

PLANNING COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 19 December 2017

Chair:

Councillor Alistair Fulton

Councillors Present:

Alex Allison, John Bradley, Walter Brogan, Archie Buchanan, Margaret Cooper (*substitute for Councillor S Wardhaugh*), Margaret Cowie, Maureen Devlin, Mary Donnelly, Isobel Dorman (Depute), Mark Horsham, Ann Le Blond, Martin Lennon, Richard Lockhart, Katy Loudon, Catherine McClymont (*substitute for Councillor Dryburgh*), Kenny McCreary, Julia Marrs, Richard Nelson, Carol Nugent, Graham Scott, Collette Stevenson (*substitute for Councillor Callaghan*), Bert Thomson, Jim Wardhaugh

Councillors' Apologies:

Stephanie Callaghan, Fiona Dryburgh, John Ross (ex officio), David Shearer, Sheena Wardhaugh

Attending:

Community and Enterprise Resources

L Campbell, Area Manager, Planning and Building Standards Services (Hamilton); P Elliott, Head of Planning and Economic Development; T Finn, Area Manager, Planning and Building Standards Services (Clydesdale); F Jack, Team Leader, Development Management Team, Roads and Transportation Services; T Meikle, Area Manager, Planning and Building Standards Services (Cambuslang/Rutherglen and East Kilbride); G Rae, Planning Team Leader, Planning and Building Standards Services (Cambuslang/Rutherglen and East Kilbride)

Finance and Corporate Resources

J Davitt, Media Officer; P MacRae, Administration Officer; G McCann, Head of Administration and Legal Services; K McLeod, Administration Assistant

1 Declaration of Interests

The following interests were declared:-

Councillor(s)	Item(s)	Nature of Interest(s)
Allison	Application CL/17/0436 – Erection of Detached House (Amended Planning Application) at Holm Road, Crossford	Pre-determination of application
Nelson	Applications:- ♦ CL/17/0436 – Erection of Detached House (Amended Planning Application) at Holm Road, Crossford ♦ HM/17/0446 – Change of Use of House to 3 Flats at 36 Church Street, Larkhall	Conflict of interest Conflict of interest

2 Minutes of Previous Meeting

The minutes of the meeting of the Planning Committee held on 21 November 2017 were submitted for approval as a correct record.

The Chair and officers responded to members' questions in relation to the minutes and, where clarification was required, undertook to provide this information.

The Committee decided: that the minutes be approved as a correct record subject to the inclusion of the following wording at the conclusion of paragraphs 2 and 3 respectively of item 5:-

- ◆ "The submission from Halfway Community Council, which arrived late due to records of the address not having been updated, was reported verbally to the Committee"
- ◆ "A query was raised regarding the shared surface and roads layout and the Highways Officer commented that the layout had been designed by Miller Homes in accordance with the requirements set out in National Guidance"

3 Application CL/17/0436 - Erection of Detached House (Amendment to Planning Application CL/17/0090) at Holm Road, Crossford

A report dated 11 December 2017 by the Executive Director (Community and Enterprise Resources) was submitted on planning application CL/17/0436 by N Pringle for the erection of a detached house (amendment to planning application CL/17/0090) at Holm Road, Crossford.

The Committee decided: that planning application CL/17/0436 by N Pringle for the erection of a detached house (amendment to planning application CL/17/0090) at Holm Road, Crossford be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ referral of the application to the Scottish Ministers, in terms of the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009, as SEPA had advised against the grant of planning permission by objecting in principle on the basis of potential flood risk, to allow the Scottish Ministers the opportunity to consider whether to call in the application for their own determination

[Reference: Minutes of 15 August 2017 (Paragraph 7)]

Councillors Allison and Nelson, having declared an interest in the above application, withdrew from the meeting during its consideration

4 Application HM/17/0510 - Erection of 118 Bedroom Hotel and Associated Parking at Hamilton Park Racecourse, Bothwell Road, Hamilton

A report dated 11 December 2017 by the Executive Director (Community and Enterprise Resources) was submitted on planning application HM/17/0510 by Hamilton Park Racecourse Company Limited for the erection of a 118 bedroom hotel and associated parking at Hamilton Park Racecourse, Bothwell Road, Hamilton.

The Committee decided:

that planning application HM/17/0510 by Hamilton Park Racecourse Company Limited for the erection of a 118 bedroom hotel and associated parking at Hamilton Park Racecourse, Bothwell Road, Hamilton be granted subject to the conditions specified in the Executive Director's report.

5 Application EK/17/0346 - Erection of 30 Residential Units (1 and 2 Bedroom) with Associated Open Space, 45 Parking Spaces and New Road at Vancouver Drive, East Kilbride

A report dated 11 December 2017 by the Executive Director (Community and Enterprise Resources) was submitted on planning application EK/17/0346 by South Lanarkshire Council for the erection of 30 residential units (1 and 2 bedroom) with associated open space, 45 parking spaces and new road at Vancouver Drive, East Kilbride.

The Committee decided:

that planning application EK/17/0346 by South Lanarkshire Council for the erection of 30 residential units (1 and 2 bedroom) with associated open space, 45 parking spaces and new road at Vancouver Drive, East Kilbride be granted subject to:-

- ♦ the conditions specified in the Executive Director's report
- ♦ Conditions 10 and 11 being amended as follows:-
 - "10 That no construction vehicles associated with the development hereby approved shall access the site between the hours of 08.00 to 09.15 (on all days) and 14.45 to 15.30 (on Mondays, Wednesdays and Fridays) and 14.45 to 16.30 (on Tuesdays and Thursdays), unless otherwise agreed. Furthermore, no construction vehicles shall be parked up waiting for the access to open or for any other reason on the public road network"
 - "11 That before any development commences on site, a Traffic Management Plan (TMP) shall be submitted to and approved by the Council as Planning Authority and thereafter shall be maintained to the satisfaction of the Council. The TMP shall include time restrictions for incoming and outgoing vehicular site traffic between the hours of 08.00 to 09.15 (on all days) and 14.45 to 15.30 (on Mondays, Wednesdays and Fridays) and 14.45 to 16.30 (on Tuesdays and Thursdays) unless otherwise agreed"

[Reference: Minutes of 11 June 2013 (Paragraph 5)]

6 Application HM/17/0392 - Erection of 14 Flats with Associated Roads and Infrastructure at Stonefield Road, Blantyre

A report dated 11 December 2017 by the Executive Director (Community and Enterprise Resources) was submitted on planning application HM/17/0392 by Clyde Valley Housing Association and Wilson Developments (Scotland) Limited for the erection of 14 flats with associated roads and infrastructure at Stonefield Road, Blantyre.

The Committee decided: that planning application HM/17/0392 by Clyde Valley Housing Association and Wilson Developments (Scotland) Limited for the erection of 14 flats with associated roads and infrastructure at Stonefield Road, Blantyre be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of 21 June 2016 (Paragraph 8)]

7 Application CL/17/0150 - Formation of Horse Trotting Track, Equestrian Centre, Restaurant/Bar, Participants' Stables, 8 Residential Units for Participants, Owner's/Manager's House, Parking Area, Access Road, Associated Earth Works and Land Filling (Amendment to Planning Application CL/14/0112) at High Netherfauld House Farm, Douglas, Lanark

A report dated 11 December 2017 by the Executive Director (Community and Enterprise Resources) was submitted on planning application CL/17/0150 by M Kelly for the formation of a horse trotting track, equestrian centre, restaurant/bar, participants' stables, 8 residential units for participants, owner's/manager's house, parking area, access road, associated earth works and land filling (amendment to planning application CL/14/0112) at High Netherfauld House Farm, Douglas, Lanark.

The Committee decided: that planning application CL/17/0150 by M Kelly for the formation of a horse trotting track, equestrian centre, restaurant/bar, participants' stables, 8 residential units for participants, owner's/manager's house, parking area, access road, associated earth works and land filling (amendment to planning application CL/14/0112) at High Netherfauld House Farm, Douglas, Lanark be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of 6 October 2015 (Paragraph 3)]

8 Application HM/17/0446 - Change of Use of House to 3 Flats at 36 Church Street, Larkhall

A report dated 5 December 2017 by the Executive Director (Community and Enterprise Resources) was submitted on planning application HM/17/0446 by T Devine for the change of use of a house to 3 flats at 36 Church Street, Larkhall.

Officers referred to a late representation from H Miller, on behalf of residents of Church View, but advised that this did not raise any additional issues.

The Committee decided: that planning application HM/17/0446 by T Devine for the change of use of a house to 3 flats at 36 Church Street, Larkhall be granted subject to the conditions specified in the Executive Director's report.

Councillor Nelson, having declared an interest in the above application, withdrew from the meeting during its consideration

9 Application CL/17/0457 - Demolition of Offices and Garage and Erection of 18 Flats, Formation of 18 Car Parking Spaces and Landscaping at 11 Kirkton Street and 9 Union Street, Carluke

A report dated 11 December 2017 by the Executive Director (Community and Enterprise Resources) was submitted on planning application CL/17/0457 by South Lanarkshire Council for the demolition of offices and a garage and the erection of 18 flats, formation of 18 car parking spaces and landscaping at 11 Kirkton Street and 9 Union Street, Carluke.

The Committee decided: that planning application CL/17/0457 by South Lanarkshire Council for the demolition of offices and a garage and the erection of 18 flats, formation of 18 car parking spaces and landscaping at 11 Kirkton Street and 9 Union Street, Carluke be granted subject to the conditions specified in the Executive Director's report.

10 Application CL/17/0467 - Permanent Siting of Portable Building for Use as a Hot Food Takeaway at 6A Strawfrank Road, Carstairs Junction, Lanark

A report dated 11 December 2017 by the Executive Director (Community and Enterprise Resources) was submitted on planning application CL/17/0467 by A Chekansky for the permanent siting of a portable building for use as a hot food takeaway at 6A Strawfrank Road, Carstairs Junction, Lanark.

The Committee decided: that planning application CL/17/0467 by A Chekansky for the permanent siting of a portable building for use as a hot food takeaway at 6A Strawfrank Road, Carstairs Junction, Lanark be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of Clydesdale Area Committee of 11 April 2006 (Paragraph 4)]

11 Application EK/17/0161 - Residential Development of 155 Houses, Associated Access Roads, Footpaths and Landscaping at Land at East Overton, Glassford Road, Strathaven (Approval of Matters Specified in Conditions Relating to Planning Consent EK/12/0003 (Planning Permission in Principle))

A report dated 11 December 2017 by the Executive Director (Community and Enterprise Resources) was submitted on planning application EK/17/0161 by BDW Trading Limited and Paterson Partners for a residential development of 155 houses, associated access roads, footpaths and landscaping at land at East Overton, Glassford Road, Strathaven (approval of matters specified in conditions relating to planning consent EK/12/0003 (planning permission in principle)).

On 27 March 2012, the Committee had approved planning application EK/12/0003 for a residential masterplan, leisure, business use and vehicular access from Glassford Road, phased over 20 years (planning permission in principle) at land at East Overton, Glassford Road, Strathaven. Application EK/17/0161 for 155 houses on the site formed phases 2 and 3 of the overall masterplan site.

At its meeting on 7 July 2015, the Committee had approved a procedure for processing planning applications which required completion of a Planning Obligation. If approved, the application would be subject to a Section 75 Planning Obligation and/or other agreement and the approved procedure would apply.

The Committee decided:

- (1) that planning application EK/17/0161 by BDW Trading Limited and Paterson Partners for a residential development of 155 houses, associated access roads, footpaths and landscaping at land at East Overton, Glassford Road, Strathaven (approval of matters specified in conditions relating to planning consent EK/12/0003 (planning permission in principle)) be granted subject to:-
 - ♦ the conditions specified in the Executive Director's report
 - ♦ prior conclusion of a Section 75 Planning Obligation, between the Council, the applicants and the site owners which would involve varying the existing Section 75 Planning Obligation to include details of the affordable housing provision and revise the development phasing of the overall Masterplan approved under planning consent EK/12/0003
 - ♦ the developers meeting the Council's legal costs associated with the Section 75 Planning Obligation
- (2) that it be noted that, in accordance with the agreed procedure, should there be no significant progress by the applicant towards the conclusion of the Planning Obligation within 6 months of the date of the meeting at which the application was considered, the proposed development could be refused on the basis that, without the planning control or developer contribution which would be secured by the Planning Obligation, the proposed development would be unacceptable; and
- (3) that it be noted that, if the Planning Obligation had not been concluded within the 6 month period but was progressing satisfactorily, the applicant would be offered the opportunity to enter into a Processing Agreement, if this was not already in place, which would set an alternative agreed timescale for the conclusion of the Planning Obligation.

[Reference: Minutes of 27 March 2012 (Paragraph 5) and 7 July 2015 (Paragraph 15)]

12 Application EK/17/0325 - Erection of Upper Storey Front Extension, Two Storey and Single Storey Side Extensions and Rear Upper Storey Balcony at 7 Tulliallan Place, East Kilbride

A report dated 11 December 2017 by the Executive Director (Community and Enterprise Resources) was submitted on planning application EK/17/0325 by Mr and Mrs Carroll for the erection of an upper storey front extension, 2 storey and single storey side extensions and a rear upper storey balcony at 7 Tulliallan Place, East Kilbride.

A request for a hearing had been received in relation to the proposal, however, the application did not meet the criteria for a hearing.

Councillor Fulton, seconded by Councillor Dorman, moved that the application be granted subject to the conditions specified in the Executive Director's report and additional conditions to protect the existing trees at the property. Councillor Allison, seconded by Councillor Nelson, moved as an amendment that consideration of the application be continued pending the outcome of an investigation into the removal of a protected tree at the site. On a vote being taken by a show of hands, 4 members voted for the amendment and 18 members voted for the motion which was declared carried.

The Committee decided:

that planning application EK/17/0325 by Mr and Mrs Carroll for the erection of an upper storey front extension, 2 storey and single storey side extensions and a rear upper storey balcony at 7 Tulliallan Place, East Kilbride be granted subject to:-

- ♦ the conditions specified in the Executive Director's report
- ♦ the following additional conditions:-
 - "5 That no trees on the site shall be lopped, topped or felled without the prior written consent of the Council as Planning Authority
 - 6 That the existing trees within the site must be protected in accordance with methods set out in BS5837/1991 during and until completion of all site operations and building works

Reasons

5 To ensure the protection and maintenance of the existing mature trees within the site and to retain effective planning control

6 To ensure that adequate steps are taken to protect existing trees on the site throughout the period of the proposed building operations"

13 Tree Preservation Order - Muirkirk Road, Strathaven

A report dated 5 December 2017 by the Executive Director (Community and Enterprise Resources) was submitted on a Provisional Tree Preservation Order (TPO) on a beech tree located immediately north of Muirkirk Road, Strathaven, approximately 50 metres west of the junction with Muirkirk Gardens, as detailed on the plan attached to the Executive Director's report.

The Provisional TPO was required to ensure that the tree, which was considered to contribute to the character, amenity and sense of place within the local area, was adequately protected. The site was identified in the Adopted South Lanarkshire Local Plan as being a housing development site and a proposal of application notice had been submitted in July 2017 for a residential development at the site.

The Committee decided:

- (1) that a Provisional TPO be promoted under the terms of Section 163 (Provisional Tree Preservation Order) of the Town and Country Planning (Scotland) Act 1997 on the tree identified on the plan attached to the report; and
- (2) that, should there be no objections to the Provisional TPO, the Order be confirmed within 6 months from the date of its promotion.

14 Urgent Business

There were no items of urgent business.