



Council Offices, Almada Street  
Hamilton, ML3 0AA

Friday, 30 July 2021

Dear Councillor

## **Planning Local Review Body**

The Members listed below are requested to attend a meeting of the above Committee to be held as follows:-

**Date:** Monday, 09 August 2021  
**Time:** 10:30  
**Venue:** By Microsoft Teams,

The business to be considered at the meeting is listed overleaf.

Yours sincerely

**Cleland Sneddon**  
**Chief Executive**

### **Members**

Isobel Dorman (Chair), Mark Horsham (Depute Chair), Alex Allison, Maureen Devlin, Ann Le Blond, Davie McLachlan, Graham Scott, David Shearer, Jim Wardhaugh

### **Substitutes**

John Bradley, Walter Brogan, Stephanie Callaghan, Margaret Cowie, Ian Harrow, Martin Lennon, Katy Loudon, Joe Lowe, Lynne Nailon, Collette Stevenson

## BUSINESS

### 1 Declaration of Interests

- 2 **Minutes of Previous Meeting** 3 - 4  
Minutes of the meeting of the Planning Local Review Body held on 10 May 2021 submitted for approval as a correct record. (Copy attached)

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#### Item(s) for Decision

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- 3 **Review of Case - P/20/1115 for Erection of Detached House at 45 Hunthill Road, Blantyre** 5 - 6  
Report dated 30 July 2021 by the Executive Director (Finance and Corporate Resources). (Copy attached)
- 3a **Appendix A Hearing Statement from the Roads and Transportation Services Representative** 7 - 18
- 3b **Appendix B Hearing Statement from the Applicant** 19 - 28
- 4 **Review of Case - P/20/1616 for Erection of Detached 2-Storey House with Detached Double Garage and New Vehicular Access (Planning Permission in Principle) at Burnside Bowling Club, Burnside Road, Rutherglen** 29 - 32  
Report dated 30 July 2021 by the Executive Director (Finance and Corporate Resources). (Copy attached)
- 4a **Appendix 1 Planning Application Form** 33 - 42
- 4b **Appendix 2(a) Report of Handling** 43 - 54
- 4c **Appendix 2(b) Consultation Responses** 55 - 66
- 4d **Appendix 2(c) Representations** 67 - 118
- 4e **Appendix 3 Site Photographs and Location Plan** 119 - 128
- 4f **Appendix 4 Planning Decision Notice and Reasons for Refusal** 129 - 136
- 4g **Appendix 5 Notice of Review** 137 - 164
- 4h **Appendix 6 Further Representations** 165 - 180
- 4i **Appendix 7 Applicant's Comments on Further Representations** 181 - 184

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#### Urgent Business

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- 5 **Urgent Business**  
Any other items of business which the Chair decides are urgent.

#### ***For further information, please contact:-***

Clerk Name: Stuart McLeod

Clerk Telephone: 01698 454815

Clerk Email: [stuart.mcleod@southlanarkshire.gov.uk](mailto:stuart.mcleod@southlanarkshire.gov.uk)

## PLANNING LOCAL REVIEW BODY (PLRB)

2

Minutes of meeting held via Microsoft Teams on 10 May 2021

**Chair:**

Councillor Isobel Dorman

**Councillors Present:**

Councillor Alex Allison, Councillor Maureen Devlin, Councillor Mark Horsham (Depute), Councillor Ann Le Blond, Councillor Davie McLachlan, Councillor Graham Scott, Councillor David Shearer, Councillor Jim Wardhaugh

**Attending:**

**Community and Enterprise Resources**

G McCracken, Planning Adviser to the Planning Local Review Body

**Finance and Corporate Resources**

M Cannon, Legal Adviser to the Planning Local Review Body; K McLeod, Administration Assistant; S McLeod, Administration Officer

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### 1 Declaration of Interests

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No interests were declared.

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### 2 Minutes of Previous Meeting

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The minutes of the meeting of the Planning Local Review Body held on 25 January 2021 were submitted for approval as a correct record.

**The Committee decided:** that the minutes be approved as a correct record.

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### 3 Review of Case P/20/1115 for Erection of Detached House at 45 Hunthill Road, Blantyre

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A report dated 29 April 2021 by the Executive Director (Finance and Corporate Resources) was submitted on a request for a review of the decision taken by officers, in terms of the Scheme of Delegation, to refuse planning permission for planning application P/20/1115 by Mr and Mrs Duffy for the erection of a detached house at 45 Hunthill Road, Blantyre.

To assist the PLRB in its review, copies of the following information had been appended to the report:-

- ◆ planning application form
- ◆ report of handling by the planning officer under the Scheme of Delegation together with representations and responses from statutory consultees
- ◆ site photographs and location plan
- ◆ decision notice
- ◆ notice of review, including applicant's statement of reasons for requiring the review
- ◆ further submissions from interested parties following notification of the request for the review of the case

- ♦ comments from the applicant on the further submissions received from the interested parties

The relevant drawings in relation to the review were available for inspection prior to the meeting of the PLRB.

Having considered the above and having heard from the Planning and Legal Advisers respectively, the PLRB considered that it did not have sufficient information to allow it to proceed to determine the review. The PLRB considered that, prior to determining the review, it wished to hear additional information from some of the parties involved. The PLRB wished further information from a representative of Roads and Transportation Services in relation to safety issues in respect of the access to the development being shared by 2 properties.

The PLRB noted that the applicant and interested parties who had made representations in relation to the matters specified above also required to be invited to speak at the hearing on those specific matters.

**The Committee decided:** that the review of the decision taken by officers, in terms of the Scheme of Delegation, to refuse planning permission for planning application P/20/1115 by Mr and Mrs Duffy for the erection of a detached house at 45 Hunthill Road, Blantyre be continued for a hearing on the matter specified above.

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#### **4 Urgent Business**

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There were no items of urgent business.



# Report

3

Report to:	<b>Planning Local Review Body</b>
Date of Meeting:	<b>9 August 2021</b>
Report by:	<b>Executive Director (Finance and Corporate Resources)</b>

Subject:	<b>Review of Case – Application P/20/1115 for Erection of Detached House</b>
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## 1. Purpose of Report

1.1. The purpose of the report is to present to the Planning Local Review Body (PLRB) the Hearing Statements in respect of the hearing and review of the decision taken by officers, in terms of the Scheme of Delegation, on the following application:-

### 1.2. *Summary Application Information*

Application Type:	Detailed Planning Permission
Applicant:	Mr and Mrs Duffy
Proposal:	Erection of Detached House
Location:	45 Hunthill Road, Blantyre, G72 9SR
Council Area/Ward:	15 Blantyre

## 2. Recommendation(s)

2.1. The Planning Local Review Body is asked to:-

- (1) consider whether, following the hearing, it has sufficient information to allow it to proceed to determine the review without further procedure and, if so, that:-
  - (a) it proceeds to determine whether the decision taken in respect of the application under review should be upheld, reversed or varied
  - (b) in the event that the decision is reversed or varied, the reasons and the detailed conditions to be attached to the decision letter are agreed
- (2) in the event that further procedure is required to allow it to determine the review, consider:-
  - (a) what further information is required, which parties are to be asked to provide the information and the date by which this is to be provided
  - (b) what procedure or combination of procedures are to be followed in determining the review

## 3. Background

3.1. At its meeting on 10 May 2021, the PLRB requested that a hearing be held prior to determining the review on application P/20/1115 for the erection of a detached house at 45 Hunthill Road, Blantyre.

3.2. The PLRB wishes to hear from a representative of Roads and Transportation Services in relation to the following matter:-

- ♦ safety issues in respect of the access to the development being shared by 2 properties

3.3. In terms of the Hearing Session rules, the applicant and interested parties who had made representation on the matter specified by the PLRB were also invited to speak at the Hearing. In this instance, the applicants will also speak at the Hearing on the specified matter.

#### **4. Information Available to Allow Review of Application**

4.1. Members are asked to bring with them to the meeting, the papers issued for the PLRB meeting held on 10 May 2021 containing the following information in relation to application P/20/1115:-

- ♦ Planning Application Form
- ♦ Report of Handling by the Planning Officer under the Scheme of Delegation
- ♦ Copies of submissions from statutory consultees
- ♦ Copies of representations
- ♦ Site photographs and location plan
- ♦ Decision notice
- ♦ Notice of Review including statement of reasons for requiring the review

4.2. The following information is appended to this report to assist in the Hearing process and facilitate the review of the decision taken by officers:-

- ♦ Hearing Statement from the Roads and Transportation Services representative (**Appendix A**)
- ♦ Hearing Statement from the applicant (**Appendix B**)

**Paul Manning**

**Executive Director (Finance and Corporate Resources)**

30 July 2021

#### **Link(s) to Council Values/Ambitions/Objectives**

- ♦ Work with communities and partners to promote high quality, thriving and sustainable communities
- ♦ Accountable, effective, efficient and transparent

#### **Previous References**

- ♦ Planning Local Review Body – 10 May 2021

#### **List of Background Papers**

- ♦ Guide to the Planning Local Review Body

#### **Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact:-

Stuart McLeod, Administration Officer

Ext: 4815 (Tel: 01698 454815)

E-mail: [stuart.mcleod@southlanarkshire.gov.uk](mailto:stuart.mcleod@southlanarkshire.gov.uk)

# Appendix A

3a

## Hearing Statement from the Roads and Transportation Services Representative



**Hearing Statement from Roads and Transportation Services for**

**Planning Application No:** P/20/1115  
**Proposal:** Erection of Detached House  
**Location:** 45 Hunthill Road, Blantyre, G72 9SR  
**Applicant:** Mr and Mrs Duffy

**Statutory Consultee:** South Lanarkshire Council,  
Roads and Transportation Services,  
Community and Enterprise Resources,  
Roads Development Management Team

## **CONTENTS PAGE**

### **1.0 Introduction**

### **2.0 Background - Response by Roads and Transportation Services**

## **LIST OF DOCUMENTS/MATERIALS BEING REFERRED TO**

We attach a copy of the following documents for reference purposes.

- Appendix A – Site Location Plan
- Appendix B – Site Layout
- Appendix C – Site Photographs (Photos 1, 2, 3 and 4)

## **1.0 INTRODUCTION**

- 1.1 Attending the Review Hearing will be Mr Fraser Jack (Team Leader) of South Lanarkshire Council, Roads and Transportation Services to present the position of the service and respond to questions on the matters the Planning Local Review Body wish to hear about.

## **2.0 Background - Response by Roads and Transportation Services**

- 2.1 The Planning Local Review Board have asked for an appropriate representative of Roads and Transportation Services to speak on safety issues in respect of the access to the development being shared by 2 properties.
- 2.2 The recommendation of Roads and Transportation Services was for the existing driveway to be widened to 5.0metres to accommodate passing vehicles on what would become a shared access. This information was shared with the applicant at a site meeting on 5<sup>th</sup> November 2019 as part of discussions on their previous application at the same address (P/19/1295) which was later withdrawn.
- 2.3 The above recommendation was provided based on guidance from the National Roads Development Guidelines (NRDG) which states (Para 3.1.2(c)), *"In general, access to individual dwellings should be by means of a dropped kerb footway crossing as shown in Figure 8."* for individual dwellings. Further details of the single width access (2.7m) for individual dwellings are provided in SLC's supplementary guidance (pages 4 & 5). Paragraph 3.1.2(a) of the NRDG states that *".....private vehicular access to developments will require to accommodate the numbers and types of vehicles using the access in a safe manner."* The following factors were considered when reviewing the impact on road safety.
- 2.4 Hunthill Road is a 'B' class road designed to link residential areas. Observations suggest it carries a high volume of traffic providing a connection between High Blantyre and the A724 Hamilton to Cambuslang corridor. It is a busy commuter route used by First Group's 205 (Hamilton to Hairmyres Hospital) and 263 (Hamilton to Glasgow) bus services; it is also a primary route to the nearby High Blantyre Primary School.
- 2.5 The existing driveway takes direct access from Hunthill Road and is not immediately obvious to approaching motorists given the character of the access and adjacent boundary wall. The road sweeps away to the right for northbound motorists which takes the driver's eye in that direction and away from the line of the driveway whilst the driveway itself sits below the main carriageway level (Appendix C: Photo 2). These factors work together to reduce the conspicuity of the driveway and that of vehicles emerging from it.
- 2.6 The proposed site plan, drawing L01, shows an access width dimension of 4.13metres at the heel kerb line; the minimum driveway width for a shared access should be 5.0metres. However, the access remains constrained by the existing pinch point referred to above which prevents two-way vehicle movement. The current application does not include any proposal to remove the existing 2.70metre wide pinch point to create a widened shared access.
- 2.7 A property of this nature requires three parking spaces. The existing property had identified three spaces therefore there is a potential for at least six separate vehicle movements leading to an increase in vehicle conflicts at the driveway entrance as described above.
- 2.8 The applicant had indicated they could use electric gates activated by approaching drivers using a key fob. This arrangement does not address the fundamental issue of substandard access width where vehicles entering and exiting cannot pass one and other. Motorists arriving and exiting are unable see each other until passed the pinch point at which time there will be a delay until either the departing vehicle reverses, or the arriving vehicle waits on Hunthill Road while exposed to traffic on

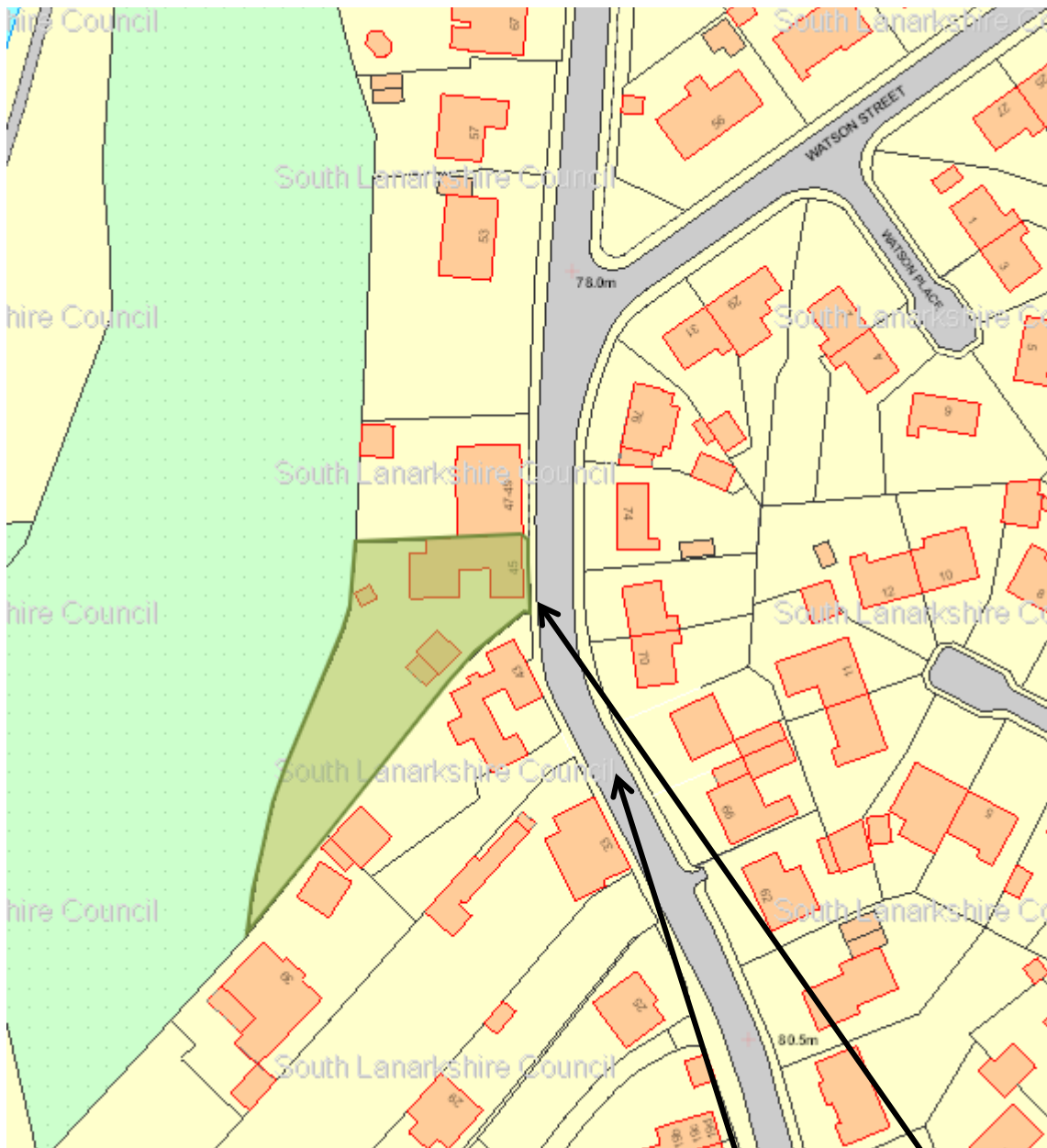


this well used route.

- 2.9 During our site visits we observed a significant number of northbound vehicles straddling the road centreline as they travel through the bend passing the application site access. A contributory factor for this behaviour is that many motorists may not be travelling at an appropriate speed for the geometry of the road and tend to take a racing line. Any vehicle waiting to turn into the driveway from the north would be in a vulnerable position and any proposal that would increase the frequency of such occurrences, in this case the creation of a new dwelling using the same single driveway, would increase the likelihood of vehicle conflicts.
- 2.10 It is considered that any delay in a resident and/or their visitors being able to exit the public road increases the likelihood of vehicle conflicts between a static vehicle on Hunthill Road and passing motorists given the general speed and volume of traffic passing along this section of road as described previously.
- 2.11 Since the time of our recommendation to Planning, Police Scotland have undertaken a speed enforcement visit at this section of road early 2021 and noted the high traffic flows observed using this road. This indicates speeding concerns have been raised with Police Scotland.
- 2.12 A scan of accident records maintained by Police Scotland identified an injury accident (slight) in March 2018 involving a single vehicle leaving then rebounding into the carriageway. The vehicle was travelling south to north passed the application site. Contributory factors included sudden braking and loss of control which is consistent with inappropriate driving speeds. The location of this incident and its proximity to the existing driveway are illustrated on Photo 1 in Appendix C.
- 2.13 The Council has previously introduced additional slow road markings on each approach to the nearby primary school along with variable message warning signs to address road safety concerns in the vicinity of the application site such as inappropriate vehicle speeds.
- 2.14 The proposed use of the access for a second property will result in additional servicing demands for waste collection where there is already limited space for wheelie bins to be located due to the narrow footway (Appendix C: Photo 1 and 2). Pedestrians would be forced to walk onto the carriageway by stepping over a raised kerb section which raises road safety issues for able bodied and disabled users. At present the bin shown on the photograph could be located within the existing driveway opening rather than obstructing the footway. However, this would not be possible in the case of a second property requiring space for a bin.
- 2.15 The proposed use of the access for a second property will result in an increase in frequency of home delivery vehicles having to park on the carriageway of Hunthill Road whereby motorists would be forced to enter the opposite side of the carriageway resulting in potential conflict with oncoming vehicles.
- 2.16 In reaching its decision, Roads & Transportation Services has a duty to consider and balance the needs of all road users and, when determining the impact resulting from changes in access arrangements as in this case, has a duty to consider road safety along with the type and volume of traffic using Hunthill Road. In conclusion it was determined that the introduction of additional vehicle movements using a substandard single width driveway was not appropriate taking account of the above.

## Appendix A

### Site Location Plan



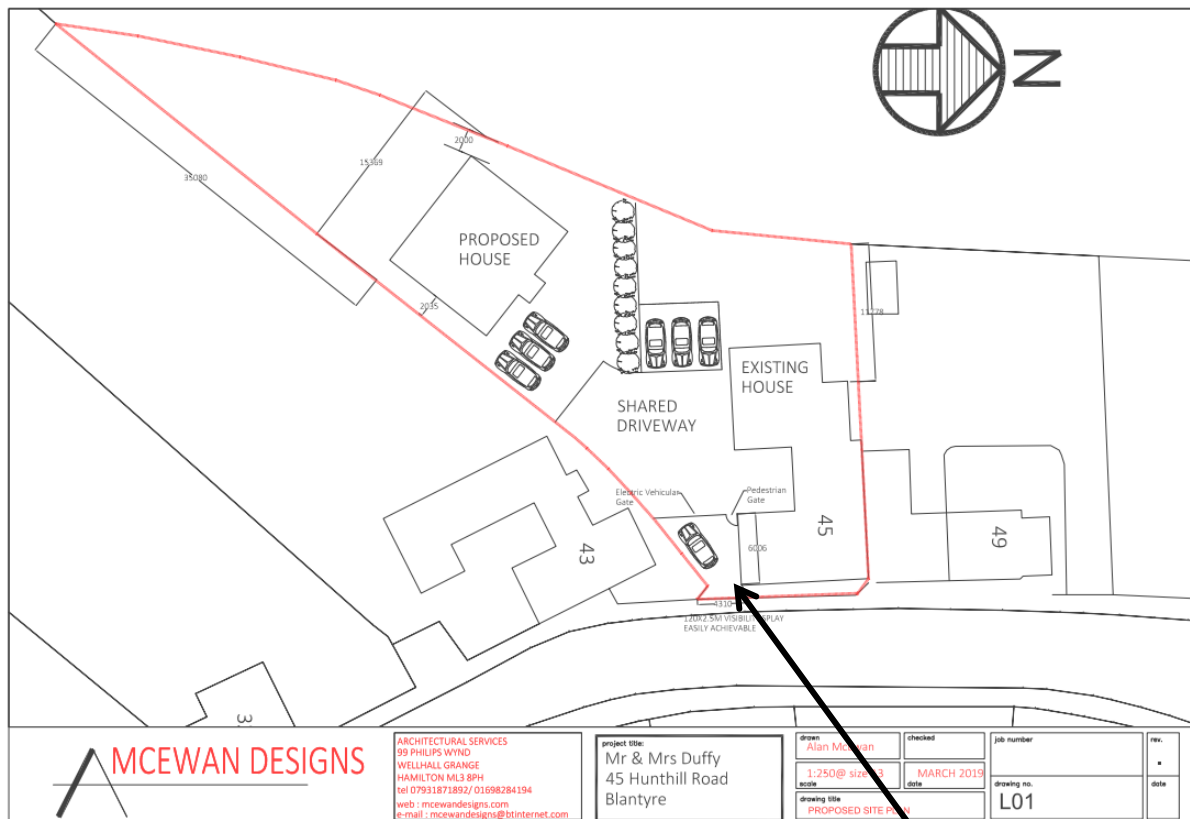
**Location Plan sourced from Council mapping system**

Existing Driveway Access

Hunthill Road

## Appendix B

### Site Layout



**Site Plan as submitted by the applicant  
as sourced from planning portal**

Note: the pinch point indicated on the architect's site layout, which restricts two-way vehicle movement, is only 2.7metres wide which is less than the 4.31metre dimension shown on the site plan at the heel kerb line.

## Appendix C

### Site Photographs (Sheets 1, 2 and 3)



*Photo 1: View looking north along Hunthill Road.*

*Existing Driveway*

Location of accident  
referred to in supporting  
statement above.



The existing stone wall curves rather than taking a sharp change of direction as otherwise indicated on architect's site plan (see other photo below looking west towards driveway).



Photo 2: View looking south along Hunthill Road.

ACO type drainage channel along rear of public footway and within property indicate fall of footway and driveway away from the carriageway which reduces conspicuity of driveway.

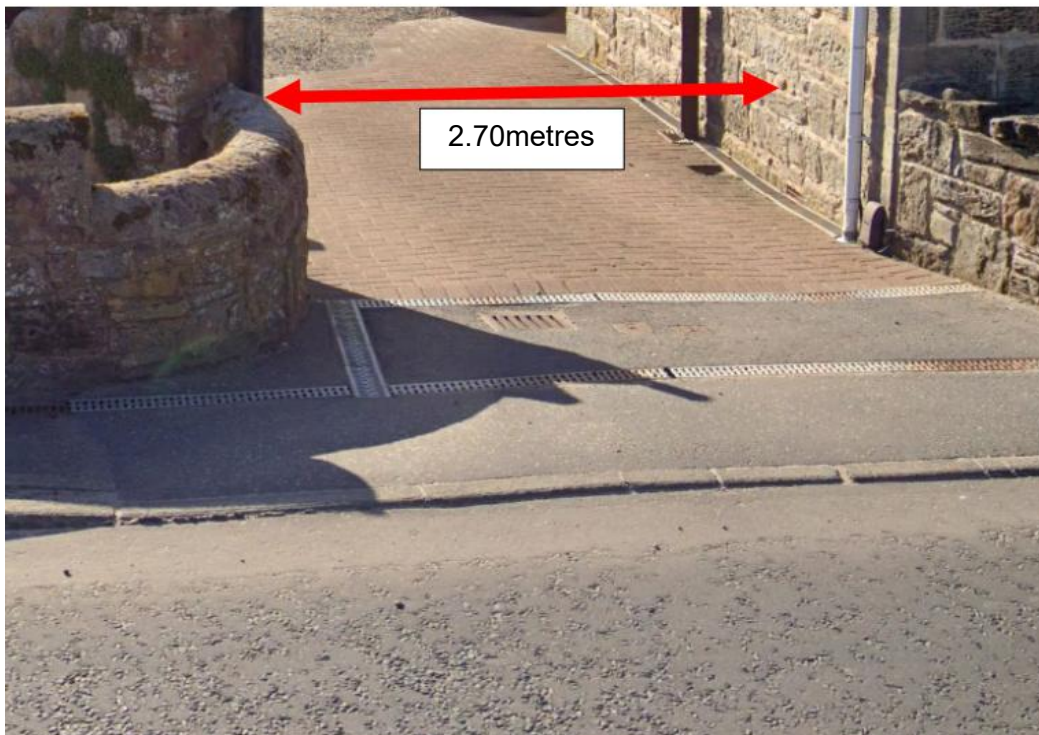


Photo 3: View looking west towards existing driveway showing curved wall to south



Photo 4: View looking west into existing single width driveway.

Restricted width of 2.7metre wide driveway is well below the Council's requirements of 5.0metres for shared driveways. This arrangement does not provide scope for vehicles to enter/exit the driveway simultaneously.

# Appendix B

3b

## Hearing Statement from the Applicant





**Hearing Statement for attention of Stuart McLeod**

Regarding the above and previous correspondence, we, Mr & Mrs Duffy, have always had the safety issues in respect of the said development at the forefront of our planning application for a house/bungalow, safeguarding the public and retaining our privacy.

The development should be straightforward enough given the size of the plot. Any issues regarding the shared driveway have been explained in the revised plans showing the following;

- Large turning area
- Electric gates if required
- A holding area, allowing vehicles to pass within the property
- Ample parking area on each plot.

We, Mr & Mrs Duffy, of 45 Hunthill Road, are a 1 car family, therefore our traffic is very limited. The turning point will ensure additional safety and there will be no need for any vehicles to reverse onto the main road.

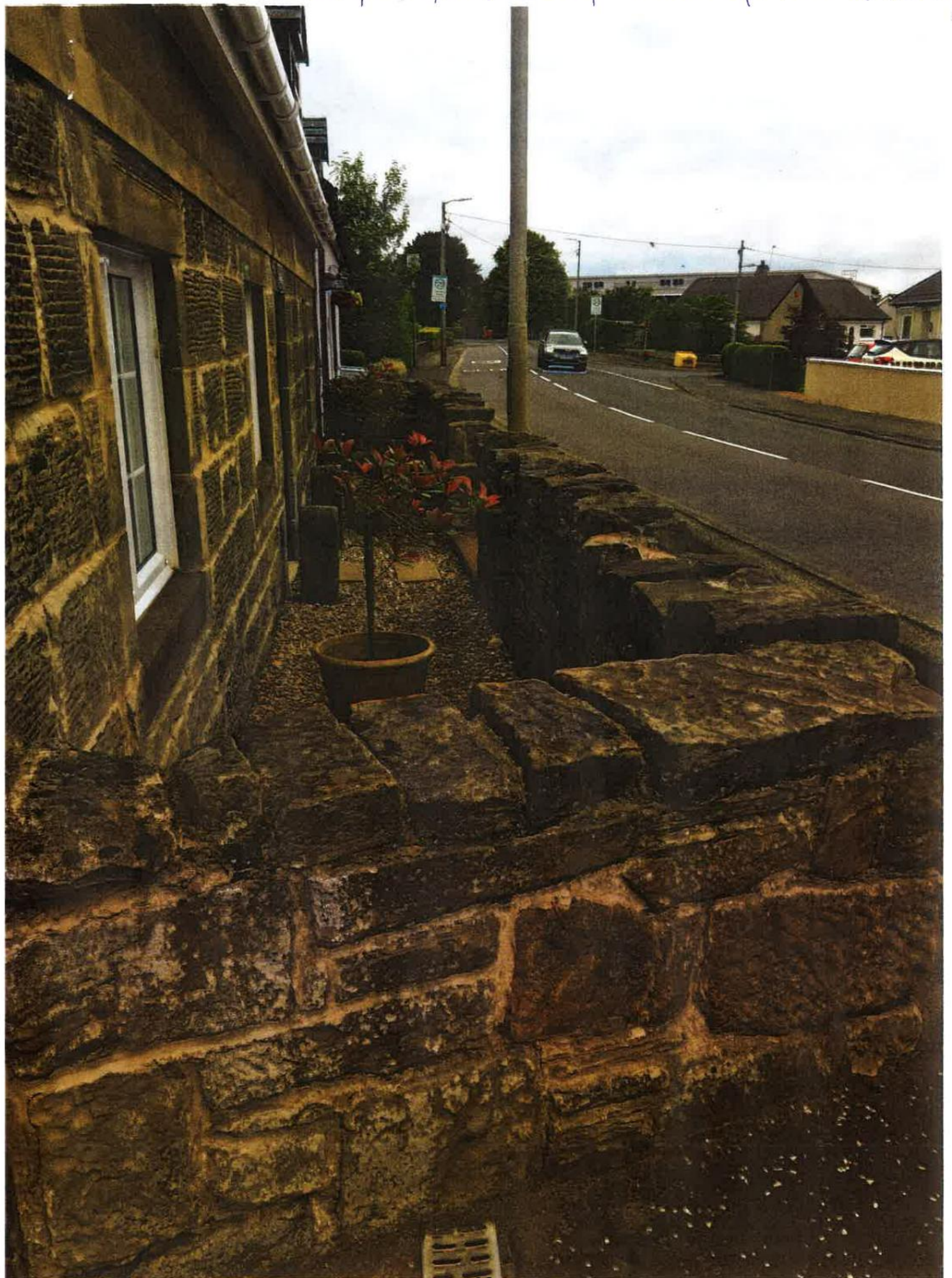
All cars leaving the driveway have a 360° visions of the main road and a 250 yard view of traffic coming from the left and right without entering the pedestrian walkway. (Please see example photos)

We should like it noted that our neighbour who raised the objections in fact has a shared drive with limited vision due to the 6 foot walls either side of the driveway. Said neighbour originally said the they had no objection to the build.

**Summary**

We, Mr and Mrs Duffy, have resided at 45 Hunthill Road for over 13 years and to our knowledge there have been no fatalities or accidents at our property. The new property will surely add value to the area, in addition to increasing the safety issues of entering and exiting the driveway.

45. Hunthill Rd, Ballymore, Mr & Mrs Duff Vision left from driveway





MR & MRS M. DUFFY, 45, Huntull Rd Blantyre : View right from Driveway,





NEIGHBOUR @ 43 HUNTILL . ENTRANCE, WITH LIMITED VISION





MRS NICKI M. DUFFY — SHARED DRIVEWAY @ 45. HUNTHILL RD.

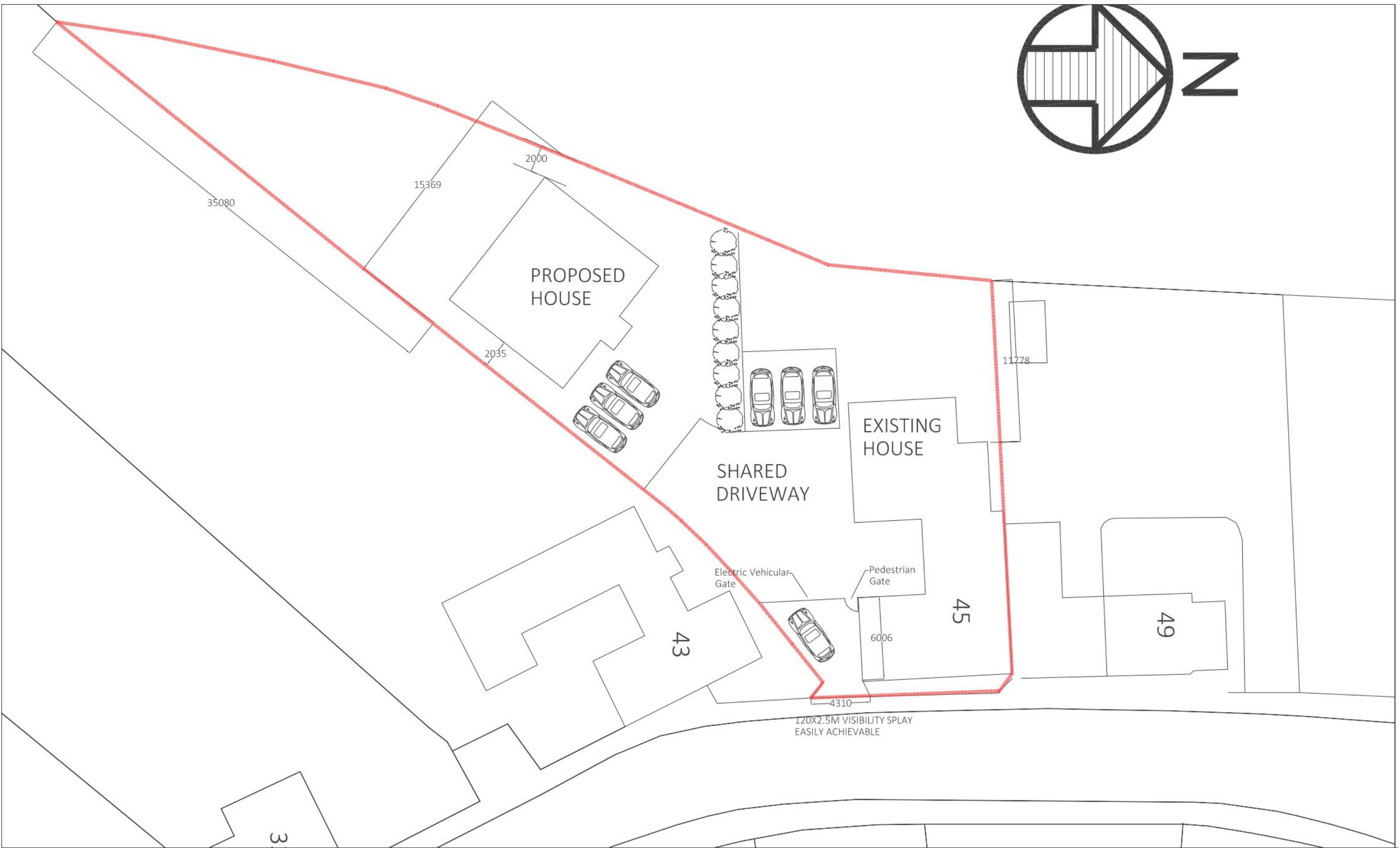
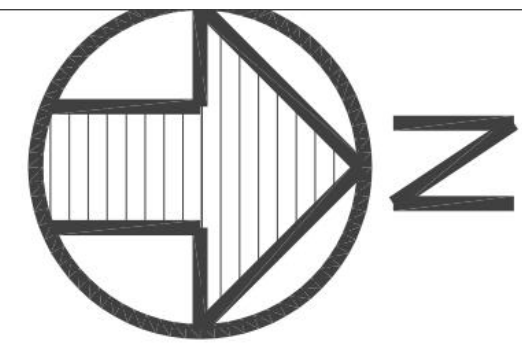




13 Hunthill Rd. limited visibility due to height of walls, exiting driveway  
Neighbours







ARCHITECTURAL SERVICES  
99 PHILIPS WYND  
WELLHALL GRANGE  
HAMILTON ML3 8PH  
tel 07931871892/ 01698284194  
web : mcewandesigns.com  
e-mail : mcewandesigns@btinternet.com

project title:  
Mr & Mrs Duffy  
45 Hunthill Road  
Blantyre

drawn Alan McEwan	checked
1:250@ size A3 scale	MARCH 2019 date
drawing title PROPOSED SITE PLAN	

job number	rev. .
drawing no. L01	date





# Report

4

Report to:	<b>Planning Local Review Body</b>
Date of Meeting:	<b>9 August 2021</b>
Report by:	<b>Executive Director (Finance and Corporate Resources)</b>

Subject:	<b>Review of Case – Application P/20/1616 for Erection of Detached 2-Storey House with Detached Double Garage and New Vehicular Access (Planning Permission in Principle)</b>
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## 1. Purpose of Report

1.1. The purpose of the report is to present the information currently available to allow a review of the decision taken by officers, in terms of the Scheme of Delegation, on the following application:-

### 1.2. Summary Application Information

Application Type:	Planning Permission in Principle
Applicant:	Burnside Bowling Club
Proposal:	Erection of Detached 2-Storey House with Detached Double Garage and New Vehicular Access
Location:	Burnside Bowling Club, Burnside Road, Rutherglen, G73 4RJ
Council Area/Ward:	11 Rutherglen South

### 1.3. Reason for Requesting Review

<input checked="" type="checkbox"/> Refusal of Application	<input type="checkbox"/> Conditions imposed	<input type="checkbox"/> Failure to give decision (deemed refusal)
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## 2. Recommendation(s)

2.1. The Planning Local Review Body is asked to:-

- (1) consider whether it has sufficient information to allow it to proceed to determine the review without further procedure and, if so, that:-
  - (a) it proceeds to determine whether the decision taken in respect of the application under review should be upheld, reversed or varied
  - (b) in the event that the decision is reversed or varied, the reasons and the detailed conditions to be attached to the decision letter are agreed
- (2) in the event that further procedure is required to allow it to determine the review, consider:-
  - (a) what further information is required, which parties are to be asked to provide the information and the date by which this is to be provided
  - (b) what procedure or combination of procedures are to be followed in determining the review

### 3. Background

- 3.1. The Council operates a Scheme of Delegation that enables Council officers to determine a range of planning applications without the need for them to be referred to Area Committees or the Planning Committee for a decision.
- 3.2. In terms of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc (Scotland) Act 2006, and the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013, where an application for planning permission relates to a proposal that falls within the category of “local development” and has been or could have been determined under the Scheme of Delegation, the applicant is entitled to request that the determination be reviewed by the Planning Local Review Body.

### 4. Notice of Review – Statement of Reasons for Requiring the Review

- 4.1. In submitting their Notice of Review, the applicant has stated their reasons for requiring a review of the determination in respect of their application. **(Refer Appendix 5)**
- 4.2. The applicant is entitled to state a preference for procedure (or combination of procedures) to be followed and has indicated that their stated preference is as follows:-

<input type="checkbox"/>	Further written submissions	<input type="checkbox"/>	Site inspection
<input type="checkbox"/>	Hearing session(s)	<input checked="" type="checkbox"/>	Assessment of review documents only, with no further procedure

- 4.3. However, members will be aware that it is for the Planning Local Review Body to determine how a case is reviewed.

### 5. Information Available to Allow Review of Application

- 5.1. Section 43B of the Planning etc (Scotland) Act 2006 restricts the ability of parties to introduce new material at the review stage. The focus of the review should, therefore, be on the material which was before the officer who dealt with the application under the Scheme of Delegation.
- 5.2. The following information is appended to this report to assist the Planning Local Review Body in its review of the decision taken by officers:-
- ◆ Planning Application Form **(Appendix 1)**
  - ◆ Report of Handling by the Planning Officer under the Scheme of Delegation **(Appendix 2(a))**
  - ◆ Copies of submissions from statutory consultees **(Appendix 2(b))**
  - ◆ Copies of representations **(Appendix 2(c))**
  - ◆ Site photographs and location plan **(Appendix 3)**
  - ◆ Decision notice **(Appendix 4)**
  - ◆ Notice of Review including statement of reasons for requiring the review **(Appendix 5)**
- 5.3. Copies of the relevant drawings are available for inspection by contacting Administration and Legal Services prior to the meeting.

## **6. Notice of Review Consultation Process**

- 6.1. 3 further submissions, including a Statement of Observations from the Planning Officer on the applicant's Notice of Review, were received in the course of the 14 day period from the date on which notification of the request for a review of the case was given. These are listed at and attached as **Appendix 6**.
- 6.2 The applicant had the opportunity to comment on the further representations received. Comments from the applicant are contained in the submission attached as **Appendix 7**.

**Paul Manning**

**Executive Director (Finance and Corporate Resources)**

30 July 2021

### **Link(s) to Council Values/Ambitions/Objectives**

- ◆ Work with communities and partners to promote high quality, thriving and sustainable communities
- ◆ Accountable, effective, efficient and transparent

### **Previous References**

- ◆ None

### **List of Background Papers**

- ◆ Guide to the Planning Local Review Body

### **Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact:-

Stuart McLeod, Administration Officer

Ext: 4815 (Tel: 01698 454815)

E-mail: [stuart.mcleod@southlanarkshire.gov.uk](mailto:stuart.mcleod@southlanarkshire.gov.uk)



# Appendix 1

4a

## Planning Application Form



Montrose House 154 Montrose Crescent Hamilton ML3 6LB Tel: 0303 123 1015 Email: [planning@southlanarkshire.gov.uk](mailto:planning@southlanarkshire.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100333147-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Type of Application

What is this application for? Please select one of the following: \*

- ☐ Application for planning permission (including changes of use and surface mineral working).
- ☒ Application for planning permission in principle.
- ☐ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- ☐ Application for Approval of Matters specified in conditions.

## Description of Proposal

Please describe the proposal including any change of use: \* (Max 500 characters)

Proposed Detached two storey Dwelling House with Detached Double Garage and new vehicular access to Blairbeth Road, on the ground to the North, North West bounded by Blairbeth Road and Burnside Road, of the property owned by Burnside Bowling Club.

Is this a temporary permission? \*

☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place?  
(Answer 'No' if there is no change of use.) \*

☐ Yes ☒ No

Has the work already been started and/or completed? \*

☒ No ☐ Yes – Started ☐ Yes - Completed

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

## Agent Details

Please enter Agent details

Company/Organisation:			
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	John	Building Name:	Burnside House
Last Name: *	McLennan	Building Number:	
Telephone Number: *		Address 1 (Street): *	Beech Avenue
Extension Number:		Address 2:	High Burnside
Mobile Number:		Town/City: *	Rutherglen
Fax Number:		Country: *	United Kingdom
		Postcode: *	G73 4RJ
Email Address: *			
Is the applicant an individual or an organisation/corporate entity? *			
<input type="checkbox"/> Individual <input checked="" type="checkbox"/> Organisation/Corporate entity			

## Applicant Details

Please enter Applicant details

Title:	Other	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Burnside Bowling Club
First Name: *		Building Number:	
Last Name: *		Address 1 (Street): *	Burnside Road
Company/Organisation	Burnside Bowling Club	Address 2:	Beech Avenue
Telephone Number: *		Town/City: *	Rutherglen
Extension Number:		Country: *	United Kingdom
Mobile Number:		Postcode: *	G73 4RJ
Fax Number:			
Email Address: *			



## Site Address Details

Planning Authority: South Lanarkshire Council

Full postal address of the site (including postcode where available):

Address 1: BURNSIDE BOWLING CLUB

Address 2: BURNSIDE ROAD

Address 3: RUTHERGLEN

Address 4:

Address 5:

Town/City/Settlement: GLASGOW

Post Code: G73 4RB

Please identify/describe the location of the site or sites

Northing

660142

Easting

262142

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

☒ Yes ☐ No

## Pre-Application Discussion Details Cont.

In what format was the feedback given? \*

☐ Meeting ☐ Telephone ☐ Letter ☒ Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) \* (max 500 characters)

A response to an initial enquiry.

Title:

Mr

Other title:

...

First Name:

Iain

Last Name:

Morton

Correspondence Reference  
Number:

Date (dd/mm/yyyy):

11/11/2020

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

## Site Area

Please state the site area:

675.00

Please state the measurement type used:

☐

Hectares (ha)

☒

Square Metres (sq.m)

## Existing Use

Please describe the current or most recent use: \* (Max 500 characters)

Landscape Garden Ground to the North, North West of the Bowling Green.

## Access and Parking

Are you proposing a new altered vehicle access to or from a public road? \*

☒

Yes

☐

No

If Yes please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? \*

☐

Yes

☒

No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

## Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? \*

☒

Yes

☐

No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? \*

☒

Yes – connecting to public drainage network

☐

No – proposing to make private drainage arrangements

☐

Not Applicable – only arrangements for water supply required

Do your proposals make provision for sustainable drainage of surface water?? \*  
(e.g. SUDS arrangements) \*

☒

Yes

☐

No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? \*

☒

Yes

☐

No, using a private water supply

☐

No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off-site).

## Assessment of Flood Risk

Is the site within an area of known risk of flooding? \*

☐ Yes ☒ No ☐ Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? \*

☐ Yes ☒ No ☐ Don't Know

## Trees

Are there any trees on or adjacent to the application site? \*

☒ Yes ☐ No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

## All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? \*

☐ Yes ☒ No

## Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013? \*

☐ Yes ☒ No ☐ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

## Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? \*

☐ Yes ☒ No

## Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? \*

☒ Yes ☐ No

Is any of the land part of an agricultural holding? \*

☐ Yes ☒ No

## Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

# Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: John McLennan

On behalf of: Burnside Bowling Club

Date: 15/11/2020

☒ Please tick here to certify this Certificate. \*

## Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? \*

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? \*

☐ Yes ☐ No ☒ Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? \*

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? \*

☐ Yes ☐ No ☒ Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? \*

☐ Yes ☐ No ☒ Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? \*

☐ Yes ☐ No ☒ Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- ☒ Site Layout Plan or Block plan.  
☐ Elevations.  
☐ Floor plans.  
☐ Cross sections.  
☐ Roof plan.  
☐ Master Plan/Framework Plan.  
☐ Landscape plan.  
☐ Photographs and/or photomontages.  
☐ Other.

If Other, please specify: \* (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. \*

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. \*

☐ Yes ☒ N/A

A Flood Risk Assessment. \*

☐ Yes ☒ N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). \*

☐ Yes ☒ N/A

Drainage/SUDS layout. \*

☐ Yes ☒ N/A

A Transport Assessment or Travel Plan

☐ Yes ☒ N/A

Contaminated Land Assessment. \*

☐ Yes ☒ N/A

Habitat Survey. \*

☐ Yes ☒ N/A

A Processing Agreement. \*

☐ Yes ☒ N/A

Other Statements (please specify). (Max 500 characters)

## Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr John McLennan

Declaration Date: 15/11/2020

## Payment Details

Online payment: IDOX00007227

Payment date: 15/11/2020 18:25:00

Created: 15/11/2020 18:25



# Appendix 2(a)

4b

## Report of Handling

Report dated 4 February 2021 by the Council's Authorised Officer under the Scheme of Delegation





	<b>Delegated Report</b>	Reference no.	P/20/1616
			<b>4b</b>
		Date	4 February 2021

**Planning proposal:** Erection of detached two storey dwellinghouse with detached double garage and new vehicular access

**Location:** Burnside Bowling Club  
Burnside Road  
Rutherglen  
G73 4RB

**Application Type :** Permission in principle

**Applicant :** Burnside Bowling Club

**Location :** Burnside Bowling Club  
Burnside Road  
Rutherglen  
G73 4RB

**Decision:** Application refused

**Report by:** Area Manager (Planning & Building Standards)

#### **Policy reference:**

#### **South Lanarkshire Local Development Plan 2015**

Policy 4 Development management and placemaking

Policy 6 General urban area/settlements

Policy 16 – Travel and Transportation

Policy DM13 - Development within general urban area / settlement

#### **Proposed South Lanarkshire Local Development Plan 2**

Policy 3 General Urban Areas

Policy 5 Development Management and Placemaking

Placemaking

Policy 15 – Travel and Transportation

#### **Assessment**

Impact on privacy?	No
Impact on sunlight/daylight?	No
Impact on amenity?	Yes
Traffic issues?	Yes
Adheres to development plan policy?	No
Adverse comments from consultees?	Yes

#### **Consultations**

The Coal Authority Planning and Local Authority Liaison Dept

Roads Development Management Team

#### **Summary of response**

The site is a high-risk mining area. The applicants have submitted a coal report confirming the site is safe.

The application should be deferred until a new access is proposed to ensure no additional waiting is caused.

Environmental Services

The application should be deferred until a noise survey, dealing with potential noise from the adjacent roads, is submitted.

Burnside Community Council

Any house should take account of the architectural style of the area, maintain trees and hedgerows and retain as many existing features of the site as possible.

**Representation(s):**

▶	20
▶	1
▶	1

Objection letters
Support letters
Comment letters

## Planning Application Delegated Report

### 1 Application Summary

- 1.1 The application site is located on the crossroads of Blairberth Road and Burnside Road which is approximately 200m to the north of Burnside village centre. The site is surrounded by 'Edwardian' style houses on all sides many of which were built at the turn of the 20<sup>th</sup> Century. The bowling club has been in situ since 1902 and consists of a clubhouse, one bowling green and a triangular area of landscaped open space, with associated benches, to the north-west of the site. This triangular area is the proposed application site and a number of mature trees and hedging sit on the iron fenced boundary. In addition, two telecommunications masts disguised as flag poles and their associated cabinets sit on the northern boundary. There are pedestrian gates with the club regalia which are located at the point of the triangular area facing directly onto the 4-way junction. Currently, the site is accessed to the north-east from Blairbeth Road which is approximately 50m from the 4-way signalised junction. To the south of the site is Burnside tennis club which has recently been refurbished and further to the south is the B listed Burnside Parish Church which is prominently located on land much higher than the application site.
- 1.2 The application consists of a proposal for planning permission in principle for the erection of a single dwellinghouse and garage on an existing area of greenspace within the grounds of Burnside Bowling Club. Indicative plans submitted show that the proposed dwellinghouse would be two storey with an attached garage, centrally located within the triangular area to the north west of the bowling green. The proposed house and garage would cover an area of approximately 230sqm within an area which is 960sqm in size. The site would be accessed via a new access point from Blairbeth Road.

### 2 Representation(s)

- 2.1 Following statutory neighbour notification, 20 letters of objection, one letter of comment and one letter of support have been received. The points raised are summarised as follows:
- (a) **The proposed site is unsuitable for a dwellinghouse and contrary to Policy 16 – Travel and Transportation. Access into and out of the plot is right next to the traffic lights and will impact on what is already a busy 4-way traffic junction which has seen several accidents in last few years. There would also be too much pedestrian and traffic disruption caused to an already extremely busy part of the area.**  
**Response:** Noted. The Roads and Transportation Service has confirmed that the current proposed access is unsuitable, and a new proposed access would be required to be utilised to ensure there is no detrimental impact on the existing junction. Whilst it is not considered that the proposal is contrary to Policy 16, the Council does not believe the proposal is suitable in general planning terms.
- (b) **Aesthetically, any new house on this plot will be out of character with the surrounding traditional properties and will negatively impact upon views to the bowling green, busy tennis courts and B listed church which are at the heart of the local community.**  
**Response:** Agreed. The erection of a proposed house on the site would be out of keeping with the settlement pattern, character and amenity of the locality. This matter will be discussed further in section 6.

- (c) **These grounds were initially gifted for bowls and tennis recreation purposes and not for housing. The area should be retained for community benefit.**

**Response:** This is a separate legal matter and is not a material planning consideration.

- (d) **The proposal would detract from the recent improvement works which have been carried out to the neighbouring tennis club.**

**Response:** Agreed. This matter will be discussed further in section 6.

- (e) **The proposal would result in the over-development of the site.**

**Response:** Agreed. This matter will be discussed further in section 6.

- (f) **The proposal will have a negative impact on long views up to the 'B' listed Burnside Parish Church.**

**Response:** Agreed. This matter will be discussed further in section 6.

- (g) **The proposed house will result in an increase of noise - particularly during construction – and will remove views and light to properties adjacent.**

**Response:** It is unlikely that the erection of a single dwellinghouse will result in a detrimental creation of noise and associated health impacts. The indicative proposed siting and likely size of the house is unlikely to result in the loss of light to any adjacent properties. Loss of a long distance view is not a material planning consideration, however there are considered to be negative street scene impacts, as discussed in section 6 below.

- (h) **The proposal will have a negative impact in terms of biodiversity through the loss of trees, hedging and open space.**

**Response:** The proposal is unlikely to result in the loss of a significant number of trees, however part of the hedgerow would require to be removed to provide a suitable access. It is understood that the application site is not generally used as public open space, however it is acknowledged that the open space is of value within this urban area in amenity and visual terms. This matter will be discussed further in Section 6.

- (i) **The application has been subject to flooding in the past and this would have a detrimental impact on any house which may be erected.**

**Response:** Noted. Roads and Transportation have not identified any specific flood risk issues in this location but if approved, further assessment of drainage/flood risk through the imposition of planning conditions would be required.

- (j) **The site contains 2 mobile phone masts on which the Bowling Club have commercial agreements with the providers. It would not be appropriate to allow planning permission for a domestic property on a site containing mobile phone masts.**

**Response:** Noted. While the close proximity is noted, this matter, in itself, is not considered to a reason for refusal.

- (k) **This proposal would change the beautiful scenery of a landmark that has been undisturbed in the history of the area. A new build house in the middle of the mentioned plot would be an eyesore in the community. It would be lovely to see the green space remain as is.**

**Response:** Whilst the proposal is for planning permission in principle and no detailed plans have been submitted, it is considered that the siting and location of the house would have a detrimental impact on the settlement and detrimentally alter the character and amenity of the area.

These letters are available for inspection on the planning portal.

### **3 Assessment and Conclusions**

- 3.1 The determining issue in this instance is the proposal's compliance with development plan policy. The site is covered by the adopted South Lanarkshire Local Development Plan 2015 and is located within the General Urban Area/Settlement as per Policy 6. The proposal is also subject to Policy 4 – Development Management and Placemaking and Policy DM13 – Development within General urban area/settlement. 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.
- 3.2 The area of land proposed for development forms part of the bowling club grounds consisting of a well-kept lawn supported by established landscaping. This includes mature hedging to both the Burnside Road and Blairbeth Road boundaries. Burnside Road is tree lined, although there are open views to the elevated 'B' listed church in the background which is visually prominent. The proposal is for the erection of a two-storey detached dwelling extending to approximately 192 square metres with an attached double garage. The site occupies a very prominent location in an area of attractive townscape. Should a house be granted at this location, it will remove an area of open space which provides a clear break from the surrounding houses and built-up area. The settlement pattern of the area is one of wide avenues, bounded with a line of mature trees and hedges with traditional architecture concentrated around the focal point of the bowling club, tennis club and church.
- 3.3 In addition to the above, the Council has concerns about whether the development of this site can be achieved while maintaining the current visual quality of this area. In this regard, it is considered that the siting of a house in this location would also have a negative impact on the open aspect of this area and views up Burnside Road beyond the recently refurbished tennis club and up towards the prominent 'B' Listed church. The Edwardian architectural style would be difficult to replicate in the absence of suitable materials being available. Whilst a more modern architectural approach may be considered in a less prominent part of the area, the application site represents possibly the most prominent place in the whole locality.
- 3.4 The Roads and Transportation Service have confirmed that the current access proposals are not suitable in their proposed location and would result in queuing vehicles approaching from the west which would in turn lead to congestion on the 4-way junction. As a result, an alternative access would be required. In addition, a new footway crossing would need to be provided which would also require the need to remove hedging and iron fencing. As the proposal is in principle, it is difficult to measure the impact on biodiversity, however it is clear that the removal of some mature hedging and possibly trees would be required. This part of Burnside is characterised by wide avenues lined with mature trees and the proposed house would remove a focal point of open space.
- 3.5 When the matters of settlement pattern, character and amenity are all considered in relation to policies 4 and 6 of the adopted local development plan, it is clear that the proposal is contrary to both policies. In addition, the proposal must also be assessed against the proposed local development plan.
- 3.6 On 17 August 2020, the Directorate for Planning and Environmental Appeals issued its report of the Examination of SLLDP2 and a number of modifications to the plan are recommended. At the Planning Committee on 1 December 2020, members agreed to the

approval of all of the modifications; the publication and public deposit of the Plan, as modified; and the submission of the Plan to Scottish Ministers. For the purposes of determining planning applications, the Council will therefore assess these against the policies contained within the adopted South Lanarkshire Local Plan and those within the proposed South Lanarkshire Local Development Plan. As SLLDP2 is now approved for adoption when considering planning applications greater weight should be given to the policies and guidance contained in this Plan. The proposed development has been 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 1. It is therefore considered that the proposal is contrary to policies 3 and 5 in the proposed plan for the same reasons that it is contrary to policies 4, 6 and DM13 of the adopted plan.

- 3.6 Following consideration of the application against both the adopted and proposed local development plans, it is clear that the application would have a negative impact on the settlement pattern, character and amenity of the locality. Given this, planning permission in principle is refused.

#### **4 Reason for decision**

- 4.1 The proposal will have a significant adverse visual impact on the local built environment and is contrary to policies 4, 6 and DM13 of the adopted South Lanarkshire Local Development Plan 2015 and policies 3 and 5 of the proposed South Lanarkshire Local Development Plan 2.

#### **Delegating officer:**

#### **Date:**

#### **Previous references**

- ◆ None

#### **List of background papers**

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted)
- ▶ Proposed South Lanarkshire Development Plan 2
- ▶ Neighbour notification letter dated 19.11.2020
- ▶ Consultations

The Coal Authority Planning and Local Authority Liaison Dept 08.12.2020

Roads Development Management Team 04.12.2020

Environmental Services 30.11.2020

Burnside Community Council 04.12.2020

- ▶ Representations  
Andrea Oakes, Sent Via Email, Dated:  
25.11.2020

Mr Andrew McCluskey, 4 Peveril Avenue, Rutherglen, G73 4RD, Dated:  
25.11.2020

Mrs Joan Cullen, 107 Blairbeth Road, Glasgow, G73 5BT,	Dated: 05.12.2020
Andrew Haugh, By Email,	Dated: 02.12.2020
David Jones, Via Email,	Dated: 02.12.2020
Mr Charles Shaw, 72 Blairbeth Road, Burnside, Rutherglen, G73 4JQ,	Dated: 08.12.2020
Mr John Stewart, 96 Blairbeth Road, Burnside, Glasgow, G73 5BT,	Dated: 10.12.2020
Miss Anne Kempsell, 92 Blairbeth Road, Rutherglen, Glasgow, South Lanarkshire, G73 5BT	Dated: 06.12.2020
Mr Alan J Millar, 90A Blairbeth Road, Rutherglen, Glasgow, South Lanarkshire, G73 4JA	Dated: 09.12.2020
Miss Anne Kempsell, 92 Blairbeth Road, Burnside, Glasgow, G73 5BT,	Dated: 06.12.2020
Miss Alison Black, 23 Blairbeth Road, Glasgow, G73 4JF,	Dated: 04.12.2020
Robert & Gwen Brown, 90B Blairbeth Road, Rutherglen, G73 4JA,	Dated: 09.12.2020
Mr Alastair Sutherland, 27 Snaefell Crescent, Burnside,, Glasgow, G735BY,	Dated: 25.11.2020
Mr David Healy, 23 Southern Avenue, Burnside, Glasgow, G73 4JN,	Dated: 05.01.2021
Mr David Armstrong, 33 Drumsargard Road, Burnside, Glasgow, G73 5AL,	Dated: 03.01.2021
Owner/Occupier, 111 Landemer Drive, Rutherglen, G73 2TA,	Dated: 31.12.2020
Mrs Diana Hudson, 13 Elm Road, Burnside, Glasgow, G73 4JR,	Dated: 04.01.2021
Mrs Joanne Findlay, 14 Peveril Avenue, Burnside, Glasgow, G73 4RD,	Dated: 04.01.2021
Mrs Julie Colvin, 10 Albert Drive, Glasgow, G733RT,	Dated: 04.01.2021
Dr Mary Todd, 17, Highburgh Drive, Glasgow, G73 3RR,	Dated: 04.01.2021
Mrs D Young, 2 Ingerbeck Avenue, Rutherglen, Glasgow, G73 5DR,	Dated:

04.01.2021

Mrs Gail Baillie, 24 Albert Drive, Burnside, Glasgow, G73 3RT,

Dated:  
04.01.2021

**Contact for further information**

If you would like to inspect the background papers or want further information, please contact:-

Iain Morton, Planning officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 01698 455048

Email: [iain.morton@southlanarkshire.gov.uk](mailto:iain.morton@southlanarkshire.gov.uk)



## Planning Application

Application number: P/20/1616

### Reasons for refusal

01. The proposal is contrary to policies 4, 6 and DM13 of the adopted South Lanarkshire Local Development Plan 2015 and policies 3 and 5 of the proposed South Lanarkshire Local Development Plan in that:
- i) the proposed two-storey building would result in an incongruous visual intrusion into this area of established townscape, resulting in a significant loss of visual character and amenity for Blairbeth Road, Burnside Road and the wider Burnside area.
  - ii) it would result in the loss of an area of open landscaping at a significant focal point, to the detriment of visual amenity and the local townscape character.

### Reason(s) for decision

The proposal will have a significant adverse visual impact on the local built environment and is contrary to policies 4, 6 and DM13 of the adopted South Lanarkshire Local Development Plan 2015 and policies 3 and 5 of the proposed South Lanarkshire Local Development Plan 2.

### Informatives

01. This decision relates to drawing numbers:

Reference	Version No:	Plan Status
BCC/LP-001		Refused



## Consultation Responses

- ◆ Responses dated 25 November and 4 December 2020 from The Coal Authority
- ◆ Response dated 27 November 2020 from Environmental Services
- ◆ Response dated 3 December 2020 from Roads and Transportation Services



Tel:

Email: [planningconsultation@coal.gov.uk](mailto:planningconsultation@coal.gov.uk)

Web: [www.gov.uk/coalauthority](http://www.gov.uk/coalauthority)

For the Attention of Mr I Morton – Case Officer  
South Lanarkshire Council

[By Email: [planning@southlanarkshire.gov.uk](mailto:planning@southlanarkshire.gov.uk)]

25 November 2020

Dear Mr Morton

**PLANNING APPLICATION: P/20/1616**

**Erection of detached two storey dwellinghouse with detached double garage and new vehicular access at Burnside Bowling Club, Burnside Road, Rutherglen, Glasgow, South Lanarkshire, G73 4RB**

Thank you for your notification of 19 November 2020 seeking the views of The Coal Authority on the above planning application.

The Coal Authority is a non-departmental public body sponsored by the Department of Business, Energy & Industrial Strategy. As a statutory consultee, The Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

**The Coal Authority Response: Fundamental Concern**

I have reviewed the site location plans, the proposals and the supporting information submitted and available to view on the LPA website. I can confirm that the site falls within the defined Development High Risk Area and that a Coal Mining Risk Assessment, or equivalent report, is required to be submitted to support this application.


The Coal Authority records indicate that the application site lies in an area of likely historic unrecorded coal workings at shallow depth.

In accordance with the agreed risk-based approach to development management in the defined Development High Risk Areas, the applicant should be informed that they need to submit a Coal Mining Risk Assessment Report, or equivalent report, to support this planning application. As no relevant information has been submitted at this time the Coal Authority **objects** to this planning application.

The Coal Authority would be very pleased to receive for further consultation and comment any additional information submitted by the applicant.

Please do not hesitate to contact me if you would like to discuss this matter further.

Yours sincerely



**Helen Branson**  
**Technical Officer**

General Information for the Applicant

The Coal Mining Risk Assessment needs to interpret the coal mining risks and should be based on up-to-date information of past coal mining activities in relation to the application site. A variety of Coal Mining Report products which provide baseline information on coal mining legacy risks are available from [www.groundstability.com](http://www.groundstability.com). A Coal Mining Risk Assessment should then take the information contained in the Coal Mining Report and interpret the risks identified specifically in relation to the proposed development. If you merely submit a Non Residential Coal Mining Report, an Enviro All-in-One Report or other factual report obtained from [www.groundstability.com](http://www.groundstability.com) (or a similar product from private land search suppliers) this will not overcome our objection to your planning application.

The need for a Coal Mining Risk Assessment is set out in the National Planning Practice Guide at: <http://planningguidance.planningportal.gov.uk/blog/guidance/land-stability/land-stability-guidance/>

This coal mining information you obtain from a Non-Residential Coal Mining Report, an Enviro-All-in-One Report or other factual report should then be used to assess whether or not past mining activity poses any risk to the development proposal and, where necessary, propose mitigation measures to address any issues of land instability. This could include further intrusive investigation on site to ensure that the Local Planning Authority has sufficient information to determine the planning application.

The Coal Mining Risk Assessment should be prepared by a “competent body”. Links to the relevant professional institutions of competent bodies can be found at:  
<https://www.gov.uk/planning-applications-coal-mining-risk-assessments>

Guidance on how to produce a Coal Mining Risk Assessment and a template which the “competent body” can utilise is also contained at:  
<https://www.gov.uk/planning-applications-coal-mining-risk-assessments>

Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of the Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action. In the event that you are proposing to undertake such work in the Forest of Dean local authority area our permission may not be required; it is recommended that you check with us prior to commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from the Coal Authority’s website at:  
<https://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property>

#### Disclaimer

The above consultation response is provided by the Coal Authority as a Statutory Consultee and is based upon the latest available coal mining data on the date of the response, and electronic consultation records held by the Coal Authority since 1 April 2013. The comments made are also based upon only the information provided to the Coal Authority by the Local Planning Authority and/or has been published on the Council’s website for consultation purposes in relation to this specific planning application. The views and conclusions contained in this response may be subject to review and amendment by the Coal Authority if additional or new data/information (such as a revised Coal Mining Risk Assessment) is provided by the Local Planning Authority or the applicant for consultation purposes.





The Coal  
Authority



INVESTOR IN PEOPLE



RTPI

Learning Partner

200 Lichfield Lane  
Berry Hill  
Mansfield  
Nottinghamshire  
NG18 4RG

Tel: 01623 637 119 (Planning Enquiries)

Email: [planningconsultation@coal.gov.uk](mailto:planningconsultation@coal.gov.uk)

Web: [www.gov.uk/coalauthority](http://www.gov.uk/coalauthority)

For the Attention of: Iain Morton – Case Officer  
South Lanarkshire Council

[By Email: [planning@southlanarkshire.gov.uk](mailto:planning@southlanarkshire.gov.uk)]

04 December 2020

Dear Mr Morton

**PLANNING APPLICATION: P/20/1616 RECONSULTATION**

**Erection of detached two storey dwellinghouse with detached double garage and new vehicular access; Burnside Bowling Club, Burnside Road, Rutherglen, Glasgow, South Lanarkshire, G73 4RB**

Thank you for your consultation letter of 27 November 2020 seeking the views of The Coal Authority on the above planning application.

**The Coal Authority Response: Substantive Concern**

The Coal Authority previously commented on this planning application in a letter to the LPA dated 25 November 2020. We had requested that the applicant submit Coal Mining Risk Assessment or equivalent report to accompany their planning application. The Coal Authority is now in receipt of CON29M mining report.

A CON29M is not a Coal Mining Risk Assessment, it is a factual report similar to a Consultant's Report or Enviro All in One Report. These factual report do not provide any assessment of the potential risks posed to the development proposal by past coal mining activity. The Coal Authority therefore **maintains its objection** to this planning application.

In accordance with the agreed risk-based approach to development management in the defined Development High Risk Areas, the applicant should be informed that they need to submit a Coal Mining Risk Assessment Report, or equivalent report, to support this planning application. This assessment should be prepared by a suitably qualified person. Without such a risk assessment, the Coal Authority does not consider that the LPA has sufficient information to determine this planning application.



Please do not hesitate to contact me if you would like to discuss this matter further.

Yours Sincerely,



**George Weightman** | MSc, BSc (Hons)  
**Assistant Planning and Development Manager**

#### General Information for the Applicant

The coal mining information within the Coal Mining Report (such as a Non-Residential Coal Mining Report, an Enviro-All-in-One Report or other factual report) already obtained should be used as the basis for a Coal Mining Risk Assessment Report (CMRA). The CMRA should assess whether or not past mining activity poses any risk to the development proposal and, if necessary, propose mitigation measures to address any issues of land instability. This could include further intrusive investigation on site to ensure that the Local Planning Authority has sufficient information to determine the planning application.

The need for a Coal Mining Risk Assessment is set out in the National Planning Practice Guide at:

<http://planningguidance.planningportal.gov.uk/blog/guidance/land-stability/land-stability-guidance/>

#### Disclaimer

The above consultation response is provided by The Coal Authority as a Statutory Consultee and is based upon the latest available data on the date of the response, and electronic consultation records held by The Coal Authority since 1 April 2013. The comments made are also based upon only the information provided to The Coal Authority by the Local Planning Authority and/or has been published on the Council's website for consultation purposes in relation to this specific planning application. The views and conclusions contained in this response may be subject to review and amendment by The Coal Authority if additional or new data/information (such as a revised Coal Mining Risk Assessment) is provided by the Local Planning Authority or the Applicant for consultation purposes.





4c

Community & Enterprise Resources  
Executive Director Michael McGlynn  
Fleet and Environmental Services

To:	Planning & Building Standards Services	Our Ref.	PSK/429747
		Your Ref.	P/20/1616
CC:		If Calling Ask for	
From:		Phone	01698 454021
		Date.	27 November 2020

---

Subject:	Application Ref:	<b>P/20/1616</b>
	Address:	<b>1 Burnside Road Rutherglen Glasgow G73 4RF</b>
	Proposed Development:	<b>Erection of detached two storey dwellinghouse - see text</b>

I refer to the above planning application consultation and would comment as follows;

I have no objections to the proposal subject to the following conditions;

**Noise 01. Proposed Noise Sensitive Development Affected by Road Traffic Noise**

The applicant shall undertake a noise assessment to determine the impact of road traffic noise on the proposed development using the principles set out in "Calculation of Road Traffic Noise" (DoT/Welsh Office, HMSO, 1988) or by a method to be agreed by the Planning Authority such as the shortened daytime measurement method. The survey shall take cognisance of the Scottish Government Document: Technical Advice Note Assessment of Noise. The survey shall be submitted to and approved by the Planning Authority and where potential noise disturbance is identified, it shall include a scheme for protecting the proposed dwellings from road traffic noise.

The scheme shall ensure that the internal levels with windows open (or under exceptional circumstances closed) do not exceed an  $L_{Aeq,16hr}$  of 40dB daytime and an  $L_{Aeq,8hr}$  of 30dB night-time. The external levels shall not exceed an  $L_{Aeq,16hr}$  of 50dB daytime in any rear garden areas, when measured free-field. The approved scheme for the mitigation of noise shall be implemented prior to the development being brought into use and where appropriate, shall be retained in accordance with the approved scheme to the satisfaction of the Council as Planning Authority.

**D01. Dust Mitigation/Control**

Prior to development commencing on site, a scheme for the control and mitigation of dust shall be submitted to and approved in writing by the Council as Planning Authority. No changes to the approved scheme shall take place unless agreed in writing by the Council as Planning Authority. The scheme shall thereafter be implemented in accordance with a programme to be agreed in writing with the Council as Planning Authority.

**ADV NOTE 3. Noise: Construction and Demolition (BS 5228)**

Montrose House, 154 Montrose Crescent, Hamilton ML3 6LB Phone: [REDACTED]





**Community & Enterprise Resources  
Executive Director Michael McGlynn  
Fleet and Environmental Services**

The applicant is advised that all works carried out on site must be carried out in accordance with the current BS5228, 'Noise control on construction and open sites'.

The applicant is further advised that audible construction activities should be limited to, Monday to Friday 8.00am to 7.00pm, Saturday 8.00am to 1.00pm and Sunday – No audible activity. The applicant is advised that Environmental Services may consider formally imposing these hours of operation by way of statutory notice should complaints be received relating to audible construction activity outwith these recommended hours and should such complaints may be justified by Officers from this Service.

Further details of this may be obtained from South Lanarkshire Council, Environmental Services, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB.

**ADV NOTE 5. Formal action may be taken if nuisance occurs.**

None of the above conditions will preclude formal action being taken by the Executive Director of Community Resources against the person responsible for any nuisance which may arise due to the operation of the proposed development.

Should you require any further information, please contact [REDACTED]

[REDACTED]  
**Environmental Health Officer**

Montrose House, 154 Montrose Crescent, Hamilton ML3 6LB Phone: [REDACTED]





As such, vehicle queues currently extend beyond the revised driveway access during the 'am' peak with queues during the 'pm' peak reaching the proposed driveway access. Any vehicle approaching from the west wishing to enter the property during these peak periods may be prevented from doing so as a result of these queues impeding the progress of those vehicles following behind which in turn may cause delays at the signalised junction.

To avoid the scenario described above we would ask that the applicant explores an alternative arrangement to combine the new and existing access into the bowling club as indicated in our pre-application comments. Dimensions taken on site would suggest that such an access arrangement could be achieved by the applicant reconfiguring area of existing soft and hard landscaping within the boundary of the bowling club.

As noted above, any proposal to introduce a new dropped kerb footway crossing would involve the removal of mature boundary hedging and railing which would need to take account of the required driveway visibility splay for this type of new access (2.4metres by 43metres). Formation of such an access will be subject to an agreement under Section 56 of the Roads Scotland (Act).

### **Parking & Turning Area**

As noted above, there is no detail offered at this stage on the number of bedrooms being proposed.

Notwithstanding the foregoing, based on the SCOTS National Roads Development Guide the applicant should provide a minimum of two parking spaces to serve a 2 or 3 bedroom property and three parking spaces for a 4 or 5 bedroom dwelling.

Parking bays shall be in 3.0metre by 6.0metre modules and should be shown on any future development proposals.

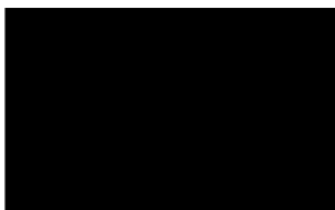
Adequate provision should be incorporated into the design to allow vehicles to turn within the curtilage of the property in order that they can enter and exit the property onto Blairbeth Road in a forward gear.

### **Recommendation**

We recommend that any decision on the application be deferred until such times as the applicant has provided further information to address the issues highlighted above.

We trust that the above information will enable you to progress discussions with the applicant.

Should you have any queries regarding any aspect of the above response then please do not hesitate to contact [REDACTED] on the above extension.



# Appendix 2(c)

4d

## Representations

<b>Representation From</b>	<b>Dated</b>
♦ Andrea Oakes, by email	24/11/20
♦ Alastair Sutherland, by email	25/11/20
♦ Andrew McCluskey, by email	25/11/20
♦ Andrew Haugh, 6 Peveril Avenue, Burnside, Rutherglen, G73 4RD	01/12/20
♦ David Jones Planning on behalf of Mr Edward McGuigan	01/12/20
♦ Alison Black, by email	04/12/20
♦ Joan Cullen, by email	05/12/20
♦ Robert and Gwen Brown, by email	06/12/20
♦ Anne Kempsell, by email	06/12/20
♦ Alan Millar, by email	08/12/20
♦ Charles Shaw, by email	08/12/20
♦ Angela and John Stewart, by email	10/12/20
♦ Owner/Occupier, 111 Landemer Drive, Rutherglen	23/12/20
♦ David Armstrong, by email	03/01/21
♦ Julie Colvin, by email	04/01/21
♦ Dr Mary Todd, by email	04/01/21
♦ Mrs D Young, by email	04/01/21
♦ Diana Hudson, by email	04/01/21
♦ Gail Baillie, by email	04/01/21
♦ Joanne Findlay, by email	04/01/21
♦ David Healy, by email	05/01/21





**From:** andrea oakes [REDACTED]  
**Sent:** 24 November 2020 20:25  
**To:** Planning  
**Cc:** Derek Hay  
**Subject:** Planning application P/20/1616 or 100333147-001

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi,

I would like to object to the proposed plan for a dwelling house next to Burnside Bowling Club.

This area is a lovely junction with character. To squeeze a house and garage into what is currently a pretty flowerbed seems farcical.

That is a very bad junction in the winter as the hill comes down so steep....any snow or ice means you can easily lose control of your vehicle to a skid when trying to stop at the junction. To have a house thrown in to the mix could be a disaster. At least just now anyone in danger on the pavement can jump back into the flowerbed. I honestly cannot over emphasize how dangerous this junction is in winter. I used to live round the corner and quite often I would park a few streets down because of how bad the road could get....there was no safe way to drive down that road.

So for the above reasons please register my complaint and please give consideration to the health and safety implications if not the aesthetics.

Kind regards,

Andrea Oakes

Burnside resident

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**From:** Planning  
**Sent:** 25 November 2020 19:53  
**To:** Planning  
**Subject:** Comments for Planning Application P/20/1616

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 7:52 PM on 25 Nov 2020 from Mr Alastair Sutherland.

### Application Summary

**Address:** Burnside Bowling Club Burnside Road Rutherglen G73 4RB

**Proposal:** Erection of detached two storey dwellinghouse with detached double garage and new vehicular access

**Case Officer:** Iain Morton

[Click for further information](#)

### Customer Details

**Name:** Mr Alastair Sutherland

**Email:** [REDACTED]

**Address:** 27 Snaefell Crescent Burnside; Glasgow

### Comments Details

**Commenter Type:** Neighbour

**Stance:** Customer objects to the Planning Application

**Reasons for comment:**

**Comments:** I strongly object to this proposal.

In my view this development is completely unnecessary and any house constructed would stand out like a proverbial sore thumb, eliminating pleasant green space and spoiling a lovely view towards Burnside Church.

I also believe that these grounds were initially gifted for bowls and tennis recreation purposes and certainly not for housing.

The local environment has been greatly enhanced by Rutherglen Tennis Club recovering the dilapidated Burnside Courts ( at the expense of another unnecessary housing proposal ?) and this present proposal would be a huge step backwards.

I imagine that your roads / traffic people will be unhappy at the prospect of any additional vehicular access?

On these local environmental grounds, I look forward to SLC denying this application. Thank you for this opportunity to comment.



**From:** Planning  
**Sent:** 25 November 2020 19:57  
**To:** Planning  
**Subject:** Comments for Planning Application P/20/1616

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 7:57 PM on 25 Nov 2020 from Mr Andrew McCluskey.

### Application Summary

**Address:** Burnside Bowling Club Burnside Road Rutherglen G73  
4RB

**Proposal:** Erection of detached two storey dwellinghouse with  
detached double garage and new vehicular access

**Case Officer:** Iain Morton

[Click for further information](#)

### Customer Details

**Name:** Mr Andrew McCluskey

**Email:** [REDACTED]

**Address:** 4 Peveril Avenue Rutherglen

### Comments Details

**Commenter  
Type:** Neighbour

**Stance:** Customer objects to the Planning Application

**Reasons for  
comment:**

**Comments:** My house overlooks this plot. The plot is unsuitable for a dwellinghouse. Access into and out of the plot is right next to the traffic lights and will impact what is already a busy 4 way traffic junction which has seen several accidents in last few years. Aesthetically, any new house on this plot will be out of synch with the surrounding traditional properties and will negatively impact upon views to the bowling green and busy tennis courts which are at the heart of the local community.



Andrew Haugh **4d**  
6 Peveril Avenue  
Burnside  
Glasgow  
G73 4RD  
1<sup>st</sup> December 2020

South Lanarkshire Planning Department  
Montrose House  
154 Montrose Crescent  
Hamilton  
ML3 6LB

FAO Iain Morton, Case Officer, South Lanarkshire Planning Department

Application Ref. – P/20/1616

Address – Burnside Bowling Club, Burnside Road, Rutherglen G73 4RB

Proposal – Erection of detached two storey dwellinghouse with detached double garage and new vehicular access

I wish to register my objection against the above application for the following principal reasons:

- 1. Road Safety/Accessibility** – Whilst it is appreciated the application seeks planning permission in principle, it is not clear, nor has it been demonstrated, how the site can be accessed safely. The application site boundary lies in close proximity to a complex controlled road junction and accessing and egressing the site in such circumstances could be dangerous to users of the highway including pedestrians, cyclists and those with disabilities. The immediate footpath network is used by children to get to and from school safely and a private access in such close proximity to crossing points is a concern. For these reasons it is considered that the proposed development is contrary to:-
  - a. Policy 4 Development Management and Placemaking, Policy 6 General Urban Area and Settlements and Policy 16 Travel and Transport of the adopted South Lanarkshire Local Development Plan (2015); and
  - b. Supplementary Planning Guidance 3 Development Management, Placemaking and Design of the adopted South Lanarkshire Local Development Plan (2015); and
  - c. Volume 1 - Policy 3 General Urban Area and Settlements, Policy 5 Development Management, Policy 15 Travel and Transport of the emerging South Lanarkshire Council Local Development Plan 2; and
  - d. Volume 2 - Placemaking Policy DM 1 New Development Design and Policy SSDCC4 Sustainable Transport of the emerging South Lanarkshire Council Local Development Plan 2.
- 2. Loss of Trees/Hedgerows** – Notwithstanding the impact on local biodiversity and environment, it is considered that clearing the site to create a house plot will result in the loss of a significant number of mature trees and formal hedgerows which, alongside the well-considered landscape design of the open space, currently contributes positively to the character of the area and helps soften the impact of a very busy road junction. For these reasons it is considered that the proposed development is contrary to:-

- a. Policy 1 Spatial Strategy, Policy 2 Climate Change, Policy 4 Development Management and Placemaking, Policy 6 General Urban Area and Settlements, Policy 14 Green Network and Greenspaces, Policy 15 Natural and Historic Environment of the adopted South Lanarkshire Local Development Plan (2015);
- b. Supplementary Planning Guidance No.1 Sustainable Development and Climate Change, No.3 Development Management, Placemaking and Design, No.8 Green Network and Greenspace, No.9 Natural and Historic Environment of the adopted South Lanarkshire Local Development Plan (2015);
- c. Volume 1 - Policy 1 Spatial Strategy, Policy 2 Climate Change, Policy 3 General Urban Areas and Settlements, Policy 5 Development Management, Policy 13 Green Network and Greenspace, Policy 14 Natural and Historic Environment, Policy DM 1 New Development Design and Policy NHE 16 Landscape of the emerging South Lanarkshire Council Local Development Plan 2; and
- d. Volume 2 - Placemaking Policy DM 1 New Development Design and Policy, NHE 16 Landscaping and NHE 20 Biodiversity of the emerging South Lanarkshire Council Local Development Plan 2.

**3. Loss of Open Space, Impact on visual amenity and place** – The proposed development will remove a valuable piece of local amenity greenspace which provides a strong landscape setting to the bowling club and tennis courts and long views (particularly in winter) to the Category B Listed Burnside Parish Church (LB33788) as the topography rises from the busy road junction, and contributes positively to the local green network, biodiversity and visual amenity of this particular location in Burnside. For these reasons it is considered that the proposed development is contrary to:-

- a. Policy 1 Spatial Strategy, Policy 2 Climate Change, Policy 4 Development Management and Placemaking, Policy 6 General Urban Area and Settlements, Policy 14 Green Network and Greenspaces, Policy 15 Natural and Historic Environment of the adopted South Lanarkshire Local Development Plan (2015);
- b. Supplementary Planning Guidance No.1 Sustainable Development and Climate Change, No.3 Development Management, Placemaking and Design, No.8 Green Network and Greenspace, No.9 Natural and Historic Environment of the adopted South Lanarkshire Local Development Plan (2015);
- c. Volume 1 - Policy 1 Spatial Strategy, Policy 2 Climate Change, Policy 3 General Urban Areas and Settlements, Policy 5 Development Management, Policy 13 Green Network and Greenspace, Policy 14 Natural and Historic Environment, Policy DM 1 New Development Design and Policy NHE 16 Landscape of the emerging South Lanarkshire Council Local Development Plan 2; and
- d. Volume 2 - Placemaking Policy DM 1 New Development Design and Policy, NHE3 Listed Buildings, NHE 16 Landscaping and NHE 20 Biodiversity of the emerging South Lanarkshire Council Local Development Plan 2.

More generally, the land on which the proposed development is intended to be built is surrounded by well-maintained Edwardian / early twentieth century private dwellings of notable character, principally of pitched red ashlar sandstone. This is in keeping with other architecturally significant Victorian / Edwardian / early twentieth century period dwellings in the surrounding areas of Burnside and High Crosshill. Whilst it is appreciated that this application does not include the detailed design of the proposed buildings, it is considered that it would be extremely challenging for any new sizeable structure at this location to be constructed sympathetic to the significant historic character and appearance of the immediate surrounding area.

For information, it was Sir John Train, former MP for Cathcart, a notable local stonemason / builder / landowner, who planned and erected the vast majority of period sandstone dwellings



immediately surrounding the proposed development site, and many others in Burnside and the surrounding areas. Incidentally, the Train family resided for a period at 'Evadale', as originally named, the grand sandstone bungalow on Blairbeth Road overlooking the bowling green, which the site of this proposed development falls directly between, blocking the sightline from 'Evadale' across the bowling green / tennis courts and up to Burnside Parish Church, as originally intended.

The land on which the bowling club is located, including the site of the proposed development, was donated by Train in the early 1900s solely for recreational purposes. Similarly, the land immediately south of the bowling club and tennis courts was donated by Train for local worship and Burnside Blairbeth Parish Church serves the local community today from this site. The curtailing of available local amenity green space, private or otherwise, in such a densely populated residential area is extremely questionable.

Further, to grant planning permission to build a private dwelling on this land would besmirch the legacy of Rutherglen's historical charitable patrons, including Train and Overtoun, the spirit of which, thankfully, remains alive locally and was recently displayed by local volunteers, benefactors and members of the Rutherglen LTC who came together to refurbish the adjacent Burnside tennis courts (a project which was nationally hailed as a model for successful local community cooperation).

Thank you for the opportunity to make comment and I would request that this application is subjected to the relevant and appropriate level of scrutiny. Please also do not underestimate local objection to this application, which may otherwise have been more robustly voiced, were it not for the time of year and ongoing pandemic.

Regards,

Andrew Haugh





4d

9 Orchard Street,

Falkirk,

FK1 1RF

1<sup>st</sup> December 2020.

Mr Iain Morton,  
Planning & Economic Development  
South Lanarkshire Council,  
Montrose House,  
154 Montrose Crescent  
Hamilton ML3 6LB.

Dear Sir,

**P/20/1616 | Erection of detached two storey dwellinghouse with detached double garage and new vehicular access | Burnside Bowling Club Burnside Road Rutherglen G73 4RB.**

Mr Edward McGuigan, 79 Blairbeth Road, Rutherglen, G73 5BT, formally objects to the above application.

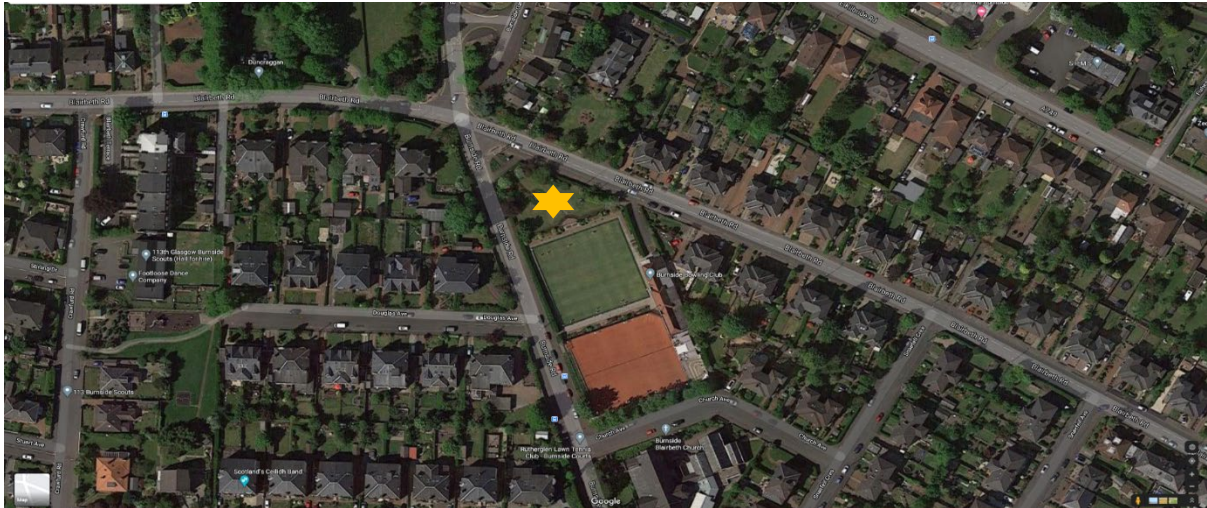
The proposed development of a valued green space at the intersection of a 4-lane junction would adversely affect the character of the area and pose a significant additional risk to highway safety.

The Council's Supplementary Planning Guidance 3. Development Management Placemaking and Design states that "Protection and enhancement of the residential amenity and character of an area is a key consideration in determining planning applications in the general urban area". The aim is to prevent the loss of amenity as a result of:

- Inappropriate design.
- The loss of valued open space and local landscapes.
- The carrying out of development that would adversely affect the character of the area through over-development of the site.

My client argues that this proposal would be inappropriate given its prominent location, its relationship with the surrounding environment and promote a built development form out of style and scale to that of its surroundings against the terms of Policy DM13.

Policy DM13 - Development within general urban area / settlement, is precise in that any new development must relate satisfactorily to adjacent and surrounding development in terms of scale, massing, materials and intensity of use; the character and amenity of the area must not be impaired by reason of traffic generation, parking, visual intrusion, noise or emission of gases or particulates, and there must be no resultant loss of, or damage to, open or play spaces, trees, bushes or hedgerows which make a significant contribution to the character or amenity of the area.



Google Maps. ★ Proposed Development Site.

The image above provides a useful over view of the development site and surrounding area. It is clear that any development on this land will adversely impact the amenity of the surrounding residential area by virtue of loss of open space with subsequent impact on biodiversity and loss of natural habitat. This constrained irregular shaped plot is also out of keeping with the general character with that of the surrounding area contrary to the terms of Policy DM13.

Restricted parking at the Bowling Club has meant a level of on-street parking in the surrounding area. Whilst this is tolerated to a degree by local residents' match day visitors can and do bring about indiscriminate use of surrounding on-street parking resulting in vehicular conflict and reduction in highway safety generally. Further residential development adjacent to this busy intersection and active bowling club would only serve to increase traffic and parking pressures in the area with further negative impact on highway safety and residential amenity.

As a long-standing resident of the area, my client is also aware that there may be a restrictive covenant preventing built development on land gifted to the Bowling and Tennis Club by an original owner. Should this indeed be the case, it further highlights the value of this open space to past and current residents. Any change in status would undoubtedly have a negative impact on the character and amenity of an area so valued by previous and current occupiers.

Given the above, it is my clients clear contention that this proposal cannot be justified when assessed against current local planning policy. In that the loss of open space would be contrary to the character and amenity interests of the area and its development would be prejudicial to the interests of highway safety generally.

Yours sincerely,

David Jones Planning

**From:** Planning  
**Sent:** 04 December 2020 13:56  
**To:** Planning  
**Subject:** Comments for Planning Application P/20/1616

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 1:56 PM on 04 Dec 2020 from Miss Alison Black.

### **Application Summary**

**Address:** Burnside Bowling Club Burnside Road Rutherglen G73 4RB

**Proposal:** Erection of detached two storey dwellinghouse with detached double garage and new vehicular access

**Case Officer:** Iain Morton

[Click for further information](#)

### **Customer Details**

**Name:** Miss Alison Black

**Email:** [REDACTED]

**Address:** 23 Blairbeth Road Glasgow

### **Comments Details**

**Commenter Type:** Community Council

**Stance:** Customer made comments neither objecting to or supporting the Planning Application

**Reasons for comment:**

**Comments:** On behalf of Burnside Community Council I would like to make the following comments on the application in principle for erection of a dwelling house.  
It would be imperative that South Lanarkshire council ensures that the following were made a requirement should a full application be made and granted.

1. The construction should be of traditional materials and in keeping with the other residential properties nearby.
2. The design of the house minimises the impact on the current open space and does not obscure the view of the church or those living at the same level.
3. The mature hedges and bushes on the boundary of the site be maintained, they are an important site for the habitat of wildlife, and contributes to the character of the area. There are many species nest in the hedges.
4. The wrought iron bowling club centenary sign be left in situ. This is an important part of Burnsides' heritage.





**From:** Planning  
**Sent:** 05 December 2020 11:17  
**To:** Planning  
**Subject:** Comments for Planning Application P/20/1616

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 11:16 AM on 05 Dec 2020 from Mrs Joan Cullen .

### Application Summary

**Address:** Burnside Bowling Club Burnside Road Rutherglen G73 4RB

**Proposal:** Erection of detached two storey dwellinghouse with detached double garage and new vehicular access

**Case Officer:** Iain Morton

[Click for further information](#)

### Customer Details

**Name:** Mrs Joan Cullen

**Email:** [REDACTED]

**Address:** 107 Blairbeth Road Glasgow

### Comments Details

**Commenter Type:** Neighbour

**Stance:** Customer objects to the Planning Application

**Reasons for comment:**

**Comments:** I would like to know exactly where this house is being built there is lovely trees and bushes around the bowling club with a abundance of wildlife who live in them. Also it would take away a lovely look from the road



**From:** Robert Brown [REDACTED]  
**Sent:** 06 December 2020 15:39  
**To:** Planning  
**Subject:** Application - Ref P/20/1616 Burnside Bowling Club  
**Attachments:** Bowling Club Planning Objection Dec 20.docx

I attach Letter of objection to the above application for your consideration.

Yours faithfully

Robert & Gwen Brown

90b Blairbeth Road,  
Rutherglen  
Glasgow  
G73 4JA  
6<sup>th</sup> December 2020

Planning & Economic Development  
South Lanarkshire Council  
Montrose House  
154 Montrose Crescent  
HAMILTON ML3 6LB

Dear Sirs,

**Application Ref – P/20/1616**

**Proposal for the erection of a detached two storey dwellinghouse with detached double garage and new vehicular access at Burnside Bowling Club, Burnside Road, Rutherglen G73 4RB**

I write as a local resident to object to the above application on the following grounds:

1. **Purpose of the site** – The site is understood to have been gifted in the early 1900s by Sir John Train to the Bowling Club for recreational purposes. This is and should continue to be its prime purpose and no case has been made in the application for any change in that status
2. **Prime location** – the site is in a prime location in Burnside at the corner of Burnside Road and Blairbeth Road. Originally Burnside Road formed a gated access to historic properties up the hill. The replacement of the recreation area by a private house at this location would damage the integrity of this prominent junction and views of the Bowling Club and Burnside Church.
3. **Climate Change issues** –
  - a. The site is currently a green area forming part of the Bowling Club grounds. It has been such for a century and adds to the “green lung” afforded by the many trees and bushes in the area which is a particular feature of this part of Burnside. The erection of a house would result in the loss of a number of trees and bushes as well as the diversity of the flora and fauna in the green space.
  - b. The junction at Burnside Road/Blairbeth Road has long been affected by significant flooding of the road at the corner which has resisted all efforts to eliminate the problem, perhaps because of its low lying nature. The introduction of a large house with ancillary services will add extra pressure to drainage in the area and could exacerbate the problem. Clearly there would be significant areas of house or hard standing which would reduce the capacity of the site to absorb water flows. No consideration at all appears to have been given to this issue.
4. **Compatibility with neighbouring properties** – All the original houses around this location were red sandstone properties built as part of a plan for the area by Sir John Train. Whilst the current application is outline only, a house which was incompatible

with the established pattern would be hugely undesirable and detract from the amenity of the area.

5. **No gap in Meeting Local Needs** – There is no identified local need for additional properties of this size in the area. There is adequate provision in the Local Plan for projected housing needs in the area without requiring to build yet another house on a site that was not intended for that purpose.
6. **Problem of mobile phone masts** – the site contains 2 mobile phone masts on which the Bowling Club have commercial agreements with the providers. It would not be appropriate to allow planning permission for a domestic property on a site containing mobile phone masts.
7. **Traffic issues** – The site is immediately adjacent to the junction at Burnside Road/Blairbeth Road. The junction used to have a bad accident record which was substantially improved by providing a right turn filter.
  - a. Traffic speeds coming down both Blairbeth Road and Burnside Road are still frequently excessive and both roads carry significant traffic, particularly at busy times.
  - b. The traffic situation would not be assisted by either an additional access so near to the junction nor by the potential for the parking of both residential and service vehicles on Blairbeth Road outside the property.
  - c. The junction is a crossing point for many children attending local schools, for pre-school children coming to and from nursery facilities, for patrons of the Bowling Club and Tennis Club, and for Church attendees in particular.
8. **Over-development** – the house would represent unnecessary over development of a location not intended for this.
9. **Future Use** – the loss of this ground to housing would represent a reduction in potential amenity space in the future. The recent welcome development of part of the Club premises by Rutherglen Tennis Club shows the potential that can sometimes exist for future recreational need – which would be lost if the proposed house was built.

I hope these considerations will be taken into account in rejecting the application.

Yours faithfully,

*Robert E Brown/Gwen Brown*

(Robert & Gwen Brown)





**From:** Planning  
**Sent:** 06 December 2020 11:48  
**To:** Planning  
**Subject:** Comments for Planning Application P/20/1616

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 11:48 AM on 06 Dec 2020 from Miss Anne Kempsell.

## Application Summary

**Address:** Burnside Bowling Club Burnside Road Rutherglen G73 4RB  
**Proposal:** Erection of detached two storey dwellinghouse with detached double garage and new vehicular access  
**Case Officer:** Iain Morton  
[Click for further information](#)

## Customer Details

**Name:** Miss Anne Kempsell  
**Email:** [REDACTED]  
**Address:** 92 Blairbeth Road Burnside Glasgow

## Comments Details

**Commenter Type:** Neighbour  
**Stance:** Customer objects to the Planning Application  
**Reasons for comment:**  
**Comments:** I am writing to make comments on the recent Neighbour Notification Notice received regarding the above Planning Application for the erection of a detached two storey dwelling house with detached double garage and new vehicular access at Burnside Bowling club.  
I submit my comment as follows:  
-The neighbourhood and immediate neighbours of proposed planning, in surrounding properties currently have space and tranquillity.  
-The neighbours currently have space to look out and to calm down due to stress at work and in general stress of life. I have a stressful job (No 92), within Education Services, so require space to relax and de-stress. New building would interrupt this and destroy all peace that is currently on offer.  
-I currently look out on to clear space - if any building should be constructed on the land, it would be claustrophobic and this I believe would be stressful to my current living situation.  
-Currently having the Bowling Green path as a divider from the actual green allows me to have my personal garden space and if a building was to be erected on the proposed site, this would cause noise and remove all sense of peace. I suffer from High Blood Pressure and other heart related problems, so need a place to enable

me to relax and my side/back garden currently is uninterrupted and affords me this as sanctuary. If a house was to be built this would remove this due the noise and disturbance having property erected on this land would create.

-The plot where my house is built is No 92 Blairbeth Road, provides a sense of freedom as no other buildings surround my garden. The back of the Bowl House borders my neighbour's property and this was a major factor why I bought house.

-When I bought my house at No 92, I was told nothing would be built on the land as previous owner of Barriston (not known as Trinitas) at No 79, across the road from the proposed site, donated the land which was solely to be used for "leisure" purposes. A major reason I bought the house, as the view from the kitchen is stunning and has an open outlook, not facing on to a house.

-Having a house built on what is currently a lovely, peaceful area of garden land, would cause increased noise and disturbance. During the summer when the tennis and bowling is in progress all you can hear is the sound of bowls and the sound of tennis balls but with an increase of property would take away this tranquil sound. Also, it would increase the noise with vehicles coming and going not to mention general living noise.

-Any proposed building erected in this area, should be in built in keeping with the other red sandstone properties of the surrounding area and this would be doubtful as the other houses were built between 1909 and 1928. A new build would look out of place in the neighbourhood and take away the history and appearance of local area.

-The building appears to be large in respect of the land offered and the garage is almost as large as the house, which on the land in question would be worrying as it would shade my property and make it so close that the owner of my property as No 92 Blairbeth Road that the residents would be able to actually look into my property at the side causing severe distress and anguish due to lack of privacy. Everyone should feel safe and secure in their home.

-Proposed house would block light to my garden and shade the garden area and not only that it would be an eyesore to look out on to.

-The new proposed dwelling may cause stress on the current services ie waste including sewage, water etc. On occasions in severe rain storms the gardens and road floods due to increase in surface water and in severe rain ie thunder and lightning on several occasions the sewer system and drainage in the garden at No 92 cannot cope with the amount of water and the sewage overflows into the garden. Dyno Rod and similar has had to be called out to clean up the area. If buildings are to be built on the land which is currently garden land, this may cause the drains to back up further, causing more damage. Currently the proposed site, is garden and helps to soak up the water. If the proposed building was to go ahead, it would be concerning as to where excess water would be diverted. The drainage system on the road is bad enough each year with blocked drains due to sediment etc and I believe a building on the land would cause the matter to exacerbate.

-Area of garden land has copious numbers of wildlife

living in area. Bats ie Pipistrelles, hedgehogs - I have had 2 this year alone, variety of birds, not to mention the many flowers, shrubs that is breath taking in spring. All this would be lost due the construction of the proposed property.

-Due to the situation of the traffic light system, a house built on the proposed area of land, would cause a build-up of traffic with vehicles pulling in and out. It's bad enough currently at early morning and at rush hour it is difficult to park in my driveway due the volume of traffic. If someone parks outside my gateway (No 92), it is difficult to view any vehicles travelling up the hill as parking here blocks my view and as other neighbours experience who have cars at the lower end of the street (Blairbeth Road) at the vicinity of the new build. It would also be difficult for existing householders to get into/out of their driveway if cars are waiting to turn right into the new parking space at the proposed house. This would mean queueing traffic right at the area of the lights. Currently neighbours living at 79 - 99 and 88 - 100, are not giving space and room for drivers to enter their parking areas due to the volume of traffic and will cause jams and accidents at this site in the road. People speeds up and down the road regardless.

-Security/dangerous position for house/build.

-Cause disruption due to building works for months - noise, upheaval, mess, dirt/mud.

-Possible ongoing building problems to existing houses ie plumbing/gas/vermin.

-When Gas Board was installing pipes in the area a couple of years ago, they were digging up the road at various points. The work caused the gas to cut off at numbers 92 & 94 due to flooding in the gardens caused by the construction work.

-The Gas Board inspected the pipes in the garden and road and found that the pipes were flooded due to the fact that these properties were bottom of the hill and the works had accumulated water which had pooled and flooded the pipe work.

-The Gas Board started investigating the problem at about 6pm on the night this was reported, which meant no water, heating, cooking till the next day. No stand by cooking/heating facilities were offered as they didn't know how long it would take and by the time they found out, it was late at night. If there is prolonged building work re the construction of the proposed dwelling, this problem could happen again. Both properties were inconvenienced and out of pocket and with no guarantees that this would not happen again - all because of the situation of the properties.

- Said building work above, also caused increasing numbers of vermin to houses in vicinity ie very large mice, with the possibility these were rate, certainly not field mice huge.

-During the first wave of Coronavirus this year, this piece of land was used extensively by people to sit a while and take stock. Several families would come and use the area as it was safe for children to play. This area is a hidden gem of a garden and the Bowling Green on many occasions has dissuaded the use of this area for the good of the public. It has the most incredible Rhododendron bushes are a great pleasure to the local residents in the area. There was talk many years ago of turning the area

into allotments and charging people per plot but this was not taken up by the Club. There was a small working party set up to locate areas of land for this purpose. By doing so this would have allowed the land to be used for the reason it was gifted to the people of Burnside. By building on the land it is taking away the character of the area and replacing it with something uncharacteristic of the neighbourhood and surrounding area and is not for the greater good of the surrounding neighbourhood.

-With continual loss of garden land/green space it is essential to keep what little bits of these areas for people's general well-being as has been proven during the pandemic. People are being encouraged to plant trees etc in their gardens, green space area and even window boxes - obviously here not giant oaks but trees and flowers will adjust to what container they are planted in. Why consider removing this small piece of garden land, when it can be put to the use it was created for. There are a large number of properties in the area with no access to garden areas.

-Environmental Agencies are encouraging us to plant greenery ie trees, shrubs to protect the environment for future generations and to help future generations and to preserve what green space we have left. This piece of land which the proposed planning is indicating to include a building will use up natural resources ie water rather than preserving a piece of Burnside's heritage greenspace. This generation is all take, and our future generations will have nothing to enjoy or even to survive. Too much greenspace is being built on for housing developments in the area. What little we have left as this small corner of the proposed site, should be preserved or future generations will not be able to benefit with the little space there is left. There are plenty of other sites better suited for this kind of proposal. The proposed site should remain as it was currently and be used for the purpose the original donor intended.

**From:** ALAN MILLAR [REDACTED]  
**Sent:** 08 December 2020 00:32  
**To:** Planning  
**Subject:** P/20/1616 Objection  
**Attachments:** Planning objection.docx

Dear Sirs,

Please find attached my objection to the above planning application.

Yours sincerely,

Alan Millar

90a Blairbeth Road  
Rutherglen  
South Lanarkshire  
G73 4JA

7<sup>th</sup> December 2020

Planning Department  
South Lanarkshire Council  
Montrose House  
154 Montrose Crescent  
Hamilton  
ML3 6LB

Dear Sirs,

**Application Ref. P/20/1616**

**Application details: Erection of detached two storey dwelling house and double garage with vehicle access at Burnside Bowling Club, Burnside Road, Rutherglen G73 4RB.**

As a local resident, I wish to object to the above application on the following grounds:

**1. Loss of local green space.**

The area of the proposed new house is a long-established area of green space which includes an area of landscaped garden, mature trees and bushes. There is now significant evidence of the importance of green space in urban areas due to the positive effects on the mental health of both local residents and those passing through. Building a house and garage on this site would lead to a permanent loss of this green space and its accompanying benefits.

**2. Loss of Pollution Offset and Biodiversity**

Further to point 1., the proposed building is immediately adjacent to a busy traffic-light controlled road junction. At all times of the day and night, cars sit at this junction with idling engines. It is well recognised that mature trees and plants can have a positive benefit in reducing the effects of local pollution, leading to an improvement in air quality. South Lanarkshire Council recognises the importance of green space and biodiversity, and the Council's own Biodiversity webpage states: 'South Lanarkshire Council has a key role to play by delivering actions that enhance and conserve biodiversity, and by providing an example to others.' Granting permission to allow a long-established area of greenspace to be destroyed for the purpose of building a house and garage does not seem consistent with the Council's own stated biodiversity aims.

**3. Water drainage and flooding**

Despite the efforts of various authorities over the years, the corner of Blairbeth Road and Burnside Road is regularly affected by significant flooding. Roadside gullies channel drainage water from Burnside Road (north and south) and Blairbeth Road (east) to two drainage points which are regularly overwhelmed resulting in large areas of surface water around the junction. Replacing the natural drainage of the landscaped area with hard surfaces of

building and driveway etc risks an increase in water run-off and worsening of this flooding problem.

#### **4. Loss of character and historical context**

The area of this proposed development is a well recognised local junction with a long established (over 100 years) entrance to the Burnside Bowling Club. The junction itself is on an old historic route south from Rutherglen and was the site of the 'Burnside Gates' in the latter part of the 19<sup>th</sup> century. When plans were made for the development of the area in the early 1900's the area now in the care of the Bowling Club, Tennis Club and Burnside Church was left free of significant building on the understanding that these areas were to be used for the benefit of the local community. The construction of a house and garage on this site would have a negative impact on the character and views of this long-established area.

#### **5. Compatibility of property appearance**

Properties close to the proposed site are mainly of similar appearance having been built within a short time period in the early 1900's, using traditional red sandstone. Whilst the current application is for outline permission it is difficult to see how any new building could be compatible with the surrounding traditional buildings, and thus would have a negative impact on the visual amenity of the area.

#### **6. Traffic implications**

As has been detailed in point 2, the proposed building is situated close to a busy road junction. Apart from traffic on the roads, the area is used frequently by pedestrians including children walking to the local schools and users of the Bowling Club, Tennis Club and Church. There can also at times be significant local parking issues due to the volume of cars using these facilities. The construction of a new house, garage and subsequent need for vehicle access would add to the traffic problems and dangers at this busy junction.

I would be grateful if my objection to this proposal could be registered and the reasons stated above considered when any decision on planning permission is made.

Yours sincerely,

**Alan J Millar**





**From:** Planning  
**Sent:** 08 December 2020 08:41  
**To:** Planning  
**Subject:** Comments for Planning Application P/20/1616

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 8:41 AM on 08 Dec 2020 from Mr Charles Shaw.

### Application Summary

**Address:** Burnside Bowling Club Burnside Road Rutherglen G73  
4RB

**Proposal:** Erection of detached two storey dwellinghouse with  
detached double garage and new vehicular access

**Case Officer:** Iain Morton

[Click for further information](#)

### Customer Details

**Name:** Mr Charles Shaw

**Email:** [REDACTED]

**Address:** 72 Blairbeth Road Burnside Rutherglen

### Comments Details

**Commenter  
Type:** Neighbour

**Stance:** Customer objects to the Planning Application

**Reasons for  
comment:**

**Comments:** Erection of such a building would massively intrude on  
the last remaining trace of open sky and space in the  
area.

There are ongoing and worsening flooding issues in  
the adjacent streets which would increase drastically if  
this proposal went ahead.



**From:** Planning  
**Sent:** 10 December 2020 21:43  
**To:** Planning  
**Subject:** Comments for Planning Application P/20/1616

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 9:42 PM on 10 Dec 2020 from Mr John Stewart.

### Application Summary

**Address:** Burnside Bowling Club Burnside Road Rutherglen G73 4RB

**Proposal:** Erection of detached two storey dwellinghouse with detached double garage and new vehicular access

**Case Officer:** Iain Morton

[Click for further information](#)

### Customer Details

**Name:** Mr John Stewart

**Email:** [REDACTED]

**Address:** 96 Blairbeth Road Burnside Glasgow

### Comments Details

**Commenter Type:** Neighbour

**Stance:** Customer objects to the Planning Application

**Reasons for comment:**

**Comments:** We are objecting as we were under the impression that the land was gifted to be used for recreational use only. We think any modern building will spoil the look of the area and the loss of green space will be detrimental to wildlife.

Regards

Angela and John Stewart



COMMUNITY ENTERPRISE RESOURCE	
Montrose House	
RECEIVED:	
23 DEC 2020	
Allocated to:	
File Ref:	

111 Landemer Dr  
Rutherford  
Glasgow  
G73 2TA

4d

Dear Sir/Madam,

Attempt to claim Delegated Powers  
for Land Acquisition and  
Transfer of Land at Burnside  
Tennis Club, Blairbeth Rd, G73.

I would like to make a  
formal objection to the ~~covered~~ attempt  
to claim Delegated Powers.

On the grounds that the  
Deeds, which gave the Burnside Tennis  
Club Title to the adjoining land did  
not allow for use of this land in  
the manner proposed, at any time.

I'm sure that, if Sir  
John Crane had thought, at any time,  
that such development would take place,  
he would have objected vehemently and,  
since it was he who ~~gave~~ <sup>gifted</sup> the land, this,  
alone, matters.

Yours,





**From:** [Planning](#)  
**To:** [Planning](#)  
**Subject:** Comments for Planning Application P/20/1616  
**Date:** 03 January 2021 18:34:09

---

4d

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 6:34 PM on 03 Jan 2021 from Mr David Armstrong.

### Application Summary

**Address:** Burnside Bowling Club Burnside Road Rutherglen G73 4RB

**Proposal:** Erection of detached two storey dwellinghouse with detached double garage and new vehicular access

**Case Officer:** Iain Morton

[Click for further information](#)

### Customer Details

**Name:** Mr David Armstrong

**Email:** [REDACTED]

**Address:** 33 Drumsargard Road Burnside Glasgow

### Comments Details

**Commenter Type:** Member of public

**Stance:** Customer objects to the Planning Application

**Reasons for comment:**

**Comments:** I write as a local resident to object to the proposed development.

The site was gifted to the local community for recreational purposes and not intended for development of any kind.

Any development would spoil the look of this prominent junction.

The site is already impacted by flooding and any development would create further issues with the loss of trees, grass and bushes.

There is no identified local need for additional housing of this size in the area.

This is an already busy junction on a school and nursery route and any development would create a further impact on traffic, but particularly for pedestrians using the route.

This proposal represents unnecessary over development of the space which was never intended for this use, and I would urge the council to reject this application.



Regards

David Armstrong

**From:** [Planning](#)  
**To:** [Planning](#)  
**Subject:** Comments for Planning Application P/20/1616  
**Date:** 04 January 2021 10:50:18

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4d

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 10:50 AM on 04 Jan 2021 from Mrs Julie Colvin.

### Application Summary

**Address:** Burnside Bowling Club Burnside Road Rutherglen G73 4RB

**Proposal:** Erection of detached two storey dwellinghouse with detached double garage and new vehicular access

**Case Officer:** Iain Morton

[Click for further information](#)

### Customer Details

**Name:** Mrs Julie Colvin

**Email:** 

**Address:** 10 Albert Drive Glasgow

### Comments Details

**Commenter Type:** Neighbour

**Stance:** Customer objects to the Planning Application

**Reasons for comment:**

**Comments:** I have concerns how a modern building would be in keeping with the traditional architecture of the area .



**From:** [Planning](#)  
**To:** [Planning](#)  
**Subject:** Comments for Planning Application P/20/1616  
**Date:** 04 January 2021 23:43:35

---

4d

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 11:43 PM on 04 Jan 2021 from Dr Mary Todd.

### Application Summary

**Address:** Burnside Bowling Club Burnside Road Rutherglen G73 4RB

**Proposal:** Erection of detached two storey dwellinghouse with detached double garage and new vehicular access

**Case Officer:** Iain Morton

[Click for further information](#)

### Customer Details

**Name:** Dr Mary Todd

**Email:** [REDACTED]

**Address:** 17 Highburgh Drive Glasgow

### Comments Details

**Commenter Type:** Member of public

**Stance:** Customer objects to the Planning Application

**Reasons for comment:**

**Comments:** I am very concerned re these plans.  
This would change the whole character of a precious green space with amenity in the Burnside area potentially laying a precedent for future development here also.



**From:** [Planning](#)  
**To:** [Planning](#)  
**Subject:** Comments for Planning Application P/20/1616  
**Date:** 04 January 2021 12:33:45

---

4d

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 12:33 PM on 04 Jan 2021 from Mrs D Young.

### Application Summary

**Address:** Burnside Bowling Club Burnside Road Rutherglen G73 4RB

**Proposal:** Erection of detached two storey dwellinghouse with detached double garage and new vehicular access

**Case Officer:** Iain Morton

[Click for further information](#)

### Customer Details

**Name:** Mrs D Young

**Email:** [REDACTED]

**Address:** 2 Ingerbeck Avenue Rutherglen Glasgow

### Comments Details

**Commenter Type:** Member of public

**Stance:** Customer objects to the Planning Application

**Reasons for comment:**

**Comments:** This would change the beautiful scenery of a landmark that has been undisturbed in the history of the area. A new build house in the middle of the mentioned plot would be an eyesore in the community. There would also be too much pedestrian and traffic disruption caused to an already extremely busy part of the area. It would be lovely to see the green space remain as is.



**From:** [Planning](#)  
**To:** [Planning](#)  
**Subject:** Comments for Planning Application P/20/1616  
**Date:** 04 January 2021 10:06:44

---

4d

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 10:06 AM on 04 Jan 2021 from Mrs Diana Hudson.

### Application Summary

**Address:** Burnside Bowling Club Burnside Road Rutherglen G73 4RB

**Proposal:** Erection of detached two storey dwellinghouse with detached double garage and new vehicular access

**Case Officer:** Iain Morton

[Click for further information](#)

### Customer Details

**Name:** Mrs Diana Hudson

**Email:** [REDACTED]

**Address:** 13 Elm Road Burnside Glasgow

### Comments Details

**Commenter Type:** Member of public

**Stance:** Customer objects to the Planning Application

**Reasons for comment:**

**Comments:** Disappointed to see this piece of land taken advantage of for the purposes of a house. This piece of land is always well-maintained with flowers and a lovely area set back from the road, and pleasant to walk past when out walking, which we're all doing more of these days. The road is busy enough but to contend with access to a home as well will make this dangerous and increasingly busy. I would like to see a stand taken and not allow an amenity, shop, service, house etc to be built on a piece of land, just because it doesn't 'do' anything. This lack of imagination and concern for those already living in the area, who enjoy this piece of land just as it is.





**From:** [Planning](#)  
**To:** [Planning](#)  
**Subject:** Comments for Planning Application P/20/1616  
**Date:** 04 January 2021 10:15:40

---

4d

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 10:15 AM on 04 Jan 2021 from Mrs Gail Baillie.

### Application Summary

**Address:** Burnside Bowling Club Burnside Road Rutherglen G73 4RB

**Proposal:** Erection of detached two storey dwellinghouse with detached double garage and new vehicular access

**Case Officer:** Iain Morton

[Click for further information](#)

### Customer Details

**Name:** Mrs Gail Baillie

**Email:** [REDACTED]

**Address:** 24 Albert Drive Burnside Glasgow

### Comments Details

**Commenter Type:** Member of public

**Stance:** Customer objects to the Planning Application

**Reasons for comment:**

**Comments:** This is not in keeping with the the area around it. That corner is a historic part of Burnside cross and provides a much needed open aspect and green space. A house there will just look wrong and stick out like a sore thumb. It will close in that corner altogether and change the look of the whole area. This should be maintained as a community space alongside the bowling green and tennis courts.



**From:** [Planning](#)  
**To:** [Planning](#)  
**Subject:** Comments for Planning Application P/20/1616  
**Date:** 04 January 2021 10:47:51

---

4d

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 10:47 AM on 04 Jan 2021 from Mrs Joanne Findlay .

### Application Summary

**Address:** Burnside Bowling Club Burnside Road Rutherglen G73 4RB

**Proposal:** Erection of detached two storey dwellinghouse with detached double garage and new vehicular access

**Case Officer:** Iain Morton

[Click for further information](#)

### Customer Details

**Name:** Mrs Joanne Findlay

**Email:** [REDACTED]

**Address:** 14 Peveril Avenue Burnside Glasgow

### Comments Details

**Commenter Type:** Member of public

**Stance:** Customer objects to the Planning Application

#### Reasons for comment:

**Comments:** A new build on the proposed corner would not be in keeping with the feel of that area. It would end up being an eyesore especially for those people who directly look onto that area.

Having the bowling club there with the old railing and sign gives a feel and sense of community and also that this an area with history and old houses, all of which help keep the value of those old houses that are in the area. A new build house there is totally out of character in such a prominent part of the community.

It would also affect the view from the back of my house, I can see over to the bowling green and tennis course and it is a lovely view which will be spoiled with a new build house.



**From:** Planning  
**Sent:** 05 January 2021 10:24  
**To:** Planning  
**Subject:** Comments for Planning Application P/20/1616

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 10:23 AM on 05 Jan 2021 from Mr David Healy.

### Application Summary

**Address:** Burnside Bowling Club Burnside Road Rutherglen G73  
4RB

**Proposal:** Erection of detached two storey dwellinghouse with  
detached double garage and new vehicular access

**Case Officer:** Iain Morton

[Click for further information](#)

### Customer Details

**Name:** Mr David Healy

**Email:** [REDACTED]

**Address:** 23 Southern Avenue Burnside Glasgow

### Comments Details

**Commenter  
Type:** Neighbour

**Stance:** Customer made comments in support of the Planning  
Application

**Reasons for  
comment:**

**Comments:** In my view this application should be rejected as building  
a house/s in this location will have an adverse affect on  
what had been an untouched area of local history and  
beauty for over 100 years. I don't wish to look at an  
unsightly new build property situated amongst traditional  
builds. This will also spoil the view while walking/driving  
from Burnside Main Street up to Burnside Church...



## **Appendix 3**

4e

**Site photographs and location plan**





Photo 1

4e



Photo 2





**Photo 3**





Photo 4





Photo 5



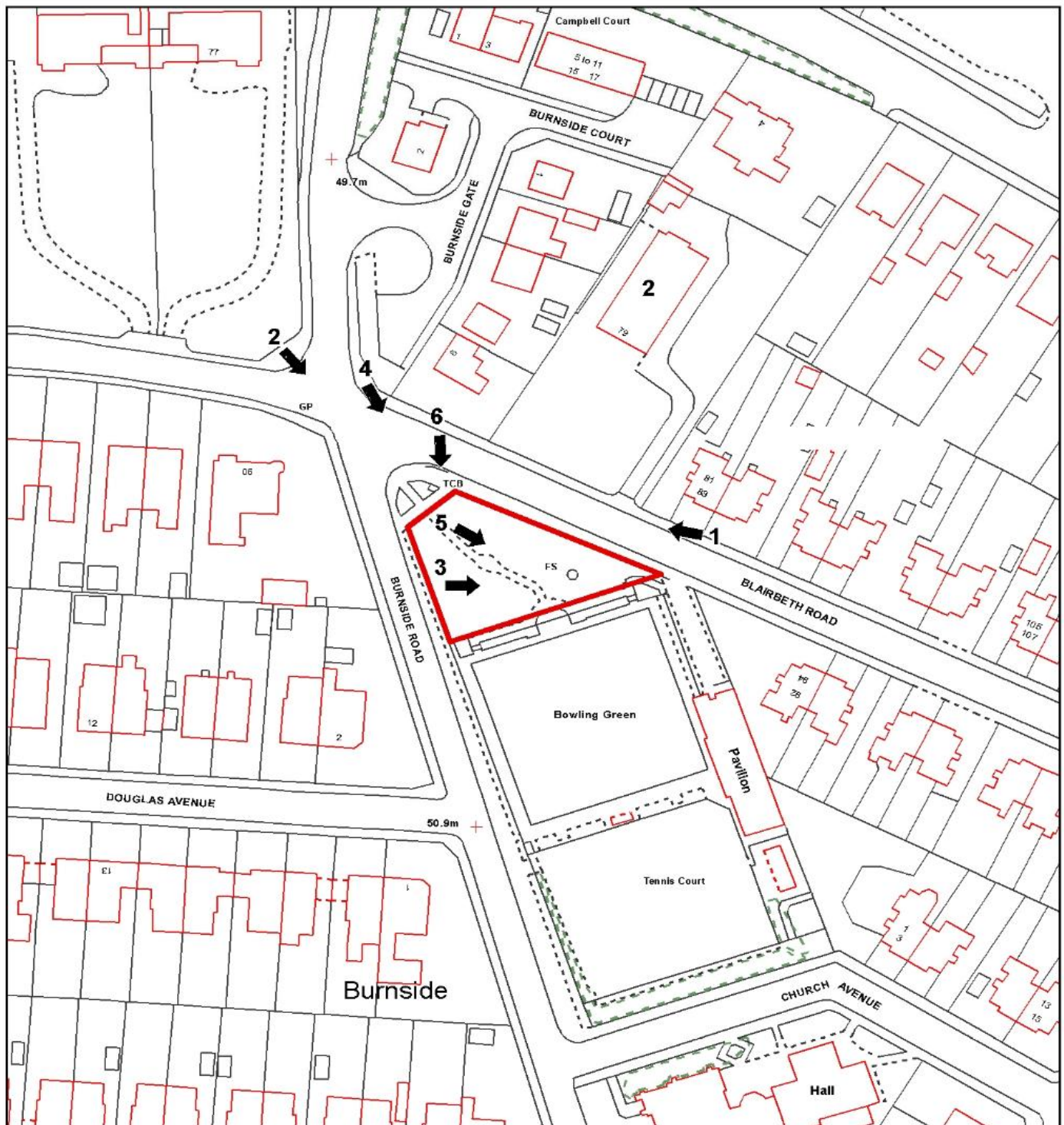
Photo 6





Planning Review for application P/20/1616 - Burnside Bowling Club,  
Burnside Road, Rutherglen  
Location of photographs

4e



This map indicates from where photographs were taken



**Community and Enterprise Resources  
Planning and Economic Development**



Scale: 1:1,250

Date:

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O:\Enterprise\Planning\Local Planning\PLRB Notice of Review Maps





## **Appendix 4**

4f

### **Planning Decision Notice and Reasons for Refusal**





4f

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

John McLennan  
Burnside House  
Beech Avenue  
High Burnside  
Rutherglen  
United Kingdom  
G73 4RJ

Our Ref: P/20/1616  
Your Ref:  
If calling ask for: Iain Morton  
Date: 5 February 2021

Dear Sir/Madam

**Proposal:** Erection of detached two storey dwellinghouse with detached double garage and new vehicular access (Planning permission in principle)  
**Site address:** Burnside Bowling Club, Burnside Road, Rutherglen, G73 4RB  
**Application no:** P/20/1616

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](http://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 Iain Morton on 01698 455048

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/od26p6g>

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 [iain.morton@southlanarkshire.gov.uk](mailto:iain.morton@southlanarkshire.gov.uk) Phone: 01698 455048



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:

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

---

To :

**Burnside Bowling Club**  
**Burnside Road, Beech**  
**Avenue, Rutherglen, G73**  
**4RJ**

Per :

**John McLennan**

**Burnside House, Beech**  
**Avenue, High Burnside,**  
**Rutherglen, United**  
**Kingdom, G73 4RJ,**

With reference to your application received on 16.11.2020 for planning permission in principle under the above mentioned Act :

**Description of proposed development:**

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

**Site location:**

Burnside Bowling Club, Burnside Road, Rutherglen, G73 4RB

---

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

**REFUSE PLANNING PERMISSION IN PRINCIPLE**

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: 5th February 2021

**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. Planning Permission, Building Warrant or Roads Construction Consent.

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

**Refuse planning permission in principle**

**Paper apart - Application number:** P/20/1616

**Reason(s) for refusal:**

01. The proposal is contrary to policies 4, 6 and DM13 of the adopted South Lanarkshire Local Development Plan 2015 and policies 3 and 5 of the proposed South Lanarkshire Local Development Plan in that:
- i) the proposed two-storey building would result in an incongruous visual intrusion into this area of established townscape, resulting in a significant loss of visual character and amenity for Blairbeth Road, Burnside Road and the wider Burnside area.
  - ii) it would result in the loss of an area of open landscaping at a significant focal point, to the detriment of visual amenity and the local townscape character.

**Reason(s) for decision**

The proposal will have a significant adverse visual impact on the local built environment and is contrary to policies 4, 6 and DM13 of the adopted South Lanarkshire Local Development Plan 2015 and policies 3 and 5 of the proposed South Lanarkshire Local Development Plan 2.

## Notes to applicant

**Application number: P/20/1616**

### 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 information which guides you to other relevant matters that may assist in ensuring that the development is properly carried out.

01. This decision relates to drawing numbers:

<b>Reference</b>	<b>Version No:</b>	<b>Plan Status</b>
BCC/LP-001		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](mailto: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.

## **Appendix 5**

4g

**Notice of Review (including Statement of Reasons for Requiring the Review) submitted by applicant Burnside Bowling Club**



# NOTICE OF REVIEW

4g

Under Section 43A(8) Of the Town and Country Planning (SCOTLAND) ACT 1997 (As amended) In Respect  
of Decisions on Local Developments  
The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (SCOTLAND)  
Regulations 2013  
The Town and Country Planning (Appeals) (SCOTLAND) Regulations 2013

**IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.**

**PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://www.eplanning.scot>**

1. Applicant's Details		2. Agent's Details (if any)	
Title		Ref No.	
Forename		Forename	John Alan
Surname		Surname	McLennan
Company Name		Company Name	
Building No./Name	Burnside Bowling Club	Building No./Name	Burnside House
Address Line 1	Burnside Road	Address Line 1	Beech Avenue
Address Line 2	Burnside	Address Line 2	High Burnside
Town/City	Rutherglen	Town/City	Rutherglen
Postcode	G73 4RB	Postcode	G73 4RJ
Telephone		Telephone	
Mobile		Mobile	
Fax		Fax	
Email		Email	
<b>3. Application Details</b>			
Planning authority		South Lanarkshire Council	
Planning authority's application reference number		P/20/1616	
Site address			
Burnside Bowling Club Burnside Road Burnside Rutherglen G73 4RJ			
Description of proposed development			
Erection of detached two storey dwellinghouse with detached double garage and new vehicular access (Planning permission in principle)			

Date of application

16/11/2020

Date of decision (if any)

05/02/2021

**Note.** This notice must be served on the planning authority within three months of the date of decision notice or from the date of expiry of the period allowed for determining the application.

#### 4. Nature of Application

Application for planning permission (including householder application)

☐

Application for planning permission in principle

☒

Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission and/or modification, variation or removal of a planning condition)

☐

Application for approval of matters specified in conditions

☐

#### 5. Reasons for seeking review

Refusal of application by appointed officer

☒

Failure by appointed officer to determine the application within the period allowed for determination of the application

☐

Conditions imposed on consent by appointed officer

☐

#### 6. Review procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

Further written submissions

☐

One or more hearing sessions

☐

Site inspection

☐

Assessment of review documents only, with no further procedure

☒

If you have marked either of the first 2 options, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing necessary.

#### 7. Site inspection

In the event that the Local Review Body decides to inspect the review site, in your opinion:

Can the site be viewed entirely from public land?

☐

Is it possible for the site to be accessed safely, and without barriers to entry?

☒



If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

## 8. Statement

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

Provided in full on separate document.

Have you raised any matters which were not before the appointed officer at the time your application was determined?

Yes ☐ No ☒

If yes, please explain below a) why your are raising new material b) why it was not raised with the appointed officer before your application was determined and c) why you believe it should now be considered with your review.

## 9. List of Documents and Evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review

1. Notice of Refusal Dated 05/02/2010
2. Acknowledgement of application
3. Statement of Reasons for requesting a Review Document
4. Location Plan indicating the proposed development

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

## 10. Checklist

Please mark the appropriate boxes to confirm that you have provided all supporting documents and evidence relevant to your review:

Full completion of all parts of this form ☒

Statement of your reasons for requesting a review ☒

All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review. ☒

Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

## DECLARATION

I, the applicant/agent hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

Signature:



Name:

John Alan McLennan

Date:

30/04/2021

Any personal data that you have been asked to provide on this form will be held and processed in accordance with Data Protection Legislation.



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

John McLennan  
Burnside House  
Beech Avenue  
High Burnside  
Rutherglen  
United Kingdom  
G73 4RJ

Our Ref: P/20/1616  
Your Ref:  
If calling ask for: Iain Morton  
Date: 5 February 2021

Dear Sir/Madam

**Proposal:** Erection of detached two storey dwellinghouse with detached double garage and new vehicular access (Planning permission in principle)  
**Site address:** Burnside Bowling Club, Burnside Road, Rutherglen, G73 4RB  
**Application no:** P/20/1616

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](http://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 Iain Morton on 01698 455048

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/od26p6g>

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 [iain.morton@southlanarkshire.gov.uk](mailto:iain.morton@southlanarkshire.gov.uk) Phone: 01698 455048





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:

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

---

To :

**Burnside Bowling Club**  
**Burnside Road, Beech**  
**Avenue, Rutherglen, G73**  
**4RJ**

Per : **John McLennan**

**Burnside House, Beech**  
**Avenue, High Burnside,**  
**Rutherglen, United**  
**Kingdom, G73 4RJ,**

With reference to your application received on 16.11.2020 for planning permission in principle under the above mentioned Act :

**Description of proposed development:**

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

**Site location:**

Burnside Bowling Club, Burnside Road, Rutherglen, G73 4RB

---

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

**REFUSE PLANNING PERMISSION IN PRINCIPLE**

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: 5th February 2021

**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. Planning Permission, Building Warrant or Roads Construction Consent.
--

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

**Refuse planning permission in principle**

**Paper apart - Application number:** P/20/1616

**Reason(s) for refusal:**

01. The proposal is contrary to policies 4, 6 and DM13 of the adopted South Lanarkshire Local Development Plan 2015 and policies 3 and 5 of the proposed South Lanarkshire Local Development Plan in that:
- i) the proposed two-storey building would result in an incongruous visual intrusion into this area of established townscape, resulting in a significant loss of visual character and amenity for Blairbeth Road, Burnside Road and the wider Burnside area.
  - ii) it would result in the loss of an area of open landscaping at a significant focal point, to the detriment of visual amenity and the local townscape character.

**Reason(s) for decision**

The proposal will have a significant adverse visual impact on the local built environment and is contrary to policies 4, 6 and DM13 of the adopted South Lanarkshire Local Development Plan 2015 and policies 3 and 5 of the proposed South Lanarkshire Local Development Plan 2.

## Notes to applicant

**Application number: P/20/1616**

### 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 information which guides you to other relevant matters that may assist in ensuring that the development is properly carried out.

01. This decision relates to drawing numbers:

<b>Reference</b>	<b>Version No:</b>	<b>Plan Status</b>
BCC/LP-001		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](mailto: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.



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

John McLennan  
Burnside House  
Beech Avenue  
High Burnside  
Rutherglen  
United Kingdom  
G73 4RJ

Our Ref: P/20/1616  
Your Ref:  
If calling ask for: Iain Morton  
Date: 19 November 2020

Dear Sir/Madam

**Town and Country Planning (Scotland) Act 1997**  
**Acknowledgement of application**

**Proposal:** Erection of detached two storey dwellinghouse with detached double garage and new vehicular access  
**Site address:** Burnside Bowling Club, Burnside Road, Rutherglen, G73 4RB  
**Application no:** P/20/1616

Thank you for your recent application which was received on 16 November 2020 and has now been registered as detailed above.

**Description of proposal**

Please note that the way you describe the proposal on the form might have been changed. This is to make it more precise and legally correct in terms of planning legislation. If you wish to discuss how the proposal has been described please contact us within seven days of receiving this letter. If we do not hear from you within seven days, we will assume that you agree with the description. It is important to have your agreement as it will appear on your decision notice when your application has been decided.

**Timescale for a decision**

The Council has until 17 January 2021 to determine your application.

**Right of appeal**

If a decision is not given to you within the statutory period above, then you have a right of appeal which can be exercised in two ways. You may appeal to the Scottish Ministers under section 47 of the Town and Country Planning (Scotland) Act 1997 or through a review by the Planning Local Review Body under section 43A(8) of the Act. The relevant appeal route will be dependent on whether your application is determined by a committee or whether it is a local development dealt with under delegated powers. As the application's final route of determination will not be known until later in the process, then you should contact the case officer below if you require further information on this matter.

Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB  
Email [iain.morton@southlanarkshire.gov.uk](mailto:iain.morton@southlanarkshire.gov.uk) Phone: 01698 455048



The appeal notice must be sent within three months of the expiry of the statutory period (or within three months of an extended date to be agreed between the applicant and the Council), unless South Lanarkshire Council had already referred the application to the Scottish Ministers. You may also appeal within three months of the Council's decision on the application.

If you wish to make an appeal to the Scottish Ministers, you should contact the Planning and Environmental Appeals Division, Scottish Government, Ground Floor, Hadrian House, Callendar Business Park, Callendar Road, Falkirk FK1 1XR or alternatively, DPEA can be contacted on 01324 696 400 or at [DPEA@gov.scot](mailto:DPEA@gov.scot)

If your appeal is through the Planning Local Review Body, then please contact Administration Services, Finance and Corporate Resources, Floor 2, Council Headquarters, Almada Street, Hamilton ML3 0AA on 01698 454108 or [pauline.macrae@southlanarkshire.gov.uk](mailto:pauline.macrae@southlanarkshire.gov.uk).

### **Important contact details**

If calling or writing in relation to your application please contact Iain Morton on 01698 455048 and quote your planning application reference P/20/1616. You can also contact the case officer if you wish an update on the progress of your application, including when it is likely to be decided. Please note that our office hours are 8:45 am to 4:45 pm Monday to Thursday, 4:15 pm on Fridays.

If the case officer is not available, a duty officer is always available during these hours to deal with general enquiries in relation to the planning application process. Please note Duty officers may not be able to answer specific queries in relation to your application.

If you wish to discuss your application with your case officer you should call and arrange a suitable appointment. Please do not visit our offices without pre-arranged appointment as planning officers are often on site visits. Information and progress on your application can be viewed on the Council's planning portal on our website at [www.southlanarkshire.gov.uk](http://www.southlanarkshire.gov.uk)

Please note that if you have any general enquiries, our Customer Service Centre is open from 8am to 6pm Monday to Thursday and from 8am to 4.15pm on Fridays and can be contacted at our general enquiry number 0303 123 1015. If a Customer Service Assistant is unable to answer your enquiry, they will forward details to the area office and a planning officer will contact you within one working day.

Please retain this letter for future reference as it contains important details, including the planning officer's name, address and telephone contacts and your planning application reference which will be of assistance if you need to contact us at any time.

Yours faithfully

**Area Manager**



## Privacy Notice – Planning applicants

### Using Your Personal Information

We will use the information you have given us to process the application you have submitted to us.

We are required to keep a register of planning applications under section 36 of the Town and Country Planning (Scotland) Act 1997. The information that comprises the register is set out in Schedule 2 of the Town and Country Planning (Development Management Procedure)(Scotland) Regulations 2013. These records are made public and will be published and available to view on the Council's website.

Once a decision has been made on an application, information and documents will be retained and archived. We may also use personal information for historical, research or statistical reasons.

We will only process your personal information when it is lawful to do so.

### Your rights

You have the right to ask us to

- confirm that we are using personal information about you, detail what that information is, to whom we have disclosed your information and a copy of the information that we have about you (The right of access)
- correct any incorrect or misleading personal information that we have about you (The right to rectification)
- stop using any or all of your personal information (The right to object)
- delete or destroy your personal information (The right to erasure) and
- stop using your personal information until we can look into correcting your personal information or our justification for using your personal information or to stop us deleting your personal data where you need it in connection with any legal claims (the Right of Restriction) and
- pass your personal information to someone else

For more information on your rights and how to exercise them or for information about how we manage your personal information, you can access the Council's [Privacy Notice](#) on the Council's website or you can ask for a paper copy from the Data Protection Officer (details are below).

If you have any queries or are unhappy about the way that we use your personal information or have responded to you in relation to any of your rights, you can contact



### The Council's Data Protection Officer

The Data Protection Officer,  
Administrative and Legal Services,  
Finance and Corporate Resources,  
Floor 11,  
Council Offices,  
Almada Street,

Hamilton  
ML3 0AA

Tel: 0303 123 1015

Or by email to [dp@southlanarkshire.gov.uk](mailto:dp@southlanarkshire.gov.uk)



## The Information Commissioner

You also have the right to complain to the Information Commissioner about the way we have handled your rights, to enquire about any exercise of those rights or to complain about the way that the Council has dealt with your rights (or any other aspect of data protection law)

The Commissioner's Contact Details are

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number

Fax: 01625 524 510

Or online at: <https://ico.org.uk/concerns/handling/>

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

**Site address:** Burnside Bowling Club, Burnside Road, Rutherglen, G73 4RB

**Application no:** P/20/1616

Refusal date: 5<sup>th</sup> February 2021

**Reasons for requesting a Review, Prepared by John Alan McLennan**

The Planning Refusal Notice states the following reasons for refusal and the reasons for that decision:

**Reason(s) for refusal:**

*01. The proposal is contrary to policies 4, 6 and DM13 of the adopted South Lanarkshire Local Development Plan 2015 and policies 3 and 5 of the proposed South Lanarkshire Local Development Plan in that:*

*i) the proposed two-storey building would result in an incongruous visual intrusion into this area of established townscape, resulting in a significant loss of visual character and amenity for Blairbeth Road, Burnside Road and the wider Burnside area.*

*ii) it would result in the loss of an area of open landscaping at a significant focal point, to the detriment of visual amenity and the local townscape character.*

**Reason(s) for decision**

*The proposal will have a significant adverse visual impact on the local built environment and is contrary to policies 4, 6 and DM13 of the adopted South Lanarkshire Local Development Plan 2015 and policies 3 and 5 of the proposed South Lanarkshire Local Development Plan 2.*

We disagree that the proposal is contrary to policies 4, 6 and DM13 of the adopted South Lanarkshire Local Development Plan 2015 and policies 3 and 5 of the proposed South Lanarkshire Local Development Plan 2.

Policy 4 – Development management and placemaking, states:

*All development proposals will require to take account of and be integrated with the local context and build form. Development proposals should have no significant adverse impacts on the local community and where appropriate, should include measures to enhance the environment as well as address the six qualities of placemaking (as detailed in Appendix 1 of the DMPDSG).*

*When assessing development proposals, the Council will ensure that:*

- i. there is no significant adverse impact on adjacent buildings or streetscape in terms of layout, scale, massing, design, external materials or amenity;*

- ii. *there is no significant adverse impact on landscape character, built heritage, habitats or species including Natura 2000 sites, biodiversity and Protected Species nor on amenity as a result of light, noise, odours, dust or particulates;*
- iii. *the proposed development is accessible for all, provides suitable access and parking, encourages active travel and has no adverse implications for public safety;*
- iv. *the proposal includes appropriate integrated and accessible infrastructure, open space, green infrastructure and landscape provision;*
- v. *sustainability issues are addressed through energy efficient design, layout, site orientation and building practices;*
- vi. *the development does not result in any significant adverse impact on the water environment as required by the Water Framework Directive and related regulations and as appropriate, mitigation to minimise any adverse effects is provided; and*
- vii. *where there are no significant adverse effects on air quality (particularly in and around Air Quality Management Areas), or on water or soil quality and, as appropriate, mitigation to minimise any adverse effects is provided; and*
- viii. *risks to new development from unstable land resulting from past mining activities are fully assessed and, where necessary, mitigated prior to development.*

As the application submitted was for Planning in Principle, all of the above noted points would be addressed in a future detailed application for approval of reserved matters, had the application for Planning in Principle been granted with appropriate conditions (reserved matters).

We do not agree that, *"the proposed two-storey building would result in an incongruous visual intrusion into this area of established townscape, resulting in a significant loss of visual character and amenity for Blairbeth Road, Burnside Road and the wider Burnside area."* as 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, that the proposal would result in an *"incongruous visual intrusion"* or *"a significant loss of visual character and amenity"*.

We do not agree that the proposed Development *"would result in the loss of an area of open landscaping at a significant focal point, to the detriment of visual amenity and the local townscape character."* 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"*.

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 compromise, *"to take account of and be*

*integrated with the local context and build form."* However, that would not be an insurmountable task.

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 which require more detail, would be addressed in a further detailed application.

Policy 6 – General urban area/settlements refers to supplementary guidance No 3, Development management, placemaking and design framework and in particular to Policy DM13.

### **Overarching Framework**

- 3.1 *Good design is essential to the creation of successful places. To deliver good design and ensure that developments of high quality are created there must be a co-ordinated and integrated policy approach. General design criteria to be applied within development are provided in DM1 and Appendix 1 – Design and access.*
- 3.2 *Appendix 1 identifies the key attributes that are considered to be fundamental to the delivery of successful streets, spaces, villages, towns and cities. It is important that planning applications are tailored to reflect this design advice.*

#### *DM13 – Developments within general urban area/settlement*

*Any development proposed within the general urban area/settlement must satisfy the following criteria:*

- The proposed development must relate satisfactorily to adjacent and surrounding development in terms of scale, massing, materials and intensity of use, except in circumstances where the existing local characteristics are considered to be of poor quality, or detrimental to the overall character of the area. In such cases, the new development should be of good quality design and enhance the environment in which it is located.*
- The character and amenity of the area must not be impaired by reason of traffic generation, parking, visual intrusion, noise or emission of gasses and particulates.*
- There must be no resultant loss of, or damage to, open or play spaces, trees, bushes or hedgerows which make a significant contribution to the character or amenity of the area.*
- The development must be adequately serviced in terms of cycle, pedestrian and vehicular access, parking, accessibility and infrastructure for public transport.*
- There must be no adverse effect on public safety.*

- *Take account of the other supplementary guidance prepared by the Council where relevant to the proposal.*

It is our opinion that as 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 of 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.

With regard to the points made in section 3 of DM13, 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. (Please refer to the Photographs contained at the end of this document, which are provided to assist the Review Panel).

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.

Section 6 refers to other supplementary guidance prepared by the Council and any relevant items in that guidance could be included within the reserved matters.

In summary, we do not consider that the reasons for refusal stated are valid in this instance and that any concerns regarding this proposed development should be dealt with by granting the application for Planning in Principle with a list of conditions (reserved matters). Thereafter, following consultation and discussion with the Planning Department at the detailed design stage, an application for approval of these reserved matters would be submitted, thus ensuring that the proposed development complied with the various policies and reasons for refusal noted in the current Notice of Refusal.

We therefore ask the Planning Authority to review this case under section 43A of the Town and Country Planning (Scotland) Act 1997.



## Burnside Bowling Club – Planning Review – Site Photographs

March 2021 and April 2021



Site looking South from Blairbeth Road



Site looking South from Blairbeth Road



Site looking East from Blairbeth Road at NE corner with Burnside Road



Site looking East from Blairbeth Road at NW corner with Burnside Road





Site looking East



Site looking North





Site looking North



Site looking North at House opposite on Blairbeth Road





Site looking North to Blairbeth Road



Site looking East

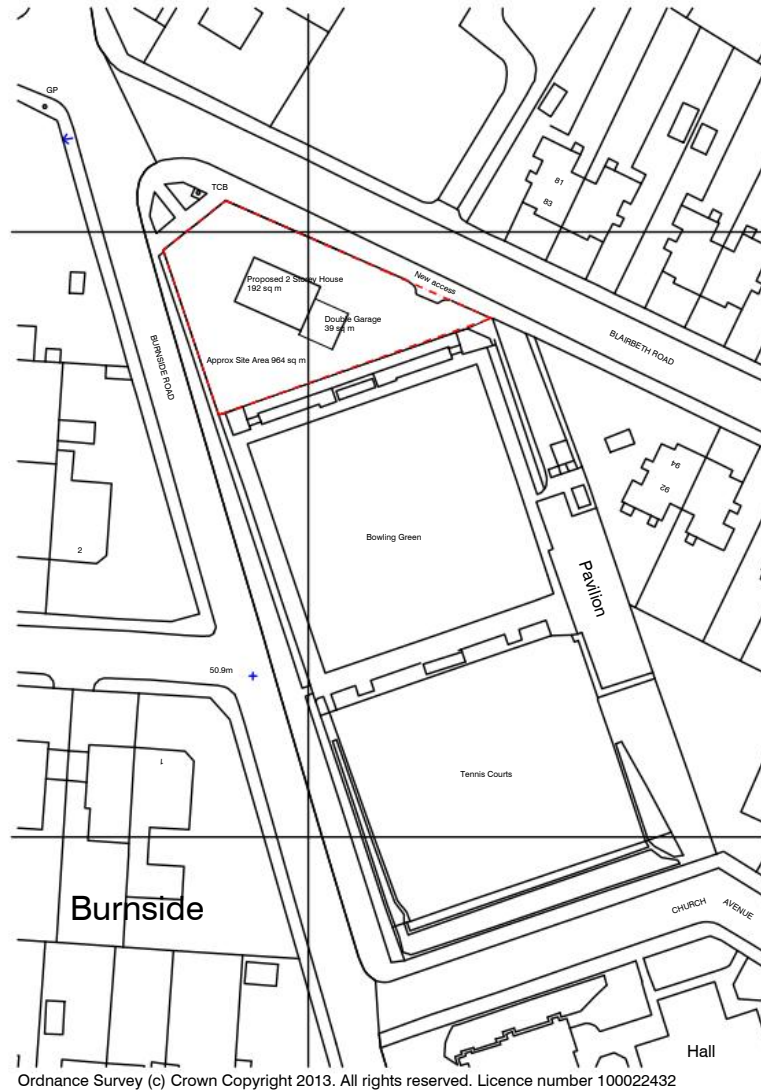




Site Looking North West (Late April)



Site Looking North (Late April)



## LOCATION PLAN

1:1250 @ A4

<div>PROJECT</div> <div>PROPOSED HOUSE PLOT</div> <div>BURNSIDE BOWLING CLUB</div> <div>BURNSIDE ROAD</div> <div>RUTHERGLEN</div> <div>G73 4RB</div>	<div>TITLE</div> <div>LOCATION PLAN as proposed</div>				<div><div></div></div> <div><div></div></div>
	<div>DRAWING NO: BBC/LP-001</div> <div>REVISION: A</div>				
	<div>SCALE</div> <div>1:1250@A4</div>	<div>DATE</div> <div>Sept 2020</div> <div>A 15.11.20</div>	<div>DRAWN</div> <div>AM</div>	<div>CHECKED</div> <div>AM</div>	
<div>Preliminary</div>	<div>For Discussion only</div>				



# Appendix 6

4h

## Further Representations

### Further Representation From

- ◆ Statement of Observations from Planning Officer on Applicant's Notice of Review
- ◆ Anne Kempself
- ◆ Joan Cullen





## **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.





4h

**From:** Anne Kempsell

**Sent:** 13 May 2021 08:46

**To:** McLeod, Karen <Karen.McLeod@southlanarkshire.gov.uk>; McLeod, Stuart  
<Stuart.McLeod@southlanarkshire.gov.uk>

**Cc:** Burnside Community Council

**Subject:** FW: Planning Local Review Body - Burnside Bowling Club, Burnside Road, Burnside,  
Rutherglen - Your ref: PLRB/NOR/CR/21/001

Further to the intimation below, I feel really disappointed that this matter has arisen again and wish to lodge my overwhelming objection to this project as noted in my enclosure above

Best Wishes

Anne Kempsell

**Proposed Planning Application Ref: P/20/1616 – 13 May 2021 A Kempself**

I am writing to make comments on the recent Neighbour Notification Notice received regarding the above Planning Application for the erection of a detached two storey dwelling house with detached double garage and new vehicular access at Burnside Bowling club.

I submit my comment as follows:

•	The neighbourhood and immediate neighbours of proposed planning, in surrounding properties currently have space and tranquillity.
•	The neighbours currently have space to look out and to calm down due to stress at work and in general stress of life. I have a stressful job (No 92), within Education Services, so require space to relax and de-stress. New building would interrupt this and destroy all peace that is currently on offer.
•	I currently look out on to clear space – if any building should be constructed on the land, it would be claustrophobic and this I believe would be stressful to my current living situation.
•	Currently having the Bowling Green path as a divider from the actual green allows me to have my personal garden space and if a building was to be erected on the proposed site, this would cause noise and remove all sense of peace. I suffer from High Blood Pressure and other heart related problems, so need a place to enable me to relax and my side/back garden currently is uninterrupted and affords me this as sanctuary. If a house was to be built this would remove this due the noise and disturbance having property erected on this land would create.
•	The plot where my house is built is No 92 Blairbeth Road, provides a sense of freedom as no other buildings surround my garden. The back of the Bowl House borders my neighbour's property and this was a major factor why I bought house.
•	When I bought my house at No 92, I was told nothing would be built on the land as previous owner of Barriston (not known as Trinitas) at No 79, across the road from the proposed site, donated the land which was solely to be used for "leisure" purposes. A major reason I bought the house, as the view from the kitchen is stunning and has an open outlook, not facing on to a house.
•	Having a house built on what is currently a lovely, peaceful area of garden land, would cause increased noise and disturbance. During the summer when the tennis and bowling is in progress all you can hear is the sound of bowls and the sound of tennis balls but with an increase of property would take away this tranquil sound. Also, it would increase the noise with vehicles coming and going not to mention general living noise.
•	Any proposed building erected in this area, should be in built in keeping with the other red sandstone properties of the surrounding area and this would be doubtful as the other houses were built between 1909 and 1928. A new build would look out of place in the neighbourhood and take away the history and appearance of local area.
•	The building appears to be large in respect of the land offered and the garage is almost as large as the house, which on the land in question would

	be worrying as it would shade my property and make it so close that the owner of my property as No 92 Blairbeth Road that the residents would be able to actually look into my property at the side causing severe distress and anguish due to lack of privacy. Everyone should feel safe and secure in their home.
•	Proposed house would block light to my garden and shade the garden area and not only that it would be an eyesore to look out on to.
•	The new proposed dwelling may cause stress on the current services ie waste including sewage, water etc. On occasions in severe rain storms the gardens and road floods due to increase in surface water and in severe rain ie thunder and lightning on several occasions the sewer system and drainage in the garden at No 92 cannot cope with the amount of water and the sewage overflows into the garden. Dyno Rod and similar has had to be called out to clean up the area. If buildings are to be built on the land which is currently garden land, this may cause the drains to back up further, causing more damage. Currently the proposed site, is garden and helps to soak up the water. If the proposed building was to go ahead, it would be concerning as to where excess water would be diverted. The drainage system on the road is bad enough each year with blocked drains due to sediment etc and I believe a building on the land would cause the matter to exacerbate.
•	Area of garden land has copious numbers of wildlife living in area. Bats ie Pipistrelles, hedgehogs – I have had 2 this year alone, variety of birds, not to mention the many flowers, shrubs that is breath taking in spring. All this would be lost due the construction of the proposed property.
•	Due to the situation of the traffic light system, a house built on the proposed area of land, would cause a build-up of traffic with vehicles pulling in and out. It's bad enough currently at early morning and at rush hour it is difficult to park in my driveway due the volume of traffic. If someone parks outside my gateway (No 92), it is difficult to view any vehicles travelling up the hill as parking here blocks my view and as other neighbours experience who have cars at the lower end of the street (Blairbeth Road) at the vicinity of the new build. It would also be difficult for existing householders to get into/out of their driveway if cars are waiting to turn right into the new parking space at the proposed house. This would mean queueing traffic right at the area of the lights. Currently neighbours living at 79 – 99 and 88 – 100, are not giving space and room for drivers to enter their parking areas due to the volume of traffic and will cause jams and accidents at this point in the road. People speeds up and down the road regardless.
•	Security/dangerous position for house/build.
•	Cause disruption due to building works for months – noise, upheaval, mess, dirt/mud.
•	Possible ongoing building problems to existing houses ie plumbing/gas/vermin. <ul style="list-style-type: none"> <li>• When Gas Board was installing pipes in the area a couple of years ago, they were digging up the road at various points. The work</li> </ul>

	<p>caused the gas to cut off at numbers 92 &amp; 94 due to flooding in the gardens caused by the construction work.</p> <ul style="list-style-type: none"> <li>• The Gas Board inspected the pipes in the garden and road and found that the pipes were flooded due to the fact that these properties were bottom of the hill and the works had accumulated water which had pooled and flooded the pipe work.</li> <li>• The Gas Board started investigating the problem at about 6pm on the night this was reported, which meant no water, heating, cooking till the next day. No stand by cooking/heating facilities were offered as they didn't know how long it would take and by the time they found out, it was late at night. If there is prolonged building work re the construction of the proposed dwelling, this problem could happen again. Both properties were inconvenienced and out of pocket and with no guarantees that this would not happen again - all because of the situation of the properties.</li> </ul>
	<ul style="list-style-type: none"> <li>• Said building work above, also caused increasing numbers of vermin to houses in vicinity ie very large mice, with the possibility these were rate, certainly not field mice huge.</li> </ul>
•	<p>During the first wave of Coronavirus this year, this piece of land was used extensively by people to sit a while and take stock. Several families would come and use the area as it was safe for children to play. This area is a hidden gem of a garden and the Bowling Green on many occasions has dissuaded the use of this area for the good of the public. It has the most incredible Rhododendron bushes are a great pleasure to the local residents in the area. There was talk many years ago of turning the area into allotments and charging people per plot but this was not taken up by the Club. There was a small working party set up to locate areas of land for this purpose. By doing so this would have allowed the land to be used for the reason it was gifted to the people of Burnside. By building on the land it is taking away the character of the area and replacing it with something uncharacteristic of the neighbourhood and surrounding area and is not for the greater good of the surrounding neighbourhood.</p>
•	<p>With continual loss of garden land/green space it is essential to keep what little bits of these areas for people's general well-being as has been proven during the pandemic. People are being encouraged to plant trees etc in their gardens, green space area and even window boxes – obviously here not giant oaks but trees and flowers will adjust to what container they are planted in. Why consider removing this small piece of garden land, when it can be put to the use it was created for. There are a large number of properties in the area with no access to garden areas.</p>
•	<p>Environmental Agencies are encouraging us to plant greenery ie tree, shrubs to protect the environment for future generations and to help future generations and to preserve what green space we have left. This piece of land which the proposed planning is indicating to include a building will use up natural resources ie water rather than preserving a piece of Burnside's heritage greenspace. This generation is all take, and our future generations</p>

	<p>will have nothing to enjoy or even to survive. Too much greenspace is being built on for housing developments in the area. What little we have left as this small corner of the proposed site, should be preserved or future generations will not be able to benefit with the little space there is left. There are plenty of other sites better suited for this kind of proposal. The proposed site should remain as it was currently and be used for the purpose the original donor intended.</p>
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From: joan cullen  
Sent: 17 May 2021 15:29  
To: McLeod, Stuart  
Subject: Planning permission

4h

I would like to stop planning for a house development in the bowling green on Blair Beth road burnside rutherglen Glasgow because it would take the look of the the attractive road away as well as the uproar it would cause. Also it would be far to near to the primary school for the road works ect Please stop this.

Thank you

Joan Cullen





# Appendix 7

4i

**Applicant's Comments on Further Representations  
Submitted by Interested Parties in the Course of the  
Notice of Review Consultation Process**



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

4i

**Site address:** Burnside Bowling Club, Burnside Road, Rutherglen, G73 4RB

**Application no:** P/20/1616

Refusal date: 5<sup>th</sup> February 2021

**Comments on Representations, Prepared by John Alan McLennan**

The three representations from interested parties were supplied to me on the 2<sup>nd</sup> of June and I would comment on them in order as follows:

- 1.0 The representation from Joan Cullen is her opinion, with no actual planning reasons noted to support her comments.
- 2.0 The representation from Anne Kempself shows a lack of knowledge and understanding of the Planning Review Process. In addition, her detailed list of comments is her opinion, with no actual planning reasons noted to support her comments. I would point out that the comment, *"the land which was solely to be used for "leisure" purposes ..."* is factually inaccurate in that the titles to the land clearly state, *" ... as part of a site for a private dwelling house or private dwelling house with garden ground attached thereto..."* I would also point out that the proposed house and garage would be situated approximately 54 metres from Ms Kempself's house.
- 3.0 The Council's Statement of Observations generally consists of the personal opinion of the writer, with no actual planning reasons to support the comments. The fact that the house would sit on its own, with no other similar property adjacent, would allow for a "stand alone" design solution, appropriate to the individual uniqueness of the site

In summary, we do not consider that the representations supplied are reasons for refusal or are valid in this instance and that any concerns regarding this proposed development should be dealt with by granting the application for Planning in Principle with a list of conditions (reserved matters). Thereafter, following consultation and discussion with the Planning Department at the detailed design stage, an application for approval of these reserved matters would be submitted, thus ensuring that the proposed development complied with the various policies and reasons for refusal noted in the current Notice of Refusal.

We therefore ask the Planning Authority to review this case under section 43A of the Town and Country Planning (Scotland) Act 1997.

J. Alan McLennan – 13/06/2021

