

PLANNING COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 11 June 2019

Chair:

Councillor Isobel Dorman

Councillors Present:

Councillor Alex Allison, Councillor John Bradley, Councillor Archie Buchanan, Councillor Jackie Burns, Councillor Stephanie Callaghan, Councillor Margaret Cowie, Councillor Maureen Devlin, Councillor Mary Donnelly, Councillor Fiona Dryburgh, Councillor Mark Horsham (Depute), Councillor Ann Le Blond, Councillor Martin Lennon, Councillor Richard Lockhart, Councillor Kenny McCreary, Councillor Davie McLachlan, Councillor Lynne Nailon, Councillor Carol Nugent, Councillor Graham Scott, Councillor David Shearer, Councillor Collette Stevenson, Councillor Bert Thomson

Councillors' Apologies:

Councillor Alistair Fulton, Councillor John Ross (ex officio), Councillor Jim 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; T Finn, Headquarters Manager, Planning and Building Standards Services; 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

P MacRae, Administration Officer; K McLeod, Administration Assistant; K Moore, Legal Services Adviser

1 Declaration of Interests

The following interest was declared:-

| Councillor(s) | Item(s) | Nature of Interest(s) |
|----------------------|--|--|
| Horsham | Application P/18/1875 for Erection of 14 Wind Turbines up to 200 Metres in Height to Blade Tip Together with Associated Infrastructure (Section 36 Application) at Hagshaw Hill Wind Farm, Douglas, Lanark | Previous involvement with the applicant. |

2 Minutes of Previous Meeting

The minutes of the meeting of the Planning Committee held on 14 May 2019 were submitted for approval as a correct record.

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

3 Application P/18/1666 for Conversion of Agricultural Building to Distillery, Including Erection of 2 Malt Silos and External Alterations, and Conversion of Stables Building to Bonded Warehouse at Ocathian Stables, Hayhill Road, Thorntonhall

A report dated 15 May 2019 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/18/1666 by Raer Scotch Whisky for the conversion of an agricultural building to a distillery, including the erection of 2 malt silos and external alterations, and conversion of a stables building to a bonded warehouse at Ocathian Stables, Hayhill Road, Thorntonhall.

The application had been assessed against the relevant policies and criteria contained in the Adopted South Lanarkshire Local Development Plan and Supplementary Guidance, the Proposed South Lanarkshire Local Development Plan 2 and relevant 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 (Community and Enterprise Resources), a departure from the Development Plan was justified in this case for the following reasons:-

- ◆ the proposal involved the re-use of existing buildings for a business use that would generate employment in the countryside, in compliance with policy GBRA2 of the Adopted South Lanarkshire Local Development Plan 2015
- ◆ the proposal was acceptable in terms of design, amenity, environmental and safety impacts. It, therefore, complied with Policies 4 and 17 of the South Lanarkshire Local Development Plan (2015) and Policies 5, 16 and GBRA1 of the Proposed South Lanarkshire Local Development Plan 2
- ◆ the proposal would not have a detrimental impact on the integrity or landscape character of the green belt

The Committee decided:

that planning application P/18/1666 by Raer Scotch Whisky for the conversion of an agricultural building to a distillery, including the erection of 2 malt silos and external alterations, and conversion of a stables building to a bonded warehouse at Ocathian Stables, Hayhill Road, Thorntonhall be granted subject to the conditions specified in the Executive Director's report.

4 Application P/18/1585 for Erection of House, Formation of Garden Terraces, Alteration to Vehicle Access and Installation of Garden Lighting Poles at Site of Former Crossford Inn, 99 Lanark Road, Crossford, Carluke

A report dated 23 May 2019 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/18/1585 by M Loia for the erection of a house, formation of garden terraces, alteration to vehicle access and installation of garden lighting poles at the site of the former Crossford Inn, 99 Lanark Road, Crossford, Carluke.

Councillor Shearer, having moved an amendment which the Committee could not consider, asked for his dissent to be recorded

The Committee decided:

that planning application P/18/1585 by M Loia for the erection of a house, formation of garden terraces, alteration to vehicle access and installation of garden lighting poles at the site of the former Crossford Inn, 99 Lanark Road, Crossford, Carluke be granted subject to the conditions specified in the Executive Director's report.

5 Application P/19/0135 for Creation of Fenced Allotment Site Comprising 12 Raised Beds and up to 70 Allotment Plots in Total, Including Associated Hardstanding, SUDS Pond, Landscaping and Composting Areas at Lammermoor Recreation Area, Kenilworth, East Kilbride

A report dated 14 May 2019 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/19/0135 by South Lanarkshire Council for the creation of a fenced allotment site comprising 12 raised beds and up to 70 allotment plots in total, including associated hardstanding, SUDS pond, landscaping and composting areas at Lammermoor Recreation Area, Kenilworth, East Kilbride.

Points raised in a late letter of support for the application by R McMorran were referred to at the meeting and addressed by officers.

Councillor Lennon, seconded by Councillor McLachlan, moved that the application be granted subject to the conditions specified in the Executive Director's report. Councillor Buchanan, seconded by Councillor Callaghan, moved as an amendment that consideration of the application be continued to a future meeting of the Committee to allow for further information to be provided on the wider strategic approach in respect of allotment provision. On a vote being taken by a show of hands, 14 members voted for the amendment and 8 for the motion. The amendment was declared carried.

The Committee decided:

that consideration of planning application P/19/0135 by South Lanarkshire Council for the creation of a fenced allotment site comprising 12 raised beds and up to 70 allotment plots in total, including associated hardstanding, SUDS pond, landscaping and composting areas at Lammermoor Recreation Area, Kenilworth, East Kilbride be continued to a future meeting of the Committee to allow for further information to be provided on the wider strategic approach in relation to allotment provision.

6 Application P/18/1875 for Erection of 14 Wind Turbines up to 200 Metres in Height to Blade Tip Together with Associated Infrastructure (Section 36 Application) at Hagshaw Hill Wind Farm, Douglas, Lanark

A report dated 23 May 2019 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/18/1875 by 3R Energy Solutions Limited for the erection of 14 wind turbines up to 200 metres in height to blade tip together with associated infrastructure at Hagshaw Hill Wind Farm, Douglas, Lanark.

The application had been made to the Scottish Government for consideration and determination under Section 36 of the Electricity Act 1989 as it involved an electrical generation output of over 50 megawatts (MW). The proposal was for the replacement of the existing wind farm as it reached the end of its operational life and had been categorised by the Scottish Government as a 'repowering' of a wind farm.

The proposal was considered to be acceptable as it:-

- ♦ would not have a significant adverse impact within the surrounding area
- ♦ accorded with National Policy and the relevant provisions of the Development Plan, subject to the imposition of the environmental and transportation conditions attached to the report

To improve the scheme further, it was suggested that the Scottish Government consider a reduction in the height of turbines 10, 11 and 14.

The Committee decided:

- (1) that the Scottish Government be advised that the Council had no objections to the proposed erection of 14 wind turbines (up to 200 metres in height) and associated infrastructure under Section 36 of the Electricity Act 1989 subject to conditions based on the conditions attached to the Executive Director's report;
- (2) that, in addition, the Scottish Government be advised that approval should be subject to the conclusion of legal agreements covering:-
 - ♦ 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
- (3) that the applicants meet the Council's costs associated with the legal agreements; and
- (4) that the Head of Planning and Economic Development be authorised to undertake any discussions, further agreements of conditions and planning obligations, if required, with the Scottish Government.

Councillor Horsham, having declared an interest in the above application, withdrew from the meeting during its consideration

Councillor Burns left the meeting following consideration of this item of business

7 Tree Preservation Order – Blairbeth Terrace, Rutherglen

A report dated 30 May 2019 by the Executive Director (Community and Enterprise Resources) was submitted on the promotion of a Provisional Tree Preservation Order (TPO) under the terms of Section 163 of the Town and Country Planning (Scotland) Act 1997 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.

At its meeting on 25 September 2018, the Committee had approved the promotion of a Provisional TPO on those trees. Following the appropriate legal procedure, the TPO had been referred back to the meeting of the Committee held on 14 May 2019 to be confirmed. At that meeting, consideration of the TPO had been continued to clarify the position regarding the ownership of the trees, however, since then, the Provisional TPO had expired. As the trees were still 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, it was now proposed to recommence the required procedure to promote a Provisional TPO on the trees.

The Committee decided:

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

[Reference: Minutes of 14 May 2019 (Paragraph 10)]

8 Urgent Business

There were no items of urgent business.

Chair's Closing Remarks

The Chair advised that this would be the last meeting that Lesley Campbell, Area Manager, Planning and Building Standards Services (Hamilton and Clydesdale) would be attending as she was leaving the Council. The Chair, on behalf of the members of the Committee, thanked Mrs Campbell for her help and hard work over the years and wished her every success in the future.