



Community and Enterprise Resources
Executive Director **Michael McGlynn**
Planning and Economic Development

DTA Chartered Architects
DTA Chartered Architects Limited
9 Montgomery Street
The Village
East Kilbride
G74 4JS

Our Ref: P/20/0469
Your Ref:
If calling ask for: Morag Neill
Date: 28 August 2020

Dear Sir/Madam

Proposal: Sub-division of garden ground and erection of a two storey detached dwellinghouse
Site address: 15 Dunedin Drive, East Kilbride, G75 8QQ,
Application no: P/20/0469

I would advise you that the above application was refused by the Council and I enclose the decision notice which sets out the reasons for refusal. Please note that the Council does not issue paper plans with the decision notice. The application is refused in accordance with the plans and any other documentation listed in the reasons for refusal imposed on the accompanying decision notice and which can be viewed using the Council's online planning application search at www.southlanarkshire.gov.uk

If you consider that you can overcome the reasons for refusal and that it is not the principle of the development that is unacceptable, you may submit an amended application. If you do amend your proposals and re-apply within one year of this refusal, then you will not have to pay a fee, provided the proposal is of the same character or description as the application which has just been refused.

As your application has been refused, you may appeal against the decision within 3 months of the date of the decision notice. The attached notes explain how you may appeal.

Should you have any enquiries relating to the refusal of your application or a potential amended submission, please contact Morag Neill on 01698 455053

The Planning Service is undertaking a Customer Satisfaction Survey in order to obtain feedback about how we can best improve our Service to reflect the needs of our customers. The link to the survey can be found here:

If you were the applicant: <http://tinyurl.com/nrtgmy6>

If you were the agent: <http://tinyurl.com/od26p6q>

We would be grateful if you would take a few minutes to answer the questions in the survey based on your experience of dealing with the Planning Service in the past 12 months. We value

Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB
Email morag.neill@southlanarkshire.gov.uk Phone: 01698 455053



your opinion and your comments will help us to enhance areas where we are performing well, but will also show us where there are areas of the service that need to be improved.

I do hope you can take part in this Customer Survey and look forward to receiving your comments in the near future. If you prefer to complete a paper version of the survey, please contact us by telephone on 0303 123 1015, selecting option 7, quoting the application number. We will send you a copy of the survey and a pre-paid envelope to return it.

Yours faithfully

Head of Planning and Economic Development

Enc:



Application no.
P/20/0469

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

To: **Mr C Mullan**

**9 Montgomery Street, The
Village, East Kilbride, G74
4JS,**

Per: **DTA Chartered Architects**

**9 Montgomery Street, The
Village, East Kilbride, G74
4JS,**

With reference to your application received on **03.04.2020** for planning permission under the above mentioned Act:

Description of proposed development:

**Sub-division of garden ground and erection of a two storey detached
dwellinghouse**

Site location:

15 Dunedin Drive, East Kilbride, G75 8QQ,

SOUTH LANARKSHIRE COUNCIL in exercise of their powers under the above mentioned Act hereby:

REFUSE PLANNING PERMISSION

for the above development in accordance with the plan(s) specified in this decision notice and the particulars given in the application, for the reason(s) listed overleaf in the paper apart.

Date: 28th August 2020

Head of Planning and Economic Development

This permission does not grant any consent for the development that may be required under other legislation, e.g. Building Warrant or Roads Construction Consent.

**South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development**

South Lanarkshire Council

Refuse planning permission

Paper apart - Application number: P/20/0469

Reason(s) for refusal:

01. In the interests of amenity in that the size and character of the proposed house plot and that of the remaining plot for the existing house are not considered to be compatible with the surrounding street pattern and the resulting useable garden ground, particularly for the existing house is not considered to be satisfactory in terms of area or nature.
02. The proposal is contrary to Policy 4, DM1 and DM3 of the adopted South Lanarkshire Local Development Plan and Policy 5, DM1 and DM3 of the proposed South Lanarkshire Local Development Plan 2 in that the proposed development would not make a positive contribution to the character and appearance of the environment, would not relate satisfactorily to adjacent surrounding development and the resulting useable garden ground, particularly for the existing house is not considered to be satisfactory in terms of area or nature.
03. The proposal is contrary to Policy DM3 of the adopted South Lanarkshire Local Plan as it does not comply with criteria (a), (b) and (e) of the said Policy and Policy DM3 of the proposed South Lanarkshire Local Development Plan 2 as it does not comply with criteria 1, 2 and 5 of the said Policy.

Reason(s) for decision

The proposal would have an adverse impact on the amenity of the surrounding residential area and is contrary to Policies 4, DM1 and DM3 of the South Lanarkshire Local Development Plan (adopted) and the associated Supplementary Guidance and contrary to Policies 5, DM1 and DM3 of the proposed South Lanarkshire Local Development Plan 2.

Notes to applicant

Application number: P/20/0469

Important

The following notes do not form a statutory part of this decision notice. However, it is recommended that you study them closely as they contain other relevant information.

01. This decision relates to drawing numbers:

Reference	Version No:	Plan Status
T1.08_L(0-)01 EXISTING LOCATION PLAN	-	Approved
T1.08_L(0-)02 PROPOSED LOCATION PLAN	-	Approved
T1.08_L(0-)03 EXISTING SITE PLAN	-	Refused
T1.08_L(0-)04 PROPOSED SITE PLAN	-	Refused
L 2 01 PROPOSED FLOOR PLANS	-	Refused
L 2 02 PROPOSED ELEVATIONS	-	Refused
T1.08_L(0)05 SITE PLAN PARKING/SIGHTLINES _ GARDEN MEASUREMENTS	-	Refused



COMMUNITY AND ENTERPRISE RESOURCES
EXECUTIVE DIRECTOR Michael McGlynn
Planning and Economic Development

Important notes

Town and Country Planning (Scotland) Act 1997

1. Compliance with conditions

Under the provisions of the Town and Country Planning (Scotland) Act 1997 (Section 145), failure to comply with any condition(s) imposed on any planning permission may result in the service by the Council of a "Breach of Condition Notice" requiring compliance with the said condition(s).

There is no right of appeal against such a Notice and failure to comply with the terms of the Notice within the specified time limit will constitute a summary offence, liable on summary conviction to a fine not exceeding £1000.

2. Procedure for appeal to the planning authority

- (a) If the applicant is aggrieved by the decision of the planning authority to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997, within three months from the date of this notice. The notice of review should be addressed to:

Executive Director (Corporate Resources)
Council Headquarters
Almada Street
Hamilton
ML3 0AA

To obtain the appropriate forms:

Administrative Services at the above address.

Telephone: 01698 454108

E-mail: pauline.macrae@southlanarkshire.gov.uk

- (b) If permission to develop land is refused or granted subject to conditions, whether by the planning authority or by the Scottish Ministers, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered incapable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the planning authority a purchase notice requiring the purchase of his interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.