

## **PLANNING LOCAL REVIEW BODY (PLRB)**

Minutes of meeting held via Confero and in Committee Room 1, Council Offices, Almada Street, Hamilton on 24 April 2023

### **Chair:**

Councillor Richard Nelson

### **Councillors Present:**

Councillor Alex Allison, Councillor Gerry Convery (Depute), Councillor Mary Donnelly, Councillor Gladys Ferguson-Miller, Councillor Mark Horsham, Councillor Graham Scott

### **Councillors' Apologies:**

Councillor Lesley McDonald, Councillor Norman Rae, Councillor Dr Ali Salamati

### **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; S McLeod, Administration Officer

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### **1 Declaration of Interests**

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No interests were declared.

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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 20 February 2023 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/22/0915 for Formation of House Plot (Planning Permission in Principle) at 103 – 104 Crosswood Terrace, Tarbrax, West Calder**

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A report dated 14 April 2023 by the Executive Director (Finance and Corporate Resources) was submitted on a request for a review of planning application P/22/0915 by M Carroll for the formation of a house plot (planning permission in principle) at 103 – 104 Crosswood Terrace, Tarbrax, West Calder.

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

- ◆ planning application form
- ◆ response from a statutory consultee and representation 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 Regulatory 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 Regulatory 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, however, no comments had been received.

The observations from Planning and Regulatory Services 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 in relation to the case.

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 policy contained in the adopted South Lanarkshire Local Development Plan 2:-
  - ◆ Policy DM3 – Sub-division of Garden Ground
- ◆ the relevant policy contained in the National Planning Framework 4 which had been adopted on 13 February 2023 and formed part of the statutory development plan:-
  - ◆ Policy 16 – Quality Homes

Following its review of the information and after discussion, the PLRB considered whether there was valid policy justification to support the proposed development at the proposed location and concluded that it was contrary to Policy 16 of the National Planning Framework 4 and Policy DM3 of the adopted South Lanarkshire Local Development Plan 2.

**The PLRB decided:** that planning application P/22/0915 by M Carroll for the formation of a house plot (planning permission in principle) at 103 – 104 Crosswood Terrace, Tarbrax, West Calder be refused for the reason determined by the PLRB, attached as an appendix to this minute.

*[Reference: Minutes of Planning Committee of 9 May 2006 (Paragraph 4)]*

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#### **4 Urgent Business**

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There were no items of urgent business.

Formation of a house plot (planning permission in principle) at 103 – 104 Crosswood Terrace, Tarbrax, West Calder

01. There was no valid policy justification to support the proposed development at this site. The proposal would, therefore, be contrary to Policy 16 of the National Planning Framework 4 and Policy DM3 of the adopted South Lanarkshire Local Development Plan 2.