

	<h1>Delegated Report</h1>	Reference no.	P/19/1607
		Date	04 June 2020

Planning proposal:	Residential development (Planning permission in principle)
Location:	Westyett Farm Westshields Road Braehead Lanark ML11 8NT

Application Type : Permission in principle

Applicant : Mr J D Hardie
Location : Westyett Farm
Westshields Road
Braehead
Lanark
ML11 8NT

Decision: Application refused

Report by: Area Manager (Planning & Building Standards)

Policy reference:

South Lanarkshire Local Development Plan

- Policy 2: Climate change
- Policy 3: Green belt and rural area
- Policy 4: Development management and placemaking

Supplementary Guidance 2: Green Belt and Rural Area

Policy GBRA6: Consolidation of existing building group

Proposed South Lanarkshire Local Development Plan 2

- Policy 2: Climate change
- Policy 4: Green Belt and Rural Area
- Policy 5: Development Management and Placemaking
- Policy GBRA9: 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

Environmental Services

Summary of response

Have no objections to the proposal in principle.

Roads Development Management Team

Have no objections subject to conditions relating to visibility splays, widening of site access and drainage system.

Response: Appropriate conditions would be attached to any consent granted.

Representation(s):

▶	0	Objection letters
▶	0	Support letters
▶	0	Comment letters

Planning Application Delegated Report

1 Application Summary

1.1 The application site relates to a piece of agricultural land located to the north west of Westyett Farm steading. It is bounded to the north and west by open agricultural land, to the south by farm steading buildings and the existing farm access road and to the east by the public road. The topography and general landscape setting of the surrounding area including the site is such that it generally slopes from north to south and west to east with the site sitting at a slightly higher exposed ground level adjacent to Westyett Farm steading. There are no physical features in the form of substantive planting or shelter belts which define the site. The site has long distant views from the north, south and west.

2 Proposal

2.1 The applicant seeks planning permission in principle for the residential development of the site. The applicant intends to use the existing farm access road off a public road as the site access to the proposed development.

3 Background

3.1 Local Development Plan

3.1.1 The application site is identified as being within the Rural Area in the South Lanarkshire Local Development Plan. Policy 3 – Green Belt and Rural Area of the South Lanarkshire Local Development Plan seeks to resist any developments detrimental to the amenity of such areas. Other relevant policies include: Policy 2: Climate Change and Policy 4 – Development management and placemaking. Associated Supplementary Guidance on Green Belt and Rural Area - Policy GBRA6 – Consolidation of existing building groups is also relevant.

3.1.2 The application site is also identified as being within the rural area in the Proposed South Lanarkshire Local Development Plan 2. Policy 4 – Green Belt and Rural Area of the Proposed Plan seeks to resist any developments detrimental to the amenity of such areas. Other relevant policies include Policy 2 – Climate Change, Policy 5 – Development Management and Placemaking and Policy GBRA9 – Consolidation of existing building groups of the Proposed South Lanarkshire Local Development Plan 2.

3.2 National Policy Advice and Guidance

3.2.1 The Scottish Planning Policy document consolidates and updates previous Scottish Government advice, containing a section on promoting rural development. This document

states that the planning system should in all rural and island areas promote a pattern of development that is appropriate to the character of the particular area and the challenges it faces, and encourage rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality. It also states that development plans should set out a spatial strategy which makes provision for housing in rural areas in accordance with the spatial strategy, taking account of the different development needs of local communities.

3.3 Planning History

- 3.3.1 The site has in the past had the benefit of planning permission which was initially granted in 2005 for the erection of two dwellinghouses (outline), Application no: CL/05/0143. That outline consent was subsequently renewed in May 2008, Application no: CL/08/0152, expiring on 7 May 2013.
- 3.3.2 The planning applications in 2005 and 2008 were assessed against the policies of the then adopted Upper Clydesdale Local Plan, which included a policy (Policy 73: Remoter Rural Area) which was favourable to the erection of up to three dwellings in rural areas where they were related to a farm and its access. That policy was subsequently removed from the current local plan due to the evident detrimental impact which resulted from its implementation.
- 3.3.3 More recently, a very similar proposal to the current one for the formation of two residential plots, (application no: CL/14/0043), was refused on policy grounds on 09 April 2014.

4 Representation(s)

- 4.1 None

5 Assessment and Conclusions

- 5.1 The applicant seeks planning permission in principle for residential development on agricultural land adjacent to a farm steading. The determining issues in the consideration of this application are its compliance with adopted local development plan policy and associated supplementary guidance, the impact on the landscape character and visual amenity of the surrounding area, the road safety implications of the proposal, relevant government advice and policy and other material considerations in the determination of the application.
- 5.2 The Scottish Planning Policy (SPP) document consolidates and updates previous Scottish Government advice and contains a section on promoting rural development. This document states that the planning system should in all rural and island areas promote a pattern of development that is appropriate to the character of the particular area and the challenges it faces, and encourage rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality. It also states that development plans should set out a spatial strategy which makes provision for housing in rural areas in accordance with the spatial strategy, taking account of the different development needs of local communities. In this instance the proposal is for the formation of residential plots and will not consolidate the building group of Westyett Farm where the steading buildings are tightly related and focused away from the field in which these plots are proposed. Rather, it would

expand the farm steading to the extent that it would detract from the environmental quality of the local area and does not therefore accord with the SPP.

- 5.3 The application site is located in the rural area and is subject to assessment against Policy 3 - Green Belt and Rural Area of the adopted South Lanarkshire Local Development Plan. The policy states that development which does not require to be located in the countryside will be expected to be accommodated within the settlements, other than in a number of circumstances. These include – where it is demonstrated that there is a locational requirement and established need for a proposal; it involves the redevelopment of derelict or redundant land and buildings where significant environmental improvement can be shown; the proposal is for the conversion of traditional buildings; the proposal is for extension of existing premises or uses providing it is of suitable scale and design; or where the proposal is for limited development within clearly identifiable infill, gap sites and existing building groups. It is considered that there is no locational requirement or established need for this proposal. Furthermore, the proposal does not relate to the redevelopment of derelict land, the conversion of traditional buildings, and the site does not constitute limited development within a clearly identifiable infill, gap site or existing building group as defined in the local development plan. The proposal therefore conflicts with this policy.

Policy GBRA6 – Consolidation of existing building groups - as contained in the Green Belt and Rural Area Supplementary Guidance states that proposals for new houses within existing building groups will be supported where the following criteria are met:

- The scale and siting of the new development should reflect and respect the character and amenity of the existing group and the individual houses within the group;
- The proposal should respect the character, cohesiveness, spacing and amenity of the existing group and the individual houses within the group;
- The proposal should not result in ribbon/linear development along a public road or the coalescence of the housing group with a nearby settlement/another housing group;
- Development should not extend into a previously undeveloped field or overwhelm the landscape setting of the area;
- The location, siting and design of the new houses should meet existing rural design guidelines;
- Landscape character should not be compromised by the development and must have regard to the landscape backdrop, topographical features and levels;
- Proposal should have no adverse impact in terms of road safety; and
- Proposal should have no adverse impact on biodiversity, including Natura 2000 sites and protected species, or features which make significant contribution to the cultural and historic landscape value of the area.

- 5.4 The proposal seeks consent for residential development on part of agricultural land located on the northern edge of the farm access road adjacent to Westyett farm steading, resulting in an expansion rather than a consolidation of the building group. The application site is part of an open agricultural field which has the farm steading partly as a backdrop to the south but has open views to the north, east and west, thus being exposed and visible from surrounding areas. The proposed development would be such that it would lead to an expansion towards the public road, whilst the orientation and position of the application site means it could be difficult to achieve two individual dwellings which would complement the scale and character of the farm steading, and the manner in which it is

set into the hillside. It is therefore considered that the proposal fails to meet the provisions of policy GBRA6.

- 5.5 Policy 2 – Climate Change states that proposals for new development must, where possible, seek to minimise and mitigate against the effects of climate change by being sustainably located and having no significant adverse impacts on the water and soils environment. The application site is not located within any flood risk area and the provision of any form of drainage system on the site would not significantly adversely impact on the water and soils environment of the surrounding area. The proposal therefore complies with Policy 2 of the current Local Development Plan.
- 5.6 Policy 4 - Development management and placemaking states that all development proposals will require to take account of and be integrated with the local context and built form. Development proposals should have no significant adverse impacts on the local community. As stated in 5.4 above, the proposal would result in a development that would not take account of nor integrate well with the local context and built form in the area and would therefore have significant adverse impacts on the landscape character and environment of the surrounding area. The proposal therefore also fails to comply with Policy 4 of the current Local Development Plan.
- 5.7 On 29th 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, Policy 5 – Development management and placemaking and Rural Area and Policy GBRA9 – Consolidation of existing building groups in the Proposed plan.
- 5.8 In view of the above, it is concluded that the proposal does not comply with any of the policy criteria contained within either Policy 3 – Green Belt and Rural Area of the adopted South Lanarkshire Local Development Plan, Policy 4 – Development management and placemaking, or Policy GBRA6 of the Green Belt and Rural Area SG that would allow for consolidation of existing building groups within the rural area. Furthermore, the proposal does not accord with Policy 4 – Green Belt and Rural Area, Policy 5 – Development management and placemaking and Policy GBRA9 – Consolidation of existing building groups of the approved Proposed South Lanarkshire Local Development Plan 2. It is therefore recommended that permission is refused.

6 Reason for decision

- 6.1 The proposed development does not comply with the requirements of Policy 3 of the South Lanarkshire Local Development Plan (2015), Policy 4 and Policy GBRA6 of the Supplementary Guidance on Green Belt and Rural Area. The application is also contrary to Policy 4, Policy 5 and Policy GBRA9 of the proposed SLLDP2.

Delegating officer:

Date:

Previous references

- ◆ CL/14/0043
- ◆ CL/08/0152
- ◆ CL/05/0143

List of background papers

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted)
- ▶ Proposed South Lanarkshire Development Plan 2
- ▶ Neighbour notification letter dated 28.11.2019

▶ Consultations

Environmental Services

Roads Development Management Team

19.12.2019

▶ Representations

Contact for further information

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

Jerry Gigya, Planning officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB
Phone: 01698 455180
Email: jerry.gigya@southlanarkshire.gov.uk

Planning Application

Application number: P/19/1607

Reasons for refusal

01. The proposed residential development would be contrary to Policy 3: Green Belt and Rural Area of the adopted South Lanarkshire Local Development Plan and Policy GBRA6 of the Green Belt and Rural Area Supplementary Guidance as there is no specific locational requirement and established need for the proposal and it does not constitute development of a gap site or the consolidation of a building group. It would therefore constitute an inappropriate development within the Rural Area without any reasoned justification.
02. The proposal would be contrary to Policy 4: Development Management and Placemaking of the Local Development Plan as it would have significant adverse impacts on the landscape character of the surrounding area.
03. The proposal would also be contrary to Policy 4: Green Belt and Rural Area of the approved Proposed South Lanarkshire Local Development Plan 2 and Policy GBRA9 of the Green Belt and Rural Area Supplementary Guidance of the proposed SLLDP2 as the development does not require to locate in the countryside and it does not constitute development of a gap site or the consolidation of a building group. It would therefore constitute an inappropriate form of development within the rural area without any reasoned justification.
04. The proposal would also be contrary to Policy 5: Development Management and Placemaking of the approved Proposed South Lanarkshire Local Development Plan 2 as it would have significant adverse impacts on the landscape character of the surrounding area.

Reason(s) for decision

The proposed development does not comply with the requirements of Policy 3 of the South Lanarkshire Local Development Plan (2015), Policy 4 and Policy GBRA6 of the Supplementary Guidance on Green Belt and Rural Area. The application is also contrary to Policy 4, Policy 5 and Policy GBRA9 of the proposed SLLDP2.

Informatives

01. This decision relates to drawing numbers:

Reference	Version No:	Plan Status
PL01		Approved
PL02		Approved