Application No: S/00/00790/OUT
Date Registered: 30th June 2000
Applicant: Strathquay Limited
15 Avonside Grove
Hamilton
ML3 7DL
Agent: William Nimmo And Partners
7 Fitzroy Place
Glasgow
G3 7RH
Development: Tourist Initiative Incorporating – Tourist / Rambler Information Centre, Craft Workshops, Craft Retail Outlets, Commercial/Business Units, Hotel with Reception and Banqueting Facilities, Housing Development of Rehabilitated Existing Buildings and New Houses, and Woodlands Walkways
Location: Garrion Farms Ltd, Garrion Bridge Wishaw Lanarkshire ML2 0RR
Ward: 15: Garrion Councillor John Pentland
Grid Reference: 279496, 651099.
File Reference: S/PL/B/2/43/JOD/MJ
Site History: Planning Permission (S/97/0222FUL) Granted 14th August 1997 for Change of Use of Building to Form Three Residential Chalets.
Planning Permission (S/96/0288FUL) Granted 21st August 1996 for Change of Use of Former Packing Depot to Office.
Planning Permission (47/82/OUT) Granted 26th October 1983 for the erection of Holiday Chalet Development.
Development Plan: The site is zoned as Greenbelt and as an Area of Great Landscape Value – (Central Industrial Area Part Development Plan – 1964); and as Greenbelt and an Area of Great Landscape Value – (Southern Area Local Plan Finalised Draft (Modified 2001); and as Greenbelt Structural Corridor (Glasgow and the Clyde Valley Joint Structure Plan 2000).
Contrary to Development Plan: Yes
Consultations: Scottish Natural Heritage (objections)
South Lanarkshire Council (objections)
NLC - Community Services (objections)
Architectural Heritage Society Of Scotland (objections)
The Garden Historic Society (objections)
The Scottish Civic Trust (objections)
Association for the Protection of Rural Scotland (no objection)
Scottish Enterprise Lanarkshire (no objection)
SEPA (conditions)
West Of Scotland Archaeology Service (conditions)
Scottish Water (conditions)
British Gas Transco (conditions)
PLANNING APPLICATION No. S / 00 / 00790 / OUT
TOURIST INITIATIVE (INFORMATION CENTRE, CRAFT WORKSHOPS AND RETAIL OUTLETS, COMMERCIAL BUSINESS UNITS, HOTEL AND REHABILITATED HOUSING DEVELOPMENT).

GARRION FARMS Ud., GARRION BRIDGE, WISLAW.

Representations Site Area = 19.86 ha.

Two Representations outwith plan area.
Six Representations in total.
The applicant seeks Outline planning permission for a Tourist Gateway Initiative comprising of a mixed development, which includes 40 new build housing; the rehabilitation of Garrion Tower and outbuildings to create 6 flats and 6 cottages; a Hotel with reception and Banqueting Facilities; Tourist and Rambler Information Centre; Craft workshop and retail units; Commercial Business Office Development. Also included is supporting infrastructure and landscaping and the development of a woodlands walkway and planting to create additional Lime Tree Avenues.

The land area of the site is approximately 18 hectares, the majority of which forms part of a horticultural holding, with several large greenhouses and associated out buildings, covering approximately 20% of the site.

It is located in a prominent location on the north bank of the River Clyde, adjacent to the Garrion Bridges and the Horsley Brae (A71) and the Lanark Road (A72). It is within the Greenbelt and an Area of Great Landscape Value (AGLV) as indicated within the Glasgow and Clyde Valley Joint Structure Plan 2000 (GCVJSP) and the emerging Southern Area Local Plan. It is also identified within the GCVJSP as an area of International Environmental Resource. The site also includes the grade ‘B’ Listed Building Garrion Tower, which is in private residential use, and the pre-historic site of Dunipace Mound.

In assessing this application it is considered that the creation of woodland walkways, additional tree planting / landscaping, preservation of Dunipace Mound, and the provision of a Tourist / Ramblers Information centre, and proposed hotel are acceptable uses within the Greenbelt. The re-use of Garrion Tower and associated out-buildings for residential purposes, in principle, may also be acceptable subject to a full planning application and Listed Building Consent, as would the replacement of existing farm buildings with a limited number of craft workshops / retail units.

The proposed 40 new build housing are to be located on a prominent spur above the River Clyde, replacing an existing large greenhouse. As previously stated the site is within the Greenbelt and an Area of Great Landscape Value. Therefore, the proposed new build housing would be contrary to the...
aims of the development plan, which seeks to protect the Greenbelt. The proposed office / business development is approximately 3000 sq. metres in total, and the proposed retail / craft workshops is a maximum of approximately 2000 sq. metres in floorspace. It is considered that both these elements would be contrary to the aims of the development plan as they are speculative development of a significant size outwith existing town centres and strategic business centres, and that the applicant has not demonstrated that the ‘Sequential Approach’ to site selection has been used.

The applicant has stated that due to the viability of the project, they wish the application to be assessed as a whole. They have also stated that the proposed total number of 52 dwellings is the minimum required to make the proposal viable. Other benefits claimed are the replacement of redundant agricultural buildings, the creation of approximately 360 jobs and economic benefits.

The proposal is contrary to the Glasgow and Clyde Valley Joint Structure Plan 2000, as it constitutes, due to the location, size and proposed uses, a significant departure from the Development Plan. It is considered that the departure is not justified as it has not been demonstrated that the proposal will bring to the plan area significant environmental, economic, and social benefits, as outlined by the Development Plan, which would over ride the inappropriateness of the proposal in a designated Greenbelt and an Area of Great Landscape Value. It is also considered that the proposal is contrary to the aims and policies of the emerging Southern Area Local Plan as the applicant has failed to demonstrate that the proposal will not result in a significant impact on the environment or adversely affect the character and function of the Greenbelt.

It is considered, in the assessment of the proposal, that no significant material considerations that would justify a departure from the Development Plan have been demonstrated. Also, the applicant has not satisfactorily demonstrated that the proposal would not result in a significant adverse affect on the environment or that there is any other justification for a departure from the development plan and other relevant policy documents for the area. Therefore, taking into account the Environmental Statement, the Development Plan and other material considerations, it is recommended this application be refused.

A detailed consideration of this application, the Environmental Statement, the comments made by consultees and the letters of representations, together with the various policy issues raised are discussed in the attached report.

Recommendations

Refuse for the following reasons

1. The proposal is contrary to the aims of Strategic Policy 9 – Assessment of Development Proposals of The Glasgow and the Clyde Valley Joint Structure Plan 2000, which seeks to promote urban regeneration by safeguarding the Glasgow and the Clyde Valley Greenbelt, through directing development, where a need has been established, to appropriate locations. The proposal fails to meet the criteria set down in the policy and exceeds several thresholds within Schedule 9. As such the development would not be appropriate in terms of the requirement to safeguard the Greenbelt and would introduce isolated and sporadic development of significant scale in the Greenbelt.

2. The proposal is contrary to Strategic Policy 10 of The Glasgow and the Clyde Valley Joint Structure Plan 2000, as the applicant has not demonstrated that the development is a justifiable departure from the plan, in terms of criteria A.ii, A.iv, B.ii, and B.iii of Strategic Policy 10, as the applicant has failed to satisfactorily demonstrate that the proposal fulfils a short fall in housing land supply or a specific locational need; or would result in economic, social and environmental benefits to the area, which would outweigh the inappropriateness of the development in the Greenbelt location.

3. The proposal is contrary to the Southern Area Local Plan Finalised Draft (Modified 2001), policies ENV5, ENV6 and ENV15, as the development will have a serious adverse impact on an Area of Great Landscape Value and on a sensitive visually prominent location to the detriment of the character and visual amenity of the area. The applicant has failed to
demonstrate that the proposal, as a whole, is associated with and required for agriculture, forestry, outdoor leisure and recreation or other appropriate rural uses. Furthermore, the applicant has failed to demonstrate that the proposal will not result in a detrimental impact on the environment or adversely affect the character and function of the green belt by cumulative and incremental development.

4. The proposal is contrary to the Southern Area Local Plan Finalised Draft (Modified 2001), policies HSG1, HSG10 and HSG12, as it would involve the development of a greenfield location with no proven justification in terms of operational need or identified housing provision short fall within the local plan area. Furthermore, it would introduce housing into an environmentally sensitive area, resulting in a serious detrimental affect on the visual amenity and the established rural character of the area.

5. The proposal is contrary to the Southern Area Local Plan Finalised Draft (Modified 2001), policies RTL4, IND4 and IND9, as the applicant has not demonstrated that the sequential approach to site selection has been undertaken or that the application is not speculative. The site is outwith the existing land supply, and no locational or particular need for the retail and or the business development within the area has been identified, or that the development would bring economic benefits to the area.

6. The proposal is contrary to Government guidance, Circular 24/1985 and NPPG14 as it would result in development within the Greenbelt and an area of International Environmental Resource, not for the purposes of agriculture, horticulture, woodland management and recreation, or other uses appropriate to the rural character of the area, and that the applicant has failed to demonstrated that the proposal is a justifiable exception in terms of resulting social or economical benefits of national importance.

7. The applicant has failed submit sufficient information to allow adequate assessment of the traffic impact of the proposal. Therefore, the applicant has failed to demonstrate that the proposal's impact will not have an adverse affect on the surrounding road network to the detriment of vehicular and pedestrian traffic safety within the area.

Note to the Committee:

Should it be the decision of the Council to grant planning permission, the application will require to be notified to the Scottish Ministers as a significant departure from the provisions of the Development Plan under the terms of the Town and Country Planning (Notification of Applications) (Scotland) Direction 1997.
Background Papers:

Application form and plans received 30th June 2000 plus subsequent correspondence from both the applicant and their agents.

Central Industrial Area Part Development Plan 1964
Glasgow and the Clyde Valley Joint Structure Plan 2000
Southern Area Local Plan Finalised Draft (Modified 2001)

| Letter from/ |  | received |
|-------------|  |         |
| Lanarkshire Development Agency |  | 08 November 1999 |
| Marion Binnie, Millfield, Garrion Bridge, Wishaw ML2 0RR |  | 10 July 2000 |
| William Binnie, The Grange, 16 Kirk Street, Carluke ML8 5BW |  | 11 July 2000 |
| Geest Bananas, Garrion Bridge, Wishaw ML2 0RR |  | 14 July 2000 |
| The Coal Authority |  | 20 July 2000 |
| Historic Scotland |  | 24 July 2000 |
| West Of Scotland Archaeology Service |  | 24 July 2000 |
| NLC Protective Services |  | 25 July 2000 |
| Royal Fine Art Commission for Scotland |  | 28 July 2000 |
| NLC Community Services |  | 28 July 2000 |
| The Scottish Civic Trust |  | 31 July 2000 |
| NLC Community Services |  | 31 July 2000 |
| Greater Glasgow & Clyde Valley Tourist Board |  | 02 August 2000 |
| West Of Scotland Archaeology Service |  | 03 August 2000 |
| NLC Cleansing and Related Services |  | 03 August 2000 |
| Scottish Wildlife Trust |  | 04 August 2000 |
| The Garden History Society |  | 07 August 2000 |
| The Architectural Heritage Society of Scotland |  | 07 August 2000 |
| NLC Community Services |  | 07 August 2000 |
| NLC Protective Services |  | 11 August 2000 |
| West of Scotland Water |  | 16 August 2000 |
| NLC Community Services |  | 17 August 2000 |
| The Garden History Society |  | 31 August 2000 |
| Scottish Natural Heritage |  | 18 September 2000 |
| Scottish Natural Heritage |  | 19 September 2000 |
| Scottish Natural Heritage |  | 19 March 2001 |
| Scottish Executive |  | 10 April 2002 |
| South Lanarkshire Council, Roads and Transportation Services |  | 11 April 2002 |
| Scottish Executive |  | 29 April 2002 |
| Health & Safety Executive |  | 01 May 2002 |
| Scottish Natural Heritage |  | 16 May 2002 |
| Scottish Executive |  | 22 May 2002 |
| Scottish Executive |  | 01 June 2002 |
| SEPA |  | 06 June 2002 |
| Scottish Executive |  | 07 July 2002 |
| Scottish Executive |  | 14 June 2002 |
| Institution of Environmental Management & Assessment |  | 14 June 2002 |
| Transco |  | 17 June 2002 |
| United Clyde Angling Protective Association Ltd |  | 20 June 2002 |
| Scottish Executive |  | 24 June 2002 |
| The Architectural Heritage Society of Scotland |  | 01 July 2002 |
| Scottish Natural Heritage |  | 03 July 2002 |
| West of Scotland Archaeology Service |  | 04 July 2002 |
| Scottish Wildlife Trust |  | 05 July 2002 |
| Historic Scotland |  | 08 July 2002 |
| NLC Transportation Section |  | 11 July 2002 |
| Scottish Executive |  | 12 July 2002 |
Any person wishing to inspect these documents should contact John Drugan at 01698 302136.
1. Proposed Development

1.1 The proposal is for a Tourist Gateway Initiative incorporating a tourist and rambler information centre and woodland walkways; craft workshops and craft retail outlets; commercial/business units; hotel with reception and banqueting facilities, and a housing development of 40 new houses and the rehabilitation of Garrion Tower and existing out-buildings to provide 6 flats and 6 cottages. Also included are new roads within the site and the creation of a new 3-way roundabout junction onto the Horsley Brae.

1.2 The initial outline application was registered 30th June 2000, and originally included a total 120 dwellings and the development of the eastern area of the site. However, following initial consultations and a report to Committee (dated 16/8/00) it was identified that an Environmental Impact Assessment (ES) was required under Schedule 2 of the Environmental Impact Assessment (Scotland) Regulations 1999, and a Scoping exercise was undertaken. As a result, of the ES process and consultations, the proposal was revised principally to exclude any built up development from the east proportion of the site, which was identified as liable to flooding and containing the archaeological site of the Dunipace Mound.

1.3 The Garrion farm has recently closed as a tomato growing operation. The applicant has stated this results in the loss of 25 jobs. They have also argued that the site is brownfield due to the extensive glasshouse coverage and therefore the proposal would not be out of character, while introducing facilities and job opportunities to the area, along with greater public access to the site.

1.4 The land area of the site is approximately 18 hectares. The applicant has indicated that the proposed total footprint of the development will be approximately 13,000 square metres with no new build greater than two storey. Information submitted by the applicant states that the existing developed land is approximately 43% of the site, and that the proposal accounts for approximately 50% of the site. However, calculations by the Department indicate that the existing buildings cover an area of some 3.6 hectares, which is approximately 20% of the site. The applicant has, in calculating the 43%, included non-built upon land adjacent to the Greenhouses and farm steading / cottage, such as forecourts, private gardens and orchard / grass areas between glasshouses.

1.5 The proposal indicates the demolition of the existing/original farm cottage, most of the other farm outbuildings and all Greenhouses within the site. The ‘better’ quality outbuildings according to the applicant are proposed to be retained, and these comprise of the original stable block and garage, and the old tennis pavilion, which are of historical interest and merit, although not listed. There is little detail on the proposal as it is an outline application for planning permission. However the developer has stated that the overall strategy is to achieve a well-balanced, sustainable land use, which sensitively integrates with the historic rural setting, and to retain and restore the Garrion Tower, the Lime Tree Avenue and the Dunipace Mound. It is intended to extend and/or retain natural woodland corridor at the Garrion Burn and enhance the walkway along the River Clyde.

1.6 The proposal comprises of the following components:

Tourist and Ramblers Information centre - A single storey building is proposed for the provision and sale of information to ramblers using the walkways. The applicant has indicated that this would be located to the westerly part of the site, adjacent to the Horsley Brae and Garrionhurst.

Clydeside Walkway - The proposal includes providing a walkway utilising existing and proposed walkways around the perimeter of the application site following the spur of the River Clyde, and
crossing the Garrion Burn and Horsley Brae. The proposed entrance point to the walkway is located at the Lime tree avenue junction with Horsley Brae. No information has been submitted indicating how the walkway would link into the existing Clyde Walkway, which is located to the north of the site.

**Hotel and Reception and Banqueting Facilities** - The proposed hotel is a two storey building located south of the existing vehicular entrance into the site. The applicant has stated this is envisaged as a 60 bed building, 3-4 star establishment. The ES indicates that it will create approximately 63 jobs. Car parking will be provided to meet Authority's standards.

**Craft Retail Units** - Single storey units are proposed to be located immediately south of the existing farm cottage. It is the developer's intention to provide a small number of units initially, then more on demand. No exact number of units or associated car parking has been provided as part of the application. However, the ES indicates that this will comprise of approximately 28 individual units, with a combined floor area of approx. 2000 square metres, and creating approximately 97 jobs.

**Commercial Business Office Development** - The proposal, according to the Environmental Statement is for two two-storey units, accumulating to no more than a total area of 3,000 square metres, 120 car parking spaces will be provided. It is proposed to locate the units adjacent south east of the former Geest factory. The ES assumes that the proposal will be for new start high growth business, supporting up to 200 gross jobs.

**New Housing** - The proposal is for 40 new dwellings set in an area of 2.15 Hectares, which results in a density of approximately 19 dwellings per Hectare. The applicant has indicated that the housing would be of variable heights, varying between 1, 1½ and 2 storey. The area is located to the south west part of the site on a ridge adjacent to the River Clyde spur and is currently flat with a large Glasshouse present. The new housing proposal is expected to include parking spaces for approximately 80 vehicles and will involve re-grading the site into a slope. The ES assumes approximately 5 jobs will be created through providing service jobs.

**Rehab / Conversion of Garrion Tower and associated buildings for Dwellings** - The proposal includes the conversion of the Garrion Tower into six flats, retaining 'worthwhile' internal features. Additional six cottage dwellings are to be developed from existing outhouses. Car parking is to be two per dwelling resulting in 24 spaces. No details have been supplied as to which of the outhouses will be redeveloped or the location of the proposed parking.

**Landscape** - The proposal is to create a riverside parkland area to the eastern portion of the site and the creation of a woodland structure planting belt traversing the site from north to south. This will effectively split the site in two, with the western half containing the proposed new build. Additional woodlands are to be created to the south west area of the site, between the proposed new houses and the River Clyde. The existing Lime tree avenues are to be retained. The proposal also includes replacement planting and the removal of detritus. It is proposed to retain the Dunipace Mound in its current state. No details have been included in the application on the protection of the site.

**Building Materials** - The proposal is to use in the main traditional materials and form. However, the applicant also anticipates the use of modern materials and technology such as solar energy.

**Road Layout** - The proposal includes a three-way roundabout on Horsley Brae, located adjacent to the former Geest site and utilising the existing access road to the farm. Within the site, the proposal includes an internal loop road system serving the proposed housing area.

2. **The Site and Environs**

2.1 The site is located at the southern most point of the Authority's boundary, on the north bank of the River Clyde, adjacent to the junction of Horsley Brae (A71) and Lanark Road (A72), which serves as a main road to the Clyde valley and Lanark. It is in a prominent location due to the
elevated approach roads from the north-west and north-east and the elevated topography of the site. This combined with the Garrion bridges effectively marks a visual entrance point to the Clyde valley for road users.

2.2 The surrounding area is primarily farmland and open countryside with several areas of mature woodlands and hedgerows. Small settlements exist immediately adjacent to the Garrion bridges, in particular Garrionhurst and Millfield, with the Conservation Area of Dalserf adjacent south-east within South Lanarkshire Council boundary. The former Geest factory is outwith the proposal, located to the north west boundary of the site. Also within the vicinity are garden centres / nursery operations, which sell direct to the public and 'Old McDonald Farm Park', a local recreational business. The Garrion Gill SSSI is located outwith the site to the north.

2.3 The boundary of the site is defined by the centre line of the River Clyde, the Garrion Burn, Brownlee Road (B7011) and Horsley Brae. It is approximately 18 hectares and has recently closed as a Market Garden / farm operation specialising in Tomato growing, with ground sub let to a sheep farm. There are several buildings within the site; these encompass the farm cottage, several greenhouses, farm buildings and outbuildings. A small business operates from one of the farm outbuildings. Also within the site are the 'B' Listed Garrion Tower, which is in residential use and associated outbuildings, and the unscheduled prehistoric site of Dunipace Mound.

2.4 The site topography slopes down from north at the junction of Horsley Brae and Brownlee Road to the bend in the River Clyde. For the purpose of description three main areas / plateaux have been identify to the site. The northern portion, adjacent to the junction of Horsley Brae and Brownlee Road is mainly covered by self-seeded plants and trees and is believed to be a former orchard. This area is a maximum of approximately 20 metres above the Clyde and visible from the surrounding countryside. The western portion, adjacent to Horsley Brae, encompasses Lime tree avenues and most of the buildings within the site, including Garrion Tower. This is located on a prominent plateau, narrowing to form a ridge to the south. This area varies in height above the River Clyde by approximately 5-10 metres, and is prominent from Horsley Brae and the main Lanark Road. The eastern portion is adjacent to the confluence of the River Clyde and the Garrion Burn and traverses the length of the site. This area is relatively flat and set low in the surrounding landscape and in relation to the Clyde and Garrion Burn, a maximum of approximately 10 metres above the Clyde. The area is mainly open grass / shrub land with hedgerows and mature trees along the eastern boundary of the site. It also includes the Dunipace mound and a derelict Edwardian pavilion of some architectural note.

2.5 The site has a long history associated with farming and market gardening and there have been a number of minor applications approved in the past relating to these uses. However, in 1983 an Outline application (47/82/OUT) was granted for the erection of Holiday Chalet Development. This application was not implemented.

3. Development Plan

3.1 The approved structure plan and the adopted local plan constitute the development plan. In relation to the application this comprises of the Glasgow and the Clyde Valley Joint Structure Plan 2000 (GCVJSP) and the Central Industrial Area Part Development Plan – 1964. However given the age of the above 1964 plan, it is considered largely of historical interest. To all intents and purposes the Southern Area Local Plan Finalised Draft (Modified 2001), although a material consideration should be taken as the relevant local plan for the area, which, with the Joint Structure Plan, the proposal should be primarily assessed against.

3.2 Glasgow and the Clyde Valley Joint Structure Plan 2000

The GCVJSP policies numbers 1 to 8 are not principally for assessing proposals, but seek to highlight the issues within the plan area and guide development to the appropriate locations. Strategic Policies 9 and 10 are the main policies in assessing proposals. The policies relevant to the proposal are as detailed below: -
Strategic Policy 1 – Strategic Development Locations
This policy relates to all elements of the proposal. It requires "the continued designation and safeguarding of the Glasgow and Clyde Valley Green Belt within which there is a presumption against the spread of the built up areas and the encroachment of development into the countryside...". The site is within one of the Green Belt Structural Corridors, noted in Key Diagram Inset A, which have a function of separating major parts of the conurbation.

Strategic Policy 5 – Competitive Economic Framework
This policy is relevant for the commercial/business units of this proposal and seeks to direct significant office developments (greater than 2,000 square metres) to the Strategic Business Centres (SBC) (Schedule 5a) and the existing supply of business land. The site is within a Tourism Development Area (TDA) (Schedule 5e), which is supportive of tourist related development, subject to the provisions of the GCVJSP and in particular Strategic Policy 9. The policy identifies potential growth areas for tourism related development as those related to the areas beautiful scenery, arts and cultural attractions, and sports and leisure facilities. Furthermore, it seeks to safeguard TDA’s from inappropriate alternative uses.

Strategic Policy 6 – Quality of Life and Health of Local Communities
This policy principally seeks to protect, manage and enhance Town centres as preferred locations for retailing, improve access to local jobs and services by providing and safeguarding local employment opportunities, and improve housing provision in line with Strategic Housing Agreements. It is therefore particularly relevant to the housing and retail elements of the proposal.

Strategic Policy 7 – Strategic Environmental Resources
This policy seeks to safeguard and manage natural resources, with particular regard to International, National and Strategic Environmental Resources, of which the Upper Clyde Valley is an International resource. In such areas, the policy states that "there shall be a presumption against any proposal, which could have a significant adverse effect upon these resources."

Strategic Policy 9 – Assessment of Development Proposals
This sets out the criteria that development proposals are required to satisfy, any proposal failing to meet the criteria is regarded as a departure from the Development Plan. In particular the Policy requires that the location of the development is appropriate in terms of the need to promote urban regeneration, and the safeguarding the Glasgow and Clyde Valley Green Belt and areas of International Environmental Resources by avoid isolated and sporadic development in the Green Belt and wider countryside.

Strategic Policy 10 – Departures from the Structure Plan
Any development not complying with Policy 9 above would be deemed to be a departure from the plan, and consideration shall require to be given to the appropriateness of the development assessed against the need of the development and the resulting economic, social and environmental benefit as outlined in the policy.

3.3 Central Industrial Area Part Development Plan – 1964
The site is zoned as Greenbelt and an Area of Great Landscape Value.

3.4 Emerging local plan - The Southern Area Local Plan Finalised Draft (Modified 2001)
The site is zoned as Greenbelt and an Area of Great Landscape Value in the Southern Area Local Plan Finalised Draft (Modified 2001). In addition, the proposal as a whole is required to be assessed against policies applicable to the general area; these are ENV5, ENV6, and ENV15. However given there are several components within the application, there are a number of other policies which need to be considered and these are also detailed below:-
Policy ENV 5 - Assessment of Environmental Impact
The policy states that “there will only be a presumption in favour of development where it can be clearly demonstrated that the proposal is not likely to inflict an unacceptable impact on the environment.” The full proposal should be assessed against criteria 1, 2, 3 and 4 within the policy, which assesses the suitability of the proposal in terms of the character of the area, landscape and visual impact, traffic generation and flooding risk, and protection of natural heritage.

Policy ENV 6 - Green Belt
States that “the Council will safeguard the character and function of the Green Belt, as defined on the Proposals Map, within which there will be a presumption against development or change of use other than that directly associated with and required for agriculture, forestry, the generation of power from renewable sources, outdoor leisure and recreation, telecommunications or other appropriate rural uses.” Furthermore it states “proposals to extend established industrial and business uses will be acceptable only where the development would not result in an adverse effect on the character and function of the Green Belt.”

Policy ENV 10 - Trees and Woodland Management
This policy seeks to encourage the protection and enhancement of trees and woodland resources but also seeks to resist development that could adversely affect woodland areas.

Policy ENV 15 - Area of Great Landscape Value
States that the Council aim is to protect and enhance the Clyde Valley Area of Great Landscape Value by resisting any proposal, which would have a significant adverse effect on the character and quality of the environment.

Policy ENV 18 – Listed Buildings
States that “the Council will resist proposals which would harm the historic or architectural interest of a List Building.” Proposals that enhance the character of a Listed Building will normally be permitted. The Garrion Tower is a ‘B’ Listed Building and therefore this policy is relevant in assessing the proposal in relation to the character and setting of the Listed Building.

Policy ENV 21 - Archaeology
This policy indicates that development, which would have an adverse impact on Scheduled Ancient Monuments, other archaeological sites and their settings, will not normally be permitted. In instances where permission is granted, conditions will be attached to the consent. This is relevant to the Dunipace Mound, which is recognised as a pre-historic site.

Policy HSG 1 – Housing Strategy
This policy “seeks to direct new residential development to brownfield sites within built up areas in preference to the release of land in greenfield locations and in doing so will aim to encourage the process of urban renewal and regeneration, satisfy the majority of demand for private housing and widen housing choice.” This policy applies to the proposed new build housing within the development.

Policy HSG 10 - Assessing Applications for Housing Development
Contains a set of criteria that the policy requires the proposal to be assessed against. In particular criteria 1, 4, 5, 6, 7, 8 and 9 are most relevant to the new housing element of the proposal. These seek to assess the development in terms of the impact on existing built and natural environment; risk of flooding; density, layout and mix of housing; detailed design; provision of landscaping; and parking and road provisions.

Policy HSG 12 - Housing in the Green Belt and Countryside
This policy outlines a set of criteria in relation to new houses and in particular states that “new housing, which does not form replacement dwellings, will only be permitted where there is a proven operational need in accordance with Policies ENV 6 Greenbelt and ENV 8 Countryside Around Towns.” It also requires new housing to be assessed in terms of visual prominence of the site; detail and compatibility of design to a rural location; and provision for vehicular access and drainage. Under this policy, the conversion of existing buildings to residential use will be considered favourably where they are worthy of preservation.
Policy IND 4 - Small Scale Industry and Business
Indicates that small-scale sites will be encouraged in village areas, areas of high unemployment and other appropriate locations. This policy applies to the Commercial/Business Units and Craft Workshops.

Policy IND 9 "Assessing Applications for Industrial and Business Development"
Contains a set of criteria to assess the application against, particularly "whether the proposal is located within an Established Industrial and Business Area or on a site forming part of the land supply for industrial and business." Other factors include deficiencies in land supply; reuse of vacant and derelict land; whether significant economic benefit is offered to the Plan area; suitability to the character of the area; parking and servicing and public transport provision; and detailed design and landscaping. This policy applies to the Commercial/Business Units and Craft Workshops.

Policy RTL 4 - Assessing Applications for Retail Development
This policy sets out the criteria for assessing the Craft Retail Outlet elements of the proposal. It assesses the proposal in terms of catchment support population; effect on existing shopping areas; the availability of suitable alternative sites in or around town centres; public transport provision; private transport travel patterns; the suitability and impact of the proposal on the character and amenity of adjoining properties and the surrounding environment; detailed design; and vehicular access and parking provision.

Policy TR 13 - Assessing the Transport Implications of Development
Contains a set of 5 criteria for taking into consideration when assessing the proposal. These include traffic generation and impact on the environment and adjoining land uses; existing public transport facilities; impact on road traffic circulation and road safety; parking and vehicle manoeuvring; and the promotion of 'access for all'.

Policy L 2 - Leisure Development
This policy along with Schedule 2 on Leisure Development Opportunities, which promotes the Clyde Walkway, assesses the proposal in terms of the contribution to economic regeneration; the impact on landscape character, visual amenity and habitats and biodiversity; and the surrounding environment.

Policy L 5 - Tourism
Indicates that the development of tourist facilities will be encouraged by giving favourable consideration to suitable tourism related proposals in appropriate locations where they accord with the overall strategy of the local plan and would not have a detrimental effect on the landscape, nature conservation value or on local communities.

Policy L 6 - Visitor Accommodation
This policy indicates that the development of visitor accommodation will be encouraged in appropriate locations.

4. Consultations and Representations

4.1 Consultations have been received at three stages in this application, in relation to the overall application and following the submission of the ES and Further Information. The consultation responses can be summarised as follows:

Scottish Natural Heritage - objections to the proposal and states that the Landscape and Visual Impact (LVIA) chapter of the ES inadequate. In particular they express concern that the proposal appears to have been fixed prior to the revised assessment having been undertaken, no significant changes to the proposals have resulted from the findings of the LVIA, and that consideration of an appropriate development area within the site, seems to be divorced from an assessment of the landscape's capacity to accommodate change. Furthermore, they also raise issues regarding the scale and visual impact of the development in the greenbelt and an Area
of Great Landscape Value, and that the proposal is contrary to development plan policies and National Government Guidance. They also state that it is unlikely mitigation measures would reduce the visual and landscape impact of the proposed housing. They have, however expressed that with the relevant planning policies in mind, a development of appropriate scale and nature may be possible with mitigation measures, but only following a detailed assessment of the landscape, ecological and environmental carrying capacity of the application area.

South Lanarkshire Council - objections to commercial office development and proposed new dwellings. They also reserve judgement on visual and landscape impact due to lack of detail. They also state that the Traffic Assessment is inadequate and that they can not comment on the implications.

NLC Community Services - reservations regarding visual impact of proposal and housing element. However accepts that development may be acceptable, subject to appropriate conditions.

Architectural Heritage Society of Scotland- concern over sub-division of listed Building, reluctant to accept in principle.

The Garden History Society - objections regarding scale and disposition of housing element, impact upon character, setting and views of Garrion Tower and its designed landscape. Proposal would not complement pattern and scale of existing landscape.

The Scottish Civic Trust – objections and concern raised over the lack of design detail and the possible impact on a Listed Building and its settings. Also raised are issues over the proposal being contrary to Greenbelt policies for the area, and the requirement for additional housing in the area.

Association for the Protection of Rural Scotland - Note positive elements

Scottish Enterprise Lanarkshire – Lanarkshire Development Agency responded in support of the application at the initial stage.

SEPA-no objections - subject to standard conditions.

West Of Scotland Archaeology Services-conditional acceptance, state that a section 75 is required regarding the management of the Dunipace mound.

Scottish Water-no public sewer, applicant required to provide.

British Gas Transco- No Objection subject to standard conditions.

The Coal Authority- No Objection subject to standard conditions.

Scottish Wildlife Trust- Broad agreement in principle, potential for wildlife gain through woodland management and enhancement of recreational resource in Clyde Valley. However concern over ‘industrial’ element, loss of small open meadow, which provides foraging resource for badgers. Also require survey before any demolition for bats, owls and other wildlife.

The Scottish Executive
Historic Scotland - outline of listed building procedures and noted that the Tower and Mound may raise archaeological issues.
Environment Group -no comments, however they note the objection by SNH, who are the Executive’s statutory nature conservation advisers. Furthermore, they expect the Planning Authority to give this advice careful consideration when making a decision on whether to grant planning permission.
Environ & Rural Affairs - no comments

Health and Safety Executive- no observation, as site does not fall within zones of any hazardous installations or pipelines.
United Clyde Angling Protective Association Ltd – no observations.

4.2 Representations - A total of six letters have been received. Three were received during the original outline planning application stage, prior to the submission of the ES and revised proposal, and three letters post ES. The issues raised, and my comments thereon, are as follows:

One letter of objection from a neighbour raised issues on the grounds of proposal contrary to the Development Plan and greenbelt policies; contrary to National Planning guidance; scale and size of development; noise, smell and light pollution; and no local employment benefit resulting from proposal. Also, raised was the precedent of previous refused proposals. The same issues as above were also raised in a separate letter received from a Beneficiary of a property at Millfield.

Comment: All the issues raised above, with the exception of precedent of previous refused proposals, are addressed within section 6 - Planning Assessment of the report. It is considered that precedent of refused proposals, is not relevant in this case, as there are no previous applications for a similar nature or scale, and in line with Government guidelines, each application should be assessed on its own merits.

One letter from a neighbour, although not objecting to the proposal, has major concerns regarding increase traffic congestion in the area. Another letter received from a member of the public from Overtown, also raised concern regarding the increase traffic and congestion.

Comment: Insufficient information has been submitted by the applicant to allow the assessment of the traffic impact of the proposal. Therefore it is not possible to comment on the above concerns.

One letter of objection from a neighbour raised issues regarding the Garrion Tower and Avenue being private and outwith the applicant's ownership. That the proposed walkways / Rambler facilities will allow those participating in anti-social behaviour to claim a legitimate right to be in the area, and therefore increase security problems. They also question the compatibility of expensive houses and the increased access to the area.

Comment: The issues regarding the Tower and Avenue being private and outwith the applicant's ownership, and anti-social behaviour are not material considerations in assessing the application. The issue of compatibility between various uses within the proposal has been addressed within section 6 – Planning Assessment.

One holding letter was received from an adjoining business.

Comment: This business has now ceased operations from the property.

5. Other Material Considerations

5.1 The proposal is required to be primarily assessed against the provisions of the Development Plan unless material considerations indicate otherwise. Other Material Considerations that should be taken into account when assessing the proposal, amongst others, are the national planning guidance, and planning issues raised by representations and consultations. In addition, the issues raised within the ES and the proposed mitigating measures are required to be assessed and taken fully into account in reaching a decision.

5.2 The relevant Scottish and National Planning Policy (SPP’s and NPPG’s) are as follows

SPP 1 - The Planning System – Covers a range of matters and reiterates the Scottish Executive’s commitment to Sustainable Development, Economic Competitiveness, Social Justice, Environmental Quality, Design and Integrated Transport. Paragraphs 44 to 52 set out
the framework for determining planning applications i.e. that where a proposal is contrary to the
development plan it should be refused unless there are material considerations indicating that it
should be granted.

**SPP 2 Economic Development** – Emphasises that planning authorities should ensure that there
is a range of choice of economic development sites, and support the delivery of these sites in
sustainable locations, whilst encouraging high quality developments and safeguarding and
enhancing the environment.

**NPPG 3 Land for Housing** – Details the factors that the Scottish Ministers will take into
consideration when considering the housing policies in development plans and when
determining planning applications. The general principles are that planning has an essential
role in achieving the Government’s policies for housing while protecting and enhancing
environmental quality.

**NPPG 5 Archaeology and Planning** - Sets out policy context and guidelines which seeks to
encourage the preservation of heritage of sites and landscapes of archaeological and historic
interest. The primary policy objective is that such sites should be preserved wherever feasible
and that, where this proves not to be possible, procedures should be put in place to ensure
proper recording. It states that the preservation of ancient monuments and their setting is a
material consideration in determining planning applications and appeals, whether a monument
is scheduled or not.

**NPPG 7 Planning and Flooding** – This guideline seeks to address the problem of flooding,
and states that “the susceptibility of land to flooding is a material consideration in planning
decisions”, and that “applying the precautionary principle to decision making so that risk is
avoided where possible and managed elsewhere.”

**NPPG 8 Town Centres and Retailing** – This guideline promotes sustainable development by
supporting the regeneration of urban areas, particularly town centres, re-use previously
developed sites, and protection of green belt and countryside. It also seeks to promote
locations, which support more sustainable transport choices and reduce the need to travel. The
guideline also sets down the criteria for assessing new developments. These are that where a
development is not consistent the development plan, it is for the developer to demonstrate why
an exception to policy should be made. It also requires that the development satisfies the
sequential approach, not adversely affect the town centre, easily accessible by public transport,
and not threaten or conflict with other policy objectives such as green belt, not affect adversely
local amenity, and not lead to other significant environmental effects.

**NPPG 14 Natural Heritage** – This guidance sets out objectives for natural heritage to conserve,
safeguard and, where possible enhance the natural beauty and amenity of the countryside. It
states that “the scale, siting and design of new development should take full account of the
character of the landscape and the potential impact on the local environment. Particular care is
needed in considering proposals for new development at the edge of settlements or in open
countryside.” Furthermore, it requires that the precautionary principle should be adopted where
there are good scientific grounds or where the scientific evidence is inconclusive for judging
that a development could cause significant irreversible damage to natural heritage.

**NPPG 15 Rural Development** – This guideline sets out to protect and, where appropriate,
enhance the countryside, by the use of planning conditions to regulate the impact, particularly
the cumulative and incremental impact, of developments; and refuse consent where such
regulation is unable to satisfactorily resolve any environmental conflicts, unless refusal is clearly
outweighed by social or economic benefits of national importance.

**NPPG 17 Transport and Planning** – Seeks to create sustainable development patterns
through an integrated approach to planning and transportation. Advises that planning
permission should not normally be granted for major travel generating uses in locations where
links to walking, cycling and public transport networks are inadequate or which would be likely
to have a detrimental effect on the capacity of the trunk road network.
5.3 The planning application is accompanied by an Environmental Statement (ES), which examines and assesses various aspects of the proposal. During the processing of the application and the consultation process, it was initially identified that the Landscape and Visual Impact Assessment chapter of the Environmental Statement was inadequate. The applicant was requested to submit further information, and have since complied with this request, which was advertised and consulted upon. It is now considered that the ES is of an acceptable standard to allow the Authority to assimilate the environmental information pertaining to the site and to assess the proposal. The findings of the ES are summarised below with brief comments on how the ES addresses each subject matter. A full assessment of the issues raised is addressed in Section 6 – Planning Assessment.

5.3(i) Planning Policy – The ES quotes a range of policies within various local plans and structure plans. These were, The Strathclyde Structure Plan Written Statement Approved 1997 and The Glasgow and Clyde Valley Joint Structure Plan June 2000. At the time of submission of the ES (September 2001), these were relevant policy documents. The Southern Area Local Plan (Finalised Draft September 1998) had been replaced at the time by the Southern Area Local Plan Finalised Draft (Modified June 2001), and therefore any assessment should be against this policy document. The South Lanarkshire Council (Hamilton District) Local Plan is not relevant to this Authority. Since the submission in September 2001, The Glasgow and Clyde Valley Joint Structure Plan has been approved and came into operation on the 1st May 2002.

Comment - No assessment of the proposal against the relevant policy documents has been undertaken within the Policy Context chapter in the ES. The chapter merely quotes what the applicant believes to be the relevant policies. Therefore, the applicant has not proved the proposal complies with or is a justified departure from the relevant Development Plan and policies.

5.3(ii) Landscape and Visual Impact assessment – The ES concludes that the proposal will have little or no detrimental impact on the landscape character or visual amenity of the area. It states that the impact will be considerably reduced since the proposal includes the removal of large greenhouses and replacing them with low density, low rise buildings sensitively designed to fit in with their surroundings.

Comment - The revised assessment has been carried out in line with the accepted good practice guidelines. The assessment is now acceptable to allow the Authority to assess the proposal. The ES includes a photographic study of the area, however no drawings have been submitted demonstrating how the proposal will fit into the landscape or how the landscape can carry any development not appropriate to the area without an adverse impact on the visual quality and character of the area.

5.3(iii) Ecological and Nature Conservation – The ES identifies the area as environmentally sensitive and within the Clyde Valley Area of Great Landscape Value. It also identifies Sites of Special Scientific Interest within the vicinity of the site. A detailed tree survey identifies the Lime tree avenue and several other individual trees and areas of woodlands important to wildlife that should be retained and enhanced.
The ES contains a desktop and site survey on the existing ecology and wildlife. This identifies several species within the site and surrounding area that are protected by European legislation and listed within the North Lanarkshire Local Biodiversity Action Plan as priority species and habitats.

The survey states that the proposal will not have any significant impact on Garrion Gill SSSI, given that the built development will be guided away from the riparian corridors, and remain functioning ecological units. It concludes that sympathetic planning of the proposed development could retain many important habitats and features of interest and the mitigation measures will ensure any adverse impacts on ecological interest within the site will be minimised. The ES acknowledges that the new build housing will possibly adversely affect, to the determinant of habitats, an area of approximately 1.2 hectares of scrub-land and that Badger foraging sites may be disturbed.

Comment - The proposal, with appropriate conditions and management agreements could limit the impact the development has on the surrounding natural environment. No management agreement or financial arrangement has been included with the application. However, it is considered that the conclusion that the proposal will have a beneficial impact due to the introduction of low density housing and associated landscaping that encourages indigenous plants and animals, as oppose to ‘sterile glasshouses’ is conjecture and has not been demonstrated. The planting of individual gardens is outwith planning control, and therefore any beneficial impact can not be guaranteed. The assessment provides a baseline study and mainly examines the existing situation and not the full impact of the proposal on the environment or the impact of possible human habitation and greater access into the area as a result of the proposal. It is also considered that restricting development to low density in itself is not a mitigating measure or sufficient justification to make the proposal as a whole acceptable.

5.3(iv) Hydrology and Drainage assessment – The ES concludes that no buildings will be constructed on the east proportion of the site, which is identified in a desktop study as an area liable to flood in 1 in 200 years peak flow. The ES states that due to the removal of the large greenhouses, the proposal will result in a sizeable reduction in the overall impervious surface area, which will improve the hydrology of the area. It identifies that no current soil and waste water capacity exists. Therefore, a stand-alone sewage treatment plant would be required.

Comment – No full assessment or calculations have been submitted regarding flood risk, surface water, and the impact of re-sloping the proposed housing development area. It is therefore considered that the conclusion that the proposal will improve the hydrology within the area has not been established. Notwithstanding this, the proposal would require to incorporate a SUDS scheme to restrict surface and ground water flows from the site.

The ES states that the built development will be limited to the higher part of the site, above 38 metre O.D. as the area below is liable to flood. It should be noted that the remaining area, below the possible flood line, is the woodland walkways, and is an essential part of the applicant’s primary justification for the proposal, i.e. Tourism Initiative. This therefore raises questions as to this element of the proposal, considering its liability to flooding.

5.3(v) Emissions and Residues – The ES states that air-borne emissions will be restricted to those normally expected from residential and or commercial developments.

Comment - No detailed study or scientific information has been submitted to reinforce this assumption, although this is not anticipated to raise a major issue within this proposal.

5.3(vi) Archaeology assessment – The ES indicated that the Garrion Tower and Dunipace Mound are the only obvious features of archaeological significance within the site. It states that given the archaeological features within and surrounding the site, the land in the river’s bend had considerable importance to local people in prehistory and medieval periods. However, the
archaeological potential for much of the site is low due to the construction and use of the greenhouses and landscaping. It concludes with general recommendations that any development should avoid an adverse impact on the Mound; that the trees in the area require management; and that an archaeological record be produced before any development takes place within or among the farm buildings, given that they are probably pre-improvement era and of historical interest.

Comment - No detailed information has been submitted regarding the conversion of Garrion Tower to 6 flatted dwellings or the other outbuildings. Alterations to the Tower would be subject to a detailed planning application and Listed Building Consent. It is considered that the proposal would have a limited impact on the mound, as it will leave the area undeveloped. However, a management agreement would be required to minimise any likely impact resulting from the proposed adjacent walkways.

5.3(viii) Economic Impact Assessment - The ES also contains an Appendix on Economic Impact Assessment, which concludes that the proposal will result in approximately 360 jobs and contribute approximately £11 million new GDP per annum to the economy.

Comment - The Economic Impact Assessment examines the possible employment and GDP benefits in isolation of the proposal. It does not assess the possible positive / negative effects on existing businesses and properties in the surrounding area.

6. PLANNING ASSESSMENT

6.1 The Town and Country Planning (Scotland) Act 1997, Section 25 requires the application be determined in accordance with the development plan unless material considerations indicate otherwise. However, the Planning Authority is also required to assess the application, taking on board the issues and mitigating measures identified within the ES as well as other planning issues raised by the proposal.

6.2 As previously stated the planning permission being sought is for a Tourism Initiative, comprising of 40 new build housing, 12 dwellings from rehabilitated buildings, an office / business development of a maximum of 3000 square metres, craft / retail development of a maximum of 2000 square metres, a 60 bed hotel, and a tourist information centre and development of walkways and landscape planting. It is considered that the housing and Class 4 business / office use do not constitute or relate directly to tourism, conversely the other elements in principle could constitute tourism related. However, the applicant has requested that the proposal and the application be assessed as a whole. Therefore, it is considered that the proposal as a whole should be assessed as a mixed use development.

6.3 The site is within the Greenbelt and an Area of Great Landscape Value (AGLV). The proposal therefore raises strategic issues in terms of the Greenbelt, Business, Housing, and Retail as well as specific issues, such as traffic impact and visual impact. Consequently, it requires to be assessed in terms of general policies as well as specific policies and issues, and the compatibility between various elements of the proposal and acceptable uses within the Greenbelt. The proposal as a whole should be assessed primarily against the Structure Plan policies and the emerging local plan policies. The Southern Area Local Plan Finalised Draft (Modified2001) constitutes a material consideration. However, given there is no up to date adopted local plan, the emerging local plan is the most relevant planning policy document, and therefore significant weight can be accorded to it.

6.4(i) Strategic Policy - 1 Strategic Development Locations, requires the safeguarding of the Green Belt and the presumption against the spread of the built up areas and the encroachment of development into the countryside. The proposal is mixed use and would introduce housing, retail and Class 4 business of significant scale, which would constitute inappropriate uses into the Greenbelt. The remaining uses, in principal may however accord with the policy.

6.4(ii) Strategic Policy 5 - Competitive Economic Framework seeks to direct significant office development to Strategic Business Centres. The site is not identified as a Strategic Business Centre within the Development Plan. Furthermore, the site is within a Tourism Development Area (TDA), which seeks to safeguard TDA's from inappropriate alternative uses. It is considered that the proposal as a whole is not an appropriate development for a TDA, as it would introduce housing, retail and Class 4 business uses of a significant scale to the area, and result in significant office development outwith the Strategic Business Centres.

6.4(iii) Strategic Policy 6 - Quality of Life and Health of Local Communities, does not identify the site as an area for Local Employment Opportunities or part of the established land supply for housing, and therefore the housing and business elements would not accord with the policy. The proposed craft / retail units are a maximum of 2000 square metres floorspace, up to a maximum of 28 units. The exact nature and size of individual units is unknown. However should the units exceed 1,000 square metres gross convenience or 2,000 square metres gross comparison then this element would require to be assessed against the criteria in Schedule 6 (i). Furthermore the sequential approach to site selection is required for all significant retail development and other town centre uses in line with the criteria set out in Schedule 6 (c) (ii). This has not been demonstrated by the applicant.

6.4(iv) Strategic Policy 7 – Strategic Environmental Resources identifies the site is located within International Environmental Resource. The policy seeks to safeguard the area and presumes against development that would have an adverse affect upon the area.

6.4(v) Strategic Policy 9 - Assessment of Development Proposals also seeks to safeguard the Greenbelt by avoiding isolated and sporadic development in the Green Belt and wider countryside. This policy sets out the criteria, which if the development fails to meet, would constitute a departure from the Development Plan. It is considered that no need for the development has been identified in terms of the criteria in the policy and that the locational criteria in the policy has not been satisfied. As such the development would not be appropriate in terms of the requirement to safeguard the Greenbelt and would introduce isolated and sporadic development of significant scale to the Greenbelt and to an area identified as an International Environmental Resource.

6.4(vi) It is therefore considered due to its location, scale and nature, the proposal as a whole does not accord with the aims of Glasgow and the Clyde Valley Joint Structure Plan 2000 Strategic Policies 1, 5, 6, and 7 and when assessed against the criteria set down by Strategic Policy 9 and Schedule 9, constitutes a significant departure from the Development Plan.

6.5 Assessment of Departure from Development Plan

As a result of the above, the proposal is required to be justified against Strategic Policy 10. This assesses the appropriateness against the need for the development, and the resulting economic, social and environmental benefits.

6.5(i) Economic Benefits

In terms of economic benefits, information contained within the ES states that approximately 360 jobs and over £11 million of new GDP per annum could be generated from the proposal. This is broken down as the 28 Craft workshop / retail outlets would generate approximately 97 jobs, the Commercial / Business units approximately 194 jobs, and the residential element
approximately 6 jobs. The hotel would generate approximately 63 jobs and the tourist information centre would create 1 job. However, no business plan or marketing strategy has been provided by the applicant.

The claim is that the commercial/business units that are proposed will be high quality, inward investment companies. Therefore, they will need to recruit from a wide geographical area. It is considered that the assessment does not examine the impact, positive or negative, of the proposal on existing facilities within the area, which contribute to the existing character of the area. They have also stated that there is no information available to determine the exact demand for the various elements of the proposal. This effectively makes the application and resulting economic benefits speculative and based upon assumptions. It is therefore not possible to provide a balanced appraisal or to fully assess the stated economic benefits resulting from the proposal.

6.5(ii) Social Benefits

The Structure Plan identifies the social benefits as: assisting rural regeneration of a priority area, supporting or enhancing community facilities, taking into account the capacity of the settlement and surrounding area to absorb further development.

The site is not within a rural regeneration priority area as defined by the Structure Plan. It is considered that the proposal will bring limited social benefits in the way of community facilities to the area, as these will be limited to the tourist information centre, walkway and woodlands management, and additional landscaping. Furthermore, the proposed housing according to the applicant is 'exclusive' and set back from the road and physically isolated from existing settlements. It is considered that the proposed surrounding land uses will further add to creating an isolated housing settlement and discourage pedestrian movement for people living in and visiting the area.

It is therefore considered that the proposal will not result in a significant social benefit or contribution to the existing community, and given its location will not be absorbed into the existing settlement and surrounding area.

6.5(iii) Environmental Benefits

The site is within an area identified as an International Environmental Resource in Strategic Policy 7. The protection or enhancement of this resource qualifies as an environmental benefit and should be taken into account when assessing the application.

The woodlands and walkways are already existing and therefore additional environmental benefits to the area are limited to the tourist information centre, woodland walkway management and the proposed landscaping and additional tree planting. The proposed rehabilitation of the Garrion Tower and existing outbuildings to create flats and cottages, and the management of the Dunipace Mound could be considered as environmental benefits, subject to details. The sensitive restoration of the Tower and proper maintenance of the Mound could preserve the integrity of these resources for the future.

However, the increased human activity in the area could have a negative impact, through noise and litter pollution, and the displacement of wildlife, as well as soil erosion along the footpaths. Careful management would be required to reduce the impact of greater public access to the site. This is of particular importance in relation to Bluebells within the area, which are identified in the North Lanarkshire Local Biodiversity Action Plan, as a priority species, and in relation to the Mound. The applicant has not stated how or who, including financially, would undertake the required management.

Furthermore it is considered that the impact of the new build elements of the development, in terms of visual impact, increased traffic, and noise pollution would outweigh the environmental
benefits brought to the area by the tourist information centre, woodland walkway management and the proposed landscaping and additional tree planting.

6.5(iv) In summary, the new houses, business units and general built up character of the development would be incompatible with the woodlands walkway, information centre and management and enhancement of the landscape element of the proposal, and as a result would undermine the vitality and viability of this element, which may bring some environmental and social benefits to the area.

It is considered that the new housing element, the retail, and the commercial business office are contrary to the Development Plan. The applicant has failed to prove that any need exists for the development that would override the inappropriateness of the proposal within the Greenbelt. Therefore, a departure from the Development Plan is not justified under Strategic Policy 10, as the economic, social and environmental benefits from the proposal would be of limited value to the area.

6.6 Southern Area Local Plan Finalised Draft (Modified 2001) Considerations

6.6(i) Impact on the Countryside Character - The visual and landscape assessment states that the proposal will not significantly adversely affect the landscape character in the long term, that the short term impact would be limited and only slight due to the replacement of the existing glasshouses with buildings utilising natural materials. The visual impact would also be slight to beneficial with the existing and proposed landscaping creating areas of visual containment.

As previously stated, the site is a prominent location and visible from the surrounding approach roads and marks an important entrance into the Clyde Valley. The principal use of the site as a farm with glasshouse structures is generally accepted as appropriate within the Green Belt. It is acknowledged that the proposal may, subject to details, be less visible than the existing reflective material of the glasshouses from a distance. However, the proposal will introduce buildings that are perceived as solid in structure and more permanent in nature, and the introduction of buildings out of keeping with the area, therefore resulting in a detrimental impact on the established rural character and nature of the area.

The proposal, taken as a whole is not directly associated with and/or required for agriculture, outdoor leisure and recreation or qualifies as other appropriate rural uses. The applicant has not satisfactorily demonstrated that the proposal will not result in an unacceptable impact on the environment, or demonstrated that the proposed uses, especially in terms of increase human access and habitation on the site, will not have an adverse impact on the rural setting or the natural environment. Therefore, the proposal is contrary to the emerging Southern Area Local Plan, policies ENV5, ENV6 and ENV15, as the proposal due to its nature and scale, would result in a significant impact on the character of the Green Belt and an Area of Great Landscape Value, adversely affecting the established rural character of the area and the quality of the environment.

6.6(ii) Woodland and Walkways - It is anticipated that this element of the proposal could bring environmental benefits to the area. No details have been submitted regarding the financing or the management of the woodland areas. It is considered that the proposal with appropriate conditions could comply with policy ENV10.

6.6(iii) Built Heritage - Listed Building Consent can not be dealt with as an Outline application, detailed drawings and information would be required before a full assessment could be carried out on the conversion of the Garrion Tower and its setting. It is therefore not possible to assess if the conversion would fully comply with policy ENV18. The conversion into flats, given the appropriate number of dwelling units, and protection and restoration of the existing buildings, could be considered favourably in line with policy HSG12.

The proposed new build housing however, due to its location and proximity, could have an adverse impact on the setting of the Garrion Tower, which should remain the most prominent
and important element within the landscape. Therefore, as no detailed design has been submitted, it is not possible to fully assess the severity of the impact that the proposal, in particular the proximity of the new housing and rehabilitation of existing outbuildings may have on the setting of the listed building and historic gardens.

The Dunipace Mound is not a scheduled ancient monument, however its archaeological importance is highlighted within the specialist report prepared as part of the ES. The proposal does not include any development in the area surrounding the Mound, other than management of the woodlands and formation of walkways. Careful consideration would need to be given to any possible detrimental impact resulting from the increase human activity within the area. The proposed retention and management of the mound could be considered acceptable under policy ENV21, subject to detail.

6.6(iv) **New Build Housing** - The housing proposal has been amended due to the identification within the ES of possible flood areas and following the revised Landscape and Visual Impact Assessment. The housing is now restricted to the southern proportion of the site, which is elevated above a spur of the River Clyde. This area is currently covered by a large glasshouse and the ground has been extensively levelled. The area is considered a prominent location and highly visible from Dalserf and the main Lanark Road.

According to the applicant the proposed 40 new built 'exclusive' low density houses plus the 12 dwellings from re-use of existing buildings, is the minimum number of units required to make the proposal viable. No business plan or supporting information has been submitted supporting this claim. They have also stated that the proposal is seen as an extension to the existing settlement. However, the existing settlement, immediately north and south of the Garrion bridges, consists of approximately 30 dwellings. It is therefore considered that the proposed housing is not a natural growth extension, as it would increase the number of dwellings within the settlement by approximately 150%. Furthermore, the prevailing density within the area is approximately 5 dwellings per hectare. The proposal for 40 dwellings on a site of approximately 2.15 hectares would introduce a density of approximately 19 per hectare. Consequently this will change the nature and character of the area from countryside to suburbia, and therefore undermine the role of the Green Belt by cumulative and incremental development.

The proposed housing does not form part of the established land supply. There is adequate housing land supply to meet local demand within the Motherwell Sub market area and to meet mobile demand within the Eastern Conurbation Housing Market Area. The emerging local plan seeks to direct new residential development to brownfield sites in preference to Green Belt. However, if considered appropriate in the green belt, the application is required to be assessed against several criteria, of which, given the sensitive location of the site, visual prominence and impact on the natural environment are of particular importance.

The proposed houses are not related to a proven operational need, such as outdoor leisure or agricultural as required by policy ENV 6. The applicant has not provided any reason, other than the need for the houses to make the whole proposal viable, to justify a departure from the above policy.

It is considered that, given the prominent location, the proposed housing is likely to have a significant impact on the rural nature and amenity of the area, introduce a design and layout not compatible with the rural location, and seriously affect the raison d'être for the woodland walkways and tourism initiative. Therefore the housing element of this proposal is contrary to the aims of the emerging Southern Area Local Plan policies ENV6, HSG1, HSG10 and HSG12.

6.6(v) **Commercial / Business Offices** - The proposed business element is for a maximum of approximately 3000 square metres, and is located adjacent east of the Horsley Brae and former Geest building. The proposal qualifies as a significant office development in terms of the GCVJSP thresholds and is outwith a Strategic Business Centre location and outwith existing sites zoned for Business Development. No information has been submitted by the applicant indicating that there is a demand or justification for such a development in this location.

It is considered that the site does not constitute a vacant or derelict Brownfield land site or that there is any short fall in the land supply for industrial and business development within the plan.
area. The applicant has also failed to demonstrate that the 'Sequential Approach' to site selection was undertaken. It is therefore considered, given the scale and location, that the proposed business / office development is contrary to the emerging Southern Area Local Plan policies IND4 and IND9.

6.6(vi) **Craft Workshops and Retail Units** - The proposal is for a maximum of approximately 28 individual units, accumulating in approximately 2000 square metres floor area, located south of the existing farm buildings. No information has been provided regarding the demand for the number of units, and it is the applicant's intention to provide the units as and when required. Therefore, the proposal is speculative, with no guarantee that the economic benefit of 97 jobs will materialise.

The site is not within an existing village area, although it is adjacent to existing farm buildings. The selective replacement of existing farm buildings with a limited number of craft workshops and associated retail units within the existing farm setting may be acceptable in principle, under the aims of policy IND4. However, given the number of units proposed it is considered that the development is not small scale and that the applicant has not demonstrated the 'Sequential Approach' to site selection has been taken into account. Furthermore, given the scale and location outwith existing Business and catchment areas, the proposed craft workshops and retail units are contrary to the emerging Southern Area Local Plan policies RTL4 and IND9.

6.6(vii) **Hotel** - The proposed hotel may, in principal, be considered acceptable under policies L2, L5 and L6.

6.6(viii) In conclusion, it is considered that the creation of woodland walkways, additional tree planting / landscaping, preservation of Dunipace Mound, the provision of a Tourist / Ramblers Information centre, and proposed hotel comply with the aims of the Southern Area Local Plan Finalised Draft (Modified 2001). The re-use of Garrion Tower and associated out-buildings for residential purposes, in principle, may also be acceptable subject to a full planning application and Listed Building Consent, as would the replacement of existing farm buildings with a limited number of craft workshops / retail units. However, the new housing and the proposed business / office development and the proposed scale of craft / retail units are contrary to the aims of the local plan. Furthermore no demand or requirement for the proposal within the area has been established or identified within the plan, or has the applicant has satisfactorily demonstrated that any other material considerations, such as economic benefit should outweigh the aims of the relevant policies. Therefore, given the applicant wishes the proposal to be assessed as a whole, on balance the proposal would be contrary to the aims of the local plan.

6.7 **Other Material Considerations**

6.7(i) **Government Guidance and Policy**

The site is identified within the Structure Plan as an 'International Environmental Resource', which raises national and strategic issues and therefore requires to be assessed against relevant national planning guidance. Circular 24/1985 indicates that there is a presumption against development within the greenbelt, except for purposes such as agriculture, horticulture, woodland management and recreation, or other uses appropriate to the rural character of the area. Furthermore, NPPG 14 – Natural Heritage states that proposals, which affect designated areas of international importance, should only be permitted where any significant adverse effects are clearly outweighed by social or economic benefits of national importance.

Certain elements of the proposal such as the walkway and tourist information centre on their own may be acceptable uses within the Green Belt. However, the applicant has stated that due to the financial viability of the project they wish the application to be assessed as a whole. The applicant has not provided supporting information demonstrating that the proposal as a whole complies or is a justifiable exception to the above criteria and it is therefore considered that the proposal is contrary to the aims of Circular 24/1985 and NPPG 14.
6.7(ii) Transportation

NLC Transportation Section has stated that the traffic information submitted is insufficient to allow the assessment of the traffic impact of the proposal. Therefore, the applicant has failed to demonstrate that the proposal's impact on the surrounding road network would be acceptable.

6.7(iii) Visual and Landscape Impact

The current use of the site as a farm with extensive glasshouse building coverage, containing commercial tomato growing operation, is considered as an appropriate use on a farm and within a greenbelt location. The visual impact of the existing glasshouses is acceptable in this context, and in particular within the Clyde valley. The site also lies within the ‘Incised River Valley’ landscape character type and is situated in a meander of the River Clyde, amongst broad-leaved woodland and within a designed landscape where Garrion Tower is an important landmark.

No comprehensive design details have been submitted as part of the application. It is therefore difficult to make a detailed assessment of the full visual impact of the proposal on the surrounding area and the Garrion Tower. However, based upon the information that has been submitted, it is possible to assess the visual impact of the proposal in principle. The proposal will introduce diverse elements and associated infrastructure, and it is likely that each will exhibit a strong visual presence, even if designed and built sensitively, which will alter and dominate an otherwise rural scene characterised by the small scale intimate settlements and buildings, and the river landscape. Furthermore, it is considered that the premise that the new build will have less visual impact than existing buildings as a reason for the proposal is not a justification in itself. It is therefore considered that given the nature, topography and location of the site, that the proposal in terms of land uses, scale and density is likely to exceed the carrying capacity of the local rural landscape and would visually contribute towards a cumulative degradation and erosion of the landscape quality and character of the area.

7. Overall Conclusions

The Town and Country Planning (Scotland) Act 1997, Section 25 requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. In conclusion, it is considered that the proposal constitutes a departure from the development plan and that no material considerations that would justify the departure has materialised during the assessment of the proposal. Furthermore, the applicant has not satisfactorily demonstrated that the proposal would not result in a significant adverse affect on the environment or that there are any other justifications for a departure from the development plan and other relevant policy documents for the area. Therefore, taking into account the Environmental Statement, the Development Plan and other material considerations, including representations, it is recommended this application be refused.
1. **Purpose of Report**

1.1 This report is to inform Members about the three recent Government publications and consultation responses received relating to this proposal, since the preparation of my original Committee Report.

2. **Background**

2.1 My original report on this application for a Tourist Initiative Development is attached. Following receipt of a fax from the applicant on 12th March 2003 in response to this report, members resolved at the Planning & Environment Committee held on 19th February 2003 to hold a site visit and hearing on this application. Late consultation responses were received on 10th and 12th of March from Historic Scotland and The Garden History Society. This supplementary report outlines the key points of the Government publications in relation to the application, and sets out the points made in the late consultations and includes my comments on the issues raised.

3. **Additional Information**

3.1 SPP3 Planning for Housing - States that good housing in the right locations makes an important contribution to achieving Scottish Executive policy objectives, by supporting economic competitiveness, social justice and sustainable development. New housing developments should make lasting and positive contribution to the environment and can also act as a catalyst for rural regeneration. It identifies that the key aims of the planning system are to seek to create sustainable, quality residential environments; guide development to the right places; and deliver an adequate supply of housing land through the Development Plan. New residential development must make effective use of resources, safeguard international and national natural heritage designations, minimise adverse effects on natural heritage, including landscape character and biodiversity, re-use previously developed land wherever possible, support the aim of reducing energy consumption, and be accessible by forms of transport other than private car.

Furthermore, it states that the Scottish Executive looks to planning authorities to maintain the effectiveness of existing green belts, safeguard the character and amenity of the countryside, and protect the setting of Scotland's towns and cities.
Comments

It is considered that the points raised by SPP3 Planning for Housing have been included in Section 6 - Planning Assessment of the main report attached. No further issues relevant to this planning application are raised by the policy document.

3.2 Planning Advice Note 38 Housing Land - Seeks to promote greater consistency and transparency in identifying housing land requirements, to encourage public and private sectors to develop long term views of provision, scale of requirements and location of housing development. It seeks to achieve this through the development plan process.

Comments

This publication does not have any implications for the assessment of this application.

3.3 Planning Advice Note 67 Housing Quality - Underlines the Scottish Executive commitment to using the planning system to create stability and certainty of land supply for housing. They identify it as an important factor in raising design standards in the house building industry. It identifies that the planning process should seek to ensure that development is planned and designed so that it contributes to achieving the goals of social justice, economic competitiveness and environmental quality, with an emphasis on sustainability. The planning and design of development - and of housing in particular - is one of the many factors that determine how far these qualities will be attained in a particular place and the design, quality and character of what is built will play a large part in shaping the future environment.

Furthermore it states that the planning process has an essential role to play in ensuring that the design of new housing reflects a full understanding of its context - in terms of both its physical location and market conditions, reinforces local and Scottish identity, and that new housing is integrated into the movement and settlement patterns of the wider area.

Comments

The applicant has previously stated that the overall strategy for the proposal is to create a well-balanced, sustainable land use, which sensitively integrates with the historic rural setting, and that the proposal will use traditional as well as modern materials and technology such as solar energy. The above claim and how the proposal integrates into the existing settlement pattern and its impact on the landscape and visual character of the area have been addressed in section 6 - Planning Assessment of the main report attached. However, the planning application is for Outline permission and therefore limited details have been submitted as part of this application. Planning Advice Note 67 would be of particular relevancy at detail stage, if outline planning permission is granted

4. Late Consultations

4.1 Following the submission of the main report to Committee, two consultations were received in response to the Further Information on the Landscape and Visual Impact Assessment. The responses are detailed below:-

Historic Scotland - state that the Further Information makes no difference to their early response.

The Garden History Society - welcome the creation of a riverside park. However, they refer to their previous concerns regarding the proposal's impact on the general rural character of the area and the setting of Garrion Tower, Dalsierf Village, and the historical planting, including the
Lime tree avenue. They note there may be development plan policy issues, but in this instance choose not to record an objection, although they state this should not be taken to mean they support the principle of development on the site. Furthermore they request that if the Planning Authority are of a mind to grant the application, that appropriate conditions are attached to protect the landscape and garden heritage.

5. Recommendations

5.1 I recommend refusal of the application for the reasons set out in my original report.

David M. Porch
DIRECTOR OF PLANNING AND ENVIRONMENT
(31st March 2003)

Local Government Access to Information Act: for further information about this report, please contact John Drugan, on (01698) 302 136.