

# Report

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>7 June 2005</b>
Report by:	<b>Executive Director (Enterprise Resources)</b>

Application No	HM/05/0235
Planning Proposal:	Demolition of Derelict Buildings and Erection of Nine Dwellinghouses

## 1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : B A Construction
- Location : Crossbow House  
Stonemeadow Road  
Blantyre

## 2 Recommendation(s)

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

- (1) Grant Detailed Planning Permission (Subject to conditions – based on conditions listed overleaf)

### 2.2 Other Actions/Notes

Planning Committee has delegated powers to determine this application.

## 3 Other Information

- ◆ Applicant's Agent: IDP
- ◆ Council Area/Ward: 36 High Blantyre
- ◆ Policy Reference(s): Policy EN1A - Greenbelt  
Policy CU3B – Urban Fringe Park Proposals
- ◆ Representation(s):  
None
- ◆ Consultation(s):

Environmental Services

Leisure Services (Arboriculture)

Roads and Transportation Services (Hamilton Area)

Scottish Water

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

# **Planning Application Report**

## **1 Application Site**

- 1.1** This report relates to the remaining derelict buildings and grounds of Crossbow House on Stoney Meadow Road in High Blantyre. The site extends to approximately 0.7 hectares and is located some 1200 metres west of the centre of High Blantyre. The existing steading complex is in a derelict and deteriorating condition, having suffered fire damage since it was vacated over 2 years ago.
- 1.2** Crossbow House was formerly made up of a number of interlinked traditional buildings ranging in height from one to two storeys. Since the fire, the condition of the building has deteriorated to the extent that all that remains are parts of the external walls but no roof. The steading has been unoccupied for some time, but was formerly used for a range of uses including residential, offices, plant hire and a recording studio. The site also originally contained a barn with an area of 120 sq metres to the south west of the steading, but was demolished following the fire. Crossbow House was originally built as the offices for the Greenhall Estate, a former gentlemen's estate which is now in use as a public park.
- 1.3** The eastern and southern boundaries of the site are adjacent to Greenhall Estate, while land to the north slopes steeply down to the Rotten Calder. Crossbasket House which contains residential use and a children's nursery, is located to the west. The application site is surrounded by mature woodland which forms part of the Ancient Woodland. The majority of these trees are outwith the site although there are trees on either side of the driveway and along the northern boundary on the steep slopes of the Rotten Calder. Crossbow House and its grounds were purchased by the Council in 2002 and sold to the current applicant in February 2005.

Access to the site is along a 80 m long driveway onto Stoney Meadow Road to the south. Stoney Meadow Road links into Hamilton Road 50 metres to the south; this being a continuation of the slip road from the A725 East Kilbride Expressway which continues to High Blantyre.

## **2 Proposal(s)**

- 2.1** The proposal is for the demolition of all derelict remains of the existing steading and the erection of 9 dwellings on the approximate footprint of the demolished buildings and on an extended area to the west of the existing buildings. Where possible, sandstone from the existing building will be salvaged and reused. Five of the units will be located on the general footprint of the former steading, with the additional extended area to the west accommodating a further four units.
- 2.2** The development would comprise of 5x7 apartment dwellings, 3x6 apartments and 1x5 apartment. It would be a mixture of one-and-a-half and two storeys in height and would be finished externally in sandstone and render walls with slate or slate substitute tiles. Existing sandstone quoins, arches, stone lintols and sills salvaged from the existing remains would be reused in the new development. Access is proposed via the existing driveway which would be widened to 5.5 metres. Parking areas and garages would be provided to the front of the development and on an area to the south west of the dwellings, to the west of the access road.

### **3 Background**

#### **3.1 Local Plan Policy**

3.1.1 The site lies within the designated Green Belt in the adopted Hamilton District Local Plan. Policy EN1A states that there will be a strong presumption against development in the Green Belt unless it is shown to be necessary for the furtherance of agriculture or other uses appropriate to the Green Belt. It also states that proposals for the replacement of dwellings in the Green Belt will be considered favourably if they comply with the terms of Development Advice Policy Guidance No 9 – Replacement Dwellings in the Greenbelt.

3.1.2 The site is also affected by Proposal CU3B which states that the Council will seek the creation of an urban fringe park at a number of locations, including Greenhall/Rotten Calder. This designation applies to a wide area of land, including the adjacent Greenhall Park and the Rotten Calder corridor as far as Pecks Brae 1km to the north.

#### **3.2 Relevant Government Advice/Guidance**

3.2.1 Scottish Planning Policy 3 (Planning for Housing) advises that buildings in the countryside no longer required for their original purpose offer opportunities for conversion to dwellings. Planning authorities should look sympathetically at proposals for the sensitive re-use, conversion or rehabilitation of buildings which can be accessed safely and readily serviced. Limited new housing along with converted buildings may be acceptable where it results in a cohesive grouping well related to its landscape setting. However, redevelopment should not automatically extend to the replacement of wholly derelict buildings or development of a different scale or character from that which existed previously.

3.2.2 The recently published Scottish Planning Policy 15 (Rural Development), states that opportunities to replace run down housing and steadings with designs using new materials should also be embraced. Planning authorities should not unreasonably constrain such modernisation and steadying conversion within the original footprint or height limit unless there are compelling design or conservation reasons for doing so.

3.2.3 Circular 24/1985 (Development in the Countryside and Green Belts) requires Councils to maintain the effectiveness of existing Green Belts, safeguard the amenity and character of the countryside and protect the setting of settlements. Development in the Green Belt should be strictly controlled and there should be a general presumption against any intrusion into the Green Belt.

#### **3.3 Planning History**

3.3.1 Planning permission was granted in September 2004 for the conversion and extension of the existing house and outbuildings to form eight dwellinghouses. However, the subsequent sale of the site to the applicant did not progress. Previous consents relating to the property involved the change of use of a barn to living accommodation (HM/98/H388); the use of part of the steading to form two business units (HN/96.H262); and the subsequent change of use of one of these units to a recording studio in August 2000 (HM/00/0342). There is also evidence that part of the site was formerly being used for the storage of caravans and plant hire equipment.

## 4 Consultation(s)

- 4.1 **Roads and Transportation Services** – no objection in principle. Some parking spaces require to be relocated closer to the dwellings and a sightline where the access meets Stoneymeadow Road should be maintained  
**Response:** Noted. The parking layout has been amended accordingly and a condition may be imposed re provision of the required sightline.
- 4.2 **Scottish Water** – There are no known sewers to which connection can be made. An extension to the existing water mains may be required.  
**Response:** Noted. See 4.3 below.
- 4.3 **Scottish Environmental Protection Agency** – No objections in principle. No public sewer exists and therefore foul drainage arrangements will require to comply with SEPA's requirements. The treatment of surface water should be carried out in accordance with the principles of Sustainable Urban Drainage Systems. Wastes arising from construction and demolition at the site must be disposed of to a suitable licensed facility.  
**Response:** Noted. A condition can be imposed on any consent requiring these details to be agreed before work starts on site.
- 4.4 **Community Resources** – Advise that the trees on the entrance drive are likely to be adversely affected by works to the access. However, as these are mainly poor quality semi-mature ornamental conifers and are of limited wildlife or amenity value, it is recommended that they be removed and replaced with substantial planting to create a double line entrance.  
**Response:** A condition requiring replacement planting can be attached to any consent issued.
- 4.5 **Environmental Services:** No objections subject to control over hours of construction, carrying out of an asbestos survey and submission of details in respect of storage/uplift of waste.  
**Response:** Noted. Issues relating to construction noise and asbestos are more appropriately dealt with under Environmental Health and other legislation. The issue of waste can be dealt with by condition, although the applicant has shown appropriate waste storage provision areas on the submitted plans.

## 5 Representation(s)

- 5.1 The statutory neighbour notification procedure has been carried out and the application was advertised as potentially contrary to the development plan. No objections have been received.

## 6 Assessment and Conclusions

- 6.1 This application seeks detailed consent for the demolition of the remaining derelict buildings on the site and their replacement with 9 dwellings. The main planning considerations in determining the application are whether the proposals comply with national and local planning policy, impact on residential amenity, and access and parking issues.

- 6.2 Greenbelt policy in the adopted Hamilton District Local Plan and in Circular 24/1985 seeks to resist development in, and the encroachment of urban uses into, the Greenbelt. However both local and national planning policy recognises the opportunities which redundant buildings or those no longer required for their original purpose have for conversion to residential use. SPP3 advises that limited new housing, together with conversion of existing buildings, can be acceptable where it results in a cohesive group of dwellings that are well related to its landscape setting. However, it also states that redevelopment should not automatically extend to the replacement of wholly derelict buildings or development of a different scale or character from that which existed previously.
- 6.3 SPP15 goes further by stating that opportunities to replace run down housing and steadings with designs using new materials should also be encouraged and that planning authorities should not unreasonably constrain such modernisation and steadying conversion within the original footprint or height limit unless there are compelling design or conservation reasons for doing so.
- 6.4 The Hamilton District Local Plan states that proposals for replacement dwellings have to be assessed against Development Advice Policy Guidance No 9 – Replacement Dwellings in the Greenbelt which states that such proposals for replacement dwellings will be considered favourably where:

- 1) (a) the existing dwelling is capable of habitation or being made habitable without works requiring planning permission and
- (b) where there is a sound case for replacement rather than upgrading and extension

Capable of habitation is interpreted as:

a) roof must not have been removed/partially removed or require to be removed or substantially reconstructed to make the building habitable.

b) the use as a dwellinghouse has not been abandoned

c) all walls must be intact and not require demolition or reconstruction

d) the building is structurally sound and documentary evidence of the state of the building must be submitted as part of the application.

2) Replacement dwellings shall be designed so as to reflect as far as possible, the form, scale and location of the existing dwelling, with particular respect being paid to the use of traditional building materials. In particular, there shall be a general presumption in favour of house types which reflect the rural character of the area as opposed to 'suburban kit' types of dwelling

3) Replacement dwellings should generally not result in an increase of more than 50% in the floorspace of the original house. Consideration may be given to more substantial increases in exceptional circumstances where existing living conditions fall well below modern day standards

4) In all cases a section 50 agreement between the applicant and the Council will be required to ensure the demolition of the existing dwelling on completion of the replacement

5) When granting permission for replacement dwellings, 'permitted development rights' in respect of further extensions, alterations and cartilage development shall be withdrawn in order to retain effective control.

I would assess the proposal against each of the criteria as follows:

- 1) Due to the fire damage which has taken place, the existing buildings are clearly not capable of habitation without works requiring planning permission with in particular, the roofs being missing. However, prior to the fire, the building had been occupied, was in good structural condition and was obviously habitable.

Although the proposal for the replacement of what are now derelict buildings is, on the face of it, contrary to this particular part of the policy, it is considered that it would be unduly harsh to automatically reject a proposal which is being sought as a result of the fire damage which has taken place. There are appeal examples where Reporters have taken similar views in permitting the replacement of fire damaged buildings within the green belt.

As such, it is considered that these exceptional circumstances are unusual and would not set a precedent for any proposals relating to the replacement of derelict buildings elsewhere in the green belt. The property was also recently in residential use and, as the Council were in the intervening period actively marketing the property for this purpose, its use had not been abandoned.

- 2) I am satisfied that the group of buildings proposed have been designed to reflect the traditional character and scale of the former existing property. In particular, the development will reuse traditional stone features such as sandstone quoins and arches, stone lintols and sills which will be salvaged from the demolition of the existing buildings. The use of sandstone, render and slate/slate substitute are all materials which are sympathetic to this green belt location. The proposed form of development involving a linked grouping of dwellings around two courtyards respects the form of development formerly on the site.
- 3) The proposals involve the demolition of the existing buildings and the erection of new dwellings on the approximate footprint of the remaining buildings, together with development on adjoining land to the west. Taking account of the footprint of the existing buildings and the barn that was demolished, the development on land adjacent to the existing buildings would represent an approximate increase on the existing footprint of 100%, although the overall floor area of the development being provided would be slightly less than the application for 8 dwellings which was granted in 2004 (2070m<sup>2</sup> compared to 2169m<sup>2</sup>). However, although the proposed floor area of the development significantly exceeds the guideline figure of 50%, in the context of the size of the application site and its landscape setting, I consider that the site can adequately cope with the extent of development proposed. In addition, the recent SPP15 – Rural Development, specifically states that planning authorities should not unreasonably constrain steading conversions within the original footprint or height limit unless there are compelling design or conservation reasons for doing so. I consider that in this case, the design and scale of the development are appropriate to their setting and that there are no compelling reasons for unduly restricting the level of development proposed.

- 4) This criterion is applicable where the replacement dwelling being erected is on a different site to the existing property and is to ensure that the existing dwelling is demolished following completion of the replacement. This is not required in this instance as, in order for the proposal to be implemented, prior demolition of the existing buildings will be necessary.
- 5) A condition removing permitted development rights will be imposed on the consent should planning permission be granted. The proposed development will not have an adverse impact on residential amenity or traffic safety. In addition the provision of a small scale residential development would not detract from the use of the adjoining Greenhall Estate as a park. Indeed, the introduction of new residents will aid surveillance of the park which does suffer from vandalism and anti-social behaviour.
- 6) There would be no adverse impact on natural or built heritage features within the site or in the adjoining park.

Accordingly, I consider the proposals are appropriate in terms of policy EN1A.

- 6.5 The application site is also affected by proposal CU3B to create an urban fringe park at Greenhall. The site represents a small proportion of the overall area identified by the proposal and does not contain any features that would contribute to the facilities an urban fringe park would offer. Greenhall Estate and the Rotten Calder corridor are in themselves significant environmental resources which provide a high quality recreation facility. I do not therefore consider the proposals will prejudice the implementation of this proposal.
- 6.6 The proposed development involves the sensitive redevelopment of a former traditionally designed steading and will bring back into beneficial use what can be considered a brownfield site within the Greenbelt. The development has a mature woodland setting which allows it to be integrated into the surrounding landscape, while views into the site from the adjacent public park are limited. The proposals will, in my view, improve the visual amenity of this part of the Greenbelt and also aid in reducing problems such as vandalism. They are wholly consistent with local and national planning policy on development in the Green Belt.
- 6.7 I therefore recommend that planning permission be granted. I am also of the view that the proposals accord with the development plan and that referral of the planning application to Scottish Minister is not required.

**Iain Urquhart**  
**Executive Director (Enterprise Resources)**

**19 May 2005**

#### **Previous References**

- ◆ None.



## List of Background Papers

- ▶ Application Form
- ▶ Application Plans
  
- ▶ Consultations
  - Roads and Transportation Services (Hamilton Area) 09/05/05
  - S.E.P.A. (West Region) 17/05/05
  - Scottish Water 11/05/05
  - Community Resources 18/04/05
  - Environmental Services 16/05/05
- ▶ Representations
  - None

## Contact for Further Information

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

Karen Brown, Planning Officer, Brandon Gate, Hamilton  
Tel: Ext 3509 (01698 453509)  
E-mail: [Enterprise.hamilton@southlanarkshire.gov.uk](mailto:Enterprise.hamilton@southlanarkshire.gov.uk)

**CONDITIONS**

- 1 That the development hereby permitted shall be started within five years of the date of this permission.
- 2 That prior to the commencement of any demolition works, the applicant shall agree in writing with the Council as Planning Authority, a schedule of any materials and architectural features to be salvaged from the existing buildings and re-used in the new development.
- 3 That no trees within the application site shall be lopped, topped, pollarded or felled, and no shrubs or hedges shall be removed from the application site without the prior written consent of the Council as Planning Authority.
- 4 That the existing trees to be retained must be protected in accordance with methods as set out in BS5837/1991 during and until completion of all site operations and building works.
- 5 That before any work commences on the site, a scheme of landscaping 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.; (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.
- 6 Notwithstanding the terms of Condition 5 above, the landscaping scheme shall include provision for substantial replanting of trees on both sides of the entrance drive if existing trees are adversely affected by improvements to the access road and require to be removed.
- 7 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 building(s) 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.
- 8 That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.
- 9 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.

- 10 That before any work commences on site, full details of the design and external finishes of the garages and bin stores to be erected on the site shall be submitted to and approved by the Council as Planning Authority.
- 11 That the roof of the dwellings and garages shall be clad externally in slate or a slate substitute to be agreed in writing with the Council as Planning Authority.
- 12 That prior to the implementation of the works hereby approved, a sample panel of the proposed external finish shall be provided and no further work on the site shall be commenced until the written approval of the Council as Planning Authority has been granted for this or other such finish as may be acceptable to the Council. The approved sample panel shall remain in place throughout construction.
- 13 That the existing stone boundary walls shall be retained and made good where necessary.
- 14 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.
- 15 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 14 above, shall be erected and thereafter maintained to the satisfaction of the Council.
- 16 That notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992 (or any such order revoking or re-enacting that order), no development shall take place within the curtilage of the application site other than that expressly authorised by this permission without the prior written consent of the Council as Planning Authority.
- 17 That no dwellinghouse shall be occupied until the access roads and footpaths leading thereto from the existing public road have been constructed in accordance with the specification of and to the satisfaction of the Council as Roads and Planning Authority.
- 18 That before the development hereby approved is completed or occupied, a visibility splay of 2.5 metres by 30 metres measured from the road channel shall be provided on both sides of the vehicular access and everything exceeding 1.05 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 1.05 metres in height shall be planted, placed or erected within these sight lines.
- 19 That before the development hereby approved is completed or occupied, all of the parking spaces shown in yellow on the approved plans shall be laid out and constructed to the satisfaction of the the Council as Roads and Planning Authority and thereafter shall be maintained to the entire satisfaction of the Council.
- 20 That no work shall start on site until the method of discharging foul drainage from the site has been agreed with the Council as Planning Authority and the Scottish Environmental Protection Agency.

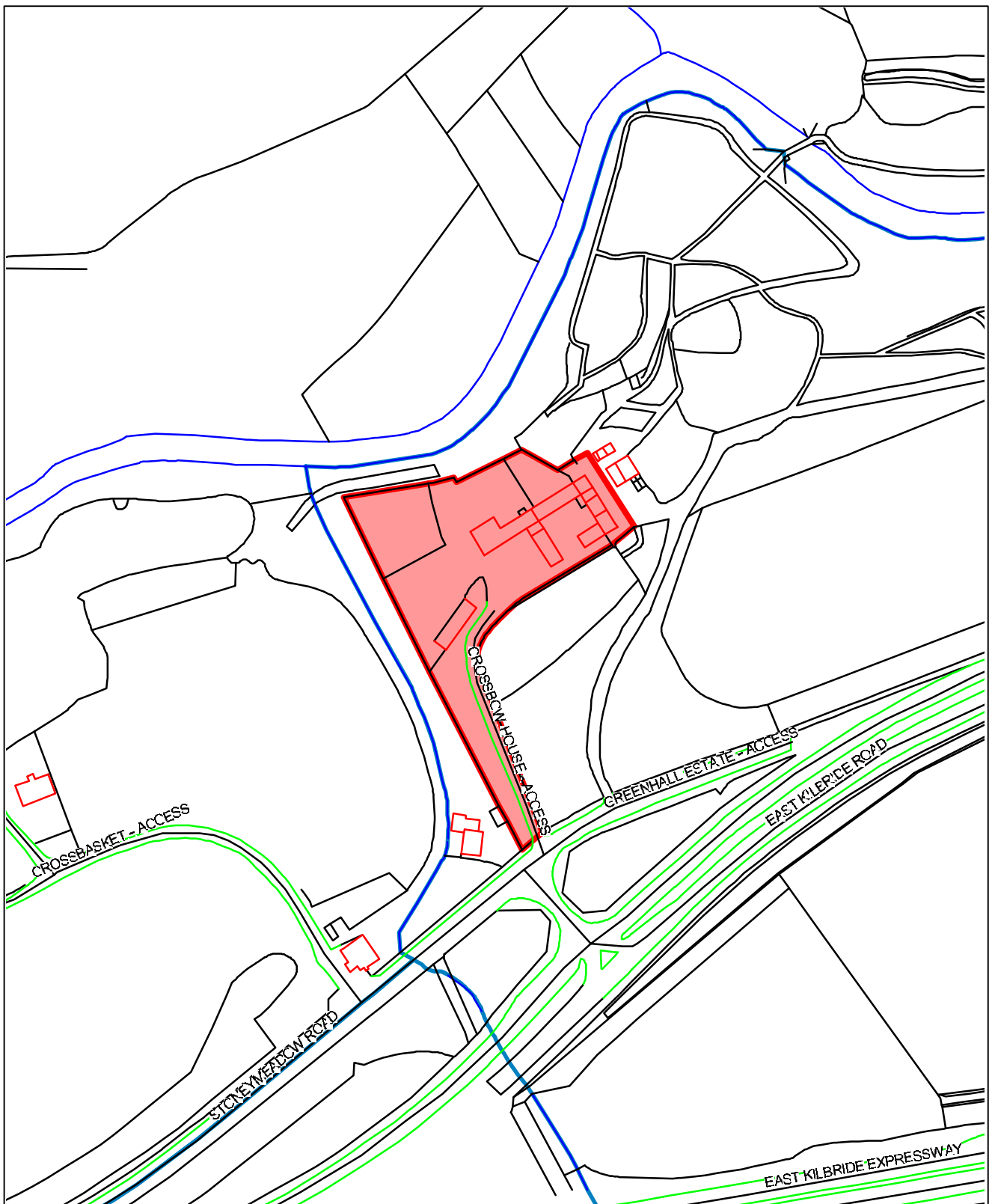
- 21 That no dwellinghouse shall be completed or occupied until the site is served by the scheme required under condition 20 above is constructed to the specification and satisfaction of the Council as Planning Authority and the Scottish Environmental Agency.
- 22 That no development shall commence until 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.
- 23 That before any trees are felled and any work starts on the demolition of the existing buildings on site, the trees and buildings shall be checked for bats and bat roosts. The Council shall be advised immediately if bats or roosts are found and all work on site should cease until mitigation measures are agreed with, and implemented to the satisfaction of the Council as Planning Authority.

## REASONS

- 1 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2 To enable the re-use of traditional materials and existing architectural features in the new development.
- 3 To ensure the protection and maintenance of the existing trees and other landscape features within the site.
- 4 To ensure that adequate steps are taken to protect existing trees on the site throughout the period of the proposed building operations.
- 5 In the interests of the visual amenity of the area.
- 6 In the interests of the visual amenity of the area.
- 7 In the interests of amenity.
- 8 In the interests of amenity and in order to retain effective planning control.
- 9 In the interests of amenity and in order to retain effective planning control.
- 10 In the interests of amenity and in order to retain effective planning control.
- 11 In the interests of the visual amenity of the area.
- 12 In the interests of amenity and in order to retain effective planning control.
- 13 In the interests of amenity.
- 14 These details have not been submitted or approved.
- 15 In order to retain effective planning control
- 16 In the interests of amenity and in order to retain effective planning control.
- 17 To ensure satisfactory vehicular and pedestrian access facilities to the dwellings
- 18 In the interest of road safety
- 19 To ensure the provision of adequate parking facilities within the site.
- 20 To ensure the provision of a satisfactory sewerage system
- 21 To ensure the provision of a satisfactory sewerage system
- 22 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 off-site flooding.
- 23 In order to protect any bats or bat roosts within the site.

For information only

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