

**Business Operations and Partnerships Department**

**Director of Business Operations & Partnerships: Louise Pringle**

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TO: Councillors B Cunningham (Chair), J McLean (Vice Chair), P Edlin, A Ireland, C Lunday, M Montague and A Morrison.

**LOCAL REVIEW BODY**

A meeting of the Local Review Body will be held in the Council Chamber, Council Headquarters, Eastwood Park, Giffnock on **Wednesday, 7 December 2022 at 2:30pm**

The agenda of business is as shown below.

**Louise Pringle**

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DIRECTOR OF BUSINESS OPERATIONS & PARTNERSHIPS

**AGENDA**

- 1. Report apologies for absence.**
- 2. Declarations of Interest.**
- 3. Local Review Body Meeting Schedule – Report by Head of Environment (Chief Planning Officer) (copy attached, pages 3 - 10).**

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A recording of the meeting will also be available following the meeting on the Council's YouTube Channel <https://www.youtube.com/user/eastrenfrewshire/videos>

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EAST RENFREWSHIRE COUNCILLOCAL REVIEW BODY7<sup>th</sup> December 2022Report by Head of Environment (Chief Planning Officer)Local Review Body Meeting Schedule**INTRODUCTION**

1. The purpose of this report is to seek authority to reduce the frequency of Local Review Body Meetings from January 2023 onwards.

**RECOMMENDATION**

2. It is recommended that the Local Review Body agrees to a reduction in the number of meetings held, from eleven to six from January 2023 onwards.

**BACKGROUND**

3. The Local Review Body considers Appeals of decisions relating to local planning applications as set out in the East Renfrewshire Council Planning Scheme of Delegation, which is included at Appendix A.

4. The Local Review Body currently meets monthly and is supported by officers from Democratic, Planning and Legal Services.

**REPORT**

5. In 2022, the Local Review Body was scheduled to meet on eleven occasions however only seven meetings were required for consideration of fourteen Reviews. On average, two Reviews were presented to each of the seven meetings and a breakdown of this is provided in Appendix B.

6. It is considered that, given the average Local Review Body caseload, there is merit in reducing the number of meetings held in a year. If there was, a reduction in the number of meetings from eleven to six, it is unlikely to impact on the number of Reviews considered at each meeting.

7. The proposed change would release officers to undertake other duties and, whilst it is not thought that the reduction in meetings would adversely impact on applicants or Council performance figures, the option would still exist to call additional meetings of the Local Review Body if circumstances required.

8. It is therefore recommended that meetings are held every second month from 2023 onwards in February, April, June, August, October and November. If additional dates are required, these can be scheduled in the alternate months.

## **FINANCE AND EFFICIENCY**

9. This will result in a reduction in the need for officer support and will release officers to undertake other duties.

## **CONSULTATION**

10. This matter has been discussed with Democratic and Legal Services and with the Local Review Body Chair and Vice Chair.

## **PARTNERSHIP WORKING**

11. This report has no partnership working implications.

## **IMPLICATIONS OF THE PROPOSALS**

12. The proposed change will result in a reduction in the need for officer support and will release officers to undertake other duties.

## **CONCLUSIONS**

13. It is considered that, in view of the number of Reviews presented to the Local Review Body meetings, there is scope to reduce the frequency of meetings held from eleven to six from 2023 onwards. The option will remain to hold additional meetings if workload dictates.

## **RECOMMENDATIONS**

14. It is recommended that the Local Review Body agrees to a reduction in the number of Local review Body meetings held, from eleven to six, from January 2023 onwards.

Head of Environment (Chief Planning Officer)

Report Author: Julie Nicol, Planning and Building Standards Manager  
07918 499678 e.mail: Julie.nicol@eastrenfrewshire.gov.uk

December 2022

## APPENDIX A

**East Renfrewshire Council Planning Scheme of Delegation**

Approved by East Renfrewshire Council on 25<sup>th</sup> February 2021  
and the Scottish Ministers on 15<sup>th</sup> March 2021

**Made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997  
[as amended by Section 17 of the Planning etc. (Scotland) Act 2006]  
and The Town and Country Planning (Schemes of Delegation and Local Review  
Procedure)(Scotland) Regulations 2013**

The Director of Environment, *the Head of Environment (Chief Planning Officer), the Planning and Building Standards Manager or Principal Planner* is authorised in relation to development management to determine all 'local development' applications for planning permission (*including planning permission in principal and applications for consent, agreement or approval required by a condition imposed on a grant of planning permission*). 'Local development' is defined by the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc (Scotland) Act 2006, and the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 and summarised below. The above authorisation applies unless the planning application involves any of the circumstances specified in (i) to (viii) below, in which case the application will be referred to the Planning Applications Committee for determination:-

- (i) the planning application is made by an *Elected* Member of East Renfrewshire Council or *their spouse or their partner*,
- (ii) the planning application is made by an employee of the Council's Planning and Building Standards Services or *their spouse or their partner*,
- (iii) an employee of the Council's Planning and Building Standards Services, or *their spouse or their partner*, has an interest in a planning application, for example, as an objector,
- (iv) there are 10 or more objection letters or *electronic communications* from 10 or more individuals, who state their objections (*including giving their reasons*) in relation to the proposed development or use under consideration.
- (v) where it is proposed to approve a proposal that is significantly contrary to the development plan
- (vi) the proposal has been subject to an Environmental Impact Assessment,
- (vii) where there are associated applications being considered by the Committee e.g. *where a planning application is accompanied by an associated Conservation Area Consent or Listed Building Consent*, or
- (viii) the application is made by the planning authority and 4 elected Members have individually requested a referral of the application to the Planning Applications Committee within 21 days of the validation of the application.

Additionally, Elected Members will be able to refer an application to the Planning Applications Committee where all of the following criteria are met:-

- (viii) at least two elected Members individually request the referral; and
- (ix) that the referral is received within 21 days of the validation of the application, and
- (x) where there are 6 or more objection letters or e-mails from 6 or more individuals, who make their objections (*including giving their reasons*) in relation to the proposed development or use under consideration.

For the avoidance of doubt for the purposes of the above referrals:

- a) Petitions shall be treated as a single objection,
- b) One letter or *electronic communication* signed by three people will count as one,

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- c) The same person sending in three different letters, or *electronic communications* will only count as one,
- d) Three separate letters or *electronic communications* (albeit with the same text) from three different people will count as three.

## **Local Developments**

### **(1) Residential**

- (a) Applications for alterations or extensions to existing dwelling houses and other householder planning applications eg driveways, garages and other outbuildings
- (b) All planning applications for up to and including 49 dwellings.
- (c) All applications for residential development for sites less than 2 hectares in area.

### **(2) Business and General Industry, Storage and Distribution**

- (a) Alterations to existing buildings.
- (b) Construction of buildings, structures or other erections for use as an office, for research and development for products or processes, for any industrial process or for the use of storage or as a distribution centre up to a gross floor space of the building, structure or other erection of less than 10,000 square metres.
- (c) Construction of buildings, structures or other erections for use as an office, for research and development of products or processes, for any industrial process or for the use of storage or as a distribution centre, the site area of which is less than 2 hectares.

### **(3) Electricity Generation**

- (a) Construction of an electricity generating station providing the capacity of the generation station is less than 20 megawatt.

### **(4) Waste Management Facilities**

- (a) Construction of facilities for use for the purpose of waste management or disposal provided the capacity of the facility is under 25,000 tonnes per annum.
- (b) In relation to facilities for use for the purpose of sludge treatment, the capacity to treat residual sludge is no more than 50 tonnes (wet weight) per day.

### **(5) Transport and Infrastructure Projects**

- (a) Construction of new or replacement roads, railways, tramways, waterways, aqueducts or pipelines providing the length of road, railway, tramway, waterway, aqueduct or pipeline does not exceed 8 kilometres.

### **(6) Fish Farming**

- (a) The placing or assembly of equipment for the purpose of fish farming (the breeding, rearing or keeping fish or shellfish) providing the surface area of water covered is less than 2 hectares.

### **(7) Minerals**

- (a) The extraction of minerals providing the area of the site is under 2 hectares.

### **(8) Other Developments (Including planning applications for retail developments, education, institutional leisure, assembly, temporary buildings and uses, telecommunications developments, licensed premises and mixed use developments.)**

- (a) Any development not falling within the above classes of development providing the gross floor area of any building, structure or erection constructed is less than 5,000 sq. metres.
- (b) Any development not falling within the above classes of development providing the area of the site is less than 2 hectares.
- (c) Any development comprising a combination of the above classes providing the gross floor area of any building, structure or erection constructed is under 5,000 sq. metres or the area of the site is less than 2 hectares.

## **NOTE**

Please note that this Scheme of Delegation relates to applications for planning consent in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997. Delegation of decision-making

for other consents such as advertisement consent, conservation area consent, tree works etc. are covered under the Council-wide [Scheme of Delegated Functions](#) approved separately by the Council.

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## APPENDIX B

<u>Meeting Date</u>	<u>Number of LRBs</u>
19 January 2022	2
16 February 2022	1
16 March 2022	1
20 April 2022	2
<i>May 2022 - Council Election Period, No meeting</i>	
<i>15 June 2022 – cancelled</i>	0
10 August 2022	2
14 September 2022	2
<i>12 October – cancelled</i>	0
9 November 2022	4
7 December	0

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