

# PLANNING COMMITTEE

Minutes of meeting held via Microsoft Teams on 8 June 2021

## Chair:

Councillor Isobel Dorman

## Councillors Present:

Councillor Alex Allison, Councillor John Anderson (*substitute for Councillor Collette Stevenson*), Councillor John Bradley, Councillor Archie Buchanan, Councillor Margaret Cowie, Councillor Peter Craig, Councillor Maureen Devlin, Councillor Mary Donnelly, Councillor Fiona Dryburgh, Councillor Lynsey Hamilton, Councillor Mark Horsham (Depute), Councillor Martin Lennon, Councillor Richard Lockhart, Councillor Davie McLachlan, Councillor Lynne Nailon, Councillor Carol Nugent, Councillor John Ross (ex officio), Councillor Graham Scott, Councillor David Shearer, Councillor Bert Thomson, Councillor Jim Wardhaugh, Councillor Jared Wark (*substitute for Councillor Ian Harrow*), Councillor Josh Wilson (*substitute for Councillor Stephanie Callaghan*)

## Councillors' Apologies:

Councillor Stephanie Callaghan, Councillor Ian Harrow, Councillor Ann Le Blond, Councillor Joe Lowe, Councillor Collette Stevenson

## 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); C Park, Head of Roads and Transportation

### Finance and Corporate Resources

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

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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>
R Lockhart	Application P/21/0074 for Installation and Display of LED Panel Display on Retail Unit (Retrospective) at 30 West Port, Lanark	Known to applicant and objectors

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## 2 Minutes of Previous Meeting

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The minutes of the meeting of the Planning Committee held on 11 May 2021 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 P/20/1365 for Erection of Child Care Nursery (113 Children), Associated Car Parking, Drop Off/Pick Up Facilities, External Play Area, 2.4 Metre High Weld Mesh Fencing and Relocation of Electrical Sub-Station at Land 30 Metres North of 21 Clyde Terrace, Clyde Terrace, Bothwell**

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A report dated 1 June 2021 by the Executive Director (Finance and Corporate Resources) was submitted on planning application P/20/1365 by South Lanarkshire Council for the erection of a child care nursery (113 children), associated car parking, drop off/pick up facilities, external play area, 2.4 metre high weld mesh fencing and relocation of electrical sub-station at land 30 metres north of 21 Clyde Terrace, Clyde Terrace, Bothwell.

At its meeting on 23 March 2021, the Committee agreed to defer decision on the application to allow for further consideration of parking and transport arrangements. Additional information was subsequently submitted by the applicant which was issued to members of the Committee and made available on the Council's planning portal.

A request for a further hearing in respect of the application had been received, however, on the basis that the application had already been the subject of a hearing, the request was refused.

Points raised in 20 further letters of objection were referred to at the meeting and addressed by officers.

There followed a full discussion on the application during which officers responded to members' questions on various aspects of the report.

**The Committee decided:** that planning application P/20/1365 by South Lanarkshire Council for the erection of a child care nursery (113 children), associated car parking, drop off/pick up facilities, external play area, 2.4 metre high weld mesh fencing and relocation of electrical sub-station at land 30 metres north of 21 Clyde Terrace, Clyde Terrace, Bothwell be granted subject to the conditions specified in the Executive Director's report.

*[Reference: Minutes of 23 March 2021 (Paragraph 3)]*

*Councillor Allison left and re-joined the meeting during this item of business due to technical difficulties. Councillor Ross left the meeting following consideration of this item of business*

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### **4 Application P/20/0023 for Erection of 190 Houses with Associated Roads, Drainage, Landscaping and Open Space at Land 360 Metres North Northeast of Hallside Manse, Manse Brae, Cambuslang**

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A report dated 28 May 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/20/0023 by Walker Group (Scotland) Limited for the erection of 190 houses with associated roads, drainage, landscaping and open space at land 360 metres north northeast of Hallside Manse, Manse Brae, Cambuslang.

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.

**The Committee decided:**

- (1) that planning application P/20/0023 by Walker Group (Scotland) Limited for the erection of 190 houses with associated roads, drainage, landscaping and open space at land 360 metres north northeast of Hallside Manse, Manse Brae, Cambuslang 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 appropriate financial contributions were made towards the improvement/upgrading of educational, community facilities and off-site affordable housing provision
  - ♦ the developers meeting the Council's legal costs associated with the Legal Agreement
- (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)]*

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**5 Application P/20/1492 for Erection of 75 Two Storey Houses with Associated Landscaping, Roads and Infrastructure (Approval of Matters Specified in Conditions 2, 4, 8 and 19 in Planning Application CR/09/0139) at Newton Farm Development - Area 2K, Harvester Avenue, Cambuslang**

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A report dated 20 May 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/20/1492 by Taylor Wimpey West Scotland for the erection of 75 two storey houses with associated landscaping, roads and infrastructure (approval of matters specified in conditions 2, 4, 8 and 19 in Planning Application CR/09/0139) at Newton Farm Development – Area 2K, Harvester Avenue, Cambuslang.

**The Committee decided:**

that planning application P/20/1492 by Taylor Wimpey West Scotland for the erection of 75 two storey houses with associated landscaping, roads and infrastructure (approval of matters specified in conditions 2, 4, 8 and 19 in Planning Application CR/09/0139) at Newton Farm Development – Area 2K, Harvester Avenue, Cambuslang be granted subject to the conditions specified in the Executive Director's report.

*[Reference: Minutes of 14 December 2010 (Paragraph 14)]*

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## **6 Application P/20/0731 for Siting of 2 Temporary Storage Containers for a Period of 1 Year (Retrospective) at 117 Cedar Drive, East Kilbride**

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A report dated 27 May 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/20/0731 by H Rai for the siting of 2 temporary storage containers for a period of 1 year (retrospective) at 117 Cedar Drive, East Kilbride.

In response to a member's question, the Planning and Building Standards Manager (Headquarters) undertook to refer the licensing issue raised to Licensing and Registration Services.

**The Committee decided:** that planning application P/20/0731 by H Rai for the siting of 2 temporary storage containers for a period of 1 year (retrospective) at 117 Cedar Drive, East Kilbride be granted subject to the conditions specified in the Executive Director's report.

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## **7 Application P/21/0511 for Erection of 7 Classrooms, 2 Storey Extension to Existing North East Gable of Existing School at Newton Farm Primary School, Harvester Avenue, Cambuslang**

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A report dated 28 May 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/0511 by South Lanarkshire Council for the erection of 7 classrooms, 2 storey extension to existing north east gable of existing school at Newton Farm Primary School, Harvester Avenue, Cambuslang.

In response to a member's question, the Planning and Building Standards Manager (West) undertook to advise Education Resources of concerns regarding the use of the MUGA pitch floodlights.

**The Committee decided:** that planning application P/21/0511 by South Lanarkshire Council for the erection of 7 classrooms, 2 storey extension to existing north east gable of existing school at Newton Farm Primary School, Harvester Avenue, Cambuslang be granted subject to the conditions specified in the Executive Director's report.

*[Reference: Minutes of 8 September 2015 (Paragraph 19)]*

*In terms of Standing Order No 13, the Chair adjourned the meeting at 11.55am for a 15 minute period. The meeting reconvened at 12.10pm*

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## **8 Application P/21/0074 for Installation and Display of LED Panel Display on Retail Unit (Retrospective) at 30 West Port, Lanark**

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A report dated 19 May 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/0074 by W Rae for the installation and display of an LED panel display on a retail unit (retrospective) at 30 West Port, Lanark.

At its meeting on 11 May 2021, the Committee agreed to defer decision on the application to allow for Fleet and Environmental Services to check that the maximum permitted luminance during daylight and low light, as detailed in condition 1 of the Executive Director's report, was not being exceeded.

**The Committee decided:**

that planning application P/21/0074 by W Rae for the installation and display of an LED panel display on a retail unit (retrospective) at 30 West Port, Lanark be granted subject to the conditions specified in the Executive Director's report.

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

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**9 Application P/21/0037 for Erection of 227 Houses Including any Associated Infrastructure and Landscaping (Approval of Matters Specified in Conditions 1 (a to r), 3, 4, 6, 7, 8, 9, 10 and 12 of Planning Permission in Principle of Planning Consent EK/09/0218) at Land 150 Metres North Northwest of Newhouse Farm, Jackton Road, Jackton, East Kilbride**

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A report dated 28 May 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/0037 by Taylor Wimpey West Scotland for the erection of 227 houses including any associated infrastructure and landscaping (approval of matters specified in conditions 1 (a to r), 3, 4, 6, 7, 8, 9, 10 and 12 of planning permission in principle of planning consent EK/09/0218) at land 150 metres north northwest of Newhouse Farm, Jackton Road, Jackton, East Kilbride.

**The Committee decided:**

that planning application P/21/0037 by Taylor Wimpey West Scotland for a proposal to erect 227 houses including any associated infrastructure and landscaping (approval of matters specified in conditions 1 (a to r), 3, 4, 6, 7, 8, 9, 10 and 12 of planning permission in principle of planning consent EK/09/0218) at land 150 metres north northwest of Newhouse Farm, Jackton Road, Jackton, East Kilbride be granted subject to the conditions specified in the Executive Director's report.

*[Reference: Minutes of 26 June 2018 (Paragraph 4)]*

*Councillor Nugent left the meeting during this item of business and Councillor Wilson left the meeting after this item of business*

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**10 Application P/21/0310 for Erection of 131 Houses with Associated Infrastructure and Landscaping (Approval of Matters Specified in Conditions 1 (a to r), 2, 3, 4, 6, 8, 9, 10, 12 and 16 of Planning Permission in Principle of Planning Consent EK/09/0218) at Land 120 Metres North of Newlandscroft, Jackton Road, Jackton, East Kilbride**

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A report dated 28 May 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/0310 by Miller Homes for the erection of 131 houses with associated infrastructure and landscaping (approval of matters specified in conditions 1 (a to r), 2, 3, 4, 6, 8, 9, 10, 12 and 16 of planning permission in principle of planning consent EK/09/0218) at land 120 metres north of Newlandscroft, Jackton Road, Jackton, East Kilbride.

**The Committee decided:**

that planning application P/21/0310 by Miller Homes for the erection of 131 houses with associated infrastructure and landscaping (approval of matters specified in conditions 1 (a to r), 2, 3, 4, 6, 8, 9, 10, 12 and 16 of planning permission in principle of planning consent EK/09/0218) at land 120 metres north of Newlandscroft, Jackton Road, Jackton, East Kilbride be granted subject to the conditions specified in the Executive Director's report.

*[Reference: Minutes of 26 June 2018 (Paragraph 4)]*

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**11 Application P/20/1667 for Erection of 128 Houses with Associated Roads, Landscaping, SUDS and Noise Attenuation Bund (Approval of Matters Specified in Conditions of Planning Permission in Principle of Planning Consent HM/17/0167) at Land 90 Metres East Southeast of 24 Simpson Drive, Strutherhill, Larkhall**

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A report dated 1 June 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/20/1667 by Robertson Living for the erection of 128 houses with associated roads, landscaping, SUDS and noise attenuation bund (approval of matters specified in conditions of planning permission in principle of planning consent HM/17/0167) at land 90 metres east southeast of 24 Simpson Drive, Strutherhill, Larkhall.

**The Committee decided:**

that planning application P/20/1667 by Robertson Living for the erection of 128 houses with associated roads, landscaping, SUDS and noise attenuation bund (approval of matters specified in conditions of planning permission in principle of planning consent HM/17/0167) at land 90 metres east southeast of 24 Simpson Drive, Strutherhill, Larkhall be granted subject to the conditions specified in the Executive Director's report.

*[Reference: Minutes of 21 November 2017 (Paragraph 4)]*

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**12 Application P/21/0282 for Erection and Operation of Wind Farm Consisting of 14 Turbines up to a Maximum Height to Blade Tip of 180 Metres (Consultation from Scottish Ministers Under Section 36 of the Electricity Act 1989) at Heathland Wind Farm, A706 From Forth to Northern Boundary, Wilsontown, Lanark**

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A report dated 18 May 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/0282 by EDF Renewables for the erection and operation of a wind farm consisting of 14 turbines (10 of which would be located within the boundary of South Lanarkshire Council) up to a maximum height to blade tip of 180 metres (consultation from Scottish Ministers under Section 36 of the Electricity Act 1989) at Heathland Wind Farm, A706 from Forth to northern boundary, Wilsontown, Lanark.

The proposal had been submitted to the Scottish Government under Section 36 of the Electricity Act 1989 as the proposal related to a wind farm with a generating capacity of over 50 megawatts (MW).

The application was considered acceptable on the basis that it:-

- ◆ accorded with the relevant policies in the Development Plan
- ◆ accorded with National Policy
- ◆ would not have any significant adverse impact within the surrounding area

The Planning and Building Standards Manager (Headquarters) responded to a member's question in relation to residents of Carnwath being able to access grant funding associated with the wind farm.

**The Committee decided:**

- (1) that the Scottish Government be informed that South Lanarkshire Council would have no objection to planning application P/21/0282 by EDF Renewables for the erection and operation of a wind farm consisting of 14 turbines up to a maximum height to blade tip of 180 metres (consultation from Scottish Ministers under Section 36 of the Electricity Act 1989) at Heathland Wind Farm, A706 from Forth to northern boundary, Wilsontown, Lanark subject to:-
  - ◆ conditions based on the conditions attached to the Executive Director's report
  - ◆ the conclusion of legal agreements to secure:-
    - ◆ community contribution payments
    - ◆ the funding of a Planning Monitoring Officer
    - ◆ control over turbine transportation and the repair of any damage to roads and bridges arising from extraordinary wear and tear associated with the development and associated indemnity insurance requirements
  - ◆ the applicant meeting the Council's costs associated with the legal agreements
- (2) that the Head of Planning and Economic Development be authorised to undertake any discussions or agreements on the proposed conditions and planning obligations, if required, with the Scottish Government.

*[Reference: Minutes of 29 November 2016 (Paragraph 4)]*

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**13 Application P/20/1788 for Change of Use of Part of Public House to form Beauty Salon (Class 2), Coffee Shop (Class 3) and Hot Food Takeaway (Sui Generis) at The C'mon Inn, 56 Alloway Road, East Kilbride**

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A report dated 28 May 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/20/1788 by Kilbride Properties for the change of use of part of a public house to form a beauty salon (class 2), coffee shop (class 3) and hot food takeaway (sui generis) at The C'mon Inn, 56 Alloway Road, East Kilbride.

Points raised in 13 further letters of support were referred to at the meeting and addressed by officers.

**The Committee decided:**

that planning application P/20/1788 by Kilbride Properties for the change of use of part of a public house to form a beauty salon (class 2), coffee shop (class 3) and hot food takeaway (sui generis) at The C'mon Inn, 56 Alloway Road, East Kilbride be granted subject to the conditions specified in the Executive Director's report.

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## **14 Scottish Government Consultation on Proposals for Regulations on Local Place Plans**

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A report dated 28 May 2021 by the Executive Director (Community and Enterprise Resources) was submitted on the Council's response to the Scottish Government's consultation on proposals for regulations on Local Place Plans.

The Scottish Government's work on reform of the planning system included steps to reduce conflict, improve community engagement and build public trust in planning matters. The Planning (Scotland) Act 2019 received Royal Assent in July 2019 and introduced a number of measures including the ability for communities to produce Local Place Plans (LPPs) for their places with scope for these plans, or parts of them, to become part of the Local Development Plan for the area. The aim was to significantly increase engagement in development planning by effectively empowering communities to play a proactive role in defining the future of their places by setting out proposals for the use and development of land and buildings. The consultation paper identified LPPs as offering the opportunity for a community led and collaborative approach to creating great local places.

The Act provided high level detail on the preparation of an LPP, a summary of which was provided in the report.

The Scottish Government had published a consultation on its proposals for the associated regulations on Local Place Plans to support the implementation of the LPP provisions in the Planning (Scotland) Act 2019 and the Council's proposed response was attached as Appendix 1 to the report.

The closing date for responses to the consultation was 25 June 2021. The Scottish Government's timetable anticipated that the Regulations would be laid before the Scottish Parliament at the end of 2021 and, thereafter, the provisions of the Act would come into effect.

In response to a member's question, the Planning and Building Standards Manager (Headquarters) advised that he would review the response to ensure that it addressed the Council's concerns about the definition of what a local community was.

### **The Committee decided:**

- (1)** that the Council's response to the Scottish Government's consultation on Proposals for Regulations on Local Place Plans, attached as Appendix 1 to the report, be approved for submission to the Scottish Government; and
- (2)** that the Head of Planning and Economic Development be authorised to make any drafting and technical changes to the response prior to its submission.

*Councillors Buchanan and McLachlan left the meeting during this item of business. Councillor Donnelly left the meeting after this item of business*

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## **15 Planning and Building Standards, Consultation, Communication and Engagement Strategy**

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A report dated 28 May 2021 by the Executive Director (Community and Enterprise Resources) was submitted on the development of the Consultation, Communication and Engagement Strategy for Planning and Building Standards.



The Planning (Scotland) Act 2019 aimed to empower communities to make decisions that supported and sustained them. The Act introduced a number of changes which would lead to greater community involvement in the planning process including changes to the way in which communities participated in the planning process and the ability for community bodies to prepare Local Place Plans.

When developing the Local Development Plan for the area, the Council was statutorily required to carry out public consultation and engagement at several stages of the process, however, the Planning (Scotland) Act 2019 required the Council to consult and engage much more widely in the future with the views of children and young people and the needs and aspirations of local communities being a particular focus.

The Scottish Government's Digital Strategy for Planning, launched in November 2020, also sought to transform the ways in which people could get involved in the planning process.

Planning and Building Standards Services had sought to develop new approaches to consultation, particularly in relation to electronic communication and new technology and, as a result, had developed a Consultation, Communication and Engagement Strategy which was structured around the following themes:-

- ◆ aims
- ◆ audiences
- ◆ activities
- ◆ assets
- ◆ analysis

The Strategy also included an Action Plan which identified a range of actions to sustain, improve and enhance how the Service communicated, consulted and engaged with its customers and was based on the following themes:-

- ◆ communication
- ◆ accessibility
- ◆ e-development
- ◆ service quality

The Strategy would cover a 3 year period from 2021 to 2024 and the Action Plan would be reviewed, updated and reported annually and would cover the lifetime of the Strategy. The Strategy and Action Plan were attached as Appendix 1 to the report.

**The Committee decided:** that the Planning and Building Standards Consultation, Communication and Engagement Strategy be approved and implemented.

*Councillors Bradley, Donnelly and Lennon left the meeting during this item of business*

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## **16 Urgent Business**

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There were no items of urgent business.