Agenda Item

Report

Report to:	**Planning Local Review Body**
Date of Meeting:	**21 September 2020**
Report by:	**Executive Director (Finance and Corporate Resources)**

Subject:	**Review of Case – Application P/19/1861 for Erection of House (Planning Permission in Principle)**

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:	A Blair
Proposal:	Erection of House
Location:	Land 65 Metres Northwest of 16 Craigenhill Road, Kilncadzow, ML8 4QT
Council Area/Ward:	01 Clydesdale West

1.3. ***Reason for Requesting Review***

X	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 2013, 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:-

	Further written submissions		Site inspection
	Hearing session(s)	**X**	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))***
- Copies of submissions from statutory consultees ***(Appendix 2(b))***
- Copies of representations ***(Appendix 2(c))***
- 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 relevant drawings are available for inspection by contacting Administration Services prior to the meeting.

6. Notice of Review Consultation Process

6.1. 3 further submissions, including a Statement of Observations from the Planning Officer on the applicant's Notice of Review, were 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. These are listed at and attached as ***Appendix 6***.

6.2 The applicant had the opportunity to comment on the further representations received. Comments from the applicant's agent are contained in the submission attached as ***Appendix 7***.

Paul Manning
Executive Director (Finance and Corporate Resources)

31 August 2020

Link(s) to Council Values/Ambitions/Objectives

- Work with communities and partners to promote high quality, thriving and sustainable communities
- Accountable, effective, efficient and transparent

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:-
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