

## PLANNING COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 14 December 2010

**Chair:**

Councillor Graham Scott

**Councillors Present:**

Alex Allison, Eileen Baxendale, Archie Buchanan, Jackie Burns, Gordon Clark, Pam Clearie, Jim Docherty, Hugh Dunsmuir, Tommy Gilligan, Ian Gray, Bill Holman, Edward McAvoy, Clare McColl, Lesley McDonald, Alex McInnes, Denis McKenna, Mary McNeill, Patrick Ross-Taylor (Depute), Hamish Stewart, Chris Thompson, Jim Wardhaugh

**Councillors' Apologies:**

Gerry Convery, Archie Manson

**Attending:**

**Corporate Resources**

M Anderson, Public Relations Officer; P MacRae, Administration Officer; G McCann, Head of Legal Services

**Enterprise Resources**

C Bradley, Planning Team Leader (East Kilbride); G Cameron, Headquarters Manager, Planning and Building Standards Services; T Finn, Area Manager, Planning and Building Standards Services (Clydesdale); S Laird, Transportation Engineer; M Little, Operations and Area Manager, Planning and Building Standards Services (Hamilton); M McGlynn, Head of Planning and Building Standards Services; T Meikle, Area Manager, Planning and Building Standards Services (Cambuslang/Rutherglen and East Kilbride); C Park, Engineering Manager

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### 1 Declaration of Interests

No interests were declared

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### 2 Minutes of Previous Meeting

The minutes of the meeting of the Planning Committee held on 16 November 2010 were submitted for approval as a correct record.

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

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### 3 Application HM/10/0414 - Erection of 45 Houses and Associated Roads, Drainage and Landscaping Works at Toftcombs Crescent, Stonehouse

A report dated 1 December 2010 by the Executive Director (Enterprise Resources) was submitted on planning application HM/10/0414 by Clydeview Developments Limited for the erection of 45 houses and associated roads, drainage and landscaping works at Toftcombs Crescent, Stonehouse.

**The Committee decided:**

that planning application HM/10/0414 by Clydeview Developments Limited for the erection of 45 houses and associated roads, drainage and landscaping works at Toftcombs Crescent, Stonehouse be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ prior conclusion of arrangements for the applicant to make a financial contribution of £23,500 towards improvement of community facilities in the area
- ◆ agreement on and submission of a landscaping bond by the applicant

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**4 Application CL/10/0022 - Erection of 41 Houses with Associated Roads, Parking and Open Space at Biggar Road, Symington**

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A report dated 6 December 2010 by the Executive Director (Enterprise Resources) was submitted on planning application CL/10/0022 by Lancashire Mortgage Corporation Limited for the erection of 41 houses with associated roads, parking and open space at Biggar Road, Symington.

A further, late letter of representation which raised no new issues had been received from N MacPhail.

**The Committee decided:**

that planning application CL/10/0022 by Lancashire Mortgage Corporation Limited for the erection of 41 houses with associated roads, parking and open space at Biggar Road, Symington be granted subject to the conditions specified in the Executive Director's report.

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**5 Application HM/10/0482 - Demolition of Existing School, Erection of New Build Primary School, Including Nursery, Formation of Vehicular Access and Egress, Car Parking, MUGA Pitch with Associated Fencing and Installation of CCTV Cameras on 6 Metres High Poles at Woodhead Primary School, Woodhead Crescent, Hamilton**

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A report dated 30 November 2010 by the Executive Director (Enterprise Resources) was submitted on planning application HM/10/0482 by South Lanarkshire Council for the demolition of an existing school, erection of a new build primary school, including nursery, formation of vehicular access and egress, car parking, MUGA pitch with associated fencing and installation of CCTV cameras on 6 metres high poles at Woodhead Primary School, Woodhead Crescent, Hamilton.

**The Committee decided:**

that planning application HM/10/0482 by South Lanarkshire Council for the demolition of an existing school, erection of a new build primary school, including nursery, formation of vehicular access and egress, car parking, MUGA pitch with associated fencing and installation of CCTV cameras on 6 metres high poles at Woodhead Primary School, Woodhead Crescent, Hamilton be granted subject to the conditions specified in the Executive Director's report.

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**6 Application EK/10/0203 - Erection of Replacement Primary School with Ancillary Car Parking, MUGA Pitch and CCTV Cameras, Erection of Sprinkler Tank, Pumphouse and Biomass Boiler House and Extension of Existing Retaining Wall at Hunter Primary School, Crawford Drive, East Kilbride**

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A report dated 1 December 2010 by the Executive Director (Enterprise Resources) was submitted on planning application EK/10/0203 by South Lanarkshire Council for the erection of a replacement primary school with ancillary car parking, MUGA pitch and CCTV cameras, erection of sprinkler tank, pumphouse and biomass boiler house and extension of existing retaining wall at Hunter Primary School, Crawford Drive, East Kilbride.

**The Committee decided:** that planning application EK/10/0203 by South Lanarkshire Council for the erection of a replacement primary school with ancillary car parking, MUGA pitch and CCTV cameras, erection of sprinkler tank, pumphouse and biomass boiler house and extension of existing retaining wall at Hunter Primary School, Crawford Drive, East Kilbride be granted subject to the conditions specified in the Executive Director's report.

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**7 Application CR/10/0233 - Erection of Replacement Primary School with Associated Car Parking, MUGA Sports Pitch, Biomass Boiler House, Sprinkler Tank, CCTV Cameras and Access Road at Cairns Primary School, Woodland Crescent, Cambuslang**

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A report dated 1 December 2010 by the Executive Director (Enterprise Resources) was submitted on planning application CR/10/0233 by South Lanarkshire Council for the erection of a replacement primary school with associated car parking, MUGA sports pitch, biomass boiler house, sprinkler tank, CCTV cameras and access road at Cairns Primary School, Woodland Crescent, Cambuslang.

**The Committee decided:** that planning application CR/10/0233 by South Lanarkshire Council for the erection of a replacement primary school with associated car parking, MUGA sports pitch, biomass boiler house, sprinkler tank, CCTV cameras and access road at Cairns Primary School, Woodland Crescent, Cambuslang be granted subject to the conditions specified in the Executive Director's report.

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**8 Application CL/10/0422 - Demolition of Existing Primary School and Erection of Replacement Primary School with Nursery, Closure of Existing Vehicular Access and Creation of New Vehicular Access with Associated Alteration to Public Footpath, Formation of MUGA Pitch, Car Parking, Landscaping and Fencing at St Mary's Primary School, Whitelees Road, Lanark**

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A report dated 24 November 2010 by the Executive Director (Enterprise Resources) was submitted on planning application CL/10/0422 by Morgan Ashurst for the demolition of an existing primary school, the erection of a replacement primary school with nursery, closure of existing vehicular access and creation of new vehicular access with associated alteration to the public footpath, formation of MUGA pitch, car parking, landscaping and fencing at St Mary's Primary School, Whitelees Road, Lanark.

**The Committee decided:**

that planning application CL/10/0422 by Morgan Ashurst for the demolition of an existing primary school, the erection of a replacement primary school with nursery, closure of existing vehicular access and creation of new vehicular access with associated alteration to the public footpath, formation of MUGA pitch, car parking, landscaping and fencing at St Mary's Primary School, Whitelees Road, Lanark be granted subject to the conditions specified in the Executive Director's report.

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**9 Application HM/10/0101 - Change of Use from Restaurant to Hot Food Takeaway (Retrospective) at 71 Church Street, Larkhall**

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A report dated 30 November 2010 by the Executive Director (Enterprise Resources) was submitted on planning application HM/10/0101 by S Parnez for the change of use from a restaurant to a hot food takeaway (retrospective) at 71 Church Street, Larkhall.

**The Committee decided:**

- (1) that planning application HM/10/0101 by S Parnez for the change of use from a restaurant to a hot food takeaway (retrospective) at 71 Church Street, Larkhall be refused for the reasons detailed in the Executive Director's report; and
- (2) that appropriate enforcement action be initiated in respect of the breach of planning control.

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**10 Application EK/10/0299 - Demolition of Existing Rear Conservatory and Double Detached Garage, Erection of 2 Storey Side and Rear Extension, Single Storey Front Porch and Relocated Detached Double Garage at 11 Kellie Grove, East Kilbride**

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A report dated 29 November 2010 by the Executive Director (Enterprise Resources) was submitted on planning application EK/10/0299 by Mr and Mrs Rafiq for the demolition of an existing rear conservatory and double detached garage and the erection of a 2 storey side and rear extension, single storey front porch and relocated detached double garage at 11 Kellie Grove, East Kilbride.

**The Committee decided:**

that planning application EK/10/0299 by Mr and Mrs Rafiq for the demolition of an existing rear conservatory and double detached garage and the erection of a 2 storey side and rear extension, single storey front porch and relocated detached double garage at 11 Kellie Grove, East Kilbride be granted subject to the conditions specified in the Executive Director's report.

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**11 Application CL/10/0381 - Extension to Existing Retail Unit at Unit 8, Braidfute Retail Park, Lanark**

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A report dated 6 December 2010 by the Executive Director (Enterprise Resources) was submitted on planning application CL/10/0381 by County Properties for an extension to the existing retail unit at Unit 8, Braidfute Retail Park, Lanark.

**The Committee decided:**

that planning application CL/10/0381 by County Properties for an extension to the existing retail unit at Unit 8, Braidfute Retail Park, Lanark be refused for the reasons detailed in the Executive Director's report.

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**12 Application HM/10/0413 - Erection of Wind Turbine at South Lanarkshire Council Roads Depot, Carlisle Road, Larkhall**

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A report dated 1 December 2010 by the Executive Director (Enterprise Resources) was submitted on planning application HM/10/0413 by South Lanarkshire Council for the erection of a wind turbine at South Lanarkshire Council Roads Depot, Carlisle Road, Larkhall.

**The Committee decided:**

that planning application HM/10/0413 by South Lanarkshire Council for the erection of a wind turbine at South Lanarkshire Council Roads Depot, Carlisle Road, Larkhall be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ agreement on and the submission of a restoration bond by the applicant

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**13 Application CL/10/0281 - Formation of Extension to Existing Caravan Park with Associated Engineering Works at Mount View Caravan Park, Abington**

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A report dated 25 November 2010 by the Executive Director (Enterprise Resources) was submitted on planning application CL/10/0281 by I and V Stirling for the formation of an extension to an existing caravan park with associated engineering works at Mount View Caravan Park, Abington.

**The Committee decided:**

that planning application CL/10/0281 by I and V Stirling for the formation of an extension to an existing caravan park with associated engineering works at Mount View Caravan Park, Abington be granted subject to the conditions specified in the Executive Director's report.

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**14 Application CR/09/0139 - Mixed Use Development, Including Residential, Community Facilities, Open Space, Distributor Road, Primary School and Neighbourhood Retail Centre (Planning Permission in Principle) at Newton Farm, Cambuslang**

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A report dated 7 December 2010 by the Executive Director (Enterprise Resources) was submitted on planning application CR/09/0139 by Taylor Wimpey Developments Limited and Ashfield Land Limited for a mixed use development, including residential, community facilities, open space, distributor road, primary school and neighbourhood retail centre (planning permission in principle) at Newton Farm, Cambuslang.

**The Committee decided:**

that planning application CR/09/0139 by Taylor Wimpey Developments Limited and Ashfield Land Limited for a mixed use development, including residential, community facilities, open space, distributor road, primary school and neighbourhood retail centre (planning permission in principle) at Newton Farm, Cambuslang be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ prior conclusion of a Section 75 Agreement to ensure that financial contributions were lodged towards:-
  - ◆ the provision of a new primary school and associated primary and secondary school provision
  - ◆ the provision of a new all weather football pitch
  - ◆ the provision of a community facility at the site of the new school
  - ◆ off-site road works including identified junction improvements, the implementation of a road safety audit plan along the rural section of Calder Road and the re-routing of the NCR75 cycle route off road
  - ◆ the provision of open space, landscaping and recreational areas
  - ◆ the provision of affordable housing
  - ◆ improvement of visibility on Calder Road/ Westburn Road and the maintenance and renewal costs of traffic signals there
- ◆ the applicant meeting the Council's legal costs associated with the Section 75 Agreement

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**15 Application HM/10/0391 - Erection of 2 Storey Side/Rear Extension at 6 Covanburn Avenue, Hamilton**

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A report dated 1 December 2010 by the Executive Director (Enterprise Resources) was submitted on planning application HM/10/0391 by Mr Ali for the erection of a 2 storey side/rear extension at 6 Covanburn Avenue, Hamilton.

**The Committee decided:**

that planning application HM/10/0391 by Mr Ali for the erection of a 2 storey side/rear extension at 6 Covanburn Avenue, Hamilton be granted subject to the conditions specified in the Executive Director's report.

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**16 Application CR/10/0219 - Change of Use from Class 1 (Retail) to Hot Food Takeaway (Sui-Generis) and Erection of Flue at 160 Main Street, Cambuslang**

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A report dated 30 November 2010 by the Executive Director (Enterprise Resources) was submitted on planning application CR/10/0219 by N Ahmed for the change of use from Class 1 (retail) to hot food takeaway (sui-generis) and erection of a flue at 160 Main Street, Cambuslang.

The application had been assessed against the relevant policies and criteria contained in the Adopted South Lanarkshire Local Plan. Details of the assessment were provided in the report. The development constituted Development Contrary to the Development Plan, however, it was not considered that the proposal was significantly contrary to the Development Plan.

In the view of the Executive Director (Enterprise Resources), a departure from the Development Plan was justified in this case for the following reasons:-

- ◆ the proposal complied with Policies COM1, DM1 and DM10 of the Adopted South Lanarkshire Local Plan
- ◆ the proposal was not considered to affect the amenity or vitality of the surrounding area
- ◆ there were no adverse infrastructure issues
- ◆ the proposed development would bring back into use premises that had been vacant for over 3 years

**The Committee decided:** that planning application CR/10/0219 by N Ahmed for the change of use from Class 1 (retail) to hot food takeaway (sui-generis) and erection of a flue at 160 Main Street, Cambuslang be granted subject to the conditions specified in the Executive Director's report.

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## **17 Appeal Against Non-Determination of Planning Application for Erection of Class 1 Retail Superstore with Associated Car Parking and Landscaping at West Mains Road, East Kilbride (Application No EK/10/0110)**

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Reports dated 8 December 2010 by the Executive Director (Enterprise Resources) were submitted on:-

- ◆ an appeal against non-determination of planning application EK/10/0110 for the erection of a Class 1 retail superstore with associated car parking and landscaping at West Mains Road, East Kilbride
- ◆ the Planning Service's assessment and recommendations on the submitted application

Details were given on the background to:-

- ◆ a number of retail planning applications in East Kilbride
- ◆ legal action by Dawn Developments Limited
- ◆ the appeal
- ◆ the Planning Service's assessment of planning application EK/10/0110

The Council could not now take a decision on the application as the applicant had lodged an appeal with the Scottish Ministers against non-determination of the application. However, the Council was required to provide a statement of its view on the proposal and submit it to the Scottish Ministers as part of the appeal process.

The proposal had been assessed against the relevant policies and criteria contained in the Development Plan and National Planning Policy. Details of the assessment were provided in the report.

**The Committee decided:**

- (1) that, had the Committee been in a position to determine the matter, planning application EK/10/0110 for the erection of a Class 1 retail superstore with associated car parking and landscaping at West Mains Road, East Kilbride would have been refused for the reasons detailed in the Executive Director's report on the assessment of the planning application; and
- (2) that the Executive Director's report form the basis of the Council's submission to the Scottish Ministers on the planning appeal against the non-determination of the application.

*[Reference: Minutes of 7 September 2010 (Paragraph 3)]*

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## **18 Proposed South Lanarkshire Minerals Local Development Plan**

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A report dated 30 November 2010 by the Executive Director (Enterprise Resources) was submitted on the preparation of the proposed South Lanarkshire Minerals Local Development Plan.

The current South Lanarkshire Minerals Local Development Plan had been adopted on 12 September 2002 and now required to be reviewed in light of new national planning policy and legislation.

At its meeting on 23 March 2010, the Committee had approved the Main Issues Report (MIR) for the South Lanarkshire Minerals Local Development Plan. The MIR constituted the first stage in the preparation of the new Minerals Local Development Plan. The MIR had been made available for public consultation in May 2010 and its publication was reported to the Committee at its meeting held on 16 November 2010.

Details were given on:-

- ◆ the key areas addressed in the proposed Minerals Local Development Plan
- ◆ consultation arrangements

If approved, the proposed plan would be published and made available for public comment during January and February 2011. Following consideration of the comments received, the plan would be prepared and presented to Committee in 2011.

The proposed Minerals Local Development Plan and its supporting documents would be available:-

- ◆ on the Council's website
- ◆ at Council planning offices
- ◆ in public libraries
- ◆ at Q and A offices

Copies would be available for purchase and comments could be made online or by using a consultation forum. The consultation period would last for 6 weeks.

It was proposed that authorisation be given to the Head of Planning and Building Standards Services to modify the Plan to take account of minor drafting and technical matters.

**The Committee decided:**

- (1) that the proposed South Lanarkshire Minerals Local Development Plan be approved for consultation for a period of 6 weeks;



- (2) that the Head of Planning and Building Standards Services be authorised to modify the South Lanarkshire Minerals Local Development Plan to take account of minor drafting and technical matters; and
- (3) that it be noted that a further report would be submitted to a future meeting of the Committee on the outcome of the public consultation exercise and proposed modifications to the Plan.

*[Reference: Minutes of 23 March 2010 (Paragraph 10)]*

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## **19 South Lanarkshire Local Plan Supplementary Planning Guidance - Renewable Energy**

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A report dated 30 November 2010 by the Executive Director (Enterprise Resources) was submitted on the South Lanarkshire Supplementary Planning Guidance on Renewable Energy.

The Adopted South Lanarkshire Local Plan contained policies in relation to wind farm developments. Scottish Government Policy required planning authorities to set out a spatial approach for considering wind farm proposals over 20 megawatts (mw) and, if considered appropriate, for proposals involving less than 20 mw.

Details were given on the following reports which had been undertaken as a requirement of the Adopted South Lanarkshire Local Plan and which had informed the Supplementary Planning Guidance (SPG):-

- ◆ South Lanarkshire Local Landscape Character Assessment
- ◆ Validating Local Landscape Designations
- ◆ Spatial Framework and Landscape Capacity for Wind Farms

The draft Supplementary Planning Guidance on Renewable Energy had been subject to a 10 week consultation period which had taken place from 21 January to 31 March 2010. Over 400 comments had been received from stakeholders. Those comments had been considered and, where appropriate, reflected in the SPG.

The final SPG contained policies to guide future renewable energy developments in South Lanarkshire. The Guidance:-

- ◆ aimed to accommodate renewable energy developments where the technology could operate efficiently and environmental and cumulative impacts could be addressed satisfactorily
- ◆ identified broad areas of search for wind farms over 20 mw and areas of significant protection where further wind farm development would be limited
- ◆ set out a comprehensive assessment checklist for renewable energy proposals

If approved, the Supplementary Planning Guidance on Renewable Energy would become a material planning consideration in deciding planning applications and appeals with immediate effect.

### **The Committee decided:**

- (1) that the Supplementary Planning Guidance on Renewable Energy be approved and published;
- (2) that the SPG become a material planning consideration in deciding planning applications and appeals;

- (3) that the South Lanarkshire Landscape Character Assessment be approved;
- (4) that the South Lanarkshire Local Landscape Designations be approved; and
- (5) that the Head of Planning and Building Standards Services be authorised to modify the Supplementary Planning Guidance on Renewable Energy to take account of minor drafting and technical matters.

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## **20 Urgent Business**

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There were no items of urgent business.