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SCOTTISH BORDERS COUNCIL PLANNING AND BUILDING STANDARDS COMMITTEE

MINUTES of Meeting of the PLANNING AND BUILDING STANDARDS COMMITTEE held in Scottish Borders Council, Council Headquarters, Newtown St Boswells TD6 0SA on Monday, 4th September, 2017 at 10.00 am

Present:- Councillors T. Miers (Chairman), S. Aitchison, J. A. Fullarton, S. Hamilton, H. Laing, C. Ramage, E. Small.
Apologies:- Councillors A. Anderson, S. Mountford.
In Attendance:- Depute Chief Planning Officer, Lead Officer (Development Management and Enforcement) Senior Roads Planning Officer, Solicitor (Emma Moir), Democratic Services Team Leader, Democratic Services Officer (F. Henderson).

1.0 **MINUTE**

1.1 There had been circulated copies of the Minute of the Meeting held on 7 August 2017.

DECISION

APPROVED for signature by the Chairman.

2.0 **APPLICATIONS**

2.1 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 applications as detailed in Appendix I to this Minute.

3.0 **APPEALS AND REVIEWS**

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

DECISION

NOTED:-

(a) **the Appeal decision in respect of the Erection of 19 holiday lodges and proposed access and land treatment on Land North West of Whitmuir Hall, Selkirk – 14/00848/PPP.**

(b) **there remained two appeals outstanding in respect of:-**

- **Land North of Howpark Farmhouse, Grantshouse**
- **Poultry Farm, Marchmont Road, Greenlaw**

(c) **Review requests had been received in respect of:-**

- Erection of dwellinghouse and retaining wall (part retrospective) on Land West of Craigerne Coachhouse, Edderston Road, Peebles – 17/00323/FUL;**
- Alterations to existing bellmouth and formation of new access on Land North West of Kirkburn Parish Church, Cardrona – 17/00384/FUL;**

- (iii) Formation of hardstanding, steps, retaining wall and new foot path on Land North West of Kirkburn Parish Church, Cardrona – 17/00647/FUL;
 - (iv) Erection of agricultural building and formation of new access track on Land South of 3 Kirkburn Cottages, Cardrona, Peebles – 17/00806/FUL
- (d) the decision of the Appointed Officer had been upheld by the Local Review Body in respect of:-
 - (i) Erection of dwellinghouse on Land South of Balmerino, Ashkirk – 17/00005/PPP;
 - (ii) Change of use of redundant steading and alterations to form dwellinghouse with associated parking and infrastructure works at redundant Steading North West of Pots Close Cottage, Kelso – 17/00118/FUL;
- (e) the decision of the Appointed Officer had been overturned by the Local Review Body in respect of the Erection of vehicle body repair workshop and associated parking on Land North West of Dunrig, Spylaw Farm, Lamancha, West Linton -
- (f) the decision of the Appointed Officer had been varied (Terms of Refusal varied) by the Local Review Body in respect of Erection of dwellinghouse with attached garage and workshop on Land North West of Alderbank, Macbiehill, West Linton – 17/00530/FUL
- (g) there remained two reviews outstanding in respect of:-
 - Land North East of the Old Church, Lamberton
 - 5 High Street, Innerleithen
- (h) there remained four 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
 - Birneyknowe Wind Farm, Land North, South, East and West of Birneyknowe Cottage, Hawick

The meeting concluded at 11.50 a.m.

APPENDIX I

APPLICATIONS FOR PLANNING PERMISSION

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
16/01377/FUL	Erection of poultry building	Land South West of Easter Happlew Farmhouse Peebles

Decision:- Continued to next available meeting to allow a site visit to be held.

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
17/00765/FUL	Change of Use from Class 1 (Retail) to Class 2 (Financial, Professional and Other Services)	Units 9 and 10, 6 -8 Douglas Bridge Galashiels

Decision: Refused, contrary to the Officer's recommendations for the following reason:-

The change of use from Class 1 (Shop) to Class 2 (Financial, Professional and Other Services) would be contrary to Policies ED3 and ED4 of the Scottish Borders Local Development Plan 2016 in that the use of the premises by a Job Centre would result in the loss of prime retail floor space in a prominent location within the Core Activity Area, which forms part of a principal shopping street and key approach to the town centre.

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
17/00921/FUL	Extension to dwellinghouse	12 Merse View Paxton

Decision: Approved subject to the following conditions and informatives:

1. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992 (or any subsequent provisions amending or re-enacting that Order), no additional window or other opening shall be made in the extension hereby approved unless an application for planning permission in that behalf is first submitted to and approved in writing by the Planning Authority.
Reason: To safeguard the privacy and amenity of the occupiers of adjacent properties.
2. The external materials to be used on the extension shall match in all respects those of the existing building, and no other materials shall be used unless the prior written consent of the Planning Authority is given for any variation thereto.
Reason: To ensure a satisfactory form of development, which contributes appropriately to its setting.
3. 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.

Informative:

1. Flues can give rise to smoke and odour complaints which may be actionable under Environmental Health legislation regardless of whether or not a flue has planning permission or is the subject of a Building Warrant. Neither Planning Consent nor Building Warrant approval would indemnify the owner in respect of any potential Nuisance action.

2. The applicant/developer is reminded of their responsibility to avoid unnecessary nuisance on the residential amenity of neighbouring dwellings during the construction period. The applicant/developer is also advised not to store building materials and/or equipment associated with the development in the public car park or on the public road.

NOTE

Mrs E Sangster, neighbour to the proposed site spoke against the application on behalf of all the objectors.

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
17/00669/FUL	Part change of Use from Class 2 (Office) to Class 9 (Residential)	3-5 Exchange Street 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. No development shall commence until detailed mitigation measures designed to reduce the potential impact of flooding on the building shall first be submitted to and approved in writing by the Planning Authority and thereafter, no development shall take place except in strict accordance with the scheme. The approved measures then to be implemented as part of the development and maintained thereafter following occupation of the dwellinghouse.
Reason: To lessen the impact of potential flooding at the site.
3. No development shall take place except in strict accordance with a detailed flood evacuation plan for the building which shall first be submitted to and approved in writing by the planning authority and thereafter no development shall take place except in strict accordance with the approved plan. The flood evacuation plan shall be maintained in perpetuity thereafter unless otherwise agreed in writing by the planning authority.
Reason: To lessen the impact of potential flooding at the site.

Informatives

1. As the application site is located within the Jedburgh Conservation Area and listed Category A, external alterations to the building are likely to require the benefit of planning permission, whereas internal and external alterations are likely to require the benefit of both listed building consent and planning permission.
2. The Council's Flood Protection Officer advises that, as access and egress to the development may also be affected by flood waters, the owner occupier should receive flood warnings from SEPA. The applicant should sign up to FLOODLINE at www.sepa.org.uk or by telephone on 0845 988 1188. It is also recommended that the applicant adopts water resilient materials and construction methods as appropriate in the development as advised in PAN 69.

NOTE

Mr Abderrazak Lataoui, Applicant spoke in support of the application.