



Council Offices, Almada Street,
Hamilton

Planning Local Review Body

Decision Notice

Decision by South Lanarkshire Council Planning Local Review Body (PLRB)
PLRB Reference NOR/CL/11/001

- ◆ Site address: Moat House (Coach House), Hawksland Road, Hawksland, ML11 9PY
- ◆ Application for review by Mr and Mrs Burns of the decision by an appointed officer of South Lanarkshire Council to refuse planning permission for planning application CL/08/0054
- ◆ Application CL/08/0054 for conversion of and alterations to an outhouse to form a residential dwelling
- ◆ Application Drawings: Drawing Numbers 1, 2, 3, 4, 5, 6, 7, and 8

Decision

The PLRB upholds the decision taken by the appointed officer, in terms of the Scheme of Delegation, to refuse planning permission for planning application CL/08/0054 for the reasons stated on the Council's decision notice dated 31 January 2011

A handwritten signature in black ink, appearing to read 'Rosemary Lake'.

Rosemary Lake
Head of Administration Services

Date of Decision Notice: *29 September 2011*

1. Background

- 1.1 This Notice constitutes the formal decision notice of the Planning Local Review Body (PLRB) as required by the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008.
- 1.2 The above application for planning permission was considered by the PLRB at its meeting on 5 September 2011. The PLRB was attended by Councillors Graham Scott (Chair), Hugh Dunsmuir, Lynn Filshie, Bill Holman, Patrick Ross-Taylor (Depute), Chris Thompson and Jim Wardhaugh.

2. Proposal

- 2.1 The proposal is for the conversion of and alterations to an outhouse to form a residential dwelling at Moat House (Coach House), Hawksland Road, Hawksland.
- 2.2 The options available to the PLRB were to uphold, reverse or vary the decision taken in respect of the application under review.
- 2.3 It had come to light that the list of interested parties initially contacted in respect of the review was incomplete. As a result, it had been necessary to recommence the review process and the applicants submitted a second notice of review. In that second notice of review the applicants indicated that they were introducing information relating to the original notice of review. The PLRB concluded that this information relating to the original notice of review related to current matters and, as such, could be fully considered along with all of the information in the second notice of review when reviewing the case.

3. Determining Issues

- 3.1 The determining issues in this review were:-

- ◆ the proposal's compliance with Development Plan Policy
- ◆ provision of safe vehicular access

- 3.2 The PLRB established that the site was located within the Accessible Rural Area in the Adopted South Lanarkshire Local Plan. The following policies applied to the application site:-

- ◆ Policy STRAT4 - accessible rural area
- ◆ Policy CRE1 - housing in the countryside

The Council's Rural Building Conversion and New House Design Guide was also of relevance and requires that developments should be sympathetic to traditional rural dwellings in terms of size, shape and materials.

- 3.3 Policy STRAT4 of the Adopted Local Plan states that:-

- ◆ new buildings will only be permitted where the proposal involves the rehabilitation or change of use of disused or redundant traditional buildings and they consolidate the existing building group, or, in cases not involving rehabilitation etc, where the proposal involves a gap site within an existing building group
- ◆ any housing development shall conform to Policy CRE1

- 3.4 Policy CRE1 states that proposals for the change of use of disused or traditional buildings should, among other criteria:-

- ◆ be sensitively designed in order to retain the traditional and indigenous architectural character of the building
- ◆ generally not result in a significant increase in the floor space of the original house
- ◆ meet access and parking standards
- ◆ not be to the detriment of traffic safety

- 3.5 In considering the case, the PLRB had regard to the applicant's submission that:-

- ◆ changes to the design and scale of the proposed alterations had been agreed with the Council although they had not been submitted as the access issues had still to be resolved
- ◆ the junction on to Hawksland Road was only used by Moat House, Bankfoot and occasional farm traffic. A new access had been built at Blackhall which had reduced

the use of this junction

- ◆ the proposal was comparable with a previously granted proposal at Bankfoot
- ◆ the requirements in terms of the access arrangements could be conditioned as part of any permission granted

3.6 The PLRB, however, concluded that:-

- ◆ the size and scale of the alterations proposed to the building were excessive and would adversely affect the character of the existing building
- ◆ the proposal would intensify the use of the proposed access which would have an adverse effect on traffic and public safety and the applicant had not been able to demonstrate control, or the likelihood of gaining control, over the land needed to improve the access to a suitable standard

The PLRB concluded, therefore, that the proposal was contrary to Policies CRE1 and STRAT4 of the Adopted Local Plan and did not accord with the Rural Building Conversion and New House Design Guide.

4. Conclusion

4.1 The PLRB considered a request to review the decision to refuse planning permission for the conversion of and alterations to an outhouse to form a residential dwelling at Moat House (Coach House), Hawksland Road, Hawksland. The PLRB concluded that the size and scale of the alterations proposed to the building were excessive and would adversely affect the character of the existing building. The PLRB also concluded that the use of the proposed access would have an adverse effect on traffic and public safety and that the applicant had not been able to demonstrate control over the land needed to improve the access to a suitable standard. As a result, the PLRB concluded that the development did not comply with Policy CRE1 and, consequently, Policy STRAT4 of the Adopted Local Plan or with the guidance contained in the Rural Building Conversion and New House Design Guide. The PLRB further concluded that there were no material planning considerations to justify a departure from the terms of the Plan or the Guide in this instance.

4.2 The PLRB, therefore, upheld the decision to refuse planning permission for planning application CL/08/0054 for the reasons set out in the decision notice from the Council dated 31 January 2011.

5. Accompanying Notice

5.1 Attached is a copy of the Notice to Accompany Refusal, etc in the terms set out in Schedule 2 to the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008.

