

EAST KILBRIDE AREA COMMITTEE

Minutes of meeting held in the Civic Centre, East Kilbride on 24 November 2004

Chair:

Councillor Bill McNab

Councillors Present:

Tony Carlin, Carol Hughes, Hector Macdonald, James Malloy (Depute), Michael McCann, Alice Marie Mitchell, Graham Scott, Jim Wardhaugh

Councillors' Apologies:

Stewart Crawford, Jim Daisley, Gerry Docherty, Jim Docherty, Anne Maggs, Edward McAvoy, John McGuinness

Attending:

Corporate Resources

S McLeod, Administration Officer

Enterprise Resources

L Campbell, Planning Officer; B Dickson, Team Leader, Planning and Building Control (East Kilbride); G Morrison, Divisional Engineer, Roads (East Kilbride) and M Neill, Planning Officer

Education Resources

M Campbell, Headteacher, West Mains Primary School; J McPherson, Education Support Officer; A Rooney, Specialist Services Manager and K Thorburn, Headteacher, Kirklandpark Primary School

1 Declaration of Interests

The following interest was declared:-

Councillor(s)	Item(s)	Nature of Interest(s)
McNab	Community Grant Application EK/88/04 Strathaven Foal Show	Related to member of Strathaven Foal Show

2 Minutes of Previous Meeting

The minutes of the meeting of the East Kilbride Area Committee held on 27 October 2004 were submitted for approval as a correct record.

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

3 Planning Applications

A report dated 10 November 2004 by the Executive Director (Enterprise Resources) was submitted on applications for planning permission.

The Committee decided:

- (1) that the following planning applications be granted subject to the conditions specified in the Executive Director's report:-

- (a) Applicant: A McLeish
Proposal: Change of use from agriculture to form forestry, agricultural and engineering contractor's business (retrospective) (EK/04/0069)
Location: Rensch Farm, Meadowfoot Road, Drumclog
- (b) Applicant: Persimmon Homes (West Scotland) Limited
Proposal: Erection of conservatories at plots 7-9 and 11-16 and the removal of false chimneys on plots 7-16 (amendment to planning consent EK/03/0542) (EK/04/0562)
Location: Site at corner of Station Road, Jackson Street and Townhead Street, Glassford

[Reference: Minutes of Planning Committee of 20 January 2004 (Paragraph 10)]

- (c) Applicant: T Brolly
Proposal: Erection of extension and realignment of boundary fence (EK/04/0569)
Location: 2 Swift Place, East Kilbride
- (d) Applicant: Cala Management Limited
Proposal: Substitution of house types at plots 1-6, 14, 16 and 26 (amendment to planning consent EK/03/0497) (EK/04/0591)
Location: Laigh Braehead, Braehead Road, Thorntonhall

[Reference: Minutes of Planning Committee of 2 December 2003 (Paragraph 5)]

- (2) that the following planning application be refused for the reasons specified in the Executive Directors report:-

- (a) Applicant: Crown Castle International
Proposal: Erection of telecommunications monopole, installation of equipment cabinet and formation of site compound (EK/04/0251)
Location: Strathaven Telephone Exchange, Castle Street, Strathaven

4 Enforcement Action - Landscaping at Land Surrounding Areas H6 and H7, Lindsayfield, East Kilbride

A report dated 10 November 2004 by the Executive Director (Enterprise Resources) was submitted on the requirement for enforcement action against John Lynch (Developments) Limited for failure to implement landscaping as agreed as part of planning consent EK/96/193.

Condition 6 of this consent stipulated that the landscaping scheme would be subject to a phased development and that the scheme, including play areas, footpaths and recreational facilities, would be submitted in detail and completed prior to any houses being constructed in each phase. In addition, a Section 50 Legal Agreement covering the entire Lindsayfield development required all areas of landscaping to be handed over to the Council for adoption on completion.

Over time, ownership of some areas of land, along with the landscaping responsibilities, had been transferred by John Lynch (Developments) Limited to several other developers including Wimpey Homes, Barratt, Stewart Milne Homes, Wilcon Homes and Miller Homes. The Council also had an interest in the housing built on sites H6 and H7, part of which included social housing. Whilst the majority of the landscaping surrounding the completed developments within Lindsayfield had been finished or were the subject of discussions between the Council and the

various developers, no works had been commenced to complete the landscaping of sites H6 and H7 in accordance with the approved plans.

A Planning Contravention Notice had been served on John Lynch (Developments) Limited on 11 February and 11 April 2000 to determine land ownership within the site. A Breach of Conditions Notice had then been served on 16 October 2000 informing John Lynch (Developments) Limited

of the action they were required to take to comply with Condition 6 of planning consent EK/96/193. This had not been complied with and an Enforcement Notice was served. The Enforcement Notice had not been complied with either and, therefore, a report had been submitted to the Procurator Fiscal with a view to prosecution. The Sheriff had found in favour of the Council and the outstanding landscaping works around site H15 (Rosaburn Avenue) had been implemented and handed over to the Council for maintenance. Those works constituted part of the outstanding landscaping works at Lindsayfield. However, the area within Lynch's ownership around H6 and H7 remained incomplete and, therefore, the Enforcement Notice had not been complied with. Further correspondence had recently been sent to John Lynch (Developments) Limited in a bid to rectify the situation but no response had been received.

It was proposed that a further Breach of Conditions Notice and an Enforcement Notice be served on John Lynch (Developments) Limited restating the action required to comply with Condition 6 of planning consent EK/96/193. Failure to comply with the terms of the Notices would then allow the Council to take this matter further by submitting a report to the Procurator Fiscal with a view towards prosecution.

The Committee decided:

- (1) that a Breach of Conditions Notice and an Enforcement Notice be served on John Lynch (Developments) Limited to ensure that the required landscaping works within sites H6 and H7 at Lindsayfield, East Kilbride were completed and maintained to the satisfaction of the Council; and
- (2) that any failure to comply with either the Breach of Conditions Notice or the Enforcement Notice be reported to the Procurator Fiscal.

[Reference: Minutes of 7 February 2001 (Paragraph 2)]

5 Community Grant Applications

A report dated 8 November 2004 by the Executive Director (Corporate Resources) was submitted on applications for Community Grant.

The Committee decided: that the applications be dealt with as follows:-

- (a) Applicant: Globe Court Tenants' and Residents' Association, East Kilbride (EK/64/04)
Purpose of Grant: Equipment
Amount Awarded: £600
- (b) Applicant: Our Lady of Lourdes Friendship Club, East Kilbride (EK/80/04)
Purpose of Grant: Transport costs and entrance fees
Amount Awarded: £350

- (c) Applicant: National Schizophrenia Fellowship (Scotland) East Kilbride Group (EK/82/04)
Purpose of Grant: Transport costs, entrance fees and publication costs
Amount Awarded: £650
- (d) Applicant: Strathaven Business Association (EK/83/04)
Purpose of Grant: Special event
Amount Awarded: £800
- (e) Applicant: Chapelton Bowling Club (EK/84/04)
Purpose of Grant: Equipment
Amount Awarded: £300
- (f) Applicant: Chapelton Silver Circle (EK/85/04)
Purpose of Grant: Transport costs
Amount Awarded: £400
- (g) Applicant: Avendale Fellowship, Strathaven (EK/86/04)
Purpose of Grant: Transport costs and entrance fees
Amount Awarded: £260
- (h) Applicant: Carnegie Hill Ladies' Club, East Kilbride (EK/87/04)
Purpose of Grant: Transport costs
Amount Awarded: £200
- (i) Applicant: Strathaven Foal Show (EK/88/04)
Purpose of Grant: Special event
Amount Awarded: £800

Councillor McNab, having declared an interest in the above application, withdrew from the meeting during its consideration. Councillor Malloy took the Chair for this application only.

- (j) Applicant: Sadler's Wells Court Residents' Association, East Kilbride (EK/89/04)
Purpose of Grant: Transport costs and entrance fees
Amount Awarded: £300
- (k) Applicant: Chapelton Indoor Bowling Club (EK/90/04)
Purpose of Grant: Transport costs
Amount Awarded: £200
- (l) Applicant: Whitehills Senior Citizen Club, East Kilbride (EK/91/04)
Purpose of Grant: Transport costs, entrance fees and special event
Amount Awarded: £700

6 Her Majesty's Inspectorate of Education - Kirklandpark Primary School, Strathaven

A report dated 9 November 2004 by the Executive Director (Education Resources) was submitted on the key points made by Her Majesty's Inspectorate of Education (HMIe) in their report, published in October 2004, on the inspection of Kirklandpark Primary School, Strathaven.

The Inspection of Kirklandpark Primary School had taken place in May 2004. Education Resources' employees would ensure that the recommendations contained within the report were followed up and that appropriate support was made available at Kirklandpark Primary School.

The Headteacher spoke on key aspects of the report.

The Committee decided: that the report be noted.

7 Her Majesty's Inspectorate of Education - West Mains Primary School, East Kilbride

A report dated 9 November 2004 by the Executive Director (Education Resources) was submitted on the key points made by Her Majesty's Inspectorate of Education (HMIe) in their report, published in October 2004, on the inspection of West Mains Primary School, East Kilbride.

The inspection of West Mains Primary School had taken place in May 2004. Education Resources' employees would ensure that the recommendations contained within the report were followed up and that appropriate support was made available at West Mains Primary School.

The Headteacher spoke on key aspects of the report.

The Committee decided: that the report be noted.

8 Urgent Business

There were no items of urgent business.

**AGENDA ITEM
NO 3**



ENTERPRISE RESOURCES
EXECUTIVE DIRECTOR IAIN URQUHART

Enterprise Resources

Report to: AREA COMMITTEE (East Kilbride)

Date of Meeting: 19/01/05

Subject: PLANNING APPLICATION REPORTS

Report by: HEAD OF PLANNING, BUILDING CONTROL AND ESTATES

1. REASON FOR REPORT

To seek approval of the recommendations on the planning applications listed below, subject to the terms and conditions detailed in each of the following individual reports.

2. PLANNING APPLICATIONS SUMMARY LIST

Application Number	Applicant	Description	Location	Recommendation
EK/04/0617	Gerard Logan	Change of use from workshop to dwellinghouse	'Old Art Workshop' Lindsay Road East Kilbride	GRANT SUBJECT TO CONDITIONS
EK/04/0622	Simon Cardle	Change of use from shop (Class 1) to office (Class 2)	5 Hunter Street East Kilbride	REFUSE
EK/04/0634	Gary Davidson McIlroy	Change of use from shop to estate agent/financial advisor	7 Hunter Street East Kilbride	REFUSE
EK/04/0644	Robert & Elizabeth Leggat	Erection of boundary wall and canopy	9 Jamieson Drive Calderwood East Kilbride	GRANT SUBJECT TO CONDITIONS

EK/04/0669	Mr & Mrs Ivor Smith	Erection of conservatory	124 Colonsay East Kilbride	GRANT SUBJECT TO CONDITIONS
EK/04/0679	Angus MacDougall	Sub-division of shop and change of use to form office (Class 2)	27 Hamilton Road Strathaven	GRANT SUBJECT TO CONDITIONS
EK/04/0697	Mr & Mrs Maxwell	Erection of two storey side extension to dwelling	6 Pennyroyal Court Stewartfield East Kilbride	GRANT SUBJECT TO CONDITIONS
EK/04/0698	Mr & Mrs W Ashgar	Erection of two storey side extension	51 Stirling Drive East Mains East Kilbride	GRANT SUBJECT TO CONDITIONS
EK/04/0700	Miss Eileen Jamieson	Siting of containers to provide stable accommodation	Field Auldhouse Road Auldhouse East Kilbride	REFUSE

3. RECOMMENDATION

It is recommended that Committee agree to determine the planning applications listed above, in accordance with the recommendations, conditions and notes detailed in each of the following reports.

W. Urquhart

for IAIN URQUHART EXECUTIVE DIRECTOR
ENTERPRISE RESOURCES

6/1/05

ENTERPRISE RESOURCES
Planning and Building Control

PLANNING APPLICATION REPORT
SUMMARY SHEET

APPLICATION NO: EK/04/0617
AREA: East Kilbride
WARD: 19 – East Mains

APPLICANT: Gerard Logan
178 Mallard Crescent
East Kilbride

AGENT: Roxby Park & Baird
220 Edinburgh House
East Kilbride

PROPOSALS: Change of use from workshop to dwellinghouse

LOCATION: Old Art Workshop
Lindsay Road, East Kilbride

APPLICATION TYPE: Detailed Planning Application.

POLICY: East Kilbride and District Local Plan (Adopted)
Policies DC 1 & SLP6 – Development Control General
The site is designated for residential use

REPRESENTATIONS: Two letters of objection

CONSULTATIONS: Roads and Transportation Services.

RECOMMENDATION: GRANT SUBJECT TO CONDITIONS

PLANNING APPLICATION REPORT:

1.0 APPLICATION SITE:

- 1.1** The application relates to a detached flat roof single storey roughcast building on Lindsay Road in the Whitemoss area of East Kilbride. The building is known as the Old Art Workshop and is a former boiler house which is currently vacant. The site is bounded on all sides by residential properties with an access road located directly adjacent to the east of the site.

2.0 PROPOSAL:

- 2.1** This is a detailed planning application for a change of use of the existing building to a dwellinghouse. The proposed dwelling would incorporate a pitched roof with a dormer and three small rooflights on the south elevation of the building and six small rooflights on the north elevation. The floor area of the new house would measure approximately 114 square metres. The proposed materials for the house are concrete roof tiles, roughcast walls and UPVC windows. The proposed accommodation comprises four bedrooms, a living room, kitchen, dining room and playroom.

3.0 BACKGROUND:

3.1 Local Plan Status

The application site is identified as within a residential area of East Kilbride in the adopted East Kilbride and District Local Plan. The relevant policies covering the site are Policies DC 1 and SLP6 - Development Control General in the above Plan.

4.0 CONSULTATIONS

- 4.1 Roads and Transportation Services** – have no objection to the proposal subject to the provision of three parking spaces within the curtilage of the property.

Response: Noted and any consent granted will be conditioned to this effect (Condition 5).

5.0 REPRESENTATIONS

- 5.1** Following neighbour notification two letters of objection were received. The grounds of objection are summarised below:

- a. The proposed upper floor windows will result in a loss of privacy to the adjacent properties at 25 and 27 Lindsay Road.**

Response: The Council's Residential Development Guide states that the minimum distance between windows of directly facing habitable rooms should be no less than 20 metres. In this instance, the distance between the proposed dormer window and the upper floor windows of the above properties would exceed 20 metres. I am, therefore, satisfied that the proposal will not have an adverse impact on the privacy of the above properties.

- b. The extension will have an adverse effect on the level of natural daylight available to the property at 27 Lindsay Road.**

Response: Given the distance between the two properties as outlined above it is considered that the proposed dwelling will not have an adverse effect on levels of daylight at the property at 27 Lindsay Road.

- c. The dwellinghouse will reduce the value the property at 27 Lindsay Road.**

Response: Loss of value is not a valid planning consideration.

- d. The proposed height of the dwellinghouse is excessive.**

Response: The height of the proposed dwelling is considered to be acceptable and in keeping with development in the surrounding area.

- e. The proposal raises various road traffic matters.**

Response: The Council's Roads and Transportation Service was consulted on the application and offered no adverse comments.

These letters have been copied and are available for inspection in the usual manner.

6.0 ASSESSMENT AND CONCLUSIONS

- 6.1** The determining issue that requires to be addressed in respect of this application is compliance with adopted local plan policy
- 6.2** The application can be assessed against Policies DC1 and SLP6 – Development Control General in the adopted East Kilbride and District Local Plan. Both policies state that all planning applications should take fully into account the local context and built form and that development should be compatible in terms of scale and massing and be built incorporating quality materials.
- 6.3** The proposal relates to the conversion of the existing building on the site to form a one and a half storey dwellinghouse. As the application site is located within an area designated for residential use in the adopted Local Plan the proposed use of the site is considered to be acceptable. It is considered that the proposed dwelling is acceptable in terms of its scale and design and that the building will be in keeping with development in the surrounding area. I am also satisfied that the dwelling will not adversely affect the amenity of neighbouring properties through a loss of privacy or daylight. Furthermore, Roads and Transportation Services are satisfied that the car parking requirement for the development can be met within the site and that the proposal raises no road safety issues.
- 6.4** In summary, I would consider that the proposal complies with Policies DC1 and SLP6 of the adopted East Kilbride and District Local Plan.
- 6.5** Given the above I would raise no objection to the proposal and recommend that planning permission be granted.

RECOMMENDATION: GRANT DETAILED PLANNING PERMISSION
(SUBJECT TO CONDITIONS)

NOTES: The Area Committee has delegated powers to determine this application.

COMMITTEE DATES: 19 January 2005

DATE: 23/12/04

Signature 

 **COLIN McDOWALL**
HEAD OF PLANNING AND BUILDING CONTROL

Local Government (Access to Information) Act 1985
1.1 LIST OF BACKGROUND PAPERS

1. Application Form
2. Application Plans
3. Consultation response from Roads and Transportation Services dated 21/10/04
4. Letter of objection from N Mackay, 27 Lindsay Road, East Kilbride dated 19/10/04.
5. Letter of objection from L & C Logan, 25 Lindsay Road, East Kilbride dated 8/11/04.

Any person wishing to inspect the background papers listed above should telephone (01355) 806315 and ask for Jim Blake.

East Kilbride Area Office
Civic Centre
Andrew Street
East Kilbride
G74 1AB

FILE REF. EK/04/0617

CONDITIONS

- 1 That the development hereby permitted shall be started within five years of the date of this permission.
- 2 That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.
- 3 That before any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority.
- 4 That notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992 (or any such order revoking or re-enacting that order), no development shall take place within the curtilage of the application site other than that expressly authorised by this permission without the prior written consent of the Council as Planning Authority.
- 5 That before the dwellinghouse hereby approved is completed or brought into use, all of the parking spaces shown on the approved plans shall be laid out and constructed to the satisfaction of the the Council as Roads and Planning Authority and thereafter shall be maintained to the entire satisfaction of the Council.
- 6 That the dwellinghouse shall not be completed or occupied until the site is served by a sewerage scheme constructed to the specification and satisfaction of Scottish Water as Sewerage Authority.

REASONS

- 1.1 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2.1 In the interests of amenity and in order to retain effective planning control.
- 3.1 In the interests of amenity and in order to retain effective planning control.
- 4.1 In the interests of amenity and in order to retain effective planning control.
- 5.1 To ensure the provision of adequate parking facilities within the site.
- 6.1 To ensure the provision of a satisfactory sewerage system



Map at Scale 1:1250



OLA ART WORKSHOP, LINDSAY ROAD, EAST KILBRIDE.

Drawn 24/12/2004

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ENTERPRISE RESOURCES
Planning and Building Control

PLANNING APPLICATION REPORT
SUMMARY SHEET

APPLICATION NO: EK/04/0622
AREA: East Kilbride
WARD: 19 East Mains

APPLICANT: Mr S Cardle
Smart Choice Mortgages Ltd
6A Hunter Street
East Kilbride
G74 4LZ

AGENT: N/A

PROPOSALS: Change of Use from Shop (Class1) to Estate Agents
(Class 2)

LOCATION: 5 Hunter Street, The Village, East Kilbride

APPLICATION TYPE: Detailed

POLICY: East Kilbride and District Local Plan [Adopted]
Policy COM5 – Core Retail Areas

REPRESENTATIONS: Two letters of objection.

CONSULTATIONS: Environmental Services
Roads and Transportation Services

RECOMMENDATION: REFUSE

PLANNING APPLICATION REPORT:

1.0 APPLICATION SITE:

- 1.1 The application relates to a shop unit located at 5 Hunter Street within East Kilbride Village Conservation Area. The shop currently sells furniture and is occupied by Scot Dansk Pine. The property is bounded to the north, east and west by a mixture of commercial premises and to the south by a public car park.
- 1.2 The adjacent unit at No.7 Hunter Street is also the subject of a current planning application for a change of use from a shop to an estate agent/financial advisor.

2.0 PROPOSAL:

- 2.1 This is a detailed planning application for the change of use of the shop (Class 1) to an estate agent (Class 2). No physical alterations are proposed for the property.

3.0 BACKGROUND:

3.1 Local Plan Status

The application site is identified as within the East Kilbride Village Core Retail Area and the East Kilbride Village Conservation Area in the adopted East Kilbride and District Local Plan. The relevant policy in this instance is Policy COM5 – Core Retail Area.

3.2 Relevant Government Advice/Policy

None directly applicable.

3.3 Planning Background:

None relevant.

4.0 CONSULTATIONS:

- 4.1 **Environmental Services:** have no objection to the application subject to recommended conditions.

Response Noted.

- 4.2 **Roads and Transportation Services:** have no objection to the application.

Response: Noted.

5.0 REPRESENTATIONS:

- 5.1 Neighbour notification procedures were undertaken and the application was advertised in the East Kilbride News as Development Potentially Contrary to the Development Plan. Two letters of objection were received from the same person. The grounds of objection are summarised as follows:-

- a. The application, and that for an adjoining property, is considered premature given the early stage of preparation of the South Lanarkshire Local Plan.

Response: The application is not considered premature and requires to be considered on its merits at this time while the South Lanarkshire Local Plan is at an early stage of preparation. Current applications are considered against policies contained within the Adopted East Kilbride & District Local Plan.

b. Concerns regarding the possible detrimental effect of the proposed change of use to the character of the conservation area.

Response: The proposed change of use will change the nature of the street by the loss of a retail unit but it is not considered to be a change which would negatively affect the value of the area as a conservation area.

These letters have been copied and are available for inspection in the usual manner.

6.0 ASSESSMENT AND CONCLUSIONS:

- 6.1** The determining issues in this instance are firstly how the proposal relates to policies contained in the adopted local plan for the area and how the proposed use would relate to other surrounding uses.
- 6.2** The site is identified as part of the Core Retail Area under Policy COM5 – Core Retail Areas. This policy seeks to protect the retailing activity in key areas by monitoring and controlling the number and location of non-retail proposals. It sets out two criteria which require to be complied with when considering any application. Firstly, that the proposal should not result in the reduction of Class 1 retailing in a core retailing area to below 75% of all the units. Secondly, that the proposal should not result in two adjoining units in the core retail area coming into non-retail use.
- 6.3** In terms of the change of use from retail to non-retail this would result in the reduction of Class 1 in the village core retail area to below 75% of all the units, 45% Retail and 55% Non-Retail at present, and would therefore be contrary to policy COM5 of the Adopted East Kilbride & District Local Plan. The change of use would also potentially result in two adjoining units coming into non-retail use. As stated, a parallel application for a similar change of use at No. 7 Hunter Street is also being considered at this Committee (Planning Application EK/04/0634). Both applications taken together would result in two adjoining units coming into non-retail use and would therefore be contrary to Policy COM5 of the Adopted East Kilbride & District Local Plan.
- 6.4** The issues set out in paragraphs 6.1 to 6.3 demonstrate that the proposed change of use, as set out in the application, is not in accordance with the Adopted East Kilbride & District Local Plan and I therefore, recommend that the application be refused.

RECOMMENDATION: REFUSE DETAILED PLANNING PERMISSION (FOR REASONS STATED)

NOTES:

The Area Planning Committee has delegated powers to determine this application.

COMMITTEE DATES: East Kilbride Area Committee 19 January 2005

DATE: 17 December 2004

W.D. McDowall

for

Signature:

COLIN McDOWALL

HEAD OF PLANNING AND BUILDING CONTROL

Local Government (Access to Information) Act 1985
1.1 LIST OF BACKGROUND PAPERS

1. Application Form
2. Application Plans
3. Adopted East Kilbride and District Local Plan
4. Consultation response from Environmental Services
5. Consultation response from Roads & Transportation Services
6. Letters of Objection from Mr. J Allan 94 Franklin Place, received on 17/11/04 and 9/12/04.

Any person wishing to inspect the background papers listed above should telephone Jim Blake on (01355) 806315.

East Kilbride Area Office
Civic Centre
Andrew Street
East Kilbride
G74 1AB

FILE REF. EK/04/0622

REFUSAL OF Detailed Planning Application

PAPER APART - APPLICATION NUMBER:

EK/04/0622

REASONS

- 1 The Proposal is contrary to Policy COM5 - Core Retail Areas of the Adopted East Kilbride and District Local Plan in that it would introduce a non retail use into an area identified for retail purposes in the Local Plan.
- 2 The proposal is contrary to the Council's approved Policy COM5 - Core Retail Areas in that it would result in a reduction of Class 1 retailing to below 75% of all the units and it would result in two adjoining units coming into non-retail use.



Map at Scale 1:1250



5 HUNTER STREET, EAST KILBRIDE.

Drawn 24/12/2004

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ENTERPRISE RESOURCES
Planning, Building Control and Estates

PLANNING APPLICATION REPORT
SUMMARY SHEET

APPLICATION NO: EK/04/0634
AREA: East Kilbride
WARD: 19 East Mains

APPLICANT: Mr G Davidson McIlroy
c/o Miller Beckett & Jackson
190 St. Vincent Street
Glasgow
G2 5SP

AGENT: Mr F Bell
Artemis Design Partnership Ltd
4 Newlands Place
East Kilbride
G74 1AE

PROPOSALS: Change of Use from Shop to Estate Agents & Financial
Advisor (Class1 to Class 2)

LOCATION: 7 Hunter Street, The Village, East Kilbride

APPLICATION TYPE: Change of Use

POLICY: East Kilbride and District Local Plan [Adopted]
Policy COM5 – Core Retail Areas

REPRESENTATIONS: Statutory neighbour notification was carried out with
the applicant's agent certifying to this effect. One letter
of objection was received.
The proposal was advertised as being Development
Potentially Contrary to Development Plan in the East
Kilbride News on 10th November 2004.

CONSULTATIONS: Environmental Services
Roads and Transportation Services

RECOMMENDATION: REFUSE

PLANNING APPLICATION REPORT:

1.0 APPLICATION SITE:

- 1.1 The application site relates to 7 Hunter Street, The Village, East Kilbride. The shop unit is located in the middle of Hunter Street and adjacent units include a rug and carpet shop (No. 9) and unit No. 5, which is also the subject of a current planning application for a change of use to a estate agents.
- 1.2 The site was a formerly a retail unit selling cartridges for printers and other computer consumables. The unit is a traditional stone built mid terrace property and lies within the Village Conservation Area.

2.0 PROPOSAL:

- 2.1 This is an application for the change of use of this shop unit to an estate agents and financial advisor. This change of use requires planning consent being a change from Use Class 1 (Shops) to Use Class 2 (Financial, Professional and Other Services). No physical alterations are proposed.

3.0 BACKGROUND:

3.1 Local Plan Status

The application site is identified as part of the East Kilbride Village Core Retail Area and the East Kilbride Village Conservation Area in the adopted East Kilbride and District Local Plan. The relevant policy in this instance is COM5 – Core Retail Area.

3.2 Relevant Government Advice/Policy

None directly applicable

4.0 CONSULTATIONS:

- 4.1 **Environmental Services** have offered no objections to the application subject to recommended conditions.

Response Noted.

- 4.2 **Roads and Transportation Services** have offered no objection to the application.

Response Noted.

5.0 REPRESENTATIONS:

5.1 Following neighbour notification and the application being advertised in the East Kilbride News one letter of objection has been received. The grounds of objection have been summarised as follows:-

- a) The application, and that for an adjoining property, is considered premature given the early stage of preparation of the South Lanarkshire Local Plan.

Response: The application is not considered premature and requires to be considered on its merits at this time while the South Lanarkshire Local Plan is at an early stage of preparation, current applications are considered against policies contained within the Adopted East Kilbride & District Local Plan.

- b) Concerns over the possible detrimental effect of the proposed change of use to the character of the conservation area.

Response: The proposed change of use will change the nature of the street by the loss of a retail unit but it is not considered to be a change which would negatively affect the value of the area as a conservation area.

5.2 This letter has been copied and is available for inspection in the usual manner.

6.0 ASSESSMENT AND CONCLUSIONS:

6.1 The determining issues in this instance are firstly how the proposal relates to policies contain in the adopted local plan for the area and how the proposed use would relate to other surrounding uses.

6.2 The site is identified as part of the Core Retail Area under policy COM5 – Core Retail Areas. This policy seeks to protect the retailing activity in key areas by monitoring and controlling the number and location of non-retail proposals. It sets out two criteria which require to be complied with when considering any application. Firstly, that the proposal should not result in the reduction of Class 1 retailing in a core retailing area to below 75% of all the units. Secondly, that the proposals should not result in two adjoining units in the core retail area coming into non-retail use.

6.3 In terms of the change of use from retail to non-retail this would result in the reduction of Class 1 in the village core retail area to below 75% of all the units, 45% Retail and 55% Non-Retail at present, and would therefore be contrary to policy COM5 of the Adopted East Kilbride & District Local Plan. The change of use would also potentially result in two adjoining units coming into non-retail use. A parallel application for a similar change of use at No. 5 Hunter Street is also being considered at this Committee (Planning Application EK/04/0622). Both applications taken together would result in two adjoining units coming into non-retail use and would therefore be contrary to policy COM5 of the Adopted East Kilbride & District Local Plan.

- 6.4 The issues set out in paragraphs 6.1 to 6.3 demonstrate that the proposed change of use, as set out in the application, is not in accordance with the Adopted East Kilbride & District Local Plan and therefore recommend that the application be refused.

RECOMMENDATION: REFUSE DETAILED PLANNING PERMISSION (FOR REASONS STATED)

NOTES: The Area Planning Committee has delegated powers to determine this application.

COMMITTEE DATES: East Kilbride Area Committee 19 January 2005

DATE: 17 December 2004



 **Signature:**
IAIN URQUHART
EXECUTIVE DIRECTOR, ENTERPRISE RESOURCES

Local Government (Access to Information) Act 1985
1.1 LIST OF BACKGROUND PAPERS

1. Application Form
2. Application Plans
3. Adopted East Kilbride and District Local Plan
4. Consultation response from Environmental Services dated 8th November 2004
5. Consultation response from Roads & Transportation dated 29th October 2004
6. Letter of Objection Mr. J Allan dated 17th November 2004.

Any person wishing to inspect the background papers listed above should telephone Morag Neill on (01355) 806385.

East Kilbride Area Office
Civic Centre
Andrew Street
East Kilbride
G74 1AB

FILE REF. EK/04/0069

REASONS

- 1 The proposal is contrary to Policy COM5 - Core Retail Areas of the Adopted East Kilbride & District Local Plan in that it would introduce a non retail use into an area identified for retail purposes in the Local Plan.
- 2 The proposal is contrary to the Council's approved Policy COM5 - Core Retail Areas in that it would result in a reduction of Class 1 retailing to below 75% of all the units and that it would result in two adjoining units coming into non-retail use.



Map at Scale 1:1250



5 HUNTER STREET, EAST KILBRIDE.

Drawn 24/12/2004

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ENTERPRISE RESOURCES
Planning and Building Control

PLANNING APPLICATION REPORT
SUMMARY SHEET

APPLICATION NOS: EK/04/0644
AREA: EAST KILBRIDE
WARD: 18 - Maxwellton

APPLICANT: Mr. & Mrs. Leggat
9 Jamieson Drive
Calderwood
East Kilbride

PROPOSAL: Erection of boundary wall and canopy (Retrospective)

LOCATION: 9 Jamieson Drive, East Kilbride

APPLICATION TYPE: Detailed Planning Application

POLICY: Policies DC1 and SLP6 – Development Control General of the adopted East Kilbride and District Local Plan would apply. The plan identifies the site as lying within a residential area.

REPRESENTATIONS: One letter of objection

CONSULTATIONS: No consultations required in respect of this application.

RECOMMENDATION: GRANT SUBJECT TO CONDITIONS

PLANNING APPLICATION REPORT:

1.0 APPLICATION SITE:

- 1.1** The application site relates to a two storey semi-detached house situated to the east of Jamieson Drive, East Kilbride. The applicant's dwellinghouse is situated on a roughly rectangular shaped plot which is generally level. Other two storey semi-detached houses of a similar type and design are situated to the North, South and West of the property and John Wright Sports Centre to the East.

2.0 PROPOSAL:

- 2.1** This is a detailed planning application for the erection of a boundary wall and a canopy. The wall is 6 metres in length and is approximately 1 metre in height, the canopy runs the full length of the property.

3.0 BACKGROUND:

3.1 Local Plan Status

The application site is identified as lying within a residential area of East Kilbride in the adopted East Kilbride and District Local Plan. The relevant policies in this instance are DC1 and SLP6 – Development Control General.

3.2 Relevant Government Advice/Policy

None relevant.

3.3 Planning Background

None relevant.

- 4.0 CONSULTATIONS:** No consultations were carried out in respect of this application.

5.0 REPRESENTATIONS:

- 5.1** Following statutory neighbour notification one letter of objection was received. The grounds of the objection has been summarised as follows: -

- a) That the wall has deprived the neighbouring of sunlight.**

Response: The wall is 1 metre in height and I would not consider this excessive as a boundary wall that would have a significant impact on sunlight.

- b) **That the wall has an unsightly appearance and of poor construction.**

Response: The wall is constructed of block work which is regularly used for this purpose, the maintenance of either side of the wall would be a legal matter between both parties.

- c) **That drainage of the site has been affected by the wall.**

Response: Site drainage is not a material planning consideration when assessing the application.

- d) **That the canopy deprives the neighbouring garden of sunlight .**

Response: I would not consider the projection of the canopy excessive and any loss of light is not at significant levels to recommend refusal of the application .

This letter has been copied and is available for inspection in the usual manner

6.0 ASSESSMENT AND CONCLUSIONS:

- 6.1 The issue for determination in this instance is how the proposal relates to policies contained within the adopted local plan for the area.
- 6.2 In terms of the adopted East Kilbride and District Local Plan the site is identified as within a residential area, therefore the principle of a house canopy and boundary wall is acceptable in this instance. The proposal can be assessed against DC1 and SLP6 – Development Control General. Policy DC1 states that all proposals should take fully into account the local context and built form and that development should be compatible in terms of scale, massing and the external materials of adjacent buildings and the surrounding streetscape.
- 6.3 In terms of this policy, I am of the opinion that boundary wall and canopy will not have an adverse impact on amenity for neighbouring properties.
- 6.4 There are no material considerations which, in my view, would justify a refusal in this instance and, this being so, recommend that planning permission be granted for the canopy and boundary wall.

RECOMMENDATION: GRANT DETAILED PLANNING PERMISSION
(SUBJECT TO CONDITIONS - BASED ON
CONDITIONS LISTED OVERLEAF)

NOTES: The Area Committee has delegated powers to determine
this application.

COMMITTEE DATES: Area Committee: 19 January 2005

DATE: 23rd December 2004

Signature..... 

 **COLIN McDOWALL**
HEAD OF PLANNING AND BUILDING CONTROL

Local Government (Access to Information) Act 1985

1.1 LIST OF BACKGROUND PAPERS

1. Application Form.
2. Application Plans.
3. East Kilbride and District Local Plan.
4. Letter of objection from Mr. James Millar, 9 Jamieson Drive, East Kilbride G74 3EA

Any person wishing to inspect the background papers listed above should telephone (01355) 806315 and ask for Evelyn Ann Stewart.

EAST KILBRIDE AREA OFFICE
CIVIC CENTRE
ANDREW STREET
EAST KILBRIDE
G74 1AB

FILE REF. EK/04/0644

Detailed Planning Application

PAPER APART - APPLICATION NUMBER:

EK/04/0644

CONDITIONS

- 1 That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.

REASONS

- 1.1 In the interests of amenity and in order to retain effective planning control.



Map at Scale 1:1250



9 JAMIESON DRIVE, EAST KILBRIDE.

Drawn 24/12/2004

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ENTERPRISE RESOURCES
Planning and Building Control

PLANNING APPLICATION REPORT
SUMMARY SHEET

APPLICATION NOS: EK/04/0669
AREA: EAST KILBRIDE
WARD: 15 - Calderglen

APPLICANT: Mr & Mrs Ivor Smith
124 Colonsay
East Kilbride
G74 2HG

AGENT: Conservatory Advisory Centre
10 Catherinefield Industrial Estate
Heathhall
Dumfries
DG1 3PQ

PROPOSAL: Erection of conservatory

LOCATION: 124 Colonsay, East Kilbride

APPLICATION TYPE: Detailed Planning Application

POLICY: Policies DC1 and SLP6 – Development Control General of the adopted East Kilbride and District Local Plan would apply. The plan identifies the site as lying within a residential area.

REPRESENTATIONS: One letter of objection

CONSULTATIONS: No consultations required in respect of this application.

RECOMMENDATION: GRANT SUBJECT TO CONDITIONS

PLANNING APPLICATION REPORT:

1.0 APPLICATION SITE:

- 1.1** The application site relates to a two storey terraced house situated on the South side of Colonsay in East Kilbride. The applicant's house is situated on a rectangular shaped plot which is level throughout. Other terraced houses of a similar type and design are situated to the rear and at either side of the property with open space to the front.

2.0 PROPOSAL:

- 2.1** This is a detailed planning application for the erection of a conservatory to the rear of the house. The conservatory will measure 4 metres wide and will extend to 3.3 metres in length. The conservatory will provide one additional room at ground floor level. Proposed external materials will be brick and UPVC to match the existing house. In total the footprint of the extension, will measure 12.5 square metres and will cover approximately 19% of the garden behind the front building line of the house.

3.0 BACKGROUND:

3.1 Local Plan Status

The application site is identified as lying within a residential area of East Kilbride in the adopted East Kilbride and District Local Plan. The relevant policies in this instance are DC1 and SLP6 – Development Control General.

3.2 Relevant Government Advice/Policy

None relevant.

3.2 Planning Background

There are no previous planning applications for the site.

4.0 CONSULTATIONS:

- 4.1** There were no consultations required in respect of this application.

5.0 REPRESENTATIONS:

- 5.1** Following statutory neighbour notification one letter of objection has been received. The grounds of objection have been summarised as follows: -

- a) That the close proximity of the conservatory to the garden of number 122 Colonsay will have a direct affect on the level of privacy in the adjoining garden.

Response: Whilst I accept that this development will lead to a loss of privacy in the neighbouring garden, this can be addressed by a form of boundary treatment. Therefore I do not consider this to be significant enough to withhold or refuse planning consent.

- b) That the design and size of the conservatory is excessive in relation to the size of the property and garden.**

Response: The conservatory is of a similar size and style constructed in similar properties throughout the area. The gardens are relatively small but the proposal meets policy guidelines by developing 19% of the garden ground.

- c) The objector is looking for clarification on fire regulations relating to the distance between the boundary.**

Response: The planning authority is unable to advise on fire regulations and the objector has been advised to contact the Council's Building Control section.

This letter has been copied and is available for inspection in the usual manner.

6.0 ASSESSMENT AND CONCLUSIONS:

- 6.1** The issue for determination in this instance is how the proposal relates to policies contained within the adopted local plan for the area.
- 6.2** In terms of the adopted East Kilbride and District Local Plan the site is identified as within a residential area, therefore the principle of a house extension is acceptable in this instance. The proposal can be assessed against DC1 and SLP6 – Development Control General. Policy DC1 states that all proposals should take fully into account the local context and built form and that development should be compatible in terms of scale, massing and the external materials of adjacent buildings and the surrounding streetscape. Proposals should also seek to incorporate quality external materials and conform to Policy SLP6.
- 6.3** In terms of this policy, I do not consider that the conservatory will have any adverse impact in terms of its design, size or effect on neighbouring properties. It will be finished in materials to match the existing house. The extension will cover approximately 19% of the rear garden and I am therefore of the view that an adequate area of usable ground will remain. Given the orientation of the property and the location of neighbouring properties, I am of the opinion that no significant issues in loss of daylight or sunlight are likely to arise as a result which would warrant refusal of the application.
- 6.4** There are no material considerations which, in my view, would justify a refusal in this instance and, this being so, recommend that planning permission be granted for the extension.

RECOMMENDATION: GRANT DETAILED PLANNING PERMISSION
(SUBJECT TO CONDITIONS - BASED ON
CONDITIONS LISTED OVERLEAF)

NOTES: The Area Committee has delegated powers to determine
this application.

COMMITTEE DATES: Area Committee: 19th January 2005

DATE: 24/12/04

Signature..........

 **COLIN McDOWALL**
HEAD OF PLANNING AND BUILDING CONTROL

Local Government (Access to Information) Act 1985
1.1 LIST OF BACKGROUND PAPERS

1. Application Form.
2. Application Plans.
3. East Kilbride and District Local Plan.
4. Letter of objection from Mr. & Mrs McShane, 122 Colonsay, East Kilbride, G74 2HG

Any person wishing to inspect the background papers listed above should telephone (01355) 806315 and ask for Evelyn Ann Stewart.

EAST KILBRIDE AREA OFFICE
CIVIC CENTRE
ANDREW STREET
EAST KILBRIDE
G74 1AB

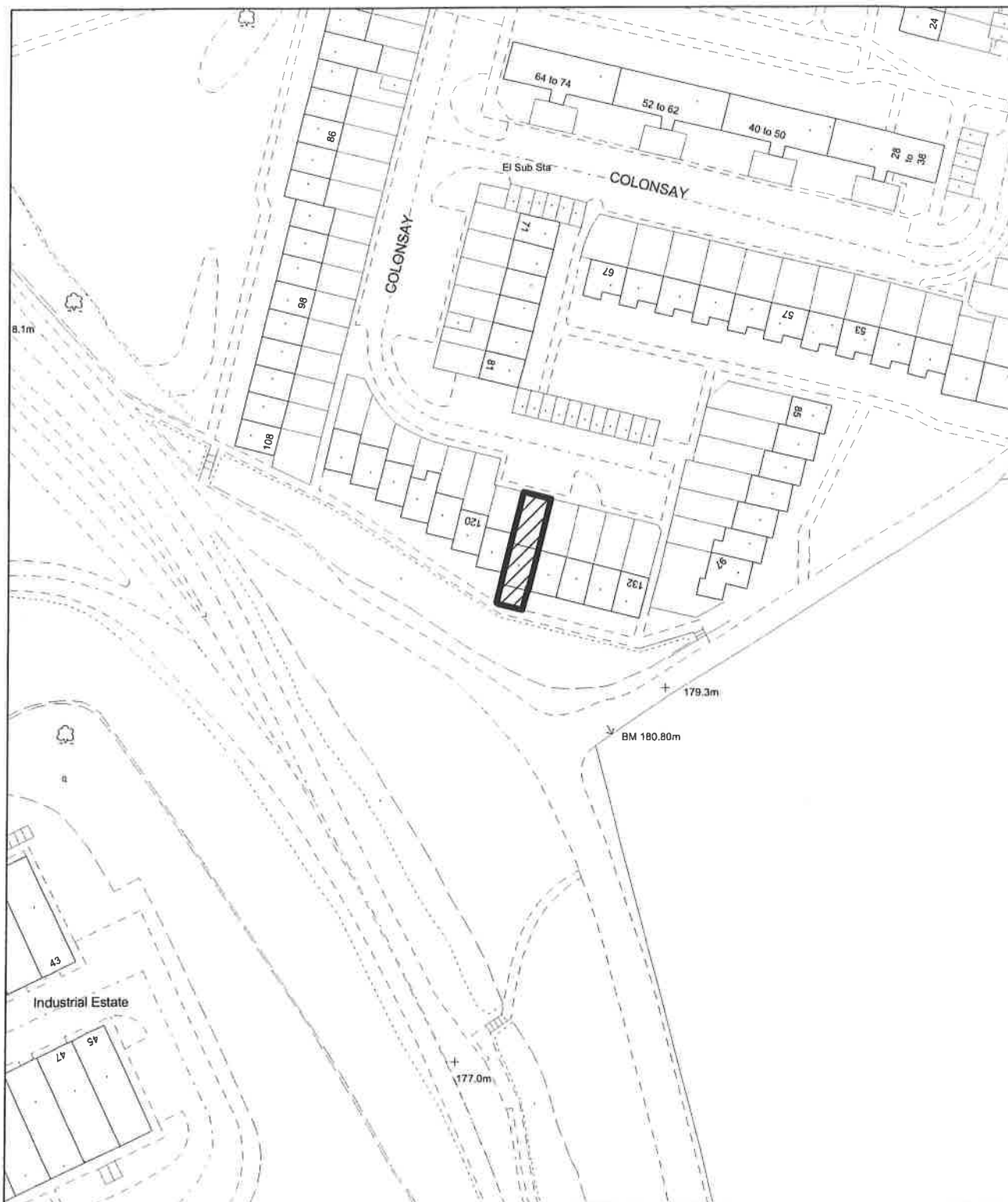
FILE REF. EK/04/0669

CONDITIONS

- 1 That the development hereby permitted shall be started within five years of the date of this permission.
- 2 That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.
- 3 That the facing materials to be used for the external walls of the conservatory hereby approved shall match in colour and texture those of the existing adjoining building on the site to the satisfaction of the Council as Planning Authority.

REASONS

- 1.1 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2.1 In the interests of amenity and in order to retain effective planning control.
- 3.1 To ensure satisfactory integration of the proposed extension with the existing building both in terms of design and materials.



Map at Scale 1:1250



124 COLONSAY, EAST KILBRIDE.

Drawn 24/12/2004

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ENTERPRISE RESOURCES
Planning and Building Control

PLANNING APPLICATION REPORT
SUMMARY SHEET

APPLICATION NO: EK/04/0679
AREA: East Kilbride
WARD: 31 – Avondale North

APPLICANT: Angus MacDougall
T/A Avondale Services
27 Hamilton Road
Strathaven
ML10 7JA

AGENT: WSC Architects
7 Griffen Place
Strathaven
ML10 6HE

PROPOSAL: Sub Division of Shop and Change of Use to form office

LOCATION: 27 Hamilton Road, Strathaven

APPLICATION TYPE: Detailed Planning Application

POLICY: Policy RES5 of the adopted East Kilbride and District Local Plan would apply. The site is identified as residential.

REPRESENTATIONS: Statutory neighbour notification was carried out with the applicant's agent certifying to this effect. One letter of representation was received

CONSULTATIONS: 1. SLC Roads and Transportation Services
2. SLC Environmental Services

RECOMMENDATION: GRANT SUBJECT TO CONDITIONS

PLANNING APPLICATION REPORT:

1.0 APPLICATION SITE:

- 1.1 The application site is located at 27 Hamilton Road, Strathaven. The site lies on the western side of Hamilton Road and is occupied by a garage and filling station. The site extends to 0.1 hectares and is bounded by residential properties to the north, west and south with Hamilton Road and flats to the east.

2.0 PROPOSAL:

- 2.1 The applicant wishes to subdivide the existing filling station shop and associated workshop. The existing workshop will become the filling station shop and the existing shop will become a separate office. Five car parking spaces are shown within the site which will serve both the shop and the proposed office. A one way entry and exit system will operate within the site to allow adequate manoeuvring of vehicles using the petrol filling station.

3.0 BACKGROUND:

- 3.1 The application can be assessed against the policies contained within the adopted East Kilbride and District Local Plan. The site is identified as being within a residential area and Policy RES5 – Residential Amenity would apply. Policy RES5 aims to protect the amenity of residents within these areas and developments which would be detrimental to this amenity should be resisted.

4.0 CONSULTATIONS:

- 4.1 **SLC Roads and Transportation Services** raised no objections to the proposal subject to the provision of three staff parking spaces and two customer parking spaces being laid out and marked on site.

Response: Noted. Five parking spaces have been shown on the drawing and a condition can be attached to any consent issued to ensure that these are laid out and clearly marked on site. (Condition No 3).

- 4.2 **SLC Environmental Services** raised no objections to the proposal.

Response: Noted

5.0 REPRESENTATIONS:

- 5.1 Following statutory neighbour notification, one letter of representation was received from the owners/occupiers of the flatted properties at 30-32 Hamilton Road. The letter stated that whilst the residents had no objections to the proposed changes, the residents are already experiencing traffic problems related to the existing business. The points relating to this application are addressed below however a full response from both Planning and Roads and Transportation Services has been made directly to the residents.

a) Vehicles currently park opposite the site whilst visiting the shop. This causes problems with access, exhaust fumes. Bollards or other traffic measures may

prevent this parking which may increase with the engagement of the filling station shop.

Response: Roads and Transportation Services raised no objections to the proposal subject to the provision of five parking spaces within the site. These can easily be accommodated and sufficient manoeuvring space remains for the filling station. The indiscriminate parking will be considered separately from this application.

6.0 ASSESSMENT AND CONCLUSIONS:

- 6.1** The applicant currently operates a petrol filling station with ancillary shop from premises at 27 Hamilton Road, Strathaven and wishes to convert the workshop area to form a shop and then change the use of the existing shop to form an office.
- 6.2** The proposal can be assessed against Policy RES5 – Residential Amenity of the adopted East Kilbride and District Local Plan. Policy RES5 states the Council will not approve uses which would be detrimental to residential areas by virtue of noise, smell, disturbance or public safety within these areas. The proposal to change a filling station shop to an office does not result in any of the above issues and the site is adequately served in terms of access and parking.
- 6.3** One letter of representation was received however this related mainly to the existing problem caused by indiscriminate parking opposite the site. The Council will address this issue separately.
- 6.4** Given the above, I would raise no objections to the proposal and therefore recommend that planning permission be granted.

RECOMMENDATION: GRANT DETAILED PLANNING PERMISSION
(SUBJECT TO CONDITIONS, BASED UPON THE FOLLOWING)

NOTES: The Area Committee has delegated powers to determine this application

COMMITTEE DATES: Area Committee: 19 January 2005

DATE: 5th January 2005

Signature..... 

 COLIN McDOWALL

HEAD OF PLANNING AND BUILDING CONTROL

Local Government (Access to Information) Act 1985

1.1 LIST OF BACKGROUND PAPERS

1. Application Form
2. Application Plans
3. Consultation response from SLC Roads and Transportation Services dated 3 December 2004
4. Consultation response from SLC Environmental Services dated 6 December 2004.
5. Letter of representation from R.T. Cooke, 4 Lauder Court, Strathaven dated 20 November 2004.

Any person wishing to inspect the background papers listed above should telephone 01355 806314 and ask for Lesley Campbell.

EAST KILBRIDE AREA OFFICE
CIVIC CENTRE
EAST KILBRIDE
G74 1AB

Ref: EK/04/0679

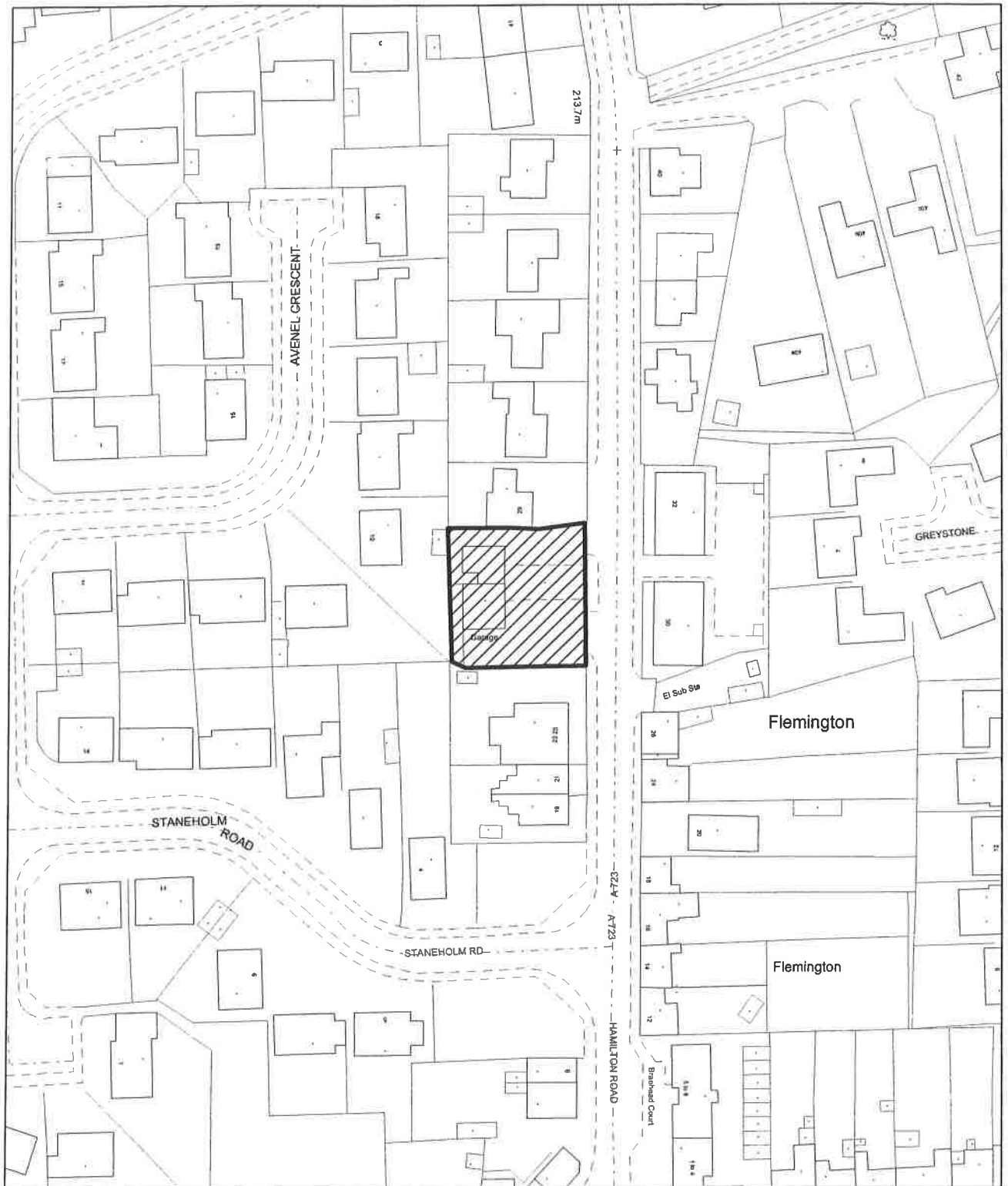
CONDITIONS

- 1 That the development hereby permitted shall be started within five years of the date of this permission.
- 2 That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.
- 3 That before the development hereby approved is completed or brought into use, 3 staff parking spaces (coloured brown on the approved plans) and two customer parking spaces (coloured green on the approved plans) (2.5m x 5m modules) shall be laid out and constructed within the site, to the satisfaction of the Council as Roads and Planning Authority and thereafter shall be maintained to the entire satisfaction of the Council.
- 4 That notwithstanding the provisions of the Town and Country Planning (Use Classes) (Scotland) Order 1997 (or any such order revoking or re-enacting that order), the use of the shop shall be limited to the following purposes and for no other purpose, without the prior written consent of the Council as Planning Authority.
 - (1) the retail sale or free supply of petrol, oils, water, parts and compressed air for consumption or use in road motor vehicles calling at the premises; and
 - (2) the retail sale of gardening, hardware and ironmongery goods.
- 5 That notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (or any such order revoking or re-enacting that order), the use of the office hereby approved shall be restricted to use as office and for no other purpose outwith Class 2 as defined in the Schedule to the Town and Country Planning (Use Classes) (Scotland) Order 1997, without the prior written consent of the Council as Planning Authority.

REASONS

- 1.1 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2.1 In the interests of amenity and in order to retain effective planning control.
- 3.1 To ensure the provision of adequate parking facilities within the site.
- 4.1 In order to retain effective planning control
- 5.1 In order to retain effective planning control

Planning Application EK/04/0679
27 Hamilton Road, Strathaven



Map at Scale 1:1250



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South Lanarkshire Council 100020730 2004

Drawn 05/01/2005

ENTERPRISE RESOURCES
Planning and Building Control

PLANNING APPLICATION REPORT
SUMMARY SHEET

APPLICATION NO: EK/04/0697
AREA: East Kilbride
WARD: 29 Stewartfield

APPLICANT: Mr. & Mrs. Maxwell
6 Pennyroyal Court
East Kilbride
G74

AGENT: DTA Architects
4 Stuart Street
The Village
East Kilbride

PROPOSALS: Erection of 2 storey extension

LOCATION: 6 Pennyroyal Court, East Kilbride

APPLICATION TYPE: Detailed Planning Application.

POLICY: East Kilbride Local Plan (Adopted)
Policy DEV 1 - General
Policy DEV 5 House Extensions
East Kilbride and District Local Plan (Finalised Draft)
Policies DC 1 & SLP6 – Development Control General

REPRESENTATIONS: One letter of objection

CONSULTATIONS: Roads and Transportation Services.

RECOMMENDATION: GRANT SUBJECT TO CONDITIONS

PLANNING APPLICATION REPORT:

1.0 APPLICATION SITE:

- 1.1 The application relates to a detached two storey house on Pennyroyal Court in the Stewartfield area of East Kilbride. The site is bounded to the north, south, east and west by residential properties. Access to the site is via Oak Fern Drive.

2.0 PROPOSAL:

- 2.1 This is a detailed planning application for the erection of a two storey extension to the side of the property which would provide approximately 43 square metres of additional floorspace to the existing building. The extension would project 2.7 metres beyond the existing side elevation of the dwellinghouse and would extend to the full length of the building. The extension would carry through the line of the eaves of the existing building and form a gable end when viewed from the side elevation. The proposed materials for the extension are concrete roof tiles, facing brick and render walls and UPVC windows all to match the existing house. The proposed accommodation comprises of an extension to the existing lounge and dining room and an additional bedroom at the first floor level.

3.0 BACKGROUND:

3.1 Local Plan Status

The application site is identified as within a residential area of East Kilbride in both the adopted East Kilbride Local Plan and the East Kilbride and District Local Plan (Finalised Draft). The relevant policies covering the site are Policies DEV 1 - General and DEV 5 - House Extensions in the East Kilbride Local Plan. The site is also subject to Policies DC 1 and SLP6 - Development Control General in the East Kilbride and District Local Plan (Finalised Draft).

4.0 CONSULTATIONS

4.1 Roads and Transportation Services -

Response: That three parking spaces be provided within the site and the lamp post be relocated at the applicants expense to achieve this.

5.0 REPRESENTATIONS

- 5.1 Following neighbour notification one letter of objection was received. The grounds of objection are summarised below:

1. **The extension will have an adverse effect on the level of natural daylight available to the adjacent property.**

Response: The adjacent property has a single storey extension to the rear with a window which will overlook the development. The side wall of the proposed extension will move 2.67 metres closer to 21 Oakfern Drive and whilst I agree there will be a loss of light to this property I do not consider it to be at a significant level to justify the refusal of the application. The position of the extension is favoured to a rear extension as this would have a more detrimental effect on overshadowing at 21 Oakfern Drive .

2. **That the proposed will exacerbate existing drainage problems in the area.**

Response: The drainage of the site is not a material planning consideration.

This letter has been copied and is available for inspection in the usual manner.

6.0 ASSESSMENT AND CONCLUSIONS

- 6.1 The determining issue that requires to be addressed in respect of this application is compliance with existing and draft local plan policy.
- 6.2 In terms of the East Kilbride Local Plan the application can be assessed against Policies DEV 1 - General and DEV 5 - House Extensions. Policy DEV 1 states that when considering applications for all types of development, the Council will take into account the visual effect of the proposal, the impact on traffic and the effect on neighbouring properties. Policy DEV 5 states that before approving an extension the Council will require to be satisfied that the resulting building will not be too large in relation to the area of its plot, is an acceptable distance from other houses, and that there will be no significant obstruction of light.
- 6.3 It is considered that the width, height and bulk of the extension is in proportion to the existing house and that the extension will not dominate adjacent properties to the extent that their amenity will be adversely affected. I am satisfied that the extended house will be in keeping with dwellings in the surrounding area and that the extension will not adversely affect neighbouring properties through loss of privacy. I would conclude that the proposal complies with the aforementioned policies.
- 6.4 In terms of the East Kilbride and District Local Plan (Finalised Draft) the proposal can be assessed against Policies DC1 and SLP6 – Development Control General. Both policies state that all planning applications should take fully into account the local context and built form and that development should be compatible in terms of scale and massing and be built incorporating quality materials. Again, I would conclude that the proposal complies with both policies.
- 6.5 In summary, I would consider the proposal complies with Policies DEV1 and DEV5 of the adopted East Kilbride Local Plan and Policies DC1 and SLP6 of the East Kilbride and District Local Plan (Finalised Draft).

RECOMMENDATION: GRANT DETAILED PLANNING PERMISSION
(SUBJECT TO CONDITIONS)

NOTES: The Area Committee has delegated powers to determine this application.

COMMITTEE DATES: 19 January 2005

DATE: 22/12/04

Signature 



COLIN McDOWALL

HEAD OF PLANNING AND BUILDING CONTROL

Local Government (Access to Information) Act 1985
1.1 LIST OF BACKGROUND PAPERS

1. Application Form
2. Application Plans
3. Consultation response from Roads and Transportation Services dated
4. Letter of objection from Mr & Mrs Ross Hastings, 21 Oakfern Drive, East Kilbride dated 22/12/04.

Any person wishing to inspect the background papers listed above should telephone (01355) 806315 and ask for Evelyn Ann Stewart.

East Kilbride Area Office
Civic Centre
Andrew Street
East Kilbride
G74 1AB

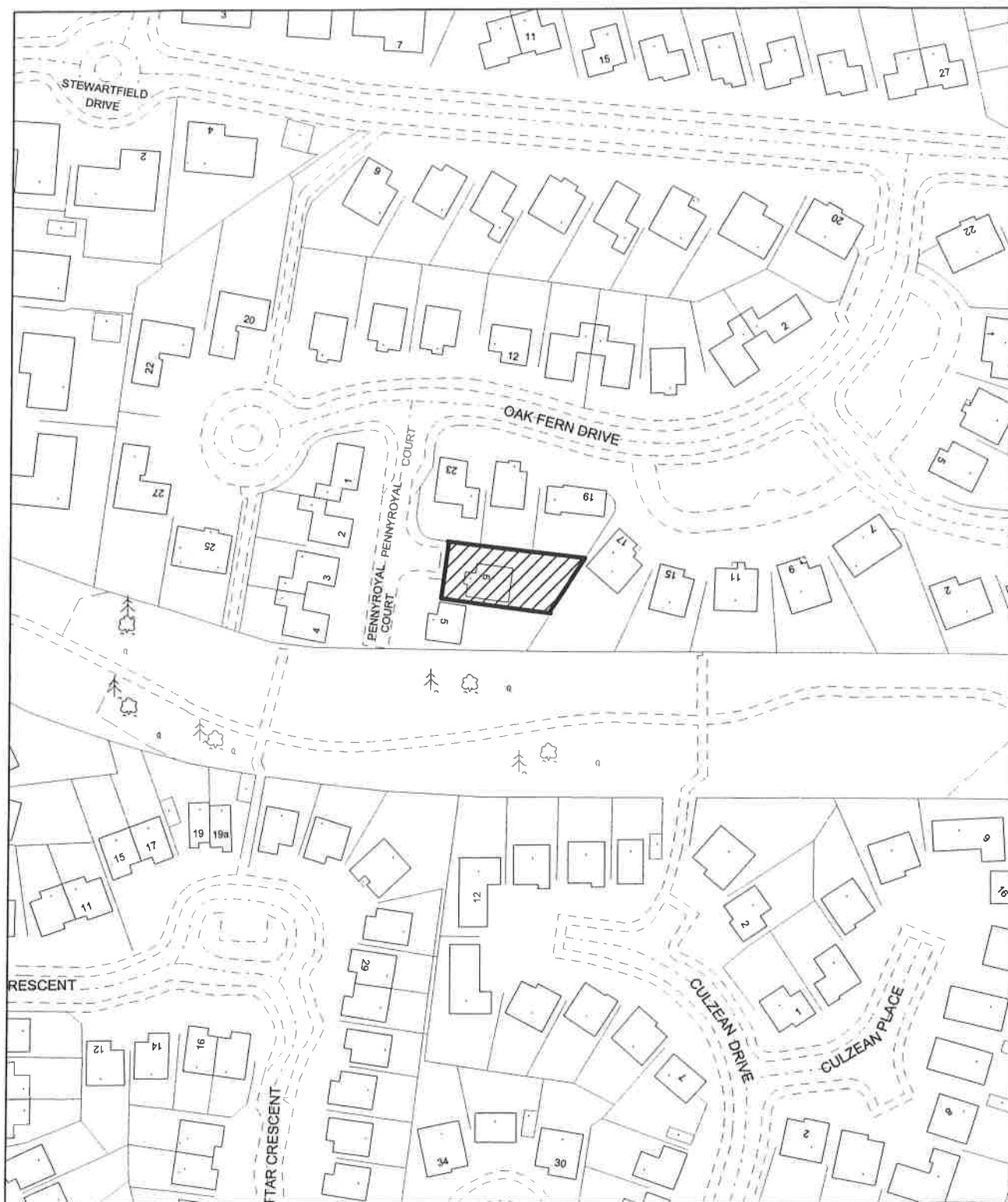
FILE REF. EK/04/0697

CONDITIONS

- 1 That the development hereby permitted shall be started within five years of the date of this permission.
- 2 That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.
- 3 That the facing materials to be used for the external walls and roof of the extension hereby approved shall match in colour and texture those of the existing dwellinghouse on the site to the satisfaction of the Council as Planning Authority.
- 4 That before the extension hereby approved is completed or brought into use, a driveway with a minimum width of 4.8 metres shall be laid out and constructed within the site to the satisfaction of the Council as Roads and Planning Authority and thereafter shall be maintained to the entire satisfaction of the Council.

REASONS

- 1.1 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2.1 In the interests of amenity and in order to retain effective planning control.
- 3.1 To ensure satisfactory integration of the proposed extension with the existing building both in terms of design and materials.
- 4.1 To ensure the provision of adequate parking facilities within the site.



Map at Scale 1:1250



6 PENNYROYAL COURT, EAST KILBRIDE.

Drawn 24/12/2004

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ENTERPRISE RESOURCES
Planning and Building Control

PLANNING APPLICATION REPORT
SUMMARY SHEET

APPLICATION NO: EK/03/0698
AREA: EAST KILBRIDE
WARD: 19 – East Mains

APPLICANT: Mr & Mrs W Asghar
51 Stirling Drive
East Kilbride

AGENT: CP Design
The Cottage
21 Brouster Hill
East Kilbride

PROPOSALS: Erection of two-storey side extension

LOCATION: 51 Stirling Drive, East Kilbride

APPLICATION TYPE: Detailed Planning Application.

POLICY: East Kilbride and District Local Plan (Adopted)
Policies DC 1 & SLP6 – Development Control General
The site is designated for residential use.

REPRESENTATIONS: One letter of objection

CONSULTATIONS: Roads and Transportation Services.

RECOMMENDATION: GRANT SUBJECT TO CONDITIONS

PLANNING APPLICATION REPORT:

1.0 APPLICATION SITE:

- 1.1 The application relates to an end terrace two-storey rendered house on Stirling Drive in the East Mains area of East Kilbride. The site is bounded on all sides by residential properties. Access to the site is via Stirling Drive.

2.0 PROPOSAL:

- 2.1 This is a detailed planning application for the erection of a two-storey side extension to the existing dwellinghouse. The proposed extension would provide approximately 22 square metres of additional floorspace to the existing building and would comprise a family room and study on the ground floor and two bedrooms on the first floor.
- 2.2 The extension would project approximately 3.60 metres beyond the side elevation of the house and would incorporate a ridged roof which would carry through the line of the eaves of the existing house. The extension would be finished in concrete roof tiles, rendered walls and UPVC windows all to match the existing house.

3.0 BACKGROUND:

3.1 Local Plan Status

The application site is identified as within a residential area of East Kilbride in the adopted East Kilbride and District Local Plan. The relevant policies covering the site are Policies DC 1 and SLP6 - Development Control General.

4.0 CONSULTATIONS

- 4.1 **Roads and Transportation Services** – have no objection to the application subject to the applicant providing an additional car parking space within the curtilage of the site and extending the existing drop kerb.
Response: Noted and any consent granted will be conditioned to this effect (Conditions 5 and 7).

5.0 REPRESENTATIONS

- 5.1 Following neighbour notification one letter of objection was received. The grounds of objection are summarised below:

a. The proposed extension would block the access to the adjacent property at 49 Stirling Drive.

Response: The submitted drawings indicate that the proposed extension would be located approximately 0.20 metres, at its shortest point, from the boundary with the above house. As the extension would be erected wholly within the applicant's property I am satisfied that it would not block the access to the adjacent dwelling.

- b. **The main drainage from eight houses in the street passes under the area where the extension would be erected.**

Response: The applicant would have to consult Scottish Water prior to any drainage works being undertaken on the site and an advisory note will be attached to any consent granted confirming this requirement.

This letter has been copied and is available for inspection in the usual manner.

6.0 ASSESSMENT AND CONCLUSIONS

- 6.1 The determining issue that requires to be addressed in respect of this application is compliance with adopted local plan policy
- 6.2 The application can be assessed against Policies DC1 and SLP6 – Development Control General in the adopted East Kilbride and District Local Plan. Both policies state that all planning applications should take fully into account the local context and built form and that development should be compatible in terms of scale and massing and be built incorporating quality materials.
- 6.3 The proposal relates to a two-storey side extension with the existing rear garden of the property not affected by the development. Therefore, it is considered that the resulting building will not be too large in relation to the area of its plot. It is also considered that the width, height and bulk of the extension will be in proportion to the existing house and that the extended house will be in keeping with development in the surrounding area. As stated, Roads and Transportation Services are satisfied that the required car parking provision can be accommodated within the site. I would, therefore, conclude that the proposal complies with the aforementioned policies.
- 6.4 In summary, I would consider that the proposal complies with Policies DC1 and SLP6 of the adopted East Kilbride and District Local Plan.
- 6.5 Given the above I would raise no objection to the proposal and recommend that planning permission be granted.

RECOMMENDATION: GRANT DETAILED PLANNING PERMISSION
(SUBJECT TO CONDITIONS - BASED ON
CONDITIONS LISTED OVERLEAF)

NOTES: The Area Committee has delegated powers to determine
this application

COMMITTEE DATES: 19 January 2005

DATE: 23/12/04

Signature *W. McDowall*
for COLIN McDOWALL
HEAD OF PLANNING AND BUILDING CONTROL

Local Government (Access to Information) Act 1985
1.1 LIST OF BACKGROUND PAPERS

1. Application Form
2. Application Plans
3. East Kilbride & District Local Plan (Adopted)
4. Consultation Response from Roads and Transportation Services dated 15/12/04
5. Letter of objection from William O'Hanlon, 49 Stirling Drive, East Kilbride dated 14/12/04.

Any person wishing to inspect the background papers listed above should telephone (01355) 806315 and ask for Jim Blake.

East Kilbride Area Office
Civic Centre
Andrew Street
East Kilbride
G74 1AB

FILE REF. EK/03/0698

CONDITIONS

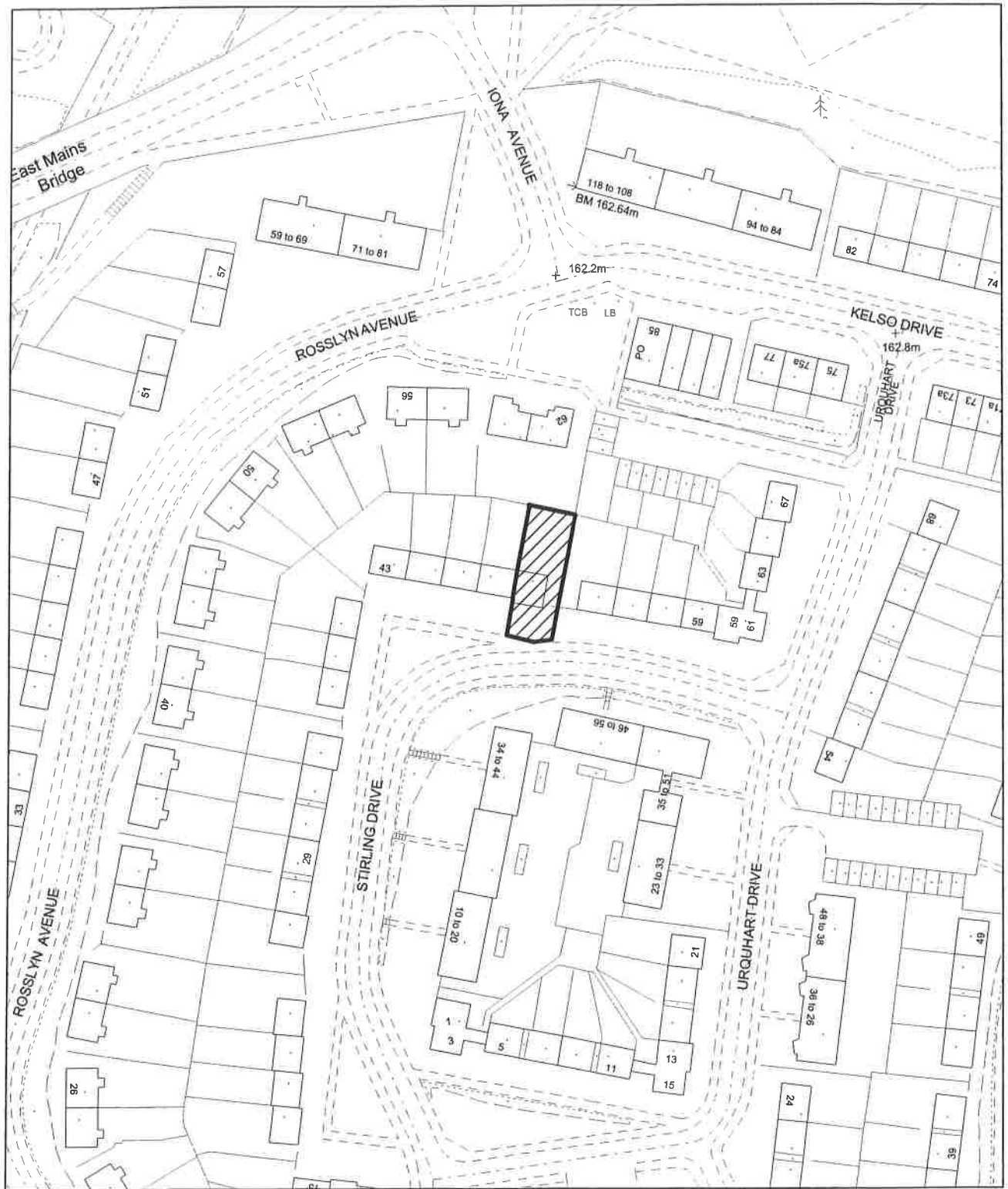
- 1 That the development hereby permitted shall be started within five years of the date of this permission.
- 2 That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.
- 3 That the facing materials to be used for the external walls and roof of the extension hereby approved shall match in colour and texture those of the existing dwellinghouse on the site to the satisfaction of the Council as Planning Authority.
- 4 That before development starts, a detailed plan at a scale 1:100 or 1:200 showing the formation of a total of three parking spaces (minimum size of driveway: 7.2m x 6m) within the curtilage of the dwellinghouse shall be submitted to and approved by the Council as Planning Authority.
- 5 That before the extension hereby approved is completed or brought into use, all of the parking spaces required under Condition 4 above shall be laid out and constructed to the satisfaction of the the Council as Roads and Planning Authority and thereafter shall be maintained to the entire satisfaction of the Council.
- 6 That before the extension hereby approved is completed or brought into use, the first two metres of the driveway shall be surfaced, sealed and trapped to the satisfaction of the Council as Roads and Planning Authority.
- 7 That before the extension hereby approved is completed or brought into use the existing drop kerb on the site shall be extended to a minimum length of 7.2 metres.

REASONS

- 1.1 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2.1 In the interests of amenity and in order to retain effective planning control.
- 3.1 To ensure satisfactory integration of the proposed extension with the existing building both in terms of design and materials.
- 4.1 These details have not been submitted or approved.
- 5.1 To ensure the provision of adequate parking facilities within the site.
- 6.1 To prevent deleterious material being carried onto the highway.
- 7.1 In the interest of public safety

ADVISORY NOTES

1. The applicant is advised that they would require consent from the owner of the property at 49 Stirling Drive for any access to their property for construction or maintenance purposes.
2. The applicant is advised to contact Scottish Water regarding compliance with current bylaws prior to any work starting on site. Further details may be obtained from Scottish Water, Prestwick Office, 35 Glenburn Road, Prestwick, Ayrshire KA9 2NS. Telephone 0845 601 8855.



Map at Scale 1:1250



51 STIRLING DRIVE, EAST KILBRIDE.

Drawn 24/12/2004

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ENTERPRISE RESOURCES
Planning and Building Control

PLANNING APPLICATION REPORT
SUMMARY SHEET

APPLICATION NO: EK/04/0700
AREA: East Kilbride
WARD: 31 – Avondale North

APPLICANT: Eileen Jamieson
104 Stamperland Avenue
Clarkston
GLASGOW
G76 8HA

AGENT: Cooper Design Associates
4 Fell Road
Glassford
ML10 6TE

PROPOSAL: Siting of containers to provide stable accommodation
(Retrospective)

LOCATION: Auldhouse Road, Auldhouse, East Kilbride

APPLICATION TYPE: Detailed Planning Application

POLICY: Policy SLP2 of the adopted East Kilbride and District
Local Plan would apply. The site is designated as Rural
Area.

REPRESENTATIONS: Statutory neighbour notification was carried out with
the applicant's agent certifying to this effect. The
proposal was advertised as Development Potentially
contrary to Development Plan in East Kilbride News
(15.12.04) Three letters of objection were received in
respect of this application.

CONSULTATIONS: 1. SLC Roads and Transportation Services
2. SLC Environmental Services

RECOMMENDATION: REFUSE

PLANNING APPLICATION REPORT:

1.0 APPLICATION SITE:

- 1.1** The Application site is located within the rural area to south west of Auldhouse. The site extends to 1.1 hectares and is bounded by hedgerows and small country roads. The site is grassed with two red containers sited in its south western corner.

2.0 PROPOSAL:

- 2.1** The applicant seeks retrospective planning approval for the siting of two containers within a field which are used for the storage of horse food and associated equipment.
- 2.2** The containers are industrial shipping containers and are sited within the south western part of the field. The containers both measure 6.1 metres in length 2.4 metres in width and are 2.4 metres high. They are currently painted red.

3.0 BACKGROUND:

- 3.1** The proposal can be assessed against the rural area policies contained in the adopted East Kilbride and District Local Plan. Policy SLP2 – Rural Areas states that the Council will generally support development of an appropriate form in the rural area. The proposal was advertised as Development Potentially Contrary to Development Plan in East Kilbride News on 15 December 2004 given the inappropriate nature of the containers within a rural area.

4.0 CONSULTATIONS:

- 4.1** SLC Roads and Transportation Services raised no objections to the proposal.
Response: Noted
- 4.2** SLC Environmental Services raised no objections to the proposal.
Response: Noted

5.0 REPRESENTATIONS:

- 5.1** Following statutory neighbour notification and advertising the proposal as Development Potentially Contrary to Development Plan in East Kilbride News (15th December 2004) three letters of representation were received. The points raised are summarised below.

a) The containers are an eyesore to the area and would remain an eyesore regardless of their colour.

Response: In response to the Planning Service's advice that the industrial containers were inappropriate in a rural setting, the applicant offered to paint

them a colour which would be more appropriate to the rural area. I would agree with the objector that this would not alter the fact that industrial containers are inappropriate in the rural area.

b) In addition to the containers, the applicant has intimated that she wishes to expend her equestrian activities on the site which will involve further containers and storage on site. It is therefore important that these containers are removed before more damage is done to the surroundings.

Response: Whilst this application relates only to the siting of the containers for personal rather than business storage, any expansion of the applicant's activities in this location would require planning consent. Again each individual application would be assessed on its own merits and the design of any building or structure, together with its use would have to be appropriate to its surroundings.

c) The applicant does not live in the area, has little regard for the environment and the appearance of her land.

Response: As stated above, the Council wishes to protect the environment and rural amenity of the area.

d) Until recently, two cars were abandoned on the application site, which are damaging to the environment and a visual eyesore. The containers may also be abandoned in time.

Response: There are still two cars site on the land owned by the applicant.

e) The application is wholly inappropriate to the rural area and detracts from businesses operating nearby.

Response: Agreed and the applicant has been advised of the inappropriate nature of this development.

6.0 ASSESSMENT AND CONCLUSIONS:

6.1 The applicant has applied for retrospective planning consent for the erection of two industrial containers in a field south west of Auldhouse. The containers are used to store horse feed and equipment. Following a complaint regarding the siting of the containers, the applicant was advised that planning consent was required for the containers however, given their industrial nature, they were inappropriate in the rural area and should be removed. Further discussions took place regarding their enclosure however the current application refers only to the siting and possible painting of the containers.

6.2 The application site is located within the Rural Area as defined in the adopted East Kilbride and District Local Plan. Policy SLP2 relates to Rural Areas and states that the Council will generally favour development of an appropriate form. The principle of the applicant using the field to graze horses is acceptable however any shelter or storage should be designed to reflect the rural nature of the area. The Council has previously approved planning applications for field shelters or stables in both the Rural Area and the Greenbelt however these have

been constructed in appropriate materials and designed in a traditional manner. Industrial containers are not appropriate in a rural area and the proposal is therefore contrary to Policy SLP2 of the adopted local plan.

- 6.3 No objections to the proposal were received from consultees however three letters of objection were received from neighbours. The points raised included the visual appearance of the containers and their inappropriate siting in a rural area.
- 6.4 Given the above, I would recommend that planning permission is refused as the nature and appearance of the containers is inappropriate in the rural area and the proposal is contrary to Policy SLP2 of the adopted local plan. In addition I would seek Committee authorisation to take appropriate enforcement action, including authority to report any failure to comply with this action to the Procurator Fiscal if necessary.

RECOMMENDATION: 1)REFUSE DETAILED PLANNING PERMISSION
2)THAT COMMITTEE GRANTS AUTHORISATION TO UNDERTAKE APPROPRIATE ENFORCEMENT ACTION TO ENSURE THE REMOVAL OF THE CONTAINERS
3)THAT COMMITTEE GRANTS AUTHORISATION TO REPORT ANY FAILURE TO COMPLY WITH THE ABOVE ACTION TO THE PROCURATOR FISCAL

NOTES: The Area Committee has delegated powers to determine this application.

COMMITTEE DATES: Area Committee: 19 January 2005

DATE: 5 January 2005

Signature.....

 COLIN McDOWALL

HEAD OF PLANNING AND BUILDING CONTROL

Local Government (Access to Information) Act 1985

1.1 LIST OF BACKGROUND PAPERS

1. Application Form
2. Application Plans
3. Consultation response from SLC Roads and Transportation Services dated 9 December 2004.
4. Consultation response from SLC Environmental Services dated 15 December 2004.
5. Letter of representation from Mr Gordon Wicklow, Clayhedges, Auldhouse dated 22 December 2004.
6. Letter of representation from Messrs A W Harvie, Auchenfin, Auldhouse dated 29 September 2004.
7. Letter of representation from Alan G. Stewart, Bethern Farm, Auldhouse dated 23 December 2004.

Any person wishing to inspect the background papers listed above should telephone 01355 806314 and ask for Lesley Campbell

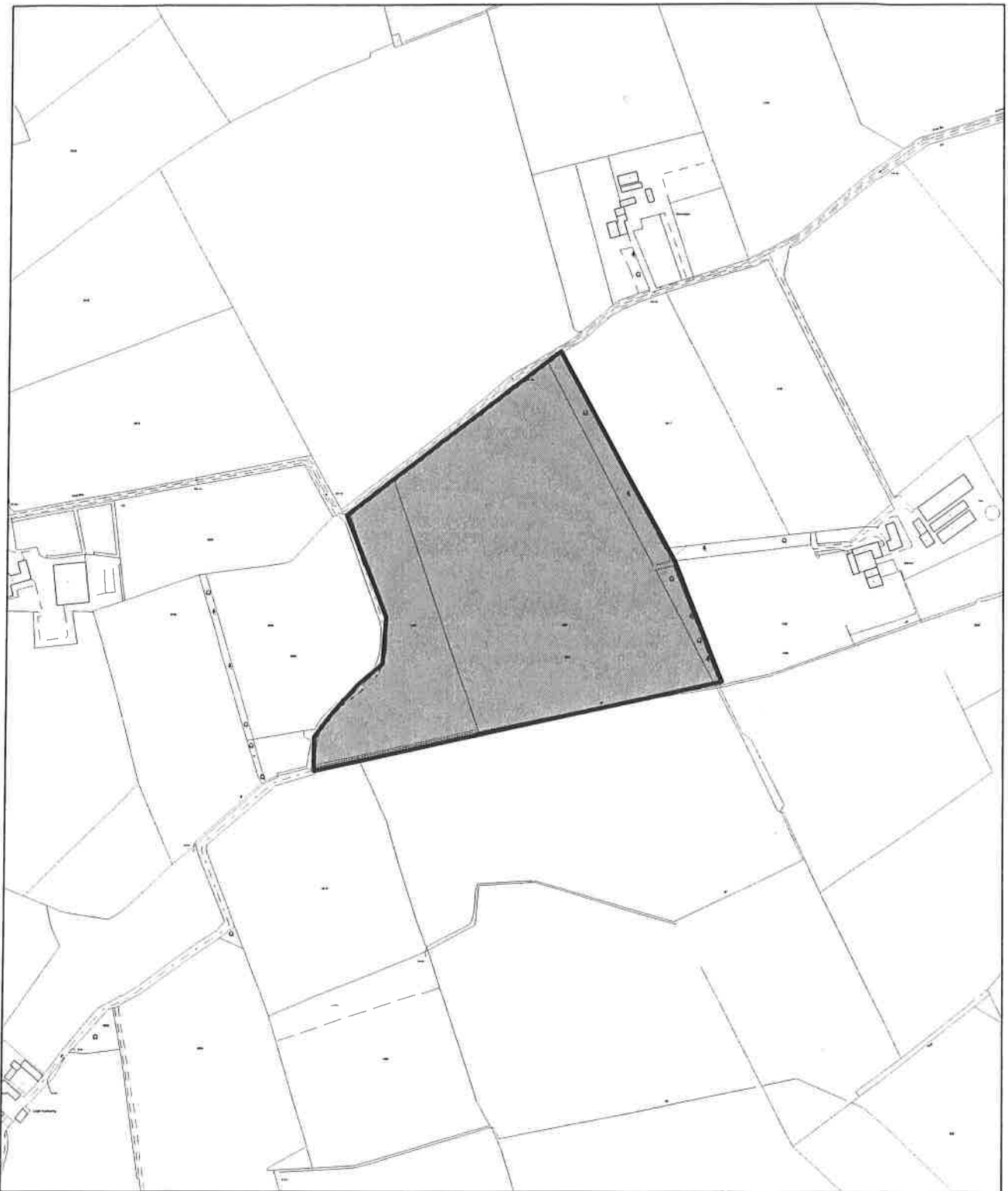
EAST KILBRIDE AREA OFFICE
CIVIC CENTRE
EAST KILBRIDE
G74 1AB

Ref: EK/04/0700

REASONS

- 1 The siting of the containers on the site would be contrary to Policy SLP2 of the East Kilbride and District Local Plan as it would constitute inappropriate development in the Rural Area.
- 2 The design and appearance of the containers does not conform to the scale and character of the surrounding rural environment.

Planning Application EK/04/0700
Auldhouse Road, Auldhouse, East Kilbride



Map at Scale 1:5000



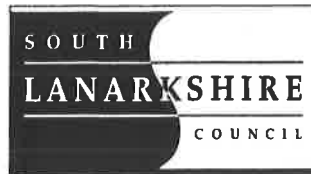
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South Lanarkshire Council 100020730 2004

Drawn 05/01/2005

**AGENDA ITEM
NO 4**



Report to: **EAST KILBRIDE AREA COMMITTEE**

Date of Meeting: **19 JANUARY 2005**

Subject: **COMMUNITY GRANT APPLICATIONS**

Report by: **ALAN CUTHBERTSON, EXECUTIVE DIRECTOR
(CORPORATE RESOURCES)**

Author: **Andy Brown, Administration Officer**

Previous Ref: **Committee of 24 November 2004**

1. Purpose of Report

- 1.1 The purpose of this report is to seek approval from the Committee for the allocation of grants to 10 Community groups in the East Kilbride area.

2 Current Grant Allocation

- 2.1 The current position on the East Kilbride area grant allocation for 2004/2005 is as follows:-

Total allocation	£52,000
Grants allocated so far	£41,205
Allocations recommended in this report	£4,670
Remaining balance	£6,125

3 Recommendation

- 3.1 It is recommended that the Committee approves the 10 allocations amounting to £4,670, as detailed in the attached schedule.

A handwritten signature in black ink, appearing to read "Alan Cuthbertson".

Alan Cuthbertson
Executive Director (Corporate Resources)
6 January 2005

List of Background Papers

- Individual application forms.

Contact for Further Information

If you would like to inspect any of the background papers or want further information, please contact Andy Brown at extension 4066 (01698 454066).

COMMUNITY GRANT APPLICATIONS - EAST KILBRIDE AREA COMMITTEE

MEETING OF 19 JANUARY 2005

App. No.	Name and Address of Organisation	Purpose of Application	Amount Requested	Recommendation
EK/77/04	Davaar Residents Association Davaar Sheltered Housing Complex East Kilbride	outing and equipment	£600.00	£400.00
EK/92/04	East Kilbride Cross Stitch Circle East Kilbride	Outing	£300.00	£300.00
EK/93/04	14th East Kilbride Scout Group Mosneuk School Mossneuk Community Hall East Kilbride	Equipment	£600.00	£350.00
EK/94/04	INCAS Room 3 26 Ivanhoe East Kilbride G74 3NZ	Advertising and Publicity	£750.00	£500.00
EK/149/04	Strathaven Academy Centenary Committee Crawford Street Strathaven ML10 6AE	Special event	£1,000.00	£500.00
EK/150/04	Friendship Force West of Scotland Red Deer Centre Alberta Avenue East Kilbride	Outing, publication and production costs	£700.00	£400.00
EK/151/04	Canberra Parents Association Canberra Primary School Belmont Drive East Kilbride G75 8HD	Special event	£300.00	£300.00

App. No.	Name and Address of Organisation	Purpose of Application	Amount Requested	Recommendation
EK/152/04	Mickey & Minnie Parent & Toddler Claremont Church High Common Road East Kilbride	Transport costs, entrance fees	£641.44	£500.00
EK/153/04	Claremont Parish Church Guild Claremont Parish Church Hall High Common Road East Kilbride G74 2AU	Outing and entrance fees	£975.50	£620.00
EK/154/04	Strathaven East Parish Church Action Group Strathaven East Parish Church Waterside Street Strathaven	Environmental project	£1,000.00	£800.00