

**FALKIRK COUNCIL**

**Subject: CHANGE OF USE, ALTERATIONS AND EXTENSION TO VACANT/REDUNDANT BARN TO PROVIDE OFFICES, ERECTION OF 468 SQM GREENHOUSE AND ANCILLARY DEVELOPMENT COMPRISING ACCESS/EGRESS, CAR PARKING AND EXTERNAL PLANT STORAGE AND DISPLAY AREA AT MELONSPLACE FARM, FALKIRK, FK2 0BT FOR BENHOLM PLANT DISPLAYS – P/08/0911/FUL**

**Meeting: PLANNING COMMITTEE**

**Date: 26 August 2009**

**Author: DIRECTOR OF DEVELOPMENT SERVICES**

**Local Member:** Councillor Gordon Hughes  
Councillor Stephen Fry  
Councillor John McLuckie

**Community Council:** Avonbridge and Standburn

**Case Officer:** Allan Finlayson, Senior Planning Officer, Ext: 4706

**1. DESCRIPTION OF PROPOSAL / SITE LOCATION**

- 1.1 The proposed development is for the renovation and extension to the existing stone barn, formation of new hardstanding and yard area and replacement of agricultural buildings with the erection of greenhouses to provide for the change of use from agricultural to offices, greenhouses and external storage areas for a horticultural plant display and storage business.
- 1.2 The proposed development includes the formation of a replacement access and egress onto the C62 Candie Lower Road served by the A801.
- 1.3 The application site is a redundant agricultural stone barn with associated hardstanding, redundant prefabricated metal farm buildings and agricultural land at Melonsplace Farm, Maddiston, Falkirk.
- 1.4 The site is level ground of approximately one acre and is surrounded to the north, south and west sides by agricultural fields and by Melonsplace Farm to the east.
- 1.5 The site boundaries comprise a mix of hedgerows, fencing and stone walling.
- 1.6 A mature tree belt lies to the south of the site. Individual mature trees lie to the west.

**2. REASON FOR COMMITTEE CONSIDERATION**

- 2.1 The application has been called in to Planning Committee by Councillor Malcolm Nicol.

### **3. SITE HISTORY**

- 3.1 There are no applications relevant to the proposed development.

### **4. CONSULTATIONS**

- 4.1 The Roads Development Unit has expressed concern that the C62 access road is of restricted width and lacks footway and lighting provision. The existing visibility at the junction of the C62 with the A801 is considered to be poor. Traffic generation of the proposed development is considered to have a potential significant impact on the operation and road safety of the C62. The Roads Development Unit considers that these concerns would justify refusal of planning permission on road safety grounds.
- 4.2 The Environmental Protection Unit has no objections to the proposed development but has requested that a Contaminated Land Assessment is submitted and provided guidance on action to be taken should ground contamination be encountered during construction. This assessment can be required by planning conditions.
- 4.3 Scottish Water has no objections to the proposed development.

### **5. COMMUNITY COUNCIL**

- 5.1 The Avonbridge and Standburn Community Council has not been consulted and has not made representations.

### **6. PUBLIC REPRESENTATION**

- 6.1 No representation received.

### **7. DETAILED APPRAISAL**

When determining planning applications, the status of the development plan is emphasised in Section 25 of the Town and Country Planning (Scotland) Act 1997. This requires that:

*“the determination shall be made in accordance with the plan unless material considerations indicate otherwise”.*

Accordingly,

#### **7a The Development Plan**

##### ***Falkirk Structure Plan***

- 7a.1 The proposed development raises no issues of strategic importance. The policies of the Falkirk Structure Plan are not therefore relevant.

7a.2 The proposed development site lies within an area identified as countryside as defined by the Falkirk Council Rural Local Plan. Policy RURAL 1 – New Development in the Countryside applies. Policy RURAL 1 states:

7a.3 Policy RURAL 1 ‘New Development in the Countryside’ states:

*“That within the countryside (as defined in paragraph 3.19), there will be a general presumption against new development except in the following circumstances :-*

- 1. Housing development absolutely essential to the pursuance of agriculture, forestry or other economic activity appropriate to a rural location. The occupation of new houses shall be limited to persons employed in agriculture as defined in Section 275(1) of the Town and Country Planning (Scotland) Act 1972, or to persons employed in forestry or other appropriate rural activities and the dependants of such persons.*
- 2. On the Slamannan Plateau as indicated on the Policies and Proposals Map, single dwellinghouses developed in conjunction with significant tree planting schemes. Such proposals will be considered on merit with due regard to the provisions of the District Council’s “Guide to Tree Planting/Housing Proposals on Slamannan Plateau”.*
- 3. Appropriate infill development where a clear gap site exists which would not contribute to ribbon, backland or sporadic development forms.*
- 4. Industrial/business development where there is an overriding national or local need and a rural site is the only suitable location.*
- 5. Development for tourism and countryside recreation purposes where the District Council is satisfied that the proposal requires a rural setting, is appropriate in terms of its type, scale and location and that it would enhance the image of the District. Proposals which accord with the District Council’s Tourism Strategy are particularly welcomed.*
- 6. Telecommunications development and development relating to the temporary use of land particularly for the working of minerals. Such proposals will be considered on merit, with due regard to the relevant specialised policies of the District Council.*

*The scale, siting and design of those developments which are granted permission will be strictly controlled. Building designs compatible with the District Council’s “Design Guide For Buildings In The Rural Areas” and sympathetic to vernacular architectural forms will be expected.”*

7a.4 Policy RURAL 1 states that industrial/business development will not be permitted unless there is an overriding national or local need and a rural site is the only suitable location.

7a.5 The development proposes the renovation of the existing stone barn and the incorporation of existing stonework and architectural features. The proposed greenhouse structure is consistent with the design of existing agricultural buildings to be replaced. In terms of the requirement for a rural location it is considered that opportunities for suitable locations for a horticultural use within the urban limit are rare and that a rural location is therefore acceptable for horticultural use. The proposed offices are clearly ancillary to the main uses of horticultural and distribution.

7a.6 Accordingly, the proposal accords with the Development Plan.

## **7b Material Considerations**

- 7b.1 The material considerations to be assessed are the Falkirk Council Local Plan (Finalised Draft), Scottish Government guidance and the views of the Roads Development Unit.
- 7b.2 Policy EP5 (Business and Industrial Development in the Countryside) of the Falkirk Council Local Plan Finalised Draft requires the need for a rural location to be demonstrated. Policy EP5 further develops the policy position expressed in Policy RURAL 1 of the Falkirk Rural Local Plan to acknowledge the acceptability of proposals to re-use existing buildings or uses where the scale and nature of the activity is compatible with the location. The proposed development is considered to accord with the terms of Policy EP5 in relation to the need for a rural location and the re-use of existing buildings.
- 7b.3 Scottish Government SPP15 – Planning for Rural Development is broadly supportive of rural diversification. Scottish Government PAN 73 – Rural Diversification advises that small scale business developments utilising redundant buildings are acceptable in rural areas. The proposed development is considered to be consistent with Scottish Government Planning advice.
- 7b.4 The Roads Development Unit have expressed concerns with regards to the suitability of the restricted width C62 access road and the visibility at the junction of the C62 with the A801.
- 7b.5 The applicant has in response to the concerns of the Roads Development Unit, commissioned a report from a transport consultancy. Particular attention is given to issues of trip generation, development layout, C62 access road characteristics and egress from the C62 onto the A801.
- 7b.6 The conclusions of the report submitted by the applicant are that:-
- maximum trip generation levels would not exceed 28 vehicle movements per day and that, of these, 14 would involve exiting onto the A801 from the C62;
  - the development layout, access to the site from the C62 and internal parking arrangements are acceptable to the Roads Development Unit;
  - the existing characteristics of the C62 exhibit low traffic levels, good forward visibility, carriageway widths of 5.5 metres, historical non-agricultural traffic of the C62 demonstrates a previously higher volume of vehicular movements;
  - the C62 existing road width can accommodate two passing private cars. A passing place to permit the passing of commercial vehicles is proposed on the C62 and to be funded by the applicant;
  - C62 egress onto the A801 is acceptable when measuring vehicle movements and traffic time gaps on the A801. In addition, the absence of records of accidents at this junction in 30 years is noted.
- 7b.7 The Roads Development Unit has responded to the applicant's transport consultant. Concerns are re-stated on issues of vehicle movements, C62 width, visibility at the A801 junction with the C62 and vehicle speed on the A801.

- 7b.8 The proposed southern visibility at the C62 and A801 junction is less than the requirements of Falkirk Council roads design standards. The visibility distance when egressing from the C62 onto the A801 is required to be either 108 metres or 125 metres based on 85<sup>th</sup> percentile and 95<sup>th</sup> percentile vehicle speeds respectively. An on site assessment calculated the actual visibility distance as approximately 40 metres. It is considered that this distance is significantly less than the required distance on a principal distributor road with the national maximum speed limit for a single carriageway.
- 7b.9 The visibility requirements and road safety concerns have been confirmed by the Senior Accident Investigation Officer as being valid concerns.
- 7b.10 The Roads Development Unit considers that the increase in vehicle traffic on the C62 would represent a 46% increase over existing usage. The average width of the C62 is considered to be 4.5 metres and, whilst two-way car movement would be possible, one or more passing places to provide for the passing of commercial vehicles would be required. The vehicle speeds on the A801 provided by the applicant's consultant are not accepted.

## **7c Conclusion**

- 7c.1 The proposed development accords with Scottish Government planning policy and the Development Plan.
- 7c.2 The application has raised concerns from the Roads Development Unit regarding egress onto the A801, C62 passing provision and visibility at the junction of the C62 and A801.
- 7c.3 It is considered following the assessment of these concerns and the consideration of the submitted transport statement that junction egress visibility has been demonstrated to be significantly inadequate to the extent it would justify refusal of the application on road safety grounds. The use of planning conditions could secure the implementation of a vehicle passing place on the C62. The removal of overgrown vegetation and limited visibility improvements at the junction of the C62 and A801 proposed by the applicant cannot, however, overcome road safety concerns. On this basis, the proposed development is considered, on balance, to be unacceptable.

## **8. RECOMMENDATION**

- 8.1 It is recommended that planning permission be refused for the following reason:

- (1) The proposed development would, by means of egress from the C62 to the A801, result in a significant increase in vehicular movements at a junction with sub-standard visibility and would not therefore be in the interests of road safety.

.....  
**Director of Development Services**  
**Date: 18 August 2009**

### **LIST OF BACKGROUND PAPERS**

1. Scottish Planning Policy (SPP) 15 Planning for Rural Development
2. Scottish Planning Advice Note (PAN) 73 Rural Diversification.

3. Falkirk Council Structure Plan
4. Falkirk Council Rural local Plan
5. Falkirk Council Local Plan Finalised Draft

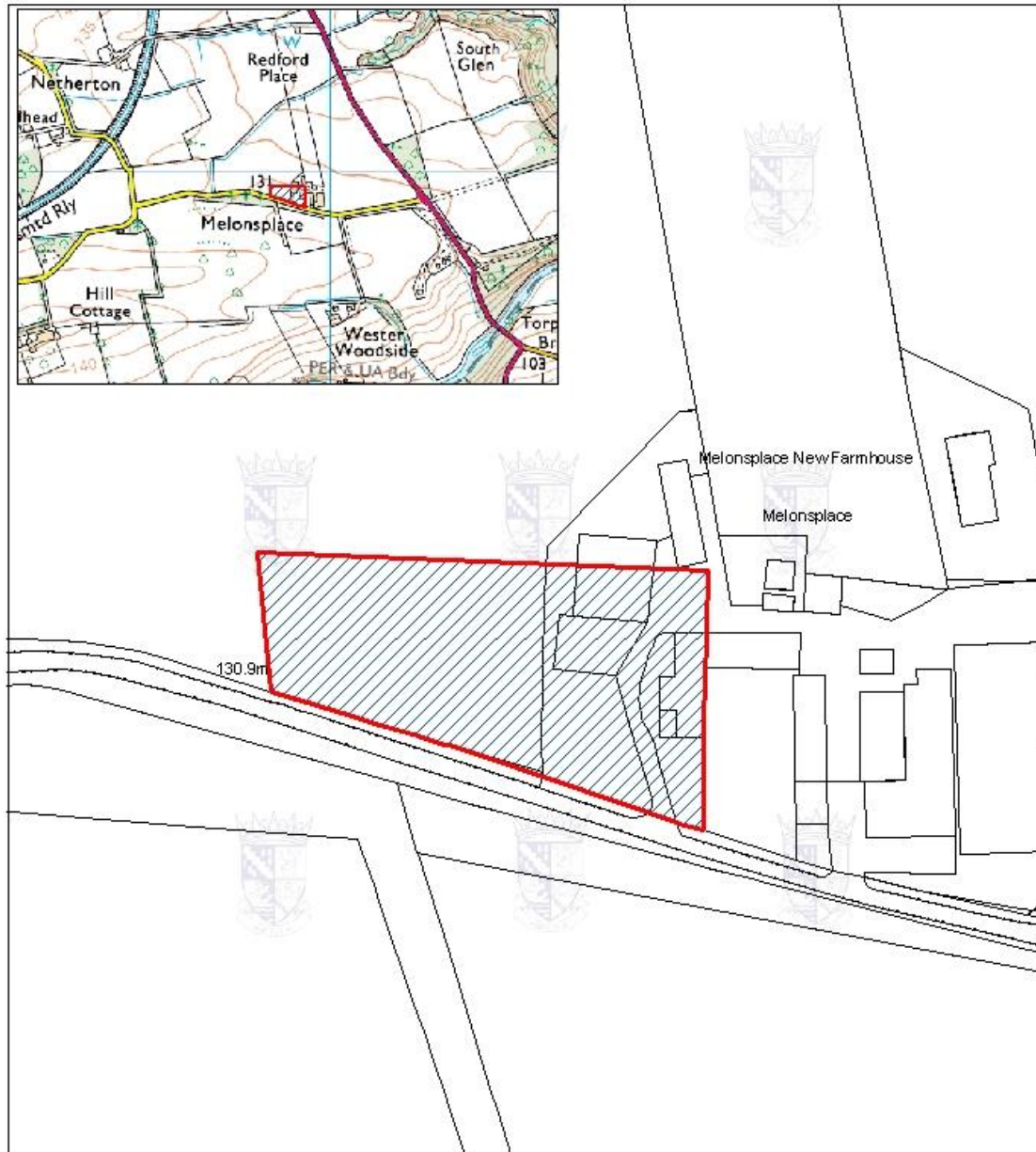
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504706 and ask for Allan Finlayson (Senior Planning Officer).

# Planning Committee

## Planning Application Location Plan

**P/08/0911/FUL**

This plan is for location purposes only. It should not be interpreted as an exact representation of the application site.



**Falkirk Council**

Reproduced by permission of Ordnance Survey on behalf of HMSO. © Crown copyright and database right 2009. All rights reserved. Ordnance Survey Licence number 100023384