

## **COUNCIL'S STATEMENT OF OBSERVATIONS**

### **Planning Application No. P/20/1616**

### **Erection of detached two storey dwellinghouse with detached double garage and new vehicular access (Planning permission in principle)**

#### **1.0 Planning Background**

- 1.1 A planning application was submitted by Burnside Bowling Club to South Lanarkshire Council on 16 November 2020 seeking permission for the erection of detached two storey dwellinghouse with detached double garage and new vehicular access (Planning permission in principle). The application was validated on 18 November 2020. After due consideration in terms of the Local Development Plan and all other material planning considerations, the application was refused by the Council under delegated powers on 5 February 2021. The report of handling explains the decision and the reasons for refusal are listed in the decision notice. These documents are available elsewhere in the papers.

#### **2 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.
- 2.2 The development plan at the time of the decision comprised the South Lanarkshire Local Development Plan (adopted 2015) and its associated Supplementary Guidance documents. The 2015 Local Development Plan has now been superseded by South Lanarkshire Local Development Plan 2 (2021). The relevant policies in the new local development plan are similar to those in the previous plan. The site was identified as being located within the General Urban Area/Settlement where Policy 4 previously applied and where Policy 3 now applies. The main

requirement of these policies is that any proposal must relate appropriately with its surroundings in terms of scale, massing, materials and intensity of use. Furthermore, the character and amenity must not be impaired, nor should there be a loss of open space which makes a significant impact to the locality. The site must also be capable of being adequately serviced and result in no loss to public safety.

- 2.3 Policy 4 - Development Management and Placemaking is relevant to the assessment of this proposal, as it is to all planning applications. The policy states that all development proposals will require to take account of and be integrated with the local context and built form.
- 2.4 The proposal failed to comply with Policies 4, 6 and DM13 of the then adopted Local Development Plan, and now with Policies 3 and 5 of the newly adopted Local Development Plan 2, for the reasons set out in the report of handling associated with the application. In summary, it is considered that the siting of a house in this location would have a negative impact on the settlement pattern of the locality, the open aspect of this area and views up Burnside Road up towards the prominent 'B' Listed church. As such, the application does not comply with Policies 3 or 5.
- 2.5 As with most planning applications, Policy 4 – Development Management and placemaking (now policy 5) is relevant. The policy states that all development proposals will require to take account of and be integrated with the local context and built form. For the reasons outlined above, a new dwelling in the proposed location would be out of context and have a negative impact on the settlement pattern, character and amenity of the locality.

### **3 Observations on applicants Notice of Review**

- 3.1 Through their agent, the applicant has submitted a statement to support their review. This was submitted partly to respond to the matters raised in the Officer Report. The grounds are summarised below:

- (a) The proposal is for a two-storey detached dwelling in an area predominately of two storey dwellings and would be situated behind the existing hedgerows and decorative species of trees and bushes, and sufficiently distanced from adjacent dwelling houses. Therefore, we do not agree that the proposal would result in an *“incongruous visual intrusion”* or *“a significant loss of visual character and amenity”*.

**Response:** The house would sit on its own and would be visually prominent with no other similar property adjacent. The existing landscaping would not be sufficient to reduce this prominence.

- (b) As the area of *“open landscaping”* is situated behind the existing hedgerows and decorative species of trees and bushes and is not visible from the *“significant focal point”*.

**Response:** The open landscaping provides a sense of place to the streetscape. The erection of a house in this area would completely change the character of the locality.

- (c) Given the variety of housing types immediately adjacent to, and opposite the proposed development, (which includes four in a block, two storey red sandstone fronted housing; large semi-detached, two storey, red sandstone fronted housing; a small, detached stone fronted bungalow; roughcast and facing brick fronted two storey detached and semi-detached housing), it would require detailed discussions with the Planning Officer and design a compromise. However, that would not be an insurmountable task.

**Response:** The proposed house would be visually prominent and would be situated some distance from the nearest properties in the locality. This would be the case whether the proposal was a two-storey dwelling or any other type of housing.

- (d) **The proposed layout and siting of the proposed house, garage, parking and access generally meets the requirements of points i to viii noted above and those parts of points v – viii of Policy 4 of the previous plan (policy 5 of the current plan) which require more detail, would be addressed in a further detailed application.**

**Response:** Lack of a suitable access and parking were not reasons for refusal.

- (e) **The proposed development is to be situated in a section of land within the curtilage of Burnside Bowling Club, it will be sufficiently distanced from adjacent residential properties to allow for a standalone design solution, without the need to emulate any of the various House forms, which make up the surrounding area. As previously stated, this application was for Planning in Principle and all the points noted in the first and second sections of DM13 above, can be easily addressed by applying appropriate reserved matters to a Conditional Consent.**

**Response:** As mentioned previously, the proposed house would sit on its own and would be visually prominent with no other similar property adjacent. The existing landscaping would not be sufficient to reduce this prominence.

- (f) **The overall area of Land owned by Burnside Bowling Club, consists of three Tennis Courts, a Bowling Green and associated Clubhouse and the application site to the North of the Bowling Green. The area taken up by the application site is not public space and is not used for any purpose by the Bowling Club, it is land surplus to requirements. With the exception of a vehicular access through the final section of the existing hedgerow, there would be no loss of, or damage to the vast majority of the hedgerow and no loss of any of the existing small**

**decorative species of trees and bushes. There are no large mature trees on the proposed development site.**

**Response:** The proposal will remove an area of open space which provides a clear break from the surrounding houses and built-up area.

- (g) Sections 4 and 5 of DM13 would be complied with automatically due to the immediate location of Blairbeth Road and the Public footpath, together with the existing Rail and Bus routes in the Burnside area. Parking would be within the Development site, with a Double Garage, hard standing and turning area to allow vehicles to turn and exit the Development site in a forward direction and ensure public safety.**

**Response:** Lack of a suitable access and parking were not reasons for refusal.

## **4 Conclusions**

- 4.1** In summary, the proposed development does not accord with the provisions of the adopted South Lanarkshire Local Development Plan 2 (and previously the 2015 South Lanarkshire Local Development Plan which has now been superseded) in relation to development in the general urban area/settlement. In addition, there are no material considerations which outweigh the provisions of the development plan. It is therefore respectfully requested that the Review Body uphold the decision to refuse planning permission in principle for the proposed development.