

STATEMENT OF OBSERVATIONS

Planning Application No: P/19/0454

Residential Development (Permission in Principle)

Glaikhead, Coalburn Road, Coalburn ML11 0NF

1.0 Planning Background

- 1.1 Planning permission in principle was sought for residential development at Glaikhead, Coalburn Road, Coalburn. After due consideration of the application in terms of the Local Development Plan and other material planning considerations the application was refused by the Council under delegated powers on 31 March 2020. The report of handling dated 30 March 2020 explains the decision and the reasons for refusal are listed in the decision notice.
- 1.2 It should be noted that the application site had the benefit of a previous planning permission in principle for residential development, application Ref CL/16/0468, granted on 04 April 2017. Following that decision being made it was found that the speed survey submitted with the application (to determine the sightline requirements for the proposed development) was seriously flawed.

2.0 Assessment against the development plan and other relevant policies

- 2.1 Section 25 of the Town and Country Planning (Scotland) Act 1997, as amended requires that an application for planning permission is determined in accordance with the Development Plan unless material considerations indicate otherwise. The development plan in this instance comprises the adopted South Lanarkshire Local Plan and an assessment of the development proposal against the relevant policies is detailed in the Officer Report, dated 30 March 2020.

3.0 Other Material Considerations

- 3.1 On 29 May 2018 the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and it is now a material consideration in determining planning applications. The proposed development was considered against the relevant policies in the proposed plan and it is noted that these policies are broadly consistent with the current adopted South Lanarkshire Local Development Plan. The relevant Policies are

4 – Green Belt and Rural Area and 5 – Development Management and placemaking of the approved Proposed South Lanarkshire Local Development Plan 2.

4.0 Observations on applicants 'Notice of Review'

- 4.1** The appellant's grounds for the review relate to road safety issue and consistent approach. The grounds for the review are summarised as follows:

The applicant states that the review site was the colliery base, pit head, winding wheel, offices and stores, washing plant, sorting facility changing and showering area and was built on a grand scale finally closing in 1968. Given the operation on the mining side was spread over 38 years the enormous amount of traffic generated would be quite a sight -pit workers, cleaners, office staff, delivery drivers bringing essential materials parts, pit buses, including ice cream vans went to the site. The appellant states that SLC roads allowed another house to be passed some 10m from the site without as much traffic impact or speed survey whilst the review site that generated an estimated 5.6m journeys was refused permission.

Response: The Council note that the review site falls within the definition of what constitutes previously developed land and therefore the redevelopment of the site complies with Green Belt and Rural Area policy. Given the nature of mining operations on the site this could have resulted in significant volumes of traffic generation in and out of the site onto Coalburn Road, Glaikhead. However, the review site proposes an introduction of a new access point onto Coalburn Road to service the site. The Council's Roads and Transportation Services consider that to be unacceptable as the proposed review site access fails to achieve the requisite visibility standards and would therefore prejudice road safety.

- 4.2 The appellant feels that there is no consistent approach by the Council in determining planning applications. The appellant refers to the Council's decision to grant planning permission for the erection of a two storey dwelling house, planning application no: CL/11/0019, on a site opposite the review site whilst the review site application has been refused.**

Response: The Council note the appellant's concerns relating to its approach in determining planning applications. The Council determine all planning applications on the merits of their submissions. In the case of the review site, the determining issues in the consideration of this application were its compliance with the adopted local development plan and associated supplementary guidance, the impact on both residential and visual amenity of the surrounding area, relevant government advice and policy and other material

consideration in the determination of the application. The Council consider that to be a consistent approach in the consideration and determination of all planning applications including the review site.

5 Conclusions

The proposal is contrary to Policies 3, 4 and GBRA7 of the adopted local development plan and policies 4, 5 and GBRA5 of the proposed SLLDP2 in that it would pose a threat to road safety by virtue of the inability of the site to be safely accessed. It is respectfully requested that the Review Body refuse planning permission for the proposed development.