

# Appendix D

**Reports submitted to the Meetings of the PLRB held on  
8 March and 12 April 2010 respectively**



# Report

Report to: **Planning Local Review Body**  
 Date of Meeting: **8 March 2010**  
 Report by: **Executive Director (Corporate Resources)**

Subject: **Review of Case – Application CL/09/0238 – Erection of House (Planning Permission in Principle) at Plot at Dunalastair Road, Crawford**

## 1. Purpose of Report

1.1. The purpose of the report is to present the information currently available to allow a review of the decision taken by officers, in terms of the Scheme of Delegation, on the following application:-

### 1.2. *Summary Application Information*

Application Type: Planning Permission in Principle  
 Applicant: Mr and Mrs Thomson  
 Proposal: Erection of a House  
 Location: Plot at Dunalastair Road, Crawford  
 Council Area/Ward: 03 Clydesdale East

### 1.3. *Reason for Requesting review*

Refusal of Application       Conditions imposed       Failure to give decision (deemed refusal)

## 2. Recommendation(s)

2.1. The Planning Local Review Body is asked to:-

- (1) consider whether it has sufficient information to allow it to proceed to determine the review without further procedure and, if so, that:-
  - (a) it proceeds to determine whether the decision taken in respect of the application under review should be upheld, reversed or varied
  - (b) in the event that the decision is reversed or varied, the reasons and the detailed conditions to be attached to the decision letter are agreed
- (2) in the event that further procedure is required to allow it to determine the review, consider:-
  - (a) what further information is required, which parties are to be asked to provide the information and the date by which this is to be provided
  - (b) what procedure or combination of procedures are to be followed in determining the review

### 3. Background

- 3.1. The Council operates a Scheme of Delegation that enables Council officers to determine a range of planning applications without the need for them to be referred to Area Committees or the Planning Committee for a decision.
- 3.2. In terms of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc (Scotland) Act 2006, and the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008, where an application for planning permission relates to a proposal that falls within the category of “local development” and has been or could have been determined under the Scheme of Delegation, the applicant is entitled to request that the determination be reviewed by the Planning Local Review Body.

### 4. Notice of Review – Statement of Reasons for Requiring the Review

- 4.1. In submitting their Notice of Review, the applicant has stated their reasons for requiring a review of the determination in respect of their application. (**Refer Appendix 5**)
- 4.2. The applicant is entitled to state a preference for procedure (or combination of procedures) to be followed and has indicated that their stated preference is as follows:-

<input checked="" type="checkbox"/>	Further written submissions	<input type="checkbox"/>	Site inspection
<input type="checkbox"/>	Hearing session(s)	<input type="checkbox"/>	Assessment of review documents only, with no further procedure

- 4.3. However, members will be aware that it is for the Planning Local Review Body to determine how a case is reviewed.

### 5. Information Available to Allow Review of Application

- 5.1. Section 43B of the Planning etc (Scotland) Act 2006 restricts the ability of parties to introduce new material at the review stage. The focus of the review should, therefore, be on the material which was before the officer who dealt with the application under the Scheme of Delegation.
- 5.2. The following information is appended to this report to assist the Planning Local Review Body in its review of the decision taken by officers:-
- ◆ Planning Application Form (**Appendix 1**)
  - ◆ Report of Handling by the Planning Officer under the Scheme of Delegation (**Appendix 2(a)**)
  - ◆ Site photographs and location plan (**Appendix 3**)
  - ◆ Decision notice (**Appendix 4**)
  - ◆ Notice of Review including statement of reasons for requiring the review (**Appendix 5**)

5.3. Copies of the following information are either attached or will be available for reference at the meeting of the Planning Local Review Body:-

- ◆ Relevant drawings (available for inspection within Administration Services prior to the meeting and available for reference at the meeting):-
  - ◆ Drawing No 1 Block Plan Scale 1:500
  - ◆ Drawing No 2 Location Plan Scale 1:1250
- ◆ Copies of submissions from statutory consultees (**Appendix 2(b)**)
- ◆ Copies of representations (**Appendix 2(c)**)

Note: Initial consultation responses and representations received in respect of the application are listed under the section on Background Papers within the Report of Handling by the Planning Officer.

## **6. Notice of Review Consultation Process**

6.1. A Statement of Observations from the Planning Officer on the Applicant's Notice of Review was received in the course of the 14 day period from the date on which notification of the request for a review of the case was given and this is attached as **Appendix 6**.

6.2 The applicant has the opportunity to comment on the further representations received. Comments from the applicant's agent are contained in his letter dated 31 January 2010 attached as **Appendix 7**.

**Robert McIlwain**  
**Executive Director (Corporate Resources)**

26 February 2010

### **Link(s) to Council Objectives/Improvement Themes**

- ◆ Improve the quality of the physical environment
- ◆ Governance and accountability

### **Previous References**

None

### **List of Background Papers**

- ◆ Guide to the Planning Local Review Body

### **Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact:-

Pauline MacRae, Administration Officer

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# Report

Report to:	<b>Planning Local Review Body (Special)</b>
Date of Meeting:	<b>12 April 2010</b>
Report by:	<b>Executive Director (Corporate Resources)</b>

Subject:	<b>Review of Case - Application CL/09/0238 - Erection of House (Planning Permission in Principle) at Plot at Dunalastair Road, Crawford</b>
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## 1. Purpose of Report

1.1. The purpose of the report is to present further written information, requested by the Planning Local Review Body (PLRB), to allow a review of the decision taken by officers, in terms of the Scheme of Delegation, on the following application:-

### 1.2 *Summary Application Information*

Application Type:	Planning Permission in Principle
Applicant:	Mr and Mrs Thomson
Proposal:	Erection of House
Location:	Plot at Dunalastair Road, Crawford
Council Area/Ward:	03 Clydesdale East

## 2. Recommendation(s)

2.1. The Planning Local Review Body is asked to:-

- (1) consider whether it now has sufficient information to allow it to proceed to determine the review without further procedure and, if so, that:-
  - (a) it proceeds to determine whether the decision taken in respect of the application under review should be upheld, reversed or varied
  - (b) in the event that the decision is reversed or varied, the reasons and the detailed conditions to be attached to the decision letter are agreed
- (2) in the event that further procedure is required to allow it to determine the review, consider:-
  - (a) what further information is required, which parties are to be asked to provide the information and the date by which this is to be provided
  - (b) what further procedure or combination of procedures are to be followed in determining the review

## 3. Background

3.1. At its meeting on 8 March 2010, the PLRB requested a further written submission from the applicants, prior to determining the review on application CL/09/0238 for the erection of a house (planning permission in principle) at a plot at Dunalastair Road, Crawford.

3.2 The PLRB asked for information from the applicants on the following issues:-

- ◆ Mechanisms to be put in place which would guarantee that the money from the sale of the site would be used to help Crawford Bowling Club
- ◆ Potential impact of development of the site on parking for the existing bowling club
- ◆ The views of the applicants on Policy STRAT 5 of the Adopted South Lanarkshire Local Plan which allowed an argument to be made for development on the basis that it could support economic and social development in the area
- ◆ Information on how, in principle, the design/ layout of the site might avoid overlooking

3.3 The PLRB also requested:-

- ◆ a further location plan which detailed the viewpoints from which the photographs contained in Appendix 3 of the papers issued for 8 March meeting were taken
- ◆ an extract from the Adopted South Lanarkshire Local Plan indicating the boundary of the application site in relation to the village envelope

#### 4. Information Available to Allow Review of Application

4.1. Members are asked to bring with them to the meeting, the papers issued for the PLRB meeting held on 8 March 2010 containing the following information in relation to application CL/09/0238:-

- ◆ 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 statement of reasons for requiring the review
- ◆ Copies of submissions from statutory consultees
- ◆ Copies of representations
- ◆ Statement of Observations from the Planning Officer on the Applicant's Notice of Review
- ◆ Comments from the applicants' agent on the further representations received.

4.2 The following further information requested by the PLRB is appended to this report to assist the review of the decision taken by officers:-

- ◆ Further written submission from the applicants' agent (**Appendix A**)
- ◆ Further location plan detailing viewpoints from which photographs were taken (**Appendix B**)
- ◆ Extract from the local plan showing the boundary of the application site in relation to the village envelope (**Appendix C**)

4.3 Copies of the relevant drawings are available for inspection within Administration Services prior to the meeting and will be available for reference at the meeting.

**Robert McIlwain**  
**Executive Director (Corporate Resources)**

29 March 2010

**Link(s) to Council Objectives/Improvement Themes**

- ◆ Improve the quality of the physical environment
- ◆ Governance and accountability

**Previous References**

PLRB 8 March 2010

**List of Background Papers**

- ◆ Guide to the Planning Local Review Body

**Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact:-

Pauline MacRae, Administration Officer

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E-mail: [pauline.macrae@southlanarkshire.gov.uk](mailto:pauline.macrae@southlanarkshire.gov.uk)