

PLANNING COMMITTEE

Minutes of meeting held via Microsoft Teams on 3 November 2020

Chair:

Councillor Isobel Dorman

Councillors Present:

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

Councillors' Apologies:

Councillor Peter Craig, Councillor Lynsey Hamilton, Councillor Joe Lowe, Councillor John Ross (ex officio), Councillor Bert Thomson

Attending:

Community and Enterprise Resources

M McGlynn, Executive Director; S Alderson, Planning Officer; B Darroch, Planning and Building Standards Manager (East); P Elliott, Head of Planning and Economic Development; T Finn, Planning and Building Standards Manager (Headquarters); L Gaddis, Planning Officer; F Jack, Team Leader, Development Management Team, Roads and Transportation Services; G McCracken, Team Leader, Planning and Building Standards (Headquarters); P McMorran, Planning Officer; T Meikle, Planning and Building Standards Manager (West)

Finance and Corporate Resources

J Burke, Administration Assistant; M Cannon, Solicitor; J Davitt, Public Relations Team Leader; S McLeod, Administration Officer; K Moore, Legal 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 22 September 2020 were submitted for approval as a correct record.

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

3 South Lanarkshire Local Development Plan 2

A report dated 14 October 2020 by the Executive Director (Community and Enterprise Resources) was submitted on the proposed South Lanarkshire Local Development Plan 2.

Following discussion regarding members' concerns about technical difficulties experienced by some members in relation to the awareness session that had been held to provide supplementary background information regarding the Examination Statement of Decisions, it was proposed that a further members' awareness session be arranged and that consideration of the report be continued to the next scheduled meeting of the Committee, or an earlier meeting, if possible.

The Committee decided: that consideration of the report be continued to an early future meeting of the Committee to allow for a further members' awareness session to be held on the matter beforehand.

4 Application P/20/0240 for Erection of 20 Houses with Associated Landscaping and Sustainable Drainage Area at Land to the North of Craigbank Primary School, Glengonnar Street, Larkhall

A report dated 8 October 2020 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/20/0240 by Cruden Building and Renewals for the erection of 20 houses with associated landscaping and sustainable drainage area at land to the north of Craigbank Primary School, Glengonnar Street, Larkhall.

The Committee decided: that planning application P/20/0240 by Cruden Building and Renewals for the erection of 20 houses with associated landscaping and sustainable drainage area at land to the north of Craigbank Primary School, Glengonnar Street, Larkhall, be granted subject to the conditions specified in the Executive Director's report.

5 Application P/20/0772 – Section 42 Application to Amend Condition 1 of Planning Consent CL/17/0157 for Mixed Use Development Comprising Class 4 (Business), Class 5 (General Industrial) and Class 6 (Storage and Distribution) with Associated Landscaping, Service Facilities, Internal Roadways, SUDs and Other Ancillary Work (Planning Permission In Principle) at M74 Heat and Power Park, Former Dalquhandy Opencast Coal Site, West of Junction 11 of M74, Coalburn

A report dated 12 October 2020 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/20/0772 by 3R Energy Solutions Limited for an application under Section 42 of the Town and Country Planning (Scotland) Act 1997 to amend condition 1 of planning consent in principle CL/17/0157 for a mixed use development comprising Class 4 (Business), Class 5 (General Industrial) and Class 6 (Storage and Distribution) with associated landscaping, service facilities, internal roadways, SUDs and other ancillary work at M74 Heat and Power Park, Former Dalquhandy Opencast Coal Site, west of Junction 11 of M74, Coalburn. The proposed amendment to the condition would allow a further 5 year period in which to submit matters specified in conditions attached to planning consent CL/17/0157.

The Committee decided:

that planning application P/20/0772 by 3R Energy Solutions Limited for an application under section 42 of the Town and Country Planning (Scotland) Act 1997 to amend condition 1 of planning consent in principle CL/17/0157 for a mixed use development comprising Class 4 (Business), Class 5 (General Industrial) and Class 6 (Storage and Distribution) with associated landscaping, service facilities, internal roadways, SUDs and other ancillary work at M74 Heat and Power Park, Former Dalquhandy Opencast Coal Site, west of Junction 11 of M74, Coalburn be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of 20 June 2017 (Paragraph 8)]

6 Application P/20/0924 for Erection of 20 Cottage Flats with Associated Parking Court, Vehicular Access and Landscaping at Land 36 Metres North of 8 Church Street, Blantyre

A report dated 9 October 2020 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/20/0924 by Glenesk Homes for the erection of 20 cottage flats with associated parking court, vehicular access and landscaping at land 36 metres north of 8 Church Street, Blantyre.

The Committee decided:

that planning application P/20/0924 by Glenesk Homes for the erection of 20 cottage flats with associated parking court, vehicular access and landscaping at land 36 metres north of 8 Church Street, Blantyre be granted subject to the conditions specified in the Executive Director's report.

7 Application P/20/0751 - Section 42 Application to Amend Condition 2 of Planning Consent CL/13/0206 for Erection of 4 Wind Turbines (126.5 Metres Height to Tip) and Ancillary Development Including Access Tracks, Hardstanding Areas, Substation/Control Buildings, Transformers, Cabling and Temporary Construction Compound at Crookedstane Wind Farm Development, Access from B7076 to Crookedstane Farm, Elvanfoot, Biggar

A report dated 12 October 2020 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/20/0751 by Crookedstane Windfarm Limited for an application under Section 42 of the Town and Country Planning (Scotland) Act 1997 to amend condition 2 of planning consent CL/13/0206 for the erection of 4 wind turbines (126.5 metres height to tip) and ancillary development including access tracks, hardstanding areas, substation/control buildings, transformers, cabling and temporary construction compound at Crookedstane Wind Farm development, access from B7076 to Crookedstane Farm, Elvanfoot, Biggar. The proposed amendment to the condition would extend the lifetime of the windfarm from 25 to 30 years.

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/20/0751 by Crookedstane Windfarm Limited for an application under Section 42 of the Town and Country Planning (Scotland) Act 1997 to amend condition 2 of planning consent CL/13/0206 for the erection of 4 wind turbines (126.5 metres height to tip) and ancillary development including access tracks, hardstanding areas, substation/control buildings, transformers, cabling and temporary construction compound at Crookedstane Wind Farm development, access from B7076 to Crookedstane Farm, Elvanfoot, Biggar 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 and the applicant to ensure:-
 - ◆ community benefit contributions
 - ◆ funding of an independent Planning Monitoring Officer
 - ◆ control over turbine transportation and the repair of any damage to roads and bridges arising from any extraordinary wear and tear associated with the development and associated indemnity insurance requirements
 - ◆ the applicant meeting the Council's legal costs associated with the Legal Agreement and the restoration guarantee quantum
- (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) and 8 September 2015 (Paragraph 6)]

8 Application P/20/0752 – Section 42 Application to Amend Condition 2 of Planning Consent CL/13/0205 for Erection of 4 Wind Turbines (126.5 Metres Maximum Height to Tip), Ancillary Development Including Access Tracks, Hardstanding Areas, Substation/Control Building, Transformers, Cabling and Temporary Construction Compound at Lion Hill Wind Farm, Land at Crookedstane Farm, North West of Daer Reservoir, Elvanfoot, Biggar

A report dated 12 October 2020 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/20/0752 by Crookedstane Windfarm Limited for an application under Section 42 of the Town and Country Planning (Scotland) Act 1997 to amend condition 2 of planning consent CL/13/0205 for erection of 4 wind turbines (126.5 metres maximum height to tip), ancillary development including access tracks, hardstanding areas, substation/control building, transformers, cabling and temporary construction compound at Lion Hill Wind Farm, land at Crookedstane Farm, north west of Daer Reservoir, Elvanfoot, Biggar. The proposed amendment to the condition would extend the lifetime of the windfarm from 25 to 30 years.

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/20/0752 by Crookedstane Windfarm Limited for an application under Section 42 of the Town and Country Planning (Scotland) Act 1997 to amend condition 2 of planning consent CL/13/0205 for the erection of 4 wind turbines (126.5 metres maximum height to tip) and ancillary development including access tracks, hardstanding areas, substation/control building, transformers, cabling and temporary construction compound at Lion Hill Wind Farm, land at Crookedstane Farm, north west of Daer Reservoir, Elvanfoot, Biggar 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 and the applicant to ensure:-
 - ◆ community benefit contributions
 - ◆ funding of an independent Planning Monitoring Officer
 - ◆ control over turbine transportation and the repair of any damage to roads and bridges arising from any extraordinary wear and tear associated with the development and associated indemnity insurance requirements
 - ◆ the applicant meeting the Council's legal costs associated with the Legal Agreement and the restoration guarantee quantum
- (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) and 8 September 2015 (Paragraph 6)]

9 Application P/20/0434 for Installation of 2 Jet Wash Machines with 3.25 Metre Screens, Installation of 5 Metre Lighting Pole, Relocation of Air, Water and Vacuum Machines and Associated Alterations at Northway Service Station, 87 Stewart Street, Carluke

A report dated 22 October 2020 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/20/0434 by Motor Fuel Group Limited for the installation of 2 jet wash machines with 3.25 metre screens, installation of 5 metre lighting pole, relocation of air, water and vacuum machines and associated alterations at Northway Service Station, 87 Stewart Street, Carluke.

The Committee decided: that planning application P/20/0434 by Motor Fuel Group Limited for the installation of 2 jet wash machines with 3.25 metre screens, installation of 5 metre lighting pole, relocation of air, water and vacuum machines and associated alterations at Northway Service Station, 87 Stewart Street, Carlisle be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of 6 November 2018 (Paragraph 3)]

10 Application P/20/0311 for Raising of Rear Garden Levels (Retrospective) and Erection of 1.8 Metre High Fence on Platform at 3 Wentworth Gardens, East Kilbride

A report dated 22 October 2020 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/20/0311 by D Fallis for raising of rear garden levels (retrospective) and erection of a 1.8 metre high fence on a platform at 3 Wentworth Gardens, East Kilbride.

The Committee decided: that planning application P/20/0311 by D Fallis for raising of rear garden levels (retrospective) and erection of a 1.8 metre high fence on a platform at 3 Wentworth Gardens, East Kilbride be granted subject to the conditions specified in the Executive Director's report.

11 Application P/20/0832 for Erection of Single Storey Building to House Reverse Vending Machines to Recycle Drinks Containers and Associated Works at the Aldi Store, 60 Kirkton Street, Carlisle

A report dated 21 September 2020 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/20/0832 by Aldi Stores Limited for the erection of a single storey building to house reverse vending machines to recycle drinks containers and associated works at the Aldi Store, 60 Kirkton Street, Carlisle.

The Committee decided: that planning application P/20/0832 by Aldi Stores Limited for erection of a single storey building to house reverse vending machines to recycle drinks containers and associated works at the Aldi Store, 60 Kirkton Street, Carlisle be granted subject to the conditions specified in the Executive Director's report.

12 Application P/20/0514 – Section 42 Application to Vary Condition 4 of Planning Consent CL/07/0070 to Amend Extraction Area for Extraction and Processing of Hard Rock Aggregates by Quarrying Methods at Duneaton Quarry, Dod Wood, West of Abington Services, Abington

A report dated 12 October 2020 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/20/0514 by Hodge Plant Limited for an application under Section 42 of the Town and Country Planning (Scotland) Act 1997 to vary condition 4 of planning consent CL/07/0070 to amend the extraction area for extraction and processing of hard rock aggregates by quarrying methods at Duneaton Quarry, Dod Wood, west of Abington Services, Abington.

The Committee decided:

that planning application P/20/0514 by Hodge Plant Limited for an application under Section 42 of the Town and Country Planning (Scotland) Act 1997 to vary condition 4 of planning consent CL/07/0070 extend the extraction area for extraction and processing of hard rock aggregates by quarrying methods at Duneaton Quarry, Dod Wood, west of Abington Services, Abington be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of 4 December 2007 (Paragraph 6)]

13 Application P/20/0436 for Demolition of Existing House and Erection of 11 Flats with Associated Landscaping, Parking, Access Road and Refuse Collection Area at 5 Old Bothwell Road, Bothwell

A report dated 9 October 2020 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/20/0436 by Carnbroe Estates Limited for the demolition of an existing house and erection of 11 flats with associated landscaping, parking, access road and refuse collection area at 5 Old Bothwell Road, Bothwell.

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/20/0436 by Carnbroe Estates Limited for the demolition of an existing house and erection of 11 flats with associated landscaping, parking, access road and refuse collection area at 5 Old Bothwell Road, Bothwell be granted subject to:-
 - ◆ the conditions specified in the Executive Director's report with a revised Condition 10 as follows:-
 - ◆ "That before the development hereby approved is completed or brought into use, the entire access road and footpath network serving the development shall be laid out and constructed in accordance with the specification of the Council as Roads and Planning Authority. In addition, 2 parking spaces per dwelling (2.9m x 5.8m modules) forming a total of 22 parking spaces within the site shall be laid out, constructed and thereafter maintained to the specification of the Council as Roads and Planning Authority."
 - ◆ Reason: To ensure the provision of satisfactory vehicular and pedestrian access to the dwellings and adequate parking facilities"
 - ◆ prior conclusion of a Section 75 Agreement and/or other appropriate agreement between the Council and the applicant to ensure appropriate financial contributions were made at appropriate times towards improvement/upgrading of community facilities in the area
 - ◆ the applicants meeting the Council's legal costs associated with the Section 75 Agreement 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 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 would 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 Planning Obligation.

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

14 Urgent Business

There were no items of urgent business.