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PLANNING AND BUILDING STANDARDS COMMITTEE MONDAY, 6TH MARCH, 2023

A MEETING of the PLANNING AND BUILDING STANDARDS COMMITTEE will be held in the COUNCIL CHAMBER, COUNCIL HEADQUARTERS, NEWTOWN ST BOSWELLS, AND VIA MICROSOFT TEAMS on MONDAY, 6TH MARCH, 2023 at 10.00 AM

J. J. WILKINSON,
Clerk to the Council,

24 February 2023

| BUSINESS | |
|-----------------|--|
| 1. | Apologies for Absence. |
| 2. | Order of Business. |
| 3. | Declarations of Interest. |
| 4. | Minute. (Pages 3 - 8) Consider Minute of the Meeting held on 6 February 2023 for approval and signature by the Chair. (Copy attached.) |
| 5. | Newstead Supplementary Planning Guidance: Newstead Conservation Area Appraisal and Management Plan (Pages 9 - 54) Consider report by Director Infrastructure and Environment. (Copy attached.) |
| 6. | Planning Performance Framework feedback Consider verbal update by Planning and Development Standards Manager. |
| 7. | Update on National Planning Framework and implications for Local Development Plan and planning decisions Consider verbal update by Planning and Development Standards Manager. |
| 8. | Appeals and Reviews. (Pages 55 - 60) Consider briefing note by Chief Planning and Housing Officer. (Copy attached.) |
| 9. | Any Other Items Previously Circulated |
| 10. | Any Other Items which the Chair Decides are Urgent |

NOTE

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.

Members are reminded that any decisions taken by the Planning and Building Standards Committee are quasi judicial in nature. Legislation , case law and the Councillors Code of Conduct require that Members :

- **Need to ensure a fair proper hearing**
- **Must avoid any impression of bias in relation to the statutory decision making process**
- **Must take no account of irrelevant matters**
- **Must not prejudge an application,**
- **Must not formulate a final view on an application until all available information is to hand and has been duly considered at the relevant meeting**
- **Must avoid any occasion for suspicion and any appearance of improper conduct**
- **Must not come with a pre prepared statement which already has a conclusion**

Membership of Committee:- Councillors S. Mountford (Chair), J. Cox, M. Douglas, D. Moffat, A. Orr, N. Richards, S. Scott, E. Small and V. Thomson

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**SCOTTISH BORDERS COUNCIL
PLANNING AND BUILDING STANDARDS COMMITTEE**

MINUTES of Meeting of the PLANNING AND BUILDING STANDARDS COMMITTEE held in Council Chamber, Council Headquarters, Newtown St Boswells, and via Microsoft Teams on Monday, 6th February, 2023 at 10.00 am

Present:- Councillors S. Mountford (Chair), J. Cox, M. Douglas, D. Moffat, A. Orr and S. Scott

Apologies:- Councillors N. Richards, E. Small and V. Thomson

In Attendance:- Lead Planning Officer (B. Fotheringham), Lead Roads Planning Officer (D. Inglis), Solicitor (F. Rankine), Democratic Services Team Leader, Democratic Services Officer (W. Mohieddeen).

1. **MINUTE.**

There had been circulated copies of the Minute of the Meeting held on 9 January 2022.

DECISION

AGREED to approve the Minute for signature by the Chair.

2. **APPLICATION.**

There had been circulated copies of a report by the Chief Planning and Housing Officer on an application for planning permission under Section 36 of the Electricity Act 1989 which required consideration by the Committee.

DECISION

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

3. **APPEALS AND REVIEWS.**

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

DECISION

NOTED that:

(a) **There remained one appeal previously reported on which a decision was still awaited when the report was prepared on 26 January 2023 which related to a site at Land West of Slipperfield House, Slipperfield Loch, West Linton.**

(b) **Review requests had been received in respect of:**

(i) **Erection of agricultural building (retrospective), Ravelaw Farm, Duns; and,**

(ii) **Erection of timber storage and processing facility with new access junction, yard area, landscaping, tree planting, SUDs and associated works and planning permission in principle for associated dwellinghouse with office for the timber processing facility, Land South**

West of West Loch Farmhouse, Peebles;

- (c) The following reviews had been determined as shown:
- (i) Change of use of land and plot layout to form extension to caravan park, Land West of Pease Bay Holiday Home Park, Cockburnspath – Decision of Appointed Officer Overturned (Subject to Conditions); and,
 - (ii) Erection of dwellinghouse and associated works, Land East of 16 Hendersyde Avenue, Kelso – Decision of Appointed Officer Overturned (Subject to Conditions and a Legal Agreement);
- (d) There remained 8 reviews previously reported on which decision were still awaited when the report was prepared on 21 December 2022 which related to sites at:

| | |
|--|--|
| <ul style="list-style-type: none">• Townfoot Hill, Land North West of Cunzierton House, Oxnam, Jedburgh | <ul style="list-style-type: none">• Land North East of Runningburn Farm, Stichill |
| <ul style="list-style-type: none">• Land at Silo Bins Edington Mill Chirnside, Edington Mill Road, Chirnside | <ul style="list-style-type: none">• Land South West of Castleside Cottage, Selkirk |
| <ul style="list-style-type: none">• Land South West of Corstane Farmhouse, Broughton | <ul style="list-style-type: none">• Land North and East of Clay Dub, Duns Road, Greenlaw |
| <ul style="list-style-type: none">• 17 George Street, Eyemouth | <ul style="list-style-type: none">• Dove Cottage Gate Lodge Press Castle, Coldingham, Eyemouth |

- (e) There remained one Section 36 Public Local Inquiry previously reported on which a decision was still awaited when the report was prepared on 26 January 2023 which related to a site at Land West of Castleweary (Faw Side Community Wind Farm), Fawside, Hawick.

The meeting concluded at 10.50 am.

APPENDIX I
APPLICATION UNDER SECTION 36 OF THE ELECTRICITY ACT 1989

| <u>Reference</u> | <u>Nature of Development</u> | <u>Location</u> |
|-------------------------|---|--|
| 22/01532/S36 | Erection of Battery Electricity Storage System (BESS) and Associated Infrastructure | Land East of Fernyrig Farm, Coldstream |

DECISION: Approved as per officer recommendation. SBC to advise the ECU that it does not object to the proposed development, subject to the recommended conditions as set out below:

1. The battery storage facility and associated infrastructure hereby approved shall be removed from the site no later than 38 years after the date when electricity is first generated unless otherwise approved by the Planning Authority through the grant of a further planning permission following submission of an application. Written confirmation of the commencement date of electricity storage shall be provided to the planning authority within one month of that date.
Reason: In order to limit the permission to the expected operational lifetime of the battery storage facility and to allow for restoration of the site in the event that the use is not continued by a further grant of planning permission for a similar form of development.
2. No development shall commence until the following precise details have been submitted to and agreed in writing with the Planning Authority;
 - i. the final site layout,
 - ii. the design and appearance of all buildings and equipment to be installed within the site including their external material finish and colour
 - iii. the design and appearance of all acoustic barriers, fences and means of enclosure including their material finish and colour
 Reason: The final proposed site layout has not yet been determined therefore further details are required to achieve a satisfactory form of development which respects the character and amenity of the rural area.
3. No development shall take place except in strict accordance with a scheme of landscaping works, which has first been submitted to and approved in writing by the Planning Authority. Details of the scheme shall include
 - i. Existing and finished ground levels in relation to a fixed datum preferably ordnance
 - ii. Indication of existing trees, shrubs and hedges to be removed, those to be retained and, in the case of damage, proposals for their restoration
 - iii. Location of new trees, shrubs and hedges, which includes increased depth of the planting belt to the south and boundary planting to the north east, north and western sides of the site.
 - iv. Schedule of plants to comprise species, plant sizes and proposed numbers/density
 - v. programme for completion and subsequent maintenance.
 Reason: To ensure the satisfactory form, layout and assimilation of the development.
4. No development shall commence until precise details of the access upgrades of the existing forestry track from the A697 through the Crown Gorse plantation have been submitted to and agreed in writing with the Planning Authority. The upgraded access must comply with the Design Manual for Roads and Bridges CD 123 - Geometric design of at-grade priority and signal-controlled junctions. The submitted details must also confirm that suitable visibility splays are provided in either direction from the junction of the forestry track and the A697 to the satisfaction of the Planning Authority

and also identify all trees and areas of vegetation which are required to be removed and where relevant reinstated. Once agreed, the development should be undertaken in accordance with the agreed details.

Reason: To ensure that the site access is upgraded to a suitable standard to safely serve the development.

5. No development shall commence until a Construction and Environmental Management Plan ("CEMP") outlining site specific details of all onsite construction works, post-construction reinstatement, drainage and mitigation, together with details of their timetabling, has been submitted to and approved in writing by the Planning Authority. The CEMP shall include (but shall not be limited to):
 - a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".
 - c) Method Statements to avoid or reduce impacts during construction, the location and timing of sensitive works to avoid harm to biodiversity features and the use of protective fences, exclusion barriers and warning signs.
 - d) The times during construction when specialist ecologist need to be present on site to oversee works.
 - e) Responsible persons and lines of communication.
 - f) The role and responsibilities on site of Ecological Clerk of Works (ECoW) or similar competent person.
 - g) A Drainage Management Plan
 - h) A Site Waste Management Plan

Thereafter the development shall be implemented in accordance with the approved CEMP unless otherwise agreed in writing with the Planning Authority.

Reason: To ensure that all construction operations are carried out in a manner that minimises their impact on road safety, amenity and the environment, and that the mitigation measures contained in the Environmental Statement accompanying the application, or as otherwise agreed, are fully implemented.

6. No development shall commence until the following Ecological mitigation measures 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. The submitted details shall include:
 - a) a Species Protection Plan (SPP) for; bats, breeding birds, badgers and red squirrels
 - b) A scheme detailing compensatory planting and habitat enhancements

Reason: To ensure that species and habitats affected by the development are afforded suitable protection during the construction and operation of the development.

7. No development shall commence until a scheme of decommissioning and restoration of the site including aftercare measures shall be submitted for the written approval of the Planning Authority. The scheme shall set out the means of reinstating the site to agricultural use following the removal of the components of the development. The applicants shall obtain written confirmation from the Planning Authority that all decommissioning has been completed in accordance with the approved scheme and (unless otherwise dictated through the grant of a new planning permission for a similar form of development) the scheme shall be implemented within 12 months of the final date electricity is generated at the site and in any case before the expiry of the time period set by Condition 1.

Reason: In to ensure that the site is satisfactorily restored following the end of the operational life of the development in the interests of the amenity of the area.

8. No development hereby approved shall commence until the detailed drainage design has first been submitted to, then approved in writing by the Planning Authority.

Thereafter the agreed details shall be fully implemented prior to the site becoming operational, unless otherwise agreed in writing.

Reason: To ensure the site is adequately drained and does not increase the likelihood of flooding within and beyond the site.

9. The free-field Leq(1 hour) noise levels emitted by plant and machinery used on the premises will not exceed the values detailed in Table 1 when measured externally at the nearest occupied residential Noise Sensitive Receptors, as existing or consented at the time of this consent unless otherwise agreed in writing with the Planning Authority.

Table 1: Noise Limits

| Time | Descriptor | Frequency (Hz), dBZ | | | | | | | | |
|---------------|------------|---------------------|----|-----|-----|-----|------|------|------|------|
| | | 31.5 | 63 | 125 | 250 | 500 | 1000 | 2000 | 4000 | 8000 |
| 23:00 – 07:00 | Night | 79 | 61 | 49 | 41 | 34 | 30 | 27 | 24 | 23 |
| 07:00 – 23:00 | Day | 86 | 69 | 58 | 50 | 44 | 40 | 37 | 35 | 33 |

Reason: To protect nearby residents from undue noise and disturbance.

10. Prior to construction works commencing on site, an updated Construction Traffic Management Plan shall be submitted to and approved in writing by the planning authority.

Reason: To ensure appropriate mitigation measures are deployed to manage the impact of the construction traffic on the public road network.

11. Prior to construction works commencing on site, a vehicle wheel wash shall be installed at or close to the site entrance and all construction vehicles must use the wheel wash before exiting the site and travelling along public roads. The precise details of the wheel wash shall be agreed in writing with the planning authority prior to installation.

Reason: To minimise the risk of debris from the works being deposited onto public roads.

12. During the construction phase of development, provision shall be made for a road sweeper to be deployed along the A697 in the vicinity of the site entrance. The precise details of the frequency of road sweeping shall first be agreed in writing by the planning authority.

Reason: To ensure the public roads are kept clear of debris from the construction works.

13. All heavy goods vehicles carrying spoil or construction materials to and from the site shall be sheeted.

Reason: To prevent the spillage or deposit of any materials onto the public road.

Members also agreed that the retention of existing woodland as well as additional landscaping within the site would be required to ensure the successful completion and screening of the development. This view should be conveyed to ECU in the planning authority's response.

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DRAFT SUPPLEMENTARY PLANNING GUIDANCE: NEWSTEAD CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN

Report by Director, Infrastructure & Environment

PLANNING AND BUILDING STANDARDS COMMITTEE

6 MARCH 2023

1 PURPOSE AND SUMMARY

- 1.1 This report proposes approval for public consultation of the Draft Newstead Conservation Area Appraisal and Management Plan Supplementary Planning Guidance.**
- 1.2 A Conservation Area Appraisal and Management Plan (CAA & MP) aims to identify the special architectural and historic interest of a conservation area and provide guidance on its management. CAA & MPs are intended to provide clarity in the planning process, provide robust decision-making under adopted planning policy, inform local communities, promote the heritage of the area, and assist funding applications. They fulfil the Council's statutory duty to review its area for conservation area designation and formulate proposals for their preservation and enhancement.
- 1.3 The Newstead CAA & MP is the first of a programme for review of all 43 conservation areas in the Scottish Borders. The review will result in a CAA & MP being produced for each conservation area.
- 1.4 It is proposed that the Draft Newstead Conservation Area Appraisal and Management Plan Supplementary Planning Guidance (Appendix A) is subject to public consultation for a period of 12 weeks. Responses received as part of the public consultation will be used to inform a finalised CAA & MP. A summary of responses to the public consultation and the finalised CAA & MP will be brought back to Planning and Building Standards Committee for adoption.

2 RECOMMENDATIONS

- 2.1 I recommend that the Committee approves the draft Newstead Conservation Area Appraisal and Management Plan Supplementary Planning Guidance for public consultation.**

3 BACKGROUND

LEGISLATION AND PLANNING POLICY BACKGROUND

- 3.1 A conservation area is defined in the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as “an area of special architectural or historic interest, the character of which is desirable to preserve or enhance”. There are currently 43 conservation areas in the Scottish Borders.
- 3.2 A Conservation Area Appraisal and Management Plan (CAA & MP) is split into two sections, the Conservation Area Appraisal and the Management Plan:
- The Conservation Area Appraisal sets out the history of the area and identifies its special architectural and historic interest, including elements such as layout, views, landscape, trees, buildings, structures and spaces.
 - The Management Plan provides guidance on how change can happen in a way that preserves and enhances that special character. This includes development guidelines and enhancement opportunities.
- 3.3 Production of CAA & MPs meets the council’s statutory duty to “formulate and publish, from time to time, proposals for the preservation and enhancement of any parts of their district which are conservation areas” (Planning (Listed Buildings and Conservation Areas) (Scotland) 1997, sections 63). EP9 of the adopted Scottish Borders Council Local Development Plan (2016) and proposed Local Development Plan also indicate that Supplementary Planning Guidance will be produced to facilitate the management of the historic environment, including conservation areas (para 1.5).
- 3.4 Scottish Government’s Planning Advice Note 71: Conservation Area Management (December 2004) sets out that designation of a conservation area is a valuable tool in the protection of important areas, but it should not be assumed that designation alone will secure protection and enhancement. Review of existing areas is required and provides an opportunity to assess the justification for designation, consider the validation of boundaries, identify opportunities for enhancement and set management priorities.
- 3.5 CAA & MPs are intended to provide clarity and transparency in the planning process, and robust decision-making under adopted Local Development Policy EP9. They also help inform local communities, promote the heritage of the area, and support potential future funding applications.

CONSERVATION AREA REVIEW PROGRAMME

- 3.6 The draft Newstead Conservation Area Appraisal and Management Plan proposed for approval for public consultation marks the first in a programme of review for all 43 conservation areas in the Scottish Borders. As part of the review, a Conservation Area Appraisal and Management Plan will be produced for each area. These will come forward for approval by Planning and Building Standards Committee at later dates.

- 3.7 The order in which they will come forward will be prioritised based on a number of factors, including the Borderlands Place Programme, Conservation Area Regeneration Schemes, any other relevant strategic projects, level of development pressure, work already undertaken, condition and buildings at risk. The four Borderland Towns will be the next areas to be brought forward.

NEWSTEAD CONSERVATION AREA & PUBLIC CONSULTATION

- 3.8 Newstead Conservation Area was designated on 31 October 1985 and covers the historic village of Newstead. A Character Statement was adopted in 2012 and provides a short summary of the area's history and character. There is no current adopted CAA & MP for the area.
- 3.9 It is proposed that the Draft Newstead Conservation Area Appraisal and Management Plan Supplementary Planning Guidance (Appendix A) is subject to public consultation for a period of 12 weeks. Responses received as part of the public consultation will be used to inform a finalised CAA & MP. A summary of responses to the public consultation and the finalised CAA & MP will be brought back to Planning and Building Standards Committee for adoption.

4 IMPLICATIONS

4.1 Financial

Minimal costs from staff time, printing public consultation materials and holding a public meeting will result from the recommendations of this report, which will be covered by existing department budgets.

4.2 Risk and Mitigations

The CAA & MP fulfils the Council's statutory duty to publish proposals for the preservation and enhancement of the conservation area. It is intended to provide useful guidance to owners, developers, planners and Scottish Borders Council to improve decision-making, ensuring that the special architectural and historic interest of Newstead conservation area is properly considered when changes are made, and to help preserve and enhance the area for current and future communities and visitors. The CAA & MP is an important planning document, designed to improve clarity, reduce uncertainty and ensure robust decision-making. This is intended to ensure delays to the planning process are reduced.

4.3 Integrated Impact Assessment

An Integrated Impact Assessment Scoping has been undertaken and the associated template published on the council's website. The Newstead Conservation Area Appraisal and Management Plan Supplementary Planning Guidance is not a strategic document. It provides additional guidance to support decision-making under adopted Local Development Plan Policy EP9, which has been through its own assessment and adoption processes. It seeks to preserve and enhance the special architectural and historic interest of the existing built environment in Newstead through the planning process. No adverse equality implications have been identified.

4.4 Sustainable Development Goals

The CAA & MP contributes to the UN Sustainable Development Goal to 'Make cities and human settlements inclusive, safe, resilient and sustainable' through protection of cultural heritage. The document provides guidance on how to preserve and enhance the character of the conservation area, including its rural setting. In seeking to provide a strong sense of place and quality environment, the CA & AMP promotes mental health and wellbeing for all. It also provides advice on how to improve energy efficiency, install renewable energy technology and adapt to climate change in a manner that preserves and enhances the character and appearance of the conservation area. The document similarly also advises on how biodiversity can be protected and enhanced within the conservation area and its setting. The CAA & MP is intended to provide clarity in planning decision-making through increasing public access to information.

4.5 Climate Change

The CAA & MP seeks to preserve and enhance the special architectural and historic interest of Newstead Conservation Area and its setting. In so doing, it seeks to conserve buildings which contribute to the character of the area. This helps reduce waste and retain the embodied carbon of existing buildings. Through seeking to protect the area's unique character and sense of place, and highlighting the path network, it promotes opportunities for heritage tourism, recreation, and mental health and wellbeing. It includes guidance on how to protect and enhance biodiversity, improve energy efficiency, install renewable energy, adapt to climate change and install EV charging points in a way that meets the statutory duty toward preserving and enhancing the special architectural and historic interest of the conservation area.

4.6 Rural Proofing

The CAA & MP provides supplementary guidance to adopted Local Development Plan Policy EP9, and therefore this section is not applicable (this section should only be completed if this is a new or amended policy or strategy).

4.7 Data Protection Impact Statement

It is anticipated that the proposals in this report will have a minimal impact on data subjects and the Data Protection Officer has confirmed that a Data Protection Impact Assessment is not required.

4.8 Changes to Scheme of Administration or Scheme of Delegation

There are no changes to be made.

5 CONSULTATION

- 5.1 The Director (Finance & Corporate Governance), the Monitoring Officer/Chief Legal Officer, the Chief Officer Audit and Risk, the Director (People Performance & Change), the Clerk to the Council and Corporate Communications have been consulted on the report.

Approved by

Ian Aikman

Chief Planning Officer

Author(s)

| Name | Designation and Contact Number |
|---------------|---|
| Sanne Roberts | Heritage & Design Officer, heritage@scotborders.gov.uk |

Background Papers:

Appendix A - Draft Newstead Conservation Area Appraisal and Management Plan

Previous Minute Reference: n/a

Note – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Ian Aikman can also give information on other language translations as well as providing additional copies.

Contact us at Ian Aikman – Iaikman2@scotborders.gov.uk

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DRAFT Newstead Conservation Area Appraisal & Management Plan 2023

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All references to legislation, policy and designations are correct at time of publication. Please check the Council's website for up-to

-date references: https://www.scotborders.gov.uk/info/20012/planning_and_building

INTRODUCTION

1.0 Conservation Areas

What is a Conservation Area?

1.1 A conservation area is defined in the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as **"an area of special architectural or historic interest, the character of which is desirable to preserve or enhance"**. Local Planning Authorities are responsible for designating conservation areas within their region. The Scottish Borders currently have 43 conservation areas.

1.2 Conservation area designation takes into account the particular characteristics of a place. This includes its buildings, but also its layout and the spaces, trees and landscape within the area and its surrounding setting. As such, every conservation area is unique and contributes to the distinctive character and 'sense of place' in the Scottish Borders.

1.3 The aim of conservation area legislation and policies is not to stop change from happening but to manage change in a way that protects and enhances its special character and appearance. They play an important role in safeguarding valued places for current and future communities and visitors, in economic and community regeneration, and environmental enhancement.

What does it mean for me?

1.4 If planning permission, listed building consent, building warrants, advertisement consent, scheduled monument consent and other forms of permission are required outside a conservation area, they will still be required for works taking place within a conservation area. To make sure the area is preserved and enhanced, there are also a number of additional controls in place for conservation areas. These are:

- **Planning Permission:** Most external changes to properties within conservation areas have the potential to impact the character of the area, and therefore planning permission is required. This includes for example changes to painting or rendering of a building, replacement windows or doors, providing new hard surfaces or changing walls and fences.
- **Conservation Area Consent:** Buildings form a key element of the character of conservation areas and therefore Consent is required for their demolition.



Fig. 1: Main Street, looking east with Saugh Cottage to the left

- **Notification of Works to Trees:**
Trees also make an important contribution to the character of conservation areas. Six weeks' notice is therefore required of any intention to cut, lop, top, uproot or destroy any tree within a conservation area. This is to allow the Local Planning Authority (LPA) to consider whether the tree makes a notable positive contribution to the character of the area and whether a Tree Preservation Order should be made.

1.5 Links to find out more about these controls are provided in the 'Permissions and Additional Considerations' section toward the end of this document.

1.6 Where an application is made for development that—in the opinion of the Local Planning Authority (LPA)—affects the character or appearance of the conservation area, the application will be advertised in the local press providing an opportunity for public comment. Comments made on planning applications are taken into account by the LPA when making a decision on the application.

1.7 The extra controls in place help conservation areas retain their local distinctiveness and visual appeal. This often makes them highly desirable places to live and visit. Local residents and property owners also have a role to play in regularly maintaining their property and can seek advice on this from Scottish Borders Council.

What is a Conservation Area Appraisal and Management Plan?

1.8 The Local Planning Authority (LPA) has a duty to review its conservation areas and formulate proposals for their preservation and enhancement 'from time to time'. These statutory duties are fulfilled through publishing a Conservation Area Appraisal and Management Plan.

1.9 The Conservation Area Appraisal and Management Plan helps owners, planners, Scottish Borders Council and others with an interest in the area find out about the history and identify the character of the area, and to decide what and how that special character can be preserved and enhanced. The final document should be used to help guide proposed changes in the area, and will be used to help determine planning applications.

1.10 The document comprises two parts; The Conservation Area Appraisal, and the Management Plan:

The **Conservation Area Appraisal** sets out the area's context and historic development, before identifying the elements of its character (such as layout, views, landscape, trees, buildings, structures and spaces) that make it special.

The **Management Plan** provides guidance on how change can happen in the area in a way that preserves and enhances that special character. This includes guidance to sup-

port measures to address climate change.

1.11 It is important to note that assessments made in this document are non-exhaustive, and further elements of architectural or historic interest, or opportunities to preserve or enhance the area, may be present.

2.0 Newstead Conservation Area

Designation Background

2.1 Newstead Conservation Area was first designated on 31 October 1985. The boundary is shown in fig. 2.

Status of Document

2.2 This draft Conservation Area Appraisal and Management Plan was produced in 2023. The draft document is now subject to a 12 week public consultation. The feedback received as part of this consultation will be reviewed and used to inform production of a final draft Conservation Area Appraisal and Management Plan.

A final document will be presented to Planning and Building Standards Committee for adoption as Supplementary Planning Guidance (SPG) to the Council's adopted Local Development Plan. The SPG will be a material consideration for planning applications within the conservation area, or affecting its setting.

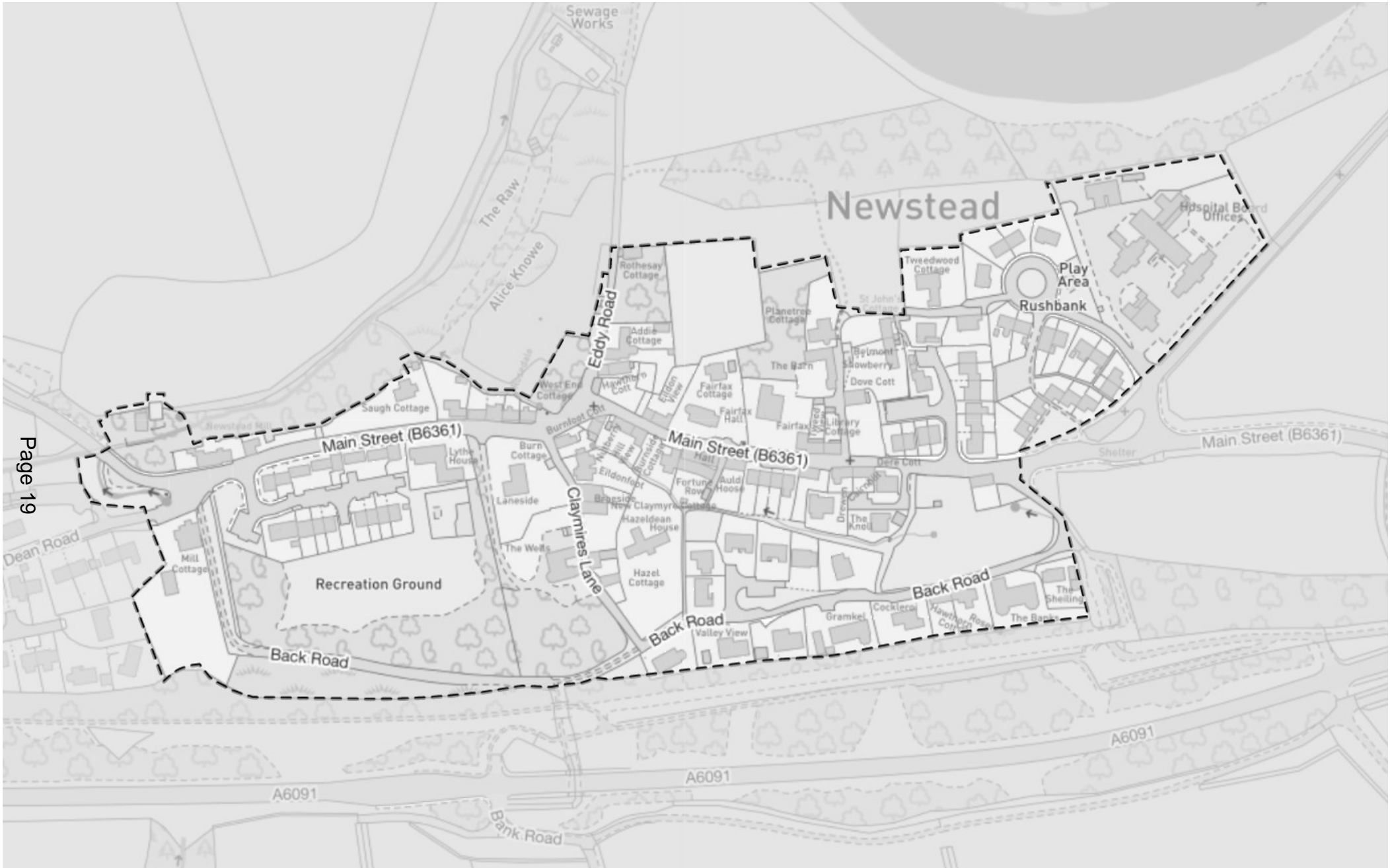


Fig. 2: Newstead Conservation Area Boundary

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APPRAISAL

3.0 Summary Statement of Character

3.1 Situated alongside the ancient Roman military complex of Trimontium, Newstead is a small village with a long history. It has been associated with masons for much of its history, evident in the built fabric through surviving carved stonework and sundials.

3.2 The village layout is heavily influenced by its surrounding topography, with the main linear village street set on a steep slope above the historic flood plain. Informal pavements and building lines, green space, vegetation, narrow lanes and small burns all add to its rural character.

3.3 The buildings are largely small-scale and domestic and follow the topography of the area by stepping up the slopes to create a varied roofline. Of one to two storeys, they have traditional forms, detailing and materials. Tall walls define the streetscape, some retaining evidence of previous buildings.



Fig. 3: Steep escarpment between river and village to northeast

4.0 Context

Location and Geography

4.1 Newstead village is located approximately 1.5km east of Melrose, on the south bank of the River Tweed valley.

4.2 The village is located within the Eildon and Leaderfoot National Scenic Area. This area is designated for its great landscape diversity, including a 'rich array of historic buildings, structures and estates' which characterise Borders settlement. The landscape character type is defined as 'Settled Upland Fringe Valley' as detailed in the Scottish Landscape Character Assessment (NatureScot 2019).

4.3 The conservation area covers the historic core of the village. The edges of the designated area are broadly defined by the former railway line and associated embankment to the south (to which the A6091 bypass now runs parallel), and to the north by natural features including the River Tweed, associated stream and field patterns.

4.4 The topography of the area clearly defines the conservation area's setting. The land rises steeply from the River Tweed to the north to the Eildon Hills to the south. To the northwest lies the low-lying annay/haugh with a steep bank marking the junction between this historic flood

5.0 Historic Development

5.1 The area surrounding Newstead has a long history of human activity, due to its location adjacent to where the historic north-south route through Lauderdale crossed the Tweed. The Roman Dere Street followed this approximate route, and the current A68 bridge, previous Drygrange bridge and Leaderfoot Railway Viaduct now mark the general location of the historic crossing. Evidence of prehistoric activity is seen with hillforts at Eildon Hill North (to the south) and Easter Hill (to the north of the River Tweed) (fig. 5).

5.2 The Romans established a military complex at this strategic position. This complex, named Trimontium, was located approximately 0.5km east of the conservation area. Evolving over time, it comprised a series of permanent forts, with associated civilian settlements and marching camps. An associated structure (perhaps signal station) was established on Eildon Hill North (fig. 5). The military complex was reported to be the largest of its kind between Hadrian's Wall and the Firth of Forth and remained in operation until around 200 AD. It is through this association with Trimontium Military Complex that Newstead is often named 'the oldest inhabited village in Scotland'.

5.3 Newstead is said to have formed part of lands granted by David I for Melrose Abbey in the 12th century, and that many of the masons who built the abbey lived in Newstead. Throughout the medie-

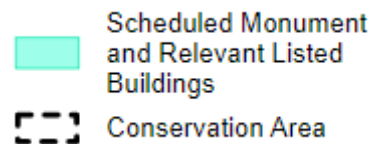
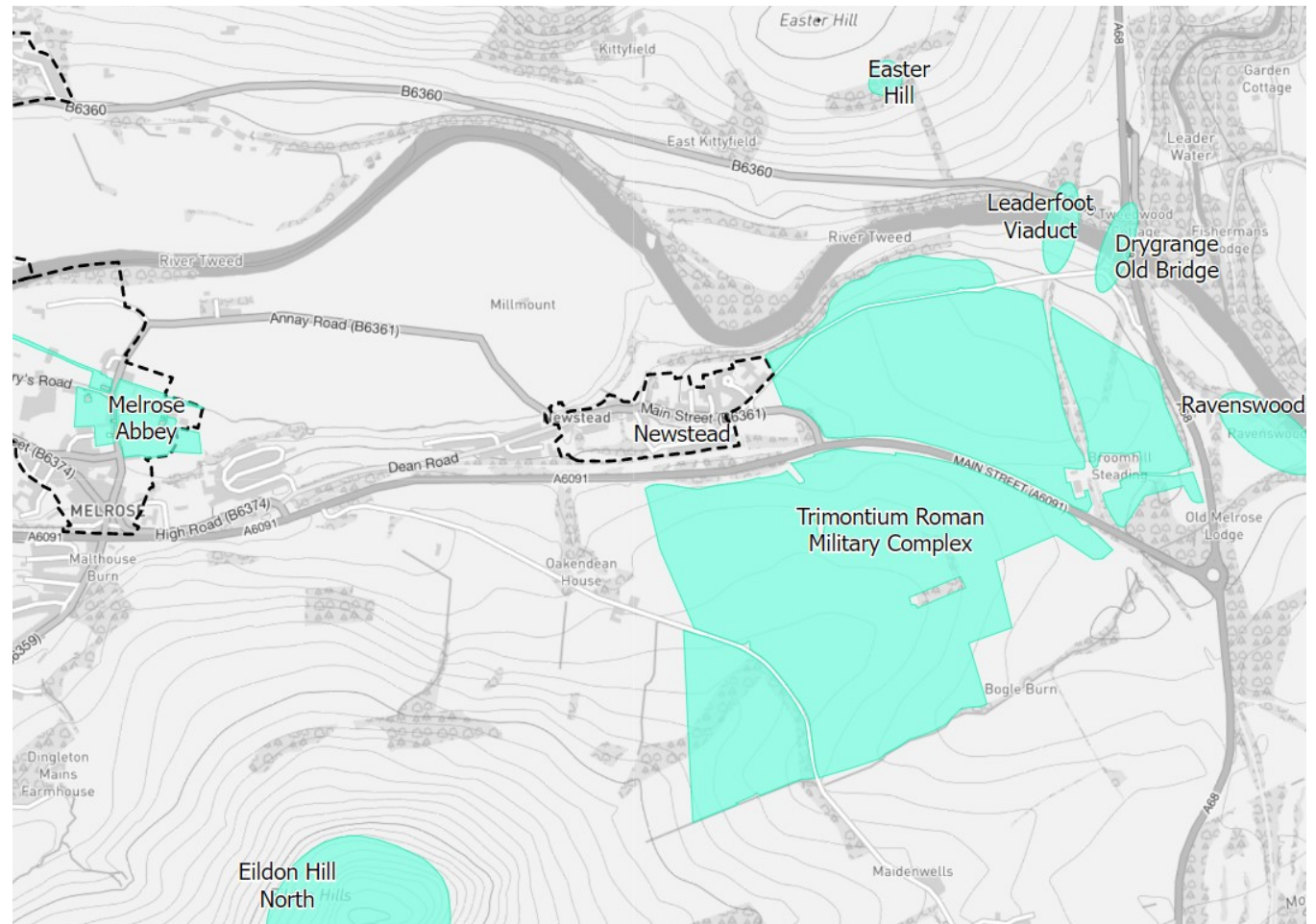


Fig. 5: Historic sites within the surrounding area which relate directly to the historic development of Newstead. They are now designated as Scheduled Monuments or Listed Buildings.

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val and post medieval periods, the settlement continued as a notable centre for masons, with the trade passed from generation to generation through families. The first masonic lodge in Scotland was located on St John's Wynd until its transfer to Melrose in 1741 (building demolished in 1892 and marked with a plaque). The 1861 census however still noted 17 masons resident in the village.

5.4 The Edinburgh & Carlisle line was established by the North British Railway in 1846. The first edition OS map for Roxburghshire (surveyed in 1859, fig. 8) shows the line to the south of Newstead and railway sidings and structures are shown to the southeast (removed in the 20th century). A number of village facilities were also developed in the 19th century including a school and a water-powered corn mill. A mission hall (Fairfax Hall), library, reading room and piped water supply were bequeathed to the village by Admiral Fairfax and his wife, Dame Harriet Kinloch (of Ravenswood House) at the turn of the 20th century (seen in figs. 6, 9 and 10).

5.5 A hospital for infectious diseases was established in 1903 to the east end of the village (seen in fig. 10). Built to the designs of G. Monteith, it remains in use by the NHS. A number of individual houses and small housing estates have been constructed in the village in the late 20th and early 21st centuries.

Fig. 6: Historic postcard of Newstead Village, taken from on or near Back Road, showing Fairfax Hall to the centre and pedestrian route in the foreground

Image courtesy of Scottish Borders Archive & Local History Service



Fig. 7: Historic postcard of Newstead Village, looking east along Main Street towards its junction with Claymires Lane.

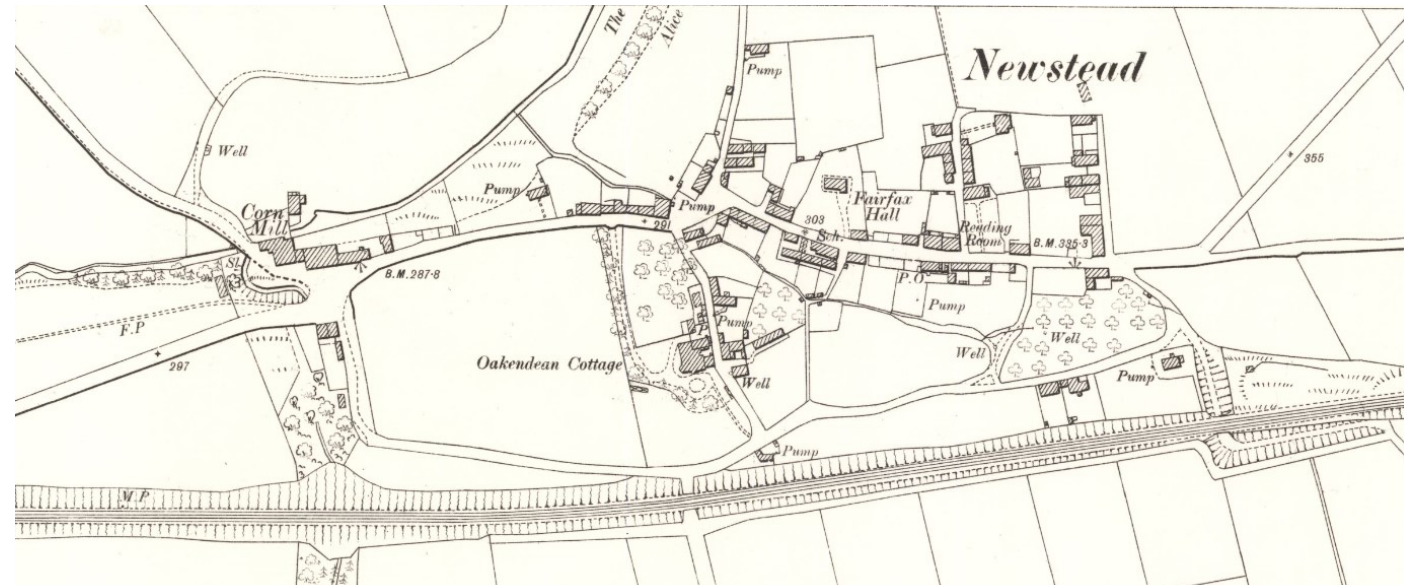
Image courtesy of Scottish Borders Archive & Local History Service





Fig. 8: First Edition OS Six Inch 1843-1882, surveyed 1859. The road layout of the village, its buildings, green spaces and waterways are shown in some detail. The railway line and sidings have been built to the south and the ford across the river at the end of Eddy Road is shown. The Mill is present to the west. Reproduced with the permission of the National Library of Scotland <https://maps.nls.uk/index.html>

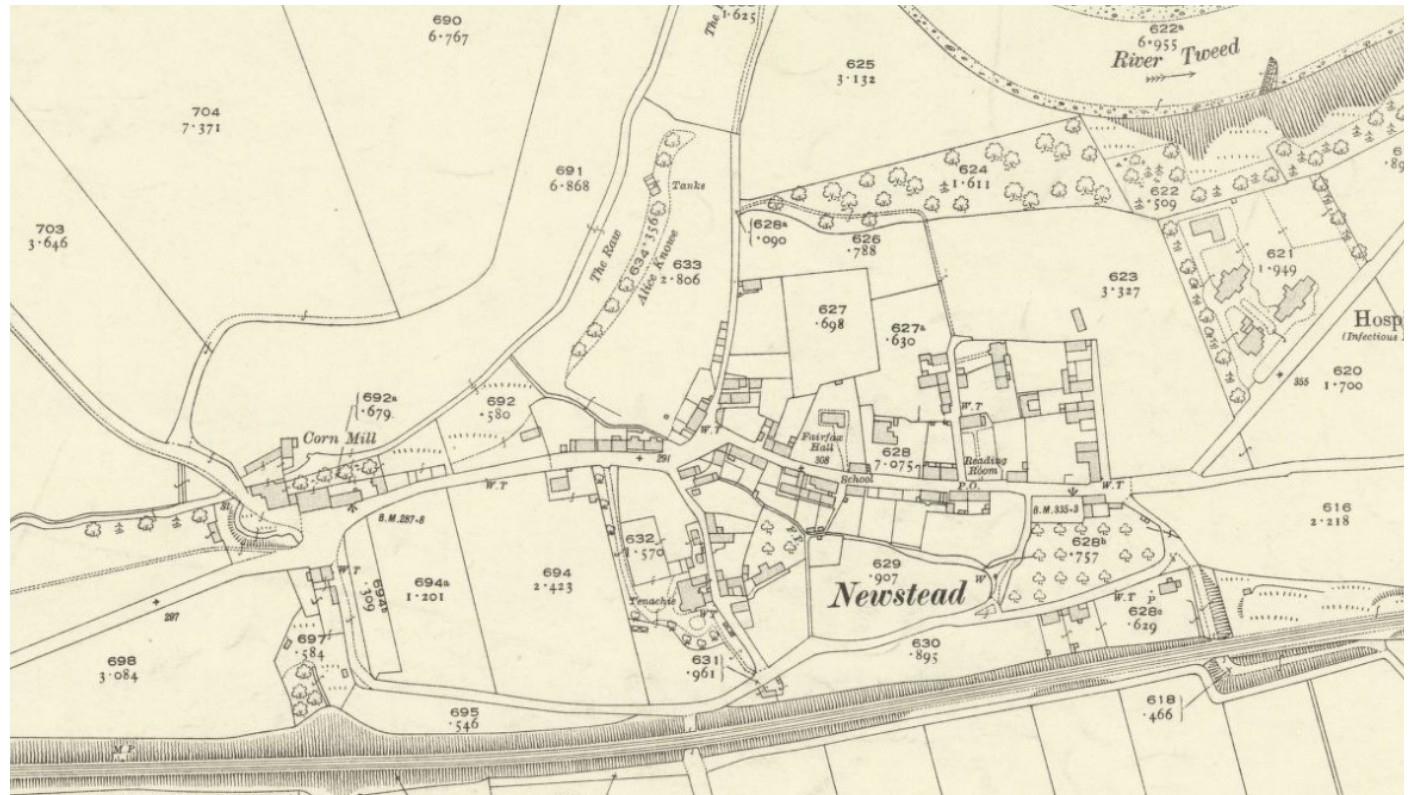
Fig. 9: Extract of the 2nd edition 25 Inch Ordnance Survey Map, surveyed 1897 and published 1899. Fairfax Hall and the reading room are now marked to the north of Main Street, with a number of pumps throughout the village.



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Fig. 10: Extract of the 3rd edition 25 inch Ordnance Survey Map, revised 1919 and published 1921.

The Isolation Hospital is now shown to the east of the village.



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6.0 Townscape Character

Street Layout

6.1 The village largely retains its historic street pattern, which has developed informally over time. Main Street runs east to west along a gentle curve. Originally the main street continued to Drygrange Old Bridge to the east although this section of road is now closed to traffic and diverted to join the A6091.

6.2 Eddy Road provides access to the river at an historic fording point (and possible former bridge) whilst Claymires Lane originally connected to routes to the south. These roads and Main Street would have formed the two main routes in the village, although the north-south route is no longer a primary route. Their junction now forms an informal focal point to the village. The junction coincides with a bend in Main Street, a widened area of road, and green space which adds visual and spatial emphasis. This is further accentuated by the presence of the village notice board, K6 telephone kiosk and post box at this point.

6.3 Back Road forms the secondary road of the village and runs parallel to Main Street to the south. Claymires Lane and two narrow pedestrian routes create connections between these roads.

6.4 The railway would have had a significant impact on the infrastructure and connectivity of the village, providing new connections to the wider region but also a physical barrier to countryside including the

Eildons and historic routes to the south. Its surviving embankment and later A6091 continue to do so, with two bridges providing the only access points.

Public Realm (fig. 11)

6.5 The roads in the village are generally narrow and of varied width. In many locations there are no formalised pavements. A number of the ancillary roads are more informally surfaced with limited road markings and integrate with a wider network of routes, tracks and paths. Some areas of original cobbles survive. These elements add to the rural character of the village.

6.6 Diversion of traffic to the bypass has reduced traffic levels in the village, although the requirements for signage, road markings and parking to Main Street have still had an impact on character and cause tension with the limited level of formalised pavement.

6.7 There are a number of tall boundary walls in the area. Some of these walls retain evidence for previous houses, structures and coal shutes that add to our understanding of the village. These walls, and buildings fronting directly onto the pavement/road edge, create a strong sense of enclosure to the public realm. To Back



Fig. 11: Narrow roads with no formalised pavements and tall walls on Claymires Lane

Road the walls give way to more of a mixture of walls and hedges, which provide a softer rural character.

6.8 An historic signpost survives at the junction with Annay Road. The telephone kiosk is a K6, designed by Sir Giles Gilbert Scott whilst the post box is a modern example of a traditional feature.

Trees, Green Spaces and Water Courses

6.9 The green space at the junction of Main Street and Eddy Road was historically the location of a building. It has however evolved informally as a central green space in the village, which helps emphasise this location as the village focus. A cherry tree is located at its centre.

6.10 A large area of green space known as 'The Orchard' is located to the southwest of the village and includes both formal play and informal communal green space. It is bounded by vegetation including mature trees and an historic beech hedge along its boundary with Back Road. The area is not clearly visible from Main Street but contributes to the overall green character of the village.

6.11 Vegetation and soft landscaping to private gardens further contribute to the green and rural character of the village. The copper beech within the former Infectious Diseases Hospital grounds is a notable specimen (fig. 12).



Fig. 12 and 13. Copper beech at former hospital and pedestrian route over stream add character to the streetscene

6.12 A stream runs between Main Street and Back Road and is crossed by the pedestrian routes on small bridges. This adds to the character and interest of the area (fig. 13). The presence of the stream and mill lade to the northwest is of historic importance as a means of power for the mill. Whilst not immediately visible within the village, the River Tweed has also had a significant impact on the historic development of the village and the visual and physical relationship between the two is important.

6.13 Beyond the boundary of the conservation area, vegetation along the former railway forms a backdrop to views and shields views and noise from the A6091/ bypass. Trees are also present to the north along the escarpment and screen some views to and from the river in summer. This vegetation and the surrounding open space creates a rural setting to the village.

6.14 Some of these important spaces and features are identified in fig. 14.

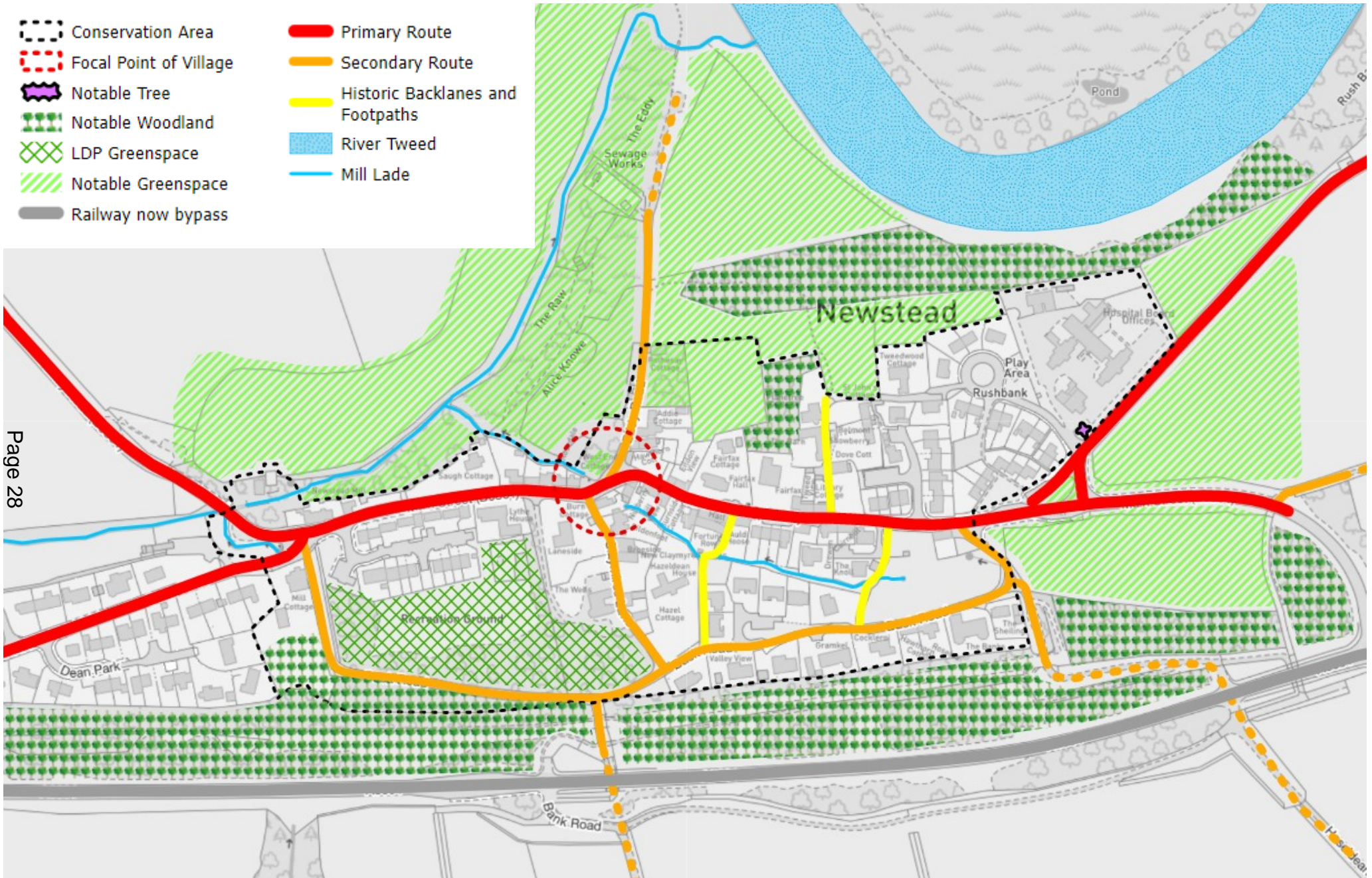


Fig. 14: Spatial Characteristics

Views and Landmarks

6.15 A number of types of important views have been identified as shown in the following images (figs. 15-19). These include both views within the conservation area, as well as those in to and out of the area which show the village in its setting. These images represent the types of views characteristic of the conservation area, rather than denoting specific view points.

6.16 The Eildon Hills and Tweed are significant natural landmarks in the area.



Fig. 15 Within the conservation area, the gentle curve of roads in the area create a series of unfolding views along their length. This creates an intimate atmosphere to the village.



Fig. 16 The Eildon Hills have a strong presence in views and form a natural landmark in the area

Fig. 17 Longer views to surrounding hills such as Meigle Hill are also present and reaffirm the rural setting of the conservation area



Fig. 18 There are also long views back from surrounding high ground which show the village in its context, for example from Eildon Hill North.



Fig. 19 From the Annay, the topography adds prominence to the village, with houses glimpsed at a raised level on the steep bank above the historic flood plain for example from Annay Road, Eddy Lane and the riverbank.



7.0 Architectural Character

Building Pattern

7.1 Buildings are predominantly small in scale and footprint, with heights consistently between one and two storeys. Lower one storey ancillary structures are often attached to the main building. The buildings form a tight urban grain, with the majority of historic buildings in groups of two, and with some detached properties. The small, human scale of buildings in the area is accentuated by a stepping roofline with buildings designed to follow the topography of the roads.

7.2 The majority of historic buildings directly address the street or are set at right angles to it. They are variously set hard onto the road or pavement, or behind a small front garden with boundary wall.

7.3 Some larger detached residences (such as The Wells (previously known as Oakendean Cottage or Tanachie) and Hazeldean House) as well as later buildings are set at some distance from the street. Their limited street presence provides a contrast to the village street.

Architectural Contribution

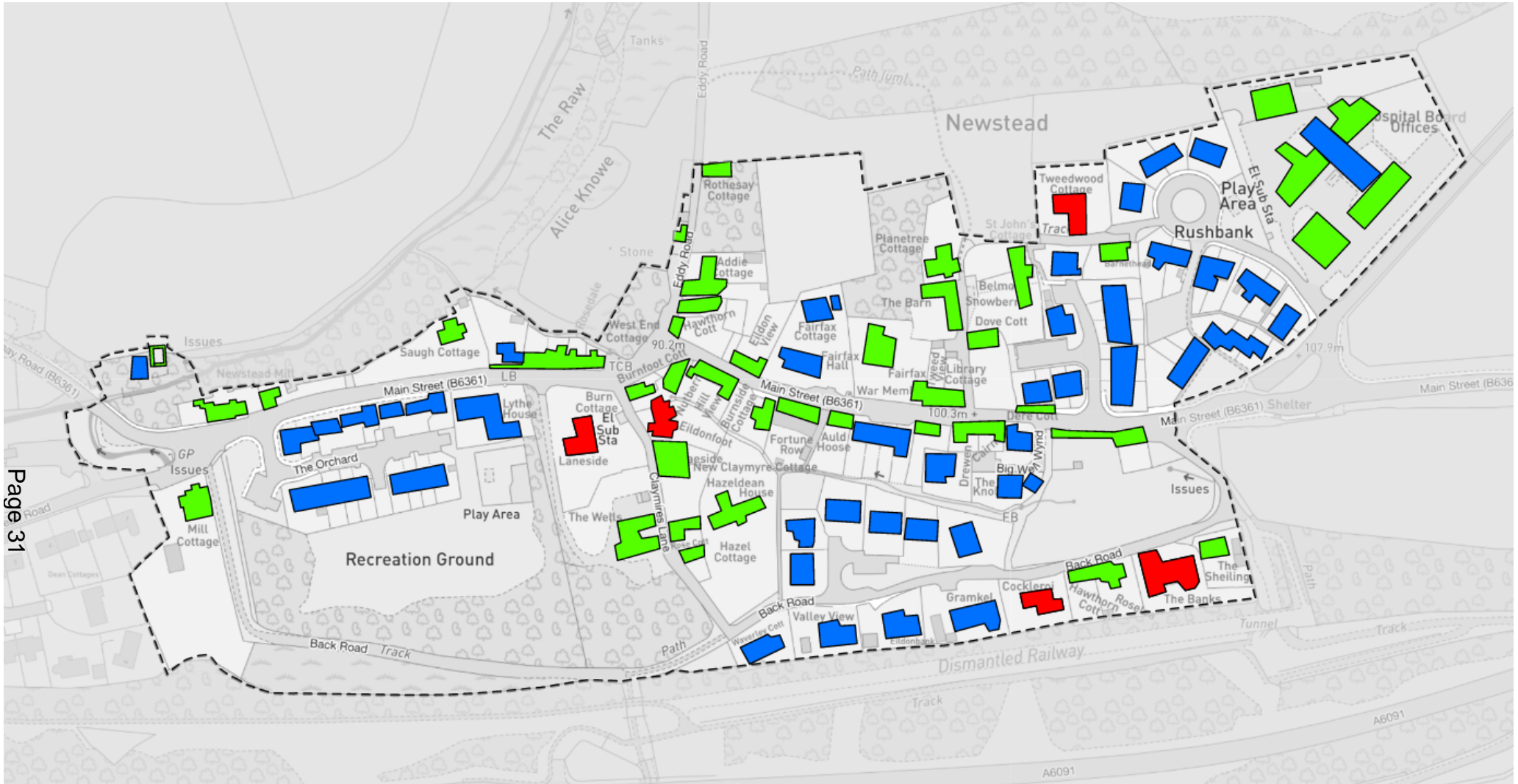
7.4 The conservation area contains no listed buildings. Many of the historic buildings contribute positively to the character of the conservation area. Other development makes a neutral contribution or at times is not in keeping with the character of the conservation area. The contribu-

tion each building makes to the character of the conservation area is identified in fig. 23.

7.5 The buildings of Newstead vary in date, style and materials, reflecting their historic use and the piecemeal development and evolution of the village over time. Perhaps due to the historic concentration of masons in Newstead there are some examples of high quality stonework in the village including historic door surrounds and carved stones (figs. 20 to 22). The village is known for its historic sundials incorporated into buildings throughout the village. Some sundials still survive, although unfortunately a number have now been lost.



Figs. 20 to 22: Images of Carved Stonework and Sundials



- Conservation Area
- Positive Contribution
- Neutral Contribution
- Not in Keeping with Conservation Area

Fig. 23: Architectural Contribution

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Building Types

7.6 The buildings in the conservation area can be identified as historic domestic buildings, non-domestic buildings and modern development:

Historic Domestic Buildings in the Conservation Area

7.7 Most of the surviving historic buildings date to the 18th and 19th century, but some date back to earlier centuries or incorporate fabric (including date stones) from earlier periods. The majority of buildings are relatively simple in form and use local materials and detailing.

7.8 The principal elevations to buildings in the conservation area are either well-proportioned formal facades with regularly spaced openings (fig. 24), or more vernacular facades with fewer and less regularly-spaced openings (fig. 25). The more vernacular facades usually indicate an older building, whilst formal facades tend to reflect later fashions from the late 18th and 19th centuries. Gable elevations are prominent in the streetscape. They tend to incorporate chimney stacks and some limited fenestration (fig. 26). Some buildings, and particularly ancillary structures, have rounded or chamfered corners.

7.9 Windows are traditionally sash and case timber windows, with some smaller openings housing casements. Doors are typically simple timber boarded doors or panelled. Roofs are generally steeply

pitched, with simple eaves and verges often with no skewes.



Fig. 24 (top): example of a well-proportioned, more formal façade with regularly spaced openings. The door tends to be located centrally, with dormers located over windows to the outer bays only (if present).

Fig. 25 (centre): example of a more vernacular façade with fewer, less regularly-spaced openings and simple detailing, reflecting older building traditions.



Fig. 26 (bottom): Gable ends are prominent in the conservation area. They tend to incorporate chimney stacks and some limited fenestration.

Historic Non-Domestic Buildings in the Conservation Area

7.10 The village hall was built in the mid 19th century as the village school. It is a relatively plain building, distinguished by its non-residential use and rooftop ventilator.

7.11 A corn mill was built to the west of the village in the early 19th century, and powered by water from a surviving mill lade which connects to the scheduled mill lade in Melrose. The mill went out of use in the 20th century and much of the mill itself was demolished. The surviving elements are in domestic use (fig. 27). The mill buildings historically made use of the slope between Main Street and the mill lade. The surviving buildings give a one storey appearance to the street.

7.12 Townhead Farm was situated to the east of the village. The main farm buildings on the north side of the road have been replaced by new development on Townhead Way. The farmhouse and walls to the orchard on the south side of the road survive with new development being inserted within the orchard. Farming movements in and around the village would have been a common site historically, which is no longer the case now. Townhead Farmhouse and associated walls are therefore important survivals (fig. 28). The farmhouse has a particularly steeply pitched roof and raised skew copings which likely indicates that it was originally

thatched. The walls give a strong sense of enclosure to the street and to the farm's former orchard (now housing).

7.13 The Melrose Infectious Diseases Hospital was built in 1903 to designs by G. Monteith. The buildings are set spaciouly in open grounds bounded by decorative metal railings. Of red sandstone with brick dressings, they have particularly decorative bargeboarded gables and oversailing eaves. Their spacious setting and level of architectural detailing contrast with the closer grain and simpler, vernacular styles of the remainder of the village (fig. 29).

7.14 The War Memorial forms a simple Celtic cross constructed in rock-faced sandstone and was erected in c.1920.

7.15 Located just beyond the conservation area boundary, two bridges survive as part of the railway embankment, and provided access for historic routes underneath the railway. Dating to its construction in 1846, they present notable industrial survivals.



Figs. 27 to 29 (from top to bottom): Corn Mill, Townhead Farm, Melrose Infectious Diseases Hospital

Modern Development in the Conservation Area

7.16 There are a number of modern developments in the conservation area. The buildings are generally of a scale and form that is relatively in keeping with the conservation area and make a neutral contribution to it.

7.17 Some developments are more successful than others. The most successful developments have made a concerted effort to respond directly to the spatial and architectural characteristics of the conservation area.

7.18 To the southwest end of the village, a development by Walter Wood Associates for Eildon Housing Association in 2002 has been designed to respond to the topography, urban grain and form of development along the Main Street whilst retaining spacious green space to the rear (fig. 30).

7.19 7 Main Street is an unusual example of modern development which is set behind historic fabric of a previous building. The historic fabric has been repaired and brought back into use. The modern fabric is clearly contemporary so that the two phases of the property remain distinct, whilst its form still responds to its context (fig. 31).

7.20 In contrast Lythe House is a purely modern building. It has been designed to respond to the simple vernacular forms and detailing that characterise the village in an understated contemporary manner (fig. 32).

7.21 Rushbank presents a good quality example of this mid 20th century housing type. The houses generally follow traditional forms and detailing, but the layout is not characteristic of the conservation area.



Fig. 30 (top): Eildon Housing Association development by Walter Wood Associates responds to the topography and urban grain of the area whilst using traditional forms and detailing

Fig. 31 (centre): 7 Main Street incorporates historic fabric of a previous building alongside a building of clearly modern design that maintains an appropriate scale and form.



Fig. 32 (bottom): Lythe House responds to the simple vernacular forms and detailing characteristic of the area

Materials and Detailing

7.21 The following tables and images (figs. 33 to 53) show some of the more common materials and detailing characteristic of the conservation area.

Walls

- A mixture of building stone colours reflecting the varied geology of the area including warm buff or red sandstone, greywacke and some limited whinstone (33, 34, 38).
- Contrasting or matching coloured stone dressings (33, 35, 37).
- Light coloured harling without quoins, some with simple painted or stone window and door surrounds. Harling extends to ground level (37). Tall boundary walls (38). Evidence of historic features and previous buildings surviving as structures (35) and within boundary walls (36).
- Some carved stone re-used in walls.



Roofs

- Steeply pitched roofs (39, 42).
- A number of buildings were historically thatched (evident in particularly steep roof slopes and raised skew copings).
- Roofs are now predominantly small-sized Welsh slate with regular coursing and traditional lead ridge detailing (39-42).
- A notable exception is the clay tiled roof at number 23 Main Street, which – although not characteristic of the area – complements the early 20th century style of this building.
- Simple eaves and verges, limited use of skews (42).
- Traditional-scale gabled dormers to cottages with more formal facades. These are mostly set within the roofslope rather than crossing the eaves. Where present, they are aligned with windows below and set to the outer bays of the building only (41).
- Vernacular cottages with irregularly spaced windows generally do not have historic dormers. Some have a single small-scale cast iron rooflight.
- Chimneys to gable ends (39, 42).
- In contrast to the remainder of the village, the former Isolation Hospital retains deep overhanging eaves and decorative bargeboards (43).



Windows

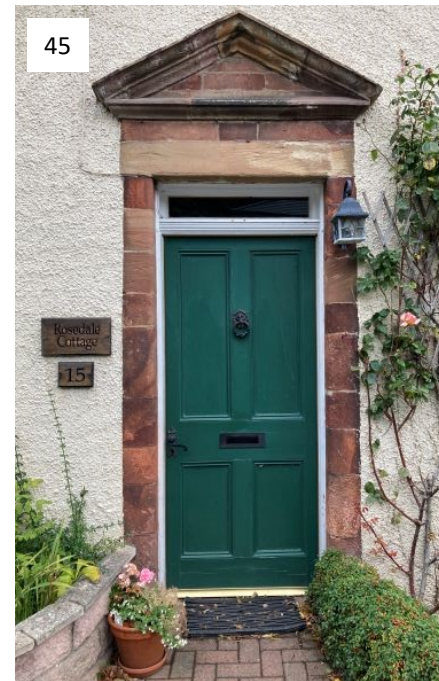
- Timber joinery.
- Sash and case windows, in a variety of styles including 6 over 6 panes (no horns) through to 1 over 1 panes (generally with horns) and occasional use of lying-in panes. The windows are set back from the front elevation with deep reveals (44, 47, 48).

Doors

- Timber Joinery.
- Boarded doors to more vernacular cottages (46), and four panelled doors to more formally designed buildings (45). Panelled doors display a mixture of butt and bead designs and designs with mouldings.
- Simple transom lights (rectangular fanlights) above doors (45, 46).
- Some carved stone pediments and surrounds (45).

Other Building Details

- Carved sundials.
- Cast iron rainwater goods, painted in a dark colour or to match wall colour.



Roads and Paths

- Simple road finishes with limited line painting and limited formalised pavements or road edging (49-53).
- Some evidence of cobbles to house frontages (52).
- Some loose surfacing / gravel.
- Some secondary routes, back lanes and paths are unsurfaced (50).
- Some soft verges to the periphery of the village (49).

Soft Landscaping

- Mature beech trees, often overgrown hedgerow planted beech (50).
- Large-scale mature trees.
- High levels of trees, shrubs and hedging to public and private spaces (49).

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8.0 Condition and Threats

8.1 The majority of buildings in Newstead are occupied and generally appear to be in good condition. There are a number of ancillary structures and historic structures, however, that appear unused and/or are in poor condition, including some along Eddy Lane.

8.2 Buildings generally retain their historic integrity, although this is eroded in some places by the loss of architectural features or addition of poor quality new elements. In particular, there are a number of modern box dormers visible in the streetscape, and windows have been replaced with uncharacteristic modern alternatives. Such incremental change can have a significant impact on the character of the area. The loss of historic sundials and carved stone erodes this unique characteristic.

8.3 Existing late 20th century and 21st century developments are generally in keeping with the scale and overall form of historic development and mostly have a neutral impact on the conservation area. Some developments are however more contextual than others. This is largely down to how carefully they respond to the particular character and detailing of their immediate context. Modern development is largely located to sit comfortably and relatively discreetly in the conservation area.

8.4 Although construction of the A6091 by-pass has considerably reduced traffic levels in the village, signage, parking and other modern paraphernalia still impact the character of Main Street.

Threats to Architectural Character:

1. Loss of ancillary structures that are vacant or in poor condition.
2. Loss of architectural features (including windows, historic glass, doors, chimneys, sundials and carving etc.)
3. Poorly-designed, poorly-sited, or over-scaled additions, dormers, extensions and garden structures (fig. 54).
4. Poor quality repairs such as repointing walls with cement mortar instead of lime-based mortar (fig. 55) or use of uncharacteristic pointing techniques.
5. Addition of modern clutter where it is prominent in the streetscene, including satellite dishes, rooflights, renewable energy technologies, flues and pipework.



Threats to Townscape Character:

1. Loss of soft landscaping and trees which contribute positively to the area's green, rural character
2. Loss of pedestrian routes / permeability.
3. Loss of historic walls.
4. Poor quality modern boundary treatments.
5. Excessive signage and/or clutter in the streetscape.
6. Loss of historic signposts or other traditional streetscape features.
7. Quantity of new development within the village which has the potential to dilute its historic integrity and erode the area's historic development pattern .
8. New development of poor-quality design, materials or inappropriate siting, scale or massing.



Figs. 54 and 55: over-scaled non-traditional dormer, and poor quality repairs to stone

MANAGEMENT PLAN

9.0 Introduction

9.1 This Management Plan provides area-specific guidance on development, maintenance and enhancement of Newstead Conservation Area.

9.2 The proposals set out within the Management Plan support the Council's statutory duty toward preserving and enhancing the special architectural and historic interest of the conservation area.

10.0 Boundary Review

10.1 The boundary of the conservation area has been reviewed as part of production of this Appraisal and Management Plan. It is considered to accurately reflect the area of Newstead that is of special architectural or historic interest. No changes are therefore proposed to the conservation area boundary at this time.

10.2 Although outwith the boundary, the countryside around Newstead, and its connection to the Eildon Hills and River Tweed, nevertheless makes a contribution to its character and forms part of the conservation area's setting.

11.0 Making Changes in Newstead Conservation Area

General Approach

11.1 The intention of conservation area designation is not to stop change from happening, but to make sure it takes place

in a way that preserves or enhances the character and appearance of the conservation area.

11.2 The conservation area appraisal sets out the special architectural and historic interest of the area, the character or appearance of which it is considered important to retain. As such, this document should be used, alongside relevant policy and legislation, to help guide and inform any proposed changes. If more specific advice is required, Scottish Borders Council can provide some high level advice by email, or advice on specific proposals through the pre-application service. Details for this are provided in Appendix A.

11.3 Where relevant, it may be appropriate to appoint contractors or professionals with experience in working with historic buildings. Some sources for finding relevant contractors and services are listed in appendix A.

11.4 Where seeking to make certain changes, it is important to ascertain whether planning permission, a building warrant or other types of consent may be required. Further information regarding this is set out in the 'Permissions and Additional Considerations' section below.

Information Requirements

11.5 Where proposals require planning permission or conservation area consent, it is important that sufficient information is submitted with the application. This will help to understand the impact of

the proposed change on the conservation area and help avoid delays to determining the application.

11.6 Photographs of all areas affected by the proposal should be provided. Dependent on the nature of the proposal, information on materials, finishes, details of architectural features or joinery, landscaping and boundary treatments may also be required.

11.7 A Design Statement (sometimes known as a Heritage Statement) should be provided that explains how the proposal preserves or enhances the conservation area. The document should include a description of the current area and how it contributes to the character of the conservation area. It should then summarise how the design has developed to preserve or enhance this character, which may include consideration of different options. The impact of the proposal should be identified.

11.8 Where a proposal would have an adverse impact on the character of the conservation area, it would be considered to fail to preserve or enhance the conservation area and therefore may be refused. Clear and convincing justification would be required to explain the need for the proposal and demonstrate that no alternative, less harmful, proposal can be identified.

11.9 Further guidance on information requirements including Design Statements is available from the [Council's website](#) and in [Planning Advice Note 68](#).

12.0 Policy and Legislative Context

12.1 Heritage legislation as well as national and local planning policy set the framework within which all decisions are made on planning applications.

12.2 The main piece of heritage legislation is the [Planning \(Listed Buildings and Conservation Areas\) \(Scotland\) Act 1997](#). This sets out that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of any buildings or land in a conservation area in fulfilling planning functions (Section 64, para 1).

12.3 [National Planning Framework \(2023\)](#) places the twin global climate and nature crises at the heart of its vision, and sets out policies to help improve people's lives by making sustainable, liveable and productive places. Overarching policies make clear the requirement for new development to take account of the climate and nature crises, although care will need to be taken to ensure that an acceptable balance with heritage considerations is met in achieving that overall aim. It recognises the role of Scotland's rich heritage, culture and outstanding environment in supporting our economy, identity, health and wellbeing.

12.4 Policy 7 in the Framework includes policies for conservation areas:

- Part (d) states that development pro-

posals in or affecting conservation areas will only be supported where the character and appearance of the conservation area and its setting is preserved or enhanced.

- Part (e) acknowledges the contribution made by existing natural and built features to the character of conservation area and its setting.
- Part (f) seeks to protect buildings which make a positive contribution to the character of a conservation area from demolition.

12.5 [Historic Environment Policy for Scotland \(2019\)](#) sets out a series of principles and policies for the recognition, care and sustainable management of the historic environment, including conservation areas. These set out that:

- Decisions should be based on understanding of why an area is special, to secure that special character for present and future generations.
- Changes should be managed in a way that protects the historic environment, and contributes to sustainable communities and places.
- Opportunities for enhancement should be identified where appropriate, and detrimental impacts should be avoided or minimised.

12.6 The Council's [Local Development Plan \(2016\)](#) sets out a strategic vision for development and transportation within the Scottish Borders. It includes

policies to help achieve this. Policy EP9 indicates that the Council will support development proposals within or adjacent to a conservation area which are located and designed to preserve or enhance the special architectural or historic character and appearance of the conservation area. This should accord with the scale, proportions, alignment, density, materials and boundary treatment of nearby buildings, open spaces, vistas, gardens and landscapes. The policy also provides detail for demolition in conservation areas, and a requirement for design statements.

12.7 The Local Development Plan (LDP) is currently under review. The [proposed Local Development Plan](#) is anticipated to be adopted in 2023 and will supersede the 2016 LDP.

12.8 National and local planning policy contains policies on a breadth of different subjects, many of which may be relevant to proposals within a conservation area, including policies on Placemaking and Design, Climate Change, Landscape, Biodiversity, Economic Development, Housing, Environmental Protection and Infrastructure.

12.9 The Council has also set out [Supplementary Planning Guidance](#) on a range of topics that may be relevant to proposals in Newstead Conservation Area. These include Placemaking and Design; Replacement Windows and Doors; Trees and Development; Local Biodiversity Action Plan and Countryside around Towns.

13.0 Development Guidelines

13.1 The development guidelines provided below supplement the legislative and policy framework for planning and conservation areas in Scotland, by providing additional area-specific principles for proposed development in Newstead Conservation Area.

13.2 The guidelines have been formulated in order to help preserve and enhance the particular character and appearance identified in the Newstead Conservation Area Appraisal.

Demolition

13.3 Conservation area consent is required for demolition of an unlisted building in a conservation area. The Council's Policy EP9 sets out the policy basis for decisions regarding demolition in a conservation area. There is a presumption against loss of buildings which are identified as making a positive contribution to the character of the conservation area. These buildings are integral to the architectural interest of the conservation area and should be retained.

13.4 Demolition of those buildings identified as neutral or not in keeping with the conservation area could in principle be accepted. Where demolition is acceptable, consent should only be granted in conjunction with permission for a proposed replacement scheme for the site. This is in order to avoid unsightly or poorly maintained gap sites that would detract from

the character of the conservation area. The proposed scheme must be of high quality, and preserve or enhance the character and appearance of the conservation area.

New Development in the Conservation Area

13.5 In recent decades, planning permission has been granted for a number of housing developments within the conservation area and its setting. These now occupy the main development opportunities that were present within the village. There are therefore no identified locations for further development or infill development within the conservation area or its immediate setting.

13.6 Opportunities for further new development would primarily result from redevelopment of sites containing buildings that do not positively contribute to the special character of the conservation area.

13.7 Such development would only be supported where it does not have an adverse impact on plot size, layout, or the spacious, rural character of the conservation area. Any development should ensure the area's historic character is not diluted. A contemporary or a traditional approach may be acceptable, however in both situations the design must integrate appropriately with its context and respect the character of the conservation area.

13.8 Should an acceptable development site come forward within the village or its setting, the new development must:

- Respect the existing layout, plot size, building footprints and siting of positive buildings in the conservation area.
- Be of appropriate massing and scale for the context of the conservation area both immediate and the wider surroundings.
- Be informed by the hierarchy of spaces and the townscape.
- Respond to the form, character, materials and detailing of positive buildings in the conservation area.
- Complement predominant roof forms and contribute to the roofscape of the area including by following the existing topography.
- Preserve the green and spacious character of the area.
- Retain and enhance mature trees and soft landscaping which contributes positively to the area.
- Utilise high quality detailing and materials.
- Comply with Local Development Plan policy EP9, the Council's [Placemaking and Design Supplementary Planning Guidance](#) (2009) and Historic Environment Scotland's [New Design in Historic Settings](#) (2010).

Extensions

13.9 The nature of most buildings in the conservation area and their direct relationship to the street means that extensions to front elevations are unlikely to be acceptable in the conservation area. Rear and side extensions to existing buildings may be supported where they:

- Comply with guidance set out above for new development.
- Respond to the scale of the host building. In most cases this will require the extension to remain subservient to the host building.
- Respond to the character of the host building.

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- Consider the appearance of extensions seen from surrounding roads and footpaths including the Annay.
- Comply with Historic Environment Scotland's [Managing Change in the Historic Environment: Extensions](#).

Sheds and Ancillary Buildings

13.10 The character of Main Street and its arrangement of buildings and tall walls along Main Street limits opportunities for the introduction of roadside ancillary buildings such as garages. The character along secondary routes and back lanes in the conservation area is slightly more varied and applications for carefully designed and appropriately scaled structures on these routes may be supported. Structures located discreetly to rear gardens will generally be supported.



Fig. 56 Countryside beyond Newstead Conservation Area contributes to its setting

13.11 Any proposed structures should ensure they are designed and located to:

- Remain subservient to the scale of the building and the plot.
- Reinforce the layout and grain of development in the conservation area.
- Be discreet in the streetscape and from views into the conservation area.
- Enable the green and spacious character of the area—and any mature trees on the site—to be maintained and enhanced.

Setting

13.12 The countryside beyond the conservation area boundary contributes to the rural character of the area (fig. 56). These areas should be retained as open countryside. Any proposed development in the setting of the conservation area would need to demonstrate how it preserves or enhances the rural character of the conservation area.

13.13 Guidance on [Setting](#) is available from Historic Environment Scotland (2020).

Windows and Doors

13.14 Historic windows and doors make a positive contribution to the character and integrity of the conservation area. Windows are generally timber sash and case of a variety of designs, whilst doors are either timber panelled or ledged and braced. Their retention and like for like repair is strongly encouraged.

13.15 Historic Environment Scotland provide advice on the repair and maintenance of [Windows](#) (2008) and [Doors](#) (2015).

13.16 The Council's [Supplementary Planning Guidance for Replacement Windows and Doors](#) sets out further guidance and policy in this regard, including advice on secondary glazing and double glazing.

Dormers and Rooflights

13.17 A number of historic dormer designs are present to cottages with more formal facades in the conservation area. They are mostly set within the roof slope rather than breaching the eaves line. Where present, they are aligned with windows below and generally set to the outer bays of the building and not to the centre. Most cottages of a vernacular style however do not have dormers.

13.18 Where possible, dormers should be located to the rear of the property. Dormers will not be accepted to the front roof slope of more vernacular cottages as this would contrast with their irregular window openings and simple detailing.



Fig. 57 To the left and right, traditionally-scaled and detailed dormers align with the windows below. This format could be followed. To the centre, a later box dormer of non-traditional design and poorly-aligned with windows below. This format would not be acceptable where visible in the streetscene.

13.19 Where dormers are proposed where they are visible from public locations, and may be acceptable, they should follow the design, scale and siting of historic examples in their vicinity. Large scale and box dormers will not be acceptable where they are visible in the streetscene (fig. 57).

13.20 Rooflights should be placed where they are not visible from the street wherever possible. If this is not possible, and where it does not impact on the character of the property, a small-scale conservation rooflight may be considered acceptable to a visible roof slope. Rooflights should be traditionally-scaled and proportioned, with a slim metal frame and set flush with the roof plane, in order to reflect historic examples and reduce impact on the roofscape.

Porches

13.21 Porches are not characteristic of the conservation area. They will generally not be supported where they are clearly visible in the streetscene.

Cladding, Rendering and Painting

13.22 Unpainted stone should generally remain exposed within the conservation area, unless there is evidence that it was historically rendered. Examples of historic harling should also be retained. Where historic harling has been replaced with cement-based renders, reinstatement of an appropriately detailed lime-based finish would be supported to allow the breathability of traditional fabric to be re-established. Modern cladding systems should be avoided in favour of traditional breathable materials that would have been original to the conservation area. See 'Repair and Maintenance' section below for further explanation of the need to maintain the breathability of traditional fabric.

13.23 Painted harling in the conservation area is mostly white or light cream in colour. A light colour palette should be maintained, with light creams and off whites likely to be most appropriate.

13.24 Bright, dark or contrasting colours will generally not be acceptable as the main colour to walls. Use of contrasting colours to the window surrounds may be considered.

13.25 Where painting historic lime-based harling is appropriate, breathable mineral or lime-based paints should be used, in order to maintain the breathability of fabric and avoid trapping dampness.

Roofs

13.26 Historic roof coverings and detailing should be retained. Where replacement is required they should be replaced on a like for like basis. In most cases this would be to match the existing Welsh slate. It is important that variation in detailing—for example whether there are skew copings to the roof, and traditional lead detailing—is replicated. Where enhancements to water discharge are required (please see Climate Resilience section below), they should be designed to reflect the historic arrangement as closely as possible.

13.27 In contrast to the remainder of the area, the roofscape to the former Isolation Hospital is particularly decorative. Bargeboards and other details to these

buildings should be retained and repaired.

13.28 Guidance on [Managing Change in the Historic Environment: Roofs](#) is available from Historic Environment Scotland (2020).

Walls and Boundaries

13.29 High walls and walls incorporating evidence of previous features and structures are a prominent part of the conservation area. Historic walls should be retained, and repaired. Evidence of previous features and structures should be maintained within historic walls and buildings. Reintroduction of walls to reflect the existing historic examples may be supported where they have been lost or would contribute to the character of the area.

Spaces, Trees and Biodiversity

13.30 There is a presumption against loss of existing open space, watercourses, trees and soft landscaping which contribute to the spacious, verdant, rural character of the area (fig. 58). They also perform important roles in promoting climate resilience and biodiversity.

13.31 Tree works and works to the landscape should preserve or enhance this character. Hard surfacing to gardens should be minimised in favour of soft landscaping. Hard landscaping near to trees should be avoided.

13.32 Planting new trees in gardens and along boundaries, as well as small-

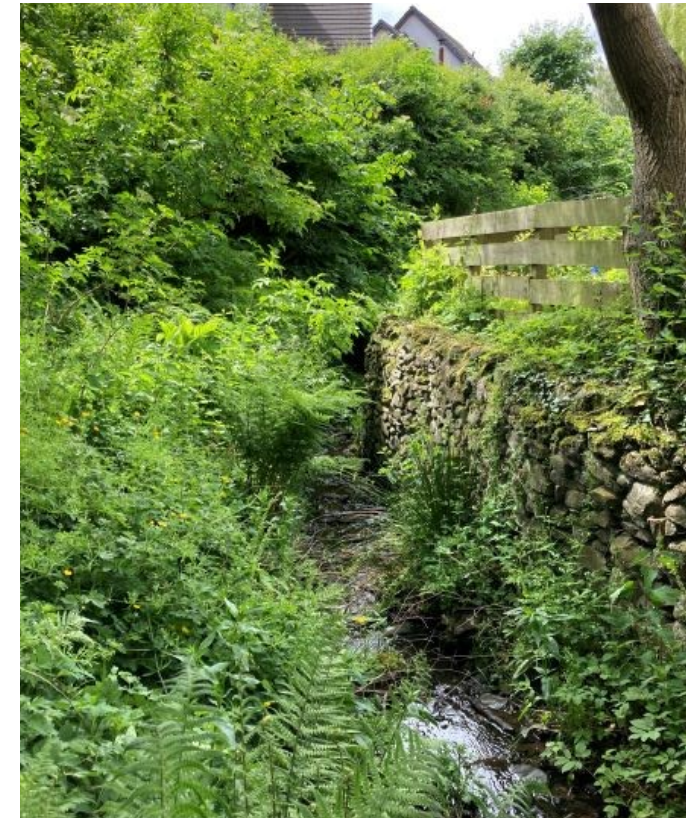


Fig. 58 Soft landscaping and watercourses contribute to the rural character and biodiversity of the area

scale broadleaf and mixed woodland, would be welcomed where it reinforces the existing landscape character. As well as amenity benefits, planting new trees (and varied soft landscaping) can have significant sustainability and water attenuation benefits, and will provide succession planting for existing mature trees.

13.33 Opportunities to incorporate discreet biodiversity enhancements are welcomed. Biodiversity enhancements could

include swift boxes on two storey buildings, bee bricks within walls, bat lofts under roofs or bat and bird boxes on trees. They should be designed to be discreet, by using sympathetic materials, modest scale, and located to avoid harmful impacts on the character of the conservation area.

Roads and Hard Surfaces

13.34 Roads within Newstead conservation area are relatively low key with simple detailing. Pavements are intermittent. This character should be maintained. Highly engineered solutions should be avoided.

13.35 Road painting should be kept to the minimum necessary. Where road painting is required, consideration should be given to the use of slimmer (75mm and 100mm) widths and conservation colours (e.g. 10 Primrose and 353 Deep Cream) as advised by the Traffic Signs Regulations and Traffic Signs Manual.

13.36 Existing driveways and areas of hard surfaces display a variety of finishes including loose gravel and cobbles. Whilst new hard surfaced areas should be minimised, any new hard surfacing should look to replicate these examples.

13.37 Areas of historic cobbles should be retained and would benefit from repair and enhancement.

Street Furniture and Signage

13.38 Historic items and those that contribute to the character of the area should be retained and kept in good condi-



Figs. 59 and 60 Historic street furniture: Fingerpost, K6 Telephone Kiosk and Post Box

tion. This includes the historic Melrose fingerpost, the K6 telephone kiosk, and adjoining post box (figs. 59 and 60).

13.39 New signage should be kept to a minimum. Whilst it remains appropriate to minimise road painting, if signage can be avoided through sensitive use of road surface markings/changes in surface finish, this approach is likely to be more appropriate.

13.40 New street furniture should also be minimised. Where new street furniture is required it should be installed so that it forms a discreet element of the streetscene, allowing the buildings and historic townscape of Newstead to remain prominent.

Electric Vehicle Charging

13.41 Electric Vehicle Charging Points should be installed discreetly. Where they are attached to a building, they should be

located on side or rear elevations. They should be a dark grey or black colour designed to recede against its background, and should avoid disturbing any historic features or carved stone.

13.42 Designs for roadside charging points should be as small as possible and coloured black to avoid drawing undue prominence in the streetscene. They should be located to avoid impact on significant historic buildings, features or focal points in the area. Locations away from prominent street frontages should be identified wherever possible.

Energy Efficiency

13.43 [Advice on energy retrofit of traditional buildings is available from Historic Environment Scotland](#) (2021).

13.44 Maintenance should be undertaken before any refurbishment or upgrade work is considered, to ensure the building fabric is performing efficiently, water ingress / dampness is avoided and to ensure the building's long term sustainability.

13.45 Measures to improve the energy efficiency of properties within the conservation area will be supported, but should be designed with regard to the requirement to preserve or enhance the character and appearance of the conservation area.

13.46 All areas of the property should be reviewed to identify ways to most effectively improve energy efficiency whilst avoiding harmful impacts. In most instances, external wall insulation will not be ap-

propriate to historic properties in the conservation area.

13.47 There are many ways to upgrade a property which, if installed sensitively, can avoid harmful impacts on the conservation area. Some of these also do not require planning permission. Changes to unlisted buildings that would not normally require formal planning permission include sensitive internal wall, floor and loft insulation, draughtproofing, carefully-designed secondary glazing and more efficient boilers, appliances and water systems. Installing heavy curtains over windows and doors, or re-using historic shutters, can also provide significant thermal improvements.

13.48 In order for improvements to be effective and avoid damage to historic fabric, they should ensure the breathability of traditional fabric and adequate ventilation are maintained. Please see Historic Environment Scotland's guidance and the 'Repair and Maintenance' section below for further information on this. Secondary glazing should be installed to ensure it is not visible externally.

Renewable Energy

13.49 [Advice on micro renewable options is available from Historic Environment Scotland](#) (2014).

13.50 Alternative energy sources such as heat pumps or solar panels may be supported where they are located discreetly. Units should not be visible from Main Street, nor be unduly prominent in views from other roads and footpaths in

the conservation area and its setting.

13.51 Solar panels - where acceptable in principle - should be designed with black rather than silver frames, and to minimise glare. They should follow the roof plane and not rise above ridge height. Options to locate panels on ancillary buildings or within property grounds may provide alternative options where main roofslopes are prominent in the conservation area and the historic character likely to be affected.

13.52 Heat pumps should be located at a low level and be dark grey or black in colour to recede against the background. Screening may be required and should be designed to reflect the character of the area whilst avoiding impacts on performance.

14.0 Maintenance and Enhancement

Repair and Maintenance

14.1 Routine maintenance of buildings will help prolong the life of those buildings - and the conservation area - in a cost-effective manner. Owners are encouraged to undertake a programme of regular small-scale repairs and maintenance such as gutter clearing, checking loose slates, re-painting and repointing. An annual survey is recommended or more frequent if there is an identified issue.

14.2 Repairs should be undertaken on a 'like for like' basis using traditional materials, techniques and finishes. Lime mortars and harling should be used in repairs (see 'Breathability' section below). Repairs to Slate roofs should be undertaken using natural slate to match the provenance, colour, texture, size, coursing and detailing of the existing roof.

14.3 Maintaining buildings in good repair will often help avoid the presence of damp or mould. Where damp is identified, use of chemical injection systems and waterproof coatings should be avoided. The cause of the damp (which might be as simple as a leaking pipe), should be identified and resolved where possible. If the cause cannot be addressed, a ventilated dry-lining system which still allows moisture in the fabric to escape may be an appropriate solution.

14.4 [Historic Environment Scotland's INFORM series](#) provides useful information on a variety of maintenance topics including damp. Historic Environment Scotland have also produced useful advice on [Maintaining Your Home](#).

14.5 A similar approach of regular maintenance is also appropriate for managing public and privately owned trees and green spaces, as well as public realm and street furniture.

14.6 Advice on repairs can be provided by the Council's Heritage and Design team.

Maintaining Breathability of Traditional Fabric

14.7 It is critical that all works to historic fabric ensure the breathability of fabric is maintained, and sufficient ventilation provided.

14.8 Traditional (pre-1919) buildings were built using 'breathable' or 'vapour open' materials such as lime mortar, harling, and stone. They were designed to allow a level of moisture to be absorbed and released. Use of modern cement mortars and renders, paints, insulations and other products that are not breathable are likely to stop the evaporation of moisture from the fabric. This can in turn lead to dampness trapped within the wall, mould, dry rot, premature deterioration of paint finishes and accelerated erosion of fabric causing structural defects over time. As such, traditional lime mortars, harling, paint and breathable (usually natural) insulation systems should be used.

14.9 Traditional buildings were also constructed to allow air and moisture movement through vents, windows and chimneys. Whilst measures can be installed to improve thermal efficiency, adequate ventilation should still be maintained.

14.10 [Further guidance on breathability and ventilation](#) is available from Historic Environment Scotland.

Climate Resilience

14.11 Increased extreme weather events mean that adaptations may be required to ensure buildings and places can continue to provide protection against the elements and enjoy a long term future.

14.12 Regular maintenance to ensure the fabric is in good condition may need to be undertaken more regularly in a changing climate.

14.13 Rhones, downpipes and drains should be checked, cleared and maintained. In some circumstances they may need to be supplemented or replaced with larger rainwater goods where the existing cannot cope with increasing rainfall levels. This should be undertaken in a sensitive manner and any decorative or characterful rainwater goods should be retained. Roofs should be checked for slipped slates. Improved weathering details and/or additional fastenings may be required to ridges, slates or skews. Climate adaptations should be undertaken using traditional materials and to reflect the detailing and design of the original. Changes to a building's appearance may require planning permission.

14.14 Existing soft landscaping should

be retained and opportunities sought to increase soft landscaping, permeable surfaces, trees and vegetation. Hard surfaces adjacent to walls should be avoided where possible to allow drainage and minimise the risk of penetrative damp.

14.15 Further advice on Climate Change Adaptation is available from Historic Environment Scotland: <https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationId=a0138f5b-c173-4e09-818f-a7ac00ad04fb> (2017).

Architectural Features and Sundials

14.16 The architectural details that can be seen in Newstead - including windows, doors, chimneys and boundary walls - contribute greatly to its character and appearance. Where these features have been lost in the past, owners are encouraged to consider sensitive reinstatement.

14.17 Sundials and carved stonework are a particular historic feature of the area. Care should be taken to ensure all sundials and carved stones are retained, not covered, and maintained in good repair. There is a potential opportunity to add to the rich history of the area through reinstatement or creation of new sundials, where appropriate.

Improved Access and Interpretation

14.18 Opportunities to raise awareness of, and celebrate, the long history of Newstead and the special architectural and historic interest of the village would be welcomed. This could include up-

dating and co-ordinating existing interpretation, developing a village trail or digital resources. Any new interpretation in the village should however avoid creating undue clutter that may detract from the historic integrity of the area. New interpretation could be provided through public realm, street furniture or public art projects.

14.19 The connection between the village and its rural setting is important. A number of historic routes are now part of the path network. Construction of the railway line in the 19th century and adjacent road in the 20th century means the connection between Newstead and routes to the south in particular can be difficult to find. The connection to the river would benefit from further emphasis. There is an opportunity to enhance access between the village and surrounding countryside through improved way-finding, as well as promoting active travel links to Melrose.

14.20 Unfortunately the Council is unlikely to have funding to deliver such projects directly, but would encourage them to come forward as part of any future projects or community initiatives. The Council can provide advice on the design of such proposals.

15.0 Permissions and Additional Considerations

15.1 It is the responsibility of the property owner to be aware of the designations affecting their property and the permissions that are required for any proposed works.

15.2 The following considerations have been identified as particularly relevant to proposals within Newstead Conservation Area:

Planning Permission

15.3 Planning permission is required for most external changes to properties within conservation areas, including painting or rendering a building, replacing windows or doors, providing new hard surfaces or changing walls and fences.

15.4 You can [find out more about the need for planning permission](#) via the Council's website. These webpages include a [guide for householders on what does and does not require planning permission](#).

Conservation Area Consent

15.5 Consent is required for demolition of buildings above 115 cubic metres and most walls in a conservation area. [Further details regarding the requirements for consent](#) are set out on the Council's website.

Trees in Conservation Areas

15.6 Trees and soft landscaping contribute greatly to the rural, sylvan character of Newstead and its setting and should be retained and enhanced.

15.7 Six weeks' notice is required of any intention to cut, lop, top, uproot or destroy any tree within a conservation area. During this period, the local planning authority (LPA) will consider whether the tree makes a notable positive contribution to the character of the area. If it does, the LPA may consider making a Tree Preservation Order to require consent for works to the tree.

15.8 [Further information on trees](#) is available from the Council's website.

Landscape and Nature Conservation

15.9 Newstead is located in the Eildon and Leaderfoot National Scenic Area. The River Tweed is designated as a Site of Scientific Interest (SSSI) and Special Area of Conservation (SAC). Green space and woodland in and around Newstead contribute to the natural heritage and biodiversity of the area, and in turn to the rural character of the conservation area.

15.10 Development should have regard to the natural heritage of the area and the River Tweed and seek opportunities to promote and enhance it.

15.11 You can [find out more about the biodiversity of the Scottish Borders](#) via the Council's website.

Archaeology

15.12 Given the long and significant history of Newstead and its wider environs, it is probable that evidence of past human activity survives beneath ground level. Where works are proposed that would disturb ground level, archaeological assessment is likely to be required. You can [find out more about archaeology in the Scottish Borders](#) through the Council's website.

15.13 Some of the archaeological remains surviving near to Newstead have already been identified to be of national significance through their designation as scheduled monuments, including Trimontium Roman Military Complex (fig. 61). Scheduled monument consent is required from Historic Environment Scotland for nearly all types of work affecting a scheduled monument. [Information on scheduled monuments](#) is available from Historic Environment Scotland. The location of scheduled monuments are shown in fig. 5 on page 8.

Key Greenspace Policy

15.14 The green space known as The Orchard to the southwest of the village and incorporating formal play and informal communal green space is identified in the adopted Local Development Plan as Key Greenspace through policy EP11. The location of the Key Greenspace is shown in fig. 14 on page 14.

Countryside Around Towns Policy

15.15 Land surrounding Newstead is identified in the adopted Local Development Plan as countryside that should be protected and enhanced through policy EP6 (fig. 61).

Building Standards

15.16 Whether or not planning permission is required, a building warrant is likely to be required for most types of building work. You can [find out whether works require a building warrant](#) from the Scottish Government website. [Further information on Building Standards](#) is also available from the Council's website.

Fig. 61 The site of Trimontium Roman Military Complex Scheduled Monument, looking back towards Newstead and Eildon Hill North. This surrounding countryside is also protected as Countryside Around Towns.



APPENDIX A: USEFUL LINKS AND RESOURCES

Further Information about Conservation Areas:

- Historic Environment Scotland Guidance on Conservation Area Designation and Conservation Area Consent: <https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationId=e4800852-69da-46fd-bd49-aa3a0108bb80>
- A Guide to Conservation Areas in Scotland <https://www.gov.scot/publications/guide-conservation-areas-scotland/documents/>

Find Out More About Your Area:

- Conservation Areas in the Scottish Borders: https://www.scotborders.gov.uk/info/20012/planning_and_building/600/conservation_areas
- Find out if your building is listed or in a conservation area, as well as other designations, historic information and view historic maps and aerial images. <https://www.pastmap.org.uk/>
- Explore historic maps. <https://maps.nls.uk/>
- Explore sites, collections, images and publications from the Historic Environment Record: <https://canmore.org.uk/>
- To research your area including access to local history books and historic documents, visit the Heritage Hub: <https://www.liveborders.org.uk/borders-collection-online/heritage-hub-archives-local-studies/>

- Books and resources about the architecture and heritage of the Borders and Newstead include:
 - Cruft, K., Dunbar, J. and Fawcett, R. (2006) *The Buildings of Scotland: Borders*. Yale
 - Hunter, F. and Keppie, L. (eds.) (2012) *A Roman Frontier Post and its People. Newstead 1911 – 2011*. NMSE Publishing Ltd.
 - Ross, T. (1889) *Ancient Sundials of Scotland (with illustrations)*. Proceedings of the Society of Antiquaries of Scotland Volume 24. Available online: [Library \(archaeologydataservice.ac.uk\)](http://library.archaeologydataservice.ac.uk) Accessed 16/12/22
 - Strang, C. (1994) *Borders and Berwick: An Illustrated Architectural Guide to the Scottish Borders and Tweed Valley*. The Rutland Press

Guidance for Making Changes in a Conservation Area

- Historic Environment Scotland publish guidance on a wide range of topics which may be relevant to proposals in conservation areas. These include the 'INFORM Guide' and 'Managing Change' series which are particularly relevant and include topics such as:

- Architectural Features,
- Boundaries,
- Building Materials,
- Climate Resilience
- Damp,
- Extensions,
- Energy Efficiency,
- Microgeneration,
- Repair and Maintenance,
- Signs, and
- Setting.

You can find Historic Environment Scotland guidance here: <https://www.historicenvironment.scot/archives-and-research/publications/?curPage=2>

- Advice on making a Planning Application affecting the Historic Environment: https://www.scotborders.gov.uk/info/20050/planning_applications/1028/applications_affecting_the_historic_environment

Heritage Specialists and Contractors

- To find heritage specialists and contractors in your area:
 - Collected register for conservation accredited professionals: https://www.ihbc.org.uk/resources_head/specialist_registers/index.html
 - RIAS Conservation Accredited Architects: <https://www.rias.org.uk/for-the-public/conservation>
 - RIBA Conservation Accredited Architects: <https://www.architecture.com/working-with-an-architect/conservation-register>
 - RICS Accredited Building Conservation Surveyors: <https://www.rics.org/uk/surveying-profession/career-progression/accreditations/building-conservation-accreditation/>
 - Building Conservation Directory provides details of specialists and contractors who work with historic buildings: <https://www.buildingconservation.com/>

Contact the Planning Service

- For advice from the Council on specific proposals, please submit a pre-application enquiry to the Council: https://www.scotborders.gov.uk/info/20050/planning_applications/524/what_needs_planning_permission/2
- Contact the Planning Department: https://www.scotborders.gov.uk/site/xfp/scripts/xforms_form.php?formID=108&language=en or prs@scotborders.gov.uk
- Contact the Heritage and Design Team: heritage@scotborders.gov.uk

APPENDIX B: GLOSSARY

Conservation Area: An area of special architectural or historic interest, the character of which is desirable to preserve or enhance (Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Section 61).

Conservation Area Consent (CAC): Consent required for demolition of buildings above 115 cubic metres and most walls in conservation areas. [Further details regarding the requirements for consent](#) are set out on the Council's website.

Design Statement: A tool by which design principles of proposals may be explained. A design statement is required to be submitted with certain planning applications - including those affecting conservation areas - to help thorough assessment of the proposals. In conservation areas, the design statement should include a heritage statement or assessment. This should demonstrate an understanding of the special interest of the area and show how the proposals have been designed to preserve or enhance the area. [Further information on design / heritage statements](#) is available on the Council's website and in [Planning Advice Note 68](#).

Harling: Traditional form of roughcast in which the mixture of aggregate (small even-sized pebbles) and binding material (in traditional harl this is sand and lime) is dashed onto masonry wall. In traditional harls the aggregate is within the mix (wet

dash) whilst in non-traditional 20th century harls the aggregate is often dashed on separately (dry dash).

Local Development Plan (LDP): Adopted planning document which sets out policies for development and land use across a Local Planning Authority (LPA) area.

Local Planning Authority (LPA): Local government body that exercises planning functions for a particular area. In the Scottish Borders, this role is fulfilled by the Planning Department at Scottish Borders Council.

Quoins: Stones larger than those within the wall, or better shaped, which form the corners of walls or door and window openings.

Setting: The way the surroundings of a historic asset or place (such as a conservation area) contribute to how it is understood, appreciated or experienced. [Further guidance on setting](#) is available from Historic Environment Scotland.

Skew: The edge of a roof where it meets a gable wall or party wall and raised slightly above (and following the slope of) the roof plane. Sometimes with copings.

Skewputt: Bottom end of skew which projects from the wallhead.

Supplementary Planning Guidance (SPG): Adopted documents which provide information and guidance to sup-

plement the policies in the Local Development Plan (LDP).

Townscape: The overall character and composition of a settlement. The term can be applied to any scale of settlement, not just towns.

Tree Preservation Order (TPO): A designation made to protect individual trees, groups of trees or woodlands with particular amenity value, or are of cultural or historical significance.

Vernacular (in architecture): Style of building which is concerned primarily with the domestic or functional rather than public buildings or particular fashions over time. Such architecture generally uses materials found locally and traditional details that have evolved to suit the local conditions.

Verge (in architecture): The junction between the gable end of a property and a roof.

Some of the above definitions are taken from Historic Environment Scotland's [Glossary of Architectural Terms](#) which also includes further useful definitions.

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PLANNING APPEALS & REVIEWS

Briefing Note by Chief Planning & Housing Officer

PLANNING AND BUILDING STANDARDS COMMITTEE

6th March 2023

1 PURPOSE

- 1.1 The purpose of this briefing note is to give details of **Appeals** and **Local Reviews** which have been received and determined during the last month.

2 APPEALS RECEIVED

2.1 Planning Applications

- 2.1.1 Reference: 22/01589/ADV
Proposal: Installation of signage to gable wall (retrospective)
Site: 1 Hall Street, Galashiels
Appellant: Unit8 Gym

Reasons for Refusal: 1. The advertisement would be contrary to Policy IS16 of the Local Development Plan 2016 in that it would represent a threat to road safety and would, as a result, impact adversely on public safety at this location. 2. The advertisement would be contrary to Policy IS16 of the Local Development Plan 2016 in that it would not relate well to the location at which it is displayed, or be in keeping with the character of the building to which it is attached, and would contribute to unsightly clutter, thereby having an adverse impact on the amenity of the surrounding area.

Reasons for Appeal: The Appellant believes the sign blends in well with the surroundings, is secure and not a hazard to adjacent road users, not being any more distracting than any other sign adjacent to any other roadway. It promotes health and wellbeing, has been generally well accepted by local people in the immediate surrounding area, none of whom objected to the application. All objections received were from another local gym and their members.

[Please see the DPEA Website for the Appeal Documents](#)

Method of Appeal: Written Representations

- 2.1.2 Reference: 22/01962/CLPU
Proposal: Change of Use of an existing agricultural building to dwellinghouse
Site: The Old Cow Shed, Lennel, Coldstream
Appellant: Mr C Brass

Reason for Refusal: Appeal against non-determination of application.

Reason for Appeal: An application for Prior Approval (22/01123/PNCOU) was not responded to within the 28 day period and therefore the development proposed is considered to be lawful. Scottish Borders Council issued a decision notice on this application. A legal opinion was sought and shared with the Council's Legal Service inviting the withdrawal of the ostensible decision notice. The invitation was declined. An application for a Certificate of Lawful Proposed Use or Development was then submitted, but no decision was issued by the Council within the statutory timeframe for determination.

[Please see the DPEA Website for the Appeal Documents](#)

Method of Appeal: Written Representations

2.2 Enforcements

Nil

2.3 Works to Trees

Nil

3 APPEAL DECISIONS RECEIVED

3.1 Planning Applications

Nil

3.2 Enforcements

Nil

3.3 Works to Trees

Nil

4 APPEALS OUTSTANDING

4.1 There remained one appeal previously reported on which a decision was still awaited when this report was prepared on 23rd February 2023. This relates to a site at:

| | |
|--|--|
| <ul style="list-style-type: none">Land West of Slipperfield House Slipperfield Loch, West Linton | <ul style="list-style-type: none"> |
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5 REVIEW REQUESTS RECEIVED

5.1 Reference: 22/00679/FUL
Proposal: Erection of boundary fence (retrospective)
Site: 100 Abbotseat, Kelso
Appellant: Mr Alan Hislop

Reason for Refusal: The development is contrary to Policy PMD2 of the Scottish Borders Local Development Plan 2016 in that it represents a prominent and incongruous form of development that has an adverse impact on the character and appearance of the surrounding area and harms visual amenities. This conflict is not overcome by other material considerations.

- 5.2 Reference: 22/01666/PPP
Proposal: Erection of 4 no dwellinghouses
Site: Land West of Greenburn Cottage, Auchencrow
Appellant: W A Mole & Son

Reason for Refusal: The proposed development is contrary to policy HD2 (Housing in the Countryside) of the Local Development Plan 2016 and Supplementary Planning Guidance New Housing in the Borders Countryside 2008 in that by virtue of topography and being located beyond the well established western edge of Auchencrow, the proposed site would not be well related to an existing building group of three or more dwellinghouses. The proposed development would extend beyond Auchencrow's sense of place, into an undeveloped field, and would result in ribbon development to the detriment of both the village's character and the surrounding landscape.

6 REVIEWS DETERMINED

- 6.1 Reference: 22/00464/FUL
Proposal: Erection of residential holiday let with associated facilities
Site: Townfoot Hill, Land North West of Cunzieron House, Oxnam, Jedburgh
Appellant: Mr Peter Hedley

Reasons for Refusal: 1. The development would be contrary to Policy ED7 of the Local Development Plan 2016 in that insufficient information has been submitted to demonstrate that the proposal is capable of being developed and operated as a viable holiday accommodation business in this location, potentially resulting in unsustainable development in an undeveloped rural landscape. The need to site the development in this particular rural location has not been adequately justified. Furthermore, the proposal has not fully assessed the requirement of Policy ED7 to reuse existing buildings, brownfield sites and/or to locate the proposal adjacent to existing buildings. The proposed development would appear divorced from the operation of Swinside Townfoot Farm and within a previously undeveloped field. As a result, the proposed development would represent a sporadic and unjustified form of development in the countryside, which would set an undesirable precedent for similar unjustified proposals. The development would be contrary to Policy PMD2 of the Local Development Plan 2016 in that its siting and design would not respect and be compatible with the character of the surrounding area, and would result in a significantly adverse impact upon existing landscape character and rural visual amenity.

Method of Review: Review of Papers, Site Visit & Further Written Submissions

7 REVIEWS OUTSTANDING

7.1 There remained 9 reviews previously reported on which decisions were still awaited when this report was prepared on 23rd February 2023. This relates to sites at:

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| • Land North East of Runningburn Farm, Stichill | • Land at Silo Bins Edington Mill Chirnside, Edington Mill Road, Chirnside |
| • Land South West of Castleside Cottage, Selkirk | • Land South West of Corstane Farmhouse, Broughton |
| • Land North and East of Clay Dub, Duns Road, Greenlaw | • 17 George Street, Eyemouth |
| • Dove Cottage Gate Lodge Press Castle, Coldingham, Eyemouth | • Ravelaw Farm, Duns |
| • Land South West of West Loch Farmhouse, Peebles | • |

8 SECTION 36 PUBLIC LOCAL INQUIRIES RECEIVED

Nil

9 SECTION 36 PUBLIC LOCAL INQUIRIES DETERMINED

Nil

10 SECTION 36 PUBLIC LOCAL INQUIRIES OUTSTANDING

10.1 There remained one S36 PLI previously reported on which a decision was still awaited when this report was prepared on 23rd February 2023. This relates to a site at:

| | |
|--|---|
| • Land West of Castleweary (Faw Side Community Wind Farm), Fawside, Hawick | • |
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Approved by

Ian Aikman
Chief Planning & Housing Officer

Signature

Author(s)

| Name | Designation and Contact Number |
|--------------|---|
| Laura Wemyss | Administrative Assistant (Regulatory) 01835 824000 Ext 5409 |

Background Papers: None.
Previous Minute Reference: None.

Note – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Jacqueline Whitelaw can also give information on other language translations as well as providing additional copies.

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