

Report

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

Application No	CL/04/0826
Planning Proposal:	Erection of Dwellinghouse (Outline)

1 Summary Application Information

- Application Type : Outline Planning Application
- Applicant : Greentowers Farms Ltd
- Location : Greentowers Road
Cartland
Lanark
ML11 7RD

2 Recommendation(s)

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

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

2.2 Other Actions/Notes

The Planning Committee has delegated powers to determine this application

3 Other Information

- ◆ Applicant's Agent: Stanley C Cook
- ◆ Council Area/Ward: 12 Forth
- ◆ Policy Reference(s): Lower Clydesdale Local Plan (Adopted)
 - Policy ENV2: Rural Area
 - Policy ENV7: Area of Great Landscape Value
 - Policy STRAT2: Small Settlements

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

Environmental Services

Roads and Transportation Services (South Division)

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

Scottish Water

Planning Application Report

1 Application Site

- 1.1 The application site is located on Greentowers Road, Cartland. This is a small settlement 2 miles north-west of Lanark. Situated on the eastern edge of the settlement, the application site is bounded by agricultural land to the north-east and south-east. To the north-west and across Greentowers Road, to the south-west, the site is neighboured by residential properties. A treebelt, opposite the site and to the rear of a recent development of detached dwellinghouses, along Cartland Road, defines the southern boundary of the settlement.
- 1.2 The application site comprises 0.1 hectares and is generally level, in terms of its topography.

2 Proposal(s)

- 2.1 The applicant seeks outline planning permission for the erection of one dwellinghouse. It is proposed that a new vehicular access will be formed off Greentowers Road.

3 Background

3.1 Local Plan Policy

The site lies within the coverage of the adopted Lower Clydesdale Local Plan. As the application site lies immediately outwith the settlement envelope, the Rural Area designation is applicable. Policy ENV 2: Rural Area and Policy STRAT 2: Small Settlements are both relevant to the assessment of the application. The site also lies within an Area of Great Landscape Value. Policy ENV7: Area of Great Landscape Value applies.

3.2 National Guidance

Scottish Planning Policy 3: Land for Housing, advocates that most housing requirements should be met within or adjacent to existing settlements.

3.2 Planning History

To the south-west of the site, planning permission was granted for the erection of six detached dwellinghouses, on what was an area of former scrub land, along Cartland Road. Outline planning permission was granted in March 2000. (Planning Ref: CL/99/0418). Detailed planning permission was subsequently granted for the plots and the development is now complete.

4 Consultation(s)

- 4.1 Environmental Services – no objections subject to the submission and assessment of a Phase 1 study, to determine any potential contaminants on the site.
Response: Noted and agreed.
- 4.2 Roads and Transportation Services – no objections subject to compliance with conditions relating to visibility splays and parking arrangements.
Response: Noted.
- 4.3 Scottish Environment Protection Agency – a septic tank and soakaway is the only likely option for the disposal of sewage effluent. To establish that this is an effective and achievable method, percolation testing must be carried out.
Response: Noted and agreed. This can be controlled by means of planning conditions.

- 4.4 **Scottish Water** – advise a totally separate system of foul and surface water sewers will be required. The developer should contact Scottish Water to discuss how the proposal would be best served with a public water supply and an application must be made in respect of making a connection to the public sewerage system. There is a 21” trunk water main located within the site that may be affected by the development. The developer should discuss with Scottish Water, what measures will be taken to safeguard this apparatus.

Response: Noted. The applicant has been made aware of this advice.

5 Representation(s)

- 5.1 The applicant carried out statutory neighbour notification and the proposal was advertised as Development Potentially Contrary to the Development Plan. No representations were submitted.

6 Assessment and Conclusions

- 6.1 The determining issues in this instance are the proposal's compliance with local plan policies and its impact on amenity and landscape value.
- 6.2 The Lower Clydesdale Local Plan defines a development boundary around Cartland. Outwith this boundary, development proposals are subject to an assessment of Policy ENV 2: Rural Areas. This policy generally prohibits residential development on edge of settlement sites, preferring development to be contained within existing towns and villages. The policy states that, *“isolated proposals will be resisted, along with those which would lead to ribbon development, an extension of a settlement or which, by virtue of their scale or design would change the established character of an area.”*
- 6.3 The proposed dwellinghouse will not be isolated, as existing residential properties adjoin the site. In terms of giving rise to ribbon development and settlement expansion, it is considered that the application site relates positively to the settlement envelope. Its development would not result in significant encroachment into the rural area, as the eastern edge of the settlement boundary would be squared off and, with the aid of structure planting, would be more effectively defined. This would provide continuity with the treebelt situated to the rear boundary of the 6 newly built dwellings on Cartland Road. As the application is for one dwellinghouse and as the site area is modest, it is considered that the established character of the area will be unaffected. In general policy terms, I find that the proposal is not at odds with the overall principles of safeguarding the setting of existing communities and integrating development with existing building groups.
- 6.4 Policy STRAT 2: Small Settlements seeks to maintain, and where necessary, improve the character and amenity of the settlement. Individual development proposals will be dealt with on merit, based on a number of guidelines expressed within the policy. One such guideline is that proposals which seek to expand the settlement, beyond the defined boundary, will not be acceptable. As expressed in paragraph 6.3, a dwellinghouse on this site will integrate easily with existing development and will logically re-define the settlement edge. This will reinforce the settlement boundary and its protection, through the creation of a more defensible edge. This will strengthen the Council's position to resist further encroachment into the rural area, particularly at this eastern edge of Cartland.

- 6.5 In recognition of the surrounding landscape quality, the application site is included within the Area of Great Landscape Value designation. Policy ENV 7 states that all proposals will require to meet the highest standards of design, in order to safeguard landscape quality. As this is an outline application, the scale and design of the proposed dwellinghouse has not been illustrated. The principle of development at this location is acceptable and, subject to conditions relating to design, storey-height and appearance, the visual impacts of the development can be controlled. Accordingly, I am satisfied that the proposed development will not have an adverse impact on the landscape setting.
- 6.6 There are no known infrastructure constraints to the development. It is noted that SEPA, Environmental Services and Roads and Transportation Services recommend that a number of conditions be imposed. I am satisfied that these conditions, together with the requirement to reinforce the settlement edge by means of structure planting, allow for an acceptable form of development.
- 6.7 In conclusion, I am satisfied that a departure from the Lower Clydesdale Local Plan can be justified on the following grounds:
- ◆ no infrastructure issues are raised by the development;
 - ◆ no precedent is being set by this limited encroachment into the rural area;
 - ◆ the development of this site will lead to the creation of a more defensible settlement edge; and
 - ◆ the proposal is not harmful to the special landscape qualities which characterise the Area of Great Landscape Value.

Iain Urquhart
Executive Director (Enterprise Resources)

29 June 2005

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations
 - Roads and Transportation Services (South Division) 08/12/2004
 - Environmental Services 10/12/2004
 - Scottish Water 13/01/2005
 - SEPA 23/06/2005
- ▶ Representations
 - None received

Contact for Further Information

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

Monica Ward, Planning Officer, South Vennel, Lanark

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E-mail: Enterprise.lanark@southlanarkshire.gov.uk

CONDITIONS

- 1 That the development hereby permitted shall be started either within five years of the date of this permission or within two years of the date on which the last of the reserved matters are approved, whichever is the later;
- 2 That before the expiration of three years from the date of this outline permission and before any development starts, a written application and plans in respect of the following Reserved Matters shall be submitted to and approved by the Council as Planning Authority:
 - (a) a site layout plan at a scale of [1:500] showing the position of all buildings, roads, footpaths, parking areas (distinguishing where appropriate between private and public spaces), walls, fences, landscaping and open space;
 - (b) plans and elevations of the dwellinghouse and any proposed garage showing their dimensions and type and colour of materials;
 - (c) a landscaping plan at a scale of 1:1000 showing the location, species and ground spread of any existing and proposed trees, shrubs and hedges;
 - (d) detailed cross-sections of existing and finished ground levels and finished floor levels, in relation to a fixed datum, preferably ordnance datum; (e) details of means of sewerage and drainage.
- 3 That the further application required under Condition 1 above shall include provision for (a) a visibility splay of 2.5 metres by 215 metres to the left of the vehicular access and 2.5 metres by 70 metres to the right, measured from the edge of the road channel; (b) the formation of a 3 metre minimum width verge crossing; (c) a driveway of at least 12 metres in length. If a garage is provided this can be reduced to 6 metres. This shall be hard-surfaced for the first 4.0 metres from behind the edge of the public carriageway; (d) the formation of a 2 metre wide verge to be provided along the frontage of the site; (e) turning facilities within each plot, which do not conflict with parking arrangements, thus to allow vehicles to enter and exit in forward gear; (f) sufficient parking spaces within the plot, in accordance with the Council's Residential Development Guidelines (3 bedrooms will require 2 spaces, 4 or more bedrooms will require 3 spaces, with a double garage counting as one space) and each space shall be capable of being accessed individually from the road without the need to remove any vehicle already parked in the driveway; (g) a drainage system capable of preventing any water from flowing onto the public road or into the site from surrounding land to be provided at the applicant's expense.
- 4 That before development starts, full details of the design and location of all fences and walls, including any retaining walls, to be erected on the site shall be submitted to and approved by the Council as Planning Authority.
- 5 That notwithstanding the terms of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992 or (or any such order revoking or re-enacting that order), no fences, walls or other means of enclosure shall be erected on the site other than post and wire fences up to 1 metre in height or those expressly authorised by this permission without the prior written permission of the Council as Planning Authority.

- 6 That before development starts a Phase 1 or Desk Study, to review all currently available information about the historical uses of this site, shall be carried out to determine any types of contamination likely to be encountered and possible pathways to sensitive receptors shall be submitted to and approved by the Council as Planning Authority. If this investigation gives any indication of the potential for contaminants to be present, development shall not begin until a full intrusive survey has been carried out and its findings submitted to and, approved by the Council as Planning Authority. This survey shall clearly document the methodology, findings and results. The risks posed by the presence of pollutants in relation to sensitive receptors shall be assessed to current guidelines and, where appropriate recommendations for further investigations or remediation options to reduce these risks identified.
- 7 That before the development hereby approved is completed or brought into use, remediation/control measures must be fully implemented to the satisfaction of the Council as Planning Authority.
- 8 That notwithstanding the terms of Condition 2 above, the design and siting of any dwellinghouse on the site shall take due cognisance of the rural location, with particular regard being paid to scale, massing, roof pitch, fenestration and materials.
- 9 That no dwellinghouse to be erected on the site shall exceed one and a half storey.
- 10 That the further application required under Condition 1 above shall include, a landscaping scheme of the following specification for the area shaded green on the approved plan. This shall be completed to the satisfaction of the Council as Planning Authority during the first planting season following occupation of the dwellinghouse(s) or completion of the development hereby approved, whichever is the sooner, and shall thereafter be maintained and thereafter replaced where necessary to the satisfaction of the said Authority: Planting area to be prepared by the removal of all weeds, grass and debris; planting area then to be cultivated and thereafter an application of slow release granular fertiliser at a rate of 25 grams per metre applied. Hedge to be 50% beech and 50% hawthorn, interspersed with native trees; plants to be 90-120cm whips; plants to be planted in a double staggered row, 50cm between each row and 50cm between each plant in each row (density of 5 plants per linear metre). Planting area to be protected from grazing animals by a 1 metre high post and wire stockproof fence. Planting area to be kept weed free for the first two growing seasons. Any dead plants to be replaced at the start of the second growing season.
- 11 That before development starts, the results of soil porosity testing on the site to assess the suitability of the sub-soil for effluent disposal shall be submitted to and approved by the Council as Planning Authority.
- 12 That before the dwellinghouse hereby approved is occupied, a septic tank and soakaway designed and constructed in accordance with the current code of practice BS6297:1983 shall be provided to the satisfaction of the Council as Planning Authority.

REASONS

- 1 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2 Consent is granted in outline only.
- 3 In the interest of road safety
- 4 These details have not been submitted or approved.
- 5 To ensure only fencing of a type and height appropriate to the countryside is erected.
- 6 To ensure the site is free from contamination and suitable for development
- 7 To ensure the site is free from contamination and suitable for development
- 8 In the interests of amenity.
- 9 In the interests of amenity and in order to retain effective planning control.
- 10 To ensure appropriate landscape planting is implemented and maintained.
- 11 To ensure that ground conditions are suitable for a soakaway to dispose of effluent.
- 12 To ensure that the development is served by an appropriate effluent disposal system.

For information only

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