

PLANNING COMMITTEE

Minutes of meeting held via Confero and in the Council Chamber, Council Offices, Almada Street, Hamilton on 16 August 2022

Chair:

Councillor Gerry Convery (Depute)

Councillors Present:

Councillor Alex Allison, Councillor Ralph Barker, Councillor Ross Clark, Councillor Margaret Cowie, Councillor Maureen Devlin, Councillor Mary Donnelly, Councillor Gladys Ferguson-Miller, Councillor Alistair Fulton, Councillor Celine Handibode, Councillor Mark Horsham, Councillor Ross Lambie, Councillor Lesley McDonald, Councillor Davie McLachlan, Councillor Norman Rae, Councillor Dr Ali Salamati, Councillor Graham Scott, Councillor David Shearer, Councillor Bert Thomson (*substitute for Councillor Monique McAdams*), Councillor Helen Toner, Councillor David Watson

Councillors' Apologies:

Councillor Archie Buchanan, Councillor Joe Fagan, Councillor Elise Frame, Councillor Monique McAdams, Councillor Richard Nelson (Chair), Councillor John Ross

Attending:

Community and Enterprise Resources

B Darroch, Planning and Building Standards Manager (East); T Finn, Planning and Building Standards Manager (Headquarters); F Jack, Team Leader, Development Management Team, Roads and Transportation Services; I Morton, Planning Team Leader (West Team); J Weir, Planning Team Leader (West Team)

Finance and Corporate Resources

M Cannon, Solicitor; S Jessup, Administration Assistant; S McLeod, Administration Officer; S Somerville, Administration Manager

1 Declaration of Interests

No interests were declared.

2 Minutes of Previous Meeting

The minutes of the meeting of the Planning Committee held on 21 June 2022 were submitted for approval as a correct record.

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

3 Application P/22/0526 for Change of Use from House to Short-Term Residential Let at 72 Whistleberry Wynd, Hamilton

A report dated 26 July 2022 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/22/0526 by Rossleigh Developments Limited for the change of use from house to short-term residential let at 72 Whistleberry Wynd, Hamilton.

The Committee decided: that planning application P/22/0526 by Rossleigh Developments Limited for the change of use from house to short-term residential let at 72 Whistleberry Wynd, Hamilton be granted subject to the conditions specified in the Executive Director's report.

Councillor Fulton left the meeting during this item of business due to technical issues

4 Application P/22/0511 for the Erection of Detached Residential House, Formation of Access and Associated Works (Planning Permission in Principle) at Land 50 Metres Southeast of The Latches, Blackwood Estate, Blackwood, Lesmahagow

A report dated 26 July 2022 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/22/0511 by P and M O'Brien for the erection of a detached residential house, formation of access and associated works (planning permission in principle) at land 50 metres southeast of The Latches, Blackwood Estate, Blackwood, Lesmahagow.

Following discussion, during which an officer responded to members' questions on various aspects of the report, Councillor Convery, seconded by Councillor Devlin, moved that the application be granted subject to the conditions specified in the Executive Director's report. Councillor Lambie, seconded by Councillor Allison, moved as an amendment that the application be refused on the grounds that it did not comply with policies GBRA1 and GBRA8. On a vote being taken using the electronic voting system, 4 members voted for the amendment and 15 for the motion which was declared carried.

The Committee decided: that planning application P/22/0511 by P and M O'Brien for the erection of a detached residential house, formation of access and associated works (planning permission in principle) at land 50 metres southeast of The Latches, Blackwood Estate, Blackwood, Lesmahagow be granted subject to the conditions specified in the Executive Director's report.

Councillor Thomson joined the meeting during this item of business and was, therefore, unable to participate in the vote

5 Application P/21/1982 for Removal and Restoration of Railway Sidings and Reuse of Material as Fill for Land Grading at Land 90 Metres North Northwest of 289 Carlisle Road, Kirkmuirhill

A report dated 26 July 2022 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/1982 by A Stewart for the removal and restoration of railway sidings and reuse of material as fill for land grading at land 90 metres north northwest of 289 Carlisle Road, Kirkmuirhill.

There followed a discussion on the application during which an officer responded to members' questions on aspects of the report.

The Committee decided: that planning application P/21/1982 by A Stewart for the removal and restoration of railway sidings and reuse of material as fill for land grading at land 90 metres north northwest of 289 Carlisle Road, Kirkmuirhill be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of 25 August 2020 (Paragraph 17)]

6 Application P/21/2132 for Erection of House with Extended Family Accommodation and Detached Double Garage at Land 41 Metres North of The Warren, Millrig Road, Wiston, Biggar

A report dated 26 June 2022 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/2132 by D Service for the erection of a house with extended family accommodation and a detached double garage at land 41 metres north of The Warren, Millrig Road, Wiston, Biggar.

The Committee decided: that planning application P/21/2132 by D Service for the erection of a house with extended family accommodation and a detached double garage at land 41 metres north of The Warren, Millrig Road, Wiston, Biggar be granted subject to the conditions specified in the Executive Director's report.

Councillor Fulton re-joined the meeting during this item of business

7 Application P/22/0387 for Amendment to Planning Permission CL/03/0257 Involving Substitution of House Types on Plots 131 to 161 at Land 92 Metres North of Bourtree Crescent, Law, Carluke

A report dated 26 July 2022 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/22/0387 by Persimmon Homes for amendment to planning permission CL/03/0257 involving substitution of house types on plots 131 to 161 at land 92 metres north of Bourtree Crescent, Law, Carluke.

There followed a discussion on the application during which an officer responded to members' questions on aspects of the report.

The Committee decided: that planning application P/22/0387 by Persimmon Homes for amendment to planning permission CL/03/0257 involving substitution of house types on plots 131 to 161 at land 92 metres north of Bourtree Crescent, Law, Carluke be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of 11 May 2004 (Paragraph 4)]

Councillor Lambie left the meeting during this item of business

8 Application P/21/1975 for Change of Use of Retail Unit (Class 1) to Hot Food Takeaway (Sui Generis) with Associated Alterations Including the Installation of a Flue at 78 Main Street, Cambuslang

A report dated 26 July 2022 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/1975 by F McCabe for the change of use of a retail unit (Class 1) to hot food takeaway (Sui Generis) with associated alterations including the installation of a flue at 78 Main Street, Cambuslang.

The Committee decided: that planning application P/21/1975 by F McCabe for the change of use of a retail unit (Class 1) to hot food takeaway (Sui Generis) with associated alterations including the installation of a flue at 78 Main Street, Cambuslang be granted subject to the conditions specified in the Executive Director's report.

9 Application P/21/1999 for Demolition of Rear Conservatory and Garage and the Erection of (a) a 1½ Storey Rear/Side Extension (b) Extension to the Rear and Above Vestibule (c) Associated Alterations (Replacement of Soffits, Facias, Rainwater Good, Windows and Doors and the Installation of an Air Source Heat Pump) (d) Alterations to Front Boundary Wall to Provide Wider Vehicular Access, Electric Gates and Garden Alterations, Including Boundary Fencing at 6 Brooklands Avenue, Uddingston

A report dated 26 July 2022 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/1999 by S Higgins for the demolition of a rear conservatory and garage and the erection of (a) a 1½ storey rear/side extension (b) extension to the rear and above vestibule (c) associated alterations (replacement of soffits, facias, rainwater good, windows and doors and the installation of an air source heat pump) (d) alterations to front boundary wall to provide wider vehicular access, electric gates and garden alterations, including boundary fencing at 6 Brooklands Avenue, Uddingston.

The Committee decided: that planning application P/21/1999 by S Higgins for the demolition of a rear conservatory and garage and the erection of (a) a 1½ storey rear/side extension (b) extension to the rear and above vestibule (c) associated alterations (replacement of soffits, facias, rainwater good, windows and doors and the installation of an air source heat pump) (d) alterations to front boundary wall to provide wider vehicular access, electric gates and garden alterations, including boundary fencing at 6 Brooklands Avenue, Uddingston be granted subject to the conditions specified in the Executive Director's report.

10 Application P/19/1802 for Erection of 26 Houses, Associated Access Road, Noise Bund with Fence, SuDS Pond, Open Space and Landscaping at Land 85 Metres South of 51 Brocketsbrae Road, Lesmahagow

A report dated 27 July 2022 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/19/1802 by Modern Housing Limited for the erection of 26 houses, associated access road, noise bund with fence, SuDS pond, open space and landscaping at land 85 metres south of 51 Brocketsbrae Road, Lesmahagow.

Points raised in a further representation were referred to at the meeting and addressed by an officer.

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.

There followed a discussion on the application during which an officer responded to members' questions on aspects of the report.

The Committee decided:

- (1) that planning application P/19/1802 by Modern Housing Limited for the erection of 26 houses, associated access road, noise bund with fence, SuDS pond, open space and landscaping at land 85 metres south of 51 Brocketsbrae Road, Lesmahagow 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, site owner(s) and applicant to ensure the provision of affordable housing, educational facilities and the upgrade of community facilities
 - ◆ the applicant meeting the Council's costs associated with the 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 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)]

11 Application P/22/0472 for Installation of 49.9mw Battery Storage Facility with Associated Infrastructure at Land 125 Metres Northwest of East Kilbride 275kV Grid Substation, East Kilbride

A report dated 26 July 2022 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/22/0472 by Cathkin Energy Storage Limited for the installation of a 49.9mw battery storage facility with associated infrastructure at land 125 metres northwest of East Kilbride 275kV grid substation, East Kilbride.

There followed a discussion on the application during which an officer responded to a member's question on an aspect of the report.

The Committee decided:

that planning application P/22/0472 by Cathkin Energy Storage Limited for the installation of a 49.9mw battery storage facility with associated infrastructure at land 125 metres northwest of East Kilbride 275kV grid substation, East Kilbride be granted subject to the conditions specified in the Executive Director's report.

12 Application P/22/0039 for Erection of 61 Houses and Amendment to House Types (Part Amendment to Consent HM/16/0486 which relates to Approval of Matters Specified in Conditions Attached to Application HM/10/0052) at Community Growth Area Development - Northwest Plot, Highstonehall Road, Hamilton

A report dated 27 July 2022 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/22/0039 by Miller Homes Limited for the erection of 61 houses and amendment to house types (part amendment to consent HM/16/0486 which relates to approval of matters specified in conditions attached to application HM/10/0052) at Community Growth Area Development - Northwest Plot, Highstonehall Road, Hamilton.

The Committee decided: that planning application P/22/0039 by Miller Homes Limited for the erection of 61 houses and amendment to house types (part amendment to consent HM/16/0486 which relates to approval of matters specified in conditions attached to application HM/10/0052) at Community Growth Area Development - Northwest Plot, Highstonehall Road, Hamilton be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of 21 February 2017 (Paragraph 8)]

13 Preparation of Electric Vehicle Charge Points - Supplementary Planning Guidance

A report dated 26 July 2022 by the Executive Director (Community and Enterprise Resources) was submitted on the preparation of Supporting Planning Guidance (SPG) for Electric Vehicle Charge Points.

At its meeting held on 16 November 2021, this Committee had approved draft SPG for Electric Vehicle Charge Points, subject to public consultation, to provide information and assistance to developers regarding the provision of Electric Vehicle Charge Point infrastructure in new developments.

Public consultation had since been carried out between 27 January and 11 March 2022, via an advertisement in the local press and the Council's website, resulting in 7 responses, the content of which was summarised in the report.

A number of minor updates had been included in the revised SPG, attached as an appendix to the report, to reflect the responses to the consultation exercise, further consultation with relevant Council Services and national guidance that had been issued since the approval of the draft SPG. Details of the updates were provided in the report.

Subject to the Committee's approval, the updated SPG would be published on the Council's website and become a material consideration in the determination of planning applications alongside the adopted South Lanarkshire Local Development Plan 2.

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

The Committee decided:

- (1) that the supporting Planning Guidance for Electric Vehicle Charge Points, attached as an appendix to the report, be approved; and

- (2) that the Head of Planning and Regulatory Services be authorised to make drafting and technical changes to the draft document prior to its publication.

[Reference: Minutes of 16 November 2021 (Paragraph 10)]

14 Urgent Business

There were no items of urgent business.