

PLANNING COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 20 March 2007

Chair:

Councillor Graham Scott

Councillors Present:

David Baillie, Archie Buchanan, Tony Carlin, Sam Casserly, Pam Clearie, Gerry Convery, Alan Dick, Jim Docherty, Ian Gray, James Handibode, James Malloy, Billy McCaig, Michael McCann, Alex McInnes, Ian McInnes, Denis McKenna (Depute), Mary McNeill, Brian Reilly, Hamish Stewart

Councillors Also Present:

Bev Gauld, Anne Maggs

Councillors' Apologies:

Cathie Condie, Jim Daisley, Gerry Docherty, Allan Falconer, Tommy Gilligan, Stan Hogarth, Carol Hughes, Edward McAvoy, John McGuinness, Bob Rooney, Chris Thompson, Jim Wardhaugh

Attending:

Corporate Resources

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

Enterprise Resources

J Blake, Planning Officer; G Cameron, Area Manager, Planning and Building Standards Services (Cambuslang/Rutherglen); S Ferrie, Area Manager, Planning and Building Standards Services (Clydesdale); S Laird, Engineering Officer; M Little, Operations and Area Manager, Planning and Building Standards Services (Hamilton); C McDowall, Head of Planning and Building Standards Services; M McGlynn, HQ Manager, Planning and Building Standards Services; G McKillop, Planning Team Leader (Hamilton); T Meikle, Area Manager, Planning and Building Standards Services (East Kilbride)

1 Declaration of Interests

No interests were declared.

2 Minutes of Previous Meeting

The minutes of the meeting of the Planning Committee held on 27 February 2007 were submitted for approval as a correct record.

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

3 Application CL/05/0439 - Erection of 18 Hole Golf Course, 200 Bedroom Hotel, Leisure Building Incorporating Pool, Solarium, Sauna, Gym, Squash and Ancillary Catering Facilities, Outdoor Sport and Leisure, Holiday Log Cabins and Lodges, Equestrian Centre, Polo Pitch and Equine Exercise Area (Outline) at Kersewell Mains, near Carnwath

A report dated 12 March 2007 by the Executive Director (Enterprise Resources) was submitted on planning application CL/05/0439 by Crannog Limited and Vinebray Limited for the erection of an 18 hole golf course, 200 bedroom hotel, leisure building incorporating pool, solarium, sauna,

gym, squash and ancillary catering facilities, outdoor sport and leisure, holiday log cabins and lodges, equestrian centre, polo pitch and equine exercise area (outline) at Kersewell Mains, near Carnwath.

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:-

- ◆ A Forman on behalf of the applicant
- ◆ K Dunlop, S Smith and A Timpson on behalf of the objectors to the proposal

The Committee also heard Councillor Gauld, the local member.

The application had been assessed against the relevant criteria contained in the Adopted Upper Clydesdale Local Plan, the South Lanarkshire Local Plan (Finalised as modified), the Glasgow and Clyde Valley Structure Plan and government advice/policy. Details of the assessment were provided in the report.

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 represented a significant opportunity to enhance the tourism potential of the area, attract visitors and create jobs and was, therefore, consistent with advice in the Scottish Planning Policy 15
- ◆ the proposal could blend in with its surroundings due to the presence of the existing woodland belts which could be enhanced by additional landscaping
- ◆ the proposal was consistent with the South Lanarkshire Local Plan (Finalised as modified)
- ◆ apart from Policy 97, the proposal was consistent with all relevant policies contained in the Adopted Upper Clydesdale Local Plan
- ◆ the proposal was consistent with the Glasgow and Clyde Valley Structure Plan
- ◆ there was no evidence that the proposal would have an adverse impact upon European Protected Species
- ◆ there were currently no suitable alternative sites or proposals in the locality for a leisure complex which would result in the achievement of significant social/economic benefits

The Committee decided:

that planning application CL/05/0439 by Crannog Limited and Vinebray Limited for the erection of an 18 hole golf course, 200 bedroom hotel, leisure building incorporating pool, solarium, sauna, gym, squash and ancillary catering facilities, outdoor sport and leisure, holiday log cabins and lodges, equestrian centre, polo pitch and equine exercise area (outline) at Kersewell Mains, near Carnwath be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ prior completion of a Section 75 Agreement between the applicant and the Council to ensure that the phasing of the development was implemented in an acceptable manner

[Reference: Minutes of 26 November 2002 (Paragraphs 2 and 4)]

4 Application HM/06/0665 - Mixed Use Development Comprising Soccer Training Facility, 132 Flats, 56 Detached Houses, Hotel, Country Club, Associated Access, Parking and Landscaping and Provision of Clyde Walkway Link at Land at Craighead Retreat, Blantyre

A report dated 13 March 2007 by the Executive Director (Enterprise Resources) was submitted on planning application HM/06/0665 by Craighead Properties Limited for a mixed use development comprising a soccer training facility, 132 flats, 56 detached houses, hotel, country club, associated access, parking and landscaping and provision of Clyde Walkway link at land at Craighead Retreat, Blantyre.

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:-

- ◆ J Dunn, G MacCallum and B Ramage on behalf of the applicant
- ◆ J Brown, P Henderson and K Meikle, objectors to the proposal

The application had been assessed against the relevant criteria contained in the Adopted Hamilton District Local Plan, the South Lanarkshire Local Plan (Finalised as modified), the Glasgow and Clyde Valley Structure Plan and government advice/policy. Details of the assessment were provided in the report.

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 principle of development on the site had been established through the outline planning consent granted for a business park in 2003
- ◆ the proposal conformed with the South Lanarkshire Local Plan (Finalised as modified) and had general conformity with the Glasgow and Clyde Valley Structure Plan
- ◆ the site could be safely accessed with adequate levels of car parking provision and raised no environmental or infrastructure issues
- ◆ the application site was the only site in the area in terms of size, location, outlook, accessibility and environment which could accommodate the proposed use
- ◆ the proposed development would provide a major attribute to the locality in terms of economical benefit, environmental improvements and physical regeneration and in the provision of a sporting/recreational facility of national and international standing

The Committee decided:

that planning application HM/06/0665 by Craighead Properties Limited for a mixed use development comprising a soccer training facility, 132 flats, 56 detached houses, hotel, country club, associated access, parking and landscaping and provision of Clyde Walkway link at land at Craighead Retreat, Blantyre 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 departure from the Development Plan in the Greenbelt
- ◆ prior completion of a Section 75 Agreement between the Council and the applicant to ensure the completion of the soccer training facility within the site prior to the completion of any residential properties, the extension of the Clyde Walkway and the

implementation of an approved woodland management scheme. The Council's legal expenses in connection with the Agreement would be met by the applicant

[Reference: Minutes of 22 August 2002 (Paragraph 1)]

5 Application HM/07/0023 - Demolition of Existing House and Outbuildings and Erection of 7 Detached Houses at Telfer House, Lanark Road, Garrion Bridge, Larkhall

A report dated 13 March 2007 by the Executive Director (Enterprise Resources), was submitted on planning application HM/07/0023 by Milligan Gray and Partners for the demolition of an existing house and outbuildings and the erection of 7 detached houses at Telfer House, Lanark Road, Garrion Bridge, 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:-

- ◆ D Burt and A Jennings on behalf of the applicant
- ◆ J Harvey and J Quigley on behalf of objectors to the proposal

Points raised in 2 further letters of representation from Mr and Mrs Harvey and Wrights Solicitors and Estate Agents were referred to at the meeting and addressed by officers.

The application had been assessed against the relevant criteria contained in the Adopted Hamilton Local Plan, the South Lanarkshire Local Plan (Finalised as modified) and government advice/policy. Details of the assessment were provided in the report.

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

- ◆ outline planning permission had been granted for residential development on the site in May 2001
- ◆ the South Lanarkshire Local Plan (Finalised as modified) designated the site for residential use within the settlement boundary of Garrion Bridge
- ◆ the development of the land for housing would not have an adverse impact on the landscape character of the areas subject to sensitive design and boundary treatment
- ◆ the development of the land for housing would integrate the site with the adjacent built environment at Garrion Bridge without any adverse impact
- ◆ the closure of the A72 at its junction with the A71 had resulted in the creation of a cul-de-sac which, together with the new bypass, permanently altered the character of the area
- ◆ the proposal had been designed in a sensitive manner and raised no access or infrastructure implications

The Committee decided:

that planning application HM/07/0023 by Milligan Gray and Partners for the demolition of an existing house and outbuildings and the erection of 7 detached houses at Telfer House, Lanark Road, Garrion Bridge, Larkhall 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 departure from the Development Plan in the Greenbelt.
- ◆ deletion of the number “7” in the first line of Condition 7 and its replacement with the number “6”

[Reference: Minutes of 22 May 2001 (Paragraph 1)]

6 Application HM/06/0872 - Erection of 33 Flats with Associated Roads, Parking and Landscaping at Bent Road, Hamilton

A report dated 13 March 2007 by the Executive Director (Enterprise Resources) was submitted on planning application HM/06/0872 by Tulloch Homes for the erection of 33 flats with associated roads, parking and landscaping at Bent Road, Hamilton.

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.

The application had been assessed against the relevant criteria contained in the Adopted Hamilton District Local Plan, the South Lanarkshire Local Plan (Finalised as modified) and government advice/policy. Details of the assessment were provided in the report.

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 red blaes sports pitch was no longer actively used for sports provision
- ◆ the Council's Outdoor Pitch Strategy supported the release of the pitch
- ◆ there would be no adverse impact on the Council's ability to provide an appropriate level of outdoor sports facilities as a result of the redevelopment of this site
- ◆ the proposal complied with the terms of the South Lanarkshire Local Plan (Finalised as modified) which identified the site as RES2 – Proposed Housing Site
- ◆ the proposal complied with Policy CTY4 - Sports Pitch Strategy Proposals which promoted the phasing out of red blaes pitches
- ◆ the proposals complied with Policy DC1 of the Adopted Local Plan and Policies DM1, ENV11, ENV30 and ENV36 of the South Lanarkshire Local Plan (Finalised as modified)
- ◆ the proposals complied with the terms of the Council's Residential Development Guide and there would be no amenity or road safety issues resulting from the proposal in relation to surrounding residential properties

The Committee decided:

that planning application HM/06/0872 by Tulloch Homes for the erection of 33 flats with associated roads, parking and landscaping at Bent Road, Hamilton 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 proposal, it constituted Development Contrary to the Development Plan and an objection had been received

- ♦ prior agreement on arrangements for the Council to receive a capital contribution of £44,550 from the applicant towards upgrading infrastructure and recreational facilities

7 Application HM/06/0596 - Residential Development (Outline) at Lochpark Industrial Estate, Kirk Street, Stonehouse

A report dated 7 March 2007 by the Executive Director (Enterprise Resources) was submitted on planning application HM/06/0596 by Whitelaws Coaches for a residential development (outline) at Lochpark Industrial Estate, Kirk Street, Stonehouse.

Because the application constituted Development Contrary to the Development Plan, the opportunity of a hearing had been offered to the objectors to the proposal and to the applicant. The objectors had declined the opportunity of a hearing and, therefore, there was no requirement to hear the applicant. However, officers clarified that Mr and Mrs MacWhinney, who had commented on the proposal, did legally own and had right of access over the piece of land referred to in point 5.1(b) of the Executive Director's report and that the proposal did not affect those rights.

The application had been assessed against the relevant criteria contained in the Adopted Hamilton District Local Plan, the South Lanarkshire Local Plan (Finalised as modified) and government advice/policy. Details of the assessment were provided in the report.

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 area of land which formed the application site was designated by Policy RES6 - Residential Development within the South Lanarkshire Local Plan (Finalised as modified)
- ♦ adequate provision of suitable industrial land was located in the nearby Canderside and Larkhall areas which would be capable of accommodating Stonehouse's industrial needs
- ♦ the site was appropriate for residential development due to its location close to the centre of Stonehouse and local amenities
- ♦ no objections to the proposed development had been received
- ♦ there were no significant infrastructure implications

The Committee decided: that planning application HM/06/0596 by Whitelaws Coaches for a residential development (outline) at Lochpark Industrial Estate, Kirk Street, Stonehouse be granted subject to the conditions specified in the Executive Director's report with the deletion of Condition 7.

8 Application EK/06/0586 - Erection of 128 Flats (Comprising 24 Special Needs Units, 57 Sheltered Units and 47 Mainstream Units) together with Associated Roads, Footpaths and Services at Land off Kirktonholme Crescent, East Kilbride

A report dated 13 March 2007 by the Executive Director (Enterprise Resources) was submitted on planning application EK/06/0586 by Bett Homes (Central Scotland) Limited for the erection of 128 flats comprising 24 special needs units, 57 sheltered units and 47 mainstream units together with associated roads, footpaths and services at land off Kirktonholme Crescent, East Kilbride.

The Committee decided:

that planning application EK/06/0586 by Bett Homes (Central Scotland) Limited for the erection of 128 flats comprising 24 special needs units, 57 sheltered units and 47 mainstream units together with associated roads, footpaths and services at land off Kirktonholme Crescent, East Kilbride be granted subject to the conditions specified in the Executive Director's report.

9 Application HM/06/0167 - Erection of 43 Flats with Associated Parking, Access and Landscaping at Eddlewood Farm, Strathaven Road, Hamilton

A report dated 6 March 2007 by the Executive Director (Enterprise Resources) was submitted on planning application HM/06/0167 by Consort Homes (Scotland) Limited for the erection of 43 flats with associated parking, access and landscaping at Eddlewood Farm, Strathaven Road, Hamilton.

The Committee decided:

that planning application HM/06/0167 by Consort Homes (Scotland) Limited for the erection of 43 flats with associated parking, access and landscaping at Eddlewood Farm, Strathaven Road, Hamilton be granted subject to the conditions specified in the Executive Director's report.

10 Application EK/07/0046 - Erection of Industrial/Commercial Buildings, Associated Yards and Parking at Plot 4A, Langlands Business Park, Hurlawcrook Road, East Kilbride

A report dated 6 March 2007 by the Executive Director (Enterprise Resources) was submitted on planning application EK/07/0046 by W C Bell Developments Limited for the erection of industrial/commercial buildings, associated yards and parking at Plot 4a, Langlands Business Park, Hurlawcrook Road, East Kilbride.

The Committee decided:

that planning application EK/07/0046 by W C Bell Developments Limited for the erection of industrial/commercial buildings, associated yards and parking at Plot 4a, Langlands Business Park, Hurlawcrook Road, East Kilbride be granted subject to the conditions specified in the Executive Director's report.

11 Application CR/07/0025 - Change of Use of Shop to Hot Food Takeaway at 126A Dukes Road, Rutherglen

A report dated 12 March 2007 by the Executive Director (Enterprise Resources) was submitted on planning application CR/07/0025 by S Amjid for the change of use of shop to hot food takeaway at 126a Dukes Road, Rutherglen.

The Committee decided:

that planning application CR/07/0025 by S Amjid for the change of use of shop to hot food takeaway at 126a Dukes Road, Rutherglen be refused for the reasons detailed in the Executive Director's report.

12 Application HM/06/0565 - Demolition of Existing Flatted Blocks and Erection of 24 Houses at Westwood Crescent/Buchanan Crescent, Hamilton

A report dated 5 March 2007 by the Executive Director (Enterprise Resources) was submitted on planning application HM/06/0565 by Clyde Valley Housing Association for the demolition of existing flatted blocks and the erection of 24 houses at Westwood Crescent/Buchanan Crescent, Hamilton.

The application had been advertised as Development Contrary to the Development Plan, however, no objections had been received.

The application had been assessed against the relevant policies and criteria contained in the Adopted Hamilton District Local Plan and the South Lanarkshire Local Plan (Finalised as modified). Details of the assessment were provided in the report.

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 area of the application site which extended into the area of amenity space represented a very small section of the development site. Consequently, although the development would impinge on the area of amenity space, it would not adversely affect the character of the area. As such, a departure from Policy RES1 and Policy CU4 of the Adopted Hamilton District Local Plan was considered acceptable
- ◆ the works represented an improvement of housing stock by a housing association which would help the improvement of the surrounding area
- ◆ the amended proposal raised no environmental issues or infrastructure considerations
- ◆ potential flooding issues associated with the development had been fully addressed

The Committee decided:

that planning application HM/06/0565 by Clyde Valley Housing Association for the demolition of existing flatted blocks and erection of 24 houses at Westwood Crescent/Buchanan Crescent, Hamilton be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ the promotion of a Stopping Up Order in relation to the public footpath crossing plot 5 within the designated site

13 Application CL/06/0267 - Extraction of Sand and Gravel at Thirstone, by Crawfordjohn

A report dated 7 March 2007 by the Executive Director (Enterprise Resources) was submitted on planning application CL/06/0267 by Loudounhill Contracts Limited for the extraction of sand and gravel at Thirstone, by Crawfordjohn.

The Committee decided:

that planning application CL/06/0267 by Loudounhill Contracts Limited for the extraction of sand and gravel at Thirstone, by Crawfordjohn be granted subject to:-

- ◆ the conditions specified in the Executive Director's

- ♦ the conclusion of a Section 75 Agreement securing:-
 - ♦ a Restoration Guarantee Bond to cover the full cost of restoring the site
 - ♦ contributions to the South Lanarkshire Rural Communities Trust Fund
 - ♦ the applicant meeting the Council's reasonably incurred legal fees in respect of the Section 75 and other related Agreements

14 Application CL/07/0106 - Erection of Temporary Classroom Accommodation for Lanark Grammar School with Temporary Staff Car Park at Lanark Grammar Annex, Hyndford Road, Lanark

A report dated 12 March 2007 by the Executive Director (Enterprise Resources) was submitted on planning application CL/07/0106 by Bovis Lend Lease (Scotland) Limited for the erection of temporary classroom accommodation for Lanark Grammar School with temporary staff car park at Lanark Grammar Annex, Hyndford Road, Lanark.

The Committee decided: that planning application CL/07/0106 by Bovis Lend Lease (Scotland) Limited for the erection of temporary classroom accommodation for Lanark Grammar School with temporary staff car park at Lanark Grammar Annex, Hyndford Road, Lanark be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of 2 November 2004 (Paragraph 5)]

15 Application HM/06/0851 - Partial Demolition of Existing House and Erection of Rear and Side Extensions Including Redevelopment of Roof (Amendment to Planning Consent HM/04/0348) at 5 Fife Crescent, Bothwell

A report dated 28 February 2007 by the Executive Director (Enterprise Resources) was submitted on planning application HM/06/0851 by Mr and Mrs Coakley for the partial demolition of an existing house and the erection of rear and side extensions including the redevelopment of the roof (amendment to planning consent HM/04/0348) at 5 Fife Crescent, Bothwell.

The Committee decided: that planning application HM/06/0851 by Mr and Mrs Coakley for the partial demolition of an existing house and the erection of rear and side extensions including the redevelopment of the roof (amendment to planning consent HM/04/0348) be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of Hamilton Area Committee of 6 July 2005 (Paragraph 11)]

16 Application HM/06/0570 - Upgrade of Existing Tennis/5-a-side Court, Installation of New Fencing and Floodlighting (Notice of Intention to Develop) at Land Adjacent to Sports Hall, Donaldson Road, Larkhall

A report dated 6 March 2007 by the Executive Director (Enterprise Resources) was submitted on application HM/06/0570 by South Lanarkshire Council for the upgrade of existing tennis/5-a-

side court, installation of new fencing and floodlighting (Notice of Intention to Develop) at land adjacent to the sports hall, Donaldson Road, Larkhall.

The Committee decided: that a Notice of Intention to Develop be issued for the upgrade of an existing tennis/5-a-side court, installation of new fencing and floodlighting (application reference HM/06/0570) at land adjacent to the sports hall, Donaldson Road, Larkhall subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ referral of the application to the Scottish Ministers as objections to the proposal had been received and the Council was the applicant

17 Application HM/06/0908 - Erection of 2 Storey Workshop and Teaching Building at Bell College, Almada Street, Hamilton

A report dated 6 March 2007 by the Executive Director (Enterprise Resources) was submitted on planning application HM/06/0908 by Bell College for the erection of a 2 storey workshop and teaching building at Bell College, Almada Street, Hamilton.

The Committee decided: that planning application HM/06/0908 by Bell College for the erection of a 2 storey workshop and teaching building at Bell College, Almada Street, Hamilton be granted subject to the conditions specified in the Executive Director's report.

18 Application CL/05/0065 - Erection of 21 Houses and Ancillary Roadworks at Albert Park, Braidwood, Carluke

A report dated 12 March 2007 by the Executive Director (Enterprise Resources) was submitted on the discharge of a Section 75 Agreement in relation to planning application CL/05/0065 for the erection of 21 houses and ancillary roadworks at Albert Park, Braidwood. The Section 75 Agreement required the construction of a roundabout on Lanark Road. The applicants had now gained Roads Construction Consent and had submitted a bond in relation to access arrangements. It was considered that this would adequately safeguard construction of the roundabout in the event of it being required and that, therefore, the Section 75 Agreement was no longer required.

The Committee decided: that planning consent in relation to application CL/05/0065 for the erection of 21 houses and ancillary roadworks at Albert Park, Braidwood be released subject to the conditions previously agreed by the Committee on 26 September 2006 but that the requirement for a Section 75 Agreement be discharged.

[Reference: Minutes of Planning Committee of 26 September 2006 (Paragraph 11)]

19 Urgent Business

There were no items of urgent business.

Chair's Remarks

The Chair thanked the Depute Chair, the members of the Committee, Administration Services' officers, the Head of Planning and Building Standards Services and all of his officers for their hard work and help over the past 4 years. He wished those members who were standing for re-election the best of luck and those who were standing down all the very best for the future.