

Report

Report to:	Planning Committee
Date of Meeting:	12 July 2005
Report by:	Executive Director (Enterprise Resources)

Application No	HM/04/0870
Planning Proposal:	Residential Development (Outline)

1 Summary Application Information

- Application Type : Outline Planning Application
- Applicant : James Baird
- Location : Brae House
Patrick Brae
Larkhall

2 Recommendation(s)

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

- (1) Refuse Outline Permission (For Reasons Stated – based on the reasons attached).

2.2 Other Actions/Notes

The Planning Committee has delegated powers to determine this application.

3 Other Information

- ◆ Applicant's Agent: James Baird Associates
- ◆ Council Area/Ward: 53 Larkhall West
- ◆ Policy Reference(s): **Hamilton District Local Plan**
POLICY EN1a – Greenbelt
POLICY EN1c – Area of Great Landscape Value

- ◆ Representation(s):
 - ▶ 0 Objection Letters

- ◆ Consultation(s):

Roads and Transportation Services (Hamilton Area)

Scottish Water

Larkhall Community Council

Environmental Services

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

Planning Application Report

1 Application Site

- 1.1 This application relates to a site located to the south of the Avon Water on the south-western outskirts of Larkhall. The site currently contains a vacant building formerly used as a nursing home together with its associated car park. Also included within the site are a dwellinghouse, some dilapidated greenhouses and land currently used for the storage of road material, telegraph poles, old cars and other assorted items.
- 1.2 The site is accessed via a private road from Millheugh Road to the west. The wooded banks of the Avon Water lie to the north and the site is otherwise surrounded by open fields.

2 Proposal(s)

- 2.1 The proposal entails the demolition of the bulk of the nursing home, leaving the original former farmhouse to be restored, and the formation of 7 house plots. The existing private dwelling on the site would also remain.
- 2.2 Whilst it is assumed that access would be via the existing private track, this has not been included within the application site despite several requests to the agent.

3 Background

3.1 Local Plan Status

- 3.1.1 Within the adopted Hamilton District Local Plan, the site is located within the Greenbelt. Policy EN1a states that there is a strong presumption against development in the Green Belt, including changes of use, unless it is shown to be necessary for the furtherance of agriculture, forestry or other uses appropriate to the Green Belt and provided there are no significant adverse effects on sensitive landscape areas. The site also lies within an area identified as an Area of Great Landscape Value. Policy EN1c states that within such areas the Council will exercise great care in assessing proposals.

3.2 National Advice/Guidance

- 3.2.1 Circular 24/1985 (Development in the Countryside and Greenbelts) sets out the principles underlying Greenbelt designation and forms the basis of Greenbelt policy at both strategic and local levels. Importance is attached to the need to preserve existing Greenbelts and the strict control of development within Greenbelts. Scottish Planning Policy 3 (Planning for Housing) also urges the maintenance of the effectiveness of Greenbelts.

3.3 Planning History

- 3.3.1 In 1999 consent was granted for the construction of a golf course, bowling green, club house and associated parking alongside the nursing home (HM/99/0262).
- 3.3.2 In 2001, an extension to the nursing home was approved but never implemented (HM/01/0326).

4 Consultation(s)

- 4.1 **Roads and Transportation** – advise that access from Millheugh Road is not shown to be within the control of the applicant and is not of a suitable standard to allow the proposed development without substantial improvements including widening to 5.5m for a distance of 10m then reduced width to 3.5m with passing places. The road should then be constructed to a standard suitable for adoption. Visibility requirements are also specified.

Response: The applicant has been asked to include the land required to meet these access requirements within the application boundary and to carry out any necessary owner/neighbour notification. However, no response has been received.

- 4.2 **Larkhall Community Council** – no response.

Response: Noted.

- 4.3 **Environmental Health** – no objection subject to contaminated land survey being undertaken.

Response: Noted.

- 4.4 **SEPA** – the existing foul drainage system which served the nursing home may require to be upgraded. Surface water should be treated in accordance with SUDS.

Response: Noted.

- 4.5 **Scottish Water** – no objections subject to satisfactory foul drainage treatment.

Response: Noted.

5 Representation(s)

- 5.1 Statutory neighbour notification was carried out, following which no letters of representation were received.

6 Assessment and Conclusions

- 6.1 This proposal involves the formation of 7 house plots on land within the Greenbelt on the south-western outskirts of Larkhall. The main planning considerations in determining this application are whether the proposals comply with local plan policy, environmental impact and access implications.

- 6.2 In terms of local plan policy, the application site lies within the Greenbelt where both local plan policy and national guidance provides a strong presumption against development unless it is necessary for the furtherance of agricultural or other appropriate greenbelt uses. No such justification has been provided by the applicant and therefore the proposals are contrary to policy controlling development in the Greenbelt.

- 6.3 Supporting statements have been lodged on behalf of the applicant, arguing that this is a brownfield site where residential development should be permitted given the previous use of part of the site as a nursing home together with the previous consents which were granted for an extension to the nursing home and for a golf course, club house and bowling green. However, the latter are uses which are considered to be generally appropriate in the Greenbelt and which do not undermine the Greenbelt objectives identified in Government Circular 24/1985. The extension to the nursing home was based on an established use on the site. Whilst the site

may be described as 'brownfield' in so far as it has previously been developed, the Glasgow and Clyde Valley Structure Plan makes it clear that 'brownfield' sites should not be presumed to be suitable for development, especially in the Greenbelt and other countryside areas. Circular 24/1985 also stresses that very special circumstances should apply before approval is granted for uses not normally recognised as rural.

- 6.4 It has also been suggested on behalf of the applicant that the proposed housing may be retirement or sheltered accommodation. However, this provides no justification for an exception to Greenbelt controls.
- 6.5 In terms of environmental impact, the site also lies within a designated Area of Great Landscape where particular care should be exercised in assessing development proposals. The introduction of a housing development at this location would detract from the landscape quality and harm the rural character of the area.
- 6.6 In terms of access implications, the private road into the site has not been included within the application boundary, therefore the applicant has been unable to demonstrate sufficient control over this land to satisfy the requirements of the Roads Engineer.
- 6.7 In view of the above, I recommend that consent be refused on policy and access grounds.

Iain Urquhart
Executive Director (Enterprise Resources)

29 June 2005

Previous References

- ◆ HM/99/0262
- ◆ HM/01/0326

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations
 - Environmental Services 07/12/2004
 - Roads and Transportation Services (Hamilton Area) 20/12/2004
 - Scottish Water 24/03/2005
 - S.E.P.A. (West Region) 12/01/2005
- ▶ Representations
 - None

Contact for Further Information

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

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Outline Planning Application

PAPER APART – APPLICATION NUMBER : HM/04/0870

REASONS FOR REFUSAL

- 1 The proposal is contrary to Policy EN1A of the Hamilton District Local Plan as it would constitute new residential development within the Greenbelt without appropriate justification.
- 2 The applicant is unable to demonstrate control of sufficient land to enable the provision of a vehicular access of an acceptable standard.
- 3 The proposed development would detract from the landscape quality of this part of the designated Area of Great Landscape Value and would damage the rural character of the area.
- 4 If approved, the proposal would set an undesirable precedent which could encourage further similar applications for development prejudicial to the Greenbelt designation.

For information only

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