



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

Burrell Design Studio  
4 Silvermuir  
Ravenstruther  
ML11 7SD

Our Ref: P/21/1481  
Your Ref:  
If calling ask for: Morag Neill  
Date: 12 November 2021

Dear Sir/Madam

**Issue of decision – compliance with conditions**

**Proposal:** Erection of a single storey detached dwellinghouse and associated parking.  
**Site address:** Land 25M South Of 7 Old Brae, Old Brae, Lesmahagow, Lanark, South Lanarkshire, ,  
**Application no:** P/21/1481

I am pleased to enclose the decision notice relating to the above mentioned application which was recently approved by the Council, subject to conditions. Please note that the Council does not issue paper plans with the decision notice. The application is granted in accordance with the plans and any other documentation listed in the conditions 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)

Please check the decision notice carefully for any conditions imposed on the consent which require the submission and approval of details **before works start on site**. It is most important that these are dealt with **before** work on the development begins. If the development starts without complying with these 'pre-commencement' conditions, it may be rendered unlawful. Enforcement action may also be taken if conditions or details are not submitted and approved by the Council, if you are required to do so.

I would also advise you that under the Planning etc (Scotland) Act 2006, once you have decided the date that you will start work on the development, you must inform the Council of that date as soon as possible. This ensures that the Council is aware that the development is due to begin and can follow up on any suspensive conditions attached to the planning permission as mentioned above. If you do not notify the Council, that is a breach of planning control and action may be taken against you. I enclose a 'Notification of initiation of development' for you to submit when you are ready to begin work. Similarly, you require to notify us when the development has been completed and a 'Notification of completion of development' is also attached for this purpose.

Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB  
Email [morag.neill@southlanarkshire.gov.uk](mailto:morag.neill@southlanarkshire.gov.uk) Phone: 01698 455053



If you have any queries regarding the conditions which have been imposed, or the procedures associated with the notification of initiation of development or completion of development notices, then please contact the officer named above.

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 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 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/21/1481

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

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To : **Mrs Lynsay Miller**

Per : **Burrell Design Studio**

**44A New Trows Road  
Lesmahagow  
ML11 0EW**

**4 Silvermuir  
Ravenstruther  
ML11 7SD**

With reference to your application received on 11.08.2021 for planning permission under the above mentioned Act :

**Description of proposed development :**

Erection of a single storey detached dwellinghouse and associated parking.

**Site location :**

Land 25M South Of 7 Old Brae  
Old Brae  
Lesmahagow  
Lanark  
South Lanarkshire

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SOUTH LANARKSHIRE COUNCIL in exercise of their powers under the above mentioned Act hereby:

**GRANT CONDITIONAL PLANNING PERMISSION**

for the above development in accordance with the plan(s) specified in this decision notice and the particulars given in the application, subject to any condition(s) listed overleaf in the paper apart. Any condition(s) are imposed by the Council for the reasons detailed.

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Date: 12th November 2021

**Head of Planning and Economic Development**

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

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

## South Lanarkshire Council

### Grant planning permission

Paper apart - Application number: P/21/1481

### Conditions and reasons

01. That before any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

02. That the roof of the dwellinghouse shall be clad externally in natural slate.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

03. That before development starts, details of all boundary treatment(s) shall be submitted to and approved by the Council as Planning Authority and thereafter all approved works shall be completed to the satisfaction of the Council prior to the development hereby approved being occupied or brought into use.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

04. The developer shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to the Council as Planning Authority, during all ground disturbance. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record and recover items of interest and finds. A method statement for the watching brief will be submitted by the applicant, agreed by the West of Scotland Archaeology Service and approved by the Council as Planning Authority prior to commencement of the watching brief. The name of the archaeological organisation retained by the developer shall be given to the Council as Planning Authority and to the West of Scotland Archaeology Service in writing not less than 14 days before development commences.

Reason: In order to safeguard any archaeological items of interest or finds.

05. That before the development hereby approved is completed or brought into use, 2 no. parking spaces (3.0m x 6.0m modules) shall be laid out, constructed and thereafter maintained to the specification of the Council as Roads and Planning Authority.

Reason: To ensure the provision of adequate parking facilities within the site.

06. Prior to commencement of the development hereby approved, details of measures to facilitate the provision of full fibre broadband to serve the development, including details of appropriate digital infrastructure and a timescale for implementation, shall be submitted to and approved in writing by the Council as Planning Authority, unless otherwise agreed in writing with the applicant. The approved measures shall thereafter be carried out in accordance with the agreed implementation timescale.

Reason: To ensure the provision of digital infrastructure to serve the development.

**Reason(s) for decision**

The proposal will have no significant adverse impact on the character of the Conservation Area or amenity and it complies with the relevant policies of the adopted South Lanarkshire Local Development Plan 2 (2021) (Policies 3, 5, 14, DM1, NHE2 and NHE6).

## Notes to applicant

**Application number: P/21/1481**

### 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>
LOCATION, SITE _ BLOCK PLANS	-	Approved
1206 ELEVATIONS AND FLOOR PLANS	-	Approved

02. This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. (See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).)

03. Failure to comply with the conditions imposed on this planning permission can result in the planning authority serving a Breach of Condition Notice and/or Enforcement Notice. If any of the requirements set out in these notices are not then complied with, a fixed penalty notice may be served seeking the payment of the sum specified in the penalty notice to the Planning Authority. The sum will be as set by The Town and Country Planning (Amount of Fixed Penalty) (Scotland) Regulations 2000.

04. The person carrying out the development must give advance notice in writing to the planning authority of the date when it intended to start. Failure to do so is a breach of planning control. It could result in the planning authority taking enforcement action [See sections 27A and 123(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)].

05. As soon as possible after it is finished, the person who completed the development must write to the planning authority to confirm the position [See section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended)].

06. The applicant is advised that all works carried out on site must be carried out in accordance with BS 5228 Parts 1-4 1997, '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 be deemed justifiable by Officers from this Service. Further details of this may be obtained from South Lanarkshire Council, Environmental Services, Montrose House, Montrose Crescent, Hamilton, ML3 6LB.

07. The applicant is advised that as the premises will be used for commercial purposes, the Health & Safety at Work Act 1974 and Regulations made thereunder will apply. The applicant is advised to contact Environmental Services at an early stage of the project, to ensure compliance with current legislation, so that difficulties do not arise when the development is operational. Environmental Services, Montrose House, Montrose Crescent, Hamilton, ML3 6LB.

08. None of the above conditions will preclude formal action being taken by the Executive Director of Community and Enterprise Resources against the author of any nuisance, which may arise due to the operation of the proposed development.
09. There are a number of risks created by built over gas mains and services; these are:
- Pipework loading - pipes are at risk from loads applied by the new structure and are more susceptible to interference damage.
  - Gas entry into buildings - pipework proximity increases risk of gas entry in buildings. Leaks arising from previous external pipework able to track directly into main building from unsealed entry.
  - Occupier safety - lack or no fire resistance of pipework, fittings, or meter installation. Means of escape could be impeded by an enclosed meter.

Please note therefore, if you plan to dig, or carry out building work to a property, site or public road within our gas network, you must:

1. Check your proposals against the information held at

<https://www.linsearchbeforeudig.co.uk/> to assess any risk associated with your development and

2. Contact our Plant Protection team to let them know. Plant location enquiries must be made via email, but you can phone us with general plant protection queries. See our contact details below:

Phone 0800 912 1722 / Email [plantlocation@sgn.co.uk](mailto:plantlocation@sgn.co.uk)

In the event of an overbuild on our gas network, the pipework must be altered, you may be temporarily disconnected, and your insurance may be invalidated.







The Town and Country Planning (Scotland) Act 1997  
Town and Country Planning (Development  
Management Procedure) (Scotland) Regulations 2013

**Notification of initiation of development (regulation 40)**

This notice must be submitted to the Council before you intend to start work which has planning permission. Failure to do so is a breach of planning control under S123(1) of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006.

Please check your planning permission carefully for any conditions imposed which require the submission and approval of details before works start on site. You must ensure that these are dealt with before work on the development begins. If the development starts without complying with these 'pre-commencement' conditions, it may be rendered unlawful.

Please complete the form and return it to Planning and Economic Development, South Lanarkshire Council, Montrose House, 154 Montrose Crescent, Hamilton ML3 6LB or email [planning@southlanarkshire.gov.uk](mailto:planning@southlanarkshire.gov.uk)

**Planning application reference number**

P/21/1481

**Date of decision notice**

12.11.2021

**Name and address of person carrying out development**

Mrs Lynsay Miller  
Land 25M South Of 7 Old Brae  
Old Brae  
Lesmahagow  
Lanark  
South Lanarkshire

**Is the above person the owner of all the land to which the development relates?**

Yes

No

**If not, please provide the name and address of the owner**

**Is any person being contacted to oversee carrying out of the development on site?**

Yes

No

If yes, please provide the name and contact details for that person

**Description of development**

**Erection of a single storey detached dwellinghouse and associated parking.**

**Site location**

**Land 25M South Of 7 Old Brae  
Old Brae  
Lesmahagow  
Lanark  
South Lanarkshire**

**Intended date of initiation of development**

**Signed (agent/developer\*)**

**Date**

**Contact details:**

Planning and Economic Development

Montrose House

154 Montrose Crescent

Hamilton ML3 6LB

Email: [morag.neill@southlanarkshire.gov.uk](mailto:morag.neill@southlanarkshire.gov.uk) Phone: 01698 455053

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





## The Town and Country Planning (Scotland) Act 1997

### Notification of completion of development

This notice must be submitted to the Council as soon as is practicable after completion of the work which has planning permission. If the planning permission is for a phased development, notice of the completion of each phase must be notified to the Council. As soon as the development (or phase of development) is completed, please complete the form and return it to:

Planning and Economic Development, South Lanarkshire Council, Montrose House, 154 Montrose Crescent, Hamilton ML3 6LB or email [planning@southlanarkshire.gov.uk](mailto:planning@southlanarkshire.gov.uk) Tel: 0303 123 1015, selecting option 7.

**Planning application reference number**

P/21/1481

**Date decision notice issued**

12.11.2021

**Name and address of person carrying out development**

Mrs Lynsay Miller  
Land 25M South Of 7 Old Brae  
Old Brae  
Lesmahagow  
Lanark

**Description of development**

Erection of a single storey detached dwellinghouse and associated parking.

**Site location**

Land 25M South Of 7 Old Brae  
Old Brae  
Lesmahagow  
Lanark  
South Lanarkshire

**Date of completion**

**Signed (agent/developer\*)**

**Date**



## 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.

