
Report To: Environment and Regeneration Committee Date: 30 October 2014

**Report By: Corporate Director, Environment,
Regeneration and Resources**

**Report No: E&R/14/10/07/
SJ/FJM**

**Contact Officer: F J Macleod, Planning Policy and
Property Manager**

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Subject: Renfrewshire Local Development Plan Adoption

1.0 PURPOSE

- 1.1 The purpose of this report is to advise Members of the adoption of the Renfrewshire Local Development Plan and the decision of the Scottish Ministers to reject the Reporters' recommendations regarding Braehead.

2.0 SUMMARY

- 2.1 The Renfrewshire Local Development Plan (LDP): Proposed Plan was published in January 2013 and had, like our Inverclyde LDP: Proposed Plan, a number of unresolved issues from objections raised that were the subject of Examination by Independent Reporters. Among those issues was the status of Braehead, proposed by Renfrewshire Council in their Proposed Plan to be a town centre.
- 2.2 The objectors included many private sector retail interests from across the Glasgow City region, and three neighbouring councils: Glasgow City, West Dunbartonshire and Inverclyde Council. As part of the Examination, a Public Hearing was held with all of the above objectors invited to expand on their case against the designation of Braehead in the Renfrewshire LDP as a 'town centre'.
- 2.3 Having heard the evidence presented for and against, the Reporters' concluded that it would be inappropriate, at this stage, to designate Braehead a town centre in the LDP, as it was concluded it did not merit that designation in terms of its role and function, and the impact that could have for the network of strategic centres in the City Region.
- 2.4 Renfrewshire Council chose to reject the Reporters' recommendation and proceeded to adopt their LDP without this modification. In doing so they presented a case to the Scottish Ministers outlining their reasons.
- 2.5 The Scottish Ministers' accepted Renfrewshire Council's justification for rejecting the Reporters' recommendation and the inclusion of Braehead as a town centre.

3.0 RECOMMENDATIONS

- 3.1 That Committee note the decision of the Scottish Ministers to confirm Renfrewshire Council's decision to adopt their LDP, contrary to the Reporters' recommendation on Braehead, and delegate authority to the Corporate Director – Environment, Regeneration and Resources to write to the Chief Planner expressing disappointment that Scottish Ministers did not recognise the decision of their Independent Reporters.

**Aubrey Fawcett, Corporate Director
Environment, Regeneration and Resources**

4.0 BACKGROUND

- 4.1 The Renfrewshire Local Development Plan (LDP): Proposed Plan was published in January 2013 and had, like our own Inverclyde LDP: Proposed Plan, a number of unresolved issues from objections raised that were the subject of Examination by Independent Reporters. Among those issues was the status of Braehead, proposed by Renfrewshire Council in their Proposed Plan to be a town centre. Several representations were made objecting to this proposal.
- 4.2 The objectors included many private sector retailing interests including Buchanan Partnership (including John Lewis plc); St. Enoch Centre; and NRR Paisley Ltd (Paisley shopping centre); and three neighbouring councils: Glasgow City, West Dunbartonshire and our own Council. As part of the Examination, a Public Hearing was held with all of the above objectors invited to expand on their case against the designation of Braehead in the Renfrewshire LDP as a 'town centre'.
- 4.3 Having heard the evidence presented for and against, the Reporters' concluded after nine months (June 2014), that it would be inappropriate, at this stage, to designate Braehead a town centre in the LDP. It was concluded Braehead did not merit that designation in terms of its role and function. It was concluded it lacked a diverse mix of uses and the attributes of a town centre; its predominant uses are retail and commercial leisure; it is not well integrated with surrounding residential areas, not having good accessibility; and is essentially a commercial centre according to Scottish Planning Policy (SPP) definitions of different centres.
- 4.4 Renfrewshire Council chose to proceed to adopt their LDP, incorporating the modifications recommended by the Reporters' except the recommendation on Braehead. In doing so they presented what they termed 'a detailed legal case' to the Scottish Ministers in early July explaining why the modifications to the Plan with respect to Braehead were not appropriate, as they were based on 'error, unreasonableness and inconsistency'.
- 4.5 The Scottish Ministers, in a letter dated 21st August 2014 to Renfrewshire Council, accepted the case they had made and informed Renfrewshire Council they were now in a position to adopt their LDP, on or after 27th August. In doing so, the Scottish Ministers' rejected the Reporters' recommendations and accepted the inclusion of Braehead as a town centre in the LDP.

**Min Ref:
26/10/10,
para 628;
& reps
25/02/13,
to Rf PP.**

5.0 PROPOSALS

- 5.1 The decision by Renfrewshire Council to disregard the Reporters' recommended modifications on Braehead was made against the legislation in The Planning, etc. (Scotland) Act 2006 and Planning Circular 6/2013 'Development Planning', where it states local authorities have little discretion over Reporters' recommendations. These are to be seen as 'largely binding on planning authorities'. Renfrewshire Council chose however one of the four criteria to make their case, maintaining the Reporters erred in their judgement.
- 5.2 Given the above legislative position, it is all the more unexpected, even highly unusual that the Scottish Ministers in this case chose to disregard the Reporters' recommended modifications and accept the case presented by Renfrewshire Council. It is difficult to understand how the Scottish Ministers could conclude Braehead accords with the characteristics of a town centre as outlined in SPP.
- 5.3 As Inverclyde Council was one of a number of objectors to the designation of Braehead as a town centre in the Renfrewshire LDP, along with the councils of Glasgow City and West Dunbartonshire, it is felt appropriate to express disappointment with the outcome.

6.0 IMPLICATIONS

6.1 **Legal:** there are no direct legal implications arising from this report.

6.2 **Finance:** there are no direct financial implications arising from this report.

Financial implications – one-off costs

Cost Centre	Budget Heading	Budget Year	Proposed Spend this Report	Virement From	Other Comments
n/a	n/a	n/a	n/a	n/a	n/a

Financial implications – annually recurring costs/(savings)

Cost Centre	Budget Heading	Budget Year	Proposed Spend this Report	Virement From	Other Comments
n/a	n/a	n/a	n/a	n/a	n/a

6.3 **Personnel:** there are no direct implications arising from this report.

6.4 **Equalities and diversity:** there are no direct implications arising from this report.

6.5 **Repopulation:** whilst it is likely that there will be repopulation issues, at this stage it is not possible to determine what these are going to be.

7.0 CONSULTATION

7.1 **Chief Financial Officer:** no requirement to comment.

7.2 **Head of Legal and Property Services:** no requirement to comment.

7.3 **Head of Organisational Development, Human Resources and Communications:** no requirement to comment.

8.0 CONCLUSIONS

8.1 The decision by the Scottish Ministers to uphold Renfrewshire Council's position on Braehead is likely to exacerbate further the impact that this regional shopping centre will have on Inverclyde, and in particular Greenock as a designated strategic centre. Greenock and Port Glasgow's futures depend on being able to attract new investment and make continuing improvements to maintain their status in the Development Plan. This will not be made any easier by this decision.

9.0 BACKGROUND PAPERS

Renfrewshire Local Development Plan (2014) and Examination Report

Head of Regeneration and Planning
Municipal Buildings
Clyde Square
Greenock
PA15 1LY

E&R Cmtee: Renfrewshire LDP adoption (Oct '14)