

PLANNING LOCAL REVIEW BODY (PLRB)

Minutes of meeting held via Microsoft Teams and in Committee Room 1, Council Offices, Almada Street, Hamilton on 24 August 2020

Chair:

Councillor Isobel Dorman

Councillors Present:

Councillor Alex Allison, Councillor Margaret Cowie (*substitute for Councillor Davie McLachlan*), Councillor Maureen Devlin, Councillor Mark Horsham (Depute), Councillor Graham Scott, Councillor Jim Wardhaugh

Councillors' Apologies:

Councillor Ann Le Blond, Councillor Davie McLachlan, Councillor David Shearer

Attending:

Community and Enterprise Resources

G McCracken, Planning Adviser to the Planning Local Review Body

Finance and Corporate Resources

M Cannon, Legal Adviser to the Planning Local Review Body; P MacRae, Administration Adviser; S McLeod, Administration Officer

Chair's Remarks

Prior to consideration of the cases for review, the Chair invited the Planning Adviser to the Planning Local Review Body to update the PLRB on developments in relation to the Proposed South Lanarkshire Local Development 2.

The Planning Adviser intimated that, on 17 August 2020, the Directorate for Planning and Environmental Appeals had issued its report of the Examination of the proposed South Lanarkshire Local Development Plan 2. A number of amendments to policy had been recommended. For the purposes of determining planning applications, the Council was, therefore, required to assess proposals against the policies contained within the adopted South Lanarkshire Local Development Plan and those within the proposed South Lanarkshire Local Development Plan 2 alongside the Reporter's amendments. Whilst the Reporter's amendments had yet to be ratified by South Lanarkshire Council, they were, nevertheless, a material planning consideration.

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 22 June 2020 were submitted for approval as a correct record.

The Committee decided: that the minutes be approved as a correct record.

3 Review of Case P/19/0890 for Partial Demolition of House, Erection of Extension, Including New Roof, and Erection of House at 2 Holm Avenue, Uddingston

A report dated 10 August 2020 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 P/19/0890 by J Reynolds for the partial demolition of a house, erection of an extension, including a new roof, and erection of a house at 2 Holm Avenue, Uddingston.

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 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

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

The PLRB heard the Planning Adviser in relation to the case.

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 taken 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 1 – spatial strategy
 - ◆ Policy 4 – development management and placemaking
 - ◆ Policy 6 – general urban area/settlements
 - ◆ Policy 17 – water environment and flooding
 - ◆ Policy DM2 – house extensions and alterations
 - ◆ Policy DM3 – sub-division of garden ground
 - ◆ Policy DM7 – demolition and redevelopment for residential use
 - ◆ Policy DM13 – development within general urban area/settlements
 - ◆ Policy SDCC4 – water supply
 - ◆ Policy SDCC5 – foul drainage and sewerage
- ◆ the relevant policies contained in the Proposed South Lanarkshire Local Development Plan 2:-
 - ◆ Policy 1 – spatial strategy
 - ◆ Policy 3 – general urban area/settlement
 - ◆ Policy 5 – development management and placemaking
 - ◆ Policy DM1 – new development design
 - ◆ Policy DM2 – house extensions and alterations
 - ◆ Policy DM3 – sub-division of garden ground
 - ◆ Policy DM7 – demolition and redevelopment for residential use
 - ◆ Policy DM15 – water supply
 - ◆ Policy DM16 – foul drainage and sewerage

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 Policies DM3 and DM13 of the associated Supplementary Guidance as well as Policies 3, 5 and DM3 of the Proposed South Lanarkshire Local Development Plan 2. It also concluded that there were no material considerations that warranted granting planning permission for planning application P/19/0890 contrary to the relevant policies.

The Committee decided:

that the decision taken by officers, in terms of the Scheme of Delegation, to refuse planning permission for planning application P/19/0890 by J Reynolds for the partial demolition of a house, erection of an extension, including a new roof, and erection of a house at 2 Holm Avenue, Uddingston be upheld.

4 Review of Case P/18/1478 for Change of Use and Alteration of Agricultural Shed to Form House and Erection of Detached Domestic Garage at Land 108 Metres West of Quarry Cottage, A726 from East Kilbride to Chapelton, Chapelton, Strathaven

A report dated 11 August 2020 by the Executive Director (Finance and Corporate Resources) was submitted on a request for a review on the decision taken by officers, in terms of the Scheme of Delegation, to refuse planning permission for planning application P/18/1478 by R McDonald for a change of use and alteration of an agricultural shed to form a house and the erection of a detached domestic garage at land 108 metres west of Quarry Cottage, A726 from East Kilbride to Chapelton, Chapelton, 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 a representation and responses from statutory consultees
- ◆ 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 the review of the case
- ◆ comments from the applicant's agent on the further submission received from the interested party

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

The PLRB heard the Planning Adviser in relation to the case.

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 taken 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 placemaking

- ♦ Policy GBRA2 – conversion and re-use of existing buildings
- ♦ the relevant policies contained in the Proposed South Lanarkshire Local Development Plan 2:-
 - ♦ Policy 4 – green belt and rural area
 - ♦ Policy 5 – development management and placemaking
 - ♦ Policy GBRA4 – conversion and re-use of existing buildings

Following discussion, Councillor Dorman, seconded by Councillor Horsham, moved that the decision taken by officers, in terms of the Scheme of Delegation, to refuse planning permission for planning application P/18/1478 by R McDonald for a change of use and alteration of an agricultural shed to form a house and the erection of a domestic garage at land 108 metres west of Quarry Cottage, A726 from East Kilbride to Chapelton, Chapelton, Strathaven be upheld. Councillor Wardhaugh, seconded by Councillor Allison, moved as an amendment that the decision taken by officers, in terms of the Scheme of Delegation, to refuse planning permission for planning application P/18/1478 by R McDonald for a change of use and alteration of an agricultural shed to form a house and the erection of a detached domestic garage at land 108 metres west of Quarry Cottage, A726 from East Kilbride to Chapelton, Chapelton, Strathaven be reversed and that the application be granted on the grounds that the proposal was not contrary to the policies contained in the adopted South Lanarkshire Local Development Plan or those within the proposed South Lanarkshire Local Development Plan 2.

On a vote being taken by roll call, members voted as follows:-

Motion

Isobel Dorman, Mark Horsham

Amendment

Alex Allison, Margaret Cowie, Maureen Devlin, Graham Scott, Jim Wardhaugh

5 members voted for the amendment and 2 for the motion. The amendment was declared carried.

The Committee decided:

that the decision taken by officers, in terms of the Scheme of Delegation, to refuse planning permission for planning application P/18/1478 by R McDonald for the change of use and alteration of an agricultural shed to form a house and the erection of a detached domestic garage at land 108 metres west of Quarry Cottage, A726 from East Kilbride to Chapelton, Chapelton, Strathaven be reversed and that planning permission be granted for the proposal subject to the conditions specified by the PLRB, attached as an appendix to this minute.

5 Urgent Business

There were no items of urgent business.

Conditions and reasons

01. That before any work commences on the site, a scheme of landscaping shall be submitted to the Council as Planning Authority for written approval and it shall include:
- (a) an indication of all existing trees and hedgerows plus details of those to be retained and measures for their protection in the course of development;
 - (b) details and specification of all trees, shrubs, grass mix, etc., including, where appropriate, the planting of fruit/apple trees;
 - (c) details of any top-soiling or other treatment to the ground;
 - (d) sections and other necessary details of any mounding, earthworks and hard landscaping;
 - (e) proposals for the initial and future maintenance of the landscaped areas;
 - (f) details of the phasing of these works; and no work shall be undertaken on the site until approval has been given to these details.

Reason: To ensure the appropriate provision of landscaping within the site.

02. That the landscaping scheme required by condition 1 above shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the building(s) or completion of the development hereby approved, whichever is the sooner, and shall thereafter be maintained and replaced where necessary to the satisfaction of the Council.

Reason: In the interests of the visual amenity of the area.

03. That before any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

04. That before development starts, full details of the design and location of all fences and walls, including any retaining walls, to be erected on the site shall be submitted to and approved by the Council as Planning Authority.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

05. That before the dwellinghouse hereby approved is to be erected is occupied, the fence or wall for which the permission of the Council as Planning Authority has been obtained under the terms of Condition 4, shall be erected and thereafter maintained to the satisfaction of the Council.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

06. That before development commences a plan detailing the achievable visibility splays at the access shall be submitted for the written approval of the Council as Planning Authority. Thereafter, before the development is completed or brought into use, everything exceeding 0.9 metres in height above the road channel level/footway level shall be removed and nothing exceeding 0.9 metres in height above the road channel level/footway level shall be planted, placed, erected or allowed to grow within the visibility splays shown on the approved plan.

Reason: In the interests of public safety.

07. That no development shall commence until details of surface water drainage arrangements have been submitted to and approved in writing by the Council as Planning Authority; such drainage arrangements will require to comply with the principles of sustainable urban drainage systems and with the Council's Sustainable Drainage Design Criteria and shall include signed appendices as required. The development shall not be occupied until the surface drainage works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority.

Reason: To ensure that the disposal of surface water from the site is dealt with in a safe and sustainable manner, to return it to the natural water cycle with minimal adverse impact on people and the environment and to alleviate the potential for on-site and off-site flooding.

08. That before the dwellinghouse hereby approved is occupied, a septic tank and soakaway designed and constructed in accordance with the current code of practice BS6297:1983 shall be provided.

Reason: To ensure the timeous provision of a satisfactory sewerage system.

09. That before the development hereby approved is completed or brought into use, a private vehicular access or driveway shall be provided and the first 10 metres of this access from the heel of the footway/service strip shall be hard surfaced across its full width.

Reason: To prevent deleterious material being carried onto the road.

10. That before the dwellinghouse hereby permitted is occupied, 3 car parking spaces and a turning area shall be provided within the curtilage of the plot and outwith the public road or footway and shall thereafter be maintained to the specification of the Council as Planning Authority.

Reason: To ensure the provision of adequate parking facilities within the site.

11. That before the development hereby approved is completed or brought into use, the surface of the access road shall be so trapped and finished in hardstanding as to prevent any surface water or deleterious material from running onto or entering the road.

Reason: In the interests of traffic safety and to prevent deleterious material entering the road.

12. That before any development starts, details to widen the access from the public road to prevent vehicles queuing shall be submitted for the written approval of the Council as Planning Authority. Any works approved through this submission shall be carried out before the development is completed or brought into use

Reason: In the interests of traffic and public safety.

13. That prior to development commencing, the applicants shall submit a Construction and Traffic Management Plan (TMP). The TMP will identify the construction access point and appropriate cleaning systems within the site to ensure mud and debris are not deposited on the public road. The TMP shall also show how vehicles can access and exit the site in forward gears. In addition, sufficient parking shall be provided within the site boundary to accommodate all site staff/operatives parking requirements. A plan showing the turning area and location and number of spaces for site staff / operatives shall be submitted for approval. No works shall commence on site until these details have been approved in writing by the Council as Planning Authority.

Reason: In the interests of road and public safety.

14. That prior to development commencing, details of the garage (dimensions, materials and siting) shall be submitted for the written approval of the Council as Planning Authority. No work shall start on the construction of the garage until these details are approved by the Council.

Reason: In the interests of road and public safety.

15. That before development starts, full details of bin storage for the dwellinghouse shall be submitted to and approved by the Council as Planning Authority. This must be located in a place acceptable for uplift by the Council.

Reason: To ensure the development is satisfactory in appearance and to control waste.

16. That before the dwellinghouse hereby approved is to be erected is occupied, the bin storage for which the permission of the Council as Planning Authority has been obtained under the terms of Condition 15, shall be formed and thereafter maintained to the satisfaction of the Council.

Reason: To ensure the development is satisfactory in appearance and to control waste.