

# PLANNING COMMITTEE

Minutes of meeting held via Microsoft Teams on 10 August 2021

## Chair:

Councillor Isobel Dorman

## Councillors Present:

Councillor Alex Allison, Councillor John Anderson, Councillor John Bradley, Councillor Archie Buchanan, Councillor Gerry Convery (*substitute for Councillor Margaret Cowie*), Councillor Peter Craig, Councillor Maureen Devlin, Councillor Lynsey Hamilton, Councillor Mark Horsham (Depute), Councillor Ann Le Blond, Councillor Martin Lennon, Councillor Richard Lockhart, Councillor Joe Lowe, Councillor Ian McAllan, Councillor Davie McLachlan, Councillor Lynne Nailon, Councillor Carol Nugent, Councillor Graham Scott, Councillor David Shearer, Councillor Bert Thomson, Councillor Jim Wardhaugh

## Councillors' Apologies:

Councillor Margaret Cowie, Councillor Mary Donnelly, Councillor Fiona Dryburgh, Councillor Ian Harrow, Councillor John Ross (ex officio)

## Attending:

### Community and Enterprise Resources

B Darroch, Planning and Building Standards Manager (East); P Elliott, Head of Planning and Economic Development; T Finn, Planning and Building Standards Manager (Headquarters); F Jack, Team Leader, Development Management Team, Roads and Transportation Services; T Meikle, Planning and Building Standards Manager (West)

### Finance and Corporate Resources

M Cannon, Solicitor; J Davitt, Public Relations Officer; K McLeod, Administration Assistant; S McLeod, Administration Officer

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## Order of Business

<b>The Committee decided:</b>	that the items of business be dealt with in the order minuted below.
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## 1 Declaration of Interests

No interests were declared.

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## 2 Minutes of Previous Meeting

The minutes of the meeting of the Planning Committee held on 8 June 2021 were submitted for approval as a correct record.

<b>The Committee decided:</b>	that the minutes be approved as a correct record.
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### **3 Application P/19/1890 for Erection of Flatted Residential Development (18 Units) with Associated Parking and Landscaping at Land 46 Metres Northwest of 4 Cloverhill Gardens, Overton Avenue, Strathaven**

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A report dated 30 July 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/19/1890 by Abbey Construction for the erection of a flatted residential development (18 units) with associated parking and landscaping at land 46 metres northwest of 4 Cloverhill Gardens, Overton Avenue, Strathaven.

The application had been assessed against the relevant policies and criteria contained in the adopted South Lanarkshire Local Development Plan 2. 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 application proposal raised no significant environmental, infrastructure or road safety issues
- ◆ the proposal had been assessed against Policy 2 – Climate Change and was in accordance
- ◆ the proposal was fully compliant with Policy 5 – Development Management, Placemaking, DM1 – New Development Design, DM15 – Water Supply, DM16 – Foul Drainage and Sewerage, SDCC2 - Flood Risk and SDCC3 – Sustainable Drainage Systems
- ◆ the proposal would deliver a development which was of a high quality design, set within a high quality landscaped setting, consistent with the surrounding development
- ◆ the proposal would provide a house type which was in high demand within the Strathaven area. It was further noted that the current proposals were an improved, contemporary design solution sought through negotiation with the developer and his agent
- ◆ the proposal would provide local employment opportunities through the construction phase

**The Committee decided:**

that planning application P/19/1890 by Abbey Construction for the erection of a flatted residential development (18 units) with associated parking and landscaping at land 46 metres northwest of 4 Cloverhill Gardens, Overton Avenue, Strathaven be granted subject to the conditions specified in the Executive Director's report.

*Councillor Wardhaugh entered the meeting during this item of business*

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### **4 Application P/20/1310 for Erection of 19 Houses with Associated Access Road, Drainage and Landscaping at Site of Former Lesmahagow High School, Southern Campus, Abbeygreen, Lesmahagow**

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A report dated 21 July 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/20/1310 by Southvale Homes (Lanark) Limited for the erection of 19 houses with associated access road, drainage and landscaping at site of former Lesmahagow High School, Southern Campus, Abbeygreen, Lesmahagow.

**The Committee decided:** that planning application P/20/1310 by Southvale Homes (Lanark) Limited for the erection of 19 houses with associated access road, drainage and landscaping at site of former Lesmahagow High School, Southern Campus, Abbeygreen, Lesmahagow be granted subject to the conditions specified in the Executive Director's report.

*[Reference: Minutes of 26 January 2010 (Paragraph 8)]*

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**5 Application P/20/1670 for Extension to Existing Infill Site and Amendment to Condition 2 of Planning Consent HM/08/0667 to Extend the Infill Period of the Existing Site, Including Phased Restoration, to 36 Year Period at Dovesdale Farm, Carlisle Road, Stonehouse**

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A report dated 30 July 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/20/1670 by William Hamilton and Sons (Contractors) Limited for an extension to the existing infill site and amendment to condition 2 of planning consent HM/08/0667 to extend the infill period of the existing site, including phased restoration, to a 36 year period at Dovesdale Farm, Carlisle Road, Stonehouse.

Following a full discussion, members came to the view that the application should be granted subject to the extension of the infill period of the existing site, including phased restoration, being amended from a 36 year period to a 10 year period.

**The Committee decided:** that planning application P/20/1670 by William Hamilton and Sons (Contractors) Limited for an extension to the existing infill site and amendment to condition 2 of planning consent HM/08/0667 at Dovesdale Farm, Carlisle Road, Stonehouse be granted subject to:-

- ◆ the extension of the infill period of the existing site, including the phased restoration, being amended from a 36 year period to a 10 year period
- ◆ the conditions specified in the Executive Director's report

*[Reference: Minutes of 26 May 2009 (Paragraph 8)]*

*Councillor Wardhaugh left the meeting during this item of business due to technical difficulties*

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**6 Application P/21/0054 for Change of Use of Site of Demolished Sports Centre to a Raised Bed Growing Area with Associated Alterations Including the Installation of Storage Containers, Boundary Fencing, Ground Level Changes and an Access Ramp at Site of Former Burnhill Sports Centre, Toryglen Road, Rutherglen**

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A report dated 15 July 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/0054 by South Lanarkshire Council for the change of use of site of demolished sports centre to a raised bed growing area with associated alterations including the installation of storage containers, boundary fencing, ground level changes and an access ramp at the site of the former Burnhill Sports Centre, Toryglen Road, Rutherglen.

**The Committee decided:**

that planning application P/21/0054 by South Lanarkshire Council for the change of use of site of demolished sports centre to a raised bed growing area with associated alterations including the installation of storage containers, boundary fencing, ground level changes and an access ramp at the site of the former Burnhill Sports Centre, Toryglen Road, Rutherglen be granted subject to the conditions specified in the Executive Director's report.

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**7 Application P/20/1680 for Erection of 12 Flats (4 storey), Provision of Off-Street Parking Spaces, Refuse and Recycling Storage Facilities and Amenity Space (Revision to Planning Consent P/18/0434) at Land Adjacent to St Andrew's Parish Church, Avon Street, Hamilton**

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A report dated 30 July 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/20/1680 by Apsis Solutions for the erection of 12 flats (4 storey), provision of off-street parking spaces, refuse and recycling storage facilities and amenity space (revision to planning consent P/18/0434) at land adjacent to St Andrew's Parish Church, Avon Street, Hamilton.

**The Committee decided:**

that planning application P/20/1680 by Apsis Solutions for the erection of 12 flats (4 storey), provision of off-street parking spaces, refuse and recycling storage facilities and amenity space (revision to planning consent P/18/0434) at land adjacent to St Andrew's Parish Church, Avon Street, Hamilton be granted subject to the conditions specified in the Executive Director's report.

*[Reference: Minutes of 4 December 2018 (Paragraph 4)]*

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**8 Application P/21/0540 for Installation of Access Gates for Emergency Vehicles with Associated Side Panels and Formation of Associated Vehicular Access (Part Retrospective) at Uddingston Cricket and Sports Club, Castle Avenue, Uddingston**

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A report dated 30 July 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/0540 by A McGill for the installation of access gates for emergency vehicles with associated side panels and formation of associated vehicular access (part retrospective) at Uddingston Cricket and Sports Club, Castle Avenue, Uddingston.

Following a full discussion, the Committee agreed to defer this application to allow planning officers to consult with the relevant emergency services on the requirement for the installation of access gates for emergency vehicles.

**The Committee decided:**

that planning application P/21/0540 by A McGill for the installation of access gates for emergency vehicles with associated side panels and formation of associated vehicular access (part retrospective) at Uddingston Cricket and Sports Club, Castle Avenue, Uddingston be deferred to a future meeting of the Planning Committee to allow planning officers to consult with the relevant emergency services on the requirement for the installation of access gates for emergency vehicles.

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## **9 Application P/20/1847 for Erection of Residential (Over 55's Community) Houses, 60 Bedroom Care Home, Associated Onsite Commercial Centre and Leisure Facilities, Associated Roads, Access, Landscaping, Open Space, Parking and Supporting Infrastructure (Planning Permission in Principle) at Kersewell Mains Farm, A70 from Carnwath to Boundary by Tarbrax, Carnwath, Lanark**

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A report dated 30 July 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/20/1847 by Lannraig Wellbeing Resort Limited for the erection of residential (over 55's community) houses, 60 bedroom care home, associated onsite commercial centre and leisure facilities, associated roads, access, landscaping, open space, parking and supporting infrastructure (planning permission in principle) at Kersewell Mains Farm, A70 from Carnwath to Boundary by Tarbrax, Carnwath, Lanark.

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.

In response to a member's comment, the Planning and Building Standards Manager (Headquarters) clarified the process for requesting site visits.

### **The Committee decided:**

- (1) that planning application P/20/1847 by Lannraig Wellbeing Resort Limited for the erection of residential (over 55's community) houses, 60 bedroom care home, associated onsite commercial centre and leisure facilities, associated roads, access, landscaping, open space, parking and supporting infrastructure (planning permission in principle) at Kersewell Mains Farm, A70 from Carnwath to Boundary by Tarbrax, Carnwath, Lanark be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ prior conclusion of a Section 75 Agreement and/or other appropriate agreement between the Council and the applicant to ensure that:-
  - ◆ a phasing plan to ensure that the residential dwellings were built in tandem with the associated leisure resort
  - ◆ a restriction on the occupancy of the development by way of ensuring that the dwellings were restricted to at least one occupant of 55 years of age or more
  - ◆ a commuted sum in lieu of onsite affordable housing provision for use within the Clydesdale housing area
  - ◆ the provision of at least 1.5 hectares of canopy cover through compensatory tree planting
  - ◆ the provision of a shuttle bus
  - ◆ the provision of a cycle/foot path running along the northern boundary of the site
- ◆ the applicant meeting the Council's legal costs associated with the Legal Agreement and the restoration guarantee quantum
- ◆ the following additional condition:-

"4 That all vehicular access to the development hereby approved shall be taken from the A70 only and no other vehicular routes into the site will be provided. The further application(s) required under condition 1 above shall include measures to prevent vehicular traffic (other than those with a legal right to do so) entering the site from Kersewell Avenue.

### **Reason**

In the interests of road safety."

- (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 could 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 Legal Agreement.

*[Reference: Minutes of 7 July 2015 (Paragraph 15) and Note of Delegated Decisions taken by the Chief Executive, in consultation with Group Leaders, on items of business relating to the Planning Committee agenda of 20 May 2020 (Paragraph 5)]*

*Councillor Lennon left the meeting after this item of business*

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#### **10 Application P/21/0555 for Material Placement, Remodelling and Landscaping of Western Open Space Area of Masterplan Site (amendment to Planning Consent CR/15/0004) at Newton Farm, Newton Farm Road, Cambuslang**

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A report dated 21 July 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/0555 by Taylor Wimpey West Scotland Limited for material placement, remodelling and landscaping of western open space area of masterplan site (amendment to planning consent CR/15/0004) at Newton Farm, Newton Farm Road, Cambuslang.

**The Committee decided:** that planning application P/21/0555 by Taylor Wimpey West Scotland Limited for material placement, remodelling and landscaping of western open space area of masterplan site (amendment to planning consent CR/15/0004) at Newton Farm, Newton Farm Road, Cambuslang be granted subject to the conditions specified in the Executive Director's report.

*[Reference: Minutes of 9 June 2015 (Paragraph 6)]*

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#### **11 Application HM/15/0466 for Residential Development (Planning Permission in Principle) at Greyfriars, Greyfriars Road, Uddingston**

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A report dated 20 July 2021 by the Executive Director (Community and Enterprise Resources) was submitted on progress associated with the issue of the decision notice for planning application HM/15/0466 for a residential development (planning permission in principle) at Greyfriars, Greyfriars Road, Uddingston and a proposed amendment to the requirements of the associated Section 75 Planning Obligation.

At its meeting on 28 March 2017, the Committee had approved planning application HM/15/0466 by S Pisano, subject to conditions and the conclusion of a Section 75 Planning Obligation to secure financial contributions for community facilities in lieu of on-site play facilities, the provision of education facilities and affordable housing.

The following related planning applications would be determined under the Council's approved Scheme of Delegation and would also form part of the Section 75 Planning Obligation:-

- ◆ HM/17/0415 for the conversion and extension to a Grade B listed building to form 10 flatted units (listed building consent)
- ◆ HM/17/0428 for the conversion and extension to a Grade B listed building to form 10 flatted units (detailed planning permission)

At its meeting on 22 September 2020, the Committee had considered a report that advised that the applicant had raised concerns about the level of financial contributions sought by the Council and a subsequent independent assessment of the proposed development had concluded that, based on the probable development costs, it was unlikely that there would be sufficient residual value to permit the payment of a financial contribution without affecting the viability of the project. Following a full discussion, the Committee had agreed that the requirement of the associated Section 75 Planning Obligation for the provision of developer contributions should remain in place and that the extent of the contribution be assessed and reviewed as the development works progressed and that it be remitted to officers, in consultation with the Chair and Depute, to determine the extent and amount of the contributions.

Discussions had subsequently been held with the applicant which had been unsuccessful in reaching agreement, however, the applicant had since reconsidered the matter and had offered to make a payment of £5,000 per unit. Taking into consideration the various aspects of the proposals, including the retention of the existing Category B listed building, it was considered that the payment of £5,000 per unit was a reasonable outcome. This matter had been referred for the Committee's consideration at the request of the Chair and Depute Chair.

**The Committee decided:** that the altered requirements/content of the Section 75 Obligation associated with planning consent HM/15/0466 to reflect the developer's contribution of £5,000 per unit be agreed.

*[Reference: Minutes of 22 September 2020 (Paragraph 13)]*

*Councillor Lennon re-joined the meeting during this item of business and left the meeting after this item of business*

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## **12 Application P/21/0786 for Change of Use from Class 1 (Retail - Hairdressing Salon) to Class 2 (Office - Estate Agent) at 290 Stonelaw Road, Rutherglen**

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A report dated 20 July 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/0786 by Clyde Property Limited for the change of use from class 1 (retail - hairdressing salon) to class 2 (office - estate agent) at 290 Stonelaw Road, Rutherglen.

**The Committee decided:** that planning application P/21/0786 by Clyde Property Limited for the change of use from class 1 (retail - hairdressing salon) to class 2 (office - estate agent) at 290 Stonelaw Road, Rutherglen be granted subject to the conditions specified in the Executive Director's report.

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## **13 Application P/21/0802 for Demolition of Coal Bunker and Erection of Pergola at 42 Dryburgh Avenue, Rutherglen**

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A report dated 15 July 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/0802 by A Fulton for the demolition of a coal bunker and erection of a pergola at 42 Dryburgh Avenue, Rutherglen.

**The Committee decided:**

that planning application P/21/0802 by A Fulton for the demolition of a coal bunker and erection of a pergola at 42 Dryburgh Avenue, Rutherglen be granted.

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#### **14 Urgent Business**

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There were no items of urgent business.