

PLANNING COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 3 November 2009

Chair:

Councillor Graham Scott

Councillors Present:

Alex Allison, Eileen Baxendale, Archie Buchanan, Gordon Clark, Pam Clearie, Gerry Convery, Jim Docherty, Hugh Dunsmuir, Tommy Gilligan, Ian Gray, Bill Holman, Archie Manson, Michael McCann, Clare McColl, Lesley McDonald, Alex McInnes, Denis McKenna, Mary McNeill, Patrick Ross-Taylor (Depute), Hamish Stewart, Chris Thompson, Jim Wardhaugh

Councillor's Apology:

Edward McAvoy

Attending:

Corporate Resources

L Carstairs, Public Relations Officer; P MacRae, Administration Officer

Enterprise Resources

G Cameron, Area Manager, Planning and Building Standards Services (Cambuslang and Rutherglen); T Finn, Area Manager, Planning and Building Standards Services (Clydesdale); S Laird, Transportation Engineer; M Little, Operations and Area Manager, Planning and Building Standards Services (Hamilton); M McGlynn, Head of Planning and Building Standards Services; S McMillan, Planning Team Leader (Headquarters); T Meikle, Area Manager, Planning and Building Standards Services (East Kilbride)

1 Declaration of Interests

No interests were declared.

2 Minutes of Previous Meeting

The minutes of the meeting of the Planning Committee held on 22 September 2009 were submitted for approval as a correct record.

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

3 Application CL/09/0183 - Refurbishment of Lanark Memorial Hall Including Stone Repairs, Slate Repairs, Demolition and Rebuilding of Chimney, Removal of Render from Side Elevation, Blocking Up of Windows on East Elevation and Internal Alterations (Listed Building Consent) at St Leonard Street, Lanark

A report dated 26 October 2009 by the Executive Director (Enterprise Resources) was submitted on planning application CL/09/0183 by South Lanarkshire Council for the refurbishment of Lanark Memorial Hall, including stone repairs, slate repairs, demolition and rebuilding of a chimney, removal of render from the side elevation, blocking up of windows on the east elevation and internal alterations (Listed Building Consent) at St Leonard Street, Lanark.

The Committee decided:

that planning application CL/09/0183 by South Lanarkshire Council for the refurbishment of Lanark Memorial Hall including stone repairs, slate repairs, demolition and rebuilding of a chimney, removal of render from the side elevation, blocking up of windows on the east elevation and internal alterations (Listed Building Consent) at St Leonard Street, Lanark be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ referral of the application to the Scottish Ministers as the proposal involved a Category B Listed Building

4 Application CL/09/0189 - Demolition of Extensions to North East Elevation of Lanark Memorial Hall (Conservation Area Consent) at St Leonard Street, Lanark

A report dated 26 October 2009 by the Executive Director (Enterprise Resources) was submitted on planning application CL/09/0189 by South Lanarkshire Council for the demolition of extensions to the north east elevation of Lanark Memorial Hall (Conservation Area Consent) at St Leonard Street, Lanark.

The Committee decided:

that planning application CL/09/0189 by South Lanarkshire Council for the demolition of extensions to the north east elevation of Lanark Memorial Hall (Conservation Area Consent) at St Leonard Street, Lanark be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ referral of the application to the Scottish Ministers as the proposal involved demolition of a building within a Conservation Area

5 Application CL/09/0190 – Refurbishment, Alterations and Erection of Extension to Hall, Incorporating Additional Facilities, Café and Formation of Landscaping Area to the Rear, at Lanark Memorial Hall and Site of Cargill Social Club, St Leonard Street, Lanark

A report dated 26 October 2009 by the Executive Director (Enterprise Resources) was submitted on planning application CL/09/0190 by South Lanarkshire Council for the refurbishment, alterations and erection of extension to hall, incorporating additional facilities, café and formation of landscaping area to the rear, at Lanark Memorial Hall and the site of the Cargill Social Club, St Leonard Street, Lanark.

The Committee decided:

that planning application CL/09/0190 by South Lanarkshire Council for the refurbishment, alterations and erection of extension to hall, incorporating additional facilities, café and formation of landscaping area to the rear, at Lanark Memorial Hall and the site of the Cargill Social Club, St Leonard Street, Lanark be granted subject to the conditions specified in the Executive Director's report.

6 Application HM/07/0136 - Demolition of Existing House and Associated Structures and Erection of 25 Houses with Associated Access Road and Landscaping at Hillfoot Nursery, Sidehead Road, Stonehouse

A report dated 20 October 2009 by the Executive Director (Enterprise Resources) was submitted on planning application HM/07/0136 by Consort Homes (Scotland) Limited for the demolition of an existing house and associated structures and the erection of 25 houses with associated access road and landscaping at Hillfoot Nursery, Sidehead Road, Stonehouse.

The Committee decided:

that planning application HM/07/0136 by Consort Homes (Scotland) Limited for the demolition of an existing house and associated structures and the erection of 25 houses with associated access road and landscaping at Hillfoot Nursery, Sidehead Road, Stonehouse be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ the submission of and agreement on a landscaping bond by the applicant
- ◆ prior conclusion of arrangements for the applicant to make a financial contribution of £12,500 towards improvement of community facilities in the area

7 Application EK/08/0536 - Residential Development with Associated Roads and Landscaping (Planning Permission in Principle) at Newlands Dairy, Newlands Road, East Kilbride

A report dated 27 October 2009 by the Executive Director (Enterprise Resources) was submitted on planning application EK/08/0536 by Cala Management Limited for a residential development with associated roads and landscaping (planning permission in principle) at Newlands Dairy, Newlands Road, East Kilbride.

The Committee decided:

that planning application EK/08/0536 by Cala Management Limited for a residential development with associated roads and landscaping (planning permission in principle) at Newlands Dairy, Newlands Road, East Kilbride be granted subject to the conditions specified in the Executive Director's report.

8 Application CR/09/0166 - Demolition of Existing Buildings and Erection of 30 Flats at 6A Johnson Drive, Cambuslang

A report dated 24 September 2009 by the Executive Director (Enterprise Resources) was submitted on planning application CR/09/0166 by A Forrest for the demolition of existing buildings and erection of 30 flats at 6A Johnson Drive, Cambuslang. The Chair advised that the proposal related to an area of land within Ward 14, Cambuslang East, and not Ward 13, Cambuslang West, as indicated in the report.

The Committee decided:

that planning application CR/09/0166 by A Forrest for the demolition of existing buildings and erection of 30 flats at 6A Johnson Drive, Cambuslang be granted subject to the conditions specified in the Executive Director's report.

9 Application CL/09/0086 - Extension to Quarry to Allow Continued Extraction and Processing of Hard Rock Aggregates by Quarrying Methods, Creation of New Access Road, Continued Operation of Asphalt and Concrete Plants and Final Restoration of Site at Cloburn Quarry, Lanark

A report dated 26 October 2009 by the Executive Director (Enterprise Resources) was submitted on planning application CL/09/0086 by Cloburn Quarry Company Limited for an extension to a quarry to allow continued extraction and processing of hard rock aggregates by quarrying methods, creation of new access road, continued operation of asphalt and concrete plants and final restoration of site at Cloburn Quarry, Lanark.

The Committee decided:

that planning application CL/09/0086 by Cloburn Quarry Company Limited for an extension to quarry to allow continued extraction and processing of hard rock aggregates by quarrying methods, creation of new access road, continued operation of asphalt and concrete plants and final restoration of site at Cloburn Quarry, Lanark be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ the conclusion of a Section 75 Agreement to revoke planning consent 01/95/0481
- ◆ the submission of a Restoration Guarantee Bond by the applicant to cover the full costs of restoring the site
- ◆ the applicant meeting the Council's legal costs associated with the Section 75 and other Agreements

10 Application HM/07/0563 - Erection of 3 Wind Turbines and Ancillary Infrastructure Including Access Tracks, Hardstanding, Site Office and Wind Monitoring Mast Near Laigh Muirhouses Farm, Muttonhole Road, Hamilton

A report dated 27 October 2009 by the Executive Director (Enterprise Resources) was submitted on planning application HM/07/0563 by Blantyre Muir Wind Energy Limited for the erection of 3 wind turbines and ancillary infrastructure including access tracks, hardstanding, site office and wind monitoring mast near Laigh Muirhouses Farm, Muttonhole Road, Hamilton.

The Committee decided:

that planning application HM/07/0563 by Blantyre Muir Wind Energy Limited for the erection of 3 wind turbines and ancillary infrastructure including access tracks, hardstanding, site office and wind monitoring mast near Laigh Muirhouses Farm, Muttonhole Road, Hamilton be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ prior conclusion of a Section 75 Agreement between the Council and the applicant to ensure that up to 25% of the energy produced by the wind turbines was made available for use by the Hamilton International Technology Park
- ◆ the submission of a bond for the restoration of the application site
- ◆ the applicant meeting the costs of the Council's legal expenses in connection with the Agreement

- ◆ amendments to Conditions 10, 21 and 45 as follows:-

“10 Each turbine shall be erected in the position indicated on the approved plan. A variation of the indicated position of any turbine on the said plan by more than 20 metres shall only be permitted following the written approval of the planning authority.”

“21 That unless otherwise agreed by the Council as Planning Authority, noise from the wind turbines shall not exceed 35dB LA90(10min) or background LA90(10min) +5dB, whichever is greater, at the boundary of the curtilage of any noise sensitive premises at all times at wind speeds of up to 9 metres per second as measured within the site.”

“45 That unless otherwise approved in writing by the Council as Planning Authority, the transformer units associated with the turbines shall be placed inside the turbine towers and the grid connection within the site shall be placed underground.”
- ◆ the following additional conditions:-

“60 No development, which is the subject of this permission, shall commence on site until measures to prevent the impairment of the performance of aerodrome navigation aids and/or the efficiency of air traffic control services have been implemented in accordance with details submitted to and approved in writing by the Council as Planning Authority, in consultation with the airport operator, and written approval has been obtained from the Civil Aviation Authority (CAA), where appropriate, that the measures as implemented will be sufficient to prevent the impairment of the performance of aerodrome navigation aids.

61 Prior to commencement of development the mitigation scheme referred to in Condition 60 shall be fully implemented and maintained in operation until the decommissioning of the wind farm or until the approval of the Council as Planning Authority in consultation with the airport operator has been obtained to any amendment to the approved scheme.”

Reasons

60 To ensure the development does not endanger the safe and efficient movement of aircraft or the operation of Glasgow Airport through interference with communication, navigational aids and surveillance equipment.

61 To ensure the development does not endanger the safe and efficient movement of aircraft or the operation of Glasgow Airport through interference with communication, navigational aids and surveillance equipment.”

11 Application EK/09/0121 - Proposed Re-Phasing of Landfill Operations, Amendment to Restoration Levels and Aftercare Scheme and Provision of a New Waste Reception Building with Associated Infrastructure Works at Rigmuir Landfill Site, Off Strathaven Road, East Kilbride

A report dated 26 October 2009 by the Executive Director (Enterprise Resources) was submitted on planning application EK/09/0121 by Viridor Waste Management for the proposed re-phasing of landfill operations, amendment to restoration levels and aftercare scheme and provision of a new waste reception building with associated infrastructure works at Rigmuir Landfill Site, off Strathaven Road, East Kilbride.

The Committee decided:

that planning application EK/09/0121 by Viridor Waste Management for the proposed re-phasing of landfill operations, amendment to restoration levels and aftercare scheme and provision of a new waste reception building with associated infrastructure works at Rigmuir Landfill Site, off Strathaven Road, East Kilbride be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ conclusion of a Section 75 Agreement between the Council and the applicant to:-
 - ◆ annul planning consent P/M/93/195
 - ◆ incorporate provisions of the previous Section 75 Agreement namely:-
 - ◆ hours of operation
 - ◆ the maintenance and renewal or replacement of a Restoration Bond
 - ◆ the undertaking to carry out restoration works in accordance with the approved plans
 - ◆ access to the site for the Council to carry out works or operations permitted by the consent, where necessary
 - ◆ the requirement for the applicant to meet the Council's legal costs associated with the Section 75 and other Agreements
- ◆ the submission of a revised Restoration Bond to cover the full costs of restoring the site

12 Application CR/09/0110 - Change of Use of House to Children's Nursery at 2 Bay Willow Court, Cambuslang

A report dated 27 October 2009 by the Executive Director (Enterprise Resources) was submitted on planning application CR/09/0110 by The Tree House Children's Nursery for the change of use of a house to a children's nursery at 2 Bay Willow Court, Cambuslang.

Points raised in a late letter of representation from James Kelly MSP were referred to at the meeting and addressed by officers.

The Committee decided:

that planning application CR/09/0110 by The Tree House Children's Nursery for the change of use of a house to a children's nursery at 2 Bay Willow Court, Cambuslang be granted subject to the conditions specified in the Executive Director's report.

13 Application CL/09/0272 - Erection of Bio-Gas Production Facility with Associated Buildings, Plant and Infrastructure at M74 Central, Coalburn

A report dated 26 October 2009 by the Executive Director (Enterprise Resources) was submitted on planning application CL/09/0272 by Pro-Active Energy for the erection of a bio-gas production facility with associated buildings, plant and infrastructure at M74 Central, Coalburn.

The Committee decided: that planning application CL/09/0272 by Pro-Active Energy for the erection of a bio-gas production facility with associated buildings, plant and infrastructure at M74 Central, Coalburn be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of 24 June 2003 (Paragraph 3)]

14 Application HM/08/0298 - Erection of 2 Wind Turbines (100 Metres in Height to Blade Tip) at Land at Lochhead Farm, Carlisle Road, Stonehouse

A report dated 27 October 2009 by the Executive Director (Enterprise Resources) was submitted on planning application HM/08/0298 by A7 Energy Limited for the erection of 2 wind turbines, 100 metres in height to blade tip, at land at Lochhead Farm, Carlisle Road, Stonehouse.

The Committee decided: that planning application HM/08/0298 by A7 Energy Limited for the erection of 2 wind turbines, 100 metres in height to blade tip, at land at Lochhead Farm, Carlisle Road, Stonehouse be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ prior submission of a bond for the restoration of the application site

[Reference: Minutes of 31 January 2006 (Paragraph 16)]

15 Application EK/09/0255 - Erection of 99 Residential Units Comprising 72 Units within Semi-Detached, Terraced and Cottage Flat Blocks (Including 2 Wheelchair Accessible Single Storey Houses) and 27 Flats within 3 x 3 Storey Flatted Blocks at Scholar's Gate, East Kilbride

A report dated 27 October 2009 by the Executive Director (Enterprise Resources) was submitted on planning application EK/09/0255 by Clyde Valley Housing Association for the erection of 99 residential units comprising 72 units within semi-detached, terraced and cottage flat blocks (including 2 wheelchair accessible single storey houses) and 27 flats within 3 x 3 storey flatted blocks at Scholar's Gate, East Kilbride.

The Committee decided: that planning application EK/09/0255 by Clyde Valley Housing Association for the erection of 99 residential units comprising 72 units within semi-detached, terraced and cottage flat blocks (including 2 wheelchair accessible single storey houses) and 27 flats within 3 x 3 storey flatted blocks at Scholar's Gate, East Kilbride be granted subject to the conditions specified in the Executive Director's report.

16 Application EK/09/0254 - Erection of 34 Residential Units 1 x 3 Storey Flatted Block, 4 x 2 Storey Terraced Blocks and 5 x 2 Storey Semi-Detached Blocks at Plover Drive, Crosshouse, East Kilbride

A report dated 27 October 2009 by the Executive Director (Enterprise Resources) was submitted on planning application EK/09/0254 by Clyde Valley Housing Association for the erection of 34 residential units, 1 x 3 storey flatted block, 4 x 2 storey terraced blocks and 5 x 2 storey semi-detached blocks at Plover Drive, Crosshouse, East Kilbride.

The Committee decided: that planning application EK/09/0254 by Clyde Valley Housing Association for the erection of 34 residential units, 1 x 3 storey flatted block, 4 x 2 storey terraced blocks and 5 x 2 storey semi-detached blocks at Plover Drive, Crosshouse, East Kilbride be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of 31 October 2006 (Paragraph 12)]

17 Application CL/09/0365 - Demolition of Primary School and Erection of Replacement Primary School with Associated Upgraded Accesses, Car Parking, Landscaping and Sports Pitch at Douglas Primary School, Ayr Road, Douglas

A report dated 26 October 2009 by the Executive Director (Enterprise Resources) was submitted on planning application CL/09/0365 by Morgan Ashurst for the demolition of a primary school and erection of a replacement primary school with associated upgraded accesses, car parking, landscaping and sports pitch at Douglas Primary School, Ayr Road, Douglas.

The Committee decided: that planning application CL/09/0365 by Morgan Ashurst for the demolition of a primary school and erection of a replacement primary school with associated upgraded accesses, car parking, landscaping and sports pitch at Douglas Primary School, Ayr Road, Douglas be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of 10 June 2008 (Paragraph 4)]

18 Application HM/09/0350 - Demolition of Existing Primary School and Erection of Replacement School at St Mary's Primary School, Windmill Road, Hamilton

A report dated 26 October 2009 by the Executive Director (Enterprise Resources) was submitted on planning application HM/09/0350 by Morgan Ashurst for the demolition of an existing primary school and the erection of a replacement primary school at St Mary's Primary School, Windmill Road, Hamilton.

The Committee decided: that planning application HM/09/0350 by Morgan Ashurst for the demolition of an existing primary school and the erection of a replacement primary school at St Mary's Primary School, Windmill Road, Hamilton be granted subject to the conditions specified in the Executive Director's report.

19 Application HM/09/0217 - Erection of 60 Flats (2 Blocks 4 and 5 Storeys High), Formation of Basement and Underground Parking, Formation of 2 Vehicular Accesses, Landscaping and Associated Land Engineering Operations, Including New Retaining Wall, at 27/29 Silverwells Crescent, Bothwell

A report dated 21 October 2009 by the Executive Director (Enterprise Resources) was submitted on planning application HM/09/0217 by Gilchrist and Lynn Limited for the erection of 60 flats (2 blocks 4 and 5 storeys high), formation of basement and underground parking, formation of 2 vehicular accesses, landscaping and associated land engineering operations, including new retaining wall, at 27/29 Silverwells Crescent, Bothwell.

The Committee decided:

that planning application HM/09/0217 for the erection of 60 flats (2 blocks 4 and 5 storeys high), formation of basement and underground parking, formation of 2 vehicular accesses, landscaping and associated land engineering operations, including new retaining wall, at 27/29 Silverwells Crescent, Bothwell be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ prior conclusion of arrangements for the applicant to make a financial contribution of £36,000 for the improvement of community facilities in the area

[Reference: Minutes of 17 November 1999 (Paragraph 2)]

20 Application HM/09/0418 - Erection of 29 Detached Houses with Associated Roads and Landscaping and Erection of a 34 Bed Nursing Home (Amendment to Planning Application HM/08/0375) at 60 Wellhall Road, Hamilton.

A report dated 27 October 2009 by the Executive Director (Enterprise Resources) was submitted on planning application HM/09/0418 by Cala Management Limited/Cross Reach for the erection of 29 detached houses with associated roads and landscaping and the erection of a 34 bed nursing home (amendment to planning application HM/08/0375) at 60 Wellhall Road, Hamilton.

The Committee decided:

that planning application HM/09/0418 by Cala Management Limited/Cross Reach for the erection of 29 detached houses with associated roads and landscaping and the erection of a 34 bed nursing home (amendment to planning application HM/08/0375) at 60 Wellhall Road, Hamilton be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ prior conclusion of arrangements for the applicant to make a financial contribution of £17,400 in lieu of provision of play facilities

21 Application HM/09/0447 - Residential Development (13 Amenity Houses) at St Giles Way, Hamilton

A report dated 26 October 2009 by the Executive Director (Enterprise Resources) was submitted on planning application HM/09/0447 by Hanover (Scotland) Housing Association Limited for a residential development (13 amenity houses) at St Giles Way, Hamilton.

The Committee decided: that planning application HM/09/0447 by Hanover (Scotland) Housing Association Limited for a residential development (13 amenity houses) at St Giles Way, Hamilton be granted subject to the conditions specified in the Executive Director's report.

22 Application HM/09/0454 - Formation of Community Garden with Raised Beds, 2 Poly tunnels and a Potting Shed at Land Next to Bothwell Primary School, Blantyre Road, Bothwell

A report dated 27 October 2009 by the Executive Director (Enterprise Resources) was submitted on planning application HM/09/0454 by the Organic Growers of Bothwell for the formation of a community garden with raised beds, 2 poly tunnels and a potting shed at land next to Bothwell Primary School, Blantyre Road, Bothwell.

The Committee decided: that planning application HM/09/0454 by the Organic Growers of Bothwell for the formation of a community garden with raised beds, 2 poly tunnels and a potting shed at land next to Bothwell Primary School, Blantyre Road, Bothwell be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ referral of the application to the Scottish Ministers as the proposal would result in the development of a former playing field and SportScotland had objected to the proposal

[Reference: Minutes of 26 May 2009 (Paragraph 13)]

23 Urgent Business

There were no items of urgent business.