

	Delegated Report	Reference no.	P/21/1210
		Date	5 May 2022

Planning proposal: Erection of agricultural worker's dwelling house (permission in principle)

Location: Land 475m Southeast of Cobblehaugh Farm Cottage
Cobblehaugh Road
Lanark
South Lanarkshire

Application Type : Permission in principle

Applicant : Firm of Thomas Orr

Location : Land 475m Southeast of Cobblehaugh Farm
Cottage
Cobblehaugh Road
Lanark
South Lanarkshire

Decision: Application refused

Other action/notes: None

Report by: Area Manager (Planning & Building Standards)

Policy reference:

South Lanarkshire Local Development Plan 2 (Adopted 2021)

Policy 4 - Green Belt and Rural Area

Policy 14 - Natural and Historic Environment

Policy GBRA1 - Rural Design and Development

Policy GBR10 - Accommodation Associated with an Existing or Proposed Rural Business

Assessment

Impact on privacy?	No
Impact on sunlight/daylight?	No
Impact on amenity?	No
Traffic issues?	No
Adheres to development plan policy?	Yes
Adverse comments from consultees?	No

Consultations

Summary of response

West of Scotland Archaeology Have no objection to the proposal and have requested that

Service

an archaeological watching brief is implemented.

Roads Development Management Team

Have advised that the applicant is required to install intervisible passing places along Cobblehaugh Road from the junction with the A70 to the site to widen the road to 5.5m. The agent has submitted details of the proposed passing places, however, it should be noted that the passing places are outwith the application site boundary. Notwithstanding the above, whilst Roads and Transportation Services have recommended the provision of these passing places, it is noted that failure to provide the passing places would not constitute a reason for refusal.

Representation(s):

►	6	Objection letters
►	0	Support letters
►	0	Comment letters

Planning Application Delegated Report

1 Application Summary

- 1.1 The site extends to approximately 1.37ha and relates to land which forms part of Charleston Park Farm. Charleston Park Farm accommodates an existing farm house and associated farm buildings which are located approximately 1000m to the north west of the proposed development.
- 1.2 The site is situated within the designated rural area and is bound to the north, south and west by agricultural fields and is bound by the River Clyde to the east. The site includes the ruins of the demolished Hyndford Mill Cottage and associated farm buildings. The site is accessed via a private farm track.
- 1.3 The proposal relates to the erection of an agricultural worker's dwelling house (permission in principle). The submitted supporting statement identifies that the dwelling is required as the farmer is moving towards semi-retirement in the next 5 to 6 years and the new dwelling is part of the succession plans. In addition, the statement identifies that the proposal would support the development of the sheep farming element of the business and would provide additional security on the farm.
- 1.4 In terms of the planning history of the site, prior approval was granted on 11 April 2022 for the 'erection of agricultural buildings to accommodate livestock, fodder and machinery storage, enclosed yard and formation of external hardstanding area' (P/21/1320) at the site. In addition, prior approval for the 'erection of an agricultural building' (P/20/0620) also relates to the site but has not been implemented.

2 Representation(s)

- 2.1 Statutory neighbour notification was undertaken and following this publicity six letters of representation were received in relation to the application. The grounds of objection are summarised below:-

(a) Concerns regarding the heavy traffic in this rural area and the size and weight of some of the vehicles which already use the farm tracks. Traffic has significantly increased since the applicant's business commenced.

Response: Roads and Transportation Services have not raised any issue in this regard.

(b) Concern regarding the increase in traffic associated with the proposal and the impact on children's safety as many of them use the existing track to access the river.

Response: Roads and Transportation Services have advised that it is a private track and a degree of pedestrian traffic such as walkers is commonplace and they haven't raised any roads safety concerns in relation to this issue.

(c) There are currently issues with the road and walkers are forced on to the verges to allow traffic to pass.

Response: Noted. Roads and Transportation Services have recommended that additional passing places should be implemented in relation to the proposed development.

(d) The applicant is to retire and his son is to take over the farm, however, normally the farmer would move to nearby premises rather than continue to reside on the farm. In this case the site is in close proximity to Lanark centre.

Response: It is noted that it is a common occurrence for retired farmers to take up residence nearby but not necessarily at the farm.

- (e) **The proposal appears to be forming another steading.**

Response: Noted. This point shall be discussed in section 3 of the report.

- (f) **There is no power supply to the site.**

Response: Noted.

- (g) **The majority of activity on the farm is crop production and does not require a live in labourer on the farm.**

Response: Noted. This point shall be discussed in section 3 of the report.

- (h) **A large part of the trading history of the farm relates to the haulage element of the business.**

Response: Noted.

- (i) **The labour requirement calculation in the submitted planning statement is derived from a handbook and does not reflect the actual operations. Details of the labour requirement should be submitted from a reputable independent agriculture advisor and this report should include plans, a certificate of holding and details of the herd and flock numbers.**

Response: The agent was asked to provide a labour requirement report from a suitably qualified agricultural body such as the Scottish Agricultural College (SAC). However, the agent has responded advising that he has historically been preparing planning reports for such applications and no further report has been submitted to date.

- (j) **A flood risk assessment should be submitted.**

Response: In this instance it is not considered that a flood risk assessment required to be submitted given that the site does not lie within a flood plain.

- (k) **There are permitted development rights available to farmers to construct buildings for animal shelter etc and the need for such outbuildings does not justify the construction of a new dwellinghouse.**

Response: Noted. Indeed, prior notification for agricultural buildings has recently been granted at the site. The need for a new house is discussed in part 3 of the report.

- (l) **The proposal for a new dwelling is contrary to the provisions of the Strategic Development Plan and a number of policies contained within the adopted Local Development Plan.**

Response: A policy assessment of the proposed development has been undertaken in Section 3 below.

- (m) **The submitted financial information is minimal and without the submission of detailed accounts there is no evidence of a viable agricultural/ farm business let alone justification for an additional dwelling associated with the business.**

Response: It is noted that very limited financial information for the existing operations has been submitted relating to 2016 until 2020. Further information relating to the business has been requested by the Planning Service however, to date no additional financial information has been submitted.

3 Assessment and Conclusions

- 3.1 The determining issues in the consideration of this application are its compliance with the adopted South Lanarkshire Local Development Plan 2 and its impact on the designated rural area and special landscape area.
- 3.2 In terms of Local Plan policy, Policy 4 of the adopted Local Development Plan establishes that the rural area functions primarily for agriculture, forestry, recreation and other uses appropriate to the countryside. Development which does not require a countryside location is expected to be accommodated within the settlements identified on the proposals map and isolated and sporadic development will not be supported. Whilst it is noted that prior approval has been granted for agricultural buildings at the site, the prior approval assessment is limited to the visual impact of farm buildings and cannot question the need or principle of the development. The proposed dwelling house is situated a significant distance from the established farmhouse and associated outbuildings. It is considered that this would result in a new dwelling situated at an isolated location, contrary to the provisions of Policy 4 of the adopted Local Development Plan.
- 3.3 Policy 14 seeks to protect and enhance the natural environment including special landscape areas. The proposal relates to the erection of a single dwelling on agricultural land, situated adjacent to the River Clyde, within the designated special landscape area. Subsequently, it is considered that this development would result in an adverse visual impact on the established rural landscape. In this instance the impact of the proposal is not considered to be outweighed by a significant social or economic benefit and therefore the development does not accord with the provisions of Policy 14 of the adopted Local Development Plan.
- 3.4 Policy GBRA1 establishes that existing high quality rural environments require to be protected and that all proposed developments within the rural area require to accord with the criteria identified in this policy. The proposal relates to an application for outline consent and it is considered that the proposed siting of the agricultural dwelling would represent sporadic isolated development in the rural area. The siting of the dwelling is not consolidated within the existing building grouping at Charleston Park Farm, to the detriment of the amenity and landscape character of the surrounding rural area. In addition, Roads and Transportation Services recommended that the existing access to the site be upgraded through the provision of passing places, however, it is noted that failure to provide the passing places would not result in a road safety issue which would warrant refusal of the application. Therefore, the proposed development is not considered to accord with the criteria identified in Policy GBRA1 of the adopted Local Development Plan.
- 3.5 Proposals for a new dwelling associated with a rural business are required to meet all the criteria identified in Policy GBR10. The submitted supporting statement identifies that the siting of the dwelling would allow for the relocation of the sheep farming element of the existing operations and facilitate expansion. Whilst it is accepted that there may not be an opportunity for the conversion or use of redundant buildings at Charleston Park Farm, there are a number of existing buildings associated with the farm. It is considered that a proposed new dwelling should be consolidated within the existing building group and the justification provided in the supporting statement for not siting the proposed dwelling in close proximity to the established building group is not considered adequate. In addition, it is considered that there is not sufficient justification that a new dwelling house is essential for the successful management of the business. In this regard, the financial information which has been submitted in support of the application is considered to be relatively minimal and does not include the most recent trading years. Therefore, the proposed development is not considered to accord with the criteria identified in Policy GBRA10 of the adopted Local Development Plan.

- 3.6 In summary, the proposal does not accord with the provisions of the adopted South Lanarkshire Local Development Plan 2 and there are no other material considerations which would justify the approval of planning permission. The proposed agricultural worker's dwelling house does not represent an appropriate form of development for the site and therefore planning permission in principle should be refused.

4 Reason for decision

- 4.1 The proposed development does not accord with the requirements of Policies 4, 14 GBRA1 and GBRA10 of the adopted Local Development Plan 2.

Delegating officer: Lynda Dickson

Date: 5/5/22

Previous references

- ◆ P/21/1320
- ◆ P/20/0620

List of background papers

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ Neighbour notification letter, dated 28.07.2021
- ▶ Planning Statement prepared by Derek Scott Planning, received 16.07.2021
- ▶ Drawing L(--)-019(A) 'Cobblehaugh Road Passing Places,' received 9.12.21

▶ Consultations

West Of Scotland Archaeology Service	12.08.2021
Roads Development Management Team	15.09.2021 21.04.2022

▶ Representations

Margaret G Russell, Ash Lea, Cobblehaugh Road, Lanark, ML11 8SG,	Dated: 22.08.2021
Mr E Pearson, Pearson Planning, Chartered Surveyors, PO Box 28606, Edinburgh, EH49BQ,	Dated: 26.08.2021
Mr Hugh Loney, 5 River View, Cobblehaugh road, Lanark, ML11 8TJ,	Dated: 31.08.2021
Andrew Russell, Leapark, Cobblehaugh Road, Lanark, ML11 8SG,	Dated: 05.09.2021
Andrea Skinner House Manager Of The Cottage, Received Via Email	Dated: 06.09.2021
Euan Pearson, Via Email	Dated: 12.11.2021

Contact for further information

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

Gail Neely, Planning officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 01698 455932

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Planning Application

Application number: P/21/1210

Reasons for refusal

01. The proposed development is contrary to Policy 4 'Green Belt and Rural Area' of the adopted Local Development Plan 2 as it would constitute an isolated form of development within the Rural Area without appropriate justification.
02. The proposed development does not accord with the criteria identified in Policy GBRA1 'Rural Design and Development' of the adopted Local Development Plan 2 as it would result in isolated and sporadic residential development in the rural area and the siting of the proposed dwelling would adversely impact on the established visual amenity and landscape character of the surrounding rural area.
03. The proposed development does not accord with the criteria identified in Policy GBRA10 'Accommodation Associated with an Existing or Proposed Rural Business' of the adopted Local Development Plan 2 in that the justification provided in the supporting statement for not siting the proposed dwelling in close proximity to the established building group is not considered adequate and there is not sufficient justification that a new dwelling house is essential for the successful management of the business.
04. If approved, the proposal would set an undesirable precedent which could encourage further similar applications for development prejudicial to the Rural Area designation.
05. The proposal is contrary to the provisions of Policy 14 'Natural and Historic Environment' of the adopted Local Development Plan 2 as the visual impact of the development on the special landscape area is not considered to be outweighed by a significant social or economic benefit.

Reason(s) for decision

The proposed development does not accord with the requirements of Policies 4, 14, GBRA1 and GBRA10 of the adopted Local Development Plan 2.

Informatives

01. This decision relates to drawing numbers:

Reference	Version No:	Plan Status
L(--)-018		Refused
L(--)-001 (F)		Refused
L(--)-005 (E)		Refused
L(--)-005 (F)		Refused
L(--)-001 (D)		Refused