

Report

Report to:	Planning Committee
Date of Meeting:	29 May 2018
Report by:	Executive Director (Community and Enterprise Resources)

Application no.	CL/17/0484
Planning proposal:	Subdivision of existing dwelling into 2 no. Dwellings, conversion and extension of farm outbuilding to form 1 no. dwelling, the demolition of existing farm buildings and erection of 10 no. dwellings

1 Summary application information

Application type:	Detailed planning application
Applicant:	Mr Andrew Stewart
Location:	Southfield Farm Southfield Road Kirkmuirhill Lanark ML11 9PL

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.
- (2) If planning consent is granted, the decision notice should be withheld until a financial contribution of £18,000 has been paid towards the provision of appropriate community facilities in the area.

This may take the form of a one-off payment or an appropriate obligation under Section 75 of the Planning Act, and/or other appropriate agreement, being concluded between the Council, the applicants and the site owner(s).

In accordance with agreed procedure, should there be no significant progress, on behalf of the applicant, towards the conclusion of the Planning Obligation within 6 months of the date of the Committee, the proposed development may be refused on the basis that, without the planning control/developer contribution which would be secured by the Planning Obligation, the proposed development would be unacceptable. If, however, this matter is being progressed satisfactorily, the applicant will be offered the opportunity to enter into a Processing Agreement, if this is not already in place. This will set an alternative agreed timescale for the conclusion of the Planning Obligation.

All reasonable legal costs incurred by the Council in association with the above Section 75 Obligation shall be borne by the developers.

3 Other information

- ◆ Applicant's Agent: DARNTONB3 Architecture
- ◆ Council Area/Ward: 04 Clydesdale South
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan:**
Policy 2 Climate change
Policy 3 Green belt and rural area
Policy 4 Development management and placemaking
Policy 5 Community infrastructure assessment
Policy 15 Natural and historic environment

Supplementary Guidance 3: Development Management, Placemaking and Design

Policy DM6 Sub-division of property for residential

Supplementary Guidance 2: Green Belt and Rural Area

Policy GBRA2 Conversion and re-use of existing buildings

Policy GBRA7 Redevelopment of previously developed land

Supplementary Guidance 9: Natural and historic environment

Policy NHE16 Landscape

Sustainable Development and Climate Change Supplementary Guidance

Community Infrastructure Assessment Supplementary Guidance

◆ Representation(s):

▶	2	Objection Letters
▶	0	Support Letters
▶	0	Comment Letters

◆ Consultation(s):

Roads Development Management Team

Scottish Water

Environmental Services

The Coal Authority

RT Flood Risk Management Section

Planning Application Report

1 Application Site

- 1.1 The site forms part of a former farm steading at Southfield Farm and is located off Southfield Road on the north eastern edge of the settlement of Blackwood. Access to the site is directly from Southfield Road via an existing and established farm access. The existing farm comprises a collection of redundant and semi redundant agricultural buildings, including steel framed, industrial, clad livestock sheds, storage silos, byres and a one and a half storey farm house. The overall built form footprint of the farm is approximately 2,687m². The ground levels affecting the site are relatively level.
- 1.2 The steading was last used in its entirety as a working farm in 2012. The applicant continued to use a smaller number of sheds to house calves, however, as the farm business expanded at the applicant's nearby farm at Draffan, the need for cows to be split between the two sites became redundant and all farm activity at Southfield Farm has ceased.

2 Proposal(s)

- 2.1 The applicant seeks detailed planning consent for the subdivision of the existing farm house into 2 dwellings, conversion and extension of a farm outbuilding to form 1 dwelling, the demolition of the remaining farm buildings and the erection of 10 new build dwellings. The new build dwellings are two storeys in height and would be formed through the creation of three U-shaped buildings clustered around a central courtyard. The buildings would incorporate a mixture of materials and glazing to the exterior of the buildings. The site will be accessed via the existing access road off Southfield Road. The majority of the car parking provision has been designed to be within the centre of the newly formed courtyard.
- 2.2 The existing farm steading can be broken down into 11 component parts, namely 8 agricultural buildings to be demolished, an existing 1.5 storey farmhouse to be retained and sub-divided to create two dwellings and one stone outbuilding to be converted and altered to provide one house.
- 2.3 The applicant has submitted a detailed design statement to explain the development proposal and the design rationale. A bat report for the outbuilding to be converted has been submitted, together with a Coal Mining Risk report to consider any previous mining operations in proximity to the site.

3 Background

3.1 Local Plan Status

- 3.1.1 The adopted South Lanarkshire Local Development Plan identifies the application site as being within the rural area and a special landscape area. The application is subject to assessment against policies within the adopted local development plan including Policy 2 - Climate Change, Policy 3 – Green Belt and Rural Area, Policy 4 - Development Management and Placemaking, and Policy 15 – Natural and Historic Environment. The proposals also require to be assessed against the relevant supplementary guidance. The content of the above policies and how they relate to the proposal is addressed in detail in Section 6 of this report.

- 3.1.2 The development meets the criteria where a financial contribution towards community facilities is required. The proposal will be assessed against Policy 5 - Community Infrastructure Assessment and the Council's Community Infrastructure Assessment supplementary guidance in this respect.

3.2 Relevant Government Advice/Policy

- 3.2.1 Government Policy, set out in the Scottish Planning Policy (SPP) in consideration of the National Planning Framework 3 context, advises that within accessible rural areas there is a more restrictive approach to new housing development. Development plans and decision making should set out the circumstances in which new housing may be appropriate. This should support sustainable economic growth in a range of locations, taking into account of environmental protection policies and issues such as location, access, siting, design and environmental impact.

3.3 Planning Background

- 3.3.1 Planning consent for the change of use of an agricultural barn to form one dwelling, and erection of one single storey dwelling, was approved on 9 June 2008. A renewal of this consent was approved on 5 July 2013. The consent expired on 5 July 2016 and had not been implemented. The barn, subject of previous consent for conversion, is the same barn subject of this current application for conversion and extension.

4 Consultation(s)

- 4.1 **Roads and Transportation Services** – No objections subject to conditions relating to sightline requirements, parking and drainage.
Response: these matters would be dealt with by condition in the event planning permission is granted.
- 4.2 **Environmental Services** – no response has been received.
Response: Noted.
- 4.3 **Roads and Transportation Services (Flood Risk Management Section)**– do not object to this application subject to any consent granted being conditioned to address the following: a Sustainable Drainage System (SUDs) provided to serve the site; a drainage assessment to be carried out, and the relevant Appendices of the Council's Design Criteria Guidance being completed.
Response: Noted. Should consent be granted then conditions will be attached to address the above requirements and to ensure that the development does not cause flooding to existing or proposed properties.
- 4.4 **The Coal Authority** – following the submission of an updated Coal Mining Risk Assessment they advise that they have no objection to the application and are satisfied with the supporting information submitted by the applicant.
Response: Noted.
- 4.5 **Scottish Water** – do not object to this application. They advise that Daer Water Treatment Works currently has capacity to service the development, however, capacity at Blackwood Wastewater Treatment Works cannot be confirmed at this time. On this basis, Scottish Water advise that the developer is required to submit a fully completed Development Impact Assessment form to Scottish Water to assess the impact on the existing infrastructure.

Response: Noted. Should consent be granted an informative will be attached to advise the applicant to discuss the necessary infrastructure requirements directly with Scottish Water.

5 Representation(s)

5.1 Following the carrying out of statutory neighbour notification and the advertisement of the applicant in the Lanark Gazette due to the non-notification of neighbours, 2 letters of representation were received. The grounds of objections are summarised as follows:

a) **The development will increase traffic on Southfield Road and the adjoining road network to the detriment of road and public safety.**

Response: The Roads and Transportation Service do not object to this application given the small amount of traffic that would be generated by the proposals and do not require any local infrastructure improvements to accommodate the development proposal.

b) **The application could set a precedent for more house building in the locality.**

Response: Each application is considered on its own merits and will not set a precedent for further housing. The acceptability of the proposal in terms of planning policy is discussed in detail in Section 6 of this report.

c) **There are limited facilities within the settlement to accommodate more housing.**

Response: The small scale of development proposed means there is no requirement for the developer to contribute to education facilities or affordable housing within the locality. It should be noted that the applicant has submitted a financial contribution towards the improvement of leisure and recreational facilities within Blackwood and Kirkmuirhill.

d) **The noise of construction traffic will impact upon residential amenity.**

Response: Any noise issue associated with the carrying out of development would be dealt with by Environmental Services.

e) **Views of the countryside from existing housing will be negatively impacted upon.**

Response: It should be noted that a right to a view is not a material planning consideration. Notwithstanding this, it is not considered that the proposed development, which will be contained within the footprint of the existing steading, will have a negative impact upon the rural character of the landscape.

f) **A property at 17 Green Ferns, Blackwood, was not neighbour notified.**

Response: Statutory neighbour notification was carried out correctly. The property at 17 Green Ferns is more than 20m from the application site and, therefore, neighbour notification was not required to be served. However, the application was advertised in the Lanark Gazette due to non-notification of neighbours.

g) **The proposal may cause flooding to the applicant's adjoining land, which may subsequently result in flooding to residential properties abounding the land.**

Response: Should consent be approved, a condition will be attached that requires the developer to submit for approval a drainage impact assessment

and details of a Sustainable Urban Drainage System prior to works commencing on site.

- 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 applicant seeks detailed planning consent for the subdivision of an existing dwelling into 2 dwellings, conversion and extension of a farm outbuilding to form 1 dwelling, the demolition of the remaining farm buildings and erection of 10 new build dwellings at Southfield Farm, Blackwood. The main issues in determining this application are its compliance with planning policy, road safety, and its impact on the residential and visual amenity on the surrounding area.
- 6.2 The proposed development should be considered against the policies of the adopted South Lanarkshire Local Development Plan. The site lies within the rural area and therefore Policy 3: Green Belt and Rural Area is relevant. This advises that development which does not require to be located in the countryside will be expected to be accommodated within the settlements, other than in a number of circumstances. This includes situations where it involves the redevelopment of derelict or redundant land and buildings; the conversion of traditional buildings; the extension of existing buildings or uses providing it is of suitable scale and design; or limited development within clearly identifiable infill, gap sites and existing building groups. Further detailed criteria on these forms of development is found in the associated Green Belt and Rural Area Supplementary Guidance, and in particular Policies GBRA2 and GBRA7.
- 6.3 In terms of the demolition of existing structures and the redevelopment of the cleared land to form new houses, Policy GBRA7 - Redevelopment of Previously Developed Land outlines cases where the redevelopment of previously developed land may be acceptable in principle where such sites have fallen into disuse or are abandoned to the detriment of the amenity of the area. Redevelopment can result in the enhancement of the landscape quality through the removal of redundant buildings. However, care should be exercised in preventing the suburbanisation or overdevelopment of the site, and, therefore, the redevelopment proposal should be of an appropriate scale that respects the landscape character of the area. In this case, the replacement of the existing redundant farm buildings with new housing of the scale proposed would not overwhelm or increase the existing footprint of development on the site. The applicant has submitted a breakdown of the existing building footprints in the supporting design statement, and has noted a total existing built area of 2687m². This compares to the cumulative built area, subject of this proposal at 2640m². The existing farm buildings have tall ridge heights to accommodate farm machinery and associated storage and, as such, the proposed two storey dwellings would be visually in keeping with the scale and massing of existing buildings and would not overwhelm the existing character of the site. The siting of the new buildings to form a courtyard with the existing farm house and outbuilding that would be retained and converted would create a tight building group of high quality contemporary design.
- 6.4 Turning to the conversion of one of the outbuildings, Policy GBRA2 - Conversion and Re-use of Existing Buildings states there shall be a presumption in favour of the conversion and sympathetic extension/alteration of traditional buildings to residential use, subject to criteria. This includes ensuring that the building is substantially intact and structurally sound, there is no adverse impact on protected species, there is no adverse impact on the agricultural business and there are no adverse impacts on infrastructure. The barn is intact and can be converted without the need for significant

alteration. The building will, however, be extended to provide accommodation suitable for modern living standards. The building is traditional in terms of materials and design, and is worthy of conversion in order to retain the rural character of the site, in particular when viewed from Southfield Road to the west. The alterations to create the new dwelling are sympathetic and would reflect the design approach on the remainder of the site. In addition, the applicant has submitted a report demonstrating that conversion of the building will not have an adverse impact on bats. Overall, it is considered that the new build, together with the barn conversion and extension, meets the aims of policy 3 and the criteria within the associated Green Belt and Rural Area supplementary guidance.

- 6.5 The sub-division of the existing farmhouse into two dwellinghouses will be accommodated mostly through the alteration of the internal layout, and a small extension to the rear. Car parking for both units to serve both units would be provided that meet Roads guidelines and there is sufficient outdoor space to accommodate garden ground. The proposal will not create overlooking of the other dwellinghouses proposed as part of the redevelopment of the rest of the application site. The proposal, therefore, meets the aims of policy 4 - Development Management and placemaking and the criteria within the associated Development Management, Placemaking and Design supplementary guidance.
- 6.6 The application site is within a Special Landscape Area and, therefore, the proposal needs to be assessed against policy 15 – Natural and Historic Environment of the adopted local development plan and the Natural and Historic Environment supplementary guidance. There is substantial existing screening to reduce the visual impact on the surrounding rural area and Special Landscape Area. The proposed development provides an opportunity for the removal of redundant agricultural buildings and replacement with new build of high quality and uniquely designed housing. The tight grouping of the new houses is sensitively sited to minimise the impact on the surrounding natural environment. In view of the above assessment, it is not considered that the proposed development would have an adverse impact on the visual amenity of the application site, or the quality of the Special Landscape Area. The proposal, therefore, complies with policy 15 of the adopted local development plan and the Natural and Historic Environment supplementary guidance.
- 6.7 Although no communal amenity space is proposed, it is not considered that this would be necessary or appropriate at this isolated and rural location. The applicant has submitted a financial contribution towards the improvement of existing leisure and recreational facilities within the locality in lieu of on-site provision, and in accordance with Policy 5 - Community Infrastructure Assessment and Community Infrastructure Assessment supplementary guidance.
- 6.8 Policy 2 - Climate Change seeks to minimise and mitigate against the effects of climate change. The conversion and reuse of an existing building, sub-division of an existing dwellinghouse and redevelopment of previously developed land accords with the principle of sustainability. The site is also close to local services and there is no identified flood risk. In consideration, the proposal would not undermine the objectives of the policy or Sustainable Development and Climate Change supplementary guidance.
- 6.9 Objections to the application have been received from local residents who have raised concerns about the impact of the proposal on road safety and local services, amenity and flooding. These matters are addressed elsewhere in the report and it is not considered they merit refusal of the application. In addition, no objections have been received from consultees.

- 6.10 Overall it is considered that the proposal is an appropriate development for the site and complies with development plan policy. It would enable a new development of unique and high quality design to replace the redundant farm steading. It is recommended that planning approval is granted subject to conditions (based on conditions attached).

7 Reasons for Decision

- 7.1 The proposal accords with Policies 2, 3, 4, 5 and 15 of the adopted South Lanarkshire Local Plan and associated Supplementary Guidance. The proposal will have no significant adverse impact on the character of the rural area, and also raises no significant road safety or environmental concerns.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

9 May 2018

Previous references

- ◆ None

List of background papers

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

- ▶ Consultations
 - Roads Development Management Team
 - Scottish Water
 - Environmental Services
 - The Coal Authority
 - RT Flood Risk Management Section

- ▶ Representations
 - Iain MacNeill, 2 Nethan View, Blackwood, ML11 9YN Dated: 18.11.2017
 - Mr Graham Stewart, 17 Green Ferns, Blackwood, ML11 9XT 28.02.2018

Contact for further information

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

Pamela McMorran, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB
Ext: 5170 Phone (01698 455170)
Email: pamela.mcmorran@southlanarkshire.gov.uk

Detailed planning application

Paper apart – Application number: CL/17/0484

Conditions and reasons

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

2. That the roof of the dwellinghouses hereby approved shall be clad externally in natural slate or high quality slate substitute to the satisfaction of the Council as Planning Authority.

Reason: To ensure satisfactory integration of the new dwellinghouses with the countryside.

3. That before any work commences on the site a scheme of landscaping for the area shaded green on the approved plans 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 proposed 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: In the interests of the visual amenity of the area

4. That the approved landscaping scheme shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of any of the dwellings or 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 amenity

5. That before any of the dwellinghouses hereby approved are completed or brought into use, all of the parking spaces 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.

6. That before any of the dwellinghouses hereby approved are completed or brought into use, a visibility splay of 2.4 metres by 43 metres to the south and 2.5 metres by 215 metres to the north (as measured from the road channel) shall be provided on both sides of the 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 to the satisfaction of the Council as Roads and Planning Authority.

Reason: In the interests of road safety

7. The remediation, investigation and other measures specified in the Coal Risk Assessment must be implemented prior to the commencement of development except for works which are designed to ensure public safety as part of an on-going programme of works prior to the development. Following the completion of the measures and works set out in the Coal Risk Assessment, a Verification/Remediation Statement should be produced by the applicant to demonstrate the effectiveness of the implementation, to ensure the avoidance of any risk arising when the site is developed or occupied which should be submitted to Council as Planning Authority and the Coal Authority.

Reason: To ensure that the risks associated from historical and/or current mining activity are minimised in the interests of public safety and ground stability for the future users of the proposed development and the neighbouring land.

8. That notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Amendment Order 2011 (or any such order revoking or re-enacting that order), no fences or walls shall be erected within the site other than 1m high post and wire fencing or natural stone dyke wall (other than those expressly granted by this consent), without the written approval of the Council as Planning Authority.

Reason: To ensure satisfactory integration of the new dwellinghouses with the countryside

9. That no development shall commence until a drainage assessment and 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 1, 2, 3, 4 and 5 (a copy of professional indemnity insurance is 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.

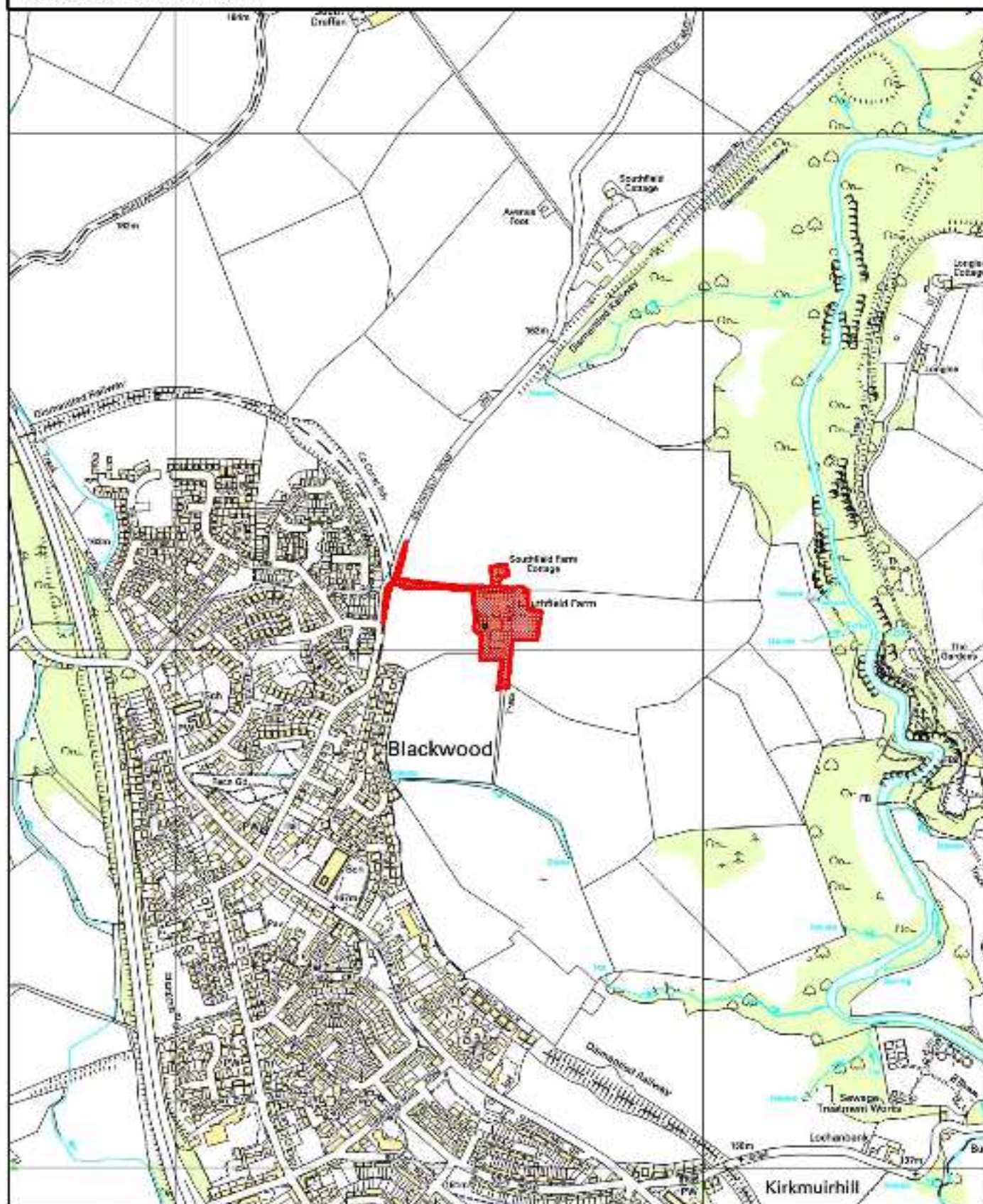
Reason: To ensure that the disposal of surface water from the site is dealt with in a safe and sustainable manner, to return it to the natural water cycle with minimal adverse impact on people and the environment and to alleviate the potential for on-site and off-site flooding.

10. That prior to any work starting on site, a Drainage Assessment in accordance with the Council's guidelines shall be submitted to and approved in writing by the Council as Roads and Planning Authority. Any approved mitigation measures required shall be carried out prior to the occupation of any of the dwellinghouses hereby approved.

Reason: To demonstrate that a satisfactory means of waste and surface water drainage can be achieved.

CL/17/0484

Southfield Farm, Kirkmuirhill



This map is printed at a scale of 1:10,000. It is a planimetric map, which means it shows the horizontal positions of features on the ground, but it does not show the vertical positions (heights) of features. The map is a planimetric map, which means it shows the horizontal positions of features on the ground, but it does not show the vertical positions (heights) of features.



Scale
1:10,000
Date
08/03/2018



South Lanarkshire Council
Community and Enterprise Resources
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