

PLANNING COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 23 January 2007

Chair:

Councillor Graham Scott

Councillors Present:

David Baillie, Archie Buchanan, Tony Carlin, Sam Casserly, Pam Clearie, Jim Docherty, Ian Gray, Billy McCaig, John McGuinness, Alex McInnes, Denis McKenna (Depute), Mary McNeill, Brian Reilly, Bob Rooney, Hamish Stewart, Jim Wardhaugh

Councillors Also Present:

Bev Gauld, Patricia Osborne

Councillors' Apologies:

Cathie Condie, Gerry Convery, Jim Daisley, Alan Dick, Gerry Docherty, Allan Falconer, Tommy Gilligan, James Handibode, Stan Hogarth, Carol Hughes, James Malloy, Edward McAvoy, Michael McCann, Ian McInnes, Chris Thompson

Attending:

Corporate Resources

L Paterson, Administration Officer

Enterprise Resources

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, Headquarters Manager; T Meikle, Area Manager, Planning and Building Standards Services (East Kilbride); C Park, Assistant Engineering Manager

1 Declaration of Interests

The following interest was declared:-

Councillor(s)	Item(s)	Nature of Interest(s)
Buchanan	Planning Application EK/06/0370 Erection of Class 1 retail unit, vehicular access, car park, service area and associated works at Lindsayfield Road, East Kilbride	Prior expression of view on application

2 Minutes of Previous Meeting

The minutes of the meeting of the Planning Committee held on 5 December 2006 were submitted for approval as a correct record.

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

3 Application CL/06/0345 - Erection of 348 Houses and the Conversion of 4 Listed Buildings to Form 45 Units at Winston Barracks, Lanark

A report dated 16 January 2007 by the Executive Director (Enterprise Resources) was submitted on planning application CL/06/0345 by AMD Limited for the erection of 348 houses and the conversion of 4 listed buildings to form 45 units at Winston Barracks, Lanark.

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 the applicant. The objectors were not present at the meeting and, therefore, there was no requirement to hear the applicant.

Points raised in a further late letter of representation from the Voluntary Associates were referred to at the meeting and addressed by officers.

The Committee heard Councillor Gauld, the local member.

The application had been assessed against the relevant policies and criteria contained in the Adopted Lower Clydesdale Local Plan, the Finalised Draft South Lanarkshire Local Plan, the 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 the re-use of a brownfield site which would help expand the choice and range of housing in the Lanark area
- ◆ the proposal could blend in with its surroundings due to the presence of existing woodland belts which could be further enhanced by additional landscaping
- ◆ the proposal represented an opportunity to restore and convert listed buildings, thereby ensuring their future and reflecting the military history of the site in the context of the newer build
- ◆ the proposal was consistent with the Finalised Draft South Lanarkshire Local Plan
- ◆ the proposal could be justified as a departure from the Structure Plan against criteria set out in Strategic Policy 10

The Committee decided:

that planning application CL/06/0345 by AMD Limited for the erection of 348 houses and the conversion of 4 listed buildings to form 45 units at Winston Barracks, Lanark be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ the variation of the existing Section 75 Agreement to allow development over all of the application site to include revised phasing in respect of the conversion of the listed buildings
- ◆ referral of the application to the Scottish Ministers, in accordance with the Town and Country Planning (Notification of Applications) (Scotland) Direction 1997, as the development constituted a significant departure from the Development Plan

4 Application CL/05/0097 - Erection of 63 Flats, 5 Detached Houses, Associated Roadworks and Landscaping at 'The Quarry', Strathaven Road, Lesmahagow

A report dated 9 January 2007 by the Executive Director (Enterprise Resources) was submitted on planning application CL/05/0097 by D and M Gilmour for the erection of 63 flats, 5 detached houses, associated roadworks and landscaping at The Quarry, Strathaven Road, Lesmahagow.

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 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 policies and criteria contained in the Adopted Lower Clydesdale Local Plan, the Finalised Draft South Lanarkshire Local 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:-

- ◆ there were no infrastructure implications
- ◆ the development would integrate well with the surrounding environment
- ◆ it would remove an industrial site from a predominately residential area

The Committee decided:

that planning application CL/05/0097 by D and M Gilmour for the erection of 63 flats, 5 detached houses, associated roadworks and landscaping at The Quarry, Strathaven Road, Lesmahagow be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ prior agreement on a financial contribution of £23,800 from the developer towards upgrading recreational provision in the area

5 Application CL/05/0413 – Demolition of Industrial Building and Creation of 8 Flats with Associated Access and Parking Area at 18/18A James Street, Carluke

A report dated 9 January 2007 by the Executive Director (Enterprise Resources) was submitted on planning application CL/05/0413 by Dolan Properties for the demolition of an industrial building and creation of 8 flats with associated access and parking area at 18/18A James Street, Carluke.

Because the application constituted Development Contrary to the Development Plan, the opportunity of a hearing had been offered to the objector to the proposal and the applicant. The objector 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 policies and procedures contained in the Adopted Lower Clydesdale Local Plan, the Finalised Draft South Lanarkshire Local 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 was consistent with the emerging policy in the Finalised Draft South Lanarkshire Local Plan

- ◆ development of this site would not prejudice the development of adjacent sites
- ◆ there were no infrastructure implications
- ◆ the proposal constituted higher density development in a sustainable location
- ◆ the development would remove an unattractive commercial building and replace it with a well designed residential development

The Committee decided: that planning application CL/05/0413 by Dolan Properties for the demolition of an industrial building and creation of 8 flats with associated access and parking area at 18/18A James Street, Carlisle be granted subject to the conditions specified in the Executive Director's report.

6 Application CL/06/0519 - Formation of 8 House Plots on Area of Ground between 22 and 52 Bellfield Road, Coalburn

A report dated 11 December 2006 by the Executive Director (Enterprise Resources) was submitted on planning application CL/06/0519 by W Bernard for the formation of 8 house plots on an area of ground between 22 and 52 Bellfield Road, Coalburn.

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 the applicant.

The Committee heard:-

- ◆ W Bernard Junior, on behalf of the applicant
- ◆ F Bennett and W Struthers, objectors to the proposal

Points raised in a late letter of objection from K Purdie were referred to at the meeting and addressed by officers.

The application had been assessed against the relevant policies and criteria contained in the Adopted Lower Clydesdale Local Plan, the Finalised Draft South Lanarkshire Local 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 application site was zoned as a proposed housing site in the Finalised Draft South Lanarkshire Local Plan
- ◆ the proposal complied with the detailed development management policies contained in the Finalised Draft Local Plan
- ◆ there were no infrastructure issues

The Committee decided: that planning application CL/06/0519 by W Bernard for the formation of 8 house plots on an area of ground between 22 and 52 Bellfield Road, Coalburn be granted subject to the conditions specified in the Executive Director's report.

7 Application HM/06/0168 - Erection of 40 Bedroom Lodge at Bothwell Motorway Service Area, M74 Southbound, Bothwell

A report dated 28 December 2006 by the Executive Director (Enterprise Resources) was submitted on planning application HM/06/0168 by Roadchef Motorways Limited for the erection of a 40 bedroom lodge at Bothwell Motorway Service Area, M74 Southbound, Bothwell.

The Committee decided: that planning application HM/06/0168 by Roadchef Motorways Limited for the erection of a 40 bedroom lodge at Bothwell Motorway Service Area, M74 Southbound, Bothwell be granted subject to the conditions specified in the Executive Director's report.

8 Application CR/06/0338 - Demolition of Existing Nursery and Erection of New Primary School at 245-247 King Street, Rutherglen

A report dated 16 January 2006 by the Executive Director (Enterprise Resources) was submitted on planning application CR/06/0338 by Carillion Regional Building for the demolition of an existing nursery and erection of a new primary school at 245-247 King Street, Rutherglen.

The Committee decided: that planning application CR/06/0338 by Carillion Regional Building for the demolition of an existing nursery and erection of a new primary school at 245-247 King Street, Rutherglen be granted subject to the conditions specified in the Executive Director's report.

9 Application CL/06/0781 - Redevelopment of Hospital to Provide Upgraded Patient Accommodation, Reconfigure and Relocate Public/Staff Car Park and Erect Temporary Building for Staff Decant at The State Hospital, Lampits Road, Carstairs

A report dated 8 January 2007 by the Executive Director (Enterprise Resources) was submitted on planning application CL/06/0781 by The State Hospital for the redevelopment of hospital to provide upgraded patient accommodation, reconfigure and relocate public/staff car park and erect temporary building for staff decant at The State Hospital, Lampits Road, Carstairs.

The Committee decided: that planning application CL/06/0781 by The State Hospital for the redevelopment of hospital to provide upgraded patient accommodation, reconfigure and relocate public/staff car park and erect temporary building for staff decant at The State Hospital, Lampits Road, Carstairs be granted subject to the conditions specified in the Executive Director's report.

10 Application HM/06/0698 - Change of Use of Ground to Industrial Land and Erection of Office Block and Associated Car Parking (Notice of Intention to Develop) at Council Depot, Pollock Avenue, Hamilton

A report dated 10 January 2007 by the Executive Director (Enterprise Resources) was submitted on application HM/06/0698 by South Lanarkshire Council for the change of use of ground to industrial land and erection of office block and associated car parking (Notice of Intention to Develop) at the Council Depot, Pollock Avenue, Hamilton.

The Committee decided: that a Notice of Intention to Develop be issued for the change of use of ground to industrial land and erection of office block and associated car parking (application reference HM/06/0698) at the Council Depot, Pollock Avenue, Hamilton subject to the conditions specified in the Executive Director's report.

11 Application EK/06/0370 - Erection of Class 1 Retail Unit, Vehicular Access, Car Park, Service Area and Associated Works at Lindsayfield Road, East Kilbride

A report dated 9 January 2007 by the Executive Director (Enterprise Resources) was submitted on planning application EK/06/0370 by Lidl UK GMBH for the erection of Class 1 retail unit, vehicular access, car park, service area and associated works at Lindsayfield Road, East Kilbride.

The Planning Officer highlighted that a request for a hearing had been received from the applicant but that the criteria for a hearing had not been met in this case. A further late letter of representation from the applicant was referred to at the meeting, however, it was considered that its content did not merit the granting of a hearing.

The Committee decided: that planning application EK/06/0370 by Lidl UK GMBH for the erection of Class 1 retail unit, vehicular access, car park, service area and associated works at Lindsayfield Road, East Kilbride be refused for the reasons detailed in the Executive Director's report.

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

12 Application CR/06/0362 - Erection of 78 Houses (53 within South Lanarkshire; 25 within Glasgow City) with Associated Roads and Landscaping at Fernhill Phase 1A, Rutherglen

A report dated 16 January 2007 by the Executive Director (Enterprise Resources) was submitted on planning application CR/06/0362 by West of Scotland Housing Association for the erection of 78 houses (53 within South Lanarkshire; 25 within Glasgow City) with associated roads and landscaping at Fernhill Phase 1A, Rutherglen.

The Committee heard Councillor Osborne, the local member.

The Committee decided: that planning application CR/06/0362 by West of Scotland Housing Association for the erection of 78 houses (53 within South Lanarkshire; 25 within Glasgow City) with associated roads and landscaping at Fernhill Phase 1A, Rutherglen, be granted subject to the conditions specified in the Executive Director's report.

13 Application HM/06/0715 - Change of Use of Vacant Unit (Class 1) to Financial/ Professional (Class 2) at Clydevue Shopping Centre, Glasgow Road, Blantyre

A report dated 28 December 2006 by the Executive Director (Enterprise Resources) was submitted on planning application HM/06/0715 by Asda Stores Limited for the change of use of a vacant unit (Class 1) to financial/professional (Class 2) at Clydevue Shopping Centre, Glasgow Road, Blantyre. The application had been advertised as Development Potentially 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 Hamilton District Local Plan. 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 unit had been unsuccessfully marketed for Class 1 use and it appeared that the market would not support a retail use at this location
- ◆ in terms of maintaining the viability and vitality of the core retail area, it was considered that the introduction of a Class 2 use to the site would be preferable to a vacant unit
- ◆ the proposal raised no amenity or other policy issues

The Committee decided: that planning application HM/06/0715 by Asda Stores Limited for the change of use of a vacant unit (Class 1) to financial/professional (Class 2) at Clydeview Shopping Centre, Glasgow Road, Blantyre be granted subject to the conditions detailed in the Executive Director's report.

14 Schedules of Revised Planning Conditions for Applications - (1) Extension to Coaling Boundary within Existing Consent at Wilsontown Opencast Coal Site (OCCS), near Forth (CL/04/0365) and (2) Variation of Mineral Description to Include Suitable Quality Secondary Deposits of Rock and Gravel Aggregate Encountered in Disturbed Overburden Strata Lying Above Primary Coal Seams at Wilsontown OCCS, near Forth (CL/04/0366)

A report dated 5 January 2007 by the Executive Director (Enterprise Resources) was submitted on the requirement to approve schedules of revised planning conditions for the following planning applications:-

- ◆ CL/04/0365 for extension to coaling boundary within existing planning consent at Wilsontown Opencast Coal Site (OCCS), near Forth
- ◆ CL/04/0366 for variation of mineral description to include suitable quality secondary deposits of rock and gravel aggregate encountered in disturbed overburden strata lying above primary coal seams at Wilsontown OCCS, near Forth

Planning consent for both applications had been granted on 1 March 2005 subject to the completion of a revised Section 75 Agreement to secure additional Community Trust payments and a revised Mineral Bond to take account of the extraction of additional materials. The operators of the site at that time had since gone into liquidation prior to conclusion of the necessary legal agreements and, therefore, planning consent had not been issued. Hall Construction had acquired the mining rights for the site and was now pursuing the conclusion of the necessary legal agreements to enable the necessary consents to be issued.

On the basis that the schedules of planning conditions previously approved by the Committee were specific to the previous operators of the site and their method of working, it was now considered appropriate to review the technical wording and scope of the original conditions to reflect the current position on the site and current best practice in relation to mineral working. It was proposed, therefore, that the Head of Planning and Building Standards Services be authorised to determine the schedules of revised planning conditions for the 2 applications.

The Committee decided: that the Head of Planning and Building Standards Services be authorised to determine the schedules of revised planning conditions for the following 2 planning applications:-

- ◆ CL/04/0365 for extension to coaling boundary within existing planning consent at Wilsontown OCCS, near Forth

- ◆ CL/04/0366 for variation of mineral description to include suitable quality secondary deposits of rock and gravel aggregate encountered in disturbed overburden strata lying above primary coal seams at Wilsontown OCCS, near Forth

[Reference: Minutes of 1 March 2005 (Paragraphs 8 and 9)]

15 Urgent Business

There were no items of urgent business.