

Report

Report to:	Planning Committee
Date of Meeting:	30 August 2005
Report by:	Executive Director (Enterprise Resources)

Application No	CL/05/0393
Planning Proposal:	Formation of One House Plot

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Andrew Thomson
- Location : Land to rear of 42 Carlisle Road
Crawford
ML12 6TW

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)

2.2 Other Actions/Notes

The Planning Committee has delegated powers to determine this application

3 Other Information

- ◆ Applicant's Agent:
- ◆ Council Area/Ward: 07 Duneaton/Carmichael
- ◆ Policy Reference(s): Upper Clydesdale Local Plan (Adopted)
- Policy 70: Priority Land Use – Commercial

- ◆ Representation(s):
 - ▶ 0 Objection Letters

◆ Consultation(s):

Environmental Services

Roads and Transportation Services (South Division)

Historic Scotland

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

Scottish Water

West of Scotland Archaeology Service

Planning Application Report

1 Application Site

- 1.1 The application site is located toward the northern edge of Crawford. The site consists of a rectangular area of ground to the rear of the courtyard associated with the former Post Horn Hotel, which is currently being converted into a single dwellinghouse. The application site extends to 0.13 hectares and the ground level of the site is higher than the ground level of the former hotel and courtyard buildings. The hotel building, originally a coaching inn, is a category B Listed Building. The remainder of the site consists of the vehicular access to the point where it meets the public road.
- 1.2 The former hotel sits to the north of the application site, an existing house plot bounds the site to the east and open agricultural land bounds the site to the south and west. An electricity sub-station and a single-storey coachhouse, which is also category B listed, sit to the north-west of the application site.

2 Proposal(s)

- 2.1 Detailed planning permission is sought for the formation of a house plot. Vehicular access to the plot would be taken from Carlisle Road and the access would be shared with the adjacent house plot and the dwellinghouse which is currently being formed by conversion of the Post Horn Hotel.

3 Background

3.1 Local Plan Status

The site is identified within a Commercial Priority Land Use area in the adopted Upper Clydesdale Local Plan. In this instance Policy 70 (Priority Land Use) applies.

3.2 Relevant Government Advice/Policy

NPPG 18: 'Planning and the Historic Environment' states that in the determination of an application for listed building consent or for planning permission affecting a listed building or its setting, the planning authority is required to have special regard to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses. Scottish Planning Policy 3: Planning for Housing, affirms that the planning system should encourage the creation of attractive, sustainable residential environments. New residential development must make efficient use of resources, reusing previously developed land wherever possible, supporting the aim of reducing energy consumption, and being accessible by forms of transport other than the private car. The Scottish Executive looks to planning authorities to maintain the effectiveness of existing greenbelts, safeguard the character and amenity of the countryside and protect the setting of towns. SPP3 advocates that most housing requirements, therefore, should be met within or adjacent to existing settlements, making efficient use of existing infrastructure and public services, helping to conserve natural heritage and protect rural amenity.

3.3 Planning Background

A planning application was submitted for the change of use of and alterations, including part demolition, to vacant hotel to form 5 flats and formation of upgraded vehicular access, parking area, 3 house plots and associated landscaping in 2000 (CL/00/0081). This proposal was reported to Planning Committee on 14 August 2001 and was granted consent subject to the completion of a Section 75 Agreement. The Agreement was required to ensure that the conversion of the Post Horn Hotel

into five flats was completed to the satisfaction of the Council prior to the completion or occupation of the second new build dwellinghouse on the site. The agreement was never concluded due to legal problems with the title to the property and subsequently the property and adjoining land was sold to the current applicant. Listed Building Consent was granted under delegated powers for internal and external alterations to vacant hotel, including part demolition, to form 5 flats on 23 August 2001 (CL/00/0107). An amended planning application was then submitted on land adjacent to the current application site for change of use of and alterations, including part demolition, to vacant hotel to form a single dwellinghouse and formation of upgraded vehicular access, parking area, one house plot, siting of temporary residential caravan and associated landscaping (CL/04/0443). This application was reported to Planning Committee on 17 August 2004 and was granted consent subject to the completion of a Section 75 Agreement. The Agreement was required to ensure that the conversion of the Post Horn Hotel into a dwellinghouse was completed to the satisfaction of the Council prior to the completion or occupation of the new build dwellinghouse on the site. The Agreement was subsequently concluded and consent was issued on 9 November 2004. Listed Building consent was granted under delegated powers for the internal and external alterations to vacant hotel, including part demolition to form single dwellinghouse on 18 August 2004 (CL/04/0452).

4 Consultation(s)

- 4.1 **Roads and Transportation Services** – no objections subject to conditions relating to adequate access, parking, turning and drainage arrangements.

Response: Noted. These standards can be covered by conditions.

- 4.2 **SEPA** – offer no objection in principle to this proposal provided the drainage arrangements are installed to their satisfaction. In this regard, they advise they have had preliminary discussions with the applicant. They advise that it is the responsibility of the applicant to inform them of how he can effectively service the site. They request that any planning permission granted for the plots is suitably conditioned to protect their interests.

Response: Noted. This can be controlled by means of a suitable condition.

- 4.3 **Scottish Water** – offer no objections.

Response: Noted

- 4.4 **West of Scotland Archaeology Service** – advise that there are no known archaeological issues raised by this application.

Response: Noted.

- 4.5 **Crawford Community Council** – no response to date.

Response: Noted.

- 4.6 **Environmental Services** – no objections subject to conditions attached to any consent in relation to contaminated land.

Response: Noted. I intend to attach relevant conditions to any consent granted for this site.

- 4.7 **Historic Scotland** – in their response, they refer to previous comments offered at the time of the original application in 2000 for the conversion of the Hotel to 5 flats and the formation of 3 house plots. At that time, they raised the issue as to whether the development to the rear constituted enabling development. They state that if it is contrary to Local Plan policy, the Council should be absolutely satisfied that the development is essential to ensure the long-term survival of the listed building. They further advise that the settlement at Crawford is generally characterised by buildings dotted on the former main road. In aiming to preserve the setting of this former Inn, they recommend that any development to the rear should not crowd the listed building and should preserve significant views to the building. They indicate that careful attention should be paid to the treatment of the access to the plots to the south west of the building.

Response: The principle of developing the current application site has already been considered by Committee in terms of the original planning application in 2001 which included provision for 3 house plots on the land adjacent and to rear of the former hotel. At the time of that application, the Post Horn Hotel was a listed building at risk and appeared on the Scottish Civic Trust's national register. It was considered that conversion of the building to housing was acceptable to ensure the building had a future. At that time, three house plots were proposed, which were required to support the financial cost of converting the listed building and bringing it back into use. Circumstances have now changed and planning consent was granted for conversion of the hotel to a single dwellinghouse rather than flats and only for a single house plot. If approved, this current application would result in two house plots adjacent to the listed building. I am satisfied that this will not have an adverse impact on the setting of the listed building.

5 Representation(s)

- 5.1 The application was advertised as 'Development Potentially Contrary to the Development Plan' and also as 'Development Affecting the Setting of a Listed Building'. Following this publicity and neighbour notification, no representations have been received.

6 Assessment and Conclusions

- 6.1 I consider the determining issues in this instance to be the proposal's compliance with local plan policy, the planning history of the site and whether the proposal safeguards the character and setting of this category B listed building.
- 6.2 In terms of local plan policy, the local plan identifies the site as a Commercial Priority Land Use Area. In this instance, Policy 70 (Priority Land Use) applies. This states a general presumption against developments that are not compatible with the priority land uses. Commercial areas are defined as areas that contain a substantial proportion of shops and other commercial uses together with residential uses. The local plan status of the site reflects the previous use of the building and surrounding land as a hotel. This use has long since ceased and the reintroduction of such a use is unlikely. The area adjacent to the site is identified as a Residential Priority Land Use area and therefore the use of the site for housing is compatible with adjoining uses. Thus, although the proposal does not accord with policy, I consider that a departure from policy is justified.

- 6.3 In respect of the planning history of the site, listed building consent was granted in 2001 for the internal and external alterations to the adjacent vacant hotel, including part demolition, to form five flats. The associated planning application which included the formation of three house plots was granted at Planning Committee, but consent was not issued due to the failure to conclude the Section 75 Agreement. Given that the principle of creating house plots at this site has already been agreed and that this proposal would reduce the total number of plots from three to two, I consider the proposal to be acceptable.
- 6.4 In respect of the proposal's impact on the listed buildings, I consider that as the plot is set to the rear of the site it will not dominate the listed buildings, nor impinge on views of them. In order to ensure that the new dwellinghouse is not built without the conversion of the listed building, I intend to attach a condition to any consent granted preventing completion or occupation of this dwelling until the conversion of the hotel into a dwellinghouse is completed to the satisfaction of the Council. In addition, I intend to attach a condition to ensure the new dwellinghouse on the plot respects the character of the listed building on the site in terms of design and external finishes and the roof shall be finished in natural slate, the walls finished in wet dash render and the base course finished in smooth cement render.
- 6.5 In conclusion, a departure from planning policy to allow an additional house plot can be justified for the following reasons:
- ◆ the commercial use of the site ceased over ten years ago and there is little prospect of such a use being reintroduced; and,
 - ◆ the proposed use of the site for housing is compatible with surrounding uses.

Iain Urquhart
Executive Director (Enterprise Resources)

16 August 2005

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations
 - Historic Scotland 22/06/2005
 - West of Scotland Archaeology Service 10/06/2005
 - Scottish Water 23/06/2005
 - Roads and Transportation Services (South Division) 11/07/2005
 - Environmental Services 20/07/2005

- ▶ Representations
None received

Contact for Further Information

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

Gail Rae, Planning Officer, South Vennel, Lanark
Ext. 3205 (Tel: 01555 673205)
E-mail: Enterprise.lanark@southlanarkshire.gov.uk

CONDITIONS

- 1 That the development hereby permitted shall be started within five years of the date of this permission.
- 2 That before the expiration of five years from the date of this permission and before any development starts, a written application and plans in respect of the following matters shall be submitted to and approved by the Council as Planning Authority:
 - (a) a site layout plan showing the position of all buildings, roads, footpaths, parking areas, walls, fences and landscaping;
 - (b) plans and elevations of the dwellinghouse and garage type showing their dimensions and type and colour of materials;
 - (c) a landscaping plan showing the location, species and ground spread of existing and proposed trees, shrubs and hedges;
 - (d) detailed cross-sections of existing and finished ground levels and finished floor levels, in relation to a fixed datum, preferably ordnance datum.
- 3 That notwithstanding the terms of condition 2 above, the new dwellinghouse on the plot hereby approved shall respect the character of the listed building on the site in terms of design and external finished and the roof shall be finished in natural slate, the walls finished in wet dash render and the base course finished in smooth cement render.
- 4 That no trees within the application site shall be lopped, topped, pollarded or felled, or otherwise affected, without the prior written consent of the Council as Planning Authority.
- 5 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.
- 6 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.
- 7 That before the dwellinghouse hereby approved is completed or brought into use, a visibility splay of 2.5 metres by 35 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.
- 8 That before the dwellinghouse hereby approved is occupied, a drainage system capable of preventing any flow of water from the site onto the public road or neighbouring land, or into the site from surrounding land shall be provided and maintained to the satisfaction of the Council as Roads and Planning Authority.

- 9 That before the dwellinghouse hereby approved is completed or occupied, whichever is the sooner, it shall be served by an effluent drainage system to the satisfaction of the Council as Planning Authority.
- 10 That before development starts a Phase 1 or Desk Study, to review all currently available information about the historical uses of this site, shall be carried out to determine any types of contamination likely to be encountered and possible pathways to sensitive receptors shall be submitted to and approved by the Council as Planning Authority. If this investigation gives any indication of the potential for contaminants to be present, development shall not begin until a full intrusive survey has been carried out and its findings submitted to and, approved by the Council as Planning Authority. This survey shall clearly document the methodology, findings and results. The risks posed by the presence of pollutants in relation to sensitive receptors shall be assessed to current guidelines and, where appropriate recommendations for further investigations or remediation options to reduce these risks identified.
- 11 That before the dwellinghouse hereby approved is completed or brought into use, remediation/control measures must be fully implemented to the satisfaction of the Council as Planning Authority.
- 12 That any alterations to the remediation plan may only take place with the written approval of the Council as Planning Authority.
- 13 That on completion of all remediation works, a completion report confirming that works have been carried out to the agreed plan shall be submitted to and approved by the Council as Planning Authority.
- 14 That the conversion of the Post Horn Hotel into a dwellinghouse shall be completed to the satisfaction of the Council as Planning Authority prior to the completion or occupation, whichever is the sooner, of the new build dwellinghouse on the site hereby approved.

REASONS

- 1 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2 These details have not been submitted or approved.
- 3 To ensure the satisfactory integration of the proposed dwellinghouse with the existing listed building both in terms of design and materials.
- 4 To ensure the protection and maintenance of the existing mature trees within the site
- 5 To ensure that adequate steps are taken to protect existing trees on the site throughout the period of the proposed building operations.
- 6 These details have not been submitted or approved.
- 7 In the interest of road safety
- 8 To ensure the provision of a satisfactory drainage system.
- 9 To ensure that the development is served by an appropriate effluent disposal system.
- 10 To ensure the site is free of contamination and suitable for development.
- 11 To ensure the site is free of contamination and suitable for development.
- 12 In order to retain effective planning control

- 13 In order to retain effective planning control
- 14 To ensure that the enabling new build development is not entirely completed or occupied without the conversion of the existing listed building on the site.

For information only

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