



APPLICATION 13/00361/PPP FOR PLANNING PERMISSION IN PRINCIPLE FOR THE ERECTION OF DWELLINGHOUSE AT HUNTLY COT FARM, GOREBRIDGE

Report by Head of Planning and Development

1 SUMMARY OF APPLICATION AND RECOMMENDED DECISION

- 1.1** The application is for planning permission in principle for the erection of a dwellinghouse, to be occupied by an agricultural worker, at land at Huntly Cot Farm, Gorebridge. There has been no letters of representation and no consultations were required. The relevant development plan policies are RP1, RP6 and DP1 of the Midlothian Local Plan and policy ENV3 of the Edinburgh and the Lothians Structure Plan 2015. The recommendation is to grant planning permission subject to conditions.

2 LOCATION AND SITE DESCRIPTION

- 2.1** The application site is an area of land located within Huntly Cot Farm, approximately 600 metres from the farmhouse. The site is bounded by fir trees to the north east and south west and a stone wall to the north west.
- 2.2** The site and surrounding area is located within the countryside in a relatively remote location to the south of the county. Gladhouse Reservoir is to the north of the site and the Huntly Cot Hills are to the south. Huntly Cot Farm is predominantly a livestock farm comprising sheep and cows with supplementary game bird shooting.

3 PROPOSAL

- 3.1** The application is for planning permission in principle for the erection of a dwellinghouse. As the application is in principle, there are no details of the design, however an indicative siting and footprint is shown on the site plan.
- 3.2** The applicant has confirmed that the house will be provided for the occupation of a person primarily employed in the furtherance of a countryside activity. A previous grant of planning permission provides justification for the house in terms of it being required for a gamekeeper working on the farm.

4 BACKGROUND

- 4.1 Planning application 08/00537/OUT, for the erection of a dwellinghouse for an agricultural worker was granted in 2009 subject to a legal agreement securing the occupation of the approved house by a person primarily employed in the furtherance of a countryside activity. This permission has not been implemented and has now expired.
- 4.2 Planning application 02/00715/OUT, for erection of gamekeeper's cottage on land to the south west of the current application site was withdrawn in 2008 following the grant of planning permission 08/00537/OUT.
- 4.3 Planning application 142/92/FUL, for the change of use of an agricultural building to a dwellinghouse to be occupied by an agricultural worker was granted in 1992 subject to a legal agreement tying the house and adjoining outbuilding to the land. This consent has been implemented.
- 4.4 The applicant is a Midlothian Council Member and the Council's scheme of delegation requires applications which are submitted by a member of the Planning Authority to be considered by the Planning Committee.

5 CONSULTATIONS

- 5.1 No consultations were required.

6 REPRESENTATIONS

- 6.1 No representations have been received in connection with this application.

7 PLANNING POLICY

- 7.1 The development plan is comprised of the Edinburgh and the Lothians Structure Plan 2015, approved in June 2004, and the Midlothian Local Plan, adopted in December 2008. The following policies are relevant to the proposal:
- 7.2 Edinburgh and the Lothians Structure Plan 2015 Policy **ENV3: Development in the Countryside** states that this will be allowed where there is an operational requirement for such a location that cannot be met on a site within an urban area and is compatible with the rural character of the area. Such development should be well integrated into the rural landscape; reflect its character and the quality of place; and does not result in a significant loss of prime quality agricultural land;

- 7.3 Midlothian Local Plan Policy **RP1: Protection of the Countryside** states that development in the countryside will only be permitted if: it is required for the furtherance of agriculture, including farm related diversification, horticulture, forestry, countryside recreation, tourism, or waste disposal (where this is shown to be essential as a method of site restoration); it is within a designated non-conforming use in the Green Belt; or it accords with policy DP1;
- 7.4 Midlothian Local Plan Policy **RP6: Areas of Great Landscape Value** which advises that development will not be permitted where it may adversely affect the special scenic qualities and integrity of the Areas of Great Landscape Value; and
- 7.5 Midlothian Local Plan Policy **DP1: Development in the Countryside** relates to new houses in the countryside. In terms of single houses, these will be permitted only when they can be demonstrated to be required for the furtherance of an established countryside activity. Applicants will be required to show that the need for the new dwelling is permanent; cannot be met within an existing settlement; and that the occupier of the property will be employed full time in the countryside activity being furthered by the provision of the new house. The applicant will be expected to demonstrate the long-term need for the proposed house by submitting an independent report on the viability of the associated business and its operational requirements. In approving the new house, it will be required that it will be subject to an occupancy condition and/or legal agreement. This will relate to the employment of the occupiers of the house and tie the new dwelling to the landholding associated with the activity in question. Any new house shall fit in the landscape and be of a character appropriate to the area; be capable of being served by an adequate and appropriate access; be capable of being provided with drainage and a public water supply at reasonable cost or an alternative private water supply, and avoiding unacceptable discharge to watercourses; be no larger in size than required to fulfil the purpose for which the development has been allowed; and incorporate sustainable building design.

8 PLANNING ISSUES

- 8.1 The main planning issue to be considered in determining this application is whether the proposal complies with development plan policies unless material planning considerations indicate otherwise.
- 8.2 Development plan policies restrict the erection of new houses within the countryside unless it is demonstrated that they are required for the furtherance of an established countryside activity.

- 8.3 The previous grant of planning permission (08/00537/OUT) provides justification for a house in support of the development of the gamekeeping activities on the farm. In 2008 it was accepted that a gamekeeper was required to live on site to operate the business successfully and that this accommodation could not be located within the existing farm buildings. The current application is a resubmission of application 08/00537/OUT and there has been no significant change in development plan policy or any material consideration which outweighs the presumption in favour of the development. The legal planning agreement signed to accompany planning application 08/00537/OUT will remain in force.
- 8.4 As the application is for planning permission in principal, there are no details of the proposed house in terms of its design and form. The site is located within the countryside on an elevated area of land on the Huntly Cot Hills, within an Area of Great Landscape Value. Careful consideration should be given to the design, position and materials of the house to ensure it does not adversely affect the character and appearance of this sensitive area. Due to its location, natural materials and a traditional design would be appropriate.

9 RECOMMENDATION

- 9.1 That planning permission be granted for the following reason:

The principle of the proposed development complies with Midlothian Local Plan policies RP1 and DP1. Conditions can be attached to this consent to ensure there is no detrimental impact on the surrounding Area of Great Landscape Value and to ensure compliance with policy RP6.

Subject to the following conditions:

1. The dwellinghouse hereby approved shall be occupied by a person primarily employed in the furtherance of the countryside activities of the land to the south of the site, shown in blue on approved plan HC-NH011, together with the family members of such persons residing with him or by the widow or widower or such person or persons.

Reason: *The requirement for a countryside worker on site was part of the justification for the approval of the development; to ensure that the house is linked to the related countryside activities.*

2. Development shall not begin until an application for approval of matters specified in conditions for a scheme of hard and soft landscaping works has been submitted to and approved in writing by the planning authority. Details of the scheme shall include:

- i existing and finished ground levels and floor levels for all buildings and roads in relation to a fixed datum;
- ii existing trees, landscaping features and vegetation to be retained; removed, protected during development and in the case of damage, restored;
- iii proposed new planting, including trees, shrubs, hedging and grassed areas;
- iv location and design of any proposed walls, fences and gates, including those surrounding bin stores or any other ancillary structures;
- v schedule of plants to comprise species, plant sizes and proposed numbers/density;
- vi programme for completion and subsequent maintenance of all soft and hard landscaping. The landscaping in the open spaces shall be completed prior to the houses on adjoining plots are occupied;
- vii drainage details and sustainable urban drainage systems to manage water runoff; and
- viii proposed car park configuration and surfacing.

All hard and soft landscaping shall be carried out in accordance with the scheme approved in writing by the planning authority as the programme for completion and subsequent maintenance (vi). Thereafter any trees or shrubs removed, dying, becoming seriously diseased or damaged within five years of planting shall be replaced in the following planting season by trees/shrubs of a similar species to those originally required.

Reason: *To ensure the quality of the development is enhanced by landscaping to reflect its setting in accordance with policies RP1 and DP1 of the Midlothian Local Plan and national planning guidance and advice.*

3. Development shall not begin until an application for approval of matters specified in conditions for the siting, design and external appearance of the dwellinghouse and other structures has been submitted to and approved in writing by the planning authority. The dwellinghouse shall be on a maximum of two levels with any accommodation on the first floor being wholly within the roofspace and comprise natural slate roof tiles and natural stone or wet-dash render walling. The application shall include samples of materials to be used on external surfaces of the buildings; hard ground cover surfaces; means of enclosure and ancillary structures. Development shall thereafter be carried out using the approved materials or such alternatives as may be agreed in writing with the planning authority.

Reason: *To ensure the quality of the development is enhanced by the use of quality materials to reflect its setting in accordance with policies RP1 and DP1 of the Midlothian Local Plan and national planning guidance and advice.*

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Date: 20 August 2013

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Validation Date: 14 May 2013
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Background Papers: 08/00537/OUT (Available online)