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Decision by David Liddell, a Reporter appointed by the Scottish Ministers

- Planning appeal reference: PPA-320-2120
- Site address: Ramoan Farm, Coatbridge Road, Glenboig, Coatbridge, ML5 2PU
- Appeal by Intelligent Land Investments Ltd against the decision by North Lanarkshire Council
- Application for planning permission in principle 16/02092/PPP dated 31 October 2016 refused by notice dated 27 July 2017
- The development proposed: Residential Development With Ancillary Recreational Open Space And Landscaping
- Date of site visit by Reporter: 19 December 2017

Date of appeal decision: 28 February 2018

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## Decision

I dismiss the appeal and refuse planning permission in principle.

## Preliminary Matter

The appellant claimed an award against the council for its expenses in making this appeal. I issue a separate decision notice in respect of that claim.

## Reasoning

1. The appeal site comprises agricultural land lying to the southeast of Glenboig, separated from the main part of the village by railway lines (converging at the northern point of the site) which run along the western site boundary. The site wraps around the northern, western and southern edges of Ramoan, a small hilltop outlier of the settlement, consisting mainly of what appear to be mid-20<sup>th</sup> century local authority-built housing. Further agricultural land lies beyond the hedgerow on the southern boundary of the site.
2. I am required to determine this appeal in accordance with the development plan, unless material considerations indicate otherwise. The development plan comprises the North Lanarkshire Local Plan and the Clydeplan strategic development plan.
3. The site is outwith the 'residential areas' the local plan proposals map identifies for Glenboig and its outlier at Ramoan, and lies within the green belt. The local plan (consistent with Clydeplan) identifies a Community Growth Area (CGA) at Gartcosh and Glenboig. The CGA has a capacity of 3,000 new homes – 2,000 at Gartcosh and 1,000 at



Glenboig. Glenboig would be expanded to the north, west and south. Of the 3,000 homes planned in the CGA, around 1,000 are (based on the 2016 housing land audit) programmed for delivery by 2023. I am informed that planning permission in principle is in place for 1,790 units, with detailed permission for 580 of these. There are no live applications for the remainder, and Homes for Scotland disputes the effectiveness of some of the CGA land. The land between the railway lines, as they diverge to the south, is identified as a 'Strategic Location for Business and Industry', in this case for 'International Transport Facilities'.

4. The council's 'reasoned justification' for refusing the application was because it was contrary to the development plan and not sustainable due to the loss of open green belt land and the impacts on local road infrastructure. It would also undermine the CGA. This is amplified in the three 'reasons' given for the decision. These quote local plan policies DSAP Development Strategy Area Priorities, DSP2 Location of Development, DSP3 Impact of Development, DSP4 Quality of Development and NBE3A Assessing Development in the Green Belt and Rural Investment Area. The proposal, it is stated, would have an adverse visual impact on the open character of the site and there are more sustainable sites which can contribute to meeting the shortfall in housing land supply. It is stated that the developer is unwilling to make a reasonable and proportionate contribution to necessary improvements to Junction 2A of the M73 motorway.

5. Having regard to the provisions of the development plan (in particular to Policy 8 of Clydeplan) the main issues in this appeal are whether:

- There is a shortfall in the supply of effective housing land in the Airdrie/Coatbridge housing sub-market area;
- The development would help to remedy any such shortfall;
- The development would be in keeping with the character of the settlement and the local area;
- The development would undermine green belt objectives;
- Any additional infrastructure required by the development is either committed or to be funded by the developer; and
- The development would contribute to sustainable development.

#### Housing land supply

6. Policy 8 of Clydeplan requires, amongst other things, that local authorities provide for a minimum of 5-years effective housing land supply at all times for each housing sub-market area and for each local authority area. The appellant and the council disagree as to whether there is a shortfall in the Airdrie/Coatbridge sub-market area, and on how such a calculation is to be made. The council's Production 10 purports to show these calculations, with the appellant's alternative approach set out in its Supplementary Note B, further expanded upon in the appellant's response to the council's appeal statement.

7. Whether by the council's or the appellant's approach, on the basis of the 2016 audit a shortfall exists. However, the council contends that, since the audit, progress with several planning applications in Airdrie and Coatbridge are sufficient to address the deficit. The council points to four planning applications for a total of just over 800 new homes. One has full planning permission and works have started on site. The council is minded to grant a

further two (subject to contributions for education infrastructure) and the 4<sup>th</sup> (for approval of matters specified in conditions) was to be reported to council committee in November 2017.

8. It would seem that these four developments could potentially deliver a significant amount of new homes in the next few years. However, only one of them has, as far as the evidence before me narrates, been fully consented. Even if the others are, I have no detailed evidence which would allow me to make reliable assumptions about the pace at which each is likely to proceed. It could also be the case that some of the audit sites have been delayed. This shows the difficulties with trying, case by case, to reach a view on the exact amount of effective housing land at any one time. I think the most comprehensive and reliable evidence for this is the 2016 audit.

9. In response to my request for further evidence on other matters (see below), the council has said that it now considers, on the basis of the draft 2017 audit, that there is a 7.85 year supply of effective housing land in North Lanarkshire. No figure is given for the Airdrie/Coatbridge sub-market area. The 2017 audit is, in any event, still in draft form (not agreed by Homes for Scotland) and remains unpublished. This new evidence does not, therefore, significantly alter my findings.

10. Accordingly, I think it appropriate to conclude, regardless of its size, that there is a shortfall in the 5-year supply of effective housing land for the Airdrie/Coatbridge housing sub-market area. Policy 8 of Clydeplan says that local authorities should take steps to remedy any shortfalls in the 5-year supply through the granting of planning permission for housing development, subject to a number of criteria including the deliverability of housing on the site, the effects on the character of the settlement and the local area, the need for new infrastructure and the contribution of the development to sustainable development. It is in this context that I frame the key issues in this appeal at paragraph 5 above.

#### Delivering development on the site

11. In respect of the second of the key issues I identify, and consistent with what I conclude in relation to the four additional planning applications, I have no strong evidence as to the likely programming of development on the site, should the appeal be allowed. However, the site is clearly being promoted by a willing party. If the council is confident that good progress would be made with the additional four housing sites, there is no obvious reason why the same conclusion could not be reached for this site. Subject to the resolution of infrastructure issues, which I address below, I have no strong reason for concluding that the site would be unlikely to deliver housing within the next 5 years

#### Impacts on the character of the settlement and the local area.

12. Glenboig stretches along Main Street/Glenboig Road, predominantly on its northern side. The eastern side of the main part of the village extends northwards, along Sherwood Road. There is a further area of housing on the higher land to the western part of the village, accessed via Gainside Road. Garnqueen Loch sits between these two parts of the village. The CGA proposals form part of the development plan and some of this land already has planning permission, so the extent of development anticipated in the CGAs should inform an assessment of the impact of the proposal on the character of Glenboig.

13. The railway lines provide a strong and obvious eastern boundary to the main part of Glenboig. The planned growth of the settlement, through the CGA, would consolidate this pattern, and in fact concentrates new development mostly on the western side of the village, closer to the planned link road and other transport improvements. The railway lines are a strong and defensible visual boundary but also, clearly, a physical barrier between the main part of Glenboig and the land to the east of it, including the appeal site. Main Street passes under the railway lines, but at this point is only wide enough for a single vehicle, hence the traffic lights at this location. There is a footway passing underneath the railway alongside the road, but the railway acts to constrain connectivity between the main part of Glenboig and the housing at Ramoan, and of course the appeal site.

14. I do not think that the existing housing at Ramoan is as prominent and anachronistic as the appellant finds in its Landscape & Visual Impact Analysis Report. It is visible on top of the hill, intermittently due to the rolling topography, from the countryside to the south and east but its subdued palette and mature trees serve, to some degree at least, to reduce its prominence. The extent of development proposed would significantly alter the size and character of Ramoan. It would become much larger, and less distinct from the main part of Glenboig. In respect of the character of the local area generally, the proposed development would result in a significantly greater extent of housing to the east of the railway lines, an area which is predominantly rural, despite the presence of the housing at Ramoan.

15. I accept that, functionally, one could consider Ramoan as a part of Glenboig. Further development could serve to consolidate and improve that relationship, as stated by the appellant and acknowledged in the consultation response from Scottish Natural Heritage. However, the presence of a gas pipeline under the northern part of the site, and the existence of the pond and wetland, mean that this northern part would remain largely undeveloped. Although this land would become accessible open space, which would be beneficial, it means that most of the proposed development would (on the basis of the indicative layout) be on the western and southern parts of the site, which are less closely related to the main part of Glenboig. The western part of the site is visually well-contained by the railway line, topography and the former fireclay works to the southwest of the site. But the central and southern parts of the site are more elevated, with the land sloping down to the south. Development on these parts of the site would be fairly prominent, replicating and increasing the prominence of the housing at Ramoan rather than better integrating it with the remainder of Glenboig, which lies instead to the northwest.

16. Although the layout drawing before me is only indicative, I also have concerns about the lack of a strong and defensible development boundary for the southern part of the site. In my view, a much stronger scheme for structural landscaping would be needed for the southern boundary, potentially affecting the amount of development which could be accommodated on the site. It also seems to me that the indicative layout, much of it cul-de-sacs, does not correspond well to the kind of connected places envisaged in SPP. The indicative layout shows two access points to the site – one to the north of Ramoan and one to the south. In responding to the council's transportation officials' consultation response, the appellant (then the applicant) acknowledged that the southern access point could not meet visibility and junction spacing requirements. It is therefore proposed that this be an emergency access only. All of these matters of layout, design and landscaping could of course be more fully considered through the approval of matters specified in conditions. However, they do underline my concerns about the suitability of the site, and about the

prospects for achieving a well-designed, well-connected development which makes the most of the opportunity to improve the relationship, in terms of landscape setting and connectivity, between Ramoan and the main part of Glenboig.

17. Overall, taking account of the strong visual boundary and physical barrier provided by the railway line, the nature of the site and of the likely form of development upon it, I conclude that the proposal would have a significant adverse impact on the character of Glenboig, Ramoan and the wider area.

#### Impacts on the green belt

18. Local plan policy NBE3A Assessing Development in the Green Belt and the Rural Investment Area sets out a number of acceptable types of development in the green belt. New housing is not one of these, and the proposal is clearly contrary to this policy.

19. Clydeplan, at paragraph 8.15, lists 8 'strategic objectives' for the green belt. The first of these is 'directing planned growth to the most appropriate locations'. For the reasons I set out in this decision notice, I do not consider that the appeal proposal is appropriate. It would not support regeneration, but there is no evidence that any regeneration project would be harmed. I deal above with the opportunities for better place-making and the landscape setting and identity of Glenboig and Ramoan. There would be no impact on any other settlement. The site is not presently accessible open space nor does it support countryside recreation – the proposal would improve that situation. There would be no significant impacts on the natural environment, and indeed there would be an opportunity for habitat enhancement. The proposal would result in the loss of grazing land, but not of prime quality agricultural land. Although an assessment against these objectives is mixed, the impacts on the first, third and fourth are such that, in my view, there would be significant adverse impacts on green belt objectives.

#### Infrastructure

20. The key infrastructure considerations are school capacity and transportation impacts. In respect of the latter, the main issues are the effects of the proposal on the operation of the Sunnyside mini-roundabouts in Coatbridge, and the relationship of the development with the planned Glenboig link road and the planned improvements on and around M73 Junction 2A, all of which are planned in association with the development of the CGA.

21. The link road will allow traffic from Glenboig to access Junction 2A from the east instead of, at present, having to cross over the motorway on Johnston Road and approach from the west. The council and the appellant are agreed that, assuming the CGA development is complete and provided the planned CGA-related transport improvements proceed, simply a change to the timings of the proposed traffic lights at the improved Junction 2A would be sufficient to accommodate the traffic from the new development. The phasing plan for the proposed transport improvements is outlined by the council in its response to my request for further evidence. Trigger points for each phase of the works are linked to progress with the CGA. Albeit its impacts might be lesser, the appellant's transport assessment does not demonstrate that, if proceeding alongside parts of the CGA (which would likely be the case), the current trigger points would remain appropriate. Some of the planned improvements may have needed to occur earlier, depending on the

combined impacts of progress with the appeal proposal and the CGA development. However, I am satisfied that this could have been addressed through a planning obligation, and it does not contribute to my reasons for dismissing the appeal. Likewise the improvements to the Main Street/Garnqueen Crescent junction which the appellant accepts would be required.

22. The council and the appellant agree that the Sunnyside mini-roundabouts can currently operate above capacity at peak periods, and that the proposal would exacerbate this. There is also agreement that there is no realistic prospect of physical works to enhance the capacity of the roundabouts. The council says that the roundabouts cannot accommodate the additional traffic from the development in the absence of such works.

23. The appellant points to the fact that the CGA developments were accepted by the council without any need for improvements at the roundabouts. To the appellant, it is unreasonable to conclude now that the roundabouts are a bar to further development. The appellant proposes making a contribution towards improved bus services which go through Ramoan. This, it is stated, is similar to what the council had intended to seek for the CGA development (as set out in the strategic development framework for the CGA) but which the council now says is too uncertain a means of securing real and lasting improvements to public transport provision.

24. The appellant's transport assessment models the impacts of committed development and the appeal proposal on the roundabouts. Committed development adds significantly to the capacity issues, with considerable increases in queuing. With the additional impacts of the appeal proposal, the position becomes significantly worse again despite, as the appellant states, the development adding only an additional 6% of trips through the roundabouts at the AM peak period, and 4% in the PM peak period.

25. In the absence of any prospect of physical improvements to the mini-roundabouts, I do have some sympathy for the appellant's view that improvements to public transport provision could be explored as an alternative, and would accord with wider Scottish Government policy objectives for transport and planning. The appellant initially proposed doubling the frequency of one of the two bus services through Glenboig and Ramoan to Coatbridge. However, I am informed that the timetabling of these has since changed so that, in effect, there is now a 15 minute service during weekday daytimes.

26. The transport assessment proceeds on a modal share (based on the modelling from previous applications for the CGA) which assumes 28% of trips would be by public transport. Given the distances to the nearest railway stations, most trips by train would first need a bus or car trip to a station. The figure of 28% for public transport seems to me to be high given the location of the site and the limited extent of the bus routes which service it. I note that CH2M, advising Transport Scotland in its capacity as a consultee, makes a similar observation. If this figure is an overestimate, and that consequently the number of vehicle trips would be greater than modelled, then the corresponding impacts on the mini-roundabouts could be greater. Conversely, if this figure was realistic, then it might be concluded that achieving significantly greater levels of trips by bus would be challenging. In either event, there is no convincing evidence before me which gives sufficient confidence that the changes which have taken place to bus timetabling (and/or additional investment in bus services - the appellant suggests for a period of 2 years) would adequately mitigate the

impacts of new vehicle trips on the operation of the mini-roundabouts. Accordingly, I must conclude that, in this respect, not all of the additional infrastructure required by the development is either committed or can be secured through contributions from the developer.

27. I asked the council for further evidence as to why a contribution towards education infrastructure would be required. The council says that the sum sought (£7,800 per unit, subject to future revisions and perhaps the future need to fund nursery places) is based on the costs of previous school building works and a pupil product ratio of 0.3 per house. Although this may be less than the sum being sought from the CGA developments (the council says that lower sum is outdated), it is in line with the contributions presently sought from other developments.

28. The council explains that, as a result of the CGA developments, a new primary school will be required in Glenboig. The existing schools are at capacity so, irrespective of the final numbers of houses which materialise, a new school would be required. The contribution being sought would go towards the capacity required as a result of the appeal proposal, as part of whatever size of school is ultimately needed.

29. Even accepting that it will be some years before most or all of the CGA development is delivered and before a new school would be built (it is not yet at design stage), I am satisfied that (had I allowed the appeal) a contribution would be required towards the costs of a new school or, as the appellant suggests, towards reconfiguration or extensions at existing schools if that had been a more appropriate investment in the circumstances at the time. This could have been addressed through a planning obligation, and it does not contribute to my reasons for dismissing the appeal.

### Sustainable development

30. Scottish Planning Policy (SPP) assists my consideration of this issue – its paragraph 29 provides a list of policy principles which inform a view on whether a development would contribute to sustainable development. I cover here those which I consider to be of greatest relevance in this case.

31. One of these principles is supporting delivery of accessible housing. The site would be on the edge of Glenboig village and, although perhaps to a limited degree, there are bus services at Ramoan and these could be enhanced. On the other hand, as I find above, the railway lines presents something of a barrier between the site and the remainder of Glenboig. I think the proposal, in particular given the shortfall in the supply of effective housing land, can draw some support from this principle. I also recognise that there is an economic benefit in meeting housing need and demand, and that the proposal could deliver accessible new green infrastructure

32. Another of these principles is 'making efficient use of existing capacities of land, buildings and infrastructure including supporting town centre and regeneration priorities'. I have already covered infrastructure above, where I find a deficiency in respect of the impacts on the Sunnyside mini-roundabouts.

33. The principles 'supporting good design and the six qualities of successful places' and 'protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment' are also relevant. My findings in paragraphs 14-16 apply. As stated there, I have concerns about the visual prominence of the proposed development and the prospects for achieving a well-designed, well-connected development which makes the most of the opportunity to improve the relationship, in terms of landscape setting and connectivity, between Ramoan and the main part of Glenboig.

34. The other principles from SPP paragraph 29 seem to me to be of less significance in this case. Some of them could be addressed through the detailed proposals for the site. Overall however, in light of my concerns about important aspects of the proposal, I do not consider that it would contribute to sustainable development.

#### Other matters raised

35. There are several representations objecting to the proposal. I address above a number of the points raised, including transport impacts, the green belt status of the site, impacts on the character of Glenboig and impacts on school capacity. Based on my observations on site, I can understand the concerns about the lack of parking on Coatbridge Road at Ramoan, and the difficulties this can create (including parked cars blocking footways). However, this is an existing issue. Other concerns raised include impacts on wildlife and on the gas pipeline, flood risk, and the lack of other infrastructure such as local shops. There is no technical evidence, or objections from statutory consultees, pointing to any significant issues with flooding, the pipeline or other infrastructure, or impacts on wildlife. The detailed design and layout of the proposal could take account of these matters as required, and ensure sufficient car parking spaces are provided for the new development. There may be no shops in Ramoan, but it seems to me that new housing development such as this one would support the existing, and perhaps help attract new, retail and commercial services in Glenboig. The appellant's offer of a contribution towards the capital appeal of the St Andrew's Hospice is not well-related to the proposed development and is not, in my view, a material consideration in this case.

#### **Conclusions**

36. In light of my findings above, I conclude that the proposal would not be consistent with Policy 8 of Clydeplan. In respect of the local plan it would not, as I have already noted, comply with Policy NBE3A Assessing Development in the Green Belt and Rural Investment Area. In relation to the green belt, Policy DSP2 Location of Development lists one criterion – 'maintaining clearly defined urban/rural boundaries'. The development would breach what is, in the railway, and notwithstanding the presence of the existing housing at Ramoan, a strong boundary between the countryside to the east and the main part of Glenboig, the CGA and the proposed 'International Transport Facilities' to the west. On the face of it, the proposal would be contrary to this policy.

37. Policy DSP3 Impact of Development states that, where development would place additional demands on infrastructure so that new infrastructure is needed, the council will require the developer to meet or contribute to the cost of providing or improving this. The impacts on the Sunnyside min-roundabouts and the lack of evidence demonstrating that



these can be adequately mitigated are such that the requirements of this policy would not be satisfied.

38. The council cites Policy DSP4 Quality of Development in its reasons for refusal. This policy seems to be largely about the detailed design of development, which 'will only be permitted where high standards of site planning and sustainable design are achieved'. Although I express concerns above about the prospects for achieving a satisfactory development on the site, it would be through more detailed proposals for the development that a full assessment against the terms of this policy could be made. Policy DSAP sets out high level 'Development Strategy Area Priorities' for the local plan, one of which being the CGAs. However, I do not find this policy to be of much assistance in the consideration of the proposal before me.

39. Overall, and in particular given the importance and relevance of Policy 8 in the recently approved Clydeplan, I conclude that the proposal does not comply with the development plan.

40. SPP (at paragraph 125) states that, where there is a shortfall in the supply of effective housing land, development plan policies for the supply of housing are not to be considered up-to-date and the presumption in SPP in favour of development which contributes to sustainable development is to be a significant material consideration. I conclude above that the proposal would not be such development. With reference to paragraph 33 of SPP, the impacts of the development which I identify would in my view significantly and demonstrably outweigh its benefits.

41. I therefore conclude, for the reasons set out above, that the proposed development does not accord with the relevant provisions of the development plan and that there are no material considerations which justify granting planning permission.

42. I have considered all other matters raised, none of which lead me to alter my conclusions.

*David Liddell*  
Reporter