

From:Plant Location SGN
Sent:20 Sep 2018 16:12:59 +0100
To:Clarke, Carlos
Subject:Automatic reply: 18/01229/FUL PLANNING CONSULTATION

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Our gas pipe locations are now available online at linesearchbeforeudig.co.uk

Not only can you access information about the location of our gas pipes in your proposed work area, but you can also search for information on other utility companies' assets at the same time.

All requests for maps and plant location information must now be submitted through this online service, and your email has not been processed.

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Our online service is not currently available in Northern Ireland. If you have emailed us about plant location or maps for Northern Ireland, we will respond to your email within 15 working days.

If you have any questions about our new plant location online service, please contact us on 0800 912 1722 or if you have any system queries contact Linesearch on 0845 437 7365

Regards
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PLANNING CONSULTATION

To: Economic Development Section

From: Development Management

Date: 20th September 2018

Contact: Carlos Clarke ☎ 01835 826735

Ref: 18/01229/FUL

PLANNING CONSULTATION

Your observations are requested on the under noted planning application. I shall be glad to have your reply not later than 11th October 2018, 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 11th October 2018, 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: Wilson G Jamieson

Agent: Gain Planning Services

Nature of Proposal: Extension to provide an additional 7 No workshop units (Class 5/6), 1 No unit to provide dog daycare facility and change of use of paddock to dog exercise area

Site: Storage Units Farknowes Langshaw Road Galashiels Scottish Borders

OBSERVATIONS OF: Economic Development Section

CONSULTATION REPLY

Generally we are supportive of the provision of new business premises to support business use. The proposed facilities appear, however, to be designed for use only as stores since they have no employee facilities shown such as toilets, are not planned to be insulated, with no evidence of heating indicated, and therefore do not appear to be planned for proper Class 5 business use. We would prefer to support the creation of new business premises which are to an appropriate and expected modern standard. We believe, under the Building Regulations toilet provision is required in any new business premises. In addition without this, or heating, there is concern there would be conflict with the 'The Workplace (Health, Safety and Welfare) Regulations 1992' which lay down particular requirements for most aspects of the working environment. This defines comfort of working, which assumes heating, but heating would not be possible unless the building was properly insulated. We suggest the applicant therefore seeks guidance on this aspect of compliance and that the building is futureproofed to a much better standard.

The application site is situated within generally, what appears to be, a former agricultural farm operation. As the proposal is for a business use, rather than an agricultural operation, then we would have concerns about new premises being allowed to be used for general Class 5 or Class 6 uses, unless the development is satisfactory on all other planning aspects, such as vehicular access and turning, parking, waste collection, landscaping/screening, etc. We would have reservations about a general Class 5-6 use being established unless it can be demonstrated to comply with Policy ED2 and would expect it to comply with policies PMD1 & PMD2.

This appears to be an intensification of development that was previously approved under application 16/00356/FUL, but despite applied planning conditions, does not appear to be complying and was to be for forestry operations. Until there is some clarity on how the site is to be used, to avoid conflicts between different users, it is difficult to support the current proposals which are becoming a private uncontrolled industrial estate/business park outwith the settlement boundary.

We have no objections to the change of use to paddock for dog exercising and the specific building being planned for, we assume, a sui generis use for dog daycare; but that it must comply with the Building Regulation issues mentioned above.

Scottish Borders Council

Regulatory Services – Consultation reply

Planning Ref	18/01229/FUL
Uniform Ref	18/02953/PLANCO
Proposal	Planning Consultation Extension to provide an additional 7 No workshop units (Class 5/6), 1 No unit to provide dog daycare facility and change of use of paddock to dog exercise area
Address	Storage Units Farknowes Langshaw Road Galashiels Scottish Borders
Date	15 October 2018
Amenity and Pollution Officer	Emma Mayes

Amenity and Pollution

Assessment of Application

The application includes proposals to include a dog day care facility and change of use of paddock as an outside dog exercise area.

These establishments have the potential to cause annoyance to nearby occupiers. Environmental Health therefore recommends the following condition being put on any permission given to ensure protection of amenity:

Condition

A plan for the management and control of potential nuisances (including noise, odour, flies, waste and other pests) that would be liable to arise at the site as a consequence of and/or in relation to the operation, individually and/or cumulatively, should be submitted to and approved in writing by the Planning Authority. Thereafter the approved nuisance control management plan shall be implemented as part of the development.

Reason: To ensure that the operation of the buildings has no unacceptable impacts upon the amenity of the surrounding area or upon the amenity of any neighbouring residential properties.

Informative

Under the Animal Boarding Establishments Act 1963, anyone wanting to board animals commercially must obtain a licence from their local council. The Act requires councils to ensure the business observes certain conditions regarding the suitability of the accommodation provided and the welfare of the animals boarded.

At the present time, dog day care facilities within Scottish Borders Council area are **not** required to hold a licence under the Animal Boarding Establishments Act 1963. However Environmental

Health advises the applicant to have regard for guidance issued by the Royal Institute of Environmental Health on dog day boarding to ensure minimum standards of welfare facilities are provided. This can be accessed via the link below:

<https://www.rehis.com/sites/default/files/105%20-%20REHIS%20Commercial%20Day%20Boarding%20Establishments%20and%20Guidance%20Notes%20Final%20Version%20Sept%202014.pdf>

Recommendation

Agree with application in principle, subject to conditions and informatives.

CONSULTATION RESPONSE TO PLANNING OR RELATED APPLICATION

Comments provided by	Roads Planning Service	Contact e-mail/number
Officer Name and Post	Alan Scott Senior Roads Planning Officer	ascott@scotborders.gov.uk 01835 826640
Date of reply	28 th October 2018	
Planning Application Reference	18/01229/FUL	Case Officer: Carlos Clarke
Proposed Development	Extension to provide workshop units and dog day care facility	
Site Location	Farknowes, Langshaw Road, Galashiels	
<i>The following observations represent the comments of the consultee on the submitted application as they relate to the area of expertise of that consultee. A decision on the application can only be made after consideration of all relevant information, consultations and material considerations.</i>		
Background and Site description		
Key Issues (Bullet points)	<ul style="list-style-type: none"> • Sustainable transport • Associated traffic • Access • Parking 	
Assessment	<p>I am generally supportive of the dog day centre proposal. This type of proposal has to be away from residential properties, but at the same time the site benefits from being close to the town and to the main road network. The supporting statement confirms the dogs will generally be delivered at the start of the day and picked up at the end of the day. There are no figures included indicating how many dogs per day they anticipate. This information would have been helpful for me to have a better understanding of traffic movements associated with that element of the application. That said, I am satisfied that the C77 between the B6374 and the site entrance has the capacity to accommodate the traffic associated with the dog day care centre. Furthermore the site junction with the C77 is of a standard suitable for accommodating the additional traffic.</p> <p>I have concerns over the workshop unit part (7 No.) of this proposal from a sustainable transport perspective. This appears to be at odds with Policy PMD1 on Sustainability which seeks to promote the most sustainable means of travel, giving priority to walking, cycling and public transport in preference to travel by car. A Class 5 General industry use in this location would do little to encourage sustainable transport means with a heavy reliance on travel by car. I am less concerned on a Class 6 Storage or Distribution use for the units which would be more compatible with the existing storage use on the site. Storage/distribution use inevitably relies on vehicular use so that sustainable travel issues are less relevant. That said, if a Class 6 use was to be approved for the 7 smaller units it would have to be on the basis that the permitted change of use to Class 4 Business under the Use Class Order did not apply. Again, in line with my comments earlier for the dog day care centre proposal, I am satisfied that the surrounding road network and site junction are of a standard suitable for accommodating the additional traffic associated with these relatively small units. It is likely associated traffic would be generated outwith normal peak times. The traffic is also likely to be standard sized vehicles, rather than HGV/articulated vehicles.</p>	

	<p>I would have a degree of sympathy for a General Industry or Business use on the site if it was related to rural activities, but I'm not sure how this can be controlled especially as the units are being provided on a speculative basis.</p> <p>In the submission drawings there is no area indicated for parking, either for staff or visitors to any of the units. Whilst there is ample room available in the vicinity, I would like to have seen a dedicated area marked out for parking and servicing. Based on the submitted details, if vehicles were to park in front of the units they may block access to the units further down the line. Based on SEStrans Parking Guidelines, this proposal would require parking for approximately 20 vehicles.</p> <p>In summary, I am able to offer my support for the dog day care centre, but can only support the proposal for the 7 smaller units if the use is restricted to a Storage or Distribution use and without scope for change to Business use. As the application stands I have to recommend against it over sustainable transport concerns on the Class 5 General Industry aspect of the proposal.</p>			
Recommendation	<input checked="" type="checkbox"/> Object	<input type="checkbox"/> Do not object	<input type="checkbox"/> Do not object, subject to conditions	<input type="checkbox"/> Further information required
Reason for Refusal	<p>The proposal would not be in compliance with Policy PMD1 on Sustainability in the Local Development Plan in that a Class 5 General Industry use for the 7 smaller units on the site would not promote sustainable travel in that there would be a heavy reliance on car use. This would be to the disbenefit of those persons without a car and would not be in the interests of environmental quality or personal health.</p>			

Signed: DJI

Advice : HSL-181102141654-325 DO NOT ADVISE AGAINST

Your Ref: 18/01229/FUL

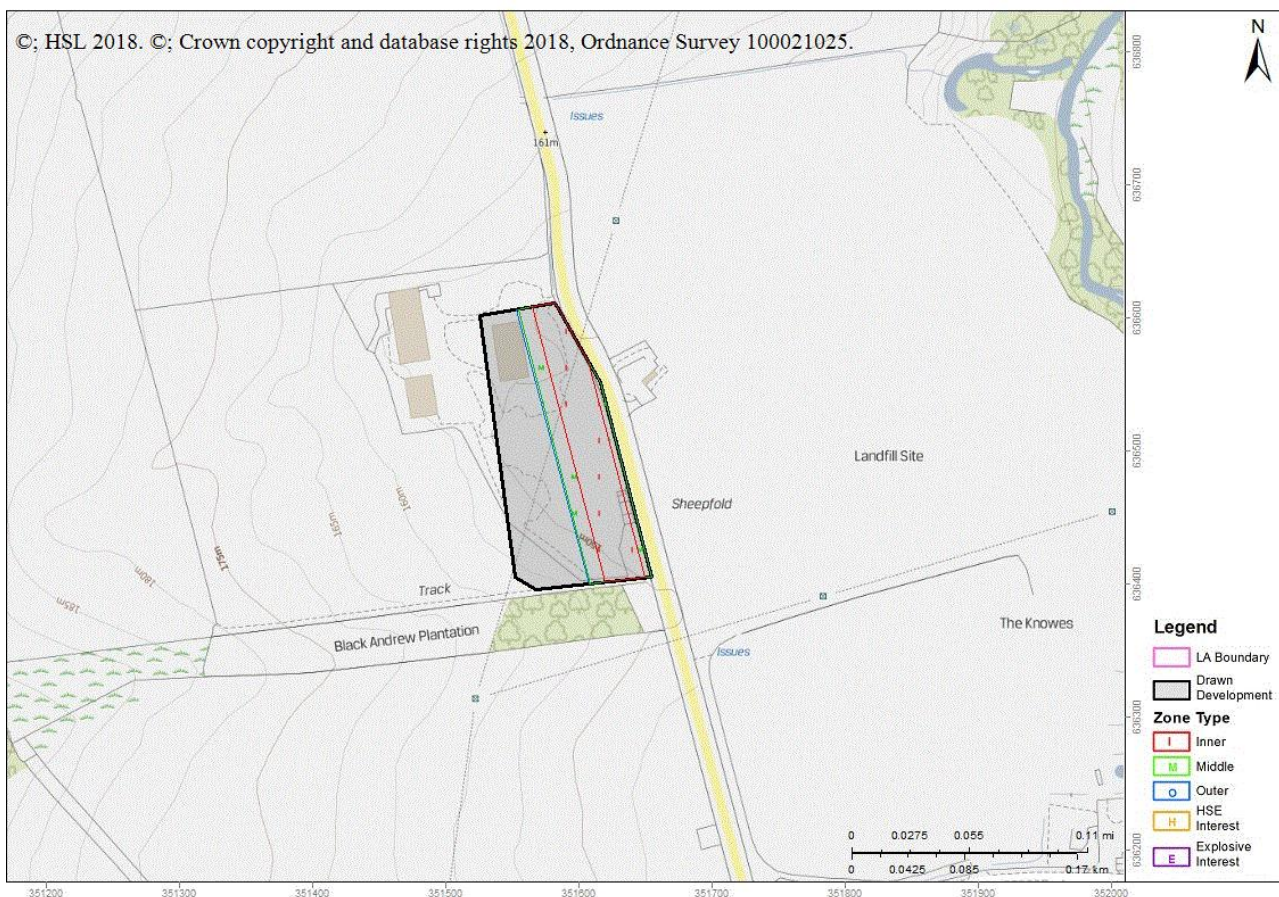
Development Name: Extension to provide an additional 7 No workshop units (Class 5/6), 1 No unit to provide dog daycare facility and change of use of paddock to dog exercise area

Comments:

Land Use Planning Consultation with Health and Safety Executive [Town and Country Planning (Development Management Procedure) (England) Order 2015, Town and Country Planning (Development Management Procedure) (Wales) Order 2012, or Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013]

The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance of Major Hazard Sites/ pipelines. This consultation, which is for such a development and is within at least one Consultation Distance, has been considered using HSE's planning advice web app, based on the details input on behalf of Scottish Borders.

HSE's Advice: Do Not Advise Against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.



Commercial In Confidence

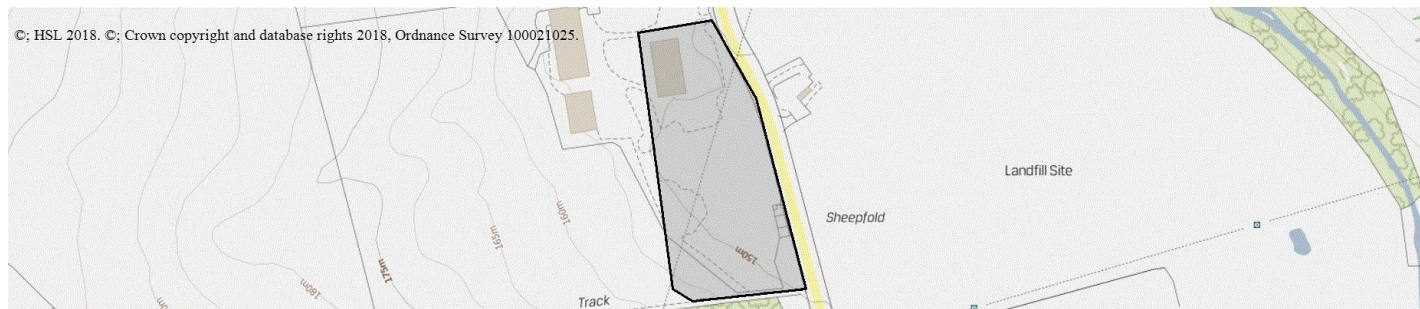
Breakdown:

Workplaces DAA

Is it a workplace specifically for people with disabilities, e.g. sheltered workshops? No

Are there 100 or more occupants in any individual workplace building (that lie partly or wholly within a consultation distance)? No

Are there 3 or more occupied storeys in any workplace building (that lie partly or wholly within a consultation distance)? No



Pipelines

7969_2227 Scotland Gas Network Ltd

As the proposed development is within the Consultation Distance of a major hazard pipeline you should consider contacting the pipeline operator before deciding the case. There are two particular reasons for this:

- The operator may have a legal interest (easement, wayleave etc.) in the vicinity of the pipeline. This may restrict certain developments within a certain proximity of the pipeline.
- The standards to which the pipeline is designed and operated may restrict occupied buildings or major traffic routes within a certain proximity of the pipeline. Consequently there may be a need for the operator to modify the pipeline, or its operation, if the development proceeds.

HSE's advice is based on the situation as currently exists, our advice in this case will not be altered by the outcome of any consultation you may have with the pipeline operator.

This advice report has been generated using information supplied by at Scottish Borders on 02 November 2018.

Note that any changes in the information concerning this development would require it to be re-submitted.