

Report

Report to:	Planning Committee
Date of Meeting:	5 May 2020
Report by:	Executive Director (Community and Enterprise Resources)

Application no.	P/19/0941
Planning proposal:	Erection of detached dwellinghouse and formation of 4 house plots

1 Summary application information

Application type:	Detailed planning application
Applicant:	Mrs Anne and John Watson
Location:	Land 50M East Of 10 Woodhall Road Woodhall Road Braidwood Carluke South Lanarkshire

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 attached

2.2 Other actions/notes

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

3 Other information

- ♦ Applicant's Agent: John Russell
- ♦ Council Area/Ward: 01 Clydesdale West
- ♦ Policy Reference(s): **South Lanarkshire Local Development Plan**
Policy 2 Climate change
Policy 3 Green belt and rural area
Policy 4 Development management and placemaking
Policy 14 Green network and green space
Policy 15 Natural and historic environment

Supplementary Guidance 3: Development Management, Placemaking and Design
Policy DM1 Design

Supplementary Guidance 9: Natural and historic environment
Policy NHE16 Landscape

Proposed South Lanarkshire Local Development Plan 2
Policy 2 Climate change
Policy 4 Green Belt and Rural Area
Policy 5 Development Management and Placemaking
Policy 14 Natural and Historic Environment
Policy NHE16 Landscape
Policy DM1 New Development Design

◆ **Representation(s):**

▶	2	Objection Letters
▶	0	Support Letters
▶	1	Comment Letters

◆ **Consultation(s):**

Roads Development Management Team

Roads Flood Risk Management

Planning Application Report

1 Application Site

- 1.1 The application site extends to approximately 0.58 ha in area and is located at the edge of Lower Braidwood within designated Greenbelt, on the western section of an agricultural field which fronts onto Woodhall Road. The western boundary is defined by a mature hedgerow which continues beyond the southern edge of the site boundary. Overhead electricity gables cross the field and Woodhall Road in a east – west direction.
- 1.2 The site is bounded to the north by existing dwellings and to the south and east by the remaining field area (further to the north east are the dwellings located along Mid Loan Street). To the west it fronts Woodhall Road, the opposite side of which are 3 detached dwellings and stables/ hardstanding area. A burn with wooded banking flows between Yett Holm (the southernmost house) and the stables.

2 Proposal(s)

- 2.1 The applicant seeks Planning Permission for the formation of 4 houseplots and the erection of a one and a half storey detached dwellinghouse with integral garage. All of the plots would be accessed directly from Woodhall Road. The detached dwelling and two of the plots would have separate driveways whilst the two northernmost plots will share a driveway. The proposals include the localised widening of Woodhall Road along the site frontage. This will necessitate the removal of the hedgerow, however, the proposed layout shows the establishment of a tree belt around the eastern and southern boundaries.
- 2.2 As supporting information, a Mining Stability Report and Design and Access Statement have been submitted.

3 Background

3.1 Local Plan Status

- 3.1.1 The application site is identified in the adopted South Lanarkshire Local Development Plan as being outwith the settlement boundary of Lower Braidwood and within the Green Belt where Policy 3 - Green Belt and Rural Area applies. Policies 2 – Climate Change, 4 - Development Management and Place Making, 14 Green Network and Greenspace, and Policy 15 -Natural and Historic Environment Natural are also relevant .The associated Supplementary Guidance on Development Management, Placemaking and Design, Green Belt and Rural Area, Natural and Historic Environment, Green Network and Greenspace and Sustainable Development and Climate Change are also applicable.

3.2 Relevant Government Advice/Policy

- 3.2.1 In terms of residential development, SPP advises that the planning system should identify a generous supply of land to support the achievement of housing land requirements and maintaining at least a 5 year supply of land at all times. It should also enable the development of well designed, energy efficient, good quality housing in sustainable locations and focus on the delivery of allocated sites. In terms of development in the rural area, SPP states that most new development should be guided to locations within or adjacent to settlements. Planning should take every

opportunity to create high quality places and direct development to the right places, in particular by encouraging the re-use of brownfield sites

3.2.2 The SPP states that the purpose of the Green Belt designation is to;

- Direct planned growth to the most appropriate locations and support regeneration
- Protect and enhance the quality, character, landscape setting and identity of towns and cities
- Protect and give access to open space within and around towns and cities.

3.3 Planning Background

3.3.1 Over the previous five years there have been no planning applications relating to the application site.

4 Consultation(s)

4.1 **Roads and Transportation Services** – No objection subject to conditions covering access, visibility, footpath provision, road widening and parking.

Response: Noted. Detailed plans have now been submitted showing the Roads requirements can be achieved. If planning permission is granted, appropriate conditions can be attached to the consent to address these issues.

4.2 **Roads and Transportation Services (Flood Risk Management Section)** – raised no objections subject to the provision of a Flood Risk Assessment and SUDS scheme.

Response: These matters would be covered by condition should consent be granted.

5 Representation(s)

5.1 In response to the carrying out of neighbour notification and the advertisement of the application in the local press as Development Contrary to the Development Plan and for the non-notification of neighbours, 2 letters of objection and 1 comment letter were received. Following the carrying out of further neighbour notification following the submission of drawings showing the road widening proposals, no additional representations were received. The issues raised are summarised below:

a) **Woodhall Road is too narrow and traffic from 5 additional dwellings will increase risk of accident at the blind corner to the north.**

Response: The proposals now include localised widening of Woodhall Road to ensure vehicles are able to pass each other. As a result, Roads have not objected on grounds of traffic safety.

b) **Given potential impact of the proposed development on surface water drainage, conditions should be attached to prevent surface water runoff across the road. There has been a history of blockages in the drainage system resulting in flooding risk.**

Response: Conditions covering drainage and flood risk would be attached to any consent issued.

c) **Potential overlooking because the site is on higher ground than existing properties across the road. The existing hedgerow should be retained and if it has to be removed where possible it should be reinstated to provide screening. Conditions should be attached to**

ensure that there will be no direct overlooking of properties along Woodhall Road.

Response: The proposed dwellings have been situated a sufficient distance back from the road frontage to ensure privacy standards are not compromised and meet the Council's guidelines on new residential development. There is sufficient depth in the proposed plots to ensure these standards can be complied with. Unfortunately, because of the requirement to widen the road and provide a footway along the site frontage, retention of the hedgerow is not possible, however, the proposals include replacement tree planting within the site.

- d) **Piecemeal sale and development of properties would result in considerable on going disturbance to Braidwood residents and may result in a mix of property which detracts from rather than enhances the amenity of the area. Conditions are requested to ensure consistency and completion within a set timeframe.**

Response: This is a small scale development, therefore, the level of disturbance is not expected to be significant. An informative will be attached to the decision notice if permission is granted advising the developer of the need to comply with construction noise standards. Under current legislation if a development commences within three years of the decision being issued a time bar cannot be imposed upon the completion date. There are a mixture of house types and styles of varying age within Braidwood which has no defined character or merit. This proposal represents a small scale development incorporating contemporary designs and a natural and sensitive rounding off to the settlement edge.

- e) **Planning Authority should consider restrictions in respect of any future development of the remaining land. Will encourage development on other Greenbelt land. Precedence.**

Response: Each application will be assessed on its individual merits.

- f) **The Design Statement makes reference to a number of recently built dwellings on Woodlands Road – only one house has been built on south side of Woodland Road in the last 15 years. It is somewhat disingenuous to suggest that the proposed development is bringing balance to the road.**

Response: The development mirrors the existing line of dwellings to the west of the site on the opposite side of Woodhall Road and, therefore, the proposal can be successfully integrated within the context of its local setting.

- g) **Health issues of applicant outlined in the Planning Statement should not be given weight.**

Response: Noted. The nature of the health issues has not been specified nor has a support letter from a Doctor been submitted, therefore, the matter has not been given any weight.

- h) **A Condition should be attached to ensure the roadside hedge is removed outwith the bird nesting season.**

Response: Noted. An appropriately worded condition would be attached if consent is granted.

- 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 detailed planning consent for the erection of one detached dwellinghouse and formation of 4 plots on land at the settlement edge of Braidwood. The determining issues in the consideration of this application are its compliance with the adopted South Lanarkshire Local Plan, National Policy and associated Supplementary Guidance and its impact on the amenity and roads safety.
- 6.2 In the South Lanarkshire Local Development Plan, the application site is located within the Green Belt where Policy 3 - Green Belt and Rural Area applies. This advises that development which does not require to be located in the countryside will be expected to be accommodated within the settlements, other than in a number of circumstances. These include instances where there is a specific locational requirement or established need for a proposal; the proposal involves the redevelopment of derelict or redundant land or buildings where environmental improvement can be shown; the proposal involves the conversion of traditional buildings; or the proposal is for limited development within identifiable infill or gap sites and existing building groups. Supplementary Guidance on the Green Belt and Rural Area goes on to provide detailed guidance on these types of development in order to determine if a proposal is appropriate in the context of a Green Belt location. The proposal has been carefully assessed against the policy and guidance and, while there are elements that accord with some of the criteria (which are explored below), it does not fully comply with the Local Development Plan or the SG. As a result, the proposed development in land use terms is contrary to the development plan.
- 6.3 The settlement boundary as defined in the South Lanarkshire Local Development Plan is drawn tightly to respect the existing extent of built development. It includes land on the western side of Woodhall Road which reflects the incremental extension of the settlement on that side of the road. While the application site is not within the village envelope, it is appropriate in assessing the current proposals to consider whether a small scale incursion beyond the settlement boundary is acceptable. A key factor is consideration of Scottish Planning Policy which, in relation to development in the Green Belt, states that the purpose of the Green Belt designation is to;
- Direct planned growth to the most appropriate locations and support regeneration
 - Protect and enhance the quality, character, landscape setting and identity of towns and cities
 - Protect and give access to open space within and around towns and cities.
- 6.4 As described above there are currently three dwellings and a stables on the opposite side of the public road to the site, one of which is modern and suburban in appearance and located downhill from the village core. These properties represent ribbon development resulting in a convoluted and irregular settlement boundary. The proposal in this case would mirror the existing settlement pattern on the westernside of Woodhall Road and create a more balanced and rounded settlement edge. The proposed structural planting will result in a clearly defined and defensible settlement boundary whilst enhancing landscape quality and character. The separation distance and intervening Greenbelt between Braidwood and Carluke will

be maintained without adversely affecting their settings. Unfortunately, a mature hedgerow will have to be removed to allow road widening, the loss of which will be compensated by extensive tree planting, otherwise there will be no significant impact upon landscape features, valuable habitats or protected species. In addition, the proposal involves a small extension to the settlement boundary which would not have an adverse impact on the character of the settlement. Overall, therefore, it is considered that the objectives of the SPP in respect of the Greenbelt will not be compromised.

- 6.5 Policy 4 - Development Management and Place Making along with supplementary guidance on Development Management, Placemaking and Design requires the Council to seek well designed proposals which integrate successfully with their surroundings, take account of the local context and built form and to be compatible with adjacent buildings and surrounding streetscape in terms of scale, massing, design, external materials and impact on amenity. In addition, development should be well related to existing development, public transport, local services and facilities. The proposed bespoke designed dwelling although relatively unique in appearance will nevertheless be able to integrate with the established character of Braidwood which comprises a range of house styles and sizes. In addition, the proposed development complies with the requirements of the Council's Residential Development Guide in terms of plot ratio, garden size, window to window distance and parking provision. There would not be an adverse impact on the amenity of existing local residents in terms of overlooking or overshadowing given the distance between existing properties and the site. In terms of the proposed house plots, these matters are more properly dealt with at the further application stage, however; the development of the site for a housing development of the size and scale proposed would respect the local character of the area. A condition would be attached to the consent to ensure the submission of a Design Brief to justify the chosen house types and design and set parameters and guidelines for the future development of the site. Roads and Transportation Services have not raised any road safety concerns and the proposal will include the formation of a 2m footway along the site frontage. In view of this, the proposal is considered to be in compliance with Policy 4 and associated Supplementary Guidance.
- 6.6 Policy 2 - Climate Change seeks to minimise and mitigate against the effects of climate change. This application is for a small development of 1 dwelling and 4 house plots situated close to existing amenities and facilities in Carluke including education, health, community and retail uses and the park and ride at Carluke railway station. The proposal would not result in flood risk and there would not be an adverse impact on water, soils, habitat, air quality and green networks.
- 6.7 Policy 14 - Green Network and Greenspace states partial loss will only be considered where landscape enhancement can be achieved, there is no significant adverse impact upon natural/built heritage resources and compensatory provision can be provided elsewhere. The proposed development will establish a tree belt with an average depth of 14 metres which will add to the amenity value of the greenspace. Therefore, the proposal will not compromise the policy objectives.
- 6.8 The site falls within a designated Special Landscape Area where Policies 15 and NHE16 seek to conserve those features which contribute to local distinctiveness. All proposed development should take into account the detailed guidance contained in the South Lanarkshire Landscape Character Assessment 2010. The site falls

within the Incised River Valley Broad Valley Floor where settlement encroachment and suburban residential development is discouraged. The character of these areas would be very sensitive to any measures which resulted in the loss of natural river landscapes, or the introduction of modern, engineered structures. The proposed development reflects a sensitive extension to the settlement edge enhanced by extensive tree planting which avoids engineered solutions. The proposed dwellings will be visually contained by existing trees, buildings and topography and no features, other than a section of an existing hedgerow, which contribute to the landscape character of the area will be affected. Tree planting around the site boundaries will ensure further integration in the context of the wider area and only a small corner of a field is required for this development. In view of these circumstances, the proposal complies with policies 15 and NHE16.

- 6.9 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. Therefore, the Proposed SLLDP2 is now a material consideration in determining planning applications. The proposed development has been considered against the relevant policies in the proposed plan and it is noted that these policies are broadly consistent with the current adopted South Lanarkshire Local Development Plan 1. It is considered that the proposal accords with Policies 2, 4, 5, 14, GBRA 5, DM1 and NHE16 and in the Proposed plan.
- 6.10 Following an assessment of the application, it is concluded the proposal does not accord with the adopted Local Development Plan. Section 25 of the Town and Country Planning (Scotland) Act 1997 does, however, allow for exceptions to be made to policy where other material considerations outweigh the provisions of the development plan. In this case, the applicant has demonstrated that a small housing development can be integrated without impact upon residential amenity, the character of the area and the environment and will facilitate a rounding off of the current irregular village boundary. The recommendation is, therefore, to grant planning permission. It is considered that an exception to policy has been demonstrated for the following reasons.
- (i) The objectives of Scottish Planning Policy in terms of the purposes of the Green Belt would not be compromised.
 - (ii) The proposal will enable the rounding off of the current irregular settlement edge and the creation of a robust and defensible boundary.
 - (iii) The small scale nature of the development will not have an adverse impact on the character of the area.
 - (iv) The additional tree planting will enhance the landscape character of the area.
 - (v) There would be no adverse impact on residential or visual amenity; infrastructure; or biodiversity

It is therefore recommended that planning permission be granted.

7 Reasons for Decision

- 7.1 The applicant has demonstrated that a small housing development can be integrated without impact upon residential amenity, the character of the area and the environment and will facilitate a rounding off of the current irregular village

boundary. On balance, this is considered acceptable and, therefore, an exception to policy has been demonstrated for the following reasons.

- (i) The objectives of Scottish Planning Policy in terms of the purposes of the Green Belt would not be compromised
- (ii) The proposal will enable the rounding off of the current irregular settlement edge and the creation of a robust and defensible boundary.
- (iii) The small scale nature of the development will not have an adverse impact on the character of the area
- (iv) The additional tree planting will enhance the landscape character of the area and compensate for the loss of the hedgerow.
- (v) There would be no adverse impact on residential or visual amenity; infrastructure; or biodiversity.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

Date: 7 April 2020

Previous references

- ◆ None

List of background papers

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted)
- ▶ Proposed South Lanarkshire Development Plan 2
- ▶ Neighbour notification letter dated 3 July 2019

- ▶ Consultations
 - Roads Development Management Team 16.03.2020
 - Roads Flood Risk Management 17.09.2019

- ▶ Representations Dated:
 - Mr Hew Campbell, Yett Holm, Woodhall Road, Braidwood, Carluke, South Lanarkshire, ML8 5NF 09.07.2019
 - Mr Colin Fleming, 10 Woodhall Road, Braidwood, Carluke, South Lanarkshire, ML8 5NF 23.07.2019
 - Mr David Wilson, 119 Braidwood Road, Braidwood, Carluke, South Lanarkshire, ML8 5NU 23.07.2019

Contact for further information

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

Ian Hamilton, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 01698 455174

Email: ian.hamilton@southlanarkshire.gov.uk

Detailed planning application

Paper apart – Application number: P/19/0941

Conditions and reasons

01. That further applications shall be submitted to the Council as Planning Authority for the erection of individual dwellinghouses on the plots hereby approved, together with the requisite detailed plans and such plans shall include:-
- (a) Plans, sections and elevations of the proposed building together with the colour and type of materials to be used externally on walls and roof;
 - (b) Sections through the site, existing and proposed ground levels and finished floor levels;
 - (c) Detailed layout of the site as a whole including, where necessary, provision for car parking, details of access and details of all fences, walls, hedges or other boundary treatments; and,
 - (d) Existing trees to be retained and planting to be carried out within the site; and no work on the site shall be commenced until the permission of the Council as Planning Authority has been granted for the proposals, or such other proposals as may be acceptable.

Reason: To ensure that these matters are given full consideration.

02. That the further application required under the terms of Condition 01, shall be accompanied by a Design Statement which shall set out the design principles, justify the design solution and show how the proposal responds to the wider context of the area as well as the characteristics of the site.

Reason: To provide an explanation of the design concept and to enable a greater understanding of the proposal.

03. That no building to be erected on the site shall exceed 1.5 storeys in height.

Reason: To safeguard residential amenity and to ensure satisfactory integration with the surrounding area.

04. That before any work commences on the site, a scheme of landscaping for the area shaded green on the approved plans shall be submitted to the Council as Planning Authority for written approval and it shall include:
- (a) an indication of all existing trees and hedgerows plus details of those to be retained and measures for their protection in the course of development;
 - (b) details and specification of all trees, shrubs, grass mix, etc.including, where appropriate, the planting of fruit/apple trees;
 - (c) details of any top-soiling or other treatment to the ground;
 - (d) sections and other necessary details of any mounding, earthworks and hard landscaping;
 - (e) proposals for the initial and future maintenance of the landscaped areas;
 - (f) details of the phasing of these works; and no work shall be undertaken on the site until approval has been given to these details.

Reason: To ensure the appropriate provision of landscaping within the site.

05. That the approved landscaping scheme shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the buildings or completion of the development hereby approved, whichever is the sooner, and shall thereafter be maintained and replaced where necessary to the satisfaction of the Council.

Reason: In the interests of the visual amenity of the area.

06. 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.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

07. That before any of the dwellinghouses situated on the site upon which a fence is to be erected is occupied, the fence or wall for which the permission of the Council as Planning Authority has been obtained under the terms of Condition 06, shall be erected and thereafter maintained to the satisfaction of the Council.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

08. That before the development hereby approved is brought into use, a 6 metre wide dropped kerb accesses to the proposed dwellings shall be constructed in accordance with the specification and to the satisfaction of the Council as Roads and Planning Authority.

Reason: In the interests of traffic and public safety.

09. That before the development hereby approved is completed or brought into use, the first 2 metres of the driveways from behind the edge of the footway heel kerb shall be hard surfaced across its full width to prevent deleterious material being carried onto the road.

Reason: To prevent deleterious material being carried onto the road.

10. That before the development hereby approved is completed or brought into use, a visibility splay of 2.0 metres by 35 metres measured from the road channel shall be provided on both sides of the vehicular driveways and everything exceeding 0.9 metres in height above the road channel 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.

Reason: In the interests of traffic and public safety.

11. That before the development hereby approved is completed or brought into use, 2 metre wide footway shall be constructed along the frontage of the site to the specification of the Council as Roads and Planning Authority.

Reason: In the interests of public safety.

12. The carriageway of the public road shall be upgraded and widened to 5.5 metres over the frontage of the site.

Reason: To ensure the provision of satisfactory access to the site.

13. That before the dwellinghouses hereby permitted are occupied, 2 car parking spaces for 1-3 bedroom dwellings and 3 spaces for 4 or more bedroom dwellings (3m x 6m modules) shall be provided within the curtilage of each plot and outwith the public road or footway and shall thereafter be maintained to the specification of the Council as Planning Authority.

Reason: To ensure the provision of adequate parking facilities within the site.

14. That the garage driveway shall not have a gradient in excess of 8%.

Reason: In the interests of traffic and public safety.

15. That no development shall commence until details of surface water drainage arrangements have been submitted to and approved in writing by the Council as Planning Authority; such drainage arrangements will require to comply with the principles of sustainable urban drainage systems and with the Council's Sustainable Drainage Design Criteria and shall include the following signed appendices : 1 'Sustainable drainage design compliance certificate' , 2 'Sustainable drainage design - independent check certificate' 3 'Flood risk assessment compliance certificate', 4 'Flood risk assessment - independent check certificate' and 5 'Confirmation of future maintenance of sustainable drainage apparatus' . The development shall not be occupied until the surface drainage works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority.

Reason: To ensure that the disposal of surface water from the site is dealt with in a safe and sustainable manner, to return it to the natural water cycle with minimal adverse impact on people and the environment and to alleviate the potential for on-site and off-site flooding.

16. That the dwellinghouse shall not be occupied until the developer provides a written agreement from Scottish Water and SEPA that the site can be served by a water supply and sewerage scheme in accordance with relevant standards and regulations.

Reason: To ensure that the development is served by an appropriate effluent disposal system and water supply.

17. That before any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

18. That the roof of the proposed dwellings shall be clad externally in natural slate or a slate substitute which closely resembles slate.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

19. That no consent is hereby granted for the indicative house footprints within each houseplot shown on the application plan.

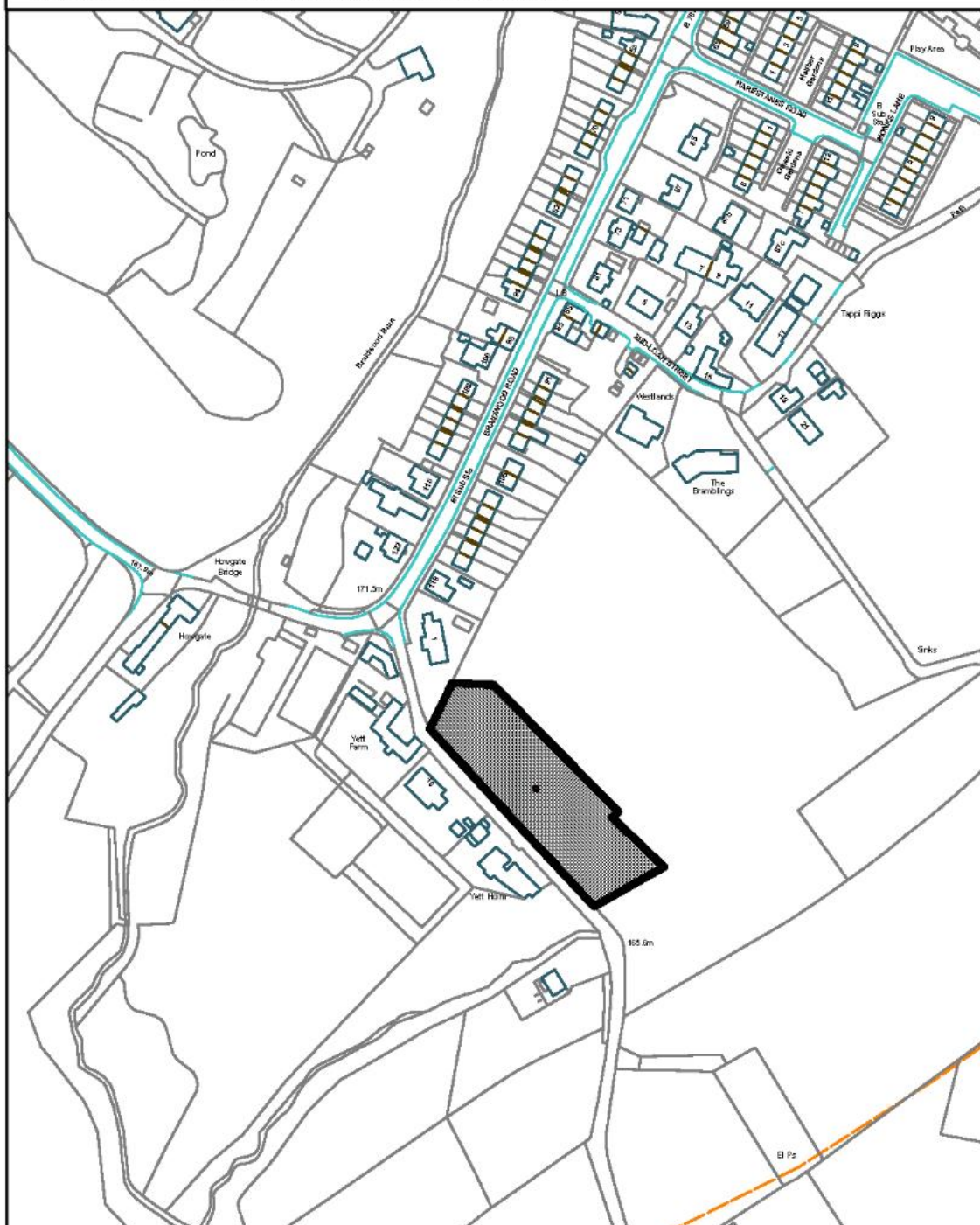
Response: Permission is granted in principle only and no approval is given for these details.

20. That the hedgerow shall not be removed during the bird nesting season between March and July.

Reason: To protect nesting birds and their fledglings.

P/19/0941

Land 50m East of 10 Woodhall Road, Woodhall Road, Braidwood



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Scale:
1:2,500

Date:
18/03/2020



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development