

Report

Report to:	Planning Committee
Date of Meeting:	23 March 2021
Report by:	Executive Director (Community and Enterprise Resources)

Application no.	P/20/1661
Planning proposal:	Change of use of agricultural land to form additional garden ground, erection of rear extension and side extension to form garage

1 Summary application information

Application type:	Detailed planning application
Applicant:	Mr Alan Bulloch
Location:	16 Southend Court Strathaven ML10 6QU

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: Stuart Sandilands
- ◆ Council Area/Ward: 05 Avondale And Stonehouse
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan (adopted 2015)**
 - Policy 2 – Climate Change
 - Policy 3 - Green belt and rural area
 - Policy 4 - Development management and placemaking
 - Policy 6 - General urban area/settlements
 - DM2 - House extensions and alterations

**Proposed South Lanarkshire Local
Development Plan 2 (2018)**

Policy 2 – Climate Change

Policy 3 - General Urban Areas

Policy 4 - Green Belt and Rural Area

Policy 5 - Development Management and
Placemaking

Policy DM2 - House Extensions and Alterations

♦ **Representation(s):**

▶	3
▶	0
▶	1

Objection Letters

Support Letters

Comment Letters

♦ **Consultation(s):**

None required

Planning Application Report

1 Application Site

- 1.1 The application site relates to the existing property at 16 Southend Court, Strathaven and a strip of agricultural land adjacent to the property extending to approximately 85 square metres. The existing dwelling and garden are located within the settlement boundary and, therefore, have a residential zoning, however, the adjacent land, which is the subject of the proposed change of use, is within the Green belt as designated in the Adopted South Lanarkshire Local Development Plan (2015).

2 Proposal(s)

- 2.1 The proposal is a detailed planning application for the change of use of agricultural land to form additional garden ground and the erection of a rear extension and side extension to form garage. As noted above, the proposed change of use would provide approximately 85 square metres of additional garden ground and would result in the land being redesignated as residential from its current agricultural land use. The change of use would also provide the additional land required for the proposed garage.
- 2.2 The proposed rear extension would create 30 square metres of additional floor space providing a new family room and the internal reconfiguration of the ground floor. This extension would be of a contemporary design with a mono-pitch roof with a facing brick and render finish. The proposed side extension to form a garage would have a floorspace of approximately 32 square metres. The garage would have a pitch to match the existing dwelling and would also be finished in matching materials.

3 Background

3.1 Local Plan Status

3.1.1 Adopted South Lanarkshire Local Development Plan (SLLDP) 2015

In terms of land use the application site has a split zoning. The existing property at 16 Southend Court is designated as residential where Policy 6 (General urban area/settlement) applies. The proposed land subject of the change of use has an agricultural land use where Policy 3 (Green belt and rural area) applies. In addition, Policy 2 (Climate Change), Policy 4 (Development management and placemaking) and Policy DM2 (House extensions and alterations) are also relevant to the proposal.

3.1.2 South Lanarkshire Local Development Plan 2 (SLLDP2)

On 17 August 2020 the Directorate for Planning and Environmental Appeals issued its report of the Examination of the Proposed South Lanarkshire Local Development Plan 2 (SLLDP2) and a number of modifications to the Plan were recommended. At the Planning Committee on 1 December 2020, members agreed to the approval of all of the modifications in the examination report; the publication and public deposit of the Plan, as modified; and the submission of the Plan to Scottish Ministers.

- 3.1.3 In this case, as the application site also has a split zoning of residential and green belt under the proposed Plan, Policy 3 (General urban areas) and Policy 4 (Green belt and rural area) are applicable. In addition, Policy 2 (Climate Change), Policy 5 (Development management and placemaking) and Policy DM2 (House extensions and alterations) are also all relevant.

3.2 Relevant Government Advice/Policy

- 3.2.1 None relevant.

3.3 Planning Background

- 3.3.1 None relevant.

4 Consultation(s)

4.1.1 None required.

5 Representation(s)

5.1 In addition to the statutory neighbour notification undertaken by the Council, the application was also advertised in East Kilbride News as Development Contrary to the Development Plan and as not all neighbours could be identified. Four representations were received, the points of which are summarised below:-

- a) **Using agricultural land to build a garage is an inappropriate use of land.**
Response: This proposal has been assessed in terms of planning policy and whilst the proposal is not in full accordance with the Local Plan, I am satisfied the change of use of this land will have no adverse impact in terms of visual or residential amenity and is, therefore, acceptable in this case.
- b) **The layout and density of the proposed buildings will remove elements that contribute to the overall enjoyment of the area. It is overdevelopment and an inappropriate design.**
Response: The proposed extensions have been assessed in terms of Local Plan policies for house extensions and it is considered they are both of an acceptable size, scale and design and finished in appropriate materials that will integrate with the existing and adjacent properties.
- c) **The proposal may result in overshadowing.**
Response: Due to the property's position at the end of a cul-de-sac and located to the north east of the closest residential property, it is not considered there will be any significant overshadowing of adjacent properties.
- d) **The applicant should ensure that all wildlife, flora and fauna that may be on the site are given full protection.**
Response: Given the nature of this proposal, a wildlife survey is not required in this instance.
- e) **The proposed rear extension is very large and will obscure the outlook and view from the garden at 12 Southend Court.**
Response: Whilst the proposed rear extension has a projection of 6 metres, due to the orientation of the property it is not considered it will have an adverse impact on adjacent properties. However, loss of view is not a valid planning consideration.

5.2 These letters are available for inspection on the planning portal.

6 Assessment and Conclusions

6.1 Planning permission is sought for a change of use of agricultural land to form additional garden ground, erection of rear extension and side extension to form garage. Under the terms of Section 25 of the Town and Country Planning (Scotland) Act 1997, all applications must be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan comprises the approved Glasgow and the Clyde Valley Strategic Development Plan 2017 (GCVSDP), the Adopted South Lanarkshire Local Development Plan 2015 (SLLDP) and associated Supplementary Guidance. Other material considerations to be taken into account include the Proposed South Lanarkshire Local Development Plan 2 (SLLDP2) and its associated supplementary guidance.

- 6.2 In this regard, Policy 3 - Green belt and rural area of the adopted Plan is applicable which advises that such areas should be reserved as an area for agriculture, forestry, recreation and other appropriate uses. It also notes that urban expansion in the green belt will generally be resisted. Policy 2 - Climate Change seeks to minimise and mitigate against the effects of climate change. In this case, the area of land being changed is required in order to provide a larger garden area and provide adequate space for the proposed garage. It is also noted that the change of use works have already been undertaken and the land resurfaced. Whilst the proposal being retrospective is not justification for a change of use from agricultural land to garden ground, in this case it is noted that the existing property does have a much smaller garden in relation to surrounding properties. Therefore, in this case I am satisfied that the area of land being changed will not detrimentally affect the surrounding green belt area or nearby residential properties and is an acceptable form of development in this instance. I am also satisfied this proposal will have no adverse environmental impacts in terms of biodiversity, landscape or views and, therefore, has no impact on climate change.
- 6.3 In terms of the proposed extensions, these require to be assessed under Policies 4, 6 and DM2. Policy 4 – Development Management states that all development proposals will require to take account of and be integrated with the local context and built form. Policy 6 – General Urban Area/Settlements is also relevant and states that within residential areas, development will not be permitted if it is detrimental to the amenity of residents in terms of visual impact, noise, smell, air pollution, disturbance, traffic or public safety.
- 6.4 Supplementary Guidance DM2 – House extensions and alterations expands on Policy 4 advising that all planning applications will require to take account of the local context and built form and should be compatible with adjacent buildings and surrounding streetscape in terms of scale, massing, design, external materials and impact on amenity. Development should enhance the quality and appearance of the local environment and take account of environmental, accessibility and sustainability issues.
- 6.5 In this case the proposal also includes the erection of side and rear extensions. The proposed rear extension does have a significant projection at 6 metres with a mono-pitch roof, however, as it is single storey and of an appropriate design and materials, and given its orientation in relation to other properties, it is considered that it will have no adverse impact on adjacent properties and is, therefore, acceptable. As noted above, the proposed side extension is to form a garage. Whilst also a sizeable extension, this will also have no adverse impact on adjacent properties and will be of a design and materials to match the existing dwelling. As such, I am satisfied that the proposed extensions are also acceptable and these aspects of the proposal comply with Policies 4, 6 and DM2. It is noted that a condition has been attached for full details of the proposed boundary treatment to be submitted and approved by the Council given that the site is adjacent to agricultural land.
- 6.6 The modified SLLDP2 and associated documents were approved by the Planning Committee on 1 December 2020. The Council has now advised the Scottish Ministers of its intention to adopt the Plan. Local Development Plan 2 is, therefore, the Council's most up to date policy position and is afforded significant weight in the assessment and determination of planning applications. As such, the proposed development has been considered against the relevant policies and it is noted that these policies are broadly consistent with the current adopted South Lanarkshire Local Development Plan 1. It is, therefore, considered that the proposal also accords with Policies 2, 3, 5 and DM2 in the proposed Plan.

- 6.7 Following neighbour notification and advertisement, four letters of representation were received, the points of which are summarised above. It is not considered that the points raised merit refusal of the application. No consultations were required as part of this application.
- 6.8 The application was advertised as Development Contrary to the Development Plan in the East Kilbride News as it constitutes a change of use from an area designated as Green belt in the Adopted South Lanarkshire Local Development Plan (2015). The proposal has been fully assessed and I recommend planning permission is granted contrary to the adopted Local Plan for the following reasons:-
1. The proposal complies with policies 2, 4, 6 and DM2 of the Adopted South Lanarkshire Local Plan.
 2. The proposal complies with policies 2, 3, 5 and DM2 of the Proposed South Lanarkshire Local Development Plan 2.
 3. The proposal will have no adverse impact on residential or visual amenity.
 4. The proposal is an extension to an existing residential property.

7 Reasons for Decision

- 7.1 The proposal will have no adverse impact on amenity and complies with Policies 2, 4, 6 and DM2 of the Adopted South Lanarkshire Local Development Plan and Policies 2, 3, 5 and DM2 of the Proposed South Lanarkshire Local Development Plan 2.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

5 March 2021

Previous References

- ◆ None

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 – 04.12.2020
- ▶ Representations

	Dated:
Mr Christopher Tomlinson, 37 Kingsheath Avenue, Kings Park, Rutherglen, G73 2DG	07.12.2020
Mr Joe Allan, 94 Franklin Place, East Kilbride, G75 8LS	11.01.2021
Margaret Kennedy, Received Via E-mail	31.12.2020
Mrs Diane Paterson, 12 Southend Court, Strathaven, ML10 6QU	30.12.2020

Contact for further information

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

Julie Pepper, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 01698 455046

Email: julie.pepper@southlanarkshire.gov.uk

Detailed planning application

Paper apart – Application number: P/20/1661

Conditions and reasons

01. That before the approved use is implemented, details of all boundary treatment(s) shall be submitted to and approved by the Council as Planning Authority and thereafter all approved works shall be completed to the satisfaction of the Council prior to the garden area hereby approved being occupied or brought into use. New boundary treatments to be appropriate to the rural area.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

02. That unless otherwise agreed, the facing materials to be used for the external walls and roof of the extensions hereby approved shall match in colour and texture those of the existing adjoining building on the site to the satisfaction of the Council as Planning Authority.

Reason: To ensure satisfactory integration of the proposed development with the existing building both in terms of design and materials.

P/20/1661

16 Southend Court, Strathaven



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1:1,250
Date:
01/03/2021



South Lanarkshire Council
Community and Enterprise Resources
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