

Report

Report to:	Planning Committee
Date of Meeting:	12 December 2023
Report by:	Executive Director (Community and Enterprise Resources)

Reference no:	P/22/0508
Proposal:	Erection of five holiday let cottages with associated service road and gardens
Site Address:	Briarlea House Lanark Road Larkhall ML9 2UE
Applicant:	Mr Andrew Cummings
Agent:	Anderson Anderson Architect LLP
Ward:	20 Larkhall
Application Type:	Full Planning Permission
Advert Type:	Regulation 20 (2)(a) and 20(2)(d) of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 (As Amended) Hamilton Advertiser 19.05.2022
Development Plan Compliance:	No
Departures:	N/A
Recommendation:	Refuse
Legal Agreement:	N/A
Direction to Scottish Ministers	N/A

1. Reason for Report

- 1.1. This application is presented to Committee within the context of Section 5.2 of the approved South Lanarkshire Planning Application Decision Making Process in that the Head of Planning and Regulatory Services, in consultation with the Chair of the Planning Committee, considered that the application generated policy issues that would merit its consideration by elected members.

2. Site Description

- 2.1. The site formerly known as 'Highlees Farm' is situated along a private road accessed from the A72 Lanark Road within the vicinity of the M74 Junction 7 approximately 1.5 km outside of Larkhall. The converted farm buildings, now known as Briarlea House, sits to the south off the private road, while the applicant's business (Briarlea Landscaping) has an office and outbuildings to the north.
- 2.2. An existing cottage, which is already being used for holiday lets, sits past Briarlea House and the proposal is positioned in a crescent around this cottage. The site is located in the Green Belt as designated in the adopted South Lanarkshire Local Development Plan 2 (SLLDP2).

3. Description of Proposed Development

- 3.1. The proposal is to erect 5, two-bedroom holiday cottages adjacent to Briarlea House on land which currently forms the parking area and garden ground for the existing holiday cottage. The access road also serves a further dwelling located to the east.
- 3.2. The proposed layout would create five new structures that would sit separate from the existing cluster of buildings and suggests single storey units with 2 parking spaces and a garden with patio area.

4. Relevant Planning History

- 4.1. P/22/0287 - Erection of a garden kitchen/pavilion and patio.
- 4.2. P/21/1471 - Amendment to P/21/0131 and HM/17/0574 to install a balcony.
- 4.3. P/21/0131 - Alterations to house design/external finishes approved by consent HM/17/0574 (demolition of main farmhouse along with demolition, conversion and extension of courtyard barns to form dwellinghouse).
- 4.4. P/18/1231 - Amendment to application HM/17/0574 - demolition and rebuild of main farmhouse along with demolition, conversion and extension of courtyard barns to form dwellinghouse and erection of office and sales centre, creation of car park and new access and associated landscaping for landscaping business to increase footprint of sales centre and associated alterations.
- 4.5. HM/17/0574 - Demolition and rebuild of main farmhouse along with demolition, conversion and extension of courtyard barns to form dwellinghouse and erection of office and sales centre, creation of car park and new access and associated landscaping for landscaping business.

5. Supporting Information

- 5.1. Business Plan Supporting Statement - this outlines the proposed siting and design of the development as well as information on the demand for holiday lets within the area.

6. Consultations

- 6.1. Roads and Transportation Services (Development Management) – No objection to the proposal subject to the imposition of standard conditions relating to parking and access.
Response: Noted
- 6.2. The Coal Authority Planning and Local Authority Liaison – No objection following the submission of a coal risk assessment report.
Response: Noted
- 6.3. Environmental Services – No objections to the proposal.
Response: Noted.

7. Representations

- 7.1. Following the statutory period of neighbour notification and advertisement, no representations have been received.

8. Development Plan

- 8.1. Under Section 25 of the Town and Country Planning (Scotland) Act 1997, all applications must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2. National Planning Framework 4
National Planning Framework 4 (NPF4) is Scotland's national spatial strategy for Scotland. It sets out spatial principles, regional priorities, national developments, and national planning policy. NPF4 supports the planning and delivery of sustainable places, liveable places, and productive places.

National Planning Framework 4 Policies

- ◆ Policy 1 - Tackling the climate and nature crises
- ◆ Policy 2 - Climate mitigation and adaptation
- ◆ Policy 8 - Green belts
- ◆ Policy 30 - Tourism

- 8.3. South Lanarkshire Local Development Plan 2(2021)

For the purposes of determining planning applications the Council will, therefore, assess proposals against the policies contained within the adopted South Lanarkshire Local Development Plan 2 (SLLDP2). In this regard the application site and associated proposals are affected by the following policies contained in the SLLDP2:-

SLLDP2 Volume 1 Policies

- ◆ Policy 2 - Climate Change
- ◆ Policy 4 - Green Belt and Rural Area
- ◆ Policy 5 - Development Management and Placemaking
- ◆ Policy 6 – Visitor Economy and Tourism

SLLDP2 Volume 2 Policies

- ◆ Policy GBRA1 - Rural Design and Development
- ◆ Policy GBRA2 – Business Proposals within Green Belt and Rural Area
- ◆ Policy VET2 - Visitor Accommodation

9. Guidance

- 9.1. None applicable.

10. Assessment and Discussion

10.1. Principle of Development

Planning permission is sought for the erection of five holiday houses with associated access, garden ground and parking. The site is located within the Green Belt and, as such, the policies relating to the Green Belt should be considered in the first instance.

- 10.2. NPF4 Policy 8 Green Belts seeks to encourage, promote and facilitate compact urban growth and use the land around our towns and cities sustainably. The policy is twofold, part (i) sets out circumstances where various types of development in the Green Belt can be considered acceptable. In this instance, the proposal is for five tourist accommodation units and the policy states that developments and opportunities for outdoor recreation, play and sport, or leisure and tourism uses could be acceptable. However, part (ii) states that reasons must be provided as to why a greenbelt location is essential.
- 10.3. Whilst the applicant has provided justification for the location of the proposed tourist cottages in their business plan, the justification focuses on tourism attractions across the wider region and beyond rather than a specific reason for locating in this part of the green belt. The business plan refers to the location being “an ideal base from which to explore a large area of the country” without setting out why such accommodation needs to be in the Green Belt, rather than the defined Rural Area or within one of South Lanarkshire’s existing settlements. Given the lack of a specific locational requirement for this site the proposed tourist accommodation could be located on an alternative site and this greenbelt location has therefore not been demonstrated as essential in this instance.
- 10.4. In terms of Local Development Plan policy, the application site lies within the Green Belt and is subject to assessment against Policy 4 - Green Belt and Rural Area of the adopted SLLDP2. The policy states that the primary function of the greenbelt is for agriculture, forestry, recreation and other uses appropriate to the countryside. However, much like NPF4 Policy 8, the SLLDP2 states that development that does not require to be located in the greenbelt should be directed to more appropriate sites within the wider rural area or within settlements.
- 10.5. Additionally, SLLDP2 Policy GBRA2 Business Proposals within Green Belt and Rural Area states that it is preferable if existing buildings in the greenbelt are reused, converted or extended to accommodate business proposals and that, where this is not possible, new buildings may be acceptable where it is shown they integrate with an existing cluster of buildings. Specifically, new tourism or holiday accommodation developments can be considered acceptable if they comply with Policy 6 Visitor Economy and Tourism, which will be assessed below. Given there is no essential need for the holiday accommodation to be located within the green belt, it is considered that the proposal does not comply with the relevant National and Local Development Plan policies.
- 10.6. NPF4 Policy 30 Tourism seeks to encourage, promote and facilitate sustainable tourism development which benefits local communities and places through economic, social and cultural benefits and inspires people to visit Scotland. The policy states that development proposals for new or extended tourist accommodation in locations identified in the LDP will be supported. Whilst the applicant has provided a supporting statement expressing why they believe the site to be appropriate, the LDP does not identify this site in the green belt as a suitable location for this type of development as better locations exist elsewhere.

- 10.7. SLLDP2 Policy 6 Visitor Economy and Tourism and Policy VET2 Visitor Accommodation seek to ensure that any new visitor attractions, facilities, activities, infrastructure or accommodation are of a high quality and positively contribute towards the visitor economy. Additionally, proposals will be expected to demonstrate they are sustainable and viable by focussing on the visitor demographic attracted to the area, and showing how this has influenced the proposal. The proposed tourist accommodation takes the form of 5 suburban-styled dwellings in the green belt which fails to respect the existing development pattern in the locality, and which would create a dispersed pattern of development, directly contradicting the wording of VET2. This proposal has been considered against the green belt policies in the Development Plan and the scale and form of the proposal is not considered to be consistent with those policies and, as a consequence of this assessment, it is also considered that the proposals do not accord with Policy VET2 of the Local Development Plan and Policy 30 of NPF4.
- 10.8. As per the assessment above, it is clear that the proposal would generally be acceptable from a tourism aspect if it were not for its location in the green belt. The proposed holiday accommodation does not need to be in the green belt and would be better suited to a location either within a settlement or within the wider rural area within the context of an established recreational use or specific tourist related facility. It is not sustainable to incrementally add additional housing to this Green Belt location whether for permanent residential use or holiday lets and, as such, the proposal is contrary to NPF4 Policy 8 Green Belt, SLLDP2 Policy 4 Green Belt and Rural Area and Policy GBRA2 Business Proposals within Green Belt and Rural Area. The principle of the proposed development is therefore not established on this site.
- 10.9. Climate Change
NPF4 Policy 1 requires that when considering all development proposals, significant weight will be given to the global climate and nature crises. NPF4 Policy 2 Climate Change and Mitigation expands on this, requiring all new developments to be sited and designed (1) to minimise lifecycle greenhouse gas emissions as far as possible and (2) to adapt to the current and future risks from climate change. The Chief Planner letter (4 February 2023) confirms that at this stage quantitative assessments are not expected for all applications. In the absence of a methodology for measuring the emissions which would result from the emissions of the proposed buildings, it is considered appropriate at this time to instead consider the general sustainability of the proposal in land-use planning terms (whether the use of this site as tourism accommodation is supportable when assessed against other relevant policies in NPF4) and use that as an indicator in whether or not it is likely to minimise emissions and adapt to current and future impacts of climate change. It has been detailed above that the principle of the proposed development at this site is not established or supported.
- 10.10. Policy 2 Climate Change of SLLDP2 seeks to minimise and mitigate against the effects of climate change by considering various criteria including: being sustainably located; reuse of vacant and derelict land; avoidance of flood risk areas; incorporating low and zero carbon generating technologies; opportunities for active travel routes and trips by public transport; electrical vehicle recharging infrastructure and where appropriate connection to heat networks.
- 10.11. The site is not at risk of flooding. If the proposal was considered acceptable, the applicant could be asked to submit further details of low carbon technology; a tree planting scheme and the installation of electric vehicle charging points for the approval of the planning authority. The proposal has not identified opportunities for active travel routes and trips by public transport.

10.12. Layout, Siting and Design

Given that the principle of development is not considered to be acceptable in this location, the design of the proposed dwelling in terms of Policies 5 'Development Management and Place Making' and GBRA1 'Rural Design and Development' of SLLDP2 is not considered to be a determining factor in the assessment of this application.

10.13. Conclusion

In summary, taking all the above into account, it is considered that the proposed development would constitute inappropriate development with regards to the sites Green Belt designation and there are no exceptions to policy, in either NPF4 or SLLDP2, which would justify five units for tourism accommodation in this location. As such, the proposed development fails to adhere to the provisions of the development plan, with specific regard to Policies 1, 2, 8 and 30 of National Planning Framework 4 (adopted 2023) and Policies 4, VET2 and GBRA2 of the South Lanarkshire Local Development Plan 2 (adopted 2021) and there are no material considerations which would outweigh this variance with the development plan. In view of this, it is recommended that the application is refused planning permission.

11. **Recommendation and Conditions**

11.1. The Committee is asked to agree the following recommendation:-

Refuse Detailed Planning Permission for the reasons outlined below:-

01. The proposal would be contrary to Policy 8 – Green belts of National Planning Framework 4 as it does not meet the criteria set out in the policy for green belt development and as such fails to encourage, promote and facilitate compact urban growth and use the land around our towns and cities sustainably.
02. The proposal would be contrary to Policies 4 - Green Belt and Rural Area and GBRA2 of the South Lanarkshire Local Development Plan 2 as it would constitute an inappropriate form of development, that cannot be justified under policy GBRA2 and which adversely affects the character of the Green Belt at this location.
03. The proposal would be contrary to Policy VET2 – Visitor Accommodation of the South Lanarkshire Local Development Plan as it would constitute a form of development that does not respect the existing development pattern within the locality and would introduce an inappropriate form of dispersed development. The form of accommodation proposed is not considered appropriate for the area in which the site is located.
04. The proposal would be contrary to Policy 30 – Tourism of National Planning Framework 4 as the proposal is not located within a site that is identified within SLLDP2 as being appropriate for tourism developments.

David Booth

Executive Director (Community and Enterprise Resources)

Date: 1 December 2023

Background Papers

Further information relating to the application can be found online:

[P/22/0508 | Erection of five holiday let cottages with associated service road and gardens. | Briarlea House Lanark Road Larkhall ML9 2UE \(southlanarkshire.gov.uk\)](#)

Corporate Considerations

The report raises no impacts or risks in terms of equalities or financial implications. Any implications in terms of climate change, sustainability or the environment will have been considered above in terms of the relevant national and local policies.

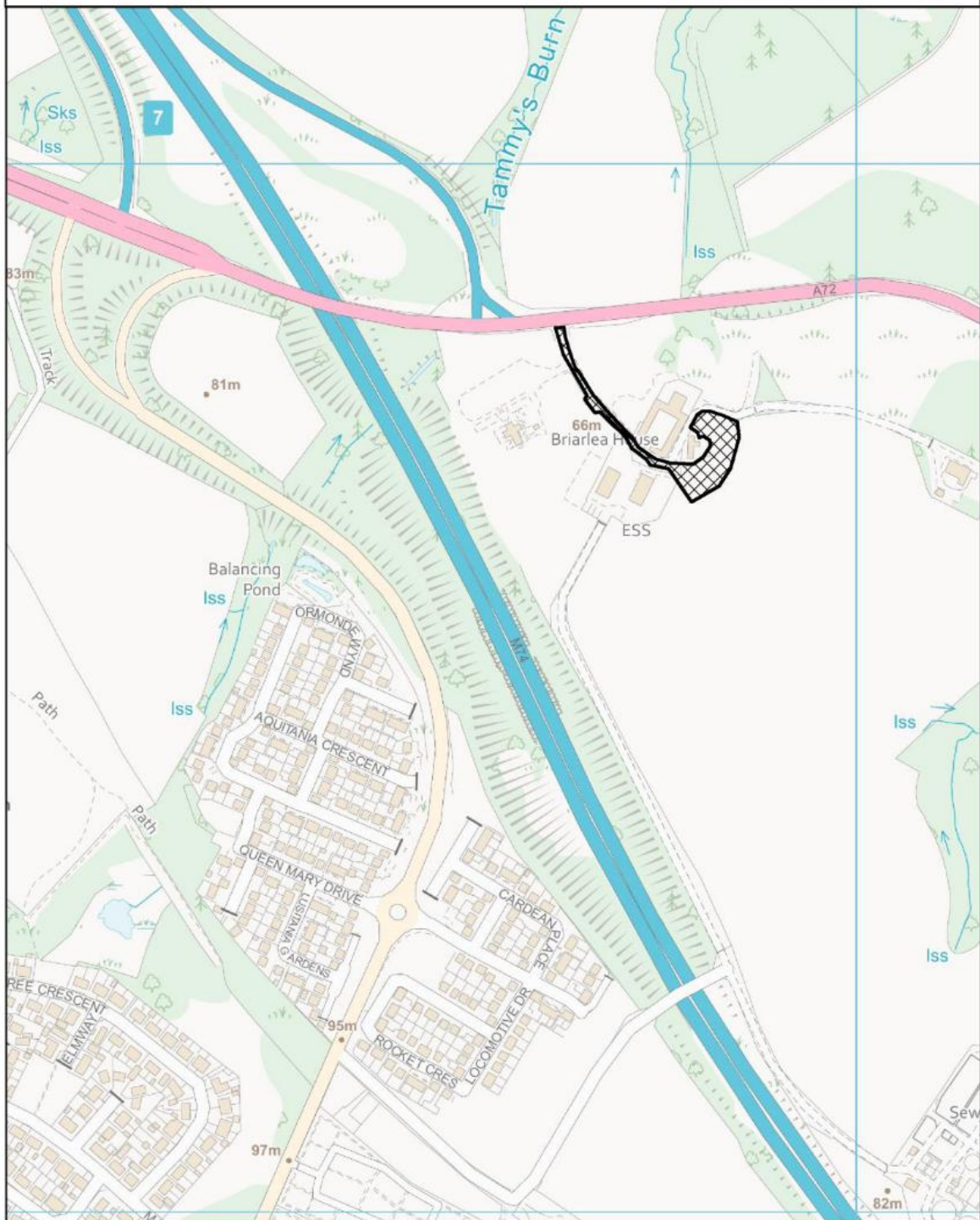
Contact for Further Information

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

Tel: 01698 454867

E-mail: planning@southlanarkshire.gov.uk

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Scale:
1:5,000
Date:
01/11/2023



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