

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

Mr J D Hardie
32 Hillhouse Farm Gate
Lanark
ML11 9HT

Our Ref: P/19/1607
Your Ref:
If calling ask for: Jerry Gigya
Date: 19 June 2020

Dear Sir/Madam

Proposal: Residential development (Planning permission in principle)
Site address: Westyett Farm, Westshields Road, Braehead, Lanark, ML11 8NT,
Application no: P/19/1607

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

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

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

Should you have any enquiries relating to the refusal of your application or a potential amended submission, please contact Jerry Gigya on 01698 455180

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

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

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

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

Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB
Email jerry.gigya@southlanarkshire.gov.uk Phone: 01698 455180

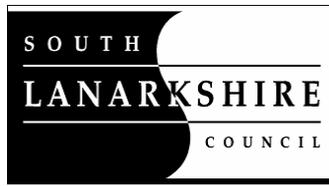


I do hope you can take part in this Customer Survey and look forward to receiving your comments in the near future. If you prefer to complete a paper version of the survey, please contact us by telephone on 0303 123 1015, selecting option 7, quoting the application number. We will send you a copy of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

Yours faithfully

Head of Planning and Economic Development

Enc:



Application no.
P/19/1607

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

To : **Mr J D Hardie**

Per :

**32 Hillhouse Farm Gate,
Lanark, ML11 9HT,**

With reference to your application received on 24.10.2019 for planning permission in principle under the above mentioned Act :

Description of proposed development:

Residential development (Planning permission in principle)

Site location:

Westyett Farm, Westshields Road, Braehead, Lanark, ML11 8NT,

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: 19th June 2020

Head of Planning and Economic Development

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

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

South Lanarkshire Council

Refuse planning permission in principle

Paper apart - Application number: P/19/1607

Reason(s) for refusal:

01. The proposed residential development would be contrary to Policy 3: Green Belt and Rural Area of the adopted South Lanarkshire Local Development Plan and Policy GBRA6 of the Green Belt and Rural Area Supplementary Guidance as there is no specific locational requirement and established need for the proposal and it does not constitute development of a gap site or the consolidation of a building group. It would therefore constitute an inappropriate development within the Rural Area without any reasoned justification.
02. The proposal would be contrary to Policy 4: Development Management and Placemaking of the Local Development Plan as it would have significant adverse impacts on the landscape character of the surrounding area.
03. The proposal would also be contrary to Policy 4: Green Belt and Rural Area of the approved Proposed South Lanarkshire Local Development Plan 2 and Policy GBRA9 of the Green Belt and Rural Area Supplementary Guidance of the proposed SLLDP2 as the development does not require to locate in the countryside and it does not constitute development of a gap site or the consolidation of a building group. It would therefore constitute an inappropriate form of development within the rural area without any reasoned justification.
04. The proposal would also be contrary to Policy 5: Development Management and Placemaking of the approved Proposed South Lanarkshire Local Development Plan 2 as it would have significant adverse impacts on the landscape character of the surrounding area.

Reason(s) for decision

The proposed development does not comply with the requirements of Policy 3 of the South Lanarkshire Local Development Plan (2015), Policy 4 and Policy GBRA6 of the Supplementary Guidance on Green Belt and Rural Area. The application is also contrary to Policy 4, Policy 5 and Policy GBRA9 of the proposed SLLDP2.

Notes to applicant

Application number: P/19/1607

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:

Reference	Version No:	Plan Status
PL01		Approved
PL02		Approved



COMMUNITY AND ENTERPRISE RESOURCES

EXECUTIVE DIRECTOR **Michael McGlynn**
Planning and Economic Development

Important notes

Town and Country Planning (Scotland) Act 1997

1. Compliance with conditions

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

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

2. Procedure for appeal to the planning authority

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

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

To obtain the appropriate forms:

Administrative Services at the above address.

Telephone: 01698 454108

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

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