

## PLANNING COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 31 October 2006

### **Chair:**

Councillor Graham Scott

### **Councillors Present:**

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

### **Councillor Also Present**

David Shearer

### **Councillors' Apologies:**

Pam Clearie, Jim Daisley, Gerry Docherty, Allan Falconer, Stan Hogarth, Carol Hughes, James Malloy, Edward McAvoy, Mary McNeill

### **Attending:**

#### **Corporate Resources**

L Carstairs, Public Relations Officer; L Paterson, Administration Officer

#### **Enterprise Resources**

J Blake, Planning Officer, Planning and Building Standards Services (Hamilton); G Cameron, Area Manager, Planning and Building Standards Services (Cambuslang/Rutherglen); S Ferrie, Area Manager, Planning and Building Standards Services (Lanark); M Little, Operations and Area Manager, Planning and Building Standards Services (Hamilton); C McDowall, Head of Planning and Building Standards Services; T Meikle, Area Manager, Planning and Building Standards Services (East Kilbride); M McGlynn, Planning Headquarters Manager; J Turner, Operations Manager, Roads and Transportation

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## **Order of Business**

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Item 13 was dealt with prior to item 4 on the agenda.

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### **1 Declaration of Interests**

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No interests were declared.

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### **2 Minutes of Previous Meeting**

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The minutes of the meeting of the Planning Committee held on 10 October 2006 were submitted for approval as a correct record.

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

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### **3 Application Hearing HM/05/0571 - Residential Development with Associated Infrastructure, Open Space and Landscaping (Outline) at Bothwell Road, Uddingston**

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A report dated 24 October 2006 by the Executive Director (Enterprise Resources) was submitted on planning application HM/05/0571 by National Grid, formerly Second Site Property Holdings Limited, for a residential development with associated infrastructure, open space and landscaping (outline) at Bothwell Road, Uddingston.

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:-

- ◆ B Wallace, Director, Hargest and Wallace Planning Limited, agent and F McKenzie, Property Manager, National Grid, applicant
- ◆ J Waterson, Bothwell Community Council; N Cameron, Lidl UK and G Hepburn on behalf of the objectors to the proposal

The application had been assessed against the relevant policies and criteria contained in the Adopted Hamilton District Local Plan, South Lanarkshire Local Plan (Finalised) 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 site had been unsuccessfully marketed for industrial and commercial development and the loss of the site did not raise issues in respect of the industrial land supply
- ◆ the South Lanarkshire Local Plan (Finalised) designated the main part of the site for residential use
- ◆ the applicant had agreed to provide 15% of the site's capacity as serviced land for social/rented housing
- ◆ the proposal involved the re-use of a brownfield site for housing which conformed with national policy guidance
- ◆ the site could be safely accessed with adequate levels of car parking provision and raised no environmental or infrastructure issues

**The Committee decided:**

that planning application HM/05/0571 by National Grid, formerly Second Site Property Holdings Limited, for a residential development with associated infrastructure, open space and landscaping (outline) at Bothwell Road, Uddingston be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ the prior completion of a Section 75 Agreement between the applicant and the Council to ensure the provision of 15% social/rented housing and play facilities within the site in addition to the provision of a financial contribution to upgrade community facilities in the area
- ◆ the applicant meeting the Council's legal fees in respect of the Section 75 Agreement

*Item 13 was dealt with at this point in the meeting*

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#### **4 Application HM/05/0699 - Erection of Extensions to Industrial Unit together with Formation of Car Park and Service Area at 73 Bothwell Road, Hamilton**

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A report dated 11 October 2006 by the Executive Director (Enterprise Resources) was submitted on planning application HM/05/0699 by Lightbody Celebration Cakes Limited for the erection of extensions to an industrial unit together with formation of car park and service area at 73 Bothwell Road, Hamilton.

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 to attend the meeting 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 Hamilton District Local Plan, South Lanarkshire Local Plan (Finalised) 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:-

- ◆ Scottish Planning Policy 2: Economic Development allowed for proposals that affect the natural heritage where there was a particular economic or locational requirement. The company had grown substantially over the past 10 years and invested heavily in the site. Its sales for the last year amounted to £38 million and the current premises were unable to cope with the operational requirements of the business. The part of the application site within the Sites of Importance for Nature Conservation (SINC) and Ancient Woodland was the only available remaining area adjacent to the existing site
- ◆ National Planning Policy Guideline 14: Natural Heritage stated that, where other material considerations clearly outweighed any potential damage to the natural heritage, local authorities should endeavour to mitigate any impact and consider compensation. If planning permission was approved, conditions would be imposed regarding the implementation of an appropriate replacement planting scheme and a financial contribution of £40,000 would be provided by the applicant towards the management and improvement of the remaining woodland. Notwithstanding, 5% of the existing woodland would be lost and the proposal would not significantly affect the overall quality of the existing SINC or Ancient Woodland
- ◆ approval of the application would not only alleviate current operational difficulties but would enable the company to create a further 300 to 400 extra jobs
- ◆ bat and badger surveys had been carried out and Scottish National Heritage was satisfied that the proposed loss of woodland would not have a detrimental impact on any local populations subject to the imposition of appropriate conditions
- ◆ arrangements would be made through the sale of the land by the Council to use any felled timber from the site in local community schemes and to have soil and ground vegetation carefully uplifted and transported to other areas of the woodland
- ◆ there were no traffic or road safety implications associated with the development

**The Committee decided:**

that planning application HM/05/0699 by Lightbody Celebration Cakes Limited for the erection of extensions to an industrial unit together with formation of car park and service area at 73 Bothwell Road, 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 did not accord with the Adopted Local Plan and the Council had an ownership interest in the land
- ◆ arrangements being made through the sale of the land to use any felled timber from the site in local community schemes and to have soil and ground vegetation carefully uplifted and transported to other areas of the woodland
- ◆ the applicant making a capital contribution of £40,000 to the Council towards the upgrading of the Backmuir Plantation

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**5 Application EK/05/0691 - Alterations to Crossbasket House to Form 10 Houses; Part Demolition, Replacement, Alteration and Extension of Former Coach House Building to form 5 Houses, Erection of 5 Houses and Associated Works within Crossbasket House at Stonymeadow Road, High Blantyre**

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The Chair advised that this application had been withdrawn at the request of the applicant.

**The Committee decided:** to note the position.

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**6 Application EK/05/0692 - Alterations to Crossbasket House to Form 10 Houses, Part Demolition, Replacement, Alteration and Extension of Former Coach House Building to Form 5 Houses, Erection of 5 Houses and Associated Works within Crossbasket House (Listed Building Consent) at Stonymeadow Road, High Blantyre**

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The Chair advised that this application had been withdrawn at the request of the applicant.

**The Committee decided:** to note the position.

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**7 Application CR/06/0255 - Demolition of Existing Social Club and Associated Facilities, Remediation Work to Existing Ground, Construction of New Social Club and Formation of Car Park at 72 Glasgow Road, Rutherglen**

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A report dated 24 October 2006 by the Executive Director (Enterprise Resources) was submitted on planning application CR/06/0255 by Rutherglen and Glencairn Football and Social Club for the demolition of an existing social club and associated facilities, remediation work to existing ground, construction of new social club and formation of car park at 72 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 in the Adopted Cambuslang and Rutherglen Local Plan and 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 was outwith the finalised line of the land required for the M74 extension and, as such, the reservation of this site, as shown in the Adopted Local Plan, was not now required
- ◆ the application site was not currently identified as an industrial site and, therefore, its use for the proposed development would not result in a net loss of industrial land in terms of the South Lanarkshire Local Plan (Finalised)
- ◆ the principle of having a social club at this general location had been established by the football club's existing social club on Glasgow Road, some 110 metres south of the proposed development

**The Committee decided:**

that planning application CR/06/0255 by Rutherglen and Glencairn Football and Social Club for the demolition of an existing social club and associated facilities, remediation work to existing ground, construction of new social club and formation of car park at 72 Glasgow Road, Rutherglen be granted subject to the conditions specified in the Executive Director's report.

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## **8 Application CR/06/0256 - Remediation Work to Existing Ground and Formation of New Football Pitch and Car Park and Erection of Stand, Changing Facilities and Toilets at Open Ground (East), Toryglen Road, Rutherglen**

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A report dated 24 October 2006 by the Executive Director (Enterprise Resources) was submitted on planning application CR/06/0256 by Rutherglen and Glencairn Football and Social Club for remediation work to existing ground and formation of new football pitch and car park and erection of stand, changing facilities and toilets at open ground (east), Toryglen Road, Rutherglen.

**The Committee decided:**

that planning application CR/06/0256 by Rutherglen and Glencairn Football and Social Club for remediation work to existing ground and formation of new football pitch and car park and erection of stand, changing facilities and toilets at open ground (east), Toryglen Road, Rutherglen be granted subject to the conditions specified in the Executive Director's report.

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## **9 Application EK/06/0437 - Change of Use of Agricultural Land to Garden Ground at Avonside Cottage, Gilmourton**

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A report dated 24 October 2006 by the Executive Director (Enterprise Resources) was submitted on planning application EK/06/0437 by Mr and Mrs Glass for the change of use of agricultural land to garden ground at Avonside Cottage, Gilmourton. 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 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 proposal constituted a small scale extension to an existing residential plot
- ◆ the proposal complied with the general development policies in both the Adopted and Finalised local plans

**The Committee decided:** that planning application EK/06/0437 by Mr and Mrs Glass for the change of use of agricultural land to garden ground at Avonside Cottage, Gilmourton be granted subject to the conditions specified in the Executive Director's report.

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#### **10 Application HM/06/0305 - Change of Use from a Depot to a Waste Transfer Station at Scottish Water, 5 Whistleberry Road, Blantyre**

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A report dated 16 October 2006 by the Executive Director (Enterprise Resources) was submitted on planning application HM/06/0305 by Scottish Water for the change of use from a depot to a waste transfer station at Scottish Water, 5 Whistleberry Road, Blantyre.

**The Committee decided:** that planning application HM/06/0305 by Scottish Water for the change of use from a depot to a waste transfer station at Scottish Water, 5 Whistleberry Road, Blantyre be granted subject to the conditions specified in the Executive Director's report.

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#### **11 Application HM/06/0394 - Erection of Pre-School Nursery (Outline) at Land adjoining 91 Bothwell Road, Hamilton**

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A report dated 24 October 2006 by the Executive Director (Enterprise Resources) was submitted on planning application HM/06/0394 by T Fulton for the erection of a pre-school nursery (outline) at land adjoining 91 Bothwell Road, Hamilton. 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 Hamilton District Local Plan and South Lanarkshire Local Plan (Finalised). Details of the assessment were provided in the report.

It was considered that the proposal:-

- ◆ did not conflict with the Council's policies
- ◆ was an appropriate use within the industrial estate
- ◆ would permit the nursery to continue to make a contribution to providing such facilities within Hamilton and protect employment

**The Committee decided:** that planning application HM/06/0394 by T Fulton for the erection of a pre-school nursery (outline) at land adjoining 91 Bothwell Road, Hamilton be granted subject to the conditions specified in the Executive Director's report.

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#### **12 Application EK/06/0468 - Erection of Replacement Primary School and Pre-School Nursery with Associated Landscaping, Roads and Parking Infrastructure at Crosshouse Primary School, Crosshouse Road, East Kilbride**

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A report dated 24 October 2006 by the Executive Director (Enterprise Resources) was submitted on planning application EK/06/0468 by Bovis Lend Lease Limited for the erection of a

replacement primary school and pre-school nursery with associated landscaping, roads and parking infrastructure at Crosshouse Primary School, Crosshouse Road, East Kilbride.

**The Committee decided:**

that planning application EK/06/0468 by Bovis Lend Lease Limited for the erection of a replacement primary school and pre-school nursery with associated landscaping, roads and parking infrastructure at Crosshouse Primary School, Crosshouse Road, East Kilbride be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ the promotion of a Public Footpath Stopping Up Order to allow the diversion of a footpath on the eastern half of the site, temporary closure of 1 path to allow construction works and closure of a remote footpath in the south of the site

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**13 Application CL/06/0173 - Demolition of House and Erection of 26 Flats, Associated Roadworks, Parking and Landscaping at 41 Station Road, Carluke**

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A report dated 20 October 2006 by the Executive Director (Enterprise Resources) was submitted on planning application CL/06/0173 by Robertson Frame Homes Limited for the demolition of a house and erection of 26 flats, associated roadworks, parking and landscaping at 41 Station Road, Carluke.

Because of the substantial body of public interest in the proposed development, the opportunity of a hearing had been offered to the objectors to the proposal and the applicant.

The Committee heard:-

- ◆ R Crotch, Riach Partnership, agent and J Frame, Robertson Frame Homes Limited, applicant
- ◆ G Thorley, M Botham and E Gray, on behalf of the objectors to the proposal

The Committee also heard Councillor Shearer, the local member.

The application had been assessed against the relevant policies and criteria contained in the Adopted Lower Clydesdale Local Plan, South Lanarkshire Local Plan (Finalised) and government advice/policy. Details of the assessment were provided in the report.

Reference was made to a further 7 late letters of objection which had been received, all of which raised no new issues.

**The Committee decided:**

that planning application CL/06/0173 by Robertson Frame Homes Limited for the demolition of a house and erection of 26 flats, associated roadworks, parking and landscaping at 41 Station Road, Carluke be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ prior conclusion of arrangements for the applicants to make a financial contribution of £13,000 towards upgrading recreational provision in the area



*Councillor Gray, as the mover of an amendment which failed to find a seconder, asked that his dissent be recorded*

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#### **14 Application HM/06/0640 - Change of Use from Amenity Ground to Garden Ground and Erection of Fence (Retrospective) at Tigh Na Coille, 74 Pentland Crescent, Larkhall**

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A report dated 11 October 2006 by the Executive Director (Enterprise Resources) was submitted on planning application HM/06/0640 by Mr and Mrs Scroggie for the change of use from amenity ground to garden ground and erection of fence (restrospective) at Tigh Na Coille, 74 Pentland Crescent, Larkhall. 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 Hamilton District Local Plan and 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 area of land that formed the application site was zoned by RES1 and RES6 and was of a scale and position that its conversion to garden ground would have a minimal impact upon the adjoining residential area or woodland area
- ◆ many similar proposals had also received planning permission in the past for the extensions of garden ground in this area

**The Committee decided:** that planning application HM/06/0640 by Mr and Mrs Scroggie for the change of use from amenity ground to garden ground and erection of fence (restrospective) at Tigh Na Coille, 74 Pentland Crescent, Larkhall be granted subject to the conditions specified in the Executive Director's report.

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#### **15 Application EK/06/0481 - Erection of Replacement Primary School together with Associated Roads and Car Parking at Blacklaw Primary School, Glen Arroch, St Leonards, East Kilbride**

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A report dated 17 October 2006 by the Executive Director (Enterprise Resources) was submitted on planning application EK/06/0481 by Bovis Lend Lease Limited for the erection of a replacement primary school together with associated roads and car parking at Blacklaw Primary School, Glen Arroch, St Leonards, East Kilbride.

**The Committee decided:** that planning application EK/06/0481 by Bovis Lend Lease Limited for the erection of a replacement primary school together with associated roads and car parking at Blacklaw Primary School, Glen Arroch, St Leonards, East Kilbride be granted subject to the conditions specified in the Executive Director's report.

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#### **16 Urgent Business**

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There were no items of urgent business.

