

Report

Report to:	Planning Committee
Date of Meeting:	8 August 2023
Report by:	Executive Director (Community and Enterprise Resources)

Reference no:	P/21/2155
Proposal:	Change of use of agricultural farmland to form an agricultural vehicle, plant and machinery sale yard including the erection of two agricultural sheds and associated works (Retrospective)
Site Address:	Stoneside of Dripps Farm, Cartside Highway, Thorntonhall, G74 5AP
Applicant:	Carnbroe Estates Ltd
Agent:	North Planning and Development Ltd
Ward:	09 East Kilbride West
Application Type:	Full Planning Permission
Advert Type:	Non-Notification of Neighbours and Development Contrary to the Development Plan: East Kilbride News 31 May 2023
Development Plan Compliance:	No
Departures:	N/A
Recommendation:	Refuse
Legal Agreement:	N/A
Direction to Scottish Ministers	N/A

1. Reason for Report

- 1.1 This application is presented to the Committee within the context of Clause 5.2 of the Decision-Making Process 2015: as an application generating significant levels of concern, or policy issues, where the Head of Planning and Building Standards Services, in consultation with the Chair of the Planning Committee, so determines.

2. Site Description

- 2.1 The application site is an area of agricultural land located immediately to the north of the existing farmhouse and main agricultural buildings forming Stoneside of Dripps Farm. The application site is located approximately 1.8km south-west of Thorntonhall. It is relatively level, and it is comprised mainly of a section of an existing agricultural field together with a smaller section of the existing yard associated with the farm. The site is located within the Green Belt as designated in the adopted South Lanarkshire Local Development Plan 2 (SLLDP2).

3. Description of Proposed Development

- 3.1 The applicant seeks retrospective detailed planning consent for the change of use of agricultural land to form vehicle, plant, and machinery sales yard. This includes the erection of two new agricultural sheds and associated works, including the formation of the hardstanding which would form the sales yard, the erection of boundary fencing and the erection of vehicular access gates.
- 3.2 The larger of the two structures proposed (Shed A) has a square footprint with each side approximately 18.4 metres in length, and has a pitched roof, approximately 8.2m in height to the ridge. This building is located in the north-west corner of the proposed sales yard and is finished with metal sheeting on the walls and roof along with two roller shutter doors to the front of the building.
- 3.3 The smaller structure (Shed B) is located on the south-eastern edge of the site and has a footprint of approximately 9.2m by 18.5m with a pitched roof approximately 5.6m in height to the ridge. This is principally finished in timber cladding with a sheet metal roof.
- 3.4 The applicant has advised that the larger of the two new structures (Shed A) is used primarily for vehicle and machinery maintenance and for the display and sale of vehicles, plant, and machinery, whilst the smaller (Shed B) is intended for general agricultural and livestock use associated with the adjacent farm.
- 3.5 The works have already been carried out on site as the applicant has advised that they were unaware of the requirement to apply for planning permission for this proposal. As such, this application has been submitted retrospectively.

4. Relevant Planning History

- 4.1 Stoneside of Dripps Farm has seen a considerable amount of recent development including the erection of several new and replacement agricultural sheds. Often such structures can be built under agricultural Permitted Development Rights, however, the applicant would first need to seek prior approval from the Planning Service. This was not undertaken and therefore a planning application is now required to regularise the matter. An application for the erection of 7 new agricultural sheds has recently been submitted for consideration (P/23/0789).
- 4.2 Consent was also approved in January 2023 for the part-change of use and conversion of one of the existing agricultural buildings at the farm to form a new dwellinghouse (P/21/2133).

5. Supporting Information

5.1 **Covering Letter from North Planning and Development (16 December 2021)** – Provides a written description of the proposal and seeks to justify the proposal against the South Lanarkshire Local Development Plan 2.

5.2 **NPF4 Statement** - seeks to justify the proposal against the National Planning Framework 4.

6. Consultations

6.1 **Roads and Transportation Services (Development Management)** – have raised no objections to the proposal, advising that the proposed development would not have a detrimental impact on the existing public road network, that the existing junction onto the public road is adequate for this proposal, and that there is also adequate parking.

Response: Noted.

6.2 **Environmental Services** – have raised no objections to the proposal subject to conditions relating to noise and commercial waste storage and collection. This service has also requested the inclusion of relevant advisory notes on the decision notice.

Response: Noted. Should planning consent be granted, these conditions and advisory notes could be attached.

7. Representations

7.1 Following the statutory period of neighbour notification and advertisement, no valid representations have been received.

8. Development Plan

8.1 Under Section 25 of the Town and Country Planning (Scotland) Act 1997, all applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

8.2 National Planning Framework 4

National Planning Framework 4 (NPF4) is Scotland's national spatial strategy for Scotland. It sets out spatial principles, regional priorities, national developments, and national planning policy. NPF4 supports the planning and delivery of sustainable places, liveable places, and productive places.

National Planning Framework 4 Policies

- ◆ Policy 1 - Tackling the Climate and Nature Crises
- ◆ Policy 2 - Climate Mitigation and Adaptation
- ◆ Policy 8 - Green Belts
- ◆ Policy 26 - Business and Industry
- ◆ Policy 29 – Rural Development

8.3 South Lanarkshire Local Development Plan 2 (2021)

The application site and associated proposals are affected by the following policies contained in the SLLDP2:-

SLLDP2 Volume 1 Policies

- ◆ Policy 2 - Climate change
- ◆ Policy 4 - Green Belt and Rural Area
- ◆ Policy 5 - Development Management and Placemaking
- ◆ Policy 8 - Employment

SLLDP2 Volume 2 Policies

- ◆ Policy GBRA1 - Rural Design and Development
- ◆ Policy GBRA2 - Business Proposals within Green Belt and Rural Area
- ◆ Policy DM1 - New Development Design

South Lanarkshire Council (SLC) Supporting Planning Guidance

- ◆ None

9. Guidance

9.1 None applicable.

10. Assessment and Discussion

10.1 Full planning permission is sought in retrospect for the change of use of agricultural land to form an agricultural vehicle, plant, and machinery sales yard at Stoneside of Dripps Farm, Thorntonhall. The main issues to be addressed in the determination of this application includes the acceptability in principle of the proposed development, its layout, siting and design, and an assessment of technical matters. The policies contained within National Planning Framework 4 and the South Lanarkshire Local Development Plan 2 are the main consideration in this case, together with an assessment of any other material planning considerations.

10.2 Principle of Development

As the site is located within the designated Green Belt, NPF4 Policy 8 - Green Belts applies. This policy sets out the types of development that would be supported in the Green Belt which includes:-

- ◆ development associated with agriculture, woodlands, and forestry;
- ◆ accommodation for an essential worker;
- ◆ horticulture;
- ◆ outdoor recreation, play and sport, leisure and tourism uses;
- ◆ flood risk management proposals;
- ◆ essential infrastructure or new cemetery provision;
- ◆ mineral operations and renewable energy;
- ◆ intensification of established uses, including extensions to an existing building where that is ancillary to the main use;
- ◆ the reuse, rehabilitation and conversion of historic environment assets; or
- ◆ one-for-one replacements of existing permanent homes.

Developments in these categories are also required to demonstrate a specific locational need, that would not undermine the purpose of the Green Belt and would require to be compatible with the surrounding established countryside and landscape character. Developments need to be designed to ensure it is of an appropriate scale and appearance that minimises visual impact and there will be no significant long-term impacts on the environmental quality of the Green Belt.

10.3 NPF4 Policy 26 – Business and Industry states that proposals for storage and distribution uses outwith areas identified for this type of use will only be supported where it is shown there are no suitable alternatives allocated in the LDP and that the nature and scale of the activity is compatible with the surrounding area. NPF4 Policy 29 - Rural Development states that development proposals that contribute to the viability, sustainability and diversity of rural communities and local rural economy will be supported. Proposals should be suitably scaled, sited and designed to be in keeping with the character of the area.

- 10.4 In addition to the above, SLLDP2 Policy 4 - Green Belt and Rural Area would be relevant to this proposal. This states that the purpose of the Green Belt is to; direct development to the most appropriate locations and support regeneration, protect and enhance the character, landscape setting and identity of the settlement, and protect and provide access to open space. Development which does not require to locate in the countryside will be expected to be accommodated within the settlements identified on the proposals map. Isolated and sporadic development will not be supported.
- 10.5 The proposed operation of a large-scale vehicle, plant and machinery sales yard is not an appropriate use for a Green Belt location, and it fails to comply with any of the criteria outlined above. The applicant has provided no justification as to why a Green Belt location is required for this form of commercial development and it is noted that there are suitable sites for this use designated within the LDP in urban areas within relatively close proximity of the site, including within East Kilbride. Furthermore, the proposed development is not of a scale that could be considered as ancillary to the existing farming business or an intensification of an established use and is not agricultural in nature given the commercial and plant vehicles on sale.
- 10.6 The proposal would also have a significant adverse impact upon the visual amenity of the area as such a large area of hardstanding encircled by fencing is not in-keeping with the character of the Green Belt, and the development is more suited to urban industrial areas. The open storage of large numbers of commercial vehicles would also be visually prominent and there is insufficient screening to limit the impact upon the wider area. The proposal would not be compatible with the countryside nature of the location. As such, the proposal would not comply with Policies 8, 26 and 29 of NPF4 and SLLDP2 Policy 4 and is unacceptable in principle.
- 10.7 Policy 8 – Employment of the SLLDP2 identifies a number of employment land use areas. Outwith these areas, sites are assessed on their own merits. In terms of the SLLDP2 Policy GBRA2 - Business Proposals within Green Belt and Rural Area, it sets out a range of business uses which are considered appropriate for location in the Green Belt and Rural Area. These include: justified extensions to existing rural business, some farm diversification proposals, and businesses which can operate entirely from existing rural residential properties, former farm steadings or existing buildings (including agriculture engineering and contracting businesses, rural/agricultural repair services and the limited storage of buses or caravan storage).
- 10.8 Limited new build for farm diversification proposals will only be considered exceptionally and generally within the rural area, beyond the Green Belt, only. In addition, in exceptional circumstances, proposals for larger scale business development that generates wider economic benefits and demonstrates a specific locational need and satisfactory mitigation of any adverse impacts may be supported.
- 10.9 The proposed development cannot be considered as an intensification of an existing rural business or as a farm diversification proposal due to its overall scale and nature and, given the extent of new building work and the area of hardstanding within the Green Belt. Whilst there are a number of types of businesses which could be justified in the Green Belt under LDP Policy GBRA2, including rural/agricultural repair services and limited bus or caravan storage, these should be operated from existing buildings. This proposal includes a large area of new build to support the proposed operation of the business, thus not compliant with the criteria within SLLDP2 policies 8 and GBRA2.

10.10 Finally, in terms of the principle of the development, the applicant has not provided any justification in terms of the business having any wider economic or employment benefits or any specific locational need to be located within the Green Belt which would serve as a material consideration in the assessment of this proposal. As such, the proposal does not comply with SLLDP2 Policies 8 and GBRA2.

10.11 Climate Change

The isolated location would not support policy aims of tackling the climate crisis as the site is not readily accessible through public transport, and is not situated in a sustainable location, thus failing to comply with NPF4 Policy 1 - Tackling the Climate and Nature Crises and NPF4 Policy 2 - Climate Mitigation and Adaptation which together aim to ensure that proposals for new development must, where possible, seek to minimise and mitigate against the effects of climate change. In addition, SLLDP2 Policy 2 - Climate Change states that proposals for new development must, where possible, seek to minimise and mitigate against the effects of climate change. The application site within the Green Belt is not considered to be sustainable and fails to comply with these policies as it would generate new trips by private vehicles and, therefore, would not address the reduction of greenhouse gases/emissions or help towards addressing the climate emergency.

10.12 Layout, siting, and design

In terms of layout, siting and design, SLLDP2 Policy 5 Development Management and Placemaking and Policy DM1 - New Development Design require development proposals to take account of and be integrated within the local context and built form. New development should also have no significant adverse impacts on the local community. The proposed development must provide suitable access, parking, and connection to public transport, as well as encouraging active travel, having no adverse implications for public safety and incorporating inclusive access. In addition, SLLDP2 Policy GBRA1 - Rural Design and Development sets out the criteria which all proposed developments in the Green Belt and Rural Area will require to adhere to. This includes respecting the existing built form, landform, local landscape character and setting, and having no unacceptable significant adverse environmental impact on the amenity of the surrounding area. Proposals should also incorporate suitable boundary treatment and landscaping proposals to minimise the visual impact of the development on the surrounding landscape.

10.13 The proposal would introduce an urban-style commercial vehicle sales yard into a Green Belt location, and its scale and nature would not respect the existing setting. In addition, it does not incorporate appropriate boundary treatments or sufficient landscaping proposals to minimise the visual impact of the development, the parking and large numbers of commercial vehicles at the site, upon the wider landscape. While the proposed sheds in isolation would be of a relatively common agricultural style design; the overall scale and nature of the development as a whole would have an unacceptable environmental impact upon the amenity of the surrounding area. In addition, the site's Green Belt location would not encourage active travel or have a connection to public transport. As such, the proposal would not comply with SLLDP2 Policies 5, DM1 or GBRA1.

11 Recommendation and Conditions

11.1 The Committee is asked to agree the following recommendation:-

Refuse Full Planning Permission for the reasons outlined below:-

01. The proposed development and operation of a commercial and plant vehicle sales business is not an appropriate Green Belt use, and no justification has been provided as to why a Green Belt location is required for this form of development. The proposal, by its scale and nature, would have an adverse impact upon the visual amenity and character of the area contrary to Policy 8 of the National Planning Framework 4 (2023).
02. The proposed development is not for agricultural, forestry, recreation or other uses appropriate to the countryside and it is a form of development which would not require to be located within the Green Belt contrary to Policy 4 of the South Lanarkshire Local Development Plan 2 (2021).
03. The proposed development is not ancillary or intensification or an extension of an established business and would not be appropriate in the Green Belt. No wider economic or employment benefits or any specific locational need to be sited within the Green Belt has been provided. As such, the proposal is not considered to have been appropriately justified and the proposal is contrary to Policy GBRA2 of the South Lanarkshire Local Development Plan 2 (2021).
04. The proposal would have an unacceptable significant adverse impact upon the local area in terms of its visual impact due to its overall scale, the nature of the development and lack of screening. The location of the site would also not encourage active travel or have a connection to public transport contrary to Policy 5 of the South Lanarkshire Local Development Plan 2 (2021).
05. The proposal would not respect the local context or be appropriate to the character of the site in terms of its overall scale, visual appearance and lack of suitable landscaping and screening contrary to Policy DM1 of the South Lanarkshire Local Development Plan 2 (2021).
06. The proposal would have an unacceptable adverse environmental impact on the amenity of the surrounding area due to the overall scale and nature of the development, and it would not be sited in a manner that respects the existing setting, contrary to Policy GBRA1 of the South Lanarkshire Local Development Plan 2 (2021).
07. The Green Belt location of the proposed development site is unsustainable as it fails to help towards addressing the climate crisis contrary to Policy 1 of the National Planning Framework 4 (2023).
08. The Green Belt location of the proposed development site is unsustainable as it generates increased private car trips and fails to reduce greenhouse gases and emissions contrary to Policy 2 of the National Planning Framework 2 (2023).
09. The proposed development would be unsustainable in the Green Belt, failing to address climate concerns contrary to Policy 2 of the South Lanarkshire Local Development Plan 2 (2021).

David Booth
Executive Director (Community and Enterprise Resources)

Date: 31 July 2023

Background Papers

Further information relating to the application can be found online:

[P/21/2155 | Change of use of agricultural farm land to form an agricultural vehicle, plant and machinery sale yard including the erection of two agricultural sheds and associated works \(Retrospective\) | Stoneside Of Dripps Farm Cartside Highway Thorntonhall G74 5AP \(southlanarkshire.gov.uk\)](#)

Corporate Considerations

The report raises no impacts or risks in terms of equalities or financial implications. Any implications in terms of climate change, sustainability or the environment will have been considered above in terms of the relevant national and local policies.

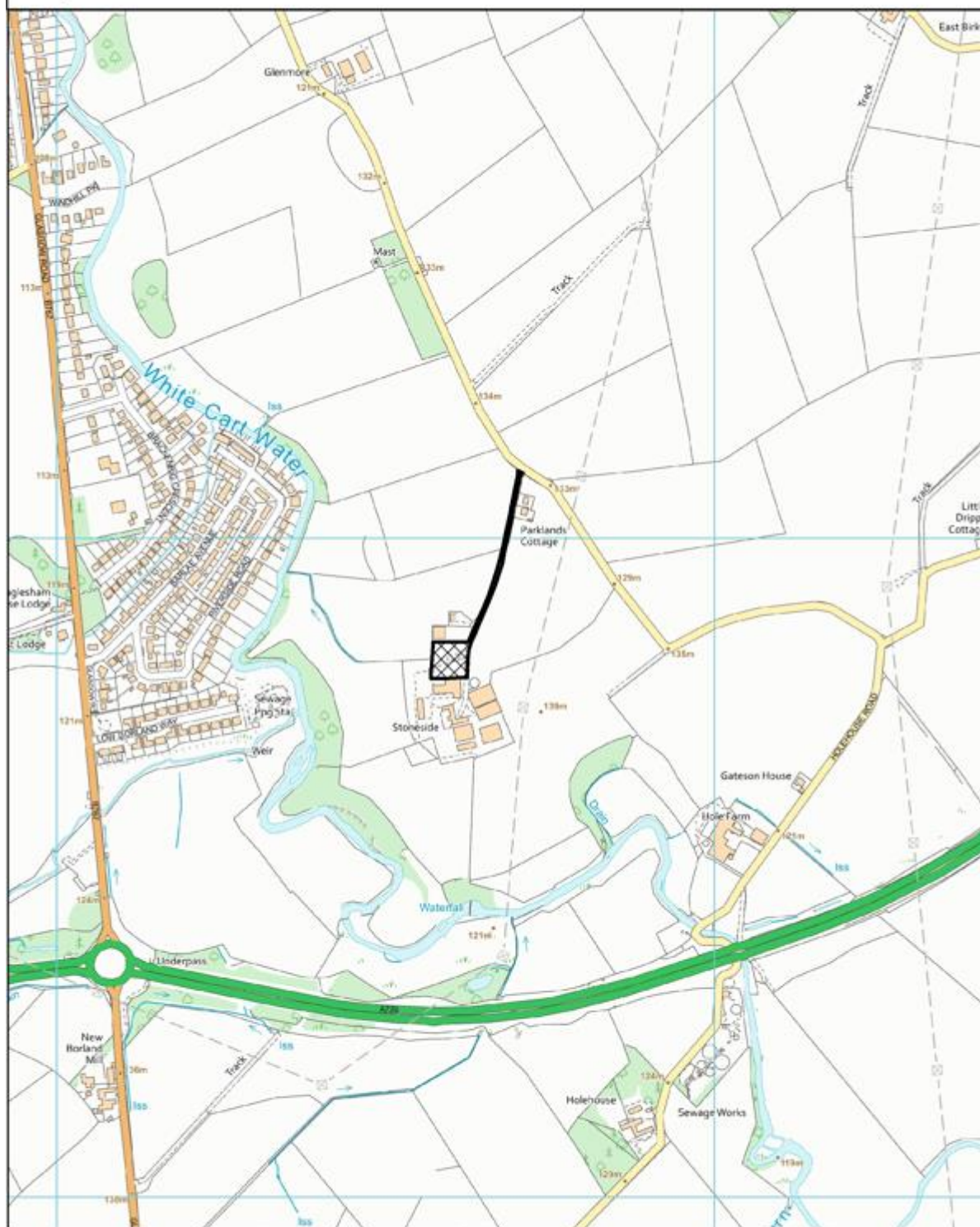
Contact for Further Information

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

Tel: 01698 454867

E-mail: planning@southlanarkshire.gov.uk

P/21/2155 Stoneside of Dripps Farm, Cartside Highway, Thorntonhall



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Scale:
1:8,000
Date:
14/07/2023



South Lanarkshire Council
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