

PLANNING COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 26 February 2019

Chair:

Councillor Alistair Fulton

Councillors Present:

Councillor Alex Allison, Councillor John Anderson (*substitute for Councillor David Shearer*), Councillor John Bradley, Councillor Walter Brogan, Councillor Archie Buchanan, Councillor Jackie Burns, Councillor Stephanie Callaghan, Councillor Margaret Cowie, Councillor Maureen Devlin, Councillor Mary Donnelly, Councillor Isobel Dorman (Depute), Councillor Fiona Dryburgh, Councillor Mark Horsham, Councillor Martin Lennon, Councillor Richard Lockhart, Councillor Catherine McClymont (*substitute for Councillor Bert Thomson*), Councillor Colin McGavigan (*substitute for Councillor Kenny McCreary*), Councillor Lynne Nailon, Councillor Graham Scott, Councillor Jim Wardhaugh, Councillor Sheena Wardhaugh, Councillor Jared Wark (*substitute for Councillor Ann Le Blond*)

Councillors' Apologies:

Councillor Ann Le Blond, Councillor Kenny McCreary, Councillor Carol Nugent, Councillor John Ross (ex officio), Councillor David Shearer, Councillor Collette Stevenson, Councillor Bert Thomson

Attending:

Community and Enterprise Resources

P Elliott, Head of Planning and Economic Development; T Finn, Headquarters Manager, Planning and Building Standards Services; L Gaddis, Planning Officer, 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; A Thompson, Media Officer

1 Declaration of Interests

The following interest was declared:-

| Councillor(s) | Item(s) | Nature of Interest(s) |
|----------------------|---|---|
| Anderson | Application P/18/0668 for Construction of Phase 2 Spine Road with Associated Works (Approval of Matters Specified in Conditions Application for the Discharge of Conditions 1 (a to h), 5, 6 and 11 of Planning Consent CR/12/0099) for Part of Phase 2 at Land Adjacent to Southcroft Road, Rutherglen | Member of the Board of Clyde Gateway Urban Regeneration Company |

2 Minutes of Previous Meeting

The minutes of the meeting of the Planning Committee held on 29 January 2019 were submitted for approval as a correct record.

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

3 Application P/18/1751 for Erection of 18 Flats with Associated Parking and Landscaping at 84 Hamilton Road, Cambuslang

A report dated 29 January 2019 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/18/1751 by Wilson Developments (Scotland) Limited for the erection of 18 flats with associated parking and landscaping at 84 Hamilton Road, Cambuslang.

The Committee decided: that planning application P/18/1751 by Wilson Developments (Scotland) Limited for the erection of 18 flats with associated parking and landscaping at 84 Hamilton Road, Cambuslang be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of 21 June 2011 (Paragraph 4)]

4 Application P/18/0668 for Construction of Phase 2 Spine Road with Associated Works (Approval of Matters Specified in Conditions Application for the Discharge of Conditions 1 (a to h), 5, 6 and 11 of Planning Consent CR/12/0099) for Part of Phase 2 at Land Adjacent to Southcroft Road, Rutherglen

A report dated 15 February 2019 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/18/0668 by Clyde Gateway Developments Limited for construction of Phase 2 spine road with associated works (approval of matters specified in conditions application for the discharge of conditions 1 (a to h), 5, 6 and 11 of planning consent CR/12/0099) for part of Phase 2 at land adjacent to Southcroft Road, Rutherglen.

The Committee decided: that planning application P/18/0668 by Clyde Gateway Developments Limited for construction of Phase 2 spine road with associated works (approval of matters specified in conditions application for the discharge of conditions 1 (a to h), 5, 6 and 11 of planning consent CR/12/0099) for part of Phase 2 at land adjacent to Southcroft Road, Rutherglen be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of 4 December 2012 (Paragraph 8)]

Councillor Anderson, having declared an interest in this application, withdrew from the meeting during its consideration

5 Application EK/18/0013 for Conversion and Extension, Including Part Demolition, of Existing House to Form 4 Flats, Erection of 4 Terraced Houses and 5 Detached Houses at 7 Threestanes Road, Strathaven

A report dated 14 February 2019 by the Executive Director (Community and Enterprise Resources) was submitted on planning application EK/18/0013 by Scott Homes (Builders) Limited for the conversion and extension, including part demolition, of an existing house to form 4 flats and the erection of 4 terraced houses and 5 detached houses at 7 Threestanes Road, Strathaven.

The Committee decided:

that planning application EK/18/0013 by Scott Homes (Builders) Limited for the conversion and extension, including part demolition, of an existing house to form 4 flats and the erection of 4 terraced houses and 5 detached houses at 7 Threestanes Road, Strathaven be granted subject to the conditions specified in the Executive Director's report.

6 Application EK/18/0034 for Alterations and Extension to Existing 'C' Listed Building, Including Part Demolition of Outhouses, (Listed Building Consent) at 7 Threestanes Road, Strathaven

A report dated 15 February 2019 by the Executive Director (Community and Enterprise Resources) was submitted on planning application EK/18/0034 by Scott Homes (Builders) Limited for alterations and extension to an existing 'C' listed building, including part demolition of outhouses, (listed building consent) at 7 Threestanes Road, Strathaven.

The Committee decided:

that planning application EK/18/0034 by Scott Homes (Builders) Limited for alterations and extension to an existing 'C' listed building, including part demolition of outhouses, (listed building consent) at 7 Threestanes Road, Strathaven be granted subject to the conditions specified in the Executive Director's report.

7 Application P/19/0002 for Demolition of Existing Church Building and Erection of 11 Flats with Associated Parking and Landscaping at Threshold Church, Threshold, East Kilbride

A report dated 14 February 2019 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/19/0002 by Dickie and Moore Homes Limited for the demolition of an existing church building and erection of 11 flats with associated parking and landscaping at Threshold Church, Threshold, East Kilbride.

Points raised in a further objection to the proposal by S and E McLellan were referred to at the meeting and addressed by officers.

A request for a hearing had been received from S and E McLellan, however, the application did not meet the criteria for a hearing.

The Committee decided:

that planning application P/19/0002 by Dickie and Moore Homes Limited for the demolition of an existing church building and erection of 11 flats with associated parking and landscaping at Threshold Church, Threshold, East Kilbride be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ an amendment to Condition 13 to include the words "demolition and" prior to the word "construction"

8 Application P/18/1444 for Change of Use of Industrial Unit (Class 6) to Gymnasium (Class 11) at 4 Colvilles Place, Kelvin Industrial Estate, East Kilbride

A report dated 14 February 2019 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/18/1444 by East Kilbride (and District) Gymnastics Club for the change of use of an industrial unit (Class 6) to gymnasium (Class 11) at 4 Colvilles Place, Kelvin Industrial Estate, East Kilbride.

The Committee decided: that planning application P/18/1444 by East Kilbride (and District) Gymnastics Club for the change of use of an industrial unit (Class 6) to gymnasium (Class 11) at 4 Colvilles Place, Kelvin Industrial Estate, East Kilbride be granted subject to the conditions specified in the Executive Director's report.

9 South Lanarkshire Local Development Plan 2

A report dated 6 February 2019 by the Executive Director (Community and Enterprise Resources) was submitted on the Proposed South Lanarkshire Local Development Plan 2 (SLLDP2) and the Supporting Planning Guidance on Renewable Energy (SPGRE).

At its meeting on 29 May 2018, the Committee had approved the Proposed SLLDP2 together with the SPGRE. Those documents had subsequently been published and made available for public comment.

A total of 247 parties had responded to the consultation on the Proposed SLLDP2, raising 502 valid points of representation. The SLLDP2 also contained a Volume 2 of policies which replaced the Supplementary Guidance associated with the current SLLDP. The Volume 2 document had attracted contributions from a further 25 consultees, raising 93 additional comments. The representations received raised issues relating to a broad range of matters and included both objections to and support for the Plan. A summary of the representations received was provided in the appendix to the report.

It was considered that no alterations were required to the proposed SLLDP2 in response to comments received. Similarly, it was considered that no alterations were required in terms of any significant changes in policy direction at local, strategic or national levels and that the proposed Plan represented the Council's settled view on what the final content of the adopted Plan should be. The proposed Plan, together with the representations received and the associated Schedule 4 Summary of Unresolved Issues would be submitted to the Directorate for Planning and Environmental Appeals for examination by a Reporter. On completion of this examination, the Reporter would produce a report outlining findings and modifications.

The Supporting Planning Guidance on Renewable Energy did not form part of the Development Plan and did not require to be submitted to the Directorate for Planning and Environmental Appeals for examination. 11 parties had responded to the consultation on the SPGRE, raising 68 points of representation. The Draft Tall Wind Turbines: Landscape Capacity, Siting and Design Guidance had also been subject to public consultation and a number of comments had been received. The Council could determine whether it wished to make any changes to those documents in light of representations received and, as a result, some minor wording changes would be made to the documents before they were finalised and published.

Officers responded to members' questions on various aspects of the report.

The Committee decided:

- (1) that the proposed South Lanarkshire Local Development Plan 2 and associated Schedule 4 Summary of Unresolved Issues be submitted, without modification, to the Directorate for Planning and Environmental Appeals for examination;
- (2) that the Head of Planning and Economic Development be authorised to take part in the examination of the proposed South Lanarkshire Local Development Plan 2;
- (3) that it be noted that a further report would be submitted on the outcome of the examination of the proposed South Lanarkshire Local Development Plan 2 and any proposed modifications to the Plan, prior to its adoption; and
- (4) that the Supporting Planning Guidance on Renewable Energy and Tall Wind Turbines: Landscape Capacity, Siting and Design Guidance be approved and the Head of Planning and Economic Development be authorised to make technical amendments to those documents and, thereafter, to publish the finalised versions.

[Reference: Minutes of 29 May 2018 (Paragraph 4)]

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

10 The South Lanarkshire Development Plan Scheme 2019

A report dated 7 February 2019 by the Executive Director (Community and Enterprise Resources) was submitted on the South Lanarkshire Development Plan Scheme 2019 which set out the Council's programme for preparing its Development Plans. In terms of the Planning etc (Scotland) Act 2006, the Scheme had to be kept up to date by at least carrying out an annual review.

The South Lanarkshire Development Plan Scheme 2019, attached as an appendix to the report, dealt with:-

- ◆ the current coverage of Development Plans in South Lanarkshire
- ◆ proposals for a new Local Development Plan (LDP2) for the Council area and the context set for this by the Glasgow and Clyde Valley Strategic Development Plan (SPD)
- ◆ the timescale for preparation of the LDP2
- ◆ details, as appropriate, of the key components of each stage of preparation
- ◆ a participation statement, giving an account of when consultation would take place, with whom and in what form, during the preparation of the LDP2
- ◆ details on how to access information and how to make contact with the Council

The Scheme highlighted progress made in the development plan process and details were given on work which had been completed in 2018/2019.

If approved, the Scheme would be:-

- ◆ submitted to the Scottish Ministers
- ◆ published on the Council's website
- ◆ made available in public libraries

Officers responded to members' questions on various aspects of the report.

The Committee decided: that the South Lanarkshire Development Plan Scheme 2019, as detailed in the appendix to the report, be approved, published and submitted to the Scottish Ministers.

[Reference: Minutes of 13 February 2018 (Paragraph 13)]

11 Planning Enforcement Charter

A report dated 15 February 2019 by the Executive Director (Community and Enterprise Resources) was submitted on proposed amendments to the Council's Planning Enforcement Charter.

The current Planning Enforcement Charter, approved by the Planning Committee at its meeting on 21 February 2017, had introduced a priority system to assist officers in prioritising their responses to potential breaches. This had established a hierarchy which gave priority to cases which were most likely to have serious impact and which could affect important or sensitive sites.

Following the review of the Charter, it was considered that the priority system remained appropriate, however, an additional category, anonymous complaints, had been added to the list of low priority cases. A number of additional amendments to the Charter were also proposed as follows:-

- ◆ an update to Section 2c to clarify that formal enforcement action would only be considered where it was in the public interest to do so
- ◆ an update to Section 3 to include details of the way in which alleged breaches could be reported and giving a commitment that details of the alleged breach would be passed on to other agencies to investigate under separate legislation
- ◆ inclusion of additional detail in Section 3 on the way in which customers would be kept informed of an investigation
- ◆ amendments to Section 6 to emphasise that retrospective applications would be treated on their merits and that the retrospective nature of an application could not be taken into account when assessing a proposal and was not a reason to refuse an application
- ◆ an amendment to Section 6c to describe on whom a Notice would be served when it was decided that enforcement action would be taken as well as the implications of failing to comply with a Notice
- ◆ inclusion of a new Section 10 dealing with suspected unauthorised works to protected trees

If approved, the revised Charter, attached as an appendix to the report, would be published on the Council's website and would form the basis for the Planning Service's approach to the application of its enforcement powers. In addition, the Charter would be sent to the Scottish Ministers and would be available in the Council's public libraries.

The Committee decided:

- (1) that the amended Planning Enforcement Charter, as detailed in the appendix to the report, be approved; and
- (2) that the Head of Planning and Economic Development be authorised to modify the document to take account of drafting, presentational and technical matters prior to publication.

[Reference: Minutes of 21 February 2017 (Paragraph 14)]

12 Urgent Business

There were no items of urgent business.