

Report to: **Planning Committee**  
 Date of Meeting: **29 November 2011**  
 Report by: **Executive Director (Enterprise Resources)**

Application No CL/11/0453  
 Planning Proposal: Erection of two dwellinghouses with integral garage, stables and a 19.28m high wind turbine

## 1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Mr & Mrs Daniel & Anne Meikle
- Location : Middlefield Farm  
Coalburn

## 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 the conditions attached).

### 2.2 Other Actions/Notes

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

## 3 Other Information

- ◆ Applicant's Agent: Burrell Design Studio
- ◆ Council Area/Ward: 04 Clydesdale South
- ◆ Policy Reference(s): **South Lanarkshire Local Plan (adopted 2009)**  
 Policy STRAT 5 : Rural Investment Area  
 Policy CRE 1 : Housing in the Countryside  
 Policy DM 1 : Development Management  
 Policy ENV 11 : Design Quality  
 Policy ENV 31 : New Housing Development  
 Policy ENV 34 : Development in the Countryside  
 Policy ENV 16 : Renewable Energy Development  
 Policy ENV 38 : Renewable Energy Site Assessment

**Supplementary Planning Guidance :  
 Renewable Energy  
 (approved December 2010)**

Policy REN 4 : Single/Small Wind Turbine  
Developments  
Policy REN 6 : Assessment Checklist for  
Renewable Energy Proposals

◆ Representation(s):

- ▶ 0 Objection Letters
- ▶ 0 Support Letters
- ▶ 0 Comments Letters

◆ Consultation(s):

Ministry of Defence

National Air Traffic Services Ltd

Roads and Transportation Services (Clydesdale Area)

BAA Aerodrome Safeguarding

## Planning Application Report

### 1 Application Site

- 1.1 The application site is situated at an elevated location off Bellfield Road in open countryside to the east of Coalburn. The site was formerly occupied by the farm steading associated with Middlefield Farm however the former farm steading buildings have been demolished and the site is currently vacant and comprises a hardstanding area and the remains of the previous structures. The footprint of the demolished buildings extends to 900 square metres. There are small groups of existing trees along the south west and north east boundaries. The site is accessed through an existing farm access track off Bellfield Road.

### 2 Proposal(s)

- 2.1 The applicant seeks detailed permission for the erection of two detached dwellinghouses with integral garages and an associated detached block of stables for private use. The houses comprise a two storey building and a smaller one and a half storey property. The proposal also involves the installation of a 19.28 m high wind turbine to be sited at the southern edge of the application site. The proposed development would use the existing farm track access to serve the site. The footprint of the proposed development extends to 550 square metres.

### 3 Background

#### 3.1 Local Plan Policy

- 3.1.1 The site is identified as being within the Rural Investment Area outwith the settlement boundary of Coalburn where Policy STRAT 5 applies. This policy directs the assessment of housing proposals within this area to Policy CRE 1: Housing in the Countryside. Detailed guidance on new development is found in Policies DM1: Development Management, ENV11: Design Policy; ENV31: New Housing Development; and ENV34: Development in the Countryside. Proposals involving renewable energy are required to be assessed against Policies ENV16: Renewable Energy Development and ENV38: Renewable Energy Site Assessment. The Councils Supplementary Planning Guidance on Renewable Energy is also applicable.

- 3.2 **Relevant Government Advice/Policy:** Government policy is set out in the Scottish Planning Policy (SPP) which encourages Councils to take a positive approach to new development. The aim should be to enable development in rural areas which supports prosperous and sustainable communities whilst protecting and enhancing environmental quality. The Policy states that development plans should support more opportunities for small scale housing development in all rural areas, including new clusters and groups and extensions to existing clusters and groups. New development should respond to the specific character of a location and fit into the landscape.

- 3.3.1 There are no previous planning applications relating to this site.

- 3.3.2 This application could have been dealt with under delegated powers however amended legislation in 2009 requires that as the application has been made by a Member of the Council it has to be determined by a committee.

### 4 Consultation(s)

- 4.1 **Ministry of Defence:** Do not object to the proposed wind turbine, however request to be notified of the date when construction starts and ends; maximum height of construction equipment and the latitude and longitude of the turbine.

**Response:** Noted. An informative would be attached to any consent issued to address this matter.

4.2 **National Air Traffic Services Ltd:** No safeguarding objection to the proposal.

**Response:** Noted.

4.3 **BAA Aerodrome Safeguarding:** Have no objection to the proposal as it does not conflict with safeguarding criteria.

**Response:** Noted.

4.4 **Roads and Transportation Services:** Have no objection to the proposal subject to the maintenance of sightlines of 2.5m by 35m at the junction of the access road with Bellfield Road and the provision of passing places along the track.

**Response:** Noted. These matters can be controlled by conditions if consent is granted.

## 5 Representation(s)

5.1 Following the carrying out of neighbour notification and the advertisement of the application in the local press as Development Contrary to the Development Plan and for the non-notification of neighbours, no letters of representation have been received.

## 6 Assessment and Conclusions

6.1 The applicant seeks detailed planning permission for the erection two dwellinghouses with integral garages, stables and a 19.28m high wind turbine at Middlefield Farm near Coalburn. The proposal is required to be assessed against policies in the adopted South Lanarkshire Local Plan and the SPG on Renewable Energy. Other material considerations include relevant government advice and policy, impact on the landscape character of the area and the road safety implications of the proposal.

6.2 In terms of local plan policy the application site is located in the Rural Investment Area where Policy STRAT 5: Rural Investment Area of the adopted South Lanarkshire Local Plan applies. This policy aims to direct new residential development to within identified settlement boundaries. Outwith settlement boundaries new buildings are directed to existing building groups and gap sites that consolidate existing groupings. Isolated and sporadic development will generally not be supported. It further advises that any housing development within the Rural Investment Area should conform to Policy CRE1: Housing in the Countryside. This provides guidance on where new housing would be appropriate and includes houses required for countryside workers, associated with appropriate businesses, the conversion of redundant buildings and replacement houses. Detailed guidance on new housing is also provided.

6.3 The proposal is not for new dwellinghouses required in association with agriculture or a rural business and it does not constitute a gap site nor would it consolidate an existing building group. As the proposal does not fall within any of the circumstances described in Policy STRAT 5 or comprises one of the exceptions in CRE1 it is considered that the proposal is contrary to policy. However, in this particular circumstance there are other material considerations that outweigh this policy.

6.4 Government policy set out in the Scottish Planning Policy (SPP) encourages Councils to take a positive approach to new development, and the aim should be to

enable development in rural areas which supports prosperous and sustainable communities whilst protecting and enhancing environmental quality. Planning Authorities should seek to support more opportunities for small scale housing development in all rural areas, including new clusters and groups and extensions to existing clusters and groups. Opportunities to replace rundown housing and steadings should be supported. New development should respond to the specific character of a location and fit into the landscape.

- 6.5 In this instance, the site sits in close proximity to the eastern edge of the settlement boundary and the proposed houses would be able to take advantage of existing services within the village. The site is brownfield in nature given it comprises the remains of former farm buildings (including the farm house) associated with the farm and a substantial area of hardstanding which the former buildings previously occupied. The proposed development provides an opportunity for the removal of dereliction on the site and a replacement with a limited number of new houses of good design quality. The proposed houses would take up 61% of the footprint of the demolished farm buildings. In addition the existing groups of trees and proposed woodland planting would help integrate the development with the landscape setting. Overall, this proposal is broadly consistent with the SPP.
- 6.6 The application site is capable of accommodating the two houses, stables, garden, parking and associated landscaping and the proposed scale and design will relate satisfactorily to the surrounding rural area. The grouping of the proposed buildings is also satisfactory. Roads and Transportation Services have no objections to the access arrangements for the proposed development subject to upgrading of the existing access track that would serve the site by providing passing places. The development complies with the Council's Rural Design Guide and the proposal will have no adverse effect on the character and landscape setting of the surrounding rural area.
- 6.7 The applicant also seeks detailed planning consent for the installation of a 19.28m high wind turbine at the southern edge of the application site. In terms of the specific renewable energy policies in the adopted local plan, two are considered to be relevant to the assessment of the wind turbine proposed. Policy ENV16: Renewable Energy Development states that the wider provision of medium and smaller scale renewable technologies will generally be supported by the Council provided that they meet the relevant criteria in Policy ENV38. The criteria within Policy ENV38: Renewable Energy Site Assessment covers a number of issues such as impact on landscape character, the cumulative impact of windfarm developments on the landscape, impact on local nature conservation sites, impact on ecological and ornithological interests, impact on residents, impact on views from tourist routes, radar and air safety issues and access for construction traffic. Guidance in the SPG on Renewable Energy is also relevant. Policy REN 4: Single/Small Wind Turbine Developments states that applications for single/small turbine developments will only be acceptable if they accord with guidance. In particular, developers must demonstrate that the turbine can be accommodated without adversely affecting the open and undeveloped character of the area and without creating cumulative impact with wind farms in neighbouring landscape character areas. Policy REN6: Assessment Checklist for Renewable Energy Proposals covers the same issues as listed under the criteria of the relevant local plan policy (ENV38).
- 6.8 The wind turbine will be subject to restricted views from the wider rural area and the scale and design of the structures proposed would not have a significant adverse visual impact on the landscape setting of the area or on residential amenity. There have been no objections from consultees and there would not be any cumulative

impact with other turbines in the area. The proposal is of an appropriate scale and form for this rural site and complies with all relevant local plan and SPG policies.

6.9 In conclusion, the proposed houses are contrary to the development plan. However an exception can be made to planning policy in this case for the following reasons:

- a) The proposal offers an opportunity to redevelop a brownfield site with new housing development and is broadly consistent with the SPP.
- b) The proposal fits into the landscape setting and will enhance the environmental quality of its surrounding area.
- c) There are no infrastructure implications.

Furthermore, the proposed wind turbine will not have a detrimental impact on either residential or visual amenity. It is considered that the proposal complies with Policies ENV16 and ENV38 of the adopted South Lanarkshire Local Plan and Policies REN4 and REN6 of the Council's Supplementary Planning Guidance: Renewable Energy.

It is therefore recommended that detailed planning permission be granted.

## **7 Reasons for Decision**

7.1 For the reasons set out in 6.9 above.

### **Executive Director (Enterprise Resources)**

**11 November 2011**

#### **Previous References**

- ◆ None

#### **List of Background Papers**

- ▶ Application Form
- ▶ Application Plans
  
- ▶ Consultations
  - Ministry of Defence 01/11/2011
  - Roads and Transportation Services (Clydesdale Area) 21/10/2011
  - BAA Aerodrome Safeguarding 27/10/2011
  - National Air Traffic Services Ltd 25/10/2011
  - National Air Traffic Services Ltd 28/10/2011
  
- ▶ Representations - None

#### **Contact for Further Information**

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

Jerry Gigya  
(Tel :01555 673170 )  
E-mail: [planning@southlanarkshire.gov.uk](mailto:planning@southlanarkshire.gov.uk)

**CONDITIONS**

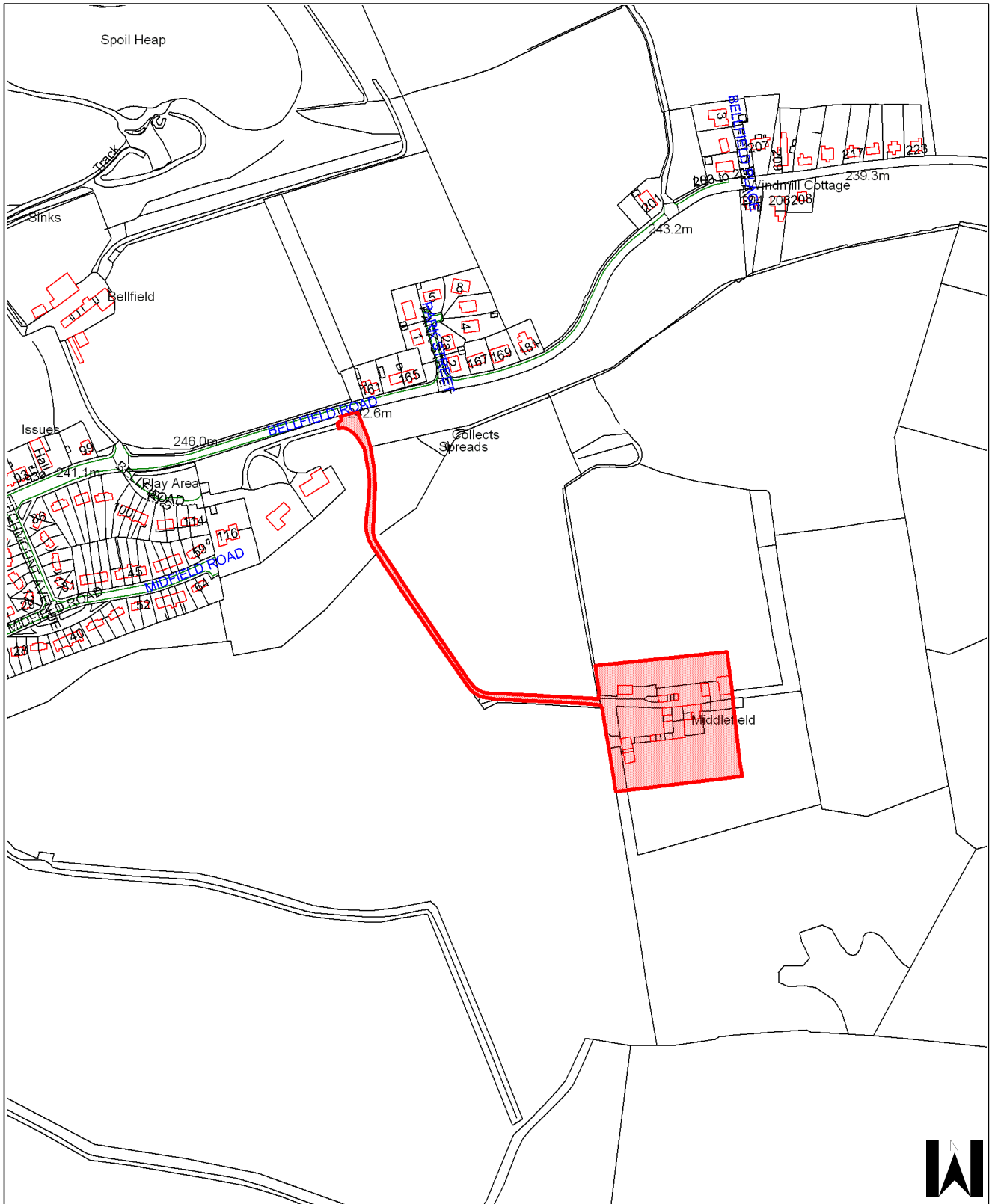
- 1 This decision relates to drawings: Sections, Stables and Location Plan; Proposed Block Plan; Turbine Front Elevations; Proposed Elevations; Proposed Floor Plans and Proposed Elevations Plan.
- 2 That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.
- 3 That before any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority.
- 4 That notwithstanding the terms of Condition 3 above, the roof of the dwellinghouses hereby approved shall be finished in slate or slate substitutes and the walls finished in wet dash render.
- 5 That before any of the houses hereby approved are occupied, a 4.0 metres wide access shall be provided together with passing places to permit two-way passing of vehicles at the developer's expense and to the specification of the Council as Roads and Planning Authority and shall be maintained thereafter to the satisfaction of the Council.
- 6 That before any of the dwellinghouses hereby approved are occupied, 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 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.
- 7 That the use of the garages and stables hereby permitted shall be restricted to private use incidental to the enjoyment of the dwellinghouse on the site and no commercial activity shall be carried out in or from the garages and stables.
- 8 That notwithstanding the terms of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992 or (or any such order revoking or re-enacting that order), no fences, walls or other means of enclosure shall be erected on the site other than post and wire fences up to 1 metre in height or those expressly authorised by this permission without the prior written permission of the Council as Planning Authority.
- 9 All external colours shall be agreed in writing with the Council as Planning Authority prior to the commencement of works.
- 10 That if the turbine hereby approved becomes obsolete or redundant it must be removed and the site reinstated to the satisfaction of the Planning Authority within six months.

- 11 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.
- 12 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.
- 13 That before any of the dwellinghouses situated on the site upon which a fence is to be erected is occupied, the fence or wall for which the permission of the Council as Planning Authority has been obtained under the terms of Condition 12 above, shall be erected and thereafter maintained to the satisfaction of the Council.

## **REASONS**

- 1 For the avoidance of doubt and to specify the drawings upon which the decision was made.
- 2 In the interests of amenity and in order to retain effective planning control.
- 3 In the interests of amenity and in order to retain effective planning control.
- 4 To ensure a satisfactory integration of the proposed development with the existing building both in terms of design and materials
- 5 In the interest of road safety.
- 6 In the interest of road safety
- 7 To retain effective planning control and safeguard the amenity of the area.
- 8 To ensure only fencing of a type and height appropriate to the countryside is erected.
- 9 In the interests of amenity and in order to retain effective planning control.
- 10 To minimise the level of visual intrusion and ensure the reinstatement of the site to a satisfactory standard.
- 11 In the interests of amenity and in order to retain effective planning control
- 12 In the interests of amenity and in order to retain effective planning control
- 13 In the interests of amenity and in order to retain effective planning control





For information only

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