

# PLANNING COMMITTEE

Minutes of meeting held via Microsoft Teams on 26 January 2021

## **Chair:**

Councillor Isobel Dorman

## **Councillors Present:**

Councillor Alex Allison, Councillor John Bradley, Councillor Archie Buchanan, Councillor Stephanie Callaghan, Councillor Margaret Cowie, Councillor Peter Craig, Councillor Maureen Devlin, Councillor Mary Donnelly, Councillor Fiona Dryburgh, Councillor Allan Falconer (*substitute for Councillor Lynsey Hamilton*), Councillor Ian Harrow, Councillor Mark Horsham (Depute), Councillor Ann Le Blond, Councillor Martin Lennon, Councillor Richard Lockhart, Councillor Davie McLachlan, Councillor Lynne Nailon, Councillor Carol Nugent, Councillor Graham Scott, Councillor David Shearer, Councillor Collette Stevenson, Councillor Bert Thomson, Councillor Jim Wardhaugh

## **Councillors' Apologies:**

Councillor Lynsey Hamilton, Councillor Joe Lowe, Councillor John Ross (ex officio)

## **Councillor Also Attending:**

Councillor Monique McAdams

## **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**

J Burke, Administration Assistant; L Carstairs, Public Relations Officer; P MacRae, Administration Adviser; G McCann, Head of Administration and Legal Services; G Stewart, Solicitor

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## **Opening Remarks**

At the request of the Chair, the Head of Planning and Economic Development advised the Committee of the sad death of Gail Rae, Planning Team Leader. Sincere condolences were extended to Gail's family and, as a mark of respect, all present observed a minute's silence.

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## **1 Declaration of Interests**

No interests were declared.

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## **2 Minutes of Previous Meeting**

The minutes of the meeting of the Planning Committee held on 1 December 2020 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/20/0382 for Erection of Two Storey Rear Extension and Upper Floor Side/Front Extension at 38 Castle Wynd, Bothwell**

A report dated 5 January 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/20/0382 by G Williamson and R Paterson for the erection of a two storey rear extension and upper floor side/front extension at 38 Castle Wynd, Bothwell.

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

**The Committee decided:** that planning application P/20/0382 by G Williamson and R Paterson for the erection of a two storey rear extension and upper floor side/front extension at 38 Castle Wynd, Bothwell be granted subject to the conditions specified in the Executive Director's report.

*[Reference: Minutes of 1 December 2020 (Paragraph 3)]*

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## **4 Application P/20/1180 for Sub-division of Garden Ground and Erection of a Single Storey Detached House and Associated Parking at 55 Dunedin Drive, East Kilbride**

A report dated 6 January 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/20/1180 by Mr and Mrs Robertson for the sub-division of garden ground and erection of a single storey detached house and associated parking at 55 Dunedin Drive, East Kilbride.

At its meeting on 1 December 2020, the Committee continued consideration of the application to a future meeting to allow a further site visit and meeting between the applicants and Planning Officers to take place. This site visit had taken place on 15 December 2020 and the applicants had also submitted an additional statement in support of the application, together with a letter setting out health issues which the applicants wished to have considered in support of the need for the proposed development.

The Planning and Building Standards Manager for the West Area advised that a late email had been received from the applicants' agent requesting that consideration of the application be continued on medical grounds.

The Committee heard Councillor McAdams, a local member, on the application.

Councillor Dorman, seconded by Councillor Horsham, moved that planning permission be refused for the reasons detailed in the Executive Director's report. Councillor Scott, seconded by Councillor Thomson, moved as an amendment that the application be continued to a future meeting of the Committee to allow for further information to be received on the medical issues cited by the applicants. On a vote being taken by roll call, members voted as follows:-

**Motion**

Alex Allison, John Bradley, Archie Buchanan, Stephanie Callaghan, Peter Craig, Mary Donnelly, Isobel Dorman, Fiona Dryburgh, Ian Harrow, Mark Horsham, Ann Le Blond, Richard Lockhart, Lynne Nailon, Carol Nugent, David Shearer, Collette Stevenson, Jim Wardhaugh

**Amendment**

Margaret Cowie, Maureen Devlin, Martin Lennon, Davie McLachlan, Graham Scott, Bert Thomson

17 members voted for the motion and 6 members voted for the amendment. The motion was declared carried.

**The Committee decided:** that planning application P/20/1180 by Mr and Mrs Robertson for the sub-division of garden ground and erection of a single storey detached house and associated parking at 55 Dunedin Drive, East Kilbride be refused for the reasons detailed in the Executive Director's report.

*[Reference: Minutes of 1 December 2020 (Paragraph 10)]*

*Councillor McAdams, having made representations to the Committee on this application as a local member, then withdrew from the meeting during its consideration*

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**5 Application P/20/1452 for Change of Use from Class 1 (Retail) to Class 2 (Office) at 254 to 256 Stonelaw Road, Rutherglen**

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A report dated 6 January 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/20/1452 by J Dempster for a Change of Use from Retail (Class1) to Office (Class 2) at 254 to 256 Stonelaw Road, Rutherglen.

Councillor Dorman, seconded by Councillor Horsham, moved that planning permission be granted subject to the conditions detailed in the Executive Director's report. Councillor Nugent, seconded by Councillor Cowie, moved as an amendment that planning permission be refused and that the site be retained as a Class 1 retail use to protect the vibrancy and diversity of the neighbourhood centre. On a vote being taken by roll call, members voted as follows:-

**Motion**

Alex Allison, Archie Buchanan, Isobel Dorman, Fiona Dryburgh, Mark Horsham, Ann Le Blond, Jim Wardhaugh

**Amendment**

John Bradley, Stephanie Callaghan, Margaret Cowie, Peter Craig, Mary Donnelly, Ian Harrow, Martin Lennon, Richard Lockhart, Davie McLachlan, Lynne Nailon, Carol Nugent, Graham Scott, David Shearer, Colette Stevenson, Bert Thomson

7 members voted for the motion and 15 members voted for the amendment, which was declared carried.

**The Committee decided:** that planning application P/20/1452 by J Dempster for a Change of Use from Retail (Class 1) to Office (Class 2) at 254 to 256 Stonelaw Road, Rutherglen be refused on the grounds that retention of the site as a Class 1 retail use would protect the vibrancy and diversity of the neighbourhood centre.

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## **6 Application P/20/1202 for Erection of Residential Development Comprising 19 Flats and Associated Works**

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A report dated 18 January 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/20/1202 by Patersons of Greenoakhill Limited for the erection of a residential development comprising 19 flats and associated works at 53 Union Street, Hamilton.

In response to members' questions regarding developer contributions, the Head of Planning and Economic Development advised that awareness sessions would be arranged to allow members to further consider the broader issue of developer contributions.

At its meeting on 7 July 2015, the Committee had approved a procedure for processing planning applications which required completion of a Legal Agreement. If approved, the application would be subject to a Legal Agreement and/or other appropriate mechanism and the approved procedure would apply.

### **The Committee decided:**

- (1) that planning application P/20/1202 by Patersons of Greenoakhill Limited for the erection of a residential development comprising 19 flats and associated works at 53 Union Street, Hamilton be granted subject to:-
  - ◆ the conditions specified in the Executive Director's report
  - ◆ prior conclusion of a Section 75 Agreement and/or other appropriate 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 open space, landscaping and recreational areas, including the provision of appropriate fixed play areas
  - ◆ the developers meeting the Council's legal costs associated with the 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 Legal Agreement 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 could be secured by the Legal Agreement, the proposed development would be unacceptable; and
- (3) that it be noted that, if the Legal Agreement 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 Legal Agreement.

*[Reference: Minutes of 7 July 2015 (Paragraph 15)]*

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## **7 Scottish Government Consultation on Scotland's Fourth National Planning Framework Position Statement and Update on the Reform of Scotland's Planning System**

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A report dated 14 January 2021 by the Executive Director (Community and Enterprise Resources) was submitted on the Council's response to the Scottish Government's consultation on Scotland's fourth National Planning Framework Position Statement and providing an update on other Scottish Government activity in relation to the reform of Scotland's planning system.

As part of the consultation on the provisions of the Planning (Scotland) Act 2019, the Scottish Government highlighted that the planning system had a key role in achieving its goals of making Scotland a more successful country through increased wellbeing and sustainable and inclusive economic growth. National planning policy included the National Planning Framework, which was in its third version. This document set the long-term spatial strategy for Scotland and Scottish planning policy.

As part of the work programme produced by the Scottish Government in relation to the 2019 Act, a fourth National Planning Framework (NPF4) was planned to be completed and laid before the Scottish Parliament in September 2020, with consultation carried out thereafter. However, that timescale had been delayed as a result of COVID-19, and it was expected to be laid before the Scottish Parliament in autumn 2021. Approval was anticipated in mid 2022. As an interim measure, the Scottish Government had published a position statement on NPF4, including a wide range of evidence submitted during the Call for Ideas exercise. South Lanarkshire Council had contributed to this exercise. It was stressed that the position statement was not a draft of NPF4 and had no formal status in the planning process.

The central themes of the position were:-

- ◆ net-zero emissions
- ◆ resilient communities
- ◆ a wellbeing economy
- ◆ better, greener spaces

The Council had been given an opportunity to comment on the position statement and the proposed response was attached as an appendix to the report.

Updates on other areas of activity from the Scottish Government on matters of planning policy were detailed in the report, including:-

- ◆ the response of the planning system to COVID-19 and economic recovery
- ◆ Digital Strategy for Planning
- ◆ review of permitted development rights
- ◆ consultation on planning fees
- ◆ Local Development Plan procedures
- ◆ Local Place Plans
- ◆ Open Space Strategies

Members commented on various aspects of the report.

**The Committee decided:**

- (1) that the activities of the Scottish Government as part of the reform of the planning system be noted;
- (2) that the Council's response to the Scottish Government's consultation on Scotland's Fourth National Planning Framework Position Statement, as detailed in the appendix to the report, be approved for submission to the Scottish Government; and
- (3) that the Head of Planning and Economic Development be authorised to make any drafting and technical changes to the response prior to its submission.

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

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**8 Urgent Business**

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There were no items of urgent business.