

PLANNING COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 20 September 2011

Chair:

Councillor Graham Scott

Councillors Present:

Alex Allison, Eileen Baxendale, Archie Buchanan, Jackie Burns, Gordon Clark, Pam Clearie, Jim Docherty, Hugh Dunsmuir, Tommy Gilligan, Ian Gray, Jim Handibode, Bill Holman, Archie Manson, Lesley McDonald, Alex McInnes, Denis McKenna, Mary McNeill, Patrick Ross-Taylor (Depute), Hamish Stewart, Chris Thomson, Jim Wardhaugh

Councillors' Apologies:

Edward McAvoy, Clare McColl

Attending:

Finance and Corporate Resources

L Carstairs, Public Relations Officer; P MacRae, Administration Officer

Enterprise Resources

G Cameron, Headquarters Manager, Planning and Building Standards Services; S Clark, Planning Team Leader (Hamilton); T Finn, Area Manager, Planning and Building Standards Services (Clydesdale); S Laird, Transportation Engineer; T Meikle, Area Manager, Planning and Building Standards Services (Cambuslang/Rutherglen and East Kilbride); A McGibbon, Planning Officer; M McGlynn, Head of Planning and Building Standards Services

1 Declaration of Interests

No interests were declared.

2 Minutes of Previous Meeting

The minutes of the meeting of the Planning Committee held on 23 August 2011 were submitted for approval as a correct record.

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

3 Application Hearing CR/11/0124 - Erection of 15 Metres Telecommunications Monopole with 3 Antennas and Associated Equipment Cabinet at Cathkin Bypass, off Burnside Road, Cathkin

A report dated 31 August 2011 by the Executive Director (Enterprise Resources) was submitted on planning application CR/11/0124 by Vodafone Limited for the erection of a 15 metres telecommunications monopole with 3 antennas and associated equipment cabinet at Cathkin Bypass, off Burnside Road, Cathkin.

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 further, late letter of representation from Bob Doris, MSP, were referred to at the meeting and addressed by officers.

The Committee heard:-

- ◆ A Osborne, on behalf of the applicant
- ◆ E Bland, J Gaw and M Theobald, on behalf of the objectors to the proposal

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. It was considered that the proposal complied with the relevant policies contained in the Adopted South Lanarkshire Local Plan.

Councillor Scott, seconded by Councillor Ross-Taylor, moved that the application be granted subject to the conditions specified in the Executive Director's report. Councillor Baxendale, seconded by Councillor Clark, moved that the application be refused. On a vote being taken by a show of hands, 4 members voted for the amendment and 18 for the motion which was declared carried.

The Committee decided: that planning application CR/11/0124 by Vodafone Limited for the erection of a 15 metres telecommunications monopole with 3 antennas and associated equipment cabinet at Cathkin Bypass, off Burnside Road, Cathkin be granted subject to the conditions specified in the Executive Director's report.

4 Application HM/11/0153 - Erection of 5 Detached Houses (Planning Permission in Principle) at Land off Avonbank Road, Larkhall

A report dated 30 August 2011 by the Executive Director (Enterprise Resources) was submitted on planning application HM/11/0153 by A Murray for the erection of 5 detached houses (planning permission in principle) at land off Avonbank Road, Larkhall.

Points raised in a further, late response from Larkhall Community Council were referred to at the meeting and addressed by officers.

A request for a hearing had been received from objectors to the proposal, however, the application did not meet the criteria for a hearing.

The Committee decided: that planning application HM/11/0153 by A Murray for the erection of 5 detached houses (planning permission in principle) at land off Avonbank Road, Larkhall be granted subject to the conditions specified in the Executive Director's report.

5 Application CL/11/0278 - Residential Development and Associated Road Upgrade (Planning Permission in Principle) at Land off Bellefield Road, Lanark

A report dated 9 September 2011 by the Executive Director (Enterprise Resources) was submitted on planning application CL/11/0278 by Marchstone Bellefield Limited for a residential development and associated road upgrade (planning permission in principle) at land off Bellefield Road, Lanark.

Points raised in a further, late representation from Mr and Mrs Castle 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 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 would consolidate the established pattern of residential development that had emerged within the vicinity of the site
- ◆ the woodland backdrop would visually integrate the site with its surroundings and prevent an adverse impact on the landscape character of the area
- ◆ the upgrading of Bellefield Road would benefit the local community in terms of improved road safety
- ◆ the proposal would bring forward a housing site in the absence of other identified sites being fully developed
- ◆ there would not be an adverse impact on the amenity and character of the surrounding area
- ◆ the access to the marchstones within and on adjoining land would be improved
- ◆ there were no significant infrastructure implications

The Committee decided: that planning application CL/11/0278 by Marchstone Bellefield Limited for a residential development and associated road upgrade and (planning permission in principle) at land off Bellefield Road, Lanark be granted subject to the conditions specified in the Executive Director's report.

6 Application HM/07/0048 - Residential Development of 205 Units (176 Flats and 29 Townhouses), Associated Landscaping and Road Works at Former Holy Cross High School, Muir Street, Hamilton

A report dated 13 September 2011 by the Executive Director (Enterprise Resources) was submitted on planning application HM/07/0048 by Barratt West Scotland for a residential development of 205 units (176 flats and 29 townhouses), associated landscaping and road works at the former Holy Cross High School, Muir Street, Hamilton.

The Committee decided: that planning application HM/07/0048 by Barratt West Scotland for a residential development of 205 units (176 flats and 29 townhouses), associated landscaping and road works at the former Holy Cross High School, Muir Street, Hamilton be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ prior conclusion of a Section 75 Obligation between the Council and the applicant to ensure the phased submission of a financial contribution of £205,000 by the applicant to address non-provision of play facilities

[Reference: Minutes of 23 November 2004 (Paragraph 4)]

7 Application EK/11/0168 - Provision of 15 House Plots and Associated Roads Infrastructure at West End Farm, Eaglesham Road, Jackton

A report dated 6 September 2011 by the Executive Director (Enterprise Resources) was submitted on planning application EK/11/0168 by C O'Donnell for the provision of 15 house plots and associated roads infrastructure at West End Farm, Eaglesham Road, Jackton.

The Committee decided: that planning application EK/11/0168 by C O'Donnell for the provision of 15 house plots and associated roads infrastructure at West End Farm, Eaglesham Road, Jackton be granted subject to the conditions specified in the Executive Director's report.

8 Application CR/10/0248 - Mixed Use Development Comprising a Retail Unit, 27 Flats and Associated Access, Parking and External Works (Planning Permission in principle) at 200 Cambuslang Road, Rutherglen

A report dated 13 September 2011 by the Executive Director (Enterprise Resources) was submitted on planning application CR/10/0248 by Richmond Park Properties Limited for a mixed use development comprising a retail unit (1625 square metres), 27 flats and associated access, parking and external works (planning permission in principle) at 200 Cambuslang Road, Rutherglen.

The application had been assessed against the relevant policies and criteria contained in the Adopted South Lanarkshire Local Plan, the Glasgow and Clyde Valley Joint Structure 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 could be justified against the Glasgow and Clyde Valley Joint Structure Plan and the Adopted South Lanarkshire Local Plan
- ◆ the proposal would result in the redevelopment of vacant and derelict land
- ◆ the development of the site would deliver significant decontamination and improvements to a heavily contaminated site
- ◆ the proposal was consistent with the aims and objectives of the Clyde Gateway Metropolitan Flagship Initiative to regenerate and improve the area and provide new homes and jobs within the project area

The Committee decided: that planning application CR/10/0248 by Richmond Park Properties Limited for a mixed use development comprising a retail unit (1625 square metres), 27 flats and associated access, parking and external works (planning permission in principle) at 200 Cambuslang Road, Rutherglen be granted subject to the conditions specified in the Executive Director's report.

9 Application HM/11/0306 - Residential Development (25 Units) at Thorn Avenue, Hamilton

A report dated 13 September 2011 by the Executive Director (Enterprise Resources) was submitted on planning application HM/11/0306 by Miller Homes Limited for a residential development (25 units) at Thorn Avenue, Hamilton.

The Committee decided: that planning application HM/11/0306 by Miller Homes Limited for a residential development (25 units) at Thorn Avenue, Hamilton be granted subject to the conditions specified in the Executive Director's report.

10 Application CR/11/0149 - Installation of Fencing to Increase Height of Part of Perimeter Fence from 1.8 Metres to 2.4 Metres at St Charles' Primary School, Harvester Avenue, Newton, Cambuslang

A report dated 6 September 2011 by the Executive Director (Enterprise Resources) was submitted on planning application CR/11/0149 by South Lanarkshire Council for the installation of fencing to increase the height of part of the perimeter fence from 1.8 metres to 2.4 metres at St Charles' Primary School, Harvester Avenue, Newton, Cambuslang.

The Committee decided: that planning application CR/11/0149 by South Lanarkshire Council for the installation of fencing to increase the height of part of the perimeter fence from 1.8 metres to 2.4 metres at St Charles' Primary School, Harvester Avenue, Newton, Cambuslang be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of 1 December 2009 (Paragraph 7)]

11 Application CL/07/0454 - Erection and Operation of 14 Wind Turbines, Site Control Building, Siting of Meteorological Mast, Formation of Access Tracks and Ancillary Infrastructure at Andershaw Forest, South of Douglas

A report dated 12 September 2011 by the Executive Director (Enterprise Resources) was submitted on planning application CL/07/0454 by Catamount Energy Limited for the erection and operation of 14 wind turbines, site control building, siting of meteorological mast, formation of access tracks and ancillary infrastructure at Andershaw Forest, south of Douglas.

In terms of the Environmental Impact Assessment (Scotland) Regulations 1999, reasons required to be given for approving planning applications which had been submitted with an Environmental Statement. The application was considered acceptable on the basis of the following:-

- ◆ the application was consistent with the Structure and Local Plan, Strategic Development Plan and Supplementary Planning Guidance on Renewable Energy
- ◆ the proposal was consistent with relevant government guidance

The Committee decided: that planning application CL/07/0454 by Catamount Energy Limited for the erection and operation of 14 wind turbines, site control building, siting of meteorological mast, formation of access tracks and ancillary infrastructure at Andershaw Forest, south of Douglas be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ prior conclusion of a legal agreement between the Council and the applicant to ensure:-
 - ◆ submission of a bond for the restoration and aftercare of the site

- ◆ a contribution to the Council's Renewable Energy Fund
- ◆ provision of an Ecological Clerk of Works
- ◆ funding of a Planning Monitoring Officer
- ◆ control over turbine transportation and the repair of any damage to roads arising from extraordinary wear and tear associated with the development
- ◆ referral of the application to the Scottish Ministers as an objection had been received from National Air Traffic Services Limited

12 Application EK/11/0246 - Change of Use from Agricultural Land to Private Garden Ground, Erection of Rear Retaining Wall, Timber Fence, Gate and Railings and Erection of Front Wall, Pillars and Gate (Amendment to Planning Consent EK/10/0316) at Crowhills Cottage, Chapelton

A report dated 13 September 2011 by the Executive Director (Enterprise Resources) was submitted on planning application EK/11/0246 by J Curran for the change of use from agricultural land to private garden ground, erection of a rear retaining wall, timber fence, gate and railings and erection of a front wall, pillars and gate (amendment to planning consent EK/10/0316) at Crowhills Cottage, Chapelton.

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 complied with policies DM1 and ENV34 of the Adopted South Lanarkshire Local Plan
- ◆ the proposal was not considered to compromise the character of the surrounding rural area
- ◆ the proposal would have no adverse impact on residential or visual amenity
- ◆ the proposal was an extension to an existing residential property

The Committee decided: that planning application EK/11/0246 by J Curran for the change of use from agricultural land to private garden ground, erection of a rear retaining wall, timber fence, gate and railings and erection of a front wall, pillars and gate (amendment to planning consent EK/10/0316) at Crowhills Cottage, Chapelton be granted subject to the conditions specified in the Executive Director's report.

13 Application HM/11/0251 - Change of Use of Existing Shop Unit to Restaurant with Flue to Rear and Alterations to Shop Front at 6 to 10 Union Street, Larkhall

A report dated 13 September 2011 by the Executive Director (Enterprise Resources) was submitted on planning application HM/11/0251 by K Kaur for the change of use of an existing shop unit to a restaurant with a flue to the rear and alterations to the shop front at 6 to 10 Union Street, Larkhall.

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 Policies COM1 and DM1 of the Adopted South Lanarkshire Local Plan
- ◆ the proposal would secure the re-use of a unit which had been vacant for approximately 3 years
- ◆ the proposal was not considered to adversely affect the amenity or vitality and viability of the surrounding area
- ◆ there were no significant infrastructure implications

The Committee decided: that planning application HM/11/0251 by K Kaur for the change of use of an existing shop unit to a restaurant with a flue to the rear and alterations to the shop front at 6 to 10 Union Street, Larkhall be granted subject to the conditions specified in the Executive Director's report.

14 Application EK/11/0231 - Erection of 14.8 Metres Telecommunications Monopole and Associated Equipment Cabinet/Ancillary Development at Mossneuk Road, East Kilbride

A report dated 2 September 2011 by the Executive Director (Enterprise Resources) was submitted on planning application EK/11/0231 by O2/Vodafone for the erection of a 14.8 metres telecommunications monopole and associated equipment cabinet/ancillary development at Mossneuk Road, East Kilbride.

The Committee heard Councillors Simpson and Watson, local members.

Councillor Scott, seconded by Councillor Ross-Taylor, moved that the application be granted subject to the conditions specified in the Executive Director's report. Councillor Clark, seconded by Councillor Buchanan, moved that the application be refused. On a vote being taken by a show of hands, 5 members voted for the amendment and 15 for the motion which was declared carried.

The Committee decided: that planning application EK/11/0231 by O2/Vodafone for the erection of a 14.8 metres telecommunications monopole and associated equipment cabinet/ancillary development at Mossneuk Road, East Kilbride be granted subject to the conditions specified in the Executive Director's report.

15 Application EK/11/0238 - Erection of 17.5 Metres Telecommunications Monopole, 2 Associated Equipment Cabinets and 1 Meter Pillar at Pavement at Calderwood Road, East of Whitemoss Roundabout, East Kilbride

A report dated 6 September 2011 by the Executive Director (Enterprise Resources) was submitted on planning application EK/11/0238 by O2/Vodafone for the erection of a 17.5 metres telecommunications monopole, 2 associated equipment cabinets and 1 meter pillar at a pavement at Calderwood Road, east of Whitemoss Roundabout, East Kilbride.

The Committee decided:

that planning application EK/11/0238 by O2/Vodafone for the erection of a 17.5 metres telecommunications monopole, 2 associated equipment cabinets and 1 meter pillar at a pavement at Calderwood Road, east of Whitemoss Roundabout, East Kilbride be granted subject to the conditions specified in the Executive Director's report.

16 Urgent Business

There were no items of urgent business.