

# Report

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>28 August 2018</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/18/0060
Planning proposal:	Change of use from an agricultural shed to a gym (retrospective)

## 1 Summary application information

Application type: Detailed planning application

Applicant: Mr Craig Cameron  
 Location: Udston Farm  
 Udston Mill Road  
 Stonehouse  
 Larkhall  
 ML9 3PB

## 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 Dalziel
- ♦ 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  
**Green Belt and Rural Area Supplementary Guidance**  
 Policy GBRA1 – Economy/ business related developments  
**Proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2)**  
 Policy 4 - Green Belt and Rural Area  
 Policy 5 - Development Management and Place Making

Policy GBRA2 - Business Proposals within Green Belt and Rural Area

◆ **Representation(s):**

▶	0	Objection Letters
▶	0	Support Letters
▶	0	Comment Letters

◆ **Consultation(s):**

Roads Development Management Team

Environmental Services

## **Planning Application Report**

### **1 Application Site**

- 1.1 The application relates to a retrospective change of use of one of a group of former farm outbuildings located to the north east to the recently built Smithstone House, Udston Mill Road, Stonehouse to form a commercial gym. Planning consent (HM/15/0329) was issued for the demolition of the original farmhouse and the erection of a bespoke detached dwelling house (Smithstone House) with detached garage and riding arena in October 2015. The application site itself is located approximately 0.3 miles to the south of the village of Stonehouse and is located within the designated Green Belt. There are some of the former farm buildings remaining on site.
- 1.2 Two of this group of former farm outbuildings are currently occupied by a dog day care centre the other being a music school which is the subject of a retrospective planning application (P/18/0054) currently being assessed by the Council.

### **2 Proposal(s)**

- 2.1 This proposal relates to the conversion of one of this group of former farm outbuildings to form a commercial gym. A supporting statement has been submitted in respect of this proposal which states that the building was last used for the storage of car parts and spray painting equipment and that the building remained largely empty since the new owner (Smithstone House) acquired the property. In addition it is advised that the new owner has since made the building wind and water tight and has rerendered the building and that consent (HM/17/0163) has been issued for a dog day care centre which operates from one of the adjoining units.
- 2.2 The applicant has advised that he has looked for premises within the village of Stonehouse which would be suitable but found that they were either too small or did not have adequate parking. He has advised that he has strong community support for his business and, that being the case, he wants to remain in the local area.

### **3 Background**

#### **3.1 Local Plan Status**

- 3.1.1 The determining issues in the consideration of this application are its compliance with the South Lanarkshire Local Development Plan and in particular Policies 3 – Green Belt and rural area and Policy 4 – Development Management and Placemaking. In addition Policy GBRA1 – Economic/business related developments of the Green Belt and Rural Area supplementary guidance is also relevant to the assessment of this application.
- 3.1.2 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. The new plan builds on the policies and proposals contained in the currently adopted South Lanarkshire Local Development Plan. For the purposes of determining planning applications the proposed South Lanarkshire Local Development Plan 2 is now a material consideration. In this instance Policy 4 – Green Belt and Rural Area, Policy 5 - Development Management and Place Making Policy and Policy GBRA2 – Business Proposals within Green Belt and Rural Area are relevant to the assessment of this application.

3.1.2 A full assessment of the proposal against these specific policies is contained in Section 6 of this report.

### 3.2 **Relevant Government Advice/Policy**

3.2.1 The SPP states that the purpose of the Green Belt designation is to:-

- Direct planned growth to the most appropriate locations and support regeneration
- Protect and enhance the quality, character, landscape setting and identity of towns and cities
- Protect and give access to open space within and around towns and cities

### 3.3 **Planning Background**

3.3.1 Planning consent (HM/09/0043) was issued for the conversion of the former outbuildings associated with the original farmhouse to form 5 houses on 7 August 2009. A further planning consent (HM/15/0329) was issued for the demolition of the original farmhouse and the erection of a bespoke designed detached dwelling house (Smithstone House) with detached garage and riding arena in October 2015, at which time the former outbuildings were to remain unaltered.

## 4 **Consultation(s)**

4.1 **Environmental Services** – Have no objection to the proposal.

**Response:** Noted

4.2 **Roads Development Management Team** – Have no objection to the proposal.

**Response:** Noted.

## 5 **Representation(s)**

5.1 Statutory neighbour notification was undertaken and the proposal was advertised in the Hamilton Advertiser in respect of development contrary to the development plan following which no letters of representation were received.

## 6 **Assessment and Conclusions**

6.1 Section 25 of the Town and Country Planning (Scotland) Act 1997, states that planning applications have to be determined in accordance with the development plan, unless other material considerations indicate otherwise. The main determining issues, therefore, in the assessment of this application are whether the principle of the development is in compliance with national and local plan policy and whether there are any other material planning conditions that would outweigh the provisions of the development plan.

6.2 Scottish Planning Policy (SPP) advises that proposals should be determined in accordance with the provisions of the development plan and all developments should contribute to sustainable development.

6.3 In terms of Policy 3 of the South Lanarkshire Local Development Plan, the Green Belt and the rural area functions primarily for agriculture, forestry, recreation and other uses appropriate to the countryside. Pressure for development in these locations is strong and managing development in these areas is a key aim of the Council. That being the case, developments which do not require to be located in the countryside will be expected to be accommodated within the settlements identified on the proposals map. In terms of appropriate uses, it is considered that a commercial gym does not require to be located within a countryside environment and can be readily

accommodated within settlements. It is noted that the applicant has stated that there is strong community support for such a service within the local area and that it has been difficult to find suitable premises within the village of Stonehouse itself. It is considered that in this particular instance, given the need for such a facility and the level of community support, the granting of temporary consent would allow the applicant time to search for more suitable premises within the urban area while at the same time ensuring that an unacceptable precedent would not be set within a Green Belt location.

- 6.4 It is noted that the supporting statement makes reference to the fact that consent (HM/09/0043) was granted for external alterations and change of use of these outbuildings to form four residential dwellinghouses in August 2009. Within the Green Belt and Rural Area, it is accepted that small scale residential development may be appropriate where it is located in the right place, is of the right quality in terms of siting, scale and design and meets the relevant criteria. Consent was issued in this regard given that the proposal met the relevant criteria as detailed in Policy CRE1 – Housing in the Countryside of the Adopted South Lanarkshire Local Plan which was the adopted local development plan in place at that time. The supporting statement also makes reference to the fact that consent (HM/17/0163) was issued for a dog day care business in relation to one of the other buildings which forms part of this group. In this regard, Appendix 2 of the Green Belt and Rural Area Supplementary Guidance lists boarding kennels and catteries as an acceptable use in a Green Belt location. In this regard it was considered that this use was compatible with such operations in principle subject to all other policies and relevant criteria being met.
- 6.5 Policy 4 requires all developments to take account of local context and built form. In this case it is considered that, given the proposal relates to a change of use of an existing building and that the alterations relate to internal works, no issues are raised in respect of this policy.
- 6.6 The Green Belt and Rural Area Supplementary Guidance provides more detailed policies and guidance on the requirements for all new development proposals within the Green Belt. In their supporting statement they have advised that the proposal brings back into use a previously vacant building and that if the commercial gym is refused then the building is likely to remain empty. While it is acknowledged that in terms of Policy GBRA1 the preference is to reuse redundant buildings to diversify the rural economy all economy/ business related development proposals require to meet a number of criteria. These include the following:
- The proposal should involve an appropriate use in the Green Belt and rural area (see Appendix 2)
  - A specific locational need will require to be demonstrated
  - Developments should respect local patterns of scale, proportion and density and avoid the introduction of suburban – style developments into the rural environment.

In relation to the above criteria, it is considered that the proposal involves an inappropriate use for the reasons as detailed in para 3.1. It is acknowledged that the applicant has advised in their supporting statement that there were no suitable premises within the village of Stonehouse suitable for a commercial gym. In addition, given the gym has only been open for the past few months and in operation for just over a year, if successful, it is likely to continue to expand and require more suitable premises within the urban area to meet the needs of future clients. The granting of temporary consent would allow the business to continue to develop with a view to the

applicant seeking a more appropriate location which would better serve the needs of a growing business and the local community which it serves.

The introduction of a commercial gym in this location and the associated level of activity which would operate throughout the day is more conducive to an urban setting rather than a rural environment. In addition, the site itself does not represent a sustainable location for such a communal use given that it is not readily accessible by public transport and is only accessible by private transport via the minor road network. In the short term, however, given that the clients presently largely come from the adjacent village of Stonehouse, the granting of temporary consent will allow the business as it stands to continue to meet the needs of the local community of Stonehouse. In the meantime, as the business expands and draws on clients from a wider area, the granting of temporary consent will allow the applicant time to look for more appropriate accommodation which would be in a more sustainable location and will be more accessible to a wider catchment area.

- 6.7 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 does not accord with Policy 4 – Green Belt and Rural Area or Policy GBRA2 – Business Proposals within Green Belt and Rural Area of the SLLDP2

## **7 Reasons for Decision**

- 7.1 In summary, the application site was advertised as contrary to the development plan as the site is located within the designated Green Belt. However, following a detailed assessment of the proposal, taking into account the needs of the local community and given the fact that consent would be issued on the basis of a temporary nature, it is considered that a departure from the development plan can be justified and temporary planning permission granted for the following reasons:
- 1) The proposal will assist in meeting the needs of the local community
  - 2) It will allow the applicant time to secure more appropriate accommodation in a more sustainable location without prejudicing the existing business.
  - 3) The proposal makes use of an existing outbuilding on a temporary basis and there is no new building involved within the designated Green Belt.

**Michael McGlynn**  
**Executive Director (Community and Enterprise Resources)**

9 August 2018

### **Previous references**

- ◆ HM/15/0329
- ◆ HM/09/0043

**List of background papers**

- ▶ Application form
  - ▶ Application plans
  - ▶ South Lanarkshire Local Development Plan 2015 (adopted)
  - ▶ Green Belt and Rural Area Supplementary Guidance 2015
  - ▶ Neighbour notification letter dated 25 March 2018
  - ▶ Proposed South Lanarkshire Local Development Plan 2
- 
- ▶ Consultations
    - Roads Development Management Team 11.05.2018
    - Environmental Services 27.03.2018

**Contact for further information**

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

Mary McGonigle, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 01698 455103

Email: [mary.mcgonigle@southlanarkshire.gov.uk](mailto:mary.mcgonigle@southlanarkshire.gov.uk)

Detailed planning application

Paper apart – Application number: P/18/0060

**Conditions and reasons**

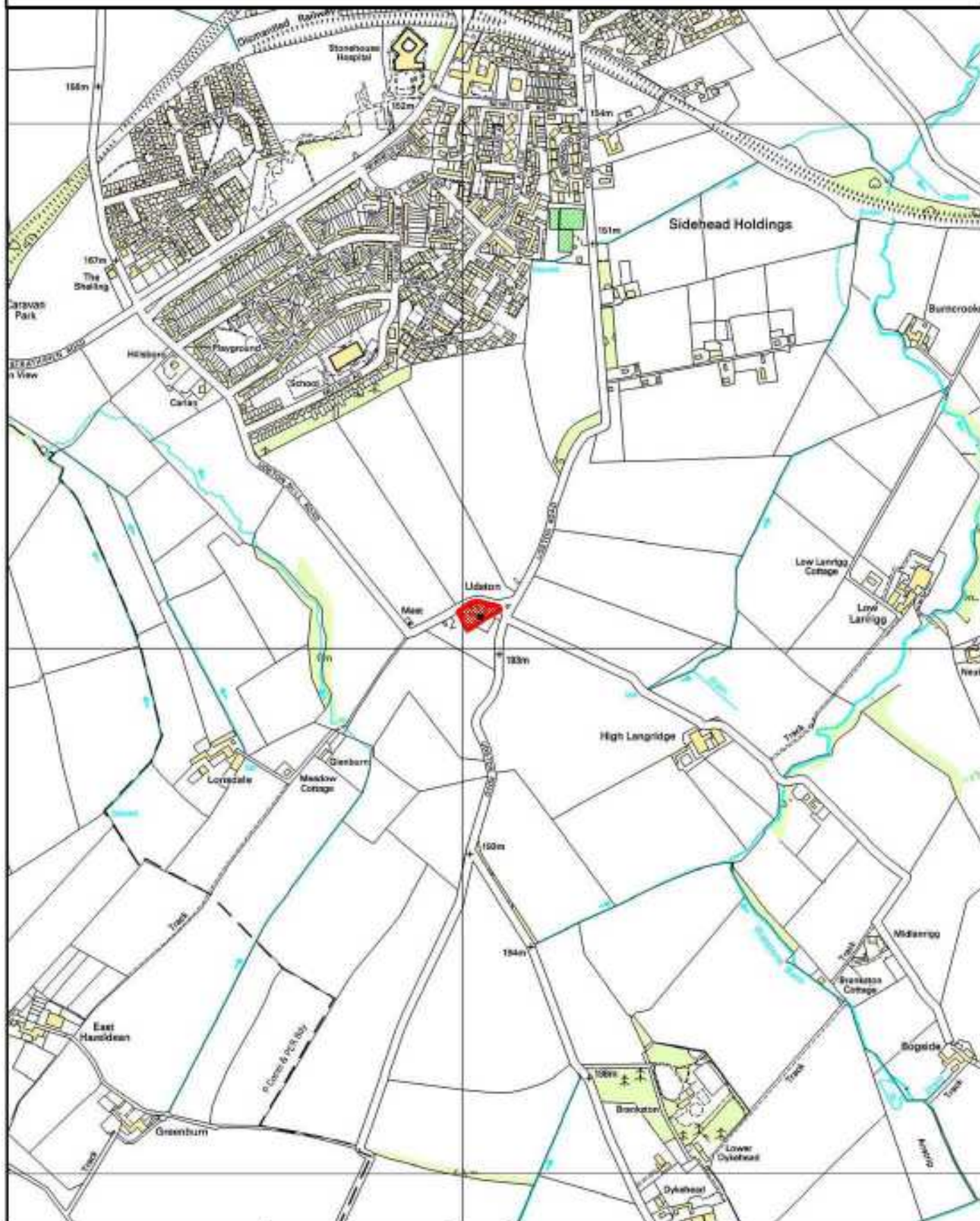
01. That the permission hereby granted is for a temporary period only and shall expire on 31 August 2020.

Reason: In order to retain effective planning control



P/18/0060

Udston Farm, Udston Mill Road, Stonehouse



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Scale:  
1:10,000  
Date:  
30/07/2018



**South Lanarkshire Council**  
**Community and Enterprise Resources**  
Planning and Economic Development