

PLANNING COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 29 May 2018

Chair:

Councillor Alistair Fulton

Councillors Present:

Alex Allison, John Bradley, Archie Buchanan, Margaret Cooper (*substitute for Councillor S Wardhaugh*), Margaret Cowie, Maureen Devlin, Mary Donnelly, Isobel Dorman (Depute), Fiona Dryburgh, Mark Horsham, Martin Lennon, Richard Lockhart, Catherine McClymont (*substitute for Councillor Thomson*), Julia Marrs, Lynne Nailon (*substitute for Councillor McCreary*), Richard Nelson, Carol Nugent, Graham Scott, David Shearer, Collette Stevenson, Jim Wardhaugh, Jared Wark (*substitute for Councillor Le Blond*)

Councillors' Apologies:

Walter Brogan, Stephanie Callaghan, Ann Le Blond, Kenny McCreary, John Ross, Bert Thomson, Sheena Wardhaugh

Attending:

Community and Enterprise Resources

L Campbell, Area Manager, Planning and Building Standards Services (Hamilton and Clydesdale); P Elliott, Head of Planning and Economic Development; T Finn, Headquarters Manager, Planning and Building Standards Services; 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)

Finance and Corporate Resources

J Davitt, Media Officer; P MacRae, Administration Officer; K Moore, Legal Services Advisor

1 Declaration of Interests

No interests were declared.

2 Minutes of Previous Meeting

The minutes of the meeting of the Planning Committee held on 1 May 2018 were submitted for approval as a correct record.

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

3 Proposed South Lanarkshire Local Development Plan 2 - Receiving Views from Representatives

A report dated 17 May 2018 by the Executive Director (Community and Enterprise Resources) was submitted on a request received from Stonehouse Community Council, in terms of Standing Order No 26, to allow representatives of the Community Council to present their views to the Committee on specified aspects of the proposed South Lanarkshire Local Development Plan 2 (SLLDP2).

The Community Council had indicated that they wished to address the Committee on the following matters in respect of SLLDP2:-

- ◆ land at the north of the village of Stonehouse
- ◆ existing planning applications
- ◆ impact on the environs of Stonehouse

The Committee decided: that the request from Stonehouse Community Council, in terms of Standing Order No 26, to allow representatives of the Community Council to present their views on aspects of the proposed South Lanarkshire Local Development Plan 2 (SLLDP2) be granted but that the matters on which the Community Council's representatives were invited to speak be restricted to land at the north of the village of Stonehouse and impact on the environs of Stonehouse.

4 Proposed South Lanarkshire Local Development Plan 2 and Supporting Planning Guidance on Renewable Energy

A report dated 17 May 2018 by the Executive Director (Community and Enterprise Resources) was submitted on the proposed South Lanarkshire Local Development Plan 2 and Supporting Planning Guidance on Renewable Energy.

Prior to consideration of the Executive Director's report, the Committee, having agreed to a request from Stonehouse Community Council, in terms of Standing Order No 26, to hear representatives of the Community Council in relation to certain aspects of the proposed SLLDP2, heard G Smith (Chair) accompanied by R Freel (Secretary), both representing Stonehouse Community Council.

The representatives from Stonehouse Community Council addressed the Committee on the following aspects of the proposed SLLDP2 and answered members' questions:-

- ◆ land at the north of the village of Stonehouse
- ◆ impact on the environs of Stonehouse

At its meeting on 21 February 2017, the Committee had approved the Main Issues Report (MIR) for the proposed SLLDP2. The MIR constituted the first stage in the preparation of the SLLDP2. On the basis of comments received following public consultation on the MIR, the Council required to prepare and publish a proposed SLLDP2 for further consultation.

The Scottish Government had indicated that the Development Plan required to guide the future use of land and the appearance of cities, towns and rural areas, while being both inspirational and realistic in its aims.

Details were given on:-

- ◆ the key areas addressed in the proposed SLLDP2 together with key changes and details of supporting planning guidance
- ◆ proposed consultation arrangements
- ◆ the next steps in the process

The Committee also heard Councillor Campbell, a local member for Avondale and Stonehouse, on the impact of the proposed SLLDP2 on Stonehouse and in support of the inclusion of land to the north of the village of Stonehouse in the proposed Plan.

Councillor Fulton, seconded by Councillor Dorman, moved that the recommendations contained in the Executive Director's report be approved. Councillor Allison, seconded by Councillor Nelson, moved as an amendment that the recommendations contained in the Executive Director's report be approved but that a further recommendation also be approved to the effect that consideration be given to designating and supporting Stonehouse as a Community Growth Area and that the policy in respect of houses in the rural area be reviewed to meet the specific needs of the rural area. On a vote being taken by a show of hands, 7 members voted for the amendment and 15 for the motion which was declared carried.

The Committee decided:

- (1) that the proposed South Lanarkshire Local Development Plan 2 and Supporting Planning Guidance on Renewable Energy be approved and that it be the subject of public consultation for a minimum period of 8 weeks; and
- (2) that the Head of Planning and Economic Development be authorised to undertake the appropriate statutory procedures and to make drafting and technical changes to the proposed South Lanarkshire Local Development Plan 2 and Supporting Planning Guidance on Renewable Energy prior to its publication.

[Reference: Minutes of 21 February 2017 (Paragraph 12) and 29 May 2018 (Paragraph 3)]

In terms of Standing Order No 13, the Chair adjourned the meeting at 11.20am for a 10 minute period. The meeting recommenced at 11.30am

5 Application HM/17/0558 - Erection of 5 Detached Houses (Planning Permission in Principle) at Avonbank Road, Larkhall

A report dated 10 May 2018 by the Executive Director (Community and Enterprise Resources) was submitted on planning application HM/17/0558 by D Smallwood for the erection of 5 detached houses (planning permission in principle) at Avonbank Road, Larkhall.

The Committee decided: that planning application HM/17/0558 by D Smallwood for the erection of 5 detached houses (planning permission in principle) at Avonbank Road, Larkhall be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of 20 September 2011 (Paragraph 4)]

6 Application EK/17/0358 - Erection of 219 Houses, Access Road, Associated Infrastructure and Landscaping at Former Philipshill Hospital, Barbana Road/Grado Avenue, East Kilbride

A report dated 17 May 2018 by the Executive Director (Community and Enterprise Resources) was submitted on planning application EK/17/0358 by BDW Trading Limited and Philipshill Retirement Village Limited for the erection of 219 houses, access road, associated infrastructure and landscaping at the former Philipshill Hospital, Barbana Road/Grado Avenue, East Kilbride.

The Area Manager, Planning and Building Standards Services (Cambuslang/Rutherglen and East Kilbride) confirmed that it was considered that the existing surrounding road network could support the development.

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/17/0358 by BDW Trading Limited and Philipshill Retirement Village Limited for the erection of 219 houses, access road, associated infrastructure and landscaping at the former Philipshill Hospital, Barbana Road/Grado Avenue, East Kilbride be granted subject to:-
 - ◆ the conditions specified in the Executive Director's report
 - ◆ prior conclusion of a Section 75 Planning Obligation and/or other agreement between the Council, the applicants and the site owner(s) to ensure that financial contributions were made at appropriate times during the development towards the provision of:-
 - ◆ community facilities
 - ◆ affordable housing
 - ◆ educational facilities
 - ◆ the applicants meeting the Council's legal costs associated with the Section 75 Obligation and/or other legal agreements
- (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 11 March 2014 (Paragraph 3) and 7 July 2015 (Paragraph 15)]

7 Application P/18/0287 - Change of Use of Existing Retail Unit (Class 1) to Public House (Sui Generis), Restaurant (Class 3) and Hotel (Class 7) (Incorporating External Alterations and Formation of External Seating Areas) at 1 to 3 Duke Street, Hamilton

A report dated 10 May 2018 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/18/0287 by J D Wetherspoon Plc for the change of use of an existing retail unit (Class 1) to public house (sui generis), restaurant (Class 3) and hotel (Class 7) (incorporating external alterations and formation of external seating areas) at 1 to 3 Duke Street, Hamilton.

The Committee decided:

that planning application P/18/0287 by J D Wetherspoon Plc for the change of use of an existing retail unit (Class 1) to public house (sui generis), restaurant (Class 3) and hotel (Class 7) (incorporating external alterations and formation of external seating areas) at 1 to 3 Duke Street, Hamilton be granted subject to the conditions specified in the Executive Director's report.

8 Application P/18/0169 - Erection of 43 Residential Units Comprising 3 Three Storey Flatted Blocks (27 Flats) and 16 Two Storey Terraced and Semi-Detached Houses and Associated Access and Landscaping at Mavor Avenue, Nerston Industrial Estate, East Kilbride

A report dated 11 May 2018 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/18/0169 by Lovell Partnerships Limited for the erection of 43 residential units comprising 3 three storey flatted blocks (27 flats) and 16 two storey terraced and semi-detached houses and associated access and landscaping at Mavor Avenue, Nerston Industrial Estate, East Kilbride.

The Committee decided: that planning application P/18/0169 by Lovell Partnerships Limited for the erection of 43 residential units comprising 3 three storey flatted blocks (27 flats) and 16 two storey terraced and semi-detached houses and associated access and landscaping at Mavor Avenue, Nerston Industrial Estate, East Kilbride be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of 24 March 2015 (Paragraph 4)]

9 Application P/18/0041 - Extension to Existing Factory and Provision of On-site Car Parking at Block 6, Dunedin Road, Larkhall Industrial Estate, Larkhall

A report dated 10 May 2018 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/18/0041 by Ashgill Electronics for an extension to an existing factory and provision of on-site car parking at Block 6, Dunedin Road, Larkhall Industrial Estate, Larkhall.

The Committee decided: that planning application P/18/0041 by Ashgill Electronics for an extension to an existing factory and provision of on-site car parking at Block 6, Dunedin Road, Larkhall Industrial Estate, Larkhall be granted subject to the conditions specified in the Executive Director's report.

Councillor Cooper left the meeting during consideration of this item of business

10 Application EK/17/0321 - Construction of 4 Arm Roundabout and Associated Works to Provide Access to the Proposed Community Growth Area (Planning Permission in Principle EK/11/0202) at Site Off Eaglesham Road, Jackton, East Kilbride

A report dated 17 May 2018 by the Executive Director (Community and Enterprise Resources) was submitted on planning application EK/17/0321 by BMJ Property Limited for the construction of a 4 arm roundabout and associated works to provide access to the proposed Community Growth Area (planning permission in principle EK/11/0202) at a site off Eaglesham Road, Jackton, East Kilbride.

The Committee decided: that planning application EK/17/0321 by BMJ Property Limited for the construction of a 4 arm roundabout and associated works to provide access to the proposed Community Growth Area (planning permission in principle EK/11/0202) at a site off Eaglesham Road, Jackton, East Kilbride be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of 27 March 2012 (Paragraph 2)]

11 Application P/18/0220 - Application for Approval of Matters Specified in Conditions 8 and 9 (Bus Service Strategy) and 13 (Scottish Water Approval) of Planning Permission in Principle HM/10/0052 at Land at Brackenhill Farm, Meikle Earnock Road, Hamilton

A report dated 17 May 2018 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/18/0220 by Stewart Milne Homes for an application for approval of matters specified in Conditions 8 and 9 (bus service strategy) and 13 (Scottish Water approval) of planning permission in principle HM/10/0052 at land at Brackenhill Farm, Meikle Earnock Road, Hamilton.

The Committee decided: that planning application P/18/0220 by Stewart Milne Homes for an application for approval of matters specified in conditions 8 and 9 (bus service strategy) and 13 (Scottish Water approval) of planning permission in principle HM/10/0052 at land at Brackenhill Farm, Meikle Earnock Road, Hamilton be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of 28 March 2017 (Paragraph 16)]

12 Application P/18/0214 - Erection of 60 Houses with Associated Infrastructure and Landscaping at Former St Leonards Primary School, Brancumhall Road, Calderwood, East Kilbride

A report dated 17 May 2018 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/18/0214 by Cruden Building, on behalf of South Lanarkshire Council, for the erection of 60 houses with associated infrastructure and landscaping at the former St Leonards Primary School, Brancumhall Road, Calderwood, East Kilbride.

The Committee decided: that planning application P/18/0214 by Cruden Building, on behalf of South Lanarkshire Council, for the erection of 60 houses with associated infrastructure and landscaping at the former St Leonards Primary School, Brancumhall Road, Calderwood, East Kilbride be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of 9 July 2013 (Paragraph 7)]

13 Application CL/17/0484 - Sub-division of Existing House into 2 Houses, Conversion and Extension of Farm Outbuilding to Form 1 House, Demolition of Existing Farm Buildings and Erection of 10 Houses at Southfield Road, Kirkmuirhill, Lanark

A report dated 9 May 2018 by the Executive Director (Community and Enterprise Resources) was submitted on planning application CL/17/0484 by A Stewart for the sub-division of an existing house into 2 houses, conversion and extension of a farm outbuilding to form 1 house, demolition of existing farm buildings and erection of 10 houses at Southfield Road, Kirkmuirhill, Lanark.

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 CL/17/0484 by A Stewart for the sub-division of an existing house into 2 houses, conversion and extension of a farm outbuilding to form 1 house, demolition of existing farm buildings and erection of 10 houses at Southfield Road, Kirkmuirhill, Lanark be granted subject to:-
 - ◆ the conditions specified in the Executive Director's report
 - ◆ prior conclusion of a Section 75 Planning Obligation and/or other appropriate agreement between the Council, the applicant and the site owners to ensure that a financial contribution of £18,000 was made towards the provision of appropriate community facilities in the area
 - ◆ the applicant meeting the Council's legal costs associated with the Section 75 Obligation and/or other legal agreement
- (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 7 July 2015 (Paragraph 15)]

14 Urgent Business

There were no items of urgent business.