

PLANNING COMMITTEE

Minutes of meeting held via Microsoft Teams on 16 November 2021

Chair:

Councillor Isobel Dorman

Councillors Present:

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

Councillors' Apologies:

Councillor Fiona Dryburgh, Councillor Ian Harrow, Councillor Ann Le Blond, Councillor Joe Lowe, Councillor Ian McAllan, Councillor John Ross (ex officio)

Attending:

Community and Enterprise Resources

S Clark, Planning Team Leader (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; S Jessup, Administration Assistant; K McLeod, Administration Assistant; S McLeod, Administration Officer; A Thompson, Public Relations Officer

1 Declaration of Interests

The following interest was declared:-

Councillor(s)	Item(s)	Nature of Interest(s)
Allison	Application P/21/0215 for Extension to Chicken Shed and Erection of 2 Feed Bins at Crawhill Wood, C24 from Thankerton to A702, Thankerton, Biggar	Business relationship with the applicant

2 Minutes of Previous Meeting

The minutes of the meeting of the Planning Committee held on 5 October 2021 were submitted for approval as a correct record.

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

3 Application P/20/1684 for Conversion of Byre to House and Associated External Alterations at South Netherburn Farm, Broomfield Road, Netherburn, Larkhall

A report dated 5 November 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/20/1684 by A King for the conversion of a byre to a house and associated external alterations at South Netherburn Farm, Broomfield Road, Netherburn, Larkhall.

The Committee decided: that planning application P/20/1684 by A King for the conversion of a byre to a house and associated external alterations at South Netherburn Farm, Broomfield Road, Netherburn, Larkhall be granted subject to the conditions specified in the Executive Director's report.

4 Application P/20/1897 for Demolition of Existing Car Wash and Ancillary Buildings and Erection of Coffee Shop (Class 3) with Drive-Thru, Jet Wash Facility, Site Access Reconfiguration, Vehicular Parking and Associated Works at Garage, Bothwell Road, Uddingston

A report dated 5 November 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/20/1897 by Ashley Vintners (Strathclyde) Limited for the demolition of an existing car wash and ancillary buildings and erection of a coffee shop (class 3) with drive-thru, jet wash facility, site access reconfiguration, vehicular parking and associated works at Garage, Bothwell Road, Uddingston.

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

Points raised in 5 further letters of representation were referred to at the meeting and addressed by officers. An explanation for the time taken to consider the application, which had included COVID restrictions and the requirement to wait until after the hibernation period for a bat survey to be undertaken, had also been provided.

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 Executive Director's report. Councillor Scott, seconded by Councillor McCreary, moved as an amendment that the application be refused on the grounds of negative impact on access, parking and traffic movement in the vicinity of the application site. On a vote being taken by roll call, members voted as follows:-

Motion

Peter Craig, Isobel Dorman, Mark Horsham

Amendment

Alex Allison, John Anderson, John Bradley, Archie Buchanan, Jackie Burns, Margaret Cowie, Maureen Devlin, Mary Donnelly, Lynsey Hamilton, Martin Grant Hose, Kenny McCreary, Davie McLachlan, Lynne Nailon, Carol Nugent, Graham Scott, David Shearer, Bert Thomson, Jim Wardhaugh

3 members voted for the motion and 18 for the amendment which was declared carried.

The Committee decided:

that planning application P/20/1897 by Ashley Vintners (Strathclyde) Limited for the demolition of an existing car wash and ancillary buildings and erection of a coffee shop (class 3) with drive-thru, jet wash facility, site access reconfiguration, vehicular parking and associated works at Garage, Bothwell Road, Uddingston be refused on the grounds of negative impact on access, parking and traffic movement in the vicinity of the application site.

Councillor Lennon left and re-joined the meeting during consideration of the above item of business

5 Application P/21/1107 for Erection and Operation of Extension to Kennoxhead Wind Farm Consisting of 8 Turbines, 7 up to a Maximum Height to Blade Tip of 220 Metres and 1 up to a Maximum Height to Blade Tip of 200 Metres (Consultation from Scottish Ministers under Section 36 of the Electricity Act 1989) at Penbreck Wind Farm, Glentaggart Road, Glespin, Lanark

A report dated 4 November 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/1107 by Kennoxhead Wind Farm Limited for the erection and operation of an extension to Kennoxhead Wind Farm consisting of 8 turbines, 7 up to a maximum height to blade tip of 220 metres and 1 up to a maximum height to blade tip of 200 metres (consultation from Scottish Ministers under Section 36 of the Electricity Act 1989) at Penbreck Wind Farm, Glentaggart Road, Glespin, Lanark.

The proposal had been submitted to the Scottish Government under Section 36 of the Electricity Act 1989 as the proposal related to a wind farm with a generating capacity of over 50 megawatts (MW).

The application was considered acceptable on the basis that it:-

- ◆ accorded with the relevant policies in the Development Plan
- ◆ accorded with National Policy
- ◆ would not have any significant adverse impact within the surrounding area

On a point raised regarding the availability of information on all windfarm activity within South Lanarkshire, officers undertook to make available to members of the Committee a plan indicating all windfarm activity when considering future applications relating to windfarms.

The Committee decided:

- (1) that the Scottish Government be informed that South Lanarkshire Council would have no objection to planning application P/21/1107 by Kennoxhead Wind Farm Limited for the erection and operation of an extension to Kennoxhead Wind Farm consisting of 8 turbines, 7 up to a maximum height to blade tip of 220 metres and 1 up to a maximum height to blade tip of 200 metres (consultation from Scottish Ministers under Section 36 of the Electricity Act 1989) at Penbreck Wind Farm, Glentaggart Road, Glespin, Lanark, subject to the conditions attached to the Executive Director's report;
- (2) that, in addition, the Scottish Government be advised that approval should be subject to the conclusion of legal agreements covering:-

- ◆ community contribution payments
 - ◆ the funding of a Planning Monitoring Officer
 - ◆ control over turbine transportation, a roads structure assessment regime and the repair of any damage to roads and bridges arising from extraordinary wear and tear associated with the development and associated indemnity insurance requirements
- (3) that the applicant be responsible for the Council's costs associated with the legal agreements and restoration guarantee quantum; and
- (4) that the Head of Planning and Economic Development be authorised to undertake any discussions, further agreements of conditions and planning obligations, if required, with the Scottish Government.

[Reference: Minutes of 22 September 2020 (Paragraph 12)]

6 Application P/21/0215 for Extension to Chicken Shed and Erection of 2 Feed Bins at Crawhill Wood, C24 from Thankerton to A702, Thankerton, Biggar

A report dated 28 October 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/0215 by JA Hewitt and Sons for an extension to a chicken shed and erection of 2 feed bins at Crawhill Wood, C24 from Thankerton to A702, Thankerton, Biggar.

The Committee decided: that planning application P/21/0215 by JA Hewitt and Sons for an extension to a chicken shed and erection of 2 feed bins at Crawhill Wood, C24 from Thankerton to A702, Thankerton, Biggar be granted subject to the conditions specified in the Executive Director's report.

Councillor Allison, having declared an interest in the above item of business, withdrew from the meeting during its consideration

In terms of Standing Order No 13, the Chair adjourned the meeting at 10.58am for a 7 minute period. The meeting recommenced at 11.05am without the attendance of Councillors Burns and Nugent

7 Application P/21/0638 for Change of Use of Communal Open Space to Garden Ground at Land Adjacent to 17-1, Hunthill Road, Blantyre

A report dated 5 November 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/0638 by D Szafranek for the change of use of communal open space to garden ground at land adjacent to 17-1, Hunthill Road, Blantyre.

Points raised in a further letter of representation were referred to at the meeting and addressed by officers.

Following discussion, during which officers responded to members' questions, Councillor Scott, seconded by Councillor Dorman, moved that the application be deferred on the grounds that enforcement action should be completed or the applicant's business be relocated prior to consideration of the application. Councillor Wardhaugh, seconded by Councillor Lennon, moved as an amendment that the application be refused on the grounds of reduction of amenity. On a vote being taken by roll call, members voted as follows:-

Motion

Alex Allison, John Anderson, John Bradley, Archie Buchanan, Margaret Cowie, Peter Craig, Maureen Devlin, Mary Donnelly, Isobel Dorman, Lynsey Hamilton, Mark Horsham, Martin Grant Hose, Kenny McCreary, Davie McLachlan, Lynne Nailon, Graham Scott, Bert Thomson

Amendment

Martin Lennon, David Shearer, Jim Wardhaugh

17 members voted for the motion and 3 members voted for the amendment. The motion was declared carried.

The Committee decided: that planning application P/21/0638 by D Szafranek for the change of use of communal open space to garden ground at land adjacent to 17-1, Hunthill Road, Blantyre be deferred on the grounds that enforcement action should be completed or the applicant's business be relocated prior to consideration of the application.

Councillor Nugent joined the meeting during consideration of the above item of business

8 Application P/21/1129 for Demolition of Existing Buildings and Erection of 28 Flats with Associated Infrastructure and Landscaping at Former Greenhills Sports Centre, Stroud Road, East Kilbride

A report dated 5 November 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/1129 by Merchant Homes Partnerships Limited for the demolition of existing buildings and the erection of 28 flats with associated infrastructure and landscaping at former Greenhills Sports Centre, Stroud Road, East Kilbride.

The application had been assessed against the relevant policies and criteria contained in the adopted South Lanarkshire Local Development Plan 2 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 (Community and Enterprise Resources), a departure from the Development Plan was justified in this case for the following reasons:-

- ◆ the proposal complied with policies 3, 5, 11, 12 and DM7 of the adopted South Lanarkshire Local Development Plan 2
- ◆ the proposal would have no significant adverse impact on residential amenity
- ◆ the proposal complied with standards within the Council's Residential Development Guide (2011)
- ◆ the proposal had no road safety implications and provided adequate access and parking
- ◆ the proposal provided affordable housing which was supported by Scottish Planning Policy

The Committee decided: that planning application P/21/1129 by Merchant Homes Partnerships Limited for the demolition of existing buildings and the erection of 28 flats with associated infrastructure and landscaping at former Greenhills Sports Centre, Stroud Road, East Kilbride be granted subject to the conditions specified in the Executive Director's report.

Councillor McLachlan left the meeting during consideration of the above item of business

9 Application P/21/1183 for Substitution of House Types (Amendment to Planning Consent CL/15/0445) at Land 125 Metres East of 15 Lanark Road, Lanark Road, Braidwood, Carluke

A report dated 28 October 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/1183 by the Allanwater Homes and Upper Braidwood Development Consortium for the substitution of house types (amendment to planning consent CL/15/0445) at land 125 metres east of 15 Lanark Road, Lanark Road, Braidwood, Lanark.

Points raised in a further email of representation were referred to at the meeting and addressed by officers.

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/21/1183 by the Allanwater Homes and Upper Braidwood Development Consortium for the substitution of house types (amendment to planning consent CL/15/0445) at land 125 metres east of 15 Lanark Road, Lanark Road, Braidwood, Lanark be deferred to a future meeting of the Committee on the grounds that it would allow further information to be provided in relation to safe routes to school and other transport arrangements.

[Reference: Minutes of 26 April 2016 (Paragraph 3)]

10 South Lanarkshire Local Development Plan 2 Supporting Planning Guidance: Carrying Out Development at a Dwellinghouse and Electric Vehicle Charge Points

A report dated 5 November 2021 by the 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:-

- ◆ Carrying Out Development at a Dwellinghouse
- ◆ Electric Vehicle Charge Points (EVCPs)

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.

The SPG on Carrying Out Development at a Dwellinghouse provided detailed guidance to homeowners proposing to extend or alter their home and updated the advice previously set out in the Development Management and Placemaking Supplementary Guidance associated with the former South Lanarkshire Local Development Plan.

The SPG on Electric Vehicle Charge Points was a new document prepared to provide up-to-date advice on the emerging issue of the transition to low emission vehicles and assist developers in terms of the type and number of EVCP units and related information that would be required to be submitted with planning applications.

If approved, the SPG would be published and made available for public consultation for a period of 6 weeks during January and February 2022. 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
- ◆ Community Infrastructure Assessment

The Committee decided:

- (1) that the following Supporting Planning Guidance, attached at appendices 1 and 2 to the report, be approved:-
 - ◆ Carrying Out Development at a Dwellinghouse
 - ◆ Electric Vehicle Charge Points (EVCPs)
- (2) that the Supporting Planning Guidance be published and made available for a 6 week period of public consultation during January and February 2022; 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 on Carrying out Development at a Dwellinghouse and Electric Vehicle Charge Points prior to their publication for consultation.

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

Councillor Cowie left the meeting during consideration of the above item of business

11 Urgent Business

There were no items of urgent business.