

# **Appendix 7**

**Applicant's Comments on Further Representations  
Submitted by Interested Parties in the Course of the  
Notice of Review Consultation Process**



Pauline McRae  
Administration Officer,  
Floor 2  
South Lanarkshire Council  
Almada Street  
Hamilton  
ML3 0AA

By e-mail

29<sup>th</sup> March, 2019

Dear Pauline,

## **Local Review Board – P/18/1195, Plot 3 Hollybraes Barn, East Kilbride Road**

Further to your letter of 19<sup>th</sup> March enclosing the Council Planning Officer response to our Local Review Board submission in respect of the above planning application I would make the following comments.

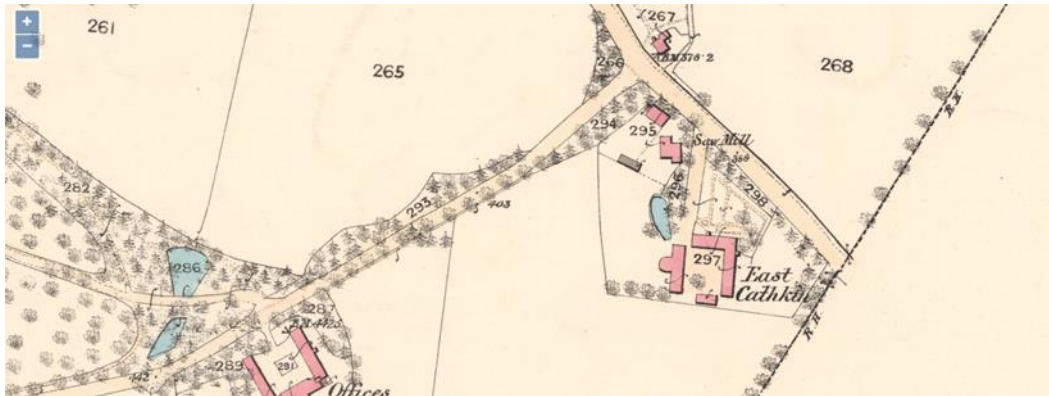
The Council's Statement of Observations maintains that the development does not comply with the adopted Local Development Plan Policy 3 relating to development in the green belt as it *'does not comply with any of the circumstances (of the policy) and there are no material considerations that outweigh the established policy position.'* We have set out in our review statement why the development can be considered favourably against this policy – specifically, exception (iv), being that the *'proposal is for limited development within clearly identifiable infill, gap sites and existing building groups.'* The fact remains, in our view, that the application site is associated with an existing building group and can clearly be regarded as an infill or gap site.

The Council's Statement rejects the point we have made, that the application site is brownfield land. The application site has however for at least 160 years fallen within the curtilage of East Cathkin Farm steading, prior to the site being developed for the two units known as 1 and 2 Hollybraes Barn. The first edition Ordnance Survey plan, shown below, from 1859, shows the development that existed within this location at that time. In addition to East Cathkin Farm House and steading buildings, there is a Saw Mill development to the immediate north. The boundaries to all of this development are clearly defined on the OS plan, the site comprises a small number of defined land parcels. It will also be noted that there is a separate dwellinghouse to the north side of East Kilbride Road and there is a series of estate offices to the south west along Cathkin Road.

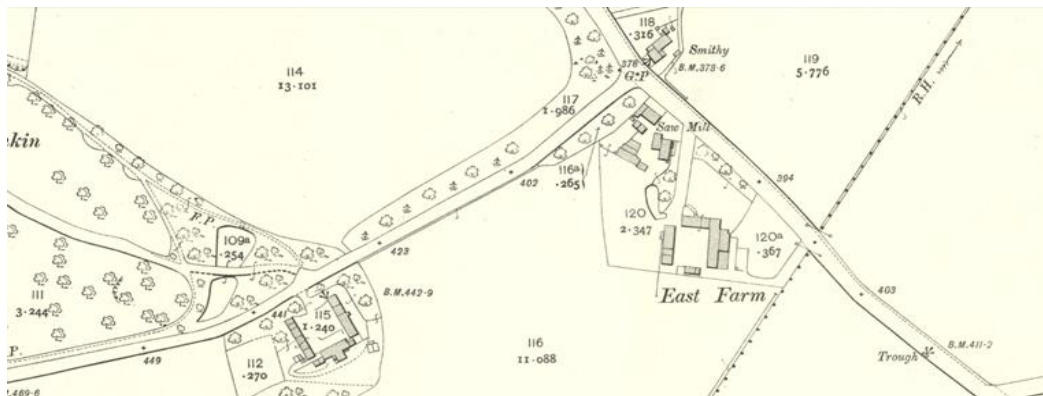
The appeal site clearly falls within the defined curtilage of East Cathkin Farm and does not fall within open countryside. The plan below, in highlighting the other developments close by, also highlights the extent of open countryside, in 1859, in which these developments are located. The group of buildings is set in open countryside close to a crossroads. Whilst there is no building on

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the footprint of the proposed development the ground is clearly within the grounds of development and is not countryside.



The later O.S. plan from 1912, shown below, shows that nothing has changed, other than additional buildings being added to the group of buildings. The development is served by two accesses, one along the eastern boundary and one adjacent to the Mill. The eastern access is the access that has been upgraded to serve the two recently built Hollybraes Barns units and is seen in our original Statement.



Moving forward to the 1961 Ordnance Survey plan, shown below, it is seen that all the buildings are still in place, with the accesses retained and only a slight boundary change along the southern boundary. The plan below also now incorporates the housing development to the north of Cathkin Road.



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Looking at the sequence of development in the three ordnance survey plans shown above, it is clear that the development boundary around East Cathkin Farm has remained consistent for at least 160 years. The boundary is clearly defined in all three plans and the application site, subject to this review, clearly falls within the 'developed' area. The eastern access road to the farm steading forms the eastern boundary to the development curtilage. The original boundary features are still evident today, including hedge remnants and mature trees. Not shown on these plans of course is the recent planning permission granted and currently being implemented for 244 units on the Persimmon Greenlees site to the north of East Kilbride Road.

The fact is, that the application site has never served any meaningful contribution to the purpose of green belt designation as it forms an integral part of the curtilage to the former farm steading.

The Council Statement says that:

*The original farm steading and current built development of the former East Cathkin Farm is clearly defined and does not extend to the application site or the land to the east or north-east of Hollybraes Barn 1 and 2.*

As demonstrated above, this is patently incorrect, the steading includes the land defined as curtilage to that use and the application site is enclosed within that steading curtilage.

The Council Statement continues:

*It is acknowledged that the access and garden curtilage has introduced a more domestic appearance to the area immediately east of Hollybraes Barn 1 and 2,*

The fact is that there has been an access here for almost 160 years and the application site is within the defined curtilage of the farm steading; its historic use, whilst possibly not domestic, is also clearly not as open countryside. Again, we would emphasise that the application site serves no meaningful purpose relative to the designated Green Belt. The application site sits within strong site boundaries and landscape features that define the boundary between 'development' and open countryside. The Council acknowledges in the above statement that the upgrading of the access road and the introduction of new development renders the application site more domestic in appearance.

The Council's Statement also says:

*The proposed dwelling would be significantly prominent visually and would have an adverse impact when approaching Rutherglen from East Kilbride Road due to its position close to the road. The proposed design of the house would detract from the current view when approaching Rutherglen due to its bulk, height and design.*

The two dwellings and associated detached garages are clearly visible on the approach to Rutherglen, although they are also set into the townscape due to the extent of existing tree and hedge planting along the eastern boundary of the site and the significant backdrop of trees that dominates this location. The Google street view below clearly shows the extent to which the new dwellings and garages are both viewed and screened from traffic heading into Rutherglen. The angle of the image below is such that only one of the houses is in view, although the detached garage to the left is clearly seen as being under construction. The application site is that area of ground to the left of the main road into Rutherglen and sits behind the access boundary wall

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which can be made out in the image. The site benefits from the mature tree planting along the eastern boundary, facing the viewer as well as benefiting from the backdrop of mature trees. Additional hedge planting and tree planting along the road facing boundary would add to the absorption of the development into the townscape.



The extent to which the new development is absorbed into the townscape is evident both in relation to the recently built dwellings as well as the proposed new dwelling, subject of this application and review. This is in stark contrast to the development that is currently being implemented by Persimmon Homes on their Greenlees site immediately to the north of East Kilbride Road which will have a significant impact on the urban edge of the town, and as shown in the Google street view below from mid-2018. There is a perception that volume housebuilding is acceptable but individual house building opportunities are not.



The Council planning officer response also focuses on the design of the proposed dwelling and criticises it due to its perceived *'bulk, height and design.'* Design matters can be addressed through revisions to the design of the dwelling and through the use of different finishing materials. A strong effort was made to address the road facing elevation of the dwelling through the proposed building profile and step back from the road and the choice of finishing materials to ensure that the new build would respect the finishes of other dwellings in the area. It will be

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interesting to see how well the 244 Persimmon homes blend into the townscape and whether the choice of finishing materials will match those that are in predominate use throughout the area. Indeed, the applicants maintain that the scale and design of the house was discussed with the planning case officer and the height and profile were encouraged to both step-back from East Kilbride Road as well as reflecting existing building heights. The applicants' position is that the overall height of the proposed house, at three storeys, was therefore encouraged by the case planning officer in order to reflect existing roof heights in the new build. The reality is that the building could be reduced in scale to a proposed maximum ridge height some way below the adjoining new dwellings.

In any event, if the scale, massing and bulk of the dwelling were unacceptable, why were the applicants not encouraged to revise these rather than being encouraged to adopt specific measures in mitigation. There is a suggestion that the refusal route has been adopted to ensure a target determination date could be met, rather than properly engaging with the applicants to achieve a design that would be regarded as acceptable. The applicants would be happy to consider further design changes if this element was identified as critical to the decision-making process.

The Council has focused to an extent on design and raises issues around prominence of bulk and appearance. Yet in almost completely open countryside further east on East Kilbride Road, in a location where the new build is both sky-lined and fails to respect existing building form or landscape features, the Council has permitted the development of a significant detached dwelling, as shown below:



As will be seen in the submitted images, the proposed development 'sits into' the existing landscape and will be viewed in the context of existing development in the area, set amidst mature trees, hedges and other historic landscape features.

The Council Statement argues that the 'impact' of the development *'is exacerbated by its prominent position in the countryside, close to the edge of the town.'* The fact remains however, as will be seen from any site visit and from the submitted images, that the application site is not in a *'prominent position in the countryside'* and, rather than being close to the edge of the town, it is in fact historically part of the urban fringe to the town.

The Council Statement says that the application site *'is visually separate (from the building group) due to its distance from the clearly defined building group and lower level.'* Again, the plans,

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images and a site visit will all dispel that assertion. The land here slopes naturally in elevation down to East Kilbride Road and the intention was to reflect that slope in the design, which is achieved to a certain degree by the roof profile. Consideration of fig 2.3 in our first Statement shows the natural slope clearly and a dwelling being built on the application site would be a natural conclusion to the manner in which the ground slope draws the eye to this point. The case planning officer sought the design of the proposed dwelling to be at that height in order to tie in with the existing new build. The scale and massing issues, if genuinely of concern, could have been addressed quite simply through engagement with the applicants, rather than jumping forward to a refusal.

The Council Statement makes some play of the point that the recent new dwellinghouses are actually replacement buildings for the historic barn and steading structures that were on the site. The existing new dwellings however bear no resemblance whatsoever to the former barn structures; their principal elevation is also east along East Kilbride Road, for example.

The photographs below show the site access from East Kilbride Road, prior to the new dwellings being built and the access being upgraded, and after. The barn in the background in the top photo is where one of the new dwellinghouses is located. The tree line on the left marks the steading curtilage boundary. It can be seen from the photographs and from any site visit that the character of this site contributes nothing to the purpose of green belt.



The Council argues that the *'fact that the site was included in the application site boundary of previous planning permissions does not mean that it constitutes previously developed land in*

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*planning terms.* The point is however that the land has always been curtilage to existing development and the planning permission that includes the land as garden ground to a new dwellinghouse is indicative of its status as ground associated with existing buildings rather than open countryside as maintained by the Council.

The principal issue seems to be one of prominence of the development, yet the design, scale and massing were discussed with the planning officer and the application reflects those discussions. Why not seek changes to design if those aspects are unacceptable?

In summary, notwithstanding the Council's position that the development is contrary to green belt policies in the adopted and emerging local plan, it is argued that there is provision within policy to allow development on gap sites. The application site also serves no purpose in relation to green belt land definitions and clearly now, and historically, falls within the curtilage of existing buildings. The degree of visual prominence of the proposed dwelling is a subjective matter and one that is best understood through a site inspection. Again, it is emphasised by the applicants that the scale, massing and design were discussed with the planning case officer. If these were matters of concern, why was no attempt made to address them?

The Local Review Board are encouraged to undertake a site visit and asked respectfully to sustain this request for review and grant planning permission accordingly. I look forward to hearing from you.

Yours sincerely,



**Steven Cameron**  
**Cameron Planning**



E-mail : [steven@cameronplanning.com](mailto:steven@cameronplanning.com)