

# Appendix 4

## Planning Decision Notice and Reasons for Refusal





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

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To: **Mr & Mrs W Higgins**  
**53 Waterloo Road**  
**Lanark**  
**ML11 7QW**

Per :

With reference to your application dated 13 April 2010 for planning permission in principle under the above mentioned Act :

**Description of Proposed Development :**

Subdivision of garden ground and erection of dwellinghouse (planning permission in principle)

**Site Location :**

Land to rear of 53 & 55 Waterloo Road  
Lanark  
ML11 7QW

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

**REFUSE PLANNING PERMISSSION IN PRINCIPLE**

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: 04/06/10

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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 in principle**

Application Number: CL/10/0189

Reason(s) for Refusal:

- 1 This decision relates to drawing numbers: 1, 2, 3, 4

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- 2 The proposal is contrary to Policy RES6 of the adopted South Lanarkshire Local Plan in that it would have a detrimental impact on amenity as the size and shape of the plot would not permit development of a standard compatible with existing development in the area nor would it be able to meet the requirements of the Residential Development Guide. In addition the proposal would have an adverse impact on public safety given the proximity of the proposed vehicular access with the junction of Scarletmuir.

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- 3 The proposal is contrary to Policy DM1 of the adopted South Lanarkshire Local Plan in that the proposal would have a significant adverse impact on the local environment as the size and shape of the plot would not permit development which would respect the local context nor would it make a positive contribution to the area. In addition the development would not provide a suitable access resulting in adverse implications for public safety.

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- 4 The proposal is contrary to Policy DM5 of the adopted South Lanarkshire Local Plan in that it fails to meet criteria (a), (c), (d), (e), (h) and (i) of said policy as the house plot and that remaining to the existing houses are not comparable with those nearby in terms of size, shape and amenity; the position of the proposed vehicular access will have adverse implications for traffic safety; the garden space remaining for the existing dwellings is not sufficient for the recreational, amenity and drying needs of the occupants; the plot would not allow for a dwellinghouse to be situated on the site without causing an unacceptable reduction in privacy; the proposed parking facilities for the existing house at 53 Waterloo Road would result in the loss of a traditional wall and creation of parking to the front of the house which would be harmful to the established character and amenity of the area, and the proposal would result in a development that appears cramped, visually obtrusive and would be out of keeping with the established character of the area.

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- 5 The submitted plans are not accurate and insufficient as the dimensions are incorrect and they do not accurately show the existing situation on site.

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- 6 If approved, the proposal would set an undesirable precedent which could encourage further similar applications for proposals which would exacerbate the problems stated above.