

**SCOTTISH BORDERS COUNCIL**

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

**PART III REPORT (INCORPORATING REPORT OF HANDLING)**

**REF:** 22/00032/FUL

**APPLICANT:** Marchmont Farms Ltd

**AGENT:** Smith & Garratt

**DEVELOPMENT:** Erection of Class 4 joinery workshop with associated access and parking

**LOCATION:** Land North And East Of  
Clay Dub  
Duns Road  
Greenlaw  
Duns  
Scottish Borders

**TYPE:** FUL Application

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**DRAWING NUMBERS:**

<b>Plan Ref</b>	<b>Plan Type</b>	<b>Plan Status</b>
Rev C	Proposed Plans	Refused
Rev D	Proposed Plans	Refused
MFL34-01 D	Location Plan	Refused
MFL34-01 A	Proposed Plans	Refused
MFL34-01 B	Landscaping Plan	Refused

**NUMBER OF REPRESENTATIONS: 23**

**SUMMARY OF REPRESENTATIONS:**

Seven representations objecting to the application have been received from four households raising the following planning issues:

- o The notice to neighbours is inadequate as the proposed development would affect all residents within a minimum of 500m of the property and the application did not appear in the local press.
- o Increased traffic resulting in danger to the public crossing Duns Road and patients visiting the surgery. Access to the site is insufficient on this fast road where the 20 mph limit is not adhered to, with limited visibility of traffic coming into the village. Vehicles would block the road when turning into the site due to the access and steep incline along Duns Road.
- o Noise, pollution and damage to the road from the increase in commercial vehicles.
- o Impact on residential amenity from fumes, smoke and noisy equipment. The height of the building would result in a loss of light. Loss of privacy. Working during evenings and weekends would harm this quiet residential area.
- o Detrimental impact on the environment.

- o Light pollution from security lights.
- o Impact on Clay Dub from the vibrational effect heavy vehicles.
- o Loss of prime quality agricultural land. Brownfield sites should be chosen over greenfield sites. Granting this application would set a precedent for more units.
- o The site is outwith the Development Boundary for Greenlaw on agricultural land that provides valuable wildlife habitat.
- o The planning application relies on planning permission granted over 20 years ago, which has lapsed, but that was on existing commercially used land and not rural agricultural land.
- o The location is rural and the development would give a negative first impression when entering the village from the north.
- o The existing Border Embroideries complex has a negative visual impact, out of keeping in its height, design and materials with houses nearby and this small rural village. The proposal is on a higher ground so not concealed by this existing premises and would be highly prominent, significantly increasing the negative visual impact and cannot be adequately screened due to its position and height.
- o The development should be located in an area designated for industrial use, which would have less impact on the environment and local residents, not added in a prominent location at the edge of the village,.
- o The existing joinery workshop is in Eccles with offices in Greenlaw. It is not essential for the new workshop to be in Greenlaw on agricultural land outwith the village. The building is for G and J Waddell but may be taken over by another firm eventually.

Fifteen representations of support have been received (all after the advert and neighbour notification periods had expired) raising the following issues:

- o This is a significant investment for Greenlaw that will create jobs, boost businesses in the High Street and benefit the community.
- o G and J Waddell is a long established, well respected local family business employing local people providing a high quality, vital service. It would be a great asset to the local economy and would enable the business to expand to ensure the company can meet demand for their services.
- o The company provide a first class service to the region using local suppliers and trades people as well as providing employment and apprenticeships. They have shown a high level of commitment to the local area, with a willingness to support community projects and initiatives.
- o Border Embroideries and Sandy McLean and Co fully support of this development.
- o The location adjoins the safeguarded Industrial site zEL22, which has historically housed builder's workshops.
- o The development appears to be well screened and is sympathetic to the immediate and wider area.
- o The arrangement for the proposed entrance will enhance the visual impact of the site by moving the existing car park eastwards. This will be sufficiently landscaped and screened to protect the amenity of nearby residential properties.
- o The proposed development appears to have given due consideration to the surrounding area and neighbours and it will be a great addition to the village.

- o The proposed building will be screened, insulated and soundproofed to the highest standards, thereby minimising any potential negative impacts on the environment or local residents.
- o This is an ideal site for expanding the current business area with good access.

Councillor Mark Rowley has submitted a representation offering support for the application, which is in his Mid-Berwickshire ward. He makes the following points:

- o This is an important and unique application that deserves to be supported.
- o Marchmont Farms Ltd are selling land to allow one of their contractors to have the space to expand and return a thriving business to a town where many of its team live.
- o The proposal sits outside of the Development Boundary but this is not based on suitability for development or the town's topography but on existing development. The development would extend the Development Boundary modestly to the north, but would allow a similar building to the ones adjacent.
- o There would be significant economic benefits. Newer, larger facilities would give them the capacity expand that their current cramped workshops prevent them from doing efficiently. It gives them the opportunity to employ more people, including apprenticeships, enabling long term security.
- o The proposal would create benefits for the community and environment.
- o There appear to be no suitable alternative sites.
- o The new Economic Strategy for the South of Scotland offers support for the collaborative and innovative approach taken by this proposal. Enhancements to the viability of towns, of community wealth building and the circular economy are all critical too and this application delivers those.
- o There seem to be no adverse effects that cannot be mitigated by conditions and landscaping detail. The overall impact of the new development would be minimal.
- o The development would be significantly beneficial to economy and community and it is refreshing to see investment and growth rather than further rural decline and depopulation. Such growth is welcomed.

#### CONSULTATIONS:

Roads Planning Service: I have no objections in principle to this proposal. The site is located adjacent to and served by the existing Business and Industrial site. There is an allocated mixed use site to the east (MGREE003), which requires means of access from the A6105. The mixed use site is currently subject to an application for housing, which would be served by The Avenue, however should that application prove unsuccessful then there is still the possibility that the mixed use site will be served by the access to the Business and Industrial site and it is therefore imperative that this proposal does not prevent access to that site in the future should it be required. I am confident this can be covered by a suitably worded condition.

Community Council: This application is for a longstanding, well established family business, which began in Greenlaw over more than 50 years ago, who wish to bring their workshop back to the village. Having the proposed workshop back in Greenlaw will have a positive impact on many aspects of the village as well as an economic benefit with the potential to expand and create more employment opportunities and to the shops, cafe and restaurant within the village as employees and visitors will use these.

Although the proposed site lies just outside the settlement boundary of Greenlaw, it is within close proximity of the industrial area on Duns Road, which is occupied by Border Embroideries.

The application, which includes screening, sympathises with the surrounding area and will blend in well with Border Embroideries.

There is no other site within the village boundary, except for MGREE001, which is allocated as a mixed use site on Edinburgh Road. The proposed workshop would be out of place there and have a huge negative impact on the western part of the village.

Economic Development: No response.

Forward Planning: Object:

Principle of Development

The Council are generally supportive of businesses re-locating and have policies in place for such proposals, within the Local Development Plan 2016. However, in consideration of such proposals, the relevant policies require criteria tests to be considered.

In the preparation of the LDP, we do specifically allocate sites for business and industrial use within Development Boundaries as the starting position for preference for business and industrial use.

The site is located outwith the Development Boundary for Greenlaw, therefore the proposal cannot be assessed against Policy PMD3: Land Use Allocations. The proposal must therefore be assessed against Policy PMD4: Development Outwith Development Boundaries. The aim of this policy is to ensure that most development is located within defined Development Boundaries. Any development proposals outwith the boundary must comply with the rigorous exceptions criteria contained within the policy.

Policy ED7: Business, Tourism and Leisure Development in the Countryside, aims to allow for appropriate employment generating development in the countryside whilst protecting the environment and to ensure that business, tourism and leisure related developments are appropriate to their location. Proposals for business, tourism and leisure in the countryside will be approved and rural diversification initiatives will be encouraged provided that they meet one of three criteria set out within the policy.

Criteria c) contained within Policy ED7 states that 'The development is to be used for other business or employment generating uses, provided that the Council is satisfied that there is an economic and/or operational need for the particular countryside location, and that is cannot reasonably be accommodated within the Development Boundary of a settlement'.

In respect of criteria c), the applicant must in the first instance confirm where the existing business is located, and why the existing site and the mixed use allocation (MGREE001) are not suitable. It should be noted that the mixed use allocation (MGREE001) is being taken forward as a business and industrial allocation (BGREE005) within the Proposed Local Development Plan.

The applicant should also confirm whether any other sites have been looked at for the re-location of the business. If it is confirmed that there are no other suitable alternative sites for the re-location of this business, then at that point we are at liberty to look at other sites located outwith the Development Boundary, in accordance with the criteria contained within Policy PMD4. However, it is considered that insufficient information has been submitted to date to allow this.

In addition to the criteria above, other criteria contained within Policy ED7 must also be considered.

In respect of the neighbouring amenity, we note that it is likely that the noise levels will be high from a workshop and under normal circumstances established business and industrial sites would be the preferred location. There is a house located directly to the south west of the application site and the proposal must comply with Policy HD3: Protection of Residential Amenity.

It is also noted that the proposed building will be prominent from the approach road into Greenlaw from the north.

Overall, it is not considered that there is sufficient information submitted to date to justify that the proposal meets the exceptions criteria contained within policies PMD4 and ED7.

Environmental Health: Concerns regarding potential amenity impacts of noise given the close proximity of the development to nearby residences. The submitted information does not satisfactorily demonstrate the application will not adversely impact nearby residences. The readings were not carried out in line with expected standards.

As such, a suitable and sufficient noise impact assessment should be submitted to demonstrate the development will not adversely impact nearby residential amenity.

If the outcome of the assessment suggests there will be an adverse impact or significant adverse impact, the report should identify all methods of noise control and mitigation available to reduce the impact to an acceptable level. All appropriate methods of mitigation should be considered and an explanation of why each method has been chosen or dismissed should be provided, to demonstrate that all reasonable steps have been taken to manage noise.

The applicant should also provide details of how dust will be managed on site to avoid causing amenity impacts to nearby properties.

#### APPLICANT'S SUPPORTING INFORMATION:

- o Design, Access and Planning Statement
- o Noise Readings Report
- o Supplementary Planning Statement

#### PLANNING CONSIDERATIONS AND POLICIES:

Local Development Plan 2016

PMD1: Sustainability

PMD2: Quality Standards

PMD3: Land Use Allocations

PMD4: Development Outwith Development Boundaries

ED1: Protection of Business and Industrial Land

ED2: Employment Uses Outwith Business and Industrial Land

ED7: Business, Tourism and Leisure Development in the Countryside

ED10: Protection of Prime Quality Agricultural Land and Carbon Rich Soils

HD3: Protection of Residential Amenity

EP13: Trees, Woodland and Hedgerows

IS7: Parking Provisions and Standards

IS9: Waste Water Treatment Standards and Sustainable Urban Drainage

Supplementary Planning Guidance

Placemaking and Design 2010

Householder Development (Privacy and Sunlight) 2006

Trees and Development updated October 2020

Landscape and Development 2008

Sustainable Urban Drainage Systems August 2020

**Recommendation by** - Julie Hayward (Lead Planning Officer) on 9th September 2022

#### Site and Proposal

The site is situated on the northern edge of Greenlaw, outwith the Development Boundary, and to the east of the A6105 Greenlaw to Duns road. The site is in agricultural use for crop production and is prime quality agricultural land. It slopes up to the north.

The Border Embroideries factory (99/00857/FUL, 00/00857/FUL, 11/01612/FUL and 15/00072/FUL) is to the south within the Duns Road Industrial Estate, an allocated business and industrial safeguarding site (zEL22).

Claydub, a single storey dwellinghouse, is to the south east. The Avenue, a cul-de-sac of 16 modern, detached houses is to the south of the Border Embroideries factory and there are houses to the south west of the A6105, Hazelrigg, Eildon View and those in Blackadder Crescent.

The land to the south east is allocated for mixed use development (MGREE003) and is subject to the following current planning applications:

- o 19/00810/FUL: Plot layouts for 5 detached dwellinghouses, access road and services. Pending consideration.
- o 19/00809/PPP: Erection of 5 dwellinghouses. Pending consideration.

Planning application 05/02004/OUT: Residential development with road and plot layout was refused 20th December 2005.

The proposal is to erect a business unit to accommodate a joinery workshop. This would be 40m by 16.3m and 7m high, accommodating a reception/office, stores, canteen and toilets. The building would have grey horizontal profiled metal sheeting for the walls and an asymmetrical roof with grey vertical profiled sheeting, solar panels and roof lights.

Access would be from the A6105 via the existing access serving the Border Embroideries premises, with the access road taken to the west of Clay Dub to serve a yard to the north of the proposed building and 15 parking spaces to the south of the building.

A landscape drawing has been submitted showing a new hedge adjacent to the road boundary, with a new footpath and reinforcement of the roadside hedge. A soil bund would be formed to the north of the building and planting is proposed in the field beyond (0.8 hectares). No specific details of the planting or bund have been provided.

The development would connect to the public water supply and foul sewer. Surface water drainage would be to a SUDS pond.

#### Applicant's Supporting Information

- o The applicant is Marchmont Farms Ltd and seeks to provide a site with planning permission for a new workshop for G and J Waddell Ltd. The landlord at the joiners' current workshop requires the building for another use and the joinery firm has outgrown their old and basic building. Waddell undertake joinery works for Marchmont Farms.
- o The site is currently arable land but inconvenient to modern farming practices.
- o The layout is designed to share the access to existing business units, which is safe, within the speed limit, with good visibility. The building would have a large, south facing roof with PV panels to aid self-sufficiency in electricity. The hill to the north provides shelter and screening. A workshop of this size would stand out on any other site in Greenlaw. The proposal is screened from the road by a thick hedge. It is at the bottom of the hill, screened from the town by other, taller, buildings on the industrial estate.
- o Planning permission 98/01057/OUT authorised a similar workshop on this site, plus an adjacent house for the proprietor, Mr Smillie of Border Embroideries. He bought a house in The Avenue and built his unit behind, on what had previously been the yard of Henry Steel and Son (builders) and is now the industrial estate, and allowed the permission to lapse. The embroidery enterprise has grown to fill the estate, taking up all the allocated site zEL22. The current application wakes up the expired and dormant permission (albeit without the dwelling).

- o G and J Waddell Ltd employs 17 members of staff (12 joiners and 5 support staff). The firm is based in Greenlaw, the directors and several of the staff live in Greenlaw and their clientele is centred on the town.
- o There is a clear economic and operational need for the workshop to be at Greenlaw and there are no suitable alternative site within the settlement boundary. The allocated site, MGREE001, south of the Edinburgh Road at the western end of the town, is not suitable because the site cannot absorb a workshop of this size without significant visual impact.
- o The proposal meets siting and design criteria promoted in Policy PMD2 and takes account of the accessibility considerations promoted in Policy IS4.
- o Policy PMD4 confirms developments should be contained within Development Boundaries unless one of the exceptions applies, as in this case. This is a job-generating development with an economic justification under Policy ED7. The proposals meets the exception criteria within policy PMD4. The town has service capacity and needs more economic activity.
- o Policy ED7 supports business or employment-generating uses where there is an economic and/or operational need for a location outwith a Development Boundary and they cannot reasonably be accommodated within the development boundary. This exactly describes the current proposal. The proposal meets Policy ED7 considerations:

Part (a) requires that the development respects the amenity and character of the surrounding area. Revised plans and a landscape plan ensure that this is the case. The workshop will be similar to, and adjacent to, the existing workshops of Border Embroideries. Significant new tree planting with a planted bank is proposed, including a new public path safely behind the roadside hedge.

Part (b): the proposal would have no significant adverse impact on nearby uses, particularly Claydub, which is already adjacent to the industrial estate and the busy road. The layout and design takes this property into account to ensure no impact on prospect or light. Noise readings demonstrate that the cottage will not be affected by noise and the dominant noise at the site is from traffic on the A6105. There would be no impact on the houses on the opposite side of the road, which are screened by existing hedges, and proposed planting. All woodworking machinery will be within the controlled environment of the workshop with noise and dust suppression; the joiners work do not work during evenings and weekends. No existing building or brownfield site is available for this use. The character of the site is not rural; the use and scale of the workshop are in keeping with the existing business units.

Part (c) supports proposals for business development outside settlement boundaries where they provide employment and there is an economic and/or operational need to use the location, there being no reasonable alternative within the settlement. Expansion at the new workshop will create 11 new jobs. In addition, the grant of planning permission will release the current workshop to another enterprise.

- o The firm is based in two-storey offices at Eastbank, East High Street, Greenlaw. The workshop is in Eccles. The business needs to relocate its workshop because it has outgrown that space. The directors have searched over several years to find premises that will allow expansion. The situation has now become pressing. Space at the Old Station in Greenlaw has been considered, which remains consistently full; at The Moat on Marchmont Road, which is steadfastly not available; and at the Poultry Unit on Marchmont Road, which is to be redeveloped as a mix of residential and arts-based workshops, so is not available. In 2013 the business tried to relocate to allocated site MGREE001, but the planning application (reference 12/01383/PPP) was refused for visual impact. The directors have run out of options.
- o The options made available by the Council's Economic Development Section have not included anything in Greenlaw.

#### Planning History

98/01057/OUT: Erection of workshop and manager's dwellinghouse (for Border Embroideries). Approved 14th October 1998. This was never implemented and it is understood that the applicant bought a house in The Avenue and built the existing unit to the south.

## Planning Policy

The application seeks approval for the erection of a workshop, to re-locate the existing joinery business from current premises in Eccles. Their current site is required by their landlord for another use and the business has outgrown the site. The supporting information submitted states the firm undertakes joinery works for Marchmont Farms and the company's offices are based in Greenlaw where they are important to the local community and economy and the proposal would allow expansion and so create additional jobs.

The Council is supportive of businesses wishing to relocate and expand. Policies are in place for such proposals within the Local Development Plan 2016 and sites are allocated for business and industrial uses within Development Boundaries as the preferred location for business and industrial use.

Policy PMD4 of the Local Development Plan states that where Development Boundaries are defined, they indicate the extent to which towns and villages should be allowed to expand during the Local Plan period. Development should be contained within the Development Boundary and proposals for new development outwith this boundary and not on allocated sites will normally be refused. Exceptional approvals may be granted provided that:

- a) It is a job generating development in the countryside that has an economic justification under policy ED7 or HD2, or.
- b) It is an affordable housing development that can be justified in terms of policy HD1, or
- c) There is a shortfall identified in housing land, or
- d) It is a development that is considered would offer significant community benefits that outweigh the need to protect the Development Boundary.

The development should:

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

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

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

The aim of this policy is to ensure that most development is located within a defined Development Boundary. Any proposals outwith a Development Boundary would have to comply within the rigorous exceptions criteria contained within policy PMD4. Development outwith the Development Boundary should not be seen as an alternative to allocated sites within the Development Boundary.

The Local Development Plan aims to ensure that adequate supplies of business and industrial land are retained for such uses (policy ED1). Policy ED2 advises that within settlements there will be a general presumption against industrial or business uses outwith business and industrial land, mixed use or redevelopment sites

The application site is outwith the Development Boundary for Greenlaw. It is currently cultivated agricultural land and so rural in appearance. The Duns Road Industrial Estate (zEL22) is to the south, separated from the site by an overgrown soil bund. Border Embroideries occupies most of the allocated site. It is accepted that there is insufficient space within this allocation to accommodate the proposed development.



In respect of the exceptions within policy PMD4 (parts b), c) and d)), it is considered that there are no significant community benefits of the proposal (such as education facilities, health or community centre) that justify development outwith development boundaries. The application is not for housing.

In respect of part a), policy ED7 states that proposals for business development in the countryside will be approved provided that:

- a) The development is to be used directly for agricultural, horticultural or forestry operations, or for uses, which by their nature are appropriate to the rural character of the area; or
- b) The development is to be used directly for leisure, recreation or tourism appropriate to a countryside location;
- c) The development is to be used for other business or employment generating uses, provided the Council is satisfied that it cannot be reasonably accommodated within a Development Boundary.

In addition, the following criteria will also be considered:

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

The aim of Policy ED7 is to allow for appropriate employment generating development in the countryside whilst protecting the environment and the policy seeks to ensure that business, tourism and leisure related developments are appropriate to their location.

In this case, there is no operational need or justification for this business to locate in this particular location and the use as a joiner's workshop is not a use that requires a countryside location. Such a use could be, and can reasonably be, located within a settlement within an allocated business and industrial estate. Approving this application would set an undesirable precedent for similar approvals outwith the Development Boundary, undermining the aims of policy PMD4 and harming the character and visual amenities of the edge of settlements.

In respect of criterion c), there is a mixed use allocation (MGREE001) within the Greenlaw Development Boundary and this is being taken forward as a business and industrial allocation (BGREE005) within the Proposed Local Development Plan.

The Supporting Statement refers to planning application 12/01383/PPP for the erection of 9 dwellinghouses and 6 business unit on land west (now allocated as MGREE001) and south east of 15 Edinburgh Road Greenlaw, which was refused on 4th February 2013. The Supporting Statement claims that this application was refused on visual impact grounds. However, the application was refused due to the location of the sites outwith the Development Boundary at that time and the need and justification for the development in those particular locations had not been substantiated. The argument in the supporting information that the application was refused on visual impact grounds is misleading. The site to the west of no.15 is now allocated in the Local Development Plan (MGREE001) for a mixed use development. It is considered that this allocated site should have been thoroughly investigated as a potential site for the relocation of the joiner's workshop business before submitting an application for a site outwith the Development Boundary.

Although the proposal would allow an existing business to expand and would result in job retention and creation, it is considered that the proposal is contrary to policies PMD4 and ED7 and the benefits of the development are not sufficient to warrant a departure from these policies.

Planning permission 98/01057/OUT was approved in October 1998 for the erection of workshop and manager's dwellinghouse (or Border Embroideries) on this application site. This consent was never implemented and lapsed (as the applicant bought a house in The Avenue and built the existing unit to the

south). Although this has some relevance, the site is now outwith the Development Boundary for Greenlaw and the policies have changed since 1998. The current proposal is contrary to policies PMD4 and ED7 of the adopted Local Development Plan 2016 and therefore cannot be supported..

The impact of the proposal on the settlement edge and visual amenities will be discussed below.

#### Siting and Design and Impact on Visual Amenities

Policy PMD2 requires all development to be of high quality in accordance with sustainability principles, designed to fit in with Borders townscapes and to integrate with its landscape surroundings. Policy ED7 requires that development must respect the amenity and character of the surrounding area.

The proposal is to erect a workshop building on the site. This would have a floor area of 652 square metres and would be 7m in height. The roof and walls would be clad in grey profiled metal sheeting to match the Border Embroideries units to the south. The proposal is for an asymmetrical roof, which would be out of keeping with the existing units; a gabled, ridged roof is preferred as this would be more traditional and in keeping with other buildings in Greenlaw.

Large areas of the site would be hardsurfaced. No details of the surfacing material or boundary fences have been submitted.

An indicative landscaping plan has been provided. This shows that the existing boundary hedge along the road boundary would be reinforced and a new hedge planted, with a footpath formed in between the two hedges. A bund would be formed to the north of the workshop; a condition would be required to secure exact details of the height, profile, materials and planting. Planting would take place in the field to the north on 0.8 hectares but no specific details have provided. This area of land is outwith the red line site boundary but within the applicant's ownership.

The site is in a prominent location on the northern edge of Greenlaw when approaching from Duns. The ground slopes up to the north and so the building would site above the existing units. There is an overgrown bund to the north of the Border Embroideries premises, which provides a clear boundary to the settlement beyond which the land is distinctly rural and agricultural.

It is considered that the development would be prominent in the landscape. The size and design of the proposed building are industrial in nature and the proposal would be out of keeping with rural character of the area and more in keeping with an industrial estate. This would be an inappropriate form and scale of development harmful to the edge of the settlement and to the visual amenities of the area. Despite the proposal planting, which will take time to grow into an effective screen, the building is likely to remain highly visible and intrusive in views and would not enhance the landscape. The existing hedge is patchy and overgrown and insufficient to provide any screening in the short term.

The proposed development is therefore considered to be contrary to policy PMD4, in that it would not constitute a logical extension of the settlement, would prejudice the character and natural edge of Greenlaw and would cause a significant adverse effect on the landscape setting of the settlement, as it would not enhance the landscape, and policy ED7, as the development would be visually intrusive and would not respect the amenity and character of the surrounding area.

#### Prime Quality Agricultural Land

Policy ED10 states that development that results in the permanent loss of prime quality agricultural land will not be permitted unless this site is allocated within the Local Development Plan; the development meets an established need and no other site is available and the development is small scale and directly related to a rural business.

This policy seeks to prevent the permanent loss of prime quality agricultural land (as defined within Classes 1, 2 and 3.1 of the Macaulay Institute Land Classification for Agriculture system), which is a valuable and finite resource that needs to be retained for farming and food production.

The agent has advised that although the application site is arable land, it is considered to be inconvenient to modern arable farming practices.

The site is within a cultivated agricultural field (as shown in the site photos and on Google Maps, July 2021) and the proposal would result in the permanent loss of 3,832 square metres of prime quality agricultural land the landscape planting would remove 0.8 hectares of the agricultural field from production. The proposal does not meet the exception criteria listed in policy ED10 and so the permanent loss of this prime quality agricultural land would be contrary to policy ED10.

#### Impact on Residential Amenities

Policy HD3 states that development that is judged to have an adverse impact on the amenity of residential areas will not be permitted. Policy ED7 requires that the development should have no significant adverse impact on nearby uses, particularly housing.

The Council's Supplementary Planning Guidance: Guidance on Householder Developments July 2006 contains guidance on privacy, overlooking and access to light that can be applied when considering planning applications for new household developments to ensure that proposals do not adversely affect the residential amenities of occupants of neighbouring properties.

The closest residential property is Claydub situated on the south western boundary of the site. There are properties in the Avenue to the south (the closest is 80m from the site boundary and 30m from the site access). Hazelrigg, Eildon View and Blackadder Crescent) are on the opposite side of the main road (Hazelrigg is the closest, approximately 45m from the site boundary and 15m from the access on the opposite side of the main road and there is a high hedge on the road boundary). The proposal would not result in a loss of light or privacy to these existing properties.

The factory would be approximately 20m from the boundary with Claydub, on higher ground, with parking and indicative planting on the south western site boundary. The proposal would not result in a loss of light or privacy to the occupants of Claydub. However, the proposed access would be formed to the east of the property's rear boundary. Although this would not necessarily adversely affect the occupants' outlook, the proposal would introduce an access with associated traffic where there are currently trees, potentially causing disturbance and noise nuisance.

The proposal has potential amenity impacts of noise and dust, given the close proximity of the development to nearby residences.

A report containing noise readings of the machinery and dust extraction has been submitted. This concludes that at 10m, workshop noise is barely detectable above the background noise at Eccles. The proposed workshop will be better insulated, with better sound proofing, and its doors would face away from the village, roads and habitation. Although the background noise level at the site is lower than that at Eccles, passing traffic is significantly louder. It concludes that the woodworking machinery would not be audible at Border Embroideries or at Claydub, and will not be audible beyond.

Environmental Health was consulted on the report. They advise that report does not satisfactorily demonstrate the proposal will not adversely impact nearby residences. The readings were not carried out in line with expected standards or commercial noise.

A suitable and sufficient noise impact assessment is required to demonstrate the development will not adversely impact nearby residential amenity. The Environmental Health Officer provided guidance on what is required. The report should identify all methods of noise control and mitigation available to reduce the impact to an acceptable level, should the outcome of the assessment suggests there will be an adverse impact or significant adverse impact. Details of how dust will be managed on-site to avoid causing amenity impacts to nearby properties is also required.

The agent has not been requested to provide a noise impact assessment, as the principle of the proposal is considered to be contrary the Local Development Plan policies and so it would be unreasonable to request the applicant to pay for such an assessment when the recommendation is for refusal. Any decision to approve the application should include conditions to deal with the noise and dust concerns raised by Environmental Health.

#### Access, Parking and Road Safety

Policy PMD2 requires developments to ensure that there is no adverse impact on road safety and incorporates adequate access and turning for vehicles. Policy IS7 requires that car parking should be provided in accordance with the Council's adopted standards.

The proposed development would utilise the existing access onto the A6105 that serves Border Embroideries. A access road would be formed through their car park along the eastern boundary of Claydub. Car parking for 15 vehicles and turning for lorries would be provided within the site.

The Roads Planning Service has no objections in principle to this proposal. The site is located adjacent to and served by the existing Business and Industrial site. There is also an allocated mixed use site to the East (MGREE003), which requires means of access from the A6105. The mixed use site is currently subject to an application for housing, which would be served by The Avenue, however should that application prove unsuccessful then there is still the possibility that the mixed use site will be served by the access to the Business and Industrial site and it is therefore imperative that this proposal does not prevent access to that site in the future, should it be required. Conditions are recommended to secure access to the allocated site and the access and parking to serve the proposed development, should the application be approved.

#### Water and Drainage

Policy IS9 states that the preferred method of dealing with waste water associated with new developments would be the direct connection to the public sewerage system and for development in the countryside the use of private sewerage may be acceptable provided that it can be provided without negative impacts to public health, the environment, watercourses or ground water. A SUDS is required for surface water drainage.

The development would connect to the public water supply and foul sewer. Surface water drainage would be to a SUDS pond. The exact details would be dealt with by conditions.

#### Other Issues

Neighbour notification letters were sent to all properties within 20m of the site boundary and the application was advertised in the Berwickshire News. The Community Council were consulted and responded with comments.

#### **REASON FOR DECISION:**

The Council supports local businesses in their plans to expand and for job creation and retention but any related development should be in the right locations, guided by Local Development Plan 2016 policies.

It is considered that the proposal in this location fails to comply with a number of Local Development Plan policies.

In respect of policy PMD4, the site is outwith the Development Boundary for Greenlaw and the development would not constitute a logical extension to the settlement. There are no significant community benefits of the proposal that justify development outwith the Development Boundary. The development would prejudice the character and natural edge of Greenlaw, would cause a significant adverse effects on the landscape setting of the settlement and would not enhance the landscape.

It is considered that insufficient justification has been presented to demonstrate that the proposal requires this particular countryside location or that the development proposed cannot be satisfactorily accommodated within allocated business/industrial sites within settlements. Nor has the applicant adequately demonstrated a fully evidenced site selection process that justifies this specific site. The development would be visually intrusive and would not respect the amenity and character of the surrounding area and so the proposal fails to comply with policy ED7.

Further, the development is contrary to Policy ED10 of the Local Development Plan 2016 as the site is within an agricultural field and the development would result in the permanent loss of prime quality agricultural land, which is a valuable and finite resource that needs to be retained for farming and food production.

Although the proposal would allow an existing local business to expand and would result in job retention and creation, it is considered that the proposal is contrary to policies PMD4, ED7 and ED10 and the benefits of the development are not sufficient to warrant a departure from these policies.

**Recommendation:** Refused

- 1 The proposal is contrary to policy PMD4 of the Local Development Plan 2016 as the site is outwith the Development Boundary for Greenlaw and the development would not constitute a logical extension to the settlement. The proposed development would prejudice the character and natural edge of Greenlaw and cause significant adverse effects on the landscape setting of the settlement and would not enhance the landscape. There are no significant community benefits of the proposal that justify development outwith the Development Boundary.
- 2 The proposal is contrary to policy ED7 of the Local Development Plan 2016 as it has not been substantially demonstrated that the proposal requires this particular countryside location or that the development proposed cannot be satisfactory accommodated within allocated business and industrial site within an identified settlement boundary. The development would be visually intrusive and would not respect the amenity and character of the surrounding area.
- 3 The development is contrary to Policy ED10 of the Local Development Plan 2016 as the site is within an agricultural field and the development would result in the permanent loss of prime quality agricultural land, which is a valuable and finite resource.

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