

REGULATORY SERVICES



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

Date: 2 Feb 2017

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

Ext: 6663

Ref: 17/00027/FUL

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

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

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

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

AJS

REGULATORY SERVICES

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

Date: 16/01/2017

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

☎ x6563

Ref: 17/00027/FUL

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

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

I refer to the above application and comment as follows:

BACKGROUND

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

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

This application is one of a series of applications lodged for agricultural building on this site; there are two others (shown on dwgs nos. 197 73A and 73C). The proposals submitted for this particular application show the shed to be in the middle of the two other applications proposed in terms of distance from the former chapel.

ASSESSMENT OF PROPOSALS

The application site is at a lower level than the former chapel and the proposed new building is two stories tall with a ridge height of c7.5m and the cladding colours and materials are relatively subdued. No planting or screening proposals are shown either on the actual application site or the adjacent land which is in the ownership of the applicant and has already got an earlier consent for chalets etc; some planting in the area as a buffer would be useful. I am content that the new building will not have an adverse impact on the setting of the category B listed former church; it does not lie on the axis of the church which faces towards the SW.

RECOMMENDATION / RECOMMENDED CONDITIONS.

No objection.

PLANNING CONSULTATION

To: Landscape Architect

From: Development Management

Date: 12th January 2017

Contact: Craig Miller ☎ 01835 825029

Ref: 17/00026/FUL;
17/00027/FUL;
17/00028/FUL

PLANNING CONSULTATION

Your observations are requested on the under noted planning application. I shall be glad to have your reply not later than 2nd February 2017, If further time will be required for a reply please let me know. If no extension of time is requested and no reply is received by 2nd February 2017, it will be assumed that you have no observations and a decision may be taken on the application.

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

Name of Applicant: Cleek Poultry Ltd

Agent: N/A

Nature of Proposal: Erection of agricultural building with welfare accommodation

Site: Land West Of Former William Cree Memorial Church Kirkburn Cardrona
Peebles Peebles Scottish Borders

OBSERVATIONS OF: Landscape Architect

CONSULTATION REPLY

Description of the Site

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

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

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

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

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

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

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

Nature of the Proposal

The proposal is for the erection a 12 x 18 x 7.5m high shed with staff facilities with 6m wide access track and associated parking on land to the south of the B7062. Each site is located next to the previous one, immediately to the east of an application for an identical agricultural building.

Implications of the Proposal for the Landscape including any Mitigation

Each application is for a shed on the sloping ground immediately to the south of the B7062. Due to the sloping nature of the field I am concerned that the shed will be visible locally from the B7062 immediately to the north of the field. 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. None of the applications include a visual assessment of the visual impact of the development(s) on receptors using the B7062, nor do they show how the proposal(s) might be mitigated by planting.

I suggest that the existing trees along the north boundary will not provide adequate screening for the shed.

Condition 11 of the approval for 8no holiday lodges and hub house part of which is located on the same ground as these applications state:

'Notwithstanding the details indicated on the approved drawings, no development shall be commenced until revised plans have been submitted to, and approved by, the Planning Authority relating to a revised design of all chalets and the hub house, reducing the eaves heights and also reducing the ridge heights. There should be no ridge height increase. Once approved, no development shall proceed except in strict accordance with the approved details.

Reason: To minimise the visual impact of the proposed development and to safeguard the visual amenity of the area and the quality of the locally designated Special Landscape Area'.

This condition applied to chalets with a ridge height of 6m whereas this application (and the three adjacent applications) has a ridge height of 7.5m. This is a further 1.5m increase on ridge heights that were requested to be reduced. It is likely that this building (and other adjacent ones) will be visible to road users and while a single agricultural building in this location might be acceptable, with a robust buffer planting scheme, the cumulative impact of all these large agricultural buildings would be unacceptable.

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

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.'*

There is a precedent for development in this location.

Nonetheless, the number of proposed building(s) and the heights relative to the lodge development previously approved means that, on landscape and visual grounds and for the reason stated above, I could not support this application.

Siobhan McDermott
LANDSCAPE ARCHITECT

PLANNING CONSULTATION

To: Economic Development Section

From: Development Management

Date: 12th January 2017

Contact: Craig Miller ☎ 01835 825029

Ref: 17/00027/FUL

PLANNING CONSULTATION

Your observations are requested on the under noted planning application. I shall be glad to have your reply not later than 2nd February 2017, If further time will be required for a reply please let me know. If no extension of time is requested and no reply is received by 2nd February 2017, it will be assumed that you have no observations and a decision may be taken on the application.

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Name of Applicant: Cleek Poultry Ltd

Agent: N/A

Nature of Proposal: Erection of agricultural building with welfare accommodation

Site: Land West Of Former William Cree Memorial Church Kirkburn Cardrona
Peebles Peebles Scottish Borders

OBSERVATIONS OF: Economic Development Section

CONSULTATION REPLY

Economic Development has no comment to make on this application.

PLANNING CONSULTATION

To: Archaeology Officer

From: Development Management

Date: 12th January 2017

Contact: Craig Miller ☎ 01835 825029

Ref: 17/00027/FUL

PLANNING CONSULTATION

Your observations are requested on the under noted planning application. I shall be glad to have your reply not later than 2nd February 2017, If further time will be required for a reply please let me know. If no extension of time is requested and no reply is received by 2nd February 2017, it will be assumed that you have no observations and a decision may be taken on the application.

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

Name of Applicant: Cleek Poultry Ltd

Agent: N/A

Nature of Proposal: Erection of agricultural building with welfare accommodation

Site: Land West Of Former William Cree Memorial Church Kirkburn Cardrona
Peebles Peebles Scottish Borders

OBSERVATIONS OF: Archaeology Officer

CONSULTATION REPLY

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

Scottish Borders Council

Regulatory Services – Consultation reply

Planning Ref	17/00027/FUL
Uniform Ref	17/00078/PLANCO
Proposal	Erection of agricultural building with welfare accommodation
Address	Land West Of Former William Cree Memorial Church Kirkburn Cardrona Peebles Peebles Scottish Borders
Date	27/1/17
Amenity and Pollution Officer	David A. Brown
Contaminated Land Officer	Reviewed – no comments

Amenity and Pollution

Assessment of Application

Noise
Nuisance
Water Supply

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

Recommendation

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

Conditions

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

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

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

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

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

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

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

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

Informative

Private Drainage System

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

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

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

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

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

17/00026/FUL

17/00027/FUL

17/00028/FUL

17/00024/LBC

17/00092/FUL

17/00093/FUL

17/00094/FUL

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

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

