

SCOTTISH BORDERS COUNCIL

**APPLICATION TO BE DETERMINED UNDER POWERS DELEGATED TO
CHIEF PLANNING OFFICER**

PART III REPORT (INCORPORATING REPORT OF HANDLING)

REF : 20/00123/FUL
APPLICANT : James Neil And Son
AGENT : IRD Design
DEVELOPMENT : Erection of wedding venue/function building (retrospective)
LOCATION: Land North East Of Runningburn Farmhouse
Stichill
Scottish Borders

TYPE : FUL Application

REASON FOR DELAY:

DRAWING NUMBERS:

Plan Ref	Plan Type	Plan Status
1:1250	Location Plan	Approved
003	Proposed Site Plan	Approved
002	Proposed Elevations	Approved
001	Proposed Plans	Approved

NUMBER OF REPRESENTATIONS: 0

SUMMARY OF REPRESENTATIONS:

There were no neighbour notifications and no advertisements required.

Roads Planning, the Community Council, Economic Development and Environmental Health were invited to comment.

Road Planning: No objections in principle to this proposal. however improvement works requested for visibility and passing places as part of the 2016 application have not yet been carried out. Require conditions similar to those on the 2016 approval to be included.

Environmental Health: Consideration of the fabric of the building and distance to nearest sensitive dwelling. There is considered a low risk of adverse impacts to nearby residential amenity. As such no further comments regarding the development.

Economic development: Support subject to condition that the applicant approaches Business Gateway to help submit a business plan. The applicant has been operating as a wedding venue for some years but has recently built a permanent wedding structure and are planning to expand to attract more weddings and double their income year on year until 2023. This fits the strategic priorities of the Scottish Borders Economic Strategy 2013-2023.

PLANNING CONSIDERATIONS AND POLICIES:

Local Development Plan 2016

Policy PMD2: Quality Standards
Policy ED7: Business, Tourism and Leisure in the Countryside.
Policy HD3: Protection of Residential Amenity
Policy IS7: Parking Provision and Standards
Policy ED10: Protection of Prime Quality Agricultural Land.

Placemaking and Design SPG 2010.

Recommendation by - Euan Calvert (Assistant Planning Officer) on 31st March 2020

This report of handling considers retrospective planning permission for the erection of a wedding venue/function building "The Barn" at Runningburn Farm, near the village of Stichill, Kelso. A shed has been erected on the site of the marquee which was granted retrospective approval in April 2016 subject to conditions, 16/00336/FUL. Conditions of approval restricted development to a 5 year period; restricted use between April and October; required an operations plan and noise assessment; and required works to improve junction visibility and required additional passing places to be provided.

The applicant wishes to regularise their development with this retrospective planning application. It follows enforcement action prior to Christmas 2019.

Supporting information

A brief Business Plan has been submitted. The business has operated since 2013. The new building will provide year round activity. The number of functions has been provided for 2015, 2016, 2017 and 2018. Earnings forecasts have been provided. Primarily the building will be a wedding venue and the business will provide all-inclusive packages in association with local businesses (catering/ hospitality). The site is a unique location which is private in setting with great views of the countryside. Eight weddings are booked for 2020/21. Advertisement is through website/ social media/ online and printed publications and previous guest endorsements.

Location and site

The farm is 1km north east of Stichill and is accessed by an adopted single track road with a sealed surface. Four cottages are situated at the edge of the public roadside 270 west of this site. There is little evidence of the traditional range of buildings which formed this farm. The farm has expanded on the existing site with steel portal and barrelled roofed sheds clad in grey corrugated cement sheeting. A new farmhouse has been constructed on the east boundary of this steading. This was a replacement of the original house, 09/01336/FUL. This site is a grass covered platform east of the Farmhouse which is accessed by a single farm track. The track passes from the adopted road, around the north of the steading and Farmhouse to reach the venue. There is a poly tunnel and ranch fence separating the Farmhouse from the venue. East of the shed the land drops away to a surfaced hardstanding which is the car parking area for the venue. Beyond the carpark the land returns to arable use. To the north and south the site is again surrounded by rotational arable land. The venue sits on a platform which gives expansive views south across the Merse to the Cheviot Hill in the distance.

Development

The marquee has been replaced for a shed. It is a steel portal framed building erected on a similar orientation to the marquee. It measures 36m in length x 12m in width. It is 6-bays in length under a dual pitched roof. A further contiguous 2-bay building is attached to the south east corner measuring 6.5m x 12m also under a dual pitch. The main building has a 5m high ridge and 3.2m eaves. The secondary building is slightly shorter. The building is clad in insulated steel profile sheet which is coloured "willow Green" BS 12B17.

There is also a fully glazed uPVC white porch attached to bay 3 of the northern eave measuring 6m square under pyramidal glazed roof. On the south elevation there is full height glazing and doors giving access to an outdoor courtyard between bays 3 and 5. The west elevation features a pair of windows and a pedestrian door to the kitchen. The east gable features 2 pedestrian emergency fire escape doors.

Planning history

09/01336/FUL Demolition of farmhouse and erection of a replacement dwellinghouse. Approved.
Implemented
16/00336/FUL Marquee. Implemented
19/00020/AGN Erection of a general purpose agricultural shed. No Objection. Not implemented.

Assessment

The principle to a tourism business proposal in this countryside may only be considered by Policy ED7 of the Local Development Plan.

The policy stipulates that the Council will allow for appropriate employment generating development in the countryside provided a number of criteria are met.

This is a form of diversification adopted by the farmer. A Business Plan has been submitted for Runningburn Premier Events Venue. Our colleagues in Economic Development have offered support but highlight deficiencies in the Plan. The submitted financial projections, (current and forecast booking levels) are brief to say the least. There has obviously been a large capital investment to provide "The Barn" but this is not being demonstrated in the submission and, in particular, it has not been demonstrated how this investment will attract more custom. Neither has it been demonstrated how the business will achieve the increase specified by 2023. Recommendation from Economic Development is for the business to work with Business Gateway and I will place this as an informative note.

Criteria of Policy ED7 requires development to be leisure or tourism related and to fit with the Tourism Strategy and Action Plan. In addition, it must also be deemed to be appropriate to the countryside location. My colleague previously noted that there was no operational need for the marquee to be at this particular countryside location. The 5-year temporary marquee permission has somewhat changed this position for the Council now.

The business' unique location is now being demonstrated to be a justification for this expansion. Successful operation is now being demonstrated between 2015 and 2018. The business now aims to be a year-round venue not just for weddings but for corporate events, family celebrations, charity balls and private functions. "The Barn" has been designed as a permanent insulated and heated structure with permanent kitchen, facilities and amenities.

I am satisfied that the site and layout of the building accords with policy PMD2. The dimensions are fractionally larger than the previous marquee structure but it is not harmful to character or amenity. The use will not conflict with the adjacent farm operations.

The siting of this building is appropriate - it does not appear isolated. It still reads as forming part of the same cluster of farm buildings. The character of the building is best described as agricultural and therefore I do consider it suited to the adjacent vernacular. The white uPVC glazed porch is domestic in design and, while it appears awkward when juxtaposed against the profile steel sheet cladding, I do not consider it to be unduly large or prominent or harmful to the surrounding landscape.

The retrospective nature of this application must not prejudice this decision. The fact of the matter is that there has been a successful marquee wedding venue business operating at this location for 4 or more years. The expansion of this business is requested. Year-round use requires a permanent building and this will in turn open up further business opportunities as a unique venue. The proposed financial projection is brief but in the current climate (Covid-19 pandemic) any projection would be impossible and unrealistic. For all intent and purposes the "The Barn" is a new business venture for Runningburn Premier Events Venue. "The Barn" is significantly different in appearance to a marquee externally but internally the finish is identical. Whether it will lend itself successfully as a wedding venue in future is really anyone's guess.

Crucial to this recommendation of approval is the fact that "The Barn" does not appear incongruous for the location.

Residential amenity

I identify no significant adverse impacts on nearby uses, particularly the nearest residential neighbours.

Visual amenity

"The Barn" arguably makes a better and more appropriate contribution than the marquee in terms of scale, appearance and finish. The design is synonymous with agricultural buildings found in this rural location and is therefore appropriate. The green colour is a successful contribution.

The site is well concealed in the surrounding landscape setting. It is located in a hillside backdrop, below the level of the public road and is not readily visible from the wider public domain to the north. The surrounding convex/ concave landform and significant distance to other visual receptors ensures that there is limited effect on the amenity and character of the wider rural landscape. There is certainly no harm to visual amenities of the rural locality. To ensure an appropriate contribution to the rural location I shall require a soft landscape plan and natural boundary treatments by condition. This will aid assimilation with the rural location and improve amenity for the surroundings and guests alike.

Noise/ operating plan

The Environmental Health Officer has now responded to confirm no objection. He has considered the residential amenity of neighbours (nearest noise sensitive dwelling) located 270m west of the site. He has considered the history of operation and reviewed his records in regard to any requests to investigate complaints of nuisance held by the Council. He has also considered the design of the building, specifically the acoustic properties of the KS1000RW Trapezoidal panels. The product data sheet of the insulated panels confirms the sound reduction characteristics of the walls and roofs and this demonstrates that they will attenuate noise appropriately at this location.

A noise assessment is no longer necessary. This condition was never previously purified or discharged. An Operational Plan had also previously been required. It was also never submitted. However, on the basis that noise is no longer identified as a potential nuisance, there are now no grounds to require a Plan in this instance. Neither would it be appropriate for the Planning Authority to restrict operating hours or seasonality in this particular countryside location. Statutory nuisance legislation should be used in the event of the Environmental Health department being alerted to a nuisance complaint.

Road safety and standards

The Road Planning Officer again makes no objection but notes that two conditional requirements of the marquee approval have not been implemented. Improved visibility (formation of splays) is required at the nearest public road junction. Three passing places are also required to accommodate more traffic on the public road between Runningburn and Stichill village. These conditions will require implementation within a 3 month timescale.

Temporary consent

The previous temporary consent and temporary operating times were applied owing to the temporary nature of the structure. I find no requirement to restrict year round use of this structure and no requirement to limit the duration of the permission. I have considered the use as sui generis, as a venue, rather than identifying any use class.

There is no loss of prime quality agricultural land.

No objections or third party comments have been received.

REASON FOR DECISION :

Subject to compliance with the schedule of conditions, the development will accord with the relevant provisions of the Local Development Plan 2016 and there are no material considerations that would justify a departure from these provisions.

Recommendation: Approved - conditions & informatives

- 1 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and specifications approved by the Planning Authority.
Reason: To ensure that the development is carried out in accordance with the approved details.

- 2 Within 3 months of the date of this consent visibility at the junction of the unclassified road leading to Runningburn Farm and the C45 public road shall be improved to give a visibility splay of 2.4m by 90m to the East. Thereafter the aforementioned splays should be retained in perpetuity.
Reason: To ensure safe access and egress from the site in the interests of road safety.
- 3 Within 3 months of the date of this consent, three passing places to specification DC-1 (attached) shall be provided between the site and the B6364 at Stichill (1 on the unclassified public road leading to Runningburn Farm and two on the C45) at locations which shall first be agreed in writing by the Planning Authority.
Reason: To ensure sufficiency of the road network, in the interests of road safety.
- 4 Within three months of the date of this consent a scheme of soft landscaping works shall be submitted to and approved in writing by the Planning Authority, and shall include :
 - i. Details of all new proposed means of enclosure (to comprise mixed species / beech hedgerows around the site)
 - ii. location of proposed new trees, shrubs, hedges and grassed areas
 - iii. schedule of plants to comprise species, plant sizes and proposed numbers/density
 - iv. programme for completion and subsequent maintenance.thereafter the landscaping plan to be implemented within the first planting season after the decision date. Landscaping works will be maintained for a period of three years after this point, during which time, all failed planting shall be replaced. The applicant shall notify the Planning Authority after this three year period, and make it available for inspection, at which point the approved landscaping plan shall have been implemented and landscaping established.
Reason: To enable the proper form and layout of the development and the effective assimilation of the development into its wider surroundings.

Informatives

It should be noted that:

- 1 Economic Development require the applicant to approach Business Gateway to help support the following:

Submission of a full business plan that includes full financial projections, current and forecast booking levels and a marketing plan to identify key customers and target markets for this type of wedding venue in the locality - in particular how they will attract more business to achieve the increase specified by 2023.

Economic Development also encourage the applicant to engage with a business advisor from Business Gateway to deliver the business plan.

“Photographs taken in connection with the determination of the application and any other associated documentation form part of the Report of Handling”.