

# REGULATORY SERVICES



To: **Development Management Service**  
**FAO Stuart Herkes**

Date: **23<sup>rd</sup> March 2017**

From: **Roads Planning Service**  
Contact: **Keith Patterson**

Ext: **6637**

Ref: **17/00239/FUL**

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**Subject: Erection of Micro Meat Processing Unit and Byre, Hardiesmill Place, Gordon.**

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Whilst I have no objections in principle to this proposal I shall require clarification of the following points before I am able to offer my full support:

- Confirmation as to why the unit has to be isolated for the farm? My preference would be for it to be located adjacent to the existing farm therefore limiting the number of access onto the public road and ensuring that vehicular trips are kept to a minimum.
- Details on proposed vehicular movements associated with the proposal.
- Clarification as to what is meant by 'Dirty' and 'Clean' access roads and confirmation as to whether or not they can be amalgamated prior to joining the public road.

I look forward to receiving the above information at your earliest opportunity.

**AJS**

Our ref: PCS/151840  
Your ref: 17/00239/FUL

If telephoning ask for:  
Stephanie Balman

Stuart Herkes  
Scottish Borders Council  
Planning & Economic Development  
Council Headquarters  
Newtown St Boswells  
Melrose  
TD6 0SA

By email only to: [dcconsultees@scotborders.gov.uk](mailto:dcconsultees@scotborders.gov.uk)

22 March 2017

Dear Mr Herkes

**Town and Country Planning (Scotland) Acts  
Planning application: 17/00239/FUL  
Erection of micro meat processing unit and byre  
Land at Hardiesmill Place, Gordon, Scottish Borders**

Thank you for your consultation email which SEPA received on 1 March 2017.

**Advice for the planning authority**

We have **no objection** to this planning application. Please note the advice provided below.

**1. Regulatory requirements**

- 1.1 The foul sewage must be discharged separately from the blood and animal by-products. It is unclear from the information provided if only one tank for both sewage and blood is proposed. It should be noted that this would be unacceptable. The sewage discharging from the septic tank should be via a solid pipe to the reedbed and then to the soakaway system. Soil porosity tests will be required to ensure the soil is suitable for a soakaway. The applicant should contact our local regulatory team (see Section 2.2 below) to discuss the drainage proposals in more detail.
- 1.2 Blood and animal by-products will need to be collected separately by a licensed renderer. We note that it is proposed to spread muck on land. This should be stored and spread according to General Binding Rule 18 of CAR (the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended)).

Continued....



Chairman  
Bob Downes  
Chief Executive  
Terry A'Hearn



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- 1.3 Agricultural developments should be located and designed in accordance with The Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) (Scotland) Regulations 2003 (as amended) and the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended). Applicants should ensure their development complies with these Regulations. In order to comply with these Regulations it is important to ensure that any surface water associated with yard areas is conserved on the farm for disposal, and any part of any slurry storage system is located at least 50m from any potable water supply and 10m from any surface water or wetland.
- 1.4 Uncontaminated surface water, including roof water, should be disposed of by the use of SUDS in accordance with General Binding Rules 10 and 11 of CAR. These measures could be incorporated through the development of an infiltration system, such as a filter trench or soakaway at the site. You can find further guidance on how to comply with the above Regulations in the [Code of good agricultural practice](#) and in the [PEPPAA Code of Good Practice](#) which provides practical advice on minimising pollution.

## **Regulatory advice for the applicant**

### **2. Regulatory requirements**

- 2.1 Details of regulatory requirements and good practice advice for the applicant can be found on the [Regulations section](#) of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulations team in your local SEPA office at:

Burnbrae, Mossilee Road, Galashiels, TD1 1NF, Tel: 01896 754797

If you have any queries relating to this letter, please contact me by telephone on 0131 273 7218 or e-mail at [planning.se@sepa.org.uk](mailto:planning.se@sepa.org.uk).

Yours sincerely

Stephanie Balman  
Planning Officer  
Planning Service

#### *Disclaimer*

*This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at this time. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning or similar application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application or similar application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. For planning applications, if you did not specifically request advice on flood risk, then advice will not have been provided on this issue. Further information on our consultation arrangements generally can be found on our [website planning pages](#).*

**Scottish Borders Council**

**Regulatory Services – Consultation reply**

<b>Planning Ref</b>	17/00239/FUL
<b>Uniform Ref</b>	17/00563/PLANCO
<b>Proposal</b>	Planning Consultation - Erection of micro meat processing unit and byre
<b>Address</b>	Land South West Of Farmhouse Hardiesmill Place Kelso Scottish Borders
<b>Date</b>	20 <sup>th</sup> March 2017
<b>Amenity and Pollution Officer</b>	Forbes Shepherd
<b>Contaminated Land Officer</b>	Gareth Stewart

**Amenity and Pollution**

**Assessment of Application**

**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.

**Condition**

*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.*

**Mains Water**

As the proposed development is to be serviced by a public water supply then the applicant should provide written communication from Scottish Water indicating that the development will be accepted on to their supply.

**Condition**

*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.*

**Noise**

If any equipment is to be installed as part of the development then the applicant should provide some evidence that the equipment will not cause a nuisance to neighbours.

**Condition**

*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.*

**Food Premises Registration**

The premises will need to be registered with the Council before commencing operations. In order to ensure that the layout of the premises complies with the registration requirements the applicant should contact an Environmental Health Officer as the earliest stage possible. This can be done by calling 0300 100 1800 or emailing [PLACEhealth@scotborders.gov.uk](mailto:PLACEhealth@scotborders.gov.uk)

**Recommendation**

Information to be Provided Before Work Commences (see conditions)

**Contaminated land**

**Recommendation**

No Comment

Mr Stuart Herkes  
Scottish Borders Council  
Newton St Boswells  
Melrose  
TD6 0SA

29 March 2017  
Ref : FSS/RTuke/0317

Dear Mr Herkes

**NOTIFICATION OF APPLICATION FOR APPROVAL OF A MEAT  
ESTABLISHMENT UNDER REGULATION (EC) No 853/2004**

In response to your Request for Observations, Food Standards Scotland (FSS) has received an application for a food business establishment, to which both Regulation (EC) No 852/2004<sup>1</sup> and Regulation (EC) No 853/2004<sup>2</sup> apply, to be approved to operate as a Micro Abattoir and Lairage facility.

FSS are content with the proposed plans that have been laid before us to date. We will continue to liaise with the owner going forward.

The applicant name Mr Robin Tuke and premises address is:

Land at Hardiesmill Place, Gordon, Scottish Borders

If you have any further queries please contact the Approvals Team on ☎ **01224 288368** or by email on: [approvals@fss.scot](mailto:approvals@fss.scot)

*Karen Wallace*

Karen Wallace  
Approvals and Certification Executive  
**Food Standards Scotland**

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<sup>1</sup> Regulation (EC) No 852/2004 on the hygiene of foodstuffs

<sup>2</sup> Regulation (EC) No 853/2004 laying down specific hygiene rules for food of animal origin