

# Report

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Report to:	<b>Clydesdale Area Committee</b>
Date of Meeting:	<b>21 June 2016</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application No	CL/16/0148
Planning Proposal:	Formation Of Bin Store, Landscaping And Erection Of Timber Fencing.

## 1 Summary Application Information

- Application Type : Further applications
- Applicant : Mr William Cruickshank
- Location : Rear of Hozier House  
Home Street  
Lanark  
ML11 9AZ

## 2 Recommendation(s)

### 2.1 The Committee is asked to approve the following recommendation(s):-

- (1) Grant detailed planning permission (Subject to Conditions – based on Conditions Attached)

### 2.2 Other Actions/Notes

- (1) The Clydesdale Area Committee has delegated powers to determine this application

## 3 Other Information

- ◆ Applicant's Agent: Alex Cullen and Co
- ◆ Council Area/Ward: 02 Clydesdale North
- ◆ Policy Reference(s): **South Lanarkshire Local Plan (adopted 2015)**  
Policy 4: Development Management and Place Making  
Policy 6: General Urban/Settlements  
**Supplementary Guidance**  
Management, Placemaking and Design (2015)

◆ Representation(s):

▶	8	Objection Letters
▶	0	Support Letters
▶	0	Comment Letters

◆ Consultation(s):

None

## **Planning Application Report**

### **1 Application Site**

- 1.1 The proposed works are to be carried out to the rear of Hozier House and represent the final stages in the redevelopment of this former convalescent home which was converted in 1991 into 13 residential units. The application site comprises the rear section of the curtilage around the new phase of development of this C listed property.

### **2 Proposal(s)**

- 2.1 Detailed planning permission is sought for the erection of fencing to the boundary with the sorting office to the north as well as internal fencing to form a bin storage area and to create private garden areas to units 1 and 2. Other works include the laying of kerb stones, hard surfacing and landscaping.

### **3 Background**

#### **3.1 Local Plan Status**

The South Lanarkshire Local Development Plan shows the site being situated within the settlement of Lanark in the general urban area covered by Policy 6: General Urban/Settlements while the proposed fencing and hard standing is also covered by Policy 4 : Development Management and Place Making.

#### **3.2 Relevant Government Advice/Policy**

None relevant

#### **3.3 Planning History**

The application relates to the erection of fencing, formation of a bin store and an amended hard landscaping layout connected to the redevelopment of the rear section of Hozier House. The proposed development relates to the 5 residential units approved through previous planning approvals for the extension and alterations to Hozier House to form dwellings and associated car parking under applications; CL/07/0190, CL/12/0196, CL/14/0492 and CL/15/0124. The original consent ( CL/07/190) was renewed (CL/12/0196) for a further three years in June 2012 with an amendment approved in January 2015 (CL/14/0492) to change the rear conversion to form 4 units instead of the original 3. This was further expanded with the addition of a new build extension to form an additional dwelling and alter the parking arrangement through application CL/15/0124. The application site comprises part of the curtilage of a C(s) listed property and as such this particular proposal has also been the subject of a recent application for Listed Building Consent CL/16/0149.

### **4 Consultation(s)**

4.1 No consultations required.

## **5 Representation(s)**

5.1 Following the statutory neighbour notification of the application 8 letters of representation (7 of which are pro forma) were received, the contents of which are summarised as follows:

- (a) **The objections received refer to alterations which were carried out to the boundary wall to the side of the main building and to the formation of 4 additional parking spaces at the end of the existing parking area to the front of the building.**

**Response:** The elements of the development objected to by the residents of Hozier House do not form part of the current application which is for the formation of a bin store, landscaping and erection of timber fencing only, as per the proposal description. The opening formed in the wall by the applicant does not require planning consent but did require approval through the listed building consent process. An application ( for which neighbour notification is not required) was lodged for this work last year and it was determined that the opening did not adversely affect the character of Hozier House. Consent was therefore granted for this along with various other works under Listed Building Consent CL/15/0122. The additional car parking was approved under a previous planning application CL/15/0124 and is not subject to consideration under this current application. The 5 new units proposed under applications CL/14/0492 and CL/15/0124 required a total of 10 car parking spaces to meet minimum standards and this area was identified by the applicant as being in his control and considered to be the logical area for additional parking as an extension of the existing parking area used by the current residents of Hozier House.

## **6 Assessment and Conclusions**

- 6.1 The determining issues that require to be addressed in respect of this application are compliance with the adopted local plan and its impact on the visual and residential amenity of the area.
- 6.2 In terms of the adopted South Lanarkshire Local Development Plan, the application site is identified as being within the settlement of Lanark in a general urban area covered by Policy 6. Policy 6 states that the council will resist any development within this area which will be detrimental to the amenity of residents and that development must also accord with other relevant policies and proposals in the development plan and appropriate supplementary guidance.
- 6.3 Policy 4 of the South Lanarkshire Local Development Plan states that proposals will require to take account of and be integrated with the local context and built form.

Development proposals should have no significant adverse impacts on the local community. Guidance on new development is set out in supplementary guidance document 3: Development Management Placemaking and Design. Within that guidance, Policy DM13 'Development within General Urban Area/settlement states that the protection and enhancement of the residential amenity and character of an area is a key consideration in determining planning applications in the general urban area.

- 6.4 In summary, the addition of the proposed timber fencing within the application site together with the formation of the bin store and hard landscaping are an acceptable form of development and will not be detrimental to the amenity of the area or the existing residents of Hozier House. The scale, location and design of the additional fencing and hard landscaping is considered appropriate for the site and takes into account it's setting, resulting in an improved residential environment within this part of the site.

## **7 Reasons for Decision**

- 7.1 The proposal will not adversely impact on residential amenity and/or the character of the surrounding area. The proposed development complies with the provisions of Policies 4 and 6 of the adopted South Lanarkshire Local Development Plan and Policy DM13 of the relevant associated Supplementary Guidance

**Michael McGlynn**  
**Executive Director (Community and Enterprise Resources)**

**2 June 2016**

### **Previous References**

- ◆ CL/07/0190
- ◆ CL/07/0191
- ◆ CL/12/0196
- ◆ CL/14/0492
- ◆ CL/14/0493
- ◆ CL/15/0122
- ◆ CL/15/0124
- ◆ CL/16/0089

### **List of Background Papers**

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted)
- ▶ Supplementary Guidance

- Management, Placemaking and Design (2015)
- ▶ Neighbour notification letter dated 22.04.2016
- ▶ Representations
  - Representation from : Lisa Travers, KPMG LLP, 191 West George Street, Glasgow, G2 2LJ, DATED 12/05/2016
  - Representation from : Alistair Stevenson, Flat 6 Hozier House, Lanark, DATED 17/05/2016
  - Representation from : John Cunningham, Flat 2 Hozier House, Lanark, DATED 17/05/2016
  - Representation from : David Ramage, Flat 1 Hozier House, Lanark, DATED 17/05/2016
  - Representation from : Matthew Devine, Flat 8 Hozier House, Lanark, DATED 17/05/2016
  - Representation from : John and Betsy Campbell, Flat 3, Hozier House, Lanark, DATED 17/05/2016
  - Representation from : Thomas Wilma Pilling, Flat 4 Hozier House, Lanark, DATED 17/05/2016
  - Representation from : John Moore, Flat 5 Hozier House, Lanark, DATED 17/05/2016

**Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact:-

Steven Boertien, Planning Officer, Council Offices, South Vennel, Lanark, ML11 7JT  
Ext 3266 (Tel: 01555 673266)  
E-mail: [steven.boertien@southlanarkshire.gov.uk](mailto:steven.boertien@southlanarkshire.gov.uk)

Further applications

PAPER APART – APPLICATION NUMBER: CL/16/0148

## **CONDITIONS**

- 1 All external colours for the approved fencing shall be agreed in writing with the Council as Planning Authority prior to them being stained/painted.
- 2 That the landscaping scheme as shown on the approved plan shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following the completion of the development hereby approved and shall thereafter be maintained and replaced where necessary to the satisfaction of the Council.

## **REASONS**

- 1.1 In the interests of amenity and in order to retain effective planning control.
- 2.1 In the interests of amenity.

## **INFORMATIVES**

- 1 This decision relates to drawing numbers: 1210/8D and 1210/9F
- 2 Failure to comply with the conditions imposed on this planning permission can result in the planning authority serving a Breach of Condition Notice and/or Enforcement Notice. If any of the requirements set out in these notices are not then complied with, a fixed penalty notice may be served seeking the payment of the sum specified in the penalty notice to the Planning Authority. The sum will be as set by The Town and Country Planning (Amount of Fixed Penalty) (Scotland) Regulations 2009.
- 3 The person carrying out the development must give advance notice in writing to the planning authority of the date when it intended to start. Failure to do so is a breach of planning control. It could result in the planning authority taking enforcement action. [See sections 27A and 123(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)]
- 4 As soon as possible after it is finished, the person who completed the development must write to the planning authority to confirm the position [See section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended)]

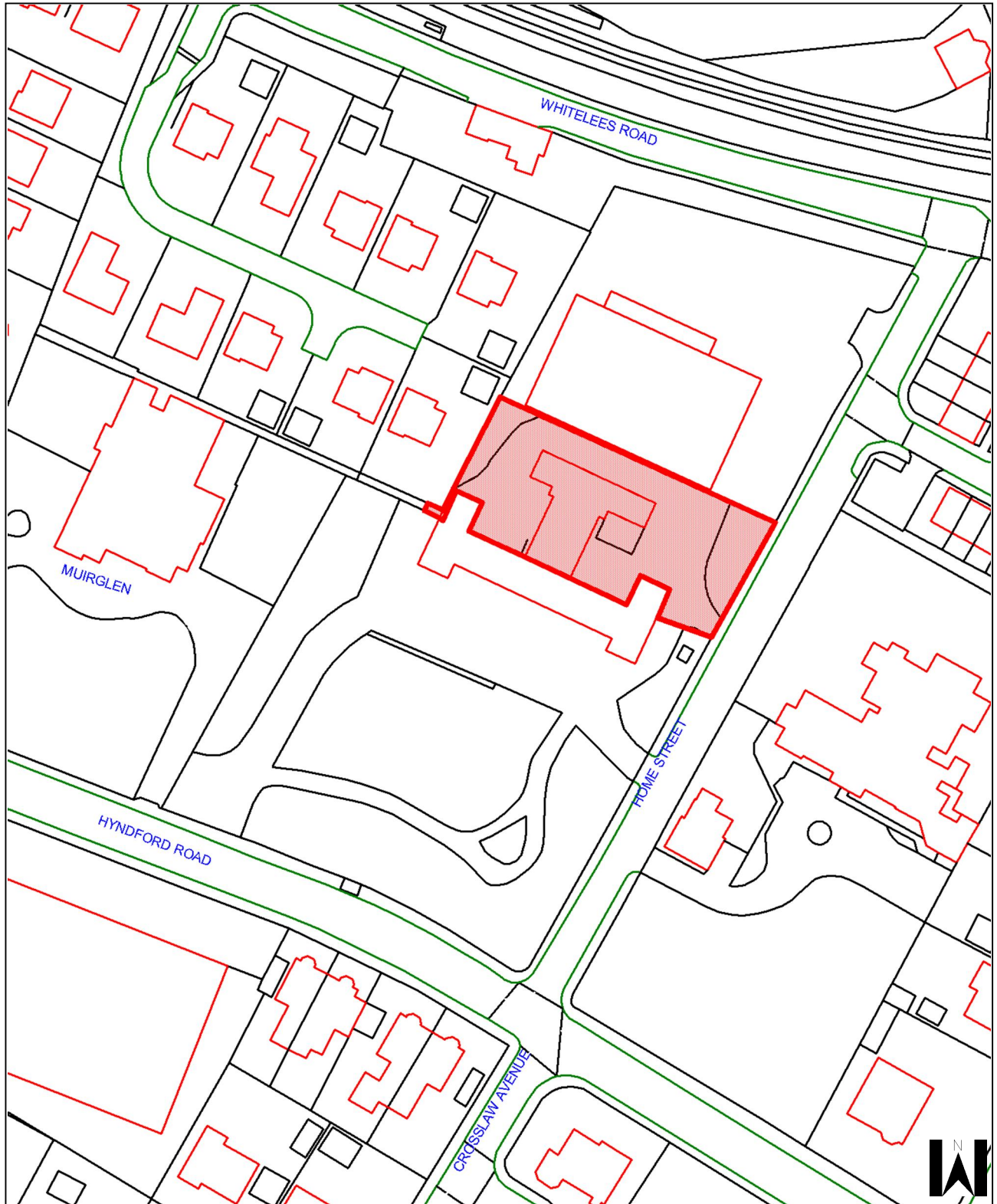
CL/16/0148

Hozier House, 129 Hyndford Road, Lanark

Planning and Building Standards

Scale: 1: 1250

For information only



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