

From:F&B Cases Panel
Sent:Thu, 2 Feb 2017 22:35:54 +0000
To:DCConsultees
Subject:AHSS comments

Thank you for your consultation on the following planing applications. The AHSS Forth & Borders Group does not wish to comment on the following proposals:

17/00026/FUL

17/00027/FUL

17/00028/FUL

17/00024/LBC

17/00092/FUL

17/00093/FUL

17/00094/FUL

Thank you also for your re-consultation on 16/01160/LBC. We do not have any further comments on the proposals, as the amended proposals appear to address our major concerns.

Alastair Disley, on behalf of the Forth & Borders Cases Panel, AHSS.

REGULATORY SERVICES

To: Chief Planning Officer
Fao: Craig Miller
From: Planning Implementation

Date: 03/02/2017

Contact: Mark Douglas, Principal Officer
(Built Heritage & Design)

☎ x6563

Ref: 17/00092/FUL

Subject: *ERECTION OF AGRICULTURAL BUILDING
W OF FORMER WILLIAM CREE MEMORIAL CHAPEL
(as shown on location plan dwg no 197 73F)*

It is recognised that a formal recommendation for a decision can only be made after consideration of all relevant information and material considerations. This consultation advice is provided to the Development Management service in respect of built heritage and design issues.

I refer to the above application and comment as follows:

BACKGROUND

The proposed development lies close to the former William Cree Memorial Chapel at Kirkburn. This building dated 1921 was added to the statutory list in 1971 at category B. Works have now been carried out to convert the former chapel to residential use.

The issue that I will consider is whether the proposed adjacent development will have an adverse impact on the setting of the former chapel. The former chapel is a single storey stone structure built in an "arts and crafts" style. The building is on the site of former cottages and was originally planned as a small community hall before being converted to a memorial chapel. The "setting" of the chapel was presumably intended to reflect the open countryside around it being a memorial to the then owner of the Kailzie estate and a memorial window was installed in the gable end (this has since been removed).

This application is one of a further series of applications lodged for agricultural building on this site; there are three others in this "round" (shown on dwgs nos. 197 73G, 73E and 73D). I have previously commented on a tranche of three applications. The proposals submitted for this particular application show the shed to be further away from the former chapel from those shown on dwg 73G.

ASSESSMENT OF PROPOSALS

No planting or screening proposals are shown either on the actual application site or the adjacent land which is in the ownership of the applicant and has already got an earlier consent for chalets etc; some planting in the area as a buffer would be useful as screening. I consider that content. I consider that the proposal, as submitted, will have some adverse impact on the setting of the category B listed former church. I am prepared to review this assessment in the light of any proposal to provide a degree of screen planting.

RECOMMENDATION / RECOMMENDED CONDITIONS.

I do not object to the proposal as currently submitted, subject to consideration of screen planting..

PLANNING CONSULTATION

To: Archaeology Officer

From: Development Management

Date: 24th January 2017

Contact: Craig Miller ☎ 01835 825029

Ref: 17/00092/FUL

PLANNING CONSULTATION

Your observations are requested on the under noted planning application. I shall be glad to have your reply not later than 14th February 2017, If further time will be required for a reply please let me know. If no extension of time is requested and no reply is received by 14th February 2017, it will be assumed that you have no observations and a decision may be taken on the application.

Please remember to e-mail the DCConsultees Mailbox when you have inserted your reply into Idox.

Name of Applicant: Cleek Poultry Ltd

Agent: N/A

Nature of Proposal: Erection of agricultural storage shed with welfare accommodation
Site: Land West Of Former William Cree Memorial Church Kirkburn Cardrona
Peebles Scottish Borders

OBSERVATIONS OF: Archaeology Officer

CONSULTATION REPLY

The proposal in question is unlikely to pose adverse setting impacts to Our Lady's Church. Other recommendations for this site remain valid.

PLANNING CONSULTATION

To: Economic Development Section

From: Development Management

Date: 24th January 2017

Contact: Craig Miller ☎ 01835 825029

Ref: 17/00092/FUL

PLANNING CONSULTATION

Your observations are requested on the under noted planning application. I shall be glad to have your reply not later than 14th February 2017, If further time will be required for a reply please let me know. If no extension of time is requested and no reply is received by 14th February 2017, it will be assumed that you have no observations and a decision may be taken on the application.

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Agent: N/A

Nature of Proposal: Erection of agricultural storage shed with welfare accommodation
Site: Land West Of Former William Cree Memorial Church Kirkburn Cardrona
Peebles Scottish Borders

OBSERVATIONS OF: Economic Development Section

CONSULTATION REPLY

Economic Development cannot support the application for the erection of agricultural shed with welfare accommodation in land west of former William Cree Memorial church, Kirkburn, Cardrona:

This is due to the close proximity of the proposed location of the agricultural building and welfare accommodation to the existing approved application for holiday lodges and laundry building 15/00831/FUL (superseded by 16/00892/FUL). It is the opinion of Economic Development that siting agricultural buildings so close to holiday lodges would detract from a quality visitor experience.

Scottish Borders Council

Regulatory Services – Consultation reply

| | |
|--------------------------------------|--|
| Planning Ref | 17/00092/FUL |
| Uniform Ref | 17/00249/PLANCO |
| Proposal | Erection of agricultural building with welfare accommodation |
| Address | Land West Of Former William Cree Memorial Church Kirkburn Cardrona Peebles Peebles Scottish Borders |
| Date | 17/2/17 |
| Amenity and Pollution Officer | David A. Brown |
| Contaminated Land Officer | Reviewed – no comments |

Amenity and Pollution

Assessment of Application

Noise
Nuisance
Water Supply

This development proposes to use a private drainage system.
These can impact on public health if not properly installed and maintained.

Recommendation

Agree with application in principle, subject to Conditions and Informative.

Conditions

*Any noise emitted by plant and machinery used on the premises will not exceed Noise Rating Curve NR20 between the hours of 2300 – 0700 and NR 30 at all other times when measured within the nearest noise sensitive dwelling (windows can be open for ventilation). The noise emanating from any plant and machinery used on the premises should not contain any discernible tonal component. Tonality shall be determined with reference to BS 7445-2
Reason To protect the residential amenity of nearby properties.*

*All plant and machinery shall be maintained and serviced in accordance with the manufacturer's instructions so as to stay in compliance with the aforementioned noise limits.
Reason To protect the residential amenity of nearby properties.*

No development should commence until the applicant has provided evidence that arrangements are in place to ensure that the private drainage system will be maintained in a serviceable condition

Reason: To ensure that the development does not have a detrimental effect on public health.

No water supply other than public mains water shall be used for human consumption without the written consent of the Planning Authority.

Reason: To ensure that the development does not have a detrimental effect on public health.

Prior to occupation of the property written evidence shall be supplied to the planning Authority that the property has been connected to the public water supply network.

Reason: To ensure that the development does not have a detrimental effect on public health.

Informative

Private Drainage System

Private drainage systems often cause public health problems when no clear responsibility or access rights exist for maintaining the system in a working condition.

Problems can also arise when new properties connect into an existing system and the rights and duties have not been set down in law.

To discharge the Condition relating to the private drainage arrangements, the Applicant should produce documentary evidence that the maintenance duties on each dwelling served by the system have been clearly established by way of a binding legal agreement. Access rights should also be specified.

PLANNING CONSULTATION

To: Landscape Architect

From: Development Management

Date: 24th January 2017

Contact: Craig Miller ☎ 01835 825029

Ref: 17/00090/FUL;
17/00092/FUL;
17/00093/FUL;
17/00094/FUL

PLANNING CONSULTATION

Your observations are requested on the under noted planning application. I shall be glad to have your reply not later than 14th February 2017. If further time will be required for a reply please let me know. If no extension of time is requested and no reply is received by 14th February 2017, it will be assumed that you have no observations and a decision may be taken on the application.

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Name of Applicant: Cleek Poultry Ltd

Agent: N/A

Nature of Proposal: Erection of agricultural storage shed with welfare accommodation
Site: Land West Of Former William Cree Memorial Church Kirkburn Cardrona
Peebles Scottish Borders

OBSERVATIONS OF: Landscape Architect

CONSULTATION REPLY

Description of the Site

The site is a part of a larger north facing field on the southern side of the Tweed valley.

The site lies wholly within the Tweed Valley Special Landscape Area (SPA) and the designation recognises the special character of the valley landscape in the Designation statement as follows:

'The broad Tweed Valley is typical of the Borders, and is the most familiar of the Borders valleys.

Accordingly it has a strong sense of place, with certain views being instantly recognisable. The varied mix of landscape elements is highly representative, with forestry, woodland, open hillsides and pastoral farmland all juxtaposed. Added to this mix is a range of settlement types, with the valley providing the setting to several settlements. The landscape unfolds as the viewer follows the river through the valley, presenting new vistas alternately dominated by forestry, as around

Walkerburn, or by the steep rocky slopes above Innerleithen. The contrast between the well settled valley and the bare heather and grass moors and landmark hills is striking. Well-designed forestry actively contributes to this visual experience in places.'

The Inventory Designed Landscape of Kailzie lies immediately across the minor road to the north.

The field slopes steeply down to the minor road that runs northeast/ southwest immediately to the north.

Nature of the Proposal

The proposal, in the case of each application, is for the erection a 12 x 18 x 7.5m high shed with staff facilities with 6m wide access track and associated parking on sloping land approximately 60 metres to the south of the B7062. Each site being considered as part of this response is located next to the previous one and the application is for an identical agricultural building.

Implications of the Proposal for the Landscape including any Mitigation

There is a precedent for development in this location. Approval was granted for 4 holiday sheds and a laundry building in the same part of the field and consent was granted for 8 lodges and a hub house on the lower slopes immediately to the north.

I have been looking at these four applications that are ranged across the sloping field. I have made the following calculations based on the limited information submitted and the previously submitted topographical plan as following:

17/00090/FUL (most easterly of row) - assuming centrally located on the 97 m contour with building height of 7.5m means a ridge height of 104.5

17/00092/FUL - assuming centrally located on the 99m contour with building height of 7.5m means a ridge height of 106.5

17/00093/FUL - assuming centrally located on the 101m contour with building height of 7.5m means a ridge height of 108.5

17/00094/FUL (most westerly of row) - assuming centrally located on the 101.5m contour with building height of 7.5m means a ridge height of 109.0

I am concerned that the shed(s), especially the westernmost two, may be visible locally from the B7062 when viewed looking into the site from the west and that they will potentially be visible from the A72 over the trees which we have judged to have an average height of 107.0m

It is these two sheds that cause the most concern, due to their relatively elevated location on the slope. However, the proposal to erect 4 no large sheds in a row on this slope means they could be perceived as an industrial scale development, especially during the winter months when the leaves are off the trees, which I could not support on visual impact grounds.

The attractive juxtaposition of valley side pastoral farmland with mixed and coniferous forestry and woodland could potentially be undermined by the introduction of industrial scale sheds. None of the applications include a visual assessment of the visual impact of the development(s) on receptors using the A72 or B7062, nor do they show how the proposal(s) might be mitigated by planting.

The difficulty of screening buildings taller than those already consented means that each proposal, on its own or together with the others, could have a negative cumulative visual impact on the local area.

Local Plan Policy EP5 states that *'in assessing proposals for development that may affect Special Landscape Areas, the Council will seek to safeguard landscape quality and will have particular regard to the landscape impact of the proposed development, including the visual impact.'*

There is a precedent for development in this location, nonetheless, the number of proposed building(s) and the heights relative to the holiday sheds development previously approved means that, on landscape and visual grounds and for the reason stated above, I could not support this application.

Siobhan McDermott
LANDSCAPE ARCHITECT

REGULATORY SERVICES



To: Development Management Service
FAO Craig Miller

Date: 13 Mar 2017

From: Roads Planning Service
Contact: Paul Grigor

Ext: 6663

Ref: 17/00092/FUL

**Subject: Erection of agricultural storage shed with welfare accommodation
Land West of Former William Cree Memorial Church,
Kirkburn, Cardrona**

A number of applications for various agricultural proposals have been considered in this vicinity, all of which utilise the same access point onto the public road. Several of these proposals lacked information on traffic movements and were subsequently refused permission, in part due to the lack of this information.

A fresh batch of planning applications, including this one, has now been lodged all of which are for agricultural buildings. Again these submissions do not include any information on the number, type and frequency of vehicular movements associated with each proposal. As a result, I am unable to make an informed decision of the impact this proposal will have on the junction with the public road and the section of private road leading to the site.

Until I receive this additional information, I must recommend refusal of this application.

AJS

