

Application No: P/22/0440
Land South-East of Ivy Cottage, Glassford
Statement of Observations

1.0 Planning Background

- 1.1 J & G Davidson Ltd submitted a planning application on 25 May 2021 seeking Planning Permission in Principle (PPP) for the erection of two detached dwellinghouses on land to the southeast of Ivy Cottage, Glassford (Planning Ref: P/21/1008). Following discussions between the applicant and the Planning Service, where it was advised that the Planning Service was not in a position to support the application as it did not adhere to adopted Council planning policy as set out in the South Lanarkshire Local Development Plan 2 (adopted 2021), the applicants withdrew the application from further consideration.
- 1.2 Subsequent to this, on 21 March 2022, the applicants submitted a similar application for PPP to erect two dwellinghouses on the site, with an additional area of farmland to the east of the site removed from the application site boundary (Planning Ref: P/22/0440). This is the application to which the current appeal relates. After due consideration of the application in terms of the South Lanarkshire Local Development Plan 2 (adopted 2021), the Planning Service was again minded to refuse Planning Permission in Principle under the Council's approved Scheme of Delegation. However, before a decision was issued in respect of the application, this Notice of Review was submitted on behalf of the applicants against the non-determination of the application.

2.0 Details of development plan policies

- 2.1 Section 25 of the Town & 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. The Development Plan consists of the Clydeplan Strategic Development Plan (SDP) as approved July 2017 and the adopted South Lanarkshire Local Development Plan 2 (SLLDP) adopted 2021. The SDP sets out the strategic policy context against which development proposals within the Glasgow and Clyde Valley area require to be assessed. The proposal raises no issues with regard to the SDP. In this case the development therefore requires to be considered against the relevant provisions of the South Lanarkshire Local Development Plan 2 (adopted 2021).
- 2.2 The following policies of the SLLDP are relevant to the assessment of application P/22/0440 which is the subject of this review:

Policy 4 Green Belt and Rural Area
Green Belt

The purpose of the Green Belt is to direct development to the most appropriate locations and support regeneration, protect and enhance the character, landscape setting and identity of the settlement, protect and provide access to open space.

Development in the Green Belt will be strictly controlled and any proposals should accord with the appropriate uses set out in SPP.

Rural Area

Within the Rural Area the Council seeks to protect the amenity of the countryside while, at the same time, supporting small scale development in the right places that is appropriate in land use terms and is of high environmental quality that will support the needs of communities.

Green Belt and Rural Area

Both the Green Belt and the Rural Area function primarily for agriculture, forestry, recreation and other uses appropriate to the countryside. Development which does not require to locate in the countryside will be expected to be accommodated within the settlements identified on the proposals map. Isolated and sporadic development will not be supported.

Policy 5 Development Management and Placemaking

In order to ensure that development takes account of the principles of sustainable development, all proposals require to be well designed and integrated with the local area. Proposals should have no significant adverse impacts on the local community and the environment. Where appropriate, proposals should include measures to enhance the environment and address the six qualities of placemaking. Further detail is included in supporting planning guidance on Design and Placemaking.

When assessing development proposals, the Council will ensure that, where appropriate;

- 1. there is no significant adverse impact on adjacent buildings or streetscape in terms of layout, scale, massing, design, external materials or amenity;*
- 2. the development shall not have a significant adverse impact on the amenity of any nearby residential properties in terms of overshadowing, overlooking or other loss of residential amenity as a result of light, noise, odours, dust or particulates or other emissions;*
- 3. the proposed development provides suitable access and parking, encourages active travel, has no adverse implications for public safety and incorporates inclusive access for all people, regardless of disability, age or gender;*
- 4. sustainability issues are addressed through carbon reduction measures and energy efficient design, layout, site orientation and building practices, including provision for heat network infrastructure and safeguarding space for future pipework/piperuns and energy centres;*
- 5. risks to new development from unstable land resulting from past mining activities are fully assessed and, where necessary, mitigated prior to development;*
- 6. the development will have no significant impact on the natural or historic environment and no adverse impact on the integrity of any Natura 2000 sites;*
- 7. the development does not result in, or can mitigate against, any significant adverse impact on quiet areas, the water environment, air quality or soil quality;*
- 8. the proposal includes appropriate: utility and roads infrastructure open space, green infrastructure and landscape provision water management (including foul drainage) and Sustainable Drainage Systems (SuDS) including the provision of SuDS during construction of the development.*

Policy GBRA1 Rural Design and Development

Within the Green Belt and Rural Area all proposed developments will require to adhere to the following criteria:

1. Developments shall be sited in a manner that respects existing built form, land form and local landscape character and setting as appropriate
2. Proposed developments shall be well related to locally traditional patterns of scale and shall avoid the introduction of suburban-style developments into the rural environment. Proposals specifically for residential development should not be isolated or sporadic.
3. Proposals shall be of a high quality, of either traditional or contemporary innovative design which interprets and adapts traditional principles and features.
4. Proposals shall make use of appropriate materials which respect and reinforce local character and identity.
5. Developments shall have no adverse impacts on existing residential amenity, particularly in terms of overlooking or overshadowing of existing residential properties.
6. Proposals relating to residential development, including extensions and alterations, shall conform to the requirements of the Council's Residential Design Guide and, in particular, shall ensure the provision of appropriate private amenity space to all existing and proposed residential properties.
7. Development proposals shall incorporate suitable boundary treatment and landscaping proposals to minimise the visual impact of the development on the surrounding landscape. Existing trees, woodland and boundary features such as beech and hawthorn hedgerows and stone dykes, shall be retained on site. A landscape framework shall be provided, where appropriate, to demonstrate how the development would fit into the landscape and improve the overall appearance of the site.
8. Proposals shall be readily served by all necessary infrastructure including water, sewerage and electricity as required to accommodate the development.
9. Proposals shall comply with all required parking and access standards and have no adverse impact in terms of road or public safety.
10. Proposals shall not have a significant adverse environmental impact on the amenity of the surrounding area. In particular, 'bad neighbour' uses which by virtue of visual impact, noise, smell, air and light pollution, disturbance, traffic or public safety are detrimental to local amenity, will not be permitted.
11. Proposals shall have no significant adverse impact on the natural and historic environment and no adverse impact on the integrity of any Natura 2000 sites.
12. In the case of a Listed Building or a property within a designated Conservation Area, proposals shall comply with all relevant policy and guidance relating to the historic environment.

Policy GBRA8 Development of Gap Sites

Within the Green Belt and Rural Area proposals for new houses within clearly identifiable gap sites will be supported where all of the following criteria can be met:

1. The building group shall form a clearly identifiable nucleus with strong visual cohesion. The site shall be bounded on at least two sides by habitable houses or other buildings (excluding ancillary residential uses, such as garages) that are currently, or are capable of, being brought back into use. The distance between the existing buildings shall be no more than that needed to form a maximum of two house plots of a size in keeping with the curtilage and frontage of the existing group.
2. The proposed house size to plot ratio shall be comparable to existing properties within the building group.

3. *The proposed development shall not result in ribbon development or coalescence with another building group.*
4. *Exceptionally, within the Rural Area only, the layout of a group of buildings may allow the infill of a small area up to a natural boundary, for example, an established tree belt or other landscaping feature, or physical feature such as a boundary wall or road.*
5. *Any new dwelling shall include provision for private amenity space at a comparable scale to existing properties within the building group. Any new dwelling, or its private amenity space, shall not unacceptably affect the size or use of the amenity space of any neighbouring dwellinghouses.*
6. *The location, siting and design of the new house(s) shall meet existing rural design policy and guidance as set out in Policy GBRA1 and in supporting planning guidance. Generally, the design, appearance and materials of the proposed house(s) shall be complementary to the character of the existing building group unless it is shown that there is no distinct design character within it.*

Policy GBRA9 Consolidation of Existing Building Groups

Within the Green Belt and Rural Area proposals for new houses within existing building groups will be supported where all of the following criteria can be met:

1. *The scale and siting of new development shall reflect and respect the scale, character, cohesiveness, spacing and amenity of the existing group and the individual houses within the group. Any new building shall be located within a reasonable distance of the existing properties within the building group.*
2. *The proposal shall not result in ribbon/linear development or the coalescence of the housing group with a nearby settlement or another housing group.*
3. *Development shall not significantly adversely affect the landscape character or setting of the area. In addition, it shall have regard to the landscape backdrop, topographical features and levels. Definable natural boundaries between the existing group and adjacent countryside shall be maintained. Natural boundaries shall generally take precedence over man-made boundaries when defining the extent of a building group.*
4. *Private amenity space shall be provided to any new dwelling at a comparable scale to existing properties within the building group. Any new dwelling, or private amenity space afforded to it, shall not unacceptably prejudice the size or use of the amenity space afforded to an existing dwellinghouse.*
5. *The location, siting and design of the new house(s) shall meet existing rural design policy and guidance as set out in Policy GBRA1 and in supporting planning guidance. Generally, the design, massing, scale, appearance and materials of the proposed house(s) shall be complementary to the character of the existing building group unless it is shown that there is no distinct design character within it.*

Policy DM1 New Development Design

New development will require to promote quality and sustainability in its design and layout and should enhance or make a positive contribution to the character and appearance of the urban or rural environment in which it is located. New developments will require to:

1. *Respect the local context and be appropriate to the character and topography of the site in terms of layout, scale, proportion, massing and appearance of buildings, structures and landscaped and hard surfaced areas.*

2. *Be of a high quality design which is sympathetic to local traditions of form, detailing and materials. Modern, innovative design can reflect local tradition through scale, massing, siting and colour rather than replicating existing building forms. Where local tradition is indistinct or of poor quality, development should be of an imaginative and innovative design which improves the visual quality of the area in which it is located and which creates a strong sense of place.*
3. *Ensure that any archaeological, built heritage, landscape features and nature conservation interests on the site, or those adjacent to the site, are identified and incorporated into the overall layout and design of the development, with appropriate measures taken to enhance and/or protect the setting of these features.*
4. *Address sustainable development issues including the incorporation of energy efficient designs and layouts (including heat networks), the re-use/recycling of materials, water and waste, and the use of alternative energy sources.*
5. *Incorporate the use of sustainable drainage systems (SuDS).*
6. *Make provision for creating new or extending existing footpaths, cycle routes and access to public transport, and appropriate linkages to local centres and services.*
7. *Ensure appropriate provision of green infrastructure, including open space and landscaping as an integral part of the development.*
8. *Ensure provision of an appropriate road layout and parking, and where appropriate electric vehicle charging points, in accordance with the Council's Guidelines for Development Roads and the Local Transport Strategy.*
9. *Ensure that there is no conflict with adjacent land uses and no adverse impact on existing or proposed properties in terms of overlooking, loss of privacy, overshadowing, noise or disturbance.*
10. *Make provision for any building that the public may use, of safe, easy and inclusive access for all people regardless of disability, age or gender.*
11. *Incorporate crime prevention and community safety considerations within the layout and design of the development.*
12. *Minimise the generation of waste during its construction and operation and be designed to include appropriate provision for the recycling, storage, collection and composting of waste materials once completed and occupied.*
13. *New houses, business properties and redevelopment proposals should be designed in such a way as to incorporate high speed broadband connection. Where appropriate, a Design and Access Statement will be required to accompany planning applications for major developments.*

- 2.3 The proposals are assessed against the relevant provisions of these policies in Section 3 below.

3.0 Assessment against development plan policies

- 3.1 In this case, as the application is for Planning Permission in Principle, there is no requirement for detailed drawings to be submitted by the applicants. As such, the provisions of Policies 5, DM1 and GBRA1, which relate primarily to design and layout matters, are not directly applicable to this application. Instead, it is the principle of the proposed residential development of the site that requires to be considered, primarily taking account of the provisions of Policies 4 (Green Belt and Rural Area), GBRA8 (Development of Gap Sites) and GBRA9 (Consolidation of Existing Building Groups).
- 3.2 Policy 4 – Green Belt and Rural Area states that the purpose of the Green Belt is to direct development to the most appropriate locations and support regeneration,

protect and enhance the character, landscape setting and identity of the settlement, as well as to protect and provide access to open space. The policy also states that the Green Belt functions primarily for agriculture, forestry, recreation and other uses appropriate to the countryside. Development which does not require to locate in the countryside will be expected to be accommodated within the settlements identified on the proposals map. Isolated and sporadic development will not be supported.

- 3.3 In this case it is noted that a residential development is proposed that would not be considered to be essential to the function of the Green Belt for an appropriate countryside use. As such, the proposal would require to be considered to fail to comply with the provisions of Policy 4, unless it can be demonstrated that the proposal satisfies any of the exceptions detailed in Volume 2 of the adopted LDP. In this case the relevant exceptions that the proposal requires to be assessed against are Policy GBRA8 – Development of Gap Sites and Policy GBRA9 – Consolidation of Existing Building Groups.
- 3.4 Policy GBRA8 advises that, within Green Belt and Rural Areas, proposals for the development of gap sites can be supported where all of the following criteria are met:
1. The building group shall form a clearly identifiable nucleus with strong visual cohesion. The site shall be bounded on at least two sides by habitable houses or other buildings (excluding ancillary residential uses, such as garages) that are currently, or are capable of, being brought back into use. The distance between the existing buildings shall be no more than that needed to form a maximum of two house plots of a size in keeping with the curtilage and frontage of the existing group.
 2. The proposed house size to plot ratio shall be comparable to existing properties within the building group.
 3. The proposed development shall not result in ribbon development or coalescence with another building group.
 4. Exceptionally, within the Rural Area only, the layout of a group of buildings may allow the infill of a small area up to a natural boundary, for example, an established tree belt or other landscaping feature, or physical feature such as a boundary wall or road.
 5. Any new dwelling shall include provision for private amenity space at a comparable scale to existing properties within the building group. Any new dwelling, or its private amenity space, shall not unacceptably affect the size or use of the amenity space of any neighbouring dwellings.
 6. The location, siting and design of the new house(s) shall meet existing rural design policy and guidance as set out in Policy GBRA1 and in supporting planning guidance. Generally, the design, appearance and materials of the proposed house(s) shall be complementary to the character of the existing building group unless it is shown that there is no distinct design character within it.
- 3.5 In this case, the Planning Service is of the view that the proposed development would fail to adhere to the requirements of points 1 and 3 as detailed above. Point 1 requires that the proposed gap site shall be bounded on at least two sides by existing houses/buildings, with the distance between the existing buildings being no more than that needed to form two house plots. In this case it is noted that the site is located close to, but not directly bounded to the south by the adjacent residential property, as it is separated by a farm access road. To the west and east there are no residential properties directly bounding the site. Importantly, to the north, the site is

also not bounded by a residential property, but by land forming part of Ivy Cottage, with the cottage itself being located further to the north and removed from the application site to which this appeal relates.

- 3.6 As such, the proposed development site is not bounded on at least two sides by buildings in this case. In addition, while two house plots are proposed in this case, it is noted that the granting of permission for the development of this site, rather than infilling a gap site, would actually have the effect of creating a new gap site between the proposed Plot A and the existing house at Ivy Cottage, as a substantial area of ground would remain undeveloped which would then form a clear gap between the two dwellings. As such, the proposed development would clearly not satisfy the requirements of point 1) of Policy GBRA8.
- 3.7 Additionally, point 3) requires that developments shall not result in ribbon development or coalescence between building groups. In this case the view is taken that two existing groups of buildings exist in the vicinity of this site, one to the south and another to the north. It is considered that the development of this site as proposed, rather than infilling a gap site, would actually increase the coalescence between these two building groups. Furthermore, the creation of a gap site within the grounds of Ivy Cottage, as detailed above, would then lead to a situation where a ribbon development of residential dwellings could result in these two separate building groups becoming entirely coalesced. As such, the proposed development would also fail to satisfy the requirements of point 3) of Policy GBRA8.
- 3.8 As Policy GBRA8 requires that all of the points 1 to 6 listed require to be adhered to and as the proposed development fails to comply with two of these points, it must be concluded that the proposals fail to comply with Policy GBRA8 in this case.
- 3.9 Turning to policy GBRA9 this policy advises that, within Green Belt and Rural Areas, proposals for new houses within existing building groups will be supported where all of the following criteria can be met:
1. The scale and siting of new development shall reflect and respect the scale, character, cohesiveness, spacing and amenity of the existing group and the individual houses within the group. Any new building shall be located within a reasonable distance of the existing properties within the building group.
 2. The proposal shall not result in ribbon/linear development or the coalescence of the housing group with a nearby settlement or another housing group.
 3. Development shall not significantly adversely affect the landscape character or setting of the area. In addition, it shall have regard to the landscape backdrop, topographical features and levels. Definable natural boundaries between the existing group and adjacent countryside shall be maintained. Natural boundaries shall generally take precedence over man-made boundaries when defining the extent of a building group.
 4. Private amenity space shall be provided to any new dwelling at a comparable scale to existing properties within the building group. Any new dwelling, or private amenity space afforded to it, shall not unacceptably prejudice the size or use of the amenity space afforded to an existing dwellinghouse.
 5. The location, siting and design of the new house(s) shall meet existing rural design policy and guidance as set out in Policy GBRA1 and in supporting planning guidance. Generally, the design, massing, scale, appearance and materials of the proposed

house(s) shall be complementary to the character of the existing building group unless it is shown that there is no distinct design character within it.

- 3.10 While it is noted that the applicant considers this site to form part of a single larger building group, following a detailed planning assessment it is not considered that, in planning terms, this is the case. It is noted that there is clearly a building group to the south of the application site, comprising of dwellings that were constructed on the site of the former Heads Farm. To the north of the site there are two houses located directly opposite each other which, in themselves, could perhaps be considered to form a small group. However, there is a clear separation between these two groups of houses in the form of greenfield, Green Belt land and as such, it is not considered that these houses could be considered together as a single building group.
- 3.11 Of particular note is point 2) of Policy GBRA9 which requires that proposals shall not result in ribbon development or the coalescence of two housing groups. Given the location of the site between two groups of houses as set out above it is noted that, rather than consolidating an existing building group, the proposed development would have the unwelcome effect of infilling a significant portion of the greenfield land that exists between these groups of houses. In addition to this, the development would also create a gap site to the south of Ivy Cottage which, if developed, would result in the two building groups then becoming entirely coalesced.
- 3.12 As such, given that the development is not considered to relate to the consolidation of an existing single building group and given that the development would in fact reduce the separation between two existing groups of buildings, the proposed development cannot be considered to comply with the provisions of Policy GBRA9 in this instance.
- 3.13 In addition, as the proposal fails to meet any relevant exceptions relating to residential development in the Green Belt, it must also be concluded that it fails to comply with the overall Green Belt and Rural Area policy, Policy 4 of the LDP. As such, it is concluded that the proposals do not adhere to relevant Council planning policy as set out in the South Lanarkshire Local Development Plan 2 (adopted 2021) in this instance.

4.0 Observations on Appellant's Notice of Review

- 4.1 The appellants' case in this instance is primarily based around the assertion that the proposed development site 1) forms a gap site between the properties at the former Heads Farm and the property at Ivy Cottage and 2) would result in the consolidation of a single existing building group that the appellants consider to exist in the vicinity of the site. As such, they take the view that the development complies with Policies 4, GBRA8 and GBRA9 of the South Lanarkshire Local Development Plan 2 (adopted 2021) and the principle of the residential development of the site for two dwellinghouses should be considered acceptable in this case.
- 4.2 However, the view of the Planning Service is that 1) the application site does not form a gap site but rather that its development would, in fact, have the unwelcome effect of creating a gap site in the Green Belt and 2) that the various houses and buildings in this area cannot be considered to form a single building group given the sizeable areas of greenfield, Green Belt land that exist between them and the

proposed development would in fact have the effect of reducing the separation that currently exists between the two smaller groups of buildings that are considered to exist in the vicinity of the site.

- 4.3 It is noted that the appellants have provided a plan which they consider to show an existing building group adjacent to the site. However, it is clear from the plan that the dwellings in question are distinctly separated by areas of greenfield, Green Belt land. Indeed the “nucleus” of the building group as shown on the plan submitted is, in itself, a greenfield site. The aerial photograph below shows the layout of built development in the area and the clear separation that exists between the group of buildings to the south of the application site and the existing properties to the north (both circled in blue).



- 4.4 As can be seen from the aerial plan, the properties at this location do not form a single building group but are clearly distinct from each other with a group of buildings located to the south of the proposed development site and a separate pair of houses to the north of the site. In this case the granting of permission for the development of two houses within the greenfield area that separates the properties would have an adverse overall effect at this location as it would result in the development of much of the greenfield land that separates the groups of buildings and as such, cannot be considered to comply with the relevant planning policy – Policy GBRA9 of the South Lanarkshire Local Development Plan 2 (adopted 2021).
- 4.5 The appellants' other contention is that the site would represent a clear and identifiable gap site between the buildings at the former Heads Farm, to the south of the application site and Ivy Cottage, which is located to the north of the application site. However, the Planning Service retains the view that this site cannot be considered a gap site as it is not bounded on two sides by houses or buildings that are capable of being turned into houses, as is required by Policy GBRA8 of the adopted development plan. The aerial photograph below shows the relationship of the application site with the properties in question.
- 4.6 As can be seen in the photograph, while the site (outlined in orange) can be broadly considered to bound the house to the south, albeit a farm track separates the sites in question, the site clearly does not bound the house to the north (Ivy Cottage - circled in blue) as there is a sizeable area of land associated with Ivy Cottage that would remain undeveloped between the existing house and the proposed development site. As such, the site is not bounded on two sides by houses and this site would therefore not be considered to be a gap site as defined by Policy GBRA8.
- 4.7 In this case the Planning Service hold further concerns that, not only would the application site clearly not represent a gap site as set out in adopted Council planning policy, its development would in fact have the unwelcome effect of creating a clear gap site between the application site and the house at Ivy Cottage, which could then be developed to form a further dwellinghouse in the Green Belt. Indeed Policy GBRA8 is clear that any area of land between buildings that is to be considered a gap site should be capable of accommodating no more than two house plots. Given that the application relates to the formation of two house plots and given that there would remain space for an additional, third, house plot in the gap between the two existing dwellings, it is again clear that this would not be a gap site as set out in adopted Council planning policy.



- 4.8 In addition, Policy GBRA8 states that any proposed development shall not result in ribbon development or coalescence with another building group. As set out above the Planning Service is of the view that the development of this site, if approved, would create an undesirable degree of coalescence between the two existing distinct

groups of buildings at this location, thereby again not meeting the requirements of GBRA8.

- 4.9 In summary, while the points raised by the appellants are noted, the view of the Planning Service remains that the proposed development of the application site for residential purposes cannot be considered to comply with Policies GBRA8 or GBRA9 of the South Lanarkshire Local Development Plan 2 (adopted 2021). As such, the proposals also fail to comply with Policy 4 (Green Belt and Rural Area) of the adopted plan. The Planning Service therefore respectfully requests that the Planning Local Review Body refuse the application for planning permission for the following reasons –

1) The proposal would constitute new residential development in the Green Belt without appropriate justification, and the site does not constitute a gap site or result in the consolidation of an existing building group. The proposal is therefore contrary to Policy 4 - Green Belt and Rural Area, Policy GBRA8 – Development of Gap Sites and Policy GBRA9 – Consolidation of Existing Building Groups of the South Lanarkshire Local Development Plan 2 (adopted 2021).