

# PLANNING COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 25 September 2018

## Chair:

Councillor Alastair Fulton

## Councillors Present:

John Anderson (*substitute for Councillor Bradley*), Alex Allison, Walter Brogan, Stephanie Callaghan, Margaret Cowie, Peter Craig (*substitute for Councillor Buchanan*), Maureen Devlin, Mary Donnelly, Isobel Dorman (Depute), Fiona Dryburgh, Mark Horsham, Ann Le Blond, Martin Lennon, Richard Lockhart, Julia Marrs, Kenny McCreary, Carol Nugent, Graham Scott, David Shearer, Collette Stevenson, Bert Thomson, Jim Wardhaugh

## Councillors' Apologies:

John Bradley, Archie Buchanan, Richard Nelson, John Ross (ex officio), Sheena Wardhaugh

## Attending:

### Community and Enterprise Resources

L Campbell, Area Manager, Planning and Building Standards Services (Hamilton and Clydesdale); P Elliott, Head of Planning and Economic Development; F Jack, Team Leader Development Management Team, Roads and Transportation Services; T Meikle, Area Manager, Planning and Building Standards Services (Cambuslang/Rutherglen and East Kilbride)

### Finance and Corporate Resources

M Cairns, Legal Services Manager; J Davitt, Public Relations Team Leader; P MacRae, Administration Officer; K McLeod, Administration Assistant

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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 28 August 2018 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/18/1024 for Demolition of Existing House and Erection of Block of 7 Flats with Associated Parking at 1 Wellknowe Avenue, Thorntonhall

A report dated 7 September 2018 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/18/1024 for the demolition of an existing house and the erection of a block of 7 flats with associated parking at 1 Wellknowe Avenue, Thorntonhall.

**The Committee decided:** that planning application P/18/1024 for the demolition of an existing house and the erection of a block of 7 flats with associated parking at 1 Wellknowe Avenue, Thorntonhall be granted subject to the conditions specified in the Executive Director's report.

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#### **4 Application P/18/0603 for Erection of 157 Houses, Construction of Access Roads, Formation of Play Areas and Associated Works at Muirhead Drive, Law, Carluke**

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A report dated 14 September 2018 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/18/0603 for the erection of 157 houses, construction of access roads, formation of play areas and associated works at Muirhead Drive, Law, Carluke.

Councillor Fulton, seconded by Councillor Dorman, moved that the application be granted subject to the conditions and other actions specified in the Executive Director's report. Councillor Shearer, seconded by Councillor Stevenson, moved as an amendment that the application be granted subject to the conditions and other actions specified in the Executive Director's report but that an additional condition be added prohibiting construction traffic on Muirhead Drive between the hours of 8.00am to 9.30am and 3.00pm to 5.00pm on weekdays only to allow school children to travel to and from school safely. On a vote being taken by a show of hands, 19 members voted for the amendment and 3 members voted for the motion. The amendment was declared carried.

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

- (1) that planning application P/18/0603 for the erection of 157 houses, construction of access roads, formation of play areas and associated works at Muirhead Drive, Law, Carluke be granted subject to:-
  - ◆ the conditions specified in the Executive Director's report
  - ◆ the inclusion of an additional condition prohibiting construction traffic on Muirhead Drive between the hours of 8.00am to 9.30am and 3.00pm to 5.00pm on weekdays only to allow school children to travel to and from school safely
  - ◆ prior conclusion of a Section 75 Planning Obligation and/or other agreement between the Council, the applicant and the site owner(s) to ensure that appropriate financial contributions were made at appropriate times during the development towards the provision of:-
    - ◆ affordable housing
    - ◆ education facilities
    - ◆ upgrading of community facilities
    - ◆ improvements to the Horsley Brae junction
  - ◆ the applicants meeting the Council's legal costs associated with the Section 75 Obligation and/or other legal agreements
- (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 Planning Obligation 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 would be secured by the Planning Obligation, the proposed development would be unacceptable; and
- (3) that it be noted that, if the Planning Obligation 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 Planning Obligation.

*[Reference: Minutes of 7 July 2015 (Paragraph 15)]*

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## **5 Application EK/17/0237 for Creation of Themed Garden on Existing Open Space at Allison Green, Strathaven**

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A report dated 6 September 2018 by the Executive Director (Community and Enterprise Resources) was submitted on planning application EK/17/0237 by the Rotary Club of Strathaven for the creation of a themed garden on existing open space at Allison Green, Strathaven.

**The Committee decided:** that planning application EK/17/0237 by the Rotary Club of Strathaven for the creation of a themed garden on existing open space at Allison Green, Strathaven be granted subject to the conditions specified in the Executive Director's report.

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## **6 Tree Preservation Order – Blairbeth Terrace, Rutherglen**

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A report dated 6 September 2018 by the Executive Director (Community and Enterprise Resources) was submitted on the promotion of a Provisional Tree Preservation Order (TPO) on a beech tree located opposite 4 Blairbeth Terrace, Rutherglen and a lime tree located at the entrance to Blairbeth Terrace at the corner with Blairbeth Road, as detailed on the plan attached to the Executive Director's report.

The Provisional TPO was required to ensure that the trees, which were considered to contribute to the character, amenity and sense of place within the local area as well as providing an attractive setting for the B listed terrace, were adequately protected.

**The Committee decided:**

- (1) that a Provisional TPO be promoted under the terms of Section 163 (Provisional Tree Preservation Order) of the Town and Country Planning (Scotland) Act 1997 on the trees identified on the plan attached to the report; and
- (2) that, should there be no objections to the Provisional TPO, the Order be confirmed within 6 months from the date of its promotion.

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## **7 Urgent Business**

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There were no items of urgent business.