

Report

Report to:	Planning Committee
Date of Meeting:	19 November 2019
Report by:	Executive Director (Community and Enterprise Resources)

Application no.	P/19/0510
Planning proposal:	Erection of three chalets for tourist accommodation, erection of guest house (Class 7) with integrated owner's accommodation and formation of vehicle access and parking areas

1 Summary application information

Application type:	Detailed planning application
Applicant:	Mrs Caroline Nicholson
Location:	Land 115M NNE Of Clydesbank St Patricks Road Lanark South Lanarkshire

2 Recommendation(s)

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

- (1) Grant detailed planning permission (subject to conditions) based on conditions attached

2.2 Other actions/notes

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

3 Other information

- ♦ Applicant's Agent: Robert Murray
- ♦ Council Area/Ward: 02 Clydesdale North
- ♦ Policy Reference(s): **South Lanarkshire Local Development Plan**
Policy 3 Green Belt and Rural Area
Policy 4 Development Management and Placemaking
Policy 11 Economic Development and Regeneration
Policy 15 Natural and Historic Environment
Supplementary Guidance 2: Green Belt and Rural Area
Policy GBRA1 Economy/business related developments
Supplementary Guidance 9: Natural and Historical Environment.
Policy NHE1 New Lanark World Heritage Site
Policy NHE16 Landscape
Proposed South Lanarkshire Local Development

Plan 2

Policy 4 Green Belt and Rural Area

Policy 5 Development Management and Placemaking

Policy 8 Employment

Policy 14 Natural and Historic Environment

Policy GBRA2 Business Proposals within Green Belt
and Rural Area

◆ **Representation(s):**

▶	8	Objection Letters
▶	0	Support Letters
▶	0	Comment Letters

◆ **Consultation(s):**

Roads Development Management Team

Roads Flood Risk Management

Regeneration Service

Environmental Services

Lanark Community Council

Planning Application Report

1 Application Site

- 1.1 The application site is located in the rural area just outside the settlement boundary of Lanark and is currently laid to rough grazing land, sloping fairly steeply from the road. The site is currently unoccupied but had previously been used by the applicant for equestrian use with a stable block (now removed) located adjacent to the road. The site sits at the end of St Patricks Road and, while it is within the rural area and outside the settlement boundary of Lanark, the site has residential properties on three sides with open agricultural land on the other. The area consists of detached single and 1½ storey dwellings on large plots. At this point, St Patricks Road is part of the Clyde Walkway and connects to a footpath link at the termination of the public road on the southern boundary of the application site. The site lies at the edge of the New Lanark World Heritage Site buffer zone.

2 Proposal(s)

- 2.1 The applicant seeks detailed planning consent for the erection of a guest house and ancillary residential accommodation (Class 7 use) and three self-catering chalets at land off St Patricks Road, Lanark. The application site is located just outside the settlement boundary of Lanark with the settlement boundary lying to the north of the site and rural residential properties located to the east and south.
- 2.2 The guest house would provide 3 bedrooms for rent, a residents' lounge and breakfast room. It would also provide integrated owner's accommodation comprising a bedroom, lounge and kitchen dining area. The applicant and owner would reside within the guest house on a permanent basis and would undertake the running of the business including the provision of breakfast to the B&B guests. To maintain the guest house, holiday chalets and outdoor amenity areas, domestic help would be employed. The bedroom and private space within the guest house as shown on the plans are required as part of the ancillary residential accommodation to manage the business.
- 2.3 The three single storey, two bedroom timber chalets would be located at the southern boundary of the site adjacent to St Patricks Road. They would be arranged in a row with views over the valley and have decking as well as allocated parking spaces.

3 Background

3.1 Local Plan Status

- 3.1.1 The adopted South Lanarkshire Local Development Plan identifies the site as lying within the rural area where Policy 3 Green Belt and Rural Area applies. In addition, Policy 4 Development Management and Placemaking, Policy 11 Economic Development and Regeneration and Policy 15 Natural and Historic Environment are relevant as is Policy GBRA1 Economy/Business Related Developments of Supplementary Guidance 2: Green Belt and Rural Area.

3.2 Relevant Government Advice/Policy

- 3.2.1 Scottish Planning Policy (2014) (SPP) advises that proposals that accord with up-to-date plans should be considered acceptable in principle. It states that Planning Authorities should promote development that sets out a vision for vibrant rural, coastal and island areas, with growing, sustainable communities supported by new opportunities for employment and education reflecting the development pressures, environmental assets, and economic needs of the area, and also reflecting the overarching aim of supporting diversification and growth of the rural economy. These should promote economic activity and diversification, including, where appropriate, sustainable development linked to tourism and leisure, forestry, farm and croft diversification and aquaculture, nature conservation, and renewable energy developments, while ensuring that the distinctive character of the area, the service function of small towns and natural and cultural heritage are protected and enhanced and, where appropriate, sets out policies and proposals for leisure accommodation, such as holiday units, caravans, and huts.

3.3 Planning Background

- 3.3.1 There is no relevant planning history on the site.

4 Consultation(s)

- 4.1 **Roads Development Management Team** - have no objections to the proposed development subject to conditions on visibility, access construction, provision of passing place, surfacing and drainage.

Response: Noted: The applicant has demonstrated that the requirements of the Roads and Transportation Service can be met. Should consent be granted, these requirements will be the subject of conditions.

- 4.2 **Roads and Transportation Services (Flood Risk Management Section)** – no objections subject to the provision of a Flood Risk Assessment and SUDS scheme with maintenance details.

Response: Noted: These matters will be addressed by conditions should consent be granted.

- 4.3 **Regeneration Service** - has considered the business plan submitted with the application and advises that the business should be successful and profitable at this location providing it is managed appropriately.

Response: Noted

- 4.4 **Environmental Services** – no objections subject to the use of informatives on noise and food safety

Response: Noted: Should consent be granted, these requirements will be the subject of informatives.

- 4.5 **Lanark Community Council** – Has objected to the proposed development on the grounds of traffic concerns and its location in the Green Belt. The community council believes that, due to the width and condition of the road, the development will present a significant hazard to pedestrians using the road and make the access unsuitable for the proposed use. It argues that, due to the scale of development and its location close to the settlement boundary, the development

will affect the distinct separation between the rural and historic urban areas of Lanark.

Response: Noted. Roads and Transportation Services have made no objections to the proposed development and have not raised any issues in terms of pedestrian safety or road condition. An assessment of the location of the development and scale of the proposed building has been carried out in section 6 below to address the issues raised.

5 Representation(s)

5.1 In response to the carrying out of neighbour notification and the advertisement of the application in the local press due to the non-notification of neighbours, 8 letters of objection were received. The contents of the letters are summarised below:

- a) **The application contravenes Council Policy 3 Green Belt and Rural Area and Policy GBRA5 of the Local Plan in the following ways: the site is outwith the Lanark settlement area; It is not an infill site nor is it a consolidation of an existing building group, and the application fails to demonstrate any specific locational requirement which might justify a development of this type as an exemption to the Council's Green Belt policy.**

Response: The site is not in the Green Belt where stricter controls on new development are relevant. The proposed development for tourist accommodation is an acceptable use within the rural area while the criteria stated above relate to proposals for mainstream residential development in rural areas and do not form part of the considerations for this application.

- b) **The site is contrary to policy as it lies within a Special Landscape Designation / New Lanark World Heritage Site Buffer Zone in a key section of the Clyde Walkway and it does not enhance the environmental quality of the area. Due to its scale this commercial development would adversely affect the landscape character and would not be in keeping with existing buildings.**

Response: It is considered that the proposed development would not adversely affect the landscape character of the area or the special interest of the New Lanark World Heritage Site and would successfully integrate into this part of the rural area without any significant effect on the Clyde Walkway. Indeed, it would provide tourist accommodation in an area known to attract visitors from around the world and would bring tourist revenue to the local economy.

- c) **Due to the width and geometry of St Patricks Road, the lack of pavements and the volume of pedestrians using the Clyde Walkway, a commercial development of this scale would significantly increase traffic using St Patricks Road once the development is operational and during the construction phase, all to the detriment of road and pedestrian safety. There have been a number of near misses on this section of road witnessed by local residents. This development will present a significant increased risk of road traffic accidents especially with visiting drivers unfamiliar with the road.**

Response: The Council does not consider that the scale of development is out of proportion with its location and considers that it would not constitute a

significant increase in vehicle movements on St Patricks Road. In their consultation response the Roads Development Management Team have advised that the development as proposed is acceptable subject to conditions on surfacing, parking provision, passing place and access visibility. No issues have been raised by them in terms of road safety and they have stated that the development will not have an adverse impact on the existing road network.

- d) **This is a large commercial development on a quiet residential street. Given the current condition of the road significant repairs and resurfacing would be required by South Lanarkshire Council if this development went ahead. Would it not make more sense for this development to have its own access, either directly from Kirkfieldbank Brae or via the Swinton House?**

Response: The Council would consider that the proposed development is a small scale commercial business in the rural area and it is not considered that the scale of the proposed development would significantly affect rural character. The applicant has applied to access their land via the public road network and no other access points require to be considered. In addition, the applicant has no control over either of the two access points suggested.

- e) **Has there been an environmental impact study done on this proposal as the development could have a detrimental impact on the environment.**

Response: Due to the scale and nature of the proposed development and the absence of protected species occupying the application site, an environmental impact assessment was not required to assess this application.

- f) **Stretches of St Patricks Road show evidence of subsidence with visible cracks and bounding walls with significant leaning and /or breakdown. Additional road traffic will hasten the breakdown of the current road surface and bounding walls. It would be necessary for the appropriate authority to undertake a full assessment of the road and bounding walls such that provision could be made for the rectification of the current subsidence and provision made for further repairs should the degradation of the road hasten due to the additional traffic.**

Response: As previously outlined above, Roads have not raised any issues with the existing road network used to access this site and have not requested that the applicant do any survey work or repairs to St Patricks Road. Concerns about the stability or condition of the existing road network then this should be raised directly with the Roads Service.

- 5.2 These letters have been copied and are available for inspection in the usual manner and on the planning portal.

6 Assessment and Conclusions

- 6.1 The proposal involves the creation of tourist accommodation and ancillary residential use on a site at St Patricks Road in Lanark. The adopted local development plan policies relevant in assessing this application are: Policy 3

Green Belt and Rural Area, Policy 4 Development Management and Placemaking, Policy 11 Economic Development and Regeneration, Policy 15 Natural and Historic Environment and Policy GBRA1 Economy/business related developments of Supplementary Guidance 2: Green Belt and Rural Area. In addition, the impact of the proposals on residential amenity, impact on the rural and landscape character of the area and road safety are also material considerations in assessing the application.

- 6.2 The site is outside the settlement boundary of Lanark and is located within the rural area. Policy 3 Green Belt and Rural Area of the adopted South Lanarkshire Local Development Plan states that these areas functions primarily for agriculture, forestry, recreation and other uses appropriate to the countryside. In both the Green Belt and Rural Area, isolated and sporadic development will not be supported. Supplementary Guidance 2: Green Belt and Rural Area policy GBRA1 states that the Council will seek to support the rural economy by promoting rural diversification and facilitating job creation by encouraging development of an appropriate type and scale. This policy further advises that appropriate uses in the rural area includes tourist related development including the provision of tourist accommodation. In this case, the proposed development is, therefore, considered to involve an acceptable use at the site. The business plan submitted with the application has been reviewed by the Council's Regeneration Service and it has demonstrated a requirement for additional holiday accommodation of the type proposed in the Clydesdale area. It has also demonstrated that there is an ability to create the business in terms of capital required and the experience of the applicant and that the return from the business could result in a viable operation which would be an asset to the town of Lanark and the wider area. The proximity to the settlement of Lanark and its close links to the countryside would also enable services and provide tourism attractions to attract a diverse range of guests. The provision of ancillary residential accommodation would enable security of the business, hands- on personal care for guests, and would facilitate the necessary day to day running of the business. The proposed business will also create employment opportunities, excluding that of the applicant, to service the business. On balance, the applicant has submitted a comprehensive business plan to demonstrate the need for the business at this location and its long term financial viability and, on that basis, it is considered that the proposal complies with the aims of Policy 3.
- 6.3 The application site is located within the rural area which is also an area of special landscape and the New Lanark World Heritage Site buffer zone, where policies Policy 15 Natural and Historic Environment, Policy NHE1 New Lanark World Heritage Site and NHE16 Landscape of the adopted local development plan aim to ensure development does not adversely affect the integrity or character of the area, and provides development of a high quality design using appropriate materials to the rural setting. Policy 15 states that the Council will assess all development proposals in terms of their effect on the character and amenity of the natural and built environment. Policy NHE1 advises that, in determining planning applications, within the World Heritage Site and its buffer zone and setting, the Council will not permit development that adversely impacts on the historical and topographical character and landscape quality; skylines and views to and from the Site; the natural diversity and ecology of the area; and landscape and ecological links with the surrounding areas. Policy NHE16 states that development proposals within special landscape areas will only be permitted if they satisfy the

requirements of Policy 3 Green Belt and Rural Area and can be accommodated without significantly and adversely affecting the landscape character, scenic interest and special qualities and features for that area.

- 6.4 The applicant has submitted what is considered to be a high quality contemporary design for the guest house, suitable to its rural setting, and will incorporate materials which will enhance its rural character. The small timber built chalets are of a scale and design that are an acceptable form of development for a rural setting. The guest house would be integrated into the topography of the area and have a backdrop of existing development. It is also intended to surround the buildings with an orchard to enable the development to nestle into the hillside and visually integrate with its surroundings. The development is not considered to be out of context with its surrounding building pattern and has development on three sides. It is, therefore, not being developed in isolation at this location within the rural area.
- 6.5 The site represents the western edge of development at this section of Lanark and, while the proposal will introduce a level of physical impact in a rural setting, it is considered that this will not adversely impact on the character and landscape quality, skylines and views to and from New Lanark, the area's natural diversity and ecology or the landscape and ecological links within the buffer zone of the World Heritage Site. It is considered that the proposal will not significantly or adversely affect the landscape character, scenic interest and special qualities of the area. In view of the above, the proposal complies with the aforementioned adopted policies.
- 6.6 Policy 11 Economic Development and Regeneration states that the Council will support activities that maximise economic development and regeneration, particularly through implementation of the policies in this plan. Priority will be given to development proposals that deliver physical and community regeneration and positively contribute to the local economy. Policy 7, Employment, advises that the Council will support the provision of good quality visitor attractions and accommodation based on the sustainable management and interpretation of the area's natural, built and cultural resources. It is considered that the proposal is consistent with the aims of these policies in that, with the high standard of design and finish for the proposed development, it can be successfully integrated on this site, while the supporting business case shows the economic sustainability of the business. If consent is granted, a condition would be attached to ensure that the guest house (excluding the ancillary residential accommodation) is restricted to use for short term holidays only. In view of the above, the proposal complies with Policies 7 and 11 of the adopted local development plan and the aims of the Council to encourage tourist accommodation provision within the rural areas of South Lanarkshire.
- 6.7 Policy 4 requires development to take account of and be integrated with the local context and built form. Development proposals should have no significant adverse impacts on the local community. It is considered that this site is capable of accommodating a development of the scale submitted and that this will be acceptable in terms of design, density and material choice and would be in compliance with Policies 4 and associated Supplementary Guidance on design.

- 6.8 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. Therefore, the Proposed SLLDP2 is now a material consideration in determining planning applications. The proposed development has been considered against the relevant policies in the proposed plan and it is noted that these policies are broadly consistent with the current adopted South Lanarkshire Local Development Plan 1. It is considered that the proposal accords with Policies 4, 5, 8, 14 and GBRA2 in the proposed plan.
- 6.9 In view of the above, it is considered that the proposal meets the aims of local development plan policy and is an appropriate form of development for the site. The proposal will provide additional high quality tourist accommodation within the rural area, and is of a high standard of design and finishes which will not adversely affect the character of the wider area. It is, therefore, recommended that planning permission is granted subject to conditions.

7 Reason for decision

- 7.1 The proposal meets the aims of policies 3, 4, 11 and 15 of the adopted local development plan and associated Supplementary Guidance policies GBRA1 and NHE1 and NHE16. The proposal will not adversely affect the Special Landscape Area or the setting of the World Heritage Site or the surrounding rural area, and will provide high quality of tourist accommodation which will cater for visitors to South Lanarkshire. In addition the development is consistent with the policies in the proposed SLLDP2.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

Date: 29 October 2019

Previous references

- ◆ None

List of background papers

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted)
- ▶ Proposed South Lanarkshire Development Plan 2
- ▶ Neighbour notification letter dated
- ▶ Consultations

Roads Flood Risk Management	17.07.2019
Regeneration Service	
Environmental Services	01.07.2019
Lanark Community Council	

► Representations	Dated:
Peter And Jean Sanders, St Patricks House, St Patricks Road, Lanark, ML11 9EH	26.06.2019
Chris Whitehead, Limewood, 16 St Patrick's Road, Lanark, ML11 9EH	27.06.2019
Mr Douglas MacMillan, Clydesbank, St Patricks Road, Lanark, South Lanarkshire, ML11 9EH	01.07.2019
Steven And Valerie Laing, Clydesholm Braes, 18 St Patricks Road, Lanark, ML11 9EH	08.07.2019
Miss Elizabeth Brown, Auldtoun Farm, Millburn Road, Ashgill Larkhall, South Lanarkshire, ML9 3BH	30.06.2019
Mrs Joan M Scoular, 14 St Patricks Road, Lanark, ML11 9EH	11.07.2019
Mr Richard Wallace, Welldale House, Welldale Lane, Nemphar Lanark, South Lanarkshire, ML11 9JF	02.07.2019
Sylvia And Roy Russell, 9 Friarsdene, Lanark, ML11 9EJ	04.07.2019

Contact for further information

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

Steven Boertien, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB
 Phone: 01698 455116
 Email: steven.boertien@southlanarkshire.gov.uk

Conditions and reasons

01. That the use of the guest house and chalets hereby approved (excluding the ancillary residential accommodation) shall be restricted to holiday occupation only and shall not be let or used as the sole residence of any one person, family or group. No individual, family, company, group or any other type of occupant shall occupy the accommodation for more than 12 weeks in any calendar year. To facilitate monitoring, a record system of all lettings, to include names, addresses and duration of stay, shall be in place at all times for Council inspection and shall be submitted to the Council as Planning Authority 12 months from the date of initial occupation or completion, whichever is the earlier, and every 12 months thereafter.

Reason: To ensure that the guest house is used for short term holiday accommodation only

02. That notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 2011 (or any such order revoking or re-enacting that order), the use of the development hereby approved shall be restricted to use as a guest house and for no other purpose within Class 7 as defined in the Schedule to the Town and Country Planning (Use Classes) (Scotland) Order 1997, without the prior written consent of the Council as Planning Authority.

Reason: In the interests of amenity and in order to retain effective planning control

03. That the ancillary residential accommodation hereby approved as part of the guest house will be restricted to the use of the owner or manager in association with the guest house and chalets on site and their dependants only, and for no other person to the satisfaction of the Council as Planning Authority.

Reason: To ensure the guest house is operated as per the business plan and the residential element of the building is restricted to the areas as shown on the approved plans.

04. That the roof of the guest house shall be clad externally in natural slate or high quality slate substitute, and prior to development commencing on site a sample will be submitted for the approval of the Council as Planning Authority.

Reason: In the interests of the visual amenity of the rural area

05. That before any work commences on the site, a detailed scheme of landscaping shall be submitted to the Council as Planning Authority for written approval and it shall include:

- (a) an indication of all existing trees and hedgerows plus details of those to be retained and measures for their protection in the course of development;
- (b) details and specification of all trees, shrubs, grass mix, etc., including, where appropriate, the planting of fruit/apple trees;

- (c) details of any top-soiling or other treatment to the ground;
- (d) sections and other necessary details of any mounding, earthworks and hard landscaping;
- (e) proposals for the initial and future maintenance of the landscaped areas;
- (f) details of the phasing of these works; and no work shall be undertaken on the site until approval has been given to these details.

Reason: To ensure the appropriate provision of landscaping within the site.

06. That the landscaping scheme as shown on the plans approved under condition 5 shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the Guest House or chalets or the completion of the development hereby approved, whichever is the sooner, and shall thereafter be maintained and replaced where necessary to the satisfaction of the Council.

Reason: In the interests of the visual amenity of the area.

07. 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 chalets and guest house 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.

08. That notwithstanding the terms of the Town and Country Planning (General Permitted Development) (Scotland) Order 2011 (or any such order revoking or re-enacting that order), no fences, walls or other means of enclosure shall be erected on the site other than post and wire fences up to 1 metre in height or those expressly authorised by this permission without the prior written permission of the Council as Planning Authority.

Reason: To ensure only fencing of a type and height appropriate to the countryside is erected.

09. That before the chalets and guest house are completed or brought into use, all of the parking spaces as shown on the approved plans 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.

10. That before the development hereby approved is completed or brought into use, a new vehicular access shall be constructed and shall be a minimum 5.5m wide with a dropped kerb access. Access to be 5.5m wide for the first 10m from the road edge with the first 5m of the access to be hard surfaced, sealed and trapped.

Reason: In the interests of traffic and public safety.

11. That before any of the development hereby approved is completed or brought into use, a turning space shall be provided within the site to enable vehicles to enter and leave the application site in forward gears at all times.

Reason: In the interests of traffic and public safety.

12. That before the development hereby approved is completed or brought into use, a visibility splay of 2.5 metres x 60 metres to the north west and 2.3 metres x 35 metres to the south east measured from the road channel shall be provided for the new vehicular access and everything exceeding 0.9 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.9 metres in height shall be planted, placed or erected within these sight lines.

Reason: In the interests of traffic and public safety.

13. That before any development starts, the carriageway of the existing access road shall be widened to form a passing place in the location shown on the approved plans. The passing place shall be constructed in accordance with the specification of the Council as Roads and Planning Authority.

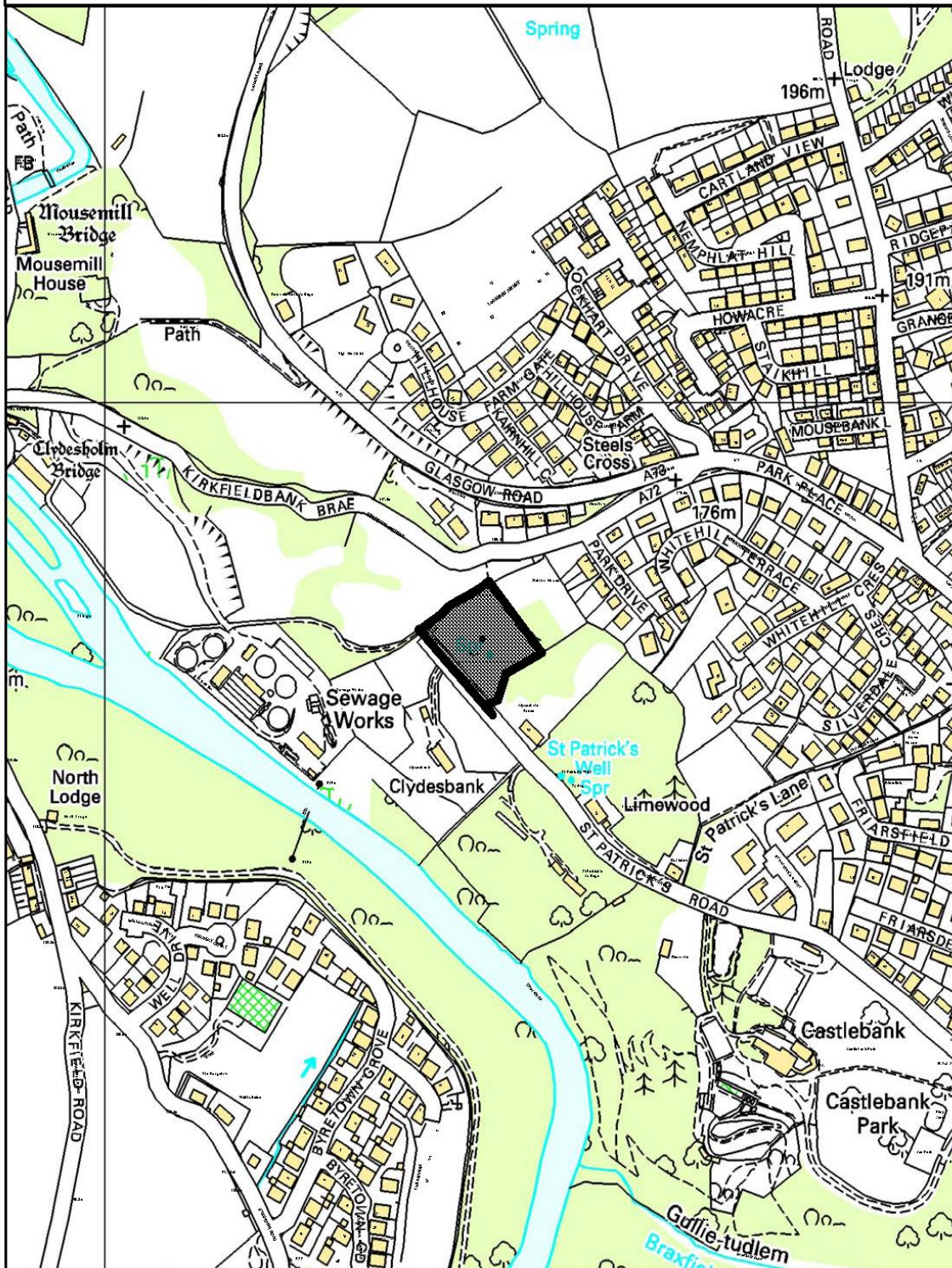
Reason: In the interests to aid traffic movements.

14. That no development shall commence until details of surface water drainage arrangements have been submitted to and approved in writing by the Council as Planning Authority; such drainage arrangements will require to comply with the principles of sustainable urban drainage systems and with the Council's Sustainable Drainage Design Criteria and shall include signed appendices as required. The development shall not be occupied until the surface drainage works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority.

Reason: 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.

P/19/0510

Land 115m, NNE of Clydesbank, St Patricks Road, Lanark



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Scale:
1:5,000
Date:
28/10/2019



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development