

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

Minutes of meeting held in Committee Room 2, Council Offices, Almada Street, Hamilton on 14 August 2017

### **Chair:**

Councillor Alistair Fulton

### **Councillors Present:**

Walter Brogan, Isobel Dorman (Depute), Fiona Dryburgh, Mark Horsham, Richard Nelson, David Shearer, Jim Wardhaugh

### **Councillors' Apologies:**

Ann Le Blond, Graham Scott

### **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

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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 19 June 2017 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 - HM/16/0299 - Erection of House in Association with Established Caravan Storage Business (Planning Permission in Principle) at Greenlea Caravan Storage, Muttonhole Road, Hamilton**

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A report dated 7 August 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 in principle for planning application HM/16/0299 by C Taylor for the erection of a house in association with an established caravan storage business at Greenlea Caravan Storage, Muttonhole Road, Hamilton.

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
- ◆ 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

- ◆ comments from the applicant's agent on the further submission received from the interested party

The PLRB heard:-

- ◆ the Planning Adviser on the background to the case
- ◆ the Legal Adviser on the role of the PLRB which was to consider the application anew and assess it against the relevant policies

In terms of Section 43B of the Planning etc (Scotland) Act 2006, parties could not raise any matter which was not before the planning officer who made the determination unless they could demonstrate that:-

- ◆ the matter could not have been raised before the review
- ◆ the matter was not raised before due to exceptional circumstances

In their further submission, the interested party had referred to the Caravan Storage Site Owners' Association's publication "A Guide to Secure Caravan Storage". The Legal Adviser clarified the position in relation to this information which did not form part of the original application. The PLRB concluded, therefore, that this information did not meet the above criteria and that it, or any comments on it, could not be considered by the PLRB.

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 with the exception of the above information which it could not consider
- ◆ the relevant policies contained in the Adopted South Lanarkshire Local Development Plan and associated Supplementary Guidance (SG):-
  - ◆ Policy 3 – Green Belt and Rural Area
  - ◆ Policy GBRA11 – House Associated with Established Business (Green Belt and Rural Area Supplementary Guidance)

Following its review of the information, the PLRB concluded that there were no material planning considerations that warranted granting planning permission in principle for planning application HM/16/0299 by C Taylor for the erection of a house in association with an established caravan storage business at Greenlea Caravan Storage, Muttonhole Road, Hamilton contrary to the relevant policies.

**The PLRB decided:**

that the decision taken by officers, in terms of the Scheme of Delegation, to refuse planning application HM/16/0299 by C Taylor for the erection of a house in association with an established caravan storage business (planning permission in principle) at Greenlea Caravan Storage, Muttonhole Road, Hamilton be upheld.

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#### **4 Urgent Business**

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There were no items of urgent business.

