



Newtown St Boswells Melrose TD6 0SA Tel: 01835 825251 Fax: 01835 825071 Email: ITSystemAdmin@scotborders.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100136606-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Erection of 7 workshop units (class 5/6) at 45 square metres each and one two storey business unit at 180 square metres, to be used as a dog daycare facility plus change of use of paddock to dog exercise area.

Is this a temporary permission? *

Yes No

If a change of use is to be included in the proposal has it already taken place?

Yes No

(Answer 'No' if there is no change of use.) *

Has the work already been started and/or completed? *

No Yes - Started Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Gain Planning Services		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Peter	Building Name:	
Last Name: *	MacLeod	Building Number:	122
Telephone Number: *	01896750355	Address 1 (Street): *	Scott Street
Extension Number:		Address 2:	
Mobile Number:	07910828625	Town/City: *	Galashiels
Fax Number:		Country: *	United Kingdom
		Postcode: *	TD1 1DX
Email Address: *	pkmacleod@gainplanningservices.co.uk		

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:		You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	c/o Gain Planning Services
First Name: *		Building Number:	122
Last Name: *		Address 1 (Street): *	Scott Street
Company/Organisation	Wilson G Jamieson Ltd	Address 2:	
Telephone Number: *	07831 178069	Town/City: *	Galashiels
Extension Number:		Country: *	United Kingdom
Mobile Number:		Postcode: *	TD1 1DX
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing

Easting

Pre-Application Discussion

Have you discussed your proposal with the planning authority? * Yes No

Site Area

Please state the site area:

Please state the measurement type used: Hectares (ha) Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? * Yes No

If Yes please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? * Yes No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

25

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *

31

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? * Yes No

Do your proposals make provision for sustainable drainage of surface water?? * (e.g. SUDS arrangements) * Yes No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

Yes

No, using a private water supply

No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? * Yes No Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? * Yes No Don't Know

Trees

Are there any trees on or adjacent to the application site? * Yes No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * Yes No

If Yes or No, please provide further details: * (Max 500 characters)

The units are very small. Existing waste collection and recycling will continue as it is at present. The site is located very close to the waste recycling depot at Easter Langlee.

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

Yes No

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

Yes No

All Types of Non Housing Development – Proposed New Floorspace Details

For planning permission in principle applications, if you are unaware of the exact proposed floorspace dimensions please provide an estimate where necessary and provide a fuller explanation in the 'Don't Know' text box below.

Please state the use type and proposed floorspace (or number of rooms if you are proposing a hotel or residential institution): *

Not in a Use Class

Gross (proposed) floorspace (In square meters, sq.m) or number of new (additional) Rooms (if class 7, 8 or 8a): *

90

If Class 1, please give details of internal floorspace:

Net trading spaces:

Non-trading space:

Total:

If Class 'Not in a use class' or 'Don't know' is selected, please give more details: (Max 500 characters)

Dog daycare facility

For planning permission in principle applications, if you are unaware of the exact proposed floorspace dimensions please provide an estimate where necessary and provide a fuller explanation in the 'Don't Know' text box below.

Please state the use type and proposed floorspace (or number of rooms if you are proposing a hotel or residential institution): *

Class 5 General Industry

Gross (proposed) floorspace (In square meters, sq.m) or number of new (additional) Rooms (if class 7, 8 or 8a): *

315

If Class 1, please give details of internal floorspace:

Net trading spaces:

Non-trading space:

Total:

If Class 'Not in a use class' or 'Don't know' is selected, please give more details: (Max 500 characters)

General workshop use. May actually vary between light industrial, general industrial and storage.

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013 *

Yes No Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

Yes No

Is any of the land part of an agricultural holding? *

Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Peter MacLeod

On behalf of: Wilson G Jamieson Ltd

Date: 10/09/2018

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

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

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

Yes No Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

Yes No Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

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

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

Yes No Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

Yes No Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

Yes No Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

Site Layout Plan or Block plan.

Elevations.

Floor plans.

Cross sections.

Roof plan.

Master Plan/Framework Plan.

Landscape plan.

Photographs and/or photomontages.

Other.

If Other, please specify: * (Max 500 characters)

Supporting planning statement

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

Yes N/A

A Design Statement or Design and Access Statement. *

Yes N/A

A Flood Risk Assessment. *

Yes N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *

Yes N/A

Drainage/SUDS layout. *

Yes N/A

A Transport Assessment or Travel Plan

Yes N/A

Contaminated Land Assessment. *

Yes N/A

Habitat Survey. *

Yes N/A

A Processing Agreement. *

Yes N/A

Other Statements (please specify). (Max 500 characters)

Planning statement

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Peter MacLeod

Declaration Date: 10/09/2018

Payment Details

Departmental Charge Code: 2018

Created: 10/09/2018 16:48

**PLANNING STATEMENT FOR THE ERECTION OF 7 WORKSHOP UNITS
AT FARKNOWES, LANGSHAW ROAD, GALASHIELS**



10 SEPTEMBER 2018

Peter MacLeod, BSc. MSc. MRTPI
Gain Planning Services
122 Scott Street
Galashiels
Selkirkshire TD1 1DX
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1. Introduction

The surrounding area

The area is a rural, edge-of-town location to the north east of Galashiels in the Scottish Borders. It is located on the Langshaw Road which runs from Easter Langlee to Lauder.

It is at an altitude of 150 metres AOD on the west side of the Allan Water valley. It is a rolling landscape of mainly grazing and woodland plantations.

To the east, across the road, is Scottish Borders Council's Farknoves Landfill Site. Adjacent and to the south of the landfill site is the Council's public recycling depot. The landfill site has ceased taking in material and currently houses a landfill gas electricity generator sited directly across from the application site.

To the east side of the landfill and waste recycling plants is the Allan Water. This is the only nearby watercourse and the application site is within the catchment.

The current edge of the built up area of Galashiels is 420 metres to the south at Coopersknowe Crescent, and 500 metres to the south west at Broom Drive.

There are two farm sheds to the immediate west side of the application site, and they share the same access from the public road as the application site.

Further to the west and significantly higher than the site, at a distance of at least 680 metres there are several dwellings and farm buildings at Langlee Mains Farm. To the north, the next property is at Glendearg Farm at a distance of around 1.4 kilometres. To the north of Glendearg is Meadowfield Golf Driving Range.

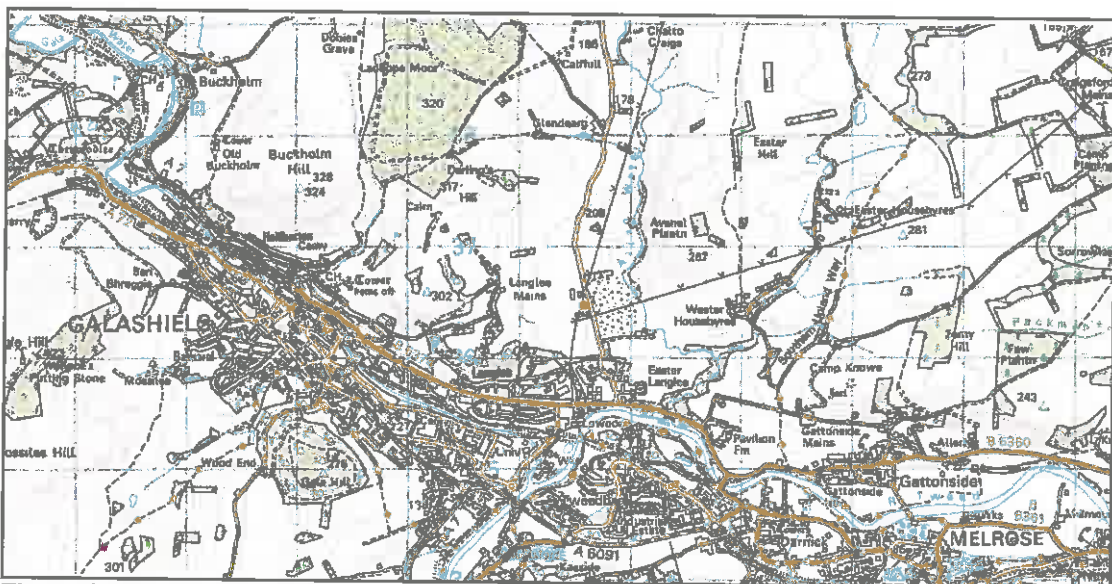


Figure 1: Map showing the wider area context (site marked by red dot)

The Site

The application site forms part of the former farmyard site. The whole site is in the ownership of Wilson G Jamieson Ltd and it extends to 1.78 hectares. The site is presently occupied by two agricultural style sheds, and two arrays of shipping containers that are used for storage purposes. The southernmost of the two buildings was relatively recently approved (16/00356/FUL) and measures 30 metres by 15 metres. The original, larger shed measures approximately 42 by 21 metres with an extension to the west side measuring 18 metres by 7 metres, and a full length extension to the east side, 7 metres deep, (approved under the above planning permission).

The current application site will be attached to the south gable of the newer building, extending in a southerly direction for 42 metres. It occupies what is a current open yard area.



Figure 2: Aerial image of the site (2012)

The main site is traversed by a gas main (Newhouses to Calfhill pipeline) which runs north to south across the east side of the site, and also by an overhead electricity cable (132 kv) which connects the sub-station at Melrose Road, Galashiels to Dun Law Windfarm.

The current proposal is not affected by the gas main, but the overhead line crosses part of the application site.

The site is accessed through the yard of the forestry business which in turn is accessed from an access shared with the adjacent farm buildings via a metal gate leading onto the main public road to the north end of the application site.



Figure 3: The existing shared access from the public road.

The site is presently enclosed with post and wire fencing to the west side. To the east side there is a hedgerow to the public road which was supplemented as part of the landscaping for the previous applications, as is a further row of tree/hedge planting has taken place along the banking which separates the existing storage area from the triangular roadside paddock.



Figure 4: New hedge planting

The applicant

The applicant is Wilson G Jamieson Fencing and Forestry, a Galashiels based company. It is primarily a forestry and arboricultural contractor, and has been in operation for over 30 years. It is the largest Fencing and Forestry Company in the South of Scotland. Work that the company undertakes ranges from tree limb removal within a domestic environment to large scale forestry removal for national utility operators. They also provide a fence building and maintenance service.

The company's customer base includes Scottish Borders Council, Midlothian Council, local farms, and the majority of the large estates in the Borders. An important customer is Scottish Power with which the company has held the contract for tree clearance of overhead power lines exclusively since 1988. It also leases its vehicles plant and machinery, along with operators if necessary, to local farmers and estates.

Site History

The company acquired the Farknowes site in the summer of 2012. The previous occupier of the site was Forth Meat Supplies Ltd. The site was used for the garaging of refrigerator lorries and also for the transfer of cattle. Cattle were brought to and from the site by cattle truck before being transferred to the nearby abattoir for slaughter. They were held here and checked and treated if necessary. Lorries were garaged in the large agricultural shed.

The site has not been part of the farm to the west for at least 20 years.

The applicant has been using the site for his forestry and fencing business for over four years now, and more recently has been operating a commercial storage facility on the site.

The following is a summary of recorded planning applications since 2000:

- Reference:** 02/01163/FUL
Received: 12 Jul 2002
Address: Easter Langlee Farm Galashiels Selkirkshire TD1 2NU
Proposal: Erection of cattle shed with hardstanding
Status: Application Permitted
- Reference:** 05/00890/COU
Received: 06 May 2005
Address: Agricultural Implement Shed Field 4560 Easter Langlee, Galashiels
Proposal: Part change of use and alterations to form meat processing facility
Status: Approved subject to conditions
- Reference:** 05/00891/OUT
Received: 06 May 2005
Address: Land Adjacent Agricultural Shed Field 4560 Easter Langlee, Galashiels
Proposal: Erection of offices and welfare accommodation to service meat processing facility
Status: Approved - Conditions & informatives
- Reference:** 05/02107/FUL
Received: 14 Nov 2005
Address: Agricultural Implement Shed Field 4560 Easter Langlee, Galashiels
Proposal: Part change of use and alterations to form meat processing facility and erection of welfare and office accommodation
Status: Approved subject to conditions
- Reference:** 10/00249/FUL
Received: 01 Mar 2010
Address: Land East Of Langlee Mains Farmhouse, Galashiels
Proposal: Change of use of land to form temporary construction base, siting of 4 storage containers, 7 office units and a security office, and erection of temporary 'heras' boundary fencing
Decision: Approved 02 June 2016 - Conditions & informatives

Reference: 15/01451/FUL
Received: 01 Dec 2015
Address: Land East Of Langlee Mains Farmhouse, Galashiels
Proposal: Extensions to form 2 No storage units (retrospective) and 7 storage units and erection of wood storage building
Status: **Refused** 28 January 2016

Reference: 16/00397/FUL
Received: 01 Apr 2016
Address: Land East Of Langlee Mains Farmhouse, Galashiels
Proposal: Change of use of land to commercial storage and siting of 42 No storage containers (retrospective)
Decision: **Refused** 02 June 2016

Appeal Decision:
Local Review Body 16/00025/RREF - **Approval** 29 September 2016

Reference: 16/00356/FUL
Received: Mon 21 March 2016
Address: Land East Of Langlee Mains Farmhouse, Galashiels
Proposal: Extension to existing agricultural building (retrospective), change of use of agricultural building and extension to form forestry contractor business premises and erection of timber storage building
Decision: **Approved** 02 June 2016 - Conditions & informatives

Reference 17/00199/FUL
Received 09 Feb 2017
Address Land East Of Langlee Mains Farmhouse Galashiels
Proposal Change of use of land to commercial storage and siting of 40 No additional storage containers
Decision: **Approved** 15 March 2017 - Conditions & informatives

2. The proposal

Following on from the success of the site for commercial storage use, and due to high demand for small business workshop units, the applicant is proposing to diversify and further develop the economic strength of the site with the installation of eight units, seven for workshop use and one for business use.

It is proposed to extend the southern shed further to the south with a maximum dimension of 48 by 15 metres. The eight units will all be the same width, i.e. 6 metres, however, with regards to the depth of the units the end, southern unit will be the same depth as the existing building, i.e. 15 metres, however the intervening 7 units will be half the depth at only 7.5 metres.

The larger business unit at the south end will be 2 metres higher than the workshop units and the adjoining 2016 shed as it is proposed to incorporate an upper floor within the unit. The existing units are 6.5 metres to the ridge, and the business unit will be 8.5 metres. This is still no higher than the original main unit to the north.

The units will be of identical construction and materials as the existing building. There will be an area of concrete block to the lower level of the rear elevation. The remainder would be steel cladding. The roof will be Kingspan KS1000 RW/Zero ODP/LPCB Trapezoidal Roof Panel System, and the walls will be a Steadman Single skin wall system. All cladding will be coloured 'Laurel Green' and the BS code is BS12B29. This matched the existing colour scheme on site. Roller shutter steel doors will be unpainted.

The area in front of the shorter units will be hard surfaced in concrete.

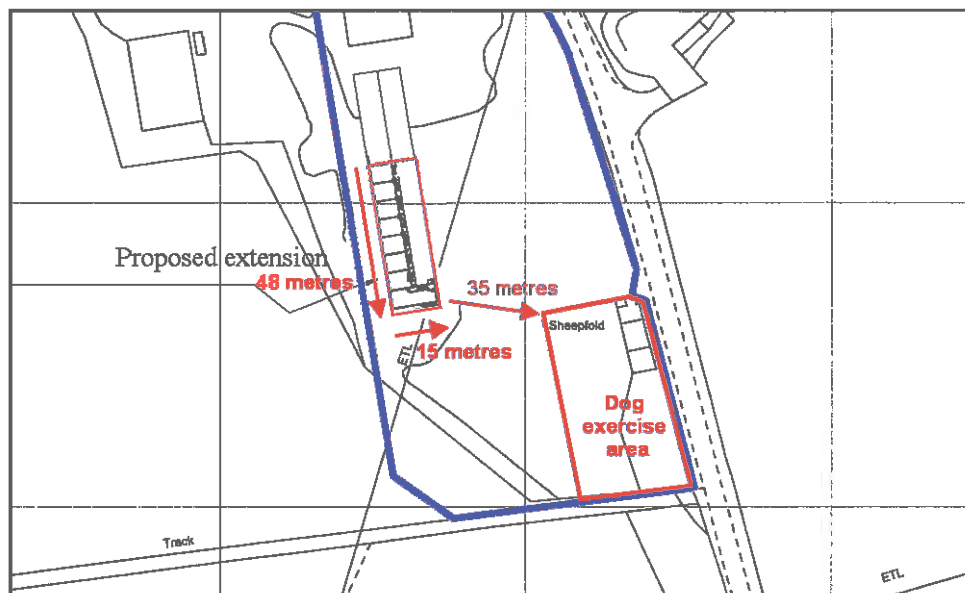


Figure 5: The site layout

The workshop units will be operated and let by Wilson G Jamieson Ltd from within their existing premises. Each unit will have its own element of staffing. It is likely that each unit would have no more than one person. The larger business unit is expected to have two to three staff.

Business hours will be conducted on a similar basis as the existing uses on site.

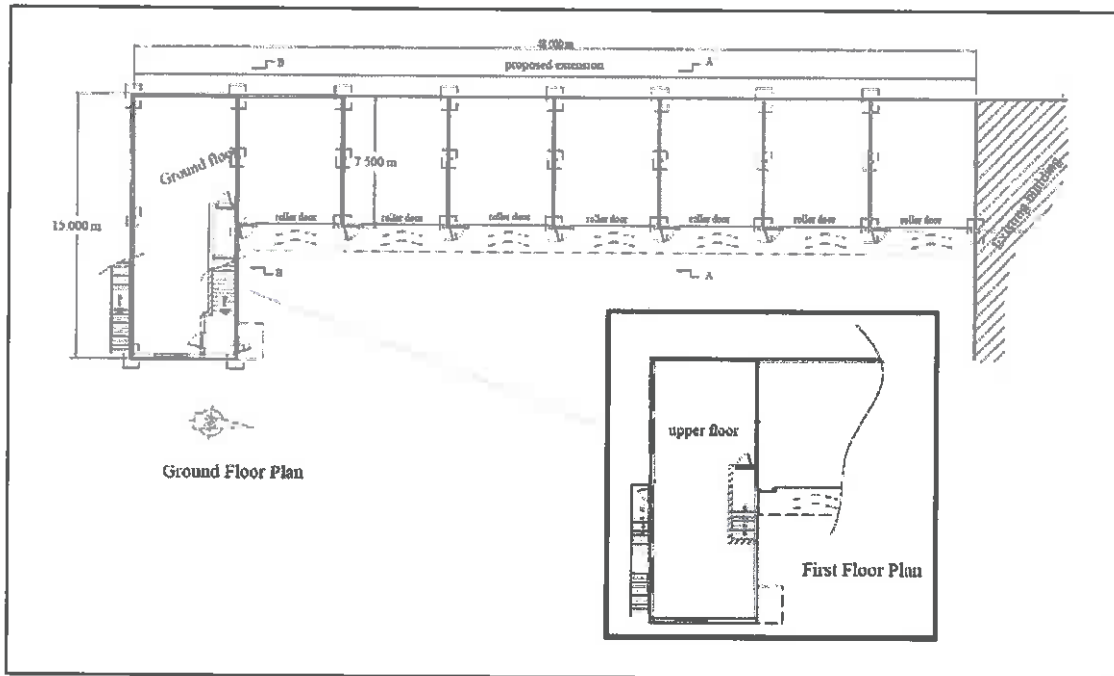


Figure 6: The proposed floor plan.

The narrow area immediately to the front of the smaller units, extending out to the front of the longer units, will be hard surfaced in concrete. The remainder will stay as it is at present which is compacted hardcore.

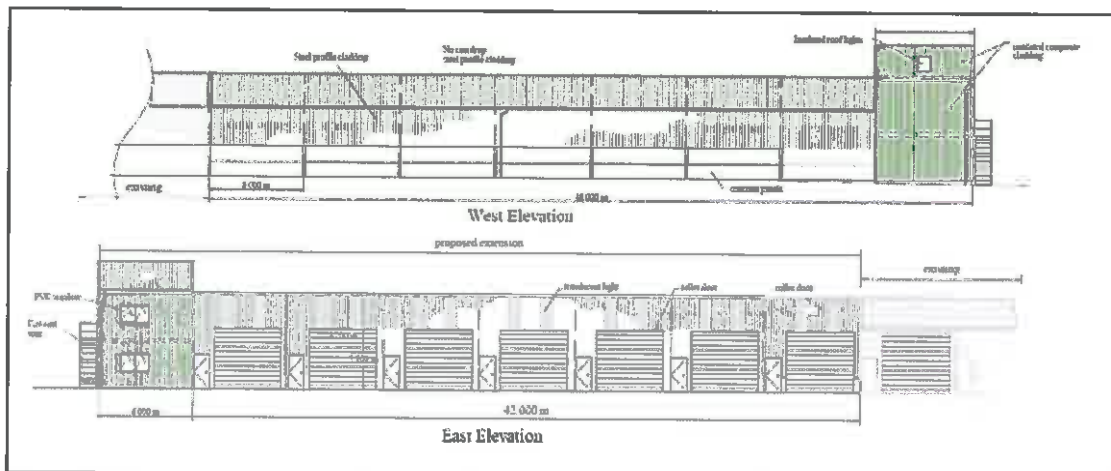


Figure 7: The proposed elevations, front and rear (east and west)

The southern larger two storey unit is intended to be used as a dog day-care business (sui-generis), which is proposed to be operated by the applicant's daughter. It is proposed that staff areas and office will be on the upper level. The lower level would be the area where dogs are received and handled. The outdoor exercise area for dogs will be the south section of the paddock. This is around 35 metres from the door of the business unit.

The exercise enclosure will be bounded by the southern boundary of the site, the roadside boundary and the lower level of the slope that separates the paddock from the yard above. The north boundary will be a line roughly perpendicular to the road level with the existing field access.

This enclosure will be secured with a 1.8 metre high fence. This would be a dark green weld-mesh style fence. The surface will be grassed.



Figure 8: The existing shed south gable. Design and materials are to be the same

There will be windows within the southern, two storey business unit. This will have windows on each of the north south and two east elevations, with a rooflight on the each roof elevation. The workshop units may have opaque panels incorporated into the roof allowing natural light into the premises.

The two storey unit will have an external fire escape stair. The main entrance will be on the north side.

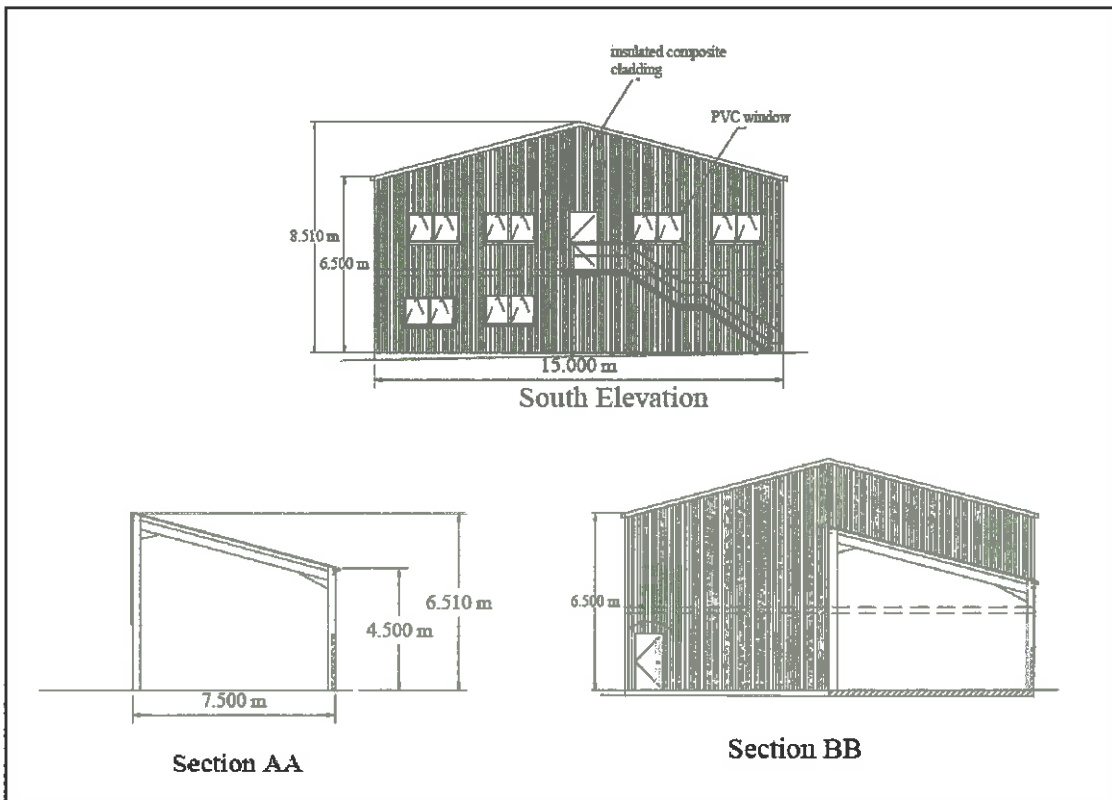


Figure 9: End (south) elevation and sections

3. Constraints and Policy Considerations

- The site is within the countryside.
- The site is located within the 'Countryside Around Towns' designation.
- There is a civic landfill site to the east of the site.
- The site is crossed by the 132kv overhead power line and the Newhouses to Calfill gas main.

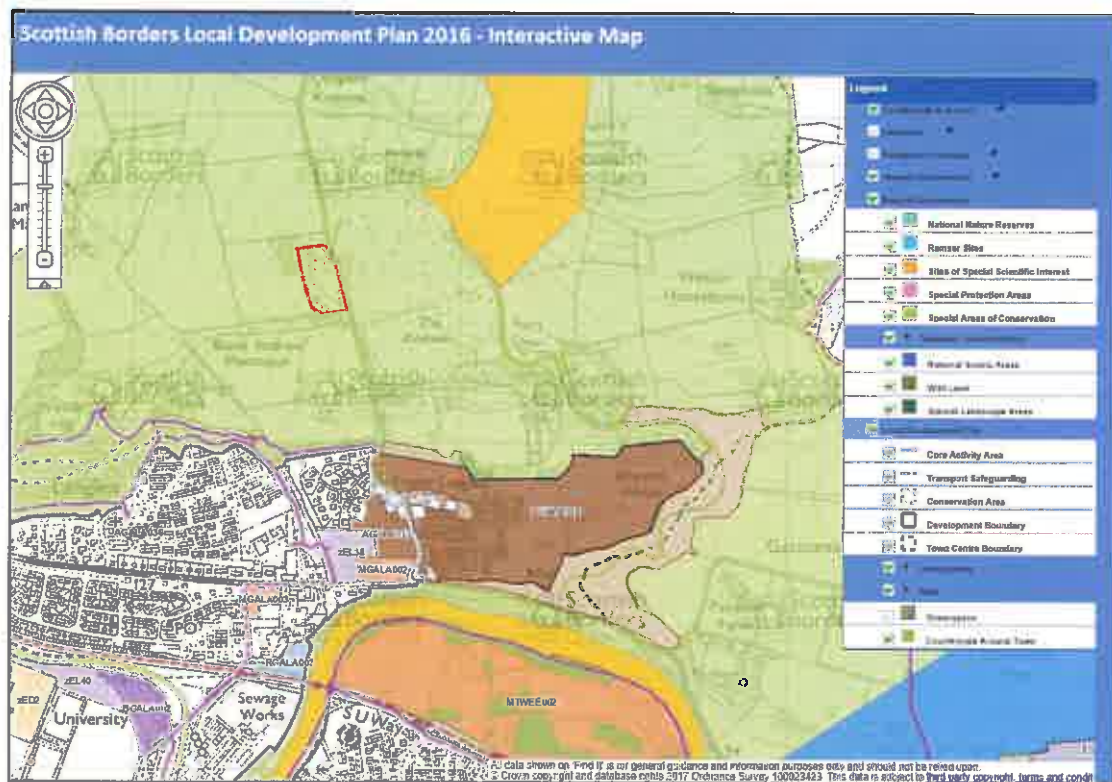


Figure 10: Excerpt from the SBLDP, with the site highlighted in red

There are no cultural heritage designations, protected landscapes or wildlife designations directly affected by the development. The nearest such designation is the Avenel Hill and Gorge SSSI to the east and the Allan Water which forms part of the River Tweed SAC. The site is separated from both of these by the former domestic refuse landfill site and the operation of the business on this site will have no impact upon the qualifying interests of these designations.

The site itself is relatively level following ground improvement works.

There are no trees or hedges within the body of the site, but they are present on the south and east boundaries, and new planting has now taken place within the site.

There are no watercourses, although the site is within the catchment of the Allan Water.

The site has good vehicular access to the public road network. It is located on an unclassified, two carriageway road (Langshaw Road).

The site is well serviced with electricity, mains water supply and telecommunications. It has a good soak-away system already in place.

The relevant planning policies and considerations are listed in the appendices to this planning statement. Of these, the critical policies will be PMD4 and EP6 of the **Scottish Borders Local Development Plan 2016 (SBLDP)**.

Also the **Supplementary Planning Guidance Countryside Around Towns (SPG)**. The Council has identified a core area of countryside from Galashiels to Newstead where it considered that protection was needed. The justification was to protect the high quality living environment from piecemeal developments that could detract from the area's outstanding biodiversity, landscape, historical and recreational context. It was also to prevent coalescence of towns and villages and to protect their individual identity. The proposed development is located within this policy designation.

Also relevant will be the national and strategic policies of the **Scottish Planning Policy (SPP)** the **National Planning Framework (NPF3)** and the **Strategic Development Plan for South East Scotland (SesPlan)**.

4. Assessment

The principal determining issue is likely to be the introduction of a non-conforming use within an area of countryside designated as “Countryside around Towns”. Also relevant will be landscape impact, economic benefit, transport impact and sustainability issues.

Locational Policies

The site is within the countryside, and more significantly within the area designated as “countryside around towns” which has its own development plan policy and supplementary guidance.

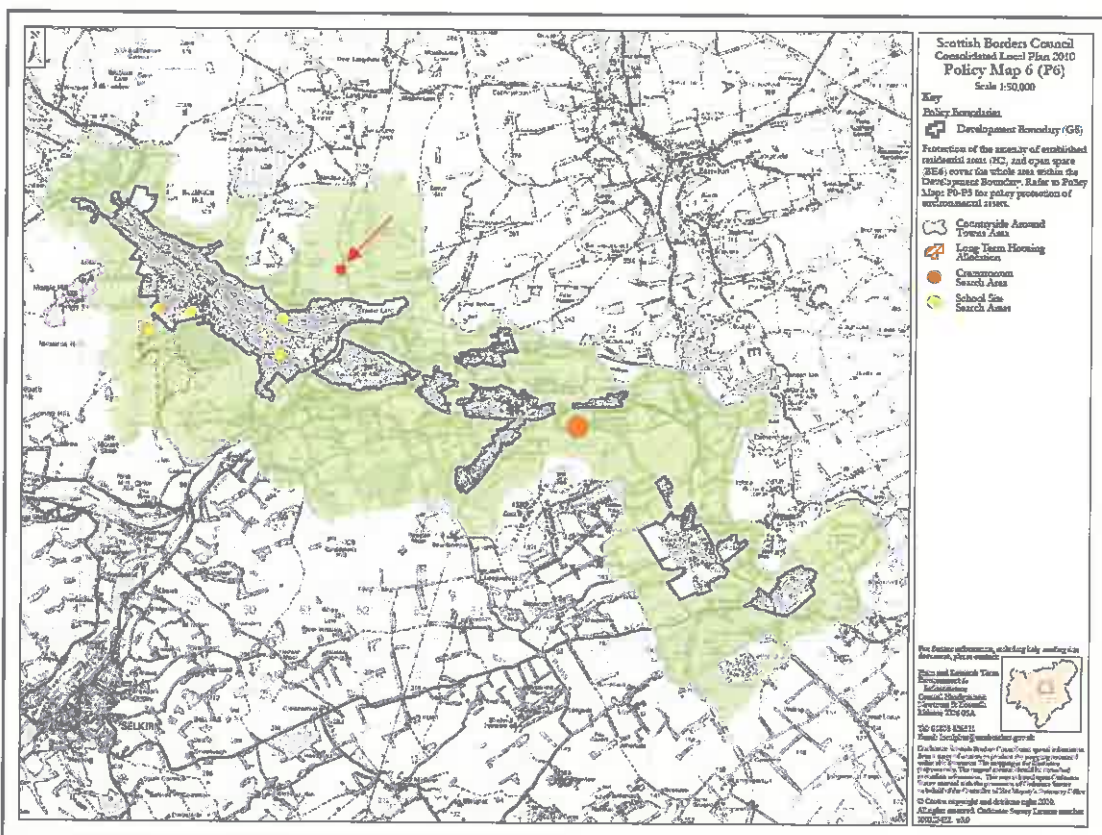


Figure 11: ‘Countryside Around Towns’ zone in green with the site highlighted

SBLDP Policy EP6 states that within this zone proposals will only be considered for approval if there is an essential requirement for a rural location and the use is appropriate to a countryside setting; where development is seen to enhance the existing landscape, trees, woodland, natural & man-made heritage, access and recreational facilities; or it has a proven national or strategic need and no alternative is suitable, subject to satisfactory design and setting.

The **SPG** advises that the development plan policy was derived from a study originally aimed at identifying and conserving areas of undeveloped land between settlements to prevent coalescence from occurring and promoting landscape enhancements. The policy is very similar to typical city/town Green Belt Policies.

Its objectives were:

1. To identify additional areas in the Central Borders to be protected by Policy 'EP3';
2. To conserve and enhance the character, landscape and identity of settlements within the Galashiels-Melrose-St Boswells corridor;
3. To encourage opportunities for recreation, both formal and informal; and
4. To encourage the re-use of brown field sites.

'On paper' the development will be likely considered as conflicting with policy EP6. There are however some mitigating factors.

The first point to appreciate is that the site is not a green undeveloped site. The site presently contains two large steel clad buildings used for forestry and associated operations and storage, a commercial storage operation utilising shipping containers and a compacted hardcore yard area with some concrete hardstanding used for commercial storage. Prior to this it was an area of ground that had been used for various activities over the past 20 years or so (see history above). These originated as agriculture related uses, but they gradually evolved and diversified away from that, with increased physical development and activities that have given the site the character of a developed site and not green agricultural land. It has also been used as a temporary operations depot for the maintenance of the nearby power lines, by Scottish Power.



Figure 12: Photograph from elevated position to the north

There are also a further two large farm buildings to the west and various activities related to these, mainly cattle rearing. It is an area of intensive use/activity and visually it is a cluster of buildings.

Secondly, there are other uses within the relative vicinity of the site that mean that the ongoing uses and proposed extension of the storage use would not appear out of character with the location. There is the Council's own recycling and waste transfer station across the road to the south. There is the former landfill site directly opposite which also contains landfill gas powered electricity generation plant and site access. There is an aggregates sorting and recycling facility at the entrance to the Council Depot. There are two large agricultural buildings immediately to the west of the site. There is a farm with ancillary business operations further to the north at Glendearg. There is also a golf driving range located slightly further to the north (Meadowfield).

Also it is significant that the edge of the development boundary is only 400 metres to the south including Easter Langlee Industrial Estate and the recent housing developments at Coopers Knowe, and ongoing development to the east side of the road at Easter Langlee.

Thirdly, the development can in no way be seen to contribute towards coalescence of settlements as there are no further settlements beyond the site. Also, due to topography, it will have no impact upon the setting of Galashiels or its identity, as figures 12 and 13 demonstrate.



Figure 13: The site is not visible on the approach from the south

Fourthly, the proposed development will have very little impact upon the landscape setting of the site. The proposed building is very much in keeping with the existing agricultural style sheds, which are of an agricultural design. They have been chosen in a dark green to match the metal cladding on the existing and proposed sheds. The new building will also be screened by the proposed hedgerow. The topography of the site also ensures that it is not highly visible from any public roads (see figure 13 above). The proposal will have no impact upon the visual enjoyment of the countryside around Galashiels. It will not impact upon the setting of the town nor impact upon important views from it.

Finally, the land within the site is not of recreational value to residents of Galashiels or the Borders in general, and it does not provide any open space value nor is it accessible land. There are no rights of way across the site, and the proposal will not hinder public access to the countryside.

The addition of the workshop, utilising the same design and materials as existing buildings, and once screened by the maturing, newly planted hedgerow of indigenous species, will have a very limited visual impact, and would not be out of keeping with the character of the area. The cumulative impact of the development is not significant.

Therefore whilst the development is located within this restrictive countryside policy area, the development proposed would not undermine any of the main principles upon which the policies and the SPG are based.

With regards to the use, this is for commercial workshop space. Wilson G Jamieson Ltd is predominantly a forestry service operator providing woodland clearance and forestry management services and other arboricultural work, also providing a fence construction and maintenance service. It has now

expanded to diversify the site by providing a commercial storage facility on site. The proposed workshop units is a means of further diversifying the business and to make use of the extra land that the site had available. The use will remain compatible in scale appearance and type of impact to ongoing uses. The site has good access and the extra activities should not lead to any concerns relating to road safety or traffic congestion.

SBLDP policy ED7 requires a business to demonstrate an economic or operational need for the countryside location. In this instance the principal reason is that the site is within the same premises as the applicant's main business. The site has spare capacity and the owner wishes to expand his business operations within his land ownership. The site already contains all the necessary infrastructure to support the additional workshop accommodation. There were already business activities on site and it made sense to combine the two rather than have two separate sites. Therefore there are sound operational/economic reasons to expand business operations within the site. Also, the dog daycare business is a use best located to a rural location close to a town. It needs to be remote from dwellings but close so that customers do not require to travel any great distance. The site is ideal in this respect.

Secondly, the site has good vehicular access onto the Langshaw Road, making it easily accessible from both the town and the countryside. It is only 850 metres from the B6374 Melrose Road linking the site to the A7 and A68. The operations would not lead to excessive use of the Langshaw Road, and the additional traffic at the B6374 would not be such that there would be any requirement for junction upgrades.

Thirdly, there are limited locations within the Galashiels development boundary where such a mix of uses could be satisfactorily accommodated, in particular the dog day care centre. First of all a suitable site would need to be identified, and then it would also have to become available. The small business units are tailored to the requirements of the demand, and the opportunities for cheap units of around 45 square metres is limited. These will be low rent units, made possible by the fact that the site is already within the applicant's ownership.

Therefore the existing site, located close to the town, with low visibility, good access, with its spare capacity and existing infrastructure was an ideal solution to the locational requirements necessary to make this use a viable opportunity.

National Planning Policy and Advice

The National Planning Framework (NPF3) seeks a future vision for Scotland where it will be a successful, sustainable place; a low carbon place; a natural, resilient place; and a connected place. The proposed development does not undermine any of these principal objectives.

The development allows for the continued growth of a successful local business that will create and support employment and provide opportunity for local investment. The location of a mixed business facility (classes 4 to 6 and forestry use) at Farknowes will be as sustainable a location as a location

within the urban boundaries because it is intended for commercial use rather than domestic and such uses may need access not just to Galashiels but to further afield locations within the Borders. It is a facility that can provide opportunities for rural as well as urban businesses, for example small businesses carrying out landscaping, forestry, agricultural services, equestrian and other countryside related business.

The site has all the necessary utilities in place already to support small scale business development.

The impact on the local environment will be negligible and will even lead to some positive benefits such as the drainage improvements and the landscaping, as well as securing a financial future for the site.

The **NPF** recognises that Galashiels will continue to be a focus for economic investment and services within the Scottish Borders region. At section 2.26 the **NPF** advises that “We do not wish to see development in our rural areas unnecessarily constrained.....we expect more people to live and work in Scotland’s rural areas as digital links and opportunities for remote working and new enterprises continue to grow.” Whilst the **NPF** recognises that careful planning is required to manage demand in our most accessible countryside around towns and cities it is clear that there should be positive consideration of business development opportunities in appropriate locations. Development must however be controlled in a sustainable manner. The current proposal, due to its good access, utilities and site characteristics can achieve this.

The **Scottish Planning Policy (SPP)** states that the Scottish Government’s central purpose is to create a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth.

The **SPP** introduced a presumption in favour of development that contributes to sustainable development. At **section 29** it lists thirteen guiding principles for decision making for new development. The proposed development does not undermine any of these principles.

Under the chapter “**Promoting Rural Development**” it is stated that in rural areas the planning system should promote a pattern of development that is *‘appropriate to the character of the particular rural area and the challenges it faces’*, and *‘encourage rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality’*. The development and use of the site for small low cost workshop units will be in keeping with the character of the area and will enhance local commercial and rural business opportunities.

From **paragraph 78**, the **SPP** advises that in the areas of intermediate accessibility and pressure for development, plans should set out a strategy that promotes economic activity and diversification, including, where appropriate, sustainable development linked to tourism and leisure, forestry, farm and croft diversification and aquaculture, nature conservation, and renewable energy developments, while ensuring that the distinctive character of the area, the service function of small towns and natural and cultural heritage are protected and enhanced.

The site provides a very excellent opportunity to establish and assist in the enhancement of business opportunities, including those for rural based businesses. Furthermore it is proposed in a manner which protects natural heritage assets and does not threaten the extraction or access to natural resources.

In **PAN 73** the Scottish Executive defines Rural Scotland as the countryside, and settlements of 3,000 people or less. Under this core definition, rural Scotland accounts for 98% of the Scottish landmass and 19% of the population (approximately 1 million people). The main focus of **PAN 73** is on those areas that fall within this core definition, although it recognises that many settlements with a population greater than 3,000 people still experience aspects of '*rurality*'. Urban fringes can have an intensely rural character, and the economic activities of urban and rural areas are strongly connected.

The **PAN** defines rural diversification as "the establishment of new enterprises in rural locations". A particularly relevant point is made in **section 15**, under "recognising individual circumstances". It is advised that a flexible approach is often required to help businesses realise their opportunities. It is important to take into account the particular needs or special circumstances of a business and be realistic about the resources available to them. It is also recognised that environmental sensitivities also need to be considered and there can be difficult issues about the design quality of new build or the re-use of old buildings. The current proposal raises none of these concerns.

Planning officials should remain sensitive to the fact that land ownership, financial considerations, and site availability can also constrain business location choice. New premises offering modest expansion can be of a great significance to the operation of a company, and proposals sometimes bring significant benefits to communities with only minor environmental implications. They should be realistic about the opportunities available to a new or expanding business and be aware of the real constraints that they sometimes face. The extension to the existing business operations being proposed here gives far greater opportunities for local businesses to become established by providing a location for their business plant/machinery/equipment etc to be securely stored. Also, the applicant only owns this site and has no alternative premises within which to develop and diversify his business plans. It is a logical and a positive expansion and diversification of existing operations.

Section 53 of the **PAN** also recognises the need for proximity to source and again this is a very important criteria for the intended customers. In all these instances the rural location of the storage facility provides an excellent location with good accessibility to both rural businesses as well as those carrying out work within an urban environment.

In summary, the proposed use is better suited to a brownfield "close to town" setting, where it can benefit from existing serviced and secure site, and where there will be no adverse impacts upon residential amenity, landscape character, road safety, drainage and flooding, and where development can be carried out in a wholly sustainable manner.

So whilst on paper the site does not ideally fit the criteria of development plan policies, the site is well suited to accommodate this type of development and it has the necessary infrastructure in place to support it.

Dog Daycare Use comment

Whilst the proposed use is one which does not fall within Use Classes 4, 5 or 6 of the Town and Country Planning (Use Classes) (Scotland) Order 1997 (it is most likely to be deemed to be *'sui generis'*), the proposed dog daycare centre use is one that, due to its nature and potential for noise impacts, lends itself well to being located within a business location far from residential property rather than for example a mixed urban or predominantly residential area, where the need to safeguard residential amenity is paramount. The proposed use is one that is compatible with the existing and proposed uses within the site. The use would not prejudice the remaining buildings and land of the site being utilised for farming or forestry purposes or for any of classes 4, 5 and 6 of the Use Classes Order.

Landscape/Urban character

The site benefits from relatively low visibility as it is located in a significant dip in the landscape, as can be clearly demonstrated by figures 12 and 13 above. On approaching the site from the south the site only becomes visible once you have passed the site's south boundary due to topography and roadside vegetation (see figure 14 below). When heading south from Lauder it becomes readily visible at a distance of around 320 metres. The site is not readily visible from the road to Langlee Mains above the site to the west.

An existing hedgerow screens the site on the approach from Galashiels; however this only extends for about half of the site boundary. A roadside hedge of indigenous species has now been planted to continue this up to the site entrance, and a second hedgerow has been planted along the banking at the edge of the yard (e.g. hawthorn/beech/blackthorn). Once matured, this will separate the storage area from the paddock area and along with the roadside hedge will provide even further screening of the site as a whole from the public road.



Figure 14: The site only becomes visible at close range

The applicant had originally been proposing the new building along the east side of the raised area, however, this would have had greater visibility, and it was finally decided to keep to the west side.

The use of a dark agricultural green colour for the cladding of the existing buildings and for the existing storage containers has helped to ensure that the appearance of the site remains in keeping with the character with the area, and the proposed workshop building will use similar coloured paint for all upper level cladding.

Policy **PMD4**, in its secondary set of criteria advises that where acceptable in principle then the development also shall not cause a significant adverse effect on the landscape setting of the settlement or the natural heritage of the surrounding area. Likewise, policy **ED7**, with regards business development in the countryside advises that the development must respect the amenity and character of the surrounding area.

The development as proposed will respect the landscape character of the area and will have no significant adverse impacts. It therefore complies with the objectives of the current local plan and proposed development plan in this respect.

Cultural Heritage

The site contains no items or sites of cultural or historical significance. There are no such designations nearby. The site is not expected to contain any archaeological remains. The Black Andrew Plantation to the south and west is listed on the Canmore website as a possible enclosure.

There are no conflicts with the existing or proposed plan policies in respect of historic cultural heritage.

Wildlife/biodiversity

The site has no wildlife or biodiversity designation, nor does it share any mutual boundary with such a designation. The nearest protected site is the Avenel Hill and Gorge SSSI to the east, and the Allan Water which forms part of the River Tweed SAC.

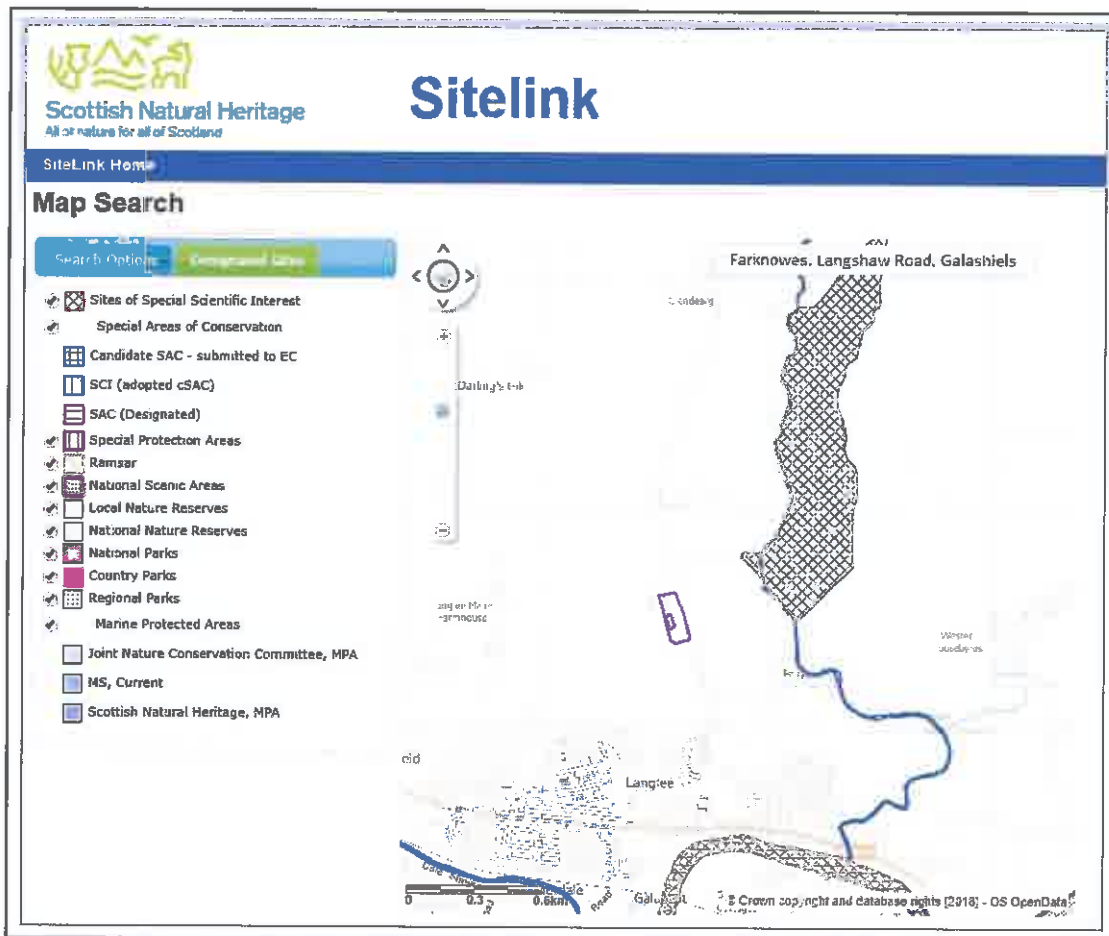


Figure 15: The nearby Avenel Hill SSSI (red hatch) and River Tweed SAC (blue)

The proposed use of the site will have no trans-boundary impacts. The site is within the catchment for the Allan Water, however there are no polluting activities proposed. It will not be permitted to store toxic or hazardous materials on site. The areas in front of the workshops are impermeable concrete for a depth of 7.5 metres.

There are no trees or hedges that require to be removed. The development takes place upon an area of compacted hardcore. Hedge planting is ongoing which will utilise native tree species. It has not yet been concluded if planting is required to the west boundary. The applicant would be happy to do this if required by condition.

There will be no adverse impact upon any wildlife or biodiversity interests. The proposals comply with the relevant policies of the existing and proposed development plans.

Site drainage and flooding

As the extract from SEPA's flood risk mapping below shows, the site is not in an area deemed to be at risk from either river based or surface water run-off flooding. There is a minor surface water issue to the east side of the road which has been caused by the landfill operation causing a barrier to drainage from the culverted burn towards the Allan Water.

The applicant has maintained the main surface water drain which crosses his site (unnamed culverted burn) and beneath the road close to the field access

on the middle of the road boundary. There is access to this via a manhole near to the main building and also where this exits to the east side of the public road.



Figure 16: SEPA flood map extract

The main drainage issue will be pluvial run-off from the roof of the proposed building and the small area of impervious hardstanding to the front.

The National Soil Map of Scotland identifies the site as being within the generalised 'Brown Soils' zone with component soils being Brown earths with non-calcareous gleys. In terms of soil run-off risk, the Scottish Government's soil risk map shows that the site is classed as Moderate. Soils have a moderate capacity to store rainfall or to allow water to infiltrate. Soils will reach saturation under some circumstances, leading to runoff.

At present the site is drained naturally, and rainwater is free to soak into the ground which remains predominantly free of impervious structures or surfaces. French drains and field drains presently guide water into the culverted burn which takes water from the site and under the road towards the Allan Water.

The proposed building and hardstanding will add to the percentage of impervious surfaces on the site. The current application site area is approximately 630 square metres (360 m² building and 270m² concrete hardstanding). The entire site is 1.78 hectares in area. Post-development the amount of ground still freely draining will be approximately 1.15 hectares (64.8 percent). The figure below shows the present permanent buildings and concrete hardstanding.

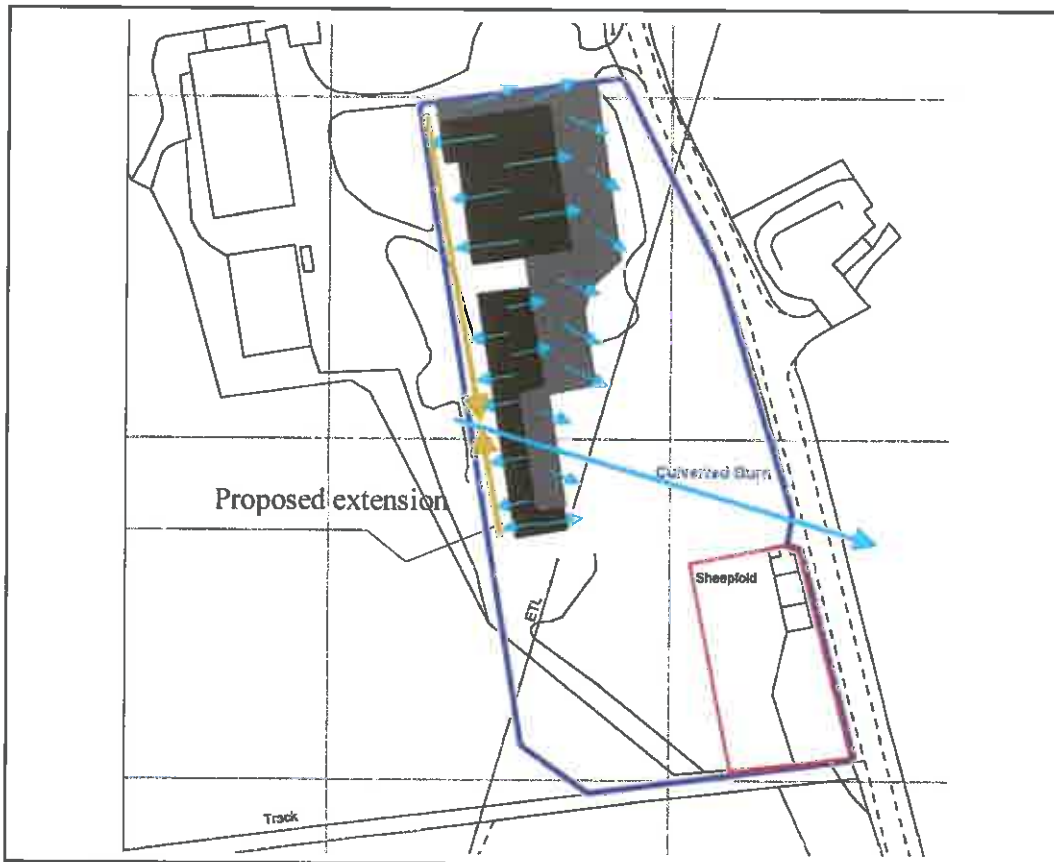


Figure 17: The proposed development with impervious surfaces and drainage flows

The combined roof and concrete hard-standing area will be 630 square metres. With the average annual rainfall for the area being 808.9mm (<http://www.metoffice.gov.uk/>) this requires the handling of 509,607 litres ($630\text{m}^2 \times 0.8089\text{m}$) per annum (on average 1396 litres per day).

Stormwater tanks with a regulated release into the existing soak-away can be fitted to each building (2500 litre tanks would be more than adequate). Whilst the main purpose would be attenuation, this water can also be recycled and used on site.

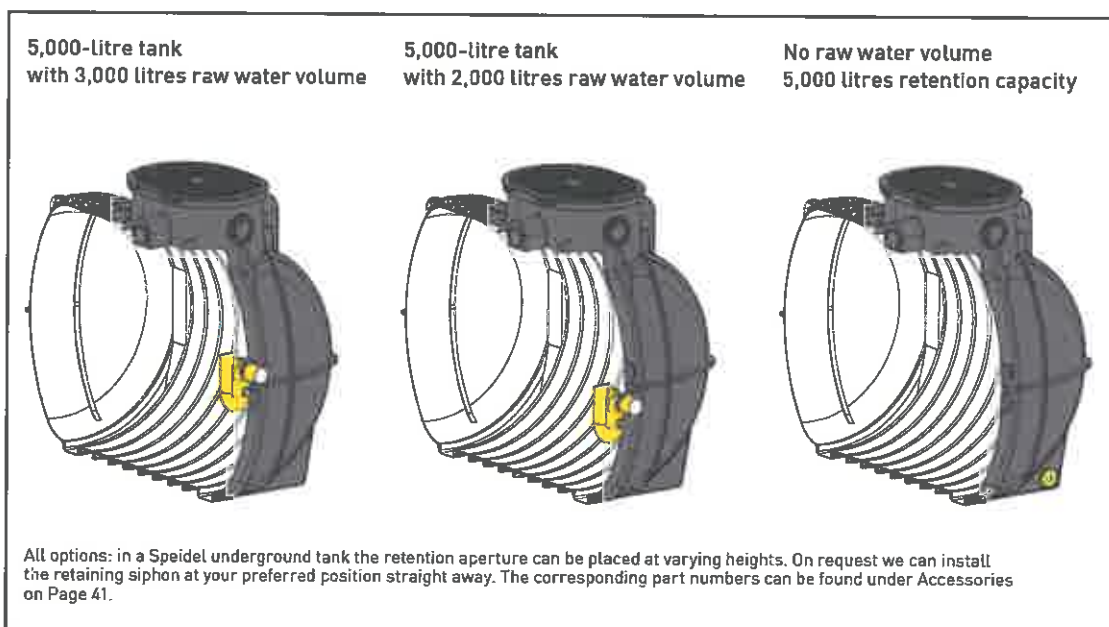


Figure 18: An example of simple stormwater retention (Spiedel)

Stormwater retention tanks gradually release rainwater into the sewer system. This relieves the public sewer system. Often a retention tank also has financial benefits. Besides merely retaining water where all the rain water is discharged into the sewer system at a reduced rate, the example shown above from “Spiedel” also provides the option of keeping back part of the rain water and using it for onsite needs. This level can be varied as the figure below demonstrates, simply by altering the outflow position.

At present run-off soaks into the ground but is also aided by field drains and a French drain which runs along the west boundary and which drains into the culverted burn (yellow arrows in figure 17 above).

There will be no adverse impact upon flood risk or site water run-off, and the proposal does not conflict with policy IS9 of the development plan.

Residential Amenity/Noise

The nearest residential property is 430 metres from the site boundary to the south. It is obscured by topography and there will be no impact. The nearest property with line of site is at Langlee Mains at a distance of around 665 metres (wall to wall). The activities within the workshop units are unlikely to be significant. The properties only open to the east side and there are no residential properties in that direction.

The dog day care centre has the potential for noise generation during the outdoor exercising of dogs in the paddock area.

There will be no adverse impact upon residential amenity.

Design and Landscaping

The proposed building is of a typical rural style with closed sides. The building will have a steel frame. It will have a concrete block base course to the rear of the workshops with the remaining elevations, the upper sections and roof will be profile metal cladding coloured a dark ‘juniper’ green.



Figure 18: The existing shed south gable. Design and materials are to be the same

It will form a natural extension to the existing shed, beginning at half width for 6 units, and then returning back to full width for the final unit.

As per of the previous planning application, it is proposed to retain the triangular area of ground to the roadside as a paddock, although it will be split in two with the southern half been fenced and utilised for the exercising of dogs in conjunction with the daycare facility being operated from the larger business unit. This will be a significant mitigation to the visual impact, and it will be defined on all sides by hedgerow and trees. This paddock has its own field access.

The applicant has taken care in ensuring that the proposed use does not lead to the site being out of keeping with the area. It is the applicant's view that development so far has clearly demonstrated a satisfactory outcome has been successfully achieved.

Access and parking

The access from the public road is an existing one to the north end of the site. It serves both the farm yard to the west and the existing forestry and storage operations of Wilson G Jamieson Ltd.

The site has good access from the public road network, and this has raised no concerns from the Council's roads service. The Langshaw Road is a two carriageway adopted road which provides perfectly adequate access for vehicles. The site has limited requirement for HGV type vehicles, with the applicants and other site user vehicles being generally 4x4 and van sized.

Larger vehicles on this road are more regularly seen to use the waste transfer/landfill site.

The visibility at the entrance to the site is good, and there is clear site in both directions.

The new workshops and business use will generate some traffic. The workshops are small (7.5 by 6.0 metres) and will be occasionally visited by their tenants, likely to be a single person. The business unit is larger, and is proposed to be a dog day care centre. This would operate during the working week and there will be a period at the start and the end of the day when dogs are delivered to the premises.

There will be adequate manoeuvring space to the front of each unit which will be hard surfaced.

This will fully comply with policy IS7 of the SBLDP.



Figure 19: The existing access

5. Conclusions

It has been highlighted that the critical determining issues will be those relating to the justification of extending the commercial use of the site within a 'rural' location and more specifically to the location being within the area designated as "countryside around towns". The use is not one that normally fits the criteria for acceptable uses in the countryside, however for the reasons presented in this statement the benefits of this development would significantly outweigh any of the policy conflicts.

Whilst the workshop uses are of a type that can be readily accommodated in the settlement boundary, the applicant has both the space and the infrastructure to support these uses on site. Also, low cost small units such as those proposed (45m²) are not so common. The existing site has ongoing commercial activities which would sit well alongside the proposed uses. The applicant has received significant interest in renting of these units indicating that there is a significant unfulfilled demand in this area.

The dog daycare centre use is recognised as a use best suited to a rural location where it remains accessible to the town but distant from sensitive receptors. The site provides good outdoor exercise area whilst not eroding into the prime agricultural land supply.

The extension of the buildings on site will not significantly alter the character of the site and it will not undermine any of the guiding principles of the local plan and proposed development plan policies. The design layout and appearance of the site has been carried out in a manner which respects the rural location. The site has very low visual impact within the surrounding landscape due to topography and vegetation. The proposal does not undermine the principles of policies PMD1, PMD4, ED7 and EP6 of the local development plan.

The completion of the hedge planting will lead to some noticeable visible enhancements to the site and the area in general. Further planting can be provided if required by condition.

It is also clear from national planning policy and advice that there is a support for development in rural areas subject to it being carried out in an appropriate and sustainable manner.

Therefore the proposal, whilst appearing to conflict with some development plan policies, actually provides a very positive opportunity to businesses, including those of a rural nature, in an accessible location where the visual impacts respect the character of the area and have no negative environmental impacts.

There are therefore significant mitigating reasons that would justify the granting of planning permission for the proposed use in the context of the new local development plan regime. Just because a proposal does not fit the wording of a policy does not mean that it is wrong, just that it needs to be adequately demonstrated that in the context of that particular site the scheme is acceptable and an alternative view may be justified. It is presented that in this case that is so.

6. Appendices

A - List of all relevant Policies of the Scottish Borders Local Development Plan 2016

Policy PMD1 Sustainability - The Council will have regard to the following sustainability principles which underpin all the Plan's policies and which developers will be expected to incorporate into their developments:

- a) The long term sustainable use and management of land
- b) The preservation of air and water quality
- c) The protection of natural resources, landscapes, habitats, and species
- d) The protection of built and cultural resources
- e) The efficient use of energy and resources, particularly non-renewable resources
- f) The minimisation of waste, including waste water and encouragement to its sustainable management
- g) The encouragement of walking, cycling, and public transport in preference to the private car
- h) The minimisation of light pollution
- i) The protection of public health and safety
- j) The support to community services and facilities
- k) The provision of new jobs and support to the local economy
- l) The involvement of the local community in the design, management and improvement of their environment.

Policy PMD4: Development Outwith Development Boundaries - Development should be contained within the Development Boundary, and proposals for new development outwith this boundary, and not on allocated sites identified on the proposals maps, will normally be refused.

Exceptional approvals may be granted provided strong reasons can be given that:

- a) it is a job-generating development in the countryside that has an economic justification under Policy ED7 or HD2; **OR**
- b) it is an affordable housing development that can be justified under in terms of Policy HD1; **OR**
- c) there is a shortfall identified by Scottish Borders Council through the housing land audit with regard to the provision of an effective 5 year housing land supply; **OR**
- d) it is a development that it is considered would offer significant community benefits that outweigh the need to protect the Development Boundary.

AND the development of the site:

- a) represents a logical extension of the built-up area, and
- b) is of an appropriate scale in relation to the size of the settlement, and
- c) does not prejudice the character, visual cohesion or natural built up edge of the settlement, and
- d) does not cause a significant adverse effect on the landscape setting of the settlement or the natural heritage of the surrounding area.

The decision on whether to grant exceptional approvals will take account of:

- a) any indicators regarding restrictions on, or encouragement of, development in the longer term that may be set out in the settlement profile;
- b) the cumulative effect of any other developments outwith the Development Boundary within the current Local Plan period;
- c) the infrastructure and service capacity of the settlement.

Policy ED7: Business , Tourism and Leisure in the Countryside - Proposals for business, tourism or leisure development in the countryside will be approved and rural diversification initiatives will be encouraged provided that:

- a) the development is to be used directly for agricultural, horticultural or forestry operations, or for uses which by their nature are appropriate to the rural character of the area; or

- b) the development is to be used directly for leisure, recreation or tourism appropriate to a countryside location and is in accordance with the Scottish Borders Tourism Strategy and Action Plan
- c) the development is to be used for other business or employment generating uses, provided that the Council is satisfied that there is an economic and/or operational need for the particular countryside location, and that it cannot reasonably be accommodated within the Development Boundary of a settlement.

In addition the following criteria will also be considered:

- a. the development must respect the amenity and character of the surrounding area,
- b. the development must have no significant adverse impact on nearby uses, particularly housing,
- c. where a new building is proposed, the developer will be required to provide evidence that no appropriate existing building or brownfield site is available, and where conversion of an existing building of architectural merit is proposed, evidence that the building is capable of conversion without substantial demolition and rebuilding,
- d. the impact of the expansion or intensification of uses, where the use and scale of development are appropriate to the rural character of the area,
- e. the development meets all other siting, and design criteria in accordance with Policy PMD2, and
- f. the development must take account of accessibility considerations in accordance with Policy IS4.

Where a proposal comes forward for the creation of a new business including that of a tourism proposal, a business case that supports the proposal will be required to be submitted as part of the application process.

Policy EP6: Countryside Around Towns - Within the area defined as countryside around towns, proposals will only be considered for approval if they meet the following considerations:

- a) there is an essential requirement for a rural location and the use is appropriate to a countryside setting, e.g. agricultural, horticultural, forestry, countryside recreation, nature conservation, landscape renewal, community facilities or
- b) it involves the rehabilitation, conversion, limited extension or an appropriate change of use of an existing traditional building of character, or
- c) in the case of new build housing it must be located within the confines of an existing building group as opposed to extending outwith it and it must be shown the high quality environment will be maintained. The definition of building group is stated within policy HD2 Housing in the Countryside, or
- d) it enhances the existing landscape, trees, woodland, natural & man-made heritage, access and recreational facilities, or
- e) subject to satisfactory design and setting, it has a proven national or strategic need and no alternative is suitable.

Policy EP13: Trees, Woodlands and Hedgerows - The Council will refuse development that would cause the loss of or serious damage to the woodland resource unless the public benefits of the development clearly outweigh the loss of landscape, ecological, recreational, historical, or shelter value.

Any development that may impact on the woodland resource should:

- a) aim to minimise adverse impacts on the biodiversity value of the woodland resource, including its environmental quality, ecological status and viability; and
- b) where there is an unavoidable loss of the woodland resource, ensure appropriate replacement planting, where possible within the Scottish Borders; and
- c) adhere to any planning agreement sought to enhance the woodland resource.

Policy IS3: Developer Contributions Related to the Borders Railway - In accordance with the Waverley Railway (Scotland) Act 2006, the Council will seek developer contributions towards the cost of providing the Borders railway from any developments that may be considered to benefit from, or be enhanced by, the re-instatement of the rail link.

Policy IS7: Parking Provision and Standards - Development proposals should provide for car and cycle parking in accordance with approved standards. Relaxation of technical standards will be considered where appropriate due to the nature of the development and/or if positive amenity gains can be demonstrated that do not compromise road safety.

Policy IS9: Waste Water Treatment Standards and Sustainable Urban Drainage - The Council's preferred method of dealing with waste water associated with new development will be, in order of priority:

- a. direct connection to the public sewerage system, including pumping if necessary, or failing that:
- b. negotiating developer contributions with Scottish Water to upgrade the existing sewerage network and/or increasing capacity at the waste water treatment works, or failing that:
- c. agreement with Scottish Water and SEPA where required to provide permanent or temporary alternatives to sewer connection including the possibility of stand alone treatment plants until sewer capacity becomes available, or, failing that:
- d. for development in the countryside i.e. not within or immediately adjacent to publicly seweraged areas, the use of private sewerage treatment may be acceptable, providing it can be demonstrated that this can be delivered without any negative impacts to public health, the environment or the quality of watercourses or groundwater.

In settlements served by the public foul sewer, permission for an individual private sewage treatment system will normally be refused unless exceptional circumstances prevail and the conditions in criteria (d) can be satisfied.

Development will be refused if:

- a. it will result in a proliferation of individual septic tanks or other private water treatment infrastructure within settlements,
- b. it will overload existing mains infrastructure or it is impractical for the developer to provide for new infrastructure.

Sustainable Urban Drainage

Surface water management for new development, for both greenfield and brownfield sites, must comply with current best practice on Sustainable Urban Drainage Systems to the satisfaction of the Council, Scottish Environment Protection Agency (where required), Scottish Natural Heritage and other interested parties where required. Development will be refused unless surface water treatment is dealt with in a sustainable manner that avoids flooding, pollution, extensive canalisation and culverting of watercourses. A drainage strategy should be submitted with planning applications to include treatment and flood attenuation measures and details for the long term maintenance of any necessary features.

Policy IS16: Advertisements - Applications for advertisements will be assessed against the Council's published supplementary guidance. This guidance is concerned with safety and amenity considerations. A higher standard of design will be required on listed buildings and in conservation areas.

All proposals will be assessed against the following criteria:

- a) advertisements/signs must not represent a threat to road safety or other hazard to the public;
- b) advertisements/signs must be related to the location at which they are displayed and must be in keeping with the character of the building to which they are attached and/or the area in which they are located in terms of positioning, scale, design or materials;
- c) excessive or badly arranged advertisements/signs which cause unsightly clutter will not be permitted;

In addition to the above criteria and outwith settlements, roadside advertisements in the countryside will only be permitted if:

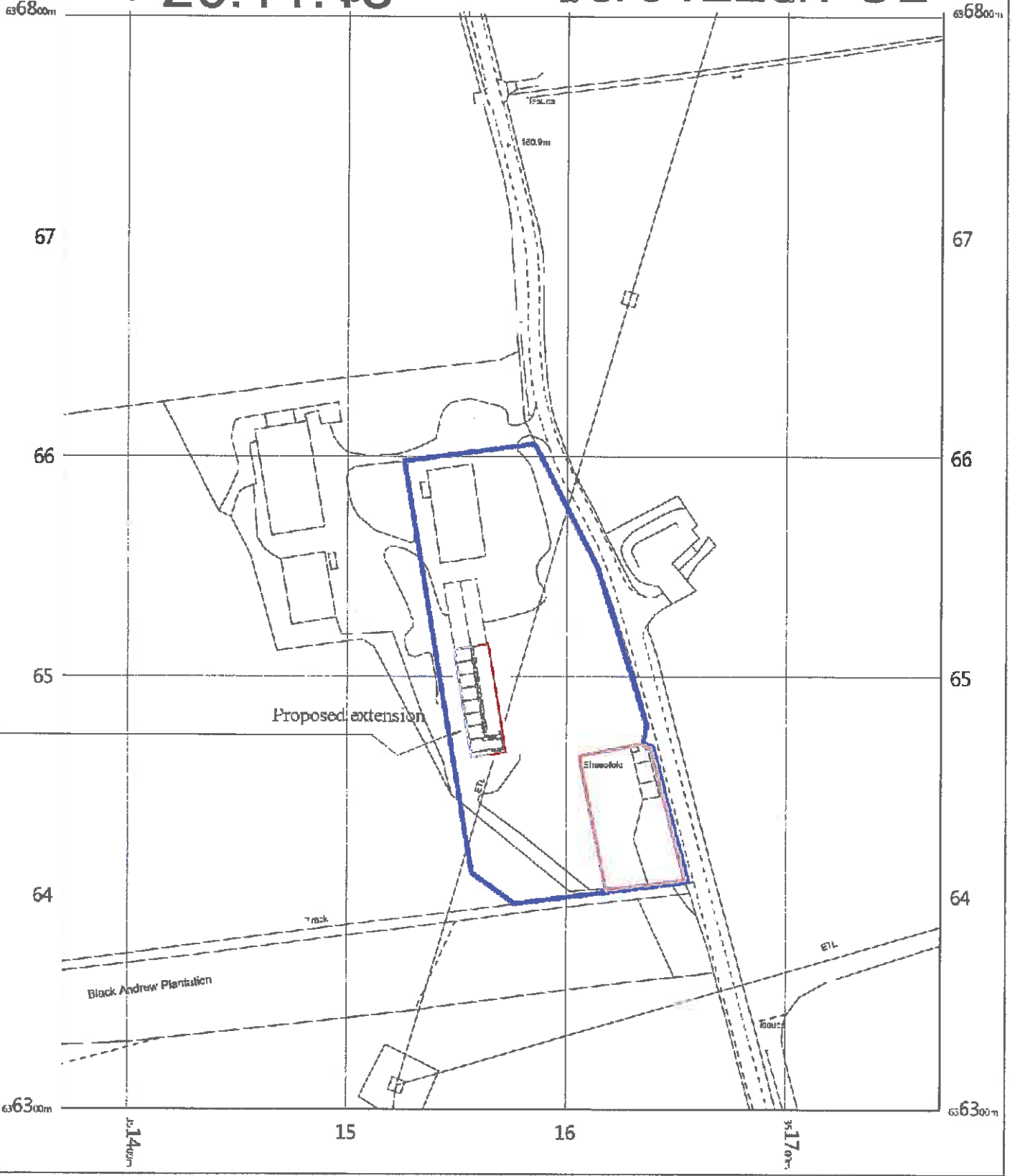
- d) a statutory road sign has been considered as a first option,
- e) the sign is primarily directional, and does not advertise particular products or facilities,
- f) the premises to be signed are not clearly visible from a major road and cannot already be reasonably identified by means of an existing directional sign advising of the place name of the locality within which it is located, and
- g) not more than one sign is proposed at the nearest junction of the public road and the access road to the premises. In the case of two or more neighbouring premises, a series of individual signs will not be permitted, and composite signs will be encouraged as an alternative, where appropriate.

B - Other referenced policies and documents

- SBC Supplementary Planning Guidance on Countryside around Towns [January 2011]
- Scottish Planning Policy [June 2014]
- National Planning Framework, NPF3 [June 2014]
- PAN 73 - Rural Diversification [February 2005]

26.11.18

18/01229/FUL



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Galashiels

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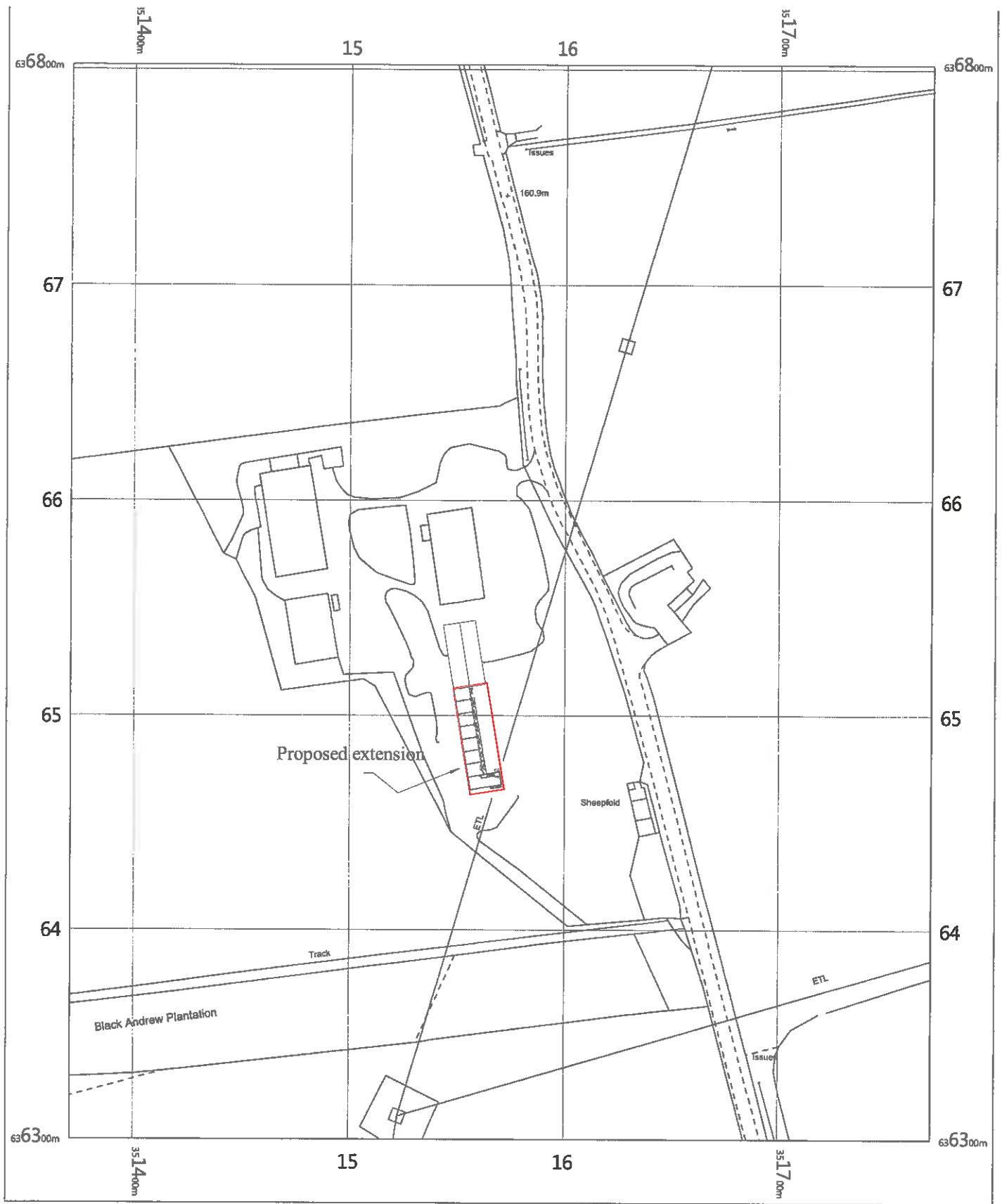
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Scottish Borders Council
 Town And Country
 Planning (Scotland) Act
 1997

REFUSED

subject to the
 requirements of the
 associated Decision
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