

Enforcement Report into Alleged Breach of Control

at

1 Ransfield Farm

Newbridge

Edinburgh

EH28 8NS

**Development Quality Sub-Committee
of the Planning Committee**

Owner/s James Lawrie
Occupier Land Engineering
Reference No: 06/00113/E06

1. Purpose of Report

Breach of Control:

The change of use of part of the farm to commercial use for cleaning, grading, and stacking setts for the reconstruction works in the High Street, without the benefit of planning permission.

Recommendation:

To recommend that an Enforcement Notice is served to secure the cessation of the unauthorised commercial use and the restoration of the land to agricultural use.

The Site

Site Description

The land in question is part of Ransfield Farm. It is within the Green Belt and is on the north side of the road.

Site History:

A complaint was received on 15th February, raising concerns about the formation of a new road. The site was visited and a letter was sent to the owner and to the occupier of Ransfield Farm on 9th March. On 17th March, Land Engineering confirmed that they were the occupiers of the land and that work was scheduled to continue until autumn of

2006. On 5th April, Land Engineering was contacted and asked to give a specific date for the cessation of the use and the restoration of the site. This letter was followed up on 15th May, the same date as another complaint was received. Following service of a s272 Notice on 25th May, Land Engineering responded on 12th June to advise that the use would be stopped on 30th November and a further two weeks would be required for site restoration. Given the relatively short timescale involved, as well as the relatively minor nature of the breach of planning control, it is proposed that an Enforcement Notice is served with a compliance date of 30th November for cessation of the use and 14th December for restoration. This would be in order to prevent another company from using the farmland for commercial purposes at a later date.

Representations

No representations were received.

Description of Development

The unauthorised change of use of an area of Ransfield Farm to form an area used for the cleaning, grading, and stacking of setts used in connection with the engineering works on the High Street

3. Officer's Assessment and Recommendations

The determining issue is whether the development is acceptable with regard to the provisions of the development plan, so far as they are material, to any other material considerations and, in the light of these considerations whether it is expedient to initiate enforcement action.

Structure plan policy ENV 2B states that there is a presumption against changes of use in the Green Belt unless it is necessary for the purposes of agriculture, horticulture, forestry, countryside recreation, or other uses appropriate to the rural character of the area. The use of the land in question has been changed from farmland to a commercial use which is not appropriate to a rural setting, and conflicts with this policy.

Structure plan ENV 3 states that development in the countryside will be allowed where it has an operational requirement that cannot be met on a site in an urban area and is compatible with rural character. This change of use is speculative; no evidence has been submitted to suggest that the requirement cannot be met in an urban site. The change of use is not compatible with rural character as it does not meet the needs of tourism or recreation, it does not re-use redundant buildings, and it does not meet the terms of Scottish Executive Guidance on farm diversification.

Rural West Edinburgh Local Plan Policy E5 states that development will not be permitted in the Green Belt except where necessary for agriculture, horticulture, forestry, recreation, or where a rural location is essential. The change of use in question does not meet these needs, and a rural location is not essential for the cleaning, grading, and stacking of setts for road maintenance.

The unauthorised change of use fails to comply with structure and local plans. It is recommended that Committee authorises the instigation of Enforcement action to secure the cessation of the use and the restoration of the land to agricultural use.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel Mark Dunlop on 0131 529 3478

Ward affected Ward 03 - Dalmeny/Kirkliston

Local Plan Rural West Edinburgh Local Plan

**Statutory
Development Plan
Provision**

File

**Date Complaint
Received** 15 February 2006

Planning Policy

Edinburgh and the Lothians Structure Plan Policies ENV 2B and ENV 3.
Rural West Edinburgh Local Plan Policy E5.

Appendix A



Address:

1 Ransfield Farm
Newbridge
Edinburgh
EH28 8NS

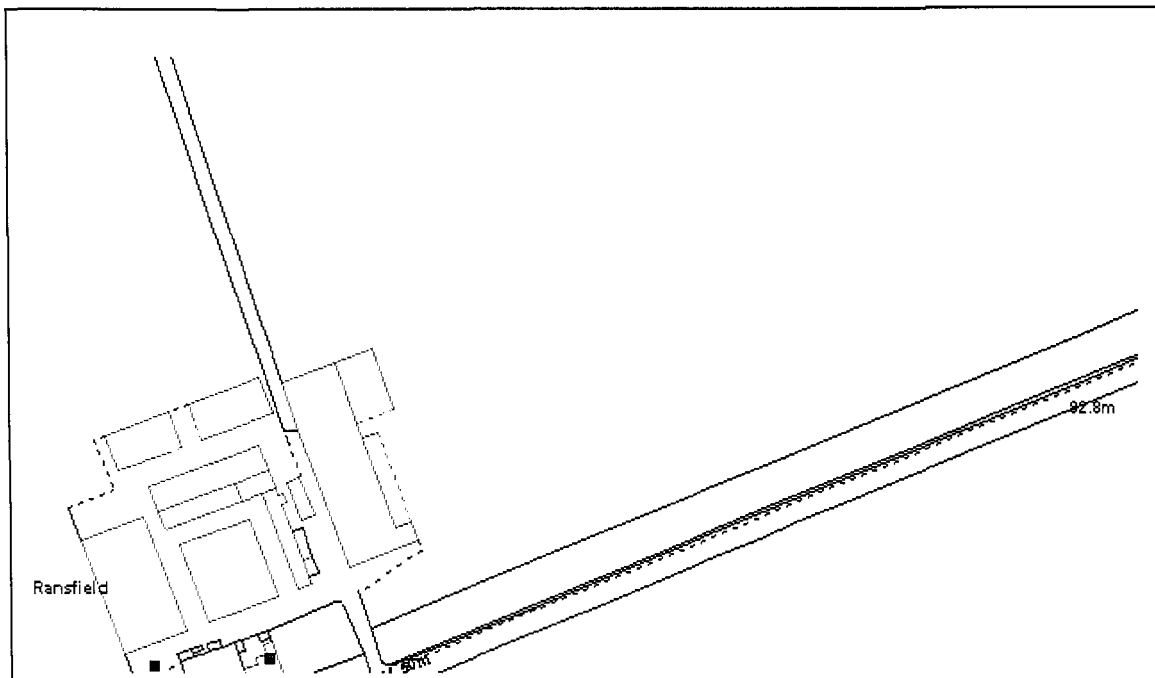
Breach of Control:

The change of use of part of the farm to commercial use for cleaning, grading, and stacking setts for the reconstruction works in the High Street, without the benefit of planning permission.

Reference No:

06/00113/E06

Location Plan



Reproduction from the Ordnance Survey mapping with permission of the Controller of Her Majesty's Stationary Office © Crown Copyright.

Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Licence Number 100023420 The City of Edinburgh Council 2004.