

## PLANNING COMMITTEE

Minutes of meeting held in the Council Chamber, Council Offices, Almada Street, Hamilton on 26 May 2009

### Chair:

Councillor Graham Scott

### Councillors Present:

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

### Councillor Also Present:

David McLachlan

### Councillor's Apology:

Edward McAvoy

### Attending:

#### Corporate Resources

K Bartie, Administration Assistant; P MacRae, Administration Officer

#### Enterprise Resources

J Blake, Planning Officer; T Finn, Area Manager, Planning and Building Standards Services (Clydesdale); M Little, Operations and Area Manager, Planning and Building Standards Services (Hamilton); C McDowall, Head of Planning and Building Standards Services; M McGlynn, Headquarters Manager, Planning and Building Standards Services; T Meikle, Area Manager, Planning and Building Standards Services (East Kilbride); C Park, Assistant Engineering Manager

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## Order of Business

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Items 5 and 6 were dealt with prior to item 3 on the agenda.

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## 1 Declaration of Interests

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The following interest was declared:-

<b>Councillor(s)</b>	<b>Item(s)</b>	<b>Nature of Interest(s)</b>
McDonald	Application EK/07/0637 – Erection of retail foodstore and petrol filling station with associated car parking and other works at former Strathaven Auction Market, Kirk Street, Strathaven	Previous expression of a view on the application

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## 2 Minutes of Previous Meeting

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The minutes of the meeting of the Planning Committee held on 28 April 2009 were submitted for approval as a correct record.

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

*Items 5 and 6 were dealt with at this point in the meeting*

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### **3 Application HM/07/0691 - Erection of House (Outline) at Land to West of the Toll House, Plot A, 52 Carlisle Road, Ferniegair, Hamilton**

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A report dated 18 May 2009 by the Executive Director (Enterprise Resources) was submitted on planning application HM/07/0691 by Townfield Construction for the erection of a house (outline) at land to the west of the Toll House, Plot A, 52 Carlisle Road, Ferniegair, Hamilton.

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:-

- ◆ S Pisano, applicant and L Munro, on behalf of the applicant
- ◆ G Goodridge-Cox and W Vengenechten, objectors to the proposal

The Committee also heard Councillor McLachlan, a local member.

The application had been assessed against the relevant policies and criteria contained in the Adopted South Lanarkshire Local Plan and government advice/policy. 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:-

- ◆ the proposal would act as an enabling development to secure funding for the restoration of the adjacent Category B listed Toll House which had remained vacant and in a derelict condition for a number of years
- ◆ any house erected on site would be designed in a sensitive manner to take account of the site's Greenbelt location and the setting of the adjacent Category A listed Avon Bridge
- ◆ the site could be safely accessed with adequate levels of car parking provision and the proposal raised no significant environmental or infrastructure issues

**The Committee decided:**

that planning application HM/07/0691 by Townfield Construction for the erection of a house (outline) at land to the west of the Toll House, Plot A, 52 Carlisle Road, Ferniegair, Hamilton be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ prior conclusion of a Section 75 Agreement between the Council and the applicant to ensure the restoration of the adjacent Category B listed Toll House. The Council's legal expenses in connection with the Agreement would be met by the applicant

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### **4 Application HM/07/0687 - Erection of House (Outline) at Land to West of the Toll House, Plot B, 52 Carlisle Road, Ferniegair, Hamilton**

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A report dated 18 May 2009 by the Executive Director (Enterprise Resources) was submitted on planning application HM/07/0687 by Townfield Construction for the erection of a house (outline) at land to the west of the Toll House, Plot B, 52 Carlisle Road, Ferniegair, Hamilton.

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:-

- ◆ S Pisano, applicant and L Munro, on behalf of the applicant
- ◆ G Goodridge-Cox and W Vengenechten, objectors to the proposal

The Committee also heard Councillor McLachlan, a local member.

The application had been assessed against the relevant policies and criteria contained in the Adopted South Lanarkshire Local Plan and government advice/policy. 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:-

- ◆ the proposal would act as an enabling development to secure funding for the restoration of the adjacent Category B listed Toll House which had remained vacant and in a derelict condition for a number of years
- ◆ any house erected on site would be designed in a sensitive manner to take account of the site's Greenbelt location and the setting of the adjacent Category A listed Avon Bridge
- ◆ the site could be safely accessed with adequate levels of car parking provision and the proposal raised no significant environmental or infrastructure issues

**The Committee decided:**

that planning application HM/07/0687 by Townfield Construction for the erection of a house (outline) at land to the west of the Toll House, Plot B, 52 Carlisle Road, Ferniegair, Hamilton be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ prior conclusion of a Section 75 Agreement between the Council and the applicant to ensure the restoration of the adjacent Category B listed Toll House. The Council's legal expenses in connection with the Agreement would be met by the applicant

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## **5 Application HM/07/0690 - Renovation Including Internal Alterations, Extension and Partial Demolition of Building and Erection of Double Garage at the Toll House, 52 Carlisle Road, Ferniegair, Hamilton**

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A report dated 18 May 2009 by the Executive Director (Enterprise Resources) was submitted on planning application HM/07/0690 by Townfield Construction for the renovation, including internal alterations, extension and partial demolition of the building and the erection of a double garage at the Toll House, 52 Carlisle Road, Ferniegair, Hamilton.

**The Committee decided:**

that planning application HM/07/0690 by Townfield Construction for the renovation, including internal alterations, extension and partial demolition of the building and the erection of a double garage at the Toll House, 52 Carlisle Road, Ferniegair, Hamilton be granted subject to the conditions specified in the Executive Director's report

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**6 Application HM/07/0675 – Renovation, Including Internal Alterations, Extension and Partial Demolition of Building and Erection of Double Garage (Listed Building Consent) at the Toll House, 52 Carlisle Road, Ferniegair, Hamilton**

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A report dated 18 May 2009 by the Executive Director (Enterprise Resources) was submitted on planning application HM/07/0675 by Townfield Construction for the renovation, including internal alterations, extension and partial demolition of the building and the erection of a double garage (Listed Building Consent) at the Toll House, 52 Carlisle Road, Ferniegair, Hamilton.

**The Committee decided:**

that planning application HM/07/0675 by Townfield Construction for the renovation, including internal alterations, extension and partial demolition of the building and the erection of a double garage (Listed Building Consent) at the Toll House, 52 Carlisle Road, Ferniegair, Hamilton be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ referral of the application to the Scottish Ministers as the proposal related to the partial demolition, renovation and extension of a Category B listed building

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**7 Application EK/07/0637 - Erection of Retail Foodstore and Petrol Filling Station with Associated Car Parking and Other Works at Former Strathaven Auction Market, Kirk Street, Strathaven**

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A report dated 18 May 2009 by the Executive Director (Enterprise Resources) was submitted on planning application EK/07/0637 by Sainsbury's Supermarkets Limited for the erection of a retail foodstore and petrol filling station with associated car parking and other works at the site of the former Strathaven Auction Market, Kirk Street, Strathaven.

**The Committee decided:**

that planning application EK/07/0637 by Sainsbury's Supermarkets Limited for the erection of a retail foodstore and petrol filling station with associated car parking and other works at the former Strathaven Auction Market site, Kirk Street, Strathaven be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ the addition of the following words at the conclusion of Condition 33 - "and there shall be no servicing or delivery activity outwith these times"
- ◆ prior conclusion of a Section 69 Legal Agreement in respect of the financial contribution of £75,000 by the applicant towards environmental improvements in Strathaven

*Councillor McDonald, having declared an interest in this item, withdrew from the meeting during its consideration*

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**8 Application HM/08/0667 - Continued Operation of Existing Landfill and Recycling Centre for Inert Waste, Road Construction Waste, Green Waste and Gully Waste for Recycling of Materials for Resale or Disposal to Landfill at Dovesdale Farm, Carlisle Road, Stonehouse**

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A report dated 13 May 2009 by the Executive Director (Enterprise Resources) was submitted on planning application HM/08/0667 by William Hamilton and Sons (Contractors) Limited for the continued operation of an existing landfill and recycling centre for inert waste, road construction waste, green waste and gully waste for the recycling of materials for resale or disposal to landfill at Dovesdale Farm, Carlisle Road, Stonehouse.

**The Committee decided:**

that planning application HM/08/0667 by William Hamilton and Sons (Contractors) Limited for the continued operation of an existing landfill and recycling centre for inert waste, road construction waste, green waste and gully waste for the recycling of materials for resale or disposal to landfill at Dovesdale Farm, Carlisle Road, Stonehouse be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ the applicant lodging a Restoration Bond, prior to consent being issued, to ensure that the site was satisfactorily restored

*[Reference: Minutes of Planning and Development Committee of 15 May 1997 (Paragraph 1)]*

*Councillor Buchanan left the meeting following consideration of this item*

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**9 Application CR/08/0279 - Variation to Condition 2 of Planning Consent CR/06/0162 to Extend the Time Period to Complete Restoration of the Site, Including Importation of Soils/Subsoils, for a Period of 6 Months at Bardykes Colliery Site, Halfway, Cambuslang**

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A report dated 13 May 2009 by the Executive Director (Enterprise Resources) was submitted on planning application CR/08/0279 by Doonin Plant Limited for a variation to Condition 2 of planning consent CR/06/0162 to extend the time period to complete the restoration of the site, including importation of soils/subsoils, for a period of 6 months at Bardykes Colliery site, Halfway, Cambuslang.

**The Committee decided:**

that planning application CR/08/0279 by Doonin Plant Limited for a variation to Condition 2 of planning consent CR/06/0162 to extend the time period to complete restoration of the site, including importation of soils/subsoils, for a period of 6 months at Bardykes Colliery site, Halfway, Cambuslang be granted subject to the conditions specified in the Executive Director's report.

*[Reference: Minutes of 28 August 2007 (Paragraph 4)]*

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**10 Application EK/08/0427 - Erection of 3 Wind Turbines with Associated Contractor's Compound, Underground Cable Route and Sealing at Broadlees Farm/A726, West Shawtonhill Farm, Chapelton**

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A report dated 18 May 2009 by the Executive Director (Enterprise Resources) was submitted on planning application EK/08/0427 by Chapelton Renewable Energy Limited for the erection of 3 wind turbines with associated contractor's compound, underground cable route and sealing at Broadlees Farm/A726, West Shawtonhill Farm, Chapelton.

**The Committee decided:** that planning application EK/08/0427 by Chapelton Renewable Energy Limited for the erection of 3 wind turbines with associated contractor's compound, underground cable route and sealing at Broadlees Farm/A726, West Shawtonhill Farm, Chapelton be refused for the reasons detailed in the Executive Director's report.

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**11 Application CL/09/0087 - Demolition of Existing School Buildings and Erection of New School with Associated Car Parking at Carmichael Primary School, Carlisle Road, Carmichael**

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A report dated 18 May 2009 by the Executive Director (Enterprise Resources) was submitted on planning application CL/09/0087 by South Lanarkshire Council for the demolition of existing school buildings and the erection of a new school with associated car parking at Carmichael Primary School, Carlisle Road, Carmichael.

**The Committee decided:** that planning application CL/09/0087 by South Lanarkshire Council for the demolition of existing school buildings and the erection of a new school with associated car parking at Carmichael Primary School, Carlisle Road, Carmichael be granted subject to the conditions specified in the Executive Director's report.

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**12 Application CL/09/0121 - Erection of Single Classroom Primary School, Formation of New Vehicular Access, Associated Land Engineering and Tree Felling (Amendment to Planning Consent CL/08/0311) at Wiston Primary School, Millrigg Road, Wiston**

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A report dated 12 May 2009 by the Executive Director (Enterprise Resources) was submitted on planning application CL/09/0121 by South Lanarkshire Council for the erection of a single classroom primary school, formation of new vehicular access, associated land engineering and tree felling (amendment to planning consent CL/08/0311) at Wiston Primary School, Millrigg Road, Wiston.

**The Committee decided:** that planning application CL/09/0121 by South Lanarkshire Council for the erection of a single classroom primary school, formation of new vehicular access, associated land engineering and tree felling (amendment to planning consent CL/08/0311) at Wiston Primary School, Millrigg Road, Wiston be granted subject to the conditions specified in the Executive Director's report.

*[Reference: Minutes of 9 September 2008 (Paragraph 10)]*

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**13 Application HM/09/0115 - Demolition of Existing Primary School and Erection of Replacement School at Bothwell Primary School, Blantyre Road, Bothwell**

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A report dated 13 May 2009 by the Executive Director (Enterprise Resources) was submitted on planning application HM/09/0115 by Bovis Lend Lease (Scotland) Limited for the demolition of an existing primary school and the erection of a replacement school at Bothwell Primary School, Blantyre Road, Bothwell.

**The Committee decided:** that planning application HM/09/0115 by Bovis Lend Lease (Scotland) Limited for the demolition of an existing primary school and the erection of a replacement school at Bothwell Primary School, Blantyre Road, Bothwell be granted subject to the conditions specified in the Executive Director's report.

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**14 Application CL/09/0071 - Formation of 9 House Plots, Associated Vehicular Access and Landscaping (Amendment to Planning Consent CL/07/0205) at Kersewell Avenue, Kaimend**

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A report dated 12 May 2009 by the Executive Director (Enterprise Resources) was submitted on planning application CL/09/0071 by Clansman Homes Limited for the formation of 9 house plots, associated vehicular access and landscaping (amendment to planning consent CL/07/0205) at Kersewell Avenue, Kaimend.

**The Committee decided:** that planning application CL/09/0071 by Clansman Homes Limited for the formation of 9 house plots, associated vehicular access and landscaping (amendment to planning consent CL/07/0205) at Kersewell Avenue, Kaimend be granted subject to the conditions specified in the Executive Director's report.

*[Reference: Minutes of 5 September 2007 (Paragraph 5)]*

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**15 Application HM/09/0112 - Demolition of House and Erection of 12 Flats with Associated Parking at 1 Croftbank Crescent, Bothwell**

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A report dated 7 May 2009 by the Executive Director (Enterprise Resources) was submitted on planning application HM/09/0112 by A Satter for the demolition of a house and the erection of 12 flats with associated parking at 1 Croftbank Crescent, Bothwell.

**The Committee decided:** that planning application HM/09/0112 by A Satter for the demolition of a house and the erection of 12 flats with associated parking at 1 Croftbank Crescent, Bothwell 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 £5,400 towards the improvement of community facilities in the area

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**16 Application CL/08/0582 - Mixed Use Development Comprising Residential, Hotel with Ancillary Leisure/Conference Facilities and Associated Access Arrangements, Landscaping and Open Space (Outline) at Former Birkwood Hospital Site, Lesmahagow**

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A report dated 12 May 2009 by the Executive Director (Enterprise Resources) was submitted on planning application CL/08/0582 by Eatonfield Developments Limited for a mixed use development comprising residential, hotel with ancillary leisure/conference facilities, associated access arrangements, landscaping and open space (outline) at the former Birkwood Hospital site, Lesmahagow.

**The Committee decided:**

that planning application CL/08/0582 by Eatonfield Developments Limited for a mixed use development comprising residential, hotel with ancillary leisure/conference facilities, associated access arrangements, landscaping and open space (outline) at the former Birkwood Hospital site, Lesmahagow be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ prior conclusion of a Section 75 Agreement between the Council and the applicant relating to the Heads of Terms detailed in the Executive Director's report

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**17 Application CL/08/0702 - Residential Development (Outline) at Block 1, Springhill Industrial Estate, Angus Terrace, Douglas**

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A report dated 12 May 2009 by the Executive Director (Enterprise Resources) was submitted on planning application CL/08/0702 by J N Douglas Limited for a residential development (outline) at Block 1, Springhill Industrial Estate, Angus Terrace, Douglas.

**The Committee decided:**

that planning application CL/08/0702 by J N Douglas Limited for a residential development (outline) at Block 1, Springhill Industrial Estate, Angus Terrace, Douglas be granted subject to the conditions specified in the Executive Director's report.

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**18 Urgent Business**

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There were no items of urgent business.

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