

# Public Document Pack



## LOCAL REVIEW BODY MONDAY, 16TH FEBRUARY, 2015

A MEETING of the LOCAL REVIEW BODY will be held in the COUNCIL CHAMBER, COUNCIL HEADQUARTERS. on MONDAY, 16TH FEBRUARY, 2015 at 10.00 AM

J. J. WILKINSON,  
Clerk to the Council,

9 February 2015

<b>BUSINESS</b>		
1.	<b>Apologies for Absence.</b>	
2.	<b>Order of Business.</b>	
3.	<b>Declarations of Interest.</b>	
4.	<b>Consider request for review of refusal of planning consent in respect of change of use from workshop (Class 4) to children's soft-play centre, ancillary café, sensory area (Class 11) and extension incorporating new welfare facilities at No 1 Works, Hillview Trading Estate, Guards Road, Coldstream. 14/00990/FUL 15/00002/RREF. (Pages 1 - 6)</b>  (Index and copies of papers attached).	
5.	<b>Any Other Items Previously Circulated.</b>	
6.	<b>Any Other Items which the Chairman Decides are Urgent.</b>	

### NOTES

1. Timings given above are only indicative and not intended to inhibit Members' discussions.
2. Members are reminded that, if they have a pecuniary or non-pecuniary interest in any item of business coming before the meeting, that interest should be declared prior to commencement of discussion on that item. Such declaration will be recorded in the Minute of the meeting.

**Membership of Committee:-** Councillors R Smith (Chairman), M Ballantyne, J Brown (Vice-Chairman), J Campbell, J A Fullarton, I Gillespie, D Moffat, S Mountford and B White

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**LOCAL REVIEW BODY 16 FEBRUARY 2015  
INDEX TO PAPERS**

**Item No 4**

**Request for review of refusal of planning consent in respect of change of use from workshop (Class 4) to children's soft-play centre, ancillary café, sensory area (Class 11) and extension incorporating new welfare facilities at No 1 Works, Hillview Trading Estate, Guards Road, Coldstream. 14/00990/FUL 15/00002/RREF**

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# List of Policies

Item No 4 (f)

**LOCAL REVIEW REFERENCE:** 15/00002/RREF

**PLANNING APPLICATION REFERENCE:** 14/00990/FUL

**DEVELOPMENT PROPOSAL:** Change of use from workshop (Class 4) to children's soft-play centre, ancillary cafe, sensory area (Class 11) and extension incorporating new welfare facilities

**LOCATION:** No 1 Works, Hillview Trading Estate, Guards Road, Coldstream

**APPLICANT:** Mr and Mrs Jon & Anna Standing

## **SESPlan 2013:**

### POLICY 2 - SUPPLY AND LOCATION OF EMPLOYMENT LAND

The Strategic Development Plan supports the development of a range of marketable sites of the size and quality to meet the requirements of business and industry within the SESplan area. Local Development Plans will support the delivery of the quantity of the established strategic employment land supply as identified below. Local Development Plans should also ensure that this provides a range and choice of marketable sites to meet anticipated requirements. The development of mixed communities (with residential and compatible employment opportunities jointly provided) on strategic employment sites may be appropriate provided this is justified through an LDP and does not result in a net loss to the overall strategic land supply.

Sub Regional Area	Hectares*
Regional Core	247
East Coast	76
Fife Forth**	411
Midlothian / Borders	124
West Lothian	123
SESplan Total	981

#### Local Development Plan Hectares\*

City of Edinburgh	186
East Lothian	76
Fife	411
Midlothian	129
Scottish Borders	56
West Lothian	123
SESplan Total	981

\* Site sourced from Figure 13, Economy Technical Note

\*\* Fife Forth excludes Mossmorran allocation of 250 ha

## **Consolidated Scottish Borders Local Plan 2011:**

### POLICY G1 - QUALITY STANDARDS FOR NEW DEVELOPMENT

All new development will be expected to be of high quality in accordance with sustainability principles, designed to fit with Scottish Borders townscapes and to integrate with its landscape surroundings. The standards which will apply to all development are that:

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## Item No 4 (f)

1. It is compatible with, and respects the character of the surrounding area, neighbouring uses, and neighbouring built form,
2. it can be satisfactorily accommodated within the site,
3. it retains physical or natural features or habitats which are important to the amenity or biodiversity of the area or makes provision for adequate mitigation or replacements,
4. it creates developments with a sense of place, designed in sympathy with Scottish Borders architectural styles; this need not exclude appropriate contemporary and/or innovative design,
5. in terms of layout, orientation, construction and energy supply, the developer has demonstrated that appropriate measures have been taken to maximise the efficient use of energy and resources, including the use of renewable energy and resources and the incorporation of sustainable construction techniques in accordance with supplementary planning guidance referred to in Appendix D,
6. it incorporates appropriate hard and soft landscape works, including structural or screen planting where necessary, to help integration with its surroundings and the wider environment and to meet open space requirements. In some cases agreements will be required to ensure that landscape works are undertaken at an early stage of development and that appropriate arrangements are put in place for long term landscape/open space maintenance,
7. it provides open space that wherever possible, links to existing open spaces and that is in accordance with current Council standards pending preparation of an up-to-date open space strategy and local standards. In some cases a developer contribution to wider neighbourhood or settlement provision may be appropriate, supported by appropriate arrangements for maintenance,
8. it provides appropriate boundary treatments to ensure attractive edges to the development that will help integration with its surroundings,
9. it provides for linkages with adjoining built up areas including public transport connections and provision for bus laybys, and new paths and cycleways, linking where possible to the existing path network; Green Travel Plans will be encouraged to support more sustainable travel patterns,
10. it provides for Sustainable Urban Drainage Systems where appropriate and their after-care and maintenance,
11. it provides for recycling, re-using and composting waste where appropriate,
12. it is of a scale, massing, height and density appropriate to its surroundings and, where an extension or alteration, appropriate to the existing building,
13. it is finished externally in materials, the colours and textures of which complement the highest quality of architecture in the locality and, where an extension or alteration, the existing building,
14. it incorporates, where required, access for those with mobility difficulties,
15. it incorporates, where appropriate, adequate safety and security measures, in accordance with current guidance on 'designing out crime'.

Developers may be required to provide design statements, design briefs or landscape plans as appropriate.

### POLICY G2 - CONTAMINATED LAND

Where development is proposed on land that is contaminated, or suspected of contamination, the developer will be required to:

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1. Carry out any necessary site investigations and assessments to identify any actual or possible significant risk to public health or safety, or to the environment, including possible pollution of controlled waters that arise from the proposals;
2. consult with relevant agencies as part of their assessment, in particular the Scottish Environment Protection Agency in relation to impact on controlled waters and Scottish Natural Heritage and other relevant agencies in relation to other environmental risks; and
3. undertake effective remedial action to ensure the site is made suitable for any new use, in scale with planning permission given for that particular use.

## POLICY ED1 – PROTECTION OF EMPLOYMENT LAND

There is a presumption in favour of the retention of industrial and business use on strategic and other employment sites, including new land use proposals for employment land.

### A. Strategic Sites for Business and Industry

#### 1. Strategic Employment Sites

Development for uses other than Classes 4, 5 and 6 on strategic employment sites in the locations identified under Policy E13 of the Structure Plan will be refused.

#### 2. High Amenity Sites

Development on Business Parks, including that proposed at Tweed Horizons, Newtown St Boswells, will be predominantly for Class 4 use. Other complementary commercial activity e.g. offices, call centres and high technology uses may be acceptable if it enhances the quality of the business park as an employment location. The proposals will be the subject of a development brief on their design and layout.

### B. Other Employment Sites

Established or proposed industrial estates as identified on the Proposals Maps, and other industrial locations will be retained for industrial development primarily as set out in Classes 4, 5 and 6. Compatible uses such as waste management may be considered to be acceptable. Other uses will be refused unless:

1. the loss of employment land does not prejudice the existing and predicted long term requirements for industrial and business land in the locality, and
2. the alternative land use is considered to offer significant benefits to the surrounding area and community that outweigh the need to retain the site in employment use, and
3. there is a constraint on the site whereby there is no reasonable prospect of its becoming marketable for employment development in the future, or
4. the predominant land uses have changed owing to previous exceptions to policy such that a more mixed use land use pattern is now considered acceptable by the Council,

In all employment land site categories development must:

- respect the character and amenity of the surrounding area, and be landscaped accordingly, and
- be compatible with neighbouring employment uses.

Shops and outright retail activities will not be allowed on any employment land category; the only retailing permissible will be that which is considered to be ancillary to some other acceptable activity (e.g. manufacture; wholesale). For the purposes of this policy, ancillary is taken as being linked directly to the existing use of the unit and comprising no more than 10% of total floor area.

### POLICY INF4 – PARKING PROVISIONS AND STANDARDS

Development proposals should provide for car and cycle parking in accordance with the Council's published adopted standards, or any subsequent standards which may subsequently be adopted by the Council (see Appendix D).

Relaxation of standards will be considered where the Council determines that a relaxation is required owing to the nature of the development and/or positive amenity gains can be demonstrated that do not compromise road safety.

In town centres where there appear to be parking difficulties, the Council will consider the desirability of additional public parking provision, in the context of policies to promote the use of sustainable travel modes.

### POLICY INF11 – DEVELOPMENTS THAT GENERATE TRAVEL DEMAND

1. The Council is committed to guiding development to locations which are accessible to existing or proposed bus corridors and train stations and which maximise the opportunities for walking and cycling.
2. Transport Assessments and Green Travel Plans will be required for significant travel generating developments guided by Scottish Government thresholds which may include large housing developments, schools, offices and retail developments.
3. Significant travel generating developments which are inaccessible to public transport nodes and/or are likely to lead to increased reliance on the private car will be refused where Transport Assessments and Travel Plans do not provide satisfactory sustainable solutions.
4. For other types of developments under the thresholds, where considered appropriate, planning agreements will be sought with developers to produce Green Travel Plans.
5. Developer contributions may be required to assist in making developments acceptable under Sustainability Principle 1.

### **Other Material Considerations**

None