

PLANNING COMMITTEE

Minutes of meeting held via Microsoft Teams on 23 June 2020

Chair:

Councillor Isobel Dorman

Councillors Present:

Councillor Alex Allison, Councillor John Bradley, Councillor Jackie Burns, Councillor Stephanie Callaghan, Councillor Margaret Cowie, Councillor Peter Craig, Councillor Maureen Devlin, Councillor Mary Donnelly, Councillor Fiona Dryburgh, Councillor Lynsey Hamilton, Councillor Mark Horsham (Depute), Councillor Ann Le Blond, Councillor Martin Lennon, Councillor Richard Lockhart, Councillor Kenny McCreary, Councillor Davie McLachlan, Councillor Lynne Nailon, Councillor Carol Nugent, Councillor John Ross (ex officio), Councillor Graham Scott, Councillor Bert Thomson, Councillor Jim Wardhaugh, Councillor Josh Wilson (*substitute for Councillor David Shearer*)

Councillors' Apologies:

Councillor Archie Buchanan, Councillor David Shearer, Councillor Collette Stevenson

Attending:

Community and Enterprise Resources

M McGlynn, Executive Director; B Darroch, Area Manager, Planning and Building Standards Services (Hamilton); P Elliott, Head of Planning and Economic Development; T Finn, Headquarters and Area Manager (Clydesdale), Planning and Building Standards Services; F Jack, Team Leader, Development Management Team, Roads and Transportation Services; T Meikle, Area Manager, Planning and Building Standards Services (Cambuslang/Rutherglen and East Kilbride)

Finance and Corporate Resources

M Canning, Legal Adviser; P MacRae, Administration Adviser; G McCann, Head of Administration and Legal Services

1 Declaration of Interests

The following interests were declared:-

Councillor(s)	Item(s)	Nature of Interest(s)
Horsham	Application P/19/1283 for Conversion and Extension of Midden to Form Garage/Store Building (Retrospective) at Brae Farm, A726 from Chapelton to Strathaven, Chapelton, Strathaven	Involvement of close family member, in capacity as elected representative, in relation to proposals at the site
	Application P/19/1539 for Erection of Detached Building for Use as Ancillary Residential Accommodation/Granny Flat Associated with Brae Farm with Associated Decking and Fencing (Retrospective) at Brae Farm, A726 from Chapelton to Strathaven, Chapelton, Strathaven	

2 Previous Meeting

The note of the delegated decisions taken by the Chief Executive, in consultation with the Group Leaders, on items of business relating to the Planning Committee on 26 May 2020 was submitted for information.

The Committee decided: that the delegated decisions taken by the Chief Executive, in consultation with the Group Leaders, on items of business relating to the Planning Committee on 26 May 2020 be noted.

3 Application P/19/1283 for Conversion and Extension of Midden to Form Garage/Store Building (Retrospective) at Brae Farm, A726 from Strathaven to Chapelton, Chapelton, Strathaven

A report dated 28 May 2020 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/19/1283 by A Simpson and S Bennett for the conversion and extension of a midden to form a garage/store building (retrospective) at Brae Farm, A726 from Strathaven to Chapelton, Chapelton, Strathaven.

Following discussion, officers clarified the position in relation to:-

- ◆ the quasi judicial nature of the Committee
- ◆ the requirement for members to be present throughout consideration of an application if they wished to participate in or vote on the application

The Committee decided: that planning application P/19/1283 by A Simpson and S Bennett for the conversion and extension of a midden to form a garage/store building (retrospective) at Brae Farm, A726 from Strathaven to Chapelton, Chapelton, Strathaven be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of 10 September 2019 (Paragraphs 3 and 4)]

Councillor Horsham, having declared an interest in this and the following application, left the meeting during their consideration

4 Application P/19/1539 for Erection of Detached Building for Use as Ancillary Residential Accommodation/Granny Flat Associated with Brae Farm with Associated Decking and Fencing (Retrospective) at Brae Farm, A726 from Strathaven to Chapelton, Chapelton, Strathaven

A report dated 28 May 2020 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/19/1539 by A Simpson and S Bennett for the erection of a detached building for use as ancillary residential accommodation/granny flat associated with Brae Farm with associated decking and fencing (retrospective) at Brae Farm, A726 from Strathaven to Chapelton, Chapelton, Strathaven.

The Committee decided:

that planning application P/19/1539 by A Simpson and S Bennett for the erection of a detached building for use as ancillary residential accommodation/granny flat associated with Brae Farm with associated decking and fencing (retrospective) at Brae Farm, A726 from Strathaven to Chapelton, Chapelton, Strathaven be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of 10 September 2019 (Paragraphs 3 and 4)]

Councillor Thomson joined the meeting during consideration of this application

Councillor Horsham, having declared an interest in this and the preceding application, left the meeting during their consideration

5 Application P/18/0602 for a Residential Development of up to 185 Units Comprising a Mix of Cottage Flats, Colony Flats, Semi-detached Houses and Apartments, Together with Access, Associated Open Space and Landscaping (Planning Permission in Principle) at Speyside Distillery, Duchess Road, Rutherglen

A report dated 28 May 2020 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/18/0602 by Heron Property Limited for a residential development of up to 185 units comprising a mix of cottage flats, colony flats, semi-detached houses and apartments, together with access, associated open space and landscaping (planning permission in principle) at Speyside Distillery, Duchess Road, Rutherglen.

At its meeting on 7 July 2015, the Committee had approved a procedure for processing planning applications which required completion of a Legal Agreement. If approved, the application would be subject to a Legal Agreement and/or other appropriate mechanism and the approved procedure would apply.

The application had been assessed against the relevant policies and criteria contained in the Adopted South Lanarkshire Local Development Plan and Supplementary Guidance, the Proposed South Lanarkshire Local Development Plan 2 and government advice/policy. 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 (Community and Enterprise Resources), a departure from the Development Plan was justified in this case for the following reasons:-

- ◆ the proposal complied with the Proposed South Lanarkshire Local Development Plan 2
- ◆ the proposal complied with policies 4, 5, 6, 12, 13, 16, and 17 of the Adopted South Lanarkshire Local Development Plan 2015
- ◆ the proposal would result in the redevelopment of a brownfield site
- ◆ there were no infrastructure implications

The Committee decided:

- (1) that planning application P/18/0602 by Heron Property Limited for a residential development of up to 185 units comprising a mix of cottage flats, colony flats, semi-detached houses and apartments together with access, associated open space and landscaping (planning permission in principle) at Speyside Distillery, Duchess Road, Rutherglen be granted subject to:-
 - ◆ the conditions specified in the Executive Director's report
 - ◆ prior conclusion of a Legal Agreement and/or other appropriate agreement between the Council and the applicant to ensure appropriate financial contributions were made towards:-
 - ◆ improvement/upgrading of education and community facilities
 - ◆ on-site/off-site affordable housing provision in the area
 - ◆ an area of land being detailed within the site to allow for an upgrade of Mathieson Road/Cunninghame Road by the Council's Roads and Transportation Services
 - ◆ the applicants meeting the Council's legal costs associated with the Section 75 Agreement and/or other legal agreements
- (2) that it be noted that, in accordance with the agreed procedure, should there be no significant progress by the applicant towards the conclusion of the Legal Agreement within 6 months of the date of the meeting at which the application was considered, the proposed development could be refused on the basis that, without the planning control or developer contribution which would be secured by the Legal Agreement, the proposed development would be unacceptable; and
- (3) that it be noted that, if the Legal Agreement had not been concluded within the 6 month period but was progressing satisfactorily, the applicant would be offered the opportunity to enter into a Processing Agreement, if this was not already in place, which would set an alternative agreed timescale for the conclusion of the Planning Obligation.

[Reference: Minutes of 7 July 2015 (Paragraph 15)]

Councillor Burns left the meeting following consideration of this application

6 Application P/19/1665 for Demolition of 2 Houses and Erection of 21 Unit Residential Development with Associated Works, Parking and Landscaping at 21 Douglas Street, Hamilton

A report dated 4 June 2020 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/19/1665 by Wilson Developments (Scotland) Limited for the demolition of 2 houses and the erection of a 21 unit residential development with associated works, parking and landscaping at 21 Douglas Street, Hamilton.

Members requested that information contained in a survey undertaken by the Clyde Valley Housing Association be circulated to the Committee.

Following discussion, Councillor Dorman, seconded by Councillor Horsham, moved that the application be granted subject to the conditions specified in the Executive Director's report. Councillor Callaghan, seconded by Councillor Donnelly, moved as an amendment that consideration of the application be deferred to allow for 2 additional parking spaces within the development to be identified. On a vote being taken by roll call, members voted as follows:-

Motion

Alex Allison, John Bradley, Peter Craig, Isobel Dorman, Mark Horsham, Richard Lockhart, Kenny McCreary, Lynne Nailon, Carol Nugent, John Ross, Jim Wardhaugh, Josh Wilson

Amendment

Stephanie Callaghan, Maureen Devlin, Mary Donnelly, Fiona Dryburgh, Lynsey Hamilton, Martin Lennon, Davie McLachlan, Graham Scott, Bert Thomson

9 members voted for the amendment and 12 members voted for the motion which was declared carried.

The Committee decided: that planning application P/19/1665 by Wilson Developments (Scotland) Limited for the demolition of 2 houses and the erection of a 21 unit residential development with associated works, parking and landscaping at 21 Douglas Street, Hamilton be granted subject to the conditions specified in the Executive Director's report.

7 Application P/19/1544 for Conversion of Existing Public House to Form One Class 1 (Food and Drink) Unit, One Hot Food Takeaway (Sui Generis) and One Class 1 (Retail) Unit with Associated Alterations to the Structure of the Building and Formation of New Car Park and Access at Burnhill Bar, 18 Chapel Street, Rutherglen

A report dated 1 June 2020 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/19/1544 by N Tariq for the conversion of an existing public house to form one Class 1 (food and drink) unit, one hot food takeaway (sui generis) and one Class 1 (retail) unit with associated alterations to the structure of the building and formation of a new car park and access at the Burnhill Bar, 18 Chapel Street, Rutherglen.

The Committee decided: that planning application P/19/1544 by N Tariq for the conversion of an existing public house to form one Class 1 (food and drink) unit, one hot food takeaway (sui generis) and one Class 1 (retail) unit with associated alterations to the structure of the building and formation of a new car park and access at the Burnhill Bar, 18 Chapel Street, Rutherglen be granted subject to the conditions specified in the Executive Director's report.

8 Application P/19/1050 for Erection of Single Storey Extension to Side of Public House Premises, Associated Raised Decking Areas and Alterations to Existing Car Park at the Tillietudlem Inn, 14 Lanark Road, Crossford, Carluke

A report dated 1 June 2020 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/19/1050 by C Smith for the erection of a single storey extension to the side of public house premises, associated raised decking areas and alterations to the existing car park at the Tillietudlem Inn, 14 Lanark Road, Crossford, Carluke.

The Committee decided: that planning application P/19/1050 by C Smith for the erection of a single storey extension to the side of public house premises, associated raised decking areas and alterations to the existing car park at the Tillietudlem Inn, 14 Lanark Road, Crossford, Carluke be granted subject to the conditions specified in the Executive Director's report.

9 Application P/19/1712 for Erection of 3 Wind Turbines, 100 Metres in Height to Blade Tip, and Associated Crane Pads, Equipment Housings and Access Track at Land 575 Metres South Southeast of Dykecroft, B7086 from Boghead, Kirkmuirhill to Deadwaters Bridge, Boghead, Lanark

A report dated 1 June 2020 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/19/1712 by HBY 2 Limited for the erection of 3 wind turbines, 100 metres in height to blade tip, and associated crane pads, equipment housings and access track at land 575 metres south southeast of Dykecroft, B7086 from Boghead, Kirkmuirhill to Deadwaters Bridge, Boghead, Lanark.

The Committee decided: that planning application P/19/1712 by HBY 2 Limited for the erection of 3 wind turbines, 100 metres in height to blade tip, and associated crane pads, equipment housings and access track at land 575 metres south southeast of Dykecroft, B7086 from Boghead, Kirkmuirhill to Deadwaters Bridge, Boghead, Lanark be refused for the reasons detailed in the Executive Director's report.

10 Application P/20/0027 for Erection of 110 Houses with Associated Works (Approval of Matters Specified in Conditions of Planning Consent CR/09/0139) at Newton POD 2H, Newton Avenue, Cambuslang

A report dated 26 May 2020 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/20/0027 for the erection of 110 houses with associated works (approval of matters specified in conditions of planning consent CR/09/0139) at Newton POD 2H, Newton Avenue, Cambuslang.

The Committee decided: that planning application P/20/0027 for the erection of 110 houses with associated works (approval of matters specified in conditions of planning consent CR/09/0139) at Newton POD 2H, Newton Avenue, Cambuslang be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of 14 December 2010 (Paragraph 14)]

11 Urgent Business

There were no items of urgent business.