



Town and Country Planning (Scotland) Act 1997 Appeal Decision Notice

Decision by David Buylla, a Reporter appointed by the Scottish Ministers

- Planning appeal reference: PPA-240-2084
- Site address: land to the west of Brackenber House, Cemetery Road, Airth, FK2 8JG
- Appeal by George Russell Construction Ltd against the decision by Falkirk Council
- Application for planning permission in principle P/23/0577/PPP dated 20 November 2023 refused by notice dated 25 March 2025
- The development proposed: construction of visitor centre to include information / exhibition space, arts and craft workshop, restrooms, café and retail area and up to 82 dwellinghouses and associated works
- Date of site visit by Reporter: 28 July 2025

Date of appeal decision: 26 August 2025

Decision

I dismiss the appeal and refuse planning permission in principle.

Reasoning

1. I am required to determine this appeal in accordance with the development plan, unless material considerations indicate otherwise. The development plan comprises the fourth National Planning Framework (NPF4) and Falkirk Local Development Plan 2 (the LDP).
2. Having regard to relevant provisions of the development plan, I consider the main issues in this appeal to be: the principle of developing housing and the proposed visitor centre in this location; its effect on the Inventory Garden and Designed Landscape of Dunmore Park; its effect on the setting of the category B listed East Lodge; its landscape and visual effects; and the ability of development here to satisfy sustainable travel and 20 minute neighbourhood objectives;

The principle of development

3. In 2018, the site was proposed by the appellant for allocation in the LDP for the development of a visitor centre and enabling development in the form of 22 bungalows. However, that proposal was rejected on grounds that there was no justification for the proposed visitor centre, and that it and housing would extend the village beyond its logical physical boundaries to the detriment of its landscape setting.
4. Consequently, the LDP was adopted without the appeal site being allocated for development and with it identified as lying outside the Airth settlement boundary, in countryside. Three housing sites were allocated within Airth, in preference to the appeal

site, the largest of which (H48), which lies adjacent to the appeal site, is nearing completion. The other two have not been developed to date.

5. NPF4 policy 16 f) confirms that development proposals for new homes on land not allocated for housing in the LDP will only be supported in limited circumstances where the proposal is supported by an agreed timescale for build out (not in dispute here) and is otherwise consistent with plan spatial strategy and other relevant policies including local living and 20 minute neighbourhoods. The presence or (as is the case here) absence of a green belt designation is not a consideration that is relevant to an assessment of a proposal against this policy.

6. The introduction of this policy marked a step-change in the approach to the consideration of housing development proposals. It confirmed that housing delivery should be plan-led, and removed the presumption in favour of development that contributes to sustainable development where a shortfall in the five year effective housing land supply could be identified. LDP policy HC01 reflects that now superseded approach to the release of unallocated land for housing. It is incompatible with NPF4 policy 16 f) and has been superseded by it. It carries no weight in this appeal.

7. The LDP allocated sites for housing depending on infrastructure, environmental and market constraints. It identified low housing growth potential for the Rural North Settlement Area where the appeal site is situated. The development of homes outside the LDP-defined settlement boundary of a relatively small rural settlement is contrary to the LDP's spatial strategy, which seeks to focus housing development on 12 Strategic Growth Areas, and to restrict development in the countryside.

8. The appellant highlights the forecast low level of housing completions in the Rural North Settlement Area, particularly beyond 2030, as evidence that greater flexibility should be employed in where housing development will be permitted. But such low forecasts of future completions are consistent with the LDP's decision to allocate only limited housing land within the Rural North Settlement Area and to focus housing development instead on the Strategic Growth Areas, which are within or immediately adjacent to significant centres of population, amenities and services.

9. And, as I confirm below, the proposal is inconsistent with a large number of other development plan policies including those seeking to protect the historic environment and to ensure that development accords with local living and 20 minute neighbourhoods principles.

10. Even if these fundamental LDP policy conflicts did not exist, NPF4 would only support the principle of developing market housing outside a settlement boundary if it had been demonstrated that the delivery of housing sites was happening earlier than identified in the deliverable housing land pipeline, or if the proposal complied with policy on rural homes. I explain below why neither of these requirements applies to this proposal.

11. There is no housing land pipeline in place at present, but the Court of Session has confirmed that the absence of such a pipeline is not a reason to postpone the implementation of policy 16. I agree with the planning authority that the housing land audit (HLA) provides a reliable indication of the health of the housing land supply. Notwithstanding the apparently quicker than anticipated progress on allocated site H48, the HLA does not confirm that the delivery of housing sites is proceeding ahead of the expected trajectory and there is no alternative evidence to suggest that it is. The appellant's submissions in respect of the Rural North Settlement Area are predicated on there being an under- rather than an over-supply of housing. And, as I explain below, the proposal is

inconsistent with development plan policy on rural homes. Accordingly, the proposal is contrary to NPF4 policy 16.

12. Shortfalls in housing land supply existed long before the housing emergency was declared and they are not a consequence of NPF4's revised approach to housing policy. Pre-NPF4 policy disincentivised the delivery of housing on allocated sites, particularly those on brownfield land, and encouraged the promotion of less appropriate and less sustainable sites on easier to develop greenfield land. The purpose of NPF4's significant change in policy direction was to put an end to that inappropriate approach – ensuring that, in the interests to sustainability, the identification of land for housing was properly coordinated through the development plan along with all other land use planning considerations, rather than being promoted on an *ad hoc* basis without proper regard for such important factors.

13. The Scottish Government Chief Planner's letter of 26 June 2024 confirms, among other things, the national housing emergency, and the need to read NPF4 as a whole. But it contains no indication that the radical change in housing policy that NPF4 had (at that time only recently) introduced should be set aside. The declaration of a housing emergency, while a material consideration, provides no justification for reverting to pre-NPF4 policy by building housing on an unsuitable site, or to accept a development that, as I confirm later in this notice, is fundamentally at odds with NPF4 as a whole.

14. Part a) of NPF4 policy 17 sets out eight circumstances where support for new homes in rural areas would be given, provided that the proposed development was suitably scaled, sited and designed to be in keeping with the character of the area.

15. For reasons I confirm elsewhere in this notice, I find the scale and siting of the proposal to be inappropriate, and the proposed housing to be out of keeping with the character of the area. But even if that had not been the case, for reasons I explain below, I find the appeal proposal not to fall within any of the eight categories of rural housing where policy 17 a) is potentially supportive.

16. The appeal site is not allocated for housing and is not brownfield land, and the proposal has no agricultural or rural business justification. Therefore the only potentially relevant category in policy 17 a) is category iv, which relates to appropriate enabling development to secure the future of historic environment assets. I explain later in this notice why what is proposed cannot be described as appropriate enabling development. Therefore the proposal can draw no support from part a) of policy 17.

17. Part b) of policy 17 requires development proposals for new homes in rural areas to consider how the development would contribute towards local living and to take into account identified local housing needs (including affordable housing), economic considerations and the transport needs of the development as appropriate for the rural location.

18. I discuss local living later in this notice. The proposal would provide 25% affordable housing, as is required of all housing development proposals in the Rural North Settlement Area by LDP policy HC03. However, it has not been demonstrated that Airth is a settlement where there is an economic justification for the proposed housing or where, as I discuss in more detail later in this notice, transport connections for the proposed homes would accord with sustainable travel expectations.

19. In any event, compliance with part b) of the policy would not overcome the failure to draw support from part a). Parts c) and d) of that policy are not relevant to this proposal, which I find to be not supported by policy 17 overall.
20. LDP policy HC05 sets out very similar types of development to NPF4 policy 17 where housing in the countryside would be supported. None are relevant to this proposal so the proposed housing development can draw no support from that policy either.
21. The policy intent behind NPF4 policy 9 is to encourage, promote and facilitate the reuse of brownfield, vacant and derelict land and empty buildings and to help reduce the need for greenfield development. All of the appeal site is greenfield land. Part b) of that policy confirms that proposals on greenfield sites will not be supported unless the site has been allocated for development, or the proposal is explicitly supported by policies in the LDP. The site was proposed for LDP allocation but rejected, and its development is not supported by LDP policies. Therefore, both the visitor centre and housing are contrary to NPF4 policy 9.
22. As the proposed housing cannot be justified when assessed against the housing and spatial planning policies of the development plan, it is necessary to consider whether it could be accepted as an exception to those policies on account of its ability to enable a desirable form of development that would not otherwise be deliverable. Typically, such enabling development is considered in the context of proposals to fund the restoration of an historic asset.
23. NPF4 policy 7 n) offers support to enabling development proposals only where it has been demonstrated that the development is essential to secure the future of an historic environment asset or place which is at risk of serious deterioration or loss and that the proposed works are the minimum necessary to secure the restoration, adaptation and long term future of that asset or place.
24. The site of the proposed visitor centre lies within land that comprises the former Dunmore estate, which is included in the Inventory of Gardens and Designed Landscapes (GDL) in recognition of its national importance. However, the appellant does not propose to fund the restoration of the GDL or any part of the former Dunmore estate including The Pineapple, which is a category A listed folly that is a recognised tourist attraction. This means the support that NPF4 policy 7 n) offers to enabling development proposals does not apply. The proposal can also draw no support from LDP policy PE10, which potentially welcomes proposals that would secure sensitive restoration and management of historic gardens and designed landscapes.
25. While the proposal's enablement justification can draw no support from development plan policies, I accept that, in principle, enabling development need not be confined to proposals that would, through improvements to their physical condition or the provision of funding to safeguard their future, directly benefit an historic asset. If the proposal were able to guarantee the delivery of some other feature that would be desirable in the public interest but impossible otherwise to deliver, then that could be a material consideration to weigh against the policy presumption against the principle of the appellant's proposals to build houses on land where such development is not permitted by the development plan.
26. The appellant contends that its proposed visitor centre would indirectly benefit The Pineapple, the former Dunmore estate, and the wider area, by providing improved facilities for visitors. It proposes to fund the proposed visitor centre from the proceeds of the housing development. In other words, the housing development would be the enabler of the visitor

centre. The District Valuer accepts that the level of housing development that is proposed would generate sufficient profit to achieve that objective, but not an excessive level of profit (which might have indicated that only a reduced quantum of housing development would have been justified). However, that does not address the critical question of whether the development that would be enabled is, in fact, desirable.

27. In this countryside location and on a greenfield site, the principle of developing a visitor centre is not supported by NPF4 policy 9 (discussed above) or LDP policies JE01 and JE10 (discussed later in this notice).

28. The community council is supportive of the proposed visitor centre, arguing that it would provide much needed facilities for the area and some local employment opportunities. It describes the lack of toilets and a café at The Pineapple as detracting from its attractiveness to visitors. However, the owner of The Pineapple, The National Trust for Scotland, while not objecting to the proposal, does not agree that a visitor centre is required or that it would be beneficial.

29. It is unclear to me how The Pineapple or any other part of the former Dunmore estate would derive any significant benefit from being provided with a visitor centre.

30. When I visited The Pineapple on a sunny weekday morning in July there were two cars and a camper van in the adjacent car park, which was well within its capacity. There were also other informal opportunities for parking at the edge of the adjacent woodland. I would expect the site to be busier at weekends, but there is no evidence to support a conclusion that the size of the car park, or the width or condition of the access to that car park (which I did not find to be substandard in the context of this relatively modest visitor attraction) are impediments to its functioning or to the enjoyment of visitors. The appellant's business plan describes visitor numbers to The Pineapple as "low", noting its small number of TripAdvisor reviews in comparison with attractions such as the Falkirk Wheel and Helix Park and the small size of the car park, which local knowledge confirms "is mostly used by walkers."

31. I walked the entire length of the access route in both directions and encountered one car. There is sufficient width for pedestrians and vehicles to share this access without the former feeling threatened, and this is assisted by the traffic calming effect of the route's (in places) uneven surface.

32. There is no evidence that the provision of a large car and bus park, as the appellant proposes, is necessary or desirable in order for either The Pineapple or the woodland walks within the former Dunmore estate to cater for the level of visitors those features are ever likely to attract.

33. I am also not convinced that the location of the proposed visitor centre is ideal for its stated purpose. It would be relatively remote from The Pineapple and surrounding estate and would, unlike the existing car park, require visitors to walk a not insignificant distance from where they left their car. In my view, the chosen location for the visitor centre is likely to attract those looking for a roadside café rather than those intent on visiting The Pineapple, for whom the existing vehicle access and car park are likely to remain a more attractive proposition. As such, I do not accept that The Pineapple provides the proposed visitor centre with an essential need for a countryside location.

34. Turning to the benefits that the visitor centre could provide to the wider area, the scale of the proposed visitor centre far exceeds what would be required to serve the village

community and it has not been demonstrated that a site within the village could not be found for an appropriately sized café / meeting space, which the appellant believes the village is lacking.

35. I accept that it would provide a facility that some local residents and visitors would welcome, and a source of employment and associated financial benefits for the local economy. These are all positive factors that require to be taken into consideration. But there is no evidence that the socio-economic health of Airth or the surrounding area is suffering due to the absence of a visitor centre. And it has not been demonstrated that, even if it were, a more suitable site – one that did not conflict with the in principle presumption against such development on a greenfield site in the countryside and which would not have the harmful effects I discuss later in this notice, could not be found.

36. The Pineapple is identified in the Falkirk Area Tourism Strategy 2023 – 2028 as one of six “distinctive” visitor attractions. These support the area’s main “hero” attractions such as the Kelpies and Falkirk Wheel. Unlike the “hero” attractions, which attract the most visitors and are capable of drawing international as well as domestic visitors to Falkirk, the “distinctive” attractions are stated to encourage visitors to extend their stay. The strategy seeks to increase total visitor expenditure over the period 2023 – 2028 by 20%. It identifies two of the “distinctive” visitor attractions (along with one of the “hero” attractions) as its priority areas for action. The Pineapple is not one of these. Nevertheless, the proposed visitor centre would make a contribution to the strategy’s aims by providing a source of economic generation, which would help to address a weakness identified in the strategy that most of the area’s visitor attractions (including The Pineapple) are free attractions.

37. The LDP aspires to capitalise on the area’s tourism potential and to build a strong visitor economy so that the Falkirk area becomes one of Scotland’s top visitor destinations by 2040. LDP policy JE01 offers support to tourism development which would support the tourism networks, themes and nodes that are identified in the spatial strategy, would enhance the image and tourism infrastructure of the area and would comply with other LDP policies. Neither The Pineapple or any other site in the Airth area is included in Table 3.4 of the LDP, which defines the tourism networks / themes and nodes, or in the LDP’s spatial strategy for business and tourism. For reasons explained elsewhere in this notice, the proposal would also not comply with other LDP policies. Therefore, even if the proposed visitor centre would enhance the image and tourism infrastructure of the area, it could draw no support from policy JE01.

38. LDP policy JE10 encourages proposals for food and drink uses to locate within town, local and commercial centres, in association with other neighbourhood shops or services, or at tourism nodes. The appeal site does not comply with any of those potentially acceptable locations, so the proposal is not supported by this policy.

39. The planning authority’s third reason for refusal finds the proposal to be contrary to LDP policy JE05. This deals with proposals for business development in the countryside. I am not convinced that the range of uses that the proposed visitor centre would contain could accurately be described as “business development”. But if they could, then I agree with the planning authority that they would not be supported on this unsuitable site by policy JE05.

40. The main component of the proposed visitor centre, in terms of floorspace and activity, would be a cafeteria. However, the building would also provide what could reasonably be described as “community facilities”. LDP policy IR04 only supports such facilities where there is good access by public transport, walking and cycling, where the

proposal would be compatible with the surrounding area in terms of scale, character and design and where it would comply with other LDP policies. For reasons I have described elsewhere in this notice, the proposal would not satisfy these expectations and is not therefore supported by this policy.

41. NPF4 policy 30 offers support to tourism development proposals in locations that have been identified in the LDP. The appeal site has not been identified as a tourism location in the LDP but as countryside, where such development is not supported. The proposal also performs poorly against the expectation of policy 30 for development to be compatible with the surrounding area in terms of the nature and scale of the activity and its activities for sustainable travel. Therefore, the proposal is not supported by policy 30.

42. Taking all of the factors into account, I conclude that building a visitor centre in this location would not be supported by LDP policy and that the socio-economic benefits of doing so do not come close to outweighing the harm it would cause or its conflict with development plan policy, let alone justifying the proposed housing development, which itself is contrary, in principle, to the development plan and would (as I outline below) introduce its own unacceptable effects.

43. The fact that the proposed visitor centre is likely to be financially viable has no relevance to an assessment of its appropriateness for the appeal site in development plan terms.

Effects on the Dunsmore Park Inventory Garden and Designed Landscape

44. The proposed visitor centre and associated road layout would be situated within the southern part of Dunsmore Park GDL. This part of the parkland would always have had a more open character than the densely wooded and more formally laid out policies that are found close to the former mansion house and associated Elphinstone Tower, The Pineapple garden folly, walled gardens and East Lodge. But what would have formerly had a parkland character, now has the appearance of a large and unremarkable, arable field that is largely devoid of trees and hedges. There has, therefore, already been some loss of the GDL's character and historic interest.

45. Despite this dilution of its original parkland layout, I agree with Historic Environment Scotland that the open and undeveloped agricultural character of the site on which the proposed visitor centre would be constructed, which can be seen on the 1895 Ordnance Survey map, retains some value as part of the GDL. I do not agree with the appellant that the proposed visitor centre would enhance the GDL by bringing context back to the site. The introduction of large and prominent built development, extensive road infrastructure and parking to a part of the designed landscape where evidence suggests it has never previously occurred and which would be at odds with how the estate was laid out, would, contrary to LDP policy PE10, erode the open and undeveloped character that this part of the GDL has always had. This would detract from the GDL's character and integrity.

46. NPF4 policy 7 i) offers support to development proposals that would affect a GDL, provided that they would protect, preserve or enhance the GDL's cultural significance, character and integrity and not significantly impact on important views to, from and within the site, or its setting. Due to the harm it would cause to the GDL's character and integrity and its prominence in views from, within and to the site, the proposal can draw no support from this policy.

47. The fact that, due to dense tree screening and high stone walls near The Pineapple, the proposed visitor centre and associated development are unlikely to be visible from the more formally laid out core of the GDL, does not alter my conclusions as to its unacceptability within a peripheral but still important area of the GDL.

48. The appellant has offered to implement further landscape screening around the proposed visitor centre and I note that Scotland's Garden and Landscape Heritage has suggested enclosing the building with woodland. However, I agree with the planning authority that dense tree planting in this part of the GDL, which the evidence confirms was designed to have an open and undeveloped character, would itself be harmful to the GDL's character and integrity.

49. The appeal proposal seeks planning permission in principle only. However, I see no potential for a design solution to be devised and put forward at the matters specified in conditions stage that could overcome the in-principle unsuitability of this part of the GDL to accommodate the scale and form of development that the appellant proposes.

Effects on the setting of East Lodge

50. East Lodge is a category B listed building. It is a former gatehouse to the Dunmore estate. I am required by section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.

51. The introduction of the much larger and more prominent proposed visitor centre and its extensive car park, in proximity to East Lodge, would visually dominate the lodge and would detract from the purpose behind the construction of the listed building, which was to provide a visual focal point at this entrance to the Dunmore estate. The provision of an alternative pedestrian access route, which would bypass the long-established route past the listed building, and the construction of the roundabout and proposed visitor centre within the estate, but accessible without passing the lodge, would further detract from the setting of the lodge by diminishing a visitor's experience and understanding of the role this listed building was designed to play within the operation of the former estate.

52. I agree with Historic Environment Scotland that the proposed access arrangements would divorce the lodge from its context and diminish a visitor's experience and understanding of the listed building. This would be contrary to policy HEP2 of the Historic Environment Policy for Scotland, which requires decisions affecting the historic environment to ensure that its understanding and enjoyment as well as its benefits are secured.

53. Taking all likely effects into account, I conclude that the proposed visitor centre would significantly harm the setting of the category B listed East Lodge and would reduce visitor's experience and understanding of it. As such, the proposal would conflict with the requirements of LDP policy PE07 and NPF4 policy 7.

54. There is no evidence to suggest that the applicant's offer to reconsider design and layout details at the matters specified in conditions stage could overcome these concerns.

Landscape and visual effects

55. The open arable fields that surround Airth contribute positively to the landscape setting of the village.

56. The upper floor and roofs of the existing Lochay Homes development can be seen from the B9124 to the west, emerging above the high point in the adjacent field. The proposed development would extend the village out beyond that high point into a field and would be far more prominent and harmful to the character of the agricultural landscape than the existing housing. The proposed landscape buffer along the site's western edge would not materially lessen this adverse effect, as it too would appear as an incongruous intrusion into the open agricultural landscape, which could draw even more attention to this visually incongruous settlement expansion. The proposed visitor centre development would appear as an incongruous intrusion of built development into a rural setting, well outside the established visual envelope of the village.

57. LDP policy PE18 confirms the planning authority's commitment to protect and enhance landscape character and to enhance landscape quality throughout the council area. The policy requires it to be demonstrated that development proposals likely to have significant landscape and visual effects would, with appropriate mitigation, achieve a satisfactory landscape fit. Contrary to the requirements of this policy, both the proposed houses and visitor centre would fail to achieve a satisfactory landscape fit, and the harm this would cause to landscape character and visual amenity could not be mitigated.

58. Supplementary Guidance SG01 "Development in the Countryside" expects new development to nestle within the landscape, taking advantage of existing features such as topography, trees, woodlands, water features, existing buildings and boundary treatments. Neither the proposed visitor centre or housing would adhere to these expectations. Both sites are undefined corners of large and prominent fields, which pay little regard to existing boundary treatments or vegetation and would require the creation of prominent new boundaries in order to define them. The proposed housing development would conflict with the local topography by taking development onto the highest and most prominent point in the landscape, losing the partial enclosure of the village that this currently provides. With the exception of its southern end, which would be partially screened by buildings at Airth Mains Farm, the proposed development would present a highly prominent and visually illogical edge to the village, almost a kilometre in length, which would be visible from a significant distance to the west. The proposed narrow landscape buffer strip could not overcome (and might well exacerbate) this harmful effect.

Sustainable travel and 20 minute neighbourhoods

59. NPF4 policy 15 expects development proposals to contribute to local living including, where relevant, 20 minute neighbourhoods. To achieve this, consideration must be given to a proposed development site's interconnectivity with sustainable transport options, sources of employment and other day to day requirements. The Scottish Government's Local Living and 20 Minute Neighbourhoods planning guidance confirms that local living provides people with the opportunity to meet the majority of their daily needs within a reasonable distance of their home and that a 20 minute neighbourhood aims to provide access to the majority of daily needs within a 20 minute (10 minutes in each direction) walk, wheel or cycle from home.

60. Airth has a population (according to the community council) of around 2600, but limited shopping, leisure and employment facilities. It does not, in my view, provide amenities and services to support all of the daily needs of its residents. Bus services that could realistically be accessed from the appeal site on foot are limited to an hourly service between Monday and Saturday, which is less than optimal for those needing to leave the village to access amenities and services that are not available there.

61. Presumably in recognition of its limited range of amenities and services, this is a settlement where the LDP has allocated relatively modest levels of additional housing development. The majority of this has been, or is in the process of being, constructed, but some allocated land remains on which to meet (with potential contributions from windfall sites) housing need and demand for the remainder of the plan period. If that allocated land is not developed, as the appellant suggests is likely to be the case, the next review of the LDP would provide an opportunity to consider whether alternative land at Airth should be allocated to replace it.

62. The site of the proposed housing lies beyond the western edge of the village. It is relatively remote from the village centre – most of it lying more than a 400m walk away, which is the maximum walking distance that LDP policy IR07 specifies in order for development to have good access to bus services. It is also situated at a higher elevation than the village centre, which means the return trip from the centre would involve the ascent of a not insignificant hill. Therefore, while it would be possible to walk from the site to the village's services in accordance with the 20 minute neighbourhoods aspiration, the site is not well situated to encouraging walking over less sustainable travel modes. And, in any event, the limited range of facilities within the village is likely to require residents of the proposed homes to travel further afield for employment and many of their other day to day requirements.

63. Airth's relatively limited bus service is unlikely to persuade many residents of the proposed homes to favour public transport over the private car for commuting to work or for other journeys that would require them to leave the village on a regular basis. This would remain the case even if, as the appellant has agreed to temporarily fund, the bus service were extended to include a Sunday service.

64. The policy intent of NPF4 policy 13 is to encourage, promote and facilitate developments that promote walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably. Part b) of the policy offers support to development proposals that can demonstrate that their transport requirements have been considered in line with the sustainable travel and investment hierarchies. LDP policy IR05 requires development proposals to support a hierarchy of travel which maximises the extent to which its travel demands are met first through walking, then cycling, then public transport and finally through the use of private cars. Contrary to these expectations, the peripheral location of the site is unlikely to favour walking over other modes of travel for trips within the village (or to the proposed visitor centre). And even if the appellant were able to improve the bus service so that it operated on Sundays, the relatively low frequency of that service means this would not overcome the likelihood that residents would favour the private car over the bus for any longer journeys. Therefore, the proposed housing development would not be supported by NPF4 policy 13 and is contrary to LDP policy IR05.

65. Turning to the proposed visitor centre, some visitors could be expected to travel by bus, and the appellant has offered to fund the bus service being extended to include an hourly service on Sundays, with buses possibly being diverted into the visitor centre site. However, as proposals for the rerouting of such services and of developer financial contributions to its provision have not been agreed by the bus operator, it cannot be concluded at this stage that the visitor centre would comply with LDP policy IR07.

66. Some visitors would choose to travel by bicycle. A travel plan, which could be secured by a planning condition, could also be expected to achieve some modal shift, particularly among staff, from private car travel to more sustainable modes. Nevertheless,

the size of the area that is shown indicatively in the submitted drawings to be devoted to parking, is consistent with my prediction that the majority of trips to the proposed visitor centre would involve private motorised transport. I agree with the appellant that considerations of local living may be different in a rural as opposed to an urban location. But that does not alter my conclusion that, due to its inappropriate location, the great majority of visitors to the proposed visitor centre would travel there by modes that are not favoured in development plan policy.

67. As with the proposed housing element of the proposals therefore, the proposed visitor centre has not demonstrated that its transport requirements have been considered in line with the sustainable travel and investment hierarchies. As such, it can draw no support from NPF4 policy 13 and is contrary to LDP policy IR05.

68. The roads authority does not support the proposed visitor centre on pedestrian safety grounds. Its concern is with the narrowness and mainly unlit nature of the footway along the eastern side of the A905 between the village and the proposed visitor centre, and the requirement of users of that route to cross the busy A905.

69. I agree with the roads authority that the appellant's proposed alternative pedestrian route through the proposed housing site and adjacent land is unlikely to be used in preference to the existing A905 footway, as it would be significantly longer and would involve a hill.

70. I also agree with the road's authority's conclusions that increased use of the A905 route by pedestrians would be undesirable from a pedestrian safety point of view. A 40 mph speed limit has been introduced on the approach to the village from the north. My experience of walking this route is that this is not universally respected. But even if it were (which the introduction of the proposed roundabout should help to secure), the narrowness of the footway (which I accept could be improved by hedge trimming), the absence of street lighting for some of its length and the need to cross the main road, would all tend to dissuade village residents and visitors who had access to a car from accessing the proposed visitor centre on foot. This route would be particularly problematic for those using a wheelchair or pram. And the appellant does not own the land that would be necessary for the footway to be widened.

71. The appellant has offered to fund improvements to public paths in the village. These would offer some benefit to those who would use those routes, but would not overcome or offset the problems I have identified above and the consequent conflict with the development plan.

Other matters

72. Local school capacity has been raised in objection to the proposal. However, the education authority has confirmed that there is sufficient primary capacity to accommodate the anticipated pupil product from the development. A developer contribution would be required towards improved secondary capacity. Had I been minded to grant planning permission in principle, that could have been secured.

73. Similarly, the evidence suggest no insurmountable local capacity problem with primary health care facilities.

74. It is possible that, despite the increased traffic levels that the proposed development would generate, the roundabout that is proposed as a replacement for the priority junction

between the A905 and B9124 could improve road safety. I note that the community council describes this as a dangerous junction, although this is inconsistent with the appellant's investigation of accident data for the past 24 years. There is no evidence to suggest that there is such a significant safety concern here at present, that this potential benefit of the scheme should be given significant weight.

75. In order to implement the proposal, the existing farm and weighbridge access that passes through the site would need to be replaced. The existing access, which the community council notes to be extremely busy at times, would become a pedestrian access route. This would be to the benefit of residents of the adjacent housing site, who would no longer have large vehicles moving past their gardens, although some of this existing traffic will be involved in the construction of the second phase of the adjacent housing development so would not be a permanent feature anyway. The closure of the farm / weighbridge access would also provide a traffic-free walking route for existing and future residents, which would be to their benefit. These are benefits of the scheme, but not of any great significance.

76. An alternative access route to the farm and weighbridge would be required. The existing alternative access and its junction with the B9124 is likely to require upgrading. The road safety, landscape and visual implications of this might not be significant, but are unknown at this time.

77. I agree with the appellant's 2023 preliminary ecological appraisal and with the community council, that the large arable fields upon which both the proposed houses and visitor centre would be constructed have little biodiversity value, and that, subject to careful design, the proposed landscape buffer hedgerow / wildflower strip, drainage ponds and biodiversity enhancement area could offer biodiversity enhancement as is expected by NPF4 policy 3. This is a benefit of the scheme to weigh in the planning balance.

78. Scotland's Garden and Landscape Heritage questions whether the proposed visitor centre and possibly even the houses would be visible from within the A listed Pineapple. No visualisations have been provided of how the proposed development might appear when viewed from this building or from the adjacent walled garden. However, I am satisfied that, even if any of the development were visible, due to the separation distance (particularly from the proposed houses) and intervening tree cover, this would not detract from the setting of the listed building to such an extent that this would weigh significantly against the proposal.

79. For the reasons I have set out above, I find the proposal to perform poorly against the expectations of NPF4 policy 14 and LDP policy PE01, which seek to promote the six qualities of successful places.

Conclusions

80. The housing, visitor centre and associated infrastructure works would involve a significant capital expenditure of around £17.5m. They would have positive biodiversity and socio-economic benefits including the provision of jobs and spin-off benefits during the construction period and subsequently, and would deliver housing, including affordable housing, for which there is a demand and need. The appellant has agreed to make education, active travel and public transport contributions and to contribute to a local community fund in association with the community council. However, the combined value of these benefits does not outweigh the, in principle, unsuitability of the appeal site for

development, the significant harm such development would cause to a range of important interests, or the proposal's comprehensive incompatibility with the development plan.

David Buylła

Principal Reporter

Richborough