



Newtown St Boswells Melrose TD6 0SA

Tel: 01835 825251

Fax: 01835 825071

Email: itsystemadmin@scotborders.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 000133839-001

The online ref number 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.

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:

Ericht Planning & Property
Consultants

Ref. Number:

First Name: *

Kate

Last Name: *

Jenkins

Telephone Number: *

07795974083

Extension Number:

Mobile Number:

Fax Number:

Email Address: *

kate@kjenkins.co.uk

You must enter a Building Name or Number, or both:*

Building Name:

Building Number:

40

Address 1 (Street): *

Belgrave Road

Address 2:

Town/City: *

EDINBURGH

Country: *

UK

Postcode: *

EH12 6NQ

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:

Other Title:

First Name:

Last Name:

Company/Organisation: *

Telephone Number:

Extension Number:

Mobile Number:

Fax Number:

Email Address:

You must enter a Building Name or Number, or both:*

Building Name:

Spruce House

Building Number:

Address 1 (Street): *

Romanno Bridge

Address 2:

Town/City: *

Romanno Bridge

Country: *

Scotland

Postcode: *

EH46 7BY

Site Address Details

Planning Authority:

Scottish Borders Council

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

Address 1:

SPRUCE HOUSE

Address 5:

Address 2:

HALMYRE LOAN

Town/City/Settlement:

WEST LINTON

Address 3:

ROMANNO BRIDGE

Post Code:

EH46 7BY

Address 4:

Please identify/describe the location of the site or sites.

Northing

648634

Easting

317076

Description of the Proposal

Please provide a description of the proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Siting of portakabin for use as flour mill. Land north west of Spruce House, Romanno Bridge, West Linton.

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time of expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Please see Supporting Statement to Notice of Review together with Original Supporting Statement.

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made? *

Yes No

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Supporting Statement to Notice of Review
Original Application Supporting Statement
Original application form
Portakabin Location Plan
15/00682/FUL Case Decision Notice
15/00682/FUL Officer's Report
14/00433/FUL Officer's Report to Committee

Application Details

Please provide details of the application and decision.

What is the application reference number? *

15/00682/FUL

What date was the application submitted to the planning authority? *

16/06/15

What date was the decision issued by the planning authority? *

28/09/15

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be conducted by a combination of procedures.

Please select a further procedure *

Inspection of the land subject of the appeal. (Further details below are not required)

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? * (Max 500 characters)

It would benefit Members' understanding to visit the site in question

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

Yes No

Is it possible for the site to be accessed safely and without barriers to entry? *

Yes No

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

Given that the site is within an existing operational area within the grounds surrounding Spruce House, it is requested that limited notice be given of a visit.

Checklist - Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant? *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and drawings) which are now the subject of this review *

Yes No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare - Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Kate Jenkins

Declaration Date: 09/10/2015

Submission Date: 09/10/2015

Supporting Statement to Notice of Review

in relation to Scottish Borders Council's refusal of planning permission for
the siting of a Portakabin to house a micro-scale flour mill
on land to the north west of Spruce House, Romanno Bridge, West Linton
EH46 7BY
on behalf of Romanno Mains Renewables Ltd (RMR Ltd)

9th October, 2015

CONTENTS

	<u>Page</u>
EXECUTIVE SUMMARY	3
1.0 BACKGROUND	4
2.0 REFUSAL OF APPLICATION BY SCOTTISH BORDERS COUNCIL	4
3.0 GROUNDS FOR LOCAL REVIEW	4
4.0 CASE FOR THE APPELLANT	5
5.0 CONCLUSIONS	10

EXECUTIVE SUMMARY

This Notice of Local Review is submitted on behalf of RMR Ltd against the decision of Scottish Borders Council to refuse temporary planning permission, on 28th September 2015, for the siting of a Portakabin to house a 'proof-of-concept' micro-scale flour mill on land to the north west of Spruce House, Romanno Bridge, adjacent to a c.50sqm agricultural shed. The proposal is a **business diversification proposal**.

The application reference was 15/00682/FUL.

Planning permission is sought for a temporary period (3 – 5 years) only as the proposal is a 'proof-of-concept' micro flour mill. The original Planning Supporting Statement provides detailed background about the proposal and must be considered as a key part of this Local Review, in addition to this Statement.

It is noted that the Council's Economic Development section, the Roads section and the Environmental Health Section had no concerns about the proposal whatsoever.

The reasons for refusal include the Planning Officer's view that:

The proposal does not comply in principle with adopted Local Plan policy D1 in that the proposal would more reasonably be accommodated within the development boundary of a settlement rather than in this particular location.

The Applicant has not demonstrated any overriding economic and /or operational need for this particular location.

This statement will provide the background to the application, set out the grounds for Local Review, prior to demonstrating the acceptability of the proposal under those grounds.

The Local Review Body, having considered the detail contained within the original Supporting Statement together with the information set out herein, will be respectfully requested to allow the Review to enable temporary planning permission to be granted to support the small Borders-based business Romanno Mains Renewables Ltd.

1.0 BACKGROUND

- 1.1 For the avoidance of repetition of information herein, the Local Review Body is requested to note the carefully set out contents of the Planning Application Supporting Statement in order to understand the context and background to the Application and this Appeal.

2.0 REFUSAL OF APPLICATION BY SCOTTISH BORDERS COUNCIL

- 2.1 The application was refused by Scottish Borders Council on 28th September, 2015 on the basis set out below.

The proposal does not comply in principle with adopted Local Plan policy D1 in that the proposal would more reasonably be accommodated within the development boundary of a settlement rather than in this particular location. Further, the Applicant has not demonstrated any overriding economic and /or operational need for this particular location.

3.0 GROUNDS FOR LOCAL REVIEW

- 3.1 The Appellant sets out the following three Grounds for Review, which are each fully justified in the next section 4.0 'Case for the Appellant'.
1. The most reasonable location for the Proposal is at the site proposed. The Proposal does comply with policy D1 of the adopted Local Plan. The Appellant has demonstrated an operational need for the siting of the micro mill in the particular location proposed.
 2. The Proposal will have no unreasonable impact on residential amenity – the proposed site is suitable.
 3. It is unreasonable for the Planning Authority not to consider use of a Planning Condition to ensure that the proposed use of the site is for a specified temporary period only.

4.0 CASE FOR THE APPELLANT

GROUND 1: THE MOST REASONABLE LOCATION FOR THE PROPOSAL IS AT THE SITE PROPOSED. THE PROPOSAL DOES COMPLY WITH POLICY D1 OF THE ADOPTED LOCAL PLAN - THE APPELLANT HAS DEMONSTRATED AN OPERATIONAL NEED FOR THE MICRO MILL AT THE PARTICULAR LOCATION PROPOSED.

- 4.1 The Application Supporting Statement, which is submitted with and which forms a key part of this appeal assesses and justifies the proposal against policy D1 of the adopted Local Plan. The Local Review Body is directed to that document for key supporting information and particularly to **section 4.0**.
- 4.2 In summary, the following key points should be noted:
- The proposal comprises further business diversification of Scottish Borders based RMR Ltd, in addition to meeting an identified need in the Breadshare (Community Interest Company) business plan.
 - RMR Ltd's business interests are based at Spruce House, Romanno Bridge and the proposal would provide an additional source of income for this established business, which is already operating from the site.
 - The human resources which will operate the micro mill are based at, and largely 'tied to' Spruce House, operating RMR Ltd and other key business interests from that location. There is a clear operational requirement for the facility to be located in close proximity to Spruce House.
 - The location, adjacent to the 50 sqm agricultural shed, is required for operational reasons – its proximity RMR Ltd's operational base will allow RMR Ltd to operate the micro mill. The availability of the human resources to operate the mill is crucial.
 - The location will promote site security. Attention is drawn to recent security issues in rural Peeblesshire.
- 4.3 This is a rural business diversification proposal which involves diversification of an existing business which is already based at Spruce House. It is reasonable to state that there is an operational requirement for the proposed location due to the location of the existing human resources and existing business which is being diversified at the proposed location.

- 4.4 Within the Officer's Report it is acknowledged that the Applicant is a company based at the agricultural farm holding 'Romanno Mains' and that the proposal seeks to diversify RMR Ltd's existing business interests. The Appellant strongly asserts that the proposed diversification is not unreasonable in the context of the rural location within a farm holding.
- 4.5 The Local Plan Settlement Statement for Romanno Bridge specifically notes that there are "no allocated land use proposals in Romanno Bridge". There is thus no land available locally which is 'zoned' for employment/ light industrial use. It is unreasonable to prohibit this reasonable small (and temporary) rural business diversification proposal at the Appellant's property in Romanno Bridge, when the Officer agrees in his Report that the proposed site will have no impact on neighbouring uses/ residential amenity and there is no land allocated locally for 'employment use'. Locating the proposal in a 'light industrial' area in one of the larger Borders towns would not be an option on account of the operational human resources requirement for the location in Romanno Bridge, as set out above and within the original Supporting Statement.
- Industrial Usage of Newlands Hall (650m from Appeal site)**
- 4.6 It is noted that application 14/00533/FUL was consented by the Council to enable Newlands Hall to be operated as a furniture making business. This joinery workshop at Newlands Hall lies only 650 metres to the east of the Appeal site. The workshop itself is located immediately adjacent to housing. The concern over a 'light industrial use' at that location did not appear to be of over-riding concern to the Planning Authority, despite its proximity to housing. The Officer's Report to Committee is included with this Review.
- 4.7 Within the Case Officer's report to Committee for Newlands Hall it was stated that the Planning Authority must consider "*whether or not the proposed furniture-making use (which is both an industrial use and a business use) would be appropriate in principle to this rural site and countryside location*". This is an identical deliberation to that of the Appeal site.
- 4.8 In terms of the joinery workshop application, whilst it is acknowledged that the Hall was lying vacant and deteriorating, the Case Officer made it clear that "*there are unlikely to be any compelling or overriding planning reasons as to why the furniture-making business would have to be operated from this*

particular location, or even necessarily operated from the countryside more generally. Nevertheless, it is necessary to identify demonstrable harm in order to render any proposal unacceptable”.

- 4.9 Put simply, there was no demonstrated operational or locational requirement for the furniture business to be located at Newlands Hall, but, in the Planning Officer’s own words **“it would be necessary to identify demonstrable harm in order to render any proposal unacceptable”** in the circumstances. No such harm was demonstrated and the joinery workshop light industrial use was consented after consideration of all matters at hand.
- 4.10 The Newlands Hall consent has been highlighted to point out that whilst the Planning Authority has, to date, not supported the Appellant’s clear and robust operational requirement which has been given for the Proposal, neither has it suggested or demonstrated any such “harm” whatsoever which would mean the site could not be supported.
- 4.11 Indeed, within the report pertaining to Newlands Hall, the Officer positively states **“It is not the purpose of Adopted Local Plan Policy D1 to prevent or inhibit business development in the countryside, but rather, to allow for appropriate generating employment generating development in the countryside while protecting the environment in the countryside and ensuring that business, tourism and leisure related developments are appropriate to their location”.**

GROUND 2: THE PROPOSAL WILL HAVE NO UNACCEPTABLE IMPACT ON RESIDENTIAL AMENITY –THE PROPOSED SITE IS SUITABLE.

- 4.12 The Officer’s Report agrees that the proposed operation at the site would not have any unacceptable impacts upon the amenity of neighbouring residential properties. It is also noted that the Council’s Environmental Health section has no objection to the proposal and agree with the Applicant’s Agent that an appropriate planning condition can be used to regulate the operation, if necessary.
- 4.13 The Officer’s Report confirms that no concerns are raised by the proposed days of operation (2 days per week) and the amount of product being produced per week.

- 4.14 The Officer's report acknowledges that the proposed site is a 'yard area' already, housing a (50sqm) agricultural storage building and formerly housing a portakabin (1999 – 2003).
- 4.15 The Officer's Report acknowledges that there is good containment of the site on account of the existing large shed and the existing woodland. This point is discussed in more detail in the original Supporting Statement.

GROUND 3: IT IS UNREASONABLE FOR THE PLANNING AUTHORITY NOT TO CONSIDER USE OF A PLANNING CONDITION TO REQUIRE THAT USE OF THE SITE FOR THE PROPOSAL IS FOR A SPECIFIED TEMPORARY PERIOD ONLY.

- 4.16 The Officer appears to have a concern that, notwithstanding that the proposal is a temporary and small scale proposal, acceptance of the principle would be liable to promote a permanent and larger scale proposal in the same location in the long term. This long term 'precedent' concern appears to be the key concern of the Planning Authority, as opposed to the nature of the actual temporary proposal itself. This is considered to be an unreasonable stance, as a planning condition could secure the temporary nature of the site, a practice which sees widespread use throughout the country.
- 4.17 The Officer's Report makes it clear that one of the reasons why the application cannot be supported is that *"no information on how the mill will be accommodated in the long term has been given"*. This is considered to be an unreasonable position to take as the application in hand is for a trial mill for a 3-5 year period and not for 'the long term'. The Planning Authority must assess the application in hand. It has been stressed numerous times that the proposal is for a 'proof-of concept' micro mill and that alternative premises would be sought if the trial-scale mill were successful. The alternative proposal on an alternative site in the future is an entirely separate matter for a future application and separate consideration by the Planning Authority.
- 4.18 The Planning Authority is clearly concerned about the establishment of the principle for long term 'light industrial use' of the site. The policy justification for the use of the site on a temporary 3-5 year basis for a micro scale mill has

been set out within the original supporting statement. The Local Review Body is directed to this information.

- 4.19 Planning applications must be assessed on their specific merits; in this case the Applicant seeks *temporary consent* (3-5 years - with exact length for the selection of the Planning Authority) for a micro 'proof-of-concept' flour mill. Consent is not being sought for a "*permanent and larger scale proposal*" as the Officer refers to. The application must therefore be assessed on the basis of a temporary and micro-scale proposal and not on the basis that a future application could follow for a permanent and larger facility, a situation which is not proposed or suggested.
- 4.20 Planning Conditions are frequently employed to ensure that consent is temporary in nature, where necessary, and such a condition could and should reasonably and properly be used in this instance to provide that consent be given on the basis of such being for a specified limited period only.
- 4.21 A Planning Condition which would limit planning consent to a temporary basis could be used to regulate the proposal. Planning Conditions must be employed in accordance with the provisions set out in Circular 4/1998 '*The Use of Conditions in Planning Permissions*'. The Circular makes it clear that Planning Authorities may grant planning consent for a *specified period only* (Annexe A Parag. 3).
- 4.22 Consideration must then be given to the key tests which are set out within the Circular relating to: *Necessity, Relevance to Planning, Relevance to the Development, Precision, Enforceability and Reasonableness*.
- 4.23 'Necessity' is a key test in this instance. The Circular states "*In considering whether a particular condition is necessary, Authorities should ask themselves whether planning permission would have to be refused if that condition were not to be imposed*". The Planning Authority appears to have concerns about long term use of this site for a mill in policy terms, and appear to have decided to refuse the application largely on this basis (in accordance with the narrative contained within the Officers Case Report). It is therefore appropriate that use of a 'necessary' Planning Condition be used to restrict the consent for the micro mill to a temporary basis, as was sought by the Applicant. Such a condition would serve a specific 'planning purpose' and the remaining tests can be met.

5.0 CONCLUSIONS

- 5.1 In summary, the Officer does not appear to have provided adequate justification as to why the proposed site is not an appropriate site for the proposal- other than a theoretical concern that use of the site for the micro-mill could 'open the door' to an application for a larger and more permanent facility on the site, a situation which is not being suggested by the Applicant.
- 5.2 Light industrial use (joinery workshop) was consented in 2014 at Newlands Hall, 650m from the Appeal site, despite no economic/ operational requirement being demonstrated. The Case Officer stated that *"it would be necessary to identify demonstrable harm in order to render any proposal unacceptable"*. No such potential harm has been suggested or demonstrated at the Appeal site by the Planning Authority.
- 5.3 The Officer agrees that the proposed operation at the site would not have any unacceptable impacts upon the amenity of neighbouring residential properties. No other Council Departments have raised any issues or objection.
- 5.4 Operational requirement has been justified in terms of the location of the existing business to be diversified and the location of the human resources to operate the micro mill.
- 5.5 There is no land allocated for 'employment/ light industrial use' in Romanno Bridge. The proposed site lies within an agricultural holding at Romanno Mains.
- 5.6 A planning condition could reasonably be used to secure consent for a limited and specified time of 3-5 years, at the option of the Planning Authority.

Ends



TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)

For Office Use Only: Application Number: 15/00682/FUL

Date Registered: 16 6 15

PLANNING APPLICATION

1. Name and Address of applicant	Name and Address of Agent
ROMANNO MAINS RENEWABLES LTD DRIVE JACKIE WALKER SPRUCE HOUSE ROMANNO BRIDGE Post Code EH46 7BJ Tel. No. [REDACTED] E-mail address [REDACTED] Post Code..... Tel. No. E-mail address.....

2. Full Postal Address of Application Site (edged in red on the site plan)

SPRUCE HOUSE, ROMANNO BRIDGE, WEST LINTON, PEEBLES SHIRE
 EH46 7BJ (LAND NORTH WEST OF)

Is this address a flat?
 Yes No

3. Brief Description of Proposed Development

SITING OF NEW SELF CONTAINED PORTAKABIN (IN SITUATION OF PREVIOUS PORTAKABIN CIRCA 1998) PROVIDING FOOD-SAFE PREMISES FOR A SMALL-SCALE HOME/FARM BUSINESS TO MILL LOCAL ORGANIC GRAIN INTO FLOUR.

4. Type of Application (tick one box only)

- (a) Full application for new building works and/or a change of use and/or engineering works
- (b) Full application for a change of use not involving any building works
- (c) Planning permission in Principle
- (d) Approval of matters specified in conditions (pursuant to a Planning Permission in Principle)
- (e) Application for removal or variation of a condition on a planning permission previously granted (Please indicate reference number of previous application)
- (f) Application for renewal of a limited period permission (Please indicate reference number of previous application)
- (g) Application for renewal of an unimplemented permission (You need only answer Questions 17 and 18) (Please indicate reference number of previous application)

5. Applications for Matters Specified in Conditions (if you ticked (d) in Q.4, please complete)

(a) State the reference number and date of the planning permission in principle

(b) State which of the conditions are submitted for approval as part of this application:

All Conditions (please tick) or Condition Numbers

6. Pre-Application Discussion and Consultation

(a) Has assistance or prior advice been sought from Scottish Borders Council about this application?

Yes No

If yes, please complete the following information about the advice you were given:

Officer Name: DOROTHY AYMES Date: 28/5/15

Council Reference: CORRESPONDED BY EMAIL

(b) Has Pre-Application Consultation taken place (for MAJOR developments: See Notes for Guidance)?

Yes No

If Yes, a Pre-application Consultation Report should accompany this application

7. Site Area

8. State whether applicant owns or controls any adjoining land (edged in blue on submitted plans)

..... hectares

Yes No

9. Existing/Proposed Uses

Please indicate all existing and proposed uses that are the subject of this application:

Existing	Proposed
HARD STANDING ADJALENT TO SHED	SITING OF PORTAKABIN

10. Commerce and Business

(A) Floorspace

Please indicate the total amount of floorspace (in square metres) to which this application relates

Existing - N/A Proposed - 31m²

(A) Employment

Please indicate the number of staff employed (including part-time):

Existing - 1 Proposed - 2

(B) Traffic Flow

What is the anticipated traffic flow to the site during a normal working day? (No. of vehicles moving in and out of the site) (Include all vehicles except those used by individual employees driving to work)

Existing - 1 REGULAR DAILY Proposed - 1 REGULAR DAILY

(C) Industrial Processes

In the case of industrial development, please give a description of the processes to be carried on and of the end products, as well as the type of machinery to be installed:

MILLING OF WHEAT TO FLOUR. OSTTIRÖLER GETREIDEMÜHLEN
STONE COMBINATION MILL 500 MSM (2003)

(D) Storage of Hazardous Substances

Will the proposal involve the use or storage of any materials of a type and quantity defined as hazardous substances? If YES, please state materials and quantities below:

N/A

11. Car Parking

Please indicate car parking facilities/spaces:

Existing: Proposed:

12. Accesses and Rights of Way (Please tick those that apply)

- (A) There will be no new access to a highway (either vehicle or pedestrian), no alteration to an existing access to a public road and no alteration to any public right of way or other public path
- (B) There will be a new or altered access to a public road Vehicular Pedestrian
- (C) A public right of way or other public path will be affected by the proposed development

13. Trees

Will the proposed development involve the felling of any trees? Yes No
 (If YES, please indicate positions on plan)

14. Drainage and Water Supply

(A) Please state how surface water will be disposed of: NORMAL GROUND ABSORPTION

(B) How will foul sewage be dealt with?

Mains sewer Septic Tank and Soakaway Other (Please specify) N/A

(C) From where will the proposed development receive its water supply? - NO WATER SUPPLY

Public mains supply Private source

Where the water supply is from a private source, has any testing or analysis been undertaken? N/A

Yes No

Please indicate position of source on location/site plan, and where possible provide details of the source (e.g. borehole, spring etc.), and of any related pipework or apparatus

15. Materials

Please state type and colour of materials to be used (if known)

	EXISTING	PROPOSED
Exterior Walls	NONE	GREY PORTAKABIN
Roof	NONE	GREY PORTAKABIN
Windows	NONE	CLEAR GLASS

16. Additional Information

Is there any additional information you wish to give in support of this application?

HAND WASHING FACILITIES WILL BE PORTABLE.

17. Declaration

I hereby apply for planning permission and declare that, to the best of my knowledge, the information contained in this application and on the submitted plans is correct.

I attach FOUR copies of the application forms and enclose the application fee of £...202....., together with:

- Four sets of the necessary plans and drawings
- In the case of MAJOR developments, a Pre-Application Consultation Report
- A Design and Access Statement or Design Statement, where the application site is situated within a conservation area, historic garden or designed landscape, a National Scenic Area, the site of a scheduled monument or the curtilage of an A Listed Building (See Notes for Guidance for further information)

Signature: [Redacted] on behalf of..... Date: 11/6/15

18. Please complete Certificate A and Certificate B (please tick ONE box in each)

CERTIFICATE A under Section 35 of the Town and Country Planning (Scotland) Act 1997, as amended

I certify that:

- At the beginning of a period of 21 days ending with the date of this application, nobody other than the applicant was the owner¹ of all of the land to which the application relates
- OR
- The applicant has given the required notice to everyone who, at the beginning of the period of 21 days ending with the date of the accompanying application, was the owner¹ of any part of the land to which the application relates, as listed below:

Owner's Name	Address at which notice was served	Date on which notice was served
[Redacted]	[Redacted]	[Redacted]

Signature: [Redacted] on behalf of..... Date: 11/6/15

CERTIFICATE B under Section 35 of the Town and Country Planning (Scotland) Act 1997, as amended

I certify that:

- At the beginning of a period of 21 days ending with the date of this planning application, none of the land to which the application relates is, or is part of, an agricultural holding;
- OR
- The applicant has given the required notice to every person other than the applicant who, at the beginning of 21 days ending with the date of the application, was a tenant of an agricultural holding on all or part of the land to which the application relates, as follows:

Tenant's Name	Address at which notice was served	Date on which notice was served
[Redacted]	[Redacted]	[Redacted]

Signature: [Redacted] on behalf of..... Date: 11/6/15

¹An owner includes anyone with a lease on the land that has at least seven years left to run

Planning Supporting Statement

**Siting of Portakabin, Land north west of Spruce House,
Romanno Bridge, West Linton
EH46 7BY**

On behalf of Romanno Mains Renewables Ltd

September, 2015

CONTENTS

	Page
1.0 PURPOSE OF REPORT	3
2.0 THE PROPOSAL	3
3.0 ROMANNO MAINS RENEWABLES LTD & BACKGROUND	4
4.0 ANALYSIS AGAINST PLANNING POLICY	7
5.0 CONCLUSIONS	14

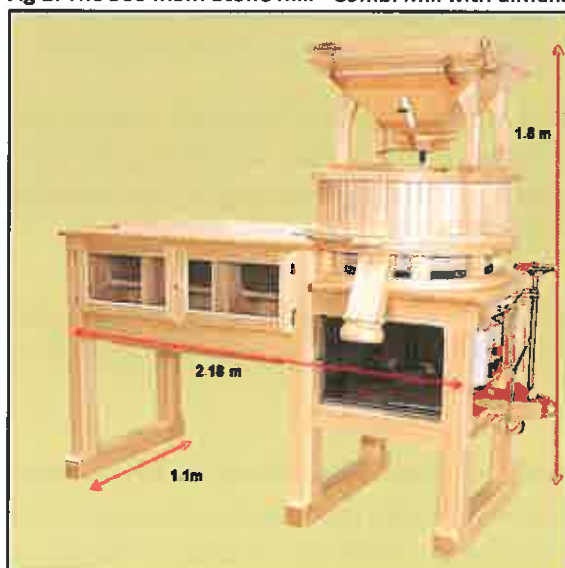
1.0 PURPOSE OF REPORT

- 1.1 This Supporting Statement has been prepared, following instructions from Mr & Mrs Walker of Romanno Mains Renewables Ltd, to support the planning application for the siting of a portakabin on land to the north west of Spruce House for the purposes of housing a micro-scale flour mill.
- 1.2 The application was validated on 16th June, 2015 and since this date the Applicant and the Case Officer have been in communication. The Case Officer has permitted, at the request of the applicant, additional time (until 16th September) to submit further supporting information.
- 1.3 This Supporting Statement will set out the background to Romanno Mains Renewables Ltd, the requirement for the proposal and will demonstrate that the proposal can be considered to be compliant with adopted planning policy contained within the Scottish Borders Consolidated Local Plan, 2011.
- 1.4 This Statement seeks to address concerns expressed by the Planning Authority through the provision of additional information. The Case Officer indicated, within an email of 17th August addressed to the Applicant, that based on the information provided, the Department would be unable to support the application.
- 1.5 Specifically, the Case Officer expressed the view that the proposal should more reasonably be accommodated within a settlement rather than in a rural area. It was stated that the proposal did not comply with policy on Business Development in the Countryside and particularly criterion 3 which requires the Council to be satisfied that there is an economic need/ operational requirement for the particular countryside location and that the proposal cannot reasonably be located within the development boundary of a settlement.

2.0 THE PROPOSAL

- 2.1 This proposal is directly linked to the Breadshare Community Bakery, a Community Interest Company previously operated from Lamancha, and now based in Portobello, Edinburgh. The proposal fulfils a requirement identified within Breadshare's Business Plan which is included alongside this Statement. This relationship of RMR Ltd and Breadshare CIC is explained within section 3.0
- 2.2 The proposed site and operation of the micro-mill is a trial site which will process small quantities of grain to produce flour on a small scale. In the event that the trial is successful, similar sites will be implemented as part of 'satellite bakeries' throughout Scotland. This is the reason that the site is required only on a temporary basis of 3-5 years. Alternative, more permanent premises would be sought, on a larger scale, if the operation is successful.
- 2.3 The portakabin will measure 3.06m x 10.27m and the Applicant is willing to agree the external finish with the Planning Authority, but suggests it be a similar green to the existing shed.
- 2.4 The portakabin will house a small scale flour mill with dimensions of 2.18m (l) x 1.1m (w) x 1.8m (h). The mill is a German Osttiroler Getreidemuhlen Stone Combi-mill 500 MSM (2003). The mixer is a Crypto Peerless EC20 Mixer. There will be no other automated equipment either within or outwith the portakabin.

Fig 1: The 500 MSM Stone mill –Combi Mill with dimensions



3.0 ROMANNO MAINS RENEWABLES LTD (RMR Ltd) - BACKGROUND

3.1 In order to understand the context within which there is a requirement for the proposed portakabin and micro-scale mill in the particular location proposed, background information is provided below.

3.2 RMR Ltd is the applicant, a company jointly owned by Mr and Mrs Walker who reside at Spruce House. The entity RMR Ltd does not own any land. The only land within the ownership and full control of Mr & Mrs Walker is that immediately surrounding Spruce House, as indicated below.

Fig 2: Ownership of land at Spruce House showing existing storage shed and house location



3.3 RMR Ltd as a legal entity is entirely separate from the Halmyre Deans Farm Partnership (which owns Halmyre Deans Farm and Romanno Mains Farm), notwithstanding that Mr Walker has a legal interest in the Partnership along with four other family members (siblings and parents).

3.4 The two farms (land and buildings) are let annually on Seasonal Grazing Licences to a local farmer. The land and buildings are not available to RMR or Mr and Mrs Walker.

3.5 RMR Ltd was founded in March, 2011 in response to a requirement diversify the Farm Partnership and better-manage the 50 acres of forestry thereon. Each year around 70 tonnes of wood are felled and processed through a firewood

processor, dry-stored under cover, and then sold on as woodfuel in the local area. RMR Ltd also operates a firewood delivery business.

- 3.6 RMR Ltd is a small business, legally separate but closely-coupled to the Farm Partnership. Dave Walker is a managing partner in the farm, and a director for RMR. Farm diversification is becoming more important to the viability of small farms. Mr & Mrs Walker have progressed this diversification in the setting up and running of RMR Ltd, providing an additional source of income for the Partnership.
- 3.7 In August, 2012 RMR Ltd won the tender for the Edinburgh area bread-deliveries for Breadshare Community Bakery which, at that time, was run from Whitmuir farm in Lamancha. RMR Ltd has been carrying out these deliveries since this time.
- 3.8 Breadshare's Business Plan is included with this Statement. It clearly identifies the role of RMR Ltd in the delivery-side of the business (p.8/9), identifies a requirement to "*prove a small scale milling business model*" (Executive Summary p.4) and the Business Plan's 'Milestone E', set out on p.21, sets out the requirement for Milling Operations. This proposal for a trial micro-mill thus ties in directly with Breadshare's Business Plan, of which RMR Ltd is a key player.
- 3.9 The Applicant has received strong support from Scottish Enterprise for the project with £110,000 matched funding authorised at the end of August. This project is clearly viewed as worthy of support. The proposal is thus of significant benefit to two businesses, Scottish Borders based RMR Ltd and the Community Interest Company, Breadshare CIC.
- 3.10 Breadshare has a requirement for organic Scottish grown grain, milled in Scotland, so that it can then be baked into organic bread in Edinburgh. They are currently importing grain from outside of Scotland. There are currently no known stone-ground flour-mills in Scotland that mill organic Scottish-grown grain.
- 3.11 In a joint venture with Breadshare, RMR Ltd will fill that gap to reduce transport costs and the environmental implications of long-haul movement of organic baking materials from England. Instead organic grain will be sourced in East Lothian, milled on the proposed site on a trial basis and baked in Edinburgh, all

within a 30 mile radius. Traceability of raw materials is becoming increasingly important to the consumer. All products from the micro-mill will be labelled with farm of origin. Product will be sold to Breadshare, domestic customers and other producers requiring organic certification for milled products.

- 3.12 The proposed site and operation is a trial site which will process small quantities of grain on a micro-level. The mill will operate for approximately 2 days a week based on present demand and produce c. 250kg of product per week. In the event that the trial is successful, alternative, more permanent premises will be required on a larger scale.

4.0 ANALYSIS AGAINST PLANNING POLICY

4.1 Relevant local planning policy is contained within the Scottish Borders Consolidated Local Plan 2011. This Plan is shortly to be superseded by the new Local Development Plan, but the detail of the main policies against which the application would be assessed remains substantially the same.

Policy D1 Business Development in the Countryside

4.2 Policy relating to business development/ diversification in the countryside includes the following requirements in respect of the proposal:

- The development must be used for a use which is appropriate by its nature to the rural character of the area; or
- The development is to be used for a business or employment generating use provided that the Council is satisfied that there is an economic and/ or operational need for the particular countryside location, and that it cannot be reasonably accommodated in the Development Boundary of a settlement.
- The development must respect the amenity and character of the surrounding area;
- The development must have no significant impact on surrounding uses, particularly housing;
- The developer will be required to provide evidence that no appropriate existing building or brownfield site is available;
- The development must take account of accessibility considerations.

Assessment

4.3 The Portakabin is required in order to provide a satisfactory environment within which a trial can be conducted whereby flour can be made on a micro-scale within a 'food-safe' environment which meets with food safety standards. The Portakabin will have 2 rooms, one which will be used for production, and the other for rodent-proof storage of grain and milled product.

4.4 Whilst RMR Ltd, the Applicant, is owned and controlled by Mr and Mrs Walker, they, alone, do not have full control of the Farm Partnership, there being 4 other sibling/ parent family members involved. Further, the farm buildings and steading are not at the disposal of the Applicant as all the agricultural land and agricultural buildings are let, annually, on an agricultural licence to a local farmer.

- 4.5 Notwithstanding this point, the production of food products, albeit on a micro-scale is not compatible with the housing and handling of livestock for which the farm buildings are used by the tenant. An approved food-safe environment is an essential requirement of this proposal. Separation of these incompatible activities is essential. It should also be noted that the steep hill (unsurfaced farm track) which forms the 600m distance from Spruce House to Romanno Mains Farm is frequently impassable in winter, other than by agricultural vehicle.
- 4.6 Crucially, the siting of the trial micro-mill at Spruce House will enable Mr and Mrs Walker to operate this facility from the same location as their other significant business interests including Walker Technology Solutions Ltd (IT Operational Support & Project Services for a significant number of major international companies) and Estate Management involvement in the Farm Partnership. Both these businesses are operated from Spruce House.
- 4.7 The Portakabin will be visible from Spruce House. This is an important security consideration, given continuing rural crime levels in the area. A small selection of articles below provide examples of crime incidents- rural crime is an ongoing reality in the area.

Fig 3: Alert issued by Scottish Borders Police – 27th August, 2015

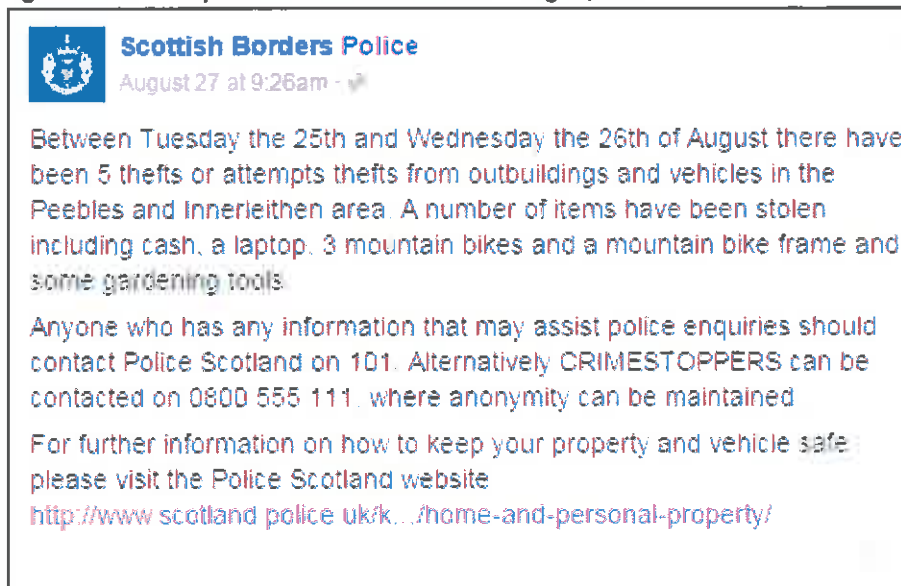


Fig 4: Alert issued by Scottish Borders Council/ Police Scotland -18th August, 2015

This is a message sent via Scottish Borders Alert (SB Alert). This information has been sent on behalf of Scottish Borders Council

Message sent by

Kirsty Nelsh (Police Scotland, Oldstable, Scottish Borders)

Yesterday (17th of August 2015) sheds in the Peebles and Jedburgh area have been broken into. The thieves have stolen power tools, golf clubs and a bicycle.

Anyone with information regarding these thefts, please contact 101.

When considering the security of sheds and outbuildings there are 2 main considerations, the area where the shed/outbuilding is located and the shed/outbuilding itself.

Always consider whether a shed or outbuilding provides suitable security for valuable items. If in doubt items should be secured within the home.

For further advice please visit the Police Scotland website.

<http://www.scotland.police.uk/.../secure-your-garden-and-outb...>

Fig 5: BBC news article, June 2014

Call for vigilance after spate of thefts in Borders

8 June 2014 South Scotland

Police have asked residents in the Scottish Borders to be extra vigilant after a spate of vehicle and diesel thefts over the weekend.

In the early hours of Saturday, a Landrover worth about £20,000 was stolen from a farm in Innerleithen.

A Mitsubishi was taken from Muirleuch Farm, Lauder, at midnight on Saturday

And several properties in Innerleithen, Stow and Heriot also reported that various quantities of diesel had been stolen in the past 48 hours.

Local community inspector Tony Hodges said: "Both of these vehicle thefts have happened in fairly remote locations and we have also taken a number of reports this weekend in relation to the theft of diesel from similar rural locations.

"I would ask that those living in rural areas of Tweeddale, Lauderdale and the A7 corridor north of Galashiels take extra steps to secure vehicles, outbuildings and outside diesel tanks."

- 4.7 The land associated with Spruce House and owned by Mr and Mrs Walker is shown overleaf. The proposed site was occupied between 1999 and 2007, formerly housing a Portakabin (1999 – 2003) and a static caravan until 2007. Further, the site is adjacent to an existing large (c. 50 sqm) storage shed and is not visible from any neighbouring properties, nor from the public road. It is, however, close to, and visible from, Spruce House which is a key point in terms of security and operational requirement.

Fig 6: Location of proposed portakabin adjacent to existing storage shed



Policy H2 Protection of Residential Amenity

- 4.8 Policy relating to Protection of Residential Amenity requires that development must not have an adverse impact on the amenity of existing or proposed residential areas. Development will be assessed against the principle of development and details including:
- The scale, form and type of development in terms of its fit within a residential area;
 - The impact of the development on existing and surrounding properties particularly in terms of overlooking and loss of privacy;
 - The generation of traffic or noise;
 - The level of visual impact.

- 4.9 The Portakabin will be located a distance of 65 metres and 75 metres from the nearest two houses on Halmyre Loan (nos. 8 and 9 respectively). There will be no overlooking or loss of privacy. The northern boundary of the land associated with Spruce House has a 30 metre wide coniferous woodland providing a robust boundary between the site and houses on Halmyre Loan.
- 4.10 In terms of potential noise impact, it is noted that the Council's Environmental Health Officer had no objections, subject to the imposition of a planning condition, stating: *"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 NR30 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 discernable tonal component. Tonality shall be determined with reference to BS 7445-2. The Unit shall be maintained and serviced in accordance with the manufacturer's instructions so as to stay in compliance with the aforementioned noise limits"*
- 4.11 The above noted condition is acceptable to the Applicant who will be willing to have an acoustic survey carried out, if required. In this regard, it is noted that the Council has used the following condition in respect of a recent single wind turbine consent. A similar, appropriately worded condition could be equally applicable to the current development proposal if deemed to be necessary.

Fig 7: Example Planning Condition used in respect of single wind turbine (ref:14/00169/FUL)

In the event that a written request to do so is made by the Planning Authority to the Operator (following a complaint made to Scottish Borders Council with respect to noise emissions from the wind turbine hereby consented), the Operator shall arrange for, and commission at its own expense, an appropriately qualified independent consultant to carry out an assessment of the level of noise imissions from the wind turbine (inclusive of existing background noise), and prepare a report of the results of the same assessment. Unless otherwise agreed in writing and in advance by the Planning Authority, a scheme of details outlining the scope of this assessment (including the individual or organisation to be commissioned to carry it out, and the period of time during which the monitoring work would be undertaken) shall first have been submitted to, and approved in writing by, the Planning Authority within no more than 14 days (2 weeks) of the date of the Planning Authority's initial request for such an assessment to be carried out.

Again, and unless otherwise agreed in writing and in advance by the Planning Authority, the results (report) of the said monitoring shall then be submitted to the Planning Authority for its appraisal within no more than one calendar month (4 weeks) of the conclusion of the monitoring period and within no more than 6 weeks of the date of the Planning Authority's initial request that such an assessment be carried out. In the event that these results indicate that the noise output from the turbines is in excess of any of the limits defined in Planning Condition No 6 above, the installation shall be shut down or, if agreeable to the Planning Authority, shall be limited in its operation in accordance with a written scheme of details that shall first have been agreed in writing by the Planning Authority and within no more than one calendar month (4 weeks) of the conclusion of the monitoring period of the noise monitoring work. Please see Informative Note 2 for additional information and advice with respect to how the requirements of this planning condition would be appropriately met. Reason: To help protect the private amenity of householders living in the vicinity of the development.

- 4.12 It is noted that the Case Officer appears to consider the proposed use to be within Class 5 in terms of the Use Classes Order (Scotland). It is, however, asserted that the proposed use more appropriately falls into Class 4 Business – Light Industry, as the proposed use can reasonably be carried out within a residential area without causing detriment to the amenity of the area.
- 4.13 It is noted that the Council's Economic Development Section has no objections to the application, stating in their consultation reply, *"The Economic Development section have reviewed the above application along with the supplementary supporting information in respect of the business project this application is concerned with. The Economic Development Section has no issue with this application."*
- 4.14 The Applicant has received strong support from Scottish Enterprise for the project with £110,000 matched funding authorised at the end of August. This project is clearly viewed as worthy of support. A letter of support from Breadshare is included with this Statement, as is Breadshare's Business Plan. RMR Ltd is responsible for the implementation of the micro-mill, as set out in the Business Plan.
- 4.15 This proposal is for a micro mill on a trial basis. Grain will be delivered to it by the Applicant once a week using the business' existing small van which is used to deliver bread. There will thus be no disturbance from delivery vehicles.

CONCLUSIONS

- 5.1 This application is for a Portakabin which will house a micro-mill which is to be operated as a trial for milling organic produce for Breadshare CIC in accordance with the company's business plan.
- 5.2 The specific location is essential to enable RMR Ltd to operate the facility in conjunction with their other business interests; a key point as the site is firmly a trial facility. The specific location is also required for security reasons and in terms of the requirement to achieve a certified 'food safe environment'.
- 5.3 The farm land and buildings are not at the disposal of RMR Ltd, being let, annually, to a local farmer.
- 5.4 Environmental Health has confirmed that there is no objection and have suggested a planning condition be imposed. This is acceptable to the applicant and a further form of condition has been suggested.
- 5.5 Economic Development has confirmed that there is no objection. Scottish Enterprise has confirmed £110,000 of matched funding for the project. The proposal benefits a small Scottish borders based business, RMR Ltd and the CIC, Breadshare.
- 5.6 The site is not visible from any public place and is screened from the nearest house (65 metres to the north) by a 30 metre wide coniferous woodland.
- 5.7 Overall, this application for temporary consent to enable RMR Ltd to trial the operation of a micro-mill, principally to support a Community Interest Company, and to enable RMR Ltd to further diversify is considered to comply with the provisions and intentions of Scottish Borders planning policy, as noted herein.



SCOTTISH BORDERS COUNCIL

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

PART III REPORT (INCORPORATING REPORT OF HANDLING)

REF : 15/00682/FUL
APPLICANT : Romano Mains Renewables Ltd
AGENT :
DEVELOPMENT : Siting of portacabin for use as flour mill
LOCATION: Land North West Of Spruce House
Romano Bridge
West Linton
Scottish Borders
EH46 7BJ

TYPE : FUL Application

REASON FOR DELAY:

DRAWING NUMBERS:

Plan Ref	Plan Type	Plan Status
	Location Plan	Refused
	Site Plan	Refused
	Floor Plans	Refused
COMBI MILL	Brochures	Refused
COMBI MILL	Brochures	Refused

NUMBER OF REPRESENTATIONS: 0

SUMMARY OF REPRESENTATIONS:

No representations.

Roads Planning Section: no objections.

Environmental Health Section: has the potential to cause noise annoyance and condition is recommended to address this. Food production is regulated by EH, and an informative to this effect is recommended.

Economic Development: has reviewed the above application along with the supplementary supporting information in respect of the business project this application is concerned with. The Economic Development Section has no issue with this application.

PLANNING CONSIDERATIONS AND POLICIES:

Consolidated Scottish Borders Local Plan 2011

Policy D1 - Business, Tourism and Leisure Development in the Countryside

Policy G1 - Quality Standards For New Development
Policy H2 - Protection of Residential Amenity
Policy Inf4 - Parking Provisions and Standards
Policy Inf11 - Developments that Generate Travel Demand

Scottish Borders Council Proposed Local Development Plan 2013

Policy ED7 - Business, Tourism and Leisure in the Countryside
Policy HD3 - Protection of Residential Amenity

Recommendation by - Stuart Herkes (Planning Officer) on 14th August 2015

ADDENDUM - 28 SEPTEMBER 2015

Planning Application 15/00682/FUL was recommended for refusal on 14 August. However, the Decision Notice could not be released at that time, because the Applicant had not settled an outstanding advertisement fee.

At the time of the request for the outstanding fee, the Applicant was advised that the application had not been supported. In response to this advice, the Applicant advised that it wished to provide additional information in support of its application. Since this information could still be provided ahead of any opportunity that the Planning Authority would otherwise have had to release the Decision Notice, it has been necessary to take account of this additional advice within the determination of the planning application. To this end, the Applicant and Planning Department concluded a Processing Agreement for the purpose of regulating both the provision of the outstanding fee and additional information by the Applicant, and the re-determination of the application in light of this additional advice by the Planning Department.

The Applicant has now provided this additional information, most recently in a form received on 15 September (which itself followed an earlier version of the same submission, sent on 11 September). This information has been reviewed, and this addendum is essentially a report of that review and a consideration of the implications for the original planning decision.

For clarity, this is an addendum to the original Report of Handling that was reviewed on 14 August. The original report is maintained in full and in the form in which it was written, and is copied below. Both the original report and this addendum should be read together as the planning officer's assessment of the application. However, the addendum is an update on the original advice. It specifically addresses the information that the Applicant has provided in the period since the application was originally determined on 14 August (henceforth referred to as "the additional information"), with a view to establishing whether or not this advice constitutes grounds for revising the original decision.

With respect to the current assessment (that is, the assessment of this addendum), critical considerations are:

- (i) whether or not the additional information introduces any new or amended details that were not before the decision-maker at the time of the determination of the application on 14 August;
- (ii) if so, whether or not these new or amended details are material to the planning decision;
- (iii) and if so, whether or not these new or amended details individually or cumulatively, require any reassessment of the proposal, and the planning decision that was previously reached.

The Applicant for its part, has provided three documents. These are: (i) a planning supporting statement, (ii) a business plan of the bakery business ('Bakeshare'), a Community Interest Company, which wishes to engage the Applicant as the operators of the proposed flour mill, and (iii) a letter of support from the bakery business. (The Applicant has requested that the bakery business' business plan not be included within the public record).

The Planning Statement, prepared by Ericht Planning and Property Consultants, is a 14-page document. It describes the proposal as a "micro scale" flour mill (or "trial micro-mill"), and seeks to demonstrate that the

proposal is compliant with planning policy. It notes advice from the Planning Officer to the Applicant, that the proposal was not considered to comply in principle with Adopted Local Plan Policy D1 on the basis that: (i) the proposal would be more reasonably accommodated within the Development Boundary of a settlement, rather than in its proposed location; and (ii) the Applicant had not demonstrated any overriding economic and/or operational need for operation from this particular countryside location.

With regard to the proposal, it adds that the portakabin would measure: "3.06m x 10.27m". No height or third dimension is given. It would occupy the site of what had previously been the site of a portakabin (1999 to 2003) and a static caravan (up until 2007). It is further advised that this portakabin would accommodate two rooms: one for production; the other for storage. The production room would contain a stone-combi-mill 500 MSM (2003) with a Crypto Peerless EC20 Mixer; and that there would be no other automated equipment in operation, either within, or out with, the portakabin. The mill would operate for approximately two days a week (during daytime hours), based on present demand and produce 250kg of product per week. The Applicant is agreeable to a planning condition along the lines indicated by Environmental Health with respect to the regulation of noise impacts. Issue is taken with the proposed operation being identified as a Class 5 industrial use. It is advised that it could be operated in a residential area without causing disturbance to neighbours, and therefore would more appropriately be considered a Class 4 use.

It is clarified within the Planning Statement that the proposal is only required on a temporary basis (3-5 years), to accommodate a trial small-scale flour-milling operation (or small-scale milling business model). This trial or model operation is required, in turn, to allow the bakery business to assess the viability of operating small-scale flour milling as part of 'satellite bakeries' throughout Scotland. If the trial operation were successful, more permanent premises would thereafter be sought, on a larger-scale.

With respect to the relationship between the bakery business and the Applicant, it is advised that the latter is a key player in the delivery of the former's business plan. The Applicant has secured funding from Scottish Enterprise for the venture, which the Planning Statement advises, would significantly benefit two businesses.

It is confirmed that notwithstanding one of its operators being a partner within the farm business, the Applicant itself does not have control of the farm buildings, which are let to another and unrelated farm business. However, it is maintained that since the micro-mill requires a food-safe environment, separation from the agricultural operations based at the farm, would in any case be sought.

In addition to the Applicant, it is advised that the owners also operate an IT operational support and project services business from their home, along with their estate management duties and responsibilities. The owners would wish to operate their business from the premises where they are currently resident, and advise that this is in the best interests of security. Concerns with respect to break-ins and thefts in the area are highlighted.

In the supporting statement it is advised that the proposal would comply with Policies D1 and H2.

Other supporting documents provided by the Applicant are a letter of support from Breadshare, the bakery business, and the latter's business plan 2014 to 2016. These confirm the advice of the supporting statement that the proposal is a model or trial operation, intended to former an anticipated wider roll-out of small-scale mills to service the bakery.

The supporting information has usefully clarified some details with respect to the Applicant; the Applicant's owners businesses; the Applicant's relationship to the farm business; the Applicant's relationship to the bakery business; the history of the site; and the details and composition of the proposal itself. The advice that the proposed operation at this site would not have any unacceptable impacts upon the amenity of neighbouring residential properties, agrees with the assessment of the Report of Handling and as the Applicant notes, might be appropriately regulated by the type of planning condition indicated by Environmental Health. The point with respect to whether or not the proposal should be considered a Class 4 or a Class 5 use is a redundant point with respect to the assessment required under Policy D1. The advice with respect to the days of operation and amounts of product produced on a weekly basis, do not raise any concerns at the limits and levels indicated, but do not tie the proposal down to any limits. To some extent, it might reasonably be expected that the small-scale of the proposal and a temporary approval, would be limiting factors in themselves, but as noted in the Report of Handling, concern needs to be had to the principle of this proposal. Notwithstanding that this is a temporary and small-scale proposal, acceptance of the principle, would be liable to promote a permanent and larger-scale proposal in the same location in the

long-term. Accordingly, there is a concern to consider whether or not the proposal would comply in principle with Policy D1 or justify an exception to this same policy.

With respect to the assessment under Policy D1 however, it is not considered that the Applicant has provided any advice that substantially affects or changes the position already set out in the Report of Handling.

Firstly, there should be no confusion between the Applicant and the bakery business. Regardless of its aspirations with respect to sustainability and rural employment opportunities, the bakery business' plan does not make any case in operational terms, for the need to operate from this particular rural location, or indeed from any rural location. The Applicant and the bakery business have an established and successful business relationship and understandably wish to continue and to expand this, but this in itself does not substantiate operation from the particular site in planning terms. The proposed site continues to appear entirely incidental, rather than fundamental, to the proposal, particularly when this is situated within the context of the bakery business' business plan.

Secondly, although the Applicant reasonably recognises that the proposal would be temporary and appears to indicate that it would then look beyond the site were the trial operation to be successful, it also advises of its concern to operate from this particular site for both reasons of convenience and efficiency (its owners already reside here and supervise, or help supervise, three other business concerns from this particular site) and security (its concern to maintain an on-site presence to deter theft). Moreover, no particular long-term arrangement is outlined, let alone detailed, with respect to how it is anticipated that any longer-term and larger operation would then be accommodated, were permanent premises to be sought at a subsequent occasion. Without any greater commitment or clarification with respect to the Applicant's own business plan, the additional information does not provide any greater reassurance than the advice which was before the decision-maker on 14 August. The risk remains that the Applicant has not given full and due consideration to how it would seek to accommodate the mill in the long-term, and any approval, even temporary, would be liable to result in a proposal for the same site. This has potential to result in an industrial or light industrial use becoming established contrary in principle to Policy D1 of the statutory development plan, and also Policy ED7 of the emerging Local Development Plan.

Thirdly, no account can reasonably be given to any business owners' concern to live on-site for security reasons. At least, it is reasonable that they should first explore more appropriate options in planning terms. In this case, and given that there is no inherent requirement for the use to be accommodated in a rural area or in this particular location, secure storage would be more reasonably provided by an existing industrial unit within the Development Boundary, where appropriate security arrangements might already be in place, or could more readily be put in place, to facilitate secure storage. It is not considered that the Applicant has made any case for an exceptional approval on the grounds that it could not otherwise provide appropriate secure storage for its business premises elsewhere.

All in all, and notwithstanding the addition of useful information and details which help better explain the context of the proposal, it is not considered that any different view would be appropriately reached on the basis of the additional information the Applicant has provided. Accordingly, the recommendation of the original Report of Handling is hereby maintained.

REPORT OF HANDLING (AS SUBMITTED ON 14 AUGUST 2015)

SITE DESCRIPTION, PROPOSED DEVELOPMENT AND RELEVANT BACKGROUND

This application proposes the siting of a portacabin adjacent to an existing agricultural shed to accommodate a food safe premises for the milling of organic grain into flour. The latter is an intended new business venture for the Applicant, Romanno Mains Renewables Ltd (RMR).

This is a company based at, but operated separately from, the agricultural holding at Romanno Mains and Halmyre Deans Farms. Its primary business activity would appear to be the processing and distribution of logs and kindling for firewood (although the company name suggests that it may have, or have had, some interest in green energy production). In any event, it has sought to diversify its business activities in recent years. In 2012 and utilising its existing firewood delivery vehicle, it won a contract to distribute bread then being produced by a bakery operating in the near vicinity, and has succeeded in servicing this need to the present day, despite the re-location of the bakery concerned, to Edinburgh in the interim period. Having

developed a good working relationship with the same bakery, the Applicant now proposes to produce flour at the site for use by the bakery.

The proposal would be the first stone-ground flour mill in Scotland milling organic Scottish-grown grain. It would be operated as part of a joint-venture with the bakery which the Applicant already works for, as its distributor within the Edinburgh area. At present the bakery works within a much wider and more far flung supply network, but is seeking to develop local sources and contacts within a 30 mile radius, inclusive of the present proposal.

It is advised that the proposed portacabin would replace another portacabin that had until recently, occupied the site, having been in situ since 1999. This portacabin had been removed from the site before the occasion of the planning officer's site visit. However, the site in question does appear to be a small yard area primarily associated with an existing agricultural shed. The latter is itself understood to have been the subject of a prior notification in 2007 (07/00274/AGN). Sited as proposed, the portacabin would largely be concealed by trees either side of the agricultural track that leads to the shed, while the shed itself, would further strengthen visual containment of the site.

The owners of RMR reside in a nearby residential property, 'Spruce House', to the immediate southeast of the site.

The principal link between RMR and the agricultural business which owns Romano Mains and Halmyre Deans Farms, is that one of RMR's two co-owners, is also one of the five co-owners of the agricultural holding. More particularly, RMR manages and utilises some of the interests and resources of the farm business that are the responsibility of the mutual co-owner; namely the agricultural holding's forestry resources. However, and notwithstanding the overlap in interests between the two businesses with respect to the effective management of the holding's forestry resources, these are separate businesses.

The Applicant has been asked to clarify the percentages of their income that are derived from agriculture, firewood production, and bakery deliveries, but has declined to give any specific answer in these terms, advising instead that while none of the agricultural holding's forestry areas (around 10 percent of the holding) are let, conversely much, but not all, of the grazing land, is let, along with some of the holding's buildings. With respect to the income of RMR, or at least the income of its owners, it is advised that they do not derive "any tangible income from the farm", hence they advise, the need for them to seek to broaden their business activities.

PLANNING PRINCIPLE

Notwithstanding that the proposal is for a temporary building, it requires to be assessed against the requirements of Adopted Local Plan Policy D1, as a business development in the countryside. Since it is an industrial use, it more specifically requires to be assessed against the requirements of Criterion 3. The latter requires the Planning Authority to be satisfied that there is an economic and/or operational need for the particular countryside location, and that this need cannot more reasonably be accommodated within the Development Boundary of a settlement.

Notwithstanding that flour milling was once universally the preserve of farms, there is no locational reason why the milling process in this case, would necessarily have to take place in a rural area, let alone in this particular rural area.

Given that the process would be contained within a portacabin, there would appear to be a relatively high level of flexibility with respect to the practicalities of accommodating the particular milling operation concerned, which in themselves suggest that other arrangements - such as operation from an industrial unit or bakery - may be just as viable, and potentially more desirable, where the milling operation could be located in more immediate proximity to the source of the grain to be used, or to the place of manufacture of the bread to be produced. Given that the former is East Lothian, and the latter is Edinburgh, the site does not fall within any area within which, or on any route along which, the grain would inevitably have required to be transported. The involvement of the site within this process, would entail a detour specifically to access the site.

Taking account of the above, it is apparent that the proposal does not comply in principle with Criterion 3 of Policy D1. The need would be capable of being more reasonably accommodated within the Development

Boundary of a settlement, rather than within a rural and agricultural setting, let alone at this particular site. In short, there is no justification for the proposal to be sited in this countryside location, and accordingly the proposal does not comply in principle with Policy D1.

Notwithstanding the above however, the Applicant has advised that the proposal is necessary to help diversify the activities of its established farm-based business and support a co-owner of an agricultural business, and that there are economic and operational reasons why it requires to be located as proposed. Consideration might therefore also be given as to whether or not there are grounds for the proposal to be made the subject of an approval as an exception to Adopted Local Plan Policy D1.

ECONOMIC NEED AS A MATERIAL CONSIDERATION

The Council's Economic Development Section has reviewed the details provided in support of the business need, and has advised that it has no concerns. However, this advice in itself, does not address any planning concern to establish whether or not there is an economic need for the proposed development to be sited and operated at this particular countryside location.

In planning terms, economic need is only reasonably assessed with respect to whether or not the proposal would help support and maintain a business that otherwise has an appropriate economic justification for being located and operated from this particular countryside location, and/or whether or not the proposal would otherwise be a logical and reasonable extension of any established business activities in which that existing business is already engaging.

Assessment of economic need might have benefitted from clarification from the Applicant with regard to the percentages of its income that are derived from its various business activities. The only matter with respect to RMR's business activities that has been established relatively clearly within the supporting information, is that RMR's income is not derived from agriculture. It is however unclear whether RMR is still substantially engaged in the processing of firewood as its core and main business activity, or whether its income is now substantially and/or increasingly derived from the servicing of the bakery delivery contract. Despite a direct request for such information from the planning officer however, the Applicant has not provided any clarification as to what its core business activity now is. Moreover, the Applicant has not otherwise provided any detailed business case which allows for any direct assessment to be made of the economic need for the mill. The proposed mill is essentially presented as a new business venture, with no justification beyond the Applicant's concern to develop its existing partnership with the bakery business. Moreover, this would be also a joint-venture with the same bakery, which itself has no pre-existing presence at the site, or economic requirement to operate at this site.

The potential for the proposal to benefit the business itself, and allow it to grow, and to grow in a different direction, is self-evident. The critical point however, is whether there is any overriding requirement for this proposal to be located as proposed, and in spite of the requirement of Policy D1 that it should not otherwise be more reasonably accommodated within the Development Boundary. It is however, unclear from the partial information provided by the Applicant, whether or not the mill would in fact reasonably be capable of characterisation as a sideline or secondary venture of a business with its core activities still within the working and management of the resources of the agricultural holding upon which it is based. Or whether the bakery sidelines are, or are liable, to become the main activities of the Applicant. The bakery for its part, has no connections to the particular site or agricultural holding, beyond its recent contracting of the Applicant to carry out its deliveries.

Even allowing that the Applicant is still predominantly engaged in the management, harvest and processing of the holding's forestry resources, there is no logical or reasonable connection between these activities and a micro-mill for flour production. The latter is an entirely separate and unrelated business venture, and use of the delivery vehicle aside, is not an obvious sideline to firewood processing. It would not readily benefit from any equipment, machinery or materials that are already used or processed by the firewood processing business. The mill in its entirety, would have to be brought into the site, and therefore it is not an activity that might be commenced, in whole or in part, by redeploying its existing resources.

With respect to the proposal's relationship to any other existing and established business activities currently taking place on site, it is apparent that the proposal would be building on RMR's existing but still relatively new relationship, with the bakery for which it currently provides the bread delivery service. Given that the latter has only been operating since 2012, this is not yet an established use. In any event, in planning

terms, there is still no logical or self-evident relationship between the storage of a vehicle originally acquired for firewood deliveries but redeployed within a bakery delivery service, and the siting and operation of a micro-mill. The latter would go beyond the secondary use of a resource (delivery vehicle) of the original firewood processing business, and is not a logical or natural progression from the Applicant's current activities.

There is consequentially no immediate or logical progression in planning terms, from a firewood processing business that is well-related to the resource it processes (the woodlands of the surrounding agricultural holding), to a proposal with no obvious justification to be operating from at a rural site, let alone at this rural site, even taking account of the particular business activities that are currently based there.

The Applicant has also advised that the proposal should be seen as farm diversification, and advises that the enterprise would help support a farm-based business. However, given that the Applicant is not in fact a farming business (the farm business which runs both Romanno Mains and Halymre Deans farms, being is a different and separate enterprise), the extent to which this is reasonably described as farm diversification is questionable.

All in all, it is not considered that the Applicant has demonstrated that there is any economic need in planning terms, for the proposal to be sited in this particular countryside location, that would reasonably override the need to determine this proposal in accordance with the requirements of Policy D1.

OPERATIONAL NEED AS A MATERIAL CONSIDERATION

The Applicant has advised that it requires the facility to be located in close proximity to the owners' own home for the efficient operation of the proposal, to allow them to supervise it, and to enable them to maintain their other estate management activities. However, notwithstanding efficiency savings in time, milling is an industrial process, the operation of which is perfectly within the control of the operators, capable of being operated on a regular and predictable basis. There is no inherent requirement for anyone to live on-site on a permanent basis to oversee the mill's operation. There is no inherent requirement for any business operator to live at their business premises for security reasons - this matter is capable of being addressed in other ways, were security to be the primary concern (e.g. security fencing; CCTV).

Nor is the proposal to locate the mill adjacent to the Applicant's owners' property underpinned by any operational requirement of the existing business. It is more reasonably characterised as a preference or lifestyle choice on the part of the individuals involved. It is understandable of course, that they might seek to site the mill at their existing centre of operations, but there is no compelling reason for them to do so in operational terms. Accordingly, it is not accepted that the Applicant has demonstrated that there is any operational need for the proposal to be sited in this particular countryside location, that would reasonably override the need to determine this proposal in accordance with the requirements of Policy D1.

The Applicant has given particular reasons for the choice of site vis-a-vis a location at one or other of the farmyards on the holding, or elsewhere on the farm. These primarily relate to the concern to minimise contamination of a food-making process and avoid conflict with agricultural uses and traffic liable to be operating within the vicinity of the farmyards. These reasons are acknowledged as significant in terms of justifying the particular choice of location within the agricultural holding itself, but do not in themselves demonstrate or justify the need for the proposed mill to be operated on the agricultural holding in the first place. Operationally, it would be capable of being operated off-site within an industrial building or bakery.

Much of the Applicant's justification for the particular proposed siting, appears to relate to its existing control of the land itself, which is not in itself a planning concern.

EXISTING USES AND THE CHARACTER OF THE SITE AS A MATERIAL CONSIDERATION

Although it was only founded in 2011, it is not clear whether RMR took over a pre-existing firewood processing operation at the holding. It might reasonably be expected that the farms have a longer history of managing and deriving an income from their woodland resources, potentially included the processing and distribution of firewood. The building that was the subject of 07/00274/AGN, and the advice that there was a portacabin on the site since 1999, would indicate that RMR took over an established yard area at the site in 2011. However, no planning application has been made for the accommodation of a firewood processing operation at the site. The extent to which the yard might previously have been used for firewood processing

as a primary or ancillary business activity, is not known. However, given that such an activity is consistent with the working and management of the land holding at the farms, including its woodlands, it is not considered that the siting and operation of the activity of firewood processing at the site, reasonably raises any concerns in planning terms. However, in the absence of any planning application having been made for any distinct business use in this respect, and in the absence of any evidence to demonstrate any longer use of the site for firewood processing as a distinctive business use, there is no reason to accept that the site is now in industrial use, as opposed to agriculture. Moreover in its general appearance, the site retains an agricultural appearance, and is not of an industrial character.

The operation of the bakery delivery service, it is advised, dates from 2012, and at that timescale, is therefore, not yet an established use. Beyond this however, it might be added that in 2012, the continued storage at the site of a delivery vehicle that was already in use for deliveries in connection with the firewood processing business, would not in fact have resulted in any discernible change in the character and/or appearance of the site, as it had prevailed up to that point in time. Accordingly, the commencement of operation of the bakery delivery service from the site, cannot in planning terms, reasonably be characterised as promoting the siting of a micro-mill as a well-related and logical progression of operations at the site. The proposed use (micro-mill) is an industrial process, while the bakery delivery service appears to have grown out of an ancillary or secondary use of the firewood processing business' resources.

Since the Applicant's advice that the micro-mill would be accommodated in a portacabin that would be directly sited on the station of a pre-existing (but now removed) portacabin, there may be little difference in the general appearance of the site, were the proposed portacabin directly replacing one that has only recently been removed. Thus notwithstanding its industrial purpose, the proposal nonetheless has potential to accord with an appearance that would not reasonably be objectionable in the particular circumstances of this proposal.

As a consequence of the above, it is acknowledged that in environment and amenity terms, the proposal would be unlikely to have any unacceptable impacts upon the site or the surrounding area. This however, is a requirement that it would in any event, still need to be met in order to address Policy D1, namely Criteria 4 to 8 inclusive. Accordingly its ability to meet these criteria does not reasonably negate its inability to meet Criterion 3 of the same policy.

Regardless of any correspondence in the general appearance of the proposal to what may have been pre-existing, it is not considered that any greater weight should be accorded within the planning decision-making process to this than the need to assess the proposal strictly with respect to the requirements of Adopted Local Plan Policy D1. It is not considered that the potential for the relatively discreet accommodation of the proposal at the site does outweigh its inability to meet Criterion 3 of Policy D1.

THE TEMPORARY AND SMALL-SCALE NATURE OF THE PROPOSAL AS A MATERIAL CONSIDERATION

The Applicant advises that a portacabin is being proposed because this would be more financially viable at the outset of production, but the intention is to seek permanent accommodation within a three to five year timescale. No advice is given as to where any permanent accommodation would be located.

As a temporary building, the Planning Authority would retain the ability to re-assess the proposal within the space of a few years. However, approval of the proposal, even as the necessary subject of a temporary consent, would be tantamount to the acceptance of the principle of the operation of a micro-mill at the site. This is because there are no explicit proposals to relocate the mill operations to a more appropriate venue in the middle to long-term, and therefore no particular reason to suppose that the Applicant would seek to accommodate the micro-mill within the Development Boundary, and away from the site.

In essence, and without any indication of a long-term plan to accommodate a micro-mill in a more appropriate location, approval of the current application would risk being tantamount to an acceptance of the principle of a mill being accommodated at the site. Accordingly, some concern needs to be taken of the acceptability or otherwise of the principle of a micro-mill being sited as proposed, and regardless of the temporary nature of the proposal.

It also has to be acknowledged that the proposed facility is relatively small-scale, and as noted above, is capable of being accommodated as an infill that would not have any unacceptable impacts in its

appearance, if the site did accommodate a portacabin up until relatively recently. However, approval of the current proposal, might then in time promote an application for a larger development or operation at the site, which at any greater size, would be liable to be out-of-scale, and not in keeping, with the highly constrained nature of the existing small yard.

While both the temporary and small-scale nature of the proposal are favourable aspects in themselves, it is not considered that either are overriding considerations vis-a-vis the need to assess the proposal in accordance with Adopted Local Plan Policy D1. Further approval, certainly in the absence of any long-term plan to accommodate the use elsewhere, would only be liable to promote in the longer term further proposals at the site, if not for the siting and use of the portacabin as a mill to be continued, then for a permanent and larger development to service the same use.

OTHER CONCERNS

If supported, the proposal should be made the subject of a temporary consent only, since a portacabin is a temporary building by nature, and approval would only be appropriate where the length of time it would be in place is regulated.

The use of a darker or organic colour for the portacabin would help make it visually more recessive when glimpsed through the trees or at distance, along the farm track. This could be made the subject of a planning condition in the event of approval. Subject to this, and particularly given the advice that it would replace a pre-existing portacabin, there would be no concerns with respect to the proposal's appearance. Due to distances of set back, it would be unlikely to impact those trees in closest proximity to it unacceptably, particularly since the platform to accommodate it, substantially, if not wholly, exists. However, given the strength in depth of surrounding trees, any limited potential to damage surrounding trees is not objectionable.

In the supporting statement it is advised that the Applicant would also seek to sell 1kg bags of flour but it is not made clear how these would be sold. In the event of approval it would be appropriate to require that the premises not be used as a shop.

Equipment to be operated on-site are identified as being a combi-mill and a mixer, which would both be accommodated within the portacabin.

The Applicant's cite an example of what they advise is a micro steel mill operating on a farm in East Lothian, which they advise is a good example of farm diversification. The particular circumstances of the proposal referred to, are not known, and are not in any event, considered to provide any precedent or particularly significant material consideration, relative to the current proposal.

There are no roads concerns. Environmental Health's concerns are capable of being addressed as per its advice; namely, by imposing a condition to regulate noise, and an informative to advise with respect to food production.

The details provided to describe both the appearance and siting of the portacabin are inadequate for the purposes of development control but could readily be made the subject of planning conditions, if approved.

CONCLUSION

The proposal does not comply with the requirement of Adopted Local Plan Policy D1 in that the proposal would more reasonably be accommodated within the Development Boundary of a settlement rather than in this particular location. Although the proposal would be temporary and small-scale in nature, and although it would provide an additional source of income for an established business, which is already operating from the site, the Applicant has not demonstrated an economic and/or operational need for the particular countryside location, let alone one that overrides the need to assess this proposal in accordance with the requirements of Adopted Local Plan Policy D1. Accordingly, the application should be refused.

REASON FOR DECISION :

The proposal does not comply in principle with Adopted Local Plan Policy D1 in that the proposal would more reasonably be accommodated within the Development Boundary of a settlement rather than in this particular location. Further, the Applicant has not demonstrated any overriding economic and/or operational need for this particular countryside location.

Recommendation: Refused

- 1 The proposal does not comply in principle with Adopted Local Plan Policy D1 in that the proposal would more reasonably be accommodated within the Development Boundary of a settlement rather than in this particular location. Further, the Applicant has not demonstrated any overriding economic and/or operational need for this particular countryside location.

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

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

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

Application for Planning Permission

Reference : 15/00682/FUL

**To : Romanno Mains Renewables Ltd Per Jackie Walker Spruce House Romanno Bridge
Scottish Borders EH46 7BJ**

With reference to your application validated on **16th June 2015** for planning permission under the Town and Country Planning (Scotland) Act 1997 for the following development :-

Proposal : Siting of portacabin for use as flour mill

at : Land North West Of Spruce House Romano Bridge West Linton Scottish Borders EH46 7BJ

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

**Dated 28th September 2015
Regulatory Services
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**



Signed

.....
Chief Planning Officer

APPLICATION REFERENCE : 15/00682/FUL**Schedule of Plans and Drawings Refused:**

Plan Ref	Plan Type	Plan Status
	Location Plan	Refused
	Site Plan	Refused
	Floor Plans	Refused
COMBI MILL	Brochures	Refused
COMBI MILL	Brochures	Refused

REASON FOR REFUSAL

The proposal does not comply in principle with Adopted Local Plan Policy D1 in that the proposal would more reasonably be accommodated within the Development Boundary of a settlement rather than in this particular location. Further, the Applicant has not demonstrated any overriding economic and/or operational need for this particular countryside location.

FOR THE INFORMATION OF THE APPLICANT

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

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

SCOTTISH BORDERS COUNCIL
PLANNING AND BUILDING STANDARDS COMMITTEE

4 AUGUST 2014

APPLICATION FOR PLANNING PERMISSION

ITEM:	REFERENCE NUMBER: 14/00533/FUL
OFFICER:	Stuart Herkes
WARD:	Tweeddale West
PROPOSAL:	Change of use from village hall to bespoke furniture-making business
SITE:	Newlands Hall, Rommano Bridge, West Linton
APPLICANT:	Newlands Community Development Trust
AGENT:	Jane Dickson (Director)

SITE DESCRIPTION

The site is an existing village hall building ("Newlands Parish Memorial Hall"), which lies at the southern extremity of an established building group at Halmyre Mains Cottages, and to the east of the A701. It stands at the end of the group, on a line of the former main road before its diversion to the west many years ago.

Other than a tarmac forecourt to its front, the site has very little associated land. To the north and east, it lies immediately adjacent to garden ground within the curtilage of No 8 Halmyre Mains Cottages. Land to the south is agricultural.

PROPOSED DEVELOPMENT

The application proposes that the use of the hall building be changed from village hall to the premises of a furniture-making business. A supporting statement clarifies that the latter would be the core business activity of the proposed unit, which would also provide other joinery services (e.g. small-scale supply-and-cut service) and which at least in the initial stages of this planning application, sought to develop a range of courses and/or classes in DIY and wood turning.

PLANNING HISTORY

None

REPRESENTATION SUMMARY

Six households have responded within fifteen representations, to object and/or raise planning concerns. The concerns raised in the representations, are summarised as follows:

- Contrary to statutory development plan;

- Should be used for benefit of the local community;
- Existing building of historic value and/or sentimental value to local community; requires to be treated with reverence
- Building unsuitable for industrial/commercial use; surrounding area rural; surrounding uses predominantly residential;
- Requirement for existing building to be modified to accommodate proposed use, but no indication of how this would be achieved/accomplished; understood from discussions with Applicant prior to application that there were to be some alterations to the building;
- Proposed use more intensive and not comparable to actual pre-existing operation of Community hall, which was low level and confined to short periods, rarely in anti-social hours;
- Detrimental to residential amenity;
- Adverse impacts upon amenity of building group and countryside;
- Adverse visual impact due to storage of materials, waste, vehicles being stored outside the building;
- Loss of privacy/overlooking from existing windows;
- Noise nuisance due to machinery, traffic, long business hours; existing building unlikely to provide sufficient mitigation;
- Lack of detail with regard to operation, including times of operation;
- Road safety due to increase in traffic, amount and type(s) of vehicle(s) and narrowness and poor quality of access arrangements; poor road conditions in winter; lack of space for larger vehicles to manoeuvre at site;
- Inadequate drainage; potential for more intensive and/or different waste disposal needs associated with different and/or more intensive use of the building; advised inadequacy of existing foul drainage; potential for contamination of septic tank and/or disruption to functioning of septic tank from industrial effluent; with related odour and pollution concerns; considered that foul drainage system needs upgraded;
- Water supply;
- Air quality/dust/odour;
- Potential for further sub-letting of the building to other business users would increase extent of, and/or potential for, adverse impacts;
- Proposed business user's business is wider than furniture-making, taking in other joinery services and set and exhibition design;
- Lack of consultation with local residents;
- Evening classes/courses would extend the length of time that the hall would be in use, which would increase duration of adverse impacts;
- Fire safety; use/storage of gas canisters; welding taking place; fire hydrant;
- Potential for unforeseen consequences beyond the change of use itself, with potential harm to building, and amenity and environment of surrounding area;
- Potential for metalworking;
- Disturbance to local wildlife;
- Road is used by walkers and connects with the Scottish National Trail;
- Need for signage; and
- Light pollution.

APPLICANTS' SUPPORTING INFORMATION

The supporting statement advises that the village hall building has become available for reuse, the former community facility use having been taken over a couple of years ago by the newly established Newlands Centre community hub. However, it is advised that the old hall building is still a community asset, and that the Applicant, the Newlands Community Development Trust, aims to bring it back into a use that could benefit the local area, and which would also help ensure that the building is appropriately maintained.

The proposed business would, initially at least, employ two full-time staff and would provide work and/or experience in some form or another, to another five people. The machinery and equipment indicated, includes a table saw; band saw; planer/thicknesser; sander; lathe; and power tools.

In addition to the aforementioned supporting statement provided at the time of the planning application, the Applicants have also subsequently provided additional information in response to the planning officer's email enquiries. These supporting details include the proposed layout of the business premises itself, and details, mostly indicative, about the noise output liable to be generated by the types of machinery that it is anticipated would be operated by the furniture-making business.

CONSULTATION RESPONSES:

Scottish Borders Council Consultees

Roads Planning Section:

No objections in principle to this proposal. When this property operated as a village hall it had the potential create a significant amount of traffic, and it could be argued that the current proposal would in fact result in a reduction of movements over that of a fully functioning village hall. The difference between the two is obviously the type of vehicles likely to be generated. While there are some concerns with regards to the suitability of the minor public road to cope with larger vehicles including HGVs etc, that could be associated with a small industrial unit, the Applicants have confirmed that the only larger vehicles likely to be associated with the proposals are a delivery vehicle such as a flat bed or small lorry, which would only happen once or twice a month. On balance, it is considered that the application can be supported.

Environmental Health Section:

There has been a particularly lengthy correspondence between the Applicant and the Environmental Health Section specifically with regard to the noise output associated with the operation of the items of machinery that the Applicant has advised would be used within the furniture-making business. This has largely focussed on the tonality of the items of machinery concerned and the times when the Applicant would propose to operate them. Following consideration of the submitted information, Environmental Health concluded that unless the Applicant was able to provide a binding undertaking that there would be no machine-work in the evenings, a site-specific report prepared by a professional acoustician, detailing the likely noise impacts specifically relating to the tonality of operations during evening hours, would be required. Since the Applicant has

given an agreement in writing not to operate the machinery outwith the recommended working hours, Environmental Health has confirmed that it would be content that no noise assessment would be required, and that no objection would be raised, subject to the imposition of planning conditions to regulate:

- noise levels,
- the timing of deliveries and despatches to and from the site, and
- the limitation in time of the operation of wood processing and manufacturing machinery, to Monday to Friday 0730 – 1900, and Saturdays 0900 – 1300.

In addition to those measures already noted to regulate noise impacts, Environmental Health has also identified a requirement for the adequacy of the drainage system for the proposed use, to be established, and if necessary, for the drainage system to be upgraded in advance of the commencement of operations.

Economic Development Section:

Support and encourage this proposal, for the following reasons:

- (a) it enables employment in a rural location, and includes the possibility of apprenticeships to engage and develop young people;
- (b) making bespoke items of furniture contributes to the Borders craft sector and could have a low impact on the properties' environs and neighbours;
- (c) it enhances the vibrancy of this area through economic activity and the skill development available to all ages;
- (d) there is no loss of any community resource as this has already relocated; and
- (e) it makes use of a disused community asset which would otherwise remain empty, and in the longer term would incur costs due to deterioration.

Statutory Consultees

Lamancha, Newlands and Kirkurd Community:

Happy to confirm agreement, subject to the following points:

- (1) the noise from the machinery and other potential environmental issues would not impact adversely on the local community;
- (2) lorries delivering raw materials and collecting finished products would similarly not impact greatly on the community;
- (3) adequacy of the infrastructure and sewage system.

The Community Council felt that these matters were not adequately addressed and trust therefore that SBC will consider these matters fully.

DEVELOPMENT PLAN POLICIES:

Consolidated Scottish Borders Local Plan 2011

Policy D1 - Business, Tourism and Leisure Development in the Countryside

Policy EP5 - Air Quality

Policy G1 - Quality Standards for New Development

Policy H2 - Protection of Residential Amenity

Policy Inf4 - Parking Provisions and Standards

Policy Inf11 - Developments that Generate Travel Demand

Policy Inf12 - Public Infrastructure and Local Service Provision

KEY PLANNING ISSUES:

- Whether or not the proposal would result in an unacceptable loss of a community facility;
- Whether or not the proposed furniture-making use (which is both an industrial use and a business use) would be appropriate in principle to this rural site and countryside location; and
- Whether or not the proposed furniture-making use is capable of being accommodated in this building and in this location, without this operation having any unacceptable impacts upon the environment or amenity of the surrounding area, including the residential amenity of neighbouring dwellings.

ASSESSMENT OF APPLICATION:

Planning Policy

Reuse of an Existing Building of Local Significance as a Material Consideration

The proposal must be against prevailing planning policy, and the wider benefit of having the property occupied and maintained, might reasonably be given some weight within the decision-making process.

As a general point, it is considered that the potential to reuse and promote the maintenance of a building of local historic, landscape and architectural value, which lies in close proximity to existing residential properties and which is currently unoccupied, can be viewed positively within the assessment of this proposal.

Some account also needs to be taken of the limited extent of ancillary land associated with the property, particularly on the gable and rear elevations (the building itself at one point constitutes the boundary with an adjacent residential property). While this may not necessarily prevent the building from being adapted to another appropriate alternative use, it is considered that the property's situation limits its potential for re-use, including, for example, as a dwelling. It is therefore appropriate to consider other uses as a means of securing the re-use of the building which has an historic value to the wider community.

Loss of a Community Facility

Adopted Local Plan Policy Inf12 requires that where the site of an existing public facility or local service is proposed for alternative development, it will require to be justified.

With regard to the principle of the loss or reuse of the village hall building itself however, it is material that the village hall use has already been directly replaced by a new community hall building within the near vicinity. Accordingly, it is not considered that the proposed change of use would, in principle, result in any unacceptable loss of a community facility. It is therefore not considered that there are grounds for any objection to the building being taken out of use as a community facility, given that facility is now provided elsewhere in the same locality. However, Policy Inf12 does require a wider consideration of the contribution of the proposed alternative use to the surrounding area,

and this aspect of the proposal is considered in more detail below through the succeeding sections of this report.

It is noted that the application proposes that the business would run woodworking courses for the local community, which in theory at least, should have been capable of being viewed positively, as a way of retaining at least some sort of community use or element to a traditional community building. However, both objectors and Environmental Health have raised concerns about this, given the potential for the operation of machinery during evening hours. As a result, the Applicant has agreed that the machinery would only be operated during what are effectively normal business hours. This may have consequences for the viability of the community usage, but that is not considered to be an overriding consideration in the determination of the application, which may still be appropriate for other reasons.

Business Development in the Countryside

With regard to whether or not the proposed furniture-making use would be acceptably accommodated at this rural site, a key consideration would be whether or not the proposal is capable of complying with the requirements of Adopted Local Plan Policy D1, whose principal aim is to enable appropriate employment generating development in the countryside. In order for the proposal to be supported in principle, the policy requires that the Council should be satisfied that there is an economic and/or operational need for the particular countryside location, and that the proposed use cannot reasonably be accommodated within the Development Boundary of a settlement.

Notwithstanding the justification that the Applicant has given with regard to the commercial reasons for the business to be sited and operated within the wider area, there are unlikely any compelling or overriding planning reasons as to why the furniture-making business would have to be operated from this particular location, or even necessarily operated from the countryside more generally. Nevertheless, it is necessary to identify demonstrable harm in order to render any proposal unacceptable.

The policy applies to a broad range of development and would include greenfield development, which would require exceptional justification. Where existing buildings are put to new use, it is right to apply the policy flexibly to acknowledge that. As already noted, it is considered that in this specific case there are grounds to accord weight to the potential benefit of bringing the existing building back into productive use. The accommodation of new businesses in existing buildings is, in principle, acceptable in land use planning terms, provided that there no other inappropriate issues arise.

It is not the purpose of Adopted Local Plan Policy D1 to prevent or inhibit business development in the countryside, but rather, to allow for appropriate generating employment generating development in the countryside while protecting the environment in the countryside and ensuring that business, tourism and leisure related developments are appropriate to their location.

The development is one which has the support of the Economic Development Section.

Accordingly, provided that there are no concerns with regard to the impacts of the specific operation, the reuse of an existing non-residential building might reasonably be considered as an appropriate opportunity to allow for some diversity within the rural

economy, and particularly an area such as this, which is remote from any settlements and which is characterised by other rural businesses nearby. In the broad sense, therefore, the proposal is consistent with the broad aims of Policy D1.

Environment and Amenity

The assessments required by Adopted Local Plan Policies Inf12 and D1, and as a general planning policy consideration, support for the proposed change of use is dependent upon it being established that the proposal would have no unacceptable impacts upon the environment and amenity of the site and surrounding area. These aspects are assessed on an issue-by-issue basis within the remainder of this report.

Design and Layout, Landscape and Visual Impacts

No external alterations are proposed. The workshop use would be accommodated in the existing hall area, with all ancillary areas essentially being retained in their current uses (toilets; kitchen; store etc). In many ways, the size of the building will limit the extent of the business operation, meaning that the capacity to expand (and potentially give rise to increased nuisance) will be self-regulating. This is a small scale operation.

Objectors' concerns with regard to the potential for practical difficulties being encountered when moving materials and products in and out of the building, are noted, but are an operational rather than planning consideration. An informative could reasonably cover the point that any external alterations should be discussed with the Planning Authority, while it would in any event, be appropriate to remove (the albeit very limited) permitted development rights that would apply to an industrial building, in the interests of ensuring that the use is accommodated within the confines of the building itself.

It would be a concern if the forecourt area, in whole or in part, were to be used for manufacturing or the long-term storage of materials and/or products in connection with the furniture-making business. It is therefore considered that all operations should be confined to the building itself, and not involve any external areas of the site. The forecourt in particular, it is considered, should be explicitly reserved only for the parking, turning, loading and unloading of vehicles operating in relation to the furniture-making business; and not used for any other purpose, including any permanent storage areas. In this way, it would be possible to ensure that there would be no inappropriate visual or amenity impacts.

An informative could note the need for any proposed signage to be discussed with the Planning Authority to establish if Advertisement Consent would be needed.

Road Safety, Access and Parking

The Applicants have indicated the type and level of traffic that they would anticipate being generated in relation to the proposed furniture-making use. Although objectors are concerned to point out that traffic associated with the community hall use has been light to non-existent in recent years, this does not address the point that the building retains this authorised use and could theoretically be used much more intensively, without there being any requirement for a planning application to be made.

There is a relatively large forecourt adjacent to the building and this is considered to be sufficient to accommodate appropriately the traffic movements and parking requirements described within the supporting details.

Residential Amenity

As dialogue between Environmental Health and the applicant demonstrates, this key issue has been tested thoroughly.

Environmental Health was initially content that the potential noise impacts relating to the proposed furniture-making business could be appropriately controlled through planning conditions specifying noise limits and restricting the operation of machinery and commercial vehicle movements to normal working hours. However, the Applicant had indicated an intention for the furniture-making business to operate outwith these hours, including the potential for evening courses or classes to be run for the benefit of the local community. Having been provided with the specifications of the machinery that the furniture-making business proposes to operate, Environmental Health was not inclined to revise its position, and ultimately advised that unless a site-specific noise assessment report were provided to give reassurance on the point, it would not support any unrestricted operation of the machinery.

The Applicant has now confirmed that restrictions on the operation of the machinery recommended by Environmental Health would be acceptable. On this basis, Environmental Health has confirmed its assessment that the proposed furniture-making use would not be liable to have any unacceptable noise impacts provided all of the conditions it originally identified are imposed.

Discussions with regard to noise impacts have been protracted, but have been helpful in leading to the conclusion the noise outputs described are capable of being appropriately controlled by the imposition of a noise limit, reinforced by requirements that the operation of machinery and deliveries/dispatches should only take place within the set hours identified by Environmental Health. Subject to these requirements being made the subject of planning conditions, it is considered that there would be no unacceptable noise impacts upon the amenity of any neighbouring residential properties as a consequence of the operation of the proposed furniture-making business described by the supporting details.

Given the proposed manufacturing use, which is one connected to the processing of timber, it would be appropriate to explicitly exclude the use of any chain-saws at the site, or operation of any machinery within the external areas of the site.

Approval would change the use of the site to industrial use (Class 5). For the reasons outlined in this report, it is the specific nature of the proposed use that is appropriate in this case; other uses permitted within the same use class have the potential to raise different issues which would require further assessment. Accordingly, it is considered that it would be reasonable and appropriate to require that there should be no permitted change of use to any other use, without a further planning application. Having first been made

It is acknowledged that these restrictions are restrictive in terms of the operation of the furniture-making business itself, but given the close proximity of residential properties, it

is considered that this is justified by these circumstances and that it is reasonable to seek to control the furniture-making business' use of the site to this extent. As already noted, the size of the building may limit the potential for less appropriate uses at the site.

Objectors have raised concerns about potential amenity concerns from dust and odour, and light pollution. Environmental Health has considered the potential impacts upon amenity and has not identified any equivalent concerns relative to the proposed operation.

Cultural Heritage and Archaeology

The building is not Listed or within a Conservation Area, but as noted above, it is considered that the principle of the reuse of the building, and its continued maintenance can be viewed as a positive point of support.

Natural Heritage

The building is existing and sufficiently well-maintained, and does not appear liable to accommodate bats or breeding birds. The Applicants do not in any case, propose any external or internal alterations to the building.

Infrastructure

The owners of the adjacent residential property have raised concerns with regard to the adequacy of the drainage of the existing building, and expressed concerns that it might be used to dispose of industrial waste or chemicals.

Environmental Health has also raised the issue of the adequacy of the drainage system to accommodate the proposed use should be established - and if substandard, that it should be upgraded - prior to the commencement of operations at the site. It was recommended that this matter be regulated by planning condition.

However, the adequacy or otherwise of the drainage system serving the site, is a matter that would require to be addressed within a Building Warrant Application. Accordingly, it is considered that other than highlighting in an informative the need for the matter to be addressed in a Building Warrant Application, the potential requirement to upgrade the foul drainage is not reasonably or necessarily required by planning condition.

Other Concerns

Objectors are concerned about the potential for the property to be sub-let but the above identified requirement for any planning permission to be restricted to the proposed furniture-making business, would prevent the premises going into any other type of use other than furniture-making.

Some of the issues raised in objection are health and safety rather than planning concerns.

It would be appropriate to condition that the proposed use should be carried out in accordance with the internal floor plan. This would ensure that the proposal operated in

accordance with the description given in support of the planning application, and prevent it from being operated as separate units.

It is noted that the Applicant has also included a drawing showing the existing drainage arrangements but while this has been useful to understand objectors' concerns, it does not contribute any details that would appropriately serve to guide the implementation of the proposal.

CONCLUSION

Taking account of the above, it is ultimately considered that the precise operation described in the supporting details would not have any unacceptable impacts upon the amenity or environment of the site or surrounding area subject to planning conditions and informatives being imposed to address the above highlighted concerns.

The accommodation of the operation of a furniture-making business at the site, complies with the broad aims of Adopted Local Plan Policy D1 (specifically Criterion 3), which seeks to enable appropriate economic development in the countryside. Significant weight can also be given in this case, to the positive benefit that would be derived from ensuring that the community hall building would be brought back into productive use and maintained. It is considered an opportunity to accommodate a small-scale business venture capable of contributing some diversity to the local and rural economy.

RECOMMENDATION BY SERVICE DIRECTOR (REGULATORY SERVICES):

I recommend the application is approved subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.
2. Unless an application for planning permission to change the furniture-making use of the site hereby consented, has first been submitted to, and approved in writing by, the Planning Authority, the Class 5 use of the premises shall be restricted to furniture-making only, with no permitted change(s) of use to any other uses within Class 5, Class 4 and/or Class 6 of the Town and Country Planning (Use Classes) (Scotland) Amendment Order 1997 (as amended).
Reason: To retain effective control over the use of the premises in the interests of ensuring that the use of the site remains appropriate to this locality in terms of its impacts upon the amenity and environment of the surrounding area (including surrounding residential properties, the wider landscape and surrounding road network).
3. Noise levels emitted by any equipment, plant and/or machinery used on the premises shall not individually or collectively exceed Noise Rating Curve NR20 between the hours of 2300 and 0700; and shall not individually or collectively exceed Noise Rating Curve NR30 at all other times, when measured within the

nearest noise sensitive dwelling (even when windows at that same noise sensitive dwelling are open for ventilation). Further, the noise emanating from any equipment, plant and/or machinery used on the premises shall not contain any discernible tonal component. (Tonality being determined with reference to BS 7445-2).

Reason: To prevent noise generated by any equipment, plant and/or machinery used on the premises in connection with the furniture-making use hereby consented, from causing unacceptable noise nuisance to the occupiers of any neighbouring premises.

4. Deliveries to the site and/or dispatches from the site in connection with the furniture-making business use hereby consented, shall only take place at the following times:
 - (i) on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays, between the hours of 0730 and 1900 only; and
 - (ii) on Saturdays, between the hours of 0900 and 1300 only.There shall be no deliveries to, and/or dispatches from, the site on Sundays.

Reason: To prevent noise generated by vans or Lorries from causing unacceptable noise nuisance to the occupiers of any neighbouring premises.

5. All plant, machinery and equipment used on site in connection with the furniture-making business use hereby approved shall only be operated within the interior of the existing building on site (and not outdoors), and shall only be operated at the following times:
 - (i) on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays, between the hours of 0730 and 1900 only; and
 - (ii) on Saturdays, between the hours of 0900 and 1300 only.At no point in time shall any chain-saw(s) be used on the site in connection with the furniture-making business or any sideline or ancillary enterprise relating to that same business and/or same business premises.

Reason: To prevent noise generated by the approved machinery from causing unacceptable noise nuisance to the occupiers of any neighbouring premises.

6. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (or any subsequent provisions amending or re-enacting that Order):
 - (i) there shall be no external alterations, additions and/or extensions to the building accommodating the furniture-making business premises hereby approved;
 - (ii) there shall be no further building, structure, container and/or other enclosure constructed or placed on the site; and
 - (iii) there shall be no additional window(s) and/or other opening(s) made in any elevation of the building accommodating the furniture-making business premises hereby approved;unless an application for planning permission in that behalf has first been submitted to, and approved by, the Planning Authority.

Reason: To safeguard the existing traditional and rural character, appearance and setting of the building and site in the interests of ensuring that the furniture-making business premises is accommodated as sensitively as possible in this rural location; and to retain effective control over the operation hereby approved

in the interests of safeguarding the amenity and environment of neighbouring residential properties.

7. All furniture-making operations and all associated storage (including the storage of materials; products; waste; equipment; plant; and/or machinery) shall all be conducted within and contained within the existing building on the site, and shall not take place within, or otherwise be accommodated within, any areas of the site that lie out with the interior of the aforementioned building, including the forecourt/area in hard-standing, to the front of the building. The forecourt shall instead be maintained as an open area for the accommodation of vehicle movements, including parking and the loading and unloading of delivery vehicles. No external yard area shall be formed and/or operated on any part of the site.
Reason: To safeguard the existing traditional and rural character, appearance and setting of the site, in the interests of ensuring that the furniture-making business premises is accommodated as sensitively as possible in this rural location; to retain effective control over the operation hereby approved in the interests of safeguarding the amenity and environment of neighbouring residential properties; and in the interests of road safety, to ensure that sufficient provision is maintained for the accommodation of vehicle movements at the site.
8. Unless an application for planning permission to change the use of the premises contrary to the directions noted below has first been submitted to, and approved in writing by, the Planning Authority, the existing building on the site shall only ever be operated in accordance with the layout shown on the approved floor plan (Drawing "C").
Reason: To retain effective control over the operation of the premises in the interests of amenity and road safety. To ensure that there is no increase in the size and/or intensification of the workshop use or the storage use that would be so significant that it would be liable to raise planning concerns that were not otherwise capable of consideration at the time of the determination of the planning application.

Informatives

1. Please note that the owners of the adjacent neighbouring residential property and the Council's Environmental Health Section have both raised concerns with regard to the adequacy of the existing foul drainage arrangements at the site to serve the proposed business premises. A Building Warrant Application would be required in connection with the operation of an industrial premises at the site. The adequacy, and potential upgrading, of the foul drainage arrangements would need to be appropriately met in order for a Building Warrant to be capable of issue.
2. At the time of the planning application, it was advised that the Operator might subsequently seek to provide a Noise Assessment report to substantiate that the machinery would not have any unacceptable noise impacts if it were operated out with normal working hours. In the event that such a report were prepared, it would need to be made the subject of a new planning application.
3. Any proposed alterations to the building and any proposed advertisements should be discussed with the Planning Department in advance.

DRAWING NUMBERS

Plan Ref	Plan Type
'C'	Location Plan Floor Plans

Approved by

Name	Designation	Signature
Brian Frater	Service Director (Regulatory Services)	

The original version of this report has been signed by the Service Director (Regulatory Services) and the signed copy has been retained by the Council.

Author(s)

Name	Designation
Stuart Herkes	Planning Officer

