

PLANNING COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 17 May 2005

Chair:

Councillor Graham Scott

Councillors Present:

David Baillie, Archie Buchanan, Tony Carlin, Sam Casserly, Pam Clearie, Cathie Condie, Gerry Convery, Alan Dick, Jim Docherty, Tommy Gilligan, Ian Gray, Tom McAlpine, Billy McCaig, Michael McCann, John McGuinness, Ian McInnes, Denis McKenna (Depute), Brian Reilly, Bob Rooney, Chris Thompson, Jim Wardhaugh

Councillor Also Present:

Alice Marie Mitchell

Councillors' Apologies:

Jim Daisley, Gerry Docherty, Allan Falconer, James Handibode, Carol Hughes, Hector Macdonald, James Malloy, Edward McAvoy, Alex McInnes, Mary McNeill

Attending:

Corporate Resources

L Carstairs, Public Relations Officer; P MacRae, Administration Officer

Enterprise Resources

G Cameron, Area Manager, Planning and Building Control (Cambuslang and Rutherglen); L Campbell, Planning Officer; S Ferrie, Area Manager, Planning and Building Control (Clydesdale); C McDowall, Head of Planning and Building Control; T Meikle, Area Manager, Planning and Building Control (East Kilbride); C Park, Assistant Transportation Manager

1 Declaration of Interests

No interests were declared.

2 Minutes of Previous Meeting

The minutes of the meeting of the Planning Committee held on 26 April 2005 were submitted for approval as a correct record.

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

3 Application EK/05/0073 – Conversion of and Extension to House to Form 4 Flats and Erection of 3 Mews Cottages and 7 Detached Houses (Amendment to Applications EK/04/0270 and EK/04/0523) at Brookfield, 7 Threestanes Road, Strathaven

A report dated 10 May 2005 by the Executive Director (Enterprise Resources) was submitted on planning application EK/05/0073 by First Gen Limited for the conversion of and extension to a house to form 4 flats and the erection of 3 mews cottages and 7 detached houses (amendment to applications EK/04/0270 and EK/04/0523) at Brookfield, 7 Threestanes Road, Strathaven.

Because the development constituted Development Contrary to the Development Plan, the opportunity of a hearing had been offered to objectors to the proposal and the applicant. The Committee heard:-

- ◆ J Smith, Divisional Director of Planning, Jacobs Babbie, D Rodger, Arboricultural Consultant and G Gray, agent, on behalf of the applicant
- ◆ D Buchanan, on behalf of Strathaven Community Council, objectors to the proposal
- ◆ L Johnman and G Smart, objectors to the proposal

In terms of Local Plan Policy, the site lay within an area in the Adopted East Kilbride and District Local Plan which was identified as a residential area. The principle of the development of the site was, therefore, considered acceptable in land use terms. The proposal required to be assessed against the following policies contained in the Adopted East Kilbride and District Local Plan:-

- ◆ Policy DC1 and SLP 6 (Development Control General)
- ◆ Policy RES 6 (New Housing Development)
- ◆ Policy ENV 6 (Protection of the Built and Natural Environment)
- ◆ Policy ENV 10 (Listed Buildings)
- ◆ Policy ENV 12 (Protection of Trees)

Details of the assessment were provided in the report. It was considered that the application was consistent with those policies, with the exception of Policy ENV 12 (Protection of Trees). As required under Policy ENV 12, a tree survey had been submitted by the applicant showing the trees to be retained and removed which had been considered in detail by the Council's Arboricultural Officer. It was acknowledged that a large number of the trees on the site to be removed were currently in poor condition and required to be removed or have remedial works undertaken regardless of the development proposals.

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

- ◆ a number of trees on the site had been identified as being in poor condition and required to be removed or have remedial works undertaken in the short-term
- ◆ the development of the site presented an opportunity to provide an enhanced long-term replanting scheme which was appropriate for the site and location

The Committee decided:

that planning application EK/05/0073 by First Gen Limited for the conversion of and extension to a house to form 4 flats and the erection of 3 mews cottages and 7 detached houses (amendment to applications EK/04/0270 and EK/04/0523) at Brookfield, 7 Threestanes Road, Strathaven be granted subject to the conditions specified in the Executive Director's report.

4 Application EK/04/0253 – Conversion of and Extension to House to Form 4 Flats (Listed Building Consent) at Brookfield, 7 Threestanes Road, Strathaven

A report dated 4 May 2005 by the Executive Director (Enterprise Resources) was submitted on planning application EK/04/0253 by Peter Walker Developments Limited for the conversion of and extension to a house to form 4 flats (Listed Building Consent) at Brookfield, 7 Threestanes Road, Strathaven.

The Committee decided: that planning application EK/04/0253 by Peter Walker Developments Limited for the conversion of and extension to a house to form 4 flats (Listed Building Consent) at Brookfield, 7 Threestanes Road, Strathaven be granted subject to the conditions specified in the Executive Director's report.

5 Application EK/05/0089 – Formation of 6 Hole Golf Course, Erection of Golf Driving Range, Indoor 5-a-side Football Pitches, Baseball Cage and Health and Fitness Club with Ancillary Retail, Restaurants and Parking Facilities at Kingsgate West, Stewartfield Way, East Kilbride

A report dated 10 May 2005 by the Executive Director (Enterprise Resources) was submitted on planning application EK/05/0089 by Playgolf (Holdings) Plc for the formation of a 6 hole golf course, the erection of a golf driving range, indoor 5-a-side football pitches, baseball cage and health and fitness club with ancillary retail, restaurants and parking facilities at Kingsgate West, Stewartfield Way, East Kilbride.

Because the development constituted Development Contrary to the Development Plan, the opportunity of a hearing had been offered to the objectors to the proposal and the applicant. The Committee heard:-

- ◆ P Armstrong, D Piggins, P McAvoy and C Mather, agent, on behalf of the applicant
- ◆ J Allan, G McLintock and G Hunter, objectors to the proposal

The application had been assessed against the relevant policies and criteria contained in National Planning Guidelines, the Glasgow and Clyde Valley Joint Structure Plan and the Council's Adopted East Kilbride and District Local Plan. Details of the assessment were provided in the report. The proposal had been advertised as potentially Contrary to the Development Plan as it constituted a large commercial leisure proposal, in excess of 2,000 square metres in floor space, located outwith the town centre. The proposal also included over 1,000 square metres of retail floor space and those elements of the proposal were contrary to the Adopted East Kilbride and District Local Plan, and, in particular, contrary to Policy COM 2 (New Retail/Commercial Leisure Development).

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 application site would largely be developed for outdoor recreation, in accordance with the adopted Local Plan
- ◆ the proposal would enhance and expand the leisure and recreational opportunities in the north of East Kilbride, including the provision of a nature trail, and would further enhance the countryside network which existed along the northern edge of East Kilbride
- ◆ the development of the site for recreational purposes would protect the long term physical separation between East Kilbride and Glasgow. The proposal did not extend the built up area of East Kilbride north of the existing boundary
- ◆ the proposal had been sensitively designed to take account of the site and its surroundings and would not adversely impact on the landscape character of the area

The Committee decided: that planning application EK/05/0089 by Playgolf (Holdings) Plc for the formation of a 6 hole golf course, the erection of a golf driving range, indoor 5-a-side football pitches, baseball cage and health and fitness club with ancillary retail, restaurants and parking facilities at Kingsgate West, Stewartfield Way, East Kilbride be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ referral of the application to the Scottish Ministers as the proposed development did not accord with the Adopted Local Plan and the Council had a financial interest in the land

6 Application CL/04/0230 – Erection of Industrial Units at Roadmeetings Industrial Estate, Carluke

A report dated 4 May 2005 by the Executive Director (Enterprise Resources) was submitted on planning application CL/04/0230 by PLPC Limited for the erection of industrial units at Roadmeetings Industrial Estate, Carluke.

Because the development constituted Development Contrary to the Development Plan, the opportunity of a hearing had been offered to the objectors to the proposal and the applicant. The objectors had declined the opportunity of a hearing and, therefore, there was no requirement to hear the applicant.

The application had been assessed against the relevant policies contained in the Glasgow and Clyde Valley Joint Structure Plan and the Council's Lower Clydesdale Local Plan. Details of the assessment were provided in the report. Due to its Greenbelt designation, the proposal was contrary to the Structure Plan and required to be assessed against Strategic Policy 10 to justify a departure in terms of the need for the development and economic, social and environmental benefits. Although, in strategic terms, there was an adequate industrial land supply in the Clydesdale area, there was considered to be an emerging local need for small scale industrial development in Carluke which the proposal would meet. As Carluke was the largest settlement in the Clydesdale area, it was appropriate that new opportunities for economic development should be directed to this settlement. The proposal, however, contravened Policy ENV 1 (Greenbelt) of the Adopted Local 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 site was already in industrial use
- ◆ there was an emerging local need for additional industrial land in Carluke
- ◆ the development would allow the rounding off of the settlement boundary and creation of a more defensible Greenbelt edge
- ◆ infrastructure issues could be satisfactorily addressed

The Committee decided:

that planning application CL/04/0230 by PLPC Limited for the erection of industrial units at Roadmeetings Industrial Estate, Carluke be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ prior agreement for the applicant to meet all appropriate staffing and administration costs, including the physical measures, associated with the implementation by the Council, as Roads Authority, of a Traffic Regulation Order extending the 40 miles per hour speed limit from the B7056/A721 junction to the northern edge of the site with the Traffic Regulation Order being in place prior to the issue of the planning consent

7 Application CR/05/0084 – Demolition of Existing School and Erection of New Replacement Secondary School at Trinity High School, Glenside Drive, Rutherglen

A report dated 10 May 2005 by the Executive Director (Enterprise Resources) was submitted on planning application CR/05/0084 by inspirED for the demolition of the existing secondary school and the erection of a new replacement secondary school at Trinity High School, Glenside Drive, Rutherglen.

The Committee decided: that planning application CR/05/0084 by inspirED for the demolition of the existing secondary school and the erection of a new replacement secondary school at Trinity High School, Glenside Drive, Rutherglen be granted subject to the conditions specified in the Executive Director's report.

8 Application EK/05/0174 – Change of Use of Industrial Unit to Children's Multi-Driving and Building Experience Facility at 52 Wilson Place, East Kilbride

A report dated 10 May 2005 by the Executive Director (Enterprise Resources) was submitted on planning application EK/05/0174 by M Cassidy for the change of use of an industrial unit to a children's multi-driving and building experience facility at 52 Wilson Place, East Kilbride. The application had been advertised as Development Contrary to the Development Plan, however, no objections had been received.

The application had been assessed against the relevant policies contained in the Council's Adopted East Kilbride and District Local Plan. Details of the assessment were provided in the report.

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

- ◆ given the nature of the proposal with the operation of electric driven toy vehicles for under 10 year olds, the proposal would not have an adverse impact on the amenity and industrial function of the area
- ◆ the unit was located on the edge of an industrial area and could be easily accessed by road, public transport and by walking
- ◆ the area had witnessed a gradual transition from general industrial uses to other mixed uses including storage, distribution and retail uses
- ◆ the use was more appropriate for an industrial area and would not be suited within a residential area or within some commercial areas

The Committee decided: that planning application EK/05/0174 by M Cassidy for the change of use of an industrial unit to a children's multi-driving and building experience facility at 52 Wilson Place, East Kilbride be granted subject to the conditions specified in the Executive Director's report.

9 Application CL/05/0051 – Erection of 16 Houses and Associated Infrastructure at 39 Station Road, Carluke

A report dated 4 May 2005 by the Executive Director (Enterprise Resources) was submitted on planning application CL/05/0051 by Scott Building Services for the erection of 16 houses and associated infrastructure at 39 Station Road, Carluke.

The Committee decided:

that planning application CL/05/0051 by Scott Building Services for the erection of 16 houses and associated infrastructure at 39 Station Road, Carluke be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ prior agreement on arrangements for the developer to make a financial contribution of £9,600 towards upgrading recreational provision in the area

10 Application EK/05/0191 – Conversion and Extension of Former Business Centre to Form 4 Houses and Erection of 2 Detached Houses at Platthorn Farm, 4 Platthorn Road, East Kilbride

A report dated 4 May 2005 by the Executive Director (Enterprise Resources) was submitted on planning application EK/05/0191 by Hyndford Estates Limited for the conversion and extension of a former business centre to form 4 houses and the erection of 2 detached houses at Platthorn Farm, 4 Platthorn Road, East Kilbride.

The Committee decided:

that planning application EK/05/0191 by Hyndford Estates Limited for the conversion and extension of a former business centre to form 4 houses and the erection of 2 detached houses at Platthorn Farm, 4 Platthorn Road, East Kilbride be granted subject to the conditions specified in the Executive Director's report.

11 Application EK/04/0667 - Erection of 32 Flats and Reconfiguration of Public House Car Park at Land Adjacent to Stroud Tavern, Stroud Road, East Kilbride

A report dated 4 May 2005 by the Executive Director (Enterprise Resources) was submitted on planning application EK/04/0667 by Brooke Homes for the erection of 32 flats and the reconfiguration of a public house car park at land adjacent to Stroud Tavern, Stroud Road, East Kilbride.

The Committee decided:

that planning application EK/04/0667 by Brooke Homes for the erection of 32 flats and the reconfiguration of a public house car park at land adjacent to Stroud Tavern, Stroud Road, East Kilbride be granted subject to the conditions specified in the Executive Director's report.

12 Whitelee Wind Farm

A report dated 28 April 2005 by the Executive Director (Enterprise Resources) was submitted on a proposed response to the Scottish Executive in relation to the second addendum to the application by CRE Energy, a subsidiary of Scottish Power, to develop a wind farm at Whitelee Forest, to the south of East Kilbride.

The original proposal had been submitted to the Scottish Executive in 2002 for consideration and determination under Section 36 of Electricity Act 1989. In October 2003, CRE Energy submitted an addendum to the application which was sent out for consultation by the Scottish Executive. This addendum included "borrow pit" information and a "minor changes document". This introduced a substantial increase in rock extraction on site and an increase in the generating capacity of each turbine. This addendum was report to the Planning Committee on 3 February 2004. A second addendum was submitted to the Scottish Executive by CRE Energy in October 2004 and sent out for consultation. This second addendum replaced the addendum on the borrow pits but incorporated the original minor changes document. The second addendum proposed changes to the size and number of borrow pits and provided more detailed information on each borrow pit. The changes in the size and number of borrow pits in the South Lanarkshire area were detailed in the Executive Director's report. The addendum also incorporated the minor changes document which remained unchanged from that in the previous addendum.

After receiving the second addendum, the Council undertook a limited consultation exercise with Services within the Council, specific external agencies and community councils. The key issues arising from the consultation responses received from outside agencies and arising from work carried out with Environmental Health Services and the Minerals Officer related to:-

- ◆ rock extraction process
- ◆ noise impact assessment
- ◆ ecology and ornithology
- ◆ water quality and water courses

It was considered that the addendum for the borrow pits and other alterations could be supported subject to appropriate conditions and the associated legal agreement. Scottish Power had recently issued additional documents for consultation. Those consisted of a new draft habitat management plan and a supplementary document to the Environmental Impact Assessment, a peat stability report. Both those documents required careful assessment by the Council and the views of other agencies required to be taken into consideration before a full response could be prepared. A response on those documents would, therefore, not be included in the response to the second addendum and the minor changes document.

The Committee decided:

that the response to the Scottish Executive be as follows requiring the Scottish Executive to:-

- ◆ investigate in full, either through a public inquiry or otherwise, the concern raised by objectors and consultees
- ◆ impose appropriate detailed conditions to the full satisfaction of the planning authorities and Scottish Natural Heritage
- ◆ note that, prior to any consent being issued, Section 75 and Section 96 Legal Agreements would be concluded to the satisfaction of the Planning Authority, including an appropriate level of community benefit
- ◆ note that clarification required to be provided in relation to the effects of the proposals on radar which would be fully mitigated prior to any consent being issued
- ◆ note that the Council would respond to recently issued documents, namely a draft habitat management plan and a peat stability report

[Reference: Minutes of 3 February 2004 (Paragraph 10)]

13 Urgent Business

There were no items of urgent business.