

Appendix 6

Further Representations

Further Representation From

- ◆ Statement of Observations from Planning Officer on Applicant's Notice of Review

STATEMENT OF OBSERVATIONS

Planning Application No. P/18/1195

Erection of dwellinghouse and garage

Plot 3, Hollybraes Barn, East Kilbride Road, Rutherglen G73 5RB

1.0 Planning Background

- 1.1 A planning application (Planning Ref No: P/18/1195) was submitted by Mrs Margo Connelly to South Lanarkshire Council and subsequently validated on 07 September 2018. The applicant is seeking detailed planning permission for the erection of a dwellinghouse and garage on land adjacent to a former farm steading known as East Cathkin Farm. The two adjacent houses are called Hollybraes Barn 1 and Hollybraes Barn 2. After due consideration of this application, in terms of the adopted South Lanarkshire Local Development Plan and all other material planning considerations, the planning application was refused under delegated powers on 28 November 2018. The report of handling dated 26 November 2018 explains the decision and the reasons for refusal.
- 1.2 The application site is a previously undeveloped piece of land that lies between a group of buildings and East Kilbride Road in the green belt immediately south of Rutherglen. In relation to the history of the wider site, East Cathkin Farm was originally a farm steading consisting of a single dwellinghouse and separate farm/stable buildings which formed a square shaped group of buildings. Planning permission was subsequently approved to demolish the stable building forming the eastern boundary and to replace it with two detached dwellings (and separate detached garages), which are now called Hollybraes Barn 1 and 2. These two dwellings and one of the garages have now been built, together with an enhanced access from East Kilbride Road and associated hard and soft landscaping. The application site subject to this appeal is at a lower level than Hollybraes Barn 1 and 2 and separated by a distance of approximately 20 metres.
- 1.3 It is noted the appellant has stated that the site has previously had three dwellings approved through planning permission EK/06/0654. For clarification, this was for conversion of buildings and not for new build at the site and therefore, prior to the submission of planning application P/18/1195, the principle of a third new dwelling has never been under consideration or approved. Planning permission EK/07/0605 was granted for two dwellinghouses and following subsequent amendments to the consent these were built as Hollybraes Barn 1 and 2.

2 Assessment against the development plan and other relevant policies

- 2.1 Section 25 of the Town and Country Planning (Scotland) Act 1997, as amended requires that an application for planning permission is determined in accordance with the development plan unless material considerations indicate otherwise.
- 2.2 The development plan in this instance comprises the South Lanarkshire Local Development Plan (adopted 2015) and the associated Supplementary Guidance documents. The site is identified as being located within the green belt where Policy

3 – Green Belt and Rural Area applies. This policy has a general presumption against development in the green belt unless specific circumstances are met. This policy and a detailed assessment against the circumstances is contained in the report of handling. In summary, the position of the Planning Authority is that the proposal does not comply with any of the circumstances and there are no material considerations that outweigh the established policy position. In addition to Policy 3, which largely relates to the principle of development, the proposal has also been assessed with regard Policy 4 (Development management and place making) in relation to potential visual and amenity impacts. Policy 4 seeks to resist development that will have significant adverse amenity impacts on the local community in terms of matters such as location, scale, design and materials. In this case, the proposed house is considered to be of a design, scale and position that would detract from the visual amenity in this area. In particular, due to the change of level on the site, the design is split level, resulting in a building that would be visually excessive in height and out of context with its surroundings when viewed from East Kilbride Road. This is exacerbated by its prominent position in the countryside, close to the edge of the town. The proposal is therefore considered to be contrary to Policy 4 due to its adverse visual impact. A detailed assessment of the proposal in respect of this policy is found in the report of handling.

- 2.3 On 29th 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. It is considered that the proposal does not comply with Policies 4, 5, GBRA1, GBRA8 and DM1 of the Proposed Plan.

3 Observations on appellant's 'Notice of Review'

- 3.1 The appellant has submitted a statement to support their review. The grounds are summarised below:

- (a) The review site is a brownfield site that forms part of a former now disused farm steading and is included in an area that has been developed under previous planning permissions.

Response: The planning history of this site and the wider East Cathkin Farm is important when considering the development of this site. For clarification, the appeal site is undeveloped land and does not constitute a brownfield site. The original farm steading and current built development of the former East Cathkin Farm is clearly defined and does not extend to the application site or the land to the east or north-east of Hollybraes Barn 1 and 2. It is acknowledged that the access and garden curtilage has introduced a more domestic appearance to the area immediately east of Hollybraes Barn 1 and 2, however this does not extend to the application site, which is visually separate due to its distance from the clearly defined building group and lower level. The site does not benefit from any planning permission that allows development of this area.

- (b) There is a defined 'pocket' of residential land use in the immediate vicinity whereby a number of residential properties have been formed, or are to be formed, within an area designated as green belt.

Response: The previous planning permissions for housing development at the East Cathkin Farm site all relate to demolition of existing buildings and replacement with dwellinghouses. To clarify, planning permission has not been granted for a new dwellinghouse on the appeal site and the land has not previously had a building on it, to the knowledge of the Planning Authority. The appeal site is therefore undeveloped land, not brownfield land, as stated by the appellant. The fact that the site was included in the application site boundary of previous planning permissions does not mean that it constitutes previously developed land in planning terms.

- (c) The application site and the existing residential 'pocket' make no contribution to the purpose or function of the defined green belt.

Response: The application site does perform a function by contributing to the openness and natural appearance of the countryside. The proposed development would harm visual amenity and adversely affect this part of the green belt by introducing a visually inappropriate and prominent building in an area (from the application site to the junction of the B759) that currently has an attractive but mixed appearance of buildings set back from the road, hedging, trees and older buildings closer to the road that add to the character of this green belt edge.

- (d) The planning officer's report of handling makes erroneous statements regarding the 'natural rural area' to the west (should read as south) of East Kilbride Road and identifies trees and hedges as prominent features.

Response: The description in the report of handling relates to land to the south-west of East Kilbride Road in the area described at (c) above. Although the application site does not contain trees or hedges, it is open, natural land. The description in the report of handling relates to the characteristics of the stretch of land that incorporates the application site and green belt land further north on the same side of the road. It is considered that the introduction of the proposed house into this area would have a significant adverse impact on the visual character of this part of the green belt.

- (e) The proposed dwelling design has been approached with a view to reduce and mitigate any visual impact through the use of a sloping roof facing East Kilbride to 'step-back' the development from the road edge and reduce the mass of built form facing east along East Kilbride Road, the most prominent view.

Response: The current buildings (Hollybraes Barn 1 and 2) are positioned approximately 50 metres from the edge of East Kilbride Road and although visible from certain viewpoints due to their slightly elevated position, are not considered to be visually prominent. The proposed dwelling would be significantly prominent visually and would have an adverse impact when approaching Rutherglen from East Kilbride Road due to its position close to the road. The proposed design of the house would detract from the current view when approaching Rutherglen due to its bulk, height and design.

- (f) There is support within national planning policy whereby intensification of existing uses within the green belt can be considered appropriate.

Response: The proposal has been assessed with regard to all relevant policies and is considered inappropriate as it represents development in the green belt without appropriate justification. In addition, the proposal will have a detrimental visual impact on the green belt in this location, as explained above and in the report of handling.

4 Conclusions

- 4.1 In summary, the proposal does not comply with green belt policies and the proposed design and position of the building is such that it will have a significant adverse impact on visual amenity in this prominent location. It is considered that there are no material considerations that outweigh the policy presumption against the proposed development.

The Planning Authority therefore respectfully requests that the Review Body dismiss the appeal.