

PLANNING LOCAL REVIEW BODY (PLRB)

Minutes of meeting held in Committee Room 5, Council Offices, Almada Street, Hamilton on 1 November 2010

Chair:

Councillor Graham Scott

Councillors Present:

Hugh Dunsmuir, Tommy Gilligan, Ian Gray, Bill Holman, 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 18 October 2010 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 CL/10/0189 – Sub-division of Garden Ground and Erection of House (Planning Permission in Principle) at Land to the Rear of 53 and 55 Waterloo Road, Lanark

A report dated 19 October 2010 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 in principle for the sub-division of garden ground and the erection of a house at land to the rear of 53 and 55 Waterloo Road, Lanark.

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 applicants' statement of reasons for requiring the review
- ◆ further submissions from interested parties following notification of the request for a review of the case
- ◆ comments from the applicants 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.

In their submission, the applicants had included references to a number of similar developments which they thought the PLRB should consider when reviewing the case. They had also included an amended site plan with their observations. The PLRB concluded that this information could be accepted on the basis that it related to matters which had been previously 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 those Development Plan policies and that there were no material considerations that warranted granting permission in principle for the sub-division of garden ground and the erection of a house at land to the rear of 53 and 55 Waterloo Road, Lanark 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 in principle for planning application CL/10/0189 by Mr and Mrs Higgins for the sub-division of garden ground and the erection of a house at land to the rear of 53 and 55 Waterloo Road, Lanark be upheld.

4 Review of Case - Application CL/10/0152 - Erection of Feature Entrance Walls and Pillars, Garden Fencing and Glazed Garden Building (all Retrospective) at West Millrigg, Wiston, Biggar

A report dated 19 October 2010 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 CL/10/0152 for the erection of feature entrance walls and pillars, garden fencing and a glazed garden building (all retrospective) at West Millrigg, Wiston, Biggar.

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 response from a statutory consultee
- ◆ 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 a 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.

In the notice of review, the applicant had indicated that they were introducing new information comprising photographs of the application site from Millrigg Road. 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 STRAT4 – accessible rural area
 - ◆ Policy CRE1 – housing in the countryside
 - ◆ Policy ENV4 – protection of the natural and built environment
 - ◆ Policy ENV29 – regional scenic area
 - ◆ 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 feature entrance walls and pillars, garden fencing and a glazed garden building at West Millrigg, Wiston, Biggar 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 CL/10/0152 by J Lawrie for the erection of feature entrance walls and pillars, garden fencing and a glazed garden building at West Millrigg, Wiston, Biggar be upheld.

5 Urgent Business

There were no items of urgent business.