

Report to:	Planning Committee
Date of Meeting:	8 June 2010
Report by:	Executive Director (Enterprise Resources)

Application No	CL/09/0181
Planning Proposal:	Hotel And Chalet Development

1 Summary Application Information

- Application Type : Permission in principle
- Applicant : Kames Park Developments Ltd
- Location : Land at Kames Country Club
Eastend
Cleghorn , ML11 8NR

2 Recommendation(s)

2.1 The Committee is asked to approve the following recommendation(s):-

- (1) Grant Planning Permission in Principle (Subject to Conditions – Based on the Conditions listed)

2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine this application.

3 Other Information

- ◆ Applicant's Agent: G. Taylor Associates
- ◆ Council Area/Ward: 03 Clydesdale East
- ◆ Policy Reference(s): **South Lanarkshire Local Plan (Adopted)**
 - Policy STRAT4: Accessible Rural Area
 - Policy CRE2: Stimulating the Rural Area
 - Policy ENV34: Development in the Countryside
 - Policy ECON9: Tourism Development
 - Policy ECON12: Tourism Accommodation

- ◆ Representation(s):
 - ▶ 3 Objection Letters
 - ▶ 0 Support Letters
 - ▶ 0 Comments Letters

- ◆ Consultation(s):

Environmental Services

Scottish Water

Roads and Transportation Services (Clydesdale Area)

S.E.P.A. (West Region)

Scottish Natural Heritage

Planning Application Report

1 Application Site

- 1.1 The application site extends to 6.03 ha and is located in open countryside in close proximity to the northern edge of Carstairs Village. The site forms part of the Kames Country Club and golf course. There are two distinct sections – the first relates to the green keeping shed and enclosure, hardstanding parking area adjacent to the clubhouse, and a small paddock located at the north western edge of the site beside the entrance which takes access onto the A721. The other section forms part of the Kames Golf Course and is situated on elevated, undulating ground to the west of the clubhouse and attached driving range/tuition area. The edge of this area is characterised by steep wooded embankments.
- 1.2 The site is bound to the north by the A721 and beyond by agricultural fields and a geological feature which is a designated SSS1. To the west are golf greens, the clubhouse, carpark and golf tuition facility. To the east of the entrance is a plant hire business on the site of the former Eastend Park farm steading. Between the aforesaid steading and the golf course to the east of the access road are residential dwellinghouses. Also to the east are golf greens and agricultural fields which extend to the edge of Carstairs. To the south is the remaining golf course with greens, water features and landscaping.

2 Proposal(s)

- 2.1 The applicant seeks planning permission in principle for a hotel and chalet development. The proposed hotel is located in the north eastern corner of the site next to the clubhouse. The chalet development would be located on part of the Kames golf course. The indicative layout envisages 40 chalets positioned around a loop road. Extensive landscaping will be introduced to help integrate the development with the wider area. The northern edge of the chalet area is currently steeply embanked however the proposal involves re-contouring the slope to create an undulating edge complemented by new planting.
- 2.2 In support of the application the applicant has submitted a Planning/Design statement, a Market Assessment for a hotel and leisure development, a Drainage Strategy, a Great Crested Newt Survey and a Phase 1 Habitat & Protected Species Survey.

3 Background

3.1 Local Plan Status

- 3.1.1 In the South Lanarkshire Local Plan the site is within the Accessible Rural Area where policy STRAT4: Accessible Rural Area applies. This aims to build on the economic potential of the areas high quality natural environmental and tourism potential. This policy directs development to identified settlements however outwith settlements, new build can be permitted where it forms part of a larger proposal involving conversion/rehabilitation of an existing building group. New build unrelated to conversion or rehabilitation will only be permitted on gap sites. Isolated and sporadic development will generally not be supported except in exceptional circumstances set down in Policy CRE2.

Policy CRE2: Stimulating the Rural Economy – indicates that the Council will endeavour to maximise job opportunities in the rural area outwith established settlements by encouraging development in certain circumstances. However for a new build at an isolated site to be acceptable it will have to have a specific locational

need and demonstrate that there are no opportunities to convert existing buildings and the development can be integrated with the surrounding landscape. In addition the site should be able to be readily provided with services. Tourist accommodation is considered to be appropriate if it relates to conversion however this does not extend to new build proposals unless associated with a visitor attraction.

Policy ENV34: Development in the Countryside – emphasizes the need to respect the existing landscape and avoid adversely interfering with existing views in and out of the site. Suburban styles and solutions should be avoided. Energy efficient designs and sustainable use of materials which contribute to sustainable development will be encouraged.

Policy ECON9: Tourism Development – supports the expansion of tourism in South Lanarkshire consistent with the Local plan objectives.

Policy ECON12: Tourist Accommodation – states that favourable consideration will be given to proposals for tourist accommodation where they comply with local land use policy. In all cases the continuous occupation of the accommodation by one party will be controlled by condition to ensure they are not occupied on a permanent residential basis. Where new build is proposed a high standard of design and finish will be expected. In any case a supporting business case is required to justify the economic suitability of the proposal.

3.2 **Relevant Government Advice/Policy**

- 3.2.1 All government policy covering planning matters has now been consolidated into one document called Scottish Planning Policy which covers topics relevant to this application. Paragraph 47 states “The tourism industry is one of Scotland’s largest business sectors and planning authorities should support high quality tourism related development including the provision of appropriate facilities in key locations across urban and rural Scotland”. Good design, energy efficiency and sensitive integration with the landscape and locality are emphasised as important considerations. Development plans should promote economic activity and tourism whilst ensuring the distinctiveness of rural areas is protected and enhanced.

3.3 **Planning History**

- 3.3.1 The original Mouse Valley course was laid out in 1992 and added to by the smaller 9 hole Kames course in early 2000. In 2002 Planning Permission CL/02/0344 was granted for the erection of ten houses. In 2003 a further consent CL/03/0189 for another 10 houses was granted. These houses have now been developed. In 2006 Planning Permission CL/05/0232 was granted for 10 visitor chalets on a site adjacent to the clubhouse however this proposal is now superseded by the current application as the plan is now to locate the hotel on the aforesaid site.

4 **Consultation(s)**

- 4.1 **Roads and Transportation Services** - no adverse comments but recommend that a Transport Statement be carried out. A turning area should be provided within the confines of the site, which does not conflict with parking.

Response: Noted. A condition can be applied to ensure the provision of a turning area and a Transport Statement which will consider the impact of the proposal on junctions within the vicinity of the site and the need for off-site road improvements. The submission of the Transport Statement at the detailed stage is considered acceptable in this case due to anticipated scale of the proposed development and

that the applicant is the proposed developer. However this should not be seen as a precedent for other applications across the Council area as the impact of a development on the road network is more suitably assessed at the permission in principle stage.

- 4.2 **Environmental and Strategic Services** – No objection subject to a noise assessment being carried out.

Response: Noted. If consent is granted a condition can be attached requiring a noise assessment prior to development.

- 4.3 **SEPA** – initially objected on grounds of insufficient information to allow a proper assessment of foul drainage to serve the proposal. After the applicant supplied further information they withdrew their objection. However the proposed arrangement to discharge sewerage via a septic tank and reed bed with partial soakaway to the Mouse Water would be dependent on the provision of adequate dilution by the Mouse Water. This will require a detailed assessment that would include site specific modeling procedures. Further details would also be required on plans for the pipework to cross a minor water course on route to the Mouse Water.

Response: Noted. These matters can be covered by suitably worded conditions.

- 4.4 **Scottish Water** – no objection however due to the size of the development it will be necessary for the developer to submit a Development Impact Assessment directly to Scottish Water. Camps Water Treatment Works has capacity to serve the proposed development.

Response: Noted. These issues can be addressed if approval is granted by attaching a condition that requires written confirmation from Scottish Water that an appropriate water system can be promoted.

- 4.5 **SNH** – In response to the ecological survey submitted, they advise that provided no mature trees are affected then no further bat surveys will be necessary. Given the likely use of the watercourse by commuting otters, it will be important to ensure a 43m stand-off between the development and the river. However in accordance with the recommendations in the Protected Species Survey Report a pre-start otter survey should be undertaken immediately prior to the start of works to ensure there has been no change to the baseline situation reported. Surveys of Great Crested Newts were carried out in August 2009 and Spring 2010. As no Great Crested Newts (GCN) were recorded during surveys and given the unlikelihood for GCN populations being present within 1km of ponds within the vicinity of the site and the lack of suitable commuting habitat between each of the ponds they are satisfied that GCN do not represent a constraint.

Response: Noted. These matters can be covered by appropriate conditions.

5 Representation(s)

- 5.1 The application was advertised due to the scale and nature of the proposal and as being Potentially Contrary to the Development Plan. Neighbour notification was also undertaken. In response 3 letters of objection were received, the points of which are summarised below:

a) No details of height of chalets or their closeness to existing residential properties – there is the potential to seriously impinge upon privacy.

Response: The indicative layout provided indicates that an adequate separation between the existing dwellings and the proposed chalets can be achieved. At the outline stage the applicant seeks approval for the principle of the development. Details of the height, design and scale of the chalets will be submitted at the

reserved matters stage once the principle has been accepted. At that stage the neighbours will be given another opportunity to comment.

b) Given the current economic climate there are serious reservations regarding the financial viability study and business plan. A qualified accountant should be instructed to look through this business plan and if given the go ahead, can justify the commercials on this development.

Response: A thorough assessment of the business plan has been carried out. The conclusions are that the proposal can be supported in principle as it adheres to the objectives of the Tourism Action Plan. However at the detailed planning stage, a revised business plan would require to be submitted which takes account of the then economic circumstances. This in turn will determine the scale of development that is appropriate. That requirement can be dealt with by a condition of consent.

c) There is no mention of the proposed height of the hedge or as to the maturity of the trees. It clearly states in the application that no trees will be affected. The outline plan diagram would appear to contradict this.

Response: A condition can be attached requiring the submission of a detailed landscaping plan and that no mature trees are removed without prior approval. There is no indication on the outline plan that existing trees will be removed.

d) The development will clearly increase traffic into the roadway serving the adjacent housing scheme. All residents should be informed.

Response: Neighbour notification was carried out in accordance with legislative procedure. In addition an advert was placed in the Lanark Gazette.

e) Sewerage disposal arrangements may not be adequate.

Response: SEPA has not objected however the prior approval of the sewerage disposal scheme will be necessary as a condition of consent.

f) The development will be noisy, disruptive and take many years to complete. It could become a half finished project that would spoil the surrounding area.

Response: The impact of the development on residents would be covered by Environmental Health legislation.

g) From the plans there is mention of an undulating profile. Again there is no pictorial or diagrammatic evidence of what this may entail and this would need to be clearly demonstrated. Excavations of the land currently present would be noisy and entirely unacceptable given the close proximity to residential property.

Response: In the Planning/Design Statement, cross sections of the existing and proposed land profiles have been provided. Further details of the impact on the landscape would be required at the detailed planning stage.

h) The residents value the seclusion and security of a quiet area where young children can play safely whilst adults can enjoy peaceful surroundings. These factors would be entirely negated by the proposed development.

Response: The objectors live in a residential development which was introduced into a relatively quiet rural area after the establishment of the golf course and associated clubhouse. The leisure component has developed further with the opening of the Golf Teaching Centre in 2008 along with a driving range. The principal planning concern is to ensure a development can be integrated without harming residential amenity or the special characteristics of the area. Leisure and recreation in the form of golf and associated facilities is already an accepted and established

feature of the locality. In addition, the landform and new landscaping will help protect residential amenity.

i) Additional people into a generally quite area will create extra noise especially from late evening to early morning. This has potential for drunkenness, lawlessness and disturbance.

Response: A condition of consent will be that a noise assessment shall be carried out prior to commencement of work. Anti-social behaviour is a matter for the police.

j) Safety concerns over the significant increase in traffic joining the already busy and fast moving A721 from a poorly sited junction. Access road from golf course roundabout to the proposed chalet site is totally inadequate for potentially 40 plus cars.

Response: Roads & Transportation Services have not objected. A Transport Statement will be submitted highlighting any necessary road improvements. At the reserved matters stage comments from Roads on the details of the scheme will be invited again.

- 5.2 These letters has been copied and made available in the usual manner and on the Councils Planning Portal.

6 Assessment and Conclusions

- 6.1 The determining issues in this instance are the extent to which the proposal complies with the adopted Local Plan, whether any departure from the local plan can be justified and its effect on the amenity of the area.
- 6.2 In the South Lanarkshire Local Plan (Adopted), Policy STRAT4 provides the context for the strategy for the Accessible Rural Area and refers to the tourism potential for the area. The preference is for development to be directed to existing settlements or, outwith settlement boundaries, to gap sites within existing building groups. That is not the case with this proposal. The proposal goes on to state that proposals should accord with Policy CRE2: Stimulating the Rural Economy. Policy CRE2 establishes a range of uses that may be acceptable and this includes tourism accommodation, although the preference for new tourist accommodation is weighted towards conversion. New build should only be considered where it is linked to a tourist/visitor attraction. In this case the proposal will form part of an existing leisure complex incorporating two golf courses and a golf tuition/driving range facility. Further it is accessible to nearby visitor attractions such as the New Lanark World Heritage Site. Proposals should also respect the landscape, countryside amenity and nature conservation interests of the site and complement the scale, design and character of the locality and comply with guidance in policy ENV34.
- 6.3 Policy ECON9: Tourism Development in principle supports this proposal as long as it complies with local plan objectives. Policy ECON12: Tourist Accommodation also gives support as long as room occupation can be restricted to short term stays and the proposed new build is of a high quality. A supporting business case is required to justify the economic sustainability of the proposal. The proposed development has been subject of a Market Assessment Report. Improvements in the range and quality of visitor bedroom space tie in with the objectives of the Lanarkshire Tourism Action Plan. Being located in the rural area, the proposal aligns with the Rural Strategy theme of promoting the Rural Area and developing the rural tourism product. In view of the information submitted I am satisfied that the principle of a hotel and chalet development can be supported however at the reserved matters stage a revised business case with a robust analysis which provides detailed

clarification on funding, costs, marketing and management should be submitted. The report will be instructive in determining the number of chalets that are appropriate at that time in demand terms and the final design and layout. The requirement for a revised business case can at this stage be dealt with by condition. Basic design issues and occupancy restrictions can also be addressed by condition.

- 6.4 Policy ENV34: Development in the Countryside seeks all development to sensitively integrate with their surroundings and further encourages sustainable designs. Most of the site earmarked for the hotel comprises hardstanding, sheds and a green keeping enclosure used for storage. Therefore effectively it can be described as brownfield. Also it was the location of the previous consent for 10 chalets therefore the principle of development in this area has already been established. Although detailed designs are still to be formulated the Design Statement does infer that the site lends itself to a single storey extension to the existing clubhouse to form the hotel in which case the visual impact in the context of the surroundings will be generally contained. Although the chalets are to be sited on elevated ground, effective landscaping, mounding, topographical re-profiling and restricting the chalets to single storey will enable visual containment and successful integration. In terms of sustainability the Planning/Design Statement envisages where possible south facing chalets to maximize solar gain and energy efficient designs which utilises ground source heat pumps and solar panels. Notwithstanding if planning permission in principle is granted design matters can be fully considered at a detailed stage. In the meantime I am satisfied that an acceptable design solution at this site should be achievable.
- 6.5 None of the consultees have objected subject to conditions. A Transport Statement will be required which will assess the impact of the proposal on the local road network and the need for off-site improvements. Further I am satisfied that the amenity of existing residents can be adequately protected through careful siting and sensitive design solutions.
- 6.6 The proposal offers an opportunity to create employment, attract inward investment, expand the range of tourist accommodation and enhance and build upon the success of the existing leisure facilities at Kames. The proposal accords with the aims of the relevant local plan policies and therefore I consider it is acceptable in principle. I therefore recommend that planning permission in principle be granted.

7 Reasons for Decision

- 7.1 The proposal accords with the local plan strategy as set out in policy STRAT4 of the adopted South Lanarkshire Local Plan. It also complies with policies CRE2, ECON9, ECON12 and ENV34.

Colin McDowall
Executive Director (Enterprise Resources)
28 May 2010

Previous References

- ♦ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations

Scottish Natural Heritage	02/06/2009 & 17/05/2010
Environmental Services	26/05/2009
Roads and Transportation Services (South Division)	15/06/2009
S.E.P.A. (West Region)	23/07/2009
S.E.P.A. (West Region)	12/10/2009
Scottish Water	17/05/2010
- ▶ Representations

Representation from :	Edwin Coughtrie, 10 Golf Court, Eastend, Cleghorn, ML11 8TE, DATED 18/05/2009
Representation from :	David & Janice Phillips, 2 Range View, Cleghorn , ML11 8TF, DATED 20/05/2009
Representation from :	Dr Michael Coates, 8 Golf Court, Eastend, ML11 8TE, DATED 14/05/2009

Contact for Further Information

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

Ian Hamilton, Planning Officer, Council Offices, South Vennel, Lanark, ML11 7JT
 Ext 3186 (Tel :01555 673186)
 E-mail: Enterprise.lanark@southlanarkshire.gov.uk

Permission in principle

PAPER APART – APPLICATION NUMBER : CL/09/0181

CONDITIONS

- 1 This decision relates to drawing numbers:L.LP.Rev.A & L 2153.OP.1.A
- 2 Unless development commences, planning permission in principle expires 2 years from approval of the specified matters being granted, or if different matters are approved on different dates, then 2 years from the date of the last approval.
- 3 The application(s) for approval of these further matters must be made to the Council as Planning Authority before whichever is the latest of the following:
 - (a) expiry of 3 years from when permission in principle was granted
 - (b) expiry of 6 months from date when an earlier application for approval was refused, and
 - (c) expiry of 6 months from date on which an appeal against the refusal was dismissed.

Approval of the further specified matters can be made for -

- (i) different matters, and
 - (ii) different parts of the development
- at different times.

Only one application for approval of matters specified in conditions can be made after 3 years from the grant of planning permission in principle.

- 4 Prior to the commencement of development on site, a further application(s) for the approval of the matters specified in this condition must be submitted to and approved by the Council as Planning Authority. These matters are as follows:
 - (a) the layout of the site, including all roads, footways, parking areas and open spaces;
 - (b) the siting, design and external appearance of all building(s) and any other structures, including plans and elevations showing their dimensions and type and colour of external materials;
 - (c) detailed cross-sections of existing and proposed ground levels, details of underbuilding and finished floor levels in relation to a fixed datum, preferably ordnance datum.
 - (d) the means of access to the site;
 - (e) the design and location of all boundary treatments including walls and fences;
 - (f) the landscaping proposals for the site, including details of existing trees and other planting to be retained together with proposals for new planting specifying number, size and species of all trees and shrubs;
 - (g) the means of drainage and sewage disposal.
 - (h) details of the phasing of development (covering all relevant aspects of development detailed in (a) above);
 - (i) submission of an energy statement which demonstrates that on-site zero and low carbon energy technologies contribute at least an extra 15% reduction in CO₂ emissions beyond the 2007 building regulations carbon dioxide emissions standard.
- 5 That no trees on the site shall be lopped, topped or felled without the prior written consent of the Council as Planning Authority and that two copies of a plan shall be

submitted to the Council indicating the existing trees on the site, including a note of height, species, base level and extent of canopy or branch spread, those to be retained and any proposed planting of trees and that no work on the site shall be commenced until the permission of the Council has been granted for these proposals or such other proposals as may be acceptable.

- 6 That no chalet to be erected on the site shall exceed one storey in height.
- 7 The energy statement required by condition 4 above, shall include:
 - a) the total predicted energy requirements and CO2 emissions of the development, clearly illustrating the additional 15% reduction beyond the 2007 building regulations CO2 standard;
 - b) a schedule of proposed on-site zero and low carbon energy technologies to be included in the development and their respective energy contributions and carbon savings;
 - c) an indication of the location and design of the on-site energy technologies; and
 - d) a maintenance programme for the on-site zero and low carbon energy technologies to be incorporated.

The approved on-site zero and low carbon energy technologies shall be fully installed and operational prior to the occupation of any approved buildings and shall thereafter be maintained and shall remain fully operational in accordance with the approved maintenance programme, unless otherwise agreed in writing by the Council as Planning Authority.

- 8 That the further application required under the terms of Condition 4 above, shall be accompanied by a Design Statement which shall set out the design principles, justify the design solution and show how the proposal responds to the wider context of the area as well as the characteristics of the site.
- 9 That the further application required under the terms of Condition 4 above, shall include a detailed scheme for surface water drainage. Surface water from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland and with the Council's Sustainable Drainage Design Criteria and requirements and shall be agreed in writing with the Council as Planning Authority in consultation with SEPA.
- 10 That the chalets and hotel shall not be completed or occupied until the developer provides a written agreement from Scottish Water that the site can be served by a water scheme constructed to the specification and satisfaction of Scottish Water as the Water Authority.
- 11 That the further application required under the terms of Condition 4 above, shall be accompanied by a detailed assessment that includes site specific modelling procedures to demonstrate that there is adequate dilution in the Mouse Water to deal with the discharge of treated sewerage and details of scheme to take sewerage discharge pipework over existing watercourse(s).
- 12 That the further application(s) required under condition 4 above shall include a Transport Statement, the scope for which shall be agreed with the Council as planning and Roads Authority. The transport Statement shall consider the impact of the proposal on junctions within the vicinity of the site, including that of the junctions of the A70/A721, the A721/A706 and Mouse Valley Road/A721. The conclusions shall be used to determine the need for and details of off-site road

improvements. The Transport Statement shall also consider access to public transport and the creation/improvement of pedestrian/cycling links from the site to the wider area.

- 13 That the chalets hereby approved shall be for short term holiday occupation only and shall not at any time be occupied on a permanent residential basis.
- 14 That the further application required under the terms of Condition 4 above, shall be accompanied by a revised business plan which will provide clarification on costs, funding, phasing, marketing and management experience taking full account of the current economic climate.
- 15 Development shall not commence until an assessment of the potential for the proposed use to cause noise nuisance including, if applicable, noise produced by the ventilation equipment, to occupants in nearby dwellings, has been submitted to the Council as Planning Authority. Where potential noise disturbance is identified, proposals for the attenuation of that noise shall be submitted to and approved in writing by the Council as Planning Authority. The approved scheme shall be implemented prior to the development being brought into use and shall thereafter be retained in accordance with the approved scheme to the satisfaction of the Council as Planning Authority.
Such an assessment and the recommendation of any attenuation measures shall be carried out by a suitably qualified person.
- 16 That a minimum 43 metre stand off between the development site and the Mouse Water shall be maintained.
- 17 That immediately prior to the start of work on site, a pre-start otter survey shall be undertaken to ensure there has been no change to the baseline situation reported in the Extended Phase 1 Habitat & Protected Species Survey (Central Environmental Surveys, August 2009).

REASONS

- 1 For the avoidance of doubt and to specify the drawings upon which the decision was made.
- 2 To comply with section 59 of the Town and Country Planning (Scotland) Act 1997, as amended.
- 3 To comply with section 59 of the Town and Country Planning (Scotland) Act 1997, as amended.
- 4 To comply with section 59 of the Town and Country Planning (Scotland) Act 1997, as amended.
- 5 To ensure the protection and maintenance of the existing mature trees within the site and to retain effective planning control.
- 6 In the interests of amenity.
- 7 These details have not been provided or approved.
- 8 To provide an explanation of the design concept and to enable a greater understanding of the proposal.
- 9 To ensure that the disposal of surface water from the site is dealt with in a safe and sustainable manner, to return it to the natural water cycle with minimal adverse impact on people and the environment and to alleviate the potential for on-site and off-site flooding.
- 10 To ensure that the development is served by an appropriate water supply.

- 11 To ensure that the development is served by an appropriate effluent disposal system.
- 12 In the interest of road and public safety.
- 13 In the interests of amenity and in order to retain effective planning control.
- 14 To ensure the economic viability of the proposed development.
- 15 To minimise noise disturbance to adjacent occupants.
- 16 In the interests of otters, a European Protected Species.
- 17 In the interests of otters, a European Protected Species.

CL/09/0181

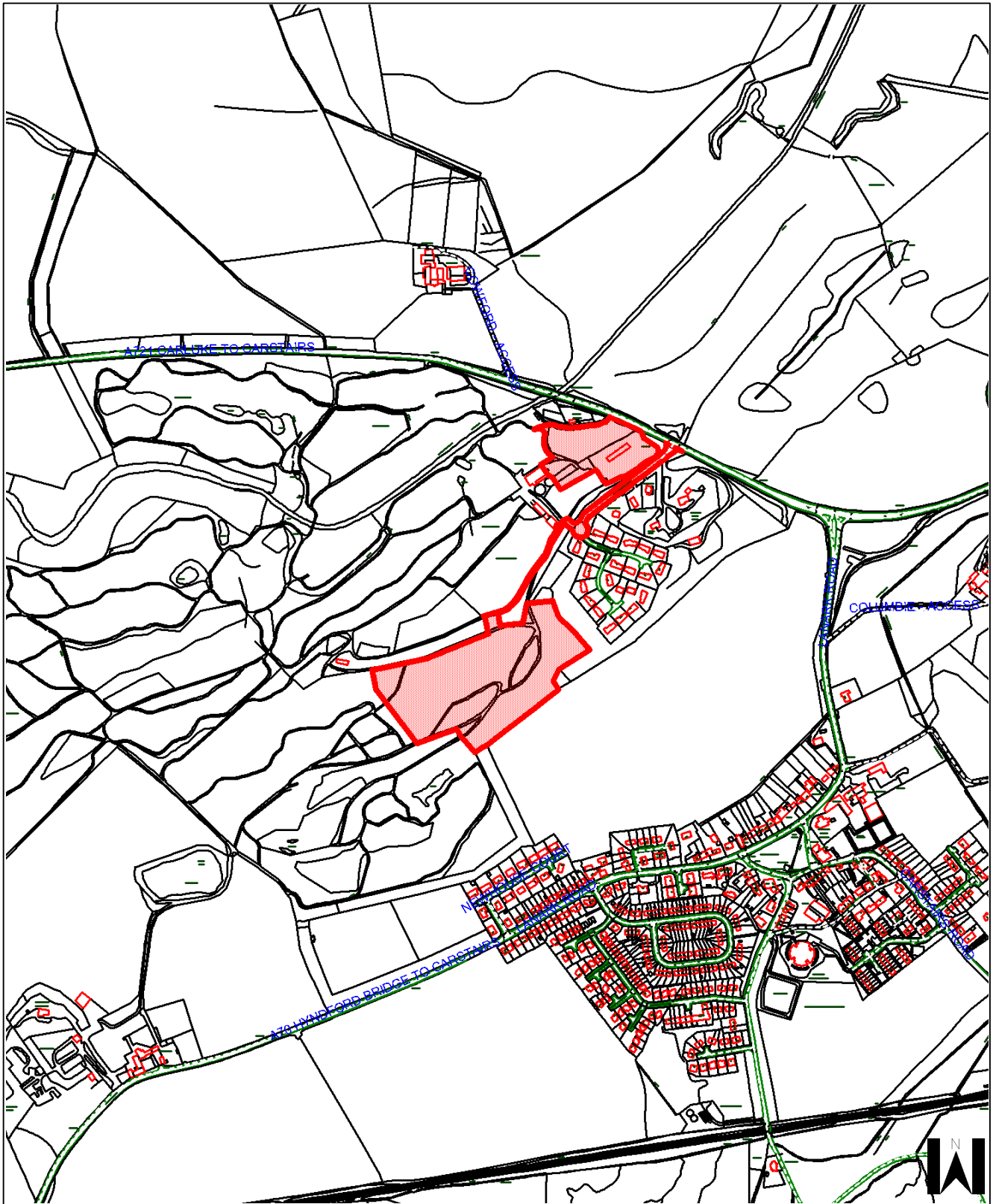
Land at Kames Country Club, Eastend, Cleghorn

Planning and Building Standards Services

Scale: 1: 10000

For information only

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