

PLANNING COMMITTEE

Minutes of meeting held in Council Chamber, Council Offices, Almada Street, Hamilton on 26 April 2005

Chair:

Councillor Graham Scott

Councillor Present:

David Baillie, Archie Buchanan, Tony Carlin, Sam Casserly, Pam Clearie, Gerry Convery, Alan Dick, Gerry Docherty, Jim Docherty, Allan Falconer, Tommy Gilligan, Ian Gray, James Handibode, Carol Hughes, Hector Macdonald, James Malloy, Billy McCaig, John McGuinness, Alex McInnes, Ian McInnes, Denis McKenna (Depute), Mary McNeill, Brian Reilly, Bob Rooney, Chris Thompson, Jim Wardhaugh

Councillor Also Present:

Archie Manson

Councillors' Apologies:

Cathie Condie, Jim Daisley, Tom McAlpine, Edward McAvoy, Michael McCann

Attending:

Corporate Resources

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

Enterprise Resources

G Cameron, Area Manager, Planning and Building Control (Cambuslang and Rutherglen); L Campbell, Planning Officer; S Ferrie, Area Manager, Planning and Building Control (Clydesdale); M Little, Operations and Area Manager, Planning and Building Control (Hamilton); C McDowall, Head of Planning and Building Control; J McGuire, Assistant Transportation Engineering Officer; S McMillan, Planning Team Leader; T Meikle, Area Manager, Planning and Building Control (East Kilbride)

1 Declaration of Interests

The following interests were declared:-

<i>Councillor(s)</i>	<i>Item(s)</i>	<i>Nature of Interest(s)</i>
Scott and C Thompson	Application EK/05/0133 – Infrastructure and earthworks associated with development site including formation of new junctions, roundabouts, access roads and associated landscaping at Greenhills Road, East Kilbride	Board Members of Scottish Enterprise Lanarkshire

2 Minutes of Previous Meeting

The minutes of the special meeting of the Planning Committee held on 7 April 2005 were submitted for approval as a correct record.

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

3 Minutes of Previous Meeting

The minutes of the meeting of the Planning Committee held on 12 April 2005 were submitted for approval as a correct record.

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

4 Application Hearing HM/04/0322 - Mixed Use Development (Including Residential, Recreation, Woodland, Community Use and Access) and Associated Works (Outline) at Larkhall Academy, Larkhall

A report dated 19 April 2005 by the Executive Director (Enterprise Resources) was submitted on planning application HM/04/0322 by Turner and Townsend Project Management Limited for a mixed use development (including residential, recreation, woodland, community use and access) and associated works (outline) at Larkhall Academy, Larkhall.

Because the development constituted Development Contrary to the Development Plan, the opportunity of a hearing had been offered to the objectors to the proposal and the applicant. The Committee heard:-

- ◆ K Davie, Keppie Planning Limited, on behalf of the applicant
- ◆ T Malcolm, objector
- ◆ V Orr, objector
- ◆ M Whip, on behalf of W Whip, objector

In terms of Local Plan Policy, the site lay within an area in the Adopted Hamilton District Local Plan where Policy CU4 (Retention of Open Space) applied. This Policy stated that the Council would review the provision of open space in the local area and upgrade/expand facilities where appropriate. It further stated that the Council would oppose any loss of those facilities to other land uses and supported the joint use of school playing fields and recreational facilities with other organisations. Part of the site had been identified as a new housing site in the Local Plan and Policy Res 2A (New Housing Sites) stated that new housing would be directed to sites such as those. The remainder of the site lay within the designated Greenbelt. Policy EN1A (Greenbelt) stated that there would be a strong presumption against development in the Greenbelt. Policy CU3A (Countryside Access) also applied and stated that the Council would safeguard access to the countryside by protecting and improving existing footpaths and rights of way and providing new footways, cycle ways, etc where necessary and desirable. Policy EN6 (Nature Conservation) stated that there would be a presumption against development that would impinge on or have an adverse impact on Sites of Special Scientific Interest (SSSI) and Sites of Importance for Nature Conservation (SINC).

In terms of Strategic Planning Policy, the proposal required to be assessed against Strategic Policies 1, 6, 9 and 10 of the Glasgow and Clyde Valley Joint Structure Plan. The proposal did not comply with Strategic Policy 6 as there was no identified need for additional owner/occupied housing in the area over the next 5 years nor a need to provide greater choice of housing. In addition, it did not accord with Strategic Policy 9 in that the proposed residential development failed to meet several of the criteria which development proposals required to satisfy in order to accord with the Structure Plan. This was because it involved 10 or more units on Greenfield land for which no case had been established, it did not promote urban regeneration as it did not involve the use of Greenfield land but rather a Greenfield site and it would result in encroachment into the Greenbelt. As a result, the application required to be treated as a significant departure from the Structure Plan and had to be assessed against Strategic Policy 10. It was considered, however, that the development was appropriate in terms of Strategic Policy 10.

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 proposal would not reduce the overall effectiveness of the Greenbelt in the location
- ◆ the residential proposals were highly sustainable in that the site was close to existing services and amenities and within walking distance of Larkhall Town Centre, the new railway station and public transport routes
- ◆ the proposal would result in improved public access to the Morgan Glen Area and the wider countryside and enhance the use and enjoyment of this area
- ◆ there were no traffic or road safety implications associated with the development
- ◆ the off-site road improvements recommended in the transportation assessment submitted with the application would benefit road safety in the area
- ◆ the residential amenity of neighbouring properties and nearby residential areas would not be adversely affected
- ◆ there would be no adverse impact on environmental resources within or adjacent to the site. The SSSI/SINC would be enhanced through the proposals
- ◆ the revenue from the proposed residential development would cross fund the Council's modernisation programme for its secondary schools

The Committee decided:

that planning application HM/04/0322 by Turner and Townsend Project Management Limited for a mixed use development (including residential, recreation, woodland, community use and access) and associated works (outline) at Larkhall Academy, Larkhall, be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ referral of the application to the Scottish Ministers as the Council had a financial interest in the development, the proposal did not accord with the Development Plan and Scottish Natural Heritage (SNH) had objected to the application

5 Application EK/04/0389 – Erection of Residential Development (Outline) at Land between Eaglesham Road and Hayhill Road, Jackton, East Kilbride

A report dated 19 April 2005 by the Executive Director (Enterprise Resources) was submitted on planning application EK/04/0389 by BMJ Properties Limited for the erection of a residential development (outline) at land between Eaglesham Road and Hayhill Road, Jackton, East Kilbride.

Because the development constituted Development Contrary to the Development Plan, the opportunity of a hearing had been offered to the objectors to the proposal and the applicant. The objectors had declined the opportunity of a hearing and, therefore, there was no requirement to hear the applicant.

In terms of Local Plan Policy, the site lay within an area identified as Greenbelt in the Adopted East Kilbride and District Local Plan. Policy SLP1 set out the Greenbelt policy and stated that, within the Greenbelt, the Council would strongly resist encroachment or introduction of urban uses. There would be a general presumption against all development except where it could be shown to be necessary for the furtherance of agriculture, forestry or other appropriate uses. Any development that the Council considered to be appropriate in principle would require to be located and designed in a manner which would not adversely affect the natural amenity value of

the Greenbelt. In terms of the land use, the proposal was contrary to Policy SLP1 as general purpose housing did not constitute an appropriate Greenbelt use and was not necessary for the furtherance of agriculture or forestry.

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

- ◆ Hayhill Road would provide a strong and defensible boundary in this part of East Kilbride
- ◆ the Reporter's assessment of the site at the East Kilbride and District Local Plan Inquiry supported the development of this site, subject to landscape assessment and planting
- ◆ the development would be contained within the flatter areas of the site and the Hayhill Ridge and its setting would not be affected
- ◆ the site was located close to major links to Glasgow and Ayrshire, including the East Kilbride to Glasgow railway line. It was, therefore, well placed to provide an accessible housing development serving the wider area

The Committee decided:

that planning application EK/04/0389 by BMJ Properties Limited for a residential development (outline) at land between Eaglesham Road and Hayhill Road, Jackton, East Kilbride be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ referral of the application to the Scottish Ministers as the proposed development did not accord with the adopted Local Plan and the Council had an interest in the land.

6 Application CL/04/0901 – Erection of 60 Houses and 43 Flats, Formation of Roundabout, Associated Roadworks and Landscaping at Land to South-West of Muirfoot Road, Rigside

A report dated 19 April 2005 by the Executive Director (Enterprise Resources) was submitted on planning application CL/04/0901 by Grantly Developments Scotland Limited for the erection of 60 houses and 43 flats, formation of roundabout, associated roadworks and landscaping at land to the south-west of Muirfoot Road, Rigside.

Because the development constituted Development Contrary to the Development Plan, the opportunity of a hearing had been offered to the objectors to the proposal and the applicant. The objectors had declined the opportunity of a hearing and, therefore, there was no requirement to hear the applicant.

In terms of Local Plan Policy, the majority of the application site had been identified as a new housing site in the Adopted Lower Clydesdale Local Plan where Proposal RES2 (Proposed Housing Sites) applied. Part of the site fell outwith the settlement boundary of Rigside where Policy ENV2 (Rural Areas) applied. This Policy stated that, within the rural area, the Council would generally favour development of an appropriate form which should meet the needs of the rural community and support the rural economy. Development was preferred on sites identified within settlement boundaries or where the development could be integrated with existing groups of buildings.

In strategic terms, the proposal did not comply with Strategic Policies 1(D) (Rural Investment Area), 9 (Assessment of Development Proposals) and 10 (Departures from the Structure Plan)

of the Glasgow and Clyde Valley Joint Structure Plan. While it was recognised that the proposed development did represent a departure from the Structure Plan, the extension to the settlement boundary of Rigside was necessary to make the scheme viable and, in this particular instance, it was considered that a departure from the Structure Plan could be justified.

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

- ◆ there were no infrastructure issues
- ◆ the site could be well screened by additional boundary landscaping which would integrate the site with the existing village
- ◆ the provision of the roundabout and access on Ayr Road would improve traffic safety and reduce vehicle speeds
- ◆ the strip of ground which was located outwith the settlement boundary was required to incorporate the location of the roundabout and access road to the site
- ◆ the strip of ground which was located outwith the settlement boundary would render the scheme viable and, in turn, would allow development of an established housing site
- ◆ the proposal would provide a wider range of housing choice which would assist in stabilising the rural population

The Committee decided: that planning application CL/04/0901 by Grantly Developments Scotland Limited for the erection of 60 houses and 43 flats, the formation of a roundabout, associated roadworks and landscaping at land to the south-west of Muirfoot Road, Rigside be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ referral of the application to the Scottish Ministers as the proposal constituted a significant departure from the approved Development Plan
- ◆ prior conclusion of arrangements for the applicant to make a financial contribution of £42,050 towards upgrading recreational provision in the area

7 Application EK/05/0070 – Erection of 239 Houses with Associated Roads and Landscaping Works at Land at Bogton Farm, East Kilbride

A report dated 19 April 2005 by the Executive Director (Enterprise Resources) was submitted on planning application EK/05/0070 by Stewart Milne Holdings Limited/Persimmon Homes (West Scotland) Limited for the erection of 239 houses with associated roads and landscaping works at land at Bogton Farm, East Kilbride.

The Committee decided: that planning application EK/05/0070 by Stewart Milne Holdings Limited/Persimmon Homes (West Scotland) Limited for the erection of 239 houses with associated roads and landscaping works at land at Bogton Farm, East Kilbride be granted subject to the conditions specified in the Executive Director's report.

8 Application CR/05/0063 – Erection of Replacement Primary School on Existing School Site at Cathkin Primary School, Burnside Road, Rutherglen

A report dated 19 April 2005 by the Executive Director (Enterprise Resources) was submitted on planning application CR/05/0063 by Mowlem Plc for the erection of a replacement primary school on the existing school site at Cathkin Primary School, Burnside Road, Rutherglen.

The Committee decided: that planning application CR/05/0063 by Mowlem Plc for the erection of a replacement primary school on the existing school site at Cathkin Primary School, Burnside Road, Rutherglen be granted subject to the conditions specified in the Executive Director's report.

9 Application CL/04/0450 – Residential Development (Outline) at The Lairs, Blackwood

A report dated 19 April 2005 by the Executive Director (Enterprise Resources) was submitted on planning application CL/04/0450 by George Wimpey (West Scotland) Limited for a residential development (outline) at The Lairs, Blackwood.

The Committee decided: that planning application CL/04/0450 by George Wimpey (West Scotland) Limited for a residential development (outline) at The Lairs, Blackwood be granted subject to the conditions specified in the Executive Director's report.

10 Application CL/04/0451 – Erection of 65 Houses, Associated Roadworks and Landscaping at The Lairs, Blackwood

A report dated 18 April 2005 by the Executive Director (Enterprise Resources) was submitted on planning application CL/04/0451 by George Wimpey (West Scotland) Limited for the erection of 65 houses, associated roadworks and landscaping at the Lairs, Blackwood.

The Committee decided: that planning application CL/04/0451 by George Wimpey (West Scotland) Limited for the erection of 65 houses, associated roadworks and landscaping at the Lairs, Blackwood be granted subject to the conditions specified in the Executive Director's report.

11 Application EK/05/0133 – Infrastructure and Earthworks Associated with Development Site Including Formation of New Junctions, Roundabouts, Access Roads and Associated Landscaping at Greenhills Road, East Kilbride

A report dated 19 April 2005 by the Executive Director (Enterprise Resources) was submitted on planning application EK/05/0133 by Scottish Enterprise Lanarkshire for infrastructure and earthworks associated with a development site including the formation of new junctions, roundabouts, access roads and associated landscaping at Greenhills Road, East Kilbride.

The Committee decided: that planning application EK/05/0133 by Scottish Enterprise Lanarkshire for infrastructure and earthworks associated with a development site including the formation of new

junctions, roundabouts, access roads and associated landscaping at Greenhills Road, East Kilbride be granted subject to the conditions specified in the Executive Director's report.

Councillors Scott and C Thompson, having declared an interest in this item, withdrew from the meeting during its consideration. Councillor D McKenna took the Chair for this item only

12 Application CL/04/0911 – Formation of 11 House Plots, Vehicular Access and Landscaping at Land to South of Brocketsbrae Road, Brocketsbrae, Lesmahagow

A report dated 18 April 2005 by the Executive Director (Enterprise Resources) was submitted on planning application CL/04/0911 by Auchlochan Developments Limited for the formation of 11 house plots, vehicular access and landscaping at land to the south of Brocketsbrae Road, Brocketsbrae, Lesmahagow.

The Committee decided:

that planning application CL/04/0911 by Auchlochan Developments Limited for the formation of 11 house plots, vehicular access and landscaping at land to the south of Brocketsbrae Road, Brocketsbrae, Lesmahagow be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ prior conclusion of arrangements for the developer to make a financial contribution of £4,950 towards the cost of improving leisure facilities in the area
- ◆ agreement that the applicant fund all staffing and administration costs (in the region of £5,000) incurred by Roads and Transportation Services in connection with the introduction of a Traffic Regulation Order (30 miles per hour speed limit on Brocketsbrae Road). This would include the physical measures required to implement the Order

13 Urgent Business

There were no items of urgent business.