



Delegated Report

Report of Handling

Application Number:	2016/0096/DET
Location:	Oakwoods Farm Croftamie Stirling G63 0EX
Proposal:	Erection of dwellinghouse
Case Officer:	Julie Gray
Target Decision Date:	21 May 2016
Decision Level:	Delegated Decision

1.	Introduction:
	<p>The application site is undeveloped ground within the countryside set on a hill to the south side of the A811 approximately 1.8km south west of Drymen. The wider land ownership of the applicant comprises a detached dwelling house known as 'Oakwoods' and holiday let business comprising 4 self-catering chalets, all located directly adjacent to the A811 and associated land of approximately 30 hectares.</p> <p>Permission is sought for the erection of a detached dwelling house located approximately 200m south west of 'Oakwoods'.</p> <p>The covering letter, supporting statement and planning application form note that the proposed house would be for managers accommodation, however, the contents of the covering letter and supporting statement outline the proposal is for a retirement house with the daughter of the applicant taking over the management of the business. The proposal is therefore assessed as a retirement property.</p> <p>The key consideration is the principle of the development.</p>
2.	Relevant Planning History
	<p>97/00223/OUT/S -Approve with Conditions -19 September 1997 Proposed demolition of part of shed and erection of two holiday chalets</p> <p>98/00043/REM/S -Approve with Conditions -7 May 1998 Erection of two holiday chalets involving demolition of existing cattle shed</p> <p>2002/0137/DET -Approve with Conditions -22 January 2004 Proposed erection of two holiday chalets</p>

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	2008/0238/NAG -No Objections -24 August 2009 Erection of steel sheeted agricultural building as holding area for farm stock and store winter feed.
3.	Policy Context
	<p><u>National Park Aims</u></p> <p>The four statutory aims of the National Park are a material planning consideration. These are set out in Section 1 of the National Parks (Scotland) Act 2000 and are:</p> <ul style="list-style-type: none"> (a) to conserve and enhance the natural and cultural heritage of the area, (b) to promote sustainable use of the natural resources of the area, (c) to promote the understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public and (d) to promote sustainable economic and social development of the area's communities. <p><u>National Park Local Plan (Adopted 2011)</u> Relevant Policies: HOUS5 Housing in the Countryside L1 Conserving and Enhancing the Diversity and Quality of the Park's Landscapes D1 Design Quality SUSDEV 1 Sustainable Development ENV11 Connection to Sewerage and Water Supply ENV 12 Surface Water Drainage</p> <p><u>Other Material Considerations</u></p> <p><u>National Park Partnership Plan (2012-2017)</u> Relevant Policies:</p> <ul style="list-style-type: none"> • RD Policy 1: Sustaining our Population • RD Policy 3: Rural Economy • RD Policy 7: Sustainable Design and Construction <p><u>Proposed Local Development Plan (2015)</u> The final consultation period for the Proposed Local Development Plan closed on 29 June 2015. The Proposed Local Development Plan was submitted to Scottish Ministers on 09 December 2015 to request an examination of unresolved representations. The Examination formally commenced on 04 February 2016. The Reporter will submit a report of their examination to the planning authority, containing their conclusions and recommendations on each issue and any modifications to the plan. In the interim, the Proposed Local Development Plan is a material consideration in the assessment of planning applications and the amount and type of representations are key considerations in determining the weight given to each policy or proposal. Relevant Policies:</p> <ul style="list-style-type: none"> • OP1 Strategic Principles • OP2 Development Requirements • H2d) Location and types of new housing required – countryside • TP3 Transport Impact Assessment and Design Standards of New Development • NE12 Surface Water and Waste Water management
4.	Consultations
	None
5.	Summary of Representations
	None

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6. Summary of Supporting Information	
<p>Supporting Statement outlining the background and justification for the proposal and the design concept of the building.</p> <p><u>Background</u></p> <ul style="list-style-type: none"> • Oakwoods Farm diversified away from the rearing of beef cattle into tourism accommodation in the 1990's. This was in part due to the BSE crisis. • Mrs Martin had previously operated a bed and breakfast from the existing house therefore they invested in a long term plan for holiday letting lodges. Four lodges are now on site. • Three generations of the family are involved in the running of the business which involves dealing with arrivals, departures, admin, cleaning and maintenance. <p><u>Proposal</u></p> <ul style="list-style-type: none"> • The applicant's daughter will take over running of the business as manager and will occupy the existing house. • The proposed new house will be close by to allow the applicant to be on hand to assist in the business. • The applicant will re-introduce a small herd of cattle (15-20) and sheep (20+) to the land and uptake a small scale farming operation. <p><u>Design and sustainability</u></p> <ul style="list-style-type: none"> • Proposed house has been designed taking into consideration the rural location, it is single storey and sighted to be discrete behind an existing bund and with a backdrop of woodland. • The building has been positioned to benefit from solar gain and will be insulated in accordance with current building standards. It would be 100% draught-proofed. • The primary heating source would be a wood burning stove. 	
7. Planning Assessment	
<p><u>Principle</u> The application site is within the countryside; the principle of development is therefore assessed against policy HOUS5 'Housing in the Countryside' of the Adopted Local Plan.</p> <p>Policy HOUS5 states that '<i>single houses in the countryside will be supported where demonstrated as necessary in connection with the operation of an established rural business or newly formed croft and where this necessitates a countryside location and full time presence on site. Exceptionally, support may be given to a new house where this would meet the housing needs of a household that is retiring from working in an established rural business and where there is a long established link between that household and the wider rural area.</i>' The proposed dwelling house would therefore have to meet these requirements.</p> <p>In considering the above, it must be determined if the proposed retirement home reasonably fulfils the above tests and if sufficient justification has been provided to justify an exception.</p> <p>The applicant has operated the holiday let business on site for over 20 years and lived in 'Oakwoods' adjacent to the holiday chalets. The applicant intends to step back from the running of the holiday let business and pursue a small farming operation on the 30 hectares at the site. The applicant's daughter would then live in 'Oakwoods' and take over the operation of the holiday let business with the support of the applicant who would remain nearby on site. The holiday let business comprises 4 chalets.</p> <p>The applicants supporting statement outlines that a full time onsite presence is required for check in/out, cleaning and maintenance of the holiday chalets. This presence is currently provided by Oakwoods, however it is increasingly prevalent that self-catering holiday lets can be, and often are, operated remotely from the site. The site is in reasonable proximity and travelling distance to nearby settlements; namely Croftamie, Gartocharn, Drymen and Balloch. The chalet offering is small scale (4 units) and it is not considered that an additional full time presence on site is required.</p> <p>Policy HOUS5 does allow for exceptions in the case of a house which would meet the needs of a household retiring from an established rural business and where there is a long established link with the</p>	

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area. Whilst the applicant is semi-retiring (and it is accepted has a long established link with the area), the modest scale of the existing chalet business would indicate that a retirement would not necessarily require the development of a further house at the site. As described above, bookings can potentially be managed remotely and the applicant could therefore retire in the current house (Oakwoods). On balance it is concluded that an exception cannot be justified on the basis of the case as presented for a retirement property.

The supporting statement also outlines that it is the applicant's intention to pursue a small scale farming operation on the site. The applicant has previously farmed the land and wishes to return to this type of work. As this is not, however, an established business at the time of considering this application, it cannot be considered as a material justification in support of the application. The proposed farming may not, in any case, necessitate an onsite presence.

Having considered the above, the proposal does not comply with Adopted Local Plan policy HOUS5. Although the chalet business is accepted to be an established rural business, it is of a scale and nature which does not justify a full time presence on site. Sufficient justification necessitating an onsite presence has not been presented that would otherwise influence this assessment. There is an existing house at the site which the applicant could continue to occupy and retire in; the operation of the modest scale holiday rental business could be managed remote from the site. An exception to policy HOUS5 for a retirement house would therefore not apply in this case.

It is further noted that the scale of the proposed house is that of a family home rather than what would be expected for a retirement home.

Taking the Proposed Local Development Plan into account, Housing Policy 2d)' Countryside' does not raise any new policy considerations relative to the proposed development.

It is recommended that planning permission be refused for the reasons as set out below.

Recommendation: Refuse

Reason for Refusal

1. The proposal does not comply with policy HOUS5 of the Adopted Local Plan. Insufficient justification has been presented to support an exceptional grant of permission for an additional dwelling to serve as a retirement home. Although the chalet business is accepted to be an established rural business, it is not of a scale and nature which necessarily demands a full time presence on site and could therefore be managed remotely. There is an existing house at the site which the applicant could continue to occupy and retire in. An exception to policy HOUS5 for a retirement house is therefore not justified in this case.

List of Refused Plans

Title	Reference	Date Received
Location Plan	LOC	22/03/16
Location Plan/Site Plan	01 A	22/03/16
Proposed Floor Plans	02 C	22/03/16
Proposed Elevations	03	22/03/16

Informatives

None

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Signed: Julie Gray
Development Management Planner

Dated: 12.05.16

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