

Report

Report to:	Clydesdale Area Committee
Date of Meeting:	28 August 2007
Report by:	Executive Director (Enterprise Resources)

Application No	CL/07/0123
Planning Proposal:	Erection of Livery Stables and Formation of Equestrian Riding Arena and Associated Car Park

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Mr T Young
- Location : Crossbank Farm
Blair Farm
Crossford
ML8 5QN

2 Recommendation(s)

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

- (1) Grant Detailed Planning Permission – (Subject to Conditions – Based on Conditions Listed)

2.2 Other Actions/Notes

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

3 Other Information

- ◆ Applicant's Agent: DTA Chartered Architects
- ◆ Council Area/Ward: 05 Clyde Valley
- ◆ Policy Reference(s): **Lower Clydesdale Local Plan (Adopted)**
 - Policy ENV2: Rural Area
 - Policy ENV7: Areas of Great Landscape Value
 - Policy DC1: Development Advice General

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

- Policy STRAT 4: Accessible Rural Area
- Policy CRE1: Housing in the Countryside
- Policy CRE2: Stimulating the Rural Economy
- Policy ENV 4: Protection of the Natural and Built Environment
- Policy ENV 28: Regional Scenic Area and Areas of Great Landscape Value

- Policy DM 1: Development Management
- Policy ENV11: Design Quality
- Policy ENV33: Development in the Countryside

◆ Representation(s):

▶	7	Objection Letters
▶	0	Support Letters
▶	0	Comments Letters

◆ Consultation(s):

Roads & Transportation Services H.Q. (Flooding)

Environmental Services

Roads and Transportation Services (South Division)

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

Small Business Gateway

West of Scotland Archaeology Service

Planning Application Report

1 Application Site

- 1.1 The application site is located near Crossbank Farm to the south of the settlement boundary of Crossford. The site is bounded by open and undulating land on all sides. The application site is accessed off Blair Road and the development would be formed within a dip in the land along the southern boundary of the application site.

2 Proposal(s)

- 2.1 The applicant seeks detailed planning consent for the erection of livery stables and formation of an equestrian riding arena and associated car park with the temporary siting of a residential caravan. The applicant has provided a supporting letter providing financial details of the business and the background history of the applicants' equestrian experience. The applicant has stated that they require to live in close proximity to the stables to ensure the appropriate care of the horses. Due to the remoteness of the application site, a temporary residential caravan has been proposed. A new access from the adjoining public road would also be formed.

3 Background

3.1 Local Plan Status

The site is identified as lying within the Rural Area and an Area of Great Landscape Value in the adopted Lower Clydesdale Local Plan and in the Accessible Rural Area and AGLV in the Finalised South Lanarkshire Local Plan - As Modified. The proposal would therefore be assessed against Policies ENV2, ENV7 and DC1 of the adopted Lower Clydesdale Local Plan and Policies STRAT 4, CRE1, CRE2, ENV4, ENV28, DM1, ENV11 and ENV33 of the Finalised South Lanarkshire Local Plan - As Modified.

3.2 Relevant Government Advice/Policy

None.

3.3 Planning History

None relevant.

4 Consultation(s)

- 4.1 **SEPA** – have no objections to the proposal, subject to further details being provided with regards to the proposed drainage system.

Response: Noted.

- 4.2 **Environmental Services** – have no objections to the proposal subject to specific conditions being attached to any consent granted.

Response: Noted. This can be covered by conditions if consent is granted.

- 4.3 **Roads and Transportation Services** - have no objections to the proposal subject to specific conditions being attached to any consent granted in respect of the provision of sightlines, car parking, turning facilities and access.

Response: Noted.

- 4.4 **West of Scotland Archaeology Service (WOSAS)** - have no objections to the proposal, subject to an archaeological evaluation of the site being carried out.

Response: Noted. If consent is granted a condition would be attached to ensure the developer carried this out before work on site commenced.

- 4.5 **Business Gateway** – support this proposal as it would provide suitable facilities to enable the business to expand and will make a small contribution to the rural economy. In addition, the nature of the business is such that security is important and a physical presence on site will be imperative to its success.

Response: Noted.

5 Representation(s)

- 5.1 Following neighbour notification, 7 letters of objections were received, the grounds of objections are as follows:

- (a) **The access road along the existing private road would create road safety issues.**

Response: The proposal originally involved the use of an existing private access road. Following concerns raised by Roads and Transportation Services, the proposal has been amended to include a new vehicular access off Blair Road. Roads are satisfied with these arrangements.

- (b) **There is no septic tank or toilets for visitors and staff.**

Response: Conditions would be attached if consent is granted to ensure drainage arrangements would be submitted and implemented before the use is brought into operation.

- (c) **The soak-away is in too close proximity to a neighbouring property and may have a detrimental impact due to smell.**

Response: The applicant does not propose a soak-away but a Sustainable Urban Drainage (SUDS) scheme to address surface drainage water in an environmentally friendly manner. Any sewerage arrangements would be required to meet Building Regulations.

- (d) **There would be an adverse impact on wildlife and road users due to the removal of part of the hedgerows. In addition, it would make the development more visible**

Response: Part of the hedgerows required to be removed to achieve visibility splays from the new vehicular access. The applicant proposes to plant a new beech and hawthorn hedge along the line of the visibility splay. The possible impact on wildlife and road safety would be minimal.

- (e) **The development is for commercial purposes and would increase the level of traffic on Blair Road and create road safety issues.**

Response: Roads and Transportation Services have no objections to the proposal.

- (f) **If consent is granted, this would lead to further development of the site such as a dwellinghouse. This would have a detrimental impact on the amenity of the surrounding area.**

Response: Each application is determined on its own merits; however no comfort or consent has been given for further development at the site.

- (g) **There are currently three livery stables in the immediate area and these would appear to be sufficient to service the area. Considering none of them have full time employees they are not assisting the policy for development in the rural area.**

Response: Each application is considered on its own merits. Notwithstanding this, the applicant's have provided a projected business report which shows that the business would be viable in the long term at this location. In addition, the report has been assessed by Business Gateway who support this proposal.

- (h) **A residential caravan at the site is the first step to applying for a house at this site, which would have a negative impact on rural amenity. In addition there is no requirement for a residential caravan or dwelling at this site.**

Response: The applicants have explained that due to the nature of the business, they require to live in close proximity to the stables. A temporary residential caravan has therefore been proposed. In the event of an application for a house being submitted, supporting information would be required to show that the business has been viable over a specific period of time. Such an application would be determined on its own merits, including the siting and design of the proposed building.

- (i) **The reduction in height of hedgerows at the entrance to the site would not improve road safety.**

Response: The applicant has provided amended plans which show the hedgerows being re-located to the edge of the required visibility splays and not reduced in height. If granted, a condition would be attached to ensure the hedges were thereafter maintained. Roads and Transportation Services have no objections to this proposal.

- (j) **The proposed car park may be used as a storage facility for horse boxes and commercial vehicles rather than simply for visitors and staff cars. This would have an adverse impact on the surrounding area.**

Response: The car park is ancillary to the livery stables and would be used for purposes associated with the business. It would be screened from the surrounding area by the existing topography and proposed planting.

These letters have been copied and are available for inspection in the usual manner.

6 Assessment and Conclusions

- 6.1 The applicant seeks detailed planning consent for the erection of livery stables and formation of an equestrian riding arena and associated car park with the temporary siting of a residential caravan near Crossbank Farm, Crossford. The determining issues in consideration of this application are whether the development complies with local plan policy and, in particular, its impact on the amenity of the surrounding area.
- 6.2 In considering the proposal's effect on the character and amenity of the locality, policies ENV2, SLP2, ENV7 and DC1 of the adopted Lower Clydesdale Local Plan and policies STRAT4, CRE1, CRE2, ENV4, ENV28, ENV11, ENV33 and DM1 of the finalised draft South Lanarkshire Local Plan (as modified) are relevant. The application site is located outwith settlement boundaries and is within the rural area. As such, policies ENV2 and STRAT4 of the adopted and finalised draft local plans apply respectively, and generally favour development of an appropriate form. This should meet the needs of the rural community and support the rural economy. The overriding theme of all these policies is that planning applications should take fully into account the local context and protect the natural resource of the surrounding area while making a positive contribution to the character and appearance of the rural environment.

- 6.3 In particular, policies SLP2 and CRE2 state that where a proposal is considered to offer a clear economic justification for development in a rural location, it will be permitted where it can satisfy a range of criteria. The applicant has provided a justification report including a business plan for the development at this site. The business plan has been appraised by Business Gateway who support the application. The equestrian nature of the development is considered an appropriate use for the countryside and would have minimal visual impact due to the topography of the land.
- 6.4 In terms of the temporary caravan, Policies CRE1 (Part 2) and SLP2 state that the Council may issue permission for temporary housing accommodation in instances where the viability of a business requires to be proven over a period of time, and should be supported by a comprehensive business plan. In these circumstances the Council will limit the permission for temporary accommodation and the occupation of the accommodation. The applicant must also demonstrate that the accommodation is essential to the viability of the business and that there are no other opportunities to use existing buildings on site. In this case, a robust business plan has been submitted by the applicant. The applicant has demonstrated that on site accommodation is required due to the remoteness of the site and the nature of the business while there are no other opportunities to live on site. If consent is granted, a condition would be attached to limit the temporary use and occupation of the caravan. Roads and Transportation Services have no objections to the proposal and new vehicular access, and adequate on site car parking facilities would be provided.
- 6.5 In view of the above I consider that the proposal is an appropriate form of development for the site, and complies with local plan policy. I therefore recommend that planning permission be granted.

7 Reasons for Decision

- 7.1 The proposal complies with Policies ENV 2, ENV7 and DC1 of the adopted Lower Clydesdale Local Plan (Adopted) and Policies STRAT 4, CRE1, CRE2, ENV4, ENV 28, DM 1, ENV 11 and ENV 33 of the Finalised South Lanarkshire Local Plan - As Modified and would not have a detrimental impact on the amenity of the surrounding area or road safety.

Iain Urquhart
Executive Director (Enterprise Resources)

10 August 2007

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans

- ▶ Consultations

Environmental Services	12/03/2007
Roads & Transportation Services H.Q. (Flooding)	19/03/2007
West of Scotland Archaeology Service	18/04/2007
Roads and Transportation Services (South Division)	16/04/2007
- ▶ Representations

Representation from :	Thomas, Kenneth and Mrs Noreen Muir, 196 Blair Road, Crossford, ML8 5QR, DATED 03/03/2007
Representation from :	Barton & Hendry Solicitors, Fleming House (4th Floor), Tryst Road , Cumbernauld , G67 1JW, DATED 02/03/2007
Representation from :	Thomas Muir, 196 Blair Road, Crossford, Carluke, ML8 5QR, DATED 09/05/2007
Representation from :	David Owens, Crossbank Farm, Blair Road, Crossford, ML8 5QN, DATED 08/05/2007
Representation from :	John McDonald, Woodside Farm, Crossford, ML8 5QN, DATED 06/03/2007
Representation from :	Thomas, Kenneth and Noreen Muir, 196 Blair Road, Crossford, Carluke, ML8 5QR, DATED 17/04/2007
Representation from :	David Owens, Crossbank Farm, Blair Road, Crossford, ML8 5QN, DATED 16/04/2007

Contact for Further Information

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

Pamela Ashbridge, Planning Officer, South Vennel, Lanark ML11 7JT
 Ext 3209 (Tel :01555 673209)
 E-mail: Enterprise.lanark@southlanarkshire.gov.uk

CONDITIONS

- 1 That the development hereby permitted shall be started within five years of the date of this permission.
- 2 That the permission hereby granted for the residential caravan is for a temporary period only and shall expire on 28/08/2010.
- 3 That the caravan hereby permitted shall be removed, the uses discontinued and the land restored to its former condition to the satisfaction of the Council as Planning Authority, on or before 28/08/2010.
- 4 That the caravan approved under this application shall be ancillary to the business on site and shall not be occupied, let or sold as a separate dwelling unit, to the satisfaction of the Council as Planning Authority.
- 5 In the event that the stables become obsolete or redundant they must be removed and the site reinstated to the satisfaction of the planning authority within 2 months.
- 6 That before any work commences on site, full details showing existing and proposed ground levels of the site including cross-sections bi-sectioning the site, shall be submitted to the Council as Planning Authority for approval, and no work shall commence until a letter of approval has been received from the Council.
- 7 That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.
- 8 That before work commences on site, the scheme proposed for drainage within the site shall be agreed in writing by the Planning Authority and shall be designed to comply with the principles of Sustainable Urban Drainage Systems and that this system shall be implemented in accordance with a timescale to be agreed with the Planning Authority.
- 9 That no development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.
- 10 That before the development hereby approved is completed or brought into use, a 5.5 metre wide access for the first 15.0 metres, surfaced and with 6.0 metre radii on each side at the entrance shall be constructed to the specification of the Council as Roads and Planning Authority.

- 11 That before the development hereby approved is completed or brought into use, a visibility splay of 2.5 metres by 140.0 metres measured from the road channel shall be provided on both sides of the vehicular access and everything exceeding 0.9 metres in height above the road level shall be removed from the sight line areas and thereafter nothing exceeding 0.9 metres in height shall be planted, placed or erected within these sight lines.
- 12 Notwithstanding Condition 11 above, the existing hedge boundary that falls within the required visibility splays shall be removed and a hedge of similar specification shall be replanted along the rear line of the visibility splays (as shown on the approved plan, drawing no. L(1-) 02) and will thereafter be maintained to the satisfaction of the Council as Planning Authority.
- 13 That before the development hereby approved is completed or brought into use, 15 no. parking spaces (2.5m x 5m modules) shall be laid out and constructed within the site, and shall thereafter be maintained to the specification of the Council as Roads and Planning Authority.
- 14 That before the development hereby approved is completed or brought into use, a turning space shall be provided within the site to enable vehicles to enter and leave the application site in forward gears at all times.
- 15 That before the development hereby approved is completed or brought into use, a drainage system capable of preventing any flow of water from the site onto the public road or neighbouring land, or into the site from surrounding land shall be provided and maintained to the satisfaction of the Council as Roads and Planning Authority at the applicants expense.
- 16 That prior to any work starting on site, a Drainage Assessment in accordance with 'Drainage Assessment - A Guide for Scotland', shall be submitted to and approved in writing by the Council as Planning and Roads Authority.
- 17 That the stables hereby approved shall be stained brown and shall thereafter be maintained to the satisfaction of the Council as Planning Authority.
- 18 That no external lighting of the development is hereby approved.

REASONS

- 1 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2 To enable the development to be monitored and reviewed.
- 3 In the interests of amenity and in order to retain effective planning control.
- 4 These details have not been submitted or approved.
- 5 In the interests of amenity and in order to retain effective planning control.
- 6 In order to retain effective planning control
- 7 To minimise the level of visual intrusion, and ensure the reinstatement of the site to a satisfactory standard.
- 8 To safeguard the amenity of the area and to ensure that the proposed drainage system complies with the latest SEPA guidance.
- 9 In order to safeguard any archaeological items of interest or finds.
- 10 In the interest of road and public safety
- 11 In the interest of road safety
- 12 In the interest of public safety

- 13 To ensure the provision of adequate parking facilities within the site.
- 14 In the interest of public safety
- 15 To ensure the provision of a satisfactory drainage system.
- 16 To demonstrate that a satisfactory means of waste and surface water drainage can be achieved.
- 17 In the interests of amenity.
- 18 In the interests of amenity and in order to retain effective planning control.

INFORMATIVES

- 1 The applicant is advised that all works carried out on site must be carried out in accordance with BS5228 Parts 1 -4 1984/1986, 'Noise control on construction and open sites'.
The applicant is further advised that audible construction activities should be limited to:
Monday to Friday 8.00am to 7.00pm, Saturday 8.00am to 1.00pm and Sunday - No audible activity. The applicant is advised that Environmental Services may consider formally imposing these hours of operation by way of statutory notice should complaints be received relating to audible construction activity outwith these recommended hours and should such complaints may be justified by Officers from this Service.
Further details of this may be obtained from South Lanarkshire Council, Environmental Services, Atholl House, East Kilbride, G74 1LU. Telephone (01355) 806915.
- 2 Should the development provide riding instruction, a Licence will be required to be issued by the Council's Environmental and Strategic Services.
- 3 None of the above conditions will preclude formal action being taken by the Executive Director of Community Resources against the author of any nuisance, which may arise due to the operation of the proposed development.
- 4 Details of this application should be sent to SEPA for their consideration and comments, as they are the legal body responsible for some of the matters raised.
Scottish Environment Protection Agency,
West Region Head Quarters,
5 Redwood Crescent,
Peel Park,
East Kilbride, G74 5PP
- 5 Details of this application should be sent to Scottish Water for their consideration and comments, as they are the legal body responsible for some of the matters raised.
Scottish Water
Planning & Development Services
419 Balmore Road
Glasgow
G22 6NU
- 6 An application for a building warrant should be submitted for assessment to the Council as Building Standards Authority, and the development should not commence until a building warrant has been received.

For information only

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