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## PLANNING AND BUILDING STANDARDS COMMITTEE MONDAY, 26TH JUNE, 2017

The following items of additional business will be considered at the MEETING of the PLANNING AND BUILDING STANDARDS COMMITTEE to be held in the SCOTTISH BORDERS COUNCIL, COUNCIL HEADQUARTERS, NEWTOWN ST BOSWELLS TD6 0SA on MONDAY, 26 JUNE 2017 at 10.00 am

J. J. WILKINSON,  
Clerk to the Council,

19 June 2017

ADDITIONAL BUSINESS		
5.	<b>Amended Minute.</b> (Pages 1 - 12)  Amended Minute of Meeting 24 April 2017 to be approved and signed by the Chairman. (Copy attached.)	
8.	<b>Any Other Items Previously Circulated.</b> (Pages 13 - 40) Planning Performance Framework 2016/17. (Copy attached.)	

### NOTE

Members are reminded that, if they have a pecuniary or non-pecuniary interest in any item of business coming before the meeting, that interest should be declared prior to commencement of discussion on that item. Such declaration will be recorded in the Minute of the meeting.

Members are reminded that any decisions taken by the Planning and Building Standards Committee are quasi judicial in nature. Legislation, case law and the Councillors Code of Conduct require that Members:

- Need to ensure a fair proper hearing
- Must avoid any impression of bias in relation to the statutory decision making process
- Must take no account of irrelevant matters
- Must not prejudice an application,
- Must not formulate a final view on an application until all available information is to hand and has been duly considered at the relevant meeting
- Must avoid any occasion for suspicion and any appearance of improper conduct
- Must not come with a pre prepared statement which already has a conclusion

**Membership of Committee:-** Councillors T. Miers (Chairman), S. Aitchison, A. Anderson, J. A. Fullarton, S. Hamilton, H. Laing, S. Mountford, C. Ramage and E. Small

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Please direct any enquiries to Fiona Henderson 01835 826502  
fhenderson@scotborders.gov.uk

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**SCOTTISH BORDERS COUNCIL**  
**PLANNING AND BUILDING STANDARDS COMMITTEE**

MINUTE of MEETING of the PLANNING AND BUILDING STANDARDS COMMITTEE held in the Council Headquarters, Newtown St. Boswells on 24 April 2017 at 10.00 a.m.

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Present: - Councillors R. Smith (Chairman), M. Ballantyne, J. Brown, J. Campbell, J. Fullarton, I. Gillespie, D. Moffat, S. Mountford, B. White.

In Attendance:- Chief Planning Officer, Development Planning Manager, Principal Roads Planning Officer, Principal Officer Enforcement, Democratic Services Team Leader, Democratic Services Officers (F Henderson & F Walling for part of the meeting each).

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1. **MINUTE**

There had been circulated copies of the Minute of the Meeting held on 27 March 2017.

**DECISION**

**APPROVED for signature by the Chairman.**

2. **APPLICATIONS**

There had been circulated copies of reports by the Service Director Regulatory Services on applications for planning permission requiring consideration by the Committee.

**DECISION**

**DEALT with the application as detailed in the Appendix to this Minute.**

**DECLARATIONS OF INTEREST**

Councillors Campbell and Mountford declared an interest in Application 16/01417/FUL and Councillor Gillespie declared an interest in Application 17/00299/FUL in terms of Section 5 of the Councillors Code of Conduct. They left the Chamber during the consideration of the respective applications.

3. **APPEALS AND REVIEWS**

There had been circulated copies of a report by the Chief Planning Officer on Appeals to the Scottish Ministers and Local Reviews.

**DECISION**

**NOTED that:-**

- (a) **an appeal had been received in respect of part change of use of dwellinghouse and garden ground to wedding venue and erection of marquees at Hartree House, Kilbucho – 16/00865/FUL;**
- (b) **an appeal against enforcement had been received in respect of a boundary fence and summerhouse erected in front garden at 1 Borthwick view, Roberton, Hawick – 16/00105/UNDEV;**
- (c) **there remained six appeals outstanding in respect of:-**

• <b>Land North West of Whitmuir Hall, Selkirk</b>
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• <b>Broadmeadows Farm, Hutton</b>
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• Office, 80 High Street, Innerleithen	• 1 Borthwick View, Robertson, Hawick (Murphy-McHugh)
• 12 Merse View, Paxton	• 1 Borthwick View, Robertson, Hawick (Ramsay – 16/00146)

(d) review requests had been received in respect of the following :-

- (i) Erection of vehicle body repair workshop and associated parking on land north west of Dunrig, Spylaw Farm, Lamancha – 16/01174/PPP;
- (ii) Erection of detached garage with first floor studio, alterations and extension to dwellinghouse at Danderhall Cottage, St Boswells – 17/00011/FUL;
- (iii) Erection of agricultural storage building with welfare accommodation on land west of former William Cree Memorial Church Kirkburn, Cardona – 17/00027/FUL;
- (iv) Erection of agricultural storage building with welfare accommodation on land west of former William Cree Memorial Church Kirkburn, Cardona – 17/00028/FUL; and

(e) the decision of the appointed officer had been upheld by the Local Review Body in respect of:-

- (i) erection of cattle building with welfare accommodation at Kirkburn, Cardrona – 16/01422/FUL;
- (ii) erection of dwellinghouse on land east of Keleden, Ednam – 16/01425/PPP;

(f) the decision of the appointed officer had been overturned by the Local Review Body in respect of erection of dwellinghouse on land east of Highland Brae, Lilliesleaf – 16/01536/PPP;

(g) There remained four reviews outstanding relating to sites at:-

• Field No 0328 Kirkburn, Cardrona (16/01464/FUL)	• Field No 0328 Kirkburn, Cardrona (16/01506/FUL)
• Field No 0328 Kirkburn, Cardrona (16/01507/FUL)	• Field No 0328 Kirkburn, Cardrona (16/01513/FUL)

(h) There remained three S36 Public Local Inquiries outstanding in respect of the following:-

• (Whitelaw Brae Wind Farm), Land South East of Glenbreck House, Tweedsmuir	• Fallago Rig 1, Longformacus
• Fallago Rig 2, Longformacus	

#### 4. PRIVATE BUSINESS DECISION

AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in

**the Appendix II to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 8 of Part 1 of Schedule 7A to the aforementioned Act.**

### **SUMMARY OF PRIVATE BUSINESS**

5. **MINUTE**

The Committee considered the private section of the Minute of 27 March 2017.

6. **PROPER MAINTENANCE OF LAND AT THE FORMER NORTH TRINITY CHURCH, EAST BOWMONT STREET, KELSO**

The Committee considered and approved a report by the Chief Planning Officer.

7. **URGENT BUSINESS**

Under Section 50B(4)(b) of the Local Government (Scotland) Act 1973, the Chairman was of the opinion that the item dealt with in the following paragraph should be considered at the meeting as a matter of urgency, in view of the need to keep Members.

8. **DEFECTIVE ROOF COVERING, RAINWATER GOODS AND DRY ROT AT 2 HIGH STREET AND 12 MARKET PLACE, JEDBURGH**

The Committee received an update by the Principal Officer – Enforcement.

9. **CHAIRMAN**

In noting that the meeting of the Committee was the last before the Local Government Election, the Chairman asked for his thanks to be recorded to all the officers, past and present, who worked within Planning and Building Standards, to the Democratic Services team who supported the Committee and to all the background support staff. He also expressed his thanks to the Vice Chairman Councillor Brown and all the Members of the Committee for their support and co-operation. On behalf of the Committee and the Council, Councillor Ballantyne thanked Councillor Smith for his time as Executive Member for Planning and Environment and complimented him on the quality of his chairmanship of the Planning and Building Standards Committee. The Chief Planning Officer reciprocated thanks to Councillor Smith on behalf Officers.

*The meeting concluded at 4.25 pm*

## APPENDIX I

### APPLICATIONS FOR PLANNING PERMISSION

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
16/00980/FUL	Wind Farm development comprising of 8 no turbines 100m height to tip and Associated works, infrastructure, compounds, buildings and meteorological mast	Land North of Howpark Farmhouse, Grantshouse

Decision: Refused contrary to officer's recommendation for the following reason:

The proposed development is contrary to policy ED9 of the Scottish Borders Local Development Plan 2016, the provisions of the Supplementary Planning Guidance on Windfarms 2011 and the study on Landscape Capacity and Cumulative Impact 2013 (Ironsides Farrar) in that the development would have significant adverse cumulative visual impacts on residential and other receptors and that the landscape is incapable of accommodating the scale of turbines proposed. In addition, the identified economic benefits are not sufficient to outweigh the significant visual and landscape objections to the development.

A covering letter was to accompany the decision stating:

The Planning & Building Standards Committee in considering the application debated the potential noise impact on local residents at some length. Whilst ultimately coming to the conclusion that, on the basis of the evidence before them, a reason for refusal could not be sustained they remained concerned about the cumulative noise impact on the identified residential receptors, particularly those in closest proximity to the application site.

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
17/00236/MOD75	Discharge of planning obligation pursuant to planning permission T199-88	Land South West and South East of Bowbank Cottages, Bellfield Road, Eddleston

Decision: Approved as per recommendation.

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
16/01417/FUL	Formation of waste transfer station and Associated works	Land South of Easter Langlee Recycling Centre

Decision: Refused contrary to officer's recommendation for the following reason:

The proposed development is contrary to policy PMD2 of the Scottish Borders Local Development Plan 2016 in that the C77 road, from the site access to the B6374 Melrose Road, is inadequate and is not able to cope with the traffic generated from the development. In addition, the C77 is not capable of improvement to an acceptable standard to serve the development. The development, if approved, would be detrimental to road safety for pedestrians, residents living in the locality and other road users.

#### NOTE

Mr Young on behalf of Mr and Mrs Scougal, Aislill Cottage, Galashiels and Mr Stisi and Mr John Birnie, Chairman of Cooperknowes Residents Assoc spoke against the application.

## VOTE

*Councillor Smith, seconded by Councillor Moffat moved approval of the application.*

*Councillor White, seconded by Councillor Ballantyne moved as an amendment that the application be refused on the grounds of the inadequacy of the road for the proposed development and road safety.*

*On a show of hands Members voted as follows:-*

*Motion - 2 votes*

*Amendment - 5 votes*

*The amendment was accordingly carried.*

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
17/00187/FUL	Revised design pertaining to planning permission 09/01542/FUL to replace public bar/restaurant/function suite with 3 No. dwellinghouses and 4 No. flats	Land West of and including Golfer's Rest Former Station, Cardrona, Peebles

Decision: Approved subject to the following conditions and a Legal Agreement covering the adjustment to the development proposal and additional play area contributions:

1. Notwithstanding the description of the materials in the application, no development shall be commenced until precise details of the materials to be used in the construction of the external walls and roofs of the buildings have been submitted to and approved in writing by the Planning Authority, and thereafter no development shall take place except in strict accordance with those details.  
Reason: The materials require further consideration to ensure a satisfactory form of development, which contributes appropriately to its setting.
2. The finished floor levels of all the buildings hereby approved shall have a minimum finished floor level of 152.9m AOD.  
Reason: To ensure that there is no impact on the existing floodplain and that the occupants of the buildings are protected from flooding.
3. Prior to the commencement of development a scheme for the integrated provision of suitable motorcycle and bicycle parking and storage and bin storage facilities shall be submitted to and approved by the Planning Authority. The approved scheme shall be fully implemented and made available for use prior to the occupation of the development and thereafter permanently retained.  
Reason: To ensure that an integrated range of storage and on-site vehicle parking facilities are made available to users of the development.
4. In accordance with the agreed Written Scheme of Investigation outlining the Watching Brief, access should be afforded to allow investigation by a contracted archaeologist(s) nominated by the developer and agreed to by the Planning Authority. The developer shall allow the archaeologist(s) to observe relevant below ground excavation during development, investigate and record features of interest and recover finds and samples if necessary. Results will be submitted to the Planning Authority for review in the form of a Data Structure Report. If significant archaeology is discovered below ground excavation should cease pending further consultation with the Planning Authority. The developer will ensure that any significant data and finds undergo post-excavation analysis, the results of which will be submitted to the Planning Authority.  
Reason: The site is within an area where ground works may interfere with, or result in the destruction of, archaeological remains, and it is therefore desirable to afford a reasonable opportunity to record the history of the site.
5. Further details shall be submitted in writing and approved by the local planning authority, following consultation with Historic Scotland for the following:

- an interpretive plan for the Cardrona Standing Stone
- a design for screening, planting and landscaping to preserve the setting of the monument
- measures for the positive management and enhancement of the field containing the scheduled monument

The approved details shall be implemented prior to the occupation of the buildings.

Reason: To safeguard a site of archaeological interest and to enhance its setting.

6. Prior to, and during the construction phase, temporary fencing shall be placed around the Standing Stone, details of which shall to be agreed in advance with the local planning authority in consultation with Historic Scotland.

Reason: To safeguard a site of archaeological interest.

7. No development shall take place except in strict accordance with a revised scheme of hard and soft landscaping works, which has first been submitted to and approved in writing by the Planning Authority. Details of the scheme shall include (as appropriate):

- i. existing and finished ground levels in relation to a fixed datum preferably ordnance
- ii. existing landscaping features, trees and vegetation to be retained and, in the case of damage, restored
- iii. location and design, including materials, of walls, fences and gates
- iv. soft and hard landscaping works
- v. existing and proposed services such as cables, pipelines, sub-stations
- vi. other artefacts and structures such as street furniture, play equipment
- vii. A programme for completion and subsequent maintenance.

Reason: To ensure the satisfactory form, layout and assimilation of the development.

8. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and shall be maintained thereafter and replaced as may be necessary for a period of two years from the date of completion of the planting, seeding or turfing.

Reason: To ensure that the proposed landscaping is carried out as approved.

9. None of the trees identified for retention on the agreed Landscaping Plan (as per Condition 7) shall be felled, thinned, lopped, topped, lifted or disturbed without the prior written consent of the Planning Authority.

Reason: To enable the proper effective assimilation of the development into its wider surroundings, and to ensure that those existing tree(s) representing an important visual feature are retained and maintained.

10. Before any part of the permitted development is commenced, the trees to be retained on the site shall be protected by a chestnut paling fence 1.5 metres high, placed at a minimum radius of one metre beyond the crown spread of each tree, and the fencing shall be removed only when the development has been completed. During the period of construction of the development:

- (a) No excavations, site works, trenches or channels shall be cut, or pipes or services laid in such a way as to cause damage or injury to the trees by interference with their root structure;
- (b) No fires shall be lit within the spread of the branches of the trees;
- (c) No materials or equipment shall be stored within the spread of the branches of the trees;
- (d) Any accidental damage to the trees shall be cleared back to undamaged wood and be treated with a preservative if appropriate;
- (e) Ground levels within the spread of the branches of the trees shall not be raised or lowered in relation to the existing ground level, or trenches excavated except in accordance with details shown on the approved plans.

Reason: In the interests of preserving the health and vitality of existing trees on the development site, the loss of which would have an adverse effect on the visual amenity of the area.



11. No work shall be carried out during the bird breeding season (March-August) without the written consent of the local planning authority.  
Reason: to protect any breeding birds on the site.
12. A Species Protection Plan for otter, incorporating a pre-development checking survey and measures to be undertaken for the protection of otter, (including those outlined in the Ecological Assessment of December 2015), shall be submitted to and approved in writing by the Planning Authority. Any works shall, thereafter, be carried out in accordance with the approved Plan.  
Reason: In order to protect any protected species found within the site.
13. Prior to commencement of work, the updated Landscape and Habitat Management Plan shall be submitted to and approved in writing by the Planning Authority. This plan will also include a 10m riparian buffer strip of native woodland (willow, alder) using stock of local provenance or alternatively a planting scheme complimentary to the existing Cardrona designed landscape. Any works shall, thereafter, be carried out in accordance with the approved scheme.  
Reason: In order to protect any protected species found within the site.
14. Directional lighting will be required to ensure that the river and river bank are not significantly illuminated by lighting associated with the development.  
Reason: In order to protect any protected species found within the site.
15. Any development should be kept back from the watercourse edge to a minimum of 20m, to minimise any impact on the site features from the construction and prevent any need for bank protection work, preserve natural bank vegetation etc. The banks of the river Tweed shall be fenced off to a minimum of 10m prior to the commencement of any development operations, separating the river and its banks from the building operations etc and providing an undeveloped buffer strip which retains the existing natural vegetation. For the avoidance of doubt this buffer strip shall also include the area of land between the cart track and the river, with access provided to the 18th tee.  
Reason: In order to protect any protected species found within the site.
16. No intervention works shall be carried out on the water course itself.  
Reason: In order to protect the River Tweed SAC
17. A scheme for a clearly marked cycle way shall be submitted to and agreed in writing by the local authority before the development is commenced (including temporary diversion proposals) and the said scheme shall be implemented prior to the occupation of any of the new buildings on the site. The route must start where the old railway bridge meets the proposed development area then going eastwards on a line to be agreed to meet Cardrona Way  
Reason. To ensure the safe passage of cyclists through the site.
18. The area noted for parking on the submitted plan to the south of the development shall be properly consolidated, surfaced and drained before the buildings are occupied to the engineering details submitted and agreed as per the approval 09/01542/FUL. Parking bays to have minimum dimensions of 2.5 by 5 metres with a 1 metre hard-strip around the outer extremities of the parking area. Parking area to include 2 disabled bays which conform to current Building Regulations. All parking spaces within this area must remain unallocated to any particular property and should be available at all times for use by all users  
Reason: To ensure there is adequate space within the site for the parking of vehicles clear of the highway.
19. The proposed roads, lay-by parking, footpaths and turning spaces indicated on the approved drawing, to an extent agreed with the Planning Authority, shall be constructed to adoptable standards and shall be subject to Roads Construction Consent.

Reason: To ensure that the proposed development is laid out in a proper manner with adequate provision for traffic.

20. Development shall not begin until drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Planning Authority.

Reason: To ensure that satisfactory arrangements are made for the disposal of surface and foul water.

21. None of the dwellings shall be occupied until works for the disposal of sewage have been provided on the site to serve the development hereby permitted in accordance with details to be submitted to and approved in writing by the Planning Authority.

Reason: To ensure that satisfactory arrangements are made for the disposal of surface and foul water.

22. No development to be commenced until details are submitted to, and approved by, the Planning Authority, relating to the roadside crash barrier at the junction of the access road and the public road and how it will be altered to allow for the visibility splays to be formed.

Reason: In the interests of road safety.

23. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992 (or any subsequent Order amending, revoking or re-enacting that Order), there shall be no further building, structure or enclosure placed on the site unless an application for planning permission in that behalf has first been submitted to and approved in writing by the Planning Authority.

Reason: The Planning Authority considers that any further development would prejudice a satisfactory layout and would have a harmful effect upon the amenity of the area.

24. No development to be commenced until full details are submitted to, and approved by, the Planning Authority relating to compensatory floodplain storage within the site. Once approved, the works to be completed before the development is commenced.

Reason: To safeguard existing and proposed properties from any increase in flood risk as a result of the development.

25. The proposed residential units shall meet the definition of "affordable housing" as set out in the adopted Scottish Borders Local Development Plan 2016 and any accompanying supplementary planning guidance and shall only be occupied in accordance with arrangements (to include details of terms of occupation and period of availability) which shall first have been submitted to and approved in writing by the Planning Authority.

Reason: The permission has been granted for affordable housing, and development of the site for unrestricted market housing would not comply with development plan policies and guidance with respect to contributions to infrastructure and services, including local schools.

#### Informatives

It should be noted that:

- 1 Roads Planning advise the following:  
It should be borne in mind that all work within the public road boundary, and prospective public road boundary, must be undertaken by a contractor first approved by the Council.
- 2 The Council's Flood Protection Officer recommends that, to receive flood warnings from SEPA, residents sign up to FLOODLINE at [www.sepa.org.uk](http://www.sepa.org.uk) or by telephone on 0845 988 1188. SEPA also advise that the residents' car parking area and road access to it are at a significant risk of flooding from the River Tweed. They would recommend that some signage or information boards are used to display this risk to residents and visitors to the car park area. They would also recommend that residents are encouraged to sign up to

receive flood warnings for the River Tweed in this area so that vehicles can be safely moved from the car park area before the onset of flooding.

**NOTE**

Mr Brian McCrow, on behalf of Cardrona Residents spoke against the application.

Mr Justin Lamb, Agent spoke in support of the application.

<b><u>Reference</u></b>	<b><u>Nature of Development</u></b>	<b><u>Location</u></b>
16/01583/FUL	Change of use from offices and alterations and extension to form gym/spa	Office, West Grove Waverley Road, Melrose

Decision: Approved subject to the following conditions and informative notes:

1. The development shall operate only the uses and layout specified on the approved floor plan. There shall be no other uses permitted to operate as part of the approved development, and nor shall any other use within Class 11 of the Use Classes (Scotland) Order 1997 be permitted to operate without a further planning application having first been submitted to and approved by the Planning Authority. In the event that the approved use ceases to operate (whether by the applicant or a different owner/occupier), the lawful use of the property shall revert to a use falling within Class 4 of the Order. This limitation applies notwithstanding the meaning of 'development' within the Town and Country Planning (Scotland) Act 1997 (as amended), or any permitted change of use granted by Development Order.  
Reason: To maintain neighbouring amenity (including limiting noise impacts) and road and pedestrian safety
2. No development shall commence until a management scheme for its operation has been submitted to and approved by the Planning Authority. The development shall only operate in accordance with the approved management scheme  
Reason: In order to manage occupancy of the building to a level commensurate with the parking provision available to it, in the interests of maintaining road and pedestrian safety
3. The development shall not commence operation until the following measures have been implemented, and shall only operate with the approved measures fully maintained in place:
  - a) The junction onto Tweedmount Road has been lowered over the first 1 metre on either side of the access in accordance with a specification first agreed in writing with the Planning Authority
  - b) Directional signage has been provided within the site to maintain the one-way system in accordance with a specification first agreed in writing with the Planning Authority. The use shall only operate in accordance with the one-way system
  - c) All parking spaces within the site and within the land identified within the applicant's ownership on the approved location plan have been lined all in accordance with the approved plans. The parking area to the south of the building (including the application site and land within the ownership of the applicant) shall not be subdivided, notwithstanding the General Permitted Development (Scotland) Order 1992 (as amended) or any revised or replacement Order
  - d) Cycle stands have been provided in accordance with the approved site plan  
Reason: To maintain road and pedestrian safety and ensure adequate parking provision within the site
4. The development shall only operate in accordance with the Noise Impact Assessment RMP Technical Report No R-7707-EP-RGM 8<sup>th</sup> March 2017. All identified mitigation measures shall be fully implemented prior to operation of the use and shall be maintained throughout its operation. The development shall only operate between the hours of 6am and 10pm, with exercise/dance classes run only between 8am and 8pm and ventilation units shall only operate during the approved operating hours. Amplified music or speech shall only be transmitted within the dance studio between the hours of 8am and 8pm and only using a

sound system that is in compliance with the noise level setting exercise required by the assessment. There shall be no amplified music or speech anywhere else within the building. Any television or similar device also transmitting sound within the building shall be operated and maintained in accordance with a level setting exercise the specification for which has been approved by the Planning Authority prior to its operation.

Reason: To limit potential noise impacts on neighbouring property.

5. The external surfaces of the development hereby permitted shall be completed in the materials shown on the approved drawings, and no other materials shall be used without the prior written consent of the Planning Authority. The roofing material shall be dark grey or black in colour and matt surfaced, unless otherwise agreed with the Planning Authority

Reason: To ensure a satisfactory form of development, which contributes appropriately to its setting.

6. Roof ventilation units shall not be higher than the existing roof parapet level unless otherwise agreed in writing with the Planning Authority

Reason: To minimise the visual impact of the roof ventilation units.

7. The windows in the northern elevation of the building shall be permanently fixed shut unless otherwise agreed in writing by the Planning Authority.

Reason: To minimise the potential for disturbance to adjoining residential occupiers

#### Informatives

1. Advertisements specified on the approved drawings do not require Advertisement Consent provided they are non-illuminated. Any changes to the signage will require Advertisement Consent unless exempt under the Control of Advertisements (Scotland) Regulations 1984 (as amended).
2. External lighting is not approved under this consent. Lighting will require Planning Permission where it constitutes development and is not exempt under the General Permitted Development (Scotland) Order 1992 (as amended)
3. The purpose of Condition 2 is to manage activity in a manner which limits the potential for the number of persons within the property at any one time to exceed 40.

#### NOTE

Mrs Katie Hunter spoke against the application.

Mr Michael Crawford, Owner spoke in support of the application.

#### Reference

17/00299/FUL

#### Nature of Development

Erection of Dwellinghouse

#### Location

Land South of Sunnybank,  
Forebrae Park, Galashiels

Decision: Continued to allow further investigation of legal implications of the proposed road link on the private ownership of Forebrae Park and to enable a site visit to be undertaken by the new Committee.

#### NOTE

Mr A H McVitie, spoke in support of the application.

#### VOTE

*Councillor Brown, seconded by Councillor Mountford moved that the application be approved.  
Councillor White, seconded by Councillor Moffat, moved as an amendment that the application be continued to investigate the legal implications of the roads proposal and to allow members to visit the site.*

*On a show of hands Members voted as follows:-*

*Motion - 2  
Amendment - 6*

*The Amendment was accordingly carried.*

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
17/00163/FUL	Formation of Access	Land West Of Glendouglas Lodge, Jedburgh

Decision: Approved subject to the following conditions;

1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and specifications approved by the Planning Authority.

Reason: To ensure that the development is carried out in accordance with the approved details.

2. Visibility splays shown on the plans hereby approved shall be provided on each side of the new access prior to any vehicular use of the junction. These splays are the triangles of ground bounded on 2 sides by the first 4.5 metres of the centreline of the access driveway (the set back dimension) and the nearside trunk road carriageway measured 215 metres (the y dimension) in both directions from the intersection of the access with the trunk road. In a vertical plane, nothing shall obscure visibility measured from a driver's eye height of between 1.05 metres and 2.00 metres positioned at the set back dimension to an object height of between 0.26 metres and 1.05 metres anywhere along the y dimension.

Thereafter, visibility splays shall be maintained on each side of the new access to this specification in perpetuity, and at the expressed request of Transport Scotland, the Roads Authority.

Reason: To ensure that drivers of vehicles leaving the site are enabled to see and be seen by vehicles on the trunk road carriageway and join the traffic stream safely.

3. The gradient of the access road shall not exceed 1 in 40 metres for a distance of 10 metres from the nearside edge of the trunk road carriageway, and the first 5 metres shall be surfaced in a bituminous surface and measures shall be adopted to ensure that all drainage from the site does not discharge onto the trunk road.

Reason: To ensure that the standard of access layout complies with the current standards and that the safety of the traffic on the trunk road is not diminished

4. No development may commence until plans (which detail design of a suitable turning area provided within the curtilage of the site) have been submitted and approved in writing by the Planning Authority, after consulting Transport Scotland. Thereafter, no development shall take place except in strict accordance with the drawings so approved and the turning area shall be provided before any forestry extraction takes place from the site.

Reason: To ensure that vehicles may enter and leave the site in a forward gear.

#### INFORMATION FOR THE APPLICANT

Transport Scotland Advise:

Granting of planning consent does not carry with it the right to carry out works within the trunk road boundary and that permission must be granted by Transport Scotland Trunk Road and Bus Operations. Where any works are required on the trunk road, contact details are provided on Transport Scotland's response to the planning authority which is available on the Council's planning portal.

Trunk road modification works shall, in all respects, comply with the Design Manual for Roads and Bridges and the Specification for Highway Works published by HMSO. The developer shall issue a certificate to that effect, signed by the design organisation. Trunk road modifications shall, in all respects, be designed and constructed to arrangements that comply with the Disability Discrimination Act: Good Practice Guide for Roads published by Transport Scotland. The developer shall provide written confirmation of this, signed by the design organisation.

The road works which are required due to the above Conditions will require a Road Safety Audit as specified by the Design Manual for Roads and Bridges. Any trunk road works will necessitate a Minute of Agreement with the Trunk Roads Authority prior to commencement.

**NOTE**

Mrs Moira Land, Langlee Park, Jedburgh and Mr Peter Hincks, West Paddock, Langlee, Jedburgh spoke against the application. Mr Hugh Garrett, applicant spoke in support of the application.

**VOTE**

*Councillor Fullarton, seconded by Councillor Gillespie moved that the application be approved.  
Councillor Mountford, seconded by Councillor Brown, moved as an amendment that the application be refused on the grounds of road safety.*

*On a show of hands Members voted as follows:-*

*Motion - 6*

*Amendment - 2*

*The Motion was accordingly carried.*

<b><u>Reference</u></b>	<b><u>Nature of Development</u></b>	<b><u>Location</u></b>
17/00277/FUL	Erection of telecommunications tower and associated equipment within fenced compound	Land West of Ovenshank Farm Cottage, Newcastleton

Decision: Approved subject to the following conditions:

1. Within no more than 6 months of the date at which the development hereby consented ceases to be required for the purpose of telecommunications infrastructure provision:
  - (a) the telecommunications mast hereby consented, and all ancillary equipment and installations (including fencing, the cabinets and platform in hard standing) shall all be removed from the site; and
  - (b) the land at the site shall be restored to its former condition, unless, an application is first made and consent granted for the development's retention on site to serve an alternative purpose.

Reason: Retention of the mast, and all ancillary installations on site, beyond the point in time at which it has become redundant, would not be sympathetic to the character of the site or the visual amenities of the surrounding area.

**NOTE**

Mr James H T Hibbert-Hingston and Mr Leese, Woodlands, Newcastleton spoke against the application.

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## **PLANNING PERFORMANCE FRAMEWORK 2016/17**

**Report by Service Director Regulatory Services**

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### **PLANNING & BUILDING STANDARDS COMMITTEE**

**26 June 2017**

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#### **1 PURPOSE AND SUMMARY**

- 1.1 This report proposes that Members approve the Planning Performance Framework 2016/17 for submission to Scottish Ministers by 31 July 2017 and grants delegated authority to enable the preparation of the final publication version of the document.**
- 1.2 The Planning Performance Framework (PPF) is an annual performance report submitted to Scottish Government by all planning authorities in Scotland. This report seeks authority to submit the Council's sixth PPF to Scottish Government.
- 1.3 The PPF highlights how the planning service has delivered continuous improvement in service delivery, how it has performed when tested against 15 national performance markers and how it has responded to last year's RAG report from Scottish Government.
- 1.4 Due to time constraints imposed by Scottish Government to submit the document and the difficulty in gathering all of the required information and statistics (including critically the approved performance figures from Scottish Government) it has not been possible to present the finalised publication version of the document to members. The PPF document attached as Appendix 1 is a word version outlining the key text, case studies but only has limited photography and no graphics content. The approval of the document will enable the production of a publication version of the PPF in time for the submission to Scottish Ministers on 31 July 2017.

#### **2 RECOMMENDATIONS**

- 2.1 I recommend that the Planning and Building Standards Committee approves the Planning Performance Framework 2016/17 for submission to Scottish Ministers by 31 July 2017 and grants delegated powers to the Service Director Regulatory Services, to prepare the final publication version of the document .**

### 3 PLANNING PERFORMANCE FRAMEWORK 2016/17

- 3.1 The Planning Performance Framework provides a comprehensive and co-ordinated approach to performance assessment across all 34 Local Planning Authorities and 4 Strategic Development Planning Authorities in Scotland. It provides a mechanism to benchmark our performance with other Local Authorities in Scotland and to demonstrate the achievements and successes of the Planning Service, how we are improving service delivery and sharing good practice.
- 3.2 It has proven difficult to gather all of the required information and statistics to enable the finalised report to be compiled in time for the Committee meeting on 26 June (the closest meeting prior to the submission deadline of 31 July). It is therefore proposed to outline how we are responding to some of the key performance markers for Members information and outline the case studies that we will be featuring as evidence of good practice. It is requested that Members grant Officers delegated powers to finalise and submit the document to Scottish Ministers. This is considered the most effective way to ensure that the deadline is met. Scottish Government has indicated very strongly that it will not accept submissions after the specified date and there are serious reputational implications should we fail to meet our obligations in this regard.
- 3.3 The Minister for Local Government and Housing, Mr Kevin Stewart, commenting on last years' PPF stated "...that Scottish Borders performance report was of a high standard." The Minister's report gave Scottish Borders Planning Service 2 red, 1 amber and 10 green RAG ratings (2 Markers being excluded as not applicable for that year's report).
- 3.4 In response to this feedback report, the service identified a series of priority actions to address the red and amber ratings and these are set out table below, along with a commentary on the outcome of implementing the actions:

<b>Performance Marker 7 - Local development plan less than 5 years since adoption</b>	
<b>SBC Actions:</b> On 17 December 2015, Scottish Borders Council accepted the proposed modifications recommended by the Reporter set out in the reporter's examination report and agreed to proceed to adopt the Plan. Following the extended period required by Scottish Government officials following the Council's Notice of Intention to Adopt the Plan the plan was adopted in May 2016. Whilst the service delivered on its work programme, set out in the Development Plan Scheme, the delays in receiving the Reporters report in particular meant that the Local Development Plan was not delivered within the	<b>Action Outcomes:</b> Local Development Plan adopted May 2016



timescales originally envisaged and the statutory 5 year period.	
<b>Performance Marker 8 - Development plan scheme – next LDP:</b>	
<p><b>SBC Actions:</b> We have ensured that this year’s PPF refers to the details of the <a href="#">Development Plan scheme</a> and that the programme of work highlighted within it is referenced in the document.</p>	<p><b>Action Outcomes:</b> Work has commenced on the next Local Development Plan and the Development Plan scheme was published in May 2016 to ensure that the new LDP is produced within the statutory timescales. It is anticipated that the Main Issues Report will be published by the end of 2017. Work has commenced on public engagement, policy and guidance development as well as the necessary key research.</p>
<b>Performance Marker 12 - Processing agreements:</b>	
<p><b>SBC Actions:</b> We have ensured that we advertise the use of processing agreements on your website.  <a href="https://www.scotborders.gov.uk/downloads/download/729/planning_processing_agreements">https://www.scotborders.gov.uk/downloads/download/729/planning_processing_agreements</a></p>	<p><b>Action Outcomes:</b> Downloadable forms are available on our web site. We continue to use processing agreements extensively and entered into 271 last year (7 for major applications, 236 for local developments and 28 for other consents). This is one of the highest figures for any Scottish Local Authority.</p>

- 3.5 It is anticipated that, on the basis of the work we have undertaken and the performance we have delivered, this year’s RAG report will eliminate the two Red ratings and move the service to an improved overall performance rating.
- 3.6 The Service continues to direct its efforts to retaining Green ratings for the remainder of the Performance Markers in respect of; providing effective pre-application advice, maintaining an up-to-date enforcement charter, ensuring positive engagement with stakeholders, providing regular and proportionate policy advice, illustrating corporate working across services, sharing good practice and setting out clear and proportionate expectations for developer contributions.
- 3.7 The PPF also documents the continued improvement achieved by the service in the handling of planning and associated applications. There has been a progressive improvement in the time taken to determine all types of application in the last 5 years. The performance is now consistently better than the Scottish national figures. This has been achieved by the adoption of a more project management approach determining applications and improved case work monitoring.
- 3.8 It is proposed to feature a number of case studies in this year’s PPF relating service delivery, policy development and implementation. These are:
- Case Study 1 - Central Borders Business Park, Tweedbank
  - Case Study 2 - Borders Design Awards

- Case Study 3- Peebles Hydro housing development
- Case Study 4 - Protected Species- Technical Advice Notes

A series of improvement actions as also identified for this year and these are:

1. Investigate options to improve the monitoring and compliance with planning conditions.
2. Review effectiveness of internal consultation procedures on planning applications.
3. Introduce new Provisional Enquiry process for Development Management.
4. Complete re-engineered ePlanning processes for Development Management.
5. Roll out design training for staff.
6. Improve our use of web mapping for public engagement by upgrading to ArcGIS Online, using maps on more webpages, and developing Story Maps.

## **4 IMPLICATIONS**

### **4.1 Financial**

- (a) There are no direct costs attached to any of the recommendations contained in this report. However, the provisions of Section 55 of the Regulatory Reform (Scotland) Act 2014 give power to Scottish Ministers to impose a penalty for poor performance by planning authorities. The focus for the first year of the "penalty clause" is speed of processing applications and the inability to deliver the key service improvements outlined in the PPF could result in a reduction in planning fee income.
- (b) It is not possible at this stage to give a definitive estimate of potential lost income. This would have significant reputation implications as well as implications for service delivery and staff.

### **4.2 Risk and Mitigations**

- (a) There are reputational implications should the Council not deliver on the improvement objectives set out in the Framework. The Services ensures that it has effective monitoring and reporting on key performance indicators set out in the PPF to deliver on these objectives.
- (b) As specified in 5.1, there is a potentially minor financial risk. The key mitigation is to deliver the service improvements identified in the PPF.

### **4.3 Equalities**

- (a) An Equalities Impact Assessment has been carried out on this proposal and it is anticipated that there are no adverse equality implications.
- (b) It is anticipated that there are no adverse impact due to race, disability, gender, age, sexual orientation or religion/belief arising from the proposals in this report.

#### 4.4 **Acting Sustainably**

The implementation of the improvements outlines in the framework will assist the Council to deliver appropriate sustainable economic development and more streamlined processes and procedures. There are no significant impacts on the economy, community or environment arising from the proposals contained in this report.

#### 4.5 **Carbon Management**

The implementation of the improvements outlines in the framework will assist the Council to deliver appropriate sustainable economic development and more streamlined processes and procedures. There are no significant effects on carbon emissions arising from the proposals contained in this report.

#### 4.6 **Rural Proofing**

This report does not relate to new or amended policy or strategy and as a result rural proofing is not an applicable consideration.

#### 4.7 **Changes to Scheme of Administration or Scheme of Delegation**

There are no changes to be made to either the Scheme of Administration or the Scheme of Delegation as a result of the proposals contained in this report.

### 5 **CONSULTATION**

- 5.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Service Director Strategy and Policy, the Chief Officer Audit and Risk, the Chief Officer HR, and the Clerk to the Council have been consulted and their comments incorporated into the final report.

#### **Approved by**

**Brian Frater**  
**Service Director Regulatory Services**

**Signature.....**

#### **Author(s)**

Name	Designation and Contact Number
Ian Aikman	Chief Planning Officer TEL : 01835 826510

#### **Background Papers:**

Appendix 1 – Planning Performance Framework 2016/17

**Previous Minute Reference:** None

**Note** – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Jacqueline Whitelaw can also give information on other language translations as well as providing additional copies.

Contact us at Jacqueline Whitelaw, Environment and Infrastructure, Scottish Borders Council, Council Headquarters, Newtown St Boswells, Melrose, TD6 0SA, Tel 01835 825431, Fax 01835 825071, email [e&ittranslationrequest@scotborders.gov.uk](mailto:e&ittranslationrequest@scotborders.gov.uk).

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# SCOTTISH BORDERS COUNCIL PLANNING PERFORMANCE FRAMEWORK

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**2016-2017**

# SCOTTISH BORDERS COUNCIL PLANNING PERFORMANCE FRAMEWORK 2016-2017

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## INTRODUCTION

This is the sixth Planning Performance Framework (PPF) prepared by Scottish Borders Council for its planning service and covers the period 1 April 2016 to 31 March 2017.

The Minister for Local Government and Housing, Mr Kevin Stewart, commenting on last years' PPF stated "...that Scottish Borders performance report was of a high standard." In the Performance Markers RAG (Red, Amber, Green) report issued by Scottish Government for 15 identified Performance Markers, we were awarded 2 red, 1 amber and 10 green RAG ratings (2 Markers being excluded as not applicable for that year's report). In response to this feedback, we identified a series of priority actions to address the red and amber ratings and these are set out in the table below, along with a commentary on the outcome of implementing the actions.

In considering the Minister's report, the Planning & Building Standards Committee was pleased to note that the significant efforts of the Planning Service to deliver improvements in performance had been acknowledged. This improvement had been delivered progressively over a number of years and the service was commended on its positive and pro-active performance management approach.

This year's PPF sets how we are helping to deliver the Council's [corporate priorities](#); enabling good quality development in the right locations, balancing the needs of the community, the economy and the environment. It also addresses how we are continuing to improve performance in the challenging budgetary environment and adapting the service to meet the needs of the Borders.

### Performance Markers Action Outcomes

<b>Performance Marker 7 - Local development plan less than 5 years since adoption</b>	
<p><b>SBC Actions:</b> On 17 December 2015, Scottish Borders Council accepted the proposed modifications recommended by the Reporter set out in the reporter's examination report and agreed to proceed to adopt the Plan. Following the extended period required by Scottish Government officials following the Council's Notice of Intention to Adopt the Plan the plan was adopted in May 2016. Whilst the service delivered on its work programme, set out in the Development Plan Scheme, the delays in receiving the Reporters report in particular meant that the Local Development Plan was not delivered within the timescales originally envisaged and the statutory 5 year period.</p>	<p><b>Action Outcomes:</b> Local Development Plan adopted May 2016.</p>
<b>Performance Marker 8 - Development plan scheme – next LDP:</b>	
<p><b>SBC Actions:</b> We have ensured that this year's PPF refers to the details of the <a href="#">Development Plan scheme</a> and that the programme of work highlighted within it is referenced in the document.</p>	<p><b>Action Outcomes:</b> Work has commenced on the next Local Development Plan and the Development Plan scheme was published in May 2016 to ensure that the new LDP is produced within the statutory timescales. It is anticipated that the Main Issues Report will be published by the end of 2017. Work has commenced on public engagement, policy and guidance development as well as the necessary key research.</p>
<b>Performance Marker 12 - Processing agreements:</b>	
<p><b>SBC Actions:</b> We have ensured that we advertise the use of processing agreements on your website.  <a href="https://www.scotborders.gov.uk/downloads/download/729/planning_processing_agreements">https://www.scotborders.gov.uk/downloads/download/729/planning_processing_agreements</a></p>	<p><b>Action Outcomes:</b> Downloadable forms are available on our web site. We continue to use processing agreements extensively and entered into 271 last year (7 for major applications, 236 for local developments and 28 for other consents). This is one of the highest figures for any Scottish Local Authority, and demonstrates a commitment to partnership working with the development industry.</p>



## PART 1 - DEFINING AND MEASURING A HIGH-QUALITY PLANNING SERVICE

### QUALITY OUTCOMES

The development policies in the 2016 Local Development Plan and a range of [supplementary planning guidance](#) documents set out our aspirations for quality development, including guidance specifically on [Placemaking and Design](#). We also produce [planning briefs](#) for individual sites. The Local Development Plan identified a list of Supplementary Guidance to produce along with a priority programme for its production (which has been subsequently reviewed in response to staffing constraints and changing priorities) and several of these documents have been progressed over the year. A list of approved and draft guidance is available to view on our [web site](#).

The following draft Supplementary Guidance documents were prepared and consulted on last year and are due to be approved by Council in the second half of 2017 before being sent to Scottish Ministers: the [Housing SG](#) which allocates sites for housing to ensure a full supply in the Scottish Borders; the [Renewable Energy SG](#) which provides a range of information and guidance on renewable energy developments and their planning; the [Tweedbank Simplified Planning Zone](#) which will assist the delivery of employment development at Tweedbank near the new Borders Railway terminus, and Sustainable Urban Drainage guidance.

Work continues with partners to maximise the economic benefits of the railway set out in the [Borders Railway Blueprint](#). The [Borders Railway Prospectus](#) outlines a range of development opportunities along the railway corridor and we are contributing to the Masterplanning of options for Lowood Estate and the Central Borders Business Park at Tweedbank, where, as mentioned above, we are progressing our first Simplified Planning Zone, and for the redevelopment and regeneration of central Galashiels, as key inward investment opportunities linked to the railway. We have also contributed to the Council's prioritised documents to aid the speedy delivery of high-quality development: the Former Kelso High School Concept Design Statement, Eyemouth High School, and the Jedburgh new school campus masterplan.

The following case study highlights our work to develop a Simplified Planning Zone for the Central Borders Business Park at Tweedbank.

#### Case Study 1 - Central Borders Business Park, Tweedbank

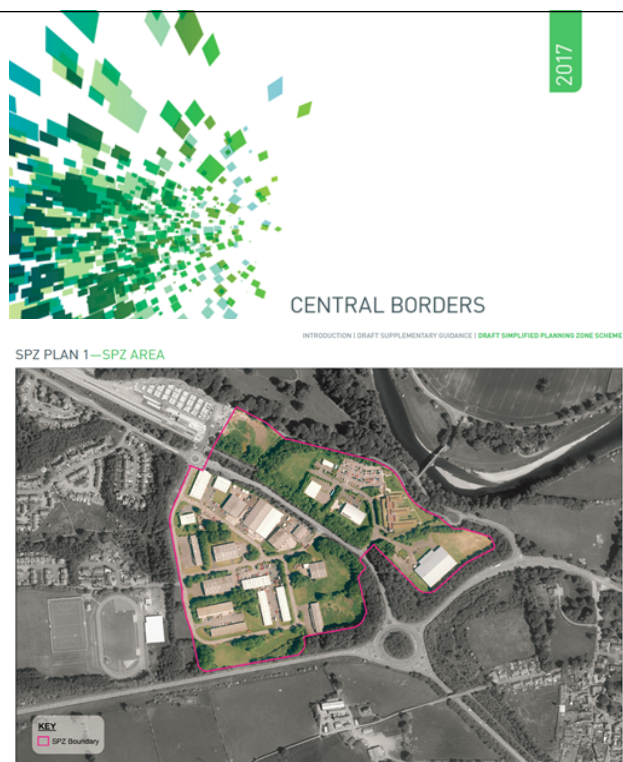
The Local Development Plan 2016 identifies two Business and Industrial Safeguarding sites at Tweedbank: Tweedside Business Park (zEL59) and Tweedbank Industrial Estate (zEL39). Supplementary Guidance (SG) has been developed to provide a framework vision for the future development of these sites and a related Simplified Planning Zone (SPZ) permits development to take place without the need for full planning consent, provided any development complies with development parameters and conditions. These documents will create an employment led redevelopment, providing choice and quick delivery for businesses considering locating in the Scottish Borders.

The Central Borders Business Park is adjacent to the new Tweedbank Rail Station which has brought new opportunities to the area and these documents will help ensure that the full benefit is realised. Redevelopment of existing buildings will provide modern manufacturing, office and other facilities to meet the needs of current and new businesses.

The SG is being prepared in order to outline how the sites could be developed, creating a development vision.

This includes identifying opportunities, highlighting potential constraints and encouraging high quality design and layout. The SG will guide prospective developers and other interested parties, and will be a material consideration in the determination of any planning applications. The SG must be read in conjunction with other Local Development Plan policies and guidance that encourage good place making and design.

An SPZ effectively grants planning permission in advance for specified types of development within defined areas. It offers





the opportunity to change the use of premises, build new premises and/or alter and extend existing buildings, without the need for a formal planning application subject to compliance with detailed parameters and conditions detailed in the associated document. Within the SPZ area, permitted uses include business, general industrial, storage/distribution, hotels and limited retail floor space within specific zones. Any development proposals which fall outwith the scope of the SPZ would have to apply for planning permission in the normal way. All proposals will be required to go through the building standards process.

The Draft documents are currently undergoing a process of public consultation and will be presented to the Council for approval in Summer 2017.

The GIS team supports the planning policy team's work on the Housing SG and the retail, employment, vacant/derelict land, and housing land audits, which are all kept consistently up-to-date by the planning team. We continue to make improvements to the procedures for these audits, particularly the HLA which is one of the largest pieces of work we undertake.

We continued to focus on design quality throughout 2016/17 and ran a very successful [Design Award Scheme](#) as part of our contribution to the Year of Innovation, Architecture and Design / Festival of Architecture. The scheme recognised and promotes good building design within the Scottish Borders. We received 31 entries which resulted in 5 Awards and 4 Commendations that are set out in case Study 2:

### **Case Study 2 - Borders Design Awards -**

The council ran its biennial Design Award Scheme in summer 2016 as planned as part of the planning service's contribution to the Year of Architectural, Innovation and Design and the Design Festival. A total of 31 entries were received across three categories; New Build (split into commercial and residential), Placemaking (new developments that contribute to creating a sense of place) and Works to Existing Buildings. The independent judging panel, comprising representatives of the RTPI and RIAS under a local lay chair, visited a total of 13 shortlisted entries and subsequently made the following awards and commendations:

#### **Insert photographs and plans**

#### **Design Award for New Build Residential:**

**The Wave, Kirkton Manor**

#### **Commendations for New Build Residential:**

**Little Lindisfarne, Hawick**

**Maple Tree House, Darnick**

#### **Design Award for New Build**

**New sports hall, Peebles High School**

#### **Design Award for Works to an Existing Building:**

**Blakeburn by Gattonside**

#### **Commendation for Works to an Existing Building**

**Born in the Borders, Lanton Mill**

#### **Design Award for Placemaking**

**Leet Haugh, Coldstream**

#### **Commendation for Placemaking**

**Old School Place, Lauder**

#### **Special Award for Conservation and Design**

**Marchmont House, Marchmont**

**Presentations of the awards was made on 5 September 2016.**

The Chief Architect of the Scottish Government toured the Scottish Borders on 12 December 2016 visiting a number of award winning developments

Following on from our highly successful award winning Kelso Townscape Heritage Initiative, we continue to focus on developing our heritage based area regeneration strategy. We are currently operating a Conservation Area Regeneration Scheme (CARS) in Selkirk, where we have provided 51 grants, enabled 36 properties to be repaired, secured wider civic improvements and for a total grant provision of approximately £1m we have levered in eligible works for a total project investment of £1.8m, thus far. An Doors Open Day was centred in Selkirk and organised via Selkirk CARS and attracted more than 1,300 individual visits across 16 venues and 5 related events on 17 September 2016.

We have also been successful in our bid for a CARS scheme in Jedburgh. This 5 year project will commence during summer 2017. The scheme will secure a total investment of around £2.5m through CARS grants, associated public works and private investment to deliver a number of key regeneration projects within the town.

- Photos of Selkirk works – plans

We were successful in our bid for external funding to Historic Environment Scotland (HES) and the Forestry Commission Scotland successful to fully fund a post to polygonise all our records within the Historic Environment Records within the Scottish Borders and those in Clackmannanshire and part of Stirling as a Scottish pilot for the Mapping of the Archaeology of Scotland project being run by HES.

We supported the Borders Heritage Festival in September 2016 which attracted over 20,000 visitors across 130 events during the 30 days of the festivals and working in partnership with Archaeology Scotland and Historic Scotland, developing a £250,000 interpretation project for Stobs Camp, Hawick. We also supported lecture on Peter Wolmersley, architect, at the Galashiels Campus.

In collaboration with colleagues in Economic Development and other Council departments, we have contributed to the development of the Hawick Action Plan. This is plan funded by a Scottish Government grant of £3.26m is aimed at helping to deliver a variety of business infrastructure projects, to help drive the local economy and to encourage business growth and new investment in the town. It is anticipated these projects will provide new job opportunities to benefit the local community as well as act as a catalyst for further potential property development in the future. Whilst the Plan identifies a broad range of actions to be delivered by the Council and partners, in Phase 1 of the project we have progressed the purchase of the former Alstrongs store, in the town centre, which was in a very poor condition and will be progressing the redevelopment of the site and buildings for uincubator business unitsplus, the refurbishment of Tower Milland the building of employment units at Galalaw industrial Esatate. We are also assisting in phase 2 of the plan, relating to the commissioning and delivery of feasibility studies on the two important former mill buildings in the town; the Peter Scott factory and the N Peal building. We are also collaborating with Economic Development colleagues on a bid for a THI scheme for Hawick Town Centre.

- *Photos of study work and buildings...*

The Selkirk Flood Protection Scheme is now completed and had its formal opening earlier this year. Staff from Development Management, Ecology, Landscape and Heritage and Design all had input to various aspects of the design and implementation of the scheme. The skills, knowledge and design capability have allowed the team to add further value to the flood scheme for Hawick that the Council is now promoting.

- photos of opening and scheme

## **QUALITY OF SERVICE AND ENGAGEMENT**

In recent years we have invested a significant amount of time and energy in dealing with pre-application enquiries and have provided 100%+ equivalent of pre-applications to applications receive each year and we managed to achieve 85.5% in 2016/17. However, the pressure the service is under to continue to improve processing times for applications, linked with the consequences of the staff and budget cuts delivered in 2016/17, has meant we have had to temporarily remove the pre-enquiry service for customers. This has not been done lightly, as we acknowledge the benefit this plays in improving the quality of submitted applications, but it does allow officers to focus their efforts on determining applications. We are currently developing a more formalised pre-application process with a charging schedule which will enable clearer and more focussed engagement with the planning service which we will be introducing in Autumn 2017.

As part of the People Planning process we carried out a review of Planning & Related Services and have an agreed programme for the re-structuring of the wider planning service. In particular, it has given us the opportunity to redesign the Development Management Service to re-distribute staff and operate on an East /West basis. It has also allowed us to identify an officer to deal with major applications and to service the Local Review Body. We continue to have a named Development Management officer

for all applications. We provide their contact details for applicants, consultees and respondents on all correspondence. All information on planning applications is made available on [Public Access](#), including details of any officer from the wider planning service that has commented on the application.

We are a strong advocate for the use processing agreements for both local and major developments and provide guidance on their use to our customers. We determined 271 applications with agreements last year: 7 major applications, 236 local applications and 28 for other consents. We have used processing agreements pro-actively to manage legacy cases.

Study 2 outlines the details of an application managed through this process which delivered on quality standards and timeously, and was views as a positive experience by applicants, as the following newspaper article relates:

- [insert newspaper article](#)

### **Case Study 3- Peebles Hydro housing development – [14/00136/FUL](#)**

*This was a full planning application seeking permission 13 houses and 17 flats on an unallocated site on Innerleithen Road in Peebles. The 1.16ha site is an especially prominent one occupying a location on the primary route into the town from the west and particularly so as it lies on landscaped grounds to the front of the Category B Listed Peebles Hydro Hotel. The immediate character of the site was defined not only by the landscaped setting, but also by the large detached and semi-detached stone villas along the road frontage.*

*The application followed a significant period of productive pre-application discussion with the applicants' agent, which also involved separate engagement with the local community.*

*The scheme comprised three distinct elements. To the front, eight detached houses were proposed, while to the rear, two different character areas were indicated – one showing five more modest houses, and the other containing two larger blocks comprising a total of 17 flats, this number having been reduced from an originally proposed 21.*

*The application drew a relatively small number of still quite significant objections, including from the Community Council, over issues ranging from principle – including the loss of open space and the scale of the development – to detail, including the relationship of the development with the Hydro Hotel and some of the existing houses around the site.*

*Although this was a significant windfall development, the fact that the site was largely concealed and had served little public purpose as open space, meant that its development was not unacceptable in principle. The site was already separated from the more formal grounds of the Hydro, although care still needed to be taken to ensure that the relationship, including in longer range views, remained acceptable.*

*The submitted scheme followed many of the elements that were encouraged at pre-application stage, among them the use and position of house types that were reflective of the grander houses already in existence along the road frontage. Some repositioning was required to align them with those houses and the increased use of natural materials, but this aspect otherwise remained largely unchanged from pre-application stage.*

*Through discussion, a central avenue into the site was created, serving the dual purpose of providing a grand access into the site, while retaining views into the site and to the Hydro Hotel beyond. In addition, and recognising concerns over the flatted part of the development in particular, the scale and height of the blocks were reduced which, with some repositioning, allowed for a more appropriate relationship and less dominant scale for these parts the proposal.*

*The evolution of the development was the result of a very positive working relationship between developer and Council officers, which included engagement with recommendations by roads and landscape professionals. The result is a high quality development fitting of a sensitive location which has received positive feedback for both developer and Council, including in the pages of the national press.*

[Insert Photographs/ plan extracts](#)

The service produces a range of information and advice for customers published on our [web site](#) and this information continues to be reviewed to ensure that it is up to date and relevant. An extensive range of planning information is made available in this way, but the service also makes available a full range of guidance and information for other Council services. Customers have been encouraged to self serve and utilise the benefits of the web site and Public Access and the majority of our Community Council now interact with us electronically. The service has developed Local View Fusion which is badged as [FindIt](#) on the Council's website, which makes environmental information available to customers in a spatial format. We have now added the

Land Use Strategy information onto Local View Fusion/FindIt. The Council's Public Access portal and the information on our web pages continues to be well used and appreciated by customers

The Scottish Awards for Quality in Planning are held annually and is one of the Scottish Government's most prestigious events. The purpose of these awards is to celebrate and recognise achievements in planning. This year the event was held on 8th November at The Double Tree Hotel, Bread Street, Edinburgh with a theme to reflect the "Year of Innovation, Architecture and Design". A record high number of over 60 applications were submitted of which 32 were shortlisted.

The Council submitted two applications which were featured as case studies in last year's Planning Performance Framework. We are delighted that both applications won awards in their respective fields. Two members of staff within the Council's Plans and Research team played key roles regarding the winning submissions.

Sharon Renwick's submission entitled "Identifying Potential Heat from Waste Water Projects" won an award within the "Process" category. The project identified where heat energy could be obtained from waste water pipes to heat council owned buildings through new, innovative technology. The purpose of the project was to look at updating ageing heating systems reduce heating bills and to reduce the council's carbon footprint. Using an interactive map six potential sites were identified for a consequent feasibility study. This work was carried out with assistance from Scottish Water Horizons.

Trish Connolly's submission entitled "Supplementary Guidance: Glentress Masterplan" won an award within the "Partnership" category. The Masterplan guides the future sustainable development of the Glentress forest visitor attraction. The Masterplan presents the strategic context for the area, sets out the proposals for development to enhance the visitor attraction and includes indicative proposals for an enhanced recreation centre, a new site for cabins and parking. The Masterplan was developed in partnership with Forest Enterprise Scotland.



The Housing Land Audit 2016 confirms that the established land supply is 8,994 units and the 5-Year Effective Housing Land Supply is 3,389 units. The land supply figure identified in Part 1 of the PPF reflects calculations based on the 5-Year Effective Housing Land Supply contained within the Housing Land Audit 2016 and the 5-Year Housing Land Requirement (HLR), as set out within SESplan Supplementary Guidance: Housing Land. However, the recent LDP Examination concluded that there was a shortfall of housing land within the Scottish Borders and that the LDP did not identify sufficient land to meet the requirement contained within the SESplan (SG). The Reporter recommended that the Council prepare and submit Housing SG in order to identify additional sites to provide for a further 916 units, as set out in Policy HD4 of the LDP. The Council are currently preparing the SG on Housing, to take forward the shortfall in effective housing land. With the addition of the 916 units, the LDP will meet the HLR set out within SESPlan and will ensure that there is a 5-Year effective housing land supply within the Scottish Borders, to provide for the region's needs. Completions have reduced from 659 in 2008 to 373 in 2016/17. However, this figure was an increase of 101 units on the number of houses completed in 2015/16 and reflects an increase in development activity within the Borders..

The Employment Land Audit 2016 confirmed that we are comfortably meeting employment land need. The established Employment Land Supply is similar to last year at 110.1Ha and the volume of employment land take up for employment use was lower at 0.7Ha. The SPP and SDP requirement to provide a broad range and choice of site is addressed in the Local Development Plan.

We also have a programme for producing technical guidance notes on specific topic areas. The following case study highlights the work we have done on guidance for protected species and which we will be developing for other topic areas to case officers with the ability to self-service and up-skill in these subjects. This has the added benefit of freeing-up capacity for specialist officers to undertake more pro-active project work, such as our innovative off-set woodland planting scheme.

#### Case Study 4 - Protected Species- Technical Advice Notes

Dealing with the impacts of development on biodiversity can be complex, particularly where the surveys to assess impacts can only be carried out at certain times of year. This can be particularly challenging for Planning Authorities where European Protected Species may be affected by development. Legislation requires that planning authorities must establish whether European Protected Species (such as bats and otters) are present on development sites and what the implications might be. Adequate survey information is required to fully consider potential impacts on bats and otter prior to determination of a planning application. The requirement for a survey can often be overlooked by developers, who may not be familiar with protected species legislation, meaning that if the issue only comes to light once an application has been submitted, projects can be delayed. In order to raise awareness and to make clear what is likely to be required as part of a submission at the outset, the Council has begun the production of a series of Technical Advice Notes covering a range of protected species.

##### Seasonal constraints

Whilst a preliminary assessment can be carried out for bats at any time of year, further surveys may be required e.g. to establish presence or absence to inform an impact assessment and design of mitigation. In accordance with new revised national bat survey guidelines, these surveys can only be carried out between May-September, with most being required between May-August. For otters the surveys can be carried out through most of the year, although evidence is emerging of specific otter breeding seasons.

##### Types of development and information Required

Bat species and otters are widespread in the Scottish Borders with the potential for impacts to arise for many developments. In order to be proportionate but also to provide clarity to developers, the Ecology service within the Council has produced Technical Advice Notes (TANs) <https://www.scotborders.gov.uk/technicaladvicenotes>.

These summarise nationally recognised guidance, which by their nature can be quite lengthy, and set out the types of development where bats and otter are likely to be affected, e.g. in the case of bats, conversion, alteration or removal of buildings and for otter, proposals affecting riparian habitat along rivers and burns. They clearly identify the type of survey required and the time of year when this can be carried out. They also provide a summary of the key information that is required in a survey report, which will also help to raise the standard of ecological reporting in accordance with recognised guidelines.

If protected species are found, the advice notes set out the information required in a Species Protection Plan which may also provide the necessary information to support a European Protected Species licence that may be required by SNH, helping avoid delays.

##### Stakeholders

The TANs were produced by a steering group involving Planning Officers and the Ecology team. Stakeholders were also consulted including local ecological consultants, SNH and the Bat Conservation Trust.

##### Planner's checklist

To improve the process, a checklist was produced for planners to help them identify at an early stage of the planning process when a protected species survey is required, providing enabling early advice to developers so they can plan ahead to commission the relevant surveys in advance of submitting their planning application. This should help avoid unnecessary delays enabling the Planning Authority to reach a timely determination.

**Insert photographs/images of document**

In order to streamline current enforcement services and make customer delivery more relevant, changes have been made to different aspects of the enforcement function. The enforcement team within development management will continue to undertake the planning enforcement role and condition monitoring and will also retain Section 27 (work without a warrant) under building standards legislation. This ensures that a joined up process continues to exist when dealing with unauthorised work and developments affecting both areas of legislation.

The Building Standards service currently deal with frontline enforcement for dangerous structures and will continue to do so, but will also take on the role of dealing with dangerous buildings when notices and follow up remedial work may be required. This



ensures one team will deal with the report of a potentially dangerous structure through to public protection and remediation where necessary. Making these changes bring consistency to the customer and greater transparency of each team's roles.

We have produced a [Development Management Charter](#) and an [Enforcement Charter](#) which is available on the Council's web site.

We continue to promote electronic submission of applications with agents and developers through stakeholder meetings, letters and offers of training on the system. The yearly average of applications received on-line now stands at 66%. We also have an active programme of engagement with stakeholders to increase the use of the system including e-consultation and communication on applications. We have also re-engineered our working practices in preparation for the launch of eBuilding Standards in August 2016 and have started a project to revisit our ePlanning processes for Development Management to make full and effective use of the system. Officers in Building Standards and Development Management are now using mobile table devices for site visits.

In terms of public engagement, we have held stakeholder meetings for Community Councils and agents for a number of years and intend to have separate meetings during the late summer 2017; once our proposals for the new provisional enquiry system are developed further. Also as part of the evidence gathering stage for Local Development Plan 2, the Forward Planning Section worked closely with the Council's Localities Team to enhance the quality of the community engagement undertaken. In doing so they, other sections of the Council and the Community Planning Partners were able to work together and benefit from the use of the Place Standard Tool. A total of nine workshops were held during February/March 2017. Short and long versions of the survey were available and in total over 230 responses were received. It is intended that these responses will contribute to the production of the Main Issues Report. The Place Standard Tool has been developed in partnership by Scottish Government Architecture & Place, NHS Health Scotland and Architecture & Design Scotland. We are also a partner in the pilot project "Making Places – Bringing the Gap" where PAS (Planning Aid Scotland) are working in partnership with Galashiels Academy to introduce students to the concept of placemaking through the use of the Place Standard.

The Main Issues Report will be progressed in 2017 in advance of Local Development Plan 2. In addition to the public consultation already mentioned above we will carry out further presentations, workshops, and attend local area forums to ensure that as many Scottish Borders residents as possible have the chance to make an informed representation to the plan process and that the Council fully considers the most relevant planning issues. All Councillors have been given training in planning matters, and Members of the Planning and Building Standards Committee and Local Review Body have tailored training sessions before they are able to sit on these Committees. The Council has an established Development Plan Working Group, which engages Members in the development plan process from an early stage.

We have progressed a programme to communicate spatial information corporately and to the general public. As part of this, the GIS team has continued to develop SBC web-maps, 'Find it' and 'WebGIS', producing new mapping applications for the proposed Tweed Path, Roads & Transport, and Emergency Planning. At the same time we have been working towards upgrading the system to new technology, ArcGIS Online/Portal. This will provide a modern user experience with enhanced functionality and new opportunities. We plan to use the new system to expand and improve the use of our spatial data on the Council's website and engage with the public in new ways using Story maps.

The GIS team supports the Countryside Access Management System and has developed a series of new reports to provide clear management information on the state of our paths. As SBC's only dedicated GIS resource the team also provides general GIS and data management support to colleagues across the Council. We continue to develop our capabilities through training and use of new technologies such as FME and the OS Integrated Transport Network.

The Council has a formal complaints procedure and has the facility for customers to complain using an [on-line form](#). In terms of complaints reporting, we received 15 complaints about Planning & Related Services last year, which is a reduction of 5 from 2015/16. The majority of the complaints were not sustained but the 3 that were upheld all related to a failure to respond timeously to a customer's enquiry or complaint. As result we have put in place procedures to monitor on-going and outstanding investigations to ensure that customer received responses within a reasonable timescale or are advised if a response will take longer to provide, together with the reasons why.

## GOVERNANCE

The Planning & Building Standards Committee and the Local Review Body (LRB) are held on a monthly basis, normally sitting on the first and third Monday, respectively, of each month during the day. The Planning & Building Standards sat 12 times to determined 40 cases and undertook 5 site visits and the Local Review Body met 11 times to determine 29 cases and undertook 2 site visits.

Our delegation rate remains high resulting in 96.9% of all planning applications being determined by officers. We have an overall approval rate of 95 % which comparable with 2015/16. The figures reported in the National Headline Indicators table in Part 4 below, demonstrate that the determination periods for the main reporting categories of planning application saw improvement in 2016/17, with householder development seeing only a modest increase in timescale by 0.1 weeks. The Official Statistics table, in Part 5 below, also shows there has been an improvement in the determination of all other categories of application. This reflects a sustained improvement in performance from a position in 2012/13 when major applications were taking 60.8 weeks to determine, local applications (non-householder) were taking 26.8 weeks and local developments were taking 8.6 weeks. The figures also relate well when compared to the Scottish national performance figures.

We continue to promote the project management approach to handling planning applications. We use processing agreements for all types of application, not just major applications, which has brought about greater certainty to the application process. In the last two years, there has been a significant increase in their take up by developers. Of those applications subject to an agreement, 84.7 % of the major applications were determined within the agreed timescale in the processing agreement and for all other applications, 84.1% overall were determined within the agreed timescale. Guidance on our use of processing agreements, together with agreement templates are available on the Council's website. We are continuing to refine our internal processes and improving dialogue with applicants to ensure that all applications subject to such agreements are determined on time.

We have continued to focus efforts on removing legacy cases (applications more than a year old) from the planning system. In 2016/17, a total of 60 legacy applications were dealt with, leaving a total of 74 still within the system. This is a drop of 10 in the outstanding figure from last year. This has been as a consequence of the traffic light system we introduced two years ago to manage and monitor caseloads (which has been lodged as an entry in this year's Quality in Planning Awards). We continue to refine this system to ensure we maintain a focussed and effective management of outstanding cases. The disproportionate influence such legacy cases have on performance figures, has been reduced by a reduction in their numbers and, where withdrawal has not been possible or appropriate, mitigated to a large extent by their management through the use of processing agreements.

The introduction of a more streamlined process, which allowed twin-tracking of planning applications and the legal process of concluding section 69 or 75 agreements, has led to further improvement in determination times and was featured in a case study in last year's PPF. The new process is delivering benefits and continues to be developed and improved upon and again many of the legal agreements are now managed by using processing agreements. The approach has been sufficiently well regarded nationally as to be the subject of a presentation by Council officers to the national Development Management Forum. The remaining applications subject to legal agreement but not covered by a processing agreement have seen a reduction in the time period for determination from 51.2 weeks in 2015/16 to 19.6 weeks last year.

The structure of Planning & Related Services continues to evolve through our People Planning process and has moved to a leaner management structure with 2 divisions: Development Standards and Planning and Implementation. The review has allowed a re-examination of current working relationships and enabled us to develop potential for greater cross sector collaborative working, where we should direct resources and to identify potential models for future delivery. The current structure is set out in Part 6 below. The improvements in performance in all categories of planning application we have delivered have been influenced by this collaborative working and the more effective management of the new service. The service integration we have delivered already means we can provide more effective responses to development proposals, have greater consistency of decision making and achieve a wider understanding of the cross linkages and relationships within the Council that help deliver planning and corporate objectives.

We continue to face significant budget pressures due to wider Council funding efficiencies and the continuing low levels of planning fee income. This required significant savings to be made last year that resulted in the loss of 6 full time posts within the service and this has had consequences in terms of the capacity and organisation of the service. The budgetary pressures will continue into 2017/18 and further savings will need to be delivered. In this regard, we have stringent budget monitoring processes to monitor and report on budget pressures on a monthly basis. There is a close working relationship between budget holders and finance staff has also been developed to address these issues. The Council has also recently introduced a new financial management system called Business World, which will provide more effective financial control.

We have had to adapt the development contributions system due to the loss of the Development Negotiator post. We have re-distributed the tasks to other officers within the service to ensure we retain an effective collection and allocation of contributions, while embedding this aspect within the wider planning application and enforcement process. The funds generated are monitored on a monthly basis and reported periodically to Corporate Management Team and the Council.

We have a number of working protocols in place with other Council services most notably with Housing Strategy, which enables effective working on affordable housing policy and investment decisions through the [Strategic Housing Investment Plan \(SHIP\)](#) process. The Peer Review Group, of senior planning managers, is also a mechanism for cross service debate and discussion on issues, applications and procedures. Key members of staff are also involved with a range of corporate transformation projects and projects within the Council's capital investment programme.

We continue to explore ways to work more effectively and we positively engage with other authorities and agencies to share knowledge, information and best practice. There are a number of working protocols in place with bodies such as SNH, SEPA and Scottish Water and a selection of the key organisations and groups that we are involved with are listed in Part 3 of this report.

## **CULTURE OF CONTINUOUS IMPROVEMENT**

How we delivered last year's improvement actions is set out in Part 3 of this document, as is the list of improvements actions we intend to deliver this year.

In terms of staff training, our training budget is sufficient to ensure they meet their Continuing Professional Development obligations. There are also opportunities for staff to undertake longer term study which is funded in full, or in part, by the Council. We have gone through an extensive People Planning process for the service which is helping develop our workforce planning with the aim of up-skilling staff and addressing succession planning in the service. As part of the re-structuring of the service, we are using some of the savings delivered to create technician/support posts and to develop opportunities for the service to "grow its own" staff and to encourage more young people to enter the service in a way that enables succession planning within the service.

Team meetings are used as a method to ensure that all staff are aware of relevant changes that both national and local level. Information from a weekly manager meeting is cascaded down to the relevant teams and this allows a medium for discussion and feedback on these topics.

The Council's staff appraisal process enables planning managers to reinforce the performance culture at all levels of the service. Using this process, staff have been encouraged to be involved in projects to assist in the delivery of the aims set out in this Planning Performance Framework, but also wider departmental and corporate objectives.

As has been referred to above, we continue to develop our ePlanning and eBuilding Standards services and officers now use mobile devices for their site visits. We continue to refine our processes and procedures to move towards a fully electronic delivery of services and will be re-engineering our Development Management e-processes this year.

Effective engagement with other authorities and organisations to consider best practice and shared learning has been set out already in this document and listed in Part 2.

The case studies for identified already in this document along with the Quality in Planning Awards we received last year demonstrate that we are willing to examine and investigate new ways of working and engaging with stakeholders, which is also reflected in our work with our Community planning partners and the use of the Place Standard.

Training continues to be provided in advance of any Member sitting on the Planning & Building Committee and the Local Review Body. This continues to be supplemented by presentations to Members on particular topics and the production of Members Briefing Notes.

## **PART 2 - SUPPORTING EVIDENCE**

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Part 2 of this report was compiled drawing on evidence from the following sources:

- [Scottish Borders Council Planning Performance Framework 2014/15](#)
- [Scottish Borders Housing Land Audit 2016](#)
- [Scottish Borders Retail Survey 2016](#)
- [Scottish Borders Employment Land Audit 2016](#)
- [Scottish Borders Town Centre Footfall Report 2016](#)
- Scottish Borders Rural Facilities Audit.
- [Scottish Vacant and Derelict Land Audit 2015](#)
- Place GIS Systems.



- Regulatory Services budget
- Uniform data management system.
- [Public Access ePlanning system](#)
- Development Management Workload and Performance Briefing Notes. Monthly bulletin for Members.
- [Scottish Borders Council Web Site planning information pages](#)
- Development Management Improvement Plan 2014
- Development Management Charter 2014
- [Enforcement Charter 2016](#) & Guide to Enforcement Charter 2016
- [Scottish Borders Council Corporate Plan](#)
- [Single Outcome Agreement](#)
- Business Plans for service teams within Regulatory Services.

The documents and information mentioned above are available on-line or by approach to Planning & Related Services.

We engage with a wide range of working groups, agencies and stakeholder and are involved in a number of multi-disciplinary/agency initiatives, a number of the key ones are outlined below:

<b>Organisation</b>	<b>Commentary</b>
Large Rural Authorities Benchmarking Group	We have actively contributed to this benchmarking group for a number of years. The group shares information and best practice over a number of areas. The Group last met in March 2017 and focussed on the Planning Performance Framework and sharing feedback from the peer review partners.
HoPS & sub-Committees	We take an active role in the Development Management sub Committee and the Chief Planning Officer is currently vice chair of the Energy & Resources sub-committee. The Service Director Regulatory Services is on the HoPS executive.
HoPS and knowledge hub	The authority takes an active part in HoPS and contributes to the information sharing on the knowledge hub.
Wind Energy Strategy Group	We formed and manage this group which considers the strategic implications of wind energy development in the Borders/Southern Scotland and North of England. The group's membership has grown to include representatives of adjoining local authorities both in Scotland and England, as well as officers from SNH and Historic Environment Scotland.
New Borders Alliance	This group consists of planning and housing officials from the Council and representatives of all the Registered Social Landlords in the Borders, where sharing information on related issues and research is undertaken. There is the ability to influence the Local Housing Strategy, the Strategic Housing Investment Plan and identify development opportunities for affordable housing.
Affordable Housing Liaison Group	This is an internal group of officers in planning and housing that seeks to share knowledge and information in the development of housing and planning policy and facilitating opportunities for the delivery of affordable housing.
Strategic Housing Investment Plan (SHIP) Delivery Group	This group consists of multidisciplinary group from different departments in the Council, Registered Local Landlords and developers. The purpose of the group is to drive forward the delivery of the affordable housing programme identified in the SHIP.
SESPlan Board and Operational Working group	The authority is engaged in a range of work streams associated with the production of the Strategic Development Plan. This includes joint working, sharing information, best practice and contributing to the development of policy on housing, retail, sustainable economic development etc. The Council currently has the chair of the SESPlan Board.
SCOTS Groups	The authority is an active member of the Society of Chief Officers of Transportation in Scotland and we have contributed to the production of the National Roads Development Guide.
Tripartite Working Group	We manage this tripartite forum which was set up with Scottish Water and Scottish Environment Protection Agency to discuss on-going development and infrastructure issues and to enable input into the development planning process.
South East Scotland Archaeological Research Framework (SESARF)	Established South East Scotland Archaeological Research Framework (SESARF) with other neighbouring local authorities with the aim of strengthening our knowledge to assist Development Management decisions.

In addition to involvement with the groups listed above, there is regular dialogue with peers from other authorities about case specific applications, such as the cross border implications of renewables development but also on general matters of policy and procedure.



## PART 3 - SERVICE IMPROVEMENTS 2017 -18

### 1. SERVICES IMPROVEMENTS 2017-18

The Planning Service has identified a number of key service and performance improvement measures for 2017/18 and these are set out below:

1. Investigate options to improve the monitoring and compliance with planning conditions
2. Review effectiveness of internal consultation procedures on planning applications
3. Introduce new Provisional Enquiry process for Development Management
4. Complete re-engineered ePlanning processes for Development Management
5. Roll out design training for staff
6. Improve our use of web mapping for public engagement by upgrading to ArcGIS Online, using maps on more webpages, and developing Story Maps.

The improvements set out in the PPF will be monitored effectively and a 6 monthly priority update report will be prepared for the service to ensure that we are on track to deliver the identified improvements on time.

### 2. DELIVERY OF SERVICE IMPROVEMENT ACTIONS 2016 - 17

The specific commitments made in the PPF last year, along with the actions taken and progress made, are set out below:

COMMITTED IMPROVEMENTS AND ACTIONS 2016/17	Complete?
<p><b>1. Run Scottish Borders Design Awards 2016 and further design training for staff</b></p> <p>We ran a very successful Design Awards scheme in 2016, the detail of which is set out in case study 2 above. As part of our CARS scheme in Selkirk we also ran a number of well attended technical and traditional skills/construction seminars. We supported a number of events linked to the Year of Innovation, Architecture and Design / Festival of Architecture, which were attended by staff.</p>	Yes
<p><b>2. Re-engineer ePlanning processes for Development Management</b></p> <p>The new e-planning on-line submission portal was launched in January 2016 and the e-building standards portal was launched in August 2016. In preparation for this development management, building standards and business support undertook a thorough business process re-engineering exercise to examine what processes needed to be changed as well as to identify where efficiencies could be made. This work included both a Building Standards and Development Management away days which gave all staff an opportunity to take an unbiased and fresh look at what each service does.</p> <p>Whilst this exercise identified what needed to be done to take e-development forward in a way that worked for the Council, it also identified what information technology would be required. The Council's Uniform team also participated in this exercise and their input was invaluable in re-writing templates, reports and organising data fields for the system mapping, etc.</p> <p>Although there were initial issues surrounding the functionality of the tablets procured for on-site electronic working, these have now been resolved. Building Standards now have a completely electronic end to end system from building warrant application to completion certificate acceptance. This system does not however preclude customers wishing to submit paper applications and these are still accommodated. Development Management is continuing with the process, and will complete the exercise when the current development management restructure is finalised. The conclusion of the e-development process, business process re-engineering and benefits realisation all dovetails into this restructure which should be concluded within the next year.</p>	On-going

<p><b>3. Introduce new Provisional Enquiry process for Development Management</b></p> <p>For reasons set above, this service has been temporarily withdrawn. The new formalised service with charging framework has been developed and will be finalised for introduction in Autumn 2017.</p>	On-going
<p><b>4. Continue to update and implement the Development Management Improvement Plan</b></p> <p>This has been completed and the provisions of the Development Management Improvement Plan have been incorporated into the annual business planning process. Delivery actions will also flow from the continuing work in the development of the e-delivery of services and the business process re-engineering that we are continuing into next year</p>	Yes
<p><b>7. Introduce e-consultation for Community Councils</b></p> <p>This was introduced in 1 July 2016 following on from extensive community engagement process, including stakeholder meetings. Only 9 of the 67 Community Councils in the Scottish Borders are still notified in paper format. This small number had articulated real difficulties in transferring to the electronic system, at this time. We remain committed to working with those bodies to assist in the transition to electronic working at some stage in the future. All Community Council are generally responding to application consultation electronically.</p>	Yes
<p><b>8. Improve the effectiveness of the Countryside Access Management System (computerised system) in the monitoring and implementation of countryside access priorities.</b></p> <p>In September during our CAMS annual service visit we also had 2 days training. Access Rangers had a ½ day training refresher tailored to their needs and the GIS team had a 1 ½ days admin training which proved beneficial to all involved. CAMS is continuing to improve in terms of data cleansing and management. Furthermore bespoke management reports have been created to match actions set out in the 'Access Team: Path Asset Management Plan' and are continuing to be refined. Reports have also been created to help Rangers plan their work effectively.</p>	On-going
<p><b>9. Undertake a full scale review the housing land supply processes in advance of the forthcoming Local Development Plan.</b></p> <p>A review of the Housing Land Supply is being completed in advance of the MIR. This takes cognisance of the proposed SDP housing land requirements and housing land audit outputs. The anticipated adoption of the Housing SG in 2017 will ensure there is an up-to-date 5 year land supply.</p>	Review of housing land supply for LDP is ongoing. Housing SG to Council August 2017

## PART 4 - NATIONAL HEADLINE INDICATORS

Key outcomes	2016 -2017	2015-2016
<b>Development Planning:</b> <ul style="list-style-type: none"> <li>Age of local/strategic development plan(s) (years and months) at end of reporting period (Requirement: less than 5 years)</li> <li>Will the local/strategic development plan(s) be replaced by their 5th anniversary according to the current development plan scheme? (Y/N)</li> <li>Has the expected date of submission of the plan to Scottish Ministers in the development plan scheme changed over the past year? (Y-earlier/Y-later/N)</li> <li>Were development plan scheme engagement/consultation commitments met during the year? (Y/N)</li> </ul>	SESplan (Approved June 2013) 4 years 1 months old Scottish Borders Local Development Plan (Adopted May 2016) 1 year 2 months old  Yes  No  Yes	SESplan (Approved June 2013) 3 years 1 months old Scottish Borders Local Development Plan (Adopted May 2016) 2 months old  The LDP was delivered just outside due to delays in producing the Report on Examination by DPEA  Yes  Yes
<b>Effective Land Supply and Delivery of Outputs</b> <ul style="list-style-type: none"> <li>Established Land supply</li> <li>5-year effective housing land supply</li> <li>5-year housing supply target</li> <li>5-year effective housing land supply</li> <li>housing approvals</li> <li>Housing completions in the last 5 years</li> <li>Marketable employment land supply</li> <li>employment land take-up</li> </ul>	Housing Land Audit 2016  8994 units 3389 units 4207 units*1 4.02 years*2 <b>This figure will be available by the Committee date.</b> 1505 units  Employment Land Audit 2016  110.1 Ha 0.7 Ha	Housing Land Audit 2015  8516 units 3,020 units -*3 9,3 years*3 447 units*4  1,622 units  Employment Land Audit 2015  110.9Ha 2.0 Ha
<b>Development Management</b> <p><b>Project Planning</b></p> <ul style="list-style-type: none"> <li>percentage of applications subject to pre-application advice</li> <li>number of major applications subject to processing agreement or other project plan</li> <li>percentage planned timescales met</li> </ul> <p><b>Decision-making</b></p> <ul style="list-style-type: none"> <li>application approval rate</li> <li>delegation rate</li> </ul>	85.5%*5 7  84.7%  95.0% 96.9%	100% *5 1  100%  95.8% 96.1%
<b>Decision-making timescales</b> <p><b>Average number of weeks to decision:</b></p> <ul style="list-style-type: none"> <li>major developments</li> <li>local developments (non-householder)</li> <li>householder developments</li> </ul>	0 weeks *6 7.6 weeks 6.8 weeks	27.6 weeks 17.4 weeks 6.7 weeks
<b>Legacy Cases</b> (applications more than a year old) <ul style="list-style-type: none"> <li>Number of cases cleared</li> <li>Number of cases remaining</li> </ul>	60 74	166 84
<b>Enforcement</b> <ul style="list-style-type: none"> <li>time since enforcement charter published / reviewed (months) Requirement: review every 2 years</li> <li>number of breaches identified / resolved</li> </ul>	13  147/109	1  138/ 140
<b>Notes</b> *1 The figure used is the Housing Land Requirement (HLR), as set out in Table 3.1 of the SESplan Supplementary Guidance: Housing Land (November 2014) *2 The recent Examination of the LDP concluded that there was a shortfall of housing land within the Scottish Borders and that the LDP did not identify sufficient land to meet the requirement contained within the SESplan (SG). The Reporter		

recommended that the Council prepare and submit Housing SG in order to identify additional sites to provide for a further 916 units, as set out in Policy HD4 of the LDP. The Council are currently preparing the SG on Housing, to take forward the shortfall in effective housing land. With the addition of the 916 units, the LDP will meet the HLR set out within SESPlan and ensure that there is a 5-Year effective housing land supply within the Scottish Borders.

\*3 Previously these figures were calculated by different means.

\*4 This number is made up of 120 units approved on small windfall sites (units approved in non-allocations with a site capacity 5 and below), 183 on large windfall sites (units approved in non-allocations with a site capacity over 5), and 144 on allocated sites.

\*5 The figure relates to equivalent of provisional enquiries to applications received.

\*6 All 7 major applications determined last year were subject to processing agreements and therefore their timescales are not included in the official statistics

## PART 5 - OFFICIAL STATISTICS

### A: Decision-making timescales (based on 'all applications' timescales)

Category	Total number of decisions 2016-2017	Average timescale (weeks)	
		2016-2017	2015 - 2016
<b>Major developments</b>	0	0	27.6
<b>Local developments (non-householder)</b>	302	7.6	17.4
• Local: less than 2 months	249	6.5	6.6
• Local: more than 2 months	53	12.8	32.8
<b>Householder developments</b>	333	6.8	6.7
• Local: less than 2 months	297	6.3	6.2
• Local: more than 2 months	36	11.1	10.4
<b>Housing developments</b>			
<b>Major</b>	0	n/a	49.9
<b>Local housing developments</b>	44	8.7	32.7
• Local: less than 2 months	35	7.0	7.1
• Local: more than 2 months	9	15.2	42.7
<b>Business and industry</b>			
<b>Major</b>	0	n/a	n/a
<b>Local business and industry</b>	36	6.9	8.4
• Local: less than 2 months	30	6.4	6.6
• Local: more than 2 months	6	9.4	14.0
<b>EIA developments</b>	0	n/a	n/a
<b>Major</b>	0	n/a	n/a
<b>Local</b>	0	n/a	n/a
<b>Other consents*</b>	177	6.0	7.5
<b>Planning/legal agreements**</b>	4	19.6	51.2
<b>Local Reviews</b>	29	7.6	8.1
<p>* Consents and certificates: Listed buildings and Conservation area consents, Control of Advertisement consents, Hazardous Substances consents, Established Use Certificates, certificates of lawfulness of existing use or development, notification on overhead electricity lines, notifications and directions under GPDO Parts 6 &amp; relating to agricultural and forestry development and applications for prior approval by Coal Authority or licensed operator under classes 60 &amp; 62 of the GPDO.</p> <p>** Legal obligations associated with a planning permission; concluded under section 75 of the Town and Country Planning (Scotland) Act 1997 or section 69 of the Local Government (Scotland) Act 1973</p> <p>*** All applications subject to processing agreements are excluded from the official statistics</p>			

**B: Decision-making: local reviews and appeals**

Type	Total number of decisions	Original decision upheld			
		2016-2017 No. %		2015-2016 No. %	
Local reviews	29	13	44.8	6	27.3
Appeals to Scottish Ministers	2	1	50	2	50

**C: Enforcement activity**

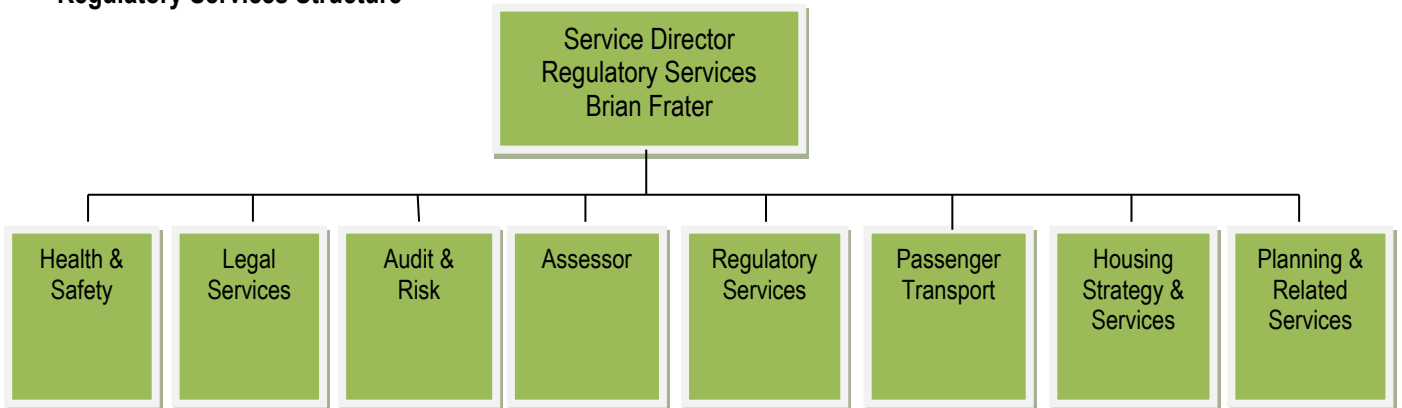
Enforcement activity	2016-2017	2015-2016
Cases taken up	147	138
Breaches identified	147	138
Cases resolved	109	140
Notices served***	10	8
Reports to Procurator Fiscal	0	0
Prosecutions	0	0
*** Enforcement notices; breach of condition notices; planning contravention notices; stop notices; temporary stop notices; fixed penalty notices, and Section 33 notices.		



## PART 6: WORKFORCE INFORMATION

Planning & Related Services sit within the Regulatory Services Directorate in the Council structure.

### Regulatory Services Structure

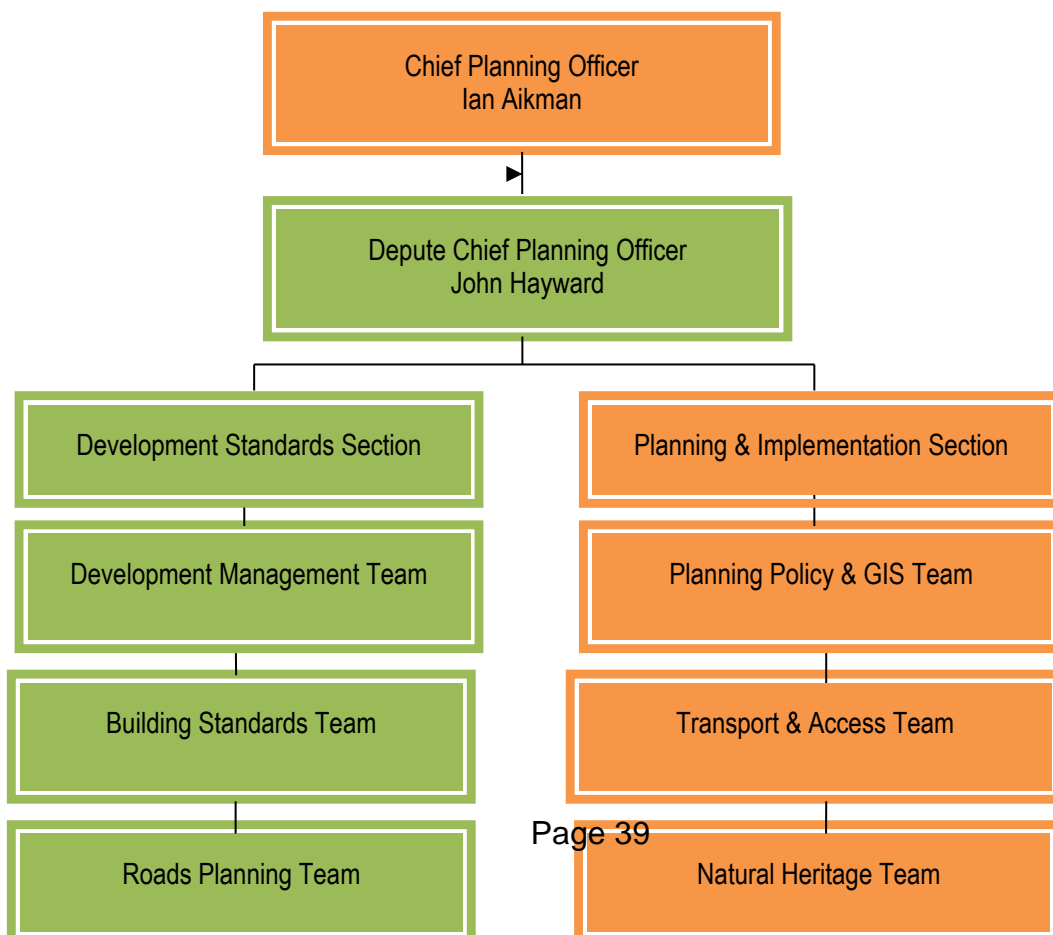


### Planning & Related Services Structure

The key teams that deliver the planning function are identified below along with the structure that we are in the process of implementing:

**Development Standards:** Includes Development Management, Enforcement, Building Standards and Roads Planning Services. In Development Management there are 11 professional planning officers. In Building Standards, there are 12 officers, while Roads Planning has 6 officers, a modern apprentice and one member of support staff. A Registration Team of three officers supports Development Management and Building Standards. The service also includes 3 officers dealing with Planning and Building Standards enforcement.

**Planning and Implementation:** Includes Planning Policy & GIS, Built Heritage & Design, Natural Heritage and Transport and Access services. The Policy and GIS team has 5 planners, a research assistant, student planner and 3 GIS specialists. In the two heritage teams, there are a total of 7 full time posts and two part time posts providing specialist advice on conservation, design, landscape, biodiversity, trees and archaeology. The Transport and Access Team has 7 officers dealing with transport and access matters and running the rangers service.



## Planning Service Statistics

	Tier 1	Tier 2	Tier 3	Tier 4
Head of Planning Service			X	

Note: Tier 1= Chief Executive, Tier 2= Directors, Tier 3= Heads of Service, Tier 4= Managers

		DM	DP	Enforcement	Other
<b>Managers</b>	No. Posts	1	1	1	6
	Vacant	0	0	0	0
<b>Main grade posts</b>	No. Posts	9	8	1	27
	Vacant	1	1	1	1
<b>Technician</b>	No. Posts	0	1	0	1
	Vacant	0	0	0	0
<b>Office Support/Clerical</b>	No. Posts	2	0	0	2
	Vacant	0	0	0	0
<b>TOTAL</b>		13	11	3	37

Note: Managers are those staff responsible for the operational management of a team/division. They are not necessarily line managers.

Staff Age Profile	Number
Under 30	5
30-39	13
40-49	17
50 and over	27

Committee & Site Visits	Number per year
Full council meetings	12
Planning committees	12
Area committees (where relevant)	N/A
Committee site visits	5
LRB**	11
LRB site visits	2