

# PLANNING COMMITTEE

Minutes of meeting held via Microsoft Teams on 15 February 2022

## Chair:

Councillor Isobel Dorman

## Councillors Present:

Councillor Alex Allison, Councillor John Anderson, Councillor John Bradley, Councillor Walter Brogan (*substitute for Councillor Davie McLachlan*), Councillor Archie Buchanan, Councillor Jackie Burns, Councillor Gerry Convery (*substitute for Councillor Martin Lennon*), Councillor Margaret Cowie, Councillor Peter Craig, Councillor Maureen Devlin, Councillor Mary Donnelly, Councillor Lynsey Hamilton, Councillor Ian Harrow, Councillor Mark Horsham (Depute), Councillor Joe Lowe, Councillor Ian McAllan, Councillor Kenny McCreary (*substitute for Councillor Ann Le Blond*), Councillor Lynne Nailon, Councillor Carol Nugent, Councillor Graham Scott, Councillor David Shearer, Councillor Bert Thomson, Councillor Jim Wardhaugh

## Councillors' Apologies:

Councillor Fiona Dryburgh, Councillor Ann Le Blond, Councillor Martin Lennon, Councillor Davie McLachlan, Councillor John Ross (ex officio)

## Attending:

### Community and Enterprise Resources

B Darroch, Planning and Building Standards Manager (East); P Elliott, Head of Planning and Economic Development; T Finn, Planning and Building Standards Manager (Headquarters); F Jack, Team Leader, Development Management Team, Roads and Transportation Services; T Meikle, Planning and Building Standards Manager (West)

### Finance and Corporate Resources

M Cannon, Solicitor; J Davitt, Public Relations Officer; S Jessup and K McLeod, Administration Assistants; S McLeod, Administration Officer

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## 1 Declaration of Interests

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The following interest was declared:-

**Councillor(s)**  
Hamilton

**Item(s)**  
Application P/21/1697 for residential development (163 units) with associated car parking and access, SUDs features and associated works (approval of matters specified in conditions 1a, b, c, d, e, f, g, 3, 4a, b, c, 5a, b, c, 7, 8, 9, 10, 13, 14, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30, 31, 33, 35 and 36 of planning permission in principle (P/20/0542) at Philips, Wellhall Road, Hamilton

**Nature of Interest(s)**  
Family member made an observation on the application

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## 2 Minutes of Previous Meeting

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The minutes of the meeting of the Planning Committee held on 14 December 2021 were submitted for approval as a correct record.

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

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### **3 Application P/21/0210 for Erection of House at Land 46 Metres East of Inver Cottage, Carmunnock Road, East Kilbride**

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A report dated 24 January 2022 by the Interim Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/0210 by Mr and Mrs Brennan for the erection of a house at land 46 metres east of Inver Cottage, Carmunnock Road, East Kilbride.

The development constituted Development Contrary to the Development Plan and, as such, the Interim Executive Director (Community and Enterprise Resources) had recommended that the planning application be refused.

There followed a discussion on the application during which officers responded to members' questions on aspects of the report.

**The Committee decided:** that planning application P/21/0210 by Mr and Mrs Brennan for the erection of a house at land 46 metres east of Inver Cottage, Carmunnock Road, East Kilbride be refused for the reasons detailed in the Interim Executive Director's report.

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### **4 Application P/21/1525 for Construction and Operation of a Battery Energy Storage System for the Storage of Electricity, Including up to 24 Battery Storage Containers, Ancillary Infrastructure, Substation, Access Road, 2.4 Metre High Security Fencing, CCTV and Security Lighting at Land 70 Metres Southwest of Sanmex Buildings, Downiebrae Road, Rutherglen**

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A report dated 20 January 2022 by the Interim Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/1525 by EcoDev Group for the construction and operation of a battery energy storage system for the storage of electricity, including up to 24 battery storage containers, ancillary infrastructure, substation, access road, 2.4 metre high security fencing, CCTV and security lighting at land 70 metres southwest of Sanmex Buildings, Downiebrae Road, Rutherglen.

At its meeting on 14 December 2021, the Committee continued the consideration of the application to a future meeting on the grounds that further information was required on the impact on the travelling show people at Cuningar Estate and fire risk in relation to the proposed development.

Following discussion, during which officers responded to members' questions on various aspects of the report, Councillor Dorman seconded by Councillor Horsham, moved that the application be granted, subject to the conditions specified in the Interim Executive Director's report. Councillor Scott, seconded by Councillor Thomson, moved that the application be refused on the grounds of loss of amenity to local residents and impact on economic development. On a vote being taken by roll call, members voted as follows:-

#### **Motion**

Alex Allison, John Anderson, John Bradley, Archie Buchanan, Peter Craig, Mary Donnelly, Isobel Dorman, Ian Harrow, Mark Horsham, Joe Lowe, Ian McAllan, Kenny McCreary, Lynne Nailon, Carol Nugent, David Shearer, Jim Wardhaugh

#### **Amendment**

Walter Brogan, Jackie Burns, Gerry Convery, Margaret Cowie, Maureen Devlin, Lynsey Hamilton, Graham Scott, Bert Thomson

16 members voted for the motion and 8 for the amendment. The motion was declared carried.

**The Committee decided:** that planning application P/21/1525 by EcoDev Group for the construction and operation of a battery energy storage system for the storage of electricity, including up to 24 battery storage containers, ancillary infrastructure, substation, access road, 2.4 metre high security fencing, CCTV and security lighting at land 70 metres southwest of Sanmex Buildings, Downiebrae Road, Rutherglen be granted subject to the conditions specified in the Interim Executive Director's report.

*[Reference: Minutes of 14 December 2021 (Paragraph 6)]*

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#### **5 Application P/21/1474 for Erection of Extension to Existing Distribution Centre (Class 6) at Tradetam, Dale Avenue, Cambuslang**

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A report dated 4 February 2022 by the Interim Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/1474 by BMW (UK) Trustees Limited, c/o Legal and General for the erection of an extension to existing distribution centre (class 6) at Tradetam, Dale Avenue, Cambuslang.

There followed a discussion on the application during which an officer responded to a members' question on an aspect of the report.

**The Committee decided:** that planning application P/21/1474 by BMW (UK) Trustees Limited, c/o Legal and General for the erection of an extension to existing distribution centre (class 6) at Tradetam, Dale Avenue, Cambuslang be granted subject to the conditions specified in the Interim Executive Director's report.

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#### **6 Application P/21/1126 for Residential Development (203 Units) with Associated Roads, Footpaths, Open Space, Land Engineering Operations, Sustainable Drainage and Landscaping (Approval of Matters Specified in Conditions) at Land 185 Metres Northeast of Beechfield Manor, Meikle Earnock Road, Hamilton**

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A report dated 4 February 2022 by the Interim Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/1126 by Taylor Wimpey West Scotland and D R Lingard for the residential development (203 units) with associated roads, footpaths, open space, land engineering operations, sustainable drainage and landscaping (approval of matters specified in conditions) at land 185 metres northeast of Beechfield Manor, Meikle Earnock Road, Hamilton.

This development was located within the Hamilton Community Growth Area and would be covered by the Section 75 Planning Obligation relating to planning application HM/10/0052. The purpose of the Section 75 Planning Obligation had been to ensure the submission of an equitable financial contribution, on an agreed pro-rata basis, in relation to infrastructure and other costs associated with the Hamilton Community Growth Area, including roads infrastructure, education provision, community facilities and affordable housing.

There followed a discussion on the application during which officers responded to members' questions on aspects of the report.

**The Committee decided:**

that planning application P/21/1126 by Taylor Wimpey West Scotland and D R Lingard for the residential development (203 units) with associated roads, footpaths, open space, land engineering operations, sustainable drainage and landscaping (approval of matters specified in conditions) at land 185 metres northeast of Beechfield Manor, Meikle Earnock Road, Hamilton be granted subject to the conditions specified in the Interim Executive Director's report.

*[Reference: Minutes of 21 June 2011 (Paragraph 3)]*

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**7 Application P/21/1053 for Erection of Fence Within Front Garden of House (Retrospective) at 74 Kirkhill Gardens, Cambuslang**

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A report dated 20 January 2022 by the Interim Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/1053 by N Gray for the erection of a fence within the front garden of a house (retrospective) at 74 Kirkhill Gardens, Cambuslang.

A request for a hearing in respect of the application had been received, however, the application did not meet the criteria for a hearing.

There followed a full discussion on the application during which officers responded to members' questions on various aspects of the report.

**The Committee decided:**

that planning application P/21/1053 by N Gray for the erection of a fence within the front garden of a house (retrospective) at 74 Kirkhill Gardens, Cambuslang be granted subject to the conditions specified in the Interim Executive Director's report.

*In terms of Standing Order No 13, the Chair adjourned the meeting at 11.47am for a 13 minute period. The meeting recommenced at 12.00pm without the attendance of Councillors Brogan, Burns and Lowe*

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**8 Application P/21/1869 for Substitution of House Types and Erection of Additional 10 Houses (115 in Total) at Previously Approved Housing Development with Associated Landscaping and Parking (Amendment to CR/14/0155) (POD 2E) at Land 135 Metres Northwest of 1 Foxglove Grove, Harvester Avenue, Cambuslang**

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A report dated 4 February 2022 by the Interim Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/1869 by Barratt West Scotland for the substitution of house types and the erection of an additional 10 houses (115 in total) at a previously approved housing development with associated landscaping and parking (amendment to CR/14/0155) (POD 2E) at land 135 metres northwest of 1 Foxglove Grove, Harvester Avenue, Cambuslang.

There followed a discussion on the application during which officers responded to members' questions on aspects of the report.

**The Committee decided:**

that planning application P/21/1869 by Barratt West Scotland for the substitution of house types and the erection of an additional 10 houses (115 in total) at a previously approved housing development with associated landscaping and parking (amendment to CR/14/0155) (POD 2E) at land 135 metres northwest of 1 Foxglove Grove, Harvester Avenue, Cambuslang be granted subject to the conditions specified in the Interim Executive Director's report.

*[Reference: Minutes of 27 January 2015 (Paragraph 3)]*

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**9 Application P/21/1697 for Residential Development (163 Units) with Associated Car Parking and Access, SUDs Features and Associated Works (Approval of Matters Specified in Conditions 1a, b, c, d, e, f, g, 3, 4a, b, c, 5a, b, c, 7, 8, 9, 10, 13, 14, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30, 31, 33, 35 and 36 of Planning Permission in Principle (P/20/0542) at Philips, Wellhall Road, Hamilton**

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A report dated 3 February 2022 by the Interim Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/1697 by Lovell Partnerships Limited for a residential development (163 units) with associated car parking and access, SUDs features and associated works (approval of matters specified in conditions 1a, b, c, d, e, f, g, 3, 4a, b, c, 5a, b, c, 7, 8, 9, 10, 13, 14, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30, 31, 33, 35 and 36 of planning permission in principle (P/20/0542) at Philips, Wellhall Road, Hamilton.

There followed a discussion on the application during which officers responded to members' questions on aspects of the report.

**The Committee decided:**

that planning application P/21/1697 by Lovell Partnerships Limited for a residential development (163 units) with associated car parking and access, SUDs features and associated works (approval of matters specified in conditions 1a, b, c, d, e, f, g, 3, 4a, b, c, 5a, b, c, 7, 8, 9, 10, 13, 14, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30, 31, 33, 35 and 36 of planning permission in principle (P/20/0542) at Philips, Wellhall Road, Hamilton be granted subject to the conditions specified in the Interim Executive Director's report.

*[Reference: Minutes of 22 September 2020 (Paragraph 8)]*

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

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**10 Application P/21/1444 for Erection of Retail Unit (Class 1) with Associated Works at Site of Former Stuart Hotel, 2 Cornwall Way, East Kilbride**

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A report dated 25 January 2022 by the Interim Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/1444 by the Scotsman Group for the erection of a retail unit (Class 1) with associated works at the site of the former Stuart Hotel, 2 Cornwall Way, East Kilbride.

Points raised in further emails received from the applicant were referred to at the meeting and addressed by officers.

There followed a discussion on the application during which officers responded to members' questions on aspects of the report.

**The Committee decided:** that planning application P/21/1444 by the Scotsman Group for the erection of a retail unit (Class 1) with associated works at the site of the former Stuart Hotel, 2 Cornwall Way, East Kilbride be granted subject to the conditions specified in the Interim Executive Director's report.

*[Reference: Minutes of 22 September 2009 (Paragraph 5)]*

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#### **11 Application P/21/0604 for Erection of 1 'Off Grid' Holiday Cabin at Cleghorn Mains, Access from A706 to Cleghorn House, Cleghorn**

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A report dated 27 January 2022 by the Interim Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/0604 by the Cleghorn Farm Trust for the erection of 1 'off grid' holiday cabin at Cleghorn Mains, access from A706 to Cleghorn House, Cleghorn.

**The Committee decided:** that planning application P/21/0604 by the Cleghorn Farm Trust for the erection of 1 'off grid' holiday cabin at Cleghorn Mains, access from A706 to Cleghorn House, Cleghorn be granted subject to the conditions specified in the Interim Executive Director's report.

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#### **12 South Lanarkshire Local Development Plan 2 - Supporting Planning Guidance - Community Infrastructure Assessment**

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A report dated 4 February 2022 by the Interim Executive Director (Community and Enterprise Resources) was submitted on the preparation of Supporting Planning Guidance in relation to the South Lanarkshire Local Development Plan 2 (SLLDP2) on Community Infrastructure Assessment.

The purpose of the Supporting Planning Guidance (SPG) was to support the policy approach contained within the adopted SLLDP2 by providing more detailed information, guidance and advice.

Community Infrastructure Assessment was the process whereby the Council could seek financial contributions from developers where development proposals required capital or other works to enable the development to proceed by mitigating the impact on essential infrastructure. Details of the legislative and policy context of Community Infrastructure Assessment were provided in the report.

A review of the existing Community Infrastructure Assessment Supplementary Guidance had been carried out and the proposed Supporting Planning Guidance included the following changes:-

- ◆ reducing the threshold for seeking developers' financial contributions from developments comprising 20 or more units to developments comprising 5 or more units. Contributions would still not be sought from Registered Social Landlords in relation to affordable housing schemes and the 20 unit threshold would remain in place for affordable housing developments by private housebuilders, however, this position would be reviewed when the Council prepared the next Local Development Plan

- ◆ amendments to how Education Resources carried out the annual assessment of the need for additional educational accommodation
- ◆ inclusion of the requirement for developers to provide an Active Travel Plan, in respect of applications that required a Transport Assessment or Transport Statement, which demonstrated that the proposed development would promote opportunities for travel by sustainable travel modes. Applicants would require to demonstrate how their schemes would contribute to sustainable travel by either creating new or enhancing existing active travel networks, taking into account the Council's existing priorities, or providing associated facilities to support active travel. This might require developer contributions
- ◆ a new detailed methodology for identifying the need for contributions and, when appropriate, calculating the level of contributions required to address the impact of new development on existing community assets such as libraries and community halls
- ◆ the requirement for a contribution for improved library and/or hall provision would be established by comparing the current capacity of the library and population it served against the number of people likely to be generated by the new development. Where a new development placed demand on the facility above its physical capacity, a new building or an extension to an existing facility might be required. In addition, similar calculations could also be made in relation to library stock

If approved, the SPG would be published and made available for public consultation for a period of 6 weeks. Following the consultation process, a report would be submitted to this Committee on any comments received, the Council's response and any suggested amendments to the SPG. Subject to the Committee's approval, the SPG would become a material consideration in the determination of planning applications alongside the SLLDP2.

It was anticipated that further SPG would be produced for the Committee's future consideration in relation to:-

- ◆ Town and Neighbourhood Centres
- ◆ Residential Design Guide
- ◆ Rural Design and Landscape Impact
- ◆ Biodiversity
- ◆ Climate Change and Sustainability

There followed a discussion during which officers responded to members' questions on aspects of the report.

**The Committee decided:**

- (1) that the Supporting Planning Guidance on Community Infrastructure Assessment, attached as an appendix to the report, be approved;
- (2) that the Supporting Planning Guidance be published and made available for a 6 week period of public consultation; and
- (3) that the Head of Planning and Economic Development be authorised to undertake the appropriate procedures and to make drafting and technical changes to the Supporting Planning Guidance prior to its publication for consultation.

*[Reference: Minutes of 1 December 2020 (Paragraph 4)]*

*Councillors Buchanan, Cowie and Harrow left the meeting during consideration of the above item of business*

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**13 Urgent Business**

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There were no items of urgent business.