



**Community And Enterprise Resources**  
Executive Director **David Booth**  
**Planning And Economic Development**

Derek Scott  
Derek Scott Planning  
21 Lansdowne Crescent  
Edinburgh  
EH12 5EH

Our Ref: P/21/1210  
Your Ref:  
If calling ask for: Gail Neely  
Date: 6 May 2022

Dear Sir/Madam

**Proposal:** Erection of agricultural worker's dwelling house (permission in principle)  
**Site address:** Land 475M Southeast Of Cobblehaugh Farm Cottage, Cobblehaugh Road, Lanark, South Lanarkshire, ,  
**Application no:** P/21/1210

I would advise you that the above application was refused by the Council and I enclose the decision notice which sets out the reasons for refusal. Please note that the Council does not issue paper plans with the decision notice. The application is refused in accordance with the plans and any other documentation listed in the reasons for refusal imposed on the accompanying decision notice and which can be viewed using the Council's online planning application search at [www.southlanarkshire.gov.uk](http://www.southlanarkshire.gov.uk)

If you consider that you can overcome the reasons for refusal and that it is not the principle of the development that is unacceptable, you may submit an amended application. If you do amend your proposals and re-apply within one year of this refusal, then you will not have to pay a fee, provided the proposal is of the same character or description as the application which has just been refused.

As your application has been refused, you may appeal against the decision within 3 months of the date of the decision notice. The attached notes explain how you may appeal.

Should you have any enquiries relating to the refusal of your application or a potential amended submission, please contact Gail Neely on 01698 455932

The Planning Service is undertaking a Customer Satisfaction Survey in order to obtain feedback about how we can best improve our Service to reflect the needs of our customers. The link to the survey can be found here:

If you were the applicant: <http://tinyurl.com/nrtgmy6>

If you were the agent: <http://tinyurl.com/od26p6g>

We would be grateful if you would take a few minutes to answer the questions in the survey based on your experience of dealing with the Planning Service in the past 12 months. We value your opinion and your comments will help us to enhance areas where we are performing well, but will also show us where there are areas of the service that need to be improved.

Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB  
Email [gail.neely@southlanarkshire.gov.uk](mailto:gail.neely@southlanarkshire.gov.uk) Phone: 01698 455932



I do hope you can take part in this Customer Survey and look forward to receiving your comments in the near future. If you prefer to complete a paper version of the survey, please contact us by telephone on 0303 123 1015, selecting option 7, quoting the application number. We will send you a copy of the survey and a pre-paid envelope to return it.

Yours faithfully

**Head of Planning and Economic Development**

Enc:

## Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006

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To :

**Firm of Thomas Orr  
Hyndford Mill Cottage ,  
Charleston Park Farm,  
Cobblehaugh Road ,  
Lanark , ML11 8SG ,**

Per : **Derek Scott**

**21 Lansdowne Crescent ,  
Edinburgh , EH12 5EH ,**

With reference to your application received on [22.06.2021](#) for planning permission in principle under the above mentioned Act :

**Description of proposed development:**

[Erection of agricultural worker's dwelling house \(permission in principle\)](#)

**Site location:**

[Land 475M Southeast Of Cobblehaugh Farm Cottage, Cobblehaugh Road,  
Lanark, South Lanarkshire, ,](#)

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South Lanarkshire Council in exercise of their powers under the above mentioned Act hereby:

**REFUSE PLANNING PERMISSION IN PRINCIPLE**

for the above development in accordance with the plan(s) specified in this decision notice and the particulars given in the application, for the reason(s) listed overleaf in the paper apart.

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Date: 6th May 2022

**Head of Planning and Economic Development**

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This permission does not grant any consent for the development that may be required under other Legislation, e.g. Planning Permission, Building Warrant or Roads Construction Consent.

**South Lanarkshire Council  
Community and Enterprise Resources  
Planning and Economic Development**

## **South Lanarkshire Council**

### **Refuse planning permission in principle**

**Paper apart - Application number:** P/21/1210

#### **Reason(s) for refusal:**

01. The proposed development is contrary to Policy 4 'Green Belt and Rural Area' of the adopted Local Development Plan 2 as it would constitute an isolated form of development within the Rural Area without appropriate justification.
02. The proposed development does not accord with the criteria identified in Policy GBRA1 'Rural Design and Development' of the adopted Local Development Plan 2 as it would result in isolated and sporadic residential development in the rural area and the siting of the proposed dwelling would adversely impact on the established visual amenity and landscape character of the surrounding rural area.
03. The proposed development does not accord with the criteria identified in Policy GBRA10 'Accommodation Associated with an Existing or Proposed Rural Business' of the adopted Local Development Plan 2 in that the justification provided in the supporting statement for not siting the proposed dwelling in close proximity to the established the building group is not considered adequate and there is not sufficient justification that a new dwelling house is essential for the successful management of the business.
04. If approved, the proposal would set an undesirable precedent which could encourage further similar applications for development prejudicial to the Rural Area designation.
05. The proposal is contrary to the provisions of Policy 14 'Natural and Historic Environment' of the adopted Local Development Plan 2 as the visual impact of the development on the special landscape area is not considered to be outweighed by a significant social or economic benefit.

#### **Reason(s) for decision**

The proposed development does not accord with the requirements of Policies 4, 14, GBRA1 and GBRA10 of the adopted Local Development Plan 2.

## Notes to applicant

**Application number: P/21/1210**

### Important

The following notes do not form a statutory part of this decision notice. However, it is recommended that you study them closely as they contain information which guides you to other relevant matters that may assist in ensuring that the development is properly carried out.

01. This decision relates to drawing numbers:

Reference	Version No:	Plan Status
L(-- )018		Refused
L(-- )001 (F)		Refused
L(-- )005 (E)		Refused
L(-- )005 (F)		Refused
L(-- )001 (D)		Refused



## **COMMUNITY AND ENTERPRISE RESOURCES**

EXECUTIVE DIRECTOR **David Booth**

Planning and Economic Development

### **Important notes**

## **Town and Country Planning (Scotland) Act 1997**

### **1. Compliance with conditions**

Under the provisions of the Town and Country Planning (Scotland) Act 1997 (Section 145), failure to comply with any condition(s) imposed on any planning permission may result in the service by the Council of a "Breach of Condition Notice" requiring compliance with the said condition(s).

There is no right of appeal against such a Notice and failure to comply with the terms of the Notice within the specified time limit will constitute a summary offence, liable on summary conviction to a fine not exceeding £1000.

### **2. Procedure for appeal to the planning authority**

- (a) If the applicant is aggrieved by the decision of the planning authority to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997, within three months from the date of this notice. The notice of review should be addressed to:

**Executive Director (Corporate Resources)**  
**Council Headquarters**  
**Almada Street**  
**Hamilton**  
**ML3 0AA**

To obtain the appropriate forms:

Administrative Services at the above address.

Telephone: 01698 454108

E-mail: [pauline.macrae@southlanarkshire.gov.uk](mailto:pauline.macrae@southlanarkshire.gov.uk)

- (b) If permission to develop land is refused or granted subject to conditions, whether by the planning authority or by the Scottish Ministers, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered incapable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the planning authority a purchase notice requiring the purchase of his interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.