

Motherwell, 8 September 2009 at 3 pm.

A Special Meeting of the NORTH LANARKSHIRE COUNCIL

PRESENT

Councillor Curley, Provost; Councillor Robertson, Depute Provost; Councillors Brooks, Burrows, Cameron, Carrigan, Chadha, Clarke, J. Coyle, M. Coyle, S. Coyle, Curran, Delaney, Devine, Fagan, Ferrie, Grant, Harmon, Higgins, Hogg, Homer, Johnston, J. Love, Lyle, McCabe, McCulloch, H. McGuigan, L. McKay, McKendrick, McKenna, McShannon, McWilliams, Murray, Pentland, Ross, Shaw, Shevlin, Stewart, Stocks, Sullivan, Taggart and Wallace.

CHAIR

Councillor Curley (Provost) presided.

IN ATTENDANCE

Executive Director of Corporate Services; Executive Director of Environmental Services; Head of Central Services; Head of Roads and Transportation and Business Manager (Planning and Development Management).

APOLOGIES

Councillors Griffin, Jones, Kelly, Key, McAuley, McElroy, Maginnis, Morgan, Smith and Welsh.

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

1. Prior to consideration of the business on the agenda Councillor S. Coyle declared an interest, in terms of paragraph 7.9 of the Councillors' Code of Conduct, in agenda items 2 and 3 and indicated that she would take no part in consideration or determination of planning application C/07/01982/OUT.

Councillor S. Coyle declared an interest, in terms of paragraph 7.9 of the Councillors' Code of Conduct, in respect of the following item and took no part in consideration or determination thereof.

PLANNING APPLICATION C/07/01982/OUT – RESIDENTIAL DEVELOPMENT AND PROVISION OF LOCAL CENTRE ON LAND AT AVON AVENUE, UPPERTON, AIRDRIE: PROCEDURE FOR CONSIDERATION

2. There was submitted a report (docketed) dated 18 August 2009 by the Head of Central Services (1) advising that (a) Section 56 of the Local Government (Scotland) Act 1973 as amended requires that applications for planning permission for major developments which are significantly contrary to the Local Development Plan be determined only by the Council itself; (b) planning application C/07/01982/OUT seeks permission for such a development, and (c) it is a statutory requirement that, before determining such an application, the Council give the applicant and any person who has submitted representations an opportunity of appearing before and being heard by a Committee of the Council; (2) proposing that the Council resolve to constitute a Committee of the Council, to be known as the Planning Hearings Committee, the membership of which would comprise all members of the Council and the Convener of which would be Councillor James Coyle, and (3) making further proposals with regard to the procedure to be followed in considering planning application C/07/01982/OUT.

Decided:

- (1) that a Committee of the Council, to be known as the Planning Hearings Committee, be constituted the membership of which consists of all members of the Council and the Convener of which is Councillor James Coyle, and
- (2) the proposed procedure for consideration of planning application C/07/01982/OUT, as outlined in the report by the Head of Central Services, be adopted.

PLANNING APPLICATION C/07/01982/OUT – RESIDENTIAL DEVELOPMENT AND PROVISION OF LOCAL CENTRE ON LAND AT AVON AVENUE, UPPERTON, AIRDRIE

3. There was submitted a report by the Executive Director of Environmental Services with regard to an application by St Andrews Homes (Scotland) Limited/Croftstone Limited for planning permission for a residential development and provision of local centre on land at Avon Avenue, Upperton, Airdrie; there were submitted also (1) copy of letter dated 2 July 2009 by G.L. Hearn, Agents for the applicants, and (2) copy of supplementary report dated 8 September 2009 by the Executive Director of Environmental Services.

Decided:

- (1) that the report by the Executive Director of Environmental Services, the letter of 2 July 2009 and the supplementary report of 8 September 2009 by the Executive Director of Environmental Services be remitted to the Planning Hearings Committee with a recommendation to that Committee to meet immediately on the adjournment of this meeting to afford the applicant and the persons who have submitted representations with regard to that planning application an opportunity of appearing and being heard; and
- (2) that the meeting be adjourned to reconvene at 15.45 hours or immediately on the conclusion of the meeting of the Planning Hearings Committee, whichever is the later.

The meeting of the Council reconvened at 16.00 hours under the chairmanship of Councillor Curley (Provost) there being, then, present the same members, with the exception of Councillor S. Coyle, and in attendance the same officers.

The meeting resumed consideration of planning application C/07/01982/OUT and was advised by the Head of Central Services that the Planning Hearings Committee, having afforded the applicant and persons who had made representations with regard to the planning application an opportunity of appearing and being heard, had recommended to the Council that the planning application be refused for the reasons set forth in the reports by the Executive Director of Environmental Services.

Thereon Councillor Robertson seconded by Councillor James Coyle moved that the recommendation of the Planning Hearings Committee be accepted and that planning application C/07/01982/OUT – Residential development and provision of local centre: land at Avon Avenue, Upperton, Airdrie be refused for the reasons set forth in the reports by the Executive Director of Environmental Services.

Councillor Lyle, seconded by Councillor Homer moved, as an amendment, that the Council continue consideration of planning application C/07/01982/OUT – Residential development and provision of local centre: land at Avon Avenue, Upperton, Airdrie in order that an Appropriate Assessment in terms of the Conservation (Natural Habitats etc) Regulations 1994 might be undertaken with a view to granting that application subject to the provision of a Section 75 Agreement as outlined in the reports by the Executive Director of Environmental Services.

On a vote being taken 12 members voted for the amendment and 27 members voted for the motion which was accordingly carried.

Decided: that planning application C/07/01982/OUT – Residential development and provision of local centre: land at Avon Avenue, Upperton, Airdrie be refused for the reasons set forth in the reports by the Executive Director of Environmental Services.

SCHEME OF ADMINISTRATION: PLANNING HEARINGS COMMITTEE

4. There was submitted report dated 24 August 2009 by the Head of Central Services recommending that the Council agree that a Planning Hearings Committee be established the membership of which would consist of all members of the Council, the Convener of which would be Councillor James Coyle and the Vice-Convener of which would be Councillor Mark Griffin and that the Scheme of Administration be altered accordingly.

Decided: that a Planning Hearings Committee be established of which all members of the Council will be members, the Convener will be Councillor James Coyle and the Vice-Convener Councillor Mark Griffin.