

## **PLANNING COMMITTEE**

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 26 September 2006

### **Chair:**

Councillor Denis McKenna (Depute)

### **Councillors Present:**

David Baillie, Archie Buchanan, Tony Carlin, Sam Casserly, Pam Clearie, Cathie Condie, Alan Dick, Jim Docherty, Ian Gray, John McGuinness, Alex McInnes, Ian McInnes, Mary McNeill, Hamish Stewart, Chris Thompson, Jim Wardhaugh

### **Councillors' Apologies:**

Gerry Convery, Jim Daisley, Gerry Docherty, Allan Falconer, Tommy Gilligan, James Handibode, Stan Hogarth, Carol Hughes, Edward McAvoy, Billy McCaig, Michael McCann, James Malloy, Brian Reilly, Bob Rooney, Graham Scott (Chair)

### **Attending:**

#### **Corporate Resources**

P MacRae, Administration Officer

#### **Enterprise Resources**

G Cameron, Area Manager, Planning and Building Standards Services (Cambuslang/Rutherglen); S Ferrie, Area Manager, Planning and Building Standards Services (Clydesdale); M Little, Operations and Area Manager, Planning and Building Standards Services (Hamilton); T Meikle, Area Manager, Planning and Building Standards Services (East Kilbride); C Park, Assistant Transportation Officer; G Rae, Planning Officer

## **1 Declaration of Interests**

No interests were declared.

## **2 Minutes of Previous Meeting**

The minutes of the meeting of the Planning Committee held on 5 September 2006 were submitted for approval as a correct record.

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

## **3 Application CL/06/0258 - Residential Development with Supporting Neighbourhood Facilities, Bing Reclamation and Amenity Landscaping (Outline) at Area of Ground to Bellfield Farm, Surrounding Area and Muirburn, Coalburn**

A report dated 15 September 2006 by the Executive Director (Enterprise Resources) was submitted on planning application CL/06/0258 by Commodore Homes (Lanarkshire) Limited for a residential development with supporting neighbourhood facilities, bing reclamation and amenity landscaping (outline) at an area of ground to Bellfield Farm, surrounding area and Muirburn, Coalburn.

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 Cooper, on behalf of the applicant
- ◆ E Bell, S Cox and W Ross, objectors to the proposal

The application had been assessed against the relevant criteria contained in government advice/policy, the Glasgow and Clyde Valley Joint Structure Plan, the South Lanarkshire Local Plan (Finalised) and the Adopted Lower Clydesdale 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:-

- ◆ the context had been established in the South Lanarkshire Local Plan (Finalised) and the Finalised Glasgow and Clyde Valley Joint Structure Plan
- ◆ the proposal would involve the reclamation of Bellfield Bing and the subsequent improvement to the environment
- ◆ the proposal would result in the provision of new local facilities and support the viability of existing facilities
- ◆ the proposal would create a village core with retail and community facilities as well as open space, walkways and cycle paths providing a quality environment for existing and proposed residents of Coalburn
- ◆ the proposal would expand housing choice in the area
- ◆ the proposal would assist in the regeneration of this part of the Rural Investment Area through the redevelopment of derelict land, provision of new facilities and private sector housing
- ◆ there were no insurmountable infrastructure issues

**The Committee decided:**

that planning application CL/06/0258 by Commodore Homes (Lanarkshire) Limited for a residential development with supporting neighbourhood facilities, bing reclamation and amenity landscaping (outline) at an area of ground to Bellfield Farm, surrounding area and Muirburn, Coalburn be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ referral of the application to the Scottish Ministers as the proposal constituted a significant departure from the approved Development Plan
- ◆ an addition to Condition 1 as follows:-  
“(j) provision of a vehicular access through the parcel of ground set aside for self-build plots from the central distributor road to the boundary of the application site shown in purple which allows vehicular access to the neighbouring field.”
- ◆ prior conclusion of a Section 75 Agreement between the Council and the applicant relating to the Heads of Terms as detailed in the report

#### **4 Application EK/06/0295 - Erection of 20 x 2 Bed Flats and Associated Car Parking on Land to the North of Law Place/Markethill Road and Erection of 60 x 2 Bed Flats and Associated Car Parking on Land to the South of Law Place/Markethill Road at No 1 and No 2 Law Place, Nerston, East Kilbride**

A report dated 18 September 2006 by the Executive Director (Enterprise Resources) was submitted on planning application EK/06/0295 by Aitken Projects for the erection of 20 x 2 bed flats and associated car parking on land to the north of Law Place/Markethill Road and the erection of 60 x 2 bed flats and associated car parking on land to the south of Law Place/Markethill Road at No 1 and No 2 Law Place, Nerston, East Kilbride.

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

The application had been assessed against the relevant policies and criteria contained in the Adopted East Kilbride and District Local Plan and the South Lanarkshire Local Plan (Finalised). 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 application site had been designated as suitable for residential use in the South Lanarkshire Local Plan (Finalised)
- ◆ the Sports Strategy prepared by the Council stated that there was sufficient pitch provision in East Kilbride and a planning approval was in place for a similar expanded facility nearby. This, together with the additional facilities created through the Schools' Modernisation Project, would compensate for the loss of facilities on this site
- ◆ the proposal was of a high quality design which took account of the site topography, the local area and used quality materials
- ◆ the proposal complied with the detailed development control and design policies set out in both the adopted and emerging local plans

#### **The Committee decided:**

- (1) that planning application EK/06/0295 by Aitken Projects for the erection of 20 x 2 bed flats and associated car parking on land to the North of Law Place/Markethill Road and the erection of 60 x 2 bed flats and associated car parking to the south of Law Place/Markethill Road at No 1 and No 2 Law Place, Nerston, East Kilbride be granted subject to:-
  - ◆ the conditions specified in the Executive Director's report
  - ◆ prior agreement for the developer to make a financial contribution of £32,000 towards upgrading recreational provision in the area
- (2) that approval be given to prepare a Stopping Up Order for the realignment of a short part of the public footway within site A and for any further action necessary to achieve the confirmation of the Order.

*[Reference: Minutes of East Kilbride Area Committee of 16 September 1998 (Paragraph 2)]*

#### **5 Application CL/06/0029 - Erection of Electricity Substation and Associated Vehicular Access at Land to West of Elvanfoot, off Leadhills Road**

A report dated 18 September 2006 by the Executive Director (Enterprise Resources) was submitted on planning application CL/06/0029 by S P Transmission Limited for the erection of an

electricity substation and associated vehicular access at land to the west of Elvanfoot, off Leadhills Road.

**The Committee decided:** that planning application CL/06/0029 by S P Transmission Limited for the erection of an electricity substation and associated vehicular access at land to the west of Elvanfoot, off Leadhills Road be granted subject to the conditions specified in the Executive Director's report.

## **6 Application CL/06/0030 - Erection of Electricity Substation and Associated Vehicular Access at Land to the South West of Auldtoneights, Lesmahagow**

A report dated 11 September 2006 by the Executive Director (Enterprise Resources) was submitted on planning application CL/06/0030 by S P Transmission Limited for the erection of an electricity substation and associated vehicular access at land to the south west of Auldtoneights, Lesmahagow.

**The Committee decided:** that planning application CL/06/0030 by S P Transmission Limited for the erection of an electricity substation and associated vehicular access at land to the south west of Auldtoneights, Lesmahagow be granted subject to the conditions specified in the Executive Director's report.

## **7 Application CR/06/0227 - Change of Use from General Industrial (Class 5) to Allow Storage, Distribution and Sale of Hard Floor and Wall Finishes (Excluding Carpets and Associated Products) (Sui Generis) at 252 Glasgow Road, Rutherglen**

A report dated 18 September 2006 by the Executive Director (Enterprise Resources) was submitted on planning application CR/06/0227 by Multi-Tile Limited for the change of use from General Industrial (Class 5) to allow storage, distribution and sale of hard floor and wall finishes (excluding carpets and associated products) (sui generis) at 252 Glasgow Road, Rutherglen.

The application had been advertised as Development Potentially Contrary to the Development Plan, however, no objections had been received.

The application had been assessed against the relevant policies and criteria contained in the Adopted Cambuslang/Rutherglen Local Plan and the South Lanarkshire Local Plan (Finalised). 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 application site would still retain a use which was compatible with both the Adopted and Proposed Local Plan
- ◆ the proposal generally complied with Policies SLP5 and ECON13 of the Development Plan
- ◆ the consent could be limited to non-food retail use and the sale of bulky goods which were acceptable in planning terms
- ◆ there were no infrastructure, traffic, public safety or industrial land supply implications

**The Committee decided:** that planning application CR/06/0227 by Multi-Tile Limited for the change of use from General Industrial (Class 5) to allow storage, distribution and sale of hard floor and wall

finishes (excluding carpets and associated products) (sui generis) at 252 Glasgow Road, Rutherglen be granted subject to the conditions specified in the Executive Director's report.

## **8 Application CL/06/0211 - Erection of 18 Detached Houses and Formation of Access Road at Gilchrist Loan, Lesmahagow**

A report dated 11 September 2006 by the Executive Director (Enterprise Resources) was submitted on planning application CL/06/0211 by Consort Homes (Scotland) Limited for the erection of 18 detached houses and the formation of an access road at Gilchrist Loan, Lesmahagow.

**The Committee decided:** that planning application CL/06/0211 by Consort Homes (Scotland) Limited for the erection of 18 detached houses and the formation of an access road at Gilchrist Loan, Lesmahagow be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ prior agreement for a financial contribution of £8,000 from the developer towards the cost of improving recreational provision in the area

*[Reference: Minutes of 17 December 2004 (Paragraph 17)]*

## **9 Application CL/06/0266 - Erection of 22 x 2 Storey Homes at Former Builder's Yard, Rowhead Quarry, Biggar Mill Road, Biggar**

A report dated 11 September 2006 by the Executive Director (Enterprise Resources) was submitted on planning application CL/06/0266 by B L Developments for the erection of 22 x 2 storey houses at a former builder's yard, Rowhead Quarry, Biggar Mill Road, Biggar.

**The Committee decided:** that planning application CL/06/0266 by B L Developments for the erection of 22 x 2 storey houses at former builder's yard, Rowhead Quarry, Biggar Mill Road, Biggar be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ prior agreement for the developer to make a financial contribution of £13,200 towards upgrading recreational provision in the area

*[Reference :Minutes of 30 March 2004 (Paragraph 9)]*

## **10 Application CL/06/0414 - Erection of 30 Houses, Associated Roads and Landscaping at Land behind 53 Goremire Road, Carluke**

A report dated 11 September 2006 by the Executive Director (Enterprise Resources) was submitted on planning application CL/06/0414 by Meridian Residential for the erection of 30 houses, associated roads and landscaping at land behind 53 Goremire Road, Carluke.

**The Committee decided:**

that planning application CL/06/0414 by Meridian Residential for the erection of 30 houses, associated roads and landscaping at land behind 53 Goremire Road, Carluke be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ prior agreement for the developer to make a financial contribution of £15,000 towards upgrading open space and recreational provision in the area

**11 Application CL/05/0065 - Erection of 21 Houses and Ancillary Roadworks at Albert Park, Lanark Road, Braidwood, Carluke**

A report dated 12 September 2006 by the Executive Director (Enterprise Resources) was submitted on planning application CL/05/0065 by Taylor Homes (Scotland) Limited for the erection of 21 houses and ancillary roadworks at Albert Park, Lanark Road, Braidwood, Carluke.

**The Committee decided:**

that planning application CL/05/0065 by Taylor Homes (Scotland) Limited for the erection of 21 houses and ancillary roadworks at Albert Park, Lanark Road, Braidwood, Carluke be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ the completion of a Section 75 Agreement between the Council and the applicant to ensure that provision was made for a roundabout access to be constructed in the event that any development proceeded on land directly opposite the application site
- ◆ prior agreement for the developer to make a financial contribution of £12,600 towards upgrading recreational provision in the area

*[Reference: Minutes of 12 April 2005 (Paragraph 8)]*

**12 Urgent Business**

There were no items of urgent business.