

## PLANNING LOCAL REVIEW BODY (PLRB)

Minutes of meeting held via Confero and in the Council Chamber, Council Offices, Almada Street, Hamilton on 12 September 2022

### Chair:

Councillor Richard Nelson

### Councillors Present:

Councillor Alex Allison, Councillor Gerry Convery (Depute), Councillor Maureen Devlin (*substitute for Councillor Graham Scott*), Councillor Gladys Ferguson-Miller, Councillor Mark Horsham, Councillor Davie McLachlan (*substitute for Councillor Lesley McDonald*), Councillor Norman Rae, Councillor Dr Ali Salamat

### Councillors' Apologies:

Councillor Mary Donnelly, Councillor Lesley McDonald, Councillor Graham Scott

### Attending:

#### Community and Enterprise Resources

J Wright, Planning Adviser to the Planning Local Review Body

#### Finance and Corporate Resources

M Cannon, Legal Adviser to the Planning Local Review Body; S Jessup, Administration Assistant; K McLeod, Administration Assistant; S McLeod, Administration Officer

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## 1 Declaration of Interests

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No interests were declared.

*Councillor Dr Salamat left the meeting during this item of business due to technical issues*

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## 2 Minutes of Previous Meeting

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The minutes of the meeting of the Planning Local Review Body held on 15 August 2022 were submitted for approval as a correct record.

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

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## 3 Review of Case - Application P/22/0440 for Erection of 2 Detached Dwelling Houses (Planning Permission in Principle) at Land 70 Metres Southeast of Ivy Cottage, Heads Highway, Glassford, Strathaven

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A report dated 2 September 2022 by the Executive Director (Finance and Corporate Resources) was submitted on a request for a review of planning application P/22/0440 by J and G Davidson Limited for the erection of 2 detached dwelling houses (planning permission in principle) at land 70 metres southeast of Ivy Cottage, Heads Highway, Glassford, Strathaven.

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

- ◆ planning application form
- ◆ responses from statutory consultees and representations received
- ◆ site photographs and location plan
- ◆ notice of review, including the applicant's statement of reasons for requiring the review

As the application had not been determined by Planning and Economic Development Services (deemed refusal), no report of handling was available in respect of the application. To facilitate the review and comply with the statutory timescale, the Head of Administration and Legal Services, in consultation with the Chair, had asked for observations from Planning and Economic Development Services on the notice of review to be provided in advance of the meeting. The applicant had been given the opportunity to comment on those observations.

The observations from Planning and Economic Development Services and the comments from the applicant's agent had been appended to the report. The PLRB concluded that this information could be accepted on the basis that it provided information necessary to assess the case.

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

The PLRB heard the Planning Adviser on the background to the case and noted that the applicant had requested a hearing and site inspection, however, on the basis of the above, the PLRB considered it had sufficient information to allow it to proceed to determine the review. The options available to the PLRB were to grant or refuse the application taken under review.

In reviewing the case, the PLRB considered:-

- ◆ the information submitted by all parties
- ◆ the relevant policies contained in the adopted South Lanarkshire Local Development Plan 2:-
  - ◆ Policy 4 – green belt and rural area
  - ◆ Policy GBRA8 – development of gap sites
  - ◆ Policy GBRA9 – consolidation of existing building groups

Following its review of the information and after discussion, the PLRB concluded that there was adequate justification in terms of Policies 4, GBRA8 and GBRA9 for the application to be granted on the grounds that it considered that the application site was a gap site. The PLRB then considered appropriate conditions to be attached to the planning consent.

<b>The PLRB decided:</b>	that planning application P/22/0440 by J and G Davidson Limited for the erection of 2 detached dwelling houses (planning permission in principle) at land 70 metres southeast of Ivy Cottage, Heads Highway, Glassford, Strathaven be granted subject to the conditions specified by the PLRB, attached as an appendix to this minute.
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*Councillor Dr Salamati re-joined the meeting during this item of business*

*In terms of Standing Order No 14, the Chair adjourned the meeting during this item of business at 10.55am and reconvened at 11.00am*

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#### **4 Urgent Business**

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There were no items of urgent business.

Erection of 2 Detached Dwelling Houses (Planning Permission in Principle) at Land 70 Metres Southeast of Ivy Cottage, Heads Highway, Glassford, Strathaven

01. Prior to the commencement of development on site, a further application(s) for the approval of any of the matters specified in this condition must be submitted to and approved by the Council as Planning Authority, in accordance with the timescales and other limitations in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

These matters are as follows:-

- (a) the layout of the site, including all roads, footways, parking areas (including number and size of parking spaces) and gardens
- (b) the siting, design and external appearance of all building(s) and any other structures, including plans and elevations showing their dimensions and type and colour of external materials
- (c) detailed cross-sections of existing and proposed ground levels, details of underbuilding and finished floor levels in relation to a fixed datum, preferably ordnance datum
- (d) the design and location of all boundary treatments including walls and fences
- (e) the landscaping proposals for the site, including details of existing trees and other planting to be retained together with proposals for new planting specifying number, size and species of all trees and shrubs, including, where appropriate, the planting of fruit/apple trees
- (f) the means of drainage and sewage disposal
- (g) details of facilities for the storage of refuse within the proposed development, including the design, location and access for uplift
- (h) details of a programme of dust management and monitoring during the construction of the development

Reason: To comply with section 59 of the Town and Country Planning (Scotland) Act 1997 as amended.

02. That, notwithstanding the terms of Condition 1 above, the design and siting of any dwellinghouse on the site shall take due cognisance of the rural location, with particular regard being paid to scale, massing, roof pitch, fenestration and materials.

Reason: In the interests of amenity and to ensure satisfactory integration of the new dwellinghouses with the greenbelt location in which they are to be situated.

03. That no consent is hereby granted for the indicative house footprint shown on the site plan.

Reason: Permission is granted in principle only and no approval is given for these details.

04. That before the dwellinghouse hereby approved is occupied, a drainage system capable of preventing any flow of water from the site onto the public road or into the site from surrounding land shall be provided and maintained to the satisfaction of the Council as Roads and Planning Authority.

Reason: To ensure the provision of a satisfactory drainage system.

05. That, before the development hereby approved is completed or brought into use, details, including construction specifications, of passing places to the north and south approaches to the development, hereby approved, shall be submitted for the written approval of the Council, as Planning Authority. Once approved the passing places shall be constructed and maintained as such for the lifetime of the development, hereby approved. For the avoidance of doubt the passing places shall be located within Heads Highway.

Reason: In the interests of road safety.

06. That, before the development hereby approved is completed or brought into use, a 2 metre wide footway shall be constructed along the frontage of the site to the specification of the Council as Roads and Planning Authority.

Reason: In the interests of pedestrian and road safety.

07. That before the development hereby approved is completed or brought into use and unless otherwise approved in writing by the Council as Planning Authority, a visibility splay of 2.4 metres by 215 metres measured from the road channel shall be provided on both sides of the vehicular access and everything exceeding 0.9 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.9 metres in height shall be planted, placed or erected within these sight lines.

Reason: In the interests of traffic and public safety.

08. That before the development hereby approved is completed or brought into use and unless otherwise approved in writing by the Council as Planning Authority, a visibility splay of 2.4 metres by 2.4 metres measured from the heel of the footway shall be provided on both sides of the vehicular access and everything exceeding 0.9 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.9 metres in height shall be planted, placed or erected within these sight lines.

Reason: In the interests of public safety.

09. That no gates or other obstructions shall be erected within the first 6 metres of the driveway as measured from the heel of the footway.

Reason: In the interests of traffic and public safety.

10. That, unless otherwise agreed in writing and prior to works commencing on site, the applicant shall submit details to demonstrate that the new dwelling will be fitted with an electric vehicle charging (EVC) point. Thereafter, the agreed EVC provision shall be installed, commissioned and maintained in accordance with the approved plans and specifications prior to that property which it serves being occupied.

Reason: To ensure the provision of appropriate facilities for the dwelling.

11. Prior to commencement of the development hereby approved, details of measures to facilitate the provision of full fibre broadband to serve the dwelling, including details of appropriate digital infrastructure and a timescale for implementation, shall be submitted to and approved in writing by the Council as Planning Authority, unless otherwise agreed in writing with the applicant. The approved measures shall thereafter be carried out in accordance with the agreed implementation timescale.

Reason: To ensure the provision of digital infrastructure to serve the development.

12. That details of surface water drainage arrangements should be submitted to the Council as Planning Authority as part of the further submission for this site; such drainage arrangements will require to comply with the principles of sustainable urban drainage systems and with the Council's Sustainable Drainage Design Criteria and shall include a flood risk assessment of the site and signed appendices as required. Thereafter, the development shall not be occupied until the surface drainage works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority.

Reason: To ensure that the disposal of surface water from the site is dealt with in a safe and sustainable manner, to return it to the natural water cycle with minimal adverse impact on people and the environment and to alleviate the potential for on-site and off-site flooding.