

PLANNING LOCAL REVIEW BODY (PLRB)

Minutes of meeting held in Committee Room 5, Council Offices, Almada Street, Hamilton on 19 June 2017

Chair:

Councillor Alistair Fulton

Councillors Present:

Isobel Dorman (Depute), Mark Horsham, Graham Scott, David Shearer, Jim Wardhaugh

Councillors' Apologies:

Walter Brogan, Fiona Dryburgh, Ann Le Blond, Richard Nelson

Attending:

Community and Enterprise Resources

G McCracken, 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

No interests were declared.

2 Review of Case - Application CL/16/0435 - Residential Development (1 House) (Planning Permission in Principle) at Land at Craighill Road, Carluke

A report dated 5 June 2017 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/16/0435 by Mr and Mrs Blair for a residential development (1 house) (planning permission in principle) at land at Craighill Road, Carluke.

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 responses from statutory consultees and representations received
- ◆ 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's agent on the further submissions received from the interested parties

The PLRB also heard the Planning Adviser in relation to the case.

In the notice of review, the applicant's agent had referred to a recent planning consent for a residential development (5 houses) at Yieldshields Road, Carluke and had indicated that this, and Policy GBRA6 of the Adopted South Lanarkshire Local Development Plan, were relevant to the application which was the subject of the review. The Legal Adviser to the PLRB clarified the position in relation to the introduction of new information in terms of Section 43B of the Planning etc (Scotland) Act 2006. The PLRB concluded that:-

- ◆ the application for a residential development at Yieldshields Road, Carluke was in progress when application CL/16/0435, the subject of the review, was being considered, and, therefore, could be treated as a material consideration which could be taken into account in the review case
- ◆ Policy GBRA4 Small Scale Settlement Extensions applied to the application under review and Policy GBRA6, Consolidation of Existing Building Groups, was not relevant

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 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 Development Plan and associated Supplementary Guidance (SG):-
 - ◆ Policy 2 – climate change
 - ◆ Policy 3 – green belt and rural area
 - ◆ Policy 4 – development management and place making
 - ◆ Policy GBRA4 – Small Scale Settlement Extensions (Green Belt and Rural Area Supplementary Guidance)

Councillor Scott, seconded by Councillor J Wardhaugh, moved that the decision taken by officers, in terms of the Scheme of Delegation, to refuse planning application CL/16/0435 for a residential development (1 house) (planning permission in principle) at land at Craigenhill Road, Carluke be upheld. Councillor Shearer, seconded by Councillor Horsham, moved that the decision taken by officers, in terms of the Scheme of Delegation, to refuse planning application CL/16/0435 for a residential development (1 house) (planning permission in principle) at land at Craigenhill Road, Carluke be reversed and that the application be granted on the grounds that the access was sufficient and that, whilst the proposal would breach the village boundary, this would not have a significant or material impact on the surrounding area or properties. On a vote being taken by a show of hands, 2 members voted for the amendment and 4 for the motion which was declared carried.

The PLRB decided: that the decision taken by officers, in terms of the Scheme of Delegation, to refuse planning application CL/16/0435 by Mr and Mrs Blair for a residential development (1 house) (planning permission in principle) at land at Craigenhill Road, Carluke be upheld.

3 Urgent Business

There were no items of urgent business.