

## PLANNING LOCAL REVIEW BODY (PLRB)

Minutes of meeting held in Committee Room 5, Council Offices, Almada Street, Hamilton on 10 October 2011

**Chair:**

Councillor Graham Scott

**Councillors Present:**

Jim Docherty, Bill Holman, Clare McColl, Alex McInnes, Patrick Ross-Taylor (Depute)

**Councillor's Apology:**

Tommy Gilligan

**Attending:**

**Finance and Corporate Resources**

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

**Enterprise Resources**

G Cameron, Planning Adviser to the Planning Local Review Body

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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 PLRB held on 5 September 2011 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 CR/11/0051 - Siting of Mobile Home to Rear of Existing House at 71 Lightburn Road, Cambuslang

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A report dated 28 September 2011 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 CR/11/0051 by C Gamble for the siting of a mobile home to the rear of an existing house at 71 Lightburn Road, Cambuslang.

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 together with representations and responses from statutory consultees
- ◆ site photographs and location plan
- ◆ decision notice
- ◆ notice of review, including the applicant's statement of reasons for requiring the review
- ◆ further submissions from interested parties following the notification of the request for the review of the case

The applicant had been given the opportunity to comment on the further submissions received, however, his comments had not been received within the specified timescale.

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

In the notice of review, the applicant had indicated that he was introducing new information in relation to the reasons for requiring the proposed development. The PLRB concluded that this information could be accepted on the basis that it related to matters which had previously been raised.

On the basis of the above, the PLRB considered that 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
- ◆ the relevant policies contained in the Adopted South Lanarkshire Local Plan:-
  - ◆ Policy RES6 – residential land use
  - ◆ Policy DM1 – development management
  - ◆ Policy DM5 – sub division of garden ground

Following its review of the information, the PLRB concluded that the proposed development did not satisfy the terms of the Development Plan policies and that there were no material considerations that warranted granting permission for the siting of a mobile home to the rear of an existing house at 71 Lightburn Road, Cambuslang contrary to those policies.

**The PLRB decided:** that the decision taken by officers, in terms of the Scheme of Delegation, to refuse planning permission for planning application CR/11/0051 by C Gamble for the siting of a mobile home to the rear of an existing house at 71 Lightburn Road, Cambuslang be upheld.

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#### **4 Review of Case - Application CL/11/0077 - Erection of 5 Detached Houses at Land to North of Lawhill Road and East of Hillview, Lawhill Road, Law**

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A report dated 28 September 2011 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 CL/11/0077 by C Rooney for the erection of 5 detached houses at land to the north of Lawhill Road and east of Hillview, Lawhill Road, Law.

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 together with representation and responses from statutory consultees
- ◆ site photographs and location plan
- ◆ decision notice
- ◆ notice of review, including the applicant's statement of reasons for requiring the review
- ◆ further submissions from interested parties following notification of the request for the review of the case
- ◆ comments from the applicant on the further submissions received from interested parties

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

On the basis of the above, the PLRB considered that 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
- ◆ the relevant policies contained in the Adopted South Lanarkshire Local Plan:-
  - ◆ Policy STRAT3 – the greenbelt and urban settlements in the greenbelt
  - ◆ Policy STRAT7 – strategic green network
  - ◆ Policy CRE1 – housing in the countryside
  - ◆ Policy ENV34 – development in the countryside
  - ◆ Policy DM1 – development management

Following its review of the information, the PLRB concluded that the proposed development did not satisfy the terms of Development Plan policies STRAT3, CRE1, ENV34 and DM1 and that there were no material considerations that warranted granting permission for the erection of 5 detached houses at land to the north of Lawhill Road and east of Hillview, Lawhill Road, Law contrary to those policies.

**The PLRB decided:** that the decision taken by officers, in terms of the Scheme of Delegation, to refuse planning permission for planning application CL/11/0077 by C Rooney for the erection of 5 detached houses at land to the north of Lawhill Road and east of Hillview, Law be upheld.

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## **5 Review of Case - Application CL/11/0109 - Erection of a One and a Half Storey Detached House at 96 Lawhill Road, Law**

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A report dated 28 September 2011 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 CL/11/0109 by K Whitelaw for the erection of a one and a half storey house at 96 Lawhill Road, Law.

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 together with representations and responses from statutory consultees
- ◆ 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 been given the opportunity to comment on the further submission received, however, no comments had been submitted for the PLRB's consideration.

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

On the basis of the above, the PLRB considered that 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
- ◆ the relevant policies contained in the Adopted South Lanarkshire Local Plan:-
  - ◆ Policy RES6 – residential land use
  - ◆ Policy ENV31 – new housing development
  - ◆ Policy DM5 – sub-division of garden ground

Following its review of the information, the PLRB concluded that the proposed development did not satisfy the terms of the Development Plan policies and that there were no material considerations that warranted granting permission for the erection of a one and a half storey house at 96 Lawhill Road, Law contrary to those policies.

**The PLRB decided:** that the decision taken by officers, in terms of the Scheme of Delegation, to refuse planning permission for planning application CL/11/0109 by K Whitelaw for the erection of a one and a half storey house at 96 Lawhill Road, Law be upheld.

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## **6 Urgent Business**

There were no items of urgent business.