

PLANNING COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 7 September 2010

Chair:

Councillor Graham Scott

Councillors Present:

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

Attending:

Corporate Resources

K Bartie, Administration Assistant; L Carstairs, Public Relations Officer; P MacRae, Administration Officer; G McCann, Head of Legal Services

Enterprise Resources

S Clark, Planning Team Leader (Hamilton); T Finn, Area Manager, Planning and Building Standards Services (Clydesdale); S Laird, Transportation Engineer; M McGlynn, Head of Planning and Building Standards Services; T Meikle, Area Manager, Planning and Building Standards Services (Cambuslang/Rutherglen and East Kilbride); J Watters, Planning Officer

Order of Business

Items 4 to 7 were dealt with prior to item 3 on the agenda.

1 Declaration of Interests

The following interests were declared:-

Councillor(s)	Item(s)	Nature of Interest(s)
Gray, D McKenna and Thompson	Application HM/10/0269 – Re-modelling of existing bus station and associated works at Hamilton Bus Station/Orchard Street Car Park, Hamilton	Members of the Board of Strathclyde Partnership for Transport

2 Minutes of Previous Meeting

The minutes of the meeting of the Planning Committee held on 6 July 2010 were submitted for approval as a correct record.

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

Items 4 to 7 were dealt with at this point in the meeting

3 Retail Developments in East Kilbride

A report dated 1 September 2010 by the Executive Director (Enterprise Resources) was submitted on:-

- ◆ requests by Dawn Developments Limited and Ediston Opportunities to conjoin consideration of their planning applications with the application lodged by JHAG Limited in respect of retail developments in East Kilbride at the same meeting of the Planning Committee
- ◆ a request by JHAG Limited not to conjoin consideration of their application with those of either Dawn Developments Limited and/or Ediston Opportunities

At its meeting on 22 June 2010, the Committee noted that Dawn Developments Limited had lodged a petition for Judicial Review with the Court of Session seeking, among other measures, a Court decision requiring the Planning Committee to consider planning application EK/10/0056 by JHAG Limited for a mixed use development comprising Class 1 superstore, garden centre, hotel, Class 3 uses, petrol filling station, allotments, landscaping, associated access and car parking (planning permission in principle) at land at Redwood Crescent, Peel Park, East Kilbride and planning application EK/10/0110 by Dawn Developments Limited for the erection of a Class 1 retail superstore with associated car parking and landscaping at West Mains Road, East Kilbride at the same Planning Committee meeting.

The hearing at the Court of Session had been set for 8 October 2010.

Details were given on:-

- ◆ the background to the proposed retail developments
- ◆ issues which the Committee required to consider in dealing with the requests by Dawn Developments Limited, Ediston Opportunities and JHAG Limited
- ◆ options open to the Committee

To assist the Committee in considering the issue, the applicants and agents had been invited to attend the meeting of the Planning Committee to make submissions on whether the Committee should conjoin the consideration of the applications. However, consideration was only to be given to the question of whether the applications should be considered at the same meeting and not on the planning merits of the respective proposals.

The applicants for each application had been invited to attend the meeting to speak in support of their requests and on the other parties' submissions. The parties' written submissions were attached as Appendix 3 to the report.

The Committee heard:-

- ◆ J Gillies, A Carrie and D Innes, on behalf of Dawn Developments Limited
- ◆ A Mitchell and A Dickie, on behalf of Ediston Opportunities
- ◆ S MacKay, G Dunlop and S Chalmers, on behalf of JHAG Limited

Councillor Scott, seconded by Councillor Ross-Taylor, moved that the application by JHAG Limited be determined in advance of the applications by Dawn Developments Limited and Ediston Opportunities at the next or a subsequent meeting of the Committee. Councillor Gray, seconded by Councillor McDonald, moved as an amendment that no action be taken until the outcome of the Court of Session proceedings was known. On a vote being taken by a show of hands, 7 members voted for the amendment and 16 for the motion which was declared carried.

The Committee decided: that the application by JHAG Limited be determined in advance of the applications by Dawn Developments Limited and Ediston Opportunities at the next or a subsequent meeting of the Planning Committee.

[Reference: Minutes of 22 June 2010 (Paragraph 3)]

Councillors Holman and McColl left the meeting following consideration of this item

4 Application HM/10/0269 - Remodelling of Existing Bus Station, Including New Operational Building, Waiting Room, Covered Walkways, Enclosed Shelters, Bus Stances and Reconfiguration of Existing Car Park and Formation of New Access to Health Centre Car Park at Hamilton Bus Station/Orchard Street Car Park, Hamilton

A report dated 24 August 2010 by the Executive Director (Enterprise Resources) was submitted on planning application HM/10/0269 by Strathclyde Partnership for Transport and South Lanarkshire Council for the remodelling of the existing bus station, including new operational building, waiting room, covered walkways, enclosed shelters, bus stances and reconfiguration of existing car park and formation of new access to health centre car park at Hamilton Bus Station/Orchard Street Car Park, Hamilton.

The Planning Team Leader advised that a request for a hearing had been received from objectors to the proposal but that the criteria for a hearing had not been met in this case.

The Committee decided: that planning application HM/10/0269 by Strathclyde Partnership for Transport and South Lanarkshire Council for the remodelling of the existing bus station, including new operational building, waiting room, covered walkways, enclosed shelters, bus stances and reconfiguration of existing car park and formation of new access to health centre car park at Hamilton Bus Station/Orchard Street Car Park, Hamilton be granted subject to the conditions specified in the Executive Director's report.

Councillors Gray, D McKenna and Thompson, having declared an interest in the above item, withdrew from the meeting during its consideration

5 Application EK/10/0028 - Conversion of Existing Farmhouse and Barns to Form 3 Replacement Houses Within the Footprint of Existing Farm Sheds, Formation of New Vehicular Access and Associated Landscaping at Easthills Farm, Cathkin Road, Rutherglen

A report dated 31 August 2010 by the Executive Director (Enterprise Resources) was submitted on planning application EK/10/0028 by Seapines (Blantyre) Limited for the conversion of an existing farmhouse and barns to form 3 replacement houses within the footprint of the existing farm sheds, formation of new vehicular access and associated landscaping at Easthills Farm, Cathkin Road, Rutherglen.

The Committee decided:

that planning application EK/10/0028 by Seapines (Blantyre) Limited for the conversion of an existing farmhouse and barns to form 3 replacement houses within the footprint of the existing farm sheds, formation of new vehicular access and associated landscaping at Easthills Farm, Cathkin Road, Rutherglen be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ the applicant obtaining a servitude right of access over Council owned land prior to commencement of any works on the site

6 Application HM/10/0207 - Residential Development Comprising 2 Flatted Blocks (13 Units) and Associated Car Parking and Roads Upgrade at Land at Broompark Avenue, Blantyre

A report dated 30 August 2010 by the Executive Director (Enterprise Resources) was submitted on planning application HM/10/0207 by L Lauder for a residential development comprising 2 flatted blocks (13 units) and associated car parking and roads upgrade at land at Broompark Avenue, Blantyre.

The Committee decided:

that planning application HM/10/0207 by L Lauder for a residential development comprising 2 flatted blocks (13 units) and associated car parking and roads upgrade at land at Broompark Avenue, Blantyre be granted subject to the conditions specified in the Executive Director's report.

7 Application EK/10/0196 - Change of Use from Class 11 (Health Club) to Class 3 (Restaurant) at 9 Main Street, East Kilbride

A report dated 31 August 2010 by the Executive Director (Enterprise Resources) was submitted on planning application EK/10/0196 by Fairways Land and Estates Limited for the change of use from Class 11 (health club) to Class 3 (restaurant) at 9 Main Street, East Kilbride.

The Committee decided:

that planning application EK/10/0196 by Fairways Land and Estates Limited for the change of use from Class 11 (health club) to Class 3 (restaurant) at 9 Main Street, East Kilbride be granted subject to the conditions specified in the Executive Director's report.

8 Application HM/10/0211 - Renovation and Extension of Existing Listed Building to Form 2 Units as Part of Residential Development Proposals (Listed Building Consent) at Blackswell Lane/Staneacre Park, Hamilton

A report dated 31 August 2010 by the Executive Director (Enterprise Resources) was submitted on planning application HM/10/0211 by McCarthy and Stone Retirement Lifestyles Limited for the renovation and extension of an existing listed building to form 2 units as part of residential development proposals (listed building consent) at Blackswell Lane/Staneacre Park, Hamilton.

The Committee decided:

that planning application HM/10/0211 by McCarthy and Stone Retirement Lifestyles Limited for the renovation and extension of an existing listed building to form 2 units as part of residential development proposals (listed building consent) at Blackswell Lane/Staneacre Park, Hamilton be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ referral of the application to the Scottish Ministers as the proposal related to works to a listed building

9 Application HM/10/0223 - Residential Development and Refurbishment of Listed Building (Sheltered Accommodation) at Blackswell Lane/Staneacre Park, Hamilton

A report dated 24 August 2010 by the Executive Director (Enterprise Resources) was submitted on planning application HM/10/0223 by McCarthy and Stone Retirement Lifestyles Limited for a residential development and refurbishment of a listed building (sheltered accommodation) at Blackswell Lane/Staneacre Park, Hamilton.

The Committee decided:

that planning application HM/10/0223 by McCarthy and Stone Retirement Lifestyles Limited for a residential development and refurbishment of a listed building (sheltered accommodation) at Blackswell Lane/Staneacre Park, Hamilton be granted subject to the conditions specified in the Executive Director's report.

10 Application CL/10/0183 - Residential Development and Associated Access (Planning Permission in Principle) at Land South of Bellfield Road/Braehead Place, Coalburn

A report dated 19 August 2010 by the Executive Director (Enterprise Resources) was submitted on planning application CL/10/0183 by The Newton Partnership for a residential development and associated access (planning permission in principle) at land south of Bellfield Road/Braehead Place, Coalburn.

The Committee decided:

that planning application CL/10/0183 by The Newton Partnership for a residential development and associated access (planning permission in principle) at land south of Bellfield Road/Braehead Place, Coalburn be granted subject to the conditions specified in the Executive Director's report.

11 Application HM/10/0303 - Erection of Replacement School, Installation of CCTV Cameras, MUGA Pitch and Associated Landscaping and Car Parking at David Livingstone Memorial Primary School, Morven Avenue, Blantyre

A report dated 30 August 2010 by the Executive Director (Enterprise Resources) was submitted on planning application HM/10/0303 by South Lanarkshire Council for the erection of a replacement school, installation of CCTV cameras, MUGA pitch and associated landscaping and car parking at David Livingstone Memorial Primary School, Morven Avenue, Blantyre.

The Committee decided:

that planning application HM/10/0303 by South Lanarkshire Council for the erection of a replacement school, installation of CCTV cameras, MUGA pitch and associated landscaping and car parking at David Livingstone Memorial Primary School, Morven Avenue, Blantyre be granted subject to the conditions specified in the Executive Director's report.

12 Application HM/10/0346 - Erection of 2 Storey Primary School, Installation of CCTV Cameras and Associated Car Parking, Playground, Landscaping and MUGA Pitch at Former Council Depot, Summerlee Road, Larkhall

A report dated 23 August 2010 by the Executive Director (Enterprise Resources) was submitted on planning application HM/10/0346 by Bovis Lend Lease for the erection of a 2 storey primary school, installation of CCTV cameras and associated car parking, playground, landscaping and MUGA pitch at the former Council depot, Summerlee Road, Larkhall.

The Committee decided:

that planning application HM/10/0346 by Bovis Lend Lease for the erection of a 2 storey primary school, installation of CCTV cameras and associated car parking, playground, landscaping and MUGA pitch at the former Council depot, Summerlee Road, Larkhall be granted subject to the conditions specified in the Executive Director's report.

13 Application CR/10/0071 - Amendment to Planning Consent CR/09/0160 to Include 4 Additional Classrooms and Ancillary Spaces at St Charles' Primary School at Land Between Newton Farm Road and Harvester Avenue, Cambuslang

A report dated 17 August 2010 by the Executive Director (Enterprise Resources) was submitted on planning application CR/10/0071 by South Lanarkshire Council for an amendment to planning consent CR/09/0160 to include 4 additional classrooms and ancillary spaces at St Charles' Primary School at land between Newton Farm Road and Harvester Avenue, Cambuslang.

The Committee decided:

that planning application CR/10/0071 by South Lanarkshire Council for an amendment to planning consent CR/09/0160 to include 4 additional classrooms and ancillary spaces at St Charles' Primary School at land between Newton Farm Road and Harvester Avenue, Cambuslang be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of 1 December 2009 (Paragraph 7)]

14 Application HM/10/0072 - Erection of 2 Houses (Planning Permission in Principle) at Vacant Land at Ayr Road, Shawsburn

A report dated 20 August 2010 by the Executive Director (Enterprise Resources) was submitted on planning application HM/10/0072 by Mr and Mrs Campbell for the erection of 2 houses (planning permission in principle) at vacant land at Ayr Road, Shawsburn.

The application had been assessed against the relevant policies and criteria contained in the Adopted South Lanarkshire Local Plan and government advice/policy. Details of the assessment were provided in the report. The development constituted Development Contrary to the Development Plan, however, it was not considered that the proposal was significantly contrary to the Development Plan.

In the view of the Executive Director (Enterprise Resources), a departure from the Development Plan was justified in this case for the following reasons:-

- ◆ the site was considered to be a brownfield site and the proposal would result in the positive regeneration of a rural site and visual enhancement of the immediate area
- ◆ the site would be adequately screened from the wider countryside through boundary planting
- ◆ there would be no impact on the residential amenity of existing properties adjoining the site or within the settlement boundary of Shawsburn
- ◆ the consent could be suitably conditioned to ensure that the proposed houses would respect the scale and setting of the adjoining properties
- ◆ the area in question was modest in scale and the overall objectives of greenbelt policy would not be compromised
- ◆ no adverse infrastructure issues had been raised by the development
- ◆ no precedent would be set by limited encroachment into the greenbelt

The Committee decided: that planning application HM/10/0072 by Mr and Mrs Campbell for the erection of 2 houses (planning permission in principle) at vacant land at Ayr Road, Shawsburn be granted subject to the conditions specified in the Executive Director's report.

15 Application EK/10/0202 - Erection of Single Storey Rear Extension at 8 Sudbury Crescent, East Kilbride

A report dated 17 August 2010 by the Executive Director (Enterprise Resources) was submitted on planning application EK/10/0202 by South Lanarkshire Council for the erection of a single storey rear extension at 8 Sudbury Crescent, East Kilbride.

The Committee decided: that planning application EK/10/0202 by South Lanarkshire Council for the erection of a single storey rear extension at 8 Sudbury Crescent, East Kilbride be granted subject to the conditions specified in the Executive Director's report.

16 Urgent Business

There were no items of urgent business.