

**ANGUS COUNCIL**

**DEVELOPMENT STANDARDS COMMITTEE – 6 AUGUST 2019**

**PLANNING APPLICATION – UNITS 4A – 9 CRAIG O' LOCH ROAD, FORFAR, DD8 1BU  
GRID REF: 345261 : 750787**

**REPORT BY SERVICE LEADER – PLANNING & COMMUNITIES**

**Abstract:**

This report deals with planning application No 19/00077/FULL which seeks retrospective permission for the operation of Class 5 (General Industrial) and Class 6 (Storage or Distribution) uses at Units 4A – 9, Craig O' Loch Road, Forfar for Taylor Shepherd Homes Ltd. This application is recommended for conditional approval.

**1. RECOMMENDATION**

It is recommended that the application be approved for the reason and subject to the conditions given in Section 10 of this report.

**2. ALIGNMENT TO THE ANGUS LOCAL OUTCOMES IMPROVEMENT PLAN/CORPORATE PLAN**

This report contributes to the following local outcome(s) contained within the Angus Local Outcomes Improvement Plan and Locality Plans:

- Safe, secure, vibrant and sustainable communities
- A reduced carbon footprint
- An enhanced, protected and enjoyed natural and built environment

**3. INTRODUCTION**

3.1 Full planning permission is sought for the use of Units 4A – 9, Craig O' Loch Road, Forfar as Class 5 (General Industrial) and Class 6 (Storage or Distribution) uses as defined within the Town and Country Planning (Use Classes) (Scotland) Order 1997. A plan showing the location of the site is provided at Appendix 1.

3.2 The application site extends to approximately 2300sqm and comprises the eastern extent of the former Angus County Press premises on the eastern side of Craig O' Loch Road in Forfar. The site includes a row of 9 small units situated within a single storey rectangular building constructed of brick with a pitched, fibre-cement roof. There is a supermarket to the north, residential properties to the east (located at a higher ground level), mixed use commercial operations to the west and a retail unit and a residential property to the south. The site is generally flat with access and egress to and from Craig O' Loch Road through the remainder of former County Press site.

3.3 The application seeks retrospective planning permission for the change of use of the site to allow provision for Class 5 (General Industrial) and Class 6 (Storage or Distribution) uses. There are no alterations proposed to the external appearance of the building.

3.4 The submitted plans have been amended to show the location of parking spaces and the application has been amended to include the land directly to the west of the building within the site.

3.5 This application requires to be determined by Committee because it is recommended for approval in circumstances where there are more than five objections.

**4. RELEVANT PLANNING HISTORY**

There are a number of planning applications that relate to the wider former Angus County

Press site. The only application with includes the current application site is application ref: [09/00144/CLU](#) which was for a 'Certificate of Lawfulness for Class 4 – Business Use'. That was approved on 20th of March 2009. The certificate indicates the site can lawfully be used for uses that fall within Class 4 of Town and Country Planning (Use Classes) (Scotland) Order 1997. Class 4 allows for the following uses: -

- (a) as an office, other than a use within class 2 (financial, professional and other services);
  - (b) for research and development of products or processes; or
  - (c) for any industrial process;
- being a use which can be carried on in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

## 5. APPLICANT'S CASE

The following documents have been submitted and are summarised at Appendix 2. They can be viewed on the Council's [Public Access](#) system.

- Supporting statement;
- Additional use details.

## 6. CONSULTATIONS

- 6.1 **Angus Council – Roads** – has offered no objection to the proposal.
- 6.2 **Angus Council – Environmental Health Service** – has reviewed the proposal and all available information and offers no objection subject to conditions to regulate the type of activities that can be carried out at the site and the hours of operation.
- 6.3 **Scottish Water** – there was no response from this consultee.
- 6.4 **Community Council** – there was no response from this consultee.

## 7. REPRESENTATIONS

- 7.1 Nine letters of representation have been received from six households in objection to the proposal. The letters will be circulated to Members of the Development Standards Committee and a copy will be available to on the council's [Public Access](#) website.
- 7.2 The following matters have been raised and are discussed under Planning Considerations: -
  - Contrary to local and national policies and guidance
  - Land not allocated in local plan as employment land
  - Amenity impacts from existing/ proposed uses upon occupants of nearby residential properties (noise, privacy, visual, odour and light pollution)

Other matters raised include:

- **Environmental pollution concerns from storage of cars and hazardous/ polluting materials**– informal discussions have been held with SEPA who identified no concerns with the proposal. SEPA's best practice guidance notes for pollution prevention have been shared with the agent.
- **Antisocial behaviour from current use** - it is not the purpose of the planning system to regulate antisocial behaviour and the provision of Class 5 or 6 uses at the site would not in themselves result in anti-social behaviour.
- **Error in distances noted in the submitted supporting statement** – The distance of the proposal from neighbouring properties has been measured using the submitted drawings and checked via other available tools. The assessment of the proposal has been made on the measured distances not those noted in the supporting statement.
- **Existing building is of an unsuitable construction** – the proposal relates to an existing building where no external alterations are proposed and the substantive issue in relation to the proposal, is whether the uses are acceptable at this site and that matter is discussed below.
- **Use of the site as a breakers yard** - the agent has indicated that the site is not used as a breakers yard. SEPA has confirmed that there is no waste management license for the site and that it is not an authorised treatment facility. SEPA staff have visited the site and

are content that it is not being used as a breakers yard. There are cars stored on the site but it is understood that these are hobby vehicles that are kept for repair and such use falls within Classes 5 or 6.

- **Residential use of a caravan located on the site** – It is understood that a caravan at the site is currently occupied. The use of the land for the siting of a caravan for residential occupation is not lawful and the matter is subject to a separate enforcement investigation. The matter will be dealt with through the appropriate enforcement process as necessary but it does not affect determination of this application.
- **Precedent for similar development in proximity to housing** - there is no concept of binding precedent in planning law and each application must be considered on its individual merits. However, it is not uncommon to find mixed use areas within Angus towns with Class 5 and 6 uses located adjacent to housing development.
- **History of planning enforcement activity and complaints relating to the site** – there have been a number of complaints regarding the operation of this site over a number of years. That includes complaint to the council's Environmental Health Service. Issues have been raised with the site owner and with individual operators at the site. This application has been submitted in an attempt to regularise the planning situation.

## 8. PLANNING CONSIDERATIONS

8.1 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise.

8.2 In this case the development plan comprises:-

- [TAYplan](#) (Approved 2017)
- [Angus Local Development Plan](#) (ALDP) (Adopted 2016)

8.3 The application is not of strategic significance and the policies of TAYplan are not referred to in this report. The Angus Local Development Plan forms the main basis for the consideration of the proposal and the relevant policies are reproduced at Appendix 3.

8.4 The application site is located within the Forfar development boundary as defined by the ALDP but is not allocated or identified for development. Policy DS1 in the ALDP states amongst other things that proposals on sites not allocated or otherwise identified for development, but within development boundaries will be supported where they are of an appropriate scale and nature and are in accordance with relevant policies of the ALDP.

8.5 The ALDP acknowledges that for a variety of reasons not all employment development, consisting of Class 4 (Business), Class 5 (General Industry) and Class 6 (Storage or Distribution) uses, will be located within employment land allocations or existing employment areas. Policy TC15 supports employment development outwith employment land allocations or existing employment areas but within a development boundary where the use is considered to be acceptable in that location, and where it has no unacceptable impact on the built and natural environment, surrounding amenity, access and infrastructure.

8.6 The site forms part of the former Angus County Press premises and in 2009 a certificate of lawful use was issued which confirmed that an area of land and associated buildings, including the current application site, could lawfully be used for Class 4 business purposes. That use class allows for a fairly wide range of activities to take place on the site as detailed at section 4 of this report. The Permitted Development Order would allow land within the site to be utilised for Class 6 storage or distribution use without the need for planning permission. It would also allow for similar use of part of a building for storage or distribution use in limited circumstances (limited to no more than 235sqm of the floor area in the building).

8.7 The application site sits to the rear of buildings that front Craig O' Loch Road and at a lower level than houses that are located to the east. It is reasonably well screened from public areas and those buildings that are visible have a utilitarian, workshop appearance. The surrounding area accommodates a reasonably wide variety of uses including retail units, vehicle repair garages, a car wash, restaurant, civic amenity site, open space and housing development. The area can reasonably be described as mixed use and the relationship between employment related uses and housing development is not untypical of that found throughout Forfar. In these circumstances the broad principle of Class 5 and Class 6 development at this location is considered acceptable.

- 8.8 The application site is not subject of any built or natural heritage designation. No alterations are proposed to the building and there is no reason to consider that the development subject of this application would have an adverse impact on built heritage interests. Other employment uses, including vehicle repair and civic amenity uses take place in the area without significant adverse impact on the natural environment. Consultation with SEPA is not required in relation to an application of this nature but through informal discussion it has drawn attention to its pollution prevention guidance and that has been shared with the applicants agent. Any occupant/s of the application site would be required to comply with environmental legislation. This application is retrospective and there is no evidence that existing activities at the site have resulted in any significant impact on the natural environment. Informal discussion with SEPA has not identified any significant concern.
- 8.9 In terms of amenity it is again relevant to note that site has a lawful use certificate that allows for Class 4 use. It is also relevant to note that, as indicated above, permitted development rights would allow the use of the external areas for Class 6 storage or distribution use. Accordingly, amenity impacts associated with Class 4 use and with external storage use could occur at this location irrespective of the outcome of this planning application. Such impacts would include those associated with vehicle movement, general activity and visual impacts related to external storage of material.
- 8.10 Class 5 is a broad use class and includes industrial processes other than those falling within Class 4. Class 5 uses have potential to impact on the amenity of those that live close to the site and both the Environmental Health and Planning Services have received complaint regarding the existing use of the site. With that in mind, the Environmental Health Service has indicated that significant amenity impacts could be avoided through the use of appropriate planning conditions. It has discounted the use of conditions limiting noise emissions from the site as these would be difficult to monitor and enforce given the nature of the uses, the nature of the area and the physical relationship between the application site and neighbouring noise sensitive uses. However, it has suggested conditions that would amongst other things restrict the nature of Class 5 activity allowed to take place, prevent activities other than storage or distribution in the external yard to the east of the of the building, and limit the hours of operation.
- 8.11 The application site sits at a lower level than neighbouring houses and the design of the building is such that the principal openings are in the west elevation and do not face the houses. This physical relationship provides some mitigation but does not in itself address all potential amenity issues and it is accepted that it would not be possible to control noise emissions at this location by means of a noise limit condition. The external yard area to the north and east of the building sits adjacent to the houses but at a lower level and can be used for storage purposes irrespective of the outcome of this application. However, the use of that external area for general industrial purposes could adversely impact the amenity of occupants of neighbouring houses and a condition that restricts its use is considered appropriate. General industrial uses, including vehicle repair use within the buildings has potential to generate noise and a limitation on the hours during which such activity can take place at the site is also appropriate.
- 8.12 As indicated above it is not uncommon to find general industrial uses, including commercial vehicle repair garages or lock-up garages in proximity of houses in Forfar and in other Angus towns. Those uses often operate without planning restrictions and without giving rise to significant complaint or apparent unacceptable amenity impact. Activities at this location have increased to a level that exceeds the authorised Class 4 use but it is considered that they could be controlled by the proposed conditions such that significant adverse impacts would not be experienced.
- 8.13 Vehicular access and egress arrangements would be unaltered and there is space within the site for the parking of cars. The Roads Service has confirmed it has no objection to the proposal. The application form indicates that there would be no alteration to existing drainage or water supply arrangements. The development does not give rise to any other significant impacts on infrastructure.
- 8.14 The development does not give rise to any other significant policy issues and is compatible with the development plan subject to the proposed planning conditions.

- 8.15 In terms of other material considerations it is relevant to have regard to the letters of objection and a number of issues have been addressed at Section 7 above and in the general discussion. The remaining issues are discussed below.
- 8.16 The site is not allocated for employment development but it has a lawful use certificate that allows for business use at the site. Development plan policy is supportive of proposals for employment related development on sites within development boundaries that are not allocated for employment use in appropriate circumstances. The development plan is consistent with relevant national policy and guidance. As discussed above it is considered that the application is compatible with the development plan subject to the proposed planning conditions that seek to ensure amenity impacts are adequately controlled.
- 8.17 The activities taking place on site go beyond those which could reasonably be considered to be Class 4 business uses; they could not be undertaken in any residential area without adverse impact on amenity. However, subject to the proposed conditions, which are compatible with the tests set out in government policy guidance, the development could operate in a mixed use area in a manner that would not give rise to unacceptable impacts.
- 8.18 In conclusion, this is a mixed use area and the application site has been used for business related activity for a considerable number of years. The nature of the activities undertaken at the site have changed and now give rise to greater amenity impacts. However, the relationship between the site and neighbouring sensitive uses is not untypical of that found in Forfar and in other Angus towns, and it is considered that those uses can coexist in a mixed use area subject to appropriate controls. The issues raised in objection to the application have been taken into account in preparing this report and the proposed planning conditions seek to address concerns raised regarding amenity impacts associated with the development. The application complies with relevant development plan policy and there are no material considerations that justify refusal of planning permission.
- 8.19 Committee should note that this application is retrospective and in the event that planning permission is refused it would be necessary to take enforcement action in relation to any ongoing Class 5 use, subject to the outcome of any planning appeal. However, it should also be noted that enforcement action could not be taken in relation to any ongoing Class 6 storage or distribution use of the yard areas as it is permitted development.
- 8.20 Irrespective of the outcome of this application there will be a continuing breach of planning control relating to the occupation of the caravan. The applicants agent has indicated that such occupation is in breach of the lease conditions for the site and that the occupant has given an undertaking to relocate the caravan. A period of 3-months will be provided to allow this to occur voluntarily failing which enforcement action will be taken.

## **9. OTHER MATTERS**

### **HUMAN RIGHTS IMPLICATIONS**

The recommendation in this report for grant of planning permission, subject to conditions, has potential implications for neighbours in terms of alleged interference with privacy, home or family life (Article 8) and peaceful enjoyment of their possessions (First Protocol, Article 1). For the reasons referred to elsewhere in this report justifying this recommendation in planning terms, it is considered that any actual or apprehended infringement of such Convention Rights, is justified. The conditions constitute a justified and proportional control of the use of the property in accordance with the general interest and have regard to the necessary balance of the applicant's freedom to enjoy his property against the public interest and the freedom of others to enjoy neighbouring property/home life/privacy without undue interference.

### **EQUALITIES IMPLICATIONS**

The issues contained in this report fall within an approved category that has been confirmed as exempt from an equalities perspective.

## **10. CONCLUSION**

It is recommended that the application be approved for the following reason, and subject to the following condition(s):

**Reason(s) for Approval:**

The proposal complies with the relevant policies of the development plan subject to the stated planning conditions. There are no material considerations that justify refusal of the planning application contrary to the provisions of the development plan.

**Conditions:**

1. The external yard areas shall not be illuminated unless details of any lighting have been submitted to and approved in writing by the Planning Authority. For the avoidance of doubt the design of all external lighting will be expected to comply with the ILP guidance notes on the reduction of Obtrusive light and in particular the vertical light spill level, as measured in the centre of any habitable room window, shall not exceed 10 lux between 0700hrs and 2300hrs and shall not exceed 2 lux at any other time. Thereafter the external yard shall be illuminated only in accordance with the approved details.

*Reason: In order that the planning authority may verify the acceptability of external lighting in order to protect occupants of nearby housing from light pollution.*

2. That notwithstanding the provisions of the Town and Country Planning (Use Classes)(Scotland) Order 1997 (or any subsequent amendment, variation or re-enactment), the Class 5 uses hereby approved shall be limited to the maintenance and repair of motor vehicles.

*Reason: In order to restrict the planning permission to those general industrial uses that are considered to be capable of being accommodated on-site without causing unacceptable impact on the amenity of occupants of nearby houses and as sufficient information has not been provided to demonstrate that other general industrial uses could operate without causing unacceptable impact on the amenity of the area.*

3. That the Class 5 general industrial use permitted by condition 2 above shall not take place outwith the following times: -
  - 0800 - 1800hrs Monday to Friday inclusive;
  - 0900 - 1600hrs Saturdays;
  - 1200 – 1600hrs Sunday.

*Reason: In order to control the hours of operation of general industrial uses to minimise impact from noise and disturbance on occupants of nearby housing.*

4. No activities other than storage or distribution shall be undertaken within the external yard area located to the north and east of the building subject of this application.

*Reason: In order to control uses within the yard area to minimise impact from noise and disturbance on occupants of nearby housing.*

5. There shall be no burning of materials outwith the buildings on the site.

*Reason: To minimise impact of odour and air pollution on occupants of nearby housing.*

**NOTE:** No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

**REPORT AUTHOR: KATE COWEY**

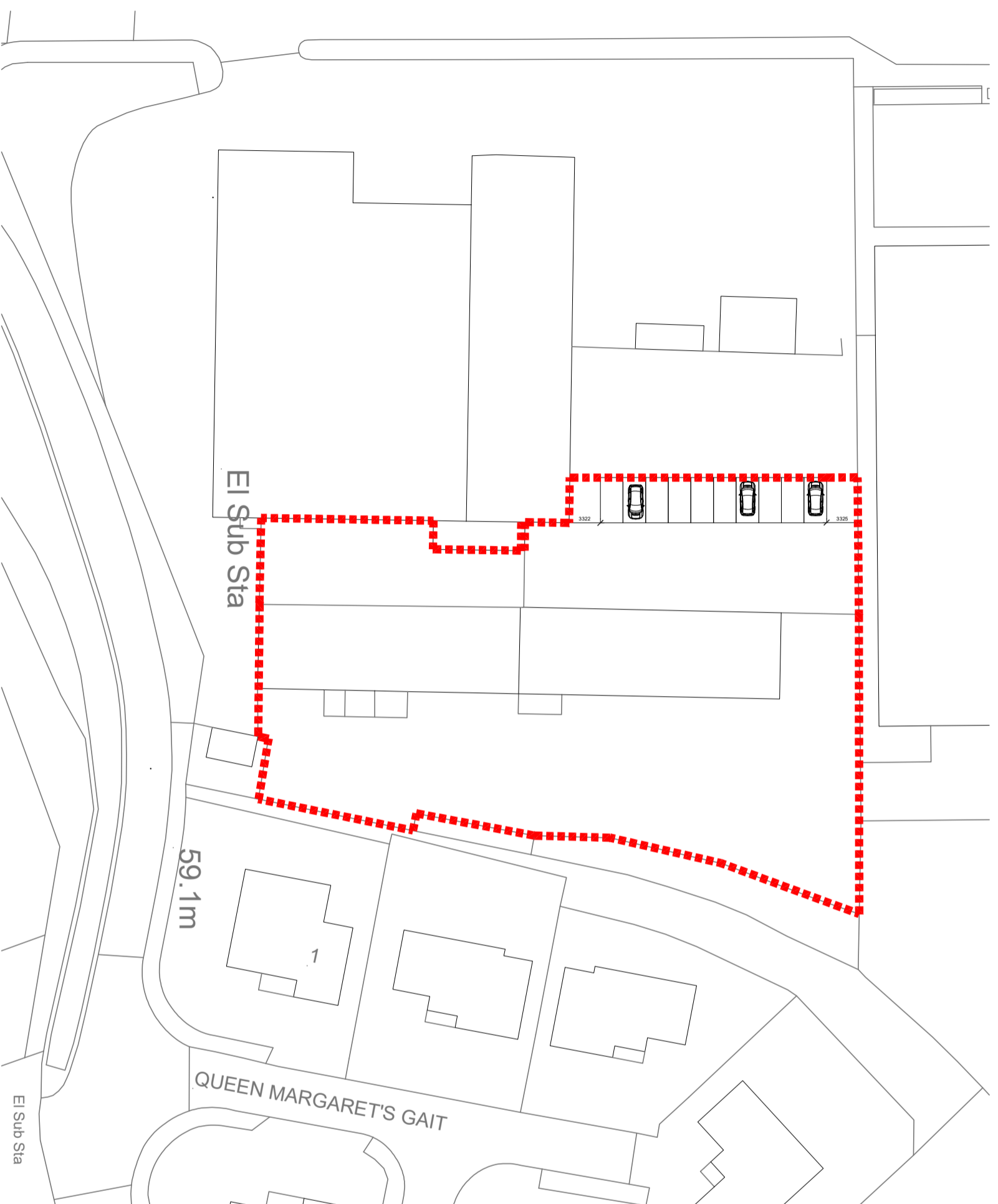
**EMAIL DETAILS: [PLANNING@angus.gov.uk](mailto:PLANNING@angus.gov.uk)**

**DATE: 29 JULY 2019**

APPENDIX 1: LOCATION PLAN

APPENDIX 2: SUMMARY OF APPLICANTS SUPPORTING INFORMATION

APPENDIX 3: DEVELOPMENT PLAN POLICIES



**BLOCK PLAN**  
SCALE 1:500 @ A3

**GENERAL NOTES**

FOR CONSTRUCTION PURPOSES DO NOT SCALE. VERIFY ALL DIMENSIONS AND LEVELS ON SITE. CONFIRM ALL SETTING OUT DIMENSIONS.

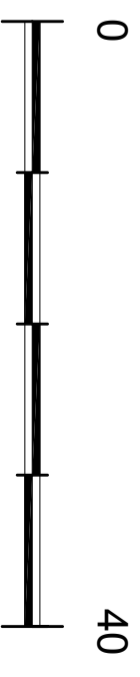
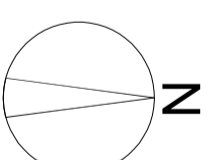
SHOULD CONDITIONS ON SITE VARY FROM INFORMATION SUPPLIED REPORT TO ARCHITECT IMMEDIATELY.

THIS DRAWING TO BE READ IN CONJUNCTION WITH ALL RELEVANT CONSULTANT'S DRAWINGS AND SPECIFICATIONS.

MATERIALS AND WORKMANSHIP TO BE TO RELEVANT BRITISH STANDARDS AND CODES OF PRACTICE AND MANUFACTURERS' WRITTEN RECOMMENDATIONS WHERE APPLICABLE. UNLESS SPECIFICALLY NOTED OTHERWISE.

ALL WORKS TO BE EXECUTED WITH DUE CARE AND DILIGENCE SO AS NOT TO IMPAIR THE STABILITY OF THE BUILDING, ADJACENT WORKS, SITE PERSONNEL OR THIRD PARTIES. ALL IN ACCORDANCE WITH HSE DIRECTIVES AND RECOMMENDATIONS AND THE CDM REGULATIONS CURRENTLY IN FORCE.

REV	DATE	INTLS	AMENDMENT
A	22/05/19	GB	Rearrangement of red border line.
B	23/05/19	GB	Further rearrangement of red border line.



SCALE 1:500

DRAWING TITLE

**EXISTING BLOCK PLAN**

PROJECT: PLANNING CLASSIFICATIONS, CRAIG O'LOCH ROAD, FORFAR

LOCATION: CRAIG O'LOCH ROAD, FORFAR, DD8 1BU

CLIENT: MR STUART TAYLOR

DATE: JAN 2019

SCALE: 1:500 @ A3

CAD FILE: PROPOSED CAR PARK

JOB No.: **3145** DWG No.: **L(--)-01**

REV: **B**



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## **Appendix 2 – Summary of Applicant Supporting Information**

### **Supporting Statement**

This document provides a summary of the application site and the proposal. The statement notes that the proposed use is on-going and all of the 9 units subject to the application are fully let. It states there are a limited number of similar units available within the area and clarifies there are no physical alterations proposed to the building at this time. Access to the site is currently achieved from Craig O'Loch Road and this would remain unchanged. The statement notes the surrounding area is in mixed use, with the remainder of the former Angus County Press site now occupied by a variety of uses including a car wash facility, restaurant, a shop. The statement lists a number of planning applications relevant to the former Angus County Press site, including a Class 5 use approved on the wider site in 2011 and application ref: 09/00144/CLU for Class 4 use which relates directly to the application site. They note the houses to the east of the site were constructed circa 2000 and post-date the buildings and yard area. The statement concludes with a discussion of the proposal's compatibility with local planning policies. The agent notes a history of noise complaints have been submitted regarding the site and if considered appropriate, would accept a condition, similar to that imposed on the neighbouring property as part of planning application ref. 11/00893/FULL, to limit noise emissions from the site. They suggest the proposal complies with all policies of the Scottish Government and Angus Council and as a result request the application is approved.

### **Details of Current Uses**

The agent submitted correspondence detailing the current uses operating from the site. These were detailed as follows;

- Unit 4a - Hobby restoration/repair of classic cars and caravans with no regular visiting members of the public. Class 5 General Industrial
- Unit 4b - Personal general storage with no visiting members of the public. Class 6 Storage and Distribution
- Unit 4c - Hobby vehicle repair/storage with no visiting members of the public. Class 5 General Industrial
- Unit 5 - Personnel vehicle storage with no visiting members of the public. Class 6 Storage and Distribution
- Unit 6 - Hobby vehicle repair/storage with no visiting member of the public. Class 5 General Industrial
- Unit 7 - Personnel vehicle storage with no visiting members of the public. Class 6 Storage and Distribution
- Unit 8 - Hobby vehicle repair/storage with no visiting member of the public. Class 5 General Industrial
- Unit 8a - Hobby vehicle repair/storage with no visiting members of the public. Class 5 General Industrial
- Unit 9 - Personnel vehicle repair/storage with no visiting members of the public. Class 5 General Industrial



## **Appendix 3 – Development Plan Policies**

### **Angus Local Development Plan**

#### **Policy DS1: Development Boundaries and Priorities**

All proposals will be expected to support delivery of the Development Strategy.

The focus of development will be sites allocated or otherwise identified for development within the Angus Local Development Plan, which will be safeguarded for the use(s) set out. Proposals for alternative uses will only be acceptable if they do not undermine the provision of a range of sites to meet the development needs of the plan area.

Proposals on sites not allocated or otherwise identified for development, but within development boundaries will be supported where they are of an appropriate scale and nature and are in accordance with relevant policies of the ALDP.

Proposals for sites outwith but contiguous\* with a development boundary will only be acceptable where it is in the public interest and social, economic, environmental or operational considerations confirm there is a need for the proposed development that cannot be met within a development boundary.

Outwith development boundaries proposals will be supported where they are of a scale and nature appropriate to their location and where they are in accordance with relevant policies of the ALDP.

In all locations, proposals that re-use or make better use of vacant, derelict or under-used brownfield land or buildings will be supported where they are in accordance with relevant policies of the ALDP.

Development of greenfield sites (with the exception of sites allocated, identified or considered appropriate for development by policies in the ALDP) will only be supported where there are no suitable and available brownfield sites capable of accommodating the proposed development.

Development proposals should not result in adverse impacts, either alone or in combination with other proposals or projects, on the integrity of any European designated site, in accordance with Policy PV4 Sites Designated for Natural Heritage and Biodiversity Value.

\*Sharing an edge or boundary, neighbouring or adjacent

#### **Policy DS4: Amenity**

All proposed development must have full regard to opportunities for maintaining and improving environmental quality. Development will not be permitted where there is an unacceptable adverse impact on the surrounding area or the environment or amenity of existing or future occupiers of adjoining or nearby properties.

Angus Council will consider the impacts of development on:

- Air quality;
- Noise and vibration levels and times when such disturbances are likely to occur;
- Levels of light pollution;
- Levels of odours, fumes and dust;
- Suitable provision for refuse collection / storage and recycling;
- The effect and timing of traffic movement to, from and within the site, car parking and impacts on highway safety; and
- Residential amenity in relation to overlooking and loss of privacy, outlook, sunlight, daylight and overshadowing.

Angus Council may support development which is considered to have an impact on such considerations, if the use of conditions or planning obligations will ensure that appropriate mitigation and / or compensatory measures are secured.

Applicants may be required to submit detailed assessments in relation to any of the above criteria to the Council for consideration.

Where a site is known or suspected to be contaminated, applicants will be required to undertake investigation and, where appropriate, remediation measures relevant to the current or proposed use to prevent unacceptable risks to human health.

### **Policy TC15 Employment Development**

Proposals for new employment development (consisting of Class 4, 5, or 6) will be directed to employment land allocations or existing employment areas within development boundaries, subject to the application of the sequential approach required by Policy TC19 Retail and Town Centre Uses for office developments of over 1,000 square metres gross floorspace.

Proposals for employment development outside of employment land allocations or existing employment areas, but within the development boundaries of the towns and the settlements within the rural area will be supported where:

- there are no suitable or viable sites available within an employment land allocation or existing employment area; or
- the use is considered to be acceptable in that location; and
- there is no unacceptable impact on the built and natural environment, surrounding amenity, access and infrastructure.

Proposals for employment development (consisting of Class 4, 5, or 6) outwith development boundaries will only be supported where:

- the criteria relating to employment development within development boundaries are met;
- the scale and nature of the development is in keeping with the character of the local landscape and pattern of development; and
- the proposal constitutes rural diversification where:
  - the development is to be used directly for agricultural, equestrian, horticultural or forestry operations, or for uses which by their nature are appropriate to the rural character of the area; or
  - the development is to be used for other business or employment generating uses, provided that the Council is satisfied that there is an economic and/or operational need for the location.