

Report

Report to:	Planning Committee
Date of Meeting:	13 August 2019
Report by:	Executive Director (Community and Enterprise Resources)

Application no.	P/19/0542
Planning proposal:	Erection of 2no. detached dwellings with garages and associated access

1 Summary application information

Application type:	Detailed planning application
Applicant:	Brackenridge Homes Ltd
Location:	Laigh Brownmuir House Bents and Station Highway Glassford Strathaven ML10 6TX

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: David Napier
- ◆ Council Area/Ward: 05 Avondale And Stonehouse
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan (adopted 2015)**
Policy 3 - Green belt and rural area
Policy 4 - Development management and placemaking
Policy GBRA5 - Development of gap sites

Proposed South Lanarkshire Local Development Plan 2 (2018)
Policy 4 - Green Belt and Rural Area

Policy 5 – Development Management and Placemaking
Policy GBRA8 - Development of Gap Sites

◆ **Representation(s):**

▶	7	Objection Letters
▶	0	Support Letters
▶	1	Comment Letters

◆ **Consultation(s):**

- Environmental Services
- Roads Development Management Team
- Roads Flood Risk Management

Planning Application Report

1 Application Site

- 1.1 The application site is a vacant piece of land adjacent to Laigh Brownmuir House, off Bents and Station Highway, Glassford. The site, which extends to approximately 0.54 hectares, is located within land zoned as Greenbelt. The site is located approximately 1.5 km to the west of the village of Glassford and is bound to the north by agricultural land, to the south by the public road and open agricultural land beyond. Laigh Brownmuir House lies to the west and Station Cottage and a dismantled railway line sit to the east. The site is generally flat though it slopes down towards the south and east corners.

2 Proposal(s)

- 2.1 Detailed planning permission is sought for the erection of 2no detached dwellings with garages and associated access. The proposed access is to the west of the site where there is an existing gated access. Each dwelling would be 1.5 storeys in height and have a total floor area of approximately 276 square metres over two levels. Each dwelling would accommodate a dining room, living room, kitchen and TV room on the ground floor with 4no.bedrooms with associated bathrooms on the upper storey. The proposed double garages, approximately 38 square metres in floor area would be located to the rear/side of each dwelling. The plans indicate the proposed finishes for the development as a mixture of sandstone, white render, timber cladding, Spanish slate and UPVC windows.

3 Background

3.1 Local Plan Status

- 3.1.1 In terms of the Adopted South Lanarkshire Local Development Plan (2015), the site is located within the Greenbelt and, as such, Policy 3 – Greenbelt and the Rural Area is applicable and Policy GBRA5 – Development of Gap Sites. These policies seek to protect the Greenbelt from inappropriate development and promote development that enhances the rural environment. Policy 4 - Development Management and Placemaking is also relevant and requires all development to take account of the local context and built form and should be compatible with adjacent buildings in terms of scale, massing, design with no significant adverse impact in the local environment.
- 3.1.2 In addition the Proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy was approved at Planning Committee on 29 May 2018. As such, the SLLDP2 is now a material consideration in determining planning applications. In this case, the corresponding policies are Policy 4 – Green Belt and Rural Area, Policy 5 – Development Management and Placemaking and Policy GBRA8 – Development of Gap Sites.

3.2 Relevant Government Advice/Policy

- 3.2.1 Government Policy is set out in the Scottish Planning Policy (SPP) which encourages Councils to promote rural development, regeneration and the re-use of previously developed land. It stresses, however, that all new development should

respond to the specific local character of the location, fit in the landscape and seek to achieve high design and environmental standards. The Policy also states that development plans should support more opportunities for small scale housing development in all rural areas, including new clusters and groups and extensions to existing clusters and groups.

3.3 **Planning Background**

- 3.3.1 Permission in principle for a dwelling at this site was granted on 19 April 2013, reference EK/13/0021. Following this, detailed planning permission was granted at the site for a single dwellinghouse under EK/15/0009 on 12 May 2015. The repositioning of the dwellinghouse and minor alterations were subsequently approved under application EK/16/0394 on 16 January 2017.

4 **Consultation(s)**

- 4.1 **Roads Development Management Section** – no objections to the proposal subject to the attachment of conditions in relation to visibility splays and surfacing.

Response: Noted, any permission granted can include appropriate conditions.

- 4.2 **Environmental Services** – no objections to the proposal subject to the attachment of advisory notes in relation to acceptable working hours and contamination.

Response: Noted, any permission granted can include appropriate advisory notes.

- 4.3 **Roads Flooding Section** – no objections to the proposal subject to the attachment of conditions requiring the use of Sustainable Drainage System (SuDS) to prevent any increase to the natural run-off rates as a result of the development and compliance with drainage criteria.

Response: Noted, any permission granted can include appropriate conditions.

5 **Representation(s)**

- 5.1 Statutory neighbour notification was undertaken and the proposal was also advertised in the local press as not all neighbouring land could be identified. Seven letters of objection and one letter of comments were received, the points of which are summarised below:

- a) **The proposal raises concerns in relation to traffic generation and road safety. There have been a number of accidents on this road in recent years and this development has the potential for an additional 6no. vehicles attempting to regularly access and exit onto Bents and Station Highway in addition to vehicles required to service the property. It is considered that the volume of traffic on this road has increased in recent years due to developments in the Glassford area, therefore a further traffic survey should be undertaken as part of this new application.**

Response: The Council's Roads and Transportation Services were consulted as part of this application and have raised no issues with regards to road safety. In addition, Roads do not consider a further traffic survey necessary in this instance.

- b) **The applicant has not indicated how an adequate visibility splay at the proposed new access would be created. Furthermore, sightlines are**

not indicated on the plans. Objector considers vehicles exiting the development site would not be able to see vehicles exiting Low Brownmuir Farm.

Response: The applicant is not required to indicate the required visibility on the plan however, as per the previously approved application, Roads are satisfied the required visibility is achievable in this instance. Should permission be granted, an appropriate condition will be attached requiring it to be implemented prior to the dwellings coming into use.

- c) How and when will the sightlines be maintained in perpetuity if and when Laigh Brownmuir House and the proposed new dwellings come under different ownership? Can it be assured that any new owners are legally bound to maintain these sightlines?**

Response: Should planning permission be granted, the visibility splays will be required, by condition, to be implemented and, thereafter, maintained to the satisfaction of the Council. Should it be brought to our attention that they have not been maintained, the Planning Service would take the necessary action to rectify this.

- d) Concerns raised regarding the dangers associated with construction traffic entering and exiting the site and conflicting with existing users in the vicinity, primarily in relation to the operation of Low Brownmuir Farm. Will a turning area be provided within the site?**

Response: As noted above, Roads and Transportation Services have raised no road safety concerns in relation to this proposal. However, given the size of the site there will be adequate space within the site for construction vehicles to turn. Furthermore, each dwelling will have a driveway with turning space.

- e) The proposed dwellings at one and three quarter storeys in height will be higher than the existing adjacent properties and therefore appear out of character with the area. Previous applications at the site restricted the height to only 1.5 storeys in height. Why is this now higher?**

Response: A streetscape elevation has been provided which indicates that whilst the dwellings will be higher than the adjacent properties, the properties are still considered as 1.5 storeys in height and are, therefore, of an appropriate scale for the rural area. Furthermore, it is noted that the proposed dwellings are similar in height to the dwelling previously approved at the site.

- f) The application site bounds agricultural land owned by Low Brownmuir Farm which houses grazing accredited livestock. Objector advises this proposal will have an impact on the sheep due to the increase in noise as a result of construction traffic and the subsequent additional dwellings. Can the rear garden boundaries be designed to keep out dogs or other animals from worrying the sheep? Can the applicant have consideration to external lighting?**

Response: Any noise and disruption caused during the construction period is for a limited period only. This site has been assessed and considered suitable for residential purposes under previous applications for the site, therefore, this is not a valid reason for refusal of the application. In terms of

boundary fencing, should permission be granted, a condition will be attached to ensure details of all proposed fencing/walls within the site are submitted to and approved by the Planning Service. However, the Planning Service is unable to stipulate the level of any external lighting.

- g) No information has been provided as to the location of septic tanks serving the development and the extent of the soakaway.**

Response: A plan has been provided showing the location of the septic tank which will require to be in accordance with building regulations and will be assessed under an application for a building warrant.

- h) The supporting statement notes the site is susceptible to localised flooding however advises new drains have been implemented at the site. Is there any evidence that confirms this? The additional dwellings, loss of foliage, increased hard standings and associated septic tank and run-offs will negatively impact the area. Should any private property be damaged as a result of flooding it might be necessary to lodge a financial claim against the Planning Authority/developer. It's unacceptable that neighbours are being asked to accept two substantially larger properties with hard standing on this site. Please provide calculations of the proposed drainage scheme.**

Response: The applicant is not required to submit details of the drains already implemented at the site as they do not require planning permission. However, the Council's Roads Flooding section has been consulted on the proposal and, as per the previous application, they have recommended the use of a Sustainable Drainage System (SuDS) to prevent any increase to the natural run off rates as a result of the development. As such, they would have no objection to the proposal subject to the attachment of a suitable condition to any consent issued. This would provide details of surface water drainage arrangements and would require to be approved in writing by the Council prior to works commencing on site. Any damage to private property as a result of the development is a legal matter and would not involve the Council.

- i) The proposed development will result in increased noise and light pollution for existing residents.**

Response: The proposed development is not considered to be of a significant scale where there is likely to be any issues regarding noise and light pollution for existing residents.

- j) Full protection should be given to all flora and fauna throughout construction.**

Response: Whilst no habitat surveys were required in this instance, it is the developers' responsibility to comply with legislation should any protected species be present on site.

- k) This proposal will have a detrimental impact on the public aspect looking north and north-east from the public road. This view is currently characterised by an open, undulating country landscape.**

Response: It is inevitable that the proposed dwellings will alter the existing views from the public road, however, it is not considered this will be to the

detriment of the surrounding rural area. Furthermore, it is noted that loss of view is not a valid planning consideration.

- l) The officer report for previous application EK/15/0009 made reference to a modern building at the Glassford Water Treatment Works however this is not a dwelling and is some considerable distance from the proposed development site.**

Response: The Glassford Water Treatment Works was referred to under application EK/15/0009 in relation to there being a variety of building sizes and types in the vicinity of the site.

- m) The current application site together with Laigh Brownmuir House was sold in 2003 as a break-off from the agricultural holding Low/Laigh Brownmuir Farm. Consent for the agricultural worker's dwelling was granted in the 1970's. The original domestic curtilage of the property was surrounded by a brick wall delineating the residential plot from the agricultural field. Alterations to the dwellinghouse were granted permission in 2003 however it would appear that the residential curtilage of the plot was extended into the field to the rear at some point without obtaining the relevant planning permissions. These unauthorised works relate to the current proposal as they have been designed to emulate a residential plot size that was never approved in the first place. This is wrong and is an example of creeping urbanisation of the countryside. Without the unauthorised extension of the adjacent plot, would the proposed development site still have been considered as a gap site?**

Response: It is noted that there appears to have been some unauthorised works at Laigh Brownmuir House which will be looked into separately. However, as the application site is a clearly identifiable gap site between two properties, namely Laigh Brownmuir House and Station Cottage, then this would still have been considered as a suitable gap site regardless of whether there has been any unauthorised encroachment into the Greenbelt to the rear of Laigh Brownmuir House. As such, the above is not considered reason for refusal of the application.

- 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 Detailed planning permission is sought for the erection of 2no. detached dwellings with garages and associated access on land adjacent to Laigh Brownmuir House, Glassford. The determining issues in the assessment of this application are compliance with local plan policy, its impact on the amenity of the adjacent properties and road safety matters.
- 6.2 As noted above, the application site and associated proposal is affected by Policy 3 – Green Belt and Rural Area of the Adopted South Lanarkshire Local Development Plan (2015). This policy directs development to within settlement boundaries and strongly resists the introduction of urban uses in the area unless it can be shown to be necessary for the furtherance of agriculture, horticulture, forestry, recreation, or other uses considered by the Council to be appropriate to

the Greenbelt. However, it also lists a set of circumstances where development may be acceptable which includes limited development within clearly identifiable gap sites, as such GBRA5 – Development of Gap Sites is also relevant. However, as the use of this site for residential purposes has already been accepted and justified as a gap site under the previous permission in principle and detailed applications (EK/13/0021 and EK/15/0009), the main assessment of the proposal is for its suitability for 2no. plots.

- 6.3 Policy 4 – Development Management states that all development proposals will require to take account of, and be integrated with, the local context and built form. Development proposals should have no significant adverse impacts on the local community and, where appropriate, should include measures to enhance the environment.
- 6.4 In this case, it is considered that the site is of sufficient size to comfortably accommodate 2no. dwellings. In addition, it is considered that the proposed siting and layout of the dwellings and their associated garages is acceptable and will have no adverse impact on the amenity of the adjacent properties in terms of overlooking or overshadowing. In terms of the proposed materials, these are considered to be high quality and appropriate for the rural area, however, a condition would be attached to any consent granted for samples of all materials to be submitted and approved by the Planning Service prior to works commencing on site. Should planning permission be granted, conditions requiring the submission of landscaping details for the site would be attached.
- 6.5 The Council's Roads and Transportation Service (Development Management Section) was consulted on this proposal and raised no objections subject to the attachment of conditions in relation to visibility splays and surfacing. The Council's Environmental Services also raised no objection subject to the attachment of advisory notes in relation to noise and contamination. In addition, the Roads Flooding Section also raised no objection subject to the attachment of conditions requiring the use of Sustainable Drainage System (SuDS). Should permission be granted, suitable conditions and advisory notes can be attached in relation to each consultee.
- 6.6 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. It is considered that the proposal accords with Policies 4, 5 and GBRA8 in the proposed plan.
- 6.7 As detailed above, the statutory neighbour notification was carried out and the application advertised in the local press as not all neighbouring properties could be identified. As such, seven letters of objection and one letter of comments were received, the points of which are summarised in section 5 above. However, following consideration of the points raised, it is not considered they merit refusal of the application.

- 6.8 In conclusion, it is considered that the proposal complies with the relevant local plan policies and guidance and I, therefore, recommend planning permission is granted subject to the attached conditions.

7 Reasons for Decision

- 7.1 The proposal has no adverse impact on amenity or on the rural character of the area and complies with Policies 3, 4 and GBRA5 of the Adopted South Lanarkshire Local Development Plan (2015) and Policies 4, 5 and GBRA8 of the Proposed South Lanarkshire Local Development Plan 2 (2018).

Michael McGlynn
Executive Director (Community and Enterprise Resources)

Date: 23 July 2019

Previous references

- ◆ EK/13/0021
- ◆ EK/15/0009
- ◆ EK/16/0394

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 30 May 2019

- ▶ Consultations
 - Environmental Services 13.06.2019
 - Roads Development Management Team 19.06.2019
 - Roads Flood Risk Management 20.06.2019

- ▶ Representations Dated:
 - Ms Heather R. Borland, Low Brownmuir Farm, Bents And Station Highway, Glassford, Strathaven, South Lanarkshire, ML10 6TX 11.06.2019

 - Joe Allan, 94 Franklin Place, Westwood, East Kilbride, G75 8LS 20.06.2019

 - Mr C Barclay, Annfield Cottage, Bents And Station Highway, Glassford Strathaven, South Lanarkshire, ML10 6TX 17.06.2019

 - Mr N Conte, Station Cottage, Station Road, Glassford, ML10 21.06.2019

Linda And Nico Conte, Station Cottage, Station Road, Glassford, Strathaven, ML10 6TX	21.06.2019
Mr Scott Martin, Low Brownmuir Farm, Glassford, ML10 6TX	18.06.2019
Craig And Pamela Buchanan, Glassford Filters, Bents And Station Highway, Glassford Strathaven, ML10 6TX	19.06.2019
H R Borland, Low / Laigh Brownmuir Farm, Station Road, Glassford, Strathaven, ML10 6TX	09.07.2019

Contact for further information

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

Julie Pepper, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 01698 455046

Email: julie.pepper@southlanarkshire.gov.uk

Detailed planning application

Paper apart – Application number: P/19/0542

Conditions and reasons

01. 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: In the interests of amenity and in order to retain effective planning control.

02. 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: These details have not been submitted or approved.

03. 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 2 above, shall be erected and thereafter maintained to the satisfaction of the Council.

Reason: In order to retain effective planning control.

04. 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., 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: In the interests of the visual amenity of the area.

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 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.

Reason: In the interests of amenity.

06. That notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, a change of use of any garage to living accommodation associated with the dwellinghouse on the plot shall be subject to a further planning application to the Council as Planning Authority.

Reason: In order to retain effective planning control.

07. That the use of the garages hereby permitted shall be restricted to private use incidental to the enjoyment of the dwellinghouse on the site and no commercial activity shall be carried out in or from the garages.

Reason: To retain effective planning control and safeguard the amenity of the area.

08. 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.

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.

09. That no development shall commence on site until the applicant provides written confirmation from Scottish Water to the Council as Planning Authority that the site can be satisfactorily served by a sewerage scheme designed in accordance with Scottish Water's standards.

Reason: To ensure the provision of a satisfactory sewerage system.

10. That before the dwellinghouse hereby approved is occupied; details of the storage and collection of refuse within the development shall be submitted to and approved by the Council as Planning Authority. Thereafter, prior to the occupation of the dwelling, the approved scheme shall be implemented and thereafter maintained to the satisfaction of the Council as Planning Authority.

Reason: To ensure that adequate refuse arrangements are provided that do not prejudice the enjoyment of future occupiers of the development or neighbouring occupiers of their properties, to ensure that a satisfactory external appearance is achieved and to ensure that appropriate access is available to enable refuse collection.

11. That notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Amendment Order 2011 (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 submission of a further planning application to the Council as Planning Authority.

Reason: In the interests of amenity and in order to retain effective planning control.

12. That notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Amendment Order 2011 (or any such order revoking or re-enacting that order), no walls and fences shall be erected within the curtilage of the dwellinghouse hereby approved without the submission of a further planning application to the Council as Planning Authority.

Reason: In the interests of amenity and in order to retain effective planning control.

13. That before the development hereby approved is completed or brought into use, a visibility splay of 2.5 metres by 70 metres on the eastbound carriageway and 2.5 metres by 120 metres on the westbound carriageway shall be provided at 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.

Reason: In the interest of road safety.

14. That the first 12m of the driveway from Bents and Station Highway shall be 5m wide, tapering down to 3m thereafter. The first 12m shall be trapped and finished in hardstanding as to prevent any surface water or deleterious material from running onto or entering the highway.

Reason: In the interest of public safety.

Laight Brownmuir House, Bents and Station Highway, Glasford



Abstract: This paper presents a new method for the automatic detection of the onset of a seizure. The method is based on the analysis of the non-linear characteristics of the EEG signal. The results show that the proposed method is able to detect the onset of a seizure with a high accuracy and a low false alarm rate.



1.11.001
 Date: 11/01/2014



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development