

PLANNING LOCAL REVIEW BODY (PLRB)

Minutes of meeting held in Committee Room 5, Council Offices, Almada Street, Hamilton on 12 February 2018

Chair:

Councillor Alistair Fulton

Councillors Present:

John Bradley (*substitute for Councillor Dorman*), Walter Brogan, Fiona Dryburgh, Mark Horsham, Ann Le Blond, Richard Nelson, Graham Scott, Jim Wardhaugh

Councillors' Apologies:

Isobel Dorman (Depute), David Shearer

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 Minutes of Previous Meeting

The minutes of the meeting of the Planning Local Review Body held on 20 November 2017 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 EK/17/0262 - Erection of 2 Houses with Detached Garages and Formation of Access Road at Newton Road, Strathaven

A report dated 23 January 2018 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 EK/17/0262 by H Nelson for the erection of 2 houses with detached garages and the formation of an access road at Newton Road, Strathaven.

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 the 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 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 on its own merits and assess it against the relevant policies

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 3 – green belt and rural area
 - ◆ Policy 4 – development management and place making
 - ◆ Policy DM1 – design
 - ◆ Policy GBRA5 – development of gap sites
 - ◆ Policy GBRA6 – consolidation of existing building groups

Following its review of the information, the PLRB concluded that the proposed development was contrary to Policies 3 and 4 of the Adopted South Lanarkshire Local Development Plan, Policy DM1 of the Development Management, Place Making and Design Supplementary Guidance and Policies GBRA5 and GBRA6 of the Green Belt and Rural Area Supplementary Guidance. It also concluded that there were no material considerations that warranted granting planning permission for planning application EK/17/0262 by H Nelson for the erection of 2 houses with detached garages and the formation of an access road at Newton Road, Strathaven contrary to the relevant 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/17/0262 by H Nelson for the erection of 2 houses with detached garages and the formation of an access road at Newton Road, Strathaven be upheld.

4 Review of Case - Application CR/17/0104 - Erection of Balcony at First Floor Level Above Existing Extensions (Retrospective) at 18 Buchanan Drive, Cambuslang

A report dated 29 January 2018 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/17/0104 by J Docherty for the erection of a balcony at first floor level above existing extensions (retrospective) at 18 Buchanan Drive, 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 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 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 on its own merits and assess it against the relevant policies

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 4 – development management and place making
 - ◆ Policy 6 – general urban area/settlements
 - ◆ Policy DM2 – house extensions and alterations

Following its review of the information, the PLRB concluded that the proposed development was contrary to Policies 4 and 6 of the Adopted South Lanarkshire Local Development Plan and Policy DM2 of the Development Management, Place Making and Design Supplementary Guidance. It also concluded that there were no material considerations that warranted granting planning permission for planning application CR/17/0104 by J Docherty for the erection of a balcony at first floor level above existing extensions (retrospective) at 18 Buchanan Drive, Cambuslang contrary to the relevant 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/17/0104 by J Docherty for the erection of a balcony at first floor level above existing extensions (retrospective) at 18 Buchanan Drive, Cambuslang be upheld.

5 Urgent Business

There were no items of urgent business.

