

Report

9

Report to:	Planning Committee
Date of Meeting:	31 October 2006
Report by:	Executive Director (Enterprise Resources)

Application No	EK/06/0437
Planning Proposal:	Change of Use of Agricultural Land to Garden Ground

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Mr & Mrs Steven Glass
- Location : Avonside Cottage
Gilmourton

2 Recommendation(s)

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

- (1) Grant Planning Permission - Subject to Conditions – (Based on the Conditions Attached.)

2.2 Other Actions/Notes

The Planning Committee has delegated powers to determine this application.

3 Other Information

- ◆ Applicant's Agent: McEwan Designs
- ◆ Council Area/Ward: 32 Avondale South
- ◆ Policy Reference(s): **East Kilbride and District Local Plan (Adopted)**
Policies DC1 and SLP6 – Development Control General
Policy SLP2 – Rural Areas

South Lanarkshire Local Plan (Finalised Draft)
Policy DM1 – Development Management
Policy ENV33 – Development in the Countryside
Policy STRAT4 - Accessible Rural Area

- ◆ Representation(s):
 - ▶ 0 Objection Letters

- ◆ Consultation(s):
None

Planning Application Report

1 Application Site

- 1.1 The application relates to a strip of agricultural land adjacent to the dwellinghouse known as Avonside Cottage on the eastern edge of Gilmourton. The application site is bounded to the west by the dwellinghouse, to the south by the road through Gilmourton and to the east and north by agricultural land. The total area of the site is approximately 200 square metres. The adjacent dwellinghouse lies within the residential settlement of Gilmourton, but the application site lies outwith the residentially zoned area. Access to the site can be taken from the road or via the adjacent dwellinghouse.

2 Proposal(s)

- 2.1 This is a detailed planning application for the change of use of the strip of land from agricultural to residential land use. The proposed change of use would provide approximately 200 square metres of additional ground space to the plot on which the dwellinghouse is situated and would result in the land being re-designated as residential from its current agricultural land use.
- 2.2 A previous application for the extension of Avonside Cottage showed the application site included as part of the Avonside Cottage plot. This application was withdrawn by the applicant.

3 Background

3.1 Local Plan Status

The application site is identified as within the Rural Area in the adopted East Kilbride and District Local Plan. The relevant policies covering the site are Policies DC1 and SLP6 - Development Control General and Policy SLP2 – Rural Areas. The South Lanarkshire Local Plan (Finalised Plan) designates the site as within the Accessible Rural Area. The relevant policies covering the site are Policy DM1 – Development Management, Policy ENV33 – Development in the Countryside, and Policy STRAT4 - Accessible Rural Area. A full discussion of the proposal against these policies is contained in Section 6 below.

4 Consultation(s)

- 4.1 No consultations were required to be undertaken as part of this application.

5 Representation(s)

- 5.1 In addition to standard neighbour notification, the proposal was advertised as 'Development Potentially Contrary to the Development Plan' in the East Kilbride News on 13 September 2006. No objections were received in relation to the proposal.

6 Assessment and Conclusions

- 6.1 The determining issue that requires to be addressed in respect of this application is compliance with local plan policy. In terms of the adopted East Kilbride and District Local Plan the application can be assessed against Policies DC1 and SLP6 – Development Control General and Policy SLP2 – Rural Area. With regard to the South Lanarkshire Local Plan (Finalised Plan), the application can be assessed against Policy DM1 – Development Management, Policy ENV33 – Development in the Countryside and Policy STRAT4 – Accessible Rural Area.
- 6.2 Both policies DC1 and SLP6 of the East Kilbride and District Local Plan and Policy

DM1 of the South Lanarkshire Local Plan (Finalised Draft) state that all proposals should respect the local context, have no adverse visual or environmental impact on amenity, provide suitable access and have no adverse implications for public safety.

- 6.3 It is considered that the proposal complies with all requirements set out in the above policies. Due to the small size of the application site, it is considered that the proposal will not have any adverse visual or environmental impacts, and would be in keeping with the local context. It is not considered that the proposal would lead to any safety or access issues. Access to the site will be taken via the current access to the existing dwellinghouse.
- 6.4 Policy SLP2 of the East Kilbride and District Local Plan states that within rural areas the Council will generally favour development of an appropriate form. However it also states that development that would result in the extension of a settlement should be resisted. Although this proposal would result in the extension of the settlement to the east, it is considered that, due to the small scale of the extension to the settlement boundary (approximately eight metres), the development would not be considered inappropriate in this instance. Therefore the proposal is deemed acceptable as the extension to the settlement would be minimal.
- 6.5 Policy STRAT4 of the South Lanarkshire Local Plan (Finalised Plan) also sets out development policies for the rural area. It states that development should be directed to locations within identified settlement boundaries and restricts sporadic development in isolated areas. The proposed development would not be situated within the identified settlement boundary of Gilmourton, but would not represent sporadic development in an isolated area, as it is situated directly adjacent to the village. It is therefore considered that this small extension to the settlement area, although not strictly in compliance with this policy, is acceptable in this instance as it will not compromise or be significantly detrimental to the surrounding rural area due to its small size.
- 6.6 Policy ENV33 of the Finalised Plan sets out requirements that must be adhered to by all planning applications within the rural area in order to gain planning approval. In summary, all applications must:
- conserve the environment and avoid impacting upon biodiversity and natural resources
 - respect existing landscape form and protect existing landscape features
 - be sympathetic to traditional patterns of scale
 - not interfere with or over-dominate existing views adjacent to the site.

It is considered that the proposal will not adversely impact upon existing views or environmental issues, and it is therefore considered that the proposal complies with all relevant aspects of this policy. A condition has been added to the consent requiring all boundary treatments and alterations to be submitted to, and approved by the Council prior to any alterations taking place on site, to ensure that any works do not compromise existing views or create any environmental issues in future. A number of other criteria relating to building construction are also included within the policy, but as this application is solely for a change of use and does not involve the construction of any new buildings, these criteria are not considered to be relevant in this instance.

- 6.7 In summary, it is considered that, although the proposed development does not strictly comply with all relevant local plan policy, specifically in relation to Policy STRAT4 of the South Lanarkshire Local Plan (Finalised Draft) and Policy SLP2 of the adopted East Kilbride and District Local Plan, it is accepted that the application site is of an exceptionally small size, and is situated directly adjacent to the existing residential settlement of Gilmourton. Therefore the opinion has been taken that the proposal will not compromise the character of the rural area, and will integrate to a satisfactory level with the existing residential settlement. Furthermore, as discussed above, the application complies with all other relevant policies from the adopted local plan, as well as the finalised draft of the South Lanarkshire Local Plan (Finalised Plan).
- 6.8 The proposal was advertised as Development Potentially Contrary to Development Plan in the East Kilbride News as it constitutes development in the Rural Area which is not supported by an agricultural or appropriate economic need. The proposal has been fully assessed and I would recommend that planning permission is granted, contrary to the local plan for the following reasons.
1. The proposal constitutes a small scale extension to an existing residential plot.
 2. The proposal complies with the general development policies in both the adopted and finalised local plans, as set out in Section 6 above.

7 Reason for Decision

- 7.1 For the reasons stated in 6.8 above.

Iain Urquhart
Executive Director (Enterprise Resources)

24 October 2006

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans

- ▶ Consultations
None

- ▶ Representations
None

Contact for Further Information

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

Declan King, Planning Officer, Civic Centre
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E-mail: Enterprise.ek@southlanarkshire.gov.uk

Detailed Planning Application

PAPER APART – APPLICATION NUMBER : EK/06/0437

CONDITIONS

- 1 That the development hereby permitted shall be started within five years of the date of this permission.
- 2 That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.
- 3 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 brought into use.

REASONS

- 1 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2 In the interests of amenity and in order to retain effective planning control.
- 3 These details have not been submitted or approved.

For information only

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