

SCOTTISH BORDERS COUNCIL

**APPLICATION TO BE DETERMINED UNDER POWERS DELEGATED TO
SERVICE DIRECTOR REGULATORY SERVICES**

PART III REPORT (INCORPORATING REPORT OF HANDLING)

REF : 14/00046/FUL

APPLICANT : Mr Tom Dixon

AGENT :

DEVELOPMENT : Change of use of agricultural building and land to timber processing and storage (retrospective)

LOCATION: Agricultural Building And Land North Of Old Cambus West Mains
Cockburnspath
Scottish Borders

TYPE : FUL Application

REASON FOR DELAY: Late Submission of Information

DRAWING NUMBERS:

Plan Ref	Plan Type	Plan Status
OS EXTRACT	Location Plan	Approved

NUMBER OF REPRESENTATIONS: 0
SUMMARY OF REPRESENTATIONS:

ARCHAEOLOGY OFFICER: There are no known implications for this change of use.

ROADS PLANNING SERVICE: No response received.

OUTDOOR ACCESS OFFICER: According to records, Core Path 2, The Berwickshire Coastal Path, passes the eastern boundary of this site.

Although there is a farm track passing through the Steading, leading between the minor road and Old Cambus quarry, the access officer has no representation from the community that this is a right of way. Have no objection to make regarding this proposal.

ENVIRONMENTAL HEALTH: Requested additional information. On receipt of this additional information, commented that this information was acceptable, and that the application was not opposed.

PUBLICITY AND REPRESENTATIONS:

This application was publicised by means of the direct postal notification of 12 neighbouring premises. Further publicity was afforded by means of advertisements in the Berwickshire News and on the national planning notification website. No objections or representations were received to the application.

PLANNING CONSIDERATIONS AND POLICIES:

Consolidated Scottish Borders Local Plan 2011:
G1 - Quality Standards for New Development
H2 - Protection of Residential Amenity
D1 - Business, Tourism and Leisure in the Countryside
Inf4 - Parking Provisions and Standards

OTHER

Supplementary Planning Guidance
- Householder Development
- Placemaking and Design
- Trees and Development
- Use of timber in sustainable construction

Recommendation by - Andrew Evans (Planning Officer) on 21st January 2015

SITE

This application seeks full planning permission for a retrospective change of use of land and buildings at Old Cambus West Mains to permit timber processing and storage. The site is steeply sloping, and accessed from the A1 via the A1107 road, and then via the minor road serving the site, its immediate neighbours and the neighbouring farms to the east. The site slopes back from the access land with the lower land generally towards the coast to the north.

The site is to the north of residential dwellings between the site and the adjoining road to the south. Two buildings are present within the site. The first is a modern, open sided agricultural building with steel profile sheeting. The second is a traditional byre type building constructed in sandstone. It has arched openings at ground floor level. The site bounds and wraps round a dilapidated steading building, outwith the site, and forming part of its boundary. This steading has consent for a conversion to residential use.

PROCESSING AGREEMENT

An informal processing agreement has been concluded.

DEVELOPMENT

The application site is being used for the storage of timber, and its processing. Logs are sorted and stored along the northern and eastern perimeter of the site, including along the boundary with neighbours gardens. The timber is sorted and processed into firewood. The modern open sided agricultural building on the NE corner of the site is used for packing timber and storage of equipment. Consent is sought retrospectively for the processing of timber within the application site. Logs are broken down and seasoned to form firewood. This involves open storage and grading of timber, which is cut and then packaged. The applicant is a tree surgeon and so has access to see sustainable source of timber. Equipment is located within an open sided agricultural building. Adjacent to this building is a temporary caravan.

A dilapidated traditional sandstone steading building is being used to store equipment in its lower arched openings at ground level. I was unable to inspect its upper level at the time of my site visit, its external staircase being in such a state of dilapidation as to appear unsafe to use. A hardstanding is located to the north of the traditional building within the site. Wood chip is currently stored on the hard standing.

APPLICANT INFORMATION

The applicant is understood to operate a tree surgery business, as set out on his website: www.treesurgedinburgh.co.uk. The website sets out that As part of the company's environmental policy they attempt to utilise as much by-product as possible. The website advises: "We supply seasoned firewood to retailers and direct to the user - all our wood is seasoned for at least 1 year. Since our wood comes from our tree surgery business it is made up of a great variety of species, it will be around 70% hardwood. We sell either in a bulk load tipped from a truck or trailer, priced by the cubic metre. Alternatively we also sell by the bulk bag - these are about 0.6m³."

ADDITIONAL INFORMATION AND ENVIRONMENTAL HEALTH REPLY

The Environmental Health Officer requested additional information on the equipment used at the site, which was subsequently provided. The submitted information is to the satisfaction of the EHO. In this context opposition to the proposals in terms of impacts on neighbouring amenity cannot be sustained.

The applicant has clarified the following points of concern to the EHO.

- A list of equipment to be used onsite was provided, including the make and model:
Stihl and husqvarna chainsaws, 112db
Valtra Tractor, 96.7db
Posch 30ton splitter 82db

The duration of processing activities was confirmed (for about for about 4 -6 weeks of the year, the rest of the time is spent off site carrying out tree pruning and felling operations). In terms of the EHO query on the hours of operation including the delivery and removal of materials from the site, it was confirmed that the applicant leaves the yard at 7.30 in the morning and return between 3 and 5 in the afternoon, processing would take place between 8:00am and 4:00pm The only large vehicle owned is the tractor which is only used occasionally, probably around 50-60 days per year. The applicant confirmed that in practise he tends to operate at the North West side of the site away from the neighbours. The EHO, on considering this additional information, advised verbally that there was no objection to the application.

PLANNING POLICY

The site is located in the rural countryside, outwith the development boundary of any settlement. Policy D1 of the consolidated Scottish Borders Local Plan 2011 provides qualified support to business, tourism and leisure developments in the countryside. The timber processing use is acceptable in principle when considered against the criteria of policy D1. Consolidated Local Plan Policy H2 is also relevant to the determination of this application. These are discussed in further detail below.

AMENITY AND PRIVACY

Policy H2 of the Consolidated Scottish Borders Local Plan sets out criteria to ensure the protection of residential amenity. This is supplemented by the adopted SPG on Householder Development which set out criteria to ensure the protection of residential privacy, amenity and outlook. The additional information provided to the EHO was sufficient to provide satisfaction that the development would not give rise to an unacceptable adverse impact upon neighbourhood amenity. In this instance this confirmation allows me to conclude that the proposals would not have an adverse impact upon neighbouring amenity.

COMPATABILITY WITH NEIGHBOURING RESIDENTIAL USES AND NEIGHBOURING STEADING DEVELOPMENT

The arrangement and details of the neighbouring steading development is such that it would be positioned between the current application site and the existing neighbouring development. The steading development has been granted planning permission within the last few weeks, subject to a planning condition. It has been made clear in the consent for the steading conversion (Which has the same applicants as this current application), that conflict would arise between the timber processing uses subject to this application

ROADS PLANNING SERVICE REPLY AND ACCESS

Policy Inf4 of the Consolidated Local Plan requires that developments provide for car parking in line with adopted council standards. The RPS did not reply to their consultation. I am however content that on road safety grounds, the application can be supported. Policy Inf4 of the Consolidated Scottish Borders Local Plan sets out the Council Policy in relation to Parking Provision. I am content that this site has sufficient parking and turning space. I am further satisfied that the low level of traffic arising can be suitably accommodated by the existing site access and adjoining road network.

Finally, given the retrospective nature of the application, a planning condition on commencement is not required in this instance.

REASON FOR DECISION :

The proposed development is considered to comply with the provisions of the Consolidated Scottish Borders Local Plan 2011, principally policies G1, H2, D1, and Inf4 in that the proposed development would represent an acceptable form of business development in the rural countryside, and issues in terms of amenity can be dealt with via planning condition.

Recommendation: Approved - conditions & informatives

- 1 The land and premises are to be used for timber processing and storage only, and for no other use, including any use within Class 5 and Class 6 of the Town and Country Planning (Use Classes) (Scotland) Order, unless first subject to a successful application for planning permission.
Reason: Any alternative use may give rise to amenity issues to neighbouring residents, which should first be considered in a planning application.
- 2 This consent shall exist for the benefit of the timber processing business of Mr Tom Dixon only.
Reason: Any alternative form of storage or processing use of the land and buildings would potentially have significantly adverse impacts on neighbouring amenity.

Informatives

It should be noted that:

- 1 The applicant is reminded of Condition 12 of the neighbouring planning consent reference 14/00488/FUL, which states that:

Prior to occupation of the first dwellinghouse the operation of the timber processing plant shall cease. All equipment and machinery along with any timber and debris shall be removed from the site, and the site shall be restored to its former condition to the satisfaction of the Local Planning Authority.
Reason: To protect the residential use of the site being subjected to conflicts arising from a neighbouring use.

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