

# Public Document Pack

## SCOTTISH BORDERS COUNCIL PLANNING AND BUILDING STANDARDS COMMITTEE

MINUTES of Meeting of the PLANNING AND BUILDING STANDARDS COMMITTEE held in via Microsoft Teams on Monday, 2nd August, 2021 at 10.00 am

Present:- Councillors S Mountford (Chairman), A. Anderson, J. Fullarton, S. Hamilton, H. Laing, D. Moffat, C. Ramage, N. Richards, E. Small.  
In Attendance:- Lead Planning Officer (C. Miller), Lead Planning Officer (B. Fotheringham), Senior Roads Planning Officer, Solicitor (F. Rankine), Democratic Services Team Leader.

1. **MINUTE**

There had been circulated copies of the Minute of the Meeting held on 28 June 2021.

**DECISION**

**APPROVED for signature by the Chairman.**

2. **APPLICATIONS.**

There had been circulated copies of a report by the Chief Planning and Housing Officer on applications for planning permission requiring consideration by the Committee.

**DECISION**

**DEALT with the applications as detailed in Appendix I to this Minute.**

3. **APPEALS AND REVIEWS**

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

**DECISION**

**NOTED that:-**

- (a) **two Appeals remained outstanding in respect of Lidl UK GmbH, Wilton Park, Hawick and 1 Broad Street, Eyemouth;**
- (b) **Review request had been received in respect of :-**
  - (i) **Change of use of site to business and industrial land with associated perimeter security fence, Phase 4 Store and Yard, Acredale Industrial Estate, Eyemouth;**
  - (ii) **Erection of ancillary accommodation to dwellinghouse and installation of 12 KW ground mounted solar array, Penvalla, Broughton;**
  - (iii) **Erection of agricultural machinery dealership premises incorporating workshop, show space, office and associated works, Slaters Yard off Charlesfield Road, St Boswells; and**
  - (iv) **Part Change of Use of ground floor to Class 10 and alterations to form additional office space from attic floor, Site: 3 Rowan Court Suite 3, Cavalry Park, Peebles.**

- (c) there remained four reviews previously reported on which a decision was still awaited when the report was prepared on 26 July 2021 relating to sites at:-
- Linden, Causewayend, Ancrum, Jedburgh
  - Site East of Dogcraig Cottage Scotsmill, Peebles
  - Land West of The Old Barn Westwater, West Linton
  - Land South West of Rachan Woodlands, Broughton

*The meeting concluded at 12.30 pm*

**APPENDIX I**  
**APPLICATION FOR PLANNING PERMISSION**

<b><u>Reference</u></b>	<b><u>Nature of Development</u></b>	<b><u>Location</u></b>
21/00222/FUL	Extension of existing quarry for mineral extraction	Edston Quarry, Peebles

Decision: Approved subject to the following conditions and informatives and a legal agreement relating to mitigation planting and the restoration bond:

Conditions

1. This quarry shall be permitted to operate for a maximum period of 22 years beginning from the date of planning consent ref 21/00222/FUL. Within six months of the end date, or of cessation of workings, whichever is the earlier, all buildings, structures and plant, shall be removed from the site.  
Reason: To minimise the environmental effects of the proposed development in a manner consistent with its operational capacity.
2. The development shall be carried out in accordance with the details specified in the planning application, the supporting documents and the scheme of working detailed in the phasing plans submitted in support of the application. No commencement will be allowed on Phase 3 until Phase 1 restoration works are complete and thereafter, no commencement on Phase 4 until Phase 2 complete, Phase 5 until Phase 3 complete and Phase 6 until Phase 4 complete.  
Reason: To minimise the environmental effects of the proposed development and safeguard the amenity of nearby property occupiers.
3. No development to be commenced until a detailed compensatory planting scheme, as indicated in Figure 3.1, has been submitted to, and approved in writing by, the Planning Authority in liaison with Scottish Forestry. This shall include all tree planting within and outwith the site and shall include a method statement for the retention and translocation of trees, a scheme for the future maintenance of the planting and specified monitoring inspection dates by the Planning Authority, all consistent with the phasing proposals. Once approved, the scheme shall be implemented concurrently with the commencement of development or no later than the end of the next available planting season.  
Reason: To minimise the visual impact of the development and safeguard the landscape and woodland resource.
4. No development to be commenced until a detailed Landscape and Habitat Enhancement and Management Plan is submitted to, and approved in writing by, the Planning Authority. This plan should include detailed specifications of planting and seeding consistent with the proposed phases of the quarry extension, including provision for rock-rose and other habitat retention, an invasive non-native species eradication/management plan, bat/bird boxes and an annual programme of inspections within each five year aftercare period per phase, to ensure satisfactory establishment. The plan should include detailed plans and cross-sections at appropriate scales to be agreed with the planning authority. Thereafter, the measures specified therein shall be implemented in accordance with the terms of the approved scheme.  
Reason: To ensure that appropriate landscaping is undertaken and to compensate for potential habitat loss associated with the Development.
5. No development shall commence until the applicant and /or the operator of the quarry provide to the Planning Authority details of the bond or other financial provision which

it proposes to put in place to cover all the decommissioning, site restoration and aftercare costs of the development. Thereafter:

- (a) No development shall commence on the site until the applicant and /or the operator of the quarry has provided documentary evidence that the proposed bond or other financial provision is in place and written confirmation has been given by the Planning Authority that the proposed bond or other financial provision is acceptable in all respects.
- (b) The applicant and /or the operator of the quarry shall ensure that the approved bond or other financial provision is maintained throughout the duration of this consent. If at any stage of the operations a bond or other financial provision is not in place, all operations at the quarry shall cease. Operations shall only recommence once a replacement bond or other financial provision is accepted by the Planning Authority.
- (c) The bond or other financial provision will be subject to a five yearly review which shall include a monitoring statement of extracted and reinstated levels, paid for by the applicant and /or the operator of the quarry, from the Commencement of Development, to be conducted by a competent independent professional (Compliance Monitoring Officer) who has relevant experience within the quarrying sector and provided to the Company, the landowners (if different), and the Planning Authority.

Reason: To ensure suitable provisions are made for restoration of the site, and to minimise the longer term visual impacts of the development.

6. No development to be commenced until a scheme of details for raising above and/or anchoring to the ground existing containers and oil/diesel storage tanks in the southern area of the quarry (within the area defined as a surface water flood risk) is submitted to, and approved in writing by, the Planning Authority. The development then to be implemented in accordance with the approved scheme of details.

Reason: To safeguard against any increased flood risk on downstream receptors

7. The formation of any newly formed hard surfaces and any discharges from SUDS and other drainage should be attenuated to at least existing Greenfield runoff rates which should firstly be submitted to, and agreed in writing by, the Planning Authority before the development is commenced

Reason: To safeguard against any increased flood risk on downstream receptors

8. No development to be commenced until details of silt traps and other sediment intervention measures are submitted to, and approved in writing by, the Planning Authority. The development then to be implemented in accordance with the approved details.

Reason: To minimise sediment reaching watercourses and public roads.

9. No development to be commenced until a Species Protection Plan for badger has been submitted to, and approved in writing by, the Planning Authority. This should include the requirement for supplementary surveys for each phase of the development. The development to be implemented in accordance with the approved scheme.

Reason: To safeguard protected species at the site.

10. Should a licence for disturbance of badger setts be required from Nature Scot, no development for the relevant phase of the quarry be commenced until the licence has been obtained and evidence is exhibited to the Planning Authority

Reason: To safeguard protected species at the site.

11. No development to be commenced until supplementary surveys for bats (to address any potential impacts and mitigation arising from lighting at the site), red squirrel, pine marten and reptiles are carried out. The development then to be implemented in accordance with any mitigation subsequently identified in the surveys as necessary.  
Reason: To safeguard protected species at the site.
12. No development to be carried out in the breeding bird season unless it has been demonstrated to the Planning Authority through supplementary surveys and a Species Protection Plan, that the development will not prejudice breeding bird interests at the site.  
Reason: To safeguard breeding birds at the site.
13. Monitoring and reporting of findings to continue to be carried out in accordance with the agreed scheme for annual monitoring programme for peregrine falcons.  
Reason: To ensure that the development does not have an adverse effect on a protected species.
14. Hours of operation shall be restricted to 07:00 - 19:00 Monday to Friday & 07:00 - 13:00 on Saturdays, with the exception of emergency work necessary for site safety. Operations outside these hours may only take place after prior notification to, and approval in writing by the Planning Authority.  
Reason: To safeguard the amenity of nearby property occupiers.
15. Vibration levels measured at any sensitive property shall not exceed 6 mms <sup>-1</sup> peak particle velocity for 95% of blast events. No event shall exceed 10 mms <sup>-1</sup> peak particle velocity. The developer shall undertake ongoing monitoring that is sufficient to verify that these limits are not breached. The Council reserves the right to require prior notification of blasting operations to enable independent monitoring to take place.  
Reason: To safeguard the amenity of nearby property occupiers.
16. Noise levels measured at any sensitive property shall not exceed 55dB LAeq, 1hour.  
Reason: To safeguard the amenity of nearby property occupiers.
17. The development shall be carried out entirely in accordance with a Site Dust Management Plan which should firstly be submitted to, and approved in writing by, the Planning Authority before the development is commenced. The Plan should be based upon that included at para 10.9 of the Planning and Environmental Review Report but provide more detail in the form of an enforceable and implementable Plan  
Reason: To safeguard the amenity of nearby property occupiers and the natural heritage of the area.
18. Vehicle wheel cleaning facilities details of which are specified in the document dated September 2011 on planning application 09/00938/MIN, shall be retained throughout the operation of the quarry.  
Reason: To ensure material from the site is not deposited on the A class road to the detriment of road safety
19. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation outlining an Archaeological Evaluation. This will be formulated by a contracted archaeologist and approved in writing by the Planning Authority. Access should be afforded to allow investigation by a contracted archaeologist(s) nominated by the developer and agreed to by the Planning Authority. The developer shall allow the archaeologist(s) to conduct a programme of evaluation prior to development. This will include the evaluation and the full recording of archaeological features and finds. Results will be submitted to the Planning Authority for review in the form of a Data

Structure Report. If significant archaeology is discovered the nominated archaeologist(s) will contact the Archaeology Officer for further consultation. The developer will ensure that any significant data and finds undergo post-excavation analysis, the results of which will be submitted to the Planning Authority.

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.

20. All soils shall be retained on the site and none shall be sold off or removed from the site.

Reason: To enable sound agricultural restoration; to minimise the movement of soils and to minimise traffic movement's out with the site.

21. The Waste Management Plan, included as Appendix 7 of the Planning and Environmental Review report shall be adhered to at all times. Any proposed amendments to the plan shall be submitted to and approved by the Planning Authority, prior to any changes taking place.

Reason: To ensure the satisfactory control of waste materials on the site.

#### Informatives

1. For Condition 12, you should follow Nature Scot's guidance on construction and breeding birds available at [www.nature.scot/dealing-construction-and-birds](http://www.nature.scot/dealing-construction-and-birds)
2. If groundwater is encountered and dewatering required, please contact SEPA for authorisation under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR). Any sewage discharges will require authorisation from SEPA under CAR. If crushing or screening is proposed then this will require a permit under The Pollution Prevention and Control (Scotland) Regulations 2012.
3. If there are to be any culverts, watercourse crossings or alterations to crossings, these must not reduce the flow conveyance of the watercourse.
4. Please note the advice of Scottish Water in their consultation response on the planning application, dated 16 June 2021.
5. For Condition 3, any woodland loss should be compensated for, in accordance with Scottish Government Policy on the Control of Woodland Removal as informed by Scottish Borders Woodland Strategy.
6. For Condition 11, any lighting scheme shall be in accordance with the ILP "Bats and artificial lighting in the UK" (2018) guidance.

**Reference**  
21/00417/FUL

**Nature of Development**  
Residential development comprising 69 units with associated access, parking, landscaping and servicing

**Location**  
Land North of 5 Hillside Drive, Galashiels (Phase 2 Buckholm Corner)

Decision: approved subject to the following conditions and Informatives:

#### Conditions

1. All approved residential units shall meet the definition of "affordable housing" as set out in the adopted Local Development Plan 2016 and Supplementary Planning Guidance "Affordable Housing" 2015 and shall only be occupied in accordance with arrangements (to include details of terms of occupation and period of availability)

which shall first have been submitted to and approved in writing by the Planning Authority prior to development commencing.

Reason: The permission has been granted for affordable housing, and development of the site for unrestricted market housing would not comply with development plan policies and guidance with respect to contributions to infrastructure and services, including local schools.

2. No development shall commence until samples of materials and colours for all buildings within the development, and the plot layout distribution for those colours, has first been submitted to and approved in writing by the Planning Authority. The development shall be carried out in accordance with the approved samples.

Reason: To ensure external materials are visually appropriate to the development and sympathetic to the surrounding area.

3. No development shall commence, (notwithstanding the details provided in the approved landscaping drawings), until a detailed scheme of landscaping and boundary planting (incorporating protection of existing trees and hedges, layout, location, species, schedule, implementation date(s) and future maintenance of all new planting and communal open space within the site and details of any retaining features such as walls, timber crib or reinforced soil embankments) has first been submitted to and approved in writing by the Planning Authority. The development shall only be carried out in accordance with the approved details in implementation and maintenance of the approved scheme.

Reason: Further information is required to achieve an acceptable landscape scheme for the site.

4. The development shall remain outwith the Root Protection Area of the trees identified on the Tree Protection Plan dated 3 March 2021 prepared by Adam Riedi, the trees to be protected in accordance with BS5837 during construction work. Only those trees identified for removal within the site shall be so removed, and all other trees shall be retained and shall not be lopped or felled unless with the written approval of the Planning Authority

Reason: To safeguard existing trees within the site.

5. No development shall commence, (notwithstanding the details provided in the approved drawings), until a detailed scheme of boundary treatments (walls and fencing) has first been submitted to and approved in writing by the Planning Authority. The scheme shall include the layout/route of all existing and proposed walls and fencing, and their detailed design, height and materials. All boundary treatments within the application site shall thereafter accord with the approved scheme.

Reason: Further information is required to achieve an acceptable boundary treatment scheme for the site.

6. The development to be carried out entirely in accordance with a Construction Environment Management Plan which should firstly be submitted to, and approved in writing by, the Planning Authority before the development is commenced.

Reason: To protect the ecological interest in accordance with Local Development Plan policies EP1, EP2 and EP3.

7. Prior to commencement of development, a Species Protection Plan for badger, breeding birds and reptiles shall be submitted to and approved in writing by the Planning Authority. The SPP shall incorporate provision for a pre-development supplementary surveys and a mitigation plan. No development shall be undertaken except in accordance with the approved in writing SPP.

Reason: To protect the ecological interest in accordance with Local Development Plan policies EP1, EP2 and EP3.

8. Prior to commencement of development, a Landscape and Habitat Management Plan (LHMP) shall be submitted to and approved in writing by the Planning Authority. The LHMP shall incorporate provision for native woodland planting and bird boxes within the new properties. No development shall be undertaken except in accordance with the approved scheme.  
Reason: To protect the ecological interest in accordance with Local Development Plan policies EP1, EP2 and EP3.
9. No development to be commenced until a scheme of phasing has been submitted to, and agreed in writing by, the Planning Authority. This shall include a programme for completion of all roads, parking spaces, EV charging points, footpaths, drainage, the SUDs/open space features, new planting and all, or a substantial proportion, of the dwellinghouses within each phase.  
Reason: To ensure the development is carried out in a manner which ensures that occupied residential units are provided with necessary infrastructure, services and landscaping.
10. No development shall commence until further details of proposed levels within the site have first been submitted to, and approved in writing by, the Planning Authority. These details shall include existing and proposed ground, road and other hardstanding levels; proposed house and finished floor levels, garden levels and surface water flow paths. The levels shall relate to a fixed, off-site datum point. The development shall be carried out in accordance with the approved details  
Reason: To ensure levels within the site achieve a sympathetic visual appearance and make satisfactory provision for surface water drainage.
11. Samples of the surfacing materials for the proposed roads, footpaths and parking spaces to be submitted to, and approved in writing by, the Planning Authority before the development commences. The development is then to be completed in accordance with the approved details.  
Reason: To ensure that the proposed development is laid out in a proper manner with adequate provision for traffic and in a manner which enhances the character and visual appearance of the development.
12. The proposed roads, footpaths and parking spaces/areas indicated on the approved drawings shall be constructed to ensure that each dwellinghouse, before it is occupied, shall be served by a properly consolidated and surfaced carriageway, parking area and footpath/shared surface.  
Reason: To ensure that the proposed development is laid out in a proper manner with adequate provision for traffic and pedestrians.
13. No development to be commenced until a detailed surface water drainage scheme is submitted to, and approved in writing by, the Planning Authority. The scheme to include:
  - i. Silt traps or similar for the SuDS tanks to ensure the viability of the system and improve water quality.
  - ii. Details of the proposed boundary drainage for the site including boundary drainage for the north of the site and crest and toe drainage for the proposed earth embankments.
  - iii. Details of maintenance of the scheme.Once approved, the development then to be implemented and maintained in accordance with the approved scheme.  
Reason: To ensure the sustainable disposal of surface water in a manner that safeguards neighbouring land and to ensure future maintenance for the scheme.
14. No development to be commenced until a scheme of maintenance for the play facilities shown on the drawing submitted 8 July 2021 is submitted to, and agreed in writing by,



the Planning Authority. Once approved, the play facilities then to be completed in accordance with the drawing before the development is completed and maintained thereafter in accordance with the agreed scheme.

Reason: To ensure that the development is provided with childrens' play facilities.

15. No development to be commenced until a scheme of maintenance and revised surfacing for the play facilities shown on the drawing submitted 8 July 2021 is submitted to, and agreed in writing by, the Planning Authority. Once approved, the play facilities then to be completed in accordance with the drawing before the development is completed and maintained thereafter in accordance with the agreed scheme.  
Reason: To ensure that the development is provided with children's play facilities

16. Details relating to the location and type of north and southbound bus stops on the A7, as indicated on Drawings 20029-004 and 20029-005, should be submitted to, and approved in writing by, the Planning Authority and then completed in accordance with the approved details, all before occupation of the first dwellinghouse.  
Reason: In the interests of road and pedestrian safety and to provide effective connection between the development and the existing footpath and public transport network.

#### Informatives

1. All prospectively adoptable roads, pavements and associated infrastructure will require Road Construction Consent. The applicant should discuss this separately with the Council's Roads Planning Service to establish the scope and requirements of Council adoption.

All works within the public road boundary must be undertaken by a contractor first approved by the Council.

2. Development should be carried out in a manner consistent with British Standard guidance on construction works, to maintain neighbouring amenity, in particular BS5228
3. Regarding Condition 6, the CEMP should be produced by a suitably qualified ecologist or environmental specialist (e.g. as part of a construction environmental management system).
4. The designs shall incorporate renewable energy technology in the provision of heating and power to each dwellinghouse in the development.
5. In order to reflect the Council's Supplementary Planning Guidance on "Placemaking and Design", the designs of the dwellinghouses to incorporate features to improve the interest and punctuation of the roof scape.

**Reference**  
21/00293/FUL

**Nature of Development**  
Erection of dwellinghouse  
and detached barn

**Location**  
Land South Of Eckford Moss  
Cottage, Kelso

Decision: Approved subject to the following conditions and informatives:

#### Conditions

1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and specifications approved by the Planning Authority, unless otherwise agreed by the Planning Authority.

Reason: To ensure that the development is carried out in accordance with the approved details.

2. A sample of all materials to be used on all exterior surfaces of the development hereby permitted shall be submitted to and approved in writing by the Planning Authority before development.

Reason: The materials to be used require further consideration to ensure a satisfactory form of development, which contributes appropriately to its setting.

3. The barn hereby approved is permitted for domestic use incidental to the dwellinghouse hereby approved and shall not be used for independent or ancillary commercial, industrial or agricultural business use.

Reason: The road safety and design impacts of this development have only been considered for domestic use and not ancillary commercial purposes, which are likely to be incompatible with the site

4. Notwithstanding the Landscape Plan and Maintenance Management proposal hereby approved, no development shall take place except in strict accordance with amendments to this Plan, which shall first have been submitted to and approved in writing by the Planning Authority, and shall include:

- i. Management and retention of goat willow along the north east boundary
- ii. Additional screen planting along the north east elevation of the barn.
- iii. The southern boundary should be planted with hedgerow.
- iv. Use of cell grown plants for hedging and rootballed trees, for reason of higher survival rates.

Thereafter development only to be undertaken in accordance with these amended details.

Reason: To enable the proper form and layout of the development and the effective assimilation of the development into its wider surroundings.

5. The amended Landscaping and Maintenance plan, as approved by condition 4, shall be implemented following the occupation of the dwellinghouse or the completion of the development, whichever is the sooner, unless otherwise agreed in writing by the Planning Authority. These landscaping works will be maintained for a period of three years upon habitation, during which time, all failed planting shall be replaced. The applicant shall notify the Planning Authority after this three year period, and make it available for inspection, at which point the approved landscaping plan shall have been implemented and landscaping established.

Reason: To ensure effective assimilation of the development to its surroundings.

6. No development shall commence until a drawing showing the existing and proposed ground levels and the finished floor level of the dwellinghouse and barn hereby approved have been submitted for the prior written approved of the Planning Authority. This to include a clearly identifiable datum point, or clearly identifiable datum points, located outwith the site and sufficient for the purpose of establishing the heights of the existing and proposed levels relative to the surround level(s). Development then to be completed in accordance with the approved details.

Reason: To ensure that the consented development does not have any detrimental impact upon the appearance of the surrounding area or upon the amenity of neighbouring properties as a consequence of the levels within the site being raised to an inappropriate height.

7. No development shall take place until the applicant has secured a programme of archaeological work in accordance with a Written Scheme of Investigation outlining a Watching Brief. This will be formulated by a contracted archaeologist and approved in

writing by the Planning Authority. Access should be afforded to allow investigation by a contracted archaeologist(s) nominated by the developer and agreed to by the Planning Authority. The developer shall allow the archaeologist(s) to observe relevant below ground excavation during development, investigate and record features of interest and recover finds and samples if necessary. Results will be submitted to the Planning Authority for review in the form of a Data Structure Report. If significant archaeology is discovered below ground excavation should cease pending further consultation with the Planning Authority. The developer will ensure that any significant data and finds undergo post-excavation analysis, the results of which will be submitted to the Planning Authority.

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.

8. The private access to the site to be upgraded in accordance with the specification and plans hereby approved prior to occupation of the dwellinghouse.

Reason: To ensure the access track is suitable for non-agricultural vehicles.

9. Two parking spaces and turning to be provided within the curtilage of the site prior to occupation of the dwelling and retained thereafter in perpetuity. Reason: To ensure the dwelling is served by adequate parking provision at all times.

10. No development shall commence until a Species Protection Plan (SPP) for breeding birds (which should be in accordance with the amended Landscape Plan required by Condition 3 above) has been submitted to and approved in writing by the Planning Authority. The SPP shall incorporate provision for a pre-development supplementary survey and a mitigation plan. No development shall be undertaken except in accordance with the approved SPP.

Reason: To protect the ecological interest in accordance with Local Development Plan policies EP1, EP2 and EP3.

11. No development shall commence except in accordance with a Construction Method Statement (CMS) which shall have first been submitted to and approved in writing in writing by the Planning Authority. The CMS shall incorporate the latest good practice guidelines and statutory advice (including as outlined in GPP5: Works and maintenance in or near water) to protect freshwater habitats. Thereafter works to be carried out strictly in accordance with the approved scheme.

Reason: To protect the ecological interest in accordance with Local Development Plan policies EP1, EP2 and EP3.

12. The development hereby permitted shall not be commenced until fully detailed design proposals for foul and surface water drainage, demonstrating that there will be no negative impact to public health, the environment or the quality of watercourses or ground water, have been submitted to and approved in writing by the Planning Authority. The development then to be completed in accordance with the approved details.

Reason: The Planning Authority have only established the land-use principle of the area of land identified in the submitted drawing(s). Further plans are required to ensure the site is adequately serviced.

13. No development is to commence until evidence of adequate water supply has been provided, either by submission of written confirmation of provision of a public mains supply or otherwise by a report, by a suitably qualified person, having 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, quantity and the impacts of this proposed supply on surrounding supplies or properties. The provisions of the

approved report shall be implemented prior to the occupation of the building(s)/dwellinghouse(s) hereby approved.

Reason: To ensure that the development is adequately serviced with water without a detrimental effect on the water supplies of surrounding properties.

14. Details to be provided prior to occupation of proposals for housing household waste and recycling bins, either on site or at the public roadside. Thereafter development to be undertaken with this scheme of details.

Reason: To ensure an appropriate for of development.

**Note.** Mr R Martin spoke in support of the application.

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
21/00687/FUL	Modification of planning permission 15/01353/FUL to allow dog boarding service, erection of insulated kennels and siting of cabin for staff use	Land North East Of Newlands Farm Cottage, Hawick

Decision: Approved subject to the following conditions and informatives:

#### Conditions

1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and specifications approved by the Planning Authority, unless otherwise agreed by the Planning Authority.

Reason: To ensure that the development is carried out in accordance with the approved details.

2. Notwithstanding the description of the materials in the application, no development shall be commenced until precise details of the materials and external colours to be used in the construction of the external walls, roofs, and of the windows and doors of the cabin have 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: The materials require further consideration to ensure a satisfactory form of development, which contributes appropriately to its setting.

3. The cabin hereby approved shall be occupied by an employer or employee with a direct link to the dog caring business at the site and shall not be used as a person's sole or main residence or as temporary or permanent residential accommodation.

Reason: The accommodation on the site is not designed for permanent occupation and permanent residential use would be contrary to the council's housing in the countryside policies.

4. The overnight accommodation for dogs shall be restricted to a maximum of six dogs and is permitted 24 hours a day unless otherwise agreed by the Planning Authority. Sections i, ii and iii relating to condition 6 of application 15/01353/FUL for daycentre operations shall remain valid.

Reason: To limit potential adverse impacts on the amenity of nearby properties

5. The finished floor levels of the cabin hereby permitted, shall be consistent with those indicated on a scheme of details which shall first have been submitted to and approved in writing by the Planning Authority. Such details shall indicate the existing and proposed levels throughout the application site.

Reason: To limit the visual impact of the development.

6. No development shall commence until full details of the means of water supply, and of foul and surface water drainage have been submitted to and approved in writing by the planning authority. Thereafter the development shall be completed in accordance with the agreed details, unless subsequently agreed in writing by the planning authority.

Reason: To ensure that the development is adequately serviced.

7. Prior to commencement of development full details of all exterior lighting on the proposed cabin are to be submitted to and approved in writing by the planning authority. This is to include type, height and intensity of lighting, and indication of any sensors or timers. Thereafter the development is to be completed in accordance with the approved lighting details, and retained as such, with no further lighting provided unless first confirmed and agreed with the planning authority.

Reason: It is anticipated from the hours of operation that there will be a need for lighting, and it is important that this meets operational requirements without causing unnecessary light pollution.

#### Informatives

1 There is a low potential for encountering buried archaeology during excavations. If buried features (e.g. walls or stone-constructions, pits or ditches) or artefacts (e.g. pottery, shaped and chipped stone) of potential antiquity are discovered, please contact the planner or Archaeology Officer for further discussions. Further investigation secured by the development may be required if significant archaeology is discovered.

2 The Environmental Health Service advises that the applicant contacts Scottish Borders Council's Trading Standards and Animal Health team at an early stage in order to discuss animal boarding establishment licensing requirements.

3 The applicant/developer is reminded that where works are proposed to existing trees within or adjacent to the application site (including felling, lopping, topping, thinning etc.), no development should be carried out during the breeding bird season (March to August). Further advice on is available directly from NatureScot at <https://www.nature.scot/professional-advice>

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