

# Report

# 13

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>26 June 2018</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/18/0454
Planning proposal:	Residential development (planning permission in principle)

## 1 Summary application information

Application type:	Permission in principle
Applicant:	Mrs Janet Macgillivray
Location:	Land 53M Wnw Of Blair Cottage Blair Road Crossford Carluke South Lanarkshire

## 2 Recommendation(s)

### 2.1 The Committee is asked to approve the following recommendation(s):-

- (1) Grant planning permission in principle (subject to conditions) based on conditions attached

### 2.2 Other actions/notes

- (1) The Committee has delegated powers to determine this application.

## 3 Other information

- ◆ Applicant's Agent: Gainford Limited
- ◆ Council Area/Ward: 01 Clydesdale West
- ◆ Policy Reference(s): Policy 2 Climate change  
Policy 3 Green belt and rural area  
Policy 4 Development management and placemaking  
Policy 15 Natural and historic environment

### ◆ Representation(s):

▶	1	Objection Letters
▶	0	Support Letters
▶	0	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 (extending to approximately 0.6ha) is comprised of vacant and scrub grassland at Blair Road, Crossford. To the north of the site lies Castlevieview stables, a livery yard and associated dwellinghouse, to the northeast lies open land and to the east lies The Clash, a residential dwelling. The south of the site is bounded by Blair Road with Blair Cottage and open land beyond this. To the west the site is bound by a private access road to Castlevieview Stables and Blair Farm beyond which is a row of dwellinghouses. The site itself comprises 2 small fields delineated north to south by a wooden fence and young trees with a small stable building in the eastern field.

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

2.1 The applicant seeks planning permission in principle for residential use for land comprising 0.6ha at Blair Road. The land would be accessed directly from Blair Road and it is proposed hedgerows are relocated to facilitate this access.

### **3 Background**

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

3.1.1 The adopted South Lanarkshire Local Development Plan identifies the site as being situated within the Rural Area, as such Policy 3 Green Belt and Rural Area and the associated Supplementary Guidance, on Green Belt and Rural Area, is relevant. In addition Policy 2 Climate Change and Policy 4 Development Management and Placemaking and Policy 15 Natural and Historic Environment of South Lanarkshire Local Development Plan apply together with the SG on Development Management and Placemaking, Natural and Historic Environment and Sustainable Development and Climate Change.

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 the following Policies 2, 3, and 5 are relevant and the site has been identified as within the settlement boundaries of a new settlement named Blair Cross.

3.1.3 An assessment of the proposal against these policies is contained in Section 6 of this report.

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

3.2.1 Scottish Planning Policy (SPP) has a presumption in favour of development that contributes to sustainable development. In terms of residential development, SPP advises that the planning system should identify a generous supply of land to support the achievement of housing land requirements and maintaining at least a 5 year supply of land at all times. In terms of development in the rural area, SPP states that

most new development should be guided to locations within or adjacent to settlements.

### 3.3 Planning Background

3.3.1 There is no planning history on the application site, however, the land was included in the Main Issues Report as part of a proposed policy change to include this land and surrounding dwellings as a settlement. The Proposed Plan now identifies this land as within the boundaries of a new settlement named Blair Cross.

## 4 Consultation(s)

4.1 **Roads and Transportation Services** – raised no objections subject to conditions relating to visibility splays, dropped kerb access and a 2m wide footway.

**Response:** Appropriate conditions shall be imposed on any permission granted

4.2 **Roads and Transportation Services (Flood Risk Management Section)** – raised no objections subject to suitable conditions relating to drainage design guidance and a flood risk assessment.

**Response:** Appropriate conditions shall be imposed on any permission granted, to require this information a detailed planning permission stage.

4.3 **Environmental Services** –no objections to the proposal in principle.

**Response:** Noted.

## 5 Representation(s)

5.1 Statutory neighbour notification was undertaken and the application was advertised in the Lanark Gazette due to the non-notification of neighbours and the development being contrary to the local development plan. Following this, one letter of representation was received. The scheme of delegation requires applications which are deemed contrary to the local development plan and receive objections are heard by the Planning Committee.

5.2 The points raised within the representation are summarised and responded to as follows:

**a) Overdevelopment and devastation of the Clyde Valley and Crossford, concerns that this piece of land ends up looking like parts of Holm Road.**

**Response:** Each application and site is considered on its own merits. The application is for permission in principle and any detailed proposal for dwellings will be considered in the context of the rural area.

**b) Concerns that if planning was granted that a detailed application for numerous houses of who knows what size and style would occur next.**

**Response:** It is likely that a detailed application for dwellings would follow an in principle application. The size and style of the dwellings proposed will be considered in the context of the rural area.

**c) Previous applications within the vicinity have been approved under the pretences to assist with equestrian businesses and 2 storey properties with materials not in keeping with the area and appear prominent in landscape**

**Response:** The previous applications in their assessment were deemed to comply with planning policies relevant at the time. The form, design and materials used in

previous proposals and are those which are considered typical of, and suitable for, the rural area. This will also be the case for any detailed proposals for this site.

**d) Concerns any building upon the application site would impact upon privacy and enjoyment of outdoor space such as overlooking, lack of privacy and loss of open views as these are located in close proximity to the application site**

**Response:** Overlooking, privacy and dominance all be considered at a more detailed stage, however it is considered there is sufficient scope within the site to accommodate a design which could overcome these issues. Planning considers whether a proposal would have a dominating effect upon neighbouring properties, however Planning does not act to protect private interests such as a particular view.

**e) The site has a very narrow access road from both directions which is getting busier and this would make the route harder and more difficult to negotiate**

**Response:** Roads and Transportation Development Management have been consulted on the application and have no adverse comments to make on road safety grounds.

**f) Utilities, drainage and infrastructure have to be considered where would any sewerage go to i.e. a septic tank soakaway and would the electricity cable across site be removed and how would the electricity cope with the extra load, it is not unknown to have power cuts or loss of water supply in the rural location.**

**Response:** Further details of utilities such as sewerage would be considered at the detailed application stage, if approved. Any relocation of the electricity cable, which may be required for the development, would be at the expense of the developer. Any reports loss of supply of utilities should be reported to utility provider.

**g) Serious concerns regarding the proposal to relocate the hedge further back in site to facilitate access, consider how many years this will take to re-establish it was understood hedges were part of the fabric of the countryside and should be maintained at all costs.**

**Response:** The Landscape Character Assessment seeks to encourage the retention and replanting of hedgerows within this area. The hedge, as existing, requires removal and relocation to achieve the required visibility. Whilst its removal is regrettable, it is considered acceptable when balanced against providing a safe access to the site. In addition, a condition shall be imposed on any permission granted to ensure the replacement of the hedge.

**h) This application would set a precedent for further deterioration of this part of Crossford causing more people, traffic, strain on the infrastructure and more open land destroyed forever.**

**Response:** Each application is considered on its merits and the local development plan sets out the cases where development is acceptable within the rural area. This proposal's compliance with the local development plan and policies for the rural area are discussed in para 6.2 to 6.4.

5.3 This letter has been copied and is available for inspection in the usual manner and on the planning portal.

## 6 Assessment and Conclusions

- 6.1 The application seeks planning permission in principle for residential use at Blair Road, Crossford. The relevant planning policies in this case are Policy 2, 3, 4, 15 and the supplementary guidance on Development Management and Placemaking, Green Belt and Rural Area Natural and Historic Environment and Sustainable Development and Climate Change.
- 6.2 Policy 3 - Green Belt and Rural Area is applicable and states that development which is not required to be located in the countryside will be expected to be accommodated within settlements. Exceptions include cases where it is demonstrated there is a specific locational requirement and need for a development; the proposal involves the redevelopment of derelict or redundant buildings; the conversion of traditional buildings; and development within clearly identifiable infill, gap sites, existing building groups and small scale settlement extensions. The proposal does not relate to the re-use of any existing building or conversion or is not adjacent to an existing small settlement, albeit it is proposed to be part of settlement within the Proposed Plan. However it has to be considered whether proposal would constitute a gap or consolidation of a group, the criteria is given by Policy GBRA 5 and GBRA 6 respectively.
- 6.3 Policy GBRA 5- Development of gap sites requires that land bounded on at least 2 sides by habitable houses can be considered a gap site. The distance between should be no more than that needed to form a maximum of 2 plots, in keeping with the curtilage of the existing group. The application site is bound by dwellings to the east and west however the scale of the application site would result in 2 plots exceeding a comparable curtilage size of the dwellings within the existing group. Thus the proposal cannot be considered a gap site.
- 6.4 Policy GBRA 6 – Consolidation of existing building groups considers where additional dwellings could be permitted to consolidate or round off an existing building group. The application site does have dwellings sited to the east, west, south and further north of it, however, given the distances the existing dwellings are apart from one another this could not be considered a cohesive grouping which is contained. Thus the application site does not comply with Policy GBRA6. Therefore the proposal is considered contrary to Policy 3 and to the development plan.
- 6.5 The Planning Act does however allow for exceptions to be made to policy where other material considerations outweigh the provisions of the development plan. The other matters to be considered include the status of the emerging Local Development Plan 2 and whether this proposal would prejudice that process and whether the proposal would comply with Scottish Planning Policy (SPP). The Main Issues Report for the Local Development Plan was published for consultation for six weeks across April/May 2017 and the Proposed Plan has been approved by Planning Committee however is not yet available for public consultation. Within the Main Issues Report the land to which the application relates was identified to be included within a settlement boundary for Blair Cross. 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 contrary to the current adopted South Lanarkshire Local Development Plan as the land is within the rural area and the exemptions permitting residential development do not apply in this case. The Proposed Plan identifies this application site as part of new settlement, Blair Cross, there is a general presumption in support of residential development within settlement boundaries. As such in that regard it is considered that the proposals accords with Policies 2, 3 and 5 in the Proposed Plan. SPP in terms of

the rural area encourages dwellings to be located within settlement boundaries as such the proposal in light of the Proposed Plan is deemed to be consistent with SPP.

- 6.6 The Proposed Plan still requires to undergo public consultation and an examination procedure. However, the site comprises 0.6ha of which could accommodate approximately 6-8 dwellings of a similar scale to that of adjacent properties. It is not considered the approval of this low number of dwellings would undermine the consideration of the housing supply and the overall objective to meeting the five year housing supply. Therefore, I am of the view to approve this application would not undermine the preparation of the development plan as the proposal would result in development so low in numbers, would not result in conflict of other proposed sites and the site can be considered in isolation and does not require an assessment of other sites.
- 6.7 The remaining relevant policies of the current adopted South Lanarkshire Local Development Plan 1 includes Policy 2 Climate Change which seeks to ensure proposals minimise and mitigate against the effects of climate change. The proposed development is small scale in nature and located adjacent to existing housing. The site avoids areas of medium to high flood risk and would have no significant adverse impacts on water, soils, air, biodiversity and/or green networks. Therefore, the proposal accords with the principles of Policy 2.
- 6.8 Policy 15 Natural and Historic Environment considers the natural and historic environment. Policy NHE16 provides more advice regarding the landscape. The South Lanarkshire Landscape Character Assessment details the application site is within the incised river valley landscape character area and the Clyde Valley Special Landscape area. The Landscape Character Assessment guidance in relation to residential development includes the discouraging expansion of settlements on upper slopes of valley, avoid suburban development by ensuring careful consideration of construction materials and avoid decline of field boundaries. The proposal can be described as infilling an existing grouping of housing and is not overly visible from locations within the Clyde Valley or from Craignethan Castle due to the topography and surrounding vegetation. The proposal includes the relocation of an existing beech hedge to achieve the required sight-lines; whilst the loss of an established hedge is regrettable this is required to achieve a safe access to the site there are no suitable alternative access arrangements additionally the re-instatement of the hedge can be controlled via planning condition. The proposal is, therefore, in accordance with Policy 15.
- 6.9 Policy 4: Development Management and Placemaking of the adopted Local Development Plan seeks to ensure that proposals take account of local context and integrate well with their surroundings. The policy considers impact of the proposal on the streetscape, landscape character, habitats, species, amenity, access and parking amongst other criteria. The applicant seeks planning permission in principle for residential use, the situ, form and design of dwellings will be fully considered at a detailed stage, a condition requiring consideration of the rural area can be imposed on any permission granted. The impact of the proposal on the landscape has been assessed above. The site consists of an open field. It is not in close proximity to sites designated for protected species and therefore it is not considered its development would result in a significant adverse impact upon habitats or species. The proposed development can provide suitable access and parking. Therefore, it is considered that the proposal complies with the terms of Policy 4.
- 6.10 It was concluded above that the proposal does not comply with Policy 3 of the Local Development Plan. However, the proposal lies within a grouping of houses which the

Proposed South Lanarkshire Local Development Plan 2 proposes to be designated as a settlement. If the grouping was designated as a settlement then Policy 3 would apply, which the proposal complies with. A departure from the development plan is justified for the following reasons:

- (i) The proposed site is so low in numbers and would not conflict with other sites being considered for the emerging development plan
- (ii) it is considered the inclusion of this site is not premature to the development plan
- (iii) The proposed site has been highlighted in the Main Issues Report and Proposed Plan for inclusion in the emerging development plan as a new settlement.
- (iv) The proposal is small scale in nature and additional tree planting would enhance the landscape character of the area;
- (v) The proposal is adjacent to a grouping of houses and is not an isolated or sporadic position; and
- (vi) There would be no significant adverse issues upon residential or visual amenity, infrastructure or biodiversity

## **7 Reasons for Decision**

7.1 As detailed in paragraph 6.10 above.

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

8 June 2018

### **Previous references**

- ◆ None

### **List of background papers**

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted)
- ▶ Neighbour notification letter dated 7 April 2018
- ▶ Consultations
  - Env Services Econsult 16.04.2018
  - Roads Development Management Team 20.04.2018
  - Roads Flood Risk Management 18.04.2018
- ▶ Representations Dated:
  - T Muir, N Muir, K Muir, 196 Blair Road, Crossford, Carluke, 25.04.2018
  - South Lanarkshire, ML8 5QR

### **Contact for further information**

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

Fiona Bailie, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB  
Ext: 5271 Tel (01698 455271)  
Email: [fiona.bailie@southlanarkshire.gov.uk](mailto:fiona.bailie@southlanarkshire.gov.uk)



Detailed planning application

Paper apart – Application number: P/18/0454

### **Conditions and reasons**

01. Prior to the commencement of development on site, a further application(s) for the approval of any of the matters specified in this condition must be submitted to and approved by the Council as Planning Authority, in accordance with the timescales and other limitations in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

These matters are as follows:

- (a) the layout of the site, including all roads, footways, parking areas and open spaces;
- (b) the siting, design and external appearance of all building(s) and any other structures, including plans and elevations showing their dimensions and type and colour of external materials;
- (c) detailed cross-sections of existing and proposed ground levels, details of underbuilding and finished floor levels in relation to a fixed datum, preferably ordnance datum.
- (d) the design and location of all boundary treatments including walls and fences;
- (e) the landscaping proposals for the site, including details of existing trees and other planting to be retained together with proposals for new planting specifying number, size and species of all trees and shrubs, including, where appropriate, the planting of fruit/apple trees;
- (f) the means of drainage and sewage disposal.
- (g) details of the phasing of development (covering all relevant aspects of development detailed in (a) above);

Reason: To comply with section 59 of the Town and Country Planning (Scotland) Act 1997 as amended.

02. That the further application required under the terms of Condition (1) above, shall include a detailed scheme for surface water drainage. Surface water from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland and with the Council's Sustainable Drainage Design Criteria and requirements and shall be agreed in writing with the Council as Planning Authority in consultation with SEPA.

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.

03. That the further application required under the terms of Condition 1 shall include the following: (a) a minimum of 2 car parking spaces at a minimum of 6m x 6m or 3m x 12m to be provided and maintained within the confines of the site for a dwelling with 3 bedrooms or less, or 3 spaces at a minimum of 6 x 9m or combination of 6m x 6m or 3mx12m provided where the dwelling has 4 bedrooms or more; (b) provision for a 2 metre wide footway along the entire site frontage; and (c) a dropped kerb along the access with the first 4m of the access to be surfaced with a bound material and no

work on the site shall be commenced until the permission of the Council as Planning Authority has been granted for the proposals, or such other proposals as may be acceptable.

Reason: These details have not been submitted or approved

04. That before any work commences on the site, a scheme of landscaping for the area shaded green on the approved plan 2017/45C 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: To ensure the appropriate provision of landscaping within the site.

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 the visual amenity of the area.

06. That before the development hereby approved is completed or brought into use, a visibility splay of 2.4 metres by 43 metres measured from the road channel shall be provided on both sides of 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 interests of traffic and public safety.

07. A drainage system capable of preventing any water from flowing onto the public road or into the site or surrounding land to be provided and maintained at the applicant's expense. This will include a drainage system that prevents water from any driveway discharging onto the carriageway.

Reason: In the interests of traffic safety and to prevent deleterious material entering the road.

08. That notwithstanding the terms of Condition 1 above, the design and siting of any dwellinghouse on the site shall take due cognisance of the rural location, with particular regard being paid to scale, massing, roof pitch, fenestration and materials; and shall be in accordance with the Council's approved policy on new dwellings in the rural area.

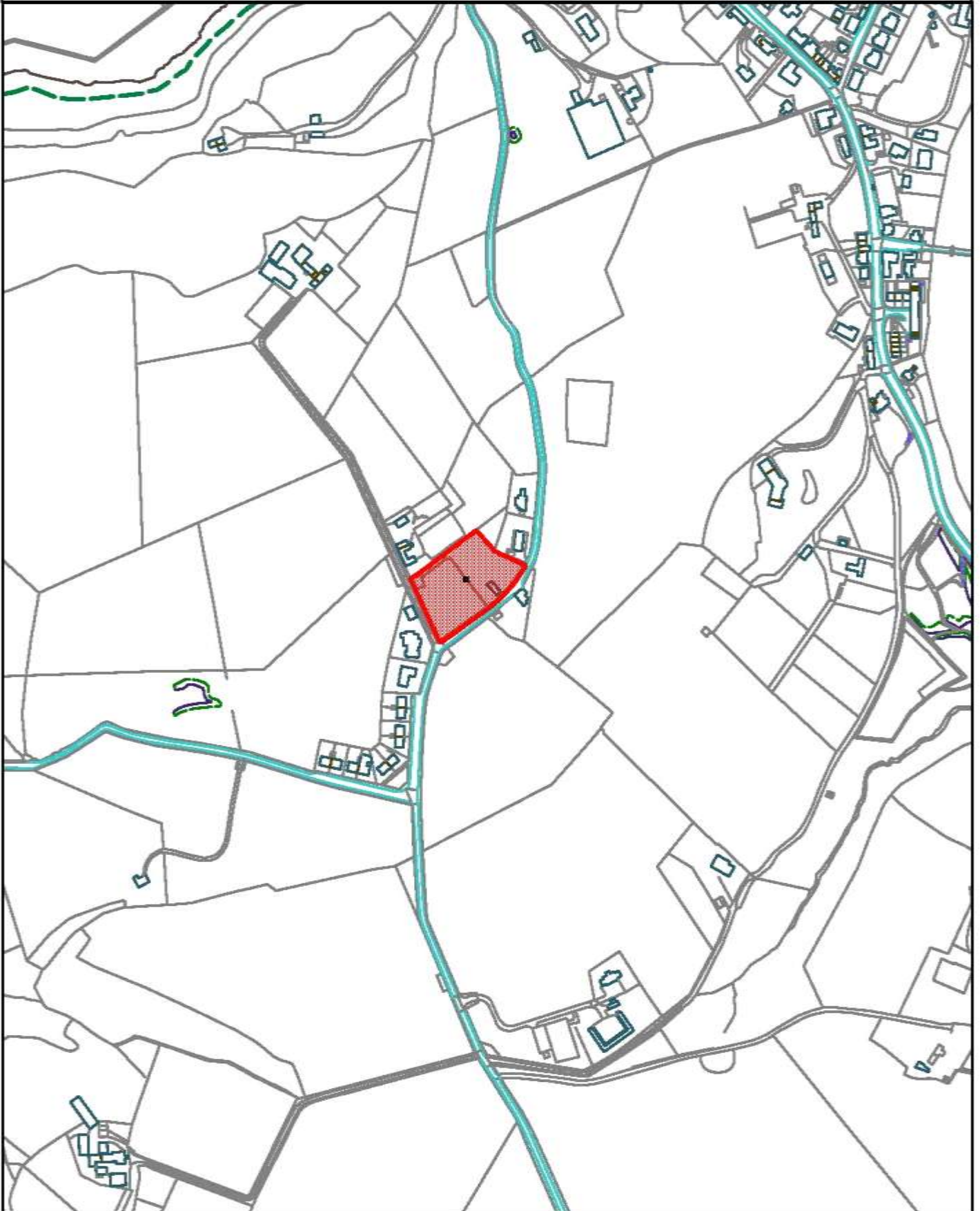
Reason: To safeguard the visual amenity of the rural area.

09. That replacement hedging shall be provided on the area coloured brown on the approved plan 2017/45C 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 approved, whichever is the sooner, and shall thereafter be maintained and replaced where necessary. The species of hedge shall be agreed in writing by the Council as Planning Authority prior to works starting on site.

Reason: In the interests of the visual amenity of the area.

P/18/0454

Land 53M Wnw of Blair Cottage , Blair Road, Crossford



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Scale:  
1:5,000  
Date:  
04/06/2018



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