

# Report

Report to:	<b>Clydesdale Area Committee</b>
Date of Meeting:	<b>13 February 2018</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application No	CL/17/0485
Planning Proposal:	Formation of 3 House Plots at Gillfoot Nursery, Waygateshaw Road, Carluke

## 1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Mr Robert Lindsay
- Location : Gillfoot Nursery  
Waygateshaw Road  
Carluke  
ML8 5PY

## 2 Recommendation(s)

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

- (1) Grant Detailed Planning Permission (based on the conditions overleaf)

### 2.2 Other Actions/Notes

None

## 3 Other Information

- ◆ Applicant's Agent: Burrell Design Studio
- ◆ Council Area/Ward: 01 Clydesdale West
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan (adopted 2015)**  
Policy 2 – Climate Change  
Policy 3 - Green Belt and Rural Area  
Policy 4 - Development management and placemaking  
**Green Belt and Rural Area supplementary guidance (2015)**

- ◆ Representation(s):
  - ▶ 10 Objection Letters
  - ▶ 0 Support Letters
  - ▶ 0 Comments Letters

- ◆ Consultation(s):

Roads & Transportation Services (Flood Risk Management Section)

Environmental Services

Roads Development Management Team

West of Scotland Archaeological Service

## **Planning Application Report**

### **1 Application Site**

- 1.1 The application site lies within the Clyde Valley in a rural area to the north of Crossford which is designated as Greenbelt and a Special Landscape Area. The locality is characterised by pockets of properties with agricultural or horticultural roots, set back from the single track public road which follows the contours of the Valley's northern escarpment. The public roads are bordered by mature hedgerows with woodlands further enhancing the landscape and providing screening between different land holdings.
- 1.2 The ground at Gillfoot appears from historical maps to have been developed as a horticultural business with glasshouses in the 1930s, taking advantage of the level ground immediately to the west of the public road. Over the intervening period further glasshouses were constructed on the ground further westward, as well as a workers dwelling adjacent to the road.
- 1.3 The topography and mature vegetation of the area means that views into Gillfoot Nursery are restricted to the area around Orchard Farm, Hill of Orchard, Gillfoot House and Gillfoot Cottage. This area is not readily visible from Crossford or from the A72 which is the main road through the Clyde Valley.
- 1.4 Part of the application site comprises the brick built boiler shed and other sheds with storage tanks previously used to service Gillfoot's glasshouses, plus the previously cleared site of a glasshouse which lay on the northern half of the site. The remainder of the site is a grassed area lying between this and a garage/packing shed which sits at the roadside.

### **2 Proposal(s)**

- 2.1 The applicant seeks detailed planning permission for the formation of 3 residential plots – one of these plots would fully incorporate the site for a single house previously granted planning permission in principle (CL/12/0063, renewed under CL/15/0066).

### **3 Background**

#### **3.1 Government Advice/Policy**

- 3.1.1 Scottish Planning Policy directs that in areas which are accessible to cities and main towns or pressured rural areas, where there is a danger of unsustainable growth in long-distance car-based commuting or suburbanization of the countryside, a restrictive approach to new housing is appropriate, and that plans and decision making should set out the circumstances in which new housing outwith settlements may be appropriate.

#### **3.2 Local Plan Background**

- 3.2.1 The site is identified in the adopted South Lanarkshire Local Development Plan as being within the Greenbelt and subject to assessment against Policy 3: Green Belt and Rural Area and Policy 4: Development Management and Placemaking. Further detailed guidance is contained within Supplementary Guidance 2: Green Belt and Rural Area.

#### **3.3 Planning Background**

- 3.3.1 Planning Permission in Principle (CL/12/0063) was granted in March 2013 for the erection of a dwellinghouse on the northern part of the application site from which the glasshouse had been previously removed. That consent was renewed in April 2015 (CL/15/0066). The western boundary of the current application site is formed by two co-joined glasshouses which the applicant wishes to remove and had sought planning consent to form 3 substantial plots in a linear layout. Following discussions with the

Council the applicant withdrew that application (CL/17/0330) as the proposal did not comply with the policies of the adopted local development plan.

#### **4 Consultation(s)**

- 4.1 **Roads and Transportation Services**– offer no objection to the application, subject to the attachment of relevant conditions regarding the formation of visibility splays and parking within the site.

**Response:** Noted, relevant conditions will be attached to any approval Committee is minded to grant.

- 4.2 **Roads and Transportation Services (Flooding)** – offer no objection to the application, subject to the attachment of relevant conditions regarding the provision of a Sustainable Drainage System to serve the development.

**Response:** Noted, relevant conditions will be attached to any approval Committee is minded to grant.

- 4.3 **WOSAS** - advise that the application site involves ground which has seen some minor development in the past but this is an area of some archaeological sensitivity, with the supposed course of a Roman Road running through the application area. Consequently it is recommended that there should be an archaeological evaluation of the application site in a staged manner prior to ground disturbance occurring. The results of this investigation will inform the need for any subsequent investigations and a suitably worded planning condition should be employed.

**Response:** Noted, a relevant condition will be attached to any approval Committee is minded to grant.

#### **5 Representation(s)**

- 5.1 Following the carrying out of statutory neighbour notification and advertisement of the proposal as development potentially contrary to the development plan and due to the non-notification of neighbours, ten letters of representation have been received, and are summarized as follows:

**(a) The application site is within the Greenbelt and a Special Landscape Area. No specific locational need has been shown for the proposal and it therefore does not comply with National sustainability policies; neither does it demonstrate a role in the promotion of economic growth or for the enhancement of the environment. The site has not been included in the forthcoming South Lanarkshire Local Development Plan (SLLDP) revision which would have provided an opportunity for fuller scrutiny of the development's impacts.**

**Response:** Scottish Planning Policy (SPP) requires development plans to promote a pattern of development that is appropriate to the character of the particular rural area and the challenges it faces. Managing development in the Greenbelt is a key aim of the Council and Supplementary Guidance (SG2: Green Belt and Rural Area) has been prepared to provide detailed guidance in support of the SLLDP. New housing would be considered in the Greenbelt if it were associated with a business, or if it were linked to conversion of traditional redundant buildings. While these specific instances are not applicable at Gillfoot Nursery, an extant consent (CL/15/0066) does exist for the erection of one dwellinghouse on the site of a previously demolished glasshouse and undeveloped land lies between that and the public road. A full assessment of the proposal against these local plan documents is provided in Section 6 below.

**(b) The applicant's desire to remove the glasshouses does not justify a change of land use to residential as mitigation for visual reasons. The site is not derelict and does not constitute redevelopment of existing buildings with part of the application site being on undeveloped ground. The proposed layout**

would enable further development into the existing glasshouses and would also set a precedent for further applications in the greenbelt. When combined with existing houses and extant residential permissions, the proposal would form a new consolidated development/settlement.

**Response:** The submitted plans show that part of the proposal relates to ground on the northern part of the site on which previously stood a glasshouse, and on the southern edge to the sheds and redundant boiler-house which served the remaining glasshouses to the west, which lie outwith the application site. The proposed dog-legged layout for the three plots utilises an extant permission, a redundant building and an identifiable gap site on the eastern edge of the application site, with only a restricted access being shown to the existing glasshouses.

**(c) The proposed layout is incongruous as the existing settlement pattern is clearly of single houses rather than the proposed cul-de-sac.**

**Response:** Noted, however the proposed layout is designed to limit development and concentrate the built footprint towards the road and the bungalow.

**(d) The proposal will place an additional strain on the local infrastructure, especially roads, and also impact on the ecological and environmental qualities of the locality. The building works could impact on the area's sizeable badger population, while the completed development will increase light pollution which affects bats.**

**Response:** No adverse comments have been raised by the council's Roads service. The application site is comprised of cleared soil where a glasshouse previously stood, an open grassed area and the sheds with associated tanks on the southern portion of the site. There is no evidence of protected fauna living in these spaces; however the adjoining wooded areas which is likely to provide foraging areas for badgers will remain unaffected by the proposal .

- 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 for the formation of three residential plots and the formation of an associated access. The determining issues in consideration of this application are its compliance with local plan policy, and its impact on the amenity of the surrounding area.
- 6.2 The application site lies within the Green Belt and a Special Landscape Area, in an area noted for its narrow hedge lined roads, mature woodlands or shelter belts and undulating topography. The northern edge of the application site is defined by mature trees. Historically in the area, properties were situated some distance apart with orchards or commercial glasshouses surrounding them. At Gillfoot, the glasshouses were erected on the opposite side of the road from the dwelling Gillfoot House, and as the business expanded a further domestic property was erected closer to the focus of these horticultural operations. The applicant advises that this business has now ceased. A planning application (CL/17/0294) was approved in August 2017 to remove the occupancy restriction that was attached to the bungalow, Gillfoot Nursery. Planning permission in principle exists for the erection of one dwelling (CL/12/0063 and CL/15/0066) where the business's northern most glasshouse previously stood. Between this approved plot and the road lies a grassed area, and it should be noted that within the adopted SLLDP this portion of Gillfoot Nursery would be considered as a gap site, suitable for limited development, in this case one house.
- 6.3 In considering the proposal a number of policies are applicable and Policy 2 – Climate Change states that proposals for new development must, where possible, seek to

minimise and mitigate against the effects of climate change by meeting a number of criteria, including maximising the reuse of vacant and derelict land, and having no significant adverse impacts on the water and soils environment, air quality and biodiversity. Having considered the proposal and the advice from statutory consultees it is considered that the development's layout will not have a significant adverse impact on the water and soil environments, or biodiversity. The proposals in this instance raise no issues in relation to flood risk and a sustainable urban drainage system will be incorporated into the layout. In addition the proposals represent the appropriate re-use of previously developed land.

- 6.4 Policy 3 – Green Belt and Rural Area states that these areas function primarily for agriculture, forestry, recreation and other uses appropriate to the countryside. Development which does not require to be located there will be expected to be accommodated within settlements, other than in certain circumstances. These include where the proposal involves the redevelopment of derelict or redundant land and buildings where significant environmental improvement can be shown; and for limited development within clearly identifiable infill, gap sites and existing building groups. As noted above, part of the application site is the site of a previously cleared glasshouse and has a live consent for the erection of one dwelling; part of the site comprises of redundant boiler and tank buildings or infrastructure; and a third of the site is an identifiable gap site adjacent to the public road. The proposal to form three plots laid out in the manner shown is therefore considered acceptable and compliant with Policy 3. Further details such as scale and design would be the subject of further detailed applications but the principle of the plotted development is not considered to adversely affect the local community, while the inclusion of landscaping conditions on any planning consent granted would ensure that an appropriate level of screening and visual enhancement would benefit the rural character of the area. It is therefore considered that the proposal also complies with Policy 4 – Development Management and Place Making which requires proposed development to take account of and be integrated with the local context and built form.
- 6.5 No issues have been raised by consultees that cannot be addressed through the use of appropriate planning conditions, while the matters highlighted in the letters of representation have been considered against the policies of the SLLDP. These show that in this case a limited development of three plots can be accommodated on the site of the existing service buildings and the gap site without detriment to the character of the area or the qualities of the green belt. It is therefore recommended that planning permission be granted.

## **7 Reasons for Decision**

- 7.1 The proposal will not adversely affect the rural character of the area, or impact upon residential amenity. It does not raise infrastructure or environmental issues, and complies with Policies 2 – climate change, 3 – Green Belt and Rural Area, and 4 – Development Management of the adopted South Lanarkshire Local Development Plan and its related supplementary guidance.

**Michael McGlynn**  
**Executive Director (Community and Enterprise Resources)**

25 January 2018

### **Previous References**

- ◆ CL/12/0063
- ◆ CL/15/0066
- ◆ CL/17/0294
- ◆ CL/17/0330

### **List of Background Papers**

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Development Plan (adopted 2015)
- ▶ Development management placemaking and design supplementary guidance (2015)
- ▶ Neighbour notification letter dated 10/11/2017
  
- ▶ Consultations
  - Roads Development Management Team 20/11/2017
  - Roads & Transportation Services (Flood Risk Management Section) 19/12/2017
  
- ▶ Representations
  - Representation from : Karen Mair, 6 Milton, 41b Station Road, Carluke, ML8 5PX, DATED 27/11/2017
  - Representation from : Mrs Janette Lang, Poplar Glen, Orchard, Carluke, ML8 5PX, DATED 27/11/2017
  - Representation from : A Boag, Burnside Orchard, Crossford, Carluke, ML8 5PY, DATED 05/12/2017
  - Representation from : Peter Booth, Hill of Orchard, Carluke, ML8 5PX, DATED 27/11/2017 11:57:36
  - Representation from : Ursula Laing, Ellerburn Cottage, Burnside Orchard, Crossford, ML8 5PX , DATED 12/12/2017
  - Representation from : John Cooper, Orchard Lodge, Waygateshaw Road, Crossford, ML8 5PY , DATED 13/12/2017

Representation from : Anne Cooper , Orchard Lodge, Waygateshaw Road,  
Crossford, ML8 5PY , DATED 13/12/2017

Representation from : Sandra Gunn, Hill of Orchard, Orchard, ML8 5PX, DATED  
28/11/2017

Representation from : Mrs Pamela Hamilton, Linnside Orchard, ML8 5PY, DATED  
28/11/2017

Representation from : W K Hamilton, Linnside Orchard, ML8 5PY, DATED  
29/11/2017

**Contact for Further Information**

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

Ailsa Shearer, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton ML3  
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E-mail: [ailsa.shearer@southlanarkshire.gov.uk](mailto:ailsa.shearer@southlanarkshire.gov.uk)



## CONDITIONS

- 1 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.
- 2 No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority.  
Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.
- 3 That the total number of dwellinghouses within the site shall be no more than 3.
- 4 That no building to be erected on the site shall exceed one storey in height.
- 5 That notwithstanding the terms of Condition 1 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; and shall be in accordance with the Council's approved policy on new dwellings in the Greenbelt.
- 6 That notwithstanding the terms of the Town and Country Planning (General Permitted Development)(Scotland) Amendment Order 2011 (or any such order revoking or re-enacting that order), no fences, walls or other means of enclosure shall be erected on the site without the prior written permission of the Council as Planning Authority, other than -
  - i) post and wire fences up to 1 metre in height; or
  - ii) hedgerows planted with native species only.
- 7 That before any work commences on the site, a scheme of landscaping for the entire eastern and western edges of the application site 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.

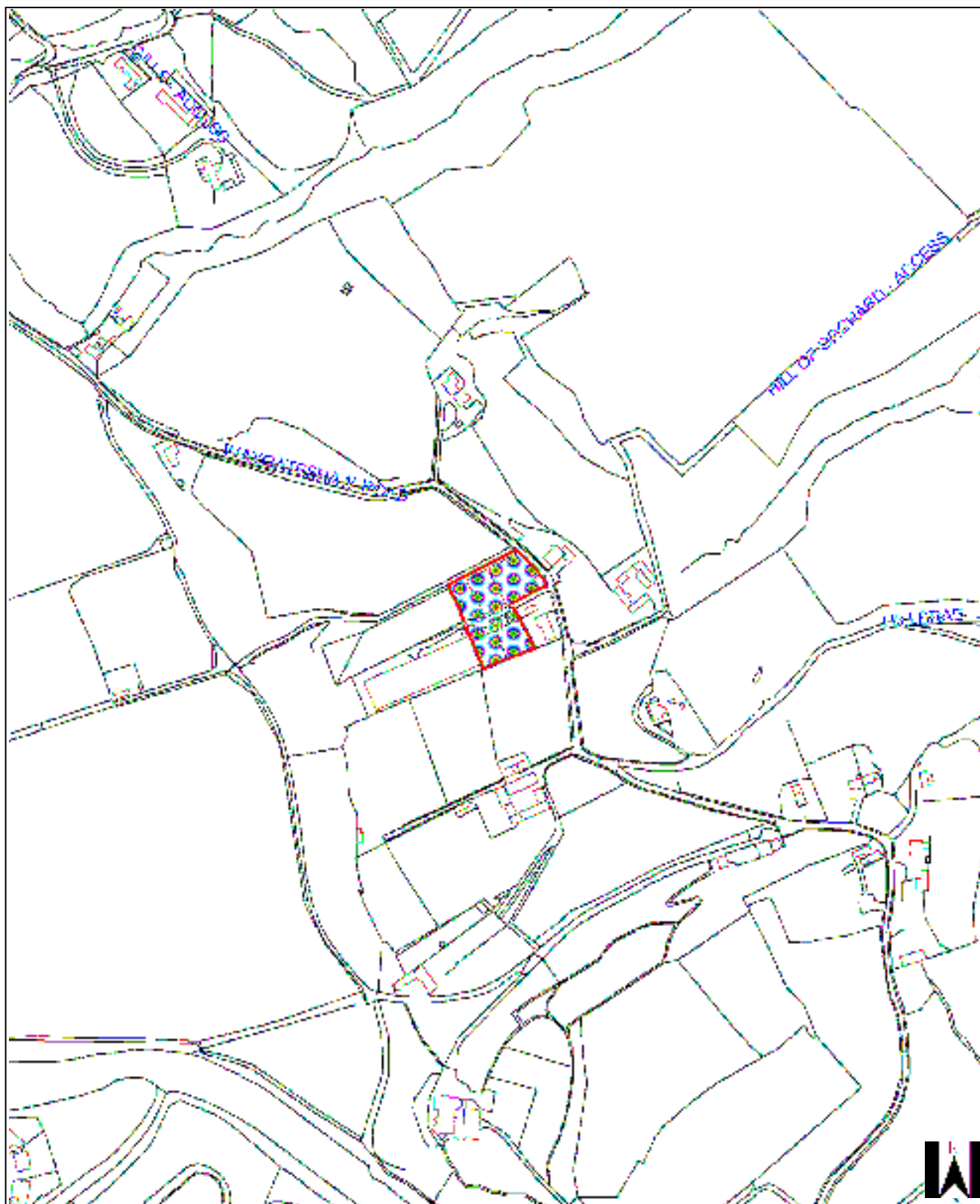
- 8 That the further detailed plot applications required shall include the following: (a) a minimum of 2 car parking spaces to be provided and maintained within the confines of each plot with 2 or 3 bedrooms, or 3 spaces provided where the dwelling has 4 or more bedrooms, (b) a turning facility which does not conflict with parking provision within the confines of the overall site, (c) a drainage system capable of preventing any water from flowing onto the public road or into the site or surrounding land.
- 9 That before the development hereby approved is brought into use, the following shall be provided in accordance with the specification and to the satisfaction of the Council as Roads and Planning Authority -
  - i) a dropped kerb access to the site laid to delineate the edge of the public road;
  - ii) a hard surface the first 4 metres of the access into the application site;
  - iii) a 2 metre wide verge provided along the full site frontage.
- 10 That before the development hereby approved is completed or brought into use, a visibility splay of 2.4m by 40m to the north and 2.4m by 48m to the south measured from the road channel shall be provided on both sides of the vehicular access and everything exceeding 0.9 metres in height above the road 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.
- 11 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 signed appendices as required. 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.

## REASONS

- 1.1 These details have not been submitted or approved.
- 2.1 In order to safeguard any archaeological items of interest or finds.
- 3.1 In the interests of the visual amenity of the area.
- 4.1 In the interests of amenity.
- 5.1 In the interests of amenity and to ensure satisfactory integration of the new dwellinghouses with the designated Greenbelt.
- 6.1 In the interests of the visual amenity of the area.
- 7.1 In the interests of the visual amenity of the area.

- 8.1 To ensure the provision of adequate parking facilities to serve the development.
- 9.1 In the interest of public safety
- 10.1 In the interest of road safety
- 11.1 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.

For information only



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