

From: Evans, Andrew
Sent: Wed, 7 Mar 2018 16:03:13 +0000
To: localreview; Hall, Elizabeth; McDermott, Siobhan
Cc: Walling, Fiona
Subject: RE: Planning application 17/01008/FUL. Appeal ref 17/00053/RREF

Further to your email of February 20th, I understand that Liz Hall (SBC Ecology Officer) has provided her response to you on ecology, and that Siobhan (SBC Landscape Architect) will be responding to you later today on tree matters. In response to your fundamental question of ***"Taking into account your previous representations does the amended plan change your position in relation to compliance with Policy EP13 (Trees, Woodlands and Hedgerows) of the Local Development Plan 2016?"*** I can advise as follows:

Policy EP13 of the 2016 Local Development Plan states:

POLICY EP13: TREES, WOODLANDS AND HEDGEROWS

The Council will refuse development that would cause the loss of or serious damage to the woodland resource unless the public benefits of the development clearly outweigh the loss of landscape, ecological, recreational, historical, or shelter value.

Any development that may impact on the woodland resource should:

- a) aim to minimise adverse impacts on the biodiversity value of the woodland resource, including its environmental quality, ecological status and viability; and
- b) where there is an unavoidable loss of the woodland resource, ensure appropriate replacement planting, where possible, within the area of the Scottish Borders; and
- c) adhere to any planning agreement sought to enhance the woodland resource.

I note the changes in the details from the original plan which was before me at the time of determination of the application. I have considered updated site plan drawing (*reference 9303.1.02 B*). Whilst the impact upon trees is reduced from its previous extent, I do note that works within the RPA of existing trees would still be required to accommodate the development. There would remain an (albeit reduced) adverse impact on woodland as a result of this development.

I therefore remain of the view that the original "tree" reason for refusal no. 1:

The proposed development is contrary to policy EP13 (Trees, Woodland and Hedgerows) of the Scottish Borders Local Development Plan (2016), and contrary to adopted supplementary guidance on Trees and Development in that the development will result in significant removal of trees subject to Tree Preservation Order which provide a positive landscape contribution. Furthermore, the proposed development would lead to increased pressure to remove further trees in the future.

remains the case. Even on the basis of this revised plans, the proposals will adversely impact existing trees. Positioning of this new access and dwelling could also lead to further development pressure on the remaining trees adjoining and within the site. I therefore remain of the position that the development would fail to comply with policy EP13 of the LDP.

Furthermore, none of the concerns in relation to the second reason for refusal are addressed by these revisions:

The proposed development is contrary to policy HD2 of the Scottish Borders Local Development Plan (2016), in that the proposed development would not sympathetically relate to the existing building group in terms of siting, scale, form or design. The existence of a building on site is inadequate justification for the proposed development.

This also remains the case.

I trust the above is sufficient for the requirements of the LRB. Please let me know if anything further is needed.

Regards

Andrew