

Report

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

Application no.	P/18/0054
Planning proposal:	Change of use of redundant agricultural outbuildings to music school (retrospective)

1 Summary application information

Application type:	Detailed planning application
Applicant:	Miss Alyson Tennant
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: CS Plans Ltd
- ◆ 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):**

Environmental Services

Roads Development Management Team

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. Planning consent (HM/15/0329) was issued for the demolition of the original farmhouse and the erection of a 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.
- 1.2 Two of this group of former farm outbuildings are currently occupied by a dog day care centre the other being a commercial gym which is the subject of a retrospective planning application (P/18/0060) 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 music school. 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 re-rendered 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 the business has been in operation since 2017 with over 100 students attending one to one music lessons on a weekly basis with a staff of 4 teachers and that no other premises were found to be suitable within the local area. Students who attend the school cover all age ranges including pensioners in the daytime and children/adults in the evening. In terms of the clientele, the applicant has advised that the majority come from the village of Stonehouse, however, they are now also getting more and more students from the surrounding areas including Strathaven, Larkhall, Hamilton and Wishaw.

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** – 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 music school does not require to be located within a countryside environment and can be readily accommodated within settlements. In this instance, the applicant has advised that she was unaware that planning permission would be required for the change of use of this redundant outbuilding. While it is acknowledged that a lack of understanding of the planning process does not in itself impact on the decision making process it is recognised that the school is well used by the local community of Stonehouse and that there has been a significant level of investment to improve the internal fabric of the building. In this regard, it is considered that the granting of temporary consent would allow this fledgling business to develop and continue to serve the local community of Stonehouse 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 relates 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 music school 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 music school. In addition given the school has only been in operation for just over a year, if successful, it is likely to continue to expand with students coming from a wider catchment area. 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.

The introduction of a music school 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 students 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 students from a wider area the issue of temporary consent will allow the applicant 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 Volume 2.

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 Greenbelt. 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)
- ▶ Neighbour notification letter dated 25 March 2018
- ▶

- ▶ Consultations
 - Environmental Services 27.03.2018
 - Roads Development Management Team 11.05.2018

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

Detailed planning application

Paper apart – Application number: P/18/0054

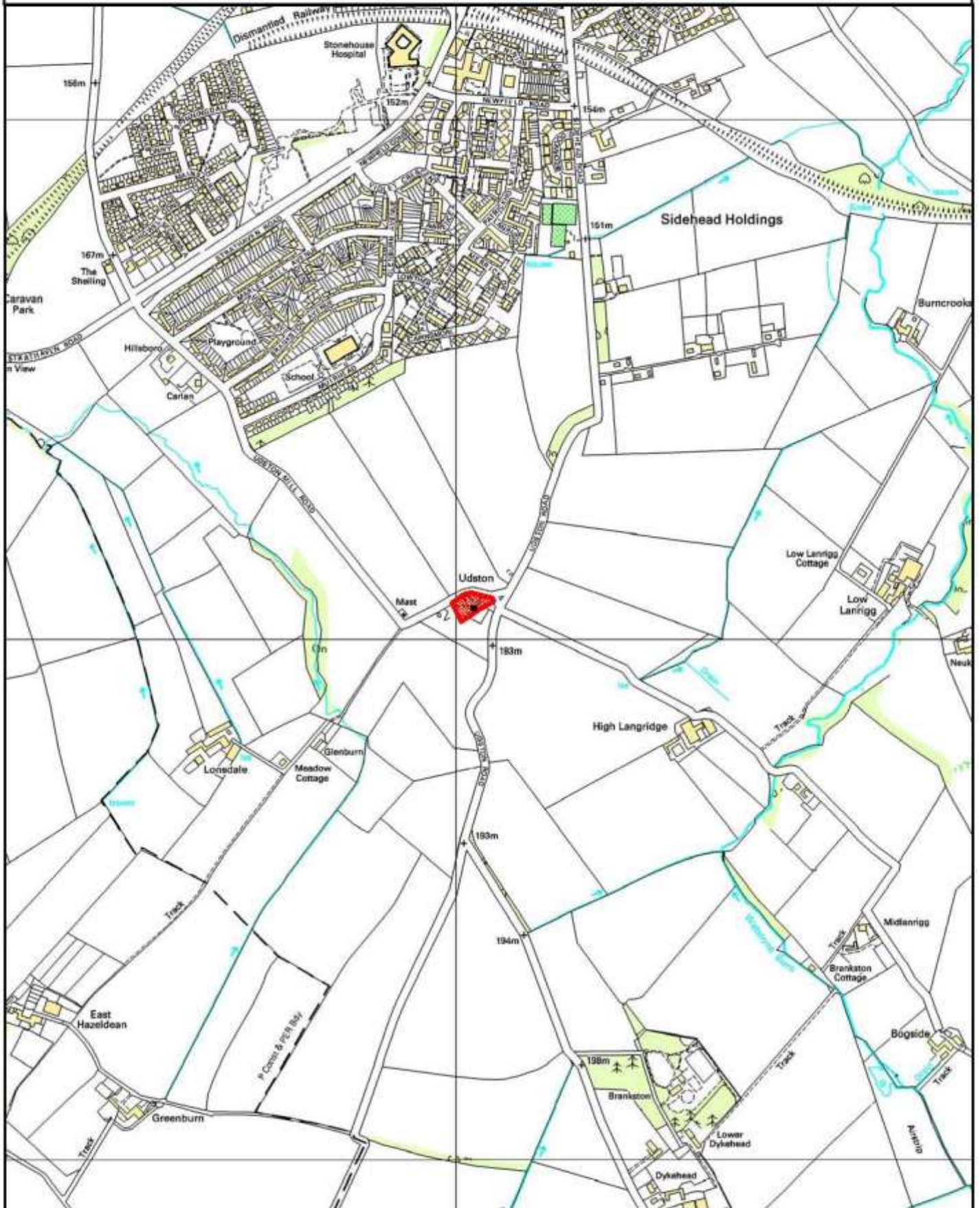
Conditions and reasons

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/18/0054

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

