

SCOTTISH BORDERS COUNCIL

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

PART III REPORT (INCORPORATING REPORT OF HANDLING)

REF : 16/00336/FUL

APPLICANT : Runningburn Events Ltd

AGENT : Aitken Turnbull Architects Ltd

DEVELOPMENT : Erection of events marquee (retrospective)

LOCATION: Land North East Of Runningburn Farmhouse
Stichill
Kelso
Scottish Borders

TYPE : FUL Application

REASON FOR DELAY:

DRAWING NUMBERS:

Plan Ref	Plan Type	Plan Status
P-01	General	Approved
NW ELEVATION	Photos	Approved

NUMBER OF REPRESENTATIONS: 0
SUMMARY OF REPRESENTATIONS:

EHO: Agree with application in principle, subject to condition:

The applicant shall prepare and submit an operational plan and noise assessment for approval by the Planning Authority. Once approved this document will form the operational parameters under which the development will be operated and managed. Each time the plan is updated it must be submitted to the Planning Authority for approval.

The plan must address the following:

- o Hours of operation
- o Noise mitigation and management
- o Event Plan
- o Public Relations and Communication
- o Compliance Monitoring (including monitoring methodology and noise limits)
- o Internal monitoring and log sheets
- o Noise limiter and use of PA system

Reason: To protect the amenity of nearby residential properties.

RPS: Whilst I have no objections in principle to this proposal I shall require some improvements to the public roads leading to the site given the intensification of use caused by this proposal.

- o Visibility at the junction of the unclassified road and the C45 road to be improved to give 2.4 by 90m visibility to the east.
- o Three passing places to specification DC-1, to be provided between the site and the B6364 at Stichill. 1 on the unclassified public road and two on the C45 at locations to be agreed on site.

It should be borne in mind that only contractors first approved by the Council may work within the public road boundary.

CC: No response

PLANNING CONSIDERATIONS AND POLICIES:

Consolidated Local Plan 2011

Policy G1
Policy H2
Policy Inf4
Policy D1
Policy R1

Other Considerations

Emerging Local Development Plan 2016

Policy PMD2
Policy ED7
Policy HD3
Policy IS7
Policy ED10

Recommendation by - Barry Fotheringham (Lead Planning Officer) on 20th April 2016

This application seeks retrospective planning consent for the erection of an events marquee on land to the north east of Runningburn Farmhouse near the village of Stichill, Kelso. The marquee measures 30m x 12m and has a ridge height of 4.5m above adjacent ground levels. A 9m x 6m catering annexe is located on the south west elevation, a 9m x 6m toilet annexe is located on the south east elevation and a 6m x 6m entrance 'pagoda' is erected above the main entrance to the marquee. A 1m high timber picket fence is erected around the marquee.

This retrospective planning application follows earlier enforcement investigations into the alleged unauthorised development of a marquee at Runningburn Farm. The land owner was advised of the requirement for planning permission and was offered the opportunity to submit an application in order to regularise the development.

The application seeks consent for a limited period only during each calendar year. The application states that the marquee would be erected at the beginning of April and dismantled at the end of October.

Policy D1 of the Consolidated Local Plan and Policy ED7 of the Emerging Local Development Plan allow for appropriate employment generating development in the countryside provided a number of criteria are met. The development is clearly not used directly for agriculture but it is a form of diversification adopted by the current farmer. The marquee will be used directly for leisure and recreational purposes and can be linked to tourism appropriate for a rural location such as this. In addition, the marquee will be used for other business/employment generating uses (the farmer has diversified his business in order to attract additional income), but I am not satisfied that there is an operational need for this particular countryside location. The site however, is considered to be acceptable as it would be located on land within the control of the applicant and the marquee would be located approximately 270m from the nearest noise sensitive dwelling (which happen to be within the ownership of the applicant).

The marquee is coloured white and is not consistent with the scale, appearance or finish of traditional agricultural buildings found in rural locations. However, the application site, whilst detached from the farm steading, is located below the level of the public road and is not readily visible from the wider public domain to the north. Owing to the undulating terrain and distances to other likely visual receptors in other directions, it has limited effects on the amenity and character of the wider rural landscape. The biggest issue is the potential for an unacceptable adverse impact on nearby uses, particularly housing, as a result of noise

nuisance. Whilst the nearby cottages are within the ownership of the applicant, the residential amenity of the occupants must be respected. The EHO has no objections to the development but requests that a condition is added requiring an operational plan noise assessment to be submitted for our approval. This will set out the parameters under which the events marquee will be operated and managed.

There are no roads objections to this development but improved visibility splays at the junction of the access track with the public road are required as are the provision of 3 passing places on the public road between Runningburn and Stichill village. This can be controlled by condition.

Generally speaking, events marquees are erected for a particular event and dismantled when the event is finished, but this marquee would remain on site for 7 months of the year, much in the same way as the marquee at Carfraemill Hotel. As the structure is temporary and the application seeks consent for a limited period only during the calendar year, it would be appropriate to grant a temporary permission in this case, on condition that the marquee is erected between the months of April and October only.

The application site is shown as being located on prime quality agricultural land but it does not form part of any field which is in productive agricultural use. The land is grassed and incorporates an area of hard standing used for parking during events. In this case there will be no loss of prime quality agricultural land and the proposals will not fall foul of Policy R1 of the Local Plan.

REASON FOR DECISION :

Subject to conditions it is considered that the events marquee is acceptable and in accordance with development plan policies covering business, leisure and tourism developments in the countryside.

Recommendation: Approved subject to conditions

- 1 This permission is granted for a limited period of 5 years from the date of this consent. The marquee hereby permitted, and all other ancillary marquees (kitchen, toilet and entrance marquees), fences etc, shall be completely removed from the site by the expiration of the period granted unless a planning application for its retention is submitted to and approved by the Planning Authority.
Reason: The building is constructed of materials which would make it inappropriate for permanent consent.
- 2 The marquee shall be installed only during the period of April 1 - October 31 inclusive during any calendar year of the consent period, and shall be removed completely from the site during the remainder of the year.
Reason: In order to limit the extent to which the external materials of the building may deteriorate during the consent period.
- 3 The applicant shall prepare and submit an operational plan and noise assessment within 3 months of the date of this consent for approval by the Planning Authority. Once approved this document will form the operational parameters under which the development will be operated and managed. Each time the plan is updated it must be submitted to the Planning Authority for approval.
The plan must address the following:
 - o Hours of operation
 - o Noise mitigation and management
 - o Event Plan
 - o Public Relations and Communication
 - o Compliance Monitoring (including monitoring methodology and noise limits)
 - o Internal monitoring and log sheets
 - o Noise limiter and use of PA systemReason: To protect the amenity of nearby residential properties.
- 4 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.

Reason: In the interests of road safety.

- 5 Winthin 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 on site with the planning authority.

Reason: In the interests of road safety

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