

SCOTTISH BORDERS COUNCIL

**APPLICATION TO BE DETERMINED UNDER POWERS DELEGATED TO
CHIEF PLANNING OFFICER**

PART III REPORT (INCORPORATING REPORT OF HANDLING)

REF : 16/00205/FUL

APPLICANT : Cleek Poultry Ltd

AGENT :

DEVELOPMENT : Erection of timber processing building incorporating biomass plant room
and staff welfare provision

LOCATION: Field No 0328 Kirkburn
Cardrona
Scottish Borders

TYPE : FUL Application

REASON FOR DELAY:

DRAWING NUMBERS:

Plan Ref	Plan Type	Plan Status
196 37 REV A	Floor Plans	Refused
196 36	Site Plan	Refused
196 38 REV A	Elevations	Refused

NUMBER OF REPRESENTATIONS: 0

SUMMARY OF REPRESENTATIONS:

Roads Planning:

The previous application for this proposal (16/00205/FUL) raised an objection from this department due to lack of information on traffic movements that this proposal would generate.

The current submission highlights that this relatively small scale building is proposed for processing biomass fuel for domestic and commercial heating. The applicant anticipates 1 lorry delivery per week at peak times of production. It is then intended that the biomass fuel is distributed to the adjacent holiday lodge development which has planning approval but yet to be constructed.

In theory, this proposal will potentially remove or limit the need for biomass fuel to be delivered to the holiday lodge development, should it be forthcoming.

Access to the site is to be via the existing junction, which is to be upgraded as per a separate application (15/01206/FUL). As such, I would be seeking for a condition, to be attached to any consent for this current application, requiring the access to be upgraded as per the application 15/01206/FUL prior to the timber processing unit becoming operational.

Environmental Health:

Amenity and Pollution

Assessment of Application

Air quality
Noise
Nuisance

This is an Application to erection of timber processing building together with a biomass boiler, a biofuel production facility and staff accommodation.

Biomass heating systems have the potential to cause nuisance and air quality problems.

In order to allow an air quality screening assessment to be carried out the applicant can carry one out using the biomass unit conversion and screening tool at <http://iaqm.co.uk/guidance/>

Alternatively if the following information is provided the screening calculation will be carried out for them:

1. Flue diameter
2. Flue height above ground level
3. Make and model of the boiler
4. Size of boiler (maximum output in kW)
5. Thermal efficiency of the boiler
6. Type of fuel to be used (pellets chips etc.)
7. The height and width of the building in which the boiler will be housed
8. The height and width of any building within a distance of 5 times the stack height, including fuel hoppers.
9. The boiler Emission Factor for PM10 particulates at full boiler power
10. The boiler Emission Factor for NOx at full boiler power

Where manufacturer's Emission Factors are unavailable, a notional value derived from Guidance will be used.

Wood processing machinery can cause noise annoyance.

The Applicant should submit a Noise Assessment for the proposed machinery, giving predicted noise levels within the nearest noise sensitive premises.

Noise levels should incorporate any tonal penalties and be reference against the Noise Rating Curves.

Recommendation

Delete as appropriate -Further Information Required Before Application is Determined

Landscape Architect:

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 biomass processing shed over the consented cold storage block and next to an agricultural shed. The ridge height of the proposal development is almost 9 metres above existing lower yard level

Implications of the Proposal for the Landscape including any Mitigation

I am concerned that the shed will be highly visible to receptors using the B7062 travelling eastwards from Peebles. The existing trees along the north boundary and on the other side of the road will not provide adequate screening to the shed when seen from this direction or from the east and views from sensitive locations on the other side of the valley may not be screened by the intervening trees along the B7062.

Conclusion

I have a concern that the proposal will have a negative visual impact on this part of the Tweed valley.

On grounds of Landscape and visual impact, I cannot support this application.

Archaeology Officer:

There are no known archaeological implications for this proposal. While there is some archaeological sensitivity in the surrounding area, the site itself is within an area that has been heavily disturbed by recent development. A watching brief was conducted on the adjacent site in 2005 and failed to identify significant archaeology.

Economic Development: Response awaited.

Peebles and District Community Council: Response awaited.

PLANNING CONSIDERATIONS AND POLICIES:

Scottish Borders Consolidated Local Plan 2011

Policy G1 Quality Standards for New Development

Policy BE2 Archaeological Sites and Ancient Monuments

Policy EP2 Areas of Great Landscape Value

Policy D1 Business, Tourism and Leisure Development in the Countryside

"Special Landscape Area 2 - Tweed Valley" - Supplementary Planning Policies

Recommendation by - Craig Miller (Lead Planning Officer) on 19th April 2016

A previous application for a biomass production building and plant at this site was refused and the assessment from the Handling Report should be repeated here as it remains relevant to issues of landscape impact and justification:

"There was a previous application which included, as part of the proposals, a large two storey building built partly over the proposed cold storage area to provide further cold storage and vehicle storage. The building that is now proposed for timber processing and biomass chip creation is in exactly the same position and is identical in scale, appearance and design. The assessment of the history, landscape impacts and need for the proposals are contained within that previous report and the report on the timber processing building previously proposed for the western end of the existing steading building. Those reports stated the following:

"The application for the storage building and animal flotation tank building cause the same issues of landscape impact. Whilst it is accepted that at least they would have the appearance of being more visually related to the existing buildings in terms of location to the rear of existing buildings, the level of projection above the ridge of the existing buildings would still be excessive, ranging from 3.7m for the flotation tank building to 5.6m for the storage shed building. It is acknowledged that the line of tree cover north of the public road is a little higher at this end of the land holding and the existing buildings are screened by those trees - but only just. It is considered that there is not a further 3.7-5.6m vertical height screening above the tree tops to enable such large buildings set at higher level to be effectively screened, either from the A72 or from the public road adjoining the site. Whilst there may be a second topographical survey plan which could have covered this end of the site, this has not been submitted with the application and it would be highly unlikely, in any case, that there would be any demonstration of adequate existing screening given the height differentials between the existing building ridges and those proposed - especially the storage building ridge. It certainly appears that the existing contours would be similar to those being proposed for the rabbit/mushroom sheds, without the cutting into ground levels as proposed for those buildings. Excavation in this location would also cause difficulties with the upper yard, access and impacts on the rear of the existing buildings. It is concluded that the impacts on the landscape would be significant with this proposal, affecting

the character and quality of the designated landscape and particularly noticeable from the A72. This is the conclusion of the Landscape Officer."

Repeating the application in terms of the same height, position and scale of building has not addressed the aforementioned concerns in any way, the building remaining prominent to the A72 and to the B road. The Landscape Architect continues to object for these reasons. For the same reasons that led to the rejection of 15/00563/FUL, the current application is contrary to Policies G1, D1, EP2 and the SPG due to the detrimental impacts on designated landscape quality.

In terms of the intended use of the building, the proposed use is for production of biomass woodchip/sawdust with other rooms for timber drying and staff provision. A previous application at the western end of the steading (15/00600/FUL) rehearsed the issue of timber processing in relation to Policy D1 as follows:

"Policy D1 looks for uses which are related to the ground on which they are located, for purposes which are generated by the land and any particular activity carried out on the land. It is known that the landholding is only 8 acres, of which 3 have been earmarked for the consented chalet development and some of the remainder are occupied already by buildings and the yard area. The stated purpose of the building raises issues over need and justification, as with the other proposals and in the absence of a co-ordinated Business Plan. There is no woodland on the land holding despite the application form stating that timber from adjoining woodland will be coppiced and processed. Policy D1 only supports business proposals in the countryside (other than agriculture/forestry) that can demonstrate a clear economic and operational need to be located in that location. As there is no Business Plan nor any clear indication of where the timber is to be sourced from, it cannot be accepted that the proposal complies with the basic requirements of Policy D1. There would also be concern in terms of visual screening if the very woodland being used as a reason to accept some development at the eastern end of the site is intended to be felled to be processed on site.

There has similarly been no explanation as to why the building must be 7.3m high with a roller shutter door 4m high nor any explanation or recognition that either existing buildings could be used for such a use or that an alternative lower building could be used.

It is concluded that the application is contrary to Policies G1 and D1 of the Scottish Borders Consolidated Local Plan 2011 in that it has not been adequately demonstrated that there is an overriding justification for the proposed building that would justify an exceptional permission in this rural location and therefore the development would appear as unwarranted development in the open countryside. The proposed building and use are not of a scale or purpose that appear related to the nature or size of the holding on which the building would be situated, which further undermines the case for justification in this location."

As there has not been any Business Plan or justification submitted to address the previous reason for refusal in relation to lack of compliance with Policy D1 or respond to the aforementioned concerns, I would have to consider that the current application still fails to comply with Policy D1. There has been no demonstration of how the current farmholding justifies a building for processing and creating woodchip and sawdust. Despite the applicant stating there is agreement to bring in wood from elsewhere, this information has not been submitted, the intended operation is not for agricultural purposes nor has it been demonstrated that it relates to forestry by-product procedures sourced from wood within the farmholding. I would have to conclude that this new application proposes similar timber processing uses as previously proposed and refused at the farmholding. Without a Business Plan justifying the proposed use, the new application has still not addressed the business justification reasons for refusal. Had it been purely a building with plant for the burning of biomass and creation of energy for agricultural purposes on the farmholding - and this was demonstrated in a Business Plan - then compliance with Policy D1 may have been achieved."

What has changed in relation to this submission ? Firstly, the building is the same floor area placed atop the cold storage building, albeit without mezzanine. It was previously 6m to eaves with a dual pitched roof rising to 7.5m to ridge. The new design is monopitched, 4m to eaves and rising to 6m to ridge. The ultimate height reduction is 1.5m which is not considered to be the "substantial" reduction suggested by the applicant in his supporting letter. All issues of landscape prominence remain from both the B road and from the A72 across the valley and above the intervening trees. The Landscape Architect continues to object for these reasons and the detrimental impacts on the Tweed Valley SLA, stressing that the ridge would be 9m above existing

lower yard level. Most of the six metre height will be visible above the trees, serving to demonstrate on a repeated basis, that the site is not suitable for additions in height above the existing buildings.

The other change relates to the purpose of the biomass building which is stated as being for the production of biomass fuel from raw material brought from Forestry Commission stock at Glentress and Cardrona, processed into fuel and then used both for the holiday lodges/sheds approved on the site but also to fuel the drying process within the Plant Room under the proposed building. Whilst the letter at least provides more information on the connection between the purpose of the building and approved uses at the site (and makes no claim to use timber from the site or immediately adjoining the site), it remains unsupported by anything other than a brief letter. There remains no Business Plan to demonstrate how the proposed use and building would be justified and, especially, why a building of the design, scale and height is proposed. There is also no practical information to explain why the building must be six metres high and why it must, yet again, feature a rest room, kitchenette and toilet. Until a practical and justifiable connection can be demonstrated between the building, the proposed use and the uses on site, then it is considered that Policy D1 continues to be breached by this proposal.

Although previously a reason for refusal, the road safety impacts of this proposal have now been accepted by Roads Planning given what is said by the applicant about raw material delivery and the use of the produce within the site for the holiday development - thus limiting the external vehicular movements. The road safety impacts of the proposal, following clarification by the applicant, are no longer a reason for refusal of the application in this respect.

The environmental health concerns can be addressed by conditions on any approval, albeit any approval must be preceded by an Air Quality Assessment. There are no archaeological implications.

REASON FOR DECISION :

The application is contrary to Policies G1, EP2 and D1 of the Scottish Borders Consolidated Local Plan 2011 and Supplementary Planning Policies relating to Special Landscape Area 2-Tweed Valley in that the proposed building will be prominent in height, elevation and visibility within the landscape and will have a significant detrimental impact on the character and quality of the designated landscape.

The application is contrary to Policies G1 and D1 of the Scottish Borders Consolidated Local Plan 2011 in that it has not been adequately demonstrated that there is an overriding justification for the proposed building that would justify an exceptional permission for it in this rural location and, therefore, the development would appear as unwarranted development in the open countryside. It has not been demonstrated that the design, layout and scale of the building are appropriate or suited for the proposed use and the use is not supported by any Business Plan or practical details.

Recommendation: Refused

- 1 The application is contrary to Policies G1, EP2 and D1 of the Scottish Borders Consolidated Local Plan 2011 and Supplementary Planning Policies relating to Special Landscape Area 2-Tweed Valley in that the proposed building will be prominent in height, elevation and visibility within the landscape and will have a significant detrimental impact on the character and quality of the designated landscape.
- 2 The application is contrary to Policies G1 and D1 of the Scottish Borders Consolidated Local Plan 2011 in that it has not been adequately demonstrated that there is an overriding justification for the proposed building that would justify an exceptional permission for it in this rural location and, therefore, the development would appear as unwarranted development in the open countryside. It has not been demonstrated that the design, layout and scale of the building are appropriate or suited for the proposed use and the use is not supported by any Business Plan or practical details.

“Photographs taken in connection with the determination of the application and any other associated documentation form part of the Report of Handling”.