

Scottish Borders Council

Regulatory Services – Consultation reply

Planning Ref	16/00114/FUL
Uniform Ref	16/00214/PLANCO
Proposal	Erection of cattle court incorporating storage areas and staff facilities and erection of animal feed silo
Address	Field No 0328 Kirkburn Cardrona Scottish Borders
Date	22/2/16
Amenity and Pollution Officer	David A. Brown
Contaminated Land Officer	No Comments

Amenity and Pollution

Assessment of Application

Noise

This is an Application to erect a cattle court and animal feed silo.

Feed silos have the potential to cause noise nuisance.

Cattle courts can cause pollution, insect and odour problems

Recommendation

Delete as appropriate – Agree with application in principle, subject to conditions

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.

Waste and contaminated water arising from the use of the cattle court shall be stored, handled and disposed of in such a manner as not to cause Statutory Nuisance or pollution.

Reason To protect the residential amenity of nearby properties and to protect the environment.

PLANNING CONSULTATION

To: Archaeology Officer

From: Development Management

Date: 4th February 2016

Contact: Craig Miller ☎ 01835 825029

Ref: 16/00114/FUL

PLANNING CONSULTATION

Your observations are requested on the under noted planning application. I shall be glad to have your reply not later than 25th February 2016, 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 25th February 2016, 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 cattle court incorporating storage areas and staff facilities and erection of animal feed silo

Site: Field No 0328 Kirkburn Cardrona Scottish Borders

OBSERVATIONS OF: Archaeology Officer

CONSULTATION REPLY

Thank you for requesting an archaeology consultation. I have previously provided consultations on earlier proposals for this site. I have raised concerns that the setting of the formerly Scheduled, and still regionally significant, Our Lady's Church and churchyard, will be compromised by development in this location. I requested that the applicants demonstrate that the setting of the church and churchyard will not be compromised per Policy BE2 and the replacement policy EP8. I note that the previous applications were refused in part because of a lack of information provided by the applicants to allow a determination that development would not adversely impact the setting of the churchyard. I also note that this information has not been supplied in this application and I am similarly unable to make a judgement. As such I recommend refusal of the application as currently submitted, but I would refer you to my earlier comments and recommendations. If further information is supplied I would be happy to revisit this application.

Regulatory Services

To: Development Management Attention: Craig Miller
From: LANDSCAPE SECTION Date: 3rd March 2016
Contact: Siobhan McDermott Ext: 5425 Ref: 16/00114/FUL

Subject: Erection of cattle/hay shed incorporating staff facilities, together with feed silo, at Field 0328, Kirkburn, Cardrona.

It is recognised that a formal recommendation can only be made after consideration of all relevant information and material considerations. This consultation advice is provided to the Development Control service in respect of landscape related issues.

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.

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 is for the erection of a 44 x 10 x 7.45m high cattle/hay shed with staff facilities and a separate 6 x 6 x 12m tall castellated silo.

Implications of the Proposal for the Landscape including any Mitigation

Due to the sloping nature of the field I am concerned that the cattle shed and silo will be highly visible from the north side of the valley and more locally from the B7062 immediately to the north of the field. No attempt has been made to cut the building into the slope.

The attractive juxtaposition of valley side pastoral farmland with mixed and coniferous forestry and woodland could potentially be undermined by the introduction of an industrial scale shed that will require substantial earth moving to achieve the required amount of level ground. I suggest that the existing trees along the north boundary may not provide adequate screening for the buildings that will be located well up the hillside and I am concerned they will be seen from much of the surrounding elevated land to the north west, north and north east.

As part of an extensive development of the field we would normally expect a Landscape and Visual Impact Assessment (LVIA) with visualisations to be undertaken to test the scheme.

Local Plan Policy EP2 requires developers to comply with Structure Plan policy N11 which states that '*In assessing proposals for development in AGLVs (replaced by SLAs in 2012), the Council will seek to safeguard landscape quality and will have particular regard to the landscape impact of the proposed development.*'

Conclusion

The submitted information was limited, however I have a concern that this proposal will have a serious negative visual impact on this part of the Tweed valley and would be visually intrusive from much of the surrounding area

I therefore, on landscape and visual grounds, cannot support this application.

Siobhan McDermott
Landscape Architect

PLANNING CONSULTATION

To: Economic Development Section

From: Development Management

Date: 4th February 2016

Contact: Craig Miller ☎ 01835 825029

Ref: 16/00114/FUL

PLANNING CONSULTATION

Your observations are requested on the under noted planning application. I shall be glad to have your reply not later than 25th February 2016, 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 25th February 2016, 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 cattle court incorporating storage areas and staff facilities and erection of animal feed silo

Site: Field No 0328 Kirkburn Cardrona Scottish Borders

OBSERVATIONS OF: Economic Development Section

CONSULTATION REPLY

The Economic Development response is as follows:

We have reviewed the above application in respect of the business plan for a cattle store unit. We believe there are a number of fundamental issues with the business plan and a number of operational issues with the design of the unit.

1. The proposed building is more akin to an industrial unit as opposed to a cattle shed; 2 points in this respect are the lack of appropriate ventilation which may create a welfare situation for the stock and secondly the roller shutter door into the cattle area would, in probability, become inoperable due to the cattle manure in the building.
2. The size of the building appears to be excessive for the stock numbers proposed, looking at the stock numbers; and the recommended stocking rates for cattle buildings; then the cattle shed could probably hold almost twice as many cattle as the proposed number. The submitted plan indicates that a number of cattle would be sold off grass and only 25 would be housed, indicating an excess capacity within the cattle shed. The silage, and probably the straw, could be housed outside and thereby reduce the size of building.
3. The feed silo has a capacity of circa 600 cubic metres; the business plan indicates a feed usage of 20.8 tonnes which would require approx. 30 m³ and, in respect of good practise, this wouldn't be bought in as one lot but probably every 1 to 2 months and in effect only a fraction of the silo would be required for feed storage. The silo is therefore considerably bigger than it needs to be.

4. The 40 acres of grassland are a key element to the model, however there is no copy of the lease or for how long. The business plan puts this proposal forward as a 20 year project, so the lease would have to reflect this to some degree.
5. The business plan contains details for marketing of the end product, however this aspect is not particularly robust (restaurants are unlikely to buy whole carcasses they will buy specific cuts). A local food van attending regional events, such as agricultural shows, is unlikely to have an even demand of 2 beasts per month throughout the year (typically they are seasonal). Is there a letter of intent from the food van owner that they will take 2 beasts a month throughout the year?
6. A number of the financial and production assumptions are optimistic and in practice would be different to those submitted e.g. straw usage of 17.5 tonnes would probably be higher particularly feeding silage to the cattle.

From:Trotman, Chris
Sent:Thu, 24 Mar 2016 17:45:02 +0000
To:Miller, Craig
Subject:RE: 16/00114/FUL Business Plan, Kirkburn, Cardrona

Craig,

I have reviewed the above application in respect of the business plan for a cattle store unit.

I believe there are a number of fundamental issues with the business plan and a number of operational issues with the design of the unit.

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If further clarity on any of the above is required please come back to me.

Thank you

Chris

Chris Trotman

Business Gateway.

Ettrick Riverside,

Dunsdale Road,

Selkirk TD5 7EB

Tel: 01835 825602

Mob: 07920 823406

For more information on Business Gateway please take a look at www.bgateway.com

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REGULATORY SERVICES



To: **Development Management Service**
FAO Craig Miller

Date: **25 Mar 2016**

From: **Roads Planning Service**
Contact: **Paul Grigor**

Ext: **6663**

Ref: **16/00114/FUL**

Subject: Erection of cattle court incorporating storage areas and staff facilities and erection of animal feed silo
Field No. 0328 Kirkburn, Cardrona, Scottish Borders

The previous application (15/00947/FUL) was lacking information relating to vehicle movements that this proposal would generate.

The current application includes a business plan which details the operations of the proposed business. Whilst the proposal is unlikely to generate significant increase, the access to the site requires to be upgraded.

Should this application be supported, then I must insist that the access is upgraded as per my comments below prior to work commencing on the development. A detailed plan should be submitted for approval prior to works commencing on the development showing the following upgrading works;

- The first 6m of the access to be at a gradient of no steeper than 1 in 15, with the access track no steeper than 1 in 8 thereafter.
- The access road must be a minimum of 6m wide for a minimum 10m length, with 6m radii at the bellmouth.
- The first 6m of the access to be surfaced to my specification i.e. 40mm of 14mm size close graded bituminous surface course to BS 4987 laid on 60mm of 20mm size dense binder course (basecourse) to the same BS laid on 350mm of 100mm broken stone bottoming blinded with sub-base, type 1.
- Measures to be put in place to prevent the flow of water onto the public road.
- Visibility splays of 2.4 metres by 120 metres in either direction onto the public road. These splays must be retained in perpetuity thereafter.

It should be noted that access requirements were conditioned as part of a previous application for holiday lodges, 12/00902/FUL, by the same applicant, which has yet to be implemented. A detailed drawing of the junction upgrades was submitted to the Council and subsequently approved. A separate planning application for the access upgrade was also approved (15/01206/FUL). Should either of these applications be implemented and the access is upgraded, then there would be no requirement for further upgrades required as a result of this proposal.

AJS