

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

Minutes of meeting held in Committee Room 5, Council Offices, Almada Street, Hamilton on 30 July 2018

### **Chair:**

Councillor Alistair Fulton

### **Councillors Present:**

Isobel Dorman, Ann Le Blond, Richard Nelson, Graham Scott

### **Councillors' Apologies:**

Walter Brogan, Fiona Dryburgh, Mark Horsham, Jim Wardhaugh

### **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 30 April 2018 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 - Application CL/17/0445 - Alterations to Shopfront Including Removal of Existing Timber Shopfront and Replacement of Aluminium and Timber Clad Frontage, Tiled Stallriser and Replacement of Fascia Board at 94 to 96 High Street, Lanark**

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A report dated 9 July 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 CL/17/0445 by Thomas Auld and Sons Limited for alterations to shopfront, including removal of existing timber shopfront and replacement of aluminium and timber clad frontage, tiled stallriser and replacement of fascia board at 94 to 96 High Street, Lanark.

At its meeting on 30 April 2018, the PLRB considered that it did not have sufficient information to allow it to proceed to determine the review. The PLRB considered that, prior to determining the review, it wished to have further written submissions from the applicant and the Area Manager, Planning and Building Standards Services, on behalf of the appointed person in terms of the Scheme of Delegation, respectively.

The PLRB had requested that the applicant, in their submission:-

- ◆ advise whether the proposal could be amended to make it more compatible with the Conservation Area setting
- ◆ submit amended drawing(s) to show those amendment(s)
- ◆ explain, in the event that it was not possible to amend the proposal, the reasons why this was the case

The PLRB had also requested that the Area Manager, Planning and Building Standards Services, provide further written information in respect of Production 1 of their submission (Type of Shopfronts in Lanark High Street), as follows:-

- ◆ information as to why some shops in Lanark High Street appeared to have been allowed an aluminium frontage while others had not
- ◆ whether any of the aluminium shopfronts cited in Production 1 did not have the benefit of planning consent
- ◆ whether any of the premises cited in Production 1 had been the subject of an application for an aluminium frontage which had been refused

To assist the PLRB in its review, copies of the following information, previously issued for the meeting of the PLRB held on 30 April 2018, 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 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

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

The written submissions from the applicant and the Area Manager, Planning and Building Standards Services, had also been appended to the report.

On the basis of the information received in the further written submissions and the information which had been reissued in relation to the review, the PLRB considered that it now 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 8 – strategic and town centres
  - ◆ Policy 15 – natural and historic environment
  - ◆ Policy DM1 – design
  - ◆ Policy NEH7 – conservation areas
- ◆ guidance contained in the Council's Shopfront Design Guide

Councillor Le Blond, seconded by Councillor Nelson, moved that the decision taken by officers, in terms of the Scheme of Delegation, to refuse planning permission for planning application CL/17/0445 by Thomas Auld and Sons Limited for alterations to shopfront, including removal of existing timber shopfront and replacement of aluminium and timber clad frontage, tiled stallriser and replacement of fascia board at 94 to 96 High Street, Lanark be reversed and that the application be granted on the grounds that the design of the proposed shopfront would not detract from the appearance of the building or the surrounding area and that it was not considered feasible to adapt or retain the existing frontage. Councillor Fulton, seconded by Councillor Dorman, moved as an amendment that the decision taken by officers, in terms of the Scheme of Delegation, to refuse planning permission for planning application CL/17/0445 by Thomas Auld and Sons Limited for alterations to shopfront, including removal of existing timber shopfront and replacement of aluminium and timber clad frontage, tiled stallriser and replacement of fascia board at 94 to 96 High Street, Lanark be upheld. On a vote being taken by a show of hands, 3 members voted for the amendment and 2 for the motion. The amendment was declared carried.

**The PLRB decided:** that the decision taken by officers, in terms of the Scheme of Delegation, to refuse planning permission for planning application CL/17/0445 by Thomas Auld and Sons Limited for alterations to shopfront, including removal of existing timber shopfront and replacement of aluminium and timber clad frontage, tiled stallriser and replacement of fascia board at 94 to 96 High Street, Lanark be upheld.

*[Reference: Minutes of 30 April 2018 (Paragraph 3)]*

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#### **4 Urgent Business**

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There were no items of urgent business.