

Report

Report to:	Planning Committee
Date of Meeting:	11 February 2020
Report by:	Executive Director (Community and Enterprise Resources)

Application no.	P/19/1206
Planning proposal:	Residential development and associated works (Planning permission in principle)

1 Summary application information

Application type:	Permission in principle
Applicant:	Advance Construction Scotland Ltd
Location:	Land Surrounding Kilnhill Farm Limekilnburn Road Quarter Hamilton South Lanarkshire

2 Recommendation(s)

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

(1) Refuse planning permission in principle (for the reasons stated)

2.2 Other actions/notes

(1) The Planning Committee has delegated powers to determine this application.

3 Other information

- ◆ Applicant's Agent: Graeme Laing
- ◆ Council Area/Ward: 20 Larkhall
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan (adopted 2015)**
Policy 1 - Spatial Strategy
Policy 2 - Climate Change
Policy 3 - Green Belt and Rural Area
Policy 4 - Development Management and Place Making
Policy 16 - Travel and Transport
Policy 17 - Water Environment and Flooding

Development Management, Place Making and Design Supplementary Guidance (2015)

Supplementary Guidance 2 – Green Belt and Rural Area (2015)

Glasgow and Clyde Valley Strategic Development Plan (2017)

Policy 8 – Housing Land Supply

Policy14 – Green Belt

Proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) (2018)

Policy 1 - Spatial Strategy

Policy 2 – Climate Change

Policy 4 - Green Belt and Rural Area

Policy 5 - Development Management and Place Making Policy

Policy 15 - Travel and Transport

Policy 16 - Water Environment and Flooding

Policy DM1 - New Development Design

Policy SDCC2 - Flood Risk

Policy SDCC3 - Sustainable Drainage Systems

Policy SDCC4 - Sustainable Transport

Policy DM15 - Water Supply

◆ Representation(s):

▶	59	Objection Letters
▶	5	Support Letters
▶	1	Comment Letter

◆ Consultation(s):

WOSAS

Roads Flood Risk Management

SEPA West Region

Roads Development Management Team

Environmental Services

Countryside and Greenspace

Scottish Water

Education Resources School Modernisation Team

Arboricultural Services

SNH

Planning Application Report

1 Application Site

- 1.1 The application site is located directly to the south of Limekilnburn Road on the western edge of Quarter. The site extends to approximately 6.1 hectares, it is irregular in shape and comprises two grass fields enclosed by hedgerows. The site is bounded to the north by Limekilnburn Road and existing residential properties, to the south by farmland, to the east by existing residential properties and farmland and to the west by a minor road which provides access to Burnbrae Farm located to the south of the site. Enclosed by the site are existing residential properties at Kilnhill, comprising two large farmhouse buildings, a large outbuilding and gardens. These properties are bounded by mature mixed woodland. There is currently no vehicular access to the site.

2 Proposal(s)

- 2.1 The applicant seeks planning permission in principle for residential development and associated works at the site. A Planning Statement has been submitted with the application as a supporting document which advises that there is a specific locational need to provide new homes in Quarter as the village has experienced significant population decline with a dramatically falling primary school roll in addition to the closure of its village store and post office. It goes on to say that there are no brownfield sites in Quarter that are capable of accommodating new residential development and the site at Limekilnburn Road is the most appropriate location to deliver new homes, lying immediately adjacent to existing residential areas and highly accessible by public transport. It advises that developing housing elsewhere will not deliver the regeneration benefits which Quarter needs and that it is critical for the future sustainability of the village that it attracts new residential development to reverse the impacts of population decline.
- 2.2 As the proposal is for planning permission in principle, no detailed drawings have been submitted with the application. However, an Indicative Framework Masterplan has been submitted that shows a development of up to 100 new dwellings within the site. The precise type and mix of housing would be determined at the detailed planning application stage, should planning permission in principle be granted. In terms of access, the masterplan indicates the formation of two new priority junctions onto Limekilnburn Road. As part of the development proposals, the applicant would seek to move the existing 30 mph limit to the north-western boundary of the site with footpaths and street lighting provided along the full site frontage.
- 2.3 The planning application is supported by a Planning Statement, Design and Access Statement, Transport Assessment, Landscape and Visual Impact Assessment, together with submissions in respect of drainage, ground conditions, services, utilities and ecology.

3 Background

3.1 Development Plan Status

- 3.1.1 The proposed development requires to be considered against the approved Glasgow and Clyde Valley Strategic Development Plan 2017 (GCVSDP). The GCVSDP is committed to supporting new housing which creates high quality places and delivers the right type of housing in the right locations. Policy 14 (Greenbelt) states that local authorities are required to designate greenbelt in order to ensure that development is directed to the most appropriate locations and supports regeneration. Policy 8 of the GCVSDP requires local authorities to make

provisions within their LDPs for all-tenure housing land requirement as set out within Schedule 8; to allocate a range of effective residential sites; to provide a minimum of 5 years effective land supply at all times; to undertake an annual housing land audit to monitor completions; and to take steps to remedy any shortfalls that may exist. The updated assessment of private sector supply and demand has concluded that there is a surplus of land to meet the private housing land requirement. As the development does not support the vision, spatial development strategy and placemaking policy, and is not considered to be an acceptable departure, the proposal is deemed to be contrary to the proposed Clydeplan.

3.1.2 In terms of local plan policy, the site is located within Green Belt in the adopted South Lanarkshire Local Development Plan. The application site and associated proposal is affected by Policy 1 - Spatial Strategy, Policy 2 - Climate Change, Policy 3 - Green Belt and Rural Area, Policy 4 - Development Management and Place Making, Policy 16 - Travel and Transport and Policy 17 - Water Environment and Flooding. The Development Management Place Making and Design Supplementary Guidance (2015) is also relevant to the assessment of the application as is Supplementary Guidance 2: Green Belt and Rural Area. The content of the above policies and guidance and how they relate to the proposal is assessed in detail in Section 6 of this report.

3.1.3 On 29 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. The new plan builds on the policies and proposals contained in the adopted South Lanarkshire Local Development Plan. For the purposes of determining planning applications, the proposed South Lanarkshire Local Development Plan 2 is now a material consideration. In this instance, Policy 1 - Spatial Strategy, Policy 2 – Climate Change, Policy 4 - Green Belt and Rural Area, Policy 5 - Development Management and Place Making Policy, Policy 15 - Travel and Transport and Policy 16 - Water Environment and Flooding are relevant. Volume 2 of the Proposed Plan contains further policy guidance that will be used when assessing planning applications. In this instance, Policies DM1 - New Development Design, SDCC2 - Flood Risk, SDCC3 - Sustainable Drainage Systems, SDCC4 - Sustainable Transport and DM15 - Water Supply are relevant.

3.2 **Relevant Government Advice/Policy**

3.2.1 In terms of government guidance, Section 25 of the Town and Country Planning (Scotland) Act 1997 states that the determination of a planning application shall be in accordance with the development plan unless material considerations indicate otherwise.

3.2.2 Scottish Planning Policy (SPP) advises that a generous supply of land should be provided to meet identified housing needs. SPP also introduces a presumption in favour of development that contributes to sustainable development. However, it advises that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Proposals that accord with up-to-date plans should be considered acceptable in principle and consideration should focus on the detailed matters arising. For proposals that do not accord with up-to-date development plans, the primacy of the plan is maintained and the presumption in favour of development that contributes to sustainable development will be a material consideration.

3.3 **Planning Background**

3.3.1 The proposal is classed as a major development under the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 and a Proposal of

Application Notice was submitted to the Council on 24 April 2019 for residential development and associated works on the site in accordance with the above Regulations (P/19/0006/PAN). Following on from that submission, a public consultation event was held on Thursday 6 June 2019 at Quarter Bowling Club.

4 Consultation(s)

- 4.1 **Roads Development Management Team** – the submitted Transport Assessment demonstrates that the development traffic impact on the two existing Limekilnburn Road junctions would be insignificant. However, it is recommended that the decision be deferred until the submission of revised public transport proposals and a public transport strategy. Although the proposals do not include any public transport proposals, a significant number of houses in the south-east corner of the site would have a distance greater than 400 metres from the bus stops on Limekilnburn Road, east of Darngaber Gardens. There is one hourly bus service operating, and a limited offer of local facilities in Quarter, where there is no secondary school, few leisure facilities, and a lack of shops and other community facilities. As the proposals stand, the development would be unsustainable in terms of offering alternative modes of transport to the private car. Some of the proposed development would be remote from the existing bus stops and additional bus stops should be provided along the frontage of the site. A public transport strategy should be prepared, indicating how secondary school children would travel to school. Early dialogue with the current bus operator, McGills, is recommended along with Strathclyde Passenger Transport, with a view to improving the frequency of the existing hourly bus service.

Response: Noted.

- 4.2 **Roads and Transportation Services (Flood Risk Management Section)** – have no objections to the application subject to conditions requiring the submission of a Flood Risk/Drainage Assessment and the Council's Sustainable Urban Drainage Systems (SUDS) design criteria being satisfied through the completion of a self-certification document.

Response: - Noted.

- 4.3 **Environmental Services** – have no objections to the application subject to conditions requiring the submission of a comprehensive risk assessment for radon gas and a detailed remediation strategy, if the risk assessment identifies unacceptable risks posed by radon gas, prior to any works commencing on site.

Response: - Noted.

- 4.4 **SEPA** - has no objections to the application. As SEPA holds no specific flood risk information and/or has local knowledge of this site it is recommended that additional information is sought from the applicant, which could take the form of a Flood Risk Assessment or site specific topographic survey data. Also, no built development should occur over any culvert and that contact is made with the Flood Risk Management Authority to obtain any information/local knowledge that they may hold.

Response: - Noted.

- 4.5 **Countryside and Greenspace** – should it be deemed that the site is appropriate for residential development the indicative spatial masterplan submitted should be amended. The Core Path network adjacent to and surrounding the site would be better linked into the development site by the establishment of new link paths through the identified greenspace areas and the creation of new routes linking the proposed service road network. The specification for the landscaping elements of the scheme including the open space, SUDS area and structural boundary treatment should be designed to maximise the biodiversity value of these features. A fully specified landscape masterplan would be required.

Response: Noted.

- 4.6 **Scottish Water** – have no objections to the application.

Response: Noted.

- 4.7 **West of Scotland Archaeology Service (WOSAS)** – a prior archaeological evaluation of the site should be carried out before the determination of the application through a trial-trenching programme conducted by an appropriate archaeological contractor. In the event that a prior evaluation is not carried out a suspensive condition should be attached to any consent granted requiring that no development takes place within the site until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved by the Council and thereafter implemented with all recording and recovery of archaeological resources within the site undertaken to the satisfaction of the Council in consultation with West of Scotland Archaeology Service.

Response: Noted.

- 4.8 **Education Resources** – have no objections to the application subject to appropriate education contributions being made to the Council to provide for the additional children generated from the development.

Response: Noted.

- 4.9 **Arboricultural Services** – no response to date.

Response: Noted.

- 4.10 **SNH** – have no objections to the application.

Response: Noted.

5 Representation(s)

- 5.1 Statutory neighbour notification procedures were undertaken and the application was advertised under the headings Development Contrary to the Development Plan and Non-Notification of Neighbours. Sixty-five letters of representation have been received. The matters raised in the representations are summarised as follows.

- (a) **The site is located outwith the Quarter settlement boundary and is contrary to the Green Belt policy of the South Lanarkshire Local Development Plan. There is no locational requirement for this development and there are far more parcels of land in Hamilton and surrounding areas that are brown field which would benefit housing development rather than Green Belt land. This development proposal is not required in the area, there is already major development in and around Quarter.**

Response: The application is considered to be contrary to local plan policy as the proposal would constitute new residential development in the Green Belt without appropriate justification. This matter is discussed in detail in Section 6 of this report.

- (b) **In terms of road safety, there are concerns regarding the increased volume of traffic from a new housing development of 100 houses. This traffic generation would cause additional safety concerns along what are already dangerous routes through the village. Sightlines onto Limekilnburn Road are extremely difficult. The roads are not suitable for additional traffic and pavements are not wide enough for pedestrians and prams at many points on Limekilnburn Road which is used by walkers/runners/dog walkers on a daily basis and is already a safety issue. The existing footpath on Limekilnburn Road from Kilnhill to Quarter Village is not a Safe Walking Route to school.**

Response: In terms of access, additional traffic and road safety, Roads and Transportation Services are satisfied with the findings of the submitted Transport Assessment which demonstrates that the development traffic impact on the two existing Limekilnburn Road junctions would be insignificant.

- (c) **The existing drainage and sewage system infrastructure in the village is inadequate for additional development and would have to be extensively upgraded as it can barely cope with the present housing waste. There would be huge disruption caused by the provision of electricity, water and gas supplies.**

Response: Subject to conditions, no adverse comments were raised by any of the consultees in relation to the above comments.

- (d) **The proposed development will not fit in with the current pleasant approach to Quarter from Limekilnburn and will cover an area that will increase the size of the village by around 25%. This is disproportionate and not required. The development proposes building 2 storey house but all the houses to the west of the village are single storey housing. This will not maintain a consistent appearance of this part of the village and may appear as if the village is being boxed in. The layout shown detracts from the character of Kilnhill House which had to be constructed to be in keeping with the neighbouring farmhouse. Both properties would look totally out of place stuck in the centre of the proposed development.**

Response: The application is considered to be contrary to local plan policy as the proposal would constitute new residential development in the Green Belt without appropriate justification. This matter is discussed in detail in Section 6 of this report.

- (e) **An increase in vehicle usage within the village will have dramatic noise and pollution impacts on both residents and wildlife. The development will also have an impact on wildlife habitats through the removal of hedgerows. The hedgerows that border Limekilnburn Road are important for the birds and local wildlife. There are lots of diverse animals that see this as home for periods throughout each year which should be maintained.**

Response: Whilst no adverse comments have been raised by any of the consultees in relation to noise and pollution, it is considered that the proposed development would result in an adverse impact on the natural environment at this Green Belt location.

- (f) **There are concerns regarding the impact on the school as the development will lead to many more pupils and possibly the need for a bigger school. Although Quarter Primary school could benefit from an increase in pupil numbers, there is no local secondary school and students have to go to Hamilton or Strathaven with the latter at capacity given the developments there. Buses will have to be laid on to provide transport to schools in increasing numbers if the population is increased by another housing development.**

Response: Education Resources raised no objections to the application subject to appropriate education contributions being made to provide for the additional children generated from the development.

- (g) **With few amenities, an increased population will put pressure on the social fabric of Quarter to its detriment. There is no shop in the village, no community hall and the local play park was only upgraded after local parent pressure and financial help from local residents.**

Response: The application is considered to be contrary to local plan policy as the proposal would constitute new residential development in the Green Belt without appropriate justification. The above points are noted and the merits of the application are discussed in detail in Section 6 of this report.

- (h) **People have paid a premium to live in Quarter for the views etc. It is unfair to introduce town life to our door step which will decrease valuation of houses.**
Response: Loss of value is not a material planning consideration.
- (i) **The development will attract 'crime' where it is non-existent at present.**
Response: There is no evidence to indicate that the proposal would introduce crime into the area.
- (j) **Telecommunications and electrical supply services in the area are already insufficient with regular cuts to power and interrupted phone line services a regular occurrence. It was suggested that this new development would be fitted with Fibre Broadband but the existing residents would not benefit from this and would remain on older infrastructure.**
Response: The application is considered to be contrary to local plan policy as the proposal would constitute new residential development in the Green Belt without appropriate justification. The above points are noted and the merits of the application are discussed in detail in Section 6 of this report.
- (k) **Concerns regarding the lack of public transport. There is only one bus per hour, this coupled with a new housing development in the area will lead to increased car usage especially at peak times. There is virtually no local employment in Quarter and this development will increase the use of the village as a commuting location. National and local government are seeking to reduce carbon emissions and increase the use of public transport and an additional housing development in a rural environment isn't going to help with this.**
Response: As the proposals stand, it is considered that the proposed development would be unsustainable in terms of offering alternative modes of transport to the private car.
- (l) **There are only two roads in and out of Quarter. If residents in the new development use the bottom twisty road there is going to be increased traffic passing the school and the roundabout at the end of Carscallan Road will become even more congested given the recent housing developments at that side of Hamilton. Strathaven Road struggles to cope with traffic volumes as it is without yet more pressure. The top road out of Quarter through Limekilnburn, which is the route most residents in the proposed new development will use will lead to dangerous traffic issues at the T junction. If those that use this road go down to Hamilton you're increasing the pressure on the roundabout at the aforementioned Carscallan Road as traffic meets the increased flow from the recent housing developments as you enter Hamilton.**
Response: In terms of access, additional traffic and road safety, Roads and Transportation Services are satisfied with the findings of the submitted Transport Assessment which demonstrates that the development traffic impact on the two existing Limekilnburn Road junctions would be insignificant.
- (m) **As there are no shops there is likely to be an increase in delivery vehicles which will put pressure on two small country roads.**
Response: In terms of access, additional traffic and road safety, Roads and Transportation Services are satisfied with the findings of the submitted Transport Assessment which demonstrates that the development traffic impact on the two existing Limekilnburn Road junctions would be insignificant.
- (n) **Families moved to the area for the privacy and quietness of village life. Both of these aspects will be negated if the proposal is granted. The proposed**

development, including two storey houses, would overlook bungalows and the church and manse, encroaching on their privacy. Height of buildings, if higher than one storey, will cause disturbance and impact privacy of neighbouring houses in the village.

Response: If the current application was approved the layout of any future detailed or matters specified in conditions application submitted would have to be designed to comply with the standards set out in the Council's Residential Design Guide, including the provision of appropriate window to window distances to ensure there would be no adverse impact on adjacent properties in terms of overlooking and loss of privacy.

- (o) **The plans don't state where the access will be.**

Response: The submitted Masterplan indicates the formation of two new priority junctions onto Limekilnburn Road.

- (p) **Pre Application Consultation Presentation to representatives of the Bully Inn Club states "representatives welcomed the proposals and expressed the view that Quarter requires investment" To my knowledge a majority of members reside outwith the village. I attended one of the consultation meetings in the Bowling club and left with the clear impression that few, if any, were in favour of this development.**

Response: Whilst the above comments are noted, the public consultation referred to is not something that the Council has any involvement in. However, the Planning Service is satisfied that the required Pre-Application Consultation has been undertaken in accordance with the Regulations.

- (q) **For the greater benefit of this small community there is a need for more people, particularly young families, to help stimulate the village economy, thus ensuring the village pub remains at the heart of the community.**

Response: The application is considered to be contrary to local plan policy as the proposal would constitute new residential development in the Green Belt without appropriate justification. The above concerns are noted and the merits of the application are discussed in detail in Section 6 of this report.

- (r) **Vacant, derelict and contaminated land should be used or redeveloped before using green field space. Unless all other avenues and areas have been exhausted then this application should not be allowed.**

Response: The application is considered to be contrary to local plan policy as the proposal would constitute new residential development in the Green Belt without appropriate justification. The above points are noted and the merits of the application are discussed in detail in Section 6 of this report.

- (s) **The Local Housing Strategy document lists Community Growth Areas within South Lanarkshire but makes no mention of Quarter village as being an area for development.**

Response: The proposal is considered to be contrary to local plan policy as it would constitute new residential development in the Green Belt without appropriate justification. This matter is discussed in detail in Section 6 of this report.

- (t) **The A723 is the main traffic link and at peak times this is a heavily used road. The recent roadworks at Low Waters Road are an indication of how poor the road system is with a lack of alternative routes. If this development was already part of the village, all traffic coming from Hamilton direction would not use Limekilnburn Rd but would use Carscallan Rd and traverse the village which would be the case of any traffic disruption on the A723 leaving Hamilton.**

Response: In terms of access, additional traffic and road safety, Roads and Transportation Services are satisfied with the findings of the submitted Transport Assessment which demonstrates that the development traffic impact on the two existing Limekilnburn Road junctions would be insignificant.

- (u) **The Developer report is very guesstimate in saying declining population which is not true. When my daughter first went to Nursery - Quarter Nursery had only 4 children in her class - 3 years later – the total number is 13. So it is triple the number.**

Response: The application is considered to be contrary to local plan policy as the proposal would constitute new residential development in the Green Belt without appropriate justification. The above points are noted and the merits of the application are discussed in detail in Section 6 of this report.

- (v) **The application site boundary appears to include land owned by adjacent properties.**

Response: This is a legal matter that requires to be addressed by the parties concerned.

- (w) **We would like to see new houses being built in Quarter as the village is dying.**

Response: The application is considered to be contrary to local plan policy as the proposal would constitute new residential development in the Green Belt without appropriate justification. The above points are noted and the merits of the application are discussed in detail in Section 6 of this report.

- (x) **We should be learning from our mistakes and not letting large companies destroy local habitat for profit. Companies like this care nothing for local interests it's purely about the bottom line. They can still make their profit by building on brown belt.**

Response: The application is considered to be contrary to local plan policy as the proposal would constitute new residential development in the Green Belt without appropriate justification. The above points are noted and the merits of the application are discussed in detail in Section 6 of this report.

- 5.2 These letters have been copied and are available for inspection in the usual manner and on the planning portal.

6 Assessment and Conclusions

- 6.1 The applicant seeks planning permission in principle for residential development and associated works at the site. A Planning Statement has been submitted with the application which advises that there is a specific locational need to provide new homes in Quarter as the village has experienced significant population decline with a dramatically falling primary school roll in addition to the closure of its village store and post office. It goes on to say that there are no brownfield sites in Quarter that are capable of accommodating new residential development and the site at Limekilnburn Road is the most appropriate location to deliver new homes, lying immediately adjacent to existing residential areas and highly accessible by public transport. It advises that developing housing elsewhere will not deliver the regeneration benefits which Quarter needs and that it is critical for the future sustainability of the village that it attracts new residential development to reverse the impacts of population decline. The determining issues in consideration of this application are its compliance with local plan policy and its impact on the visual amenity of the area and on the local road network.
- 6.2 In terms of government guidance, Section 25 of the Town and Country Planning (Scotland) Act 1997 states that the determination of a planning application shall be in

accordance with the development plan unless material considerations indicate otherwise.

- 6.3 Scottish Planning Policy (SPP) advises that a generous supply of land should be provided to meet identified housing needs. SPP also introduces a presumption in favour of development that contributes to sustainable development. However, it advises that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Proposals that accord with up-to-date plans should be considered acceptable in principle and consideration should focus on the detailed matters arising. For proposals that do not accord with up-to-date development plans, the primacy of the plan is maintained and SPP and the presumption in favour of development that contributes to sustainable development will be material considerations. In this instance, and in view of the requirement to determine and assess all planning applications in terms of the provisions of the development plan, the proposal is considered to be contrary to local plan policy as it would constitute new residential development in the Green Belt without appropriate justification. As the proposals stand, the development would also be unsustainable in terms of offering alternative modes of transport to the private car. The proposal is, therefore, considered to be contrary to national planning policy.
- 6.4 In terms of local plan policy, the site is located within Green Belt in the adopted South Lanarkshire Local Development Plan. The application site and associated proposal is affected by Policy 1 - Spatial Strategy, Policy 2 - Climate Change, Policy 3 - Green Belt and Rural Area, Policy 4 - Development Management and Place Making, Policy 16 - Travel and Transport and Policy 17 - Water Environment and Flooding of the adopted South Lanarkshire Local Development Plan. The Development Management, Place Making and Design Supplementary Guidance (2015) is also relevant to the assessment of the application.
- 6.5 Policies 1 and 2 encourage sustainable economic growth and regeneration, a move towards a low carbon economy, the protection of the natural and historic environment and mitigation against the impacts of climate change. This will be achieved by supporting regeneration activities and maximising regeneration and local economic benefits; delivery of appropriate development proposals and development that accords with and supports the policies and proposals in the development plan and supplementary guidance.
- 6.6 As discussed, the submitted Planning Statement advises that it is critical for the future sustainability of Quarter that it attracts new resident population to reverse the impacts of population decline, that the economic benefits associated the proposal are significant and that there are no brownfield sites in Quarter which are capable of accommodating new residential development. Whilst noting all of the above, including the potential economic benefits that may be associated with the proposal, the application site is located in the Green Belt outwith the Quarter Settlement boundary and is not included in any of the development proposals identified in Table 3.1 and Appendix 3 of the Local Development Plan. It is considered that the proposed use of the site for residential development would not represent sustainable economic growth or regeneration in this instance as required by Policy 1 and would instead result in a significant and unwarranted intrusion into the Green Belt at this location resulting in an adverse impact on the natural environment. There are also concerns in terms of the scale of the development and the limited level of public transport serving the area in relation to the desire to a move towards a low carbon economy. As the proposals stand, the development would be unsustainable in terms of offering alternative modes of transport to the private car. For the above reasons, the proposal is considered to be contrary to the terms of Policies 1 and 2.

- 6.7 Policy 3 states that 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, other than in the following circumstances:
- i. Where it is demonstrated that there is a specific locational requirement and established need for a proposal.
 - ii. The proposal involves the redevelopment of derelict or redundant land and buildings where significant environmental improvement can be shown.
 - iii. The proposal is for conversion of traditional buildings and those of a local vernacular.
 - iv. The proposal is for limited development within clearly identifiable infill, gap sites and existing building groups.
 - v. The proposal is for extension of existing premises or uses providing it is of a suitable scale and design. Any new built form should be ancillary to the main use.
- 6.8 The policy goes on to say that in both the Green Belt and rural area, isolated and sporadic development will not be supported.
- 6.9 In addition to the above, Policy 3 - Green Belt and Rural Area of the Supplementary Guidance 2 is relevant to the assessment of the application. Policy 3 repeats the wording set out in Paragraphs 6.5 above. It advises that, in the rural area, limited expansion of an existing settlement may be appropriate where the proposal is proportionate to the scale and built form of the settlement, it is supportive of the sustainability of the settlement and a defensible settlement boundary is maintained. However, it goes on to say that in both the Green Belt and the rural area, isolated and sporadic development will not be supported.
- 6.10 It is considered that the application for residential development on the site does not accord with Policy 3 - Green Belt and Rural Area of the adopted Local Development Plan as the proposal cannot be justified under any of the circumstances listed. It has not been demonstrated that there is a specific locational requirement and established need for the proposal, the proposal does not involve the redevelopment of derelict or redundant land, it is not for the conversion of traditional buildings nor is it for limited development within clearly identifiable infill, gap site and existing building groups and it does not relate to an extension of existing premises or uses. The site is not considered to be suitable for rounding off the settlement and its proposed use for residential development would represent a significant and unwarranted intrusion into the Green Belt at this location with subsequent adverse impacts on the natural environment. It is considered that the approval of the application and the development of the site for housing would be inappropriate and would also set an undesirable precedent leading to potential pressures for other incremental expansions further into the adjoining Green Belt land that would be harder to resist in future. There are no material considerations that outweigh the provisions of the development plan in terms of the site's Green Belt designation, therefore, it is considered that a departure from the development plan in this instance cannot be justified. The proposal is, therefore, clearly and irrefutably contrary to Policy 3.
- 6.11 Similarly, the proposal is clearly not considered to be in accordance with Policy 3 of Supplementary Guidance 2: Green Belt and Rural Area as the application site is located within the Green Belt and it cannot be justified under any of the circumstances listed.

- 6.12 Policy 16 states that new development proposals must consider, and where appropriate, mitigate the resulting impacts of traffic growth, particularly development related traffic, and have regard to the need to reduce the effects of greenhouse gas emissions and at the same time, support and facilitate economic recovery, regeneration and sustainable growth. Development of walking, cycling and public transport networks which provide a viable and attractive alternative to car travel, thus reducing the effects of transport on the environment, will be supported. As the proposals stand, the development would be unsustainable in terms of offering alternative modes of transport to the private car.
- 6.13 On 29 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. The new plan builds on the policies and proposals contained in the adopted South Lanarkshire Local Development Plan. For the purposes of determining planning applications, the proposed South Lanarkshire Local Development Plan 2 is now a material consideration. In this instance, Policy 1 - Spatial Strategy, Policy 2 – Climate Change, Policy 4 - Green Belt and Rural Area, Policy 5 - Development Management and Place Making Policy, Policy 15 - Travel and Transport and Policy 16 - Water Environment and Flooding are relevant. Volume 2 of the Proposed Plan contains further policy guidance that will be used when assessing planning applications. In this instance, Policies DM1 - New Development Design, SDCC2 - Flood Risk, SDCC3 - Sustainable Drainage Systems, SDCC4 - Sustainable Transport and DM15 - Water Supply are relevant.
- 6.14 Notwithstanding the above, it should be noted that the applicant has also submitted a representation to the South Lanarkshire Local Development Plan 2 objecting to the current settlement boundary of Quarter and seeking the inclusion of the application site within the settlement boundary and an allocation for residential development. The representation argues that there is a shortfall in housing land and that the site should be released to meet this shortfall. However, the Council is satisfied that the supply of housing land meets the requirements set out by the Scottish Government and the Glasgow and Clyde Valley Strategic Development Plan (Clydeplan), therefore, there is no need for the release of further land. Scottish Planning Policy advises that a generous supply of land should be provided to meet identified housing needs. The Council has assessed its housing land supply and has concluded that it is robust and generous and that there is no requirement for housing release since there is no shortfall identified in the land supply. In addition, there is more than the requisite 15% generosity available. Given the above, there is no need for the site to be released since there is no shortfall in housing land requirement.
- 6.15 As discussed above, the site is not considered to be suitable for rounding off the settlement and its proposed allocation for residential development would represent a significant and unwarranted intrusion into the Green Belt at this location. If allocated, extensive structure planting would be required to establish a robust and effective settlement boundary. It is considered that the allocation and development of the site for housing would be inappropriate and would also set an undesirable precedent leading to potential pressures for other incremental expansions further into the adjoining Green Belt land that would be harder to resist in future.
- 6.16 Whilst noting that the representation considers that the site represents a modest extension to Quarter which will result in the organic growth of the settlement following the established pattern of development, the Planning Service disagrees with this assessment and considers that the site should remain undeveloped Green Belt. The Council prepared 'Schedule 4' documents of unresolved representations. These were submitted to the Planning and Environmental Appeals Division (DPEA) with a view to

a Reporter being assigned to carry out an examination. This site is subject to a Schedule 4 examination since it is an unresolved representation to Local Development Plan 2.

- 6.17 In summary and in view of all of the above and the legal requirement to determine and assess all planning applications in terms of the provisions of the development plan, it is considered that the proposal is contrary to the strategic development plan and local plan policy as it would constitute new residential development in the Green Belt without appropriate justification. There are no material considerations that outweigh the provisions of the development plan, therefore, a departure from the development plan in this instance cannot be justified. As such, it is considered that planning permission in principle should be refused for the reasons stated below.

7 Reasons for Decision

- 7.1 The proposal raises significant amenity and environmental issues and fails to comply with Policy 8 Housing Land Supply and Policy 14 Green Belt of the Glasgow and Clyde Valley Strategic Development Plan (2017), Policy 1 – Spatial Strategy, Policy 2 – Climate Change, Policy 3 - Green Belt and Rural Area and Policy 16 – Travel and Transport of the adopted South Lanarkshire Local Development Plan (2015), Policy 3 of Supplementary Guidance 2: Green Belt and Rural Area (2015) in addition to Policy 1 – Spatial Strategy, Policy 2 – Climate Change, Policy 4 - Green Belt and Rural Area and Policy 15 – Travel and Transport of the Proposed South Lanarkshire Local Development Plan 2 (2018).

Michael McGlynn
Executive Director (Community and Enterprise Resources)

Date: 22 January 2020

Previous references

- ◆ P/19/0006/PAN

List of background papers

- ▶ Application form
- ▶ Application plans and supporting documents
- ▶ South Lanarkshire Local Development Plan 2015 (adopted)
- ▶ Development Management, Place Making and Design Supplementary Guidance (2015)
- ▶ Supplementary Guidance 2 – Green Belt and Rural Area (2015)
- ▶ Proposed South Lanarkshire Development Plan 2
- ▶ Glasgow and Clyde Valley Strategic Development Plan (Clydeplan)
- ▶ Neighbour notification letter dated 14.08.2019
- ▶ Press Advertisement, Hamilton Advertiser dated 22.08.2019

- ▶ Consultations
 - WOSAS 29.08.2019

 - Roads Flood Risk Management 24.09.2019
 - SEPA West Region 28.08.2019
 - Roads Development Management Team 15.01.2020

Environmental Services	15.08.2019
Countryside And Greenspace	21.08.2019
Scottish Water	15.08.2019
Education Resources School Modernisation Team	22.08.2019

SNH	26.08.2019
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► Representations	Dated:
Owner/Occupier, 26 Darngaber Gardens, Quarter, Hamilton, South Lanarkshire, ML3 7XX	30.08.2019
John A MacInnes, 27 Merrick Gardens, Quarter, Hamilton, South Lanarkshire, ML3 7XS	30.08.2019
Anthony Doherty, 74 Limekilnburn Road, Quarter, Hamilton, South Lanarkshire, ML3 7XA	30.08.2019
Mr Alan MacGlade, 15 Silverbirch Grove, Quarter, Hamilton, South Lanarkshire, ML3 7XZ	31.08.2019
Mrs Lesley Johnston, 22 Darngaber Gardens, Quarter, Hamilton, South Lanarkshire, ML3 7XX	27.08.2019
Mr Stewart McLachlan, 25 Castle Wynd, Quarter, Hamilton, South Lanarkshire, ML3 7XD	03.09.2019
Mr Kevin McMurray, Kilnhill House, Limekilnburn Road, Quarter , Hamilton, ML3 7XG	20.08.2019
Sheila Falconer, 28 Darngaber Gardens, Quarter, Hamilton, ML3 7XX	21.08.2019
William And Anne Collins, 15 Darngaber Gardens, Quarter, Hamilton, ML3 7XX	03.09.2019
Colin T Preston, By Email	26.08.2019
Janice Young, 1 Darngaber Road, Quarter, Hamilton, ML3 7QB	26.08.2019
Mr Charles R Smith, 8 Darngaber Gardens, Quarter, Hamilton, ML3 7XX	26.08.2019
Mr George Foster, 8 Foinavon Road, Quarter, Hamilton, South Lanarkshire, ML3 7XT	02.09.2019
Miss Lynne Paterson, 27 Arbroath Grove, Hamilton, South Lanarkshire, ML3 8PF	30.08.2019
Mr Brian Hamilton, 22 Castle Wynd, Quarter, Hamilton, South Lanarkshire, ML3 7XD	30.08.2019

Mr Douglas Gibbons, 22 Darngaber Gardens, Quarter, Hamilton, South Lanarkshire, ML3 7XX	02.09.2019
Siobhan & Mark Hamilton, 10 Denholm Gardens, Quarter, ML3 7XY	02.09.2019
Mrs anne mcewan, North Crookedstone Farm, Limekilnburn Road, Limekilnburn Hamilton, South Lanarkshire, ML3 7XG	02.09.2019
Mr ROSS NELSON, 12 Merrick Gardens, Quarter, Hamilton, South Lanarkshire, ML3 7XS	02.09.2019
Mr Chris Baxendale, 70 Limekilnburn Road, Quarter, Hamilton, South Lanarkshire, ML3 7XA	04.09.2019
Marian M Preston, Avalon, 4 Denholm Gardens, Quarter, Hamilton, ML3 7XY	02.09.2019
Colin T Preston BSc ACII CIP, 4 Denholm Gardens, Quarter, ML3 7XY	26.08.2019
Mrs Janet Paterson, 4 Foinavon Road, Quarter, Hamilton, South Lanarkshire, ML3 7XT	26.08.2019
Phyllis Scott, 16 Merrick Gardens, Quarter, ML3 7XS	23.08.2019
Mr Robert Kirkland, Burnbrae Farm, Quarter, Hamilton	04.09.2019
Mrs Lorraine McCluskey, 11 Silverbirch Grove, Quarter, Hamilton, South Lanarkshire, ML3 7XZ	04.09.2019
Mrs Hannah McKitting, Burnbrae Bungalow, Limekilnburn Road, Limekilnburn Hamilton, South Lanarkshire, ML3 7XG	04.09.2019
Mr Andrew McKitting, Burnbrae Bungalow, Limekilnburn Road, Limekilnburn Hamilton, South Lanarkshire, ML3 7XG	04.09.2019
Mr Billy McKnight, 52 Limekilnburn Road, Quarter, Hamilton, South Lanarkshire, ML3 7XA	04.09.2019
Isobel Hannen, Received Via E-mail	05.09.2019
Mr A McKitting, Burnbrae Bungalow, Quarter, ML3 7XG	05.09.2019
Hannah McKitting, Received Via E-mail	05.09.2019
Ross & Robyn Dunn, Received Via Email	05.09.2019
Ian Guttridge, 26 Baltersan Gardens, Quarter, Hamilton, South Lanarkshire, ML3 7QW	05.09.2019
Phyllis Kudla, 16 Silverbirch Grove, Quarter, Hamilton, South Lanarkshire, ML3 7XZ	05.09.2019

Joseph Kudla, 16 Silverbirch Grove, Quarter, Hamilton, South Lanarkshire, ML3 7XZ	05.09.2019
Susan Kudla, 16 Silverbirch Grove, Quarter, Hamilton, South Lanarkshire, ML3 7XZ	05.09.2019
Mr John Thomson, 78 Limekilnburn Road, Quarter, Hamilton, ML3 7XA	21.08.2019
Peter Teyham, 10 Darngaber Gardens, Quarter, Hamilton, South Lanarkshire, ML3 7XX	29.08.2019
James And Valerie Dearie, 6 Darngaber Gardens, Quarter, Hamilton, ML3 7XX	02.09.2019
Mrs Lee McMurray, Kilnhill House, Limekilnburn Road, Quarter, Hamilton, ML3 7XG	20.08.2019
Mr & Mrs Jack, 79 Limekilnburn Road, Quarter, Hamilton, ML3 7XA	03.09.2019
George Lindsay And Janette Lindsay, 77 Limekilnburn Road, Quarter, Hamilton, South Lanarkshire, ML3 7XA	03.09.2019
Nan And Norman Bartlett, 2 Darngaber Gardens, Quarter, Hamilton, ML3 7XX	02.09.2019
Stephen Borland, Parkneuk Cottage, Limekilnburn Road, Limekilnburn, Hamilton, South Lanarkshire, ML3 7XG	29.08.2019
Mr Ron Whitelock, Received Via Email	29.08.2019
Mr & Mrs McDonald, 4 Darngaber Gardens, Quarter, Hamilton, South Lanarkshire, ML3 7XX	29.08.2019
Ross And Elaine McMenemy, 63 Limekilnburn Road, Quarter, Hamilton, ML3 7XA	27.08.2019
Mr Ewan McMurray, Kilnhill House, Limekilnburn Road, Quarter Hamilton, South Lanarkshire, ML3 7XG	20.08.2019
Mr James Paterson, 4 Foinavon Road, Quarter, Hamilton, South Lanarkshire, ML3 7XT	24.08.2019
Mrs Yvonne Milne, 26 Limekilnburn Road, Quarter, Hamilton, South Lanarkshire, ML3 7XA	28.08.2019
Gillian Nelson, 12 Merrick Gardens, Quarter, Hamilton, South Lanarkshire, ML3 7XS	02.09.2019
James & Claire Shirazi, 21 Silverbirch Grove, Quarter, Hamilton, ML3 7XZ	03.09.2019
Stuart Sinclair, 4 Merrick Gardens, Quarter, Hamilton, ML3 7XS	03.09.2019

Mr James Hill, 39 Limekilnburn Road, Quarter, Hamilton, South Lanarkshire, ML3 7XA	02.09.2019
Mrs GILLIAN NELSON, 12 Merrick Gardens, Quarter, Hamilton, South Lanarkshire, ML3 7XS	02.09.2019
Mr George Baxter, 2 Merrick Gardens, Quarter, Hamilton, South Lanarkshire, ML3 7XS	29.08.2019
Ms Kirstin McEwan, 60 Rampart Avenue, Knightwood, Glasgow, G13 3HS	04.09.2019
Mrs Joyce Aitkenhead, 11 Elm Court, Quarter, Hamilton, ML3 7FB	04.09.2019
Alan Simpson, 20 Silverbirch Grove, Quarter, Hamilton, South Lanarkshire, ML3 7XZ	29.08.2019
Mrs Joan Brown, 20 Darngaber Gardens, Quarter, Hamilton, ML3 7XX	29.08.2019
Louise McCluskey, 1 Elm Court, Quarter, ML3 7FB	05.09.2019
Mr John Lawson, 6 Sunnyside Road, Quarter, Hamilton, South Lanarkshire, ML3 7XH	11.09.2019
C McGuire-Smith, The Bully Inn, 2 Store Row, Limekilnburn Road, Quarter, Hamilton, South Lanarkshire, ML3 7XU	05.09.2019
Owner/Occupier, 14 Merrick Gardens, Quarter, Hamilton, South Lanarkshire, ML3 7XS	05.09.2019

Contact for further information

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

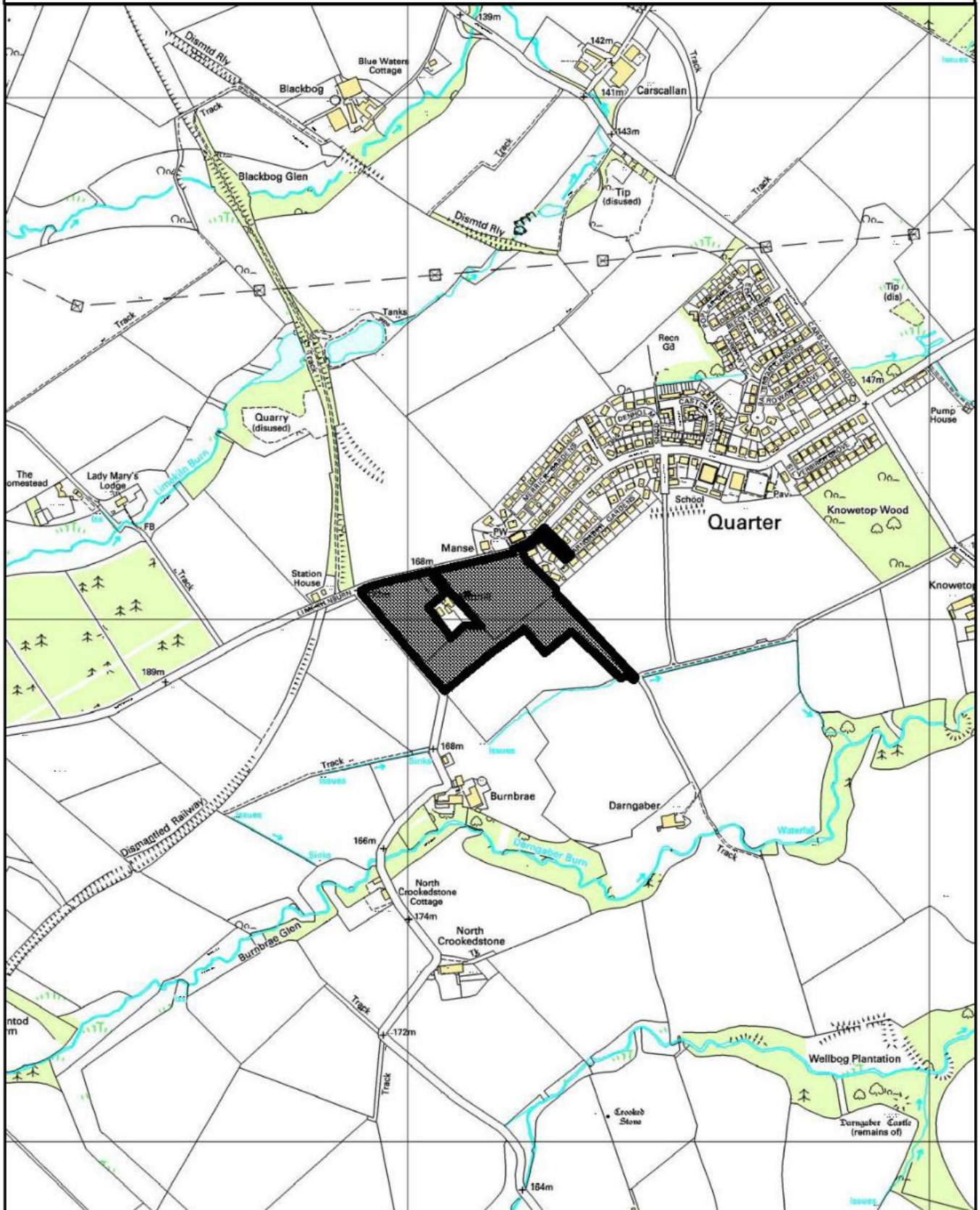
Jim Blake, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB
Phone: 01698 453657
Email: jim.blake@southlanarkshire.gov.uk

Reasons for refusal

01. The site is in the green belt and is not in accordance with the Spatial Development Strategies of the approved Glasgow and the Clyde Valley Strategic Development Plan (2017).
02. The proposal is contrary to Policy 1 – Spatial Strategy, Policy 2 – Climate Change, Policy 3 - Green Belt and Rural Area and Policy 16 – Travel and Transport of the adopted South Lanarkshire Local Development Plan (2015) as it is an inappropriate location for housing development and would constitute new residential development in the Green Belt without appropriate justification.
03. The proposal is contrary to Policy 3 of Supplementary Guidance 2: Green Belt and Rural Area (2015) as it is an inappropriate location for housing development and would constitute new residential development in the Green Belt without appropriate justification.
04. The proposal is contrary to Policy 1 – Spatial Strategy, Policy 2 – Climate Change, Policy 4 - Green Belt and Rural Area and Policy 15 – Travel and Transport of the Proposed South Lanarkshire Local Development Plan 2 (2018) as it is an inappropriate location for housing development and would constitute new residential development in the Green Belt without appropriate justification.

P/19/1206

Land surrounding Kilnhill Farm, Limkilburn Road, Quarter



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Scale:
1:10,000
Date:
13/01/2020



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development