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Robert Freel
Stonehouse Community Council
75 Lockhart Street
Stonehouse
ML9 3LX

Our ref: P\PPA\380\446

20 May 2009

Dear Sir

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
PLANNING APPEAL: GARDEN AREA (FORMER STACKYARD), EAST MAINS
FARM, MANSE ROAD, STONEHOUSE, ML9 3NX**

I enclose for your information a copy of the decision letter on this appeal.

The Reporter's decision is final, subject to the right of any aggrieved person to apply to the Court of Session within six weeks from the date of the decision conferred by Sections 237 and 239 of the Town and Country Planning (Scotland) Act 1997; on any such application, the Court may quash the decision if satisfied that it is not within the powers of the Act or that the applicant's interests have been substantially prejudiced by a failure to comply with any requirement of the Act, or of the Tribunals and Inquiries Act 1992, or of any orders, regulations or rules made under these Acts.

Yours faithfully

EMMA BROWN

Enc



Appeal Decision Notice

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Decision by Michael Shiel, a Reporter appointed by the Scottish Ministers

- Planning appeal reference: P/PPA/380/446
- Site address: The Stackyard, East Mains Farm, Manse Road, Stonehouse ML9 3NX
- Appeal by Mr and Mrs W Allan against the decision by South Lanarkshire Council.
- Application for outline planning permission no. HM/08/0446, dated 12 May 2008, refused by notice dated 19 September 2008.
- The development proposed: Erection of a dwellinghouse.
- Date of site visit by Reporter: 29 April 2009

Date of appeal decision: **20** May 2009

Decision

I dismiss the appeal and refuse outline planning permission.

Reasoning

1. The determining issues in this appeal are whether: (1) the proposal complies with the provisions of the development plan; and (2) there are any other material considerations that warrant determining the appeal other than in accordance with those provisions.
2. No structure plan policies have been drawn to my attention. The South Lanarkshire Local Plan was adopted on 23 March 2009 and the proposal must now be considered on the basis of its provisions. The appeal site is within the Green Belt, at some distance from the settlement boundary of Stonehouse. There is no suggestion that the proposed house is required in connection with any of the uses considered appropriate in the Green Belt in local plan policy STRAT 3. Nor does it fall within one of the five categories in policy CRE 1 where planning permission might be granted for the erection of housing in the countryside. The proposal does not, therefore, accord with the provisions of the development plan.
3. With regards to other material considerations, the site is currently unused but is covered in grass and in a generally tidy condition. Piles of rubble from the demolition of former agricultural buildings lie outwith the appeal site. I accept that it may once have been used as the stackyard for the adjoining farm and there is some evidence of a hardcore surface beneath the grass. However, any such use ceased a considerable time ago and the site has become revegetated in a natural manner that is neither unsightly nor



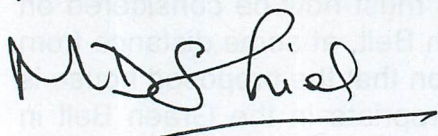
inappropriate to its rural surroundings. I do not therefore consider that it is a brownfield site in a meaningful sense.

4. Nor do I consider it to be an infill site in the normal meaning of that term. Although it is bounded by East Mains farmhouse and steading on one side, there is a substantial distance before the nearest buildings at Glen Mark further along the south side of Manse Road to the south-west. Whilst the OS map indicates that there were once buildings on the intervening land, these have now been largely demolished and the appearance of that land is open. Rather than consolidating an existing group of buildings, as suggested for the appellant, I find that the house would effectively constitute the start of ribbon development along the road. As such, it could establish an undesirable precedent in that the existing pattern of development is of scattered houses (which appear to be associated with former smallholdings) along Manse Road.

5. The existing steading buildings at East Mains have permission, as yet unimplemented, for conversion into six dwellings. However the circumstances of such a development, which utilises and retains traditional farm buildings, are very different from a proposal to build a new house in the countryside, and do not provide any justification for approving this application.

6. The site is at a higher level than the adjoining road, a fairly narrow country lane, and is separated from it by a bank and mature hawthorn hedge. I agree with the council that the combination of this hedge with the horizontal and vertical alignment of the road results in inadequate visibility from the access shown on the application plan. The removal of a substantial section of the hedge to improve visibility would greatly increase the visual impact of any development on the site and be detrimental to the existing rural character of the area. Whilst vehicular access could be provided from the rear, using the road proposed for the steading conversion, it would be roundabout and inconvenient for the occupants of the new house. Furthermore, casual visitors would be unlikely to be aware of its existence, which may cause them to park on Manse Road. Although a relatively minor issue in this case, it reinforces the argument for rejecting this development.

7. Overall, I conclude that there are no material considerations that warrant granting permission for the proposed house, contrary to the relevant development plan policies.



MICHAEL D SHIEL
Reporter

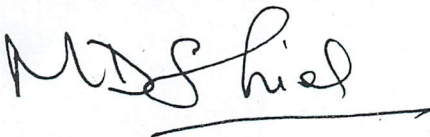
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