

Motherwell, 10 June 2008 at 11.15 am.

A Meeting of the PLANNING AND TRANSPORTATION COMMITTEE

PRESENT

Councillor J. Coyle, Convener; Councillors Brooks, Ferrie, Griffin, Higgins, Hogg, Homer, Johnston, Kelly, J. Love, McKenna, Maginnis, Martin, Nolan, O'Brien and Taggart.

CHAIR

Councillor J. Coyle (Convener) presided.

IN ATTENDANCE

The Chief Committee Services Manager; Head of Roads and Transportation; Head of Planning and Development, and Development Control Manager.

ALSO IN ATTENDANCE

In respect of item (15)

Representing the Applicant – Mr. Hendry, Mr. Potter and Mr. Queripel.

Representing the Objectors – Mr. Craig, Mr. Dickson-Moore and Ms. Stevenson.

APOLOGIES

Councillors McCabe, Shaw and Wallace.

The Convener exercised his discretion to vary the order of business as hereinafter Minuted.

DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC. (SCOTLAND) ACT 2000

1. Councillor O'Brien declared a non pecuniary interest in respect of item (2) of the agenda – Planning Application N/08/00592/FUL for extension to an existing restaurant to form a function suite at Bombay Dreams, South Carbrain Road, Carbrain, Cumbernauld and took no part in the consideration thereof.

PLANNING APPLICATIONS INDEX

2. There was submitted a report (docketed) by the Executive Director of Environmental Services on applications submitted for planning permission.

With regard to planning application no. S/07/00684/FUL for the conversion of agricultural outbuilding to a dwellinghouse at Nethererton Farm, Westcraigs Road, Harthill, the Development Control Manager advised of the intention to amend reason no. 1 should the application be refused.

Decided:

- (1) that with regard to planning application S/07/00684/FUL by Mr. and Mrs. V. Ferguson for the conversion of an agricultural outbuilding to a dwellinghouse at Netherton Farm, Westcraigs Road, Harthill, the application be refused subject to the deletion of reason no. 1 and its replacement by "that the proposed dwellinghouse is contrary to Policy ENV8 (Restrict Development in Countryside Around Towns) and HSG12 (Housing in the Greenbelt and Countryside) of the Southern Area Local Plan Finalised Draft (Modified 2001, 2004 and 2005) in that it constitutes a new dwellinghouse in the Countryside Around Towns with no justification in terms of agriculture, forestry, outdoor leisure and recreation of other appropriate road uses, and
- (2) that subject to the foregoing, the applications be dealt with in accordance with the Annex to this Minute, subject to conditions contained within the report by the Executive Director of Environmental Services.

KIRKINTILLOCH LINK ROAD - SIDE ROAD ORDER APPROVAL

3. There was submitted a report dated 10 June 2008 by the Head of Roads and Transportation (1) seeking approval for a Traffic Regulation Order to introduce the Kirkintilloch Link Road – Side Road Order to enable roads to be constructed, improved and stopped up; (2) outlining the background to the report; (3) intimating that the Council had advertised the proposals to introduce a Traffic Management Scheme by way of public advertisement to which one objection was received; (3) intimating that, on 1 April 2008, this Committee approved the referral of the Side Road Order to the Scottish Government for determination under Section 13 of the Roads (Scotland) Act 1984; (4) further intimating that, following discussions between the objectors and Kirkintilloch Initiative, the objection had been withdrawn; (5) intimating that local Councillors and various public and other bodies had been consulted and offered no objections to the proposal, and (6) recommending that the Kirkintilloch Link Road – Side Road Order be approved.

Decided: that the introduction of the North Lanarkshire Council (Kirkintilloch Link Road) (Side Roads Etc.) Order 2008 be approved.

IDENTIFICATION OF LOCATIONS IN NORTH LANARKSHIRE THAT HAVE HIGH ROAD INJURY ACCIDENT TOTALS

4. With reference to paragraph 1 of the Minute of the meeting of the Planning and Environment (Roads and Transportation) Sub-Committee held on 3 May 2006, there was submitted a report dated 14 May 2008 by the Head of Roads and Transportation (1) when consideration was given to an earlier report on locations in North Lanarkshire with high road injury accident levels; (2) providing details, in Appendix 1 of the report, of accident cluster sites that had five or more injury accidents occurring within them; (3) outlining the background relative thereto; (4) containing, in Appendix 2 to the report, details of the number of cluster sites in North Lanarkshire which had received remedial treatment, and (5) recommending appropriate action.

Decided:

- (1) that the Council's statutory duty under the Road Traffic Act 1988 to identify where road accidents were occurring and take measures to minimise the accidents arising in the future be noted, and
- (2) that the contents of the priority sites with more than five injury accidents as detailed in Appendix 1 of the report be used as the basis for tackling problems associated with road accidents within North Lanarkshire.

20 MPH SPEED LIMIT AT SCHOOLS - REQUEST AT ST. MARY'S PRIMARY SCHOOL, DUNDYVAN ROAD, COATBRIDGE

5. There was submitted a report dated 10 June 2008 by the Head of Roads and Transportation (1) seeking approval to include St. Mary's Primary School, Coatbridge on the programme of 20 mph speed limits at schools; (2) outlining the background relative thereto; (3) intimating that a visit to the site identified that there is a secondary access from the school which leads directly on to Dundyvan Road, Coatbridge which was outwith the twenty's plenty advisory limits; (4) intimating that consideration should be given to including the section of Dundyvan Road, Coatbridge within the 20 mph Speed Limit at Schools Programme as the secondary access was well used, and (5) proposing that the additional site be funded from the Capital Budget under the heading of Cycling, Walking and Safer Streets.

Decided:

- (1) that the Head of Roads and Transportation promote the necessary Traffic Regulation Order for the mandatory 20 mph zone in Dundyvan Road, Coatbridge, and
- (2) that it be noted that a further report would be submitted to a future meeting of this Committee seeking approval for the Order making process.

SCHOOL CROSSING PATROL SERVICE - PROCEDURE FOR PROCESSING REQUESTS FOR A SCHOOL CROSSING PATROL

6. With reference to paragraph 5 of the Minute of the meeting of the Planning and Development Committee held on 30 October 1996, there was submitted a report (docketed) dated 10 June 2008 by the Head of Roads and Transportation (1) seeking approval of a new procedure for processing requests for the provision of a School Crossing Patrol (SCP); (2) outlining the background relative thereto; (3) attaching, as an Appendix to the report, the updated procedure; (4) intimating that the Council's Guidance reflected the "Guidelines for the Management and Operation of a School Crossing Patrol Service" produced by the Local Authority Road Safety Officers Association (LARSOA); (5) intimating that LARSOA were expected to issue revised Guidelines and that a further report would be presented to a future meeting of this Committee seeking revision of the Council's criteria for establishing a SCP; (6) containing his observations and considerations thereon, and (7) recommending that the new procedure for processing requests for the provision of a School Crossing Patrol as detailed within the Appendix to the report be approved.

Arising therefrom Councillor Homer requested details of the locations of School Crossing Patrols in North Lanarkshire, and of those areas where requests for patrols had subsequently been received.

Decided:

- (1) that the new procedure for processing requests for the provision of a School Crossing Patrol as detailed within the Appendix to the report be approved;
- (2) that it be noted that a further report will be submitted to a future meeting of the Committee concerning the Council criteria to be used for determining whether or not a SCP was justified, following the publication of the proposed updated LARSOA Guidance, and
- (3) that the Head of Roads and Transportation provide Councillor Homer with details of the location of School Crossing Patrols in North Lanarkshire, and of those areas where requests for patrols had subsequently been received.

PETITION - OPERATION OF A TRANSPORT COMPANY FROM 1 LANARK AVENUE, AIRDRIE

7. With reference to paragraph 4 of the Minute of the meeting of this Committee held on 13 March 2008, there was submitted a report dated 19 May 2008 by the Head of Roads and Transportation (1) advising of investigations carried out in response to a petition which had been received regarding the unauthorised parking of service buses at Lanark Avenue, Airdrie; (2) outlining the background relative thereto; (3) intimating that the Council as Roads Authority had no powers to deal with buses being parked in a residential area, and the matter was referred to Strathclyde Police and the Traffic Commissioner's Office for their attention; (4) intimating that the Traffic Commissioner had served the bus operator with a Notice requiring the removal of the buses, which had now been complied with and the matter had been resolved.

Decided:

- (1) that the action taken by the Traffic Commissioner's Office be noted;
- (2) that it be noted that the matter had now been resolved, and
- (3) that the Executive Director of Corporate Services advise the petitioners accordingly.

APPOINTMENT OF CONTRACTORS

(1) PATCHING AND MINOR REPAIRS (NORTHERN AREA) 2008/2009

8. There was submitted a report (docketed) dated 10 June 2008 by the Head of Roads and Transportation (1) providing details of tenders received for the Patching and Minor Repairs (Northern Area) 2008/2009 Contract, and (2) seeking approval for acceptance of the lowest offer, being that received from J. H. Civil Engineering Limited in the sum of £71,412.80.

Decided: that the Executive Director of Corporate Services be authorised to accept the lowest offer, being that received from J. H. Civil Engineering Limited in the sum of £71,412.80 for the Patching and Minor Repairs (Northern Area) 2008/2009 Contract.

(2) PATCHING AND MINOR REPAIRS (SOUTHERN AREA) 2008/2009

9. There was submitted a report (docketed) dated 10 June 2008 by the Head of Roads and Transportation (1) providing details of tenders received for the Patching and Minor Repairs (Southern Area) 2008/2009 Contract, and (2) seeking approval for acceptance of the lowest offer, being that received from Newlay Civil Engineering Limited in the sum of £477,767.15.

Decided: that the Executive Director of Corporate Services be authorised to accept the lowest offer, being that received from Newlay Civil Engineering Limited in the sum of £477,767.15 for the Patching and Minor Repairs (Southern Area) 2008/2009 Contract..

(3) B802 AIRDRIE ROAD, KILSYTH, A803 KILSYTH ROAD, QUEENZIEBURN - RECONSTRUCTION NORTHERN AREA 2008/2009

10. There was submitted a report dated 10 June 2008 by the Head of Roads and Transportation (1) providing details of tenders received for the B802 Airdrie Road, Kilsyth and A803 Kilsyth Road, Queenzieburn – Reconstruction Northern Area 2008/2009 Contract, and (2) seeking approval for acceptance of the lowest offer, being that received from Ronald Docherty Civil Engineering Limited in the sum of £428,084.14.

Decided: that the Executive Director of Corporate Services be authorised to accept the lowest offer, being that received from Ronald Docherty Civil Engineering Limited in the sum of £428,084.14 for the B802 Airdrie Road, Kilsyth and A803 Kilsyth Road, Queenzieburn – Reconstruction Northern Area 2008/2009 Contract.

(4) CARRIAGEWAY RETREAD 2008/2009

11. There was submitted a report dated 10 June 2008 by the Head of Roads and Transportation (1) providing details of tenders received for the Carriageway Retread 2008/2009 Contract, and (2) seeking approval for acceptance of the lowest offer, being that received from Colas Limited in the sum of £181,691.16.

Decided: that the Executive Director of Corporate Services be authorised to accept the lowest offer, being that received from Colas Limited in the sum of £181,691.16 for the Carriageway Retread 2008/2009 Contract.

(5) A723 CARFIN TO HOLYTOWN DUALLING

12. With reference to paragraph 12 of the Minute of the meeting of this Committee held on 22 May 2008, there was submitted a report dated 10 June 2008 by the Head of Roads and Transportation (1) seeking approval to advertise for the appointment of an engineering consultant to carry out the design and supervision of a rail over road bridge for the A723 Carfin to Holytown Dualling Scheme; (2) intimating that the fees for the design and supervision of the structure would exceed the threshold set by the European Union (EU) and would require the Council to follow EU procedure for procurement of this service; (3) intimating that funding for the service was contained within the Roads Capital Programme, and (4) recommending that the advertisement of the appointment of a consultant be carried out using the restricted tendering procedure.

Decided:

- (1) that the Head of Roads and Transportation be authorised to arrange for the publication of a Notice in the Official Journal of the European Union (OJEU) for the appointment of appropriate engineering consultants, and
- (2) that it be noted that a further report would be submitted to a future meeting of this Committee following the receipt of responses to the Notice.

(6) SURFACE DRESSING WORKS 2008/2009

13. There was submitted a report (docketed) dated 10 June 2008 by the Head of Roads and Transportation (1) providing details of tenders received for the Surface Dressing Works 2008/2009 Contract, and (2) seeking approval for acceptance of the lowest offer, being that received from Kiely Brothers Limited in the sum of £144,900.61.

Decided: that the Executive Director of Corporate Services be authorised to accept the lowest offer, being that received from Kiely Brothers Limited in the sum of £144,900.61 for the Surface Dressing Works 2008/2009 Contract.

INDEX OF PLANNING AND ENFORCEMENT NOTICE APPEALS LODGED

14. There was submitted a report (docketed) dated 10 June 2008 by the Head of Planning and Development advising the Committee of planning appeals and enforcement notice appeals lodged with the Scottish Ministers.

Decided: that the report be noted.

INDEX OF PLANNING AND ENFORCEMENT NOTICE APPEALS DECISIONS

15. There was submitted a report (docketed) dated 10 June 2008 by the Head of Planning and Development advising the Committee of recent decisions in respect of planning appeals and enforcement notice appeals.

Decided: that the report be noted.

SITE VISITS AND HEARINGS

(1) PLANNING APPLICATION N/07/01959/OUT – CHANGE OF USE AND EXTENSION OF DOMESTIC GARAGE TO FORM A DWELLINGHOUSE – 36A MAIN ROAD, CONDORRAT, CUMBERNAULD

16. With reference to paragraph 2 of the Minute of the meeting of this Committee held on 16 April 2008 insofar as it related to Planning Application N/07/01959/OUT for the change of use and extension of a domestic garage to form a dwellinghouse at 36A Main Road, Condorrat, the Committee considered a report by the Executive Director of Environmental Services.

The Committee were advised of the receipt of late representations, one of which would necessitate a requirement for the matter to be continued.

Decided: that the application be continued.

(2) PLANNING APPLICATION N/08/00033/FUL – AMENDMENT TO CARAVAN SITE LAYOUT - CARAVAN PARK RECEPTION, CAMPSIE VIEW, CARDOWAN, STEPPS

17. With reference to paragraph 2 of the Minute of the meeting of this Committee held on 1 May 2008 insofar as it related to Planning Application N/08/00033/FUL for the amendment to a caravan site layout at Campsie View, Cardowan, Stepps, the Committee considered a report by the Executive Director of Environmental Services and thereafter proceeded to hold a hearing.

Consideration was also given to a written representation by Councillor McGlinchey and oral representations made by the applicant and objectors who were in attendance for this item.

Councillor Brooks, seconded by Councillor Johnston moved that the application be granted in accordance with the recommendations of the Executive Director of Environmental Services.

Councillor Hogg, seconded by Councillor Taggart moved as an amendment that the application be refused for reasons of open space deficiency, insufficient car parking, pedestrian and traffic safety concerns, detrimental impact amenity and that the units on site were permanent residential units and not mobile homes.

On a vote being taken 10 Members voted for the amendment and 6 Members voted for the motion, the amendment was accordingly declared carried.

Decided: that the application be refused on the following grounds:-

- (1) that the units proposed for the site were considered to be permanent residential units and not mobile homes, that the layout failed to meet the Council's adopted standards on open space around dwellings and car parking provision in residential areas to the detriment of amenity, traffic safety and pedestrian safety, and
- (2) that the applicant had failed to demonstrate that the proposal would not have an adverse affect on the natural environment of the site or surrounding area.

ANNEX

Application No: N/08/00143/FUL
Applicant: Grant and Linda MacFarlane
Development/Locus: Construction of Dwellinghouse - Former Craigmarloch Nursery, Endwood, Kilsyth
Decision: Site Visit and Hearing

Application No: N/08/00592/FUL
Applicant: Mr A Miah
Development/Locus: Extension to Existing Restaurant to form Function Suite - Bombay Dreams, South Carbrain Road, Carbrain, Cumbernauld
Decision: Continue

Application No: N/08/00654/FUL
Applicant: Joseph and Rita Lynch
Development/Locus: Extension to a Dwellinghouse -4 Strone Gardens, Kilsyth G65 9LR
Decision: Site Visit

Application No: C/08/00377/FUL
Applicant: Mr F Coleman
Development/Locus: Change of Use of Open Space to Car Parking Area at Land at Stirling Road, Industrial Estate, Chapelhall
Decision: Refuse

Application No: C/08/00511/FUL
Applicant: T Mobile Limited
Development/Locus: Installation of 3 Antenna and Associated Equipment Cabinets on Roof Top at 9-13 Main Street, Coatbridge
Decision: Grant

Application No: C/08/00516/FUL
Applicant: Shanks Brothers
Development/Locus: Extension to Existing Workshop and Change of Use of Garden Ground to Builders Yard, Two Flatted Properties to Office Accommodation and Existing Office Accommodation to Dwellinghouse at 135-143 Greengairs Road, Greengairs
Decision: Grant

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Application No: C/08/00561/FUL
Applicant: Mr and Mrs A Walker
Development/Locus: Construction of Two Storey Extension to Dwellinghouse at 39 Kennedy Drive, Airdrie
Decision: Refuse

Application No: C/08/00646/AMD
Applicant: NLC
Development/Locus: Formation of Tiered Car Park (Amendment to Planning Application C/07/01605/FUL) at Land to South of High Coats Flats, Main Street, Coatbridge
Decision: Grant

Application No: S/07/00684/FUL
Applicant: Mr and Mrs D Ferguson
Development/Locus: Conversion of Agricultural Outbuilding to Dwellinghouse - Netherton Farm, Westcraigs Road, Harthill
Decision: Refuse

Application No: S/08/00484/FUL
Applicant: Mr and Mrs Banga
Development/Locus: Change of Use of Shop to Hot Food Take Away Unit – 58 Abernethyn Road, Newmains, Wishaw
Decision: Grant

Application No: S/08/00507/FUL
Applicant: Alliance and Leicester
Development/Locus: Installation of Automated Teller Machine - 220 Hamilton Road, Motherwell
Decision: Refuse

Application No: S/08/00568/FUL
Applicant: Mr Stewart Chapman
Development/Locus: Construction of Storage Building for Coach/Bus Business - Former Burnside Lorry Park, Hirst Road, Harthill
Decision: Grant

Application No: S/08/00672/FUL

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Applicant: Mr Culhaney

Development/Locus: Construction of Dwellinghouse - Old Mill Cottage, Old Mill Road, Allanton, Shotts

Decision: Refuse

Application No: S/08/00673/FUL

Applicant: Mr Townsley

Development/Locus: Construction of Replacement Dwellinghouse - Old Mill Cottage, Old Mill Road, Allanton, Shotts

Decision: Refuse