

Application No: S/04/00153/OUT

Date Registered: 3rd February 2004

Applicant: **Mr R King**
41 Marshall Street
Wishaw

Agent Stanley C. Cook M.R.T.P.I.
12 Beveridge Terrace
Mossend
Bellshill
ML4 2RJ

Development: **Residential Development (2 House Plots)**

Location: **Land East Of 94 - 116 Dimsdale Crescent Wishaw Lanarkshire**

Ward: 8: Stewarton Councillor John Moran

Grid Reference: 280291 654089

File Reference: **S/PL/B/ 2/1 (119)**

Site History: No relevant history on site itself. Planning permission granted on 23 May 2002 for the erection of a 2 storey house and double garage, reference S/02/00249/FUL on land to the South of 4 Sneddon Avenue.

Development Plan: The application site is zoned as Green Belt in the Southern Area Local Plan Finalised Draft (Modified 2001) to which Policy ENV6 applies.

Contrary to Development Plan: Yes

Consultations: S.E.P.A.(West) (No objection)
Scottish Water (No objection)
British Gas Transco (Comments)
Scottish Power (Comments)
The Coal Authority (Comments)
British Telecom (Comments)

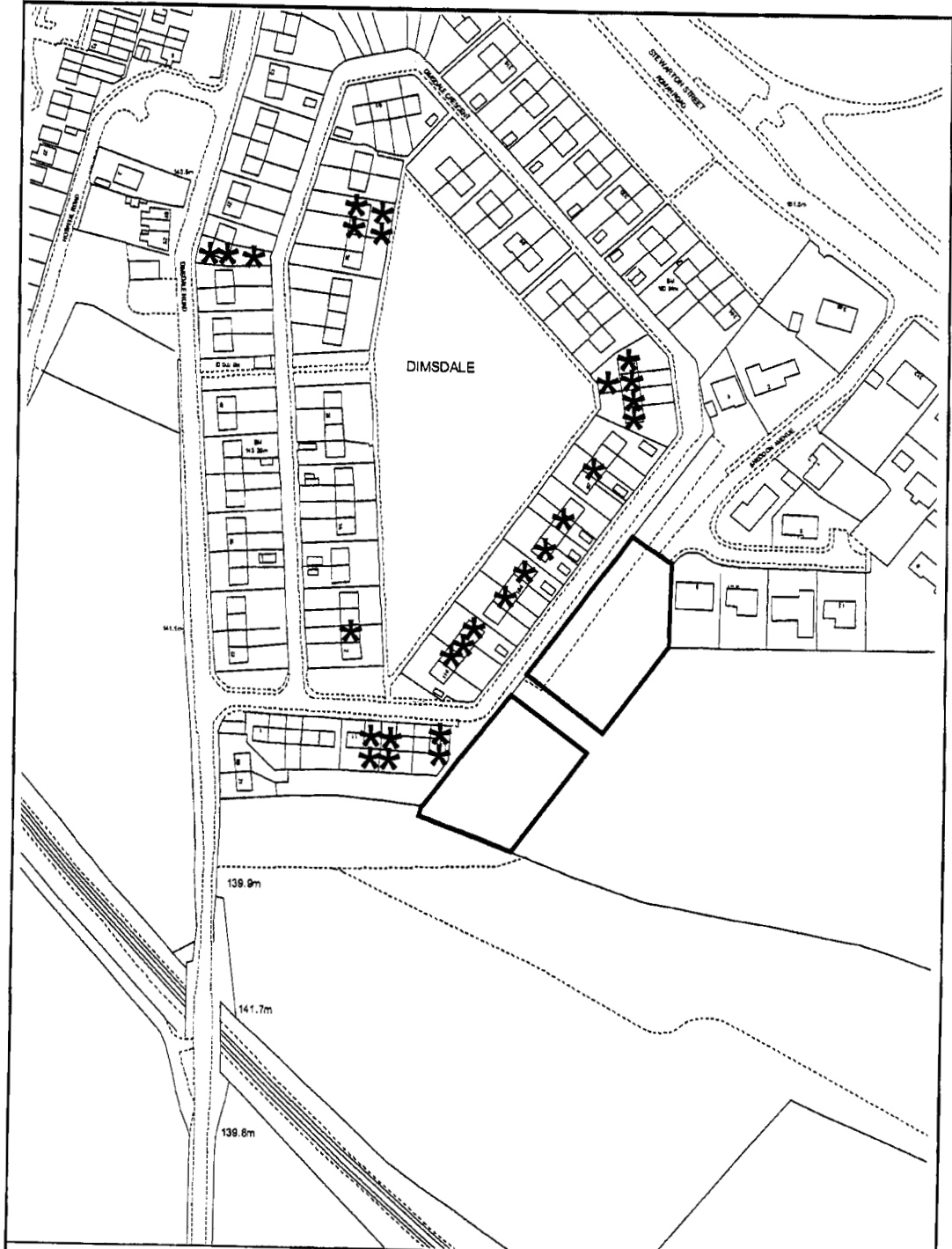
Representations: 1 petition containing 27 signatures

Newspaper Advertisement: 6th February 2004

Comments:

This application seeks outline planning consent for Residential Development (2 house plots) on land adjacent to Dimsdale Crescent, Wishaw which is currently grassland. The petition expresses concerns about the safety of the vehicular access to the site and this is discussed in the attached report.

The applicant has not submitted an agricultural justification with the application. The proposed dwellinghouses are considered an encroachment into the Green Belt for which there is no justification.



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PLANNING APPLICATION No. S / 04 / 00163 / OUT
RESIDENTIAL DEVELOPMENT (TWO HOUSE PLOTS)
LAND EAST OF 94 - 116 DIMSDALE CRESCENT, WISHAW



* Representations Site Area = 0.49 ha.

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Therefore for the reasons detailed in my attached report I recommend that the application should be refused.

Recommendation: Refuse for the Following Reasons:-

1. That the proposed development is contrary to Policy ENV6 of the Southern Area Local Plan Finalised Draft (Modified 2001 and 2004), National Planning Policy contained in SPP3 Planning for Housing and Circular 24/1985 in that it constitutes additional dwellings in the Green Belt for which there is no justification.

Background Papers:

Application form and plans received 3rd February 2004

Memo from NLC Transportation Section received 15th March 2004

Memo from NLC Community Services received 4th March 2004

Letter from S.E.P.A.(West) received 11th March 2004

Letter from Scottish Water received 23rd February 2004

Letter from British Gas Transco received 16th February 2004

Letter from Scottish Power received 20th February 2004

Letter from The Coal Authority received 23rd February 2004

Letter from British Telecom received 25th February 2004

Letter containing petition with 27 signatures from Mrs Duff, 96 Dimsdale Crescent, Wishaw, ML2 8DS received 18th February 2004.

Southern Area Local Plan Finalised Draft (Modified 2001)

SPP3 Planning for Housing

Circular 24/1985 Development in the Countryside and Green Belts

Any person wishing to inspect these documents should contact Murray Reid at 01698 302102.

APPLICATION NO. S/04/00153/OUT

REPORT

1. Description of Site and Proposal

- 1.1 The application site is located at the edge of the Green Belt situated to the south of Dimsdale. The site is currently grassland. The western boundary is formed by a hawthorn hedge beyond which is Dimsdale Crescent. The southern and eastern boundaries are open countryside while to the north and northeast is Sneddon Avenue and the detached properties which look onto the area of countryside.
- 1.2 The proposal is to locate two house plots at the application site that will be separated by a proposed access off Dimsdale Crescent close to the southern corner of the field. The northern plot is approximately 2660 square metres and the southern plot approximately 2200 square metres. No further details have been submitted at this outline stage.
- 1.3 It should be noted that although there is no relevant history on the site itself, planning permission was granted on 23rd May 2002 for the erection of a two storey house and double garage, reference number S/02/00249/FUL on land south of 4 Sneddon Avenue.

2. Development Plan

- 2.1 In the Southern Area Local Plan Finalised Draft (Modified 2001 and 2004), the site is zoned as Green Belt. Policy ENV6 seeks to protect this and states that the Council will not normally permit development other than that relating to agriculture or a limited range of appropriate rural uses.

3. Consultations and Representations

- 3.1 My Transportation Section have not raised any objections to this application however they have advised that should the application be granted a number of conditions relating to access and parking should be implemented. It is commented that there is no objection in principle to the proposal as Dimsdale Crescent is a residential road.
- 3.2 Transco, Scottish Power, the Coal Authority and British Telecom have made comments on the application, which in the event of approval being given, could be addressed by the means of advisory notes to the applicant.
- 3.3 NLC Conservation and Greening Manager comments that the hawthorn hedge should be retained as this provides a good habitat for nesting and feeding birds.
- 3.4 Scottish Water and SEPA have made no objections to the application.
- 3.5 The application was advertised in the Wishaw Press on 6 December 2003 and 1 petition with 27 signatures was received to this and the neighbour notification process. The petition objects to the proposals to build an access road via the Dimsdale estate primarily because of safety and also as a result of the impact of traffic-flow particularly during the construction period. The petition comments: -

"Our objections are based on the fact that the service road for Dimsdale is too narrow and unstable for existing traffic therefore to increase traffic flow on this road would not be cost effective particularly as heavy plant will require access, but our main concern is safety. Dimsdale was built as a family estate yet most of the homes have garden access directly on to

the road as it is paved on one side only, this may have been adequate when the estate was built but not so now and to purposely increase traffic flow however small though Dimsdale could have disastrous consequences, also the proposed road would be within feet of a blind corner causing a hazard to drivers and pedestrians alike.

Raising the odds on a child being hurt when there are other ways of gaining access is foolhardy in the least surely extending the access road from Stewarton Street via Sneddon Avenue onto the site would make more sense with less danger and disruption to fewer people directly from and to the A721, or use the existing farmers access from Wishaw Road to the site this would affect nobody."

4. Planning Assessment and Conclusions

- 4.1 The application raises no strategic issues and therefore needs to be assessed against the local plan.
- 4.2 The main policy issue in the assessment of this application is that the site consists of open land, which currently lies within an area designated as Green Belt. Policy ENV6 of the Southern Area Local Plan Finalised Draft (Modified 2001 and 2004) applies and contains a presumption against new dwellings which are unrelated to agriculture or forestry. This policy reflects national policy contained in Circular 2/1985 "Development in the Countryside and Green Belts" and SPP3 "Planning for Housing", both of which state that isolated development should be discouraged in the open countryside. Paragraph 40 of SPP3 "Planning for Housing" confirms that the Scottish Executive looks to planning authorities to safeguard the character and amenity of the countryside, and protect the setting of existing settlements. The application site currently forms part of the open countryside land and there are no reasons why a location in the countryside is justified for the proposed dwellings. Furthermore it is considered that the existing hawthorn hedge on mounded earth forms a natural defensive boundary to the Green Belt and should not be removed.
- 4.3 In response to the points of objection listed in paragraph 3.5 above I acknowledge the local residents concerns particularly with regard to safety implications. My Transportation Section has however no objection to the proposal subject to conditions therefore it is not considered that the points raised merit refusal of this application on the grounds of traffic and pedestrian safety.
- 4.4 There are no other issues raised by this application that require assessment at outline stage. In conclusion I would therefore recommend refusal of this application on Green Belt and Countryside Policy grounds as detailed above.