

# **Appendix 7**

**Applicant's Comments on Further Representations  
Submitted by Interested Parties in the Course of the  
Notice of Review Consultation Process**



**Attn. Pauline MacRae**  
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20th February 2019

Our REF: 929224/WSV/PL-3  
Your REF: PLRB/NOR/CL/19/001

Dear Pauline

**929224: PROPOSED RESIDENTIAL HOUSE PLOT AT GAP SITE BETWEEN LIMWOOD-16 ST PATRICK'S ROAD AND  
CLYDESHOLM BRAE-18 ST PATRICK'S ROAD, LANARK — REF: P/18/0245 — APPEAL REF: PLRB/NOR/CL/19/001**

I refer to receipt of your letter dated 11<sup>th</sup> February 2019 enclosing the representations received from interested parties and as entitled I have made my comments on these representations as follows;

**Representations from Steven and Valerie Laing.**

1. All considerations were given in respect to the location of the Scottish Water infrastructure that passes through the lower section of the site which had a result of the positioning of the proposed dwelling house on the higher / rear section of the proposed development.
2. In respect to the Laing's agreeing with statements made within sections 3 and 4 of SLC's Delegated Report, we would consider that all design considerations have been met in respect to GBRA5 given the constraints to the proposed development site.

It is noted within Delegated Report that any house should be positioned to relate with the existing properties on either site i.e. on the build line.

A common feature of the countryside is small groups of traditional and modern houses built using the road frontage edge of what were previously fields. These are generally well established and consist of no more than two or three houses i.e. St Patricks Road. Linear development becomes a problem when these small groups are extended along the road, with the result that the rural character is lost with development dominating otherwise rural views.

Building a new house on the build line would come to dominate the view, where narrow roads were once bounded by trees, hedgerows and dykes etc therefore the new proposed house is proposed for further up the hill side screen by existing and new landscape features which avoid the new house from dominating the rural view.

Furthermore a continuous linear development leads to suburbanisation and a loss of rural character.

### **Representations from Jean Sanders.**

1. House location: again this first representation refers to the build line and that the new house should be positioned accordingly, however as indicated within the comments to the Laing's representation the new house cannot be located on this build line due to the previously mention site constraints i.e Scottish Water infrastructure and the historic St Patrick's Well.

In respect to locating the house higher on the site due to these constraints we would further comment that modern building techniques mean that houses can be built on almost any site, regardless of its physical landscape.

Building on sloping site makes them unduly prominent and significant under-building further increase the visible mass of the building. This technique results in new builds often sitting up in the skyline and can have a detrimental effect on the surrounding landscape therefore the proposed house is planned to be built into the landscape and not on the landscape minimising any such impact.

The use of split levels as a design feature on sloping sites would avoid the need for any major engineering on the site and minimise any impact on the landscape character of the land.

2. Comments raised in respect to the planning consent granted under CL/17/0044 are relative to this appeal as the council has previously given consent for a modern contemporary, slit level house on a gap site which lies less than 500 yards for the application site. This is relevant as the council has already intimated within their Delegated Report for CL/17/004 that this contemporary house meets with the guidelines of GBRA5.

Under planning guidelines it is also important to encourage the best of contemporary designs. There is considerable scope for creative and innovative solutions whilst relating a new home to the established character of the area.

3. Determination at detailed planning application stage:

The basis of the Outline Planning application is to determine the principal of the development from a gap site to a residential site which require a certain amount of information to be provided to allow the application to be assessed and on this occasion, we consider that we provided all relevant drawings etc to allow the planner to consider this application.

A full planning application would entail full detailed design drawings of the proposed house, floor plans sections material finishes, landscape proposals and this application would be independently assessed by the planners.

We would consider that this representation made by Jean Saunders in not relevant or applicable.

### **Representations from Chris Whitehead.**

1. The prior opinion e-mail from Lynda Dickson of the Planning Department was sought by the applicant as a pre-consultation to ascertain if the application site was suitable and considered to be a gap site. The response from Lynda Dickson confirming that this site could be considered as a gap gave the applicant justification in proceeding with an Outline Planning application.

Mr Whitehead further commented that any development would only be considered if the proposed house was built on the build line. As part of the response provided in respect to the comments by Steven and Valerie Laing, item 2 we would again intimate that to build on the build line would be considered as a ribbon development which should be avoided in such rural and narrow road situations.

In respect to the comment about the applicant has not expressing any proposal by way of mitigation to address the build line, we would confirm that the mitigation was addressed during the application process and was clearly outlined with in the application statement for the appeal.

2. Again comments are noted as to the build line which we have responded to in the above. In respect to the privacy issues to Limewood this would be addressed within a full planning application where the full design of the new house would fully address any privacy issues with any views from the proposed new house being fully considered in respect to the neighbouring properties. As an example any modern housing development would have houses that back onto each other, being separated by fences etc but there would still be some degree of overlooking into neighbouring properties.

Mr Whitehead further comments that the house should be moved forward and down the site requiring the relocation of the Scottish Water infrastructure, this would not be considered due to the extent of excessive civil works required to carryout such an operation which would be more harmful to the environment / rural area, therefore the positioning of the house on the rear section of the site

was deemed more acceptable and would cause less disruption to the area during construction. Scottish Water would be full consulted during a full planning application. Furthermore during the outline application Scottish Water had no comments or objection to make at that time.

The applicant also sold 'Limewood' 16 St Patrick's Road, Lanark to the current owner and as part of that sale the applicant full discussed the possible new house build and apposition on the application site and that there were no objections / concerns raised at that time. Furthermore the owners of 'Limewood' were fully consulted by the applicant on the construction of the new driveway and again no concerns / objections at that time.

3. In respect that another modern contemporary house would irreversibly alter the overall character of the area in direct contravention to the stated policy on gap site development under GBRA5, we confirm that under GBRA5 the policy stated the following;

Chapter 3, Rural Area, item 3.7 states that 'small scale housing development in the right places and of a high environmental and design quality may also be supported. In addition to the circumstances outlined in paragraph 3.5, in the rural area this can also included:'.

- the limited expansion of an existing settlement where the proposal would be proportionate to the existing scale and built form of the settlement.
- extension to existing clusters and groups.
- proposals for individually designed, contemporary or innovative houses.

The planning policies also intimate that modern contemporary houses will also be considered where they would be constructed using the highest levels of craftsmanship in conjunction with modern efficient and sustainable materials to blend in with the surrounding area. The house design would also be designed with an efficient heating system coupled with mechanical and heat recovery systems to aid in the delivery of modern home whilst having a minimal environmental impact.

Materials utilised to construct the new house would also meet the rural guidance utilising external material finishes to blend in with the surround area and neighbouring houses.

The issue of full planning consent for a new modern contemporary split level house on the site just less than 500 yards away form this application highlights that the planners were satisfied with the introduction of this style of house into the rural area and confirmed that guidelines of GBRA5 were met. This highlights an inconsistency with the planner refusal decision for this site.

4. We strongly object to the last point raised by Mr Whitehead where it is implied that the applicant and subsequently ourselves are somehow attempting to avoid providing clear information at this stage in an attempt to surpass the system to make it easier to have a full planning application granted at a later stage. All necessary information supplied during the Outline application was sufficient to allow the application to be duel processed.

As a register Chartered Member of the 'Chartered Institute of Architectural Technologists' we have codes of practice to adhere to and any suggestion that we have acted inappropriately would require us to take the appropriate actions to defend our professional reputation and that of the applicant. Should this point not be withdrawn or indeed an apology offered for such an actuation then we will require to discuss this matter with our lawyers.

## Statement of Observations:

We acknowledge the comments provided within the statement of observations provided by the planners which is a brief summary of their Delegated Report and would comment on the Section 5 – Conclusions as follows;

In terms to the house plot not being comparable with those nearby in terms of size and road frontage, we would justify the increased plot size to the rear due to the constraints on the lower section of the site i.e. the historic St Patrick's Well and the Scottish Water infrastructure. In terms of the road frontage, a house on the build line would result in a ribbon development which should be avoided in the rural area and on narrow roads as this would result in dominating the local views along the road side. The points raised within the submitted statement for appeal outlines how we consider that the policies contained within Policy 3 and GBRA5 can be met.

In terms of the comments that the proposal would not comply with Polices 4 and NHE16 in that it would adversely affect the landscape character and rural nature of the area we would comment as follow;

The Supplementary Guidance 2: Natural and Historic Environment, Chapter 4, Natural Environment, Policy NHE16 Landscape, Special Landscape Areas, states that ' development proposals within the Special Landscape Areas (SLA) identified on the Strategy Map will only be permitted if they satisfy the requirements of LDP Policy 3 Green Belt and Rural Area and can be accommodated without significantly and adversely affecting the landscape character, scenic qualities and features for the area has been designated.'

As noted in the planners Delegated Report point 3.6 states the following:

'Views into the application site are primarily from the Kirkfieldbank area to the west and north-west, while bends in the valley of the Clyde and distance mean that there would be no effect on the New Lanark World Heritage Site's outstanding universal value. The formation of a plot would therefore be acceptable in the context of Policy 15 - Natural and Historic Environment.'

This statement appears to contradict that given in the 'Statement of Observations'.

The above comments are a reply to the representations provided by the interested parties and we would like the above to be taken into full consideration by the Local Review Body.

Yours faithfully

Wm. Stuart Veitch

