

GAVINTON, FOGO AND POLWARTH COMMUNITY COUNCIL

Minutes of meeting held on Monday, 9 September 1985 at 7.30 pm in Gavinton Village Hall.

Present: Mr D McNiven (Chairman)  
Mr I Aitchison  
Mr R Baillie  
Dr A Brown  
Mr R Markby  
Mr J Robinson  
Mrs J Wheadon (Secretary)

Mr D Douglas, Director of Planning, Borders Regional Council  
Mr D Hope, Assistant Director of Planning, Borders Regional Council

Miss M Burns-Greig, District Councillor

6 members of public

1 Apologies for absence

Mrs B Darling, Mr A McMillan, Mrs B Sheldon, Mr T Reid.

2 Middlefield grain dryer

The Chairman welcomed Mr Douglas and Mr Hope.

The Chairman gave the background to the history of the Middlefield grain dryer from 1978 to the present time. He was interrupted by Mr Douglas who said we must forget the old application as what had gone on in the past was of no relevance to the new application. However the Chairman said he felt it was relevant and continued.

Mr Douglas said his aim was to put clear objective recommendations to the Planning Committee with regard to the application for change of use of the dryer and that the Community Council must trust members and officials of the Planning Department to disregard outside pressures and that they would come to a well thought out decision regarding the site. He said he thought there were 3 alternatives:-

- 1 to approve the proposal for change of use for commercial development without conditions.
- 2 to approve with conditions.
- 3 to refuse the application.

He said that he thought that a blank refusal was the easy option. He stressed that this was a professional judgement and not necessarily the views of Borders Regional Council who had not yet considered it.

He said that if the application was refused then there would be 2 alternatives open to the owners; one to appeal to the Secretary of State with the possibility of a public enquiry and he pointed out that the sympathy of the Secretary of State would likely be with the farmers as there is already an existing facility, also the Secretary of State could put on any controls he wished.

Alternatively the owners could do nothing and return it to a co-operative in which case planning permission would not be required. A co-operative could be any size, the minimum being 7 members, but it could be more, for example Border Grain have 37 members in their co-operative. Mr Douglas pointed out the Planning Department would have no control over such a organisation and if it was successful it could have as great an impact as the present applicatio;n

Mr Douglas continued that another option would be to give limited permission for one year. Here again he stressed ~~that~~ he had not yet made up his mind, but he said they had considered the possibility of a one year permission backed up with a Section 50 notice which would tie down the owners of the property in such a manner ~~that~~ they could not expand to the original application, it would be totally confined to operation as it is now. The situation would be monitored on a year to year basis. He said ~~the~~ risk would be that a Section 50 Notice would be too onerous to the owners and it would lower the market value of the property and therefore they ~~would~~ not be willing to co-operate. He stated that it would be easy to impose conditions to hours of use but the most important factor to consider for Gavinton is the ~~generation~~ of traffic. Philip Wilson have stated that there would be about 100 lorry movements a day therefore these would be more frequent going through the village during 8 hours than over a 16 hour period. He said the ~~same~~ thing would apply if the dryer was run as a co-operative, but you would have no control over opening hours or routes of lorries. This is the problem.

The Chairman asked Mr Douglas if the application was for the development of a virgin site at Middlefield would it be refused; Mr Douglas said it would be.

The Chairman asked if a Section 50 Notice would be binding on new owners and he was told it would be.

However a Section 50 Notice cannot be imposed on a co-operative.

Mr Baillie brought up ~~the~~ question of what is considered commercial and ~~what~~ agricultural, but he was told that the Rates Assessor may consider a property to be commercial and rates payable but the Planning Department could consider it to be agricultural.

Mr Robinson said with regard to the 3 options we understood the problems a co-operative could bring but we had no evidence that farmers would form such a copoperative due to the financial and economic problems. As for a Section 50 Notice we would not want this as it could ~~not~~ prevent traffic coming through the village. Your ~~easy~~ option is the best. You recommended a refusal last time ~~and~~ the unsuitability of the roads and these have not changed.

The matter was discussed at very great length and it was stated that the Community Council wished the operations at Middlefield to revert back to those in existence in 1978/81.

The Chairman asked Mr Douglas to recommend refusal of the application ~~and~~ thanked him and Mr Hope for attending the meeting.

The meeting closed at 9.15 pm.