

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

**Town and Country Planning (Development Management Procedure) (Scotland) Regulations  
2013**

**Application for Planning Permission**

**Reference: 15/01206/FUL**

**To: Cleek Poultry Ltd The Tractor Shed Kirkburn Cardrona Peebles EH45 9HU**

With reference to your application validated on **12th October 2015** for planning permission under the Town and Country Planning (Scotland) Act 1997 for the following development :-

**Proposal: Upgrade of existing access**

**at: Field No 0328 Kirkburn Cardrona Scottish Borders**

The Scottish Borders Council hereby **grant planning permission** in accordance with the approved plan(s) and the particulars given in the application and in accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997, subject to the following direction:

- That the development to which this permission relates must be commenced within three years of the date of this permission.

And subject to the conditions on the attached schedule imposed by the Council for the reasons stated

**Dated 9th December 2015  
Planning and Regulatory Services  
Environment and Infrastructure  
Council Headquarters  
Newtown St Boswells  
MELROSE  
TD6 0SA**

**Signed**



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**Chief Planning Officer**

**APPLICATION REFERENCE: 15/01206/FUL****Schedule of Plans and Drawings Approved:**

Plan Ref	Plan Type	Plan Status
196 30	Location Plan	Approved
196 31	Elevations	Approved

**REASON FOR DECISION**

The application, with conditions, complies with Development Plan Policies on amendments to access for development within the countryside in that the proposed amendments will improve the access for existing use and for consented holiday development at the site.

**SCHEDULE OF CONDITIONS**

- 1 The retaining walls shown on the approved plan to be faced with natural stone cladding within one month of their formation, a sample of which should be submitted to, and approved by, the Planning Authority.  
Reason: To safeguard the visual amenity of the area.
- 2 Notwithstanding what is shown on the plans, planning permission is only granted for the access upgrading and not for the entrance folly.  
Reason: The entrance folly is not considered to be of an appropriate scale to be satisfactorily accommodated within the site without impacts of dominance and incongruity from the public road.
- 3 No development to be commenced until details of the gully outfall routes are submitted to, and approved by, the Planning Authority.  
Reason: In the interests of road safety.

**FOR THE INFORMATION OF THE APPLICANT**

It should be noted that:

- 1 In relation to Condition 2, any revised design of entrance folly should be submitted as a new planning application and should address the issues of scale and dominance through considerable reductions in width and height and a design more successfully related to the proposed entrance walls and ground levels. There should also be more information provided on the design detailing. It is suggested by the Landscape Architect that you may wish to consider entrance pillars as a possible alternative in any resubmission.

N.B: This permission does not include any consent, approval or licence necessary for the proposed development under the building regulations or any other statutory enactment and the development should not be commenced until all consents are obtained.

### **Notice of Initiation of Development**

Section 27 of the Town and Country Planning (Scotland) Act (as amended) requires that any person who has been granted planning permission (including planning permission in principle) and intends to start development must, once they have decided the date they will start work on the development, inform the planning authority of that date as soon as is practicable. A form is enclosed with this decision notice for this purpose.

### **Notice of Completion of Development**

Section 27B requires that any person who completes a development for which planning permission (including planning permission in principle) has been given must, as soon as practicable after doing so, give notice of completion to the planning authority.

When planning permission is granted for phased development then under section 27B(2) the permission is to be granted subject to a condition that as soon as practicable after each phase, other than the last, is completed, the person carrying out the development is to give notice of that completion to the planning authority.

In advance of carrying out any works it is recommended that you contact Utility Bodies whose equipment or apparatus may be affected by any works you undertake. Contacts include:

Transco, Susiephone Department, 95 Kilbirnie Street, Glasgow, G5 8JD  
Scottish Power, Riccarton Mains Road, Currie, Edinburgh, EH14 5AA  
Scottish Water, Developer Services, 419 Balmore Road, Possilpark, Glasgow G22 6NU  
British Telecom, National Notice Handling Centre, PP404B Telecom House, Trinity Street, Stoke on Trent, ST1 5ND  
Scottish Borders Council, Street Lighting Section, Council HQ, Newtown St Boswells, Melrose, TD6 0SA  
Cable & Wireless, 1 Dove Wynd, Strathclyde Business Park, Bellshill, ML4 3AL  
BP Chemicals Ltd, PO Box 21, Bo'ness Road, Grangemouth, FK2 9XH  
THUS, Susiephone Department, 4<sup>th</sup> Floor, 75 Waterloo Street, Glasgow, G2 7BD  
Susiephone System – **0800 800 333**

If you are in a Coal Authority Area (Carlops or Newcastleton), please contact the Coal Authority at the following address: The Coal Authority 200 Lichfield Lane, Berry Hill, Mansfield, Nottinghamshire NG18 4RG.

If the applicant is aggrieved by the decision of the Planning Authority to refuse planning permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under Section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to Corporate Administration, Council Headquarters, Newtown St Boswells, Melrose TD6 0SA.

If permission to develop land is refused or granted subject to conditions, whether by the Planning Authority or by the Scottish Ministers, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner may serve on the Planning Authority a purchase notice requiring the purchase of his interest in the land in accordance with the provisions of Part 5 of the Town and Country Planning (Scotland) Act 1997.



**SCOTTISH BORDERS COUNCIL**

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

**PART III REPORT (INCORPORATING REPORT OF HANDLING)**

REF : 15/01206/FUL  
APPLICANT : Cleek Poultry Ltd  
AGENT :  
DEVELOPMENT : Upgrade of existing access  
LOCATION: Field No 0328 Kirkburn  
Cardrona  
Scottish Borders  
  
TYPE : FUL Application

**REASON FOR DELAY:**

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**DRAWING NUMBERS:**

Plan Ref	Plan Type	Plan Status
196 30	Location Plan	Approved
196 31	Elevations	Approved

**NUMBER OF REPRESENTATIONS: 0**

**SUMMARY OF REPRESENTATIONS:**

Roads Planning:

No objections but seeks further information on where the gullies discharge to and expresses concerns over potential impacts of folly on ground levels and whether a use generating traffic is proposed.

Landscape Architect:

Opposes the current design of folly and suggests a much reduced version or, preferably, gate post features to match with the local vernacular. Also recommends the access retaining walls be faced with natural stone.

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 D1 Business Tourism and Leisure Development in the Countryside

**Recommendation by** - Craig Miller (Lead Planning Officer) on 7th December 2015

This application is for the alteration of an existing access at Kirkburn, Cardrona, and for the erection of a castellated folly on the western curve of the amended access. The access works involve widening of the access to 6m, creating a tarmac area with kerbs and 6m radii, drainage provisions and a one metre high concrete block retaining wall either side. The gradient would meet 1 in 15 for the first six metres then no steeper than 1 in 8. Sightlines of 2.4 by 120m would be formed.

The entrance folly would be constructed in local reclaimed stone with ashlar dressings and resemble a castellated turret, 4.5m in diameter and 6.3m to the top of the castellations. Two raised string courses are shown and a series of slot-like indentations or voids. There is no further information on whether the folly would have any use, entrance or, indeed, roof.

The access improvements are similar to those proposed for the holiday chalet development consented under 12/00902/FUL but which have yet to be implemented. It is understood that the applicant envisages that the current standard of unimproved access is resulting in objections from Roads Planning towards other proposals at the site using the access. However, such improvements could have been imposed as conditions on any future planning permissions, the main reasons for Roads Planning objections relating to traffic generating proposals being submitted without supporting Transport Statements. In any case, similar road junction improvements were sought by condition on the original holiday chalet approval and were clearly acceptable by the Council for that development - so there should be no reason why a stand-alone proposal to improve the access should not also be supported. This does not mean, however, that any further proposals that could potentially give rise to greater traffic generation or a different nature of traffic should not still be supported by the previously requested Transport Statement. A junction improvement, in itself, may not be sufficient to allay Roads Planning concerns.

The junction improvements go further than those previously consented on the holiday chalet development, mainly involving an increased width of road further up into the site, at the point where the access to the holiday chalets splits from the farm access. The main benefits, apart from the increased width, are a tarmac surface at the bellmouth, improved interception of surface water, retaining of any increased excavation and shallower gradients. Roads Planning have now confirmed their acceptance of the proposals, albeit wanting more information on the route of the gullies. The Landscape Architect had previously suggested stone-faced walling to soften the impacts of the access and this is again recommended by her rather than the stark appearance of concrete block retaining walls as proposed at present. This requirement can be imposed by condition.

The erection of the folly on the western side of the enhanced site entrance must be judged against Policy G1 of the Consolidated Local Plan, relating to quality of design standards. The folly has no intended use and is seen as an ornate entrance feature, therefore, it cannot be judged against Policy D1 as other proposals at Kirkburn have been. There should be no reason why a suitably designed and scaled entrance feature, perhaps relating to the curved retaining walling, could be considered to comply with the criteria listed in Policy G1. However, what is proposed at present is not considered to be in compliance. Given the lack of sufficient flat land at the entrance area and despite the drawing suggesting the folly on a flat site, there are no finished floor levels or contours shown to demonstrate at what elevation above road level the folly will be positioned. Similarly, the height of 6.3m and width of 4.5m could be considered to be out of scale with the context of the landscape and minor road surrounding the site, the height either being accentuated by a raised floor level or fit within the site incongruous due to significant excavation and retaining.

The criteria within Policy G1 require "scale, massing and height" appropriate to surroundings, the development to be "satisfactorily accommodated within the site", to be "compatible with...the surrounding area, neighbouring uses and neighbouring built form" and to be "designed in sympathy with Scottish Borders architectural styles". Whilst a major reduction in height and width could successfully address some of the concerns over scale, dominance and landscape fit, further details of the structure would also be required of how it is set into the site, how it relates to the entrance walling and whether it has a roof, wall or door openings. There is clearly some context in this part of the Tweed Valley for an entrance structure with historical appearance, given the proximity of Kailzie, the Wm Cree Memorial Church and the former Scheduled Monument of Our Lady's Church. However, the structure should be of a scale and design which is able to be accommodated without over-dominance or impression of being totally out of context. The Landscape Architect makes reference to incorporating such a structure with the junction walling as an entrance feature, preferably in the form of gatepost features.

The current design cannot be supported for the aforementioned reasons and the consent will only be issued for the access improvements. A Condition and Informative will be imposed to clarify that the current design of folly is not approved and that a new application would be required for a revised design which may be considered more favourably if significantly reduced in height and width and related better to the ground levels and entrance walling.

#### **REASON FOR DECISION :**

The application, with conditions, complies with Development Plan Policies on amendments to access for development within the countryside in that the proposed amendments will improve the access for existing use and for consented holiday development at the site.

#### **Recommendation:** Approved - conditions & informatives

- 1 The retaining walls shown on the approved plan to be faced with natural stone cladding within one month of their formation, a sample of which should be submitted to, and approved by, the Planning Authority.  
Reason: To safeguard the visual amenity of the area.
- 2 Notwithstanding what is shown on the plans, planning permission is only granted for the access upgrading and not for the entrance folly.  
Reason: The entrance folly is not considered to be of an appropriate scale to be satisfactorily accommodated within the site without impacts of dominance and incongruity from the public road.
- 3 No development to be commenced until details of the gully outfall routes are submitted to, and approved by, the Planning Authority.  
Reason: In the interests of road safety.

#### **Informatives**

It should be noted that:

- 1 In relation to Condition 2, any revised design of entrance folly should be submitted as a new planning application and should address the issues of scale and dominance through considerable reductions in width and height and a design more successfully related to the proposed entrance walls and ground levels. There should also be more information provided on the design detailing. It is suggested by the Landscape Architect that you may wish to consider entrance pillars as a possible alternative in any resubmission.

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





**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997****Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013****Application for Planning Permission****Reference : 15/00600/FUL****To : Cleek Poultry Ltd The Tractor Shed Kirkburn Cardrona Peebles**

With reference to your application validated on **29th May 2015** for planning permission under the Town and Country Planning (Scotland) Act 1997 for the following development :-

**Proposal : Erection of timber processing building incorporating roof mounted photo voltaic panel array****at : Field No 0328 Kirkburn Cardrona Scottish Borders**

The Scottish Borders Council hereby **refuse** planning permission for the **reason(s) stated on the attached schedule**.

**Dated 3rd August 2015  
Regulatory Services  
Council Headquarters  
Newtown St Boswells  
MELROSE  
TD6 0SA**

**Signed**

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**Chief Planning Officer**

**APPLICATION REFERENCE : 15/00600/FUL****Schedule of Plans and Drawings Refused:**

<b>Plan Ref</b>	<b>Plan Type</b>	<b>Plan Status</b>
196 06	Elevations	Approved
SUNMODULE	Specifications	Approved

**REASON FOR REFUSAL**

- 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, will be poorly visually related to the existing buildings adjoining 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 them 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.
- 3 The application is contrary to Policy D1 of the Scottish Borders Consolidated Local Plan 2011 in that it has not been adequately demonstrated that any traffic generated by the proposal can access the site without detriment to road safety.

**FOR THE INFORMATION OF THE APPLICANT**

If the applicant is aggrieved by the decision of the Planning Authority to refuse planning permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under Section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to Corporate Administration, Council Headquarters, Newtown St Boswells, Melrose TD6 OSA.

If permission to develop land is refused or granted subject to conditions, whether by the Planning Authority or by the Scottish Ministers, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner may serve on the Planning Authority a purchase notice requiring the purchase of his interest in the land in accordance with the provisions of Part 5 of the Town and Country Planning (Scotland) Act 1997.

**SCOTTISH BORDERS COUNCIL**

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

**PART III REPORT (INCORPORATING REPORT OF HANDLING)**

**REF :** 15/00600/FUL

**APPLICANT :** Cleek Poultry Ltd

**AGENT :**

**DEVELOPMENT :** Erection of timber processing building incorporating roof mounted photo voltaic panel array

**LOCATION:** Field No 0328 Kirkburn  
Cardrona  
Scottish Borders

**TYPE :** FUL Application

**REASON FOR DELAY:**

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**DRAWING NUMBERS:**

Plan Ref	Plan Type	Plan Status
196 06	Elevations	Approved
SUNMODULE	Specifications	Approved

**NUMBER OF REPRESENTATIONS: 0**

**SUMMARY OF REPRESENTATIONS:**

Roads Planning:

The principle of agricultural activity at this site has already been established through various applications. However it is disappointing to note that previously conditioned work has never been completed, with the bell mouth still requiring to be surfaced and visibility from the access onto the public road remains substandard. This proposal, if approved, is obviously going to increase the amount of vehicles using the access and, as such, enforcement action should be raised to enforce the compliance of the existing conditions.

There is a lack of information in terms of the number of vehicle movements this proposal will bring. As such, I will require a Transport Statement to be submitted which details the type, number and size of vehicle trips which will be generated by this proposal along with the frequency of trips. The statement must also include anticipated traffic movements for all other proposed development served by this access.

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 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 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 by the same applicant, 12/00902/FUL, which is yet to be implemented. A detailed drawing of the junction upgrades was submitted to the Council and subsequently approved.

Until I receive this additional information I must withhold my support for this proposal.

Archaeology Officer:

Thank you for requesting an archaeology consultation. The application area was partly covered by a previous archaeological watching brief that failed to identify significant archaeology. Given this, and groundworks that have commenced in the immediate vicinity since the watching brief in 2005, I do not believe there are any further mitigation measures required.

Landscape Officer:

#### 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 is for the erection of a timber processing building onto the end of an existing shed.

#### 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 and the west elevation is higher than the existing shed and will be overly dominant in this small scale setting. I suggest that the existing trees along the north boundary will not provide adequate screening to the shed when seen from this direction and from the east there will be a confused and awkward elevation and association with the existing shed.

The roof height will be 3m above the roof height of the existing shed and as such has potential to be visible above the existing tree belt from sensitive locations across the valley e.g. from the A72.

#### Conclusion

The submitted information was limited and I have a concern that the proposal will have a negative visual impact on this part of the Tweed valley.

I would want to see a realistic photomontage presentation submitted as part of a LVIA to satisfy me that there will not be a significant visual impact for receptors using the adjacent road or from the other side of the valley and whether there are mitigation measures that could reduce any negative visual impacts.

Without this information I cannot support this application.

Economic Development: Requires clarification of purpose of all competing proposals and suggests Business Gateway be involved to provide advice and assist.

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 30th July 2015

The site forms part of an 8 acre smallholding at Kirkburn, Cardrona, on the back road to Peebles. This planning application is one of six which have been submitted for various buildings and structures on the land to the south and west of the holiday chalets site. Together with a seventh proposal in the form of an AGN, four of the applications all relate to the same site and are competing proposals, only one of which could actually be implemented. This application is for a new building erected at lower yard level adjoining and to the west of the existing buildings. The purpose of the building is described as "timber processing" and the application form suggests it will be coppicing adjacent woodlands. No further Business Plan or justification is provided to explain where such woodland lies, whether it is within the applicant's control, the purpose of the timber produced etc.

The building will measure 10m by 7m to the front and 12m to the rear, 6m to the eaves and 7.3m to the ridge both as measured from the ground level. It will be clad in larchlap boarding with a charcoal grey fibre roof, possessing one large roller shutter door and a pedestrian door adjoining. The roof will be pitched and asymmetrical, reflecting the shorter frontage and longer rear of the building which fits into the available flat space.

The site also lies within the Tweed Valley Special Landscape Area No. 2 - a recent local landscape designation which requires extra care and attention to be paid to development that could adversely impact on the character of the landscape. Management recommendations were set out in the Supplementary Planning Guidance accompanying the designation, the most pertinent being "...to better integrate existing development into the landscape". This was arising out of pressure for development on hills and hillsides across the designated area.

Such considerations were uppermost when the adjoining holiday chalets application was considered at Committee. As a result of concerns over visual impacts on rising land, revisions to the scheme were required to reduce impacts on the recently designated landscape. This involved removal of upper chalets and the loop road as well as a series of cross sections to demonstrate that the development would not be seen from the A72 on the Horsbrugh Straight above the existing tree canopy line.

The full background to the landscape impacts envisaged by the mushroom sheds, poultry unit, cattle court, hay stores, silo and solar panels have been described elsewhere in the relevant applications. Adjoining this proposal, the application for the storage building and animal flotation tank building caused the same issues of landscape impact. Whilst it was 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 was 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 was considered that there was 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 had 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.

The timber processing building exhibits the same issues of height, albeit being one metre lower than the Flotation Tank building. It nevertheless has a ridge line 2.75m above the current building ridge lines. Given the fact that the existing buildings are close to the top line of the trees when viewed from across the river, a further 2.75m height extension will cause the same problems of prominence and landscape impact as the other proposals which have been rejected, albeit of slightly lesser degree.

Of particular impact will be the building when viewed from the B-road, especially on the approach from the west. An application was refused in 2011 for a building of similar scale and dimensions in the same location. At that time, the building was described for hay storage purposes and it was the same floor area and eaves height of 6m but with a flat roof. That application was refused for the following reason:

"....the proposals are of inappropriate form, scale and materials and are unsympathetic to both the existing building and the amenity of the surrounding rural area".

In the report on that application, it was stated :

"The proposals fail to comply with these requirements in that none of these elements are in sympathy with the existing building. The abrupt change from pitched to flat roof form is exacerbated by the 1.5m height increase and the lack of any fenestration, together with the high steel doors which are higher than the eaves of the existing building. As the extension will also be flush with the front and back of the existing building, the lack of any step back also increases the unsympathetic relationship with the existing building.

These concerns have been raised with the agent who has offered to alter the proposal to clad it in metal sheeting rather than the proposed blockwork. The shape, form and bulk of the extension would only be slightly reduced in impact by the use of matching material and it is concluded that the design would still be inappropriate as an extension to the existing building especially within the attractive and historic rural environment that it is located. The building will be visible from the public roads to the front and rear of the site and a better design of extension is warranted in the location proposed."

The new application still exhibits many of the incongruous elements of the previous design, albeit dropping the flat roof in favour of a pitch. This, however, increases the height by a further 1.3m, causing a visual jump up in ridge lines and the eaves line being dramatically different. Again, the roller shutter door will be above the eaves of the existing buildings and the impact from the western direction on the public road will be dominant, faced with a 7.3m high blank gable on already elevated land.

I have no issues with the solar panels on the rear facing roof slope.

It is concluded that the impacts from the A72, compounded by those from the B-road in relation to the dominance of the building and its incongruous relationship with the existing buildings, determine that the proposal would have a significant visual impact on the designated landscape.

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.

Roads Planning have concerns over this proposal together with others submitted on the same and adjoining sites. They point out that conditioned work has never been completed, with the bell mouth still requiring to be surfaced and visibility from the access onto the public road remaining substandard. This proposal, if approved, would increase the amount of vehicles using the access and should it be approved, upgrading works should be conditioned following the submission of details. Roads Planning also consider there to be a lack of information in terms of the number of vehicle movements this proposal (and the others) will bring. They have requested a Transport Statement to be submitted which details the type, number and size of vehicle trips which will be generated by this proposal along with the frequency of trips. The statement must also include anticipated traffic movements for all other proposed development served by this access.

Given the uncertainty over the scale of the building and the nature of the use intended, it is understandable that there are Roads concerns over the ability of the access to accommodate the development without further information being submitted. In the absence of such information, it has not been adequately demonstrated that the access is capable of safely accommodating the traffic generated by the proposed development. This would be contrary to Policy D1 of the Consolidated Local Plan.

The Archaeology Officer is not concerned at these proposals, given the previous development of the steading buildings and the lack of any significant findings.

#### **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, will be poorly visually related to the existing buildings adjoining 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 them 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.

The application is contrary to Policy D1 of the Scottish Borders Consolidated Local Plan 2011 in that it has not been adequately demonstrated that any traffic generated by the proposal can access the site without detriment to road safety.

**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, will be poorly visually related to the existing buildings adjoining 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 them 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.
- 3 The application is contrary to Policy D1 of the Scottish Borders Consolidated Local Plan 2011 in that it has not been adequately demonstrated that any traffic generated by the proposal can access the site without detriment to road safety.

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



**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

**Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013**

**Application for Planning Permission**

**Reference: 15/00563/FUL**

**To: Cleek Poultry Ltd The Tractor Shed Kirkburn Cardrona Peebles**

With reference to your application validated on **28th May 2015** for planning permission under the Town and Country Planning (Scotland) Act 1997 for the following development :-

**Proposal: Extension to form additional cold storage with agricultural storage shed above, erection of animal flotation unit and installation of roof mounted photovoltaic panel array**

**At: Field No 0328 Kirkburn Cardrona Scottish Borders**

The Scottish Borders Council hereby **refuse** planning permission for the **reason(s) stated on the attached schedule.**

**Dated 3rd August 2015  
Regulatory Services  
Council Headquarters  
Newtown St Boswells  
MELROSE  
TD6 0SA**

**Signed**



.....

**Chief Planning Officer**

**APPLICATION REFERENCE: 15/00563/FUL****Schedule of Plans and Drawings Refused:**

<b>Plan Ref</b>	<b>Plan Type</b>	<b>Plan Status</b>
SUNMODULE	Specifications	Refused
196 04 REV A	Elevations	Refused

**REASON FOR REFUSAL**

- 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 buildings 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 buildings and that would justify an exceptional permission for them in this rural location and, therefore, the development would appear as unwarranted development in the open countryside. The proposed buildings are not of a design or scale that appear suited either to the proposed use for which they are intended or the size of the holding on which they would be situated, which further undermines the case for justification in this location.
- 3 The application is contrary to Policy D1 of the Scottish Borders Consolidated Local Plan 2011 in that it has not been adequately demonstrated that any traffic generated by the proposal can access the site without detriment to road safety.

**FOR THE INFORMATION OF THE APPLICANT**

If the applicant is aggrieved by the decision of the Planning Authority to refuse planning permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under Section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to Corporate Administration, Council Headquarters, Newtown St Boswells, Melrose TD6 OSA.

If permission to develop land is refused or granted subject to conditions, whether by the Planning Authority or by the Scottish Ministers, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner may serve on the Planning Authority a purchase notice requiring the purchase of his interest in the land in accordance with the provisions of Part 5 of the Town and Country Planning (Scotland) Act 1997.

**SCOTTISH BORDERS COUNCIL**

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

**PART III REPORT (INCORPORATING REPORT OF HANDLING)**

**REF :** 15/00563/FUL

**APPLICANT :** Cleek Poultry Ltd

**AGENT :**

**DEVELOPMENT :** Extension to form additional cold storage with agricultural storage shed above, erection of animal flotation unit and installation of roof mounted photovoltaic panel array

**LOCATION:** Field No 0328 Kirkburn Cardrona  
Scottish Borders

**TYPE :** FUL Application

**REASON FOR DELAY:**

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**DRAWING NUMBERS:**

<b>Plan Ref</b>	<b>Plan Type</b>	<b>Plan Status</b>
SUNMODULE 196 04 REV A	Specifications Elevations	Refused Refused

**NUMBER OF REPRESENTATIONS: 0**

**SUMMARY OF REPRESENTATIONS:**

Roads Planning:

The principle of agricultural activity at this site has already been established through various applications. However it is disappointing to note that previously conditioned work has never been completed, with the bell mouth still requiring to be surfaced and visibility from the access onto the public road remains substandard. This proposal, if approved, is obviously going to increase the amount of vehicles using the access and, as such, enforcement action should be raised to enforce the compliance of the existing conditions.

There is a lack of information in terms of the number of vehicle movements this proposal will bring. As such, I will require a Transport Statement to be submitted which details the type, number and size of vehicle trips which will be generated by this proposal along with the frequency of trips. The statement must also include anticipated traffic movements for all other proposed development served by this access.

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 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 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 by the same applicant, 12/00902/FUL, which is yet to be implemented. A detailed drawing of the junction upgrades was submitted to the Council and subsequently approved.

Until I receive this additional information I must withhold my support for this proposal.

Landscape Officer:

#### Description of the Site

The site is located in the western 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 (SLA) 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 is for the erection of a 10m x 14m store with staff facilities and roof mounted solar panels, a 25 x 6m building to house an animal therapy flotation tank also with roof mounted solar panels.

#### Implications of the Proposal for the Landscape including any Mitigation

The submission provides nothing in the way of topographical information and given that there are no cross sections showing how the proposal related to existing site levels, I am concerned that the sheds may be visible from the north side of the valley and more locally from the B7062 immediately to the north of the field. I suggest that the existing trees along the north boundary may not provide adequate screening for these sheds and it may be that they will be seen from much of the surrounding elevated land to the north west, north and north east.

No Landscape and Visual Impact Assessment (LVIA) has been undertaken to test the scheme to test the visual effect on the integrity of the SLA and visual impact on the receptors on the adjacent road.

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 and I have a concern that the proposal will be highly visible and will have a serious negative visual impact on this part of the Tweed valley.

I would expect to see a realistic photomontage presentation submitted as part of a LVIA to establish how visible this proposed development would be from a number of sensitive receptors both in the immediate vicinity and across the valley.

Without a simple landscape and visual impact assessment that clearly shows the effects on this part of the Tweed valley SLA, I cannot make an informed judgement about this proposal and I therefore do not support this application.

Archaeology Officer: Thank you for requesting an archaeology consultation. The application area was partly covered by a previous archaeological watching brief that failed to identify significant archaeology. Given this, and groundworks that have commenced in the immediate vicinity since the watching brief in 2005, I do not believe there are any further mitigation measures required.

Environmental Health:

Amenity and Pollution

Assessment of Application

Noise

Water and Drainage

This Application includes proposals to erect a cold store and a solar panel array. Refrigeration equipment can be a source of noise complaints if not properly installed and maintained.

Electrical power generating facilities can cause noise impacts from transformers and other ancillary equipment.

This Application proposes to use a private water supply and drainage system.

These can impact of public health.

Recommendation

Agree with application in principle, subject to Conditions.

Conditions

Noise

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.

The Unit 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 the site will be serviced by a wholesome supply of drinking water of adequate volume. The supply should not have a detrimental effect on other private water supplies in the area.

Reason: To ensure that the site is adequately serviced without a detrimental effect on the water supplies of surrounding 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.

Informative

#### Private Water Supply

As the proposal may result in the general public consuming the water from the private water supply, the supply will be classed as a Type A. This will mean that the supply will be subjected to annual water testing and a risk assessment of the supply. The applicant should contact an Environmental Health Officer before becoming operational to discuss testing of the water.

#### Private Drainage System

Private drainage systems often cause public health problems when no clear responsibility or access rights exists 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.

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 29th July 2015

The site forms part of an 8 acre smallholding at Kirkburn, Cardrona, on the back road to Peebles. This planning application is one of six which have been submitted for various buildings and structures on the land to the south and west of the holiday chalets site. Together with a seventh proposal in the form of an AGN, four of the applications all relate to the same site and are competing proposals, only one of which could actually be implemented. This application is for two new buildings erected at higher yard level above and behind the existing range of buildings and recently consented cold store.

The first building will be erected on top of the previously consented cold store and over a proposed excavated cold store extension, one described as being for poultry, the other for red meat. Above these areas, a new storage shed is proposed measuring 10m by 14m, 6m to the eaves and 7.3m to the ridge both as measured from the upper yard. The second building will be to the rear of the existing buildings and will be erected at upper yard level, measuring 6m by 24m, 4m to the eaves and 5.5m to the ridge. They will be clad in larchlap boarding with a charcoal grey fibre roof, the larger building possessing two roller shutter doors to the side gable and two pedestrian doors to the rear. Two further roller shutter doors will serve the cold stores. The interior of the larger building is described as for tractors/implements/mobile food van parking. Staff quarters are shown at one end of the building at mezzanine level consisting of a rest room, toilet and kitchenette. The smaller building is proposed to house an animal flotation tank with roller shutter door and pedestrian door.

The site also lies within the Tweed Valley Special Landscape Area No. 2 - a recent local landscape designation which requires extra care and attention to be paid to development that could adversely impact on the character of the landscape. Management recommendations were set out in the Supplementary Planning Guidance accompanying the designation, the most pertinent being "...to better integrate existing development into the landscape". This was arising out of pressure for development on hills and hillsides across the designated area.

Such considerations were uppermost when the adjoining holiday chalets application was considered at Committee. As a result of concerns over visual impacts on rising land, revisions to the scheme were required to reduce impacts on the recently designated landscape. This involved removal of upper chalets and the loop road as well as a series of cross sections to demonstrate that the development would not be seen from the A72 on the Horsbrugh Straight above the existing tree canopy line.

In processing the initial AGN application for Mushroom growing sheds, concern was expressed that those sheds were as tall as the Hub House within the holiday development, yet apparently on higher ground by several metres. The tree top heights on the sections submitted with the holiday chalets application indicated screening up to about 188m AOD which was sufficient to screen the Hub House. It was not felt that the proposed sheds would be screened to the same extent by the existing trees, the Landscape Officer believing that they will be highly visible above them. The same loop road was also proposed as part of the Mushroom sheds application which would also be visible above the tree canopy.

The Landscape Officer concluded that in the absence of any Landscape and Visual Impact Assessment to prove otherwise, the development would have a detrimental impact on the Special Landscape Area. The applicant was invited to respond to these concerns with supporting information which could include cross sections, photomontages, topographical and floor level information. They were also invited to consider the precise siting of the sheds and the roof height and design. It was clearly stated, however, that any additional information submitted may still confirm the concerns over landscape impact, especially if significant excavation required to lower floor levels remains prominent in itself.

A revised plan was submitted for the mushroom shed application accompanied by a topographical detailed survey and proposals to reduce the impacts of those buildings by cutting in the floor level as well as reducing the heights of those buildings from 7.3m down to 4.8m. The accompanying letter believed that they were a better design solution than the initial proposal. Tree heights were demonstrated, in the highest case, to be higher than the ridge height now proposed. However, of the tree heights actually shown, the general top of the tree line is still appreciably below the ridges of the two buildings. The most recent application on the same site for rabbit breeding sheds goes further and lowers the floor levels even more whilst still keeping the new 4.8m ridge height. These reductions and design solutions are still being considered, noting that it is possible that the ridge heights of those buildings could be as little as 0.5-1.5m above the average tree line height. The applicant has been written to with further requests to pull the floor level of the mushroom sheds down to that of the rabbit sheds - amongst other issues still to be addressed.

This background also includes recent consideration of the application for a cattle court building on the site, which was neither cut into the site nor lower in height, being more than 2.5m above the heights of the revised mushroom/rabbit sheds, without taking into account any cut into the site. Even if such cut was proposed for the cattle shed application, the height of the building would still result in projection above the average tree height by at least 3-4.5m which would have a major landscape impact, exacerbated by the bulk of the building across its 44m length. There was clear advice from the Landscape Officer that such an impact would be unacceptable, given the level of projection of building above the tree line when viewed from the A72. There was also likely to be local impacts from the B7062 next to the site.

Those landscape impacts were exacerbated by the circuitous access track, water holding tank and solar array which would all be wholly visible above the tree canopy from the A72, increasing the development of an elevated field. The solar panels would face away from view so there would be no reflective impact. However, the slope of the ground means that the elevated rear of the structures would be presented to public view to the north, rising up the hill to the Laverlaw Road and introducing an intrusive element into the hill slope. The effects would be contrary to the purposes of designating the Special Landscape Area in the first instance.

An associated application for hay sheds and a feed silo simply proposed buildings of much greater ridge heights in similar positions to the cattle court/mushroom/rabbit sheds. The impacts would be even more immense on the hillside above the tree canopy, topped by a towering silo structure which would even be sited on higher land still. There would be no amount of ground regrading that would make these proposals anything other than significantly prominent in a designated landscape. That application was also considered unacceptable on grounds of landscape impact, within a designated landscape area.

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 who also points out the lack of any Landscape and Visual Impact Assessment to demonstrate the impacts of the development.

I have no issues with the solar panels on the rear facing roof slopes.

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 buildings and their scale raise issues over need and justification, as with the other proposals and in the absence of a co-ordinated Business Plan. There is staff provision in the storage building in the form of a rest room, kitchenette and a toilet which either seem unnecessary and unrelated to tractor and vehicle storage - or excessive in that such provision could be provided elsewhere on the holding, probably within the existing buildings. Certainly, there would be no effective justification to have these facilities duplicated in every building proposed on this site. It is also questioned whether such a modest holding, already with a range of buildings (including a consented cold storage building and tractor shed) can justify such large additional accommodation which appears duplication. In the absence of a Business Plan, there is no demonstration of the required need for such buildings on this small holding.

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 buildings 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 buildings are not of a design or scale that appear suited either to the proposed use for which they are intended or the size of the holding on which they would be situated, which further undermines the case for justification in this location.

Roads Planning have concerns over this proposal together with others submitted on the same and adjoining sites. They point out that conditioned work has never been completed, with the bell mouth still requiring to be surfaced and visibility from the access onto the public road remaining substandard. This proposal, if approved, would increase the amount of vehicles using the access and should it be approved, upgrading works should be conditioned following the submission of details. Roads Planning also consider there to be a lack of information in terms of the number of vehicle movements this proposal (and the others) will bring. They have requested a Transport Statement to be submitted which details the type, number and size of vehicle trips which will be generated by this proposal along with the frequency of trips. The statement must also include anticipated traffic movements for all other proposed development served by this access.

Given the uncertainty over the scale of the buildings and their suitability for the purposes intended, it is understandable that there are Roads concerns over the ability of the access to accommodate the development without further information being submitted. In the absence of such information, it has not been adequately demonstrated that the access is capable of safely accommodating the traffic generated by the proposed development. This would be contrary to Policy D1 of the Consolidated Local Plan.

There were a series of issues also raised by Environmental Health covering noise, private water and private drainage issues which could all be covered by appropriate conditions. The Archaeology Officer is not



concerned at these proposals, given the previous development of the steading buildings and the lack of any significant findings.

**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 buildings 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 buildings and that would justify an exceptional permission for them in this rural location and, therefore, the development would appear as unwarranted development in the open countryside. The proposed buildings are not of a design or scale that appear suited either to the proposed use for which they are intended or the size of the holding on which they would be situated, which further undermines the case for justification in this location.

The application is contrary to Policy D1 of the Scottish Borders Consolidated Local Plan 2011 in that it has not been adequately demonstrated that any traffic generated by the proposal can access the site without detriment to road safety.

**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 buildings 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.
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