

# Appendix 4

## Planning Decision Notice and Reasons for Refusal





## Town and Country Planning (Scotland) Act 1997

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To : **Elizabeth Smith**  
**18 Alder Gate**  
**Cambuslang G72 7ZF**

Per :

With reference to your application dated 18 November 2010 for Planning Permission under the above mentioned Act :

**Description of Proposed Development :**

Erection of front boundary wall (Retrospective) (Deletion of condition number 12 of consent GDC 2091/95)

**Site Location :**

18 Alder Gate  
Cambuslang

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

**REFUSE PLANNING PERMISSSION**

for the above development in accordance with the accompanying plan(s) and particulars given in the application, subject to the condition(s) listed overleaf in the paper apart. The condition(s) are imposed by the Council for the reasons detailed.

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Date: 18/01/11

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**Michael McGlynn, Head of Planning and Building Standards Services**

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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**  
**Enterprise Resources**  
**Planning and Building Standards Services**

**South Lanarkshire Council  
Refuse Planning Permission**

Application Number: CR/10/0266

Reason(s) for Refusal:

- 1 This decision relates to drawing numbers:  
Plans 1-2  
Photo.'s 1-10
- 2 The proposal is contrary to Policy DM 1 - Development Management of the adopted South Lanarkshire Local Plan in that it would result in part of the front garden area being enclosed by a brick wall with railings, in a modern residential estate which has been developed with an "open plan" concept in order to enhance the environmental quality and character of the area. In particular the proposal would be contrary to the following criteria as the proposal:
  - a) does not respect the local context.
  - b) is not of a layout or form which makes a positive contribution to the area.
  - d) has a significant impact on visual amenity.
- 3 The proposal is contrary to Policy DM 4 - House Extensions and Alterations of the adopted South Lanarkshire Local Plan in that it would result in part of the front garden area being enclosed by a brick wall and railings, in a modern residential estate which has been developed with an "open plan" concept in order to enhance the environmental quality and character of the area.. In particular the proposal would be contrary to the following criteria as the proposal:
  - a) does not respect the character of the wider area by virtue of its siting and form form.
- 4 The proposal is contrary to Policy RES6 - Residential Land Use of the adopted South Lanarkshire Local Plan in that the proposal would have a detrimental effect on residential amenity as it would be contrary to criteria a, b and d of Policy DM1 and criteria a of Policy DM4 of the adopted South Lanarkshire Local Plan.
- 5 The proposal is contrary to the Council's Residential Development Guide and condition number 12 of consent GDC 2091/95 which in the interests of visual amenity, prohibits the erection of gates, fences, walls or other means of enclosure between the front of the dwellinghouse and the adjoining road.
- 6 If approved, the proposal would set an undesirable precedent which could encourage further similar applications for proposals which would be to the visual detriment, appearance and amenity of the area in general.