

PLANNING COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 1 November 2011

Chair:

Councillor Graham Scott

Councillors Present:

Alex Allison, Eileen Baxendale, Jackie Burns, Gordon Clark, Pam Clearie, Jim Docherty, Hugh Dunsmuir, Ian Gray, Jim Handibode, Bill Holman, Edward McAvoy, Clare McColl, Denis McKenna, Mary McNeill, Archie Manson, Patrick Ross-Taylor (Depute), Hamish Stewart, Chris Thompson, Jim Wardhaugh

Councillors' Apologies:

Archie Buchanan, Lesley McDonald, Alex McInnes

Attending:

Enterprise Resources

G Cameron, Headquarters Manager, Planning and Building Standards Services; T Finn, Area Manager, Planning and Building Standards Services (Clydesdale); S Laird, Transportation Engineer; M Little, Operations and Area Manager, Planning and Building Standards Services (Hamilton); M McGlynn, Head of Planning and Building Standards Services; T Meikle, Area Manager, Planning and Building Standards Services (Cambuslang/Rutherglen and East Kilbride); C Park, Engineering Manager; D Wilkins, Minerals Officer, Planning and Building Standards Services

Finance and Corporate Resources

K Bartie, Administration Assistant; L Carstairs, Public Relations Officer; P MacRae, Administration Officer

Death of Councillor Tommy Gilligan

The Chair referred to the death of Councillor Tommy Gilligan, an elected member for Council Electoral Ward 18 (Hamilton West and Earnock). As a mark of respect, all present stood and observed a minute's silence.

1 Declaration of Interests

The following interest was declared:-

Councillor(s)	Item(s)	Nature of Interest(s)
Manson	Application CL/10/0454 – Consolidation of 2 Extant Planning Consents Including Eastern Extension, Formation of Overburden Storage Area to the South, Establishment of Concrete Block Making Facility, Formation of New Site Access and Resultant Re-routing of Traffic at Dunduff Quarry, Lesmahagow	Previous expression of a view on the application

2 Minutes of Previous Meeting

The minutes of the meeting of the Planning Committee held on 20 September 2011 were submitted for approval as a correct record.

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

3 Application Hearing CL/10/0454 - Consolidation of 2 Extant Planning Consents Including Eastern Extension, Formation of Overburden Storage Area to the South, Establishment of Concrete Block Making Facility, Formation of New Site Access and Resultant Re-routing of Traffic at Dunduff Quarry, Lesmahagow

A report dated 24 October 2011 by the Executive Director (Enterprise Resources) was submitted on planning application CL/10/0454 by Patersons of Greenoakhill Limited for the consolidation of 2 extant planning consents including the eastern extension, formation of overburden storage area to the south, establishment of a concrete block making facility, formation of a new site access and resultant re-routing of traffic at Dunduff Quarry, Lesmahagow.

In view of the level of public interest in the proposal, the opportunity of a hearing had been offered to the objectors to the proposal and the applicant.

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

The Committee heard:-

- ◆ K Lindsay and G Stewart, on behalf of the applicant, and J Hamilton, Chair of the Blackwood and Kirkmuirhill Villages Co-ordination Group, on behalf of the supporters of the proposal
- ◆ A Cardwell, on behalf of Lesmahagow Community Council, and I Reid, objectors to the proposal

The application had been assessed against the relevant policies and criteria contained in the Adopted South Lanarkshire Minerals Local Plan, the Adopted South Lanarkshire Local Plan, the Proposed Minerals Local Development Plan and government advice/policy. Details of the assessment were provided in the report. It was considered that the proposal complied with the relevant policies and criteria contained in those documents.

The Committee decided:

- (1) that planning application CL/10/0454 by Patersons of Greenoakhill Limited for the consolidation of 2 extant planning consents including the eastern extension, formation of overburden storage area to the south, establishment of a concrete block making facility, formation of a new site access and resultant re-routing of traffic at Dunduff Quarry, Lesmahagow be granted subject to the conditions specified in the Executive Director's report with the following amendments:-
 - ◆ "Strathaven Road" to be deleted from Condition 22 and replaced with "Lesmahagow Road"
 - ◆ "08.00 hours" to be deleted from Condition 47 (b) and replaced with "07.00 hours"
 - ◆ "4 weeks" to be deleted from Condition 47 (c) and replaced with "8 weeks"
- (2) that a Stopping Up Order be promoted under Section 208 of the Town and Country Planning (Scotland) Act 1997 diverting the path located on the part of the site to be occupied by the proposed overburden tip, as shown on location plan KG168/L/F/02, at the applicant's expense and following payment by the applicant of the Council's estimated fees;
- (3) that, if no objections to the above Order were received, approval be given for any further action necessary to achieve confirmation of the Order; and

- (4) that approval be given to refer the Order to the Scottish Ministers for determination if no objections to the Order were received.

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

4 Application HM/10/0478 - Erection of 3 Wind Turbines, Modifications to Existing Access Track, Formation of New Track and New Access, Revised Cable Routes, New Anemometry Mast and Modifications to Sub-Station near Laigh Muirhouses Farm, Muttonhole Road, Hamilton

A report dated 19 October 2011 by the Executive Director (Enterprise Resources) was submitted on planning application HM/10/0478 by Blantyre Muir Wind Energy Limited for the erection of 3 wind turbines, modifications to existing access track, formation of a new track and new access, revised cable routes, new anemometry mast and modifications to the sub-station near Laigh Muirhouses Farm, Muttonhole Road, Hamilton.

The Committee decided:

that planning application HM/10/0478 by Blantyre Muir Wind Energy Limited for the erection of 3 wind turbines, modifications to existing access track, formation of a new track and new access, revised cable routes, new anemometry mast and modifications to the sub-station near Laigh Muirhouses Farm, Muttonhole Road, Hamilton be granted subject to:-

- ◆ the conditions specified in the Executive Director's report with the exception of Conditions 3 and 4 which were to be deleted
- ◆ prior conclusion of a Section 75 Obligation between the Council and the applicant to ensure that:-
 - ◆ up to 100% of the energy produced by the wind turbines was made available for use by the Hamilton International Technology Park
 - ◆ a bond was submitted for the restoration of the application site
 - ◆ agreement was reached on a financial contribution to the Council's Renewable Energy Fund

5 Application HM/11/0264 - Erection of 14.8 Metres Telecoms Mast and Associated Equipment at Morris Street, Hamilton

A report dated 14 October 2011 by the Executive Director (Enterprise Resources) was submitted on planning application HM/11/0264 by Vodafone Limited for the erection of a 14.8 metres telecoms mast and associated equipment at Morris Street, Hamilton.

The Committee decided:

that planning application HM/11/0264 by Vodafone Limited for the erection of a 14.8 metres telecoms mast and associated equipment at Morris Street, Hamilton be granted subject to the conditions specified in the Executive Director's report.

Councillor McAvoy left the meeting following consideration of this item

6 Application CL/11/0354 - Demolition of Existing School and Erection of Replacement 2 Classroom Primary School at Coulter Primary School, Birthwood Road, Coulter

A report dated 14 October 2011 by the Executive Director (Enterprise Resources) was submitted on planning application CL/11/0354 by South Lanarkshire Council for the demolition of the existing school and the erection of a replacement 2 classroom primary school at Coulter Primary School, Birthwood Road, Coulter.

The Committee decided: that planning application CL/11/0354 by South Lanarkshire Council for the demolition of the existing school and the erection of a replacement 2 classroom primary school at Coulter Primary School, Birthwood Road, Coulter be granted subject to the conditions specified in the Executive Director's report.

7 Application HM/11/0353 - Erection of Replacement Primary School and Nursery at Quarter Primary School, Limekilnburn Road, Quarter

A report dated 19 October 2011 by the Executive Director (Enterprise Resources) was submitted on planning application HM/11/0353 by South Lanarkshire Council for the erection of a replacement primary school and nursery at Quarter Primary School, Limekilnburn Road, Quarter.

The Committee decided: that planning application HM/11/0353 by South Lanarkshire Council for the erection of a replacement primary school and nursery at Quarter Primary School, Limekilnburn Road, Quarter be granted subject to the conditions specified in the Executive Director's report.

8 Application CL/11/0398 - Demolition of Storage Building/Workshop and Erection of Hall for Public Worship, Religious Instruction and Social Activities of a Religious Body with Associated Car Parking at Land Adjacent to Castlehill Bowling Club, Belstane Road, Carluke

A report dated 24 October 2011 by the Executive Director (Enterprise Resources) was submitted on planning application CL/11/0398 by P Sanderson for the demolition of a storage building/workshop and the erection of a hall for public worship, religious instruction and social activities of a religious body with associated car parking at land adjacent to Castlehill Bowling Club, Belstane Road, Carluke.

The Committee decided: that planning application CL/11/0398 by P Sanderson for the demolition of a storage building/workshop and the erection of a hall for public worship, religious instruction and social activities of a religious body with associated car parking at land adjacent to Castlehill Bowling Club, Belstane Road, Carluke be granted subject to the conditions specified in the Executive Director's report.

9 Application CR/11/0105 - Erection of 8 x 1 Bed and 20 x 2 Bed Amenity Flats with Associated Parking and Landscaping (Flats for Older and Ambulant Disabled Residents) at 260 Hamilton Road, Cambuslang

A report dated 19 October 2011 by the Executive Director (Enterprise Resources) was submitted on planning application CR/11/0105 by West of Scotland Housing Association for the erection of 8 x 1 bed and 20 x 2 bed amenity flats with associated parking and landscaping (flats for older and ambulant disabled residents) at 260 Hamilton Road, Cambuslang.

The Committee decided: that planning application CR/11/0105 by West of Scotland Housing Association for the erection of 8 x 1 bed and 20 x 2 bed amenity flats with associated parking and landscaping (flats for older and ambulant disabled residents) at 260 Hamilton Road, Cambuslang be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of 10 February 2009 (Paragraph 6)]

10 Application CL/11/0306 - Restoration and Internal and External Repairs, Including Installation of Disabled Toilet and Demolition of Bothy on Rear Elevation at Murray Memorial Chapel, Hyndford Road, Lanark

A report dated 24 October 2011 by the Executive Director (Enterprise Resources) was submitted on planning application CL/11/0306 by South Lanarkshire Council for the restoration and internal and external repairs, including installation of a disabled toilet and demolition of a bothy on the rear elevation at Murray Memorial Chapel, Hyndford Road, Lanark.

The Committee decided: that planning application CL/11/0306 by South Lanarkshire Council for the restoration and internal and external repairs, including installation of a disabled toilet and demolition of a bothy on the rear elevation at Murray Memorial Chapel, Hyndford Road, Lanark be granted subject to the conditions specified in the Executive Director's report.

11 Application CL/11/0314 - Restoration and Internal and External Repairs and Demolition of Bothy on Rear Elevation (Listed Building Consent) at Murray Memorial Chapel, Hyndford Road, Lanark

A report dated 24 October 2011 by the Executive Director (Enterprise Resources) was submitted on planning application CL/11/0314 by South Lanarkshire Council for the restoration and internal and external repairs and demolition of a bothy on the rear elevation (listed building consent) at Murray Memorial Chapel, Hyndford Road, Lanark.

The Committee decided: that planning application CL/11/0314 by South Lanarkshire Council for the restoration and internal and external repairs and demolition of a bothy on the rear elevation (listed building consent) at Murray Memorial Chapel, Hyndford Road, Lanark be granted subject to:-

- ◆ the conditions specified in the Executive Director's report

- ◆ referral of the application to the Scottish Ministers as the proposal related to works affecting a Category A listed building

Councillor J Wardhaugh left the meeting following consideration of this item

12 Application CR/11/0106 - Removal of Condition 3 of Planning Consent CR/01/0207 at Rear of Small Flatted Block at Stonelaw Towers, Rutherglen

A report dated 18 October 2011 by the Executive Director (Enterprise Resources) was submitted on planning application CR/11/0106 by Stonelaw Towers Residents for the removal of Condition 3 of planning consent CR/01/0207 to allow the gate associated with the bin store area to be locked or secured in the closed position at the rear of the small flatted block at Stonelaw Towers, Rutherglen.

The Committee heard Councillor B McKenna, a local member.

The Committee decided: that planning application CR/11/0106 by Stonelaw Towers Residents for the removal of Condition 3 of planning consent CR/01/0207 to allow the gate associated with the bin store area to be locked or secured in the closed position at the rear of the small flatted block at Stonelaw Towers, Rutherglen be granted subject to the conditions specified in the Executive Director's report.

13 Application HM/11/0341 - Erection of 3 Industrial Units, Associated Service Yard and Parking at Bothwell Industrial Estate, Wilkie Road, Uddingston

A report dated 19 October 2011 by the Executive Director (Enterprise Resources) was submitted on planning application HM/11/0341 by South Lanarkshire Council for the erection of 3 industrial units, associated service yard and parking at Bothwell Industrial Estate, Wilkie Road, Uddingston.

The Committee decided: that planning application HM/11/0341 by South Lanarkshire Council for the erection of 3 industrial units, associated service yard and parking at Bothwell Industrial Estate, Wilkie Road, Uddingston be granted subject to the conditions specified in the Executive Director's report.

14 Application EK/10/0436 - Demolition of Existing Outbuildings and Stable Block and Erection of 2 Houses (Planning Permission in Principle) at Newtonside, Newton Road, Strathaven

A report dated 25 October 2011 by the Executive Director (Enterprise Resources) was submitted on planning application EK/10/0436 by B Auld for the demolition of existing outbuildings and stable block and the erection of 2 houses (planning permission in principle) at Newtonside, Newton Road, Strathaven.

The application had been assessed against the relevant policies and criteria contained in the Adopted South Lanarkshire Local Plan and government advice/policy. Details of the assessment were provided in the report. The development constituted Development Contrary to the Development Plan, however, it was not considered that the proposal was significantly contrary to the Development Plan.

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 included the demolition of existing buildings and replacement with houses of a similar footprint
- ◆ the proposal developed the existing building pattern on site to form a traditional steading layout
- ◆ the proposal was acceptable in terms of layout, amenity and road safety
- ◆ the proposal complied with Policies DM1, ENV30, ENV31, ENV34 and ENV36 of the South Lanarkshire Local Plan

The Committee decided: that planning application EK/10/0436 by B Auld for the demolition of existing outbuildings and stable block and the erection of 2 houses (planning permission in principle) at Newtonside, Newton Road, Strathaven be granted subject to the conditions specified in the Executive Director's report.

15 Application HM/11/0303 - Erection of Building to Contain Switchroom and Installation of 2.5 Metres High Boundary Fence at Burnbank Sub-Station, High Blantyre Road, Hamilton

A report dated 14 October 2011 by the Executive Director (Enterprise Resources) was submitted on planning application HM/11/0303 by SP Distribution Limited for the erection of a building to contain a switchroom and the installation of a 2.5 metres high boundary fence at Burnbank Sub-Station, High Blantyre Road, Hamilton.

The Committee decided: that planning application HM/11/0303 by SP Distribution Limited for the erection of a building to contain a switchroom and the installation of a 2.5 metres high boundary fence at Burnbank Sub-Station, High Blantyre Road, Hamilton be granted subject to the conditions specified in the Executive Director's report.

16 Application EK/11/0199 - Erection of 1½ Storey House at Vacant Plot Adjacent to Springside Farm, Stonehouse Road, Sandford

A report dated 14 October 2011 by the Executive Director (Enterprise Resources) was submitted on planning application EK/11/0199 by Paterson Partners for the erection of a 1½ storey house at a vacant plot adjacent to Springside Farm, Stonehouse Road, Sandford.

The application had been assessed against the relevant policies and criteria contained in the Adopted South Lanarkshire Local Plan. Details of the assessment were provided in the report. The development constituted Development Contrary to the Development Plan, however, it was not considered that the proposal was significantly contrary to the Development Plan.

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 complied with the criteria for new housing set out in Policy CRE1 of the Adopted South Lanarkshire Local Plan
- ◆ the proposal conformed with the existing street pattern in Sandford and consolidated the village settlement

- ◆ the proposal was of a high standard of design and used quality materials
- ◆ there were no significant infrastructure implications

The Committee decided: that planning application EK/11/0199 by Paterson Partners for the erection of a 1½ storey house at a vacant plot adjacent to Springside Farm, Stonehouse Road, Sandford be granted subject to the conditions specified in the Executive Director's report.

17 Residential Development at Ashgillhead Road, Shawsburn (Planning Consent HM/10/0429) - Proposed Section 75 Obligation

A report dated 12 October 2011 by the Executive Director (Enterprise Resources) was submitted on a proposed Section 75 Obligation in relation to a residential development at Ashgillhead Road, Shawsburn (planning consent HM/10/0429).

At its meeting on 24 May 2011, the Committee approved planning application HM/10/0429 for a residential development at Ashgillhead Road, Shawsburn subject to conditions. The Committee also agreed that consent be withheld pending:-

- ◆ submission by the applicant of a commuted sum equivalent to the cost of 25% of the site's overall capacity in the form of serviced land for the provision of affordable housing by the Council or a Registered Social Landlord (RSL)
- ◆ a financial contribution of £24,000 by the applicant for the improvement of existing recreational activities in the area
- ◆ agreement on and the submission of a landscaping bond by the applicant

In light of the economic downturn and in view of the fact that they would no longer be the site developer, the applicants, Paradigm Real Estate Managers Limited, had requested that the Council consider addressing the payment of the commuted sum, the financial contribution and the submission of a landscaping bond through a Section 75 Obligation.

The Committee decided:

- (1) that a Section 75 Obligation be concluded between Paradigm Real Estate Managers Limited and the Council to ensure:-
 - ◆ payment by the applicants of a commuted sum equivalent to the cost of 25% of the site's overall capacity in the form of serviced land for the provision of affordable housing by the Council or a Registered Social Landlord (RSL)
 - ◆ a financial contribution of £24,000 by the applicants for the improvement of existing recreational activities in the area
 - ◆ submission of a landscaping bond by the applicants
- (2) that Council's legal costs associated with the Section 75 Obligation be met by the applicant.

[Reference: Minutes of 24 May 2011 (Paragraph 10)]

18 Demolition of Doctors' Surgery, Erection of 2 Storey, 30 Bed Care Home with Ancillary Accommodation, Additional Car Parking and Diversion of Footpath (Planning Consent HM/10/0156) at Croftbank House, Old Mill Road, Uddingston

A report dated 25 October 2011 by the Executive Director (Enterprise Resources) was submitted on the referral to Scottish Ministers of:-

- ◆ a Stopping Up Order at Old Mill Road, Uddingston
- ◆ a Revocation Order in relation to planning consent HM/09/0116

At its meeting on 24 May 2011, the Committee approved planning application HM/10/0156 for the demolition of a doctors' surgery, erection of a 2 storey, 30 bed care home with ancillary accommodation, additional car parking and diversion of footpath, with the implementation of a Stopping Up Order to divert the path between Simpson Court and Old Mill Road, Uddingston. The Committee also agreed to authorise the promotion of a Revocation Order to revoke an existing planning consent (HM/09/0116) as it related to an extension to the existing care home which could not be implemented in addition to planning consent HM/10/0156.

22 letters of objection had been received in connection with the proposed Stopping Up Order and it was considered necessary, in terms of planning legislation, to refer the Order to the Scottish Ministers.

Revocation of planning consent HM/09/0116 would depend on the decision taken by the Scottish Ministers in relation to the Stopping Up Order. If the Stopping Up Order was successful, planning consent HM/10/0156 could be implemented and the Revocation Order would be required. If objections to that Order were received, it would require to be referred to the Scottish Ministers. Approval was requested to refer the Revocation Order to the Scottish Ministers if objections to the Order were received.

The Committee decided:

- (1) that the Stopping Up Order, under Section 208 of the Town and Country Planning (Scotland) Act 1997, diverting the path between Simpson Court and Old Mill Road, Uddingston to run along the west boundary of the application site, as shown on location plan 01 attached to the Executive Director's report, be referred to the Scottish Ministers on the basis that objections had been received to this Order;
- (2) that the Revocation Order, under Sections 65 and 67 of the Town and Country Planning (Scotland) Act 1997, in relation to the revocation of planning consent HM/09/0116, be referred to the Scottish Ministers if objections to the Order were received; and
- (3) that the Council's legal costs associated with the Stopping Up Order and the Revocation Order be met by the applicant.

[Reference: Minutes of 24 May 2011 (Paragraph 6)]

19 Urgent Business

There were no items of urgent business.