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| <b>Report To:</b>       | <b>The Planning Board</b>  | <b>Date:</b>       | <b>1st April 2009</b>            |
| <b>Report By:</b>       | <b>Head of Planning and Housing</b>  | <b>Report No:</b>  | <b>09/0027/IC<br/>Plan 04/09</b> |
| <b>Contact Officer:</b> | <b>Jane Shields</b>  | <b>Contact No:</b> | <b>01475 712423</b>              |
| <b>Subject:</b>         | <b>Single storey 2 bedroom dwellinghouse at<br/>Clachers Farm<br/>Auchenfoil Road<br/>Kilmacolm<br/>PA13 4TH</b> |                    |                                  |

## SITE DESCRIPTION

The application site is a field which is part of the steading at Clachers Farm. The steading comprises of a dwellinghouse and garden grounds, a large shed (predominantly used for stabling horses and equipment storage) and two fields. The steading is not part of a working farm.

## PROPOSAL

It is proposed to erect a single storey two bedroomed house to be occupied by the applicant. The external finishes are indicated as white render, dark grey slates or tiles, with upvc window frames. An area of hardstanding for parking has been indicated within the site, with a paved path for wheelchair access. Two small solar panels are indicated at roof level. The submitted plans also indicate a passing place to be constructed adjacent to the public road on land owned by the applicant's family.

The applicant, who is registered disabled, currently operates her business, known as "Wee Furies", from Clachers Farm. The business provides day boarding for dogs and boarding for other small animals and has been supported by The Prince's Scottish Youth Business Trust (PSYBT). The applicant requires to be based at Clachers Farm to run her business and the house is required to enable the applicant to live independantly from her parents.

## LOCAL PLAN POLICIES

Local Plan Policy H4 - Proposals for Development in the Green Belt and Countryside

Proposals for new dwellings in the 'Green Belt' and 'Countryside' identified on the Proposals Map, will be supported only if the proposed development is for a single or small group of dwellings, falls within one of the following categories and is acceptable with reference to the Planning Practice Advice Note No. 5 regarding detailed guidance in relation to siting and design:

- (a) demolition and replacement of existing occupied dwelling houses which cannot otherwise be brought up to modern standards and where the new building reflects the scale and character of the existing one to be replaced; or
- (b) the conversion of existing buildings (see also Policy H18); or
- (c) justified by the operational needs of farms or other businesses or activities which are inherently rural in nature and where they will be located adjacent to those businesses or activities (the applicant will be required to enter into Section 75 Agreements regarding occupancy criteria) (See also Policy H19); or
- (d) the sub-division of an existing dwelling house (or houses) for the provision of one or more additional units where any new build element is clearly ancillary to the overall finished building; or
- (e) the re-use or redevelopment of large redundant institutions (see also Policy H17); or
- (f) is part of an integrated project with significant employment and/or economic benefits which is in accordance with other policies of the Local Plan and where the Council is satisfied that the housing is essential to ensure the implementation of the whole development and that such considerations are of sufficient weight to merit the Council's support.

#### Local Plan Policy DS8 - Green Belt

There is a presumption against development in the designated Green Belt, as identified on the Proposals Map. Proposals will only be considered favourably in exceptional or mitigating circumstances and where the criteria for development in Policy DS10 for the 'Countryside' can be satisfied.

#### Local Plan Policy DS10 - Countryside

Development within the countryside (including the Green Belt) will be permitted only where it can be supported with reference to the following criteria:

- (a) it is required for the purposes of agriculture and forestry;
- (b) it is a recreation, leisure or tourism proposal which is appropriate for the countryside and contributes to the social and economic development of the area;
- (c) there is a specific locational requirement for the use and it cannot be accommodated on an alternative site;
- (d) it entails appropriate re-use of vacant buildings which it would be desirable to retain for their historic or architectural character; or
- (e) it forms part of an establishment or institution standing in extensive grounds; and
- (f) it does not adversely impact on the landscape character;
- (g) it does not adversely impact on the natural heritage resource;
- (h) it does not adversely affect the visual amenity of the area and is capable of satisfactory mitigation;
- (i) there is a need for additional land for development purposes, provided it takes account of the requirements of the Structure Plan; and
- (j) it complies with other relevant Local Plan policies.

PPAN5 - Design and Siting of Houses in the Countryside applies.

## CONSULTATIONS

**Head Of Environmental Services** - The site is served by a public road adopted by this service. Access should be taken via a footway crossover constructed in accordance with the Council's

Roads Development Guide. All site surface water run off to be intercepted within the development, maximum driveway gradient should not exceed 10%. A minimum driveway of 2.0 metres from the roads boundary to be constructed in impervious material. The applicant has indicated the intention to construct a passing place. Section 56 permission will be required from this service to carry out the works in the public road. Engineering drawings indicating the works in the public road should be submitted and approved before any works are carried out.

**Head Of Safer Communities** - If any suspected contaminated land or made ground is encountered then the Contaminated Land Officer must be notified immediately. Further assessment may then be necessary.

## **PUBLICITY**

The application was advertised in the Paisley & Renfrew Gazette on 11th February 2009 as a Potential Departure from the Local Plan

## **SITE NOTICES**

The nature of the proposal did not require a site notice.

## **PUBLIC PARTICIPATION**

The proposals were the subject of neighbour notification and press advertisement. No representations have been received.

## **ASSESSMENT**

The material considerations in the assessment of this application are the Development Plan, Planning Practice Advice Notes No5 and the consultation responses.

Located within the Green Belt, it is firstly appropriate to assess whether the principle of a house is acceptable. In this regard, Policy DS8 refers to the criteria listed in Policy DS10. I consider the relevant criteria to be:

- (c) there is a specific locational requirement for the use and it cannot be accommodated on an alternative site;
- (f) it does not adversely impact on the landscape character;
- (g) it does not adversely impact on the natural heritage resource;
- (h) it does not adversely affect the visual amenity of the area and is capable of satisfactory mitigation;

The specific locational requirement has been explained earlier in this report. In this respect the proposal also meets the criteria under Policy H4 as being required for a business of an inherent rural nature. The proposed house will be located across the road from the existing house at Clachers Farm, where it will be viewed as part of a group of buildings, set in the landscape, with existing trees and higher ground providing a backdrop. It will not adversely impact on the landscape character or the natural heritage resource. It will not in my opinion adversely affect the visual amenity of the area. The design and external appearance of the proposed house accords with the guidance contained in PPAN No5. I am satisfied, therefore, that a house may be justified in this location without prejudice to Green Belt principles or the rural environment and complies with policies H4, DS8, DS10 and PPAN5. I note the general requirement for new housing to be the subject of a Section 75 Agreement.

## RECOMMENDATION

That subject to the applicant entering into a Section 75 Agreement under the Town and Country Planning (Scotland) Act 1997 restricting the occupancy of the house to a person(s) solely or mainly employed or last employed in the rural based business at Clachers, or a dependant of such a person residing with him or her or a widow/widower of such a person, planning permission should be granted subject to conditions

### Conditions

1. That the development to which this permission relates must be begun within five years from the date of this permission.
2. That samples of all facing and roofing materials shall be submitted to and approved in writing by the Planning Authority prior to the use of any of these materials.
3. That prior to work commencing a scheme of hard and soft landscaping shall be submitted to and approved in writing by the Planning Authority. The scheme shall include:
  - a. the height and design of all new walls, fences and gates.
  - b. external finish to the parking area and pathway.
  - c. soft landscaping works to include the schedules of plants/trees to comprise species, sizes and proposed numbers/density.
  - d. programme for completion and subsesequent maintenance.
4. All site surface water run off shall be intercepted within the site.
5. The maximum driveway gradient shall be 10% and a minimum driveway distance of 2.0 metres from the roads boundary shall be constructed in impervious material.
6. Full details of the proposed passing place shall be submitted to and approved in writing by the Planning Authority, and thereafter implemented prior to the occupation of the house herein approved.
7. If any suspect contaminated land or made ground is encountered then the Contaminated land Officer must be notified immediately. Further assessment may then be necessary.

### Reasons

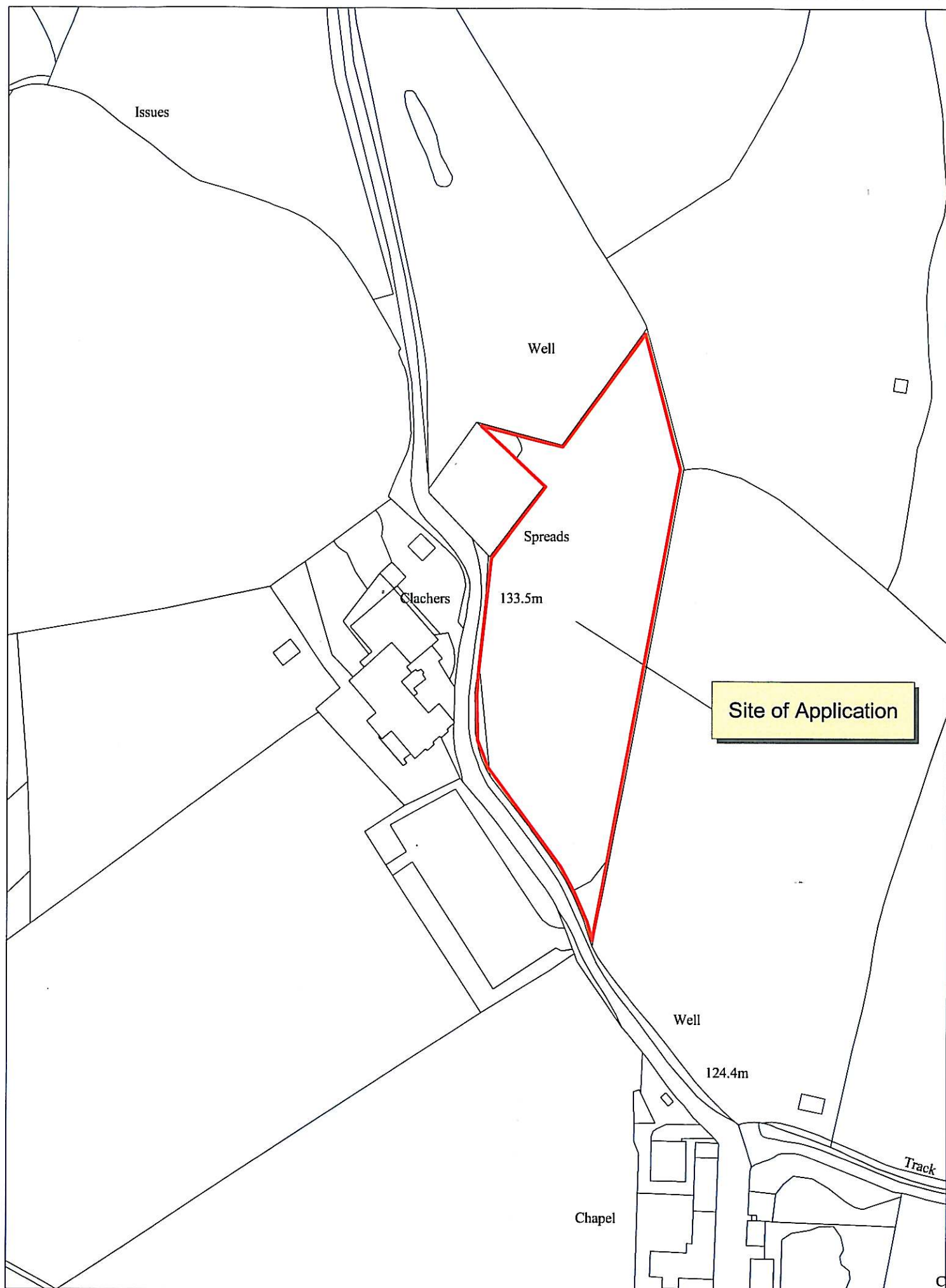
1. To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
2. To ensure that the materials are appropriate for the location.
3. To ensure the provision of an acceptable setting for the new dwelling.

4. To prevent water running onto the public road.
5. In the interests of public safety on the road.
6. In the interests of public safety on the road.
7. To ensure that any contaminated land is dealt with in the appropriate manner.

F. K WILLIAMSON  
Head of Planning and Housing

#### BACKGROUND PAPERS

1. Application Form.
2. Application Plans.
3. Consultation Responses.
4. Inverclyde Local Plan.
5. Planning Practice Advice Note No 5.
6. Letter of support from applicant's family.
7. Letter of support from applicant's lawyer.



Date: 12:03:09

Drawn: JML Drg. No. 09/0027/IC



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