

PLANNING COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 6 November 2018

Chair:

Councillor Isobel Dorman (Depute)

Councillors Present:

Alex Allison, John Anderson (*substitute for Councillor Stevenson*), John Bradley, Walter Brogan, Archie Buchanan, Stephanie Callaghan, Margaret Cowie, Peter Craig (*substitute for Councillor Fulton*), Maureen Devlin, Mary Donnelly, Fiona Dryburgh, Mark Horsham, Martin Lennon, Richard Lockhart, Julia Marrs, Kenny McCreary, Lynne Nailon (*substitute for Councillor Nelson*), Carol Nugent, Graham Scott, David Shearer, Bert Thomson, Jim Wardhaugh, Sheena Wardhaugh

Councillors' Apologies:

Alistair Fulton (Chair), Ann Le Blond, Richard Nelson, John Ross (ex officio), Collette Stevenson

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, Public Relations Team Leader; P MacRae, Administration Officer; K McLeod, Administration Assistant; K Moore, Legal Services Adviser

1 Declaration of Interests

No interests were declared.

2 Minutes of Previous Meeting

The minutes of the meeting of the Planning Committee held on 25 September 2018 were submitted for approval as a correct record.

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

3 Application P/18/0656 - Section 42 Application to Vary Condition 3 of Planning Consent P/LK/01/88/0401 to Extend Opening Hours to 6.00am until 11.00pm Monday to Sunday at Northway Service Station, 87 Stewart Street, Carluke

A report dated 16 October 2018 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/18/0656 by MRH (GB) Limited for an application under Section 42 of the Town and Country Planning (Scotland) Act to vary Condition 3 of planning consent P/LK/01/88/0401 to extend the opening hours to 6.00am until 11.00pm Monday to Sunday at Northway Service Station, 87 Stewart Street, Carluke.

Points raised in late representations from Aileen Campbell, MSP, on behalf of constituents, and J Wright were referred to at the meeting and addressed by officers.

Councillor Dorman, seconded by Councillor Craig, moved that the application be granted subject to the conditions specified in the Executive Director's report. Councillor Shearer, seconded by Councillor Donnelly, moved as an amendment that the application be granted subject to the conditions specified in the Executive Director's report but that Condition 1 be amended to restrict the hours of operation on Saturdays and Sundays to 7.00am until 11.00pm. On a vote being taken by a show of hands, 18 members voted for the amendment and 4 for the motion. The amendment was declared carried.

The Committee decided:

that planning application P/18/0656 by MRH (GB) Limited for an application under Section 42 of the Town and Country Planning (Scotland) Act to vary Condition 3 of planning consent P/LK/01/88/0401 to extend the opening hours to 6.00am until 11.00pm at Northway Service Station, 87 Stewart Street, Carluke be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ an amendment to Condition 1 to restrict the hours of operation on Saturdays and Sundays to 7.00am until 11.00pm

4 Application HM/17/0533 for Erection of 49 Houses with Associated Roads and Infrastructure at Land North of Robert Smillie Primary School, Clare Crescent, Larkhall

A report dated 26 October 2018 by the Executive Director (Community and Enterprise Resources) was submitted on planning application HM/17/0533 by Lovell Partnership Limited for the erection of 49 houses with associated roads and infrastructure at land north of Robert Smillie Primary School, Clare Crescent, Larkhall.

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 HM/17/0533 by Lovell Partnership Limited for the erection of 49 houses with associated roads and infrastructure at land north of Robert Smillie Primary School, Clare Crescent, Larkhall 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 applicant and the site owner(s) to ensure that appropriate financial contributions were made at appropriate times during the development towards the provision of additional nursery, primary and secondary education accommodation, as appropriate
 - ◆ 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 24 March 2015 (Paragraph 15) and 7 July 2015 (Paragraph 15)]

5 Application P/18/0259 for a Residential Development (Planning Permission in Principle) at Site of Former Petrol Filling Station, 235 Stonelaw Road, Rutherglen

A report dated 17 October 2018 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/18/0259 by MRH (GB) Limited for a residential development (planning permission in principle) at the site of the former petrol filling station, 235 Stonelaw Road, Rutherglen.

The Committee decided: that planning application P/18/0259 by MRH (GB) Limited for a residential development (planning permission in principle) at the site of the former petrol filling station, 235 Stonelaw Road, Rutherglen be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of 6 November 2012 (Paragraph 7)]

6 Application HM/17/0512 for Erection of Extension to Existing Car Wash Structure (Retrospective) at Petrol Filling Station, 1 Machan Road, Larkhall

A report dated 10 October 2018 by the Executive Director (Community and Enterprise Resources) was submitted on planning application HM/17/0512 by H&M Valeting for the erection of an extension to an existing car wash structure (retrospective) at the petrol filling station, 1 Machan Road, Larkhall.

The Committee decided: that planning application HM/17/0512 by H&M Valeting for the erection of an extension to an existing car wash structure (retrospective) at the petrol filling station, 1 Machan Road, Larkhall be granted.

7 Application HM/17/0509 for Erection and Display of Advertisement Signage (Retrospective) at Petrol Filling Station, 1 Machan Road, Larkhall

A report dated 10 October 2018 by the Executive Director (Community and Enterprise Resources) was submitted on planning application HM/17/0509 by H&M Valeting for the erection and display of advertisement signage (retrospective) at the petrol filling station, 1 Machan Road, Larkhall.

The Committee decided: that planning application HM/17/0509 by H&M Valeting for the erection and display of advertisement signage (retrospective) at the petrol filling station, 1 Machan Road, Larkhall be granted subject to the conditions specified in the Executive Director's report.

8 Application P/18/1099 for Installation of Modular Self-Service Launderette (Retrospective) at Petrol Filling Station, 1 Machan Road, Larkhall

A report dated 10 October 2018 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/18/1099 by Photo-Me International plc for the installation of a modular self-service launderette (retrospective) at the petrol filling station, 1 Machan Road, Larkhall.

The Committee decided: that planning application P/18/1099 by Photo-Me International plc for the installation of a modular self-service launderette (retrospective) at the petrol filling station, 1 Machan Road, Larkhall be granted.

9 Application P/18/1041 for Erection of 287 Houses and Associated Works (Approval of Matters Specified in Conditions of Planning Consent CR/09/0139) at Land at Newton Farm, Pod 2I and 2J, Newton Avenue, Cambuslang

A report dated 10 October 2018 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/18/1041 by Taylor Wimpey West Scotland for the erection of 287 houses and associated works (approval of matters specified in conditions of planning consent CR/09/0139) at land at Newton Farm, Pod 2I and 2J, Newton Avenue, Cambuslang.

In response to a member's question, the Head of Planning and Economic Development advised that consideration would be given to ways of improving dissemination of information on planning gain and the resultant end use to local members.

The Committee decided: that planning application P/18/1041 by Taylor Wimpey West Scotland for the erection of 287 houses and associated works (approval of matters specified in conditions of planning consent CR/09/0139) at land at Newton Farm, Pod 2I and 2J, Newton Avenue, Cambuslang be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of 14 December 2010 (Paragraph 14)]

Councillor Buchanan left the meeting following consideration of the above application

10 Application P/18/0782 for Partial Change of Use of House to Boarding Kennels, Erection of 1.2 Metres High Timber Fence and Gates to Front of Property and Erection of Timber Stable Block at 65 Wilsontown Road, Wilsontown, Lanark

A report dated 11 October 2018 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/18/0782 by D Sitek for the partial change of use of a house to boarding kennels, erection of a 1.2 metres high timber fence and gates to the front of the property and the erection of a timber stable block at 65 Wilsontown Road, Wilsontown, Lanark.

Councillor Dorman, seconded by Councillor Craig, moved that the application be granted subject to the conditions specified in the Executive Director's report. Councillor Scott, seconded by Councillor Lockhart, moved as an amendment that consideration of the application be continued to a future meeting of the Committee to allow for further investigation to take place in respect of the proposal and for mitigation to be received from the applicant. On a vote being taken by a show of hands, 15 members voted for the amendment and 6 for the motion. The amendment was declared carried.

The Committee decided: that consideration of planning application P/18/0782 by D Sitek for the partial change of use of a house to boarding kennels, erection of a 1.2 metres high timber fence and gates to the front of the property and the erection of a timber stable block at 65 Wilsontown Road, Wilsontown, Lanark be continued to a future meeting of the Committee to allow for further investigation to take place in respect of the proposal and for mitigation to be received from the applicant.

Councillors Thomson and J and S Wardhaugh left the meeting following consideration of the above application

11 Application P/18/1133 for Change of Use of Shop (Class 1) to Hot Food Takeaway (Sui Generis) and Installation of Flue at Rear of Building at 39 The Murray Square, East Kilbride

A report dated 17 October 2018 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/18/1133 by Y Aziz for the change of use of a shop (Class 1) to a hot food takeaway (sui generis) and the installation of a flue at the rear of the building at 39 The Murray Square, East Kilbride.

The Committee decided: that planning application P/18/1133 by Y Aziz for the change of use of a shop (Class 1) to a hot food takeaway (sui generis) and the installation of a flue at the rear of the building at 39 The Murray Square, East Kilbride be granted subject to the conditions specified in the Executive Director's report.

12 Application CL/17/0400 for Change of Use of Agricultural Yard to Storage and Distribution Yard, Formation of Additional Hardstanding and Installation of Portable Office Buildings (Retrospective) at Townhead Farm, Ponfeigh Road, Sandilands, Lanark

The Chair advised that this application had been withdrawn at the request of the applicant.

The Committee decided: to note the position.

13 Application P/18/1217 for Change of Use and Conversion of Class 2 (Financial and Professional Services) and Class 11 (Assembly and Leisure) Units to Form 15 Flats and Expansion of Existing Commercial Unit at 4 to 12 St James Avenue, East Kilbride

A report dated 10 October 2018 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/18/1217 by CVO Limited for the change of use and conversion of Class 2 (financial and professional services) and Class 11 (assembly and leisure) units to form 15 flats and to expand an existing commercial unit at 4 to 12 St James Avenue, East Kilbride.

The Committee decided:

that planning application P/18/1217 by CVO Limited for the change of use and conversion of Class 2 (financial and professional services) and Class 11 (assembly and leisure) units to form 15 flats and to expand an existing commercial unit at 4 to 12 St James Avenue, East Kilbride be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of 20 June 2017 (Paragraph 6)]

14 Urgent Business

There were no items of urgent business.