

SCOTTISH BORDERS COUNCIL

PLANNING AND BUILDING STANDARDS COMMITTEE

30 APRIL 2018

APPLICATION FOR PLANNING PERMISSION

ITEM:	REFERENCE NUMBER: 17/01740/FUL
OFFICER:	Mr Scott Shearer
WARD:	Hawick and Hermitage
PROPOSAL:	Demolition of guest lodges and refurbishment of 6 retained lodges, erection of guest lodges, staff accommodation, new central hub with associated facilities, refurbishment and extension to existing staff lodge, redesigned site layout with new access roads, parking and footpaths
SITE:	Whithaugh Park Holiday Centre, Newcastleton
APPLICANT:	Rock UK
AGENT:	Oberlanders Architects LLP

SITE DESCRIPTION

Whithaugh Park Holiday Centre is situated on an elevated site to the east of Newcastleton. Access to the site is provided by minor roads to the south. Some shelterbelt planting encloses part of the western boundaries of the site with Newcastleton Forest enclosing its eastern side. Whithaugh Burn dissects the site with more densely populated woodland found around the water course.

The centre is operated by Rock UK, a charity organisation focussed on providing outdoor activity experiences primarily for young people. Rock UK operates four centres with Whithaugh Park being their only one in Scotland. The site offers a broad range of outdoor activities and sports on site which include abseiling, canoeing, gorge walking, mountain biking, swimming and zip wiring. Accommodation is currently provided by various log cabin type buildings which can sleep up to 192 people. A range of other buildings and structures are located in the site to assist with the various activities in addition to existing roads, tracks and bridges.

Three separate application sites are identified within the proposal, see Drawing No; 221-(PL) 002. Each is described below:

Site A – This is the largest of the sites which gently rises to the north out of the more density populated woodland area into open grass land. This area contains the majority of the residential accommodation as well as the reception building, swimming pool, sports hall and pitches.

Site B – This site straddles the entrance road to the site with staff accommodation located to the west of the road. The land slopes towards the north. Mature planting surrounds the existing buildings. A turning head and grass land is located opposite the lodges.

Site C – This site is located to the south east of the main hub and just off the sites internal road. The land is flat and enclosed by planting.

PROPOSED DEVELOPMENT

The application seeks planning permission for the following proposals within each of the three sites (A to C) identified above.

Site A:

- Demolish 24 of the existing lodges and the reception centre. Refurbish the 6 remaining 'Family Lodges'.
- Extend the existing development to the north to provide new accommodation arranged in five 'clusters' of different sizes which will cater specifically for group visitors. The accommodation will be provided in the buildings referred to as the 'Pine Lodge' and 'Guest Lodge'. Four of the five clusters will have their own 'Day Lodges' which will serve as a gathering space and facilitate individual activities as well as a place to prepare and serve meals. The Day Lodges are of the same design but vary in size to cater for the size of cluster they serve.
- A new central 'Hub' area will provide a focal point to the site. The 'C' shaped building will have two mono pitched ends joined by a flat pitched sedum canopy cover. Internally, the building will provide administrative accommodation and a shop in addition to a covered external space. New parking facilities are proposed here.
- A new road network will serve the new layout with the outer road finished with a gravel track and the internal route with resin bound gravel track

Site B:

- Alter and extend the existing staff lodge.
- Erect two new staff lodges and form a new parking area. The staff lodges are to be built in to the slope with the underbuilding used to provide storage space.

Site C:

- Erect a bike store

Apart from the hub building, all of the new buildings will be designed under pitched roofs with the Group Lodge having a stepped pitch. The walls of the buildings are to be finished using timber with various areas of glazing. The roofs of the buildings are to be finished with metal sheeting. Solar panels are to be mounted on the majority of the buildings. Except the bike store, each of the buildings has a covered terrace or deck area.

PLANNING HISTORY

A history of planning decisions at this site is noted below;

- 93/01306/FUL Creation of a lake. Approved.
- 05/01934/FUL Erection of reception centre and office building. Approved,
- 13/00962/FUL Erection of bio-mass boiler house/wood pellet storage shed. Approved.
- 15/00483/FUL Formation of bike tracks, erection of shelter and change of use of land to form skills area. Approved.
- 16/00342/FUL Extensions to Sports Hall. Approved.
- 17/00664/SCR Replacement and expansion of existing accommodation which has led to the submission of this current application. The Council determined that an Environmental Impact Assessment is not required.

REPRESENTATION SUMMARY

No third party representations have been received.

APPLICANTS' SUPPORTING INFORMATION

The applicants have submitted the following information in support of the application;

- Design and Access Statement
- Bat Survey
- Ecological Impact Assessment
- Pre-Application Consultation Report
- Surface and Foul Water Management Plan
- Transport Statement

CONSULTATION RESPONSES:

Scottish Borders Council Consultees

Ecology Officer: Satisfied with the findings of the Ecological Impact Assessment (EclA) and related reports. The site contains marshy grassland which is not of botanical value. Not all the ground is being lost and there will be a net gain of habitat through the removal of lodges from the wooded area to the south. Construction works may impact on protected species and their habitats. To mitigate ecological impacts it is recommended the following matters are addressed before development commences;

- A copy of a European Protected Species licence of statement from SNH is provided which states that a licence is not required.
- Confirmation that the Species Protection Plan for bats outlined in the bat Survey is enacted.
- A Species Protection Plan for badger and breeding birds is agreed and thereafter implemented.

Economic Development: Support the increase and improvement of the accommodation at this holiday centre. The improvements will significantly increase the quality of visitor experience and meets key objectives of Scottish Borders Tourism Strategy 2013 – 2022. The proposals also satisfy the updated Visit Scotland consultation paper on National Tourism Development Framework for Scotland which specifically noted that there was an opportunity to improve existing self-catering accommodation within rural parts of the Scottish Borders.

Environmental Health (Amenity and Pollution): A suite of conditions are recommended to agree precise site drainage and water supply proposals in addition informatives outlining best practice methods to ensure these services are operated appropriately and suitable information is provided to address the conditions. An additional informative to advice suitable working hours for construction operations is also recommended.

Flood Risk and Coastal Management: No objection. Against SEPAs mapping tool the site has a 0.5% risk of flooding occurring each year. The development is out with the 1:200 year flood area. The proposals are judged to include suitable surface water management methods.

Landscape Architect: The overall visual effects on the receiving landscape will be minimal and acceptable. The existing site and expansion area benefits from attractive

vegetation cover of semi natural woodland and rich grassland and it would be beneficial to retain and enhance as much of the landscape cover as possible. It is recommended that a more specific landscape plan to a larger scale is provided which details trees to be removed and retained, extent of ground works and proposed planting and seeding. These details inform the contractors working areas and define tree protection in accordance with BS5837:2012. In addition an explanation of the maintenance of rich grassland would be helpful as this cover could be damaged by routine mowing. It is recommended that the application is approved subject to a condition for a detailed landscape plan.

Roads Planning: The proposals will not have a significant impact on the public road network. The applicant should satisfy themselves that they are providing enough parking however given the location of the proposal is it not anticipated that any potential parking issues would have an impact on the public road network. All new private roads should be constructed with a smooth free draining, well compacted running surface which is capable of withstanding a minimum axle load of 14 tonne.

Statutory Consultees

Community Council: No response received at the time of writing.

Scottish Environmental Protection Society (SEPA): Following an initial objection on lack of information about foul drainage, additional information clarified that the site is to be served by a sewage treatment plant with a discharge to the Liddle Water. There is adequate dilution within the Liddle Water to accommodate this discharge and the application has indicated that their existing licence will be adjusted accordingly. SEPA have withdrawn their objection and are content for the applicant to discuss licence requirements with their regulatory team.

The proposed surface water drainage arrangements are acceptable. The highest risk for pollution is from the construction phase. It is recommended that a SUDS scheme for site development works is agreed by way of a condition of the consent with the Planning Authority.

The site or part of it lies within an area with a medium flood risk from the Whithaugh Burn and the number of tributaries which run through the site add to the flood risk. SPP seeks to avoid development taking place in areas of a functional flood plain. Against SEPA's guidance, the proposals represent a vulnerable land use. A number of the lodges which are being demolished lie within an area of flood risk. The new lodges and associated facilities are being located further away from the Whithaugh Burn and reducing the flood risk at the site. The site is adjacent to the flood extents but no information is held to indicate that the site is at flood risk concluding that no objection is raised on flood risk grounds.

Scottish Natural Heritage (SNH): No objection. The species surveys identified the presence of bats across the site, particularly within existing buildings. SNH are the licencing authority for bats and it is recommended that the removal of existing lodges will destroy roosts and will require a licence also the renovation of other buildings (retained lodges, sports hall and swimming pool) may require disturbance/destruction licences.

Other Consultees

None.

DEVELOPMENT PLAN POLICIES:

Scottish Borders Local Development Plan 2016:

PMD2 - Quality Standards

ED7 - Business, Tourism and Leisure Development in the Countryside

HD3 - Protection Residential Amenity

EP1 - International Nature Conservation Sites and Protected Species

EP2 - National Nature Conservation and Protected Species

EP3 - Local Biodiversity

EP13 - Trees, Woodlands and Hedgerows

IS6 - Road Adoption Standards

IS7 - Parking Provision and Standards

IS8 - Flooding

IS9 - Waste Water Treatment Standards and Sustainable Urban Drainage

OTHER PLANNING CONSIDERATIONS:

- Scottish Planning Policy (SPP) 2014

Approved Supplementary Planning Guidance Notes on;

- Landscape and Development
- Trees and Development
- Biodiversity
- Local Biodiversity Action Plan

Other related considerations;

- Scottish Borders Tourism Strategy (2013 – 2020)
- Visit Scotland consultation paper on National Tourism Development Frameworks for Scotland (updated 2016)

KEY PLANNING ISSUES:

The main determining issue with this application is whether the proposal represents an appropriate form of tourism and recreation development in the countryside and whether the landscape, visual and environmental impacts are considered acceptable.

ASSESSMENT OF APPLICATION:

Planning Policy

The site is located in a rural location outside of the Newcastleton Settlement Boundary. The principal Local Development Plan Policy is ED7 Business, Tourism and Leisure Development in the Countryside. This policy is supportive of business, tourism and leisure development where the use is appropriate to rural character of the area and it accords with the Scottish Borders Tourism Strategy and Action Plan.

Whithaugh Park Holiday Centre is a recognised tourist, recreation and leisure facility. This development seeks to improve the accommodation and associated facilities at this site. The proposals are tailored to the specific type of tourism that Whithaugh offers, centred on group activities whilst also providing improved family accommodation. The development will remain wholly related to the purposes of tourism and recreation at a site where this land use already operates successfully in

this rural location. The proposals expand the area of the existing development however these extensions remain contained within the grounds of the existing holiday park and do not lead to the diversification of neighbouring land uses. The expansion of the accommodation and facilities at this site does not adversely affect either of the neighbouring agricultural or forestry land uses.

The proposals do not relate to the creation of a new business therefore a business case is not required to support these proposals. They can be considered to be expansions and improvements of a long and well established facility. Economic Development colleagues recommend that the development will comply with the strategic targets of the Scottish Borders Tourism Strategy 2013-2020 as a result of;

- Significantly improving visitor experience
- Increasing occupancy levels (with the potential to accommodate up to 261 guests and 18 members of residential staff)
- Providing better quality accommodation which meets consumer demand
- Providing a range of accommodation across the region
- Building on the success of existing activities
- Supporting direct employment

In addition, the proposed improvement of the accommodation at this site also complies with a Visit Scotland Consultation Paper on a National Tourism Development Plan for Scotland.

Given that the proposals are to be used to provide holiday and staff accommodation it would be appropriate to specifically control the occupation of these premises. The holiday accommodation should only be used for holiday purposes and avoid a scenario where the lodges are capable of being lived in all year round as dwellinghouses which would contravene their justification against Policy ED7. It is understood that the predominant use of the accommodation is to provide short term breaks however there are occasions when visitors stay for longer periods. The standard SBC holiday occupancy condition permits stays of no more than 4 weeks in every 13 week period. Having discussed this with the applicants it was determined that this period would not allow them to accommodate bookings which seek to stay for a longer consecutive period in the year, normally over the summer months. Instead, an allowance for the accommodation to be used by a visitor for up to 3 months in total within any consecutive 12 month period would appear more suitable and the applicants have advised this would be their preference. This restriction would still protect the accommodation being used more permanently so that the premises can only be used for holiday purposes.

The application also seeks to create new and extended staff accommodation at Site B. A separate planning condition which limits the use of this accommodation for staff members only is recommended. This will provide suitable control so that this accommodation cannot be used as permanent residential units which are not related to the operation of the holiday park and also that their use is not confused with the use of the holiday accommodation. The applicants have not raised any issues in discussions about a condition of this nature.

In light of this assessment, it is considered that the proposed re-development and extension of the accommodation and facilities at this existing holiday park will remain appropriate to this countryside location and satisfies the main qualifying criteria of Policy ED7. The suitable occupation of the new guest and staff accommodation buildings can be controlled by appropriately worded planning conditions which are specific to each of these uses. Policy ED7 has a series of criteria that must also be

met by proposals and these will be addressed in the relevant subject sections of this report below.

Landscape and Visual Impact

The proposals are also required to be assessed against specific landscape and rural amenity criteria of Policies ED7 and PMD2, ensuring the development respects the amenity and character of the surrounding area. Parts of the site are populated by tree cover; therefore Policy EP13 seeks to ensure that woodland resources are not lost where they contribute positively to the amenity of the area.

The site is not located within any designated landscape areas as defined by the LDP. The existing development at Whithaugh Park Holiday Centre has minimal visual impact from surrounding public areas which include Newcastleton and the surrounding public road network. The most significant part of this development (Site A) extends the holiday park on moderately rising ground towards the B6399 and B6357 to the north. Despite the location of development on higher ground, it is considered that existing screening from the planting strips and intervening rising ground will contain the proposals from surrounding public receptors, particularly Newcastleton to the west and the identified public roads. The proposals at Sites B and C are of a small scale and will remain contained in their landscaped surroundings. The overall visual effects of this proposed development on the receiving landscape are judged to be minimal.

The northern expansion at Site A extends out on to an area of rich grass land which is populated by semi natural woodland away from the more densely populated mature woodland towards the bottom third of Site A. A woodland context is also evident at Site B and C. The development works will result in the removal of some tree cover, however any trees which will be lost are located internally within the site and the outer tree cover will be retained which will help contain and screen the development. No objection has been raised by the Landscape Architect about the anticipated loss of existing tree cover.

The expansion does generally seek to position the proposals around existing planting which is welcomed. Further details are required to confirm the extent of construction works, trees which are to be removed and trees which are to be retained. This information will inform where fencing to protect trees is needed before development is commenced. There is also potential to provide additional planting and seeding across the site to enhance its landscape setting. These works can however be agreed by a planning condition covering a detailed landscape plan.

The Design and Access Statement identifies that it is the intention for the site to be developed in a phased manner, justified for a development of this scale. The precise proposals for the phased construction of the site can be agreed by way of a suspensive planning condition to ensure that the site is being developed in a logical manner which limits the impact of the development works on the landscape setting of the site.

It is anticipated that a development of this scale will require a scheme of lighting around the site to provide navigation in the dark. This could be through external lighting fitted to the building, a form of lighting columns or mixture of both. Developments which introduce external lighting on sites where there is no or limited lighting at present can have a visual impact on the wider landscape. Provided the lighting proposals are designed sympathetically, the impact on the landscape will not

be adverse. To retain control over this it is recommended that a suitable lighting management strategy is agreed via a suspensive planning condition.

In principle the impact of the development on the character and appearance of the rural landscape and this sites woodland cover is acceptable. Planning conditions are recommended to agree a detailed landscape plan to ensure that suitable tree works are undertaken and the character and amenity of the rural area is enhanced by additional site landscaping along with a lighting management strategy. The relevant parts of Local Development Plan Policies PMD2, ED7 and EP13 are judged to be satisfied by the proposals.

Design

Policy ED7 requires developments to satisfy design and siting standards which are set by Policy PMD2.

The siting of the proposals at Site A take advantage of the space available to the north of the existing site. The arrangement of the buildings in clusters with spacing in between allows for the retention of existing planting which helps to create a sense of place. The central hub and the hub building are strategically located centrally within the site next to existing recreational and administrative buildings which will maximise their functionality. The layout neatly links into the existing road layout with the outer road providing a sense of enclosure within the park. The internal road provides links between the clusters and the sites central area.

The siting of the proposals at Site B seeks to keep the new buildings within the flatter part of the site before the land rises more steeply to the south minimising their appearance on approach into the site. The positioning of the new buildings at Site B forms a cluster at this prominent location straddling the sites access and enhancing site security and surveillance. The siting of the new bike shed at Site C is suitably located next to a track which will make it accessible and maximise its usability.

The buildings are of a bespoke design tailored to meet the operational requirements of the holiday park. The different appearance of the various accommodation buildings, the Day Lodges and the hub building make the buildings distinct and help visitors understand their respective use. Some of the footprints of the buildings are large but low heights ranging from 5 metres to 7m in places help the buildings to appear less visually dominant. Importantly, the large landscape setting of the site has the capacity to readily accommodate a development of this scale.

Compared to the buildings which presently occupy this site, the proposals have a relatively contemporary appearance away from the standard Scandinavian style chalets. Visually, the proposals are judged to have an interesting design which is contributed to by the different appearances, roof pitches, building forms, use of glazing and covered terraced areas.

The existing buildings are generally finished with timber walls and tiled roofs with the roofs of the recreation buildings clad using metal sheeting. The finishes of the proposed buildings integrate with the palette of materials already evident at this site. The proposals will lead to a greater use of metal sheeting as a roof finish however this material is judged to compliment the contemporary style of the buildings proposed and is not harmful to the amenity of this rural area. Care will have to be taken to ensure that the precise specifications of the proposed materials are appropriate to this rural location and in particular the metal roof finishes do not have a reflective appearance. This matter can however be addressed via an appropriately

worded planning condition which seeks to agree samples of the materials which are to be used. Provided suitable materials are agreed, the design of the proposed buildings is considered to respect the character of the rural area and the surrounding woodland setting.

The new staff accommodation buildings at Site B have been designed specifically to respond to the topography of the land upon entrance into the site. This design response provides visual interest at this part of the site. Generally the new buildings at Site B and C are in keeping with the architectural theme of other new buildings across the wider development. The extension to the existing accommodation at Site B will have limited visual impact albeit the design of this proposal respects the appearances of the existing building.

While the design of the new buildings differs from the appearance of the existing buildings, this design response illustrates an evolution of building styles at this holiday park. The use of similar materials will help to link the existing and proposed accommodation together. The design of the proposals is recommended to respect the woodland character of this rural location and satisfies relevant placemaking requirements contained in Policies EP7 and PMD2, subject to a condition covering material finishes.

Access

Local Development Plan Policies PMD2 and ED7 require safe access to proposed developments, supported by Policy IS7 on parking provision.

When fully complete, the development will increase the volume of accommodation available which will generate more traffic visiting the site. The site is primarily focused on organised group excursions so visitors predominantly arrive by mini-bus, coach with only some car journeys. Due to this means of transportation, it is not anticipated that the development will result in a significant increase in the volume of traffic visiting the site. The majority of traffic will arrive using the B6357 in Newcastleton Main Street then minor roads after crossing the Liddle Water. The minor roads are narrow but are well surfaced and provide opportunities for passing. The Roads Planning Service is satisfied that the existing road network can still accommodate the predicted traffic levels from the proposed development.

The new site layout consists of a single road around the outer edges of the layout. Passing places are provided as part of this road. Roads Planning have not raised any issues with this layout and their recommendation for this new private access road to be constructed to their recommended specification to ensure that the surface is smooth, free draining and capable of accommodating heavier vehicles can be addressed by a suitably worded planning condition.

One of the aims of the proposed layout is to remove the reliance on cars and, as suggested above, the majority of visitors access the site by coach or mini bus. This reduces the number of car parking spaces required to serve the new guest accommodation. The laybys will provide opportunities for buses to drop off visitors at each cluster and park if necessary. There are some opportunities for car parking within the new layout which will be aided by the new parking provision at the hub area. This will also serve visiting members of the public who can use the sports facilities.

The management of the parking will be a role for the site operators. In the unlikely event that parking problems arise, the site has the scale and capacity to address this

without any issues on the public road network. The suggested planning condition to agree the phased construction of the site will ensure that the private access road is completed to a sufficient point to provide access to each unit before it is brought into use.

Subject to the conditions covering the specification of the access road and phasing, it is recommended that the development can be considered compliant with Policies PMD2, ED7 and IS7.

Ecology

Policies EP1 to EP3 seek to protect sites and species afforded international and national protection from adverse forms of development and also aim to safeguard and enhance local biodiversity.

The application site is not located within or has been identified to impact on any designated nature conservation sites. The grass cover on the site expansion to the north is not considered by the Ecology Officer to be of any botanical note, thus development of this ground does not have a significant impact on any ecological assets. The removal of cabins from the existing wooded area to the south is welcomed as it may enhance the use of this area as a habitat.

Species surveys have been provided and the Ecology Officer is satisfied with the findings of these surveys. A number of bat roosts were found both within lodges which are to be removed and other buildings across the site. SNH and the Ecology Officer have confirmed that under European Protected Species legislation, works to remove the guest lodges will impact on bat habitats, determining that these works will require a licence from SNH. This matter can be addressed by a planning condition to ensure that a sufficient licence is in place before these buildings are removed. In addition SNH have also identified that works to refurbish existing lodges, the sports hall and swimming pool may also need a licence. These refurbishment works do not constitute development and no detailed information of these proposals is included within this application. As protected species legislation is separate from planning legislation and whilst consent may not be required for these works, the developers will still have to abide by parallel regulatory requirements. An applicant informative is recommended to alert the developers of the need for a licence from SNH to should bats be present within these buildings.

A Species Protection Plan for bats is contained within the Bat Report. The Ecology Officer is satisfied with the working approaches and measures to address the loss of bat roosts within these proposals. A planning condition is recommended to ensure that the works are undertaken in accordance with the agreed Species Protection Plan which is judged to suitably mitigate the impact of the development on bats and their habitats.

The ecological appraisals have identified that the development has the potential to impact on breeding birds and badgers. Provided that suitable mitigation to protect both of these species is agreed and the development is undertaken in accordance with the agreed works the development will not have any adverse impact on either of these species. If members are minded to approve this application it is recommended that this matter can be addressed by a planning condition to agree a Species Protection Plan.

Subject to conditions to mitigate the impact of the development on the identified species, the development can be considered to be in compliance with Policies EP1 - EP3 of the Local Development Plan.

Infrastructure

The main issues with regard to infrastructure provision on the site relates to adequate water and drainage. Local Development Plan Policy IS9 is the most relevant to ensure that adequate site services are in place.

Foul drainage at the site is currently serviced by a septic tank. Following SEPAs objection on grounds of lack of information, it has been clarified that this tank is to be replaced with a new treatment plant to provide the capacity to accommodate the additional units. These works will involve the siting of a new septic tank to the south west of the Family Lodges and the existing services at Site B and C are to be upgraded. Discharge is to be directed towards the Liddle Water with a SEPA licence required for this. SEPA are content with these proposals and their objection has been removed. A planning condition is recommended to ensure that adequate drainage arrangements are in place to service the development before it becomes operational. This can be accompanied by an informative note to ensure that the system is maintained appropriately and that the applicant seeks to have an appropriate SEPA licence in place to operate this system without causing any harm to the water environment.

Surface Water Drainage for the completed development will be handled via a range of run off systems, drainage channels and infiltration into the Whithaugh Burn. These methods are all SUDS compliant. SEPA have identified that the greatest possibility of surface water issues would be at construction stage. No details of the handling of surface water from this process have been provided therefore it is recommended that method to handle surface water in a SUDS-compliant manner for these construction processes is agreed by a suspensive condition.

It is proposed that the development will be served by the existing private water supply. There are no known issues with this existing supply nor has it been suggested that there would be any significant issues with accommodating the additional consumers. It is recommended that confirmation that a suitable supply can be provided is agreed by a suspensive planning condition and related applicant informative.

Subject to appropriate conditions, the developments can be considered to be in compliance with Policy IS9 of the Local Development Plan.

Other Issues

The application site is located away from any residential properties. The proposed development will not detract from the amenity of any residential properties and will comply with the requirements of Policy HD3 covering the protection of residential amenity.

Policy IS8 seeks to discourage development from taking place in areas which are or may be subject to flood risk. SEPA consider that the site is at some low risk of flooding primarily from the Whithaugh Burn and possibly other small tributaries. The potential flood risk is however below the category of 1 in every 200 years which is referenced as the acceptable threshold for flood risk potential by Policy IS8.

Generally, the development is considered to decrease the prospect of flooding as the proposals involve removing a number of buildings which are close to a tributary of the Whithaugh Burn with the new accommodation and facilities constructed further away from existing watercourses. While SEPA and SBC Flood Protection do not precisely agree on the exact possibility of a flood event at this site, importantly they do concur that the proposal should not be opposed on grounds of flood risk, therefore the proposals are recommended to satisfy the requirements of Policy IS8

Environmental Health Officers have advised that construction works should only be carried out during specific times in accordance with The Control of Pollution Act 1974 and all contractors abide by noise control measures endorsed by the British Standard covering these operations. If Members are minded to approve this application it is recommended that an Informative Note is added to this effect.

CONCLUSION

The proposals are considered to represent a suitable form of tourism and leisure development in the countryside, enhancing and expanding an established tourist and recreation facility in a manner that would contribute positively to the local economy. The proposals specifically respond to the operational requirements of Whithaugh Park Holiday Centre while being designed and sited in a manner that is sympathetic to the character and amenity of the developments rural location. Subject to compliance with the schedule of conditions and informatives, 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.

RECOMMENDATION BY CHIEF PLANNING OFFICER:

I recommend the application is approved subject to the following conditions and informatives:

1. The occupation of the lodges shall be restricted to genuine holidaymakers/tourists for periods not exceeding 3 months in total by any particular person or party within any consecutive period of 12 months. The lodges shall not be used as permanent residential occupation. A register of holidaymakers shall be kept and made available for inspection by an authorised officer of the council at all reasonable times.
Reason: Permanent residential units in this location would be contrary to the Scottish Borders Local Development Plan housing in the countryside policies.
2. All new and extended staff accommodation buildings shall only be occupied by persons employed by Whithaugh Park Holiday Centre, including partners and dependants of such employees.
Reason: Permanent residential use unrelated to the holiday development in this location would conflict with the established planning policy for this rural area.
3. The development hereby approved shall only be carried out in strict accordance with a programme of phasing which has first been submitted to and approved in writing by the Planning Authority.
Reason: To ensure that the development of the proceeds in an appropriate manner which respects the landscape setting of the holiday park.
4. No development shall commence until a detailed landscape plan has 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. The plan(s) shall include the following information:

- a) Identifying the extent of ground excavation works for all new and extended buildings, roads and hard standings.
- b) Identifying trees to be removed and retained.
- c) The location of protective fencing in accordance with BS5837:2012 which is to be erected around the trees identified for retention. Once approved the fencing shall be erected before development works commence and shall only be removed when the development has been completed.
- d) A programme of soft landscaping works.

Reason: Further information is required regarding tree removal and protection to ensure impacts on trees are minimised and to enable the effective assimilation of the development into its wider surroundings.

5. 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.

6. No development to be commenced until samples of all external materials to be used on all buildings throughout the site are submitted to, and approved by the Planning Authority and thereafter no development shall take place except in strict accordance with those details.

Reason: To safeguard the visual amenity of the area and the character of the landscape.

7. All new private access roads within the site shall be constructed with a smooth free draining, well compacted running surface capable of withstanding a minimum axle loading of 14 tonne unless otherwise agreed in writing with the Planning Authority.

Reason: To ensure that the development is served by an adequate means of access.

8. All exterior lighting on buildings and throughout the site and the design of cabins to be fully in accordance with the details submitted in a Lighting Management Strategy which shall first be submitted to, and approved by, the Planning Authority.

Reason: To safeguard the visual amenity of the area and the character of the designated landscape.

9. All development works shall be undertaken in strict accordance with the development processes and means of mitigation detailed within the Species Protection Plan for Bats contained within the Bat Survey (Findlay Ecology Services, October 2017) unless otherwise agreed in writing with the Planning Authority.

Reason: To ensure that bats and their habitats which are affected by the development are afforded suitable protection for the construction and operation of the development.

10. No development shall commence until a Species Protection Plan for breeding birds and badgers has 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: To ensure that species and habitats affected by the development are afforded suitable protection for the construction and operation of the development.

11. Prior to the commencement of development, the developer shall provide to the Planning Authority:

- a) a copy of the relevant European Protected Species licence, or,
- b) a copy of a statement in writing from Scottish Natural Heritage (licensing authority) stating that such a licence is not necessary for the specified development.

Reason: To ensure that the development is carried out appropriately and does not adversely affect the ecological interests of the site.

12. No development should commence until the applicant has provided evidence that arrangements are in place to ensure that the private drainage system will be maintained in a serviceable condition

Reason: To ensure that the development does not have a detrimental effect on amenity and public health.

13. No development shall commence until the means of surface water drainage to serve the construction operations associated with this development which complies with Sustainable Urban Drainage Systems (SUDS) regulation has been submitted to and agreed in writing with the Planning Authority and thereafter the development shall be completed in strict accordance with the agreed details:

Reason: To agree suitable means of surface water drainage from the site for potentially contaminative construction operations.

14. No development is to commence until a report has been submitted to and approved in writing by the Planning Authority, demonstrating the provision of an adequate water supply to the development in terms of quality and quantity. The report must also detail all mitigation measures to be delivered to secure the quality, quantity and continuity of water supplies to properties in the locality which are served by private water supplies and which may be affected by the development. The provisions of the approved report shall be implemented prior to the occupation of the building(s) hereby approved.

Reason: To ensure that the development is adequately serviced with a sufficient supply of wholesome water and there are no unacceptable impacts upon the amenity of any neighbouring properties.

Informatives

1. With reference to Condition 12, private drainage systems often cause public health problems when no clear responsibility or access rights exist for maintaining the system in a working condition.

Problems can also arise when new properties connect into an existing system and the rights and duties have not been set down in law.

To discharge the Condition relating to the private drainage arrangements, the Applicant should produce documentary evidence that the maintenance duties on each dwelling served by the system have been clearly established by way of a binding legal agreement. Access rights should also be specified.

The applicants should also be aware that a separate licence will be required to be obtained from SEPA for these works.

2. With reference to Condition 14 it is recommended that as the development may result in the general public consuming the water from the private water supply, the supply will be classed as a Type A. This will mean that the supply will be subjected to annual water testing and a risk assessment of the supply. The applicant should contact an Environmental Health Officer before becoming operational to discuss testing of the water.
3. The Control of Pollution Act 1974 allows the Council to set times during which work may be carried out and the methods used.
It is recommended that any noise generating work is only undertaken between the hours specified below;
Monday – Friday 0700 – 1900
Saturday 0700 – 1300
Sunday (Public Holidays) – no permitted work (except by prior notification to Scottish Borders Council.

Contractors will be expected to adhere to the noise control measures contained in British Standard 5228:2009 Code of practice for noise and vibration control on construction and open sites.

4. With reference to Condition 11, it is recommended that demolition of the existing lodges will require a licence to destroy the bat roosts present in these buildings before development commences. Any renovation of the sports hall, swimming pool and remaining lodges, may require disturbance/destruction licences depending on the work to be carried. The applicant should liaise with SNH regarding this. Further information on the licensing application process and the European Protected Species licensing tests can be found via the following link:-
<https://www.nature.scot/professional-advice/safeguarding-protected-areas-and-species/licensing/species-licensing-z-guide/bats-and-licensing/bats-licences-development>

DRAWING NUMBERS

Location Plan	2211-(PL)001
Site Plan	2211-(PL)002
Existing Site Plan	2211-(PL)003
Site Plan A	2211-(PL)004
Site Plan B	2211-(PL)005
Site Plan C	2211-(PL)006
Elevations	2210-(PL)007
Elevations	2210-(PL)008
Elevations	2210-(PL)009
Elevations	2210-(PL)010
Elevations	2210-(PL)011
Elevations	2210-(PL)012
Roof/Floor Plans	2210-(PL)013
Elevations	2210-(PL)014
Elevations	2210-(PL)015
Existing Elevations	2210-(PL)016
Elevations	2210-(PL)017
Elevations	2210-(PL)018
Drainage Details	16011-52-050

Below Ground Drainage 16011-52-002
Water Mains Proposals 16052 (90)001

Approved by

Name	Designation	Signature
Brian Frater	Service Director (Regulatory Services)	

The original version of this report has been signed by the Service Director (Regulatory Services) and the signed copy has been retained by the Council.

Author(s)

Name	Designation
Scott Shearer	Peripatetic Planning Officer



17/01740/FUL

Whithaugh Park Holiday Centre
Newcastleton

