

02.06.2020

Dear Sir/Madam

Local Review Body – Comments Made on Behalf of Appellant Regarding Planning Authority's Representations

Case: Planning Reference, P/18/1478 - Change of use and alteration of agricultural shed to form dwelling house and erection of detached domestic garage. Land West of Quarry Cottage, A726 From East Kilbride To Chapelton.

The Appellant has considered the Planning Authority's response. He seeks a reasonable assessment of his proposal and looks to the Members within the Review Body for that. To achieve this the Appellant is aware that Members need to have the facts accurately presented and he attempts to briefly set those out below.

Condition of Building and the Building's Use for Purposes Related to Agriculture:

The Planning Authority had originally stated that the building had never been used for agricultural purposes and remained unfinished. Now they state their Response that..."The applicant has previously attempted to run some form of poultry business. Whilst there has been some limited poultry activity, there has been little, or no progress made to date to complete the building or use it in association with the agricultural operation of the farm." (Ref: point 2.6)

The Appellant considers that whilst this statement could be viewed as a step forward towards representing the facts, it is not quite there yet.

The building has four walls and a tiled roof and is now an established feature in the area. It is constructed to a level capable of agricultural use and is in better condition than many agricultural buildings.

The building has been actively used for agricultural purposes, both for the poultry business associated with Farm and for storage and for the accommodation of livestock. Member's will be aware that a signed Statement from a local farmer (at Boghead Farm) was submitted indicating that he rented the building to help accommodate his sheep from 2014 until 2018 (as well as purchasing eggs from the building prior to that). Please note that renting out land and agricultural buildings from time to time, is normal and established practice for farmers.

Both in terms of planning and the application of common sense, the Appellant considers that there are two important questions that need to be answered to clarify this point once and for all :

1. Is the building complete enough to be capable of use for agricultural purposes or not?
2. Has the building been used for agricultural purposes or not?

The answer is plainly yes to both, as the Appellant has shown.



Acceptability of Proposal – Planning Authority’s Decision Making:

Part 1 - Brownfield Development Justification

The Appellant took some comfort from the planning permission granted at the neighbouring property Quarry Farm (ref: EK/17/0046). That was for the erection of 2 no. dwellinghouses with associated garages, access and parking and was an amendment to a previous consent for 3 dwellinghouses on the site granted in 2013 (ref: EK/12/0133).

Within the Planning Authority’s recent Response to the Appellant’s Statement of Case, they make a distinction between the above mentioned Quarry Farm approval and the Appellant’s proposal stating that...*“The site at Quarry Farm was classed as brownfield, is appropriately contained within an existing grouping and will not significantly extend into or compromise the wider greenbelt or rural area.”* (Ref: point 3.1 (a))

It is important to firstly note that the Council’s Proposed Plan defines a Brownfield Site as *“Land which has previously been developed including vacant/derelict land; infill sites; redundant or unused buildings”* – (Ref: Appendix 2 of the Proposed Plan).

Further, within the Council’s Supplementary Guidance 2 Green Belt and Rural Area, the Council states in relation to brownfield sites that... *“Opportunities for development of previously developed land or brownfield sites may arise from the declining horticultural industry or changes to agricultural practices or the closure or downsizing of commercial uses. When such sites fall into disuse or are abandoned they can detract from the environmental quality and landscape character of the area. The sensitive redevelopment or re-use of these sites can significantly enhance landscape quality through the removal of dilapidated or intrusive buildings and their replacement by new development of an appropriate scale, mass and design”*.

Essentially, the Planning Authority considered the presence of disused barns at Quarry Farm to have created a brownfield redevelopment site. In this regard the Planning Authority accepted the applicant’s justification for the 2013 approval, which was that the proposal would result in the *“removal of unattractive, redundant agricultural buildings”* (ref: applicant’s Justification Statement). It is further noted that when determining the 2017 amendment, the Planning Authority advised in their Report of Handling that *“that the barns had since been demolished”*.

However, the buildings remain in situ today (see aerial image below and recent photograph). They are in fact only modest sized wooden sheds, with a very low single storey roof height.

They are quite well maintained structures and are definitely still in active use for the storage of amongst other things motor vehicles. There were once additional sheds adjacent these wooden structures, however those appear to have been removed years prior to the submission of the application granted consent in 2013. Historical aerial photographs show this.

Aerial Image Showing Existing Barns at Quarry Farm



Photograph Taken w/c 25.05.2020 of Single Storey Wooden Storage Sheds at Quarry Farm



The Appellant feels strongly that if the above-mentioned site comprising of some single storey wooden sheds that are still in active use, is worthy of a brownfield classification sufficient to give rise to justification for the development of 2/3 additional substantial dwellinghouses, then arguably the Appellant's site is equally (if not more so) a brownfield opportunity.

However, reassuringly the Appellant seeks not to introduce a number of new large dwellings in the place of his building, but simply to convert what is there. Please note that the Appellant is not suggesting that the Quarry Farm proposal should have been refused. But simply that he wishes his proposal to be dealt with by adopting a common sense approach to the interpretation of Policy and Guidance, just as has been applied to other proposals in the locale such as at Quarry Farm.

Part 2 - Traditional Appearance of Building

The Planning Authority within their Response to the Appellant's case say in relation to the external appearance of the Appellant's building that..."the style of the existing building is not in keeping with a traditional architectural style - due to the low pitch of the roof. This is also the case for the proposed design in the Appeal Statement". (Ref: point 3.1 (b)).

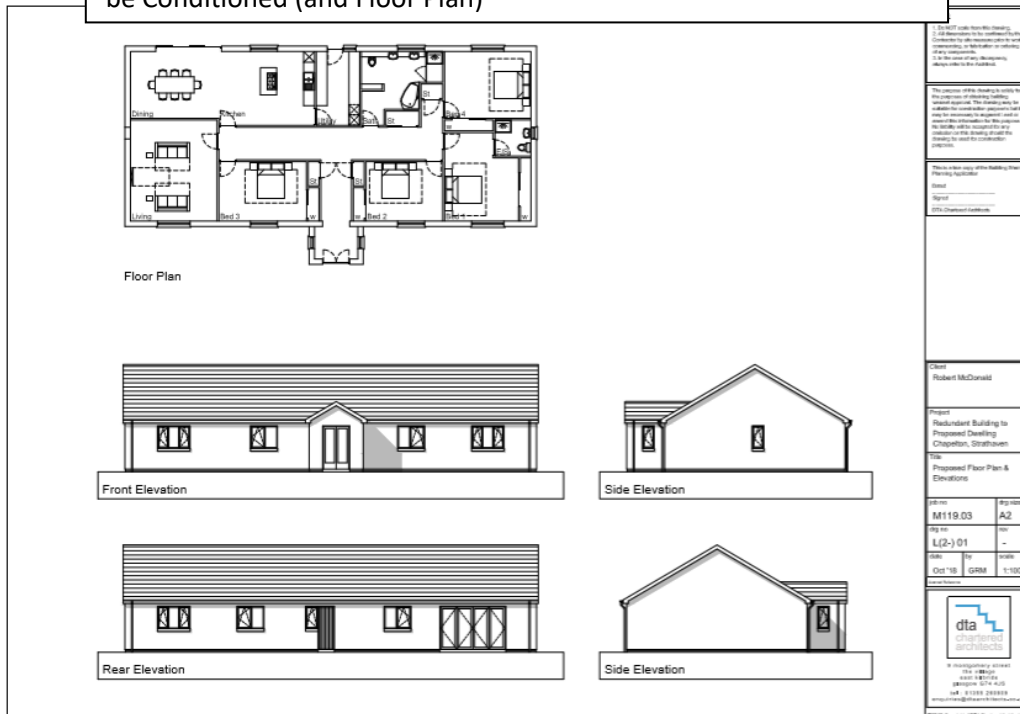
Again, the Appellant looked to the consented proposal next door at Quarry Farm for inspiration and guidance (ref: EK/17/0046). Some of the approved external elevations at Quarry Farm are shown below. The buildings obviously constitute large new introductions to the area. There are traditional elements included in the design, but there are also many modern features, including but not limited to quite a proliferation of glass and patio door features on elevations, which are not in keeping with a traditional architectural style for the area. Obviously, a degree of latitude has been granted to the applicants in the styling of their buildings.

Excerpt from Approved Elevations, Quarry Farm (ref: EK/17/0046)



By comparison the Appellant's building is significantly more modest in size and already exists (other than the new domestic garaging proposed). The Appellant's submitted elevations are shown below, followed by one of the examples of good rural housing design that the Planning Authority have promoted within their own guidance on this matter (i.e. Supplementary Guidance 2 – Green Belt and Rural Area).

Appellant's Proposed External Elevations NB: Materials/Finished to be Conditioned (and Floor Plan)



Supplementary Guidance 2 – Green Belt and Rural Area, Page 16





Members will note that there are some marked similarities between what the Appellant is proposing and what the Council's design guidance promotes as good design.

Accordingly, the Appellant simply seeks some reasonable flexibility as has been shown to the applicant at Quarry Farm with regards to design.

Members should note that the external appearance of the Appellant's building can be very effectively elevated to reflect the local vernacular in line with the Council's own design guidance. For example, the Appellant would be happy to incorporate traditional banding features around windows and doors and has already utilised a flat dark grey roof tile finish - all reflecting the traditional local vernacular. The Appellant would be happy to accept planning conditions imposing any relevant external finishes.

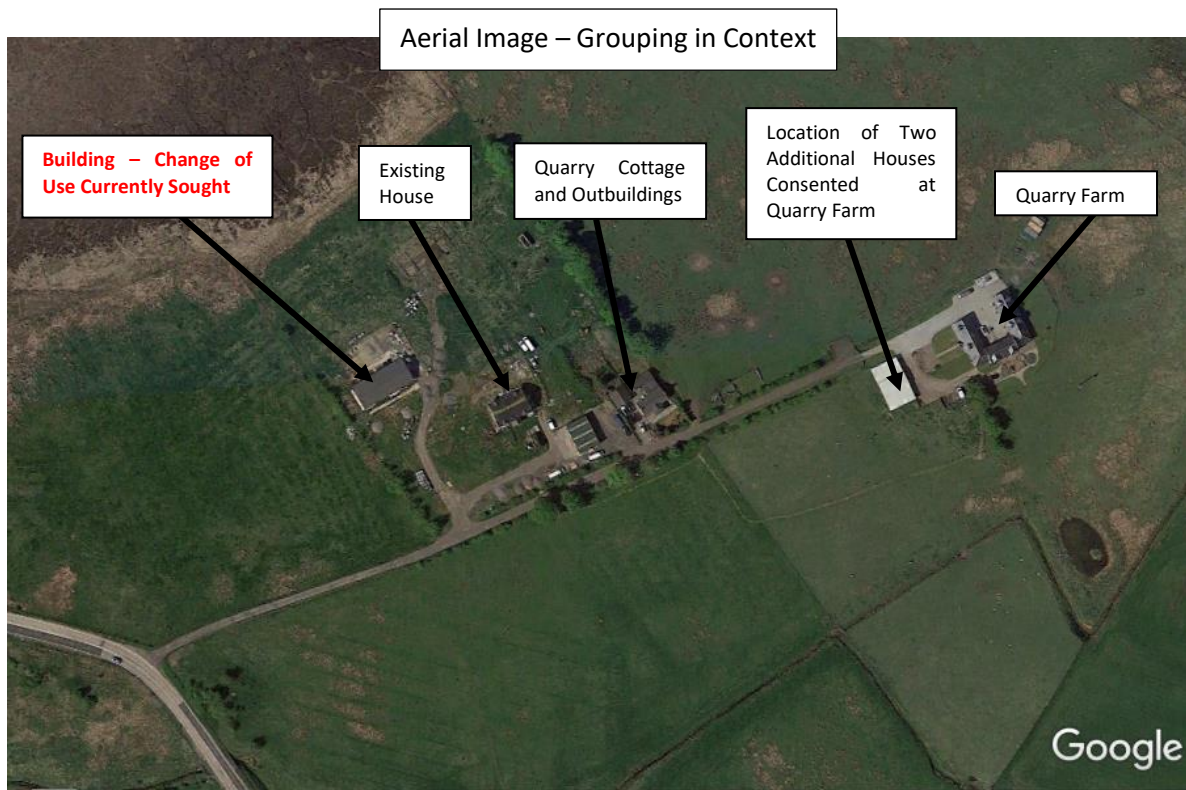
Part 3 - Context of Building in Relation to Built Form Within Area

The Planning Authority state within their Response to the Appellant's Statement of Case that *...The Council's view is that the proposed house would not consolidate a grouping and would create gap sites to the front.*" (Ref: point 3.1 (g))

Respectfully, the Appellant feels that it is perhaps worthwhile for the Planning Authority to reflect again upon the fact that the building already exists. The Appellant is not applying to demolish this building under a brownfield justification and to replace it with a much larger structure as per the Quarry Farm proposal next door - which would have been a possibility for him given what has happened at Quarry Farm.

In relation to the possible creation of gap sites to the front, nothing can be built unless a planning permission is granted. That requires a formal planning application and appropriate determination of such an application by the Planning Authority.

On the matter of site context, the image below clearly exhibits that the two new houses granted consent at Quarry Farm would be no less remote from the adjacent farmhouse at Quarry Farm or more connected to it, than the Appellant's building is to buildings that are adjacent it. Even the separation distances between dwellings and buildings are similar in both cases and throughout the wider grouping.



Conclusion:

The Appellant advocates that he has demonstrated that the proposed dwelling is acceptable in planning terms and wishes his proposal to be dealt by adopting a common sense approach to the interpretation of Policy and Guidance, just as has occurred in relation to other proposals in the immediate locale.

His proposal represents the re-use/the conversion of a building, which when sympathetically elevated, will reflect the local traditional vernacular to an acceptable degree. The extent of development is clearly very limited as the main building already exists. Its scale and positioning takes account of and is sufficiently well integrated with its grouping and immediate context.

The Appellant respectfully requests that Members grant planning permission subject to appropriate conditions. In this regard the Appellant will gladly accept and indeed encourages the imposition of conditions ensuring that the building's elevations are finished in a manner that reflects the traditional local vernacular. Such as the use of renders and the incorporation of traditional banding features around windows and doors.