

Report

Report to:	Planning Committee
Date of Meeting:	8 October 2019
Report by:	Executive Director (Community and Enterprise Resources)

Application no.	P/19/0368
Planning proposal:	Erection of 11 no. dwellinghouses, associated access road, ground and retention works

1 Summary application information

Application type:	Detailed planning application
Applicant:	Mr A Woods
Location:	Land 140M West Of 165 Lanark Road Lanark Road Crossford Carluke South Lanarkshire

2 Recommendation(s)

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

- (1) Refuse detailed planning consent – based on the reasons attached

2.2 Other actions/notes

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

3 Other information

- ♦ Applicant's Agent: DTA Chartered Architects
- ♦ Council Area/Ward: 01 Clydesdale West
- ♦ Policy Reference(s): **South Lanarkshire Local Development Plan:**
Policy 3 - Green belt and rural area
Policy 4 - Development management and placemaking
Policy 15 - Natural and historic environment
Supplementary Guidance 9: Natural and Historic Environment
Policy – NHE16 Landscape
Policy NHE14 – Woodland

Proposed SLLDP2:

Policy 4 - Green Belt and Rural Area
Policy 5 - Development Management and
Placemaking
Policy 14 - Natural and Historic Environment
Policy NHE9 – Protected Species
Policy NHE13 – Forestry and Woodland
Policy NHE16 - Landscape
Policy GBRA1 - Rural Design and Development

◆ **Representation(s):**

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

◆ **Consultation(s):**

Arboricultural Services

Biodiversity Officer

WOSAS

Roads Development Management Team

Roads Flood Risk Management

Planning Application Report

1 Application Site

- 1.1 The application site is located on ground immediately to the south of Silverbirch Garden Centre, on Lanark Road (A72) and is approximately 675m beyond the settlement edge of Crossford. The site is bound by the A72 to the east, and is surrounded to the west and south by undeveloped ground. A newly erected primary school with associated car parking is located on the opposite side of the A72. The application site consists of established woodland. The ground level slopes downward from west to east so that it sits at a higher level than the A72.

2 Proposal(s)

- 2.1 The applicant seeks detailed consent for the erection of 11 dwellinghouses on the site comprising 4 house types, three of which would provide accommodation over 3 levels, and a fourth which would be two storey in height but including attic accommodation. The site would be accessed from the A72 via an existing private road which is currently shared with the Silver Birch Garden centre. This would be improved to an adoptable standard and, thereafter, connect to a single road with turning head which would serve the dwellings within the site. Five of the dwellinghouses have single storey detached garages in addition to their car parking spaces.
- 2.2 The applicant has submitted existing and proposed cross-sections with details of ground levels and proposed ground retention.

3 Background

3.1 Local Plan Status

- 3.1.1 The application site is located within the rural area and Special Landscape Area as identified in both the adopted South Lanarkshire Local Development Plan (SLLDP) and the Proposed South Lanarkshire Local Development Plan 2 (SLLDP 2). The relevant policies applicable to the assessment of the proposal are as follows: Policies 3, 4, 15, NH14 and NHE 16 of the adopted South Lanarkshire Local Development Plan, and Policies 4, 5, 14, NHE 9, NHE13, NHE16 and GBRA1 of the Proposed SLLDP 2.
- 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. Therefore, the Proposed SLLDP2 is now a material consideration in determining planning applications.
- 3.1.3 The Council's Rural Design Guide provides detailed advice on appropriate residential development within the rural area, covering issues such as siting and design.

3.2 Relevant Government Advice/Policy

- 3.2.1 Scottish Planning Policy (SPP) advises that within the rural area, 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. Rather, it is to ensure that planning policy regimes are put in place to accommodate selective, modest growth. Most development should be foreseen, agreed and programmed to reflect the local circumstances.

3.3 **Planning Background**

3.3.1 None relevant.

4 **Consultation(s)**

4.1 **WOSAS** – Advise that there may be potential for archaeological remains within the site. In view of this, should consent be granted, then a condition should be added which requires the developer to implement a programme of archaeological works, and, thereafter, all works shall accord with the agreed programme.

Response: Noted. Should consent be granted, then a suitable condition will be attached.

4.2 **Roads and Transportation Services** – Have no objection to the proposal subject to some alterations to the layout. Should consent be granted, then suitable conditions should be attached to ensure that the shared access road with Silverbirch Garden Centre is brought up to adoptable standard and proposed for public adoption. The applicant should be made aware that a road construction consent and road bond will be required.

Response: Noted. Should consent be granted, then suitable conditions and informatives will be attached to advise the applicant of the above.

4.3 **Roads and Transportation Services Flood Risk Management** – Have no objection to the proposal. Should consent be granted, then suitable conditions should be attached to ensure that the applicant provides Appendices 1-5 of the Council's drainage design guidance. This will include a flood risk assessment and the provision of SUDS.

Response: Noted. Should consent be granted, then suitable conditions will be attached.

4.4 **Arboricultural Services** – The applicant has not submitted a tree survey or arboricultural impact assessment.

Response: Noted. The applicant was made aware of the need to submit a tree survey and arboricultural impact assessment.

4.5 **Biodiversity Officer** - Due to the size of the site, its connectivity with surrounding woodlands and the level of tree/shrub cover, a protected species survey is required. The applicant has not submitted a protected species survey.

Response: Noted. The applicant was made aware of the need to submit a protected species survey.

5 **Representation(s)**

5.1 Statutory neighbour notification was undertaken and the proposal was advertised in the Lanark Gazette for non-notification of neighbours, and as development contrary to the development plan. No letters of objection were received.

6 Assessment and Conclusions

- 6.1 The applicant seeks detailed consent for the erection of 11 dwellinghouses and the creation of an associated access road and ground works on land located to the south of Silverbirch Garden Centre, located off of the A72 to the south of Crossford. The determining issues in assessing this application are its compliance with Government guidance and the development plan, road safety, and its impact on protected species and the designated Special Landscape Area.
- 6.2 In terms of both adopted and proposed Local Development Plan policy, the site is identified as being located within the rural area. Policy 3 – Green Belt and Rural Area of the adopted South Lanarkshire Local Development Plan states that the rural area functions are primarily for agriculture, forestry, recreation and other specific uses appropriate to the countryside. Development which does not require a countryside location is expected to be accommodated within the settlements identified on the proposals map, other than in the following circumstances:
- i. Where it is demonstrated that there is a specific locational requirement and established need for a proposal.
 - ii. The proposal involves the redevelopment of derelict or redundant land and buildings where significant environmental improvement can be shown.
 - iii. The proposal is for conversion of traditional buildings and those of a local vernacular.
 - iv. The proposal is for limited development within clearly identifiable infill, gap sites and existing building groups.
 - v. The proposal is for the extension of existing premises or a use providing it is of a suitable scale and design. Any new built form should be ancillary to the main use.
- 6.3 The site is within the rural area where there is a general presumption against inappropriate development. Housing proposals should accord with the criteria outlined above. In this case, the physical characteristics, topography and location of the site is such that the site cannot be viewed as a gap site or consolidation of an existing building group, and there is no visual cohesion to neighbouring development, including the Silver Birch Garden Centre and Crossford Primary School. This application does not constitute a redevelopment of previously developed land. The applicant has provided no supporting statement of justification for the development within the rural area. In consideration of the above, the proposal is contrary to Policy 3
- 6.4 Policy 15 – Natural and Historic Environment of the adopted SLLDP advises that development which will have an adverse effect on protected species will not be permitted unless it can be justified in accordance with the relevant protected species legislation. The applicant has not submitted a protected species survey and has, therefore, failed to show there would not be an adverse effect on badgers and bats. The proposal is, therefore, contrary to Policy 15.
- 6.5 The application site is within the Middle Clyde Valley Special Landscape Area. Policy NHE16 – Landscape of the adopted SLLP states that proposals within

Special Landscape Areas will only be permitted if they satisfy the requirements of Policy 3, and can be accommodated without significantly and adversely affecting the landscape character, scenic interest for which the area is designated. Proposals should maintain and enhance landscape character and be considerate to the pattern of woodlands, trees and hedgerows. The pattern, scale and design of any proposal should respect its landscape character. It has already been concluded that the proposals do not accord with Policy 3. The proposed development would remove the existing woodland and, in doing so, would have a notable adverse impact on the important visual amenity that the site contributes towards the Special Landscape Area along the A72 Clyde Valley tourist route. In addition, the woodland would be replaced with a prominent and suburban style of residential development which would erode the character of the rural area and landscaping setting in this part of the special Landscape Area. The proposal is, therefore, contrary to Policy NHE16.

- 6.6 Policy NHE14 – Woodland of the adopted SLLP advises that, where developments will create a loss of fragmentation of long established woodland, such development will only be supported where any significant adverse effects are clearly outweighed by significant social or economic benefits and;
- Measures can be taken to conserve the nature conservation interest through planning conditions; and/or
 - The conservation interest loss can be compensated for by habitat creation or site enhancement elsewhere by planning agreements or conditions.

Furthermore, development proposal should protect existing woodlands from significant adverse impact and, where such an area will be affected, the applicant should submit a full tree survey with written justification for any losses. In this case, the trees on the site form part of the wider woodland setting of the Clyde Valley. Removal of the trees would have a detrimental effect on the character of the area. The applicant has not submitted supporting information providing a survey of the trees within the site, or justification for the removal of the woodland. The proposal is contrary to Policy 14.

- 6.7 In relation to the development's impact on the local context, Policy 4 states that development proposals should not have significant adverse impacts on, and should include measures to enhance the environment. The siting of the proposed dwellings on the elevated and sloping site would impact upon the local landscape character. The applicant's supporting information showing the existing and proposed ground levels, along with an indicative streetscape, clearly highlights the visual prominence of the houses, the retention works and sporadically located detached garages. The cumulative impact of these features would be the creation of a highly suburbanised development which is out of character and of inappropriate scale, siting and design, with the surrounding area and the Special Landscape Area in which it is located. While landscape planting could provide a degree of mitigation, the topography and other site constraints would mean that the ground retaining works and the excessive scale of the proposed houses which includes three storey buildings would be notably visible from the A72 and could not be disguised or sufficiently mitigated to address the adverse visual harm. The result is an unacceptable adverse impact on the quality and integrity of the high quality landscape corridor, to which the site currently contributes positively. The proposal is contrary to Policy 4.

- 6.8 The Council's Rural Design Guide, and Policy GBRA1 of the Proposed SLLDP2 advise on what is expected in terms of the design of residential development within the rural area. In this case, the proposed houses are not of an acceptable scale, design and massing, as the area is categorised by low rise buildings of traditional vernacular architecture. The policies advise that high quality and innovative contemporary design may be acceptable, however, the proposed houses do not meet this criteria and instead constitute modern suburban design which is more suited to development within a settlement location. The proposal is contrary to the Council's Design Guide and Policy GBRA1 of the Proposed SLLDP2.
- 6.9 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. The relevant Policies are 4, 5, 14, NHE9, NHE13, NHE16 and GBRA1.
- 6.10 In consideration of the above assessment, it is concluded that the proposal is contrary to policies within the adopted local development plan. It is, therefore, recommended that planning consent be refused.

7 Reasons for Decision

- 7.1 The principle of the proposed residential development within the rural area is not acceptable because there is no specific locational requirement or need for the development, and there is no justification for a departure which meets the criteria set out in the adopted local development plan. The scale, design and siting of the houses and associated garages and ground works is incongruous to the character of the local rural character and would remove an area of woodland which contributes positively to the Special Landscape Area. The applicant has not provided sufficient supporting documents including a tree survey, arboricultural impact assessment, and protected species study.
- 7.2 The proposal is contrary to Policies 3, 4, 15, NH14 and NHE 16 of the adopted South Lanarkshire Local Development Plan, and Policies 4, 5, 14, NHE9, NHE13, NHE16 and GBRA1 of the Proposed SLLDP 2. The proposal is contrary to the Council's rural Design Guide.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

Date: 16 September 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 25 April 2019
- ▶ Lanark Gazette advertisement 8 May 2019

- ▶ Consultations

Arboricultural Services	01.05.2019
WOSAS	28.05.2019
Roads Development Management Team	24.05.2019
Roads Flood Risk Management	20.05.2019
Biodiversity Officer	01.05.2019

Contact for further information

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

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Phone: 01698 455170

Email: pamela.mcmorran@southlanarkshire.gov.uk

Detailed planning application

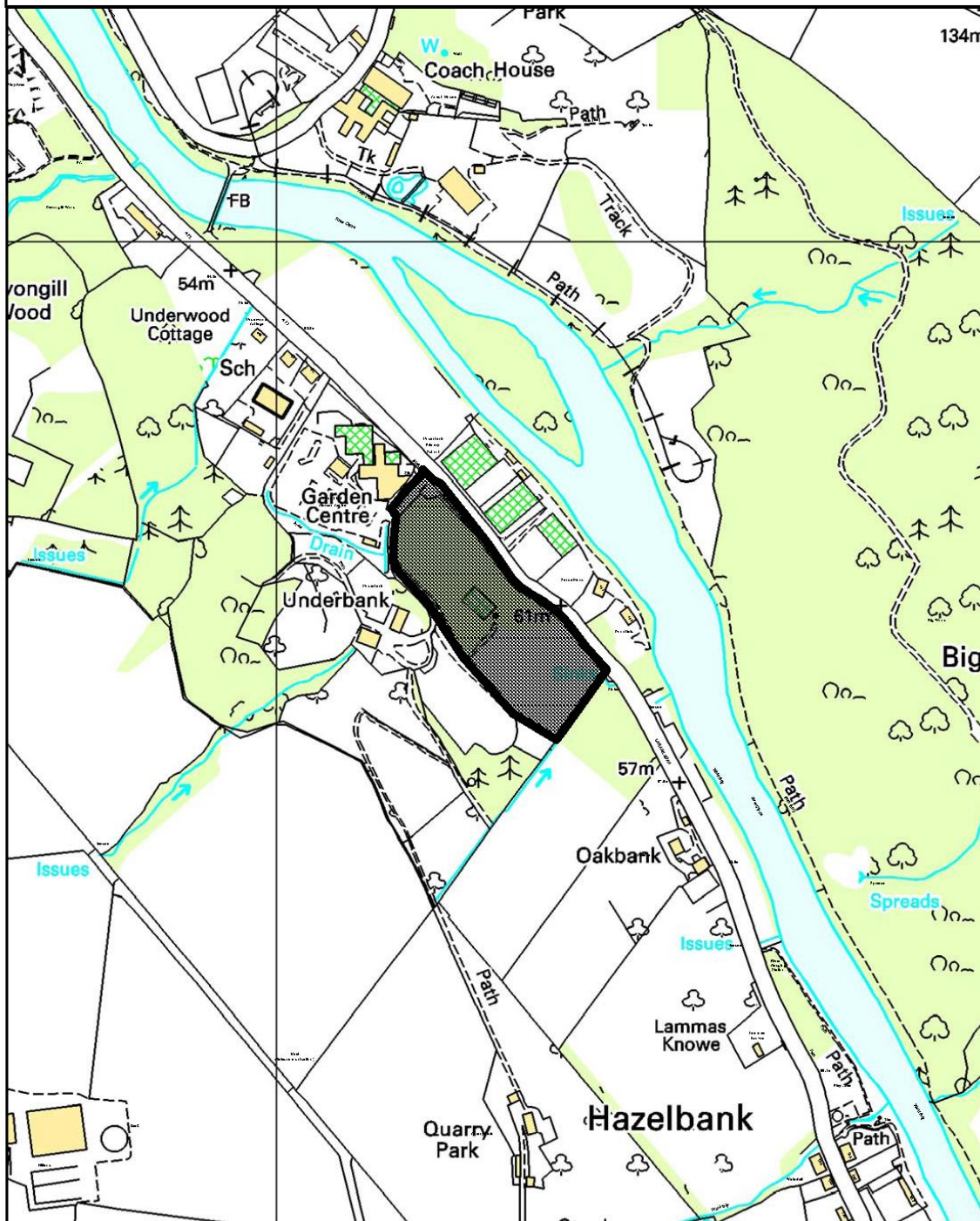
Paper apart – Application number: P/19/0368

Reasons for refusal

01. The proposed residential development is contrary to Policy 3 - Green Belt and Rural Area of the South Lanarkshire Local Development Plan (adopted 2015) and Policy 4 of the Proposed South Lanarkshire Local Development Plan 2 as it would constitute an unacceptable form of development in the countryside where there is no specific locational requirement or need, it does not involve the redevelopment of previously developed land, does not relate to a clearly identifiable infill, gap site or the consolidation of an existing building group.
02. The proposal is contrary to the Council's Rural Design Guide, Policy 4 of the South Lanarkshire Local Development Plan (adopted 2015) and Policies 5 and GBRA1 of the Proposed South Lanarkshire Local Development Plan 2 as the scale, massing, siting and design of the proposed dwellings do not conform to the scale and character of the architectural style and prevalence of low rise buildings distinct to this part of the rural area.
03. The proposal is contrary to Policies 15 and NHE16 of the adopted South Lanarkshire Local Development Plan and Policies 14 and NHE16 of the Proposed South Lanarkshire Local Development Plan 2 in that the proposal, if approved, would adversely impact the integrity and visual amenity of the Special Landscape Area to an unacceptable degree.
04. The applicant has failed to supply sufficient information to allow proper consideration of the proposal in terms of the impact of the proposed development on protected species and the existing woodland within the site, in accordance with the requirements of Policies 15 and NHE14 of the adopted South Lanarkshire Local Development Plan, and Policies 14, NHE9 and NHE13 of the Proposed South Lanarkshire Local Development Plan 2.

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Land 140m West of 165 Lanark Road, Lanark Road, Crossford



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Scale:
1:5,000
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South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development