

DELEGATED REPORT

PLANNING APP No: 22/00796/FUL

Date Application Valid: 7 February 2023

Proposal	Alterations to existing farmhouse and conversion of steading to form two dwellinghouses		
Address	Mountcow Farm Duntilland Road Salsburgh North Lanarkshire ML7 4NZ	Case Officer: Ann McGregor	
Local Plan Policies	NPF4 Policy 17 Rural Homes NPF4 Policy 29 Rural Development LDP Policy PP5 Purpose of Place LDP Policy AD5 Amount of Development LDP Policy EDQ1 Site Appraisal LDP Policy EDQ3 Quality of Development		
Planning History	<ul style="list-style-type: none"> • 06/00919/FUL Alterations to Existing Farmhouse and Conversion of Steading to Form Two Dwellinghouses • 11/00013/PREAPL Erection of Replacement Dwellinghouse • 11/00854/AMD Non compliance with Condition 1 of planning permission 06/00919/ FUL Alterations to Existing Farmhouse and Conversion of Steading to Form Two Dwellinghouses • 12/00716/PREAPE Proposed Motorsport Circuit & Karting Centre • 12/00766/PREAPE Proposed Installation of Wind Turbines (Either a single 65m high horizontal axis wind turbine or 2 x 25m vertical axis wind turbines) • 13/00039/PREAPE Proposed Use of On Site Rock to Improve Site Access • 22/00502/PREAPP Development of existing stone barn, into one dwelling, with possibly a smaller extension onto part of the original farm house site, and the possibility of slightly raising the roofline to the height of a 2 storey house. • 22/00796/FUL Alterations to existing farmhouse and conversion of steading to form two dwellinghouses • 		
Site Assessment Date(s)			
Weekly List Date	22 February 2023		
Neighbour Notification Sent		Neighbour Notification Expiry Date	
Advert Date		Advert Expiry Date	

Report

Detailed Considerations:

Siting

The application site relates to a cluster of derelict barn buildings and hardstandings associated with Mountcow Farm. It is understood that the former farmhouse was demolished following fire damage.

Currently, there are three derelict barn buildings on the site. The first building is constructed fully in corrugated metal with an asbestos roof. The second building consists of a double open-ended barn with brick base, corrugated steel frame and external walls and roof clad in metal sheeting. The third barn has a concrete render base, asbestos roof with sections missing, timber fascia and walls consisting of double skin bricks with stonework on the south elevation that contains visible gaps due to the degraded state of the building.

The site is located in the countryside in an area of improved grassland on the west side of Duntilland Road, Salsburgh, and occupies an area of 3400 square metres (0.34 hectares). The existing barn buildings are in various states of disrepair and their use is limited to providing shelter for grazing livestock.

The site is defined to the east by the main access, Duntilland Road. The Black Hill Transmitter and associated buildings are located to the northeast. Agricultural grassland lies to the south and to the west of the site.

Design and Materials

The layout of proposed dwellings is designed around a traditional T-plan steadings development and consists of three residential units of 1 ½ storeys and 2 storeys high with pitched roofs. The west elevation features cylindrical

orangeries placed symmetrically at either side of a double height gable projection finished in glass walling. The orangeries and gable projection have a platform terrace that overlooks open countryside. The east elevation fronting Duntilland Road is more modest and traditional in character and features a scattered fenestration pattern of traditional dormer windows and ground floor windows with two over two glazing panes, gothic revival style main door entrances with stone dressings and quoining detail.

Proposed external materials have yet to be fully confirmed. However, external walls will, indicatively, be finished in white harled render with natural stone dressings. Roofs will be covered in natural slate (precise materials and colour to be confirmed). No details of materials have been provided in respect of surfaces or window frames and/or rainwater goods.

Daylight/Sunlight

The orientation, position and scale of windows of the respective units are designed to maximise daylight and sunlight received by each unit. There are no immediate neighbours in the vicinity of the development and the development can be accommodated on the site without adversely impacting the daylight and sunlight of the adjoining proposed units within the development.

Boundary Treatment

No details of boundary treatment have been provided, although from the information submitted, there is some indication that dry stone walling may be provided as a means of enclosure.

Privacy

There are no immediate neighbours in the vicinity of the development and the layout and arrangement of windows between respective units are arranged perpendicularly to prevent direct overlooking. Similarly, the proposed platform terraces to the rear of the development (west elevation) overlook fields only and will not give rise to concerns regarding loss of privacy.

Adjacent Levels

The site slopes steeply downhill towards Roughrigg Reservoir to the southwest.

Landscaping (including garden ground)

No details of landscaping, planting or hardstanding have been provided.

Access, Parking and Turning

The proposed dwellings will be accessed off Duntilland Road via a new vehicular access. Three car parking spaces will be provided for each of the residential units and these are shown in the revised layout plan. There is sufficient space within the application site for visitor parking and a turning area. Equally, there is sufficient visibility to ensure that vehicles can access and exit the site safely and without detriment to other road users.

Site Constraints

Coal Authority (High Risk Area)
Unknown filled ground (Potential Contamination)
Vacant and Derelict Land

Consultation Responses -

Protective Services:- Has raised no objection to the proposal but advised that due to historical mining/quarrying activity in the vicinity of the development site, a condition should be attached to ensure that a comprehensive site investigation for potential ground contamination is carried out and submitted to and approved in writing by the planning authority in accordance with the British Standard Code of Practice BS 10175:2011+A2:2017 "The Investigation of Potentially Contaminated Sites". The report must include a site-specific risk assessment of all relevant pollution linkages, be carried out in accordance with the Environment Agency publication Model Procedures for the Management of Land Contamination CLR11 and be submitted in both hard copy and electronic format.

The Coal Authority:- Has raised no objection to the proposal subject to conditions relating to a submission of a scheme of intrusive investigations and remediation works where necessary and declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development.

Any Other Material Considerations

NLC Open Space Guidelines: Space around dwellings
NLC Car Parking Provision

Officer Report:

Planning Assessment

Proposed Development:

Full planning permission is sought for the demolition of the existing barn buildings on site and erection of three x 3 bedroom dwellings which will be laid out in a courtyard style development, together with 9 car parking spaces on land at Mountcow Farm, off Duntilland Road, Salsburgh. The application is supported by a Preliminary Bat Roost Assessment, a Coal Mining Risk Assessment and a Planning Appraisal.

Development Plan:

Section 25 of the Town and Country Planning (Scotland) Act 1997 as amended provides that where, in making a determination under the Planning Acts, regard is to be had to the Development Plan unless material considerations indicate otherwise.

The Development Plan consists of The North Lanarkshire Local Development Plan (Adopted 6th July 2022) and the National Planning Framework 4 (NPF4, Adopted on 13th February 2023). Consequently, the determination of the application must be made in accordance with both and, in the event of any incompatibility between NPF4 and the Development Plan, NPF4 is to prevail. The application does not raise any issues of regional or national significance and can therefore be determined in accordance with policies contained in the North Lanarkshire Local Development Plan (Adopted 6 July 2022) where these are compatible with NPF4. Statements in NPF4 are material to the determination of the application.

Assessment:

The application site is shown on the proposals map as being located in the countryside where Policies PP5 Purpose of Place and AD5 Amount of Development of the Development Plan apply. Policy PP5 seeks to accommodate limited and appropriate development in the countryside, as shown on the Promote Map, including visitor economy related development, extension of businesses, agricultural diversion and limited expansion of settlements subject to the test of appropriateness, which may include amongst other matters, the provision of a statement [by the Applicant] on the appropriateness of the scale and nature of existing development in the countryside; a statement to justify that the development is compatible with the countryside and/or; evidence to show that the development seeks replacement of an existing building in the countryside. Provisions contained in Policy PP5 of the Development Plan which form part of the test of appropriateness are, on the whole, compatible with relevant policy provisions contained in NPF4 Policies 17 Rural Homes and 29 Rural Development, both of which support new homes and development in rural areas where they reuse brownfield land when a return to a natural state has not or will not happen without intervention. The proposed development has been assessed in the context of Development Plan Policy PP5 and its associated test of appropriateness, in as far as those tests are compatible with the broad aims and objectives of the NPF4:

PP5 First Test: The proposal must be supported by a business plan, or statement justifying that the development is compatible with the Countryside:

A Statement has been submitted in support of the application to justify the compatibility of the proposal (both in terms of land use and design) in the countryside. Whilst the submitted statement broadly satisfies the requirements of the first test of PP5, the proposed development is subject to further assessment under Policies EDQ1 and EDQ3 to ensure compatibility with the countryside from an environmental and design quality perspective. This is considered later in this report.

PP5 Second Test: A statement must be submitted to demonstrate that the proposal is not best suited to a location in a Centre, or the General Urban Area, taking the Town Centres First Sequential Approach, where appropriate:

This test is not relevant to the current proposal as it relates to the reuse of a brownfield site in the countryside.

PP5 Third Test: The proposal must fit the scale and nature of existing development in the Countryside (all proposals require to satisfy the provisions of all EDQ Policies):

The proposed development largely follows the footprint of the existing and former buildings on site. It replaces the former farmhouse building and associated barn buildings and is similar in scale to those buildings. The development does in principle meet the test of appropriateness under the third test but is subject to a more detailed assessment under the environmental and design quality criteria of Policies EDQ 1 and EDQ 3 of the Development Plan.

PP5 Fourth Test: The proposed development must demonstrate that it is an expansion of an existing business and/or settlement in the Countryside:

The development does not constitute expansion of a business or settlement and does not therefore meet the test of appropriateness under this criterion. However, it is not a requirement of NPF4 (Policies 17 and 29 of NPF4) to meet any similar tests of this nature. Rather, the aim of NPF4 (Policies 17 and 29), is to support new homes on brownfield land in the countryside where there is no realistic prospect of the land returning to a natural state. The derelict barn buildings, which currently present as an unsightly scar in the landscape, will be demolished to accommodate new dwellings and in doing so will make use of brownfield site. In view of the above, NPF4 prevails over the fourth test of Policy PP5 and subject to further assessment against Policies EDQ1 and EDQ3 of the Development Plan, the proposal is considered meets the test of appropriateness in this context.

PP5 Fifth Test: The proposal must demonstrate that is an expansion/replacement of an existing building or cluster of buildings in the Countryside (all proposals require to satisfy the provisions of all EDQ Policies):

The application site is currently occupied by derelict barn buildings, of which there are three, together with hardstandings, the foundations of a former farmhouse building and the remains of a stone wall enclosure. The site meets the definition of brownfield land and seeks to replace the existing cluster of derelict buildings on site. The proposal therefore satisfies the fifth test of PP5 in principle. Further assessment of appropriateness is however required in the context of Policies EDQ 1 and EDQ3 of the Development Plan.

PP5 Sixth Test: There must be a specific locational requirement for the proposal:

The proposal does not identify a specific locational need for the development. However, Policies 17 Rural Homes and 29 Rural Development of NPF4 prevail in this instance as they make express provision for the reuse of brownfield land for housing in rural areas where a return to a natural state has not or will not happen without intervention. Subject to Policies EDQ1 and EDQ3 of the Development Plan, the proposal is therefore considered appropriate in the context of NPF4.

PP5 Seventh Test: The proposal must result in significant economic benefit:

The proposal is unlikely to result in significant economic benefit but would provide some limited (potentially localised) economic benefits to the supply chain during the construction phase. It is noted however, that there is no requirement under NPF4 Policies 17 and 29, to demonstrate economic benefits and on this basis, NPF prevails and the proposed development is considered to be appropriate in the circumstances subject to it satisfying the requirements of Policies EDQ1 and EDQ3 of the Development Plan.

PP5 Eight Test: the proposal must not adversely impact travel patterns and accessibility by sustainable modes of transport (all proposals require to satisfy the provisions of Policies CI 3, EDQ 1 and EDQ):

The proposed development is small in scale. Trip generation is likely to be low in nature and will therefore have a limited impact on the road network. The development is located in a rural area where sustainable modes of transport are limited. However, the development is within reasonable proximity to Caldercruix train station (<4miles) which provides regular direct rail services to Glasgow and Edinburgh, together with park and ride facilities. The proposed development is therefore considered to satisfy the eighth test of Policy PP5.

As above, further assessment of appropriateness is required against detailed criteria set out in Policies EDQ1 and EDQ3 of the Development Plan. Policy EDQ 1 Site Appraisal requires development to be appraised in terms of its site and surroundings to ensure that it will integrate successfully into the local area and avoid harm to neighbouring amenity. It addresses matters such as design, massing, topography and transportation aspects. Policy EDQ 3 Quality of Development provides that development will only be permitted where high standards of site planning and sustainable design are achieved and assesses aspects such as siting; layout; density; form; scale; height; massing; proportion; materials and parking. Where necessary, the assessment of mining, pollution and satisfactory mitigation are also required under Policy EDQ3. Policies EDQ1 and EDQ3 are considered to be compatible with the broad aims and objectives of Policy 14 Design, Quality and Place of NPF4 which seeks to improve the quality of an area, irrespective of its location in an urban or rural setting, against fixed criteria that is considered to be consistent with the criteria detailed in EDQ1 and EDQ3. The remainder of this assessment therefore focuses on the appropriateness of the development as it relates to Development Plan Policies EDQ1 and EDQ3.

The application site occupies an area of 3400 square metres (0.34 hectares). The footprint of the proposed development is approximately 751 square metres. This leaves a generous area remaining for garden ground, waste storage, parking, turning and landscaping. The spatial setting around the development is commensurate with its rural setting and on that basis, the development is able to satisfy the Council's minimum space standards for private garden ground.

The proposed development is of a scale and design that is proportionate with the existing buildings on site and appropriate to its rural location. The development will occupy the general footprint of the existing derelict barn buildings and former farmhouse building and associated hardstandings. Two of the proposed three units are 1 ½ storeys in height with accommodation in the attic. The third unit is 2 storeys in height to mirror the scale and massing of the former farmhouse building. The design reflects the style of a traditional steading development and is laid out in a T-plan form overlooking courtyards. It incorporates traditional features, including dormer windows with slate tiled roofs, sash style windows with 2 over 2 glazing units and horizontal timber clad doors in gothic revival style with stone dressing surrounds. Finishing materials, include white harled render with stone quoins. The scale, massing and detailed design of the proposed development are in keeping with the rural setting and overall the development is considered to meet the general design requirements of Policies EDQ1 and EDQ3 of the Development Plan.

The application is accompanied by a Preliminary Roost Assessment (PRA) updated on 6th May 2023 and prepared in accordance with current Bat Conservation Trust (BCT) Guidelines¹. The report assesses the potential for roosting bats and concludes that the three derelict barn buildings offer negligible potential for roosting bats.

The report also notes that there was evidence of breeding birds within the buildings, in the form of disused nests and recommends that if the buildings are to be demolished during the breeding bird season (March to August inclusive), a pre-commencement nest check should be undertaken by a suitably experienced ecologist. A condition is therefore attached to this effect.

Conditions are recommended to clarify all external materials, including type and colour of roof tiles, window frames, surface materials and stone dressings and to ensure that details of landscaping and boundary treatment are submitted to the Planning Authority for approval prior to any development taking place.

A condition is also recommended to ensure that energy efficiency measures are incorporated into the design in accordance with Policy EDQ3 and that details of those measures are submitted to the Planning Authority for approval, including potential air source heat pumps (as proposed), solar roof panels and electric vehicle charging points. Conditions relating to mining risk and contaminated land are also attached.

In conclusion, As it is considered that the proposed development if it were to go ahead would be compliant with development plan policy any decision then to grant planning permission would accord with the development plan, unless there are any other material considerations that suggest it should be refused planning permission. As regards other possible material considerations, Consultations responses from the Coal Authority, Roads Development Service, Pollution Control, and Greenspace Services are detailed and addressed above. No representations have been received during the neighbour notification process of this application. There have been no objections or concerns raised to the planning application. Therefore, in conclusion there are no material considerations to suggest that the proposal should not be granted permission in line with the development plan.

Date 11 May 2023

Representations

No representations were received during the statutory consultation period.

Reasoned Justification

The proposed development meets the aims and objectives of Policies PP5, AD5, EDQ1 and EDQ3 of the North Lanarkshire Local Development Plan and Policies 17 and 29 of NPF4

Recommendation: Approve Subject to the Following Conditions:-

1. Before the development starts, a site investigation is to be submitted to the satisfaction of the Planning Authority with respect to potential ground contamination. This investigation must be carried out in accordance with the British Standard Code of Practice BS 10175:2011+A2:2017 "The Investigation of Potentially Contaminated Sites". The report must include a site specific risk assessment of all relevant pollution linkages, be carried out in accordance with the Environment Agency publication Model Procedures for the Management of Land Contamination CLR11, and be submitted in both hard copy and electronic format. Depending on the results of this investigation, a detailed ground remediation strategy may be required. Before the development is occupied any remediation work identified via the site investigation process required must be completed and verification of required ground remediation works provided by the developer to the satisfaction of the Planning Authority.

All documents submitted should be in accordance with North Lanarkshire Council's Developer's guidance, a copy of which can be accessed via the link:
<http://www.northlanarkshire.gov.uk/CHttpHandler.ashx?id=2125&p=0>

Reason: To establish whether site decontamination is required in the interests of the amenity and wellbeing of future users of the site.

2. No development shall commence until: a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past coal mining activity; and; b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed. The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason: To ensure all matters relating to coal mining risk are adequately addressed.

3. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and

the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: To ensure all matters relating to coal mining risk are adequately addressed.

4. Details of all external materials, including colour and type of surface materials, window frames, roofs and rainwater goods shall be submitted to the Planning Authority for approval prior to commencement of the development.

Reason: To ensure a satisfactory standard of external appearance.