

# Report

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>10 March 2020</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/20/0069
Planning proposal:	Erection of dwellinghouse (substitution of house type) (amendment to EK/17/0063)

## 1 Summary application information

Application type: Further application

Applicant: Burnhead Group Ltd  
 Location: 1 Floors Farm  
 Stonehouse Road  
 Strathaven  
 ML10 6TA

## 2 Recommendation(s)

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

- (1) Grant the further application (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:
- ♦ Council Area/Ward: 05 Avondale And Stonehouse
- ♦ Policy Reference(s): **South Lanarkshire Local Development Plan 2015**  
 Policy 3 Green belt and rural area  
 Policy 4 Development management and placemaking  
  
**Proposed South Lanarkshire Local Development Plan 2 2018**  
 Policy 4 Green Belt and Rural Area  
 Policy 5 Development Management and Placemaking

◆ **Representation(s):**

▶ 10  
▶ 12  
▶ 0

Objection Letters  
Support Letters  
Comment Letters

## **Planning Application Report**

### **1 Application Site**

- 1.1 The application relates to an existing residential site at Floors Farm which is approximately 1 mile to the east of Strathaven. Planning permission was previously approved in 2015 for 7 dwellinghouses at the site. (EK/15/0083). This was amended in 2017 to increase the number to 12 dwellinghouses (EK/17/0063). Currently 4 houses exist adjacent to the site. This application relates to Plot 2 of this part of the development. Access is taken directly from the A71 and via electronic gates which are set back approximately 25 metres from the main road.

### **2 Proposal(s)**

- 2.1 The application is for a change of house type at this plot. The proposed house is similar to those already approved and would still be a detached two storey villa. The changes relate to elevational details with a changed roof profile, different fenestration and the introduction of three 'gable' style elements to the front and back. The floor space will be reduced very slightly by approximately 10 square metres.

### **3 Background**

#### **3.1 Local Plan Status**

- 3.1.1 In terms of the adopted South Lanarkshire Local Development Plan, the application site is located within the Greenbelt as defined by Policy 3 which states that there is a general presumption against development unless it relates to a rural business, forms part of a larger proposal or involves the rehabilitation of traditional buildings. Policy 4 of the same plan - Development management and placemaking - applies to all applications and requires that they respect the character and amenity of the locality. A previous application in 2015 for seven houses (EK/15/0083) established the principle of residential development on this part of the site and this was further confirmed by the granting of a twelve-house layout (EK/17/0063).

- 3.1.2 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. The new plan builds on the policies and proposals contained in the currently adopted South Lanarkshire Local Development Plan. For the purposes of determining planning applications, the proposed South Lanarkshire Local Development Plan 2 is now a material consideration. In this instance, Policies 4 and 5 are relevant.

#### **3.2 Planning Background**

- 3.2.1 Planning permission was previously approved in 2015 for 7 dwellinghouses at the site. (EK/15/0083). This was amended in 2017 to increase the number to 12 dwellinghouses (EK/17/0063). A similar proposal for the substitution of house type was granted on plot 1 in December 2019 (P/19/1602).

### **4 Consultation(s)**

- 4.1 **Strathaven and Glassford Community Council** – objects to the proposal unless the access gate issue has been resolved and that no other houses should be granted until this is the case.

**Response:** The site already has planning permission for residential development so the principle of residential development here has been established. This application is for a change in house type to plot 2 and the issue regarding the access gate is a private matter between the applicant and residents of Floors Farm. Notwithstanding this, the applicant has previously supplied details of the emergency access details.

## **5 Representation(s)**

- 5.1 Statutory neighbour notification was undertaken following which 10 letters of objection (including letters from both Councillor Graeme Campbell and Dr. Lisa Cameron MP). 12 letters of support have also been received. The points raised are summarised as follows:

### Letters of Objection

- a) **There have been ongoing problems with access and exit through the two electrically operated gates in the development. Most recently since 14 December 2019, the ability to remotely control the gates has ceased to operate, and this persists. Instead, there is a requirement to exit vehicles and manually operate the gates via a code or fob. This is not disabled friendly and is dangerous in wintry conditions. In addition, there is currently no ability to be contacted through the intercom system at both gates by visitors to Floors Farm, including the Emergency Services, Royal Mail, delivery companies and guests. This affects both the intercom system at the two gates and the video entry system in houses.**

**Response:** These matters are between the majority landowner of the development and the residents. The gates can be operated by the residents as is required by the previous planning consent. Notwithstanding this, the applicant has supplied details of the emergency access/intercom which is currently in situ at the gates. This application relates purely to the amendment of design to plot 2 and not to vehicular access/intercom which has already been established.

- b) **A large, timber fence with steel posts has been erected without consultation adjacent to the boundary fence between the gardens of number 2 and number 3 and the agricultural field in front of the houses. The steel beams are unsightly, and I am interested to know if this will extend across the development. This has had the effect of blocking light into my garden and reduced the number of birds visiting the site.**

**Response:** The fence referred to does not require planning permission. Notwithstanding this, the current application relates purely to the amendment of design to plot 2 and not to the rear fencing which has already been established.

- c) **The current arrangements for refuse collection are unsatisfactory and involve residents taking bins up the slight hill to the A71. If the current system continues, it is conceivable that 32 bins could be collected from the A71, which presents a safety risk.**

**Response:** These matters are between the maintenance of the development and the residents. The current application relates purely to the amendment of design to plot 2 and refuse collection has already been established.

- d) **Permission should not be granted to build further houses whilst the above-mentioned issues persist. This all needs to be locked down for the benefit of**

**the existing residents and prior to the commencement of further building works.**

**Response:** The current application relates purely to the amendment of design to plot 2 and these matters have already been established.

- e) **Work has commenced on Plot 1 of the residential development granted in 2017 without the Conditions and Reasons used in reaching the decision of 27th November 2019 in relation to EK/17/0063 (Ref - P/19/1602), with no evidence that any of these have been adhered to.**

**Response:** The relevant paperwork discharging the conditions for application EK/17/0063 has been submitted and approved by the Council permitting the commencement of works.

- f) **Are the Council as a Planning Authority aware of the existing “mature” trees between the first and second access gate that the developer identified in his Design Statement dated 3rd March 2015 in regards to EK/15/0083 4.4 “need to be removed due to age and disease”. These trees are on the developer’s land and continually drop debris on the access road, including sizeable branches during storms; we are expected to pay for the removal of this debris. The most recent planting at the development has involved planting a quantity of shrubs, not in keeping with the environment. The species planted have resulted in an increase in height, compared to existing landscape form. This has resulted an increase in moss on the Access road and the natural stone of our homes.**

**Response:** The maintenance of the trees detailed above is a matter for the applicant/landowner and the neighbours. Notwithstanding the design statement, there is no stipulation in the original planning consent that these trees require to be removed.

- g) **Have the Council as a Planning Authority (EK/17/0063 Reference no. P/19/1602) decision dated 22 November 2019 approved the mounding of earth, which can clearly be seen in attached photograph (figure 1), positioned there in June 2019 by the developer in the “Farm”, directly behind the fence erected at rear of 3 Floors Farm. This has a negative impact on the amenity of the whole development and can be clearly seen when driving on the approach to Floors Farm from the A71?**

**Response:** The applicant has advised that these earthworks are from ongoing drainage works, however the Planning Authority has advised that the mound should be removed as soon as possible.

- h) **The limitations to access as described in item 1) above can quickly lead to a tailback onto the A71 at the site entrance. If a delivery truck is stuck at the gate and can’t make contact using the intercom and then 2 cars arrive behind him.**

**Response:** The Roads and Transportation Service did not object to the original proposal on these grounds. Notwithstanding this, the driveway between the A71 and the electronic gates is approximately 25 metres.

- i) **The factoring arrangements currently in place have resulted in significant bills for works undertaken without proper consultation.**

**Response:** This is a separate legal matter between all parties and not a material planning consideration.

## Letters of Support

- j) **The electric gates at the site are well maintained and the entrance and access road are high quality.**

**Response:** Noted. The current application is for the substitution of house type and this matter was previously addressed.

- k) **An identical proposal was granted in December 2019 with no objections received.**

**Response:** Noted. All planning applications are determined on their own merits.

- l) **The landscaping and construction work at Floors Farm are of high quality.**

**Response:** Noted. The current application is for the substitution of house type and this matter was previously addressed.

- m) **Allegations of harassment of the owner of Plot 1 Floors Farm and the upkeep of Plot 3.**

**Response:** These matters are not relevant to the determination of this application.

- n) **There are no problems accessing the development through the intercom facility.**

**Response:** Noted. This matter is not relevant to the determination of the current application.

- 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 determining issue in this instance is the proposal's compliance with adopted and proposed development plan policy unless material considerations determine otherwise. The proposal relates to the substitution of house type of a previously approved house. The changes relate to the elevational treatment on both the front and rear elevations. Three gable roofs will be introduced, together with a pitched roof introduced on the attached garage and the fenestration detail will be amended to a style more akin to the existing houses currently at Floors Farm. Moreover, the bay window in the lounge will be removed and the room will, therefore, be reduced in length. In addition, the building will be straightened very slightly and the overall floorspace will be reduced by approximately 10 square metres.

- 6.2 The proposed layout of the plot follows the previously consented details. The proposed dwelling is of a similar style and in keeping with those in the remainder of the development. The proposal does not introduce privacy or daylight issues from the previous approval as both elevations face empty plots and open fields respectively. As outlined in paragraph 3.1.1, development has been long established at the site since 2015 and previously amended in 2017. I am, therefore, satisfied that the proposal complies with policies 3 and 4 of the South Lanarkshire Local Development Plan.

- 6.3 10 letters of objection and an objection from the Community Council have been received. However, the matters raised are not relevant to the determination of this

application as they relate to largely to ongoing maintenance issues for the developer and the existing residents. The 12 letters of support are also noted, however, also raise no issues relevant to this proposal.

- 6.4 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. The new plan builds on the policies and proposals contained in the currently adopted South Lanarkshire Local Development Plan. For the purposes of determining planning applications, the proposed South Lanarkshire Local Development Plan 2 is now a material consideration. In this instance, Policies 4 and 5 are relevant.
- 6.5 The proposed development has also been considered against the relevant policies in the proposed South Lanarkshire Local Development Plan 2 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 and 5.
- 6.6 On the basis of the above, it is recommended that planning permission be granted, subject to the conditions listed.

## **7 Reasons for Decision**

- 7.1 The proposal complies with policies 3 and 4 of the South Lanarkshire Local Development Plan 2015 and policies 4 and 5 of the Proposed South Lanarkshire Local Development Plan 2.

**Michael McGlynn**  
**Executive Director (Community and Enterprise Resources)**

Date: 19 February 2020

### **Previous references**

- ◆ EK/15/0083
- ◆ EK/17/0063
- ◆ P/19/1602

### **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 23 January 2020         |            |
| ▶ Consultations   | Dated:     |
| Strathaven and Glassford Community Council                    | 13.02.2020 |
| ▶ Representations   | Dated:     |
| Dr Lisa Cameron MP, 32 Waterside Street, Strathaven, ML10 6AW | 17.02.2020 |

Andrea Bryson, 1 Floors Farm, Stonehouse Road, Strathaven, South Lanarkshire, ML10 6BF	17.02.2020
Councillor Graeme Campbell, Council Offices, Beckford Street, Hamilton, ML3 0AA	11.02.2020
Mr Robert Templeton, 24 School Road, Sandford, Strathaven, South Lanarkshire, ML10 6BF	15.02.2020
Evonne Salmond, 2 Floors Farm, Stonehouse Road, Strathaven, South Lanarkshire, ML10 6TA	12.02.2020
Jamie Rankin, 3 Floors Farm, Stonehouse Road, Strathaven, South Lanarkshire, ML10 6TA	12.02.2020
Elaine Rankin, 3 Floors Farm, Stonehouse Road, Strathaven, South Lanarkshire, ML10 6TA	12.02.2020
James Rankin, 3 Floors Farm, Stonehouse Road, Strathaven, South Lanarkshire, ML10 6TA	12.02.2020
Mr Robert Moffat, Floors Farm (Phase 2) plot 2, Strathaven, ML10 6TA	13.02.2020
Mr Craig Chester, 115 John Muir way, Motherwell, ML1 3GW	13.02.2020
Mr David Bryson, 1 Floors Farm, Stonehouse Road, Strathaven, South Lanarkshire, ML10 6TA	14.02.2020
Mr Brian McGinlay, 9 Panther Drive, Tannochside, Uddingston, G71 6UH	14.02.2020
Mr Phillip Cameron, 12 Kilgannan Drive, Redding, Falkirk, Fk2 9GU	16.02.2020
Mr Stewart Earley, 4 Floors Farm, Stonehouse Road, Strathaven, South Lanarkshire, ML10 6TA	12.02.2020
Connor Rankin, 3 Floors Farm, Stonehouse Road, Strathaven, South Lanarkshire, ML10 6TA	12.02.2020
Ms Geraldine Harkins, 4 Floors Farm, Stonehouse Road, Strathaven, South Lanarkshire, ML10 6TA	11.02.2020
Paul Salmond, 2 Floors Farm, Stonehouse Road, Strathaven, South Lanarkshire, ML10 6TA	12.02.2020
Mr Mark Bradley, 9 Nagle Gardens, Dalziel Park, Motherwell, ML1 5LA	12.02.2020
Mr Kevin walker, 66 Neilsland Street, Hamilton, South Lanarkshire, ML3 8JW	19.02.2020



Mr Iain Winning, 68 Broompark Road, Blantyre, Glasgow, South Lanarkshire, G72 9XB	20.02.2020
Mr Lacklan Mackinnon, 24 Machan Road, Larkhall, South Lanarkshire, ML9 1HG	17.02.2020
Mr Alex Walker, 26 Swisscot Avenue, Hamilton, South Lanarkshire, ML3 8DW	19.02.2020

**Contact for further information**

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

Iain Morton, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 01698 455048

Email: [iain.morton@southlanarkshire.gov.uk](mailto:iain.morton@southlanarkshire.gov.uk)

### **Conditions and reasons**

01. That before any work commences on the site, a 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: In the interests of amenity.

02. That the landscaping scheme required by condition 1 above shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the building(s) 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 amenity and in order to retain effective planning control.

03. 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.

04. That before development starts, full details of the design and location of all fences and walls, including any retaining walls, to be erected on the site 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.

05. That before any of the dwellinghouses situated on the site upon which a fence is to be erected is occupied, the fence or wall for which the permission of the Council as Planning Authority has been obtained under the terms of Condition 4 above, shall be erected and thereafter maintained to the satisfaction of the Council.

Reason: In order to retain effective planning control.

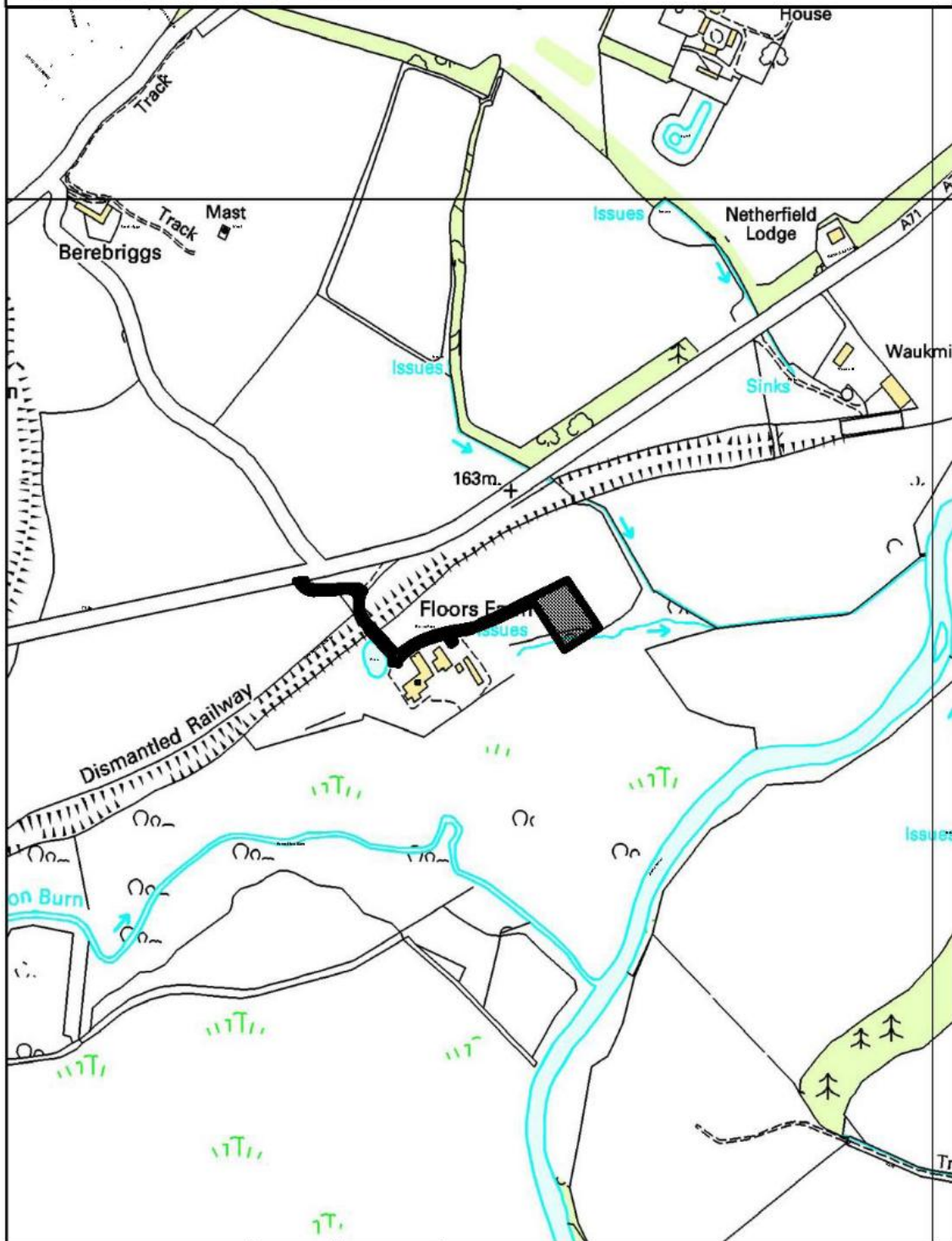
06. That notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Amendment Order 2011 (or any such order revoking or re-enacting that order), no development shall take place within the

curtilage of any dwellinghouse hereby approved other than that expressly authorised by this permission without the submission of a further planning application to the Council as Planning Authority.

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

P/20/0069

1 Floors Farm, Stonehouse Road, Strathaven



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Scale:  
1:5,000  
Date:  
17/02/2020



South Lanarkshire Council  
Community and Enterprise Resources  
Planning and Economic Development