

Agenda Item	6.4
Report No	PLS-007-21

## HIGHLAND COUNCIL

**Committee:** South Planning Applications Committee  
**Date:** 03 February 2021  
**Report Title:** 20/00500/FUL: Logic Alarms  
Land 350M North of Mayfield, Beauly  
**Report By:** Area Planning Manager – South

### Purpose/Executive Summary

**Description:** Change of use from agricultural shed to Class 4 Business  
**Ward:** 12 – Aird and Loch Ness  
**Development category:** Local  
**Reason referred to Committee:** Member referral

All relevant matters have been taken into account when appraising this application. It is considered that the proposal does not accord with the principles and policies contained within the Development Plan and is unacceptable in terms of applicable material considerations.

### Recommendation

Members are asked to agree the recommendation to **Refuse** planning permission in principle as set out in section 11 of the report.

## **1. PROPOSED DEVELOPMENT**

1.1 The proposal is for the change of use of a recently constructed agricultural building to Class 4 Business use. The applicant is Logic Alarms Ltd, and the building would be used to support the business, with no manufacturing of goods on site. The business presently operates from premises at Shore Street, Beauly, with the applicant advising that it has outgrown that location.

1.2 The building is served by a newly upgraded agricultural access from the A862 Beauly to Muir of Ord road to its east.

1.3 Pre-Application Consultation: 18/00894/PREAPP Office block with stores for equipment and large parking area for multiple vehicles

Conclusion of pre-application consultation advice, provided on 03 April 2018, set out that the erection of an office / storage building and associated parking area should be directed to an allocated or existing Industrial/ Business area. The sporadic expansion of businesses on prime quality agricultural land between Beauly and Muir of Ord instead of within allocated or existing business/industrial areas is contrary to Policy and cannot obtain Officer support.

1.4 Supporting Information:

- Design Statement
- Planning Support Statement (26.02.2020, 03.06.20, 01.10.20)
- Drainage Statement
- Landscaping Plan Method Statement
- Road Safety Audit (20.08.20 and 21.09.20)
- Tree Survey

1.5 Variations:

- Access Layout Plan (GM-1226-239) and Access Layout Plan (GM-1226-241) (03.06.20)
- Visibility Splay Plan (GM-1226-240) (03.06.20)
- Site Layout and Landscape Plan (18-39-MRH-100) (20.08.20)
- Drainage Layout Plan (CTCH-J2706-001 REV B) (11.05.20)

## **2. SITE DESCRIPTION**

2.1 The site is located on the northern side of Beauly on the west side of the A862, where the predominant land use is agriculture. The straight section of road leaving Beauly is characterised by mature deciduous trees which are given statutory protection by the Tomich and Dunballoch Tree Preservation Order. There is a pavement on the west side of the road linking to Beauly. The site comprises a large flat agricultural field with the newly constructed agricultural building set back approximately 170m from the road in the northern corner. Access to the building is currently achieved from a new agricultural access track towards the northern edge of the field.

2.2 The agricultural building is 39.1m x 12.1m x 7m to the ridge. It lies parallel to the main road and is on a generally north-south axis.

- 2.3 The agricultural building was erected during the summer of 2019 and is of a block/metal frame/metal sheet skin construction. The walls and roof are light grey and the building is fitted out with roller doors for vehicle access on its southeast and southwest elevations. Its access doors and windows are coloured blue. Surface water drainage has been provided in the field to the southwest of the building.

### 3. PLANNING HISTORY

- |     |             |   |                             |
|-----|-------------|---|-----------------------------|
| 3.1 | 03 May 2018 | 18/00894/PREAPP - Office block with stores for equipment and large parking area for multiple vehicles | Closed                      |
| 3.2 | 21 Dec 2018 | 18/04689/FUL – Erection of agricultural building  | Planning Permission Granted |

Condition 2 “For the avoidance of doubt, the shed hereby granted planning permission shall be used for the purpose of agricultural and no other purpose.”

### 4. PUBLIC PARTICIPATION

- 4.1 Advertised: Unknown neighbour

Date Advertised: 21.02.2020, 18.09.2020

Representation deadline: 06.03.2020, 02.10.2020

Timeous representations: 8

Late representations: 8

- 4.2 Material considerations raised are summarised as follows:

- a) Contrary to the Development Plan policies in the Highland Wide Local Development Plan (policies 28, 29, 41, 61, 65); and the Inner Moray Firth Local Development Plan. Development Plan (Policy 41) directs business and industrial proposals to existing or allocated industrial land such as Muir of Ord Industrial Estate.
- b) Existing commercial uses are located some distance away, low level and shielded by mature trees.
- c) Impact on landscape – Commercial ribbon development creep of industrial units joining Beauly to Windhill impacts on landscape value
- d) Inappropriate location for industrial unit
- e) Potential for incremental expansion/sub-letting
- f) Visual amenity – Site intrudes into visual gap between settlements, creates linear scattering of buildings alongside the road & detracts from landscape. Materials not in keeping with the area.
- g) Drainage – Area of known flooding. Parking will increase impermeable areas and reduce natural drainage overloading existing watercourses.
- h) Site adjacent to the Settlement Development Area for Beauly and could connect to public sewer.
- i) Pedestrian & Road Traffic Safety, Access and Parking – Transport Assessment / Road Safety Audit required due to traffic movements and

appropriateness of existing access in terms of sightlines, right turn. Speed on road and crossroad junction arrangement. Beauly Community Council suggest 30mph speed restriction on A862 from current village limit to beyond Robertson's Larder. Note parking required for up to 20 vehicles. Business may create increased traffic. Existing premises in Beauly becoming vacant will only be temporary and therefore only short-term improvement to village parking and traffic. Impact on collection and dropping off area for school children on A862.

- j) Trees – Significant trees removed and seek a planting scheme. Inadequate replacement planting. Mature screen planting – 20m wide - around building and car parking on all sides, and along A862 to replace loss of mature trees, is required.
- k) Building has not been used for agricultural purposes since constructed
- l) Supports local business and employment

4.3 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet [www.wam.highland.gov.uk/wam](http://www.wam.highland.gov.uk/wam).

## 5. CONSULTATIONS

### 5.1 Beauly Community Council:

Comments on proposal:

- Planning policy – area identified by Inner Moray Firth Local Development Plan as a green field
- Future changes to building or site by applicant or tenant
- Moving from centre of Beauly frees up on street parking, until new occupier for current premises
- Agricultural building has hardstanding – any impermeable areas will reduce natural drainage resulting in more directed drainage to existing overloaded watercourses
- Access was for an agricultural development. Suggest a road safety audit
- Trees - Original application for shed – replacement trees (whips) are inadequate, planting scheme required, including shelter belt / shielding of building and parking. Planting will also help the high-water table
- Development does have a detrimental impact on landscape value.
- Start of industrial development creep that could join Beauly to Windhill with a ribbon of industrial units
- Commercial uses are some distance away and are low level, shielded by trees and not as stark. Note that Simpson's the buildings are of a temporary nature.
- The development does have a detrimental effect on landscape value.
- The commercial uses referred to by the applicant are located some distance away, both are low level and shielded by mature trees and therefore not as stark. Simpson's buildings to the southwest are of a temporary nature.

Detailed position statement:

- An industrial unit in this location is not appropriate and is in contravention to current planning policy.
- If granted there is the possibility of further industrial development on this site and the gradual industrial creep extending from Beauly to Windhill. A precedent will be set.
- Recognise the Change of Use as proposed will make little difference to the appearance of the current building.
- Benefit in Logic Alarms moving their business out of Shore St. Beauly, in the main due to the removal of vans and staff cars and the resulting improvement in air quality and parking provision.
- The business is successful and the expansion to create more local employment is welcomed.

If granted expect conditions:

- Permission only for a one-off industrial development that thereafter would prohibit the extension of this site or indeed further applications for industrial development within this agricultural swathe along the A862 between Beauly and Windhill.
- Mature tree screen planting around the building to screen on all sides in addition to satisfactory boundary planting along A862 to replace mature trees that were removed.
- Improvements to current drainage regime that takes into account current climate change design parameters.
- A review of appropriateness of cross-road junction arrangement, particularly sight line and right turn concerns for all junction users.
- To remove potential for serious accidents at junction, introduction of 30mph speed restriction on A862 from current village limit to beyond development possibly to Robertson's Larder.

## 5.2 **Transport Planning Team**

Review of additional Supplementary Response including that of the Road Safety Audit (RSA) Stage 2 (18 September 2020).

- adequate visibility can be achieved based on anticipated use and assessed speeds; achievable visibilities are currently 215m to the north and 160m to the south from a 2.4m setback; 215m clear visibility can be achieved to the north and 160m to the south from a 4.5m setback if a single tree were removed.
- independent RSA Supplementary Note confirmed adequate visibility can be achieved based on the anticipated use of the access and assessed speeds on the A862
- Transport Planning would not challenge the suitability of 215m clear visibility to the north and 160m clear visibility to the south from a 2.4m setback, on the basis that any Planning Permission issued was specific to the proposed

occupier of the facility who will be using this access as the findings of the RSA Supplementary Note are based on that proposed use.

- Supplementary Note also identifies it would not be essential to reduce the existing speed limit on this section of the A862 for the proposed business. Provided that any Planning Permission issued was on the basis of being purely for the proposed occupier of this facility (Logic Alarms), would not require this development to change existing speed limits.
- permission to be conditioned for a 40mph speed limit on the A862 to be submitted to and approved prior to works commencing on the proposed new access. Will require Traffic Regulation Order process fully completed before the new access begins to be used.
- speed limit scheme should cover at least the 600m stretch of the A862 immediately north of the existing 30mph speed limit gateway into Beaulieu, including count-down signage on the approach to the new 40mph gateway
- additional white junction delineation bollards, hazard centre line road markings, 'private business signage'

If approved conditions covering:

- removal of tree stumps, relocation of saplings outwith visibility splay
- field boundary fencing
- design details for new access approved and fully implemented before the building use comes into operation.
- Footways; changed carriageway width
- closure of existing agricultural access track (developed for 18/04689/FUL) and the reinstatement of the footway and kerb

Road Opening Permit required

5.3 **Flood Risk Management Team:** No objection. Consultation response provides advice on flood risk, surface water and foul water drainage.

#### **Flood Risk**

- Site Plan, J2706-001\_B shows that the Ground floor level of the building is at 7.4m AOD while the ground immediately adjacent the building is at or above 7.0m AOD. Reviewing this plan and the original site plan it can be seen that any water will pond away from the building. It therefore appears that flood risk to the building is low.

#### **Surface Water Drainage**

- Drainage Information Statement (DIS) does not yet appear to provide sufficient information or to contain sufficient methodology to demonstrate that the proposals will not lead to increased inflow to the receiving watercourse.
- unclear whether existing hardstanding, access road and extended hardstanding contribute to surface water runoff. While the access road is composed of crushed rock, would not expect such a structure, to necessarily be highly pervious. Detailed, construction information/suitable drainage and attenuation information required by condition.

- drainage information for previous application (18/04689/FUL). does not appear to be available; evidence of acceptable soakaway testing in an appropriate location required by condition.
- with a suitably robust drainage strategy, demonstrated to be in place, the existing and proposed developments are not expected to exacerbate any pre-existing drainage issues from before the building's construction.

### **Foul Water Drainage**

- recommend a Condition to ensure before any new site work or recommissioning of the building, a finalised Drainage Impact Assessment should be submitted for approval.

#### **5.4 Forestry Officer:** No objection.

- 4.5m set back visibility splay which would have required the removal of one TPO tree appears to have been set aside with the 2.4m set back splay. This is acceptable as it would only require the lifting and setting back of the saplings and the removal of existing tree stumps by grubbing.

Agents' supporting information (01.10.2020) advises that:

- no trees are to be felled, applicant will relocate young trees recently planted and replace any that might fail as a result of relocation. Consider by condition.
- crown raising will be undertaken in consultation with the Council's Forestry Officer under the direction of a qualified Arboriculturist. Principle of crown lifting is generally acceptable in trees adjacent to public roads; this would need formally approved under the Tree Preservation Order tree work process.
- existing tree stumps will be grubbed up as agreed with the Forestry Officer. Details confirmed in an Arboricultural Method Statement as a condition of permission

## **6. DEVELOPMENT PLAN POLICY**

The following policies are relevant to the assessment of the application

### **6.1 Highland Wide Local Development Plan 2012**

28 - Sustainable Design  
 41 - Business and Industrial Land  
 51 - Trees and Development  
 64 - Flood Risk  
 65 - Waste Water Treatment  
 66 - Surface Water Drainage

### **6.2 Inner Moray Firth Local Development Plan 2015**

No specific policies apply

### **6.3 Highland Council Supplementary Planning Policy Guidance**

Flood Risk and Drainage Impact Assessment (Jan 2013)  
 Trees, Woodlands and Development (Jan 2013)

## **7. OTHER MATERIAL CONSIDERATIONS**

### **7.1 Scottish Government Planning Policy and Guidance**

## **8. PLANNING APPRAISAL**

8.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

### **Determining Issues**

8.2 This means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

### **Planning Considerations**

8.3 The key considerations in this case are:

- a) compliance with the development plan and other planning policy
- b) visual amenity
- c) trees
- d) drainage
- e) pedestrian & road traffic safety
- f) any other material considerations.

### **Development plan/other planning policy**

8.4 The site is located on prime agricultural land and outwith the Settlement Development Area for Beaully as defined in the Inner Moray Firth Local Development Plan (IMFLDP). It is not land that is allocated for business development. The use of an agricultural building on agricultural land for Class 4 Business use does not demonstrate such safeguarding.

8.5 The proposal has to be assessed against Policy 41 Business and Industrial Land (Highland-wide Local Development Plan). This requires proposals for business and industrial development to be located within allocated business and industrial sites, or other land already allocated for or accommodating an existing employment use.

8.6 Outwith these sites, the principle of business and industrial proposals will only be supported if the land requirement is from an emerging industry with uncertain size and locational characteristics or if there is another unforeseen element to the requirement. In these cases, the developer will have to demonstrate that their proposals cannot reasonably be accommodated on existing allocated industrial and business sites. This proposal is not from an emerging industry with uncertain size and location characteristics; it is from a fire and alarm business. The closest strategic business and industrial site is at Muir of Ord Industrial Estate. Other proximate locations identified by Policy 41 are available in Inverness or Dingwall.



- 8.7 There is no locational requirement which requires that the agricultural building is converted to a Class 4 Business use and is located on this prime agricultural land and not within an existing industrial estate / business park. It is noted that there are existing businesses in the locality. However, this is not a reason to permit further erosion of agricultural land and additional sporadic development in this rural location. The over-riding consideration is the policy requirement to site businesses within allocated business and industrial sites.
- 8.8 The applicant's Planning Support Statement suggests there are no sites available at Muir of Ord Industrial Estate. The Development Plans Team has confirmed that this estate is full and that further land for its expansion will be allocated through the new IMFLDP. The Development Plan Team recognise that Dingwall Business Park is more distant, and the proposed expansion of the Dingwall Auction Marts land for more Class 4/5/6 through the new IMFLDP is some way off. It also notes that forcing the relocation of the business to Inverness would not be sustainable because the existing workforce would need to commute longer distances. However, there is allocated land (Policy BE3, BE4 and B5) within the existing IMFDLP for several mixed uses at Beauly which have not been properly discounted by the applicant; and that it is understood that these have landowners willing to release land for development.
- 8.9 The applicant advises that the business employs 30 people, all of whom are based within the immediate area, and that they have sought to secure premises locally without success and there are no suitable premises, or vacant sites, within Beauly, or the Muir of Ord Industrial Estate. The applicant has suggested that relocation to an allocated site within an area zoned for business use is not a viable option. Relocation to Inverness would displace a local employer to the disadvantage of his existing local workforce, the majority of whom could not relocate to an Inverness base given family commitments, availability of public transport and additional time spent travelling to and from the base.
- 8.10 It is acknowledged that the business has outgrown the premises in Beauly and needs to expand. The applicant owns the building and the surrounding land and wishes to use it for the business rather than seek to rent other premises or construct another new building.
- 8.11 However, this building was erected in the summer/autumn of 2019 for agricultural use, as confirmed by condition No. 2 of the planning permission (18/04689/FUL). It is stated in the applicants' supporting documentation that the "proposal uses an existing building which is no longer required for agricultural purposes". It is understood that the building has never been used for agricultural purposes. This planning application was received in February 2020.
- 8.12 The applicant advises that this building is no longer required for agricultural use due to a change in circumstances in relation to an existing agricultural steading at Fanblair, Glen Convinth. It had been anticipated that the new building would be necessary to serve agricultural needs at Beauly and Fanblair with the steading at Fanblair converted to holiday accommodation. The steading at Fanblair will now be retained for agricultural use hence the use of the agricultural building at Beauly (the application site) is no longer necessary.

- 8.13 The conclusion of the earlier pre-application advice for development on this site (18/00894/PREAPP - office block with stores for equipment and large parking area for multiple vehicles) to the applicant was that the erection of an office / storage building and associated parking area should be directed to an allocated or existing Industrial/ Business area. It confirmed that the sporadic expansion of businesses on prime quality agricultural land between Beauly and Muir of Ord instead of within allocated or existing business/industrial areas is contrary to the Development Plan policies and would not obtain officer support.
- 8.14 While it is appreciated the applicant wishes to use an under-utilised building on land within their ownership, this has to be balanced with the long term aims of the local Development Plan. It is appreciated that the applicant wishes to retain a local base for the business and employees. However, there are no exceptional reasons in terms of the nature of the business which would require a business to be located on agricultural land and outwith the Settlement Development Area. The site does not fall within an area which is allocated for such development and cannot therefore be supported.
- 8.15 The applicant has referred to two existing commercial developments operated within the vicinity with a builders' yard on the edge of Beauly, and car sales further north. These have been established for some time and no direct comparison can be made with the proposal. Notwithstanding these developments, the current application has to be assessed on the basis of the current Development Plan policy and applicable material considerations.
- 8.16 In comparison to the use of the building for agricultural purposes, the proposed Class 4 Business use will introduce a significant change in the use of the building and land which was not envisaged during the preparation of the Development Plan by the local community, or Planning Authority. The applicant has indicated that there will be significant traffic movements at the site with staff and supplies. As a result, the proposed development would result in a significant unplanned change to the wider amenity and character of the area. The proposal is therefore not considered to accord with HwLDP policy 41 Business and Industrial Land as the introduction of unplanned Class 4 Business Use into a new, unused agricultural building, on prime quality agricultural land between Beauly and Muir of Ord instead of within allocated or existing business/industrial areas would be to the detriment of the identified strategic business and industrial estates.
- 8.17 HwLDP policy 28 Sustainable Design identifies that the development proposals that are assessed as being significantly detrimental with regards to their impact on non-renewable resources including prime quality agricultural land do not accord with the Development Plan.
- 8.18 The site is an agricultural building within agricultural land, with the wider area comprising agricultural use. The proposed change of use of the building to Class 4 Business is not considered to demonstrate sensitive siting in keeping with this local character and accordingly the proposal does not accord with HwLDP Policy 28 Sustainable Design.

## **Visual Amenity**

- 8.19 Representations relate to the existing blue finish to the doors and windows which draw attention to the building and emphasise its scale and position in the landscape. The finishes are self-coloured materials and changing the colour would be a significant cost to introduce. The colouring was identified during the consideration of the original application (18/04689/FUL) for the agricultural building.

## **Trees**

- 8.20 Representations note that trees have been removed on the frontage of the field with the public road and replacement saplings have been planted. It should be noted that this was agreed as part of the original application for the agricultural building (18/04689/FUL). The representations suggest that the screening of the building is inadequate, and that additional screen planting would be appropriate to help provide visual screening and also to assist in drainage of the site. In order to achieve the required visibility splays at a new commercial standard access to the building, rather than the current agricultural access, the planting along the A862 will have to be adjusted. The detail of this has been agreed following discussion with the Forestry and Transport Planning teams, as well as the crown lifting required for existing trees along the frontage with the A862. These planting/screening details could be secured by condition should Planning Permission be granted. However, it should be noted that any significant degree of meaningful screening would take a considerable time to establish due to the open, flat nature of the field, and the large scale of the building and associated parking area.

## **Drainage**

- 8.21 Representations identify localised flooding in an area of the site close to the A862. The proposal includes drainage details which identify surface water from the building being collected in a large underground tank for firefighting purposes around 13m to the south of the building. The overflow from this then discharges by a drainage pipe to a field drain approximately 215m to the southeast close to the A862.
- 8.22 The applicant has indicated that new field drains have been installed to improve surface water drainage. This has been tied into a culvert that goes in the direction of the objectors' properties as this is the best to flow towards the River Beaulieu. The applicant is of the opinion that the objectors need to upgrade their sections of their culvert to accept water draining from fields as they are obliged to do.
- 8.23 The Flood Risk Management Team has indicated that following the submission of additional information it does not object to the proposal, and that flood risk to the building is viewed as low. In terms of surface water drainage, the submitted Drainage Information Statement (DIS) does not yet appear to provide sufficient information or to contain sufficient methodology to demonstrate that the proposals will not lead to increased inflow to the receiving watercourse. The Flood Risk Management Team considers that with a suitably robust drainage strategy, demonstrated to be in place, the existing and proposed developments are not expected to exacerbate any pre-existing drainage issues from before the building's construction. A condition relating to a finalised Drainage Impact Assessment would be considered appropriate should planning permission be granted. However, the issue of surface water drainage

remains unresolved and the proposal is therefore not considered to accord with HwLDP Policy 66 Surface Water Drainage.

- 8.24 Foul water drainage is also subject of representations. A private treatment plant is proposed with partial soakaway, all close and to the south of the building. This is then combined with the surface water drainage discharge. The site does not lie within the Settlement Boundary of Beauly so there is no requirement to connect to the public sewer although it would be desirable to do this.
- 8.25 The agent has indicated that a connection to the public sewer would be difficult to achieve due to changes in levels. Additionally, the agent notes that housing in the area immediate area uses private wastewater treatment plants.

### **Pedestrian and Road Traffic Safety**

- 8.26 Transport Planning requested a Road Safety Audit (RSA) for the existing access to the agricultural building to demonstrate whether it is suitable for the proposed commercial use due to generation of more vehicle trips. The Audit and further assessment by the Transport Planning Team concluded that it is necessary to form a new access further to the southwest from the agricultural access to serve the proposed Class 4 Business use (all as shown on Drawing GM-1226-239). Given that the independent RSA Supplementary Note has now confirmed that adequate visibility can be achieved based on the anticipated use of the access and assessed speeds on the A862, Transport Planning has indicated that it would not challenge the suitability of 215m clear visibility to the north and 160m clear visibility to the south from a 2.4m setback (rather than 4.5m) from the carriageway edge at the proposed new vehicular access. This would be on the basis that any planning permission granted was specific to the proposed occupier of the facility (Logic Alarms) as the findings of the RSA Supplementary Note are based on that proposed use. As a result, speed limits would not need to change. Transport Planning does not object subject to conditions including the removal of the existing (agricultural) access (18/04689/FUL) and a reduction in the proposed width of the access to 6m in relation to the proposed use.

### **Other material considerations**

- 8.27 Representations highlight the potential for there to be future alterations to the building and/or sub-letting that may result in additional pressures. If permitted there may indeed be scope for there to be extensions and that these might be possible, to a limited extent, without planning control. However, any significant changes would likely require further applications and therefore considered at that time. It would be possible to remove any permitted development rights in the event that this was considered necessary.

### **Non-material considerations**

- 8.28 None

## **Developer Contributions**

- 8.29 Policy 31 requires all developments to make fair and reasonable contributions towards improved public services as required. There are no Developer's Contributions required for this proposal

## **Matters to be secured by s75 Agreements**

- 8.30 None

## **9. CONCLUSION**

- 9.1 The proposal relates to a change of use of the recently completed agricultural shed on the site to Class 4 Business use. Pre-application advice was provided to the applicant in 2018 advising that the use of the site for Class 4 Business use did not accord with the Development Plan. Subsequent to this, planning permission for an agricultural building was granted, with condition 2 identifying that the shed was to be used for the purpose of agriculture and no other purpose. The shed does not appear to have been used for agricultural purposes since its completion. The proposal now seeks to change this shed to Class 4 Business use.
- 9.2 Development Plan Policy 41 identifies that development of new business premises should be targeted towards existing industrial estates; the closest in this case being at Muir of Ord, Inverness or Dingwall.
- 9.3 There is no locational requirement for conversion of this agricultural building, located on this prime quality agricultural land, to a Class 4 Business use where other options may exist, only the personal preference of, and convenience for, the applicant.
- 9.4 This is not a reason to permit further erosion of the non-renewable agricultural land resource, and additional sporadic unplanned non-agricultural business development in this rural location.
- 9.5 The proposal will result in the loss of prime quality agricultural land, and will also dissect the field, both through the formation of a new access, and by virtue of the location of the proposed building and yard. This substantially reduces the useable field area remaining over and above the actual proposed land take and will adversely impact upon prime quality agricultural land.
- 9.6 There are no exceptional reasons in terms of the nature of the business which would require the proposal to be located on agricultural land and outwith the Settlement Development Area of Beauly. The site does not fall within an area which is allocated for such development. Accordingly, the proposal is not considered to accord with Policy 41.
- 9.7 Development proposals that are assessed as being significantly detrimental with regards to their impact on non-renewable resources including prime quality agricultural land do not accord with Policy 28 - Sustainable Design.
- 9.8 While Transport Planning does not object to the proposed access/egress arrangements, it is considered that the development will result in an intensification of

use of the site with a greater number of movements to and from the building. The subsequent impact on the surrounding area is considered to be on a scale which would be detrimental to community amenity and therefore does not accord with Policy 28 - Sustainable Design.

- 9.9 The issue of surface water drainage remains unresolved and, notwithstanding the response of the Flood Risk management Team to not object, therefore the proposal cannot be considered to accord with Development Plan Policy 66 - Surface Water Drainage.
- 9.10 All relevant matters have been taken into account when appraising this application. It is considered that the proposal does not accord with the principles and policies contained within the Development Plan and is unacceptable in terms of applicable material considerations.

## **10. IMPLICATIONS**

- 10.1 Resource: Not applicable
- 10.2 Legal: Not applicable
- 10.3 Community (Equality, Poverty and Rural): Not applicable
- 10.4 Climate Change/Carbon Clever: Not applicable
- 10.5 Risk: Not applicable
- 10.6 Gaelic: Not applicable

## **11. RECOMMENDATION**

It is recommended that the application be **Refused** for the following reasons:

### **Reasons for Refusal**

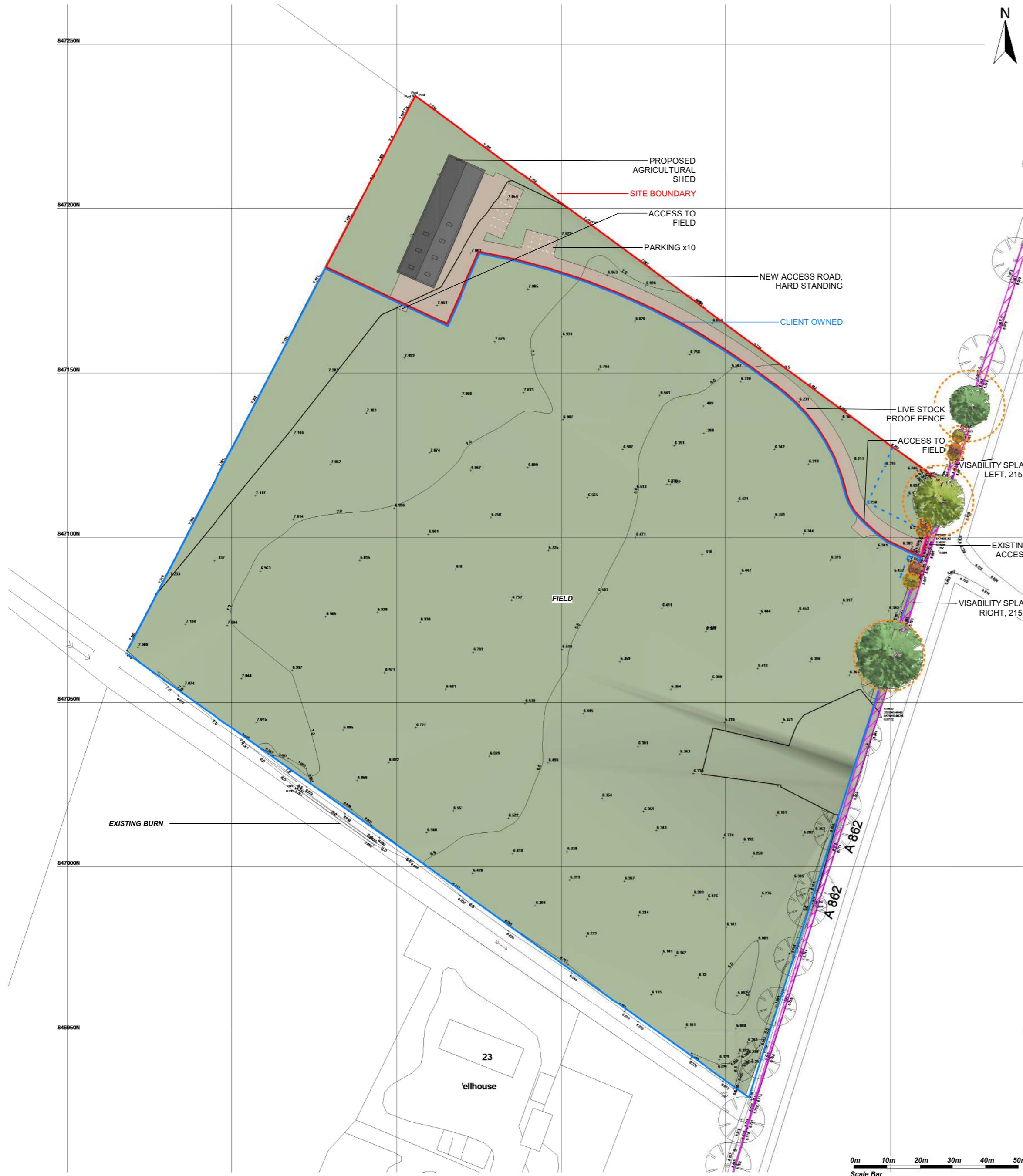
1. There are no exceptional reasons in terms of the nature or scale of the business which would require the proposal to be located on prime quality agricultural land and outwith the Settlement Development Area of Beauly. The site does not fall within an area which is allocated for such development. Accordingly, the proposal is not considered to accord with policy 41 Business and Industrial Land of the Highland wide Local Development Plan.
2. The proposal would have a significantly detrimental impact on the non-renewable prime quality agricultural land resource of the site and wider area and therefore does not accord with policy 28 Sustainable Design of the Highland wide Local Development Plan.
3. The development would result in an intensification of use of the site with a greater number of movements to and from the building. The subsequent impact on the surrounding area is considered to be on a scale which would be detrimental to its established character and community amenity and

therefore does not accord with policy 28 Sustainable Design of the Highland wide Local Development Plan.

4. The issue of surface water drainage remains unresolved and the proposal is therefore not considered to accord with Development Plan policy 66 Surface Water Drainage of the Highland wide Local Development Plan.

Designation: Area Planning Manager – South  
Author: Keith Gibson  
Background Papers: Documents referred to in report and in case file.  
Relevant Plans: Plan 1 2018-29-MRH-301 REV C location/site layout plan  
Plan 2 2018-29-MRH-300 Floor/Elevation Plan  
Plan 3 CTCH-J2706-001 Rev B Drainage Layout Plan  
Plan 4 GM-1226-239 Access Layout Plan  
Plan 5 GM-1226-240 Visibility Splay Plan  
Plan 6 18-39-MRH-100 Landscape Plan

# PLANNING AMENDMENT - BEAULY

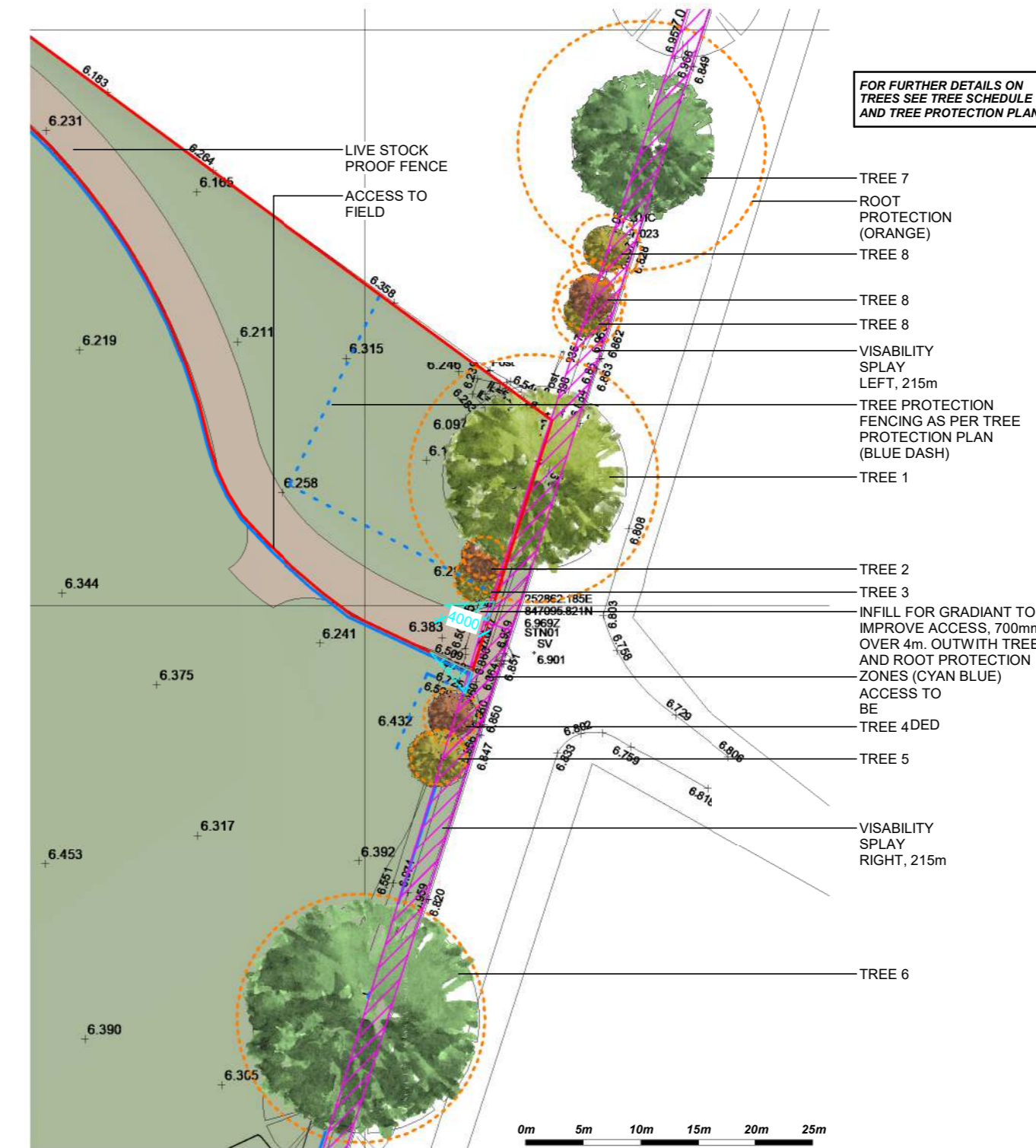


**1** Block Plan  
1: 1000



**2** Location Plan  
1: 5000

REPRODUCTION BASED UPON THE ORDANANCE SURVEY'S WITH THE PERMISSION OF THE CROWN. COPYRIGHT RESERVED



**3** Tree and Junction Plan  
1: 500



THE STUDIO  
 No 9  
 Heights of Woodside  
 Westhill  
 Inverness IV2 5TH  
 Tel/Fax: 01463 794410  
 Mobile: 07760195141  
 Email: info@mrhdesign.co.uk  
 Web: www.mrhdesign.co.uk

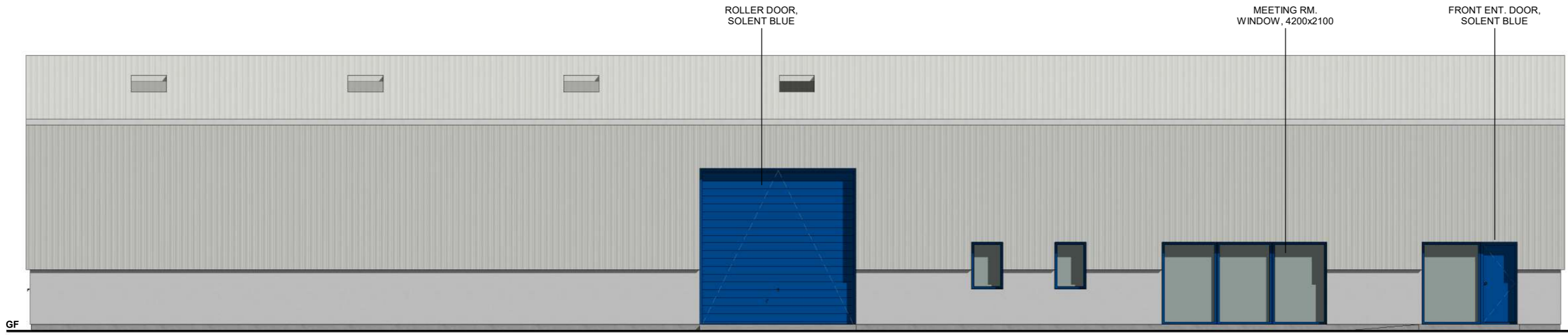
DO NOT SCALE, IF IN DOUBT PLEASE ASK  
 All setting out must be checked on site prior to commencement.  
 Any discrepancy must be reported to client.

Client	
<b>Logical Alarms</b>	
Project	
Agricultural Building, Change of Use	
Address	
Land 350M North of Mayfield, Beauly	
Scale	As indicated
Date	Feb 2020
Drawn by	KH
Project No.	2018-29
Drawing No.	2018-29-MRH-301
rev.	c.
	A2

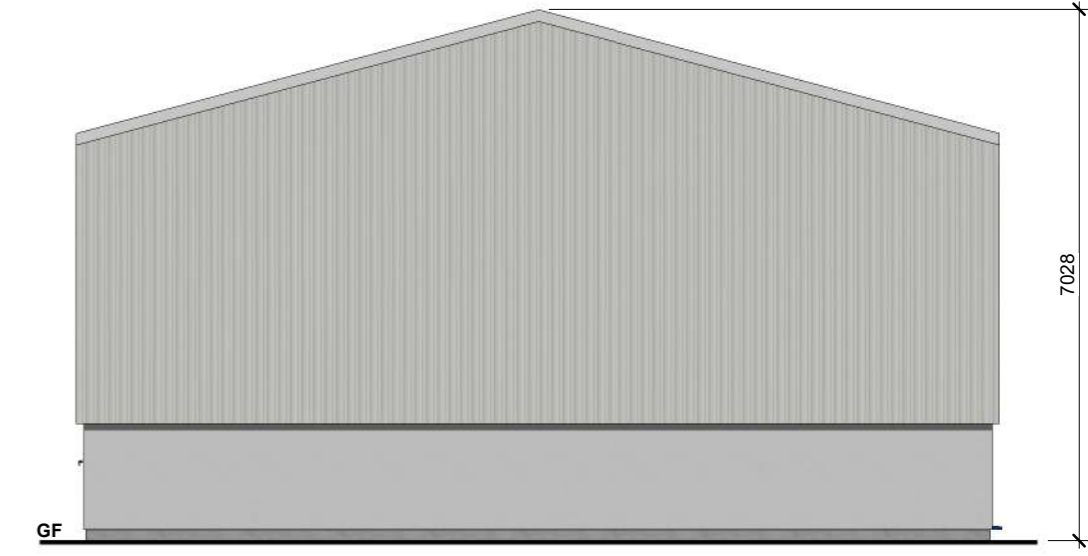
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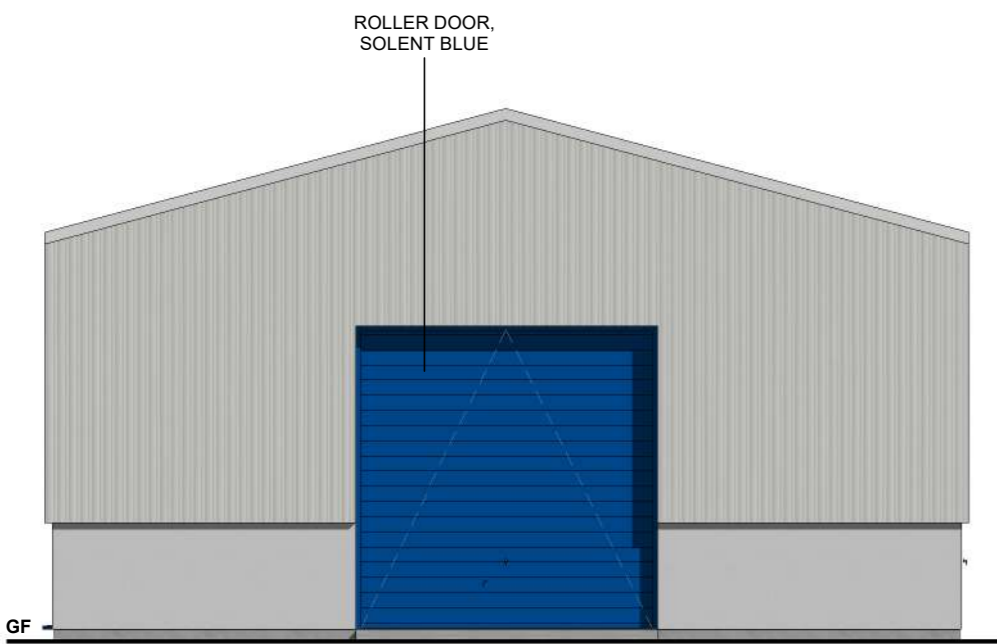
# PLANNING AMENDMENT - BEAULY



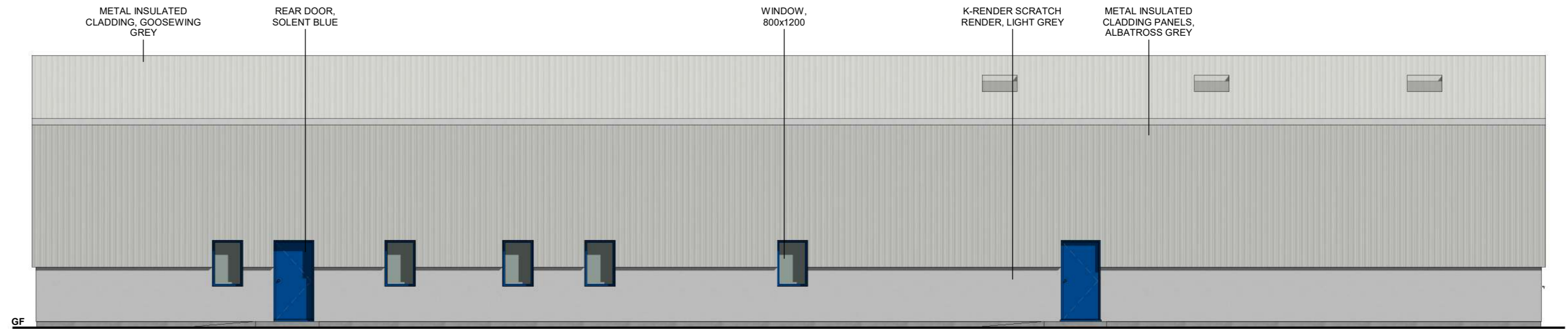
**2** South East Elevation  
1 : 100



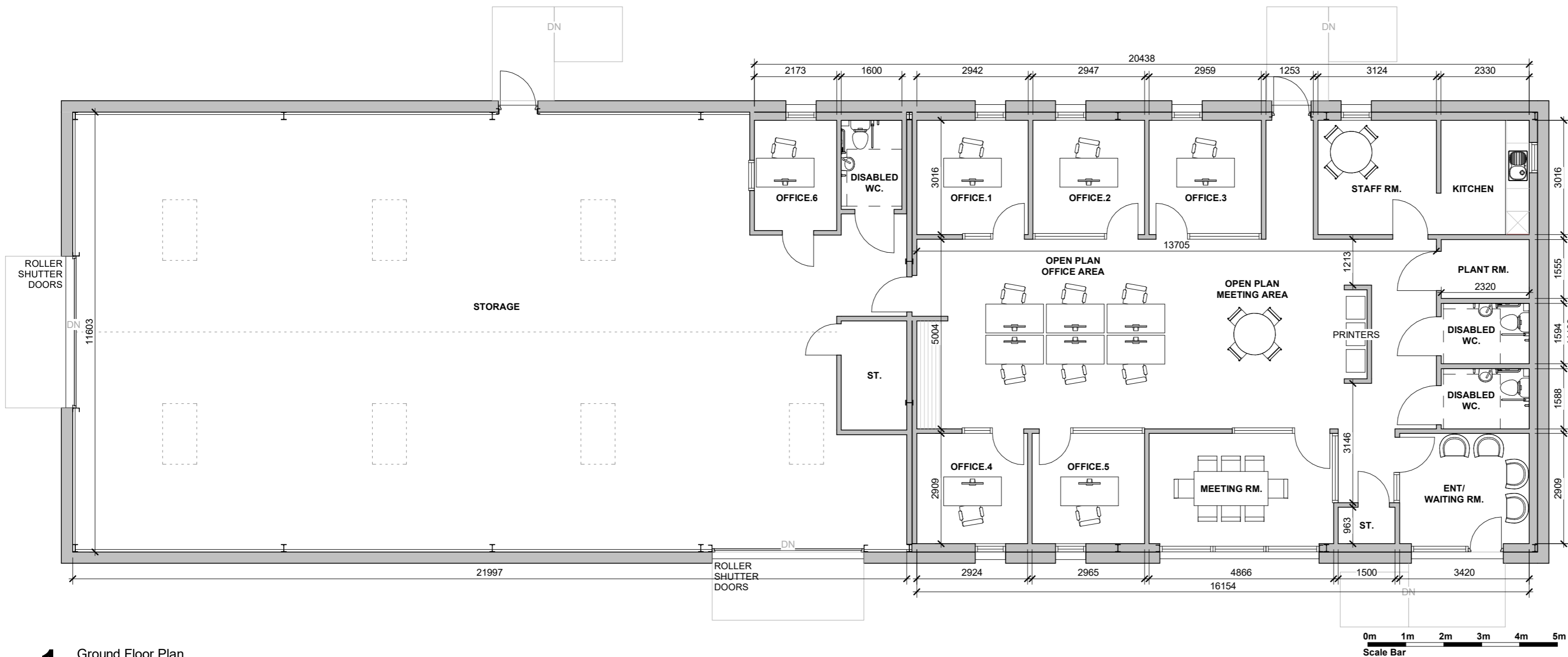
**3** North East Elevation  
1 : 100



**4** South West Elevation  
1 : 100

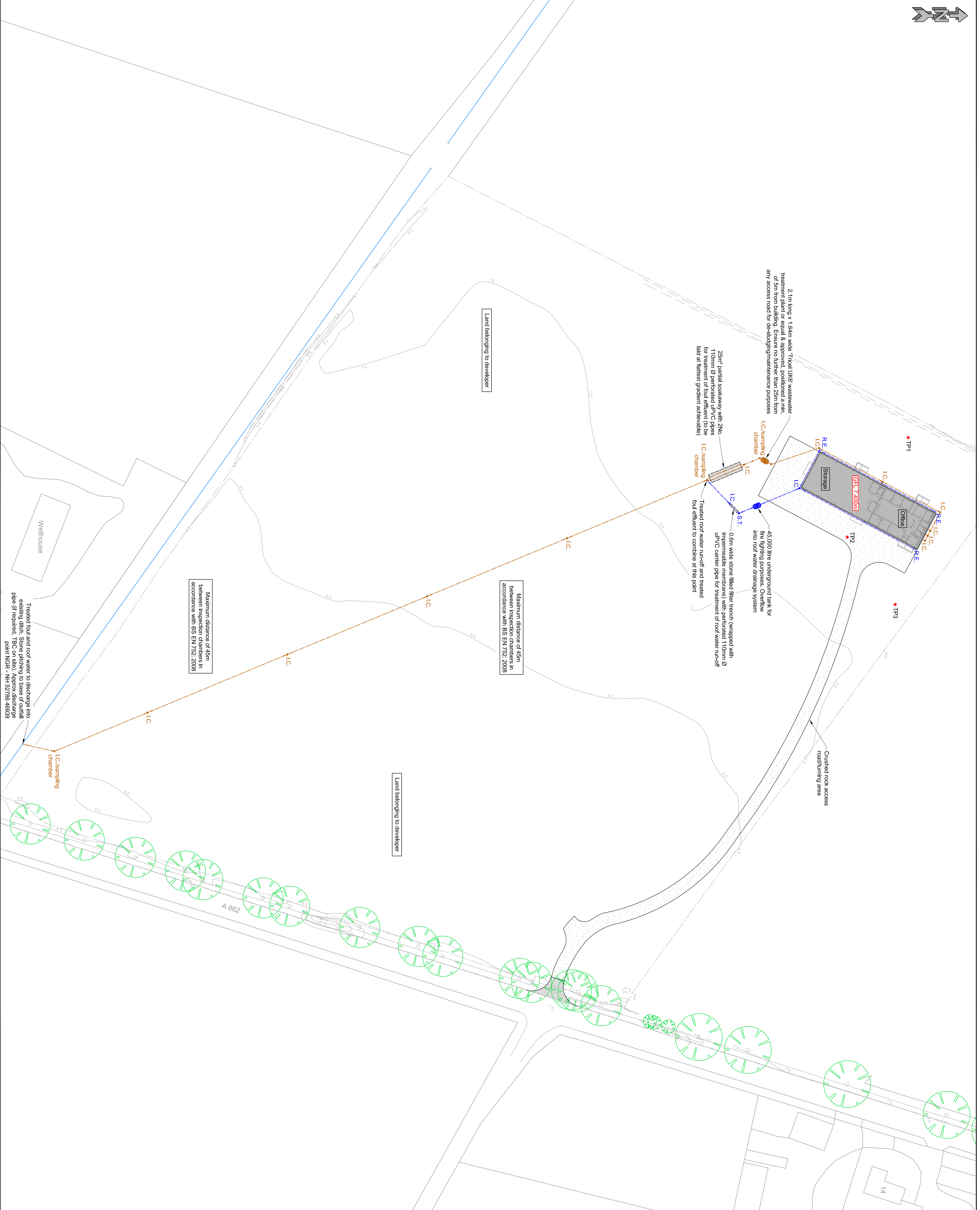


**5** North West Elevation  
1 : 100



**1** Ground Floor Plan  
1 : 100

**MRH design**  
 architectural technology  
 THE STUDIO  
 No 9  
 Heights of Woodside  
 Westhill  
 Inverness IV2 5TH  
 Tel/Fax: 01463 794410  
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 All setting out must be checked on site prior to commencement.  
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 Client  
**Logical Alarms**  
 Project  
 Agricultural Building, Change of Use  
 Address  
 Land 350M North of Mayfield, Beauly  
 Scale 1 : 100 Project No. 2018-29  
 Date Jan 2020 Drawing No.  
 Drawn by KH 2018-29-MRH-300  
 rev. . . . .  
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**NOTES:-**

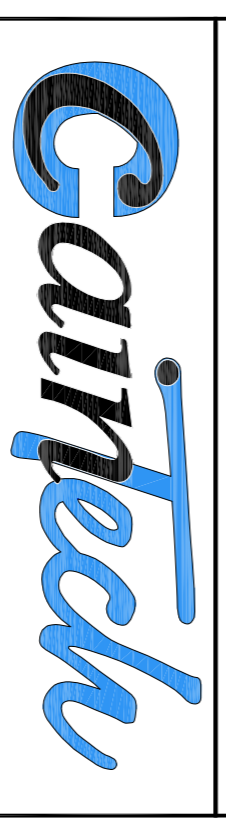
1. Drainage to be constructed, installed & tested in accordance with the recommendations in BS EN 752:2008, BS EN 1610:1998, SEPA Regulatory Method WAT-FM-03 and SEPA GBR10.
2. A minimum of 600mm cover to be provided to all pipework within garden/landscaped areas; a minimum of 900mm below any parking area and a minimum of 1200mm below any road. Concrete slab protection to be provided where minimum cover below road is not achievable.
3. Partial sumpaway to be constructed with high level overflow pipe to protect existing watercourse from pollutants during periods of dry weather.
4. Refer to the Architect's drawings for the position of the roof water downpipes and internal foul drainage outlets.
5. Foul drainage discharge shown is subject to final approval from SEPA.
6. Position of any existing services must be accurately located on site prior to construction work commencing.

**LEGEND:-**

- New 110mm Ø uPVC foul water pipework (arrowhead denotes direction of flow)
  - New 110mm Ø uPVC surface water pipework (arrowhead denotes direction of flow)
  - New rodding point terminal
  - RE
  - R.E
  - I.C.
  - I.C.
  - S.T.
  - TP1
- Indicates approximate position of foul water manhole test (carried out 04/12/2018)

Rev	Description	KG/T	GC/N
B	22/4/20 Building floor plan updated to match architect's layout. Building floor level added.	KG/T	GC/N
A	28/10/19 Layout revised to match architect's drawings.	KG/T	GC/N

**New Agricultural Building at Mayfield, Beaulieu**  
Drainage Layout Plan



LAND & BUILDING SURVEYING  
HYDROGRAPHIC SURVEYING  
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Tel: 01463 811400 Fax: 01463 545000

AGRI-CULTURAL CONTRACTORS  
E-mail: [info@cartechuk.com](mailto:info@cartechuk.com)  
Mobile: 07720 080509  
Website: <http://www.cartechuk.com>

Client: **Mr. G. Mackenzie**

Drawn By:	Checked By:	Survised By:	Survised Date:
KG/T	GC/N	N/A	N/A
Drawing Status:			
<input type="checkbox"/> PLANNING			
<input type="checkbox"/> FOR APPROVAL			
<input checked="" type="checkbox"/> WARRANT			
<input type="checkbox"/> CONSTRUCTION			
Levels are in metres and are to Ordnance Datum. Co-ordinates are to National Grid. (GPS Network)		Drawing No:	Rev:
		<b>CTCH-J2706-001</b>	<b>B</b>
		Our Job Ref:	
		<b>J2706</b>	



**Visibility Splay Notes:-**

Visibility Splay Analysis & Findings.  
2.4m x 215m  
No Trees to be Removed.

4.5m x 215m  
T7 T8 T9 T10 & T12 Trees Required to be Removed.

4.5m x 120m  
If a speed limit of 40mph was in place north of the access to the Barnyards.  
T7 T8 & T9 Trees Required to be Removed.

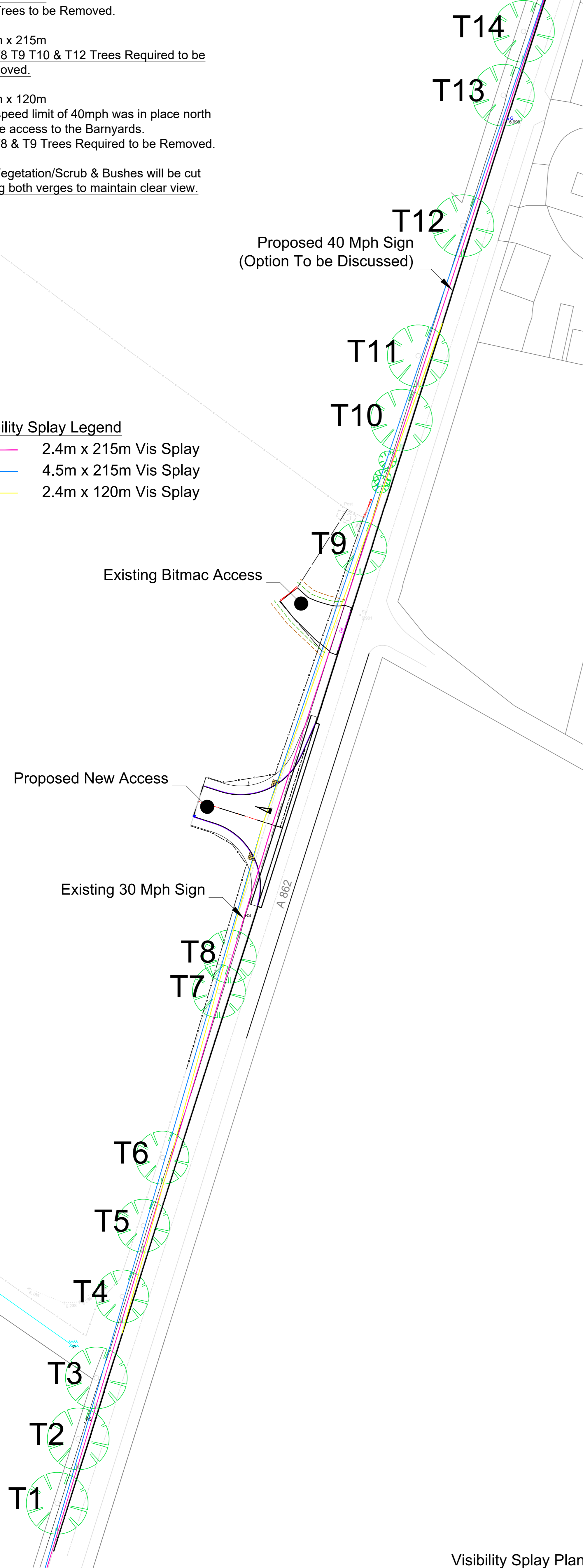
All Vegetation/Scrub & Bushes will be cut along both verges to maintain clear view.

**Visibility Splay Legend**

- 2.4m x 215m Vis Splay
- 4.5m x 215m Vis Splay
- 2.4m x 120m Vis Splay

**General Notes:-**

1. Topographical Survey by Caintech.
2. Sight Lines Design Speed section 2.22 Table 2/1: Value of "Y" Distance. Page 2/4.
3. Visibility splay clearance as per DMRB Volume 6, Section 2, part 7 TD41/95, Section 2.25. Vertical plane to be measured from a driver's eye height 1.05m to 2.00m positioned at the set back distance in the direct access to an object height of between 0.26m and 1.05m.
4. Sight Lines as Per Figure 2/2 Page 2/5.
5. Entrance Gate Positioned in accordance with Section 2.36 Page 2/8. (Min 16.3m Step Back)
6. Site Visit Confirms Visibility Can be Achieved however requires the removal of trees as noted.
7. Track Design Beyond Proposed New Bellmouth to be Confirmed in Position & Level Prior to any Construction Works by Client.
8. No surface water should exit bellmouth on to existing road tie in A862, low point created with in bellmouth and all road surface water to discharge to new filter trench.
9. All signs and lines should comply with TSRGD 2016.



Proposed Location View 4.5m From Road Edge Looking Left (New Access will Be Raised)



Proposed Location View 4.5m From Road Edge Looking Right (New Access will Be Raised)



Visibility Splay Plan (Scale 1:1000)

Location Plan (Scale 1:1000)

Client: Mr Gary Mackenzie Logic Alarms The Old Bakery Shore St Beaulieu IV4 7DB	Site Layout: Proposed New Access Visibility Splay Plan Land 350m North of Mayfield Beaulieu	Drawn By: GCN	Checked By: MRH	Surveyed By: GCN	Drawing Scale: 1 : 500 @ A1	Drawing Status: <input checked="" type="checkbox"/> FOR APPROVAL <input type="checkbox"/> FOR ISSUE <input checked="" type="checkbox"/> FOR DISCUSSION <input type="checkbox"/> DRAFT STATUS	
		Surveyed Date: 15/03/2020	Drawing No: GM-1226-240			Levels are in metres and are to Ordnance Datum. Co-ordinates are to National Grid. (GPS Network)	
		Drawing Date: 18/05/2020	Our Job Ref.	Rev.			
							Rev.

A1 Do Not Scale (If in Doubt Ask)

