

PLANNING COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 23 February 2010

Chair:

Councillor Graham Scott

Councillors Present:

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

Councillors Also Present:

Bev Gauld, David Shearer

Councillors' Apologies:

Archie Buchanan, Tommy Gilligan, Archie Manson

Attending:

Corporate Resources

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

Enterprise Resources

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); M McGlynn, Head of Planning and Building Standards Services

1 Declaration of Interests

The following interest was declared:-

Councillor(s)	Item(s)	Nature of Interest(s)
McNeill	Application CL/09/0319 – Erection of 36 houses and associated roadworks and ground works at former builder's yard, Rowhead Quarry, Biggar Mill Road, Biggar	Member of Management Committee of Clydesdale Housing Association

2 Minutes of Previous Meeting

The minutes of the meeting of the Planning Committee held on 26 January 2010 were submitted for approval as a correct record.

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

3 Application HM/04/0899 - Residential Development (Planning Permission in Principle) at West Mains, Stonehouse

A report dated 15 February 2010 by the Executive Director (Enterprise Resources) was submitted on planning application HM/04/0899 by K Weir for a residential development (planning permission in principle) at West Mains, Stonehouse.

Reference was made to a letter from Mr and Mrs McKnight, withdrawing their objections to the proposal.

The Committee decided: that planning application HM/04/0899 by K Weir for a residential development (planning permission in principle) at West Mains, Stonehouse be granted subject to the conditions specified in the Executive Director's report.

4 Application HM/07/0268 - Erection of Football and Sports Academy Including Sports Hall and Outdoor Pitches with Associated Infrastructure (Planning Permission in Principle) at Land at Strathaven Road/Sandford Road, West Mains, Stonehouse

A report dated 15 February 2010 by the Executive Director (Enterprise Resources) was submitted on planning application HM/07/0268 by K Weir for the erection of a football and sports academy including sports hall and outdoor pitches with associated infrastructure (planning permission in principle) at land at Strathaven Road/Sandford Road, West Mains, Stonehouse.

It was noted that there was no requirement for a legal agreement in respect of the provision of a roundabout within the application site.

The Committee decided: that planning application HM/07/0268 by K Weir for the erection of a football and sports academy including sports hall and outdoor pitches with associated infrastructure (planning permission in principle) at land at Strathaven Road/Sandford Road, West Mains, Stonehouse be granted subject to the conditions specified in the Executive Director's report.

5 Application HM/09/0645 - Erection of Primary School at Overton Road, Netherburn

A report dated 15 February 2010 by the Executive Director (Enterprise Resources) was submitted on planning application HM/09/0645 by South Lanarkshire Council for the erection of a primary school at Overton Road, Netherburn.

The Committee decided: that planning application HM/09/0645 by South Lanarkshire Council for the erection of a primary school at Overton Road, Netherburn be granted subject to the conditions specified in the Executive Director's report.

6 Application CL/09/0459 - Demolition of Existing Primary School, Erection of New Split Level Primary School, Associated Landscaping and Car Parking at Milton Primary School, Strathaven Road, Lesmahagow

A report dated 5 February 2010 by the Executive Director (Enterprise Resources) was submitted on planning application CL/09/0459 by Morgan Ashurst for the demolition of an existing primary school and the erection of a new split level primary school with associated landscaping and car parking at Milton Primary School, Strathaven Road, Lesmahagow.

The Committee decided:

that planning application CL/09/0459 by Morgan Ashurst for the demolition of an existing primary school and the erection of a new split level primary school with associated landscaping and car parking at Milton Primary School, Strathaven Road, Lesmahagow be granted subject to the conditions specified in the Executive Director's report.

7 Application HM/09/0620 - Erection of Primary School, Muga Pitch, Relocation of Football Pitch, Car Parking and Landscaping at Recreation Ground, North of Dalserf Primary School, Ashgill

A report dated 8 February 2010 by the Executive Director (Enterprise Resources) was submitted on planning application HM/09/0620 by Morgan Ashurst for the erection of a primary school, muga pitch, relocation of football pitch, car parking and landscaping at recreation ground, north of Dalserf Primary School, Ashgill.

A list of objectors to the proposal was tabled at the meeting

The Committee decided:

that planning application HM/09/0620 by Morgan Ashurst for the erection of a primary school, muga pitch, relocation of football pitch, car parking and landscaping at recreation ground, north of Dalserf Primary School, Ashgill be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ an additional condition as follows:-

"Between the hours of 0800 and 2000 the measured noise level emitted from the premises (LAeq (1 hour)) shall not exceed the pre-existing background noise level (LA90(1/2hour)) by more than 4dB(A) when measured in accordance with BS4142:1997 at buildings where people are likely to be affected. Between the hours of 2000 and 0800 the noise emitted from the premises (LAeq(5mins)) shall not exceed the pre-existing background noise level (LA90(1/2hour)) by more than 4dB(A) when measured in accordance with BS4142:1997 at buildings where people are likely to be affected.

Reason

To minimise noise disturbance to adjacent occupants."

8 Application CL/10/0013 - Formation of Extension to Cemetery and New Vehicular Access at Land to North of Existing Cemetery, Carnwath

A report dated 5 February 2010 by the Executive Director (Enterprise Resources) was submitted on planning application CL/10/0013 by South Lanarkshire Council for the formation of an extension to the existing cemetery and a new vehicular access at land to the north of the existing cemetery on the B7016, Carnwath.

The Committee heard Councillor Gauld, a local member.

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), the departure from the Development Plan was justified in this case for the following reasons:-

- ◆ the proposal involved an extension to an existing, valuable community facility
- ◆ the proposal would not have an adverse impact on the landscape character or visual amenity of the area
- ◆ the proposed access would improve road safety
- ◆ there were no infrastructure implications

The Committee decided: that planning application CL/10/0013 by South Lanarkshire Council for the formation of an extension to the existing cemetery and a new vehicular access at land to the north of the existing cemetery on the B7016, Carnwath be granted subject to the conditions specified in the Executive Director's report.

9 Application HM/09/0621 - Formation of Urban Fringe Park at Redlees Quarry, Off Blantyre Farm Road, Blantyre

A report dated 16 February 2010 by the Executive Director (Enterprise Resources) was submitted on planning application HM/09/0621 by South Lanarkshire Council for the formation of an urban fringe park at Redlees Quarry, off Blantyre Farm Road, Blantyre.

The Committee decided: that planning application HM/09/0621 by South Lanarkshire Council for the formation of an urban fringe park at Redlees Quarry, off Blantyre Farm Road, Blantyre be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of Hamilton Area Committee of 28 August 2002 (Paragraph 1)]

10 Application CL/08/0459 - Erection of 71 Houses at Boghall Road, Carluke

A report dated 9 February 2010 by the Executive Director (Enterprise Resources) was submitted on planning application CL/08/0459 by Clansman Homes Limited for the erection of 71 houses at Boghall Road, Carluke.

The Committee decided: that planning application CL/08/0459 by Clansman Homes Limited for the erection of 71 houses at Boghall Road, Carluke 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 £3,080 towards the improvement of the footpath network along Boghall Road

- ♦ the deletion of the words “last dwellinghouses” in Condition 14 and their substitution with the words “34th dwellinghouse”.

11 Application HM/09/0615 - Erection of Marquee and Polytunnel and Associated Car Parking Areas for the Sale and Display of Plants at Former Farm Park Site, Clyde Valley, Lanark Road, Dalsersf

A report dated 15 February 2010 by the Executive Director (Enterprise Resources) was submitted on planning application HM/09/0615 by D Warnock for the erection of a marquee and polytunnel and associated car parking areas for the sale and display of plants at the former Farm Park Site, Clyde Valley, Lanark Road, Dalsersf.

Points raised in late letters of representation from Netherburn and Ashgill Community Council and GVA Grimley were referred to at the meeting and addressed by officers.

The Committee decided:

- (1) that planning application HM/09/0615 by D Warnock for the erection of a marquee and polytunnel and associated car parking areas for the sale and display of plants at the former Farm Park Site, Clyde Valley, Lanark Road, Dalsersf be granted subject to:-
 - ♦ the conditions specified in the Executive Director's report
 - ♦ an amendment to Condition 2 to allow the applicant a setting up period in March
- (2) that a letter be sent to the applicant highlighting the requirement to adhere to the specified opening hours and delivery times.

12 Application CL/09/0533 - Change of Use from Storage/Breaker's Yard to Private Gypsy/Traveller Family Pitch Together with the Erection of Ancillary Amenity Unit and Boundary Fencing (Retrospective) at Tileworks Cottage, Waterlands Road, Law

A report dated 16 February 2010 by the Executive Director (Enterprise Resources) was submitted on planning application CL/09/0533 by B Lee for the change of use from a storage/breaker's yard to a private gypsy/traveller family pitch together with the erection of an ancillary amenity unit and boundary fencing (retrospective) at Tileworks Cottage, Waterlands Road, Law.

The Committee heard Councillor Shearer, 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. 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 site was located in a rural location where the life and activities of the gypsy/traveller community were traditionally carried out
- ♦ there were no infrastructure issues and there would not be an adverse impact on road safety

- ◆ the site was for the use of one single family and was small scale in nature
- ◆ the site was considered to be a brownfield site and its current condition had a more positive impact on the amenity of the countryside than the previous use as a breaker's yard
- ◆ the site was self contained and screened from the wider countryside
- ◆ government guidance indicated that applications for planning permission from travellers in respect of private sites should be sympathetically considered

The Committee decided: that planning application CL/09/0533 by B Lee for the change of use from a storage/breaker's yard to a private gypsy/traveller family pitch together with the erection of an ancillary amenity unit and boundary fencing (retrospective) at Tileworks Cottage, Waterlands Road, Law be granted subject to the conditions specified in the Executive Director's report.

Councillor McAvoy left the meeting following consideration of this item

13 Application CL/09/0319 - Erection of 36 Houses and Associated Roadworks and Ground Works at Former Builder's Yard, Rowhead Quarry, Biggar Mill Road, Biggar

A report dated 16 February 2010 by the Executive Director (Enterprise Resources) was submitted on planning application CL/09/0319 by Wilson Developments (Scotland) Limited for the erection of 36 houses and associated roadworks and ground works at the former builder's yard, Rowhead Quarry, Biggar Mill Road, Biggar.

The Committee heard Councillor Gauld, a local member.

The Committee decided: that planning application CL/09/0319 by Wilson Developments (Scotland) Limited for the erection of 36 houses and associated roadworks and ground works at the former builder's yard, Rowhead Quarry, Biggar Mill Road, Biggar be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of 26 September 2006 (Paragraph 9)]

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

14 Application CL/09/0521 - Erection of 4 x 2 Storey Detached Houses, 1 Single Storey House, Formation of Access and Creation of Flood Compensation Storage Area at Former Mauldslie Castle Nurseries, Mauldslie Estate, Mauldslie Road, Carluke

A report dated 16 February 2010 by the Executive Director (Enterprise Resources) was submitted on planning application CL/09/0521 by Stay Home Construction Limited for the erection of 4 x 2 storey detached houses, 1 single storey house, formation of access and creation of flood compensation storage area at the former Mauldslie Castle Nurseries, Mauldslie Estate, Mauldslie Road, Carluke.

The Committee heard Councillor Shearer, 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/policies. 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 site was considered to be a brownfield site and the scale and form of the development would be similar to that of the previous built form
- ◆ the site was self-contained by woodland and could be additionally screened from the wider countryside through further planting
- ◆ there would be no impact on the residential amenity of the existing properties within Mauldslie Estate
- ◆ the proposed houses were of a contemporary design
- ◆ the overall objectives of greenbelt policy would not be compromised

The Committee decided:

that planning application CL/09/0521 by Stay Home Construction Limited for the erection of 4 x 2 storey detached houses, 1 single storey house, formation of access and creation of flood compensation storage area at the former Mauldslie Castle Nurseries, Mauldslie Estate, Mauldslie Road, Carluke be granted subject to the conditions specified in the Executive Director's report.

15 Urgent Business

There were no items of urgent business.