



Montrose House 154 Montrose Crescent Hamilton ML3 6LB Tel: 0303 123 1015 Email: [planning@southlanarkshire.gov.uk](mailto:planning@southlanarkshire.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100223771-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

## Agent Details

Please enter Agent details

Company/Organisation:	Gainford Limited		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Neil	Building Name:	
Last Name: *	Gainford	Building Number:	8
Telephone Number: *		Address 1 (Street): *	Woodlands Drive
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Lanark
Fax Number:		Country: *	United Kingdom
		Postcode: *	ML11 9FS
Email Address: *			

Is the applicant an individual or an organisation/corporate entity? \*

☒ Individual ☐ Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text" value="Ardochrig Farm"/>
First Name: *	<input type="text" value="Eddie"/>	Building Number: <input type="text"/>
Last Name: *	<input type="text" value="Lauder"/>	Address 1 (Street): * <input type="text" value="Ardochrig Road"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text" value="East Kilbride"/>
Telephone Number: *	<input type="text"/>	Town/City: * <input type="text" value="Glasgow"/>
Extension Number:	<input type="text"/>	Country: * <input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text" value="G75 0QN"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text"/>	

## Site Address Details

Planning Authority:	<input type="text" value="South Lanarkshire Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text"/>
Post Code:	<input type="text"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="646541"/>	Easting	<input type="text" value="263865"/>
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## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

Erection of detached 1.5 storey dwellinghouse and detached double garage

## Type of Application

What type of application did you submit to the planning authority? \*

- ☒ Application for planning permission (including householder application but excluding application to work minerals).
- ☐ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? \*

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

See separate Review Statement

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? \*

☐ Yes ☒ No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: \* (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: \* (Max 500 characters)

Appendix 1: Ordnance Survey Extract Showing Landscape Context of Ardochrig Review Statement Appendix 2: Aerial Photograph Showing the Landscape Context of Ardochrig Appendix 3: Aerial Photograph Showing Site of House Approved at Auchenfin Farm Appendix 4: Delegated Report on Application EK/17/0057 at Leaburn, Auldhouse Appendix 5: Supporting Statement Lodged with Application P/19/0700

## Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

P/19/0700

What date was the application submitted to the planning authority? \*

26/04/2019

What date was the decision issued by the planning authority? \*

10/12/2019

## Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

☐ Yes ☒ No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure \*

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

Refusal reasons centre on adverse impact to landscape character. Impact on landscape character may only be assessed by viewing the site in its landscape context.

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? \*

☒ Yes ☐ No

Is it possible for the site to be accessed safely and without barriers to entry? \*

☒ Yes ☐ No

## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. \*

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? \*

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

## Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Neil Gainford

Declaration Date: 27/02/2020

NOTICE OF REVIEW UNDER SECTION 43(A)8 OF THE  
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (As Amended)  
TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL  
REVIEW PROCEDURE) (SCOTLAND) (REGULATIONS 2013)

**STATEMENT IN SUPPORT OF  
REQUEST TO REVIEW THE REFUSAL  
BY SOUTH LANARKSHIRE COUNCIL OF  
PLANNING APPLICATION REF: P/19/0700**

**Ardochrig Farm  
East Kilbride  
Glasgow  
G75 0QN**

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**Executive Summary:**

Application P/19/0700 was refused under Delegated Powers on 10<sup>th</sup> December 2019. The Decision Notice states that the proposal is contrary to policy and also compromises the landscape character of the area. The appellant appeals to the Local Review Body on the basis that the decision is unsound insofar as the refusal reasons fail to address the totality of planning policy as approved by Council, and also fail to take into account relevant material considerations, and is inconsistent with other comparable planning decisions in the near vicinity. No specialist advice has been sought and no landscape assessment has been undertaken to demonstrate that the proposal would alter the visual amenity of the locality in such a way as to compromise landscape character.

The appellant invites the Local Review Body to consider the extent to which the proposal unacceptably offends Council policy, and whether in the opinion of the Local Review Body, the officer's report demonstrates beyond reasonable doubt that approval of the proposal would inexorably result in serious adverse injury to the landscape character of the area.



## 1.0 Introduction

- 1.1 Section 25 of the Planning Act requires planning decisions to be made in accordance with the development plan, unless material considerations indicate otherwise. This assessment process is known as the '*planning balance*'. It will be evident that the validity of any planning decision which fails to take account of relevant material considerations, will be flawed and open to challenge.
- 1.2 In the assessment of the *planning balance*, the development plan must be considered for its full force. It is not open to the decision maker to base decisions on certain selected policies, or certain selected policy strands which support a particular outcome.

## 2.0 Reasons for Review of Decision 19/0700

- 2.1 This appeal proceeds on the basis that the delegated decision on Application P/19/0700 is flawed in that the decision fails to take account of aspects of adopted Council policy which would support approval of the proposal. Secondly the decision is equally flawed in that the report on findings (Delegated Report) contains no reference to account having been taken of key material considerations.
- 2.2 Furthermore, the report on findings (Delegated Report) contains no evidence (or support from consultees) to support the assertion that the proposal if allowed would adversely affect local landscape character. A planning refusal reason based on adverse impact on amenity must at the very least explain the way in which local amenity would be adversely affected. No satisfactory explanation is presented in the officer's report to support the assertion that the proposal would result in significant and adverse change to the character of Whitelee Forest.

## 3.0 The Site and Proposal Under Review

- 3.1 The review site forms part of Ardochrig Steading which is situated in a clearing located within the Whitelee Forest approximately 5 km south of East Kilbride. The review site is situated on the western side of Ardochrig Road, The original farmstead is situated directly opposite, and comprises Ardochrig Farmhouse, together with Ardochrig Mor, a residential property converted during the 1990's from the original 19<sup>th</sup> Century byre.
- 3.2 The steading grouping also contains a modern steel portal frame shed and associated menage. In June 2018, planning permission was granted (EK/17/0406) for the construction of a detached dwelling within the building grouping.
- 3.3 The key issue of note is that the Executive Director accepts:
- The site is "*bounded to the west and north by **mature** commercial forestry*" (Para. 1.1 Delegated Report on P/19/0700)

#### **4.0 Review Procedure**

4.1 In addition to consideration of those matters, which are set out within the Notice of Review Form and this Statement, it is requested that the Local Review Body also carry out an inspection of the site prior to their consideration and determination of this Review.

4.2 The refusal reasons largely centre on a subjective view on the landscape quality of the setting of the Review site, and an equally subjective view on the way in which the Review proposal if allowed would impact on the landscape character of the area. It is submitted that an impartial assessment of these issues cannot reasonably be obtained by viewing selected photographs of the site and its surroundings. An inspection of the site is considered to be necessary in order that the members of the Local Review Body can view first-hand the nature of the site and its relationship to the broader landscape.

#### **5.0 Grounds for Review**

5.1 Decision Notice P/19/077 contains 2 reasons for refusal:

##### **Refusal Reason 1:**

The proposal is contrary to Policy 3, GBRA6 and GBRA8 of the adopted South Lanarkshire Local Development Plan and Policy 4 and GBRA9 of the proposed South Lanarkshire Local Development Plan 2 in that the proposed development would extend into a previously undeveloped field and would not respect the character, cohesiveness, spacing and amenity of the existing building group.

##### **Refusal Reason 2:**

The proposal is contrary to Policy 4 of the adopted South Lanarkshire Local Development Plan and Policy 5 of the proposed South Lanarkshire Local Development Plan 2 as it would have a significant adverse impact on the landscape character of the rural area.

##### **Reason(s) for decision**

The proposal has no specific locational need, extends development into a previously undeveloped field and would compromise the landscape character of the area and is contrary to Policies 3, GBRA6 and GBRA8 of the South Lanarkshire Local Development Plan (adopted) and the associated Supplementary Guidance and contrary to Policies 4 and GBRA9 of the proposed South Lanarkshire Local Development Plan 2.

### **Policy 3**

- 5.2 Policy 3 of the adopted South Lanarkshire Local Plan is an “*umbrella*” policy beneath which there is an array of policies contained in Supplementary Guidance 2: Green Belt and Rural Area. These GBRA policies identify specific circumstances under which exceptions apply to the normally restrictive approach towards development in the Green Belt and the Rural Area.
- 5.3 Outwith the context of GBRA, reference in Refusal Reason 1 to the proposal being contrary to Policy 3 therefore lacks specification and meaning unless the proposal is considered to offend the higher order principles of Policy 3 which are not conceded or diluted by any of the GBRA policies.
- 5.4 Policy 3 emphasises that the highest order principles applicable within the Green Belt and Rural Area are to the effect that “*isolated and sporadic*” development will not be supported.
- 5.5 The review site which is closely associated visually with Ardochrig Farm and steadings cannot under any circumstances be considered to be either isolated or sporadic, and therefore no tension arises with the key objectives of Policy 3. The extent to which the proposal satisfies any of the GBRA policies requires to be examined quite separately from the generality of Policy 3.
- 5.6 Supplementary Guidance 2 (GBRA) sets out eleven specific exceptional circumstances under which the Council may give favourable consideration for housing development in the Green Belt and Rural Area.
- 5.7 Irrespective of the number of reasons cited for refusal, the appellant only needs to demonstrate that the proposal qualifies under one of the specific exceptions in order for the review to succeed,. In such circumstances, all of the other refusal reasons contained in the Decision Notice can be set aside as being superfluous.
- 5.8 This review submission seeks support directly from Policy GBRA8.

### **REFUSAL REASON No. 1**

#### **Policy GBRA8 (Within a High Quality Landscape Setting)**

- 5.9 Only 2 criteria require to be satisfied for the proposal to achieve compliance with the section of Policy GBRA8 which addresses proposals for either “*an isolated dwellinghouse*”, or for “*a new small cluster of houses*” within a high quality landscape setting.
- 5.10 In order to qualify under this part of Policy GBRA8, it must be shown firstly that a proposal is:
- Located within an extensive woodland, or alternatively where the site benefits from natural screening it can be shown that the visual impact is minimal.
- 5.11 Secondly, this policy requires that proposals should:
- Require no felling of ‘woodland’;

- Require rural amenity to be retained, and
  - Require careful consideration to the scale and design of any house proposed.
- 5.12 The wording of Policy GBRA8 insofar as it relates to development within a high quality, mature landscape setting, does not restrict its application to any particular landscape classification. The policy therefore can be equally applicable to any of the landscape designations in South Lanarkshire.
- 5.13 The Review proposal requires no woodland felling. Some roadside shrubs and saplings may require to be removed in order to form the road access, but the woodland setting would be unaffected by the proposal. In terms of rural amenity, the proposed house would sit in a clearing with a backdrop of mature woodland. The house when constructed would only be briefly visible from the road frontage. The house would not be visible within its broader countryside setting. It is submitted that as the house as proposed cannot be seen in the context of the broader landscape, it follows that there cannot be any impact on the landscape character of the area. See Appendix 1 and Appendix 2 attached which show the Review site typifying the local landscape and settlement character reflecting houses and farmsteads contained in clearings in a woodland setting.
- 5.14 The scale and design of the house proposed reflects the style, proportions and materials of a typical country cottage. In all respects, the proposal is in full compliance with the section of Policy GBRA8 which deals with development in a high quality landscape setting.
- 5.15 It has been shown for the purposes of this Review, that the proposal is fully compliant with adopted Policy GBRA8. The siting of the house as proposed would reflect the pattern of historic occupation and cultivation typical in the plateau moorland setting, which together with the existing buildings at Ardochrig, would form a “new small cluster of houses” fully in accordance with the wording of Policy GBRA8.

## **REFUSAL REASON No. 2**

- 5.16 Refusal Reason No.2 refers to Policy 4 (Development Management and Placemaking) of the adopted Plan and to the equivalent Policy 5 in the emerging Local Development Plan 2. Members of the Local Review Body will be aware that these policies respectively contain 8 and 9 general criteria against which proposals will be assessed.
- 5.17 It would be normal practice in appeal proceedings to present a long and laborious analysis of the proposal assessed against each individual criterion. A different approach may be more instructive in this Review.
- 5.18 Refusal Reason No. 2 quite simply states that the proposal offends Policy 4 and Policy 5 in that it “will have a significant adverse effect on the landscape character of the rural area”.

- 5.19 This assertion is totally unsubstantiated, and the appellant has no way of knowing in what way the proposal adversely affects landscape character, or the extent to which the adverse affect is significant in its context. The refusal reason fails to meet the basic requirement to be clear and precise in its meaning in a way which can readily be understood.
- 5.20 This refusal reason is not backed-up by any expert opinion received through consultation. The application was validated on 4th June 2019, but a decision was not reached until 10 December 2019. Six months would have been more than enough time for the Council to seek expert opinion on landscape impact. No such opinion was sought.
- 5.21 Even in the absence of expert opinion, it is evident from information before the Council at the time of the decision that the proposal would have little or no impact on its landscape setting. The aerial photography included in the Supporting Statement which accompanied the planning application clearly shows that the house as proposed would sit in a clearing, largely enveloped by woodland. The house as proposed would largely be screened from view from its broader landscape setting. Consequently, there would be no impact on the amenity of the area, and certainly no significant adverse affect on local landscape character.
- 5.22 The delegated report refers to the application site being extending into a previously undeveloped field and being on the other side of the road from Ardochrig farmhouse. These references refer to criteria contained within Policy GBRA6. As the current Review submission seeks support under Policy GBRA8, reference by the Executive Director to a “previously undeveloped field” on the “other side of the road” are irrelevant to the case before the Review Body. As will be shown later in this submission, case history of which the Council would have been aware at the time a decision was taken on Application P/19/0700, illustrate examples where other nearby developments have been allowed on the opposite side of roads and into previously undeveloped fields. In this context, the decision to refuse Application P/19/0700 is inconsistent with recent Council practice.
- 5.23 Policy GBRA8 does not restrict development to within building groups or seek to prevent development extending in to previously developed fields. No such restrictions apply to proposals justified under Policy GBRA8.

## **6.0 MATERIAL CONSIDERATIONS**

6.1 The Delegated Report contains little reference to material considerations other than to acknowledge that the policies of the emerging replacement local development plan are material considerations.

6.2 It is submitted that there are other material considerations which ought to have been acknowledged in the officer's report. The first material consideration is Scottish Planning Policy: the second is planning history and consistency in decision making.

### **Scottish Planning Policy**

6.3 The Review site is located within the Rural Area (beyond the Green Belt). Planning policy in this area is contained in Supplementary Guidance 2 (Green Belt and Rural Area). This Guidance usefully contains a description of the distinction which applies between the Green Belt and the Rural Area. It states:

"Within the Rural Area, outwith the Green Belt, there is a more flexible approach to new housing and other appropriate uses in the countryside. It (SPP) advises that Councils should support more opportunities for small scale housing development, while at the same time respecting and protecting the natural heritage"

6.4 The appellant is aware of nearby instances where proposals in the Green Belt, where greater restrictions apply, which have been given more favourable consideration than his own application. The appellant fully accepts that all proposals must be considered on their own merits, and that each application is different.

6.5 Whilst accepting that all applications are different, the appellant recognises the importance highlighted in Scottish Planning Policy (SPP) of the need for consistency in decision making. Consistency, as a relevant material planning consideration, is important to both applicants and planning authorities, but it is particularly important for the purpose of ensuring public confidence in the operation of the development management system.

6.6 Reference was made in paragraph 5.22 of this submission to relevant case history of which the Executive Director would have been aware at the time the decision was taken to refuse Application P/19/0700.

6.7 At Auchenfin Farm near Auldhouse, planning permission was granted on 11<sup>th</sup> December 2017 under Application EK/17/0324 for the erection of a house in a location which in landscape terms was much more sensitive than the Review site. The application site was on the opposite side of the farm access road, and was into a previously undeveloped field. Appendix 3 shows the aerial photograph of Auchenfin Farm prior to the development of the new house. It can be seen that the approved location is on the opposite side of the farm access and into a previously undeveloped field.

6.8 The appellant has no issue with the decision taken in relation to EK/17/0324. The appellant's position is that the Local Review Body in reaching a decision



on the current Review should be aware of relevant local decisions taken under delegated powers, which call into question the consistency of decision making, which in turn undermines public confidence in the planning system. Appendix 3 shows an aerial photograph of the approved house site at Auchenfin illustrating the site on the opposite side of the farm access road and into a previously undeveloped field.

- 6.9 Members of the Local Review Body will be aware of a Review case considered on 10th June 2019 at which a Review was conducted into a decision to refuse permission for a development comprising the erection of 2 domestic garages and a landscaping strip at 3 Leaburn Cottages. The Review Body correctly in the appellant's opinion upheld the decision to refuse permission for this development.
- 6.10 The key issue raised by the Leaburn proposal did not centre on the matters considered by the Review Body in respect of Application P/18/1839, but arise in respect of the initial decision taken under delegated powers in 2017 to approve the construction of 2 houses at this location in the Green Belt (Application EK/170057).
- 6.11 Council adopted policy allows favourable consideration to be given to limited development adjoining existing settlements in the Green Belt. However Leaburn is not a settlement as identified in the Council's adopted Local Development Plan. Instead, Leaburn is in the Green Belt where strict control of development ought to apply. Appendix 4 comprises the Delegated Report on Application EK/17/0057 in which it will be noted under paragraph 3.6 that the Delegated Report justifies the proposal in part on its compliance with Policy GBRA4. Members of the Local Review Body will be aware that Policy GBRA4 is not applicable to Leaburn.
- 6.12 These decisions which are very local to the Review site at Ardochrig are material to the determination of the Review, and ought to be taken into account in the decision making process.

### **Conclusion**

Prior to reaching a view on this appeal, the appellant invites the PRB to consider the appellant's position, and to take a balanced view on whether the Review proposal has been considered fairly and reasonably

The appellant submits that the Review proposal is located in the Rural Area within a natural woodland setting which screens the site from view from the wider landscape. The site enjoys a high quality plateau moorland setting, and the Executive Director fully accepts that the site is bounded by mature forest. The proposal meets all of the specifications agreed by the Council under adopted Policy GBRA8 (mature landscape setting).

The refusal reasons state that the Review proposal would have a significant and adverse effect on the landscape character of the area, but the report of findings does not set out the key characteristics which contribute to local landscape character, and more fundamentally does not describe the way in which local landscape character would suffer "significant" and "adverse" consequences should the Review proposal be allowed. In brief the refusal reasons are unfounded and unreasonable.

The Local Review Body should note that the application was under consideration by officers for over 6 months. During this time, no opportunity was afforded to the applicant or his agent to explore ways of making the proposal more acceptable. The decision was issued in December 2019 without any notice to the applicant.

The Delegated Report fails to identify whether the Review site is located within the Green Belt or the Rural Area. This uncertainty was perpetuated during correspondence in February 2020 at which time it was erroneously stated that the Review site was in the Green Belt. This error was subsequently corrected, but it serves to highlight a number instances in the near locality where inconsistencies in decision making contribute to the appellant's grievance. Details of these decisions can be provided on request.

The refusal reasons appear to rely heavily on two issues. Firstly, that the Review proposal has no proven locational need: secondly that the Review proposal extends into previously undeveloped land. The Local Review Body should note that neither of these criteria apply to proposals justified under Policy GBRA8.

If members of the PRB have any doubts on any of these issues they will appreciate why the appellant has sought to obtain an independent review of the officer's decision. If any such doubts remain, the soundness of the refusal reason must remain in question, and the PRB respectfully is invited to allow the proposal.

Gainford Limited  
Planning Consultants  
14 February 2020



APPENDIX 5  
Ardochrig Farm

Supporting Statement  
Proposed Dwelling House  
at Ardochrig, Auldhouse



## CONTENTS

1. Introduction
- 2 The Application Site
3. The Planning Proposal
4. Scottish Planning Policy
5. Development Plan
- 6 Conclusion

## 1.0 INTRODUCTION

- 1.1 This Supporting Statement (“the Statement”) has been prepared in the context of South Lanarkshire Council’s Placemaking and Design policies<sup>1</sup> and in conformity with the good practice guidance outlined in the CABI publication “Design and Access Statements”<sup>2</sup>.
- 1.2 This approach reflects Scottish Government policy as set out in Scottish Planning Policy<sup>3</sup> (SPP), and in “Creating Places”<sup>4</sup>, which sets out the Scottish Government’s policy position on architecture and place. More finely-grained guidance is contained Planning Advice Note 68: Design Statements.
- 1.3 SPP (2014) directs that planning should take every opportunity to create high quality places<sup>5</sup> by taking a design-led approach, and by supporting development that is designed to a high standard<sup>6</sup>.
- 1.4 The planning application, which this statement supports, is submitted in the context of the adopted Policy GBRA8 “New Clusters of Houses / Isolated Houses”, which meets demand for new housing in the countryside by supporting the consolidation of well contained small building groups, and additionally by emerging policies GBRA8 and GBRA9.

<sup>1</sup> Policy 4 Development Management and Placemaking

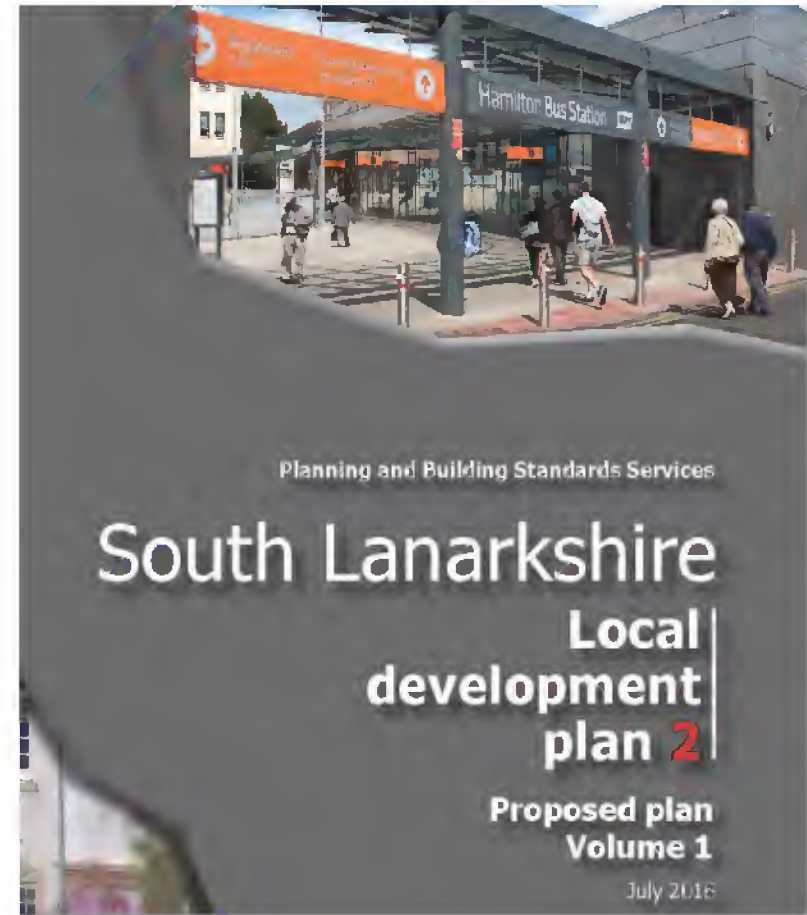
<sup>2</sup> Design and Access Statements

<sup>3</sup> Scottish Planning Policy (2014)

<sup>4</sup> Creating Places

<sup>5</sup> Paragraph 16 SPP

<sup>6</sup> Paragraph 17 SPP



South Lanarkshire Local Development Plan 2



## 2.0 THE APPLICATION SITE

2.1 The application site extends to approximately 987.5 square metres and is located off Ardochrig Road situated some 8.1 km (5 miles) to the South of East Kilbride. Chapelton is located 7.3 km to the East, and Strathaven is situated approximately 8.15 km (5 miles) to the South-East.

2.2 The centre of the site is recorded as being:

**Latitude 55.693411**  
**Longitude -4.1668734**

2.3 The ten figure Ordnance Survey Grid Reference is :

**NS 63895 46567.**  
**Easting: 263895**  
**Northing: 646567**



2.4 The application site comprises rough moorland contained between Ardochrig Road and a coniferous plantation which forms part of the Whitelee Forest.



2.5 Two residential properties are located directly opposite the application site. Ardochrig Farm is a single storey dwelling house. The former byre at Ardochrig Farm has been converted and extended for residential use and is now known as Ardochrig Mor.

2.6 The building group has the potential to be further extended following the granting of planning permission in June 2018 for a 4 bedroom detached house approved under application EK/17/0406.

### 3.0 THE PLANNING PROPOSAL

- 3.1 The accompanying planning application seeks planning permission in detail for the construction of a detached one and a half storey dwelling house at Ardochrig, Auldhous, East Kilbride.
- 3.2 The three bedroomed house is to a traditional design with wet-dash rendered walls and smooth cement banding around door and window openings, with vertically emphasised fenestration. The roof similarly reflects traditional geometry and construction, finished in natural slate on butt-jointed timber sarking with a 40 degree pitch.
- 3.3 The primary elevations are punctuated with reconstituted stone quoin detailing. The front-facing bedrooms feature traditional pitched dormer windows. The rear facing bedroom, bathroom and landing windows comprise velux roof lights.
- 3.4 The proposed dwelling house is accessed from the public road by a 4 metre wide surfaced driveway leading to a detached pitched roof double garage in addition to which there are three additional on-site car parking spaces.
- 3.5 Drainage for the house is provided by a septic tank located to the South of the site in land within the applicant's ownership. Guttering and downpipes are proposed to be in dark brown PVC.



- 3.6 As can be seen from the aerial photograph opposite, the enclave formed by the cluster of buildings which formerly comprised Ardochrig Farm together with the enclosure established by the boundary of the coniferous plantation and by the former quarry on the opposite side of Ardochrig Road establishes a recognisable sense of place.
- 3.7 Current national planning policies (*‘Creating Places’*) and locally adopted and emerging planning policies (*South Lanarkshire Local Development Plan 2*) both recognise the necessity to reconcile the need to achieve housing targets in order to meet overall housing needs in a way which is both sustainable and environmentally responsible.
- 3.8 Safe Places are an integral aspect of placemaking. Active frontages facilitate passive supervision of remote or isolated building groups. Passive monitoring enables individuals being reassured that they are part of a society and community in a place. This placemaking principle is relevant at any scale from cities to villages and applies equally to city streets and to rural roads.
- 3.9 The existing building group at Ardochrig is inward looking and can be strengthened as a place by the addition of the application proposal.



Ardochrig Farm and Ardochrig Mor Aerial Photo



Ardochrig Mor and Ardochrig Farm House



#### **4.0 SCOTTISH PLANNING POLICY**

- 4.1 Scottish Planning Policy (SPP) was approved in 2014 by Scottish Government. SPP is a statement of Scottish Government policy on how nationally important land use planning matters should be addressed across the country.
- 4.2 SPP advises that the planning system should identify a generous supply of land to support the achievement of housing land requirements. In addition, the planning system must maintain at least a 5 year supply of housing land at all times.

#### **5.0 THE DEVELOPMENT PLAN**

- 5.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) requires that all planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise
- 5.2 At a national level planning policy guidance is contained in the national planning framework, which in turn is translated into policy guidance to planning authorities through Scottish Planning Policy (2014).
- 5.3 The statutory development plan comprises the Strategic Development Plan (Clydeplan 2017) together with the adopted South Lanarkshire Local Development Plan (2015), and the emerging replacement South Lanarkshire Local Development Plan 2.

#### **South Lanarkshire Local Development Plan**

- 5.4 The South Lanarkshire Local Development Plan (SLLDP), was adopted in 2015.
- 5.5 The key policies relevant to the determination of the accompanying application are Policy 3 (Green Belt and Rural Area) and its associated supplementary guidance.

#### **Policy 3 Green Belt and Rural Area**

The Green Belt and the rural area functions primarily for agriculture, forestry, recreation and other uses appropriate to the countryside. Development which does not require to locate in the countryside will be expected to be accommodated within the settlements identified on the proposals map, other than in the following circumstances;

- i. Where it is demonstrated that there is a specific locational requirement and established need for a proposal.
- ii. The proposal involves the redevelopment of derelict or redundant land and buildings where significant environmental improvement can be shown.
- iii. The proposal is for conversion of traditional buildings and those of a local vernacular.
- iv. The proposal is for limited development within clearly identifiable infill, gap sites and existing building groups.
- 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.

- 5.6 The site is identified in the South Lanarkshire Local Development Plan as within the Rural Area where Policy 3 – Green Belt and Rural Area applies. Policy 3 states that development which does not require to locate in the countryside generally will be expected to be accommodated within settlements.
- 5.7 A number of exceptions apply to this general approach and further detailed guidance is set out in associated Green Belt and Rural Area Supplementary Guidance. The proposal at Ardochrig draws support from the policies of both the adopted and the newly emerging South Lanarkshire Local Development plans.

#### **Green Belt and Rural Area SG**

- 5.8 Three policies contained in Supplementary Guidance 2, which forms part of the adopted development plan, are relevant to this proposal; Policy GBRA5, Policy GBRA6 and Policy GBRA8.
- 5.9 Policy GBRA5 (Gap sites) recognises that the development of gap sites within a recognisable cohesive group of houses in the countryside may be acceptable where it would not damage the character of the group or the wider countryside.
- 5.10 Policy GBRA6 (Consolidation of existing building groups) allows proposals for new houses within existing building groups to be favourably considered where the proposal reflects and respects the character and amenity of the building group and the broader environment.



Illustration of Consolidation of Existing Building Group  
(Supplementary Guidance 2)

- 5.11 Policy GBRA8 (New clusters of houses/isolated dwelling houses) allows favourable consideration to be given to proposals within an extensive woodland or where a site benefits from natural screening. In order to qualify under this policy, the rural quality of the setting should be respected and the proposal should not include any tree felling.



### Policy GBRA6 Consolidation of existing building groups

Proposals for new houses within existing building groups will be supported where all of the following criteria can be met:

- The scale and siting of new development should reflect and respect the character and amenity of the existing group and the individual houses within the group. The existing housing group should not expand (including cumulatively) by more than 100% the number of houses existing in that group.
- Respect the character, cohesiveness, spacing and amenity of the existing group and the individual houses within the group.

Any new build should be located within a reasonable distance of the existing properties within the building group. The spacing between the existing properties within the group should guide the appropriate distance between existing properties and proposed new build.

- 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. Definable natural boundaries between the existing group and the field should be maintained. Natural boundaries should take precedence over man-made boundaries when defining the extent of a building group.
- Existing mature trees or landscaping which are important to the character, setting, amenity and/or containment of the housing group or surrounding landscape should be maintained.
- The location, siting and design of the new houses should meet existing rural design guidelines and advice provided in Appendix 1. Generally, the design, appearance and the materials of the proposed house should be complementary to the character of the existing building group unless it is shown that there is no distinct design character within it.
- The overall scale and massing of new houses should respect that of the adjoining group.
- Provision made for a private amenity space for the dwelling comparable to adjoining properties in the built up frontage. The dwelling must not prejudice the size or use of the amenity space available to an existing dwelling unit.
- Dwelling size to plot ratio and separation distances between dwellings should be comparable to adjoining properties in the built up frontage.
- Landscape character should not be compromised by the development and must have regard to the landscape backdrop, topographical features and levels.
- Proposals should be able to be readily served by all necessary infrastructure, including water, sewerage and electricity and be able to comply with all required parking and access standards.
- Proposals should have no adverse impact in terms of road safety.
- Proposals should have no adverse impact on biodiversity, including Natura 2000 sites and protected species, or features which make a significant contribution to the cultural and historic landscape value of the area.

### Policy GBRA5 Development of gap sites

To be favourably considered, proposals involving the development of gap sites should satisfy all the following criteria:

- The building group should form a clearly identifiable nucleus with strong visual cohesion. The site should be bounded on at least two sides by habitable houses or other buildings that are either in use or capable of being brought back into use.
- The distance between the buildings should be no more than that needed to allow the formation of a maximum of two plots of a size in keeping with the curtilage and frontage of the existing group. The garden area of an existing property can be included providing sufficient amenity space is retained to serve that property and the size of the resulting plot is in keeping with that of the existing group.
- An extension to a building group will not normally be acceptable where it would result in ribbon development or coalescence with another building group. Exceptionally, the layout of the existing group of houses may allow the infill of a small area up to a natural boundary, for example, an established tree belt or other landscaping feature, a physical feature such as a boundary wall or road, or the land form.
- New housing should be well related in scale and siting to the existing adjoining development, reflect local distinctiveness and respect the existing built form, the landform and the local landscape character. The proposal must have regard to the existing character of the built frontage, for example, a two storey house if the built frontage comprises of two storey houses.

- The location, siting and design of the new houses should meet existing rural design guidelines and advice provided in Appendix 1. Generally, the design, appearance and the materials of the proposed house should be complementary to the character of the existing built frontage.
- Provision must be made for a private amenity space for the house comparable to adjoining properties in the built up frontage.
- The house size to plot ratio and separation distances between houses should be comparable to adjoining properties in the built up frontage.
- The landscape character of the area must not be compromised by the development and proposals should have regard to the landscape backdrop, topographical features and levels. Trees, woodland and boundary features such as hedgerows, particularly beech and hawthorn, and stone dykes should be retained. Proposals should be able to be readily served by all necessary infrastructure, including water, sewerage and electricity and be able to comply with all required parking and access standards.
- Proposals should have no adverse impact in terms of road safety.
- Proposals should have no adverse impact on biodiversity, including Natura 2000 sites and protected species, or features which make a significant contribution to the cultural and historic landscape value of the area.

Further detailed guidance is contained in Appendix 1.

### **Policy GBRA8 New clusters of houses/isolated dwellinghouses**

Outwith the circumstances described above, consideration will be given to the creation of an isolated dwellinghouse or a new small scale cluster of houses in the following, exceptional circumstances.

Within a substantially intact walled garden:

- Proposals should result in the restoration/preservation of the wall and should respect other surviving features of the garden.
- Proposals should incorporate existing physical features within the proposal, with the existing wall remaining as the predominant feature.
- Proposals should be confined to land within the existing walled garden, with no development extending outwith the existing walled structure
- Proposals should have no adverse impact on either the landscape or the rural character of the area.

Within a high quality, mature, landscape setting:

- Proposals may be permitted within an extensive woodland or where the site benefits from natural screening, if it can be shown that the visual impact is minimal.
- Proposals should, in the first instance, require no felling of existing woodland to enable the construction of the new dwellinghouse. Where this is not possible proposals should detail appropriate measures for both the tree management of any remaining woodland and for the planting of replacement, compensatory tree planting. In all cases the rural amenity,

nature conservation interest and landscape setting of the area should be maintained. Careful consideration will be given to the scale and design of any houses.

### South Lanarkshire Local Development Plan 2

- 5.12 On 29th May 2018 the Council's Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2).
- 5.13 The emerging replacement 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, but insofar as the plan has not been subject to examination, its proposed policies carry less weight than those of the adopted plan.
- 5.14 Volume 2 of Local Development Plan 2 introduces a new suite of GBRA policies for the Green Belt and Rural Area. Former Policy GBRA8 no longer features in the finalised plan. However the emerging plan still maintains the commitment to support high quality design, and the new policy GBRA9 (overleaf) encourages the consolidation of existing building groups in both Green Belt and Rural Area situations. New Policy GBRA9 requires compliance with specific criteria relating to the cohesiveness of the existing group, avoidance of ribbon development and a requirement to respect the landscape setting.
- 5.15 The proposed development of a detached single storey house at Ardochrig raises no tensions either with the policies of the adopted Local Development Plan, or with the emerging policies of Local Development Plan 2.

#### Policy GBRA9 Consolidation of Existing Building Groups

Within the Green Belt and Rural Area proposals for new houses within existing building groups will be supported where all of the following criteria can be met:

1. The scale and siting of new development shall reflect and respect the scale, character, cohesiveness, spacing and amenity of the existing group and the individual houses within the group. Any new building shall be located within a reasonable distance of the existing properties within the building group.
2. The proposal shall not result in ribbon/linear development or the coalescence of the housing group with a nearby settlement or another housing group.
3. Development shall not significantly adversely affect the landscape character or setting of the area. In addition it shall have regard to the landscape backdrop, topographical features and levels. Definable natural boundaries between the existing group and adjacent countryside shall be maintained. Natural boundaries shall generally take precedence over man-made boundaries when defining the extent of a building group.

- 5.16 The proposal is for a limited development within an identifiable building group, and as such is in compliance with Policy 3 of the adopted Plan.
- 5.17 The site is contained by existing tree cover and reads visually as being part of the Ardochrig building grouping.

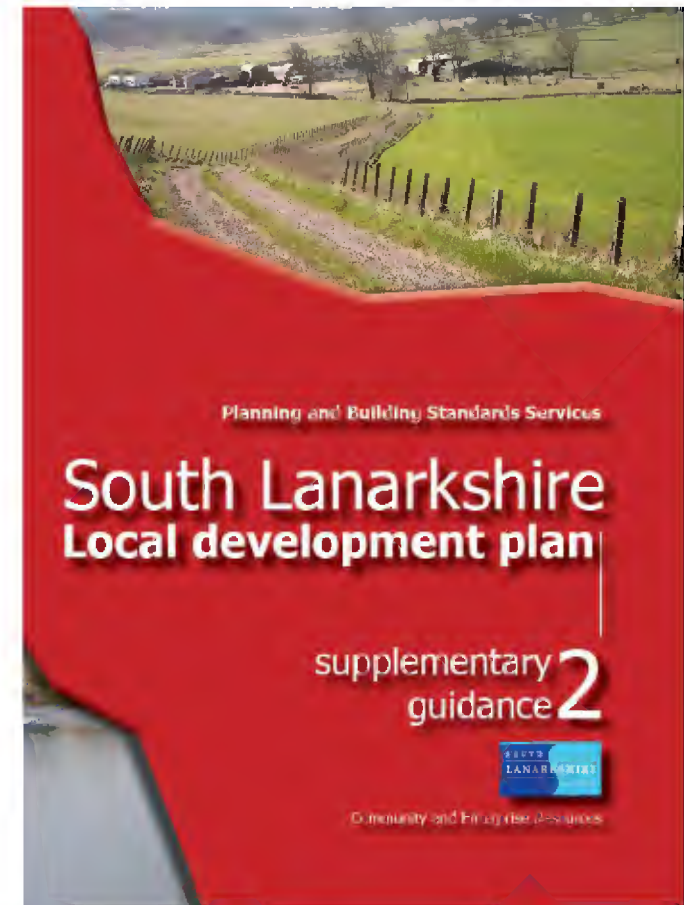


- 5.18 The proposal raises no adverse issues in terms of roads access or in terms of on-site parking provision therefore complying with Policy 5 of the adopted Local Development Plan.
- 5.19 The application site benefits from a high quality mature landscape setting, with existing tree cover contributing to the containment of the building group. No built-heritage or natural heritage resources requiring protection are threatened by the proposal. Therefore the proposal satisfies the 'landscape setting' criteria of Policy GBRA9 of Supplementary Guidance 2 (Green Belt and the Rural Area).

## 6.0 CONCLUSION

- 6.1 The development as proposed contributes towards meeting the need to contribute to housing completions and to satisfy the need for modern quality accommodation in an area where a recognised shortage for one-off housing exists.
- 6.2 The development raises no serious friction with any of the policies of the adopted South Lanarkshire Local Development Plan (2015) or the policies of the emerging South Lanarkshire Local Development Plan 2.
- 6.4 For these reasons, South Lanarkshire Council is urged to approve the proposal.

24<sup>th</sup> April 2019  
Gainford Limited





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