7A of the Local Government (Scotland) Act 1973.

## **19 LAND AT RIVERSIDE, BRIDGEWATER, ERSKINE - PROPOSED DISPOSAL**