

**SCOTTISH BORDERS COUNCIL**

**PLANNING AND BUILDING STANDARDS COMMITTEE**

**6 NOVEMBER 2017**

**APPLICATION FOR PLANNING PERMISSION**

<b>ITEM:</b>	<b>REFERENCE NUMBER:</b> 17/01149/FUL
<b>OFFICER:</b>	Carlos Clarke
<b>WARD:</b>	Galashiels and District
<b>PROPOSAL:</b>	Formation of waste transfer station and associated works
<b>SITE:</b>	Land South of Easter Langlee Recycling Centre
<b>APPLICANT:</b>	Scottish Borders Council
<b>AGENT:</b>	Scottish Borders Council

**SITE DESCRIPTION**

The site comprises a historic landfill site located north-east of Galashiels, east of the C77 public road leading from the B6374 Melrose Road to the south. Alongside and accessed from the same road are residential properties, including the Coopersknowe Crescent development and the ongoing Easter Langlee development (commonly referred to as Melrose Gait). The site takes access from the C77 via a road that serves an aggregate recycling facility to its west, live landfill site to its north, and existing recycling and related Council operations to the north and east. The site is raised above the Easter Langlee residential development beyond partially wooded banking.

**PROPOSED DEVELOPMENT**

This application seeks consent for a new waste transfer station (WTS) (13.25 metres high to the ridge, with two stacks 3.75m above the ridgeline or 17 metres above floor level); steel clad walls and roof, with masonry section to part of the walls; and, with associated yard and parking area. Access would be from the existing access road to the north via two junctions. Ancillary works include a weighbridge, office (prefabricated, 3m high), kiosk (modular steel 2.4m high), sprinkler tank (8.7m high) and pump house (3m high). The WTS would replace the existing landfill facility, with waste from the central Borders area instead being directed to the new WTS for sorting before being distributed to and disposed of at landfill or recycling facilities elsewhere.

The development is supported by changes to ground levels that have been previously confirmed as being Permitted Development if carried out by the Council.

**PREVIOUS DECISION OF THE PLANNING AND BUILDING STANDARDS COMMITTEE**

The same development was subject to a previous application (16/01417/FUL) which was considered by the Planning and Building Standards Committee in April this year. The Committee refused the application, contrary to officer 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.*

This application is for the same development, and most of the supporting documents submitted with the current application are the same as the previous submissions except, notably, for a supporting Transport Statement which seeks to address the reason for the refusal of the previous application. This is considered in more detail in the assessment section of this report.

## **PLANNING HISTORY**

Recent planning permissions for this area include:

- Outline Planning Permission was granted for a materials recovery and composting facility in 2002 (02/00178/OUT). This was renewed in 2007 (06/02477/SBC).
- A detailed consent was granted in 2011 (10/00165/AMC) for a mechanical and biological waste treatment (MBT) facility. Works on the consented scheme were lawfully started on site by provision of the access junction. That consent, therefore, cannot expire.
- Application 13/00445/FUL for the erection of an advanced thermal treatment plant and associated ancillary infrastructure and landscaping was approved in September 2013. This was to be built and operated concurrently with the consented MBT facility.
- Application 16/01417/FUL for the formation of a waste transfer station and associated works, which was refused in April this year (as noted above).

There is also ongoing residential development within the 'Melrose Gait' site to the south, and planning permission was granted in December 2016 for 58 houses and flats south of Coopersknowe Crescent. There is also Planning Permission in Principle for a further residential development (13/00800/PPP) alongside Melrose Gait (including land either side of Easter Langlee House), also to be accessed off the C77.

## **REPRESENTATION SUMMARY**

Representations from 18 households have been submitted, as has an objection on behalf of CELRA (Coopersknowe and Easter Langlee Residents Association) which includes a report incorporating photographs of traffic accidents on the C77, and an objection from a Ward Councillor on behalf of residents. Full copies of all representations are available on *Public Access*. In summary, key objections include:

### Amenity impacts:

- The development will unfortunately prolong use of the site for waste treatment or disposal. Further consideration should be given to protecting the area for residential and other compatible uses. Concerns are raised regarding impacts on existing residential properties, and potential for future houses.
- The development will prolong and may exacerbate noise, dust and smell concerns (including odours during construction); visual impacts, including trees and landscape issues; vehicle noise (including from more HGVs and from reversing vehicles); and air pollution.

- SEPA's letter of 8<sup>th</sup> September demonstrates why the proposals should not go ahead, in the absence of remedial measures. Evidence should be presented to Committee that these issues have been addressed
- There are concerns that the use of the existing site is being used to support the case for the waste transfer station, despite there being no consent for the aggregate recycling facility
- An added problem is smelly liquid running out of stopped articulated lorries
- Drainage and potential contamination issues
- Concerns that development will drastically reduce property values

Road safety impacts:

- The application proposes no fundamental change to the previous application that was refused
- The content and findings of the Transport Statement are challenged, including factual accuracies, speed survey findings and proportion of commercial vehicles using the road. The report is considered to be one-sided in favour of the development being approved.
- There is no answer to the fact that the pinchpoint between Aislinn Cottage and No 2 Easter Langlee Cottages cannot be widened. This is the most dangerous point of a pedestrian's journey where the road is not wide enough to accommodate a HGV and another vehicle passing each other, visibility is severely restricted, and verges are extremely narrow and overrun by HGVs. The transport statement confirms that a solution cannot be achieved. Another blind bend creates a similar hazard further north. Proposed improvements were previously judged to be inadequate. There is no change in the improvement proposals that can overcome the intrinsic unsuitability of the C77. The improvements are unable to address the main issues of this pinch point and blind bend at Aislinn Cottage and blind bend further north. The cosmetic improvements will only make the road faster in both directions.
- Heavy lorries cannot negotiate the bends there and these, and the camber of the road, have encouraged a number of accidents. All properties flanking the C77 have had vehicles enter their property through boundary fencing, one experiencing this twice. Vehicles have also come off the road and fallen into the valley adjacent the waste site. Photographs demonstrate instances of vehicles involved in accidents, including one showing a Council refuse lorry (though it is unclear if the lorry was involved in the accident)
- Despite there being a 30mph limit here, a traffic survey carried out on behalf of the Council indicated that, on a weekly average, a substantial number (47.1%) exceeded the speed limit, with excessive speeds ranging between 36.3mph and 49mph.
- People and children (sometimes unsupervised) with or without dogs walk this road and walkers are increasingly using it. Six properties on this stretch have no other means of accessing a bus stop or post-box without walking on this road. The path through the industrial estate is steep, on an angle and has steps. Therefore, the only route for wheelchair users, those with restricted mobility and parents with pushchairs is to use the C77. There is no footway and the grass verge is non-existent, too steep,

too narrow or covered by vegetation, and they are used by large vehicles to pass when two meet at the narrow part of the road. There is also no street lighting on the upper part of the C77. The proposals in the application to improve the C77 do nothing to promote that section of road to become “safe”, to encourage people “to walk and cycle to local destinations”, do nothing to accommodate “those with mobility difficulties”, or prevent any “adverse impact on road safety”, as required by Policy PMD2

- One suggestion is that perhaps reducing certain parts to single file by using traffic lights would allow a footpath.
- Planning conditions to provide improvements to the road via the Persimmon development are not guaranteed. The roundabout at the B6374 junction will be some years away.
- The C77 cannot handle existing traffic safely and is not fit for the purpose of moving waste from a waste transfer station. The traffic volume and number of heavy loads is increasing, with two housing developments yet to be carried out. Present uses comprise heavy lorries carrying aggregate, soil etc, and there is the community recycling facility and other Council commercial vehicles and maintenance vehicles. Farms also still use the C77. The junction with the B6374 is already very busy and has sightline issues. Even one extra articulated lorry is too much as there are too many using the C77 now. Vehicle movement predictions are the absolute minimum and, in reality, these numbers could be exceeded vastly on a daily basis.
- There are no circumstances where an increase from 41 loads per day to 105 can be considered minimal, particularly given the characteristics of the C77.
- There are existing maintenance problems with the C77. Extra usage by articulated lorries will add to the difficulty of maintaining the road to a satisfactory standard.
- There is no mention how the 40-tonne trucks will access the C77 as the Lowood Bridge weight has been restricted. Nor has there been a swept path analysis for the bridge. This would mean vehicles trundling through Galashiels or Gattonside. The fact that routes will have to be carefully planned depending on timing and opening of works on the Lowood Bridge is an admission that there are other pressing matters on the local road network that also require attention.
- A major accident, with possible fatalities, may occur and the development should be stopped before the inevitable occurs.
- The development is only a medium term solution and the plans show intentions to expand the size of the development which will obviously intensify road safety fears. It will increase vehicles above that of the landfill site
- Easter Langlee is predominantly a residential area and is not suitable for industrial traffic. The Council should find an alternative site nearer to a main road such as the A68, bypass or A7 away from existing and proposed housing developments.
- There is no overriding community benefit from this development because of residents’ aforementioned unresolved concerns.
- Nothing in the revised application has materially altered the circumstances to merit a different decision to that taken by the Committee on the previous application, on the grounds that the C77 is unable to cope and incapable of improvement.

## **ENVIRONMENTAL IMPACT ASSESSMENT**

A Screening Opinion for the development was provided by this service in November 2016. This noted that the proposed development would fall within 11(b) of Column 1 of Schedule 2 of the EIA (Scotland) Regulations 2011. Its size would exceed the threshold in Column 2. It therefore required to be screened. Matters to consider in reaching a Screening Opinion principally involve the characteristics of the development, its location and the characteristics of the potential environmental impacts. These are to establish whether significant effects on the environment are likely to occur such that these should first be examined by Environmental Impact Assessment.

In this case, the development would principally involve storage and transfer of waste within a single building, with external works generally comprising access, parking, staff and ancillary infrastructure. It would be sited within the area of the well-established waste management site, and would process waste diverted from the landfill site, using the same road infrastructure. It is not within an ecologically sensitive area or designated landscape. Though there are residential areas nearby, including the emerging development to the south, these are not directly adjacent. Ultimately, accounting for the existing land uses within the site and surrounding area; the existing landfill activity; the purpose and scale of the development; and the type of environmental impacts likely to arise, it was not considered that significant effects on the environment would occur such that these would need examined by way of EIA.

However, this service did advise that a number of assessments be included with the planning application, including landscape/visual impact assessment; ecology assessment; information on water and drainage; traffic statement and noise/air quality assessments. As noted below, the formal application includes a number of supporting documents.

## **PRE-APPLICATION CONSULTATION**

This application was preceded by statutory pre-application consultation (carried out prior to the submission of the previous application 16/01417/FUL). This is reported in a Pre-Application Consultation (PAC) report submitted with the application. This was required because the development is classified as a Major development under the Hierarchy of Developments Regulations 2009. The PAC report confirms that consultation and a public event were undertaken as specified in the Proposal of Application Notice that had been approved in August 2016. Additional consultation was also undertaken with Melrose Gait residents.

## **APPLICANT'S SUPPORTING INFORMATION**

The following have been submitted in support of the planning application plans and drawings, copies of which are available to view on *Public Access*:

- Submission Statement
- Odour Management Plan
- Odour Impact Assessment
- Transport Statement
- Drainage Strategy Plan and Flood Statement
- Environmental Noise Impact Assessment
- Outdoor Lighting Report
- ZTV and Visualisation Methodology
- Ecology Report

## **DEVELOPMENT PLAN POLICIES:**

### **Strategic Development Plan 2013**

Policy 14 Waste Management and Disposal

### **Local Development Plan 2016**

PMD1 Sustainability  
PMD2 Quality Standards  
PMD4 Development Outwith Development Boundaries  
IS1 Public Infrastructure and Local Service Provision  
IS7 Parking Provision and Standards  
IS9 Waste Water Treatment Standards and Sustainable Urban Drainage  
IS10 Waste Management Facilities  
IS13 Contaminated Land  
EP1 International Nature Conservation Sites and Protected Species  
EP2 National Nature Conservation Sites and Protected Species  
EP3 Local Biodiversity  
EP4 National Scenic Areas  
EP6 Countryside around Towns  
EP8 Archaeology  
EP13 Trees, Woodlands and Hedgerows  
EP15 Development Affecting the Water Environment  
EP16 Air Quality  
HD3 Protection of Residential Amenity

## **OTHER PLANNING CONSIDERATIONS:**

Scottish Government On-Line Planning and Waste Management Advice 2015

Scottish Planning Policy 2014

PAN1/2011 Planning and Noise 2011

PAN 33 Development of Contaminated Land 2000

PAN 51 Planning, Environmental Protection and Regulation 2006

PAN 61 Planning and Sustainable Urban Drainage Systems 2001

PAN 75 Planning for Transport 2005

Supplementary Planning Guidance

Biodiversity 2005

Countryside around Towns 2011

Landscape and Development 2008

Trees and Development 2008

Waste Management 2015

## **CONSULTATION RESPONSES:**

Scottish Borders Council Consultees

**Roads Planning Service:** Not surprisingly there are a lot of objections to this application on road safety grounds, the main concern being the suitability of the Langshaw Road (C77) to accommodate the additional traffic associated with the proposal. The RPS understand these concerns as the combination of alignment, width and gradient of the C77 leading to the site, along with absence of separate provision throughout for pedestrians, means the road does not lend itself to accepting development that would lead to a significant increase in traffic

using it. Furthermore there are suggestions that there may be more suitable sites for a waste transfer station elsewhere in the Scottish Borders which could be better served by the strategic road network. While this is not disputed, a judgement is required on the site in question.

Despite the above concerns, in the earlier submission for a waste transfer station (16/01417/FUL) the RPS concluded they were able to support the application. This decision was based on the information in the Transport Statement which stated that at the time of the opening of the waste transfer station there would be minimal change in traffic generation when compared with the traffic associated with the landfill operations. The reason for this is that while there would be additional trips for waste transfer from Easter Langlee to locations outwith the Scottish Borders, this would be largely offset by waste no longer being transferred to the landfill site at Easter Langlee from Hawick and Peebles. Furthermore, account had to be had for the extant planning consent for a materials recovery and composting facility at Easter Langlee which entailed a maximum design capacity of more vehicle loads than the waste transfer proposal. Balancing the minimal stated increases in traffic generation against the road safety improvements proposed as part of the submission it was concluded that the application could be supported. The improvements generally consist of: minor road widening (including kerbing) at key locations; improved/enhanced road signage; improved driver visibility; and a modified junction arrangement where the site access road meets the C77. Previous comments on 16/01417/FUL still generally apply with the exception of comments on the suitability of a Type 1 surface finish for the staff and visitor car park.

The previous application was refused by the Planning and Building Standards Committee on road safety grounds in respect of the C77. Since that decision the applicant has investigated options for taking traffic down to single file past the roadside cottage (Aislinn), and improving provision for pedestrians, either by way of forming build-outs or by installation of traffic lights. These options have been ruled out on road safety grounds due to limited forward visibility for drivers and concerns on vehicles having to move off from a standing start on a hill of significant gradient. This would be a particular problem in winter conditions. The RPS agrees with this finding which was also a concern highlighted in a road safety audit carried out in association with the nearby Persimmon housing development.

In addition to what was offered by way of road safety improvements in the previous submission, this latest submission offers to install street lighting in the C77 from the bottom Coopersknowe junction (not yet open) to the end of the 30 mph speed limit just south of the access into the proposed waste transfer station. Although most of this lighting is a requirement of the Persimmon development there is no guarantee on timing and the lighting associated with the Persimmon development only extends as far as the top Coopersknowe junction.

Although the additional road safety improvements, in relation to street lighting provision, are modest in scale, the RPS was able to offer support for the waste transfer proposal previously and this stance remains the same for this revised application. As well as the benefits street lighting will bring during the hours of darkness, the presence of the lighting columns will help urbanise the road which may have a positive impact on traffic speeds. This support is conditional on all of the C77 road safety improvement work, including street lighting provision, shown on Drawing Number 720 (dated 16.08.2017) being agreed in detail and completed before the development is operational.

On the wider road network, concern has been raised by objectors on the existence of the 26 tonne weight limit on Lowood Bridge. It can be confirmed that current plans are for strengthening work to be undertaken from February to May next year to allow the restriction to be removed.

**Environmental Health Service:** These operations can adversely affect local amenity through impacts on the noise environment, local air quality and by the release of offensive odours. Assessment reports have been submitted in respect of noise and odour. These impacts will be controlled by SEPA under the terms of the site licence. Should the application be approved, a Noise Management Plan should be required by condition, prior to the commencement of operation of the development. No information has been provided in relation to Air Quality or the control of fugitive/nuisance dust emissions.

A site investigation report has been prepared for the site, as regards potential land contamination, but has not yet been reviewed. Permission should be granted on condition that a contaminated land study is approved and implemented. A standard condition covering this is recommended.

**Archaeology Officer:** There is a case, as set out in previous responses to applications for this site, to maintain an archaeological watching brief in areas where there may be undisturbed sub-soils. His previous recommendation for a condition remains valid.

**Landscape Architect:** Refers to her comments on the previous application 16/01417/FUL. A native hedge along the northern boundary to improve the amenity and biodiversity of the site and the surrounding area is recommended.

**Ecology Officer:** Is satisfied with the Ecological Impact Assessment undertaken. The assessment identifies no likely significant effects on the nearby designated sites due to the distance and lack of ecological connectivity between these sites and the area proposed for development, as well as the industrial nature of land use therein. No notable or ecologically sensitive habitats were discerned. Such habitats as exist, in particular tall ruderal vegetation and scrub, may provide opportunities for breeding birds, e.g. passerine and warbler species. Given the high potential for breeding birds at this site, a strong recommendation against undertaking ground clearance during the nesting bird season (March-August) is made. A condition is recommended.

Badgers were recorded as active within the area to the east of the site in Ellwynd Wood and it is considered they may use the site for foraging. Therefore mitigation is recommended. No other protected species were considered likely to be impacted by the proposed development. A condition requiring a Species Protection Plan for badgers is recommended.

Although the site lacks ecological connectivity to water courses, care should be taken to avoid contamination of adjacent habitats with dust and run-off, by following best practice and SEPA advice. The Ecologist concurs with our Landscape Architect regarding hedge planting. 'Informatives' are recommended on these points.

#### Statutory Consultees

**Scottish Environment Protection Agency:** Originally objected on the grounds of lack of information, but withdrew their objection in subsequent advice. Specific matters include

#### *Foul drainage*

Noted a discrepancy in the proposals. Statements refer to a package treatment plant discharging to a three stage SUDs outlet, though the drainage strategy refers to a septic tank draining to a mounded soakaway. The drainage system for the site has previously been agreed with SEPA and secondary treatment before discharge to a mound soakaway is required. A septic tank would be preferable to a package treatment plant due to the low flow of effluent from the site. The applicant was asked to consider further the drainage system



detailing how the secondary treatment can be achieved. There were no details of this in the current application.

Following clarification that the proposals comprise a septic tank, SEPA advises that the proposal for foul discharge are satisfactory.

#### *Surface water drainage*

Sought a clearer plan for the surface water drainage proposals as the submitted plan was illegible with no text. This was submitted and SEPA later confirmed the proposals are satisfactory.

#### *Operations requiring consent by SEPA.*

Initially queried the stack heights and how these were calculated. They also noted that the Odour Assessment does not include a justification for why abatement techniques are not being utilised and it does not include a timescale for retrofitting these if needed.

Following receipt of further information on stack heights and the applicant's response that abatement measures are not proposed, SEPA have advised that, given the close proximity of sensitive receptors, further modelling for the stack height assessment and the inclusion of details of retro-fitting abatement techniques with timescale should have been submitted. This is information that SEPA will require when applications are made to them for the necessary consents. While they think the proposal has the potential to achieve the necessary consents, if changes necessary for licensing constitute material differences to the development given Planning Permission (the stack height or abatement measures which affect the exterior of the development) the applicants may need to submit a fresh planning application. In view of this, they consider that an 'informative' is needed should this proposed development be given planning permission.

SEPA also contended that no Noise Assessment had been submitted with the current application when it had, in fact, been submitted. In response, SEPA have confirmed that the noise assessment is satisfactory and appears to take into account previous discussions. They accept that this part of their objection on grounds of lack of information is, therefore, not valid.

**Melrose and District Community Council:** The CC has no issues with the site but still feel that the road is not well suited for the proposed traffic movements

**Galashiels Community Council:** Road safety concerns regarding the C77 were the major issue. The CC wish to object to the application as they do not feel the conclusions made in the Transport Statement are valid. Photographs produced by residents on accidents on the C77 refute the points made in the report that it can be made safer with lighting; widening at specific areas; implementing a speed limit and erecting various signage. The size and regularity of large vehicles on this road are a danger to people and children, cyclists and horses. The number of houses adjacent the C77 has increased over the years, especially the Melrose Gait development (not yet complete, with another phase still to be built).

Comments were raised about the unsuitability of Lowood Bridge for heavy vehicles but Council representatives at the meeting advised that bridge repairs and upgrading would accommodate this.

The CC also discussed the increase in traffic should waste disposal vehicles have to go through Galashiels when transferring waste out of the area and the effect of this on traffic

flows and general road safety. Due to the extra traffic up and down the C77 onto the B6374, the CC feel the provision of a roundabout should be revisited.

They conclude that the application is flawed, particularly the transport report, and so they object and suggest that the Council should be looking for another location.

### **KEY PLANNING ISSUES:**

Whether or not the development would comply with planning policies and guidance and, if not, whether there are material considerations that would justify a departure from policies and guidance, particularly with respect to traffic and amenity impacts. Of particular significance is whether the application addresses the previous reason for refusal regarding road safety impacts and the capacity of the C77 to safely accommodate traffic associated with the development

### **ASSESSMENT OF APPLICATION:**

#### *Principle*

SES Plan Policy 14 notes that the area is safeguarded for waste management facilities and appropriate facilities include waste transfer stations. Local Development Plan Policy PMD1 supports sustainable development, including community services and facilities subject to environmental safeguards (considered further in this report). The site is outside the settlement boundary of Galashiels, within the Countryside around Towns area covered by Policy EP6. This restricts non-rural type new-build development to houses within building groups, unless there is a proven strategic need and no alternative is suitable. However, Policy A (Countryside Around Towns SPG) also allows for a different policy approach to community facilities (which this proposal would be) subject to criteria examining impacts and benefits. The provision of the Waste Transfer Station (WTS) will provide clear community benefit, particularly in allowing closure of the landfill site. Its impacts on local infrastructure and mitigation of impacts on biodiversity and landscape, as well as other impacts, are considered later. It will not have adverse impacts on recreational facilities or the historical context, being sited on a former landfill site. Subject to consideration of impacts, it will satisfy Policy EP6 (Policy A). Though there may or may not be better sites elsewhere, the Planning Authority is required to determine this application on its own merits.

The site is outwith the settlement boundary, as noted, and PMD4 prevents development beyond it generally, unless meeting exemptions, one of which is that there would be significant community benefits overriding the need to protect the boundary. Given the wider community benefit (impacts on local residential amenity are considered later), and that it will be south of existing buildings, on the former landfill site and beyond the wooded banking forming the edge of the settlement, it is not considered that it would undermine the settlement at this location. Its landscape impact will not detract from the landscape structure of the settlement and it will not have a cumulative effect with other new development beyond the settlement boundary. The LDP refers to the area as a key waste management site (pg 317). This proposal will replace the mechanical and biological waste treatment (MBT) facility approved within this area previously, providing for a different approach to directing waste away from landfill. It is not considered that Policy PMD4 would factor against the proposed development.

Policy IS10 supports provision of waste facilities within a hierarchy of sites. Easter Langlee is identified as of high priority (waste treatment facility) and medium/high priority (waste transfer station and community recycling facility). Environmental impacts must be considered as required by Policy IS10 and these are accounted for in this report. IS10 notes that the

reuse of derelict and brownfield land is one criterion, and this would be satisfied by developing this site. As regards site restoration and after care, it is not considered necessary to require measures, given that this development will amount to hardstandings and buildings, as opposed to use of the land in itself (say, for landfill), and will include enhancement measures by way of structural landscaping (as noted later).

Scottish Planning Policy 2014 supports developments contributing to zero waste targets and reduction of landfill. This proposal will address this objective. How the existing landfill site is closed is not a matter for this application. The Scottish Government's on-line guidance notes that the number of small scale facilities, including transfer stations, will increase and be widely spread. It also identifies suitable sites as being degraded, contaminated or derelict land, and sites previously occupied as waste management sites. This proposal reflects this guidance in these regards.

### *Ecology and landscape*

There are no ecological or landscape designations affected. The landscape is not of high quality. The nearest ecological designation is the Allan Water to the north-east, part of the River Tweed Special Area of Conservation. A supporting ecological assessment states that there would be no connectivity to it. There would be no badger setts affected, no trees large enough to support bats and no buildings. The site is potentially suitable for breeding birds. The assessment recommends a pre-construction check for badgers and ground clearance outside the bird breeding season. It also recommends mitigation should be in place for monitoring and control, and precautionary measures for run-off during construction and operation. The Council's Ecology Officer supports the proposals, subject to conditions requiring a species protection plan for badgers and restriction on works during the bird breeding season. Conditions can cover these, incorporating an environmental management plan to cover construction impacts, as previously recommended by the Ecology Officer. The woodland proposal forming part of this development already includes some species recommended by the Ecology Officer. As noted under Landscape and Visual Impacts, hedging to the north is not possible. As there are no ecological or landscape designations affected the proposed WTS would comply with Policy EP3 covering Local Biodiversity.

### *Archaeology and built heritage*

There would be no effects on the setting of heritage assets, nor direct effects on designated sites. However, there is archaeological interest. The MBT plant was subject to an evaluation that recommended watching briefs in specific areas. The Archaeology Officer recommends this be taken forward as part of this scheme. A condition can require a scheme covering the necessary watching brief extent.

### *Traffic and access*

As noted above, the previous application was refused for the same development because the Committee determined that the C77 was inadequate to safely support the development, and incapable of being improved sufficiently. The refusal of the application was contrary to the advice of officers. This application is for the same development, but is supported by a revised Transport Statement which specifically seeks to address this particular concern.

The site is accessed from the existing road serving the waste facilities, in turn accessed from the C77 public road. The C77 is constrained in a number of regards, including gradient, alignment and width. It is not a residential street, but does currently serve as pedestrian access for properties alongside it and from Coopersknowe Crescent which has not been completed yet such that its southerly access onto the C77 has not been provided. The road itself will also see a considerable increase in residential traffic at its southern end as

developments at Melrose Gait and the completion of Coopersknowe Crescent are realised. Concerns regarding impacts on the C77 are fully acknowledged, and the C77 certainly has limited scope to accept development that would lead to a significant increase in traffic using it. When determining the previous application, these concerns were considered overriding by the Planning and Building Standards Committee.

This application has, once again, been supported by a Transport Statement. There have been notable challenges to the veracity of the Transport Statement and these are acknowledged. In particular, it is worth clarifying that footpaths on the C77 currently extend only to the bottom Coopersknowe junction (which is currently closed). There aren't any plans to extend these footpaths further north. The conditions imposed on the adjacent 'Melrose Gait' development include a path at the north-western leg of the development but this would not extend down the C77. This would be required before the north-western leg of that residential development is occupied, and include other works comprising street lighting from the Melrose Gait access up to the northern Coopersknowe Crescent junction; visibility improvements; signage; and road markings.

The Transport Statement states that there would be 6 extra vehicle movements per day of which 5 would be articulated lorries, when compared with the existing traffic for the landfill. This amounts to 88 movements per day in total, of which 14 would be artics, as opposed to 82 and 9 for the landfill site respectively. The predicted traffic would be less than that for the consented MBT. While that consent is an historic approval it is, nonetheless, a consent that is capable of still being implemented without further planning approval and the judgements leading to that permission are valid considerations here. This increase in traffic is not considered to be significant.

Having applied significant weight to the support from the Roads Planning Service for the previous application, the Development Management Service recommended that the application be approved subject to improvements being carried out to the C77. These included localised widening and kerbing of the road at key locations; improvements to signage; removal of trees and vegetation at locations where visibility is obstructed; improvements to the access junction; and, gates set back into the site. These improvements would be supplemented by edge reconstruction of the carriageway on the east side of the road. The widening would be minimal, designed to formalise areas of existing verge overrun. The signage would highlight the pinch point at Aislinn Cottage. Articulated lorries will be unable to pass each other at that point, but they cannot do so now when accessing the landfill site. Traffic lights were not considered appropriate on this stretch of road, and neither was a pedestrian crossing. Coopersknowe Crescent will be provided with a link to the C77 further south once the residential development is completed. The C77 was not considered a suitable road on which to encourage pedestrian access and the signage would be used to highlight its constraints. The roundabout onto the Melrose Road is required for the Melrose Gait development (by means of legal agreement, and requiring compulsory purchase of land), but did not affect the Development Management Service's assessment of the previous application.

However, given the Committee did not consider that these improvements were sufficient, the revised Transport Statement has since further explored the potential for improving the road. It has looked at options for addressing the pinch-point adjacent Aislinn Cottage, including traffic calming (by way of build-outs on either side of the road) and traffic signals, including the possibility of footpaths. However, these improvements were discounted because these options would not address the fundamental problem of substandard visibility on the bend. The measures would ideally be delivered in conjunction with a reduction in speed limit to 20mph, which is generally only acceptable in the vicinity of schools. Traffic lights would address the forward visibility constraints, but would require vehicles to move off from a standing start on a hill with significant gradient. This would be a particular problem in winter

and traffic noise would also increase. The statement concedes that “given all the above it is difficult to see how the current situation at Aislinn Cottage can be improved”. The RPS agrees with this finding, and notes that it was a concern highlighted in a previous road safety audit undertaken for the C77.

However, in addition to previously proposed improvements, the statement includes a proposal to extend street lighting beyond that required from Persimmon for the Melrose Gait development up to the start of the 30mph speed limit, just south of the WTS access junction. The applicants have committed to completing all the road improvements before any works commence (including alterations to ground levels despite these not requiring Planning Permission), whereas previously this was intended only before the WTS was operational. Thus, this means that the street lighting required of Melrose Gait will be delivered within a much quicker and more definite timescale than expected. This will serve to highlight the urban nature of the road earlier and for longer to drivers using the route. Any costs of delivering lighting works already required of Persimmon will be for the applicant to address directly with the developer.

This proposal does not specifically address the physical constraints on the C77, beyond those improvements already considered in the previous application. It has been shown that the road cannot be improved further without affecting private, third party land. However, it is notable that the RPS has once again fully examined the road safety consequences of the development and remains supportive of it. It is to be noted that objectors point to accidents that have occurred on the C77 in recent years. However, the Council has only one record of a traffic incident involving one of its vehicles on this stretch of road, and that involved a car driving into a passing refuse vehicle, where the driver of the car was found to be at fault. It is understood too that a previous road safety audit for the C77 did not identify the need for crash barriers along this stretch of the road.

Ultimately, it must be acknowledged that the development will replace the existing landfill activity and achieve a waste management solution that will have less intensive traffic implications than the consented MBT facility. It is fully accepted that the C77 is not an ideal route for the site. It has limited potential for improvement without use of third party land. However, the development will replace an existing landfill operation that has been in place for decades and which has vehicle movements associated with it. While Policy PMD2 encourages pedestrian activity within new developments, this road does not form part of the development itself. It is also not principally a residential street but a road currently serving essential landfill operations and the wider road network. The application also includes a series of pre-development improvement works, which will include bringing forward street lighting provision. The Roads Planning Service once again endorse the development as proposed, subject to these improvements. While objectors’ concerns are legitimate and fully acknowledged, there is insufficient evidence to suggest that the WTS would result in road safety impacts that are so materially different to either the existing landfill operations or approved MBT facility such that the C77 would be incapable of safely accommodating its traffic.

As regards the Lowood Bridge, the applicants are fully aware of the potential restriction on vehicle weights during planning improvements to the bridge. These are due to start either in February/March next year, or June (depending on the type of scaffolding required). They will last 12-16 weeks. If permission is granted for the WTS, the applicants plan to carry out the road improvements in January-February next year, undertake the ground alterations in March-May, and commence main building works in May, completing in January 2019. If the site works coincide with the Lowood Bridge repair works, then works traffic will be diverted through alternative routes, using the main routes into Galashiels via the A68, A7 and A72. The construction traffic (within the applicant’s control) can be regulated by a construction traffic management plan by means of a planning condition.

### *Landscape and visual impacts*

The landscape value of the site is not significant and there would be no feature of note that would be lost. The development would not breach the skyline. The WTS would effectively be a large scale shed on land that is generally well contained in landscape terms, and sited alongside existing waste management facilities and buildings. The application is supported by a structural landscape scheme. The potential for further hedging recommended by the Council's Landscape Architect was considered by the applicant but discounted due to constraints, including leachate pipes. On the southern boundary, planting to mitigate the MBT development was carried out but is not being maintained. The applicants have incorporated this into their landscape scheme so that its maintenance (and overhaul) will be part of their scheme. The landscape plan needs to be adjusted a little to suit the detailed site layout, but otherwise will provide for visual containment of this development in the wider landscape.

The layout of the site, scale of development, and the form and design of the proposals are all considered appropriate for this particular setting, as is fencing proposed to the boundaries (2m weldmesh). The WTS building is smaller than the MBT approval, albeit a little taller. The Advanced Thermal Treatment facility had included a 23m high stack, whereas this proposal is for two stacks at 17m high (3.75m above the ridge). The hard surfaces would be tarred or finished with Type-1 which is appropriate in this location. Other structures include simple office and kiosk structures and a weighbridge, as well as a sprinkler tank and pumphouse. Provided the colours and finishes are dark, (and the applicant has agreed that external finishes will be specified to suit this objective), the overall visual impact of the works will not be adverse.

Levels on site would be altered with cut-and-fill, with levels increased to over 4m to the north-east. These works are, in themselves, Permitted Development for the Council (works under £250,000). The gradients are a little sharp in places but, ultimately, they will not seriously change the landscape character of the site, and the development will largely cut into the existing site. The detailed levels will need to be amended to accord with the details of the site plan, and coincide with structural landscaping. Conditions can ensure the plans all tally.

The proposed building would be more than 130m from the nearest house in the Melrose Gait development and in excess of 90m from the top of the embankment that visually separates the site from the housing to the south. This means that not only is the development removed from the skyline, it is also the case that any intervisibility is removed as a result of the intervening landform. Neighbouring properties would not be adversely affected by the development in terms of daylight, sunlight, privacy or outlook loss. Potential impact on private property values is not a material planning consideration.

### *Noise, odour and air quality*

Impacts as regards noise, odour and air quality are material considerations that govern whether this development should be approved in this location. However, the operation of the waste management facility is regulated by Waste Management Licensing operated by SEPA. Scottish Planning Policy cautions against duplicating controls, as does the Scottish Government's on-line advice and PAN 51. The issue for this application is whether the development is capable of being licensed in this location, not whether its detailed operation is acceptable or not.

### Construction noise, air quality and odour

Construction will be a short term process, but an essential aspect if the provision of a waste transfer station to replace the landfill site is to be realised. It is accepted that local residents have previously voiced particular concerns, however, any limitations placed on the development must be reasonable, if they are to be placed at all. As regards construction noise, this matter is regulated separately and, given the type of development and its location, it is not considered that additional controls need applied above normal standards for noise and dust etc during construction.

As regards odour, the submitted Odour Management Plan identifies that odour may be released during construction when the ground is excavated. It includes mitigation measures such as no working in evenings, weekends or Bank Holidays, and accounts for weather conditions for progress on work. Following liaison with the Environmental Health Service during processing of the previous application, it is considered that these measures are sufficient to mitigate for odour impacts during construction. It is not possible to factor in every possible eventuality as regards risk of odour release while still allowing for reasonable and timely progress on the development. Albeit this site could be disturbed in any case (with works to change levels and implementation of the MBT development) it is considered, on balance, reasonable and necessary to require compliance with the mitigation measures during the works given the risk that has been identified.

### Operational noise

The application includes an Environmental Noise Impact Assessment that assessed the principal noise implications of the development, including traffic noise on the C77. No significant effect is predicted, including from additional traffic. Background levels were taken within Coopersknowe Crescent in order to provide a representation of background noise within the nearest properties both there and in Melrose Gait. The location of the background level has not been queried by SEPA or the Environmental Health Service. SEPA initially raised concern during the previous application that there was no account for noise from reversing vehicle alarms but, the applicants have since accounted for it. "Smart", warbling, broadband or bell tone alarms, or those capable of adjusting to ambient noise level, are some of the mitigation measures that could be applied via licensing. Though the EHS recommends a Noise Management Plan, conditions are not sought by SEPA (who have accepted the assessment) on the planning approval (if granted) in order to avoid duplication. For the same reason, they verbally agreed during processing of the previous application that operating hours (currently proposed as Mon-Fri 7am-7pm) would be controlled under the licensing.

### Operational air quality and odour

SEPA raised no issue regarding dust during the previous application and, in response to a request then from the Environmental Health Service on the matter, the applicants advised that dust suppression measures will be applied. The regulation of these will be for SEPA.

As regards assessing odour impacts, this is not an exact science, albeit the applicants have submitted an Odour Impact Assessment that uses modelling to predict that this development would not lead to significant effects on neighbours. The related Odour Management Plan states that for the majority of the time the reception building would be enclosed, with all waste transfer, handling and storage operations being enclosed, during which time the air will be extracted via the two stacks. During the working day the shutter doors would be open to allow entrance/exit of waste collection vehicles. Release of odour is said to be overcome by following working plan procedures and automated fast acting roller shutter doors will close behind vehicles as they enter and leave. The fast acting doors combined with the

extraction system will prevent odour emissions from the doors and mist curtains will be installed around doorways to mitigate further. The OMP includes measures to minimise odour release as well as notification and complaint procedures and emergency measures. This is a matter for the Waste Management License and its detailed contents are not best addressed via the planning application.

An assessment of stack heights and odour impacts was undertaken during the previous application. It was concluded then that the development appeared capable of being licensed, albeit there was a risk that subsequent licensing requirements may require changes to the development that could, potentially, require fresh planning approval. That would, however, be the same for any development requiring a license. SEPA sought more information during the processing of this application on how the heights of the stacks were calculated and any possible abatement measures that may be required to mitigate potential odour impacts. In response, the applicant's agents have explained again how the stack heights have been calculated. They contend that odour concentrations at all receptor locations indicate no likelihood of unacceptable levels of odour pollution using the 17m stack heights that are proposed. As the modelling indicates that there would be no exposure above benchmark levels, they further contend that odour abatement measures are not required. In turn, SEPA have accepted the proposals at this stage, though note that stack height changes and/or abatement measures may still be required depending on the outcome of the licensing process. Given that SEPA consider that the proposal has the potential to achieve the necessary license, these matters can be considered to have been addressed as regards this planning application. An informative note can cover the potential overlap with future licensing requirements.

The applicant has advised that there are no recorded incidents of odorous liquid spilling from vehicles on the road. Clearly, if there is an issue with existing refuse vehicles, then it is a matter for affected residents to report to the Council's waste team.

#### *Water supply*

A connection to the public water supply is proposed. It is understood that this is achievable. The applicant will investigate the use of grey water from roof run-off to supplement the supply to the sprinkler system tank. This will help reduce water usage. A condition can require evidence of a public mains connection

#### *Foul drainage*

Policy IS9 of the LDP notes a preference for a public sewer before private foul drainage treatment is considered within mains sewer catchment areas. However, the applicant's consultant has determined that no suitable mains connection is possible. The original submission was ambiguous as regards the proposals, but a septic tank with mounded soakaway is ultimately what is proposed. As noted above, SEPA are content. A conditional consent can secure details and implementation.

#### *Surface water drainage*

Surface water drainage proposals are SUDs-based including filter trench, swale and off site soakaway. High risk run-off will be drained to the leachate lagoon which, despite its drain to the sewer being at capacity, will be negligibly affected by the volume of run-off according to the drainage strategy. SEPA endorse the proposals. The drainage layout needs slightly adjusted to suit the site plan but, ultimately, the proposal is acceptable as regards Policy IS9.

As regards flooding, the site is not at risk and the Council's Flood Protection Team did not raise concerns in response to the previous application. SEPA were also previously content



and raise no concerns in this regard now. A condition can require that the drainage be managed to an extent that maintains pre-development run-off levels. The strategy identifies this to be the case.

#### *Contaminated land*

The permission for the MBT was conditional on a contaminated land strategy, and this was agreed. A study now requires to be agreed to account for this specific development and current guidance on the matter. The Council's Contaminated Land Officer is currently in discussion with the applicant's agent on this point. A standard condition can be applied to allow for a strategy to be finalised and agreed and measures applied as required.

#### *Lighting*

Lights are proposed on the building and on 8 metre high columns within the site. On a site this size there is no significant visual impact, and it is set well back from public view. The light spread will not affect neighbouring residential properties.

#### *Waste*

A site waste management plan is encouraged by the Supplementary Planning Guidance on waste and was a requirement of the previous consents for the site. This can be covered by condition

#### *Long term adaptability*

The WTS building would be a modular building designed for future adaption/extension. Structural landscaping is proposed to the south and west but there is scope to extend to the east. The submitted drawings indicate a possible extension. This would be considered under a separate planning application in visual terms as well as any associated traffic or amenity implications but does demonstrate the potential for longer term expansion.

#### *Aggregate recycling facility*

In answer to concerns raised by residents regarding the aggregate recycling facility that currently operates from the landfill site, this does so on a basis which is ancillary to the principal waste disposal use. It does not, therefore, currently require its own planning approval. Its status was accepted previously by the Local Government Ombudsman.

### **CONCLUSION**

Subject to compliance with the schedule of conditions, the development will accord with the relevant provisions of the Local Development Plan 2016 and there are no material considerations that would justify a departure from these provisions. This application responds to the refusal of the previous application (16/01417/FUL) by identifying additional improvement measures to the C77 and that those measures will be carried out in advance of development commencing. While the physical constraints of the C77 have not been wholly addressed it is material that the Roads Planning Service does not object to the application. Also material is the fact that the development will replace a long-standing landfill operation on a site for which consent has already been granted for a MBT facility. These material factors are considered to outweigh other representations which point to the existing shortcomings of the C77.

## **RECOMMENDATION BY CHIEF PLANNING OFFICER:**

I recommend the application is approved subject to the following conditions

1. The development shall be carried out in accordance with site plan 101-D6 and all other plans and drawings approved under this consent unless where required to be amended to suit any other condition in this schedule and unless otherwise agreed in writing with the Planning Authority.

Reason: To ensure the development is completed as approved and to overcome any apparent inconsistencies between plans and drawings

2. No development shall commence until a Construction Environment Management Plan has been submitted to and approved in writing by the Planning Authority. The CEMP shall include:

- i. Risk assessment of potentially damaging construction activities,
- ii. Identification of any "biodiversity protection zones".
- iii. Method Statements to avoid or reduce impacts during construction, to include the location and timing of sensitive works to avoid harm to biodiversity features, the times during construction when specialist ecologists need to be present on site to oversee works, include the use of protective fences, exclusion barriers and warning signs.
- iv. A Drainage Management Plan
- v. A Site Waste Management Plan
- vi. An Accident Management Plan
- vii. Responsible persons and lines of communication.
- viii. The role and responsibilities on site of an ecological clerk of works (ECoW) or equivalent

The approved CEMP shall be implemented throughout the construction period and operational phase as appropriate, strictly in accordance with the approved details, unless otherwise agreed in writing by the Planning Authority.

Reason: To minimise potential adverse effects on ecological interests and in order to ensure all practicable measures are taken to reduce the production of waste during the construction phase

3. No development shall commence until a Species Protection Plan (SPP) for badger and breeding birds has been submitted to and approved in writing by the Planning Authority. Any works shall, thereafter, be carried out in accordance with the approved scheme. The SPP shall include provision of pre-development supplementary surveys and a mitigation plan for badgers and birds, including mitigation for any works that may be carried out during the breeding bird season (March-August, though this is extended for some species including barn owl, barn swallow and pigeon) There shall be no development works during the bird breeding season unless specified within the SPP which has first been approved by the Planning Authority.

Reason: To minimise potential adverse effects on ecological interests

4. No development shall commence until a ground investigation report has been submitted to and approved in writing by the Planning Authority. The report shall include identification and assessment of potential contamination on the site (in accordance with PAN 33 (2000) and BS10175:2001) and shall include (as applicable) a remediation strategy, validation report and monitoring statements, including timescales for the implementation of all such measures. Development shall not commence until the report is approved by the Planning Authority and the development shall be carried out only in accordance with the approved report, including approved remediation, validation, monitoring measures and timescales for their implementation.

Reason: To ensure that the potential for health risk arising from any identified land contamination has been adequately addressed.

5. No development shall commence until the applicant has secured a programme of archaeological work in accordance with an approved Written Scheme of Investigation (WSI) outlining a Watching Brief. Development and archaeological investigation shall only proceed in accordance with the WSI.

The requirements of this are:

- i. The WSI shall be formulated and implemented by a contracted archaeological organisation working to the standards of the Chartered Institute for Archaeologists (CIfA) approval of which shall be in writing by the Planning Authority.
- ii. If significant finds, features or deposits are identified by the attending archaeologist(s), all works shall cease and the nominated archaeologist(s) will contact the Council's Archaeology Officer immediately for verification. The discovery of significant archaeology may result in further developer funded archaeological mitigation as determined by the Council.
- iii. Development should seek to mitigate the loss of significant archaeology through avoidance in the first instance according to an approved plan.
- iv. If avoidance is not possible, further developer funded mitigation for significant archaeology will be implemented through either an approved and amended WSI, a new WSI to cover substantial excavation, and a Post-Excavation Research Design (PERD).
- v. Initial results shall be submitted to the Planning Authority for approval in the form of a Data Structure Report (DSR) within one month following completion of all on-site archaeological works. These shall also be reported to the National Monuments Record of Scotland (NMRS) and Discovery and Excavation in Scotland (DES) within three months of on-site completion
- vi. The results of further mitigation of significant archaeology shall be reported to the Council following completion for approval and published as appropriate once approved.

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.

6. No development shall commence until a detailed scheme, including plans, drawings and specifications, for those improvements referred to in Appendix 3 (drawing no. 720) and Appendix 4 (drawing no. AT-04A) of the Transport Statement (Goodson Associates August 2017) in addition to street lighting of the C77 have been submitted to and approved in writing by the Planning Authority. The approved scheme of improvements and street lighting shall all be completed in accordance with the approved scheme before any development commences, including the implementation of any works that may be associated with the development that would otherwise be Permitted Development, notwithstanding the General Permitted Development (Scotland) Order 1992 as amended, or any subsequent amendment or revised Order. All site access roads, yard and parking areas shall all be complete before the development becomes operational

Reason: To maintain road and pedestrian safety

7. No development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Planning Authority. The construction traffic within the control of the applicant shall be operated in accordance with the approved CTMP

Reason: To maintain road and pedestrian safety

8. No development shall commence until a full schedule of external materials has been submitted to and approved in writing by the Planning Authority. The schedule shall include finishes and colours, and samples where required by the Planning Authority, for the waste transfer station (including stacks), sprinkler tank, pump house, office and kiosk, notwithstanding the specifications given on any approved plan or drawing. The development shall be completed using the approved schedule  
Reason: To limit the visual impact of the development
9. No development shall commence until evidence has been submitted to the Planning Authority that a public water supply will be available to service the development, or details of a private water supply have been submitted to and approved in writing by the Planning Authority. Thereafter no development shall take place except in strict accordance with the approved details.  
Reason: To ensure the development can be adequately serviced
10. The offices shall not become operational until a foul drainage scheme is implemented in accordance with the Drainage Strategy Plan and Flood Statement 13078 Rev B July 2017 Goodson Associates and the offices shall only operate with the foul drainage system in operation. A plan and drawings of the proposed scheme shall be submitted for the approval of the Planning Authority before installation and the works shall be installed in accordance with the approval  
Reason: To ensure the offices are capable of being adequately serviced in a visually and environmentally acceptable manner
11. Notwithstanding the layout on plan 6944-LD-001C a revised landscape layout shall be submitted to and approved in writing by the Planning Authority before development commences that concurs with approved site plan 101-D6, and specifies a timescale for implementation of landscaping. The landscaping shall be implemented and maintained in accordance with the approved site layout plan and approved planting and maintenance schedule (accounting for any adjustments to the schedule to accommodate the revised site layout)  
Reason: To mitigate the visual and landscape impacts of the development
12. Notwithstanding the layout on plan 590C a revised layout plan for site levels shall be submitted to and approved in writing by the Planning Authority before development commences that concurs with the approved site plan 101-D6. The development shall be completed in accordance with the approved levels plan (accounting for any required adjustments to sectional drawings to concur with the revised layout)  
Reason: To visually integrate the approved development with proposed site level changes
13. The construction works shall be carried out in compliance with the Odour Management Plan (SLR-Final V2 July 2017)  
Reason: To minimise, as far as practicable, potentially adverse effects arising from the construction on surrounding properties
14. The development shall not become operational until the surface water drainage scheme has been implemented in accordance with the approved plan 520 (adjusted to suit the approved site layout) and Drainage Strategy Plan and Flood Statement July 2017 13078 Rev B (Goodson Associates). The scheme shall maintain run-off from the site at pre-development levels in a 1:200 (plus climate change) event and shall be maintained throughout the operation of the development.  
Reason: To ensure surface water is treated in a sustainable manner without risk of run-off to neighbouring properties

15. The development shall not become operational until evidence is provided to the Planning Authority that the existing landfill facility at Easter Langlee has ceased operations with respect to disposal of incoming waste.

Reason: To maintain road and pedestrian safety and the amenity of surrounding properties

#### Information for the applicant

1. Should any part of the development require amendment to satisfy Waste Management Licensing requirements, these will require a fresh planning application where they are deemed by the Planning Authority to materially amend the approved development. Once the outcome of the WML is known, the applicant should discuss any such amendments with the Planning Authority to establish the required course of action as early as possible.
2. The extension referred to on the approved plans is not consented under this planning approval.

#### DRAWING NUMBERS

Location plan - 10

Location plan 100 D4

Development area and proximity to course of Allan Water 103 D1

Proposed site layout 101 D6

Landscape general arrangement 6944-LD-001 C

Softworks construction details 6944-LD-002 B

Landscape planting and maintenance schedule March 2017 Rev C

Administration block and weighbridge office elevations 231 D1

Administration block sketch proposals no 2 230 D2

Sprinkler tank and pumphouse 220 D1

Proposed floor plan 202 D2

Elevation sheet 1 211 D5

Elevation sheet 2 212 D5

Cross sections 213 D2

3d images 214 D4

Weighbridge photos 2no

External works - surface water drainage 520

External works - cut and fill volumetric analysis 590 C

Cut and fill volumetric analysis site sections 591 C

External works site sections 593 A

Typical Sections Sheet 1 401

#### **Approved by**

Name	Designation	Signature
Ian Aikman	Chief Planning Officer	

The original version of this report has been signed by the Chief Planning Officer and the signed copy has been retained by the Council.

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

Name	Designation
Carlos Clarke	Team Leader Development Management



17/01149/FUL

Land South Of Easter Langlee  
 Recycling Centre  
 Galashiels  
 Scottish Borders

