

PLANNING COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 6 July 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, Denis McKenna, Mary McNeill, Patrick Ross-Taylor (Depute), Hamish Stewart, Chris Thompson, Jim Wardhaugh

Councillor Also Present:

Bev Gauld

Councillors' Apologies:

Gerry Convery, Archie Manson, Alex McInnes

Attending:

Corporate Resources

K Bartie, Administration Assistant; P MacRae, Administration Officer

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); G McCracken, Planning Team Leader (Cambuslang/Rutherglen); M McGlynn, Head of Planning and Building Standards Services; D Wilkins, Minerals Officer

1 Declaration of Interests

The following interest was declared:-

<i>Councillor(s)</i>	<i>Item(s)</i>	<i>Nature of Interest(s)</i>
Ross-Taylor	Application CL/09/0318 – Phased extraction of sand and gravel by quarrying methods, including erection of processing plant, creation of new access and restoration of site at Overburns Farm, Lamington, Biggar	Connection with the owner of the property

2 Minutes of Previous Meeting

The minutes of the special meeting of the Planning Committee held on 22 June 2010 were submitted for approval as a correct record.

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

3 Application CL/09/0318 - Phased Extraction of Sand and Gravel by Quarrying Methods, Including Erection of Processing Plant, Creation of New Access and Restoration of Site at Overburns Farm, Lamington, Biggar

A report dated 28 June 2010 by the Executive Director (Enterprise Resources) was submitted on planning application CL/09/0318 by Patersons of Greenoakhill Limited for the phased extraction of sand and gravel by quarrying methods, including erection of processing plant, creation of new access and restoration of site at Overburns Farm, Lamington, Biggar.

The Committee heard Councillor Gauld, a local member.

The Headquarters Manager advised that:-

- ◆ the applicant had requested that consideration of the application be deferred to allow the submission of supporting environmental information in relation to the application
- ◆ a request had been received that the application be the subject of a hearing at the Planning Committee

However, the Committee proceeded to determine the application as:-

- ◆ it considered that the applicant had been afforded sufficient time in which to submit further information
- ◆ the application did not meet the criteria for a hearing

The Committee decided: that planning application CL/09/0318 by Patersons of Greenoakhill Limited for the phased extraction of sand and gravel by quarrying methods, including erection of processing plant, creation of new access and restoration of site at Overburns Farm, Lamington, Biggar be refused for the reasons detailed in the Executive Director's report.

Councillor Ross-Taylor, having declared an interest in the above item, withdrew from the meeting during its consideration

4 Application HM/10/0165 - Demolition of Wall and Industrial Building and Erection of 18 Flats with Associated Access and Parking at 26 Church Street (Phase 2), Larkhall

A report dated 22 June 2010 by the Executive Director (Enterprise Resources) was submitted on planning application HM/10/0165 by D Blake for the demolition of a wall and industrial building and the erection of 18 flats with associated access and parking at 26 Church Street (Phase 2), Larkhall.

The Committee decided: that planning application HM/10/0165 by D Blake for the demolition of a wall and industrial building and the erection of 18 flats with associated access and parking at 26 Church Street (Phase 2), Larkhall 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 £4,500 towards the improvement of community facilities in the area

5 Application EK/10/0180 - Construction of 3rd Generation Artificial Grass 11-a-Side Football Facility with Associated Boundary Fencing, Floodlighting, Car Park with Lighting, Access Road, Passing Places and Alterations to Entrance to Facility at Whitemoss Recreation Area, John Wright Sports Centre, Calderwood, East Kilbride

A report dated 28 June 2010 by the Executive Director (Enterprise Resources) was submitted on planning application EK/10/0180 by South Lanarkshire Council for the construction of a 3rd generation artificial grass 11-a-side football facility with associated boundary fencing, floodlighting, car park with lighting, access road, passing places and alterations to entrance to facility at Whitemoss Recreation Area, John Wright Sports Centre, Calderwood, East Kilbride.

The Committee decided: that planning application EK/10/0180 by South Lanarkshire Council for the construction of a 3rd generation artificial grass 11-a-side football facility with associated boundary fencing, floodlighting, car park with lighting, access road, passing places and alterations to entrance to facility at Whitemoss Recreation Area, John Wright Sports Centre, Calderwood, East Kilbride be granted subject to the conditions specified in the Executive Director's report.

6 Application HM/10/0240 - Erection of 40 Houses at Land Adjacent to Carlisle Road, Ferniegair

A report dated 23 June 2010 by the Executive Director (Enterprise Resources) was submitted on planning application HM/10/0240 by Taylor Wimpey for the erection of 40 houses at land adjacent to Carlisle Road, Ferniegair.

The Committee decided: that planning application HM/10/0240 by Taylor Wimpey for the erection of 40 houses and land adjacent to Carlisle Road, Ferniegair be granted subject to the conditions specified in the Executive Director's report.

7 Application EK/10/0171 - Change of Use from Shop (Class 1) to Form Part of Adjacent Restaurant (Class 3) with External Alterations to Unit at 31A Main Street, East Kilbride

A report dated 28 June 2010 by the Executive Director (Enterprise Resources) was submitted on planning application EK/10/0171 by Y Titi for the change of use from shop (Class 1) to form part of adjacent restaurant (Class 3) with external alterations to unit at 31A Main Street, East Kilbride.

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 DM1 and ENV25 of the Adopted South Lanarkshire Local Plan
- ◆ the proposal was not considered to adversely affect the amenity or vitality of the surrounding area
- ◆ there were no adverse infrastructure issues

- ♦ the proposal constituted an extension to an existing business

Councillor Scott, seconded by Councillor Ross-Taylor, moved that the application be granted subject to the conditions specified in the Executive Director's report. Councillor J Wardhaugh, seconded by Councillor Buchanan, moved as an amendment that the application be refused. On a vote being taken by a show of hands, 4 members voted for the amendment and 14 for the motion which was declared carried.

The Committee decided: that planning application EK/10/0171 by Y Titi for the change of use from shop (Class 1) to form part of adjacent restaurant (Class 3) with external alterations to unit at 31A Main Street, East Kilbride be granted subject to the conditions specified in the Executive Director's report.

8 Application HM/10/0262 - Installation of MUGA Sports Pitch and Associated Fencing (Amendment to Planning Consent HM/08/0594) at Townhill Primary School, Melfort Road, Hamilton

A report dated 14 June 2010 by the Executive Director (Enterprise Resources) was submitted on planning application HM/10/0262 by South Lanarkshire Council for the installation of a MUGA sports pitch and associated fencing (amendment to planning consent HM/08/0594) at Townhill Primary School, Melfort Road, Hamilton.

The Committee decided: that planning application HM/10/0262 by South Lanarkshire Council for the installation of a MUGA sports pitch and associated fencing (amendment to planning consent HM/08/0594) at Townhill Primary School, Melfort Road, Hamilton be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of 16 December 2008 (Paragraph 11)]

9 Application CL/10/0232 - Temporary Siting of Portable Building for Use as Bowling Club Changing Facility Adjacent to Bowling Green, Biggar Road, Carnwath

A report dated 17 June 2010 by the Executive Director (Enterprise Resources) was submitted on planning application CL/10/0232 by Carnwath Bowling Club for the temporary siting of a portable building for use as a bowling club changing facility adjacent to the bowling green, Biggar Road, Carnwath.

The Committee decided: that planning application CL/10/0232 by Carnwath Bowling Club for the temporary siting of a portable building for use as a bowling club changing facility adjacent to the bowling green, Biggar Road, Carnwath be granted subject to the conditions specified in the Executive Director's report.

10 Application CL/06/0739 - Erection of 112 Houses, Formation of Roundabout, Associated Roadworks and Landscaping at Land to Southwest of Muirfoot Road, Rigside - Section 75 Agreement

A report dated 22 June 2010 by the Executive Director (Enterprise Resources) was submitted on a proposal that the Council enter into a Section 75 Agreement with Grantly Developments

(Rigside) Limited to ensure that a landscaping scheme and open space required in association with a residential development at land to the southwest of Muirfoot Road, Rigside was carried out and completed in a phased manner.

At its meeting on 9 October 2007, the Committee had granted planning permission to Grantly Developments (Rigside) Limited for planning application CL/06/0739 for the erection of 112 houses, formation of roundabout, associated roadworks and landscaping on land to the southwest of Muirfoot Road, Rigside. The Committee had also agreed that planning consent be withheld until the applicant had lodged a landscaping bond to ensure that all areas of open space and landscaping were laid out, planted and completed to the Council's satisfaction.

Due to the current downturn in the housing market, the applicants had now requested that the Council consider the replacement of the bond with a Section 75 Agreement to ensure that the provision of open space and landscaping within the application site was carried out and completed in a phased manner.

The Committee decided: that, in place of a landscaping bond, a Section 75 Agreement be concluded between the Council and Grantly Developments (Rigside) Limited to ensure that the landscaping scheme and provision of open space required in association with a residential development at land to the southwest of Muirfoot Road, Rigside was carried out and completed in a phased manner, with the applicant meeting the Council's associated legal costs.

[Reference: Minutes of 9 October 2007 (Paragraph 5)]

11 Application HM/10/0146 - Variation of Condition 16 of Planning Consent HM/09/0207 for the Erection of an Integrated Community Facility (Including Café), Formation of New Roundabout with Associated Re-Alignment of Strathaven Road and Formation of Associated Car Park at Strathaven Road, Stonehouse

A report dated 23 June 2010 by the Executive Director (Enterprise Resources) was submitted on planning application HM/10/0146 by South Lanarkshire Council for the variation of Condition 16 of planning consent HM/09/0207 for the erection of an integrated community facility (including café), formation of new roundabout with associated re-alignment of Strathaven Road and formation of associated car park at Strathaven Road, Stonehouse.

Condition 16 of planning consent HM/09/0207 stated "that no development on the integrated community facility shall commence on site until the roundabout and the re-alignment of Strathaven Road has taken place in accordance with a specification to be agreed upon in writing with the Council as Planning Authority".

It was proposed to amend Condition 16 as follows, "that, prior to any car parking spaces being laid out within the site, full details of the means of access to the site, including the roundabout, if appropriate, shall be submitted to and approved by the Council as Planning and Roads Authority".

The Committee decided:

that planning application HM/10/0146 by South Lanarkshire Council for the variation of Condition 16 of planning consent HM/09/0207 for the erection of an integrated community facility (including café), formation of new roundabout with associated re-alignment of Strathaven Road and formation of associated car park at Strathaven Road, Stonehouse be granted and that the conditions relating to the application be as specified in the Executive Director's report.

[Reference: Minutes of 11 May 2010 (Paragraph 11)]

12 Application CR/10/0117 - Change of Use of Open Space to Garden Ground and Erection of Decking (Retrospective) at 212 Landemer Drive, Rutherglen

A report dated 18 June 2010 by the Executive Director (Enterprise Resources) was submitted on planning application CR/10/0017 by Mr and Mrs Montgomery for the change of use of open space to garden ground and the erection of decking (retrospective) at 212 Landemer Drive, Rutherglen.

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 ENV2, DM1 and DM4 of the Adopted South Lanarkshire Local Plan
- ◆ the proposal was not considered to adversely affect the recreational amenity or biodiversity value of the surrounding area
- ◆ the residential amenity of the area could be protected
- ◆ there were no adverse infrastructure issues

The Committee decided:

that planning application CR/10/0117 by Mr and Mrs Montgomery for the change of use of open space to garden ground and the erection of decking (retrospective) at 212 Landemer Drive, Rutherglen be granted subject to the conditions specified in the Executive Director's report.

13 Urgent Business

There were no items of urgent business.