

STATEMENT OF OBSERVATIONS

Planning Application No. P/19/0700

Erection of detached 1.5 storey dwellinghouse and detached double garage

Ardochrig Farm, Ardochrig Highway, East Kilbride G75 0QN

1.0 Planning Background

- 1.1 A planning application was submitted by Mr E Lauder to South Lanarkshire Council on 26 April 2019 seeking permission for the erection of detached 1.5 storey dwellinghouse and detached double garage at Ardochrig Farm, Ardochrig Highway, East Kilbride. Following amended drawings, the application was validated on 04 June 2019. After due consideration of the application in terms of the Local Development Plan and all other material planning considerations, the planning application was refused by the Council under delegated powers on 10 December 2019. The report of handling dated 09 December 2019 explains the decision and the reasons for refusal are listed in the decision notice. This document is available elsewhere in the papers.
- 1.2 There were no pre-application discussions in respect of this proposal and there have been no previous applications submitted for this site. Planning consent (EK/17/0406) was granted to the applicant for a new dwellinghouse to the east of the existing farmhouse in June 2018. The proposed dwellinghouse replaced an outbuilding which was demolished and is a single storey 4 bedroomed property. This proposed dwelling would be located between the existing Ardochrig Farm dwellinghouse and the remaining farm shed to the east. The access road and the foundations have been constructed although the building has not been erected.

2.0 Assessment against the development plan and other relevant policies

- 2.1 Section 25 of the Town and Country Planning (Scotland) Act 1997, as amended requires that an application for planning permission is determined in accordance with the development plan unless material considerations indicate otherwise.

2.2 In terms of the South Lanarkshire Local Development Plan (adopted 2015), Policy 3 Green belt and rural area, Policy 4 – Development Management, Policy GBRA6 Consolidation of existing building group, Policy GBRA8 New clusters of houses/isolated dwellinghouses and DM1 - Design are applicable. Policies 4 and DM1 resist any development that would be detrimental to residential amenity and that all planning applications should take account of the local context and built form. All development should be compatible with adjacent buildings and surrounding streetscape in terms of scale, massing, design, external materials and impact on amenity. The proposed dwelling will not have an adverse impact on residential amenity of the nearby properties in terms of overshadowing, overlooking or loss of privacy, however given that the proposed dwelling is located some distance away from the existing building group on the far side of the road it cannot be considered to take account of the local context. As such, the proposal does not fully comply with these policies.

2.3 Policy 3 Green belt and rural area states that development which does not require to locate in the countryside will be expected to be accommodated within settlements unless certain criteria can be met. The proposal has been assessed in detail against the criteria and does not meet any of the criteria:

(i) Where it is demonstrated that there is a specific locational requirement and established need for a proposal;

A specific location and established need has not been demonstrated for the dwellinghouse.

(ii) The proposal involves the redevelopment of derelict or redundant land and buildings where significant environmental improvement can be shown;

The proposal does not involve the development of derelict or redundant land or result in significant environmental improvement. Although the applicant has indicated that the site was the location of an historical small quarry there is no visible evidence of the quarry remaining on the application site and the site is considered to be undeveloped rough grazing land, previously forestry, with a small number of conifers close to the road and a number of regenerated small shrubs and trees remaining.

(iii) The proposal is for conversion of traditional buildings and those of a local vernacular;

The development is a new build on previously undeveloped land and does not involve the conversion of existing buildings.

(iv) The proposal is for limited development within clearly identifiable infill, gap sites and existing building groups;

The proposed dwelling would be located on undeveloped grazing land on the opposite side of the Ardochrig Highway from the existing building group and cannot be considered to be within the existing building group. The site cannot be considered as an infill or gap site.

(v) The proposal is for extension of existing premises or uses providing it is of a suitable scale and design. Any new built form should be ancillary to the main use;

The proposal is not an extension of an existing premises or use.

2.4 The above assessment against Policy 3, demonstrates that the proposal does not meet any of the criteria as detailed above.

2.5 In respect of Policy GBRA6 Consolidation of existing building groups, this policy relates to sites which can be considered to be within the existing building group. This proposal extends development into a previously undeveloped field. The proposed development would compromise the landscape character of the area in that the land to the west of the road consists of mature commercial forestry, moorland and rough grazing land with no built development.

2.6 In respect of Policy GBRA8 New clusters of houses/isolated dwellinghouses, this policy sets out a number of circumstances where consideration can be given to isolated dwelling houses. The proposed dwelling does not meet with any of the exceptional circumstances set out in this policy in that it is not within a substantially intact walled garden, is not within a high quality, mature, landscape setting and is not an individually designed house of an exceptional and innovative design quality.

2.7 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. 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 Policies 4, 5, DM1 and GBRA9 are relevant and the proposal has been assessed against these policies. As set out above it is considered that the proposal

does not accord with Policies 4 and GBRA9 in that proposal has no specific locational need, extends development into a previously undeveloped field and would compromise the landscape character of the area.

- 2.8 In conclusion, following detailed assessment of the proposal it is considered that the proposal has no specific locational need, extends development into a previously undeveloped field and would compromise the landscape character of the area. In this regard, the proposal is not deemed to be in accordance with the Policies 3, GBRA6 and GBRA8 of the South Lanarkshire Local Development Plan (adopted) and also Policies 4 and GBRA9 of the proposed South Lanarkshire Local Development Plan 2.

3.0 Observations on applicants Notice of Review

- 3.1 Through an agent, the applicants have submitted a statement to support their review. This was submitted partly to respond to the matters raised in the Officer Report. The grounds are summarised below:

- (a) **The proposed dwellinghouse is compliant with Policy 3 Green Belt and rural area in that it cannot be considered to be either isolated or sporadic development.**

Response: As set out in the report of handling and set out above in paragraph 2.3, the proposed dwelling house fails to meet any of the five circumstances where consideration could be given to development out with the settlement boundary. The proposed dwelling would be located on undeveloped grazing land on the opposite side of the Ardochrig Highway from the existing building group and cannot be considered to be within the existing building group, being over 25m from the nearest part of the building group. The site cannot be considered as an infill or gap site.

- (b) **In terms of Policy GBRA8 New clusters of houses/isolated dwellinghouses, the proposal can be considered to be within a high quality landscape setting and meets with the two criteria being located**

in a woodland setting and there being no felling required to accommodate the development.

Response: The proposed dwellinghouse was not considered to be within a high quality, mature, landscape setting and the site is not located in a designated Special Landscape Area. The site has a backdrop of commercial forestry which forms part of the Whitelee Wind Farm and is of an age where it may be harvested as part of the wider commercial forestry on that site and which the applicant has no control over. The site cannot be considered to be within an extensive woodland, rather on the edge of the commercial forestry between the public road and the forestry. The applicant cannot undertake tree management of the remaining woodland as it is not within their ownership. The rural amenity and landscape setting would be adversely effected by the introduction of built development to the landscape to the west of the road and the intensification of the built uses in this rural landscape.

- (c) In terms of Policy 4 development management and placemaking the reason for refusal is unsubstantiated not specifying the way the proposal adversely affects the landscape character or the significance of the adverse impact, with no expert opinion being sought by the Council.**

Response: The landscape setting would be adversely affected by the introduction of built development to the landscape to the west of the road and the intensification of the built uses in this rural landscape. The landscape to the west of the road consists of open grazing and moorland, with the backdrop of what remains of commercial forestry, there being no built development on that side of the road in this specific area.

- (d) Scottish Planning Policy states that in the Rural Area there should be a more flexible approach to new housing and Council's should support more opportunities for small scale housing development, while at the same time respecting and protecting the natural heritage.**

Response: .The Local Development Plan provides for this requirement through the use of planning policies set out above. The proposal has been assessed against those policies and it is considered that the proposed development has no specific locational need, extends development into a

previously undeveloped field and would compromise the landscape character of the area. The applicant, Mr. Lauder, has previously been granted planning consent (EK/17/0406) for an additional new dwellinghouse to the east of the existing farmhouse in June 2018 which has not been fully constructed to date.

(e) The appellant refers to other examples where permission has been granted for similar developments.

Response: Each application is considered on its own merits in relation to the specific location and proposal. In this case it is considered that the proposed development has no specific locational need, extends development into a previously undeveloped field and would compromise the landscape character of the area.

4.0 Conclusions

- 4.1 In summary, the proposed development does not accord with the provisions of the adopted Local Development Plan and the relevant associated supplementary guidance, or with the provisions of the proposed Local Development Plan 2 relating to new dwellinghouses in the rural area. In addition, there are no material considerations which outweigh the provisions of the development plan. It is therefore respectfully requested that the Review Body refuse planning permission for the proposed development.