

# Report

Report to:	<b>Clydesdale Area Committee</b>
Date of Meeting:	<b>6 November 2007</b>
Report by:	<b>Executive Director (Enterprise Resources)</b>

Application No	CL/07/0520
Planning Proposal:	Residential Development (Outline)

## 1 Summary Application Information

- Application Type : Outline Planning Application
- Applicant : Messrs T & I Frame
- Location : Land adjacent to East Gladstone Farmhouse  
ML12 6RB

## 2 Recommendation(s)

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

- (1) Refuse outline planning permission for reasons stated - Based on the Reasons Attached

### 2.2 Other Actions/Notes

- (1) The Area Committee has delegated powers to determine the application.

## 3 Other Information

- ◆ Applicant's Agent: Andrew McCafferty Associates
- ◆ Council Area/Ward: 03 Clydesdale East
- ◆ Policy Reference(s): **Upper Clydesdale Local Plan**
  - Policy 3: Existing and New Housing: Location, Siting and Design Standards
  - Policy 73: Remoter Rural Area

**South Lanarkshire Local Plan Finalised Draft**  
**- As Modified**

- Policy STRAT4 – Accessible Rural Area

- ◆ Representation(s):
  - ▶ 3 Objection Letters
  - ▶ 0 Support Letters
  - ▶ 0 Comments Letters

◆ Consultation(s):

West of Scotland Archaeology Service

Environmental Services

Roads and Transportation Services (South Division)

S.E.P.A. (West Region)

Scottish Water

# Planning Application Report

## 1 Application Site

- 1.1 The application site forms part of the landholding of East Gladstone Farm located just off the C34, Newbigging to Biggar Road. It is currently a grassed area and lies adjacent to the farm steading at East Gladstone. Existing farm buildings and a farmhouse lie to the rear of the application site (northwards) while an existing two storey house known as Gladstone House sits 110m to the south of the site. The site would be served from the public road, by an access track that currently serves two farms (East Gladstone and Gladstone Borland) and two cottages (Meadowside Cottage and Gladstone Borland Cottage), as well as another dwellinghouse which is currently under construction some 155 metres to the north of the application site. There is a line of four mature trees adjacent to the south-eastern boundary of the site, and a line of less mature ones on the north-west. The application site itself has no landscape features, vegetation or other buildings and the precise boundary is undefined. A further house known as Wester Gladstone is located opposite the access track, on the Greenshields Road (C34).

## 2 Proposal(s)

- 2.1 The applicant seeks outline planning permission for residential development within the application site. Indicative plans have not been provided, however it has been indicated that two plots would be formed. The site would be served by a track which has recently been formed, which connects to the original private road serving East Gladstone farm and Gladstone Boreland farm beyond.

## 3 Background

### 3.1 Local Plan Status

- 3.1.1 Within the adopted Upper Clydesdale Local Plan the site lies within the Remoter Rural Area wherein Policy 73: Remoter Rural Area allows for the development of new single/small scale development of up to three new dwellings at a site. New development should relate well to existing groups of buildings or conform to the guidelines on location, siting and design to allow it to be easily integrated visually into the countryside. The new buildings should not lead to ribbon development, the extension of a settlement or threaten to change the character of existing development. The maximum number of dwellings that will be acceptable will depend upon the existing development form but should not exceed three. There should be no adverse impact on the amenity of the countryside or on natural or heritage resources. No development will be allowed where the cumulative impact would detract from the rural character of the area. Finally, no more than three dwellings should take access from a private road. Policy 3: Existing and New Housing (Location, Siting and Design) states that new residential development in the countryside should follow guidelines on location, siting and design.
- 3.1.2 Within the South Lanarkshire Local Plan (finalized draft as modified) the application site is identified as lying within the Accessible Rural Area, where policy START 4 applies. This encourages development within settlement boundaries. However, new building development outwith settlement boundaries will only be permitted where this forms part of a larger proposal for the rehabilitation or change of use of redundant traditional buildings where this consolidates the group. New build development unrelated to the rehabilitation of redundant buildings will only be permitted on gap sites within existing building groups. The policy goes on to state that any housing development within the Accessible Rural Area should conform to policies CRE 1 - Housing in the Countryside. This states that new houses will not normally be

permitted in the countryside unless exceptional circumstances can be demonstrated. These include agricultural dwellings, houses required in association with rural businesses and replacement houses.

### 3.2 **Relevant National Policy Guidance**

- 3.2.1 SPP 15: Planning for Rural Development has advocated that planning authorities should adopt a proactive approach in providing land for development in the rural area. However, the advice does state that *“the aim is not to see small settlements increase in size to the extent that they lose their identity, nor to suburbanise the Scottish countryside or to erode the high quality of its environment”*.

### 3.3 **Planning History**

- 3.3.1 There have no previous planning applications for development on the application site. However there are a number of decisions in the vicinity of the site that are relevant. Outline planning consent was granted on appeal for three houses on the land to the south now occupied by Gladstone House. This site was subsequently developed as one house and is now occupied by the aforementioned Gladstone House. Detailed consent was then granted in May 2005 for the erection of the house, to the north of this site, which is now nearing completion. Finally, an outline application by the applicant, for a house on land immediately to the north of Gladstone House, close to the junction of east Gladstone/ Meadowside access track with the public road was refused in 2006. A subsequent appeal was dismissed in February 2007.

## 4 **Consultation(s)**

- 4.1 **Scottish Water** – no objections but note that there is currently no capacity at Coulter Water Treatment Works to serve the development.

**Response:** Noted. The applicant intends to use a private water supply.

- 4.2 **Scottish Environmental Protection Agency** – no objections but request that any consent be subject to conditions requiring sewerage treatment to be via a soakaway and septic tank and the submission of porosity tests to demonstrate the soil conditions are acceptable for this form of effluent disposal.

**Response:** Conditions would be attached to any consent to cover these issues.

- 4.3 **Environmental Health** – no objections but prior to the issuing of consent requested that a report be submitted for approval showing the quality and quantity of the private water supply is adequate to serve the development. However from the information provided by the Hydrology Report it's unclear whether an adequate and wholesome supply of water can be provided to the proposed development. As such a full hydrologist's report detailing the adequacy of the source and quality of the water to meet current standards without affecting any other private supplies in the area will need to be provided.

**Response:** Noted. The applicant has been verbally advised that the report submitted failed to address all the issues as required by Environmental Services, and at the time of writing this report, no further information had been submitted.

- 4.4 **West of Scotland Archaeology Service** – no objections but notes that the site of a castle in the vicinity which is recorded in the Sites and Monuments Record. Whilst the direct impact of the proposed development is limited to the mapped garden enclosure, there is a potential that earlier unrecorded features may exist in the area. WOSAS therefore require a programme of archaeological works prior to the commencement of any work on site.

**Response:** This issue can be addressed by condition if planning consent is granted.

- 4.5 **Roads and Transportation Services** – recommend refusal as the private access already serves in excess of five houses. The road would be required to be brought up to adoptable standard.

**Response** – Noted. The degree of works required to bring the road up to adoptable standard would have an adverse impact on the rural character of the area.

## 5 Representation(s)

- 5.1 The application was advertised in the local press as Development Potentially Contrary to the Development Plan, and statutory neighbour notification was carried out. Three letters of objection were received, which can be summarized as follows

- (a) **The proposed development is situated in open countryside such that erecting new houses on the site would have a detrimental cumulative impact on the rural nature of the area. It would be highly visible from most directions.**

**Response:** Noted. I do have concerns regarding the cumulative impact with existing development in the area.

- (b) **The proposal is contrary to policies in the adopted and finalised local plans.**

**Response:** An assessment of the proposal against planning policy is set out in 6.0 below.

- (c) **Drainage from the site would cause pollution in the receiving watercourse.**

**Response:** The application is in outline only and details of drainage arrangements not given. However, standard conditions would be attached to any grant of planning consent requiring the submission of soil percolation tests and detailed drainage proposals.

- (d) **Adjacent properties take their water from a well sunk into the same ridge where the new development would be situated. This well has run dry in hot summers, and further new houses are likely to jeopardize the water supply.**

**Response:** The provision of a potable water supply would be addressed at the detailed planning application stage. However, Environmental Standards have requested a full hydrologist's report be provided which would also include an assessment of the development's impact on the supply to existing houses. At the time of writing this report, this information has not been submitted.

- (e) **The junction of the farm track and the unclassified road has been the site of numerous accidents. There are presently five dwellings using the access track, two of which are farms with attendant large vehicles. Any increase in the number of cars would exacerbate the problems.**

**Response:** Roads and Transportation Services have recommended refusal of the application as the private road already serves more than 5 houses.

- (f) **The erection of housing on this site would diminish the rural nature of the surrounding area.**

**Response:** The location and siting of the proposed houses on this site is assessed against Policy 73 of the Upper Clydesdale Local Plan and policy STRAT 4 in the finalised South Lanarkshire Local Plan in para 6.0 below.

- (g) We understand that the policies of the local Plan allow for the development of housing plots in rural areas, and that the maximum permitted is usually three. Granting this application would effectively increase this figure to 5 as the applicant has already gained planning permission for three (now developed to provide only one house, Gladstone House) and another plot which is currently being developed.**

**Response:** Applications for the erection of houses in the remoter rural area are assessed against the policies of the Local Plan, specifically Policies 73 and STRAT4. This is set out in para 6.0 below. However, it should be noted that in assessing the proposal against the three house threshold only two new houses have been built.

- (h) The proposed site overlooks the property of Easter Gladstone and privacy would be diminished. There would also be potential issues of light and noise.**

**Response:** Noted. I am satisfied that there would not be a loss of privacy or adverse noise and light issues.

## **6 Assessment and Conclusions**

- 6.1 The main determining issues in this instance are the extent to which the proposal complies with the adopted local plan, the emerging South and its affect on the amenity of the rural area.
- 6.2 The application site sits more than 200 metres from the public road (Greenshields Road, C34), and to the south-west of the buildings which make up the steading of East Gladstone, which itself sits in a dip in the landscape. The surrounding topography is such, that East Gladstone farm is plainly evident from the public road to the south. Any development on the application site would be viewed in front of the steading, with the new house being developed by East Gladstone sitting on slightly higher ground in the background. However, the buildings would not read as a group, as potentially there could be up to 100 metres between them, and this would be exasperated by the variations in levels and lack of natural screening.
- 6.3 The site lies within the Remoter Rural Area (Policy 73) where small-scale residential development (up to three dwellinghouses) is acceptable subject to the various criteria. As stated in Para 3.3.1 above, there has been a total of four plots associated with East Gladstone Farm which have been granted planning permission. Whilst one has subsequently been constructed (Gladstone House) on the position of the three plots adjacent to Greenshields Road, its curtilage and garden ground encompasses all three plots. A further dwelling is currently being constructed adjacent to the farm steading of East Gladstone. This and a further 4 properties already take access from the original farm track that would serve this site. Finally, a property known as Wester Gladstone is located on the opposite side of the Greenshield Road (C34) to the site. Even though the threshold of three “new” houses has not been numerically reached at East Gladstone Farm, I consider that there is no scope for further development due to the open nature of the farm’s topography, and the siting of existing housing. This application site is locationally divorced from Gladstone House, and the new house currently being developed at the farm, so that any further new houses would appear as sporadic development which I consider to be detrimental to the rural character and amenity of the surrounding countryside. Roads and Transportation Services have also advised that the access track would require to be upgraded as it already serves five properties. The works required to upgrade the road to adoptable standards would have an adverse impact on the rural character of the area.

- 6.4 Policy 3 of the Upper Clydesdale Local Plan is a plan-wide policy that states that new housing development must closely follow guidelines on location, siting and design. In particular, the house should respect the existing settlement pattern in terms of spacing, grouping or orientation to natural or man-made features; development should not break the skyline; trees or vegetation should be used as a backdrop; the new building should form a group with existing buildings in order to lessen its impact; and existing contours should be respected. In this case, the application site bears no relation to other groups of buildings and would result in a sporadic form of development. Its prominence is compounded by the lack of natural screening particularly to the south-west such that it would have an adverse impact on the amenity and character of the area.
- 6.5 Within the South Lanarkshire Local Plan (finalized draft as modified) the application site is identified as lying within the Accessible Rural Area, where policy START 4 applies. This encourages development within settlement boundaries. New building development outwith settlement boundaries will only be permitted where this forms part of a larger proposal for the rehabilitation or change of use of redundant traditional buildings where this consolidates the group. New build development unrelated to the rehabilitation of redundant buildings will only be permitted on gap sites within existing building groups. The policy goes on to state that any housing development within the Accessible Rural Area should conform to policies CRE 1 - Housing in the Countryside. The applicant has indicated that this outline application will be for two houses, but has given no indication of related proposals to rehabilitate the redundant buildings within the steading. Clearly the application site does not form a gap site, and when assessed in association with landscape/location reasons detailed in paragraph 6.3 above, the application fails to comply with SRTAT 4. The terms of policy CRE 1 - Housing in the Countryside are that, new houses will not normally be permitted in the countryside unless exceptional circumstances can be demonstrated. These include agricultural dwellings, houses required in association with rural businesses and replacement houses. The outline application does not relate to any of these criteria.
- 6.6 Recent Government guidance (contained in SPP 15: Planning for Rural Development) has advocated that planning authorities should adopt a proactive approach in providing land for development. However, the advice does state that *“the aim is not to see small settlements increase in size to the extent that they lose their identity, nor to suburbanise the Scottish countryside or to erode the high quality of its environment”*. As a result, new development must be carefully planned if the character and quality of the countryside is not to be undermined. The amount and location of housing that can be developed in rural areas is determined by a number of factors. The cumulative impact of badly designed and sited houses is often particularly important in rural areas because of their visibility over large distances. As stated in paragraph 6.3 above, I consider that the proposal would have a detrimental effect on the area when assessed cumulatively with existing development in the area and the open views into the site.
- 6.7 Similarly, SPP3: Planning for Housing, states that *“proposals for residential development, should seek to minimise adverse effects on natural heritage, including landscape character.”* It also recognises that some limited new housing along with converted or renovated buildings may be acceptable where it results in a cohesive grouping well related to its landscape setting. The application site does not relate well to the grouping of steading buildings and farmhouse at East Gladstone, or to the way in which they are placed in the landscape. The Scottish Executive’s policy statement “Designing Places” notes that *“in the countryside, inappropriate developments, however small, can have large impacts. Sensitive location and*

*design is needed to avoid urban sprawl, ribbon developments, new buildings on obtrusive sites, incongruous materials and house styles more characteristic of suburban than rural areas".* I am of the opinion that the proposal would adversely affect the character of the surrounding area to a significant extent which would be unacceptable in this sensitive part of the rural area. Finally Environmental Services have advised that the applicant has to date failed to show that a private water supply to serve the site the site can be achieved satisfactorily.

- 6.8 I conclude that the proposal is contrary to the policies of the adopted local plan and the finalised South Lanarkshire Local Plan, as well as national guidance. In addition development on the site would have an adverse visual impact on rural character of this area.

## **7 Reasons for Decision**

- 7.1 The proposal, due to its location and relationship with existing housing in the area, would have an adverse visual impact on the area and detract from its rural character, and as such does not comply with Policies 3 and 73 of the Upper Clydesdale Local Plan, or Policies STRAT 4 and CRE 1 of the South Lanarkshire Local Plan (finalised as modified).

**Iain Urquhart**  
**Executive Director (Enterprise Resources)**

22 October 2007

## **Previous References**

- ◆ CL/00/0325
- ◆ CL/01/0605
- ◆ CL/03/0674
- ◆ CL/05/0117
- ◆ CL/06/0145

## **List of Background Papers**

- ▶ Application Form
- ▶ Application Plans
  
- ▶ Consultations
  - Environmental Services 01/08/2007
  - Roads and Transportation Services (South Division) 30/07/2007
  - S.E.P.A. (West Region) 06/08/2007
  - Scottish Water 06/08/2007
  - West of Scotland Archaeology Service 18/09/2007
- ▶ Representations



Representation from : Michael & Melissa Mowat, Meadowside Cottage, Gladstone, Biggar, ML12 6RB, DATED 25/07/2007

Representation from : Robert and Vanessa Starling, Gladstone House, Biggar, ML12 6RB, DATED 02/08/2007

Representation from : GM & SJ Johnston, Wester Gladstone, Biggar, DATED 02/08/2007

#### Contact for Further Information

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

Ailsa Graham, Planning Officer, South Vennel, Lanark ML11 7JT  
Ext 3190 (Tel :01555 673190 )  
E-mail: [Enterprise.lanark@southlanarkshire.gov.uk](mailto:Enterprise.lanark@southlanarkshire.gov.uk)

**REASONS FOR REFUSAL**

- 1        The proposal would be contrary to Policy 3 of the adopted Upper Clydesdale Local Plan as it does not comply with the criteria on new residential development in the countryside on location, and siting, to the detriment of the rural character of the area.
- 2        The proposal would be contrary to Policy 73 of the adopted Upper Clydesdale Local Plan as when assessed cumulatively with existing development, it would have an adverse impact on the rural character of the area.
- 3        The proposal would be contrary to Policy 73 of the adopted Upper Clydesdale Local Plan as it does not conform to guidelines on location and siting of new housing in the countryside, resulting in a lack of visual integration with existing building groups and with the surrounding countryside, to the detriment of the visual amenity and rural character of the area.
- 4        The proposal would be contrary to Policy 73 of the adopted Upper Clydesdale Local Plan as when assessed cumulatively with existing development would exceed the permissible number of dwellings being accessed off a private road and, as such, would have an adverse effect on traffic and public safety. In addition the upgrading of the road to adoptable standards would have a detrimental affect on the character and amenity of the rural area.
- 5        The proposed development on the site would be contrary to Policy STRAT 4 of the South Lanarkshire Local Plan (finalised as modified) as it does not constitute a gap site within an existing building group, and as such would be detrimental to the rural character of the area.
- 6        The proposed development on the site fails to comply with Policy CRE 1 of the South Lanarkshire Local Plan (finalised as modified) as it has not been shown that dwellinghouses erected on the site would be necessary for the furtherance of agriculture, forestry or other use appropriate to the Rural Area.
- 7        The applicant has failed to supply sufficient information in relation to the private water supply to allow proper consideration of the proposal.

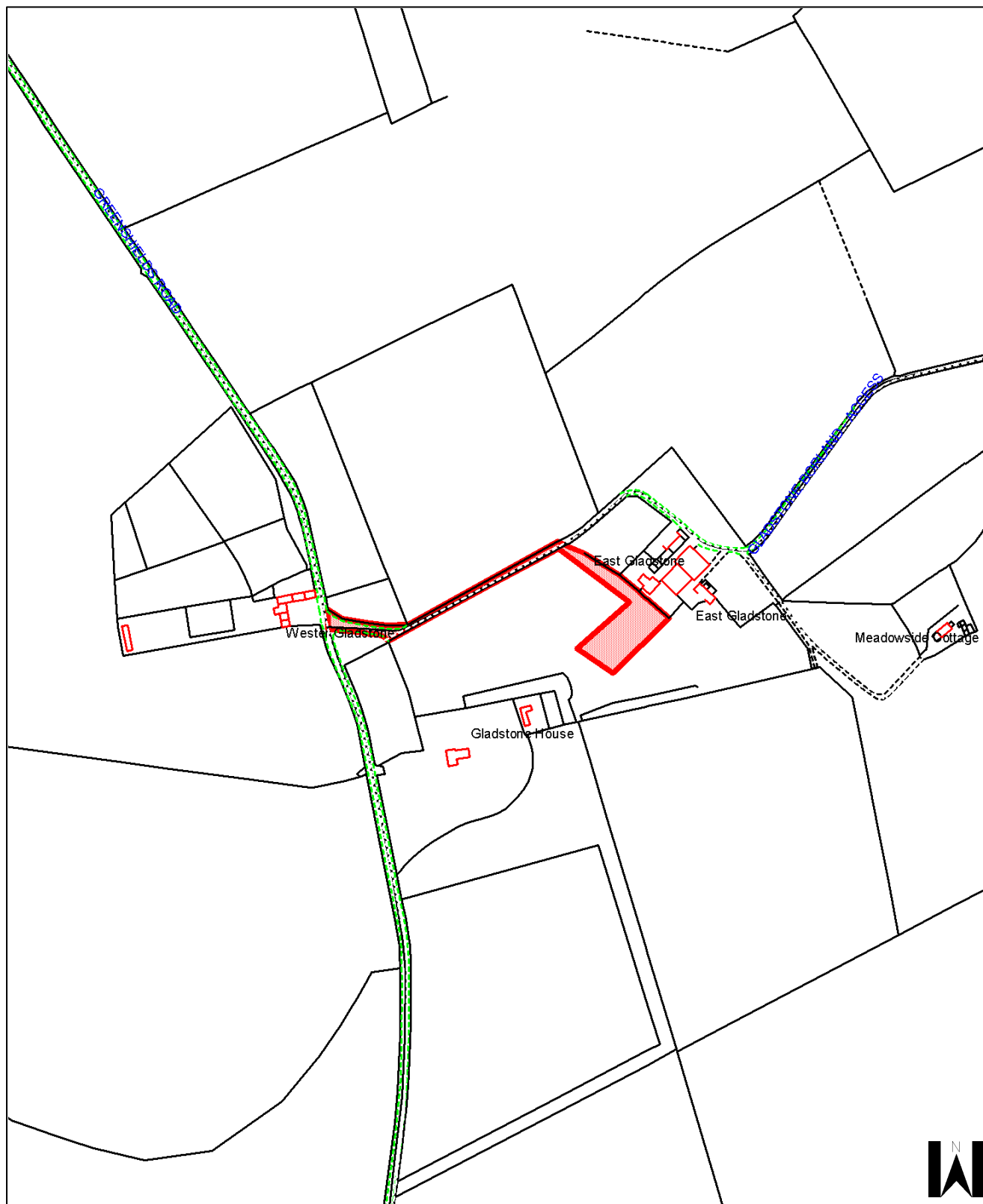
CL/07/0520

Land adjacent to East Gladstone Farmhouse

Planning and Building Standards Services

Scale: 1: 5000

For information only



For information only

