

PLANNING LOCAL REVIEW BODY (PLRB)

Minutes of meeting held in Committee Room 5, Council Offices, Almada Street, Hamilton on 16 May 2011

Chair:

Councillor Graham Scott

Councillors Present:

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

Attending:

Corporate Resources

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

Enterprise Resources

G Cameron, Planning Adviser to the Planning Local Review Body

1 Declaration of Interests

No interests were declared.

2 Minutes of Previous Meeting

The minutes of the meeting of the PLRB held on 21 March 2011 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 CR/10/0266 - Erection of Front Boundary Wall (Retrospective) at 18 Aldergate, Westburn, Cambuslang

A report dated 21 April 2011 by the Executive Director (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/10/0266 by E Smith for the erection of a front boundary wall (retrospective) at 18 Aldergate, Westburn, 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
- ◆ site photographs and location plan
- ◆ decision notice
- ◆ notice of review, including 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
- ◆ comments from the applicant on the further submission received from an interested party

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

The applicant had submitted an additional letter in support of the application. The PLRB concluded that this information could be accepted on the basis that it summarised and provided clarification on 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 DM4 – house extensions and alterations
- ◆ advice contained in the Council's Residential Development Guide

Following its review of the information, the PLRB concluded that, while the proposal was contrary to the above policies and advice, a departure from the Development Plan could be justified for the following reasons:-

- ◆ the design, scale and location of the wall did not have a significant or material impact on the character or amenity of the surrounding area
- ◆ the nature of the problems experienced by the applicant outweighed any remaining environmental or visual impact of the proposal

The PLRB decided: that the decision taken by officers, in terms of the Scheme of Delegation, to refuse planning permission for planning application CR/10/0266 by E Smith for the erection of a front boundary wall (retrospective) at 18 Aldergate, Westburn, Cambuslang be reversed and that planning permission be granted for the proposal subject to the conditions specified by the PLRB, attached as an appendix to this minute.

Councillor McColl, having moved an amendment which failed to find a seconder, asked that her dissent be recorded

4 Review of Case - Application EK/10/0350 - Erection of 2 Detached Houses (Amendment to Planning Consent EK/09/0102) at 352-356 Auldhouse Road, East Kilbride

A report dated 21 April 2011 by the Executive Director (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 EK/10/0350 by L McCulloch for the erection of 2 detached houses (amendment to planning consent EK/09/0102) at 352-356 Auldhouse Road, 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 together with representations
- ◆ site photographs and location plan

- ◆ decision notice
- ◆ notice of review, including 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 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 they were introducing new information in relation to a demolished property at the site. The PLRB concluded that this information could be accepted on the basis that it provided clarification on a matter that 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 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 there were no material considerations that warranted granting permission for the erection of 2 detached houses at 352-356 Auldhouse Road, East Kilbride contrary to the relevant Development Plan policies.

The PLRB decided: that the decision taken by officers, in terms of the Scheme of Delegation, to refuse planning permission for planning application EK/10/0350 by L McCulloch for the erection of 2 detached houses (amendment to planning consent EK/09/0102) at 352-356 Auldhouse Road, East Kilbride be upheld.

5 Urgent Business

There were no items of urgent business.

Appendix

Application Number CR/10/0266

Erection of front boundary wall at 18 Aldergate, Westburn, Cambuslang

Conditions

1 The consent shall be carried out strictly in accordance with the drawing numbers:

Plans 1-2
Photos 1-10

2 That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.

Reasons

- 1 For the avoidance of doubt and to specify the drawings upon which the decision was made.
- 2 In the interests of amenity and in order to retain effective planning control.