

24 February 2022 at 10 am.

A Remote Meeting of the **PLANNING COMMITTEE**

PRESENT

Councillor Curran, Convener; Councillor McVey, Vice-Convener; Councillors Anderson, Beveridge, Burgess, S. Coyle, Douglas, Goldsack, Graham, T. Johnston, Lennon, Logue, Magowan, McKendrick, McLaren, McManus, McPake, Quigley, Shields and Watson.

CHAIR

Councillor Curran (Convener) presided.

IN ATTENDANCE

The Head of Planning and Regeneration, Planning and Place Manger, Planning Manager (North), Planning Manager (South), Communications Officer and Committee Officer.

APOLOGIES

Councillors M Coyle, Paul Kelly, Reddin and Stubbs

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

1. The meeting noted that there were no declarations of interest.

PLANNING APPLICATIONS INDEX

2. There was submitted a report by the Head of Planning and Regeneration detailing Planning Applications submitted for planning consent.

Decided: that the Planning Applications be dealt with in accordance with the Annex to this Minute.

CONFIRMATION OF A TREE PRESERVATION ORDER ON LAND AT AND SURROUNDING RAWYARDS NURSING HOME, MOTHERWELL STREET, AIRDRIE

3. There was submitted a report by the Head of Planning and Regeneration (1) outlining the background to the requirement to promote a Tree Preservation Order on Land at and surrounding Rawyards Nursing Home, Motherwell Street, Airdrie; (2) indicating that no objections had been received, and (3) recommending that a Tree Preservation Order be confirmed on Land at and surrounding Rawyards Nursing Home, Motherwell Street, Airdrie.

Decided: that the promotion of a Tree Preservation Order for a group of trees on land at and surrounding Rawyards Nursing Home, Motherwell Street, Airdrie, as set out in the plan attached to the report, be confirmed.

ENFORCEMENT CHARTER REVIEW 2022

4. With reference to paragraph 5 of the Minute of the Meeting of the former Planning Sub-Committee held on 21 March 2018 when the revised enforcement charter 2018 was approved, there was submitted a report by the Head of Planning and Regeneration (1) intimating that the Council's Enforcement Charter required to be revised in line with the Planning etc. (Scotland) Act 2006; (2) intimating that the Charter explains how the enforcement process works, the role of the Council, the service standards set and what happens at each stage of what can be a lengthy process; (3) advising that enforcement is one of the most complex parts of the planning system and the aim of the Charter was to ensure that adopted procedures are fair and reasonable and that interested parties are kept informed and made aware of what action was required; (4) indicating that in response to feedback from the Scottish Public Services Ombudsman, and with the aim of making the public more aware of the discretionary nature and practicalities of the enforcement system, the revised Charter sets out the process and expands on the rationale as to when and why discretionary powers are used, and (5) seeking approval of the revised Enforcement Charter 2022, attached at appendix A to the report.

Decided: that the Enforcement Charter 2022, attached at appendix A to the report, be implemented.

NEW PROCEDURE FOR DEALING WITH LEGACY PLANNING APPLICATIONS

5. There was submitted a report by the Head of Planning and Regeneration (1) setting out the procedure for handling existing and future applications which have an interim "minded to grant" decision subject to the conclusion of a legal agreement; (2) advising that one of the measures of planning performance by the Scottish Government through the Annual Planning Performance Framework was the number of legacy cases a Planning Authority was dealing with and each Council was required to report on the number of cases cleared and the number of cases outstanding; (3) intimating that applications with an interim 'minded to grant' decision subject to a legal agreement took a considerable amount of time to conclude and in some cases the applicant did not conclude the agreement, and (4) proposing that applications which are 'minded to grant' subject to the conclusion of a legal agreement have an interim "minded to grant" decision notice issued stating the requirement for a legal agreement to be concluded within six months of the date of the notice and thereafter a report would be submitted to Committee with a likely recommendation that the Application be refused or, if it was a delegated decision, the application would be refused and only in exceptional circumstances and, at the discretion of the Planning and Place Manager, would the six month period be extended.

Decided: that the procedure set out in Section 2.4 of the report to deal with existing and future applications which have an interim "minded to grant" decision, subject to conclusion of a legal agreement, be agreed.

PLANNING PERFORMANCE FRAMEWORK 2020/2021 UPDATE

6. There was submitted a report by the Head of Planning and Regeneration (1) informing of the Scottish Government feedback on the performance of the Planning and Place Service for the period from 1 April 2020 to 31 March 2021 based on the Planning Performance Framework; (2) intimating that the Planning Performance Framework was prepared annually and detailed the performance of the Council against the Key Performance Indicators agreed with the Scottish Government; (3) advising that the report sets out the achievements of the Planning Service under four headings, namely the Quality of Outcomes, Quality of Service and Engagement, Governance, and Culture of Continuous Improvement; (4) indicating that, for 2020/2021, the Council received seven green markers, three amber and three red, the rationale for which was set out within Sections 2.6 to 2.11 of the report, and (5) providing details of the Planning Performance Framework: Service Improvement Actions for 2021/2022.

Decided: that the terms of the report be noted.

ANNEX

Application No: 20/01443/FUL

Applicant: Mr Ronnie Lees

Development/Locus: Change of Use of Agricultural Outbuilding to Form Microbrewery and Shop (In Retrospect) - The Hayloft, Woodend Farm, Birkenshaw Road, Annathill

Decision: Grant

Application No: 21/00896/FUL

Applicant: Clowes Developments (Scotland) Limited

Development/Locus: Erection of 2 No. Industrial Warehouses with Car Parking and Distribution Yard - Land North of Belgowan Street / West of Leggate Way, Bellshill Industrial Estate, Bellshill

Decision: Refuse as the noise levels and disturbance that will arise from the development will have a significant detrimental impact on the amenity of residents living next to the site.

Application No: 21/01017/FUL

Applicant: Taylor Homes (Scotland) Limited

Development/Locus: Three Dwellinghouses - Land at North and South Road, Bellside, Cleland

Decision: Grant

Application No: 21/01275/FUL

Applicant: Euro Garages Limited

Development/Locus: Roadside Services Area Comprising Petrol Filling Station, Ancillary Retail Unit, Drive-Thru (Class 3) Units, HGV And Car Parking Areas, Associated Facilities, Landscaping, Infrastructure Works and New Junction Access - Site at Hornshill Farm Road, Stepps

Decision: Continued for further consideration