

Application No: C/05/00290/OUT

Date Registered: 15th September 2005

Applicant: **Mr A. Watt**
Staylee Farm (off Hulks Road)
Riggend
Airdrie
Lanarkshire
ML6 7SS

Agent: Fouin & Bell Architects
3/2 Boroughloch Square
Edinburgh
EH8 9NJ

Development: **Formation of Country Park Including the Construction of 11 Dwellinghouses, Associated Buildings to Accommodate Rural Uses (e.g. Equestrian Centre and Ancillary Infrastructure Works)**

Location: **Staylee Farm (off Hulks Road)**
Riggend
Airdrie
Lanarkshire
ML6 7SS

Ward: 45 New Monklands West Councillor Sophia Coyle

Grid Reference: 277003 671114

File Reference: C/PL/GWH840/LM/LR

Site History: C/01/00247/FUL Conversion of Outbuildings to Form 3 No. Self-Contained Dwellinghouses Granted 16 August 2001

Development Plan: The site is covered by policy GB1 (Restrict Development in the Greenbelt), HG10 (Residential Development Outwith Residential Areas) and LI 1/1 (High Quality Landscape) in the Monklands District Local Plan 1991.

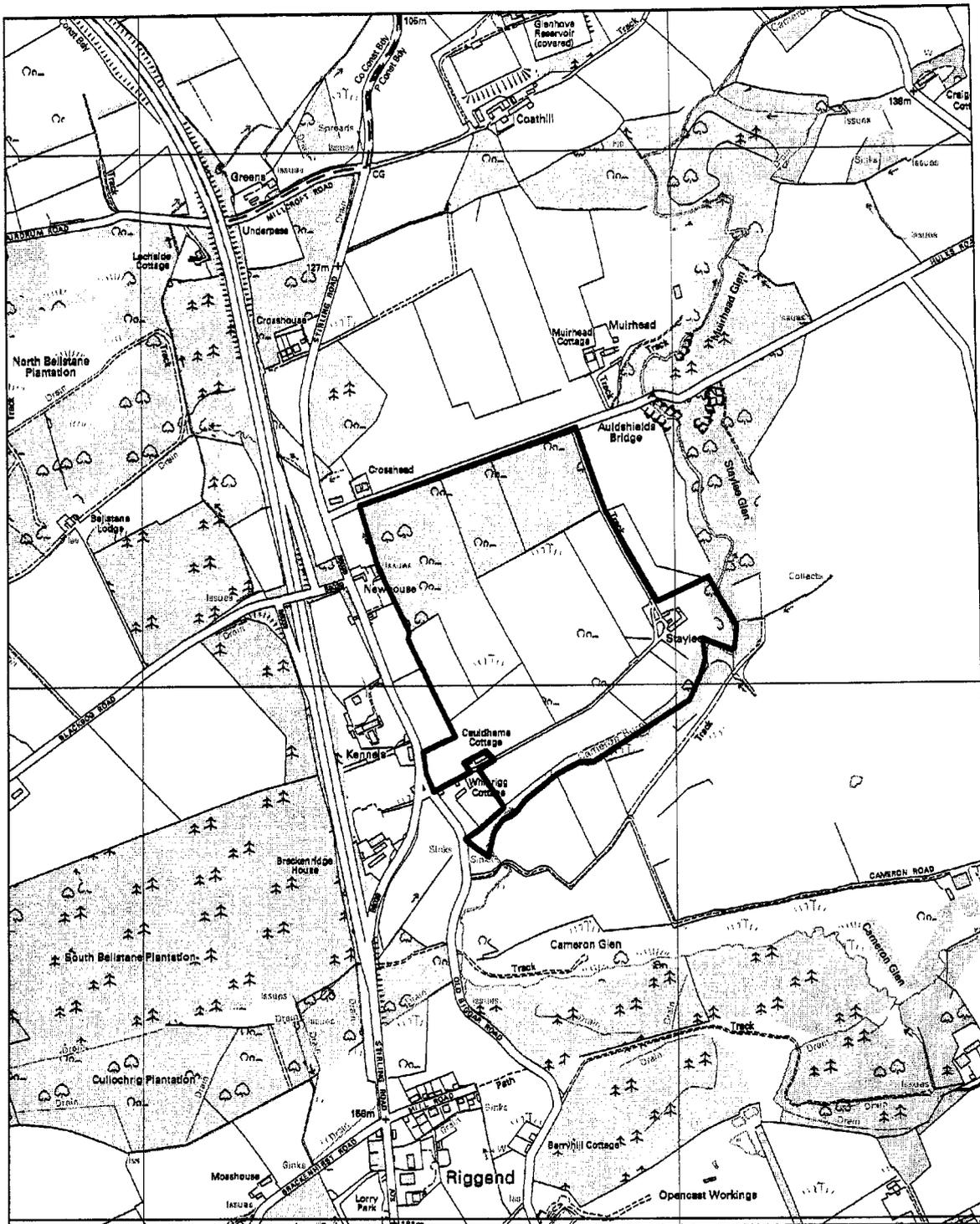
Contrary to Development Plan: Yes

Consultations:

NLC Community Services	(Comments)
Scottish Environment Protection Agency	(Comments)
Scottish Water	(No objection)
Health and Safety Executive	(No objection)
British Gas	(No objection)
Scottish Power	(No objection)
Central Scotland Forest Trust	(No objection)
West Of Scotland Archaeology Service	(Comments)
NLC Finance	(Comments)

Representations:

Newspaper Advertisement: Advertised on 28th September 2005



Planning Application No. C/05/00290/OUT

Formation of Country Park Including the Construction of 11 Dwellinghouses, Associated Buildings to Accommodate Rural Uses (e.g. Equestrian Centre and Ancillary Infrastructure Works)

Staylee Farm, (Off Hulks Road), Riggend, Airdrie

Site Area 27 HA

Produced by
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Recommendation: Refuse for the Following Reasons:-

1. That the proposed development is contrary to policy GB1 Restrict Development in the Greenbelt of the Monklands District Local Plan 1991 as the residential units proposed are not required for full time workers in connection with forestry or agriculture.
2. That the proposed development is contrary to policy GB1 Restrict Development in the Greenbelt of the Monklands District Local Plan 1991 as the viability of the proposed rural uses which are required to justify the proposed associated residential units has not been adequately supported by the submitted business plan.
3. That the proposed development is contrary to policy HG10 and the Development Control Guidance associated with policy GB1, 'New Houses in the Countryside' in the Monklands District Local Plan 1991 as there is no safe vehicular access. Both accesses to the site would be from de-restricted roads with no footways or street lighting and would have substandard visibility splays.
4. That the proposed development is contrary to the Glasgow and the Clyde Valley Joint Structure Plan 2000 (as altered) as it does not accord with Strategic Policy 9 (Assessment of Development Proposals) in that it fails the following criteria:
 - a) B(ii)b : Safeguarding the Glasgow and Clyde Valley Green belt
 - b) B(v) : Avoid isolated and sporadic development in the Green Belt and the wider countryside
 - c) C(i) : Infrastructure to make development acceptable.

The proposal is also not appropriate in terms of Strategic Policy 10 as the appellant has not demonstrated specific locational need (A.v) nor does the development allow for significant restoration of vacant or derelict land ((B.(iii).b)

Note to Committee

If granted, this application will have to be notified to the Scottish Ministers in accordance with the Town and Country Planning (Notifications of Applications) (Scotland) Direction 1997 because the proposed development constitutes a significant departure from the Glasgow and Clyde Valley Joint Structure Plan.

Background Papers:

Application form and plans received 24th February 2005
Monklands District Local Plan 1991

Memo from Transportation Section received 22nd May 2006
Memo from NLC Community Services received 24th October 2005
Letter from Scottish Environment Protection Agency received 21st October 2005
Letter from Scottish Water received 13th October 2005
Letter from Health and Safety Executive received 31st March 2005
Letter from British Gas received 5th October 2005
Letter from Scottish Power received 4th October 2005
Letter from Central Scotland Forest Trust received 10th October 2005
Letter from West Of Scotland Archaeology Service received 26th October 2005
Memo from NLC Finance received 17th November 2006

Any person wishing to inspect these documents should contact Ms Leigh Menzies at 01236 812372.

Date: 5 December 2006

APPLICATION NO. C/05/00290/OUT

REPORT

1. Description of Site and Proposal

- 1.1 This application is for the creation of a country park that would incorporate the creation of 11 dwellinghouses and associated buildings to accommodate a variety of rural uses. The application site covers approximately 27 hectares. A large proportion of the land was planted up in 1998 with support from Central Scotland Forrest Trust, these areas are now well developed. The remaining area is rough grassland with an existing farmhouse and steadings located at the east of the site. The farmland is Class 4 which is not considered prime agricultural land.
- 1.2 The application is for the creation of a country park, which initially would require the conversion of the existing steading into 3 units and the construction of an additional 5 dwellinghouses to create a courtyard. On completion of this it is proposed that the profits generated would then help to fund the creation of a visitor centre, 4 workshops and an equestrian centre, all with an associated dwellinghouse. The units would be located sporadically throughout the site and connected by a network of roads, paths and bridleways that would allow for nature pursuits. As the application is in outline no detailed proposals have been submitted in terms of the site layout, building types etc, as these matters would be considered at the reserved matters stage, should this application be successful. Notwithstanding this indicative details have been submitted indicating that the site would have two access points, one to the north east of the site off Hulks Road and the other south west at a junction of the B8039 and Old Biggar Road.
- 1.3 The applicant has indicated in the supporting statement that the live/work units would offer visitors a view of how the countryside operates and activities would include stables, plant centre, children's farm or fishery, craft workshops and a visitor centre providing the focal point for the park. It is proposed that the live/work units would be sold to interested parties and their restricted use written into title deeds and further controlled by a Section 75 agreement.
- 1.4 The supporting statement also highlights the following issues that should be considered:
- a) The development complies with national policy with regard to the following:
 - i) NPPG 1: promote regeneration; protect and enhance areas for recreation and natural heritage; encourage energy efficiency.
 - ii) NPPG2: encourage formation and expansion of small businesses; local plans to allocate sites for development of workshops attached to new housing.
 - iii) NPPG3: isolated development should be discouraged in the open countryside unless particular circumstances are clearly identified in development plans or are special needs.
 - iv) NPPG3 consult draft 2002: low impact housing eg. Houses incorporating workspace using innovative energy-efficient technologies with low impact on the environment may be acceptable where conventional buildings are not.
 - v) NPPG14: identify appropriate opportunities to improve public access for the purpose of enjoying our natural heritage.
 - vi) NPPG15: in areas where the quality agricultural land is low and the landscape degraded, councils should actively consider promoting in their development plans, innovative forms of substantial, low density, low impact housing and small scale economic developments.
 - b) The development meets the criteria set out in North Lanarkshire Communities Smallholdings Initiative in that it provides sustainable housing, on vacant, under used land on a marginal farm.

c) The development would enhance the environment and provide long term secure future to the area creating economic benefit to the local community

- 1.5 A further supporting statement was submitted in the form of a business plan that was compiled by the Scottish Agricultural College, indicating that the proposal would be loosely modelled on the lowland crofting concept, where degraded land was divided into a number of separate units each with consent for a dwellinghouse and the ability to start minor business activity in exchange for a proportion of the return given over for woodland or other environmental benefit. The report indicates that the market for a Country Park would attract its custom by displacement from other centres, with the potential annual visitor numbers in the order of 25,000 per year, but that these numbers are dependant on the quality and range of services.
- 1.6 In addition the business plan also highlights that there is a proven demand for rural living and low density housing with associated business uses within North Lanarkshire and together with the location of the development within the central belt, close to arterial routes, could be anticipated to make these developments attractive. However the restrictive nature of the covenants are likely to be a deterrent, but it is probably that the required number of partners could be found initially.
- 1.7 The report further states that due to the duplication of other such established developments within North Lanarkshire that there is concern that the location may not be strong enough to make the proposal successful.
- 1.8 Finally the business plan also looks at the financial viability of the site and concludes that once the proposed park is established it is likely to attract sufficient custom, and when operated at a basic level would provide a modest profit and living for the operator. However it is unlikely that there would be a sufficient profit to make a substantial financial contribution to the park. The combined effect of their presence within the park is important in attracting visitors and seen as essential to the overall success of the project.
- 1.9 Planning permission was granted in August 2001 (Ref:C/01/00247/FUL) for the conversion of outbuildings to form 3 self contained dwellinghouses. Work on this part of the development is already underway.

2. Development Plan

- 2.1 The site is zoned as GB1 Restrict Development in the Countryside and LI 1/1 High Quality Landscape in the Monklands District Local Plan 1991. The proposal is also assessed against the Design Guidance for 'New Houses in the Countryside' which is associated with policy HG10 HG10 (Residential Development Outwith Residential Areas).
- 2.2 The Glasgow and the Clyde Valley Joint Structure Plan 2000 is the appropriate strategic Development Plan. The proposed development is of strategic significance in that the proposal includes the creation of 11 dwellinghouses in the Greenbelt and Strategic Policy 9 (Assessment of Development Proposals) is relevant in the consideration of this application.

3. Consultations and Representations

- 3.1 Central Scotland Forrest Trust has no objections to this application and has indicated that they are broadly supportive of this type of application.
- 3.2 Scottish Water have indicated no objection to the development provided the appropriate permissions are received with regard to the connection to the public water system and the siting of a septic tank.

- 3.3 The Health & Safety Executive and British Gas were consulted due to the location of a high pressure gas main through the north west corner of the site. Both consultees indicated no objection to the development, whilst British Gas also stated in the normal manner that the various equipment and underground services within the site would require to be protected. The applicant would be advised of this should the application be approved.
- 3.4 West of Scotland Archaeology Service has indicated that the application site is located in an area of low archaeology potential. However due to the former uses of the land should any features of archaeological significance exist on the site that they may have survived. As such it has been requested that a condition be placed on any approval to ensure the carrying out of an assessment of the site prior to the commencement of works and that any recovery of archaeology within the site be recorded in the correct manner. Should the application be granted the appropriate condition would be included.
- 3.5 SEPA submitted the following comments:
- a) The foul drainage would required to be agreed with SEPA
 - b) A scheme of Sustainable Urban Drainage (SUDS) would require to be submitted
 - c) That any construction works associated with the development would require to ensure that no pollutants enter the adjacent water course
 - d) In relation to the proposed equestrian centre a separate SUDS scheme would be required and any solid waste must be collected, contained and disposed of in accordance with the associated guidance.
- 3.6 The Transportation Section recommended refusal of the application due to the road safety implications of the severely restricted visibility splays. The proposed development takes access onto the public road at two locations, the access to the south of the site is via a single track, unlit, rural road with no footways. The public road, Old Biggar Road is an unlit, rural road with no footways and is subject to the national speed limit. (60mph). The achievable junction visibility splay from the access road onto Old Biggar Road is nil in both directions. The required visibility splay is 4.5m x 215m. The access to the north is onto Hulks Road which is also an unlit, rural road with no footways and is subject to the national speed limit. (60mph). The achievable junction visibility splay from the access road onto Hulks Road is 4.5m x 6.0m (approx.) in both directions. The required visibility splay is 4.5m x 215m.
- 3.7 NLC Community Services has provided the following comments:
- a) In terms of landscaping it has been indicated that there is insufficient information provided by the application and that more details are required these include:
 - i) A contour map to show the proposed fit of the new buildings within the application site
 - ii) Full details of planting and construction details/materials for the arena & exercise area, footpaths and picnic areas
 - iii) An indication of other planned activities to justify the change of use to a countryside park
 - b) In terms of conservation and greening no objection has been indicated to the development provided that detailed information regarding certain conditions and recommendations are incorporated into the development, this includes species of planting to be used, survey to establish protected species within the site, incorporation of SUDS and further consultation on any proposed path network.
- 3.8 NLC Finance has provided comment on the viability of the development based on the supporting statements. The response highlighted that this type of development is highly competitive and needs continuous refinancing to keep visitors coming back. The reluctance of the report to provide costing for staff required for revenue raising, safety and security purposes suggests that the park will be run on a shoe string and leaves it vulnerable to legal claims, loss

of income and vandalism costs. In addition it is suggested that, even if all of the houses and craft businesses on the site are taken up the surpluses generated would be inadequate to maintain the present infrastructure with little or nothing to update facilities in the future. Related to this it has been indicated that some of the costing provided may not be a true representation, for example labour costs have been under estimated or not included. Furthermore the undeveloped area of the country park would be very small once the area required for land for the dwellings and businesses are taken into account, as well as such attractions as the fisheries sites.

- 3.9 Following the standard neighbour notification and advertisement in the local press no letters of representations were received.

4. Planning Assessment and Conclusions

- 4.1 Policy GB1 In the Monklands District Local Plan states that no development will be permitted except for; new houses for full time workers in Agriculture or Forestry; non residential developments in connection with Agriculture or Forestry and Uses requiring a rural location. In addition the related guidance 'New Houses in the Countryside' requires that some sort of track record is required for the proposed activity.

- 4.1 In assessing the application in relation to the structure plan it does not accord with Strategic Policy 9 (Assessment of Development Proposals) in that it fails the following criteria:

- d) B(ii)b : Safeguarding the Glasgow and Clyde Valley Green belt
- e) B(v) : Avoid isolated and sporadic development in the Green Belt and the wider countryside
- f) C(i) : Infrastructure to make development acceptable.

- 4.2 Departures from the Structure Plan are given further opportunity to demonstrate appropriateness in Strategic Policy 10 (Departures from the Structure Plan). However the proposal still fails to prove itself as acceptable when assessed against the criteria. In particular, the appellant has not demonstrated specific locational need (Criterion Av) and the development will not allow for the significant restoration of vacant or derelict land for restoration purposes (B(iii)b).

- 4.3 Policy HG10 (Residential Development Outwith Residential Areas) applies housing policy within the rural context. This policy states that development will not be permitted outwith residential areas unless it occurs in identified housing sites in the Local Plan, is a minor development in a Secondary Core Area, General Urban Area or is justified under policy GB1. The proposal is therefore contrary to policy HG10. Notwithstanding the above, the associated design guidance also requires that the site have an adequate vehicular access provided. For the reasons outlined in the following paragraphs 3.6 and 4.8 this could not be achieved.

- 4.4 It is considered that the comments provided by NLC Finance would indicate that the business plan provided on behalf of the applicant does not prove the projected profitability of the development.

- 4.5 In terms NLC Community Services comments it is considered that should the application be granted planning permission that the majority of these matters could be conditioned and adequately dealt with at the reserved matters stage. However in terms of the request for a survey of protected species this would require to be undertaken prior to the issuing of any planning consent. This survey has not previously been requested as it was considered that the cost of would be an unnecessary expense for the applicant should planning permission be refused on policy grounds.

- 4.6 With reference to the comments provided by SEPA the following should be noted:

- a) In terms of agreeing the foul drainage with SEPA this is a matter that requires to be undertaken by the applicant.
- b) With regard to SUDS, should the application be granted, this matter could be conditioned to be considered at the reserved matters stage.
- c) & d) With respect to both pollution at the construction stage and disposal of the waste from the equestrian centre, these are matters that are can be dealt with through more appropriate legislation.

4.7 Comments from the Transportation Section highlight road safety concerns and it is considered that the generation of additional traffic would be significant and detrimental to thw surrounding area and the ability of the visitors to the site to enter and exit in a safe manner.

4.8 The original supporting statement submitted highlights that the development complies with national policy, in this respect the following should be noted:

- a) In respect of the national policy outlined in the supporting statement the following should be noted:
 - i) In terms of NPPG1, which is superseded by SPP1, the policy looks to *'enable sustainable development through co-ordinated action, combining economic competitiveness and social justice with environmental quality and justice'*. It is considered that the proposed development has not provided suitably robust financial case that would ensure the viability of the to be sustained in the long-term.
 - ii) With regard to NPPG2, which has been superseded by SPP2, this policy also requires *'the planning system to provide support for...new and expanding businesses, where it is consistent with other national and local policies'*. It is considered that the development plan does not support this application due to the lack of a sound business plan for the development.
 - iii) and iv) A key aim of SPP3, which replaces NPPG3, is to bring *'forward sufficient land to meet the requirement of new dwellings.....the planning authority should encourage the creation of attractive, sustainable residential environments'*. Relating this to the proposed development there is concern regarding the security and maintenance of the country park which would have an effect on the long term attractiveness of the site for visitors. In addition in reference to the incorporation of buildings using innovative energy-efficient technologies with low impact on the environment no information has been provided indicating that this is a proposed design strategy for the development.
 - v) NPPG 14 requires that the local plan process *'identify appropriate opportunities to improve public access for the purposes of enjoying and learning about the natural heritage'*. It should be noted that although there is currently a process to review the local plan covering this area that no documents have yet been published and this application requires to be based on the current adopted document.
 - vi) SPP15, which supersedes NPPG15, this also policy also indicates that *'greenbelts will continue to presume against most new development and play a key role in maintaining the setting and separation of towns and cities. Any proposals to release land for development which is currently designated as green belt should be part of a longer term strategic settlement policy and set out in the development plan'*. As such it would be more appropriate to pursue any development of this nature through the development plan process and in particular the Local Plan. In addition to this the area is also zoned as policy LI 1 (Landscape Improvement) this promotes the protection of higher quality landscapes and improvement poorer ones, with the application site designated as being 'High Quality Landscape'.
- b) With regard to the North Lanarkshire Communities Smallholdings Initiative this was a pilot study that was carried out assessing the possibility of a lowland crofting within 4 broad areas within NLC boundaries, none of which covered the application site. Notwithstanding

the above, the pilot study concluded that the case for this type of development with NLC boundaries was not proven and that the initiative would not be pursued.

- c) In terms of the development enhancing the environment and providing long-term benefit to the local community it is considered that the supporting information does not adequately show the long-term viability of the site.

- 4.9 With regard to the submitted business plan it is considered that the conclusions provided within the applicant's report are less than conclusive, this is borne out by the comments received from the NLC Finance (paragraph 3.8 and 4.5). Therefore the report does not meet the policy GB1 requiring that an operational need be demonstrated.
- 4.10 Although the submission is only in outline at this stage the principle of this form of development on this site is not acceptable. In terms of the development the viability of the proposed uses in the short and long term have not been sufficiently proven in relation to the environmental enhancement and economic viability and it is therefore contrary to the development plan. With regard to road safety it is considered that the introduction of 25,000 visitors annually could have a detrimental impact on road safety should access to the site be taken from the points highlighted on the submitted plans.
- 4.11 In conclusion, having regard to the foregoing, it is considered that the development is contrary to the terms of the development plan and that there are no material planning considerations that would merit departing from those policies. The proposal is of a scale to be of strategic significance as it is a proposal for over 10 residential units outwith the identified Urban Expansion Areas and it is contrary to the aims of the Glasgow and Clyde Valley Structure Plan which seeks to control sporadic and isolated development in the Greenbelt. It is therefore recommended that planning permission be refused for the reasons detailed above. Should the Committee be minded to approve the proposal it will be referred to the Scottish Ministers for consideration.

NORTH LANARKSHIRE COUNCIL

SUPPLEMENTARY REPORT

To: PLANNING AND ENVIRONMENT COMMITTEE	Subject: Formation of Country Park including the Construction of 11 Dwellinghouses, Associated Buildings to Accommodate Rural Uses (e.g. Equestrian Centre and Ancillary Infrastructure Works) at Staylee Farm (off Hulks Road) Riggend, Airdrie
From: DIRECTOR OF PLANNING AND ENVIRONMENT	
Date: 14 February 2007	

1. Purpose of Report

- 1.1 The purpose of this report is to advise the Committee on the further information supplied by the applicant in support of the above planning application and to address the issues raised.

2. Background

- 2.1 The original report on this planning application was presented to Committee on 13 December 2006 and at the request of the applicant the Committee agreed to an extension of time of 2 months, to allow further information to be submitted in justification of the development which was recommended for refusal in the Director's report.
- 2.2 Following the aforementioned committee a letter was received from the Scottish Agricultural College (SAC) dated 18 December 2006. This letter indicated that, in preparing the previous reports that outlined the financial expectations, conservative estimates were made of the likely profitability of the business elements of the proposed park. It goes on to say that the report demonstrated that it was possible that the businesses could operate with a modest profit and there was no reason to assume that an acceptable level could not be achieved as there are numerous sustainable examples of the individual components within North Lanarkshire. In addition that the proposed park would work well collectively giving increased benefit.
- 2.3 In response to the comments from SAC it is not considered that the points raised provide any new factual information that could be given further consideration.
- 2.4 In addition Central Scotland Forest Trust (CSFT) have also reinforced their support of the application indicating that this development would provide a focal point for people out walking between Airdrie and Cumbernauld and would provide a more positive environmental change to the surrounding area now that other landfill and mining activities have passed. In addition CSFT believed that the country park would be a complementary initiative to a proposed education resource planned in the former Cameron Quarry located 400 metres to the south of the application site, which is currently subject to a feasibility study on funding and costs.
- 2.5 CSFT goes on to state that the development would be in line with the Lanarkshire Communities Smallholdings Initiative and it would have minimal impact on the surrounding environment in terms of landscape and infrastructure, which could be enhanced through the operation of a wood fuel heating system. However CSFT is concerned that the community benefit element of the proposed development requires to be protected, and that North Lanarkshire Council requires to ensure that, prior to any approval, this would be legally protected.
- 2.6 Regarding the comments from CSFT in terms of the positive environmental changes to the surrounding area it is considered that the current state of the application site itself is not in need of restoration and does not detract from the surrounding area. In addition the Lanarkshire Communities Smallholdings Initiative was a pilot study which found that a case was not proven within the

boundaries of NLC. The CSFT refer to a initiative within the area on adjacent land involving the development of an education resource at Cameron Glen, which the current proposal would compliment. However it is considered that as the Quarry is only in the very early stages of development, and is dependant on funding bids which are not guaranteed, that planning permission based on this element would be premature.

- 2.7 In terms of the issue raised regarding minimal impact on the surrounding area, it is agreed that visually this could be achieved through appropriate design, however in terms of traffic implications it is considered that this would have a detrimental impact on the surrounding area with projected visitor numbers which could reach in the order of 25,000 if the development proved successful. Finally in relation to the issue of the long term viability of the development it is not considered that enough information has been provided by the applicant to satisfy the Planning Authority that this could be achieved to an acceptable level.
- 2.8 In addition, a letter was also received from the Forestry Commission indicating that they would not object to any such proposals. The letter goes on to indicate that should the development enhance accessibility and the attractiveness of the surrounding area this would be a bonus. However the letter raises concerns regarding the lack of pathways shown within the proposed development site.
- 2.9 In response to the above in terms of the lack of footpaths within the development it should be noted that this application is only in outline and any approval could be conditioned to address this issue. However in terms of the level of support the Forestry Commission only indicates that it would not object to the proposal.
- 2.10 Finally, a further supporting letter was also received from Score Environmental which has links to the Landfill Communities Trust. This letter indicated that '*it should be possible in principle*' for funding to be granted to such a proposal however this was on the basis that the development was not solely a commercial endeavour and that a 'trust' would be created to manage the park.
- 2.11 In response to this it is considered that although Score Environment would appear to have provided positive support for the development, is unclear how much financial assistance would be available and what sort of 'trust' arrangement would be required in order to qualify.

3. Recommendation

- 3.1 It is considered, having regard to the points raised, that there are no substantive new issues that would alter the original recommendation for the refusal of the application.



David M. Porch
DIRECTOR OF PLANNING AND ENVIRONMENT
(5 February 2007)

Local Government Access to Information Act:
For further information about this report, please contact Leigh Menzies on 01236 812372.

Background Papers:

Letter from Scottish Agricultural College dated 18 December 2006
Letter from Score Environmental dated 29 January 2007
Letter from Central Scotland Forest Trust dated 30 January 2007
Letter from Forestry Commission dated 31 January 2007