

Appendix 2(a)

Report of Handling

Report dated 16 October 2017 by the Council's Authorised Officer under the Scheme of Delegation

	<h1>Delegated Report</h1>	Reference No	EK/17/0262
		Date	16 October 2017

Planning proposal:	Erection of two dwellinghouses with detached garages and formation of access road
Location:	Newton Road Strathaven ML10 6PA

Application Type : Detailed Planning Application
Applicant : Mr Hugh Nelson
Location : Newton Road
 Strathaven
 ML10 6PA

Decision: Refuse detailed planning permission (for the reasons stated overleaf)

Report by: Area Manager (Planning & Building Standards)

Policy reference:

South Lanarkshire Local Development Plan (adopted 2015)

Policy 3 - Green Belt and rural area

Policy 4 - Development management and placemaking

Development management, placemaking and design supplementary guidance (2015)

DM1 – Design

Green belt and rural area supplementary guidance (2015)

GBRA 5 - Development of gap sites

GBRA 6 - Consolidation of existing building groups

Assessment

Impact on privacy?	No
Impact on sunlight/daylight?	No
Impact on amenity?	No
Traffic issues?	No
Adheres to development plan policy?	No
Adverse comments from consultees?	No

Consultations

**Roads & Transportation Services
(Development Management)**

**Roads & Transportation Services
(Flood Risk Management Section)**

Environmental Services

Scottish Water

Summary of response

Recommend deferral of the application to resolve a number of design issues and the inclusion of relevant conditions.

No objections, subject to the inclusion of relevant conditions requiring a SuDS system to serve the development.

No objections, subject to the inclusion of relevant advisory notes.

No objections.

Representation(s):

- ▶ 0 Objection letters
- ▶ 0 Support letters
- ▶ 1 Comments letters

Planning Application Delegated Report**1.0 Application Summary**

- 1.1 The applicant seeks detailed planning consent for the erection of two detached dwellinghouses with garages on a site on Newton Road, near Strathaven. The application site is located within the designated Green Belt.
- 1.2 The application site is located approximately 440 metres due south of the Strathaven settlement boundary, within the designated Green Belt. The site extends approximately 5200 square metres and is bound by Newton Road to the west and south and by an existing property to the north. Existing properties are also located approximately 28 metres to the west of the site at Highside of Newton. The site consists of an agricultural field with no existing structures.
- 1.3 The applicant proposes to form a new vehicular access to the site from the south and to erect two large single storey detached dwellinghouses with detached double garages. The dwellings would be built parallel to Newton Road, with the 'front' elevation of the proposed houses located approximately 7.8m from the site boundary. The proposed vehicular access would serve both properties, with the driveway located to the east of the site, to the rear of the proposed houses. The applicant has also indicated an area to the south-west of the site to be set aside for use as a drainage field.
- 1.4 The proposed houses would share a common design, with a footprint of approximately 240 square metres each. They are proposed to contain three bedrooms, a lounge, dining room, a large kitchen/diner, sun room, utility room, dressing room, porch and associated bathrooms, en-suites and a W/C. The dwellings are proposed to be finished with a pitched roof, approximately 7.4 metres to the ridge, 2.6m to the eaves. The external walls are proposed to be finished with a smooth cream coloured render and the roof with Spanish slate or a slate substitute. The proposed garages would be finished with similar external finishing materials and a roof design to match the associated dwellings.
- 1.5 Pre-application discussions have taken place between the applicant, agent and Planning Service regarding the proposal. The agent has also submitted a Supporting Planning Statement stating that he believes that the proposal complies with Policy GBRA5 – Development of gap sites.
- 1.6 In terms of the adopted South Lanarkshire Local Development Plan, the relevant policies to be considered in the assessment of this application are Policy 3 – Green Belt and rural area

and Policy 4 – Development management and placemaking. In addition, Policy DM1 – Design from the Development management, placemaking and design supplementary guidance is relevant to the assessment of this proposal, as are Policies GBRA5 (Development of gap sites) and GBRA6 (Consolidation of existing building groups) from the Green Belt and rural area supplementary guidance.

2.0 Representation(s)

2.1 Statutory neighbour notification was undertaken in respect of this application and the proposal was further advertised in the local press as development contrary to the development plan. One letter of comment has been received in connection with this publicly and the matters raised can be summarised as follows:

(a) The proposal is contrary to the Development Plan, which may be reason enough to refuse the application. However, if consent is granted, all possible protection should be given to wildlife, flora and fauna in situ.

Response: The application was advertised as being potentially contrary to the adopted South Lanarkshire Local Development Plan due to its location within the designated Green Belt. A full assessment of the proposal and its compliance with the Local Development Plan is contained in Section 3 of this report, below. In the event that consent was granted, conditions could be imposed to protect the environment and wildlife, as appropriate.

3.0 Assessment and Conclusions

3.1 The applicant seeks detailed planning consent for the erection of two detached dwellinghouses and garages together with the formation of an associated new vehicular access on a site at Newton Road, near Strathaven. The relevant policies to be considered in the assessment of this proposal are Policies 3, 4, DM1, GBRA5 and GBRA6.

3.2 Policy 3 – Green Belt and rural area states that the Green Belt functions primarily for agriculture, forestry, recreation and other uses appropriate to the countryside. Development that does not require to locate in the countryside will be expected to be accommodated within settlements except in certain specific circumstances. Residential development may be supported where it involved; the conversion of traditional buildings, the redevelopment of derelict or redundant property which would result in significant environmental improvement, the consolidation of existing building groups or where it involved limited development within clearly identifiable infill gap sites.

3.3 The application site does not contain any structures and it is a section of an undeveloped agricultural field. In addition, it is located too far from the Strathaven settlement boundary to be considered as a settlement extension. As such, the only scenarios where acceptable residential development may be justifiable on this Green Belt site would be if it was a clearly identifiable gap site or if it consolidated existing building groups.

3.4 The development of gap sites within a recognisable cohesive group of houses in the countryside may be acceptable where it would not damage the character of the group or the

wider countryside. Policy GBRA5 – Development of gap sites states that gap sites should be bound on at least two sides by habitable houses or other buildings. It also states that the distance between the buildings should be no more than needed to allow for the formation of a maximum of two plots of a size in keeping with the curtilage and frontage of the existing group. An extension to a building group will not normally be acceptable where it would result in ribbon development.

- 3.5 Policy GBRA5 also states that exceptionally, the layout of the group of houses may allow for the infill of a small area up to a natural boundary or physical feature, and that new housing should be well related in scale and setting to existing adjoining development. The house size to plot ratio and separation distances between houses should be comparable to adjoining properties in the built up frontage.
- 3.6 Following a detailed assessment of this proposal, it is considered that the proposal is not a clearly identifiable gap site and that this application does not accord with Policy GBRA5. In this respect, the site is only immediately bound on one side (to the north) by existing residential development. There are dwellings located to the west of the site at Highside of Newton that were built as part of the development at an existing farm, however these are located some 28m away from the site boundary across Newton Road and do not clearly bound the site. In addition, there is a gap of approximately 67 metres between these houses and the existing property that bounds the application site to the north on Newton Road. As such, the majority of the site is not bound on two sides by any existing development and the development to the west of the site is too far removed to be considered as part of the same building group as those houses constructed along Newton Road.
- 3.7 With regards to size and proposed layout of the site, it is noted that the plot size and distance between the proposed houses is significantly larger than those existing properties on Newton Road, and the site is far larger (0.52 hectares) than would generally be required to construct two detached dwellings. Policy GBRA5 also states that an extension to a building group will not normally be acceptable where it would result in ribbon development, and this proposal would clearly represent further ribbon development along Newton Road, into an undeveloped Green Belt field.
- 3.8 It is noted that, exceptionally, the layout of the group of houses may allow for the infill of a small area up to a natural boundary of physical feature, however this is not applicable in this instance. The site extends over 110 metres in length and at an area of approximately 5200 square metres it could not be considered as a 'small area'. The site is bound by Newton Road to the south and west; however there is no clear boundary, defensible or otherwise, to the east of the site which is open to the remainder of the agricultural field. In addition, given the location of the proposed vehicular access to the south of the site, there is a clear potential that this development could lead to pressure to further extend the area of ribbon development beyond the curve of Newton Road which forms the boundary of the site to the south and west.

- 3.9 The proposal has also been considered in terms of Policy GBRA6 – Consolidation of existing building groups. This policy supports the development of new dwellings within existing building groups where set criteria can be met. The policy does, however, state that development should not extend into a previously undeveloped field and that proposals should not result in ribbon or linear development along a public road. In addition, new development should respect the character, cohesiveness, spacing and amenity of the existing group and the individual houses within the group, and the overall scale and massing of new houses should respect that of the existing group. As such, the proposal would not comply with Policy GBRA6 for the same reasons it does not comply with Policy GBRA5.
- 3.10 Policy 4 – Development management and placemaking is relevant to this proposal, as it is to each planning application. It states that all development proposals will require to take account of and be integrated with the local context and built form. Proposals should have no significant adverse impact upon adjacent buildings or the streetscape in terms of layout, scale, massing, design, external materials or amenity. Policy DM1 – Design is also relevant to this proposal, and it states that the design and layout of all new development will be assessed in relation to various appropriate criteria, including the Council’s Residential Design Guide.
- 3.11 The proposed size, scale and design of the proposed dwellings does not conform with the existing houses on Newton Road and the development would not integrate with the adjacent dwellings. The proposed large, single storey houses on equally large plots would appear out of character with the existing properties on Newton Road and would adversely impact upon the streetscape. The proposed layout would help to retain the existing mature tree line along the west of the site, however it would require an access along the eastern boundary of the site running along the rear of the houses. Such a layout is not used elsewhere on Newton Road and it may lead to pressure for further development to the east of the site. As such, it is considered that the proposal would not comply with these policies.
- 3.12 Statutory neighbour notification was undertaken in respect of this application, and the proposal was further advertised in the local press as development contrary to the development plan. One letter of comment was received in connection with this publicity, and the matters raised have been summarised in section 2 of this report, above.
- 3.13 Consultations were undertaken with colleagues in Roads and Transportation Services (Development Management and the Flood Risk Management Section), Environmental Services and Scottish Water regarding this proposal. No objections to the application have been received, subject to the inclusion of relevant conditions and advisory notes, however the response from Roads and Transportation Services (Development Management) recommended deferring the application until design issues relating to a public utility strip and passing places had been addressed. Given that the proposal does not comply with the Local Development Plan and is to be refused, it is not considered relevant to address these matters at this time.

3.14 Given the above, it is considered that the proposal does not comply with the relevant policies of the adopted South Lanarkshire Local Development Plan as it is not a clearly identifiable gap site and does not consolidate an existing building group. The proposal would extend the area of ribbon development into a previously undeveloped field further along Newton Road and would likely lead to further pressure on development due to the lack of a defensible boundaries and the location of the proposed access. The proposed houses are also significantly larger in scale and plot size than those existing houses located along Newton Road. There are no material considerations which would justify granting permission contrary to the development plan at this site. The development therefore represents inappropriate development of a Green Belt site and it is considered that the granting of planning consent is not justified in this instance and that the application should be refused.

4.0 Reason for decision

4.1 The proposal does not comply with the relevant policies of the adopted South Lanarkshire Local Development Plan (Policies 3, 4, DM1, GBRA5 and GBRA6) as the development would result in ribbon development and the loss of a previously undeveloped Green Belt site. The proposed development would also harm the character and function of the Green Belt and would adversely impact upon amenity and the streetscape. There are no additional material considerations which would justify granting planning consent contrary to the adopted Local Development Plan.

Delegating Officer: G Rae

Date: 16.10.17

Previous References

◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Development Plan (adopted 2015)
- ▶ Development management placemaking and design supplementary guidance (2015)
- ▶ Green belt and rural area supplementary guidance (2015)
- ▶ South Lanarkshire Local Plan: Residential Design Guide (August 2011)
- ▶ Neighbour notification letter dated 26 July 2017 and 04 August 2017
- ▶ Newspaper Advert, East Kilbride News, dated 02 August 2017 and 16 August 2017
- ▶ Consultation Response – Roads & Transportation Services (Development Management), dated 01 September 2017
- ▶ Consultation Response – Roads & Transportation Services (Flood Risk Management Section), dated 21 August 2017
- ▶ Consultation Response – Environmental Services, dated 17 August 2017
- ▶ Consultation Response – Scottish Water, dated 07 August 2017
- ▶ Supporting Statement from agent
- ▶ Correspondence with agent, various dates
- ▶ Planning Consents EK/11/0275 & EK/13/0355, Highside of Newton, Strathaven

► Representations

Representation from : Joe Allan, 94 Franklin Place, Westwood, East Kilbride,
G75 8LS, dated 22/08/2017

Contact for further information

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

Andrew Muir

(Tel : 01698 455058)

E-mail: andrew.muir2@southlanarkshire.gov.uk

Detailed Planning Application

PAPER APART – APPLICATION NUMBER : EK/17/0262

REASONS FOR REFUSAL

- 1 The proposal is contrary to Policies 3, 4, DM1, GBRA5 and GBRA6 of the South Lanarkshire Local Development Plan (adopted 2015) in that the development would involve the loss of an undeveloped Green Belt site without justification and that it would constitute inappropriate development which would adversely impact upon the character and function of the Green Belt and upon visual amenity.

- 2 The proposal is contrary to Policies 3, 4, DM1, GBRA5 and GBRA6 of the South Lanarkshire Local Development Plan (adopted 2015) in that the development would result in further ribbon development along Newton Road, which would adversely impact upon the character and function of the Green Belt and upon visual amenity.

- 3 If approved, the proposal would set an undesirable precedent which could encourage further similar applications for development along Newton Road due to the lack of defensible boundaries and the location of the proposed vehicular access to the south of the site.

INFORMATIVES

- 1 This decision relates to drawing numbers: PP(01)001, PP(01)001 Rev B, PP(01)002 Rev C, PP(02)001 Rev A and AD(02)001.