

PLANNING LOCAL REVIEW BODY (PLRB)

Minutes of meeting held in Committee Room 5, Council Offices, Almada Street, Hamilton on 16 December 2019

Chair:

Councillor Isobel Dorman

Councillors Present:

Councillor Alex Allison, Councillor Mark Horsham (Depute), Councillor Davie McLachlan, Councillor Graham Scott, Councillor Jim Wardhaugh

Councillors' Apologies:

Councillor Maureen Devlin, Councillor Ann Le Blond, Councillor David Shearer

Attending:

Community and Enterprise Resources

T Finn, Planning Adviser to the Planning Local Review Body

Finance and Corporate Resources

P MacRae, Administration Officer; K Moore, Legal Adviser to the Planning Local Review Body

1 Declaration of Interests

The following interest was declared:-

Councillor(s)	Item(s)	Nature of Interest(s)
Horsham	Review of Case Application P/19/0316 – Erection of 2 Storey Side Extension with Associated Alterations at 15 Reay Avenue, East Kilbride	Close family member made representation on the application

2 Minutes of Previous Meeting

The minutes of the meeting of the Planning Local Review Body held on 18 November 2019 were submitted for approval as a correct record.

The PLRB decided: that the minutes be approved as a correct record.

3 Review of Case – Application P/19/0316 for Erection of 2 Storey Side Extension with Associated Alterations at 15 Reay Avenue, East Kilbride

A report dated 3 December 2019 by the Executive Director (Finance and Corporate Resources) was submitted on a request for a review of the decision taken by officers, in terms of the Scheme of Delegation, to refuse planning permission for planning application P/19/0316 by D Haughey for the erection of a 2 storey side extension with associated alterations at 15 Reay Avenue, East Kilbride.

To assist the PLRB in its review, copies of the following information had been appended to the report:-

- ◆ planning application form
- ◆ report of handling by the planning officer under the Scheme of Delegation
- ◆ site photographs and location plan
- ◆ decision notice

- ◆ notice of review, including the applicant's statement of reasons for requiring the review
- ◆ a further submission from an interested party following notification of the request for the review of the case

The applicant had included, in their review submission, amended plans together with correspondence from their constituency MP in support of the application. Section 43B of the Planning etc (Scotland) Act 2006 restricted the introduction of new material in the review which was not before the appointed person at the time the application was determined.

The Legal Adviser clarified the position on the new information which had not been submitted with the original application and the PLRB concluded that it could not consider this information. Similarly, the PLRB concluded that it could not consider comments from an interested party relating to this information. The PLRB also heard the Planning Adviser in relation to the case.

The relevant drawings in relation to the review were available for inspection prior to and at the meeting of the PLRB.

The PLRB considered it had sufficient information to allow it to proceed to determine the review. The options available to the PLRB were to uphold, reverse or vary the decision taken in respect of the application under review.

In reviewing the case, the PLRB considered:-

- ◆ the information submitted by all parties with the exception of the new information detailed above which the PLRB concluded it could not consider
- ◆ the relevant policies contained in the Adopted South Lanarkshire Local Development Plan and associated Supplementary Guidance (SG):-
 - ◆ Policy 4 – development management and place making
 - ◆ Policy 6 – general urban area/settlements
 - ◆ Policy DM2 – House Extensions and Alterations (Development Management Place Making and Design Supplementary Guidance)
- ◆ the relevant policies contained in the Proposed South Lanarkshire Local Development Plan 2:-
 - ◆ Policy 3 – general urban areas and settlements
 - ◆ Policy 5 – development management and place making
 - ◆ Policy DM2 – House Extensions and Alterations

Following its review of the information and after discussion, the PLRB concluded that the proposed development was contrary to Policies 4 and 6 of the Adopted South Lanarkshire Local Development Plan and Policy DM2 of the associated Supplementary Guidance. It also concluded that there were no material considerations that warranted granting planning permission for planning application P/19/0316 contrary to the relevant policies.

The PLRB decided: that the decision taken by officers, in terms of the Scheme of Delegation, to refuse planning permission for planning application P/19/0316 by D Haughey for the erection of a 2 storey side extension with associated alterations at 15 Reay Avenue, East Kilbride be upheld.

Councillor Horsham, having declared an interest in the above review case, withdrew from the meeting during its consideration

4 Urgent Business

There were no items of urgent business.